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THE LAW TIMES,

THE JOURNAL OF THE LAW AND THE LAWYERS.

FROM NOVEMBER 1864 TO OCTOBER 1865.

VOLUME XL.

To Readers and Correspondents.

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A Subscriber.—A general Index to the 10 vols. will be published.

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THE

Law and the Lawyers.

TO OUR READERS.

With this number the Law Times enters on the twenty-second year of its existence.

Looking back upon the moment of its birth, the interval appears to be very brief. But when we survey the forty-nine volumes on the shelf, and recal the prominent events which they record, the measure of the labours of twenty years appears to be immensely long.

We have a purpose, with the help of this record of the law and the lawyers, to write their history for the last twenty years. It will exhibit the steps by which that marvellous change has been wrought in the practice of the law, and that gratifying advancement in the social position of the Lawyers, which can be fully comprehended only by comparing the state of things when the Law Times commenced its labours with that which is witnessed now.

The Law Times has itself endeavoured to keep pace with the improvements in the law and the lawyers it has promoted and recorded. Look at the first number of the first volume and at this which commences the fortieth volume, and it will be admitted that there has been no reluctance on the part of the Law Times to make itself worthy to preserve the honourable position that was given to it at its birth, of being the organ of the Profession. The confidence that was then so generously accorded has never been withdrawn, and we have endeavoured to deserve it by unfailing advocacy of the interests of the Lawyers, professionally and socially.

Although subjected to the most rancorous hostility from partial interests which we were compelled to thwart in pursuance of our duty to the majority; although a joint-stock purse was subscribed by those interests, with purpose to put us down; although the most unscrupulous acts were resorted to with design to deprive us of the support that had been so liberally given to us—the attack recoiled upon our assailants, who, in their endeavour to ruin us, in a very short time found themselves in the Bankruptcy Court, and confessing ignominious failure. How complete that failure was, how entirely the Profession refused to withdraw from the Law Times the confidence it had done nothing to forfeit, was proved by the singular fact that, even during the hottest of the attack, with all that six thousand pounds could bring to bear against us, the circulation of the Law Times never fell off by so much as a single number, and at this moment is greater than ever it has been before.

And the Law Times will continue by the same means to deserve the same support. It is not the organ of a class or a clique, but of *the whole Profession*. It claims for the country solicitor an equal position with his metropolitan brethren; it opposes as resolutely as ever the constant efforts that are made to concentrate all legal business in London, and resists whatever tends to take away from the Profession in the provinces to give to a few great "houses" in Middlesex. We are well aware that this is the source of all the opposition to which we have been subjected; but we have dared to face those consequences before, and we shall still do so, confident of the continued support of those whose battles we have fought for twenty years, and have yet to fight, and in whose cause it is that the Law Times is still encountering the hostility of those to whose designs it will be, as it has been, an obstacle which can neither be put down nor purchased.

LEGAL TOPICS OF THE WEEK.

Mr. Bullar, of the Western Circuit, has been appointed Recorder of Poole, in the place of Mr. James Stephen, who had resigned.

The arrears at the commencement of the legal year on Wednesday last were unusually light in all the courts. The Judges have lately taken to deciding at the moment, instead of taking time to consider. The effect of this has been certainly to dispense speedier justice; whether we obtain as good law may be a question. Our readers will, doubtless, have noticed the greatly diminished number of *Cur. adv. vults* in the reports, and these were usually followed by written judgments. There can be no question that judgments thus carefully considered, and especially when reduced to writing, are of vastly more worth as authorities, infinitely more instructive as studies, and far more satisfactory to the Profession and to the public, than the off-hand judgments which usually convey first impressions in language by no means precise. They who merely read the reports as published can form no notion of what many of these extempore judgments were in delivery, abounding in repetitions, incomplete sentences, inapt words, and meanings that were, perhaps, clear enough to the Judge's mind, but which he failed to express clearly and became in wandering mazes lost. This is more or less the character of all extempore utterances, only that the defects are not so manifest in ordinary speech-making, because precision of thought and words is not so needful as with the Judge, who is uttering that which is to be the law.

These considerations have led many law reformers to the conclusion that all judgments on questions of law should be written. The Law Times has always maintained this opinion, and therefore it is with regret we see the practice of *cur. adv. vult* and written judgments becoming more and more rare, and informal judgments, loosely uttered under the impressions of the moment, gradually being substituted for those valuable essays on the law with which the old reports teem. As it is, the reporter, or the editor, has the laborious task of licking the extempore judgments into shape. It is impossible to print them as spoken, for they would be simply an unintelligible mass of broken sentences, tautologies, parentheses, and words that do very well when spoken, but are extremely inapt and inelegant in writing—often grammatically incorrect when printed. Hence, upon the reporter is imposed the task of making the Judge appear to say, not the very words he really used, but that which the reporter understood him to intend to say—a process that is not desirable, but is certainly unavoidable, as all would admit, if they were to see the *verbatim* shorthand transcripts of extempore judgments that are weekly sent in to us, and especially from the equity courts. Some Judges possess the faculty of clear and correct expression far more than others. An extraordinary instance of this is the Lord Chief Justice, whose extempore speaking is so correct that a sentence rarely requires alteration. Next to him in precision is the Lord Chancellor, and he also requires very little correction. Chief Justice Erle follows, and will also endure to be reported in shorthand, without imposing on the reporter and editor much labour of correction. Barons Channell and Martin are easy to report, and Mr. Justice Shee promises to become so. But here the list ends. All the other Common Law Judges require considerable correction. But they are perspicuity itself compared with some of the Equity Judges. We have received the shorthand notes of judgments from their courts which required correction in every sentence, and more time was consumed in putting them into readable shape than it would have taken to write them afresh. We trust, therefore

that, instead of yielding to the temptation of summary decisions, the Judges will revert to the old system of taking time to consider, and in all cases in which this is done, giving *written* judgments. They would be infinitely more satisfactory to the Profession and the public than the loose and hasty statements in which the law is now commonly laid down, and would impose but small additional labour.

No sooner are the Lawyers met together after the long vacation, than the tenacious author of the Attorney-General a pamphlet letter, reminding him that the appointment of a time and place for holding the further meeting of the Bar awaits his fiat. It was, Mr. Daniel writes, matter of surprise to him that any publications "affecting to furnish correct information to the public" should have fallen into the mistake of representing that the proceedings of the committee had proved a *fiasco*, and that the Profession would be troubled no more with the report or scheme. Notwithstanding this "weak invention of the enemy," he presumes the meeting will be held, and that the question of adopting the plan recommended by the committee, with or without modification, or rejecting it *in toto*, will be considered and decided. The professed object of the letter is to promote and assist the full and fair discussion of this scheme. Mr. Daniel's promotion and assistance begin with an attack upon the Law Times in retaliation for, but not in answer to, some remarks which it thought proper to make in July last, among legal topics, upon the scheme and proceedings of the committee, which remarks Mr. Daniel does us the honour to reproduce in "Appendix D." In raising this contest with us he has constituted himself a kind of guardian or next friend to the other one-and-twenty gentlemen for the purpose of vindicating their professional position and personal character, which were never assailed by us. How they will like his tutelage may be left to their taste and feeling. Pass we on to our own affair. "Notwithstanding," proceeds Mr. Daniel, "some discourteous attempts to depreciate the character and impugn the motives of the committee, in which anonymous journalism has condescended to indulge (see a specimen, Appendix D), I believe that, whether the result of the labours of the committee be accepted or not, no honourable member of the Bar will permit himself to doubt that those labours have been undertaken, and the result proposed, with singleness of purpose, directed solely to the public object for the furtherance of which the committee were appointed." All this solemn propitiation may be true enough, but it is not the point. What occurred was this: Mr. Daniel, in his first pamphlet letter to the Attorney-General, complained that "the most serious aspect of this matter of expense is as it affects the purchasers of reports. . . . The annual cost of the entire series of reports, regular and irregular, is now somewhere about 45*l*.—perhaps a little more—of which the cost of the regular reports is about 30*l*. . . . . A considerable body of practising barristers . . . although they do not take in all the reports, feel themselves obliged to take them in to such an extent as to render the expense a grievous burden. . . . I take the House of Lords cases, &c. This series, imperfect as it is, costs me about 29*l*. 12*s*. 6*d*. per annum, exclusive of binding. . . . Treated as an investment, you cannot calculate upon a loss of less than 50 per cent." All which is prefaced by an historical sketch, wherein attention is directed to a certain paper of the Law Amendment Society on the expense and other results of competition in law reporting, because "those who wear the shoe can best tell how and where it pinches." The bar meeting was held and the committee appointed, when the committee divulged its plan for the Council's contracting with one or more publishers or printers, who were to supply an entire set of reports for 5*l*. 5*s*., undertaking all the trouble and risk of the publication, sale and distribution, receiving the subscriptions and paying all expenses, and were to provide out of the profit returns a yearly sum of 10,700*l*. for the salaries of two editors and twenty-four reporters, whose appointment was to be in the patronage of the Council, and when it appeared that the committee had not secured the concurrence of even the present "authorised" reporters, but meant to oust all the existing reports from the court, and when moreover the committee opened its subscription list for the intended one or more publishers or printers, we ventured, without previously submitting our article to Mr. Daniel's censorship, to write that the would-be law reporters were sending round the begging box; that they were asking subscriptions, regularly touting for buyers—in fact, doing the very thing they denounced, putting up the business of reporting to competition, trying to set up a new shop of their own against the existing establishments, and calling out to the customers of their rivals, "Walk, in gentlemen, here are the new and true reports—this is the genuine and only Jarley—all others are impostors." There *was* something, we added, to be urged on behalf of official reports, taken and published by authority, at the public cost; but that it was quite another matter to pervert the cry, which now appeared to have been stimulated by most selfish motives, into a mere excuse for starting another trading enterprise, and under pretence of the reports being too numerous already, sending forth a new one as the avowed rival of its predecessors. Under pretence of the public interests, they now sought the promotion of their own. By the establishment of handsome salaries for themselves and their friends, to be purchased by the ruin of those whom they could hope to supplant only by giving to their private speculation the character of a public enterprise undertaken purely for the public good, they wished to appear as patriots, and to make patriotism profitable. We shall now say no more on this point than to ask any sensible man of the world, first, was patriotism or the yearly saving of the difference between 29*l*. 12*s*. 6*d*. (exclusive of the binding), and 5*l*. 5*s*. the *primum mobile*? Secondly, is or is not 10,700*l*. a-year in salaries for six-and-twenty editors and reporters a prize that influential barristers and their friends will covet above the public good? The Brutus of the bar reporting plot is an honourable man—so are they all, all honourable men; but they will not the more on that account wish to see the Law Times hung up in appendix for the offence of calling a spade a spade.

But Brutus must have his honourable sneer also at "anonymous journalism." We thought that in a free community this institution was so well understood that no one, however narrow his range of knowledge and observation might have become by long application to the one subject of his calling, could at the present day be found rash enough to assail it. Law reporting, like every other public question, is matter of argument and opinion. Whether the writer be Mr. P. B., or Mr. Q. C. is nothing to the purpose. The argument and opinion must stand on their own merits. So standing in a journal, they are taken more or less to influence, or to represent, or to be countenanced by, its numerous readers. If the arguments or opinions in a pamphlet, either with or without a name, are supposed to be influencing any important section of the community, they attract notice. But let not Mr. This or That fancy that because he is Mr. This or That, therefore the legal press and others have lifted him to an ephemeral notoriety: there is no personality in the affair. When this business is over, if it is not already over, he will be dropped; and the representative of arguments and opinions on some other matter be brought before the public.

Justices' Clerks and practitioners in magistrates' courts are requested without delay to send to Mr. Oke whatever suggestions they may have to make for the perfecting of his Magistrates' Courts Procedure Bill, which is intended to be pressed upon Parliament during the coming session. The measure is one of great importance and interest, and we trust that it will be carefully considered by those who are most competent to assist in its construction.

The *Observer* and the *Star* deny that a dissolution before the close of the year is designed by the Government; but the former, which alone has even a show of authority, employs very ambiguous terms, and it is a strange and suspicious fact that the prevailing rumour has not been contradicted by any one of the regular daily organs of the Ministry. The *Times* and *Post* have preserved an expressive silence. It may be that they have not been instructed; but the authorities cannot but be aware of the prevalence of the report, of the general credence given to it, and of the consequent plunge of the country into the excitement and expenses of electioneering. If there was no truth in the report it was the duty of the Government to give to it an unmistakeable denial, if it were only in justice to their own supporters, who are compelled by their silence into a premature contest. We therefore still believe that a general election will take place before Christmas. It is more than probable that so much of the rumour is incorrect as ascribed the asserted resolve to a desire to have the election on the old register, because the new register is less favourable. Such a *ruse de guerre* as that is not likely to be attempted by any Ministry. The purpose would be so obvious that all the thousands whose franchise is newly admitted, but who cannot vote until after Nov. 30, would justly look upon it as a personal insult, and enlist themselves under the banner of the Opposition. The contradiction of the *Observer* may well be construed to extend only to this contingency, and a dissolution may still be had in December, as soon as the new registers come into operation. There are manifold reasons why this course should be taken, and none against it. Lord Palmerston's age, and the vital importance of going to the country with his personal popularity; the absence of any cry against the Government, combined with a certain amount of support which the autumn canvass in the North has obtained; the possibility of complications at home or abroad, which might occur at the moment of the natural death of the Parliament, and not impossible differences between the Democratic and the Whig sections of the Cabinet, when they come to frame the programme for the session—all preach the wisdom of anticipating, in a favourable season, an event which cannot be long delayed, and which otherwise might be forced upon them at a less propitious time. The choice is now their own; next year it may not remain to them.

And if policy prescribes a dissolution, ample reasons may be found to satisfy the country that it is a patriotic resolve. It may be said, and with much truth, that the expenses and excitement and demoralisation of an election are proceeding at this time in three-fourths of the boroughs, and will continue until the election is over, however it may be protracted, and that in mercy to the pockets of members and candidates they ought to abbreviate the struggle; that a dying Parliament is useless for any purpose of business, and will think more of the hustings than of measures; that a dissolution may in such a state of things be forced at any moment by an adverse vote, and then the private business of Parliament will be seriously impeded, and great losses inflicted upon individuals; that by dissolving soon the elections may be completed before Christmas, and then the work of the next year will proceed without hindrance. These excuses, if any are needed, will be readily accepted by the country, and if any promises made at the last fight for office stand in the way, they will be as readily forgiven.

When, therefore, policy and propriety, party and public convenience, point to one course, it is probable that it will be followed, and therefore, unless a specific and authoritative contradiction be published, we shall still look for a dissolution at the beginning of December, as soon as the new registers come into operation. At all events we advise our readers to be prepared. The Solicitors must remember that they are everywhere the leaders in the struggle, and it especially behoves them not to be found sleeping.

Since the above was written Parliament has been prorogued to the 11th of January. But this in no way affects the probabilities we have stated. It would be contrary to etiquette officially to anticipate a dissolution.

The New Highways Act, although designed to cure the defects that experience had revealed in the former statute, and the product of the concentrated wisdom of a committee of country gentlemen, chairmen of highways boards, and therefore supposed to be specially fitted to frame a law for the supply of powers of which they had discovered the need, is nevertheless a singularly imperfect measure. It effects some improvements, but it stops short suddenly at the threshold of others no less obvious and far more required. It is as if there had been enemies in the council who, under the mask of friendship, had contrived to mar the efficiency and com-

pleteness of the work. Further improvements are necessary; the labour of legislation must be renewed, and much precious time will be lost.

The new provisions relating to the formation of the highway districts are unexceptionable and remove many difficulties not foreseen by the framers of the original Act. Districts may now be formed at any time of the year; the provision that limited the election of waywardens to Easter being repealed, and the new representatives of the parishes may be elected on a day to be appointed in the final order creating the districts.

Contiguous places, though in different counties, may be united in one district. Parishes may be removed from one district to another. No order for the formation of a district is to be void by reason of including within it any parish or place which the justices were not entitled to include.

The general provisions include a variety of small changes. A waywarden may act as such for more parishes than one, but he will have only one vote. Great inconvenience had arisen from a supposed prohibition by the Act of 1863 of waywardens from contracting for the supply or cartage of materials. It is now declared that they may so contract, with the licence of two justices, granted on an application by the clerk to the Highways Board.

By the 21st section the board is empowered, with the consent of two justices, to direct that a highway, deemed to be unnecessary, shall cease to be such, repairable by the parish. But it is not to be stopped up, and may, by the quarter sessions, be ordered to be again treated as a public highway, if at any time thereafter it shall appear to them desirable.

Boards may contract with private persons, trustees of turnpikes, and corporate bodies, to repair roads and bridges, for which the latter are liable, and *vice versâ*.

An important and very useful provision has been introduced relating to straying cattle. Every person having occasion to traverse country roads is aware of the nuisance always, and often the danger, arising from the practice of turning cattle loose upon the highways, to feed at the cost of the public, besides destroying fences and other mischiefs. For this the General Highways Act provided no practicable remedy. But now it is enacted, by sect. 25, that if any cattle, &c., is found "straying on or lying about any highway, or across any part thereof, or by the sides thereof (except on such parts of any highway as pass over any common, or waste, or uninclosed ground)," the owner shall be liable for each animal to a penalty not exceeding 5s., together with the cost of its removal to the fields or stable of the owner, or to the common pound, or other place provided for the purpose. Our readers will remember a controversy upon the effect of this section, which repeals the 74th section of the General Highways Act, by which a power to impound was given. It was contended that this repeal took away the power of impounding; but it was answered that the common law right to impound still remained, and it might be added that the section in the new Act refers to impounding, and would probably be construed as giving the power. But in practice the penalty will be the real protection of the highways against these freebooters; it will rarely be necessary to resort to the now almost obsolete parish pound.

Justices within the district or radius are now empowered to act as *ex officio* waywardens, although resident in a place excluded from the operation of the Act. But if entitled to be members of two boards, they must by letter elect to which of them they shall attach themselves.

Appointments of officers may be made by a minute of the board signed by the chairman and the clerk.

Other excellent provisions are made for the expenses of the board. As with the Poor-Law Unions, there is to be a common fund, to which each parish is to contribute in proportion to its rateable value. Out of this fund all the general expenses of the board are to be paid. The expenses of keeping the highway in repair and other expenses properly belonging to the individual parish are alone to be charged to such parish.

The calls for contribution are not to exceed tenpence in the pound at one call, nor 2*s.* 6*d.* in the pound for the year, except with the consent of four-fifths of the ratepayers.

An appeal to the quarter sessions is given against items of excess of expenditure, orders of the board made without jurisdiction, improper apportionment of expenses, or inequality of orders for contributions. But notice of intention to appeal is to be given to the board, who may summon the appellant to appear before it and state his grievance, and the board may amend or make compensation. And the quarter sessions are empowered to send any such appeal to arbitration. If the question involves some important matter of law or fact, as if the road is or is not a highway, the court may submit a case to the Superior Court, or try the question of fact by a jury.

The 46th section removes a difficulty which had caused inconvenience everywhere, and in many places had prevented the boards from enforcing penalties or orders. The former Act had made the justices resident within the district *ex officio* members of the board, and at the same time prohibited them from acting in any matter on the decision of which they had been present at the board; so that they could not do their duty as waywardens without disabling themselves as justices. This inconvenience is now removed, and it is expressly enacted that "the justices in petty sessions, at their usual place of meeting, may exercise any jurisdiction which they are authorised under the Highway Acts, or any of them, to exercise in special sessions; and no justice of the peace shall be disabled from acting as such at any petty, or special, or general sessions, in any matter, on the ground that he is by virtue of his office a member of any highway board complaining, interested, or concerned in such matter, or has acted as such at any meeting of such board."

The provisions relating to improvements will be considered in a future paper.

A CORRESPONDENT of the *Times*, lauding BASS's Bill for the suppression of the organ-grinder nuisance, complains of the scarcely less annoying cries of itinerant traders, and asks what can be done to put them down. As the season is coming when the streets will be infested with a more formidable nuisance than either of those referred to, we will add it to the catalogue of grievances.

For two or three weeks before Christmas the streets and squares are paraded at midnight by parties of musicians who call themselves "Waits," caricaturing an ancient observance of Christmas-eve, in commemoration of the hymning of the heavenly host on the night of the Nativity. In villages and country places, the rustic choir of the church visit the farmhouses and receive largesses for their rude carols; but they do this at an hour when all the inhabitants are waking, and for that holy vigil only.

But the London caricature of this pleasing country custom has nothing in common with it. For a whole fortnight, and sometimes even for three weeks, just as all good people have fallen into their first sleep, they are awakened by an atrocious burst of discordant sounds in the street below from a brass band, attempted by imperfect players in an advanced stage of intoxication. The cornopean shrieks, the trombone groans, the trumpet brays, each striving to excel the other. It is a sore annoyance to you to be wakened out of a sleep, for which your time is limited. If you are in health, it is painful to have your ears torn by harsh discords and unpleasing notes; but if you are ill, it is a torture. Perhaps one of your family is sick, and sleep is life. What are your feelings, then, as this diabolical concert goes up, to banish kind nature's sweet restorer from the dear one to whom sleep is salvation.

It may well be asked, why is this nuisance permitted? Even the most sturdy partisans of organ-grinding by day will not defend this invasion of the quiet of midnight. If liberty is to be construed as the right of a few, for their own profit, to make a noise to the annoyance of others by day, it will scarcely be contended that any noises may be rightfully made at midnight. It may be the privilege of a free-born Briton, for his own pleasure, to prevent a whole street from thinking by day; but it will not be held to extend to the prevention of their sleep at night. Yet, when Sir R. MAYNE was applied to, he informed the writer that the police had no power to put a stop to the nuisance. It seems that, although they could, and would, forbid a couple of revellers from howling "We won't go home till morning," and even arrest them for being disorderly, they cannot prevent half-a-dozen vagabonds from shrieking through brass tubes, because they call it music. It is to be regretted that Mr. BASS's Act did not supply the power which Sir R. MAYNE asserts that his police do not possess.

But the entire question of the management of streets requires legislation, and the establishment of general regulations based upon a definite principle. There would be no difficulty in framing these when once it is distinctly recognised that a street is merely a *thoroughfare* for all persons to *pass along* upon their necessary business or pleasure, and that any other use of them for any private purposes is an invasion of the public rights. There is no injustice or hardship in compelling the strict observance of this their proper use, and the public have a right to require of their peace officers that they shall keep the streets free from obstructions of all kinds. Streets are not designed for trading, and it is no hardship to say that no person shall pursue his trade there. This will be apparent in a moment on reflecting that, if the right exists for one man to play music, or cry his wares, or pursue gain there, it would be the equal right of all other men to do likewise, and then the streets would cease to be thoroughfares. The simple remedy would be to carry out impartially the rule that streets are public ways to be *traversed* and nothing more, and to require that the police should prevent other uses being made of them, and to call upon all obstructors to "pass on," and all who make a noise there, whether called music, or "cries," or otherwise, to be punished as disorderly persons.

THE following letter in a contemporary is a novel and instructive form for estimating the worth of circumstantial evidence. It well deserves to be read and remembered.

The Chief Baron, in his charge to the jury on Muller's trial, pointed out the fact that a combination of circumstances may produce a moral certainty, when each one by itself would only lead to a strong suspicion.

The case is one to which the mathematical theory of probabilities is very easily applied; and it furnishes (as, when properly interpreted, it always does) results completely in accordance with common

This application ought not to be considered a matter of mere curiosity, because it shows, more clearly than unassisted common sense can show, that it is necessary to guard against the opposite errors of exaggerating the effect of accumulation when each piece of evidence by itself is *weak*, and undervaluing the effect when each is *strong*.

This will be seen from one or two examples. The rule is very simple, and can be stated without mathematical language.

Suppose we were able to express numerically the odds in favour of the guilt of the prisoner, which would result separately from several independent circumstances; then to find the odds resulting from the combination of circumstances, we must multiply together the first terms of the several odds for a first term, and the second terms for a second term. For example, suppose there are three independent circumstances which would severally give the odds five to three, seven to four, six to five, against the prisoner. In combination they will only give 210 to 60; that is, 7 to 2. Here is a case where the several pieces of evidence are weak, and the cumulative effect is not much stronger. But suppose each of the three would by itself give 10 to 1; then, in combination, they would give 1000 to 1.

If there is any other circumstance which by itself would give odds *against* the prisoner's guilt, the rule must still be applied, the terms of such odds being inverted. Thus, if in the case last supposed there were a fourth circumstance, giving by itself the odds 5 to 1 in favour of the prisoner, the effect of the whole combination would be 1000 to 5, or 200 to 1, against him.

It may be necessary to warn persons slightly acquainted with the subject against confounding the above rule with that which gives the probability of the concurrence of several independent events in terms of their separate probabilities. W.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (*a*)

CHAPTER V.

THE OFFICERS OF A BENEFIT BUILDING SOCIETY, THEIR APPOINTMENT, DUTIES, AND RESPONSIBILITIES.

(*Continued from p. 365, col. xxxix.*)

113. *Solicitor responsible for loss arising from his negligence.*—The solicitor of a building society will be responsible for any loss arising from his negligence or want of skill in the investigation of a title. A case which arose at the Liverpool

(*a*) By W. W. BARRY, Esq., Barrister-at-Law.

Assizes in the spring of 1842 is important in this respect. There Neilson and others, the plaintiffs, were the trustees of the Crown Building Society, and as such they recovered from the defendants, Currie and another, the solicitors of the association, the large sum of 1350*l.* as damages sustained from the negligent investigation of a title. The defendants had given a certificate to the society of their approval of the title of the borrower to the property upon which the advance was to be made, but they neglected to secure the assignment of an outstanding term. Subsequently the borrower effected a second mortgage with different parties, who got the outstanding term assigned to them, and so secured a priority over the first mortgagees. The value of the property not being sufficient to pay off both mortgages, the trustees sued the solicitors for the loss sustained by the society, and the jury retured a verdict for the above amount: (*Times* newspaper, April 12, 1842.)

114. *Surveyor liable for loss arising from inadequate value.*—The liability for any loss sustained by reason of the security being of an inadequate value would fall on the surveyor and not on the solicitor. If the report also of the surveyor be grossly incorrect, and the society sustain any loss thereby, the surveyor is clearly liable to compensate the society for the loss: (*Moneypenny* v. *Hartland*, 1 Car. & P. 352.) It may be remarked that an estimate calculated on the amount of rent actually paid is not always trustworthy, as attempts have sometimes been made to mislead the surveyor in this respect by letting the property at a fictitious rent, much larger than is actually paid for the same.

115. *When and against whom the surveyor should sue for his fees.*—We may here take the opportunity of observing that the surveyor cannot sue the member to whom an advance is to be made until the time for deducting and retaining the fees out of the moneys to be advanced has elapsed, for they do not become due until then, but after that he may sue the trustees for the fees if they have deducted them, and not paid the same over to him or the member who is bound to pay them if the fees have not been deducted.

116. *Officers bound to render proper accounts.*—Every person who shall have or receive any part of the moneys, effects, or funds of or belonging to any benefit building society, or be in any manner intrusted with the disposal, management, or custody thereof, or of any securities, books, papers, or property relating to the same, his executors, administrators, or assigns respectively, is required, upon demand made or notice in writing given or left at his last or usual place of residence in pursuance of any order of the society or of the managers for that purpose, to give in his account at the usual meeting of the society or to the managers thereof, to be examined and allowed or disallowed by the society or the managers thereof, and on the like demand or notice to pay over all the moneys remaining in his hands, and assign and transfer or deliver all securities and effects, books, papers and property taken or standing in his name, or being in his hands or custody, to the treasurer or trustees for the time being, or to such other person as the society or its managers shall appoint. In case of any neglect or refusal to deliver such account, or to pay over such moneys, or to assign, transfer, or deliver such securities and effects, books, papers and property, the society is empowered in the name of the treasurer or trustees or other principal officer thereof to exhibit a petition in the Court of Chancery in England or Ireland, or in the Court of Session in Scotland, or in the Courts of Great Sessions in Wales respectively, who may proceed thereupon in a summary way, and make such order therein upon hearing all parties concerned, as to such court in their discretion shall seem just, which order shall be final and conclusive, and all assignments, sales and transfers made in pursuance of such order shall be good and effectual in law to all intents and purposes: (10 Geo. 4, c. 56, s. 14.)

117. *Officers, members, or other person acting fraudulently may be convicted before the magistrates.*—If any officer, member, or any other person being, or representing himself to be, a member of a benefit building society, or the nominee, executor, administrator, or assignee of any member of such society, or any other person whatever, shall, in or by any false representation or imposition, fraudulently obtain possession of the moneys of such society, or any part thereof, or having in his possession any sum of money belonging to such society, shall fraudulently withhold the same, and for which offence no especial provision is made in the rules, any one justice of the peace residing within the county within which the society shall be held, is empowered, upon complaint made on oath or affirmation by an officer of such society appointed for that purpose, to summon such person against whom such complaint shall be made to appear at a time and place to be named in such summons, and upon his appearance, or in default thereof, upon due proof upon oath or affirmation of the service of such summons, any two justices residing within the county are empowered to hear and determine the complaint according to the rules of the society, and upon due proof of the fraud the justices shall convict the party and award double the amount of the money so fraudulently obtained or withheld to be paid to the treasurer, to be applied by him to the purposes of the society so proved to have been imposed upon and defrauded, together with such costs as shall be awarded by the justices, not exceeding the sum of 10*s.* And in case such person against whom the complaint shall be made shall not pay the sum of money so awarded to the person and at the time specified in the order, such justices are required, by warrant under their hands and seals, to cause the same to be levied by distress and sale of the goods of such person on whom such order shall have been made, or by other legal proceeding, together with such costs as shall be awarded by the justices, not exceeding the sum of 10*s.*, and also the costs and charges attending such distress and sale, or other legal proceeding, returning the overplus (if any) to the owner; and in default of such distress being found, the justices of the peace shall commit such person so proved to have offended to the common gaol or house of correction, there to be kept to hard labour for such a period not exceeding three calendar months as to them shall seem fit. The society may, nevertheless, proceed by indictment or complaint against the party complained of; but not if a previous conviction has been obtained for the same offence before the justices: (10 Geo. 4, c. 56, s. 25.)

118. *Secretary indicted for embezzlement.*—In the case cited (*Reg.* v. *Hastie*, 7 L. T. Rep. N. S. 895, C. C. R.), it was, by the rules, no part of the secretary's duty to receive subscriptions or other moneys for the society, yet according to the course of business the management of the society was practically left almost entirely in his hands, and he frequently received subscriptions. This being the position of affairs, the secretary embezzled some redemption-money upon a mortgage which had been paid to him, and it was held that he might be legally indicted for embezzlement, on the ground that the money was received by virtue of his employment, and for his masters.

119. *Officers may render themselves personally liable by special contract.*—Though, as a general rule, the officers of a benefit building society are not liable personally, yet any of them may be rendered so by means of a special contract, the existence or finding of which is entirely a question for the jury: (*Alexander* v. *Worman*, 33 L. T. Rep. 273, Ex.)

120. *How promissory note should be framed so as to render the society alone liable.*—A promissory note was made in the following form:—"Midland Counties Building Society, No. 3, Birmingham, March 12, 1858. Two months after demand in writing, we promise to pay to Mr. Thomas Price the sum of one hundred pounds, with interest after the rate of six pounds per centum per annum, for value received. W. R. Heath, John Taylor, Trustees. W. D. Fisher, Secretary. 100*l.*" It was held that the parties who signed this note were personally liable upon it, and that the right of the holder to sue them was not affected by the several statutes relating to benefit building societies. It would seem, however, that if the note had been made by the parties in such a form as not to bind them personally—that is, if the promise had been qualified—then the society would be liable, and not the parties alone personally: (*Price* v. *Taylor*, 5 H. & N. 540; s.c. 29 L. J. 331, Ex.; 6 Jur. N. S. 402; 2 L. T. Rep. N. S. 221.)

121. *Precise form of such a note.* For instance, if the form of the note be, "Three months after date, we, two of the directors of the — Building Society, by and on behalf of the said society, do hereby promise," &c., such a promissory note will be binding on the society, and not the parties who signed the same: (*Ayre* v. *Nicholson*, 1 H. & N. 165.)

122. *Instance of secretary rendered personally liable.*—In another case the note was in the following form:—"Midland Counties Building Society, No. 3, Birmingham, Sept. 1, 1856. One month after demand, we jointly and severally promise to pay Mr. John Bottomley the sum of 120*l.*, with interest thereon after the rate of 6 per cent. per annum, payable half yearly, for value received. (Signed) W. R. Heath, S. D. Smith, Trustees. W. D. Fisher, Secretary." Bottomley, who was not a shareholder, sued the secretary, and it was held that such officer was personally liable: (*Bottomley* v. *Fisher*, 6 L. T. Rep. N. S. 688, Ex.)

123. *Surveyor cannot sue directors personally, except under special contract.*—It is a mistake to suppose that in societies of this kind the surveyor or secretary, or the other officers, do work and labour upon the same terms as professional men of their class ordinarily do. They generally have a much greater interest in them than the directors, and in the great majority of cases are the individuals who get them up, and at whose request the directors consent to accept the office and take upon themselves the liabilities and duties of their situation, and it is very clear that such officers discharge duties and perform services with the understanding on all hands that they are to be remunerated out of the funds, and that, if the funds fail, the officers must remain unpaid. Therefore, a surveyor cannot maintain an action against one of the directors personally for work and labour, unless he can show a special contract: (*Alexander* v. *Worman*, 6 H. & N. 100; s. c. 30 L. J. 198, Ex.; 3 L. T. Rep. N. S. 477.)

124. *Trustees liable for work ordered by secretary.*—If the secretary of a benefit building society give orders for work, and such work is actually done, and the society have had the benefit of the work and the materials provided, the trustees of the society are bound to pay for it if there be evidence to satisfy the jury that the secretary was the general agent of the directors, even though the work was not ordered at a board meeting. For it would be very wasteful, for instance, if an order to repair a broken window could not be given by the rules without convening a board of directors to authorise the same: (*Allard* v. *Bourne*, 3 N. R. 42, C. P.)

THE LAWS OF PROPERTY, THEIR ADAPTATION TO THE PRESENT SOCIAL CONDITION OF SOCIETY.

Abstract of a Paper read before the First (Jurisprudence, &c.) Department of the Social Science Congress, York. By RICHARD DENNY CHEK, Esq. Barrister-at-Law.

THE distinction between the English laws of real and personal property speaks of a state of society when land formed the main source of influence, and when personal property was of comparatively little value. A result of the feudal system was the formation of a body of law which favours the handing down of estates undivided, and discourages transfer or subdivision. If it is for the advantage of the commonwealth that the upper class should be recruited from time to time, and that wealth gained by commerce should be invested in land, then there should be every facility for the sale and subdivision of estates. The proprietor who is unable to maintain his position should be free to withdraw from it, and the land should be as capable of sale, or nearly so as any other commodity. There are, further, hindrances to the progress of agriculture which might be diminished or removed, and which are connected with our real property laws. Mr. Mill has shown that the breaking up of entails and the cheapening of the transfer of property are direct aids in the progress of agricultural science. The embarrassed state of the Irish landlords in 1850 was the direct result of a long course of settlements of estates. Small settled estates have ever a tendency to embarrass their owners, for charges accumulate in the course of a few generations, and the feudal notions are directly opposed to the sale of the whole or a part of an incumbered estate. There seems reason to regret that leases are discouraged in most parts of England, as the greatest economists have laid it down, and the conclusive is reasonable that land will not be cultivated in the most perfect manner by a tenant who may be dispossessed on a few months' notice. The massing together of estates in a few hands has now proceeded to such an extent that the smaller proprietors or yeomen have all but disappeared. In many counties are now found only large [illegible]

and yearly tenants. This paper proceeds on the belief that it is for the public advantage that there should be many proprietors, and that the most favourable condition is that of the farmer who is the proprietor of the land farmed by him. The laws favour the collecting together of lands in a few hands; as Mr. Mill has shown in his chapters on entail, and the custom or right of primogeniture.

The system of entail cannot directly be interfered with, but some of the inconveniences arising from it might be obviated, at least to a great extent, by the following means. Land improvement and drainage should be encouraged by Government loans, repayable by instalments spread over a larger number of years, and more freely granted, than at present. The want of powers of sale in settlements should be supplied more effectually than by the present Settled Estates Act, which is expensive in working, and requires consents to be given by persons whose consent the court should be enabled entirely to dispense with. With regard to limitations by will, it might be well to limit the powers of testators in "tying up" estates by requiring that the estate should vest absolutely after the termination of a life in being, without the addition of any term of years as at present. This of course would not apply to the limitations created by a marriage-settlement.

With regard to the occupation of land, it seems desirable that the law of distress and replevin should be simplified, and that lessors should not be allowed to obstruct cultivation by unreasonable farming covenants. The question of primogeniture has often been discussed. If real property were assimilated to personal property, not only would justice be done in many cases where the present law works injustice, but the indirect effect would be considerable. The law now sanctions a principle of division which has its effect, indirectly, on the minds of many persons. Were the law altered, testators would be less likely to act on the old feudal notion of a "representative of the family." They would be less likely to enrich one at the expense of the rest. The subdivision of land among all the sons of a deceased owner would check the prevailing tendency towards a rapid reduction of the number of proprietors, and would tend to encourage yeoman-farming.

There are some miscellaneous points connected with the laws of property, which, although not strictly arising out of the question, may be alluded to, inasmuch as, by means of a number of minor improvements, something might be done towards bringing the laws of property into harmony with the present condition of society.

The periods fixed by the Statute of Limitations seem to be longer than necessary, now that those events of life which affect the disposition and inheritance of property are more rapidly and more widely made known than formerly. Under the Roman Law no claim could be made after the lapse of thirty years; and this seems an ample *maximum*. The other periods fixed by our law might also be shortened with advantage. The Act known as Mr. Malins's Act (20 & 21 Vict. c. 57) is very capable of extension. In very many cases the reversionary interests of married women in chattel interests or other personalty are unsaleable, notwithstanding that Act.

Another suggestion is, that the exceptional tenures, gavelkind, Borough English, &c., should be abolished, and the tenure of land throughout England rendered uniform. With regard even to copyhold, there is some trouble and expense about enfranchisement which might well be spared by enfranchising at one blow by force of a statute. In the Law of Wills there are one or two points in which the Wills Act might usefully be supplemented. That Act introduced some refinements with regard to the signature and attestation of wills, which have given rise to uncertainty and litigation. Any testator who wishes to be quite sure during his lifetime as to the due execution of his will, should be allowed an option of executing the will in the presence of a principal or district registrar of the Probate Court, whose seal affixed should be conclusive as to the due execution, and should be equivalent in law to a perfect attestation. There are some minor points in which the Law of Wills operates harshly in certain cases, *e. g.* with regard to wills executed immediately before and in contemplation of marriage, but which are nevertheless, as the law stands, necessarily revoked by marriage; also with regard to the position in law of children born after the making of a will, which does not provide for them as a class, or born after the testator's death.

The excuse for collecting together a number of suggestions in relation to the laws affecting property must be, that, as there is no code or system of English jurisprudence, in the absence of such, the work of the law reformer will necessarily be of a somewhat incoherent or patchwork character, and his attention must be chiefly directed to minor points where a remedy appears to be practicable. It is believed that, in the points alluded to, our law requires amendment, as being more or less opposed to the maxims of public economy, and to the present state of society.

INVESTMENT JOURNAL.

THE Stock Exchange has been quiet, and gold has come into the Bank so freely that there would have been a reduction in the rate of interest on Monday but for news of a sudden drain of gold in Paris. However, it is expected next week. If the present high value of money were to continue much longer, the failures must be vastly multiplied. No business can endure 10 per cent. for discounting its paper. Writers in the newspapers, ignorant of business, are continually asserting that profits are great, and therefore the cost of money is practically unimportant. They do not appear to know how it affects the regular tradesman, who does a regular business, and does *not* speculate. We will tell them. Ordinary business is conducted by means of bills. The custom is to pay in bills, which are discounted. Profits are calculated on the assumption that discounts can be had at 5 per cent. at the utmost. But when discounts advance, as now, to 10, 12, or even 20 per cent., the trader is still obliged to take bills from his customers as before, and he is still compelled to discount them to meet the regular outgoings of his business. He cannot add to prices because of high discounts, and consequently, if he must pay 15 per cent. instead of 5 per cent. for that accommodation, his entire profit is swept away, and if to this there be added some bad debts, which are always more numerous at the season when they can be least spared, the process of ruin is in operation, and bankruptcy is the inevitable result, should the high prices of money be protracted. Thus it is that the speculators who have caused the scarcity of capital ruin not themselves only, but the regular tradesman who is content with the fair profits of trade and does not play the game of "heads I win, tails you lose," and thus it is that so much mischief is wrought by limited liability, which stimulates speculation unduly by giving to speculators unlimited profits if they succeed, while exempting them from loss if they fail.

The following are the fluctuations of the week:

English Funds	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	239		237½	239
3 per Cent. Red. Ann.	89¾	87¾	87¾		87¾	87¾
3 per Cent. Cons. Ann.	89¾	89¾	89¾		89¾	89¾
New 2½ per Cent. Ann.	...	...	...		...	...
Do. do. Jan. 1894	...	...	...		...	...
New 3 per Cent. Ann.	87¾	87¾	87¾		87¾	87¾
New 3½ per Cent. Ann.	...	...	...		...	...
5 per Cent. Annuities	...	...	...		...	...
5 per Cents. Jan. 1873	...	...	...		...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...		...	...
Do. exp. Jan. 5, 1890	...	...	...		...	...
Red Sea Tele. Ann. 1908	...	...	...		...	...
Bank Stock, for Acc.	...	...	...		...	...
Consols for Acc.	89¾	89¾	89¾		89¾	89¾
Consols 4 per Cent. for Ac.	...	...	...		...	...
India 5 per Cent. for Acc.	...	...	...		...	...
India Stock	...	...	...		...	...
India Stock, 1874	...	212	211½		215	...
India 5 per Cents.	...	...	...		...	...
India 4 per Cents. 1888	...	96	97¼		...	...
India 5 per Cents. 1870	105¾	...	105¾		105¾	...
India Bonds (1000*l.*)	...	13*dc*	8*dc*		6*dc*	...
Do. (under 1000*l.*)	8*dc*	...	...		...	...
India Debentures, 1863	...	...	...		...	...
Do. do. 1864	...	...	...		...	...
Do. do. 1866	...	...	97¾		...	...
India Enfaced Paper, 4 per Cent.	...	...	...		...	...
Do. do. 5 per c. Jan. 1872	99	100	100		100	...
Do. do. 5 per c. May 1879	100¾	...	...		...	...
Ex. Bills, 1000*l.*	*a*	*a*	*f*		*g*	...
Do. 500*l.*	...	*e*	...		...	...
Do. 100*l.* & 200*l.* 5 per c.	*b*	...	*c*		*h*	...
Do. Small, & 3 per c.	...	...	...		...	...
Do. Advertised	...	...	...		...	...
India Certificates	...	...	...		...	...

a March 4 per cent. 4*s.* dis.; June 3½ per cent. 14*s.* dis.
b June 3½ per cent. 14*s.* dis.
c Dis.
d March 4 per cent. 9*s.* dis.; June 3½ per cent. 15*s.* dis.
e March 4 per cent. 9*s.* dis.
f March 4 per cent. 5*s.* dis.; June 3½ per cent. 10*s.* dis.
g March 4 per cent. 1*s.* dis.; June 3½ per cent. 11*s.* dis.
h June 3½ per cent. 15*s.* dis.

And the following are the fluctuations of the month of October:

	Amnt. per share.	Amount paid	Price on Oct 1.	Highest price during Month.	Lowest price during Month.	Present Price.
		£				
Consols	...	...	87¾ to 88	89¼	87¼	89¼ to ¼
Exch. Bills	...	...	15*s.* to 23*s.* dis.	10*s.* dis.	25*s.* dis.	14*s.* to 10*s.* dis.
RAILWAYS:						
Brighton	Stock.	100	101¾	104¾	101¾	103
Caledonian	Stock.	100	121	128¾	120¾	128¾
Gt. Eastern	Stock.	100	43¾	46¾	42¾	46
Gt. North.	Stock.	100	126	134	126	133
Gt. Western	Stock.	100	67¾	77	67¾	76¾
Lon. & N.W.	Stock.	100	109¾	117¾	109¾	117
Midland	Stock.	100	127¾	135	127¾	134¾
Lan. & York.	Stock.	100	112¾	116¾	112¾	116
Sheffield	Stock.	100	62¾	66¾	62	66
South-East.	Stock.	100	81¾	85¾	81	85¾
South-West	Stock.	100	94	97	92	96¾
Berwick N.-East.	Stock.	100	105¾	110¾	105¾	110
York & N. M.	Stock.	100	93¾	98¾	93¾	98
Foreign:						
East Indian	Stock.	100	100¾	102¾	99¾	102¾
Lima-Varn.	£20	All	20¾	20¾	20¾	20¾

SOLICITORS' JOURNAL.

Correspondence.

MORE ADVERTISEMENTS.—I inclose "another novelty," which I accidentally found in the *Liverpool Daily Courier* of a recent date. It would be but kind on your part to give as much publicity as possible to Mr. Goldrick's advertisement.

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COURT OF COMMON PLEAS.

Wednesday, Nov. 2.

Re SPARKHAM.

Application to strike an Attorney off the Rolls.

Some time ago a rule was obtained calling upon Henry M. Sparkham, an attorney, to show cause why he should not be struck off the rolls of this court, and to-day cause was shown against its being made absolute.

M. Lloyd and *Butler Rigby* appeared to show cause, and *Kaye* to support the rule.

The facts were very complicated, but it appeared that Mr. Lockington employed Mr. Sparkham to sue for 65*l.* 2*s.*; and that Mr. Sparkham having received bills for a portion of this sum discounted those bills with his bankers, and the proceeds were carried into his own account. It was also said that Mr. Sparkham had not told the exact truth as to the amount which he had received. After a severe illness Mr. Sparkham became bankrupt, when, upon the sole opposition of Mr. Lockington, the certificate was suspended for nine months, six months without protection. The Law Society saw an account of the matter in a newspaper, and thereupon applied for this rule.

The LORD CHIEF JUSTICE, in giving judgment, said that the rule called upon Mr. Sparkham to show cause why he should not be struck off the rolls for misconduct in his capacity of an attorney, and the rule was moved for by the Law Society, who had only such an interest as the court itself had in the matter, that of maintaining the respectability and honesty of the profession. The facts created a case of grave suspicion. The attorney was employed to receive a debt on behalf of his client, and he appeared to have received bills of exchange and afterwards to have received the produce of those bills and paid it into his own account at his bankers', blending the money of the client with his own moneys, and ultimately, when the money was required at his hands, he was a bankrupt, and the client got nothing at all. He repeated that it was a case of grave suspicion. The fact of the attorney paying the money into his bankers' and blending it with his own money would approximate to a specific misappropriation of the money were it not that the client was in effect informed that the attorney had the money and would retain it until he got the residue, and that, not demanding it, he must be taken to have assented to its being held by the bankers of the attorney in the meantime. Therefore he (the Lord Chief Justice) could not say that there was any misappropriation of money given to the attorney for a specific purpose. Another ground of the rule was that, having received the money of the client, the attorney concealed the fact of that receipt, and endeavoured to prevent the client enforcing his right by a false answer; and the false answer specified was, that when he had received 51*l.* out of 65*l.* he said that he had received all but 31*l.* If an attorney received money, and by falsehood endeavoured to induce the client not to enforce his right to it, it would be a very grave offence; but he thought that when the facts were closely examined they did not maintain that ground of offence against Mr. Sparkham. His Lordship, after going in detail into this part of the case, said that it must be borne in mind that, just before the answer complained of was given by Mr. Sparkham, he had been attacked by paralysis, which deprived him of the use of one side, and perhaps deprived him of his powers of mental attention during the conversation upon which the whole question turned. He (the Lord Chief Justice) thought the rule should be discharged, but, under the circumstances, without costs.

Rule discharged.

BANKRUPTCY COURT.

Tuesday, Nov. 1.

(Before Mr. Commissioner HOLROYD.)

His Honour sat this day for the first time since the vacation. Mr. Commissioner Goulburn will not reopen his court until Thursday, on which day the case of Colonel Waugh will come before him. Mr. Commissioner Fonblanque is still suffering from in-

disposition, and his place continues to be supplied by Mr. Registrar Winslow.

Re ROWLAND YALLOP.

The bankrupt was a solicitor, late of Bedford-row, and applied for an order of discharge. Debts, 781*l.*; against property held by creditors, 320*l.*; good, bad, and doubtful debts, 404*l.*

Henderson appeared for the assignees, and did not oppose; and

His HONOUR granted the desired order.

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

In and on the last Day of Michaelmas Term 1864.

Beale, James Samuel, 10, Park-street, Westminster; and Birmingham—Articled to J. Marigold, Birmingham, and 10, Park-street, Westminster.

Billings, Samuel Bruce, 13, Westbourne-grove-terrace—E. T. Mason, 13, Bedford-row; N. Mason, 13, Bedford-row; E. T. Mason, 13, Bedford-row; J. H. James, Lincoln's-inn-fields.

Booth, John, 11, Wakefield-street, Brunswick-square; and Burnlem, Stafford—D. S. Sutton, Burnlem.

Christian, Henry Sanders, Liverpool—W. Cropper, Liverpool; H. Christian, Liverpool.

Gedge, Harry John, 11, Wellington-street, Strand; and South Lambeth—H. Gregory, Gresham-street.

Harris, William, Leicester; 14, Arlington-street, Piccadilly; and 26, Duke-street, St. James's—J. J. Simpson, Derby.

Heckford, Henry Herbert, Stourbridge—J. B. Shepherd, Stourbridge.

Jones, Edward, Oswestry—H. Davies, Oswestry.

Michael, Albert Davidson, 3, Barge-yard, City—J. Michael, 3, Barge-yard.

Miller, Albert Hindson, 10, Lawn-place, South Lambeth—D. J. Miller, Chatham-place, City.

Morrell, Frederic Parker, 9a, Davies-street, Berkeley-square; and Exeter—Paul and James, Exeter.

Murrow, Charles, Liverpool—J. Murrow, Liverpool; R. C. Brown, Liverpool.

Payne, Thomas William, 28, John-street, Bedford-row; and Hornsey—J. Wilkinson, 28, John-street, Bedford-row.

Peed, William, 4, Royal Hill, Bayswater; and Whittlesey, Cambridge—J. Peed, Whittlesey; J. Peed, Whittlesey.

Pickering, George Edward, 4, Woodfield-place, Paddington; and Leeds—G. Spink, Howden; J. Woods, Howden; R. M. Benson, Aylesbury.

Poole, Arthur Charles, 8, Duke-street, Portland-place; and Manchester—W. H. Myers, Manchester.

Rowlands, Richard, Gerddiduon House, near Mold—J. D. Pugh, Mold; R. B. Griffith, Bangor.

Steele, Adam Rivers, the younger, 44, Bloomsbury-square, Middlesex; and Cricklewood, Middlesex—A. R. Steele, 44, Bloomsbury-square.

Tallents, William Edward, Newark-on-Trent; and 53, Margaret-street, Cavendish-square—T. F. A. Burnaby, Newark.

Thomas, Ralph, 1, Powis-place, Queen-square—S. N. Cooper, 43, Lincoln's-inn-fields.

Trimmer, Robert, Reading, Berks; and Bywater-street, Chelsea—W. Hobbs, Reading.

Upperton, Clement, 13, Bruton-street, Berkeley-square, Middlesex—C. K. Freshfield, 13, Bank-buildings, City.

Michaelmas Vacation 1864.

Dodd, James Philip, North Shields—T. C. Lietch, North Shields.

Leeman, Joseph Johnson, 2, Berkeley-place, Connaught-square; and 65, Moorgate-street—G. Leeman, York; J. Leech, 65, Moorgate-street.

Poncione, John Paul, jun., 7A, Charlotte-street, Fitzroy-square—W. J. Scott, Skinner-street, City.

On the last Day of Michaelmas Term 1864.

Blackburne, Gilbert Ireland Montagu, B.A., Clifton—G. W. Nalder, Bristol; J. R. Bramble, Bristol.

Bond, Joseph John, Cambridge—T. Adcock, Cambridge

Briant, Apsley Eben, 14, Quadrant-road, Canonbury, Islington; and 27, Austin-friars—M. Pope, 27 Austin-friars.

Chaddock, Thomas, Lawton, Chester; and 11, Percy-circus, Islington—C. Moorhouse, Congleton.

Clarke, Charles Euyon, 22, Gordon-terrace, King's-cross; 3, East-street, Lamb's Conduit-street; East Moulsey, 20, Rodney-street, Pentonville; and 19, John-street—H. Vallance, 20, Essex-street, Strand.

Cooper, Frederick William, 128, Rotherfield-street, Islington; and 16, St. John's-wood-road—W. F. Cooper, 51, New Church-street, Edgware-road; R. E. Smith, 12, Bread-street, Cheapside.

Crammond, Edward, 4, Sydney-street, Brompton, and 17A, Size-lane—F. W. Mount, 17A, Size-lane.

Fowler, Charles Walter, Ashburton, Devon—R. G. Abraham, Ashburton.

Frost, William Buckle, Thorpe, near Norwich; St. Helen's, Jersey; 70, Warwick-street, Pimlico; 28, Charlwood-street, Pimlico; and 21, Paddington-green—P. E. Hansell, Norwich; A. A. C. Bristowe, 4, Bedford-row.

Gould, Thomas, jun., 27, Albert-street, Regent's-park; Sheffield; and York—H. Rodgers, Sheffield.

Jefferies, Thomas Hopke, 14 and 20, Lincoln's-inn-fields—H. Kinnier, Swindon.

Leech, Arthur, Newcastle-under-Lyne, Stafford; and 59, Gibson-square, Islington—F. Bishop, Stoke-upon-Trent.

Meadows, Horace Haward, 36, Lincoln's-inn-fields—H. Davies, Weston-super-Mare, Somerset.

Mytton, Thomas, 34, Amwell-street, Middlesex—E. Wright, Leamington Priors, Warwick.

Sharp, Alfred Marples, Kingston-upon-Hull—R. Dawson, Epworth, Lincoln; R. H. Dawson, Hull.

Spencer, George Wakefield, Birmingham; 1, William-street, Holloway—W. Spencer, Birmingham.

Tate, Alfred, 1, Coborn-place, Bow-road; Scarborough, York—E. T. Donner, Scarborough.

Watson, Thomas, 62, Rotherfield-street, Islington; 80, Basinghall-street—R. Thompson, Durham; J. Watson, Durham; W. E. Duncan, 80, Basinghall-street.

Applications for Re-Admission on the last Day of Hilary Term 1865.

Pyke, Henry Hugh, 27, Leighton-road, Kentish-town.

Robins, Richard John Saltren, Plymouth; Devonport; and Launceston.

Application to Renew Certificate on the last day of Michaelmas Term 1864.

Nicholson, Alfred, 39, Gower-place, Euston-square; and Bedford.

Applications to Take out or Renew Certificate on the 26th November 1864.

Adams, Francis Hamp, Upton Bishop, Hereford.

Augier, Charles Allan, 16, Bedford-row; Ipswich; 2, Brunswick-square; 5, Mecklenburg-square; 30, Bernard-street; and 4, Great Percy-street.

Barlow, Charles, Manchester.

Beck, John Grant, Washington, Sussex.

Birch, Henry John, Chester.

Briggs, Frederick, 1, Linsey-terrace, Bermondsey; and Lower Bland-street, Dover-road.

Burrell, Edward Montague, Ironmongers' Hall, City.

Chapman, Lawrence Foster, Richmond; and Madras.

Cousen, George, Bradford.

Dodd, John Thomas, 27, Queen's-terrace, Bayswater; On the Seas; and Calcutta.

Drawbridge, William, East Mount-road, York.

Durrant, Richard, Uppingham.

Edwards-Wood, William, (admitted as William Edwards) Tamworth Castle, Tamworth.

Feuillade, Francis, 9, New-inn, Strand; Bordeaux; and 3, Elizabeth-street, Chelsea.

Floyd, John Ward, 2, Brockley-terrace, Deptford.

Garrod, Charles William, 29, Albion-road, St. John's-wood.

Green, George, Upper Tulse-hill; 17, Bernard-street.

Greenfell, George Pascoe, Gulval, Cornwall.

Griffith, Thomas Aubrie, Aberavon, Glamorganshire; and 9, Stock Orchard-villas, Holloway.

Handbury, Thomas James, 12 Belgrave-terrace, New Peckham.

Hancock, Charles Robert, Alfred-house, Bow; Sydney, New South Wales; On the Seas; Bathford, near Bath.

Hesleden, Bryan, 32, Surrey-street, Strand; and 32, Arundel-street, Strand.

King, Charles Stafford, 10, New Inn, Strand.

Long, Peter de Lande, 11, Bedford-street, Bedford-square.

Lush, Frederick Matthews, Devizes.

Mann, George, 10, Margaretta-terrace, Chelsea; and 3, Arundel-terrace, Islington.

Martyr, Joseph, Geelong; Melbourne; On the Seas; Stoke Fleming, Devon.

Norgate, Charles Bladwell Le Grys, 81, Charrington-street, Oakley-square; 34, Harrington-square; 26, Oakley-square; 2, Camden-street.

Oswald, James Francis, 32, Highbury New Park.

Pearson, Julius Alexander, 46, Hyde Park-square.

Searle, John Bransley, Denbigh.

Sharood, Charles James, Gordon-road, Peckham.

Shepherd, William Conning, 36, Upper-park-street, Islington; 41, Granville-square; 45, Amwell-street.

Smith, George Frederick, Haverstock-hill, Middlesex.

Stott, Richard, 2, Devonshire-villas, Peckham; and Chelmsford.

Wood, Henry Eycott, Alesbury.

Wragg, Robert Thomas, Walthamstow; 19, Eversholt-street, Oakley-square.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

DOWLING (R. H.), Plumstead, Kent, Esq., Nov. 19, V. C. S. Oliver Richards, 16, Warwick-street, Regent-street, London.

GILPIN (W. F.), Farnham-place, Gravel-lane, Southwark, Surrey, and Westbourne-place, Pimlico, Middlesex, oil merchant, Nov. 16, V. C. S. W. and J. Sparling, 1, King's-road, Bedford-row, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ATKINSON (Camilla Windus), 6, Berkeley-gardens, Kensington, Middlesex, widow, Dec. 12. Bockett, Son and Barton, 60, Lincoln's-inn-fields, London.

ARGENT (James), 32, Bishopsgate-street-without, London, and 2, Sewardstone-road, Victoria-park, Middlesex, Dec. 1. Sheppard and Riley, 38, Moorgate-street, London.

BATT (John), 32, Old Broad-street, London, and 28, Highbury-grove, Middlesex, silk merchant, Dec. 1. Smith, Stanning and Croft, 38, Basinghall-street, London.

BINGHAM (William Baring de Lotbinière), Broome-park, Barham, Kent, Esq., Nov. 29. Torr, Janeway and Tagart, 36, Bedford-row.

BUTTON (Henry), Church-street, New Kent-road, Surrey, Dec. 1. Graham and Lyde, Mitre-court-chambers, Temple, London.

CAPES (Edward), 259, Whitechapel-road, Middlesex, saddler and harness-maker, Dec. 10. Jones and Starling, 11, Gray's-inn-square, London.

CLEMENS (Jane Carthcart), 2, Paragon-villas, Weston-super-Mare, Somerset, spinster, Nov. 26. Maul, Maule and Robertson, 2, Wood-street, Bath.

COLLYER (Fanny), Mascalls, near Brentwood, Essex, spinster, Dec. 1. H. Scott Turner, 42, Jermyn-street, St. James's, London.

DICKINSON (Elizabeth), Pembridge-place, Bayswater, Middlesex, spinster, Dec. 12. Minet and Smith, 5, New Broad-street, London.

DRAKE (John), Mincing-lane, London, and Leytonstone, Essex, Esq., Nov. 25. Smith, Alliston and Smith, 4, Warnford-court, Throgmorton street, London.

FAULKNER (George), Albany, Piccadilly, Middlesex, Dec. 20. John Miles, 10, Gray's-inn-square, London.

FLOCKTON (William), Sheffield, architect and surveyor, Jan. 1, 1865. Branson and Son, Sheffield.

FURLEY (Edmund), 6, Park-street, Oxford, gentleman, Jan. 2, 1865. J. and T. Baddeley and Son, 48, Leman-street, London.

HUGHES (Mary), Cressage, Salop, widow, Dec. 1. Isaac Knowles, Wellington, Salop.

JOHNSTON (Magdalene), 61, College-street, Chelsea, Middlesex, widow, Dec. 23. Church and Sons, 9, Bedford-row, London.

JONES (William), Ensign 31st Regt. of Foot, Ferozepore, East Indies, Dec. 31. Graham and Lyde, Mitre-court-chambers, Temple, London.

KNIGHT (Samuel Moses), 61, Arlington-street, Camden-town, Middlesex, milkman, Dec. 14. George Serrell, 58, Lincoln's-inn-fields, London.

LIPTER (Louisa Esther), Sunderland-house, Surbiton, Surrey, and also Middle-street, Brighton, Sussex, widow, Dec. 15. Francis William Blake, 5, Serle-street, Lincoln's-inn, London.

LUCY (Francis William), Hanley Castle, Worcester, hop merchant, Pitcock and Son, 93, Foregate-street, Worcester.

MORGAN (Charles Henry), Olveston, near Thornbury, Gloucestershire, Dec. 10. W. Bayuton, 22, Broad-street, Bristol.

MORRIGGIA (Peter), 172, High-street, Camden-town; 23, Bayham-street, St. Pancras, and 10½, High-street, Islington, all in the county of Middlesex, Dec. 5. Dalton T. Miller, 5 and 6, Sherborne-lane, London.

MUNFORD (Samuel), Heath-close House, Dartford-heath, Dartford, Kent, Esq., Jan. 1, 1865. Freshfield and Newman, 5, Bank-buildings, London.

NEWALL (James), 26, Sloane-street, Chelsea, Middlesex, whitesmith, Dec. 10. Wild and Barber, 10½, Ironmonger-lane, Cheapside, London.

ONIONS (George), High-street, Tipton, Staffordshire, carrier, Dec. 14. Coldicote and Canning, Bolton, and Sanders, Dudley, Worcestershire.

PARR (Richard), Annetwell-street, Carlisle, Cumberland, innkeeper, Dec. 1. J. C. Wannop, 72, Scotch-street, Carlisle.

RICH (Sir Charles Henry), Wallington, Surrey, Bart., Nov. 30. John P. Weymouth, 18, Essex-street, Strand, London.

RICHARDSON (John), Bank-house, Barlby, near Selby, Yorkshire, miller and wine and spirit merchant, Dec. 21. Weddall and Parker, Selby, Yorkshire.

ROUTH (William), Eliot-vale, Blackheath, Kent, Esq., Dec. 10. Smith and Fawdon, 12, Bread-street, Cheapside, London.

SMITH (Thomas), Wickham Hall, Wickham Bishops, Essex, farmer, Nov. 24. J. and W. Crick, Maldon, Essex.

TARLETON (Lady Priscilla Susanna), Cheshunt, Hertford, widow, Jan. 27, 1865. Walters, Young and Walters, 9, Lincoln's-inn, London.

WAKE (Sir Charles), Courteen-hall, Northampton, Bart. Dec. 1. Lee and Bolton, 2, Broad-sanctuary, Westminster, London.

WHITAKER (Susannah), 23, Baker-street, Commercial-road east, Middlesex, widow, Nov. 26. Thomas W. Ratcliff, White Horse-street, Commercial-road east, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BAKER (William), Great Bookham, Surrey, gardener. Dividends on 65*l.* New Three per Cent. Annuities. Claimant, George Baker.

BRUNT (Jane), River-street, Clerkenwell, London, spinster. Dividends on 5*l.* Three per Cent. Consols. Claimant, Jane Blundell, widow.

COMPTON (James), Smith-street, King's-road, Chelsea, London, oil and colourman. Dividends on 130*l.* Reduced Three per Cent. Annuities. Claimant, James Compton.

CURR (Rev. Joseph), Sheffield, Catholic priest. Dividends on 54*l.* 2*s.* 6*d.* Three per Cent. Consols. Claimant, Henry Beauvoisin.

IRBY (F. W.), Boyland-hall, Norfolk, Esq. Dividends on 21*l.* 12*s.* 10*d.* Three per Cent. Consols. Claimant, F. W. Irby.

STEVENS (William), Island of St. Croix, Esq. Dividend on 170*l.* 2*s.* 3*d.* Three per Cent. Consols. Claimant, William Stevens.

OPENING OF MICHAELMAS TERM.—Wednesday was the first day of Michaelmas Term. According to annual custom, the learned judges of the various courts, the Queen's counsel and serjeants, were received by the Lord Chancellor at his private residence, No. 1, Upper Hyde-park-gardens, after which they proceeded in state to Westminster-hall, where they arrived shortly before two o'clock, and commenced the business of Term. There was as usual a large assemblage of persons in Westminster-hall to witness the arrival of the learned judges, and the courts were very much crowded.

THE ENGLISH MARRIAGE LAW.—In the Sheriff's Court, on Tuesday, before Mr. Commissioner Kerr, a case of some interest came on for hearing. A Mr. Budden sued a Mrs. Elizabeth English for rent due. The defendant pleaded she was a married woman. This was denied by the plaintiff, and it came out that she had married her deceased husband's half-brother. His Honour, who was in considerable doubt as to the law of the case, said: "It is really a very nice question in common law. The question will be, can a woman marry her first husband's half-brother? In my opinion it is prohibited. It seems very hard, Mrs. English, but I am afraid you cannot set up your marriage as a defence to this action. But I will let the case stand over, so that the parties may come to some arrangement as to the mode of payment."

THE BENCH AND THE BAR.

Mr. F. H. Gell, the coroner for East Sussex, died on Tuesday at his residence, Lewes, in the 80th year of his age.

GRAY'S-INN, WEDNESDAY.—At a pension of the honourable society of Gray's-inn, holden this day, John Loe, Esq., LL.D., who has recently been appointed one of Her Majesty's counsel, took his seat as a bencher of the society.

GRIMSBY.—It is rumoured that J. Hinde Palmer, Q.C., will be the Liberal candidate for the representation of this borough at the next election. We are authorised to state that Mr. Chapman will offer himself for re-election.—*Lincolnshire Chronicle.*

REPRESENTATION OF MERIONETH.—It is understood that Mr. Morgan Lloyd, of the North Wales Bar, will be the Liberal candidate for the county of Merioneth in the event of Mr. Williams, who contested the county at the last election, not doing so again.

DEATH OF AN EX-POLICE MAGISTRATE.—Peregrine Bingham, Esq., who for many years presided as one of the magistrates at the Marlborough-street police-court, and who resigned about four years ago, owing to ill-health, expired on Wednesday. The deceased gentleman, who was above seventy years of age, was called to the bar of the Middle Temple in Nov. 1813.

THE CHRYSANTHEMUMS IN THE TEMPLE-GARDENS.—Active preparations are being made in the gardens of the Inner and Middle Temples for the annual show of chrysanthemums. In the Inner Temple there is a very beautiful row of the choicest flowers extending along the whole length of Paper-buildings. They are of all imaginable colours and sizes, and the manner in which they are arranged shows them off to the greatest possible advantage. On the opposite side, by Harcourt-buildings, there is another row, but they do not show so well as those on the eastern side on account of the building-operations which are going on. But Mr. Broome has reserved his finest specimens for the northern side of the garden, along the whole extent of which the beautiful flowers have been carefully covered in. They are all well developed and are in excellent order, so that it may fairly be expected that the display of the present year will be equal to any of those which have preceded it. In the Middle Temple-gardens Mr. Dale has been equally successful, and he has reared some very splendid specimens, which will be ready for public inspection at the same time with those in the Inner Temple.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

THE NEW PENAL SERVITUDE ACT.—In his charge to the grand jury at the recent Quarter Sessions, Mr. E. W. Cox, Recorder of Falmouth, thus described the operation of the new Act: "The defects in the former system were uncertainty and insufficiency. The sentence was not the punishment, and the punishment was in practice less than it appeared. The new law proposed in the first place to extend the term of penal servitude; then to make it more severe and more certain; and finally, to deal with the convict by new regulations after he quits the prison. Henceforth the shortest term of penal servitude will be five years instead of three; and if inflicted after a former conviction for felony, it is not to be less than seven years. Nor is remission, for more than a period strictly defined, to be obtained by any means. Thus very nearly four years out of a five years' sentence must be endured. And that servitude will be much more severe than formerly; the convict will be compelled to harder work and worse fare. Nor will even this limited remission of the sentence be obtained so easily as hitherto. On the old system the ticket-of-leave was obtained by good conduct—meaning by that term orderly behaviour, obedience to the prison rules, respectful bearing to the gaoler and deferential reception of the chaplain. In practice, however, it was found that these conditions were best fulfilled by the greatest rogues. At the first glance this appears to be an anomaly. But it is easily explained. The criminals by profession, who make plunder a calling, know that as an incident of their lives they must pass a certain number of years in prison, and that they will return again after an interval of time more or less long, as chance may have it. It was their object to pass through this prison portion of their lives as comfortably as they could under the circumstances, and to shorten it as much as they could. They knew that the best, and indeed the only, way to obtain favours while there, and the speediest release, was to please the officials by obedience. The consequence was, that the worst men, the professed thieves, whose return to honesty is hopeless, procured the earliest remissions of their sentences by reason of their good conduct, and went back to their old haunts. But under the new system something more than good conduct will be necessary. In addition to obedience to the prison regulations and respectful audience given to the chaplain, the prisoner is to earn by hard work a certain number of marks, and until this number has been obtained he will not be entitled to his ticket-of-leave. This provision will exactly meet the cases I have described to you, for, although an adept with the tongue, the professional criminal has an extreme aversion to work—and without action as well as profession it will be impossible for him in future to obtain a remission of his sentence for a single day. Up to this point there will probably be but one opinion of the character of these changes. Not so, however, with the next, which relates to the proceedings of the convict after he has obtained his ticket-of-leave. He is by the Act required to report himself in person to the nearest police-station within three days from his leaving the prison, and to do the like once in every month thereafter during his holding of the ticket-of-leave, and failing to do so, he is to be returned to the prison for the remainder of the original sentence. It is said that this plan has worked well in Ireland. It may be that in Ireland a convict is not looked upon with the same aversion as in England. But, from my knowledge of the feelings of master and workmen alike on this subject, it appears to me that the fact of his being thus a proclaimed convict, and monthly reminding others as well as himself of the fact, will have the effect of preventing masters from employing him, or if *they* would do so, the workmen would object to be associated with him, or make his life miserable by their taunts—so that, driven from the company of the honest, he would be almost compelled to return to the ways of crime. Another difficulty had already presented itself. The punishments now were two years or less of imprisonment, and five years or more of penal servitude. Between these there is no medium. But in practice it is found by judges that there are many cases in which imprisonment is too light, but five years of penal servitude too heavy a sentence; and the consequence is that, leaning, as they ought to do when in doubt, to the side of mercy, they sentence to imprisonment in cases in which formerly they would have given penal servitude for three or four years, and thus a change made with the express purpose to increase the severity of the law will probably be found to operate in practice to make the law less severe than before. But these were defects which Parliament could readily remove should they be confirmed by experience, while the improvements made are great and indisputable, and he trusted they would have the desired effect by putting an end to that uncertainty of punishment which destroys half its efficacy; and it may be hoped that those who contemplate a life of crime will count the cost before they enter upon a calling in which the penalties will so immensely exceed the profits.

Correspondence.

MICHAELMAS RENTS ON CORN AVERAGES.—Although the fluctuations in the average prices of wheat, barley and oats in the farmer's year ending Michaelmas 1864 have been very moderate, it may be useful to those interested in agricultural pursuits to see the annexed weekly progress, which produces the following averages for the fifty-three weeks ending the 1st Oct. 1864:—

	s.	d.	
Wheat	40	9	per imperial quarter.
Barley	31	1	"
Oats	19	11½	"

The highest and lowest prices during the same period are as follows:—

	Highest Price. s.	d.		Lowest Price. s.	d.
Wheat, Aug. 12, 1864	44	1	... May 13, 1864 ...	38	9
Barley, Oct. 9, 1863 ...	35	4	... July 8, 1864... ...	27	2
Oats, Aug. 26, 1864 ...	22	11	... {13 Oct. and 13 Nov. 1863	18	7

showing a difference on wheat of 5*s.* 4*d.*, barley 8*s.* 2*d.*, and oats 4*s.* 4*d.* per imperial quarter. The fluctuation in the average price of wheat, viz., 5*s.* 4*d.* per imperial quarter, has been less in any year ending Michaelmas since the passing of Sir Robert Peel's Corn Law Act on the 26th June 1846. The greatest fluctuation occurred in the year 1847, when it amounted to no less than 52*s.* 11*d.* per imperial quarter between the 29th May and 18th Sept.

CHARLES M. WILLICH,
Actuary University Life Assurance Society.
25, Suffolk-street, Pall-mall, S. W., Oct. 28.

The portrait of Mr. P. R. Burnell, late chairman of the Gloucestershire Quarter Sessions, has been placed in the sessions court by his brother magistrates, "in grateful recognition of his services."

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

SETTLEMENT.—A lady, contemplating marriage, settled money belonging to herself, in trust for her own separate use for life, and subject thereto as she should appoint, and, in default of appointment, for herself absolutely if she survived her husband; but, if she died in his lifetime, in trust for her next of kin, according to the Statute of Distribution, as if she had died unmarried. And it was declared that B. should, for the purposes of that trust, be deemed to be her lawful child. She never made any appointment, and died, leaving her husband and B. surviving her. It was held on appeal that, notwithstanding the words "without having been married," the trust must be taken to include lawful children as next of kin, and to include B. among such children: (*Wilson* v. *Atkinson*, 11 L. T. Rep. N. S. 220. L.JJ.)

MERCANTILE LAW.

NOTES OF NEW DECISIONS.

BILL OF EXCHANGE.—B. died intestate, leaving certain goods. C., her brother, arranged with D. to take them at a valuation by E., and gave a bill of exchange for the amount. E. valued them, and put D. in possession, and then, with the knowledge of all parties, drew a bill in B.'s name, and indorsed it, in B.'s name, to C., and which D. then accepted. C. did not take out administration to B. D. was held to be estopped from setting up, as a defence to an action on the bill, that it was not drawn and indorsed as it purported to be: (*Ashpitel* v. *Bryan*, 11 L. T. Rep. N. S. 221. Ex. Ch.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

THE INSURANCE OFFICES AND THE RECENT GUNPOWDER EXPLOSION.—The following letter has been addressed to the Editor of the *Times*:—"Sir, it is to our minds by no means clear that the offices are not liable to make good damage done to insurance property by the recent explosion, but it seems pretty clear that they intend to repudiate such liability. To prevent further damage to the injured property through delay in making repairs, and to promote some common action with regard to existing and future policies, it is desirable that the present determination of the offices should be known as speedily as possible. We shall, therefore, be much obliged if you will kindly publish a very decided reply received from the Sun Fire-office, in answer to an application made by us on behalf of the owner of considerable house property at Belvedere insured in that office.—We are, Sir, your most obedient servants, NEWMAN, LYON and NEWMAN.

7, King's Bench-walk, Temple, Oct. 6.

COPY.

Sun Fire-office, Threadneedle-street, E.C., Oct, 5.

SIRS,—I have received your letter of the 3rd inst., and regret to hear that damage has been done to Mr. Seabrook's houses at Belvedere by the recent explosion of Messrs. Hall's powder magazines at that place. The managers of this office do not hold themselves responsible under their policies for damage by concussion from the explosion of gunpowder, and regret, therefore, that they must decline compensating Mr. Seabrook for the injury his property has sustained.—I am, dear Sirs, yours obediently, S. J. FLETCHER, Secretary.

MARITIME LAW.

LAW OF AVERAGE.

AT a meeting of the International General Average section of the Social Science Association, in September last, representatives for Holland, Belgium, the State of New York, the State of Maine, Bremen, Hamburg, Lubeck, France, Russia, Denmark, and Liverpool, Hull, Sunderland, Glasgow and London, were appointed to organise an association or committee for each of these countries or places, or take such measures as they might deem most conducive to carry out the measure of having certain General Average Rules framed by this Congress, adopted as the basis of International General Average Law.

It was resolved that this end should be pursued through the Legislatures of each country where practicable; and also, pending legislation, by means of clauses to be introduced into bills of lading and charter-parties; and that the clause recommended for this purpose be the following: "All claims for general average to be settled in conformity with the International General Average Rules, framed at York in 1864."

The introduction of such a clause into bills of lading and charter-parties would be productive of considerable confusion, so long as the law and practice of general average continue to differ from the rules framed at York. Such a course would be open to serious objections in other respects, and it seems hardly probable that it will be adopted.

The leading principle which has hitherto in this country regulated the adjustment of general average in accordance with a familiar rule of English law, is, that only the direct, immediate and necessary consequences of a general average act shall be treated as general average.

The interpretation of this principle is left out of view in the rules now framed at York.

We propose to lay before our readers the rules thus suggested as the basis of international law, subjoining to each the relative provision of the French *Code de Commerce*, and a translation of M. Rogron's report of the French decisions on every point. We follow the example of Sir James Wilde and Sir Fitzroy Kelly, who presided at the York Congress, in abstaining from offering any opinion upon the questions at issue.

INTERNATIONAL GENERAL AVERAGE.

RULES, FRAMED AT YORK IN 1864.

Jettison of Deck Cargo.

Sect. 1. A jettison of timber or deals, or any other description of wood cargo, carried on the deck of a ship in pursuance of a general custom of the trade in which the ship is then engaged, shall be made good as general average, in like manner as if such cargo had been jettisoned from below deck.

No jettison of deck cargo, other than timber or deals, or other wood cargo, so carried as aforesaid, shall be made good as general average.

Every structure not built in with the frame of the vessel shall be considered to be a part of the deck of the vessel.

Translation from "Code de Commerce, expliqué par M. Rogron," publié à Paris.

French Code de Commerce, Article 421. Goods loaded on the deck of the vessel contribute if they are saved. If they are thrown overboard or damaged through the jettison, the owner *is not allowed* to make a demand in contribution; he can have his recourse only *against the captain.*

Exposition by M. Rogron.

In general, goods should not be placed upon the deck, for they interfere with the manœuvring and headway of the ship, which will be found overloaded if both the hold and the deck are filled, and improperly loaded if the hold is empty and the deck full. When, therefore, the general rule is violated, if the goods loaded upon the deck are thrown overboard, there should be no contribution to pay their value. It may be supposed that, if the common safety has been endangered, it might be this unlawful loading which was the cause of it. It would be unjust to make the other shippers pay

for things which had nearly caused the loss of the cargo.

Question: If it be in a short coasting voyage that goods loaded on the deck have been thrown overboard for the common safety, the owner of these goods, who has no recourse against the captain in terms of article 229, has he not at least an action for contribution against the other shippers? The Court of Cassation has declared the affirmative: "Considering that article 421 of the 'Code de Commerce' is based on this, that the captain who loads goods upon the deck commits a fault, in which the owner of the goods, by not objecting to this dangerous way of loading, is supposed to join, that this fault cannot fall upon the other shippers who have taken due care that their goods were regularly loaded; that it was therefore reasonable that the Legislature should consider the average as only giving room for an action between the shippers whose goods were thrown overboard and the captain; but that the regulation of article 421, general as it may appear at first sight, cannot be extended to short coasting voyages, since, according to article 219 of the Code de Commerce, the deck is in such a case the regular place of stowage; that consequently, if goods placed upon the deck should happen to be thrown overboard, far from one being able to avail himself of the legal presumptions which regulate article 421, these presumptions are necessarily extinguished by the impossibility of attributing to the fault of the captain or others the average sustained, and in their place the evident proof arises that the jettison took place for the common safety; that if article 421 should be applied to short coasting voyages, the consequence would be that the shippers whose goods have been sacrificed would have neither an action against the other shippers, on account of article 421, nor an action against the captain, because of article 229—a result inadmissible; that a jurisprudence contrary to that of the disputed judgment would give a deadly stroke to short coasting voyages, a carrying trade so useful to the commercial interests; that moreover it would be at variance with those maritime usages which are the most ancient, the most respectable, and which are sanctioned, moreover, in a formal way by article 229 of the Code de Commerce, *rejette*, &c.": (Arret du 20 Mai 1845, Dall. Ann. 1845, 1. 290.) *See* to the same effect a decision of the Court of Bordeaux of 21st Nov. 1827: (Sir. t. 28, ii. 71.)

A DIGEST OF SALVAGE AWARDS DURING THE LAST TWENTY YEARS.

(Continued from p. 571, vol. xxxix.)

614. The *Vier Gebruder*, Hanoverian galliot, 75 tons. 1859, April 28 (*Shipping Gazette*, 1859, April 29).—Value of ship and cargo, 1250*l.*; award, 120*l.*; percentage, 9·600. Cardiff to Riga. Railway iron. Got on the Inner Binks Sand, 17th Nov. The smacks *Alfred and Louisa* and *Medora* boarded her and assisted at the pumps; the vessel came off by the rising of the tide, and was safely conducted to Grimsby; no risk to life, and the service did not last long. The Court took in consideration the condition and value of the galliot, the danger to which she was exposed, the number of men in the two smacks, and the fact that the salvors abandoned their cod-fishing, and that they were competent, from their knowledge of the locality, to render the service required.

613. The *Chaco*, Sardinian brig, 199 tons. 1859, April 28 (*Shipping Gazette*, 1859, April 29).—Award 30*l.* Dragged her anchors in Penarth Roads, 11th Nov., but was brought up again. The steam-tug *Pilot* conducted her to a place of safety. A salvage service of the most trivial kind; vessel not in danger of going on shore. Dr. Lushington said he was desirous of encouraging salvage services performed by steamers, but must be on his guard when an attempt is made to convert a towage into a salvage service.

616. The *Come On* brig, 1859. May 12 (*Shipping Gazette*, 1859, May 13).—Value of property, 2098*l.*; award, 100*l.*; percentage, 4·767. Sunderland to Porto Rico. Coals. Got on the Newcombe Sand, near Lowestoft, 21st Jan. Some beachmen got her off and laid her on the mud near the Graving-dock, Lowestoft. Service short and simple, but tender of 50*l.* insufficient. The main ingredient in this case was the danger the ship was in by remaining on the sand and the peril to which she might have been exposed from a change of wind and weather. No costs allowed, as there was no reason why the court should certify it was a proper case to be brought before the High Court of Admiralty.

617. The *D'Elmina* Dutch ship, 1859, May 12 (*Shipping Gazette*, 1859, May 13).—Value of property, 22,770*l.*; award, 1000*l.*; percentage, 4·391. Batavia to Amsterdam. Sugar. Damaged by collision with the Spanish barque *Vizaya* about sixteen miles N.E. of Beachy Head, 5th Feb. The steam-tug *Don* towed her to Portsmouth. Service not attended with great danger to salvors, but with considerable difficulty and some exertion.

618. The *Decima*, Dutch barque, 457 tons. 1859, May 27 (*Shipping Gazette*, 1859, May 30).—Value of property, 22,000*l.*; award, 800*l.*; percentage, 3·636. Old Calabar river to Amsterdam. Palm oil. Leaky in the North Sea, 27th Jan. The smack *Superior* attempted to tow her to the Humber or Texel, though unsuccessfully. After pumping her, supplying her with provisions, and putting two able men on board, went for the aid of a steam-tug, and the vessel was conducted in Grimsby Docks, 6th Feb. Service of great merit; no great risk of life to salvors, but some danger in rendering assistance. An agreement having been made at Hull for 700*l.*, the Court feeling itself not bound by its terms, although considering the amount very fair, awarded 100*l.* additional, with costs.

619. The *Sumatra*, Dutch ship, 746 tons. 1859, June 21 (*Shipping Gazette*, June 22).—Award, 350*l.* Amsterdam to Batavia, with a valuable cargo. On shore off Crowlink Coast-guard station, near Seaford Head, about five miles from Newhaven, 2nd March, but was got afloat. The steamship *Lyons*, finding her in a dangerous position, took her in tow, and she was anchored in safety at Spithead. A salvage service, and not mere towage.

620. The *Palmyra*, 586 tons (*Shipping Gazette*). 1859, July 13; award, 1000*l.* Newport to Quebec, with 760 tons railway iron. On shore at Red Island Reef, July 31, and assisted off by the steamer *Princess Royal*. While in tow of that steamer, 5th Aug., struck on White Island Reef and sunk. The steamer *Dirigo*, at great risk and expense, raised her and brought her to the Brandy Pots. The Court thought there was no reason to doubt that the salvors could have brought the ship to Quebec, but the captain declined to allow it, and the vessel was subsequently platformed and taken to Quebec. Service exceedingly meritorious. The Court, in awarding salvage of 1000*l.* to the *Dirigo*, took into consideration the danger the vessel was in of being forced over the reef, and becoming a total loss; also the risk of loss run by salving steamer, from the owners being unable to effect insurance upon her while engaged in saving the wreck, as well as of not receiving any remuneration if unsuccessful in the undertaking: (Vice-Admiralty Court, Quebec, 1st July, 1859.)

621. The *Elize*, French brig, 164 tons. 1859, July 14 (*Shipping Gazette*, 1859, July 15).—Value of property about 3200*l.*; award, 25*l.* Girgenti to Dunkirk. Sulphur. In collision, 21st Dec., with the *North Sand Head* light-vessel, and abandoned by all her crew except a boy. The fishing smack *Prince Arthur* went in quest of her, and found her in possession of three men from the French smack *Jeune Jacob*, whom the court considered the first salvors. The vessel was towed by a steam-tug into Ramsgate harbour. The salvors were considered to have acted meritoriously in leaving their fishing occupation to render assistance. The Court, however, thinking that they were not on board by the express authority of the master, or with the consent of those already in possession, and that their services consisted principally of pumping, and in consequence of the number of men on board might have been dispensed with, held the tender of 25*l.* as sufficient, and pronounced for it with costs. Observations as to salvors retaining possession.

622. The *Marianne*, barque, 798 tons. 1859, July 20 (*Shipping Gazette*, 1859, July 22).—Net proceeds of ship and cargo, 2700*l.*; award, 1080*l.*; percentage, 40·000, or two-fifths. Quebec to Grangemouth. Timber. Found derelict 11th Jan. by the steam-tug *Resolute*, which took her in tow and conducted her by the 15th into Cork Harbour, a meritorious service, but not of the highest kind. Weather moderate, but admitted that the ship but for the assistance rendered by the salvors would have been totally lost. The Court, considering that the steam-tug, being built and equipped solely for salvage services, became in this instance the principal salvor, allotted 800*l.* to her owners, 90*l.* to the master, 70*l.* to the chief engineer, 30*l.* to the chief mate, 30*l.* to the second engineer, 12*l.* to a seaman named Morris who showed most zeal, 36*l.* to two seamen and five firemen, being 8*l.* each, 2*l.* to a boy, 1090*l.* in all: (Admiralty Court, Dublin.)

(To be continued.)

IMPORTANT SALVAGE CASE.—A salvage case of considerable importance to shipowners was decided on Monday before the North Shields magistrates. A person named Henry Appleby, and fifteen others, preferred a claim of 400*l.* for salvage services rendered to the schooner *John Slater*, which came ashore on the rocks near the Spanish Battery, on the 23rd ult. The vessel was abandoned by the captain and crew, and the salvors, at considerable risk to themselves, succeeded in getting the vessel off the rocks and bringing her safely into the harbour. The crew had previously been taken off the vessel by Mr. Fry, whose bravery and humanity on many similar occasions are well known. After a lengthy investigation, in the course of which some conflicting evidence was adduced, the bench awarded the salvors the sum of 50*l.* for their services. Mr. Fry was awarded 10*l.* for his exertions in saving the crew. The bench considered he was entitled to more substantial consideration, but, as the vessel was not insured, they did not feel justified in awarding a higher sum. The vessel, previous to the casualty, was valued at 1600*l.*

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

AFTER the order of discharge is pronounced the court has no right to impose upon the bankrupt a condition that he should not be released from custody until he gave up possession of premises to his landlord, who holds him in custody for arrears of rent and costs of suit, but refuses to prove his debt; nor will the court, in such case, exercise the discretion vested in it to send the bankrupt to another court, but will order his immediate release: (*Ex parte Tubb*, 11 L. T. Rep. N. S. 222.)

THE DISCLOSURES IN BANKRUPTCY PRACTICE.

The *Manchester Examiner* gives rather elaborate particulars of the bankruptcy scandal, so far as Manchester is concerned. It appears that "the special commissioners examined nearly 1500 of the bills of the messenger, Mr. Thomas Jebb Millar, with the object of testing the accuracy of the accounts charged; and they arrived at the conclusion that Mr. Miller ought to pay over to the Chief Registrar in London a sum of 1060*l.* over and above a surplus which Mr. Millar himself had shown by the accounts he had rendered. This 1060*l.* is made up of four items—viz., 26*l.* charged in bills of costs; 853*l.* charged as payments for travelling expenses, inventories and advertisements; 94*l.* set down for salaries of clerks; and 87*l.* claimed for stationery." The *Examiner* says, "Although these sums have been allowed to him on taxation by successive registrars without exception, the special commissioners hold that he is not entitled to retain them. The special commissioners take exception to mileage charges of 7*d.* and 5*d.* a mile for the messenger and his assistants; to charges for inventories made by one of his assistants or by the man in possession; to the reservation of commission on advertisements; to charges in excess of the sums paid to assistants for maintenance; and to alleged fictitious charges for looking after property."

The *Sheffield Independent* says:—"The disclosures that have been made by the recent investigations in the Bankruptcy Court, affecting the registrars, official assignees and messengers, have naturally attracted much attention. The question does not appear to be whether the large sum alleged to be improperly retained by the official assignees has been wrongfully kept from creditors, but whether it ought not to have been paid into the fund from which the officials draw their salaries."

The solicitors of Mr. Young, the official assignee of the Leeds court, write to the *Leeds Mercury* to say that the Lord Chancellor's order was made on the report of Commissioner Ayrton and Mr. Harding alone, without any explanation from Mr. Young. They also assert that "there is not the slightest foundation for any charge of fraud" against Mr. Young, and that the commissioner and registrar of the court concur in this statement.

CORRESPONDENCE OF THE PROFESSION.

NEW ZEALAND.—Perhaps one of your readers will inform me—First, whether a certificated solicitor can practise in the courts of this colony? Secondly, whether the production of his certificate would be sufficient evidence? Thirdly, whether the Bar is open to the Profession generally, or is confined to counsel? M. A.

Nov. 2.

JUSTICES OF THE PEACE PROCEDURE BILL.—I shall be obliged if you will kindly allow me the use of your columns to request those magistrates and magistrates' clerks who have not already responded to the invitation in my printed circular of August last, for suggestions upon this Bill (which it is intended to re-introduce into Parliament next session), to favour me with their objections and views as early as convenient. GEORGE C. ORR.

Mansion-house, E. C., Nov. 1.

CREDITORS' DEEDS.—In the *Daily Telegraph* of 19th Oct. there is a report of a case *Wilson* v. *Marshall*, decided by Mr. Justice Willes, in chambers, on the 18th inst., from which it would appear that his Lordship held that an execution-creditor was entitled to the benefit of his execution, notwithstanding the debtor had executed an assignment for the benefit of his creditors, provided the assignment had not been registered before the execution was levied. As the decision is, apparently, one of some importance, perhaps the attorneys engaged in the case would supply, through your columns, a fuller report than that which appeared in the *Telegraph*. U. S.

THE AMERICAN BAR.—I have been reading your article in reference to the Muller case in your issue of Sept. 24, and I cannot refrain from entering a protest against it. The inference that such oratory as Shaffer's is "cultivated at the American Bar" is a mistaken one. His rant could not have been received with more disgust among you than it was by the Bar here, though perhaps it was less thought of, because we know the man. I have thought perhaps that you understood Mr. Marbury's remark as applicable to counsel generally, instead of being, as it was, directed against that particular counsellor. Have you not among your Bar also men who are always expected to act the part of the clown, and whose antics are greeted sometimes with more applause than the learning of the scholar, or the clear thought and forcible expression of the able pleader? I assure you that, so far from there being any "despotism of a majority," which would urge such displays upon us, no such display could be possible from any man of really good standing among us, nor could it have one particle of effect, as you saw that it did not. The decision was rendered at once for the extradition of the prisoner, and I will venture to say that there was not a thought of hesitation on that point raised by Shaffer's talk in the mind of the commissioner, or any one of the audience, or even the speaker himself. It was mere wind. You are quite right in thinking that the rebellion of the South is a revolt against the principle that the majority should rule; but you are in error in supposing that it was a revolt of an educated few against the half-educated many. The education was on the other side. Whether you compare the whole Southern people with the whole Northern people, or the 100,000 slaveholders with

double or treble that number of our better classes at the North, the education was on our side, not on theirs. And the barbarities which they have perpetrated during the war have been entirely in keeping with their previous lack of education and civilisation. If you have any doubt of these facts, I should be very glad to give you the proof. B.

New York, Oct. 15, 1864.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

FRENCH RENTES.—Can any of your readers inform me if, under the French Acts of 18th May 1850, duty must be paid on French rentes the property of a domiciled Englishman? RENTIER.

ADVOWSON.—A lady, in exercise of a power in her marriage-settlement, appointed irrevocably a sixth share of the funds comprised in it, subject to her own life-interest, to one of her daughters. The appointment contained a recital of the daughter's intended marriage with a gentleman named in it, but the marriage never took effect. Does the appointment stand good notwithstanding that the daughter is still unmarried, and that the object for which the provision was avowedly made has failed? S.

PARTNERSHIP.—A father, his son, and two other gentlemen executed partnership articles four or five years since, and among various other provisions the articles provided that, on the death of either father or son, the survivor should take the whole of the other's share of the business, and of the capital and profits. Under such an arrangement would the son, on his father's death, become liable to succession duty? and if so, does the duty attach to the share of capital and partnership property accrued by survivorship, and to the increase of profits (estimated at their purchasable value, or in any other manner), or to some only, and which, of these benefits? I should be glad to know of any decision or example in practice of a similar case of things which any of your correspondents may have met with. SURVIVOR.

DEEDS IN FEE—CUSTODY OF DEEDS.—*G. L. sen.*, in his lifetime purchased two pieces of land, one of them containing six acres, and the other three acres, both of which were conveyed to him by the same deed. He by his will devised the six acres to his son G. L. jun., and the three acres to his son C. L. The deeds relating to the lands were handed over to G. L. jun., on the death of his father as the largest owner of the property therein comprised, and they remained in his custody down to the time of his death. G. L. jun. devised the six acres to his nephew G. L. in fee. C. L., on the death of his brother, G. L. jun., obtained possession of the deeds, and claims the right to hold them, his adviser saying that he "apprehends the rule to be that whoever gets possession of title-deeds with an interest in the lands comprised therein, however small that interest may be, has a right to retain them against any and every person, and that he can see no reason why this rule should be departed from in the present case;" and on this ground they claim to hold the deeds. My client G. L. (the nephew) contends that he is entitled to the custody of the deeds, on the ground that he is the largest owner, both in extent and value of, and therefore has the largest legal interest in, the lands to which the deeds relate. I shall be much obliged if some of your experienced readers will kindly favor me with their opinions on the above, and say which party is entitled to the custody of the deeds.

2nd Nov. 1864. J. W.

Answer.

STATUTE OF LIMITATIONS.—It may be a satisfaction to "Juvenis" to hear that the point he mentions in his query contained in your impression of the 15th ult., which has only now come under my observation, arose in a case in which I was concerned very recently, on which occasion, though entertaining no doubt on the subject, I took an opinion for the protection of my clients who were trustees. Counsel advised that the two out of three parties to a promissory note payable on demand, who had not paid any interest on the debt or acknowledged it for the last six years, were not liable, though the third party had paid the interest regularly till application was made for the principal. The opinion therefore entirely coincides with the answer given by "D. H." in your impression of the 23rd ult. T. C.

THE LAW LIBRARY.

A Manual on Bankruptcy; designed as a First Book for Students, and as a useful Summary for Practitioners. By JOSIAH W. SMITH, B.C.L., Q.C. London: Stevens, Sons and Haynes. 1864.

MR. JOSIAH SMITH, having made clear pictures in little of equity and common law, by his two well-known Manuals, has now set his *camera lucida* to the wide-spread field of Bankruptcy law. He has brought the subject within the compass of a pocket volume of less than 150 pages. The author's design is to give, in a "consolidated and readable form," the substance of such of the enactments and orders as appear most needful to be known and remembered, and not merely referred to *pro re nata*, with some other leading points. So that the book is not like one of those old catalogues of detached indigestible fragments which once provoked the famous banter of another Smith under the name of lay "Catechisms," but is a continuous, easy outline of the chief features of the system. This work of a mature lawyer who, during some twenty years, has been known by his editorial labours on Fearne and Mitford, and his Law of Real and Personal Property, must be distinguished from any novice's perfunctory abridgment; it is a master's study of Cullen's Principles of Bankruptcy, Selwyn's Nisi Prius, Langley's Deacon, Flather's Archbold, and the large treatise of Doria and Macrae. It is therefore with reason healed as a summary for practitioners no less than a first book for students.

The reference at every paragraph to the enactment, order, or book, on which the position is grounded enables readers of the one class to enlarge their course in the right direction, those of the other to find their authorities in the right place. The understanding and memory are aided by a division of the subject into nineteen heads, commencing with an instructive sketch of the growth of the jurisdiction from the common law, through the various statutes, down to the Act of 1861, and advancing step by step from "Persons liable to bankruptcy," "Acts of bankruptcy," "The adjudication," and all the subsequent procedure in thirteen heads, to the various other modes of winding-up estates under the jurisdiction of the court, by deed of arrangement or otherwise, in four heads, the last two of the nineteen heads treating of offences and miscellaneous matters. That the author does not, while he strives to be brief, become obscure will be plain from one or two extracts. Thus, under Acts of Bankruptcy:

> If an execution is levied by seizure and sale of any of the effects of a trader-debtor for the recovery of a debt or money demand exceeding 50*l*, it is an act of bankruptcy. Yet, unless in the meantime a petition for adjudication be presented, the officer must proceed with the execution, and must, at the end of seven days after the sale, pay the proceed, or so much as ought to be paid, to the execution-creditor. But if the debtor is adjudged a bankrupt within fourteen days from the sale, the execution-creditor must pay over the money to the assignees, after deducting the costs and expenses of his action and execution: (Act of 1861, s. 73.)

Again, under the head of "As to the Property which vests in Assignees,"

> All the bankrupts' personal estate, and all property which may come to him before he has obtained his discharge, and all debts due to him, and all rights of action which are exclusively confined to injury of property, become absolutely vested in the assignees for the benefit of the creditors by virtue of their appointment. But no right of action for a mere personal tort passes to the assignees: (Act of 1849, s. 141; Deacon, 3rd edit., by Langley, 522; 1 Doria & Macrae, 586.)

To aid the learner in self-examination, the table of contents is so framed that each article of it may be readily turned into a question. Every paragraph in the book may thus be brought under review after the whole or each head has been perused. But the idea of six pages to every 140 pages of text, although not in itself deficient, appears, by comparison with fifty pages of index to the 450 of text in the author's Manual of Common Law, to be capable of enlargement in the next edition. It may also be worth his while to consider the advantage of numbering the paragraphs, in the style of Burton's Compendium, for convenience of reference, especially in the published answers to examination questions for articled clerks and other students.

The appearance of this Manual is well timed in relation to the present public agitation of the Bankruptcy Law Reform question. Legislators may see here at a glance what they have been doing in the matter. Leading article writers will, so far, have no longer any excuse for ignorance.

THE COURTS & COURT PAPERS.

COURT OF COMMON PLEAS.

Reported by W. MAUD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Thursday, Nov. 3.

COBBETT v. REYNOLDS AND OTHERS.—Ejectment. The plaintiff in person moved for a rule calling on the defendant to show cause why an order of Shee, J., made at chambers, should not be rescinded. *Rule refused.*

MILLER v. HARTOPP.—*T. Jones*, for the defendant, moved *for a rule for a mandamus* for the examination of certain witnesses at NASSAU. The circumstances of the case being peculiar, and it being desired to enforce the attendance of the witnesses and production of certain documents, an ordinary commission would be insufficient, and the application was therefore for a *mandamus*. *Rule nisi.*

MASTERMAN v. KITCHING.—*Digby Seymour*, Q.C. moved pursuant to leave reserved to set aside the verdict entered for the defendant. The action was tried at York, and was brought by the owner of the winner of a race called the Cleveland Handicap against the stakeholders for the amount of the stakes. One of the conditions of the race was that all disputes should be decided by the stewards, and a dispute having arisen the stewards decided against the plaintiff. The jury found in his favour, but Keating, J. considered that the stewards had jurisdiction to decide the matter, and directed the verdict to be entered for the defendants.—The COURT upheld the ruling. *Rule refused.*

LINDLEY v. LACEY.—*Hayes*, Serjt. and *Greatham* showed cause against a rule to set aside the verdict obtained by the plaintiff at the trial in Middlesex, at the sittings after last Easter Term.—*Joyce* (*F. M. White* with him) supported the rule on the ground that the action had been brought upon a parol contract, which had subsequently been reduced to writing, and its terms varied, and that evidence had been improperly admitted of the parol agreement. The COURT held that the parol agreement was a distinct agreement collateral to the written contract, and that the evidence was properly admitted. *Rule discharged.*

COBBOLD AND BIGNOLD v. KITTON.—*Iliffe*, Q.C. moved for a rule to rescind an order made by Martin, B., on the application of the plaintiff Cobbold, for the production of a deed which was in the defendant's custody. The defendant's affidavits proved that he had a lien on the deed, and that the plaintiff Bignold, who was adverse to the plaintiff Cobbold, sanctioned his withholding it. *Rule nisi.*

COX v. ANGELL.—*Joseph Brown* and *F. M. White* showed cause against a rule obtained by the plaintiff on affidavits; *Tindal Atkinson*, Serjt. supported the rule.

SITTINGS AND CAUSE LIST FOR MICHAELMAS TERM 1864.

Equity Courts.

Court of Appeal in Chancery.

(Before the LORD CHANCELLOR.)

Appeals.—Foxen v. Foxen; Blasson v. Blasson; Mayor, &c., of London, Governors of St. Thomas's Hospital v. Mayor, &c., of London and Another; Tiffin v. Parker; Sichel v. Raphael; Cooke v. Cooke; Rogers v. The Dock Company at Kingston-upon-Hull.

Causes.—Baxendale v. West Midland Railway Company; Baxendale v. Great Western Railway Company.

(Before the LORDS JUSTICES.)

Appeals.—Rede v. Oakes; Keats v. Ewer; Shaw v. Bunny; Countess of Harrington v. Atherton; *re* Mackinlay and Ward v. Mackinlay; Beynon v. Morris; Collingwood v. Russell; Mackintosh v. Stewart; Wilson v. The West Hartlepool Harbour and Railway Company and Ralph Ward Jackson; Troup v. Ricardo.

Rolls Court.

Causes, &c.—Mole v. Hole; The India Freehold Land Colonisation Trust and Agency Association (Limited) v. Lascelles; Maythorn v. Palmer; Labalmondiere v. Reidy; Ransom v. Ransom; Lee v. Lee; Banks v. Cartwright; Borras v. Hodge; Cuddon v. Bowles; Thompson v. Hudson; Roxburgh v. Fuller; Bowker v. Siddey; Clark v. Eversfield; Ormerod v. Rostron; Bruce v. Morison; Braithwaite v. Kearns; Reeves v. Matthews; Gamble v. The St. Helen's Canal and Railway Company; Baker v. Pritchard; Paul v. Pole; Pilling v. Pilling; Luff v. Lord; Howard v. Earl of Shrewsbury; Turner v. Turner; Harvey v. Trenchard; Chadwick v. Turner; Preston v. Bradney; Sturgis v. Bolden; Henry v. Hewitt; Say v. Parnell; Morgan v. Davies; Waterman v. Smith; Turney v. Bayley; Robson v. Flight; Nason v. Clamp; Williams v. Maddox; Linford v. Provincial Horse and Cattle Insurance Company; Pritchard v. Roberts; Spiller v. Maude; Lawrence v. The West India Relief Commissioners; Lloyd v. Banks; Emmet v. Tottenham; Moss v. Chapple; Priestly v. Ashworth; Millard v. Harvey; Pomfret v. Plucknett; Charlesworth v. Jennings; Ridley v. Ridley; Weston v. Collins; Turrell v. Hocking; Beresford v. Conyers; Best v. Stonehewer; Lees v. Olivant; Batchelor v. Morley; Barrow v. Tyrer; Earl Ferrers v. Shirley; Willim v. Hayes; Glover v. Harlecup; Prowse v. Spurgin; Hodge v. Jackson; Boden v. Hirsch; Woolf v. Rees; Thackray v. Wheatley; Walsh v. Parker; Palmer v. Palmer; Bostock v. Smith; Littler v. Bardessa; Butterworth v. Walker; Cheesman v. Price; Huskisson v. Greenway; Pink v. Aburrow; Thompson v. Freegard; Roffey v. Williams; Wood v. Charing Cross Railway; Hands v. Hands; Vanden Brock v. Peto; Earl of Durham v. Legard; Tottenham v. Emmett; Jones v. May; Wakefield v. Llanelly Railway and Dock Company; Rawlins v. Eldridge; Clowes v. Prescot; Nicholls v. Haynes; Plucknett v. Pomfret; Roose v. Poole; Anderton v. Anderton; Rockett v. Robinson; Ashworth v. Priestley; Froom v. Learmouth; Rickatson v. Gibson; Bullock v. Bullock; Wilkinson v. Musgrave; King v. Morison; Bedborough v. Bedborough; D'Huart v. Harkness; Manley v. Manley; Gedney v. Smith; Heywood v. Dougherty; Sheild v. Taylor; Fordham v. Fordham; King v. King; Oldham v. Ashwin; Briggs v. Eastwood; Johnstone v. Blake; Swift v. Swift; Cross v. Swann; Markwick v. Over; Fleming v. Armstrong; *Re* Chick's Estate; Chick v. Hope; Campbell v. Beaton; Spencer v. Spencer; Lord Abinger v. Phelps; Flower v. Allen; Elgood v. Campbell; Newnham v. Newnham; Williams v. Lloyd; *Re* Williamson; Williamson v. Barrow; Harrison v. Rhodes; Snelling v. Hoppe; Purseord v. Emery; Burgin v. Brown; Catton v. Wyld; Heriot v. Nicholas; Walter v. Etherington; Caton v. Kinchant; De Beauvoir, Bart. v. Benyon; Killick v. Swall; Symonds v. Wilkes; Hobson v. Jones; White v. Welch; Caldclengh v. Beckett; Pullan v. Pullan; Dorsett v. Adams; Halliwell v. Halliwell; Quicke v. Floud; Mortan v. Morant; Jones v. Lambert; Sill v. Boden; Davis v. Davis; Godfray v. Brooke; Turner v. Mirfield; Brooke v. Roberts; Rowe v. De Lavigerie; Dixon v. Dickinson; Guest v. Smythe; Armstrong v. Walton; Mathers v. Green.

V. C. Kindersley's Court.

Causes, &c.—Bagot v. Legge; Hendrie v. Springfield; Roderick v. Randles; Bennett v. Bennett; Lord Randolph v. Melton; Wardell v. Lawty; Riley v. Croydon; Poole v.

Foxwell; Bruton v. Morris; Smith v. Charles; Barker v. Pelle; Williams v. Williams; Williams v. Williams; Jones v. Rees; Hewer v. Keats; Smart v. Hawksworth; Jackson Parkin; Millard v. Ellyett; Savile v. Kinnaird; Gant v. Heales; Earl of Eglinton v. Lamb; Earl of Eglinton v. Lamb; Jenkins v. Lemon; Whitmore v. The Board of Guardians of the Parish of St. Leonard's, Shoreditch, in the County of Middlesex; Oakden v. Pike; Spencer v. Saxby; Hensman v. Fryer; Tomlinson v. Rutter; Smith v. Parkin; Lovegrove v. Heath; Gant v. Heales; Morgan v. Morgan; Readwin v. The Vegra and Clogan Copper Mining Company; Gillett v. Gane; Gataker v. Reynardson; Gataker v. Partridge; Fitch v. Cotts; Sharpin v. Symons; Cooke v. Hathway; Gentry v. Gentry; Dakers v. Lilburn; Smith v. Meadows; Travis v. Illingworth; McClymont v. Ray; The London Monetary Advance, &c. Company (Limited) v. Brown; Hosken v. Sincock; Tatham v. The Llanelly Railway and Dock Company; Paine v. Brown; Winterbottom v. Storey; Armytage v. Armytage; Hutton v. Hutton; Hollis v. Bulpett; Lillie v. Westhead; Ford v. Marston; Gutteridge v. Fletcher.

V. C. Stuart's Court.

Causes, &c.—Young v. Canadian Oil Company (Limited); Lautour v. Attorney-General; Jones v. Williams; Lee v. Cook; West v. Borrett; Sporle v. Barnaby; Lee v. Hamerton; Barrow v. Griffith; Barrow v. Newman; Collinson v. White; Lane v. Brillman; Holberton v. Clement; Cubitt v. Smith; Green v. Crockett; Cornforth v. Pointon; Girdlestone v. Richards; Staniland v. Wade; Earl of Darnley v. London, Chatham and Dover Railway Company; Buckley v. Blackburne; Hearn v. Bannister; Vickers v. Todd; Smith v. Moreton; Fletcher v. Fletcher; Morgan v. Morgan; Jarvis v. Ferguson; Mitchell v. Mitchell; Baily v. Keighley; Phillips v. Phillips; Lindsay v. Orrman; Staffordshire and Worcestershire Canal Company v. Birmingham Canal Navigation; Duckworth v. Hudson; Hardy v. Hardy; Holloway v. Webber; Piggott v. Piggott; Tee v. Bridger; Marshall v. Smith; Wetton v. Wildgoose; Corsellis v. Patman; Lambert v. Overton; Adam v. King; Eastman v. Dennis; Eastman v. Dennis and another; Field v. Ryman; Cockayne v. Chanter; Crockett v. Green; Higgins v. Lindsay; Hubbard v. Hubbard; Turney v. Townsend; Fray v. Drew; Morocco Land and Trading Company v. Fry; Burris v. Jenkin; McIntosh v. Great Western Railway Company; Jefries v. Smith; Walford v. Gray; Clark v. Levens; Johnson v. Plowden; Bacon v. Clarke; Bayley v. Williams; Tillyard v. Franco; Swanston v. Smethurst; Baine v. Cox; South Metropolitan District School v. Banstead and Epsom Downs Railway Company; Dabbs v. Nugent; Greenfield v. Edwards; Hodson v. Hodson; *Re* Hall Robinson v. Latham; Dobie v. Moulton; Bayley Worthington v. Williamson; Brierly v. Brierly; Watlington v. Gammie; Brown v. Hadleigh Gas Consumer's Company; Dover v. Buck; Langdon v. Blake; Burrows v. Langley; De la Fontaine v. Coppage; James v. James; *Re* Brabyn; Brabyn v. Brabyn; Nicholson v. Newton; Waters v. Grose; Cust v. Middleton; Stonehouse v. Dobing; McLellan v. St. George's Harbour Company; Williams v. Wilson; Eaton v. The Attorney-General; Fray v. Drew; Brideoake v. Lees; Phillips v. Wilbraham; Forrest v. Forrest; Soddy v. Searle; Hovil v. Humphreys; Jones v. Dixon; Cox v. Reid; Boulter v. Clark; Austin v. Cantle; Fowler v. Haynes; Forman v. Harvey; Cooke v. Benbow; Joseph v. Metropolitan Railway Company; Williamson v. Shinton; Hunter v. The General Company of Italian Irrigation Canals (Cavour Canal); Parker v. Lee; Taylor v. Kay; Lloyd v. Shelley; Bell v. Sherwen; Bland v. Daniell.

V. C. Wood's Court.

Causes, &c.—Betts v. De Vitre; Davis v. Kennard; Dalton v. Neale; Tillman v. Tillman; Edgington v. Edgington; Hall v. James; Fenton v. Hankins; Richards v. Watkins; Howard v. Woodward; Knox v. Wells; Chinnock v. Marchioness of Ely; Buckle v. Bristow; Buckle v. Bristow; Rees v. Fernie; Blackett v. Bates; Parsons v. North; Foster v. Gladstone; Payne v. Parker; Simpson v. Brown; Wedderburn v. Thomas; Hanmer v. Chance; Tynte v. Beavan; Wilson v. Bullivant; Forbes v. Mackenzie; Allan v. Scott; Hooper v. Gunn; McLellan v. Gunn; Fisher v. Moon; Underhay v. Tyler; Higgins v. Edgell; Hart v. Stothert; Cooper v. Burial Board of Uttoxeter; Tynte v. Hodge; Onions v. Cohen; Goucher v. Clayton; Tunstall v. George; Rowley, Bart. v. Gallwey, Bart.; Kirkwood v. Thompson; Challinor v. Bowen; Seixo v. Provezende; Featherstonhaugh v. Lee Moor Porcelain Company; Eden v. Thompson; Cheltenham Water Works Company v. Russell, Bart.; Duke of Northumberland v. The Great Western and Brentford Railway Company; Frith v. Cartland; London and South-Western Railway Company v. Fitter; Cunningham v. Colling; Thompson v. Fennell; Acland, Bart. v. Troyte; Defries v. Levy; Winearls v. Westby; Tottle v. Washington; Kay v. Barlow; Cooke v. Stilwell; Stemp v. Langdon; Honeycombe v. Peake; Tatham v. Drummond; A. H. Bull v. Stanley; Lucas v. Clarke; Simpson v. Holliday; Bass v. Austin; Hiscock v. Shrimpton; Parker v. Whyte; Shears v. Dickenson; Hansford v. Barton; Hall v. Slack; Forder v. Stevens; Edmondson v. Kilshaw; Panton v. Smith; Roscoe v. Wain; Jarvis v. Moore; Morris v. Honeycombe; Wingrove v. Lane; Andrewes v. Jones; Tennant v. Bankart; Stepney v. Biddulph; Sampson v. Harrison; Temple Pier Company (Limited) v. Metropolitan Board of Works; Peacock v. Peacock; Fenton v. Fenton; Holmes v. Bridge; Catlow v. Catlow; Lomas v. Beard; Sargent v. Coates; Spokes v. The Banbury Local Board of Works; Fletcher v. Goodall.

Common Law Courts.

Exchequer Chamber.

Errors and appeals from the Court of Exchequer will be heard in the Exchequer Chamber at Westminster on Thursday next, at 10 o'clock.

Arches' Court.

This court will sit at Westminster on Monday, Nov. 7 at 10.30 a.m., and on such other days as may be appointed by the judge.

Admiralty Court.

This court will sit at Westminster on Tuesdays, Nov. 8, 15, 22 and 29, and Dec. 6 and 13, at 10.30, for summonses and motions in chambers, and at 11 for motions in court. The court will hear causes on every Tuesday, Wednesday, Thursday and Friday from Thursday, Nov. 3, to Friday, Dec. 16, both inclusive.

Appeals' Court.

This court will sit at Doctors'-commons on Thursdays, Nov. 10, 17, and 24, and Dec. 1.

Court of Probate
AND
Court for Divorce and Matrimonial Causes.

COURT OF PROBATE.

CAUSES WITHOUT JURIES.—Friday, Nov. 4, Saturday, 5, Saturday, 12, and Wednesday, 16.

TRIALS BY JURY.—Wednesday, Nov. 30, Thursday, Dec. 1, Friday, 2, Saturday, 3, Wednesday, 7, and Thursday, 8.

COURT OF DIVORCE.

CAUSES WITHOUT JURIES.—Wednesday, Nov. 9, Thursday, 10, Friday, 11, Thursday, 17, Friday, 18, Saturday, 19, Wednesday 23, Thursday, 24, Friday, 25, and Saturday, 26.

TRIALS BY JURY.—Friday, Dec. 9, Saturday, 10, Wednesday, 14, Thursday, 15, Friday, 16, Saturday, 17, Wednesday, 21, and Thursday, 22.

The judge will sit in chambers to hear summonses at 11, and in court to hear motions at 12, on Thursday, Nov. 3, on Tuesday, Nov. 8, and each succeding Tuesday, until Tuesday, Dec. 20 inclusive.

All papers for motions to be heard on Tuesday, Nov. 8, and following Tuesdays, to be left with the clerk of the papers before two o'clock on the proceeding Thursday.

Central Criminal Court.

On Tuesday the Lord Mayor, Mr. Alderman Copeland, M.P., Mr. Alderman Wilson, Mr. Alderman Sidney, and Mr. Alderman Stone assembled at the Old Bailey, for the purpose of fixing the days for holding the sessions of the Central Criminal Court in 1864-65. The Judges present on the occasion were—the Lord Chief Baron, Mr. Baron Bramwell, Mr. Baron Channell, Mr. Baron Pigott, Mr. Justice Crompton, Mr. Justice Blackburn, Mr. Justice Willes, Mr. Justice Byles, Mr. Justice Keating, Mr. Justice Mellor, and Mr Justice Shee. The following were the days appointed for holding the sessions:—

1864.—Monday, November 21; and Monday, December 12.

1865.—Monday, January 9 and 30; Monday, February 27; Monday, April 10; Monday, May 8; Monday, June 12; Monday, July 10; Monday, August 14; Monday, September 18; and Monday, October 23.

LAW SOCIETIES.

ARTICLED CLERKS' DEBATING SOCIETY.

A meeting of the members of this society and their friends was held at the Whittington Club, on Wednesday last. There were upwards of 200 persons present. Mr. Serjeant Simon (one of the vice-presidents of the society) was introduced to the meeting, as their chairman, by Mr. Wynne E. Baxter, hon. Sec. The debate on governmental compensation to persons unjustly prosecuted or unjustly convicted was opened by Mr. Edmund F. Davis, and opposed by Mr. W. J. Fraser.

After some excellent remarks from the learned Serjeant on legal education, the meeting broke up shortly before eleven.

LEGAL NEWS.

WILLS AND BEQUESTS.—The late Lady Kindersley, wife of Vice-Chancellor Sir Richard Torin Kindersley, of Hyde Park-gardens, having died possessed of property in her own right, without having disposed thereof by will, letters of administration were granted by Her Majesty's Court of Probate to her husband, Sir Richard, as the sole person legally entitled thereto. Lady Kindersley was the only daughter of the Rev. J. L. Bennett, and married in 1824.——The late Mrs. Vickers, of Eastbourne-terrace, Hyde-park, who died in August last, and whose will has just been proved, has left legacies to the following institutions:—The Deaf and Dumb Asylum, Bath, 200*l.*; the Church Missionary Society, 160*l.*; the Church Missionary Society, for Africa and the East, the Bible Society, the London Society for the Promotion of Christianity amongst the Jews, the Ragged School Factory, Lambeth, to each 50*l.* To the parish of St. Peter and St. Paul, and to the widows and aged poor of Walcot, 19*l.* each.——The will of George Beaufoy, Esq., of South Lambeth, was proved in London under 250,000*l.* personalty. The executors and trustees are his widow, Mrs. Anne Beaufoy, C. B. Thornhill, Esq. (his nephew), John Bolton, and J. R. Turner, the two last-named being engaged in the testator's business, under the firm of Beaufoy and Co., vinegar makers, manufacturers of acetic acids and chlorides of soda and lime, also millers. The will disposes of his library of books and museum, which had belonged to his late brother, Henry B. H. Beaufoy, Esq., whose wish was that the library and museum should not be sold, but, whilst any of his lineal descendants remained, be held as heirlooms with the family mansion, and carefully preserved, and at some future period applied to a public purpose as an exhibition, and designated the "Beaufoy Collection." To carry out such object and intention the testator has bequeathed the sum of 10,000*l.* The library and museum is to be held by his relict until his son Mark becomes of age. The testator directs that his business shall be carried on by his relict, who shall receive the profits to the extent of 7000*l.* a year, and leaves to her his residence and the estate at Pays Bas, Battersea. To his daughter he leaves the sum of 30,000*l.*; and to his son he devises his freehold estate, and appoints him residuary legatee of the personal property. To each of his four executors 1000*l.*, and a further sum to Mr. Bolton of 300 guineas, and to Mr. Turner 250 guineas, and like liberal legacies, varying in amount, to twenty-five other gentlemen of his establishment. To each of his clerks 10*l.*, and legacies to his servants. He has further expressed his wish that the annual feast, as well as gratuities to the clerks, and prizes to the men, should be continued whilst the business is in the hands of his relict. —*Illustrated London News.*

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, Oct. 25.

STANILAND, MEABURY, and WIGELSWORTH, PARKIN, attorneys and solicitors, Boston. July 31.

Bankrupts.

Gazette, Oct. 25.

To surrender at the Bankrupts' Court, London.

BAKER, THOMAS, nurseryman, Surbiton-hill. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Spicer, Staple-inn, Holborn.
BARKER, JOHN, watch jeweller, Albert-ter. Islington. Pet. Oct. 2[illegible]. Reg. Roche. O. A. Cannan. Sols. Kingdom and Williams, Lawrence-la. Cheapside.
BARNETT, BENJAMIN LONGRIDGE, ship and insurance agent, Gracechurch-st. Pet. Oct. 18. Reg. Winslow. O. A. Graham. Sol. Stocken, Leadenhall-st.
BRYANT, GEORGE, sculptor, Great St. Andrew-st. Seven-dials. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
BURRIDGE, JAMES, commission agent, Basinghall-st. and Chadwell-st. Clerkenwell. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
CHALKLEY, JOHN, brewer, High-rd. Tottenham. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sols. Peckham and Salt, Great Knight Rider-st. Doctors'-commons.
COTTERELL, JAMES, in no business, Gloucester-rd. Commercial-rd. east, and Henham. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
GRAVES, HENRY BURKILL, corn merchant, Eastcheap, and Upper [illegible]-st. Caledonian-rd. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
DAVIES, THOMAS, cheesemonger, King's College-rd. St. John's-wood. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Drew, Basinghall-st.
DOWNTON, ISAAC, dealer in marine-stores and general dealer, Wilton. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sols. Austen and De Gex, Gray's-inn.
ELLIS, HENRY, contractor, Edward's-st. Deptford. Pet. Oct. 11. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
FAWEY, LAWRENCE, boot and shoe maker, Lower Norwood. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Westall, Gray's-inn-sq.
FAULKNER, EDWARD, mercantile clerk, Desborough-gdns. Pimlico. Pet. Oct. 19. Reg. Roche. O. A. Cannan. Sols. Hooker and Co., Bartlett's-bldgs. Holborn.
FORBES, WILLIAM HENRY, victualler, Fleet-st. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
FOSTER, HENRY, grocer and teadealer, Church-rd. Homerton. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Crump, Fenchurch-st.
GEORGE, JOHN, cheesemonger, Chalk-farm-rd. Haverstock-hill. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
GIBBONS, CHARLES EDMUND, common brewer, Great Marlow. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Spicer, Staple-inn, for Spicer, Great Marlow.
GIMSON, WILLIAM, card manufacturer, Aylesbury-st. Clerkenwell, and New-rd. Wandsworth. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Wells, Moorgate-st.
HART, JOHN, commission agent, Monkwell-st. Kensington. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sol. Barrow, Cannon-st. west.
HENDERSON, JOHN, beer retailer, High-st. Shadwell. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sol. Buchanan, Basinghall-st.
HUMBY, MARK, clock and watch maker, Salisbury. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sols. Austen and De Gex, Gray's-inn.
JARVIS, THOMAS, out of business, Earl's-ct. Old Brompton. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
KEEN, ALFRED, deputy assistant-superintendent of stores at the Woolwich-arsenal, Plumstead. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Hillcary, Fenchurch bldgs.
MADDISON, HENRY, gold chain manufacturer, Hatton-gdn. and Liverpool-rd. Holloway. Pet. Oct. 21. Reg. Brougham. O. A. Edwards. Sol. Fereday, Bedford-row.
MAWER, DAVID KIRKBY, upholsterer, Victoria-rd. Pimlico. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sols. Reed and Phelps, Gresham-st.
MUIRHEAD, FRANCIS, commission agent, Wilson-st. Gray's-inn-rd. and Noble-st. Pet. Oct. 1[illegible]. Reg. Roche. O. A. Cannan. Sol. Gray, Union-ct. Old Broad-st.
NOWLAN, HENRY, builder, Chilton-st. Rotherhithe. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sol. Shearman, Little Tower-st.
OSBORN, WILLIAM HENRY, accountant, Foley-st. Portland-pl. and St. Swithin's-la. and Cullum-st. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
PHILIPS, GEORGE, poulterer, Red Lion-passage, Holborn. Pet. Oct. 13. Reg. Roche. O. A. Cannan. Sol. Parker, jun. Bedford-row.
PRICKETT, GILES, commission agent, Tooting hill, Wandsworth. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
RAWMAN, OSCAR, commission agent, Wiltshire-rd. Brixton. Pet. Oct. 18. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry.
REYNOLDS, THOMAS ANDREW FITZGERALD, solicitor, Chidham and Cecil-st. Strand. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
RICHARDS, JAMES BATESON, in no business, Oakley-sq. Hampstead-rd. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
ROBERTSON, JAMES CHARLES, merchant and commission agent, North Woolwich-rd. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
SLOAN, GEORGE, tailor, Brompton-rd. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sol. Buchanan, Basinghall-st.
SMEED, JAMES, farmer, Whitstable. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Towne, Great Russell-st. Bloomsbury.
TARGETT, CHARLES, undertaker, New Compton-st. Soho, and Gower-mews, Bedford-sq. Pet. Oct. 13. Reg. Roche. O. A. Cannan. Sol. Apps, South-sq. Gray's-inn.
WHEELER, FREDERICK, grocer, Kingston-on-Thames. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.

To surrender in the Country.

ASHTON, CHARLES, waste dealer, Heywood. Pet. Oct. 20. Reg. & O. A. Grundy. Sols. Messrs. Watson, Bury.
ATTKINS, WILLIAM ALFRED, agent, Salford. Pet. Oct. 20. Reg. Macrae. O. A. Morgan. Sol. Fox, Manchester.
BIRCH, RICHARD, victualler, Liverpool. Pet. Oct. 20. O. A. Turner. Sol. Best, Liverpool.
CORLEY, JOB, market gardener, Leicester. Pet. Oct. 19. Reg. & O. A. Ingram. Sol. Harvey, Leicester.
CUTLER, GEORGE, boot-keeper, Liverpool. Pet. Oct. 19. Reg. & O. A. Hime. Sol. Harris, Liverpool.
DANCE, PHILIP, joiner and publican, Worcester. Pet. Oct. 22. Reg. & O. A. Hill. Sol. Curtler, Worcester.
DAVIES, DAVID, innkeeper, Cardiff. Pet. Oct. 22. Reg. & O. A. Langley. Sol. Bird, Cardiff.
DENISON, JOSEPH, cloth manufacturer, Rawdon, Guiseley. Pet. Oct. 18. O. A. Young. Sol. Clarke, Leeds.
DWYER, ROBERT DOYLE, metal dealer, Everton, Liverpool. Pet. Oct. 17. Reg. & O. A. Hime. Sol. Brown, Liverpool.
FRANCIS, FRANCIS, tobacconist, Brighton. Pet. Oct. 20. Reg. & O. A. Evershed. Sol. Mills, Brighton.
GILBERT, WILLIAM BALDOCK, victualler, Bridgwater. Pet. Oct. 22. Reg. & O. A. Lovibond. Sol. Reed, Bridgwater.
GRIFFITHS, JOSIAH, provision dealer, Wolverhampton. Pet. Oct. 21. O. A. Clarke. Sol. Langman, Wolverhampton.
HANMAN, ALBAN, market gardener, Neath. Pet. Oct. 22. Reg. Wilde. O. A. Acraman. Sols. Thomas, Neath; and Abbot and Leonard, Bristol.
HARRISON, BENJAMIN, shoemaker, Castleford. Pet. Oct. 19. O. A. Young. Sols. Foster and Son, Pontefract; Bond and Barwick, Leeds.
HAYWARD, GEORGE, professor of music, Wolverhampton. Pet. Oct. 21. Reg. Hill. O. A. Kinnear. Sol. Bartlett, Wolverhampton.
HEAP, THOMAS WHITAKER, commercial clerk, Cheetham. Pet. Oct. 22. Reg. & O. A. Hulton. Sol. Swan, Manchester.
HOLT, JOHN, wheelwright, Northgate, Huddersfield. Pet. Oct. 12. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield.
HOWARTH, AMOS, potted beef manufacturer, Liverpool. Pet. Sept. 15. Reg. & O. A. Hime.
HOWARTH, EDMUND, cottonspinner, Middleton, Manchester. Pet. Oct. 19. Reg. Macrae. O. A. Morgan. Sols. Williams, London; Hadfield and Son, Manchester.
HURST, SIMPSON, provision merchant, Scarborough. Pet. Oct. 13. O. A. Young.
JENKINS, THOMAS, blacksmith and farrier, Thatcham. Pet. Oct. 21. Reg. & O. A. Vizard. Sol. Cave, Newbury.
KNAGGS, KESTER, labourer, Kilham. Pet. Oct. 19. O. A. Carrick. Sol. Hodgson, Driffield.

LAWRENCE, EMANUEL, innkeeper, Shrewsbury. Pet. Oct. 24. Reg. Tudor. O. A. Kinnear. Sols. Collis and Ure, Birmingham; Keough and Son, Shrewsbury.
LEES, ROBERT, cotton spinner, Oldham. Pet. Oct. 20. Reg. Macrae. O. A. Morgan. Sols. Cooper and Son, Manchester.
LINDSEY, JOSIAH, farmer, Old Stratford, Stratford-upon-Avon. Pet. Oct. 21. Reg. Tudor. O. A. Kinnear. Sol. Lane, jun. Stratford-upon-Avon; Hodgson and Son, Birmingham.
LOWCOCK, JOHN, cotton manufacturer, Waterside, Colne. Pet. Oct. 21. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whittam, Burnley; Cobbett and Wheeler, Manchester.
MARKS, MARK, furniture broker, Cardiff. Pet. Oct. 20. Reg. Wilde. O. A. Acraman. Sols. Langley, Cardiff and Clifton; Brooking and Buckingham, Bristol.
MARTIN, JOHN, innkeeper and publican, Newland, Chipping Wycombe. Pet. Oct. 21. Reg. & O. A. Parker. Sol. Spicer, Great Marlow.
MITCHELL, JOHN, gardener, Southowram, Halifax. Pet. Oct. 20. Reg. Rankin. O. A. Dyson and Rankin. Sol. Storey, Halifax.
MITTELL, HENRY, victualler, Canterbury. Pet. Oct. 17. Reg. & O. A. Callaway.
MOORE, HENRY, farmer, Eling. Pet. Oct. 19. Reg. & O. A. Thornden. Sol. Urry, Ventnor.
MUSK, CHARLES CURTIS, victualler, Liverpool. Pet. Oct. 17. Reg. & O. A. Hime. Sol. Holding, Liverpool.
NOBLE, WILLIAM, baker, Fordham. Pet. Oct. 22. Reg. & O. A. Bacon. Sol. Rye, Soham.
ORCHARD, DANIEL, lodging-house keeper, Ryde, Isle of Wight. Pet. Oct. 15. Reg. & O. A. Blake. Sol. Beckingsale, Newport.
PAINE, HENRY, Canterbury. Pet. Oct. 17. Reg. & O. A. Callaway.
PATTISON, DAVID, painter, Thirsk. Pet. Oct. 19. Reg. & O. A. Eder. Sol. Mason, Castlegate, York.
PEAKE, JOHN, furniture broker, Lichfield. Pet. Oct. 19. Reg. & O. A. Birch. Sol. Wilson, Lichfield.
PETTITT, JOSIAH, baker, Clare. Pet. Oct. 17. Reg. & O. A. Jarvis. Sol. Mumford, Sudbury.
PIPER, GEORGE FREDERICK, saddler, Burton-upon-Trent. Pet. Oct. 21. Reg. & O. A. Hubbersty. Sol. Prince, Burton-upon-Trent.
PRICE, CHARLES, draper, Llanfihangel, Nant Melian. Pet. Oct. 20. Reg. & O. A. Temple. Sol. Cheese, Kington.
SARGEANT, EMMA, plumber, Gosport. Pet. Oct. 19. O. A. Howard. Sol. Pafford, Portsea.
SEVERN, ALFRED JOHN, fish dealer, Worcester. Pet. Oct. 21. Reg. & O. A. Hill. Sol. Corles, Worcester.
SMITH, LIONEL GREEN, carpenter, Needingworth. Pet. Oct. 19. Reg. & O. A. Margetts. Sol. Coote, St. Ives.
STANSFIELD, JOSIAH, tailor, Horton, Bradford. Pet. Oct. 21. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford.
STICKEY, JAMES, jun., fly driver, Clevedon. Pet. Oct. 22. Reg. & O. A. Harley and Gibbs. Sol. Henson.
STEAD, EPHRAIM, cottonspinner, Huddersfield. Pet. Oct. 22. O. A. Young. Sols. Floyd and Learoyd, Huddersfield; Bond and Barwick, Leeds.
THORNTON, ARTHUR, manufacturer and merchant, Rastrick. Pet. Oct. 21. O. A. Young.
TREY, JANE ANN, grocer, West Cowes, Isle of Wight. Pet. Oct. 19. Reg. & O. A. Blake. Sol. Joyce, Newport.
WHITEHEAD, EDMUND, cottonspinner, Oldham. Pet. Oct. 22. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester.
WHITNEY, JAMES, dealer in sand and clay, Whiston-grange, Kingsley. Pet. Oct. 17. Reg. & O. A. Daniel. Sols. Messrs. Tennant, Hanley.
WILD, CHARLES, and WILD, JOHN, cotton doublers, Elland. Pet. Oct. 13. O. A. Young. Sols. Jubb, Halifax; Bond and Barwick, Leeds.

Gazette, Oct. 28.

To surrender at the Bankrupts' Court, London.

ATKINSON, WILLIAM, tailor, Westbourne-st. Pimlico. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.
BABINGTON, ALFRED, engraver, Lower Dorset-st. Walworth. Pet. Oct. 12. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
BAXTER, JOHN GEORGE, metal broker, Old Broad-st. and Bartholomew-rd. Kentish-tn. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
BEAMINGTON, THOMAS, builder, South-end, Croydon. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
BRIGGS, STEPHEN ROBERT, wood and stone paviour, Cotton-st. Bromley, and Little North-st. Whitechapel. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sol. Hall, Coleman-st.
BURY, ROBERT, dairyman, Salmon-ln. and Mary-st. Limehouse. Pet. Oct. 24. Reg. Roche. O. A. Cannan. Sol. Daniel, Chancery-chambers, Quality-ct.
COLEMAN, ROBERT, greengrocer, Pont-st. Belgrave-sq. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Poole, Bartholomew-close.
DELL, CHARLES, silk printer, Mitcham common. Pet. Oct. 10. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.
EVANS, THOMAS, greengrocer, Bermondsey-st. and Tennis-pl. Southwark. Pet. Oct. 24. Reg. Miller. O. A. Edwards. Sol. Aldridge, Moorgate-st.
FISHER, GEORGE, coal merchant, Stafford-pl. Pimlico, and Willow-vale, Shepherd's-bush. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
FRENCH, WILLIAM JOHN BLAKE, surgeon and apothecary, Wilton and West End, Southampton. Pet. Oct. 28. Reg. Roche. O. A. Cannan. Sol. Stocken, Leadenhall-st. agent for Lomer, Southampton.
GAPE, HENRY, boot and shoe manufacturer, Leman-st. Goodman's-fields. Pet. Oct. 26. Reg. Roche. O. A. Cannan. Sol. Murray, Great St. Helen's.
GIBBS, WILLIAM, machinist, Upper Stamford-st. Blackfriars, and Addington-rd. Lambeth. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
GOODWIN, EDWARD, carpenter and builder, Ore. Pet. Oct. 24. Reg. Roche. O. A. Cannan. Sol. Gregson, Angel-ct. Throgmorton-st.
GOSDEN, GEORGE, builder, Freshwater, Isle of Wight. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Ley, Lincoln's-inn-fields.
GRANT, COLIN ALEXANDER MILNE, coal agent, Westbourne-park-rd. Pet. Oct. 26. Reg. Roche. O. A. Cannan. Sol. Hodwell, Connaught-ter. Edgware-rd.
GRISBROOK, WILLIAM (known as WILLIE CAPT), architect and builder, Moore-st. Sloane-sq. Chelsea, and Margate. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Marshall, Hatton-gdn.
HARRILL, EBENEZER, merchant, Brabant-ct. Philpot-la. and Grosvenor-park north, Camberwell. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
HALL, SAMUEL, publican and fly-driver, Caversham. Pet. Oct. 21. Reg. Roche. O. Cannan. Sol. Aldridge, Moorgate-st.
HALLIDAY, CHARLES JOHN, out of business, Cleveland-sq. Hyde-park. Pet. Oct. 20. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
HALLIGAN, PETER, tailor, Cumberland-pl. Paddington. Pet. Oct. 24. Reg. Roche. O. A. Cannan. Sol. Haynes, Cumberland-ter. Paddington.
HATCH, JOSIAH JOSEPH, boot and shoe dealer, Judd-st. Euston-rd. Pet. Oct. 20. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
HEAD, GEORGE, upholsterer, Brighton, and victualler, Guildford. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
HEPBURN, JOHN, oil and colour maker, Vauxhall-walk, Lambeth, and Gt. Wild-st. Lincoln's-inn-fds. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Spencer, Coleman-st.-bldgs. Coleman-st.
HEWSON, THOMAS, law clerk, Hewlett-rd. Old Ford. Pet. Oct. 24. Reg. Roche. O. A. Cannan. Sol. Tocque, Basinghall-st.
HOPKINS, HENRY CHARLES, engineer and waterproofer, Castle-st. Leicester-sq. Pet. Oct. 20. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
JEREMIAH, WILLIAM, sub-contractor for ground work, Arthur-st. Clifton-gdns. New-cross-rd. Pet. Oct. 15. Reg. Roche. O. A. Cannan. Sols. Philp and Son, Bucklersbury.
KELLY, NATHANIEL, merchant, White-st. and Kent-st. Southwark. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
MILLS, WILLIAM FORTYE, dealer in bottled beer, Offord-rd. Barnsbury, and Gower-st. north, Euston-rd. Pet. Oct. 24. Reg. Roche. O. A. Cannan. Sol. Langley, Moorgate-st.
ROSS, GEORGE, gentleman, Cannon-st. and Twickenham. Pet. Oct. 21. Reg. Roche. O. A. Cannan. Sols. Terrell, Chamberlain and Blake, Basinghall-st.
LYMAN, JOHN HENRY, clock manufacturer, Albert-ter. Notting-hill. Pet. Oct. 24. Reg. Roche. O. A. Cannan. Sol. Shiers, New-inn, Strand.
TAKES, FREDERICK, butcher, Charles-st. Stepney. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Francis, Tokenhouse-yd.
TILSON, WILLIAM, general dealer, Hatley. Pet. Oct. 22. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
WEBBER, RICHARD WILLIAM, wheelwright, Cleveland-st. Cambridge-st. Bethnal-green. Pet. Oct. 26. Reg. Roche. O. O. Cannan. Sol. Abbot, St. Mark-st. Great Prescott-st.
RICHARDSON, JOHN MOSES, timber dealer, Slangham, near Crawley. Pet. Oct. 22. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
ROBERTS, WILLIAM, oilman, Lower Sloane-st. Chelsea. Pet. Oct. 26. Reg. Roche. O. A. Cannan. Sol. Farrar, Great Carter-la.
SCHLITON, NATHAN, fishmonger, James-st. Oxford-st. Pet. Oct. 19. Reg. Roche. O. A. Cannan. Sol. Bramwell, Scott's-yd. Bush-la. Cannon-st.
SILVERSTON, ZALEG, jeweller, Euston-rd. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sols. Sampson, Samuel and Emanuel, New Broad-st.
THOMPSON, LEWIS, out of business, Barnsbury-rd. Islington. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Doyle, Verulam-bldgs. Gray's-inn.
THORNE, JOHN CHARLES, commission agent, Richmond-ter. Clapham, and Featherstone-bldgs. Holborn. Pet. Oct. 24. Reg. Miller. O. A. Edwards. Sol. Aldridge, Moorgate-st.
TOVEY, GEORGE STEPHEN, grocer, Stanford-rd. Fulham. Pet. Oct. 25. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.
VILLIERS, ARTHUR JULIAN, lieut. in H. M. navy on half-pay, Hanover-st. Pimlico. Pet. Oct. 24. Reg. Winslow. O. A. Graham. Sol. Langley, Moorgate-st.

To surrender in the Country.

ALLOTT, JAMES, coal miner, Swinton. Pet. Oct. 25. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham.
AMBLER, WILLIAM, grocer, Shrewsbury. Pet. Oct. 25. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham.
ASHWORTH, JAMES TAYLOR, farm labourer, Buckhill-head, Rochdale. Pet. Oct. 25. Reg. & O. A. Sammerscales. Sol. Whitehead, Rochdale.
BAILEY, CHARLES LANE, straw hat manufacturer, Redbourn. Pet. Oct. 22. Reg. & O. A. Austin. Sol. Scargill, Luton.
BATEMAN, JOHN, boot and shoe maker, Halifax. Pet. Oct. 24. Reg. Rankin. O. A. Dyson and Rankin. Sol. Holroyde, Halifax.
BENTHAM, WILLIAM, brewer, Ferry-hill. Pet. Oct. 12. Reg. Gibson. O. A. Laidman. Sols. Thornton, Bishop Auckland; and Harle and Co. Newcastle.
BESWICK, MATTHEW HENRY, factor's clerk, Handsworth. Pet. Oct. 26. Reg. & O. A. Guest. Sol. Allen, Birmingham.
BEXTON, SAMUEL, lacemaker, Long Eaton. Pet. Oct. 26. Reg. & O. A. Weller. Sol. Eddowes, Derby.
BRICKNELL, JOHN, ivory turner, Birmingham. Pet. Oct. 18. Reg. Hill. O. A. Kinnear. Sol. Foster, Birmingham.
BROWN, RENALDO ROBERTS, cattle dealer, Marnhull. Pet. Oct. 24. O. A. Parkyns. Sol. Terrell, Exeter.
BUTLER, GEORGE, cookdealer, Cheltenham. Pet. Oct. 11. Reg. & O. A. Gale. Sol. Boodle, Cheltenham.
CARN, ISIDORE HENRY, manufacturer of feathers, Manchester. Pet. Oct. 25. Reg. Macrae. O. A. Morgan. Sol. Fox, Manchester.
CLUTTERBUCK, JAMES, farmer, Pucks-hole, near Stroud. Pet. Oct. 21. Reg. Wilde. O. A. Acraman. Sols. Abbot and Leonard, Bristol.
COATES, JOHN, union clerk, Loughborough. Pet. Oct. 27. Reg. Tudor. O. A. Harris. Sol. Giles, Loughborough.
COHEN, DAVID, tailor and draper, Birmingham. Pet. Oct. 24. Reg. Hill. O. A. Kinnear. Sol. Duke, Birmingham.
COOMBS, ROBERT CHAMPION, victualler, Bristol. Pet. Oct. 24. Reg. & O. A. Harley and Gibbs. Sol. Henson.
CORBETT, JOSEPH, builder, Birmingham. Pet. Oct. 17. Reg. Tudor. O. A. Kinnear.
CRICK, RICHARD, teacher of navigation, Sunderland. Pet. Oct. 24. Reg. & O. A. Bramwell. Sol. Dixon, Sunderland.
DAY, HENRY, painter and glazier, Ipswich. Pet. Oct. 24. Reg. & O. A. Pretyman. Sol. Ross, Ipswich.
DUCKWORTH, JOHN, and PARKER, CHRISTOPHER, manufacturers, Rishton, Blackburn. Pet. Oct. 22. Reg. Macrae. O. A. Morgan. Sol. Richardson, Manchester.
DUTFIELD, SAMUEL, butcher, Mathon. Pet. Oct. 17. Reg. & O. A. Moore. Sol. Wilson, Worcester.
EVANS, JAMES, victualler, Ettingshall, Bilston. Pet. Oct. 24. Reg. & O. A. Brown. Sol. Walker, Wolverhampton.
EVANS, JOHN, charter-master, Blackheath, Rowley Regis. Pet. Oct. 21. Reg. & O. A. Watson. Sol. Shakespeare, Oldbury.
FREMER, BENJAMIN, schoolmaster, Norwich. Pet. Oct. 22. Reg. & O. A. Palmer. Sol. Chittock, Norwich.
FLETCHER, PETER SMITH, coachfitter, Lozells, Aston. Pet. Oct. 21. Reg. & O. A. Guest.
FULLER, JOHN HENRY, farmer, Bishop Monkton. Pet. Oct. 24. O. A. Young. Sols. Bond and Barwick, Leeds.
GLASSON, JOHN, engineer, Newark-upon-Trent. Pet. Oct. 25. Reg. & O. A. Newton. Sol. Ashley, Newark-on-Trent.
GRADWELL, GEORGE, butcher, Liverpool. Pet. Oct. 24. Reg. & O. A. Hime. Sol. Goldrick, Liverpool.
HAMILTON, JOHN, ground bailiff, Wednesfield. Pet. Oct. 24. Reg. & O. A. Brown. Sol. Cresswell, Willenhall.
HEATH, JOSEPH, jun., lace-maker, Heanor. Pet. Oct. 19. Reg. & O. A. Weller. Sol. Leech, Derby.
HOPKINS, WILLIAM, jun., picture-frame maker, Birmingham. Pet. Oct. 25. Reg. & O. A. Guest. Sol. Duke, Birmingham.
HORTON, GEORGE, innkeeper, Newtown, Hammerwich. Pet. Oct. 24. Reg. & O. A. Birch. Sol. Wilson, Lichfield.
HUGHES, CHARLES FREDERICK, coal and iron merchant, West-bromwich. Pet. Oct. 17. Reg. Tudor. O. A. Kinnear.
HUGHES, JOHN, butcher, Liverpool. Pet. Oct. 25. Reg. & O. A. Hime. Sol. Husband, Liverpool.
HYDE, JOSEPH HENRY, farmer, Frimley. Pet. Oct. 19. Reg. & O. A. Helfest. Sol. White, Guildford.
IVENS, CHARLES, commission agent, Coventry. Pet. Oct. 21. Reg. & O. A. Kirby. Sol. Overell, Coventry.
JACKSON, EDWIN FOX, fancy goods dealer, Sheffield. Pet. Oct. 17. O. A. Carrick. Sols. Cooper and Son, Manchester; and Bond and Barwick, Leeds.
JONES, JOHN, grocer and haulier, Glyncorrwg. Pet. Oct. 24. Reg. & O. A. Morgan. Sol. Cuthbertson, Neath.
KELLER, HENRY, interpreter, Swansea. Pet. Oct. 12. Reg. & O. A. Morris.
LINDHARD, SOPHUS FREDERICK MATHIAS, merchant, West Hartlepool. Pet. Oct. 25. Reg. Gibson. O. A. Laidman. Sols. Hodge and Harle, Newcastle.
LLOYD, THOMAS, baker, Swansea. Pet. Oct. 24. Reg. & O. A. Morris. Sol. Morris, Swansea.
MANSFIOTT, SAMUEL, draper's assistant, Stroud. Pet. Oct. 24. Reg. & O. A. Anderson.
MARSHALL, JAMES, cotton manufacturer, Oswaldtwistle. Pet. Oct. 20. Reg. Macrae. O. A. Morgan. Sol. Wood, Manchester.
PAYNE, JOHN, beershop-keeper, Bristol. Pet. July 12. Reg. & O. A. Harley and Gibbs.
PLEYDELL, THOMAS BAKER, major in the Royal Marines, Bradford. Pet. Oct. 26. O. A. Parkyns. Sols. Lakiman and Tremewen, Exeter.
POWYS, Rev. SPENCER PERCIVAL, clerk, Bruntingthorpe. Pet. Oct. 23. Reg. Hill. O. A. Kinnear. Sols. Miles, Gregory and Bouskell, Leicester.
RICHARDSON, RAYMOND, tin plate worker, Chester. Pet. Oct. 21. Reg. & O. A. Wason. Sol. Cartwright, Chester.
ROBATHAN, EVAN, sorter at tin works, Swansea. Pet. Oct. 24. Reg. & O. A. Morris. Sol. Morris, Swansea.
ROSS, WILLIAM, greengrocer and fishmonger, Harrogate. Pet. Oct. 26. Reg. & O. A. Gill. Sol. Harle, Leeds.
SAALFELD, ALBERT SAMUEL, cloth merchant, Leeds. Pet. Oct. 22. O. A. Young. Sols. North and Sons, Leeds.
SALTER, JOHN WILLIAM, professor of music, Great Torrington. Pet. Oct. 24. Reg. & O. A. Price. Sol. Tapley, Great Torrington.
SIMPSON, WILLIAM, beer retailer, Manchester. Pet. Oct. 24. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester.
SMITH, WILLIAM, painter, Winlaton. Pet. Oct. 24. Reg. & O. A. Bramwell. Sol. Dixon, Sunderland.
THOMPSON, FRANCIS, mustard manufacturer, Alfreton. Pet. Oct. 24. O. A. Carrick. Sol. Jessop, Crich.
TOWLER, STEPHEN, painter and glazier, Bristol. Pet. Oct. 24. Reg. & O. A. Harley and Gibbs. Sol. Williams.
WHISTON, FREDERICK WILLIAM, chemist, Birmingham. Pet. Oct. 27. Reg. Tudor. O. A. Kinnear. Sols. Hodgson and Son, Birmingham.
WHITAKER, JAMES, cotton manufacturer, Bacup. Pet. Oct. 21. Reg. Macrae. O. A. Morgan. Sols. Atkinson, Saunders and Co., Manchester.
WILLIAMS, THOMAS JONES, man milliner, Liverpool. Pet. Oct. 22. Reg. & O. A. Hime. Sol. Henry, Liverpool.
WINDROW, GEORGE, victualler, Manchester. Pet. Oct. 23. Reg. & O. A. Kay. Sols. Messrs. Whitworth, Manchester.
WINFIELD, HENRY KING, pig and cattle dealer, Bury St. Edmunds. Reg. & O. A. Collins. Sol. Walpole, Beyton.

BANKRUPTCIES ANNULLED.

Gazette, Oct. 25.

MORRISON, JAMES, beer retailer, Stapleton.

Gazette, Oct. 28.

BILLYEALD, THOMAS, lace manufacturer, Nottingham.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Buggins, J. decorator, first, 3s. 1½d. Edwards, London.—*Butler, S.* boarding-house keeper, first, 7s. 9d. Edwards, London.—*Day, E. T.* clerk, first, 11d. Edwards, London.—*Gorin, A. K.* draper, second, 1s. 11¼d. Pearse, East Stonehouse.—*Hardern, J.* grocer, first, 1s. 2½d. Kinnear, Birmingham.—*Hill, J.* needle manufacturer, first, 5½d. Kinnear, Birmingham.—*Jones, W. H.* house decorator, first sep. 20s. Edwards, London.—*Justin, J.* carpenter, first, 1s. 6½d. Edwards, London.—*May, W.* ship and insurance broker, first, 2½d. Edwards, London.—*Mullen, J.* plumber, 2s. 6d. Eaden, Cambridge.—*Parker, R.* lighterman, first, 3s. 3d. Gregory, Chertsey.—*Rae, M. A.* bayonet and edge tool maker, first, 1s. 4d. Kinnear, Birmingham.—*Smith, J.* Walworth, first, 6d. Edwards, London.—*Whittaker, J.* smallware manufacturer, first, 1s. 9d. Morgan, Manchester.

Assignments.

Gazette, Oct. 25.

BELL, HENRY, lappet manufacturer, Bolton-le-Moors. Sept. 29. Trusts. J. McEvoy, accountant, Manchester.
BLACKWELL, SAMUEL HOLDEN, ironmaster, Dudley. Sept. 22. Trusts. J. C. Harvey, ironmaster, Longton, and J. Percivall, accountant, Birmingham.
BOWEN, CHARLES ANDREW, shipowner, Cornhill. Oct. 14. Inspe. W. Green, iron merchant, Nicholas-la., Lombard-st., and R. W. Morris, shipowner, Bristol.
BROOKER, GEORGE, and DUDGEON, JOHN HEPBURN, merchants, St. Helen's-pl. Oct. 7. Trusts. T. Hubbuck, merchant, Lime-st. R. S. Tomlin, gentleman, Princes-st. and W. Pettafor, merchant, Fen-court, Fenchurch-st.
BROWN, WILLIAM HENRY, merchant, Sheffield. Oct. 10. Trusts. J. Morrison, Newcastle, J. S. Fraser, St. Helen's, and G. Dawes, ironmasters, Elsecar and Milton Ironworks, Yorkshire. Sols. Wake, Sheffield.
DIVER, JOHN, tailor, Manchester. Sept. 29. Trust. W. Prince, woollen merchant, Manchester.
EATON, WILLIAM SEYS, draper, Swansea. Sept. 30. Trusts. S. C. Rossiter, woollen merchant, and R. J. Crook, linen merchant, both Bristol.
GILLIAT, JOHN, grocer, Whitehaven. Sept. 24. Trusts. J. Davis, grocer, and T. Dalzell, brewer, both Whitehaven.
GOODING, PHILIP GROSS, miller, Ipswich. Sept. 27. Trust. J. Smith, farmer, Hasketon.
GOODWIN, FELIX, grocer and draper, Thaxted. Oct. 12. Trusts. J. S. Buck, Leadenhall-st., and J. C. Conway, Whitehorse-yard, Friday-st., wholesale grocers.
GROTH, CHARLES, and HERMESSEN, LOUIS, ship chandlers, Cardiff. Sept. 30. Trusts. F. F. Fox, oil and colour merchant, and T. Harding, merchant, both Bristol.
HOGG, THOMAS JOHN, dealer in lead and glass, Brunswick-pl. City-rd. Oct. 14. Trusts. G. J. Chatterton, gentleman, Wharf-rd. City-rd. and J. Jenson, colour manufacturer, Goswell-st.
HURST, JAMES, merchant, Great St. Helen's. Oct. 19. Trusts. J. Kinerton, St. Paul's-churchyard, and R. B. Hoggan, Wood-st., warehousemen.
JELL, RICHARD, victualler, Ashford. Oct. 19. Trusts. J. Williams, wine merchant, and D. Best, engineer, both Ashford. Sol. Dangerfield, Ashford.
MEREDITH, ALFRED, gentleman, Welshpool. Sept. 27. Trusts. E. Pryce, mercer, and John Potter, builder, both Welshpool.
NEVISON, JAMES WALTON, and NEVISON, JOHN, grocers, Bishop Auckland. Sept. 24. Trusts. W. H. Bennington, Stockton-on-Tees, and W. Sykes, Bishop Auckland, wholesale grocers.
POWELL, WILLIAM, stationer and lodging house keeper, Llandudno. Sept. 24. Trust. T. Owen, ironmonger, Llandudno.
STRINGER, GEORGE MARSHALL, steam-packet and shipping agent, Plymouth. Oct. 18. Trust. W. W. Atlee, accountant, Plymouth.
SYMONS, BENJAMIN, watch manufacturer, Houndsditch. Sept. 29. Trusts. R. Jones, watch-case maker, Wynyatt-st. Clerkenwell, A. Danziger, watch manufacturer, Birmingham; and T. Leighton, watch-hand manufacturer, Birmingham.
TRIMBLE, JOSEPH, dealer in calicoes, Manchester. Sept. 27. Trust. R. Stoddard, yarn agent, Manchester.
WALKER, GEORGE, woollen manufacturer, Halifax. Sept. 26. Trusts. H. Brook, woollen manufacturer, Rastrick; J. Gankroger, commission agent, Huddersfield; and J. Cookson, coal merchant, Huddersfield.
WOOTTON, WILLIAM, baker and shopkeeper, South Newton. Oct. 17. Trust. C. Moody, accountant, Salisbury.

Gazette, Oct. 28.

ALDCROFT, JAMES, grocer, Sale. Sept. 28. Trust. J. W. Smith, accountant, Salford.
BOWERS, WILLIAM, marble and stone mason, Ponsonby-st. Millbank, and Vauxhall-bridge-rd. Sept. 30. Trust. A. Arch, carpenter, Cornwall-rd. Lambeth.
BRAITHWAITE, HENRY, wine and spirit merchant, Whitehaven. Sept. 29. Trusts. H. Braithwaite, gentleman, Kirkby Lonsdale; and T. Dalzell, brewer, Whitehaven.
CLARKSON, WILLIAM, and CLARKSON, JONATHAN, cloth manufacturers, Pudsey. Sept. 26. Trusts. J. Jowett and W. Scholefield, both Leeds, and J. A. Anderton, Bradford, wool merchants.
CHARTERS, THOMAS, draper, North gate, Halifax. Oct. 10. Trusts. T. F. Palmer and J. O. Cooper, merchants, Manchester.
CROSBIE, EBENEZER, draper, New-rd. Commercial-rd. east. Oct. 6. Trusts. J. Barnicot, Friday-st., and W. Morley, Gutter-la. warehousemen.
FORSTER, EDWARD, outfitter, South Shields. Oct. 8. Trusts. F. C. Coxon and M. M. Toult, drapers, both Newcastle.
GILL, RICHMOND HODGSON, boot and shoe maker, Stubbin Elsecar, Rotherham. Pet. Sept. 23. Trusts. E. Stead and E. Simpson, curriers, Leeds.
HEATON, WILLIAM HENRY, stationer and lithographer, Leeds. Oct. 11. Trusts. S. Moxon, printer, Leeds, and W. Guppy, stationer, Upper Thames-st.
HIRD, CHARLES WAISTELL, printer, Darlington. Oct. 4. Trusts. W. Smith, railway accountant, and T. Brunton, accountant, both Darlington.
LEA, CHARLES, butcher, Worcester. Oct. 8. Trust. N. Taylor, auctioneer, Worcester.
MARTEN, GEORGE, baker, Brighton. Oct. 12. Trusts. J. Catt and W. Jenner, miller, Brighton.
McMILLAN, SAMUEL, cabinet-maker and upholsterer, Chorlton-on-Medlock, Manchester. Oct. 5. Trust. G. Mountain, accountant, Chorlton-on-Medlock.
MEACHAM, JOSEPH, chemist, Ledbury. Oct. 3. Trust. G. Trascott Green, accountant, Birmingham.
MILNES, EDWARD, woollen manufacturer, Batley Carr. Sept. 28. Trusts. L. A. Shepherd, ironfounder, J. W. Horsfield, boiler maker, and G. Hirst, woollen manufacturer, all of Dewsbury.
NEWMAN, THOMAS, grocer, Arthur-st. Walworth. Sept. 28. Trusts. T. Conway, sugar merchant, Mincing-lane, and W. H. Wood, grocer, King William-st.
NUNNELEY, THOMAS, grocer, Southgate-rd. West Hackney. Oct. 4. Trust. C. Snell, grocer, Brompton-rd. Sol. Reed, Guildhall-chmbs. Basinghall-st.
PARNELL, RICHARD, greengrocer, Southsea. Oct. 19. Trusts. T. W. Clark, coal dealer, Southsea, and T. W. Quick, grocer, Southsea.
PONTE, SALUSTIANO, wine merchant, Orchard-st. Portman-sq. Sept. 30. W. Dongate, Windsor-cottages, Lower Norwood.
ROBERTS, EDWIN SPENCE, shipowner, Jerusalem Coffee-house, London. Oct. 5. Trusts. W. Dathie, merchant, Leadenhall-st. and T. Ellis, insurance broker, Lower Thames-st.
ROBERTS, JOHN, harness maker, King's Lynn. Sept. 29. Trust. J. G. Saunders, tanner, King's Lynn.
ROBINSON, STANLEY, auctioneer, Ironmonger-lane. Oct. 12. Trusts. W. Williams, stationer, Moorgate-st. and F. Parnell, accountant, Moorgate-st.
SAUNDERS, WILLIAM BROOK, clothier, Bolton. Sept. 23. Trusts. S. Shirley, merchant, and J. Hardy, woollen merchant, both of Manchester.
SMITH, JOHN, baker, Mitcham. Oct. 1. Trusts. H. Collis, miller, Croydon, and T. Weeks, corn dealer, Mitcham.
SWIFT, LIONEL, engineer R.N. Landport. Oct. 26. W. S. Hawgood, gentleman, Landport.
SYKES, WILLIAM, shoe manufacturer, Leicester. Oct. 3. Trusts. T. Wills, and W. H. White, tea merchants, both of Leicester.
TABOR, JAMES, baker, Bath. Oct. 8. Trusts. E. F. Keevil, Bathcaston, J. B. Emerson, Bath, millers, and M. Combes, corndealer, Bath.
THOMAS, THOMAS, grocer, Neath, Aberkenfig and Maesteg. Oct. 21. Trusts. R. Ham and C. Bryant, curriers, Bristol.

WATSON, JOHN, cotton manufacturer, Burnley. Oct. 2. Trusts. W. S. Sawyer, commission agent, Manchester, C. Searle, mill manager, and T. Chew, sizer, Burnley.
WILSON, JAMES, staff merchant, Russia-st. Cheapside. Oct. 6. Trusts. W. Whitaker, Bradford, and T. T. Bell, Wood-st. Cheapside, staff merchants.

Composition Deeds.

Gazette, Oct. 25.

CHALLIS, CHARLES, baker, Kenseworth. Sept. 26. 5s. by two equal instalments on 1st Oct. and 1st Nov.
DAVIES, JENKIN, carpenter, Ledbury-rd. Bayswater, and Aberaeron. Oct. 11. 3s. on 1st Nov.
DRAPER, WILLIAM CLINTON, shoe manufacturer, Stafford. Sept. 26. 2s. 6d. in 14 days.
FACER, WILLIAM, chemist, Northwich. Oct. 3. Trusts. W. Dodd, High Leigh, and A. Latham, Appleton, farmers. Oct. 3. 6s. 8d. by instalments—2s. 8d. on Feb. 4, 2s. on June 4, and 2s. on Oct. 4.
FARRAR, NATHAN, grocer, Hull. Oct. 13. 5s. by two equal instalments at 9 and 18 mos.
FISH, CHARLES, builder, Cambridge-wharf, Pimlico. Oct. 14. Trusts. W. Williams, grocer, Victoria-rd. Pimlico, Z. D. Berry, engineer, Victoria-rd. Pimlico, and S. Archbold, Esq., Orbigton-sq. Brompton. 5s. in 3 mos., and 5s. in 6 mos.
GARLAND, ALFRED, jeweller, Liverpool. Sept. 24. Trusts. H. Lovatt, shareholder, Liverpool, W. W. Smith, Esq., Colwood-park, Cuckfield, D. Anderson, hosier, Liverpool, and T. Garland, chemist, Birmingham. 10s. by four equal instalments, at 4, 8, 12 and 16 mos.
GOSLING, BENJAMIN, painter, Lucas-pl. Commercial-rd.-east. Sept. 29. 5s. by two equal instalments at 1 and 2 mos.
MENTON, THOMAS, tailor, Nottingham. Oct. 11. Trust. G. Orton, woollen draper, Nottingham. 4s. forthwith.
MITCHELL, ROBERT BRIGHTMORE, edge tool manufacturer, Sheffield, and Ashford-in-the-Water. Oct. 11. Trust. R. Mitchell, merchant, Sheffield. 2s. at 4 mos.
MORRIS, HENRY, baker, Oakfield. Sept. 27. 5s. within 6 mos.
PURBROOK, HENRY JAMES, commercial traveller, Brook-green-la. Hammersmith. Oct. 6. 3s. 6d. on 31st Oct.
READ, FREDERICK, watchmaker, Ipswich. Oct. 8. Trust. W. Alexander, banker, Ipswich. 22s. 6d. by weekly instalments of 1s.
ROADS, WILLIAM, inspector of shipwrights, Pembroke-dock. Sept. 30. Instalments of 3l. with 5 per cent. interest on 1st of each month.
THOMAS, EVAN, grocer, Aberdare and Hirwain. Oct. 19. Trust. G. Thomas, accountant, Bristol. 7s. 6d. by instalments of 2s. 6d. forthwith, and 5s. 0d. at 6 mos.
WILCOMB, CHARLES, tailor, Tabernacle-wk. City-rd. Oct. 13. 2s. 6d. on April 11.

Gazette, Oct. 28.

ABRAHAM, ALFRED, jeweller, Edgware-rd. Oct. 7. Trust. J. Lakin, draper, Edgware-rd. 4s. by two equal instalments at 2 and 6 mos.
BLUNDERFIELD, THOMAS, cheesemonger, Lumdale-rd. Notting-hill. Oct. 19. 5s. on Oct. 25.
FEAR, WILLIAM JOHN PITT, fruit and potato salesman, Wolverhampton. Sept. 27. Trust. S. King, innkeeper, Wolverhampton. 1s. on June 27.
HARPER, HENRY, grocer, Church-st. Mile-end New-ta. Oct. 20. 2s. 6d.
JEFFERY, FOSTER and COOMBS, HORRAT, wholesale confectioners, Union-st. Southwark. Sept. 27. 4s. by two instalments of 2s. on Nov. 1 and April next.
KERSCHNER, GEORGE FREDERICK, New Market hotel, Smithfield. Sept. 28. 5s. by two equal instalments, on Nov. 22 and Feb. 22.
KOPPEL, ALBERT, commission agent, Forest-hill. 3s. 6d. on Nov. 21.
MCNICHOLAS, PATRICK ROWAN, professor of the French language, Birkenhead. Oct. 15. 3s. 6d. on April 23.
MICHELSON, EDWARD HENRY, Esq., Darnley-rd. Notting-hill. Oct. 12. 1s. 6d. by instalments of 6d. in 18 months. 6d. in 2 years and 6d. in 3 years.
MOORE, GEORGE, carter, Rockall. Oct. 21. 4s. in 3 mos.
MORGALL, JOHN, butty miner, Ellingshall, near Wolverhampton. Sept. 19. Trust. S. Foley, boiler maker, Bilston. 1s. on 8th Dec.
PORT, HENRY, agent and accountant, Southampton. Oct. 12. Trust. F. Elliston, accountant, Southampton. 1s. full in 3 years, by 12 quarterly instalments of 1s. 6d.
PUTZ, SAMUEL, confectioner, Grey Coat-pl. Westminster. Oct. 5. 5s. on Oct. 26.
SAMUEL, LYON, jeweller, Bury-st. St. Mary-axe. Oct. 22. Trust. S. F. E. Tucker, bill broker, Old Broad-st. 6d. on April 22.
WALKER, ROSETTA, schoolmistress, Upper Lansdowne-ter. Nottinghill. Oct. 20. Trust. F. Needham, gentleman, New-inn, Strand. 5s.
WILLS, WILLIAM, draper, Deeberough-pl. Harrow-rd. Oct. 17. 11s. by three equal instalments, at 6, 9 and 12 mos.—secured.

ERRATUM.

DENT, JACK BENSON, plumber and glazier, Manchester. Oct. 10. Trust. J. (3. Edge, innkeeper, Manchester. (and not Deal as before advertised) 2s. 6d.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGE.

PIPER—DONALD.—On the 25th ult., at Great Budworth Church, Cheshire, J. P. Piper, M.A., Trin. Coll., Cam., solicitor, Bedford, to Mary Frances, third daughter of Joseph Donald, Esq., Arley, Northwich, Cheshire.

DEATHS.

COWDELL.—On the 21st ult., at Hinckley, aged 49, Harriet, wif of Mr. William Cowdell, jun., solicitor.
CHUBB.—On the 30th ult., at Malmesbury, Agnes Maria, the beloved wife of Thomas Chubb, Esq., solicitor.
DUDLEY—On the 31st ult., at No. 6, Broad-street, Oxford, Selena Ives, wife of Mr. J. C. Dudley, solicitor.
GELL.—On the 21st ult., at Lewes, in his 80th year, Francis Harding Gell, Esq., one of Her Majesty's coroners for Sussex.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The Bar of England, in the cordial reception it has given to M. Berryer, has welcomed the Bar of France, of which he is the most distinguished member. It was not the Statesman, the Legitimist, the Politician, whom we met in the hall of the Middle Temple to honour, but the eloquent and fearless Advocate—the man who has maintained for more than forty years, through difficulties and even dangers which in this country we cannot conceive, amid revolutions unknown to us, defiant alike of the power of kings and emperors, and the more terrible despotism of democracy, the right of free speech, which is the Advocate's privilege, living which liberty can never quite perish, without which it cannot exist. It has been the proud fortune of M. Berryer to claim and exercise this right on behalf of men of all parties and of all opinions; himself maintaining the while unswerving allegiance to a fallen dynasty, to whose fortunes he has clung the more closely the more hopeless they have appeared. But his personal sympathies or antipathies were never for a moment permitted to affect his duties as an Advocate. His great legal knowledge, his unrivalled eloquence, his exuberant zeal for the cause of his client, were exerted equally for Montalembert, his ally, and for Louis Napoleon, his foe. It is for this that the old hall rang again and again, on Tuesday, with the cheers of the British Bar, expressing, in our rough but cordial British fashion, our admiration of the forensic career of the greatest man among our brethren of the Bar of France.

Listening to his speeches, delivered under circumstances not favourable to an orator, we could yet catch a glimpse of the power that has captivated juries and controlled senates. Of necessity, room oratory is calm and subdued; so was M. Berryer; but manifestly he was controlling his emotions, and repressing an inclination to yield to the impulses of excited feeling. We could imagine what a torrent of words, what utterance, what action, he could employ did occasion call for them. As it was, his speeches were marked by the characteristics that have made him famous. His voice is full, and clear, and finely toned, flexible to every feeling. His language is the very choicest, and he makes most excellent use of those delicate shades for the expression of thought, in which his native tongue is without a rival. He has measured precisely the capacities of the perfect, though not powerful, instrument he employs, and he puts it to the best uses in the utterance of those polished and telling turns of thought that import such marvellous grace and spirit into the conversation and the compositions of our accomplished neighbours. His action is singularly subdued, assimilating much to our own, and in this respect unlike that of his countrymen, who, whether on the platform, in the Senate, in the pulpit, or at the Bar, indulge in gesticulations which, to our severer taste appear extravagant. But such action as he employs is better than that we are accustomed to see among the speakers of our own country, with whom it is the rarest of all the accomplishments of the orator. M. Berryer has not a mannerism, like most of us. He uses both his arms, whereas an Englishman rarely employs more than one; and their movements are various, and always graceful, whereas those of English orators are, with rare exceptions, uniform, ungraceful and angular. In person M. Berryer is short, somewhat stout, with a projecting brow, and dark expressive eye, and with nothing in his aspect that indicates the Frenchman. In features he bears a striking resemblance to the late Baron Platt.

M. Timon, in his book *Les Orateurs*, thus describes the oratory of M. Berryer:

Yes, since Mirabeau nobody has come up to Berryer—neither General Foy, who recited rather than improvised, and who did not unite close reasoning to the powerful voice and the vast eloquence of Berryer; nor Lainé, who had only harmonious and pathetic accents; nor De Serre, who, heavy and embarrassed in his exordium, only at intervals uttered the cry of oratorical passion; nor Casimir Perier, who was vehement only in apostrophising; nor Benjamin Constant, whose talent had more flexibility than movement and energy; nor Manuel, whose judgment was sure and bold, but who was more of a reasoner than an orator, and who never could, like Berryer, produce an involuntary thrill of wonder and delight. Nature has been favourable to Berryer. His stature is not tall, but his fine and expressive features reflect all the passions of his soul. He fascinates you by his glance and by his gesture, marvellously noble, like his language. He is eloquent in his whole person. He takes possession of the tribune as if he were its master, I should say its despot. But what he has beyond all other speakers in the Chamber is his incomparable voice—the first of beauties for actors as for orators. It is not, however, to his external qualities that he owes his pre-eminence. He is a master in the art of oratory. The generality of speakers abandon themselves to the vivacity of their inspirations; and in their digressions they have now and then some fine bursts, but they are deficient in method. We do not always see, and they themselves do not know, whence they come and whither they go. They halt on the journey as if to reconnoitre the road. But what makes Berryer superior to them all is, that from the very beginning of his discourse he marks from an elevated point the object he aims at. He does not abruptly attack his adversary; he begins by tracing round him many lines of circumvallation; he dislodges him from all his positions; he deceives him by skilful marches; he approaches him gradually; he follows him up; he presses him; lays hold of him, and binds him round and round in the coils of his arguments. This method is the one employed by great minds. It would, however, soon weary an auditory so inattentive as a French Chamber, if M. Berryer did not keep their interest awake by the charm of his voice, the animation of his gesture and the nobleness of his diction.

We have sketched this outline of our illustrious visitor for those of our readers who had not the pleasure of taking part in the welcome of Tuesday. A report of the proceedings of that memorable evening will be found in another page. To complete this record of the most interesting legal event of the year, we subjoin the brief memoir of our distinguished guest published by the *Times*:—

M. Berryer comes among the barristers of England, not only as the head of the French advocates of to-day, but also as a representative of the famous lawyers of the old *regime*. He has a hereditary claim to the front rank of French jurists. It is almost a proverb among ourselves that the sons of great lawyers are never successful, but M. Berryer is a proof that the rule does not hold across the Channel. His father was a most eminent advocate, and would be better known were not his fame overshadowed by the greater fame of his distinguished son. But the son remembers that he won his first spurs by the side of his father, and throughout his career we discover the influence of paternal example. Along with political predilections which have contributed more than anything else to determine the form of his after-history, M. Berryer inherited from his father a certain dignity and grace which, in the advocate trained before the Revolution, the associate and friend of Malesherbes, was probably habitual, but which we rarely meet with in the rougher society of modern France. The elder Berryer was one of those liberal Royalists who sought to mould the French monarchy after the fashion of the English constitution, to realise the principles of 1789 while preserving the authority of the throne and the conservative influence of an aristocracy; and the son has been faithful in his pursuit of the same ends. But neither father nor son ever suffered political feeling to interfere with the duty of an advocate. M. Berryer was barely five-and-twenty when he was associated with his father and M. Dupin in the defence of Ney, and from that time downwards we find his learning, his acuteness, and his eloquence engaged on behalf of persons of all shades of opinion. The Legitimist who accompanied Louis XVIII. to Ghent, and returned to Paris to be the advocate of Ney when accused of treason to the King, has defended Republicans, Imperialists, Legitimists and Orleanists, as each in turn has been the object of prosecution. In the prosecution of the press, which all Governments of France agree in thinking necessary for their safety, M. Berryer has almost invariably been the eloquent advocate of the free expression of opinion. In 1840, after the affair at Boulogne, he was selected by the present Emperor to conduct his defence. Throughout the State trials of France for forty years—and no country has been more prolific of such trials—the accused seem to have always turned to M. Berryer, in the belief that nothing but his ability and eloquence could possibly save them from the vindictiveness of the prosecution. Nor has M. Berryer's practice been confined to trials of this nature. His father earned his first fame in the conduct of mercantile cases, and the acumen which M. Berryer has so often displayed in the tribune in the analysis of a budget or the exposure of the evils of a tax has been in part, no doubt, the result of his experience of commercial litigation.

Although M. Berryer as an advocate has served with equal zeal and fidelity Royalist and Republican, Absolutist and Socialist, there can be no doubt that his great practice in the defence of State trials has been due to his peculiar position as a politician. He has always been in Opposition. Englishmen may abstain from criticising the wisdom of his political views, but they may be allowed to express their admiration of the sincerity and consistency with which they have been maintained. Under the Restoration M. Berryer did not scruple to denounce the reactionary principles of the ultra-Royalist Ministers, and he threw upon the administration of the police the blame of exciting outbursts like those at Lyons and Grenoble. He did not allow his affection for the race which had been so long in exile to blind him to the consequences of misgovernment, and if he supported the cause of the Monarchy he was equally ardent in upholding the fundamental rights asserted in 1789. When the revolution of the Three Days occurred, he kept his seat in the Chamber of Deputies, and sat almost alone between the supporters of the Citizen King and the discontented advocates of a republic. The modern history of France scarcely presents a situation more difficult than that of M. Berryer in the years which immediately succeeded 1830, or a success more brilliant than that which he achieved. He was the solitary member of the Chamber who would have preferred to receive back the elder line of the Bourbons; and though his opinions were well known and his isolation was complete, he was yet a great power. Those who differed from him most profoundly acknowledged the fascination of his eloquence, and the historian of the Ten Years confesses the enthusiasm which he excited. But his successes, though brilliant, were sterile. His argument on behalf of a hereditary peerage, although he was supported by Thiers, Guizot, and Royer-Collard, failed to convince the Chamber, and the banishment of the elder Bourbons was decreed in spite of his vehement protest, accompanied by the counter-proposal to abrogate the law banishing the family of Bonaparte. These defeats in debate were not, however, the greatest difficulty with which he had to contend. The loyal followers of the Bourbons have, like the adherents of the Stuarts, been thwarted in their best efforts by the family they sought to serve. The ill-advised expedition of the Duchesse de Berri into La Vendée was opposed by Chateaubriand and all the more prudent well-wishers of the Duc de Bordeaux, and M. Berryer hurried to the West to attempt to stop the rising. As his remonstrances were ineffectual, he resolved to quit France for a season, but he was arrested on his road and subsequently tried and acquitted at Blois. From that time to the Revolution of February, M. Berryer was condemned to criticising the conduct of Ministers whom he might help to displace, but whom he could not succeed; and the power which he might have had a hope of acquiring in the years 1850-51 was snatched by a more unscrupulous hand. In these years his abilities as a financial critic received some recognition by his appointment as Reporter on the Budgets, but the *coup d'état* left him no more than the power of joining in the barren protest of the dissident members of the Assembly. With the partial restoration of freedom of speech he has returned, like M. Thiers, to public life, after a long

seclusion, and some of the most effective criticisms upon the financial management of the Empire were uttered by M. Berryer in the Corps Législatif no later than last spring.

The barristers who will receive M. Berryer to-night will not be suspected of any desire to express sympathy for his political opinions. They will welcome him, not as one of the leaders of the Legitimists, but as an advocate distinguished above all his brethren for a rare combination of passionate eloquence and exquisite method; and if the thought occurs to them that he has been more than this, they will remember the undeviating loyalty with which he has clung to a banished dynasty. They will admire his forensic talents and pay a just tribute to his public virtue, while they may differ from his political sentiments as widely as the Orleanist deputies who applauded him in the tribune and voted against his arguments.

THE office of Chief Clerk to the Lord Mayor, held by Mr. S. R. GOODMAN for a period of twenty-one years, is now vacant by his retirement upon the handsome pension of 700*l.* per annum, granted by the Court of Aldermen on the 8th inst. Mr. GEORGE C. ORE, whose name is well known to our readers and the magistracy by his Magisterial Synopsis and other successful practical legal works, and who has been connected with the justice-room at the Mansion-house for nearly ten years as assistant-clerk, and has officiated as chief clerk for the past seven months of Mr. GOODMAN's absence from his duties, is naturally a candidate for the vacant appointment, which is in the gift of the Aldermen, and has issued an appropriate address to them, respectfully setting forth his strong claims to be promoted to it. There can scarcely be a doubt of his success.

THE *Highways Boards* had found one of their greatest difficulties in the want of power to effect improvements. It was of frequent occurrence that a road required to be widened, or to have a corner cut off, or to be diverted so as to avoid a spot liable to floods and such like, but which they were unable to accomplish from the natural reluctance of the ratepayers to pay in one year, out of their own pockets, for a permanent improvement which was to benefit their successors. This difficulty has been provided for by the new Act, which empowers the board with the consent of the justices in quarter sessions, to borrow money for the purposes of such permanent improvements, the payment to be spread over a limited term of years not exceeding twenty, which sum, with the interest thereon, is to be a first charge on the highway rates of each parish liable to contribute after payment of the quota of such parish to the district funds, as if the money had been borrowed on account of that parish only.

The Act defines what shall be deemed "improvements" that may thus be paid for:

1. The conversion of any road that has not been stoned into a stoned road.

2. The widening of any road, the cutting off the corners of any road where land is required to be purchased for that purpose, the levelling roads, the making any new road, and the building or enlarging bridges.

3. The doing of any other work in respect of highways beyond ordinary repairs essential to placing any existing highway in a proper state of repair.

This is sufficiently large. But there is yet another difficulty which has not been adequately provided for.

It not unfrequently occurs that an "improvement," such as the diversion of a highway, is very desirable, but the road in question runs at the extremity of a parish, is of little use to the inhabitants of that parish, but is traversed mainly by the inhabitants of an adjoining parish, to whose advantage such desired improvement would mainly contribute. But, as the law is, the cost of that improvement must be borne by the parish in which it is made, and the ratepayers of the parish really reaping the benefit of it would contribute nothing to the expenses.

The new Act has very imperfectly met this difficulty. It merely permits any parish, through its waywarden, to consent to contribute to such an improvement made in another parish, if such parish should deem it for its benefit. But, like all *permissive* laws, this will be in practice a nullity. A vestry would not vote money to be expended upon the roads of another parish; and if the object should be the diversion of a road from one parish into another parish, it is certain that the latter parish would not take upon itself the burden of making and repairing it for the benefit of its neighbour. The only remedy for this difficulty will be to empower the highways boards to make such desirable improvements or diversions, and to apportion the cost upon the parishes specially benefited by them; or, if the benefit is not special to any parish, but only generally to the public, to charge the same upon the general fund.

A few miscellaneous provisions remain to be noticed.

Mortgages are to be according to the forms, &c., and with the powers given in "The Commissioners Clauses Act 1847."

Penalties are imposed upon persons encroaching on a highway; placing manure or any rubbish within fifteen feet from the centre of the highway; removing any soil or turf from the side of any highway without the consent of the board, although such space of fifteen feet may not have been maintained with stones or otherwise; and where any highway is fenced, such fencing is not to be less than thirty feet between the fences on each side.

Power is given to highway boards to purchase lands for the improvement of highways, and for this purpose the provisions of "The Lands Clauses Consolidation Act 1845" are extended to them.

Manifestly the next step must be the consolidation of all the parishes constituting a highways district into one district for all purposes of maintaining the highways. The parochial division of liability is wholly unsuited to the new system. It is in itself an absurdity, for ways are not now, as perhaps formerly they were, for the almost exclusive advantage of the parish through which they run; they are now for the equal benefit of the neighbouring parishes, and for the whole public. When the parochial system was established, no other arrangement was possible, for no other boundary existed. But now that parishes are united for the purpose of mutual advice in the management of their highways, there is no reason why they should not now bear the burden in common, as in fact they share the benefit. There should be a common rate on the whole district for the maintenance of the highways within that district. This would at once remove all the present local jealousies which so much impede improvement; and until this is accomplished, our highways must continue to be a reproach, in spite of all the efforts of the new boards.

THERE are two ways of viewing the memorial which it has now become customary to present to the Home Secretary whenever a prisoner lies under sentence of death. The grounds of such memorials are seldom worthy of criticism. To use criticism respecting the latest of these documents would seem to add weight to the heavy condemnation which at the present time awaits its speedy fulfilment. It is enough that the document will be duly considered on its merits by the Minister who will receive it. But, apart from any question of merits, there are certain motives to which the efforts for the purpose of saving from the gallows men whose crimes are as clear as evidence, rationally and usefully applied, can make them, may be fairly attributed. We doubt much whether a memorialist who prays that the QUEEN may be advised to show mercy in favour of life on the ground of a convict's defective education, or of his previous good character, or of the want of premeditated design, or of the circumstantial character of the proofs, or of some vague facts, newly discovered, really believes that, having regard to the ordinary course of carrying out the criminal law, there is any solid foundation for the petition. Some weak persons, possibly influenced by a prisoner's countenance, manner and general asseverations of innocence may begin by taking a personal interest in him, and may allow such interest to outweigh all that which during days of investigation by practical men, keen and skilful on either side, has been elicited to carry conviction to the minds of the judges as well as the jury. But many persons who sign these memorials have never seen the prisoner, and cannot be acting from personal feeling. The true motive, then, in almost all cases, we believe, to be an abstract objection to capital punishment. Whether capital punishment be expedient or not, is a question on which great difference of opinion may well be recognised. But the method of manifesting the opinion on the latter side of this question, by putting forward some special pretext or other in every case of murder, why the guilty man should be spared, is not well. It has a bad effect upon the unthinking public, in casting upon the administration of the law a reproach which, if there be reproach, ought to fall upon the law itself. Odium is excited against both the court of justice and the constitutional fountain of mercy, while reform of the law, if reform be needed, is shrunk from and evaded. Public opinion, or opinion exercised in a public manner and for a public end, must be straightforward and without subterfuge, if it would be wholesome in action or effective in result. Where there are objectors on principle to the punishment of death, let them, if they please, take the occasion of a capital sentence to impress their principles, not with a view to alter the sentence in the particular case, but to engage attention when it is on the alert, in effect, to strike while the iron is hot. By aiming at the particular case they offend the good sense of the community no less than they discredit their own cause. They incur the imputation of being ready to endanger the safety of the peaceable citizen through the noxious sympathy which they would excite for the felon, while it is sympathy for the citizen, not for the felon, which induces an honest advocacy of the substitution of a lingering existence in shameful servitude for the short pang of a penal death.

The effect of these desperate memorials is worse on the prisoner than on society. After the verdict of "guilty," the satisfaction of two judges as to the truth of it is stated to the prisoner, accompanied with the words of warning, "I state this in order to remove from your mind the idea of the possibility that you will live much longer in this world, and to assure you that within a short time you will be removed from it by a violent death," and a prayer from the bench is uttered for mercy on his soul. With this solemn admonition the condemned man passes from the Judges to the care of the minister of religion in the cell. But the communion, which it was hoped would there be worked in the few remaining days by ministering to a mind in an apt frame, is broken in upon by ingenious theorists. A state of hypocrisy is promoted for ten or twelve days out of the last fourteen, and the remainder of the allotted time scarcely suffices for subduing the false pride of an undeserved reputation for innocence.

THE reports of a great criminal trial now pending in Switzerland describe a remarkable form of oath administered in that country, or at least at Basle, for it is not stated if it be common to the law of the whole Confederation, or if it prevails in civil as in criminal tribunals. It appears that the witness is first examined *not* upon oath. If the evidence is extremely important, or its truth appears doubtful, or for any other reason the Court is of opinion that it is desirable that it should have the sanction of an oath, then, and not until then, is the oath tendered. The Judge asks the witness if he has any objection to swear to the evidence he is giving; on his answer that he has not, the Judge advises him to retire for a few minutes for further reflection. The administration of the oath is itself a most impressive ceremony. The Court and the audience stand, silence is proclaimed, and then the officer with solemn voice reads the following exhortation:

The oath which by order of the authorities you are to take, with your hand uplifted in testimony of your sincerity, is a solemn act by which you declare you speak the truth, invoking God, who knows all things, who is a judge all powerful and just, and who will punish you in this world and in the next if you swear falsely and commit perjury. The words which you are about to repeat signify that you renounce for ever and deliberately the clemency, the help and the blessing of God, and that you do not expect from Him anything but disgrace and malediction, if you swear falsely; and that you mean to take the present oath with open heart, and without mental reservation or fraud. Consider, then, that God, whom you invoke in testimony of the truth, possesses infinite wisdom; that He knows the innermost folds of your heart, and that neither cunning nor hypocrisy can deceive Him; that it is God who loves truth and will protect you, but who holds falsehood in horror; the just and holy God who does not permit His grandeur to be insulted, and who will punish the sin of perjury with temporal and eternal pain; the only and powerful God, whom you are to fear in humility, and before whose Majesty you should tremble; the God of mercy, who will reward your sincerity, but who will give you no part in His grace if you swear falsely. Reflect how horrible is the sin of perjury; by perjury you mock at the omniscience of God, invoke His justice

for the sake of revenge, call His eternal truth to witness your falsehood, outrage His omnipotence, renounce your hope in His mercy, abjure knowingly and wickedly His holy religion, and use it as a veil to cover duplicity and injustice, sin against the conviction and the lights of your conscience, despise heaven and hell, and deliver yourself up for ever and ever and with deliberation to the Divine wrath. Reflect how great and terrible are the penalties for false swearing. With respect to temporal life, they consist in the loss of your honour and your fair repute, the abomination of all honest people, the privation of the Divine blessing in all your undertakings, the malediction of God on your worldly goods, your house, your belongings, and your children. With regard to spirituals, they are a hardened, unquiet, and despairing conscience, which, night and day, will inspire you with fear and terror, fearful agony, judgment, condemnation, and the pain of eternal suffering. Wherefore, once more reflect well on what you are about to do, you who are here to take the oath. The words which you are about to utter cannot be recalled, and the pain which will follow them, if your heart be not in accord with those words, is great and terrible, as it is certain and inevitable. Take care then, and do not, either out of favour or hate, or with a view to worldly advantage, deviate in any way from the truth. Of what benefit to you are men or riches if eternal condemnation weighs upon you? Do not rely upon secret subterfuge, and on the external interpretation of your words, for God, from whom nothing is concealed, will not admit it; it will only aggravate your crime and consequently your punishment. But if your heart be sincere and pure, and your intentions be good and honest, proceed to this important act, invoking the Divine grace.

There is a pause and a hush. Of course every eye is upon the witness whose veracity is subjected to so solemn a test, to note if he quails, or blenches, or hesitates. If the witness is still firm, he raises his right hand, and with three fingers opened, slowly repeats the following oath:

I swear before God, who knows all things, that I have answered the questions which have been put to me without reticence or mental reservation, without hope of profit, and without fear of loss, with the entire truth, and according to my conscience. I swear it, as truly as I wish God (for Catholics the words "and all the saints" are added) to help me in my last moments, without deceit or fraud.

The strangeness of this ceremony may at first incline the reader to smile at the practice as belonging more to the stage than to the court of justice; or, at best, as a curious relic of an uncivilised past. But the thoughtful mind may see in it much matter for grave reflection. After all, is it not preferable to our indiscriminate oath-taking? Do we right to resort to oaths on all occasions, however unimportant, even before we ask a question as to character, or if the witness went up or down the street? Does not the frequency of oaths diminish their efficiency?

Then for the manner of their administration. Is it not too much as if it were a mere matter of form, to be drawled, or gabbled, or sung, according to the taste or elocutionary incapacity of a vulgar or conceited crier? Is not the ceremony often performed in dumb show, when the whole court is attending to something other than the witness, who is thus induced to think lightly of that which is treated so lightly by those around him? When oaths are tendered and taken by the thousand, on the smallest as on the greatest occasions, in the lightest as in the gravest matters, in a form that carries with it nothing that is impressive, administered in a manner that more often provokes a smile than invokes gravity—must not the consequence be to diminish the reverence in which they should be held, and immensely to reduce their value as safeguards against false evidence?

There is much to be said on the subject from the religious point of view; but with this we have no concern at present; we are looking only at the practical results of our large and lax system of oath-taking upon the interests of truth.

We are not prepared, without further consideration, wholly to approve of the Swiss practice as it is described above. The ceremonial in itself implies that oaths are rarely administered, and that, as a rule, witnesses are examined in the courts of justice without being sworn, although we presume that the punishment for giving false evidence is the same as if an oath had been taken. But we are inclined to think that the principle of the Swiss law is good; that an oath should be the exception and not the rule; that it should not be administered indiscriminately, but only when the judge deems it to be desirable, and that, when imposed, it should be with the witness's consent, and put to him by the judge in solemn fashion and with appropriate exhortation. In other cases, evidence should be taken upon a mere pledge to speak the truth, the whole truth, &c., and with the same punishment as now for wilful and corrupt false testimony.

This is a change in the law well worth the consideration of our law reformers. In the meanwhile something might be done to make the oath more effective, by the judge putting it to the witness instead of leaving it to the farcical tones of the crier.

We should be glad to receive the opinions of some of our thoughtful readers on the question we have here mooted.

SOLICITOR ELECTED TO BE MAYOR.

Launceston..... Mr. Richard Peter.

LAND AND ESTATE MARKETS.

THERE are but two sales of any importance to be mentioned this week. The one, the Fifehead Magdalen estate in Dorset, of nearly 1000 acres, near Yeovil; Messrs. BEADLE will sell this property on Thursday next. The second is the famous Serpentine Marble Works at Penzance, Cornwall. This property will be sold by private contract.

INVESTMENT JOURNAL.

THE general expectation of a reduction of 1 per cent. in the rate of interest in the course of the present week, has increased the dulness otherwise produced by the suspension of commerce, caused by the high price of money.

Confidence is not yet restored, and joint-stock banks and finance companies seem to be the special objects of suspicion.

The fluctuations are as follows:—

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	237	237	...	237
3 per Cent. Red. Ann.....	87¼	87¼	87¼	88⅛	88⅛	88⅛
3 per Cent. Cons. Ann. ...	89¼	89¼	89¼	90⅛	90⅛	90⅛
New 2½ per Cent. Ann....	...	70½	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.....	87⅛	87⅛	88	88⅛	88⅛	87⅛
New 3½ per Cent. Ann. ...	...	...	...	...	...	...
5 per Cent. Annuities.....	...	...	...	...	...	...
5 per Cents. Jan. 1873 ...	...	...	...	...	...	106⅛
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	14⅛	14⅛
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	13⅛	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89⅛	89⅛	89⅛	89⅛	90⅛	89⅛
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	214	...	...	214	214	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888....	...	...	...	97⅛	...	...
India 5 per Cents. 1870....	105⅛	105⅛	105⅛	105⅛	106⅛	...
India Bonds (1000*l.*).....	3a b	3a b	3a b	...	...	...
Do. (under 1000*l.*).....	...	...	...	...	4a b	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	97⅛	...	97⅛	...
India Enfaced Paper, 4 per Cent.	...	...	...	101⅛	...	...
Do. do. 5 per c. Jan. 1872	100	...	100⅛	...	...	...
Do. do. 5½ per c. May 1879	108	...	...	...	...	...
Ex. Bills, 1000*l.*	a	...	c	e	e	...
Do. 500*l.*	...	...	...	e	g	...
Do. 100*l.* & 200*l.* 3 per c.	...	3a b	d	f	e	...
Do. Small, & 3 per c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	...	...	...	...

a March 4 per cent. 3*s.* dis.;
b dis.
c June 3½ per cent. 3*s.* dis.
d June 3½ per cent. 2*s.* dis.
e June 3½ per cent. 5*s.* dis.
f March 4 per cent. 3*s.* dis.; June 3½ per cent. 5*s.* dis.
g June 3½ per cent. par.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

PROBATE COURT PRACTICE.—Where a will lodged in a registry was impeached as a forgery, the Court refused to allow the party propounding it to obtain a photographic copy of the signatures of the testator and the witnesses, without an affidavit explanatory of the circumstances. But, on consent, it made an order that a copy might be taken of the body of it: (*Terman* v. *Terman*, 11 L. T. Rep. N. S. 253.)

Where the facts of a case are peculiar, a petition is the proper course for procuring the setting aside of a caveat, appearance and plea. The costs of proving a will in common form are always paid out of the residue, and should not be charged on a legatee: (*Nugent* v. *Nugent*, 11 L. T. Rep. N. S. 253.)

COURT OF QUEEN'S BENCH.

Friday, Nov. 4.

BUSINESS OF THE COURT.

The Court having waited for some time for further business, and no counsel appearing to move,

The LORD CHIEF JUSTICE said this was the third—the last but one—of the first four days of term, within which motions for new trials must be made, according to the practice; and the court had now waited for some time in vain for any further motions of that class. To-morrow (Saturday), which was the last of the four days allowed for the purpose, there would probably be a pressure of such motions, and the court would perhaps be asked to allow some to stand over till Monday; but this would not be allowed as a matter of course, nor without some explanation of the reason for delaying to move on earlier days, while there was yet ample time to do so, and putting it off until the latest possible moment.

COURT OF COMMON PLEAS.

Monday, Nov. 7.

At the conclusion of the trial of *Ballard* v. *Butcher*, the learned Judge observed that it was at one time apprehended that the change in the law which enabled attorneys to sign judgment without delivering declaration would work some amount of evil, but such had not been the result, and it was very much to the honour and credit of the Profession that actions of this nature were very rare. "Now," added his Lordship to the jury, "you have given your verdict, I may say that by substantial damages alone can the recurrence of mistakes like these be checked."

At the commencement of the trial of the second cause, when the first witness was placed in the witness-box, WILLES, J. said: "Seeing a member of the Legislature present, I take the opportunity of expressing my opinion that this is not only the worst court in England, but the worst in the whole world." His Lordship then commented on the fact that it was impossible for the jury to see the face, and, what was very important, the demeanour of the witness; and concluded his observations by saying, "I have now made my moan for the legal year now commencing, and there is an end of it."

M. Smith replied that he had brought the subject before Parliament on more than one occasion, and that he was now assured that something would before long be done.

WILLES, J.—But, Mr. Smith, I do not ask you to transport us; I only wish you to reform us.

This remark of the learned judge, who had alluded to the defects in the court in a most good-natured tone, caused much amusement.

COURT OF PROBATE AND DIVORCE.

Thursday, Nov 3.

BUSINESS OF THE COURT.

The printed list of the Divorce Court for the present term contains 94 causes which are ready for trial, and 24 which are standing over by consent of the parties or for some other reason. Of the 94 set down for trial, 10 are petitions for judicial separation, 5 for nullity of marriage, 1 is for restitution of conjugal rights, and the remainder are for dissolution of marriage. Six cases are to be tried by special juries, 18 by common juries, and the remainder by the court without juries. There are 2 pauper causes in the list.

There are 11 probate causes set down for trial, of which 5 are to be tried by special and 2 by common juries.

CHETWYND *v.* CHETWYND.

In July last the Judge Ordinary imposed a fine of 300*l.* on a gentleman named Mulock for contempt of court. The contempt of which he had been guilty was the writing of a letter to Mrs. Chetwynd, the petitioner in a suit for dissolution of marriage, threatening he would publish a statement of facts concerning her if she did not withdraw from the suit. Mr. Mulock refused to give the court an assurance that he would not carry his threat into execution, but his Lordship directed that the fine should not be estreated until the fourth day of the present term, in order to give him an opportunity of submitting to the authority of the court.

Mr. Mulock to-day came into court, and said that after giving the most careful attention to the weighty words which had fallen from the Judge Ordinary, he had arrived at the conclusion that the Judge Ordinary was right and he was wrong. He felt that he ought not, as a Christian and a subject of this realm, to resist his Lordship's remonstrances. He had not published a syllable respecting the case, and he assured his Lordship that there was not the remotest probability that a syllable would be published. When he was last before the court he was unable to bring himself to see that he was frustrating the ends of justice by the course he was pursuing, but on considering the subject in the quiet of his own home, he had come to the conclusion that he had really been usurping the functions of judge, jury, and witnesses. He thanked his Lordship for his kindness and leniency, and asked him to remit the fine.

The JUDGE ORDINARY said he was very glad that

Mr. Mulock, after consideration, had become convinced that he was wrong. He would direct the officer of the court not to estreat the fine which had been imposed.

Practice of the Court.

A long list of probate and divorce motions was disposed of before the rising of the court, but none of them were of any public interest. Several of the probate motions were for directions as to the mode of trial in suits in which the validity of wills was disputed on various grounds.

His Lordship observed that the plea "the will propounded is not the will of the deceased," had become a very favourite plea, and it was time that some notice should be taken of it. If it meant that the deceased did not intend the paper which he had signed to operate as a will, but had executed it as a sham, for some collateral purpose, that meaning ought to be put in plainer language. If the plea had any other meaning it ought to be precisely stated, in order that the court might know the question that was to be tried. In its present form it comprehended every plea which could be pleaded in opposition to a will. He should not give any directions for the mode of trial of any case in which this plea had been pleaded, until it had been revised.

The plea was accordingly struck out in all the cases in which it had been pleaded, and leave was given to add any other plea that might be necessary in its place.

BANKRUPTCY COURT.

Re H. A. Wildes.

The bankrupt, Henry Atkinson Wildes, an attorney and solicitor, of Maidstone, applied by adjournment to pass his last examination, and for an order of discharge. The accounts (by Mr. Smart) disclose an aggregate indebtedness of 42,228*l.*, against property held by creditors, 23,206*l.*; property given up to assignees, 1720*l.*

On behalf of the assignees no opposition was offered by *Crowther* (clerk to Mr. Lawrance).

C. E. Lewis supported the bankrupt.

John Linklater opposed for creditors.

It was stated that the bankrupt, who filled several public offices, and was in receipt of an income of 1600*l.* a-year, was in a position to make an offer to creditors, but had declined to do so.

Ultimately an adjournment was ordered to enable creditors to make written objections to portions of the accounts which required amendment.

APPOINTMENT.

The Right Hon. Sir William Erle, Knt., Lord Chief Justice of Her Majesty's Court of Common Pleas, at Westminster, has appointed William Webb Hayward, of the city of Rochester, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Leeds Banking Company.—Creditors to send by Dec. 1, their names and addresses, and the names and addresses of their solicitors (if any), to W. Turquand, 14, Tokenhouse-yard, London. Wednesday, 21st Dec., at twelve o'clock at noon, at the chambers of Kindersley, V.C., is appointed for hearing and adjudicating on the debts and claims.

National Company for Boatbuilding by Machinery (Limited).—Creditors to send in by Oct. 31, their names and addresses, and particulars of their claims, and the names and addresses of their solicitors (if any), to E. G. Linker and G. Grant, at the offices of the said company, 123, Fenchurch-street, London. Monday, the 14th Nov., at twelve o'clock at noon, at the chambers of Wood, V.C., is appointed for hearing and adjudicating upon such claims. Solicitors, Ellis, Parker and Clarke, St. Michael's-alley, Cornhill, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Cæsar (James), Stratton's-ground, Westminster, Middlesex, beershop-keeper, Dec. 1, V.C. K. C. Fiddey, 3, Harcourt-buildings, Temple, London.

Chapman (Daniel), Doncaster, York, Methodist minister, Dec. 7, V.C. S. W. Pitman, 12, King's-road, Bedford-row, London.

Conway (John), Liverpool, attorney-at-law, Dec. 2. J. W. Winstanley, 10, Trafford-chambers, South John-street, Liverpool.

Cotching (Charles), Houghton Regis, near Dunstable, Beds, cattle dealer, Dec. 3, M. R. E. B. Church, Rolls-yard, Chancery-lane, London.

Coulden (Sarah), Haberdasher's-place, Hoxton, Middlesex, widow, Dec. 1, M. R. Roscoe and Hincks, 14, King-street, Finsbury-square, London.

Felton (C. M.), Dunton, Norfolk, gentleman, Dec. 6, M. R. C. Blake, 4, Serjeants'-inn, Temple, London.

Gattie (Anna Maria), formerly of 48, Brompton-road, Middlesex, but late of Battersea, Surrey, spinster, Dec. 1, V.C. K. E. N. Stephenson, 7, Great Queen-street, St. James's-park, London.

Hardy (William), Gainsborough, Lincoln, farmer, Jan. 1, 1865. Oldman and Wood, Gainsborough.

Hill (G. A.), Sandwich, Kent., Esq., Dec. 3, M. R. Dobinson and Geare, 57, Lincoln's-inn-fields, London.

Hinchley (Elizabeth), Aylesbury-street, Clerkenwell, Middlesex, widow, Dec. 14, M. R. Kidder and Willett, 22, Calthorpe-street, Gray's-inn-road, London.

Latel (Joseph), 4, Edgecumbe-terrace, Stepney, Middlesex, gentleman, Dec. 10, V.C. S. Loxley and Morley, 80, Cheapside, London.

Lourey (Barbara), Newcastle-on-Lyne, widow, Dec. 8, M. R. Field, Roscoe, Field and Francis, 26, Lincoln's-inn-fields, London.

Proctor (Sarah), formerly of Northumberland-house, Stoke Newington, and late of 7, Norland-place, Notting-hill, both in the county of Middlesex, widow, Dec. 7, M. R. F. Richardson, 13, Old Jewry-chambers, London.

Saporis (J. A.), Hoppesford-hall, Warwick, Esq., Dec. 7, M. R. Tatham and Procter, 36, Lincoln's-inn-fields, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Austin (William), 2, Acre-lane, West Brixton, Surrey, grocer, Dec. 1. Woollaston and Davison, 77, Basinghall-street, London.

Bartlett (Thomas), Union-road, Clapham, Surrey, civil engineer, Feb. 1, 1865. Dixon and Son, 38, Cannon-street, London.

Bent (James), Manchester, surgeon, Dec. 24. Beever, Darwell and Taylor, 36, Princess-street, Manchester.

Beever (J. H.), formerly of Bilbury-cottage, Cheltenham, Gloucester, and late of Charles-street, St. James's-square, Middlesex, Esq., Dec. 24. Beever, Darwell and Taylor, 36, Princess-street, Manchester.

Beever (Rev. J. H.), Jesus College, Oxford, Dec. 24. Beever, Darwell and Taylor, 36, Princess-street, Manchester.

Bibbie (George), formerly of Great St. Helen's, London, and of Hanover-gate, Regent's-park, Middlesex, but late of Charlotte-town, Prince Edward Island, merchant, Dec. 20. T. Browning, 13, Austin-friars, Old Broad-street, London.

Brownshill (T. F.), otherwise Ronson (Frederick Thomas), of the Olympic Theatre, and 19, Ampthill-square, both in the county of Middlesex, comedian, Dec. 31, J. Wright, 8, New-inn, Strand, London.

Bryson (J. M.), 57, Rupell-street, Surrey, architect, Dec. 31. Taylor and Jaquet, 13, South-street, Finsbury-square, London.

Burton (W. W.), Leigh, Essex, gentleman, Dec. 12. Fearon, Clabon and Fearon, 21, Great George-street, Westminster, London.

Carlisle (Rev. John), Noke, Oxford, Dec. 17. T. and G. Mallam, 136, High-street, Oxford.

Collings (Anne), formerly of North-terrace, Camberwell, Surrey, afterwards of Westerham, Kent, and late of 1, Lancaster-road, Thurlow-park, Lower Norwood, Surrey, spinster, Jan. 31, 1865. H. W. Bleby, 84, Basinghall-street, London.

Collings (Mary), formerly of North-terrace, Camberwell, Surrey, afterwards of Westerham, Kent, and late 1, Lancaster-road, Thurlow-park, Lower Norwood, Surrey, spinster, Jan. 31, 1865. H. W. Bleby, 84, Basinghall-street, London.

Constable (James), Sutton St Michael, Hereford, farmer, Dec. 3. W. Humfrys, Hereford.

Cranefeldt (George T.), formerly of 4, West-street, Pimlico, and late 180, King's-road, Chelsea, Middlesex, Nov. 23, Park and Nelson, 11, Essex-street, Strand, London.

Cranefeldt (Charlotte E. Louisa), formerly of 4, West-street, Pimlico, and late of 180, King's-road, Chelsea, both in the county of Middlesex, spinster, Nov. 23. Park and Nelson, 11, Essex-street, Strand, London.

Falconer (R.), Bulman's Village, Gosforth, Northumberland and Newcastle-on-Tyne, grocer, Dec. 20. Hill and Hoyle, 73, Cannon-street, London.

Fool (Harriet), Charborough-park, Dorset, spinster, Dec. 24. G. Badham, 30, Queen-street, Cheapside, London.

Fountain (William), 108, Goswell-street, St. Luke's, Middlesex, baker, Dec. 23. W. Bristow, London-street, Greenwich.

Grimshitch (Thomas), Park Brook, Macclesfield, Chester, Esq., Dec. 31. G. R. Killminster, Macclesfield.

Hodgson (Andrew), Calverly Moor, Calverley, and Wilsden, both in the county of York, formerly maltster, Jan. 14, 1865, Terry and Watson, Market-street, Bradford, York.

Hunter (Paulina Mary), Bath, widow, Dec. 10. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

Ickton (Anthony), Prince of Wales Tavern, 29, Elizabeth-street, Eaton-square, Pimlico, Middlesex, licensed victualler, Dec. 21. Marson, Dadley and Cronin, 1, Anchor-terrace, Bridge-street, Southwark, Surrey.

Jacob (John), formerly of Scotch Bath, Queen's County, Ireland; afterwards Eaton-road, Chester, and late of Holyhead, Anglesea, Esq., Jan. 2, 1865. Frere, Cholmeley and Forster, 28, Lincoln's-inn fields, London.

Llewellyn (William), formerly of Tair-leap House, Newbridge, Glamorganshire, but lately of Tudor House, Tenby, Pembrokeshire, gentleman, Nov. 9. H. F. Murley, Royal Insurance-buildings, Bristol.

Loader (E. T.), formerly of Lower Edmonton, afterwards 21, Canonbury-villas, Islington, but late of 22, Spital-square, Bishopsgate-street, all in the county of Middlesex, Esq., Jan 3, 1865. C. W. Davis, 24, Charles-square, Hoxton, London.

Morton (Margaret), 1, Victoria-road, Clapham, Surrey, widow, Feb. 4, 1865. Winter, Williams and Co., 16, Bedford-row, London.

Mosse (John Ayres), Hazlewood-house, Palmer's-green, Middlesex, and of Paul-street, Finsbury, London, upholsterer, Dec. 21. Marson, Dadley and Cronin, 1, Anchor-terrace, Bridge-street, Southwark, Surrey.

Munton (B. S.), 1, Surrey-place, Lower-road, Rotherhithe, Surrey, gentleman, Dec 10. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

Peake (Jemima), formerly of Ramsgate, Kent, and late of Redhill, Surrey, widow, Jan. 1, 1865. Martin and Daniel, Queen-street, Ramsgate.

Price (Edward), 15, Oxford-terrace, Hyde-park, Middlesex, Jan. 30, 1865. West and King, 3, Charlotte-row, Mansion-house, London.

Thomas (William), Wyrardisbury, Buckingham, gentleman, Dec. 12. Pontifex and West, 5, St. Andrew's-court, Holborn, London.

Russell (G. C.), 27, Chester-terrace, Regent's-park, Middlesex, Esq., Jan. 11, 1865. Hume and Bird, 10, Great James-street, Bedford-row, London.

Thompson (Henry), Framlington, Suffolk, gentleman, Feb. 23, 1865. C. Clubbe, Framlington, Suffolk.

Vickers (Nathaniel), Royal Rifleman Tavern, Battersea-fields, Surrey, licensed victualler, Dec. 21. Marson, Dadley and Cronin, 1, Anchor-terrace, Bridge-street, Southwark, Surrey.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

(Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.)

Ball (Thomas), of Dublin, Esq.: Thomas Prideaux Ball, Inner Temple, Esq.; and James Ball, of Dublin, Esq. Dividends on 480*l.* 17*s.* 9*d.* New Two-and-a-Half per Cent. Annuities. Claimant, Thomas Prideaux Ball, the survivor.

Barrett (W.), Old Palace-yard, Westminster, Esq. Dividends on 678*l.* 15*s.* 4*d.* Reduced Three per Cent. Annuities. Claimant, Rev. C. Lane.

Clissold (E. M.), Wrentham Rectory, Wangford, Suffolk, Esq. Dividends on 34*l.* 18*s.* Reduced Three per Cent. Annuities. Claimant, E. M. Clissold.

D'Auvergne de St. Croix (Francis), Jersey. Dividends on 40*l.* Reduced Three per Cent. Annuities. Claimant, Francis D'Auvergne de St. Croix.

Granger (W.), Hallaton, Leicester, grazier, and W. Maitland, Woodside, Croydon, Surrey, gentleman. Dividends on 52*l.* 12*s.* 1*d.* Consolidated Three per Cent. Annuities. Claimants, W. Granger and W. Maitland.

Hill (H. F., sen.), Green-hill, Middlesex, farmer. Dividends on the sum of 57*l.* 2*s.* 10*d.* Reduced Three per Cent Annuities, and 100*l.* New Three per Cent. Annuities. Claimant, H. F. Hill.

Russell (Lord Edward), Commander R. N. Dividends on 1244*l.* 8*s.* 10*d.* New Three per Cent. Annuities. Claimant, Lord Edward Russell.

Walker (E.), Lincoln's-inn-fields, Esq., and W. T. Hodsoll, Haverstock-hill, Hampstead, Middlesex, Esq. Dividends on 319*l.* 5*s.* 10*d.* Three per Cent. Consols. Claimant, W. T. Hodsoll.

Preliminary Examination before Articles of Clerkship.—We understand that Dr. Muncke, who has hitherto so efficiently held the office of Examiner in the Modern Languages, will be unable to offer himself for reappointment in consequence of continued ill-health. His term of office will expire on the 1st Dec. next.

The Irish Master of the Rolls has just delivered a judgment which will create a great sensation in Roman Catholic circles. It would appear from this judgment that money cannot be legally left to the monks of a Roman Catholic monastery who have become such since the Act of 1829, for the purposes of their institution; but that the Crown can define the destination of any bequest to them involving a purely charitable trust.

Land Registry.—The following letter has been addressed to the editor of the *Morning Herald*:—Permit me in your journal to caution your readers, as I feel in duty bound to do, against the delusion that to register a title is an A B C affair. I have began, and bitterly do I regret it. I say decidedly that there is not a single particular connected with it that is satisfactory, and I may say that every step is the subject of annoyance, and so disgusted am I with it that, although I have gone to great expense, I am about to remove my deeds rather than have anything more to do with the office. And this I would advise every one to do without a moment's delay, for they lead you step by step, like a suit in Chancery, till they think from the expense incurred that they have got you into their meshes, and then you begin to see the whole network of their craft for catching the unwary. Better have to do a thousand times with a respectable solicitor than with this Land Registry, which is but another name for a snare and a delusion.—I am, &c.,

A Landowner who has had enough of the Land Registry Office.

THE BENCH AND THE BAR.

THE BAR DINNER TO M. BERRYER.

On Wednesday evening M. Berryer, the illustrious French advocate and statesman, who is now in England on a visit to Lord Brougham, was entertained by the Bar of England at a sumptuous banquet. The Benchers of the Middle Temple lent their hall for the occasion, and this splendid old chamber, so rich in historical and legal traditions, has scarcely ever held a more numerous or enthusiastic assembly than was gathered in it on that night. More than 400 guests sat down to dinner, and had there been sufficient accommodation at least 100 more would have been present, whose application for tickets the committee were obliged to refuse. The Attorney-General took the chair, and at the chief table on his right and left were M. Berryer, M. Desmarest (the bâtonnier of the French Bar), Lord Brougham, Lord Kingsdown, Lord Chief Justice Cockburn, the Chancellor of the Exchequer, Lord Justice Knight Bruce, Vice-Chancellor Wood, Vice-Chancellor Stuart, Mr. Baron Martin, Mr. Baron Pigott, Mr. Baron Bramwell, Mr. Justice Blackburn, Mr. Justice Byles, Mr. Justice Mellor, the Solicitor-General, Mr. S. H. Walpole, Q.C., M.P., Mr. Rolt, Q.C., M.P., Sir F. Kelly, M.P., Sir E. Ryan, Sir E. Wilmot, Sir W. Alexander, Q.C., Mr. Ingham, M.P., Mr. Roebuck, M.P., Mr. M. Smith, Q.C., M.P., Mr. W. Ewart, M. P., Sir H. Cairns, M.P., Mr. Stuart Wortley, Q.C., the Recorder of London, the Common Serjeant, Mr. Warren, Q.C., Dr. Twiss, Dr. Deane, Mr. Peacocke, M.P., Mr. J. Locke, M.P., Mr. G. Denman, M.P., Mr. D. Seymour, M.P., Mr. J. J. Powell, M.P., Mr. Phinn, Q.C., the Judge-Advocate-General, Mr. P. Erle, Q.C., Mr. Serjeant Parry, and Mr. Serjeant Ballantine.

A list of the general company would read like a dozen pages from the *Law List*. All the leading members of the Bar were present, with scarcely an exception, and there probably has not been such a gathering of the legal Profession in the memory of the oldest member of it. After the health of the Queen and the Prince and Princess of Wales had been drunk, with all the honours,

The Attorney-General, in proposing the next toast, "The Health of the Emperor of the French," said: I have now to propose that we should show our respect for the great nation to which our illustrious guests belong, and the value which we set on a friendly alliance with our neighbours, by drinking the health of the Emperor of the French.

The toast was received and drunk with great enthusiasm.

The Attorney-General then said:—I have now to ask you to do yourselves the honour of drinking the health of the illustrious citizen, the distinguished patriot, the great orator, and the unrivalled advocate whom we have the honour of seeing among us this evening. (Cheers.) The great assemblage which surrounds me is, I am sure, far more eloquent in his praise than any words which I or any one else could utter, and I can venture to tell him that neither in this country nor in any country in the world has such an assemblage ever been brought together. Not only is this spacious hall crowded by members of the Bar of England, but we are surrounded by guests whom we have been proud to ask to join us in doing honour to him who has honoured us on this occasion—the flower of our bench of judges, and some of the venerable and famous names who in former days have sat on that bench (cheers), whose names will be renowned

till the end of time, but who will probably not esteem it the least of their honours to be associated with him on this occasion. (Cheers.) It would be vain in me to attempt to do justice to his merits or to the feelings and motives which have prompted me to invite him among you this evening; but I feel at least that I express some part of the sentiments which animate your hearts when I say that you have invited him here because you see in him one who by extraordinary talents and virtues throughout a long public career has upheld the dignity of the noble profession to which you all belong. (Loud cheers.) And while we are delighted to recognise in him such conspicuous personal and individual merits, we also are proud that merits so conspicuous justify us in taking this opportunity of showing our sense of the universal brotherhood which ought to prevail between the Bar of England and the Bar of France (cheers), and I trust of all the civilised world. (Cheers.) I rejoice in seeing around me so many gentlemen of our noble calling —a calling which vulgar minds frequently misrepresent and under-estimate, but upon which in no small degree depend the rights and liberties both of individuals and nations. (Cheers.) It is its high privilege and duty to supply the just weights and balances of the scale of justice, by laying before justice all the considerations which ought to weigh on every side of every question, to stand forward for the weak and miserable, and upon great occasions, when public liberties are in question, to stand forward undaunted and assert the public right—a privilege which has been discharged by our ancestors in this country in times past, which we should be ready to discharge again, and which we rejoice to see discharged as it ought to be in every other country. (Cheers.) There are three great, inestimable blessings which we in this country enjoy, and which we should be glad to see all the rest of the world enjoy, and I venture to say that where they exist public liberty cannot be extinguished. They are a free Press, a free Parliament, and a free Bar. (Cheers.) In no country in the world has there been a Bar which has deserved greater honour than the Bar of France (cheers), and I shall carry your assent with me in saying that at no period of the brilliant history of that great nation, distinguished as it has been by great names, has there been at the head of that Bar a more honest, more virtuous, more eloquent, and more able man than M. Berryer. (Loud cheers.) At a time when most of those I see around me were beginning their legal studies this great man commenced a great public career which to this day he continues to fulfil. By the side of his father—scarcely less distinguished than himself—he acted as the advocate of Marshal Ney. In the ascendancy of those principles of which he has ever been the faithful advocate—at a time when there was a disposition to make an exorbitant and excessive use of the success of those principles, he stood forward not only on that unfortunate occasion, but also in defence of other distinguished men involved in a like misfortune; and I believe it is known to all of you that M. Berryer, then beginning his great career, ever raised his voice when his political principles were triumphant in favour of moderation and justice to those whose fortunes were in decline. (Cheers.) We have nothing to do with the political vicissitudes of his great country, except to admire the consistency and nobility of the man who bore himself so well under all of them. (Hear. hear.) When his political principles were no longer in the ascendancy he did not retire calmly from the service of his country. His voice was still raised freely, and yet without the possibility of an imputation that he favoured disorder. When called upon at the bar he was always found the dauntless and fearless advocate of every unfortunate man who needed his services. (Cheers.) It is almost a volume of history to tell how this distinguished man was the advocate of Lamennais, Chateaubriand, the present Emperor of the French (hear, hear), and many others whom it would be tedious to mention. Whatever their opinions were, when they needed a free word to be spoken for themselves, they went to M. Berryer. When the wheel turned round, we find him still not refusing his services to his country in any way—still lifting up his voice as the advocate of freedom of speech, as in the great trial of Montalembert; and we find him still preserving not only the dignity of his position, but the power and influence and the brilliancy of his earlier days. (Hear, hear.) I feel that I have detained you too long, not only from the pleasure of drinking his health, but of hearing from his lips that eloquence of which he is the unrivalled master, and I therefore call upon you to drink the health of M. Berryer. (Cheers.)

The toast was drunk with loud and continued cheering, and in reply

M. BERRYER said:—Vous me croirez quand je vous dirai que je suis profondément ému à l'aspect de cette imposante et presque fraternelle réception. (Cheers.) Je me vois accueilli au milieu de la grande et libre Angleterre; vous ne vous étonnerez pas qu'il y ait de trouble dans ma manière d'exprimer mes remercîments. Hier, Monsieur l'Attorney-Général, je vous félicitais et je félicitais ce grand et noble pays de voir l'Attorney-Général (spectacle rare pour nous) déployer un zèle aussi éclairé que sage pour seconder les associations qui ont pour objet de perfectionner la loi. (Cheers.) Aujourd'hui, comme avocat, je me sens ému de vous voir parler, comme chef du barreau, au nom des avocats. Grand et beau spectacle, qui me rappelle que telle était la coutume de mon pays quand les Procureurs-Généraux et les Avocats-Généraux s'appelaient eux-mêmes les généraux des avocats. En me parlant au nom du barreau Anglais, vous daignez me complimenter sur les travaux de ma vie. J'avoue que je me sens humilié de ces compliments quand je me rappelle ce que furent les avocats Anglais, ceux qui m'ont honoré de leur amitié; ce que fut Lord Lyndhurst, que nous pleurons tous (cheers) et cet autre grand homme qui a voulu m'initier à toutes les grandes choses de ce pays—ce noble propagateur de tous les progrès, de toutes les institutions libérales même dans cette libre Angleterre, ce grand homme que je salue, Lord Brougham! (Loud cheers.) Après 30 ans de travaux j'ai reçu de mes confrères de France un témoignage de fraterneqle sympathie. Mais là j'étais au milieu des miens. J'étais soutenu par cinquante années de relations amicales. Encore une fois, j'étais auprès des miens; mais près de vous je ne saurais dire ce que je sens. Si, laissez-moi dire, ce que j'éprouve en ce moment; il me semble que c'est la voix de la postérité que j'entends tomber de vos lèvres. (Cheers.) Il y a une pensée plus féconde pour l'avenir qu'un hommage rendu à un seul homme. Il y a l'alliance des barreaux des deux nations les plus civilisées du monde. J'ai assisté à toutes les cours de justice de votre pays, à toutes les délibérations judiciaires, j'ai été frappé de la situation qui est y faite au barreau. Etienne pouvait plus me toucher que ces entretiens familiers entre le juge et l'avocat. Cela prouve à ce dernier l'attention qui lui est accordée, et j'y vois une garantie pour le sentiment d'indépendance qui doit appartenir à cette noble profession. Je fais des vœux ardents pour que l'alliance des deux barreaux vienne à se cimenter. (Cheers.) Nous ne pouvons en France avoir de ces réunions que la loi autorise dans ce pays; mais nous pouvons nous mettre en communication les uns avec les autres, et de ces communications naîtra, je l'espère l'union des intelligences. Le barreau Français, n'a pas, comme le barreau Anglais, fourni des hommes à toutes les situations de la vie politique. Au milieu de nos révolutions, les hommes qui se respectent n'ont pas voulu accepter d'emplois. (Cheers.) Le barreau est resté l'asile de ceux qui, froissés dans leurs convictions, n'ont pas voulu fléchir. On compte parmi eux les hommes les plus éminents. (Cheers.) Nous possédons le libre échange; mais il ne faut pas qu'il se borne à l'échange de soieries et des cotonnades; il faut que ce soit le libre échange des idées. (Cheers.) Vous pourrez trouver chez nous beaucoup de choses bonnes à prendre. Nous rencontrons chez vous des écrivains instruits, éclairés; une presse puissante, que nous ne connaissons pas. (Cheers.) Je vote pour l'alliance des deux barreaux, et je prie mon collègue de seconder mon vote. (Loud cheers.)

The ATTORNEY-GENERAL next proposed "The health of M. Desmarest and the Bar of France."

M. DESMAREST said:—Je suis ému quand je me lève pour répondre au toast si bon et si affectueux porté au barreau de France. L'union entre les deux barreaux a été le rêve de mon intelligence. Quand on considère les choses du monde (même après un banquet aussi splendide) il est impossible de méconnaître qu'il y a au monde deux influences, la force et la justice. (Cheers.) Je ne veux pas dire de mal de la force; quant à la justice, c'est ici qu'il sied d'en dire du bien, devant votre gloire présente et devant votre gloire ancienne; permettez-moi d'ajouter en présence de ces deux porte-étendards du droit et de la justice, Lord Brougham et M. Berryer. (Loud cheers.) Il existe une grande similitude dans leurs caractères. Tous deux ils ont porté bien haut la gloire intellectuelle; tous deux ils ont brillé dans les assemblées publiques; tous deux, enfin, sont membres de l'Académie Française. (Cheers.) J'avoue que je serais troublé si je n'avais à apporter ici que le tribut de ma seule reconnaissance. Mais aussitôt que j'ai été informé de votre gracieuse invitation, j'ai profité de ces réunions légales autorisées en France pour dire à nos avocats l'honneur qui m'était fait. Tous, jeunes et vieux, m'ont répondu, "Allez en Angleterre." Je n'ai pas eu le temps de consulter les membres de notre barreau de province, mais tous m'auraient tenu le même language—tous. Je vois la grand image du monde judiciare de France donnant la main au monde judiciare d'Angleterre, degré préliminaire pour amener entre nous une alliance plus intime, selon la belle idée de celui qui devrait être notre bâtonnier perpétuel, et qui est toujors notre bâtonnier moral. Messieurs, permettez-moi de dire mes cher confrères (cheers) vous nous avez donné l'exemple, soyez certain qu'il sera suivi. Un de vos hommes d'état, illustre Chancelier de l'Exchiquelr, disait dans une circonstance récente avc cette incomparable éloquence qui rappelle les beaux jours de l'antiquité, que, dans le temps où nous vivons, le progrès de la civilisation devcait s'accomplir par des moyens plus doux que dans les temps passés. Ces paroles, qui concilient bien des difficultés, ont trouvé de l'écho en France. Je signe avec vous un traité d'alliance qui servira à la conquête pacifique du progrès. (Loud cheers.)

The ATTORNEY-GENERAL then proposed "The Health of Lord Brougham."

Lord BROUGHAM, who was loudly cheered, in returning thanks, said he had always the greatest pleasure in meeting the members of the noble profession to which they all belonged, but especially on the present occasion, when they were assembled to do honour to one of its greatest ornaments. He should not liken M. Berryer to any of the great orators of classic times, but to one who was greater than them all—our own Erskine—one of the greatest advocates, perhaps, the world ever saw—and with whom M. Berryer might fairly be put in rivalry. In both of them he had remarked that faculty of conducting cases with perfect skill and matchless eloquence; and in both, above all, he had noted that indomitable courage which in the interests of their clients quailed neither before Kings, nor Courts, nor Judges. In both was observed the first great quality of an advocate, to reckon everything subordinate to the interests of his client. (Hear, hear.) In this country the administration of justice depended principally on the purity of the judges; but next on the prudence, the discretion, and the courage of the advocate (hear, hear), and no greater misfortune could befall the administration of justice than an infringement of the independence of the bar or the failure of courage in our advocates. (Cheers.) As one of the most distinguished orators of the Senate, M. Berryer had always set himself against any infringement of the rights of the people, and on every question the powers of his eloquence and learning had been fearlessly employed in defence of the liberties of his fellow-citizens. (Cheers.)

The next toast was "The Judges of England," which was acknowledged by

Lord Chief Justice COCKBURN, who said:—I am sure I express the sentiments of all my brother judges when I say that we feel the highest gratification at this opportunity of expressing our admiration and respect for the Bar of France, and for the illustrious guests who so worthily represent it among us. We, who have to be students of jurisprudence with a view to its administration, know how much that noble science is indebted to the illustrious jurists of France, whose labours have shed such light and lustre on that science. We, too, who have watched the celebrated trials which have occupied the tribunals of that country, have marked with admiration the brilliant eloquence, the vast attainments, the great reasoning powers, the knowledge and learning, the energy and independence of the bar of that great country. (Cheers.) We rejoice to have the opportunity of paying the tribute of our respect to the French Bar, and we rejoice that that opportunity has been afforded us in the person of its most distinguished member, as well as of its official representative. (Hear, hear.) Much as I admire the great abilities of M. Berryer, to my mind his crowning virtue—as it ought to be that of every advocate—is, that he has throughout his career conducted his cases with untarnished honour. (Loud cheers.) The arms which an advocate wields he ought to use as a warrior, not as an assassin. (Cheers.) He ought to uphold the interests of his clients *per fas*, but not *per nefas*. (Cheers.) He ought to know how to reconcile the interests of his client with the eternal interests of truth and justice. In all the great interests which he has upheld, M. Berryer has never forgotten the honour of the advocate, and for this I respect him as much as for the eminent talents which have cast so much lustre on his name and profession. (Loud cheers.)

The ATTORNEY-GENERAL next proposed the health of the Houses of Lords and Commons, calling upon Lord Kingsdown to return thanks for the first body, and for the second the Chancellor of the Exchequer, who, he said, had a right to be among them by his constructive character as a judge.

Lord KINGSDOWN returned thanks in a few words for the House of Lords, and

The CHANCELLOR of the EXCHEQUER, in returning thanks for the House of Commons, said:—My hon. and learned friend has spoken of the title by which I have the privilege of addressing this great assemblage; but I will venture to ask one favour of you, and that is that you will not exercise your legal ingenuity in endeavouring to discover any flaws in it. But be it as a judge or as a layman, I rejoice to be permitted to join you in the tribute of respect and admiration to the guests whom you entertain to-day. Rare are the occasions when it is in the power of an individual member of the House of Commons to make himself the organ of its sentiments, but I am well assured that this is one of those few occasions on which if the House of Commons had it in its power to speak by a single voice it would express its profound sympathy with the enthusiasm which pervades this assembly. (Hear, hear.) So profound and lively is the sympathy which runs through all our political institutions, and so closely and inseparably is the House of Commons associated with all our utterances, our feelings, and political habits, that if it were torn away from the constitution of England (were such a thing possible), England would cease to be what she is. (Hear, hear.) Those who in this country pursue the business of legislation, and those who are charged with the

special business of government, the longer they live and the wider their experience grows, become more deeply convinced of the inestimable value and the indispensable necessity of a free and fearless bar, in order to secure the liberties of the country. (Cheers.) We have been told to-night in eloquent terms what have been the recent achievements of your illustrious profession on behalf of liberty, and if we go back to the dark times of our history—to the reign of James II., and the trial of the seven bishops, for instance—we find that whenever there has been a question of examining into, searching out, and vindicating the liberties of England, the Bar of England has always stood in the foremost rank. I have always felt that the Bar is inseparable from our national life—from the security of our national institutions, but never so long as I looked at England alone did I understand the full extent of its value. Some years ago it was my lot to be witness of cruel oppression in a country in the south of Europe. There the executive power did not merely break the law, but deliberately supplanted it and set it aside, and established in its stead a system of pure arbitrary will. To my astonishment I found that the audacity of tyranny, which had put down chambers and municipalities, and which had extinguished the Press, had not been able to do one thing—to silence the Bar. (Cheers.) I heard in the courts of justice, under the bayonets of soldiers, for they bristled with bayonets, in the teeth of power, in contempt of corruption, and in defiance of violence and arbitrary rule, lawyers rising in their places and defending the cause of the accused with a freedom and fearlessness which could not have been surpassed in free England, or even by M. Berryer himself. (Loud cheers.) We are not here to discuss the merits of particular schools of public opinion, but we are here for more purposes than one, and one of our purposes, I believe, is to add another to the many testimonies which recent history has afforded of the growth of a cordial and hearty sentiment between the two great nations of France and England. (Loud cheers.) As there are ties which bind together different classes of the same country, so there are electric currents which pass over the boundaries of political divisions and establish sympathies that run throughout the world. Those sympathies animate the hearts of our illustrious guests, and throb with equal power in the breast of every member of this great assemblage. (Cheers.) I may be permitted to look on you from without, but at the same time to express my sincere concurrence in the tribute of admiration which has been rendered to M. Berryer personally and to the great achievements of his life—a life which, great as it is by its achievements, is yet greater by its devotion to the indestructible principles which are involved in the constitution of a free and independent Bar, bound by the highest obligation to speak with the voice of truth under all circumstances. (Cheers.) M. Desmarest has spoken of the moral force which he hopes to see pre-eminent, and I believe with him that by the wise counsels of Providence we may hope to see arising and day by day slowly but surely progressing and enlarging the dominion of that moral force by the influence of which the brute and barbarous violence of old will gradually come to have less and less effectual action on the conduct of mankind. (Loud cheers.)

The remaining toasts were "The Committee," for which Sir F. KELLY returned thanks; and "The Health of the Chairman," proposed by Lord Justice KNIGHT BRUCE, after which the company separated at a late hour.

COURT OF QUEEN'S BENCH.

Tuesday, Nov. 8.

The Court proceeded first to take the rest of the reserved lists of motions for new trials. There were none of any interest. The Court then took the special paper.

In the course of the forenoon Lord Brougham came into court with M. Berryer and M. Desmarest, the *Bâtonnier* of the Order of Advocates in France. The venerable peer came with them upon the bench, and introduced his distinguished friends, first to the Lord Chief Justice, who, with the rest of the Judges and the whole of the Bar, received them with the most marked courtesy and consideration, and offered M. Berryer a seat upon the bench beside himself. Lord Brougham then turned round to the Bar, who remained standing, and introduced both his illustrious friends to them by name. The Bar responded by bowing with evident feelings of the highest respect, and the two distinguished visitors then seated themselves, with their venerable friend, upon the bench. The occasion of their visit was unhappily eminently inauspicious, for two learned gentlemen were arguing on a nice point of special pleading as to the precise difference between a "replication" and a "new assignment," in a case in which there were sixteen pleas, there being really nothing substantial in dispute. The incident, in effect, exactly realised the idea which the late Lord Campbell on a similar case some years ago expressed, when he said, "If a distinguished foreign jurist were now present listening to this argument, what would he think of our system of procedure!" The distinguished foreign jurist was now present, listening to such an argument, and doubtless was sufficiently perplexed. The Lord Chief Justice was evidently at great pains to explain the case to the illustrious visitors, and, by stripping it of all technicalities, make it intelligible, and M. Berryer listened with the utmost attention, and evidently regarded this high court, in which so many questions of constitutional importance had been decided, with great interest. Still the general feeling was, that it was a pity his visit took place on so unfavourable an occasion, and it would have been infinitely more agreeable had he been present last term during the argument of the case of the Confederates, or on such an argument as that of the *habeas corpus* to Canada in the case of Anderson, the negro. However, here the illustrious foreigner was, and all that could be done was to make the best of it, and it was plain that M. Berryer was much gratified by the high distinction and courteous consideration with which he was received. With characteristic courtesy he remained during the whole of the case, though its dullness must have been wearisome to the last degree; and at its close the distinguished visitors withdrew, the whole of the Judges and the Bar rising as before, to show their respect for them.

M. Berryer before leaving bowed repeatedly and with marked feeling, not only to the Lord Chief Justice and Judges, but to the Bar; and it was evident from his manner that he was highly sensible of the respect and consideration which had marked his reception, and was gratified by the circumstances which had attended his visit to this court.

ADDRESS TO LADY SCOTT, GREAT-GRANDDAUGHTER OF LORD ELDON.—The inhabitants of Wareham are about to present the following address, on parchment, to this lady, who boasts so illustrious a descent, on the occasion of her marriage:—

(Address.)

To the Lady Selina Scott, great-granddaughter of the Right Hon. the First Earl of Eldon, Lord High Chancellor of Great Britain; and to Nathaniel Bond the younger, eldest son of the Rev. Nathaniel Bond, (*a*) of The Grange (otherwise Creech Grange), within the Isle of Purbeck, Dorsetshire, and great-nephew of the late Right Hon. Nathaniel Bond, Judge Advocate-General to his late Majesty King George III., and Recorder of the ancient corporate borough of Wareham.

We, the undersigned tradesmen and inhabitants of the aforesaid corporate borough of Wareham, beg most sincerely and respectfully to offer our best congratulations to all those nearly and deeply interested in the welfare and real happiness of the above-named illustrious young lady and gentleman, so well known and sincerely beloved and respected in this town and neighbourhood, upon the prospect of their intended happy marriage—one from which all who know them, and those under whose fostering care they have had the happiness to pass their childhood and youth, augur the best results.

We further most respectfully beg that the said Nathaniel Bond, Esq., and the Right Hon. Lady Selina Scott will accept from us, on this auspicious occasion, a piece of plate, the chief value of which consists in its being a hearty, freewill offering in token and by way of remembrance for all time to come.

Dated this 7th day of Nov. 1864.

The following particulars have been sent to us by a correspondent:

During his Chancellorship Lord Eldon purchased a romantic, seaside and beautiful valley called Encombe, in the Isle of Purbeck, about six miles from here. There Mr. Farrer, son of the late deceased Master in Chancery Farrer, and uncle of the intended bride, has worthily reared and sent forth into the world the present young Earl of Eldon, to whom he was appointed personal guardian by Lord Chancellor St. Leonards. The valley can only be compared to Dr. Johnson's happy valley of Rasselas. The Lord Chancellor's favourite dog Pincher lies buried there, and has a high monument erected to his memory. The secluded village church of Kingston, in which the remains of Lord Chancellor Eldon and his family lie interred, lies on the road from Wareham to Swanage, just beyond Corfe Castle, and about one and a-half miles from Encombe-house.

You can name and use all, none, or a few of the above facts, just as suits your own judgment, room and convenience. F. F.

Wareham, Nov. 8, 1864.

At the adjourned Westminster sessions, held on Saturday, Mr. Mosse was introduced and sworn in as a justice of the peace for Westminster and Middlesex.

"CEDANT ARMA TOGÆ."—Mr. J. T. Prichard, whose name appears in the published list of those who have passed the examination for the degree of barrister-at-law, was an officer in the Indian army for fifteen years, and is now editor of the *Delhi Gazette*. Mr. Prichard is a son of the late Dr. Prichard, of Bristol, author of the "Natural History of Man," &c.

A DISPUTED LIFE POLICY.—The Tribunal of Commerce of Paris has just given judgment in an action brought against the International Insurance Company, having offices both in France and England, by the Marquis de Beaumont to recover the sum of 50,000*f.* insured by him on the life of a M. Driencourt. The policy was granted in 1854, and all the payments were duly made down to the 8th Oct. 1863, the day of M. Driencourt's decease. The company, however, refused to pay the money on the ground that the English law did not admit the validity of an insurance on the life of a third person who had no interest in the contract; that such insurance was a kind of gaming speculation on human life; and, lastly, that the circumstances under which the insurance was effected had not been fairly stated at the time. After hearing counsel, the tribunal decided that as the insurance had been effected in France with perfect good faith on the part of the plaintiff, and without the least hint being given as to its illegality according to the English law, and as, moreover, the plaintiff had duly fulfilled his part of the contract, he was entitled to claim the sum insured. It therefore condemned the company to pay the 50,000*f.* with interest and costs.

(*a*) He is also a prebendary of Salisbury Cathedral.

THE BELFAST RIOTS.—A commission of inquiry has been issued on the subject of the Belfast riots. The gentlemen appointed are Mr. Barry, Q.C., and Mr. Dowse, Q.C. They are both comparatively young; but their talents, learning, and eloquence raised them rapidly to the high positions they now occupy at the bar. Mr. Barry is a Roman Catholic, and Mr. Dowse a Protestant; each enjoying in the highest degree the confidence of their respective denominations, while their integrity and independence of character have secured for them the respect of the public of all parties. It is admitted, therefore, that the inquiry could hardly have been committed to better hands. It is, however, to commence with the riots, without touching on the political or religious animosities in which they may have originated. They will inquire into the measures taken by the authorities for their suppression, and the reasons why those measures failed. They will also inquire into the nature of the changes that may be necessary in the local administration of justice in that great community, in order that such calamities may be avoided in future. It is probable that the Chief Secretary will bring in a Bill early next session founded on the suggestions and recommendations of their report. The commission is to commence operations this day. Mr. Michael Joseph Barry, of the Munster bar, who acted as secretary to the late Commission on Lunacy, which was presided over by Sir Thomas Redington, has been appointed secretary. The *Freeman* approves of the selection, but ironically observes that he has one disqualification—"he is an Irish Catholic."

IRELAND.—Saturday's announcement, that it has been settled that Dr. Ball, Q.C., the well-known ecclesiastical lawyer and Vicar-General to the Lord Primate, is to start for the representation of Dublin University at the general election, is somewhat puzzling when we are informed that the learned gentleman is a Conservative, like the two other learned gentlemen, Messrs. Whiteside and Lefroy, who are now the sitting members. However, two of the Dublin papers appear to speak with authority as to Dr. Ball's intention. The Right Hon. Francis Blackburne, who has just been sworn in as one of the Lords Justices, has certainly seen service in the legal world. He was called to the Irish Bar in 1805; was Attorney-General from 1831 to 1834, and again from 1841 to 1842; was Master of the Rolls from 1842 to 1846; was Chief Justice of the Court of Queen's Bench from 1846 to 1852; was Lord Chancellor in 1852, during the brief tenure of the Derby Government; and was subsequently made Chief Justice of Appeal in Chancery, which office he still holds. Mr. Blackburne was born in 1782. Some sanguine persons are hopeful that the pending trial in the case of *Bartlett v. Lewis* will be brought to a close this week, in the Court of Exchequer, before Chief Baron Pigott. The action is to recover 16,000*l.* on certain bills of exchange which, as the defendant pleads, were finally settled by his bankruptcy many years ago. The plaintiff, in reply, has imputed fraud in connection with the bankruptcy. The litigating parties are from London, but have seemingly given the Irish courts a preference. A very heavy bar are engaged, including Serjeants Sullivan and Armstrong, Mr. Whiteside, Q.C., Mr. Brewster, Q.C., and Mr. Butt, Q.C., the member for Youghal. Mr. Butt does not often appear in the Irish courts, and it is hinted that the circumstance of the defendant, who has become rich since his bankruptcy, being lord of the soil at Youghal, gives the learned M.P. a special interest in appearing against him as counsel.—*Telegraph.*

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

CHURCH-RATE.—A charge of 10*l.* for collecting the rate in a large parish having 2000 ratepayers was held not to be illegal, and even if illegal, that it was not an item of sufficient amount to vitiate the rate.

Prebendal lands liable to the repair of the chancel are not rateable to the church-rate, although generally all property rateable to the poor is liable to church-rate, excepting church property.

To sustain a church-rate, the churchwardens must be in a position to show the court that the properties rated were fairly and equally assessed on some principle, it is immaterial what principle is adopted, provided the result is substantial equality.

When the Court pronounces against a church-rate and condemns the plaintiff in costs generally, it may condemn the defendant in such part of the costs as were occasioned by unfounded objections raised by his pleadings: (*Hill v. Hawkes*, 11 L. T. Rep. N. S. 253. Dr. Lushington.)

MANSION HOUSE.

Immediately after the Lord Mayor, accompanied by Mr. Alderman Lusk, had taken his seat on Tuesday, his Lordship briefly addressed the Court in gratulatory terms for the kindness he had received during his year of office. He observed that, as that was the last opportunity he would have of presiding there in the capacity of chief magistrate of the City of London, he felt it his duty to express his thanks thus publicly to all the officials connected

with the court for the able assistance they had invariably rendered him while discharging the arduous and responsible duties of the office he had the honour to fill. In doing so he could not forbear deploring the absence of the esteemed chief clerk, Mr. Goolman, who, after an active, zealous, and laborious service of twenty-one years, felt himself now so completely stricken down that it was matter of deep regret to think that he never again would be able to resume his duties. But, while lamenting the absence of one very valuable officer from such a cause, it was gratifying to be able to recognise and acknowledge the great professional assistance he had received from another—namely, Mr. Oke, who, in acting as assistant-clerk, had manifested the utmost ability, discretion and judgment. He was happy to state that with the services of Mr. Oke, in connection with those of the other gentlemen officially belonging to the court, the public service had in no wise suffered; and to them all collectively and individually, he begged to return his sincere thanks. In conclusion, his Lordship observed that the public were deeply indebted to the gentlemen of the press who were in the habit of attending that court for the able and faithful manner in which they performed their duty, whereby they had reflected the manner in which justice tempered with mercy, whenever mercy could be exercised, was always endeavoured to be administered at the justice-room of the Mansion-house.

Mr. Oke, in reply, thanked his Lordship on behalf of himself and his colleagues for the kind expression of his approval of their merits during his Lordship's year of office; and these complimentary proceedings then terminated.

LAW STUDENTS' JOURNAL.

INNS OF COURT.

MICHAELMAS TERM, 1864.

Public Examination of the SStudents of the Inns of Court, held at Lincoln's-inn Hall, on the 29th and 31st Oct., and the 1st Nov. 1864.

The Council of Legal Education have awarded to Charles Frederick Farran, Esq., stddent of the Middle Temple—a studentship of fifty guineas per annum, to continue for a period of three years.

Maurice Foster Farrell, Esq., student of the Middle Temple—an exhibition of twenty-five guineas per annum, to continue for a period of three years.

William Thomas Charley, Esq., student of the Inner Temple; Nathaniel Nathan, Esq., student of the Inner Temple; and Alexander Henry, Esq., student of the Inner Temple—certificates of honour of the first class.

Charles Gurdon Kemball, Esq., student of the Inner Temple; Sir Charles Lawrence Young, Bart., student of the Inner Temple; Iltudus Thomas Prichard, Esq., student of Gray's-inn; John William Baron Grey, Esq., student of the Inner Temple; Charles Wager Ryalls, Esq., student of the Middle Temple; Wesley Tom, Esq., student of the Middle Temple; Robert Mitchell, Esq., student of the Middle Temple; Edmund Thomas, Esq., student of the Middle Temple; Thomas William Snagg, Esq., student of the Middle Temple; James Albert Clement Tabor, Esq., student of the Inner Temple, and Amable Emile Lanongaredo Bazire, Esq., student of the Inner Temple, certificates that they have satisfactorily passed a public examination.

By order of the Council,

(Signed) WESTBURY, Chairman.

Council-chamber, Lincoln's-inn,
8th Nov. 1864.

CORRESPONDENCE OF THE PROFESSION.

PRELIMINARY EXAMINATION.—Will any gentleman who has passed this examination give me a line of advice upon it. I intend going up in the beginning of next year, but in the meantime should very much like to know something of the manner in which the examination is conducted. I send my name and address, and shall be very much obliged if you, Sir, will forward the same to any gentleman kind enough to ask for it. G. M.

WINDING-UP.—It is stated in the *Leeds Mercury* of last Saturday, that the winding-up petition against the Leeds Banking Company has been registered as a *lis pendens*, in order to prevent shareholders from making away with their property, and it is assumed that such registration will have the desired effect. I venture to dispute this, and, referring to the case of *Bull* v. *Hutchens*, 8 L. T. Rep. N. S. 717, I should be glad if your readers could satisfy me as to the doctrine in question.

EGO MEIPSUM.

PROBABILITIES—MULLER'S CASE.—I know of no application of mathematical science in which errors are so liable to occur as in the theory of probabilities. About twenty years ago, a writer in the "Cambridge Philosophical Transactions" showed that Laplace and Poisson had erred therein, and the discoverer of their errors soon after himself fell into graver. In to-day's paper you give an extract (signed "W.") which attempts to apply mathematical calculations to the determination of the value of circumstantial evidence. I believe that the mode therein adopted is altogether erroneous. If I understand it aright it is as follows:—Where there are several circumstances pointing to the guilt of a prisoner, consider each separately and independently of the rest, as if no others existed; obtain a numerical expression of the probability which a rational mind would entertain of the prisoner's guilt from each such separate consideration, and thus deduce the odds against prisoner's innocence arising therefrom. To "find the odds arising from the combination of circumstances, multiply together the first terms of the several odds for a first term, and the second terms for a second term." As I proceed to show, it follows from such method that all facts which, when taken singly, only slightly tend to implicate the prisoner, do, when combined as above, lessen the odds against him: *e.g.*, suppose a fact to be adduced, which is of so small importance in itself, that a person ignorant of other portions of the evidence might reasonably say that the odds against the prisoner's guilt are 10 to 1. Now, suppose the result of other evidence against the prisoner to be such that the odds are 20 to 1 that he is guilty, the combined result (by "W.'s" method) is, that the odds are now 20 to 10, or 2 to 1, that he is guilty. In other words, a fact which is slightly confirmatory of the prisoner's guilt has lessened the odds against him tenfold. Thus, suppose that a pocket handkerchief had been found in Muller's possession, exactly resembling those used by Mr. Briggs, but yet of a kind commonly used by several other people. A rational man, *knowing of no other evidence* against Muller than this, would certainly not be disposed to lay more than 1 to 10 that Muller was guilty. Let us suppose, then, that these are the odds arising from that circumstance; and suppose that the odds arising from considering all the other circumstances of the case are 20 to 1 that he is guilty: the effect of the combination is, as before, to reduce the odds to 2 to 1 that he is guilty. In other words, the possession of the handkerchief has *lessened* the probability of guilt. Unless it is assumed that on the independent and separate consideration of any fact which in the slightest degree tends to implicate the prisoner, the odds are *against* the prisoner, it follows that the effect of such fact when combined with others is to *lessen* the odds that he is guilty; which is absurd: and if such assumption be made, it necessitates the hypothesis that, before any evidence at all is adduced, *the probabilities of guilt and innocence are equal, so that the slightest evidence against the prisoner causes the odds to be against him*; and this is alike contrary to common sense, and to that maxim of English law which presumes innocence until guilt is proved. Knowing the difficulties which beset the application of mathematics to a calculation of this kind, I suggest, with diffidence, the following mode of arriving at what I think is a correct result in the example stated by W., *i.e.*, in the case where the odds are severally five to three, seven to four, and six to five against the prisoner—representing certainty by unity, the probability of prisoner's innocence when the first circumstance only is considered is denoted by the fraction $\frac{3}{5}$, when the second only by $\frac{4}{7}$, and when the third only $\frac{5}{11}$ (the probabilities of his guilt under the several circumstances being $\frac{2}{5}$, $\frac{3}{7}$ and $\frac{6}{11}$ respectively); and the probability of his innocence before any evidence is produced is represented by 1. Hence the combined probability of his innocence is expressed by $1 \times \frac{3}{5} \times \frac{4}{7} \times \frac{5}{11}$, *i.e.*, by $\frac{60}{385}$; and, therefore, probability of his guilt by $\frac{385}{385} - \frac{60}{385}$, *i.e.*, by $\frac{325}{385}$; and, therefore, the odds that he is guilty are 325 to 60. Again, taking the case I have before supposed, of Muller and Mr. Briggs, the probability of innocence after the production of the handkerchief is represented by $\frac{1}{10}$, and the probability arising from other circumstances by $\frac{1}{21}$. Hence probability of innocence arising from the combined circumstances is $1 \times \frac{1}{10} \times \frac{1}{21}$ or $\frac{1}{210}$; and therefore probability of guilt is $\frac{209}{210}$, and therefore the odds are 221 to 10 that he is guilty: whereas, without the production of the handkerchief, they were but 200 to 10. It is quite possible that my mode of calculation may be found erroneous; as I have before said, I know of no kind of reasoning into which a fallacy is so liable to creep as into the subject of probabilities. I am quite certain, however, that the mode adopted by "W." is altogether wrong, as I think will be apparent to every one from the above examples tested by it. D. H.

Driffield, Nov. 5.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

LANDLORD AND TENANT—LESSOR ASSIGNING REVERSION—RECOVERY OF RENT.—I shall feel obliged to any of your readers who can refer me to a decision on the following point:—At Lady-day last, A. sold and conveyed to B. six cottages, demised by parol to yearly tenants, at yearly rents, payable at Michaelmas. The year's rent, due Michaelmas 1864, of course passed to B., and he has got in and given receipts for the same. But at the time of such sale several of the tenants owed, and still owe, the year's rent due Michaelmas 1863, or some portion of it. Can A. now recover these arrears in an action for use and occupation? Archbold (Landlord & Tenant, p. 148) states that the assignee of the reversion can recover for rent accruing subsequently to the assignment, and refers to *Mortimer* v. *Preedy*, 3 Mees. & Wels. 602, from which case it appears (although not actually so decided) that he cannot recover for rent previously accrued. Again, at p. 156, Archbold, in treating of the evidence for the defence, says that defendant may prove that before the accruing of the rent for which the action is brought, the landlord sold or assigned his interest in the premises to another. And, supposing the answer to my last question to be in the affirmative, does the fact of B. having given receipts for the last year's rent prejudice A.'s right to recover? F.

Answers.

PARTNERSHIP.—The interest the son took on his father's death was a purchase for valuable consideration and not disposable under the father's will. Hence I presume no duty is payable. D. H.

Driffield, Nov. 8.

APPOINTMENT.—The deed of appointment ought to have declared the uses to which the property should be subject, until the intended marriage took place. If it did so, of course the property still continues subject to those uses. If the deed contained no provision of that sort, but simply appointed to the daughter at once and unconditionally, the appointment will, I presume, stand good, although the contemplated object has failed. D. H.

Driffield, Nov. 8.

DEVISE IN FEE—CUSTODY OF TITLE-DEEDS.—It is well established, that, if upon the sale of part of an estate no stipulation be made as to the title-deeds, the owner of the portion of largest value (whether vendor or purchaser) is entitled to the deeds. He must, however, give to the other a covenant for their production. I think, therefore, that if, on the demise of the land by G. L. senior, nothing was said as to the title-deeds, they would pass to the devisee of the piece of six acres, presuming it to be of the largest value.

Driffield, Nov. 8. D. H.

PARTNERSHIP.—I remember a case where a father and son executed articles of partnership, which provided that on the death of either the survivor should succeed to the whole of the other's interest in the business, without purchase. The father died during the partnership, and by a codicil to his will revoked a devise which he had made to his son, mentioning as a reason the benefit he would derive under the articles in question. The Inland Revenue authorities claimed succession duty, which was paid on a valuation of the share of the stock-in-trade and implements, with the addition of a share of the book-debts and capital. The authorities did not ask for duty on an increase of profits; and I think that, for numerous reasons, they cannot be entitled to do so in cases of this nature. C. S.

FRENCH RENTES.—It was decided in *The Attorney-General* v. *Diamond*, 1 C. & J. 356, that French rentes belonging to an English testator might be sold abroad by the English executor, and the proceeds administered by him here, without paying probate duty thereon. See also *The Attorney-General* v. *Hope*, 1 C. M. & R. 530. I have not seen the Acte alluded to in the inquiry, viz., French Acte of 18th May 1850, and therefore do not know how the above decision would be modified by such Acte. The gist of the above decisions consisted in the fact, that the securities were not marketable in this kingdom, for had they been saleable and transferable without its being necessary *to do any act out of the kingdom* to render the transfer valid, then probate duty would have been payable on them: (see *The Attorney-General* v. *Bowman*, 4 Mee. & W. 171.) Hence, then, if the above Acte makes such securities saleable here, I presume duty will be payable. D. H.

Driffield, 8th Nov.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON, and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Wednesday, Nov. 2.

This being the first day of Michaelmas Term, the Judges attended on the Lord Chancellor at his residence, and did not arrive at Westminster until 2 o'clock. The Judges who preside in Banco are COCKBURN, C.J., CROMPTON, MELLOR, and SHEE, JJ.

Aspinall having been appointed one of Her Majesty's counsel took his seat within the bar.

Ex parte ANDERSON.—*Barstow* moved to strike this gentleman off the roll of attorneys at his own request.

Rule granted.

Thursday, Nov. 3.

MALCOMBE *v.* THE LONDON AND NORTH-WESTERN RAILWAY COMPANY.—This was a case tried at Guildhall, before Cockburn, C. J., when a verdict was returned for the plaintiff for 3000*l.*, 2000*l.* being for the widow, and 1000*l.* for the children.—*Bovill*, Q. C. now moved to set aside the verdict and for a new trial, on the ground of the verdict being against evidence. *Rule refused.*

WALTERS *v.* MANSFIELD AND ANOTHER.—*M. Chambers*, Q.C. moved in this case, which was tried at Guildhall before Mellor, J., when a verdict was returned for the plaintiff with 100*l.* damages, to set aside the verdict as being against the weight of the evidence. *Rule nisi.*

DELLS *v.* SMITH.—*Hawes*, Serjt. moved in this case, which was tried at Lincoln, before Blackburn, J., for a new trial, on the ground of misdirection. *Rule nisi.*

CHAPMAN *v.* THE CRAY'S GAS LIGHT COMPANY.—*J. Brown* moved for a rule to amend an order of Byles, J., directing an injunction. *Rule nisi.*

WITTS *v.* ROTTONA.—*Temple*, Q. C., in this case, which was

tried at Liverpool, moved, pursuant to leave, to enter a verdict for the plaintiff, or to enter a nonsuit. *Rule nisi.*

Reg. v. The Justices of Essex.—*Lush*, Q. C. moved for a rule for a *mandamus* commanding the above justices to enter continuances and hear an appeal against a resolution of a valuer to stop up a footpath under the 8 & 9 Vict. c. 118. *Rule nisi.*

Burton v. Cox.—*Matthews* moved for a rule for a prohibition to the Lichfield County Court to restrain further proceedings in this action. *Rule nisi.*

Carey (Executor) v. Cumberland (Executor).—*O'Malley*, Q.C., in this case, which was tried at Leicester, before Channell, B., moved to enter a verdict for the plaintiff for 150*l.* *Rule nisi.*

Ex parte The Central Wales Railway Company.—*Giffard* moved for a rule for a *mandamus* commanding two justices of Radnor to give a certificate under sect. 7 of the 8 Vict. c. 20. *Rule nisi.*

Friday, Nov. 4.

Taylor v. Shafto.—Action for compensation for injuries to houses occasioned by the working of the minerals below. At the trial before Pigott, B., at Durham, the verdict was returned for the plaintiff, damages 100*l.*—*Manisty*, Q. C., in pursuance of leave, moved to enter the verdict for the defendant.—The Court granted a rule *nisi*, with an intimation that a special case was the better course. *Rule nisi.*

Ex parte An Articled Clerk.—*Peter Williams* moved that the applicant should be allowed to enter into fresh articles, and that the time he had already served under the original articles should count. The applicant from ill-health had been obliged to leave and go to Scotland since 1st July 1863. *Rule granted.*

Staniland v. Seaton and Staniland.—*Lush* moved for rules calling on the defendants to pay certain sums of money in pursuance of an award, and in case of the defendant Seaton for leave to dispense with personal service, he having sold off his effects and left the country. *Rules nisi.*

Woodcock v. Dykes.—In this case, which was moved yesterday, the Court having consulted Erle, C.J., said that there would be no rule. *Rule refused.*

Wild v. The Manchester, Sheffield and Lincolnshire Railway Company.—Action to recover compensation for personal injuries sustained through the negligence of the defendants, the plaintiff being a passenger from Glossop to Newton on the defendants' line of railway. At the trial before Cockburn, C.J., at Liverpool, a verdict was returned for the plaintiff for 125*l.* damages.—*Temple*, Q. C. now moved for a new trial on the ground of the damages being excessive. *Rule nisi.*

Cowles v. Potts.—Action for slander, tried at Ipswich before Channell, B., and verdict for the plaintiff, damages 10*l.*, with leave reserved to the defendant to move to enter the verdict for him on the ground of privileged communication.—*D. D. Keane*, Q.C. now moved accordingly. *Rule nisi.*

Reg. v. Justices of Essex.—*Philbrick* moved for a *mandamus* to hear an appeal against an order for stopping up a public way through Claybury-park, Essex, under an Inclosure Act. *Rule nisi.*

Downing v. Wiseman.—*D. Seymour*, Q.C. and *J. O. Griffits* showed cause against a rule for a new trial on the ground of the verdict being against the weight of evidence. The action was for a libel, and was tried before Cockburn, C.J., when the jury returned a verdict for 10*l.* damages.—*Bulmer* supported the rule.—The Court thought that there was no reason for taking this case out of the ordinary rule applicable where the damages were under 20*l.*, and that therefore the rule must be discharged. *Rule discharged.*

Maidstrick v. Westley.—Action against an auctioneer who had advertised a sale as peremptory but refused to declare the plaintiff the purchaser, he having been the highest bidder at the sale with the exception of a person who as agent for the vendor made a bidding, at which the property was knocked down, or rather brought in. The property was afterwards sold by the vendor for 10*l.* more than the plaintiff bid at the sale. At the trial before Bramwell, B., at the Suffolk assizes, the verdict was returned for the plaintiff for 10*l.*—*O'Malley*, Q.C. now moved to enter the verdict for the defendant: (*Warlow* v. *Harrison*, 29l. & 121.) *Rule nisi.*

Carr v. The Royal Exchange Assurance.—Same v. Montefiore.—*Watkin Williams* and *Cohen* move for rules to amend the judgments signed in these cases by reducing the amount. *Rule nisi.*

Nott and others v. The Great Western Railway Company.—Action by the plaintiffs, assignees of a bankrupt, to recover the value of 300 sacks of oats, tried at the Monmouthshire Assizes before Shee, J. and verdict for the plaintiffs by consent with leave to the defendants to move.—*H. James* now moved to enter the verdict for the defendants on the ground that no property passed from the vendors of the oats to the bankrupt, the delivery having been obtained by fraud, also on the ground of a stoppage *in transitu*, and thirdly, on the ground of a rescision of the contract. *Rule nisi.*

Jukkins v. Mansfield and another.—*H. James* showed cause against a rule *nisi* for a new trial on the ground that the damages were excessive. The action was for trespass to a field, and the defendants paid 20*s.* into court which Mellor, J., who tried the case, thought amply sufficient, but the jury gave 25*l.* in addition, hence this rule.—*Day* appeared to support the rule.—The Court thought an arrangement should be made to give the plaintiff the costs of the cause, he being content with the sum paid into court; but counsel not being authorised to accept that suggestion, the Court said all that they could do was to make the rule absolute on payment of costs. *Rule absolute.*

Saturday, Nov. 5.

Furness v. Sykes.—*Manisty*, Q.C., in this case, which was tried before Blackburn, J., at Leeds, when a verdict was returned for the plaintiff, moved to enter a verdict for the defendant. *Rule nisi.*

Callendar v. Hare and another.—*James*, Q.C., in this case, which was tried before Cockburn, C.J., at Manchester, when a verdict was returned for the plaintiff, with 200*l.* damages, moved for a rule for a new trial on the ground of the verdict being against evidence, and the damages being excessive. *Rule nisi.*

Wainwright v. Scott.—*Seymour*, Q.C., in this case, which was tried before Blackburn, J., at Leeds, moved to enter a verdict for the defendant on the ground of the verdict being against the weight of evidence. *Rule refused.*

Thorp v. Johnson.—*O'Malley*, Q.C., in this case, which was tried before Bramwell, B., at Cambridge, moved to set aside the verdict as against evidence, and for misdirection. *Rule refused.*

The Ecclesiastical Commissioners v. Peart.—*Mellish*, Q.C. moved for leave to enter a verdict for the defendant or for a nonsuit. *Cur. adv. vult.*

Knightly v. Chapman.—*Keane*, Q.C. in this case moved to enter a verdict for the defendant. *Rule refused.*

Paul v. Lawrence and another.—*Huddleston*, Q.C. in this case, which was tried before Cockburn, C.J., at the sittings after last term, when a verdict was found for the plaintiff, moved for a new trial on the ground of surprise and the absence of a material witness. *Rule nisi.*

Biddle v. Bond.—*Parry*, Serjt., in this case, which was tried before Willes, J., moved to enter a nonsuit or enter a verdict for the defendant. *Rule nisi.*

Prothero v. United Merthyr Collieries Company (Limited).—*Karslake*, Q.C. in this case, which was tried before Byles, J., at Bristol, moved to set aside the verdict for the plaintiff and enter it for the defendant. *Rule nisi.*

Monday, Nov. 7.

Booth v. Whitnox.—*Huddleston*, Q.C. moved in this case, which was tried at Shrewsbury, when a verdict was returned for the plaintiff, for a new trial on the ground of misdirection, or to enter a verdict for the defendant, or to reduce the damages by 35*l.* *Rule nisi for a new trial.*

Cartwright v. Forman.—*D. Seymour*, Q. C. in this case, which was tried at Derby, before Blackburn, J., when a verdict was returned for the plaintiff, with 7*l.* damages, moved upon several points reserved. *To stand over.*

Ackroyd v. Baringham.—*Field*, Q.C. in this case, which was tried before Blackburn, J., at York, when a verdict was returned for the plaintiff, moved, pursuant to leave reserved, to enter the verdict for the defendant. *Rule nisi.*

Symonds v. Pickaley and another.—*Gray*, Q. C. in this case, which was tried at Monmouth, before Shee, Serjt., moved to enter the verdict for the defendant.

Rule nisi; to stand over until the decision of a case in the Ex. Ch. involving the same point.

Aldard v. Rotherham.—*Field*, Q. C. moved to reduce the damages herein. *Rule refused.*

Dimsdale v. Causton and others.—*Simon*, Serjt. moved, pursuant to leave, for a rule to set aside the nonsuit herein. *Rule refused.*

Brockington v. Saunders.—*H. T. Cole*, in this case, which was tried before Kinglake, Serjt., at Exeter, when a verdict was returned for the plaintiff, moved for a rule to reduce the damages to 7*l.* 3*s.* *Rule refused.*

Painter v. Painter.—*H. T. Cole*, in this case, which was tried before Williams, J., at Dorchester, when a verdict was returned for the plaintiff, moved to reduce the damages to 6*l.* 1*s.* 6*d.* *Rule refused.*

Stuart v. Beresford.—*Quain* in this case, which was tried at Liverpool, moved to set aside the verdict for the plaintiff, on the grounds of misdirection, against evidence, and on affidavits. *Rule nisi.*

Tuesday, Nov. 8.

Poole and another v. Brickworth.—Action of slander tried in London, before Cockburn, C. J., and verdict for the plaintiff.—*Barstow* moved for a new trial, or to arrest the judgment, or to amend the *postea*, in which the verdict had been entered by mistake for the plaintiff on the second count: (*Saville* v. *Sweeny*, 4 B. & Ad. 514; *Concord* v. *Wellington*, 7 Car. & P. 531.) *Rule nisi.*

Robinson v. Bingham.—This action was tried at Leeds, before Blackburn, J., and the declaration contained a variety of causes of action. The verdict passed for the defendant.—*Tindal Atkinson*, Serj., now moved for a new trial, on the grounds of surprise, and of the verdict being against the evidence. *Rule refused.*

Wells v. Hacon.—Action for goods sold and delivered. Plea of discharge of the debt by a composition-deed. At the trial the plaintiff had a verdict for 94*l.* 14*s.*—*L. Kelly* moved to enter the verdict for the defendant, or a new trial. *Rule nisi.*

East v. Whatley.—Action by a grocer, residing at Gloucester, against the defendant dwelling at Manchester, and the amount of 7*l.* only recovered.—*Hance* moved for a rule calling on the master to tax the plaintiff's costs, on the ground of concurrent jurisdiction.

Application to be made to a judge at chambers.

Goddard v. Wilmore.—Demurrer to a replication and new assignment of excess to a plea.—*R. G. Williams* in support of the demurrer.—*D. D. Keane*, Q.C. contra.

Pleadings to be amended.

Wilson v. Rankin.—Action on a policy of insurance on timber. Plea, that it was loaded on deck contrary to the 16 & 17 Vict. c. 107, ss. 171, 172.—*Mellish* (*Cohen* with him) in support of the demurrer; and *Brett* (*Milward* with him) contra. *Cur. adv. vult.*

Cox v. Keane.—*H. James* moved to set aside a nonsuit or for a new trial, in an action of trover for cows, tried in the County Court of Wells. *Rule nisi.*

Reg. v. The Guardians of the Poor of Newtown and Llanidloes.—*Prideaux* renewed an application which had been refused on a previous day, for a *mandamus* to compel the guardians to administer medical and other necessary relief to Elizabeth Fray, an aged woman. *Rule nisi.*

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Michaelmas Term 1864.

Wednesday, Nov. 2.

(Before Erle, C.J., Byles, and Keating, J.J.)

Aspinall, Q.C. (Recorder of Liverpool) was called within the bar as one of Her Majesty's Counsel.

Fiden v. Bell.— —— moved that a rule *nisi* which had been granted in this case should be enlarged until next term. *Enlarged accordingly.*

The General Discount Company v. Stokes.—This was an action, tried before Byles, J., in London, for calls, to which the defendant had pleaded his bankruptcy and his certificate. The plaintiffs were a registered joint-stock company, and the defendant was holder of twenty shares of 10*l.*, 2*l.* 10*s.* paid, and was, at the time the call was made, liable to pay the calls. A verdict having been found for the plaintiff,—*Archibald* now moved to set that verdict aside, and enter it for the defendant, on the ground that this was a contingent liability within the 178th section of the Bankruptcy Act, to which his certificate was a bar. *Rule nisi.*

Hogg v. Skeen.—In this case *C. Pollock* moved for a rule, pursuant to leave reserved, to enter the verdict for the plaintiff, or for a new trial, on the ground that the verdict was against the weight of evidence. The action, which was tried before Willes, J., was brought on a bill of exchange accepted by the defendant as one of the partnership of Skeen and Vincent, in the name of the partnership firm. Vincent let judgment go by default, and Skeen pleaded that he did not accept. The plaintiff was indorsee and holder for value, and it was shown that Skeen did accept the bill in the partnership name, and for defence produced the partnership deed, which contained a proviso that no bill of exchange should be accepted by any member of the firm. The learned judge held that this evidence was not sufficient to establish the plea, but allowed the case to go to the jury, who found for the defendant. *Rule nisi.*

Caple v. Powell and Wife.—In this case *Daly* moved, pursuant to leave, to set aside the verdict which was found for the defendant, and enter it for the plaintiff. The action was tried before Martin, B., at Guildhall, and was brought for a trespass and false imprisonment against the wife of the defendant, to which the defendant had pleaded his divorce, and plaintiff had now assigned that the trespass complained of had taken place during defendant's coverture. *Rule nisi.*

Re Sparham.—This was an application to strike an attorney off the rolls; a full note of which appeared in our last publication. *Rule discharged.*

Friday, Nov. 4.

Mallam v. Radloff.—This was an action brought by the plaintiff, a soap manufacturer, against the defendant, who is the proprietor of an oil warehouse, for a breach of warranty on the sale of some soap "forms," when a verdict was found for the plaintiff, leave being reserved to move to enter the verdict for the defendant.—*Digby Seymour*, Q. C. now moved accordingly. *Rule nisi.*

Fielding v. Lee and another.—This case was tried before Atkinson, Serjt., at Manchester, when a verdict was found for the plaintiff, leave being reserved to move to set that verdict aside, on the ground of misdirection.—*Temple*, Q. C. now moved pursuant to such leave. *Rule nisi.*

Seal v. Whitworth.—In this case, which was tried before Pigott, B., at Liverpool, a rule *nisi* was granted to enter the verdict for the defendant, or reduce the damages.

Parker v. Austen.—*O'Malley*, Q. C. moved for a new trial in this case, which was tried before Bramwell, B., at Bedford, and which related to a right of way, and in which a verdict was found for the defendant, on the ground that the verdict was against the weight of evidence. *Rule nisi.*

Graham v. North-Eastern Railway Company.—This was an action tried before Pigott, B., at Durham, when a verdict was found for the plaintiff.—*Mellish*, Q. C. now moved to set that verdict aside, and enter it for the defendant, or a nonsuit. *Rule nisi.*

Clue v. Hudson.—In this case, tried before Willes, J., which was an action for a promissory note, *Reynolds* moved to enter a verdict for the plaintiff *non obstante verdicto*, on the ground that the plea was no answer to the action on the note. *Rule nisi.*

Eicholz v. Bannister.—This was an action tried before Monk, Q. C., at Manchester, when a verdict was found for the plaintiff for 19*l.*, leave being reserved to move to enter a nonsuit, or a verdict for the defendant.—*Holker* now moved pursuant to such leave. It appeared that the plaintiff was a commission agent, the defendant being a dealer in job fents. In April the defendant purchased from a person who came to his warehouse, a quantity of fents, which the plaintiff soon after purchased of him for 19*l.*, paying the money at the time. Subsequently it was discovered that these goods had been stolen, and the plaintiff was compelled to give them up, and thereupon brought the present action against the defendant for the price of them. It was contended at the trial on behalf of the defendant, that there was no warranty of title in a sale of chattels; the learned judge, however, holding the contrary. *Rule nisi.*

Moon v. Hall.—This was a rule calling on the defendant to show cause why the verdict found for him should not be set aside, and a verdict entered for the defendant pursuant to leave reserved either for the full amount of the plaintiff's claim, or for such sum as one of the masters should allow and in the direction of the court on the grounds, first, that the plaintiff's undertaking did not limit his right to recover his costs to the amount mentioned in that undertaking; secondly, that the construction was for the court, but if the matter was for the jury the evidence supported the construction put upon the undertaking and documents by the plaintiff; thirdly, that the undertaking did not apply to the costs before the date of the undertaking or subsequent to the verdict or judgment.—*Giffard* (*Beasley* with him) appeared to show cause, and *Digby Seymour*, Q.C. (*Joyce* with him) in support of the rule.—(*Vide* Reports.) *Rule discharged.*

Saturday, Nov. 5.

Gaved v. Martyn.—Tried at the last assizes in Cornwall, before T. Chambers, Q.C., Common Serjeant.—*M. Smith*, Q.C. moved pursuant to leave reserved to enter the verdict for the plaintiff, or for a new trial, on the ground of misdirection. *Rule nisi.*

Bourne v. Fosbrooke.—Trover; tried at the last assizes in Leicestershire, before Channell, B.—*O'Malley*, Q.C. (*Markby* with him) moved, pursuant to leave reserved, to enter the verdict for the plaintiff for 2*l.* *Rule nisi.*

Swire v. Leach.—Trover for pawnbroker's pledges; tried before Pigott, B., at the last assizes at Liverpool.—*Mont*, Q.C. moved to enter a nonsuit or a verdict for defendant, pursuant to leave reserved, or for a new trial, on the ground that the damages had been estimated on a wrong principle. *Rule nisi.*

Elgood v. Christie.—Infringement of patent; tried before Erle, C.J., at the sittings at Guildhall, after last Trinity Term.—*Bovill*, Q.C. (*Murray* with him) moved, pur-

...ant to leave reserved, to enter a verdict for the defendant, or for a new trial, on the ground of misdirection, that the verdict was against the weight of evidence, and on affidavits.

Rule refused to enter the verdict for the defendant; rule nisi on the other grounds.

Farnworth v. Hyde.—*E. James* (*T. Jones* with him), moved pursuant to leave reserved, to enter a verdict for the defendant, or to reduce the damages. *Rule nisi.*

Hall v. Payne.—Tried before Willes, J., at Guildhall.—*Huddleston*, Q.C. moved, pursuant to leave reserved, to enter a verdict for the plaintiff, for a sum to be fixed by the court. *Rule nisi.*

Whitley v. Kingdon.—Tried before Blackburn, J., at the last assizes at Leeds.—*Kemplay* moved to enter a verdict for the defendant, pursuant to leave reserved, or for a new trial, on the ground of misdirection. *Rule refused.*

Gard v. Martin.—In this case, in which *M. Smith*, Q.C. had moved for a rule earlier in the day,—*Karslake*, Q.C. (*Pasir* with him), for the defendant, moved for a cross-rule. *Rule nisi.*

Wiley v. Allen.—*Powell*, Q.C. moved for a new trial, on the ground that the verdict was against the weight of evidence. *Rule refused.*

Monday, Nov. 7.

Hunt v. Saunders.—Tried before Erle, C.J., at Guildhall—*Swell*, Q.C., for the defendant, moved for a new trial on the ground that the verdict was against the weight of evidence, or for the reduction of damages. *Rule nisi.*

Cribb v. Curtis.—Tried before Cockburn, C.J., at the last assizes at Liverpool.—*E. James*, Q.C., for the defendant, moved, pursuant to leave reserved, to reduce the damages, or to enter the verdict for the defendant. *Rule nisi.*

Bullard v. Butcher.—Tried before Willes, J. on Thursday last.—*Pearce* moved for a new trial, on the ground that the damages were excessive. *Rule refused.*

Baker v. The Metropolitan Railway Company.—Action brought under sect. 68 of the Lands Clauses Consolidation Act 1845, to recover compensation for a leasehold house of the plaintiff's taken by the defendants, tried before Erle, C.J. at the sittings at Westminster after last Trinity Term.—*Keane*, Q.C. (*H. Lloyd* with him), for the defendants, moved, pursuant to leave reserved, to enter a verdict for the defendants, on the ground that there was no evidence that they had taken possession of the house. *Rule refused.*

Wilkes v. North.—Tried before Keating, J.—*Field*, Q.C. for the defendant, moved for a new trial, on the ground that the verdict was against the weight of evidence. *Rule nisi.*

Bourke v. Fosbrooke.—In this case, in which *O'Malley*, Q.C. moved on Saturday, *Keane*, Q.C., for the defendant, moved for a cross-rule. *Rule nisi.*

Hall v. Nuttall.—*Quain* for the defendant moved for a rule calling on the plaintiff to show cause why the postea and record should not be amended, the judgment set aside, and the taxation of costs reviewed. *Rule nisi.*

Hinves v. Mendel.—*Hannen*, for the defendant, moved to set aside the verdict entered for the plaintiff at the last assizes at Guildford, on affidavits of merits, and of the defendant having been unprepared to try in consequence of the rapidity with which the previous causes in the list had gone off. *Rule nisi.*

Cobbett v. Knowles.—*E. Lloyd*, for the plaintiff, moved for a new trial, on the ground that the verdict was against the weight of evidence. *Rule refused.*

Doggett v. Cattarn.—Tried before the under-sheriff.—Holmes moved pursuant to leave reserved to enter a verdict for the plaintiff. *Rule nisi.*

Saunders v. Best.—Tried before the under-sheriff in Worcestershire.—*Pritchard* moved pursuant to leave reserved to enter a verdict for the defendant or a nonsuit. *Rule nisi.*

Lamotelet v. Halliday.—Tried before Erle, C. J., at the sittings at Guildhall after last Trinity Term.—*Lush*, Q.C. (*F. M. White* and *Lumley Smith* with him), for the plaintiff, moved for a new trial on the ground of misdirection, and that the verdict was against the weight of evidence.

Rule refused on the ground of misdirection; rule nisi on the ground that the verdict was against the weight of evidence.

Tuesday, Nov. 8.

Barber v. Marriott.—This was an action tried at Guildhall at the sittings after last term, when the defendant, not being present, a verdict was found for the plaintiff.—*Twentman* now moved for a rule calling on the plaintiff to show cause why a new trial should not be had, and also why the defendant, who had been arrested after the judgment was signed, should not be discharged from custody upon paying the money claimed into court. *Rule nisi.*

Robinson v. Wing.—This was an interpleader issue, directed to try the right of some household effects belonging to a Mr. Berkeley. The plaintiff claimed them under two bills of sale given in Aug. 1861 and Feb. 1863, the first being taken from the Sheriff of Middlesex, and the second from Mr. Berkeley, and the defendant claimed the goods as execution-creditor. The cause was tried before Williams, J., at Guildhall, when a verdict was found for the plaintiff. It appeared that the plaintiff was an agent, and acted as such for a Mr. Montague, a friend of Mr. Berkeley's. Montague had furnished the money for which the bills of sale were given, but not wishing to appear in the matter the documents were made out in Robinson's name. On behalf of the defendant it was contended that the 2nd section of the Bills of Sales Act stated that if a bill of sale were given subject to any defeasance or condition, or declaration of trust, the same must appear upon the deed, or otherwise it should be null and void to all intents and purposes, and that these bills of sale were invalidated, because it did not appear that Montague was the real party. A rule to set aside the verdict having been obtained, *Henry James* now showed cause.—*Serjt. Q.C.* and *Keane*, Q.C. appearing in support of the rule.—(To be reported.) *Rule discharged.*

Smith v. Shekelton.—In this case *Parry*, Serjt. moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and entered for the defendant, on the ground that the correspondence did not prove the construction which had been put upon it. *Rule nisi.*

Conway and Wife v. Weston.—This was an action to recover damages for false imprisonment of the wife, upon the charge of having stolen a blanket from a coffee-house, where she had been lodging with her family. A rule having been obtained on a former day, calling on the plaintiff to show cause why the verdict found for him should not be set aside, on the ground that there was no evidence that the defendant had given the female plaintiff into custody; the case now came on for argument, when *T. B. Williams* appeared in support of it, no counsel appearing to show cause. *Rule discharged.*

The days fixed for the appeals from the decisions of the revising barristers are the 18th, 19th, 22nd and 23rd.

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Michaelmas Term 1864.

Wednesday, Nov. 2.

Caddick v. Terry.—Tried at Worcester, before Shee, J.: verdict for the plaintiff for 23*l.* 5*s.* It was an action for the value of a quantity of hops, for which there had been an order in writing. There was a correspondence between the parties, and *Huddleston*, Q.C. moved, pursuant to leave reserved, to set aside the verdict, or for a new trial on the ground of misdirection. *Rule nisi.*

Oldham v. Shrimpton.—*W. Williams* moved for a rule to set aside the judgment and execution herein on the ground that by the arbitrators award the applicant had ten days to pay the amount awarded against him, but the execution issued in two days afterwards. *Rule nisi.*

Miller v. Dowzy (Clerk).—*A. K. Stephenson* moved for a rule calling on the plaintiff to show cause why his attorney should not deliver his bill of costs to be taxed, and why plaintiff should not pay the costs of this application. The plaintiff, a farmer, brought an action against defendant for slander; the declaration alleged the words following as such slander: "Your father made the Murrells' bankrupts and himself a rich man; and when your father dies of course you'll return the money to them, for ill-gotten money never prospers." It appeared from the affidavits that defendant had received a letter from an attorney representing plaintiff, requesting him to justify the use of such language. Defendant denied he had used it, and expressed his belief that plaintiff was mistaken. Several letters passed, after which defendant wrote to plaintiff's attorney: "If Mr. Miller really thinks I have defamed him, I see no reason why I should not endeavour to remove this impression, and therefore hereby withdraw and apologise for anything he may suppose me to have said reflecting on his honesty or integrity." Plaintiff's attorney replied: "My client is willing to accept the apology if my costs are paid, but not otherwise. If, therefore, I receive your cheque for 20*l.* on Thursday morning, you may consider the matter to be settled; otherwise I shall issue a writ." Defendant's attorney answered that his client was willing to pay costs, and required plaintiff's attorney to deliver his bill of costs. Plaintiff's attorney persisted in his original claim of 20*l.*, and finally issued a writ. On the day it was issued defendant, in a letter to plaintiff's attorney, said he did not wish the names of his friends, the Murrells, to be brought before the public in connection with their bankruptcy, and inclosed a cheque for 20*l.* Plaintiff's attorney then refused to accept it, on the ground that since he had made the offer to do so extra expenses had been incurred. *Rule nisi.*

Lawrence (Executors, &c.) v. Way.—*L. Smith* moved for an attachment herein, the interrogatories not having been answered. *Rule nisi.*

Thursday, Nov. 3.

Powell v. Canter.—An action of ejectment (tried at Warwick, before Keating, J.) by a landlord against his tenant. The plaintiff was assignee of the reversion; and the question was whether, according to the terms of the lease, the plaintiff was entitled to give notice to quit. The lease was made determinable in seven or fourteen years, "if the said parties should so think fit." A notice was given, but at the trial the plaintiff was nonsuited.—*Mellish*, Q.C. now moved, by leave, to set it aside and enter a verdict for the plaintiff. The lease must mean if either of the said parties should so think fit. *Rule nisi.*

Cook v. Bayly.—An action for malicious prosecution, tried before Martin, B. in London: verdict for plt. for 20*l.*—*Ballantine*, Serjt. moved, by leave, to enter a nonsuit, or for a new trial, on the ground that the verdict was against the evidence. Defendant had sold a horse to the plaintiff, receiving a small sum on account, and delivered the horse to a man named Sayers, who was represented to be the plaintiff's servant. Sayers sold the horse on his own account, and the plaintiff prosecuted and convicted him for doing so, and the defendant afterwards gave the plaintiff into custody, charging him with having conspired with Sayers to deprive him of his horse. *Rule nisi.*

Norton v. Blackie.—*Gibbons*, for the plaintiff, showed cause against a rule obtained to set aside the plaintiff's verdict and enter a verdict for the defendant, on the ground that there was no detention.—*Morgan Lloyd*, contra, not called upon. *Rule absolute.*

Friday, Nov. 4.

Reay (Assignee, &c.) v. Whitehurst.—Tried at Stafford before Mellor, J.: verdict for the plt. 40*l.*—*Huddleston* moved, pursuant to leave reserved, to enter a nonsuit or for a new trial on the ground that the verdict was against the evidence. It was an action of trover and detinue for a canal-boat. The boat had been claimed by a man named Cross, who said he had built it for his son, a lad fourteen years old, and gave it to him; but during the time the boy was at school he paid him 6*s.* a week for the hire of it for pocket-money. Cross became bankrupt. In 1862 the boat was seized by Cross (it having been lost in June 1860), then by defendant, and again by Cross. The bankrupt Bayly, from whom the plaintiff claimed, had discounted bills for Cross, and a verbal arrangement was come to by Cross, his son, and Bayly, that the latter should have the boat as security for the bills. Bayly afterwards owed one Hardy 75*l.* on one of the bills, and told him he might have the boat as security—this was after Bayly's bankruptcy. Cross did not identify the boat. Defendant called a witness, who said he had marked the boat with the initials J. H. C.; the boat was not so marked. The learned judge left it to the jury to say, first, whether the boat taken by defendant was ever Cross's boat? The jury found it was. Secondly, was there any real transaction between Cross and Bayly by which the property passed? The jury said there was. *Consult Mellor, J.*

Millard v. Marston.—Tried before the Secondary in London. Plaintiff nonsuited, because his wife, the chief witness, did not attend in time as a witness.—*T. Jones* now moved to set aside the nonsuit, and have a new trial. The action was for work and labour by the wife in cleaning defendant's chambers at Southampton-buildings. The wife had gone to Basinghall-street, in the City, but could not find the court where the case was to be tried. *Rule nisi.*

Saturday, Nov. 5.

Scott v. The London Dock Company.—This was an action by the plaintiff, who was an officer of customs at the docks, against the dock company, for injury he had sustained from the want of care of other servants there. The plaintiff had occasion, in pursuance of his duty, to pass under a warehouse. As he was doing so, he suddenly heard a great noise above, and immediately some bags of sugar fell upon his head, and he was thereby seriously injured. For this injury the plaintiff sued the company. The cause was tried before Martin, B., when a verdict was found, by the learned judge's direction, for the defendants.—The *Solicitor-General* (Collier) now moved for a new trial, on the ground of misdirection. The question was, whether there was any evidence to go to the jury. If there was, he was entitled to a new trial. [Martin, B.: There was not the slightest evidence of any negligence on the part of the company.] *Burn* v. *Boodle*, 2 H. & C. 722, is directly in point for the plaintiff. [Pollock, C. B.: The plaintiff was there walking in a public highway; here he was not.] That is the only distinction. But the plaintiff was where the accident happened by the orders of his superintendent, and he had as much right to be where he was as if he had been in a public highway. [Channell, B.: There is a case, I think, showing the difference between a public highway and a right of a person being in a private way by licence of the owner.] This was a point not taken at the trial. If it had been it could have been easily set right by proving he had been sent there by his superintendent. *Rule nisi.*

The Foreign Vineyard Association v. Stapleton.—Tried in London before Martin, B.: verdict for the plaintiff on the first, third and fourth issues, and for defendant on the second, fifth and sixth issues.—*Hawkins*, Q.C. now moved to enter a verdict for the plaintiff on the second, fifth and sixth, or for a new trial on the ground that the verdict was against the evidence. *Rule refused.*

Eltery v. The London, Chatham and Dover Railway Company.—Tried in London before Martin, B.: plaintiff nonsuited, with leave reserved to set the same aside.—*H. James* moved accordingly. Plaintiff had been a porter in defendants' employ, but he had been also employed as an extra guard of a luggage train from London to Dover. When the train arrived at Faringham station it became necessary to remove some trucks in the centre of the train, and some from the end were detached and started to enable this to be done. It happened that the spare line or shunt was an incline; when the trucks were put upon it plaintiff, after having looked after the points, ran after the trucks then in motion, and overtaking them applied a piece of wood called a sprag, supplied to him by the guard of the train, and which it became necessary to apply as the truck in question was not provided with a break, and as soon as he placed it before the wheel it broke into pieces and struck him upon the leg, seriously injuring him. It was contended plaintiff was acting under the orders of his superior; if he had declined to use the sprag the trucks might have proceeded down the incline and caused much damage. Plaintiff applied the only means the company had provided (for there was no break upon it) for stopping the carriage, and in discharge of his duty as servant met with the accident.—The Court said the learned judge was quite right in directing a nonsuit. *Rule refused.*

Bailey v. Price.—Tried before Martin, B.: plaintiff nonsuited. It was an action for libel. Plaintiff was a labourer; defendant superintendent of a dock. The plaintiff with others was employed on board a vessel, and the shipping clerk on board of it sent a paper to defendant on which was written, "Men detected broaching casks of wine on board the *Duke of Cornwall*"—then followed some names including plaintiff's. Defendant wrote at the end of it, "Not to be employed on board the boats, signed Enoch Price," and forwarded the paper to his employers. The question was whether this was a privileged communication, and whether there was any evidence of malice.—*G. Francis* moved to set aside the nonsuit and for a new trial. He contended that, as the men on board were employed by the shipping agents and not by the defendant, the appending of the note, "Not to be employed on board the boats," by him, went beyond his privilege—he had exceeded his duty.—The Court thought defendant had been acting in discharge of his duty, which he would have been neglecting to his superiors if he had failed to send a report to them. No doubt some casks had been partially robbed of their contents, and that fact had been brought under defendant's notice, who had acted upon it. The protection arising out of the privileged communication ought to be supported by the decision of courts of justice as much as possible; and juries ought to be directed to find in favour of such communications unless there was positive evidence to the contrary: here there was no doubt that the communication was a privileged one and the nonsuit right. *Rule refused.*

Nicholson v. The Lancashire and Yorkshire Railway Company.—Tried at Leeds, before Blackburn, J.: verdict for plaintiff 200*l.*, with leave reserved to move to enter a nonsuit.—*Overend*, Q. C. moved accordingly. The plaintiff, a tailor, was a passenger on the defendants' line of railway, and when the train by which he was travelling drew up at the platform of the station at which he wished to alight, he got out, and instead of waiting until the train drew off to cross on to the other side, over the level, which is there for the purpose of passenger traffic, he walked along the platform to pass behind the train, and falling over some baskets which had been placed there, fell over one of the carriages, and was severely injured. The negligence complained of was, that although the night was dark, the place at which the accident happened was without a light to protect passengers as they passed. The company denied that the plaintiff had any right to be where the accident happened. It was his duty to have waited until he could have passed over the usual passenger way. *Rule nisi.*

Price v. Kirkham and another.—*Field*, Q. C. moved to set aside plaintiff's verdict for 22*l.* 1*s.* 2*d.*, obtained before Martin, B., in London, and to enter a verdict for the defendant, on the equitable plea, pursuant to leave reserved at the trial. *Rule nisi.*

RIXEI v. THE LONDON AND NORTH-WESTERN RAILWAY COMPANY.—*Day* moved to set aside defendant's verdict and for a new trial. It was an action for not carrying certain looking-glasses, delivered to them to be carried to Leeds, which were smashed and in some way destroyed at the Camden-station. Defendants set up the Carriers Act, and that they were protected by it. [MARTIN, B.: The action was brought in the name of the wrong plaintiff. The property was not in him at the time when the injury or damage to the glasses occurred.] *Rule refused.*

LEA v. WALTERS.—*Wood* moved, on behalf of the plaintiff, for a rule to increase the damages of a farthing, or for a new trial. It was an action for a malicious prosecution. *Rule refused.*

HUGHES v. POTTER.—*Brett*, Q.C. moved to set aside the plaintiff's verdict for 55*l.*, obtained before Pigott, B., at Liverpool, and pursuant to leave to enter a verdict for the defendant, or to reduce the damages. It was an action of trespass for taking goods. The plaintiffs, builders at Liverpool, had taken a plot of land for building; they had entered into another agreement with Levy for part, and he had thereon built four houses, two he had let, and they were occupied. Potter, an ironmonger, applied to him to furnish the grates, &c., which he did. Levy had not paid the plaintiffs, and they, on the 9th June, put up the property by auction for sale. Levy had not paid Potter for the ironmongery; but on the 11th June gave him authority to remove or retake his ironmongery from the two empty houses, which he was about to do, or doing, when plaintiff gave Potter into custody for felony. Was there any trespass as against Hughes and Jones, who only took by agreement from Jones and Davis? Plaintiffs had neither the actual nor constructive possession, nor were they the legal owners. *Rule nisi.*

NICHOLSON v. THE LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—*E. James*, Q.C. moved in this case, tried at Manchester before the Lord Chief Justice, for a rule to reduce the plaintiff's verdict of 3000*l.* All the declaration claimed was 2000*l.* The plaintiff, who had sustained an injury of a serious kind on defendants' railway, had been a traveller at a salary of 150*l.* a-year, besides his expenses. He had been occasionally subject to fits. *Rule nisi.*

Monday, Nov. 7.

(Before POLLOCK, C.B., BRAMWELL, CHANNELL and PIGOTT, BB)

CORNISH AND OTHERS v. CLEAVE.—Ejectment to recover six houses and land in the possession of defendant and his tenants. It was tried at Exeter before Byles, J., when a verdict was found for plaintiff, and leave reserved to move to enter it for defendant or for a new trial. Plaintiffs claimed as trustees of the land. The ejectment was brought on a forfeiture of a covenant to repair in a lease granted to defendant's predecessor on the 29th Sept. 1803, for ninety-nine years, determinable on three lives.—*M. Smith*, Q.C., for defendant, now moved accordingly. There were four questions reserved: First, were plaintiffs the proper parties to bring the action, and should it not have been brought by the parish officers under sect. 17 of 55 Geo. 3, cap. 12, the lands having been held for 200 years past in trust for the poor of the parish of St. Sidwell's, Exeter? Secondly, if the trustees were the proper parties, yet the verdict could not be entered for plaintiffs because no proof had been given of the deaths of prior trustees. Thirdly, the covenant to repair did not apply to the houses which had been built on the land since the covenant in question. Fourthly, the forfeiture had been waived by receipt of rent: *(Doe dem. Jackson v. Hiley*, 10 B. & C. 885; *Rumball v. Munt*, 8 Q. B. 382.) *Rule nisi on all the points.*

NICHOLSON v. LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—POLLOCK, C.B. said:—In this case we have consulted the Lord Chief Justice, and he is of opinion that the damages were not too large, and therefore there will be no rule on that ground. We think, however, the defendants are entitled to a rule to show cause why the damages should not be reduced to 2000*l.*, on the ground that there is no power to enlarge them beyond the sum laid in the declaration. *Rule nisi accordingly.*

FOSTER AND ANOTHER v. GAMMON.—An action by plaintiffs, tailors, &c., at Oxford, to recover 56*l.* odd for goods supplied to the defendant's son. It was tried at Oxford, before Shee, J., at the last assizes, and the jury found a verdict for the plaintiff with 32*l.* 12*s.* damages, the balance of the sum claimed having been paid into court. Defendant was the son of a deceased tradesman in moderate circumstances, and was placed at Oxford with a farmer to learn the business of farming, which was to be his sole means of livelihood. He had nothing of his own, and was dependent on his mother, a widow with a small independence. The goods supplied consisted (amongst others) of a black silk velvet hunting cap at 35*s.*, a blue Melton hunting coat at four guineas, two pair of racing breeches' buckles at two guineas, a white silk racing cap at 10*s.* 6*d.*, a crimson racing jacket at three guineas, and seven pair of mauve Paris kid gloves at 28*s.* And the question was, whether such articles were necessaries for a youth in the position of the defendant's son. The jury found that they were.—*J. J. Powell*, Q.C. now moved to set the verdict aside, and for a new trial on the ground that it was against the evidence. *Rule to show cause.*

CARR v. LAMBERT.—An action of trespass, tried at York last summer, before Blackburn, J., and a verdict for plaintiff for 40*s.* damages, with leave to move to enter it for defendant. It involved a question of right of common.—*Field*, Q.C. moved for a rule accordingly. *Rule nisi.*

BROOKS AND OTHERS (Executors, &c.) v. BAYLS (P. O.).—An action by plaintiffs as executors of one Howell, deceased, to recover 3500*l.* from defendant, the then manager and registered public officer of the West of England and South Wales District Bank, at Bristol. It was tried at the last summer assizes at Bristol, before Byles, J. and a special jury, when a verdict was entered *pro formâ* for plaintiffs for 3500*l.* at the suggestion of the judge, with leave to defendant to move the court to enter it for defendant, the court to draw inferences of fact, instead of a special case. The case turned on a banking account of the deceased Howell, a timber merchant, in partnership with Leathe, and the account was kept at the bank in the names of "Howell and Leathe."—*Karslake* now moved accordingly. —By the COURT:

Rule to show cause, unless the parties agree to have a special case.

RICHARDSON v. MARSDEN.—This was an action by a market gardener to recover the value of his tenant-right on quitting some ground rented by him under lease from defendant. It was tried at Leeds at the last assizes before Blackburn J., who directed a verdict for the defendant, with leave to plaintiff to move to enter it for plaintiff, subject to a reference to an arbitration.—*D. Seymour*, Q.C. now moved accordingly: (*Webb v. Plummer*, 2 B. & Ald. 746; *Hutton v. Warren*, 1 M. & W. 466.) *Rule to show cause.*

HUBBLE v. BENYARD.—*Pritchard* moved for a rule calling on plaintiff to show cause why defendant should not be discharged from custody, and a writ of *ca. sa.* issued in the action should not be set aside. It had been before Willes, J. at chambers, on 6th Oct., and referred by him to the court. The action was by indorsee of a cheque against defendant as the maker. Defendant had executed a composition-deed under the B. A. 1861, fulfilling all the statutory requirements, and the deed had been duly registered and certificate of registration granted. After that, and after full notice, the *ca. sa.* was issued in contravention of sect. 198 of the Act. [BRAMWELL, B.: What is the answer of the other side?] They will contend the deed is invalid. But my point is that without leave of the court the *ca. sa.* could not issue. *Rule to show cause.*

BARRSELMAN v. LANGLANDS.—*Grantham* moved for a rule to show cause why defendant should not be discharged from the custody of the sheriff of Kent. He had executed a deed under B. A. 1861 on the 6th Oct. last, which was duly registered within the statutory twenty-eight days, viz., on the 29th Oct., and plaintiff had in the interval arrested him on a *ca. sa.* *Rule to show cause returnable to-day.*

WOOD v. JOHNSON.—*Prideaux* moved for a rule to discharge defendant from custody. It had been before Shee, J., at chambers, in vacation, and referred by him to the court. Defendant had executed a composition-deed under the B. A. 1861, subsequently to the arrest. The 197th and 198th sections of the Act were relied on in support of the application. *Rule nisi.*

SPECIAL PAPER.

LONGLANDS v. ANDREWS—SAME v. DOLING.—Special cases, involving the question whether toll could rightfully be demanded of county police constables, on duty, passing with a horse and cart over a road and bridge called Northam-road and Northam-bridge, in the county of Southampton. The bridge was a proprietary bridge, built under the powers of the 36 Geo. 3, c. 94, and the 38 Geo. 3, c. 64. Both cases were argued together, and turned on the construction of the 2nd, 8th, 9th, 21st, 46th, 48th and 53rd sections of the former, and the 2nd section of the latter of those Acts, as well as of the 1st section of the County Police Act, 3 & 4 Vict. c. 88, and the General Turnpike Acts, 13 Geo. 3, c. 84; 3 Geo. 4, c. 126; 4 Geo. 4, c. 95, and 2 Geo. 4, c. 77, which were much discussed in argument on both sides. *The Northam Bridge and Roads Company v. The London and South-Western Railway Company*, 6 M. & W. 428; and *Hornby v. Fraser*, in the Queen's Bench in 1862 (not reported), were also cited.—*Coleridge*, Q.C. (with him *Poulden*) argued for the plaintiff, the police constable, against the right to demand toll.—*Lush*, Q.C. (with him *C. Pollock*) for the defendants, the toll-keepers.

Curr. adv. vult.

BREES v. WILSON.—No paper books delivered.

Struck out.

PRITT AND OTHERS v. JONES.—An action on a bond conditioned for payment of 10,000*l.* to plaintiffs. There were equitable pleas to some of the counts, and pleas traversing other counts of the declaration, replications, rejoinders and cross-demurrers; but after argument on both sides, and an abandonment by defendant of his demurrer to the second count, and by plaintiffs of the demurrer to the fourth plea, it was, on the suggestion of the Court, agreed between counsel on both sides, that the facts should be turned into a special case without pleadings, some gentleman to be appointed to settle the amount due, and the costs to be costs in the cause. *Judgment accordingly.*

MURPHY v. CARAILL.—*Littler* applied for leave to set aside the nonsuit in this case, which was tried in the Passage Court at Liverpool on Thursday last. It was an action by plaintiff, a cotton porter, against defendant, a cotton merchant, for bodily injuries received by the falling of a bale of cotton, owing to its having been negligently and carelessly stowed in the warehouse rented by defendant for the stowing of his cotton.

Rule nisi, on ground that there was evidence of negligence.

MOORHOUSE v. SAWDON.—No one appeared.

BALMER v. SHUNER.—Demurrer to plea.—*M. Lloyd* argued in support of the demurrer.—*Pearce*, for defendant, could not support the plea. *Judgment for plaintiff.*

BARRSELMAN v. LANGLANDS.—*Philbrick*, for plaintiff, showed cause in the first instance against the rule obtained by *Grantham* this morning, and opposed the release of defendant from custody unless defendant could show some statutory power for the court to discharge him. Defendant relied on sect. 198; but the process was executed before registration. If he is to be released at all it must be by the commissioner in bankruptcy under the 112th section of the B. A. 1849. He cited *Ex parte Chaundy*, 5 L. T. Rep. N.S. 526; *Edwards v. Scarsbrook*, 7 L. T. Rep. N. S. 275; *Ex parte Windsor*, 7 L. T. Rep. N. S. 535.—*Grantham*, contra, relied both on sects. 197 and 198, and cited *Ilderton v. Jewell*, 9 L. T. Rep. N. S. 815; *Re Eaton*, 12 W. R. 640; and *Ex parte Brooks*, 10 L. T. Rep. N. S. 552, Ch.

Curr. adv. vult.

GARROD v. SIMPSON.—Demurrer to plea on the ground that the deed of composition set out in the plea contained no clause of release, and so could not be pleaded in bar. He cited *Ipstone Park Iron Ore Company v. Pattinson*, 9 L. T. Rep. N. S. 806, Ex.; *Wells v. Hacon*, 10 L. T. Rep. N. S. 411, Q. B.—*H. James*, contra, in support of the plea, cited *Clapham v. Atkinson*, in the Ex. Ch., 10 L. T. Rep. N. S. 908.

Curr. adv. vult.

During the argument in *Pritt v. Jones* Lord Brougham entered the court with his distinguished guests M. Berryer, M. Desmarest and M. Gournot, who were received with every token of respect by the Lord Chief Baron and the other Barons, as well as by the Bar present, who rose in a body upon their entrance. Being seated on the bench, M. Berryer entered into conversation with Mr. Baron Bramwell, on whose right hand he sat, and, with his colleagues, seemed to take much interest in the proceedings, and especially in the discussion in a subsequent case of the much-vexed question of composition-deeds under sect 192 of the B. A. 1861. Lord Brougham and his French friends remained till the court rose at four o'clock.

Tuesday, Nov. 8.

MILLER v. SHEE.—Tried at Cambridge, before Bramwell, B.—*D. D. Keane*, Q.C. moved to set aside the defendant's verdict, as being against the evidence, and also on affidavits. *Rule nisi.*

CLARKE v. WALMESLEY.—*G. Francis* moved for a rule to refer this matter to arbitration, according to the terms of agreement between the parties. The only question, it was said, between the parties was whether the cotton was in a merchantable condition, but the declaration showed the question was as to the quality. It was all within the terms of a reference mentioned by the contract. *Rule nisi to refer, or for a stay of proceedings.*

PONTIFEX v. HARRISON AND OTHERS.—*Turner* moved to set aside an order of Willes, J., staying plaintiff's proceedings for twelve months.

Court would consult Willes, J. before granting any rule.

BAKER v. LANE. *Curr. adv. vult.*

Wednesday, Nov. 9.

(Before POLLOCK, C. B., and BRAMWELL, CHANNELL, and PIGOTT, BB)

GARROD v. SIMPSON.—This case was re-argued in accordance with the desire expressed by the Court on Monday, by *Hance* for the plaintiff, and *H. James* for the defendant. *The Ipstone Park Iron Ore Company v. Pattinson*, 9 L. T. Rep. N. S. 806; 33 L. J. 193, Ex.; *Wells v. Hacon*, 10 L. T. Rep. N. S. 411, Q. B.; *Clapham v. Atkinson*, in error, 10 908; *Eyre v. Archer*, 16 C. B., N. S., 638; *Tabor v. Edwards*, 4 C. B., N. S., 1; *Symons v. George*, 10 L. T. Rep. N. S. 424; and sects. 192, 197 and 198 of the B.A. 1861, were cited and referred to. *Curr. adv. vult.*

SERMON v. HARBOUR.—*H. James* moved for a writ of revivor of a judgment for 3100*l.*, more than twenty years old, on which interest had been paid up to Sept. 1858. *Rule to show cause.*

EVANS v. JONES. *Postponed in the absence of counsel.*

The COURT here rose to prepare for the reception of the Lord Mayor.

EXCHEQUER CHAMBER.

Thursday, Nov. 3.

SITTINGS IN ERROR.

Several of the judges came into court this morning, when Lord Chief Justice Erle announced that the Court of Error would sit on the following days, and take errors from the different courts in the following manner:—

Errors from the Court of Queen's Bench, on Saturday, Nov. 26; Monday, Nov. 28; and Tuesday, Nov. 29.

Errors from the Court of Common Pleas on Wednesday, Nov. 30.

Errors from the Court of Exchequer on Thursday, Dec. 1, and Friday, Dec. 2.

LAW SOCIETIES.

LIVERPOOL LAW SOCIETY.

ANNUAL MEETING.

This society held its annual meeting on Thursday the 3rd inst., at the offices, 9, Harrington-street, Mr. W. A. Jevons, the president, presiding. Amongst those present were Messrs. Ambrose Lace, T. Avison, Woodburn, Henry Hime, Frodsham, Thomas Dodge, R. A. Payne, Clarke Aspinall, Mason, Thomas Martin, W. H. Moore, S. O. Husband, H. Hindle, Burton, W. Radcliffe, Walters, Tyndall, T. Goodall, R. F. Steble, Edward Banner, Thornely, Weir Anderson, H. Gregory, F. D. Lowndes, T. Martin, J. O. Watson, James Rowe, Cooper, W. Clare, Hon. Sec., &c.

The Secretary read a long report, which reviewed the operations of the society during the past year upon the "Partnership Law Amendment Bill;" the "County Courts Acts Amendment Bill;" the "Attorneys and Solicitors' Remuneration Bill;" the "Concentration of Courts of Justice Bill;" the "Bankruptcy Law;" the "Re-arrangement of the Assize Circuits;" "Establishment of a Local Admiralty Jurisdiction;" and other subjects.

The Chairman moved the adoption of the report, and referred to the important work the society had been engaged in during the past year. Upon the all-important question of attorneys' costs their committee had written to the Lord Chancellor, stating their views and their opinion that the remuneration of the Profession was now very inadequate; a fact that was owing in part to the number of legislative changes which had unfavourably affected an attorney's business. The committee stated in their letter what changes they thought it was desirable should be made, and to that letter the Lord Chancellor made the following reply:—"The Lord Chancellor presents his compliments to the president and committee of the Liverpool Law Society. He has received their memorial, which contains matter requiring the most serious consideration. The Lord Chancellor begs leave to suggest the propriety of their communicating with other law societies on the important subjects of their letter to him. It would afford the Lord Chancellor very sincere pleasure to be auxiliary in removing the just subjects of complaint which exist in the unfair regulations that now injuriously affect the profession of attorneys and solicitors; but this cannot be effected unless there be a pretty general agreement among the members of that profession as to the alterations that ought to be made.—Hackwood-park, Basingstoke, Oct. 22, 1864." He need scarcely say that the committee had adopted his Lordship's kind suggestion as to communicating with other law societies on the subject of their letter to him. The report was adopted *nem. dis.* The treasurer's report showed a balance of 25*l.* 6*s.* 11*d.* in the hands of the society.

The following gentlemen were appointed members of the committee for three years:—Messrs. Clare, Martin, Lowndes, Bateson, Wynne, Squarey and Duncan; and Mr. Rogerson was appointed a member of the same body for two years, vice Mr. Henry Marshall, deceased.

LEGAL NEWS.

WILLS AND BEQUESTS.—The will of Lieut.-Gen. Sir J. R. Eustace, K.H., was proved in London on the 19th ult. The executors and trustees therein appointed are the Right Hon. Robert Jocelyn, Earl of Roden, K.P., P.C., Richard Seymour Guinness, Esq., of College-green, Dublin, and Gilbert Brotherton Upton, Esq., of Austinfriars, London. The two last named are the acting executors. The will bears date July 29, 1857, and Sir John died on the 17th of August last, at Folkestone, at the age of 69. The gallant general was a brother of the late General Sir W. C. Eustace, and had served in North America, and obtained the distinguished honours of Knight Bachelor and Knight of Hanover. Sir John possessed considerable estates in Ireland, and had held the office of high sheriff for the county of Kildare. Amongst the legacies in his will is the same of Lady Maria Forester (wife of the Hon. Charles Weld Forester), youngest daughter of the Earl of Roden, to whom the testator has left a life interest in the town and lands of Balhasy, consisting of about 450 acres, which, upon her decease, will revert to his nephew, the Rev. Robert Eustace, son of the late Lieut.-General W. C. Eustace. An estate at Kilcock he has devised to his executor, Mr. R. S. Guinness. There are many legacies and annuities. The residue of his property, real and personal, he leaves to the Rev. William Arthur, of Dysart Enos, Queen's County.——The will of Vice-Admiral John Drake, R.N., of Castle Thorpe, near Stoney Stratford, Buckinghamshire, was proved in the London Court on the 22nd ult. The gallant admiral had retired from the service, and died, on the 6th of August last, in the city of Bath, having executed his will August 10, 1861. The executors and trustees therein appointed are his relict, Mrs. Eliza Adelaide Drake; Henry Style Norris, Esq., of the Colonial Office; and John Denison Jee, Esq., of Liverpool, architect. The testator has divided his funded property between his wife and son, John Horatio Drake, leaving his relict a life interest in the residue of his estate, which upon her decease will devolve to the son.——The will of Thomas Forsyth Forrest, Esq., formerly of Boldon House, near South Shields, Durham, but late of Marsden Cottage, in the same locality, was proved in London under 40,000l. personalty. The executors and trustees are Mrs. Sarah Forrest, the relict; Andrew Stoddart, Esq., of Hanworth; Stephen Hawkes, Esq., Tynemouth; and John Broughton, Esq., South Shields. To each of the executors he leaves a legacy of 100l. To his relict he bequeaths an annuity of 500l. a year, in addition to her income under marriage settlement; also his residence, with many other advantages arising from the estate. To each of his two daughters legacies of 12,000l. To his son, Thomas Forsyth Forrest, Esq., he devises his real estate, and leaves to him the residue of the personalty.——The will of General Sir Robert William Gardiner, G.C.B., K.H., of Melbourne-lodge, Claremont, Esher, and of Gun House, St. James's-park, was proved in London on the 15th ult., the executors appointed being Major-General Henry Foster, R.A., and Colonel John Wildman, 1st Dragoon Guards. To his wife, Lady Gardiner, he has bequeathed his funded and other property for life, a portion of which, upon her ladyship's decease, according to a provision previously made, will pass to his son and daughters. The residue of the funded property will ultimately revert to the testator's son, Col. Henry Lyneloch Gardiner, Royal Artillery. The personalty was sworn under 14,000l. Sir Robert was brother of the late Sir J. Gardiner, K.C.B.—*Illustrated London News.*

THE GAZETTES.

Bankrupts.

Gazette, Nov. 1.

To surrender at the Bankrupts' Court, London.

BRETHERTON, EDWARD, general merchant, Cleveland-rd. Islington. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Murray, Great St. Helens.

CROOK, WILLIAM, and MILES, LOUIS PLAYER, brewers, Forest-hill. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sols. Lawrance, Flews and Boyer, Old Jewry-chambers.

CUTHBALL, WALTER, confectioner, Charles-st. Manchester-sq. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Hampson, Connaught-ter. Paddington.

DAVIES, HENRY PARKYNS, butcher, Ipswich. Pet. Oct. 29. Reg. Roche. O. A. Canman. Sols. Nichols and Clarke, Cook's-ct. Carey-st.

DYELING, WILLIAM, butcher, Devonshire-st. Mile-end, and Charles-st. St. George's-in-the-east. Pet. Oct. 24. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

EDEN, FREDERICK, baker, Union-st. Whitechapel. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

FRENCH, WILLIAM, victualler, Robinson-ter. Deptford. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Philp, Bucklersbury.

GRIFFIN, WILLIAM, lamp and paraffin oil dealer, Church-st. Shoreditch. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

HARRIS, THOMAS, foreman to a livery-stable keeper, Englefield rd. Essex-rd. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Philp, Bucklersbury.

HOLL, CHARLES ROBERT, draper, Guildford. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sols. Lawrance, Flews and Boyer, Old Jewry-chambers.

LAWRENCE, WILLIAM, coal merchant, Winterslow-pl. North Brixton, and Prince-street, Lambeth. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sol. Gregory, Clement's-inn, Strand.

LEE, EDWARD JOHN SMYTH, newspaper editor, Grafton-st. Tottenham-ct.-rd. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Farrand, Serle-st. Lincoln's-inn-fds.

MILLARD, WILLIAM, beerhouse-keeper, Brunswick-st Islington. Pet. Oct. 24. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

MUMFORD, WILLIAM, and MUMFORD, HENRY, boot and shoe makers, Kingston-on-Thames. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sols. Wilkinson and Matthews, Cannon-row, Westminster.

RUSSELL, OWEN, wood turner, Bethnal-gn.-rd. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

SAUNDS, WILLIAM, general dealer, Batley. Pet. Oct. 22. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

SAY, JAMES, grocer, North Hyde, Southall. Pet. Oct. 29. Reg. Roche. O. A. Canman. Sol. Marshall, Hatton-gdn.

SMITH, JOHN ROBERT, commercial traveller, Hawthorn-grove, Penge. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Buchanan, Basinghall-st.

OLIVER, THOMAS NEWMAN, cocoa nut matting manufacturer, Old Pickett, Old Change, and Commercial-rd Lambeth. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sols. Van Sandau and Cumming, King-st. Cheapside.

ORCHARD, FRANCIS, jun., accountant, Swan-alley, Moorgate-st. Pet. Oct. 24. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

PARKIN, WILLIAM DOUGLAS, builder, Malvern-ter. Kilburn. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sol. Hewitt, Nicholas-la

PAYE, WILLIAM THOMAS, outfitter, Lymington. Pet. Oct. 14. Reg. Roche. O. A. Canman. Sols. Head and Phelps, Gresham-st.

ROBERTS, THOMAS, gas apparatus manufacturer, Chandos-st. Covent-gdn. and Morden-rd. Merton. Pet. Oct. 28. Reg. Roche. O. A. Canman. Sol. Tyrrell, Gray's-inn-sq.

RUSSELL, HENRY, woollen merchant and clothier, Aldermanbury. Pet. Oct. 15. Reg. Roche. O. A. Canman. Sols. Torr, Janeway and Co. Bedford-row.

SWIFT, JOSEPH, professor of singing, Drummond-st. Euston-rd. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sol. Levy, Henrietta-st. Covent-gdn.

TAYLOR, WILLIAM, grocer and cheesemonger, Prince Patrick-pl. Millwall. Pet. Oct. 17. Reg. Roche. O. A. Canman. Sols. Wood and King, Basinghall-st.

TIMMS, WILLIAM, carman, Grafton-rd. Kentish-tn. Pet. Oct. 25. Reg. Roche. O. A. Canman. Sols. Wood and King, Basinghall-st.

TROLSCHEL, JACOB, bread and biscuit baker, Providence-pl. Vauxhall bridge rd. Pet. Oct. 27. Reg. Roche. O. A. Canman. Sols. Lewis and Sons, Wilmington-sq.

TYLDSAT, JOSEPH, furniture dealer, White Hart-st. Drury-la. Pet. Oct. 24. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

WILLIAMS, WILLIAM CHARLES HADDY, veterinary surgeon, Croydon. Pet. Oct. 24. Reg. Roche. O. A. Canman. Sols. Harrison and Lewis, Old Jewry.

To surrender in the Country.

ALTY, HUGH, farmer, Farrington, Preston. Pet. Oct 24. Reg. & O. A. Dunn. Sol. Gardner, Manchester.

ASLEBROOK, FREDERICK, and HILEY, WILLIAM, smallware dealers, Nottingham. Pet. Oct. 27. Reg. & O. A Fatchitt. Sol. Ashwell, jun. Nottingham.

ATKINS, CAROLINE, haseller, High Orchard, Gloucester. Pet. Oct. 28. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol.

BEVAN, HENRY LEA, merchant's clerk, Birkenhead. Pet. Oct. 28. O. A. Turner. Sols. Bateson, Robinson and Morris, Liverpool.

BLACKSHAW, THOMAS, grocer, Fishergate, Preston. Pet. Oct. 17. Reg. Macrae. O. A. Morgan.

BOULTON, THOMAS, potter, Longbridge, Wolstanton. Pet. Oct. 29. Reg. & O. A. Challinor. Sol. Tomkinson, Burslem.

BROOKES, JOHN, clogger, Rochdale. Pet. Oct. 27. Reg. & O. A. Woods. Sol. Whitehead, Rochdale.

BURGESS, ANN, salt manufacturer, Winnington-hill, Northwich. O. A. Turner. Sols. Littledale, Ridley and Hardwell, Liverpool

BYRNE, ROBERT, clock and share broker, Liverpool. Pet. Oct. 19. O. A. Turner. Sols. Norris and Son, Liverpool.

CARTER, GEORGE, victualler, Newport. Pet. Oct. 20. Reg. & O. A. Roberts. Sol. Goodere, Newport.

CHAPPELL, JOHN, scribbling miller, Horbury. Pet. Oct. 24. Sols. Rayner, Horbury; Stead and Barwick, Leeds.

CLARKE, WILLIAM, grocer, Carmarthen. Pet. Oct. 27. Reg. & O. A. Lloyd. Sol. Jeffries, Carmarthen.

COOPER, JOHN, boot and shoe maker, Ledworth. Pet. Oct. 27. Reg. & O. A. Brooks. Sol Hibbert, Hyde.

COWAP, EDMUND STEPHENSON, manager of an oil and grease works, Chester. Pet. Oct. 24. Reg. & O. A. Wason. Sol. Cartwright, Chester.

CURRY, JOSEPH, horsedealer, Thirsk. Pet. Oct. 24. O. A. Young. Sols. Robinson, Richmond; Stead and Barwick, Leeds.

DAVOCK, THOMAS, army contractor, Manchester. Pet. Oct. 24. Reg. Macrae. O. A. Morgan. Sol. Stead, Manchester.

DEAN, JAMES, tailor and draper, Burnley. Pet. Oct. 26. Reg. Macrae. O. A. Morgan. Sols. Hackhouse and Whitham, Burnley; Cobbett and Wheeler, Manchester.

DILLOW, THOMAS, labourer, Moulton. Pet. Oct. 29. Reg. & O. A. Dennis. Sol. Cook, Wellingborough.

DRAGE, THOMAS, grocer and labourer, Roscat. Pet. Oct. 27. Reg. & O. A. Burnham. Sol. Cook, Wellingborough.

DUNSTAN, JOSEPH, merchant, Truro. Pet. Oct. 12. O. A. Parkyns. Sols. Carlyon and Paull, Truro; Terrell, Exeter.

ELSWORTH, WILLIAM, millowner, Bramley. Pet. Oct. 27. O. A. Young. Sol. Hill, Bradford.

GILL, ROBERT, innkeeper, Leeds. Pet. Oct. 22. O. A. Young. Sol. Rooke, Leeds.

GOOD, TRACY, tailor, Weobly. Pet. Oct. 20. Reg. & O. A. Robinson. Sol. Gerrold, Hereford.

GOYDER, ISAAC, innkeeper, Taunton. Pet. Oct 29. O. A. Parkyns. Sols. Pinchard and Son, Taunton; Clarke, Exeter.

GRIFFITHS, JOSEPH, cab.-maker and upholsterer, Shrewsbury. Pet. Oct. 24. O. A. Poole. Sol. Dickin, Shrewsbury.

GUEST, JOSEPH, victualler, Bilston. Pet. Oct. 27. Reg. Hill. O. A. Klanear. Sols. Messrs. Underhill, Wolverhampton; Green, Birmingham.

HALLAM, WILLIAM, potter, Fenton, Stoke-upon-Trent. Pet. Oct. 21. Reg. & O. A. Keary. Sol. Mason, Hanley.

JACOB, JAMES, carpenter, Northampton. Pet. Oct. 20. Reg. & O. A. Dennis. Sols. Roche and Son, Northampton.

JOHN, JOHN, beer retailer, Cardiff. Pet. Oct. 24. Reg. & O. A. Langley.

JONES, WILLIAM, builder, Liverpool. Pet. Oct. 27. O. A. Turner. Sol. Husband, Liverpool.

KNIGHT, JOSEPH BENTLEY, greengrocer, Stockport. Pet. Oct. 19. Reg. & O. A. Coppock.

LEMON, JOHN LIONEL, theatrical manager, Birkenhead. Pet. Oct. 27. Reg. & O. A. Hulton. Sol. Swan, Manchester.

MANSER, RICHARD, pork butcher, Eastbourne. Pet. Oct. 27. Reg. & O. A. Blaker. Sol. Lamb, Brighton.

MCDOWELL, JAMES, marine-store dealer, Chatham. Pet. Oct. 19. Reg. & O. A. Acworth.

NEATHAM, HENRY WILLETT, draper's assistant, Newbury. Pet. Oct. 29. Reg. & O. A. Vines. Sol. Cave, Newbury.

NEWTON, HORATIO, chemist and druggist, Sheffield. Pet. Oct. 19. Reg. & O. A. Wake and Rodgers. Sol. Fretwell.

OWEN, GEORGE, grocer, St. David's. Pet. Oct. 27. Reg. Wilde. O. A. Acraman. Sols. Davies, Haverfordwest; Nelder and Bramble, Bristol.

PENNOCK, EDWARD, hawker, Salford. Pet. Oct. 22. Reg. & O. A. Dunn. Sol. Gardner, Manchester.

PLUMMER, ROBERT, stuff manufacturer, Leeds. Pet. Oct. 28. O. A. Young. Sols. Norris and Sons, Leeds.

POWELL, JOSEPH, tailor and small farmer, Askham Bryan. Pet. Oct. 27. Reg. & O. A. Perkins. Sol. Mason, Castlegate, York.

RAWLINGS, JOHN, cordwainer, Weetton Bassett. Pet. Oct. 24. Reg. Wilde. O. A. Acraman. Sols. Pratt, Weetton Bassett; Treherne, Bristol.

RIDDY, JOHN KAY, tin-plate worker, Bury. Pet. Oct. 28. Reg. & O. A. Grundy. Sol. Anderton, Bury.

ROBERTS, LEVY, table-blade maker, Sheffield. Pet. Oct. 17. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield.

ROBSON, CHARLES POPE, chemist and druggist, Salford. Pet. Oct. 29. Reg. & O. A. Hulton. Sol. Boote, Manchester.

SHEELOCK, CHARLES, blacksmith, Irlam, Warrington. Pet. Oct. 22. Reg. & O. A. Dunn. Sol. Gardner, Manchester.

SIMPSON, JOSEPH, builder, Newcastle. Pet. Oct. 24. Reg. Gibson. O. A. Laidman. Sol. Joel, Newcastle.

SMALES, THOMAS GIBSON, butcher, Stockton-on-Tees. Pet. Oct. 21. O. A. Young. Sol. Emsley, Leeds.

SMITH, ELIZABETH, provision shopkeeper, Wrightington, Wigan. Pet. Oct. 22. Reg. & O. A. Dunn. Sol. Gardner, Manchester.

SMITH, FYOE, fowl dealer and pork butcher, Warrington. Pet. Oct. 27. Reg. & O. A. Nicholson. Sol Moore, Warrington.

STOKES, THOMAS, porter, Liverpool. Pet. Oct. 28. Reg. & O. A. Hime. Sol. Hughes, Liverpool.

SYKES, BENJAMIN, watchmaker and jeweller, Lancaster. Pet. Oct. 28. Reg. & O. A. Dunn. Sol. Gardner, Manchester.

TINSLEY, WILLIAM, commercial traveller, Teignmouth. Pet. Oct. 22. Reg. & O. A. Pinsley. Sol. Baker, Newton Bushel.

TOOLE, WILLIAM JAMES, hairdresser, Leeds. Pet. Oct. 27. Reg. & O. A. Sangster. Sol. Earle, Leeds.

WATSON, JOHN, cotton manufacturer, Burnley. Pet. Oct. 26. Reg. Macrae. O. A. Morgan. Sols. Hartley, Burnley; Boote, Manchester.

WILLIAMS, THOMAS, boiler maker, Manchester. Pet. Oct. 22. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester.

WILLIAMS, THOMAS LLOYD, coal merchant, Welshpool. Pet. Aug. 18. Reg. & O. A. Harrison. Sol. Jones, Welshpool.

WOOD, JOHN, fishmonger, Huddersfield. Pet. Oct. 18. Reg. & O. A. Jones. Sol. Taylor, Huddersfield.

Gazette, Nov. 4.

To surrender at the Bankrupts' Court, London.

ADKINS, THOMAS KILLINGWORTH, miller, Wallingford. Pet. Nov. 1. Reg. Hazell. O. A. Graham. Sols. White and sons, Bedford-row.

BRADLEY, WILLIAM, boot and shoe manufacturer, Hackney-rd. Pet. Nov. 1. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st.

BREWER, PETER ADAM HUBERT, general merchant, Lower Thames-st. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Silvester, Great Dover-st Newington.

BROWN, GAIUS, jun., rakemaker, Bushey-heath, Hertfordshire. Pet. Nov. 2. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn.

CATER, THOMAS LEWIS, merchant's clerk, Stanley-st. New-cross. Pet. Nov. 2. Reg. Brougham. O. A. Edwards. Sols. Roberts and Vaughan, Bucklersbury.

CODD, HIRAM, and LORIMER, GEORGE BENJAMIN, cork merchants, Glasshouse-st. Regent-st. and Crutched-friars. Pet. Oct. 12. Reg. Roche. O. A. Canman. Sol. Levy, Surrey-st. Strand.

DAVEY, WILLIAM TURNER, photographer, New-rd. Shepherd's-bush. Pet. Nov. 2. Reg. Roche. O. A. Canman. Sol. Marrough, Warwick-st. Gray's-inn.

DEBENHAM, JOHN DANIEL, plumber, Cane-pl. Hammersmith. Pet. Nov. 2. Reg. Roche. O. A. Canman. Sol. Marshall, Lioc.-inn-fds.

DORRELL, FERDINAND FREDERICK, and DORRELL, LAMBERT MATTHEW, iron and brass founders, Battersea-sq. Battersea. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Atkinson, Bedford-row, Holborn.

FIELD, THOMAS, brickmaker, Seratage, near Hounslow. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Marshall, Lincoln's-inn-fds.

FRANCKELING, JOHN, brace and belt manufacturer, Little Britain. Pet. Nov. 1. Reg. Brougham. O. A. Edwards. Sol. Pope, Old Broad-st.

GIBBS, EDWARD JAMES, schoolmaster, Warrington gdns. Paddington. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Angell, Berners-st. Oxford-st.

HEPBURNE, COSMO ALEXANDER, tailor, Acuba-villa, Lower Norwood. Pet. Oct. 24. Reg. Roche. O. A. Canman. Sol. Lander, Carlton-rd. Kilburn.

HORWELL, JOHN, cheesemonger, Leather-la. Holborn, and Brill-row, Somers-tn. Pet. Nov. 1. Reg. Winslow. O. A. Graham. Sols. Peek and Downing, Basinghall-st.

KEDDLE, JOHN SHERING, no occupation, Uxbridge. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sols. Wood and King, Basinghall-st.

LEAKE, WILLIAM WARLTERS, in no business, Wingfield. Pet. Nov. 2. Reg. Roche. O. A. Canman. Sol. Buchanan, Basinghall-st.

LIGHT, JOSEPH, cheesemonger, Osterham, Chertsey, and Portland-pl. Wandsworth-rd. Pet. Nov. 2. Reg. Roche. O. A. Canman. Sol. Waldron, Lamb's Conduit-st.

MCCARTER, HENRY CORNELIUS, foreman to a gasfitter, Petter-la. Reg. Macrae. O. A. Canman. Sol. Aldridge, Moorgate-st.

OELRICHS, WILLIAM, manufacturer and importer of trimmings and foreign goods, Bread-st. Cheapside. Pet. Oct. 15. Reg. Roche. O. A. Canman. Sol. Zimmerman, Claremont-sq.

OTTEWILL, THOMAS, photographic apparatus maker, Charlotte-ter. Islington. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Earle, Bedford-row, Holborn.

READ, WILLIAM CHARLES, instructor in gunnery, Gun-la. Limehouse. Pet. Nov. 2. Reg. Winslow. O. A. Canman. Sol. Buchanan, Basinghall-st.

ROBERTS, JAMES, plumber, Margaret-st. Hackney-rd. Pet. Nov. 1. Reg. Winslow. O. A. Graham. Sol. Marshall, Hatton-gdn.

SHARWOOD, WILLIAM JAMES, wholesale druggist, Lower Thames-st. Pet. Oct. 7. Reg. Roche. O. A. Canman. Sols. Head and Pattison, Martin's-la. Cannon-st.

SMITH, ROBERT, builder, Chalk Farm-rd. Camden-tn. Pet. Nov. 1. Reg. Winslow. O. A. Graham. Sol. Peckham, Gt. Knightrider-st. Doctors'-commons.

SOLLER, JOHN HENRY, watchmaker, St. John-st.-rd. Clerkenwell. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Marshall, Lioc.-inn-fds.

STAVELEY, MICHAEL, confectioner, George-st. Grosvenor-sq. Pet. Oct. 29. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

TAPPING, JAMES, grocer, Chatham-st. Battersea-pk. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Chipperfield, Trinity-st. Southwark.

TODD, RALPH, lodging-house keeper, Regent-sq. Gray's-inn-rd. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Aldridge, Moorgate-st.

WARDROP, JAMES, wine merchant, Little Tower-st. Pet. Nov. 2. Reg. Roche. O. A. Canman. Sol. French, Cratched-friars.

WILLIAMS, JOHN, coffee-house keeper, Beckbarrah-la. Whitechapel. Pet. Oct. 31. Reg. Roche. O. A. Canman. Sol. Solomon, Finsbury-pl.

To surrender in the Country.

ADAMS, JOHN, painter and glazier, Oxford. Pet. Oct. 27. Reg. & O. A. Dudley.

AUSTEN, SEPTIMUS, beershop-keeper, Brenchley. Pet. Oct. 31. Reg. & O. A. Alleyne. Sol. Morgan, Maidstone.

BEER, JOHN, farmer, Prodesley-park, Dorrington. Pet. Nov. 1. Reg. Hill. O. A. Klanear. Sols. Keough, Shrewsbury; Collis and Ure, Birmingham.

BRAZIER, GEORGE, sawyer, Hastings. Pet. Oct. 31. Reg. & O. A. Young. Sol. Birch, Hastings.

BURRIDGE, WILLIAM, labourer, Snetlisham. Pet. Oct. 29. Reg. & O. A. Wilson. Sol. Wilkin, King's Lynn.

CALLAWAY, HENRY, clerk, Southsea. Pet. Oct. 31. O. A. Howard. Sol. Cousins, Portsea.

CARTER, JOHN, grocer and provision dealer, Weaverham. Pet. Nov. 2. Reg. & O. A. Cheshire. Sol. Trafford, Northwich.

COOPER, WILLIAM, farmer, Bow, Devon. Pet. Oct. 31. O. A. Parkyns. Sol. Friend, Exeter.

CRANE, FRANCIS, bricklayer, Whitwick. Pet. Oct. 31. Reg. & O. A. Dewes. Sol. Dewes, Ashby-de-la-Zouch.

CURTIS, JOHN, auctioneer, Ore. Pet. Oct. 29. Reg. & O. A. Young. Sol. Shorter, Hastings.

DENMAN, JOSIAH, out of business, Broadbottom, Mottram. Pet. Oct. 31. Reg. and O. A. Brooks. Sol. Gardner, Manchester.

EATON, JOHN, commercial clerk, Northampton. Pet. Oct. 29. Reg. & O. A. Dennis. Sol. shoesmith, Northampton.

FARR, RICHARD, groom and horsedealer, Rochdale. Pet. Oct. 31. Reg. & O. A. Woods. Sol. Whitehead, Rochdale.

FEARNSIDE, MATTHEW LUMB, commission agent, Huddersfield. Pet. Nov. 2. O. A. Young. Sols. Floyd and Learoyd, Huddersfield; Bond and Barwick, Leeds.

FOSTER, JOHN, trainer, Hastings. Pet. Aug. 11. Reg. & O. A. Young. Sol. Hilton, Hastings.

GREGORY, JOHN, grocer, Reading. Pet. Oct. 18. Reg. & O. A. Fox. Sol. Foster, Thame.

HAIGH, ROBERT, tobacconist, Bury. Reg. & O. A. Grundy. Sol. Anderton, Bury.

HOLGATE, EBENEZER, and HOLGATE, JOHN WALMSLEY, upholsterer, Over Darwen. Pet. Oct. 31. Reg. Macrae. O. A. Morgan. Sols. Wheeler, Dean and Kendall, Blackburn; Cobbett and Wheeler, Manchester.

JACKSON, JOHN, waiter, Capel Curig. Pet. Nov. 2. Reg. & O. A. Jones. Sol. Jones, Conway.

JAMES, JAMES, innkeeper, Beaufort. Pet. Nov. 1. Reg. & O. A. Shepard. Sols. Simons and Flews, Merthyr.

JENNINGS, WILLIAM, publican, Oxford. Pet. Oct. 22. Reg. & O. A. Dudley.

JONES, EDWARD, millwright, Wheelock, Sandbach. Pet. Nov. 2. Reg. & O. A. Latham. Sols. Welch and Burdett, Sandbach and Crewe.

JONES, ROBERT, printer, Abergele. Pet. Nov. 1. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool.

JONES, THOMAS, out of business, Talley. Pet. Nov. 2. Reg. & O. A. Davies. Sol. Price, Talley.

LEWIS, KRAN, builder, Llandudno. Pet. Oct. 31. O. A. Turner. Sol. Bevi, Liverpool.

LITTLE, ARCHIBALD, innkeeper, Wigton. Pet. Oct. 31. Reg. & O. A. Ware. Sol. Carrick, Wigton.

MACKIE, JOHN JAMES, photographic artist, Great Yarmouth. Pet. Oct. 28. Reg. & O. A. Chamberlin. Sol. Diver, Great Yarmouth.

MALLOCK, ZACHARY MUDGE, retired colonel Bengal Royal Artillery, Paignton. Pet. Nov. 3. O. A. Parkyns. Sol. Easdley, Paignton; Toby, Exeter.

MASON, WILLIAM, auctioneer, Boston Spa, Bramham. Pet. Oct. 22. O. A. Young. Sols. Emsley, Leeds.

MORRIS, WILLIAM, railway porter, New Village, Wolverhampton. Pet. Nov. 2. Reg. Tudor. O. A. Klanear. Sols. Green, Wolverhampton; Messrs. Underhill, Wolverhampton.

MUNNS, JOSEPH, tailor, Haddenham. Pet. Nov. 2. Reg. & O. A. Hall. Sol. Cross, Ely.

MURPHY, JOHN, accountant, Manchester. Pet. Nov. 1. Reg. Macrae. O. A. Morgan. Sol. Hodgson, Manchester.

NEGENBORN, ALBERT, commission agent, Liverpool. Pet. Oct. 31. O. A. Turner. Sols. Forshaw, Goodman and Hawkins, Liverpool.

NEWMAN, ESTHER, schoolmistress, King's Lynn. Pet. Nov. 1. Reg. & O. A. Wilson. Sol. Wilkin, King's Lynn.

NEWMAN, SUSAN, schoolmistress, King's Lynn. Pet. Nov. 1. Reg. & O. A. Wilson. Sol. Wilkin, King's Lynn.

PAGE, SAMUEL, bricklayer, South Normanton. Pet. Oct. 31. Reg. & O. A. Hubberaty. Sol. Leech, Derby.

PALMER, ARTHUR HARE, lieutenant in H. M. service, Bath. Pet. Oct. 28. Reg. & O. A. Smith. Sol. Wilton, Bath.

PALMER, EDWARD JAMES, painter, Birmingham. Reg. & O. A. Guest. Sol. Dunn, Birmingham.

PICKARD, THOMAS, and HINDLE, WILLIAM, cloth manufacturers, Leeds. Pet. Oct. 25. O. A. Young. Sol. Simpson, Leeds.

RAPER, MARY, shopkeeper, Leeds. Pet. Nov. 1. Reg. & O. A. Sangster. Sols. Messrs. Emsley, Leeds.

REDGATE, JOSEPH, carpenter and joiner, Somercotes. Alfreton. Pet. Oct. 31. Reg and O. A. Hubberaty. Sol. Smith, Derby.

SIMPSON, THOMAS, baker, Wolverhampton. Pet. Oct. 28. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton.

SMITH, CHARLES, gardener and florist, Derby. Pet. Nov. 2. Reg. & O. A. Walker. Sol. Smith, Derby.
SMITH, JOHN, commercial traveller, Birmingham. Pet. Oct. 31. Reg. & O. A. Goode. Sol. East, Birmingham.
THOMAS, JAMES WILLIAM HOWES, in no business, Llandilo. Pet. Oct. 31. Reg. Wilde. O. A. Acraman. Solo. Pook, Basinghall-st.; Henderson, Bristol.
THORPE, WILLIAM, ironstone getter and miner, Pye hill, Selston. Pet. Oct. 31. Reg. & O. A. Hubberstey. Sol. Smith, Derby.
VAUGHAN, AMBROSE EWBANK, commission agent, Liverpool. Pet. Nov. 2. Reg. & O. A. Hime. Sol. Henry, Liverpool.
WALKER, WILLIAM, chemist, North Malvern. Pet. Oct. 31. Reg. & O. A. Gough. Sol. Averill, Hereford.
WATSON, HENRY THOMAS, merchant, Goole. Pet. Nov. 2. O. A. Young. Sole. Holden and Sons, Hull.
WHITELEY, WILLIAM, tanner, Pudsey, Calverley. Pet. Nov. 1. O. A. Young. Sol. Carr, Leeds.
WIGGLESWORTH, THOMAS, and WIGGLESWORTH, JEREMIAH, cotton manufacturers, Accrington. Pet. Nov. 1. Reg. Monroe. O. A. Morgan. Sols. Barlow, Accrington; Smith and Beyer, Manchester.
YEATES, JOHN, schoolmaster, Southport. Pet. Nov. 2. Reg & O. A. Welsby. Sol. Higginbottom, Southport.

BANKRUPTCIES ANNULLED.

Gazette, Nov. 1.

BURLING, EDWARD THOMAS, and LLOYD, HENRY, carpenters and builders, Blackheath-hill.

Gazette, Nov. 4.

MARSH, JOHN HENRY PAKENHAM, manager to a theatre, Southsea.
YEATES, JOHN, schoolmaster, Southport.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Cockcroft, E. C. clerk in Admiralty, first, 11*d.* Stansfeld, London.—*Cole*, J. W. Hackney, first, 4*s.* 8*d.* Stansfeld, London.—*Evans*, W. tailor and draper, second, 2*s.* 3½*d.* Klenner, Birmingham.—*Franklin*, T. victualler, first, 7*d.* Stansfeld, London.—*Lowe*, M. grocer, first, 6*s.* 8*d.* Klenner, Birmingham.—*Shaw*, M. widow, Tutbury, 6*s.* 2*d.* Klenner, Birmingham.—*Sowman*, H. leathercutter, first, 11*d.* Stansfeld, London.—*Stevens*, J. farmer, 1*s.* 7½*d.* Klenner, Birmingham.—*Wallinck*, D. tendealer, first, 1*s.* 10½*d.* Stansfeld, London.

Assignments.

Gazette, Nov. 1.

ABERMAN, JAMES, chemist, St. Justin Penwith. Oct. 7. Trust. W. Bracher, farmer, Andover.
ARNOLD, ELIGNA, straw hat manufacturer, Flamstead. Oct. 1. Trusts. F. Davis, boot and shoe maker, and G. Elliott, straw hat manufacturer, both Luton.
BEECH, ISAAC, draper, Galashorough. Oct. 7. Trusts. G. Watts, jun., and W. Butterfield, merchants, both Manchester.
BENTLEY, JAMES, cotton warp merchant, Leeds. Oct. 3. Trusts. J. M. Johnson, cottonspinner, Mirfield; J. Whitely, cottonspinner, and J. Gaukroger, warp agent, both Huddersfield.
BERGMAN, MORITZ, dressing bag manufacturer, Queen-st. Cheapside. Sept 30. Trusts. Z. Bamberger, custom-house agent, 81. Mary-at-hill, and E. Sells, Albion-sq. Dalston.
BOLAND, RICHARD, and BOLAND, WILLIAM, gold chain makers and jewellers, Birmingham, also Hatton-gdns. Oct. 6. Trust. V. W. Houghton, accountant, Birmingham.
COOPER, RICHARD; COOPER, JOHN; and COX, ABRAHAM, ironfounders, Birmingham. Sept. 21. Trusts R. Cashmore, iron merchant, and J. King, coal merchant, both Birmingham.
COWELL, FREDERICK CHARLES, ironfounder, Plymouth. Oct. 24. Trust. W. W. Aitken, sheriff's officer, Plymouth.
DAY, THOMAS, tailor, Bury St. Edmunds. Oct. 1. Trust. W. P. Plumptre, linendraper, Bury St. Edmunds.
DIPPIE, GEORGE HORNINGTON, grocer, Farnworth. Oct. 25. Trusts. W. Howitson, gentleman, Ferrybill, and J. Challiner, fruit merchant, Liverpool.
EVANS, JOSEPH ELBERT, grocer, Ivor. Oct 3. Trusts. G. R. Hetherington, wholesale grocer, Uxbridge, and J. R. Harris, provision merchant, Slough.
FEARNLEY, JOHN CHARLES, and FEARNLEY, JAMES, manufacturers, Dewsbury. Oct. 4. Trusts. J. Walker, woolstapler, Batley Carr, E. I. Critchley, cardmaker, and H. Shaw, traveller, both Dewsbury.
FISCHER, FREDERICK WILLIAM, gentleman, Kingston-on-Thames. Oct. 11. Trusts. W. Hunter, King Edward-st. Newgate-st. and W. Bailey, Gracechurch-st.
GREAVES, JAMES, haberdasher, Birmingham. Oct. 3. Trust. H. Welch, eating-house keeper, Birmingham.
HAIGH, CHARLES PERRY, and HAIGH, HENRY, shirt manufacturers, Great Tavistock, Holborn, and Cheapside. Oct. 3. Trusts. E. Spooner Gresham-st. and A. Knight, Cheapside, warehousemen.
HEATH, GEORGE, draper, Leek. Oct. 6. Trusts. F. Taylor and P. Gillibrand, merchants, both Manchester.
HICKS, HARRY WILLIAM, grocer, Swansea. Oct. 14. Trust. W. P. Hadden, tobacco manufacturer, Bristol.
HILL, JAMES, manufacturer, Frome. Oct. 1. Trust. G. Hinchcliffe, cord manufacturer, and E. Miller, cloth manufacturer, both Frome.
HOYLE, WILLIAM, commission agent, Rochdale. Oct. 14. Trust. E. Clegg, plumber and glazier, Rochdale.
JACKSON, JAMES, grocer and draper, Stoney Middleton. Oct. 5. Trusts. W. Booth, grocer, and J. Jones, draper, both Sheffield.
JOHNSTON, GEORGE, merchant, Mincing-la. Oct. 4. Trust. W. H. J. Dutton, colonial broker, Cullum-st.
KING, GEORGE WILLIAM; BURTON, JOHN; and HIPWELL, THOMAS, builders, Croydon. Sept. 23. Trusts. T. Goodwin, collector of taxes, Croydon, J. Hooker, oil and colourman, Croydon, and H. Booth, Bankside.
LANGSLAPPS, NATHAN, grocer, Dartford. Oct. 6. Trust. J. P. Woods, provision merchant, Suffolk-la.
MILLER, WILLIAM, victualler, Windsor-st. Putney. Oct. 3. Trust. T. J Buckton, accountant, High-st. Southwark.
MORRIS, GEORGE WILLIAM, ship and insurance broker, East India-chambers, Leadenhall-st. Oct. 26. Trusts. C. Kitts, East India merchant, East India-avenue, and J. H. Cox, provision merchant, St Mary-axe.
PARLBY, JOSHUA, farm bailiff and lawn manufacturer, Fenton, in Stoke-upon-Trent. Oct. 3. Trust. M. Ashwell, surgeon, Stoke-upon-Trent.
PURSLOW, WILLIAM HENRY, corn merchant, Pread-st. Paddington. Oct. 1. Trust. R. Newton, beer retailer, Union-st. Lisson-grove, Paddington.
ROBBINS, MARK, keeper of the british ale stores, High-st. Hoxton. Oct. 26. Trust. W. H. Betts, auctioneer, Leadenhall-st.
ROBINSON, JAMES, agent, Newcastle. Oct. 18. Trust. J. Groener, accountant, Newcastle.
ROBINSON, THOMAS, grocer, Halifax. Oct. 3. Trusts. J. Kirshaw corn miller, and J. Parrish, grocer, both Halifax.
SCHWEITZER, THEODORE RICHARD, commission merchant, Mark-la. Oct. 20. Trusts. J. Cooper, public accountant, Coleman-st.-buildings, and J. Cragg, accountant, Twickenham.
SHARROCKS, JOHN, wire netting manufacturer, Manchester. Oct. 3. Trust. N. Gould, gentleman, Manchester.
SMITH, BENJAMIN, worsteddspinner, Halifax. Oct. 12. Trust. J. Parker, woolstapler, Halifax.
SPENCER, HENRY, manufacturer, Burnley. Oct. 4. Trust. A. Haworth, commission agent, Manchester.
STEVENS, HENRY, builder, Putney. Oct. 4. Trust. R. Ohbard, merchant, Upper Thames-st. and J. Catling, brick merchant, Shepperton.
THORPE, MATTHEW, corndealer, Spalding. Oct. 11. Trusts. J. Carter, brewer, Holbeach, and T. S. Scarborough, bank manager, Spalding.
WILLINDALE, JAMES, commission agent, Huddersfield. Oct. 20. Trust. T. Colbeck, manufacturer, Huddersfield.

Gazette, Nov. 4.

BERRETON, JOHN, bricklayer and builder, Stapeley. Oct. 6. Trusts. T. Cawley, ironmonger, and R. Prince, both Nantwich.
CHESHIRE, JOHN, salt manufacturer, Anderton. Oct. 27. Trust. T. Davies, iron merchant, Northwich.
CLOGGH, WILLIAM, silversmith, Leeds. Oct. 21. Trusts. J. A. Brown, Newcastle-pl. Clerkenwell-close, E. D. Wilmott and W. Dudley, manufacturing jewellers, both Birmingham.
CORBETT, JOSEPH, builder, Birmingham. Oct. 5. Trusts. W. B. Coffin, brickmaker, Stourbridge, and H. Gurney, timber merchant, Birmingham.
DEVENPORT, ALICE, grocer and beerseller, Rochdale. Oct. 7. Trusts. J. Holden, book-keeper, Rochdale, and W. Chadwick, agent, Heywood.
HARGREAVES, THOMAS, draper and cotton manufacturer, Nelson, near Colne. Oct. 8. Trust. C. Bracewell, cottonspinner and manufacturer, Earby, near Colne.
HOWARD, SAMUEL; HOWARD, JOSEPH; and HOWARD, HENRY, machine makers, Denton. Oct. 5. Trusts. J. Burrows, Gomersall, and J. Barker, Pontefract, maltsters.
ILES, WILLIAM, innkeeper, Torquay. Oct. 7. Trusts. C. Matcham, brewer, Torquay, and W. H. Beynon, ironmonger, Torquay.
INGHAM, MARY ANN, worsted manufacturer, Godley, near Halifax. Oct. 7. Trusts. C. Tomlinson, worstedspinner, Bradford, J. Parker and J. Ogden, woolstaplers, both Halifax.
JONES, SAMUEL BELL, grocer, Worksop. Oct. 21. Trusts. A. Watson, bank manager, and J. Hoyle, linendraper, both Worksop. Sol. Whall, Worksop.
LEE, JAMES, commercial traveller, Thavies-inn, Holborn. Oct. 31. Trust. F. J. Simmer, accountant, Battersea-st. Morton.
MARRIOTT, WILLIAM, victualler, Cardiff. Oct. 5. Trust. T. White, accountant, Cardiff.
PARKIN, JAMES, tailor and draper, Deptford. Oct. 21. Trusts. G. Newman, High-st. Borough, and T. Westall, Gresham-st. woollen warehousemen.
PILKINGTON, CHARLES, cooper, Doddleston. Oct. 8. Trust. J. Myers' timber merchant, Chester.
REAY, JOSEPH, farmer, Inglewood Bank Farm, near Penrith. Oct. 27. Trusts. W. Reay, gentleman, Lazonby, and W. Hetherington, gentleman, Penrith.
SALISBURY, JOHN, auctioneer and appraiser, Blackburn. Oct. 6. Trusts. R. D. Broadbent, accountant, and J. E. Fielding, cotton manufacturer, both Blackburn.
SWEET, THOMAS WHITTLE, shipowner, Fenchurch-st. Oct. 6. Trusts. E. Hopson, Fenchurch-st., G. Sichel, Old Broad-st. merchants, and G. Hutchinson, ship and insurance broker, Billiter-st.
VICK, CHARLES RICHARD, clerk in Her Majesty's convict department, at Portsmouth, Landport. Nov. 2. Trust. W. S. Hawgood, gentleman, Landport.
WALKER, THOMAS, law stationer, Derby. Oct. 11. Trust. J. W. West, railway clerk, Derby.
WALSH, JAMES, and WALSH, RICHARD, ironfounders, Blackburn. Oct. 5. Trusts. T. Higson, joiner, and T. Brotherton, contractor, both Blackburn.
WEBSTER, ABRAM, cotton manufacturer, Langfield. Oct 5. Trusts. L. H. Sutters, cottonspinner and manufacturer, Harley Bank, J. Barker, engineer and millwright, Millwood, both in Stansfield, Halifax, and D. Lacy, cottonspinner, Langfield.

Composition Deeds.

Gazette, Nov. 1.

EVANS, DAVID, carpenter and grocer, Mount-pleasant, near Llanelly. Oct. 26. 3*s.*
FORBROKE, THOMAS DUDLEY, lieut. in 2nd regiment of foot, St. Ives. Oct. 19. 10*s* in 1 mo.
FRERE, HENRY, and FRERE, JACOB, machine clothing manufacturers, Spicer-st. Brick-la. Nov. 1. Trust L. Lang, teacher of languages, Charlotte-st. Fitzroy-sq. 4*s.* by 2 instalments—1*s.* 6*d.* in 4 days, 1*s.* on 3rd Feb and 1*s.* 6*d.* on 3rd May—secured.
HUTCHINSON, HENRY, hairdresser, Ipswich. Oct. 22. 4*s.* in 1 mo.
JONES, HENRY, draper, Hull. Oct. 26. Trust. J. Howell, warehouseman, St. Paul's-churchyard. 11*s.* by 2 instalments of 5*s.* 6*d.* each at 3 and 6 mos.—secured.
LEWIS, ISAAC, and LEWIS, ABRAHAM, picture-frame makers and gilders, East Stonehouse. Oct. 25. 2*s.* in 3 mos.
LLOYD, WILLIAM HENRY; LLOYD, JOHN ALEXANDER; and LLOYD, ALFRED ASHERNAZ, the elder manufacturers, Lea Cut Works, Limehouse, and Little Bush-la. Sept. 24. 10*s.* by 3 equal instalments on 4th April, 4th July and 4th Oct. 1865.
MILLS, ROBERT, and MILLS, JOHN, jun. drapers, Towlaw. Oct. 5. Trusts. J. Mills, draper, Bedford, and W. Black, agent, Hull. 10*s.* by 5 equal instalments, at 2, 4, 6, 9 and 12 mos.—secured.
MULREADY, JOSEPH, surgeon, Penton-st. Pentonville. Oct. 22. Trust. A. Prenton, wholesale chemist, Leadenhall-st. 20*d.* by 3 equal instalments on 1st April, 1st July, 1st Oct. 1865, 1st Jan. 1st April, 1st July, 1st Oct. 1866, and 1st Jan. 1867.
NAYLOR, JOHN, haberdasher, St. Chapel-st. Westminster. Oct. 13. 5*s.*—2*s.* 6*d.* on 13th Jan. and 2*s.* 6*d.* on 13th April.
NEVILLE, JAMES, corndealer, Liverpool. Oct. 6. Trusts. J. Kevan, widow, Waverton, near Liverpool, and J. H. Yates, secretary to the Great Ship Company, Live-pool. 3*s.* 6*d.* by 2 instalments, 1*s.* on 6th Dec. and 1*s.* 6*d.* on 6th Feb.
PERRARD, ARSENE, wine merchant, Prospect-pl. Brompton. Oct. 26. 1*s.* 6*d.* by 3 instalments of 1*s.* 2*d.* on 26th Jan. and 26th April.
ROBINSON, WILLIAM EDWARD, innkeeper, Newcastle. Sept. 30. 6*s.* 9*d.* by 3 instalments at 3 and 6 mos.—secured.
TURNER, FREDERICK, furniture broker, Holme. Oct. 21. 2*s.* on 11th Jan. 1865.
WOOD, DAVID, cloth manufacturer, Leeds. Oct. 15. 3*s.* by 2 instalments at 3 and 6 mos.

Gazette, Nov. 4.

APPLIN, GEORGE, grocer, Edward-st. Hampstead-rd. Oct. 20. 5*s.* on 2nd Nov.
ARMSTRONG, WILLIAM, grocer, Sunderland. Oct 5. 6*s.* 6*d.* in cash.
BARCLAY, JOHN, leatherdresser, Long-la. Bermondsey, and Summerrd. Croydon. Oct. 18. Trusts. G. Peirce, hide and skin broker, Birmingham, and L. Levis, gentleman, Hope-cottages, Walcot-sq. Lambeth. 1*s.* on 17th Jan.—secured.
BELL, JOHN COLLINS, linendraper, Brighton. Oct. 12. Trust. J. G. Howes, warehouseman, St. Paul's-churchyard. 7*s.* 6*d.* by 3 equal instalments, at 3, 6 and 9 mos. from 1st Oct. last—secured.
EARLE, THORNTON GROSVE, tea merchant, High-st. Newington, and St. Mary-at-hill. Oct. 19. Trust. R. Earle, gentleman, Bromley-common. 5*s.* by 2 equal instalments on 27th Dec. and 27th Feb.
FAIRMANER, GEORGE DEAN, travelling carpet bag maker, Churchpassage, Gresham-st. Oct. 27. 5*s.*—3*s.* 6*d.* on signing the deed, and 1*s.* in six weeks.
FRYER, FREDERICK AUGUSTINE, oilman, Bell-alley, Moorgate-st. and Parkster. Park-rd. New Peckham. Oct. 6. 4*s.* by 3 instalments of 1*s.* in 21 days, on 6th Dec. and 6th Feb.
GOMPERTZ, SALOMON BARNARD, diamond merchant, Bernard-st. Russell-sq. Oct. 25. 2*s.* 6*d.*
HAM, GEORGE, farmer, Clink, Frome Selwood. Oct. 7. Trusts. W. Mason, jun., gentleman, Clink, and E. Pickard, dealer, Radge. 2*s.* 6*d.* on 21st Nov.—secured.
HOLT, JOHN, beerseller, Chapelfield, near Radcliffe. Oct. 13. 2*s.* 6*d.* on 17th Nov.
KELLY, JOSEPH HENRY, victualler, Liverpool. Oct. 17. Trust. E. Roberts, accountant, Liverpool. 7*s.* 6*d.*—5*s.* on 14th Nov. and 2*s.* 6*d.* within 3 mos. of 14th Oct.
LEVY, NEWMAN, tailor, Artillery-st. Spitalfields. Oct. 18. 2*s.* 6*d.* in 3 calendar mos.
LEVY, SOLOMON, grocer, Great Yarmouth. June 24. Trusts. J. A. Archer, tobacco manufacturer, Broadway, Westminster, and W. Oyton, sen., cooper, Great Yarmouth. 4*s.* in 1 mo.
MORRISON, WILLIAM, cooper, Redmead-la. Wapping. Oct. 27. Trust. S. Philip, farmer, Lewisham, and G. W. Hutchinson, accountant, King-st. Cheapside. 10*s.*—3*s.* 6*d.* in 7 days, 3*s.* 6*d.* in 4 mos, and 3*s.* 6*d.* in 9 mos.
NELSON, HENRY, machine maker, Manchester. Oct. 7. 3*s.* 6*d.* at the office of E. Heath and Sons, Manchester, on Nov. 7.
O'HRIEN, EUGENE, provision dealer, Liverpool. Oct. 17. 5*s.* immediately.
PARRY, JOHN ROBERT, and WOODWARD, HERBERT, merchants, Cannon-st. Oct. 3. 6*s.* 6*d.* by instalments—3*s.* 6*d.* paid down, 1*s.* 6*d.* in 4 mos. and 1*s.* 6*d.* in 8 mos.
PASCOE, CHARLES EVRE, clerk in Admiralty-office, Hereford-rd.-north. Oct. 26. Trust. T. S. Robinson, Esq. Wimpole-st. Deed of arrangement to pay debts by quarterly payments of 5*l.* each.
PEET, ALEXANDER BENJAMIN, hotel keeper, Nottingham. Oct. 10. Trusts. F. Carey, tailor, and S. Clifford, builder, both Nottingham. 10*s.* by two equal instalments at 3 and 6 mos.—secured.
PURVIS, WILLIAM, baker, Staverton-row, Walworth-rd. Oct. 20. 2*s.* 6*d.* in 1 week.
RAINS, SAMUEL, grocer and provision dealer, Manchester. Oct. 13. 8*s.* by instalments of 2*s.* 6*d.* in 1 mo, 3*s.* 6*d* in 4 mos. and 2*s.* in 12 mos.
RICHARDSON, WILLIAM HAMMOND, commission agent, Railway-pl. City. Oct. 1. 1*s.* in 6 mos.
ROBINSON, ANNE ELIZABETH, and ROBINSON, EMILY, schoolmistresses, Edgbaston, Birmingham. Nov. 1. Trust S. Davies, bookseller, Birmingham. 10*s.* by 8 equal instalments of 1*s.* 2*d.*, at 3 mos. each from Feb. 1.
SIMPSON, CHARLES JOHN, ironmonger, Salisbury. Oct. 25. Trust. W. T. Simpson, auctioneer and farmer, Old Buckenham. 12*s.* on registering of deed.
STANDLEY, GEORGE, boot and shoe maker, Leeds. Oct. 24. Trusts. J. Lowley, boot and shoe maker, Leeds, and J. Hoyle, boot and shoe merchant, Manchester. Deed of Inspectorship to pay 2*s.*
WALKER, HENRY WHITTALL, chemist and druggist, Lowgate, Hull. Oct. 24. Trusts. J. H. Mitchell, boot and shoe manufacturer, Lowgate, Hull. 2*s.* at 6 and 12 mos.
WHEEN, JOHN, joiner, Sheffield. Oct. 3. 5*s.*

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

ASTON.—On the 7th inst., at 30, Pembridge-crescent, Bayswater, the wife of Joseph K. Aston, Esq., barrister, of a daughter.
HARCOURT.—On the 8th inst., at Cliff-villa, Lewisham, the wife of Clarence Harcourt, solicitor, of a son.
LAMB.—On the 8th inst., at 22, Addison-road north, Notting hill, Theresa, the wife of Douglas Lamb, Esq., solicitor, of a daughter.

DEATHS.

CHURCH.—On the 6th inst., at Spital-square, Edward Church, Esq., solicitor, in his 83rd year.
LAY.—On the 3rd inst., Mr. Daniel Lay, of Cambridge-heath, Hackney, for the last 15 years in the house of Messrs. Oliverson, Lavie and Co., of Frederick's-place, Old Jewry, solicitors, in the 63rd year of his age.
TRIMMER.—On the 2nd inst., at Alton, Henry Trimmer, Esq., of the firm of Messrs. C. and H. Trimmer, solicitors, Alton, Hants, aged 67.
WOODHOUSE.—On the 31st ult., at Honnor Cottage, Leominster, Mr. James George Woodhouse, solicitor, aged 56.
JESSOP.—On the 8th inst., Ann, wife of Walter Jessop, Esq., solicitor, Cheltenham, aged 62.

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To Readers and Correspondents.

The business of the Term has compelled the omission of much correspondence and several leading articles that were in type.

If "O. M." will send his address to Mr. C. E. Blackburn, Town Clerk's Office, Oldham, or Mr. Gache's, King's-school, Peterborough, they will answer him.

Preliminary Examination.—We have referred several of our correspondents to "O. M.," and beg to thank those who have volunteered information for their courtesy.

P. W. (Kidderminster).—Yes.

Cust and Pascoe.—We have no recollection of such a form.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The opposing views of the Advocate's duty were powerfully expressed by the ablest of the champions on either side, at the great dinner in the Middle Temple Hall.

Lord Brougham had said:

He should not liken M. Berryer to any of the great orators of classic times, but to one who was greater than them all—our own Erskine—one of the greatest advocates, perhaps, the world ever saw—and with whom M. Berryer might fairly be put in rivalry. In both of them he had remarked that faculty of conducting cases with perfect skill and matchless eloquence; and in both, above all, he had noted that indomitable courage which in the interest of their clients quailed neither before Kings, nor Courts, nor Judges. In both was observed the one great quality of an advocate, to reckon everything subordinate to the interests of his client. In this country the administration of justice depended principally on the purity of the judges; but next, on the prudence, the discretion, and the courage of the advocate; and no greater misfortune could befall the administration of justice than an infringement of the independence of the bar, or the failure of courage in our advocates.

The Lord Chief Justice Cockburn protested against this doctrine:

Much as I admire the great abilities of M. Berryer, to my mind his crowning virtue—as it ought to be that of every advocate—is, that he has throughout his career conducted his cases with unsullied honour. The arms which an advocate wields he ought to use as a warrior, not as an assassin. He ought to uphold the interests of his clients *per fas*, but not *per nefas*. He ought to know how to reconcile the interests of his client with the eternal interests of truth and justice. In all the great interests which he has upheld, M. Berryer has never forgotten the honour of the advocate, and for this I respect him as much as for the eminent talents which have cast so much lustre on his name and profession.

It was the revival of an old controversy that raged, alike among the public and the Profession, after the memorable trial of Courvoisier for the murder of Lord William Russell, where Mr. Charles Phillips, having the prisoner's confession in his pocket, endeavoured to affix the crime to one of the witnesses. The reproaches that were cast upon him for this led to the publication of a pamphlet, in which he justified his conduct, on the broad principle that the Advocate's paramount duty is to his client; and that not only he *may* do, but he *ought* to do, whatever will conduce to the interest of that client, in the cause in which he is retained, regardless of any other interests whatever.

Since that time the discussion has languished occasionally; but it has never died out among the public, and in the Profession it has been, and is, eagerly canvassed, because to us it daily presents itself in a practical form; and every solicitor who draws a brief, and every advocate who holds a brief, finds continual cause to ask himself, what instructions should I give, or what course should I pursue? Theoretically, the vast majority in both branches of the Profession probably avow the principle so eloquently expressed by the Lord Chief Justice; but practically, the majority, alike of counsel and of solicitors performing the part of the advocate, more or less recede from the professed principle, and fall into the repudiated practice. The truth is, that the boundary is very difficult to be discerned; indeed, while the one principle is clear and explicit, the other is somewhat undefined, sufficiently, at least, to furnish excuses for departures from it. Unfortunately, too, there is ever in operation upon the advocate a pressure, whose presence is not visible to others, but which is felt by himself—the desire of the client that his advocate should sacrifice all to him, the desire of the solicitor to please his client and win his cause, and the knowledge that the next brief will be given rather to the advocate who has trespassed beyond his duty than to him who has observed its limits. The Judge, the Bar, the audience and the newspapers may applaud the counsel who has adhered to the principle enunciated by the Lord Chief Justice, and exclaim against him who has followed the doctrine of Charles Phillips; but the clients will certainly prefer the latter to the former; and briefs come from clients and conduct to fame and fortune.

Nevertheless, of the rule itself there can be no serious question. The advocate is only the representative of the client; he may say and do only that which the client might rightfully say and do. So far, probably, there will be general agreement; but the question is, whether the advocate might properly do *all* that the client may rightly do? For instance, the client may *of right* vituperate his prosecutor or opponents, but the advocate may not with propriety do so. Perhaps a good deal of the difficulty that surrounds the question, as presented by the Lord Chief Justice, arises from the use of the term "justice." In the legal mind this word has a different meaning from the popular one. When laymen talk of "justice," they mean the very right; as, for instance, when they say that the advocate has no right to paralyse justice, they mean, and often assert, that if the advocate knows or believes his client to be guilty, he has no moral right to procure his acquittal, and so to defeat justice. But lawyers attach a different meaning to the word. When they talk of "justice" they mean "law," and that removes all the difficulty. The business of a Court is to administer the *law*; the duty of the advocate is to see that the case of his client is decided *according to law*. The law prescribes certain requisites before a man shall be convicted. He must be *legally* proved to be guilty, and if not so proved, he is entitled to an acquittal, though one-half the audience may have positive, and the other half moral, conviction of his guilt. The advocate may know him to be guilty, and is yet entitled, nay, it is his bounden duty, to show that there is no legal proof of guilt, and that until guilt is *so* proved, the defendant is entitled to have his innocence assumed.

But we entirely concur with Sir A. Cockburn in repudiating any right or privilege by the advocate to browbeat a witness, or to confuse or confound him, with purpose to make him conceal the truth or state what is false. We protest against any attempt, however remote, to avert the charge from him by fixing it, upon, or even pointing it at, another, without the strongest probability to be gathered from the evidence, and all attacks upon parties and witnesses, not fully justified by the proved facts of the case, and, above all, when they relate to other matters having no connection with it, and when the single purpose is to annoy, are wholly unjustifiable and discreditable, and should receive from the judge instant and indignant rebuke.

And it would be well if it were also to be deemed such an offence against professional morals as to subject the offender to that which he would fear more than aught beside—the ostracism of the Profession. Let it be understood that no barmess, no office, no honour, will be open to men guilty of these offences, and they would speedily become as extinct as is now the Old Bailey barrister of the last century.

The Bar meeting, which was adjourned before the long vacation, for the consideration of Mr. Ampherett's motion, that the report of the Law Reporting Committee be adopted, has been fixed by the Attorney-General for the first Monday after the present term, the 28th. The sides of his intent seem to have been pricked by the pamphlet which we recently disposed of, so far as it was an attack upon this journal. The writer has laboured hard in it to efface from the mind of the leader of the Bar any impression left in July last, that adjournment was regarded by many of those present, and by all distant spectators, as near akin to abortion. The meeting was not a meeting *pour rire*, although it broke up in mutual banter, and in easy ignorance of the subject, after the mover had vainly toiled to arrest the attention and inform the mind of the Bar, assembled for the second time. It was a mistake, Mr. Daniel thinks it necessary to inform the Attorney, who presided, "that the proceeding of the committee had proved a *fiasco*." We are very glad to hear it, for the credit of both these learned gentlemen, as well as of those who may purpose showing themselves in Lincoln's-inn Hall a third time to do nothing. For assuredly nothing will be done—that is, nothing ultimately effective. "Words, words, words." Why should there not be plenty of them where the vocation is wordy? Resolutions even may be passed by the two or three hundred hands which a hundred or hundred and fifty of the committee's miserable subscription list will, at the chairman's call, hold up in favour of the report. Few will care to raise a hand on the other side, for "it amuses them and doesn't hurt us."

A commercial project, started in competition with six others already established, and requiring to realise a clear profit of above 10,000*l.* a-year to pay its way, will not be set upon its legs by any amount of speeches or resolutions, stimulated by any number of pamphlets. The six established houses must first be put down, either *vi et armis*, or by drawing off to the new business, confessedly opened, as it is to be, to meet the wants of a special class of customers, all the different classes of customers who have hitherto bought of the varied supply in the existing market the article which suits each. Still, independent, free law reporting, like suicide, is going to be "put down."

What says Mr. Daniel? He asks, "Is it quite clear that reporting judicial decisions, for citation as authority, is a proper subject to which to apply the principles of free trade?" We should be content to answer this question by an appeal to the past. Reporting *cum privilegio* has been failing from year to year for the last thirty years; free reporting, during the same time, has been flourishing more and more, like a green bay-tree. How many judgments can Mr. Daniel or all the "four-and-twenty—" we beg pardon, two-and-twenty committee-men put his or their finger or respective fingers on, as being judgments which have in any tittle miscarried through the multitude of free judicial witnesses? How many judgments might not he and they point out which have been made clear and strong by authorities taken from one and another, and from all of these reports? Let the broad facts of the administration of justice during the last thirty years speak aloud, and speak none the less forcibly through the letter of Lord St. Leonards to the committee and the meeting. Nevertheless, we will be patient and bear with the speculations of Mr. Daniel. He essays to answer his own question, which we have quoted, or, rather, adopting the Socratic method, he asks another question: "Is not law reporting in our system of jurisprudence an essential part of law making; and is not law making specially matter of public concern? The raw material is beyond the reach of commerce; it consists of matters of litigation which arise in courts of justice, and can neither be increased nor modified, nor in any manner affected, either in quantity, quality, or cost, by any commercial agency. The manufactured article is the product of the labour of a privileged class, whose services must be resorted to; a state of things directly opposed to free trade. And lastly, the demand is created by the necessities of the public for a knowledge

of the law, and these exist independently of all commercial agency." Curious notions are these of commercial economy, that, because an article is specially a matter of public concern, because the supply of raw material is limited, because the article is the product of the labour of a privileged class, or because the necessities of the public create a demand for it, therefore there can be no free trade in it. Most of these properties bread making has in common with law making, but this country does not fall back centuries behind its age in having Government bakers or a Government tariff for quartern loaves. As to the privileged class, the City of London has a similarly privileged class for every trade, yet no one will say that in the City trade is not free for all beneficial purposes. Because there are worshipful companies of goldsmiths, fishmongers, and what not, Mr. Daniel would have had the Bar, duly headed, stop the new Lord Mayor the other day at the Temple gate with a petition to set up corporation workshops. But the supply of raw material is limited. Now, on the contrary, it so happens that the supply of the raw material for law reporting is the most unlimited of all supplies, for the reason that one manufacturer may make it all up, and not deprive another of a particle of the raw material if the other also likes to make it all up. What is still more wonderful, each can make it up at the same time and in the same place, without interfering with the other's labour. But then, Mr. Daniel will answer, neither manufacture is of the right stamp, it is not *cum privilegio*. Away with your *privilegium* into the dark ages of law reporting commerce. Get back to your Hallam and his barbarous *Ordonnance qui constituants les reporteurs de loys*. The question at this day is, which is the manufacture that the purchaser wants and thinks best? For an answer to this question the Bar, the solicitors, or the public, will not trust the proposed council or any other body, close or open, but only that free opinion which, as we have before said, has already pronounced its decision between the modern Holleyism and free trade in law reporting.

Not only against the difficulty of commercial competition is the adjourned Bar meeting prompted to take arms, but also against the difficulty of a want of commercial capital. Timorous young economists are thus encouraged by Mr. Daniel, still in the Socratic mode. "In the cases (and some are known to exist) in which under the present system of authorised reports, the reporter is himself the owner of the reports, and employs the publisher, and not the publisher him, does the reporter find any capital? Assuredly not. . . . What is thus done satisfactorily in a small way may, with equal satisfaction, be done in a large way. What can be effected by a meagre circulation of 300 or 400 can surely be effected by a subscription list of XXXX." The reporter who is himself the owner takes, it is scarcely necessary to say, all the venture on himself, and at the same time has entire control of his own work. He appoints himself and is liable to removal by himself only. The publisher has nothing but a percentage for the employment of his capital without risk. Now let us turn to the scheme of the committee for dispensing with any Bar capital. By article 1 "the reports recommended by this committee shall be placed under the general management and control of a council." By article 2 the editors and reporters are to have amongst them [illegible] a year. By article 3 one moiety of this is to be paid [illegible] the other moiety out of the profits of the year so far as they may be sufficient: by article [illegible] "The editors and reporters shall be [illegible] and shall be appointed and removable by the council." By art. [illegible] "the council shall contract with one or more publishers or printers, who shall take all the trouble and risk of the publication, sale and distribution of the reports, receive the subscriptions, pay all expenses and account to the council quarterly." This is the [illegible] which young gentlemen who might be [illegible] to the adjourned meeting [illegible] in a large way [illegible] in a small way," where the reporter [illegible] of his reports. In the one [illegible] the other [illegible] the committee's [illegible] should [illegible] of the [illegible] by [illegible] Mr. Daniel exhibits in an appendix [illegible] "[illegible] the committee," never put forward anything half so damaging to its character as this argument advanced in behalf of its scheme; that is, if the committee can be supposed to countenance this sort of reasoning. At such advocacy we should blush, but that thirty years' experience of the various kinds of logic by which modern enterprise is "promoted" leaves more place for caution than for emotion. We shall do more good now by turning experience to account in warning younger men against the sophistries of this pamphlet. No one of mature years can be deluded by anything so elaborately fallacious.

The letter of the excellent Lutheran minister who attended Muller upon the scaffold, has removed a doubt, which we had felt very strongly, whether he had not mistaken the convict's last words, and there had been no confession after all. It appeared passing strange that, after a positive assertion of innocence in one breath, he should in the next instant say, "I did it." Our own suspicion was that the words he really used, instead of "Ich habe es gethan"—"I have *done* it," were "Ich habe es gesagt"—"I have *said* it;" which would be the more probable response to a solemn inquiry following immediately on a declaration "I am innocent;" and it was remarkable that the added sentence, put into his mouth by the *Telegraph* and some other newspapers, was never uttered at all. But the minister explains that the assertion of innocence preceded the administration of the sacrament, and that while partak ing of the sacred rite, the priest warned him that at the last moment he should once more demand of him the truth. The solemn adjuration was given, and the confession was the answer.

It will appear strange that, but for this confession, many good people would have felt grave doubts of his guilt. Short of the evidence of an eye-witness, it would be difficult to find a case of murder more clearly proved. It would have been a serious blow to the administration of justice if this had not sufficed to procure a conviction. If by any remote possibility such a combination of facts could have accumulated against an innocent man, all that could be said would have been, that he was the most unfortunate of men; but it would have been not the less a failure of the law if he could have escaped the consequences of his ill-luck. If Muller had not confessed, if even any mind had gravely doubted his guilt as a matter of fact, his conviction would have been both right and desirable, for, if such evidence were not to suffice, crime would enjoy a practical impunity. We look upon this case in all its features—the detection, the flight, the pursuit, the curious links of evidence, the conduct of the trial by the professional men engaged on both sides, the firmness of the jury, the decision of the Secretary of State, even the investigations of the German Society, and the final conviction and confession as a magnificent triumph of British justice infinitely creditable to all concerned, and upon which none of them will ever have cause to look back with other than satisfaction.

The Public Works Act is in active operation, but its results are most unsatisfactory. Its object was, by loans at a low rate of interest in aid of local public works, to give employment to the distressed cottonspinners. But in some places, and notably in Manchester, the liberality of the public has been most grievously abused. The local authorities there have, with acuteness that would have done credit to a Yankee municipality, grasped some [illegible] of the money of the ratepayers, and applied it to the construction of waterworks, giving employment to ninety-eight only of the men for whose aid it was designed! The other great towns, conspicuous for the democratic principles which they profess, appear to have followed in the wake and the results, as compared with other [illegible] towns, is [illegible] Seven towns who have grasped loans amounting together to [illegible] have given employment by that large sum only to [illegible] factory labourers, while five towns that have taken only [illegible] have been keeping [illegible] operatives at work." This is a striking [illegible] of democracy in practice. If it would so deal with the public money while it is in a minority, how would it deal with the property of the ratepayers, if, according to Mr. [illegible]'s principle, the franchise were to be so extended downward that the taxes were to be imposed and spent by those who do not pay them? Seeing what Manchester has done with our money, what would become of us were every borough in the kingdom to be converted into a Manchester?

Another illustration has occurred of the dangers to be apprehended from the Society for the Protection of Women, with its manifold incentives to false charges. At Coventry a girl complained that a man had taken liberties with her in a railway-carriage, and she gave a minute detail of the transaction. She described the person of the alleged offender, taking for her hero some man whom she had seen in one of the carriages or on the platform. The police were dispatched in pursuit of him; but while they were absent the inspector thought he had discovered some discrepancy in her story, and on more closely examining her she confessed that the whole statement was a fabrication, invented to get clear of the station without the production of her ticket, which she had lost, or more probably which she had never taken. Now, if this had happened in London instead of Coventry, the jackalls of the Association would have caught scent of the charge, would have taken the lying young lady under their "protection," petted her, provided for her, patronised her, and arrested the unfortunate man whom she had pounced upon; thus encouraged, she would have sworn to what she had said, and a man she had only seen upon the platform might have been convicted upon her oath, unless by rare good luck he could have proved his innocence—for an *alibi* would have been impossible for him. We repeat, that it is safer to be in a railway carriage with a thief than with a woman alone, and that such an Association for the promotion of prosecution cannot but cause vastly more crime than it prevents.

THE REPORT ON THE NEW BANKRUPTCY ACT.

A general notice of this bulky blue-book, immediately on its production, appeared in our number of 29th Oct. From the conclusions there mentioned of the draft report which the chairman, Mr. Moffatt, was requested by the special committee to frame for consideration, it would seem that the strong impression which the evidence left on the minds of the members was that the Act of 1861 had turned out, in the chairman's words, "a costly failure." In fact, it has failed hitherto from the very costliness of the machinery. Its peculiar effect of passing easily and pleasantly through the court thousands of assetless men can scarcely be called a failure in its operation. That has been in accordance with its principle, which is virtually abolition of imprisonment, beyond perhaps a few weeks, for debts of all magnitudes above 20*l*., and under all or nearly all circumstances. The mischief has been, that where there was property to be realised, the greater part has gone in supplying oil for the working. This is notably shown by some of the appended documents which we propose first to notice.

The subject of expense in bankruptcy administration is treated by the report in two ways, absolutely, and relatively to other systems, of which there are three that furnish excellent means of comparison, namely, the deed system in bankruptcy, the administration of estates in Chancery, and the Scotch administration in bankruptcy. These comparisons may furnish grounds for differences of opinion, but there can be no such difference, it is apprehended, on the question of the absolute expense.

What are the average charges necessarily incidental to a petition in bankruptcy? Let us take a case which represents many a small estate. Suppose it amount to 100*l*., and the bankrupt is the petitioner. One of the commercial witnesses representing the Nottingham Chamber, Mr. Thos. Bell, puts the average charges at [illegible], thus: *Solicitor's costs*, stamp on petition, [illegible] filing, and up to adjudication, [illegible]; to first meeting (inclusive), [illegible]; to last examination, discharge and audit, [illegible]. *Messenger's costs*, up to adjudication, [illegible] 15s.; taking possession and inventory, [illegible] 10s.; possession, fifteen days, [illegible] 15s.; advertisements, [illegible]; from choice of assignees, possession ten days, [illegible] stationery and advertisements, [illegible] *Official assignee*, court's charges for examining accounts, &c., [illegible] postage, stationery, printing, &c., [illegible]; total

70*l.* 7*s.* 6*d.* If the petition is filed by a creditor, the charges prior to adjudication will be, perhaps, 5*l.* more. Of these charges the solicitor's is the most severely attacked, because "he charges by fees for everything that he does?" The witness would cut them down to 10*l.*, by contract. No doubt the sum seems large, not in relation to the solicitor's professional duties, but in relation to the system of bankruptcy administration. However, when Mr. ROEBUCK asked the witness what the solicitor's charges would be if the assets were 10,000*l.*, the witness was bound to admit that the proportion would not be anything like the preceding. To speak of the 50*l.* as a question of proportion is fallacious. If a certain procedure is made necessary in bankruptcy, and a solicitor must, in his client's interest, and indeed in many cases according to the provisions of the Act, attend to the details, the charges will run up to a considerable sum. Omitting the 5*l.* stamp, which is properly the revenue, and not the solicitor's costs, his costs in this amount are really 45*l.* while the rest of the costs is 35*l.* We are certain that the proportion of the solicitor's to the rest of the work is not any less than this, of nine to seven. The best evidence of the solicitor's labour is his detailed bill of costs which he is obliged to furnish. In the bill exhibited to the committee, of a gentleman at Leicester, who was solicitor to a Nottingham bankruptcy, in addition to the 5*l.* stamp, and nearly 4*l.* for official copies, we observe two journeys from Leicester to Nottingham, and examining and exhibiting fifty proofs, which together amounted to 12*l.* 5*s.* It is not wonderful, therefore, that his bill of costs should be in the whole 34*l.* 4*s.* 9*d.* Only the insignificant sum of 17*s.* 2*d.* was taxed off this bill.

The comparison between the expenses incurred in winding up estates under bankruptcy and assignment is very disadvantageous to the former as regards the realisation of the assets. We may begin with one instance in each, at the average percentage of each. In an estate in bankruptcy, if shillings and pence be omitted for brevity, the assets realised were 3080*l.*; the costs were, solicitor, 113*l.*; auctioneer, 160*l.*; messenger, 57*l.*; manager, 72*l.*; accountant, 10*l.*; official assignee, 64*l.*; total, 576*l.*, being 18½ per cent. In assignment the administration of an estate of 2788*l.* realised assets diminished it only 7½ per cent. Thus, solicitor's costs, 63*l.*; all other costs of realisation, 145*l.*; total, 208*l.* These particulars are supplied to the special committee by Mr. HENRY HOSKY, accountant of the city. He furnishes materials for a comparison between nine estates wound-up by bankruptcy and by assignment. They are taken promiscuously. One part of the nine is the two estates just mentioned; the other eight give, *bankruptcy* assets realised, 7475*l.*, 611*l.*, 685*l.*, 942*l.*, 1302*l.*, 893*l.*, 609*l.*, 391*l.*; expenses, 903*l.*, 210*l.*, 237*l.*, 191*l.*, 461*l.*, 139*l.*, 150*l.*, 117*l.*: *assignment*, assets realised, 8348*l.*, 776*l.*, 914*l.*, 611*l.*, 1555*l.*, 565*l.*, 731*l.*, 467*l.* The totals are, *bankruptcy*, assets, 16,000*l.*; expenses, 2996*l.*: *assignment*, assets, 16,793*l.*; expenses, 1345*l.* This comparison does not go to the whole expense of the winding-up, as the proof of debts and making the dividends are not included. Still the first consideration is the realisation of the assets. It is here that the official disintegration of estates has had such ruinous effect as to induce the LORD CHANCELLOR to appoint Mr. Commissioner AYRTON and Mr. R. P. HARDING to make the special investigation, of the results of which Manchester afforded the instructive example lately contained in this journal. So far, then, it appears that while the expenses of realisation alone are about 19 per cent. in bankruptcy, they are only about 8 per cent. in assignment.

With the view of informing the committee of the average expense per cent. of administering the estate of a deceased person in Chancery, the LORD CHANCELLOR requested the MASTER of the ROLLS to give one of his chief clerks the necessary directions. Mr. HUME, accordingly, applied to the solicitors in various matters which had been prosecuted in chambers at the Rolls for a return of the taxed costs in each case. The following is an example of Chancery administration, in expedition as well as costs. In *Watson* v. *Marshall*, the property was 4694*l.*; the administration summons was issued 17th Nov. 1862; order made 1st Dec.; usual directions and inquiries, with an additional inquiry who were the residuary legatees; chief clerk's certificate 10th March 1863; order in court, on further consideration, 20th April; costs of suit 155*l.*; pecuniary legacies paid by the Accountant-General, and residue to eleven persons, in June; the proceedings being hostile on the part of one of the defts. Two other suits show, respectively, property 13,628*l.*, summons issued 12th Jan. 1861, suit wound-up Aug. 1861, costs, 156*l.*, property 70,000*l.*; summons issued 8th July 1854; suit wound-up 23rd April 1858; costs (seven solicitors), 1131*l.* A return of the amount of assets in twelve cases named shows assets 158,404*l.*; costs, 4536*l.*, or an average of about 3 per cent. But, as Mr. HUME remarks, it is very difficult to give any correct estimate of the average expense, because in each particular case the amount must depend upon the nature of the testator's will, the state of his affairs, and the amount of the assets in each case. It is to be regretted that in this return from the MASTER of the ROLLS' chambers, no attempt was made to separate the costs of realising the estate from the costs of litigation. However, the LORD CHANCELLOR applied for the costs of administration, which would of course include the whole costs of suit.

It may be remembered that the Scotch system of sequestration and administration of insolvents' estates was recommended by the chairman's draft report, as being successful in efficacy and economy, and giving satisfaction to the trading community of that part of the kingdom. Under this system, as regulated by the Scotch Act of 1856, and described by Mr. ESSON, the Glasgow accountant in bankruptcy, and other Scotch witnesses, the administration is vested in a creditors' trustee, under their inspection. He decides in the first instance, and subject to appeal, all questions involving the rights of creditors among themselves, or of third parties. When the sequestration (that is, the judicial process for the equal distribution of the debtor's effects among the creditors) is awarded, a day is fixed for the meeting for appointment of the trustee. Experience has not shown that in the interval the property is made away with. All the creditors are called to the meeting, who bring their vouchers with them, and their claims are made out before a justice on oath. They appoint a chairman and elect a trustee, who is generally an accountant. There is rarely any competition. But Mr. S. MORLEY and other witnesses say that there is canvassing. This trusteeship is a professional occupation. The election is confirmed by the sheriff. The confirmation operates to vest the bankrupt's real and personal estate in the trustee. His title is completed by registration of an "abbreviate of adjudication," which virtually transfers the property. A trustee's disposition is considered in Scotland one of the best titles that a conveyance can carry. At this first meeting the bankrupt discloses the state of his affairs, including a list of his creditors. Also then a majority of the creditors may grant or refuse personal protection and an allowance to the bankrupt. But an allowance is not now usual. In each case there are three creditors (if so many), or mandatories of creditors appointed commissioners, whose duty it is to advise the trustee in the realisation and administration of the estate, to declare dividends, to fix the trustee's remuneration, and generally to act as a committee of advice where the trustee thinks it necessary to consult them. They act gratuitously. Next the trustee applies to the sheriff to fix a day for the bankrupt's examination, and gives notice of the day by advertisement and circular. At the second meeting the trustee produces a report exhibiting the state of the estate and the probable dividend, giving, in fact, the result of an examination of the estate. The period between the two meetings is from a week to a fortnight. After the trustee has made himself conversant with the estate, he transmits to the accountant in bankruptcy a detailed inventory of the whole estate of which the bankrupt was possessed at the time of the sequestration. This inventory forms a charge against the trustee in the realisation of the estate, from which charge the trustee must discharge himself with the accountant and with the creditors. He makes up his account from time to time; his first account four months after the award of sequestration. Calling a meeting of the commissioners, he lays the account before them with the vouchers. They audit it, for the most part, it is said, with efficiency. The trustee transmits a certified copy of the audited account to the accountant in bankruptcy. He also transmits annually to the sheriff clerk of the Sheriffs' Court, a return showing the whole state of the sequestration up to the 31st Oct. in every year. To these duties he is compelled by the accountant in bankruptcy. Generally, the trustee must afford to the accountant information on all points which he may require regarding the sequestration. The accountant knows every sequestration which is granted. If his orders are not obeyed he reports the trustee to the Court of Session or to the Lord Advocate. The accountant has no concern with the funds; his duty is entirely that of supervision. The check is exercised with accuracy and efficiency, and is stated effectually to prevent malversation by the trustee, it being nearly impossible that he should escape detection unless he practises fraud. As regards the trust-fund, he must lodge it in a chartered bank, or a bank fixed by the creditors at the first meeting, which is the usual course. If he keeps more than 50*l.* in his hands longer than ten days he is liable to a penal interest of 20 per cent. The account made up at the end of the four months shows what has been realised and is available for dividend. The commissioners resolve upon the sum to be divided. If a claim is disputed, a dividend is set aside to meet the ultimate decision. A second dividend is made in like manner at the end of eight months. The trustee, acting judicially according to his own opinion, admits, rejects, and ranks creditors, subject to an appeal to the Court of Session. The right of appeal is not frequently exercised, and is not found to interfere with the efficiency of the system. Finally, when the estate is wound-up, the trustee calls a meeting of the creditors by advertisement and circular, and lays before them the sederunt book, or record of the whole proceedings. At this meeting the creditors decide whether the trustee has administered the estate properly, and concur, or do not concur, in his application to the Sheriffs' Court or Court of Session for a discharge. The accountant in bankruptcy, who is previously furnished with the sederunt book, may interfere to prevent the trustee's discharge. For the purpose of performing the duties thus exercised by him, the accountant has three clerks and a messenger, the total cost of his office being 1500*l.* a-year. The average of the number of yearly sequestrations since 1856 has been 500, and of the gross yearly amount realised 150,000*l.* Of the trustees acting in these sequestrations, in the whole period of six years since the Act of 1856, five were removed at the instance of the accountant, and nine, in the smaller estates, absconded, involving assets to the amount of 1175*l.* Thirty-three complaints against trustees were lodged by creditors with the accountant, in seven of which the explanations were satisfactory, and sixteen were not followed up; five trustees were reported and five dismissed.

The general effect of the working of the Scotch system, as regards the assets, has been that the ordinary expenses of management have been about 12 or 13 per cent., leaving 88 or 87 per cent. for the creditors. Of the 12 per cent. the trustees' commission averages about 4½ per cent.; the law charges (including ½ per cent. the bankrupt's allowance) 3 per cent. Extraordinary charges occur in about one-third of the number of sequestrations. In those cases 10 per cent must be added. Out of a million of assets actually realised in seven years, 800,000*l.* has been paid to creditors. For the year ending 31st Oct. 1862 there were 133 sequestrations, involving 143 separate estates wound-up by final division of the funds during the year. The following is a summary of the results. The percentage of the ordinary expenses to the receipts was, on the average: total ordinary expenses (allowance, trustees' commission, law, miscellaneous), 13½; extraordinary expenses (wages and charges connected with working up materials, completing contracts, &c.), 7; funds divided among the creditors, secured and unsecured, 78½; in four cases surpluses paid over to bankrupts, ½. The average dividend to the ordinary creditors unsecured, was 3*s.* 6*d.* in the pound. The amount of the gross estates involved in these 133 sequestrations, as originally estimated by the trustees, was 282,205*l.*, or an average for each 2122*l.*: the gross receipts actually amounted to 223,237*l.*, or an average of 1618*l.*; so that, deducting the 13½ per cent. ordinary expenses, or 30,356*l.*, and the extraordinary expenses, 15,677*l.*, the remainder, available for dividends, was 177,203*l.* The time occupied in winding-up these 133 sequestrations (counting from the dates of the awards

to the dates of the trustees' discharges) has been on an average two and a half years.

Reverting to England, we find in 65 cases, taken indiscriminately from the Birmingham court: assets realised, 17,386*l.*; preferential payments, rent and taxes, 3254*l.*; surplus of assets, 14,132*l.*; against which, expenses of administration, 7828*l.*; dividends, 6030*l.*; balances undivided, 272*l.* Of these expenses the solicitor figures for 4324*l.* The deep interest, therefore, of the Profession in the proceedings which have taken place before the committee is too manifest to need remark.

(To be continued.)

SOLICITOR ELECTED TO BE MAYOR.

Richard William Ford ..... Portsmouth.

INVESTMENT JOURNAL.

The Money-market has been steady, although many new failures have been announced. Money is rapidly accumulating, in consequence of the almost entire cessation of enterprise, and the dealers have difficulty now in finding employment for it. When it is remembered that the savings of this country are estimated at nearly one million sterling per day, it will be apparent how very rapidly we must recover from a scarcity. The screw put on by the Bank is a painful, but it is an effective one. The general tendency has been upwards, as will be seen by the following table of the fluctuations of the week:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	233	...	239½	...	...
3 per Cent. Red. Ann.....	88¼	89	88¼	88¼	88⅝	88¼
3 per Cent. Cons. Ann. ...	91¼	91¼	90⅝	90⅝	90⅝	91
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894 ...	...	...	...	...	...	...
New 3 per Cent. Ann.....	89	88¼	89¼	88⅝	88⅝	88¼
New 3½ per Cent. Ann....	...	...	...	...	...	...
5 per Cent. Annuities.....	...	...	...	...	...	...
5 per Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	14¼	...	...	...	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	20	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¼	89¼	89¼	89¼	89¼	89¼
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc. 104¼		...	...	...	104¼	...
India Stock	...	...	...	...	...	...
India Stock, 1874	218	218	216	219	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888 ...	...	97	...	...	...	...
India 5 per Cents. 1870....	107¼	106¼	107	106¼	106¼	...
India Bonds (1000*l.*).....	...	...	...	...	...	...
Do. (under 1000*l.*).....	...	...	4 *d*	4 *d*	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	..	98	98	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	100	100¼	...	...	101	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*c*	*a*	*c*	*c*	*a*	...
Do. 500*l.*	...	...	*a*	*f*	...	...
Do. 100*l.* & 200*l.* 3 per c.	*a*	*c*	*c*	*g*	*g*	...
Do. Small, & 3 per c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	...	...	...	...

a June 3½ per cent. 4*s* dis
b ex div.
c June 3½ per cent. par.
d dis.
e March 4 per cent. par; June 3½ per cent. 5*s.* dis.
f March 4 per cent. par.
g March 4 per cent. par; June 3½ per cent. par.
h March 4 per cent. 4*s.* dis.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS

Equity Practice.—Where a plaintiff, who has filed a bill for relief on the ground of fraud, fails, the dismissal of the bill does not prejudice his right to apply for relief on some other grounds, as for breach of contract: (*Burdett* v. *Hay*, 11 L. T. Rep. N. S. 259. L. Ch.)

Where, in an administration suit, there was no personal estate to resort to for payment of costs, and the question which had been decided affected the interests of both heir-at-law and devisees, it was held that, the costs must be borne equally by all the testator's estates, both descended and devised, *pro ratâ* according to value, and that no particular estate could be relieved from this obligation on the ground that it was not the subject of any question in the suit: (*Bagot* v. *Legge*, 11 L. T. Rep. N. S. 263. V. C. Kindersley.)

Where one of three co-plaintiffs died two days before replication filed, without leaving any personal representative, an order for revivor was held to be necessary: (*Ure* v. *Lord*, 11 L. T. Rep. N. S. 263. V. C. Kindersley.)

Notice of Action—County Courts Act.—A notice of action under sect. 138 of the County Courts Act, which stated it to be "to recover compensation in damages for a trespass and excessive levy committed by you and your officers on, &c., by selling and disposing of certain goods and chattels in and upon the premises," is not bad for not stating whose goods were seized, nor the amount of damages sought to be recovered: (*Barton* v. *De Gros*, 11 L. T. Rep. N. S. 270. Q. B.)

Probate Court Practice.—Where an executor, after intermeddling with an estate, filed a formal renunciation and afterwards desired to be joined in the probate, the Court declared the renunciation invalid and directed it to be cancelled: (*Re Budenach*, 11 L. T. Rep. N. S. 275.)

COURT OF EXCHEQUER.

Wednesday, Nov. 2.

Miller v. The Rev. George Downy.

A. K. Stephenson moved for a rule calling on the plaintiff to show cause why his attorney should not deliver his bill of costs to be taxed, and why, on payment thereof, all proceedings in this action should not be stayed, and why the plaintiff should not pay the costs of the present application.

The plaintiff, a farmer, brought an action against the defendant for slander, the declaration charging the following slander to have been uttered by the defendant:—Your father made the Murrells bankrupts and himself a rich man, and when your father dies, of course, you'll return the money to them, for ill-gotten money never prospers."

It appeared from the affidavits that the defendant had received a letter from an attorney representing the plaintiff requiring him to justify the use of such language. The defendant answered by denying that he used the language imputed to him, and expressing his belief that the plaintiff was mistaken in supposing that he had ever imputed anything of the sort to him. Some two or three letters followed, after which the defendant wrote to the plaintiff's attorney as follows:—"If Mr. Miller really thinks I have defamed him, I see no reason why I should not endeavour to remove this impression, and therefore hereby withdraw and apologise for anything he may suppose me to have said reflecting on his honesty or integrity." To this the plaintiff's attorney replied: "My client is willing to accept the apology if my costs are paid, but not otherwise. If, therefore, I receive your check for 20*l.* on Thursday morning, you may consider the matter to be settled; otherwise I shall issue a writ." The defendant's attorney answered that the defendant was willing to pay costs, and requested the plaintiff's attorney to deliver his bill. The latter, however, persisted in his original claim, and finally issued his writ, and on the day it was issued the defendant, in a letter he wrote to the plaintiff's attorney, said he did not wish the names of his friends the Murrells to be brought before the public in connection with their bankruptcy, and inclosed a cheque for 20*l.* The plaintiff's attorney refused to accept it on the ground that since he had made the offer to do so he had incurred extra expenses.

The Court granted a rule.

Friday, Nov. 4.

Reg. v. Samuel Sherwin.

Excise prosecution.

This was a prosecution at the instance of the Excise, for keeping an illicit still; and it came before the court on an appeal from the Staffordshire Quarter Sessions. The principal question was, whether a previous conviction operated as a bar to the prosecution. The matter was argued as long ago as May last, and the court took time to consider their decision.

The *Solicitor-General* now stated that he was instructed to ask for the judgment of the court.

Pollock, C. B.—The court is not entirely agreed upon the subject.

The *Solicitor-General* said, he recollected there was apparently some difference of opinion amongst their Lordships.

Pollock, C. B.—There was some doubt in the minds of the court as to whether, after what had occurred, the Crown would ask for judgment.

The *Solicitor-General* said the Crown desired the judgment of the court.

Pollock, C. B.—The officers of the Crown are, of course, the best judges of what their duty to the public in such a case prescribes, and after the intimation which has just been made the judgment of the court will be pronounced at the earliest convenience.

Bramwell, B.—I never had any doubt of the propriety of the Crown asking for judgment.

Pollock, C. B.—The transaction involved the violation of two different clauses of an Act of Parliament, one of which was more stringent and severe than the other. The Crown had already prosecuted under the milder, and obtained judgment, and I think the defendant has suffered in consequence, and there was unquestionably a notion that though perfectly legal, it was not the ordinary course to prosecute under two different sections for the same transaction. But you have better means of judging what course should be pursued in this case, and we are bound to give the judgment which the law requires. Undoubtedly, however, there is something in the more than popular notion that a man ought not to be punished twice for substantially the same offence.

Bramwell, B.—That is a notion which I do not sympathise with on the present occasion.

Pigott, B.—I sympathise with the notion; but, as at present advised, I do not think it applies to this case.

Pollock, C. B.—The Court will give judgment at their earliest convenience.

COURT OF BANKRUPTCY.

Wednesday, Nov. 16.

Re A. Jenkinson.

The bankrupt, Alfred Jenkinson, who was an attorney, of 7, Clement's-lane, formerly in partnership with Messrs. Charles T. Jenkinson and Arthur C. Jenkinson, applied for an order of discharge. The unsecured debts are returned at 2044*l.*, with assets given up 557*l.* A sum of 5746*l.* is due to creditors holding security.

Lawrance, for the assignees, did not oppose; and His Honour granted the desired order.

ADMISSION OF SOLICITORS.

Secretary's Office, Rolls.

The Master of the Rolls has appointed Friday, the 25th of November 1864, at the Rolls Court, Chancery-lane, at four o'clock in the afternoon, for swearing in solicitors.

Every person desirous of being sworn in on the above day must leave his common law admission, or his certificate of practice for the current year, at the Secretary's office, Rolls-yard, Chancery-lane, on or before Thursday, the 24th of November 1864.

N.B. The papers of those gentlemen who cannot be admitted at common law till the last day of term, will be received at the office up to twelve o'clock at noon on that day, after which time no papers can be received.

APPOINTMENTS.

The Lord Chancellor has appointed Charles Pope Greenhill, of 63, Gracechurch-street, City, gentleman, to be a London Commissioner to administer oaths in the High Court of Chancery.

Mr. Elsley, the clerk of the peace for the West Riding, has appointed Mr. John Henry Dixon, of Wakefield, solicitor, to be joint deputy clerk of the peace for the riding, along with his father, Mr. Benjamin Dixon, the present deputy clerk of the peace; and the lord lieutenant has signified his approval of the appointment.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Benstead (Samuel), Walpole, Suffolk, grocer, Dec. 5, V. C. K. White, Borrett and White, 6, Whitehall-place, London.

Casement (Hugh), Melbourne, merchant, Jan. 12, 1865, V. C. S. Lawrance, Plews and Boyer, 14, Old Jewry-chambers, London.

Eccles (T. B.), formerly of Liverpool, but late of Payasandee, in the State or province of Uruguay in South America, Jan. 2, 1865, Registrar, 10, Tranford-chambers, South John-street, Liverpool.

Fryar (William), Upton, Notts, miller, Dec. 8, M. R. Eyre and Lawson, 1, John-street, Bedford-row, London.

Hardy (Thomas, jun.), Moor House, Easington-lane, Durham, farmer, Dec. 8, V. C. K. Harle and Co., 23, Southampton-buildings.

Jackson (Thomas), Croydon, Cambridgeshire, farmer, Dec. 12, V. C. S. A. D. Bird, 37, Guildford-street, Russell-square, London.

Morton (Thomas), Elton, Huntingdon, farmer, Dec. 19, V. C. K. Nethersole and Speechley, 1, New-inn, London.

Porcher (Charles), Clyffe, Lincleton, Dorset, Esq., Nov. 30, V. C. W. Dawes and Sons, Angel-court, Throgmorton-street, London.

Simpson (William), Belgrave-road, Pimlico, Middlesex, civil engineer, Dec. 5, M. R. P. Kearsey, 32, Bucklersbury, London.

Smith (Charles), 11, King Edward-street, Southwark, Surrey, timber merchant, Dec. 8, V. C. K. J. Lotts, 8, Bartlett's-buildings, London.

Wright (B. R.), 27, Fortess-street, Kentish-town, and Nos. 27 and 28, Castle-street east, St. Marylebone, London, oil and colourman, Dec. 9, M. R. H. J. Turner, 37, Percy-street, Bedford-square, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Allington (Rev. John), Letchworth, Hertford, and of Little Barford, Bedford, clerk. Dec. 31. Hawkins and Co., Hitchin, Herts.

Bingham (William Baring de Lotbiniere), Broom-park, Barham, Kent, Esq., Nov. 29. Tott, Janeway and Tagart, 38 Bedford-row, London.

Birch (Thos.), Belmont, Shrewsbury, Salop, painter, Jan. 14, 1865. C. D. and A. S. Cruiz, The Crescent, Shrewsbury.

Blake (Charlotte), Buntingford, Herts, widow, Dec. 31. Boyle and Son, 24, Bedford-place, Russell-square, London.

Bradley (Thomas), Greenhithe, Swanscombe, Kent, Esq., Dec. 31. C. Colyer, 8, Furnival's-inn, London.

Capes (Edward), 289, Whitechapel-road, Middlesex, saddler, Dec. 10. Jones and Starling, 11, Gray's-inn-square, London.

Collyer (Fanny), Mascall, Brentwood, Essex, spinster, Dec. 1. H. S. Lurner, 42, Jermyn-street, St James's, London.

Colvin (R. B.), Pishobury, Hertford, Esq., Dec. 31. Farrer, Ouvrey and Farrer, 66, Lincoln's-inn-fields, London.

Davy (Joseph), 4, Homefield-place, Heavitree, Devon, Esq., Jan. 10, 1865. Harrison and Elsy, 2, New-inn, Strand, Middlesex.

Davie (Anne), Yelverton, Buckland Monachorum, Devon, widow, Dec. 24. Stephens, Prance and Jago, Plymouth.

Dimble (Thomas), Sutton St. James, Lincolnshire, farmer, Dec. 31. E. Copeman and J. P. Sturton, Holbeach.

Eastment (J. W.), Wincanton, Somerset, surgeon, Dec. 24. Bell and Freame, Gillingham, Dorset.

Hedges (Thomas), 171, Hackney-road, Middlesex, glass and earthenware dealer, Dec. 8. E. Cavell, 5, Gray's-inn-place, London.

Hewlet (G. K.), 41, North-bank, Regent's-park, Middlesex, gentleman, Dec 1. Chilton, Burton, Yeates and Hart, 25, Chancery-lane, London.

Jones (H. F.), formerly of the Priory, Bath, Somerset, and late of Gay-street, Bath, banker, Jan. 7, 1865. Curry and Holland, 3, Old Burlington-street, London.

Jones (Richard), 4, Middle-street, Montpelier-street, Brompton, Middlesex, curator of the South Kensington Museum, Jan. 31, 1865. Now, France and Garrard, Evesham.

Kelk (Grace), 17, Royal-crescent, Cheltenham, Gloucestershire, widow, Dec. 10. R. Maddock, 34, Fitzwilliam-place.

Mann (Sarah), formerly of 3, Wellington-place, Commercial-road east, Middlesex, and late of Pontefract, Yorkshire, Dec 16. J. S. Vining, 4, Moorgate-street-buildings, London.

Mears (Joseph), Silcock's Farm, Bird's Isle, Tenterden, Kent, farmer, Jan. 2, 1865. Munn and Mace, Tenterden, Kent.

Nevill (James), 28, Sloane-street, Chelsea, Middlesex, whitesmith, Dec. 10. Wild and Barber, 10, Ironmonger-lane, Cheapside, London.

Nott (Wm.), Eliot-vale, Blackheath, Kent., Esq., Dec. 10. Smith and Fawdon, 12, Bread-street, Cheapside, London.

Sear (Elizabeth), Preston, Lancashire, widow, Dec. 27. W. F. Eley, 4, Chapel-street, Preston.

Talbot (Lady Priscilla Susanna), Cheshunt, Hertford, widow, Jan. 27, 1865. Walters, Young and Walters, 9, Lincoln's-inn, London.

Wallis (Penelope), Hulmer's, Great Warley, Essex, Jan. 1, 1865. E. B. Fontaine, Brentwood, Essex.

Walker (William), 103, Fleet-street, London, merchant, Dec. 10. J. S. Vining, 4, Moorgate-street-buildings, London.

Wright (Zacheus), Acton-green, Middlesex, gentleman, Dec. 31. Read and Pattinson, 4, Martin's-lane, Cannon-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Manchester (George, Duke of), Tynemouth (Lord Charles John), Labouchere (John), and Bevan (Charles James), both of Portland-place, Esqrs. Dividends on 23*l.* 6*s.* 6*d.* Three per Cent. Consols. Claimants, Lord Teignmouth and C. J. Bevan, Esq.

Smith (Charles James), Willow-terrace, Islington, Middlesex, gentleman. Dividends on 75*l.* Three per Cent. Consols. Claimants, Sarah Browne and Charles Joseph Smith.

West (Mary Ann), Plaistow, Essex, widow. Dividends on 2*l.* New Three per Cent. Annuities. Claimant, Keziah Gilling.

THE BENCH AND THE BAR.

Scotland.—Edinburgh, *Nov.* 15.—The regular sittings of the Court of Session began on Saturday for the winter. All the judges were in their places, except one, whose place will in all human probability, know him no more for ever. Lord Mackenzie, of whose absence I take note, has been in bad health for about a year, and is threatened with, it is said, if not seriously involved in, brain disease. He was a first-rate judge, industry and conscientiousness being his chief merits. He had not the strength of mind or brilliant parts of several of his brethren; but none of them could toil like him, except perhaps Lord Deas, who is his equal as well as strong. He worked his way to the bench from being, I have heard, the son of a working shemaker at Perth, who was unable to send him longer to economical St. Andrew's College than three years. Afterwards he was a writer's clerk in Edinburgh, and was so industrious, prudent, and intelligent, that he found means to pay the heavy fees of nearly 400*l.* that obstruct the entrance to the Scottish bar. His knowledge of practice, his sound common sense and industry, secured him some success after he had entered; and Lord-Advocate Rutherfurd, who was an able and brilliant, but indolent man discovered that Mr. Thomas Mackenzie was the best and most trustworthy of juniors, ever prompt to furnish the legal of fact for his blazing eloquence, so he helped him on to practice and to employment in the service of the Crown. He rose to be Solicitor-General, and was promoted to the bench. Recently he published a book entitled "Studies in Roman Law," which has been adopted, I believe, as a sort of text-book at Cambridge, and the careful reading of which I have heard several of the successful candidates for Civil Service appointments in India declare to "pay very well," they having learned from it information to enable them to answer several questions. It is a most accurate, clear, elegant book, easily understood and remembered.

Of Circuit.—No one attempts to remedy the inconsistency that though the barrister and the attorney travel together in the same conveyance from London to York, they may not both put up at the same hotel when they get there. Surely this is an illogical state of things worthy of a profession which "goes in" for close reasoning. The inconvenience arising from a strict adherence to this law which forbids the attorney and the barrister to inhabit the same house, is very great, and falls heavily on the latter. Not only is it more convenient, when a short residence only is contemplated, to take up one's abode at an establishment intended for the use of travellers, but it is, of course, less expensive. The attorney has the advantage of the barrister in every way. He only arrives at a well-lighted cheerful-looking house where everything is organized expressly with a view to the traveller's convenience, and where he has only to ring a bell to have all his wants supplied—not only has he all these advantages, but he pays less for them. Those dingy lodgings to which the barrister is consigned when he arrives at the assize town, are not only dingy but very expensive: for the simple reason that it is necessary they should be kept vacant when he does not want them, in order that they may be available for his use when he does want them. It is not the lodging-house keeper who is to blame here, but the system. Of course, the lodgings must be paid for, and if the owner of the lodgings fails of obtaining a permanent tenant because at certain sessions he expects an occasional tenant, it is not surprising that he should expect remunerative compensation for the loss he sustains. It is inexpressibly annoying to reach some town where one knows there is a particularly good hotel, and to see the attorneys walking off to their comfortable quarters, while you the barrister betake yourself to those gloomy apartments over the chemist's which are peculiarly reserved for your use.—*Dickens's All the Year Round.*

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

MIDDLESEX SESSIONS.

Saturday, Nov. 5.

The quarter sessions of the peace for the decision of several appeals were held by adjournment to-day at the Guildhall, Westminster, before Mr. W. H. Bodkin, the assistant-judge, Dr. Jervis, Mr. E. W. Cox, Mr. J. D. Fletcher, Mr. George Dodd, Mr. Ralph Walters, Mr. T. E. Baker, Mr. Wyatt, Mr. W. P. Bodkin, and Mr. Moose, justices.

Charles William Packe *v.* The Parish of St. Margaret, Westminster.

The Parochial Assessment Act.

Maule and *Poland* (instructed by Messrs. Loftus, Vizard and Co.) appeared for the appellant; *Metcalfe* (instructed by Messrs. Rogers) appeared for the parish; and *F. M. White* appeared for several residents in the same terrace who had received notice to appear.

This was an appeal against a poor-rate, made in May 1863, or, to describe it more accurately, against the decision of justices in special sessions who, upon an appeal to them under the Union Assessment Act against that rate, determined to reduce Mr. Packe's rating for No. 7, Richmond-terrace, Parliament-street, from 500*l.* to 475*l.* net rateable value, and which Mr. Packe considered, at the reduced figure, to be excessive.

One of the grounds of complaint was that the houses in the same terrace, of superior value, were assessed at 400*l.* No notices were or could be served upon the occupiers to appear at the special sessions, and their rating was not increased. Upon the appeal to these sessions Mr. Packe had caused them to be served with notices that, in contrast with the rating of No. 7, the rating of Nos. 2, 3, 4, 5 and 6 was insufficient and ought to be raised.

F. M. White submitted that as these occupiers had not been parties to the case before the justices in special sessions, they could not be made parties to this appeal, which was merely an appeal against the decision of those justices and not against the rate.

The Assistant-Judge said, that when the earlier statute passed there was a great omission, inasmuch as the Quarter Sessions had the power to amend the rate, and persons whose rating was alleged to be too low had no notice to come in and defend their interests. The Act of George III. corrected that anomaly. But by the Union Assessment Act a domestic forum was created, and the justices in special sessions had power to relieve any individual whose complaint that he was too highly rated was well founded. There was no notice required to be given to other parties, because it was never intended that the special sessions should interfere with any other rating than that of the appellant. The right of appeal to the quarter sessions was preserved, and it was only by appeal to the quarter sessions that other parties, after due notice, could be affected. Mr. Packe had chosen to appeal to the special sessions, and in an appeal against the decision then arrived at he could not have recourse to the power which he might otherwise have called into action by originally appealing to the quarter sessions and asking the court to raise the rating of other parties. The decision of the justices, in refusing at the special sessions to interfere with other parties who had not had notice, was right; and on this appeal, although they had had notice, they need not have attended.

SOMERSETSHIRE COUNTY POLICE.

Saturday, Nov. 12.

Jonathan Prior, a shepherd, 73 years of age, living at Claverton, who has been several times remanded, appeared to answer the charge of having struck George Lydiard, of the same place, in the eye with a shepherd's crook, with intent to do him grievous bodily harm. Mr. Wilton appeared for the prisoner.

The facts of the case are briefly these, that on the 29th Sept. the prisoner was going along the road at Claverton with his dog, when the complainant and a man named Snell came up in a trap. They had a dog with them, which pitched into the sheep dog. Prior wished to separate them, but complainant and his companion got out of the trap and wished the dogs to fight it out. A scuffle ensued, during which Snell caught hold of Prior's crook, when the latter said, "Let go, and I'll knock his eye out;" and afterwards, upon getting possession of the crook, he struck complainant in the eye. The complainant then wanted to whip the prisoner, but was prevented doing so by the parties present. Erysipelas afterwards set in, and the complainant had been in bed ever since.

The evidence given at the previous examinations was read over by Mr. Taylor, clerk to the magistrate, and Mr. Wilton was proceeding to cross-examine the witnesses, when he requested Mr. Taylor to put something down, which he considered important.

Mr. Taylor said it was of no use, as the prisoner would go for trial.

Mr. Wilton submitted that if he could call witnesses who would satisfy the bench that the prosecutor's witnesses were unworthy of credit, the magistrates would surely not commit for trial.

The Chairman intimated that they were only available to the prisoner at the quarter sessions, and could not be heard here.

Mr. Wilton requested that the notes of the cross-examination be taken down by the clerk.

Mr. Taylor was taking notes.

The Clerk said he should not do so.

Mr. Wilton submitted to the bench that it was the duty of the clerk to do so.

Mr. Taylor said he should not do so, and the bench apparently supported him in his position.

Mr. Wilton said that it was the first time within his experience that he had met with a refusal to take down the cross-examination.

Mr. Taylor said that he would not be dictated to by Mr. Wilton, and requested Mr. Morgan to take a note of Mr. Wilton's statement.

Mr. Wilton said it appeared that his attendance was worse than useless, and he should retire from the case.

Col. Blathwayt said that the bench was quite willing to hear attorneys; but if they did not conduct themselves with respect, he, for one, would not be slow to commit them.

Mr. Wilton sat down and took no further part in the case.

Mr. Recorder Hill on the New Penal Servitude Act.—At the Quarter Sessions held at Birmingham, Mr. D. Hill, Q.C., the Recorder, in his address to the grand jury, said:—Since the last session the Legislature has made important changes as regards the punishment of felons, and the Executive Government, in harmony with the spirit which dictated those enactments, has introduced improvements equally important in the regulations which govern the treatment of criminals. The main features of these alterations are set forth in the circular which I hold in my hand. It is addressed to me as Recorder of Birmingham, and bears the signature of Secretary Sir George Grey, who, as you know, holds the seals of the Home Department. Such a document must of necessity have received my careful attention, and I think it will be profitable to invite yours, and, indeed, that of all persons who, by their intelligence and social position, exercise influence upon the administration of the criminal law, to its contents. [Having stated them he continued:] Thus, gentlemen, you will perceive that the new provisions are characterised by augmented severity, and when you learn that they are made in conformity with the views not only of the Legislature and the Executive Government, but that they echo as it were the opinions of public bodies charged by authority, or who had charged themselves with the duty of careful investigation into the working of our criminal law, I think you will agree with me that our new Penal Servitude Act forms an epoch in our legislation. Half-a-century ago the criminal code of England was conspicuous among those of the civilised world for its tremendous denunciations against crime. To more than 150 different offences it attached the punishment of death, and its minor inflictions were of proportionable gravity. At last the public mind revolted against these rigours, and a strong tide set in, which in the course of years not only swept away a multitude of severities, but brought the law into a greater state of leniency than could be justified by a due regard to the general interests of the community. And yet, the law, mild as it became, was outstripped by the laxity with which it was administered. In this state of things it was to be expected that the tide which had so long been flowing should at last begin to ebb, and it appears to me that the time has arrived when the reversal of the current can no longer be doubted. Gentlemen, I do not augur from this change the loss of any real benefit to criminals. The impulse which wrought the mitigation of our criminal code was one rather of sentiment than of reflection. We revolted from the pain inflicted on ourselves through the sufferings of the criminal, and our own feelings once relieved, we forgot to ask ourselves whether we were treating the object of our sympathy so as to promote his permanent advantage. We forgot that to discharge him from prison while under the coercion of false principles and evil habits was to leave him in a state of slavery more surely incompatible with his welfare here and hereafter than any state which could result from the harshest visitations of human jurisprudence. If, then, the changes which have been lately made are such as to promote his reformation and insure his persistence in the right path after it has been recovered, true and genuine mercy will be far from receiving any shock by what has been done. And this, I humbly believe, will be the consequence should the new spirit breathed into the treatment of criminals permanently actuate all who take part in giving effect to our laws. You must have been struck, gentlemen, with the complete change of principle on which remission is henceforth to be granted. Passive obedience to prison rules, however indispensable it may be to good order, has

little tendency to reform the character, and will, therefore, do little to insure an honest course of life after discharge. Industry is the ground on which we must build, and, in order that industry practised in the gaol may continue after the prisoner is at large, it must be willing industry, and hence the value of the remission which is held up to him as its reward; whereas industry produced by fear of punishment, even in the comparatively few instances where it is so produced, will, by the painful associations with which all memory of it must be accompanied, relax itself and fall into desuetude when by regaining his liberty the convict has left his fears behind him. The extended duration of his sentence will afford him a sufficient time to make his industry habitual, and it is to confirmed habits we must mainly look to protect him against relapse. Thus we see that the interest of the criminal has been as carefully considered as the interests of society; both moving onwards hand in hand. But the benefits to each do not rest here. The hour of discharge arrives, and the well disposed prisoner, having now to meet his greatest peril, is not abandoned. He takes his gratuity, which preserves him for a time at least from the overwhelming temptation produced by want. He has to report himself to the head of the police in the district to which he resorts, and he thereby establishes a relation between himself and a public officer, who, both by duty and, speaking from experience, I will say, also by inclination, will befriend him, so long as his conduct deserves it, and who will exercise over his actions the powerful influences of hope and fear. It is often assumed that the vigilance which it is the duty of the police to exercise over discharged offenders is necessarily of a hostile character; but that is not so. A ticket-of-leave man, when his ticket becomes what it always ought to have been, a testimonial that the holder is a person who has given evidence of his earnest desire to do well, and of his possessing the requisite qualifications for pursuing an honest course of life, will find the head of the police in his district a protector against ill-founded suspicion, to which an ex-convict is naturally ever obnoxious; and when, in addition to the testimonial which the ticket-of-leave man brings from his prison, he can safely refer to the police for a certificate that he has continued to deserve the remission which has been granted to him, surely he must thus obtain facilities for procuring employment which will constitute a new and invaluable privilege; while on the other hand his consciousness that any breach of the conditions on which he holds his licence to be at large will, the moment it becomes known, ensure his being forthwith deprived of his liberty, must give additional force to his good resolutions. The interval, then, between his discharge on ticket-of-leave and the expiration of the sentence pronounced upon him by the judge is made a season of regulated responsibility. It is an additional stage of probation, furnishing motives to good conduct which will only cease to act when, such probation being fully accomplished, he regains the footing of his neighbours, who have never fallen into that miserable adversity which is the off-spring of crime.

MERCANTILE LAW.

NOTES OF NEW DECISIONS.

Patent Law.—Where an invention consists of the discovery of particular means for obtaining a result already well known, the invention is of the means only, and the invention of one set of particular means does not interfere with the invention of another set of means to the same end, provided that the two sets of means are distinct, and that the latter does not involve a colourable imitation of the former, or an incorporation of the former with additions: (*Curtis* v. *Platt*, 11 L. T. Rep. N. S. 245. Ch.)

Ignorance of the existence of a former invention is no answer to a charge of infringement where the second invention is capable of being accurately represented as an imitation of the former. But where an inventor described his invention as "improvements applicable to certain machines commonly known as self-acting mules, particularly those constructed with the improvements of B. and C.," and a second inventor having taken the same elements of construction, produced a new combination of agents, arriving at the same result, but by a process of thought in which he did not appear to have derived assistance from the knowledge of his former invention, it was held that there was no infringement: (*Ibid.*)

Contracts.—B. proposed to C. to purchase certain goods. C. wrote thus to B.'s agent D.: "Les informations sur Gustave Sichel sont telles que nous ne pouvons lui livrer les 2500 caisses que connaissement. Si vous voulez nous vous enverrons les connaissements, et vous ne les lui delivrerez que contre payement." The goods were afterwards consigned with a bill of lading to D. for B., and D. put them on board a ship named by him, keeping the mate's receipt. The ship sailed before B. had paid, or any bill of lading made up. In an action for delivering the goods without payment, D. was held liable, as he had not carried out the instructions given him by C., which were not to deliver without the price, and that the word "connaissement" meant bill of lading: (*The Stearine, &c., Company* v. *Heintzmann*, 11 L. T. Rep. N. S. 272. C. P.)

Where there is a parol agreement and a subsequent written agreement which does not contain all the terms of the parol agreement, it is a question of fact for the jury whether it was the intention of the parties that there should be a distinct parol agreement, collateral to such writing, and evidence of the terms of the parol agreement is admissible. B. agreed verbally with C. to sell him certain fixtures and furniture on certain terms, one of which was that C. should settle an action which had been brought against B. The agreement was afterwards reduced to writing, omitting this term. C. did not stay the action, and B. brought an action for the damage thence arising. Evidence of the terms of the parol agreement was offered by plaintiff, and objected to as tending to vary the written instrument. The judge admitted it, and the jury found that the agreement to stay the action was intended to be a distinct agreement collateral to the written one. The judge was held to have done rightly: (*Lindley* v. *Lacey*, 11 L. T. Rep. N. S. 273. C. P.)

Principal and Agent—Measure of Damages.—In an action against an agent for abandoning his agency, damages for losses sustained by the principal in collateral branches of his business, by reason of the injury to his credit through the defendant's conduct, were held not to be too remote: (*Boyd* v. *Fitt*, 11 L. T. Rep. N. S. 280. Ex. Ir.)

MARITIME LAW.

LAW OF AVERAGE.

Proposed International Rules on Certain Points Relating to General Average.

(*Concluded from page 7.*)

In the next section of these rules the principle to which we have alluded as being in accordance with a familiar one in the law of England, that general average shall be limited to consequential losses of a direct, immediate and inevitable character, is left out of view.

Damage by Jettison.

Sect. II. Damage done to goods or merchandise by water which unavoidably goes down a ship's hatches opened, or other opening made, for the purpose of making a jettison, shall be made good as general average, in case the loss by jettison is so made good.

Damage done by breakage and chafing, or otherwise from derangement of storeage consequent upon a jettison, shall be made good as general average.

Translation from "Code de Commerce expliqué par M. Rogron," publié à Paris.

French Code de Commerce, Article 400. The following are subjects of general average:—1. Things given by composition and under the name of ransom for the ship and the cargo. 2. Those which are thrown overboard. 3. Cables or masts broken or cut. 4. Anchors and other articles abandoned for the common safety. 5. Damages occasioned by jettison to goods remaining in the ship. 6. The curing and subsistence of sailors hurt in defending the ship, the board and lodging of the sailors during detention when the vessel is stopped on her voyage by order of a power, and during the repairs of damages voluntarily suffered for the common safety, if the vessel be freighted by the month. 7. The expenses of unloading in order to lighten the vessel and enter a harbour or a river when the ship is obliged to do so by stress of weather or by pursuit of the enemy. 8. The expenses incurred in getting the ship afloat when run ashore to avoid total loss or capture. And, in general, damages suffered voluntarily and expenses incurred, after deliberation or consultation with the crew, for the advantage and common safety of the ship and goods from their loading and departure to their arrival and discharge.

Exposition by M. Rogron.

Occasioned by Jettison.—Jettison is the act of throwing an object into the sea. We speak of jettison rendered necessary for the general interest. It may happen that in effecting it one may damage other goods. Such damage is general average.

Extinguishing Fire on Shipboard.

Sect. 3. Damage done to a ship and cargo, or either of them, by water or otherwise, in extinguishing a fire on board the ship, shall be general average.

Cutting away Wreck.

Sect. 4. Loss or damage caused by cutting away the wreck or remains of spars, or of other things which have previously been carried away by sea peril, shall not be made good as general average.

The subjects treated of in the two preceding sections do not seem to be noticed at all in the French Code.

Voluntary Stranding.

Sect. 5. When a ship is intentionally run on shore, because she is sinking or driving on shore or rocks, no damage caused to the ship, the cargo and the freight, or any or either of them, by such intentional running on shore, shall be made good as general average.

Exposition by M. Rogron, under Article 400 of the Code de Commerce.

Question: Is the running aground of a vessel a general average when the grounding is the effect of a voluntary sacrifice for the common safety, and can the grounding be reckoned voluntary although the ship had undergone heavy averages by accident of the sea, if she were still in a fit condition for being navigated? The Court of Rennes has warranted the affirmative: "Considering that grounding becomes a general average when it is the effect of a voluntary sacrifice for the common safety, the captain must have acted with the intent to avoid an imminent danger; his will must have been forced; he must have been obliged to choose between two dangers, and must have found himself necessitated to adopt an extreme measure in order to have some chance of saving the ship and cargo; that to ascertain if, in the nature of the case, the grounding has been voluntary, and should give room to a contribution, one can only appreciate the circumstances and their nature by the resolutions which the captain has taken along with his crew, the entries he has inserted in his journal, and the declaration he has made on his arrival, conformably to Articles 224 and 242 of the Code de Commerce." Considering that it results from these acts that, on the 22nd Dec. 1839, at eight o'clock, near Quiberon Bay, the wind blowing wildly, and a very heavy sea, he was obliged to take in studding sails; that at half-past eleven he descried breakers, and forthwith put about to run for Port Louis, the sea being fearfully high; that towards two o'clock the tack-hook of the main lug-sail broke; that shortly afterwards the foremast was carried away through the strokes of the sea; that the ship being now unable to show her head-side, or to double the Point de Gaves, he determined, after advice taken with the crew, to run ashore under the forestay-sail, so that he might get aground before low water, for the common safety, which took place on the bold (?) shore; that the rudder was unshipped only when the ship struck the ground; that it follows, from these details, that the captain found himself in evident danger; that the disasters which happened to his ship were truly caused by accidents of the sea, but that he could yet work her, and had effectively worked her for nearly two hours, after consultation held, in order to gain the coast with the view to the common safety; that it sufficed that the act of man, combined with accidental circumstances, should make the grounding voluntary; that the first authorities, while attributing the event in question entirely to stress of weather, could not help acknowledging that he had made use of his will, and that there did yet remain to him a power of willing, since they have declared that he could have chosen one point of the coast rather than another for running ashore; considering that the article 400 of the Code de Commerce defines general average, that the enumeration which it gives is not limitative, as the last article proves, which, by a general disposition, comprehends in this kind of average all those damages which have been suffered voluntarily, and those expenses which, after due deliberation, have been incurred for the good and common safety of the ship and goods; that the law makes no distinction, and that, since partial sacrifices, resulting from a voluntary sacrifice for the interest of all, give room for a contribution, it should with still stronger reason in the case of the loss of the vessel, when it has been sacrificed to save the cargo; the laws relating to jettison are by no means applicable to the case; that they are placed under a title separate and legislating upon a special and distinct case; that besides, the article 425 only relates to the case where the ship has been lost by stress of weather; since, without that, it would be a manifest contravention of article 400 of the same code, and such a supposition cannot be admitted; that moreover it has, with reason, been confirmed by law that there exists no analogy between jettison done for the interest of the ship, and which has not produced its effect, and voluntary running aground, which has worked out the salvage of the cargo; that, in this latter case, equity demands that the goods saved by the act of the captain should contribute to the repairing of the damages which the ship has suffered; for this reason declares that the voluntary running aground of the vessel *L'Anonyme* constitutes a general average, &c."

Code de Commerce, Article 403. The following are particular averages:—1. That damage which happens to goods from their particular nature,

through tempestuous weather, capture, shipwreck, or stranding; 2. The expenses incurred for saving them; 3. The loss of cables, anchors, sails, masts, cordage, caused by tempestuous weather or other accidents of the sea; the expenses resulting from all delays occasioned either by the accidental loss of these objects, or by the necessity of victualling or of repairing a leak; 4. The wages and board and lodging of the sailors during the detention, when the ship is stopped on her voyage by order of a governing power, and during the repairs they require to effect at the time of detention, if the ship is freighted by the voyage; the board and lodging of the sailors during quarantine, whether the ship be hired by the voyage or by the month; and, in general, expenses incurred and damage suffered for the ship alone, or for the goods alone, from the time of their lading and departure to that of their arrival and discharge.

Exposition by M. Rogron.

Question: The grounding of the ship, the going ashore of the captain, the board and lodging of the crew, where the ship is freighted by the voyage, can these, in certain cases, be reckoned general average?—The Court of Aix has adopted the affirmative: "Considering with regard to the grounding of the ship, that if we must consider it without regard to antecedents, it would be particular average, since it had not been immediately voluntary; but that one cannot separate it from the circumstances through which it took place; that reason points this out, and it is confirmed by these authors: M. Pardessus, Droit Comm., t. 2, p. 170, and M. Boulay-Paty, Droit Marit. t. 4, p. 455: that grounding is general average when it follows and is consequent upon the loss of the anchor, cable, cordage, sail, and other things which had been sacrificed the day before for the common safety, and which the captain had in view to replace as soon as he should get on shore; that this grounding has been, besides, the consequence and the effect of the absence of the captain, without whom the ship could not have kept off the coast, even though she had had all her tackle and rigging in good order (!); considering, besides, by analogy drawn from Article 268 of the Code de Commerce that the charge for putting ashore the captain of a vessel should be considered as general average when this going ashore took place for the common safety of the ship and its cargo; that this principle is recognised by the two authors already quoted, and in the same volumes (pp. 172 and 450); that in that case it was for the common safety; that Captain Duiff had landed 16th Dec. 1823; that he went there to replace articles which had been sacrificed for the common safety, and to obtain legal redress from the Swedish captain for damages applicable to the general interest; that hence the getting aground which was consequent upon his landing should be necessarily a general charge; that with regard to the board and lodging of the crew, although this is a question of freighting by the voyage, and the 4th section of Article 403 of the Code de Commerce declares wages and board and lodging during repairs to be particular average when the ship has been freighted by the voyage, one cannot, in the present case, apply this regulation; that the last provision of this article shows the purport of it; that in declaring generally, as particular average the expenses incurred, and the damages suffered by the ship alone, or by the goods alone, it says virtually, that the board and lodging of the crew during repair of the ship are particular average only when the damage to be repaired is itself a particular average; that the effect cannot be of a nature different from the cause which produced it; that the expenses necessitated by general average are likewise necessarily general average: (Arrêt du 31 Dec. 1824. Dall. Année, 1825. II. 17.1)

The reason given by the Court of Rennes in the first case quoted above, for considering the stranding of the ship as general average, namely, that "he could have chosen one point of the coast rather than another for running ashore," is the very reason assigned in the following note to sect. 2234 of the Digest of Maritime Law Cases (10 L. T. Rep. N. S. 878), for considering it to be particular and not general average: "Damages or loss by voluntary stranding is never in practice admitted as general average in this country, and according to experience there are few cases which in principle could constitute general average. If a vessel is *inevitably* going ashore, and she is steered to one part of the coast instead of being allowed to drive upon another, the stranding is not a voluntary act; the place of stranding only is selected."

(To be continued.)

LAW STUDENTS' JOURNAL.

Correspondence.

Law Classes for Articled Clerks.—I beg, through the medium of your columns, to inform those of your readers who may be articled clerks, that a memorial to the Council of the Incorporated Law Society lies for signature at Mr. W. Harrison's, Law Stationer, 116, Chancery-lane, a few doors south of the hall of the society. The object of the memorial is to ask the council to establish law classes, or else to amplify the lectures which are annually delivered under their superintendence; so as to admit of personal intercourse and close communication with the lecturers. It is intended to present with the memorial a sort of report, embodying the substance of several letters which I have received from members of both branches of the profession, expressing for the most part their approval of the course now being adopted, and among others, letters from the Master of the Rolls, Vice-Chancellor Sir W. T. Wood, Sir J. T. Wilde, Sir F. Kelly, Mr. Daniel, Q.C., Mr. Phillimore, Q.C., &c., &c. If those gentlemen who are unable to attend personally to sign the memorial will authorise me or some one else to do so, I shall feel obliged. It will give me great pleasure to receive suggestions for the management of the proposed classes, as well as remarks upon the existing means for the instruction of articled clerks generally, in whose education I take a deep interest, being myself one, and feeling most acutely the great disadvantages under which we labour in this respect.
78, Dean-street, Soho, Nov. 17. W. J. Fraser.

The following correspondence has taken place on this subject:—

Sir,—At the Annual Meeting of the Incorporated Law Society, held in 1863, a resolution, moved by myself, was carried referring to the council the expediency of instituting law classes for the instruction of articled clerks, in addition to the lectures annually delivered. I am not aware that any report has yet been made upon the subject, and feeling considerable interest in the question, I shall be glad to know if the council have come to a decision upon it, and when their report will be published.—I remain, dear Sir, yours faithfully, Charles H. Anderson.
E. W. Williamson, Esq.

Incorporated Law Society, U. K.,
Chancery-lane, London, W.C.
29th Oct. 1864.

Dear Sir,—In answer to your letter of 10th inst. with reference to the establishment of law classes, in addition to the lectures annually delivered in the hall of this society, the council direct me to inform you that the subject is under consideration, but they are not at present in a position to state when their report will be issued.—I am, dear Sir, yours faithfully, E. W. Williamson,
Chas. H. Anderson, Esq. Secretary.

The Examinations.—I shall be much obliged if you will grant me space in your widely circulated paper for a few remarks upon a subject which I consider of importance to law students who are about to pass the final examination for attorneys and solicitors. It is with regard to the frequent practice of the examiners of asking more than the ordinary and regular number of questions. I have been induced to address you on this subject by a perusal more especially of the questions in equity at the last final examination. On first looking at the printed number of these questions it would appear as if the proper number fifteen had not been exceeded, but on going through them *seriatim*, I find that the one headed No. 2 contains in reality no less than five separate and distinct questions, requiring as many different answers. Another similar case is with regard to No. 15, which in the same manner contains five questions, making a total of twenty-three. Now, if the number of questions hitherto asked is thought too small (which I dispute, for I think fifteen a fair proportion for testing the knowledge of any law student), the proper remedy surely is to increase it for all the examinations; but it is manifestly unfair by these means to require a candidate at one examination to answer only fifteen, whilst at the next examination another candidate has placed before him a paper containing twenty-three questions. Certainly, of all others, the equity questions should be dealt out equitably. Fiat Justitia.

INTERMEDIATE EXAMINATION.

The Intermediate Examination of Articled Clerks for Michaelmas Term took place at the Hall of the Incorporated Law Society, Chancery-lane, on Thursday, the 10th inst., Master Johnson, of the Court of Common Pleas, being the presiding chairman. We give all the questions and the answers to those on book-keeping.

Questions from Chitty on Contracts. (a)

1. Is a consideration necessary to give validity to all contracts?
2. Explain the term estoppel.
3. What agreements does the Statute of Frauds require to be in writing?
4. Is the construction of a written contract a question for the court or jury?
5. State cases in which agents may sue in their own names?
6. Does the right of action vest in the executor from the time of the testator's death, or from his obtaining probate?
7. What is the general rule as to evidence to contradict or vary a written agreement?

Questions from Williams on Real Property.

1. By what means may estates tail in copyholds be severally barred?
2. On the sale of a freehold estate which has been in the vendor's family for several generations, are any, and what, covenants for title inserted in the conveyance to the purchaser?
3. Conveyance to the use of A. and his heirs in trust for B. and his heirs. B. dies intestate and without heirs. To whom does the beneficial interest in the estate then belong?
4. What is the operative word used in a conveyance of real estate to vest such estate in the purchaser?
5. By bargain and sale duly enrolled, a fee-simple estate is conveyed to A. and his heirs, to the use of B. and his heirs. In whom is the legal estate by such conveyance vested?
6. Does a devise in any, and if any, what, case lapse by the death of the devisee in the lifetime of the testator?
7. Give a short familiar illustration of the rule in *Shelly's* case.

Questions on Book-keeping.

1. What are the objects to be attained by book-keeping?
2. State the names of the books which are essential to the keeping of accounts by single entry; also, the nature of the entries to be made in each book.
3. What is the difference between personal and impersonal accounts?
4. What is the difference between a balance-sheet and profit and loss account?
5. State the names and natures of the accounts constituting a profit and loss account.

Answers to the Book-keeping Questions.

1. It is, that a person in business may at any time ascertain the true state of the whole or any part of his affairs with clearness and expedition.
2. They are the day-book, cash-book, bill-book, and ledger. The day-book contains a record of the transactions of each day in the order in which they occur. The cash-book for all cash received and paid. The bill-book for all bills receivable and payable. The ledger collects together the dispersed accounts of each person from the other books under one entry.
3. Personal accounts include all those in which *persons* are concerned. Impersonal or real are those opened for merchandise or any description of property, as cash, bills, ships, &c. [N.B.—This question is taken from book-keeping by double entry.—R. H.]
4. The balance-sheet contains on the creditor side all balances on accounts owing *to* you, to which are added cash in hand and the value of unsold goods. On the debtor side are entered your capital at commencement and all balances owing *by* you. The profit and loss account contains on the debtor side the *losses*, or bad debts, discounts, &c., and on the creditor side the *profits* as shown by the stock account, abatements, &c. These two accounts should correspond if properly kept.
5. This account is shown above. The balance or difference between the two sides will give the net profit or loss.

(a) These questions, and the answers to those on book-keeping, are furnished us by Richard Halliday, Solicitor, Author of "A Digest of the Examination Questions and Answers," &c.

GENTLEMEN WHO PASSED THE FINAL EXAMINATION.

Michaelmas Term, 1864.

Ackerley, Henry—Articled to W. Ackerley
Adams, Francis Hamp—J. S. Collins
Andrews, Charles Davis—J. S. Gwillim
Baker, Abraham—S. Wilkinson, jun.
Barnes, Herbert—R. Dawes
Bartley, Thomas Houghton Bedish—G. Stone
Baylis, Edgar Alexander—A. J. Baylis
Beale, James Samuel, B.A.—J. Marigold
Bedford, Edward Henslowe—A. Cobbold
Billings, Samuel Bruce—E. T. Mason; N. Mason; J. H. James
Booth, John—D. S. Sutton
Bourne, Thomas Charles—J. W. Danby
Bradbury, John Gilbert—G. J. Johnson
Brown, Walter William—W. R. Preston
Budd, John Wreford, jun., B.A.—A. T. Upton
Burra, Robert, jun.—G. Wilde; F. Broderip
Cammack, Edmund—C. F. Bonner
Carter, John Edwin—J. R. Bailey; W. C. Smith
Cave, William Edward—W. Sharpe
Clayton, Albert—W. M. Walters
Clegg, Charles—H. W. Litler
Coates, John George—J. Kilby; G. D. Austen
Collins, Francis—A. Walker
Cooper, Frederick William—W. F. Cooper; R. E. Smith
Cooper, Richard William—T. L. Marriott
Cooper, Thomas—W. Whiston, jun.
Cover, John Russell—G. H. Ellis
Craig, Edward Beeching—E. G. Craig
Crammond, Edward—F. W. Mount
Crozier, Philip Augustus—G. L. Patteson
Cruthwell, Frederick Robert—T. Cruthwell
Davies, William—H. W. Hooper
Dean, Ellis—A. Weston
Dodd, James Philip—T. C. Lietch
Douglas, Charles Philip—T. M. How; H. Vallings
Edwards-Wood, William—E. Wyatt; G. Faulkner
Ellatson, Thomas Hodgson Johnson—H. A. Gregg
Ellis, George—J. F. Stansfield
Fairweather, George—T. Southam
Fisher, Samuel Timbrell—R. B. Upton
Fitch, Frederick George—A. Digby
Forster, Joseph, B.A.—A. Lucas

Fowke, John Copson—J. Smallwood
Fox, Henry Charles, B. A.—J. W. Matthews
Freeman, George Deane—R. Marrack
Gardiner, Benjamin Bamber, B. A.—R. Norris, jun.; F. Venn
Gem, George Stanley—G. Gem
Gepp, Charles Bramston Osborne—T. M. Gepp
Gibbs, Thomas Washbourne Jun.—T. W. Gibbs; E. Lawrance
Gillam, John—J. Gillam; J. Gillam; J. Letts
Gould, Thomas, jun.—H. Rodgers
Gray, James—J. Hunter
Harward, Edward Netherton—R. Dawes
Haswell, Edmund Henry—A. J. Moore
Haynes, Henry Shekell—S. W. Haynes; B. Field
Heckford, Henry Herbert—J. B. Shepherd
Hepburn, James Smith—J. G. Hepburn; J. S. Bockett
Higson, Frederick Stanley—F. Robinson
Hodson, William, jun.—T. Coppard
Holcombe, Joseph Francis—W. Lewis
Jennings, Thomas Edward—A. E. Finch
Kilbinister, George Ridgway—G. R. Kilbinister; W. Challinor
King, Joseph Maskell—J. Beaumont
Kirkconel, Edward—J. Brockbank
Lake, Charles Edward—R. Dixon
Lambert, Henry William—R. Ridehalgh
Layton, Edward John—E. M. Dimmock; W. Nash
Maynard, William—W. W. Hayne; F. T. Dubois
Meadows, Horace Haward—H. Davies
Michael, Albert Davidson—J. Michael
Milburn, Tom—G. Armstrong
Moore, Francis Robertson—G. Moore
Morison, John—W. W. Charnock; H. M. Ody
Morrell, Frederic Parker, B. A.—Paul and James
Neal, James—R. A. Parker
Newby, John Robert—W. Richardson
Noon, George—G. W. C. Dean
Nowell, Thomas—C. Hall
Parker, Frank Rowley—R. A. Parker; H. Rogers; M. W. Peace
Peed, William—J. Peed
Pelham, Walker John—G. C. Fletcher; D. P. Hindley; J. Wyatt
Philbrick, Horace—F. B. Philbrick
Pickering, George Edward—G. Spink; J. Woods; R. M. Benson
Pitfield, Thomas John—T. Rawlins
Popham, James—J. Evans
Priest, Jocelin—J. Conway; P. de E. Collin
Pritchard, Arthur—H. Ford
Reep, John Robertson—J. Wason; W. A. Waller
Rice, George Copplestone—G. T. Gibson; H. Hill; C. Wilson
Richardson, Harry—J. R. Bloxham
Robinson, George Arthur—J. B. Robinson
Robinson, Henry Duncan—H. Robinson
Sayles, Lewis Charles—H. K. Hebb
Sharp, Alfred Marples—R. Dawson; R. H. Dawson
Shepheard, Alfred James—C. Shepheard
Simpson, Alfred Robert—J. J. Simpson
Slater, Percival Lumley—W. Slater
Smith, Francis Edward, jun.—F. E. Smith
Sole, William Anslow—R. D. Newill
Spaull, Alfred Cross—C. Shepheard
Stanley, Thomas Howard—H. Jackson
Stephenson, John Boyes—A. Stephenson
Tahourdin, Harry—C. Tahourdin
Tallents, William Edward—T. F. A. Burnaby
Tatham, Leonard—G. Remington
Taylour, Cresswell John—A. Lace
Taylor, Richard Stephens, jun.—R. S. Taylor
Thomas William—G. P. Wragge
Thompson, Robert Edward—S. J. Dale
Thurgood, William Lane—W. Thurgood; E. W. Field
Timewell, William Henry—A. Turner; J. A. Turner
Titley, Walter John—W. P. Allcock
Walker, George Hilditch—R. Roscoe; M. H. Walker
Walker, William Henry—E. B. Church; E. F. Bigg
Walmsley, Alfred Orrell—T. Southam
Ward, William Charles—J. Ward
Wathen, Price Ashton—J. B. Wathen; J. M. Yetts
Welman, Joseph—J. Lott
Williams, Samuel Owen—W. Hughes
Worsley, Reginald—W. W. Goulden
Young, Thomas Bristowe—T. Loftus

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubt, and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

ATTORNEY'S LIEN.—The bankrupt, on consulting his solicitor before the bankruptcy, but after committing the act of bankruptcy, of which the solicitor had no notice, told him that his cash-book contained all his receipts and payments, and that anything else he wanted would be found in the office. Afterwards, he sent the key of a drawer in his office by post to the solicitor, who removed the papers in the drawer, and also a tin box containing papers, &c. that was in the office. The adjudication took place a few days afterwards. The solicitor claimed a lien upon the papers for his bill of costs, and he was held to be entitled to it: (*Re Markby*, 11 L. T. Rep. N. S. 250. Bank. Ct.)

PROOF—DETENTION FOR COSTS AFTER ORDER OF DISCHARGE.—The costs in an action on contract that had not gone to trial are provable under a bankruptcy, and are barred where the original debt would be barred by the order of discharge. If in such case the bankrupt is in custody for the costs of an action brought after the bankruptcy in respect of the original debt, he is entitled to immediate release under sect. 162, and the circumstance that he has applied for release to a judge in chambers who declined to interfere, is not, *per se*, "a good reason" for withholding from him his statutory right to be released from custody: (*Re Lloyd*, 11 L. T. Rep. N. S. 251. Bank. Ct.)

RELEASE—BAIL.—The court will, in certain circumstances, and before the choice of assignees, order the bankrupt's release from custody on sufficient bail, although opposed by the detaining creditor, and it does not appear that the release of the bankrupt will be beneficial to the creditors: (*Re Moss*, 11 L. T. Rep. N. S. 252. Bank. Ct.)

SHERIFFS' COURT.

Monday, Nov. 14.

(Before Mr. Commissioner KERR.)

REYNOLDS *v.* ROBERTS.
THE SAME *v.* SORRELL.

The Legal Profession and Sheriffs' Officers.

These were two actions, brought by a sheriff's officer against two attorneys. In the first action the plaintiff sought to recover 1*l.* 1*s.* as a "caption" fee.

Roberts objected that the debtor had not been arrested.

Reynolds.—The writ was lodged with the sheriffs and the debtor arrested, when he produced his discharge in bankruptcy.

Roberts.—The words of the writ are, "that you shall take the body before one of the judges at Westminster."

His HONOUR thought at first that something more was necessary than merely lodging the writ.

Reynolds.—That is not so. We are answerable for the man, and when we take him we look to the attorney for the fee.

His HONOUR considered the matter, and upon giving judgment referred the defendant to the case of *Brewer* v. *Jones*. He did not think the law, as laid down in that case, was good law, but still it was law, and he was bound to follow the principles laid down. In the case quoted defendant would see that he was liable to the officer for the caption fee. It would be for the legal profession to see what might be the effect of the case of *Brewer* v. *Jones*. The plaintiff must have a verdict.

In the case of *Reynolds* v. *Sorrell*, defendant urged that his case was somewhat different. He, as attorney to the creditor, had signed the discharge of the debtor, but he used these words, "upon payment of fees." Now, it was clear that the officer had no right to let the debtor go unless the fees were paid.

Plaintiff.—We have no power to detain the debtor at all for the fees. When his discharge is lodged, we are bound to release him.

His HONOUR.—I think the case of *Brewer* v. *Jones* will apply in this case also, Mr. Sorrell.

Defendant.—It was for the sheriff to have obtained the fees.

His HONOUR.—You had sent in a discharge, and the officer could not detain for fees.

Defendant.—If the sheriff has improperly discharged the man, have I no remedy against him?

His HONOUR.—You may have a remedy against the sheriff under certain circumstances, but it is the best plan for you to read the case quoted. Plaintiff must have a verdict in this case also.

CORRESPONDENCE OF THE PROFESSION.

MORTGAGE CHARGES.—We beg to call the attention of your readers to the following deductions from a loan of 300*l.* said to have been lately made to a poor man by or through a Mr. William Clark, of Mortimer-house, Stanhope-place, N.W.—Bonus, 30*l.*; expenses, 15*l.*; commission, 20*l.*; douceur, 10*l.*—total, 75*l.* Mr. Clark's letter containing the above statement is now before us. We do not find his name in the *Law List*, and it does not appear from the papers in our possession that any solicitor was employed in the matter. We have also two other letters from Mr. Clark to the borrower, in one of which he states that he could not have the deed ready for him by the time required, and in the other that he would wait upon him to attest it. Is not this a proper case for the Law Institution?

Gray's-inn, Nov. 17. BURT and STEVENS.

CIRCUMSTANTIAL EVIDENCE.—In arriving at a decision upon a question of guilt, I venture to think that the mode of calculation suggested by "W.," whose letter appeared in the LAW TIMES of the 5th inst., is fallacious. The merest novice in sporting matters knows that, if 10 to 1 is being taken against each of three selected horses for a certain race, it would be foolish to expect an offer of 1000 to 1 against the winner being of the three; and yet the above is "W.'s" theory, exemplified by himself, only reckoning in horses instead of in pieces of evidence. As I see it, each horse has a chance of winning, representing one-tenth of a certainty, and by the first rule of arithmetic it follows that a combination of their several chances would represent three-tenths of a certainty; or, practically, the odds should be 10 to 3 against the winner being eventually found amongst the three horses. "D. H." brings instructive observations to bear on the point in your journal of the week following, but proceeds to the correction of "W.'s" error by an ingeniously put, though, in my belief, an unsound proposition, amounting to this—that the odds of 5 to 3 against a prisoner's innocence represent something more or less than 3 to 5 against his criminality. However, no principle of calculation here illustrated is applicable for determining, by means of what is popularly termed circumstantial evidence, whether a particular person has or not committed a breach of the law, or rather, in deciding who is the criminal in any given case; for it often happens that two or more circumstances which, taken separately, would ground not the slightest suspicion of the true offender, when connected, form most cogent evidence of his guiltiness. For instance, I will take the case of a murder committed with the victim's own razor. Now, suppose the instrument to be found stained with blood, in a lone place, miles away, the day after the event. Assuming the identity of the razor, the circumstance of the finding would not of itself discover the perpetrator of the crime, or cause him to be at all suspected; and again, supposing the razor not to have been found, the circumstance that the actual murderer was noticed at a distance from the scene of crime the day after its commission would not of itself lead to the least suspicion of his guiltiness. Yet, if the felon were seen at the place where a few moments afterwards the weapon was found, each independent circumstance, when taken with the other, would reasonably be thought of great importance in establishing his guiltiness. A much stronger instance might be brought, but enough has been done, I think, to show that the value of any one circumstance cannot alone be fairly estimated in ascertaining the guilty person, its importance fluctuating in our minds as it is corroborated or discredited by other circumstances, and our conviction being formed upon a consideration rather of the connectedness of the links of evidence than of the sum of their separate probabilities, and therefore no process of addition or multiplication of the separate probabilities will resolve the degree of probability attaching to a chain of circumstances. I have attempted to explain that it is impossible to lay down any simple arbitrary rule for accurately weighing circumstantial evidence, all the time being well aware that in every case the mind, in coming to a conclusion, proceeds, or ought to proceed, mathematically. It is difficult even to surmise upon the degree of apprehension of probability of a prisoner's guiltiness which is usually sufficient to produce a moral certainty in the minds of a jury, or on what odds against his innocence a prisoner in the majority of cases is declared to be guilty. J. W.

Leeds, 16th Nov. 1864.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

DOWER.—I should be obliged if any of your subscribers would favour me with his opinion, whether dower is apportionable in the event of the widow dying in the middle of the half-year, as between the heir and the representatives of the widow. A SUBSCRIBER.

LAND TAX COMMISSIONERS.—I shall feel grateful to any of your readers who will give me their opinion on the following points. The 38 Geo. 3, c. 5, s. 90, enacts that no person shall be capable of acting as a commissioner of land tax within England, unless he be seised or possessed in the same county of lands to the value of 100*l.* per annum or more, of his own estate, being freehold, copyhold, or leasehold. Is this qualification still required? Can a commissioner, A., lawfully sit on the bench with other commissioners and give evidence in a case of appeal as to the value of the property of another commissioner, B., residing in the same parish with himself; and can A. lawfully employ an attorney to support the rate made by the assessors on the appellant B.? (See sects. 73, 78.) If the commissioners present at the hearing of the appeal neglect to require A. to withdraw, and receive his evidence and decide in conformity with it, has B. any remedy?

AN INQUIRER.

Answers.

PARTNERSHIP.—I think that your correspondent "D. H." is mistaken in his view of the question, and that the interest cannot be treated as a purchase for valuable consideration. It is true that the interest was not disposable under the father's will, and is not therefore liable to probate duty; but I have no doubt that it is of the nature of a voluntary settlement, and therefore liable to succession duty. C. S.

Battle, Nov. 16.

LANDLORD AND TENANT—LESSOR ASSIGNING THE REVERSION—RECOVERY OF RENT.—I have recently had occasion to refer to the law on this point, and can find no case decided directly. I write this at a distance from my law books, and therefore cannot quote cases, but after giving the subject anxious attention, the following con-

cision was the one that I arrived at: Rent being incident to the land, and issuing thereout, goes with the reversion and the assignee of the reversion has a remedy, either by distraint or action, for arrears of rent, as well as for that which is accruing at the time he buys. All arrears may be distrained for, and although the assignor of the reversion may not distrain after he has parted with it, the remedy by distraint still remains, and the only person who may distrain at all is the assignee. There are decisions that when the reversioner leases lands, and after there are arrears of rent incurred, he mortgages the reversion, the mortgagee may distrain for arrears, and it appeared to me certain that if a mortgagee may do so an assignee may, for their estates are legally identical. Then, if he can distrain, surely he may sue for arrears. The fact that, after a landlord has assigned his interest he cannot sue for rent, supports the view which I have taken; the liability of the tenant must remain to some one, and if his old landlord cannot recover, who can but the new one or assignee? I am very glad your correspondent "F." has raised this question, for when I was investigating the subject it appeared to me very singular that there is no case on it. I shall be very glad if "F." will answer this letter and say if he considers me right. As I said before, I cannot now refer to my law books for the cases, but I took them chiefly from Archbold's Landlord and Tenant.

Nov. 12. A SUBSCRIBER.

—It is quite clear that A. can recover the rent due at Michaelmas 1863; the demise being by parol, he does not lose his right of action against the tenants by assigning his reversion to B: (*Bickford* v. *Parson*, 5 C. B. 920; and 17 L. J., N. S., 192, C. P.) The stat. 32 Hen. 8, c. 34, enabling assignees of the reversioner to sue and be sued, only applies to leases by deed.

Nov. 14. G. M.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON, and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Thursday, Nov. 10.

MICHAELMAS TERM 1864.

LEEDS *v.* EVANS.—*Mellish*, Q.C. (*Robins* with him), showed cause against a rule *nisi* to set aside a rule making an order of reference and two enlargements of the time thereon, a rule of court. The rule *nisi* was obtained on an affidavit stating the party's belief that the enlargements by the arbitrator had not been made in due course. The arbitrator, a solicitor, refused to make an affidavit, although desired by the Court to do so, as to how the fact was, or to give any information.—*Bovill* (*Shaw* with him) contra.—The COURT said this was a case within sect. 15 of C. L. P. A. 1854, and that they would enlarge this rule and make an order that the arbitrator should appear and be examined before the master. *Rule enlarged.*

CROSBY *v.* THE CRAYS GAS LIGHT AND COKE COMPANY.—Lush, Q.C. moved for a sequestration against the property and effects of the company for a breach of a writ of injunction issued out of this court.—The defendants, without any authority by Act of Parliament or otherwise, had entered on the plaintiff's land and broken up the soil, whereupon the plaintiff obtained an *ex parte* injunction and commenced an action for the trespass with a prayer for an injunction. The defendants paid 40s. into court. The injunction was served in September last, but the defendants had done nothing. The plaintiff now applied under 23 & 24 Vict. c. 126, s. 34, for a sequestration, and for a further rule for the costs of the action. *Rule nisi.*

LEIGH *v.* LOCAL BOARD OF HEALTH OF TRANMERE.—*Lush* moved to set aside an award under the Public Health Act ordering the plaintiff to pay certain sums for paving a street wherein he had some property. The point on which the court granted the rule was, that the time limited for the arbitrators and umpire to make the award had expired before the award was made. *Rule nisi.*

REG. *v.* WHITE.—*Hayes*, Serjt. showed cause against a rule calling on the clerk to the commissioners of the Feltham drainage, to appoint a time and place for the election of district commissioners.—*Field*, Q.C. contra.—It was arranged that the rule should be discharged on the clerk giving an undertaking that the election should take place in due course. *Rule granted.*

REG. *v.* THE INHABITANTS OF CLECKHEATON.—*T. C. Foster* moved for a rule calling on the justices of the West Riding to enter continuances for the purpose of giving the prosecutor his costs of an indictment for non-repair of a highway: (5 & 6 Will. 4 c. 50, ss. 94, 95.) *Rule refused.*

SMITH *v.* RIDING.—Action for money had and received; tried before a County Court judge of Yorkshire and verdict for plaintiff for 10*l.* 19*s.* 11*d.*—*J. A. Russell* moved for a new trial on the ground that the judge had awarded smaller damages than plaintiff was entitled to. *Rule nisi.*

[illegible] *v.* BOND.—*Keneoly* moved to enter this case in the Crown paper. It was an affiliation order which had been brought up by *certiorari* with the view of being quashed. *Rule granted.*

[illegible] *v.* EGERTON.—*Harington* moved for an attachment against the plaintiff for nonpayment of costs pursuant to an award. *Rule nisi.*

REG. *v.* BOND.—*Yeatman* moved for an attachment against the defendant for disobedience to a judge's order for delivering up a rate-book. *Rule nisi.*

Ex parte WILDE, *re* THE JUSTICES OF KENT.—*Gates* moved for a *mandamus* to the justices to make an order for the payment of the quarter's salary due to Mr. Wilde as clerk of the peace of the county of Kent, at Michaelmas 1864. There was a dispute as to the right of the clerk to [illegible] on orders for transportation, his salary having been commuted under the 14 & 15 Vict. c. 55, s. 9, and on Mr. Wilde's refusing to refund them, the justices at the last Michaelmas quarter sessions made an order not to pay the quarter's salary. *Rule nisi.*

Ex parte PIPER, *re* THE HAMMERSMITH AND CITY RAILWAY COMPANY.—*Karslake* moved to quash an inquisition awarding compensation to Mrs. Piper, on the ground that damages had been wrongfully given for vibration caused to her house by passing trains, and for damage to a fruit and flower garden from the dust, &c. occasioned by the company's works. *Rule nisi.*

BRYANT *v.* FOOTE.—*Prideaux* moved to refer this case back to the arbitrator to be restated. *Rule nisi.*

STEVENS *v.* ENGLAND.—*A. S. Hill* moved for a rule calling on the deft.'s attorney to pay 31*l.* 13*s.* 3*d.* pursuant to his undertaking. *Rule nisi.*

Ex parte SINNOCK, *re* THE METROPOLITAN RAILWAY COMPANY.—*W. G. Harrison* moved for a *mandamus* to the railway company, to compel them to issue their warrant to the sheriff to summon a jury to assess compensation to Mrs. Sinnock. *Rule nisi.*

CRANE *v.* THE LONDON DOCK COMPANY.—*Giffard* moved, and *W. G. Harrison* showed cause against a rule calling on the master to tax the costs of the dock company, who had succeeded on an interpleader issue, to try the question of property as to certain bales of opium. *Rule absolute.*

PYE *v.* BUTTERFIELD AND OTHERS.—*Needham* moved for a rule calling on the defendant to show cause why he should not answer certain interrogatories in an action of ejectment for a forfeiture. The defendant had declined, on the ground that his answers might tend to a forfeiture of his estate: (2 Phil. Evid. 497, ed. 10; 46 Geo. 3, c. 37; *Chester* v. *Wortley*, 13 C. B.; 11 Ex. 210; 3 Fos. & Fin. 154.) *Rule nisi.*

NEWTON *v.* PHILLIPS.—*Martin* moved for leave to take out money paid into court in lieu of special bail, the plaintiff having recovered judgment. *Rule granted.*

REG. *v.* D. JENKINS AND ANOTHER.—*Giffard* showed cause and *H. James* supported a rule for a *certiorari* to bring up an affiliation order made by two borough justices: (13 & 14 Vict. c. 91, s. 9.) *Rule discharged.*

DE CAUX *v.* POWLEY. SAME *v.* SAME.—These were two cases stated by justices under 20 & 21 Vict. c. 43, on a refusal to convict the defendant on the hearing of two informations for breaches of bye-laws of the borough of Great Yarmouth, Norfolk. The appellant was the lessee of the market tolls, and the respondent the landlord of the King's Arms Tap. On market days the country people put up at the respondent's inn, and he or his servants, after taking the horses out of the carts, moves the carts to an open place (directed by the bye-laws to be kept open) in the market-place, where they remain till wanted again.—*Bulwer*, for the appellant. No one appeared for the respondent.—The COURT said that the case did not give any materials on which they could say that the justices were wrong; but that if the magistrates wanted to know how far the respondent could be rendered liable for acting by his servant, the master was clearly liable as a principal if the magistrates were satisfied that the servant was acting by his directions. *Appeal dismissed.*

Friday, Nov. 11.

GLEDSTANES *v.* THE ROYAL EXCHANGE ASSURANCE COMPANY.—This was a special case as to the right of the plaintiffs, the representatives of the Hong Kong Assurance Company, to recover the sum of 2000*l.* on a cross policy effected with the defendants. (See Reports.)—*Lush*, Q. C. (*Hannen* with him) for the plaintiffs, and *Bovill*, Q. C. (*Watkin Williams* with him) for the defendants. *Judgment for the plaintiffs.*

BREWER *v.* THE GREAT WESTERN RAILWAY COMPANY.—Special case as to the right of Phillips and Co., the vendors, to stop *in transitu* the delivery of 100 sacks of flour sent by them to the plaintiff by direction of one Jones, a bankrupt, from whom the plaintiff had bought.—*Gray*, Q. C. for the plaintiff, and *Powell*, Q. C. (*H. James* with him) for the defendants. *Part heard.*

Monday, Nov. 14.

REG. *v.* THE LOCAL BOARD OF HEALTH OF SHEERNESS.—*Manisty* showed cause, and *Lush* (*E. P. James* and *Willoughby* with him) supported a rule for a *mandamus* to the board, to levy a general district rate for the purpose of paying to the prosecutor 1168*l.* the taxed costs under a decree of the Court of Chancery, whereby the clerk to the board against whom the proceedings had been instituted under the statute was directed to to pay them the prosecutor.—The COURT said that it could not stop the prosecutor from litigating the question, whether this was the right course of proceeding to enforce the decree, and that the local board might raise their objections on the return to the *mandamus*. *Rule absolute.*

SELBY *v.* PELHAM.—*Hawkins* and *Laxton* showed cause against a rule for a new trial. The case came on as an undefended one at the last Guildford assizes, and a verdict was found for the plaintiff for 217*l.* 16*s.* 10*d.*—*Lush* showed cause. *Rule absolute.*

DICKS *v.* POPE.—*Sawyer* moved for a rule calling on the defendant's attorney to pay 10*l.* 12*s.* 2*d.* pursuant to his undertaking. *Rule nisi.*

REG. *v.* DREW AND OTHERS.—*Prideaux* moved for a *mandamus* calling on justices of Montgomeryshire to issue a summons against W. W. Fray for publishing a malicious libel. *Rule refused.*

ELLISON *v.* BRAY.—*T. Jones* moved to set aside the award herein, mainly on the ground that the arbitrator had not chosen to follow the opinion of the assessor as to the legal liability of some of the defendants.—The COURT said that there was nothing in the submission to compel him to follow that opinion, and that the assessor was not substituted for the arbitrators or umpire, but only to assist them. *Rule refused.*

THE SURVEYORS OF WILLOUGHBY *v.* DAWSON.—Case from the Crown paper as to the liability of the hamlet of Mawthorp to be rated for the highway rate of the parish of Willoughby.—*Boden*, Q.C. for the parish; and *Mellish*, Q.C. for the hamlet. *Cur. adv. vult.*

REG. *v.* BLYTHFIELD.—Demurrer to a return to a *mandamus* to the surveyors of the highway of Potton to collect a rate for the purpose of paying the costs of certain legal proceedings. The question involved was, whether the surveyors who had made the rate were bound to collect it, Potton having been incorporated into the Biggleswade highway district before the collection.—The COURT held that they were.—*D. D. Keane* for the prosecutor; *Sill* contra. *Judgment for the Crown.*

GILES *v.* SIXSY.—Appeal by a fortune-teller against a conviction under the Vagrant Act, the question was whether evidence of a previous conviction had been properly received.—*Harington* for the appellant. No one appeared for the respondent.—The COURT regretted that they had no alternative but to set aside the conviction. *Conviction quashed.*

Wednesday, Nov. 16.

REG. *v.* PIDLER AND OTHERS.—Rule *nisi* for a *certiorari* to bring up five orders made by magistrates of Somersetshire, for payment of the Wellington church-rate, on the ground that the jurisdiction of the magistrates was ousted by the parties having disputed the validity of the rates: (53 Geo. 3, c. 127.)—*Karslake*, Q. C. and *Dowdeswell* showed cause; and *J. Brown* supported the rule.—The COURT held that the magistrates were wrong in holding that the rate was not *bonâ fide* disputed. *Rules absolute.*

REG. *v.* THE POOR-LAW GUARDIANS OF THE CONGLETON UNION.—The question in this case was, whether the Congleton Union, being partly in Staffordshire, could be made to contribute under the Rate in Aid Act (25 & 26 Vict. c. 110).—The COURT held that it could. The same point cannot arise again, having been set at rest by the Amendment Act (28 Vict. c. 4).—*Cleasby*, Q. C. (*Tomlinson* with him) in support of the liability to contribute.—*Bovill*, Q. C. (*A. S. Hill* with him) contra. *Rule confirmed.*

CALEY *v.* THE LOCAL BOARD OF HEALTH OF KINGSTON-UPON-HULL.—Appeal against an order of the stipendiary magistrate of Hull for payment of expenses incurred by the local board in levelling the street in front of the appellant's house. It appeared that the street was in point of fact raised so as to make it on a level with the adjoining streets, and not levelled with regard to any inequality in the surface of the street itself.—The COURT held that raising the street for the purpose in question was beyond the powers of the local board, and therefore the appellant was not liable for the expenses.—*Tindal Atkinson*, Serjt. (*A. Peel* with him) for the local board; *P. Thompson* for the appellant. *Judgment for the appellant.*

YEWDALL *v.* CRAVEN.—The points raised in this appeal were, whether a demand of payment of poor-rates was necessary before a summons and distress for nonpayment could be issued; and secondly, whether any demand had been made for payment. It was conceded that a demand was necessary, and the COURT held that a demand by a person authorised by the assistant overseer to call for payment and give a receipt was a sufficient demand.—*West* in support of the order of magistrates; *Maule* contra. *Order confirmed.*

SHEPHERD AND ANOTHER *v.* THE POSTMASTER-GENERAL.—Appeal under 20 & 21 Vict. c. 43, against a conviction by magistrates at Longton, Staffordshire, for setting fire to letters in a pillar-box. The prisoners were apprehended and charged in the first instance under the 24 & 25 Vict. c. 97, s. 10, but the magistrates convicted under sect. 52 for wilful damage to property.—The *Solicitor-General* (*Poulden* with him) in support of the conviction.—*Harington* for the appellants.—The main point was, whether the appellants having been charged under sect. 10 with an indictable offence in the first instance, the magistrates could convict under sect. 52 summarily.—The COURT held that they could. *Conviction affirmed.*

REG. *v.* THE MAYOR, &c. OF ABERAVON, GLAMORGANSHIRE.—This was a *sci. fa.* to repeal the grant of a charter of municipal corporation under the 1 Vict. c. 78, s. 49, on the ground that the petition for it was not signed by a majority of the inhabitant householders.—*Lush*, Q.C. (*Prentice* with him) for the prosecutors of the *sci. fa.*—*Bovill*, Q.C. (*Giffard* with him) for the corporation. *Part heard.*

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Wednesday, Nov. 9.

EDDISON AND OTHERS *v.* BROOKES.—Special case stated for the opinion of the court under the C. L. P. A., respecting the liability of the vicar of St. Mary's, Nottingham, to be rated for the payment of the expenses incurred in carrying out the provisions of a local Act of Parliament for the inclosure of waste lands in the parish of St. Mary's, Nottingham.—The COURT gave judgment for the defendant the vicar. *Judgment for the defendant.*

WILSON AND OTHERS (apps.) *v.* THE CHURCHWARDENS OF SUNDERLAND (resps.).—Case stated by justices of Durham under 20 & 21 Vict. c. 43. The appellants, who were Quakers, had been rated for the repair of the church and other purposes under a local Act of Parliament passed in 1719, creating Sunderland near the sea a separate parish from Bishopwearmouth. The appellants having disputed the rate, respondents applied for a distress-warrant to four justices of the county, who refused to hear the objections raised to the validity of the rate by the appellants on the ground that they had no power to consider them, and issued their warrant, whereupon the appellants demanded a case. *Judgment for the respondents.*

TAYLOR (app.) *v.* HUMPHRYS (resp.).—Case stated by justices under 20 & 21 Vict. c. 43. The question which arose in this case was as to what persons are *bonâ fide* travellers to whom a publican may supply refreshments on Sunday.—*Hayes*, Serjt. appeared for the appellant. *Part heard.*

Thursday, Nov. 10.

WALKER *v.* CLARKE.—In this case *Simon*, Serjt. moved for a rule calling on the defendant to show cause why the venue in this action should not be changed from Lincoln to London. It appeared that the plaintiff was vicar of Bardsley in Lincolnshire, and the defendant was proprietor of the *Lincoln Gazette*. A dispute had arisen between the plaintiff and a person who had formerly been a churchwarden, and the person wrote a strong letter in the *Lincoln Gazette*, in which he charged the plaintiff with having assaulted him in church. This letter was followed by another, bearing no signature, which alleged that the plaintiff was under the influence of drink in the church. Upon the appearance of this second letter, the plaintiff's attorney wrote to the defendant, requesting him to withdraw the imputations against the plaintiff, or to furnish the name of his correspondent. This was not done; but the ex-churchwarden took out a summons against the plaintiff for the assault, and the magistrates fined him 5*l.* This rule was moved for on the ground that, in addition to the letters above referred to, there had been other articles in the *Lincoln Gazette* against the plaintiff, and that these, together with the fact of the plaintiff being fined by the magistrate, had raised such a prejudice against him that he feared, if the action was tried in the county, he would not obtain an

impartial hearing; and that it was also of great importance to have the cause tried as soon as possible, in order that he (the plaintiff) might have an opportunity of vindicating his character.—The COURT refused the rule; but said at the same time that if the defendants, between the present time and the day of trial, published anything disrespectful against the plaintiff in their paper, the venue should be changed by any member of the court.

Rule refused.

IXCHRALD *v.* THE WESTERN NEILGHERRY COFFEE AND TEA COMPANY (LIMITED).—This was an action brought by the plaintiff, a stockbroker, to recover the sum of 400*l.* upon an agreement entered into between himself and the defendants. The plaintiff had been engaged by the company as stockbroker, the contract being that he should receive 100*l.* down, and 400*l.* besides on the allotment of all the shares. The company had contracted with Mr. Lascelles to purchase an estate belonging to his son in India, but Mr. Lascelles, jun., subsequently repudiated the contract, and the company, instead of entering into litigation for the purpose of trying to enforce the contract, proposed to wind-up the concern, which they did, paying back all the deposit money, together with interest, to the allottees. There were only a few shares remaining to be allotted, but, as the whole were not allotted, the plaintiff was not entitled to recover the 400*l.* under the contract, but he sued for damages on the ground that he was prevented from earning the 400*l.* by the act of the defendants. A verdict having been found for the plaintiff, subject to the opinion of this court upon the point whether the plaintiff was entitled to recover at all, and, if so, for what amount, *Karslake*, Q.C. and *H. James* having been heard for the plaintiff, and *Prentice* for the defendants, the COURT held that, as the defendants, by their own act of winding-up, had prevented the plaintiff from earning the 400*l.*, they must indemnify him for the loss; and that in their opinion 250*l.* would be a proper sum.

Judgment accordingly.

HELPS *v.* CLAYTON AND WIFE.—WILLES, J. gave judgment in this case, which was argued last term. It appeared that Capt. Clayton married in 1862 a young lady, who was then eighteen years of age. Previous to the marriage the young lady's father called upon the plaintiffs (solicitors), and instructed them to prepare the settlement, at the same time handing them a letter from Capt. Clayton, stating what he was prepared to settle. A difference of opinion having arisen between the plaintiffs and Captain Clayton's solicitor as to who was entitled to prepare the settlement, the question was referred to a third party, who decided that the lady's solicitor had the right of preparing the deed, but that the gentleman was to pay for it. The plaintiffs accordingly prepared the deed, but as some family disputes occurred it became a question as to who was to pay the plaintiffs: Held, that the lady's father in employing the plaintiffs acted as agent for his daughter, disclosing his principal at the time, and that as an infant could contract a marriage, and as a marriage-settlement would be beneficial to her and her children, it might be considered as a necessary suitable to her condition, and the judgment must be for the plaintiffs.

Judgment for the plaintiffs.

MALLAM *v.* RADLOFF.—This was a case tried before Keating, J., when a verdict was found for the plaintiff. A rule having been obtained to set that verdict aside—*Petersdorff*, Serjt. (*Keneally* with him) now showed cause.

Part heard.

Friday, Nov. 11.

SHAW *v.* SHAW.—Counsel having been heard in this case, the COURT suggested that the parties should endeavour to come to terms.

MALLAM *v.* RADLOFF.—The argument having been concluded in this case, the COURT discharged the rule.

Saturday Nov. 12.

SCOTT *v.* DURRANT.—*Griffits* moved to have this case removed from the list of appeals from the decisions of revising barristers.

Rule refused.

The Court rose early, it being the day selected for the nomination of Sheriffs.

Monday, Nov. 14.

THE VESTRY OF CHELSEA (appts.) *v.* KING (respt.) Case stated by justices under 20 & 21 Vict. c. 43. The question was whether the powers contained in Michael Angelo Taylor's Act, 57 Geo. 3, c. 29, for the prevention of nuisances within the ambit of the Bills of Mortality, were transferred by 25 & 26 Vict. c. 120 to the Metropolitan Board of Works for exercise over the more extensive space subject to their jurisdiction. The respondent had been summoned for keeping a pig, although no actual nuisance had been caused by it. The magistrates refused to convict.—*Keane*, Q. C. appeared for the appellants.—The COURT were of opinion that the latter Act transferred to the Metropolitan Board the powers for the suppression of existing nuisances, but not for the prevention of prospective nuisances, many of which, such as the regulations respecting pigs, might be most judicious in the more limited and densely populated area, but quite out of place in the rural districts comprised in the area subject to the Metropolitan Board.

Judgment for the respondent.

SHIPTON *v.* HUMPHREYS.—*Keane*, Q. C. stated that this case was withdrawn, the matter having been arranged, the appellant paying the costs.

MILLS *v.* THE CORPORATION OF COLCHESTER.—*Lush*, Q. C. (*J. Brown* with him) appeared for the plaintiffs; *Petersdorff* Serjt. (*R. E. Turner* with him) for the defendants. Cross-demurrers to the declaration, and plea.

Judgment for the defendant, the plaintiff to have leave to insert an additional count in the declaration.

Tuesday, Nov. 15.

SIMPSON *v.* LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—*T. Jones* moved for a rule to set aside an award herein, on the ground that there was a difference between the words of the award and the accompanying plan as to the quantity of land to be taken by the defendants.—The COURT granted the rule.

Rule nisi.

HORWOOD *v.* WOOD.—*Watkin Williams* moved, on the authority of *Sichel v. Borrie*, 33 L. J. 179, Ex., to set aside the service of a writ on the defendant in Graham's Town, under the 18th section of the C. L. P. A. 1852. The ground of the application was, that the action being brought on a contract by letters, the "cause of action," within the meaning of that section, did not arise in England.

Rule refused.

Ex parte DURRANT.—*J. O. Griffits* said he had conferred with his client, who refused to consent to the suggestion thrown out by the court when the rule was applied for. Therefore,

Rule nisi.

Re AN ATTORNEY.—*Pigford* moved to make absolute a rule, returnable to-day, calling on an attorney to account.—The COURT said the application was premature, and the case should be mentioned on Thursday.

ELLWOOD AND ANOTHER *v.* CHRISTY AND OTHERS.—This was an action for the infringement of a patent in which the verdict had been found for the plaintiff.—*Bovill*, Q.C. had obtained a rule for a new trial on affidavits and on the ground that the verdict was against the weight of evidence.—*Hindmarch*, Q.C., *Webster* and *Aston* showed cause.—*Bovill*, Q.C., Sir *G. Honyman* and *Murray* supported the rule.

Rule discharged.

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Friday, Nov. 11.

WILSON *v.* PALMER.—*C. Pollock*, for defendant, moved for a rule to show cause why the award herein should not be set aside, or referred back to arbitrator.

Rule to show cause.

COOK *v.* BAILEY.—This was an action tried before Martin, B., at the Middlesex sittings, for a malicious prosecution. The plaintiff was charged with obtaining a horse by false pretences, the alleged false pretence being that the plaintiff called himself "Allen," when his name was really Cook. The magistrates having dismissed the case, the plaintiff brought the present action. At the trial the question was whether the defendant's plea of reasonable and probable cause was fully proved, but the jury thought it was not, and found for the plaintiff to the amount of 20*l.*, the measure of damages being the price of the horse.—*Ballantine*, Serjt. having obtained a rule *nisi* for a new trial, on the ground that the verdict was against evidence, *Keane*, Q.C. now showed cause; but the COURT, without calling on *Ballantine*, Serjt. and *Thesiger* for the defendant, made the rule absolute.

Rule absolute for a new trial, on the ground of the verdict being against evidence, unless plaintiff's counsel consented to a set procedure, which the C. B. intimated would be the best course.

SCOTT *v.* THE LONDON DOCK COMPANY.—In this case the plaintiff was an officer of Customs, who superintended the weighing of goods at the defendants' docks. In the course of his business he had to pass from one warehouse to another under a doorway where there was a "jigger," or, as it is more commonly called, a crane, and six bags of sugar fell on him from above; but there was no direct evidence to show in what way and from where the sugar fell. There was no fence or barrier to warn people that the spot was dangerous, and no one called out to stop the plaintiff. He was seriously injured, and brought an action against the dock company for damages in respect of injuries received through their negligence, which was tried before Martin, B., and a special jury at Guildhall; and on that occasion the learned Baron ruled that it could not be said there was sufficient evidence of negligence, when the whole of the facts attending the accident were a mere matter of surmise. A rule having been obtained for a new trial on the ground of misdirection, *Murphy* (with *Bovill*, Q.C.) showed cause, and contended, in the course of his argument, that the plaintiff was a mere licensee, that his only right was not to be treated as a trespasser, and that the only duty cast on the defendants was not to lay a trap for him; that there was a difference between a public highway and a dock, and that on a highway the public were entitled to a greater amount of protection; that the danger was quite apparent, and that there was contributory negligence on the part of the plaintiff; that the defendants were dealing with their property in a manner not contrary to law, and that there was no breach of duty on their side. They cited and relied on *Robb v. Smith*, 7 H. & N. 756; 6 L. T. Rep. N. S. 158; *Cornman v. Eastern Counties Railway Company*, 4 H. & N. 781; 29 L. J. 94, Ex.; *Hounsell v. Smith*, 2 L. T. Rep. N. S. 440; 7 C. B., N. S., 731; 29 L. J. 203, C. P.; *Barnes v. Ward*, 9 C. B. 392; *Wilkinson v. Farrie*, 7 L. T. Rep. N. S. 509; 32 L. J. 73, which was acted on in *Rogers v. Laing*, in the Ex. (not reported); *Hammack v. White*, 11 C. B., N. S., 589; 31 L. J. 129, C. P.; *Cotton v. Wood*, 29 L. J. 383, C. P.; and distinguished *Byrne v Boadle*, 9 L. T. Rep. N. S. 450; 2 H. & C. 722; 33 L. J. 13, Ex.—The *Solicitor-General* and *T. Jones* appeared in support of the rule, and contended that the defence was cast on the defendants, provided that the plaintiff showed a *prima facie* case of negligence, and that the bags of sugar falling down constituted such a *prima facie* case; that if there was any ground for saying that the plaintiff went out of his way it was a matter of evidence, and no such evidence had been given; and that the plaintiff was no mere licensee, but as much in the Queen's employ as the sentinel outside Buckingham Palace or the Bank of England. They relied on *Byrne v. Boadle*, which, they contended, must either be followed, or, if upset, it must be by a court of error; and they cited also *Christie v. Griggs*, 2 Camph. 79; *Carpue v. London and Brighton Railway Company*, 5 Q. B. 747 [MARTIN, B. refers to *Vaughan v. Taff Vale Railway* in Ex. Ch. —*Field*, Q.C. (*amicus curiæ*) mentions *The Great Western Railway of Canada v. Fawcett*, 8 L. T. Rep. N. S. 31; Moore's P. C. Cas.]; and they distinguished the cases cited contra.—The COURT were divided in opinion, MARTIN, B being of opinion that the rule should be discharged; CHANNELL and PIGOTT, BB. thinking that it ought to be made absolute on the authority of *Byrne v. Boadle*, whilst the Lord Chief Baron entertained great doubts, although he inclined to agree with MARTIN, B., but withdrew his judgment in order that the defendants might have a right of appeal to the Ex. Ch. which, it is understood, they will exercise; therefore the Court made the

Rule absolute accordingly.

PRICE AND ANOTHER *v.* KIRKHAM AND ANOTHER.—(See Reports of the week.

Rule discharged.

Saturday, Nov. 12.

PENISTON *v.* WATCHORN.—*Mellish*, Q. C., on behalf of the plaintiff, moved to set aside an order of Shee, J., and the only question was, whether the composition-deed made by the defendant with his creditors was a valid deed; the covenant was to pay the composition by instalments, the first was to be paid one month after the trustee had certified that the deed had been duly registered; but, in fact, the trustee had not so certified when the parties went first before the learned judge, and he had adjourned the summons for the purpose of getting the certificate, and then afterwards made this order: the deed was not valid under the clauses of the Bankruptcy Act.

Rule nisi.

Monday, Nov. 14.

COOKE *v.* MOSTYN AND OTHERS.—Demurrer to a declaration involving the question whether the owner of minerals below the surface, the soil of which belonged to another person, was bound to fence the opening of a mine sunk by him by the leave of the owner of the surface soil, to prevent persons lawfully there from falling into the mine.—*Bovill*, Q. C. (with *Trevelyan*), for defendants, contended the declaration was bad, citing *Growcott v. Williams*, 32 L. J. 257 Q. B.; 8 L. T. Rep. N. S. 458, nom. *Williams v. Growcott*; *Sibray v. White*, 1 M. & W. 434; *The King's Prerogative in Saltpetre*, 12 Rep. 13 & 14; *Carell v. Black* (Scotch case), 5 Peyton's App. Cas. 567, affirmed in H. of L. in 1812. [CHANNELL, B. refers to *Barnes v. Ward*, 9 C. B. 392; *Hislop v. Durrant*, 4 Bell, Mur. & Dun., 2nd series, 1166 (Scotch); *Deane v. Clayton*, 1 B. Moo. 203; *Metcalfe v. Hetherington*, 24 L. J. 314, Ex.; *Ryder v. Smith*, 3 T. R. 300. —*Milward* (with him *Lush*, Q.C. and *McIntyre*) contra, for plaintiff, distinguished the cases cited by defendants, and cited *Dutton v. Poole* in the Ex. Ch., and *Hounsell v. Smith*, 7 C. B., N. S., 731.—POLLOCK, C. B.: The court ought to have much more information before it decides a question of considerable difficulty and some novelty. They think, therefore, the case should go down to trial on the issues of fact before judgment is given on the demurrer.

Issues of fact to be first tried.

HOW *v.* GREEK.—Demurrer to plea.—(See Reports of the week.)

Judgment for plaintiff.

Tuesday, Nov. 15.

BURCH *v.* THE REDDITCH RAILWAY COMPANY.—*Day* moved to set aside an order of Martin, B., staying further proceedings in the action, unless one Gillman gave security for the defendants' costs. Gillman had been mortgagee of a debt, and brought an action against plaintiff, and recovered his debt of 200*l.* The money had been paid since the judge's order was made, but due notice had been given of the facts to defendants, yet since that notice the order had been made a rule of court.

Rule nisi to set aside the rule of court with costs.

NICHOLSON *v.* THE LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.

Cur. adv. vult.

HUGHES AND JONES *v.* POTTER.—*E. James*, Q. C. and *Milward* showed cause against the rule to set aside the plaintiff's verdict for 53*l.*, and enter it for the defendant, or reduce the damages. The plaintiffs had by agreement only, not by deed of conveyance, obtained some building land from Jones and Davis, and plaintiffs agreed in a similar manner to sell to one Dedy, who built four houses. Two were supplied by defendant with ironmongery, such as grates, &c., all of which became by defendant affixed to the building. Dedy could not pay defendant for the grates, &c., and therefore gave him liberty to go and take them down and remove them back again to his own premises. Dedy was no longer to have possession than he performed the terms of his agreement with the plaintiffs, and as Dedy had not fulfilled the terms of his agreement, the plaintiffs took forcible possession, and put in carpenters, &c., to work, and advertised the premises for sale by auction, defendant then again got into possession, and took away some 60*l.* worth of property. It was contended Dedy could give defendant no better title than he had, and Dedy had forfeited his right. Plaintiffs had sufficient right to the possession at the time as would enable them to maintain an action of trespass against defendant, who was then a trespasser and wrong-doer.—*Bovill*, Q.C., contra, in support of the rule.

Rule discharged.

CHANCERY ORDER.

I do hereby order that all petitions of appeal and rehearing, appeal petitions and appeal motions, from the Master of the Rolls and the Vice-Chancellors respectively, be (subject to and until any further order or direction by me) heard and determined by the Lords Justices.

10th Nov. 1864. WESTBURY, C.

NEW GENERAL ORDER IN BANKRUPTCY

THE BANKRUPTCY ACT 1861.

Friday, Nov. 11.

From and after the 1st day of December next numbers 47 and 51 of the rules and orders made in pursuance of the Bankrupt Law Consolidation Act 1849, and dated the 19th day of October 1852, shall be and the same are hereby rescinded, and it is ordered as follows:

1. That thenceforth no messenger or usher of the Court of Bankruptcy in London, or of any district court of bankruptcy, or any clerk or other person employed in any department of either of such courts shall make any office copy or other copy of any petition, affidavit, order, or other document or proceeding filed in such courts, or of any bill of costs left with the master or with any registrar thereof for taxation.

2. That in the court in London all office copies of every such petition, affidavit, order, document, proceeding aforesaid, and of every such bill of costs aforesaid, shall be made under the direction and control of the chief registrar of the court, and that in the district courts all such office copies shall be made under the direction and control of the respective registrars thereof, and no office copy whatever shall be made or delivered out, except on a written requisition by the solicitor or party requiring the same, addressed to such chief registrar or other registrar aforesaid.

3. That all office copies shall be made by such person as the chief registrar or other registrar aforesaid shall appoint, and shall, except as to figures

fairly written at length, and shall be sealed with the seal of the court, and delivered out by the person so appointed without any unnecessary delay, and in the order in which they shall have been bespoken, and not more than three halfpence per folio of ninety words shall be charged or paid for any office copy so made and delivered out.

4. That no fee shall be allowed for attending to bespeak office copies, or for attending to receive the same.

WESTBURY, C.
W. S. AYRTON.
T. B. H. ABRAHALL.

WINTER ASSIZES.

OXFORD CIRCUIT.

Mr. Justice Byles has appointed the following days for the ensuing winter gaol delivery:—

Stafford	Thursday, Dec. 1
Worcester	Monday, Dec. 12
City of Worcester	Monday, Dec. 12
Oxford	Saturday, Dec. 17
Reading	Wednesday, Dec. 8

Mr. Baron Bramwell has appointed for the gaol delivery at Gloucester, Thursday, Dec. 8.

HOME CIRCUIT.

Mr. Baron Channell has appointed the following towns and times:—

Winchester	Thursday, Dec. 2
Hertford	Thursday, Dec. 8
Chelmsford	Monday, Dec. 12
Maidstone	Thursday, Dec. 15
Lewes	Wednesday, Dec. 21

These are the days for opening the commission at the respective places. Business will begin at ten on the following mornings.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied to the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Friday, Oct. 28.

By M. MOXON, at the Guildhall Coffee-house.—Freehold villa, being No. 33, Carlton-hill, St. John's-wood, let at 55l. per annum—sold for 8[illegible]l. Freehold villa, being No. 40, Carlton-hill aforesaid, let at 50l. per annum—sold for 700l. Leasehold dwelling-house, being No. 7, Oakley-street, King's-road, Chelsea, let at 50l. per annum, term 78 years unexpired, ground-rent 16l. 10s. per annum—sold for 656l.

By Messrs. ELLIS and SON.—Freehold warehouse, situate No. 74, Lower Thames-street, City, let on lease at 120l. per annum—sold for [illegible]l. Leasehold, two residences, being Nos. 4 and 5, Spencer-place, Brixton-road, producing 60l. per annum, term 6½ years unexpired—sold for 26[illegible]l.

Tuesday, Nov 1.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house. —Freehold ground-rent of 63l. per annum, arising out of the British Lion Tavern, situate at the corner of Langthorn-street and West Ham-lane, Stratford—sold for 1120l. Freehold ground-rent of 21l. per annum, arising out of seven houses situate in Langthorn-street—sold for [illegible]l. Freehold ground-rent of 3l. per annum, arising out of a house situate No. 6, Somerset-place aforesaid—sold for 41l. Freehold ground-rent of 3l. per annum, arising out of a house, being No. 5, Somerset-place aforesaid—sold for 44l. Freehold ground-rent of 3l. 3s. per annum, arising out of a piece of building land, situate in Langthorn-street, aforesaid—sold for 8[illegible]l. Freehold ground-rent of 14l. per annum, arising out of seven houses, being Nos. 19 to 26, Langthorn-street, aforesaid—sold for 2[illegible]l. Freehold ground-rent of 7l. 7s. per annum, arising out of two houses and [illegible] situate in West Ham-lane, aforesaid—sold for 5[illegible]l. Freehold ground rent of 1[illegible]l. per annum, arising out of the police station, situate in West Ham-lane, aforesaid—sold for 40[illegible]l. Freehold ground-rent of 8l. per annum, arising out of four houses, situate in Paul-street, West Ham-lane aforesaid—sold for 170l. Freehold ground-rent of 8l. per annum, arising out of four houses situate in Paul-street aforesaid—sold for 1[illegible]l. Freehold ground-rent of [illegible] per annum, arising out of four houses, situate in Paul-street aforesaid—sold for 1[illegible]l. Freehold ground-rent of 20l. per annum, arising out of ten houses situate in Paul-street aforesaid—sold for [illegible]l. Freehold villa, being No. 6, Nightingale-place, Nightingale-lane, [illegible]—sold for [illegible]l. Leasehold profit rental of 10l. per annum for about twelve years, arising out of fourteen houses, situate in [illegible]-street and Queen-street, Camberwell—sold for [illegible]l.

Friday, Nov. 4.

By Messrs. NORTON, HOGGART and TRIST, at the Guildhall Coffee-house.—Freehold premises, being No. 2, Suffolk-lane, Cannon-street, City—sold for 12,[illegible] guineas. Leasehold ground rents, amounting to [illegible]l. per annum for about 44 years, secured on houses and premises, situate in East-street and Saunders-street, Lambeth-walk—sold for [illegible]l.

Thursday, Nov. 10.

By Messrs. C. C. and T. MOORE.—Leasehold, two residences, being Nos. 11 and 14 [illegible]-terrace, Stepney-green; term eighty years, from 18[illegible]; ground-rent 10l. per annum—sold for 520l. Leasehold, six dwelling-houses, being Nos. 29 to 34, Ware-street, Kingsland-road, producing [illegible]l. per annum; term sixty-eight years unexpired; ground-rent [illegible]l. per annum—sold for [illegible]l.

Friday, Nov. 11.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Freehold three dwelling-houses (with shop), being Nos. 7, 8 and 9, Three Colt-street, [illegible] Ford-road, and four plots of building land situate therein—sold for [illegible]l.

IN THE COUNTRY.

Friday, Oct. 21.

By Mr. MARSH, at the King's Head Hotel, Coventry.—Freehold farm known as the "Hill," situate in the parish of Nuneaton, Warwick, comprising a farmhouse, outbuildings and 377a. 1r. 25p. of arable, meadow and pasture land—sold for 13,500l. Freehold farm, known as "[illegible]-cottage," situate as above, comprising a farmhouse, outbuildings and [illegible]a. 0r. 27p. of arable, meadow and pasture land—sold for [illegible]l.

THE GAZETTES.

Bankrupts.

Gazette, Nov. 8.

To surrender at the Bankrupts' Court, London.

AITKIN, ROBERT, farmer, Chapel-end, Walthamstow. Pet. Nov. 2. Reg. Hazlitt. O. A. Graham. Sol. Herring, Stafford-st. Marylebone.

ALLEN, NATHANIEL WILLIAM, greengrocer, Alma-pl. Lewisham. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Jenkins, Nicholas-a.

BLACKBALL, CHARLES JAMES, pianoforte maker, St. John's-rd. Hoxton. Pet. Nov. 2. Reg. Hazlitt. O. A. Graham. Sol. Sandey, Barge-yard-chambers, Bucklersbury.

BOWLES, JOHN, veterinary surgeon, Ely. Pet. Nov. 4. Reg. Brougham. O. A. Edwards. Sol. Richardson, Old Jewry-chambers.

CLARKE, REUBEN, boot and shoe maker, West Winterslow, Salisbury. Pet. Nov. 4. Reg. Roche. O. A. Cannan. Sol. Crafter, Blackfriars-rd.

COMSTOCK, THOMAS ANTHONY, manager for the sale of sewing machines, Museum-st. Bloomsbury. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Cartwright, Bishopsgate-st.-within.

COOK, THOMAS HENRY, cheesemonger, Rochester-ter. Westminster. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Walker, Guildhall-chambers.

COOKE, ROBERT, Esq. Shirley. Pet. Nov. 5. Reg. Roche. O. A. Cannan. Sol. Stothen, Leadenhall-st., agent for Lamer, Southampton.

CROFTS, WILLIAM FRANCIS, commercial clerk, East-la. Bermondsey. Pet. Nov. 5. Reg. Hazlitt. O. A. Graham. Sol. Bartley, Bucklersbury.

DEWSBURY, CHRISTOPHER LEY, livery-stable keeper, Cleveland-yd. St. James's, and Wexham, Slough. Pet. Nov. 4. Reg. Brougham. O. A. Edwards. Sols. Robinson and Co. Charterhouse-sq.

ELSDON, JOHN FENN, merchant, Lime-st. Fenchurch-st. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Moss, Gracechurch-st.

FAIREY, JOHN, parchment manufacturer, St. Neots. Pet. Nov. 2. Reg. Brougham. O. A. Edwards. Sols. Parker and Co. Bedford-row.

GODIER, JAMES, fish salesman, London-st. and Gouldstone-st. Whitechapel, and Billingsgate-market. Pet. Nov. 2. Reg. Hazlitt. O. A. Graham. Sol. Foster, Coleman-st.

GREET, JAMES VALDER, painter and plumber, Sandwich. Pet. Nov. 1. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry.

GRIMES, THOMAS, stonemason, Queen's-rd. Bayswater. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Venn, New-inn, Strand.

HALL, ALFRED JOHN, stationer, Old Broad-st. Pet. Nov. 5. Reg. Hazlitt. O. A. Graham. Sol. Preston, Austin-friars.

JOHNSON, GEORGE, commission agent, St. Ann's-rd. Notting-hill. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Godfrey, South-sq. Gray's-inn.

JONES, JOHN BREESE, shirt tailor and collar maker, Upper Berkeley-st. west, Hyde pk. Pet. Nov. 3. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st.

KEEVES, WILLIAM JOHN, carpenter, Arlington-st. Brixton-hill. Pet. Nov. 2. Reg. Brougham. O. A. Edwards. Sol. Pook, Gresham-st.

MARRIOTT, SAMUEL, blacksmith, Ashburnham-rd. Greenwich. Pet. Nov. 4. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-flds.

MARSDEN, JOHN WRIGHT, assistant to a fishmonger, Cowley-pl. Peckham. Pet. Nov. 2. Reg. Roche. O. A. Cannan. Sols. Wood and King, Basinghall-st.

MORRIS, THOMAS, commercial clerk, Daventry. Pet. Nov 1. Reg. Hazlitt. O. A. Graham. Sols. Underhill and Field, New-inn, Strand.

PAYNE, GEORGE, corn chandler, Holloway-rd. Islington. Pet. Nov. 5. Reg. Brougham. O. A. Edwards. Sol. Ricketts, Frederick-st. Gray's-inn-rd.

POOL, WILLIAM, farmer, Sharnbrook. Pet. Nov. 3. Reg. Brougham. O. A. Edwards. Sols Lewis and Lewis, Ely-pl.

POWELL, GEORGE, commercial traveller, Cranmer rd. Brixton. Pet. Nov. 3. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Raymond-bdgs. Gray's-inn.

SALE, DAVID, builder, Devonshire-st. Bloomsbury, and Hazelville-rd. Hornsey-la. Pet. Nov. 3. Reg. Brougham. O. A. Edwards. Sols. Willoughby and Cox, Clifford's-inn.

SANDLE, JOSEPH PARMENTER, farmer, West Tilbury. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Bruty, Cornhill and Chelmsford.

SHARRINGTON, FRANCIS GEORGE, pastrycook and confectioner, New Church-st. Marylebone. Pet. Nov. 3. Reg. Roche. O. A. Cannan. Sol. Porter, Coleman-st.

SMITH, CHARLES, furniture broker, Queen's-rd. Chelsea. Pet. Nov. 2. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st.

ST. ALBYN, EDMOND, Hercules-bdg. Lambeth, and BARRAT, WILLIAM, Lambeth-rd. bottled beer merchants. Pet. Nov. 4. Reg. Roche. O. A. Cannan. Sol. Levy, Henrietta-st. Covent-gdn.

STATES, CHARLES, hotel keeper, Norwich. Pet. Nov. 4. Reg. Hazlitt. O. A. Graham. Sols. Linklater and Hackwood, Walbrook.

TRIBE, JOHN, builder, Sutton. Pet. Nov. 3. Reg. Brougham. O. A. Edwards. Sol. Draper, Charlwood-st.

WILES, WILLIAM, bottled beer merchant, Maryland-point, Stratford. Pet. Nov. 1. Reg. Brougham. O. A. Edwards. Sol. King, Queen-st.

To surrender in the Country.

ACEY, JOHN BERNARD, musicseller, Hull. Pet. Nov. 4. Reg. & O. A. Phillips. Sol. Stead, Hull.

BALLS, FREDERICK, jun., farmer, Stretton. Pet. Nov. 4. Reg. & O. A. Pretyman. Sol. Champ. Ipswich.

BARWELL, EDWARD, butcher, Witham. Pet. Nov. 3. Reg. & O. A. Codd. Sol. Jones, Colchester.

BEESON, JOHN, wood dealer, Ratcliffe-on-Trent. Pet. Nov. 5. Reg. & O. A. Patchitt. Sol. Buttery, Nottingham.

BLACKWOOD, JOHN, hawker, Lincoln. Pet. Nov. 3. O. A. Carrick. Sols. Dale, Lincoln; Barr, Nelson and Barr, Leeds.

BOARD, MARY ANN, cabinet maker and upholsterer, St. James' Barton. Pet. Nov. 2. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol.

BOOTH, FRANCIS MORTIMER, mule spinner, Gildersome, Leeds. Reg. & O. A. Sangster. Sol. Harle, Leeds.

BRAYSHAW, JOSEPH, and BRAYSHAW, THOMAS, cloth manufacturers and merchants, Leeds and Yeadon, and Addle-st. London. Pet. Nov. 3. O. A. Young. Sol. Simpson, Leeds.

COLES, JOHN, dealer in hay and straw, Newport Pagnell. Pet. Nov. 4. Reg. & O. A. Parrott. Sol. White, Northampton.

CROOK, RICHARD, merchant, Liverpool. Pet. Nov. 5. O. A. Turner. Sols. Norris and Son, Liverpool.

DEIGHTON, JOSEPH, builder, Thorner, Leeds. Pet. Oct 28. O. A. Young. Sol. Harle, Leeds.

EVANS, ISAAC HENRY; STUTTARD, JAMES; and STANSFIELD, JAMES, cotton manufacturers, Nelson, Burnley. Pet. Nov. 3. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington, Shipman and Seddon, Manchester.

FRANKLAND, THOMAS JOHN, and STRICKLAND, NOAH JOHN, wood dealers, Castleton. Pet. Oct. 25. O. A. Young. Sols. Glaister, Bookseley; Carter and Tempest, Leeds.

GIBSON, THOMAS, painter, West Hartlepool. Pet. Nov. 3. Reg. & O. A. Child. Sol. Turnbull, West Hartlepool.

GREENWOOD, WILLIAM, and CARTWRIGHT, WILLIAM JOHN, cloth merchants, Rawfolds, Cleckheaton. Pet. Nov. 2. O. A. Young. Sols. Bond and Barwick, Leeds.

HILL, HARRY; SCHOFIELD, THOMAS, and SCHOFIELD, ELIAS, cotton spinners, Oldham. Pet. Nov. 2. Reg. Macrae. O. A. Morgan. Sols. Marsland and Addleshaw, Manchester.

HOLT, JONATHAN, beerhouse-keeper, Tonge, Prestwich-cum-Oldham. Pet. Nov. 4. Reg. & O. A. Summerscales. Sol. Hodgson, Manchester.

HUGHES, HUGH, labourer, Cwmdwig, Llanychaiarn. Pet. Oct. 31. Reg. & O. A. Jenkins. Sol. Hughes, Aberystwith.

HURLEY, WILLIAM, grocer, Bristol. Pet. Nov. 1. Reg. & O. A. Harley and Gibbs. Sol. Hill.

JOYNES, HENRY, dyer, Leicester. Pet. Nov. 2. Reg. & O. A. Ingram. Sol. Smith, Nottingham.

KIPPAX, JAMES, cotton manufacturer, Habergham Eaves, and Higher Booths. Pet. Nov. 3. Reg. Macrae. O. A. Morgan. Sols. Shaw and Co. Burnley; Sale, Worthington, Shipman and Seddon, Manchester.

KITSON, JOHN, mechanic, Bradford. Pet. Nov. 4. Reg. & O. A. Robinson. Sol. Cross, Bradford.

MANNING, JOSEPH, tailor and draper, Birmingham. Pet. Nov. 5. O. A. Kinnear. Sol. Fitter, Birmingham.

MILLS, JOSEPH, brickmaker, Hanley. Pet. Nov. 3. Reg. & O. A. Challinor. Sol. Tennant, Hanley.

NIXON, WILLIAM, maltster, Mile-town, Sheerness. Pet. Nov. 5. Reg. & O. A. Edmeades. Sol. Hayward, Rochester.

ORCHARD, DANIEL, lodging-house keeper, Ryde. Pet. Oct. 15. Reg. & O. A. Blake. Sol. Mecklingsale, Newport.

PORTER, JOHN EDWARD, woollendraper, Goole. Pet. Nov. 2. O. A. Young. Sols. Dalby, Goole; Naylor, Leeds.

PROFFIT, GEORGE, brickmaker, Monks Coppenhall. Pet. Oct. 19. Reg. & O. A. Broughton. Sol. Sheppard, Crewe.

REES, BENJAMIN, wheelwright, Swansea. Pet. Nov. 1. Reg. & O. A. Morris. Sol. Morris, Swansea.

ROBINSON, JOHN, commission agent, Manchester and Southport. Pet. Oct. 31. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester.

SEVERS, THOMAS, farmer, Stockton-upon-Tees. Pet. Nov. 3. Reg. Gibson. O. A. Laidman. Sols. Scaife and Britton, Newcastle.

SPELLER, JOHN, hay carter, Bird's-green, Beauchamp Roothing. Pet. Nov. 1. Reg. & O. A. Wade. Sol. Duffield, Chelmsford.

STRANGE, JOHN, grocer, South Cerney. Pet. Nov. 2. Reg. Wilde. O. A. Acraman. Sol. Bevan, Bristol.

TAYLOR, EDWARD, machinist, Salford. Pet. Nov. 2. Reg. Macrae. O. A. Morgan. Sol. Hosmer, Manchester.

THOMAS, WILLIAM, farmer, Redruth. Pet. Nov. 3. Reg. & O. A. Peter.

TOWNSEND, ELIZABETH, news agent, Brighton. Pet. Nov. 3. Reg. & O. A. Evershed. Sol. Mills, Brighton.

TURNER, JAMES, refreshment and eating-house keeper, Landport, Portsea. Pet. Nov. 4. O. A. Howard. Sol. Paffard, Portsea.

TYLER, WILLIAM, wheelwright, Aslockton. Pet. Nov. 5. Reg. & O. A. Patchitt. Sol. Smith, Nottingham.

WAKEFIELD, JAMES, beerhouse-keeper, Bristol. Pet. Nov. 5. Reg. & O. A. Harley and Gibbs.

WALLHEAD, RICHARD, fruiterer, North Collingham. Pet. Nov. 2. Reg & O. A. Newton. Sol. Ashley, Newark-on-Trent.

WHITE, FRANCIS GEORGE, brewer, Taunton. Pet. Nov. 7. O. A. Parkyns. Sols. Trenchard and Harrison, Taunton; Hirtzel, Exeter.

WHITE, GEORGE, tailor and draper, Birkenhead. Pet. Nov. 5. O. A. Turner. Sol. Husband, Liverpool.

WILKIN, JAMES HENRY, grocer, Hadleigh. Pet. Oct. 31. Reg. & O. A. Newman. Sol. Jones, Colchester.

WILLIAMS, ROBERT, joiner and builder, Everton. Pet. Nov. 5. O. A. Turner. Sol. Jones, Liverpool.

WILLIAMS, ROBERT, lodging-house keeper, Llandudno. Pet. Nov. 4. O. A. Turner. Sols. Evans, Son and Sandys.

WILSON, ALEXANDER HENRY, draper, Leeds. Pet. Nov. 4. O. A. Young. Sols. North and Sons, Leeds.

WOOD, JOHN, beerhouse-keeper, Monks Coppenhall. Pet. Oct. 19. Reg. & O. A. Broughton. Sol. Sheppard, Crewe.

Gazette, Nov. 11.

To surrender at the Bankrupts' Court, London.

AYRE, EDWARD ORTON, corn commission agent, Mark-la. Pet. Nov. 7. Reg. Roche. O. A. Cannan. Sol. Serrell, Mark-la.

BILTON, SAMUEL FRANCIS, barrister-at-law, Chancery-la. Pet. Nov. 7. Reg. Roche. O. A. Cannan. Sol. Chidley, Old Jewry.

BURROWES, THOMAS, stockjobber, South Lambeth-rd. Stockwell, and Angel-ct. Throgmorton-st. Pet. Nov. 4. Reg. Hazlitt. O. A. Graham. Sols. Lewis and Lewis, Ely-pl.

CLEAVER, SARAH ANN, lodging-house keeper, Colebrook-row, Islington. Pet. Nov. 5. Reg. Brougham. O. A. Edwards. Sols. Kidder and Willett, Calthorpe st. Gray's-inn.

COOPER, HENRY THOMAS, writing and dressing case maker, Charlotte-ter. Islington. Pet. Nov. 3. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand.

DOCWRA, HENRY, fishmonger and poulterer, Kingston-on-Thames. Pet. Nov. 7. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st.

DUNN, EDWARD THOMAS, commercial clerk, Queen-st. Hammersmith. Pet. Nov. 7. Reg. Hazlitt. O. A. Graham. Sol. Treherne, Aldermanbury.

DYKE, WILLIAM, general dealer, Russell-st. Brixton. Pet. Nov. 7. Reg. Brougham. O. A. Edwards. Sol. Wheatley, Symond's-inn, Chancery-la.

EDWARDS, MORTON ANDREW, mason modeller, Cambridge-ter. Shepherd's-bush. Pet. Nov. 5. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry.

FENN, CHARLES, cheesemonger, Fetter-la. Pet. Nov. 8. Reg. Roche. O. A. Cannan. Sol. Wyatt, King's rd. Bedford-row.

FRANKHAM, GEORGE SAMUEL, builder, Victoria-rd. Upper Norwood, and Mead-row, Lambeth. Pet. Nov. 3. Reg. Hazlitt. O. A. Graham. Sol. Peckham, Great Knightrider-st. Doctors'-commons.

GLUCKSTEIN, SYDNEY, wine merchant, Great Tower-st. and Lower Thames-st. Pet. Nov. 8. Reg. Roche. O. A. Cannan. Sol. Faraday, Bedford-row.

JONES, JOHN WHEELLER, shoe manufacturer, Gloucester-ter. Commercial-rd. east. Pet. Oct. 31. Reg. Roche. O. A. Cannan. Sols. Ford and Lloyd, Bloomsbury-sq.

KENNETT, RICHARD JAMES, jun., stationer, Clarence-pl. Clapham-rd. Pet. Nov. 4. Reg. Hazlitt. O. A. Graham. Sol. Hall, Coleman-st.

MAKINS, ROBERT, manager to a retailer of beer, Crosby-row, Walworth-rd. Pet. Nov. 7. Reg. Roche. O. A. Cannan. Sol. Silvester, Great Dover-st. Newington.

MARTIN, THOMAS HENRY, and SLIGHT, NICHOLAS, printers and stationers, Cavendish-st. Hoxton, and Monkwell-st. Pet. Nov. 7. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st.

MASON, EBENEZER, cheesemonger, Shrubland-rd. Dalston. Pet. Nov. 7. Reg. Roche. O. A. Cannan. Sol. Harcourt, King's Arms-yard, Coleman-st.

MAYO, JAMES, jun., carman, Larkhall-la. Clapham. Pet. Nov. 7. Reg. Brougham. O. A. Edwards. Sol. Apps, South-sq. Gray's-inn.

MILLGATE, ROBERT FRANCIS, dealer in cattle, Page's-walk, Swan-st. Old Kent-rd. Pet. Nov. 8. Reg. Roche. O. A. Cannan. Sol. Ricketts, Frederick-st. Gray's-inn-rd.

PARKER, JOSEPH, pianoforte smith, Friars-mount, Bethnal-gn. Pet. Nov. 7. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st.

SOMERVILLE, JOHN, builder and zinc worker, Stockwell-common. Pet. Oct. 31. Reg. Roche. O. A. Cannan. Sol. Abrahams, Gresham-st.

TATTERSHORN, JOHANN CHRISTIAN, musician, Chatham-rd. Wandsworth-common. Pet. Nov. 7. Reg. Roche. O. A. Cannan. Sols. Walter and Kerby, Duke-st. Adelphi.

WOODS, THOMAS ALDRIDGE, accountant, Fenton-st. Commercial-rd. east. Pet. Nov. 3. Reg. Hazlitt. O. A. Graham. Sols. Weekes, New Boswell-ct. Lincoln's-inn.

To surrender in the Country.

ALLCARD, CHARLES, builder, Holt-hill, Tranmere. Pet. Nov. 7. O. A. Turner. Sol. Harris, Liverpool.

BLAKENEY, EDWARD, iron-plate worker, Wolverhampton. Pet. Nov. 8. Reg. & O. A. Brown. Sol. Cresswell, Wolverhampton.

BOLAND, RICHARD, gold chain maker and jeweller, Birmingham. Pet. Nov. 10. Reg. Tudor. O. A. Kinnear. Sol. Parry, Birmingham.

BOLTON, JAMES, manufacturer, Carr Topp, Huddersfield. Pet. Oct. 25. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield.

BROCKLEY, JOSEPH, cabinet-maker and joiner, Hanley. Pet. Nov. 8. Reg. & O. A. Challinor. Sols. Messrs. Tennant, Hanley.

BROOK, JONAS, manufacturing chemist, Cowcliffe, Huddersfield. Pet. Nov. 2. Reg. & O. A. Jones. Sol. Taylor, Huddersfield.

BROOKS, EDWARD, and LOMAX, SAMUEL, manufacturers, Tottington Lower-end. Pet. Nov. 8. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davies, Manchester.

CAMPBELL, WILLIAM, wine merchant, Hulme. Pet. Nov. 8. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davies, Manchester.

CHRISTIAN, JAMES, innkeeper, Great Grimsby. Pet. Nov. 5. Reg. & O. A. Daubney. Sol. Walker, Alford.

CLARK, CHARLES WILKINSON, brickmaker, Morley, Leeds. Pet. Nov. 8. O. A. Young. Sol. Harle, Leeds.

COLLINS, ROBERT CANNING, wine merchant, Bath. Pet. Nov. 3. Reg. Wilde. O. A. Acraman. Sol. Treberry, Bristol.

DAWSON, CHARLES, painter, Birkby, Huddersfield. Pet. Nov. 2. Reg. & O. A. Jones. Sol. Drake, Huddersfield.

DRING, GEORGE, farrier and horsedealer, Moreton-in-Marsh. Pet. Nov. 8. Reg. & O. A. Nicoll. Sol. Brookes, Stow-on-the-Wold.

FREEMAN, EDMUND, linendraper, Keighley. Pet. Nov. 8. O. A. Young. Sol. Watson, Bradford; Bond and Barwick, Leeds.

GRAY, WILLIAM, brick and tile maker, Stamford-bridge. Pet. Nov. 7. O. A. Young. Sols. Hodgson, York; Bond and Barwick, Leeds.

HACKNEY, JOSEPH, out of business, Tunstall. Pet. Nov. 8. Reg. & O. A. Challinor. Sol. Salt, Tunstall.

HARRISON, WILLIAM, file grinder, Crookes, Sheffield. Pet. Nov. 8. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield.

HOWARD, CHARLES EDMUND, out of business, Bathpool, West Monkton. Pet. Nov. 8. Reg. & O. A. Giles. Sol. Trenchard, Taunton.

HOWARD, JANE JONES, out of business, Bathpool, West Monkton. Pet. Nov. 8. Reg. & O. A. Giles. Sol. Trenchard, Taunton.

JARRATT, JAMES, forge roller, Horsley-fields, Wolverhampton. Pet. Nov. 8. Reg. & O. A. Brown. Sol. Thurstans, Wolverhampton.

LAVERY, THOMAS, farmer, Fordingbridge. Pet. Oct. 7. Reg. & O. A. Johns. Sol. Paffard, Portsea.

LORD, JOHN, yarn agent, Manchester. Pet. Nov. 7. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester.

MOSLEY, GIDEON, sen., japanner, Birmingham. Pet. Nov. 9. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham.

NASH, WILLIAM, beerhouse-keeper, Abersychan, Trevethin. Pet. Nov. 4. Reg. & O. A. Edwards. Sol. Lloyd, Pontypool.

PASCOE, WILLIAM, tailor, Ludgvan, Penzance. Pet. Nov. 9. O. A. Parkyns. Sol. Flood, Exeter.

PASSEY, JOHN, jun. carpenter, Kempsey. Pet. Nov. 8. Reg. & O. A. Hill. Sol. Wilson, Worcester.

PHILCOX, GEORGE, watchmaker, Aldershot. Pet. Oct. 19. Reg. & O. A. Hollest.

PRICE, JOHN, builder, Liverpool. Pet. Nov. 8. O. A. Turner. Sol. Husband, Liverpool.

QUARTERMAN, WILLIAM, shoemaker, Loughborough. Pet. Nov. 7. Reg. & O. A. Anderson. Sol. Tilsley, Moreton-in-Marsh.

RAISE, JOHN CHARLES, butcher, Hungerford. Pet. Nov. 4. Reg. & O. A. Astley. Sol. Marshall, Hatton-gdn.

ROWLANDS, THOMAS, butcher, Liverpool. Pet. Nov. 9. Reg. & O. A. Hime. Sol. Thornley, Liverpool.

SHARP, JAMES, provision dealer, Warrington. Pet. Nov. 4. Reg. & O. A. Nicholson. Sols. Day and Wood, Warrington.

SHAXSON, CATHERINE, grocer and confectioner, Llanelly. Pet. Nov. 4. Reg. & O. A. Jones. Sol. Jones, Llanelly.

SILCOCK, JOHN, beerhouse-keeper, Chesterfield. Pet. Nov. 8. Reg & O. A. Wake and Waller. Sols. Binney and Son, Sheffield.

THIRLWELL, JAMES, slater and plasterer, Southport. Pet. Nov. 7. Reg. & O. A. Welsby. Sol. Higginbottom, Southport.

TURNER, JOHN, boot and shoe maker, Harwich. Pet. Nov. 4. Reg. & O. A. Chapman. Sol. Jones, Colchester.

WATSON, JOHN, and SCHOLLICK, THOMAS FRANCIS, excavators, Bradford. Pet. Nov. 8. O. & A. Young. Sol. Hutchinson, Bradford.

WATTS, JOHN, jun., satchinist, Wellingborough. Pet. Nov. 5. Reg. & O. A. Barnham. Sol. Cook, Wellingborough.

WHITTAKER, HENRY, manufacturer and yarn dealer, Accrington. Pet. Oct. 30. Reg. Macrae. O. A. Morgan. Sol. Richardson, Manchester.

WILLIAMS, MARY, publican, Earlswood, Briton Ferry. Pet. Nov. 4. Reg. & O. A. Morgan. Sol. Prowe, Merthyr Tydfil.

WOODCOCK, JOSEPH, warehouseman, Barnsley. Pet. Nov 7. Reg. & O. A. Shepherd. Sol. Williamson, Barnsley.

WOODCOCK, RICHARD, innkeeper, Harlaston. Pet. Oct. 18. Reg. Tudor. O. A. Harris. Sol. Wagstaffe, Grantham.

WRIGHT, JOHN, boatman on canals, Cotmanhay, Ilkeston. Pet. Nov. 8. Reg & O. A. Ingle. Sol. Smith, Derby.

BANKRUPTCIES ANNULLED.

Gazette, Nov. 8.

KUHN, JOHN GEORGE, keeper of a tavern, Hanover-st. Regent-st.

Gazette, Nov. 11.

HARRISON, JOHN, builder, Old Kent-rd.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Cornish, W. grocer and draper, first, 10d. Turner, Liverpool.—Dawson, W. P. coal merchant, first, 4s. Turner, Liverpool.—Elliot, J. farmer, first, 5s. 8d Laidman, Newcastle.—*Farmer.* G. cattle and sheep dealer, first, 4½d. Kinnear, Birmingham.—*Keith*, J. W. accountant, first, 6d. Turner, Liverpool.—*Leighton*, W. G. ship chandler, first, 5s. Laidman, Newcastle.—*Lloyd*, W. Liverpool, first, 1s. 3d. Turner, Liverpool.—*Snelson*, W. joiner and builder, first, 1s 4d. Turner, Liverpool.—*Thorp*, R. seed crusher, first sep. 20s. Turner, Liverpool.

INSOLVENT'S ESTATE.

Harris, S. chief engineer, fifth and final, 4s. 11d. Pearce, East Stonehouse.

Assignments.

Gazette, Nov. 8.

BEDFORD, RICHARD LEE, maltster, Mirfield. Oct. 14. Trusts. J. A Rhodes, maltster, and J. F. Crowther, maltster, both Mirfield.

BIRD, CATHERINE ELIZA, victualler, Ludlow. Nov. 2. Trust. C. Bowdell, solicitor's managing clerk, Newport.

BROWN, WILLIAM HENRY, steel roller and merchant, Sheffield. Oct. 18. Trusts J. Morrison, ironmaster, Newcastle, J. S. Fraser, iron merchant, St. Helen's, and G. Dawes, ironmaster, Elsecar and Milton Iron Works.

CROWNE, FREDERICK ADOLPHUS, gentleman, Barton-upon-Irwell. Oct. 20. Trust. C. H. Dickson, seedsman, Manchester.

COHEN, HARRIS, trimming seller, Marshall-st. Golden-sq. Nov. 4. Trusts. W. Yates, warehouseman, Aldermanbury, and R. Hacking, woollen warehouseman, Gresham-st.

COOK, THOMAS, plumber, Ludlow. Oct. 7. Trust. H. Taylor, glass and lead merchant, Birmingham.

CROOME, LANCELOT, grocer and cheesemonger, High-st. Woolwich. Oct. 12. Trusts. A. Grant, provision merchant, Wellington-chambers, London bridge, and E. Hayes, Hibernia-wharf, London-bridge.

DONBAVAND, THOMAS, woollen manufacturer, Dewsbury. Oct. 11. Trusts. T. Lacy, rag merchant, Dewsbury, P. Fox, shoddy manufacturer, Batley, and A. H. Pyrah, scribbling miller, Dewsbury.

FARRAND, SAMUEL, brushmaker; GOMERSALL, CHARLES, clothdresser; THORPE, THOMAS, engineer; and BINNS, WILLIAM, mechanic, all Leeds, proprietors of public gardens, Leeds. Oct 29. Trusts. J. Brown, timber merchant, and W. Smith, builder, both Leeds.

FRY, JAMES, grocer, Compton-st. Clerkenwell. Nov. 10. Trust. G. Gray, fruit merchant, Monument-yd.

GLAISTER, JOSEPH, draper, Wigton. Oct. 14. Trusts. J. Lomax, Wigton, and S. Watts, Manchester, manufacturers.

HADWEN, JOHN WILSON, and HADWEN; JOSHUA LOVEL, silk and cottonspinners, Kenyon-mills, near Sowerby-bridge. Oct. 11. Trusts. W. Lee, yarn agent, Manchester, R. Wallwork, cotton spinner, Bolton, and J. Cryer, cotton spinner, Ashton-under-Lyne.

HIGINBOTHAM, JOHN, ironmonger, Buxton. Oct. 11. Trust. M. Fitzgerald, accountant, Manchester.

LANGRILL, JOHN, draper, Mile-end-rd. Oct. 11. Trusts. E. Caldecott, Cheapside, and J. T. Shotland, Wood-st. warehousemen.

LUKE, AMELIA, and LUKE, ELIZABETH, grocers, Weston-super-Mare. Oct. 11. Trust. H. G. Gardiner, wholesale grocer, Bristol.

MARRIER, HENRY, importer of foreign goods, Perry-st. Lower-rd. Islington. Oct. 11. Trust. M. H. Moss, merchant, Union-ct. Old Broad-st.

ONIONS, JOSEPH, boat steerer, Dudley-port. Oct. 26. Trust. G. French, accountant, Birmingham.

PICKLES, JOHN, builder and contractor, Robin Hood-hill, Stanley-cum-Wrenthorpe, and Wakefield. Oct. 11. Trusts. W. Dodson, stone merchant, Holbeck, Leeds, and J. Hunter, coal proprietor, Wakefield.

REED, WILSON, chemist, Market Lavington. Oct. 8. Trust. S. B Neale, gentleman, Marden.

ROACH, HENRY, grocer, Haverfordwest. Oct. 19. Trusts. J. Shute, and H. Thomas, merchants, Bristol.

ROBINSON, SAMUEL, jun.; ROBINSON, JONATHAN; and WILSON, ROBERT THOMPSON, cottonspinners, Oldham. Oct. 13. Trusts. W. F. Palmer, machinist, J. Robinson, cottonspinner, and C. Robinson, cottonspinner, all Oldham.

STICKLAND, WILLIAM, beer retailer, Malden Newton. Oct. 12. Trust. H. N. Cox, schoolmaster, Bridport.

SUKETTAPPLE, EDWARD, paper manufacturer, Hurstbourne-mills Whitchurch. Oct. 10. Trusts. H. Garrod, colour manufacturer, and T. Hegewald, rag merchant, both Upper Thames-st.

WILLETT, JOHN, boot and shoe maker, Abingdon. Oct. 27. Trust. T. Fairbrother, banker, Abingdon.

WILLIAMS, WILLIAM HENRY, merchant and manufacturer, Manchester. Oct. 19. Trusts. A. Sussman, Bradford, and L. Rawson Manchester, merchants.

WRIGHT, JOHN, and WRIGHT, FRANCIS BAYNES, jewellers, Bath. Oct. 11. Trusts. J. S. Bertram, surgeon, Bath, and J. A. Brown, wholesale jeweller, Newcastle-pl. Clerkenwell. Sols. Lawrance Plews and Boyer, Old Jewry-chambers.

Gazette, Nov. 11.

AINSWORTH, JOHN, umbrella manufacturer, Manchester. Oct. 27. Trusts. C. Dodd, merchant, Manchester, and T. Nash, money dealer, Manchester.

BARNES, RICHARD, cottonspinner, Barnsdale. Oct. 18. Trusts. W. Chadwick, cotton waste dealer, Manchester, and J. Hall, colliery proprietor, Barnsdale.

BLACKBURN, JOHN, butcher, Sheffield. Oct. 17. Trusts. E. Wheen, grocer, and C. Furland, manager, both Sheffield.

CASTLE, JOHN, grocer, Oxford. Oct. 26. Trusts. H. S. Underhill, Oxford, and R. Arnold, Abingdon, grocers.

CLEMENTS, SIDNEY KNEVILL, meat salesman, Leadenhall-market. Oct. 13. Trusts. T. Titchmarsh, farmer, Royston, and C. G. Carttar, accountant, Skinners-pl. Size-la.

CLOUGH, HUDSON; HIGGS, JOSEPH; and CLOUGH, ROBERT THOMAS, worstedspinners, Bradford Oct. 14. Trust J. Ingham, dyer, G. Brown, worstedspinner, and A. Beer, woolstapler, all of Bradford.

COWELL, JOSEPH, line and twine manufacturer, Albert-cottage, Albert-rd. Globe fields, Mile-end. Nov. 9. Trusts. L. Waller, George-st. Tower-hill, and J. Marsden, hemp and flax merchant, Arthur-st. west.

DE WOLFF, CHARLES; SCHUCK, GEORGE; and BERCKMANDS, LOUIS, merchants, Idol-lane. Oct. 20. Trust. A. Cooper, public accountant, George-st. Mansion-house.

GEORGE, GUSTAVUS GRAVES, innkeeper, Abingdon. Nov. 2. Trusts. R. Carey, builder, Clifton Hampden, and E. Cheer, wheelwright, Culham.

HALL, JOHN, cornmiller, Chorley. Oct. 19. Trusts. G. Singleton, Preston, and J. Fairhurst, Ormskirk, corn merchants.

HALL, LINDSAY, and JONES, RICHARD FRANCIS, brokers, Liverpool. Oct. 17. Trusts. J. N. Pattinson, broker; C. S. Kerferd; and T. S. Gibbons, all Liverpool, merchants.

HARDAKER, WILLIAM, jacquard machine maker, Bradford. Oct. 14 Trusts. J. Shackleton, overlooker, Bradford, and L. Dracup, ironmonger, Bradford.

HOLDEN, RICHARD, stonemason, Manchester. Oct. 13. Trusts. W. Baron, collector, and W. Butcher, accountant, both Manchester

HUEE, LOUIS ADOLPHE, messenger in Her Majesty's 57th regiment of foot, Gosport. Oct. 14. Trusts. E. Aylwin, butcher, and W. Vine, grocer, both Fareham.

HUXLEY, CHARLES, joiner, Wrexham, Nov. 5. Trusts. G. Y. Tickle, timber merchant, Liverpool, and W. Owen, Wrexham.

JAMES, DAVID, coal and timber merchant, Llanelly. Oct 18. Trusts. S. Lloyd, gentleman, Llanelly, and W. Wheaton merchant, Exeter.

LACK, JOSHUA WESTBY LOVETT, merchant, Liverpool. Oct. 13 Trusts. J. Beasley, and J. S. de Wolf, merchants, Liverpool.

LLOYD, JOHN, tailor, Longton. Oct. 17. Trusts. T. Crowther, O. Balraton, and G. Barker, woollen merchants, all of Huddersfield, and J. Lloyd, grocer, Longton.

MANDERS, JOSEPH, gas contractor, Beaconsfield and Baraham, and Colnbrook. Oct. 24. Trusts. H. Stevens, coal merchant, and E Rogers, ironmonger, both Uxbridge.

MARSDEN, WILLIAM, cottonspinner, Beeston Mill, Halifax. Oct. 13. Trusts. W. J. Hoyle, engineer, Halifax, and T. C. Peers, cottonbroker, Liverpool.

POTTER, ELIEZER GERSHOM, jeweller, Birmingham. Oct. 18. Trusts. J. H. Dewley, jun., and H. Paynton, jewellers, both Birmingham.

SEPHTON, WILLIAM, contractor, Preston. Oct. 15. Trusts. R. Fisher, coal merchant, and H. Parker, slate merchant, both Preston.

SHARP, EBENEZER, jun., boot and shoe maker, Brighton. Oct. 22. Trusts. J. W. Hemmings, grocer, Brighton, and R. Farthing, builder, Brighton.

TINSLEY, THOMAS, breadbaker, Everton. Nov. 4. Trust. H. Horrocks, teadealer, Bolton.

WATSON, WILLIAM, wholesale stationer, Newcastle. Oct 20. Trusts. T. Hare, stationer, and V. Massaglio, dealer in toys, both Newcastle.

ERRATUM.

SCHWEITZER (and not Schweitzer as before advertised), THEODORE RICHARD, commission merchant, Markets. Oct. 20. Trusts. J. Cooper, public accountant, Coleman-st.-bldgs, and J. Cragg, accountant, Twickenham.

Composition Deeds.

Gazette, Nov. 8.

ATTWOOD, MARY ANN, grocer and earthenware dealer, St. Albans Oct. 31. 1s. 6d. in 3 mos.

COLLIER, JOHN HENRY, tailor, Sedgeley. Nov. 2. 5s. by two instalments of 2s. 6d. at 1 and 3 mos.—secured.

FOWLER, JOHN MOSES, boot and shoe manufacturer, Blackheath-hill. Nov. 8. 5s. by 12th Nov.

HALL, WILLIAM FREDERICK, grocer and provision dealer, Bristol. Nov. 7. 5s. 6d. by three instalments—2s. in cash, 2s. 6d. in 3 mos. and 5s. 6d. in 6 mos.—secured.

HOWE, ROBERT, tallier, Ratcliff. Nov. 7. 2s. 6d.—1s. 3d. on 7th May and 1s. 3d. on 7th Aug.

JESPER, THOMAS WILLIAM, and JESPER, CHARLES RICHARD, cotton manufacturers, Preston. Oct. 20. 7s. 6d. by three instalments of 2s. 6d. on 1st Nov., 1st Jan. and 1st March—secured.

MARDLIN, JOHN, umbrella and walkingstick manufacturer, High Holborn. Oct. 7. 2s. 6d. by 2 payments—1s. 6d. and 1s. at 6 and 9 months.

MOORE, SAMUEL, chemist and druggist, Worcester. Oct. 10. Trust. J. Wilcomb, timber merchant, Worcester. A deed of arrangement to pay 5l. quarterly.

NICHOLLS, JOHN, tailor, Newcastle. Oct. 8. 7s. 6d. by 3 instalments —4s. on execution of deed, 2s. 6d. on 8th Jan. and 1s 6d. on 8th April —secured.

NOAH, ROBERT PHILLIPS, commission agent, St. George's-rd. Kilburn-gate. Nov 7. 5s. on 15th Jan.

OWEN, WILLIAM, saddler, Holyweil. Oct. 23. Trusts. E. Bembridge and J. Grimley, both Birmingham. Deed of arrangement to pay in full by 4 instalments of 2s. on 1st Feb., 1st Aug. 1865, 1st Feb. and 1st Aug. 1866—secured.

READ, JOSEPH, commission agent, Leeds. Nov 3. 2s. 6d on 1st Dec.

SHAW, SAMUEL, tripe seller, Rochester-row, Westminster. Nov. 4. 2s. 6d. on 17th Nov.

SOUTH, ISAAC, innkeeper, Sheffield Oct. 25. 10s.

TREDERRICK, RICHARD, mining shorebroker, Lombard-st. Oct. 27 A deed of arrangement to postpone payments to the 25th June 1865.

Gazette, Nov. 11.

BALLINDEN, WILLIAM HENRY grocer and provision dealer, Gloucester. Nov. 4. 5s. 6d. on 4th Dec.

BARCROFT, JAMES, innkeeper, Lamb, near Newchurch, Forest of Rossendale. Oct. 15. 8s.—secured.

BEEMER, HENRY, ship chandler, High-st. Wapping. Nov. 1. 2s. by 2 instalments—1s. forthwith, 2s. on 24th Feb, and 2s. on 24th June—secured.

BUSH, EDWARD HUGH, brewer's agent, Mospham. Oct. 17. 2s. 6d. by two equal instalments, the first on executing deed, the other in 3 mos.

COLE, GEORGE, shoemaker, Chiswell-st. Nov. 7. 16s. by 3 equal instalments at 2, 4 and 6 mos from 5th Sept

COLYER, JOSEPH, cooper, Lomax-st. Goodman's-fields. Oct. 19. 7s. 6d.—3s. on 10th Jan., 1s. 3d. on 10th April, and 1s 3d. on 10th July.

COOPER, CHARLES, innkeeper, Radcliffe. Oct. 14. Sureties J. Cooper, blacksmith, Radcliffe, and J. Ingham, pawnbroker's assistant, Manchester. 10s. by 3 equal instalments at 3 and 6 mos from 3rd. Oct.

COOPER, JOHN, cloth merchant, Leeds. Oct. 27. Trust J. W. H. Richardson, gentleman, Leeds. 14s. by 3 equal instalments at 3, 6 and 9 mos. from 6th Oct.

DAVENPORT, GEORGE ALDERSEY, chemist, Wolverhampton. Oct. 14 Trust. C. Prior, gentleman, Wolverhampton. 2s. 6d. on 1st Nov. 1864, and 2s. 6d. on 1st July 1865

GRIGG, MARRIOTT, baker, Hugh-st. west, Pimlico. Nov. 7. 2s in 6 mos.

MASON, THOMAS, victualler, White Bear-hotel, Piccadilly. Nov. 8. 5s. by 3 equal payments—1s. in 14 days, 2s. and 3s. in 6 mos.

OGLE, JOHN, and BAGNIS, ROBERT SPEAR, merchants, Great St. Helen's. Oct. 14. Inspectors J. Gillespie, Great Winchester-st., and J. Wiseman, Great St. Helen's, merchants. Deed of inspectorship.

OLIVER, ROBERT, diamond setter and jeweller, Wilmington-st C'erkenwell. Nov. 5. 1s. by 10th Dec.

SADLER, THOMAS, carrier, Walsall. Nov. 1. Trusts. G. H. Adams, Birmingham, and G. French, Birmingham, accountants. 4s in Birmingham, and 5s. French, Birmingham, accountants. 4s in 1 week.

SCOTT, JOSEPH WRIGHT; MARSDEN, WILLIAM TOM; and LEWIS, SIMON, jun., ship store dealers, Liverpool. Oct. 14. Trusts. W. Lewis, banker, and W. T. Dixon, merchant, both Liverpool. 10s.—2s. 6d on 12th Nov. 1864, 2s. 6d. on 12th Jan., 2s. on 12th April, 2s. on 12th July, and 1s. on 12th Oct. 1865.

SHERWIN, JOSEPH, farmer, North Weald Bassett. Nov. 10. Trust. W. H. Sherwin, athletics manufacturer, Tabernacle-walk, Finsbury. 2s. 6d. by two equal instalments at 6 and 12 mos.

THORN, WARMAN, ironmonger, Nottingham. Oct. 19. Trusts. W. Thorn, gentleman, and J. Cooper, joiner, both Nottingham. 5s. by 2 instalments of 2s. 6d. at 3 and 6 mos.

THORNTON, JAMES, of Church; THORNTON, EMANUEL; THORNTON, JOSEPH; THORNTON, VALENTINE; and THORNTON, JOHN, cotton manufacturers, Enfield. Oct. 18. 10s. by 4 equal instalments on each Oct., 25th Jan., 25th April, and 25th July next.

WALKER, GEORGE, wine and spirit merchant, Edgware-rd. and Oxford-st. Oct. 12. 5s. by two equal instalments on 1st Dec. and 1st June next.

WINFIELD, GEORGE, jun., seedsman and fruiterer, Gloucester. Nov. 3. 6s. on 3rd Dec.

YATES, JONAS, printer and stationer, Brighouse. Oct 20. Trusts. G. Northcliffe, innkeeper, St. Helen's, and J. Haworth, auctioneer, Halifax. 7s. 6d. by 3 equal instalments at 3, 6 and 9 mos.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BRAUND.—On the 12th inst., at Plumstead-common, the wife of Maxwood K. Braund, of Furnival's-inn, Esq., of a son.

ROBINSON.—On the 8th inst., at 17, st. Bede's-terrace, Sunderland, the wife of W. S. Robinson, Esq., solicitor, of a son.

SPARROW.—On the 11th inst., at Woolwich, the wife of John William Sparrow, Esq., of New Broad-street, London, and of Woolwich, Kent, solicitor, of a daughter.

MARRIAGE.

SYMONDS—NORTH.—On the 10th inst., at St. Clement's, Hastings, John Addington Symonds, Esq., of Lincoln's-inn, and Fellow of Magdalen College, Oxford, to Janet Catherine, youngest daughter of Frederick North, Esq., M.P., of Hastings-lodge, and Rougham, Norfolk.

DEATHS.

COOPER.—On the 12th inst., at East Dereham, aged 67, Henry Roberts Cooper, solicitor.

ERSKINE.—On the 9th inst., at Bournemouth, aged 78, the Right Hon. Thomas Erskine, formerly one of the Judges of the Court of Common Pleas.

FILDER.—On the 15th inst., in his 41st year, Edward Jones Filder, of No. 1, New-square, Lincoln's-inn, solicitor.

GAMBLE.—On the 13th inst., at 8, Shawfield-street, King's-road, Chelsea, Mr. John Gamble, for many years the faithful and respected clerk of Joshua Williams, of Lincoln's-inn, Esq., barrister-at-law.

HALL.—On the 11th inst., Harriet, the wife of Thomas Henry Hall, of 60, Tavistock-square, and 19, Old-square, Lincoln's-inn, Esq.

HERITAGE.—On the 11th inst., aged 64, George Heritage, Esq., solicitor, Furnival's-inn.

RAVEN.—On the 8th inst., at Bristol, aged 52, Mr. Richard Raven, formerly of No. 2, King's Bench-walk, Temple, solicitor.

WAGNER.—On the 9th inst., aged 53, at his residence, 4, Lower Ashley-road, Bristol, Thomas Jepson Wagner, formerly of Oxford, solicitor.

WREFORD.—On the 10th inst., aged 53, at Exeter, Robert Wreford, Esq., solicitor.

Investments.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100*l.* and upwards, secured either on the general undertaking or upon the Metropolitan Extensions, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, S.W., Sept. 16, 1864.

DEBENTURES at 5, 5½, and 6 per Cent.
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Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

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Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary.

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(Limited)

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Paid-up Capital	100,000
Unpaid Capital	£100,000

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Colonel Balfour, C.B.	Lieut.-Col. F. A. V. Thurburn.
George Henry Money, Esq.	Henry Young, Esq.
George Palmer Robinson, Esq.	George Clerihew, Esq.
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The security to debenture holders will be the whole of the assets of the Company, including the paid and uncalled capital, and its lien on the property mortgaged to the Company.

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WILLM. G. DICK, Secretary.

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London: W. MAXWELL, 32, Bell-yard, Lincoln's-inn, Law Bookseller and Publisher.

To Readers and Correspondents.

C. M. W.—The Judges will admit you on special application stating all the facts.

F. T. (Wareham).—The subject has been sufficiently noticed. It must drop now.

R. G.—It is very difficult to draw the line. The LAW TIMES could not abstain from comments on law reforms without loss of position. It is a journal, not a mere note-book, and must conform to the conditions of journalism. But thanks for the hint, which will not be forgotten.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

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The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

A DECISION of the LORD CHANCELLOR on Wednesday, in *Re Osborne*, is so extremely important, that we hasten to submit the effect of it to our readers, in anticipation of the formal report which we hope to give next week. It relates to the allowance to a bankrupt, and may be stated thus:

At the first meeting of creditors a majority of creditors in value directed an allowance to be made to the bankrupt of 40*s.* per week. The section under which this is done is the following: "At this meeting a majority in value of the creditors present shall determine whether any, or what, allowance for support shall be made to the bankrupt up to the time of passing his last examination."

The allowance had been paid for a considerable time. He had complied so far as he could, with all the requisitions of the commissioner as to sending in his accounts, &c., and the final examination was postponed from time to time to complete these accounts. No charge was made against the bankrupt for wilful delay or otherwise. Funds running low, the assignees wished to discontinue the allowance. They applied to the Commissioner for a rule *nisi* on the bankrupt to show cause why the allowance should not cease, and on hearing, the Commissioner made an order rescinding the memorandum made by the majority of the creditors granting the allowance.

The bankrupt contended that the Commissioner had no power to do this, and claimed the allowance "up to the time of passing his last examination," which of course had not arrived.

The CHANCELLOR held that the construction to be put upon the section was that the allowance was necessarily to cease on the day appointed by the Act for the bankrupt's passing his examination. This by sect. 140 is "not later than sixty days after the meeting for the choice of an assignee by the creditors."

This is also fixed for the first meeting; therefore all the allowances to bankrupts throughout the kingdom, for their support, longer than sixty days, have been illegal and may be required to be refunded.

IT is said that a novel and curious question in the law of literature is about to be submitted to the law courts. A popular author engaged to supply a novel to a popular periodical, some chapters to be sent weekly. As it drew towards its close, he failed in his supply of copy, and the proprietor then employed another pen to complete the work, which was done, and afterwards the original author sent the MS. with his conclusion of the story. The periodical is, we presume, *All the Year Round*, the novel "Quite Alone," and the author Mr. SALA.

VICE-CHANCELLOR STUART has expressed himself strongly on two points that well deserve the attention of the Profession. "Every year's experience," he said, "convinced him that, in the payment of debts and legacies, the most deplorable and disgraceful delay took place. If he had any means of facilitating the payment of debts and legacies he would gladly do it, for delay was deplorable."

In the course of another case on the same day, in which a suggestion had been made that a commission should issue to take the consent of a married woman, he said that, "if he had the power he would abolish all that cumbrous machinery of a commission, and simply make an order that her consent should be taken before two witnesses, to be verified by affidavit."

There is much good sense in these suggestions. In the first especially, the Profession may do much to promote reform by stimulating their clients to greater activity in discharge of their duties as executors. But the sure remedy is payment for their services. So long as executors act gratuitously, their work will have the character that proverbially attaches to unpaid services. Let them be remunerated fairly, and then compel the strictest performance of their duties.

Mr. JAMES WALTER SMITH, LL.D., Barrister-at-Law, is the most unfortunate of men. Only a week before MULLER's confession, he published a pamphlet (price one penny), with the title "*Has* MULLER *been tried? What appeared, what did not appear, and what was laughed out of Court.*" It is now before us—sent for review, but arriving just in time to be too late. We cannot, however, pass quite without notice so melancholy a proof of the fallibility of human wisdom. Mr. SMITH argues at great length that no case whatever was made out against the murderer, and he concludes with the query in capitals—"HAS THE DEFENDANT, IN FACT, BEEN TRIED AT ALL?" The entire pamphlet is an elaborate arraignment of British justice, and must have been welcomed with a shout of applause at Berlin, until its fallacies were so cruelly extinguished by the unkind confession of the convict. If MULLER could but have seen how clearly his volunteer defender proves him to be the innocent victim of a vile conspiracy of policemen, witnesses judges and jury, he would not only never have acknowledged his guilt, but Mr. JAMES WALTER SMITH, LL.D., would doubtless have convinced him also that he was labouring under a delusion, and that he was not guilty after all.

A CORRESPONDENT at Newcastle complains to us that the justices of that borough refused to receive an information against the Brothers DAVENPORT, under section 4 of the Vagrancy Act (5 Geo. 4, c. 83), which imposes a penalty on (*inter alia*) "any person pretending or professing to tell fortunes, or using any subtle craft, means, or device, by palmistry or otherwise, to deceive or impose on any of His Majesty's subjects."

He asks, with some expressions of indignant contempt, which we do not care to repeat, if the magistrates were justified in their refusal to put the law in force against these exhibitors?

There can be no question that the justices were right. The words "or otherwise" mean *ejusdem generis* with palmistry. The practices against which the statute was levelled were, in substance, identical with the indictable misdemeanor of obtaining money by false pretences. The fortune-teller, white witch, wise woman, gipsy, or under whatever name the trade is carried on, pretend to do that which they do not, and cannot do, well knowing that they are unable to do it; and although it is not necessary to the offence, their purpose is to obtain the money of the credulous, and to defraud them of that money. In few words, they do not perform, and cannot perform, that which they profess and promise to perform, and they profess knowing their incapacity and with intent to impose upon their victims.

The case of the DAVENPORTS is altogether different. They actually do all that they profess to do; the only mystery is, the means by which they do it. As a matter of fact, they tie and untie themselves with marvellous rapidity. Instruments are played in the cabinet, and hands thrust out at the door, and in a minute afterwards they are seen tied with many knots to their seats. While they are so tied, a guitar and bells and a tambourine fly about the room, sounding as they go, and in an instant after, on the light being restored, the Brothers are seen seated and bound with sealed cords, as they were when the light was turned down. They really *do* all this, as everybody may satisfy himself who pleases. The only question is, *how* they do it. They say for themselves that they do not know how it is done. Some imaginative persons call spirits to their aid, as the readiest solution of the mystery; some scientific people assert the existence of some yet unascertained physical influence, and all the rest of those who have satisfied themselves of the *facts* by personal inspection, set it down to some novel and ingenious mechanism, yet to be explained. But this is not an imposition, nor anything akin to it. The performers promise to do certain remarkable things, and they do them, and the audience pay their money to witness those performances; each of the spectators being at liberty to form his own opinion as to the means by which the things he sees are performed. We have stated the application of the law to this case thus particularly, because there is a very prevalent misunderstanding of the question, not merely among the writers in newspapers, but with those members of the Profession whose business does not compel them to the study of magistrates' law. If the DAVENPORTS are amenable to the penalties of the statute we have cited, so would be Professor ANDERSON and all conjurors; so would be the majority of the lecturers at the Royal Institution, who exhibit marvellous phenomena for which they give explanations as yet almost as questionable as those assigned to the exhibition in the Hanover-square Rooms.

THE Australians have triumphed. That which the Colonial-office denied to remonstrance, it has yielded to threat. Transportation to any part of that enormous territory is to be discontinued. Melbourne is to be permitted to dictate to Western Australia the conditions of its colonial life. The Western Australians desire to thrive, as Sydney throve, by the aid of convict labour; but the Victorians, 1500 miles distant from them, deny to them the privilege, and threaten the mother country with rebellion if it treats its youngest child as it treated them. This distances the MONROE doctrine. Not a word can we venture on American ambition after this.

But, says the Government, it is not worth a contest; we submit for the sake of peace. But if you intended to yield, why not gracefully concede at first, instead of disgracefully yielding at last? The thing is mortifying enough, but the mortification is enhanced by the manner of doing it. Is the time really come, so often predicted, when England is to follow the fate of other nations whom wealth demoralised, unmanned, and finally destroyed? It is thus that the decline begins. A little is conceded at first; then a little more, because that is no more worth the cost of fighting than the other. Then, having conceded so much, it would be folly to make a stand at the third, and so the fall proceeds until all is lost. It is the same with individuals, as the lawyers are well aware. Let it once become known that a man is reluctant to enforce his rights or avenge his wrongs, and everybody is upon him. Is not England very much in this case? She barks, but she does not bite, and others know it and act accordingly. Germany ridicules us, America insults us, our Colonies bluster and abuse us. We button up our pockets with a polite bow. It may be right to yield in such small matters—it is certainly prudent; but then we should not indulge in "tall talk." Instead of an angry despatch asserting the right of Great Britain to use her own property for her own purposes, and her resolve that South Australia shall not dictate to

Western Australia what labour she shall employ, we should have said nothing, but made a virtue of that which we were not prepared to insist upon. As it is, we neither keep our convict colony nor obtain the credit of generosity; we lose a great benefit and receive only the discredit of defeat.

It is not yet stated what is to be done with our convicts. Is transportation to be abolished, or are we to find another territory to which to export our incorrigible rogues? If the former, we known from experience what we may expect; if the latter, where is the region in which we can combine security and punishment for the criminal with a population into which he may be ultimately absorbed?

The question of convictism seems to be further from a settlement than ever.

The Manchester Law Association has settled the following list of fees and charges on swearing affidavits, &c.,

For Administering Oaths and Taking Affirmations and Declarations,

	Each deponent, &c. s.	d.
In the High Court of Chancery	2	6
In the Chancery of Lancashire, when Oath administered in a Registry Town	1	0
(N.B.—The practice in the Manchester Registry is to allow 2s. 6d. when the oath is administered elsewhere than in a Registry Town.)		
In the High Court of Admiralty	1	6
In Bankruptcy	1	6
(N.B.—In cases of Bankruptcy on Appeal the same Fees to be taken as in Chancery.)		
In the Court of Probate (Principal and District Registries and County Courts)	1	6
In all the Courts of Common Law	1	0
In the County Court	1	0
For Statutory Declarations	2	6

For Marking Exhibits.

	Each exhibit.	
In the High Court of Chancery	1	0
In the Chancery of Lancashire	1	0
In the High Court of Admiralty	1	0
In Bankruptcy	no charge	
In the Court of Probate (Principal and District Registries and County Courts)	1	0
In all the Courts of Common Law	1	0
(Except Exhibits to Affidavits of service of Writs, Rules or Summonses.)		
To Statutory Declarations	1	0

Court of Probate—(Principal and District Registries).

For attesting execution of a Bond by all the parties thereto, if present at same time	1	6
If all parties to the Bond do not execute at the same time then for each separate attendance attesting	1	6

Answers in Chancery.

	Each deponent, &c.	
For swearing Answer in the High Court of Chancery	2	6
For ditto in the Chancery of Lancashire, when sworn in a Registry Town	1	0
(N.B.—The practice in the Manchester Registry is to allow 2s. 6d. when sworn elsewhere than in a Registry Town.)		
For every Exhibit to Answers in the above Courts	1	0

Memoranda.

By 19 & 20 Vict. c. 108, s. 58, Affidavits in the County Court may be sworn before a Commissioner in Chancery, or before a Commissioner for taking Affidavits in any Superior Court, but the fees payable to the latter only to be charged.

Commissioners of the High Court of Chancery have power, as such, to administer Oaths in the Chancery of Lancashire, and in the High Court of Admiralty.—See 16 & 17 Vict., c. 78 s. 7; and 17 & 18 Vict. c. 78, s. 7.

By 20 & 21 Vict. c. 77, s. 45, Commissioners for taking Oaths in the High Court of Chancery are constituted Commissioners for taking Oaths in the Court of Probate. (N.B.—The Commissioner must describe himself as "A Commissioner to administer Oaths in Chancery in England.")

By 21 & 22 Vict. c. 108, s. 12, Commissioners for taking Oaths in the Court of Chancery have power to administer Oaths under the Divorce and Matrimonial Causes Act, 21 & 22 Vict. c. 85.

Recommendations.

In Chancery, where a long Answer is taken, an additional fee may reasonably be charged, at the discretion of the Commissioner and Solicitor, according to the time occupied.

Generally, where the Commissioner is desired to attend the deponent at some other place than the Commissioner's own place of business, an attendance fee may reasonably be charged, in addition to the fees above specified. By order of the Committee,

S. Uxwin, Hon. Sec.

Manchester, 19th Oct. 1864.

THE JUDGE.

By Edward W. Cox, Esq., Recorder of Falmouth, Author of "The Advocate," &c.

CHAPTER VII.

The General Duties of a Judge (*continued*).

The Judge, transferred directly from the Bar to the Bench, has much to unlearn as well as much to learn. He must change the habit of a lifetime. His has been hitherto the advocate mind; he must now cultivate the judicial mind, and he will speedily discover that the change is not accomplished so easily or so readily as he may have anticipated.

The Advocate mind is sometimes the product of nature, sometimes of training. It is essentially one-sided. The business of an Advocate is to say all that can be said for his client. He marshalls facts and moulds them, he constructs arguments and wields them, not for the discovery of the truth and the right, but in aid of the party for whom he is engaged. He could not lead that cause to victory without throwing into it the whole power of his intellect, making the least of the bad points and the most of the good ones. If nature has not given him that faculty for viewing almost exclusively the one side of a question which, though a fault in other men, is a virtue in him, long practice will certainly implant it, and he will require to exercise upon the Bench, at the beginning of his judicial career, almost as much caution to guard himself against the unconscious influence of habit as he in whom it was a natural tendency. Both will have need to unlearn the almost instinctive one-sidedness of their advocate mind, and to cultivate the judicial mind, whose business it is to view both sides of every question with equal scrutiny, to open the ear to the arguments of both, to weigh in even scales the evidence of both, and to mete out to both impartial justice.

This will appear, perhaps, as the enunciation of a truism, and every Judge would so describe his duty. But it is one thing to know the right and another thing to do it. Mere desire to be just will not of itself make a man just. A Judge may, and often does, inflict grievous injustice with the most entire conviction that he is in the right, merely because his mental vision, from its construction or its training, is unable to view the whole case presented to it, so as to compare its parts and measure their relative values and qualify him to build up his judgment out of the conflicting materials. The really judicial mind is very rare, while the advocate mind is very frequent.

I have dwelt earnestly on this subject, because it is not so well considered as it should be by those who undertake the duties of a Judge. Few are aware of the necessity for caution and self-watching against *this* danger. Its existence known, the Judge will be on his guard against it. If he keeps watch upon himself, he will probably find, at first, that he is, by a kind of instinct, and without his will, making in his own mind a case, when he should be merely opening his mind equally to all, and even beginning to form an opinion upon it before the whole is heard. Thus having an impression that the truth and the right lie in one direction, he unconsciously moulds the evidence and the arguments in accordance with that impression; in fact, he repeats the process which he had been wont to perform as an Advocate; his mind is "made up," as it is termed, earlier than it should be, and although the judgment so formed may be right, and perhaps would usually be so, there is a possibility, nay, a probability, of occasional error which none would more lament than himself.

The knowledge of this besetting weakness, a firm resolve to keep close watch upon it, and to subdue the first intimation of it that reveals itself, combined with cultivation of the judicial mind, will be the surest means for emancipation from the tendencies of the advocate mind.

But this difficulty, attendant upon the early essays of all Judges raised from the Bar to the Bench, varies in various circumstances. Where the parties are represented by skilful Advocates, the duty of suspending judgment is comparatively easy, for the Judge has little more to do than to leave the conduct of the case in their hands, and listen to their arguments and form a deliberate opinion upon the whole case as thus presented. It is when one or all of the parties shall be without professional aid that his power to put off the Advocate and assume the Judge is most severely proved. In such case he is bound to protect the unprotected, and there is no duty more difficult to be discharged. He is called upon to play the double part of Advocate and Judge, yet to forbid the one to bias the other. At one moment his mind must be directed to a partial, if not exclusive, review of a portion of the case, without which he could not learn what the party he is protecting requires to show; this done, he must re-assume the judicial mind and erase every trace of the bias with which he had for a time been compelled to view the case; and this process he may be required to repeat again and again, and in the end to form his judgment freed from all traces of the interest personally taken on one side during the conflict. It *is* an arduous task, in which failure may well be excused, and it is the consciousness of this danger that induces all thoughtful and experienced Judges so much to desire that parties should be represented by Advocates. These are usually well matched, but the parties quite as often unequally, and then upon the Judge devolves the task of supplying to each just that amount of assistance that will raise him to the level of his cleverest antagonist.

It has been questioned often if, and to what extent, a Judge should interfere with a witness where the parties are represented by Advocates. Some Judges scrupulously abstain from asking any questions, contenting themselves with the reflection that the parties have made their choice of advisers, who may be presumed to know what is best for their clients. But may it not be said that the Judge has to regard interests other than those of the parties—the interests of truth and justice—and that it is not always the desire of the parties that these should be elicited? That even if there is no desire or design to suppress some facts and misrepresent others, the impartial onlooker can often see points of importance, not apparent to minds engrossed severally in the contemplation of one view only of the case under inquiry? If it be so, it must be the duty of the Judge to supplement the examinations of the Advocates by putting to the witness such further questions as he may deem to be desirable for the further elucidation of the truth. We, as Advocates, are apt to complain of this interference, as we term it, for often it overthrows the foundation we had skilfully laid for an argument to the jury, and it sometimes subjects the Judge who thus crushes a case to the charge of partiality by the defeated. But that it is his duty to do so, if he sees occasion for it, will scarcely be seriously disputed. He must, however, still bear in mind the peril described in the early part of this chapter, which in the performance of this duty is very imminent.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (*a*)

CHAPTER VI.

The Balance-sheet.

125. *Importance of the balance-sheet.*—That man is in a prosperous condition who is ready, any day, to prepare a balance-sheet of his affairs, and to look through it without fear or shrinking. The same reflection applies to the balance-sheet of a benefit building society, and, indeed, the subject is so important that we devote a separate chapter to its consideration.

126. *Rules must provide for periodical statement of affairs.*—The rules of every building society must provide that the treasurer, trustees, secretary, or other principal officer, shall, once in every year at least, prepare a general statement of the funds and effects of or belonging to the society, specifying in whose custody or possession the funds or effects shall be then remaining, together with an account of all and every the various sums of money received and expended by or on account of the society since the publication of the preceding periodical statement, and every such periodical statement must be attested by two or more members of the society, appointed auditors for that purpose, and countersigned by the secretary or clerk of the society. Every member is entitled to receive from the society a copy of the periodical statement, on payment of such sum as the rules may require not exceeding the sum of 6*d.*: (10 Geo. 4, c. 56 s. 33.)

127. *Balance-sheet usually made out yearly.*—It is usual for a building society to produce a balance-sheet once a year, and not oftener, though there may be cases where, from the extent and variety of the transactions, it may be desirable to have a half-yearly balance-sheet. The auditors should certify the balance-sheet as correct. It is of the utmost importance that the statements contained therein should be accurate. One main source of error consists in the practice sometimes adopted of inserting the whole nominal amount of a share—for instance, 100*l.*—as lent, instead of the real sum of 55*l.* or 60*l.*

128. *Average annual expenses.*—An inspection of many of the annual balance-sheets will show that when the different expenses in the course of the year are added together, they will frequently be found to average from 120*l.* to 150*l.* a-year.

129. *The profit apparent in the balance-sheet.*

(*a*) By W. W. Bazar, Esq., Barrister-at-Law.

The only profit apparent in the annual balance-sheet is that accruing from the interest received; but this is required in order to make up the value of the shares to the investors, and should not be participated in by the borrowers.

130. *Nature of a balance-sheet.*—It should ever be remembered that a balance-sheet is simply a dry record of stern facts. It merely supplies information as to the items of money received, and the mode in which such receipts have been disposed of. And it can express no opinion as to whether any advantage or disadvantage has been derived from the way in which the money has been laid out, but simply states the result. For example, a large item for expense of management is so much money sunk and gone for ever from the society. No speculative theories should be indulged in, and no sanguine expectations as to the future should be hazarded, by him who sits down to prepare a balance-sheet.

131. *How the shares should be valued.*—In order to ascertain with precision and correctness the actual value of the shares, the valuation should be made on the principle adopted by life assurance companies. According to this plan, not only the sums received, and those invested or spent, or paid out on withdrawal are considered, but the present value also is estimated of the profits to be expected from the nature of the society's investments in the advances to the borrowers relatively with the present value of its engagements in respect to the shares held by non-borrowers.

132. *Besides balance-sheet, there should be an estimate of the general position of the society.*—The members of a building society would do well to require at their annual meetings, in addition to the ordinary balance-sheet, the production of a complete estimate or valuation of the general position of the society up to the date of the annual meeting.

CHAPTER VII.

Who may become Members of a Benefit Building Society.

133. *Minors may become members.*—A minor may become a member of a benefit building society, and he is empowered to execute all instruments and to give all necessary acquittances and enjoy all the privileges and be liable to all the responsibilities appertaining to members of mature age, notwithstanding his incapacity or disability in law to act for himself. But such minor must previously obtain the consent of his parents, masters, or guardians: (10 Geo. 4, c. 56, s. 32.) Care should always be taken to obtain the written consent of the parents (both father and mother if alive), masters, or guardians, in order to preserve proof of the consent.

134. *But married women only with the consent of their husbands.*—There is no provision in either of the statutes removing the disability of married women. They can therefore only become members of a building society with the consent and subject to the control of their husbands. If the husband were to interfere, he could probably oblige the society, by giving notice, to pay any money to him which had not been already paid to the wife.

135. *Persons forming a joint-stock company not capable of being members.*—It is quite clear that these associations were meant by the Legislature to be constituted for the benefit of industrious individuals, who might be hoping to make some progress in life by laying out small sums to be contributed through the medium of the society in the purchase of buildings or land, or in the erection of buildings. It is therefore inconsistent with the object which the Legislature contemplated that persons combining together and forming a joint-stock company should ever be capable of being members of a benefit building society: (*Dobinson* v. *Hawkes*, 16 Sim. 407; s. c. 12 Jur. 1037, 12 L. T. Rep. 238.)

136. *But ordinary partners may become shareholders.*—While, however, a banking or brewing joint-stock company and many partnerships are clearly not within the object or scope of the Building Societies Act, it is manifest that a plurality of persons, such as three sisters or a brother, and one or more sisters, or two small tradesmen, may enter into a partnership and become shareholders in a building society in order to acquire a dwelling in which they may be jointly interested, without contravening the spirit and intention of the Act. The general practice of building societies is to permit persons, such as partners and trustees, to become joint members both as investors and borrowers, and it would be matter of regret if any judicial decision should arise to interfere with such a beneficial interpretation of the Act.

137. *Subject to above restrictions, any person may become a member.*—Of course, subject to the restrictions and qualifications we have stated, any person may become a member of a benefit building society and obtain all the advantages which it has in its power to bestow.

INVESTMENT JOURNAL.

Money continues to flow into the Bank coffers, and is so abundant in private hands that safe employment cannot be found for it. Another fall in the rate of discount is therefore expected to occur in a very short time. Lenders are naturally made cautious by recent experience, and speculation has received a wholesome check. Failures are still announced, and many more must take place; but legitimate commerce will profit by the extinction of the wholesale speculators who, beginning with nothing, have failed for a quarter of a million! Foreign stocks are still depressed; our own are advancing, as the following table will show:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	237	...	238½	239	...	...
3 p. c. Cent. Red. Ann.	89	88⅞	...	89⅛	89	...
3 p. c. Cent. Cons. Ann.	91	91⅛	91⅛	91⅛	91⅛	...
New 2½ per Cent. Ann.	...	...	...	...	...	91
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 p. c. Cent. Ann.	88⅛	...	89⅛	89¼	89⅛	89⅛
New 3½ p. c. Cent. Ann.	...	...	...	...	...	...
3 p. c. Cent. Annuities	...	...	...	...	...	...
3 p. c. Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	14⅛	...	14⅛	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅛	89⅛	89⅛	90⅛	90	90
Consols 3 p. c. Cent. for Ac.	...	...	...	...	...	...
India 3 p. c. Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	...	...
India 5 p. c. Cents.	...	...	218	...	...	...
India 4 p. c. Cents.	...	...	...	...	...	...
India 4 p. c. Cents. 1888	...	...	...	...	...	...
India 5 p. c. Cents. 1870	106⅛	106⅛	106⅛	106⅛	106⅛	...
India Bonds (1000*l.*)	1a5	...	...	...	...	...
Do. (under 1000*l.*)	...	*d*	...	4pm	4pm	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	98	98	97⅛	...	...
India Enfaced Paper, 4 p. c. Cent.	...	...	89	...	...	...
Do. do. 5 p. c. Jan. 1872	101⅛	...	100⅛	100⅛	...	...
Do. do. 5½ p. c. May 1879	...	...	...	109	109⅛	...
Ex. Bills, 1000*l.*	...	*c*	*c*	*f*	...	...
Do. 500*l.*	...	...	...	*f*	...	...
Do. 100*l.* & 200*l.* 3½ p. c.	*a*	...	...	*f*	...	...
Do. Small, 3½ p. c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a June 3½ per cent. 3s dis.
b dis.
c June 3½ per cent. par.
d Par.
e March 3½ per cent. par.
f June 3½ per cent. par.
g Premium.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS

Equity Practice.—Where a pecuniary legacy is payable out of a residuary fund, the legatees' costs in an administration suit are generally given out of the residue. But where a pecuniary legacy is given out of a fund, the residue of which is specifically bequeathed, the legatee must contribute: (*Foxen* v. *Foxen*, 11 L. T. Rep. N. S. 292. Ld. Ch. Westbury.)

An application was made under rule 3 of the 7th Cons. Ord. for the appointment of a solicitor as guardian *ad litem* to an infant defendant residing in America. The Court dispensed with service of notice of the application upon the person with whom the infant resided: (*Turner* v. *Sowdon*, 11 L. T. Rep. N. S. 298. Kindersley, V. C.)

COURT OF BANKRUPTCY.

Monday, Nov. 21.

Re John Reed.

The bankrupt was an attorney, residing at Brixton. Debts to unsecured creditors, 2979*l.*; liability on shares, 257*l.* No assets. The bankrupt had been in partnership with one Payne, at Alnwick, but the partnership was dissolved in 1862. The shares in which he speculated were mining shares. Considerable costs were incurred in a Chancery suit (the Don Pedro del Rey Mining Company, in Brazil). Mr. Thomas Flight, of Walbrook, was also a creditor for a considerable amount, incurred in 1846, and kept alive by bills and renewals.

Aldridge said many of the debts were in respect to law costs. This was a prison adjudication.

The Commissioner said it would appear from the balance-sheet that the bankrupt, whether in attack or defence, was equally unsuccessful.

The bankrupt said he had acted by advice of counsel.

There was no opposition, but his Honour ordered an adjournment, so that due notice may be given to creditors.

(Before Mr. Commissioner Holroyd.)

Re E. R. Edwards.

The bankrupt, an attorney of Chancery-lane and Malden-road, Kentish-town, came up for examination. No accounts have yet been filed, but from the preliminary statement, which is not added up, the debts appear to be about 2000*l.*

In answer to the Commissioner,

The Bankrupt stated he had been unable to devote his attention to the preparation of his accounts, as he had been refused an allowance, and had a wife and family dependent upon him for support.

An adjournment was ordered at the bankrupt's expense.

Re William Sladden.

The bankrupt was a solicitor, of 44, Chancery-lane, Sambrook-court, City, and elsewhere, and he now came up for examination.

Reed opposed for a creditor; *Chipperfield* appeared for the assignees; *Lawrance* supported.

It was stated that the bankrupt had executed no less than five composition-deeds, and that they all from some cause or other fell through, and a petition to this court became necessary. The debts were now 5752*l.*, and the assets had been wholly exhausted.

Reed applied for additional accounts, and

His Honour ordered an adjournment for that purpose.

APPOINTMENT.

The Lord Chancellor has appointed Samuel Martin Beale, Esq., solicitor and Under-sheriff for the city of Worcester, a Commissioner to administer oaths in the High Court of Chancery.

HEIRS AT LAW AND NEXT OF KIN.

Berwicke (Calverley), Bradley (Joseph), Dalling (Louisa), Frome (Francis), Locker (Joseph), Dickinson (William), Randall (William), Sullivan (Sir Benjamin), Elton (Isaac), Turnley (Francis), Fisher (Thomas). Next of kin required to claim money. Apply to Herbert Freres, 13, York-street, Covent-garden, London.

Willet (Mary), Canterbury, spinster. Next of kin to come in by May 11, 1865. Wightwick, Kingsford and Fraser, 16, Watling-street, Canterbury.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Brathshaw (Thomas), Giggleswick, Yorks, gentleman, Dec. 12, M. R. Ridsdale and Craddock, 5, Gray's-inn-square, London.

Brightmore (Mary), Staveley, Woodthorpe, Derby, widow, Dec. 16, M. R. R. and W. B. Smith, 7, New-square, Lincoln's-inn, London.

Caar (James), Strutton's-ground, Westminster, Middlesex, beershop-keeper, Dec. 1. C. Fiddey, 3, Harcourt-buildings, Temple, London.

Chapman (Daniel), Doncaster, York, Methodist minister, Dec. 7, V.C. S. W. Pitman, 12, King's-road, Bedford-row, London.

Clarkson (Jane), Acomb, Yorkshire, widow, Dec. 7, V.C. K. Hampton and Burgin, 8, John-street, Bedford-row, London, for Snowden and Son, Leeds, Yorkshire.

Connell (Edw., jun.), Knacker's-knowle, Plymouth, Devon, Dec. 16, V.C. S. N. C. and C. Milne, 2, Harcourt-buildings, Temple, London.

Cotching (Charles), Houghton Regis, near Dunstable, Beds, cattle dealer, Dec. 5, M. R. E. B. Church, chief clerk.

Curtis (Edward), 3, Bedford-place, Hognor, Sussex, plumber, painter and glazier, Dec. 14, M. R. E. G. Randall, 56, Welbeck-street, London.

Dawson (William the elder), Whassett, Westmoreland, farmer, Dec. 12, V.C. K. W. Thistlethwaite, 156, Strand, Middlesex, for J. Fearenside, Burton, Westmoreland.

Gattie (Anna Maria), formerly of 48, Brompton-road, Middlesex, and late of Battersea, Surrey, spinster, Dec. 1, V.C. K. E. S. Stephenson, 7, Great Queen-street, St. James's-park, London.

Harding (J. S.), 4, Cheapside, London, chemist and druggist, Dec. 2. Jay and Pilgrim, 14, Bucklersbury, London.

Howard (Ralph), Spring-grove, Staley, Chester, cotton-spinner, Dec. 13, M. R. J. E. and A. Fox, 40, Finsbury-circus, London, for Earle, Son, Hoppe and Orford, Manchester.

Lavel (Joseph), 4, Edgecumbe-terrace, Stepney, Middlesex, Dec. 10, V.C. S. Loxley and Morley, 80, Cheapside, London.

Mitchell (Charles), Ditchingham, Norfolk, farmer, Dec. 7, V.C. K. G. Biller, 14, Golden-square, Westminster, London, for M. S. Emerson, Norwich.

Mury (Richard), Reading, Berkshire, grocer, Dec. 7, V.C. K. J. Cooper, 3, Billiter-street, London, for C. W. Hoffman, Reading, Berks.

Mury (Richard), Reading, Berks, grocer and oil and colourman, Dec. 7, V.C. K. J. Cooper, 3, Billiter-street, London, for C. W. Hoffman, Reading, Berks.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Adsley (John), Kemberton, Halberton, and Cliff House, Lympstone, both in the county of Devon, Esq., Jan. 1, 1865. Dommett and Canning, Chard, Somerset.

Barbeyton (Benjamin), Mount-terrace, Hampson-mills within Bury, Lancashire, bleacher and dyer, Feb. 1, 1865. James Park, ironfounder, Bury.

Bradley (Thomas), Greenhithe, Swanscombe, Kent, Esq., Dec. 21. C. Colyer, 8, Furnival's-inn, London.

Britton (Henry), Church-street, New Kent-road, Surrey, Dec. 1. Graham and Lyde, Mitre-court-chambers, Temple, London.

Bryson (J. M.), 57, Roupell-street, Surrey, architect, Dec. 31. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

Chattell (John), 122, Long-acre, Middlesex, brushmaker, Dec. 31. Elliott and Pierce, 5, Verulam-buildings, Gray's-inn, London.

Cliff (Henry), 21, Millman's-row, King's-road, Chelsea, commercial traveller, Dec. 24. Howard and East, 7, Staple-inn, London.

Cope (Charles), Sparkhill, Yardley, Worcestershire, gentleman, Dec. 20. Ingleby, Wragge and Evans, 4, Bennett's-hill, Birmingham.

Collins (John), Park-road, Holloway, Middlesex, gentleman, Nov. 28. S. Berkeley, 12, Gray's-inn-square, London.

Fellowes (Susan), Camden-road, Middlesex, widow, Jan. 17, 1865. S. Berkeley, 12, Gray's-inn-square, London.

Fenning (Eugenius), 4, Poultry, London, oilman and venison dealer, Dec. 31. Cox and Sons, 14, Size-lane, London.

Fryer (Ann Cranstown), formerly of the Cedars, Hammersmith, Middlesex, and late of Reading, Berks, Feb. 16, 1865. Walters, Young and Walters, 3, Lincoln's-inn, London.

Hickay (Edward), Charles-street, St. James's-square, and Army and Navy Club, St. James's-square aforesaid, and United Service Club, Pall-mall, all the county of Middlesex, Lieut.-Col., Dec. 15. Lake, Kendall and Lake, 18, New-square, Lincoln's-inn, Middlesex.

Hunter (Pauline Mary), Bath, widow, Dec. 10. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

Jacob (John), formerly of Scotch Bath, Queen's County, Ireland, afterwards Eaton-road, Chester, and late of Holyhead, Anglesea, Esq., Jan. 2, 1865. Frere, Cholmeley and Forster, 28, Lincoln's-inn-fields, London.

Jones (William), 31st Regt. of Foot, Feruzepore, East Indies, ensign. Dec. 31. Graham and Lyde, Mitre-court-chambers, Temple, London.

Langley (George), East Barnet, Hertfordshire, formerly a butcher, March 1, 1865. Parker, Rooke and Parkers, 17, Bedford-row, London.

Lovell (Dr. C. H.), Tottenham, Middlesex, physician, Dec. 12. J. M. Richardson, Much Hadham, Herts.

Lister (Louisa Esther), Sunderland-house, Surbiton, Surrey, and also Middle-street, Brighton, Sussex, widow, Dec. 15. F. W. Blake, 5, Sere-street, Lincoln's-inn, Middlesex.

Munton (D. S.), 1, Surrey-place, Lower-road, Rotherhithe, Surrey, gentleman, Dec. 10. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

Nash (John), Hurstgreen, Etchingham, Sussex, nurseryman, Jan. 18, 1865. J. Philcox, Hurwash.

Prescott (W. P.), High-street, Worthing, Sussex, corn-dealer. Dec. 24. Tribe and Green, Worthing, Sussex.

Roberts (Margaret), Mount-pleasant, Mold, Flint, spinster. Dec. 31. W. Davies, Holywell, Flint.

Rot (Rev. J. W. R.), Wethersfield, Essex, clerk, Dec. 31. L. C. Brown, Emmanuel College, Cambridge.

Sinico (James), 14, Carlton-street, Birch-in-Rush-road, Peckham, Surrey, gentleman, Dec. 31. Ingle and Goodby, 37, King William-street, City, London.

Sinclair (Catherine), 18, Chesham-place, Belgrave-square, Middlesex, and 188, George-street, Edinburgh, spinster, Jan. 6, 1865. R. and C. H. Hodgson, 10, Salisbury-street, London.

Tanswell (John), 5, King's Bench-walk, Inner Temple, Middlesex, and Temple House, Nunhead, Surrey, Esq., Dec. 20. W. Berry, 62, Chancery-lane, London.

Walker (James), Gretling Power, Gloucestershire, gentleman, Jan. 17, 1865. Kendall and Sons, Bourton-on-the-Water, Gloucestershire.

Wrallby (C. J.), formerly of Child's-place, Temple-bar, London, and late of 1 Lansdown-villas, West Brompton, Middlesex, gentleman, Dec. 17. Stafford, Baxter, and Somerville, 48, Lincoln's-inn-fields, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Addy (Sir T. N.), Albyns, Essex, Bart.; Bradon (W. F.), Stratford-place, Oxford-street, Esq.; Calvert (E. S. F.), Hunsdon, Herts, Esq. Dividends on various sums of Consolidated Three per Cent. Annuities. Claimant, Sir T. N. Addy, Bart.

Bays (Francis), Blackfriars-road, Surrey, cheesemonger. Dividends on 25*l.* New Three per Cent. Annuities. Claimant, Lydia Bays.

Jervis (John Jervis), Lincoln's-inn, Middlesex, Esq.; Jervis (T. O.) Bishop's Castle, Salop, gentleman; Collin (Rev. John, jun.), Heydon, Essex, clerk, and Collin (J. S.), Saffron Walden, Essex, Esq. Dividends on 1100*l.* New Two-and-a-Half per Cent. Annuities. Claimants, Jervis John Jervis, T. O. Jervis, Rev. John Collin, and J. S. Collin.

Lisle (Rt. Hon. Lady Sarah), Millbrook, Southampton, widow; Gibb (H. W. S.), Esq., and Gibb (Frances Mary), spinster, both of Rugby, Warwickshire. Dividends on 307*l.* 15*s.* 10*d.* New Three per Cent. Annuities. Claimant, H. W. S. Gibb and Frances Mary Anstey, (late Gibb, spinster).

The Hon. Mrs. Yelverton and the *Saturday Review*.—In the calling lists of the Court of Session there appears an action of damages at the instance of the Hon. Maria Theresa Longworth, or Yelverton, residing in Edinburgh, against Alexander James Beresford Hope, of Bedgebury-park, in the county of Kent, and John Douglas Cook of the Albany, in the county of Middlesex, both residing in or near London, or elsewhere furth of Scotland, against whom arrestments have been used *ad fundandam jurisdictionem*. The defenders are the registered proprietors of the *Saturday Review*, and the grounds of action are the alleged libel in the article on the Yelverton case which appeared in the *Saturday Review* soon after the House of Lord's decision. The damages claimed are 3000*l.*—*Caledonian Mercury*.

THE BENCH AND THE BAR.

CALLS TO THE BAR.

Inner Temple, Nov. 17.—The undermentioned gentlemen were this day called to the Bar by the Hon. Society of the Inner Temple:—Jones Quain Pigot, Esq., B.A., Dublin; Richard Blake Steele, Esq., B.A., Cambridge; Sheridan Knowles Mackay, Esq.; Edward Ross Divett, Esq., M.A., Cambridge; Charles Birch, Esq., B.A., Cambridge; Edmond Arthur Ram, Esq.; Aimable Emile Lanougarede Bazire, Esq.; Thomas Adair Masey, Esq.; John Heaton Cadman, Esq., B.A., Oxford; James Lowther, Esq., B.A., Cambridge; John Charles Edmondson Coleman, Esq.; Henry Reginald Courtenay, Esq., B.A., Oxford; Charles Howard, Esq., M.A., Cambridge; Charles Nell, Esq., Cambridge; Lovell Burchett Clarence, Esq., B.A., Cambridge; John William Bacon Grey, Esq.; Robert Hornell, Esq., M.A., Oxford; John Sydney Malcolm Hastings, Esq., B.A., Oxford; Rees Edward Davies, Esq., B.A., Oxford; and Charles Gurdon Kemball, Esq.

Middle Temple, Nov. 17.—The undermentioned gentlemen were this day called to the degree of the utter Bar by the Hon. Society of the Middle Temple:—Charles Frederick Farran, Esq. (holder of the studentship awarded by the Council of Legal Education, Michaelmas Term 1864), B.A., Trinity College, Dublin; Maurice Foster Farrell, Esq. (holder of the Exhibition awarded by the Council of Legal Education, Michaelmas Term 1864, and Certificate of Honour First Class, awarded in Trinity Term 1864), B.A., Exeter College, Oxford; Thomas William Snagg, Esq., M.A., Trinity College, Dublin; Richard Francis Eaton Charles Edevenin, Esq.; Frederick James Barnard, Esq., of St. John's College, Cambridge; Edward Masson Hunt, Esq.; William Arthur Warner Sleigh, Esq.; Richard Harris, Esq.; Frederick D'Olbert Bullock, Esq., LL.B., scholar of Christ's College, Cambridge; John Burns Bryson, Esq., of the University of Edinburgh; Robert Caird, Esq., of the University of Glasgow; Alexander Kennedy Isbister, Esq., M.A. of the University of Edinburgh; William Patrick MacDonald, Esq., of the University of Glasgow; and James Kirton, Esq., Undergraduate of the London University.

Lincoln's-inn, Nov. 17.—The following gentlemen were this day called to the degree of Barrister-at-Law by the Hon. Society of Lincoln's-inn, viz.: William Henry Campbell, Esq., B.A., Oxford; John Hennell, Esq., B.A., London; Robert Melville, Esq., M.A., Oxford; Lawford Yate Lee, Esq., M.A., Cambridge; John Moulton, Esq., B.A., Oxford; Roland Bowdler Vaughan Williams, Esq., M.A., Oxford; John Armstrong, Esq., Oxford; William Arthur Hicks, Esq., B.A., Oxford; Edward George Clarke, Esq., Richard Ward, Esq., M.A., Cambridge; John Gray Warner, Esq., LL.B., Cambridge; George Tuthill Barrett, Esq., M.A., Cambridge; George Winter Bomford, Esq.; Horace Watson, Esq.; Laurence Craven, Esq., M.A., Cambridge; John Edward Jenkins, Esq.; and George Cardale, Esq., B.A., Oxford.

Gray's-inn, Nov. 17.—At a pension of the Hon. Society of Gray's-inn, holden this day, Daniel Abraham Hughes, Esq., of Trinity College, Dublin, the third son of William Hughes, Esq., late of Claremount, Dublin, Esq., deceased; William Romilly, Esq., the eldest son of the Right Hon. the Master of the Rolls; and Lionel Henry Hanbury Jones, Esq., of St. Edmund's-hall, Oxford, B.A., the only son of William Hanbury Jones, of Gray's-inn, Esq., were called to the degree of Barrister-at-Law.

MIDDLESEX NEW MAGISTRATES.

The following new magistrates have recently been added to the commission of the peace for the metropolitan county:—

Byng, Lieut.-Colonel The Hon. Henry William John, 3, St. James's-square.
Cuthell, Andrew, Esq., 61, Warwick-square.
Dakin, Thomas, Esq., Hornsey.
Dent, John, Esq., 35, Grosvenor-square.
Dufferin, Frederick Temple Blackwood, Lord, Dufferin Lodge, Highgate.
Jeakes, Lieut.-Col. John William, Winchester-hall, Highgate.
Lawrence, James Clarke, Esq. (Alderman of London), 18, Cannon-street.
Mosse, Richard Bartholomew, Esq., 2, Princes-street, Westminster.
Plowden, Trevor Chichell, Esq., Gloucester-terrace, Hyde-park.
Read, Joseph, Esq., Heathfield, Hampstead-heath.
Stewart, Alexander John Roberts, Esq., 13, Belgrave-square.
Taylor, Henry Lowman, Esq., 10, Queen-street, Cheapside.
Thornton, John, Esq., Feltham.

The Middle Temple.—On Thursday last, being "Grand Day" at the Middle Temple, the benchers of the Inn entertained at dinner the Rev. the Master of the Temple, the Lord Chief Justices of the Common Pleas, the Lord Chief Baron, Vice-Chancellor Stuart, Mr. Justice Meller, Mr. Justice Shee, Sir Roundell Palmer (treasurer of Lincoln's-inn), and H. Bliss, Esq., Q.C. (treasurer of the Inner Temple).

A Clerical Barrister.—An interesting question is submitted to the benchers of the Inner Temple. Early in the present year a member of a noble family in this country, having gone through the usual course of terms, was duly called to the Bar by the honourable society. It has since come to the knowledge of the benchers that the new barrister-at-law is a priest in holy orders, and the doubt now arises whether, under the circumstances, the gentleman having withheld information as to his clerical character, the call to the Bar is valid, and whether the profession of a barrister is such a secular calling as duly ordained clergymen are prohibited from entering upon. Such a case has not arisen since that of Horne Tooke, and that does not bear much analogy to the present, for, although Mr. Tooke went through his terms, he was not "called." When he presented himself for admission to the Bar the question arose whether it was lawful to admit as a barrister a duly ordained clergyman, and in consequence of the doubts entertained no bencher could be found to move the call, and further proceedings dropped. There are several clergymen who have been called to the Bar, and one bishop (Dr. Connop Thirlwall, Bishop of St. David's), but they were called before they were ordained; and there are one or two clergymen now practising at the Bar, but they also were ordained after being called, so that it is held to be doubtful whether they are violating the canons of the Church in returning to their first profession. The case now under the consideration of the benchers of the Inner Temple is, it is believed, the first that has arisen of a barrister being called after having entered into holy orders, of which, under the present state of the law, a clergyman cannot divest himself.—*Eryxus*.

M. Berryer.—The banquet given to M. Berryer could not have passed unnoticed by the chronicler of the *Revue des Deux Mondes*; of it he speaks in these terms:—"While alluding to these poetical or literary recreations of English statesmen, how can we omit all mention of the honours which these pursuits have just conferred upon one of the most illustrious and most cherished of our own countrymen—of M. Berryer, introduced to the English Bar by Lord Brougham? A homage like this paid to the most eloquent of our advocates is one of those happy events which show the great qualities through which, whatever be said to the contrary, France and England are worthy of understanding each other and of uniting. It was in the ancient hall of the Middle Temple that the Bar and the most eminent Judges of England received and entertained M. Berryer. On reading the description of that memorable banquet and the speeches delivered at it, the regret which we lately expressed in these pages comes back upon our mind. In England the high magistracy issues from the Bar and is its natural completion. Hence that lasting fraternity between the Lords Justices, the Barons, the Lord Chancellor, and the Advocates, of which we so often find in the English Courts noble and touching instances. In France the Bench and the Bar, in spite of their natural affinity, are two careers quite distinct. What a worthy head of the French magistracy would M. Berryer have been! What a Chancellor he would have made! Those thoughts were present the other day in the hall of the Middle Temple, and at the Lord Mayor's banquet, when Lord Palmerston, with a delicacy and justice of touch so remarkable, sketched the political character of M. Berryer. But at that moment they were thoughts which saddened the soul of the great orator. His thoughts were with his own country; his feelings overpowered him, while he saw around him, and described in noble words, the fruits which liberty, as yet so sterile among us, had brought forth in England. And amid this association of ideas, suggested by those imposing scenes, how can we forget the age of the most eminent of these guests? The indefatigable Brougham and Palmerston, ever full of life and buoyancy, are octogenarians; and but few years separate Berryer himself from them. How wonderful the sight of that green old age! Has the whole vigour of our age taken refuge in the souls of these magnificent old men? And do politics and eloquence reserve for their favourites the effects of the fountain of youth?"——The *Courrier du Pas de Calais* states that as soon as it became known at Calais that M. Berryer was to arrive on Friday by the steamer from England, the barristers of that town and many of the principal inhabitants determined to pay their respects to him. A great number accordingly assembled on the quay and greeted him with loud cheers on landing. M. Berryer expressed himself highly gratified with this manifestation, and before leaving the station he received all the members of the Calais Bar, and thanked them for the honour they had done him.

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

Highway—User.—An innkeeper had used a piece of ground in front of his house, part of the public highway, for more than twenty years, for standing the vehicles of his guests on market days. Such user was held not to be an answer to an information for obstructing the highway. "The only evidence for the appellant," said Willes, J., is, "that he had been in the habit of using this piece of ground for more than twenty years, that is, that the public tolerated the obstruction as long as they suffered no inconvenience from it. But now, in all probability, they find it inconvenient, and therefore wish to prevent its being used by the appellant any longer:" (*Gerring* v. *Barfield*, 11 L. T. Rep. N. S. 270. C. P.)

The pathway along a canal, vested by private Act in a canal company, was held to be a public highway, and since the passing of the Towns Improvement Act to be repairable by the commissioners, and the proper remedy to compel them to do so is by *mandamus*: (*Reg.* v. *The Rathmines, &c. Improvement Commissioners*, 11 L. T. Rep. N. S. 281. Q. B., Ire.)

Metropolitan Building Act.—Where a man, under contract to build according to a specified plan, and according to the Metropolitan Building Acts, commenced to build according to the plan which was in some respects in contravention of the Building Acts, he was held to be bound to rebuild in uniformity with the requirements of the statutes: (*Cubitt* v. *Smith*, 11 L. T. Rep. N. S. 298. Stuart, V.C.)

Poor-rate.—In assessing to the poor-rate, deductions should be made from the gross estimated rental in respect of, first, the general sewers rate; secondly, the rate for maintenance and cleansing of the sewers; thirdly, the sum annually expended in the repairs of the sluices or flood-gates upon the property; and fourthly, the sum annually expended in the maintenance of a sea-wall: (*Reg.* v. *Dare*, 11 L. T. Rep. N. S. 301. Q. B.)

A railway running between B. and C. was owned by the D. Company and the E. Company,

each possessing one-half in length, but each having the right to run over the half belonging to the other. The E. Company were assessed to the poor-rate of the parish of W., in respect of its occupation of the line in that parish, that portion of the line being the property of the D. Company. It was held that E. Company had only an easement, and were not occupiers, and therefore not rateable: (*Budgeworth* v. *The Midland Railway Company*, 11 L. T. Rep. N. S. 303. Q. B.)

Highway—Indictment—Costs.—An order was made for the indictment of a highway therein styled a "highway called Quaker-lane." Before the justices it was sought to make the defendants liable to repair it as a cart and carriage way. The indictment contained counts both for a cart and carriage way, and for a pack and prime way. The jury found that it was not a cart and carriage way, and the defendants admitted that it was a pack and prime way, but not out of repair as such, and the jury so found. The prosecutor was held not to be entitled to his costs under sect. 95: (*Reg.* v. *Inhabitants of Checkleaton*, 11 L. T. Rep. N. S. 305. Q. B.)

Appeal against Summary Conviction—Costs.—On an appeal against a summary conviction, the quarter sessions may award costs against the prosecutor, although the convicting justices are the nominal respondents. Where the appeal is called on, and the appellant appears, but no person appears for the respondent, the sessions may quash the conviction with costs against the actual prosecutor: (*Reg.* v. *Purday*, 11 L. T. Rep. N. S. 309. Q. B.)

Vagrancy—Previous Conviction.—The Vagrant Act requires that convictions under it shall be returned to the quarter sessions and filed and kept on record. A previous conviction under that Act can therefore be proved only by the record, and the minute-book of the proceedings before the county justices is not evidence: (*Giles* v. *Sing*, 11 L. T. Rep. N. S. 310. Q. B.)

Game—Destructive Dog.—B. had a dog that was in the habit of hunting on his own account and going on C.'s preserves and destroying game, of which fact B. had notice. Afterwards the dog again went into the preserves and killed a number of young pheasants in their pens. B. was held to be liable for the damage so done: *Read* v. *Edwards*, 11 L. T. Rep. N. S. 311. C. P.)

Correspondence.

The Duties of Magistrates.—If the report under the head "Somersetshire County Police," contained in the Law Times of this date, be correct, I as an attorney, beg to protest against the right of the magistrate mentioned in the report from making such uncalled-for and presumptuous observations, which were unbecoming the conduct of gentlemen on the Bench; and magistrates so acting contrary to the law and their duties would, no doubt, be reprimanded on their conduct being brought before the proper tribunal. Mr. Wilton is unknown to me, but I venture to submit that, had he shown some of the courage advocated by Lord Brougham and Chief Justice Cockburn, he would have upheld the dignity of our profession and brought the magistrates to their proper position. Omega.

Wolverhampton, Nov. 19.

Local Board of Health—Liability.—Several streets in the town of W. have been allowed for many years past to continue, and are at present, in a very bad state of repair; in fact, during the winter months they are in some parts impassable for foot passengers. The local board of health (of which the town boasts) has, I believe, lately served notices on the owners of the property adjoining or abutting on the said streets, under sect. 69 of 11 & 12 Vict. c. 63, to sewer, level, pave, &c. The section provides that in case the owners do not comply with the notice, then the board may, if they shall think fit, execute the works, &c.: but this is only mandatory. Now, I have reason to believe that the owners will not comply, but the leave the board to do the work. I shall be obliged by any of your numerous readers referring me to some authority (if any) to show what steps can be taken, by *mandamus* or otherwise, to compel the board to move, if the owners do not. S.

23rd Nov. 1864.

Land Tax Commissioners.—I beg to inform your correspondent "An Inquirer" that the 38 Geo. 3, s. 5, s. 90, is repealed by the 38 Geo. 3, c. 48, s. 3, which enacts that no person shall be capable of acting as a commissioner of land tax unless he be possessed of lands of the value of 100*l.* per annum of his own estate, freehold, copyhold, or leasehold, or unless he be heir-apparent of some person who shall be seised or possessed of a like estate of the value of 300*l.* per annum; one moiety of such qualifications to be within the county for which such person is appointed a commissioner. I know of no statute law to prevent a commissioner, A., sitting on the bench with other commissioners, and giving evidence in a case of appeal as to the value of property of another commissioner, B., residing in the same parish; nor do I suppose that any case has been decided on such a point in reference to land tax, but it surely is contrary to the principles of both law and equity generally that a person should be a witness and judge in the same case. A. can certainly not employ an attorney to support an assessment to land tax made by the assessors on the appellant B.: (43 Geo. 3, c. 99, s. 26.) I do not think that sects. 23 and 78 of the first-named Act referred to by "An Inquirer" affect the case as put by him, nor do I think that B. would have any remedy if the commissioners hearing the appeal neglect to require him to withdraw: 56 Geo. 3, c. 105, s. 3, which enacts that commissioners shall not be liable to suits.

S. D. S.

Fatal Accident to a County Magistrate.—A gloom has been cast over the county of Dorset by the melancholy death of Mr. John Tatchell Bullen, an active county magistrate. Last Tuesday Mr. Tatchell Bullen was rabbit shooting near Bridport, and when in the act of loading his gun one of the barrels, from some unascertained cause, exploded, and the contents lodging in the unfortunate gentleman's chin, resulted in his almost instantaneous death. Mr. Bullen was highly respected.

Manchester Winter Assizes.—The following letter has been addressed to the editor of the *Manchester Guardian*:—Sir,—My letter to you inserted in your paper of the 15th inst., contained a summary of the efforts made by the Manchester Law Association to obtain a winter assize for the trial of civil actions in Manchester. The letter of Sir George Grey to the Town Clerk of Manchester, inserted in your paper of the 19th inst., has suggested my addressing you again. In that letter, Sir George Grey states that the Lord Chief Justice, in his answer to the memorial of the Manchester Law Association, "maintains, in very decided language, his objections to a winter assize for civil business for the city of Manchester." Some of the counsel who go the Northern Circuit have also given utterance to their conviction that a winter assize for the trial of civil actions is not required at all, either in Manchester or Liverpool. A short time ago, a written representation, signed by five Queen's counsel and four leading juniors, was sent to Sir George Grey, setting forth that from their personal knowledge of the causes which have been entered at the Liverpool civil winter assizes they were convinced that the continuance of such an assize was unnecessary for the interest of suitors; that few, if any, causes of importance had ever been tried at a winter assize at Liverpool, and none which could not without inconvenience have been postponed; that this assize had become still more unnecessary by reason of the severance of the Manchester and Liverpool district, whereby an increased period of time would be available for the trial of Liverpool causes in the spring and summer; that they knew that the chief practitioners of Liverpool coincided in these views, and they had the strongest reasons for believing that the judges who had trial civil causes at the Liverpool winter assizes coincided in them. They therefore laid before the Secretary for the Home Department their earnest opinion that there should be no commission issued for the trial of causes at Liverpool in December next, or in any subsequent winter. This representation Sir George Grey forwarded to the Mayor of Liverpool, requesting that it might be laid before the town council for their consideration. The mayor submitted it to the Liverpool Law Society, who, on the 10th Nov., adopted a report, which set forth that the winter civil assize was a great convenience, and that it would be a serious inconvenience if the expected assizes for this winter were not to take place, and that they were strongly of opinion that the winter assize should not be abolished. This report, you will perceive, gives a direct negative to the statement of the nine counsel that the chief practitioners of Liverpool coincide with their views that a winter civil assize there was unnecessary. The Liverpool Town Council unanimously concurred in the report of the Liverpool Law Society, and expressed an earnest opinion that the discontinuance of a winter civil assize at Liverpool would be a very serious injury and prejudice to the suitors and public, and they requested the mayor to forward to Sir George Grey a copy of the report of the Liverpool Law Society, and to inform him that the sentiments of the town council were in unanimous accordance with those therein set forth. It appears that the Home Secretary on the day of the receipt of this communication from the Mayor of Liverpool (namely, on Saturday 12th Nov.) issued the requisite commission for the holding of a winter civil assize in Liverpool. It was on the following Tuesday (only three days after) that the deputation from the Manchester Law Association had their interview with Sir George Grey, who intimated his readiness forthwith to issue a commission to Manchester if arrangements could be made with the Judges. The result of the interview of the deputation with the Lord Chief Justice of the Queen's Bench I have already communicated to you. I may add that both he, and the other Judges who were present, made the want of a judge the reason why they could not concur in the prayer of the memorial, but they also intimated that the causes which would have to be tried if there were a winter civil assize might, without prejudice, wait over to the spring assizes. It is only right in a matter of such importance, and after the erection at a great cost of a most commodious Assize Courts, that the public should be put in full possession of the difficulties which will for the present prevent their being used as fully and frequently as was expected. Two issues have been raised, the one as to whether a civil winter assize is required, either in Manchester or Liverpool, and the other whether, if wanted, one or more additional judges can be created to supply such want? As regards the first point, the opinion of the solicitors of both towns has been already expressed as decidedly as can be required. As regards the other, I can scarcely imagine that the Government will hesitate about creating a sufficient number of judges to discharge the judicial duties demanded by the country.

32 Brazennose-street, Nov. 21. Thomas Baker.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Railway and Canal Traffic Act—Unreasonable Condition.—A special contract headed "Reduced rates," contained a condition that the company should not be answerable for damage to the cattle conveyed from suffocation, or being trampled upon or bruised, nor for any consequences arising from over-carriage, detention, or delay, however caused. Under this, cattle were delivered to be forwarded to B., but they were sent to C., beyond B., and injured in condition thereby. The company was held to be liable, the condition being an unreasonable one, and the injury being the direct and proximate consequence of the delay: (*Allday* v. *The Great Western Railway Company*, 11 L. T. Rep. N. S. 267. Q. B.)

Lands Clauses Act.—A notice by a claimant for compensation for lands taken under sect. 68, stating his desire to have the question of compensation settled by a jury, must give such reasonable information as to the nature of his claim as will enable the company to make an offer, and a notice merely describing the nature of his interest as "leasehold" is insufficient: (*Healey* v. *The Thames Valley Railway Company*, 11 L. T. Rep. N. S. 268. Q. B.)

B., who was, with others, a promoter of a company, signed the memorandum of association for twenty shares, but did no further act, received no allotment of shares, no notice of calls, and paid nothing. He was held to be liable as a contributory in respect of the twenty shares he had so engaged to subscribe: (*Re United Shipowners' Company*, 11 L. T. Rep. N. S. 293, M. R.)

Railway Law.—What is a taking possession? B. being the owner of the reversion of certain premises held by a yearly tenant, the company requiring the land gave the usual notice to him and to the tenant. Afterwards they made terms with the tenant and received the keys from him. B. then gave notice of his claim for compensation, and brought his action under sect. 68 of the Lands Clauses Act. This was held to be a taking possession by the company, and not a mere tenancy by assignment of the tenant's interest: (*Barker* v. *The Metropolitan Railway Company*, 11 L. T. Rep. N. S. 312. C. P.)

Loan Society—Action against Surety.—A rule of the society that "if any member who has had his share advanced becomes more than four weeks' payments in arrears, they (the committee) shall immediately inform the sureties of the same and have power to institute legal proceedings against them," although binding on the members of the society *inter se*, does not affect a contract between a member and sureties who are not members, so as to enable the sureties to set up the want of such notice as an equitable defence to an action on a bond, in which they had joined to secure the payment of the instalments of a member: (*Price* v. *Kirkham*, 11 L. T. Rep. N. S. 314. Ex.)

LAW STUDENTS' JOURNAL.

Correspondence.

Law Classes for Articled Clerks.—Although acknowledging that all students in one branch of the legal profession ought to be grateful for and do duly appreciate the efforts of your correspondent, Mr. W. J. Fraser, for the formation of law classes in connection with the Law Society, I would suggest that a greater benefit would accrue if a society of articled clerks, such as that to which I have the honour to be connected, were to make classes a part of their system of education. By such means a vitality would be generated which could never be attained in any other way. Those most directly concerned would take a greater interest in a movement which had its origin from among themselves, and which would thus be maintained and managed by members of the particular class to which they belonged. The course which might be pursued would be the reading a series of papers on some branch of the law by a regular succession of chosen members, who would by benefiting others benefit themselves. Each paper might occupy half an hour, after which, questions and a friendly discussion might ensue. The future generation of solicitors would thus have an opportunity of ascertaining the theory of the law, by classes, at least equal to that which they now have of discovering the practice of the law by a "lustre" of pastime or drudgery in an attorney's office. Should this course

be pursued, I should be happy to subscribe a guinea towards the small expenses which would be incurred.

WYNNE E. BAXTER,
Hon. Sec. of the Articled Clerks' Debating Society.

Bedford-park, Croydon, S., Nov. 21, 1864.

THE EXAMINATIONS.—I cannot allow the needless and unreasonable criticism emanating from one of your correspondents, who chooses to subscribe himself under cover of the motto "Fiat Justitia." Whether this is practically the rule of his conduct is a circumstance I incline to doubt. The remarks of this aspiring tyro amount in substance to a charge against the examiners of having subjected the candidates at the last final examination to an unusually severe (applying the test numerically) questioning on the various branches of law, over which the questions are distributed, but he complains more loudly of the equity division. Now, let us examine into the cause of all his bitterness, and find out wherein the grievance lies. Listen to this alarmed law student's complaint, and in substance it will amount to this, that the examiners, by having frequently coupled one, two, three, four, or even five simple, common-place sort of questions into one—which, taken all together, are not equivalent to one of average difficulty—have outraged the rights of the rising generation of attorneys, and been guilty of injustice to those gentlemen who have been obliged to answer them. I am sorry I cannot consistently join in the bewailings of your correspondent over this dire calamity; neither can I agree with him in darkly hinting that it is an injustice. On the contrary, I am bound to denounce this sour, narrow-minded complaint, perfectly groundless, yet calculated to reflect upon the examiners and incite discontent. No one is ever more willing to raise a voice against injustice and advocate its banishment than I am; but my abhorrence of these petty squabblings demands an expression of censure. I feel confident that the majority of articled clerks throughout the kingdom will denounce the vain efforts of "Fiat Justitia," and join me in vindicating the honour and integrity of those upon whom the task of framing the questions devolved. I think they are free from the last fault. I am one of those who unswervingly maintain that not one of the three examinations which articled clerks will have to pass is sufficiently difficult to maintain the proper *status* of the profession. So far my views differ from "Fiat Justitia," who thinks otherwise. But, as the question is perhaps a legitimate one for discussion, I shall not say anything further on that point here. I will say, however, that the examination should at least be difficult enough to give every candidate an opportunity of displaying the extent of his knowledge, the better to enable the examiners to decide upon those most entitled to honorary distinction. This is but an act of simple justice. Let me, in conclusion, advise "Fiat Justitia" to employ his time in preparing to answer the few additional questions which strike terror into his heart, and not waste his talents on subjects so pernicious. WM. MOORE.

Nov. 19, 1864.

EXAMINATIONS AT THE INCORPORATED LAW SOCIETY.

Michaelmas Term 1864.

INTERMEDIATE EXAMINATION.

The Examiners reported that the following gentlemen, whose names are arranged in alphabetical order, have passed the intermediate examination with distinction.

Frederick Huxley, aged 17, articled to Mr. Thomas Lister Farrar, of Manchester.

Charles Henry Owen, aged 23, articled to Mr. John Richardson, of Manchester.

The number of candidates examined in this term was 145; of these, 142 were passed and 3 postponed.

FINAL EXAMINATION.

At the examination of candidates for admission on the roll of attorneys and solicitors of the Superior Courts, the Examiners recommended the following gentlemen, under the age of 26, as being entitled to honorary distinction:—

1.

James Philip Dodd, aged 21, who served his clerkship to Messrs. Leitch and Kewney, of North Shields.

John Gilbert Bradbury, aged 21, who served his clerkship to Messrs. Tyndall, Johnson and Tyndall, of Birmingham.

Lewis Charles Sayles, aged 22, who served his clerkship to Messrs. Bromehead and Hebb, of Lincoln; and Messrs. Gregory and Rowcliffes, of London.

2.

Horace Philbrick, aged 21, who served his clerkship to Mr. Frederick Blomfield Philbrick, of Colchester; and Messrs. Rixon and Son, of London.

Frank Rowley Parker, aged 22, who served his clerkship to Messrs. Sharpe and Parker, of London; Mr. Maskell William Peace, of Wigan; and Mr. Henry Rogers, of Stourbridge.

Frederick George Fitch, aged 21, who served his clerkship to Messrs. Digby and Sharp, of London.

John Booth, aged 23, who served his clerkship to Mr. Daniel Stephen Sutton, of Burslem; and Mr. William Compton Smith, of London.

The Council of the Incorporated Law Society have accordingly awarded the following prizes of books:—

To Mr. Dodd, the prize of the Honourable Society of Clifford's-inn.

To Mr. Bradbury, the prize of the Honourable Society of Clement's-inn.

To Mr. Sayles, one of the prizes of the Incorporated Law Society.

To Mr. Philbrick, one of the prizes of the Incorporated Law Society.

To Mr. Parker, one of the prizes of the Incorporated Law Society.

To Mr. Fitch, one of the prizes of the Incorporated Law Society.

To Mr. Booth, one of the prizes of the Incorporated Law Society.

The Examiners have also certified that the following candidates, under the age of 26, whose names are placed in alphabetical order, passed examinations which entitle them to commendation:—

Abraham Baker, aged 22, who served his clerkship to Mr. Samuel Wilkinson, jun., of Walsall; and Messrs. Bower, Son and Cotton, of London.

Herbert Barnes, aged 22, who served his clerkship to Messrs. Dawes and Sons, of London.

Robert Burra, jun., aged 23, who served his clerkship to Messrs. Broderips and Wilde, of London.

William Edward Cave, aged 22, who served his clerkship to Messrs. Sharpe and Parker, of London.

James Smith Hepburn, aged 22, who served his clerkship to Mr. Joseph Gutteridge Hepburn, of London; and Messrs. Bockett, Son and Barton, of London.

Thomas Nowell, aged 24, who served his clerkship to Mr. Charles Hall, of Accrington.

Thomas Howard Stanley, aged 21, who served his clerkship to Mr. Henry Jackson, of West Bromwich; and Mr. Joseph Needham, of London.

Leonard Tatham, aged 22, who served his clerkship to Mr. George Remington, of Ulverston; Messrs. Loftus and Young, of London; and Messrs. Loftus, Vizard, Crowder and Anstie, of London.

The Council have accordingly awarded them certificates of merit.

The number of candidates examined in the term was 136; of these, 121 were passed, and 15 postponed.

By Order of the Council,
E. W. WILLIAMSON, Secretary.

Law Society's Hall, Chancery-lane, London,
Nov. 24th, 1864.

QUESTIONS FOR THE EXAMINATION.

MICHAELMAS TERM 1864.—FIRST DAY.

I. PRELIMINARY.

1. What is now your age?

2. Where, and with whom, did you serve your clerkship?

3. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship?

4. Mention some of the principal law books which you have read and studied.

5. Have you attended any, and what, law lectures?

II. COMMON AND STATUTE LAW AND PRACTICE OF THE COURTS.

6. When is notice before action necessary? And what notice is sufficient where notice is necessary?

7. What must be stated in an affidavit in support of an application for an order for the arrest of a defendant on mesne process?

8. When may judgment be signed and execution issued on a verdict at a trial in, and out of, term?

9. When is it necessary to revive a judgment before issuing execution, and how is such revival effected?

10. How is the innkeeper's liability in respect of the goods of his guests affected by the Act of 1863?

11. Define the husband's interest in his wife's choses in action.

12. What rights has he in her real estate?

13. What is essential to a binding guarantee? What portion of it must be in writing—and what portion need not be so?

14. Give instances where the statements of persons, not upon oath, are admissible evidence of the facts stated, and instances where such statements would be inadmissible.

15. In an action on a warranty, will a plea traversing the agreement alleged in the declaration operate as a denial of the fact of the sale, and of the warranty, and of the breach, or what is the effect of it?

16. May payment be given in evidence in reduction of damages, or must it be pleaded?

17. What constitutes a valid tender?

18. What is a sufficient acknowledgment of a debt to take a case out of the Statute of Limitations?

19. If a creditor have two distinct debts owing to him from the same debtor, one of which is barred by the Statute of Limitations, under what circumstances, if any, may he apply money paid to him by such debtor in satisfaction of the debt so barred?

20. When a plaintiff has employed an agent in the sale of the goods for the price of which he is suing, under what circumstances would the defendant be entitled to have the benefit of a set-off which he has against the agent?

III. CONVEYANCING.

21. What is the distinction between a vested and a contingent remainder?

22. Can a woman, after her husband's death, appoint guardians to their infant children?

23. A. and B. seised as joint tenants in fee—can A. and B., or both or either of them, by will sever the joint tenancy?

24. A. enfeoffs B. and his assigns for ever. Livery of seisin is duly made. What estate does B. take by the feoffment?

25. A., seised in fee of lands, part of the tenure of gavelkind, and part of the tenure of borough English, dies intestate, leaving several sons. To which of such sons do the estates descend?

26. Can a tenant for life by any, and what, means create a permanent charge on the estate for improvements upon it?

27. A. and B. are joint tenants in fee. A. dies, leaving a widow. Is such widow entitled to her dower out of a moiety of the estate?

28. A testator devises all his estate to A. without words of inheritance. What interest passes to A. under such devise?

29. A widow seised in fee dies intestate, leaving a daughter, also a grandson (being the son of a deceased daughter), and a granddaughter (being the daughter of a deceased son). To whom will the fee-simple estates of the widow descend?

30. Give a concise description of a springing or shifting use, and how it may be created.

31. Estate settled to A. for life; remainder to B. for life; remainder to the heirs of the body of B.; remainders over. Can B. by any, and what, means bar the entail during the lifetime of A.?

32. A testator charges all his estates with payment of his debts. Are creditors by simple contract placed, by such a will, on a level with specialty creditors, who hold a security by which the heir is bound?

33. Fee-simple estate is conveyed to such uses as A. shall appoint. A. sells to B., and exercises the power by conveying the estate to C. (as trustee for B.) and his heirs to the use of B. and his heirs. In whom does the legal estate vest?

34. A mortgagee in fee dies intestate. Who are the proper parties to re-convey the estate to the mortgagor, exonerated from the mortgage?

35. What is requisite to be done by a devisee of copyholds, to complete his title?

(To be continued.)

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

BANKRUPTCY COURT, EXETER.

Monday, Oct. 17.

(Before MONTAGUE BERE, Esq., sitting for Commissioner BIGGS ANDREWS.)

Ex parte R. S. HOWELL'S ASSIGNMENT.

In this case the landlord summoned the trustees to show cause why they refused to pay the rent, or to make compensation for their use and occupation of the premises, for the sale of the goods.

The following are the facts:—

The insolvent was tenant from year to year to Mr. W. J. Mill, of a house and shop at Bideford, in which he (insolvent) carried on the drapery business, at the rent of 37*l.* In Jan. 1864 he executed an assignment to trustees of his real and personal estate for the benefit of his creditors, which was duly registered under the Bankruptcy Act of 1861. The trustees took possession, paid the landlord the half-year's rent due at the preceding Christmas, and sold off the stock and effects before Lady-day. Upon their leaving they directed the key to be returned to the insolvent as the tenant. He having quitted the town it was left at a neighbour's house by a charwoman employed to clean the house, and placed on a nail, where it remained till the following July when, by direction of the insolvent and the auctioneer, it was tendered to the landlord and refused until some arrangement was made for payment of the rent to that period. In September it was tendered again and accepted. Application being made to the trustees for payment of the rent, they denied their liability, and referred the landlord to the insolvent as his tenant.

Terrell, on behalf of the landlord, having referred to Bankruptcy Act 1861, sect. 197, giving the court the like jurisdiction in cases of trust-deeds as in bankruptcy, contended, that the trustees were bound to pay the landlord for the use and occupation of the premises from the time they took possession until they gave them up to the landlord; and that instead of removing the insolvent's goods and selling them elsewhere, which they might have done, the

preferred making use of the landlord's premises for the purpose, they were bound to make him compensation for the period during which they kept him out of possession; and cited the cases of *Goodwin* v. *Noble*, 27 L. J., N. S., 204, Q. B., and *Ex parte Sykes, re Sykes*, 32 L. T. Rep. 19.

Bishop, on behalf of the trustees, argued that they had a right to retain the use of the premises for a reasonable time after they took possession, for the purpose of selling the goods, and that the landlord should have applied to the trustees as soon as the goods were sold for possession.

The COMMISSIONER said:—The cases cited justified no proposition that the trustees were bound to make compensation for the time they held the key of the premises, and the damages being agreed by consent to be 25*l.*, he made an order on the trustees for payment of that sum with costs.

THE NOTTINGHAM BANKRUPTCY COURT.—Proceedings have been taken by direction of the Lord Chancellor, against the official assignee of the Nottingham Bankruptcy Court. The inquiry was instituted to enable the assignee "to show cause why he should not pay 20 per cent. on the cash funds he had in hand." Mr. Commissioner Sanders presided as judge, and after the evidence of the assignee was tendered on Saturday, the examination was adjourned till the 29th inst.—*Manchester Examiner.*

NOTES AND QUERIES ON POINTS OF PRACTICE.

S.B.—NOTES are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

CASE WASTED.—It is presumed that slips of land adjoining a highway belong to the owner of the adjacent property. Can the surveyor of a highway dig materials from these slips of land for the repair of the highway without the leave of the owner of the adjacent property, and without making him any compensation? M. D. R.

COMMISSIONER FOR TAKING AFFIDAVITS.—Will you or any of your numerous readers be kind enough to inform me, through your valuable paper, whether a commissioner under 29 Car. 2 for taking affidavits in the Superior Courts of common law, is qualified to take declarations under 3 & 4 Will. 4, or if a commissioner to administer oaths in Chancery can only take such declarations? and refer me to any case or statute hereon. LEX.

STATUTE OF LIMITATIONS—FRAUD.—In the year 1852 A., the outgoing tenant of a farm, charged B., the incoming tenant, with 100*l.* for manure which he had previously purchased of B., and which he said he had sent to and expended on the farm. B.'s valuer, believing this to be the case, agreed to the sum, and the money was paid. In 1864 B. left the farm, and employed A.'s valuer in the previous transaction to value for him, when he discovered that the 100*l.* worth of manure was never sent to the farm at all, but, on the contrary, A. had conveyed it by rail to the farm upon which he was then entering. The evidence is quite clear, and the only question is, whether B.'s right of action is barred by the Statute of Limitations. I am inclined to think that, although the transaction took place twelve years ago, yet, as the fraud was not discovered until the present year, his right is not barred. I shall feel obliged to any of your readers who will give me an opinion on the case, and refer me to their authority. F.

Answers.

DOWER.—A tenant in dower is essentially a tenant for life. If, therefore, after the assignment to her of the third part of her husband's lands, &c., she does not herself occupy, but leases the same, the question whether or not the rent is to be apportioned on her decease, is subject to the rule that applies to other tenants for life. At common law the rent would not have been apportioned, but now it is otherwise, by 11 Geo. 2, c. 19, s. 15. D. H.

Driffield, Nov. 19.

—In answer to "A Subscriber," I am unable to find any case expressly decided, but I should say on principle that a tenant in dower is a tenant for life (see Co. Litt. 30 b. and 31 a.), and therefore comes within the 11 Geo. 2, c. 19, s. 15, or if that is doubtful she certainly comes within the class of "lessors not strictly tenants for life," under the 4 & 5 Will. 4, c. 22. If the demise, therefore, were in writing, the executors of the dowress are entitled to an apportionment of the rent, but if the demise were not in writing, it seems that those acts do not apply: (*Cattle* v. *Arnold*, 38 L. J., N. S., 352, Ch.) But in the case of a farm or lands the statute, 14 & 15 Vict. c. 25, s. 1, enacts that the under-tenant, instead of claiming emblements, shall hold the farm or lands until the expiration of the current year of the tenancy, at the current rent, and that the succeeding owner shall be entitled to a fair proportion of the rent from the death of the tenant for life. This Act, therefore, extends apportionment to many cases to which the above Acts would not apply; but house property is left under those Acts. H. M. B.

Bideford.

LANDLORD AND TENANT—LESSOR ASSIGNING REVERSION—RECOVERY OF RENT.—It seems that "A Subscriber's" answer to this question is incorrect, as, in Furlong's Landlord and Tenant, p. 489, it is stated "that an assignment of the reversion of a leasehold estate does not pass rent antecedently due by an under-tenant; such rent being severed from the reversion, is merely a chose in action, and is only recoverable in law in the name of the assignor; but the whole of the rent due on the gale day next ensuing the assignment will belong to the purchaser; and even where the conveyance purports to transfer arrears of rent, proceedings for recovery of the amount must be brought in the name of the assignor." In Dart's 3rd edit. of Vendors and Purchasers, p. 581, and Sugden's 12th, p. 132, like statements are made. *Flight* v. *Bentley*, 7 Sim. 149, and *Midgley* v. *Lovelace*, Car. 180, are cited. A.'s right of action (which in this case would be for use and occupation) is therefore clearly sustainable against the tenants for the arrears due Michaelmas 1863, such arrears being merely choses in action, for, as Mr. Furlong says, p. 354, "each gale's rent constitutes a separate debt," and cannot be prejudiced by B.'s having received and given his receipt for the year's rent due Michaelmas 1864, which he was entitled to do. H. M. B.

Bideford.

It is to be regretted that there is no modern English edition of Furlong, which is probably the most scientific treatise on the law of landlord and tenant.

—As your correspondent "A Subscriber" wishes for a reply to his letter, I may just state that I have been able to find no further authority on the point, but that (with all due deference) his conclusion is in my humble judgment incorrect. Rent having once become due, loses much of its character as incidental to the land; for instance, rent accruing due at the death of a tenant in fee, passes to his heir or devisee, that accrued due to his executors. I am inclined therefore to think that the arrears of rent due to A. (in the case stated) did not pass by the conveyance to B. as incidental to the land, but became of the nature of a debt due to A., and that although by such conveyance A. lost his right to distrain, he still retained his right of action for use and occupation. This, I think, may be inferred from Mr. Archbold's statement, that "the defendant may prove that before the accruing of the rent for which the action is brought the landlord sold or assigned his interest in the premises to another." F.

THE LAW LIBRARY.

The Law Magazine and Law Review for November.
Butterworths.

THE subjects of the articles in this new number are more than usually various and interesting. A "Suggestion for a Reform in Law Procedure," by Mr. Josiah Smith, was read at the last Social Science Meeting; it briefly describes divers improvements, most of which have been repeatedly treated of in these pages. A paper on "Criminal Proceedings in Private Libel" points out the objections to this public remedy for a personal wrong, and proposes its abolition, leaving the parties in all cases to the civil action. But it may be questioned whether this would not be to give practical impunity to all who are sufficiently poor to afford to indulge a spite. Now that bankruptcy is so easy and pleasant a path of escape from responsibility for debts and damages, an action would be laughed at. Certainly the proposed change could not be made without expressly enacting that in such cases imprisonment should follow nonpayment of damages. Mr. Stephens on "Responsibility and Mental Competence" is a brilliant essay, elaborating the views he had briefly put forth in his great book on the criminal law. Mr. Serjt. Woolrych's book on Window Lights and Sewers, and Mr. Rogers's "Treatise on the Law of Mines," are reviewed at some length. There is an excellent sketch of the law reform of last session, small as it was. "Criminal Prosecutions" advocates the appointment of a public prosecutor, to which an impulse has been given by the dangerous doings of that most formidable incentive to perjury in its most terrible form, the Association for the Protection of Women. The proposed scheme for law reporting, by adding a new series to the number already existing—a daring attempt of the *outs* to displace the *ins* on the plea of professional advantage—is approved; but we can see by the signature that the approver is one of the promoters of the scheme. A more odious endeavour than this to create a monopoly has been rarely witnessed.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON, and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Tuesday, Nov. 15.

BREWER v. THE GREAT WESTERN RAILWAY COMPANY.—*Powell*, Q.C. continued his argument.
Judgment for the defendants.

THIERY v. LORD FERMOY.—This was a demurrer to certain pleas.—*Bovill*, Q.C. and *Kingdon* were heard in support of the demurrer.—*Smith*, Q.C. and *Garth* contra.
Judgment reversed until the issues in fact are determined.

Thursday, Nov. 17.

Ex parte THOMAS BUSH SAUNDERS.—*M. Smith*, Q.C. moved for a rule calling upon the commissioners of the town of Bradford-upon-Avon to show cause why a *mandamus* should not issue commanding to pay or to levy a rate to pay the amount of a judgment recovered against them in a suit wherein they were the defendants.
Rule nisi.

Ex parte WILLIAM DARBY.—*Sleigh* moved for a rule for a *certiorari* to remove into this court a coroner's inquisition taken by the coroner of Dover finding Mr. Darby guilty of manslaughter. He moved upon the ground that there had been no legal adjournment of the inquest to the day upon which the jury and coroner signed the inquisition.
Rule nisi.

CLARK v. JACKSON.—*Prideaux* moved for a rule calling upon the defendant to show cause why the plaintiff should not recover his costs herein.
Rule nisi.

Ex parte SWORDER.—*Bowdewell* moved for a rule to strike an attorney off the roll.
Rule nisi.

Ex parte WINSTONE.—*J. A. Russell* moved for a rule calling upon a Mr. Gaskell to show cause by what right he exercises the office of town councillor of Cardiff.
Rule nisi.

REG. v. THE OVERSEERS OF TADHOE.—*Heath* moved for a rule for a *mandamus* to the assessment committee of the Durham Union to amend the valuation list.
Rule nisi.

Ex parte THE PARISH OFFICER OF STONEBECK DOWN IN THE STALYBRIDGE UNION.—*Manle* moved for a *certiorari* to remove into this court the reasons of the auditor for allowing a certain sum of money.
Rule nisi.

REG. v. STAPLES AND OTHERS.—*Giffard* moved for a rule to review the taxation of the master of the Crown-office herein.
Rule nisi.

WALTERS v. MANSFIELD.—*Gibbons* showed cause against the rule herein to set aside the verdict and for a new trial. At the trial before Mellor, J., the jury returned a verdict for the plaintiff with 100*l.* damages, and the rule was moved upon the ground of its being against the weight of evidence.—*M. Chambers*, Q.C. and *M. Lloyd* in support of the rule.
Rule discharged.

Friday, Nov. 18.

KEYES v. ELKINS.—*Cleasby* supported a demurrer to a plea of a deed of arrangement under the B. A. 1861, and *Mellish* contra.
Judgment for the defendant.

WEBB v. BARBER AND OTHERS.—Demurrer to that part of a declaration which was for an injury to the plaintiff's house as reversioner, occasioned by noises caused by the defendants' business.—*Turner* in support of the demurrer. —*Grey*, Q.C. contra.
Judgment for the defendant.

PAWLE v. PEARSE.—Demurrer to a declaration on an award.—*Coleridge*, Q.C. (*Raymond* with him) in support of the demurrer.—*Lush*, Q.C. (*H. James* with him) contra.
Judgment for the plaintiff.

UNITY JOINT-STOCK BANK v. BUSLARD.—Demurrer to a plea of a deed of arrangement under the B. A. 1861.—*Field*, Q.C. in support of the demurrer.—*Lush*, Q.C. (*J. Brown* with him) contra.
Judgment for the defendant.

LUCAS v. WELSMAN.—Demurrer to a plea of a deed of assignment under sect. 200 of the B. A. 1861.—*Macnamara* in support of the demurrer. *Eyre* v. *Archer*, 16 C. B., N. S., 638, is in point. No one appeared on the other side.
Judgment for the plaintiff.

LLOYD v. HARRISON.
Part heard.

Monday, Nov. 21.

REG. v. THE LOCAL BOARD OF HEALTH OF SHEERNESS.—The *Solicitor-General*, on behalf of the Secretary of State of the War Department moved for a rule calling on the local board to pay 464*l.* 12*s.* the costs under a decree of Chancery in a suit in which the Secretary of War was made a party. A similar rule was obtained by other parties to the suit, and made absolute on Monday the 14th, see *ante* p. 33.
Rule nisi.

Ex parte THE HIGHWAY SURVEYORS OF ASKERTON, CUMBERLAND.—*Hayes*, Serjt., moved for a *certiorari* to bring up an order of justices for the preferring of an indictment for non-repair of a highway, with the view of quashing it on the ground of want of jurisdiction, the road in question not being a highway: (*Ex parte Bartlett*, 29 L. J. 65, M. C.
Rule nisi.

RAYNES v. CROYDON.—*H. James* moved to enter a suggestion on the roll to vacate the writ of *elegit* issued in this action on the ground of uncertainty, in order that a fresh *elegit* might be issued.—The COURT said that he might take a rule in the alternative, to enter the suggestion or to quash the inquisition.
Rule nisi.

HALL v. CLARK.—*C. Pollock*, on behalf of the defendant, moved to refer the award herein back to the arbitrator.
Rule nisi.

STEVENS v. ENGLAND.—*G. Brown* moved to make a rule absolute, no cause being shown, calling on the defendant's attorney to pay 34*l.* 16*s.* 3*d.* pursuant to his undertaking.
Rule absolute.

STEWART v. PARKER.—*Philbrick* moved for a prohibition to the Shoreditch County Court; Wm. Parker, the party against whom the judge made an order, not being the party sued or served with process.
Rule nisi.

WELLS v. NATHAN.—*H. James* showed cause, and *Macnamara* (*L. Kelly* with him) supported a rule to set aside a verdict found for the plaintiffs for 94*l.* 14*s.*, and to enter it for the defendant or for a new trial. The point raised, was, as to the evidence of an agreement between the plaintiffs and third persons, creditors of the defendant, to accept a composition of 15*s.* in the pound in discharge of their debts.
Rule absolute for a new trial.

REG. v. JUSTICES OF OXFORDSHIRE.—*Cripps* moved for a *mandamus* to the justices of the quarter sessions to hear an appeal against an order for the removal of a pauper lunatic: (*Reg* v. *St. Alkmund*, 32 L. J. 89, M. C.) *Rule nisi.*

NEWTON v. PHILLIPS.—*M. Howard* moved for leave to take out money paid into court in lieu of bail.
Granted.

Ex parte THOMPSON.—*H. James* moved for a *quo warranto* calling on one Marydon to show cause by what authority he exercised the authority of a town councillor of Reigate.
Rule nisi.

Ex parte STEVENS.—*Re* THE CENTRAL WALES RAILWAY.—*Powell*, Q.C. showed cause, and *Gifford* supported a rule, calling on certain justices of the county of Radnor to grant a certificate under the 8 & 9 Vict. c. 20, s. 7, that the omission of Mr. Stevens' name in the books of reference arose from mistake.
Rule enlarged.

Ex parte W. M. KITTON, *re* THE GREAT EASTERN RAILWAY.—*Coleridge*, Q.C. moved to enlarge the time ordered by Pigott, B., within which Mr. Kitton was to deliver his bills of costs.
Rule nisi.

MERRY v. BARON MESNIL.—*L. Kelly* moved for leave to take money out of court, deposited in lieu of bail which had not been perfected.
Rule nisi.

LLOYD v. HARRISON.—The argument herein was continued. The action was against the under-sheriff for an escape. A debtor had been taken in execution under a *ca. sa.*, but released on production of a certificate given by a registrar in bankruptcy on the filing of a composition-deed under sect. 192. The point was, whether the

sheriff was justified in so releasing the debtor. It was conceded that the deed was an invalid one.—*Baylis* for the plaintiff, and *Mellish*, Q.C. (*R. G. Williams* with him) for the defendant.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Wednesday, Nov. 16.

HOBBS *v.* HEMMING.—Declaration on a policy of insurance on goods on board the *Peterhoff*, from London to Matamoras. Seventh plea, that the goods were contraband of war, and were shipped for the purpose of being sent to a port in North America, at war with the United States of America, and were liable to seizure by the cruisers of the United States; and that the ship was at the time of the loss liable to such seizure; and that the ship and goods were so seized, &c. The eighth plea set up a judgment of the Prize Court at New York, condemning the ship and goods. Demurrers to these two pleas.—*Temple*, Q. C. (*Hannen* with him) argued for the plea; and *Lush*, Q. C. (Sir *G Honyman* with him) for the defendant.

Cur. adv. vult.

Thursday, Nov. 17.

EICOLBY *v.* BANISTER.—This was an action tried before Monk, Q. C., at Manchester, when a verdict was found for the plaintiff for 19*l*. leave being reserved to move to enter a nonsuit, or a verdict for the defendant. A rule having been obtained on a former day.—*C. Pollock* now showed cause against it,—*Holker* appearing in support.

Rule discharged.

Friday, Nov. 18.

REGISTRATION APPEALS.

ORAM (app.) *v.* COLE (resp.).—This was an appeal from the revising barrister for the borough of Devonport, and the question was, whether the respondent had given his notice of objection in a number of cases in the proper form. The notices were signed by Cole, who described himself in these terms, of "69, Durnton-street, on the list of voters for the borough of Devonport, and the township of East Stonehouse." There was, strictly speaking, no one list for Devonport; but there were two lists for the borough, one being that of East Stonehouse, and the other for a parish which formed the remaining part of the borough. It was objected that the notice was bad, because it did not state upon which of the two lists the voter's name was to be found. The revising barrister held the notice to be good, which decision was appealed against.—*Karslake*, Q. C. now appeared for the appellant, and *M. Smith*, Q. C. for the respondent. *Appeal dismissed.*

BLAIN (app.) *v.* OVERSEERS OF PILKINGTON (resps.)—In this case, an incumbent of a living was objected to, and in his absence the objection was allowed, and his name was struck out. It appeared that there were two barristers for the district, and the following day the incumbent presented himself before the barrister who had not sat when his name was struck out, and gave his reasons for not being present on the day before to support his vote, whereupon the barrister considering he had a right to do so, went into the case and restored his name to the list, and it was this decision that was appealed against.—*D. D. Keane* appeared for the respondent, no one doing so on behalf of the appellant. *Appeal allowed.*

GAYDON (app.) *v.* BANKROFT (resp.)—This was a consolidated appeal from the borough of Barnstaple, involving the rights of several persons who claimed to on the list of freeman. In sect. 32 of the Reform Act there is a proviso that no person shall be entitled as a burgess or freeman in respect of birth unless his right be originally derived from or through some person who was a burgess, or freeman, or entitled to be admitted a burgess or freeman, previously to the first day of March in the year 1831, or from or through some person who since that time shall have become or shall hereafter become a burgess or freeman in respect of servitude." In this case the claimants were in this position; their grandfathers were freemen, but their fathers did not come of age, and therefore could be admitted freemen before the 1st March 1831; and such being the case the revising barrister held they were not entitled to vote.—*Cooke*, Q.C. appeared for the appellant, and *Dowdeswell* for the respondent. *Appeal allowed.*

STEELE (app.) *v.* BOSWORTH (resp.)—In this case the appellant was an inmate of Bottesford Hospital, which was founded by the Earl of Rutland in 1692, and about a century later lands were settled in trust for the hospital, and a deed was drawn, setting out how the institution was to be carried on. The inmates were to be appointed by the Duke of Rutland, and, failing heirs male of that line, then by the lords of the manor of Bottesford. The duke generally made the appointment through his agents, who afterwards drew it out in the proper form. The deed provided that the poor men might be removed for misbehaviour, but no one had ever been known to have been removed. The inmates received 9*s*. 6*d*. a-week, besides coals, medicine, a cloak once in two years, and some other advantages. A claim to vote for the county was made for each inmate, on the ground that each one had an estate for life in the income of the hospital derived from land. The revising barrister disallowed the votes, and this COURT held that his decision was correct.—*Mellish*, Q.C. appeared for the appellants; and *Hayes*, Serjt. for the respondent.

ROBERTS (app.) *v.* PERCIVAL (resp.).—The respondent was an inmate of the Marquis of Exeter's Hospital at Stamford Baron. The barrister decided that he had a right to vote, he having an equitable interest in the rooms he occupied. A similar decision having been come to in *Simpson* v. *Williamson*, the COURT dismissed the appeal.

ROBERTS (app.) *v.* DREWETT (resp.).—The respondent, who was the parish clerk of Maston, had his name upon the list of voters for the county, his qualifications being described in these terms: "Freehold office of parish clerk." He had held his office for thirty years, and by virtue of it he had one-twelfth of twenty-six acres, and this right he let for 40*s*. The respondent's vote was objected to upon the ground that he had no freehold interest in the land; but the revising barrister overruled the objection, and this COURT upheld his decision.—*Hannen* and *Underdown* for appellant; *Rew* for respondent.

Appeal dismissed.

BAKER *v.* LOCK.—This was a consolidated appeal from the borough of Taunton. The appellants were objected to upon the ground that they had not paid their poor-rate; and to this they replied, that they were not bound to pay the rate because it had not been legally made. The Act says that the rate must be signed by the majority of the parish officers. In Taunton there were two churchwardens, one overseer, and an assistant overseer, and the assistant overseer signed the rate in question. It was contended, on behalf of the appellant, that the assistant overseer had no right to sign the rate, and therefore that it was bad. The revising barrister, however, decided that the rate, as long as it remained unappealed against, was a rate which the appellants must pay, and as they had not paid it, they had no right to vote.—*Hannen* and *Underdown* for appellant; *Prideaux* for respondent.

Appeal dismissed.

Monday, Nov. 21.

HARRISON *v.* BLACKBURY.—This was a special case stated by an arbitrator, involving a question as to whether a term passed by a bill of sale.—The COURT gave judgment against the assignees.—*E. James*, Q. C. and *Baylis* appeared for the plaintiff.—*Manisty*, Q. C. for the defendant.

Judgment for the defendant.

FRAY *v.* FRAY.—This was a demurrer to a declaration in an action of libel.—Miss Fray appeared in person to support the declaration.—*Inderwick* for the defendant.

Judgment for the plaintiff.

METCALFE *v.* WESTAWAY.—This was a demurrer to a plea in an action of trespass.—*Keane*, Q.C. (*D. Browne* with him) appeared for the plaintiff, and *Bovill*, Q.C., for the defendant. *Judgment for the defendant.*

LONGMEAD *v.* MAPLE.—In this case there were cross-demurrers to a plea and replication.—*Lush*, Q.C. appeared for the plaintiff, and *Rochfort Clarke* for the defendant.—The COURT were of opinion that the case should go down to trial, and the question on the replication might be raised afterwards. *Stands over.*

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Wednesday, Nov. 16.

EVANS AND OTHERS *v.* JONES AND OTHERS.—Special case for the opinion of the Court on the following facts: A deed of arrangement in favour of creditors was executed by the execution-debtor, on the 3rd Dec. 1863, in pursuance of a resolution agreed to by a sufficient majority of creditors under the B. A. 1861, on the 25th Nov. preceding. After that resolution had been come to, the intended trustees put a man in possession of the property the same day. On the same 3rd Dec. a judgment-creditor issued a *fi. fa.* at 11.30 a.m., to levy debt and costs, the deed having been executed at 10 a.m. of that day. The words in the deed of the 3rd Dec. were: "The said creditors being such persons as would have been entitled to rank as creditors in the bankruptcy of Buss (the judgment-debtor), if Buss had been adjudicated bankrupt on a petition filed on the 25th Nov." —*Hannen*, for the plaintiffs, the trustees under the deed, argued that, the deed being valid, the trustees under it had a priority over the judgment-creditor.—*Hayes*, Serjt., for the judgment-creditor, contended that the deed excluded some creditors, and at any rate the defendant, as far as the judgment for the costs was concerned, and was therefore bad under the Bankruptcy Act; that the assignment was fraudulent and bad within the statute of Elizabeth; and that creditors, by agreeing to a resolution, did not thereby assent to a deed, as was essential.—*Hannen* replied. The following cases and statutes were cited and referred to: *Edwards* v. *The Queen*, 9 Ex. 628; *Wright* v. *Mills*, 28 L. J. 223, Ex.; *James* v. *Whitbread*, 11 C. B.; *Pickstock* v. *Lyster*, 3 M. & S. 371; *Owen* v. *Body*, 5 A. & E. 28; notes to *Twyne's* case, 1 Sm. L. C. 13; 13 Eliz. c. 5; 12 & 13 Vict. c. 106, s. 181; 17 L. 18 Vict. c. 86; 19 & 20 Vict. c. 97.—The COURT (Pollock, C. B., Bramwell, Channell and Pigott, BB.), were unanimously of opinion that the deed was not fraudulent; that there was no intention to exclude any creditor or deprive him of costs; and that the effect of the deed was just the same as if the debtor had been made bankrupt, and then the defendant had signed judgment. They accordingly gave judgment for plaintiff.

Judgment for plaintiff.

MORTEN *v.* JENOURE.—*Crompton* moved for leave for defendant to plead a plea, together with another plea under the Gaming Act. Martin, B., at chambers, thinking the defence dishonest, had refused to allow it.

Rule to show cause.

Thursday, Nov. 17.

MILLER *v.* SHEE.—*Metcalfe* showed cause against a rule for a new trial in this action, which had been obtained on the grounds that the verdict was against evidence, and that fresh evidence had subsequently come to the knowledge of the party.—*Keane*, Q.C. was not called on to support the rule. *Rule absolute.*

NICHOLSON *v.* THE LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—*Manisty*, Q.C. and *Kemplay* showed cause, on the part of the plaintiff, against the rule obtained herein on Nov. 5, to set aside the verdict and enter a nonsuit, on the ground that there was no evidence for the jury of negligence on the part of the company; and *Overend*, Q.C. and *Maule*, for defendants, supported it. *Wilkinson* v. *Fairrie*, 7 L. T. Rep. N. S. 599, and *Cornman* v. *Eastern Counties Railway Company*, 29 L. J., Ex., were cited.

Cur. adv. vult.

RICHARDSON *v.* MARSDEN.—*Field*, Q.C., for defendant, showed cause against the rule obtained herein on Nov. 7 by *D. Seymour*, Q.C., who, with *Kemplay*, supported it on the plaintiff's part. The case involved the principle on which a valuation upon an outgoing tenancy was to be made, and how far the expression in an agreement of certain articles excluded other matters from being valued according to the custom of the country, plaintiff's contention being that such other articles were not excluded by the express mention of certain specified ones, and the defendant maintaining the contrary: (*Webb* v. *Plummer*, 2 B. & Ald. 746; *Hutton* v. *Warren*, 1 M. & W. 466; *Holding* v. *Smith*, 7 Bing. 415; *Mansen* v. *Dennies*, 1 H. & N.; *Roberts* v. *Barker*, 1 Cr. & M. 808.)—The COURT were unanimously of opinion that the rule should be discharged.

Rule discharged.

Re —— (an Attorney).—*Thesiger* moved, on the usual affidavit, to strike an attorney off the rolls at his own request, for the purpose of his being called to the bar.

Ordered accordingly.

FOSTER AND ANOTHER *v.* GAMMON.—*Huddleston*, Q.C. and *Dowdeswell* showed cause on the plaintiff's part against the rule obtained herein by *Powell*, Q. C. on Nov. 7.

Part heard.

Friday, Nov. 18.

DENSON *v.* BRITISH GASLIGHT COMPANY.—*R. E. Turner* moved for a *mandamus* for the examination of witnesses at Calcutta. *Rule nisi.*

WOLVERHAMPTON LOCAL BOARD OF HEALTH *v.* STEER.—*Macnamara* moved for a prohibition to restrain defendant and the County Court of Staffordshire from proceeding on a judgment recovered in the County Court for 3*l*. 5*s*. 3*d*. for repairs of a street under sect. 69 of 11 & 12 Vict. c. 63, and cited *Eggleston* v. *Francis*, 7 C. B. 568. *Rule nisi.*

CAMPBELL *v.* LOADER.—*M. Lloyd* moved for a rule for a new trial, on the grounds of misdirection and the rejection and improper reception of evidence: (*Clayton* v. *Bartenshaw*, 5 B. & C. 41; *Edge* v. *Stafford*, 1 Cr. & J. 391; —— v. *Powell*, 2 E. & B. 132; Chitty on Contracts, 282. [BRAMWELL, B. refers to *Doe* v. *Clark*, 2 T. R. 749]; 19 & 20 Vict. c. 108. *Cur. adv. vult.*

FOSTER AND ANOTHER *v.* GAMMON.—*Powell*, Q. C., for plaintiffs, supported his rule. *Cur. adv. vult.*

CORNISH AND OTHERS *v.* CLEIFE AND OTHERS.—*Karslake*, Q.C. and *Stock* showed cause against the rule obtained herein on Nov. 7; and *M. Smith*, Q.C. and *Kingdon* argued in support of it: *Dowse* v. *Coyle*, 2 Ventr. 126; *Brown* v. *Blunden*, Skinn. 121; *Doe* v. *Rowland*, 9 C. & P. 734; *Kimball* v. *Maul*, 8 Q. B. 332; *St Nicholas, Bedford* v. *Stuckley*, Ib. 294; *Croft* v. *Lumley*, 5 E. & B.; and 6 H. of L. Cas. 672; *Jones* v. *Carter*, 15 M. & W. 718; *Doe* v. *Calvert*, 2 Camp. 387; *Doe* v. *Hiley*, 10 B. & C. 885; *Alderman* v. *Neate*, 4 M. & W. 706; *Ex parte Annesley*, 2 Yo. & Col. Ex. Rep. 350; *Ellison* v. *Stark*, 9 A. & E. 255; Woodfall's Landlord and Tenant (Cole's edit.), p. 464; and 59 Geo. 3, c. 12, s. 17, were cited, and referred to. *Part heard, and adjourned.*

Monday, Nov. 21.

ATTORNEY-GENERAL *v.* THE COUNT AND COUNTESS BLUCHER DE WAHLSTATT.—This was a claim by the Crown to recover legacy duty if the testatrix was of English domicil, and if not, then the Crown claimed to be entitled to succession duty. The testatrix, who was the daughter of Sir Robert Dallas, formerly Chief Justice of the Common Pleas, was born at Brighton, in Sussex, but on the death of her mother the testatrix left England, and went to Baden-Baden, and resided with her sister, the defendant, who was married to Count Blucher de Wahlstatt, and while there executed a will according to the laws of that country. In the year of 1854, while on a visit to England, testatrix executed another will according to the law of this country, appointing trustees, and devised all her real and personal estate to the defendant, in which will she described herself as being on a visit to England. The testatrix then returned to Baden-Baden, where she died in the year 1858. The whole of the property was personal, consisting principally of money in the funds. Testatrix had sent her library to Germany, and had also mentioned to her sister that she should like to be buried at a particular place in Germany. A room was built for her, and she used to contribute to the housekeeping. The question for the court was if the testatrix had at the time of her death changed her original domicil.—The *Attorney-General*, the *Solicitor-General*, *Locke*, Q.C. and *Hanson* (of the Equity Bar), argued on behalf of the Crown; and *Coleridge*, Q.C., *E. Kay* (of the Chancery Bar) appeared for the defendants. *Re De Capdeville*, 11 L. T. Rep. N. S. 89; *Wallop's Trusts*, 11 L. T. Rep. N. S. 174; *Thompson* v. *Advocate-General*, 12 C. & F. 1, were cited.—The COURT, without calling on the *Attorney-General* to reply, considered the deceased's domicil to be English, and gave judgment unanimously in favour of the Crown, with costs.

Judgment for the Crown with costs.

ATTORNEY-GENERAL *v.* GELL.—A claim on the part of the Crown for succession duty.—The *Attorney-General*, the *Solicitor-General*, *Locke*, Q.C. and *Hanson* argued for the Crown.—*Rolt*, Q.C. and *C. Hall* (Chancery) for the defendant: *Lord Saltoun* v. *Advocate-General*, 3 Macq. 671; *Wilcox* v. *Smith*, 4 Jur. Ch. V.C. K.; and sects. 1, 2, 8, and 86 of the Succession Duty Act were cited.—The *Attorney-General* having replied, *Cur. adv. vult.*

Tuesday, Nov. 22.

MORTEN *v.* JENOURE.—An action by a stock and share broker to recover for his commission, &c. Defendant had obtained a rule to plead, in addition to eight other pleas, three pleas under the 8 & 9 Vict. c. 109, s. 18, that the amount sought to be recovered was as for wagering and gaming transactions. Martin, B., at chambers, refused to allow these three pleas in addition to the others, but offered defendant to elect to have either the one set or the other, but not both.—*Crompton*, contra, not heard.

Rule absolute, on terms.

MURPHY *v.* CARALLI.—Defendant sent some bales of cotton to the warehouse of one B. Jones, who directed defendant's men that brought them where and how to place them in his warehouse. Some time after some of the bales, from the loose way they were piled up, fell upon and injured the plaintiff, who brought this action against defendant for the injury he sustained. It was tried in the Passage Court of Liverpool, when the plaintiff was nonsuited. A rule was obtained to set the nonsuit aside, and for a new trial, on the ground that there was evidence to go to the jury of the defendant's servant's negligence, and that the employment of a warehouseman under such circumstances did not protect the defendant.—*C. Russell* showed cause, but the COURT called upon *Littler* to support his rule. *Rule discharged.*

POTTER *v.* HICKLING.—An action to recover 64*l*. 5*s*. for goods sold and delivered. Plea, the general issue. The cause of action arose and the parties lived at or near Nottingham.—*Day* moved to change the venue from London to Nottingham. Martin, B., at chambers, refused to do so because of the delay. *Rule nisi.*

OLDHAM *v.* SHEMPTON.—*Macnamara* showed cause against a rule obtained to set aside the judgment and execution herein on the ground that the time allowed by the arbitrator for payment of the costs of the reference had not expired.—*Quain*, for the sheriff, claimed his poundage and protection from any action brought by the execution-debtors.—*W. Williams* in support of the rule.

Rule absolute on terms agreed upon by all parties.

HADLEY v. BERRY.—*G. Francis* moved to set aside the award herein. It was an action brought for 55*l.* odd, but the enquiry proceeded upon an *ex parte* hearing without giving due notice. *Rule nisi.*

—— *v.* LEWIS.—*Baylis*, for plaintiff, moved for a rule to allow interrogatories to be delivered to defendant. Martin B., at chambers, had refused to do so. It was an action by the assignee of an assignee of the lessor upon a covenant, and for dilapidations and removal of fixtures, &c. Plaintiff wished to interrogate defendant as to what fixtures had been removed.

The Court would read the interrogatories first and consider before granting any rule.

IN AN ATTORNEY.—*S. Rigby* moved for a rule calling upon an attorney to pay over a sum of money he had received as for debt and costs in an action where the writ had been sent to him for service. *Rule nisi.*

THE WINTER CIRCUITS.

(From the *London Gazette* of Tuesday.)

DAYS appointed for holding Special Commissions of Oyer and Terminer and Gaol Delivery for the undermentioned places:—

BERKSHIRE.—Wednesday, December 21, at Reading.

BUCKINGHAMSHIRE.—Tuesday, December 20, at Aylesbury.

CHESHIRE.—Wednesday, December 7, at Chester.

DURHAM.—Saturday, December 3, at Durham.

ESSEX.—Monday, December 12, at Chelmsford.

GLOUCESTERSHIRE.—Thursday, December 8, at Gloucester.

CITY OF GLOUCESTER.—The same day at the City of Gloucester.

HERTFORDSHIRE.—Thursday, December 8, at Hertford.

KENT.—Thursday, December 15, at Maidstone.

LANCASHIRE.—Saturday, December 3, at Manchester.

LANCASHIRE.—Saturday, December 10, at Liverpool.

LEICESTERSHIRE.—Saturday, December 3, at the Castle of Leicester.

BOROUGH OF LEICESTER.—The same day, at the borough of Leicester.

OXFORDSHIRE.—Saturday, December 17, at Oxford.

SOMERSETSHIRE.—Thursday, December 15, at Taunton.

SOUTHAMPTON.—Thursday, December 1, at the Castle of Winchester.

STAFFORDSHIRE.—Thursday, December 1, at Stafford.

SUSSEX.—Wednesday, December 21, at Lewes.

WARWICKSHIRE.—Monday, December 5, at Warwick.

WORCESTERSHIRE.—Monday, December 12, at Worcester.

CITY OF WORCESTER.—The same day, at the city of Worcester.

NORTH AND EAST RIDING DIVISIONS OF YORKSHIRE.—Thursday, December 8, at the Castle of York.

WEST RIDING DIVISION OF YORKSHIRE.—Tuesday, December 13, at Leeds.

CITY OF YORK.—Thursday, December 8, at the Guildhall of the city of York.

GLAMORGANSHIRE.—Monday, December 12, at Cardiff.

LAW SOCIETIES.

JURIDICAL SOCIETY.

A meeting of this society was held on Monday, the 14th inst., at No. 4, St. Martin's place, Trafalgar-square. The Hon. George Denman, M.P., Q. C., presided.

A paper was read by the Rev. F. D. Maurice, entitled, "Ought any Person to be excluded from giving Evidence on the ground of Religious Unbelief?" Two questions were involved in the discussion. One concerned the worth of an oath as a test of the credibility of a witness; the other considered its worth as effecting the conscience of a witness, hindering his inclination to falsehood, and giving him a bias towards the truth. It seemed to him, after considering the authorities on the subject, that religious unbelief ought not to be a reason for excluding a person from giving evidence in any case. He did not ask that oaths should be abolished if persons were willing to take them; but let a person who declined to take an oath be permitted to decline it without proving that he was a Quaker, or belonged to any other religious persuasion that prevented him from taking it. It should not be overlooked that the whole land was interested in obtaining evidence, and instead of rejecting it, every man should be stigmatised who, under any pretext, withheld it.

The Chairman declared that the subject was most interesting, and was one on which he entertained a strong opinion. He objected to the present practice, and believed that in many cases an oath in a court of justice was used as a mock sanction that did a great deal of mischief and no good.

Mr. Daniel, Q.C. objected to the present rule in operation. It was suicidal in reference to the object for which it was established, and was not a good one.

Mr. Best was strongly inclined to believe that oaths ought not to be abolished; but, on the other hand, the refusal to take them should not be urged as a ground of incompetence against a witness.

Mr. Charles Clarke agreed that oaths should not be abolished, but when persons declined to take oaths from religious motives, or because they held them to be of no value, they ought not to refuse their testimony when that testimony was required as a matter of necessity. They should encourage the principle of a man telling the truth, and afterwards test his evidence, but should not reject it.

Mr. H. S. Reilly said it was important that the law should be adapted to the present state of society. There were persons who would be inclined to say, "I have no definite opinion; I am a sceptic, and suspend my judgment." Such a man was engaged in the investigation of the subject, but if during the course of such investigation his testimony was required, was his evidence to be rejected? Others might think that it was not given to them to determine in favour of atheism or deism. Those persons called themselves secularists, and they thought it was beyond their province to determine on such a point.

Mr. A. Lawrence said it was a scandalous state of things when a criminal assault could be made on a woman with impunity because her testimony was rejected on the ground that she had no religious belief, or was in a state of doubt.

Mr. Joshua Williams said the truth should be obtained from every source, unless the accepting of it involved greater evils than the loss of the truth itself. Therefore the evidence of the persons of whom they had been speaking should be received.

Mr. Hake asked if any gentleman in that room would require a jury to disbelieve a witness if there was nothing to be alleged against him except his unbelief.

The Rev. Mr. Maurice replied, and a vote of thanks was passed to him on the motion of Mr. Kerr, seconded by Mr. Clarke.

The proceedings closed with a vote of thanks to the chairman.

LAW AMENDMENT SOCIETY.

At a meeting of this society, held on Monday, in the offices Adam-street, Adelphi, Dr. Waddilove read a paper advocating the admission of the evidence of certain classes of witnesses whose testimony is now excluded in the English courts of law. He would not only allow prisoners to be heard on oath in their own defence, but he would compel wives and husbands to give testimony in cases where they were parties against each other, and he would empower the judges to adjourn a case, and to summon whatever witnesses they thought necessary to prove the truth of the matter. With regard to the first proposition, he contended that, had Muller been permitted to make in court the statements which had been brought forward on his behalf since the trial, they would have had an effect upon the verdict, and the country would have been spared the dangerous precedent made by the efforts which had been put forth to save his life. Upon the second point, counsel on both sides, in the case of *Codrington v. Codrington and Anderson*, deplored that the parties could not give evidence; and, with regard to the third, Dr. Waddilove pointed to the recent matter of *Gedney v. Smith* as an instance where, if the judge had possessed the power to summon witnesses, a few words from Dr. Goss would have decided the matter.

After the reading of the paper a discussion ensued, in which Mr. Edgar, Mr. F. Hill, Mr. Allan, Mr. G. W. Hastings, Mr. Palmer, Dr. Smith, Mr. Dillon, Mr. Newmarch, Mr. Elliott, Mr. Shaen, Mr. Tanlon and Mr. Stewart took part. By the opponents of the views propounded in the paper, it was held that the giving of the proposed power to the judges partook too much of paternal administration, and was foreign to the principles of the English constitution. It was pointed out that the prisoner could, if he pleased, make a statement which would be quite as effective as his evidence on oath, and it was maintained that the case of a man innocently accused was safer in the hands of counsel than in his own. A general agreement was manifested with the proposal for the admission of the evidence of the principals in cases of divorce and breach of promise of marriage, on the same ground as the evidence of parties was admitted in cases of affiliation or seduction, and in the branch of any ordinary contract. The paper was referred to the standing committee to be reported upon. Mr. Daniel, Q.C., presided.

LIVERPOOL LAW SOCIETY.

PROFESSIONAL REMUNERATION.

The following correspondence has taken place between the Lord Chancellor and the Society:—

Liverpool, October 1864.

To the Right Honourable Richard Baron Westbury, Lord High Chancellor of Great Britain.

My Lord,—

We the Committee of the Liverpool Law Society have noticed with satisfaction that your Lordship has brought before Parliament the subject of the remuneration of attorneys and solicitors, by a Bill introduced by your Lordship into the House of Lords in the last Session of Parliament. Anticipating that your Lordship will probably in the ensuing session follow up the step you then took by introducing the same or some other measure with the same object, we take the liberty of addressing the following remarks to your Lordship in support of the objects sought to be attained by the said Bill.

It is scarcely necessary for us to point out that the subject of the remuneration of attorneys and solicitors is not a mere selfish question in which those of our own profession are exclusively interested, but that so long as solicitors have such important functions to discharge, and such grave responsibilities as at present devolve upon them, it is a matter of the most serious importance to society at large that the class of men who fill that office should be educated and high-minded gentlemen, and that, however rigidly admission to the profession may be regulated, all such regulations will be insufficient to secure a suitable class of candidates, unless the profession offers upon the whole a remuneration not less upon the average than is offered by the other callings which are open to the educated middle classes. The public must ultimately suffer by any regulation which, whether by limiting the remuneration, or in any other way, has a tendency to cause the attorneys of England to be recruited from a lower class of society.

The best proof that the remuneration of attorneys and solicitors is not at present sufficient to secure a permanent supply of candidates from the educated classes, is the consideration of the changes which have taken place in the amount of that remuneration.

In a relation so intimate and so confidential, and therefore so liable to abuse as that of attorney and client, the law properly intervenes to regulate the remuneration which the attorney shall be entitled to require for his time and labour, and the remuneration of the attorney for a fixed work is therefore a fixed sum, but the relation of such fixed remuneration to the work which it represents has become much altered since it was first fixed; because the measure of the value of an attorney's labour has been stationary for many centuries, whilst the value of all other commodities has been steadily advancing. This is proved by the retention in an attorney's bill, and in that only, of the sum of 6*s.* 8*d.*, the value of the extinct coin called a noble, which has not been in common use for at least two centuries. We should, however, prefer to rest our proof of the present inadequacy of the remuneration of attorneys mainly upon the changes which have taken place within the memory of the present generation. If it may be assumed that the remuneration of attorneys fifty years ago was not excessive, but merely sufficient to secure an adequate supply of educated practitioners, it may be easily shown that the present scale of remuneration must be grossly inadequate. For within that period many changes in the law have taken place which have had the effect of totally altering the scale of attorney's remuneration. Even fifty years ago the remuneration given by law for many things that an attorney was required to do was, it is respectfully submitted, inadequate to the labour and skill required, but such inadequacy was partially compensated by the remuneration allowed for many matters of form and routine that required little or no labour or skill on the part of the principal, and consequently when such matters of form and routine were abolished, and the remuneration attending them was consequently lost, the residue of business, consisting of matters really requiring labour and skill, became the sole subject matter of the attorney's business, and the inadequacy of the remuneration told more strongly on the average profits of the profession. The principal changes in the law which we submit have had the effect we refer to are the following:

1st. *The Abolition of Imprisonment for Debt on Mesne Process.*

Fifty years ago the custom was to commence every action for debt by holding the debtor to bail, upon which the plaintiff's costs amounted to 10*l.* and upwards for each defendant, without more labour than is now involved in issuing an ordinary writ of summons, the costs of which are from 2*l.* to 2*l.* 10*s.*

2nd. *The Abolition of the Jurisdiction of the Superior Courts in Actions under 20l.*

Before the institution of the County Courts a main part, if not the principal part, of the profit of common law business resulted from the actions under 20*l.*, which were brought in considerable numbers in cases where no doubtful questions of law or fact existed, and involved little or no trouble to the practitioner. The scale of costs in the County Courts is such that few attorneys can afford to practise before those tribunals.

3rd. *The Abolition of Fines and Recoveries.*

The only real labour and skill involved in a fine or recovery was in the preparation of the deed to declare the uses or to make a tenant to the precipe. The formal part of the business with its remuneration is now gone, the deed remains under a different name.

4th. *The Abolition of the Lease for a Year.*

This document, formerly an almost invariable accompaniment of every conveyance or mortgage of freehold property, was of so simple a character that it was usually not drafted at all, nor did the solicitor take any trouble whatever about it, but it was engrossed by the law stationer from a common form, taking the parcels and the names of the parties from the draft release, so that on almost every conveyance of freehold property fifty years ago, the solicitor for the purchaser or mortgagee was paid 1*l.* 1*s.* and upwards in addition to his present charges, without taking any additional trouble.

5th. *The Abolition of Attendant Terms.*

The assignment of attendant terms was only less a matter of form than the lease for a year. It was usually drawn in the solicitor's office, but when the release was prepared it presented no difficulty whatever, and could be readily drafted from the abstract by a clerk without legal knowledge, but was paid for at the same rate as the main deed of conveyance of the freehold. The past devolution of the term also generally increased the length of the abstract without a corresponding increase of the difficulty of the title.

6th. *The introduction of the practice of printing Proceedings in Chancery, &c., and the greater brevity of Bills, have cut off the Remuneration formerly received by Solicitors for copies of lengthy proceedings copied by a Stationer at 2d. a folio and charged for in costs at 4d.*

We would here respectfully assure your Lordship that we do not object to any of the measures of reform above noticed, but on the contrary approve of them highly, nor do we contend that the profession is in the long run injured by the abolition of any sort of work that can be shown to be unnecessary. It is needless to remark that the sweeping away of so large a portion of the business of attorneys by decreasing the total amount of business to be divided amongst a fixed number of practitioners has involved very considerable loss and no little suffering to the generation who were in practice when those changes were made. That such is the case is proved by the fact that the number of attorneys has remained for many years past nearly stationary, whilst the general population of the country has largely increased, and the wealth and business of the nation still more largely. The loss that has been so entailed upon our branch of the profession has been serious, but has resulted from the abolition of abuses which have been swept away for

the benefit of the community at large, and the class who benefited by those abuses, though they have suffered from the change, have not thereby acquired any claim for legislative relief. But that to which we do seek to direct the attention of your Lordship is the *indirect* effect of the changes in question, namely—that whereas fifty years ago the remuneration of an attorney for an attendance charged 6*s.* 8*d.*, or for the drawing of a draft charged 1*s.* a folio, or for the instructions for a draft charged 6*s.* 8*d.*, may have been (though we submit that owing to the gradual alteration in the value of money it was not) just as inadequate as it is now, yet inasmuch as the payment for what an attorney really did do was then accompanied by payment for a variety of things which he did not do, or for which he was over-paid, the average remuneration for a life of labour expended in the profession of an attorney was, fifty years ago, far more than it is at present. Either, therefore, the average remuneration of attorneys fifty years ago was far too high, or it is now far too low.

It is, however, not necessary that we should rest our case solely on the above general argument, as it will be easy to see from a very cursory examination of the charges usually allowed to attorneys on taxation of costs, that they are grossly inadequate where the thing to be done involves real labour.

For example—6*s.* 8*d.* is the ordinary charge allowed for an hour's labour, and if a whole day is consumed the taxable charge is 2*l.* 2*s.*

For drawing a deed of fifty folios the remuneration would be just 2*l.* 10*s.*

It is needless to multiply instances further, as the above items substantially govern the scale of charges, and affect the whole system of taxation of costs.

The remedy proposed by your Lordship for this state of things is that attorneys should be allowed, with certain restrictions, to make special bargains with their clients for extra remuneration. Whilst approving of this alteration, we venture to submit to your Lordship that it will not go to the root of the evil. So long as the legal scale of costs remains as it is, it will be considered by the public that a practitioner bargaining for an extra remuneration is taking some advantage of them, and the extent to which the privilege conferred by your Lordship's Bill will be made use of, is in our opinion very limited. We believe the real cure to be, *the alteration of the ordinary scale of remuneration*, and we submit to your Lordship that the considerations above set forth show that such an alteration would merely be in the nature of a readjustment of the scale of payment for work which has been deranged, by an alteration in the nature of the work to be done, and bringing back the average remuneration for real labour towards the same rate at which it formerly stood.

This end, we would suggest, should be accomplished by rule of court, superseding the present scale of costs, and substituting higher rates.

The following are the chief alterations which we would suggest to your Lordship should be made:—

1st. A formal attendance not consuming much time, and where no advice was given on new facts, might be charged as now, 6*s.* 8*d.*; but when an attorney is asked to advise on difficult questions of law 10*s.* 6*d.* or 13*s.* 4*d.* should be allowed, and a continuous attendance of an hour's duration should, in all cases, be allowed 13*s.* 4*d.*

2nd. The instructions for a conveyance, mortgage, or settlement, when the subject-matter was of the amount or value of 300*l.*, or upwards, should be charged 13*s.* 4*d.*, and for matters of the amount or value of 600*l.* and upwards, a further *ad valorem* fee, or a gradual scale, should be allowed; say, for example, 10*s.* for purchases or settlements, and 5*s.* for mortgages for every 100*l.* above 500*l.* up to 2000*l.*, and half those amounts for every 100*l.* above 2000*l.*; and attending completing should in all cases above 300*l.* be allowed 13*s.* 4*d.*

3rd. Attendance before an arbitrator, or in court, as an advocate, should be allowed at 1*l.* 1*s.* an hour.

4th. A suitable charge for brief or other preparation should be allowed to an attorney attending as advocate before an arbitrator.

5th. A journey per day, or a day's continuous labour at home, should be allowed 5*l.* 5*s.*

6th. In Chancery business the papers prepared as instructions for bill, which really involve the main responsible duty of the plaintiff's solicitor, should be fully allowed for in taxation between party and party at the same rate as a case for the opinion of counsel would be allowed as between solicitor and client.

7th. In Common Law. Attending court when the cause is in the paper should be allowed for at 2*l.* 2*s.* a-day: when tried 5*l.* 5*s.* a-day.

8th. In both Common Law and Chancery letters between the country attorney and the agent should be allowed for at the usual rate. Any letters exceeding three folios should be chargeable at 1*s.* a folio, like any other document.

We venture respectfully to submit the above considerations to your Lordship, without professing thereby to have exhausted the subject, but as what appear to us the main grounds for an alteration of the present system, and as an indication of our view of the sort of alteration required. And we submit to your Lordship an expression of our opinion, that by offering an adequate remuneration for real labour, the hands of the respectable part of the profession who use their efforts to discourage useless or improper litigation, to shorten needless verbiage and useless inquiries, and otherwise to co-operate with the real reformers of the law, will be so strengthened that the public will be directly as well as indirectly the gainers. Unless the profession of an attorney and solicitor offers the same prospect of remuneration as mercantile life to the youth of the middle classes, the educated middle classes will not bring up their sons to it, but it will fall into the hands of a lower section of society, for whose honourable conduct there will not be the same security.

We are, my Lord,

Your most obedient servants,

For the Committee of the Liverpool Law Society,

WILLIAM A. JEVONS, *President.*
WM. CLARE, *Hon. Sec.*

Hackwood-park, Basingstoke.

The Lord Chancellor presents his compliments to the President and Committee of the Liverpool Law Society. He has received their memorial, which contains matter requiring the most serious consideration. The Lord Chancellor begs leave to suggest the propriety of their communicating with other law societies on the important subject of their letter to him.

It would afford the Lord Chancellor very sincere pleasure to be auxiliary in removing the just subjects of complaint which exist in the unfair regulations that now injuriously affect the profession of attorneys and solicitors; but this cannot be effected unless there be a pretty general agreement among the members of that profession as to the alterations that ought to be made.

Oct 22nd, 1864.

LEGAL NEWS.

THE YELVERTON CASE.—Major Yelverton's petition to apply the judgment of the House of Lords was in the "single bills" of the First Division of the Court of Session on Tuesday, and was remitted to the summer roll. On Monday a note was boxed for Mrs. Theresa Longworth or Yelverton, craving leave to put in a condescendence of *res noviter* to the effect that Major Yelverton had repeatedly admitted the Scotch marriage to his brother Frederick Yelverton, now deceased, and in particular had talked with him during his last illness in presence and hearing of Sarah Mullins, his nurse, in terms implying an acknowledgment of said marriage.—*Scotsman.*

THE MANCHESTER ASSIZES.—The deputation from the Manchester Law Association, which had an interview with Sir George Grey on Tuesday week, presented a memorial in favour of the trial of civil causes at the winter assizes. The memorial set forth that many actions had been commenced in anticipation of a civil assize in December, that the venue of such action had been laid in Manchester, that in many others the venue would have been laid there, but for the information that there would be no assize, that at the last summer assizes twenty actions remained untried, of which eleven were made remanets and one sent to Liverpool, and that the population and commercial importance of the Salford Hundred, the amount of its legal business, and the good and ample accommodation of the assize courts entitled it to a separate assize. The Home Secretary admitted that the deputation made out a good case, and promised to communicate with the judges. Subsequently, however, the deputation was courteously received at the Court of Queen's Bench by the Chief Justice Cockburn and Justices Mellor, Shee and Crompton. They, too, admitted the deputation made out a good case, but said the fact was there were not Judges enough; that one could not be spared for a civil assize in Manchester, and that owing to the small number of Judges some of the principal courts were crippled. It appears that the commissions had been issued on Saturday, and that a civil assize for Liverpool had been arranged for. Five Queen's Counsel and four other barristers had addressed a communication to Sir G. Grey against a civil assize at Liverpool, representing that it would be unnecessary, and that the legal profession coincided with their views. The Liverpool Law Society, however, repudiated such a representation, and made out such a strong case before the commissions were issued that (supported as the society was by the Liverpool Town Council) it was decided not to deprive Liverpool of its civil assize.

WILLS AND BEQUESTS.—The will of William Lowndes, Esq., of The Bury, Chesham, Bucks, was proved in London by the executors, namely, Mrs. Martha Lowndes (the relict), and the Rev. Chas. Lowndes, M.A. (the brother). The personalty was sworn under 40,000*l.*; the testator was also possessed of a considerable freehold property. There are certain entailed estates in Middlesex, Kent, Hertford and Bucks, with provision for daughters and younger sons, which the testator has charged with a jointure of 1000*l.* a-year for his relict, to whom an immediate legacy of 2000*l.* is bequeathed. The estates are further charged with the sum of 20,000*l.* for the issue of a second marriage. The residue of the personal property is to be equally divided amongst all the children.——The will of Admiral the Right Hon. George, Earl Cadogan, C.B., of Santon Downham, Suffolk, and 138, Piccadilly, was proved, in Her Majesty's Court of Probate, on the 18th ult., by the Hon. Frederick William Cadogan, the son; and Lady Augusta Cadogan and Lady Honoria Louisa Cadogan, the daughters. The personalty was sworn under 35,000*l.* After leaving some tokens of remembrance to his son and daughters, his lordship disposes of his property in trust for his two daughters for their lives, and after their decease to be transferred to his son Frederick absolutely. To Mrs. Hill, the confidential servant of the late countess, is left a legacy of 1000*l.*, together with his lordship's gold watch. Liberal legacies are also left to his steward and valet, and an annuity of 20*l.* to his upper female servant, and one year's wages to his other servants. All legacies to be paid free of legacy duty.——The will of Sir Henry Lacy Yea, Bart., of Taunton St. Mary Magdalen, Somerset, was proved in the London court by William Wakely Fry, Esq., of Taunton, the sole executor. He has bequeathed to his nephew, the Rev. Edward Henry Rogers, M.A., his Bruton Turnpike Bonds. To his godchild Henry Fry (the son of his executor) he leaves 100*l.*; and there are a few other legacies to the executor's children and to servants. The residue, real and personal, he leaves to his executor, "in testimony and grateful acknowledgment of the great care and attention he has uniformly paid and shown to him during the many years he had lived with him."—*Illustrated News.*

CRIMINAL CLASSES OF IRELAND.—The Judicial Statistics of Ireland for the year 1863, just issued, comprise returns of a remarkable character. The criminal classes at large—the known thieves, receivers of stolen goods, prostitutes, suspected persons, vagrants, and tramps—are returned by the police at 22,290; in England and Wales the return was 126,136. As the population of Ireland is to that of England and Wales about as 1 to 3·7, these numbers imply that in equal populations there are above 34,000 of the criminal classes in England to 22,290 in Ireland; the criminal classes are 1 in 260 of the population of Ireland, but 1 in 159 in England. The number of known thieves in Ireland is returned at 3254, being less than half the number in an equal population in England; and the number under 16 years of age at less than a third of the English return. The suspected persons in Ireland, also—4438—are little more than half the number found among as many people in England. The return of the number of prostitutes is less than half the number in an equal population of England, and the number under 16 is only one-eighth of the English return; the number of brothels—657—is little more than a third of the corresponding English return. On the other hand, the receivers of stolen goods in Ireland—1233—are more numerous than in a like amount of population in England; and the number of vagrants and tramps is very great—9900 to 8968 in an equal English population. The young vagrants are especially in excess in Ireland—3399 to every 1975 in England; but there are no industrial schools to receive them in Ireland, and to some extent the number of vagrants and tramps is overstated in Ireland, owing to a less exact method of enumeration than in England. It must be borne in mind that this is the first year of collecting these statistics in Ireland, and that they had to be collected retrospectively, so that the books of the different officers had not been kept with any view of furnishing the information required. The greater number of large towns in England is also to be considered. It is remarkable that in Dublin the criminal class is returned as 1 in 137, and in London as only 1 in 243, and the prostitutes are returned as 1 in 341 in Dublin, and only 1 in 576 in London. In order to ascertain the entire number of the criminal classes it is necessary to add to those who are at large at any time those who are in confinement; this will give a total of 27,612 for Ireland in the year 1863, and for an equal portion of the population of England 41,995. The total number of houses of bad character in an equal number of population is rather greater in Ireland than in England; the number of tramps' lodging-houses approaching double the number for a like population in England. But, while the number of the criminal classes appears to be so much less in Ireland than in England, the number of offences committed is greater, and in some respects the year 1863 contrasts unfavourably with 1862. There was a decrease in the murders from 41 to 22, but several serious crimes increased—sending letters threatening to murder, from 15 to 22; shooting at or stabbing, from 65 to 107; holding forcible possession of land, from 83 to 135. The excess in Ireland over England, however, was mainly in offences which are not of a serious character. More than twice as many charges were determined summarily in Ireland as in an equal population in England. More than 60,000 of these were charges of drunkenness or being drunk and disorderly; there were little more than 25,000 of such charges in an equal population in England. A similar excess appears in charges under the Highway Acts. The punishments also indicate that a larger proportion of the offences in Ireland were of a less serious character than in England; the proportion sentenced to whipping, among the whole number convicted, was fourteen times as many in England as in Ireland, and seven times as many were imprisoned above the three months. The cases of murder and attempts to murder were 175 in Ireland in 1863, a much smaller proportion to population than in England; but the malicious offences against property were more than four times as many as in an equal population of England, and assaults (the special failing of the country) exceeded the number in England in a proportion much beyond this. Of the persons tried at assizes and quarter sessions the proportion acquitted (46 per cent.) was twice as great as in England. It is remarkable that the committals of the Irish in England are considerably more than twice as many as among a like number of the population in Ireland. The average proportion of police to population is more than twice as great in Ireland as it is in England.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Thursday, Oct. 27.

By Messrs J. J. CLEMMANS and SONS, at Garraway's.—Freehold, forty-four houses and buildings, situate in the rear of Fuller's Almshouses, Old Kent-road, producing 433*l.* per annum—sold for 6850*l.*

Monday, Oct. 31.

By Messrs. H. BROWN and T. A. ROBERTS, at Garraway's.—Freehold residence with coach-house and stabling, garden and paddock, situate at Forge, Surrey—sold for 3000*l.*

By Mr. WHITTINGHAM.—Freehold building land, situate at Buckhurst-hill, near Woodford, Essex, in 25 lots. Lots to 75 comprised previous sales; lots 76, 77 and 79 in one lot sold for 620*l.*; lot 78 sold for 315*l.*; lot 80 sold for 160*l.*; lot 69 sold for 160*l.*; lot 90 sold for 150*l.*; lot 91 sold for 170*l.*

Monday, Nov. 14.

By Messrs. FULLER and HORSEY, at Garraway's.—Leasehold, nine residences, being Nos. 1 to 8 and 11, Gordon-road, Stoke Newington; term, 99 years unexpired; ground-rent, 44*l.* 4*s.* per annum—sold for 365*l.* Leasehold residence situate at Upper Clapton; term, 15 years unexpired; ground-rent, 15*l.* 5*s.* per annum—sold for 82*l.*

Tuesday, Nov. 15.

By Messrs. DEBENHAM and TEWSON, in conjunction with Mr. T. S. SMITH, at the Guildhall Coffee-house.—Lease (eleven years unexpired) of those premises being No. 180, Upper Thames-street; ground-rent, 6*l.* per annum—sold for 550*l.*

By Messrs. DEBENHAM and TEWSON.—Lease (ten and a-half years unexpired) of those premises, being No. 13, Jewin-street, city; ground-rent, 35*l.* per annum—sold for 245*l.* Copyhold house and shop, being No. 91, Broad-street, Ratcliff—sold for 230*l.* Lease and goodwill of the house and shop, being No. 197, Union-street, Southwark, term, eighteen years unexpired, subject to three lives; ground-rent 8*l.* per annum—sold for 110*l.* Leasehold, two houses, being Nos. 11 and 12, Weymouth-terrace, Hackney-road; term, ten years unexpired; ground-rent, 9*l.* per annum—sold for 210*l.*

Wednesday, Nov. 16.

By Mr. H. SOWDON, at Garraway's.—Freehold piece of land situate in Hamilton-road, Gipsy-road, Norwood, upon which is erected the Bricklayers' Arms tavern, and nine unfinished cottages—sold for 1970*l.*

Thursday, Nov. 17.

By Messrs. BRADEL, at the Guildhall Coffee-house.—Freehold residence, being No. 35, Oriental-place, Brighton, with ground in the rear; let at 97*l.* per annum—sold for 1410*l.* Leasehold residence, being No. 6, Arlington-street, Mornington-crescent; term, thirty-five years unexpired; ground-rent, 3*l.* 1*s.* per annum—sold for 410*l.*

By Mr. MARSH.—Leasehold dwelling-house, being No. 6, Gloucester-place, Putney-square; term will expire in 1876; ground-rent 8*s.* per annum—sold for 330*l.* Freehold, four houses, being Nos. 4, 5, 6 and 7, Cambridge-terrace, Walthamstow—sold for 720*l.* Freehold plot of building land, fronting Cambridge-road, Walthamstow—sold for 135*l.* Freehold plot of building land, fronting Milton-road, Walthamstow—sold for 98*l.*

THE GAZETTES.

Bankrupts.

Gazette, Nov. 15.

To surrender at the Bankrupts' Court, London.

[illegible], EDWARD, carpenter, Castle-rd. Kentish-tn. Pet. Nov. 11. Reg. Brougham. O. A. Edwards. Sol. Johnson, Clifford's-inn.

[illegible], ALFREDO, boot and shoe maker, Denham. Pet. Nov. 10. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st.

[illegible], THOMAS OSWIN, merchant's clerk, Haverstock-st. City-rd. Pet. Nov. 11. Reg. Hazlitt. O. A. Graham. Sol. Murr, Kensington, Kensington-pk.

[illegible], FRANCIS GEORGE, clerk and dramatic author, Queen-st. [illegible]. Pet. Nov. 8. Reg. Hazlitt. O. A. Graham. Sol. Hall, [illegible].

[illegible], ISRAEL, tailor, Swan-st. Minories. Pet. Nov. 10. Reg. Brougham. O. A. Edwards. Sol. Beard, Great St. Helen's.

[illegible], CHARLES, medical assistant, Mill-rd. Bexley-heath. Pet. Nov. 10. Reg. Hazlitt. O. A. Graham. Sol. Hughes, High-st. Woolwich.

[illegible], HENRY, victualler, Deptford-green, Deptford. Pet. Nov. 2. Reg. Hazlitt. O. A. Graham. Sols. Tanqueray, Willaume and Co., New Broad-st.

[illegible], EDWARD THOMAS, chemist and druggist, College-st. Chelsea. Pet. Nov. 7. Reg. Hazlitt. O. A. Graham. Sol. Davies, Basing-st. Islington.

[illegible], MAURICE, Mincing-ln. and New Finchley-rd. and MUL[illegible], FREDERICK, Mincing-ln. and Brondesbury-rd. Kilburn, merchants and commission agents. Pet. Nov. 10. Reg. Brougham. O. A. Edwards. Sol. Walter, King-st.

[illegible], CHARLES, baker, Berwick-st. Soho. Pet. Nov. 9. Reg. Brougham. O. A. Edwards. Sol. Wood, Basinghall-st.

[illegible], ARTHUR, cloth merchant, Basinghall-st. Pet. Nov. 7. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

[illegible], EDWARD, Esq. Merton-rd. Mitcham. Pet. Nov. 11. Reg. Roche. O. A. Cannan. Sol. Welborne, Duke-st. London-bridge.

[illegible], JAMES, letter sorter in the General Post-office, Whiskin-st. Clerkenwell. Pet. Nov. 17. Reg. Roche. O. A. Cannan. Sols. Pearce and Dorman, Gresham-st.

[illegible], WILLIAM, builder, Harold-st. Kentish-tn. Pet. Nov. 12. Reg. Roche. O. A. Cannan. Sol. Fouciome, Raymond-bldgs. Gray's-inn.

[illegible] SAMUEL, solicitor's clerk, Maidenstone-hill, Greenwich. Pet. Nov. 1. Reg. Hazlitt. O. A. Graham. Sols. Peckham and Salt, Great Knightrider-st. Doctor's-commons.

[illegible], EDMUND, corn dealer, Vauxhall-st. Lambeth. Pet. Nov. 10. Reg. Brougham. O. A. Edwards. Sol. Spencer, Coleman-st-bldgs.

[illegible], JOHN; MCKEEROW, JOHN, jun. and MCKEEROW, [illegible], fancy dress manufacturers, St. Paul's-bldgs. Little Carter-ln. and Glasgow. Pet. Nov. 9. Reg. Roche. O. A. Cannan. Sols. [illegible], Chamberlain and Blake, Basinghall-st.

[illegible], WILLIAM, general merchant and commission agent, [illegible]-st. Pet. Nov. 8. Reg. Brougham. O. A. Edwards. Sol. [illegible], Moorgate-st.

[illegible], SAMUEL WILLIAM, labourer, Mayfield. Pet. Nov. 11. Reg. Roche. O. A. Cannan. Sol. Doyle, Verulam-bldgs. Gray's-inn.

[illegible], GEORGE, smith, West-pl. and Camden-st. Islington-gn. Pet. Nov. 11. Reg. Roche. O. A. Cannan. Sol. Weeks, City-rd.

[illegible], WILLIAM, pewterer, New Brentford. Pet. Nov. 10. Reg. Roche. O. A. Cannan. Sol. Marshall, Hatton-gn.

[illegible], THOMAS, farmer, All Saint's-gn. Norwich. Pet. Nov. 10. Reg. Hazlitt. O. A. Graham. Sols. Treherne and White, Barge-yard-chambers, Bucklersbury.

[illegible], MARY ANN, baby keeper, Goswell-st. St. Luke's. Pet. Nov. 9. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

[illegible], ROBERT, lodging-house keeper, Senior-st. Paddington. Pet. Nov. 11. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

[illegible], RICHARD, cheesemonger, Union-st. Middlesex-hospital. Pet. Nov. 10. Reg. Roche. O. A. Cannan. Sol. Waldron, Lamb's Conduit-st.

[illegible], ARTHUR BOOTLE, ensign in Coldstream Guards, Brook-[illegible]-sq. Pet. Nov. 10. Reg. Roche. O. A. Cannan. Sols. [illegible] and Lewis, Old Jewry.

[illegible], HENRY, beer retailer, Great Smith-st. Westminster. Pet. Nov. 10. Reg. Brougham. O. A. Edwards. Sol. Beard, Basinghall-st.

To surrender in the Country.

[illegible], ISAAC, nurseryman, Tranmere. Pet. Nov. 11. O. A. Turner. Sols. [illegible], Liverpool and Birkenhead.

[illegible], CAROLINE, haulier, High Orchard, Gloucester. Pet. Nov. 11. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol.

[illegible], THOMAS, bricklayer, Northwich. Pet. Nov. 8. Reg. & O. A. [illegible]. Sol. Thompson, Northwich.

[illegible], ANDREW, cashier, Manchester. Pet. Nov. 10. Reg. Macrae. O. A. Morgan. Sol. Livett, Manchester.

[illegible], RICHARD, blacksmith, Fittleworth, Petworth. Pet. Nov. 11. Reg. & O. A. Elsgien. Sol. Lamb, Brighton.

[illegible], JOHN COWTON, tobacconist, Goodramgate. Pet. Nov. 11. Reg. & O. A. Perkins. Sol. Grayston, York.

[illegible], THOMAS; WHITTAKER, THOMAS, and WOOD, JOHN, [illegible] spinners, Delph, Saddleworth. Pet. Nov. 4. Reg. Macrae. O. A. Morgan. Sols. Sale and Co. Manchester.

[illegible], THOMAS, boot and shoe manufacturer, Leeds. Pet. Nov. 11. O. A. Young. Sol. Greene, Leeds.

[illegible], WILLIAM, and CORKIN, RICHARD, builders, Tranmere. Pet. Nov. 11. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool.

[illegible], JOHN, carrier, Leeds. Pet. Nov. 3. O. A. Young. Sols. Middleton and Son, Leeds.

[illegible], ROBERT CUNNINGHAM, merchant, Liverpool. Pet. Nov. 12. O. A. Turner. Sols. Snowball and Copeman, Liverpool.

[illegible], TIMOTHY, bookseller and warehouseman, Bolton. Pet. Nov. 12. Reg. & O. A. Holden. Sols. Richardson and Brandwood, Bolton.

[illegible], OLIVER KAY, clerk, Greenheys, Manchester. Pet. Nov. 12. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester.

[illegible], JOHN, clerk, Bristol. Pet. Nov. 11. Reg. & O. A. Harley and Gibbs. Sol. Nash.

[illegible], WILLIAM HENRY, lieutenant in the army, Ilfracombe. Pet. Nov. 11. O. A. Parkyns. Sols. Trenchard and Harrison, Taunton; Birtsel, Exeter.

[illegible], JOSEPH, coal and mine contractor, Rasea, Llangynider. Pet. Nov. 8. Reg. & O. A. Shepard. Sols. Simons and Frews, Merthyr Tydfil.

[illegible], ARTHUR HENRY, lace maker, Nottingham. Pet. Nov. 12. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham.

[illegible], THOMAS, cotton waste dealer, Accrington. Pet. Nov. 8. Reg. & O. A. Dunn. Sol. Gardiner, Manchester.

[illegible], EBENEZER, grocer and corn dealer, Charlesworth. Pet. Nov. 1. Reg. Macrae. O. A. Morgan. Sol. Reddish, Manchester.

[illegible], JOHN, farmer, Yewbank, Manchester. Pet. Nov. 10. Reg. & O. A. Worthington. Sol. Boote, Manchester.

[illegible], MATTHEW SCARLATT, clerk, Bury. Pet. Nov. 10. Reg. & O. A. Grundy. Sol. Anderton, Bury.

[illegible], MORRIS, clothier, Birmingham. Pet. Nov. 7. Reg. Tudor. O. A. Kinnear. Sol. Wright, Birmingham.

[illegible], JAMES, draper, Swansea. Pet. Nov. 4. Reg. Wilde. O. A. Acraman. Sols. Terrell, Exeter; Press and Inskip, Bristol.

[illegible], THOMAS, and MCKNIGHT, THOMAS, jun., joiners and builders, Liverpool. Pet. Nov. 11. O. A. Turner. Sols. Yates, Son and Martin, Liverpool.

[illegible], WILLIAM, shoemaker, St. Keverne. Pet. Nov. 9. Reg. & O. A. Hill. Sol. Dale, Helston.

[illegible], CHARLES, victualler, Lichfield. Pet. Nov. 10. Reg. & O. A. [illegible]. Sol. Wilson, Lichfield.

[illegible], JAMES LAIDLAW, and ROSE, WILLIAM, commission merchants, Liverpool. Pet. Nov. 10. O. A. Turner. Sols. Snowball and Copeman, Liverpool.

[illegible], JOSEPH, hairdresser, Leeds. Pet. Nov. 10. Reg. & O. A. Sangster. Sol. Harle, Leeds.

[illegible], ENOCH, ale, porter and wine dealer, Birmingham. Pet. Nov. 6. Reg. & O. A. Guest. Sol. East, Birmingham.

[illegible], THOMAS, boot and shoe maker, Lancaster. Pet. Nov. 11. Reg. & O. A. Dunn. Sols. Johnson and Tilley, Lancaster.

[illegible], JOHN, jun. cap manufacturer, Briggate, Leeds. Pet. Nov. [illegible] O. A. Young. Sol. Pullan, Leeds.

[illegible], FREDERICK WILLIAM, lodging-house keeper, Brighton. Pet. Nov. 10. Reg. & O. A. Evershed. Sol. George, Jermyn-st. St. James's.

[illegible], HENRY, commission agent, Handsworth. Pet. Nov. 8. Reg. & O. A. Guest. Sol. Beaton, Birmingham.

[illegible], BENJAMIN, joiner and machine maker, Stanningley. Pet. Nov. [illegible]. Reg. & O. A. Sangster. Sol. Harle, Leeds.

SAVAGE, GEORGE, dealer in wines and spirits, Bristol. Pet. Nov. 12. Reg. Wilde. O. A. Acraman.

SCRAGG, WILLIAM, blacksmith, Norton-in-the-Moors. Pet. Nov. 11. Reg. & O. A. Challinor. Sol. Tennant, Hanley.

SMITH, THOMAS, coal dealer, Birmingham. Pet. Nov. 11. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham.

THOMPSON, STOCKDALE, manager and salesman, Salford. Pet. Nov. 10. Reg. Macrae. O. A. Morgan. Sols. Marsland and Addleshaw, Manchester.

THOMPSON, THOMAS, dealer in millinery, Liverpool. Pet. Nov. 11. Reg. & O. A. Hime. Sol. Grocott, Liverpool.

TOPPING, THOMAS, hemp and yarn dealer, Wigan. Pet. Nov. 3. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster.

UTTLEY, JAMES GREENWOOD, merchant, Manchester. Pet. Nov. 10. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davies, Manchester.

WEBSTER, WILLIAM, beer retailer, Bristol. Pet. Nov. 10. Reg. & O. A. Harley and Gibbs. Sol. Hill.

WHITE, MARK, milliner and general dealer, Tuxford. Pet. Nov. 9. Reg. & O. A. Newton. Sol. Marshall, jun. East Retford.

WILKINSON, JAMES, farmer, Gringley-on-the-Hill. Pet. Nov. 9. Reg. & O. A. Newton. Sol. Marshall, jun. East Retford.

WILLIAMS, JOHN WYNNE, grocer and provision dealer, Llandudno. Pet. Nov. 11. O. A. Turner. Sol. Best, Liverpool.

WILLIAMS, ROBERT, joiner and builder, Everton. Pet. Nov. 3. O. A. Turner. Sol. Jones, Liverpool.

WRIGHT, JOHN, labourer, Ordsall. Pet. Nov. 9. Reg. & O. A. Newton. Sol. Marshall, jun. East Retford.

Gazette, Nov. 18.

To surrender at the Bankrupts' Court, London.

ADAMS, THOMAS, boot and shoe maker, Cross-st. City-rd. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn.

BENTLEY, EDWARD JOHN, grocer, Paradise-row, Hackney. Pet. Nov. 11. Reg. Roche. O. A. Cannan. Sol. Catchpole, Great Tower-st.

BOWLES, JOHN, grocer, Cambridge. Pet. Nov. 14. Reg. Roche. O. A. Cannan. Sols. Hawkins, Bloxam, Peterson and Power, New Boswell-ct. Carey-st. agents for Garrett, Cambridge.

BROWN, GEORGE RICHARD, assistant at a music hall, St. Alban's-ter. Kennington-rd. Pet. Nov. 14. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st.

BROWN, JAMES, hay, straw, and corn dealer, Walpole-st. Deptford. Pet. Nov. 14. Reg. Roche. O. A. Cannan. Sol. Podmore, Water-st. Blackfriars.

BRUTON, GEORGE, wine merchant, Oxford. Pet. Nov. 15. Reg. Roche. O. A. Cannan. Sols. Hurford and Taylor, Furnival's-inn, Oxford.

BURGAY, JAMES WILLIAM, Forest-rd. Dalston, and GLOVER, HENRY, builders, Morpeth-ter. Victoria-pk. Pet. Nov. 12. Reg. Hazlitt. O. A. Graham. Sols. Webb and Webb, Austinfriars.

BUSH, GEORGE, jun. bookbinder, York-ter. Stoke Newington. Pet. Nov. 14. Reg. Roche. O. A. Cannan. Sol. Hall, Coleman-st.

CARPENTER, CHARLES, stay and crinoline manufacturer, Brighton. Pet. Nov. 14. Reg. Roche. O. A. Cannan. Sols. Linklater and Hackwood, Walbrook.

COBB, JAMES SWANSTON, printer, Great Yarmouth. Pet. Nov. 4. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry, agents for Miller, Son and Bugg, Norwich.

ELLIS, JEREMIAH SAVAGE, victualler, Selwood-ter. Old Brompton. Pet. Nov. 17. Reg. Brougham. O. A. Edwards. Sols. Pawle and Lovesey, New-inn.

EMLER, JOHN MAY, out of business, Exeter-st. Chelsea. Pet. Nov. 14. Reg. Hazlitt. O. A. Graham. Sols. Makeson and Golding, Lincoln's-inn-fds.

FAIRWEATHER, SAMUEL, beerhouse-keeper, Framlingham. Pet. Nov. 14. Reg. Hazlitt. O. A. Graham. Sol. Clarke, Bloomsbury-sq.

GANNON, THOMAS, gas fitter, Liquorpond-st. Gray's-inn-rd. Pet. Nov. 14. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.

GLADSTONE, JOHN, and GLADSTONE, THOMAS HALL, merchants, White Lion-ct. Cornhill. Pet. Nov. 10. Reg. Hazlitt. O. A. Graham. Sols. Ashurst, Morris and Co. Old Jewry.

GURLING, EDWARD, builder, Westmoreland-pl. Bayswater. Pet. Nov. 11. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Hackwood, Walbrook.

HARRISON, JOHN, tailor, Brunswick-ter. Bayswater. Pet. Nov. 16. Reg. Roche. O. A. Cannan. Sols. Waller and Kerby, Duke-st. Adelphi.

HIDE, GEORGE, timber carter and publican, Hitchen. Pet. Nov. 7. Reg. Brougham. O. A. Edwards. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers; Hawkins, Hitchen.

MERRICK, SAMUEL, boarding and lodging-house keeper, Conduit-st. Regent-st. Pet. Nov. 15. Reg. Roche. O. A. Cannan. Sols. Maude and Atwood, Bucklersbury.

MONROW, JOSEPH CUNARD, railway clerk, Brighton. Pet. Nov. 15. Reg. Hazlitt. O. A. Graham. Sols. Linklater and Hackwood, Walbrook.

PATRICK, THOMAS, button manufacturer, Kirby-st. Hatton-gdn. Pet. Nov. 11. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn.

PICKEN, ARCHIBALD, jeweller and watchmaker, The Drapery, Northampton. Pet. Nov. 11. Reg. Hazlitt. O. A. Graham. Sols. Kingdon and Williams, Lawrence-ln. Cheapside, agents for Shield and White, Northampton.

PIDDINGTON, JOHN, commercial agent, Gracechurch-st., London-rd., Croydon and Brussels. Pet. Nov. 12. Reg. Brougham. O. A. Edwards. Sol. Cooke, King-st. Cheapside.

RUDKIN, THOMAS, builder and contractor, Fulham-rd. Pet. Nov. 12. Reg. Hazlitt. O. A. Graham. Sol. Stackpoole, Pinner's-hall, Old Broad-st.

SELIG, GABRIEL, wholesale jeweller, Prince's-st. Finsbury. Pet. Nov. 15. Reg. Roche. O. A. Cannan. Sols. Sydney and Son, Finsbury.

SIMPSON, JOHN ALEXANDER, out of business, Great Ilford. Pet. Nov. 10. Reg. Brougham. O. A. Edwards. Sol. Dodd, jun. New Broad-st.

SINDEN, THOMAS, marble paper manufacturer, Cardington-st. and Little Crescent-st. Euston-sq. Pet. Nov. 16. Reg. Roche. O. A. Cannan. Sol. Webb, Euston-rd.

SMITH, FREDERICK, sheep salesman, East Hampstead. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sols. Treherne and Co. Aldermanbury.

SPOKES, JAMES WILLIAM, out of business, Teddington and Cornhill. Pet. Nov. 12. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st.

WEBB, THOMAS, butcher, Harlington, Uxbridge. Pet. Nov. 14. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn.

WILKINS, WILLIAM CRABB, engineer, Wood Ridings, Pinner. Pet. Nov. 11. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Hackwood, Walbrook.

To surrender in the Country.

ANDERSON, ISAAC EELES, saddler, Seacroft, Leeds. Pet. Nov. 15. Reg. & O. A. Sangster. Sols. Horsfall and Latimer, Leeds.

ARDOW, RICHARD, lodging house keeper, Southport. Pet. Nov. 9. O. A. Turner. Sols. Dodge and Wynne, Liverpool.

BAKE, CHARLES HENRY, chemist and druggist, Manchester. Pet. Nov. 14. Reg. Macrae. O. A. Morgan. Sols. Earle, Son, Hopps, Orford and Earle, Manchester.

BENTLEY, JOHN, joiner, Rush within Oswaldtwistle. Pet. Nov. 14. Reg. & O. A. Bolton. Sol. Barlow, Accrington.

BIRD, JOHN, and HICKLING, GEORGE, elastic web manufacturers, Loughborough. Pet. Nov. 17. O. A. Harris. Sol. Goode, Loughborough.

BRADBURY, THOMAS, national schoolmaster, Eyton, Wellington. Pet. Nov. 13. Reg. & O. A. Newill. Sol. James, Wellington.

BUCKTON, twine manufacturer and yarn merchant, Leeds. Pet. Nov. 17. O. A. Young. Sols. North and Sons, Leeds.

BULMAN, JONAH, grocer, Silloth. Pet. Nov. 16. Reg. & O. A. Were. Sol. Wannop, Carlisle.

BULWER, ROBERT, publican, Beccles. Pet. Nov. 15. Reg. & O. A. Fisk. Sol. Kent, Beccles.

BURTON, JOHN, victualler, Stamford. Pet. Nov. 14. Reg. & O. A. Shield and Hough. Sol. Law, Stamford.

CANDALL, EDWARD, victualler, Coventry. Pet. Nov. 12. Reg. & O. A. Kirby. Sol. Smallbone, Coventry.

COBB, THOMAS, smith and farrier, Leeds. Pet. Nov. 12. Reg. & O. A. Sangster. Sol. Harle, Leeds.

COFFEY, DOMINIC, roller coverer, Newton. Pet. Nov. 10. Reg. & O. A. Brooks. Sol. Hibbert, Hyde.

DRAKE, JOSEPH, joiner, Bradford. Pet. Nov. 17. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford.

ELMORE, WILLIAM, commission agent, Liverpool. Pet. Nov. 14. O. A. Turner. Sol. Holden, Liverpool.

FISHER, THOMAS, grocer, Barrow-in-Furness. Pet. Nov. 12. Reg. Macrae. O. A. Morgan. Sols. Relph, Barrow-in-Furness; Slater and Barling, Manchester.

FLEMING, JOSHUA, dealer in fancy goods, Halifax. Pet. Nov. 15. O. A. Young. Sol. Storey, Halifax; Bond and Barwick, Leeds.

FLITCROFT, WILLIAM, manufacturer and waste dealer, Bolton. Pet. Nov. 14. Reg. Macrae. O. A. Morgan. Sols. Edge, Bolton; Smith and Boyer, Manchester.

GILES, JOANNA, beerhouse-keeper, Mark. Pet. Nov. 8. Reg. & O. A. Fry. Sol. Reed, Bridgwater.

GORROD, JOHN, publican, Beccles. Pet. Nov. 15. Reg. & O. A. Fisk. Sol. Kent, Beccles.

GRAY, WILLIAM, provision dealer, Liverpool. Pet. Nov. 14. Reg. & O. A. Hime. Sol. Evans, Liverpool.

GREEN, JOSEPH, victualler, Nottingham. Pet. Nov. 15. Reg. Tudor. O. A. Harris.

GREGORY, TIMOTHY, publican, Queen's-ferry. Pet. Nov. 16. Reg. & O. A. Wason. Sol. Churton, Eastgate, Chester.

GREY, CHARLES, farmer and dealer, Bromborough. Pet. Nov. 14. O. A. Turner.

HALLAM, WILLIAM THOMPSON, draper's assistant, Beeston. Pet. Nov. 15. Reg. & O. A. Patchitt. Sol. Ashwell, Nottingham.

HAMMOND, EDWARD, shoemaker, Hastings. Pet. Nov. 15. Reg. & O. A. Young. Sol. Bilton, Hastings.

HANCOCK, JAMES, cabinetmaker, Ryde, Isle of Wight. Pet. Nov. 12. Reg. & O. A. Blake. Sol. Urry, Ventnor.

HANCOCK, JOHN, labourer, Ranmoor, Sheffield. Pet. Nov. 15. Reg. & O. A. Wake and Rodgers. Sol. Broadbent, Sheffield.

HEALD, ARTHUR, cotton manufacturer, Nelson, Colne. Pet. Nov. 8. Reg. Macrae. O. A. Morgan. Sols. Slater and Barling, Manchester.

HEALEY, CHARLES, victualler, Wakefield. Pet. Nov. 15. Reg. & O. A. Mason. Sol. Fernandes, Wakefield.

HEBDEN, ARTHUR, twine manufacturer, Swinegate, Leeds. Pet. Nov. 16. O. A. Young. Sol. Pullan, Leeds.

HOOK, WILLIAM EDWARD, hardwareman, Devonport. Pet. Nov. 16. O. A. Parkyns. Sols. Edmonds and Sons, Plymouth; Flood, Exeter.

HUNT, JOHN, travelling draper, Ipswich. Pet. Nov. 15. Reg. & O. A. Pretyman. Sol. Moore, Ipswich.

JOCKISCH, JOHN GEORGE, commission agent and merchant, Manchester. Pet. Nov. 16. Reg. Macrae. O. A. Morgan. Sols. Sale and Co. Manchester.

JONES, DAVID, and JONES, REES, grocers, Brynmawr. Pet. Nov. 14. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol.

JONES, EDWARD SIMON, grocer, Rhyl. Pet. Nov. 15. Reg. & O. A. Sisson. Sol. Williams, Rhyl.

LAWSON, LAVINIA, lodging-house keeper, Southsea. Pet. Nov. 16. O. A. Howard. Sol. Stening, Portsea.

LEPPER, EDMUND, ivory, bone and wood button maker, Birmingham. Pet. Nov. 15. Reg. Tudor. O. A. Kinnear. Sol. East, Birmingham.

LITTLEWOOD, JOHN JAMES, innkeeper, Tewkesbury. Pet. Nov. 15. Reg. & O. A. Brown. Sol. Taynton, Gloucester.

MARTIN, WILLIAM, baker and confectioner, Fowey. Pet. Nov. 14. Reg. & O. A. Carlyon. Sol. Sobey, Fowey.

PARFECT, EDMUND, builder, Headley. Pet. Nov. 14. Reg. & O. A. Hollest. Sol. White, Guildford.

PRIESTMAN, JOHN, jun., tanner, Warrington. Pet. Nov. 14. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davis, Manchester.

QUINTIN, ADOLPHUS URIAH, dentist, Gloucester. Pet. Nov. 15. Reg. & O. A. Wilton. Sol. Hulls, Gloucester.

REVETT, DANIEL, manufacturer and warp sizer, Elton Wood, Bury. Pet. Nov. 15. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington and Shipman, Manchester.

ROBERTS, SAMUEL, architect and builder, Liverpool. Pet. Nov. 16. Reg. & O. A. Hime. Sol. Pemberton, Liverpool.

ROBSON, SAMUEL, grocer, South Shields. Pet. Nov. 5. Reg. & O. A. Wawn. Sol. Brignal, Durham.

ROGERS, HENRY, book-keeper and accountant, Chapeltown, Leeds. Pet. Nov. 10. O. A. Sangster. Sol. Harle, Leeds.

ROOKER, FRANCIS, machinist, Manchester. Pet. Nov. 15. Reg. Macrae. O. A. Morgan. Sols. Atkinson, Saunders and Co. Manchester.

RYLEY, FREDERICK CHARLES, railway clerk, Burton-upon-Trent. Pet. Nov. 14. Reg. & O. A. Hubbersty. Sol. Prince, Burton.

SHARPE, JOSEPH, army contractor, Birmingham. Pet. Nov. 15. Reg. Hill. O. A. Kinnear. Sol. Francis, Birmingham.

TAYLOR, HUGH, beerseller, Heywood. Pet. Nov. 14. Reg. & O. A. Grundy. Sols. Messrs. Watson, Bury.

TAYLOR, WILLIAM, contractor, Habergham Eaves, Burnley. Pet. Nov. 14. Reg. & O. A. Hartley. Sol. Hartley, Burnley.

THACKRAY, ROBERT, dealer in corn, flour, hay and straw, Leeds. Pet. Nov. 12. Reg. & O. A. Sangster. Sol. Harle, Leeds.

THORNHILL, WILLIAM RODGERS, ironmonger, Liverpool and Fairfield. Pet. Nov. 16. Reg. & O. A. Hime. Sol. Grocott, Liverpool.

TITHERINGTON, HINDLE, innkeeper, Rochdale. Pet. Oct. 17. Reg. Macrae. O. A. Morgan.

WALKER, JACOB, wheelwright, Derby. Pet. Nov. 11. Reg. & O. A. Weller. Sol. Briggs, Derby.

WALKER, THOMAS LAYCOCK, painter, White Abbey, Bradford. Pet. Nov. 15. Reg. & O. A. Robinson. Sols. Terry and Watson, Bradford.

WALTON, GEORGE, commission agent, Sheffield. Pet. Nov. 14. Reg. & O. A. Wake and Rodgers. Sol. Broadbent, Sheffield.

WARRINGTON, JOHN, sen., farmer, Cawood, Selby. Pet. Nov. 16. O. A. Young. Sol. Harle, Leeds.

WEBB, WILLIAM HENRY, baker, Camden-tn. Gosport. Pet. Nov. 14. O. A. Howard. Sol. Paffard, Portsea.

WEBBER, JAMES, yeoman, Halberton. Pet. Nov. 7. Reg. & O. A. Daw. Sol. Floud, Exeter.

WHITE, JOSEPH, attorney's clerk and registrar of marriages, Westbromwich. Pet. Nov. 12. Reg. & O. A. Watson. Sol. Jackson, Westbromwich.

WHITTAKER, JOHN, grocer, Radcliffe, Manchester. Pet. Nov. 14. Reg. & O. A. Kay. Sol. Gardner, Manchester.

WHITTENBURY, WILLIAM CORNELIUS, furniture dealer, Leeds. Pet. Nov. 15. O. A. Young. Sol. Simpson, Leeds.

WILLIAMSON, JOSEPH, provision dealer, Wilmslow. Pet. Nov. 14. Reg. & O. A. Porter. Sol. Hent, Altrincham.

WILLIAMSON, ROBERT, innkeeper, Heaton, Bradford. Pet. Nov. 16. O. A. Young. Sols. Cross, Bradford; Cariss and Tempest, Leeds.

WILLIS, ALBERT, silk stainer and dyer, Nottingham. Pet. Nov. 14. Reg. & O. A. Patchitt. Sol. Smith, Nottingham.

BANKRUPTCIES ANNULLED.

Gazette, Nov. 15.

NAPEAU, HENRY MACK, captain in the staff Madras corps, Argyle-villa, Hampstead-rd.

TAYLOR, EDWARD, manufacturer, Golcar, Huddersfield.

TAYLOR, HENRY, scribbling miller, Horsforth.

Gazette, Nov. 18.

PAGE, EDWARD LEGH, Esq. Hans-ter. Chelsea.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Blackmore, L. farmer, third, 6½d. Parkyns, Exeter.—*Smith, W.* and J. earthenware manufacturers, first, 1s. 6½d. Kinnear, Birmingham.

INSOLVENTS' ESTATES.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, between the hours of eleven and three on Tuesdays and Fridays.

Hartley, J. attorney, 1s. 5d.—*Kempe, J.* jun. lieutenant in R. N. and admiralty agent, 5s. 9d. (making 6s. 7d.)—*Wood, G. F.* Esq. Charles-st. Westminster, 11s. 3d.

Assignments.

Gazette, Nov. 15.

ANDREWS, JAMES, grocer, Sunderland. Nov. 9. Trust. G. Crisp, miller, Sunderland.

ASPDEN, JOHN, and ASPDEN, JAMES, cotton manufacturers, Over Darwen. Oct. 14. Trusts. T. Livesey, cotton manufacturer, and J. Shorrock, ironfounder, both Over Darwen.

ATKINSON, JAMES, manufacturer, Rawtenstall. Oct. 19. Trusts. G. Hargreaves, yarn agent, Over Darwen, and J. Newton, commission, agent, Manchester.

ATTENBORROW, GEORGE, jun., builder, Hyson-green, Nottingham. Nov. 7. Trusts. E. Gripper, jun., brickmaker, and A. Doubleday, slater, both Nottingham.

BALDWIN, BOLTON, spindle manufacturer, Burnley. Nov. 7. Trusts. C. W. Machen, Wardsend, and W. T. Flather, Sheffield, merchants and manufacturers.

BALDWIN, SHARPE, shoe manufacturer, Leeds. Oct. 18. Trusts J. M. Brown, shoe manufacturer, Leeds, and S. Whitley, commercial traveller, Leeds.

CLARK, WILLIAM, and JONES, JOSEPH, joiners and builders, Manchester. Oct. 22. Trusts W. Carter, timber merchant, Liverpool, G. Shorland, surveyor, and S. Davies, bricklayer, both Manchester.

DEACON, HENRY, butcher, Liverpool. Oct. 22. Trusts A. Lamb, cattle salesman, Rocky-la. Knotty-green, near Liverpool, W. Oulton, wholesale butcher, Liverpool, and E. Clough, wholesale butcher, Liverpool.

DUCKWORTH, HENRY, cotton manufacturer, Church, near Accrington. Oct. 18. Trusts R. Edmondson, commission agent, Manchester, J. Graham, machinist, Burnley, and R. Parkinson, commission agent, Manchester.

DUNCAN, THOMAS, tailor, Halifax. Oct. 29. Trusts W. Collard, and T. S. Ritchie, both London, and J. Rairstow, Halifax, woollen warehouseman.

EASTWOOD, BENJAMIN, fancy cloth manufacturer, Almondbury-bank, near Huddersfield, and Huddersfield. Oct. 24. Trusts J. Lumb, worstedspinner, Huddersfield, W. Ely, warp maker, Mold-green, near Huddersfield, and M. Whittell, cotton warp dealer, Huddersfield.

ENTWISTLE, JAMES; ENTWISTLE, CHRISTOPHER; ENTWISTLE, ANDREW; HARDMAN, ABRAHAM; and HOLT, SQUIRE, cotton manufacturers, Bury. Trusts J. Jones, yarn agent, Manchester, and J. Openshaw, cotton manufacturer, Bury.

GALE, JAMES, builder, Portsea. Nov. 9. Trusts G. Coles, merchant, Portsea, and F. M. Phillips, victualler, Fisherton.

GLOVER, MATTHEW, of Boston; MIDDLETON, EDWIN; and GLOVER, BENJAMIN FAWCETT, both Wakefield, woollen cloth merchants. Oct. 18. Trusts B. Waite, merchant, Leeds, and J. Pollard, machine maker, Holbeck.

GROVES, THOMAS, horsedealer, York. Oct. 17. Trusts F. Taylor, bank manager, York, and T. Hewitt, gentleman, Gibside.

HARRIS, THOMAS, stationer and bookseller, Carlisle. Oct. 20. Trust R. J. Browne, railway manager, Carlisle.

HETHERINGTON, JOHN, grocer, Liverpool. Oct. 17. Trust J. Van Oestler, nickle manufacturer, Liverpool. Sol. Evans, Liverpool.

HUGHES, RICHARD, butcher, Withington. Nov. 9. Trust E. Williams, gentleman, Andoversford, near Cheltenham.

HUNT, FREDERIC, and JOHNSTONE, WILLIAM, woollen warehousemen, Gresham-st. and Haymarket. Oct. 17. Trusts W. L. Smith, jun., woollen manufacturer, Leeds, and J. Marsden, manufacturer, New-mill, near Huddersfield.

JEFFERIS, BENJAMIN, builder, Seacombe. Oct. 13. Trusts J. Birch, farmer, Orrell, near Litherland, and C. Carter, brassfounder, Liverpool.

KERRY, EDWARD, wireworker, Birmingham. Nov. 7. Trusts J. Piggott, wiredrawer, and W. Dugard, metal roller, both Birmingham.

LAMPARD, JOHN EDWARD, bottle merchant, Wheatsheaf-wharf, Wapping. Oct. 17. Trusts R. Hussey, bottle agent, Great Tower-st. and W. Watson, bottle merchant, Old Swan-la.

LANGTREE, HENRY, builder, Myrtle st. Hoxton. Oct. 20. Trusts J. S. Goodman, and W. R. Goodman, timber merchants, Compton-st. Goswell-st.

LEE, JOHN, cloth manufacturer, Idle, in Calverley. Oct. 19. Trusts J. G. Taylor, and J. Foster, woolstaplers, both Bradford.

LISTER, JOHN, commission agent, Leeds. Nov. 2. Trusts E. Gaunt, and J. Ward, cap manufacturers, both Leeds.

LISTER, THOMAS THOMPSON, manufacturer, Calverley. Oct. 22. Trusts H. W. Hammond, wood broker, Gomersall, and E. Dews, manufacturer, Ossett.

MILLIGAN, JAMES, draper, Newcastle. Oct. 20. Trusts W. McConnell, draper, Newcastle, and W. Jackson, warehouseman, Manchester.

MUDD, THOMAS JOHN EDGAR, cattle dealer, Ipswich. Nov. 4. Trust G. M. Sexton, auctioneer, Wherstead.

ROBERTS, GEORGE, omnibus proprietor, Torrington-mews, Burwood-pl. Edgware-rd. Paddington. Nov. 3. Trust S. King, coachbuilder and wheelwright, Westminster-bridge-rd.

RODGERS, STEPHEN, grocer and provision dealer, Crook. Oct. 29. Trusts H. Copland, wholesale grocer, and H. Dryden, soap manufacturer, both Newcastle.

ROSS, GEORGE SMITH, victualler, Durham. Oct. 29. Trust J. Short, agent, Newcastle.

SPEIGHT, JOSEPH, tailor and draper, Bradford. Oct. 20. Trusts R. Brook, woollendraper, Bradford, and A. K. Dobson, cloth manufacturer, Leeds.

STRINGER, GEORGE MARSHALL, steam-packet and shipping agent, Plymouth. Oct. 19. Trust W. W. Arliss, accountant, Plymouth.

STUBBELL, WILLIAM, builder, Elm, Isle of Ely. July 25. Trust H. H. English, timber merchant, Wisbeach. Sol. Collins, Wisbeach.

TAYLOR, WILLIAM, provision dealer and grocer, Oldham. Oct. 25. Trusts W. Dunkerley, wholesale grocer, Manchester, and G. Hamilton, corn miller, Oldham.

THOMAS, THOMAS, grocer and shoemaker, Neath, Aberkenfig, and Maesteg. Oct. 21. Trusts R. Ham, and C. Bryant, curriers and leather merchants, Bristol.

VIVIAN, WILLIAM COOK, and REYNOLDS, JOSEPH JAMES, jun., mining brokers and dealers in shares, Old Broad-st. Oct. 18. Trusts W. R. Stephens, merchants, Croydon, and J. G. Pennington, stockbroker, Finch-la. Cornhill.

WALKER, JOHN, farmer, Irton. Nov. 23. Trusts I. Gaitskell, Irton, and W. Birkett, Irton, yeomen.

WELFORD, GEORGE PERCO, miller, Stanwick-mills, Northampton. Oct. 22. Trusts E. Gosney, farmer, Wymington, and S. A. Rye, farmer, Irthlingborough.

WESTALL, WILLIAM BURY; WESTALL, JONATHAN; and WESTALL, JAMES BURY, cotton manufacturers, Whitaker mills, near Church. Oct. 21. Trusts L. B. Mosley, banker, Liverpool, R. C. Richards, cottonspinner, Kirkham, and J. G. T. Child, accountant, Manchester.

WHITTAKER, JOHN, and BARTON, WILLIAM, cotton manufacturers, Blackburn. Oct. 21. Trusts J. Boyd, commission agent, Manchester, and M. Knowles, merchant, Blackburn.

YEATMAN, JOHN PYM, barrister, Lincoln's-inn. Nov. 10. Trusts H. J. Yeatman, Esq., Adelphi-ter. Strand.

Gazette, Nov. 18.

ALLARTON, GEORGE, surgeon, Southmolton. Nov. 8. Trusts W. Cole, accountant, J. L. Pearce, draper, and R. Chant, wine and spirit dealer, Southmolton. Sols. Pearce and Crosse, Southmolton.

ALLEN, ROBERT RICHARD, corn merchant, Harrold. Oct. 18. Trust B. Sanders, farmer, Odell, C. Fever, farmer, and J. Goff, farmer and grazier, both Harrold.

ASHWORTH, EDWARD, tanner, Bury. Oct. 22. Trust J. Halliday, public accountant, Manchester.

BAILDON, JOHN, dyer, Laisterdyke, near Bradford. Oct. 24. Trusts T. Baildon, railway inspector, Pendleton, near Manchester, and J. Ellis, manufacturing chemist, Wortley, near Leeds.

BARNES, HENRY, and PILLING, JOHN, cotton manufacturers, Shaw Clough-mill, near Newchurch. Oct. 21. Trusts H. Walmsley, commission agent, Manchester, R. Parkinson, and C. Hague, commission agents, both Manchester.

BARNES, ROBERT, manufacturer, Water Barn, near Newchurch, in Rossendale. Oct. 19. Trust R. Fitton, cottonspinner, Royton, near Oldham.

BIRLAND, AMOS, and BURTON, CHARLES TERTIUS, commission and general merchants, Liverpool. Nov. 2. Trust W. Alexander, accountant, Liverpool.

BREEZE, EDWARD, sheriff's officer, Newtown. Oct. 25. Trust E. Lewis, innkeeper, Newtown.

BROOK, URIAH, cottonspinner and manufacturer, Todmorden. Oct. 20. Trusts W. Newell, commission agent, Todmorden, H. Law, cottonspinner and manufacturer, Bromley, and F. L. Stott, machinist, Rochdale.

COOK, RICHARD, boot and shoe maker, Spalding. Nov. 10. Trusts W. Kemp, shoe manufacturer, and A. J. Figg, warehousemen, both Norwich.

DUCKWORTH, CALEB, and DUCKWORTH, EDMUND, manufacturers, Burnley. Oct. 25. Trusts J. Graham, and J. Shepherd, cottonspinners, J. Smallpage, sizer, and M. Watson, agent, all of Burnley.

FRASER, ALEXANDER BRISTOW, commission agent, Bristol. Nov. 10. Trust H. H. Coates, public accountant, Bristol.

FROST, JOHN THOMAS, warehouse clerk, Birmingham. Oct. 20. Trust J. Gething, glass mould maker, Stourbridge.

HACON, EDMUND, granary keeper, Ratcliffe and Bow. Oct. 21. Trust J. J. Saffery, public accountant, Basinghall-st.

HARGREAVES, JOHN, and BRADBURY, ASA, cottonspinners, Oldham. Oct. 20. Trusts W. Hainsworth, cottondealer, Liverpool, J. Mellor, cotton dealer, Manchester, and A. Lees, machinist, Oldham.

HILL, THOMAS, shoemaker, Wolverton. Oct. 26. Trusts C. Pickering, leather seller, Bedford, and H. Holland, shoe manufacturer, Buckingham.

LAMPARD, JOHN EDWARD, bottle merchant, Wheatsheaf-wharf, Wapping. Oct. 17. Trusts R. Hussey, bottle agent, Great Tower-st. and W. Watson, bottle merchant, Old Swan-la. Sols. Ashley and Tee, Frederick pl. Old Jewry.

LIGHTFOOT, THOMAS, and LIGHTFOOT, WILLIAM, sugar refiners, Liverpool. Oct. 11. Trusts T. A. Bushby, broker, and S. S. Parker, merchant, both Liverpool.

MESSENGER, HENRY, innkeeper, High-st. Kensington, Middlesex. Nov. 12. Trusts E. A. Quait, draper, Dartford, and M. Harris, valuer, Stamford-st. Blackfriars.

NEWBY, EDGAR; CARSON, FREDERICK; and EMERSON, AMBROSE, merchants, Old Broad-st. Nov. 2. Trusts J. Wiseman, merchant, Great St. Helen's, H. Vavasseur, manufacturer, Somerset-st. Southwark, W. B. Westall, Manchester, J. Whittaker, King William-st. P. R. Ferguson, Manchester, and H. Haschke, Bow-la. merchants. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

MILLER, DAVID COOPER, baker, Beresford-st. Walworth. Oct. 26. Trust W. Finch, miller, Millbank-st. Westminster.

NUTTER, JOSHUA, cotton manufacturer, New-hall, near Burnley. Oct. 25. Trust A. Haworth, commission agent, Manchester.

OPENSHAW, GEORGE HARDIEL, cotton manufacturer, Over Darwen. Oct. 18. Trusts W. Lee, yarn agent, and J. Knott, cottonspinner, both Manchester.

PARKER, JOHN, iron agent, Leeds. Nov. 2. Trusts J. Holmes, banker, Hunslet, near Leeds, and W. Bingham, grocer, Leeds.

PILLING, DAVID, leather factor, Manchester. Oct. 21. Trust E. Smith, public accountant, Manchester.

PYE, WILLIAM, builder, Preston. Oct. 22. Trusts J. Todd, contractor, and J. Sumner, timber merchant, both Preston.

REUBEN, DAVID, tailor and draper, Newcastle. Oct. 24. Trusts J. Burnett, cloth and general dealer, and N. Cohn, boot and shoe manufacturer, both Newcastle.

ROBERTS, HENRY, lace manufacturer, Nottingham. Oct. 19. Trusts A. J. Maltby, lace manufacturer, and E. Barwick, silk throwster, both Nottingham.

SEDGER, JOHN, victualler, Bristol. Oct. 25. Trust W. Hancock, maltster, Bristol.

SMITH, WILLIAM, general merchant, Ingram-court, Fenchurch-st. and Alyth-house, Highbury-new-park. Nov. 8. Trusts J. Cragg, accountant, Nelson-ter. Twickenham, and J. Cooper, public accountant, Coleman-st.-bldgs.

SMITH, WILLIAM, ship bread baker, Liverpool. Oct. 21. Trust H. C. Langton, accountant, Liverpool. Sol. Quinn, Liverpool.

STAFFORD, JOSEPH HIRST, eating-house keeper, Bristol. Oct. 21. Trusts C. Stafford, jun., painter, Bristol, and H. Pritchard, butcher, Bristol.

STEEL, JACOB ABRAHAM, wholesale jeweller, Gun-sq. Houndsditch. Oct. 25. Trust W. Lee, wine merchant, Philpot-la. Fenchurch-st.

STEEL, ROBERT FLINT, boot and shoe manufacturer, Stroud. Nov. 9. Trust N. Browne, gentleman, Langley.

TODD, ROBERT, printer, Newcastle. Nov. 18. Trust J. Gredmer, accountant, Newcastle.

WALKER, GEORGE; CLARKSON, WILLIAM; and CLARKSON, JONATHAN, dyers, Leeds. Oct. 19. Trusts T. Ellis, and R. Varley, drysalters, both Leeds.

WATERS, JOHN, innkeeper, Newcastle. Oct. 18. Trusts T. G. Anderson, wine and spirit merchant, and A. Gillespie, public accountant, both Newcastle.

Composition Deeds.

Gazette, Nov. 15.

BAKE, HENRY, shipowner, Philpot-la. Oct. 29. Inspectors G. C. Warden, merchant, London-st. and T. Osborne, shipowner, Austin-friars, and Lloyd's.

BARLOW, THOMAS, outfitter, Bradford. Oct. 18. 9s by instalments—3s. 6d. in cash, 2s. 6d. in 3 mos. and 3s. in 3 mos.—secured.

BARR, GEORGE, furniture dealer, Curtain-rd. Shoreditch. Nov. 10. Trust W. G. Barr, cabinet-maker, Curtain-rd. Shoreditch. 7s. 6d. by three payments of 2s. 6d.—secured.

BOLTON, SAMUEL, cigar importer and tobacconist, Gracechurch-st. Nov. 4. Trust J. D. Kachler, Addiscombe, near Croydon. 10s. by three instalments—5s. in 7 days, second and third of 2s. 6d. each in 3 and 6 mos.

BURRIDGE, GEORGE, wine merchant, New Broad-st.-ch. Oct. 19. 2s. by two equal instalments at 6 and 12 mos.

COCKERTON, CHARLES LA CORTE, refiner and merchant, Westbourne-park-villas. Oct. 27. 2s. by two equal instalments on 1st Nov. 1865, and 1st Nov. 1866.

CHARTERS, CHARLES, coal merchant, Northampton. Oct. 17. 5s.

FORSHAW, JAMES HENRY, and FORSHAW, ENOCH SAMUEL, joiners and builders, Preston, Fleetwood and Barrow. Oct. 17. Trusts T. Horn, corn miller, and J. Sumner, timber merchant, both Preston. 10s.—5s. on 1st Jan., 2s. 6d. on 1st April and 1st July 1865.

HALLIWELL, WILLIAM, cotton manufacturer, Blackburn. Oct. 21. Trust P. F. Turner, accountant, Blackburn. 8s. by four equal instalments—1st in 21 days, 2nd, 3rd and 4th at 3, 6 and 12 mos.—secured.

JONES, HENRY, confectioner, Stoke-upon-Trent. Nov. 4. Trust R. Ware, widow, Stoke-upon-Trent. 4s.—2s. 6d. on 26th Dec. and 1s. 6d. at 6 mos.

KAISER, MEYER EMANUEL, diamond merchant, Manchester-st. Argyle-sq. Oct. 17. Trusts J. Tabak, diamond merchant, Belgrave-st. Euston-rd. and E. Heilbron, dutch bitters manufacturer, Chiswell-st. 7s. 6d.—2s. in a mo., 3d. in 12 mos., and 3d. in 18 mos.—secured.

LEATHERBARROW, THOMAS, and PETTERS, ROBERT GRIFFITHS, both Waterloo, corn merchants, Liverpool. Oct. 13. Trusts J. Leatherbarrow, farmer, Hightown, and J. I. Woolcock, gentleman, Thornton, near Liverpool. 15s. by instalments—5s. on 10th Nov., 5s. on 25th Jan., 2s. 6d. on 25th June and 2s. 6d. on 25th Aug.

LESTER, THEODORE CHRISTOPHER, wholesale druggist, Hull. Oct. 27. Trusts G. W. Mackreth, surgeon, Keyingham, and J. G. Cartill, accountant, Hull. 10s. by three equal instalments, at 4, 8 and 12 months.

LOBLEY, WILLIAM, and DUTSON, JOHN, cloth manufacturers and beersellers, Calverley. Oct. 24. Trust W. Briggs, clothier, Pudsey. 5s. by two instalments, of 2s. 6d. on signing deed, and on 26th Jan.

MEED, THOMAS, brewer and corn merchant, Norton, near Stockton-upon-Tees. Oct. 31. Surety J. Mood, widow, Norton. 4s.—half on execution of deed, the other at three mos.

MONTGOMERY, CHARLES, stationer and bookseller, Chester. Nov. 3. Surety J. Montgomery, shorthand writer, Richmond. 7s. 6d. by three equal instalments at 3, 6 and 9 mos.

...ons, JOHN, corn merchant, Manchester. Nov. 10. Trust E. Smith, accountant, Manchester. 8s. 2d. by three instalments—2s. 8d. on 29th Jan., 2s. on 27th May, and 3s. on 27th Aug. 1865.

PAGE, EDWARD LEIGH, gentleman, Holland-cottage, Denmark-st. Camberwell. Nov. 11. 2s. 6d. by two instalments—1s. 3d. on 11th May and 11th Nov. 1865.

POTTER, THOMAS, gentleman, Cheltenham. Oct. 17. 5s.

REID, THOMAS, omnibus proprietor, Old Kent-rd. Nov. 10. 2s. 6d. at 1 mo.

ROAKE, RICHARD WILLIAM, out of business, Gt. College-st. Camden-town. Sept. 29. 2s. 6d.

SCOTT, JAMES, bonnet front manufacturer, Nottingham. Oct. 17. 10s. by two equal instalments on 1st Nov. and 1st Jan.

SNELL, GEORGE BLAGRAVE, jun., shorthand writer, Lower Calthorpe-st. Chancery-la. Nov. 14. Trusts G. H. Snell, sen., Chancery-la. Deed of arrangement to pay 100l. yearly by equal payments of 50l. every 6 mos. until all debts are paid.

THWAITES, THOMAS SUNDERLAND, tailor, Lower Belgrave-pl. Pimlico. Nov. 2. 7s. 6d. by three instalments—2s. 6d. on 14th Nov., 14th Feb. and 14th May.

WALKER, JAMES, and COTESWORTH, HENRY, merchants, Liverpool. Nov. 7. Inspectors A. Young, accountant, Tokenhouse-yd., and T. Gray, broker, Mincing-la.

WINTER, HARRIS, clothier, Leman-st. Whitechapel. Nov. 9. Trust J. Meagher, contractor, Victoria-wharf, Cambridge-heath. 2s. by two instalments of 1s. on the 22nd Dec. and 22nd March.

ERRATUM.

MASON, THOMAS, victualler, White Bear-hotel, Piccadilly. Nov. 8. 5s. by three equal payments—1st in 14 days, 2nd and 3rd in 6 and 9 mos. (and not 6 mos. as before advertised).

Gazette, Nov. 18.

BENTLEY, WILLIAM, chemist, Wolverton. Oct. 26. Trust W. Neve, gentleman, Luton. 7s by 1st April 1865.

CARLISLE, SEPTIMUS EDMUNDS, and PARR, CODRINGTON THOMAS, tea brokers, Mincing-la. Oct. 25. Inspectors W. J. Marshall, Mincing la. and D. W. Mackenzie, Warwick-gardens, Kensington, merchants.

COSSINS, JAMES DYER, factor, Birmingham. Nov. 4. Trust G. D. Cossins, gentleman, Douglas-rd. Canonbury-park. 5s. by two instalments of 2s. 6d. each on 4th Feb. and 4th June next—secured.

CURTIS, WILLIAM, boot and shoe manufacturer, Bull's-head-passage, Gracechurch-st. Nov. 9. 2s. 6d.—1s. in 14 days, and 1s. 6d. in 3 months.

ELLIS, REUBEN, leather dealer, Leeds. Oct. 25. Trust J. Ellis, gentleman, Bradford. 5s. by two instalments of 2s. 6d. on 1st Dec. and 1st Jan.

GLUCK, JOHN, tailor and draper, Langley-pl. Commercial-rd. Nov. 16. 1s. in 3 mos.

GUEST, JAMES, cotton manufacturer, Manchester. Oct. 26. Trust J. Halliday, accountant, Manchester. 6s. on executing deed.

HAWKES, ALFRED BORRADAILE, clerk in the General Post-office, Belsize-rd. Saint John's-wood. Oct. 31. 1s. 3d. every 3 mos. from 4th Dec. until debts are paid.

HAWORTH, JAMES; KEMP, JAMES; and OLDROYD, JOSEPH, cotton manufacturers, Tottington, Lower End. Nov. 7. Trust R. L. Ashworth, manufacturing chemist, Tottington, Lower End. 1s. by two equal instalments on the date, and in 6 weeks—secured.

KETTLEWELL, HARRY MASON, broker, Little Tower-st. Nov. 1. 1s. 6d.

MAUNSELL, CHARLOTTE BARCLAY, Brighton. Nov. 1. Trust L. Christian, agent, Brighton. 5s. by two equal instalments, one within 1 mo. and the other within 12 mos.

MEAD, WILLIAM HENRY, grocer, Green-st. Bethnal-green. Oct. 21. 2s. 6d. in 14 days.

NOBLE, JOHN, ropemaker, Carlisle. Nov. 8. Trust J. Richardson, accountant, Newcastle. 3s.

RUDDER, ROBERT, shoe manufacturer, Wellingborough. Nov. 1. 6s. by two equal instalments at 1 and 2 mos.—secured.

SMYTH, WILLIAM DOVETON, solicitor, Pomona-pl. King's-rd. Fulham, and Rochester-ter. Westminster. Nov. 11. 2s.

THOMAS, FREDERICK GEORGE, and WHITMAN, STEPHEN, engineers, Liverpool. Oct. 19. 7s. 6d. by two equal instalments on 19th Jan. and 19th April 1865—secured.

TULLOCH, THOMAS YELF, grocer, Dorchester. Nov. 7. 4s. 6d.

WALKER, JOSEPH, and SANDS, HENRY, ironfounders, Bramley. Oct. 24. Trusts J. Bailey, timber merchant, M. Swallow, carpet manufacturer, and J. Kelley, wool merchant, all of Heckmondwike, W. Smith, machine and tool maker, Keighley, and W. W. Widdop, ironmaster, Brighouse. 12s. 6d. by four instalments of 2s. each at the end of 3, 6, 9 and 12 mos., 4s. 6d. by instalments of 1s. at 15 mos., and 2s. 6d. at 18 mos.

WHILES, OLIVER, lace manufacturer, Nottingham. Nov. 9. 3s.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

FISHER.—On the 13th inst., at 21, Cavendish-road west, London, N.W., the wife of G. H. Fisher, Esq., of No. 4, King's Bench-walk, Temple, of a son.

MARRIAGE.

PULLEY—BUDD.—On the 10th inst., at St. Mary's, Luton, by the Rev. James O'Neill, vicar, Henry Pulley, Esq., of Bedford, to Frances Mary, widow, of the late Frederick Budd, Esq., solicitor, Buckingham.

DEATHS.

HOWLETT.—On the 19th inst., at 2, Brunswick-place, Brighton, Marianne Elizabeth, the dearly beloved wife of James Warne Howlett, solicitor.

CRAWFORD.—On the 11th inst., at Torquay, aged 59, William Crawford, Esq., barrister-at-law, late Chief Magistrate of Bombay.

HUDSON.—On the 16th inst., at Ouseclifle, near York, aged 67, Wm. Hudson, Esq., Registrar of Her Majesty's Court of Probate for the North and East Ridings of Yorkshire.

PARKINSON.—On the 21st inst., at Southborough, Kent, aged 71, Samuel Parkinson, late chief clerk in the Accountant-General's office, Chancery-lane, and for more than forty years connected with that establishment.

NINETEENTH ANNUAL ISSUE.
This day is published,

THE LAWYER'S COMPANION, DIARY, and LONDON and PROVINCIAL LAW DIRECTORY for 1865, for the use of the Legal Profession, Public Companies, Justices, Merchants, Estate Agents, Auctioneers, &c. Parts II and III. Edited by ROLLA ROUSE, Esq., Barrister-at-Law, Author of "The Practical Man," "The Practical Conveyancer," &c.

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To Readers and Correspondents.

M. I. R.—Thanks for the information. We regret that it was private. We should like to have published the letter.

A. M.—The complaint as to the examination has been made and answered, and the discussion must now cease.

A. J.—We have not sufficient knowledge of the concern to justify an opinion.

SUUM CUIQUE is not quite fitted for publication.

H. L. (Tavistock).—We know of none, and have no means of ascertaining.

C. S. GILMAN.—It was published in the vacation, during the Editor's absence, and doubtless his *locum tenens* omitted to notice that an Act, of which nine-tenths did not concern the lawyers, contained two or three sections of interest to them.

OUR INSURERS.—We have already more than once pilloried these men; but they are rather proud of it than otherwise. They laugh at the Law Society, of which they are not members; and have no fear of Coventry, for they have ceased to regard opinion. There is no law to restrain them, and they sneer at etiquette.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

THURSDAY, DEC. 8.

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NOTICE.

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 1*s.* 10*d.* *in postage stamps.*

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A DIGEST of MARITIME LAW CASES, decided by all the Courts, from the years 1841 to 1860 inclusive. Together with a DIGEST of SALVAGE AWARDS during the same period. Part I, price 2*s.* 6*d.*; to be completed in eight parts.

LAW TIMES OFFICE, 10, Wellington-street, Strand.

This day is published.

THE FOURTH EDITION of HALLILAY'S DIGEST of the EXAMINATION QUESTIONS in Common Law, Conveyancing, and Equity, from the commencement of the Examinations in 1836 to Michaelmas Term, with ANSWERS; also the mode of proceeding, and directions to be attended to at the Examinations. By RICHARD HALLILAY, Esq., Solicitor. Price 7*s.* cloth.

CROCKFORD, 10, Wellington-street, Strand.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

WE are grieved to announce the death of Mr Serjt. STEPHEN, the editor, we might almost say the author, of the Commentaries which were originally Blackstone's. He had attained the ripe age of seventy-eight. His health had been failing for some years past.

THE Law Reporting Scheme of Mr. DANIEL has been approved, at a large meeting of the Bar, only by a measuring-cast majority. All the speakers but two were hostile to the proposition. The folly of the design will be confessed by every man of common sense, when it is seen that it contemplates merely a new set of Reports, in addition to all the existing ones, against which the principal grievance alleged is that they are too numerous. An official report, or the present system of open reporting, is the alternative. The committee were not prepared to recommend the former, and no reason whatever is assigned why new reporters, chosen by themselves, should do the work better than it is done at present by means of the latter.

A VERY unfair endeavour is being made to charge upon the LORD CHANCELLOR all the defects that are daily manifesting themselves in the unlucky Bankruptcy Law, which was produced under his auspices. The Liberal newspapers are merciless in their attacks upon him, and even the Judges ridicule the law with a grim satisfaction that manifestly looks beyond it to its supposed author.

The new Bankruptcy Law, when it was only a project, was opposed by the LAW TIMES, which declared its entire dissent from the principle on which it was framed, and prophesied all the consequences that have actually resulted from it. We are still of the same opinion, both as to its failure, and the cause of that failure; and the conclusions of reason are now confirmed by experience. But we must emphatically protest against the attempt now being made to throw upon the LORD CHANCELLOR the whole burden of the failure. The law was not *his*, in the sense of authorship. If the construction of it had been left to his own clear intellect and legal experience, we should have had a very different measure. So it would have been very different had he gone to the proper quarter for advice and assistance. If he had taken counsel with the Solicitors versed in bankruptcy and insolvency law, they would have placed in his hands a practical scheme, framed in accordance, not only with the claims of creditors, but with the dishonesty of debtors. A committee of practitioners, selected from each of the Bankruptcy Courts in town and country, would have produced a measure fitted for that double duty of a bankruptcy law, the punishment of the dishonest and improvident debtor, as well as the relief of the unfortunate debtor. Instead of this, the framing of the Bill was submitted, if rumour whispers rightly, to one man, whose range of experience was limited, and who moreover was possessed with certain crotchets that touched the very principle of bankruptcy law.

And this was not the worst of it. A far more mischievous machinery was at work to mar the scheme. In evil hour the Mercantile Law Committee were permitted to interfere. This meddling body took into their heads the not uncommon conceit that traders are the best persons to make laws for trade. So the Mercantile Law Committee, composed of merchants and traders, thought that they could construct a law of bankruptcy much better than any lawyer, or jurist, or professional law-maker. Their shibboleth was, dispense with the lawyers and leave everything to the creditors. So they thrust in the creditors' assignee and the arrangement clauses. Then came Parliament, and in both houses the Bill was eagerly debated, for every person thinks himself competent to deal with so familiar a theme as bankruptcy, and in both the Bill was slashed and mangled, parts cut out and bits put in, until its own parent could scarcely have known it. When Parliament does take a Bill to pieces, it is sure to make a mess of it. To Parliament, and not to the LORD CHANCELLOR, the discredit is due, to which the Judges gave expression last week, when Mr. Justice CROMPTON said, "The fact is, the framers of the Act have evidently taken a number of provisions out of previous Acts and jumbled them together. They found some clause in another Act about notice, and cut it with a pair of scissors and put it into this Act without knowing what effect it would have;" and the LORD CHIEF JUSTICE said of it, that the Court was "placed between two alternatives, either of which would be attended with most mischievous consequences."

This is perfectly true, but the blame does not rest with Lord WESTBURY, but with the Mercantile Law Committee and the committees of the Lords and Commons. In any amendment of the law we trust that Lord WESTBURY will rely upon his own sound judgment and large experience for the principle of the measure, invite the aid of practical Solicitors in its details, and commit it to the House of Commons by some efficient hands, who shall undertake to see that any changes proposed are in accordance with all the rest of the scheme into which they are to be embodied.

And we repeat, that no law of bankruptcy can be satisfactory that is not based upon the principle, that not to pay a debt is a wrong done to the creditor, which throws upon the debtor the burden of proof that he has inflicted that wrong through unavoidable misfortune and not through any fraud of his own, or recklessness in incurring debt, which is in truth only a mitigated form of fraud.

THE Q. B. and the C. P. have again decided the question "Who is a traveller?" in accordance with that sound common sense which distinguishes all the judgments of these tribunals. One was an appeal from a decision of Mr. ARNOLD, that a traveller by railway was not a traveller until the train was in motion, and therefore that the railway refreshment-room keeper was subject to a penalty for opening its doors to him during the hours of divine service. An argument on this singular decision, from the pen of an experienced magistrate, will perhaps be remembered by our readers as among the Legal Topics of the following week, wherein it was conclusively shown that Mr. ARNOLD was wrong. The Queen's Bench has now so affirmed. The decision, in strictness, goes no further than this, that an intending passenger by railway is a traveller from the moment of his taking his ticket; but the argument is equally applicable to the case of the passenger about to take his ticket, and, indeed, CROMPTON, J., expressed an opinion to that effect.

The other case in the Common Pleas was of still wider application, and it elicited a masterly judgment from Lord Chief Justice ERLE, in which the objects of the prohibitory statute were clearly stated as being designed to prevent persons from assembling in public-houses for the purpose of drinking there, and not to prevent persons, who may be, as it were, on their way from one place to another, from procuring refreshments. If this was not the purpose of the Act it would be, indeed, most oppressive and unjust towards the poor, who are unable to keep stores for refreshment at home, and it would debar many a pale artisan from the pursuit of health by a country ramble. The question, then, according to this lucid judgment, will be one entirely of *bona fides*. Is the guest really a traveller in this sense of the term, and if not such in fact, was that fact known to the innkeeper? for if he did not know it, he is not liable to the penalty. The burden of proof that the guest is not a traveller lies with the informer. The question of *bona fides* must be determined by a consideration of all the circumstances, of which neighbourhood will be a material one. Both the judgments will be found among the reports to-day, and that of ERLE, C. J. will especially repay perusal. It is singularly eloquent.

THE abominable law by which the English press, and indeed all Englishmen, are subjected to the dominion of the Scotch courts, has been endured, it seems, not only by ourselves and by the *Saturday Review*, but a correspondent informs us that he has been victimised in like manner. He shall tell his own story:

> I was once a sufferer—the following are the simple facts: A Scotch tradesman was in my debt about 100*l.*; I made several fruitless applications for payment, and in my last letter I intimated that the course taken by the debtor was not an honest one in not paying his just debts. Not getting a reply or my money, I employed a solicitor in Scotland to bring an action for the recovery of what was due to me, and then for the first time I learned than an action for libel was brought against me, founded on my letter (which certainly was not libellous in this country), and that my debtor had got judgment against me for 200*l.*, and that he had attached the debt he owed me for the recovery of his judgment and costs. I found I had a remedy, which was by coming into court at considerable cost and setting aside the judgment that had been obtained; this unfortunately for my pocket I did, and the judgment was set aside. I then proceeded to recover my debt, but when I got my judgment the debtor went into the Sequestration Court. In the end I lost my 100*l.*, and had some 150*l.* to pay by way of extra costs.
>
> We should ask that no proceedings be had, except in that part of the United Kingdom in which the alleged libeller shall be resident.

We doubt if the remedy suggested by our correspondent would be either just or practicable. But the action for libel might well be limited to the jurisdiction where it was first published.

THE first case under the New Penal Servitude Act came before the sitting magistrate at Bow-street last week. JOHN LINDON was charged, that holding a ticket-of-leave, he did not report himself as required by the Act to the chief police-station of the district in which he was, within three days after his arrival therein. The prisoner had been convicted, in 1861, of highway robbery with violence, and sentenced to three years' penal servitude. He was discharged with a licence on the 27th Aug., four months before the expiration of his sentence. Notice was then given to him that he would be required to report himself to the police-station within three days

and accordingly he did go to the Clerkenwell police-station on the 31st. He then said that he was living in St. Luke's, and thereupon the sergeant told him that he must report himself once a month at the Old-street station. The police made inquiry in Green Arbour-street, but could find no traces of the prisoner there. He did not report himself either in September or October; the police were ordered to search for him, and he was ultimately found in service at a marine-store shop in Finsbury-market. The excuse for not reporting himself was, that he could not leave the shop for the purpose, and he added that, though he knew that the law required such a self-reporting, he thought that, as he was getting an honest living, and the police could easily find him if necessary, it was a mere form, not intended to be strictly observed. When he gave his address to the police-court, he had lodged there, and when he got a place he sent his address to the governor of the prison. His licence was declared to be forfeited, but Mr. Henry considered that he had no power to remit the prisoner to the remainder of his sentence, and he directed that the case should be reported to the Home-office.

It is singular that the first case brought under the notice of the authorities should so strongly illustrate the objections which we had urged against this provision of the Penal Servitude Act. We contended that it would operate with cruel severity upon the convict desirous to enter upon honest industry; for that the act of reporting himself to a police-office would not only be one of self-degradation, but it would expose him to the discovery of his antecedents, and so deprive him of employment. Just so was it in this instance. Lindon had obtained a situation and was living by honest industry, and he was reluctant to make known to his employer and his own acquaintances that he had been a convict, as he must have done if he had left his shop to wait his turn for a hearing at the neighbouring police-office. Even if he could have gone thither stealthily, his business would have been known to all the policemen assembled there, and small would be his chance of keeping the secret, the preservation of which was essential to the keeping of his place. The system, however, is said to work well in Ireland, and why not here? To the eyes of men of the world in England it presents very objectionable features, and this first experiment augurs ill for its success here.

Complaints continue to be poured forth in the columns of the newspapers against the Land Transfer Act. We have reprinted some of them. Here is the latest addressed to the *Times*:

Land Registry Act.—Sir,—That this Act must fail is certain. 1. It exposes to strangers your family affairs, which alone is sufficient to prevent its being in general use. 2. It gives the Government perfect knowledge of all that you are doing with your property, its value and every other particular. You could not move without telling the Government what your intentions might be. 3. Its supporters do not pretend that it will be of use except in cases of land divided for building purposes. And here again it must be a failure. A. has registered his acre of land and divided it into 100 plots. Under the present system he must have 100 deposit accounts, for no plot would be mapped without a deposit, which would create endless confusion and annoyance.—I am, Sir, your obedient servant,

A Landowner who has had Enough of Land Registration.

The New York correspondent of the *Daily News* has thus answered a commentary of the Law Times on the famous speech of Mr. Shaffer against the extradition of Muller. It will be remembered that our reference was not so much to the speech itself, which was contemptible, but to the fact that it was loudly cheered by the audience, and complimented by the judge, and by the advocate on the other side. Such a speech would not have been tolerated in England, if indeed an advocate in either branch of the Profession could be found capable of such a composition. But, according to our practice, we readily give a place to the other side of the question:

A good deal of surprise and some amusement has been excited amongst the lawyers here by the appearance of an article in the last number of the English Law Times, commenting on Mr. Shaffer's speech on Muller's examination before the United States commissioner, and containing the following passage:

The evil sign is, that even the bar, whose independence of influences alike from above and from below is the pride of this country, should find itself in America under compulsion, not merely to address itself to the dominant democracy, even on the gravest judicial questions, but to do so in a strain of bombastic flattery, that tells us more plainly than description to what a despotism the intellect of the country is subjected. The secession of the South, whatever the pretences and professions, is in fact against this degrading despotism of a majority—this sway of the half-educated many; and there are few cultivated minds who would not rather die, as the Southern gentlemen are willing to do, than live under the intolerable yoke of a vulgar tyranny, that if it does not chain the limbs imposes fetters on the mind.

There is something almost painful in reading such a piece of rhetoric as the foregoing, as it consists mainly of sweeping and absurd conclusions on a subject of which the writer evidently knows nothing whatever. Mr. Shaffer, I need have no hesitation in saying, is what in London would be called "an Old Bailey lawyer;" his standing at the bar is third or fourth rate; he is very eccentric, and his practice is largely criminal. There was very little interest felt here in Muller's case—so little that I scarcely heard anybody open his lips about him the whole time he was here, so that his examination attracted hardly any attention. He had no counsel, and no money to pay one, and Mr. Shaffer and another were asked by the commissioner to defend him gratuitously at the moment proceedings were opened. He had no case. Only one newspaper in New York, the *Tribune*, thought it worth while to report his speech, and that only very meagrely. The *New York Times* only gave it forty lines, and the others about ten. I doubt if five men of intelligence read it, or would think of reading anything that Mr. Shaffer ever says on any subject. The *World* was the only paper that thought it worth while to notice it editorially, and it did so in the following terms, which I think are showy enough to satisfy the most fastidious, and I am satisfied they express precisely the opinions of most of the public:

The case was made the occasion by one of the prisoner's counsel for a very "unsolemn" display of nonsensical oratory touching an ideal "unsolemn state of war," supposed to be existing between this country and Great Britain; and it is impossible not to revere the tenderness for human rights which enables the majesty of the law to be so benignly tolerant of every conceivable thing that can be said on behalf of an accused and imperilled man, that rational beings on the bench will sit and listen by the hour together to such rigmarole as the counsel aforesaid poured forth in the name of his client without pitching an inkstand at his head, or signing an order for his immediate conveyance to a lunatic asylum.

The Bar is not here, as in England, a close corporation. It is recruited from various classes, and by men with various degrees of culture. Fools get admission to it, consequently, with as great facility as in England—poor fools with much greater. The restraints of professional opinion are much weaker, and a blockhead or a clown has consequently a much wider field for the display of his peculiarities here than he would have in London. So that when he goes into court and indulges in absurdities, his brethren and the public rarely think of getting into a rage over it. They let him rave, and don't feel in the smallest degree responsible for his folly. I admit, too, that the standard of taste in literary matters is much less rigid than in England: but there is a standard, and there is a very large class of persons who are offended by such flights as Mr. Shaffer's. But the censorship which some English journals expect them to exercise over the speeches and books of the rest of the community is clearly impossible. Englishmen are apt to forget that nearly every man in America can make a speech, and makes a great many in the course of the year, and that greater numbers than in any other country write books, pamphlets, and articles. Most of these effusions are of course great trash, but if the men of culture and taste were to undertake to critise them all, and point out their absurdities, they would have to give up every other occupation, and would yet fall far short of accomplishing their task. Moreover, speeches like Mr. Shaffer's are, as everybody knows who has ever watched judicial proceedings in France, very common at the French bar. Counsel constantly make up for defects in their case by bombastic appeals to the principles of abstract justice, and rely on "the eternal fitness of things," in a way that would be considered very ridiculous in England. And yet how foolish it would be to conclude from this that the French bar was a degraded body, or that in matters of taste "the uneducated majority" in France ruled the rest of the community.

LAND AND ESTATE MARKETS.

There are several important sales advertised this week, well worthy of attention from our readers.

Messrs. Daniel Smith and Son will sell, in January next, at the Crown Inn, Bridgnorth, an estate of 211 acres, in Shropshire; also a large portion of the borough of Bridgnorth. In Kent, these gentlemen will sell an estate of 21 acres of good building land near Maidstone. The sale will take place at the Star Hotel, Maidstone, on Dec. 13.

Mr. W. Dew, instructed by Messrs. J. and R. Williams, of Beaumaris, will sell, in the spring, the estate of Pwll-y-crochon, of 1200 acres, together with a large house and grounds, situated near Llandrillo.

Mr. Trenerry, solicitor, of Clifton, near Bristol, will sell, by private contract, the life-interest in freehold estates in the county of Lincoln. The income is about 550*l.* per annum.

INVESTMENT JOURNAL.

The reduction of the rate of interest by another 1 per cent. has been followed by a revival of speculation and heavy calls, which it is feared may compel a retrograde movement. Foreign loans are already in the market, and some large schemes have been set afloat. But as yet prices are steady with a tendency to improvement. Spanish stock has made a sudden advance in consequence of news of some contemplated action of the Government in relation to it.

The following are the fluctuations of the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	239	237	239	...	...	239
3 per Cent. Red. Ann.	89¼	89	88¾	88¾	89	89
3 per Cent. Cons. Ann.	91	90¼	90¾	90¾	90¾	91
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	72	...	...	...	...	...
New 3 per Cent. Ann.	88¾	88¾	89¼	88¾	88¾	89
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1890	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89¾	89¾	89¼	89¾	89	89¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	219	219	...	219	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	98	...	...
India 5 per Cents. 1870	104¾	105	105¾	106¼	105¾	...
India Bonds (1000*l.*)	5pm	...	...	...	...	...
Do. (under 1000*l.*)	c	...	...	...	...	...
India Debentures, 1853	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	97¼	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	89	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	101	101	102	...
Do. do. 5½ per c. May 1879	110	...	...	...	...	...
Ex. Bills, 1000*l.*	...	*d*	*e*	*f*	...	...
Do. 500*l.*	...	*d*	...	...	...	...
Do. 100*l.* & 200*l.*	...	*d*	*e*	...	*f*	...
3 per c.	*a*	*d*	*e*	...	*f*	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a June 3½ per cent. 5s. dis.
b Premium.
c Par.
d June 3½ per cent. 4s. dis.
e March 4 per cent. 5s. dis.
f March 4 per cent. par; June 3½ per cent. par.
g June 3½ per cent. 1s. dis.

And the following are the fluctuations of the last month:

	Amnt. per share.	Amnt. paid	Price on Nov. 1.	Highest price during Month.	Lowest price during Month.	Present Price.
		£				
Consols	...	...	89¼ to ½	91¼	89¼	90¼ to ½
Exch. Bills	...	...	11s. dis.	par	11s. dis.	1s. dis. to par
Railways:						
Brighton	Stock	100	103¾	106¼	103¾	105¾
Caledonian	Stock	100	129	134¾	128¾	133
Gt. Eastern	Stock	100	46	49¾	45¾	48¾
Gt. North.	Stock	100	135	138¾	132	134
Gt. Western	Stock	100	76¾	80	74¾	78¾
Lon. & N.W.	Stock	100	116¾	122	115¾	117¾
Midland	Stock	100	134¾	139¾	134	135¾
Lan. & York.	Stock	100	116	118¾	115	118¼
Sheffield	Stock	100	66¾	67¾	65¾	67
South-East.	Stock	100	85¾	89	84¾	86
South-West. Berwick	Stock	100	97¾	99	96¾	98
N.-East.	Stock	100	110¾	116	110	114¾
York & N.M.	Stock	100	98¾	100	98	104¾
Foreign:						
East Indian	Stock	100	103	105	102¾	104¾
Lom.-Ven.	£20	All	20¾	20¾	20¾	20¾

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Arbitration and Award.—A professed arb trator who had enlarged the time for making h award, having refused, although required by t court, to verify the enlargement by affidavit, t Court made an order for his examination und sect. 46 of the C. L. P. A. 1854: (*Roberts* v. *Eva* 11 L. T. Rep. N. S. 336. Q. B.)

Correspondence.

More Advertising.—I send you the inclo printed circular which has been addressed to and I suppose to others of us.

A Country Solicitor

[cort.]

A Solicitor of Experience practising in the immedi vicinity of the Public Offices, has made arrangement the transaction of a particular branch of Agency busin comprising the filing of Documents, making Searc

Stamping Deeds, &c., &c., upon such terms as he trusts will meet with the approbation of the Profession.

On the other side will be found examples of the charges alluded to, and which may be taken as a specimen of those generally adopted.

It is hoped this will not be construed as an endeavour to divert from the ordinary channels any of the more legitimate business of the London agent. The idea has originated in the frequent complaint of country practitioners of the want of a *responsible* medium for the transaction of the minor matters of business, without incurring expenses for the same, which are scarcely chargeable to their clients.

Unexceptionable references can be given.

All communications will be considered strictly confidential.

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Filing Bills of Sale and all similar Documents, when one attendance only requisite including Letters	2	6
Inrolling Deeds, and afterwards obtaining the same enrolled, including Letters	3	4
Inserting Advertisements in *Gazette*, or other Papers, including Letters	2	6
Stamping Deeds, &c.	1	4

COURT OF QUEEN'S BENCH.

INSOLL *v.* THE JUSTICES OF HEREFORD.

Esther Digby moved for a rule calling upon the justices of Hereford to show cause why a commitment made by them should not be brought up on *certiorari* to be quashed. Insoll had been committed to prison for two months for illegally removing his goods for the purpose of preventing a distress, contrary to the 11 Geo. 3, c. 19. It was urged by the plaintiff that by the recent Act of Victoria he ought to have been committed for six months instead of two (laughter), and as he had not had his full measure of punishment the mitigation invalidated the commitment (laughter). The complaint was that he was sentenced to too little punishment (laughter).

Crompton, J.—By the time the rule is returnable, on the 11th Jan. next, the two months will have expired.

Digby—That has expired for some time (laughter).

Cockburn, C.J.—Where is he now?

Digby.—He is at liberty (laughter). He is not now at all events in custody on this commitment. I cannot say exactly where he is (laughter). I am unable to state his reasons for calling upon me to make this application.

Cockburn, C.J.—I suppose you want to get rid of this conviction to enable you to bring an action against the justices.

Digby.—I do not know. I am only desired to see the Act of Parliament properly carried out (laughter).

Cockburn, C.J.—I am afraid he will not give an undertaking not to make any objection to a fresh sentence of six months (laughter).

Digby.—I should be sorry on his behalf to give such an undertaking (laughter). There is another objection to the commitment, that at the time he was adjudged bankrupt and had obtained his order of protection. The rent then became a debt.

Crompton, J.—That did not protect him from the consequences of crime. We have, however, to amend these proceedings, and it is more than probable that if we grant the application we might send him back for the full measure of punishment (laughter).

Digby.—I will not ask your Lordships to do that (laughter).

Application refused.

COURT OF EXCHEQUER.

Re AN ATTORNEY.

Esther Digby applied to the court to dispense with the personal service of a rule which he had obtained calling upon an attorney in the manufacturing district to answer certain matters stated in an affidavit. It appeared that the attorney had been professionally engaged in an action, in which he had received the amount of the debt and costs, and had not paid over to his client. An order was obtained at chambers for the money for the payment of the money, but personal service of this order could not be effected. The object of the present motion was, that service of the rule, by leaving it at the office of the attorney, should be deemed sufficient.

The Court granted a rule.

APPOINTMENT.

Mr. John Henry Mackenzie, of 77, Gresham-house, Old Broad-street, has been appointed a London Commissioner to take affidavits in the Courts of Queen's Bench, Common Pleas, and Exchequer, and in the Court of Chancery.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BATT (George), formerly of 412, Strand, Middlesex, and late of Ga Priory, Sydenham, Kent, Esq., Jan. 1, 1865, Booth 2d Lane, Surrey-street, Strand, London.

SON (Thomas), Belmont, Shrewsbury, Salop, painter, Jan. 10, 1865. C. D. and A. S. Craig, Crescent, Shrewsbury.

BLYTH (Mary), 5, North-crescent-mews, Burton-crescent, St. Pancras, Middlesex, widow, cookkeeper, Feb. 15, 1865. Holmes and Imper, 12, Bedford-row, London.

BOOTH (Edward), 81, Marina, St. Leonard's-on-Sea, and Catsfield House, Battle, Sussex, Esq., Dec. 31. Bell, Brodrick and Bell, 9, Bow-church-yard, Cheapside.

BURTON (W. W.), Leigh, Essex, and 14, Lincoln's-inn-fields, Middlesex, gentleman, Dec. 21. Fearon, Clabon and Fearon, 21, Great George-street, Westminster.

FELTON (James), 3, Warwick-road, Upper Clapton, Middlesex, gentleman, Dec. 31. Digby and Son, 55, Lincoln's-inn-fields, London.

GEORGE (Elizabeth), formerly of Cherrington-park, Gloucestershire, and late of 2, Mythe-villas, Kingsdown, Bristol, spinster, Dec. 31. J. Cooke and Sons, Shannon-court, Corn-street, Bristol.

HAYDON (Emily Foster), formerly of Mortlake, Surrey, but late of St. Ann, Island of St. Kitts, West Indies, widow, March 24, 1865. Iliffe, Russell and Iliffe, 2, Bedford-row, Middlesex.

IVES (John Staples), Copdirews House, Hughendon, High Wycombe, Buckinghamshire, Esq., Jan. 6, 1865. T. Kennedy, 26, Chancery-lane, Middlesex.

KING (George), Devizes, Wilts, innkeeper, Dec. 24. A. Meek, Devizes.

LANGLEY (George), East Barnet, Hertford, formerly a butcher, March 1, 1865. Parker, Rooke and Parker, 17, Bedford-row, London.

LARKTON (Lady Priscilla Susanna), Cheshunt, Hertford, widow, Jan. 27, 1865. Walters, Young and Walters, 9, Lincoln's-inn, London.

MAYO (Mary), Devizes, Wilts, widow, Dec. 31. J. Druitt, Christchurch, Hants.

MORGAN (Evan Anwyl), 142, City-road, Middlesex, coffee-houses keeper, Jan. 31, 1865. Brown and Godwin, 21, Finsbury-place, Middlesex.

MAXOHAN (J. T.), the Abbey, Great Grimsby, Lincolnshire, Esq., Feb. 28, 1865. Carritt and Son, 24, Basinghall-street, London.

PALMER (Joanna), Mongerwell House, Wallingford, Berks, widow, Dec. 31. Roberts and Simpson, 62, Moorgate-street.

PRAN (James), Kington, Hereford, magistrates' clerk, Jan. 21, 1865. Bolenham and Temple, Church-street, Kington.

RAY (James), Park Farm, Wallingford, Berks, farmer, March 25, 1865. J. K. and C. Hedges, Wallingford, Berks.

REDFARNICK (Thomas), Devonport, and also West Park House, St. Budeaux, Devonshire, merchant. Sole and Gill, 3, St. Aubyn-street, Devonport.

SINCLAIR (Catherine), 18, Chesham-place, Belgrave-square, Middlesex, and 151, George-street, Edinburgh, spinster. R. and C. H. Hodgson, 19, Salisbury-street, Strand, London.

STARKEY (Richard), Bracondale, Norwich, gentleman, Dec. 31. T. H. Blackham, St. Giles's-street, Norwich.

SWAIN (Elizabeth), Preston, Lancashire, widow, Dec. 27. W. W. Riley, 6, Chapel-street, Preston.

THOMAS (James), Walsall, Staffordshire, gentleman, Jan. 24, 1865. W. Thomas, 67, Bridge-street, Walsall.

VARSON (Maria Jane), formerly of Madras, East Indies, and late of Eastbourne, Sussex, widow, May 29, 1865. C. J. Anderson and H. Shonbridge, 1, Lincoln's-inn-fields, London.

WATKINS (W. H.), formerly 27, Thornhill-crescent, Caledonian-road, Islington, Middlesex, and late of Earl-street, street, Albany-road, Camberwell, Surrey, and 27, Milner-square, Islington, at result, Jan. 11, 1865. F. W. Hollman, 34, Jermyn-street, St. James's, London.

WATSON (Mary), Millfield-house, Newcastle-on-Tyne, spinster, Jan. 31, 1865. R. H. Dees, Pilgrim-street, Newcastle-on-Tyne.

WICKSTEAD (Eliza), formerly of Wardour-street, Soho, but late of 17, Cornwall-street, Pimlico, Middlesex, widow, Jan. 25, 1865. Hird and Son, Portland-chambers, Great Litchfield-street, London.

WOOD (Robert Henry), Pembroke-villas, Richmond, Surrey, Esq., Jan. 31, 1865. Young and Jacksons, 12, Essex-street, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ADAMSON (James), Ely-place, Middlesex, gentleman, Dec. 12. M. R. Sampson, Samuel and Emanuel, 31, New Broad-street, London.

ALSOP (John), Goole, Yorkshire, master mariner, Dec. 7. V. C. K. J. A. Buckley, 3, Stone-buildings, Lincoln's-inn, Middlesex.

DANIEL (Henry), Nayland, Suffolk, gentleman, Jan. 7, 1865. M. R. 43, J. Ottaway, 29, Essex-street, Strand, London.

DEW (James), Henbury, Gloucestershire, gentleman, Dec. 27. V. C. S. A. Hall, 12, Old-square, Lincoln's-inn, London.

EASTLAKE (Ellen Pierce), Plymouth, Devon, spinster, Dec. 18. V. C. W. Law, Hussey and Hulbert, Lincoln's-inn, London.

HORTMAN (G. F.), formerly of Brighton, Sussex, and late of the city of Bath, Vice-Admiral R.N., Dec. 24. V.C. S. Bennett, Dawson and Thornhill, 2, New-sq, Lincoln's-inn, London.

JACKSON (Thomas), Liverpool, mariner, and Johanna McKeveaklin, or Kivreaklin (niece to the said Thomas Jackson), Liverpool, Dec. 15. M. R. F. Truscott, 4, Essex-court, Middle Temple, London.

JONES (Hugh), Rhydolion, Flintshire, widow, Dec. 23. M. R. S. C. Franklen, 23, Parliament-street, Westminster, London, for P. Morris, Denbigh.

JUSTICE (Rev. John), Ightfield Rectory, Salop, clerk, Dec. 22. V.C. S. Walker and Martineau, 11, King's-road, Gray's-inn, London.

KING (William), 4, White-horse-lane, St. Dunstan, Stepney, Middlesex, Jan. 7, 1865. M. R. T. Westall, 3, Gray's-inn-square, London.

MANSFIELD (Joseph), Gloucester Hotel, Brighton, Sussex, innkeeper, Jan. 10, 1865. V.C. S. Ehrlale and Byrne, 3, White-hall-place, London.

MONTAGU (Montagu), Bath, captain Royal Navy, Dec. 14. V.C. W. Hicks and Son, Gray's-inn, London.

Wright (William), Alpine-cottage, Old Ford, Middlesex, painter, Dec. 26. M. R. G. Hume, Bolt-yard, Chancery-lane, Middlesex.

THURBAR (Benjamin), 104, High Holborn, Middlesex, sword cutler, Dec. 15. M. R. J. Tucker, 28, St. Swithin's-lane.

WILSON (W. S.), formerly of Whitehaven, Cumberland, and late of the city of Norwich, bank manager, Jan. 7, 1865. M. R. Helder and Kirkbank, 10, Gray's-inn-sq, London.

WRIGHT (John), Barkingside, Essex, jobber, Dec. 19, V.C. S. Robson and Tidy, Clifford's-inn, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are printed to each in three months, unless other claimants sooner appear.]

ACTON (Frances), Fenton, Somersetshire, spinster. Dividends on 55*l.* 9*s.* Reduced Three per Cent. Annuities. Claimant, Rev. Edward Gentley Acton.

CARPMAN (Stephen), Dover, whitesmith, and MINGAYE (Thomas Ewer), Dover, plumber and glazier. Dividends on 210*l.* 2*s.* 5*d.* Three per Cent. Consols. Claimant, Thomas Ewer Middleton.

DRAKE (Arthur Frederick Terwhitt), Amersham, Bucks, Esq. Dividends on 1*l.* 12*s.* 4*d.* Three per Cent. Consols. Claimant, Arthur Frederick Terwhitt Drake.

MONRO (Horace George), Trinity College, Cambridge, Esq. Dividends on 126*l.* 18*s.* 3*d.* Reduced Three per Cent. Annuities. Claimant, Horace George Monro.

VERRALL (John), Hoyl, Sussex, Esq. Dividends on 124*l.* 17*s.* 7*d.* New Three per Cent. Annuities. Claimant, John Verrall.

THE BENCH AND THE BAR.

LAW REPORTING.

On Monday the adjourned meeting of the Bar was held at Lincoln's-inn. The Hall was hardly half filled with members of the Bar; of whom nearly the whole—beyond all doubt, the great majority—were Chancery barristers.

The Attorney-General, on taking the chair, opened the proceedings with a few brief observations, in which he expressed no opinion one way or the other.

Mr. Daniel, Q.C., rose to move that the report—that is, the scheme—be adopted. In so doing, he said the great object had been to establish—if possible without external aid—one standard set of reports, prepared with such care and skill, and published at such a moderate cost, as to command the confidence and support of the profession. He would not, he said, enlarge upon the evils of the present system, which he presumed were present to the minds of all. (Hear, hear.) The scheme was, he believed, calculated to afford a practical remedy to a practical evil. That was its sole scope, for the promoters of it did not pretend to be law reformers. His object had been to see upon what footing, in a commercial point of view, the scheme could be put so as to be, if possible, self-supporting. A calculation had been made of the number of copies of the regular law reports sold about forty years ago, the time of Barnewall and Cresswell's Reports, in the Queen's Bench, a period anterior to competition. He found that there were then 4000 copies of the Common Law regular reports sold, and 2000 of the Chancery. He had taken the latter, the lower number, as the basis of calculation. He had then consulted one of the most eminent printers in London—Mr. Clowes, of Stamford-street—as to the cost of printing a "part" of the "regular reports"—about the size of one of the most expensive Clark's Cases in the House of Lords, which cost about 12*s.* 6*d.* He found that on a circulation of 500 the cost would be 1*s.* 10*d.*; of 1000, 1*s.* 4*d.*; of 2000, 1*s.* 2*d.*; of 3000, 11¼*d.*; of 4000, 10½*d.*; and on a circulation of 5000, 10½*d.* (Hear.) Then, as to the salaries of reporters, the estimate was about 10,000*l.*, the first moiety of which was to be guaranteed (if required, and if possible) out of the Suitors' Fund or the Consolidated Fund. He had no desire himself that either of these funds should be resorted to. Nor did he believe that it was necessary to have such assistance; or that, if it were so, that it would be attainable. But the committee had deemed it best to include that element as part of the scheme.

Mr. W. M. Best, one of the "regular" Queen's Bench Reporters, rose to move as an amendment the omission of that part of the scheme which related to the editors. The new system would introduce all the evils of a divided responsibility; and, at the same time, the independence of the reporters would be endangered or rather destroyed, and a wide door opened for all influences.

The Hon. George Denman, Q.C., next addressed the meeting. He said he objected to the scheme, not upon detail, but upon principle. He thought it objectionable in point of principle whether it failed or succeeded. Its success would depend upon securing a large number of subscribers—at least 2000. It would introduce a new set of reports, which would break the continuity of those which were now established, and thus would produce a great inconvenience. If it failed, then this expense and inconvenience would have been incurred for no useful purpose. (Hear, hear.) And if it succeeded it would establish, naturally, a monopoly, and it was assumed that it would hardly succeed without. (Hear, hear.) In that event it would soon become as bad as any—(hear)—and thus we should lose our present reports without substituting any better, and with the great evil of establishing a virtual monopoly. (Hear.) And for what reason should this risk be incurred? Why was it necessary to establish this great joint-stock company of the Bar. (Hear.) He belonged to the Common Law Bar, and most of those present were of the Chancery Bar, and he believed the scheme originated at the Chancery Bar, and had its principal supporters among them; and in Chancery, where the judge had to decide questions of fact as well as of law, it was obviously much more difficult to report than in the courts of law, where juries determined matters of fact, and the law was thus so completely severed from the fact. Therefore it might be that the evils of the present system were felt more at the Chancery Bar than at the Common Law Bar; but his own impression was that they were not so much felt at Common Law Whatever they were, however, he did not think it would be well to adopt the proposed scheme, which if it failed would do a great injury, and if it succeeded would only establish a monopoly. (Hear, hear.) In the end it must come to that, and then he apprehended that few cases would be reported, and we should lose all the benefits of competition and free trade. He had a strong impression that every case which could at all be looked upon as involving a point of law ought to be reported. (Hear, hear.) He knew that it often happened that cases were not reported which, as it turned out, were of great importance, and were afterwards required. (Hear,

hear.) He believed that it would be most dangerous to allow to any body of persons a power of excluding or suppressing cases deciding points of law (hear, hear); and he foresaw great evils from the proposed scheme, whether it failed or whether it succeeded. (Hear.)

Mr. Osborne Morgan (of the Chancery Bar) objected to that part of the scheme which proposed that the present regular reporters should have the option of engagement under the new system. That was, in his view, inconsistent. If the present reporters did their work well, why want a new system? If they did it so badly as to require a new system, why retain them? He rather agreed with Mr. Best as to the editors. He knew very well how easy it was to spoil a good report, and how hard it was to mend a bad one. (Hear.) He observed that it had not been stated how many subscribers had set their names down. (Hear, hear.) He had heard that the number was hardly a tenth of the number required. (Hear, hear.) He moved the omission of the provision as to the present reporters.

Mr. Joshua Williams, the eminent conveyancer, said he was all along persuaded that the Bar would have to choose between the principle of authority—involving exclusive citation—and the evils of the existing system; for, without authority and exclusive citation, the new reports must merely compete with others, and only add one more to the already numerous competitors. (Hear, hear.) Now, authority could only be obtained from some paramount power. It could not be conferred by any "council" of the Bar. (Hear.) It would be strange to leave it to a body of barristers to exercise the functions of a court of error, and decide that such and such cases should or should not be cited with authority. (Hear, hear.) The authority must be derived from some power equal to and, indeed, higher than that of the judges; and what could that be but the authority of Parliament? (Hear.) Parliament alone could enact that such and such reports should be cited. With such authority the Profession would obtain what they wanted; otherwise they could not. (Hear, hear.) There was no security in the scheme that there should be reports of all cases decided (upon questions of law) in the courts, which was very important. (Hear.) For that purpose the reporter must be always in the court. (Hear.) But, in his view, the whole scheme would be useless without the element of absolute authority. (Hear.)

Mr. Webster (the eminent patent law counsel) then addressed the meeting in favour of the scheme. It was not, he said, perfect, perhaps; every human scheme must be more or less a compromise. (Hear.)

Mr. Ince (editor, we believe, of the *Jurist*) doubted the figures which had been laid before them. Estimates, he said, were proverbially delusive, and, for his part, all he could say was that from actual experience he was persuaded that the scheme could not succeed with less than 3000 or 4000 subscribers.

Mr. Hemming, one of the regular reporters in Vice-Chancellor Wood's Court, proposed that the committee lay before the Bar the financial *data* on which they proposed their scheme, and, above all, the results of that appeal to the profession which was to be made after the last meeting (hear), and that in the meantime the meeting be adjourned.

Mr. Edward Webster (a retired Chancery barrister) thought the Bar was about to make a great mistake in dealing with the question in a commercial kind of way; and he was persuaded that no good could be done without Parliamentary authority. He therefore moved, as an amendment, that the subject be brought by the Government to the notice of the Legislature, with a view to the application of a remedy.

The Attorney-General now put the various amendments in their order. They were all negatived by show of hands, except Mr. Hemming's, upon which there was a close division, but it was lost by 111 to 126.

The original resolution for the adoption of the report was then put, and although upon a show of hands the numbers were at first doubtful, and there were cries for a division, yet as that call (it being late, and gentlemen being anxious to get away) was not pressed, the show of hands was taken a second time, and then the resolution was declared to be carried.

The resolution was then agreed to.

Thanks were voted to the Attorney-General, and the committee, and the meeting separated.

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES ON NEW DECISIONS.

Public Health Act.—The monstrous power which this Act gives to the local board of health to deal with private rights has received a trifling limitation. The board cannot, it seems, require the level of a street to be raised or lowered so as to bring it into uniformity with the adjacent streets; the word "levelled" in the Act having reference only to the curing inequalities within itself: (*Caley* v. *The Board of Health of Kingston-upon-Hull*, 11 L. T. Rep. N. S. 339. Q. B.)

Town Police Clauses Act.—A local Act incorporated this Act, sect. 37 of which provides for the licensing of hackney-carriages within the town, and sect. 45 inflicts a penalty for plying for hire without a licence. The possession of a licence required by the Inland Revenue on carriages is no answer to an information for plying for hire within the town. Both licences are necessary: (*Buckle* v. *Wrightson*, 11 L. T. Rep. N. S. 341. Q. B.)

Church-Rates—Jurisdiction of Justices.—A local Act provided for levying a church-rate, and gave an appeal to the quarter sessions to be held within three months after such distress made: (*Wilson* v. *The Churchwardens of Sunderland*, 11 L. T. Rep. N. S. 342. C. P.)

Meaning of the Word "Inhabitant."—In the case of *Wilson* v. *Churchwardens of Sunderland*, 11 L. T. Rep. N. S. 342, Erle, C. J. thus defined the meaning of the term inhabitant: "Must the inhabitant of a parish be necessarily a person sleeping within it? From the terms of the Statute of Bridges, passed many centuries ago, the word inhabitant, in statutes relating to the levying of rates, has been construed to mean an occupier of land within the rateable district. I know of no instance of limitation to occupiers of a parish living in it. The one exception is in cases relating to settlement of the poor, where the refinements that took place led to most inconvenient results."

HIGHWAYS LAW.

[Note.—A department of the Law Times will be devoted to communications and inquiries upon this subject.]

It has been decided by the Queen's Bench, in *Reg.* v. *Bluffield*, 11 L. T. Rep. N. S. 337, that the outgoing surveyors of the parish are bound to collect any part of a highway rate that may be outstanding when the parish is incorporated in a highways district, and pay the same over to the district board. The words "and then remaining unpaid," in sect. 43, mean such rates as are unpaid at the end of seven days from the appointment of the waywarden.

Correspondence.

Highways Law.—Allow me to supplement your recent valuable remarks on the Highway Act by a few others, which occur to me as a practical man, an old surveyor of roads. I never could discover any power for compelling the repair of fences adjoining a public highway. The highway was said to be my domain, yet I had no dominion over the fences of it. Drovers complained of a particular mile, where both sides belonged to one proprietor. All the fences of that estate were neglected. Cattle travelling southward got through the gaps, droves were partly on the road and partly on each side; men and dogs were over the fields in vain, and generally they drove all three portions simultaneously southwards, seeking other gaps through which to re-unite them upon the road. I had no power to compel repairs either by landlord or tenant. My domain was restricted to the road, and I told the drovers it was a good one. They said no road was good for them which so wasted their time, and involved them in the risk of being fined for leaving it and neglecting their beasts upon it. My power was to clear the road of obstructions. I could remove overhanging trees and compel the dressing of overgrown hedges, because they interfered with the road. But no power was given by the Legislature, except on the principle that the road was to be clear of nuisance and obstruction, but would do very well either without fences or with inefficient ones; yet practically an inefficient fence is a nuisance and obstruction to a drover. Where there is no fence, he knows what to do, and can arrange accordingly. But where there is a deceptive semblance, or pretended, defective fence, he is thereby actually (though not in law) deceived, annoyed and obstructed. Being near an increasing manufacturing town, I have three distinct times, during its extension, known the following case: Imagine a hedge belonging to a duke, and separating his estate from that of an earl, which lies south of it. Along the margin of the duke's estate, *i. e.* immediately north of his hedge, there is a public carriage highway through his open fields. The earl has the right of passing from his own fields through that fence, at stated gateways, to that highway. As the population increases, the duke finds that they do not keep the track, but trespass northward over the grass of his estate. He therefore fences the highway off by a new hedge, on the north side of the highway, and thus, as it were, abandons the soil of the highway to the public. After this, the two landlords, or their tenants, almost invariably quarrel about the old fence. It is no longer the fence of the duke's tenant's holding; he now trusts entirely to his new one. How much the public and their cattle may go through neglected gaps in the old fence, and thereby trespass into the earl's fields, or how much the earl's cattle may stray through such gaps into the highway, are now matters equally indifferent to the duke's tenant, because he has now a new fence which shuts out all such disturbance. The surveyor is powerless, as I have already said, and the earl himself has no right to touch the old defective fence, because it is the duke's property. In the next stage of advance the two properties are wanted as building ground, and the earl authorises a row of houses about twenty feet south of the old fence, and dedicates that twenty feet to the public, as a second road on the south side of the old highway, but still separated from it by the duke's old hedge. The duke insists on maintaining that old hedge as his property, often in a disorderly state, with the ditch full of refuse. But it answers its present purpose, of annoying the public and depreciating the neighbourhood until other streets are filled, or until it is bought off. Now, these are not the purposes for which the law contemplates fences. To interfere with private property is a dangerous thing, but if the surveyor of highways were empowered to insist, that where there are fences to his road, they shall be proper and orderly, he could compel the duke to remove that fence entirely, or else to maintain it neat and orderly in the interests of the public. (Observe, the interest of the landowner is the sole interest in which fences exist at present.) A negative power would thus vest in the surveyor, under which he might compel some expense on the nuisance, and that expense might perhaps induce its entire removal, as the landlord's economical alternative. Too much is expected from human nature, if we expect that a tenant taking the duke's farm in such circumstances will properly repair the old hedge. He always says, "I do not care about that fence. I repair the fences which defend my own farm; why should I repair that one across the road? It defends only my neighbour's fields, but none of mine." And yet, if that neighbour should proceed to repair it himself, the duke forbids that, as a trespass, and orders his own tenant to perform his duty. How that duty is performed under such circumstances may be seen, as a nuisance, wherever the case occurs. To meet these positions, without doing injustice to any party, the next Highway Act should have a clause like this: "When any fence adjoining to a highway shall, in the opinion of the surveyor, be insufficient for the prevention of straying or trespass into or out from such highway, he shall require the tenant or occupier of the land thereby separated from the highway to put the same fence forthwith into sufficient and appropriate repair and order with suitable materials and workmanship, having regard to the circumstances and character of the neighbourhood and the usages to which such land is then applied. And if such fence be not put into such repair and order within ten days after such requisition, such surveyor shall proceed to do the work as surveyor of the highways, and to recover the expenses thereof from such tenant or occupier in like manner as the expenses of cutting, pruning, or plashing hedges adjoining the highway. And if such tenant or occupier shall not be the party who in fact ought to do the work, he shall be entitled after having done the same or paid the expenses thereof to recover the value thereof by the like means from the party who ought to have done it. And in like manner any party, after having been compelled to expend such value, shall be entitled to the like remedy against any other party liable to repair such fences or any part thereof, or to bear such expense or any part thereof. Provided that nothing herein shall give to the surveyor in the first instance any remedy except against the actual tenant or occupier of the land immediately separated from the highway by such fence. Nor shall any such work of reparation by virtue of this Act, nor any entry on land in connection therewith, subject the party so working or entering to any action of trespass or otherwise for such work or entry."

R. N.

Answer.

Highways.—In reply to the query of "M. D. R." I do not think the highway surveyor would be justified in removing any soil from the slips of land adjoining the highway. Possibly 5 & 6 Will. 4, c. 50 (amended by 4 & 5 Vict. cc. 51 and 59, and I think a still more recent statute) may bear upon the point. I am from home at present, and have no access to the statutes. I do not remember to have seen any case upon the point, but I think there can be little doubt upon the subject.

J. M. S.

THE MIDDLESEX MAGISTRATES.

At a meeting of the Middlesex magistrates on Thursday week,

Mr. E. W. Cox asked the chairman (Mr. Pownall) for an explanation of a statement which he had seen in the public journals, signed by a magistrate then present, to the effect that an anonymous pamphlet, in reference to a late discussion on the question of appointing a Roman Catholic chaplain to

their gaols, had been printed and circulated at the expense of the county. He hoped to hear a denial of that statement.

The Chairman said he must plead guilty to the charge, although it originated in a mistake. When he circulated the bill on the subject among the county magistrates, he had thought it right to append to it some observations of his own, and by some mistake those observations, instead of being sent to his own printer, were sent to the county printer and charged for in the county accounts. The expense was just 1*l.* 18*s.* 3*d.*, which, of course, he should hand to the treasurer. It would only have been fair of the magistrate who had written this letter to the papers to state what a small sum the cost was.

Mr. Swift said it made no difference in the principle of the thing whether the charge was 1*l.* 18*s.* 3*d.* or 18*l.* It certainly was most improper in the chairman to print and circulate at the public expense statements maligning a large portion of Her Majesty's subjects.

The Chairman said, if Mr. Swift would point out to him a single statement in those remarks maligning any one of Her Majesty's subjects, he would withdraw it.

Mr. Swift repeated that there were statements in the pamphlet which were completely inaccurate, and which grossly maligned persons of the Roman Catholic religion. It was most improper that such statements should have been circulated along with the county papers.

Captain Morley and several other magistrates said they had received theirs quite separately from the county papers.

The Chairman explained that a few had been sent out with the county papers, but the rest he had sent out himself.

Mr. Cox said he was satisfied with the explanation, and the subject dropped.

At the Council Chamber, Whitehall, Lord Belper took the oaths as a Lord Lieutenant of the county of Notts, in the room of the late Duke of Newcastle.

Lord Wenlock has been appointed Lord Lieutenant of the East Riding of Yorkshire, in the room of the Earl of Carlisle, whose state of health has obliged him to resign.—*Globe.*

A deputation of the magistrates of Yorkshire, consisting of Lord Wenlock (chairman), Earl Cathcart, Admiral the Hon. A. Duncombe, Mr. Robert Wylie, Mr. John R. Greenwood, Mr. Frank Wormald, Mr. Frank Darwen, Mr. John Michell, and Mr. R. W. Hildyard, accompanied by Mr. Marsden (solicitor for the West Riding), Mr. Coates (parliamentary agent), Mr. Leeman (clerk of the peace for the East Riding), and Captain Lowrie (governor of York Castle), had an interview with the Right Hon. Sir Grey, at the Home-office, on Saturday, on the subject of York Castle.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS

LIABILITY FOR ACTS OF AGENTS.—When the directors hold out in the world a certain person as their agent for a particular purpose, and he enters into a written contract on their behalf, and they ratify his conduct as their agent, they cannot afterwards dispute the contract so made, if it was within the scope of the agency they had recognised, and specific performance will be decreed. The reason given by the M. R. is sound: "A stranger can never prove the authority of the company in such matters; he deals only with the persons who are known as the officers and servants of the company. But the decision in the *London and Birmingham Railway Company* v. *Winter*, Cr. & Ph. 57, shows that this court cannot allow a company to play fast and loose in such a case; when they take a contract, to bind a stranger dealing with them under it, but when their interest is altered, to retire from it and inform the stranger they are not bound by the acts of their servants:" (*Wilson* v. *The West Hartlepool Railway Company*, 11 L. T. Rep. N. S. 327. M. R.)

But a person employed as the agent of an insurance office is not entitled, without special authority from the board, to undertake that a policy shall be granted. His duty is to obtain proposals, and to grant policies is not within the scope of his authority: (*Linford* v. *The Provincial Horse Insurance Company*, 11 L. T. Rep., N. S. 330. M. R.)

FRIENDLY SOCIETY.—Where the rules of a friendly society made no provision for its dissolution or extinction, or for the application of the funds of the society, in either of those events the sole surviving member of the society was held to be entitled to the income of the funds for her life, with liberty to any party who might then be interested to apply to the court: (*Spiller* v. *Meade*, 11 L. T. Rep. N. S. 329. M. R.)

RAILWAY—LANDS CLAUSES ACT.—It is a settled rule that a railway company may be required to pay the costs of more than one application for investment under the Lands Clauses Act, whenever it is shown that the division of the purchase-money is fairly for the benefit of the parties entitled: (*Re Apperley's Estate*, 11 L. T. Rep. N. S. 335. Wood, V. C.)

CONTRACT BY COMPANY—WINDING-UP.—A company for the purpose of buying estates in India agreed with a stockbroker to give him 400*l.* more if all the shares were allotted. The vendor of the estate evading his bargain, the company resolved to wind-up. In an action by the broker for the 400*l.* contracted to be paid to him, they were held to be liable, as they had by their own act prevented the allotment of the remaining shares: (*Inchbald* v. *The Western, &c. Tea Company*, 11 L. T. Rep. N. S. 345. C. P.)

LAW STUDENTS' JOURNAL.

QUESTIONS FOR THE EXAMINATION.

MICHAELMAS TERM, 1864—SECOND DAY.

(*Concluded from* p. 44.)

IV. PRELIMINARY.

36. What is now your age?

37. Where, and with whom, did you serve your clerkship?

38. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.

39. Mention some of the principal law books which you have read and studied.

40. Have you attended any, and what, law lectures?

V. EQUITY AND PRACTICE OF THE COURTS.

41. Mention the different modes by which a suit in Chancery may be defended, and the nature of each mode of defence.

42. What time is allowed for taking the following steps in a suit:

(*a*) Filing interrogatories for the examination of a defendant.
(*b*) Filing a voluntary answer.
(*c*) Excepting to an answer.
(*d*) Amending a bill.
(*e*) Filing affidavits on behalf of a defendant in answer to the affidavits filed in support of a motion for a decree.

43. What proceedings must be taken upon the abatement of a suit by the death, before decree, of any of the parties to the suit?

1. Where the abatement arises by the death of the plaintiff.
2. Where it arises by the death of the defendant.

44. Trace the course of proceeding on a sale of an estate under the direction of the court, from the order directing the sale, to the confirmation of the certificate of the result of the sale.

45. What time is allowed for opening biddings? under what circumstances will an application for that purpose be entertained? and what steps must be taken by a person who is desirous of having the biddings re-opened?

46. What powers are conferred upon the Court of Chancery by the Act commonly called "The Leases and Sales of Settled Estates Act?"

47. Explain the doctrine of "Ademption" with reference to specific legacies, and also to legacies given as portions. Illustrate your answer by examples.

48. Explain the doctrine of "satisfaction" of debts and portions by legacies. Illustrate your answer by examples.

49. If A. dies intestate, leaving a mother, wife, two sons and three daughters him surviving, how will his property be divided, consisting of

(*a*) Freehold farm in Kent.
(*b*) Freeholds intermixed with leaseholds in Sussex.
(*c*) Freehold farm in Surrey, contracted to be sold.
(*d*) Railway bonds.
(*e*) Government stock.
(*f*) New River shares.

50. In favour of what objects will equity grant relief against a donee of a power who has executed the power defectively.

51. If a donee of a general power of appointment over a fund exercises the power, can his creditors claim the fund against the appointee and purchasers from him?

52. Define a chose in action, and mention what steps are necessary to render an assignment of a chose in action effectual.

53. Can a married woman alienate a chose in action vested in her, and how, and with any, and what exceptions?

54. In respect of what species of property, and when, are probate duty, legacy duty and succession duty respectively payable?

55. What is the effect of a bequest of residuary personal estate

"To my friends and relations,"
"To my near relations,"
"To my nearest relations,"
"To my poor relations," and
"To the most necessitous of my relations?"

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.

56. State the objects of the Bankruptcy Laws, and what classes of persons are affected by them.

57. What change did the Act of 1861 make in the law as to the persons liable to be made bankrupt?

58. Is the position of traders, and non-traders, different under the Act of 1861, and if so, in what respects?

59. What are the essentials to constitute a trading?

60. State how acts of bankruptcy may be classified, and give instances of each class.

61. Describe the proceedings which may be taken against a judgment-debtor.

62. Describe the proceedings on a trader-debtor summons.

63. What parties may petition for an adjudication?

64. In what cases is a petitioning debtor to file his petition in a County Court?

65. State the amount prescribed for a petitioning creditor's debt.

66. Describe the proceedings which follow the presentation of petition in order to obtain adjudication.

67. What is the effect of adjudication as to the property of the bankrupt, and as to the goods and chattels of strangers in the possession of the bankrupt?

68. Are there any cases in which the goods and chattels of strangers in the possession of the bankrupt are not affected by the adjudication?—If so, state them.

69. What is the object of the provisions relating to reputed ownership of goods and chattels?

70. Mention some properties which are treated as "goods and chattels," in the application of the provisions referred to in the last preceding question, but which do not come within the ordinary signification of the words.

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. If a justice of the peace be required to do an act relating to the duties of his office, and he refuses, by what mode can the party requiring the act to be done compel the justice to do it?

72. If a justice wrongfully convicts a man (*e. g.*, for an offence over which the justice has no jurisdiction), can the man get rid of the conviction, and how?

73. If X. be indicted for stealing from the person of Y., and the evidence be that X. attempted unsuccessfully to pick Y's pocket of a purse that was in it, what ought the verdict of the jury to be?

74. If X. be indicted for stealing from the person of Y., and the evidence be that X. put his hand into Y.'s pocket with intent to steal Y.'s purse, but that the pocket was empty, what ought the verdict of the jury to be? Give reasons for your answer.

75. If a witness against a person charged with an indictable offence die after his deposition has been taken and before trial of the accused, what proof must be given before the deposition can be read in evidence at the trial?

76. A. is the owner in fee of a game covert through which runs a highway. B., in the day time, stands in the highway, and, without any authority from A., but in spite of him, shoots the pheasants as they fly from one side of the highway to the other. Does B. commit any, and what, offence? Give reasons for your answer.

77. Within what time must a woman, who has been delivered of a bastard child, apply to a justice for a summons against the person alleged to be the father, in order to obtain an affiliation order?

78. For how long a period is an affiliation order in force?

79. If the putative father wishes to appeal against the order, within what time must he give notice to the mother of his intention to appeal, and within what time must he enter into recognisances to prosecute his appeal?

80. Name the offences for which no indictment can be preferred without a preliminary inquiry before justices.

81. If upon the trial of a person indicted for larceny it be proved that he embezzled the property in question, what verdict ought the jury to give? And what if it be proved that he obtained the property by false pretences?

82. State the distinction between felonies and misdemeanors as to principals and accessories.

83. A., a peace officer, lawfully apprehends B., B. resists A., a conflict ensues in which neither use more force than is necessary to attain his object, B.'s object being to escape, and A.'s object to overcome B.'s resistance. If in the conflict B. kills A., what offence, if any, does B. commit? If A. kills B., what offence, if any, does A. commit? Give reasons for your answer.

84. Is giving a false character of a servant a punishable offence, and if so, what is the penalty, and how enforced?

85. Upon an information before justices against an alehouse-keeper for letting persons of bad character meet in his house against the tenor of his licence, for which he may be fined and in default of payment imprisoned, is the alehouse-keeper a competent witness? Give reasons for your answer.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

BANKRUPT'S OWN PETITION—COSTS.—Where a debtor presents his petition *bonâ fide*, and is adjudicated thereunder, bringing in a fair amount of assets, the court will order the taxed costs of his solicitor down to the choice of assignees to be paid out of the estate: (*Ex parte Scott, re Gilliam*, 11 L. T. Rep. N. S. 318. Goulburn, C.)

BANKRUPTCY—FIRE INSURANCE—LIMITS OF 14 GEO. 3, c. 78, s. 83—TRADE FIXTURES.—The lessee of a public-house at Dover, being under a covenant to leave and deliver up the premises with the fixtures, whether trade or otherwise, at the expiration or other determination of the term, insured the premises in pursuance of a covenant, and having enlarged and altered the premises, effected separate insurances in his own name of the house, of the trade fixtures, and of his own household goods. He had also mortgaged the premises comprised in the lease. A fire took place, and the lessee, having obtained part of the insurance money, absconded and was adjudicated a bankrupt. The rest of the insurance money, having been handed over to the assignees, was claimed by the lessor to be laid out in the reinstatement of the premises. The Court held, upon the construction of the 14 Geo. 3, c. 78, s. 83, that the 83rd section is applicable to the whole kingdom, and is not confined to the districts specified in the preamble to the Act; consequently, that the insurance money for the house must be applied in reinstating the premises: also that trade fixtures put up by the tenant are not within the words "houses or other buildings" mentioned in the 83rd section of 14 Geo. 3, c. 78; consequently, that the insurance money for the fixtures passed to the assignees: and inasmuch as the act of bankruptcy of the tenant also determined the term, the mortgagees, having lost their security, were permitted to prove for their debt: (*Ex parte Goreley, re Barker*, 11 L. T. Rep. N. S. 319. L. C.)

ARREST OF DEBTOR AFTER EXECUTION OF A DEED OF ARRANGEMENT, BUT BEFORE REGISTRATION.—Where a debtor who has executed a deed of arrangement under sect. 192 of the B. A. 1861, is arrested on a *ca. sa.* issued after the execution of the deed, but before its registration, he is entitled, under sect. 198 of the Act, to his discharge from custody, upon the deed being subsequently duly registered within the statutory time: (*Baerselman* v. *Langlands*, 11 L. T. Rep. N.S. 348. Ex.)

COMPOSITION-DEED — PROPERTY-TAX.—If a party, knowing all the circumstances, make a payment without taking advantage of his right to make certain deductions at the time, he cannot afterwards claim a set-off as between himself and his creditor for such omissions. Therefore a debtor, making payments to his creditor from time to time for interest, without deducting the property-tax, will not be allowed, upon finally settling the debt, to deduct the amount of back payments in respect of such tax from the balance of the debt due at the time of settlement: (*Ex parte Turner, re A Trust Deed*, 11 L. T. Rep. N. S. 352. Holroyd, C.)

NEW ORDER IN BANKRUPTCY.

The following new order in bankruptcy has just been issued:—

"LORD CHANCELLOR—IN BANKRUPTCY.

"Friday, the 25th day of November 1864.

"Whereas, defaults have from time to time been made by several of the official assignees of the Court of Bankruptcy, and serious losses have thereby been occasioned to creditors under bankrupts' estates, and it is desirable that such occurrences should be prevented for the future. And whereas, from recent investigations directed by me into the accounts of the official assignees and messengers of the Court of Bankruptcy for the country districts, very great irregularities have been discovered, and it is expedient and will be satisfactory to me that the books and accounts of every official assignee and messenger of the Court in the London district should undergo a similar investigation. Now by virtue of the Bankruptcy Act 1861, and of every authority vested in me, I do hereby, with the consent and concurrence of the Commissioners of the Court of Bankruptcy in London, give power and authority to William Scrope Ayrton, Esq., one of the commissioners of the Court of Bankruptcy for the Leeds district, and Robert Palmer Harding, of Bank-buildings, Lothbury, in the city of London, accountant, to investigate and examine the books and accounts of the official assignees and messengers of the Court of Bankruptcy in London, and also the bills of fees of the messengers, and to report to me thereon, with power to them to examine such persons, and to call for the production of such books, papers and proceedings as they may think fit. And I do further order, that the said William Scrope Ayrton and Robert Palmer Harding do also report to me whether any, and if any, what general systems appear to them to be best calculated to ensure uniformity and accuracy in the keeping of the books and accounts of the respective officers aforesaid, and do make such other further suggestions as may occur to them.

(Signed) "WESTBURY, Chancellor."

CORRESPONDENCE OF THE PROFESSION.

COMMISSIONERS TO TAKE AFFIDAVIT.—Allow me to call your attention to the following case:—Some months since I applied to take out commissions to administer oaths in the Courts of Queen's Bench, Common Pleas and Exchequer. My application was granted, and I received the commission in the Queen's Bench and Common Pleas within three weeks of my bespeaking them. In the Exchequer, however, though I understand the commission is made out, and only awaits the signature of the Chief Baron and one of the other barons, and notwithstanding I have paid the fees on it, I am informed it is very doubtful when the commission will be issued, and that the commissions which were applied for last Christmas are only now being signed. The result is, I am unable to administer oaths in this court, and, I fear, am likely to continue so incapacitated for some time to come. This, owing to the death of one of my partners, who was a commissioner in this court, is a matter of great inconvenience, and is rendered doubly annoying by the fact that the delay is absolutely unnecessary. Surely what can be done in two courts can be done in the third.

A COUNTRY ATTORNEY.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

TRUST ESTATE.—A surviving trustee under a will dies intestate with regard to his trust-estate, leaving a married daughter his heiress-at-law him surviving. Upon her and her husband conveying the trust-estates, releasing mortgages, &c., is it necessary for the lady to be examined by perpetual commissioners and the deeds acknowledged?

K. A.

BILL OF SALE.—Is an affidavit of execution of a bill of sale, sworn before a Commissioner in Chancery, properly sworn? The querist submits that, as the affidavit must be filed in the Queen's Bench, it should be sworn before a commissioner of that court, and that it is a fatal objection to the registration of a bill of sale if the affidavit is sworn before any other commissioner.

A. B.

PROCURATION FEE.—Will any of your readers be good enough to inform me under what authority, statutory or otherwise, solicitors are entitled to charge procuration fee on loans of money, or mortgage—whether such a charge is customary in the profession, and whether they are aware of any instance in which the charge has been allowed on taxation?

INQUIRER.

RIGHT OF WAY—COPYHOLD.—A surrender of copyholds by B. to the use of C. purports to include a right of way for the latter over property of the former. This right of way is a convenience, but is not essential to the very enjoyment of the property surrendered. The representatives of B. refuse to permit any further use by C. of the right of way, on the ground that they are under no obligation to do so, the right being an easement, and there being no grant of it by deed. There appears to be no special custom upon the subject in the manor within which the property is situate. I am afraid that C.'s representatives have the law on their side, but I shall be obliged by the opinions of your correspondents on the point. If it is necessary that there should be a deed, would a covenant by the grantor in the case of copyholds run with the land over which the right of way was granted? One other point that occurs to me is, whether the surrender could be upheld as an agreement for a grant of the right of way, the steward having signed the surrender as (I take it) the "duly authorised agent" of B.

J. M. S.

Bridge-street, E.C.

Answers.

COMMISSIONERS FOR TAKING AFFIDAVITS.—By 5 & 6 Will. 4, c. 62, for the abolition of unnecessary oaths, any justice of the peace, notary public, or other officer authorised to administer an oath, is empowered to take voluntary declarations in the form specified in the Act. I apprehend that there is no doubt that a commissioner, under 29 Car. 2, for taking affidavits, is "an officer authorised to administer an oath," and therefore falls within the purview of the statute quoted.

J. M. S.

STATUTE OF LIMITATIONS—CONCEALED FRAUD—3 & 4 Will. 4, c. 27, s. 26, provides that in cases of concealed fraud, no time shall run until the fraud shall have been, or with reasonable diligence might have been, first discovered. This, I think, answers "F.'s" query.

J. M. S.

— In answer to "F.'s" query, p. 43, I am of opinion that B.'s action is barred by the Statute of Limitations, but relief may be obtained in equity: (*see Imperial Gas Company* v. *London Gas Company*, 24 L. J., N. S., 309, Ex.; and the cases therein cited; Smith's Manual of Equity, 7th ed. p. 18; and Chitty on Cont. 7th ed. p. 751.)

Bideford, Nov. 28.

H. M. B.

— The following cases are in point:—*Hunter* v. *Gibbons*, 1 H. & N. 459; and *Imperial Gas Light and Coke Company* v. *London Gas Light Company*, 10 Ex. 39. In the former which was an action of trespass for taking coal from under plaintiff's land, the Statute of Limitations was pleaded. Plaintiff replied that the trespasses were fraudulently concealed from plaintiff, and had been discovered within six years from commencement of the action. The replication was not allowed.

D. H.

[Other answers to the like effect have been received.—ED. L. T.]

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON, and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

MICHAELMAS TERM 1864.

Saturday, Nov. 19.

PARSONS (EXOR.) *v.* BAGNALL.—*Mellish*, Q.C. moved on the behalf of the Chancellor of the University of Oxford for a rule for cognisance of this suit, which was brought by a tradesman against an under-graduate of the University, for goods sold and delivered. *Rule nisi.*

SMITH (app.) *v.* WATSON (resp.).—This was a case arising out of a local Turnpike Act, involving the question of whether a certain toll should be 6d. or 8d.—*Willes*, and *Hayes*, Serjt. appeared for the respective parties.

To go back to the Justices with an intimation that the case involved a question of fact for their consideration.

WILLIAMS *v.* PUGH.—*Milward* and *Gray*, Q.C., and *Carew* appeared herein. *Judgment for the appellant.*

MAULE *v.* THE LOCAL BOARD OF HEALTH OF GODMANCHESTER.—*Keane*, Q.C. continued his argument herein. *Part heard.*

Tuesday, Nov. 22.

LLOYD *v.* HARRISON.—This case was further argued. *Cur. adv. vult.*

REG. *v.* BANKS.—*Lush*, Q.C. and *White*, and *Bovill*, Q.C. appeared herein. *Rule absolute.*

CHAPMAN *v.* CRAYS GAS LIGHT AND COAL COMPANY.—*Lush*, Q.C. showed cause.—*Bovill*, Q.C. and *J. Brown*, contra.

Wednesday, Nov. 23.

REG. *v.* JONES AND HIGHATT.—These defendants, who had been convicted upon an indictment for violating the provisions of the Foreign Enlistment Act, 59 Geo. 3 c. 69, s. 2, at the last Liverpool Assizes, came up to day to receive the judgment of the court. By consent on the part of the Crown, the defendants were fined 50*l.* each.—The *Attorney-General*, *E. James*, Q.C., *Hannen* and *W. Lushington* appeared for the Crown.—*Temple*, Q.C. for the defendants. *Fined accordingly.*

HALL *v.* LAWRENCE.—Rule *nisi* for a new trial, on the ground of surprise.—*Philbrick* showed cause, and *D. Seymour*, Q.C. supported the rule. *Rule enlarged.*

CHARLESTON *v.* HALL.—Rule *nisi* for a new trial on the grounds that there was no evidence of any pecuniary loss, and that the damages were excessive. It was an action under Lord Campbell's Act upon the death of a father, caused by the falling of a signboard belonging to the defendant; tried at Liverpool assizes before Cockburn, C.J., and a verdict for the plaintiff for 200*l.*—*Temple*, Q.C. and *Quain* showed cause against the rule; and *E. James*, Q.C. and *Udall* supported it. *Rule discharged.*

REG. *v.* JUSTICES OF LINCOLNSHIRE.—*Quain* moved for a rule calling on two justices to state a case under 20 & 21 Vict. c. 43, on a conviction for non payment of a highway rate. The objection was, that the surveyor who made the rate was not properly appointed. *Rule nisi.*

REG. *v.* THE LOCAL BOARD OF HEALTH OF GODMANCHESTER.—The question raised in this case upon a return to a *mandamus* to the local board to cleanse a drain or sewer, was whether a stream which had been used for draining lands, and into which a few of the houses in the borough of Godmanchester drained, was vested in the local board by the operation of the Public Health Act.—*D. D. Keane* (*Douglas Brown* and *Markby* with him) for the prosecutor; and *J. Brown* for the local board. *Judgment for the local board.*

Thursday, Nov. 24.

REG. *v.* THE COMMISSIONERS OF THE NATIONAL DEBT.—The *Solicitor-General* showed caused against a rule calling upon the Commissioners of the National Debt to show cause why a *mandamus* should not issue commanding them to pay over 500*l.* to the trustees of the Warrington Savings Bank pursuant to their certificate.—*Mellish*, Q.C. in support. *Rule enlarged until next term for an arrangement.*

CHAPMAN *v.* CRAYS GAS COMPANY.—This case was again mentioned to the Court.—*Lush*, Q.C., showed cause; *Bovill*, Q.C. in support. *Rule discharged upon terms.*

REG. *v.* THE LOCAL BOARD OF HEALTH OF SUNDERLAND.—*Mellish*, Q.C. moved for a rule calling upon the Local Board of Health Sunderland to make certain parties compensation for erecting a urinal near their premises. *Rule nisi.*

PIPER *v.* THE HAMMERSMITH AND CITY RAILWAY COMPANY.—*Hawkins*, Q.C. and *Dixon* showed cause herein.—*Karslake*, Q.C. and *H. Lloyd* contra.

To stand over until the trial of an action in the same matter.

Reg. v. The Durham Union Assessment Committee.—*Pree*, Q.C. showed cause herein. The question involved is now set at rest by the 27 & 28 Vict. c. 39.
Rule absolute.

Reg. v. Rook.—*Cave* showed cause against a rule for an attachment for not obeying a rule of court.—*Hayes*, Serjt, in support. *Rule discharged without costs.*

Brooke and others v. The North Staffordshire Railway Company.—*Bovill*, Q.C. and *Hannen* showed cause herein to set aside an award.—*Lush*, Q.C. and *C. Pollock* in support. *Rule discharged with costs.*

Reg. v. The Justices of Kent.—*Lush*, Q.C. showed cause herein.—*Tates* in support. *Rule discharged on terms.*

Ex parte Davis.—*Hannen* moved for a rule for a *quo warranto* information against three gentlemen for exercising the office of town councillors of Haverfordwest.
Rule nisi.

Friday, Nov. 25.

Carr v. The Royal Exchange Assurance Corporation, and Carr v. Montefiore.—These were rules *nisi* obtained by the defendants to amend the judgment-roll in actions on policies of insurance, by altering the nominal amount for which judgment had been entered up by consent to the sum found by the arbitrator to whom the damages had been referred, *minus* the amount of premiums paid into court by the defendants.—*Milward* showed cause, and *Watkin Williams* and *A. Cohen* supported the rules.
Cur. adv. vult.

Reg. v. Justices of Salop.—*Abbott* showed cause, and *Powlswell* supported a rule for a *certiorari* to bring up an order of justices appointing Edwin Roberts an assistant overseer of the parish of Cainham at 15*l.* per annum.
Rule discharged.

Cowell v. The Amman Aberdare Colliery Company (Limited).—*Quain* moved to review the master's taxation of costs herein, the action having been referred before verdict, and the arbitrator having awarded 20s. damages only: (*Prem* v. *Serjeant*, 2 H.& C. 231; *Smith* v. *Edge*, 33 L. J. 9, Ex.; *Robertson* v. *Stern*, 13 C. B., N. S., 248; *Jones* v. *Jones*, 7 C. B., N. S., 832.) *Rule nisi.*

Pye v. Butterfield.—Rule *nisi* calling on the defendant to answer certain interrogatories in an ejectment for a forfeiture of a lease, which he had refused to do on the ground that his answers would tend to a forfeiture of his estate.—*Laxton* showed cause, and *Needham* supported the rule. *Rule discharged.*

Ex parte Alfred Moss.—*Butler Rigby* moved for leave for Mr. Moss to renew his application for admission as an attorney.—*Garth* appeared for the Incorporated Law Society.

Ex parte Ivsoll.—*Butler Rigby* moved for a *certiorari* to bring up a commitment by justices of Hereford under the 11 Geo. 2, c. 19, for an illegal removal of goods to avoid a distress, on the ground that the applicant had been committed for two months only instead of six, the term imposed by statute. *Rule refused.*

Monday, Nov. 28.

The Great Western Railway Company v. Bailie.—Appeal by the company against a conviction for keeping a false weighing machine: (5 & 6 Will. 4, c. 63, s. 28.)—*Cave* for the respondent, and *Hayes*, Serjt. (*Digby* with him) for the company. *Conviction affirmed.*

Local Board of Health of Keighley v. The Parish Officers of Keighley, Yorkshire.—This was a question as to the validity of an assessment to the poor-rate in respect of the gas works of the local board.—*Maule* for the local board, and *T. Campbell Foster* for the parish.
Assessment affirmed.

Winfrith v. Pankhurst.—Appeal against a decision of justices of Kent dismissing a summons against an apprentice under the Masters and Servants Act, for wilfully absenting himself from service.—Sir *G. Honyman* for the appellant; *Mellish*, Q.C. contra.
Judgment for the appellant.

Rowley v. Clements and another.—Appeal against a conviction for an assault by justices at Bideford, Devon. The assault arose out of a dispute as to the right to place stalls in the market-place opposite the appellant's shop.—*J. A. Turner* for the appellants; *Prideaux* contra.
Judgment for the appellants.

Willington v. Orton.—Appeal against a decision of justices at Leamington dismissing a summons for breach of one of the bye-laws made by the local board of health in building a house with smaller rooms than the bye-law required. The validity of the bye-law was disputed. It appeared that the appellants had told the magistrates that they had abandoned the appeal; subsequently however they proceeded with it, and got the case signed by the justices.—*Mellish*, Q. C. (*Thesiger* with him) for the appellants; *Hayes*, Serjt. (*Wills* with him) for the respondents.—The Court held that the appellants having intimated to the magistrates that they had abandoned the appeal could not now proceed. *Appeal dismissed.*

Fireman v. Marlix.—Appeal against a conviction by justices of Margate of an omnibus proprietor, he not being a licensed ticket-porter, for carrying a passenger's luggage from the railway-station to a house in the town of Margate. This was a claim by the licensed ticket-porters for the exclusive right to convey passengers' luggage under a bye-law.—*G. Francis* for the appellant; *L. Kelly* for the respondent.—The Court held the bye-law invalid.
Conviction quashed.

Reive v. Wood.—Appeal against a decision of justices under the Vagrant Act in the case of a desertion of a wife by her husband. The question raised was as to the admissibility of the wife as a witness to prove the desertion.—*H. Mathews* argued in favour of her admissibility.—The Court held that she was inadmissible as a witness to prove the desertion.

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Michaelmas Term 1864.

Tuesday, Nov. 22.

Powell (app.) v. Guest (resp.)—Appeal from the decision of the revising barrister for the borough of Kidderminster, retaining the name of the respondent on the list of voters. The appellant was convicted of an assault in February, and imprisoned for six months in Worcester Gaol, which was situated more than seven miles from the borough. The appellant's business was carried on in his absence by a servant, and he returned into residence on the termination of his imprisonment. It was objected that the appellant had not resided in the borough for six months previous to the last day of July.—*Keane*, Q. C. appeared for the appellant.—*Karslake*, Q. C. and *R. Bourke* for the respondent.—The Court decided that the appellant's residence within the borough was not sufficient.
Judgment for the appellant.

Powell (app) v. Bradley (resp.)—Appeal from the decision of the same barrister, allowing the respondent's name to be inserted on the list of voters. The respondent attained the age of twenty-one years in March last, and it was objected that he had not been of full age for twelve months previous to the last day of July.—*Keane*, Q. C. appeared for the appellant, and *Karslake*, Q. C. and *R. Bourke* for the respondent. *Appeal dismissed with costs.*

Powell (app.) v. Jones (resp.)—Appeal from the decision of the same barrister, retaining the respondent's name on the list of voters. The respondent had compounded for the payment of rates under a local Act regulating the collection of rates in the borough of Kidderminster. It was objected that the respondent had not duly paid the rates within the meaning of the statute, and that the house occupied by him was not of sufficient value.—*Keane*, Q. C. appeared for the appellant; and *Karslake*, Q. C. and *R. Bourke* for the respondent. *Appeal dismissed with costs.*

Powell (app.) v. Palmer (resp.) Powell v. Ballaston.—These cases were taken together.—*Keane*, Q. C. appeared for the appellant in each case.—*Karslake*, Q. C. and *R. Bourke* for the respondents.—The appeals were both from decisions of the revising barrister for Kidderminster. The respondents had erected wooden buildings on posts driven into the ground, and had used them, the one as a potatoe store, the other as a store for tools and farming implements. The votes were claimed in respect of these buildings and were allowed by the revising barrister.—The Court took time to consider their judgments. *Cur. adv. vult.*

Wednesday, Nov. 23.

Heelis (app.) v. Blaine (resp.)—Appeal from a decision of the revising barrister for the Southern Division of Lancashire, who had expunged the appellant's vote on the ground that the grantee of a rentcharge had not been six months in actual possession of it prior to the last day of July 1864.—*Joshua Williams*, for the appellant.—*Keane* for the respondent. *Appeal affirmed.*

Benest (app.) v. Booth (resp.)—Appeal from a decision of one of the revising barristers for the city of London, who held that the notice of objection required to be sent by 6 Vict. c. 18, s. 17, and which, by the 100th section of same Act, may be sent by post, was sufficiently proved, although the duplicate produced before him had the word "copy" upon it, which was not upon the notice itself.—*Hannen* and *Underdown* for appellant.—*Fawcett* for respondent. *Appeal dismissed with costs.*

Temper (app.) v. Nicholas (resp.).—Appeal from a decision of the revising barrister for Surrey, who had expunged the votes of the shareholders of Putney-bridge, on the ground that they had not such a freehold interest in land as entitled them to vote.—*Karslake* and *Beresford* for appellants.—*Raymond* for respondent. *Cur. adv. vult.*

Thursday, Nov. 24.

Jeffer (app.) v. Nichols (resp.).—The Court gave judgment in this case, which was argued yesterday, and held that the appeal should be dismissed.

Doggett v. Catterns.—This was a rule calling on the defendant to show cause why the verdict found for him at the trial should not be set aside and entered for the plaintiff. The defendant was in the habit of standing under a tree in Hyde-park, exhibiting a list containing the names of horses which were about to run, and making bets, he giving the odds. He also showed a card containing the words, "Bets stand on the day of the race if scratched or not." The plaintiff went to the defendant, and took the odds of six to one against Fly Trap for the Witham handicap at Lincoln, and deposited with the defendant 5*l.* 10s. The horse, however, had been scratched four hours before the bet was made, and the plaintiff demanded back the 5*l.* 10s., but not getting it, he sued for the amount in the Sheriff's Court. A verdict having been found for the defendant, the plaintiff contended that it ought to be set aside and entered for him, on the ground that at the time the bet was made there was no risk, as the horse had been struck out; and secondly, that the plaintiff was entitled to recover under the Betting Act (16 & 17 Vict. c. 119) for money had and received.—*Talfourd Salter* showed cause.—*Yeatman* contra. *Rule absolute.*

Capel v. Powell and Wife.—This was an action to recover damages in consequence of the female defendant having wrongfully given the plaintiff into custody. When the imprisonment took place defendants were husband and wife, but were divorced before this action was brought. At the trial before Martin, B., at Guildford, the jury found a verdict for the plaintiff, and assessed the damages at 50*l.* A rule having been obtained to set that verdict aside on the ground that the divorce freed the husband from the consequences of any tortious act committed by the wife during coverture,—*Hawkins*, Q.C. and Sir *G. Honyman* now showed cause.—*Daly* and *Houston* appearing in support.
Rule absolute.

Friday, Nov. 25.

Lest v. Eldred.—*Bovill*, Q. C. (*Bridge* with him) moved for a rule to appoint an arbitrator. *Rule nisi.*

Scott v. Durrant.—*Sawyer* applied that this rule should not come on before the hearing of the appeal.—*Griffits* pressed that it should come on at once, as it might be necessary to send the case back to the revising barrister.
Rule enlarged.

Lapostelet v. Halliday.—Sir *G. Honyman* and *F. M. White* were heard in support of the rule for a new trial, on the ground that the verdict was against the weight of evidence. *Rule discharged.*

Re An Attorney.—*T. Jones* obtained further time for answering the matters contained in an affidavit.

Elwood v. Christy.—Infringement of patent for making hats.—*Aston* applied for leave to inspect the defendant's premises, in order to see what hats he had there. He pressed for a rule absolute in the first instance.—The Court refused this, but granted a rule *nisi*. *Rule nisi.*

The General Discount Company v. Stokes.—Action for calls, tried before Byles, J., at the sittings after last term in London. The defendant pleaded his bankruptcy, and the facts being agreed on, a verdict was entered for the plaintiff, and the defendant had leave to move to enter it for him. The defendant was adjudicated bankrupt on the 3rd Nov. 1860. An order was made for winding-up the company on the 14th May 1861, and a call of 5*l.* 10s. per share was made by the liquidators on the 4th July 1861. On the 4th Feb. 1861 the defendant obtained his certificate and the action was commenced on the 1st. Feb. 1864. The question raised was, whether the claim of the company was a contingent liability of the defendant's, proveable under the bankruptcy, because, if so, the defendant's discharge would be a good defence to the action.—*Kemp* appeared for the plaintiffs; *Archibald* for the defendant.—The Court were of opinion that the defendant's liability was a contingency on a contingency, there being first of all the contingency that the call would be made, and secondly the contingency that the defendant would be a shareholder at the time; and they therefore thought that the company's claim was not proveable under the bankruptcy, and therefore that the defendant's discharge was no bar to the action. The rule, therefore, to enter the verdict for the defendant was discharged.
Rule discharged.

BAIL COURT.

Reported by J. H. James, Esq., Barrister-at-Law.

BUSINESS OF THE WEEK.

Tuesday, Nov. 22.

(Before Blackburn, J.)

Thomas v. Joly.—*Garth* moved for leave to take out money paid into court in lieu of bail, the plaintiff having obtained judgment. *Rule nisi.*

Burton v. Coxon.—This was a rule to show cause why a writ of prohibition should not issue to the County Court at Lichfield in a matter where title was concerned.—*Field*, Q.C. showed cause.—*Holl*, in support of the rule, not called upon. *Rule absolute.*

Bradney v. Radloff.—A sheriff having seized under a *fi. fa.*, the defendant set up a deed of composition under sect. 192 of the B. A. 1861. The sheriff paid the money into court, and this was a rule to show cause why the money not be paid out to the trustees of the deed.—*Holl* (*Mellish*, Q.C. with him) showed cause for the plaintiff, the execution-creditor who impeached the validity of the deed.—*Hannen* in support of the rule.
Rule discharged and the money ordered to be paid to the execution-creditor.

Potter v. Dickens and another.—Dickens and another v. Potter.—This was a rule to refer back a cause to an arbitrator, on the ground of inconsistency in the finding.—*Milward* showed cause.—*T. J. Clark* supported the rule.
Rule discharged.

Wednesday, Nov. 23.

Reg. v. Justices of Essex.—*Garth* and *G. Taylor* showed cause against a rule for a *mandamus* calling on the defendants to show cause why they should not hear an appeal of *Waller* v. *Wood*, regarding the stoppage of a certain road, at the next general quarter sessions. On the hearing of the appeal in June last, it was dismissed on the ground that proof was not given of the time of the notice having been put up on the church doors in compliance with the Act.—*Lush*, Q.C. and *Murphy*, in support of the rule, were not called upon, the learned judge being of opinion that there was evidence of the time when the notice was put up, and that under sects. 63 and 64 of 8 & 9 Vict. c. 118 it was sufficient if the notice and complaint were within the four months, and the hearing at the first sessions afterwards. The respondent was ordered to bear the costs, if he was in reality the person showing cause. *Rule absolute.*

Reg. v. John Helmsley.—*Ex parte* Melbourne Highways.—*Hayes*, Serjt. showed cause against a rule which had been obtained, calling upon the defendant to show cause why he should not demand payment from the late surveyors, of moneys due from them as such former surveyors. The question arose under sect. 42 of 5 & 6 Will. 4 c. 50. Ultimately, the rule was made absolute; the applicants undertaking to indemnify Helmsley to the satisfaction of the master, against any proceedings taken by them. *Rule absolute.*

Reg. v. Justices of West Riding of York.—*Mellish*, Q.C. moved for a rule calling on the defendants to show cause why a *mandamus* should not issue, ordering them to hear an appeal in which the Sheffield United Gas Light Company were the appellants, and award certain costs to the respondent. *Rule granted.*

Reg. v. The Metropolitan Railway Company.—A rule *nisi* which had been granted in this case was, by consent, made absolute without any cause shown. *Rule absolute.*

Thursday, Nov. 24.

(Before Blackburn and Shee, JJ.)

Reg. v. Overseers of Sutton.—This was a rule for a *mandamus* to the defendants to convene a vestry for the purpose of deciding whether the "Small Tenements Act" should be adopted in the parish, on the ground that the polling at a former vestry was invalid.—*Pickering*, Q.C. (*Heath* with him) showed cause.—*Petersdorff*, Serjt. and *T. Jones* supported the rule. *Rule discharged.*

Winstone v. Gaskell.—In this case a rule for a *quo warranto* was, on the motion of *Waddy*, and by consent, enlarged. *Rule enlarged.*

(Before Shee, J.)

Re An Arbitration between the Local Board of Health of Tranmere and Robert Kellett.—This was a rule to set aside an award made under the provisions of the Public Health Act, on the ground that it was not made within the time prescribed by the Act.—*Field*, Q.C. showed cause.—*F. Russell* in support of the rule. *Rule absolute.*

Same v. Same.—This was a cross-rule to enlarge the time for making the award.—*F. Russell* showed cause.—*Field*, Q.C. in support of the rule. *Rule discharged.*

Friday, Nov. 25.

(Before Blackburn and Shee, JJ.)

Scales v. Riding.—*A. Wills* showed cause against a rule which had been obtained, and *J. A. Russell* supported it.—The Court discharged the rule. *Rule discharged.*

Cox v. Keen.—Rule calling on the plaintiff to show cause why a nonsuit should not be set aside. The action was in trover for cows. There had been an agreement between the parties, by which defendant let the cows in question to the plaintiff. At the close of a year plaintiff and defendant met, and the latter offered to continue the letting on an agreement similar to the former one, being signed by the plaintiff and his sureties, the defendant add-

ing that he was not particular to two or three weeks as to the signature. At the end of three weeks neither defendant nor his sureties had signed the agreement, and the defendant took the cows away.—*Prideaux* showed cause against the rule, and *Harrington* supported it.—The Court discharged the rule. *Rule discharged.*

Reg. v. Commissioners of Bradford (Wilts).—*Bullar* applied to have this rule for a *mandamus* enlarged.—*Lopes* opposed the application. *Rule enlarged.*

Stainland (Administratrix) v. Standering and others (Executors).—There were four actions relative to this matter; and the question was as to the proportion of the costs of a reference and award to be paid by the defendant. The rule called on the defendant to show cause why he should not pay plaintiff the sum of 229*l.* 1*s.* 4*d.*—*Manisty*, Q.C. and *Cole* showed cause, and *Lush*, Q.C. supported the rule. Several cases were cited, and the question being one of considerable difficulty, the Court took time to consider their judgment. *Cur. adv. vult.*

Stainland v. Seaton.—In this case the rule was made absolute; no one appearing for the defendant. *Rule absolute.*

Re Allen and Egerton.—This was a rule calling on defendant to show cause why he should not pay the costs of a certain negotiation to the plaintiff.—*Harman* showed cause and *Macnamara* supported the rule.—Shee, J. thought the costs should be allowed. *Rule absolute.*

Reg. v. Coroner of Dover.—Rule calling on the defendant to show cause why a writ of *certiorari* should not be issued to quash an inquisition. The matter arose out of a railway accident at Margate, and it appeared that the coroner's jury duly gave their verdict; but the inquisition itself was not made out and signed until a subsequent occasion, regarding which no notice had been given or appointment made by the coroner at the last sitting of the court. It was therefore contended that the proceedings when the inquisition was signed were *coram non judice*.—*G. Francis* showed cause, and *H. James* supported the rule.—The Court took time to consider. *Cur. adv. vult.*

Reg. v. Justices of County of Wilts.—The Court granted a rule *nisi* in this case, calling on the defendants to show cause why a warrant should not be issued for the levying of certain highway rates. *Rule nisi.*

Gething and others v. Fotheringham.—*O. B. C. Harrison* moved for a rule calling on the defendant to show cause why he should not pay the sum of 345*l.* 16*s.* 2*d.*, due under an award.—The Court granted a rule. *Rule nisi.*

Reg. v. Wildsmith and another.—*Matthews* showed cause against rule obtained by *Giffard* calling on the prosecutor to show cause why the master should not review his taxation. An indictment for a nuisance had been preferred and found at the Stafford spring assizes. It was removed into this court by *certiorari*, and on the 22nd June an order was made at chambers that upon payment to the prosecutor of all costs attending the indictment and the removal thereof by *certiorari* and all subsequent proceedings, including this order, the defendants should be at liberty to withdraw their pleas and plead guilty, &c. The plea of not guilty was withdrawn on the 5th July. On taxation the master allowed to the prosecutor a large sum for the preparation of briefs, &c., for the Stafford summer assizes.—*Matthews* contended that the master had exercised his discretion in the matter, and that no principle was involved.—*Harrington*, contra, that the master had misconstrued the order, which did not authorise him to allow more than the costs down to and inclusive of the order; and should not have allowed the costs of briefs which ought not to have been prepared before the settlement.—Shee, J., after consulting Malcolm, the master of the Crown-office, held that the master had properly exercised his discretion. *Rule discharged with costs.*

Judicial Committee of the Privy Council.

The following is the list of the business for the Judicial Committee of the Privy Council. The Judicial Committee will commence sitting for the despatch of business on Monday, Nov. 28, at half-past ten a.m.:—

Ex parte the Lord Bishop of Natal (Natal), petition ordered to be heard on Dec. 12. Jones v. Gough (Court of Arches), to be heard on Dec. 13. Chapman and others v. Oriental Bank Corporation (Mauritius.) Rochecouste and another v. Dupont and others (Mauritius). Rajah Jeelanund Singh v. Maharajah Luckhmissur Singh, Government and others (Bengal). Saligram and another v. Mirza Azim Ali Beg (Oude), *ex parte* A. Mussumat Bhoobun Moyee Debia v. Ram Kishore Acharj Chowdry (Bengal). Mussumat Chirndrabullee v. Lukhee Debia Chowdhrain (Bengal), *ex parte* A. Sevvaji Vijaya Raghunadha Gopalar v. Chinna Nayana Chetti (Madras). Gopal Lall Thakoor v. Tilluck Chunder Rai and others (Bengal), *ex parte* A. Fry and Greata v. Treasure (Court of Arches).

Patent—Galloway's Prolongation (Steam Engines and Boilers, March 11, 1851,) to fix hearing.

Judgment—Hodge v. the Attorney-General of British Honduras.

SITTINGS AFTER MICHAELMAS TERM 1864.

Equity Courts.

Court of Appeal in Chancery.

The Lord Chancellor will sit at Lincoln's-inn on Dec. 2, and take the first seal, appeal motions and appeals. Dec. 3, petitions and appeals in bankruptcy, and appeals. Dec. 5 and 6, appeals. Dec. 7, appeals in bankruptcy and appeals. Dec. 8, the second seal, appeal motions and appeals. Dec. 9, appeals. Dec. 10, bankruptcy appeals and appeals. Dec. 12 and 13, appeals. Dec. 14, bankruptcy appeals and appeals. Dec. 15, appeal motions and appeals. Dec. 16, appeals. Dec. 17, appeals in bankruptcy and appeals. Dec. 19, appeals. Dec. 20, petitions and appeals. Dec. 21, the fourth seal, appeal motions, bankruptcy appeals, and appeals.

The Lords Justices will sit at Lincoln's-inn on Dec. 2, and take the first seal, appeal motions and appeals. Dec. 3, 5, 6 and 7, appeals. Dec. 8, the second seal, appeal motions and appeals. Dec. 9, petitions in lunacy, appeal petitions and appeals. Dec. 10, 12, 13 and 14, appeals. Dec. 15, the third seal, appeal motions and appeals. Dec. 16, petitions in lunacy, appeal petitions and appeals. Dec. 17, 19 and 20, appeals. Dec. 21, the fourth seal, appeal motions and appeals. Such days as their Lordships may be engaged in the full court, or at the Judicial Committee of the Privy Council, are excepted.

Rolls Court.

The Master of the Rolls will sit at Chancery-lane on Dec. 2, and take the first seal, motions, and the general paper. Dec. 3, petitions, short causes, adjourned summonses, and the general paper. Dec. 5, 6, and 7, the general paper. Dec. 8, the second seal, motions, and the general paper. Dec. 9, the general paper. Dec. 10, petitions, short causes, adjourned summonses, and the general paper. Dec. 12, 13, and 14, the general paper. Dec. 15, the third seal, motions and the general paper. Dec. 16, the general paper. Dec. 17, petitions, short causes, adjourned summonses and the general paper. Dec. 19 and 20, the general paper. Dec. 21, the fourth seal, motions and the general paper.

V. C. Kindersley's Court.

Vice-Chancellor Sir R. T. Kindersley will sit at Lincoln's-inn on Dec. 2, and take the first seal, motions, adjourned summonses and the general paper. Dec. 3, petitions, short causes, adjourned summonses and the general paper. Dec. 5, 6 and 7, the general paper. Dec. 8, the second seal, motions, &c. Dec. 9, petitions, adjourned summonses and the general paper. Dec. 10, short causes, adjourned summonses and the general paper. Dec. 12, 13 and 14, the general paper. Dec. 15, the third seal, motions, &c. Dec. 16, petitions, adjourned summonses, &c. Dec. 17, short causes, adjourned summonses and the general paper. Dec. 19 and 20, the general paper. Dec. 21, the fourth seal, motions, &c.

V. C. Stuart's Court.

The Vice-Chancellor Sir J. Stuart will sit at Lincoln's-inn on Dec. 2, and take the first seal, motions and causes. Dec. 3, petitions, short causes, and causes. Dec. 5, 6, and 7, causes. Dec. 8, the second seal, motions and causes. Dec. 9, petitions and causes. Dec. 10, short causes and causes. Dec. 12, 13, and 14, causes. Dec. 15, the third seal, motions and causes. Dec. 16, petitions and causes. Dec. 17, short causes and causes. Dec. 19 and 20, causes. Dec. 21, the fourth seal, motions and causes.

V. C. Wood's Court.

Vice-Chancellor Sir W. P. Wood will sit at Lincoln's-inn on Dec. 2, and take the first seal, motions and general paper. Dec. 6, petition, short causes, and the general paper. Dec. 5, 6, and 7, the general paper. Dec. 8, the second seal, motions and the general paper. Dec. 9, the general paper. Dec. 10, petitions, short causes and the general paper. Dec. 12, 13, and 14, the general paper. Dec. 15, the third seal, motions and the general paper. Dec. 16, the general paper. Dec. 17, petitions, short causes, &c. Dec. 19 and 20, the general paper. Dec. 21, the fourth seal, motions.

LEGAL OBITUARY.

CHARLES LEWIS, ESQ.

Died on the 23rd Nov., at his residence in the Mansion, Albany, in his 64th year, very suddenly, from an attack of apoplexy followed by paralysis, accelerated by excitement.

Of him it may be said (and one who knew him for thirty-five years, and during the last six years was closely connected with him and knew his every throb, can say) that he "lived for others, not for himself," and that "his hands were always in his pocket" to assist and relieve others to an extent which could not be expected from a professional man with a large family; indeed, few professional men possessed less "professional guile," or more kindly impulses, and many men who have occupied high stations owe one step at least to his helping hand. Although, like most men of means, he was exposed to duplicity and imposition, he lived to triumph over all enmity, and to leave a fair fortune to a family, his devotion to whom, the leading impulse of his life, was gratified by the honourable positions they occupy in society, monuments also of the good feelings which actuated him, and to which the writer testifies. His son succeeds to his professional business.

LAW SOCIETIES.

THE INNS OF COURT HOTEL COMPANY.

The half-yearly general meeting of this company was held at the London Tavern on Tuesday, E. W. Cox, Esq., in the chair. The following report was read:—

"The directors are happy to state that, notwithstanding the difficulties which have hitherto retarded it, the undertaking is steadily advancing.

"The high price of money during the last year, and more especially during the last six months, and the negotiations with the owners and tenants of adjoining properties for their consents to the proposed plan of the hotel, so far as it interfered with their rights, have been causes of considerable and unavoidable delay.

"The directors, finding it impossible to obtain a permanent loan, except at an enormous rate of interest, have been obliged to increase the amount of temporary accommodation afforded them by their bankers, but this they have done to no greater extent than was absolutely necessary. They have now every expectation, as the money market improves, and the hotel building approaches completion, that they will shortly be able to carry through an advantageous financial arrangement. In the meantime, they recommend that they be empowered to borrow, if requisite, an additional sum of 20,000*l.*

"Agreements have been concluded with all who are interested in the tenements surrounding the Holborn portion of the building. In one instance only, in consequence of a disputed claim being set up to a small plot of the company's land, the sum asked in compensation was so exorbitant that the directors, acting under the advice of their solicitors, thought it best to purchase the premises, and were enabled to do so upon terms requiring a cash payment only of the amount previously demanded for compensation, the remainder of the purchase-money being left upon mortgage of the property itself. The directors have no doubt that the shareholders will approve the course which in this case they have adopted.

"To form the basis upon which to treat for a loan on mortgage or otherwise, as well as for the satisfaction of the shareholders, the directors have had a valuation of the company's property made by Messrs. Norton, Hoggart and Trist, who have estimated the mere land, whilst uncovered, as worth 40,500*l.*, a price but little less than that at which the whole was bought when covered with buildings.

"The directors have considered it for the interest of the company to appoint Messrs. Gregory and Rowcliffes solicitors to the company.

"The architect's report, describing the progress of the work, is subjoined."

Report of the Architects.

To the Chairman and Directors of The Inns of Court Hotel Company.

Gentlemen.—We have the honour to report that the works connected with the erection of the Holborn block of the Inns of Court Hotel are rapidly progressing, and are being executed in a satisfactory manner. Nearly the whole of this block is ready to receive the iron joisting of the second floor, and some portions are still further advanced. From the fact that the walls, &c., are of lighter character as the building advances, it is anticipated that a floor per month will be the future rate of progress.—We have the honour to be, gentlemen, your obedient servants, Lockwood and Mawson, Architects.

10, Lincoln's-inn-fields, Nov. 12, 1864.

The report was, after a short discussion, adopted unanimously, as was a resolution sanctioning the purchase of the adjoining house. The meeting was then made special to adopt a resolution to extend the borrowing powers of the company by 20,000*l.* The chairman explained that their present power was limited to 60,000*l.* The property they had to offer as a security was freehold of the value of nearly 120,000*l.* The capital actually subscribed was 62,000*l.* They had 30,000*l.* of shares yet unallotted. Should these be subscribed, the increased borrowing power would not be required; but otherwise they would need a mortgage on debentures of 80,000*l.* to enable them to complete and furnish the entire building, and to have a sum at the bank for current expenses. The Chairman said that they should prefer to raise the required loan by debentures charged upon the freehold property, which would be an ample security. After a short discussion the resolution was carried unanimously, and the meeting separated with many expressions of approval of the appearance of the building now forming so conspicuous an object in Holborn.

LEGAL NEWS.

The Colenso Case.—The case of the Lord Bishop of Natal has been appointed to be heard before the Judicial Committee of the Privy Council on Monday, the 12th Dec. next.

Ireland.—Mr. Justice Ball, who was called to the bar exactly half a century ago, and has been a quarter of a century on the bench, went on the Munster Circuit at the last assizes. He caused no small commotion in several places by his sensitiveness with regard to noises, and the frequency with which he was reported to have threatened the officials of the courts with punishment if his peremptory orders were not instantly obeyed. At Cork there was a mill near the court-house, the noise of which disturbed the judge seriously. He directed that the mill should be stopped; but as it had not broken the law, and was not in court, it was supposed that he had no power to arrest it, and so it went on torturing the judicial nerves. Mr. Justice Ball then sent for Mr. Deeble, the owner of the tormentor, and imperatively commanded him to stop the mill. "For how long, my Lord?" humbly asked Mr Deeble. "As long as I please," replied the Judge. The mill was accordingly stopped, and has not been set going since, as his Lordship never signified his pleasure on the subject. It is probable that if he had known the history of the mill in question he would have been more cautious, for on a former occasion the Corporation thought proper to interfere with it, for which the owner brought an action and obtained 150*l.* damages. A similar action is about to be commenced against Judge Ball, to recover the loss sustained by having the mill for so many months idle. Some nice points of the law are expected to arise in the course of the trial. Was the arrest legal? Was the injunction to terminate with the assizes, or to remain, like the mesmeric spell, till removed by the power by which it was wrought? Can a judge be held responsible for acts done on the bench, if he feels that he is only discharging his duty? Is he responsible for the stopping of the mill, if it was done by the owner in obedience to his commands, and not by one of the officers of the court, or the police, &c.?

Conviction of Two Burglars by a Parrot.—At the Birmingham Borough Sessions, on Tuesday, Henry Hill, 19, percussioner, and Henry Brockington, 25, brushmaker, were charged with breaking into the dwelling-house of Mr. Freeman, on the 8th Sept., and stealing a watch and 8*s.* in money. The Hon. E. C. Leigh appeared to prosecute; Mr. Markham defended Brockington, Hill being undefended. On the morning of the 8th Sept. Mrs. Free-

was locked up her house, which is in Summer-lane, to go to Snow-hill. A short distance off she saw the two prisoners, whom she knew. Within an hour afterwards Mrs. Freeman returned, and again met the prisoners near her house. They tried to pass unobserved. On unlocking the door and entering the house she found that a chest of drawers had been broken open, and a watch and ten shillings in money stolen. She identified the watch produced as the property of her son. The witness was cross-examined by Mr. Markham as follows:—Do you believe in spiritualism? Mr. Leigh suggested that the learned counsel should define spiritualism. Mr. Markham (to witness): Do you believe in manifestations?—No. Do you think a parrot might be a medium?—I believe in my own eyes. When you saw Brockington, how did you know it was he?—I had known him a long while. Have you a parrot? The Deputy Recorder: Are you going to call him? Mr. Markham: We are ready to give notice to produce. To witness: Your parrot made a communication to you?—Yes; he told me—— Will you be quiet, sir! You are a respectable and nice-looking woman, and to answer my questions.—But will you allow me to give my own answers? Now, answer me, did the parrot make a communication to you?—Yes, after I had got into the house. If you will allow me I will tell you straightforward. —Answer my question. Did the parrot make a communication to you?—After I went into the house the parrot said "Missus, you should not have left the house; Brockington and another rogue have been and taken away all the money." (Laughter). In answer to some further questions witness said she saw Brockington before the parrot said anything. Mr. Markham then wished to examine the witness on her evidence given before the magistrate, but the deputy recorder ruled that such question could not be put. Detective Mountford proved the apprehension of both prisoners the same day in company, at a public-house in Ludgate-hill. On Hill he found the watch and 9s. 5d. in money. Mr. Markham addressed the court on behalf of Brockington, and ridiculed the evidence of Mrs. Freeman and the story of the parrot. The jury found both prisoners guilty, and Brockington, who had been previously convicted, was sentenced to ten years' penal servitude, and Hill to six months' imprisonment.

Wills and Bequests.—The will of Mr. F. Robson, described therein as "Thomas Frederick Brownhill, more commonly known as Frederick Thomas Robson, comedian," of 19, Ampthill-square, Hampstead-road, was proved in the London court, on the 26th Oct., by the executors, C. Brook, Esq., of Mount-street, Lambeth, surgeon, and William Snell, Esq., of Clement's Inn, Strand. The personalty was sworn under 6000*l*. The signature thereto, "Thomas Frederick Brownhill," appears to have been tremulously written. The attesting witnesses are H. C. Andrews, M.D., Oakley-square, and T. Dipnam, solicitor, Sise-lane, City. The will is dated the 18th May 1863, and he died on the 12th Aug. last, in his forty-third year. He bequeaths all his furniture, the lease of his house, Ampthill-square, and his estate and interest in the Olympic Theatre, and all other investments, in trust for his wife and two children, bequeathing to his wife, Rosetta Frances, an immediate legacy of 100*l*, and an interest to be derived from the property during her life or widowhood, and afterwards to be equally divided between their son and daughter, Frederick and Frances Brownhill. —The will of the Rev. John Thomas Howe Le Mesurier, M.A., late Archdeacon of Malta, was proved in the London Court on the 24th ult., and the personalty in England sworn under 12,000*l*., the executors and trustees nominated being his cousin, the Rev. John Le Mesurier, R.A. perpetual curate of Bembridge, in the Isle of Wight; together with the testator's sister, Miss Marian Octavia Le Mesurier, and the Rev. David Morton, rural dean, rector of Harleston, and domestic chaplain to Earl Spencer. The testator was formerly chaplain to the forces, and previously of Brasenose College, Oxford; and his will bears date the 12th May 1863. The testator died at Bembridge on the 29th September last. After making several bequests, he leaves the bulk of his property to his said sister Marian, whom he has appointed residuary legatee. The plate which he inherited from his father and grandfather, and the silver salver presented to him by the congregation frequenting Dockyard Chapel, Malta, also the silver epergne presented to him by certain friends on the fiftieth anniversary of his ordination, are to be held by his said sister during her life, and then given over to his said cousin John Le Mesurier, to whom he has bequeathed a 100*l* share which he held in King's College, London. To his brother-in-law, John Ludham, of Buenos Ayres (the brother of his late wife), he leaves a legacy of 2000*l*. the interest for his life and the principal to his children. To the following seven institutions charitable bequests are left—viz., The Colonial Bishops' Fund, the Societies for the Propagation of the Gospel in Foreign Parts, for the Promotion of Christian Knowledge, for Building and Enlarging Churches; the Additional Curates Aid Society, the Clergy Orphan Society, and the National Society for the Education of the Poor: to each a legacy of 50*l*., free of duty.—*Illustrated London News.*

The Yelverton Marriage Case.—In the Court of Session, Edinburgh, on Saturday, this case was called upon a petition upon the part of defender and respondent, the Hon. Major Yelverton, to apply the judgment of the House of Lords, and a note for the pursuer and appellant, Mrs. Theresa Longworth or Yelverton, praying leave to move the court to supersede consideration of the petition, to apply the judgment, and to allow a condescendence of *res noviter* to be received and added to the record and remitted to probation. Mr. J. Campbell Smith, who appeared for Mrs. Yelverton, said he did not think the case was ready for discussion. He suggested that their Lordships should allow the proposed condescendence of *res noviter* to be received and seen, and allow the pursuer to print it along with two affidavits which they had in support of it, and which he believed would make out a very strong case. The Lord President said there could be no objection to putting the manuscript note that the other judges might see it, but to allow a condescendence to be given in would be taking a step in one direction. Mr. Gordon, for Major Yelverton, objected to anything being done till their Lordships came to dispose of the motion to apply the judgment. That was the proper time for making a motion if it be a competent motion. After some discussion the Lord President said:—The pursuer can, without an order, print this note, and append to it the proposed condescendence, and we will let the matter drop in the meantime. The following is the condescendence of *res noviter* which the pursuer proposes to put in: "Since the judgment of the House of Lords, the pursuer in the declarator of marriage has been informed of certain facts that would have been proved had they come to her knowledge before the proof was closed. By a letter sent to her in the beginning of Aug. 1864, she was informed that Major Yelverton, the defender, had, when on a visit to his brother Frederick, now deceased, during the last illness of the said Frederick Yelverton, acknowledged and admitted that he had married the pursuer in Scotland, and renewed his marriage vows in Ireland; that he had made said acknowledgment to the said Frederick in presence of Sarah Mullins, who was at the time attending him as sick-nurse. The said Sarah Mullins died in the Meath Hospital, Dublin, and when she lay there in a dying state she was attended by the Rev. George Campbell, A.M., a clergyman of the Church of England and Ireland, and she informed him of what had passed between the two brothers in reference to Major Yelverton's marriage; and the said clergyman communicated to the pursuer what he had been told by the dying woman, after the reversal of the interlocutors of the Court of Session by the House of Lords had suggested to his mind that additional evidence might be of consequence to the pursuer. She now desires leave to prove that Major Yelverton acknowledged to Frederick Yelverton, his brother (now deceased), in presence of Sarah Mullins, that he had married the pursuer in Scotland, and that he had previously made similar acknowledgments, so that the said Frederick Yelverton fully believed that Major Yelverton had married the pursuer in Scotland. The pursuer now believes that Major Yelverton had made similar admissions to his father and other relations; and she intends, if an opportunity be allowed her, to examine them as witnesses.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Nov. 15.

Redfern, William, and Tyrrell, Henry, attorneys and solicitors, Gray's-inn-sq.

Gazette, Nov. 18.

Bonnor, George; Redfern, William; and Tyrrell, Henry, attorneys and solicitors, Commercial Sale Rooms, Mark-la.

Stuchbery, George Markwick, and Davis, Thomas, attorneys and solicitors, Gresham-st.

Bankrupts.

Gazette, Nov. 22.

To surrender at the Bankrupts' Court, London.

Aldridge, Robert, plumber, Somerford-grove, Tottenham. Pet. Nov. 8. Reg. Roche. O. A. Cannan. Sol. Angell, Guildhall-yd. Cheapside.

Bryan, Susannah, worker at a needle manufactory, Vine-st. Westminster. Pet. Nov. 17. Reg. Roche. O. A. Cannan. Sols. Lewis and Lewis, Ely-pl.

Butler, Henry William, Saxe cloth manufacturer, Phippe-bridge, Merton. Pet. Nov. 16. Reg. Roche. O. A. Cannan. Sols. Reed and Phelps, Gresham-st.

Conquest, George, victualler, Whitton, Hounslow. Pet. Nov. 15. Reg. Brougham. O. A. Edwards. Sol. Walker, Guildhall-chambers.

Crichton, James, commission agent, Threadneedle st. Pet. Nov. 14. Reg. Roche. O. A. Cannan. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

Elkan, Louis, merchant, Watling-st. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sol. Murray, Great St. Helen's.

Elliot, William Henry, stationer, Lamb's Conduit-st. Pet. Nov. 15. Reg. Brougham. O. A. Edwards. Sol. Waldron, Lamb's Conduit-st.

Epps, William James, jun., seedsman, Hastings. Pet. Nov. 17. Reg. Brougham. O. A. Edwards. Sol. Weeks, Falcon-sq.

Gann, George, carpenter, Somerset-ter. Brixton. Pet. Nov. 16. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn.

Hall, James, Addison-rd. Kensington. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

Hammond, Charles Nathaniel, and Hammond, Frederick, tin and zinc plate workers, Lower Whitecross-st. and Beech-in. Barbican. Pet. Nov. 15. Reg. Hazlitt. O. A. Graham. Sols. Wood and King, Basinghall-st.

Harris, William, diamond merchant, Great Prescot-st. Goodman's-fds. Pet. Nov. 16. Reg. Hazlitt. O. A. Graham. Sol. Wood, King-st. Cheapside.

Hunt, Harris Thompson, hair and net manufacturer, Stratford. Pet. Nov. 16. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

Hussey, Samuel, commission agent, Norfolk-rd. Hackney. Pet. Nov. 16. Reg. Brougham. O. A. Edwards. Sol. Durant, Guildhall-chambers.

Knapp, James, coachbuilder, Manor-st. Clapham. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Bakley, King William-st.

Lascaridi, George Peter, insurance and discount agent, Old Broad-st. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sol. Abrahams, Gresham-st.

Maim, Thomas, no occupation, Poyle. Pet. Nov. 17. Reg. Roche. O. A. Cannan. Sol. Neale, Canterbury-row, Newington.

Mumbell, James, glass and china dealer, Norwich. Pet. Nov. 16. Reg. Hazlitt. O. A. Graham. Sols. Sole, Turner and Hardwick, Aldermanbury, for Miller, Son and Hugh, Norwich.

Nardin, James, importer of Swiss watches, Liverpool. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.

Rose, William Spicer, tailor, Norris-st. Haymarket. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st.

Schofield, Henry, photographer, Lansdown-ter. Hornsey New-rd. and High-st. Southwark. Pet. Nov. 17. Reg. Brougham. O. A. Edwards. Sol Webb, Linc.-inn-fds.

Seabrook, Henry Walter, clerk, Gloucester-ter. Chelsea. Pet. Nov. 19 Reg. Winslow. O. A. Graham. Sols. Hobbs and Seal, Serjeants'-inn, Fleet-st.

Smith, Frederick, commission merchant, Fenchurch-st. Pet. Nov. 14. Reg. Brougham. O. A. Edwards. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

Stear, Henry Wakesham, merchant, St. Benet's-pl. Gracechurch-st. Pet. Nov. 15. Reg. Hazlitt. O. A. Graham. Sols. Ellis, Banister and Co., Clement's-in.

Wildman, William, builder, St. Neots. Pet. Nov. 15. Reg. Hazlitt. O. A. Graham. Sols. Parker, Rooks and Parker, Bedford-row.

Wilson, William, merchant's clerk, Kingsland-gn. Kingsland. Pet. Nov. 19. Reg. Roche. O. A. Cannan. Sols. Messrs. Hodgson, Salisbury-st. Strand.

Wratten, William, tanner and leather dresser, Canterbury and Ashford. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Doyle, Verulam-bdgs. Gray's-inn, for Petkenner, Canterbury.

To surrender in the Country.

Abell, Thomas Henry, fancy draper, Plymouth. Pet. Nov. 19. O. A. Pinkyne. Sol. Pryer, Exeter.

Cox, William, furniture broker, Coppice Coseley, Sedgley. Pet. Oct. 29. Reg & O. A. Walker. Sol. Bartlett, Wolverhampton.

Crudge, William, cabinet-maker, Bampton. Pet. Nov. 17. Reg. & O. A. Daw. Sol. Densham, Bampton.

Dixon, Henry, spoonmaker, Birmingham. Pet. Nov. 16. Reg. Tudor. O. A. Klensor. Sol. Parry, Birmingham.

Dunkin, James, mine agent, Minera. Pet. Nov. 8. Reg. & O. A. Edgworth.

Eaton, Mary, and Eaton, Henry John, bailiffs, Wimborne Minster. Pet. Nov. 16. Reg. & O. A. Rawlins. Sol. Moore, Wimborne Minster.

Eaves, Thomas, plumber, Coventry. Pet. Oct. 29. Reg. Hill. O. A. Klensor. Sols. Davis, Coventry; Hodgson and Son, Birmingham.

Fenwick, Robinson, working pitman, Northumberland. Pet. Nov. 11. Reg. & O. A. Brumell. Sol. Dodd, Blythe.

Fletcher, John, baker, New Brompton. Pet. Nov. 18. Reg. & O. A. Acworth. Sol. Hayward, Rochester.

Flint, John Steele, railway manager, Tonbridge-wells. Pet. Nov. 18. Reg. & O. A. Allegne. Sol. Cripps, Tonbridge-wells.

Gallimore, James, grocer, Ilkeston. Pet. Nov. 17. Reg. & O. A. Ingle. Sol. Heathcote, Nottingham.

Garner, James, fishmonger, Northampton. Pet. Nov. 17. Reg. & O. A. Dennis. Sols. Shield and White, Northampton.

Greenwood, William, manufacturer, Blackburn. Pet. Nov. 9. Reg. Macrae. O. A. Morgan. Sol. Richardson, Manchester.

Hateley, William, general draper, Jarrow, Belford. Pet. Nov. 18. Reg. & O. A. Daglish. Sols. Scaife and Britton, Newcastle.

Hudson, Benjamin Parker, out of business, Leeds. Pet. Nov. 17. Reg. & O. A. Sangster. Sol. Haria, Leeds.

Humphry, John, beerhouse-keeper, Stafford. Pet. Nov. 17. Reg. Hill. O. A. Klensor. Sols. Butterton, Greatrex and Butterton, Stafford; James and Griffin, Birmingham.

Hundley, Samuel, baker, Worcester. Pet. Nov. 18. Reg. & O. A. Hill. Sol. Wilson, Worcester.

Johnson, William, builder, Liverpool. Pet. Nov. 18. O. A. Turner. Sol. Ely, Liverpool.

Kenningham, John, school-keeper, Broughton, near Manchester. Pet. Nov. 16. Reg. & O. A. Hulton. Sol. Farrington, Manchester.

Kettle, John, malt and coffee roaster and dealer, Birmingham. Pet. Nov. 17. Reg. Hill. O. A. Klensor. Sols. Rawlins and Rowley, Birmingham.

Lewis, James, labourer, Bodenham. Pet. Nov. 21. Reg. Tudor. O. A. Klensor. Sol. Sackling, Birmingham.

Mansell, Shadrach, paddler, Kidsgrove. Pet. Oct. 17. Reg. & O. A. Challinor.

McCulloch, John, tradesman, Stockton-on-Tees. Pet. Nov. 18. Reg. Gibson. O. A. Lakiman. Sols. Simpson, Yarm; Griffith and Crighton, Newcastle.

Measures, James, baker, Peterborough. Pet. Nov. 14. Reg. & O. A. Gaches. Sol. Taylor, Peterborough.

Nixon, Mary, milliner, Layton-with-Warbreck. Pet. Nov. 16. Reg. & O. A. Pattinson. Sol. Brierley, Blackpool.

Nixon, Luther, shoe manufacturer, Stafford. Pet. Nov. 14. Reg. & O. A. Spilsbury.

Owen, James, grocer, Manchester. Pet. Nov. 18. Reg. Macrae. O. A. Morgan. Sol. Halton, Salford.

Perkins, Andrew, jun., accountant, Bridgwater. Pet. Nov. 18. O. A. Parkyns. Sols. Reed, Bridgwater; Clarke, Exeter.

Potter, William, newspaper agent, Manchester. Pet. Nov. 17. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester.

Ratcliffe, John, baker, Stoke-upon-Trent. Pet. Nov. 14. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley.

Reynolds, John, commission agent, Little Bolton. Pet. Nov. 11. Reg. & O. A. Holden. Sols. Richardson and Brandwood, Bolton.

Robinson, Thomas, innkeeper, Leigh. Pet. Nov. 2. Reg. & O. A. Swaine. Sol. Duffield.

Rose, James, machine broker, Hulme. Pet. Oct. 19. Reg. & O. A. Hulton.

Rookes, James, grocer, Cardigan. Pet. Oct. 26. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol.

Schofield, Abel, commission agent, Liverpool. Pet. Nov. 17. O. A. Turner.

Sharle, Richard Robert Hellier, chemist, Plymouth. Pet. Nov. 17. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth.

Shaw, John, jun., mason, Hoyland-common, York. Pet. Aug. 16. Reg. & O. A Shepherd. Sol. Broadbent, Sheffield.

Shuttleworth, John, innkeeper, Thornton. Pet. Nov. 19. Reg. & O. A. Carr. Sol. Robinson, Skipton.

Steel, Robert, cordwainer, Wortley, near Leeds. Pet. Nov. 17. Reg. & O. A. Sangster. Sol. Haria, Leeds.

Symes, John, innkeeper, Bristol. Pet. Nov. 18. Reg. Wilde. O. A. Acraman. Sols. Clifton, Brooking and Bockingham, Bristol.

Tate, John Clennell, engraver, Newcastle. Pet. Nov. 15. O. A. Clayton. Sol. Joel, Newcastle.

Taylor, Henry, out of business, North Meol's. Pet. Nov. 18. Reg. & O. A. Weisby. Sol. Higginbotham, Southport.

Tuplis, William, dairyman, Droylsden. Pet. Nov. 14. Reg. Macrae. O. A. Morgan.

Tremlett, James Commins, shoemaker, Broadcenbury. Pet. Nov. 16. Reg. & O. A. Stamp. Sol. Flood, Exeter.

Williams, Algernon Sidney, engraver, Derby. Pet. Nov. 19. Reg. & O. A. Waller. Sol. Briggs, Derby.

Wilson, Robert, pig and cattle dealer, Ipswich. Pet. Nov. 17. Reg. & O. A. Prattyman. Sol. Pownall, Ipswich.

Wood, John, table-knife maker, Sheffield. Pet. Nov. 18. Reg. & O. A. Wake and Rodgers. Sol. Mickleth waite, Sheffield.

Gazette, Nov. 25.

To surrender at the Bankrupts' Court, London.

Andrews, Alfred, shoe manufacturer, Northampton. Pet. Nov. 22. Reg. Brougham. O. A. Edwards. Sol. Greville, St. Swithin's-la.

Argole, Caroline, boarding-house keeper, Hart-st. Bloomsbury-sq. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sol. Stackpoole, Pinner's-hall, Old Broad-st.

Balls, William Gibling, tailor, Wells-st. Jewin-st. Pet. Nov. 19. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

Beard, Thomas George, bookseller, Basingstoke. Pet. Nov. 22. Reg. Hazlitt. O. A. Graham. Sols. Lott, Parliament-st. Westminster, for Prickett and King, Basingstoke.

Bequet, Jules, in no business, Castle-st. Leicester-sq. Pet. Nov. 19. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

Burrage, John, tailor and general outfitter, Norwich. Pet. Nov. 21. Reg. Brougham. O. A. Edwards. Sols. Roche and Gover, Old Jewry.

Campbell, John, comedian, Suffolk-st. Commercial-rd. east. Pet. Nov. 21. Reg. Hazlitt. O. A. Graham. Sol. George, Jermyn-st. St. James's.

Chapman, William George, clerk to a publisher, Howley-st. York-rd. Lambeth, and Broadway, Ludgate-hill. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sol. Chandler, Bucklersbury.

Elliot, Edward Eden, accountant-general of the Bombay Presidency, Victoria-rd. south Kensington. Pet Nov. 19. Reg. Brougham. O. A. Edwards. Sols. Messrs. Hodgson, Salisbury-st. Strand.

Gain, Joseph, builder, carpenter and joiner, Portsea. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sols. Gregory and Rowcliffes, Bedford-row, agents for Long, Portsea.

Glavcopidi, Spiridion, merchant and commission agent, Gresham-st. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sol. Chidley, Old Jewry.

Goddard, William, victualler, Stoke Newington-rd. Pet. Nov. 18. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

Goddard, William Henry, plumber, Rye. Pet. Nov. 21. Reg. Hazlitt. O. A. Graham. Sol. Hewitt, Nicholas-la.

Grady, Gregor, leather manufacturer, Great Tower-st. Pet. Nov. 19. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Hodgson, Salisbury-st. Strand.

Graystone, Ebenezer, carpenter, Dorset-st. Essex-rd. Islington. Pet. Nov. 21. Reg. Brougham. O. A. Edwards. Sols. Kingdom and Williams, Lawrence-la.

Hawley, George William, coal merchant, Oakham. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sols. Wright and Bonner, London-st. Fenchurch-st., agents for Law, Stamford.

Joyce, Walter, comedian, Margate. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

Kahl, Albert, shipbroker, Champion-grove, Grove-la. Camberwell. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sols. Messrs. Linklater and Hackwood, Walbrook.

Kedge, Robert, cowkeeper, Hackett's-ter. Park-rd. Peckham New-town. Pet. Nov. 23. Reg. Roche. O. A. Cannan. Sol. Buchanan, Basinghall-st.

King, Rev. William Wilson, rector of Fleetmarston, Percy-st. Tottenham-court-rd. Pet. Nov. 17. Reg. Brougham. O. A. Edwards. Sol. Kisch, Lancaster-pl. Strand.

Lane, Frederick, clerk to a publisher, Howley-st. York-rd. Lambeth. Pet. Nov. 23. Reg. Hazlitt. O. A. Graham. Sol. New, Fleet-st.

Lanagan, John, farmer and cattle dealer, Gillies-st. Kentish-town. Pet. Nov. 18. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.

Leech, John Golding, journeyman carpenter, Portland-ter. Woodland-hill, Upper Norwood. Pet. Nov. 22. Reg. Hazlitt. O. A. Graham. Sol. Barsley, Bucklersbury.

Lindsay, Edward Collier, clerk to distillers, Bromley-cottages, Bromley. Pet. Nov. 21. Reg. Brougham. O. A. Edwards. Sol. Pope, Winchester-house, Old Broad-st.

Locke, William, pianoforte small works maker, Carlington-st. Hampstead-rd. Pet. Nov. 18. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

Martin, Edward, lucifer match maker, Old Ford-rd. north, Bow. Pet. Nov. 18. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

Mayor, Charles, fruiterer, Oxford-st. Pet. Nov. 22, Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.

NAYLOR, EDWIN CLOSE, woolstapler, Basinghall-st. Pet. Nov. 18. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

NOBLE, GEORGE INGHAM, oil and pickle merchant, Christopher-sq. Finsbury. Pet. Nov. 21. Reg. Hazlitt. O. A. Graham. Sols. Wood and King, Basinghall-st.

PERRY, JOHN, clerk in War-office, Harlesden-villas, Harlesden-green. Pet. Nov. 22. Reg. Hazlitt. O. A. Graham. Sols. Lewis and Lewis, Ely-pl. Holborn.

SCOTT, WILLIAM JOHN, butcher, Wormwood-st. Pet. Nov 15. Reg. Roche. O. A. Cannan. Sols. Keighley and Gething, Ironmonger-la.

SMITH, ABRAHAM, tailor, Dockhead, Bermondsey. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sols. Clarke, Son and Rawlins, Coleman-st.

SMITH, THOMAS, horsedealer, Cambridge-ter. Paddington. Pet. Nov. 22. Reg. Roche. O. A. Cannan. Sols. Treherne and White, Barge-yard-chambers, Bucklersbury, agents for Emerson, Norwich.

TAYLOR, ROBERT, traveller for paperhangings, Lindsey-pl. Battersea-bridge, Chelsea. Pet. Nov. 22. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Bedford-row.

TUBBS, WILLIAM FREDERICK, grocer, Woolston. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sols. Paterson and Son, Bouverie-st. agents for Mackey, Southampton.

WARD, HENRY WILLIAM, jun., appraiser, Seething-la. Pet. Nov. 12. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

WARREN, MARY, lodging-house-keeper, Stonefield-st. Islington. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sol. Waldron, Lamb's Conduit st.

To surrender in the Country.

BARNETT, WILLIAM, out of business, Edgbaston. Pet. Nov. 22. Reg. Tudor. O. A. Kinnear. Sol. Smith, Birmingham.

BARTT, JOHN, baker, Fakenham. Pet. Nov. 22. Reg. & O. A. Watson. Sol. Drake, East Dereham.

BRIGHT, HENRY, postmaster, Yarmouth, Isle of Wight. Pet. Nov. 20. Reg. & O. A. Blake. Sol. Davis, Lymington.

BROWN, THOMAS, grocer, Ironville. Pet. Nov. 16. Reg. & O. A. Hubbersty. Sol. Smith, Derby.

CALCOTT, JOHN, draper, Birmingham. Pet. Nov. 15. Reg. Hill. O. A. Kinnear. Sols. Best and Horton; James and Griffin, Birmingham.

CLARK HENRY, victualler, Swansea. Pet. Nov. 21. Reg. & O. A. Morris. Sol. Morris, Swansea.

COOP, SAMUEL, wheelwright and blacksmith, Woolfold. Pet. Nov. 2?. Reg. & O. A. Grundy. Sols. Messrs. Watson, Bury.

CORNHEAD, WILLIAM FRAMSHALL, harness maker, Ingatestone. Pet. Nov. 19. Reg. & O. A. Gepp. Sol. Duffield, Chelmsford.

CRAVEN, JOHN, out of business, Liverpool. Pet. Nov. 19. Reg. & O. A. Hime. Sol. Nordon, Liverpool.

CROWE, JOHN GEORGE, publican, East Retford. Pet. Nov. 15. Reg. & O. A. Newton. Sol. Marshall jun.

CRUMP, JAMES, innkeeper, Leominster. Pet. Nov. 21. Reg. & O. A. Robinson. Sol. Bedford, Leominster.

DANIEL, JOSEPH, Worcester. Pet. Nov. 21. Reg. & O. A. Hill. Sol. Corles, Worcester.

DAWES, THOMAS GEORGE, draper's assistant, Wednesbury. Pet. Nov. 23. O. A. Clarke. Sol. Stratton, Wolverhampton.

DIXON, ELIZABETH, grocer, Horsforth, near Leeds. Pet. Nov. 21. O. A. Young. Sol. Harle, Leeds.

DOUGLASS, WILLIAM, ironmonger's assistant, Coventry. Pet. Nov. 12. Reg. & O. A. Kirby. Sol. Smallbone, Coventry.

ELLIOTT, JOHN BINGHAM, cordwainer, Plaxton. Pet. Nov. 16. Reg. & O. A. Hubbersty. Sol. Dawson, Nottingham.

EVANS, GEORGE, builder, Gloucester. Pet. Nov. 22. Reg. & O. A. Wilton. Sol. Cooke, Gloucester.

FURNESS, JOSEPH, hat and cap manufacturer, Bury. Pet. Nov. 22. Reg. & O. A. Grundy. Sol. Crossland, Bury.

GEISSLER, JOHANN, merchant, Manchester. Pet. Nov. 22. Reg. Macrae. O. A. Morgan. Sols. Tidswell and Galloway, Manchester.

GEORGE, WILLIAM, inspector of plate layers, Buckingham. Pet. Nov. 18. Reg. & O. A. Greenhow. Sol. Fox, Dover.

GILBERTSON, JOHN, master carter, Liverpool. Pet. Nov 17. Reg. & O. A. Hime.

GOODWIN, JOSEPH, bread baker, Warrington. Pet. Nov. 21. Reg. & O. A. Nicholson. Sols. Nicholson and White.

GRANT, WILLIAM HENRY, lodging-house keeper, Ryde. Pet. Nov. 21. Reg. & O. A. Blake. Sol. Brckinsale, Newport.

HALLIDAY, JAMES, provision dealer, Birkenhead. Pet. Nov. 21. Reg. & O. A. Gill. Sol. Ward, Birkenhead.

HARPER, JOHN, journeyman joiner, Dudley Port. Pet. Nov. 2. Reg. & O. A. Walker. Sol. East, Birmingham.

HAYES, WILLIAM, potato dealer and shopkeeper, Barnsley. Pet. Nov. 19. Reg. & O. A. Shepherd. Sol. Hamer, Barnsley.

HOBSON, BENJAMIN, engineer, Sheffield. Pet. Nov. 21. Reg. & O. A. Newman and Hoyle. Sol. Broadbent, Sheffield.

HUMPHREY, GEORGE, baker, Norwich. Pet. Nov. 22. Reg. & O. A. Watson. Sol. Wilkin, King's Lynn.

JONES, ROBERT, farmer and stage car proprietor, Tyddyn Siencyn, Brynceroes. Pet. Nov. 19. Reg. & O. A. Owen. Sol. Roberts, Pwllheli.

MARTIN, JOHN, miller and corndealer, Trethake-mills, Lanteglos-by-Fowey. Pet. Nov. 19. Reg. & O. A. Childs. Sol. Sobey, Fowey.

MCDONALD, WILLIAM, draper, Halifax. Pet. Nov. 12. O. A. Young. Sols. Terry and Watson, Bradford; Simpson, Leeds.

NICHOLSON, JAMES, coaldealer, Birkenhead. Pet. Nov. 22. O. A. Turner. Sols. Steble and Jameson, Liverpool.

PERRY, GEORGE, publican and brass caster, Birmingham. Pet. Nov. 18. Reg. & O. A. Guest.

PICKERING, WILLIAM, chemist and druggist, Birmingham. Reg. & O. A. Guest.

READING, THOMAS, victualler, Sparkbrook, Birmingham. Pet. Nov. 22. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham.

RIMMER, WILLIAM, contractor, Birkdale, Southport. Pet. Nov. 17. O. A. Turner. Sols. Dodge and Wynne, Liverpool.

SEE, GEORGE, carter, Ainsworth, Bury. Pet. Nov. 22. Reg. & O. A. Grundy. Sols. Glover and Ramwell, Bolton.

SHELDON, JOHN, boot and shoe maker, Birmingham. Pet. Nov. 21. Reg. & O. A. Guest. Sol. Parry, Birmingham.

SIMPSON, JOHN, hardware commission agent, Liverpool. Pet. Nov. 4. Reg. & O. A. Hime. Sols. Grocott, Liverpool, agent for Gardner, Lancaster.

SMYTH, JOSEPH MILES, and CRAIG, GEORGE M'KENZIE, booksellers, Liverpool. Pet. Nov. 22. O. A. Turner. Sol. Tyrer, Liverpool.

SNOWBALL, THOMAS, farmer, Hedley, Stocksfield. Pet. Nov. 21. Reg. & O. A. Stokoe. Sol. Taylor, Hexham.

STORER, JOHN, beerhouse-keeper, Codnor. Pet. Nov. 16. Reg. & O. A. Hubbersty. Sol. Walker, Belper.

THOMAS, JOHN, buyer and seller of sheep and cattle, Landore, Swansea. Pet. Nov. 9. Reg. & O. A. Morris. Sol. Morris, Swansea.

THOMPSON, JOHN, joiner and builder, High Harrogate. Pet. Nov. 22. O. A. Young. Sols. Hindle, Ripon; Simpson, Leeds.

TONKELL, LUTIAS, refreshment-room keeper, Hull. Nov. 16. O. A. Carrick.

WAKEFORD, EDWARD, mercer and outfitter, Hereford. Pet. Nov. 16. Reg. & O. A. Reynolds. Sol. Averill, Hereford.

WALFORD, THOMAS BROADISH, flourseller, Rushmere. Pet. Nov. 22. Reg. & O. A. Pretyman. Sol. Moore, Ipswich.

WALTER, CHARLES, butcher, Leamington. Pet. Nov. 21. Reg. Hill. O. A. Kinnear. Sols. Heaney, Warwick; Hodgson and Son, Birmingham.

WEBB, JAMES, bridle bit manufacturer, Bloxwich, Walsall. Pet. Nov. 2. Reg. Hill. O. A. Kinnear. Sols. Sheldon, Wednesbury; Smith, Birmingham.

WEBSTER, THOMAS, joiner, St. Helen's. Pet. 22. O. A. Turner. Sol. Heaney, St. Helen's.

WILLIAMS, JOHN RICHARD, draper, Llanfechell. Pet. Nov. 22. O. A. Turner. Sol. Goldrick, Liverpool.

WOOD, EDWARD, joiner, Waterloo. Pet. Nov. 21. Reg. & O. A. Hime. Sol. Grattan, Birkenhead.

WRIGHT, CHRISTOPHER NORTON, jun., printer, Nottingham. Pet. Nov. 22. Reg. Tudor. O. A. Harris. Sol. Buttery, Nottingham.

BANKRUPTCIES ANNULLED.

Gazette, Nov. 22.

ALLAN, JOHN MARR, and WALLER, THOMAS, warehousemen, Lilypot-la.

Gazette, Nov. 25.

TOOLEY, JAMES, jun., currier and leatherseller, Downham Market.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Agate, R. draper, second, 3½d. Mansfield, London.—*Agate*, J. grocer, second, 4½d.; to new proofs, 10s. 4½d. Edwards, London.—*Coathupe*, H. B. shipowner, first, 1½d. Edwards, London.—*Corbett*, T. victualler, first, 9d. Kinnear, Birmingham.—*Cornock*, N. farmer, first, 1s. 1½d. Parkyns, Exeter.—*Cottrell*, A. T. forgemaster, second, 4d. (in addition to 3s. previously declared). Laidman, Newcastle.—*Curtis*, W. innkeeper, first, 1s. 6½d. Stansfeld, London.—*Escudier*, B. surveyor, first, 7d. Edwards, London.—*Hadley*, W. farmer, first, 3s. Kinnear, Birmingham.—*Harris*, J. envelope manufacturer, first, 7s. 6d. Edwards, London.—*Jourrie*, *Greame* and *de Lisle*, merchants, third, 10d. Cannan, London.—*Mann*, H. carrier and agent, first, 10½d. Kinnear, Birmingham.—*Orchard*, J. draper and silk mercer, second, 1s. 4½d. Cannan, London.—*Salgrove*, W. jun., and *Page*, H. cabinet-makers, fifth, 0d. 17-64ths. Edwards, London.—*Saxon*, J. farmer, first, 2s. 4d. Laidman, Newcastle.—*Shrimpton*, S. saddler, first, 7s. 6d. Edwards, London.—*Smith*, G. draper, first on new proofs 2s. 10d. (being in part of 4s. 10d. previously declared). Laidman, Newcastle.—*Somer*, H. corn dealer, first, 13s. 7½d. Parkyns, Exeter.—*Taylor*, H. limeburner, further, 4s. 9½d. Parkyns, Exeter.—*Tuckfield*, J. watch manufacturer, first, 1s. Cannan, London.—*Walker* and *Kinloch*, linendrapers, first, 1s. 7d. Laidman, Newcastle.—*Wilson*, J. W. surgeon, first, 3s. 6½d. Stansfeld, London.—*Wolf*, E. of Bromley-common, first, 2s. 11½d. Stansfeld, London.

Assignments.

Gazette, Nov. 22.

ALABASTER, ROBERT WILLIAM, warehouseman, Old Change. Oct 29. Trusts. W. Milligan, straw manufacturer, Dunstable, and S. Desborough, warehouseman, Noble-st.

BEARDALL, JOHN, mantle manufacturer, Tottenham-ct-rd. Nov. 16. Trust J. F. Lovering, accountant, King-st. Cheapside.

BENDIR, PAUL EDWARD, merchant and commission agent, Corn Exchange-chambers, Mark-la. Oct. 27. Trusts. F. B. R. Natusch, insurance broker, Lloyd's underwriting-room, and R. Reid, corn factor, Mark-la. Sols. McLeod, Stenning and Watney, London-st. Fenchurch-st.

CHANNING, ABRAHAM, yeoman, Blatchworthy Farm, Stoodleigh. Nov. 15. Trusts. A. Bere, yeoman, Sandford, and W. Wheaton, merchant, Exeter.

EGGINTON, EDWARD, ironmonger, Ludlow. Oct. 26. Trusts. A. Thompson, manufacturer, Wolverhampton, and W. Tinsen, gentleman, Ludlow.

EVERETT, GEORGE, wine and spirit merchant, King Henry-st. Mildmay park, Islington. Nov. 16. Trust. R. W. Gray, victualler, Blackman-st. Southwark.

GILLIBRAND, THOMAS, warehouseman, Chorley. Oct. 24. Trust. M. Gerrard, ironmonger, Chorley.

HAWKSWORTH, PETER, woolstapler, Bradford. Oct. 28. Trust. J. Keller, woolstapler, Bradford.

HOWITT, HENRY, woollendraper, Snow-hill. Nov. 11. Trusts. S. Lowry, Wood-st. and D. Parker, Goldsmith-st., warehousemen. Sols. Sole, Turners and Hardwick, Aldermanbury.

HYDE, ROBERT ABBOTT, provision dealer, Salford. Nov. 11. Trust. J. McInerny, wood turner, Manchester.

KIDD, GEORGE, grocer, Great Marlow. Nov. 11. Trusts. J. Teede, wholesale grocer, Bishopsgate-st.-without, and G. Myston, grocer, Chepping Wycombe.

LOVELL, JAMES, leather seller, Northampton. Oct. 26. Trusts. T. Shepard, leather merchant, and J. Robinson, carrier, both Northampton.

MAYMAN, GEORGE; FEARNLEY, MILES; and MAYMAN, GEORGE, jun., blanket manufacturers, all Heckmondwike. Oct. 24. Trusts. C. Oates, M. Firth, and R. Walker, woolstaplers, Heckmondwike.

MILLS, RICHARD, wool sorter, Rochdale. Nov. 1. Trust. J. Butterworth, farmer, Rochdale.

NEWTON, JOHN, manufacturer, Preston. Oct. 26. Trusts. W. Boyce, jun., agent, Manchester, R. Calvert, cottonspinner, Walton-le-Dale, and W. Seed, cottonspinner, Preston.

PAGE, JOSEPH HENRY, auctioneer, Moorgate-st. and Stanley-st. Pimlico. Oct. 29. Trust. R. Kevell, surveyor, Fulham-rd.

PRICE, JOHN, shopkeeper, Abertillery. Oct. 22. Trusts. T. Francis, warehouseman, and J. Wright, cheesefactor, both Bristol.

RICHES, WILLIAM, shopkeeper, Wrexham. Nov. 16. Trust. W. Beck, miller, Catfield.

RUBERY, JOHN, merchant, Leamington. Nov. 1. Trust. J. B. Gibbons, public accountant, Lothbury.

SANDERSON, ALFRED WHALEY, drysalter, King's-mills, King-st. Camden-town. Nov. 4. Trusts. J. R. Davies, South-st. Thurloe-sq., and W. Durrad, Eccleshall, gentlemen.

SAVERY, ALMERICUS BLAKENEY, Esq., Chepstow. Oct. 22. Trusts. T. Cairncross, banker, Bristol, H. Gosling, banker, Monmouth, and R. A. Sylvester, Melksham.

STEVENS, SAMUEL, and REDDELL, WILLIAM THORNTON, warehousemen, Bread-st. Nov. 17. Trust. J. G. Ashew, warehouseman, St. Ann's-la. Sols. Sole, Turner and Hardwick, Aldermanbury.

SWATMAN, EDWARD LANE, solicitor, King's Lynn. Oct. 27. Trusts. J. L. Marriott, merchant, Pentney, and L. W. Jarvis, gentleman, King's Lynn. Sol. Pitcher, King's Lynn.

TRAVIS, HENRY BARKER, schoolmaster, Sheffield. Nov. 2. Trust. J. Naylor, shopkeeper, Sheffield.

WADE, WILLIAM, publican, York. Oct. 23. Trust. R. Nelson, brewer, York.

ERRATUM.

RENREW (and not Reuren as before advertised), DAVID, tailor and draper, Newcastle. Oct. 14. Trusts. J. Barnett, cloth and general dealer, and M. Cohn, boot and shoe manufacturer, both Newcastle.

Gazette, Nov. 25.

ADAMS, EDGAR, crinoline skirt manufacturer, Great Titchfield-st. Oxford-st. Nov. 1. Trust. S. Desborough, warehouseman, Noble-st.

APPLEYARD, FREDERICK, carrier and leather dealer, Bradford. Nov. 2. Trusts. R. Whipp, farmer, Bramley, J. Hawksworth, carrier, Hunslet, and J. Taylor, farmer, Manchester.

ASTELL, WILLIAM, beerseller, Nottingham. Oct. 26. Trust. T. B. Rose, joiner, Nottingham.

BARTON, JOHN, grocer, Runcorn. Nov. 18. Trusts. H. Berson, wholesale grocer, Liverpool, and J. R. Pickering, miller, Frodsham, Chester. Sol. Clarke, Runcorn.

BATTY, GEORGE, farmer, Sutton-in-Forest. Oct. 30. Trusts. J. Henderson, gentleman, Castle Howard, and H. E. Sonlby, merchant, New Malton.

BENDIR, PAUL EDWARD, merchant and commission agent, Corn Exchange offices, Mark-la. Oct. 27. Trusts. F. B. R. Natusch, insurance broker, Lloyd's underwriting room, and R. Reid, cornfactor, Mark-la. Sols. McLeod, Stenning and Watney, London-st. Fenchurch-st.

BLAKEBOROUGH, GEORGE BRIGGS, paper merchant, Leeds. Nov. 2. Trust. C. Turner, papermaker, Bolton.

BRUCE, WILLIAM WALLACE, shipowner, Liverpool. Nov. 2. Trusts. A. Brown, ship store dealer, and J. B. Hayes, book-keeper, both Liverpool.

EDMONDSON, JOHN, manufacturer, Padiham. Oct. 31. Trust. F. Wilkinson, yarn agent, Manchester.

FAIRLAMB, HANNAH, widow, Newcastle. Oct. 29. Trusts. J. Wilson, provision merchant, and G. Carrie, commission agent, both Newcastle.

FAIRS, JOSEPH, butcher, Birtley. Oct. 29. Trust. J. Clavering, solicitor, Newcastle.

FLEMING, ISABELLA, widow, Chorlton-upon-Medlock. Oct. 29. Trusts. T. B. Turner, tea merchant, and W. Sharp, sugar merchant, both Manchester.

GILL, JOHN WITHERS, miller and merchant, Thetford. Oct. 29. Trusts. W. T. Palmer, gentleman, Norwich, and W. T. Count, draper, Thetford.

HOLME, RICHARD, table knife manufacturer, Sheffield. Nov. 7. Trust. J. Linley, sheep shear manager, Sheffield.

HOWSON, THOMAS, land agent and surveyor, Blackburn. Oct. 27. Trusts. H. G. Branshill, bank manager, and R. Hacking, quarry master and builder, both Blackburn.

HUGHES, JOHN, joiner, Chester. Nov. 11. Trust. J. Jones, grocer, Chester.

JACKSON, CHARLES, and ROLLASON, JOSEPH, engineers and sword scabbard makers, Birmingham. Oct. 24. Trusts. F. Rollason, accountant, and G. H. Jackson, printer, both Birmingham.

JONES, WILLIAM, grocer and dealer, Dowlais. Oct. 26. Trusts. J. Price, merchant, Merthyr Tydfil, and J. Rees, chandler, Merthyr Tydfil.

JONES, WILLIAM HENRY, iron merchant, Liverpool. Nov. 19. Trusts. A. W. Chalmers, accountant, and P. S. McNichol, metal merchant, both Liverpool.

KNOWLES, JAMES, and DUCKWORTH, THOMAS, manufacturers, Padiham. Oct. 25. Trusts. G. Little, yarn agent, Blackburn, and J. Towler, cottonspinner, Bentham.

LEDGARD, HENRY, warehouseman, Wood-st. London, and Manchester. Oct. 31. Trusts. R. Day, Dewsbury, F. Barker, Leeds, S. Mellor, Huddersfield, and G. Brooke, Huddersfield, woollen manufacturers. Sols. Torr, Janeway and Tagart, Bedford-row, agents for Holt and Sons, Horbury.

PARR, JAMES HAZELWOOD, and CARDWELL, JOHN HARLAND, all cloth and linen merchants, Liverpool. Oct. 27. Trusts. B. Carr, linen merchant, Manchester, and H. C. Briggs, jute manufacturer, Wakefield.

PILLING, DAVID, and SHAW, PETER, tanners, Warrington. Nov. 1. Trusts. J. F. Greenall, banker, Warrington, and J. G. Ochiston, Liverpool.

PRICE, ELIJAH, and COWDEN, JOSEPH, merchants, Liverpool. Nov. 1. Trusts. W. H. Jones, insurance broker, and R. Bannell, broker, both Liverpool.

ROBINSON, ANDREW, draper, Wigton. Oct. 21. Trusts. J. Lemon, Wigton, and J. Thorburn, Manchester, merchants.

SLADE, WILLIAM, gentleman, Sydenham. Nov. 22. Trusts. A. R. Forwood, merchant, Liverpool, T. R. Bridson, bleacher, Bolton, and J. Hick, ironfounder, Bolton.

SMITH, THOMAS, innkeeper, Leeds. Nov. 16. Trust. T. Wetherley, auctioneer, Leeds.

SWATMAN, EDWARD LANE, solicitor, King's Lynn. Oct. 27. Trusts. J. L. Marriott, merchant, Pentney, and L. W. Jarvis, gentleman, King's Lynn.

SWEETMAN, CHARLES, undertaker, Bedminster. Nov. 3. Trust. R. C. Lansdown, accountant, Bristol.

THOMSON, WILLIAM, and OLDFIELD, PHINEAS ALEXANDER BYRIE, brokers, Liverpool. Nov. 5. Trusts. H. Littledale and E. Gray, brokers, Liverpool.

WARD, THOMAS, manufacturer, Idle. Nov. 16. Trusts. R. Goddard, and J. S. Taylor, woolstaplers, Bradford. Sols. Terry and Watson, Bradford.

WILCOCK, THEOPHILUS HENRY, wholesale teadealer, Martin's-la. Cannon-st. Nov. 19. Trust. W. B. Waterlow, stationer, London-wall.

Composition Deeds.

Gazette, Nov. 22.

ALLAN, WILLIAM, brush manufacturer, Newcastle. Oct. 31. Trusts. F. R. Frisneby, bristle merchant, Cannon st., and J. Mies, bristle merchant, Leadenhall st. 10s. by three equal instalments at 4, 8 and 12 mos.—secured.

BREWER, HENRY, ship chandler, High-st. Wapping. Nov. 14. 5s. by three instalments—1s. forthwith, 2s. on 24th Feb. and 2s. on 24th June—secured.

BRIGGS, CHRISTOPHER, and BRIGGS, THURSTON, cotton manufacturers, Farnworth, near Bolton. Nov. 5. Trust. A. Heather, commission agent, Manchester. 10s.—2s. 6d. at 2, 4, 8 and 12 mos.—secured.

BROWN, JOHN, bacon factor, Newcastle. Nov. 12. Trusts. A. Knothe and C. H. Young, merchants, Newcastle. 10s. by five instalments—1s. in cash, 1s. 6d. in 3 mos. and 3rd, 4th and 5th of 2s. 6d. at 6, 9 and 12 mos.—secured.

CHRISTIAN, CHARLES TOWNSEND, gentleman, Somerset-st. Oct. 1. 1s.—6d. in 12 mos. from date of deed and 6d. in 12 mos. after.

GILLARD, WILLIAM, drysalter, Dowerose-bldgs. Ball's-pond. Nov. 4. Deed of arrangement to pay by six equal instalments, at 4, 8, 12, 16, 20 and 24 mos.

HORLICK, GEORGE, baker, Bristol. Nov. 3. Surety C. Horlick, baker, Bristol. 5s. by two instalments of 2s. 6d. at 3 and 6 mos.

JACKSON, JOSEPH, jun., bricklayer, Gorton. Nov. 16. Trust. R. Peel, accountant, Manchester. 5s. by two instalments of 2s. 6d. each, at 3, and 6 mos.—secured.

JONES, WILLIAM RIMMERON, hatter, Long-acre. Nov. 17. 5s. at 3 mos.

KIRBY, JOHN, draper, Oval, Hackney-rd. Nov. 17. 2s.

MACKLIN, REUBEN, trimming manufacturer, Harley-villas, Victoria-park-rd, Hackney. Nov. 15. Surety D. Mack, victualler, Woolford. 3s. by three instalments—1s. 6d. in 14 days, 1s. 6d. in 3 mos. and 1s. in 6 mos.

NORRIS, JAMES, vellum binder, Lower Edmonton. Nov. 2. 2s. 6d. by two instalments of 1s. on 31st Jan. and 1s. 6d. on 31st March.

ROBINS, GEORGE RASSELL, cattle dealer, Hardway. Nov. 19. 2s. 6d. in 6 mos.

ROTHWELL, JAMES, woolstapler and woollen waste dealer, Rochdale. Nov. 7. 1s. on 20th Jan.

RUDYARD, ARTHUR JOHN, silk trimming manufacturer, Macclesfield. Nov. 11. 6d. on execution of deed.

SIMPSON, FRANCIS, dealer in china and glass, Newington-butts. Oct. 12. Inspectors J. Hope, earthenware manufacturer, Burslem, and T. T. Gaison, gentleman, Hatton-garden, Holborn. 11s. 6d. by five equal instalments—2s. 6d. on 1st March, 1st July, 1st Nov. 1865, 1st May and 1st Nov. 1866.

STOCKER, ALEXANDER SOUTHWOOD, horseshoe and shoetip manufacturer, Wolverhampton. Sept. 12. Trust. A. T. Brettell, accountant clerk, Wolverhampton. 3s. 4d.

STRANGMAN, RICHARD THOMAS, and BAKE, SAMUEL, merchants, Billiter-sq. Oct. 29. Inspectors A. E. Burrell, white lead manufacturer, Minories, and G. C. Warden, London-st.

SWAN, JOHN, merchant, Leadenhall-st. Nov. 2. Inspectors M. D. Rucker, shipbroker, Leadenhall-st., and W. Green, coal merchant, Coal-exchange.

Gazette, Nov. 25.

BORCHARDT, NOAH, cap peak, band and belt manufacturer, 64, Prescott-st. Goodman's-fields. Nov. 16. 1s.

BOURNE, JAMES, commercial traveller, Carlisle-ter. Bow. Nov. 8. 2s. forthwith.

CARTER, JOHN, wine merchant, King William-st. Nov. 21. 5s. by two instalments of 2s. 6d. on 31st March and 30th Sept.

COMER, THOMAS, secretary, Lodge-rd. Hackney. Nov. 23. Trust. J. S. Adam, shipbroker, Great St. Helen's. Deed of arrangement to pay 50l. on 22nd Nov. in each year, until debts are paid.

DELMAR, JAMES, jun., wine merchant's clerk, Harper-st. Red Lion-sq. Oct. 26. 1s. by two equal instalments on 31st Oct. and 30th April.

EARLY, THOMAS, and SMITH, THOMAS EARLY, wholesale clothiers and warehousemen, Houndsditch. Nov. 12. Trusts. R. Westell, linen factor, Castle-st. Lawrence-la., and W. J. Clinch, brewer, Cheltenham. Deed of inspectorship.

FISHER, THOMAS, saddler, Bromsgrove. Oct. 21. 5s. on executing deed.

GRIERSON, JOHN, tailor, Manchester. Nov. 16. Trust. W. H. Hayes, book-keeper, Chorlton-upon-Medlock. 2s. 6d. on 17th Nov.

HOLTBY, SAMUEL, tailor and draper, Hull. Nov. 15. Trust. W. Catt, woollen draper, Hull. 2s. by two equal instalments, at 6 and 9 mos.—secured.

SMITH, FREDERICK, dealer in glass, china and earthenware, Hull. Nov. 19. 5s. on 6th Feb.

SMITH, JAMES, surgical instrument maker, Bristol. Oct. 26. 5s. on execution of deed.

SWIFT, WILLIAM ALFRED, club-house keeper, St. James's-pl. St. James's, and Gloucester-rd. Regent's-park. Nov. 21. 2s. on 12th Dec.

WERTHEIMER, MAURICE, jeweller and dealer in fancy goods, Liverpool. Nov. 9. Trusts. H. Cotton, gentleman, Liverpool. 7s. 6d. by two instalments of 1s. 3d. each.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

FOWKES.—On the 26th ult., at Sydenham, the wife of H. R. G. Fowkes, solicitor, of a son.

OLDHAM.—On the 29th ult., at Summer-hill, Gainsborough, the wife of T. H. Oldham, Esq., of a daughter.

WADDILOVE.—On the 29th ult., at 62, Kensington-gardens-square, the wife of Edward Waddilove, Esq., of a daughter.

MARRIAGE.

HEATON—CAMPBELL.—On the 19th ult., at Christ Church, Lancaster-gate, George William Heaton, Esq., of Lincoln's-inn, and late High Sheriff of Vancouver Island, to Annette Hannah, second daughter of the late James Gordon Campbell, K.C.B.

DEATHS.

EDWARD.—On the 5th ult., lost in the *Persia*, off Calcutta, during the cyclone, George Edward, aged 21, eldest son of the late Edward Mortimer Moultrie, of the Middle Temple, Esq.

EVERETT.—On the 23rd ult., at Dorset Villa, Reading, William Everett, Esq., Fellow of New College, Oxford, and barrister-at-law, Western Circuit.

TEBBUTT.—On the 9th July last, in Australia, of fever, Alfred John Tebbutt, Esq., son of the late Thomas Tebbutt, Esq., solicitor, of Gray's-inn, and Clapton-square, Hackney.

Just published,

COUNTY COURTS and BANKRUPTCY CASES and APPEALS.—The new Part is now ready, containing the Decisions of the Superior Courts and County Courts. Published quarterly, price 4s. The back Parts may be had.

London: JOHN CROCKFORD, 10, Wellington-street, Strand.

To Readers and Correspondents.

JOHN RUSSELL.—The executor is bound to retain the money for the duty.

J. R.—We know of no book on the subject, and no cases in which the law of gas companies has been decided apart from the general law of joint-stock companies. There is not material even for an article.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

WEDNESDAY, DEC. 14.

By Mr. BRAY, at GARRAWAY'S.

A pair of villa residences at Dalston, and six ditto at North Hackney. Advertised this day.

By Mr. F. SHARP, on the premises.

Detached residence, Summer-hill, Dartford, and the furniture, books, plantation, &c. Advertised this day.

THURSDAY, DEC. 15.

By Mr. T. S. SMITH, on the premises.

The lease of a desirable residence (furnished), 32, St. James's-square. Advertised this day.

FRIDAY, DEC. 16.

By Mr. SADGROVE, at GARRAWAY'S.

Absolute reversion to 1900*l.* Advertised this day.

By Messrs. WEATHERALL and GREEN, at GARRAWAY'S.

Semi-detached residence at Kensington-park, eight family residences Wandsworth-road, two freehold residences at Camberwell, two leasehold villas at Chelsea, and two leasehold residences at Clapham. Advertised this day.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*

Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

THE LAW TIMES goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.

A Portfolio to contain the current numbers of the LAW TIMES *Reports will be forwarded by post to any person inclosing* 2*s.* 10*d.* *in postage stamps.*

On Dec. 12.

A DIGEST of MARITIME LAW CASES, decided by all the Courts from the years 1437 to 1860 inclusive. Together with a DIGEST of SALVAGE AWARDS during the same period. Part I. price 3*s.*; to be completed in eight parts. Edited by ARTHUR YOUNG, compiler of the "Nautical Dictionary, Illustrated."

LAW TIMES OFFICE, 10, Wellington-street, Strand.

This day is published.

THE FOURTH EDITION of HALLILAY'S DIGEST of the EXAMINATION QUESTIONS in Common Law, Conveyancing, and Equity, from the commencement of the Examinations in 1860 to Michaelmas Term, with ANSWERS; also the mode of proceeding, and directions to be attended to at the Examination. By RICHARD HALLILAY, Esq., Solicitor. Price 10*s.* cloth.

CRUCKSHANK, 16, Wellington-street, Strand.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE *Law Property Assurance Society* presents to the Profession, through the LAW TIMES to-day, the *Lawyers' Almanac*, which has been continued for the last fifteen years. One of them will accompany each copy of this journal. If any reader desires to have more copies, for posting in different rooms, they will be sent to him free of cost, by post, on addressing the Secretary at the offices, 50, Essex-street, stating the number desired, and any solicitor not obtaining it through the LAW TIMES may have it by application in like manner.

IT is reported that the LORD CHANCELLOR contemplates the introduction into Parliament, early in the ensuing Session, of a Bill for the appointment of stipendiary magistrates in all large towns, reducing considerably the present limit as defined by Mr. SHERIDAN'S Act. The proposal will doubtless be approved. In large cities and towns a Magistrates' Court is required to be holden daily for the despatch of business, and especially for the disposing of police cases. In such places the present unpaid magistrates are for the most part men actively engaged in other occupations, who have been placed upon the Bench, not by virtue of their fitness for the office of a justice of the peace, but because of services rendered to or hoped for by the party in possession of the Government for the time being. Hence, inasmuch as one political party has been in power for more than thirty years, the great majority of the borough magistrates are of one party, and are consequently suspected and accused of partisanship, although it is probable that in fact they dispense impartial justice. But even a suspicion of partiality should not rest upon this administration of the law.

There is another reason that recommends the proposed change. The fact is undeniable, that the necessities of party almost compel the appointment in cities and boroughs of many men who possess local electioneering influence, but who neither by education nor by social position are qualified for an office which, to be efficiently exercised, should in its holders have men whose judgment will be respected by the community among whom they exercise their functions. We fear this cannot be said of many who are put into it under the practice by which the choice is at present determined.

The objections raised to the substitution of stipendiary magistrates are, the cost and the patronage. But the former is no serious matter, for the salaries might range from 500*l.* to 1000*l.* according to the populations; and as for the latter, which is the most questionable, it is doubtful whether the Government will not rather lose than gain influence by exchanging the present privilege of appointing some hundreds of political magistrates for, it may be, one hundred lawyers, who will not be permitted to take any part in politics.

THE LORD CHIEF JUSTICE, who has done so much to maintain the integrity of both branches of the Profession, by his resolute resistance of sharp practice by one branch, and licence of tongue by the other branch, has again rendered an important service by publicly expressing his approbation of the conduct of Messrs. LEWIS and LEWIS in withdrawing from the abominable action against Sir J. MCANDREW, when they discovered how little foundation there was for the plaintiff's claim, and that the only chance of success was extortion of a compromise by the natural dread of publicity. And Messrs. LEWIS well deserve the encomium that was passed upon them. Engaged in a branch of practice the most exposed to temptations to irregularities, they have distinguished themselves by the most scrupulous adherence not merely to strict professional rule, but to that which is even more important to the character of solicitors, the scrupulous conduct that honour dictates to gentlemen. It is impossible to over-estimate the value of such an example, for it more or less shames those who impudently pretend that success in the practice of the Criminal and Nisi Prius Courts cannot be attained without stooping; that the cases with which they are compelled to deal cannot be touched without defilement. And great, too, is the amount of positive good that can be done by such men in such a business. How many infamous actions they nip in the bud by their refusal to have anything to do with them, may be judged by those that, after their refusal, are taken up by others less scrupulous. We know of no greater public service that could be rendered than to devise some practicable plan by which the low class of attorneys could be made responsible for speculative litigation undertaken with a view to costs or a compromise, and not *bonâ fide* for damages to an injured client. There is no greater pest to society than these men, and none who bring such discredit upon the profession they disgrace. Surely the Law Society might frame, and Parliament would cheerfully enact, and the Judges would eagerly enforce, some punishment whereby it would become unprofitably dangerous to speculate in such actions as are constantly making their appearance in the courts, but which, we fear, are but a small fraction of those that never come before the public, because the victims prefer to pay the speculators rather than fight a pauper.

THE journals appear to have misunderstood the incident at the BERRYER dinner in the Middle Temple Hall, which called forth the eloquent description by the LORD CHIEF JUSTICE of the proper limits of an Advocate's duty. It certainly had the aspect of an answer to, or rather a protest against, something which had fallen from a former speaker, from which Chief Justice COCKBURN dissenting, felt himself bound to express his dissent. From his language and manner it was manifest that he had understood Lord BROUGHAM'S remarks on the duty of an advocate to make the interests of his client his sole object, to mean that which we, at the moment, and commentators on perusal, took to be the design, namely, to assert the doctrine that the Advocate is bound to sacrifice to the interests of his client, not merely his own personal considerations, but even the interests of others—a doctrine carried to its extremest point by CHARLES PHILLIPS at the trial of COURVOISIER, and afterwards justified by him in a pamphlet. The time and place did not permit Lord BROUGHAM to rise and protest against the inference which the Lord Chief Justice COCKBURN had drawn from his remarks, but he expressed in very emphatic cheers his approval of the limitations of the Advocate's licence which the CHIEF JUSTICE was asserting.

Thinking that possibly it may have been assumed too hastily that Lord BROUGHAM'S opinions upon this question were as they were understood by the LORD CHIEF JUSTICE and by the newspapers, we have referred to the sketch of ERSKINE in his "Historical Sketches of the Statesmen of the Reign of George III.," that great Advocate being the illustration adduced by Lord BROUGHAM in the speech that provoked the answer. And we find there a very different definition of an Advocate's duties from that which Lord BROUGHAM, citing ERSKINE as an example, was assumed to have asserted. His meaning is plain enough. The Advocate is to make all possible self-sacrifices in the service of his client—not the sacrifice of others. He is to defy the powerful; to cast away, if need be, hopes of personal or professional advancement; to face unpopularity, or—what is harder to bear than all—to see his business at the bar taken from him in the honest performance of that foremost of his obligations—to do that which will best promote the interests of his client. This was Lord BROUGHAM'S meaning.

Such was his oratory; but oratory is only the half, and the lesser half, of the Nisi Prius advocate; and Mr. ERSKINE never was known to fail in the more important moiety of the part he had to sustain. The entire devotion to his cause, which made him reject everything that did not help it forward, and indignantly scorn all temptation to sacrifice its smallest point for any rhetorical triumph, was not the only virtue of his advocacy. His judgment was quick, sound, and sure upon each successive step to be taken; his decision bold, but cautious and enlightened at each turn. His speaking was hardly more perfect than his examination of witnesses, the art in which so much of an English advocate's skill is shown; and his examination-in-chief was as excellent as his cross-examination, a department so apt to deceive the vulgar, and which yet is, generally speaking, far less available, as it hardly ever is more difficult than the examination-in-chief or in reply. In all these various functions, whether of addressing the jury or urging objects to the court, or examining his own witnesses or cross-examining his adversaries, this consummate advocate appeared to fill at once and the same time different characters; to act as the counsel and representative of the party, and yet to be the very party himself; while he addressed the tribunal, to be also acquainted with every feeling and thought of the judge or the jury, and while he interrogated the witness, whether to draw from him all he knew and in the most favourable shape, or to shake and displace all he had said that was adverse, he appeared to have entered into the mind of the person he was dealing with, and to be familiar with all that was passing within it. It is by such means that the bearer is to be moved and the truth ascertained; and he will ever be the most successful advocate who can approach the nearest to this lofty and difficult position.

THE action for libel against the publishers of Mr. Serjt. PULLING'S Law of Attorneys, for a citation from a report in the *Law Journal*, in which he had stated that a Mr. BLAKE had been struck off the rolls, instead of having been suspended for two years, has not been treated by the *Times* with the liberality usual in "press" questions. Such an error was very venial; it was instantly corrected when discovered, and we presume that an apology was offered. What more the defendants could have done it would be very difficult to suggest; for it was stated at the trial that a writ was served without a previous demand for an apology, and before the jury found for the plaintiff, they should at least have satisfied themselves that there was something the defendants had not done which in fairness to the plaintiff they ought to have done. But even if the same mistake in the statement of the punishment that had been inflicted on the plaintiff by the court, for the professional misconduct of which he had been guilty, compelled the jury to

find a verdict for him, surely the damages are excessive. No malicious motive was even imputed, therefore there was no pretence for exemplary damages. All that the plaintiff was entitled to was damages for the actual injury that had been done to him. But, as a matter of fact, can any man who knows anything of law books and the persons who alone read them, gravely assert that any one of those readers would have his opinion of the plaintiff changed in the slightest degree whether his sentence had been suspension or striking from the rolls? Is there one who, reading the note in a legal treatise, would have cared to ask who was the man whose name gave a title to the case? Is it not a fact that the names of cases are, in the minds of lawyers, who alone see them in a text-book, wholly dissevered from any individuality, and thought of only as the *name of a case*, and not at all as the *name of a person*? It is surprising that the *Times*, itself daily making mistakes and hourly liable to be treated as these publishers were, should justify a verdict which places a new shackle upon the press.

The last year of this Parliament will be no better than the first in some fruits, notwithstanding the earnest promise made by the Lord Chancellor when Attorney-General of an early reform in the Statute-book. Still the same farrago of English, Irish, Scotch, colonial, revenue, local and personal Acts makes up Messrs. Eyre and Spottiswoode's yearly octavo. We do not mean Acts technically, but substantially, local and personal. Eight hundred and sixty-four pages this year, beginning with inclosure and ending with railways facilities, traverse the world and every thing British that is therein with all the variety, but with none of the arrangement, of a newspaper. Within the last few years the language of legislation has undoubtedly been simplified, and clauses which used to appear in every Act have been rendered unnecessary by more general enactments, but the old confusion remains to beget confusion in every succeeding year.

Turning over the pages of the 27 & 28 Vict. one finds that at least one quarter of the matter has no general legal interest, nor any permanent value to any one but the historian. A great deal relates to the provision of money which is spent almost before the volume is printed. A still greater amount has for its object the government of particular towns. Many Acts concern individuals, although the motive is public, or certain corporations which have nothing public about them but their corporate character. Hence the apparently inordinate growth of the statutes of the realm. The fabric is built up like the giant galleries at Kensington, only fit to be knocked down again, or blown up. But, unfortunately, the mass of statutes continues in its yearly growth, and is left standing, without any effectual effort to clear the ground.

A more specific description of the structure raised in the last session shows the following proportion of the un-national part of the volume. The Acts of a personal character are: to enable Sir John Lawrence to receive the full benefit of the salary of the Governor-General, 1¼ pages; to settle an annuity on the Countess of Elgin, 1 page; to authorise the relinquishment of certain money in favour of the King of Greece, 2 pages; in all, 4½ pages. The Acts of a local character are numerous, and take up a large part of the volume. Acts authorising the inclosure of certain lands pursuant to reports of the Inclosure Commissioners. Acts to confirm orders relating to particular places under the Local Government Act, Acts to confirm orders of the Board of Trade of local application, Acts for drainage and improvement of particular lands under the General Acts for the purpose, Turnpike Trusts, and other Acts similarly local, occupy 95 pages. The following are Acts of a more specially local kind: to confirm the appointment of Judges at Bombay, 1 page; to amend the C. L. P. (Ir.) Act in relation to juries in the county of Cork, 3½ pages; to facilitate the commutation of certain vicarage teinds in Scotland, 4½ pages; to confirm a scheme for Coventry grammar-school, 1½ pages; to vest the site of the India-office in the Queen, 2 pages; to grant a lease of the College of Physicians building in Pall-mall east, 1 page; for guaranteeing and making advances for the Thames embankment, 3 pages; amending the Isle of Man Harbour Act, 4 pages; to repeal Acts and re-enact Acts relating to the Ionian States, 4 pages; to extend the Criminal Justice Act to Romney Marsh, 1 page; to amend an Act respecting charges on the revenues of the archbishopric of Armagh, 1½ pages; to guarantee a loan for New Zealand, 3 pages; to regulate the traffic on Westminster-bridge, 1 page; to amend the Harwich Harbour Act, 1 page; to transfer houses in Cranbourne-street to the Queen, 4 pages: total, 36 pages. Therefore, in the whole, the Acts of a local character extend to no less than 131 pages. Besides these, the Acts to provide for the service of the year and Revenue Acts run to 60 pages. Adding all these together, we find the sum of the pages for Acts not of a national kind is not far short of 200 pages. In these are not included some Acts which are also limited in the area of their operation, as, for instance, the Act to extend the powers of the Manufacturing Districts Acts.

If it is a State necessity that the lawyer should store on his shelves, by the side of works from Coke to Lord St Leonards, the learning of Sir John Lawrence's and Lady Elgin's incomes, might not such learning be in a smaller type than the rest of the statutes? Is it quite impossible that there should be a middle series between the Public Acts, on the one side, and the Local and Personal on the other? There could, without any strain of ingenuity, be General Public Acts and Special Public Acts. Possibly there would be fewer buyers of the Special Public Acts, if they were separated from the General, than there are now when the dead is chained to the living. Possibly, too, the publisher's pocket might suffer. A pocket, no doubt, is a vested interest, and Parliament, we all know, is very tender of such vested interests. The public has no vested interests. Its interests are contingent on the pressure which it puts on the ruling powers or on the senatorial hopes and fears. Reform of the yearly statute volume will not do, we fear, for an election cry. So, notwithstanding all the money which has been spent on statute book wisdom, all the promises which have been made by Attorney-Generals, and all the cumbrousness of the written as well as of the unwritten law, we suppose that the lawyers and the public must grin at the present absurd state of statute things, and do their best to bear it.

The case of *Gregory* v. *Patchett*, 11 L. T. Rep. N. S. 357, is important to shareholders in companies as well as to directors, showing how, by acquiescence of the former in the acts of the latter, even though done *ultra vires*, they take upon themselves the responsibility. On this the Master of the Rolls said:

Even on the assumption that those transactions were beyond the powers of the company, and could have been impeached by a minority of the shareholders dissenting therefrom, if they had come in reasonable time, I am of opinion that the whole of the transactions were known to them and acquiesced in by them at the time, and they cannot now, after six years have elapsed, be contested by the plaintiffs, who did not then dispute them. Shareholders in a company cannot be allowed to lie by, sanctioning, or by their silence acquiescing in, a transaction that is *ultra vires* the company to which they belong. They must not stand, watching the result of it, and, if it be favourable and profitable to themselves, be allowed to abide by it and insist on its validity; but if it prove unfavourable and disastrous, then to institute proceedings to set it aside. The evidence satisfies me that the plaintiffs knew of and assented to the arrangements in question; or at least they did not dissent from them, and I cannot now allow them to contest their validity.

On the power of a majority to bind a minority in a matter *ultra vires* he said:

In matters strictly relating to the internal management of the company, even though the court should come to the conclusion that the course of conduct pursued is not warranted by the terms of the instrument constituting the company, the court will not interfere; although the minority should have summoned a meeting of all the shareholders and the majority should have persisted in the course complained of. But if the measures adopted are plainly beyond the powers of the company and are inconsistent with the object for which the company was constituted, then the court will, at the instance of the minority, interfere to prevent the performance of the acts complained of; and it will do so, whether an appeal has or has not been made by the minority to the shareholders generally. The difficulty in the case is to define the limits of deviation which will justify the interference of the court. It is very easy to point out many cases in which the right to interfere is unquestionable; as, if the directors of a railway company should embark the funds of the company in carrying on a brewery or a steamboat company, or should speculate in the purchase and sale of stock; or where, as in *Benson* v. *Buffard*, the directors proposed to transfer the whole business to another company. On the other hand, the court will not interfere to prevent a call not required, or stop a dividend not justified by the general pecuniary condition of the company. But so close are the limits of the jurisdiction exercised by the court, that it will, as in the case of *Henry* v. *The Great Northern Railway Company*, step in to prevent the illegal apportionment of dividends amongst the shareholders of the company. Each case must, in truth, depend in a great measure upon the powers under which the directors act, and the peculiar facts proved by the evidence. I think also that it is established both by principle and authority, that where the court interposes by injunction to prevent the performance of an act, it will also, to the extent of its powers, redress the mischief done, and give relief to the persons injured, although it is not called upon to dissolve the company, or to wind-up its affairs:

The *Preston Guardian* publishes, in a leading article, the following extraordinary statement:

Our readers have doubtless perused the reports which appeared in our two last impressions, of the investigation of a charge of felony against certain manufacturers and others, before the borough magistrates. We need scarcely say that we have not one word to utter at present concerning that charge, or the persons against whom it has been brought. The case is still under judicial inquiry, and no respectable journal would seek to prejudice the minds of the public or the justices concerning it in any way whatever. But a circumstance transpired during the course of the hearing on Tuesday week which cannot be permitted to pass unnoticed. It would seem from the evidence of Inspector Withers, a policeman attached to the Preston force, and the statements of Mr. Dunn, the head of that force, that it is the custom in the police-court in this town—and one we hope which is peculiar to this town—for a constable to be present at the interviews between persons in custody and their professional advocates; and it would further seem that it is the duty of this constable to listen with open ears to every word that the unfortunate prisoner may utter to the lawyer he has engaged to defend him, to snap up speedily every statement confided by one who is yet in the eyes of the law an innocent person, to the professional honour of his adviser, and then to rush into court with all these utterances and statements, and forthwith to disburthen himself of them in the witness-box, thus doing his best unfairly to embarrass the attorney and injure the client. If this really is the practice of the Preston police-court, and in spite of the apparently unquestionable evidence afforded on the point, we can scarcely credit the fact—we are bound to say that a more monstrous and unjustifiable abuse of authority was never exposed in an English court of justice. Most assuredly it is impossible that the persons who have assisted in, or connived at, this extraordinary mode of procedure can have had the most remote idea of the grave social offence of which they have been guilty.

If it be true, as asserted, that it is the practice of the Preston police to prevent the confidential communication between attorney and client so essential to the administration of justice, we can only say that they grossly abuse their power, and we trust that immediate representations will be made to the Home-office. We will not believe that it could have the sanction of the magistrates, until they attempt its justification. We reserve further comment for further information.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(*Continued from page 34.*)

Having on Nov. 19th compared the expenses in the Bankruptcy Court with those of arrangement by deed, of administration in Chancery of the estates of deceased persons, and of bankruptcy administration in Scotland, with some description of the Scotch system, recommended in the chairman's draft report, we propose now to notice the more important of the statements and opinions in the evidence. The witnesses may be classed as official, professional and mercantile, the professional class being subdivided into solicitors and accountants; we may begin with

The Official View.

The English official persons examined were Mr. Commissioner Holroyd, Mr. Miller the Chief Registrar, Mr. Clarke the Accountant in Bankruptcy, Mr. Edwards and Mr. Graham, official assignees, and Mr. Falconer, County Court Judge.

Mr. Commissioner Holroyd's propositions for improving the law and administration of bankruptcy are, 1. that arrest on final process ought to be limited to cases where the debtor

suspected of an intention to abscond, and in that case an order of a judge or court should be required for the purpose, upon an affidavit of the facts, in like manner as is now required for arrest upon mesne process: this relaxation of arrest upon final process might be coupled with an extension of the sections of the Act of 1861 relating to proceedings on a judgment-debtor summons to cases where the debt exceeds 20*l.* (instead of 50*l.*) exclusive of costs; and the proceeding by trader-debtor summons should be extended to non-traders, while at the same time non-traders should be put more on a footing with traders with reference to acts of bankruptcy by going or remaining abroad, making a fraudulent conveyance with intent to delay creditors, or by an execution levied under sect. 78.

2. The grounds, in the 159th section, for refusing or suspending the order of discharge, should be extended to cases where the insolvency of the bankrupt is, in the opinion of the court, attributable to any culpable conduct in the contracting of any debt, claim, or demand proveable under the bankruptcy.

3. If a debtor be adjudged bankrupt within a limited time after the sale under a distress for rent, the distress should be made available for six months only (instead of twelve), with liberty to prove for the residue.

4. Where the bankrupt is himself the petitioner, the difficulty of contesting any transaction prior to the bankruptcy, there being no petitioning creditor's debt anterior to the transaction to support the assignees' title, should be removed by enabling the assignees under the adjudication to contest any transaction which might have been contested if the adjudication had been made on a creditor's petition; and, assuming that the sections allowing pauper petitions will be repealed, in the case of a debtor's own petition the court should be empowered to require a substantial deposit to meet all proper charges of prosecuting the bankruptcy, or that the debtor should show to the court sufficient assets for the purpose.

5. In the case of a creditor's petition, if an assignee is not chosen by the creditors, and the petitioning creditor should decline to choose *himself* assignee, the petition should be dismissed; as was formerly the practice.

6. The creditors' assignees and the official assignees should be restored to their respective duties as before the Act of 1861.

7. With reference to the ordinary audit of the official assignees' account under each estate, which is sent to the solicitor for his approval on the part of the assignees, a few days before the audit, a copy should be annexed of the debtor and property book of the estate, showing what is realised, and what remains to be collected, with remarks; and with reference to the general accounts kept by the official assignees and by the messengers, an official inspector should be appointed to examine the books and accounts at such times as, under the discretion of the court or of the Lord Chancellor, he might think fit.

8. If the official assignees be remitted to their former duties, then, in addition to their salary, a premium should be paid on an early dividend.

9. With respect to trust, composition and inspectorship deeds, an obligation should be thrown upon the debtor, forthwith after the registration of the deed, to obtain a judicial confirmation by the court, upon proper notice to creditors and upon proof of the debts, and after hearing the parties, of the validity and reasonableness of the deed, after which its validity should not be allowed to be contested except by way of appeal: (see the case of *Lloyd* v. *Harrison*, in the Q. B., on the 21st). In computing the debts, every creditor should be accounted a creditor in value in respect of each amount only as, upon an account fairly taken, after allowing the value of mortgaged property and other available securities or liens, shall appear to be the balance; also, instead of making an unregistered deed not receivable in evidence, it should be made absolutely void, in the same manner as a bill of sale under certain circumstances.

10. For the constitution of the court, there should be three commissioners or judges with co-ordinate jurisdiction, of whom one should be the chief; each should singly form the court as at present, but parties should be able to obtain the opinion of two commissioners, of whom the chief should be one, and for that purpose the chief should be empowered, if he should think fit, or if the contending parties desire it, to appoint or adjourn any matter before him to be heard and determined by himself, and either one of the other two commissioners, and also to authorise either one of them, in like manner, to appoint or adjourn any matter before such one, subject, of course, in these cases to appeal to the Appeal Court in Chancery: the registrars should be empowered to hear unopposed orders of discharge, or to adjourn any such cases for consideration by the commissioners.

11. As to the courts themselves, further accommodation is wanted for registrars, witnesses, solicitors and the public, and there should be a court keeper to each court. It is desirable that, when the Palace of Justice is built, provision be made for having the Court of Bankruptcy within the building.

It is the Chief Registrar's opinion that the required improvements are: abolition of arrest on final process, a chief judge, the abolition of the London commissioners, an extension of the registrars' powers, reinstating the official assignees, and a comptroller or inspector over them.

(To be continued.)

INVESTMENT JOURNAL.

A good Auction Mart has been long wanted. The old Mart was, to say the least, indifferent, and certainly not worthy of the important business transacted under its roof. This want is about to be remedied. A company has been formed, under the title of the *Auction Mart Company*, to "erect in the city of London a public auction mart." The directors have purchased a freehold site in Tokenhouse-yard, a very eligible spot for their purpose, on account of its vicinity to all the business places in the City. A large house is to be built with numerous auction-rooms, and every other convenience, including refreshment-rooms. The directors also propose to keep "a classified register of the prices of property sold at the Auction Mart, on the principle of the present Estate Exchange, to which the shareholders will have access on payment of a small fee." If this scheme is carried out, as we hope it may, the public will no longer have to complain of the accommodation in the London sale-rooms. They will have at their disposal a large and well-ventilated building, containing every convenience. We can only hope that the shareholders may find the undertaking as profitable as the public will its fulfilment.

The funds have fallen this week from causes not clearly stated. But the market evidently is still in a feverish state, and all fear has not passed away. Seven per cent. is a serious tax upon trade, and involves ruin to thousands should it be long protracted. Bills are discounted by stockbrokers at 5 and 6 per cent. at long dates. The following are the fluctuations of the market:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	237½	237	...	239	237
3 ₰ Cent. Red. Ann.	88¼	88¼	88⅛	87¼	88¼	88¼
3 ₰ Cent. Cons. Ann.	89⅛*a*	89	88¼	88¼	89⅛	89⅛
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	71½*a*	...
New 3 ₰ Cent. Ann.	88⅛	88⅛	88⅛	88¼	88⅛	88¼
New 3½ ₰ Cent. Ann.	...	...	...	...	...	...
5 ₰ Cent. Annuities	...	...	...	...	...	...
5 ₰ Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	14/16	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	29½	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅛	89⅛	89⅛	88⅛	89⅛	89⅛
Consols 5 ₰ Cent. for Ac.	...	...	...	...	...	...
India 5 ₰ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	219	220	...
India 5 ₰ Cents.	...	...	...	...	...	...
India 4 ₰ Cents. 1888	...	...	98	...	...	...
India 3 ₰ Cents. 1870	104⅛*a*	103⅛	...	102⅛	103	...
India Bonds (1000*l.*)	...	...	6*c*	5*c*	5*c*	...
Do. (under 1000*l.*)	8*c*	...	...	par	par	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	97⅛	97⅛	98	...	98	...
India Enfaced Paper, 4 ₰ Cent.	...	...	...	...	...	...
Do. do. 5 ₰ c. Jan. 1872	...	...	102	...	...	...
Do. do. 5½ ₰ c. May 1879	103⅛	...	103	...	...	...
Ex. Bills, 1000*l.*	*b*	*d*	*e*	*f*	...	...
Do. 500*l.*	...	...	...	...	...	...
Do. 100*l.* & 200*l.* 3 ₰ c.	*b*	...	...	*g*	*h*	...
Do. Small, & 3 ₰ c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a Ex div. *b* June 3½ per cent. 6*s.* dis. *c* Premium.
d March 4 per cent. 3*s.* dis.; June 3½ per cent. 6*s.* dis.
e March 4 per cent. 3*s.* dis.
f March 4 per cent. 6*s.* dis.; June 3½ per cent. 7*s.* dis.
g June 3½ per cent. 2*s.* pm.
h June 3½ per cent. 7*s.* dis.

LAND AND ESTATE MARKETS.

There are no large estates in the market this week, except the estate of Pwll-y-crochon, mentioned in our last number, and a valuable piece of land at Fulham, of 24 acres, with an extensive river frontage; Messrs. Edwin Fox and Bousfield, instructed by Mr. J. Pattison, of Furnival's-inn, are the auctioneers. The sale will take place at Garraway's on Dec. 20. These gentlemen will also offer, on the same day, the advowson to the Rectory of Pickworth, Lincoln, valued at about 400*l.* per annum. Messrs. W. and W. Hilditch, of Sleaford, are the solicitors.

On Dec. 14, Mr. Bray, instructed by Messrs. G. and W. Webb, of Austin-friars, will sell, at Garraway's, certain villa residences at Dalston and Hackney.

Mr. Frederick Isman Sharp will sell, at Dartford, Kent, on Dec. 14, a house and stabling, &c., with about two acres of land. Mr. A. Watson, of Cannon-street, is the solicitor. Also the furniture, china, &c., in the above house. Instructed by Messrs. Bell, Brodrick and Bell, of Bow-churchyard, Mr. Sharp will offer on Dec. 20, at Garraway's, a valuable nine years' lease of premises in the city of London; also a short leasehold house in Islington.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Equity Practice.—A new issue raised by amendments to the bill after an arrangement and undertaking, given on an application for an injunction will vitiate the undertaking, from which the defendant who has given it will be discharged: (*Clarke* v. *Clarke*, 11 L. T. Rep. N. S. 366. Wood, V. C.)

Arbitration.—Where a cause has been referred and the arbitrators have, in the ordinary mode, appointed an umpire, upon a reference back by the court for reconsideration, the umpire will be deemed to be the arbitrator for that purpose: (*Clayton* v. *The Westminster, &c., Coke Company*, 11 L. T. Rep. N. S. 366. Stuart, V. C.)

Common Law Practice.—A contract was entered into by letter between B. residing in England, and C. a British subject residing in a British colony. C. having broken his contract, a writ was served on him indorsed as directed by sect. 18 of the C. L. P. A. 1852. The Court refused to set it aside on the ground that no entire contract had been entered into within the jurisdiction of the Superior Courts, and that there had been no breach within the jurisdiction: (*Horscood* v. *Wood*, 11 L. T. Rep. N. S. 383. C. P.)

Accident—Compensation for.—B., a Custom-house officer, was in the docks in discharge of his duty, when in passing a warehouse a bag of sugar, which was being lowered, fell and injured him, but there was no evidence to show how the accident happened. It was held by the Court (Martin, B. *dubitante*) that the accident was in itself sufficient *primâ facie* evidence of negligence to throw on the defendant the burden of proof that it did not arise from negligence: (*Scott* v. *London Docks Company*, 11 L. T. Rep. N. S. 383. Ex.)

Compromise—Sanction of the Court—Misrepresentation.—A compromise of doubtful rights between adult parties cannot be set aside on any grounds, except fraud; but knowledge on one side withheld from the other amounts to legal fraud. If a compromise is fairly and honestly entered into at the time, its validity will not be affected by subsequent occurrences, and such occurrences can have no other effect than to induce the court closely to examine the circumstances attending the original compromise. The question whether representations were true and fair or the contrary, is to be determined according to the facts as they stood when they were made, and not as they ultimately proved. If all the facts are honestly and truly stated to the master and the court, no error of judgment on their parts will justify a disturbance of the compromise: (*Brooke* v. *Lord Mostyn*, 11 L. T. Rep. N. S. 392. L.J.J.)

COURT OF COMMON PLEAS.

Wednesday, Nov. 30.

Deneulain v. Hodgson.

D. Seymour, Q.C., *Joyce*, and *Kydd* were counsel for the plaintiff.

Parry, Serjt. *Tindal Atkinson*, Serjt., and *J. H. Hodgson*, for the defendants.

This was an action to recover damages from the defendants', solicitors of Salisbury-street, in the Strand, on the ground of negligence in the conduct of business intrusted to them by the plaintiff. The plaintiff sued as the administratrix of her deceased brother, who was in his lifetime the lessee of No. 52, St. George's-place, Knightsbridge, at which house the plaintiff carried on the business of a milliner. When the brother took the house it was occupied by a butcher, and he gave 100*l.* premium for the lease and expended about 300*l.* in altering the premises to render them fit for the millinery business. After

the brother's death the plaintiff was desirous of disposing of the goodwill of her business and the interest in the remainder of the lease which would expire on the 18th Dec., 1869. The rent of the house was 200*l.* a-year, and the landlord's name was Padgett. The plaintiff found a person—Madame Deschamps—who was willing to negotiate for the purchase of the business, and the negotiations between the plaintiff and Madame Deschamps reached this point, that Madame Deschamps was willing to give 400*l.* for the goodwill and lease, and take the fixtures and furniture at a valuation in the usual way, each party having her own valuer. At this stage of the negotiations the plaintiff mentioned the matter to Mr. Padgett, who was very glad that he saw a chance of getting the rent owing (96*l.*) paid out of the proceeds of the transfer; and from the circumstance of the Messrs. Hodgson, the defendants, being Mr. Padgett's solicitors, the plaintiff put the matter in their hands. After this the valuers valued the furniture and fixtures at 160*l.*, and an early day was appointed for the settlement, and Madame Deschamps's solicitors sent a draught assignment of the lease to the Messrs. Hodgson for their approval. When the time for settlement arrived it was found that Madame Deschamps was disappointed in getting the money from a gentleman in the city, as she relied upon doing, and the purchase went off. The plaintiff sued Madame Deschamps for the breach of her agreement, but the Court held that, as the agreement was not in writing as required by the Statute of Frauds, the plaintiff could not sustain the action. Now the plaintiff sued the defendants for negligence in not preparing a written agreement, and tendering it for Madame Deschamps's signature. After the failure of those negotiations Mr. Padgett re-entered under the covenant for non payment of rent, and put an end to the lease. The defence was that the negotiations had been conducted by the ladies themselves, and that the time was so short for the day of completion of the contract of purchase when the defendants received the plaintiff's instructions, that the usual preliminary written agreement was then thought by them to be unnecessary. The case was tried on a previous occasion before Byles J. and a common jury, but no verdict was returned, the jury not being able to agree.

The trial lasted nearly all day; and the jury returned a verdict for the plaintiff—damages, 300*l.*

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BARNES (Robert), Mowbray, Holme Cultram, Cumberland, Jan. 7, 1865, M. R. Gregory, Rowcliffe and Rowcliffe, Bedford-row, London.

CASEMENT (Hugh), Melbourne, merchant, Jan. 12, 1865, V.C. S. Lawrance, Plews and Boyer, 12, Old Jewry-chambers, London.

COMER (James), Colton, Norfolk, farmer, Jan 17, 1865, V.C. K. Treherne and White, 13, Bargeyard-chambers, Bucklersbury, London, for Mitchell and Clarke, Wymondham, Norfolk.

CONNELL (Edw.), Knacker's-knowle, near Plymouth, Devon, Esq., Dec. 14, V.C. S. N. C. and C. Mills, 2, Harcourt-buildings, Temple.

EAMES (Mary), Warwick, widow, Jan. 13, 1865, V.C. S. Hollings, Sharpe and Cliffhorne, 1, Field-court, Gray's-inn, London.

HICKS (Richard), 7, Argyle-square, Middlesex, surgeon, Jan. 9, 1865, M. R. Church, Prior and Biggs, 28, Southampton-buildings, London.

HOWARD (Ralph), Spring-grove, Staley, Chester, cotton-spinner, Dec. 13, M. R. J. E. and A. Fox, 40, Finsbury-circus, London, for Earle, Son, Hoppe, Orford and Earle, Manchester.

IBBOTSON (Mary Catherine), 30, Cavendish-square, London, spinster, Dec. 22, M. R. Chilton, Burton, Yeates and Hart, 25, Chancery-lane, London.

LAWTON (John), Lawton-hall, Cheshire, Esq., Jan. 12, 1865, V.C. S. Richards and Walker, 29, Lincoln's-inn-fields, London.

LEE (Edward), Thursford, Norfolk, farmer, Jan. 9, 1865, M. R. Ashurst, Morris and Co., 6, Old Jewry, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BALLS (James), Westhall, Suffolk, farmer, Jan. 31, 1865, Crabtree and Cross, Halesworth.

BARRETT (Richard), Bromley, Kent, gentleman, April 20, 1865. Lepard and Gammon, 9, Cloak-lane, London.

HARTLETT (Thomas), Union-road, Clapham, Surrey, civil engineer, Feb. 1, 1865, Rixon and Son, 38, Cannon-street, London.

BRADBURNE (Francis), Lyburn, Lyndhurst, Hants, Lieutenant 16th Regt. Light Dragoons, Jan. 2, 1865. Hilliard, Dale and Stretton, Gray's-inn-square, London.

CHOMBS (J. G.), Milford, Salisbury, Wilts, Esq., Jan 10, 1865. Hooke, Street and Co., 27, Lincoln's-inn-fields, London.

CLIFF (Henry), 21, Millman's-row, King's-road, Chelsea, commercial traveller, Dec. 26 Howard and East, 7, Staple-inn.

DENNY (Rev. R. D.), 4, Lansdown-crescent, Cheltenham, Gloucestershire, clerk, Jan. 13, 1865. C. Wilkin, 10, Token-house-yard.

FALCONAR (John Brunton), Newcastle-on-Tyne, papermaker, Jan. 31, 1865. R. R. Dees, Pilgrim-street, Newcastle-on-Tyne.

FERANDINO (Augustin), Faversham, Kent, gentleman, Jan. 23, 1865. H. Fielding, Faversham.

FORDER (William), High-street, Winchester, woolstapler, Feb. 28, 1865. Young and Jacksons, 12, Essex-street, Strand, London.

HALL (W. C.), city of Brooklyn, in the county of Kings, in the State of New York, America, Esq., Dec. 31. A. C. Murton, 6, Augustin-friars, London.

HARDIE (W. C.), Wood-street, Cheapside, London, warehouseman, March 1, 1865. Langford and Marsden, 30, Friday-street, Cheapside, London.

JACOB (John), formerly of Scotch Bath, Queen's County, Ireland, afterwards Eaton-road, Chester, and late of Holyhead, Anglesea, Esq., Jan. 2, 1865. Frere, Cholmeley and Forster, 28, Lincoln's-inn-fields, London.

LOVELL (Dr. C. H.), Tottenham, Middlesex, physician, Dec. 12. J. M. Richardson, Much Hadham, Herts.

ROBERTS (Margaret), Mount-pleasant, Mold, Flintshire, spinster, Dec. 31. William Davies, Holywell.

ROBERSON (Edward), formerly of Headingley, Leeds, Yorkshire, but late of Woodlesford, Yorkshire, gentleman, Feb. 1, 1865. Barr, Nelson and Barr, 4, South-parade, Leeds.

SMITH (James Scott), Phœnix Distillery, Park-street, Mile-end Old-town, Middlesex, and Beechwood, Tunbridge Wells, Kent, Esq., March, 25, 1865. J. Murray, 7, White-hall-place, London.

TEDDY (James), formerly of 63, Augustus-street, Cumberland-market, Middlesex, hay salesman, Feb. 2, 1865. Berkeley and Calcott, 32, Lincoln's-inn-fields, London.

USHER (E. H.), Sunderland, Durham, coachbuilder, Jan. 7, 1865. W. J. Young, 21, Lambton-street, Sunderland.

VAVASOUR (W. T.), Manor House, Lower Slaughter, near Stow-on-the-Wold, Gloucestershire, Esq., Jan. 31, 1865. Sewell, Newmarch and Francis, Cirencester.

WHALLEY (C. J.), formerly of 6, Child's-place, Temple-bar, London, but late of 1, Lansdown-villa, West Brompton, Middlesex, Dec. 17. S. R. Somerville, 48, Lincoln's-inn-fields, London.

WILLIAMS (W. F.), 216, Euston-road, Fitzroy-square, London, statuary mason, Jan. 21, 1865. T. George, Wood-street, Chipping Barnet, Herts.

WOOLNOUGH (Henry), Ipswich, Suffolk, architect, Dec. 31 A. H. Aldous, 41, Fonnereau-road, Ipswich.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each, in three months, unless other claimants soon appear.]

BELLAMY (Caroline), Wandsworth-common, widow. Dividends on 30*l.* Reduced Three per Cent. Annuities. Claimant, Louisa Bellamy, spinster.

CHAPMAN (Thomas), Montague-place, Bryanston-square, Esq., TAYLOR (Rev. Robt.), Clifton Campville, Staffs, clerk, MARCHANT (Sir Denis Le), Cholsham, Surrey, Bart., and MARCHANT (Thomas Le), Captain 7th Regiment Dragoon Guards. Dividends on 1865*l.* 11*s.* 11*d.* Three-and-a-Quarter per Cent. Annuities. Claimant, Sir Denis Le Marchant Bart.

HAMER (Samuel), Lower Morden, Surrey, gentleman. Dividend on the sums of 200*l.* and 108*l.* Three per Cent. Consols. Claimant, Samuel Hamer.

JOSEPH (Aaron), Fitzroy-square, MOSES (Henry), Trinity-square. LEVY (Joseph), Stock Exchange, and LEVY (Lawrence), Finsbury, Esquires. Dividends on 100*l.* Three per Cent. Consols. Claimants, Aaron Joseph, Henry Moses, Joseph Lebaz, and Lawrence Levy.

THE BENCH AND THE BAR.

Correspondence.

THE REFORM OF THE BAR.—In your report of the Bar Meeting last week in Lincoln's-inn Hall, you use towards me an appellation which conveys an erroneous impression of my position, and which I therefore disavow. Your error would, however, be of no moment did it not afford me, whilst correcting it, an opportunity of bringing before the legal profession a few remarks on this growing question, viz., whether the Bar when in court ought to be divided. The Bar is a competitive profession, and a barrister therefore ought to possess in an unlimited manner the competitive rights of labour. In this the Bar differs from the army and the navy, which, being departments of the executive, are engaged in state services; the earnings in those professions being fixed according to grade, and not according to the quantity of work done. Now the professional success of a barrister, so far as regards oral or leading business, assuming him to be professionally competent, depends on his right of precaudience in court, and consequently until the Crown interfered with it the Bar enjoyed this right in an unqualified manner, each barrister having in court a right of precaudience according to his standing, excepting the law officers of the Crown, who always were entitled to be first heard. The Crown has however so operated on the Bar as to have created what is commonly called the Inner Bar, but which may properly be termed the Crown Bar, being composed of barristers selected by the Crown ostensibly for its protection, but who in truth render to the Crown no services whatever. The Crown, nevertheless, in order to keep up the inner Bar, invests Crown barristers with exclusive forensic privileges, one and the most valuable of which is a higher right of precaudience than what arises from standing at the Bar. Under this prerogative the Crown can give a barrister advantages which otherwise could not be obtained; for example, the Crown can give to a barrister of eight years' standing a right of precaudience over a barrister of sixteen years' standing; the effect of which is, that the barrister of sixteen years' standing, as between him and the barrister of eight years' standing, is deprived of all the benefit of one-half of his standing; in short, the Crown robs him of eight years and hands them over to his competitor. A more unjustifiable interference with the competitive rights of labour cannot exist. The inner Bar of England is then an institution brought into existence at the professional expense of the outer Bar, whenever a new right of precaudience is conferred. The oral leading business of the Bar is under this system practically vested exclusively in the inner Bar, though it is certain that no augmentation of ability or learning can be conferred by the Crown. There are examples of a large outer Bar practice being lost, and no inner Bar business being obtained, by barristers being advanced to within the inner Bar; and these failures prove the converse, viz., that there are barristers at the outer Bar, who if they were placed within the inner Bar, would have a good leading business. The effect of this system is most pernicious and unjust. It largely increases the cost of counsel, and prevents barristers having, throughout their professional career, the chance of obtaining the best business in their profession, viz., that of a leader, for which they may be well adapted, and yet never have the opportunity of acquiring, from not being placed within the inner Bar. During the many years I was a practising barrister, I never knew the prerogative in question to be exercised upon any known or ascertainable principle, but I have known it to operate with extreme injustice. In the barristerial race for a competency or honour I have known the Crown so frequently to lighten the weights in favour of some of the competitors, as to make competition a sham. Finding that the Bar was governed upon this objectionable system, and seeing no prospect of its ever being reformed, I gave up my chambers, but I should be ready to enter the lists again, were there a free course and no favour. I am not, therefore, properly speaking, a retired Chancery barrister. EDWARD WEBSTER.

North-lodge, Ealing, Dec. 7, 1864.

LAW REPORTING.—The following letter has been addressed to the editor of the *Times*:—As you have done me the honour to mention my name in your leading article of to-day on law reporting, will you kindly allow me to explain? I did not intend to say, nor do I think, that authority and monopoly are inseparable. My objections were addressed to the proposed scheme, with respect to which my views cannot be better expressed than in your own words—"Unless the judges consent to recognise it as authoritative, and to make it so by revising it personally and treating citations from it as decisive, it will be of little advantage to anybody." My own proposals were generally known to the meeting, having been contained in a paper which I sent round to every barrister whose name was in the *Law List*, and a copy of which is printed in Appendix B to Mr. Daniel's pamphlet on law reporting, p. 73. I am most happy to find that they so nearly correspond with your own suggestions. I had embodied them in a resolution, which I intended subsequently to propose; but when the first resolution was carried it seemed to be hopeless to do so at so late an hour, and in the then temper of the meeting. My intended resolution was as follows:—"That in the opinion of this meeting all judgments of the Superior Courts should either be in writing or committed to writing under the authority of the courts, and be forthwith made generally accessible." I believe that if this were done, and if the reports were afterwards annually revised and expurgated under the authority of a Ministry of Justice and with the sanction of Parliament, the citation of all excluded cases being peremptorily forbidden, a very great improvement would be effected in our law.

JOSHUA WILLIAMS.

3, Stone-buildings, Lincoln's-inn, Nov. 30.

MR. JUSTICE BYLES ON STRIKES.

During his charge to the grand jury at the Staffordshire winter assizes, Mr. Justice Byles said—He now came to a class of cases with which, unfortunately, they had been too familiar. A great many persons whose names were in the calendar stood charged with offences against the Combination Act. He would not dwell upon the indictments, but would simply remind them of the state of the law with respect to the right of working men to combine to raise the rate of wages—how far they might go, and where they might be stopped. The laws against combination were very ancient in this country. The statute law itself might be traced back to the time of Edward I., and it existed for the long period of 500 years. Either from an experience of, or from an apprehension of the evils that might arise from the existence of these laws, a more humane and a wiser constitution was adopted, whereby all those old laws were repealed; but along with the provision which was contained in a very recent Act of Parliament, the result of the law was conceived to be this: Combine if you please, and as many as you please, persuade if you like, but you must not use intimidation or threats; that is to say, you must not intimidate either by word or action. If you do you break the law. He gathered from the depositions that the persons indicted had marched in military array to the sound of military music. He very much doubted whether that was not in itself an offence against the law of the land, because it presupposes, if it does not actually include, drill and training, against which there was a distinct and an explicit statute. The law of the land was that the army, including in the expression every person in the military profession occasionally or permanently armed, is under the control of the Crown and of nobody else. This was a principle which could not be infringed without the most serious danger, as the grand jury themselves had seen. It could not be abused, because the people in the House of Commons held the control over the army. Annually they passed the Mutiny Act, which secured the control of the army from year to year. The Crown was not trusted with it. The people held the purse which had to pay the army. With these two securities it was almost necessary that no one should be subject to drill and training, or, what was the actual consequence of it, marching in military array to the terror of the Queen's subjects. Not only had the prisc

marched in military array, but there was evidence that they had intimidated some of their fellow-workmen, and there had likewise been cases of actual violence. His Lordship recommended the grand jury to examine the cases (sixteen in all), separately with a view to the selection, if possible, of the most guilty. A similar course would be pursued when the cases came into the open court. Mr. Justice Byles then said: I am a stranger to both the masters and the men of this district, and I trust I am actuated by no other desire than the administration of the law of the land, with justice. The hand of the law must fall heavily on those who are discovered to be the active instigators in the matter. Those who are mere tools, will, of course, be more leniently dealt with. I cannot help saying that cases of this kind suggest an observation to me which I venture to make in the presence of those who have the means of making their voices heard, or the voices of those who represent them heard, in the great council of the nation. Is not the mode of adjusting disputes between men and masters by means of strikes very barbarous in a free country like this? I say this because in a neighbouring country there are courts regularly formed, consisting of masters and workmen in small numbers, for the adjusting of their disputes. They have found means of obtaining a satisfactory reference of those points on which they disagree. Therefore, what I address to you is not mere speculation. I cannot help thinking that if some such courts were established in some such trades as you have here, great good might result. Generally speaking, the respective representatives of such bodies on both sides might agree, but where they do not, I think it would not be impossible to find a referee of practical knowledge who would command the attention and secure the respect of both sides. The arbitration should have (as now awards under the Acts for the arbitration of workmen's disputes) the force of law. Nor does it seem to me to be any infringement of the principle, because if a man makes a contract for six months the law enforces it; and if that is so, where the contract is made directly, why should it not be also where the contract is made indirectly through a referee? I believe there are very few subjects more deserving of public attention than this, especially in this country, and at this time. Although I rarely venture to say anything on these subjects, yet this is a topic suggested by the contents of this calendar, and I suggest it to your special attention.

ASSIZE INTELLIGENCE.

Norfolk Circuit.

Leicester, Dec. 5.—The commission for holding the vizer assize for this county was opened on Saturday afternoon by Mr. Justice Mellor. After the termination of these formalities, the mayor of the borough having informed his Lordship that it was the desire of the magistrates and corporation to express their appreciation of his Lordship's talents and personal character, and their warm wishes of happiness and long life for him to fulfil the duties of the high position he was called upon to occupy, the Town Clerk (Mr. Stone) read an address from the mayor, magistrates, aldermen, and councillors of the borough of Leicester, and members of the legal profession practising there, in which, on this the first occasion of his Lordship's holding the assizes for a borough where he had passed many years of his early life,—where his father had held high and important offices, and where he had also discharged the duties of recorder—were expressed the unfeigned pleasure and satisfaction his elevation to the bench gave them, and their gratification at the mode in which the duties of his office had been fulfilled.

His Lordship, in declaring the happiness it gave him to receive this expression of kindness, adverted at some length to one or two points specified in the address, especially to the advantages conferred upon the country by a Bar influenced in its conduct by regard for honourable, upright dealings, by the opportunity open to every man of integrity and character here of rising to the highest position in the law, and by the possession of a bench of judges as distinguished for zeal, uprightness of conduct, and learning as any whom the history of this country records.

The address and reply, which were listened to by a crowded court, were received with great applause.

There are twenty-two prisoners for trial, five of whom are within the jurisdiction of the borough, the remainder within that of the county. The charges against the borough prisoners are those of malicious wounding, robbery with violence and rape; those against the county prisoners, murder, wounding with intent to murder, malicious wounding, arson, burglary, night poaching, rape, concealment of birth and larceny.

Western Circuit.

Winchester, Dec. 2.—The commission for holding the winter assize for the county of Hants was opened in this city by Mr. Baron Channell. There are thirty-seven prisoners for trial, and the following is the summary of the offences with which they are charged:—Arson, 3; attempt to commit suicide, 1; burglary, 15; concealment of birth, 1; cutting and wounding, 5; wounding with intent to murder, 1; escaping from prison, 3; forgery, 4; highway robbery, 4; manslaughter, 3; murder on the high seas, 1; rape, 1.

Oxford Circuit.

Stafford, Dec. 1.—Mr. Justice Byles opened the commission this afternoon. The calendar contains the names of 68 prisoners: 4 are charged with murder, 1 with manslaughter, 7 with rape, 11 with night poaching, 2 with bigamy, 4 with robbery with violence, 3 with arson, 3 with burglary, 4 with felonious wounding, 2 with indecent offences, and 22 with riot, and the remainder with minor offences.

Northern Circuit.

Manchester, Dec. 5.—Mr. Justice Blackburn arrived here in the course of the afternoon of Saturday, Dec. 3, and at once proceeded to the Assize Courts and opened the commission in the usual form. The calendar contains the names of 47 prisoners, against, whom the charges are as follows:—For manslaughter, 5; feloniously wounding, 8; robbery with violence, 7; sending a letter threatening to murder 1; forgery, 5; arson, 2; bigamy, 3; burglary, 10; and 9 for other offences. Of these 47 nine were bailed on examination, and will probably not be tried until next assizes.

Durham, Dec. 5.—The calendar contains the names of 26 prisoners. Of these an extraordinary number are charged with rape—no less than 11 (four being charged in one offence, and three in another)—2 are charged with burglary, 1 with manslaughter, 6 with robbery, and 5 with feloniously wounding. Altogether there are 13 cases, and the calendar is considered a very light one.

Midland Circuit.

Warwick, Dec. 6.—The commission for holding a winter assize for the county of Warwick was opened in this borough yesterday by Mr. Baron Bramwell. There are 35 prisoners for trial, of which 11 are from Birmingham. The following is a summary of the principal offences:—3 arson, 2 forgery, 2 wounding with intent to murder, 1 child murder, 2 manslaughter. Among which the only case which excites more than ordinary interest and attention is the charge against the prisoners Asher, Cooke, Wood and Atkins for night poaching, at Grendon, and wounding, with intent to murder, two gamekeepers in their attempt to apprehend them, on the 11th Oct. last.

APPOINTMENT.

W. Spooner, Esq., judge of the County Court of Staffordshire, holden at Leek, has, with the approval of the Lord Chancellor, appointed Mr. William Allen to be the registrar of that court in the place of James Bloore, Esq., the late registrar.

Mr. Thomas Henry, chief magistrate at Bow-street, has been knighted.

The Queen has ordered the county of Radnor to be divided into two districts for the purpose of electing coroners; the election for the one district to be held at Presteign, and the other at Rhayader.

Mr. Williams, M.P. for Lambeth.—We regret to hear that Mr. Williams is dead. It is said that Mr. Alderman J. Clarke Lawrence, of the firm of Lawrence and Sons, the builders, is likely to be brought forward by a large body of the liberals of the borough. It is said also that Mr. Hinde Palmer, Q.C., is to be invited to become a candidate. His father-in-law, the late Mr. Tennyson D'Eyncourt, represented that borough for many years from the time of its first enfranchisement.—*Globe.*

Court of Final Appeal.—An association, composed of the Earl of Shrewsbury, Lord Lyttelton, Lord Richard Cavendish, Sir Walter Farquhar, Lord Aylwyne Compton, Sir Willoughby Jones, the Hon. Colin Lindsay, Sir Henry Baker, Sir George Provost, the Hon. Archdeacon Harris, Archdeacon Dowball, Archdeacon Huxtable, the Warden of All Souls' College, Oxford, Canon Wordsworth, Dr. Jelfe, Dr. Pusey, the Rev. William Denton, the Rev. J. Keble, the Master of Caius College, Cambridge, and other gentlemen lay and clerical, has been formed for the purpose of promoting the amendment of the law of final appeal on matters affecting doctrine.

A Criminal Assize for Bristol.—We are in a position to state, upon the most undoubted authority, that the wishes of the citizens, as expressed through the constituted channels, have been met by the Government, and that the power to try our prisoners without having to go to Gloucester will be conferred on us without delay. The Secretary of State, having carefully considered the whole matter, has advised Her Majesty to issue a commission of oyer and terminer for Bristol after the close of the present year; and we have reason to know that an official communication has been addressed to our respected chief magistrate and the authorities here, stating that with the commission for the general spring assize in 1865 a second commission for the city and county of Bristol will be issued.—*Bristol Post.*

Death of Judge Elgee.—We regret to have to announce the death of the Hon. Judge Elgee, which took place suddenly, from disease of the heart, on the 7th Oct. last, at New Orleans. Judge Elgee was grandson of the late Archdeacon Elgee, of Wexford, and the only brother of Lady Wilde. Having settled many years ago in the Southern States, he rapidly acquired, by his talents and legal acumen, and great eloquence, a distinguished position at the American bar, and eventually rose to the bench. He had, however, retired from the practice of his profession, and at the time of the breaking out of the war was one of the wealthiest men in Louisiana. Only a year prior to that period he had invested a hundred thousand pounds in the purchase of an estate, the largest purchase ever made in Louisiana by a single individual. This plantation he called "Leinster," for though so long and so far separated from his country Judge Elgee never forgot his fatherland, and wherever a statute was to be erected or a subscription for some good cause was set on foot in Ireland his generous aid was never wanting. Judge Elgee leaves an only son, who, before the war, was secretary of legation at Mexico, and is now aide-de-camp to General Lee.—*Wexford Constitution.*

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES ON NEW DECISIONS.

Payment of Poor-rate.—Demand of a rate by a collector appointed by the overseers suffices to entitle the collector to summon the defendant for nonpayment: (*Yeadall* v. *Craven*, 11 L. T. Rep. N. S. 368. Q. B.)

Highway—Indictment—Costs.—Where defendant pleaded to an indictment for not repairing a highway, the prosecutor was held not to be entitled to costs, under sect. 98 of the General Highways Act, which enacts that the court, &c., "may award costs to the prosecutor, &c., if it shall appear to the said court that the defence made to such indictment was frivolous or vexatious:" (*Reg.* v. *Inhabitants of Denton*, 6 L. T. Rep. N. S. 371. Q. B.)

Quo Warranto.—The owner of rated property in the town, though not entitled to vote, was held to be a good relator in an application for a *quo warranto* against B. for exercising the office of a town commissioner, elected by the ratepayers: (*Reg.* v. *Briggs*, 11 L. T. Rep. N. S. 372. Q. B.)

Vagrant Act.—Sect. 4 designates as a rogue and vagabond a person "who plays or bets in any street, road, highway, or other open and public place, at or with any table or instrument of gaming, at any game or pretended game of chance. The current coin of the realm was held not to be "an instrument of gaming" within the statute, and therefore that "pitch and toss" was not gaming: (*Watson* v. *Martin*, 11 L. T. Rep. N. S. 372. Q. B.)

Public-houses—Sunday Closing—Refreshment for Travellers.—Two cases have decided this. In *Fisher* v. *Howard*, 11 L. T. Rep. N. S. 373, the Queen's Bench has held that a person going to a railway-station for a journey by train is a traveller; and in *Taylor* v. *Humphreys*, 11 L. T. Rep. N. S. 376, the Common Pleas has decided that any persons walking into the country are travellers, and entitled to have refreshment, and that it is for the informer to show that they are not such in reality. This important judgment has been already commented upon and its construction explained.

Evidence of Character.—On an indictment for assaulting a constable in the execution of his duty, it appeared that the assault was commenced while the constable was attempting to arrest the accused on suspicion of having stolen some larch trees (under 20*s.* value) which he was carrying. To prove that the constable was justified in suspecting the accused, he was asked, "What did you know had been the prisoner's previous character?" To which he answered, "I knew him to be a very bad character," and was about to state previous convictions. It was held that, although evidence was admissible of general character, in order to justify suspicion, the particular grounds of suspicion were improperly admitted: (*Reg.* v. *Tuberfield*, 11 L. T. Rep. N. S. 385. Crim. Ap. Ct.)

Nuisance.—Indictment for a nuisance by working quarries so near to public streets and dwelling-houses, as to render them unsafe. It was proved that a piece of the stone was in blasting thrown into a bedroom in a house in the street, and others into gardens and streets. This was held to be "abundant evidence" of a nuisance: (*Reg.* v. *Mutters*, 11 L. T. Rep. N. S. 387. Crim. Ap. Ct.)

Demanding Money by Threats.—A policeman, late at night, met prosecutor, who had just parted from a prostitute, to whom he had been talking, and told him that he must go with him to Bridewell, for he was under a penalty of 1*l.* for talking to a prostitute in the street; but if he would give him 5*s.* he might go about his business. The prosecutor gave him 4*s.* 6*d.*, but while he was searching for the other 6*d.* the inspector came. It was held to be no answer to the charge that, all the money having been obtained, the offence was a larceny, and also that it was a menace within the meaning of the Act: (*Reg.* v. *Robertson*, 11 L. T. Rep. N. S. 387. Crim. Ap. Ct.)

Indictment—Larceny—Disposition of Property.—In an indictment for attempting to steal goods in a dwelling-house, it is not necessary to specify the goods: (*Reg.* v. *Johnson*, 11 L. T. Rep. N. S. 389. Crim. Ap. Ct.)

Church-rate.—A suit for a church-rate was brought before the Court of Arches by letters of request, purporting to be at the desire of B. and C., churchwardens. A proxy of appointment of proctors, which originally ran in the names of B. and C., was presented, with B.'s name scratched through in the body of the document, and signed by C. only; the proctor alleged that B. had proceeded no further. A second proxy was presented, purporting to be by C. on behalf of B. and himself, but signed by C. only. D., the party sued, appeared under protest, on the ground that both churchwardens should join in the suit, and the Court upheld the protest: (*Fry* v. *Treasure*, 11 L. T. Rep. N. S. 389. Dr. Lushington.)

PUBLIC EXECUTIONS.

At the close of their duties the grand jury at the recent Manchester assizes made the following presentment:—

The grand jury of the county of Lancaster at the Manchester winter assizes for 1864 do hereby present that the prospect of public executions in Manchester, consequent on the transfer of the assizes to Manchester, is to them a matter of great anxiety.

The southern division of the county of Lancaster and adjacent portions of Cheshire and the West Riding of Yorkshire contain an aggregate population surrounding the city of Manchester much larger than is comprised in a district of similar extent surrounding the city of London, and looking to the scenes which took place at a recent execution in the metropolis, the grand jury see reason to fear that public executions in Manchester would probably be attended by assemblages of such a character as to be dangerous to the public peace, and beyond all ordinary powers of police control.

The grand jury, therefore, desire to convey to Her Majesty's Government, through the judges of assize, the expression of their hope that measures may be taken for giving power to hold executions for the hundred of Salford, under proper regulations, within the precincts of the gaol.

Ron. N. Phillips, Foreman.

Mr. Justice Blackburn intimated that he would forward the recommendation to the proper quarter.

A Magistrate committed for Trial.—Extraordinary Case.—The Town Hall, Bradford-on-Avon, was on Thursday week crowded to excess for nine hours to hear a charge of assault preferred against Mr. Philip Charles Sheppard, of Bathampton, manager of the Limpley Stoke Girls' Reformatory, and justice of the peace for the county of Somerset. Mr. Alfred Beavan, of the firm of Timbrell and Beavan, appeared for the complainant, James Munday; and Mr. Slack, of the firm of Slack and Simmons, Bath, for the defendant, Mr. Sheppard. The charge was preferred by a labourer named Munday, who, with several other workmen, was engaged at Limpley Stoke Reformatory in sinking a well. The workmen had brought some drink on the premises, and Mr. Sheppard having discovered a portion of it, threw it into the fire. This led to an altercation, and the labourer alleged that Mr. Sheppard presented at him, within a yard of his head, a pistol capped and cocked. The labourer's statement was confirmed by other workmen. There was a cross-summons, and Mr. Sheppard, on being examined, admitted that after great provocation he drew a pistol from his pocket and said to Munday, "If you come a step nearer I'll shoot you," but the pistol was quite harmless and had no cap on it. The Bench took half an hour to consider their decision, when the chairman (Mr. T. B. Saunders) said they were of opinion that the first case of Munday against Sheppard was one upon which the bench could not adjudicate, and they should therefore send it for trial. This decision seemed to take Mr. Sheppard entirely by surprise, and Mr. Slack said he was so amazed at it that he scarcely knew what to say. Mr. Sheppard was then bound over to appear on Friday for the depositions to be completed. The second case, *Sheppard* v. *Munday*, was dismissed.—*Leeds Mercury*.

Judicial Oaths.—The following letter has been addressed to the Editor of the *Times*.—In a leading article which you published this morning on the subject of judicial oaths, you quoted a few lines from a book of mine on the criminal law in a manner of which I do not the least complain, but which I think might lead a person who had not read the book itself to suppose that it undervalued oaths, or made light of the importance of religious motives for telling the truth. As it so happens that my opinions on these subjects are identical with those which are so justly and powerfully expressed in the article to which I refer, I am sorry to be quoted as if I disagreed with them. If you will kindly publish the context of the extract which you made you will show that this is not the case. I have underlined the passage which you quoted. It forms part of an argument in which I cannot help hoping you would yourself agree on the impolicy of the rule which makes atheists incompetent witnesses. As to the general importance of oaths, I say in another part of the book, "Whether or not there is any specific moral difference between perjury and other specially malignant forms of wilful falsehood, there can be no doubt that the administration of an oath exercises a powerful influence over men's minds, and it is unquestionably desirable to have the benefit of that influence where circumstances allow of it." This I understand to be your own view.—I am, Sir, your obedient servant,

J. Fitzjames Stephens.

4, Paper-buildings, Temple, Nov. 9.

"The doctrine that an atheist is an incompetent witness proceeds on the notion that the chief, or, at any rate, the only solid reason that any one has for telling the truth is the fear that he will be damned if he tells a lie. This is as if a man should say that a wish to sustain life is the only reason why men eat their meals; as if habit, the pain of hunger, the pleasure of the palate, the pleasure of refreshment and of society would not induce every one to eat even if he could live without it. The fear of hell is, no doubt, sometimes one reason why some people tell the truth, but it is no more. No one would admit that it was the only motive in his own case, and no one ought hastily to say so of others. Men tell the truth from habit, from fear of exposure, from a sense of honour, from a sense of duty, which they never, or hardly ever, analyse into its original elements—in a word, because it is their character to do so. This character is formed by a thousand causes, and there can be no doubt that a deep sense of religious duty and of the existence of a God, who governs the world and will enforce His commands by sanctions of one sort or another, in every state of being, present and future, contributes more powerfully to produce a truthful character than any other known cause whatever. Every one would be more inclined to trust a person whom he knew to be habitually under the influence of such thoughts than one of whom he knew nothing. It is, however, absurd to say that this is the only source from which truthfulness can spring. In point of fact, honesty is much commoner than a permanent, ever-present sense of religion; and it is of a small minority only that the latter state of mind could truly be affirmed. Religious belief, in any case, is only a remote cause of truthfulness. The proximate cause is almost always one of those which have been just mentioned. *In a court of law, where the witness is inclined to lie, fear of immediate exposure by cross-examination is a far more active motive than the fear of hell, just as a single policeman on the spot frightens a thief more than an army of 100,000 men at a distance.* I suppose that no one of ordinary common sense would prefer the evidence of a Chinese or Hindoo, untested by cross-examination, but guaranteed by an oath over a cracked saucer, to that of an English atheist tested by cross-examination, and this is fatal to a rule making a class of witnesses incompetent."—pages 270-1.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Will—Revocation.—In April 1839 B. executed a will, her name being signed at the end of each of the first five sheets, besides the signature at the foot or end. On the back of the last sheet she executed a short codicil in Nov. 1844. In 1857 she cut off the signature from each of the first five sheets, and struck a pen through the signature at the end. The Court held the will to be revoked, as deceased, with intention to revoke, had destroyed what she considered a material part; and it granted probate of the codicil as not, in the circumstances, falling within the will: (*Re Harris*, 11 L. T. Rep. N. S. 276. Probate.)

Will — Informality. — Certain documents were signed by the husband of deceased as an attesting witness. She survived him, and died without having republished the papers. She had power to dispose of some of the property under her marriage-settlement. It appeared that her husband had allowed her to deal with the remainder as if it were her separate property. The Court granted administration, with the will annexed, to a sister of deceased as next of kin and residuary legatee: (*Re Webb*, 11 L. T. Rep. N. S. 277. Probate.)

Will—Presumption of Destruction by Testator.—A will left in testator's custody could not be found at his death. Evidence was held to have been rightly admitted of drafts of the will and of declarations made by testator shortly before his death, that he had settled his affairs, and that his will was with his attorney, for the purpose of rebutting the presumption of fact that the testator had destroyed his will for the purpose of revoking it: (*Whiteley* v. *King*, 11 L. T. Rep. N. S. 342. C. P.)

Will — Condition to take Name. — B. excepted from a general devise of his property certain real and personal estate "of which my sister C. shall only receive the interest and rent during her natural life, and afterwards to C.'s eldest son, on his taking the name of M. But should he refuse to take the name of M., or my sister C. depart this life without a son, then the said property shall go to D., on his taking the name of M., and so on to his heirs, each taking the name of M., none of them being allowed to touch the principal, and no one shall, after my sister C., inherit the said property or enjoy the interest, who does not take or possess the name of M." C., who had no issue at B.'s death, afterwards had four sons, to each of whom the name of M. was given at baptism. It was held that, as to the realty, C. took an estate for life, with remainder in fee to her first-born son; and similarly as to the personalty, that the first-born son took absolutely, subject to his mother's life-interest. Also, that the condition was complied with, whether M. was taken as Christian name or as surname: (*Bennett* v. *Bennett*, 11 L. T. Rep. N. S. 362. Kindersley, V. C.)

Landlord and Tenant.—A tenant and his reversioner demised to C., a farmer, for fourteen years, C. covenanting to repair and at the end of the term to yield up the premises to B., if alive, or to the reversioner if B. should be dead. The lease was executed by B., but not by the reversioner. B. was held to be entitled to maintain an action for breach of covenant to repair, and that the non-execution of the lease by the reversioner was no answer to the action: (*Hoe* v. *Greek*, 11 L. T. Rep. N. S. 315. C. P.)

A lease for seven, fourteen, or twenty-one years determinable at the first seven or fourteen years, "if the said parties shall so think fit," can be determined only by the consent of both parties, and not at the option of the lessor alone: (*Fowell* v. *Tranter*, 11 L. T. Rep. N. S. 317. Ex.)

MERCANTILE LAW.

NOTES OF NEW DECISIONS.

Sale of a Partnership.—The advertisement of the sale of a partnership business under a decree stated that it would be made "with the exclusive right in the purchaser to hold himself out as successor to B. and Sons" in the business. The plaintiff in the suit was the surviving partner in the old concern. It was held, on objection made, that the advertisement must contain a notice of the plaintiff's rights: (*Johnson* v. *Halleby*, 11 L. T. Rep. N. S. 295. M.R.)

Misrepresentation in Trading.—B. prayed an injunction to restrain C. from falsely representing that he was carrying on business in succession to or in connection with B. It was proved that C., who had the same name as B., had opened a letter of B.'s from a customer, and answered it in his own name, and thereby endeavoured to procure the custom which the letter had offered to B. This was held not to be sufficient to sustain an injunction; but, as it was conduct open to the gravest suspicion, the bill was dismissed without costs: (*Edyington* v. *Edyington*, 11 L. T. Rep. N. S. 299. V.C. W.)

Bill of Sale — Registration.—It is not necessary to register a trust that may exist between the assignee and a third person. "The object of the statute," said Erle, C.J., "was to prevent debtors giving bills of sale by which all their property appeared to be transferred, and which might be used for the purpose of defeating their creditors, when in fact there was some hidden trust in favour of the giver of the bill. Now, I do not think that the execution-creditor, or the assignees of a bankrupt, have any interest in knowing whether the grantee of a bill of sale is trustee for others or not:" (*Robinson* v. *Collingwood*, 11 L. T. Rep. N. S. 313. C. P.)

Equitable Lien—Nudum Pactum.—A promise by a simple contract debtor to give security for an existing debt, even where there is no promise of forbearance on the part of the creditor, is not a *nudum pactum*, but may be enforced in a court of equity. In such a case, there is an assumed understanding that some degree of forbearance is to be exercised towards the creditor: (*The Alliance Bank* v. *Broom*, 11 L. T. Rep. N. S. 332. Kindersley, V. C.)

Master and Servant.—An insurance company appointed an agent and covenanted for gratuity in case of his being displaced from office. The company subsequently transferred business to another company and plaintiff was dismissed. He was held to have been thereby displaced from office by his employers: (*Scholefield* v. *Maitland*, 11 L. T. Rep. N. S. 337. Q. B.)

Patent Law.—An assignment of a patent by the executors of a patentee after probate is not avoided by the fact that the executors had not at the time of the assignment, registered the probate in the register kept in Chancery, under sect. 38 of the Patent Law Amendment Act 1852: (*Elwood* v. *Christy*, 11 L. T. Rep. N. S. 342. C. P.)

Warranty of a Horse.—Before selling a horse to C., B. pointed out a splint to him. Afterwards he gave a written warranty that the horse was sound. It fell lame from the splint. B. was held nevertheless to be liable on his warranty: (*Smith* v. *O'Bryan*, 11 L. T. Rep. N. S. 346. Ex.)

Right to Interest.—B. wrote thus to C.: "Dear Sir,—Could you do me the favour to lend me 10*l.* until Monday the 2nd Oct.? I am afraid I shall never be out of your debt for the favours you have shown me." This was held not to be an instrument entitling plaintiff to recover interest under 3 & 4 Will. 4, c. 42, s. 28: (*Taylor* v. *Holt*, 11 L. T. Rep. N. S. 3 Ex.)

Contract—Warranty.—B. having inspected at F.'s warehouse some soap frames, not put together, subsequently ordered them by a letter, thus, "Sir,—Please send to the above address the six new iron frames which were seen yesterday, on the following conditions, viz., they are to be warranted new frames, with all nuts and bolts complete, and to be delivered, &c." They were sent with this invoice, "Received six new iron soap frames, with nuts and bolts complete and perfect." When put together they were found to leak, and to be useless for the purpose of making soap. In an action on the alleged warranty, it was held, that the frames were to be fit and proper for the purpose of soap making, and that the facts proved a warranty to that effect: (*Mallam* v. *Radloff*, 11 L. T. Rep. N. S. 381. C. P.)

The Law of Arrest for Debt in France.—The Civil Tribunal of the Seine has just decided a point of law of some importance to foreigners. The following are the particulars of the case:—MM. W. Arthur and Co., money changers, having some time since arrested Captain Austen, late of the British army, for a debt of 6855*l.* due on account of two dishonoured bills of exchange, the latter commenced proceedings to get the arrest declared null and void on the ground that the law of the 17th April 1832, under which the arrest had taken place, did not give any such power to foreigners. The counsel for the defendants, however, maintain, that the nationality of Mr. W. Arthur was of no importance in the present case, as he was not acting in a personal capacity, but as representative of the firm of W. Arthur and Co., in which there was one partner a Frenchman. The firm was consequently entitled to exercise the right of arrest given to Frenchmen by the law above named. After hearing the Avocat-Imperial, who maintained the legality of the arrest, the Tribunal gave a judgment, affirming its validity, and condemned Captain Austen to pay all costs.

LAW STUDENTS' JOURNAL.

ANSWERS TO THE EXAMINATION QUESTIONS. (*a*)

Michaelmas Term 1864.

I. PRELIMINARY.

Questions 1 to 5.

II. COMMON AND STATUTE LAW AND PRACTICE OF THE COURTS. (*b*)

6. *Notice.*—Notice is necessary in actions against justices of the peace, as such; commissioners of bankrupts, &c.; officers of the army, navy, marines, customs, or excise, &c. One month's notice is given; (Arch. Pr. 348, 2nd edit.)

7. *Arrest.*—That the plaintiff has a cause of action against the defendant to the amount of twenty pounds or upwards, or that he has sustained damage to that amount, and that there is probable cause for believing that the defendant is about to quit England, unless he be forthwith apprehended: (1 & 2 Vict. c. 110, s. 3; Pat. & Mac. Pr.)

8. *Judgment.*—At the expiration of fourteen days from the verdict, unless otherwise ordered: (Pat. & Mac. Pr.)

9. *Revivor.*—A judgment must be revived before issuing execution (1) when six years have elapsed from the signing thereof; (2) upon the death of a plaintiff or defendant; (3) upon the marriage of a female plaintiff or defendant after judgment; (4) upon bankruptcy of a plaintiff after interlocutory judgment. In the cases numbered 1, 2 and 4 the judgment is revived either by entering a suggestion on the roll by leave of the court or judge, or by writ of revivor; and in the case numbered 3, by *scire facias*: (Chit. Arch. 1112, &c., 11th edit.; Pat. & Mac. Pr. 1062-1068.)

10. *Innkeeper.*—By this Act the innkeeper's liability for his guests' goods (not being a horse or other live animal, or the gear appertaining thereto, or any carriage) is restricted to 30*l.*, unless (1) lost, &c., through the wilful neglect of the innkeeper or his servants; or (2) unless the goods were deposited with him for safe custody: (sect. 1.) To take advantage of this Act, the innkeeper must exhibit (conspicuously) in his house the above section: (sect. 3.)

11. *Husband and wife.*—He may reduce them into possession by suing jointly with his wife and obtaining judgment; or, if before this is done the wife dies, obtain them by administration: (2 Steph. Com.)

12. He is entitled to the rents and profits of the real estate (not settled to her separate use) during the coverture. May lease it for twenty-one years. And in certain events may take it as tenant by the curtesy: (Ibid.)

13. *Guarantee.*—The guarantee must be in writing, signed by the party to be charged or his lawful agent, otherwise it cannot be sued upon. It must contain a promise to pay and the name of the person to whom the promise is made; it requires a consideration, but the consideration need not now appear in the instrument as was formerly necessary. So a guarantee usually requires to be stamped before it can be given in evidence: (see generally Smith's Merc. Law, tit. "Guarantees," 6th edit.)

14. *Statement.*—Statements in writing made by a person in the course of his business, without interest to misrepresent truth, if contemporaneous with the fact, are evidence of the fact after his death: (*Price* v. *Torrington*, 1 Sm. L. C. 139, and notes; see also *Higham* v. *Ridgway*, 2 Ib., 183.) Again, Quakers, Moravians, and separatists, and by leave of the court, persons having conscientious objections, may state facts on affirmation instead of on oath. But the statements of those who do not believe in any God who will reward or punish are wholly inadmissible: (Pow. Ev. 19, &c.)

15. *Warranty.*—This plea only denies the fact of the sale and warrants, not the breach: (Pl. R. 6.)

16. *Payment.*—No, it must be specially pleaded: (Pl. R. 8 and 14.)

17. *Tender.*—There must be an actual production and offer of the sum due, unless the creditor dispense with it by a declaration that he will not accept it; and this tender must be of money: if beyond forty shillings, in gold, or if above 5*l.*, in Bank of England notes; which are a legal tender, except at the Bank itself and its branches. The tender is not good if accompanied by any condition: (see Smith's Merc. Law, 510, 5th edit.; Hallilay's Digest 62, 4th edit.)

18. *Acknowledgment.*—The acknowledgment must be in writing signed by the party liable or his agent. And it must be such that a promise to pay may be gathered from it: (see Hallilay's Digest, 37, 38, 4th edit.)

19. *Appropriation.*—In the absence of any appropriation by the debtor at the time of making the payment, the creditor may apply it in satisfaction of the statute barred debt: (Chit. Cont. 665, 7th edit.)

20. *Set-off.*—When the agent on the face of the contract appeared as the principal: (Hallilay's Digest, 41, 4th edit.)

III. CONVEYANCING.

21. *Remainder.*—A vested remainder is always ready, so long as it lasts, to come into possession the moment the particular estate ends; not so a contingent remainder. Again the latter, if it amounts to a freehold, must have a particular estate of freehold to support it: (1 Steph. Com.; Hallilay's Digest, 138, 4th edit.)

22. *Guardian.*—No, as the statute of Car. 2 only gives the father the power to appoint a testamentary guardian to his children: (Hallilay's Digest, 308, 309 and note, 4th edit.)

23. *Joint tenancy.*—No: (see Ibid. 143, 226.)

24. *Feoffment.*—Only a life-estate: (Will. Real Pro. 130, 131, 6th edit.; Hallilay's Digest 380, 4th edit.)

25. *Descent.*—The gavelkind lands descend to all the sons equally. The borough-English lands to his youngest son: (Hallilay's Digest, 125, 4th edit.; 1 Steph. Com. 55, &c., 4th edit.)

26. *Improvements.*—He may by leave of the Court of Chancery make improvements by draining the lands with tiles, &c., or by warping, irrigation, or embankment, &c., and charge the cost thereof with interest not exceeding 5 per cent. per annum, payable half-yearly, on the inheritance. The principal money to be repaid by equal annual instalments of not less than twelve nor more than eighteen; or, in case of buildings, not less than fifteen nor more than twenty-five. In some cases, the money may be charged on the estate as a rent-charge for twenty-two years. In all other respects, the improvements must be made at the tenant's own cost: (Will. Real Pro. 29, 30, 6th edit.)

27. *Dower.*—No; to entitle the wife to dower the husband must be solely seised: (Will. Real Pro. 208, 6th edit.)

28. *Devise.*—All the interest which A. has to dispose of, unless a contrary intention appears by the will: (1 Vict. c. 26; Hallilay's Digest, 282, 4th edit.)

29. *Descent.*—To the granddaughter of the deceased son: (3 & 4 Will. 4 c. 106; Hallilay's Digest, 244, 4th edit.)

30. *Use.*—The examiner, from the mode this question is framed, evidently considers springing and shifting uses as synonymous, and so they are classed by some writers: however, they differ in this, that a springing use is one limited *in futuro* independently of any preceding use; whereas a shifting use is where the use is made to shift from one to another on a given event. They may be created by deed operating under the Statute of Uses or by will: (Steph. Com. 523, 525, 3rd edit.; Cruise on Uses, 81, 148.)

31. *Estate tail.*—As B. is tenant in tail under the rule in *Shelly's* case he may with the consent of A., who is protector, have the entail by deed enrolled in Chancery within six months of its execution: (3 & 4 Will. 4 c. 74; Hallilay's Digest, 131, 133, 381, 4th edit.)

32. *Debts.*—Yes; by this charge the preference given by the 3 & 4 Will. 4 c. 104, to specialty creditors in which the heirs are bound is taken away and all creditors are placed on an equality: (Will. Real Pro. 75, 6th edit.; Hallilay's Digest, 381, 4th edit.)

33. *Uses.*—The legal estate will vest in C., as powers of appointment do not operate to pass the possession of an estate, but only as a limitation of a use: (Will. Real Pro. 266, 267, 6th edit.; Hallilay's Digest, 187, 4th edit.)

34. *Mortgage.*—The heir-at-law or devisee of the mortgagee must convey the estate, and the executor or administrator join therein to give a receipt for the money: (Will. Real Pro. 393, 6th edit.; Hallilay's Digest, 175, 4th edit.)

35. *Copyholds.*—He must deliver a copy of the will to the lord, or his steward, or deputy, which without presentment is sufficient to authorise its entry on the court-rolls, and the admittance of the devisee without a court being held: (Will. Real Pro. 342, 6th edit.; Hallilay's Digest, 383, 4th edit.)

(To be continued.)

(*a*) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(*b*) The questions are given *ante*, p. 44.

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Bankruptcy — Registration of Trust-deed.—The court has no jurisdiction, by virtue of the 194th section of the B. A. 1861, or otherwise, in any case to grant an extension of the period of twenty-eight days, within which it is required by sect. 192 that a deed must be registered, in order that all the creditors may be bound by a majority under that section: (*Re Skinner*, 11 L. T. Rep. N. S. 354. L. C.)

Practice.—Upon an *ex parte* application, made out of the session of Parliament, an order of the H. of L. affirming with costs a decree of the M. R., was made an order of the Court of Ch.: (*Wentworth* v. *Lloyd*, 11 L. T. Rep. N. S. 355. L. C.)

Scotchman domiciled in England—Leave to Surrender.—B., a Scotchman domiciled in England, and there made a bankrupt, opposed the petition for adjudication, and obtained a Scotch sequestration on his own petition (which was afterwards recalled), thereby incurring great expense and delay. B. afterwards petitioned for leave to surrender, which was granted, on the ground that his former opposition was neither unwarrantable nor fraudulent: (*Ex parte Young, re Young*, 11 L. T. Rep. N. S. 355. L. C.)

Bankruptcy—Allowance to Bankrupt.—By sect. 109 of the B. A. 1861, a majority of creditors are empowered to make an allowance to a bankrupt "up to the time of passing his last examination." The meaning of these words is held to be, up to the day appointed by the court, under sect. 140, for a public sitting for the bankrupt to pass his last examination; and if the bankrupt does not pass on that day, the allowance so made will cease, notwithstanding that the time for passing the last examination has been enlarged, or the sitting has been adjourned: (*Ex parte Osborne, re Jowett*, 11 L. T. Rep. N. S. 356. L. C.)

Misdemeanor—Application for Costs of after Indictment—Practice.—All applications for the criminal prosecution of bankrupts should be *ex parte*, and counsel for the bankrupt ought not to be heard thereon. The court has no power under the 223rd section of the B. A. 1861 to sanction the taking of a bankrupt accused of misdemeanor under the Act before a magistrate, and order the costs of such preliminary inquiry to be paid out of the estate. The decision in *Re Ballard*, 9 L. T. Rep. N. S. dissented from. After a bankrupt has been committed for trial upon a charge of having concealed his property, and the grand jury under the 221st section of the B. A. 1861 have found a true bill against him, the court will not sanction the prosecution under the 223rd section if there appears no reasonable prospect of a conviction. The question now naturally arises, whether, if the chance of a conviction be not only reasonable but probable, the court will sanction the prosecution when no application is made for the purpose before the indictment is preferred: (*Ex parte Hyams, re Newberry*, 11 L. T. Rep. N. S. 390. Goulburn, C.)

The case of *Thomas Nicholson*, 11 L. T. Rep. N. S. 391, heard before Mr. Commissioner Abrahall, at Newcastle, sets forth the circumstances under which the court will exercise its power to discharge an uncertificated bankrupt where the certificate has been refused.

NEW BANKRUPTCY ORDER.

The following general order, just issued, affects very materially the practice in pauper cases.

"General Order.—'The Bankruptcy Act 1861.' 24 & 25 Vict. c. 134.

"Thursday, the 1st day of December 1864.

"Whereas by a General Order, dated the 22nd day of February 1862, it was ordered that every petition *in forma pauperis* in the court in London by a debtor entitled to a petition for adjudication of bankruptcy against himself should be attested by Walter William Aldridge, the solicitor for petitions *in forma pauperis* in the said court, or by one of his clerks, or by the keeper of the gaol in which the debtor petitioning should be confined, and that the petition should be prepared, filed and prosecuted by such solicitor, and that such solicitor should also act in bankruptcies of prison debtors upon adjudications made by registrars, which were to be prosecuted in the said court. And whereas the preparation, filing and prosecution of such petitions *in forma pauperis* has been found to involve a very considerable charge on the account intituled, 'The Chief Registrar's Account,' and it is no longer necessary that the said Walter William Aldridge should prepare, file and prosecute such petitions, or act under adjudications against prison debtors made by the registrars. Now, it is hereby ordered that the aforesaid General Order, so far as it relates to the preparation, attestation, filing and prosecution of petitions *in forma pauperis*, and to adjudications against prison debtors, shall be and the same is hereby rescinded, and that hereafter the said Walter William Aldridge shall, under such General Order, only act in the said court in bankruptcies in which no creditors' assignee has been chosen.

"Westbury, C.
"Edward Holroyd,
"Edward Goulburn."

CORRESPONDENCE OF THE PROFESSION.

Thomas Birch (deceased).—Our advertisement in the *Gazette* for claims was under 22 & 23 Vict. c. 35, and in your number for the 3rd inst. it has been by mistake placed in your notice of claims of creditors under estates in Chancery.

G. D. and A. S. Craig.
The Crescent, Shrewsbury, Dec. 6, 1864.

Examination Honours.—It appears to me that a much more satisfactory mode, and one that I have reason to believe articled clerks would, in general, be more satisfied with, might be adopted in regard to those gentlemen whom the examiners deem worthy of honorary distinction. Instead of prizes of books, such as are at present given to the successful competitor, would it not be more satisfactory in every sense of the word, to bestow upon them a more lasting *indicia* of their hard-worked term of service, by giving them a title which might accompany them through life, such as those bestowed by the universities? Under the present system, the prizeman has comparatively little opportunity, and perhaps still less desire, to blaze his qualifications before the world; consequently he does not derive that advantage which he might otherwise reap, and which no doubt is the intention of the Council of the Incorporated Law Society he should enjoy. I simply throw out these few remarks in the hope that the opinion of some one more competent than myself will be kindly given, and the subject, if deserving of consideration, may be duly agitated.

Chas. Redpath.

The recent Action for Libel.—The case of *Blake v. Stevens*, tried before Chief Justice Cockburn on Saturday last, arose out of an *erratum* in a note to the last edition of a well-known law book, and is chiefly remarkable for the mode in which it was defended and the amount of damages awarded. In quoting the case of *Re Blake*, 30 L. J., the note in question stated the order of the court to be, that the attorney should be struck off the rolls; whereas the order actually made was that he should be suspended from practice for two years. "We are unfortunately," said Chief Justice Cockburn, "even the most careful and guarded, liable to mistakes;" and in a work like Mr. Serjt. Pulling's Law of Attorneys, containing a reference to upwards of 2000 cases, small blame can be imputed to the learned author if there are occasional *errata*. The passage complained of bore indeed evident proof that it had been sent to the press as, we fear, too often happens, without the proof being first revised. It was admitted on all hands that the proposition of law deducible from the case of *Re Blake* was correctly stated by Serjt. Pulling, and in such a work it was quite necessary to cite the case, whatever the sentence of the court might have been. The *erratum* in the note seems to have been corrected directly the author's attention was drawn to it. Had the publisher wisely followed up this correction by an appropriate apology, there would have been no case for the jury on Saturday, but unhappily a different course was adopted. No intimation even of the correction was given to the plaintiff, and a personal attack was made on him at the trial, and substantial damages the result. This result of course can in no way be attributable to the learned author.

D.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries

Real Estate—Trustees.—A testator by his will dated 2nd Jan. 1858, without any express devise, directed his real estate to be sold by his executor thereinafter named. Testator survived his executor, and died leaving a widow to whom administration *cum testamento annexo* was granted. The widow sold the estate. Can she, without the concurrence of the heir-at-law, make a satisfactory title to a purchaser?

H. A.

The Examinations.—Will any of your readers be kind enough to inform the writer whether "Chitty on Contracts" and "Williams on Real Property" are the books always used in the intermediate examination in London. Also what is the price of Mr. Hallilay's "Digest of the Examination Questions and Answers," and how often it is published? [The price of "Hallilay's Questions and Answers" is 15s.—Ed.] An Articled Clerk.

Dec. 5, 1864.

Letters.—A. B. directed and forwarded by post a letter to C. D. at a boarding-house in London. E. F. (who had been staying at the house but had then left) obtained the letter and opened it, and then wrote to A. B. stating what had been done, and refused to deliver the letter to C. D. What is the remedy against E. F., and who must institute the proceedings, A. B. or C. D.? Are there any cases on the point? The Post-office authorities say that the letter was delivered according to the address, and they will not interfere. By 42 Geo. 3, cc. 81 and 84, any person secreting or detaining, or after request refusing to deliver up, and which shall have been found, or picked up, or by accident or mistake left with or at his house, is guilty of a misdemeanor punishable with fine and imprisonment.

X.

Answers.

Bill of Sale.—"A. B." is certainly correct in his opinion that the affidavit of due execution of a bill of sale should be sworn before a commissioner of the Queen's Bench, and not before a commissioner in Chancery. The courts lean strongly to the strict observance of the requisitions of the Act, and the least divergence appears to make a bill of sale a nullity, *e. g.*, *Adams v. Graham*, 9 L. T. Rep. N. S. 606.

J. P.

Exeter.

Landlord and Tenant—Lessor Assigning Reversion—Recovery of Rent.—The case *Welch v. Fidley and others*, tried before Willes, J., on the 29th inst., and reported in the *Times* of that date, disposes of this question, which was raised in a recent number of your journal. His Lordship ruled that an assignee of the reversion could not distrain for rent which had accrued due before the conveyance of the reversion to him.

Lex.

Nov. 30, 1864.

Trust Estate.—In reply to "K. A.," it is, under the present law, necessary that the heiress-at-law acknowledge the deeds releasing the mortgaged property. The Lord Chancellor prepared a Bill for the last session, which was intended to obviate the necessity of acknowledgment by married women acting as trustees. If there be several properties vested in the lady referred to as trustee, it may be advisable to defer the reconveyance until next session, when probably the proposed Bill will become law. J. P.

Exeter, 7th Dec.

Procuration Fee.—"Inquirer" is referred to 12 Anne, stat. 2, c. 16, s. 2; which authorises solicitors and others to charge at the rate of "five shillings for the loan or forbearing of 100*l.* for a year and so rateably," &c., "for making or renewing of the bond or bill for loan." I think the Act admits of some doubt whether the solicitor may charge 5s. per cent. per annum where the loan extends over more than one year. However, the practice with solicitors who charge the procuration fee is, to treat it as a percentage on the loan (irrespective of time); and not to charge for letters and attendances. It is therefore a question in each case, which mode of charging will better remunerate the solicitor.

J. P.

Exeter.

Marriage Covenant.—As this question does not appear to have been answered, and although some time has elapsed, I hope my reply will not be too late to be of some service. It is a well-known rule of the common law, that neither husband nor wife can sue the other, and therefore a covenant entered into by a man with a woman is absolutely discharged by their intermarriage; but there is an exception to this general rule, where a covenant is not to take effect until after the death of the husband, in which case the wife can sue his representatives: (*Cage v. Action*, 1 Lord Raym. 515.) Again, if the covenant be made with a trustee for the wife, it appears that it would not be determined by the intermarriage: (*Cotton v. Cotton*, cited 2 Rop. H. & W. 78.) Therefore, in the case stated by "A Subscriber," the wife can successfully sue the executors of her late husband.

J. B.

New Romney.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by John Thompson, and T. W. Saunders, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Michaelmas Term 1864.

Tuesday, Nov. 29.

Reg. v. The Coroner of Kent.

Rule absolute for a certiorari to remove the inquisition.

—— v. Turner (resp.)—*Mellish*, Q.C. appeared for the appellant. *Judgment for the respondent.*

Raby (app.) v. Seed (resp.) *Conviction quashed.*

Thomas (app.) v. Jones (resp.)—*Keane*, Q.C. and *Bere* appeared for the appellant, and *Giffard* for the respondent. *Conviction quashed.*

Pope (app.) v. Whalley (resp.)—*Keane*, Q.C. appeared for the respondent, and *Le Breton* for the appellant.

Judgment for the respondent.

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Michaelmas Term 1864.

Wednesday, Nov. 23.

Denson v. The British Gaslight Company.—*Pensilling* showed cause against the rule obtained by *R. E. Turner*, on Nov. 18, for a *mandamus* for the examination of witnesses at Calcutta.—*R. E. Turner*, contra, in support.

Rule absolute, returnable the first day of Easter Term, with power to the judge, by consent, to enlarge the time or make such order as he thinks proper.

Re An Award in an Arbitration between Glaysher and Maitland.—*Beresford* moved to make an agreement to refer any future disputes between the parties, lessor and lessee, contained in a covenant in a lease, a rule of court, and cited *Parkes v. Smith*, 15 Q. B. 297; Russell on Awards, part 1, sect. 4. *Cur. adv. vult.*

New Trial Paper.

Caddick v. Terry.—*Gray*, Q.C. and *Macnamara*, for plt., showed cause against the rule obtained by *Huddleston*, Q.C. herein on the first day of term, to set aside the verdict, or for a new trial, on misdirection. It was an action tried at Worcester before Shee, J., to recover the value of a quantity of hops, and a verdict for plaintiff for 23*l.* 5s., with leave reserved to move for a new trial. There was a long correspondence between the parties, and the points in controversy were, whether it was or not a sale by sample; and whether the contract, which was contained in a series of letters, was for the jury or the court to construe. Plaintiff's counsel, in showing cause, arguing that it was not a sale by sample, and that the contract was for the court and not for the jury.—*Huddleston*, Q.C. and *H. Matthews*, in support of the rule, arguing the contrary: *Dawson v. Collis*, 10 C. B. 523; *Street v. Blay*, 2 B. & Ad. 456; *Prior v.* ——, 2 Ex. 111; *Trueman v. Loder*, 11 A. & E. 589; *Skull v. Glenister*, 9 L. T. Rep. N. S. 763; 33 L. J. 185, C. P.; *Meyer v. Eberth*, 4 Camp. 22; *Gardiner v. Gray*, Ib. 144; *Furness v. Meek*, 27 L. J. 34 Ex.; *Wilkinson v. Grant*, 18 C. B.; *Wheeler v. Steleltzky*, 17 C. B. 619; *Lockett v. Nickling*, 2 Ex. 93; *Cook v. Riddelse*, 1 Car. & Kir. 56; and Taylor on Evidence, p. 12, were cited.—The Court (Pollock, C.B., Channell and Pigott, BB.) were of opinion that they could not enter the verdict for defendant, because the point was not reserved, but that the rule for a new trial should be absolute, as there were facts in the case independently of the letters which formed the contract, and so it was for the jury.

Rule absolute for a new trial.

Bray v. Whitehouse. *Part heard and adjourned.*

Thursday, Nov. 24.

Wilson v. Palmer.—*Hannen* showed cause against the rule obtained by *C. Pollock* herein on Nov. 11, to set aside an award or refer it back to the arbitrator.—*C. Pollock* contra in support.

Referred back to the arbitrator by consent of parties.

Re An Arbitration between Glaysher and Maitland.—Pollock, C.B. delivered judgment of the court thereon, refusing the rule moved for by Beresford yesterday.

Rule refused.

Phillips v. Lewis.—Judgment delivered. *Rule*

Sukman v. Almond.—*D. Seymour*, Q.C., showed cause against the rule obtained by *H. James*, on 9th Nov. to revive a judgment more than twenty years old, in which plaintiff had been paid to Sept. 1843. He cited *Phillips v. Earl of Egremont*, 6 Q. B. 587; *Thomas v. Williams*, 3 Dowl.; *Devereux v.* ——, 5 Ex. 834.—*H. James* contra in support.

Rule enlarged to next term, and then to come on together with a cross-rule to set aside the judgment.

Foster and another v. Gammon.—*Huddleston*, Q.C. on the part of the plaintiffs, consented to reduce the verdict by 25*l.*

Re Robert Evans.—*Caron*, on the part of the Commissioners of Inland Revenue, moved for a rule calling on the party to show cause why he should not pay over money received by him for legacy duty: (13 & 14 Vict. c. 97, s. 8) *Rule nisi.*

Lawrence and another (Executors, &c.) v. Wake.—*L. Kelly*, for defendant, showed cause against the rule obtained herein by *Lumley Smith*, on the first day of term for an attachment for not answering interrogatories. The interrogatories were obtained on the 5th Feb., and the original plaintiff died on the 12th of Feb., when the fifteen days' time allowed for answering had not expired. Defendant, he contended, was not in default till the action had been revived, and on its being revived the suit was altered, the executors being plaintiffs in the place of their testator, and so defendant was not bound to answer the old interrogatories. Fresh interrogatories should be delivered: (sect. 136, C. L. P. A.)—[Pollock, C. B.: I don't think the court will entertain that objection. It must be considered as in all respects the same action. Will defendant now answer the interrogatories?] Yes; the answers are here in court.—[Pollock, C. B.: And the costs?]—After a little demur on defendant's part, this was agreed to.—*Lumley Smith* was not called on.

Rule discharged on payment of costs, the defendant undertaking to answer the interrogatories.

Clarke v. Walmsley.—*C. Russell*, for plaintiff, showed cause against the rule obtained by *G. Francis* herein on the 8th Nov., calling on plaintiff to show cause why the action should not be referred to two cotton brokers, as provided for by the contract on which the action was brought, or all further proceedings should not be stayed pursuant to sect. 11 of C. L. P. A. 1854.—*G. Francis*, in support, contra: (*Smith v. Allen*, 3 F. & F. 150; *Davis v. Price*, 10 W. R., Q. B.)

Rule absolute, by arrangement, to refer, on certain terms agreed on between the parties; the costs to be costs in the cause.

Nuttall v. Bracewell.—Metcalfe v. Metcalfe.—*Mellor*, Q.C. (with *Rew*), for defendant, moved for a rule to refer back to the arbitrator. *Rule to show cause.*

Re AN AWARD.—*Gale* moved to enlarge a rule herein to next term. *Rule enlarged.*

Friday, Nov. 25.

BEAT v. WHITEHOUSE.—The further hearing of the argument herein was postponed to next term.

POTTER v. HICKLING.—*Prentice* showed cause against a rule obtained herein by *Day* on the 22nd Nov., to change the venue from London to Northampton. It was an action to recover 64*l.* 5*s.* for goods sold and delivered, to which defendant had pleaded never indebted. The cause of action arose entirely at Nottingham, and both the parties and the witnesses lived there. Martin, B., had refused, at chambers, to change the venue, for the reason that this was Michaelmas Term, and to do so would throw the cause over for four months. Defendant had no witnesses but himself, nor had he a defence.—*Day* supported his rule.—Defendant was ill. Both the parties and the witnesses lived at Nottingham, and it was hard to drag them all to London. It was believed defendant had a defence. At any rate, plaintiff might have tried two years ago at Nottingham, at which time and place the cause of action accrued; and it was idle in him now to urge the four months' delay as a reason for not changing the venue.—POLLOCK, C.B.: The court see no occasion, under the circumstances, to interfere. *Rule discharged.*

NORTON v. BLACKIE AND ANOTHER.—*M. Lloyd* moved for a rule *nisi* to enable defendants to tax their costs and sue execution unless plaintiff gave security for costs on his appeal to the Ex. Ch., under sect. 38 C. L. P. A. 1854, from the judgment of this court, on the 3rd Nov., making the defendants' rule absolute to set aside plaintiff's verdict and enter it for the defendants in an action of detinue on the ground that there was no detention. [MARTIN, B.: Why don't you issue execution? POLLOCK, C.B.: You can issue execution at your own peril: the words of the statute are, "notice of appeal shall be a stay of execution." Why are we to call on the other side to show cause why execution should not issue, and be asked to give a prospective decision? CHANNELL, B.: You are in fact coming to the court for advice.] *Rule refused.*

THE WOLVERHAMPTON LOCAL BOARD OF HEALTH v. STEER.—*Powell*, Q. C. and *J. O. Griffits* showed cause against the rule obtained by *Macnamara* on Nov. 18 for a prohibition to restrain defendant and the County Court of Staffordshire from proceeding in a judgment recovered in the County Court for 3*l.* 5*s.* 9*d.* for repairs of a street.—*Macnamara* supported his rule.—Cases were cited and statutes referred to on both sides; but ultimately, at the suggestion of the COURT, it was arranged that the matter should be turned into a special case. *Rule enlarged for that purpose.*

Re HAINE AND BATLIS.—*Macnamara* moved for a rule to show cause why the agreement to refer, contained in articles of copartnership, and the appointment in writing of arbitrators and an umpire thereunder, should not be made a rule of court. *Rule nisi.*

ATTORNEY-GENERAL v. SHERWIN.—POLLOCK, C. B. said that a difference of opinion existed on the Bench in this case, and he would wish the learned law officers of the Crown to consider whether or not, under these circumstances, they desired to have the judgment of the court delivered.

EXCHEQUER CHAMBER.

Reported by T. W. SAUNDERS, LUMLEY SMITH and H. LEIGH, Esqrs., Barristers-at-Law.

ERRORS FROM THE QUEEN'S BENCH.

Monday, Nov. 28.

(Before ERLE, C.J., POLLOCK, C.B., BYLES and KEATING, JJ., BRAMWELL, CHANNELL and PIGOTT, BB.)

CARTER v. THE BOARD OF WORKS OF THE LEWISHAM UNION.—This was a writ of error from a judgment of the Q. B. in favour of the plaintiff. *Judgment reversed.*

RICKETTS v. THE METROPOLITAN BOARD OF WORKS.—This was a writ of error from the Q. B.—*Hawkins* Q.C. and *Shaw*, Q.C. appeared for the respective parties. *Cur. adv. vult.*

Tuesday, Nov. 29.

GRAY AND WIFE v. PULLEN. *Judgment reversed.*

REG. v. THE JUSTICES OF SURREY.—This was a writ of error for a judgment of the Q. B. in favour of the Crown.—*Huddleston*, Q.C. and *Manle*, and *Manisty*, Q.C. and *T. W. Saunders* appeared for the respective parties. *Cur. adv. vult.*

Wednesday, Nov. 30.

ERRORS FROM THE COMMON PLEAS.

LEE v. JENNINGS.—In this case, argued last term, the COURT gave judgment, affirming that of the Common Pleas. *Judgment affirmed.*

MADDICK v. MARSHALL.—Action brought by an advertising agent against a provisional director of a projected company, to recover the amount of his bill for advertising the prospectus of the company. The provisional directors had been induced to act as such by one Payne, on the distinct understanding that all the costs of getting up the company should be borne by the latter. The directors had passed a resolution that the company's prospectus should be advertised, and Payne showed this to the plaintiff, whereupon the plaintiff inserted the advertisements, and debited the company with the amount, and not being paid, sued the defendant. A verdict having been entered at the trial for the plaintiff, the Court of C. P. discharged a rule to enter a nonsuit or a verdict for the defendant, demanded on the ground that Payne was not authorised to pledge the defendant's credit. From this decision the plaintiff appealed, having obtained leave to do so from the Court of C. P.—*Lush*, Q.C. (*J. Brown* with him) argued for the appellant.—*M. Chambers*, Q.C. (*Murphy* with him) for the respondent.—The COURT (Pollock, C.B., Crompton, Mellor, Shee, JJ., Channell and Pigott, BB.) affirmed the decision of the court below. *Judgment affirmed.*

ERRORS FROM THE EXCHEQUER.

Friday, Dec. 2.

(Before ERLE, C.J., CROMPTON, BLACKBURN, KEATING, MELLOR and SHEE, JJ.)

BENHAM v. BROADHURST AND OTHERS.—CROMPTON, J., delivered the judgment of the court, affirming the judgment below in this case, and holding the deed to be invalid on the first objection taken, namely, that of inequality between assenting and non-assenting creditors.—KEATING, J.: I did not hear the whole of the arguments, and so take no part in this judgment. *Judgment of the Exchequer affirmed.*

RAPHAEL v. DAVES.—This was a demurrer raising the question of the validity of an arrangement deed under sect. 192 of the B. A. 1861.—*Gibbons*, for the appellant, endeavoured to distinguish the case from *Alderton* v. *Castrique*, 8 L. T. Rep. N. S. 537, on the authority of which this case was decided below, and to satisfy the court that the deed was good. He cited also *Spitzer* v. *Chaffers*, Ib. 665; *Ex parte Speer*, Ib. 742.—But the COURT were unanimous in thinking the deed was only distinguishable from *Alderton* v. *Castrique* as being much worse, and they therefore, without calling on the other side, affirmed the judgment below. *Judgment affirmed.*

HIMSON AND ANOTHER v. BARCLAY.—Error from a judgment of the Ex., holding a plea setting up an arrangement deed under sect. 192 of the B. A. 1861, as a defence to an action by a non-assenting creditor, to be bad on demurrer, on the ground that the deed was bad, and not binding on the plaintiffs: (reported below, 10 L. T. Rep. N. S. 587; 33 L. J. 283, Ex.)—*Field*, Q. C. (with *W. Murray*) argued for the appellant against the decision of the court below, and in favour of the validity of the deed, and cited *Clapham* v. *Atkinson*; *Wallace* v. *Kelsall*, 7 M. & W. 264; *Richmond* v. *Heapy*, 1 Stark. N. P. Cas. 202.—*A. Wills*, contra, for respondent, referred to *Bell* v. *King*, 9 L. T. Rep. N. S. 287; *Beckham* v. *Jones*, 10 Ib. 538; *Ex parte Cockburn*, 9 Ib. 464.—*W. Murray* replied. *Cur. adv. vult.*

GREEN AND OTHERS v. ATTENBOROUGH.—Appeal from the Ex.—*Quain* (with *Hawkins*, Q. C.) argued for the defendant, the appellant.—*Coleridge*, Q. C. and *Day* for respondent. *Judgment affirmed.*

Court of Common Pleas.

Thursday, Nov. 24.

The Court gave notice that it would sit on Wednesday the 7th Dec., to give judgment in two appeals from revising barristers standing over for judgment, and in the other cases standing for judgment. It has further given notice that the hearing of the remaining appeals from revising barristers is adjourned to Thursday, the 12th Jan. next.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

E. R. SEYMOUR, ESQ.

On Tuesday, Nov. 29, at his lodgings in Wakefield-street, Regent-square, aged forty-one, Ernest Richard Seymour, Esq., barrister-at-law. He was the eldest surviving son of the celebrated physician, Dr. Seymour, of Charles-street, Berkeley-square, and was born in Jan. 1823. He was educated at Shrewsbury School (under Dr. Butler), and at Oriel College, Oxford, where he graduated B.A. in 1845, and proceeded M.A. in due course. He was called to the bar at the Inner Temple in 1846, and for some years went the Western Circuit. He eventually, however, forsook law for literature, and was an extensive contributor of biographies, leading articles, &c., to the *Morning Chronicle*, *Morning Herald*, *Standard*, &c. He had also contributed to several serials, including *Once a Week*, the *Gentleman's Magazine*, the *Literary Churchman*, *Weldon's Register*, &c., &c. In addition to the above, he was the author of a story entitled "Mignonette," published in 1858 by Messrs. J. H. Parker and Co., and of another entitled "The Curate of Holy Cross," published by Masters. Of late years he had appeared occasionally in trials at the Old Bailey, but, with that exception, he had nearly withdrawn from legal circles. His health had been long failing, and his death, though sudden at the last, was hardly unexpected.

LEGAL NEWS.

A SUIT.—There is now pending in the Court of Chancery a suit relating to the will of the late Countess Belli, an English lady, married to Count Belli of Viterbo, to whom she bequeathed the greater part of her property. It appears that the will is contested by her relations. It will give some idea of the different notions entertained in different countries with respect to the administration of justice, that Cardinal Antonelli, to fortify the cause of Count Belli, should have written a despatch to the British consul, requesting him, through the medium of Earl Russell, to engage the Lord Chancellor's warmest sympathies in the Count's behalf. The request of the Cardinal Secretary of State having been duly forwarded to Earl Russell by the consul, his lordship recently sent a reply, purporting that Her Majesty's Government had no power to interfere with or influence the administration of justice. —*Daily News.*

A MAGISTERIAL FOOTPAD.—The *Narodny Listy* of Prague relates the following curious incident:—One night last week, M. M——, a magistrate, when returning home through a dark and narrow street, came into violent contact with a passenger, who instantly made off with all speed. The judge immediately felt for his watch, and finding that it was not in his pocket he ran after the supposed robber and demanded its restitution. The man hesitated a moment, but at last handed him a watch. On arriving at home M. M—— was astonished to see his own watch on a table. The next morning he went to the police-office, related his adventure, and gave up the watch which he had so strangely obtained on the previous evening. The officer on duty then informed the magistrate that a person had just called to complain that he had been robbed of his watch in the street mentioned, and the fact was at once ascertained that both the magistrate and the complainant had mistaken each other for robbers.

A STRANGE SUITOR IN CHANCERY.—On Tuesday morning, as Vice Chancellor Stuart was leaving the bench at the period of the usual mid-day adjournment, a respectably, although somewhat showily dressed lady, advanced towards his Honour, and in a loud voice called out excitedly, "I want an order to get money out of court;" but the learned judge passed on without taking any notice. She continued, however, for several minutes, much to the astonishment of the bar and the public, as follows: "I am an administrator, or administratrix of the whole of the funds. You (addressing the registrar) let me know where the Act of Parliament is by which you keep the money, and I will go and purchase it. My money is paid in under the tenth and the eleventh Act. What Act do you retain it by? I have bought nearly all the Acts of Parliament, but I cannot find one by which you keep my money. Some counsel (she continued) were asked whether a widow could have any lawful children, and they said yes, if the word 'lawful' was left out. Just like them. I see some men here. They are all alike. I have said over and over again that I am willing to be robbed, and so I am. But why don't they hang me in Smithfield at once. Oh dear me!" She then left and went up Chancery-lane. This, it is stated, is not the first visit she has paid to the courts of equity, and she is said to be mentally deranged.

WILLS AND BEQUESTS.—The will of William Stitt Wilson, Esq., banker, of the city of Norwich, formerly of Whitehaven, St. Bees, Cumberland, was proved in London on the 1st ult., the executors appointed being his brother-in-law, Thomas Dixon, Esq., of Rheda, Cumberland, and William Dickinson, Esq., of Workington. The personalty was sworn under 25,000*l.* The will is dated 1863, and there are three codicils. His wife, to whom a large portion of the property was left, having died before the testator, the personalty devolves, by the terms of the will, to his two executors, for their own use and benefit, and they are left also the freehold property. The estate of Cockshot is devised to his said brother-in-law, Mr. Thomas Dixon (the brother of his late wife). There is a legacy of 100*l.* to the East of England Banking Company. Legacies are left to several officers of banks. To the Whitehaven Infirmary 100*l.*; to the South Kensington Museum, an antique oriental china bowl or bottle, exhibited at the Manchester Exhibition in 1857; to the British Museum, the choice of nine articles of virtu from his collection,; to the National Gallery, any two oil-paintings the trustees may select.——The will of Richard Gibbs, Esq., late of the City of London, teabroker, and of Upper Tooting, Surrey, was proved in London on the 29th Oct., by his relict, the sole executrix. The personalty was sworn under 100,000*l.* After making several bequests, he leaves to his wife a life interest in the residue of his property, with power of disposition over a certain portion. The ultimate reversionary residue is left amongst some of his nieces and others. To his partner, William Weston, Esq., he leaves the option of retaining 10,000*l.* at 4 per cent. interest, from which annual sum of 400*l.* annuities of various amounts to twelve persons are to be kept up, the bequests being chiefly to individuals who had been or were in his employ; and on the decease of these annuitants the principal sum of 10,000*l.* will revert to twenty-three charitable institutions. The legatees are numerous, and the legacies are to be paid free of duty. There are specific bequests of pictures, &c., to many of his friends, members of the City Club, and to one of the "Round Table." To each of his clerks who have been four years in his employ he leaves a legacy of 100*l.*, and 20*l.* to each of the others; also 10*l.* to each of the porters, and legacies to his servants. His business, carried on under the firm of Messrs. Gibbs and Co., he states, "was founded and reared up by him, and, with the assistance of his partner, has met with success, after many years of indomitable perseverance and industry;" and at the conclusion of his will are these words: "I thank Almighty God for inclining my heart from childhood to feel 'for others' woes.'" The will bears date July 4, 1864, and his death occurred by an accident on the 7th of Oct. last, in his 75th year.—*Illustrated London News.*

THE GAZETTES.

Bankrupts.

Gazette, Nov. 29.

To surrender at the Bankrupts' Court, London.

ALLCOCK, ROBERT, general dealer, Acton-st. Gray's-inn-rd. Pet. Nov. 24. Reg. Roche. O. A. Cannan. Sol. Wyatt, Harpur-st. Red Lion-sq.

ANDREWS, ROBERT, general dealer, Carlton-rd. Kentish-to. Pet. Nov. 19. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.

AVRAMACHIS, THEOLOGUS, tobacco importer, Regent-st. Pet. Nov. 23. Reg. Roche. O. A. Cannan. Sol. Chidley, Old Jewry.

BOOTH, PHILIP GILLOTT, Esq., Pall-mall. Pet. Nov. 18. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.

BOULDING, ISABELLA MARY, Albert-pl. Stratford. Pet. Nov. 19. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.

BRETT, JOHN GEORGE, clerk to a solicitor, New North-st. Red Lion-sq. Pet. Nov. 24. Reg. Brougham. O. A. Edwards. Sol. Leverson, Bishopsgate-st.-within.

BROWN, HENRY, horse dealer, Harrow-rd. Pet. Nov. 19. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

CANT, FREDERICK, boot and shoe manufacturer, Aldersgate-st. and Crouch-end, Hornsey. Pet. Nov. 23. Reg. Hazlitt. O. A. Graham. Sol. Thompson, Gray's-inn-sq.

DE YRIGOYTI FRANCIS, wine merchant, Hanover-st. Tower-hill. Pet. Nov. 24. Reg. Roche. O. A. Cannan. Sol. Abrahams, Gresham-st.

EMERSON, THOMAS, draper, Surbiton. Pet. Nov. 23. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn.

EWERS, GEORGE, rag merchant, Aberdeen-pl. Victoria-pk. Pet. Nov. 24. Reg. Hazlitt. O. A. Graham. Sol. Silverton, Great Dover-st. Newington.

FISCHER, JOHN, out of business, Colemen-st. Pet. Nov. 18. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.

GAY, DAVID, photographer, Cheapside, and Brent-cottage, Blackheath-hill. Pet. Nov. 23. Reg. Hazlitt. O. A. Graham. Sol. Peddell, Ironmonger-la. Cheapside.

GOATLY, WILLIAM EPHRAIM, attorney and solicitor, Shooting-common, Bromley, and Mitre-ct.-bdgs. Fleet-st. Pet. Nov. 21. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

GOODALL, JOHN, beer retailer, Surbiton-hill. Pet. Nov. 19. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

GRANT, KATE, no occupation, Brighton. Pet. Nov. 24. Reg. Brougham. O. A. Edwards. Sols. Godwin and Tucker, King's-bench-walk, Temple; Edwards and Bailey, Winchester.

GURNEY, HENRY, victualler, Drury-la. Pet. Nov. 23. Reg. Roche. O. A. Cannan. Sol. Atkinson, Quality-ct. Chancery-la.

HAMES, GEORGE, soap manufacturer, Friendly-cottages, Old Ford-rd. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.

HARRIS, WILLIAM, gun maker, Vigo-st. Regent-st. Pet. Nov. 22. Reg. Brougham. O. A. Edwards. Sol. Lawrence, Bedford-sq.

HARTOG, CARL SAMUEL HEINRICH, general commission agent, Manchester-bdgs. Westminster. Pet. Nov. 23. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-la.

HERRICK, WILLIAM HENRY, officer in the army, Jermyn-st. St. James's. Pet. Nov. 19. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
IRELAND, JAMES, victualler, Milford-la. Strand. Pet. Nov. 19. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
JOHNSON, CHARLES DAVIS, plumber, Church-st. Minories. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
LAYTON, ALFRED, banker's clerk, Guildford-st. Russell-sq. Pet. Nov. 22. Reg. Brougham. O. A. Edwards. Sols. Messrs. Lumley, Moorgate-st.
LEE, RHODA, out of business, Albert-pl. Bow-common. Pet. Nov. 22. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
LOCKE, GEORGE LEWIS, pianoforte small works maker, Cardington-st. Hampstead-rd. Pet. Nov. 18. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
LYONS, HYAM, general dealer, Ebenezer-sq. Houndsditch. Pet. Nov. 24. Reg. Roche. O. A. Cannan. Sol. Poole, Bartholomew-close.
MAVROGORDATO, JOHN, glove manufacturer, Gresham-st. and Rue Laffitte, Paris. Pet. Nov. 18. Reg. Roche. O. A. Cannan. Sol. Abrahams, Gresham-st.
MORTIMER, EDWARD, commission agent, Cambridge-ter. Hyde-pk. Pet. Nov. 19. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
NEGUS, THOMAS RICHARDSON, chemist, Leatherhead. Pet. Nov. 24. Reg. Hazlitt. O. A. Graham. Sol. Roberts, South-sq. Gray's-inn.
PLOWDEN, EDMUND CHICHLEY, wine merchant, Craven-st. Strand. Pet. Nov. 25. Reg. Roche. O. A. Cannan. Sols. Gibbs and Tucker, Lothbury.
POULTER, THOMAS, out of business, Teddington. Pet. Nov. 25. Reg. Brougham. O. A. Edwards. Sol. Greenwood, Chancery-la.
PRICE, THOMAS HENRY, cork manufacturer, High-st. Stepney. Pet. Nov. 26. Reg. Roche. O. A. Cannan. Sol. Abbott, St. Mark-st. Gt. Prescott-st.
RUUTZ-REES, LOUIS OTTO, merchant, Great St. Helen's and Snaresbrook. Pet. Nov. 25. Reg. Roche. O. A. Cannan. Sols. Ashurst, Morris and Co., Old Jewry.
SAPH, ROBERT POWELL, hatter, Salisbury. Pet. Nov. 25. Reg. Roche. O. A. Cannan. Sol. Wells, Moorgate-st.
SEARLE, HAMPDEN SYDNEY, tailor, Alma-villas, Hounslow. Pet. Nov. 22. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn.
STANNARD, EDWARD JENNER, wine merchant, St. Benet's-pl. Gracechurch-st. and Highbury New-pk. Pet. Nov. 22. Reg. Hazlitt. O. A. Graham. Sols. Miller, Son and Stubbs, Philpot-la.
STEINAU, MAURICE, out of business, Orenden-st. Haymarket. Pet. Nov. 18. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
STEPHENS, CORNELIUS, and KEARNEY, JOHN, tailors, Lombard-st. Pet. Nov. 21. Reg. Brougham. O. A. Edwards. Sol. Drew, New Basinghall-st.
TEPPER, RICHARD, tobacconist, Chapel-st. Grosvenor-sq. Pet. Nov. 26. Reg. Winslow. O. A. Graham. Sols. Preston and Dorman, Gresham-st.
THORN, MARY ANN, trimming manufacturer, Hall-st. Goswell-rd. and Bread-st.-hill. Pet. Nov. 26. Reg. Roche. O. A. Cannan. Sol. Bramwell, Scott's-yd. Cannon-st.
TURNER, HENRY, ale and porter dealer, Old Ford. Pet. Nov. 21. Reg. Hazlitt. O. A. Graham. Sol. Spencer, Coleman-st.-bdgs.
WAINWRIGHT, ELI, corn merchant, Fareham. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Stocken, Leadenhall-st.
WALLACE, WILLIAM SEYMOUR, pork butcher, Camberwell-rd. Pet. Nov. 25. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st.
WALLER, GEORGE, commission agent, Offord-rd. Barnsbury. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
WARDILL, JONATHAN, engineer, Lower Shadwell, Gould's-hill, Shadwell, and Johnson-st. St. George's-in-the-East. Pet. Nov. 23. Reg. Roche. O. A. Cannan. Sols. Miller and Smith, Chatham-pl. Blackfriars.
WIGGIN, WILLIAM, tripe dealer, Popham-st. Islington. Pet. Nov. 18. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
WILLIAMS, JAMES, builder and contractor, Ipswich. Pet. Nov. 26. Reg. Roche. O. A. Cannan. Sols. Lewis and Lewis, Ely-pl.
WILSON, JAMES, auctioneer, High-st. Notting-hill. Pet. Nov. 19. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
WRIGHT, FREDERICK WILLIAM, chemist, Gravesend. Pet. Nov. 22. Reg. Brougham. O. A. Edwards. Sol. Edwards, Furnival's-inn.

To surrender in the Country.

ABSON, EDWARD, jun., coachbuilder, Barnsley. Pet. Nov. 26. Reg. & O. A. Shepherd. Sol. Rogers, Barnsley.
BAINES, SAMUEL, worsted spinner and manufacturer, Brighouse. Pet. Nov. 26. O. A. Young. Sols. Bond and Barwick, Leeds.
BELLAMY, HENRY, confectioner, Sheffield. Pet. Nov. 24. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield.
CAPPER, JOSEPH, boot and shoe manufacturer, Northwich. Pet. Nov. 25. Reg. & O. A. Cheshire. Sol. Thompson, Northwich.
CHARLESWORTH, GEORGE, card dealer, Hulme. Pet. Nov. 15. Reg. & O. A. Hulton. Sol. Mann, Manchester.
COOK, JAMES, fruiterer, Hereford. Pet. Nov. 29. Reg. & O. A. Reynolds. Sol. Averill, Hereford.
DE RYMER, RICHARD, painter, Oldham. Pet. Nov. 14. Reg. & O. A. Summerscales. Sol. Thompson, Oldham.
DRAPER, RICHARD, bootmaker, Cheltenham. Pet. Nov. 22. Reg. & O. A. Gale. Sol. Cheeshyre, Cheltenham.
DUCKETT, THOMAS, beerseller, Dawley. Pet. Nov. 26. Reg. & O. A. Potts. Sol. Taylor, Wellington.
EMERSON, JAMES, bricklayer, Great Yarmouth. Pet. Nov. 17. Reg. & O. A. Chamberlin. Sol. Sadd, jun. Norwich.
GABRIEL, THOMAS, blacksmith, Pentredwfr, Llantisilio. Pet. Nov. 26. Reg. & O. A. James. Sol. Ward, Birkenhead.
HADLEY, ROBERT, ironfounder, Sheffield. Pet. Nov. 24. Reg. & O. A. Wake and Rodgers. Sol. Pattison, Sheffield.
HARRIS, JOHN, baker, Churston Ferrers. Pet. Nov. 23. Reg. & O. A. Bryett. Sol. Windeatt, Totnes.
HARVEY, WILLIAM, maltster, Bunrote. Pet. Nov. 29. Reg. Hill. O. A. Kinnear. Sol. Haselwell, Leicester.
HINDLEY, JOHN, boot and shoe maker, Ashton-under-Lyne. Pet. Sept. 12. Reg. & O. A. Worthington. Sol. Hibbert, Hyde.
HORWOOD, ROBERT, master mariner, West Teignmouth. Pet. Nov. 19. Reg. & O. A. Daw. Sol. Floud, Exeter.
JONES, JENKIN, blacksmith, Dovesholes dale, Chapel-en-le-Frith. Pet. Nov. 25. Reg. & O. A. Bennett. Sol. Gardiner, Manchester.
LEONARD, JOHN, draper, Houghton-le-Spring. Pet. Nov. 22. Reg. & O. A. Gibson. Sols. Hodge and Harle, Newcastle.
LEWIS, ARCHIBALD, tailor and draper, Dowlais, Merthyr Tydfil. Pet. Nov. 24. Reg. & O. A. Russell. Sol. Williams, Merthyr Tydfil.
LONGHURST, DAVID, fish dealer, Eastbourne. Pet. Nov. 24. Reg. & O. A. Blaker. Sol. Hillman, Lewes.
LUPTON, WILLIAM, coal merchant, Armley, Leeds. Pet. Nov. 24. Reg. & O. A. Sangster. Sol. Harle, Leeds.
MARKS, ABRAHAM ISAAC, furniture dealer, Sunderland. Pet. Nov. 26. Reg. & O. A. Gibson. Sol. Hoyle, Newcastle.
MERRIMAN, HENRY, collier, Bliston-Woodside, East Dean. Pet. Nov. 23. Reg. & O. A. Harrup. Sol. Goold, Newnham.
MONKS, JOHN, Warrington. Pet. Nov. 14. Reg. & O. A. Nicholson.
MOSES, WILLIAM ROBERT, baker, Southampton. Pet. Nov. 24. Reg. & O. A. Thorndike. Sol. Mackey, Southampton.
MOULDS, WILLIAM, innkeeper, Selby. Pet. Nov. 24. Reg. & O. A. Newstead. Sol. Maskoff, Selby.
NICHOLL, WILLIAM, woolstapler, Halifax. Pet. Nov. 24. O. A. Young. Sol. Harle, Leeds.
OLDHAM, JOHN, beerhouse-keeper, Deansgate, Manchester. Pet. Nov. 24. Reg. & O. A. Kay. Sol. Cobbett and Wheeler, Manchester.
PALIN, WILLIAM, corn merchant, Oxton. Pet. Nov. 24. Reg. & O. A. Gill. Sol. Brown, Liverpool.
PHILLIPS, THOMAS, grocer, Ffynnongroch, Llanbadarnodwyn. Pet. Nov. 14. Reg. Wilde. O. A. Acraman. Sols. Prose and Inskip, Bristol.
PILLING, JAMES; EAVES, JONATHAN; and EAVES, THOMAS, cotton manufacturers, Hawtonstall. Pet. Nov. 25. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester.
REDFERN, ELIJAH, innkeeper, Stockport. Pet. Nov. 22. Reg. & O. A. Coppock. Sol. Howard, Stockport.
REYNOLDS, JOHN HENRY, painter, Redruth. Pet. Nov. 19. O. A. Parkyns. Sols. Downing, Redruth; Fitts, Exeter.
RUDMAN, MOSES, wheelwright, Bury. Pet. Nov. 22. Reg. & O. A. Grundy. Sol. Anderton, Bury.
RUSHTON, ALFRED THOMAS, boot manufacturer, Whitstones, Worcester. Pet. Nov. 26. Reg. Tudor. O. A. Kinnear. Sols. Wright, Birmingham; Devereux, Worcester.
SALTHILL, WILLIAM HENRY, milliner, Southampton. Pet. Nov. 23. Reg. & O. A. Thorndike. Sol. Mackey, Southampton.
STANSFIELD, GEORGE, butcher, Hulme. Pet. Nov. 23. Reg. & O. A. Hulton. Sol. Foulkes, Manchester.
STIRK, ISAIAH, strip caster and metal dealer, Birmingham. Pet. Nov. 24. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham.
WATTS, SAMUEL, eating and beerhouse-keeper, Cardiff. Pet. Nov. 24. Reg. & O. A. Langley. Sol. Shipton, Cardiff.

WISE, WILLIAM HENRY, farmer, Copt heath, Solihull. Pet. Nov. 22. Reg. Hill. O. A. Kinnear. Sol. Smith, Birmingham.
WRIGHT, HENRY JOHN, blacksmith, Rotherham. Pet. Nov. 24. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham.

Gazette, Dec. 2.

ALLEN, JOHN, victualler, Half Moon-crescent, Islington. Pet. Nov. 23. Reg. Roche. O. A. Cannan. Sol. Reed, Guildhall-chambers.
APPLETON, JAMES, grocer, Moore-pk.-ter. Fulham. Pet. Nov. 30. Reg. Roche. O. A. Cannan. Sol. Reed, Guildhall-chambers.
BLACKETT, WALTER, builder and architect, Croydon. Pet. Nov. 23. Reg. Roche. O. A. Cannan. Sol. Marsden, Walbrook.
BROOKE, HENRY DYSON, poulterer, Leadenhall-market. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sol. Selsby, Fen-ct. Fenchurch-st.
CLAPHAM, THOMAS, jeweller, Camberwell New-rd. Pet. Nov. 22. Reg. Roche. O. A. Cannan. Sol. Walker, Guildhall-chambers.
CONSTABLE, WILLIAM; GOTTS, JOHN STORY; and NOBLE, GEORGE, coachbuilders, Norwich. Pet. Nov. 26. Reg. Brougham. O. A. Edwards. Sols. Sole and Co., Aldermanbury; Miller, Son and Bugg, Norwich.
CRICHTON, JAMES, butcher, High-st. Whitechapel. Pet. Nov. 29. Reg. Roche. O. A. Cannan. Sol. Dubois, Church-passage, Gresham-st.
DOBIE, ROBERT JAMES, attorney, Great James-st. Bedford-row, and Vassall-rd. Brixton. Pet. Nov. 26. Reg. Roche. O. A. Cannan. Sol. Wright, Chancery-la.
EAST, JOHN, sen. and EAST, JOHN, jun. brick makers, St. Mark's-rd. Kensington, and Greenford-gn. and Alperton, Sudbury. Pet. Nov. 30. Reg. Roche. O. A. Cannan. Sol. Abbott, St. Mark-st. Great Prescott-st.
FRANKS, ABRAHAM, publican, Middlesex-st. Aldgate. Pet. Nov. 28. Reg. Roche. O. A. Cannan. Sol. Bramwell, Scott's-yd. Cannon-st.
GLASS, GEORGE MICHAEL, gelatine manufacturer, Brandon-st. Walworth, and Binfield-pl. Clapham-rd. Pet. Nov. 29. Reg. Roche. O. A. Cannan. Sol. Wetherfield, Moorgate-st.
GOZINGER, FRIEDRICH, pork butcher, Great Chapel-st. Westminster. Pet. Nov. 30. Reg. Hazlitt. O. A. Graham. Sol. Barrow, Cannon-st.-west.
GREGORY, THOMAS, linen and woollen draper, Reigate. Pet. Nov. 29. Reg. Roche. O. A. Cannan. Sols. Michael, Barge-yard, Bucklersbury, agent for Harrowell, Epsom.
HEASLE, SAMUEL PARAMORE, advertising agent, St. Thomas-st. Islington. Pet. Nov. 26. Reg. Brougham. O. A. Edwards. Sols. Walker and Son, Swithin's-la.
HEDDON, WILLIAM, commission agent, Church-rd. Islington. Pet. Nov. 21. Reg. Brougham. O. A. Edwards. Sol. Kersey, Adelaide-chambers, Gracechurch-st.
LAMB, WILLIAM, railway clerk, Clarkson-st. Bethnal-gn.-rd. Pet. Nov. 29. Reg. Hazlitt. O. A. Graham. Sol. Murr, Kennington-row, Kennington.
LAYTON, ALBERT, banker's clerk, Guildford-st. Russell-sq. Pet. Nov. 21. Reg. Brougham. O. A. Edwards. Sols. Lumley and Lumley, Moorgate-st.
MACKLIN, ALBERT, clerk in the Admiralty Registry, Belgrave-rd. St. John's-wood. Pet. Nov. 24. Reg. Brougham. O. A. Edwards. Sols. Terrell and Co. Basinghall-st.
MCCABE, JOHN, marble and stone mason, Old St. Pancras-rd. Pet. Nov. 30. Reg. Roche. O. A. Cannan. Sol. Atkinson, Quality-ct. Chancery-la.
MICHELL, GEORGE JOSEPH, butcher, High-st. and Bright's-bdgs. South-st. Wandsworth. Pet. Nov. 25. Reg. Brougham. O. A. Edwards. Sol. Silvester, Great Dover-st.
MISSING, JOHN, victualler, Rochester. Pet. Nov. 30. Reg. Hazlitt. O. A. Graham. Sols. Fearon, Clabon and Fearon, Great George-st. Westminster.
PAINE, AMBROSE, and JONES, WILLIAM, carpenters, Lee and Lewisham. Pet. Nov. 28. Reg. Hazlitt. O. A. Graham. Sols. Sheppard and Riley, Moorgate-st.
PERRY, JAMES HILLETT, magnetopathist, Arundel-st. Strand. Pet. Nov. 29. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st.
SAMSON, EDWIN, labourer, Underhill, Wittersham. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn; Minter, Folkestone.
SAMSON, FREDERICK, labourer, Underhill, Wittersham. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn; Minter, Folkestone.
SAMSON, JOHN, carpenter, Colchester. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn; Minter, Folkestone.
SAMSON, JOSEPH, accountant, Folkestone. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn; Minter, Folkestone.
SAMSON, GEORGE HAFFENDEN, labourer, Underhill, Wittersham. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn; Minter, Folkestone.
SAMSON, STEPHEN, labourer, Underhill, Wittersham. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn; Minter, Folkestone.
SELBY, GEORGE WILLIAM COLEMAN, egg merchant, Ightam. Pet. Pet. Nov. 29. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st.
SHAFTO, JOHN DELAVAL, collector to the Iron and Citizen Steamboat Company, Villa-rd. Brixton-rd. Pet. Nov. 24. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.
SHEPHERD, EDWARD, clerk, Goswell-st. Pet. Nov. 19. Reg. Brougham. O. A. Edwards. Sol. Reed, Guildhall-chambers.
SKEATS, EDMUND, corndealer, Redbridge. Pet. Nov. 16. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st.
SWEETAPPLE, EDWARD, paper manufacturer, Whitchurch. Pet. Nov. 22. Reg. Hazlitt. O. A. Graham. Sols. Clarke, Son and Co., Coleman-st., for Pattison and Bradley, Southampton.
THEOBALD, JOHN, out of business, Romford. Pet. Nov. 28. Reg. Brougham. O. A. Edwards. Sol. Duffield, Cornhill.
TURNER, JAMES, farmer, Southorpe. Pet. Nov. 29. Reg. Hazlitt. O. A. Graham. Sols. Wright and Bonner, London-st. Fenchurch-st., for Law, Stamford.
WADE, GEORGE DE VINE, scrivener, Baldock. Pet. Nov. 21. Reg. Roche. O. A. Cannan. Sols. Yeoning, Naylor and Robins, Tokenhouse-yard.
WILLIAMS, WILLIAM, fishmonger, Whetstone. Pet. Nov. 26. Reg. Hazlitt. O. A. Graham. Sol. Hembery, Staple-inn, Holborn.
WOOD, ROBERT, stonemason, Darlington-st. Harrow-rd. Pet. Nov. 25. Reg. Roche. O. A. Cannan. Sol. Hill, Basinghall-st.
ZEALEY, THOMAS, fellmonger, Richardson-st. Bermondsey. Pet. Nov. 23. Reg. Brougham. O. A. Edwards. Sol. Feverley, Coleman-st.

To surrender in the Country.

ALLISON, GEORGE, innkeeper, Elwick. Pet. Nov. 25. Reg. & O. A. Child. Sol. Todd, Hartlepool.
ARMITAGE, JOHN, grocer, Witton, Northwich. Pet. Nov. 29. O. A. Turner. Sol. Goldrick, Liverpool.
BIDDLES, WILLIAM ORTON; BIDDLES, JOHN; BIDDLES, WILLIAM, and BIDDLES, JAMES, wholesale boot and shoe manufacturers, Leicester. Pet. Nov. 28. Reg. Tudor. O. A. Harris. Sol. Chamberlin, Leicester.
BINNS, THOMAS, timber dealer, Nantwich. Pet. Nov. 30. O. A. Turner. Sols. Welch and Burdett, Sandbach.
BURSTEAD, JOHN, joiner and millner, West-gate, New Sleaford. Pet. Nov. 29. Reg. Tudor. O. A. Harris. Sols. Rodgers, New Sleaford; Maples, Nottingham.
BREAKENRIDGE, WILLIAM, house painter, Hulme. Pet. Nov. 29. Reg. & O. A. Hulton. Sol. Boote, Manchester.
BUTCHART, DANIEL WILLIAM, shoe upper machinist, Wellingborough. Pet. Nov. 29. Reg. & O. A. Burnham. Sol. Cook, Wellingborough.
BUTCHER, GEORGE, sen., gun barrel borer, Birmingham. Pet. Nov. 12. Reg. & O. A. Guest. Sol. Atkins, Birmingham.
CLAUGHTON, JOSHUA, oil and mungo dealer, Pudsey, Calverley. Pet. Nov. 30. O. A. Young. Sol. Carr, Leeds.
COSEY, THOMAS WORTS, manager of livery stables, Huddersfield. Pet. Nov. 21. Reg. & O. A. Jones. Sol. Learoyd, Huddersfield.
COOPER, BENJAMIN, and BALDWIN, BOLTON, cotton manufacturers, Padiham. Pet. Nov. 10. Reg. Macrae. O. A. Morgan. Sols. Sale and Co., Manchester.
COOPER, THOMAS; YATES, JOHN; and RHODES, AMMON, cotton-spinners, Lees, Oldham. Reg. Harris. O. A. Morgan. Sols. Sale, Worthington, Shipman and Seddon, Manchester.
CURTLER, HENRY, surgeon and apothecary, Droitwich. Pet. Nov. 30. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham.
DAWSON, JOHN, greengrocer, Litchurch. Pet. Nov. 22. Reg. & O. A. Weller. Sol. Briggs, Derby.
DUCKWORTH, JOHN, innkeeper, Brierfield, Great and Little Marsden. Pet. Nov. 30. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whittam, Burnley; Cobbet and Wheeler, Manchester.
DUFFY, ROBERT, fruiterer, Carlisle. Pet. Nov. 23. Reg. & O. A. Hulton. Sol. Donald, Carlisle.
EWART, JOHN OSCAR, accountant, Liverpool. Pet. Nov. 29. O. A. Turner. Sol. Husband, Liverpool.

FELL, THOMAS, stuff merchant, Bradford. Pet. Nov. 25. Reg. & O. A. Robinson. Sol. Hill, Bradford.
FIRTH, JOSEPH, jun., victualler, Hull. Pet. Nov. 23. O. A. Carrick. Sol. Bell, Hull.
GIBSON, JOSEPH, potter, Tunstall. Pet. Nov. 24. Reg. & O. A. Challinor. Sol. Cooper, Tunstall.
GREGG, THOMAS, grocer, New Radford. Pet. Nov. 24. Reg. & O. A. Patchitt. Sol. Ashwell, Nottingham.
HARMAN, HENRY, watchmaker, Swansea. Pet. Nov. 26. Reg. & O. A. Morris. Sol. Gunning, Bristol.
HOGAN, EDWARD, spirit merchant, Huddersfield. Pet. Nov. 4. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield.
KEMP, ROBERT, innkeeper, Fenny Stratford. Nov. 26. Reg. & O. A. Parrott. Sol. Jones, Aylesbury.
LOBLEY, EDWIN, cloth manufacturer, Morley, Leeds. Pet. Nov. 21. O. A. Young. Sol. Harle, Leeds.
LOMAS, MATTHEW WAINWRIGHT, grocer, Ashton-under-Lyne. Nov. 28. Reg. & O. A. Worthington. Sol. Swann, Manchester.
MARSHALL, SAMUEL, out of business, Nottingham. Pet. Nov. 25. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham.
MEARES, WALTER BARRON ROBERT, practical brewer, Oxford. Pet. Nov. 29. Reg. & O. A. Dudley. Sol. F. B. Thompson, Oxford.
MILLS, HENRY, painter and glazier, Cirencester. Pet. Nov. 25. Reg. & O. A. Anderson. Sol. Ellett, Cirencester.
MINERS, JAMES, boot and shoemaker, Chacewater, in Kenwyn. Pet. Nov. 28. Reg. & O. A. Rogers. Sol. Stokes.
NOBLE, MARK, Norwich. Pet. Nov. 17. Reg. & O. A. Palmer. Sol. Chittock, Norwich.
PEARSON, THOMAS, hay and straw dealer, Hulme. Pet. Nov. 30. Reg. & O. A. Hulton. Sol. Swan, Manchester.
PERRYMAN, GEORGE, farmer, Braunton. Pet. Nov. 29. Reg. & O. A. Bencraft. Sol. Bencraft, Barnstaple.
RENWICK, WILLIAM, plasterer, Hulme. Pet. Nov. 29. Reg. & O. A. Hulton. Sol. Law, Manchester.
ROBERTS, EDWARD, grocer, Openshaw. Pet. Nov. 21. Reg. Kaye. O. A. Morgan. Sol. Hulton, Salford.
SENIOR, SAMUEL, and SENIOR, JONAS, clog iron makers, Lockwood. Pet. Nov. 24. Reg. & O. A. Jones. Sol. Dangerfield, Huddersfield.
SHELDON, EBENEZER, journeyman japanner, Birmingham. Pet. Nov. 23. Reg. & O. A. Guest. Sol. Parry, Birmingham.
SHEPPARD, THOMAS, baker, Aston. Pet. Nov. 23. Reg. & O. A. Walker. Sol. Parry, Birmingham.
SIMPSON, CHARLES, fishmonger, Hanley. Pet. Nov. 29. Reg. & O. A. Challoner. Sol. Tennant, Hanley.
STARK, ROBERT, victualler, Devonport. Pet. Nov. 29. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth.
VOSPER, FREDERICK BARRETT JONES, commission agent, Kingston, Portsmouth. Pet. Nov. 28. Reg. & O. A. Howard. Sol. Boyle, Great Marlborough-st.
WALKER, MATTHEW SAMUEL, fruit merchant, Wakefield. Pet. Nov. 28. O. A. Young. Sols. Lancaster, Bradford; Bond and Barwick, Leeds.
WILSON, WILLIAM, journeyman printer, Hull. Pet. Nov. 29. Reg. & O. A. Phillips. Sol. Summers, Hull.
WISE, THOMAS, sen., and WISE, THOMAS, jun., coachbuilders, Lancaster. Pet. Nov. 30. Reg. Macrae. O. A. Morgan. Sols. Robins, Lancaster; and Gardner, Manchester.

BANKRUPTCIES ANNULLED.

Gazette, Nov. 29.

HALLIWELL, WILLIAM, manufacturer, Blackburn.
STONE, ROBERT, innkeeper, Cerne Abbas.

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BULLEN, SAMUEL, jun., tailor and draper, Hereford.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Crosla, R. grocer, first, 3s. 5¼d. Cannan, London.—*Fermes*, T. timber merchant, first, 3s. Edwards, London.—*Hobbs*, C. victualler, first, 2s. 3d. Edwards, London.—*Hewes* and *Wood*, timber merchants, further, 3d. Harris, Nottingham.—*Owen*, J. surveyor and builder, first, 4s. 9d. Cannan, London.—*Price*, W. H. beer retailer and builder, first, 9d. Cannan, London.—*Verrey*, A. machinist, first, 1s. Lockman, Newcastle.—*Young*, D. hosier, second, 6d. Harris, Nottingham.

Assignments.

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BANNISTER, ROBERT, provision dealer, Stalybridge. Nov. 4. Trusts. J. Moss, cornfactor, and J. Rutter, wholesale grocer, both Manchester.
BARBOUR, JOSEPH, grocer, Bishopwearmouth. Nov. 15. Trusts. A. Swaine, merchant, Sunderland, J. Ryder, miller, Monkwearmouth Shore, and E. Richardson, miller, Bishopwearmouth.
BELL, HENRY, painter, Leicester. Nov. 7. Trust. W. Ernst, miller, Belgrave.
BETTS, CHARLES, and GRIFFIN, GEORGE, grocers, Stamford. Nov. 1. Trust. T. Jelley, miller, Tinwell.
BIRCHAM, MARGARET, widow, Holt. Nov. 2. Trusts. W. H. C. Hardy, Esq., Letheringsett, and A. J. Pigg, draper, Norwich.
COUSINS, MONTAGUE, butcher, Boston. Nov. 8. Trusts. H. Sedwick, and W. Adlard, butchers, both Boston.
COUPE, PETER, cotton cloth manufacturer, Preston, and Crawshaw, Forest of Rossendale. Nov. 10. Trusts. A. Haworth, yarn agent, Manchester, J. Gerrard, manager, and S. Haworth, coal merchant, both Preston.
CRABB, WILLIAM, woollen manufacturer, Manchester. Oct. 31. Trust. J. Halliday, accountant, Manchester.
CROSSLEY, HENRY, cotton manufacturer, Spring Mill, and Wiston's Mill, near Todmorden. Nov. 4. Trusts. J. Graham, tradesman, Burnley, and B. Wood, engineer, Sowerby-bridge.
CROXTON, GEORGE, fruiterer, Huddersfield, also Halifax. Nov. 1. Trust. J. W. Tempest, auctioneer, Huddersfield.
CULSHAW, GEORGE, joiner, Southport and Scarisbrick. Oct. 31. Trusts. H. Pi dock, ironmonger, A. Riding, bricklayer, and J. Blanchard, plasterer, all of Southport.
ELLMORE, ROBERT, victualler, Dover. Oct. 29. Trusts. J. Elliger, gentleman, Wingham, and E. R. Mowle, wine and spirit merchant, Dover.
FARNWORTH, RICHARD, manufacturer, Booth-town, near Manchester. Nov. 1. Trust. D. Taylor, provision dealer, Tyldesley.
GRIFFITHS, WILLIAM, farmer, Lydiates, Hereford. Oct. 31. Trusts. J. Newbery, innkeeper, Bishop's Castle, and R. Beck, farmer, Norton, Onibury.
HANKS, BENJAMIN, shoemaker, Malmesbury. Nov. 3. Trust. J. Hanks, bailiff, Malmesbury.
HARGREAVES, BENJAMIN, and SIMPSON, WILLIAM, cotton manufacturers, Burnley. Nov. 4. Trusts. W. Thompson, cottonspinner, Burnley, and W. Newall, yarn agent, Todmorden.
JEFFERY, WILLIAM, currier, Northampton. Oct. 31. Trusts. J. Wetherall, and T. K. Southern, both Northampton, leather merchants.
JEFFS, DANIEL, innkeeper, Milford. Nov. 19. Trusts. H. Williams, timber merchant, Milford, and S. R. Edmond, auctioneer, Haverfordwest.
LEAVER, JAMES, cotton manufacturer, Blackburn. Nov. 1. Trusts. T. Forrest, cotton manufacturer, Blackburn, S. Calvert, yarn agent, Manchester, and J. Chadwick, draper, Manchester.
MAC IVER, LEWIS, merchant, Liverpool. Nov. 19. Trust. J. Bewley, accountant, Liverpool.
MAY, THOMAS BELSEY, printer, Bishop's Stortford. Nov. 22. Trust. J. H. Summers, auctioneer, Bishop's Stortford.
MILES, HENRY, victualler, Portsmouth. Nov. 22. Trusts. W. Pope, tailor, Landport, and J. Wainscot, accountant, Portsea.
MORRIS, JAMES, beerseller, Bolton. Oct. 31. Trust. J. Leach, brewer, Bolton.
NORRIS, WILLIAM, grocer, Mill Brook, Staley. Nov. 3. Trust. W. Dunkerley, wholesale grocer, Manchester.
NORRIS, WILLIAM KATTY, victualler, Birmingham. Oct. 31. Trust. A. Harrison, accountant, Birmingham.
PADDOCK, EDWARD, ironmonger and brazier, Ellesmere. Oct. 31. Trusts. W. H. Lacon, ironmonger, and J. W. Darbe, accountant, both Oswestry.
PICKERING, JOHN COOPER, innkeeper and veterinary surgeon, Saundby. Nov. 5. Trusts. E. Shaw, of Cuckney, and G. Gwinnel, of Appleby, farmers.
RIDGE, WILLIAM ROBERT, stay manufacturer, Thames-st. Kingston. Nov. 22. Trust. S. Price, glass and china merchant, Queen's-rd. Bayswater.
ROWE, GEORGE, grocer, Halton. Oct. 29. Trust. F. Harrop, auctioneer, Frodsham.

SMITH, THOMAS, merchant, Bungay. Nov. 5. Trusts, A. Wallis, merchant, Ipswich, W. T. Palmer, gentleman, Norwich, and H. Read, estate agent, Beccles.

SMITH, WILLIAM, and BOOTHMAN, JOHN, cotton manufacturers, Burnley. Nov. 1. Trust, C. Bracewell, cottonspinner and manufacturer, Manchester.

SNOOK, HENRY, cabinet-maker, Newcastle. Nov. 2. Trust, W. Forrest, agent, Newcastle.

STEAD, WILLIAM, hosier, Leeds. Nov. 5. Trusts, W. S. Ward, gentleman, and A. Denby, wholesale draper, both Leeds.

STONE, GEORGE, Old Kent-rd., and STONE, FRANCIS, New North-rd. Islington, cheesemongers. Nov. 23. Trusts, J. Lanham, High-st. Southwark, and J. P. Woods, Suffolk-la. provision merchants.

WEEKS, JAMES, butcher, Bath. Nov. 8. Trust, R. Hales, butcher, Bath.

WELLINGTON, WILLIAM, innkeeper, Hereford. Oct. 31. Trust, S. Ecwell, innkeeper, Hereford.

WHITE, HENRY, confectioner, Mansfield. Nov. 14. Trusts, G. Pickard, grocer, Mansfield, and W. D. Adlington, miller, Skegby.

WHITE, SAMUEL, clothier, Liverpool. Oct. 29. Trust, R. Banes, woollen merchant, Huddersfield.

WILDE, MARY ANN, widow, Stretford; DAVENPORT, JAMES, cashier, Longsight; WILDE, JOSEPH, cabinet-maker, Chorlton-upon-Medlock, executors under will of Joseph Wilde, late cabinet-maker, Chorlton-upon-Medlock. Nov. 3. Trust, J. Kerr, accountant, Manchester.

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BARNEY, RICHARD, rope manufacturer, Stourbridge. Nov. 4. Trust, H. Howell, accountant, Birmingham.

BARNEY, THEOPHILUS, irondealer, Smethwick. Nov. 3. Trust, H. Howell, accountant, Birmingham.

BUCKLEY, ROBERT, cottonspinner, Lazley Brook, near Oldham. Nov. 14. Trusts, C. Swallow, jun., cotton and cotton waste dealer, Manchester, J. Mellor, cotton dealer, Manchester, and J. Kershaw, cotton waste dealer, of Shaw.

CALDRO, JOHN, confectioner, Huddersfield. Nov. 15. Trust, J. Dyson, grocer, Huddersfield.

CHARLES, DAVID, and CHARLES, WILLIAM, drapers, Aberdare. Nov. 11. Trusts, J. Chadwick, warehouseman, Manchester, and W. Elworthy, manufacturer, Wellington.

CHERRY, WILLIAM TURLEY, wine merchant, Oxford. Nov. 5. Trusts, D. Hart, distiller, Trinity-sq. Tower-hill, and J. Pike, merchant, Oxford.

COOPER, JAMES, and COOPER, ALFRED, plumbers, Maiden-la. Covent-garden. Nov. 4. Trusts, R. Collins, butcher, Maiden-la. T. H. Wallis, colour manufacturer, Long-acre, and W. Sayer, signpainter, Great Dover-st.

CURRY, WILLIAM, engineer, Sheffield. Nov. 3. Trust, H. Howell, accountant, Birmingham.

DENNISTOUN, RICHARD, and DAWSON, ALEXANDER MUTTER, merchants, Liverpool. Nov. 30. Trust, W. Alexander, accountant, Liverpool.

EISELEKER, WILLIAM, tobacconist, Princes-st. Leicester-sq. Nov. 28. Trusts, M. Bowen, warehouseman, Devonshire-st. Islington, and J. Ritter, jun., tobacco manufacturer, Bloomsbury-st.

ELLWYE, WILLIAM, and BRAY, HUGH, manufacturers of tablecloths, Wigan. Nov. 2. Trusts, W. Harrison, machine maker, Blackburn, and W. Dabb, yarn agent, Manchester.

JARVIS, ANDREW, draper, Sheffield. Nov. 19. Trust, W. B. Westhead, merchant, Manchester.

GALBRAITH, HUGH JAMES, and BIGLAND, SAMUEL HENRY, merchants, New Broad-st. Nov. 25. Trusts, J. Macqueen, merchant, Old Jewry-chambers, and J. Whitaker, commission agent, King William-st. Sols. Lawrence, Plews and Boyer, Old Jewry-chambers.

GALLIMORE, JOHN, builder, Newcastle-under-Lyme. Nov. 8. Trusts, I. Stephenson, timber merchant, Grimsby, and W. Mellard, ironmonger, Newcastle-under Lyme.

GREENWOOD, JOSEPH, paper merchant, Over Darwen. Nov. 7. Trusts, T. B. Parke, Withnell, and G. W. Baydon, Cabler-grove, near Wakefield, paper makers.

GREENHALGH, JOSEPH, merchant, Liverpool. Nov. 17. Trusts, R. J. Bodley, banker, Liverpool, and H. T. Meadows, Manchester.

HANCOCK, THOMAS, draper, Devonport. Nov. 2. Trusts, J. O. Howes, warehouseman, St. Paul's-churchyard, and J. Dabb, warehouseman, Plymouth.

HINE, CHARLES FREDERICK, and MILNES, GEORGE FREDERICK, commission brokers, Liverpool. Nov. 23. Trust, W. Alexander, accountant, Liverpool.

KIRBACK, JAMES, and GIRVAN, JAMES, merchants, Liverpool. Nov. 26. Trust, W. Alexander, accountant, Liverpool.

LOWE, JOSEPH, provision shopkeeper, Wigan. Nov. 14. Trust, W. Aitken, grocer and tea dealer, Wigan.

LUCAS, JAMES, draper, Stone. Nov. 7. Trusts, F. Gillibrand, and C. Hours, merchants, Manchester.

MATTHEW, HENRY RICHARD, wine merchant, Great Tower-st. Nov. 7. Trusts, W. R. Thorpe, gentleman, Holford-sq., and J. H. Langdon, merchant, America-sq.

MCDONALD, WILLIAM, victualler, Long-acre. Nov. 8. Trust, E. Adams, clerk to Combe, Delafield and Co., brewers, Castle-st. Long-acre. Sol. Nest, Orchard-st. Portman-sq.

MOORHOUSE, GEORGE, manufacturer, Barley-green-mills, near Burnley. Nov. 8. Trusts, H. Parkinson, yarn agent, Manchester, and J. Graham, machinist, Burnley.

MOZZITI, GUISEPPE CASSERA, jeweller, King's Lynn. Nov. 4. Trusts, H. C. Thistle, hosier, and M. Smith, collector of rates, both King's Lynn.

NEWBY, EDGAR; CARSON, FREDERICK; and EMERSON, AMBROSE, merchants, Gresham-house, Old Broad-st. Nov. 2. Trusts, J. Wiseman, merchant, Great St. Helen's, H. Vavasseur, manufacturer, Sumner-st. Southwark, W. B. Westall, Manchester, J. Whitaker, King William-st. London, P. B. Ferguson, Manchester, and H. Hasslke, Bow-la. London, merchants.

OSBORNE, JAMES, tailor, Kidderminster. Nov. 4. Trusts, R. Carpenter, woollen warehouseman, Bristol, and W. Quinn, merchant, Leeds.

PEEL, WILLIAM, grocer's assistant, Litchurch. Nov. 2. Trust, J. Lambert, grocer, Nottingham.

SANGSTER, JAMES, merchant and commission agent, Manchester, Nov. 1. Trusts, J. Holden, secretary, Bury, and J. Brooks, grocer, Elton, near Bury.

SANDERSON, REV. EDWARD SWINDEN, clerk, master of arts and head master of the free grammar school at Atherstone. Nov. 17. Trusts, G. J. Sale, mercer and draper, T. Handford, surgeon and apothecary, J. Berg, butcher, W. Gimson, agent of the Atherstone Branch of the Leicestershire Banking Company, and W. T. Halkon, grocer, all of Atherstone.

SAYER, THOMAS, schoolmaster, Chesnut-house, Heworth. Oct. 31. Trust, W. McCabe, provision merchant, Colliergate, York.

SKIPPER, ALEXANDER, joiner and builder, Bolton. Nov. 2. Trusts, W. Clapham, slate merchant, G. Russell, joiner and builder, and J. Bettersbaw, timber merchant, all Bolton.

SMITH, ROBERT, grocer, Rochdale. Nov. 11. Trusts, W. Dunkerley, Manchester, and R. Adamson, Rochdale, wholesale grocers. Sol. Watson, Salford.

STEVENS, GEORGE, grocer, Rotherham. Nov. 5. Trust, J. S. Furniss, grocer's agent, Sheffield.

SWIFT, JOHN HENRY, commission agent, Birkby, near Huddersfield, and Huddersfield. Nov. 23. Trusts, J. Hunter, chemist, Dewsbury, and J. Walker, woollen cloth manufacturer, Gomersal.

TATTERSALL, WILLIAM, farmer, Sawley. Nov. 2. Trusts, R. T. Bailey, grocer, and T. Ormerod, coaldealer, both Clitheroe.

TAYLOR, HENRY, grocer, Chesterfield. Nov. 8. Trusts, K. Parker, draper, and R. Ward, pork butcher, both Chesterfield.

TURKEY, ROBERT COCK, florist, Edgware-rd. Nov. 8. Trust, J. R. Clarke, accountant, Ironmonger-la.

WALKER, WILLIAM, tailor, Nottingham. Nov. 15. Trust, C. Toms, victualler, Nottingham.

WALKER, NICHOLSON, jun., grocer, Kyo. Nov. 29. Trusts, R. Ord, provision merchant, and T. Souter, commission agent, Newcastle.

WHITE, WILLIAM, coach builder, Spalding. Nov. 2. Trusts, C. Gadsden, coach and saddlery ironmonger, Union-st. Bishopsgate, and H. Loveringham, auctioneer, Spalding.

WOOD, JAMES, silk manufacturer, Macclesfield. Nov. 8. Trusts, C. Sigsworth, silk throwster, and J. Lowndes, machinist, both Congleton.

Composition Deeds.

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ATKINSON, JASPAR, paint manufacturer, South Shields. Oct. 29. Trust, W. Mackey, rope manufacturer, South Shields. 2s 6d. on 1st Dec.

BAXTER, BARKER, and WALRANCKE, EDWARD DUNN NEWCOMBE, shipping and general upholsterer, Leadenhall-st. Nov. 16. Trust, F. G. Harrison, ship joiner, York-rd. Commercial-rd. east. 10s. by three instalments of 3s. 4d. each in 3, 6 and 9 mos.

BIRCH, JOSEPH EDWARD, merchant, George-st. Mansion-house. Nov. 23. 1s. on 23rd May 1865.

CLOUGH, FRANCIS, merchant, Gresham-house, City. Nov. 2. Trusts, C. Barber, broker, Fenchurch-st. and C. Shand, merchant, Rood-la. Deed of inspectorship.

COWELL, ARTHUR, victualler, Bermondsey-wall. Nov. 16. 4s. in 1 mo.

FIELLER, JACOB, clothier, Carter-st. Houndsditch. Nov. 25. Trust, A. W. Rider, gentleman, Albion-pl. Camberwell-green. 3s. by four equal instalments, on 26th Feb., 26th May, 27th Aug. and 26th Nov. next—secured.

HASTINGS, SMITH, wine merchant, Three King-ct. Lombard-st. Nov. 22. 4s. by two instalments of 2s. on 1st Feb. and 1st April.

MILLAR, BIGSBY, pickle, fishsauce and Italian warehouseman, Pelham-st. Spitalfields. Nov. 21. 4s. by two instalments of 2s. at 3 and 6 months.

PENNEY, WILSON, architect and surveyor, Liverpool. Oct. 29. Inspectors H. Thomas and P. Duckworth, timber merchants, Liverpool. Deed of inspectorship.

RUMBALL, JAMES QUILTER, surgeon and apothecary, Limes, Harpenden. Nov. 12. 1s. on 1st Dec.

SKINNER, WILLIAM, boat builder, Liverpool. Sept. 30. Trust, W. A. Matheson, brewer, Liverpool. 2s. 6d. on 25th Oct.

SMITH, THOMAS, and VAUGHAN, WILLIAM, builders, Birmingham. Oct. 29. Trust, W. Short, timber merchant, Birmingham. 7s. 6d.—5s. in 7 days, and 2s. 6d. in 3 mos.

STURCH, THOMAS HENRY, saddler and harness maker, Bath. Nov. 5. 5s.

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BATCHELOR, HENRY, guano importer, Billiter-st. Oct. 27. Trust, G. Grimslade, railway carrier, High-st. Southwark. 2s. 6d. by 31st Jan.

BROMILOW, GEORGE, boot and shoe maker, Bolton. Nov. 26. 3s. in 14 days.

CATTO, JOHN, paper stainer, Upper Thames-st. and Passage du Genie, Faubourg Saint Antoine, Paris. Nov. 3. Inspectors W. Duthie, merchant, East India-avenue, Leadenhall-st. W. S. Clarke, wholesale stationer, Gracechurch-st. and W. Snape, paper hanging manufacturer, Cannon-st. west. Deed of inspectorship.

COHEN, PHILIP, and COHEN, ZACHARIAH, bottle merchants, Newington-butts. Nov. 26. Trust, A. Palba, boot manufacturer, Barbican. 10s. by three equal instalments at 2, 4 and 6 mos.

DAWES, RICHARD, surgeon, Belgrave-house, Abbey-rd. St. John's-wood. Nov. 1. Trust, E. Brashier, gentleman, Blandford-st. Deed of arrangement to pay 10*l.* on 25th Dec. and 100*l.* per annum by instalments of 50*l.* each on 24th June and 25th Dec. in each year.

FERNS, FRANCIS JAMES, commission agent, Strand. Nov. 23. Trust, T. E. Rees, meat salesman, Newgate-st. 3s. by two equal instalments on 1st March and 1st June.

FIELD, JOHN PERRING, gunmaker, Upper East Smithfield. Nov. 19. Trust, O. A. Field, surgeon, Sussex-gardens, Hyde-park. 3s. in 10 days.

GEORGE, FREDERICK, clerk, Old Kent-rd. Nov. 21. 1s. by two equal instalments on the 1st Feb. and 1st May.

HARMAN, GEORGE CHARLES, merchant's clerk, South-wharf, Paddington. Nov. 29. 10s. forthwith.

HAYTER, HARRY, shoemaker, Millbrook. Nov. 2. 10s. by two instalments of 5s. on 3rd Feb. and 3rd May.

HOWARD, WILLIAM, nurseryman and general dealer, Penge. Nov. 22. 5s. on 24th Dec.

JEFFERYS, JAMES, and DARCEY, THOMAS, merchants, Liverpool. Nov. 3. 4s. on 1st Dec.

KIDSON, JOHN GEORGE, grocer and victualler, Wednesfield. Nov. 16. Trust, T. Kidson, grocer, Willenhall. 5s. by two instalments on 30th Nov. and 1st March.

KRAUSE, LOUIS FERDINAND CARL, schoolmaster, Lansdowne-rd. and Caledonian-rd. Notting-hill. Nov. 21. 3s. by three instalments of 1s. each, on 15th March, 15th July and 15th Oct.

LAMB, ALFRED; AUSTEN, ADOLPHUS; and TAYLOR, GEORGE, merchants, East India-avenue. Nov. 15. Trusts, J. Wetherall, boot manufacturer, Northampton, H. A. Hyde, boot manufacturer, Northampton and Whitecross-st. and C. Bedell, wine merchant, Mark-la.-chambers. Deed of inspectorship.

LONSDALE, THOMAS, cotton manufacturer, Accrington. Nov. 1. Trust, J. Lonsdale, widow, Old Accrington. 4s. by instalments—2s. on 22nd Nov.—secured, 1s. on 6th Jan., 1s. on 6th May and 1s. on 6th Nov.

MAUGHAN, JOHN, draper, Newcastle. Nov. 11. Trust, E. Raine, farmer, Garrigal-gate, near Alston. 6s. 8d. by instalments at 3, 6 and 9 mos.—secured.

MCINTOSH, DAVID, seedsman, Birmingham. Nov. 4. 2s. 6d. forthwith, and 2s. 6d. on 20th Feb.

MORGAN, HARRY JOHN, publisher, Tavistock-st. Strand. Nov. 4. 2s. 6d. in 6 mos.

NEWALL, JOSHUA, grocer and provision dealer, Smethwick. Nov. 10. Trust, G. French, accountant, Birmingham. 2s. 6d. in 3 mos.

NUTTER, FREDERICK CHARLES, warehouseman, Addle-st. Dec. 1. Trust, J. J. Harvey, manufacturer of crinolines, Sheffield. 8s. by three instalments—3s. at registration of deed, 2s. 6d. on 23rd Feb. and 2s. 6d. on 23rd May—secured.

PALMER, JOHN MAIN, chemist and druggist, Old Broad-st. Nov. 7. 3s.

ROSE, WILLIAM, and CROWDER, THOMAS, shipwrights, Gun-dock, Wapping. Nov. 3. Trust, W. P. Beech, shipowner, Rotherhithe. 6s. by two instalments of 3s. at 3 and 5 mos. from 15th Oct.—secured.

ROUSE, EDMUND, jun., wine merchant, Mark-la. Nov. 10. Trust, W. H. Newman, wine merchant, Sydenham. 4s. 6d.—half in 2 mos. and balance in 4 mos.

SALOMON, AARON, leather merchant, Church-la. and Peabody-bldgs. Commercial-st. Whitechapel. Nov. 22. 3s.—1s. 6d. at 3 mos. 1s. 6d. in 6 mos. and 1s. 6d. in 9 mos. from the 14th Nov.—secured.

SUTCLIFFE, WHITWORTH; SUTCLIFFE, JAMES, jun.; and SUTCLIFFE, LEE HENRY, dyers, Halifax. Trusts, W. Fairhurst, of Shelf, A. Fielding, Halifax, and A. K. Kaye, Huddersfield, manufacturing chemists. Three instalments of 3s. on 2nd Feb., 5s. on 27th April, and 10s. on 27th July.

THOMSON, PATRICK JOHNSTON, ship and insurance broker, Billiter-st. Nov. 16. Trusts, W. A. Tweeddale, and W. H. Challis, ship and insurance brokers, both Birchin-la.

TURNER, THOMAS, needle maker, Redditch. Nov. 5. Trust, W. Brewster, fishing-tackle maker, Redditch. 6s. by three equal instalments at 4, 8 and 12 mos.

WETHERFIELD, GEORGE MANBY, solicitor, Moorgate-st. Nov. 1. Deed of arrangement to pay debts in full by equal quarterly instalments from 1st Feb.

YOUNG, DAVID MILL, and LEWIN, FREDERICK DEALTRY, merchants, Riches-ct. Lime-st. Nov. 1. Inspectors G. C. Warden, merchant, New London-st. and W. J. Lord, produce broker, Mincing-la. Deed of inspectorship.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BUCHANAN.—On the 3rd inst., at 43, Argyll-road, Campden-hill, Kensington, the wife of William Fry Buchanan, Esq., barrister-at-law, of a daughter.

TALLEY.—On the 29th ult., at Beaconsfield, the wife of William Talley, solicitor, of a daughter.

STEWART.—On the 6th inst., at 30, Boundary-road, St. John's-wood, the wife of Charles Stuart, Esq., barrister-at-law, of a daughter.

MARRIAGES.

STEPHENSON—BOUVERIE.—On the 6th inst., at Coleshill, Berkshire, Augustus F. W. Keppel Stephenson, Esq., of the Inner Temple, to Eglantine, second daughter of the Right Hon. Edward Pleydell Bouverie, M.P.

PARKER—HUTTON.—On the 1st inst., at the parish church, Sheffield, Kenyon, second son of Thomas James Parker, solicitor, Endcliffe, Sheffield, to Alice, only daughter of W. C. Hutton, Esq., of Sheffield.

DEATHS.

CONSEDINE.—On the 30th ult., at 3, Richmond-terrace, Clapham-road, J. Consedine, of 58, Pall-mall, solicitor.

STEPHEN.—On the 29th ult., at 3, West-mall, Clifton, in his 74th year, Henry John Stephen, serjeant-at-law, formerly one of Her Majesty's Commissioners in Bankruptcy.

Investments.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100*l.* and upwards, secured either on the general undertaking or upon the Metropolitan Extensions, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, S.W., Sept. 16, 1864.

DEBENTURES at 5, 5½, and 6 per Cent.
CEYLON COMPANY, LIMITED.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

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Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary.

SIX PER CENT. DEBENTURES.

THE CREDIT FONCIER OF MAURITIUS
(Limited)

Subscribed Capital	£500,000
Paid-up Capital	100,000
Unpaid Capital	400,000

DIRECTORS.

CHAIRMAN—Sir JOHN P. GRANT, K.C.B.

Colonel Balfour, C.B.	Lieut. Col. F. A. V. Thurburn.
George Henry Money, Esq.	Henry Young, Esq.
George Palmer Robinson, Esq.	George Clerihew, Esq.
Richard Spooner, Esq.	Robert O. Lancaster, Esq.

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Applications for debentures to be made to the Secretary of the Company, 17, Change-alley; to the Alliance Bank, 5, Lothbury; or to Messrs. J. and A. Scrimgeour, the brokers of the Company, 10, Old Broad-street.

WILLM. O. DICK, Secretary.

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Henry Kingscote, Esq., Eaton-place.
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Henry Loftus Wigram, Esq., Grosvenor-square, London.

Offices—21, St. Swithin's-lane, London, E.C.

The Company, as agents, effect investments in first registered mortgages in Australia and New Zealand, to pay investors 7 per cent. per annum, the interest being guaranteed and paid half-yearly by the Company.

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The Directors have secured on favourable terms an extensive freehold site in Tokenhouse-yard, next to the offices of the General Credit Company, having a frontage of upwards of 100 feet. The site is admirably adapted to the requirements of the undertaking, not only from its central position, being close to the Bank of England, the Royal Exchange, the Stock Exchange, and the principal banking houses and establishments connected with the Money Market, but from the great advantage it possesses in being free from the noise and disturbance of a leading thoroughfare.

The Directors propose to erect on the site of the existing houses, a handsome and substantial building, containing on the ground and first floors several large and smaller sale rooms, with a spacious entrance saloon on the ground floor, on the second and third floors, which are to be approached by a separate entrance and staircase, numerous rooms and other accommodation, which can either be used as sale rooms, or for arbitrations, or let for offices. The basement will contain suitable refreshment accommodation and additional cellarage or offices to be also let off.

It is proposed to keep a classified register of the prices of property sold at the Auction Mart, on the principle of the present Estate Exchange, to which shareholders will have access on payment of a small fee, thus affording a useful reference for the purpose of valuations and otherwise.

The revenue of the Company will consist: first, of rents to be received from the auctioneers for the use of the sale rooms, the demand for which is continually increasing; secondly, from rent to be received in respect of the refreshment department; and thirdly, from rents to be received for the offices, arbitration rooms, cellars, &c., from which sources the directors confidently expect a most satisfactory dividend will be realised.

The Directors are desirous that the undertaking should be supported by their professional brethren, and applications for shares from auctioneers both in London and the country will therefore receive a preference in the allotment.

The undertaking originates with the directors. There will be no "promotion money" paid to any one either directly or indirectly, and the preliminary expenses will be confined to such as are actually necessary to be incurred.

The articles of association can be inspected at the offices of the solicitors to the company.

The shareholders will incur no liability beyond the amount of shares allotted to them. Applications for shares must be made upon the annexed form. Each applicant will be required to pay to the bankers of the company 1l. per share on the number of shares applied for, and upon allotment, to make a further payment of 4l. per share on the shares allotted to him. The remaining calls will be made at such times and for such sums as the requirements of the company demand.

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Prospectuses and forms of application for shares may be had of the Solicitors, or of the Secretary, at the Temporary Offices, 62, Old Broad-street, E.C.

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To Correspondents.

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Crockford, 10, Wellington-street, Strand.

On Dec. 24,

PART 3, of Vol. 3, of REPORTS of all the Cases, decided by all the Courts, relating to MAGISTRATES and PARISH LAW. Edited by E. W. COX, Esq., Recorder of Falmouth, Editor of "Cox's Criminal Cases." Price 3*s.* 6*d.*, continued quarterly.

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Law Times Office, 10, Wellington-street, Strand.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

Mr. Daniel presents himself to the world, and is accepted, as the founder and leader of the agitation on the subject of law reporting. It is, as we have shown, a foolish and frivolous agitation, having an infinitesimally small foundation of grievance, upon which has been erected a monstrous demand for a monopoly, designed for the profit of those who are *out*, by the ruin of those who are *in*. But, as some degree of credit attaches—or is thought to attach—in the estimation of those who know nothing of the real merits of the case, and who are deluded by anything called a "reform," to the authorship of the agitation, it is but right that the reputation, such as it is, should be given to the true author, and not engrossed by one who has wriggled himself into a movement begun long before, and who has contrived to usurp the place of the actual parent.

The Profession will doubtless learn with surprise that Mr. Daniel is not the author of the recent agitation; that, in truth, he but very recently gave his adherence to it, and that not in the most gracious manner. The question of law reporting is, in truth, of a very respectable antiquity, although it must be admitted that Mr. Daniel's remedy for the evil of too many reports, by adding a new one to their number, is peculiarly his own, and no man is likely to dispute his title to the reputation due to so sage an invention. But when, fourteen years ago, a meeting was held at the chambers of a barrister, who is now a Judge, to consider the subject of law reporting, Mr. Daniel was not present. The first public promoter of the movement was Mr. Serjt. Pulling, who published an article upon it in the Law Times in 1844. Again, in 1849, he mooted it in the Law Amendment Society, where it was discussed and reported upon. In 1853 it was again mooted by Mr. Pulling in the society, and ultimately, in 1863, a deputation was appointed to see the Lord Chancellor upon the subject. This deputation assembled accordingly, and among the invitations to be present sent to the Silks was one to Mr. Daniel, who to this moment, as it appears, had taken no public interest whatever in the question. He went with the rest as a kind of outsider, and not as a performer. This was on the 21st of April. On the 18th of May, only twenty-seven days after, we find Mr. Daniel rushing into print as a law reporting reformer *par excellence*. But is there in his pamphlet any reference to Mr. Pulling as the true author? Does he frankly give the credit where it properly belongs? Does he hint that, for his own part, he was only a neophyte, treading humbly in the footsteps of men who had made and cleared the path before him? Not a syllable of it. There is nowhere to be found so much as a hint that Mr. Daniel was not the head and front of the agitation. Tacitly he takes to himself the credit, such as it is, that belonged of right to Mr. Serjt. Pulling. Nor has his subsequent conduct mended the matter. Seeing Mr. Daniel's name foremost in the pamphlet, at the meetings, and in the committees, has it not been understood by the public, as well as by the Profession, that it is his work? Has he, on any one occasion, proclaimed the actual authority, and awarded to the right owner the meed of praise that has been erroneously bestowed upon himself? Nay, did he not do his best to exclude Mr. Serjt. Pulling, though his leader in the movement, from the Bar Committee; or at least was not his name omitted from the list brought by Mr. Daniel, and only added when some other man, feeling ashamed of the absence of the author from the construction of his own work, threatened to divide the meeting upon the question? It is but justice to Mr. Serjt. Pulling that his true place in this affair as its earliest advocate should be given to him, and that Mr. Daniel, who has stepped before him at the moment of fruition, should be remitted to his proper position as one of its latest converts.

In 1844 an Act was passed enabling the Government, on certain terms, after twenty-one years from that date, to buy up all railways thenceforth to be constructed in the United Kingdom. That term will expire next year, and either renewed or the powers exercised. There is a report in the City that Mr. Gladstone entertains a project for acting upon the power so given, and gradually giving the possession of the railways, or at least of four-fifths of them, to the State. However this may be, something must certainly be done. The term must be extended, at the least. Parliamentary action must be taken upon it in some shape, and the question is likely to give rise to energetic discussion and enliven a session which, as being that of a Parliament *in articulo mortis*, otherwise threatens to be both dull and do-nothing.

Mr. Buxton, M.P., has addressed to the *Times* a very long letter on what he terms "The Liberal Dilemma"—in other words, the difficult question of extension of the franchise. Mr. Buxton perceives clearly enough, and frankly avows, that it is not desirable to transfer the government from the middle class, who now control it, to a pure democracy, which would be the inevitable result of any measure merely extending the franchise downwards—for this would be to give the rule to the majority, and therefore to the working classes, who are so greatly the majority that all the other classes would be practically disfranchised. Mr. Buxton shows how this would work in practice, and he draws a frightful but too true picture of the consequences of anything like an adoption of the principle of democracy.

On the other hand, he feels, as do most thinking men of all parties, that the working classes ought to be better represented than they are, and he suggests several means by which this might be accomplished without giving to them the preponderance. Among these are election by delegates, the representation of minorities, and cumulative voting. His own convictions are evidently in favour of the latter, as being already established among us in parochial voting. He believes that all who have given thought to the subject have arrived at the same conclusion. It is in itself equitable; it is easily understood, readily adopted, and possesses this immense advantage, that every ratepayer would have a vote, and that the votes would be proportioned to the taxes paid. But the true Democrats, the men whose desire it is, not that the working class shall have a share in the representation, but that they shall control it—who want to see the middle classes extinguished politically and power concentrated in the majority—have already raised a clamour against Mr. Buxton's suggestions. They say, absurdly enough, that such a franchise would be invidious, as giving votes to wealth and not to intellect and virtue, and they exclaim against any distinction at the hustings between man and man. It is convenient to them to forget that, as it is now, and indeed under any franchise short of universal suffrage, this distinction of men by the rude measure of wealth is and must be preserved. What is Mr. Baines's six-pound franchise but a money test, denying to a man who cannot afford 6*l.* per annum for a house, although he may be a prodigy of intelligence and virtue, the vote it gives to the vilest and most ignorant who chances to be so much better off as to be enabled to rent a 6*l.* house? If it is permissible to set up the money standard at all, it is a question of expediency, not of principle, whether it be fixed at 6*l.* or 10*l.*, or whether every ratepayer shall be admitted to vote with a power proportioned to the rates he pays.

The attempt is being made to raise this cry as a stalking-horse at the coming general election. It will certainly confront most of the solicitors when the work of the election begins, and they should be prepared to meet it in some fashion. That it is a question of enormous difficulty and no little danger, will be doubted by nobody who calmly considers it. If pressed upon the professional conductors of the elections by the democratic party on the one side, they will have to remember also that, on the other side, the middle classes, without distinction of party, will resolutely resist whatever may tend to their own political annihilation, and the subjugation of all the rest of the community to the terrible despotism of a democracy. The problem to be solved by the solicitors who conduct the coming elections will be to conciliate the democratic party without offending and driving from them the middle classes. This is the dilemma to which Mr. Buxton points, and which will be felt by our readers more than by any others, inasmuch as to them will be entrusted the management of parties. Mr. Buxton calls for a definite scheme of reform that will give to the working classes a share, but not the preponderance, in the representation. None are so competent as the solicitors, from their great experience, to devise such a safe plan as Mr. Buxton, giving utterance to educated thought, desires to possess. Could not the professional managers of the elections construct such a scheme, and so release Mr. Buxton and themselves from the dilemma he has so ably described. Our columns are open to their suggestions, and we invite their invaluable contributions to the work.

We have received the following:

TO THE EDITOR OF THE LAW TIMES.

Sir,—At an Exhibition of the Brothers Davenport at the Hanover-square Rooms a fortnight since, the Editor of the Law Times was called upon by the company present to act as their juror to see that there was no trickery. I noticed that he appeared to take unusual pains in tying the Brothers, sealing the knots and closely observing all the proceedings, and he appeared to apply a great many tests. I heard also his shriek when the alleged spirit hand dragged his arm into the hole with most unspirit-like violence. I, with others who were present, had hoped to have seen a candid statement, by the acute author of "The Judge" and "The Advocate," of the results of his evidently careful investigations. We

have had the reports of literary men and sailors, but we should much prefer the narrative and opinion of an acute and cautious lawyer, accustomed to sift evidence and require strict proofs, and who looks fairly on both sides before he gives judgment. After having been publicly invited by us to apply the tests, and doing so, we may fairly call on him for his report on the whole case. SPECTATOR.

Although acting, in the matter referred to, in an editorial capacity, we have not yet made the expected report, because the evidence is not complete. We require further proofs and other tests before we can venture to form an opinion. Public exhibitions are always unsatisfactory, because there can be no certainty that confederates are not present, and that mechanical contrivances have not been pre-arranged. A private room, where none can be present but the invited, and neither person nor thing admitted by way of preparation, can furnish the only evidence on which a just judgment can be formed.

Such an opportunity is promised to us where collusion will be impossible, and the investigation may be conducted by experienced lawyers, who will try it as cautiously and impartially as if it were a cause in court, and report the result.

A CONTROVERSY between the Church and the Law is growing into formidable dimensions. The judgment of the Privy Council in the memorable case of the "Essays and Reviews" has given to the ecclesiastical world the most profound dissatisfaction, which has expressed itself in an agitation for a change in the tribunal by which Church questions should be determined. The demand has taken a specific form. It is that a purely Ecclesiastical Court should be substituted for the Judicial Committee of the Privy Council. Substantially it is a claim that, in matters of doctrine, the clergy shall be tried by themselves, and not by a civil tribunal. The newspapers teem with correspondence on this question, which has called into print some of the most distinguished of our divines; a prominent political leader has declared himself in favour of the proposal, and the Archbishops have been presented with an address signed by more than 130,000 of the clergy and the laity, praying their active efforts in the coming session of Parliament to procure the desired substitute for the Privy Council. The subject is so large, and there is so much to be urged on both sides, that it would be unwise to adventure an opinion upon it in this early stage. It will suffice that we record its progress, and supply materials for judgment. The Lawyers, being parties in the cause, cannot be expected to view it altogether without some partialities towards themselves. The proposal is to oust them, on the express ground of incompetency. It can scarcely be expected that they will yield without a struggle. It is plain that a great contest is coming, in which once more the question will be fought of the supremacy of the State, through the law, over the Church, and it is one that will excite the strongest emotions on both sides. The first champion on behalf of the Lawyers is Mr. FITZJAMES STEPHEN, who has, in the columns of the *Times*, very ably stated the case of the Judicial Committee of the Privy Council. As the arguments may be useful aids in impending controversies, we give them here, where they may be readily found when wanted:

THE COURT OF FINAL APPEAL.—*To the Editor of the Times.*—Sir,—You have opened your columns to two distinguished divines on the subject of the Court of Final Appeal. Will you let a lawyer say a few words on the subject? Any Court of Appeal would, of course, be bound to decide according to the existing law, and the eminent persons who advocate the establishment of a new one would, of course, repudiate with indignation the imputation of wishing to constitute an unjust tribunal, which would make law under pretence of declaring it. The existing Court of Appeal, being composed of the greatest lawyers in England, solemnly decided in Mr. Gorham's case that subjects on which no express doctrine is laid down by the Articles or Formularies are, by the law of England, open questions. The result of the decision of the same court in the *Essays and Reviews* cases may be broadly stated to be that the questions of the infallibility of the whole of Scripture and the perpetual duration of future punishments are by the law of England open questions. If any new Court of Appeal were to disregard these decisions they would disregard the law of the land, and make law instead of administering the law already made. I gather from his courteous letters that the venerable author of the *Christian Year* would say, "No; there is a common law of the Church as well as a statute law, and the new court would administer that common law; and the common law of the Church affirms, first, that the Bible, in its genuine text, which is to be ascertained by fair criticism, is absolutely true; and, secondly, that if it contains apparent difficulties or contradictions, we must believe that satisfactory explanations of them exist, and will or may be discovered." Upon this I should like to be permitted to suggest a few considerations which I think must have escaped the notice of the eminent persons who have set on foot the present agitation. Mr. Keble's theory that there is a common law of the Church upon all important doctrinal questions is directly opposed to the judgment in Mr. Gorham's case. I submit that the learned persons who decided that case are more likely to be right on a question of law even than the author of the *Christian Year*. If they were right, and if this supposed "common law" ought to be introduced into English law, this must be done by express enactment, or the new court will not be able, without injustice, to act upon it. Are those who propose a new Final Court of Appeal prepared to ask Parliament to say, "Be it enacted, that all opinions which commonly prevail, or have prevailed, in the Christian Church, shall henceforth have the force of law; that every clergyman who contradicts them, or any of them, shall be liable to be deprived; and that the bishops shall, from time to time, say (not what the opinions are, but) whether a given clergyman has, in a given book, contradicted them?" I think it would be simpler to say—"Be it enacted, that henceforth the bishops shall have the right to exclude from the Church anybody who writes anything which they do not like." It is a peculiar aggravation of the hardship of the proposal now made, as I understand it, that the bishops are not to be bound to declare what the law is, but are to be allowed in general terms to certify that the opinions submitted to them are heretical. If this is the proposal, all literary or intellectual activity on the part of the clergy is simply at an end, and with it will end all the influence of the Church of England on educated men. If this is not the proposal, and if it is intended that the new court shall declare the law, I think they would find themselves in difficulties which would make them regret the present state of things. Take the common law of the church on the subject of the Bible to be as Mr. Keble states it, and see how it would work. Mr. Keble tells us that by the common law of the Church it is laid down that the whole Bible is to be taken to be true when fair criticism has ascertained what it is. This, of course, involves the admission that the authorised version, as it stands, is not entirely true. Hence the common law of the Church is not "The whole Bible is true," but "There once was a book, being since destroyed, which was true." Is a clergyman at liberty, in criticising the authorised or any other existing version, to argue that this or that portion of it cannot have formed part of the original, because the original was entirely true, whereas this passage contains statements which are obviously false, or that it is highly improbable that it should have formed part of the true original, because the statement itself is highly improbable? For instance, had Dean Milman a right to say that the numbers of the Israelites given in Exodus cannot possibly be correct? If not, why not? If so, where is the line to be drawn? May a clergyman say that the story of the sun and moon standing still, the story of Balaam's ass, the story of the Flood, as they stand, are not true, and that therefore they cannot have formed part of a lost original which was true? If I were to find a report of a conversation with Mr. Keble which attributed to him uncharitable or unchristian language, and if I knew that the report was a mere copy, say of a lost letter, might I not say, "I am sure those expressions were not in the original?" . . . . . The objections to altering the present state of things as to the Court of Appeal may be shortly stated thus: If the court is altered and the law remains unaltered, either the state of things complained of will remain unchanged or the existing court will be convicted of having committed a monstrous legal error, or the new court will be instituted for the express purpose of making new laws under the false pretence of declaring old ones. The truth is, that it is not the court which is complained of, but the state of the law. What is wanted is a 40th Article on the Inspiration of the Bible, and a 41st on the subject of Hell. If any one will introduce into Parliament a Bill for this purpose he will be entitled to the praise of a straightforward and manly effort to grapple with a real difficulty; but it would surely be monstrous to evade this difficulty, and to prevent all discussion upon the merits of these great questions, by instituting a court for the express purpose of converting floating popular opinion into positive law by judicial legislation directed against individuals *ex post facto*.—I am, Sir, your obedient servant,

J. FITZJAMES STEPHEN.

4, Paper-buildings, Temple, Dec. 10.

THE old story of the mowers and the larks, written to typify the ways of mankind in general and applicable to those of the present Government in particular, seems to be going on with the Law Courts Concentration question. There are to be two new Bills. They are already drawn. By a singular coincidence, about the same time there is also to be a new general election. Why should not Law Courts reform be kept alive at the same period and with the same motive as electoral reform, and every other reform which has been allowed to sleep during the comfortable middle age of the Parliament's existence? From the proceedings in the Court of Common Council at Guildhall, reported at the end of the last week, it appears that the CITY REMEMBRANCER stated to the Council, that notices have been given on the part of the Government of its intention to introduce a Bill in the forthcoming session to enable the Commissioners of Public Works and Buildings to acquire a site for the erection and concentration of the Courts, and the offices belonging to them; also a Bill to supply means towards defraying the expenses of providing the Courts and offices and for other purposes. The ATTORNEY-GENERAL, in sending the drafts, was most anxious to obtain the opinion of the corporation, as the Government has resolved on the earliest possible day after the meeting of Parliament to move for leave to introduce them.

The site to be provided by the new Bill will of course be that which, by common consent, after Lincoln's-inn-fields, the Rolls grounds, and others had been discussed, has been adopted in accordance with the recommendation of the commissioners in 1860, namely, the area north of the Strand by Temple-bar. From the account given briefly by a contemporary of the character of the intended Money Bill, the financial scheme seems to be the same as was proposed in the last session. A full account of it will be found in the LAW TIMES of July 9th. It is sufficient now to say that the total cost of the Palace of Justice was to be a million and a half. A million was to be supplied by the Court of Chancery, which it was supposed that the Profit or Accumulation Fund (Fund B.) would be able to furnish. This fund is charged with compensations, superannuations and retiring allowances; and to enable the court to set apart the million, power was to be given to the Lord Chancellor, with consent of the annuitants on the fund, to purchase their interests out of the remaining unappropriated stock of the court. This, in fact, was the new feature of the Courts Money Bill of the last session. The other courts were to provide for the remaining half-million, by the value of their present property and the saving of present rents and additional fees on the suitors in those courts. On the security of all these resources the Treasury was to advance a million and a half, as occasion should require, and was to control the expenditure. As the scheme depends much upon the dropping in of the charges which we have mentioned on Fund B., delay is, in this respect, favourable, unless the system of throwing all new legal administrative charges (as, for instance, lunacy charges) on the Chancery funds be persisted in. That has been the cause of a continual decrease, instead of increase, from the dropping of compensations, in the surplus income of the funds since the first Treasury minute, in July 1861, in consequence of which the LORD CHANCELLOR's former Bills were abandoned.

It is also affirmed that in the Temple the members have numerously signed a request to their benchers to express their opinions in favour of the measure. It is possible, no doubt, that their patriotism may be a little warmed by a concurrent self-interest. We are not sorry that it should so happen. The Lincoln's-inn benchers, patriotism and interest there running counter, presented a petition against the Bills of last year. It was to the effect, that the benchers objected to the removal of the five courts in Lincoln's-inn, for the reasons that, the convenience of these courts being near the Chancery barristers' chambers preponderated over the advantages of concentration; that the MASTER of the ROLLS objected to the removal of his court; that there will be "less confusion" by the Equity Courts being at a short distance from the Common Law Courts; that the society has always provided these courts without cost to the public, except a small interest, out of the Suitors' Fund, for altering Lincoln's-inn Hall; that the present courts are "sufficient," and that it would be a waste of money to build others within a quarter of a mile; that the Society gave the site for the VICE-CHANCELLOR

of England's Court, and spent 4000*l.* in building two more Courts; that these two Courts are "now inadequate" under the altered practice; that in 1859 the benchers arranged with the VICE-CHANCELLORS a scheme approved of by the LORD CHANCELLOR for laying out 100,000*l.* in new courts, at a rent; that after this Bills were introduced for concentration, but were always objected to on the ground of expense; that there is barely enough of the Suitors' Fund unappropriated, to pay interest even if the courts were built on the cheap plan proposed by the benchers.

To criticise the grounds of this petition seriously would be a waste of time, and moreover spoil sport. It is simply amusing to call courts "sufficient," and in the same breath propose to lay out 100,000*l.* in new ones. Surely the new scheme, although it neutralises the 4000*l.*, will save them their 100,000*l.* The confession of having spent 4000*l.* for the Equity sheds is rather unlucky in connection with the proposal to lay out 100,000*l.* How the 4000*l.* could have been sunk in those brick walls, with third-class benches for all but the Q. C.'s, and an arm-chair apiece for the Judges, it is not easy to calculate. Enough of such building items. Parliament, again, does not propose to absorb the site of the court now occupied by KINDERSLEY, V.C. But the truth is, that the whole area now used in Lincoln's-inn for the courts is not spacious enough even for a proper hall to the Chancery Courts, to say nothing of consultation and retiring rooms, as well as of those conveniences for solicitors and persons attending which have been so long and so selfishly withheld by gentlemen who, being close to their own chambers, do not require such accommodation. It is really a pity that the nation at large is not made aware of the tender solicitude felt by the benchers of Lincoln's-inn for the public purse, whatever want there may be of solicitude for the true local requirements in the administration of justice, and for any who are engaged in assisting therein except Chancery barristers.

INVESTMENT JOURNAL.

THE Money-market has been very quiet through the week. Speculation has ceased almost entirely. Nobody will look at a new company, and banks are especially out of favour, a necessary consequence of the painful revelations lately made as to the doings of those new concerns. All men of business prophesied that the competition for customers would tempt many of them to buy connections by accommodating persons to whom the old banks had refused credit. So it has proved, and the amount of worthless paper on the desks of the new limited banks would astound the public could the sum of it be stated. This was the true cause of the unwholesome speculation of the spring.

The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	239	...	239	237½	239	...
3 p Cent. Red. Ann.	88¼	88¼	88¼	88¼	88¼	88¼
3 p Cent. Cons. Ann.	89¼	89¼	89¼	89¼	89¼	89¼
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 p Cent. Ann.	88¼	88¼	88¼	88¼	88¼	88¼
New 3½ p Cent. Ann.	...	...	...	...	...	...
3 p Cent. Annuities	...	...	...	...	...	...
5 p Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	16¼	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89¼	89¼	89¼	89¼	89¼	89¼
Consols 3 p Cent. for Ac.	...	...	...	...	...	...
India 3 p Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	...	...
India 5 p Cents.	...	...	...	...	...	...
India 4 p Cents. 1888	...	...	...	...	98¼	...
India 5 p Cents. 1870	102¼	103	103¼	102¼	102¼	...
India Bonds (1000*l.*)	6pb	5pb	*f*	4pb	...	...
Do. (under 1000*l.*)	...	...	...	...	...	...
India Debentures, 1853	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	97¼	...	...	97¼	...	...
India Enfaced Paper, 4 p Cent.	...	...	...	...	...	...
Do. do. 5 p c. Jan. 1872	102	...	101	...	...	...
Do. do. 5½ p c. May 1879	...	...	...	...	109	...
Ex. Bills, 1000*l.*	a	c	d	d	5 dis	5 dis
Do. 500*l.*	...	...	...	...	...	...
Do. 100*l.* & 200*l.*	...	...	...	...	...	...
3 p c.	...	...	e	e	...	...
Do. Small, & 3 p c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a June 3½ per cent. 2*s.* dis.
b Premium.
c March 4 per cent. 1*s.* dis.; June 3½ per cent. 2*s.* dis.
d 4 per cent. 1*s.* dis.
e 4 per cent. 1*s.* dis.
f Par.

After all the disrepute into which they had temporarily fallen for no apparent cause, the hotel companies are proving by their dividends that they are a great deal more profitable than railways or other speculations. The Grosvenor has paid 8 per cent.; the Westminster Palace 8 per cent.; the Liverpool and London 10 per cent.; the Bedford 10 per cent.; and all have set apart a good round sum as a reserve, besides these handsome dividends. The Inns of Court Hotel, the only one of them whose estate is freehold, proposes to raise the additional capital required by mortgage debentures charged upon the estate at 6 per cent. The security is more than ample. The debentures are to be for sums varying from 20*l.* to 100*l.*, with coupons for the interest for three years, so as to be readily marketable.

A prospectus has been sent to us of the *Railway Benefit Building Society*, but we do not find that it has any novel features calling for special notice.

LAND AND ESTATE MARKETS.

MESSRS. JAY and NUNN, solicitors, of Hereford, have directed Mr. GEORGE PYE to sell, at the George Inn, Hereford, on Dec. 29, the Black Hall estate of 306 acres. The property will be divided into three lots. This is the only land sale in addition to those mentioned last week.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

SOLICITOR — INFANT — ARTICLED CLERK — PREMIUM.—A scheme for the maintenance of a minor provided that, at his own request, he should be articled to a solicitor and live with him, 100*l.* per annum being paid for board, and 300 guineas premium. Differences arising between the master and clerk, the guardian took out a summons to vary the scheme by cancelling the articles. The V. C. ordered the articles to be given up and cancelled, and 100*l.* (part of the premium) to be repaid by the solicitor, which was done; but, on appeal, the L. C. reversed the order, holding that there was no sufficient evidence of any default or failure of duty on the part of the solicitor, and therefore that the court had no jurisdiction to order repayment of any part of the premium, which was ordered to be paid back again to the solicitor: (*Craven* v. *Stubbins*, 11 L. T. Rep. N. S. 402. Ld. Ch.)

EQUITY PRACTICE.—The court will, on the personal undertaking of the solicitor, dispense with the verification of the signature to an affidavit made abroad of a notary public, the fund amounting only to 35*l.*: (*Mayne* v. *Butler*, 11 L. T. Rep. N. S. 410. Kindersley, V.C.)

SOLICITOR AND CLERK—COVENANT NOT TO PRACTISE.—B. having made an engagement with a solicitor as clerk, bound himself not to practise within certain limits. The bond was conditioned to be void on payment of 1000*l.* as liquidated damages. The solicitor was held not thereby to have agreed that on payment of the 1000*l.* damage, B. might practise, and an injunction was granted: (*Howard* v. *Woodward*, 11 L. T. Rep. N. S. 414. Wood, V.C.)

Correspondence.

WHAT IS HE?—I cut the inclosed from the *Surrey Standard* of Saturday last. Who is Mr. Willis, the *special* County Court advocate, and who is Mr. Thompson? A. B.

ESSEX *v.* ASHBY.—Claim 9*l.* 10*s.* 8*d.*, for goods sold.—Mr. Willis, special County Court advocate, from Thompson's Debt Recovery Offices, North End, Croydon, appeared for the plaintiff, and stated that the defendant (who did not appear) had promised on several occasions to pay the amount claimed, which he did not dispute.—Plaintiff having proved his case, stated that he considered defendant, who was a commercial traveller, was in a position to pay at once.—His Honour made an immediate order.

APPOINTMENT.

The Lord Chancellor has appointed Binsted Goble, of Fareham, in the county of Southampton, gentleman, a Commissioner to administer oaths in Chancery in England. The usual oaths to qualify for the office were taken on the 17th Nov. 1864.

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

Hilary Term 1865.

Adcock, Edward Harry, Cambridge—Articled to S. Adcock, Cambridge; J. Clear, Cambridge
Addams, Richard Hartley, 79, Addison-road, Kensington—C. R. Lucas, New-square, Lincoln's-inn
Atkinson, Thomas Swainson, Manchester—T. Swainson, Lancaster
Baker, John, 5, Mornington-road; and Leeds—F. H. Barr, Leeds
Bartram, Richard, 198, St. Paul's-road, Canonbury; 47, Gresham-house, 24, Old Broad-street—J. D. Waters, Great Yarmouth; S. C. Burton, Great Yarmouth; T. Paine, 47, Gresham-house;
Barrett, Charles John, Eton, Bucks; Putney—A. Austin, 55, Lincoln's-inn-fields
Batchelor, Edward James, 66, Denbigh-street, Pimlico; 67, Charlwood-street, Pimlico—J. H. Torr, New Bridge-street
Bell, Adolphus William George, Clapham-park, Surrey—J. Raw, Furnival's-inn
Bell, Charles, 34, Gower-place, Euston-square; and 20, Essex-street, Strand—N. Cobham, Ware
Blackburn, Arthur Wellesley, Moortown, near Leeds—J. Blackburn, Leeds
Blackburne, Gilbert Ireland Montagu, Clifton—G. W. Nalder, Bristol; J. R. Bramble, Bristol
Blewitt, Matthew John, Castle Bromwich, Warwick; and 3, Ampton-place, Gray's-inn-road—H. Ludlow, Birmingham
Brignall, William, jun., 2, Upper Chadwell-street, Pentonville; Durham; and 1, John-street, Bedford-row—W. Brignall, Durham
Burley, William Robinson, Leicester; and 11, Doddington-grove, Kennington—G. H. K. Fisher, 5, King's-bench-walk, Temple
Burney, John Hutchinson, 45, Canton-street, Poplar—H. Sturmy, Wellington-street, London
Burton, Francis John, Nottingham; 17, Hart-street, Bloomsbury; and 22, Great Coram-street—F. Burton, Nottingham
Butcher, Frederic William, 16, Clifford's-inn; 3, Grange-place, Dalston; and Chelmsford—O. J. Durrant, Guildford-street
Butler, Thomas, 3, Bartholomew-road, Kentish-town; and Dalton, Lancaster—W. Butler, Dalton, Lancaster
Butt, Gerard Frederick, 19, Cheules-street, Bedford-square—A. S. Twyford, 5, Southampton-street, Bloomsbury
Carter, John Edwin, Highgate—J. R. Bailey, 8, Token-house-yard; W. C. Smith, 3, New Broad-street
Cartmel, George Edward Yeates, 36, Coram-street, Russell-square; and 17, Bernard-street—J. Thornely, Liverpool; H. C. Duncan, Liverpool
Clarke, William Ambrose, Chippenham, Wilts; and 9, Great Ormond-street, Queen's-square—P. Awdry, Chippenham
Cooper, Thomas, Derby—W. Whiston, jun., Derby
Cover, John Russell, 16, Devonshire-road, Holloway; and 7, Spring-gardens, Westminster—G. H. Ellis, Spring-gardens
Davies, John, Denbigh; 14, Mydelton-square; and 34, Great Percy-street—P. Morris, Denbigh
Ditton, Ambrose Gibbons, 3, Trinity-street, Southwark; and 2, Stamford-terrace, Newington—P. Wood, Dudley; C. Beaton, Dudley and Birmingham; R. G. Chipperfield, 3, Trinity-street, Southwark
Donaldson, Alexander Leathes, 12, Westbourne-square—W. Skillbeck, Bedford-row
Douglas, Charles Philip, Barnes-green, Surrey; and 17, Tavistock-place—T. M. How, Shrewsbury; H. Vallings, Shrewsbury and Mildred's-court
Duncan, Henry Thomas, South Shields; Durham; and 80, Basinghall-street—W. E. Duncan, Basinghall-street and South Shields
Dyer, Benjamin Bisall, Boston—C. Bean, Boston
Ede, Henry Hutchins, 9, Conrad-street, Hackney—T. E. Parson, Gracechurch-street
Eldridge, Robey Frank, Newport, Isle of Wight; Stockwell; and 29, Upper Gower-street—James Eldridge, Newport; T. B. Cartwright, 4, Lothbury, City
Fairburn, Robert, 23, Sutherland-square, Walworth; and Sheffield—C. Gould, Sheffield
Fairweather, George, 32, John-street, Bedford-row; and Manchester—T. Southam, Manchester
Fell, William, 18, Kensington-gate; 12, Douro-place, Kensington—T. M. How, Shrewsbury; W. H. Brabant, Saville-place, New Burlington-street
Fowke, Robert, Brecon, South Wales; and 19, Cecil-street, Strand—W. Games, Brecon
Fowler, Charles Walter, Ashburton, Devon—R. G. Abraham, Ashburton
Frame, Thomas, 17, Charlwood-place, Pimlico—W. H. Surman, 11, New-square, Lincoln's-inn
Freeman, George Deane, 15, Marlborough-place, Walworth—R. Marrack, Truro
Froom, George, 71, Gloucester-terrace, Hyde-park—C. P. Froom, 35, Lincoln's-inn-fields; E. Bromley, 1, South-square, Gray's-inn
Frost, William Buckle, Thorpe, Norfolk; Jersey; 70, Warwick-street, Pimlico; 28, Charlwood-street, Pimlico, and 24, Paddington-green—P. E. Hansell, Norwich; A. A. C. Bristow, Bedford-row
Fry, Peter William, 30, Claremont-square, Pentonville—F. Charsley, Amersham, Bucks; W. W. Aldridge, South-square
Garbett, Edmund Johnstown Hardwicke, Dawley, Salop; and 1, Onslow-gardens, Brompton—J. G. James, Wellington, Salop; J. D. W. Beeston, Wellington, Salop; J. Walker, Wellington, Salop
Gibson, Edward Doyle, 2, Warwick-place, St. John's-wood—W. Gibson, 64, Lincoln's-inn-fields
Gilham, John, 24, Bartlett's-buildings—John Gilham, 24, Bartlett's-buildings; John Letts, 8, Bartlett's-buildings
Gough, Hubert, 6, Baker-street, Lloyd-square; Dulverton, Somerset; and 3, Gray's-inn-square—S. H. Warren, Dulverton
Gray, George Frederick, 2, Kennington-place, Surrey; —T. Clarke, Dean's-court, London
Hampson, Francis, Stretford-road, near Manchester—J. Elliott, Manchester
Hanrott, Robert Cory, 36, Oxford-road, Kilburn; 13 and 44, Bedford-row—C. Cory, Great Yarmouth; W. T. Calvert, Bergholt, Essex; P. A. Hanrott, Bedford-row; H. A. Hanrott, Bedford-row
Harding, George Notley Murray, Charlinch, Somerset; and 3, Porteus-road, Paddington—J. R. Poole, Bridgewater
Hardwick, Edmund Faunce, Gloucester; 21, Bernard-street, Russell-square; and Chester—R. Wilton, Gloucester
Heslop, William, 50, Torrington-square, Bloomsbury; and Newcastle-upon-Tyne—J. Arnott, Newcastle-upon-Tyne; T. Chater, Newcastle-upon-Tyne
Higson, Frederic Stanley, 62, Margaret-street, Cavendish-square; and 13, Gray's-inn-square—F. Robinson, Manchester
Hilton, William Hughes, Manchester—W. Sale, Manchester
Hobbes, William Albert, 9, Bernard-street, Russell-square; and Stratford-on-Avon—R. H. Hobbes, Stratford-on-Avon

Hodgson, John Sheldon, 4, Hugh-street, Pimlico; Camberwell New-road; and 4, South Cottages, Camberwell; —T. Smith, Sheffield

Hodson, William Henry, Barton-on-Humber; and 21, Great Coram-street—J. Nowell, Barton

Hogg, Thomas George, Waterfoot, Manchester—Hargreaves and Knowles, Newchurch, near Manchester

Hussey, James, 11, South-square, Gray's-inn; and 11, Chapel-street, Bedford-row—D. J. Lee, Bedford-row

Hussey, William Brodie, 46, Thornhill-square, Islington; —G. W. Hussey, 20, Great Knight Rider-street

Johnson, Charles Henry, Gloucester; W. W. How, Shrewsbury—G. F. King, Charlotte-row, City

Johnson, John Labron, 20, Bedford-row; Southport, Lancaster; 30, Upper Cumming-street, Pentonville; and Anerley—T. Toulmin, Liverpool

Jones, David Clement, 19, Bedford-street, Strand; Newtown, Montgomery—Woosnam and Lloyd, Newtown

Kelsall, Thomas Moultrie, Fareham, Hants; Stone-buildings, Lincoln's-inn—W. Kelsall, Fareham

Kimber, Edmund, 28, Canonbury-villas, Islington; and Lancaster-place, Strand—H. Kimber, Lancaster-place

Kirkman, William Wright, Manchester; and Croft Rectory, near Warrington—H. Taylor, Manchester

Lake, Edward, 14, Percy-circus, Pentonville; and Wakefield, York—B. Dixon, Wakefield

Lambert, Thomas Henry, 20, Devonshire-place, Portland-place—J. Galsworthy, 12, Old Jewry-Chambers, City; M. Shephard, 17A, College-hill, City

Lane, Charles William, Pershore, Worcester—A. B. Hudson, Pershore

Lang, Hickman, Crewkerne, Somerset; and 6, Raymond-buildings, Gray's-inn—G. L. Lang, Crewkerne; C. P. Wood, Raymond-buildings

Langdale, Arthur, 3, Queen-street, May Fair—T. Swarbreck, Thirsk; T. Constable, Otley

Layton, Edward John, 13, Loraine-place, Holloway; and 2, Suffolk-lane, City—E. M. Dimmock, 2, Suffolk-lane; W. Nash, 2, Suffolk-lane

Leech, William, 1, Elm-court, Temple—J. Leech, Moorgate-street

Letts, Edward, 8, Bartlett's-buildings, London—J. Letts, jun., Bartlett's-buildings, London

Lewis, Hugh, 3, Grove-villas, Homerton, Middlesex; and 7, Wilmington-square—W. Lewis, Wilmington-square

Lovegrove, William, 22, Hornton-street, Kensington—R. G. A. Hilleary, 3, Fenchurch-buildings, London

Marsden, John Edward, Walton, near Wakefield—J. Scholey, Wakefield; J. Marsden, Wakefield

McKeever, James, Wigton, Cumberland—A. B. Were, Wigton

Merriman, Josiah John, 18, New Bridge-street, Blackfriars—R. Peckham, Ludgate-street; J. H. Torr, New Bridge-street

Mills, James, Beverley—S. E. Todd, Beverley

Morris, Henry, Shrewsbury—G. Gordon, Shrewsbury

Morris, James Lloyd, Capeldewy, Carmarthen; and 10, St Swithin's-lane, City—W. L. Banks, Brecon; J. R. Cobb, Brecon

Nalder, John, Shepton Mallet, Somerset—F. T. Nalder, Shepton Mallet

Oliver, William Robert, 48, Westmoreland-street, Pimlico; 5, Chatham-place, City—N. Gedye, Chatham-place

Paddon, Charles, Edward, M.A., Fareham; New-inn, Strand—J. E. Paddon, Fareham

Page, Richard, North Newington; Banbury; 13, Cumberland-terrace, Bayswater—J. Fortescue, Banbury

Parkinson, Frank, 91, Hemingford-road, Barnsbury; and Pickering—F. D. Parkinson, Pickering; B. Hunter, Pickering

Pleasance, William, 7, Mabledon-place, Burton-crescent; and Cambridge—G. S. Hall, Cambridge

Polding, Oswald, Bury, Lancaster; and 26, College-place, Camden-town—S. Woodcock, Bury; J. Woodcock, Lincoln's-inn-fields

Postlethwaite, John, jun., 5, Raymond-buildings, Gray's-inn—J. Postlethwaite, Whitehaven

Priest, Jocelin, Liverpool—J. Conway, Liverpool; P. de E. Collin, Liverpool

Pritchard, Arthur, Hoole; and Chester—H. Ford, Chester

Pugh, Richard Bailey, Watford—R. Pugh, Watford

Reader, William Oliver, 3, Bulstrode-street, Cavendish-square; Terrington St. Clement, Norfolk—D. Ward, King's Lynn

Redgrave, John, Birmingham—T. Smallbone, Birmingham; S. B. York, Birmingham; J. Clarke, Birmingham; W. A. Crowther, Kidderminster

Reed, William, 30, Torrington-square, Bloomsbury; and Tynemouth—W. Chater, Newcastle-upon-Tyne

Rhodes, John, Sowerby, near Thirsk—T. Swarbreck, Thirsk

Rice, George Copplestone, 30, Church-road, Homerton; 65, Basinghall-street—G. T. Gibson, Newcastle-on-Tyne; H. Hill, Bury-court, City; C. Wilson, Basinghall-street

Roose, Henry, 43, Holford-square; and Liverpool—D. Evans, Liverpool

Ryalls, Leonard Atkinson, Norton Lees, Derby; 34, Bernard-street, Russell-square; and 6, Aberdeen-place, Maida-hill—J. Ryalls, Sheffield

Rylance, William, Manchester—D. Boote, Manchester

Saunders, George Henry, Chipping Norton—W. Aplin, Chipping Norton

Scott, Stephen, 13, Tokenhouse-yard—C. Smith, Tokenhouse-yard

Scott, Thomas, Thirsk—J. Arrowsmith, Thirsk

Sheppard, Charles, Battle—L. L. Baker, Guildford; T. Russell, Guildford

Sheppard, John, 17, Albert-terrace, Knightsbridge; 12, Old Jewry-chambers—J. Galsworthy, 12, Old Jewry-chambers

Simpson, Alfred Robert, 50, Woburn-place; and 42, Doughty-street—J. J. Simpson, Derby

Smale, William, 10, Grenville-street, Brunswick-square; Barnstaple; and 9, Bedford-row—T. J. P. Tucker, Barnstaple

Smith, Francis Edward, jun., 18, Great James-street, Bedford-row; Crediton; 94, Guildford-street, Russell-square; and 17, Brunswick-square—F. E. Smith, Crediton

Snell, Frederick John, 9, South-crescent, Bedford-square; and Ipswich—G. Josselyn, Ipswich

Snow, Terence Alexander, Huyton, near Prescot, Lancaster—W. G. Bateson, Liverpool

Sole, William Anslow, 1, Field-court, Gray's-inn; and Wellington—R. D. Newill, Wellington

Spiller, Walter, 3, South-place, Finsbury—J. J. Spiller, 3, South-place, Finsbury

Stamp, Edmund Archibald, Honiton, Devon—E. Stamp, Honiton

Steel, Thomas, jun., Sunderland—W. J. Young, Sunderland

Stephenson, Jon Boyes, 69, Hemingford-road—A. Stephenson, Whitby

Sugg, Hubert Henri, Ilkeston—J. Shaw, Ilkeston; M. Jessop, Ilkeston

Tahourdin, Harry, 1, Victoria-street, Westminster; and Watford—C. Tahourdin, 1, Victoria-street, Westminster

Taylor, Richard Stephens, jun., 3, Field-court, Gray's-inn—R. S. Taylor, Field-court

Thomson, Robert Edward, 3, Suffolk-lane, Cannon-street west—S. J. Dale, North Shields

Thurgood, William Lane, 36, Great Coram-street; and 39 and 17, Bernard-street, Russell-square—W. Thurgood, Saffron Walden; E. W. Field, Lincoln's-inn-fields

Timewell, William Henry, 145, Ledbury-road, Bayswater; and Abchurch-lane—A. Turner, Taunton; J. A. Turner, Taunton

Upperton, Clement, 13, Bruton-street, Berkeley-square—C. K. Freshfield, Bank-buildings, City

Walmsley, Alfred Orrell, 32, John-street, Bedford-row; and Manchester—T. Southam, Manchester

Watson, Edwin, Birmingham—E. Baker, Birmingham

Weller, James, Farnham, Surrey—C. Lamb, Brighton; W. H. B. Beaty, Farnham

Whitbourne, John, 9, Pleasant-cottages, Paragon-road, Hackney—G. Carew, 45, Bloomsbury-square

Whitlock, Henry—62, Lamb's Conduit-street—J. Moss, Derby; W. Rowcliffe, Bedford-row

Wicks, Henry Philip, Whitehaven—J. Brockbank, Whitehaven

Wilkinson, Surtees, 7, Gray's-inn-square; Eaton Socon, Bedford—F. G. Butler, Eaton Socon

Williams, Edward Bliss, 40, Grove-road, St. John's-wood—W. H. Watson, Bouverie-street

Wood, William, jun., 36, Sidmouth-street, Regent-square; and Manchester—J. Roberts, Manchester

Young, Thomas Bristowe, 10, New-inn, Strand—T. Loftus, New-inn, Strand

Young, Thomas, Croydon—W. Watson, Barnard Castle, Durham

Hilary Term 1865, pursuant to Judge's orders.

Cooper, William David Seymour, Harrow—W. B. Cooper, 3, Verulam-buildings, Gray's-inn; C. H. Hodgson, 3, Verulam-buildings, Gray's-inn

Fox, John Bohun Chandler (articled as John), 60, Charrington-street, Oakley-square; Stamford; and South-square, Gray's-inn—J. Phillips, jun., Stamford

Hilary Vacation 1865.

Arnott, Thomas, 50, Torrington-square; and Gateshead—T. Chater, Newcastle-on-Tyne

Beaumont, William Coppard, Lee, Kent—J. Beaumont, 19, Lincoln's-inn-fields; R. Boyer, Old Jewry-chambers

Bilton, Alfred, Brixton-hill, Surrey; 20, Bartlett's-buildings; and 4, Coleman-street—J. Hooker, Bartlett's-buildings; C. T. Room, Coleman-street

Bowen, Arthur John, East Dulwich-grove, Surrey; 5, Broad Sanctuary, Westminster—W. Burchell, Broad Sanctuary

Brookes, William Robert, Bow, Middlesex; and 60, Cornhill—T. Thomson, 60, Cornhill

Clarke, George Brodie, Isleworth, Middlesex—W. Ruston, Brentford

Groves, William, 14, Myddelton-square; 6, New-square, Lincoln's-inn; and 28, Lincoln's-inn-fields—B. L. J. Frere, Lincoln's-inn-fields

Ince, Francis, 7, Pembroke-villas, St. John's-wood—H. Hill, Great James-street

Lane, John Reginald, 17, Thornton-street, Kensington; Stratford-on-Avon; and Southampton-street, Bloomsbury—J. Lane, Stratford-on-Avon

Nettleship, William Francis, 4, Trafalgar-square—T. Nettleship, Trafalgar-square; R. S. Palmer, Trafalgar-square

Noble, John Campion, 45, Thornhill-square, Islington; and Whitby—A. Stephenson, Whitby

Still, Stafford Francis, Sutton, Surrey—C. Meredith, New-square, Lincoln's-inn

Tindale, John Richard, 81, Cambridge-street, Pimlico; Windermere; and 60, King William-street—J. H. Taylor, Windermere

Trimmer, Henry Walter, 6, Brecknock-place, Middlesex; and 52, Lincolns's-inn-fields—C. Berkeley, Lincoln's-inn-fields

Vaughan, James, Devonport; and Shirland, Derby—T. M. Siddall, Shirland, Derby; W. Chapman, Devonport

Warwick, Horatio Seymour, 66, Upper Charlotte-street, Fitzroy-square; and 35, Boundary-road, St. John's-road—W. Hunt, Gray's-inn-square

Wilkinson, Isaiah, 43, Thornhill-square, Islington; Whitby; and 37, Richmond-road, Islington—M. Gra hjy, Wtby

HEIRS-AT-LAW AND NEXT OF KIN.

CRICHE (George), Bedminster, Somerset. Next of kin to come in by 23rd Dec., at M. R. J. W. Hawkins, Rolls-chambers, Chancery-lane, London.

DAVIS (John), Bell-vue-cottage, Hounslow, Middlesex, gentleman. Next of kin to come in by Jan. 7, 1865, at M. R. Nash and Field, 2, Suffolk-lane, Cannon-street, London.

KER (Anne), formerly of No. 14, Coleman-street, New North-road, Hoxton, and late of 2, Brunswick-place, Anna-road, Junction-road, Upper Holloway, both in the county of Middlesex, spinster. Next of kin to come in by 23rd Dec., at V.C. K. Johnson and Master, 22, Duke-street, Grosvenor-square, London.

MARTIN (William), Upper Eaton-street, Pimlico, Middlesex. Next of kin to apply to C. W. De Bernaby, 9, Northumberland-street, Strand, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

ASHKETTLE (John), No. 32, St. Mary-at-hill, Eastcheap, London, Jan. 9, 1865, V.C. W. C. O. Field, 40, Ely-place, Holborn.

BEALE (John), 33, Warwick-street, Pimlico, Middlesex, hosier, Jan. 11, 1865, V.C. K. Blake and Son, 29, King William-street, London-bridge.

BENNETT (Joseph), 3, Addington-street, York-road, Lambeth, Surrey, bricklayer, Jan 7, 1865, M. R. J. and G. Barnard, 148, York-road, Lambeth.

DAVIS (John), Belle-vue-cottage, Hounslow, Middlesex, Jan. 7, 1865, M. R. Nash and Field, 2, Suffolk-lane, Cannon-street, London.

DEW (James), Henbury, Gloucestershire, gentleman, Dec. 22, V.C. S. A. Hall, 12, Old-square, Lincoln's-inn, London.

EASTLAKE (Ellen Pierce), Plymouth, Devon, spinster, Dec. 18, V.C. W. Law, Hussey and Hulbert, Lincoln's-inn, London.

HOWES (John), No. 4, The Crescent, Norwich, gentleman, Jan. 19, 1865, M. R. Marshall and Lowndes, 7, Leadenhall-street, London, for S. H. Asker, Norwich.

JUSTICE (Rev. John), Ightfield Rectory, Salop, clerk, Dec. 22, V.C. S. Walker and Martineau, 13, King's-road, Gray's-inn, London.

LLOYD (Thomas), The Prospect, Limerick, Ireland, Esq., Jan. 21, 1865, M. R. G. B. Church, Rolls-chambers, Chancery-lane, London.

LOMAS (Thomas), Harrop Fold, Rainow, Chester, yeoman, Jan. 10, 1865, V.C. W. Elsdale and Byrne, 3, Whitehall-place, London, for Brocklehurst and Wright, Macclesfield.

MAXFIELD (Joseph), Gloster Hotel, Brighton, Sussex, hotel-keeper, Jan. 10, 1865, V.C. S. Elsdale and Byrne, 3, Whitehall-place, London.

MORETON (Hon. Augustus Henry Macdonald), No. 10, Gloucester-place, Middlesex, Jan. 20, 1865, V.C. S. Harrison and Finch, 2, Gray's-inn-square, London.

NIAS (Thomas Drysdale), 5, Copthall-court, London, and Sussex-place, Rotherfield-street, Islington, solicitor, Jan. 11, 1865, M. R. J. R. Chidley, 23, Old Jewry, London.

NICHOLETTS (Edwin), Melrose-cottage, Bridport, Dorset, treasurer of County Courts, Jan. 11, 1865, M. R. Sea and Gribble, 14, Abchurch-lane, London, for F. W. Gundry, Bridport.

RIDLEY (Francis), Colebrook-house, Highbury New-park, Middlesex, Dec. 21, M. R. Miller, Son and Nubble, 8, Philpot-lane, London.

ROBINSON (James), No. 3, Gower-street, Bedford-square, London, Jan. 16, 1865, V.C. S. E. Hodgkinson, 17, Little Tower-street, London.

SANDYS (George), Waterloo crescent, Dover, Kent, a General in Her Majesty's Army, Jan. 10, 1865, V.C. S. Harrison, Beale and Harrison, 19, Bedford-row, London.

SCOVELL (John), Bishopstoke, Southampton, yeoman, Jan. 11, 1865, V.C. K. Senior and Attree, 2, New-inn, London, for Blackmore and Son, Alresford, Hants.

WRIGHT (Samuel John), 71, Chancery-lane, London, tobacconist, Jan. 9, 1865, M. R. G. Hume, Rolls-yard, Chancery-lane.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ADNEY (John), Kemberton, Halberton, and Cliff-house, Lympstone, both in the county of Devon, Esq., Jan. 1, 1865. Dommett and Canning, Chard, Somerset.

BACON (Sir Edmund), Raveningham Hall, Norfolk, Premier Baronet of England, Feb. 1, 1865. Keith, Blake and Co., the Chantry, Norwich.

BATT (George), formerly of No. 412, Strand, Middlesex, wine merchant, and late of the Priory, Sydenham, Kent, Esq., Jan. 1, 1865. Booth and Lane, Surrey-street, Strand, London.

BRAZIER (John), 330, Marylebone-road, Middlesex, gunmaker, Jan. 5, 1865. H. H. Lawrence, 30, Bedford-square, London.

BRIDGMAN (William), Frogmore, Weston-under-Penyard, Herefordshire, Esq., March 1, 1865. Bolton and Hill, 4, Elm-court, Temple, London.

BROWNE (G. F. S.), 48, Oxford-terrace, Paddington, Middlesex, Major in the Madras Staff Corps, June 9, 1865. S. Fisher, Merchant Taylors' - hall, Threadneedle-street, London.

COATES (Marianne), 2, Phillimore-terrace, Kensington, Middlesex, spinster, Jan. 19, 1865. Summerlin and Bruce, 5, John-street, Adelphi, London.

PAINE (Joseph), High-street, Hounslow, Middlesex, grocer, Feb. 18, 1865. A. F. Millins, 19, Trinity-place, Windsor.

FARMER (T. A.), Morton-terrace, Gainsborough, Lincoln, ironmonger, iron merchant and ironfounder, Feb. 11, 1865. S. Hayes, Gainsborough.

FEDDEN (Olcher), 2, West Park-road-villas, Bristol, gentleman, Jan. 2, 1865. White and Sons, 11, Bedford-row, London, for E. M. Harwood, Foster-chambers, Small-street, Bristol.

HAWKINS (George), Three Horse Shoes Inn, Wells-green, Sheldon, Warwick, innkeeper and butcher, Feb. 1, 1865. Beale and Marygold, 20, Waterloo-street, Birmingham.

HAWLEY (George), Rawmarsh, Yorkshire, earthenware manufacturer, Jan. 2, 1865. J. Bamforth, Rotherham.

HOOLE (Mr. Alice), 17, Upper Montagu-street, Montagu-square, London, Jan. 20, 1865. Hooke, Street and Co., 5, Lincoln's-inn-fields, London.

HUGHES (Robert), The Abbott Fawr, New Market, Flintshire, farmer, Jan. 27, 1865. O. D. Hughes, Corwen.

HUNT (John William), 77, Great Peter-street, Westminster, Middlesex, grocer, Jan. 28, 1865. Terrell, Chamberlain and Blake, 30, Basinghall-street, London.

KIRBY (John), Cranswick-common, Hutton Cranswick, York, farmer, Feb. 13, 1865. J. M. Jennings, Great Driffield.

KNIGHT (Sarah), Chesham, Bucks, widow, Jan. 31, 1865. J. D. Francis, Chesham, Bucks.

LAMPRELL (Mary Ann), Croom-hill, Greenwich, Kent, widow, Dec. 23. Andrew, Atkins and Irvine, 3, White-hart-court, Lombard-street, London.

LAMPLOUGH (Richard), Weaverthorpe East Riding, Yorkshire, farmer, Feb. 13, 1865. J. M. Jennings, Great Driffield.

LLOYD (Edward), Summer-hill, borough of Flint, Flintshire, gentleman, Jan. 13, 1865. O. D. Hughes, Corwen.

LULL (John), New Windsor, Berkshire, gentleman, Feb. 16, 1865. A. F. Millins, Windsor.

MARSH (Rev. William), Beddington, Surrey, Doctor in Divinity, Feb. 10, 1865. Hobbs and Collins, Reading.

MAYHEW (James), Holland-place, North Brixton, Surrey, gentleman, Jan. 31, 1865. Turner and Deane, Colchester, Essex.

MAUGHAN (John Thomas), The Abbey, Great Grimsby, Lincoln, Feb. 28, 1865. Carritt and Son, 24, Basinghall-street, London.

MEEN (James), Redenhall-with-Harleston, Norfolk, gentleman, Jan. 23, 1865. W. M. and T. Hazard, Harleston.

MOORE (Thomas), 3, Belvedere, Bath, Esq., Feb. 1, 1865. Powell, Mathias and Evans, High-street, Haverfordwest.

POWER (Henry), Aston road, Birmingham, cornfactor and seedsman, March 1, 1865. J. Suckling, 45, Cherry-street, Birmingham.

ROBBINS (Thomas William), Castle Malwood, Lyndhurst, Southampton, General in the Army, Dec. 31. Coxwell and Bassett, Southampton.

ROSKILLY (Andrubale), 32, Fenchurch-street, London, and 41, Myddelton-square, Middlesex, merchant, Feb. 10, 1865. Barnes and Bernard, 2, Great Winchester-street, London.

ROWSON (Mary), Cliff-villa, New Brighton, Cheshire, widow, Jan. 7, 1865. E. P. Cearns, Prescot, Lancashire.

ROWSON (William), New Brighton, Cheshire, gentleman, Jan. 7, 1865. E. P. Cearns, Prescot, Lancashire.

SEARLE (Thomas), Horne, Surrey, farmer, Jan. 9, 1865. Head and Son, East Grinstead.

SIMPSON (George), Chich, St. Osyth, Essex, Esq., Jan. 31, 1865. Turner and Deane, Colchester.

SMITH (Henry), Rotherham, Yorkshire, maltster and brewer, Jan. 2, 1865. J. Bamforth, Rotherham.

STARK (Mary), Clifton-villa, Thurlow-place, Lower Norwood, Surrey, widow, Jan. 1, 1865. Taylor and Son, St. Giles-street, Norwich.

THOMAS (James), Walsall, Staffordshire, gentleman, Jan. 24, 1865. W. Thomas, 67, Bridge-street, Walsall.

THURSBY (Francis), Knossington, Leicester, Esq., Feb. 11, 1865. S. H. C. Maddock, 2, Spring-gardens, London.

THURSFIELD (William), 55, St John's-wood-terrace, Marylebone, Middlesex, accountant, Jan. 8, 1865. E. S. Cavell, 7, Gray's-inn-place, London.

WARREN (Anne Corbould), North Repps, Norfolk, widow, March 31, 1865. Bircham, Dalrymple, Drake and Ward, 46, Parliament-street, London.

WATERWORTH (William), formerly of 6, Rectory-villas, West Hackney, Middlesex, and of 2, Bishopsgate-street within, in the city of London, and late of Thornbury-park, Stoke Newington-common, Middlesex, and Wingfield-hall, Suffolk, Esq., March 1, 1865. Hoppe and Boyle, 3, Sun-court, Cornhill, London.

WHITTERLOOD (John Simmons), formerly of 18, Old Broad-street, then 1, Three Kings'-court, Lombard-street, both in the city of London, and late of Laurel-bank, Penge, Surrey, auctioneer and estate agent, Jan. 20, 1863. W. Melton, 6, Bedford-row, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each, in three months, unless other claimants sooner appear.]

BULKELEY (Thomas), Clewer-lodge, Windsor, Esq. Dividends on 218l. Reduced Three per Cent. Annuities. Claimant, Thomas Bulkeley.

DAVIDSON (Andrew Fletcher), Haddington, N.B., Esq. Dividends on various sums of Three-and-a-Quarter per Cent. Annuities and New Three per Cent. Annuities. Claimant, Andrew Fletcher Davidson.

GLANVILL (Samuel), Ottery St. Mary, Devon, Esq. Dividend on 251l. 1s. 6d. Three-and-a-Quarter per Cent. Annuities. Claimant, Samuel Glanville.

MACKONOCHIE (Isabella), Bruntsfield-place, Edinburgh, widow. Dividends on 250l. Three-and-a-Quarter per Cent. Annuities. Claimant, James Mackonochie.

MOXON (Lucy), Mutley, near Plymouth, spinster, a minor. Dividend on 21l. 1s. 4d. Three per Cent. Consols. Claimant, Lucy Moxon (now of age).

TOLLE (James), Hastings, gentleman. Dividends on 3l. 1s. 1d. Three per Cent. Consols. Claimant, James Church Bailey.

COURT OF BANKRUPTCY.—INCONVENIENCES TO SUITORS.—Great inconvenience is frequently occasioned, and was particularly felt to-day, by suitors, in consequence of the large number of important cases fixed for the same hour in small rooms affording very little accommodation. Creditors who attend to prove debts are subjected to much annoyance from the overcrowded state of the courts, which renders it almost impossible for them to sign the papers necessary for the substantiation of their claims. We think the grievance might be avoided if more discrimination were exercised in appointing the day and hour for each meeting, and if the magnitude of the cases were taken into consideration.

THE CHRISTMAS HOLIDAYS.—The Lords of the Treasury—following the precedent of the 17th December 1859, in which year Christmas also fell upon Sunday—have made a minute that Monday, the 26th instant, should be observed as a holiday in all the public offices under their control. They have directed that the Post-Office should be closed, in order to give rest to the several persons employed in that establishment. They have also ordered that the Customs and Inland Revenue departments, and all their dependencies, should only transact on that day indispensable business, and they have directed that notice should be given to the Bank of England that all bills accepted by the Paymaster-General may be presented and paid on the 24th—but that any bills presented on the 26th should be paid if required.

SHAKESPEARE IN A SOLICITOR'S OFFICE.—We have to record a discovery of great interest in connexion with England's great at poet which has recently been made in this town. In the offices of Birmingham solicitors, whose names at present we are not at liberty to publish, some dozen important deeds, including conveyances, grants, leases, &c., have been discovered relating to property adjoining Shakespeare's house in Henley-street, on the east side. These deeds bear dates from 1573 to about 1660. John Shakespeare, the father of the poet, was present at the signature of several, and the name of William Shakespeare himself is repeated a few times in some of them. The deeds are in excellent preservation; and the seals in an unusually perfect condition. We believe that the seal attached to some of these deeds is likely to lead to some very interesting discoveries, and to throw considerable light on our known Shakespearean relics.—*Birmingham Gazette.*

THE YELVERTON MARRIAGE CASE.—The decision of the Court of Session in the petition of Major Yelverton to have the recent judgment of the House of Lords in his favour put in force, and the application of Mrs. Yelverton or Longworth to have the judgment suspended, and the whole case reopened by the reception of fresh evidence, was given at Edinburgh on Saturday week. All the four judges—the Lord President and Lords Curriehill, Deas, and Ardmillan—were unanimous in rejecting the application of the pursuer, chiefly on the ground that the new evidence she proposed to adduce was not of such a character as was likely to induce the judges in the House of Lords to alter the decision they had already given in the case, and it was also urged by Lord Ardmillan, on the authority of Lord Brougham, that the judgment of the House of Lords could only be altered by Act of Parliament. There was, therefore, no alternative but to apply the judgment of the Superior Court in accordance with the petition of Major Yelverton. The Lord Advocate then formally moved that a minute of reference should be made to the oath of Major Yelverton, with a view to still having judgment arrested. The Solicitor-General, however, objected to this, as no notice of such motion had been given. After some discussion on the point, it was ultimately agreed that effect should at once be given to the judgment of the Superior Court, and the Lord Advocate, on the suggestion of the Lord President, said he should give in a note asking leave to make the motion he had proposed.—On Tuesday, in the First Division of the Court of Session, the counsel for the pursuer lodged the minute of reference to oath of the defender (Major Yelverton), and a note was also lodged by counsel for the defender applying to allow the minute to be seen. The minute and note were referred without discussion to the summer roll.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

OXFORD CIRCUIT.

Gloucester, Dec. 9.—Mr. Baron Bramwell opened the commission. The calendar for the county contains the names of 19 prisoners. There are no city prisoners, and his Lordship was, in accordance with the usual custom, presented this morning with a pair of white kid gloves to commemorate the circumstance.

MIDLAND CIRCUIT.

York, Dec. 9.—The commission for holding a winter assize for the North and East Ridings of Yorkshire was opened in this city yesterday, by Mr. Justice Keating. There are 26 prisoners for trial; of these no less than 5 are charged with setting fire to stacks in different parts of the county.

Worcester, Dec. 12.—Mr. Justice Byles opened the commission. The county calendar contains the names of 27 prisoners, whose offences are comprised in the following cases:—Murder, 2; manslaughter, 2; arson, 3; burglary, 3; unlawful wounding, 2; robbery with violence, 2; larceny from the person, 1; perjury, 2; forgery, 1; larceny, 2; damaging a house by throwing gunpowder therein, 1; doing grievous bodily harm by throwing hot water, 1. The city calendar contains the names of 4 prisoners, of whom 1 is charged with receiving stolen property knowingly, 2 with coinage offences, and 1 with falsifying the books of a gas company with intent to defraud.

NORTHERN CIRCUIT.

Leeds, Dec. 14.—Mr. Justice Keating opened the commission. The following is a summary of the principal offences:—Murder, 1; child murder, 1; manslaughter, 3; wounding with intent to murder, 4; rape, 5. The calendar contains the names of 55 prisoners.

NEW MAGISTRATES.—It is announced that the following gentlemen have been placed on the commission of peace for the borough of Wigan:—Mr. John Cross, Mr. John Lea, Mr. Thomas Marshall, and Mr. James Fairclough.

DEATH OF EX-JUDGE PERRIN.—The Hon. Louis Perrin, retired judge of the Court of Queen's Bench, died on Wednesday morning, at an advanced age, at his residence, Knockdromin, near Rush, county of Dublin. He was called to the bar in 1806; appointed by the Marquis of Normanby Attorney-General 29th April 1835, which office he filled until he succeeded, in August of the same year, as one of the judges of the Court of Queen's Bench. Judge Perrin retired on a pension in Feb. 1860, and was succeeded by the present Mr. Justice Fitzgerald.—*Dublin Evening Mail.*

FACTS AND FANCIES.—A good many years ago the writer was standing in the Court of Chancery, in Lincoln's-inn Hall. Lord Truro was Chancellor. The time was 3.30 p.m. The present Attorney-General, then Mr. Roundell Palmer, was speaking. He made a pause at the end of a paragraph in what was doubtless a very able speech. Then, after the pause, he resumed; but he was speedily cut short. For the Chancellor, suddenly rising, said with a bow, "Ah, I see you're going upon another ah ah—!" and then bowing again, scuttled out of court in a manner characterised rather by rapidity than by dignity; leaving the counsel to gather up his papers and put them in his bag and depart. This procedure was the occurrence described in the *Times* as the rising of the Court. It was less imposing to witness than to read of.—*Fraser.*

A SCENE AT THE FRENCH BAR.—The Paris correspondent of the *Times* writes: I was not mistaken in my anticipation that the service expected from the Court of Appeal would be rendered to the satisfaction of the Government in the case of the "Thirteen," and that the judgment of the lower court would be confirmed. It has been confirmed, as you are aware before this. The affair, however, is not over. The incident which occurred while judgment was delivered will, were there no other ground of objection, occasion a further appeal to the Court of Cassation. That incident has greatly moved the Paris Bar. Yesterday and the day before, it was the subject of animated and angry comment in the outer Hall, the Salle des Pas Perdus, of the Palais de Justice. It appears that before and during the judgment several of the accused, with their counsel, namely, Messrs. Senard, Crémieux, Picard, Dreo, Herisson and Coulon, applied for admission to the court, which opened precisely at eleven o'clock. They were refused, though they repeatedly told the police officers in attendance at the doors who they were. It was when all was over, and when the court was preparing to hear another cause, that the doors were thrown open and they were admitted. When business was resumed, M. Picard, as one of the counsel for the defence, moved the court to take cognisance of the refusal which he and his brother counsel and the accused had met with in their demand to be present while judgment was delivered. The Judge, who was not the same who presided at the trial, cut him short by informing him that the cause had been disposed of, and that he could not be heard. Between the Judge and M. Picard occurred the following dialogue:—"M. Picard: At the moment when the court is about to resume business, I consider it my duty to lay on the table the following conclusions—Whereas, in consequence or an order badly given, or badly interpreted, the accused and the counsel for the defence were not admitted to hear the judgment. The Judge: In what cause do you appear? M. Picard: The court will see that the question is one of great interest touching the police of this court. The Judge: But the court is not composed as it was a few minutes ago, and it can take cognisance only of the causes on the paper. M. Picard: The composition of the court does not concern us; it is a fact with which we have nothing to do, and it cannot stop us. The court is always the court, and, moreover, it does not yet know what our object is. Is it not the first duty of the court to hear what we have to offer? The Judge: It is impossible. M. Picard: The court will excuse me, but it ought to receive our motion, disposing of it, of course, as it may think proper. The Judge: But the case you appear in is not called on. M. Picard: I know it; and it will never be called on. (Laughter in court.) The Judge (somewhat angrily): I shall order the court to be cleared if such manifestations occur; and, as I have already observed, it is when people talk of liberty that the action of justice should be respected. M. Picard: At the present moment we have to do only with right. M. Crémieux (another of the counsel for the defence): And on this ground we shall be always united. The Judge: The court cannot revert to a cause which has been decided. M. Picard: But the court, I repeat, does not yet know what we want to submit to it. The Judge: Do you appear in the Jacquet case? M. Picard: I shall soon appear in that case. For the present, however, I have to make a motion. Does the court refuse to hear me? The Judge (to the crier): Call on the Jacquet case. The Crier (shouting): *The Crown v. Jacquet.* M. Jacquet: I have nothing to say; M. Picard is to speak for me. The Judge: Do you mean to give us your name or not? If not, we shall judge you by default. M. Picard: The court then refuses to hear my motion; I lay it on the table." The clerk of the court then received the paper from the hands of M. Picard, but the judge refused to take cognisance of it, and so the matter ended. It is hardly necessary to say that this exclusion of the accused and their counsel and the conduct of the judge will not greatly exalt the *magistrature* in public estimation. The Profession do not conceal their astonishment and indignation at such a proceeding. The result of the appeal has surprised nobody. The accused were condemned before their trial. It will be strange, indeed, if the Court of Cassation allows such an incident to pass without reprobation, should the "thirteen" appeal to it.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

ASSISTANT OVERSEER.—Where the resolution of the vestry merely stated that B. was elected assistant overseer of the parish at 15l. a-year, and the warrant of justices recited that the vestry appointed him to perform all the duties of overseer of the poor, and then authorised and empowered him to perform the said duties: it was held to be a sufficient appointment, and that the resolution by implication meant him to be overseer in all respects and to perform all the duties of overseer: (*Reg.* v. *Justices of Salop*, 11 L. T. Rep. N. S. 416. Q. B.)

WEIGHTS AND MEASURES.—A railway company was held to be liable to the penalty for having an unjust weighing machine, which did not indicate the true weight, although the difference was in fact always allowed when goods were weighed: (*Bailie* v. *The Great Western Railway Company*, 11 L. T. Rep. N. S. 418. Q. B.)

GAMING—SUPPRESSION OF BETTING HOUSES ACT.—A betting agent meeting others at a rendezvous in Hyde-park, and there making bets, is within this Act, as much as if they had met in a room, and plaintiff may recover back his deposit by an action for money had and received: (*Doggett* v. *Catterns*, 11 L. T. Rep. N. S. 422. C. P.)

PENTONVILLE PRISON.—The public were the other day taken by surprise by the intelligence that Captain Craig, the Governor of the Pentonville Prison, had absconded with some 2000l. of the public money in his possession. It now appears that Captain Craig made his way to Cardiff, and stayed for several days at the Angel Hotel in that town under the assumed name of "Captain Brown." He, however, sent the "boots" several times to the Telegraph-office for messages addressed to Captain Craig, and therefore there is no doubt entertained as to his identity. The police authorities in London having discovered the whereabouts of Craig, two detectives were sent down, and, singularly enough, they also took up their quarters at the Angel Hotel. "Captain Brown" complained of illness, and was confined to his bedroom from the day of the arrival of the detectives to his departure. The captain left the hotel without attracting any particular attention, for, it is believed, Liverpool, whence he sailed for America, thus getting clear of the detective officers, although staying in the same house. This is a remarkable instance of the police being fairly baffled in their endeavours. The appointment has been conferred on Mr. John C. H. Bones, Deputy-Governor of Portsmouth Convict Prison. Captain C. B. La Touche has been appointed to succeed Mr. Bones at Portsmouth Prison.

MANSION-HOUSE.—On Saturday, at the conclusion of the business of the day, the Lord Mayor said the public, perhaps, were not aware of the course of procedure which had been in operation in the city justice-rooms for a considerable time past for the identification of offenders previously convicted, and which had proved most effectual to their discovery and punishment. Whenever in any case it was desired to ascertain, either for the purpose of committal for trial or summary disposal, the antecedents or previous conviction of a person charged before the city magistrates, the prisoner was remanded to Newgate till a future day to enable him to be seen by the officers of the various prisons in the metropolis, and in order to obtain the attendance of the constable who had the previous case, and the certificate of the conviction, if necessary. In the meantime a warder from the city prison at Holloway, appointed to that special duty by the Gaol Committee of the Court of Aldermen, as well as an officer from the Coldbath-fields House of Correction (also within the last three months deputed for that purpose by the visiting justices of Middlesex, at the suggestion of the City Gaol Committee) visited Newgate and the House of Detention at Clerkenwell on appointed days in each week for the purpose of identifying prisoners remanded either from the city justice-rooms or the metropolitan police-courts, as well as those persons sent for trial from any district to the Central Criminal Court or Middlesex Sessions and then the officer, if necessary, procured the proper evidence and produced it to the magistrates accordingly. The justices of Kent and Surrey had also, at the suggestion of the City Gaol Committee, deputed an officer to attend the prisons in London previous to each session of the courts, in order to identify persons previously in custody or convicted in these counties. So that, in fact, this new practice originated with the city authorities, and if it was adhered to uniformly by the magistrates througout the metropolis the result could not fail ultimately to secure the greater safety of the public by bringing to justice many of the old offenders now at large.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bath	Friday, January 6	T. W. Saunders, Esq.	14 days	J. Taylor.
Berwick-on-Tweed	Friday, January 6	R. Ingham, Esq., M.P., Q.C.	5 days	R. Home.
Bolton	Thursday, December 29	R. R. Armstrong, Esq.	10 days	J. Gordon.
Bridgwater	Tuesday, December 27	E. H. Reed, Esq.	14 days	J. Trevor.
Bridgnorth	Friday, December 30	U. Corbett, Esq.	14 days	W. D. Batte.
Brighton	Monday, December 19	J. Locke, Esq., Q.C., M.P.	2 days	E. Evershed.
Cambridge	Thursday, January 5	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen	Wednesday, January 4	J. Johnes, Esq.	10 days	J. H. Barker.
Devonport	Thursday, December 29	C. Saunders, Esq.	10 days	G. H. E. Rundle.
Doncaster	Friday, January 6	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Tuesday, January 3	E. W. Cox, Esq.		W. R. T. Pender.
Faversham	Monday, January 2	G. Francis, Esq.	Statutory notice	J. Phillips.
Helston	Thursday, January 5	E. W. Cox, Esq.		A. Rogers.
Hereford	Tuesday, January 10	F. E. Gulse, Esq.	14 days	R. Johnson.
King's Lynn	Thursday, January 12	M. J. West, Esq.	8 days	P. Wilson.
Kingston-on-Hull	Wednesday, December 28	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Wednesday, December 28	J. B. Maule, Esq.	10 days	J. W. H. Richardson.
Leicester	Wednesday, January 4	Mr. Serjeant Hayes	8 days	R. Toller.
Newark	Saturday, January 7	J. F. Stephen, Esq.		T. F. A. Burnaby.
Northampton	Friday, January 6	J. H. Brewer, Esq.	10 days	C. Hughes.
Oswestry	Friday, December 30	J. R. Kenyon, Esq.	Same day	W. I. Bull.
Plymouth	Friday, December 30	C. Saunders, Esq.	14 days	R. E. Moore.
Rochester	Saturday, December 31	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Stamford	Saturday, December 31	The Hon. E. C. Leigh	10 days	J. Torkington.
Wenlock	Saturday, December 31	U. Corbett, Esq.	14 days	G. Potts.
Wigan	Wednesday, January 25	J. Catterall Esq.		R. Leigh.
Winchester	Monday, January 2	A. J. Stephens, Esq., Q.C.	14 days	C. Bailey.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Mortmain.—The Lord Chancellor has thus clearly stated the rule of construction:

In the administration of charitable bequests, it is the duty of the court to ascertain from the words of the will, by the ordinary rules of construction, the true meaning and intention of the testator, both as to the bequest itself and the mode of carrying it into effect, without, in the first instance, adverting to the existence of the Statutes of Mortmain. When the intention of the testator has been ascertained, inquiry is to be made whether the whole or any part of that intention is contrary to the provisions of the statute. But no secondary interpretation ought to be adopted, nor ought the court to resort to any different mode of administration from that indicated by the testator, even though it may be reasonable in itself, for the purpose of escaping from the operation of the statute. All this is well and concisely expressed by the L. C. in the case of *The Attorney-General* v. *Williams*, 2 Cox, 387, in these few words: "The court will not alter its conception of the purposes of a testator, merely because those intentions happen to fall within the prohibitions of the Statute of Mortmain." I have thus stated the rule because I find in the report of the present case and in the reports of previous cases words attributed to the V. C. which do not appear to me to express the rule quite accurately.

B. had given stock to the treasurer, for the time being, of the Society for the Prevention of Cruelty to Animals, to be applied by the committee in such manner as they should think best towards the establishment, in the neighbourhood of London and Westminster, of slaughter-houses, away from the densely populated places in which they were now situate, for the relief and protection from cruelty to animals taken to be slaughtered. This was held to be a void gift under the stat. 9 Geo. 2, c. 36: (*Tatham* v. *Drummond*, 10 L. T. Rep. N. S. 324. Westbury, L. C.)

Mortgage—Reversionary Interest. — A mortgage of a reversionary interest is but a sale of it *pro tanto*, and is governed by the rules that regulate such sales. B. mortgaged a reversionary interest to C., but it appeared afterwards that the security extended far beyond the actual advance. Pending the disputes that grew out of it B. offered to pay to C. more than he was ultimately held to be entitled to, but C. refused the offer. On a bill to set aside the mortgage, it was ordered to stand as a security for so much only as had been actually advanced to B., and that C. should pay the costs: (*Tottenham* v. *Emmet*, 11 L. T. Rep. N. S. 404. M. R.)

Vendor and Purchaser.—A lessee had the option to purchase the freehold at any time within seven years, by giving three months' notice and paying a certain sum at the expiration of such notice. He gave the notice in due time, but did not pay the money by the day the notice expired. Specific performance was refused to him, the time of payment being a condition of the contract: (*Lord Ranelagh* v. *Melton*, 11 L. T. Rep. N. S. 409. Kindersley, V. C.)

Trustees Relief Act.—A trustee is not justified in paying a fund into court under this Act merely because he entertains a doubt as to the right of the claimant. There must be a reasonable case of uncertainty: (*Re Elgar*, 11 L. T. Rep. N. S. 415. V.C. Wood.)

LAW STUDENTS' JOURNAL.

Correspondence.

Articles of Clerkship.—I should feel greatly obliged if any of your correspondents would be kind enough to answer the following queries:—1. Is it necessary for two witnesses to attest the execution to an assignment of articles of clerkship from the executors of a deceased attorney to another attorney, or is one sufficient? 2. If the assignment be enrolled within the six months required by the 6 & 7 Vict., but is not produced to the registrar of attorneys, pursuant to the 23 & 24 Vict. c. 127, s. 7 (which requires the production of the original articles or assignment to be made within three months after the enrolment) until after the expiration of seven months from the execution, being four months from the enrolment, will it be necessary to obtain a judge's order for the service under the assignment, to run from the date and not from the time it was produced to the registrar?

An Articled Clerk.

Birkenhead, Dec. 12, 1864.

Examination Honours.—In the last number of the Law Times there appeared a letter relative to the present mode of rewarding those gentlemen whom the examiners deem worthy of honorary distinction. It suggests that, instead of giving prizes of books to the successful competitors, as is the present mode of rewarding them, it would be more satisfactory to bestow upon them a more lasting *indicia* of their hard-worked term of service, by giving them a title which might accompany them through life, such as those bestowed by the Universities. This is undoubtedly a subject deserving of the serious consideration of all articled clerks. For my part I think that the alteration contemplated is a good one in all respects. There cannot be a doubt that a title or diploma would be far more sought after than merely a volume or two of legal works, be they never so good. The legal profession is the only one that is without its own peculiar insignia or diploma; and why should it be so? Even supposing that the members of the profession, some sixty or seventy years ago, were less worthy of any such distinction than were the members of the other learned professions (which I certainly think was not the case), it surely cannot be said that the present generation of attorneys and solicitors do not merit any such distinction either. If, then, the members of our profession do merit a diploma of this sort, there certainly cannot be a better mode or opportunity of bestowing it than that suggested by your correspondent Mr. Redpath. The matter, I believe, rests in a great measure with ourselves, the articled clerks, and with the Incorporated Law Society. If we bestir ourselves in the matter and show that we desire a change, will not the Law Society (always ready to help us) help us in this? It surely will. Your opinion on the subject, Mr. Editor, would be gladly received, and be of much weight in guiding us.

Joseph Horton Dyer.

West Bromwich, 14th Dec. 1864.

PRELIMINARY EXAMINATIONS

BEFORE ENTERING INTO ARTICLES OF CLERKSHIP TO ATTORNEYS AND SOLICITORS.

Pursuant to the Judges' Orders, the Preliminary Examination in general knowledge will take place on the 9th and 10th May 1865, and will comprise—

1. Reading aloud a passage from some English author.
2. Writing from dictation.
3. English Grammar.
4. Writing a short English composition.
5. Arithmetic.—A competent knowledge of the first four rules, simple and compound.
6. Geography of Europe and of the British Isles.
7. History.—Questions on English History.
8. Latin.—Elementary knowledge of Latin.
9. 1. Latin. 2. Greek, Modern or Ancient. 3. French. 4. German. 5. Spanish. 6. Italian.

The special examiners have selected the following books, in which candidates will be examined in the subjects numbered 9 at the examination on the 9th and 10th May 1865:—

In Latin.—Cicero, De Senectute; *or*, Ovid, Fasti, book i.

In Greek.—Homer, Iliad, book vi;

In Modern Greek.—Βιτσαρίου, περὶ Ἀλεξάνδρου καὶ Ἑλλήνων μετοχμερίου ἀπὸ τὴν Ἰταλικὴν Γλῶσσαν, 1—7, both inclusive; *or*, Βικτωρὶ Ἱστορία τῆς Ἀμερικῆς, βιβλίον ζ.

In French.—Jean Racine, Esther, acts 1, 2 and 3; *or*, Lesage, Gil Blas, liv. 1 and 2.

In German.—Schiller's Don Carlos, acts 4 and 5; *or*, Tieck, Das grune Band.

In Spanish.—Cervantes' Don Quixote, capit. i. to xv. both inclusive; *or*, Leandro Fernandez de Moratin, El Sí de las Ninas.

In Italian.—Manzoni's Promessi Sposi, cap. i.—viii. both inclusive; *or*, Torquato Tasso's La Gerusalemme, 4, 5 and 6 cantos.

With reference to the subjects numbered 9, each candidate will be examined in *one language only according to his selection*. Candidates will have the choice of *either* of the above-mentioned works.

The Examinations will be held at the Incorporated Law Society's Hall, Chancery-lane, London, and at some of the following towns:—Birmingham, Brighton, Bristol, Cambridge, Cardiff, Carlisle, Carmarthen, Chester, Durham, Exeter, Lancaster, Leeds, Lincoln, Liverpool, Maidstone, Manchester, Newcastle-on-Tyne, Oxford, Plymouth, Salisbury, Shrewsbury, Swansea, Worcester, York.

Candidates are required by the judges' orders to give *one calendar month's* notice to the Incorporated Law Society, before the day appointed for the Examination, of the *language* in which they propose to be examined, the *place* at which they wish to be examined, and their *age* and *place of education*. All notices should be addressed to the Secretary of the Incorporated Law Society, Chancery-lane, W.C.

E. W. Williamson, Secretary.

Law Society's Hall, Chancery-lane,
London, Dec. 1864.

Form of Notice.

Notice is hereby given, that A.B., of aged who was educated at intends to apply on to be examined at in the language.
Dated the day of 18 .

ANSWERS TO THE EXAMINATION QUESTIONS. (*a*)

Michaelmas Term 1864.

IV. PRELIMINARY.

Questions 36 to 40 are a repetition of the preliminary questions.

V. EQUITY AND PRACTICE OF THE COURTS.

41. *Defences.*—They are (1) answer, by which the defendant may confess and avoid, or traverse and deny the bill, &c. 2. Plea, by which the defendant may show cause why the suit should be dismissed, barred, &c. 3. Demurrer by which he may demand whether he shall be compelled to answer or not. 4. Disclaimer, by which he may disclaim all right and interest in the suit: (Hallilay's Ch. Suit, 21.)

42. *Times.*—(*a*) Eight days after time limited for the defendant to appear. (*b*) Within fourteen days after the expiration of the time within which interrogatories might have been delivered. (*c*) Six weeks after the answer is filed. (*d*) Usually fourteen days after date of order. (*e*) Within fourteen days after service of the notice of motion: (Hallilay's Suit, pt. 1.)

43. *Revivor.*—1. The court upon motion by the defendant made on notice served on the plaintiff's legal personal representative may order such representative to revive the suit within a limited time, or that it be dismissed. Before decree a defendant cannot revive the suit. 2. The plaintiff may as a rule on motion or petition of course obtain the usual order to revive against the representative of the defendant: (Smith's Pr. 793, 798, 803, 7th edit.)

44. *Sale.*—The plaintiff's solicitor, having left the order, &c., in chambers, a summons to proceed thereon is issued and served. The advertisements are then prepared by the solicitor and approved and signed by the chief clerk and inserted in the *Gazette* and newspapers. The particulars are next prepared and with an abstract of title laid before the proper conveyancing counsel to the court for him to advise on the title and draw and settle the conditions; after which the particulars and conditions are approved by the chief clerk and printed, and two certified prints thereof left at chambers.

(*a*) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(*b*) The questions are given *ante*, p. 44.

The reserved biddings are then fixed by the chief clerk (on the usual affidavit of a surveyor as to the value of the property) and enclosed in a sealed cover. The auctioneer and day of sale being appointed, a copy of the particulars and conditions of sale signed by the chief clerk, and the bidding paper, affidavit, and directions are obtained at chambers, and handed to the auctioneer with the reserved biddings. The sale is conducted in the usual way, and when concluded the auctioneer swears the affidavit verifying the biddings and the signatures of the purchasers and it is filed, the bidding paper and particulars being marked as exhibits. An office-copy of this affidavit and the bidding paper and particulars are left at chambers, and the chief clerk thereupon prepares a certificate of the result of the sale, which is approved and filed in the usual way: (see Ayck. Pr. 489, 495, 7th edit.; Hallilay's Digest, 383, 4th edit.)

45. *Opening biddings.*—Unless there be some fraud or trust the court will not open the biddings except upon an advanced bidding. As a general rule, 10*l.* per cent. was formerly considered to be a sufficient advance on a large sum. In some cases the court will be satisfied with less, and in others require more. An order is necessary for the purpose, which is obtained either on summons or special motion, and in ordinary cases within eight days after the certificate of sale is filed. If the order is granted, the applicant must then pay in his deposit, as also the costs, charges and expenses of the first purchaser, and thereupon a re-sale takes place: (see Ayck. Pr. 501, 7th edit.; Hallilay's Suit, 367.)

46. *Settled Estates Act.*—By this Act the court is empowered (notwithstanding the absence of such powers in a settlement) to authorise leases and sales of settled estates where it is satisfied that they would be proper and consistent, and that Parliament has not refused the application: (see 19 & 20 Vict. c. 120.) The application to the court is by petition in a summary way: (s. 16.) It must be made with the consent of the persons mentioned in ss. 17 & 18: (see fully Hallilay's Digest, 166, 368, &c., 4th edit.)

47. *Ademption.*—The ademption of a legacy is an implied revocation of it. As if a testator bequeaths a specific legacy, as a particular ring, and afterwards parts with it, the legacy is ademed. So if he bequeaths a pecuniary legacy to a child and afterwards advances the child in the same or a less amount in his lifetime, the legacy is either wholly or partially ademed: (see Hallilay's Digest, 294, 4th edit., and cases there cited.)

48. *Satisfaction.*—If a debtor bequeaths a legacy to his creditor which is equal in amount and in all other respects equally beneficial, and the will contains no charge for payment of debts, the legacy is a satisfaction of the debt. So if a portion is secured by marriage-settlement or otherwise to a child, and the parent or person standing in *loco parentis* afterwards bequeaths the same child a legacy which is substantially the same in nature, amount, time of payment, &c., and be not given for a different purpose, it will (by implication) be a satisfaction of the portion either altogether, or *pro tanto*, according to circumstances: (Smith's Man. 342, 6th edit.)

49. *Descent.*—(*a*) To the two sons, subject to the widow's dower if not barred. (*b*) The freeholds to the eldest son subject to the widow's dower, &c.; the leaseholds being personalty will go a third to the wife, rest to sons and daughters equally. (*c*) This being an equitable conversion will go as the leaseholds. (*d, e*) Like the leaseholds. (*f*) To the eldest son: (Hallilay's Digest, 383, 4th edit.)

50. *Power.*—Wife, child, charity, purchaser, creditors, and intended husband: (Smith's Man. 40, 6th edit.; Hallilay's Digest, 383, 4th edit.)

(To be continued.)

CORRESPONDENCE OF THE PROFESSION.

LEASE—COVENANT.—I shall feel obliged to any of your readers who can direct me to any decided case or judicial opinion on the validity of a covenant, now frequently inserted in leases, binding the lessee to insure in a particular fire office named by the lessor. It is a common opinion in the Profession that a breach of this covenant has been held not to afford a ground for forfeiture unless the landlord can prove that he has sustained any damage from his premises being insured in an office different from that named.

London, Dec. 15, 1864. C.

INVADERS.—Knowing you have the interests of the Profession at heart, I beg to bring before your notice the fact that accountants are making serious inroads on the practice and profits of our occupation. They collect debts, give instructions to particular attorneys to issue writs, and I suppose they do not work gratuitously. They take debtors to attorneys, who attest their execution of deeds under the Bankruptcy Act, and then travel about to get the execution of creditors, charging as professional men for attendances obtaining execution of deeds. It becomes a question in the interest of the Profession how to restrain this; and, so far as the deeds are concerned, it can be made certain by requiring the attestation of execution of every creditor to be attested by an attorney. As the Profession appears to be gradually drifting away into unprofessional hands, could not attorneys be eligible for appointments as stipendiary magistrates in England, Ireland and Scotland, the colonies generally, and particularly India, after certain years' standing, to be secured to them by statute law?

AN OLD SUBSCRIBER.

Portsea, Hants, 9th Dec. 1864.

STAMP-OFFICE IRREGULARITIES.—One of the nuisances of the Stamp-office is, that if an executor or administrator reside elsewhere in England than in London, and want to increase the stamp duty upon the probate or letters of administration, he must either go to London himself, or employ an agent there to do it, and must send or take up the duty and necessary documents at a great cost and risk; whereas the matter might be as well and properly done by merely leaving them with the stamp distributor in the country. The same rule is adopted with reference to a deed required to be stamped, or to have an increased stamp put upon it; an agent in London must be employed to do it, and the deed and duty must be sent to him, and by him taken to the Stamp-office, the costs of doing which in many cases exceed the duty. To this rule the Stamp-office adhere without any reason, and notwithstanding the case of *Closmaden* v. *Carrell*, 2 Jur. N. S. 474, to which their attention has been directed, and in which it was held that a document left with a stamp distributor in the country with the proper duty, to be sent to London to be stamped, would be considered as having been properly stamped without further evidence of such being the case. A singular part of the business is, that they will permit an agreement to be so left, but no other document. Why is an agreement so highly favoured? Why should it alone be so permitted, or rather encouraged, to submit itself to the tender embrace of the Government die? Please do something to remedy this unnecessary cost and inconvenience to the public. A man of common sense will not believe an attorney when he is told that such an anomaly exists, especially when he has to pay a guinea for the luxury. X.

Manchester, 14th Dec. 1864.

THE REFORM OF THE BAR—THE INNS OF COURT.—The late Lord Abinger, when at the Bar, in order to justify an indictment for blasphemy, alleged that it was unjustifiable to destroy the Christian religion, unless a better could be substituted. So, as regards the Bar, the observation applies with equal force against any person attempting to reform it. Whilst, therefore, I write to thank you for inserting my last letter, I hope you will allow me to show that I am prepared with a reform of the Bar, consistent alike with the preservation of the legitimate influence of the Crown and the moral rights of the Bar; and which, moreover, would be conducive to the welfare of the suitor. I am aware that many barristers consider the Bar a privileged class, and that, as a barrister cannot contract for his fees, he is not a labourer at all, and that it is therefore an error, and even an indignity towards the Bar, to suppose that the laws of political economy apply to that branch of the legal profession. Permit me to observe, that this sentiment reminds me of the hero represented as mounting a high horse and then beginning to eat custards, and that it is as reasonable as it would be to offer an orphan, with both eyes perfect, as a proper candidate for a blind asylum. That the Bar is a privileged class cannot be doubted, though, under the present government of the Inns of Court, how far it is justly entitled to that privilege, is one of the gravest questions of the day for the consideration of the legal profession. Moreover, that the Bar not only is, but that it ought to be a privileged class, I, for one, think to be not only expedient, but essential to the public welfare. That the Bar is a very learned, highly honourable and generous body cannot be doubted; but there is nothing human, nor anything done, directly or indirectly, by human agency, that is absolutely perfect. Even Christianity has two blots on its otherwise most pure and lovely aspect; viz., where its author is represented as recognising the barbarous and impossible doctrines of Calvin, and that the Deity takes advantage of his own wrong. And so it is with the Bar; it has only two defects, viz., the spurious conditions on which a man becomes a barrister, and the system of government by the Crown to which the Bar at present submits. The reform I advocate is not the destruction, but the amendment, of the Bar. As regards the conditions on which an approach to the Bar should be allowed, they should be such as to occasion the barrister's profession to deserve its appellation. They should be such as to raise a reasonable expectation in the mind of the public that the practising barrister is a learned gentleman, a gentleman competent for his professional duties. No one therefore should become a practising barrister who has not gone through the process of a suitable educational training, for which purpose an examination on the four following topics should be insisted upon, viz.: The routine and practice of a solicitor's office in all its departments, the learning and practice obtained in the chambers of special pleaders, conveyancing counsel and equity draftsmen. Solicitors should have a statutory authority to take apprentices for the Bar for two years, to whom of course they would give special instruction and special employment suitable to a gentleman coming from the Universities or elsewhere, and suitable for the future professional *status* of a barrister. There would be no hardship in the Inns of Court requiring the following conditions as indispensable conditions previously to a student being called to the Bar as a practising barrister, viz., an apprenticeship of two years in a solicitor's office, and a certificate of good conduct from the solicitor and like certificates of good conduct for one year from each of the three other professional tutors. On these conditions only should any candidate be allowed to become a practising barrister. But the Bar ought not to be confined to practising barristers; it should be open to all gentlemen (as it is now) to become barristers. The consequence of this reform would be that on calls to the Bar a certificate entitling the barristers to practise would be given to some barristers, whilst others would not be entitled to practise, and would not require to do so, but gentlemen not intending to practise would continue to become members of the Inns of Court, and would thereby continue to infuse into the atmosphere of the Inns of Court the salutary influence of high birth, gentle manners, and aristocratic accomplishments. So much for access to the Bar. I now come to the Bar itself; but here our attention must be especially arrested by the suitor; indeed, throughout the consideration of the present very interesting and important subject, the welfare of the suitor should be mainly regarded. Have, then, suitors any just cause of complaint against the present system? It will be said there is no want of sound, good and able counsel, and therefore, however the professional concerns of the Bar may be affected, the suitor has no cause for complaint. Whether the suitor has any cause for complaint depends not on his being able to find sound, good and able counsel, but whether his choice ought to be practically restricted to a favoured few—to a few counsel by Crown favour enjoying a monopoly of leading forensic business—whilst, doubtless, there are barristers, not participating in that monopoly, who could serve him just as well, and at far lower fees. The existence of an inner Bar necessarily saddles the suitor with the employment of two counsel in numerous cases where one would be sufficient, and thus the charge to the suitor is ordinarily increased by two artificial and unnecessary incidents, viz., by two counsel where one would suffice, one of them being necessarily employed at far higher fees than a free competition would enable him to obtain. Under a divided Bar the seat in court of the junior, or rather the outer, barrister is extremely inconvenient. He sits immediately behind the leading counsel. Now, I think it may be alleged that, for the benefit of the suitor, all counsel employed in court should have an equal chance of gaining and keeping the ear of the court, which at present is not properly secured to the outer barrister, from his being behind his leader and further from the judge, and in a place making conversation between him and his leader, or between him and the solicitors, personally inconvenient. The first reform for the benefit of the suitor to which the Bar ought to be called upon to submit, would therefore be this, viz., that the front row of seats in court should be appropriated to the exclusive use of all the counsel, both senior and junior, engaged in any cause, whilst it is being heard, and the row for solicitors opposite should be appropriated for the exclusive use of the solicitors and their clerks engaged in the same cause. This would remove a great existing inconvenience. As regards the Bar, the reform required is to secure, as already observed, both the legitimate rights of standing to the Bar, and the just influence of the Crown over that important and influential public body, and it appears to me that the following scheme, whilst embracing both those objects, is also highly beneficial to the suitor. The Crown having the prerogative of favour over the Bar (which prerogative was first corruptly exercised in the reign of that profligate and unscrupulous tyrant Charles II.) can advance of its own mere grace and favour, without reference to any public services, one barrister over the heads of his superiors in standing, learning, experience and practice. The Crown is virtually irresponsible in this matter, for where is the poor or commoner who would question even the most extravagant and unreasonable advice given by a Lord Chancellor to the Crown in this business of promotion at the bar; for example, the batch of counsel who received the gown from the late Lord Chancellor Campbell? The advice given to the Crown on that occasion has never been questioned in the Legislature, though it has in private received the rebuke of every member of the Bar who has any regard for a reasonable and just exercise of the prerogative in question. Lord Campbell, happily, did not live to perceive the censure he deserved. The present Lord Chancellor has been, as regards the Bar, generally just and considerate in this branch of his duties,

but the honour of the Crown ought not to be exposed to the imputation of interfering with the competitive freedom of the Bar arising from the natural rights of labour. It, then, being borne in mind always that the front seat in every court should be occupied by all the counsel engaged in the hearing of any cause, without reference to their standing or rank, except that the plaintiff's counsel should be on the right, the defendant's on the left hand of the judge (unless by mutual agreement between the leading counsel engaged a different arrangement should be come to), it would follow that it would be utterly immaterial in what part of the court the remaining members of the Bar located themselves. The forensic reform now advocated would then be as follows, viz.: Let the Crown no more invade the rights of the Bar, as regards pre-audience arising from seniority of call to the bar, but let each barrister, when actually engaged for a suitor in court, take his seat in the front row (appropriated as before mentioned) in accord with such seniority. But how then is the influence of the Crown to be maintained over a body of men so learned, and therefore so independent, as the Bar? True, the Bar is independent, high-spirited and honourable, but in no respect indifferent, nor ought it to be indifferent, to Royal distinction, whether such distinction be conveyed under the emblem of a peacock's feather, a silk gown, or two letters of the alphabet. The Crown may, therefore, well preserve overthe Bar its legitimate influence as the fountain of honour, without invidiously raising one barrister over another in a profession in which standing alone ought to be respected by the Crown, and in which competition should be free as the mountain air. Let the Crown, then, abandon the order of favour, and substitute that of merit and learning; and let the prerogative be always exercised spontaneously. Let an application for the new order of itself disqualify a barrister from receiving it. Let the Bar be, then, as regards practice in court, one entire undivided body, without any right except what arises from seniority: for example, where one or more barristers are engaged, let each be entitled to address the court according to the date of his call to the Bar; but let the Crown be entitled to distinguish barristers by two orders of merit and learning, one superior to the other. The practising Bar would then be divided, but not for the purpose of forensic business, into three classes; viz., those on whom the Crown had conferred either of the two honourable orders, and the general Bar. With a view to dovetail the proposed reform as nearly as possible to the existing condition of the Bar, let the barristers on whom the higher order would be conferred be designated as the Queen's consulting counsel, and the secondary grade as the Queen's counsel, and as a compensation to the existing Queen's Counsel, let them be the first members of the higher order, with a corresponding right of pre-audience. In addition to this a barrister of not less than ten years' standing ought to be at liberty to hold himself out as a leader at the bar, and should be at liberty to wear a gown denoting that he confines his practice to the business of a leading counsel; and ever afterwards he should be precluded from any business except that of opinions and as a consulting and court counsel. The appearance of the Bar when in court would be much improved, and the dramatic effect of the court generally would be strengthened if the proposed four orders of the Bar were to be costumed, each in a distinguishing robe: for example, the Q. C. C. in a purple silk robe, the Q. C. in a red silk robe, the decennial leading barrister in the present silk gown, and the remainder of the Bar in their present black gowns. All this about the vesture of the Bar is of course secondary, the primary object being obtained by the proposed reform, viz., free competition at the Bar; increased advantages to the suitor; and the development, for the public benefit, of a large amount of forensic ability, which under the present system is from the first and ever afterwards suppressed. Edward Webster.

North-lodge, Ealing, 13th Dec. 1864.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for bona fides.

Queries.

Investment of Trust Funds—(23 & 24 Vict. c. 145, s. 25; 23 & 24 Vict. c. 38, ss. 10, 11; see also 24 Vict. c. 14, s. 9; 26 Vict. c. 14, s. 4).—A client of mine is trustee for infants under a will made since the passing of the above statutes. The shares are very small, and the parties entitled wish the money to be invested in the Post-office savings bank. Would this be a "proper" investment? Solicitor.

Worcester, Dec. 10.

Reversion—Covenant.—In *Twynam* v. *Pickard, jun.*, 2 Barn. & Ald. 105, it was held that covenant will lie by the assignee of the reversion of part of the demised premises against the lessee for not repairing; but in *Knight's* case, 5 Co. 55*b*, it was expressly held (as was stated by Holroyd in the former case), that the severance of any part of a reversion destroyed the whole condition of re-entry, which was entire. With a view probably to remedy that inconvenience, it was enacted by 22 & 23 Vict. c. 35, s. 3: "Where the reversion upon a lease is severed, and the rent or other reservation is legally apportioned, the assignee of each part of a reversion shall, in respect of the apportioned rent, or other reservation allotted or belonging to him, have and be entitled to the benefit of all conditions or powers of re-entry for nonpayment of the original rent or other reservation, in like manner as if such conditions or powers had been reserved to him as incident to his part of the reversion in respect of the apportioned rent or other reservation allotted or belonging to him." The language of the clause is not perhaps strictly correct, as it seems that it should have referred to the "reversion of a part" rather than to a part "of the reversion;" however, the word "severed" shows that the clause applies to the reversion of a part, and it may be assumed that the clause is sufficient to relieve the assignee of the reversion of a part, from the inconvenience above referred to. But it seems questionable whether the clause affords any relief to the reversioner himself, who has assigned the reversion of part and retained the reversion of the residue. An answer from any of your learned readers will greatly oblige. W. M. W.

Ecclesiastical Law.—On the 26th Nov. 1863, A. B., a clerk in holy orders, was licensed by the Lord Bishop of the diocese to the perpetual curacy of Z. On the 5th Dec. following A. B. wrote to the churchwardens that he should not come near Z., and he kept his word. On the 12th April last C. D., another clerk in holy orders, was presented by the patron to the said perpetual curacy of Z., to whom the bishop wrote, that on A. B executing formal resignation, he would institute C. D., who was duly instituted and inducted, and who took the necessary oaths and "read himself in" in the usual way. C. D. now claims the income of the benefice from 26th Jan. last, alleging that upon that day the benefice became void by reason of A. B. not having "read himself in" and taken the prescribed oaths, in accordance with Act of Uniformity. The income of the benefice was received by the churchwardens, and by them paid over to the agent of A. B, who now declines to hand over the money to C. D., the new incumbent. Is C. D. entitled to the income from 26th Jan. last, or from date of formal resignation by A. B.? If he be, against whom should an action be brought for the recovery—against the churchwardens or against A. B.; and what should be the form of action? Please give authorities.

W. H.

Answer.

Proctor's Fee.—"J. P.," who refers "Inquirer" to 12 Anne, stat. 2, c. 16, is informed that the statute of Anne is repealed by 17 & 18 Vict. c. 90. G. F. F.

Herts.

THE LAW LIBRARY.

A Digest of the Examination Questions, with Answers, brought down to Trinity Term 1864. A new edition, being the 4th. By R. Hallilay, Esq., Author of the "Articled Clerks' Handbook." London: Law Times Office.

It is not necessary to describe a work so well known, and which, in a very short time, has attained to a fourth edition; a fact that of itself is an assurance that the law students, for the last six years, have generally used it, and have found it useful; for they must have recommended it to their successors, or it would not have enjoyed such a continuous sale. Mr. Hallilay's plan is to eliminate from each new edition so much as relates to repealed law, to add all the new law, and to strike out duplicate questions. Thus it is that the volume does not grow in bulk so rapidly as might be supposed from a glance at the four strings of questions which every year produces. In all cases Mr. Hallilay refers to his authorities, so that the student may readily find further information on the subject here of necessity briefly stated.

A Digest of Maritime Law Cases, decided by all the Courts during the Twenty Years ending 1862. *Also a Digest of Salvage Awards during the same period.* By A. Young, Compiler of the "Nautical Dictionary." Part I. Crockford.

The substance of this Digest has already appeared among the *Law Times Reports*, and therefore its value as a unique collection of the decisions on maritime law is known to our readers. We have now merely to announce its republication in a complete form, with indexes, &c. It is to be issued in parts for the accommodation of non-professional nautical persons, who desire to possess themselves of such a treasury of the law in which they are peculiarly concerned. It will be a useful addition to the lawyer's books of reference, for uncommon industry has been bestowed upon its compilation by Mr. Young, whose occupation has specially fitted him for the task he has so skilfully performed.

An Essay upon Composition-deeds and other Modes of Arrangement with Creditors. By Thomas Erskine Holland, M.A., Barrister-at-Law. Sweet: London.

Perhaps the most vexatious questions which have arisen under the Bankruptcy Act of 1861 refer to the arrangement sections of that Act. Mr. Holland has written what he very properly calls an "essay" on this subject. He begins by a sketch of "composition agreements not under seal," and then proceeds to give a short account of "arrangement by deed." Mr. Holland next tells us the history of all the statutes relating to the compounding of debtors with their creditors, from the 8 & 9 Will. 3, c. 18, to the Bankruptcy Act of 1861. We should have been inclined to have inserted this chapter at the beginning of the book, instead of in the position it at present occupies, since it seems to us to be a better introduction to the subject. The Act of 1861, being the principal measure affecting deeds of arrangement, occupies the chief place in the work; and Mr. Holland devotes a long chapter to those sections which refer to composition with creditors, annotating very copiously, and giving references to all the leading cases. An account of the other sections of the Act of 1861, and such other sections of the incorporated Acts as affect or illustrate Composition-deeds, together with the General Orders, occupy the next two chapters. The author then gives us in separate chapters the general principles which must be followed in the framing of these deeds, and the book concludes with a short summary of the law as at present established, and some rather valuable notes on Pleas and Deeds. As an essay, this work could not be excelled, but as a book of practice it is a failure. Mr. Holland merely claims for it the former position; but we cannot see what advantage can accrue to any one from the publication of a work of this nature. A book on law is of no use to the general public, who go to their lawyers for their law, and works of this class are useless to the lawyer for all purposes of his business. If Mr. Holland would wait a few months longer, when the law on this subject is more settled, and then carefully write a book which will be of value to lawyers, he will be conferring on the Profession a great benefit, and we are sure, from the style of his present work, that he could accomplish his task with credit.

Guyot's *Literary and Scientific Almanac for* 1865 is a curiosity. It contains a wonderful quantity of intelligence useful for reference, chiefly the facts and figures belonging to each of the sciences, which are placed in alphabetical order. For instance, under the title of Mechanics, we find a table of horse-power, of human strength, the weights of metals and woods, the strength of materials, the estimates of steam and steam-engines, how to calculate pressure on boilers, and so forth. In Human Physiology we are presented with the chemical composition of the body, of the blood, of the fluids concerned in digestion, the facts relating to the heart's action, animal heat, the nervous system, &c. Moreover, there is a mass of statistics on all subjects, rules for health, and even domestic economy and gardening; and all this so compact as to be comprised in a small pocket-book. It is a treasure.

Analysis of Jeremy Bentham's Theory of Legislation. By G. W. B. Fletcher, LL.B. London, Trübner.

Every lawyer is familiar with the name of Bentham; a few talk or write about him, but how many have read him? He invented a theory of jurisprudence by which he hoped to solve the problems that had perplexed legislators from the beginning of recorded history. What is right? what is wrong? what should be encouraged? what prohibited? what is the true province of legislation? where does law trench on liberty, and what allegiance does liberty owe to law? what is the true principle of punishment? what are the obligations of society to the individual, and of the individual to society? These and many more such problems did Bentham hope to solve by the application of an apparently very simple test, "utility," meaning by that term, not the advantage to the individual, but "the greatest happiness of the greatest number." The essays in which this fundamental conception was evolved and applied are contained in many volumes, repulsive by their bulk, but still more so by reason of the singularly curt and crabbed style in which they are expressed. To read them is very much like reading Euclid. Nevertheless, they contain a great deal of extremely instructive matter, and the study of them is a mental discipline of no small value, by the bracing of the intellect to that clear conception and logical

deduction which it is the unfortunate tendency of our periodical literature to destroy, substituting for them a process of flabby fallacious argument, which is mistaken for reasoning. Bentham did not perceive the real defect of his theory—that he had but removed the difficulty by a few steps further, merely substituting the problem, "What *is* the greatest happiness of the greatest number?" for the problem, "Is this proposed law a desirable one?" Be that as it may, Mr. Fletcher has done good service by the publication of this analysis of Bentham's greatest work. We warn the reader that it is not to be perused like a leading article, or a popular essay in a quarterly review, but to be studied with the closest attention and the utmost patience. Every sentence is a proposition that almost requires to be committed to memory. If the student can submit to these conditions, he will find that his time has been most profitably employed. He will not only understand and master the scheme of a treatise which has undoubtedly influenced, more or less, the legislation of the entire civilised world, but he will have gone through a course of mental training, which will be of infinite service to him in the acquisition and practice of his profession. We commend this little book to the regards of all our readers who do not object to encounter the wholesome labour of hard thinking.

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The following circular has been addressed to the Provincial Law Societies:—

CONCENTRATION OF THE LAW AND EQUITY COURTS AND OFFICES.

I am instructed by the managing committee to inform you that the re-introduction of the Bills for the above object is expected early in the coming session of Parliament.

The only opposition anticipated is from the Lincoln's-inn Benchers, and it will be a disgrace to our branch of the profession if we allow the opposition of merely one out of the four of the Inns of Court to stop a great and important measure on which we are all absolutely and enthusiastically unanimous, which was thoroughly investigated now a quarter of a century ago by two Committees of the House of Commons, consisting of its most distinguished members and was supported by the evidence of all the great lawyers of every shade of politics from Lord Cottenham and Lord Langdale to the Earl of Devon (Courtenay formerly Master), Sir L. Shadwell and Sir James Wigram. A scheme of incalculable and wholly unmixed advantage to every solicitor and every client, and to almost every barrister.

The opposition is purely and entirely the interested opposition of the far wealthiest Inn of Court, in order to keep up its rents and also its prestige as the great inn, having now got, though but recently, the Chancery Courts within its precincts.

The removal of these courts which it opposes is a removal, not to a distance, but to a spot actually not twenty yards outside its own gates.

The objection as to taking suitors' money is a colourable one, and a matter that would scarcely be mentioned, except that it may throw dust in the eyes of Parliament. Its flimsiness has recently been exposed by the very able Royal Commission of 1860.

It is especially wished that the provincial law societies and individual solicitors should at once write to such Members of Parliament as they may have opportunities of communicating with, setting these facts before them, and urging them very strongly to give the Bills their utmost support.

The letters should, as far as possible, be autographs, as anything like a circular is apt to be cast aside unread.

I trust to hear shortly that your committee and individual members of your society have written to Members of Parliament on the subject; and if you would send me copies of any answers received they would materially facilitate the operations of our committee of management.

Your immediate and earnest co-operation in the object of this letter will much oblige the committee.

SOLICITOR'S REMUNERATION.

Our chairman and four other members of our managing committee have been appointed members of the Incorporated Law Society's special committee on the above subject. The recommendations, therefore, of that special committee are practically those of both societies, our whole committee co-operating through Messrs. Burton, Field, Kennedy, Sheen and Torr.—I am, dear Sir, yours truly,

(Signed) PHILIP RICKMAN, Secretary.

SOCIAL SCIENCE ASSOCIATION.

LAW DEPARTMENT.

The fourth meeting of the department of Jurisprudence and Amendment of the Law will be held on Monday next, the 19th instant, when a paper will be read by Mr. Serjeant Pulling, entitled "A Proposal for Amending the Laws affecting Jurymen." The Hon. George Denman, Q.C., M.P., will take the chair at eight o'clock. The standing committee of the department will meet at seven o'clock.

MINUTES OF THE LAST MEETING.

Monday, Dec. 5, 1864.

The Attorney-General in the chair.

The minutes of the last meeting were read and confirmed.

Mr. F. S. Reilly read a paper entitled "Observations on a Digest of Law, with reference to the Address delivered at York by the President of the Department."

After some observations from Mr. Symonds, it was moved by Mr. Edward Webster, and seconded by Mr. Macqueen, Q.C.: "That Mr. Reilly's paper be printed, and circulated among the members."

A discussion followed, in which Mr. Waterhouse, Dr. Waddilove, Mr. Hastings, Sir Eardley Wilmot, Mr. R. Wilson, Mr. Daniel, Q.C. and the Chairman took part, after which the resolution was put and carried.

The department then adjourned to Monday, Dec. 19, at eight o'clock.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

J. SKENE, ESQ.

On Thursday, the 1st inst., at Frewen Hall, Oxford, aged 89, James Skene, of Rubislaw, Aberdeenshire, the senior member of the Scottish Bar. According to the "County Families," he was the eldest son of the late George Skene, Esq., of Rubislaw, by Jane, daughter and heiress of James Moir, Esq., of Stonywood, and was born in 1775. He was educated in Germany, and was called to the Scottish Bar in 1797, three years before Lord Brougham, who stands next on the list. In 1797 also Mr. Skene was appointed cornet of the Royal Edinburgh Horse Volunteers, a regiment raised mainly by the exertions of Sir Walter Scott, who filled the office of quartermaster in it, and of whom he was one of the earliest and most intimate friends, having made his acquaintance during the previous year, soon after his return from abroad. It will be remembered that the fourth canto of "Marmion," which is dedicated to Mr. Skene, makes a touching reference to the death of his father-in-law, Sir William Forbes, as happening immediately after the birth of Mr. Skene's first child, thus mingling sorrow with rejoicing. Mr. Skene long held the office of Secretary to the Board of Trustees for Manufactures in Scotland. Mr. Skene married, in 1806, Jane, daughter of Sir W. Forbes, Bart., of Pitsligo, the amiable and excellent historian of Scottish banking, by whom he had issue several children, of whom the eldest, George, a magistrate for Aberdeenshire, born in 1807, and married to Georgina, daughter of the late Dr. Monro, of Craiglockhart, succeeds to the estate of Rubislaw. Of his other children some are married, and his granddaughter is the wife of the Archbishop of York.

Mr. J. G. Lockhart thus writes of the commencement of the friendship between Mr. Skene and Sir Walter Scott:

Their fondness for the same literature, with Scott's eagerness to profit by his new acquaintance's superior attainment in it, opened an intercourse which general similarity of tastes, and I venture to add, in many of the most important features of character, soon ripened into the familiarity of a tender friendship—"an intimacy," Mr. Skene wrote, "of which I shall ever think with so much pride—a friendship so pure and cordial as to have been able to withstand all the vicissitudes of nearly forty years, without ever having sustained even a casual chill from unkind thought or word."

LEGAL NEWS.

MATTHEWS AND THE REWARD.—There is no truth whatever in the statement that Matthews has received the reward offered for the conviction of Muller. The railway company and the bank have handed over their respective sums to Sir Richard Mayne, and when Government add their portion, the question of how the money should be divided will then come under consideration. It is said, however, that it will be equally divided between Mr. Death, Matthews, and the two Repeches. Inspector Tanner will not, as is generally supposed, come in for any portion of the reward. In fact, beyond his salary, there is no recognition of the services rendered by this intelligent officer, and unless the public think proper to accord him some mark of their appreciation he will go unrewarded.

REMARKABLE CASE.—In the Sheriff's Court an action was opened on account of an undertaker named Surgey, who sought to recover from a man named Davis the sum of 18*l.* under the following circumstances:—The plaintiff said that in Sept. 1862, the wife of a sweep named Gardiner died, and he agreed with her husband to conduct the funeral for 23*l.*, Gardiner at the time paying him 5*l.* on account. But, directly after this arrangement, Gardiner was arrested, charged with the murder of his wife and convicted of the crime. He was, however, respited on the day appointed for his execution, and is now living in durance. The plaintiff alleged that under these circumstances the defendant, who was the stepson of Gardiner, agreed to pay him the balance; but there was no writing to substantiate the contract. The Judge ruled that there was no case, because Gardiner, who contracted the debt, was still alive. The plaintiff was nonsuited, with costs.

A REMARKABLE DREAM.—On Saturday morning a man about 30 years of age, named Benjamin Collins, was found drowned in a small dam belonging to the Whitehall pit, at Wyke. When found he was kneeling in the water with his head down, being only up to the shoulders in the water. He had been drinking for several days, and became restless. He got up about 2 o'clock in the morning, partly dressed himself, and said he could not sleep. Soon afterwards he went out, and about 4 o'clock his uncle, Mr. Mark Collins, of Lower Car Close farm, went in search of him in the barn and stables, but not finding him there returned to the house. Mrs. Collins then desired her husband to go to the place where the body was found, as she had just dreamt her nephew was drowned there. Mr. Collins acted as his wife requested, and, to his amazement and horror, saw the literal fulfilment of her dream.—*York Herald.*

WILLS AND BEQUESTS.——The will of the Dowager Countess of Effingham was proved in her Majesty's Court of Probate by her son, the Right Hon. Henry Earl of Effingham, the acting executor. The other executors appointed were her son, the Hon. Charles Howard; her daughter, Lady Baring; and her niece, Mrs. Brandreth. Her ladyship was the daughter of Neil, third Earl of Rosebery, and married Kenneth, first Earl of Effingham, who died in 1845, and afterwards married Thomas Holmes, Esq., who survives her ladyship. The will bears date Jan. 21, 1862, and a codicil July 4, 1864, which are respectively signed "Charlotte Holmes, late Charlotte, Countess of Effingham." Her ladyship has left to the Ragged School Union the whole of her money and accumulated savings at her bankers, Messrs. Drummonds; and she bequeaths to her three sons the property left to her by the will of her father, the Earl of Rosebery, leaving to her son Charles 3000*l.*, and the remainder between her sons the present earl and the Hon. and Rev. William Howard.——The will of Miss Ann Cranstoun Fryer, formerly of The Cedars, Hammersmith, but late of Reading, Bucks, was proved in the London Court, on the 19th ultimo, under 90,000*l.* personalty, the executors and trustees therein nominated being the Right Rev. Walter John Trower, D.D., Bishop of Gibraltar; William Whitmore, Esq., of Beckenham, Kent; and Edward Wells, M.D., of Reading. The will bears date Jan. 21, 1860, and there are two codicils, dated 1861-3. The testatrix has bequeathed to her sister, Janet Fryer, the whole of her furniture and household effects absolutely and a life interest in all her funded and other property, with the exception of two legacies of 500*l.* each to the Societies for Promoting Christian Knowledge and the Propagation of the Gospel in Foreign Parts, to be paid free of legacy duty within six months after her decease and she directs that upon the decease of her sister there shall be first paid out of her estate a sum of nearly 26,000*l.* to 17 charitable institutions, three of them in London, viz.:—The Governesses Institution, 3000*l.*; Church Missionary Society and Church Pastoral Aid Society, each 1000*l.* The other institutions are in Edinburgh. To the Royal Infirmary, Edinburgh, a legacy of 6000*l.* is bequeathed, together with the residue of her estate, after paying bequests of various amounts to about forty legatees. The executors are left legacies of 1000*l.* each.—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, Nov. 29.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.—Copyhold plot of building ground, fronting Palace-road, East Moulsey—sold for 185*l.* Leasehold, two residences, being Nos. 1 and 2, Claremont-villas, Broxbourne, Herts; term 99 years, from 1847; ground rent 5*l.* per annum—sold for 830*l.* Leasehold house, being No. 11, Mangrove-terrace, York-road, Camden New Town; term 99 years from 1849; ground-rent 11*l.* per annum—sold for 165*l.*—Freehold, two houses, being Nos. 24, New-street and 9, Middle-street, Cloth-fair, City—sold for 850*l.* Freehold plot of land, situate in Beecham-grove, Beulah-spa, Upper Norwood—sold for 76*l.* Leasehold residence, being No. 7, Malvern-road, Dalston; term 87 years from 1862; ground-rent 7*l.* per annum—sold for 390*l.*

Wednesday, Nov. 30.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Leasehold dwelling-house, being No. 23, Morpeth-terrace, Morpeth-road, South Hackney; term eighty years, from 1846; ground-rent 4*l.* 10*s.* per annum—sold for 185*l.*

By Mr. GARDNER.—Copyhold, two cottages and land, situate in the Bath-road, Cranford, near Hounslow, Middlesex—sold for 350*l.*

Thursday, Dec. 1.

By Mr. MARSH, at Garraway's.—A principal sum of 1750*l.* and interest amounting to 608*l.* 17*s.* 6*d.*, payable out of the sum of 14,000*l.* Bank Three per Cents., receivable on the decease of a lady aged sixty-eight years—sold for 925*l.* Leasehold, five residences, being Nos. 15, 16, 26, 27 and 24, Berkeley-villas, Loughborough-park, Brixton, producing 136*l.* per annum; term, fifty-eight years unexpired; ground-rent, 30*l.* per annum—sold for 1505*l.*

Thursday, Dec. 8.

By Messrs. MOORE, at Garraway's.—Leasehold, four houses, being Nos. 3–, 50, 51, and 51½, Grosvenor-street, Commercial-road east, term thirty-three years from 1861; ground-rent 2*l.* 6*s.* 8*d.* each—sold for 250*l.*

Tuesday, Dec. 13.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.—Leasehold house with two shops, being No. 14, Borough-market; term twenty-eight years unexpired; ground-rent 30*l.* per annum—sold for 800*l.* Leasehold house with shop, being No. 7, Capel-street, Whitechapel, term eighty six years from 1847; ground-rent 3*l.* per annum—sold for 125*l.* Leasehold house, being No. 3, Craven-street, Strand; term twenty-one years from 1857; ground-rent 91*l.* 14*s.* per annum—sold for 510*l.*

By Messrs. BROAD, PRITCHARD and WILTSHIRE, at Garraway's.—Leasehold house, being No. 61, Upper John-street, Fitzroy-square; also a cottage in the rear, being No. 5, Little Howland-street; term ninety-nine years, from 1791; ground-rent 6*l.* 6*s.* per annum—sold for 430*l.*

Wednesday, Dec. 14.

By Messrs. FAREBROTHER, CLARK and LYE, at Garraway's.—Leasehold residence, being No. 83, Wimpole-street, Cavendish square; term twenty-eight years unexpired; ground-rent 30*l.* per annum—sold for 700*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Nov. 25.

ANSTIE, GEORGE WASHINGTON and FREDERICK, attorneys, solicitors and conveyancers, Devizes. April 5.

Bankrupts.

Gazette, Dec. 6.

To surrender at the Bankrupts' Court, London.

ALPE, WILLIAM, job master, Berwick-st. Eccleston-sq. and Eaton-mews-south, Eaton-sq. Pet. Nov. 29. Reg. Brougham. O. A. Edwards. Sol. Hewitt, Nicholas-ln.

BACON, HENRY GEORGE, publican, Londonderry-rd. Camberwell. Pet. Dec. 1. Reg. Roche. O. A. Cannan. Sols. Miller, Son and Stubbs, Philpot-ln.

BARRETT, JOHN ELSEY, and DYSON, GEORGE, woollen warehousemen, Bow-ln. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sols. Langford and Marsden, Friday-st. Cheapside.

BERRY, GEORGE, solicitor's clerk, Brimington-rd. Peckham. Pet. Nov. 29. Reg. Brougham. O. A. Edwards. Sol. Harcourt, King's Arms-yd.

BOLDING, BENJAMIN, looking-glass maker, Elizabeth-st. Hackney-rd. Pet. Nov. 2. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Scott's-yd. Cannon-st.

BRIGGS, FREDERICK, clerk, Camden-rd. Holloway. Pet. Dec. 2. Reg. Hazlitt. O. A. Graham. Sol. Ashley, Charles-sq. Hoxton.

CHAMBERS, JOHN, victualler, Biggleswade. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sol. Poole, Bartholomew-close.

COLLARD, ALBERT JOHN, farmer, Margate. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry.

CORDER, GEORGE, whitesmith, Chapel pl. Stratford. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sol. Spencer, Coleman-st.-bdgs.

CUTCHING, ANN, maltster and publican, Leighton Buzzard. Pet. Dec. 2. Reg. Brougham. O. A. Edwards. Sols. Anderson and Stanford, Great James-st. Bedford-row.

DRAKE, JOHN CORNELIAN, manager to a public company, Ashford, Hornsey. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sols. Bailey, Shaw and Co. Fe ters-st.

FEATHERYEAR, GEORGE, butcher, Essex st. Islington. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sol. Munday, Essex-st. Strand.

HARDIMAN, THOMAS, plumber and decorator, Trafalgar-ter. De Beauvoir-town. Pet. Dec. 3. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Scott's-yd. Bush-ln.

LANCASTER, JOHN EATON, milliner, St. Paul's-st. New North-rd. Pet. Dec. 1. Reg. Roche. O. A. Cannan. Sol. Wetherfield, Moorgate-st.

LORD, JOHN KEAST, naturalist, Brunswick-ter. Camberwell. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sol. Davis, Golden-sq. Regent-st.

NICHOLLS, RICHARD, baker and butcher, Harefield. Pet. Dec. 2. Reg. Hazlitt. O. A. Graham. Sol. Hand, Coleman-st.

OLDFIELD, SAMUEL JOHN GORE, fishmonger, Torriano-avenue, Camden-rd. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn.

PHILLIPS, GEORGE, assistant to a cheesemonger, Clarendon-rd. Notting hill. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sol. Bartley, Bucklersbury.

POUND, MATTHEW, wholesale and retail chemist and druggist, Leather-ln. Holborn. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sols. Van Sandau and Cumming, King-st. Cheapside.

REES, JOHN, house decorator, Moscow-rd. Bayswater. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sol. Davies, Baring-st. Hoxton.

RICHARDSON, FRANCIS, miller, Beacon-mill, Benenden. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sols. Parker, Lee and Haddock, St. Paul's-churchyard, for Cave, Cranbrook.

SHAYLER, JAMES THOMAS, furrier, St. John-st.-rd. Pet. Dec. 2. Reg. Hazlitt. O. A. Graham. Sol. Morris, Southampton-st. Chancery-ln.

SMITH, ARTHUR HENRY KENT, victualler, Vinegar-yd. Drury-ln. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

SPENCER, CHARLES, waiter, Margaret-st. Cavendish-sq. Pet. Dec. 1. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall st.

TRIGGS, GEORGE, wholesale boot and shoe manufacturer, Apollo-bdgs. Walworth. Pet. Nov. 30. Reg. Hazlitt. O. A. Graham. Sol. King, Queen-st. Cheapside.

WHEELER, WILLIAM, tailor, Cambridge-pl. Norfolk-sq. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sol. Peddell, Ironmonger-ln.

WORTH, CHARLES, butcher, Chaplin-ter. Forest-hill. Pet. Nov. 2. Reg. Brougham. O. A. Edwards. Sol. Moss, Gracechurch-st.

To surrender in the Country.

BAYLIS, JAMES, carver and gilder, Chester. Pet. Dec. 1. Reg. & O. A. Wason. Sol. Cartwright, Chester.

BIDDLECOMBE, JOHN, boot and shoe maker, Newport, Isle of Wight. Pet. Nov. 30. Reg. & O. A. Blake. Sol. Joyce, Newport.

BIRD, HENRY, boatman, Moira, Ashby-de-la-Zouch. Pet. Dec. 1. Reg. & O. A. Dewes. Sol. Dewes, Ashby-de-la-Zouch.

BLADES, ROBERT, smith, Pontefract. Pet. Dec. 1. Reg. & O. A. Coleman. Sol. Harle, Leeds.

BRENNAND, MARK, and WHITAKER, ROBERT, jun., flannel manufacturers, Wardle, Rochdale. Pet. Nov. 26. Reg. Macrae. O. A. Morgan. Sols. Messrs. Standring, Rochdale.

CHALMERS, BENJAMIN, stamper and piercer, Birmingham. Pet. Nov. 26. Reg. & O. A. Guest. Sol. Parry, Birmingham.

CHESTER, THOMAS, baker, St. Leonard's-on-Sea. Pet. Dec. 1. Reg. & O. A. Young. Sols. Langham and Son, Hastings.

COCKBURN, DAVID, provision dealer, Shieldfield, and carver and gilder, Bigg-market, Newcastle. Pet. Dec. 1. Reg. & O. A. Clayton. Sol. Joel, Newcastle.

CULPAN, RICHARD, woollen manufacturer, Cleckheaton. Pet. Nov. 26. O. A. Young. Sols. Terry and Watson, Bradford; Bond and Barwick, Leeds.

DAVIES, DAVID MORGAN, draper's assistant, High Bullen, Wednesbury. Pet. Dec. 2. Reg. & O. A. Walker. Sol. Foster, Birmingham.

DEACON, MICHAEL WARD, linen merchant, Manchester. Pet. Dec. 2. Reg. Macrae. O. A. Morgan. Sols. Messrs. Taylor, Manchester.

DEAKIN, SAMUEL, gold beater, Birmingham. Pet. Nov. 30. Reg. & O. A. Guest. Sol. Baker, Birmingham.

EWART, JOHN, surgeon, Leeds. Pet. Dec. 1. O. A. Young. Sol. Granger, Leeds.

FENTON, WILLIAM, boot and shoe maker, Cambridge. Pet. Dec. 1. Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge.

HALL, JOHN, stonemason, Bury. Pet. Dec. 2. Reg. & O. A. Grundy. Sol. Anderton, Bury.

HAND, WILLIAM HODSON, attorney, Liverpool. Pet. Dec. 2. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool; Johnson, Lancaster.

HARVEY, HENRY, butcher, Hoarwithy, Hentland. Pet. Nov. 25. Reg. & O. A. Collins. Sol. Minett, Ross.

HOPWOOD, HENRY, cotton waste dealer, Oldham. Pet. Dec. 1. Reg. & O. A. Summerscales. Sol. Taylor, Oldham.

HULME, DAVID, farmer, Marchington, Uttoxeter. Pet. Dec. 2. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham; Flint, Uttoxeter.

JOHNSON, GEORGE, grocer, Clay Cross. Pet. Nov. 29. Reg. & O. A. Wake and Weller. Sol. Smith, Derby.

POTTER, JAMES, and POTTER, ROBERT, builders, Liverpool. Pet. Nov. 19. O. A. Turner. Sol. Frodsham, Liverpool.

PRICE, HARRIETTE, schoolmistress, Edgbaston, Birmingham. Pet. Nov. 26. Reg. & O. A. Guest. Sols. Harrison and Wood, Birmingham.

PRICE, MARY GURSTON, farmer, Bratton, Edgington. Pet. Dec. 1. Reg. & O. A. Pinniger. Sol. Bartrum, Bath.

PYKE, WILLIAM, gardener, Swansea. Pet. Nov. 23. Reg. & O. A. Morris. Sol. Morris, Swansea.

RAMSDEN, NATHANIEL, oil manufacturer, Bristol. Pet. Dec. 2. Reg. & O. A. Harley and Gibbs.

RAY, RICHARD, potter, Fenton-pk. Stoke-upon-Trent. Pet. Dec. 2. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley.

REYNOLDS, WILLIAM, ironmonger, Kingholme, Gloucester. Pet. Dec. 2. Reg. Wilde. O. A. Acraman. Sols. Wright, Birmingham; Press and Inskip, Bristol.

ROBERTS, JOHN, pig jobber, Witcham. Pet. Nov. 29. Reg. & O. A. Hall. Sol. Vipan, St. Ives.

ROBINSON, THOMAS, innkeeper, Leigh. Pet. Nov. 3. Reg. & O. A. Swaine. Sol. Wood, Rochford.

SHAW, EDWIN, operative painter, Oldham. Pet. Dec. 1. Reg. & O. A. Summerscales. Sol. Ascroft, Oldham.

SHERRATT, ENOCH, clothier, Burslem. Pet. Dec. 2. Reg. & O. A. Challinor. Sol. Salt, Tunstall and Crewe.

SIDDALL, CHARLES, provision dealer, Oldham. Pet. Dec. 1. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester.

SMITH, ISAAC, locksmith, Wolverhampton. Pet. Nov. 23. Reg. & O. A. Brown. Sol. Turner, Wolverhampton.

SMITH, WILLIAM, baker, Leominster. Pet. Dec. 1. Reg. & O. A. Robinson. Sol. Bedford, Leominster.

TAYLOR, CHARLES, farmer, Pencomb, Bromyard. Pet. Dec. 2. Reg. Hill. O. A. Kinnear. Sols. Bodham, Bromyard; James and Griffin, Birmingham.

TOMLINSON, ROBERT, tailor, Linke, Hinstock. Pet. Dec. 1. Reg. & O. A. Warren. Sol. Smallwood, Newport.

WESTERBY, EDWARD, hosier, Leicester. Pet. Dec. 2. Reg. Tudor. O. A. Harris. Sol. Chamberlain, Leicester.

WHITNEY, ABRAHAM, commission agent, Olney. Pet. Dec. 2. Reg. & O. A. Parrott. Sol. Becke, Northampton.

WILLIAMS, THOMAS, brick and tile manufacturer, Coed Poeth, Wrexham. Pet. Dec. 21. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool; James and Owen, Wrexham.

Gazette, Dec. 9.

To surrender at the Bankrupts' Court, London.

BARNES, EDWARD, omnibus driver, New Hampton. Pet. Dec 5. Reg. Roche. O. A. Cannan. Sol. Olive, Portsmouth-st. Lincoln-inn-fds.

BINGHAM, FRANCIS, watch movement maker, Murray-st. Hoxton. Pet. Dec. 6. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-ln.

BONNER, CHARLES, commission agent and traveller, Devonshire-grove, Old Kent-rd. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-ln. Doctor's commons.

FITZPATRICK, JAMES, sawyer, timber and deal merchant, Norwich. Pet. Dec. 3. Reg. Roche. O. A. Cannan. Sols. Treherne and White, Barge-yd. Bucklersbury, for Emerson, Norwich.

GLOVER, HENRY BEN, accountant, Basinghall-st. Pet. Dec. 6. Reg. Brougham. O. A. Edwards. Sol. Cartwright, Bishopsgate-st.-within.

GOYMER, EDWARD, baker, Cable-st. Whitechapel. Pet. Dec. 2. Reg. Roche. O. A. Cannan. Sol. Shearman, Little Tower-st.

HAMSWORTH, JOHN HENRY, tallow chandler, Milton-st. Cripplegate. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sols. Lofty, Potter and Son, King-st. Cheapside.

HANNAH, RUBERY, tailor, Argyle-st. Regent-st. and Arthur's-grove, Kentish-tn. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sols. Gold and Son, Serjeants'-inn, Chancery-ln.

HARVEY, AARON, boarding-house keeper, Allsop's-bdgs. St. George's-east. Pet. Dec. 7. Reg. Roche. O. A. Cannan. Sol. Abbott, St. Mark-st. Great Prescott-st.

HAYDON, GEORGE, builder, Basingstoke. Pet. Dec. 5. Reg. Roche. O. A. Cannan. Sol. Lott, Parliament-st. agent for Pricket and King, Basingstoke.

HURRELL, ROBERT, jun., provision merchant, Botolph-ln. and Coal Harbour-ln. Camberwell. Pet. Dec. 3. Reg. Brougham. O. A. Edwards. Sol. Martin, Cannon-st.

JUTSUM, WILLIAM COOK, plumber, Westbourne-st. Pimlico. Pet. Dec. 7. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln-inn-fds.

KILBY, WILLIAM, smith and farrier, William-st. Woolwich. Pet. Dec. 3. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn.

LODGE, HENRY, tailor, Rufford's-row, Islington. Pet. Dec. 6. Reg. Roche. O. A. Cannan. Sol. Starpoole, Pinner's-hall, Old Broad-st.

MADDAMS, WILLIAM, cabinet maker, Euston-rd. Pet. Dec. 3. Reg. Brougham. O. A. Edwards. Sol. Jackes, Basinghall-st.

MARCHANT, THOMAS, joiner, East-st. Walworth. Pet. Dec. 6. Reg. Hazlitt. O. A. Graham. Sol. Searth, Manchester-st. Manchester-sq.

MATTI, EUGENE JOHN CHRISTIAN, merchant, Great St. Helen's and Lea-bridge-rd. Pet. Nov. 23. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Co., Old Jewry.

MILLER, JOHN CARTER, insurance agent, Noble-st. St. Luke's. Pet. Dec. 7. Reg. Roche. O. A. Cannan. Sol. Abbott, St. Mark-st. Great Prescott-st.

MITCHELL, GEORGE, compiler of indexes to books, Weymouth-st. Hackney-rd. Pet. Dec. 6. Reg. Brougham. O. A. Edwards. Sol. Wyatt, Great Carter-ln. Doctors'-commons.

MOORE, JAMES, plumber, Leatherhead. Pet. Dec. 3. Reg. Roche. O. A. Cannan. Sol. Draper, Charlwood-st. Pimlico.

MULLEN, STEPHEN LEIGHTON, watch jeweller, Liverpool-rd. Islington. Pet. Dec. 6. Reg. Roche. O. A. Cannan. Sol. King, Fenchurch-st.

NIXON, JAMES EDWARD, attorney, Pentonville rd. and Bedford-row, Holborn. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Great Seward-st. Finsbury.

NOBBS, THOMAS, cheesemonger, Sheldon-st. Paddington. Pet. Dec. 3. Reg. Brougham. O. A. Edwards. Sol. Clarke, St. Mary-sq. Paddington-gn.

PEARSE, JAMES WEST, traveller, St. James's-rd. Holloway. Pet. Dec. 6. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st.

PELLING, GEORGE, grocer, Brentwood. Pet. Dec. 5. Reg. Brougham. O. A. Edwards. Sols. Preston and Dorman, Gresham-st.

RAPER, EPHRAIM, corn and seed merchant, Cambridge. Pet. Dec. 2. Reg. Hazlitt. O. A. Graham. Sol. Gregson, Angel-ct. Throgmorton-st.

RUMBELOW, HENRY, accountant's clerk, De Beauvoir-rd.-south. Pet. Dec. 3. Reg. Roche. O. A. Cannan. Sols. Treherne and Wolferstan, Aldermanbury.

SMITH, BARNARD, drysalter, Jewry-st. Pet. Dec. 1. Reg. Hazlitt. O. A. Graham. Sol. Lander, Carlton-rd. Kilburn.

SNOW, PERCY TORKIN, lieutenant-colonel in Indian army, Chelsea-college. Pet. Dec. 6. Reg. Roche. O. A. Cannan. Sol. Weymouth, Clifford's-inn.

TAYLOR, SAMUEL, farrier, No. 1 Arch, Westminster-rd. Pet. Dec. 6. Reg. Roche. O. A. Cannan. Sol. Biddles, Chancery-ln.

TUCKER, JOHN, dairyman, Lower-rd. Deptford. Pet. Dec. 7. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Linc.-inn-fds.

TUNBRIDGE, JOHN, painter, Walmer-rd. Notting-hill. Pet. Dec. 7. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry.

TUPPER, HARRY, draper, Brighton and Rottingdean. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sols. Mason, Sturt and Co. Gresham-st.

WALTERS, ARTHUR HARDING, publisher, St. Alban's-pl. Edgware-rd. Pet. Dec. 6. Reg. Hazlitt. O. A. Graham. Sol. Clarke, St. Mary's-sq. Paddington-gn.

WATSON, CHARLES, butcher, Strood. Pet. Dec. 7. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry.

WATSON, CHARLES STACEY, bootmaker, Chapel-st. Edgware-rd. Pet. Dec. 3. Reg. Brougham. O. A. Edwards. Sol. King, Queen-st. Cheapside.

WOODS, JAMES, whitesmith, Green-walk, Blackfriars-rd. Pet. Dec. 5. Reg. Roche. O. A. Cannan. Sol. Cooper, St. Martin's-ln. Charing-cross.

YOX, JOHN, watchmaker, Southampton. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sols. Linklater and Hackwood, Walbrook.

YOUNG, EDWIN NEWMAN, photographic artist, Silver-st. Greenwich. Pet. Dec. 7. Reg. Roche. O. A. Cannan. Sol. Doble, Guildhall-chambers, Basinghall-st.

To surrender in the Country.

BENNETT, GEORGE DAVIS, retail brewer, Wolverhampton. Pet. Dec. 6. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton.

BRAY, BENJAMIN, and BRAY, ANDREW, woollen cloth manufacturers, Choppards, Holmfirth. Pet. Dec. 1. O. A. Young. Sol. Mills, Huddersfield; Bond and Barwick, Leeds.

BROWNE, HENRY, victualler, Birmingham. Pet. Dec. 3. Reg. Tudor. O. A. Kinnear. Sols. Messrs. Brown, Birmingham.

CLARIDGE, JONATHAN, miller, Road Eastone. Pet. Nov. 30. Reg. & O. A. Whalms. Sol. Kilby, Banbury.

CLEMENTS, JOSEPH, broker, Bristol. Pet. Dec. 2. Reg. Wilde. O. A. Acraman. Sol. Benson, Bristol.

COLLEY, ENOCH, hay dealer, Bilston. Pet. Nov. 30. Reg. & O. A. Brown. Sol. Thorneloe, Wolverhampton.

DAWSON, JAMES, fancy manufacturer, Highburton, Kirkburton. Pet. Nov. 29. Reg. & O. A. Jones. Sol. Taylor, Huddersfield.

ELMITT, ROBERT, baker, Swineshead. Pet. Dec. 6. Reg. Tudor. O. A. Harris. Sol. Brackenbury, Alford.

EVA, THOMAS, builder, Helston. Pet. Nov. 30. O. A. Parkyns. Sols. Cater, Plymouth; Flood, Exeter.

EVANS, JOHN, tutor, Haverfordwest. Pet. Dec. 6. Reg. & O. A. Summers. Sol. James, Haverfordwest.

FARNSWORTH, HENRY, frame-work knitter, Codnor, Heanor. Pet. Dec. 3. Reg. & O. A. Hubbersty. Sol. Smith, Derby.

FOSTER, ROBERT SAMUEL, baker, Upton. Pet. Dec. 5. Reg. & O. A. Newton. Sol. Ashley, Newark.

FRYER, MARK, cattle jobber, East Stoke. Pet. Dec. 5. Reg. & O. A. Newton. Sol. Heathcote, Nottingham.

GAGGS, WILLIAM CARTER, wine and spirit merchant, Howden. Pet. Dec. 5. O. A. Carrick. Sols. England, Howden; Carlse and Tempest, Leeds.

GIBBS, BENJAMIN, book-keeper, Bluepits, Rochdale. Pet. Dec. 5. Reg. & O. A. Woods. Sols. Messrs. Standring, Rochdale.

GRIFFITHS, JAMES, mason, Walton, Old Radnor. Pet. Dec. 2. Reg. & O. A. Temple. Sol. Cheese, Kington.

HALL, HERCULES, innkeeper, Wigan. Pet. Dec. 6. Reg. Macrae. O. A. Morgan. Sol. Ambler, Manchester.

HARDWICK, MUNNS JOHN, miller, Kethersthorpe. Pet. Dec. 3. Reg. & O. A. Dennis. Sols. Becke and Son, Northampton.

HARPUR, RICHARD, chenille net manufacturer, Derby. Pet. Dec. 1. Reg. & O. A. Weller. Sol. Smith, Derby.

HARRIMAN, NATHANIEL, victualler, Loughborough. Pet. Dec. 6. Reg. Tudor. O. A. Harris. Sol. Goode, Loughborough.

HARRISON, WOODTHORPE, butcher, Carlton-le-Moorland. Pet. Dec. 6. Reg. Tudor. O. A. Harris. Sol. Brown, Lincoln.

HARVEY, HENRY, butcher, Hoarwithy, Hentland. Pet. Nov. 25. Reg. & O. A. Collins. Sol. Minett, Ross.

HEWITT, HENRY, builder, Coventry. Pet. Nov. 29. Reg. Hill. O. A. Kinnear. Sols. Roscoe and Hincks, King-st. Finsbury-sq.; James and Griffin, Birmingham.

HOLDSWORTH, JAMES, china dealer, Leeds. Pet. Dec. 2. O. A. Young. Sols. Christie, Daniel and Christie, Leeds.

HUGHES, WILLIAM, butcher, Ford. Pet. Dec. 3. Reg. & O. A. Poole. Sol. Davies, Shrewsbury.

JAQUES, ALFRED JOSEPH, mason, Barnsley. Pet. Dec. 5. O. A. Young. Sols. Parker, Barnsley; Bond and Barwick, Leeds.

JOHNSON, JOHN SEWELL, baker, Great Yarmouth. Pet. Dec. 1. Reg. & O. A. Chamberlain. Sol. Ferrier, Great Yarmouth.

JOHNSON, ROBERT, cotton salesman, Liverpool. Pet. Dec. 5. O. A. Turner. Sols. Anderson and Collins, Liverpool.

JONES, JAMES, carpenter, New Radnor. Pet. Dec. 6. Reg. & O. A. Temple. Sol. Cheese, Kington.

JONES, JEREMIAH, egg and fish dealer, Coventry. Pet. Dec. 6. Reg. & O. A. Kirby. Sol. Smallbone, Coventry.

JONES, JOHN, grocer, Glyncorrwg. Pet. Oct. 24. Reg. & O. A. Morgan. Sol. Cuthbertson, Neath.

JONES, THOMAS, boatman, Bradley, Bilston. Pet. Dec. 3. Reg. & O. A. Brown. Sol. Underhill, Wolverhampton.

JOSLYN, GEORGE, beerhouse keeper, Witham. Pet. Dec. 6. Reg. & O. A. Cadd. Sol. Skipper, Halstead.

KILBOURN, SIMON, dealer, Stanstead. Pet. Dec. 1. Reg. & O. A. Andrews. Sol. Mumford, Sudbury.

LEICESTER, JOSEPH, jun. assistant in a coal yard, Seacombe. Pet. Dec. 6. Reg. & O. A. Gill. Sol. Hill, Liverpool.

LEWIS, WILLIAM, labourer, Craswall. Pet. Dec. 2. Reg. & O. A. James. Sol. Garrold, Hereford.

LILBURN, JOHN, provision dealer, Liverpool. Pet. Dec. 5. O. A. Turner. Sol. Pemberton, Liverpool.

LITTLEWOOD, JOHN, calico printer, Old Trafford, Manchester. Pet. Nov. 30. Reg. Macrae. O. A. Morgan. Sol. Leigh, Manchester.

LOWE, JAMES, jun., auctioneer, Birmingham. Pet. Dec. 5. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham.

MALTBY, JOHN, tailor, Gotham. Pet. Dec. 7. Reg. & O. A. Patchitt. Sol. Smith, Nottingham.

MARTIN, JOHN, grocer, Barry Edge. Pet. Nov. 30. Reg. & O. A. Booth. Sol. Wilkinson, Shotley-bridge.

MEAKIN, CHARLES, commission agent, Derby and Liverpool. Pet. Dec. 1. Reg. & O. A. Weller. Sol. Smith, Derby.

MORBEY, WILLIAM, cabinet-maker, Northampton. Pet. Dec. 6. Reg. & O. A. Dennis. Sols. Becke and Son, Northampton.

PALLISTER, THOMAS, grocer, Rothbury. Pet. Dec. 3. O. A. Wilkinson. Sol. Dodd, Blyth.

PEARN, JOHN, victualler, Liskeard. Pet. Dec. 6. O. A. Parkyns. Sols. Edmonds and Sons, Plymouth; Flood, Exeter.

PETERS, GEORGE, tobacconist, Birmingham. Pet. Dec. 1. Reg. Hill. O. A. Kinnear. Sols. Southall and Nelson, Birmingham.

POLLINGTON, GEORGE, butcher, Burford. Pet. Dec. 3. Reg. & O. A. Bishop. Sol. Kilby, Burford.

POWELL, GEORGE, shoemaker, Leominster. Pet. Dec. 7. Reg. & O. A. Robinson. Sol. Bedford, Leominster.

READ, HUGH, provision dealer, Liverpool. Pet. Nov. 29. O. A. Turner. Sol. Talbot, Liverpool.

ROBERTSON, WILLIAM, horsedealer, Worcester. Pet. Dec. 3. Reg. & O. A. Crisp. Sol. Wilson, Worcester.

RODENHURST, WILLIAM, dealer in shawls and mantles, Birmingham. Pet. Dec. 6. Reg. Hill. O. A. Kinnear. Sols. Rawlins and Rowley, Birmingham.

ROLFE, JOHN, innkeeper, Gayton. Pet. Dec. 6. Reg. & O. A. Dennis. Sols. Shield and White, Northampton.

SHAW, RALPH, painter, Ripley. Pet. Dec. 5. Reg. & O. A. Hubbersty. Sol. Smith, Derby.

SHIPP, ROBERT WALKER, corn chandler, Ipswich. Pet. Dec. 3. Reg. & O. A. Prettyman. Sol. Jennings, Ipswich.

SHUFF, WILLIAM, coach builder, Bath, and Twerton. Pet. Dec. 2. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol.

SMITH, GEORGE, commission agent, Milton-next-Gravesend. Pet. Dec. 5. Reg. & O. A. Southgate. Sol. Sharland, Gravesend.

SMITH, JOHN, iron refiner, Bilston. Pet. Dec. 6. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton.

SNOWDON, JOHN, shipowner and shipbroker, South Shields. Pet. Dec. 2. Reg. Gibson. O. A. Laidman. Sols. Harle and Co., Newcastle.

SPRAGUE, HENRY, attorney's clerk, Cheltenham. Pet. Dec. 3. Reg. Wilde. O. A. Acraman. Sols. Carter and Goold, Newnham; and Henderson, Bristol.

STANTON, ABRAHAM, pork butcher, Nottingham. Pet. Dec. 3. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham.

SUNTER, JOHN, butter factor, Low Well, Shipley. Pet. Dec. 6. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford.

TATE, JAMES, tobacconist, Derby. Pet. Dec. 6. Reg. & O. A. Weller. Sol. Smith, Derby.

TAYLOR, WILLIAM HENRY, grocer, Southrey, Bardney. Pet. Dec. 6. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln.

THOMAS, JOHN, grocer, Graig-y-Towgwyd, Michaelstone. Pet. Dec. 7. Reg. Wilde. O. A. Acraman. Sols. Tennant, Aberavon and Henderson, Bristol.

THORNE, MARGUERITE, actress, Leeds. Pet. Dec. 7. Reg. & O. A. Sangster. Sol. Harle, Leeds.

WALDRON, HENRY, aerated bread manufacturer, Bath. Pet. Sept. 24. Reg. Wilde. O. A. Acraman. Sol. Murly, Bristol.

WARING, JAMES FORRESTER, coal dealer, Derby. Pet. Dec. 2. Reg. & O. A. Weller. Sol. Briggs, Derby.

WATTS, WILLIAM, baker, Portobello, Willenhall. Pet. Nov. 30. Reg. & O. A. Brown. Sol. Cresswell, Wolverhampton.

WEBB, CHARLES, cotton manufacturer, Marple. Pet. Dec. 5. Reg. Macrae. O. A. Morgan. Sols. Bellhouse and Bond, Manchester.

WELLBOURNE, JOSEPH, tinman and brazier, Alfreton. Pet. Dec. 3. Reg. & O. A. Hubbersty. Sol. Smith, Derby.

WHITFIELD, GEORGE, innkeeper, Middleham. Pet. Dec. 2. O. A. Young. Sols. Dale, York, and Bond and Barwick, Leeds.

WILEMAN, WILLIAM, bricklayer, Measham. Pet. Dec. 6. Reg. & O. A. Dewes. Sol. Dewes, Ashby-de-la-Zouch.

WILLIAMS, HENRY, boot and shoemaker, Llandudno. Pet. Dec. 3. O. A. Turner. Sol. Best, Liverpool.

BANKRUPTCIES ANNULLED.

Gazette, Dec. 6.

ABLITT, CHARLES JOHN, victualler, Great Yarmouth.

BARRETT, WILLIAM, coal merchant, Sevenoaks, New Brompton and Chatham.

BRACHER, JAMES HENRY, farm bailiff, Tisbury.

GRAIN, JOHN PETER, wine merchant, Crane-grove, Highbury, the Bristol-gardens, Maida-hill-west, and Conduit-st. Bond-st.

TREXTER, ALFRED WILLIAM, printer, Railway-pl. Fenchurch-st.

VANT, CHRISTOPHER, tailor and draper, Mile-end-rd.

Gazette, Dec. 9.

STONE, ROBERT, innkeeper, Cerne Abbas.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Allen, J. publican, first, 1s. 6d. Morgan, Manchester.—*Beckett*, E. ironmonger, first, 3¼d. Morgan, Manchester.—*Davis*, T. innkeeper, first, 3¼d. Cannan, London.—*Haslett*, W. hosier, first, 1s 6¼d. Cannan, London.—*Henrick*, W. military tailor, first, 1s. Cannan, London.—*Kanuna*, A. merchant, first, 2s. Morgan, Manchester.—*Kay*, W. dealer in woollen cloths, second, 5¼d. Morgan, Manchester.—*Lodge*, T. fishmonger, first, 1s. 2¼d. Cannan, London.—*McLaughlin*, J. tanner, first, 1s. 9d. Morgan, Manchester.—*Nuttall*, J. cottonspinner, first, 1s. 6d. Morgan, Manchester.—*Phillips*, J. banker, second, 10s. 9¼d. Kinnear, Birmingham.—*Sherwood*, E. draper, first, 3s. Morgan, Manchester.—*Smith*, W. and J. earthenware manufacturers, first sep. of W. Smith, 9s. 5d. Kinnear, Birmingham.—*Taylor*, F. ironmonger, second, 3s. 5¼d. Cannan, London.—*Winterbottom*, G. flannel manufacturer, first, 8s. 6d. Morgan, Manchester.

INSOLVENTS' ESTATES.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, between the hours of eleven and three, on Tuesdays only.

Binns, T. attorney, 11s. 6d.—*Brandon*, A. R. expert shoe manufacturer, 3¼d.—*Cooper*, T. artist, 5s. 7d.—*Haynes*, H. attorney, 10s. 1¼d.—*Wallace*, A. J. Queen-st. Golden-sq. 20s.

Assignments.

Gazette, Dec. 6.

ARRWIN, JAMES, confectioner, Buxton. Nov. 15. Trusts. J. B. Fordham, furnishing ironmonger, Sheffield, and J. Milligan, draper, Buxton.

Balme, Samuel, worstedspinner, Brighouse, Halifax. Nov. 12. Trusts. J. Fisher, bank manager, Halifax, F. Bashford, silk merchant, Fountain-ct. New Broad-st. and J. Burgess, dyer, Rastrick, Halifax.

Bartlett, John Jacob Bartlett, merchant, Liverpool. Nov. 9. Trusts H. Barnes, merchant, and J. Finney, both Liverpool.

Butcher, Charles William, schoolmaster, Church-house, Berkhampstead. Dec. 2. Trust. J. Cartwright, boarding house keeper, Lower Thames-st.

Count de Saint Alban, Alexander, wool and rag merchant, Dewsbury and Leeds. Nov. 21. Trust. T. Lindsay, tailor and draper, Stockport.

Ellis, William, watchmaker, Marylebone-rd. and Upper Gloucester-pl. Dorset-sq. Nov. 4. Trusts. J. Tuchfield, watch manufacturer, Myddelton-sq. and T. Evans, builder, Shouldham-st. Bryanstone-sq.

Fairclough, Thomas Gray, baker, Isle of Wight. Nov. 22. Trusts. T. Harrison, miller, Godney Dike, and W. N. Neale, steam flour-mills proprietor, Kenwith.

Gill, Thomas Bullin, surgeon, York-pl. Islington-green. Nov. 4. Trust. E. Patrick, wharfinger, Wapping.

Gillett, John, engineer, Gloucester. Nov. 11. Trusts J. Knight, merchant, and W. Hall, miller, both Gloucester.

Harvey, Frank, grocer, Isle of Wight. Nov. 22. Trust. T. A. Hopkins, farmer, Isle of Wight.

Hewlett, Andrew, builder, London-rd. Clapton. Dec. 1. Trusts. J. Lander, timber merchant, Tabernacle-walk, Finsbury, T. Edwards, jun. Sally-st. Dalston, and J. Dale, iron merchant, Chiswell-st. Finsbury.

Hill, Edward, joiner, Huddersfield. Nov. 6. Trust. R. D. Gooch, accountant, Huddersfield.

Hodgson, James, beerseller, Atherton. Nov. 9. Trusts. R. Guest, brewer and maltster, Bedford, and G. Thorp, painter and pawnbroker, Leftstown.

Jenkins, William, auctioneer and surveyor, Dunkerton. Nov. 15. Trust. F. Fry, victualler, Bath.

King, John Richard, brewer, Laystall-st. Clerkenwell. Nov. 7. Trusts W. Bernard, maltster, Sawbridgeworth, and S. H. Mountain, hop merchant, Alliance-chambers, Southwark, and T. Waterman, hop merchant, Wellington-st. Southwark.

Love, James, auctioneer, Birmingham. Nov. 7. Trust. W. Sanderland, law stationer, Birmingham.

McIlwraith, William, outfitter, Penzance. Nov. 22. Trusts. J. F. Jowett, hat manufacturer, Winchester-house, Southwark-bridge-rd. and E. E. Victor, draper, Penzance.

Mathers, Edward, and Jobbins, William Frederick, wholesale and export oilmen, New Weston-st. Bermondsey. Nov. 7. Trusts. F. Machin, wholesale confectioner, Bishopsgate-st. without, and E. Booth, glass bottle manufacturer, Upper Thames-st.

Meeds, Henry, tailor and draper, Clevedon. Nov. 12. Trust. J. H. Smith, accountant, Bristol.

Pearman, John, metal refiner, Birmingham. Dec. 1. Trusts T. Cox, umbrella furniture maker, W. H. Beaumont, manager of the Birmingham Banking Company, E. C. Kemp, lamp manufacturer, and W. L. Harrison, accountant, all of Birmingham.

Sampson, Simeon, job and felt dealer, Manchester. Nov. 7. Trusts. W. Whitaker, merchant, Bradford, E. Jacoby, merchant, and W. Cliff, felt merchant, both Manchester.

Sayle, Thomas Branson, assurance broker, Mark-la. Dec. 5. Trust. J. T. Bower, accountant, Alexander-ter. Stockwell.

Smith, Charles, shoe manufacturer, Northampton. Nov. 25. Trusts. T. P. Sowerby, leather seller, same place, and H. Holland, shoe manufacturer, Buckingham.

Stevenson, Thomas, blacksmith, Basiston. Nov. 11. Trusts. J. Cooper, brazier, Nottingham, and R. Smith, farmer, Lambley.

Sutton, John, grocer, Berry-edge. Dec. 1. Trust. W. Atkinson, cheesemonger, Newcastle.

Taylor, Benjamin, woollen manufacturer, Halifax. Nov. 8. Trusts. J. Ouram, finisher, Halifax and G. Fox, merchant, Dewsbury.

Taylor, George, bookseller, Leeds. Nov. 14. Trusts. J. Cooke, currier, and J. Whitaker, currier, both Leeds.

Walmsley, John, manufacturer, Lower Hyrd, near Bury. Nov. 9. Trusts W. Walker, yarn and cloth agent, Manchester, and T. L. Openshaw, cottonspinner, Bury.

Walmsley, James, manufacturer, Turn-mill, Shuttleworth, near Bury. Nov. 10. Trusts. R. Parkinson, agent, A. S. Orr, agent, both Manchester, and G. Schofield, salesman, Edenfield, near Bury.

Wharton, John, land agent and farmer, Croston. Nov. 8. Trust. W. Hodgson, farmer, Brotherton.

Wild, William Heslop, tailor, Huddersfield. Nov. 14. Trusts M. Garside, cloth dresser, Newtown, near Huddersfield, and J. Oldroyd, woollen manufacturer, Batley.

Yates, John, grocer, Runcorn. Nov. 11. Trusts. J. Hall and J. Sarlock, wholesale grocers, both Warrington.

Gazette, Dec. 9.

Bailey, John George, dealer in berlin wool and fancy goods, Newington-causeway. Nov. 21. Trusts C. F. Heuse, corn merchant, Mark-la. and G. S. Nix, managing clerk to Messrs. Hutton and Co., warehousemen, Newgate-st.

Berkeley, Robert, and Hesketh, William, manufacturers, Burnley. Nov. 12. Trusts. G. H. Barnes, and J. Sutcliffe, cottonspinners, both Burnley.

Billock, Henry Robert, and Fernyhough, John Francis, colonial brokers, Mincing-la. Nov. 10. Trusts. J. R. Fernyhough, Esq., Belsize-park, Hampstead, and E. Jagger, gentleman, Adelaide-rd. Hampstead.

Cowper, Henry, shoe manufacturer, Wellingborough. Nov. 16. Trusts T. K. Southorn, leather merchant, and H. Jewell, last manufacturer, both Northampton.

Crossley, Benjamin, dyer, Halifax. Nov. 29. Trusts. W. Crossley, coal merchant, Birstal, and J. Burgess, dyer, Rastrick.

Davison, Barry, and Davison, Frederick George, ship and assurance brokers, Railway-pl. Fenchurch-st. Nov. 19. Trusts. A. C. Marsetti, Vine-st. Minories, and I. C. Thompson, Savage-gardens, Crutched-friars, merchants.

Dent, George, spirit merchant, Crackenthorpe. Nov. 11. Trusts. G. R. Thompson, gentleman, Appleby, and F. Brakenfield, farmer, Windmore End-on Stainmore.

Ellis, Henry, grocer, Ecclesfield. Nov. 21. Trusts. W. Booth, wholesale grocer, and J. Jones, draper, both Sheffield.

Evans, Francis, machinist and ironfounder, Westbromwich. Nov. 11. Trusts J. Hambleton, brick manufacturer, Runcorn, and J. Chapman, ironmaster, Willenhall.

Fox, Jeremiah, clothier and general dealer, Widnes-dock, near Warrington. Dec. 2. Trust. W. Shaw, boot and shoe merchant, Manchester.

Howard, Joseph, draper, Consett. Nov. 8. Trust. J. Taylor, agent, Newcastle.

Isaacs, Chaim, Great Alie-st. Goodman's-fields. Nov. 30. Trust. P. Berger, Hatton-garden.

Jones, John, plumber, Ruabon. Nov. 16. Trust. E. Lloyd, plumber, Wrexham.

Kirkland, Joseph, beerseller, Oldham. Nov. 16. Trust. J. Charlesworth, maltster, Thornhill.

McDonald, William, victualler, Long-acre. Nov. 8. Trust. E. Adams, clerk to Coombe, Delafield and Co., brewers, Castle-st. Long-acre.

Spiers, William; Davison, William; and Wright, Henry, grocers, Worcester. Nov. 11. Trusts. W. W. Ross, Worcester, and T. Averill, Birmingham, grocers.

Trebilcock, William, shoe manufacturer, Exeter. Nov. 11. Trusts. T. K. Southorn, and H. Harris, leather merchants both Northampton.

Ward, William, advertisement agent, Paternoster-row. Nov. 21. Trust C. Berry, gentleman, Ave Maria-la.

Watson, Mary, beerseller, Manchester. Nov. 1. Trust. J. M'Evoy, public accountant, Manchester.

Wright, Samuel Phillips, chemist, Bishop's Waltham. Nov. 15. Trusts. W. R. Randall, chemist, Southampton, and F. Snelling, dealer in fancy goods, Farringdon-st.

ERRATUM.

Hargreaves, George (and not Joseph as before advertised), merchant, Liverpool. Nov 17. Trusts. G. J. Mozley, banker, Liverpool, and E. T. Manners, Manchester.

Composition Deeds.

Gazette, Dec. 6.

Barlow, Ashton Helsall, grocer, Sale. Nov. 16. 10s. by three instalments—2s 6d. on execution of deed, 2s. 6d. on 1st Jan. and 5s. on 1st May.

Bennett, Joseph William Noble, out of business, Walbrook. Nov. 25. Deed of arrangement to pay debts in full by instalments of 2s. 6d. every 6 mos.

Bentley, Thomas Hyett, High-st. Kensington. Nov. 7. Trust. J. Todd, cheesemonger, Kensington. 5s. by two equal instalments on 23d Jan. and 23rd April.

Billett, Stephen, cattle dealer, Gloucester. Nov. 9. Trust. F. Pritchard, gentleman, Bristol. 7s. 6d.

Brinton, George, and Brinton, Charles George, innkeepers, Newcastle. Nov. 14. Trusts. F. E. Gauntlett, gentleman, J. Short, manager to wine merchants, and A. Gillespie, accountant, all Newcastle. 10s. by four equal instalments at 3, 6, 9 and 12 mos.

Burcher, James, out of business, Whitefriars-st. Nov. 28. 1s. on 13th Dec.

Cato, Peter, jun., commission agent, Liverpool. Nov. 16. Trust. H. C. Langton, accountant, Liverpool. 2s. on 15th Dec.

Croskey, Joseph Rodney, merchant, Saint Michael's-house, Saint Michael's-alley, Cornhill. Nov. 13. Inspectors H. W. Spratt, gentleman, Walbrook-buildings, J. R. Stebbing, Esq., Southampton, and R. Walters, Esq., Eaton-sq. Deed of inspectorship.

Davies, Benjamin, victualler, Milford. Nov. 23. 2s. 3d.

Davis, Coleman, and Alvarez, Aaron, rag merchants, Palmer-st. Tenter-ground, Spitalfields, and Charles-st. Back-rd. St. George's-east. Nov. 26. 1s.

Elliot, William Henry Fletcher, merchant, Austin-friars, and Shanghai. Nov. 17. Inspectors J. Wiseman, Great St. Helen's, S. A. Liebert, Manchester, and H. F. Torre, Leeds, merchants. Deed of inspectorship.

Farthing, William, nurseryman, Winchester. Nov. 9. 5s. in 14 days.

Fielding, John, dealer in marine stores, Bridgend. Nov. 29. 5s. in two moieties, on 9th Jan. and 28th Feb.

Girling, Alexander Henry, ironmonger, Essex-rd. Islington. Nov. 22. 5s. on execution of deed.

Ironside, Robert Duff, provision merchant, Gracechurch-st. Nov. 23. 6s. on 29th April.

Jay, John, contractor, Sevenoaks. Nov. 14. Inspectors W. Lee, M.P. Hamburner, Earl-st. Blackfriars, and M. Marshall, timber merchant, Godalming. Deed of inspectorship.

Kemmish, William, jun., stationer, Camberwell-rd. Walworth. Nov. 22. 5s. by two equal instalments at 6 and 12 mos.

Lancaster, John, cotton manufacturer, Preston. Nov. 8. 12s. by two instalments of 6s. 6d. each, on 1st Dec. and in 3 mos—secured.

Manning, William Samuel, and Collyer, Charles Edward, flax and colonial fibre brokers, Fenchurch-st. Nov. 20. Inspectors J. A. Noble, russian broker, George-yard, Lombard-st. and J. Scott, jun., merchant, Riches-ct. Lime-st. Deed of inspectorship.

Mechop, Charles, picture-frame maker and dealer in gilt mouldings, Sun-st. Bishopsgate. Nov. 14. 5s. by two equal instalments in 14 days and 3 mos.

Seuder, Aron, and Seuder, Gerson, boot and shoe manufacturers, Hoxton-sq. Shoreditch. Nov. 17. Trust. D. Bamberger, Highbury-crescent-west. Deed of arrangement to pay 1s by two instalments of 6d. in 1 and 6 mos.

Simpson, James Gilliland, and Simpson, David Crichton, merchants, Gracechurch-st. Nov. 15. Inspectors E. Barber, merchant, Fenchurch st. and A. Potter, merchant, Royal Exchange-buildings. Deed of inspectorship.

Skinner, John, coachbuilder, North-st. Clapham. Nov. 24. 10s. by 24th Dec.

Southey, Joseph, butcher, Burroughs, Hendon. Nov. 7. 5s.

Whitehead, James, tailor, Bury. Nov. 9. 5s.—2s. 6d. in 3 mos., 1s. 6d. in 6 mos. and 1s. in 9 mos.

Whitsed, Isaac, gentleman, Holbeach. Nov. 6. Trusts E. C. Armstrong, common brewer, Horncastle, and W. A. Mills, accountant, Holbeach. Deed of arrangement to pay 11l. on 6th April and 11l. on 11th Oct. until all debts are paid.

Woodhouse, Jane, and Woodhouse, Ann, spinsters, Nottingham. Dec. 2. Trust. J. Place, banker's clerk, Nottingham. 11s. by four instalments—2s. 6d. each at 3, 6, 9 and 12 mos., and two further instalments of 6d. at 18 and 24 mos.

Gazette, Dec. 9.

Anderson, John Henry, professor of natural magic, St. James's-hall. Nov. 10. 3s. 6d. forthwith

Beharvald, Solomon Meyer, cap manufacturer, Houndsditch. Nov 22. 2s. by two instalments

Clark, Henry Deveson, warehouseman, Red Lion-st. Watling-st. Nov. 25. 5s. 6d. by three instalments

Collins, Henry, land agent, Boyle-st. Burlington-gardens. Dec. 1. 4s. on 14th Dec.

Conway, James Henry, and Simmons, George Francis, wholesale teadealers, Fenchurch-st. Nov. 10. Inspectors W. J. Marshall, Mincing-la. and D. W. Mackenzie, Warwick-gardens, Kensington, merchants. Deed of inspectorship.

Davey, Richard, currier and leather dealer, Manchester. Dec. 5. Trusts. E. Magnon, leather merchant, and J. Royle, boot top manufacturer, both Manchester. 5s. by two equal instalments on 1st March and 1st June.

Feast, Robert, wholesale oilman, Commercial-st. Great Eastern Railway, Shoreditch. Dec. 6. 4s. by two instalments.

Gain, John Thomas, merchant, Leeds. Nov. 17. 6s. 8d.—2s. 6d. on 22nd Nov., 2s. 6d. on 6th Jan. and 1s. 6d. on 6th Feb.

Garner, John, builder, Merchant-rd. Bow. Dec. 3. 2s. by two equal proportions, on 26th Dec. 1865 and 26th Dec. 1866.

Jay, Joseph John, refreshment-house keeper, Southampton. Nov. 10. 3s. on 9th Nov.

Johnston, Robert, merchant, Aberdeen. Nov. 21. Trusts J. W. Adamson, shipowner, Leadenhall-st. and J. Fletcher, timber merchant, Eling, near Southampton. Deed of inspectorship.

Keith, John, wine and beer merchant, Queenhithe. Nov. 15. 3s. on 30th Nov.

Kenon, Thomas William, corn and seed merchant, Hereford. Nov. 21. Trust. J. Toovey, coal merchant, Hereford. 10s. by two instalments of 5s.

Kettlewell, Thomas, victualler, High Holborn. Nov. 29. 10s.

McDougall, Archibald, clerk in the Admiralty office, Strand. Nov. 28. To pay debts in full by instalments of 1s every 6 mos.

Mills, Henry, victualler, Radnor tavern, Holborn. Nov. 9. 5s. by two equal instalments.

Mortimer, David, wine and spirit merchant, Lincoln. Nov. 14. Trust. T. J. N. Brogden, auctioneer, Lincoln. 5s. by two equal instalments.

Oelrichs, Earnest Farrand, merchant, Mark-la. Nov. 10. Trusts. A. Wiener, merchant, Little Tower-st. and E. Brown, broker, Great Tower-st. Deed of inspectorship

Ogden, Frederic, cloth finisher, Manchester. Nov. 18. Trusts J. Bebbington, salt merchant, and W. S. Perrin, coal merchant, both Manchester. Deed of inspectorship—to pay 5s. in 9 days.

Quin, Frederick, importer of French lamps, Newman-st. Oxford-st. Nov. 26. 10s. by three instalments

Rees, David, chemist and druggist, Pontardawe. Dec. 1. Deed of arrangement to pay 6s. 8d. on 1st Jan. 1st April and 1st July.

Smith, John, miller, Birmingham. Nov. 19. Trust. G. E. Smith, clerk, Birmingham. 7s. 6d.

Steinberg, Otto Rudolph Julius, general commission merchant, Mark-la. Nov. 26. 7s. 6d. in 14 days

Sugden, Joseph, drysalter, Halifax. Nov 15. Trusts. G. Okell, broker, Liverpool, J. Fielding, drysalter, Halifax, and J. Graham, wheelwright, Halifax. 4s. by four promissory notes.

Summers, William Wallace, and Lawrence, Amorey, lace manufacturers, Basford. Nov. 23. Trust. J. Summers, lace manufacturer, Basford. 5s by two instalments of 2s. 6d.

Tayler, Henry, shipping grocer, Upper East Smithfield. Nov. 11. 2s. 6d. in 3 mos.

Taylor, Henry, scribbling miller, Horsforth. Nov. 10. 6s. on execution of deed

Thompson, William James, commission agent, Upper Homerton. Dec. 1. 1s. on 1st March

Trenter, Alfred William, printer, Railway-pl. Fenchurch-st. Nov. 15. 7s 6d on signing deed.

Tucker, John, commission agent, North-pl. Clapham. Dec. 5. 2s by two equal proportion, on 26th Dec 1865 and 26th Dec. 1866

Wakeley, Reuben, livery-stable keeper, Lupus-yard, Johnson's-pl. Pimlico. Dec 6. 5s. by two instalments.

Warburton, William, cornfactor, Manchester. Dec. 6. Trust. A. Murray, accountant, Manchester. 5s.—2s. 6d. in 1 mo., 2s. 6d. in 3 mos., 1s. in 6 mos., 1s. in 9 mos. and 1s. in 12 mos.—secured.

Wells, Charles, coal owner and merchant, Hull. Nov. 11. Inspectors W. Crosskill, gentleman, Beverley, E. Crosskill, agricultural implement maker, Beverley, J. B. Charlesworth, coalowner, Lofthouse, and J. G. Carlill, accountant, Hull. Deed of inspectorship.

Woolesworth, Percy, cloth manufacturer, Armley, near Leeds. Nov. 15. Trust. E. Holt, woollen merchant, Leeds. 2s. on 15th Dec.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

Burn.—On the 12th inst., at Angel-terrace, Brixton, the wife of George Roddam Burn, of Doctors'-commons, solicitor, of a son.

Clifford.—On the 10th inst., at St. John's-road, Brixton, the wife of Frederick Clifford, Esq., barrister-at-law, of a son.

Danson.—On the 10th inst., at Russell-terrace, Parkfield, Liverpool, the wife of J. T. Danson, Esq., barrister-at-law, of a daughter.

MARRIAGES.

Birch—Lumsden.—On the 13th inst., at St. John's Church, Torquay, Charles Birch, Esq., barrister-at-law, to Emma Edith Malet, second daughter of the late James Grant Lumsden, Esq., H.E.I.C.S., of Grey's Lodge, Torquay.

Moore—Newbold.—On the 13th inst., at St. Paul's, Lorrimore-square, Robert Bendle Moore, Esq., solicitor, of Birkenhead, to Clara, youngest daughter of Francis Newbold, Esq., of 21, Canterbury-row, Newington-butts.

Winstanley—Killick.—On the 14th inst., at the Parish Church, Edenbridge, Kent, James Winstanley, of Newcastle, Staffordshire, solicitor, to Annie, second daughter of the late Richard Killick, Esq., of Crouch house, Edenbridge, Kent.

Wilbraham—Marriott.—On the 13th inst., at St. George's, Hanover-square, Henry Wilbraham, barrister, and late Fellow of Trinity College, Cambridge, to Mary Jane, only daughter of Christopher Marriott, Esq.

DEATHS.

Blenkinsopp.—On the 4th inst., at Hoppyland Castle, county of Durham, aged 82, George Thomas Leaton Blenkinsopp, Esq., Senior Justice of the Peace for the county of Durham, senior but one for the county of Northumberland, and Deputy-Lieutenant for both counties.

Cornelius.—On the 4th inst., aged 36, Alfred Kingsford Cornelius Esq., solicitor, Weymouth.

Heckford.—On the 3rd inst., at Richmond-road, Islington, aged 61, James Heckford, Esq., late of the Exchequer-office, Lincoln's-inn.

Turner.—On the 11th inst., in his 80th year, Francis Turner, Esq., of Queen's-square, St. James's-park, and New-square, Lincoln's-inn, one of the Benchers of the Inner Temple.

Woodcocke.—On the 4th inst., at his residence, Surrey-street, Norwich, in his 9?th year, Thomas Woodcocke, Esq., formerly of the firm of White and Woodcocke, solicitors, Halesworth, Suffolk.

Investments.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100l. and upwards, secured either on the general undertaking or upon the Metropolitan Extensions, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, S.W., Sept. 16, 1864.

DEBENTURES at 5, 5½, and 6 per Cent.
CEYLON COMPANY, LIMITED.

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Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary.

SIX PER CENT. DEBENTURES.

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(Limited)

Subscribed Capital	£500,000
Paid-up Capital	100,000
Unpaid Capital	400,000

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Colonel Balfour, C.B.	Lieut. Col. F. A. V. Thurburn.
George Henry Money, Esq.	Henry Young, Esq.
George Palmer Robinson, Esq.	George Cleribew, Esq.
Richard Spooner, Esq.	Robert G. Lancaster, Esq.

The Crédit Foncier of Mauritius (Limited), duly authorised to borrow to the extent of the money, invested on mortgage, is now prepared to issue debentures, with coupons attached, terms to be agreed upon, in amounts from £20 upwards, at 6 per cent. per annum, payable half-yearly at the Alliance Bank, on the 15th of June and 15th of December.

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The state of the law of Mauritius, including the system of registration of mortgage and other claims upon land, is peculiarly conducive to the security of mortgagees.

Applications for debentures to be made to the Secretary of the Company, 17, Change-alley; to the Alliance Bank, 5, Lothbury; or to Messrs. J. and A. Scrimgeour, the brokers of the Company, 10, Old Broad-street.

WILLM. G. DICK, Secretary.

SEVEN PER CENT. GUARANTEED on MONEY invested in first registered Mortgages, through the medium of the TRUST and AGENCY COMPANY of AUSTRALASIA (Limited).

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Philip Twells, Esq. (Messrs. Barclay, Bevan, Tritton, Twells, and Co.)
Andrew Bonar, Esq., Pembridge-square.
W. W. Cargill, Esq., M.P., Connaught-place West, Hyde-park.
Alfred Denison, Esq., Albemarle-street.
Henry Kingscote, Esq., Eaton-place.
Hon. Arthur Kinnaird, M.P. (Messrs. Ransom, Bouverie and Co.)
Henry Loftus Wigram, Esq., Grosvenor-square, London.

Offices—31, St. Swithin's-lane, London, E.C.

The Company, as agents, effect investments in first registered mortgages in Australia and New Zealand, to pay investors 7 per cent. per annum, the interest being guaranteed and paid half-yearly by the Company.

The Company also issue Five per Cent. Debentures for loans for three or more years. The debentures, besides being secured by the paid-up capital and property under mortgage to the Company, have, in addition, the guarantee of uncalled proprietary capital sufficient alone to liquidate in full the whole of the debentures that may be issued; and further, in order that the debenture holders should be most amply protected, it is expressly provided by the Company's constitution that the Directors may borrow only to the extent of the uncalled subscribed share capital.

Full particulars on application to the undersigned.—By order,

JAMES HORA, General Manager

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

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DIRECTORS.

Ralph T. Brockman, Esq. Folkestone.
Edward Wm. Cox, Esq., 33, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
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Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street

CONSULTING ACTUARY.—P. G. P. Nelson, Esq., F.R.S.

SECRETARY.—Edward S. Barnes, Esq.

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William J. Beadel (Messrs. Beadel), 23, Gresham-street, E.C.
Frederick Chinnock (Messrs. Chinnock, Galsworthy, and Chinnock), 11, Waterloo-place, Pall-mall, S.W.
Frank G. Debenham (Messrs. Debenham and Tewson), 80, Cheapside, E.C.
Robert C. Driver (Messrs. Driver and Co.), 4, Whitehall, S.W.
John Oakley (Messrs. Daniel Smith, Son, and Oakley), 10, Waterloo-place, Pall-mall, S.W.
George Trist (Messrs. Norton, Hoggart, and Trist), 62, Old Broad-street, E.C.
With power to add to their number.

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Kingsford and Dorman, 33, Essex-street, Strand, W.C.

Bankers.
London and County Banking Company, 21, Lombard-street, E.C.

Auditors.
Quilter, Ball, and Co., Moorgate-street, E.C.

Architect.
G. Somers Clarke, 23, Cockspur-street, S.W.

Secretary (pro. tem.)
Henry J. Dowden.

Temporary Offices:—62, Old Broad-street, E.C.

PROSPECTUS.

This Company is formed for the purpose of erecting in the city of London a Public Auction Mart for the sale of landed estates and other property, now absolutely necessary in consequence of the late Auction Mart, recently situate in Bartholomew-Lane, City, having been converted to other purposes, and the insufficient accommodation afforded to the public elsewhere.

The Directors have secured on favourable terms an extensive freehold site in Tokenhouse-yard, next to the offices of the General Credit Company, having a frontage of upwards of 100 feet. The site is admirably adapted to the requirements of the undertaking, not only from its central position, being close to the Bank of England, the Royal Exchange, the Stock Exchange, and the principal banking houses and establishments connected with the Money Market, but from the great advantage it possesses in being free from the noise and disturbance of a leading thoroughfare.

The Directors propose to erect on the site of the existing houses, a handsome and substantial building, containing on the ground and first floors several large and smaller sale rooms, with a spacious entrance saloon on the ground floor, on the second and third floors, which are to be approached by a separate entrance and staircase, numerous rooms and other accommodation, which can either be used as sale rooms, or for arbitrations, or let for offices. The basement will contain suitable refreshment accommodation and additional cellarage or offices to be also let off.

It is proposed to keep a classified register of the prices of property sold at the Auction Mart, on the principle of the present Estate Exchange, to which shareholders will have access on payment of a small fee, thus affording a useful reference for the purpose of valuations and otherwise.

The revenue of the Company will consist: first, of rents to be received from the auctioneers for the use of the sale rooms, the demand for which is continually increasing; secondly, from rent to be received in respect of the refreshment department; and thirdly, from rents to be received for the offices, arbitration rooms, cellars, &c., from which sources the directors confidently expect a most satisfactory dividend will be realised.

The Directors are desirous that the undertaking should be supported by their professional brethren, and applications for shares from auctioneers both in London and the country will therefore receive a preference in the allotment.

The undertaking originates with the directors. There will be no "promotion money" paid to any one either directly or indirectly, and the preliminary expenses will be confined to such as are actually necessary to be incurred.

The articles of association can be inspected at the offices of the solicitors to the company.

The shareholders will incur no liability beyond the amount of shares allotted to them. Applications for shares must be made upon the annexed form. Each applicant will be required to pay to the bankers of the company 1*l.* per share on the number of shares applied for, and upon allotment, to make a further payment of 4*l.* per share on the shares allotted to him. The remaining calls will be made at such times and for such sums as the requirements of the company demand.

If no allotment be made the deposits will be returned in full.

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To Readers and Correspondents.

A. H. Dawson.—The Law Times avoids making itself a court of appeal from the decisions of the courts; nor can we notice questionable decisions of County Courts. But thanks for the information.

All anonymous communications are invariably rejected.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

Mr. Oke has been appointed to the office of Principal Clerk to the Lord Mayor's Court. Never was promotion better deserved. We heartily congratulate him upon the honour received, and the City upon having secured so valuable an adviser.

It seems that the South Australians have carried out their threat, and actually sent to us a cargo of convicts, and this at the moment when we had submitted tamely to their outrageous demand that their Western brethren should be deprived of the labour they so much require, which they want to have, and we desire to give them.

But the British lion is a very tame animal now. Having declared his resolution not to fight, everybody gives him a kick behind. It is the way of the world, and with nations as with individuals. Our new practice is profitable, but it is not pleasant. We fill our pockets, but we must hang our heads.

A Queen's Proclamation, having constitutionally a binding force, when it is grounded upon and enforces the laws of the realm, should be accurate and clear with reference the laws. The importance of this is illustrated by the difference of opinion which has arisen between Mr. Baron Martin and Mr. Justice Willes, on the effect which the proclamation made May 14, 1861, of British neutrality in the American war, has on breach of the Federal blockade by a British subject or a person for the time being within the jurisdiction of British law. The same transaction which Mr. Justice Willes and the Common Pleas treated as legal, Mr. Baron Martin, at Nisi Prius at Guildhall, treats as illegal. The facts of the case were, that merchants in London agreed with merchants at Leeds to provide shipping for 200 tons of Manchester goods at 15*l.* a ton, to be sent by the latter to Charleston, and also with a shipowner to carry these goods and run the blockade for the purpose. The Leeds merchants having meanwhile found a ship at a lower freight, failed to send the goods to be shipped, upon which the shipowner sued and obtained damages from the London merchants, it being a custom at London and Liverpool that freight is earned as soon as the vessel starts on her voyage, whether she reach her destination or not. That action was defended on every ground that could be taken, and among other pleas the illegality of the contract was pleaded; notwithstanding this, the shipowner recovered nearly two thousand pounds damages. Now the London merchants sued the Leeds merchants. The illegality of the contract, as being a breach of international law, was pleaded, but the plea was withdrawn; nevertheless Mr. Baron Martin took judicial notice of the illegality, for that running the blockade was contrary to the Queen's Proclamation, and he held that the damages ought therefore only to be nominal.

The Proclamation was to the effect that, the hostilities having broken out, and we being at peace with the United States, the Queen had declared her determination to observe a strict neutrality, and therefore issued the Proclamation. Her subjects were commanded to observe strict neutrality, and to abstain from contravening either the laws of the realm in that behalf, or the law of nations in relation thereto. The Proclamation then set out the provisions of the Foreign Enlistment Act, and proceeded, in order that none of the Queen's subjects might unwarily render themselves liable to the penalties of this Act, to command them that they should do nothing contrary to the Act, upon pain of the penalties. Further, the subjects and all persons within the Queen's protection were warned, that if any of them presumed to do any acts in derogation of their duty as subjects of a neutral, in contravention of the law of nations—as, for example, entering into the military or naval service of either of the parties, or serving in a privateer of either, or going beyond sea for the purpose of entering or engaging others to enter into such service, or fitting out a vessel as a ship of war or privateer for either of the parties, or "breaking or endeavouring to break any blockade lawfully and actually established by or on behalf of either," or carrying contraband of war for the use of either—all persons so offending would be liable to the penalties imposed by the Foreign Enlistment Act or by the law of nations. And the subjects were warned, that if they misconducted themselves in the premises they would obtain no protection from the Crown.

The present transaction Mr. Baron Martin considered to have a direct tendency to involve this country in a war with the United States: he thought it worthy of observation that not a single English name but one, and that was the name of a Southerner, appeared. Much blame was cast upon the English Government in respect of these transactions, which it was almost utterly impossible to stop. The transaction was conducted entirely by foreigners in this country, not a single Englishman having anything to do with it. Very likely that was the history of most others of the same kind. The parties came over here, and while enjoying the freedom of the country, engaged in transactions which had a direct tendency to involve us in war. The case was *Ellison* v. *Jones*.

In these remarks the Court could not mean that the law would have a different application to foreigners and to Englishmen, but rather intended to point out that the circumstances called upon the court to uphold the law, otherwise the relations of this country with the United States might become complicated by the action of persons not British subjects. The policy, however, of viewing the law more stringently in respect of foreigners trading in and from this country, than in respect of British subjects, is questionable, and is matter rather for legislative than judicial cognisance. The important question is, whether running the Federal blockade is contrary to the Queen's Proclamation, and whether, therefore, contrary to law. For although it is the Queen's prerogative to issue a proclamation, yet the proclamation has a binding force on the subject when it does not either contradict the old laws of the realm, or tend to establish new laws, but only enforce the execution of such laws as are already in being, in such manner as the Queen judges necessary.

Between the Judges who have taken different views of this Proclamation in relation to such a transaction as that which we have described, we do not presume to offer any decided opinion. But the Proclamation, on the face of it, seems to be a warning to the subject to abstain, in relation to the observance of a strict neutrality, from two things—violation of the laws of the realm and of the law of nations. The law of the realm pointed at is the Foreign Enlistment Act; the special warnings which follow end with the words, "All persons so offending will incur and be liable to the several penalties and penal consequences by the said statute or by the law of nations in that behalf imposed or denounced;" and the Proclamation then concludes by a declaration that persons misconducting themselves in the premises will not have the Queen's protection. There is consequently great room for doubt whether any other domestic law than the Foreign Enlistment Act is meant in the Proclamation, and therefore, whether any breach of blockade not within that Act is within the Proclamation, so far as it refers to the laws of the realm. Now the Act is concerned exclusively with the engagement by the Queen's subjects in war or warlike purposes in foreign service without the Queen's licence, and with the fitting out and equipping and arming of vessels against foreign states, to the danger of the peace of this country. There is no mention of breaking blockade, nor any of carrying contraband of war. These offences, it should be remarked, are the last two in the enumeration made by the Proclamation, and all the others enumerated are mentioned in the Act. Then the enumeration ends with the warning which we have quoted of the several penalties and penal consequences imposed by the Act or by the law of nations. The fair conclusion therefore is, that while the first offences enumerated are specified as offences against the Act, the last two, that is, breach of blockade and carrying contraband, are spoken of as offences against the law of nations, and as offences which, if the Queen protected the wrong-doer against the consequences, would lead to war; and therefore the Queen will leave him without her protection, as she has determined on strict neutrality. The final words are, "that they will in no wise obtain any protection from or against any liabilities or penal consequences, but will, on the contrary, incur our high displeasure."

A declaration of the Queen's high displeasure at breach of a blockade would not, it is presumed, be held to make illegal a contract involving such a breach, unless the statute or common law of the realm made the breach illegal. Neither the one nor the other does so. The offence is not cognisable by domestic law. Even as regards the cruisers of the blockading belligerent, the offence does not travel on with the vessel further than to the end of the return voyage. She is thenceforth a free ship.

The difficulty in the present case may have arisen from the confused character of the language of the Proclamation. It is put together as if it were intended to frighten by a flourish of the arm of the law, rather than distinctly to point out, by way of wholesome warning, breaches of domestic law which would call down the action of the Attorney-General, and breaches of international law which would leave the Queen's subjects exposed, without any protection on her part, to the remedies which that law allows to belligerents against the subjects of neutral states.

It has never yet been decided whether a claim for dower is within the Statute of Limitations. The question has at length came formally before V. C. Stuart, who has held that the right of a widow to enforce such a claim may be barred by the statute. *Marshall* v. *Smith*, 11 L. T.

Rep. N. S. 443, fully reports the facts and the judgment, from which the following passage is taken, as condensing the arguments.

Taking the word "land" to include an interest in land, and taking "dower" to be also clearly an interest in land, my opinion is that it would not be a sound interpretation of the language of the statute, were I not to hold that the right of this widow, which accrued upon the death of her husband, to sue out her writ in a court of law, is a right to an action to recover land. With this view as to her legal right, if the question had come before me in a court of law, I should have felt it impossible not to have said that this case was entirely within the statute, and that a widow, who, thirty-one years after her right to sue out her writ at law for an assignment of dower has accrued, comes to establish that right, has come too late, and is consequently barred by the statute. It seems to me quite unnecessary to consider the points argued as to the construction of the 3rd section of the statute, because it has in the course of those arguments truly been stated that a right to dower is in some respects an anomalous one. The 3rd section deals with the time from which the right to an action first accrues. Now the language of the section, accurately considered, is not applicable to a right to an action to recover dower. It has been stated, though not upon any just grounds, that until the assignment has been actually made upon a writ sued out at law, the possession of the heir is the possession of the widow. It may be true in this sense that, as against strangers, her right would be protected; but so little is the possession of the heir the possession of the widow, that if he neglected to pay to her that portion of the rent belonging to her, she, after a lapse of six years, would be unable to recover. It seems to me, however, as I have already observed, that this case must be decided upon those enactments which prescribe what is to be done in regard to rights which are to be barred by length of time, when such questions occur in courts of equity. Before the suit in the celebrated case of *Cholmondeley* v. *Clinton* the minds of lawyers had been greatly perplexed by questions which arose as to length of time. Sir W. Grant, one of the greatest judges who ever presided in any court in any country, in his memorable judgment in that case, closely reasoned, came to the conclusion that a period of time extending over more than twenty years had not barred the right of the Marquis of Cholmondeley. That judgment, though satisfactory to the minds of some great lawyers, was not so to others, and when afterwards the case came before Sir Thomas Plumer, who succeeded Sir William Grant, and he (after perhaps some of the most ably conducted arguments ever heard in this court) exposed, in a masterly judgment, the unsoundness of the views of Sir William Grant, the minds of all lawyers were satisfied that the course of reasoning on which Sir William Grant's propositions were based would not stand the test of a close examination. The judgment of Sir Thomas Plumer—from which I was glad to hear Mr. Osborne read some passages—was accepted by every lawyer, and it still remains a sound equitable doctrine of this court. The case was carried to the House of Lords, and the judgment was there affirmed. So satisfied were Lord Eldon and Lord Redesdale with its soundness and accuracy that they implicitly adopted it without considering it necessary to enter into an exposition of the points argued before them, and which, under other circumstances, they probably would have done. They simply contented themselves with stating that it was the law of this court. The judgment of Sir Thos. Plumer, in which I consider this law has been so very clearly and concisely stated, is at 2 J. & W. 152, and that passage was taken from Lord Redesdale's judgment in the case of *Hovenden* v. *Lord Annesley*, 2 Sch. & Lef. 636. The words were these: "I think the rule has been laid down that every new right of action that accrues to the party, whatever it may be, must be acted upon at the utmost within twenty years. In every case of equitable title (not being the case of a trustee, whose possession is consistent with the title of the claimant) it must be pursued within twenty years after the title accrues." This is a bill in equity by a lady who for thirty-one years has slept upon her right, and acquiesced in the possession of the heir, and who has sought, neither in a court of law nor of equity, to recover by any legal or equitable process her right to dower; and, in my opinion, that right has been barred by the Statute of Limitations. I must therefore dismiss this bill with costs.

An extremely important decision of the American Courts cannot be too widely published in this country, where monetary transactions with the people of the Republic are of daily recurrence. It is, in substance, that no contract for payment in gold, or its value, though made in this country, can be legally enforced in the Union. Even a disbursement made in this country for an American, or an American account of any kind whatever, cannot be recovered in America against the person on whose account it was paid, at its real value in gold, but only in its nominal value in greenbacks. If, for instance, a trader in America were to order a friend or a customer in London to make a payment for him, or to supply him with goods to the amount of 20*l.* sterling, the English creditor suing in America will recover only 20*l. paid in greenbacks*, which, being now worth only 6*s.* for 20*s.* of nominal value, will be in fact a cheating of the creditor of 14*s.* in every pound.

This latest specimen of 'cuteness is thus communicated to the *Times*:

Sir,—We beg to call the attention of the *Times* to the accompanying remarks from our New York correspondents, under date of the 22nd Nov., which shows that it is now declared by the American law courts that under no circumstances can a contract for any description of goods to be settled for in "gold currency of the United States," be enforced, save only in "lawful money of the United States," *i.e.*, in greenbacks! and not only so, but where English merchants come under advance on "goods on consignment" by bills paid in England, they can only recover any balance due at the rate of 4 dollars 84 cents. per pound sterling in "lawful money," the actual rate, at exchange of 250 per cent., being equal to 11 1-9th dollars per pound sterling. We know not if the New York Chamber of Commerce sanctions this iniquitous attempt at repudiation under cover of the law courts of America, but we think all business men can have but one opinion on the matter.—We are, Sir, your obedient servants,

A. B. C.

"The courts have decided that no contracts can be made for bills of exchange, or property of any description, payable in the gold currency of the United States, which can be enforced at law, otherwise than as for payment of the amount stipulated in 'lawful money of the United States,' the synonym for legal tender money commonly called 'greenbacks.' Hence in cases of dispute after the delivery and before payment of bills or other property, the seller must necessarily succumb, as a verdict in his favour for the full amount claimed would saddle him with a loss of upwards of 50 per cent. Sterling bills of exchange returned under protest can only be recovered at 4 dollars 84 cents per pound, and the same rule applies to all the other exchanges, and even to contracts made, and maturing abroad in foreign money, if payment is attempted to be enforced through our American courts."

We have received the following answer to some comments on the case of *Blake* v. *Stevens*, and, in accordance with our rule, we give it as prominent a place:

Blake v. Stevens and others.

As the plaintiff's attorney in this case, my attention has been just drawn to some editorial remarks on it, and which appeared in your impression of the 10th inst.

After stating correctly the *gravamen* of the charge, you say, "Such an error was very venial; it was instantly corrected when discovered, and we presume an apology was offered. What more the defendants could have done it would be very difficult to suggest; for it was stated at the trial that a writ was served without a previous demand for an apology, and before the jury found for the plaintiff they should at least have satisfied themselves that there was something the defendants had not done which in fairness to the plaintiff they ought to have done."

The whole of this statement is erroneous. 1. Opinions may differ as to the error being "very venial," in stating of an attorney who had been suspended, that he had been struck off the rolls. 2. As to its being "instantly corrected" not the slightest evidence was given, and it was most distinctly stated by the plaintiff's counsel that his client had not heard of the correction until "now" (the day of trial). 3. As to the presumption "that an apology was offered," it *is* a presumption, and nothing else. No apology was ever offered, nor indeed demanded. 4. As to "what more the defendants could have done it would have been very difficult to suggest, and before the jury found for the plaintiff they should have satisfied themselves that there was something the defendants had not done which in fairness they ought to have done," the Lord Chief Justice, who tried the cause, very pointedly showed what the defendants *should* have done; he observed: "A serious mistake had been committed; and they were unfortunately, even the most careful and guarded, liable to mistakes; and this the plaintiff might have asked to have corrected before the action was brought. On the other hand, the defendants had acted still more improperly, for instead of at once apologising for the mistake, and correcting the error, they had come into court, feeling that they had a raw place they could work upon, and had instructed their counsel to do all he could to wound and humiliate the plaintiff by the stinging observations he had made. This was decidedly not a course for persons who were in the wrong to pursue. . . It would have been better for the defendants to have made an apology, instead of setting the plaintiff at defiance." (I follow the report of the case as given in the *Observer* of the 4th Dec.) 5. "It was stated on the trial that a writ was served without a previous demand for an apology;" what the defendant's counsel *did* state, and with great vehemence, that although a letter had been written, the writ was issued on the very same day. I felt this to be an imputation on myself as the plaintiff's attorney, and denied it, and the plaintiff's counsel showed that my letter requiring a reference to the defendant's solicitor was written on the 5th May, and that the writ was not issued until the 20th. The defendant's counsel afterwards most fully withdrew his accusation, and stated that he had been misled by a wrong date being given in his brief.

It is no part of my province to insist on the impartiality of the *Times* report, but I may observe that, so far from its being a favourable one to the plaintiff, several circumstances were omitted which would have given a more favourable impression of his case; and my first intention was to request a correction of the report. I did not however do so, and should not have troubled you on the subject, but that I have strong reasons to believe that a false impression has been made by your comments, and the effect of the verdict, as far as regards the vindication of the plaintiff's character, to some and perhaps to a great extent, neutralised, and I rely on the spirit of fair play which has always distinguished your journal in asking for an insertion of this letter.

In the very impressive words of the Lord Chief Justice (omitted in the *Times* report, but partially given in the *Observer*): "It is not because a man has once committed an improper act, and for which he has paid the penalty, that it should be afterwards flung in his teeth, and he should be trampled in the dust."

Perhaps, Sir, I am exceeding the privilege which I may be justified in claiming, in observing upon your remarks, that the verdict in this case "places a new shackle upon the press." I should have thought the Chief Justice the last judge on the bench that might be expected to invade the liberty of the press. It stands securer than ever by this verdict. His Lordship most clearly laid down that both text writers and reporters "should be privileged when they fairly and honestly exercise their functions; and if they refer to reported cases faithfully and fairly, then although it may be derogatory or defamatory to individuals mentioned in them, the writer is not liable to an action."—I am, Sir, your's most obediently,

George Beckt.

8, Bedford-row, 16th Dec. 1864.

The Grand Jury of the Central Criminal Court, last week, made a presentment, reiterating the old complaints of the inconvenience and even losses to which they are subjected in the performance of duties which they deem to be wholly useless. They remind the court that the metropolitan Grand Jury is an exceptional case, for the committals are by magistrates who, with the exception of the city, are paid professional Judges, by whom a committal is never made without at least such sufficient grounds as would require that a Grand Jury should find a true bill. The Vexatious Indictments Act has removed from the primary jurisdiction of the Grand Jury the class of cases that formerly came before them in the first instance, so that, in fact, the institution has come to be a mere form, and in these busy days men cannot afford to waste their valuable time upon any work that does not yield an equivalent advantage. The reasons that render the maintenance of the Grand Jury so desirable in the country do not apply to the metropolis, and it was with this view that Sir F. Thesiger proposed and carried through the Commons a Bill for their abolition, which was defeated in the Lords. But opinion upon this question has advanced since it was last mooted in the Legislature, and another trial should now be given to it.

Mr. Stratton, however, whose experience entitles any opinion he may hold on this subject to great respect, has published the following argument in defence of the metropolitan Grand Jury, which deserves consideration.

To the Editor of the *Times*.

Sir,—I fear I may be regarded as an extremely self-sufficient individual in submitting opinions to your notice so diametrically opposite to those expressed in your leading article of to-day. I am, however, emboldened to do so by the knowledge that impartiality and fairness are the distinctive qualities of the leading journal, and that it is always ready to publish matter relevant to either side of a question.

The abolition of the grand jury inquest was some years back a topic of very general discussion, and much was written and debated concerning it, till finally a commission issued to consider the subject. In the result of its deliberations the following conclusion was arrived at:—That the opponents of this

time-honoured institution had failed to make out a sufficiently strong case to justify a recommendation for its abolition. It was left to retain its important position among the proceedings incidental to a criminal inquiry.

The presentment made by the grand jury of the last session at the Central Criminal Court starts anew the old threadbare arguments that were used on a former occasion, and which, because of their superficiality, were discarded with contempt by those whose duty it was to consider the question. First we are told that the investigation before this body delays the progress of justice. Surely this cannot seriously be urged. In the administration of the criminal law the first consideration is the safety of the accused person, the affording him every opportunity of supporting the supposition of his innocence, the thorough sifting of the charge against him. Is it not fair, then, to say that the addition of one safeguard, and that safeguard an irresponsible tribunal, if it does delay at all, which I deny, throws a protecting shadow around him, which those well acquainted with the proceedings of our criminal Court would be sorry to see done away with?

The irresponsibility of the grand jury is its great privilege and justification; it is amenable to no one; its proceedings are secret; its powers are unlimited. And why is this? Because it is composed of men of money and position in business or the social scale, who have a large interest at stake in the welfare of the community. Their duty is simple enough; it is for them to decide whether there is a *prima facie* case for the petty jury. It should be borne in mind that the grand jury is composed of twenty-three persons, men of superior intelligence and understanding who are able to examine every witness whose name appears on the back of the indictment, to cross-examine if they choose, and in all respects to exercise an unfettered discretion; no counsel for prosecution or defence, no direction of a learned Judge, no control of the laws of evidence to interfere. It is all this irresponsibility that, I maintain, vindicates the grand jury system. Consider in time of great popular agitation, when the public mind is inflamed and excited, how beneficial the existence of such a body as this is.

The magistrates are the servants of the Crown, and naturally desire to please the Crown. The petty jury is composed of small tradesmen and householders, likely to be influenced too much by their feelings in a court crowded with an auditory that very often does not hesitate to express its approval or the reverse of a verdict. But the grand jury, in the quietness and privacy of its deliberation, can carefully weigh and balance the merit of a case, and protect far more effectually the interests of society on the one hand and the accused on the other. That great and talented Judge, the late Mr. Baron Alderson, fully appreciated the value of this institution, as may be gathered from his charges to the grand juries on many occasions, in which he impressed upon them the great importance of the duties they had to perform. It is said that where a person is charged with an offence and the grand jury ignore the bill, that is a most unsatisfactory vindication of his innocence. May I be allowed to ask, would it be any better after a trial before a petty jury? When a bill is ignored by the grand jury the public is given to understand that there is not a shadow of pretence for the charge that has been made; but when a bill is found, that is to indicate that there is a case for the consideration of the petty jury. If a combination of circumstances point a suspicion, then it is in the province of the petty, not the grand jury, to inquire into the matter. But where twenty-three men make up their minds that there is no suspicion, for my part I cannot imagine a result more satisfactory to be obtained.

These few remarks are offered, with all due submission, for the consideration of those interested in the subject. It may be an annoying thing for a man in a large way of business to be taken away to assist in the administration of justice; but, surely, if he enjoys the protection the laws afford him, he should not complain because at intervals he is called upon to pay for it by an unpleasant duty. Every bit as much might the petty jury cry out at the hardness of their lot. From my short experience I am convinced that the grand jury system is both useful and beneficial, and in that opinion I am supported by very, very many who have had every opportunity to judge of its working, and who, with me, would regret to see it abated in the least degree, much less abolished.—I am, Sir, your obedient servant,

Temple, Dec. 16. Douglas Straight.

THE JUDGE.

By Edward W. Cox, Esq., Recorder of Falmouth, Author of "The Advocate," &c.

CHAPTER VIII.

Particular Duties of the Judge.

I. *When Sitting Alone.*

Jeremy Bentham energetically advocated that which he termed "single seatedness" in the administration of justice. He contended that a Judge sitting alone is not only compelled to devote his entire attention to the matter before him, but that the judgment of a single mind thus informed is of more value than the collective judgments of many minds, each of whom will probably form its conclusions from different premisses: if they agree, it is wasted labour; if they differ, either one must prevail, and then it is still the judgment of one; or they compromise, and the result is certainly wrong.

With his usual merciless logic, the great jurist brought these and a host of other arguments to the support of his position, and he succeeded in convincing his disciples; but he made no impression upon the Legislature or the public. Courts of appeal, constituted of several Judges, the common law courts and compulsory trial by jury of civil questions, for which a jury is acknowledged to be the worst tribunal that can be conceived, have been maintained to the present moment, and the public mind is yet far from conviction that a change in the direction of "single seatedness" would be an improvement.

It is some testimony in favour of Bentham's argument that Judges are almost unanimous in objecting to his proposition as a practical measure, however they may assent to it in theory. A Judge does not like sitting alone; he feels the weight of the responsibility that is cast upon him: if he is in doubt, he desires the opinion of another to turn the scale in his own mind; if he is confident, it is a satisfaction to find colleagues who are confident too. Judges reasonably prefer the assistance of a jury for two reasons; the responsibility is shifted from themselves, and the process of summing-up to the jury materially aids them in arriving at a conclusion—a good summing-up being but the utterance of that logical review of the evidence which the mind ought to conduct silently for the formation of its own judgment.

This general reluctance of Judges, who understand their duty, to act alone, indicates the difficulty of the task. But it is one from which no Judge can escape entirely, and the larger part of the labours of some Judges are performed in this manner. Let us endeavour to trace some of the principles that should guide the Judge in the discharge of his duty when sitting alone, and the procedure by which he may perform it.

Unwearied and unsparing attention is the first requisite; a full note, the second; and capacity to marshall the evidence in his mind, and, as it were, to discuss it with himself while the case proceeds, is the third.

When the case is conducted by competent advocates, the labour of the Judge is much lightened. Informed of the question at issue and of the facts proposed to be proved by the complainant, he can direct his attention to so much of the evidence as bears upon that issue, and pass carelessly over such as may be irrelevant. But if an advocate appears on one side only, the more difficult duty devolves upon the Judge of being at once the protector of the unprotected and the impartial arbitrator between the contending parties. In such case he must also be vigilant over himself. The skilful advocate will certainly so shape his statement as to give it the aspect of righteousness: this can only be met by the Judge placing himself in the position of advocate for the other side, and sifting the proofs with the care of an advocate. There is little difficulty in this to a Judge who has learned, in practice at the bar, the art of cross-examination; but it is extremely difficult for a Judge who has not enjoyed the training of a lawyer, and scarcely less difficult for the most experienced and skilful Judge, thus to play the part of advocate without forgetting his duties as Judge. It is, in fact, to contend for the one party and yet to see that right is done to the other. The balance cannot be kept even by obedience to any *rule*. An almost instinctive sense of right, that mental honesty to which a purposed injustice is impossible, will be a better prompter than reason. But there are some dangers which a warning may enable you to avoid. You should be very careful not to form an opinion too speedily. It is an error by no means uncommon, and the consequences are extremely mischievous. Biassed at the beginning, the mind is apt unconsciously to view with more favour, and to give greater weight to the evidence of, the one side than the other. You frame a theory, and without intention of unfairness you mould the facts into accordance with it; or, it should rather be said, the facts that favour your hypothesis are more esteemed than such as tell against it. The foremost endeavour should be *to form no opinion at all* until the case is concluded—to keep an open mind as well as an open ear; and that this may be done, it will be necessary to watch and subdue the first conscious symptoms of an inclination to one side.

A Judge sitting alone, without the help of a jury, must keep his attention ever awake, for the loss of a sentence may mar the justice of his judgment. As it is impossible to know what is relevant or irrelevant, unimportant or important, until the case is closed, he must give a patient ear to all, his only relief being the presence of competent advocates to keep the evidence within the limits of the case.

But if, as is usually the fate of Magistrates, the litigants are not represented by professional advocates, the duty is far more difficult. It is impossible to keep *the parties* to the point at issue; they have not the most distant conception of what constitutes evidence, nor, indeed, of what it is that they are required to prove. They wander into a maze of imagination and hearsay, from which it is the business of the Magistrate to extricate them, if he can, and out of the confusion of error to extract the truth. What is he to do? Is he to hear all the nonsensical utterances of both sides, or how may he guide them to an intelligible issue? How much soever he may desire to observe the strict forms of a court where the causes are conducted by advocates, hearing, first, the complainant's statement and witnesses, and then the defendant's statement and witnesses, and then calling on each party in turn to cross-examine the witnesses of the other, he will find it impossible in practice to preserve this regular order of proceeding. Whether he be a Judge of the County Court or of the Bankruptcy Court, or a Justice of the Peace, the same difficulty will present itself to him. The rules that so much conduce to the administration of the law in the Superior Courts, and even in his own court when the case is conducted by Lawyers, are but impediments to justice when he is called upon to decide between parties ignorant of law and incapable of being kept to order. He must be himself irregular, that he may bring something like regularity out of the chaos.

In such circumstances, not only the Judge may, but he *must*, take the whole case into his own hands, and he will find it convenient to proceed somewhat after the following fashion—for the reasons that will be assigned as I proceed.

Pleadings have a double use: first, to inform the court what is the complaint or claim, and what is the answer to it; and, secondly, that the parties and their witnesses may be kept strictly to evidence and argument relevant to the issue they have raised. With the pleadings before him, the Judge, even without the help of advocates, can, to some extent, keep the litigants to the point.

In courts where there are no pleadings, or only such loose ones as convey no information at all, I would venture to recommend the Judges to take the hint thus supplied by the Superior Courts, and begin by asking the complainant to state in few words what is his complaint. Then to set it down in his note-book. Then to read it to the complainant, and ask him if that is the charge.

In like manner he should read the charge to the defendant, and ask him what is his answer to it, and set down that answer also. Thus he will have before him what will be, in fact, a kind of *viva voce* pleadings, which will serve all the useful purposes of the more formal pleadings in the Superior Courts. The Judge will now see what is the issue really joined between the parties, and will be enabled to direct themselves and their evidence to the questions so raised.

The complainant may be then called upon to state his case. But this is found in practice to be a mere matter of form, for not one person in a hundred can do so without hopeless confusion. It will be the better for the party if he will be content without more ado to call his witnesses.

Here, again, the strict rule is, that *the party* should examine them. But he cannot do it; he will fall into endless perplexities. You must interpose and request the witness to tell his own story, and if the witness wanders from the subject, as witnesses will, for the most part, you must take upon yourself the office of advocate, and examine him. This is irregular, but, as I have said, it is unavoidable, if there is to be regularity at all.

But in such case, when you have concluded, you should always ask the party calling the

witness, if he desires to put any further question to him.

And here another difficulty presents itself. Shall you examine the witness as would an advocate for the party, so as to bring out the case of the party calling him; or shall you mingle examination and cross-examination, so as to elicit the truth?

The latter appears to me to be the right course. You are not seeking to establish a case, but to discover the very fact and right. If anything said by the witness appears to you dubious or unsatisfactory, you are bound to apply to it those tests that are in the nature of a cross-examination. Before you hear the answer of the defendant to the charge, you know what is the nature of the defence, and knowing this you are enabled to try how far the statements of the witness square with that defence. It is true that you have taken him out of the hands of the party by whom and for whom he is produced; but you have done this *ex necessitate*, and you sit there to judge between him and his adversary, and you cannot do so without mingling cross-examinations with the examinations.

You will now ask the defendant if he has any questions to put to the witness by way of cross-examination. He will be unable to do so fully, and it will be right for you to assist him in this. You will gather from him what are his objections to the witness's statements, and, seeing his drift, you will be enabled effectually to follow the clue which he may have put into your hands.

The complainant's case concluded, you ask the defendant for his answer to it as it now stands. Usually he is as confused, and often as irrelevant, as was his adversary; but you will much assist him and shorten the proceedings by telling him briefly what has been proved against him, and particularly what it is he is required to answer. "The witnesses say so and so. That is the charge against you. What have you to say to that?"

His answer made, let him call his witnesses. It is equally hopeless to require him to examine them, and you must do so for him—a task now comparatively easy, for you know precisely what they have need to prove. And here, also, you must strictly cross-examine them, whenever you may see cause for doubt. So, likewise, when you have concluded, you should ask the complainant if he has any questions to put to them, and if he suggests any, you should put them for him.

This procedure is suggested for adoption only where the parties are not represented by advocates. When advocates appear, of course the regular practice will be observed.

If but one of the parties appears by counsel or attorney, your duty is more difficult. You are bound to protect the unprotected; to see that no advantage is taken of the superior skill with which the case on one side is conducted; to cross-examine the witnesses for that party; and to examine the witnesses for the other party.

And in doing this, as before has been urged, you must most sedulously guard yourself against the imminent danger of an unconscious bias on behalf of the party for whom you have thus performed some of the duties of an advocate. If you have been an advocate, your old advocate impulse will be apt to return upon you. Keep watch and ward against it.

The materials being before him for forming his judgment, and having patiently heard the advocates, when such there are, on the law and the facts, the Judge should carefully review the evidence, almost as if he had been required to sum it up to a jury, and then pronounce his decision.

Upon a question of fact, it is the most prudent course to give no reasons. But otherwise it is upon a question of law. The parties, as well as the public, have a right to know by what law they are to be guided for the future, and the parties are entitled to their remedy by appeal, should the Judge have misinterpreted the law. In all cases in which a point of law is decided, it is the duty of the Judge to state the grounds of his decision.

BONA NOTABILIA.

Judicial Sayings.

Selected from the Reports by J. M. S. G. Schank, Notary Public.

No. XXXVI.

Jurisdiction of the different Courts.—It is a lamentable thing to observe how much of the litigation in this country, and how much of the difficulty in the administration of justice, are due to the fact that the jurisdiction is divided between different courts and conducted upon different principles. We have in this case (*Gleaves* v. *Paine*) to refer to the jurisdiction of a court of law, which is one thing, to the jurisdiction of a court of equity, which is another thing, and finally to the jurisdiction of a court of bankruptcy, which is a third thing. The justice of a court of law is one thing, the justice of a court of equity is another, the justice of a court of bankruptcy is a third; and it is from that confusion that this very simple case has become complicated, and has led to this difficulty by reason of that complication in deciding it: (*Lord Chancellor*, 32 L. J., N. S., 183, Chan.)

Legitimacy—Illegitimacy.—A child born of a married woman is presumed *primâ facie* to be legitimate, that is, to have been procreated by the husband, and our law respects and supports the legitimacy of such child; and although it does not prohibit any person interested from making out the illegitimacy, it throws the *onus probandi* entirely upon such person. If the case is, that the husband and wife were never together within the period during which, according to the law of nature they must have been to make the child the child of both, or that they were together either in company with others or under circumstances making the fact impossible, the onus is on the person alleging such a case to prove it. There is no onus on the party whose legitimacy is in question to show opportunities of access, or what the circumstances were under which the access took place. And further, when a person alleges the illegitimacy of the child of a married woman, and brings forward evidence to show that such child was not procreated by the husband, the law will not allow the presumed *status* of the child to be taken away merely on the balance of probability. The evidence must, on the contrary, not only be such as to raise in the mind of a judge or jury strong doubts, but it must be such as to produce a judicial conviction that the child was not procreated by the husband: (*Vice-Chancellor Kindersley*, 31 L. J., N. S., 682, Chan.)

Justice of the Peace.—Legally and constitutionally a justice of the peace is appointed and is removed by the Sovereign, acting, as in every other exercise of the prerogative, by the advice of a responsible minister. Although the Queen's pleasure is not actually taken in practice on the appointment of a justice of the peace, he is supposed to be appointed by her, as much as a judge of the Superior Courts, and the commission of the peace under which the quarter sessions are held is her commission as much as the commission of oyer and terminer, or other commission under which the judges sit at the assizes: (*Lord Campbell, C. J.*, 25 L. J., N. S., 30, Q. B.)

Scrivener.—It is an obscure matter now what a scrivener really was; we may form some idea of them from the old books. This we know, that the main trade of a scrivener was to procure money for those who wanted to borrow, and to procure investments for those wanted to lend. A man who did this would be a scrivener in common parlance: (*Maule*, J., 10 L. J., N. S., 284, C. P.)

INVESTMENT JOURNAL.

The following are the fluctuations of the week:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	238	239	...	240	...	...
3 per Cent. Red. Ann.	88¼	88¼	88¼	88¼	88¼	88¼
3 per Cent. Cons. Ann.	89¼	89¼	89⅛	89¼	89	89⅛
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	71¼	...	...	...	...
New 3 per Cent. Ann.	88¼	88¼	88¼	88¼	88¼	...
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	14 7/16	...	14¼	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89¼	89¼	89¼	89¼	89¼	89¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	2168	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	shut	shut	shut	shut	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	...	...
India 5 per Cents. 1870	103	103	102¾	103	102¾	...
India Bonds (1000*l.*)	...	...	3s 5d	3s	3s	...
Do. (under 1000*l.*)	...	...	...	8s	...	...
India Debentures, 1859	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1868	97¼	98	98	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	101¼	...	102	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*a*	15*c*	...	3*a*	...	*f*
Do. 500*l.*	...	3*a*	...	...	...	...
Do. 100*l.* & 200*l.* 3 per c.	...	...	*a*	*e*	...	2*c*
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a March 4 per cent. 4s. dis.
b Ex. div.
c 19s.
d Premium.
e March 4 per cent. par.
f 6 per cent. 8s. prem.

Another reduction in the rate of interest has caused increased confidence, and a slight improved movement in home securities. The week has been remarkably quiet, the only incident being the singular revelations of joint-stock bank management in the case of the ill-fated Unity Bank, and the announcement from America that the courts there have decided that obligations of American citizens to foreigners, which they can enforce only in America, though made in sterling coin, may be discharged in greenbacks; which is, in fact, repudiation under form of law.

LAND AND ESTATE MARKETS.

We have to notice the preliminary announcement of the sale, early in the spring, of two important estates in Wales: the one Pwll-y-Crochon, near Llandrillo, Denbigh, of 1200 acres; and the estate of Bodlondeb, of 2000 acres, near Conway, Carnarvon. There are no other sales of importance in the market.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Attorneys and Solicitors Act, sect. 37.—B. being indebted to C., his solicitor, for money advanced, and for costs, mortgaged to C. all his interest in certain property, the subject of the litigation, to secure what was then due and future advances and liabilities. B. subsequently discharged C. and employed new solicitors, who on B.'s behalf called upon C. to supply a statement of account and a bill of costs, which they alleged that B. was ready and willing to pay. To this application C. answered that they should be sent without delay. On the day before the date of this answer, B. obtained at the Rolls the common order for delivery within a fortnight and taxation of C.'s bill of costs. This order was delivered at C.'s office, but never personally served on him. No statement of account or bill of costs was in fact delivered, but C. filed a bill of foreclosure. It was objected that C. was prohibited by sect. 37 of the Attorneys Act 1843 from recovering the costs due to him at the date of the mortgage, as part of the debt secured by the mortgage, by reason of the outstanding order for the delivery of the account and bill of costs, such order never having been personally served. But it was held, on appeal (reversing the judgment of the court below), that this section did not so operate; that it applies to the ordinary contract between solicitor and client, and not to the prohibition of a suit brought to enforce a special contract deliberately made between the parties: also, that C. was not prevented, by reason of the nonfulfilment of his promise to send the account and costs, from having the usual mortgagee's costs in a foreclosure suit: (*Thomas* v. *Cross*, 11 L. T. Rep. N. S. 430. Ld. Ch.)

Equity Practice—Revivor.—An order for revivor was made without requiring the representatives of the deceased plaintiff to be brought before the court, the estate under administration being insolvent: (*Legeyster* v. *Norris*, 11 L. T. Rep. N. S. 442. V. C. Kindersley.)

Interrogatories.—In an action of ejectment for forfeiture of a lease by assigning without the lessor's consent, interrogatories were delivered by plaintiff to defendant as to whether he had assigned or underlet. He was held not to be bound to answer them, inasmuch as it might establish a forfeiture of his estate. The court expressed its determination to "abide by the principles as to discovery which have for centuries been exercised in the courts of equity." There, said Cockburn, C. J., it is "a fixed rule that no discovery will be allowed of matters which, if answered, would have the effect of creating a forfeiture of estate, except where the estate is held under a conditional limitation, in which nonperformance of the condition leads to an extinguishment of the estate. That may be a subtle distinction," he added, "but it is well established:" (*Pye* v. *Butterfield*, 11 L. T. Rep. N. S. 448. Q. B.)

Probate Court Practice.—Where a person who has destroyed the alleged testamentary paper after the testator's death asks probate of the substance of it, as contained in a copy or otherwise, the court will require the most satisfactory proof of the facts: (*Moore* v. *Whitehouse*, 11 L. T. Rep. N. S. 458.)

Divorce Court Practice.—On an application by the wife for permanent alimony on a decree of judicial separation by reason of cruelty, the husband stated that, since the petition had been filed for alimony *pendente lite* and answer filed, he had parted with his business, which was the principal source of his income, for a yearly payment of 300*l.* for seven years and 5 per

cent. on the value of warehouse, stock-in-trade, &c. In allotting alimony the Court directed the 200*l.* per annum to be estimated as the income, and that if it failed the party could then apply for a reduction: (*Moore* v. *Moore*, 11 L. T. Rep. N. S. 459.)

COURT OF EXCHEQUER.

Thursday, Dec. 15.

(Sittings at Nisi Prius, before MARTIN, B. and a common Jury.)

MIDDLETON v. PORTUGAL.

Keane, Q.C., and *Henry James* appeared for the plaintiff; *Philbrick* and *E. Reynolds* for the defendant.

This was an action brought by the plaintiff, who is an attorney, to recover the sum of 250*l.* from the defendant as promoter of a company, to be called the Imperial Brazilian and River Plate Financial Company. It appeared from the plaintiff's evidence that he met the defendant at a boarding-house, and an arrangement was come to between them that plaintiff should be appointed the secretary of the proposed company, and agreed to give the amount of one year's salary. Plaintiff attended several meetings as secretary *pro tem.*, and on the 9th Oct. last, finding the company did not come out, called upon the defendant to return the sum now sued for, which plaintiff had paid to the defendant in order to obtain the appointment. The company was never registered.

In cross-examination it was endeavoured to be shown that plaintiff had paid his money on the understanding that he was to wait until the company came out, which had been delayed from time to time on account of the state of the money-market.

No evidence was given on the part of the defendant, Mr. Philbrick stating that he could not resist the claim.

The jury found a verdict for the plaintiff. Damages 250*l.*

COURT OF DIVORCE.

CHETWYND *v.* CHETWYND.

Contempt of Court.

It will be remembered that in this case Mr. Mulock, a gentleman of considerable property at Stafford, and the father of Miss Mulock, the authoress, was recently committed for contempt of the Divorce Court in threatening to publish certain statements with reference to Mrs. Chetwynd, the petitioner in this case, with a view to stopping the proceedings which she had instituted for a divorce, but upon an apology being made the court remitted the fine upon condition that Mr. Mulock paid the costs occasioned by his conduct.

Mr. Mulock appeared before the court and said that his Lordship had thought proper to order the fine of 100*l.*, in which he had been convicted, to be remitted upon the payment of costs, which his Lordship had said would be very trifling, but an enormous bill of costs had been sent to him, which had been reduced by taxation to one-half. His Lordship had given him a fortnight for consideration as to whether or not he would pay the costs. The result was that he had determined to object to the payment of any costs whatever, the cause for which would be best explained by a letter which he read to his Lordship. He then read the following letter:

To the Right Hon. Sir J. P. Wilde, &c.

My Lord,—As the fortnight kindly allowed me by your Lordship for the reconsideration of the disputed question of costs will expire on the 14th instant, I beg your Lordship to afford me a short hearing on Tuesday next, in order that a termination, however penal in its consequences to myself, may be put to the incessant annoyances which I am subjected to; for since I last appeared before your Lordship in chambers, I have received a supplementary bill of costs from Mrs. Chetwynd's solicitor. I venture, my Lord, respectfully, yet firmly, to object *in toto* to the applications for costs in my peculiar case. My objection is not raised against the excessive and exorbitant amount of costs alleged against me; for with what fitter words can I designate a bill of costs of which more than one-half has been struck off by the registrar of the court? I take much higher ground, for I respectfully maintain that from the moment your Lordship admitted me to be guilty of a contempt of court (which is a public wrong, and not a private grievance), I was thereby placed under the penal jurisdiction of the court, and entirely severed from Mrs. Chetwynd and her solicitor; whereas these latter parties have endeavoured to abuse the power of the court by applying for cumulative costs as if they had an action against me, although by my complete compliance with your Lordship's injunctions no conceivable injury was left for Mrs. Chetwynd to complain of. As the case presently stands, I am in effect called upon to purchase the actual remission of a fine made conditional on my personal obedience, by the payment of costs enforced by the Crown, not for court expenses, but for the private resentment of persons discomfited to the same.

I do not presume to argue before your Lordship what is asserted concerning the "practice" of the court, but I wish to feel assured that no practice in Her Majesty's courts will ever be so construed as to sanction the improper proceedings of an ill-advised suitor.—I am, my Lord, with due respect, your Lordship's obedient servant,

London, Dec. 10. THOMAS MULOCK.

His Lordship said that in this case Mr. Mulock was brought before the court in consequence of his writing a letter with a view to intimidating one of the suitors in this court. He was declared guilty of contempt, but it was intimated to him that the fine would not be estreated if he would pay to the other side the costs occasioned by their coming to seek the protection of the court. Mr. Mulock refusing to adopt that alternative the fine must be estreated.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner HOLROYD.)

Re W. KIMBERLEY.

The bankrupt was a solicitor and share dealer of Old Broad-street, and has been before the Court for several months. This was an adjourned meeting for examination and discharge. The debts and liabilities may be stated in round numbers at about 10,000*l.*, and assets realised 200*l.*

C. E. Lewis appeared for the assignees, and did not oppose; *Reed* and *Gole* opposed for creditors; *Lawrance* supported.

The opposition was on two grounds—first, that the bankrupt had engaged in rash and hazardous speculations; and secondly, that he had contracted debts without reasonable expectation of payment. In support of the first charge it appeared from the evidence that the bankrupt had acted as promoter of public companies, including the New Theatre Company, which was launched under the auspices of Mr. Dion Boucicault. He had been also a large shareholder in the Midland Banking Company and the Ottoman Bank. Some of his speculations were successful, but in the aggregate he was unfortunate. It was submitted that the bankrupt had speculated beyond his means, and that although he derived a handsome income from his profession as a solicitor, yet he was not justified in risking the money of others for his own advantage, and that he had brought himself within the 159th section, on the ground of having speculated rashly and hazardously. In support of the second charge it appeared that the bankrupt had instructed Mr. Brown, a stockbroker, to purchase 200 shares in the New Theatre Company, on his behalf. This was done, but the bankrupt failed to pay for the shares, and Mr. Brown had been obliged to settle for them, and actually paid 1250*l.* out of his own pocket. The shares had been purchased with a view of getting them to a premium, or, as it is called, in common parlance, "rigging the market." It was submitted that at the time the bankrupt directed Mr. Brown to purchase the shares he had no probable means of being able to pay for them. It was also alleged that the bankrupt's personal expenditure had been excessive, and that the debts were of a very miscellaneous description. An adverse judgment was asked at the hands of the court, and it was urged that the penal jurisdiction ought to be put in force, and a long suspension awarded if the order were not altogether refused.

In defence of the bankrupt it was stated by Mr. Lawrance that his client had started with splendid prospects, and that his professional income of 1500*l.* a-year in some measure justified the speculations he had engaged in. It was suggested that Mr. Brown, when he purchased the shares for the bankrupt, was well aware that the transaction was in the nature of a speculation, and that the object was to get the shares to a premium. Although it would have been better for the bankrupt if he had restricted himself to the discharge of his professional duties, he (Mr. Lawrance) submitted that the speculations he had engaged in were not rash and hazardous within the meaning of the 159th section, and that the charge of contracting debts without means of payment had not been established.

His HONOUR, after reviewing the facts of the case, said he could not avoid coming to the conclusion that the bankrupt had been brought within the 159th section. With regard to the charge of rash and hazardous speculation, much would depend upon the means and position of the person who speculated; but it was quite clear that in this case the bankrupt had gone beyond his means. Under all the circumstances the order of discharge would be suspended for a period of twelve months, with protection for three months, renewable upon notice to the opposing creditors. *Order accordingly.*

Wednesday, Dec. 21.

(Before Mr. Registrar MURRAY.)

Re WADE.

At a first meeting held under the bankruptcy of George de Vins Wade, of Baldock, Herts, solicitor and scrivener, an assignee was chosen, namely, Mr. Thomas Hine, of Baldock, grocer. The adjudication in this case was obtained at the instance of a creditor. The debts are stated at 20,000*l.*, with assets of uncertain value. Mr. Wade has not yet surrendered. He left Baldock with his family on the 2nd Nov., and has not yet returned.

R. Griffiths, *Venning* and *F. T. Hall* were in the case.

CHANCERY NOTICE.

During the vacation, until further notice, all applications which are necessary to be made at the judge's chambers are to be made at the chambers of the Vice-Chancellor Sir R. T. Kindersley. Any application which it may be found necessary to make during the Christmas vacation for special injunctions or writs of *ne exeat regno* must be made on production of copy of the bill, certificates of bill filed, and office copies of the affidavits in support; and at his Honour's chambers information will be given of the time and place at which the application may be made.

The chambers of the Vice-Chancellor Kindersley will be open from eleven to one on each of the following days, viz., Dec. 27, 28, 29 and 30, Jan. 3, 4, 5 and 6.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

Edwin Cross, of Ely, in the county of Cambridge, gentleman, has been appointed a Commissioner for administering oaths in Common Law in the Courts of Queen's Bench, Common Pleas and Exchequer, for the counties of Cambridge, Northampton, Huntingdon, Bedford and Norfolk, the city of Norwich and county of the same city, and the Isle of Ely.

Mr. James Roger Bramble, of Athenæum-chambers, Nicholas-street, Bristol, has been appointed a Commissioner to take affidavits in the Courts of Queen's Bench, Common Pleas and Exchequer.

The Lord Chancellor has appointed Alexander Clement Foster Gough, LL.D., of Wolverhampton, in the county of Stafford, gentleman, to be a Commissioner to administer oaths in the High Court of Chancery in England.

Mr. John Kyme Wright, of No. 25, Bedford-row, in the county of Middlesex, gentleman, is appointed to be a London Commissioner for administering oaths in common law in the Courts of Queen's Bench, Common Pleas, and Exchequer.

The Lord Chief Justice of the Common Pleas has appointed William Charles Cripps, of Tonbridge Wells, in and for the county of Kent; and John Holyoake, of Droitwich, in and for the county of Worcester, gentlemen, to be perpetual Commissioners for taking the acknowledgments of married women.

PROCLAMATIONS OF OUTLAWRY.

At the Sheriffs' Court, Red Lion-square, on Thursday, the 15th inst, Mr. Henry, the officer, made proclamations in the following cases:—

Thomas M'Knight, at the suit of William Henry Barber;
James Hall, at the suit of W. Langdon;
Henry Lucas, at the suit of Thomas Henry Williams;
William Nokes, at the suit of Samuel Fox Stephens and another;
Hon. Richard Bethell, at the suit of William Speritt;
William Henry P. Gore, at the suit of the London Bank of Scotland (Limited); and
George Warren, at the suit of Edward Watkin Edwards and another.

The next County Court day was appointed to be held in four weeks. Each case has to be called at five different courts.

HEIR-AT-LAW AND NEXT OF KIN.

DEWSNAP (Thomas), Grove-hall, Stockwell, Surrey, Esq. Next of kin to come in by March 1, 1865, at M. R. Singleton and Tattershall, 42, Great James-street, Bedford-row, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

ANTHONY (Charles), Longcause-house, Darlington, Devon, Esq., Jan. 11, 1865, V.C. S. Poole and Johnson, 9, Lincoln's-inn, London.

BENNETT (Benjamin), 19, James-street, Manchester-square, London, house decorator, V.C. K., Jan. 11, 1865. H. White, 7, Southampton-street, Bloomsbury, London.

DEWSNAP (Thomas), Grove-hall, Stockwell, Surrey, Esq., Jan. 28, 1865, M.R. Singleton and Tattershall, 42 Great James-street, Bedford-row, London, for F. Hoole, Sheffield.

EAMES (Mary), Warwick, widow, Jan. 16, 1865, V.C. S. Hollings, Sharp and Ullithorn, 1, Field-court, Gray's-inn, London, for Newsam and Chadwick, Warwick.

FULLER (John), South Hackney, Middlesex, Jan. 7, 1865, M.R. Torr, Janeway and Tazart, 58, Bedford-row, London.

GLOVER (George), South Repps, Norfolk, Archdeacon of Sudbury, Jan. 16, 1865, M. R. Freshfields and Newman, 5, Bank-buildings, London.

GRAY (Henry George), Holly-lodge, Southfield, Wandsworth, Surrey, and No. 14, Mincing-lane, London, colonial broker, Jan. 9, 1865, M.R. S. H. Perrin, 1, Lincoln's-inn-fields, London.

LAWTON (John), Lawton-hall, Chester, Esq., Jan 12, 1865, V.C. S. Rickards and Walker, 23, Lincoln's-inn-fields, London.

LEWIS (John, sen.), Bridge-cottage, Bangor, Flint, gentleman, Jan. 11, 1865, M. R. S. Camp, 12, Paternoster-row, London, for H. Davies, Oswestry.

NUNN (Richard), South Lynn, All Saints, King's Lynn, Norfolk, block-maker, V.C. K., Jan. 11, 1865. C. and E. Hilleary, 3, Fenchurch-buildings, London.

ORME (John), Willcross Brow, Gilburne, York, farmer, Jan. 7, 1865, M. R. Raw and Gurney, 7, Furnival's-inn, London.

OVERTON (Henry), 7, Kennington-oval, Surrey, gentleman, Jan. 12, 1865, M. R. Rothamley and Freeman, 39, Coleman-street, London.

PEARSON (Isabella), Newcastle-on-Tyne, widow, Jan. 14, 1865, V.C. K. Pattison and Wigg, 30, Lombard-street, London, for G. Armstrong, Newcastle-on-Tyne.

YOUNG (Henry), Cross-street, Hoxton, Middlesex, fishmonger, Jan. 10, 1865, M. R. T. Keene, 77, Lower Thames-street, London.

WESTON (Thomas), 10, Blenheim-crescent, Notting-hill, Middlesex, builder, Jan. 11, 1865, V.C. W. Hall and Son, Dyer's-hall, Dowgate-hill, London.

WRIGHT (George), Chatteris, Isle of Ely, Cambridge, gentleman, Jan. 11, 1865, V.C. K. H. H. Lawrence, 30, Bedford-square, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Bradburne (Francis), Lyburn, Lyndhurst, Hants, formerly a lieutenant in the 16th regiment Light Dragoons, Jan. 2, 1865. Hilliard, Dale and Stretton, 3, Gray's-inn-square, London.

Brown (George), 1, Woodstock-street, Oxford-street, Middlesex, cowkeeper, Feb. 1, 1865. F. Mayhew, 16, Great Marlborough-street, London.

Browne (George), Woodstock-street, Oxford-street, London, cowkeeper, Feb. 1, 1865. F. Mayhew, 16, Great Marlborough-street, London.

Burbery (William), Shelly Farm, Solihull, Warwick, farmer, Feb. 1, 1865. J. H. Stubbs, 25, Bennett's-hill, Birmingham.

Bucklee (William Henry), 86, New Bond-street, London, pharmaceutical chemist, Feb. 17, 1865. H. Hyde, 23, Ely-place, Holborn, London.

Cuningham (John), Vere-street, Cavendish-square, Middlesex, gentleman, Jan. 31, 1865. Treherne and Wolferstan, 76, Aldermanbury, London.

Denney (Rev. Robert Day), 4, Lansdown-crescent, Cheltenham, clerk, Jan. 15, 1865. C. Wilkin, 10, Tokenhouse-yard, London.

Falconer (John Brunton), Newcastle-on-Tyne, papermaker, Jan. 31, 1865. R. R. Dees, Pilgrim-street, Newcastle-on-Tyne.

Fitzsimons (Samuel S.), Beckermont, Cumberland, yeoman, Jan. 31, 1865. Lumb and Howson, Whitehaven.

Goodale (Henry), Mortlake, Surrey, builder, Feb. 1, 1865. Kempson and Trollope, 31, Abingdon-street, Westminster.

Gordon (Robert), Hill-street, Berkeley-square, London; Kemble, Wilts; and of Lewerton-house, Dorset, Esq., Feb 5, 1864. Freshfields and Newman, 5, Bank-buildings, London.

Halls (William), Bathlane, Newcastle-on-Tyne, flour dealer, Jan. 31, 1865. Hodge and Harle, Wellington-place, Pilgrim-street, Newcastle-on-Tyne.

Haydon (Emily Foster), formerly of Mortlake, Surrey, and late of St. Ann, Island of St. Kitt's, West Indies, widow, March 25, 1865. Iliffe, Russell and Iliffe, 2, Bedford-row, London.

Herbert (John), Ruswarp, Whitby, Yorks, gentleman, Jan. 14, 1865. Gray and Pannett, Flowergate, Whitby.

Horkirk (William), Whitby, Yorks, gentleman, March 1, 1865. Gray and Pannett, Flowergate, Whitby.

Hutchinson (Ann Sarah), 12, St. George's-terrace, Herne Bay, Kent, Feb. 1, 1865. Marsden, Dadley and Cronin, 1, Anchor-terrace, Bridge-street, Southwark, Surrey.

James (Louisa), formerly of 9, Woodfield-terrace, Harrow-road, Paddington, Middlesex, and late of 11, Carlton-terrace, Harrow-road, aforesaid, widow, Feb. 16, 1865. F. Farrar, 12, Godliman-street, Doctors'-commons, London.

Keml (Henry), formerly of Boston, Lincoln, and late of Doncaster, Yorks, gentleman, Feb. 18, 1865. Thomas, Moore and Skeet, 7, South-square, Gray's-inn, London.

Lane (Edmund), Austen's and Howlett's Farms, Chalfont, St. Giles, Bucks, farmer, Jan. 31, 1865. G. Isaacson, High-street, Amersham, Bucks.

Milner (Joseph), Appleby, Westmoreland, clerk, March 25, 1865. J. Heelis, Appleby.

Morrisson (David Brooke), formerly of Franklands, Hayward's Heath, and late of East-lodge, Belmont, Brighton, Sussex, March 1, 1865. Booty and Butt, 1, Raymond-buildings, Gray's-inn, London.

Muskett (Charles), Fersfield-hall, Fersfield, Norfolk, farmer, Feb. 1, 1865. Muskett and Garrod, Diss, Norfolk.

Paine (Joseph), High-street, Hounslow, Middlesex, grocer, Feb. 16, 1865. A. F. Millins, Windsor.

Parker (John), Stella, Durham, brewer, and of Newcastle-on-Tyne, paper merchant, Jan. 31, 1865. Hodge and Harle, Wellington-place, Pilgrim-street, Newcastle-on-Tyne.

Pratterton (William), Clareland, Hartlebury, Worcester, Esq., March 20, 1865. Pidcock and Son, 40, Foregate-street, Worcester.

Severne (Hester), formerly of Newent, Gloucester, and late of 21, St George's-square, Claines, Worcester, widow, March 20, 1865. Pidcock and Son, 40, Foregate-street, Worcester.

Sinclair (Catherine), 16, Chesham-place, Belgrave-square, London, and 133, George-street, Edinburgh, spinster, Jan. 6, 1865. R. and C. H. Hodgson, 10, Salisbury-street, Strand, London.

Simpson (Solomon), Rood-end, Oldbury, Worcester, boat-steerer and haulier, Jan. 1, 1865. Hooper and North, New-street, West Bromwich.

Slater (M. J. S.), Lucknow, India, Lieut.-Col. and Pension Paymaster at Lucknow, Jan. 6, 1865. R. and C. H. Hodgson, 10, Salisbury-street, Strand, London.

Smith (James Scott), Phœnix Distillery, Park-street, Mile-end Old-town, Middlesex, and Beechwood, Tunbridge Wells, Kent, Esq., March 25, 1865.

Smith (Frederick Harris), 3, Savage-gardens, London, and Minno-villa, Clephane-road, Islington, Middlesex, wine merchant, Feb. 25, 1865. Walters and Gush, 36, Basinghall-street, London.

Sykes (Sir Tatton), Sledmere, Yorks, Bart., May 1, 1865. Bell, Steward and Lloyd, 49, Lincoln's-inn-fields, London.

Tarsey (Thomas), formerly of Gresham-street west, London, warehouseman, and late of Elm-lodge, Holly-port, Maidenhead, Berks, Esq., Jan. 6, 1865. Russell and Davies, 32, Colman-street, London.

Townsend (Thomas), Hillmorton-house, Hillmorton, Warwick, Esq., Jan. 31, 1865. F. Harris, Rugby.

Tull (John), New Windsor, Berks, gentleman, Feb. 16, 1865. A. F. Millins, Windsor.

Wormald (Henry), 34, Trinity-street, Liverpool-road, Islington, Middlesex, gentleman, March 25, 1865. J. Warner, 13, Northumberland-street, Strand, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Bome (Rev. Charles), Henbury, Gloucestershire, Clutterbuck (Daniel), Bradford, Wilts, Esq., Hayward (Philip), Chew Stokes, Somerset, Esq., and Sampson (Edward), Henbury, Gloucestershire, Esq. Dividends on 665l. 1s. 4d. Three-and-a-Quarter per Cent. Annuities. Claimant, Edward Sampson.

Sudden Death of a Solicitor.—An inquest has been held, before Mr. Payne, respecting the death of Mr. Harvey Boyen Jones, sixty-six years, partner in a solicitors' firm, carrying on business at No. 22, Austin-friars. He lived at 49, Montague-street. On Tuesday week he left his office in high spirits and apparently good health, for the purpose of going to his country seat at Guestingthorpe, Essex. Upon arriving at the Great Eastern Railway station, Shoreditch, he hailed a cabdriver, to whom he said, "Drive me to Austin-friars." He looked ill and cold. On the way he called out, "I feel very bad; take me somewhere to get medicine." Witness had to lift him out of the cab into Mr. Lee's, a surgeon, No. 41, Bishopsgate-street, and he expired shortly afterwards. Police-constable Gale, 676, City police, said that he found upon the deceased a gold watch, 25l. 4s. 2d. in money, and several cheques, papers, and other valuables. The jury returned a verdict, "That the deceased died from natural causes."

Notice.—As Monday, the 26th Dec., will be kept as a holiday in consequence of Christmas-day falling on Sunday, there will be no delivery of letters by the London district post in the afternoon of that day. Letters for the night mails will be collected from the town pillar boxes at 5 p.m., from the town receiving-houses at 5.30 p.m., and from the suburban boxes and offices at the usual time; but there will be no later collection either from the pillar boxes or the receiving-houses. The receiving-houses will be opened for half an hour before the afternoon collection, for the receipt of registered letters and for the sale of stamps, but no money-order or savings-bank business will be transacted. Letters to be forwarded by the morning mails on Tuesday, the 27th Dec., must be posted either at the head district offices, the branch offices at Lombard-street and Charing-cross, or in the town pillar letter-boxes, as there will be no collection for such mails from any town receiving-houses, but in the suburbs letters for them will be collected as usual. The morning mails will be despatched from London as usual, but the provincial mid-day mails will not be forwarded.—W. Bokenham, Controller. Circulation Department, General Post-office, Dec. 1864.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

Home Circuit.

Maidstone, Dec. 16.—The business of the winter assize commenced here to-day. There were about 20 cases—one, in which two men were charged on the coroner's inquisition with murder, but were committed by the magistrate only for manslaughter; two of rape, two of arson, several of burglary, two of bigamy, one of forgery, and several other minor cases. Out of these however, about one-half of the prisoners pleaded "guilty," including one case of forgery and one of the cases of bigamy.

Western Circuit.

Taunton, Dec. 16.—Mr. Baron Bramwell opened the commission. Although there are not so many prisoners as there were at Winchester, yet the calendar may be said to be heavy. There are 27 prisoners for trial.

Norfolk Circuit.

Aylesbury, Dec. 21.—The business is light, there being only 9 cases for trial, and the names of 15 prisoners in the calendar. The offences charged are, arson, 3; burglary, 2; bigamy, 1; night poaching, 2; and highway robbery, 1.

Capital Punishment Commission.—Meetings of the Capital Punishment Commissioners were held on Wednesday the 30th ult. and Thursday the 1st inst., at which the Duke of Richmond, the Right Hon S. Lushington, D.C.L., the Attorney-General for Ireland, Mr. H. Waddington, Mr. W. Ewart, M.P., Mr. Gathorne Hardy, M.P., Mr. C. Neate, M.P., and Mr. G. Ward Hunt, M.P., attended. The secretary Mr. J. H. Patteson was also present.

Knighthood of the Chief Magistrate at Bow-street.—Sir Thomas Henry is the tenth chief magistrate appointed at this court. The first was Sir John Fielding, the half-brother of Henry Fielding, the novelist, whom he succeeded as a justice of the peace. Henry Fielding found the magistracy in so corrupt a state that it was considered a disreputable office. The justices were paid by fees, and were called "Trading Justices." By refusal to accept what he termed "dirty money," he reduced the income from 500l. to 300l. per annum. Fielding was engaged in carrying out improvements in the police and magistracy when he became disabled from ill-health. He was succeeded by his brother, John Fielding, who, though blind, was a very efficient magistrate, and carried out the new system with considerable energy. In his time the payment of justices by fees was abolished, and on the appointment of stipendiary magistrates he became chief magistrate. He was knighted in 1761. He died in 1780, and was succeeded by Sir William Addington. The succeeding chief magistrates were Sir Richard Ford, Mr. Read, Sir Nathaniel Conant, Sir Robert Baker (who resigned his office in consequence of a complaint against him that he had allowed the funeral procession of Queen Caroline to be diverted from the appointed course), Sir Richard Birnie, who had not been a magistrate previously to his appointment as chief; Sir F. A. Roe, Mr. Hall, Sir Thomas Henry. It will be seen that only two—Mr. Reid and Mr. Hall—declined the honour of knighthood, which is offered to every chief magistrate upon his appointment. Sir Frederick A. Roe, who was knighted in 1832, was made a baronet in 1836, upon the death of his uncle, Mr. Adair Roe, whose property he inherited. Mr. Thomas James Hall, the late chief magistrate was appointed to that office in 1839. Sir Thomas Henry was called to the bar in 1829, and appointed a magistrate in 1840. He was originally appointed to Lambeth Police-court, from which he was removed to Marlborough-street, and thence to this court, upon the resignation of Mr. Twyford in 1846. He was appointed chief magistrate on the retirement of Mr. Hall in the present year.

Change of Profession.—Some days ago a paragraph appeared in the papers stating that a case was under the consideration of the benchers of the Inner Temple, one of whose members had been called to the bar, having been ascertained to be a clergyman in holy orders. A different course has been adopted by a barrister of considerable practice, who has deliberately renounced his profession and obtained admission into the ranks of the ministry. The gentleman in question, Mr. Edward Penrose Hathaway, was educated at Queen's College, Oxford, and graduated in 1839, when he took classical honours. Shortly afterwards he was called to the bar, and at once began to lay the foundation of what became a lucrative practice. Turning, however, his thoughts to clerical life, he obtained a "title to orders" from the Rev. Anthony W. Thorold, M.A., rector of the metropolitan parish of St. Giles-in-the-Fields, and upon that title he was ordained deacon last Sunday morning by the Bishop of London in the Chapel Royal, Whitehall. He will act as curate of St. Giles's, and at the Christmas ordination of 1865 will be admitted to the priesthood of the Church. Mr. Hathaway is but one of many barristers who have abandoned the law for the Gospel. Dr. Thirlwall, now Bishop of St. David's, was called to the bar by the Society of Lincoln's-inn in 1825, and practised until 1828, when he was ordained and appointed to the rectory of Kerby Under-dale. Dr. Sier, a well-known London incumbent, was formerly a barrister. Several other instances might be mentioned. A case of a somewhat different character from either of the foregoing may be found in that of a gentleman who was for some time the curate of St. George's, Hanover-square. Mr. Hugh Weightman was educated at Trinity-hall, Cambridge, and graduated in 1840. Shortly afterwards he was called to the bar. He continued in the pursuit of his profession for some years, and in 1850 was ordained by the late Dr. Bird Sumner, Archbishop of Canterbury. Two or three years since he returned to his old love, and is now again in full practice at the bar. This case differs from that of the gentleman called by the Society of the Inner Temple, inasmuch as when he became a member of the bar he was a layman.—*Daily News.*

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

Vagrancy—Evidence of Wife.—It seems that a wife is not an admissible witness against her husband on a charge of desertion under the Vagrant Act, 5 Geo. 4, c. 83. "In very early times," said Cockburn, C. J., "an exception was made to the general rule, that a wife was not admissible as a witness against her husband in the case of personal wrongs of the wife. That arose partly on account of the mischief that would result if evidence could not be got in cases where great brutality may have existed, partly from necessity, and because the wife was the real party prosecuting, and ought to be heard. The case of the abduction of a woman is distinguishable from this, and it has been considered in the nature of a personal injury. In the present case there is nothing that can be called an injury to the person of the wife; it is only a crime against the parish:" (*Reeve* v. *Wood*, 11 L. T. Rep. N. S. 449. Q. B.)

Election Law—Boroughs—Notice of Objection.—In Devonport there are two lists of voters, one for the parish of Stoke Damerel, the other for the township of East Stonehouse. The objector signed his notices thus: "E. W. Cole, 69, Durnford-street, on the list of voters for the borough of Devonport and township of East Stonehouse." It was objected that this notice was bad, because it did not appear on which list the objector's name was to be found, and that there was, in fact, no such list as that described in the notice of objection. But the Court held the notice to be good, considering that the objector had defined the list unambiguously enough to enable the party objected to to ascertain whether the objector was a person qualified to object. He says, I am on the list of persons entitled to vote in the election of members for the borough of Devonport and township of East Stonehouse. The list stuck up uses the words "entitled to vote for the borough of Devonport in respect of property in Stoke Damerel, and in respect of property in the township of East Stonehouse." The objector has referred him to the list of voters for the borough of Devonport, that list relating to the township of East Stonehouse. "I confess," said the Lord Chief Justice, "I cannot see what more the objector could have done than he has:" (*Orum* v. *Cole*, 11 L. T. Rep. N. S. 451. C. P.)

Revising Barrister.—The colleague of a revising barrister, sitting in his absence, has no jurisdiction to restore to the register a name struck off by the other in the absence of and without notice given to the objector: (*Blain* v. *Pilkington*, 11 L. T. Rep. N. S. 452. C. P.)

Public Health Act—Arbitration.—An award under the Public Health Act 1848, must be made within three months after the appointment of arbitrators, and an award published by an umpire after the expiration of that period was held to be void, and also that the court had no power to enlarge the time: (*Local Board of Health of Tranmere* v. *Kellett*, 11 L. T. Rep. N. S. 457. Shee, J.)

Pentonville Prison.—The true account of what took place is as follows:—A constable by direction of Sir Thomas Henry, chief magistrate at Bow-street, proceeded on the 2nd inst., to Cardiff, with a warrant to apprehend Captain Craig. He had ascertained that Mrs. Craig had received several telegrams from a man named Brown, who had been staying at the Angel Hotel at Cardiff. Brown proved to be the mate of the steamer Argo, bound for Liverpool, which had sailed on the 22nd Nov. The constable has since seen Brown, and found that he was married to Miss Constance Craig on Saturday last. It was ascertained that Craig had not been at Cardiff.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Barnstaple	Tuesday, January 10	C. J. Murch, Esq.	5 days	J. H. Toller.
Bath	Friday, January 6.....	T. W. Saunders, Esq.....	14 days	J. Taylor.
Bedford.....	Monday, January 2	A. K. Stephenson, Esq. .	3 days	M. Whyley.
Berwick-on-Tweed	Friday, January 6	R. Ingham, Esq., M.P., Q.C.	5 days	R. Home.
Bolton	Thursday, December 29.....	R. R. Armstrong, Esq.	10 days	J. Gordon.
Bridgwater	Tuesday, December 27.....	E. H. Reed, Esq.....	14 days	J. Trevor.
Bridgnorth	Friday, December 30	U. Corbett, Esq.	14 days	W. D. Batte.
Cambridge	Thursday, January 5	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen.....	Wednesday, January 4	J. Johnes, Esq.....	10 days	J. H. Barker.
Carlisle.....	Tuesday January 3	H. J. Bushby, Esq.	4 days	J. S. Barnes.
Devonport	Thursday, December 29.....	C. Saunders, Esq.	10 days	G. H. E. Rundle.
Doncaster.....	Friday, January 6.....	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Tuesday, January 3.....	E. W. Cox, Esq.		W. R. T. Pender.
Faversham	Monday, January 2	G. Francis, Esq.	Statutory notice	J. Phillips.
Helston.....	Wednesday, Jan 4, at 12 noon	E. W. Cox, Esq.		A. Rogers.
Hereford	Tuesday, January 10	F. E. Gulse, Esq.....	14 days	R. Johnson.
King's Lynn.....	Thursday, January 12.....	M. J. West, Esq.	8 days	P. Wilson.
Kingston-on-Hull	Wednesday, December 28...	S. Warren, Esq., Q.C. ...		R. Champney, jun.
Leeds	Wednesday, December 28...	J. R. Mantle, Esq.....	10 days	J. W. H. Richardson.
Lewes	Wednesday, January 4	Mr. Serjeant Hayes	8 days	R. Toller.
Liverpool	Friday, January 6	J. R. Aspinall, Esq., Q.C. .		P. Wright.
Newark	Saturday, January 7	J. F. Stephen, Esq.....		T. F. A. Barnaby.
Newcastle-on-Tyne	Friday, January 6	T. C. S. Kynnersley, Esq.		J. W. Ward.
Northampton	Friday, January 6.....	J. H. Brewer, Esq.	10 days	C. Hughes.
Oswestry	Friday, December 30	J. R. Kenyon, Esq.....	Same day	W. L. Bull.
Plymouth.....	Friday, December 30	C. Saunders, Esq.	14 days	R. F. Moore.
Rochester.....	Saturday, December 31	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Stamford	Saturday, December 31	The Hon. E. C. Leigh ...	10 days	J. Torkington.
Sudbury	Wednesday, January 4	Mr. Serjeant Manning ...		R. Hanson.
Tewkesbury.....	Friday, January 13	A. W. Daniel, Esq.....	14 days	W. Winterbotham.
Wenlock	Saturday, December 31	U. Corbett, Esq.	14 days	G. Potts.
Wigan	Wednesday, January 25.....	J. Catterall Esq.....		R. Leigh.
Winchester	Monday, January 2	A. J. Stephens, Esq., Q.C.	14 days	C. Bailey.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

LIABILITY OF TRUSTEES.—It is a marvel that any man in his senses should undertake the thankless office of trustee unpaid, seeing the liabilities incurred in addition to the unremunerated anxiety and labour. Another illustration is to be added to the many recorded by our courts. A legacy was bequeathed to B. as trustee in trust for C. for life, and after her decease for a class of persons one of whom was a female. During the life of C., D. came to B. and representing herself as a married woman, requested him to make advances to her reputed husband, which he did, relying on those representations, taking security from the reputed husband, and an agreement that it should be deemed part of his wife's share. When the fund came into possession on the death of the tenant for life, it was discovered that D. was not the wife of her reputed husband, but of E., whom she had abandoned for many years. E. then claimed D.'s portion of the legacy in right of his wife, and the trustee prayed the court to be allowed to set off against it the money he had advanced to D. on her representations. But the Court held that E. was not liable for the wrongs of his wife committed against himself, and that the trustee was liable to make good to the husband the entire fund, with the costs of the suit: (*Sporle* v. *Barnaby*, 11 L. T. Rep. N. S. 412. V.C. Stuart.)

VENDOR AND PURCHASER.—Where, on the sale of a mill, &c., it clearly appeared that B. believed he was buying what C. believed he was not selling, specific performance was refused: (*Butterworth* v. *Walker*, 11 L. T. Rep. N. S. 436. M. R.)

MORTGAGE—DISCHARGE BY REAL OR PERSONAL ESTATE.—B. borrowed 8000*l.* on mortgage of his real estate, and applied the money in payment of mortgages on it other than those created by himself. On his death the question was raised whether the personal estate should not discharge the mortgage, and it was held to be liable to do so: (*Bagot* v. *Bagot*, 11 L. T. Rep. N. S. 437. M. R.)

TRUST—LACHES.—The court will not establish a trust in favour of the plaintiff when his own evidence is uncorroborated, or where a long time has elapsed between the alleged creation of it and the claim: (*Poole* v. *Foxwell*, 11 L. T. Rep. N. S. 441. V.C. Kindersley.)

WILL—SURVIVORS.—The rule, established in *Cogge* v. *Walcott*, 4 Mad. 11, that where personal estate is given to B. for life, and at his death to several persons, "or the survivors of them," those only take who are survivors of the tenant for life, applies also to a devise of real estate: (*Re Gregson's Trusts*, 11 L. T. Rep. N. S. 440. L.JJ.)

THE REGISTRATION OF TITLE ASSOCIATION.—The committee of this association recently held a meeting at the commercial-buildings in Dublin, presided over by Colonel Enos Gore. The committee's draft report was considered, approved of the "Torrens system," and thought its general advantages could, with proper modifications, be incorporated with a system of recording titles embracing all dealings in land.

LAW STUDENTS' JOURNAL.

ANSWERS TO THE EXAMINATION QUESTIONS. (*a*)

MICHAELMAS TERM 1864.

V. EQUITY AND PRACTICE OF THE COURTS. (*b*)

(*Continued from page 79.*)

51. Creditors can claim the fund from the appointee and his purchaser, unless in each case the transaction was *bona fide* and for value: (*Tayne's* case, 1 Sm. L. C. 1; Hallilay's Digest, 383, 4th edit.)

52. *Chose in action.*—A chose in action is usually used to designate the right of bringing an action. To render the assignment effectual in equity notice is necessary. But at law, as choses in action are not directly assignable, in addition to the notice the assignor gives the assignee a power to sue for the claim in the name of the assignor: (*Row* v. *Dawson*, 2 Tud. L. C. Eq. 612, 2nd edit.; Hallilay's Digest, 252, 4th edit.)

53. As a rule, she cannot assign her choses in action, the act of marriage depriving her of this power. But if settled to her separate use, she may do so: (Will. Per. Pro. 307, 310, 3rd edit.) So when she has been judicially separated; or, it seems, obtained a protecting order under the Divorce Act: (20 & 21 Vict. c. 85, ss. 21, 25, 26; 21 & 22 Vict. c. 108, ss. 8, 10; *Heath* v. *Lewis*, *Ex parte Johnson*, 11 L. T. Rep. N. S. 333.) As to the power of the wife over her reversionary choses in action, see 20 & 21 Vict. c. 57.

54. *Duties.*—Probate duty is payable on all goods, chattels and credits, locally situate in this country, securities of foreign countries which are payable to bearer and transferable by delivery only, personalty appointed by will under a general power, money secured on heritable property and by heritable bonds in Scotland, and any interest which accrued between the death and the grant: (Hayes & Jar. Wills, 596, 6th edit.) Also on British ships at sea at the death, registered at a port in the United Kingdom. Unless in any case the effects do not exceed 100*l.*: (27 & 28 Vict. c. 56, ss. 4, 5.) Legacy duty is payable on all the testator's personal property in whatever part of the world situate if the testator was domiciled in England and the legacy given amount to 20*l.* and upwards, and be not exempted from duty as when given to the deceased's wife, &c.: (Matt. Exors. ch. 10, 2nd edit.) Succession is payable on real or personal estate coming to a person on a death: (see fully Hallilay's Digest, 208, 4th edit.)

55. *Relations.*—Although the cases are somewhat conflicting, it may be stated that in the cases numbered 1, 2, 4, and 5, the testator's next of kin according to the Statute of Distributions will take the residue, and the words "friends," "near," "poor," and "most necessitous" will not vary the gift to relations. But a gift (3) to my "nearest relations" will entitle the next of kin to take to the exclusion of those who under the statute would have been entitled by representation: thus a brother would exclude a deceased brother's child: (2 Jar. Wills, ch. 29; Lewin, Trusts, 538, n. &c., 4th edit.)

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.

56. *Object of laws.*—Their object is, so far as regards creditors, to protect them by compelling the insolvent trader to divide his property ratably amongst them; and as regards the bankrupt to enable an unfortunate man to relieve himself of his debts and liabilities, and allow him to use his future exertions for his own benefit: (Doria & Mac. Bank.)

Both traders and non-traders are now subject to the bankrupt laws: (Ibid.)

57. *Traders and non-traders.*—Before this Act traders only were subject to the bankrupt laws: (Ibid.)

58. There is a difference in the acts of bankruptcy upon which they are adjudged bankrupt. The debt to support a petition against a non-trader must be contracted after 6th Aug. 1861. Again, the criminal law is more extensive against traders than non-traders: (Ibid.)

59. *Trading.*—There must be an intention of dealing generally—of supplying any one who will buy. The *quantum* of dealing is, however, immaterial: (Ibid.)

60. *Acts of bankruptcy.*—Acts of bankruptcy may be divided into (1) voluntary and compulsory, and (2) those which apply to traders and those which apply to non-traders. Voluntary acts of bankruptcy are such as, 1, departing or remaining abroad; 2, departing from his dwelling-house, &c.; 3, suffering himself to be arrested for a debt not due; 4, lying in prison; 5, suffering himself to be outlawed. These must be done with intent to defeat creditors. Compulsory acts of bankruptcy are those obtained against a bankrupt by, 6, trader-debtor summons; 7, by judgment-debtor summons. Acts numbered 1, 4 and 7 apply to both traders and non-traders: (Ibid.)

61. *Judgment-summons.*—After allowing the proper time to elapse a summons is issued and served; or, if it cannot be served, advertised in the *Gazette*. If the debtor does not thereupon appear or pay the debt and costs, or secure the same to the creditor's satisfaction, the court may adjudge him bankrupt: (24 & 25 Vict. c. 134, ss. 76, 79, 81, 83; Doria & Mac. Bank.)

62. *Trade summons.*—The creditor must first make an affidavit of the truth of his debt and of his belief that the creditor is a trader, and that he has delivered written particulars of his demand requiring immediate payment, and then the court may issue a summons requiring the trader to appear, and admit the demand of the creditor. If the trader does not do so, or does not within seven days after personal service of the summons (or within such further time as the court may allow) pay, secure, or compound for such demand to the satisfaction of the creditor, or enter into a bond in such sum and with two sufficient sureties to pay such sum as shall be recovered in any action that may be afterwards commenced, and costs as the case may be, such trader is deemed to have committed an act of bankruptcy on the eighth day after service of the summons, if a petition for adjudication be filed against such trader within two months from the filing of the affidavit: (12 & 13 Vict. c. 106, ss. 78 to 80; see also ss. 82 to 86; Dor. & Mac. Bank. 160-175.)

63. *Parties.*—Either a creditor of sufficient amount or the debtor himself: (Dor. & Mac. Bank.)

64. *County Courts.*—Where his debts do not exceed 300*l.*, and he makes himself bankrupt: (Ibid.)

65. *Petitioning creditor's debt.*—The debt must be 50*l.* or upwards, 70*l.* or upwards, and 100*l.* or upwards respectively: (Dor. & Mac. Bank.)

66. *Adjudication.*—The petitioning creditor must prove the trading, the act of bankruptcy within twelve months, and the sufficiency of the debt, and obtain his adjudication within three days after the filing of the petition, or such extended time as the court allows. The bankrupt is then served with a copy of the petition, and has seven days to dispute it before it can be advertised in the *Gazette*: (Doria & Mac. Bank.)

67. After adjudication all the real and personal estate of the bankrupt (save trust-estates, copyholds and estates tail and leaseholds) vest in the assignees by virtue of their appointment. The copyholds are sold by the court, the entails are also barred by the commissioner. The leaseholds vest in the assignees when they show their acceptance thereof. Trust-estates, of course, do not pass: (Doria & Mac. Bank., and see following answer.)

68. *Goods, &c.*—Yes; goods and chattels held by the bankrupt as trustee, executor, or factor; goods delivered for a specific purpose; or in his possession as overseer of the poor, &c., kept apart from his own; or if obtained by fraud, &c., &c.: (see Doria & Mac. Bank. 554, *et seq.*)

69. *Reputed ownership.*—Their object is to prevent the trader from having the semblance of wealth, and thus deceive creditors: (Doria & Mac.)

70. Chattel interests in land and things affixed to the freehold are not within the doctrine: (Doria & Mac. 401.)

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. *Justices.*—By *mandamus* issued out of the Court of Queen's Bench: (Steph. Com. vol. 4.)

72. He may ask for a case for the opinion of any of the Superior Courts. He may also, in many cases, appeal against the conviction to the quarter sessions; or he may move the Queen's Bench for a *certiorari* to bring up the conviction into that court to be quashed: (Arch. Cr. Plead.; Steph. Com vol. 4.)

(*a*) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(*b*) The questions are given *ante*, p. 55.

73. *Attempt.*—That he is guilty of an attempt to commit the larceny: (14 & 15 Vict. c. 10, s. 9.)

74. *Attempt.*—Not guilty; because it must appear that there was property in the place where the attempt was made, that could be taken, before the jury could convict of an attempt to steal: (*Reg.* v. *Collins*, 10 L. T. Rep. N. S. 587; s. c. 33 L. J. 177, M. C.)

75. *Depositions.*—That they were taken in the presence of the prisoner, who was allowed to cross-examine the witness; that they were signed by the witness and magistrate; that they were on oath or affirmation; that the witness is dead: (Pow. Ev. 255.)

76. *Game.*—B. commits a trespass in pursuit of game, for the soil and freehold of the highway is in A., and the public have only a right to use it as a means of transit: (*Reg.* v. *Pratt*, 24 L. J. 113, M. C.)

77. *Affiliation.*—As a general rule, within twelve months after the birth.

78. The order remains in force until the child is thirteen years of age, unless the mother marries before this time.

79. The putative father must give notice to the mother within twenty-four hours after the making of the order, and enter into recognisances within seven days after: (Saund. Mag. Pr. 257, &c.)

80. *Indictment.*—They are—perjury, subornation of perjury, conspiracy, obtaining money or property by false pretences, keeping a gambling-house, and any indecent assault: (22 & 23 Vict. c. 17.)

81. *Larceny.*—The jury may, in the first case, find him guilty of embezzlement, and if it be proved that he obtained the property by false pretences, he may, nevertheless, be convicted: (24 & 25 Vict. c. 96, ss. 72, 88; Saund. & Cox Cr. Acts, 66, 77.)

82. *Felonies, &c.*—In felonies there may be principals and accessories, but not in misdemeanors. All concerned are principals: (Steph. Com. vol. 4.)

83. *Manslaughter.*—If B. kills A. he is guilty of manslaughter. If A., however, under the circumstances, kills B., he is not guilty of any offence: (Ib.)

84. *Character.*—The penalty is 20*l.*, enforceable by imprisonment with hard labour, for not more three, nor less than one month: (32 Geo. 3, c. 56.)

85. *Witness.*—An alehouse-keeper is not a competent witness, as the information for such offence is a criminal proceeding: (*Parker* v. *Green*, 6 L. T. Rep. N. S. 46; s. c. 8 Jur. N. S. 409.)

Errata.—Examination Questions.—Answer 29, *for* "granddaughter of the deceased son," *read* "granddaughter, daughter of the deceased son." Answer 31, *for* "have the entail," *read* "bar the entail." Our correspondent is thanked for his correction.—H. H.

EXAMINATION OF ARTICLED CLERKS.

The following circulars have been issued by the Incorporated Law Society:—

Intermediate Examination.

Sir,—I am directed by the Examiners appointed for the intermediate examination of persons under articles of clerkship to attorneys, to inform you that Thursday, the 19th January next, is the day appointed for the examination, and that candidates for examination are to attend on that day, at half-past nine in the forenoon, at the Hall of the Incorporated Law Society, in Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Tuesday, the 3rd January; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 3rd Jan. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, selected from the works specified by the examiners; and a paper of questions on Book-keeping.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 3rd January. (*a*)

Fee, each term, on articles and testimonials of service, 5*s.*—*not* to be sent in postage-stamps.

Final Examination.

Sir,—I am directed by the Examiners appointed for the examination of persons applying to be admitted attorneys, to inform you that Tuesday the 17th, and Wednesday, the 18th January next, are the days appointed for the examination, and that candidates for examination are to attend on those days, at half-past nine in the forenoon of each day, at the Hall of the Incorporated Law Society, Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Tuesday, the 10th January. If your articles were executed after the 1st January 1861, the certificate of your having passed the Intermediate Examination should be left at the same time; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 10th January.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 10th January. (*a*)

Where the articles have not expired, but will expire during the term, or in the vacation following such term, the candidate may be examined conditionally; but the articles must be left on or before the 10th January, and answers up to that time. If part of the term has been served with a barrister, special pleader, or London agent, answers to the questions must be obtained from them, as to the time served with each respectively. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the first day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, classed under the several heads of—1. Preliminary. 2. Common and Statute Law and Practice of the Courts. 3. Conveyancing.

On the second day, further papers will be delivered to each candidate, containing questions to be answered in—4. Preliminary. 5. Equity and Practice of the Courts. 6. Bankruptcy and Practice of the Courts. 7. Criminal Law, and Proceedings before Justices of the Peace.

Each candidate is required to answer all the preliminary questions (Nos. 1 and 4); and also to answer in three of the other heads of inquiry, viz.—Common law, conveyancing and equity. The examiners will continue the practice of proposing questions in bankruptcy and in criminal law and proceedings before justices of the peace, in order that candidates who have given their attention to these subjects may have the advantage of answering such questions, and having the correctness of their answers in those departments taken into consideration in summing up the merit of their general examination.

I am, Sir, your very obedient servant.

Edward Walter Williamson,
19th December 1864. Secretary.

Fee, each term, on articles and testimonials of service, 15*s.*—*not* to be sent in postage stamps.

(*a*) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

(*a*) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Right of Insolvent to sue without Revesting Order.—An insolvent debtor, all the claims against whom have been satisfied, is not debarred from suing for relief in the Court of Chancery (in a matter which the commissioners in bankruptcy are incompetent to try), on the ground that he has not obtained a revesting order in insolvency, when he could only have obtained that order upon such terms as would have been destructive of his rights: (*Troup* v. *Ricards*, 11 L. T. Rep. N. S. 399. L. C.)

Jurisdiction.—The court has jurisdiction to examine an insolvent regarding his estate and effects, either before or after the granting of the final order, and lapse of time is no bar to such examination. But before the court will enter upon such an inquiry after a lapse of twenty years, a specific statement must be made of the property into which the inquiry is to be directed: (*Ex parte the Assignees of Hayton, re Hayton*, 11 L. T. Rep. N. S. 427. Holroyd, C.)

Three-Day Statement.—In judging whether the three-day statement required by the 93rd section of the B. A. 1861 is "full, true and accurate," the court must exercise its discretion and give a practical signification to the expression; and if the omissions in the statement are numerous and important, the court will dismiss the petition: (*Ex parte Henderson, re C. Frost*, 11 L. T. Rep. N. S. 428. Hill, C.)

Deed of Assignment—Stamp—Evidence.—A deed of assignment, to be admitted in evidence, must be stamped: (*Ex parte Potter, re Barron*, 11 L. T. Rep. N. S. 435. Ld. Ch.)

Description in Petition—Amendment.—Debtors petitioning the court must describe themselves correctly. Thus, where B. described himself as an "appraiser" only, he being at the same time an "auctioneer and valuer," the Court held, that this was a material misdescription, as tending to mislead creditors, and cannot therefore be amended under the 30th General Order of Oct. 19, 1862, but the petition will be dismissed: (*Ex parte Savory, re Savory*, 11 L. T. Rep. N. S. 460. Goulburn, C.)

Correspondence.

The Court of Bankruptcy.—Your observations in last week's Law Times are very just as regards the inconvenience of the mode of conducting business at this court. It is indeed a horrid place to attend, and I do not wonder at the absence of creditors, for such bear-garden scenes as frequently take place are a disgrace to "The Court of Bankruptcy, London." The question naturally arises, from whence does this proceed? And as a practical solution I will tell you. You will find six, seven, or eight cases at eleven o'clock for what are called "first meetings;" this is for proof of debts and choice of assignees and generally most numerously attended. Fancy six or seven *sets of creditors* all mixed up and huddled together in a small court wishing to prove their debts, not knowing who to apply to at the small round bench opposite the registrar. Fancy also the commissioner coming into court (as is too frequently the case) at half-past eleven. So that before the eleven o'clock business has been scarcely commenced in rush the twelve o'clock creditors, perhaps five or six sets more; then, indeed, is the scene I should like my Lord Westbury (as a private spectator) to witness. The whole secret of all this inconvenience is in the badly-arranged plan, first, of the court sitting at eleven or half-past eleven o'clock instead of ten o'clock (as all our judges and magistrates do); secondly, the disregard in making appointments so as to distribute the business of the day fairly, there appearing but one desire on behalf of the registrars and ushers, and that is, to cram everything into the *middle of the day* for several days, and for some days scarcely anything is left to be done, but which days might be made relief days to the other overworked days. The personal trouble and inconvenience experienced by merchants and others in attending this court (waiting sometimes two hours for a signature) has rendered the court an object of commercial dislike; hence the number of composition deeds or anything rather than the Court of Bankruptcy. Talking of composition-deeds I would ask, sir, why a creditor under a trust-deed (where three-fourths in value of assenting 10*l.* creditors and upwards bind the rest) should not be compelled to make *an affidavit of his debt*, as is every creditor under a bankruptcy before he is entitled to any dividend. It is well known that many of these debts are concocted, and *bond fide* creditors are bound hand and foot by the "three-fourths" *merely signing* whether the debt is a fact or a fiction. F. C.

19th Dec.

CORRESPONDENCE OF THE PROFESSION.

Our Invaders.—The subject brought to the notice of your readers on the 17th inst. by "An Old Subscriber" is one which is vitally affecting the Profession, and I wonder that we are all so lethargic in the matter. I was just engaged the other day to arrange an assignment for the benefit of his creditors by a debtor, and an accountant and "Creditors' Investigator," or something of the kind he called himself, soon appeared upon the stage from Manchester, representing so-and-so as his "clients." A meeting of the creditors was called, and an arrangement come to that an assignment should be made to two creditors then present, and that a solicitor, who was evidently working in harness with the creditors' representative, the accountant was to prepare the necessary deed, to be signed by the requisite number and amount of the creditors, and that this representative and accountant was to take possession and dispose of and get in the estate. I afterwards found that the meeting did not represent the required number and amount, and I therefore took the liberty to stop the game of this "Creditors' representative or investigator" to make my client bankrupt. Really, sir, cannot you or some of your numerous subscribers point out some method to prevent such persons from so infringing upon the proper province of the Profession? Observer.

19th Dec. 1864.

Inns of Court and Bar Reform.—I am desirous, with your permission, of offering a few words on the other side of the question which Mr.

E. Webster has taken up so warmly, and at the same time of pointing out one or two positions in his letter which do not seem to me quite sound. Your correspondent complains in an early part of his letter, of the want of free competition at the bar; of the attempt which the present system makes to oust the jurisdiction of an universal law of political economy. "I am aware," he says, "that many barristers consider the Bar a privileged class, and that, as a barrister cannot contract for his fees, he is not a labourer at all, and that it is an error, and even an indignity, towards the Bar to suppose that the laws of political economy apply to that branch of the Profession." Whether, indeed, it is an indignity or not, it certainly is a fact, that the law of competition does affect the forensic Profession as much as any other branch of industry, though not quite in the same way, there being another element, viz. custom, which qualifies the method in which the law of competition acts. It is through losing sight of this that Mr. Webster has been led to believe in the absence of free competition in the present system of the Bar. "All professional remuneration," says Mr. J. S. Mill (Pol. Econ. I. 208), "is regulated by custom. The fees of physicians, surgeons and barristers, the charges of attorneys, are nearly invariable. Not certainly for want of abundant competition in those professions, but because the competition operates by diminishing each competitor's chance of fees, not by lowering the fees themselves." Your correspondent further on in his letter proceeds to map out a plan which he has the assurance to inform us is better than the present system, and in which the practice at the bar is to be exclusively confined to barristers who have undergone certain office apprenticeships, to the exclusion of others who are to be called to the bar, and are to enjoy the dignity, &c. of barristers, and to lend the lustre of their social station to the Profession, while at the same time they are separated by the strongest line of demarcation that can be drawn from the working Bar—in fact, by an absence of those privileges which alone constitute a barrister; for I presume there is no one who will consider that the prestige of belonging to an Inn of court, the luxury of dining in an ancient hall and the permission to stroll into a legal library, are the sole charms that hang around a barrister's name; rather, I conceive, it is the fact that there is attached to the profession the privilege of being able to plead in any English court of justice. Whether this privilege is exercised or not, is not the question; it is the possibility of exercising it that gives the forensic Profession dignity, and that makes the landed gentry and the nobility desirous of enrolling their names among its members. Your correspondent's suggestion of office apprenticeship as a test for practising barristers, ill accords with his clamour for free competition. We all know how prejudicially the statute of Elizabeth, prescribing fixed apprenticeship to trades, acted upon the industry of the country. Bentham, speaking of this, says (I quote Dumont's edition of Traités de Législation, p. 166): "Cette vaste réglementaire se couvre d'un prétexte banal. Il veut perfectionner les arts, on veut empêcher qu'il ait de mauvais ouvriers, on veut assurer le crédit et l'honneur des manufactures nationales. Il a présenté pour remplir ce but un moyen simple et naturel, c'est de permettre à chacun d'user de son propre jugement, de rejeter le mauvais, de choisir le bon, de mesurer ses préférences sur le mérite et d'exciter ainsi l'émulation de tous les artistes par la liberté du concours. Mais non; il faut supposer que le public n'est point en état de juger de l'ouvrage; il faut le regarder comme bon dès que l'ouvrier a passé un certain nombre déterminé d'années. Il ne faut donc plus demander d'un artisan s'il travaille bien, mais combien de temps il a duré son apprentissage." In some such state as this would your correspondent reduce the Bar. Instead of letting practice be free to all who, having chosen to become barristers, like to take it, and allowing a suitor to select from a large body whomsoever he considers best adapted to conduct his case, Mr. Webster would restrict his suitor to such counsel as had dwarfed their intellects and narrowed their minds by a long course of pupillage practice. I do not for one moment speak against pupillage in a barrister's chambers. That every man who desires practice at the bar at present undergoes; but I do conceive to be unnecessary, if not positively prejudicial, the two years in a solicitor's office of which your correspondent writes. Orators are not made there, wide thinking reasoning powers are not secured by such means; nothing more is gained by your correspondent's gigantic reform than placing a young man whose University education and general tastes ill accord with the copying of deeds or the service of writs, to devote two important years of his life to the mechanical work of a solicitor's clerk when he might be mastering the Leading Cases and grasping the grand principles of law, instead of its pettiest practice. Your correspondent writes strongly of the evils of the "inner Bar." I must quite understand that it is such an injustice to suitors as he would make it appear, since a suitor is under no obligation to retain a Crown-appointed counsel, and can have a stuff-gown man to lead and conduct the whole of his case, if only he will employ a senior. Nor do I see that there is such hardship to the Profession in the fact of some members of it receiving Crown favour. Even your correspondent, Mr. Webster, admits that it is usually given to the best men, at all events under the present Chancellor's administration. And what, forsooth, is the reason of his declamatory invectives? Not because palpable intellect has been passed over, not because any individuals have been slighted whose pretensions to superiority in legal knowledge or general talent were notorious, but merely because of the injustice done to members of older standing. Is standing everything? Is it because a man's name has been so many years in a law list, and we may presume his gown to have been so many years rusting on a peg, because we have never seen it in court, a reason why that man should have standing and precaudience over a young and ardent, talented and successful man? Certainly not, and it is a great thing that the Crown, whose ministers do and must by reason of the pressure of public opinion recognise merit, has the power to smooth the inequalities of time, and to give to a man's genius and industry that advantage over ignorance and dulness of which the accident of his having come into the world a few years later than his compeers would deprive him. I feel, Sir, that I have trespassed on your space, but, trusting to your impartiality, venture to hope that this may receive insertion. T. C. J.

Middle Temple, Dec. 19, 1864.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Tontine.—Is a tontine association required to be registered? and, if so, by what authority? If any of your readers who have been the conductors of such an association, and who would kindly give by letter some information as to its working, will forward their postal address in reply to this, they would greatly oblige Tamesis.

Barton-on-Humber, Dec. 16, 1864.

Settlement—Stamp on Policy.—In a settlement of stock by intended wife the intended husband also settles a policy on his life for 200*l.*, just effected, and worth *nil*. In addition to the *ad valorem* duty on the amount of stock, the authorities at the Stamp-office require *ad valorem* duty on the amount secured by the policy. Can any of your readers find any authority for such a claim? D.

Answers.

Real Estates—Trustees.—It has been held that, although a devise of lands to executors to sell passes the interest in it, yet that a devise that executors shall sell, or that it shall be sold by the executors, gives them a power only: (*Doe d. Hampton* v. *Shotter*, 8 Ad. & E. 905.) Hence then, I think, that in the case mentioned by "H. A.," the administrator *cum testamento annexo* cannot convey the real estate, as the power was given only to the deceased executor. D. H.

Driffield, 19th Dec.

Lease—Covenant to insure in named Office.—I can find no case in point. I am of opinion that an action would lie for breach of the covenant, though unattended by damage, as in the leading case of *Ashby* v. *White et alios*, it is established that damages may be recovered for *injuria*, although *absque damno*. I should think that relief might be obtained against forfeiture for the breach, either in a court of law or of equity, in accordance with the conditions (so far as they are applicable) on which the courts relieve in case of a breach of covenant by not insuring at all. Such conditions are contained in 22 & 23 Vict. c. 35, and 23 & 24 Vict. c. 126. D. H.

Driffield, 17th Dec.

Procuration Fee.—Although the 12 Anne, stat. 2, c. 16, is nominally repealed, there was contained therein no authority (as stated by "J. P." in Law Times of Dec. 10) for solicitors to charge 5*s.* per cent. for procuration fee, but rather a prohibition limiting them not to take more than at that rate. The prohibition being now withdrawn, a procuration fee may still be charged, which should "cover all attendances and correspondences in reference to the loan, up to the actual delivery of the abstract. The practice of charging it is not uniform, but is, I believe, uniformly recognised and approved by the taxing authorities" (Smith's Elementary View of the Practice of Conveyancing, p. 98)—a work published long after the repeal of the above Act. Therefore, I do not agree, though I may be in error, with "G. F. F.," that the particular part of the Act in question is really repealed, as no professional man would charge more than the usual fee. D.

Reversion—Covenant.—As remarked by "W. M. W.," the language of the 3rd section of the 22 & 23 Vict. c. 35 is decidedly faulty, and does not express the intent of the Legislature. There is a very wide difference between part of the reversion in all the lands, and entire reversion in part of the land. The words used in the Act are "part of the reversion." Now an assignee of part of the reversion could before the above Act take advantage of a condition broken in his time, but an assignee of the reversion in part of the lands could not (Co. Lit. 215 *a*; 2 Cruise, t. 14, c. 2.); and it was to meet the last case that the section was enacted. I think further that the clause referred to is not so comprehensive as it was intended to be; inasmuch as when the grantor disposes of the reversion of a part, and retains the reversion of the residue, he will himself lose the benefit of all conditions of re-entry, &c., as he would have done before the passing of the Act. I have seen no decisions on this section, and therefore simply express my own opinion thereon. D. H.

Driffield, Dec. 17.

LAW LIBRARY.

Smith's County Courts Diary for 1865. Smith and Co., London.

This is one of the most useful diaries to the practitioners in the County Courts that we have yet seen. In addition to the usual information afforded by the legal diaries, this book contains much that will be of great use in the County Courts; for instance, Mr. Smith gives us all the County Court Acts *in extenso*, the County Court Rules of 1861, the Bankruptcy Act of 1861, together with the General Orders, the County Court Bankruptcy Orders 1863, with an abstract of all the statutes affecting the jurisdiction of the County Courts, and a table showing all the alterations which have been made in the districts since their formation. The diary itself is the only part of the book we can find fault with. We should rather have seen two days in a page instead of three, and a few more loose pages for memoranda. The book is admirably got up, on capital paper, well printed, and very neatly bound.

Handbook to the Manchester Assize Courts. By E. P. Heywood, Manchester.

This little pamphlet, containing some thirty pages, is a well written and succinct description of the now famous Manchester Assize Courts.

There are two admirable plates of the ground plan and upper plan of the buildings, and those who are interested in these courts, or in the Palace of Justice of the future, will do well to purchase this little book as a guide to what, under good management, may be effected at a comparatively small cost.

LAW SOCIETIES.

SOCIAL SCIENCE ASSOCIATION.

Law Department.

The third meeting of the Department of Jurisprudence and Amendment of the Law was lately held at No. 1, Adam-street, Adelphi. The Attorney-General presided.

A paper was read by Mr. P. S. Reilly, entitled "Observations on a Digest of Law, with reference to the Address delivered at York by Sir J. Wilde, the President of the Department." The object of the paper was to discuss briefly some of the great questions that had been raised by the president. It was considered by him that a digest was the first object to be attained, a codification being deemed impracticable at present. The learned president contemplated a digest of the case law merely, but in coming to that conclusion he seemed to have underrated the importance of the statutory elements of the law. The sphere of legislation was continually increasing, and its power was asserting itself more and more. Even if they looked to the case law alone it would be found that a large part of it consisted of decisions upon the construction and application of Acts of Parliament. Such cases could not be embodied in a code without reference to such Acts of Parliament. They could not have a digest of the unwritten law apart from the written law. They could not, without combining case and statute law, have a digest such as Sir James Wilde contemplated, and such as was alone worthy of being attempted. In that combination of case and statute law they would not only have to deal with the decisions of the courts of common law, but Chancery, Admiralty, Ecclesiastical, and Bankrupt cases must all, with the common law cases, be worked up in one consistent code. A digest of the case law on one side only of Westminster-hall would, in fact, be merely delusive. The difficulty in preparing such a digest was to hit the right mean between too much generality and too much detail. Each proposition deduced from case or statute should be accompanied by a reference to authority by way of illustration. The president declared his belief, that a digest, as conceived by him, was within the bounds of reasonable time and labour, but he said he could not conceal from himself that the first judicial mind of the country was alone fit for the task of codification. He was sorry he did not further refer to what was first wanting namely, the constitution of some permanent superintending authority. Without such permanent superintending authority all attempts would be disappointing, because the work to be done was extensive and required the devoted attention of a number of capable men acting upon certain and defined principles. A committee of the Privy Council might be organised for that purpose like Committee of Council on Education, and with the Lord Chancellor as president and a paid vice-president in the House of Commons, to that body the law officers of the Crown might be joined as assessors. Their first duty should be to investigate the principles on which the digest should be made. Then rules should be laid down for its construction, and persons should be appointed

to carry out the work. The question next to be considered was how the digest, when framed, was to be made authority. It could not be done by Act of Parliament, because the Legislature must, when it spoke, lay down definite rules. The digest should rest at first upon its intrinsic merits, and upon the fact of its compilation by official authority. And for greater solemnity it might be promulgated by the authority of the Queen in Council. Copies could be sent to the judges of the Superior Courts, to the courts of quarter sessions, and to the magistrates. When once issued it would soon establish itself, and fill a place such as that filled by Sir Edward Coke's writings. The result would be that all parts of the case law, directly or indirectly condemned as unsound by the digest, would be discarded and expunged from the law, and a condensed edition of the case law might be published if required.

Mr. Symons moved that the paper be received.

Mr. Webster proposed that the paper should be printed and circulated, instead of being merely received.

Mr. Macqueen seconded the proposal of Mr. Webster.

A discussion ensued, in which Mr. G. M. Waterhouse, Dr. Waddilove, Mr. G. W. Hastings, Sir Culling Eardley, Mr. Wilson, and Mr. Daniel, Q.C., took part.

The Attorney-General said the Lord Chancellor took a great interest in the subject, and they might be sure that what was practicable would if possible be attempted by him. If his Lordship should attempt anything it would, of course, be his (the Attorney-General's) duty to second his efforts elsewhere. They should not be troubled by words. The distinction between codification and digest depended very much upon the definition they gave to each word in their own minds. It would be wrong to expect too much from either digest or code, or to be discouraged by failing to accomplish what could not be done. They must not suppose that when anyone proposed to do one thing or the other he should undertake to exclude all reference to the past, for no code or digest could lay down that counsel was not to refer to the past history and record of the law for the purpose of solving difficulties that might arise. The aim should be to obtain certainty respecting the law under which they lived, and reduce it to a method that would make it perfectly understood. He must protest against the notion that all cases are law. There was a great error in that. A well-executed digest of the law, embodying decisions, would be of great value to ascertain how far the fusion of law and equity might be carried, and to remove practical difficulties. He took exception to the mode in which Mr. Reilly proposed that this should be done. He was rather startled at hearing Mr. Reilly say that he did not think that the results of the labours of the proposed Committee of Privy Council should be confirmed by Parliament. It would be absolutely necessary that the work of such a body should receive the sanction and confirmation of Parliament.

The motion of Mr. Webster was put and carried, and the meeting adjourned to Monday, the 19th.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

JUDGE ELGEE.

On the 7th of October, at New Orleans, from disease of the heart, the Hon. Mr. Justice Elgee. The deceased judge was of Irish extraction, being a grandson of the late Ven. Archdeacon Elgee, of Wexford, and the only brother of Lady Wilde. Having settled many years ago in the Southern States he rapidly acquired, by his talents and legal acumen, and great eloquence, a distinguished position at the American bar, and eventually rose to the bench. He had, however, retired from the practice of his profession, and at the time of the breaking out of the war was one of the wealthiest men in Louisiana. Only a year prior to that period he had invested a hundred thousand pounds in the purchase of an estate, the largest purchase ever made in Louisiana by a single individual. This plantation he called "Leinster," for though so long and so far separated from his country, Judge Elgee never forgot his fatherland, and wherever a statue was to be erected or a subscription for some good cause was set on foot in Ireland, his generous aid was never wanting. Judge Elgee leaves an only son, who, before the war, was Secretary of Legation at Mexico, and is now aide-de-camp to General Lee.

MR. JUSTICE PERRIN.

On Wednesday, the 7th inst., at his residence, Knockdromain, near Rush, Ireland, in the eighty-first year of his age, the Right Hon. Louis Perrin, formerly one of the judges of the Court of Queen's Bench, in Ireland. The event was not at all unexpected, considering the great age which he had attained, and the fact that during the latter period of his life he had suffered considerably from a want of vitality in the region of the heart, in consequence of which he was obliged a few years since to resign his judicial position. The deceased judge, who was the eldest son of the late Louis Perrin, Esq., of Clonmell, co. Tipperary, was born in 1784, and having been educated at Trinity College, Dublin, where he took the usual degrees, was called to the Irish Bar in 1806, became in 1832 one of the benchers of the King's-inns, and he represented the county of Monaghan in Parliament in the Liberal interest from 1832 to 1834, and was elected in 1835 for the borough of Cashel. In the same year he was made Attorney-General for Ireland and sworn a member of the Privy Council in that kingdom. He was raised to the Bench by Lord Melbourne's Government in 1836, and discharged his judicial duties with much zeal and ability until the year 1862, when he resigned, as we have already stated. The late judge was married, and had with other issue a son John, barrister-at-law, who was the son-in-law of the Right Hon. John Hatchell, and died in the year 1860, leaving issue.

MR. SERJEANT STEPHEN.

This eminent lawyer, whose death has been recently recorded in our obituary, was the second son of the late James Stephen, Esq., Master in Chancery, and sometime M. P. for East Grinstead, and afterwards for Tralee, in Ireland—a most zealous worker with his brother-in-law, the late Wm. Wilberforce, in the cause of anti-slavery. Miss Wilberforce, as it will be remembered, was Master Stephen's second wife; but the name of his first wife, and the mother of his children, was Anne, only daughter of Henry Stent, Esq., by whom he had a numerous family, including Henry John (the subject of this notice), the late Right Hon. Sir James Stephen, K.C.B., and Sir George Stephen, formerly a solicitor in London, and now practising at the Melbourne bar. Mr. Serjeant Stephen was born at St. Kitts, in the West Indies, in the year 1787, and educated privately and at St. John's College, Cambridge. He left the university, however, before proceeding to a degree, and at an early age embraced the profession of the law. He practised under the bar for several years as a special pleader, and while so engaged, being struck with the difficulties which beset the path of the student of pleading (then a highly technical and complicated branch of the law), he conceived the design of first investigating and then laying down the principles of that science as distinct from its mere practice, a task which had never been attempted by any of its previous professors. How excellently he executed his design it is scarcely necessary here to record, the fame of the serjeant's "Treatise on the Principles of Pleading" having, it may be said, survived the science itself, which has been so largely modified by modern reformers.

The publication of this work immediately brought its author into great repute as an accomplished and clever lawyer, and while still comparatively unknown in the Common Pleas, the Government of that day marked their appreciation of his high qualities as a jurist by nominating him one of the common law commissioners. His colleagues were Mr. Coleridge, Mr. Bosanquet, Mr. Alderson, Mr. Parke, and Mr. Wightman, all then at the bar, and all subsequently raised to the bench, which they severally adorned for many years. It did not, however, fall to Mr. Serjeant Stephen's lot to receive a similar reward for his services; but having in the interval been appointed to the Exchequer Bills Forgery Commission, in conjunction with the Earl of Devon, he was, in the year 1842, appointed by Lord Lyndhurst to be Commissioner in Bankruptcy for the Bristol district. This office he held for some years; but failing health compelled him to resign it in 1854, since which time he has lived in strict retirement at Clifton.

Any notice, however, of the serjeant's professional career would be incomplete which failed to refer to another great literary undertaking which he achieved, and which has earned him the lasting gratitude of every student of law. Some years before he left the bar he conceived the happy thought of writing "New Commentaries on the Laws of England," which should be founded on Blackstone's time-honoured work, but wherein his model should, with the utmost freedom, be altered, pruned and extended wherever such operations seemed requisite to present the Profession with an accurate summary of the existing law. This work having been successfully accomplished, has already gone through numerous editions, and it attests the wide scope of the author's knowledge of law, and the curious accuracy of his mind as fully as the "Treatise on Pleading" evinced his powers of close reasoning.

Mr. Serjeant Stephen died at Clifton, on the 28th Nov. last, and was buried at Downend, near Bristol. He married, in 1813, Mary N. Morison, daughter of William N. Morison, Esq., by whom he has left a son (James Stephen, Esq.) and a daughter.

MR. NICHOLAS LANWARNE.

It is with much regret that we have this week to announce in our columns the death of Nicholas Lanwarne, Esq., of the Vineyard, near Hereford, which took place at 12 o'clock on Friday night last, the deceased gentleman being fifty-four years of age. One so well known, and whose genial qualities were so well appreciated, cannot pass from us at once, in about the prime of life, without many sorrowful expressions from his surviving friends. The deceased had long been known in the legal profession in the city of Hereford, and was admitted an attorney of Her Majesty's Court of Queen's Bench in June 1833, and a solicitor of the High Court of Chancery in May 1833, was elected Coroner for the County in 1838, Clerk to the Hereford Union in 1837, and to Dore Union in 1842. He acted as political agent for the late Mr. Joseph Bailey, for Mr. Booker-Blakemore, and to the present Sir Joseph Bailey. He was Clerk to the Dore Magistrates from 1859, and one of the Charity Trustees for the City of Hereford.

M. MOCQUARD.

M. Mocquard died on the 9th instant. He was born at Bordeaux on the 11th Nov. 1791. He studied law in Paris under the Empire, and (destiny has strange freaks) was actually a fellow pupil of Berryer's and the elder Dupin. He had not, however, taken out his degree in 1812, when he was sent to Wurzburg in a diplomatic capacity to act as Secretary of Legation to General Montholon. In 1813 he returned to Paris, resumed his study, and became a member of the Paris Bar. He distinguished himself in many of the forensic struggles which marked the restoration by his wit, eloquence, and by his Bonapartist convictions; his last appearance at the bar was as counsel for one of the four sergeants of La Rochelle (1822). They were executed, and their death occasioned great sensation at the time, and ultimately contributed to influence popular feeling against the elder branch of the Bourbons.

After the Revolution of July, 1830, M. Mocquard, though by no means forfeiting his Bonapartist predilections, and keeping up a correspondence with Queen Hortense and the present Emperor (then Prince Louis Bonaparte), accepted office under Louis Philippe, and became sous prefet at Bagneres de Bigorre. In 1839 he resigned his post, and proceeded to London, where he joined the Prince. In the following year he started a Bonapartist newspaper, *Le Commerce*, advocating the interest of the dynasty he sympathised with, and continued to do so with unrelenting zeal until the Revolution of February supervened, and rendered possible what all the world had up to that time regarded as a chimerical idea. On the election of Prince Louis Napoleon to the Presidency of the Republic he became his secretary and "*chef du cabinet.*" It is not just now without interest to note that he was one of the most active members of the "Electoral Committee," formed to promote the Prince's election. He took an important part in the *coup d'etat* in 1851. Since then it has always been plain sailing with M. Mocquard—his tact and discretion fully qualified him for the intimate and confidential post he occupied. For forty years he had been in constant communication with the Emperor, who loses in him one of his two (or three) sincere friends. His post may be filled up, but M. Mocquard can never be replaced. He was partial to literary pursuits, and wrote several melodramas of a semi-political character in partnership with M. Victor Séjour—such as "La Tireuse de Cartes," written on the subject of the kidnapping of the boy Mortara; "Les Cosaques," produced during the Crimean war; "Les Massacres de Syrie;" and "La Prise de Pekin." He is also stated to have completed a translation of Tacitus, but it is not yet published. M. Mocquard leaves two sons, one of whom is an officer in the army, and two daughters.

LEGAL NEWS.

THE PRICE OF LAND IN SCOTLAND.—We understand that Mr. E Horsman, M.P., the present lessee of the Glenfeshie shootings, has purchased the fine little property of Ardverikie from the trustees of the late Mr. Baillie of Kingsmills. The purchase price, we hear, is 20,000*l*. Taking the present rental—500*l*., as a criterion, we would say Mr. Horsman has paid for his whistle; but the property is susceptible of much improvement, and may, with a moderate outlay, be made a tolerably good and at the same time a most desirable investment. It is not many years since the late Mr. Baillie purchased from the late Duke of Gordon the above property, on which he never expended a single shilling, for 6500*l*.—*Elgin Courant.*

COURT OF APPEAL IN SPIRITUAL MATTERS.—We are informed that one of the most distinguished members of the House of Commons, and who possesses the entire confidence of Churchmen on both sides of the House, will call the attention of Parliament soon after its meeting to the important question of appellate jurisdiction in matters spiritual in the sense indicated in the speech of Mr. Disraeli in the Sheldonian Theatre. The plan to be proposed will, we fear, somewhat disappoint the trenchant anticipations of our anti-Church contemporaries, as instead of substituting a high commission court of prelates, with conclusive authority, we hear, on the contrary that it is proposed that the spiritual element shall be entirely eliminated from the existing tribunal, which will nevertheless, still remain the Court of Final Appeal, and thus completely secure the supremacy of the Crown.—*Herald.*

CRIMINAL STATISTICS OF THE CITY.—From a parliamentary return which has just been completed by Mr. Davis

the assistant-clerk to the magistrates at Guildhall, it appears that the number of persons apprehended and otherwise proceeded against in the Guildhall district for the year ending Sept. 29, 1864, amounts to 6492. Of these 386, consisting of 307 men and 79 women, were charged with indictable offences. Of that number 185 were committed for trial and 201 discharged. The other portion of the gross total represents 6106 persons who were summarily dealt with for minor offences, of whom 543 were men and 63 women. Those summarily convicted numbered 4840, of whom 1221 were fined, 2 were ordered to be whipped, and 601 were committed for various terms of imprisonment not exceeding six months. The remainder were required to find sureties to keep the peace. The number discharged was 1266. Among the different classes of offenders proceeded against, it appears that there were 83 known thieves, 79 prostitutes, 188 suspicious characters, 129 habitual drunkards, 5026 whose previous character was good, 83 whose character was unknown, and 132 vagrants. The offences charged are principally larcenies, and offences under the Police and other Acts, affecting the health and traffic of the city of London, there being only 6 cases of burglary, 15 of forgery, 3 of manslaughter, 1 of bigamy, 4 of bankruptcy, 13 of conspiracy, 16 of exposing and selling bad meat, 30 of embezzlement, and, the most severe of all, 19 attempts at suicide. The above return does not include summonses, warrants, and other proceedings for poor-rates, orders in bastardy, dangerous premises, railway compensation, small tenements, deserted premises, and a variety of other matters of a purely civil character, yet calling forth the exercise of the magisterial functions of the aldermen presiding at this court during the year.

WILLS AND BEQUESTS.—The will of Henry Seymour Ward, Esq., late of No. 3, St. James's-place, Westminster, was proved in the London Court by the executors, the Hon. George Godolphin Osborn (commonly called the Marquis of Carmarthen), and William Montague Calcraft, Esq. of Rempston, near Wareham, Dorset. The personalty was sworn under 30,000l. The testator died on the 23rd Sept. last, at 6, Chandos-street, having executed his will on the 11th of the same month, bequeathing to his sister, Anne Maria, the wife of Henry James Farquharson, Esq., the sum of 7500l. for her own use, and leaving the residue of the personalty, together with the real estate, to his nephew, Frederick Henry Farquharson, the eldest son of his sister, absolutely.——The will of the Hon. Hannah Mary Cochrane, widow, of Sussex-square, was proved in the London court under 45,000l. personalty; the executors appointed being her sons, Robert Alexander Cochrane and Basil Edward Cochrane, Esqrs. The testatrix has bequeathed to her son Robert one whole share in the Hetton Colliery, Durham, and has divided one half-share into thirty parts between her sons Robert and Arthur and her daughter Mrs. Mowbray, making pecuniary bequests to her sons Basil and Archibald, and also to her daughter Louisa, to whom she has left her jewellery and personal ornaments; and to her son Robert the plate, pictures, &c., appointing him residuary legatee of both real and personal estate.——The will of Miss Maria Harman, of Calverley-lodge, Tunbridge Wells, was proved in the London court by the executors, John Harman, Esq., her nephew, Charles Edward Harford, Esq., sen., her cousin, and Charles Edward Harford, Esq., jun., son of the preceding. To the last-named liberal legacies are bequeathed, and to her nephews, John and Edward (the sons of her brother, Edward Harman), she leaves the residue of her property. The personalty was sworn under 35,000l. The will was dated in 1852, and two codicils 1855-7. There are many legacies. To her brother, Henry Harman, an annuity of 100l. and to her sister, Mrs. Bush, a legacy of 300l.; besides to her sisters-in-law and to her nephews, nieces, and other relatives and acquaintances, and annuities and legacies to her servants. To her medical attendant Robert Duncan, M.D., 200l. The following are the charitable bequests:—To the Societies for the Propagation of the Gospel and for the Promotion of Christian Knowledge, 100l. each; the Tunbridge Wells Dispensary, Humane Society, and Shipwrecked Mariners, 50l. each; the Ophthalmic Hospital, Brompton Consumption Hospital, Eye Infirmary, and Blind Charity, 19 guineas each; and further directs that bread and other gifts shall be made to the poor of Tunbridge Wells, Eastbourne, Frant, Crowborough, Brenchley, Pembury, and Tudely; legacies not exceeding 100l. to be paid free of duty.——The will of the Baron Du Bois de Ferrieres, of Chepstow Monmouthshire, was proved in the London court by his son, Charles Conrad Adolphus Baron Du Bois de Ferrieres, the sole executor. The testator confirms the settlement on his marriage, and leaves to his wife, the Baroness Du Bois, an annuity of 150l. and the furniture. To his son the baron, he leaves the plate, pictures, books, his relict and his sister-in-law selecting what they may want, and to his sister-in-law he leaves an annuity of 50l. To his son, the baron, besides a legacy of 3000l., he has bequeathed a moiety of the residue of his property, bequeathing the other moiety to the five orphan children of his late daughter Augusta, widow of the late J. Bright.——The will of Joseph Underwood, Esq., of Hyde-park-gardens and of Eastcheap, London, and ..., was proved under 200,000l. personalty. The will bears date the 23rd of May last. The testator died the ... August following. The executors and trustees appointed are his relict; his son, Frederick James Underwood, Esq.; and Geo. Stockdale, Esq. of Hanover-villas, ...hill, and Throgmorton-street. To the latter he leaves a legacy of 300l. To his relict he leaves an immediate legacy of 5000l., together with the furniture, carriage, &c., and the residence, Hyde-park-gardens. He also bequeaths to her an equal share with his son Frederick in his business, carried on at Eastcheap and at ..., including the capital and stock-in-trade of a sugar manufacturer and importer of foreign wines and ..., and has appointed his said son residuary legatee of both real and personal estate. To his two daughters he leaves so much as will make their respective portions ... There is a legacy of 1000l. to his niece, Mary ... Seaton, of Cloona Castle, Mayo, Ireland, and 500l. to each of her children. To two of his clerks, William ... and Frederick Clarke, each 500l.; to his housekeeper, 50l.; to two other servants, legacies of 100l. and ..., and a few other legacies; to the Norfolk and Norwich Hospital and the Cumberland Infirmary, each 200l. —The Rev. John Dight, of Folkestone, has bequeathed to the Societies in London and Paris for the prevention of cruelty to animals 100l. each, and a like legacy to ... and Exeter Hospital.—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, Dec. 20.

By Mr. SHARP, at Garraway's.—Lease of house, No. 35, Finsbury-circus, City of London, held for a term, whereof 9½ years are unexpired, at a rent of 172l. 10s. a-year, producing as offices 464l. per annum—sold for 812l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Dec. 9.

COLEMAN, HENRY HORNER, and BRADLEY, FREDERICK, attorneys and solicitors, Fenchurch-st.

Gazette, Dec. 16.

DARVILL, HENRY; DARVILL, HENRY, jun. and POULTON, HENRY, attorneys and solicitors, New Windsor.

Bankrupts.

Gazette, Dec. 13.

To surrender at the Bankrupts' Court, Basinghall-street.

ANTHONY, MARC, commercial traveller, Gutter-ln. Cheapside. Pet. Dec. 3. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Scott's-yd. Cannon-st.
ARNOLD, JOHN, jun. veterinary surgeon, Mount-st. Grosvenor-sq. Pet. Dec. 9. Reg. Roche. O. A. Cannan. Sol. Spencer, Coleman-st.-bdgs.
BAKER, THOMAS ROBINSON, commercial traveller, Herbert-rd. Plumstead. Pet. Dec. 12. Reg. Hazlitt. O. A. Graham. Sol. Binns, Trinity-sq. Southwark.
BANKS, JOHN HENRY, engraver and printer, Ely-ct. Holborn, and Barford-st. Islington. Pet. Dec. 8. Reg. Roche. O. A. Cannan. Sol. Wyatt, Great Carter-ln. Doctors'-commons.
BARTON, WILLIAM, farmer, Chevening, Sevenoaks. Pet. Dec. 9. Reg. Brougham. O. A. Edwards. Sols. Loftus and Co., New-inn, Strand.
BELL, GEORGE, farmer, Littleport. Pet. Dec. 10. Reg. Roche. O. A. Cannan. Sol. Vipan, St. Ives.
BOURNER, CHARLES, commission agent, Devonshire-grove, Old Kent-rd. Pet. Dec. 3. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-ln. Doctors'-commons.
BRIEBACH, HERMAN, baker, Shoreditch. Pet. Dec. 8. Reg. Roche. O. A. Cannan. Sol. Carr, Reed-ln.
COOKE, GEORGE CHARLES, general agent, Castle-st.-east, Oxford-market. Pet. Dec. 7. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-ln. Doctors'-commons.
COTTRELL, GEORGE EDWARD, barrister, New-sq. Lincoln's-inn. Pet. Dec. 9. Reg. Hazlitt. O. A. Graham. Sol. Vining, Moorgate-st.-bdgs.
ESSEX, JOHN JAMES, waiter, Princes-st. Leicester-sq. Pet. Dec. 8. Reg. Brougham. O. A. Edwards. Sol. Dubois, Church-passage, Gresham-st.
FARCOURT, RICHARD, carpenter, King-st. Portman-sq. Pet. Dec. 6. Reg. Hazlitt. O. A. Graham. Sol. Godfry, South-sq. Gray's-inn.
FREEMAN, FREDERICK GEORGE GILBERT, builder, Bromley and Lewisham. Pet. Dec. 8. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry.
HARMSWORTH, JOHN HENRY, tallow chandler, Milton-st. Cripplegate. Pet. Dec. 3. Reg. Hazlitt. O. A. Graham. Sols. Lofty, Potter and Son, King-st. Cheapside.
HOARE, JAMES, bricklayer, Upper Cottenham-rd. Hornsey-rd. Pet. Dec. 5. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st.
HORCRAFT, WILLIAM, photographer, Oxford-st. west. Pet. Dec. 7. Reg. Brougham. O. A. Edwards. Sol. Watson, Cannon-st.
JONES, ISAAC, timber dealer, Old Kent-rd. Pet. Dec. 10. Reg. Hazlitt. O. A. Graham. Sols. May and Son, Princes-st. Spitalfields.
LAKE, JOHN, builder, Forest-hill. Pet. Dec. 9. Reg. Roche. O. A. Cannan. Sols. Stopher, Cutsdon and Miles, Coleman-st.
MARSHALL, FREDERICK CARVER, pork butcher, Market-row, Oxford-market. Pet. Dec. 5. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Bedford-row.
NEALE, WILLIAM, clerk, Mount-st. Whitechapel. Pet. Dec. 8. Reg. Hazlitt. O. A. Graham. Sol. Porter, Coleman-st.
NORTON, THOMAS SHORTLAND, carpenter, Brunswick-ter. Westbourne-grove west. Pet. Dec. 8. Reg. Hazlitt. O. A. Graham. Sol. Foord, Pinner's-hall, Old Broad-st.
PARSONS, WILLIAM, builder, Bromley. Pet. Dec. 9. Reg. Hazlitt. O. A. Graham. Sol. Olive, Portsmouth-st. Linc.-inn-flds.
PRESCOD, JOHN, fancy soap manufacturer and perfumer, Great Titchfield-st. Oxford-market. Pet. Dec. 8. Reg. Hazlitt. O. A. Graham. Sols. Miller, Son and Stubbs, Philpot-ln.
PHILLIPS, HENRY THOMAS, greengrocer, Gray's-inn-rd. Pet. Dec. 9. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, Quality-ct. Chancery-ln.
QUIGLEY, PATRICK, tailor, Upper Charlotte-st. Fitzroy-sq. Pet. Dec. 8. Reg. Roche. O. A. Cannan. Sol. Chidley, Old Jewry.
ROWLAND, WILLIAM HENRY, plumber, Cambridge-pl. Paddington. Pet. Dec. 8. Reg. Roche. O. A. Cannan. Sol. Walker, Lawrence Pountney-ln.
SCOTT, JOHN WALTER, victualler, Newby-pl. Poplar. Pet. Dec. 8. Reg. Brougham. O. A. Edwards. Sol. Bartley, Bucklersbury.
SHEPARD, MARY ANN, milliner, Gloucester-rd. South Kensington. Pet. Dec. 2. Reg. Brougham. O. A. Edwards. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
TALBOT, JOHN STEWART STEEVE, job and post master, Westow-hill, Norwood, and Westow-st. Lambeth. Pet. Dec. 6. Reg. Roche. O. A. Cannan. Sols. Walker and Twyford, Southampton-st. Bloomsbury.
TEESDALE, CHRISTOPHER, not a trader, Wellington-sq. Chelsea. Pet. Dec. 8. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co., Old Jewry.
TUPPEN, HARRY, draper, Brighton and Rottingdean. Pet. Dec. 5. Reg. Hazlitt. O. A. Graham. Sols. Mason, Start and Mason, Gresham-st.
WHITLOCK, ROBERT TASS, cheesemonger, West.-st. Walworth. Pet. Dec. 9. Reg. Roche. O. A. Cannan. Sol. Reed, Guildhall-chambers.
WILSON, CHARLES MARTON, clerk in holy orders, White Roding. Pet. Dec. 10. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl.
WILSON, EMMA PAIN, mantle manufacturer, Essex-rd. Islington. Pet. Dec. 9. Reg. Brougham. O. A. Edwards. Sols. Cox and Sons, Sise-ln.

To surrender in the Country.

BARRACLOUGH, ALLEN, stationer and news agent, Sheffield. Pet. Dec. 10. Reg. & O. A. Wake and Rodgers. Sol. Broadbent, Sheffield.
BENNETT, JOHN, pig and cattle dealer, Capernham, Romsey Extra. Pet. Dec. 8. Reg. & O. A. Tylee. Sol. Mackey, Southampton.
BIRKLEY, JOHN NEWMAN, cattle dealer, Yeovil. Pet. Nov. 29. O. A. Parkyns. Sols. Slade, Yeovil; Hirtzel, Exeter.
BOOT, WILLIAM, stonemason, Heeley, Sheffield. Pet. Dec. 9. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield.
BOWER, GERVASE, cattle jobber, Little Hallam, Ilkeston. Pet. Dec. 8. Reg. & O. A. Ingle. Sol. Heathcote, Nottingham.
BOWER, SIDNEY SAILE, provision dealer, Greenheys. Pet. Nov. 17. Reg. & O. A. Hulton.
BRADSHAW, JOHN, barman, Liverpool. Pet. Dec. 9. Reg. & O. A. Hime. Sol. Harris, Liverpool.
BRETHERICK, JAMES, woollen printer, Holbeck, Leeds. Pet. Dec. 8. O. A. Young. Sol. Harle, Leeds.
BUSHLEY, JOHN, carrier, Blackburn. Pet. Dec. 8. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whitham, Burnley; Cobbett and Wheeler, Manchester.
BUTTERFIELD, EDWIN, joiner, Mountain, Bradford. Pet. Dec. 7. Reg. & O. A. Robinson. Sol. Storey, Halifax.
CLARK, WILLIAM SEYMOR, ship broker, Great Crosby and Liverpool. Pet. Nov. 5. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster.
COOKE, JONATHAN, grocer, Shepley-marsh, Kirkburton. Pet. Dec. 2. Reg. & O. A. Jones. Sol. Booth, Holmfirth.
DALLIMORE, FRANK, carpenter, Brighton. Pet. Dec. 2. Reg. & O. A. Blaker. Sol. Lamb, Brighton.
DICK, GEORGE WEDDERBURN, farmer, Bury St. Edmunds. Pet. Dec. 10. Reg. & O. A. Collins. Sol. Salmon, Bury St. Edmunds.
DISTIN, WILLIAM THOMAS, victualler, Salford. Pet. Dec. 7. Reg. Macrae. O. A. Morgan. Sols. Marsland and Addleshaw, Manchester.
DIXON, ELVES, blacksmith, Boston. Pet. Dec. 10. Reg. & O. A. Staniland. Sol. Belles, Boston.
EMERY, WILLIAM ROBERT, cab driver, Birmingham. Pet. Dec. 9. Reg. & O. A. Guest. Sol. East, Birmingham.
FERRY, JOSEPH, schoolmaster, Claines, Worcester. Pet. Dec. 7. Reg. & O. Crisp. Sol. Bentley, Worcester.
FOSTER, ROBERT, cap manufacturer, Leeds. Pet. Dec. 8. O. A. Young. Sol. Carr, Leeds.
FOUNTAIN, EDWARD, lithographer, Blackburn. Pet. Dec. 3. Reg. & O. A. Dunn. Sol. Gardner, Manchester.
FRASER, WILLIAM, milliner, Wigan. Pet. Dec. 3. Reg. & O. A. Dunn. Sol. Gardner, Manchester.
GRIFFIN, HENRY, Southport, Northmeols. Pet. Dec. 7. Reg. & O. A. Welsby. Sol. Parr, Ormskirk.
HARRISON, WILLIAM, trinity pilot, Milton-next-Gravesend. Pet. Dec. 8. Reg. & O. A. Southgate. Sol. Sharland, Gravesend.
HODGE, JOSEPH, straw hat and bonnet maker, Peterborough. Pet. Dec. 10. Reg. & O. A. Gaches. Sol. Taylor, Peterborough.
HORSFALL, JAMES EDWARD, doubler, Hebden-bridge. Pet. Dec. 3. O. A. Young. Sols. Grundy and Davies, Manchester; Carlss and Tempest, Leeds.
HOWARD, JOSEPH, commission agent, Salford. Pet. Dec. 3. Reg. & O. A. Dunn. Sol. Gardner, Manchester.
HUNTLEY, WILLIAM, boot and shoe maker, Aldershot. Pet. Dec. 9. Reg. & O. A. Hollest. Sol. White, Guildford.
HUTCHINSON, THOMAS, auctioneer, Deansgate, Manchester. Pet. Dec. 2. Reg. & O. A. Kay. Sol. Gardner, Manchester.
JAMES, WILLIAM GRIFFITHS, sinker and moulder, Wolverhampton. Pet. Dec. 9. Reg. & O. A. Brown. Sol. Blow, Bilston.
LEGG, STEPHEN, shipwright, Liverpool. Pet. Dec. 9. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool.
LOWE, JOHN, grocer, Gorton-brook, Manchester. Pet. Dec. 8. Reg. & O. A. Kay. Sol. Sutton, Manchester.
LUCKES, GEORGE, master mariner, Bridgwater. Pet. Dec. 9. Reg. & O. A. Lovibond. Sol. Smith, Bridgwater.
MAJER, GEORGE, innkeeper, Bridlington. Pet. Dec. 10. Reg. & O. A. Taylor. Sol. Richardson, Bridlington.
MIDDLEDITCH, JOHN, cork manufacturer, Bury St. Edmunds. Pet. Dec. 8. Reg. & O. A. Collins. Sol. Salmon, Bury St. Edmunds.
MONK, MARSHALL, saddler, Northampton. Pet. Dec. 6. Reg. & O. A. Dennis. Sols. Shield and White, Northampton.
ORR, JOHN SAMPSON RUSDEN, sailmaker, Tranmere. Pet. Dec. 8. O. A. Turner. Sols. Woodburn and Pemberton, Liverpool.
ORAM, WILLIAM HODGKINSON, poulterer, Derby and Buxton. Pet. Dec. 8. Reg. Tudor. O. A. Harris. Sol. Haywood, Derby.
POYNTON, WILLIAM HENRY, butcher, Loughborough. Pet. Dec. 8. Reg. & O. A. Brock. Sol. Goode, Loughborough.
PRESGRAVE, HENRY, butcher, Holbeach. Pet. Dec. 9. Reg. & O. A. Capara. Sol. Ayliff, Holbeach.
RED, THOMAS ALBERT, engine fitter, Hull. Pet. Dec. 9. Reg. & O. A. Phillips. Sol. Summers, Hull.
ROBINSON, JAMES, baker, Ash. Pet. Dec. 9. Reg. & O. A. Hollest. Sol. White, Guildford.
SHARPLES, WILLIAM, yeast and smallware dealer, Pilkington. Pet. Dec. 3. Reg. & O. A. Dunn. Sol. Gardner, Manchester.
SMITH, JOHN, labourer, Accrington. Pet. Dec. 3. Reg. & O. A. Dunn. Sol. Gardner, Manchester.
TAYLOR, CHARLES, working jeweller, Ipswich. Pet. Dec. 10. Reg. & O. A. Pretyman. Sol. Moore, Ipswich.
TENCH, JAMES, attorney, Smethwick, Harborne. Pet. Dec. 8. Reg. & O. A. Watson. Sol. Low, Dudley.
UPTON, JOB, blacksmith, Lichfield. Pet. Dec. 10. Reg. & O. A. Birch. Sol. Wilson, Lichfield.
WALTON, SQUIRE, stuff manufacturer, Bradford. Pet. Dec. 5. O. A. Young. Sols. Green, Bradford; Carlss and Tempest, Leeds.
WATSON, HENRY THOMAS, and CUNLIFFE, JAMES, shipowners, Goole. Pet. Dec. 2. Sols. Grundy and Davies, Manchester; Carlss and Tempest, Leeds.
WRITTON, FRANCIS, labourer, Forebridge, Castle Church. Pet. Dec. 8. Reg. & O. A. Spilsbury. Sol. Greatrex, Stafford.

Gazette, Dec. 16.

To surrender at the Bankrupts' Court, Basinghall-street.

ADEY, SAMUEL JOHN, commission agent, Forest-row, Dalston. Pet. Dec. 12. Reg. Roche. O. A. Cannan. Sol. Langley, Moorgate-st.
ARCHER, WILLIAM, ropemaker, Norwich. Pet. Dec. 13. Reg. Brougham. O. A. Edwards. Sols. Sole and Co., Aldermanbury; Miller, Son and Bugg, Norwich.
BETTS, GEORGE, cheesemonger, Shoreditch. Pet. Dec. 11. Reg. Roche. O. A. Cannan. Sol. Layton, jun. Church-row, Islington.
BROWN, JAMES, victualler, Lower-rd. Deptford. Pet. Dec. 12. Reg. Roche. O. A. Cannan. Sol. Atkinson, Quality-ct. Chancery-ln.
COLEMAN, HENRY HORNER, attorney and solicitor, Fenchurch-st. and Royal-pl. Greenwich. Pet. Dec. 9. Reg. Hazlitt. O. A. Graham. Sols. Linklater and Hackwood, Walbrook.
DAVIS, EDWARD SEARLES, coal merchant, Shore-rd. Hackney. Pet. Dec. 9. Reg. Roche. O. A. Cannan. Sols. Ellis, Parker and Clarke, St. Michael's-alley, Cornhill.
DAY, WILLIAM, grocer, Lambeth-walk. Pet. Dec. 13. Reg. Roche. O. A. Cannan. Sol. Davis, Gresham-st.
DYE, WILLIAM, Waterloo-pl. Deptford. Pet. Dec. 8. Reg. Hazlitt. O. A. Graham. Sol. Drew, New Basinghall-st.
GOOCH, HENRY, corn and seed merchant, Ipswich. Pet. Dec. 13. Reg. Hazlitt. O. A. Graham. Sols. Nicholls and Clark, Cook's-ct. Lincoln's-inn, for Salmon, Bury St. Edmunds.
GRAVES, THOMAS, plumber, Upper Park-rd. Haverstock-hill. Pet. Dec. 14. Reg. Roche. O. A. Cannan. Sol. Lewis, Raymond-bdgs. Gray's-inn.
KIRBEY, HERBERT SIDNEY, bookseller and stationer, Clarendon-ter. Islington. Pet. Dec. 12. Reg. Roche. O. A. Cannan. Sol. Tower, King-st. Finsbury.
LIPPMANN, BERNHARD, foreign commission agent, Old Fish-st. Pet. Dec. 12. Reg. Roche. O. A. Cannan. Sol. Sydney, Old Barbican-st.
MCDONALD, JOHN WILLIAM, milliner, Southsea. Pet. Dec. 12. Reg. Brougham. O. A. Edwards. Sols. Sole and Co., Aldermanbury.
MEADER, THOMAS BURRIDGE CHITTY, victualler, Wimbledon. Pet. Dec. 14. Reg. Roche. O. A. Cannan. Sol. Wyatt, Great Carter-ln. Doctors'-commons.
PARKER, ABRAHAM, coachmaker, Portland-st. Commercial-rd.-east. Pet. Dec. 12. Reg. Hazlitt. O. A. Graham. Sols. Preston and Dorman, Gresham-st.
PIERRE, CÆSARE ALEXANDRE, stay and crinoline manufacturer, Brighton. Pet. Dec. 12. Reg. Hazlitt. O. A. Graham. Sols. Linklater and Hackwood, Walbrook.
SANDERS, NEAL, builder, Lavender-rd. Battersea. Pet. Dec. 11. Reg. Hazlitt. O. A. Graham. Sol. Cartwright, Bishopsgate-st.-within.
STEARN, THOMAS, jun., dealer in fancy goods, Cambridge. Pet. Dec. 12. Reg. Edwards. O. A. Brougham. Sol. Harcourt, King's Arms-yd.
TRIMEN, JOHN WALTER, photographer, Bayham-st. Camden-tn. Pet. Dec. 13. Reg. Hazlitt. O. A. Graham. Sols. Peckham and Salt, Great Knightrider-st. Doctors'-commons.
WILSON, JOHN, grocer, Pleasant-row, Holloway-rd. Pet. Dec. 13. Reg. Roche. O. A. Cannan. Sol. Jenkins, Nicholas-ln.

To surrender in the Country.

ARCOUGH, JOHN, farmer, West Tanfield. Pet. Dec. 10. O. A. Young. Sols. Hindle, Ripon and Simpson, Leeds.
BATTY, BENJAMIN, beerhouse-keeper, Wakefield. Pet. Dec. 31. Reg. & O. A. Mason. Sol. Gill, Wakefield.
BINGHAM, WILLIAM, butcher, Bole. Pet. Dec. 10. Reg. & O. A. Barton. Sol. Bladon, Gainsborough.
BLOORE, GEORGE, grocer, Leek. Pet. Dec. 12. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham.
BLOUSTEIN, JOEL, and FLOUSTEIN, DAVID, hawkers of jewellery, West Hartlepool. Pet. Dec. 9. Reg. & O. A. Child. Sol. Strover, West Hartlepool.
BRINDLEY, BENJAMIN, grocer, Crewe. Pet. Dec. 5. Reg. & O. A. Broughton. Sol. Salt, Tunstall and Crewe.
BURNEY, JOHN, carrier, Blackburn. Pet. Dec. 8. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whitham, Burnley; Cobbett and Wheeler, Manchester.
DAWSON, JAMES, shuttlemaker, Shuttleworth. Pet. Dec. 14. Reg. & O. A. Grundy. Sol. Blackburn, Ramsbottom.
EDLIN, HENRY TORRENT, railway station master, Solihull. Pet. Nov. 26. Reg. & O. A. Harding. Sol. Francis, Birmingham.
EDWARDS, THOMAS, grocer, Penarth. Pet. Dec. 12. Reg. & O. A. Langley.
FLETCHER, JAMES, carter, Bradford. Pet. Dec. 13. Reg. & O. A. Robinson. Sol. Green, Bradford.

Harvey, William, maltster, Hancote. Pet. Dec. 12. Reg. Hill. O. A. Kinnear. Sols. Miles, Gregory and Bouskell, Leicester; Hodgson and Son, Birmingham.

Holliday, Thomas grocer, Holme, Howden. Pet. Dec. 14. Reg. & O. A. Porter. Sol. Summers, Hull.

Huddleston, Isaac, miller, Falsgrave, Scarborough. Pet. Dec. 6. O. A. Young. Sol. Blackburn, Leeds.

Ironmonger, Edward, jun. draper's assistant, Barton-under-Needwood. Pet. Dec. 12. Reg. & O. A. Hubbersty. Sol. Goodger, Burton.

Jackson, James, shirt cutter, Barnsley. Pet. Dec. 12. Reg. & O. A. Shepherd. Sol. Hamer, Barnsley.

Jacob, Thomas, tailor, Bugle, St Austell, and Chacewater. Pet. Dec. 13. Reg. & O. A. Carlyon. Sol. Meredith, St. Austell.

James George, husbandman, Gilsland and Nunseleugh, Bewcastle. Pet. Dec. 14. Reg. & O. A. Lee. Sol. Wannop, Carlisle.

Jones, David, skinner, Pontfathew, Towyn. Pet. Dec. 10. Reg. & O. A. Hewett. Sol. Jones, Newtown.

Lee, Joseph, contractor, Leigh. Pet. Dec. 12. Reg. Harris. O. A. Morgan. Sols. Potter and Knight, Manchester.

Littleshales, John, police constable, Castle Foregate, Shrewsbury. Pet. Dec. 10. Reg. & O. A. Peale. Sol. Frail, Shrewsbury.

Lomas, Thomas, warehouseman, Stretford. Pet. Dec. 9. Reg. & O. A. Coppock. Sol. Mann, Manchester.

Nicholl, William Henry, braid manufacturer, Manchester. Pet. Dec. 7. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington, Shipman and Seddon, Manchester.

Olivant, Thomas, labourer, Felton Fell. Pet. Dec. 12. Reg. & O. A. Bramwell. Sol. Marshall, jun. Durham.

Oliver, Samuel, razor manufacturer, Sheffield. Pet. Dec. 13. Reg. & O. A. Wake and Hodgers. Sol. Micklethwaite, Sheffield.

Perkins, Thomas, plumber, Burton-on-Trent. Pet. Dec. 14. Reg. & O. A. Hubbersty. Sol. Goodger, Burton.

Pettipher, George Cole, painter, Coton-end, Warwick. Pet. Dec. 13. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham.

Robinson, Frederick, boot and shoe maker, Hastings. Pet. Dec. 13. Reg. & O. A. Young. Sols. Savery and Norris, Hastings.

Rockliff, Charles, butcher and farmer, Huddersfield. Pet. Dec. 6. Reg. & O. A. Jones. Sol. Taylor, Huddersfield.

Rowley, John, yarn spinner, Huddersfield. Pet. Dec. 28. O. A. Young. Sols. Floyd and Learoyd, Huddersfield; Bond and Barwick, Leeds.

Saunders, Charles, builder, Elmstead. Pet. Dec. 14. Reg. & O. A. Bernes. Sol. Jones, Colchester.

Sedgley, Benjamin, farmer, Warwick. Pet. Dec. 10. Reg. Hill. O. A. Kinnear. Sol. James and Griffin, Birmingham.

Shaw, James, joiner, Causeway-side, Linthwaite. Pet. Dec. 8. Reg. & O. A. Jones. Sol. Mills, Huddersfield.

Simms, Charles, shoemaker, Moreton-in-Marsh. Pet. Dec. 10. Reg. & O. A. Nicoll. Sol. Tilsley, Moreton-in-Marsh.

Smart, George, gamekeeper, Charlton Horethorne. Pet. Dec. 13. Reg. & O. A. Messiter. Sol. Bartrum, Bath.

Smith, Henry, painter, Leicester. Pet. Dec. 13. Reg. Tudor. O. A. Harris. Sol. Haxby, Leicester.

Smith, William, paper dealer, Coventry. Pet. Dec. 10. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham.

Squires, Robert, joiner and builder, Salford. Pet. Dec. 11. Reg. & O. A. Hutton. Sol. Gardner, Manchester.

Stevens, Joseph, plumber, Shrewton. Pet. Dec. 12. Reg. & O. A. Wilson. Sol. Hill, Salisbury.

Tate, William, overlooker in a silk manufactory, Leeds. Pet. Dec. 8. Reg. & O. A. Sangster. Sol. Harle, Leeds.

Thacker, George, greengrocer, Bradford. Pet. Dec. 10. Reg. & O. A. Robinson. Sol. Hill, Bradford.

Thomas, George, labourer, Pontnewydd, Newport. Pet. Dec. 12. Reg. & O. A. Edwards. Sols. Greenway and Uptheway, Pontypool.

Tomlinson, Benjamin, haulier, Highley. Pet. Dec. 12. Reg. & O. A. Trow. Sol. Hatte, Bridgnorth.

Waldram, George, wheelwright, Leicester. Pet. Dec. 15. Reg. Tudor. O. A. Harris. Sol. Weston, Leicester.

Walmsley, Martha, innkeeper, Rochdale. Pet. Nov. 14. Reg. Macrae. O. A. Morgan.

Weller, Daniel, Capel, Surrey. Pet. Dec. 9. Reg. & O. A. Hart. Sol. White, Dane's-inn, Strand, and Guildford.

Westwood, Edwin, and Westwood, Joseph, master grinders, Oldbury. Pet. Dec. 10. Reg. & O. A. Watson. Sol. Wright, Westbromwich.

Williams, William, haulier and contractor, Cardiff-rd. Merthyr Tydfil. Pet. Dec. 13. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil.

Woollaston, William, silversmith, Birmingham. Pet. Dec. 12. Reg. & O. A. Guest. Sol. Walter, Birmingham.

Wright, John, shoemaker, Cefn Bychan, Ruabon. Pet. Dec. 15. Reg. & O. A. Edgworth. Sol. Jones, Wrexham.

BANKRUPTCIES ANNULLED.

Gazette, Dec. 13.

Baines, Samuel, worsted spinner, Brighouse.

Byrne, Robert, stock and share broker, Liverpool.

Seabrook, Henry Walter, clerk in War-office, Gloucester-ter. Chelsea.

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Marsden, Charles, decorative marble paper manufacturer, North-rd. Shoreditch.

McDonald, Felix, cart owner, Liverpool.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Artell, Knight and Artell, tanners, second, 4¼d. Stansfeld, London.—*Belford and Lighton*, cut glass manufacturers, second, 3d. Kinnear, Birmingham.—*Cheandy*, T. G. chemist and druggist, first, 1s. 4¼d. Edwards, London.—*Evanson*, R. T. doctor of medicine, first, 1s. 9½d. Parkyns, Exeter.—*Johns*, H. shoe dealer, first, 1s. 4¼d. Parkyns, Exeter.—*Perkins*, R. M. ironmonger, first, 1s. 0½d. Edwards, London.—*Smith*, J. draper and brewer, first, 4s. 2d. Edwards, London.—*Snow*, W. victualler, first, 1s. 9½d. Kinnear, Birmingham.—*Soady*, R. Esq. first, 7¼d. Parkyns, Exeter.—*Tromp*, G. printer, first, 4s. 3¼d. Stansfeld, London.—*Walder*, M. tailor and draper, first, 7s. 9½d. Parkyns, Exeter.—*Williams*, R. L. farmer, first, 3s. 10¼d. Kinnear, Birmingham.—*Wright*, W. H. maltster and farmer, first, 1s. 7¼d. Parkyns, Exeter.

INSOLVENTS' ESTATES.

Banes, G. D. foreman in Chatham-dock yard, seventh, 2s. Apply at the County Court, Rochester.—*Brimfield*, C. Carpenter-st. Hanover-sq. final, 1s. 7d. Stansfeld, London.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, between the hours of eleven and three, on Tuesdays only.

Swan, R., Ardwick, Manchester. 6s. 8d.

Assignments.

Gazette, Dec. 13.

Ackroyd, William, and Whitaker, William, stuff merchants, Bradford. Nov. 11. Trusts. M. Wright, stuff manufacturer, Bradford, D. Brear, commission agent, Bradford, J. Hill, stuff manufacturer, Manningham, and W. Moulen, stuff manufacturer, Little Horton.

Asbry, Luke, warehouseman, Friday-st. Nov. 16. Trusts. G. Townend, manufacturer, Thornton-mills, near Bradford, and J. Webber, commission agent, Broad-st.

Bairstow, William, cloth miller, Batley. Nov. 17. Trust. J. Blackburn, rag merchant, Batley.

Bexley, David Home, dealer in patented inventions for domestic purposes, Manchester. Nov. 21. Trust. J. Kerr, accountant, Manchester.

Broome, Thomas, and Broome, Edward, cottonspinners and manufacturers, Oldham. Nov. 14. Trusts. C. H. Coddington, cotton broker, Liverpool, W. F. Palmer, machinist, Oldham, W. M. Mellor, cotton broker, Liverpool, and G. K. Broome, cottonspinner, Oldham.

Eatough, Joseph, victualler, Blackburn. Nov. 16. Trust. T. Bourn, traveller, Blackburn.

Geoghan, James, stuff merchant, Bradford. Nov. 11. Trusts. G. Keighley, worsted manufacturer, Bradford, and T. Parker, dyer, Leeds.

Hamond, Frederick Stevenson, ironmonger, Great Yarmouth. Nov. 14. Trusts. F. Keep, iron merchant, Birmingham, and W. T. Fisher, optician, Great Yarmouth.

Howitt, Henry, woollen draper, Snow-hill. Nov. 11. Trusts. S. Lowry, Wood-st. and D. Parker, Goldsmith-st. warehousemen.

Inwood, George Eames, grocer and provision dealer, Holybourne. Nov. 21. Trusts. R. M. Caffall, grocer, Alton, and E. C. Taylor, coal merchant, Farnham.

Jesson, John William, boot and shoe manufacturer, Leicester. Nov. 23. Trusts. J. Durrad, and G. Staynes, leather merchants, both Leicester.

Lidder, William, tanner and currier, Leeds. Nov. 15. Trusts. T. Goodhall, Pudsey, and T. Dawson, Leeds, tanners.

Lloyd, Thomas, wine merchant, Fenchurch-st. Nov. 14. Trust. H. W. Jones, wine and spirit broker, Mark-la.

Macpherson, John, linen-draper, Hull. Nov. 18. Trusts. L. H. Grant, Wood-st. and R. Slater, Fore-st. warehousemen.

Moore, Martha, baker, Birmingham. Nov. 18. Trust. I. Kempson, miller, Birmingham.

Moxon, Samuel, woollen cloth merchant, Denby Dale, near Huddersfield. Nov. 21. Trust. J. W. Tempest, accountant, Huddersfield.

Palmer, Benjamin, draper, Southwold. Nov. 12. Trusts. J. Copeman, jun., grocer, and J. Hotblack, shoe manufacturers, both Norwich.

Peacock, George, merchant, Lime-st.-sq. and baker, Lambeth-walk. Nov. 21. Trusts. W. A. Tweeddale, merchant, Birchin-la., W. Noakes, hop factor, High-st. Borough, and F. Morris, gentleman, Moorgate-st.

Pooller, William, grocer, Swansea. Nov. 12. Trust. H. Thomas, soap manufacturer, Bristol.

Potts, John, victualler, Nottingham. Nov. 26. Trust. C. Potts, manufacturer of lucifer matches, Ilkeston.

Radloff, Henry Martin, grease manufacturer, Wellington-rd. Bow-rd. Nov. 12. Trusts. G. C. Fraser, engineer, Commercial-rd. east, G. J. Watts, builder, Poplar, J. W. Terry, gentleman, Lower Sydenham, and G. Meek, printer, Crane-court.

Roebuck, William Henry Alexander, upholsterer, Huddersfield. Nov. 16. Trusts. W. E. Knight, painter, and T. Helm, timber merchant, both Huddersfield.

Spraggon, James, draper, Newcastle. Nov. 18. Trusts. R. Moffatt, draper, and W. Turnbull, commercial traveller, both Newcastle.

Sprake, William Francis, boot and shoe maker, Newbury. Dec. 1. Trust. H. Keent, currier, Newbury.

Stott, Robert, grocer and provision dealer, Rochdale. Nov. 11. Trusts. W. Dunkerley, Manchester, and E. Adamson, Rochdale, wholesale grocers.

Thorne, William Schucking, theatrical manager, Leeds. Nov. 17. Trusts. W. Spirett, bill broker, Leeds, and J. D. Thorp, corn miller and maltster, Leeds.

Tierrie, James, draper, Manchester. Nov. 18. Trusts. J. McKerrow, and J. Sorbie, merchant, both Manchester.

Walker, William, manufacturer, Colne. Nov. 6. Trusts. C. Bracewell, cottonspinner, Earby, R. Shaud, cottonspinner, Colne, and J. Filling, mechanic, Primet-bridge, near Colne.

Warren, John Henry, commercial traveller, Southsea. Dec. 6. Trust. W. S. Hawgood, manager of a loan-office, Southsea.

Waters, Robert, owner of steam-engines, Heringham. Nov. 15. Trusts. C. Miller, brewer, and W. H. Whall, cashier, both King's Lynn.

Woodhouse, Thomas, lace manufacturer, Nottingham. Dec. 6. Trusts. J. Plare, banker's clerk, and W. Hill, lace manufacturer, both Nottingham.

Woodward, William, soap manufacturer, Bankey-bridge Soap-works, near Warrington. Nov. 16. Trust. T. W. Gillibrand, accountant, Manchester.

Gazette, Dec. 16.

Bennett, William, provision shopkeeper, Wigan. Dec. 8. Trusts. W. A. Ainsworth, currier, and D. Davis, joiner, both Wigan.

Boys, William, carpenter and wheelwright, Titchfield. Dec. 9. Trusts. W. H. Harris, timber merchant, Fareham, and H. Halsted, ironmonger, Chichester.

Brownlow, Sarah, innkeeper, Bolton. Nov. 17. Trusts. R. Wallwork, Bolton, T. Threlfall, Preston, spirit merchants, and R. Hurst, maltster, Pontefract.

Bulley, Henry, and Bulley, Joseph Keen, hatters, Northampton. Nov. 14. Trusts. J. Southgate, portmanteau manufacturer, Watling-st. and S. Hall, hatter, London-wall.

Charlesworth, Rowland, joiner and builder, Derby. Nov. 26. Trust. E. Wright, auctioneer, Derby.

Dawson, Thomas; Graham, Alexander; and Pugh, Charles John, colonial produce agents, Brabant-ct. Philpot-la. Nov. 19. Trusts. T. Hicks, sugar refiner, Little Alie-st. and J. V. Drake, colonial broker, Mincing-la.

Driver, John, cotton manufacturer, Old Accrington. Nov. 14. Trusts. M. Ross, merchant, Manchester, and R. Shakeshaft, tallow chandler, Blackburn.

Estill, Edward, merchant, Liverpool. Nov. 16. Trusts. H. Littledale, broker, and W. Alexander, accountant, both Liverpool.

Grimshaw, David, grocer, Bedford. Dec. 9. Trusts. G. Smith, grocer, Leigh, and W. Guest, flour dealer, Astley.

Hailey, Elijah, tea dealer, Witney. Nov. 19. Trust. W. H. Tarrant, teadealer, Witney.

Hannah, Alexander, book keeper, Huddersfield. Nov. 17. Trust. J. W. Tempest, accountant, Huddersfield.

Harvey, Burton Blyth, miller and farmer, Barnham Broom. Nov. 19. Trusts. P. E. Sewell, gentleman, Norwich, T. W. Raynbird, farmer, Hengrave, J. Standley, jun., auctioneer, Wymondham, and J. H. Tillett, gentleman, Norwich.

Hetherington, Matthew, farmer, Haydon. Nov. 28. Trusts. H. Parr, draper, and Rev. G. W. Swann, independent minister, both Haydon-bridge.

Holloway, William, Smethwick. Nov. 21. Trust. J. Devis, agent, Oldbury.

Howell, Stephen, wholesale milliner, Herbert-st. Hoxton. Oct. 22. Trust. A. Bridge, laceman, Huggin-la.

Lambert, George, upholsterer, Dudley-pl. Clapham-rd. Nov. 19. Trusts. H. R. Elington, warehouseman, Watling-st. and F. Butler, undertaker, Farringdon-st.

Large, John, tallow chandler, Norwich. Nov. 24. Trusts. H. F. C. Andrew, tallow broker, Threadneedle-st. and J. Kitten, merchant, Norwich.

Mansbridge, Thomas, warehouseman, Wood-st. Cheapside. Nov. 21. Trusts. D. Hall, agent, Bread-st. T. S. Dobson, lace manufacturer, Nottingham, and C. W. Slee, warehouseman, Newgate-st.

Mason, Samuel, and Hodges, Ben Davis, agents and warehousemen, Basinghall-st. Nov. 16. Trust. H. Jelley, elastic web manufacturer, Loughborough.

Matthews, Frederick Charles, clerk to a contractor, Carey-st. Lincoln's-inn-fields. Dec. 3. Trust. G. F. Drew, attorney, Victoria-st. Westminster.

Morgan, Edward, saddler, Westbromwich. Nov. 24. Trust. J. Price, ironmonger, Westbromwich.

Ombler, William Turner, carpenter, Black-horse-yard, Gray's-inn-la. Dec. 14. Trust. G. Lock, cabinet-maker, White Lion yard, Back-hill, Hatton-garden.

Owen, Arthur Smith, ship and insurance broker, Newman's-ct. Cornhill. Dec. 12. Trust. C. F. Kemp, accountant, Gresham-st.

Packer, Daniel James, baker, Bath. Nov. 24. Trusts. G. Hawkins, grocer, Bath, and G. Humphries, cornfactor, Bath.

Perry, Francis, and Waagen, Alfred, jute and hemp brokers, Gracechurch-st. Dec. 12. Trust. T. Dowling, merchant, South-sea-house, Threadneedle-st.

Potter, William, ironmonger, Liverpool. Nov. 18. Trust. E. Roberts, accountant, Liverpool.

Priestley, Thomas, and Mellor, Samuel, cotton waste dealers, Ripponden, Halifax. Nov. 18. Trusts. S. Moores, painter, and R. Culpin, cottonspinner, both Ripponden, and T. Croft, book-keeper, Greetland.

Salomons, Aaron, warehouseman, Old Change. Nov. 29. Trusts. J. J. Powis, Gutter-la. Cheapside, and H. Tucker, Gresham-st. warehousemen. Sols. Reed and Phelps, Gresham-st.

Shaw, Samuel, boot and shoe maker, Ilkeston. Nov. 26. Trust. G. Towle, currier, Ilkeston.

Stevens, Samuel, and Beddell, William Thornton, warehousemen, Bread-st. Nov. 17. Trust. J. G. Askew, warehouseman, St. Ann's-la.

Stokes, George, and Stokes, Thomas Oliver, cheesefactors and provision agents, Charterhouse-la. Nov. 22. Trusts. G. Pococke, cheesemonger, St. John-st. and J. Lanham, provision merchant, High-st. Southwark.

Tabor, Joseph Henry, innkeeper, Combe Down. Nov. 14. Trust. E. Moger, Wolverton.

Travis, Samuel, butcher, Weston-super-Mare. Nov. 19. Trust. J. Harse, yeoman, Uphill.

Wickenden, William, ship owner, Portsmouth. Nov. 22. Trusts. A. Nance, Portsea, and C. H. Groom, sailmaker, Portsmouth.

Yabsley, George, wholesale milliner, Castle-st. Falcon-sq. Nov. 14. Trust. A. Bridge, laceman, Huggin la.

ERRATA.

Seager (and not Sedger as before advertised), John, victualler, Bristol. Oct. 25. Trust. W. Hancock, maltster, Bristol. (See Gazette, Dec. 13.)

Arden (and not Arewin as before advertised), James, confectioner, Buxton. Trusts. J. B. Fordham, furnishing ironmonger [illegible], and J. Milligan, draper, Buxton.

Composition Deeds.

Gazette, Dec. 13.

Allpass, James, glass dealer, Manchester. Nov. 21. Trust. E. Bowen, glass manufacturer, Nailsea, near Bristol. 5s. by three instalments of 1s. 8d. each—secured.

Bezant, Frederick, draper, Lichfield. Nov. 12. Trusts. T. Taylor, warehouseman, Wood-st., J. Barnirot, warehouseman, Friday-st., J. Pipe, widow, Lichfield, and E. T. Barry, wine merchant, Warwick-st. 14s. by two equal instalments at 3 and 6 mos.—secured.

Blackwell, William Bennett, jeweller, Kidderminster. Dec. 2. 3s. 6d.

Duke, Richard, sailcloth factor, Lower East Smithfield. Dec. 6s. by three instalments of 2s. each.

Furness, Joseph, tailor, Heckmondwike, near Leeds. Nov. 25. Trust. J. Wilson, hairdresser, Heckmondwike. 6s. 8d.—3s. 4d. cash and 3s. 4d. in 3 mos.

Gica, Guiseppe Petros, merchant, Manchester. Oct. 27. Trusts. W. Stewart, P. Bury, and J. A. Greenleaves, calico printers, all of Manchester. 3s. 6d. by two equal instalments at 6 and 12 mos.

Greenwell, Richard, grocer, Thornley Colliery. Nov. 21. Trust. S. Kent, wholesale grocer, Newcastle. 4s. by four equal instalments at 2, 4, 6 and 9 mos.—secured.

Hall, Wallace, and Green, Alfred, russia and general fibre brokers, Ingram-ct. Fenchurch-st. Nov. 15. Inspectors [illegible], merchant, Water-la. and T. S. Gowre, merchant, Stratford. Deed of inspectorship.

Hampson, William, wheelwright and team owner, Manchester. Nov. 28. 5s. in 21 days.

Harrison, Matthew, furniture dealer, Nottingham. Nov. 21. Trusts. W. T. Price, sawmill proprietor, and T. Simons, [illegible], both Nottingham. 10s.—5s. down, and 5s. in 6 mos.—secured.

Jones, Thomas, out of business, Swansea. Nov. 14. 2s in 3 mos.

Marshall, Henry Edwards, broker's clerk, New-la.-ter. Kensington. Nov. 11. 2s. 6d. in 1 mo.

Payne, Charles, confectioner, Llandudno. Nov. 24. Trusts. R. T. Dames, draper, and M. Williams, victualler, both Llandudno. 5s. by three instalments.

Pearson, Nathaniel Harrison, Morley. Nov. 12. Trust. A. Crookes, attorney's clerk, Leeds. 10s.—5s. 6d. in 1 mos. and 5s. 6d. in 12 mos.

Pierpoint, Thomas, seedsman, Warrington. Nov. 16. Trust. E. Cookson, ironmonger, and J. Brown, maltster, both Warrington. 5s. 3d. by three instalments.

Roberts, James, blanket manufacturer, Dewsbury. Dec. 1. 1s. 6d.

Scott, William, draper, Leeds. Dec. 10. Trust. J. W. H. Robertson, gentleman, Leeds. 10s. by equal instalments at 6, 12 and 18 mos.—secured.

Sewall, Leonard, commercial traveller, Trinity-sq. Tower-hill. Dec. 5. 3s. by three instalments in 1, 2 and 3 mos.

Stone, William, tailor, Queen's-rd. Dalston. Nov. 25. Trust. J. Miall, butcher, Queen's-rd. Dalston. 5s. by two instalments at 3 and 6 mos.

Sussmann, Joseph, elastic merchant, Manchester. Dec. 2. 2s. 6d.—1s. in 1 mo. and 1s. 6d. in 6 mos.

Tatoe, Charles Frederick, worstedspinner, and stuff manufacturer, Otley. Nov. 8. Trusts. W. Eastwood, bank manager, Bradford, A. Illingworth, worstedspinner, Bradford, and J. Duncan, worstedspinner, Otley. Deed of arrangement to pay debts in full by instalments, with interest.

Taylor, George, tailor, Golden-sq. Dec. 1. 1s. by 2nd April.

Wagner, Charles, mineral water manufacturer, Vauxhall-walk, Lambeth. Dec. 5. 2s. 6d. in 28 days.

Wilde, Adam, silk manufacturer, Macclesfield. Dec. 2. 3d.

Gazette, Dec. 16.

Barnes, William, greengrocer, Hastingden. Dec. 3. 4s. on 1st Jan.

Bratshaw, Joseph, and Bratshaw, Thomas, cloth manufacturers, Leeds. Dec. 14. Trusts. J. Gaunt, T. Ibbetson, E. Walmsley, J. Mathers, all of Leeds and W. Firth, Stanningley, cloth manufacturers. 8s.—4s. at 3 mos. and 4s. by two equal instalments at 6 and 9 mos.—secured.

Egan, William, coffee-house keeper, Harrison-st. Gray's-inn-rd. Dec. 9. 1s. in 6 mos.

De Yong, Simon, Old Castle st. Whitechapel. Dec. 7. 1s. on 1st Jan.

Fleming, William, currier, Halifax. Nov. 14. Trusts. J. S. Fielding, boot and shoe maker, and J. A. Daniel, plumber, both Halifax, and W. Thew, leather factor, St. Mary-axe. 15s.—6s. 3d. at 3, 6 and 12 mos. and 1s. 6d. at 15 mos.—secured.

Fuller, Charles Percy, gentleman, Gt. Russell-st. Bloomsbury. Dec. 13. 2s. on 15th June.

Griffiths, William, grocer and mason, Llanelly. Nov. 15. 4s. in 6 weeks.

Hedger, Richard, clerk, Basinghall-st. Nov. 22. 1s. on 24th Dec.

Hirst, Bannister, cotton manufacturer, Batley. Nov. 22. 6s. at executing deed.

Hodgson, Charles Henry, merchant, Savage-gardens, Tower-hill. Dec. 12. Inspectors A. Mein, merchant, Glasgow, and [illegible], London, and W. Barter, shipowner, Gracechurch-st. Deed of inspectorship.

Levy, Lewis, and Levy, Samuel, cigar manufacturers, [illegible] Aldgate. Dec. 7. 6d. in 1 mo.

Louric, Julius, merchant, Fenchurch-st. Dec. 2. Trusts. E. T. Brown, oil and seed broker, Adam-ct. Old Broad-st and W. [illegible], colonial broker, Fenchurch-st. Deed of inspectorship.

Mankiewicz, James; Archer, Henry Smith; and Park, [illegible], merchants, Mincing la. Nov. 25. Inspectors W. J. Marshal, [illegible], and D. W. Mackenzie, Warwick-gardens, Kensington, merchants. Deed of inspectorship.

Marks, John, cabinet-maker, Brighton. Nov. 30. Trust. E. H. Griffiths, gentleman, Brighton. 5s. on 30th Nov.

McCall, John, preserved provision manufacturer, [illegible]. Dec. 8. 10s. by four equal instalments, in 30 days, 4, 8 and 12 mos.

Morris, James, dealer in fried fish, Brighton. Dec. 3. Trust. Warmingham, agent, Brighton. 2s. 6d. in 7 days.

Ogden, Thomas, woollendraper, Bradford. Nov. 25. Trusts. Teale, woollen cloth merchant, Preston, and E. Jackson, woollen draper, Manchester. 11s. 3d. by three instalments of 3s. 9d. on 1st Feb. 24th May and 24th Aug.

Smith, Charles, manufacturer, Birmingham. Nov. 15. 2s. 6d. executing deed.

Sparke, Thomas, mining agent, Gresham-house, Old Broad st. Dec. 11. 2s. 6d. by two equal instalments on 15th April and 15th Aug.

Touraton, Claudius Marie, wine and spirit merchant, [illegible] Rue de Strasbourg, and Rue de Caroline, Paris. Nov. 14. Trusts. J. Caddick, chemist and druggist, Newcastle-under-Lyme, [illegible] Grosvenor, surgeon, Hanley and Alsager, and J. Whittaker, attorney and solicitor, Newcastle-under-Lyme. 6s. 8d. by two equal instalments at 3 and 6 mos.

Wainwright, Benjamin, boot and shoe maker, Manchester. Nov. 17. 7s. by four instalments of 1s. 9d. at 3, 6, 9 and 12 mos.

Ward, Albert Thomas, farmer, Castle Bromwich. Nov. 8. Trust. H. Ward, farmer, Castle Bromwich. 2s. 6d. in 2 weeks.

Wheeler, Gervase, gentleman, Canonbury. Nov. 26. 1s.—1s. on 6th Dec. and 1s. on 24th Feb.

Wild, Alexander, cabinet-maker, Todmorden. Nov. 23. Trust. Wild, manager in a cotton-mill, Todmorden. 11s. 6d. by two instalments of 5s. 9d. at 3 and 12 mos.

ERRATUM.

Darcy (and not Davey as before advertised), Richard, currier and leather dealer, Manchester. Dec. 3. Trusts. E. Keyes, wool merchant, and J. Keyte, boot top manufacturer, both Manchester. 5s. by two equal instalments on 1st March and 1st June.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGES.

Evans—Miller.—On the 17th inst., at St. Mathew's, Kensington-gardens, Matthew Pennefather Evans, Esq., to Constance Ann, daughter of Mr. Serjeant Miller.

Winstanley—Killick.—On the 14th inst., at Kimbridge, Kent, James Winstanley, of Newcastle, Staffordshire, solicitor, to Ann, second daughter of the late Richard Killick, Esq., of Church-house, Edenbridge, Kent.

DEATH.

Deighton.—On the 18th inst., at 13, Clarendon-road, Kensington-park, W. C. D. Deighton, M.A., barrister-at-law, [illegible] of 14, Bedford street south, Liverpool.

To Readers and Correspondents.

J. J. (Saffury).—We believe there *is* such a publication, but it is of no repute, and has a very equivocal address.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

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NOTICE.

The Law Times *goes to press on Thursday evening, that it may be read in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the Law Times *Reports will be forwarded by post to any person inclosing* 1*s.* 1*d. in postage stamps.*

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THE

Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

In announcing Mr. Oke's appointment last week, we described it as being to the office of Principal Clerk to the Lord Mayor's Court. Properly it should have been, "Principal Clerk in the Justice-room in the Mansion-house."

A memorial is about to be presented to the Incorporated Law Society from the Articled Clerks, praying for the establishment of Law Classes for their better instruction. The movement is the more creditable to the students, as it is perfectly spontaneous, and it marks the earnestness of the desire of the memorialists to fit themselves for the Profession of their choice. Such a petition is worthy of all respect and regard, and we doubt not that it will be so received by the Council of the Society, which has of late years promoted so zealously all measures having for their object the advancement of the intellectual and social status of the Profession, the care of whose interests is confided to them. Evening classes in a room of the institution, or some other convenient locality, if conducted by competent teachers, would not fail to impart to multitudes of articled clerks that knowledge of the law, as distinguished from the practice of it, which it is impossible to acquire amid the business of an office, where time will permit of no other use of books than for the purpose of hasty reference to aid some present work. But classes would convey to the student in the evening the principles of that which he has been practising during the day, and in like manner the forms made familiar by use in the day would illustrate the study of the evening. We trust that this excellent suggestion will receive the support to which it is entitled, and sure we are that it will be adopted if the Council can contrive it. Of course, the practical difficulty is the cost. Competent teachers (or Professors, we suppose we must call them) could not be had without payment. Will the Articled Clerks subscribe in sufficient numbers to provide the necessary funds?

The following address was presented to Albany Fonblanque, jun., Esq., our Legal Vice-Consul at Alexandria, on his departure after the abolition of that office:

To Albany Fonblanque, Esq., H.B.M. Legal Vice-Consul for Egypt.

We, the undersigned British merchants and others resident within the jurisdiction of Her Britannic Majesty's Consular Court of Egypt, have heard with regret that arrangements made by Her Majesty's Government for the reconstruction of the legal departments in the Levant may lead to your transfer from Egypt to some other port. And we take this opportunity of expressing to you, on your departure, our thanks for your zealous endeavours during your residence amongst us to uphold the lawful interests of Her Britannic Majesty's subjects; and of testifying our deep sense of the very upright, patient, able and impartial manner in which you have performed the duties of a most difficult position.

Owing to the great variety of conflicting interests in Egypt, the judge of Her British Majesty's Consular Court is exposed to far greater embarrassments and difficulties than would be thought possible by those who do not know the country.

With these we believe that you have most conscientiously struggled, and if you have been unable to overcome them, we are convinced that the fault is not on your side.

We do not desire to cast any reflections upon the manner in which justice was administered in Egypt previous to the establishment under your presidence of the British Consular Court; but we deem it our duty to place upon record that the action of that court has been beneficial to the British community and honourable to the British name.

Cases both civil and criminal have been regularly and speedily decided under a well-defined procedure, and with those safeguards for the liberty of the subject, and rules for the development of the real causes of dispute, which the wisdom of our Legislature has provided, and which are nowhere more required than in the country in which we live.

Legal technicalities have not been unduly insisted upon, and principles of law of great value to a mercantile community have been promulgated.

We are sensible of your service to our community, and therefore, with all good wishes for your future prosperity, we beg that you will accept our sincere thanks for what you have done for us.

(Here follow forty-four signatures, comprising those of the representatives of every British firm in Alexandria, with one single exception; of the principal advocates in practice at the British Consular Court; and of several other persons engaged in the commerce of Egypt.)

There are four kinds of actions in which the low class of attorneys, who live by speculating in lawsuits, find the most profitable field for their prey. These are:

Actions for breach of promise of marriage.
Actions for compensation for injuries.
Actions against medical men for negligence.
Actions against newspapers for libel.

A glance at the proceedings at the Nisi Prius Courts will show that three-fourths of the actions tried belong to these classes. But the number tried bears but a small proportion to the number that are settled without trial; a prudent defendant preferring to submit to the first extortion rather than incur the anxiety and cost of a lawsuit, with the certainty that he must lose whatever the event, his assailant being unable to pay costs. It is upon this dictate of prudence that the speculating lawyer calculates when he induces a pauper plaintiff to bring an action against a wealthy defendant on the terms of "no cure, no pay." The attorney hazards little, and may gain much. Up to the time of going to trial, before counsel's fees become a claim, his costs out of pocket are very trifling. His terms with his clients are probably a division of the spoil. His terms with the victim are—in the first instance, a good round sum for compensation, and the costs, which are rapidly swollen to a handsome amount. He does not desire to fight—in fact, he would rather not do so; it is not a part of his scheme; his object is to secure as much as he can from the defendant, dreading a suit which can have no other termination for himself than loss. As a matter of fact, nine-tenths of those thus attacked prefer submission to the first extortion, as being the least of two evils. The few who permit indignation to conquer prudence, and resolve to fight it out, find their only reward is the consciousness of a costly victory.

These speculative actions may be known at once by marking the relative social positions of the plaintiffs and defendants. The former are always persons who *cannot* pay costs, the latter are as invariably persons who *can*.

Should not the law do something to protect the public against this form of extortion? It is as bad as many of those in other forms which it punishes criminally.

The remedy is easily found. Let a Judge in chambers, on the application of the plaintiff, look into the case, and if he shall deem it to be the speculative action of a pauper, or of the pauper's solicitor, let him be empowered to order that security be given for costs, and that proceedings be stayed until such security be given. This simple provision would sweep away a whole swarm of infamous actions, and put an end to a system of wholesale plunder. Knowing that the law will protect them, defendants would then resist that wrong to which they now submit because the law itself is perverted into an instrument of extortion.

The appointments recently made by the Lord Chancellor of gentlemen of standing and reputation in the law to the office of district registrar are beginning to show good fruit. Not only are principles applied with increased knowledge and care in the protection of bankrupts' estates, which hitherto have been exposed to the levy of various kinds of black mail, but procedure is being improved with a view to a more responsible and efficient administration of justice. This was remarkable in a recent case at Birmingham, before Mr. Registrar Tudor, whose position as the eminent author of the "Leading Cases in Equity" (in conjunction with Mr. F. T. White, as to the first volume), and of the "Leading Cases in Mercantile Law," as well as other works, received shortly before the long vacation the fitting recognition which has preferred him to his present office.

The case was heard on appeal. From the Law Times Report, at p. 467 of the current volume (*Ex parte Ridgway*), it appears that a man who carried on the business of a flint grinder, and was made bankrupt in the Birmingham District Court, had in his possession at the time of the adjudication a stock of flints. For some years he had only had two customers, of whom the one who was by far the larger customer, being made creditors' assignee, considered that it would be beneficial to the estate to grind up the flints and buy the powder. This he did, and he debited himself against the estate with the value, which, at a fair price, was between five and six hundred pounds. The item was dated 1st May 1863; but the assignee's account was not rendered before March 1864. In the dealings between the assignee and the bankrupt before the bankruptcy, the practice had been such by means of bills that there was, in effect, an eight months' credit.

Having regard to the interval which elapsed between May and March, Mr. Alderman Copeland, one of the creditors, called the attention of the court to the fact that the assignee had kept moneys contrary to the 175th section of the Act of 1861. It is provided that if, at any time, the creditors' assignee keeps in his hands during a week more than 50*l.* of the estate, the creditors may, if he does not show cause to the contrary, debit him with interest at a rate not exceeding 20 per cent. In the present case the assignee showed as cause his previous course of dealing with the bankrupt. But the registrar ordered that he should be debited with the full rate of interest on the item of the purchase-money according to the account. The assignee being in the predicament of a trustee who had sold to himself, the court might, of course, if it had thought fit, have annulled the sale; but as the transaction had been entirely free from unfairness on the assignee's part, and had been for the benefit of the estate, the registrar exercised the option given in such cases to or on behalf of *cestuisque trust* of adopting the sale.

The assignee now appealing, the Lord Chancellor in his judgment, while relieving the assignee's character from all imputation, praised the registrar for the amount of attention that had been paid by him to the circumstances leading to the order. One can understand why the Lord Chancellor should be "extremely glad" to

find such attention, when one of the witnesses before the Select Committee on the Act, who has a large practice as a solicitor in the London court, Mr. C. E. Lewis, testified that he knew a number of cases in which creditors' assignees, or their solicitors, had kept back for too long a time money belonging to bankrupts' estates, and that, although the facts had been brought to the notice of the registrars or commissioners, the fine had been imposed only in a few cases. Mr. Lewis had known the penalty of 20 per cent. interest to be inflicted, but it had never happened in any case in which he was concerned. Mr. G. J. Graham also, the official assignee, stated to the committee that he had never known an instance of a creditors' assignee being charged the 20 per cent. He gave as a reason, by way of apology, that the power was not a power of the court, but was dependent on the creditors. This seems to be rather too technical a view of the 175th section. The machinery is, that four months after the adjudication the creditors' assignee is to submit to a meeting of the creditors called for the purpose and held before the registrar a statement of the whole estate as then ascertained, and of the receipts and payments made or to be made, and the official assignee shall, and any creditor who has proved may, attend and examine the statement, and compare the receipts and the payments; next comes the 175th section, if upon such examination it shall appear that the creditors' assignee has retained moneys as above mentioned, "the creditors may, upon establishing such fact to the satisfaction of the court, and if the assignee shall not show cause to the contrary, debit such assignee" with the penal interest. The expression that the creditors may debit the assignee may be construed as referring rather to the parties to the account, than to the power to fine the assignee. At least, it is the imperative duty of the official assignee to examine the statement of receipts and payments. Then the subsequent words, "if upon such examination it shall appear," are applicable to him as well as to the creditors. The exercise of the power may be dependent on the creditors to the extent of their insisting on it, but ought not to be so dependent to the extent of originating the inquiry. The official assignee ought to call the attention of the creditors to any irregularity appearing in the statement furnished by the creditors' assignee. The fact, however, being that money has been kept back in many cases, but the fine imposed only in a few, makes the present case a wholesome warning.

There was another respect in which Mr. Registrar Tudor's discharge of his office on the present occasion called forth the Lord Chancellor's commendation. He said, "I am also pleased to distinguish this case from ordinary cases brought before me in this respect, that notes have been taken by the Registrar which contain sufficiently the substance of the examination, and render it unnecessary for me to make any further inquiry." Generally, in bankruptcy appeals, the Appeal Court has not the advantage of any judge's notes. The judges do not take the notes themselves, but the solicitor finds a shorthand writer to take down the evidence. The better course is for the judge to take notes and cause them to be signed by the witness or the bankrupt, as the case may be. Wherever an appeal lies, the proceedings in the court below should be carried in an authentic shape into the higher court.

The importance of the principle involved in the case itself was recognised by the Lord Chancellor, although the subject-matter was comparatively small. The assignee took upon himself to be at once a seller and a buyer. That was a situation which the law did not allow a person, filling the position of a trustee or assignee, ordinarily to assume. But the moment he took that step and sold to himself, he became a debtor to the estate for the price of the property. He had no power to make a contract with himself, or to stipulate as to the terms of the purchase, although the price he put upon the material was a proper price. The assignee had no right to continue the old mode of dealing, which used to subsist in carrying on the business in which he was a customer before the bankruptcy. The conclusion of the registrar, the Lord Chancellor concluded, was therefore right, and the appeal must be dismissed.

While noticing the appeal practice in the Bankruptcy Court, we may draw attention to some very sharp remarks made on the same day by the Lord Chancellor (p. 465 of the Reports), upon the mode in which petitions of appeal had formerly been heard. "It must," he said, "have been apparent to every one who had formerly listened to petitions of appeal, that nothing could be more painful than was the state of this portion of the jurisdiction, from the irregularity, want of method, order, and anything like certainty, which formerly prevailed in the presentation of cases from the courts below in bankruptcy. This partly arose, or was very much increased, by the practice of introducing new evidence before the Court of Appeal. To check this evil the General Order was framed. But if that practice was departed from, a great amount of confusion would be introduced into the Commissioners' courts. If, therefore, the appellant were not in a condition to state that he had been taken by surprise, or that something had been used against him before the commissioner which he was unprepared to meet, the rule ought not to be relaxed." The 32nd General Order of 1861 was the order referred to by the Lord Chancellor.

We have received from our correspondent at New York a very interesting, and likewise a very satisfactory, decision of the District Court of Admiralty there, which will be found among the reports of last week (*Re The Extradition of J. C. Bennett*, 11 L. T. Rep. N. S. 488). This is the more gratifying, inasmuch as we have now the formal declaration of a court of law that the decision of our own court in the case of *Re Ternan and others*, 10 L. T. Rep. N. S. 499, for which England was so vehemently assailed by a section of the press, was good law, and a just and rational, as well as a sound, decision. In the present case, the criminal was charged with a murder on board a British brig while on the high seas bound to a port in New York. We cite the judgment:

Assuming that the case presented comes within the treaty of the 9th Aug. 1842, between the United States and Great Britain, I am clearly of the opinion that the facts developed on the examination would warrant me in committing the accused for extradition under the treaty. The evidence received, to my mind, is clear and uncontradicted that the accused, through violence, caused the death of the coloured man West on board the British brig *Brymond*, whilst on the high seas, and no successful attempt on the part of the accused has been made to justify the act. Even admitting that evidence of justification could be legally received—of which, however, under the treaty I have great doubt—it is not for me to determine what effect it might or might not have upon the mind of a jury on a final hearing or trial for murder. Under the treaty I am only to determine the question of probable cause. The simple question here to be decided is, whether there is sufficient probable cause to justify his return for trial to the country within whose jurisdiction the crime is charged to have been committed. The question, however, is raised as to whether this case does not come within the principles of law laid down in a recent case under the treaty, decided in the Court of Q. B., in the matter of *Ternan and others*, prisoners in the gaol of Liverpool, who were discharged by that court upon a writ of *habeas corpus* issued on their behalf. It is contended that the principles involved in that case are analogous to those arising in the case under consideration. It appears that the prisoners in the case referred to were arrested and detained under the treaty as pirates, and their extradition demanded by our Government. The opinions of the learned justices of the court in that case are certainly entitled to very great respect and consideration; and though their decisions are not absolutely binding upon me in determining the case under consideration, I should certainly feel bound to give great weight to their unbiassed adjudication upon the principles of law therein passed upon, were the same questions involved in the case before me; but upon a careful analysis of the decision rendered in that case, I am a loss to discover wherein the principles therein enunciated are in the least applicable, or can in any wise govern or control the present case. The learned justices of the Q. B., in that case, as I understand it, decided that the crimes for which extradition can be demanded under the treaty must have been committed within the exclusive jurisdiction of the power which demands the extradition; while crimes committed within the concurrent jurisdiction of both powers are not covered by the treaty—that the crime with which the prisoners in the case before them were charged was piracy by the law of nations, which is punishable wherever the offender may be found, and was not, therefore, committed within the exclusive jurisdiction of the United States; that the piracy which is especially named in the treaty is not piracy by the law of nations, but that other class of offences which are declared to be piracy by statute. Admitting, therefore, the full force and correctness of the decision in the Court of Q. B., I am unable to determine wherein the principles therein determined can in any way change the interpretation which has been universally given by our courts and Government to the treaty in cases of murder on the high seas. It cannot, in my judgment, be legally claimed that murder on the high seas, when committed on board a British vessel, is within the concurrent jurisdiction of both the United States and Great Britain, and unless that position can be sustained, the assumed analogy most certainly fails. In the case under consideration the crime charged and proved is murder on the high seas on board the British brig *Brymond*, and I have not been able to find any adjudication, either in this country or in England, holding that there is a concurrent jurisdiction in such cases; all of the authorities upon this point agree, and I am compelled, therefore, to determine that the crime charged was committed within the exclusive jurisdiction of Great Britain. It has always been the policy of this Government to place the most liberal construction upon all her treaty stipulations with foreign states; and whenever it has been clearly established that a crime has been committed against a foreign state, which comes within our treaty stipulations, we have ever shown a readiness to surrender the criminal to justice—and justice certainly can be as fairly and impartially administered in the country within whose exclusive jurisdiction the offence has been committed, as within the asylum or country to which he may have fled. Ever sensitive as our Government is to the protection of its own citizens, it never will, I trust, assume, against treaty stipulations, to become the guardian and protector of escaped and fleeing criminals, when legally demanded. Assuming the truth of the position of the counsel for accused, that the British Government did, in that case, unfairly and illegally intervene to prevent the extradition of criminals when demanded by our Government, I cannot see that it would follow by any process of reasoning, or on any principle of law or justice (except it be that of retaliation), that we should be swerved from that high and honourable position as a nation which we have ever maintained, in carrying out treaty stipulations toward foreign Governments. I am, however, most happy to say that upon a careful examination of the case decided in the Court of Q. B. I am unable to discover any disposition upon the part of the learned justices delivering the opinions to render any interpretation of the treaty inconsistent with their heretofore high legal standing, or with that of the opinions of our ablest jurists. Applying, therefore the principles announced in that case to the one under consideration, I am not at a loss to determine as to the right or duty of granting the certificate. I shall therefore grant the certificate of extradition, and in the meantime the accused must stand committed to await the action of the executive in the matter.

We trust that one good effect of the introduction to the Profession in England of the most important decisions of the American courts in relation to international and maritime law, will be to create mutual confidence in the administration of the law by the Judges of either country, whatever our political differences, in addition to the instruction to be gathered from them. The reader cannot fail to have noticed the singular learning and ability that mark all the judgments in the courts of the United States which we have thus been enabled to present to the English lawyers.

Who should pay the costs of a marriage-settlement? This was the question raised in *Helps* v. *Clayton*, 11 L. T. Rep. N. S. 476. The father had, in the usual manner, instructed his own solicitors to prepare the marriage-settlement of his daughter, on whom the intended husband was going to settle 10,000*l.* and 100*l.* per annum pin-money. The deed was done, the marriage took place, but the husband refused to pay the costs of the settlement, alleging, as the fact was, that the solicitors were not his, nor did they act by his instructions, but by those of his father-in-law, and that the person who gave the order was the person to pay. However, the solicitors brought an action against him for the amount, and a special case was stated for the opinion of the Court of C. P., which contained the statement of a very competent authority, Mr. Cookson, that the custom of the Profession is for the father's solicitor to prepare the settlement at the husband's expense. And so the Court held upon two grounds: first, that a marriage-settlement is a necessary for which an infant might contract, and that the father would be the daughter's agent for that purpose; and, second, that even if he was not her agent, there was a usage that such costs should be paid by the husband, of which he would be presumed in law to have knowledge, and therefore that he would be bound to indemnify any person who,

on the part of his wife, had properly incurred the cost of retaining a solicitor for her. As the question is of considerable professional interest, we cite the following passage from the considered judgment:

We entertain no doubt that Capt. Clayton ought to pay the plaintiffs, and we further consider that the duty to do so is not merely an honorary obligation, but also a legal liability arising out of the ordinary course of business, by which in such a case the solicitor employed on the part of the lady is to prepare the settlement, and the gentleman is to pay the bill. To determine the present case, it is necessary to consider in the first place the origin of the liability, whether as upon an original liability of the husband to the solicitor, who is to be considered his agent for this purpose, or only as a liability to reimburse the expenses of the settlement, which the lady or her father, or persons standing in the place of parent, may have incurred. We think the latter to be the correct view. The employment of the lady's solicitors to prepare the settlement has the substantial object of satisfying the lady's friends that all proper care has been exercised on her behalf by some person in whom they confide, and of giving a remedy for negligence by action against the solicitor. He does not the less act for the lady or her parents because the intended husband is to be ultimately liable in the event of the marriage. The proper conclusion, therefore, is, that the retainer is to be considered as that of the lady, or her parent, as the case may be, but that the usage makes the husband liable to indemnify whoever on the part of the wife has properly incurred expense by retaining the solicitor to prepare a settlement, in the preparing of which the latter has so great an interest. This precise question is, as might be expected, bare of authority; but the ordinary case of a lease which, in practice, is prepared by the landlord's solicitor, and paid for by the tenant, furnishes an analogy. In such a case, if the landlord pays, the former may upon the usage maintain an action against the tenant for the money paid: (*Grissell* v. *Robinson*, 3 N. C. 10.) Such was the nature of the action brought by Col. Somerset in this case, to which there was no answer, if the retainer was by him on his own account, and not as agent for his daughter. From the above it follows that either the defendant was liable in the abandoned action, or that the defendants are liable in theirs. It further follows that the liability turns upon the question, whether the work was done upon the retainer of Col. Somerset, as acting for himself, or as agent for and on behalf of his daughter. In the former case there would be judgment for the defendants on the ground that Mrs. Clayton is not liable, though Capt. Clayton is; in the latter, judgment for the plaintiffs upon the ground that Mrs. Clayton is liable. The question, therefore, upon which the decision of the case turns is one of fact which a jury, upon ascertaining that Capt. Clayton would be ultimately liable, would probably make short work of. The parties, however, have substituted the court for the jury, and we are bound to give a verdict upon the question of fact in accordance, so far as the form of the question allows, with the merits of the case, and such as, if given by a jury, we should not have felt dissatisfied with, or set aside as being contrary to the weight of evidence. The evidence to make out that Col. Somerset was the proper and only client of the plaintiffs was his instructing them in the first instance, and naming the trustee, taken in connection with the fact that the young lady was a minor, and a member of her father's family, living, as to all ordinary wants, at his expense. The evidence to prove Mrs. Clayton liable was, that the instructions were given by her father and by the trustee on her behalf, that knowing, as she must have done, that a settlement was being prepared, she authorised and ratified those instructions by signing the settlement when prepared, and that after all she was the person principally interested. The expense thus incurred was not part of the ordinary outgoings for clothing and food, for which the *paterfamilias* would have the bills sent into him as a matter of course; it was an occasion of a single and exceptional character, in which it it was not unreasonable that the person to be chiefly benefited should incur a liability which the fact of the marriage would transfer to the shoulders of the person who ultimately ought to bear it. In these circumstances we think it may justly be concluded that there was a retainer by Mrs. Clayton as a principal through her father, who acted on her behalf as her agent, and disclosed his principal at the time. Upon the question of infancy, we have already stated our opinion. The contract of marriage was one which it was competent for an infant to enter into. She had no property to settle, and would have had no certain provision without the settlement, and it was therefore beneficial as securing to her at her election a proper provision which may justly be considered a necessary suitable to her estate and condition. It would be a perversion of the law for the protection of infants to hold that an infant could not contract for the preparation of such a settlement. For these reasons our judgment is for the plaintiffs.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(*Continued from page 64.*)

Abolition of arrest on final process.—The view of the commissioner is, that the consequence of retaining imprisonment for debt on final process has been that a multiplicity of petitions for adjudication on the debtor's own petition, where there are no assets, are filed, either for the purpose of his being released from prison, or to avoid being put into prison. If the judgment-debtor summons were lowered, as proposed, to 20*l.*, the creditor, in place of what is generally a fancied and delusive security, might examine the debtor as to his property, and his ability to satisfy the debt, and in the event of nonpayment or failure to give security, obtain an adjudication. With respect to punishment for fraud, or contracting debts without reasonable expectation of being able to pay, for debts not exceeding 20*l.*, debtors would be amenable in the County Courts; for debts exceeding that amount, they would be amenable under the bankrupt law. Debt *per se*, the commissioner considers, is not a crime, and if you imprison a man simply for debt, you are putting him in prison before you are satisfied that he ought to be there. Then, imprisonment for debt, *qua* debt, being abolished, a person who got hopelessly into debt, or was guilty of culpable conduct, would not obtain relief in the court. Punishment would be awarded. As a general rule, after a certain amount of punishment, he should be released. While it is true that the cause of the great majority of creditors and debtors keeping their affairs out of the court arises from their preferring the mode of arrangement by deed, at the same time the vast majority of small estates where there are no assets consume a great deal of the time of the court, without a corresponding benefit to the public. In the commissioner's experience, the number of large bankruptcies is fewer since 1861. Some persons think it would be desirable to keep the minor cases to themselves. There is not the inconvenience that there was formerly in small cases. An official solicitor now conducts the prosecution of them. The daily attendance is thus secured of a competent person and a respectable practitioner with whom no other solicitor would for a moment object to come in contact.

The Chief Registrar is of opinion that, with a view to remove a certain class of cases from the court, instead of imprisoning persons and allowing them to be discharged by the registrars at the monthly visitation of the gaols, and by pauper petitions, what the Act does indirectly might be done directly, namely, arrest on final process be abolished. At present there is collusion between prisoners and execution-creditors. It is the gaoler's duty to ask every prisoner whether he is willing to become a bankrupt. In Whitecross-street prison, one man to whom he put the question answered, "Willing, why, it's the very purpose for which I came here."

The Chief Registrar believes that the cases of pauper prisoners, and of persons detained in gaol without assets, have a most demoralising and pernicious tendency, and therefore these men should not be imprisoned at all. A direct power of imprisonment as a punishment should be retained, but all imprisonment for debt not intended by way of punishment should be abolished. The largest number of bankruptcies are small bankruptcies. There are hundreds of cases in which there is not a shilling, that is, the cases of pauper prisoners, those who are discharged by the registrars at the gaols, and hundreds who petition from fear of arrest. Throwing the duties of bankruptcy and insolvency together has thus caused the court to be inundated with small cases; but were they removed it is probable that the large bankruptcies would still be disposed of under trust-deeds.

The abolition of imprisonment for debt is also "looked forward to" by Mr. Edwards. The punishment in cases of misconduct would be felt much more if awarded after judgment. He thinks it a great mistake to cripple a man unless he has been dishonest, and he would relieve the man from his debts and start him free again. There are very few cases where there is any dividend at all.

Mr. Falconer, the County Court judge, thinks that, if you take away the power of imprisoning a man, you would not get the debts paid at all, and that the Acts passed after the abolition of imprisonment on judgments under 20*l.* had been tried, prove that the Legislature felt bound to retrace its steps. In small debts cases he never committed any but men who had, he believed, the means to pay, or had been guilty of fraud. In such cases, where men go to gaol, not merely on account of the judgment in the particular case, but because there are other judgments against them, the remedy would be to have a limit of three or four years to the operation of a judgment. Judgments, for sums under 10*l.*, might cease altogether, and there should be no judgment-summons at all upon a judgment for a debt more than two years old. If imprisonment for debt were abolished, a debtor who, under the Act of 1861, can sue *in formâ pauperis*, should have his future property protected according to the principle of the bankrupt law. Everything should be wiped out. There would be no great evil; at present, the man is put into gaol, and a few days afterwards the judge's registrar releases him, and the party, when turned out of gaol, takes no steps as to filing accounts or otherwise. If a purchaser of goods, who deals in business with traders, misconducts himself, or parts with the goods, he cannot become a day labourer; the only way of enabling him to earn a living is by allowing him to begin afresh. As to the working man, credit is given to him on the strength of his wages. There is the difficulty. In large ironworks, for instance, in Wales, a man engages himself, subject to a month's notice, and the master requires to have a fortnight's wages in hand; the man begins a fortnight in debt, and many thousands of pounds are advanced by the tradespeople upon the arrangements existing for hiring the men. If you were to tell the working man, "You need not pay," of course he would not pay; and he would not get credit. Millions of money now collected week by week could not be collected. A provision dealer at Merthyr told Mr. Falconer that in the last four years he had sued for above 2300*l.* in the County Court, and had thereby recovered an amount that gave him 16*s.* 9*d.* in the pound. Out of 206,000 cases in Mr. Falconer's court, 3384 were cases above 20*l.*

Misconduct.—Nothing, Mr. Commissioner Holroyd thinks, but a discretionary power can overtake frauds and delinquencies of every character. However desirable it is that misconduct should be brought under some specific head of offence, in a statute, the grounds of misconduct are so multifarious, that it is hopeless to expect to reach all cases unless the refusal or suspension of the order of discharge under the 159th section be extended to cases where the insolvency is attributable to culpable conduct. It would not be desirable to give a penal jurisdiction independently of bankruptcy, where the debt exceeds 20*l.* The penal and judicial elements do not militate against each other in the court. For the expense of them the law is in fault, which makes the court a self-supporting court. The expenses should be paid out of the Consolidated Fund. The cases which give the commissioner the greatest anxiety and occupy the greatest part of his time are those where it is necessary to consider whether a man should be punished for fraud or misconduct. If punishment is inflicted, it should be awarded by the court. It is not right to leave to the assignees or to an individual the power of imprisoning or not at their option. The punishment should be made certain. At present, if a man opposes the bankrupt, having proved his debt, he cannot take the bankrupt's body after a discharge without protection; while the man who has not proved his debt cannot oppose at all: unless the one makes a case before the court, or the other enforces his legal rights independently of the court, the bankrupt may escape. The section (159) for trying the bankrupt before the commissioner has not been of much use, for the bankrupt's consent is required. As regards the excluding from the benefit of the court persons who have no assets, and therefore would be unable to pay a deposit, the court should not be called upon to relieve them. One who comes up to be relieved from all his debts ought to do so before he has got rid of everything. If he does not come he ought to take the consequences, and still be liable for the debts which he has contracted, so that, supposing him to get any property, that would be liable. In the mass of cases which come before the court without assets it is generally found that there has been a bill of sale, or other transfer of property, very shortly before or on the eve of bankruptcy. The power of imprisonment for a year, under sect.

159, has been exercised in a few instances only. There is some difficulty in arresting a man under an order for such imprisonment. Facilities are given by the Act for the making of dishonest trust-deeds. Dishonest creditors are anxious for a trust-deed, rather than go before the public to have their transactions investigated.

The Chief Registrar is of opinion that the suspension of an order of discharge, under the 159th section, is not a very severe sentence, because the creditors have mostly proved their debts, and therefore they have no power of imprisoning the bankrupt. He says that there have not been many prosecutions under the 221st section. The expense of prosecutions is very great. To save expense, an extended power to try misdemeanors ought not to be given to the chief judge—it had better be left to the ordinary tribunals; nor ought power under the two first branches of the 159th section to be extended to him. You would give him too much work. There has been no attempt in this court for a long time to establish a criminal charge. A compromise is made, or there is an unwillingness to injure a pauper, or a dislike of the trouble and expense of going to the assizes. There has been no application to commit under sect. 159. A difficulty is, that the examination of the prisoner before the court may be given in evidence against him when tried on a criminal charge under sect. 221.

According to Mr. Falconer's evidence, the district County Courts are in this position with regard to the misconduct of bankrupts. These courts, which, under the Protection Acts, had jurisdiction where the debts were under 300*l.*, and with reference to all the petitioners in gaol residing in the district, now, under the Act of 1851, have jurisdiction in the petitions of all traders and non-traders owing less than 300*l.* and residing in the district, and of persons in gaol owing less than that amount, discharged at the registrar's monthly visit; which latter consist of two classes, paupers and persons with assets. Under the insolvency system the registrars used to be the official assignees; now there is substituted in certain cases a creditors' assignee. But in nearly all cases where the petitioner is in gaol, or the debts are under 300*l.*, there are no assets; if there be any, the creditors' assignee, with an attorney, often absorbs all that would be divided. The number of cases is much smaller than before on account of the arrangements by deed. The hearing may be summed up in the following questions and answers of the judge and the registrar: "Is there any opposition?" "No, sir." "Is there any estate?" "No, sir." "Is there any creditors' assignee?" "No, sir." "Has any one made any complaint to you respecting the business transactions of the bankrupt?" "No, sir." A small piece of paper is put into the judge's hand, containing the credits, and the amount of assets, if any, and if anything arises upon it he examines the bankrupt. But there is seldom any opportunity of knowing what the man's dealings have been, or of making any examination effective. In case of misconduct by the bankrupt the judge has no power of putting the law in motion effectively, unless complaint is made to him. The judge has the mere power; but if there is no estate, no one thinks it necessary to come and complain to the registrar, and the registrar does not investigate the account. If there is estate, the creditors' assignee and the attorney leave nothing for a dividend. Under the old law of insolvency the County Court judge used to make inquiries, and could remand under the discretionary clause. Now he has no discretion. Many acts of misconduct have been converted into criminal acts; but persons who might appear as prosecutors would hardly like to be subjected to a cross-examination as to their mode of giving credit; and where there is anything criminal, arrangement is advised. Mr. Falconer, under sect. 159, has tried five cases criminally, the bankrupt consenting: in one, the man pleaded guilty, two broke down; he does not remember what became of the other two. There are two great abuses: bills of sale, and assignment of book-debts. The explanation is that, without great expense, there is no power to compel the bankrupt to be present to give evidence in aid of the book-debts. But a relative makes a nice sum of them by suing in the County Court. They should be realised by the official assignee, and the bankrupt's discharge should depend on the aid given by him to recover them. As to bills of sale, the property should be handed to the official assignee, and be sold by him, he paying, of course, the creditor, and the balance be applied as assets under the bankruptcy. Creditors may know, by the registration, that there is a bill of sale; but they cannot tell under what circumstances it was made. Often it is really a mere security, and the property is to be returned at a future time. There is a great omission in the Act; fraudulent preference is no longer an offence. Mr. Falconer thinks that all the powers which the County Courts had under the Insolvent Debtors Act would be best exercised by them still under the Bankruptcy Act; and he believes that the alteration of the law, declaring certain offences to be indictable criminal acts, was an error.

(To be continued.)

JUDICIAL STATISTICS.

EIGHTH ARTICLE.

Crimes.

Of the 121 cases of murder 10 were in the Metropolitan Police District, being precisely the same number as in the two preceding years. 74 murders were reported by the county constabulary and 31 by the borough police.

Of burglaries, 1404 were reported from the counties, 1191 from the boroughs and 333 from the Metropolitan District.

Crime decreased in Lancashire by 5 per cent., being from 15,684 in 1862, to 14,803. It increased in the Metropolitan Police District by 1747 or 13 per cent.

Of persons apprehended on charges of indictable offences, 69 per cent. were committed for trial, being a higher average than in any former year.

The total number of indictable offences reported was 52,211: for these the total of apprehensions was 30,410; 9248 were discharged by the magistrates, and 21,162 were convicted. Thus in 40 per cent. of the offences committed the criminals were brought to punishment. In 1860 the proportion was only 32 per cent. The improvement must in fact be attributed to the increased efficiency of the police.

Summary Convictions.

In addition to these 283,641 persons were summarily convicted by magistrates, being 10 per cent. more than in former years. This is probably due to the increased number of offences made punishable by summary conviction.

The summary convictions are thus stated:

	Males.	Females.	Total.
Proceeded against	338,845	85,018	423,863
Convicted	235,251	48,390	283,641
Discharged	101,594	36,628	138,222

The punishments inflicted on summary convictions were as follows:

Imprisoned above 6 months	99	
" 6 months and above 3 months	2,875	
" 3 months and above 2 months	8,277	
" 2 months and above 1 month	11,932	
" 1 month and above 14 days	23,425	
" 14 days and under	27,762	
In reformatory schools	978	
In industrial schools	228	
Total committed		75,496
Fined		171,981
Whipped		388
Ordered to find sureties or to enter into recognisances		11,077
Delivered up to the Army or Navy		1,890
Other punishments		22,879

The larcenies and attempts at larceny, disposed of by summary convictions, decreased by 2 per cent. The numbers for each description of crime were

Larceny by offenders under 16 years (Juvenile Offenders Acts)	7,315	
Larceny under the value of 5*s.* (Criminal Justice Act)	14,403	
Larceny above the value of 5*s.* on pleading guilty	5,102	
Attempting larceny, or larceny from the person	13,837	
Dogs, birds, beasts, &c.	750	
Fruit or vegetable productions	3,633	
Trees, shrubs, &c.	845	
		45,785

There is an increase of 1 per cent. in offences by juveniles.

Malicious injuries to property have increased by no less than 13 per cent. on the number in 1862, and they have been steadily increasing year by year. The kinds of crime were

Destroying fences, walls, gates, &c.	2,685	
Fruit and vegetable productions	1,143	
Trees, shrubs, &c.	1,052	
		4,880

Assaults have also increased by 9 per cent. since 1862, and in each kind of assaults. They were

On women and children, aggravated	3,041	
On peace officers, resisting, &c.	13,117	
Common	70,553	
		86,711

Offences against the game laws have decreased by no less than 463, partly the result of the excellent statute that empowers the police to search suspicious persons. The decrease under the head of trespassing in the daytime in pursuit of game is 962, or 10 per cent.; under night poaching 202, or 22 per cent.; 738 were convicted under the Poaching Act of 1862. The numbers were

Trespassing in the daytime in pursuit of game	8,162
Night poaching and destroying game	695
Illegally selling or buying game	32
Poaching Act	738
	9,627

There can be no question that the extraordinary decrease of 22 per cent. in cases of night poaching is due to the beneficial operation of the much-abused Poaching Act.

INVESTMENT JOURNAL.

After a long interval there has been again a formidable list of failures. Four were announced on Wednesday, all for large amounts, and in some the deficit is so great as to prove the recklessness of modern trading. But the market has been generally firm, with an abundant supply of money and the absence of speculation. Spanish Passives have gone up, and Great Westerns have made an immense onward bound. Christmas week is, however, the dullest of the year for business of all kinds. The following are the fluctuations:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	Closed	Closed	248	...	248
3 per Cent. Red. Ann.	88¾			88¾	88¾	88¾
3 per Cent. Cons. Ann.	89¼			89¼	89¼	89¼
New 2¾ per Cent. Ann.	...			...	...	...
Do. do. Jan. 1894	...			71¼	...	...
New 3 per Cent. Ann.	88¾			88¾	88¾	88¾
New 3¼ per Cent. Ann.	...			...	...	...
3 per Cent. Annuities	...			...	...	...
3 per Cents. Jan. 1873	...			...	...	...
Ann. 30 yrs. exp. April 5, 1885	...			...	...	...
Do. exp. Jan. 5, 1880	...			...	...	...
Red Sea Tele. Ann. 1908	...			20¾	...	...
Bank Stock, for Acc.	...			...	...	...
Consols for Acc.	89¾			89¾	89¾	89¾
Consols 3 per Cent. for Ac.	...			...	...	...
India 5 per Cent. for Acc.	...			...	...	...
India Stock	...			...	...	...
India Stock, 1874	shut			...	...	...
India 5 per Cents.	...			...	...	...
India 4 per Cents. 1888	...			...	...	...
India 5 per Cents. 1870	104¾			104¾	104¾	...
India Bonds (1000*l.*)	...			...	...	...
Do. (under 1000*l.*)	...			...	4as	...
India Debentures, 1853	...			...	...	...
Do do. 1864	...			...	...	...
Do. do. 1866	...			97¼	...	...
India Enfaced Paper, 4 per Cent.	...			...	...	...
Do. do. 5 per c. Jan. 1872	...			101	...	...
Do. do. 5½ per c. May 1879	...			...	...	...
Ex. Bills, 1000*l.*	a			b	d	f
Do. 500*l.*	...			c	...	g
Do. 100*l.* & 200*l.*	...			...	...	...
3 per c.	...			e	e	h
Do. Small, & 3 per c.	...			...	...	...
Do. Advertised	...			...	...	...
India Certificates	...			...	...	...

a March 4 per cent. par to 3*s.* prem.
b March 4 per cent. 3*s.* prem.
c March 4 per cent. 2*s.* dis.
d March 4 per cent. 3*s.* prem.; June 3½ per cent. par.
e Premium.
f 6 Per cent. 8*s.* prem.
g 6 Per cent. par, 3*s.* dis.
h 6 Per cent. par, 3*s.* dis.

SOLICITORS' JOURNAL.

COURT OF QUEEN'S BENCH.

Woodward v. Wallinger.

H. Seymour, Q.C. and *J. Thompson* were counsel for the plaintiff, and *M. Chambers*, Q.C. and *Archibald* for the defendant.

The plaintiff, a respectable auctioneer at Highbury, sued the defendant, an attorney, to recover damages for maliciously causing him to be arrested.

Mr. Erck, a financial agent and bill discounter, recovered judgment against the plaintiff on a bill of exchange, 102*l.* 10*s.* for principal and interest. The defendant was Erck's attorney, and his costs were reduced on taxation from 77*l.* to 55*l.* There was a negotiation between the parties as to how the debt and costs were to be paid. Erck did not wish to press the plaintiff, as he stood in the light of an accommodation party to the bill; but the defendant said he must be paid his costs. The plaintiff accordingly paid Wallinger his taxed costs, and afterwards arranged with Erck as to the settlement of the action. Wallinger sued out two writs of *ca. sa.*, one into Middlesex, and the second into London. The plaintiff was arrested just as he had finished a sale at the Auction Mart on the 24th May, and after some trouble got himself discharged from arrest on

payment of certain fees which he objected to pay. On the following morning he was arrested again by the officers of the Sheriff of Middlesex at his own house in Middlesex for the same debt, and he was again put to much inconvenience in procuring his discharge. It appeared that the defendant was annoyed at the reduction of his bill on taxation, and had made two or three applications to the plaintiff for some additional costs, which the plaintiff would not pay. There was no reason why execution should not have been levied on the plaintiff's goods instead of arresting him.

His LORDSHIP told the jury that no doubt the writs of *ca. sa.* were regular on the face of them; but that if the jury were of opinion that the defendant had put the law in force in the manner he did for the purpose of annoying or giving pain to the plaintiff, he would be liable in this action.

The jury returned a verdict for the plaintiff—damages 20*l.*

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Lord Chancellor has appointed Arthur Ingram Robinson, of Blackburn, Lancashire; and Charles Amos Lister, of Chorlton-cum-Hardy and Salford, gentlemen, to be Commissioners to administer oaths in the High Court of Chancery in England.

HEIR AT LAW AND NEXT OF KIN.

[illegible] (Richard), Cirencester, Gloucestershire, gentleman. Next of kin to come in by Jan. 21, 1865, at V.C. S. Holmes and Impey, 12, Bedford-row, London, for Sewell, Newmarsh and Francis, Cirencester.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

[illegible] (John), formerly of Little St. Thomas Apostle, but late of [illegible], Fish-street, Doctors'-commons, both in the city of London, bootmaker, Jan. 31, 1865. C. A. Dawson, 4, Grove-villas, Hackney-wick, London.

[illegible] (James), Sangley, Wonersh, Surrey, yeoman, Jan. [illegible], 1865. J. R. Capron, Guildford, Surrey.

[illegible] (Thomas), Wigan, Lancaster, draper, March 13, 1865. [illegible] and Son, Wigan.

[illegible] (Thomas Antonia), 2, Golden-square, Middlesex, [illegible], Feb. 10, 1865. G. S and H. Brandon, 15, Essex-street, Strand, London.

[illegible] (Frederick), Springfield, Essex, gentleman, March 28, 1865. J. A. Copland, Institute, Chelmsford, Essex.

[illegible] (John), Palmerston-street, Great Ancoats-street, Manchester, boiler maker, Jan. 17, 1865. S. L. Farrar, 22, [illegible]-street, Manchester.

[illegible] (W. R.), West Wycombe, Bucks, farmer, Jan. 13, 1865. [illegible], High Wycombe, Bucks.

[illegible] (Mrs. Alice), 17, Upper Montagu-street, Montagu-square, London, Jan. 20, 1865. Hooke, Street and Co., 27, Lincoln's-inn-fields, London.

[illegible] (John), Santa Anna, State of Solina, United States of Colombia, carpenter, July 1, 1865. Pritchard and Sons, 18, Great Knightrider-street, Doctors'-commons, London.

[illegible] (Edmund), Beaulieu, Edmonton, Middlesex, Esq., March 6, 1865. Janson, Cobb and Pearson, 4, Basinghall-street, London.

[illegible] (Thomas), 3, Belvedere, Bath, Esq., Feb. 1, 1865. Powell, Mathias and Evans, High-street, Haverfordwest.

[illegible] (David Brooke), formerly of Franklands, Hayward's Heath, and late of East-lodge, Belmont, Brighton, Sussex, Esq., March 1, 1865. Booty and Butt, 1, Raymond-buildings, Gray's-inn, London.

[illegible] (John David), 4, St. Peter's-road, Mile-end, Middlesex, merchant, March 20, 1865. J. A. Copland, Institute, Chelmsford, Essex.

[illegible] (Asdrubale), 32, Fenchurch-street, London, and 61, Myddelton-square, Middlesex, merchant, Feb. 10, 1865. Barnes and Bernard, 2, Great Winchester-street, London.

[illegible] (James), formerly of Hong Kong, China, and late of Rochester-square, Camden-town, Middlesex, merchant, March 25, 1865. S. P. Booth, 4, Gray's-inn-square, London.

[illegible] (Robert John), formerly of Solihull, Warwick, and late of Kyneton, Colony of Victoria, gentleman, Feb. 10, 1865. Chattock and Mitchell, Solihull.

[illegible] (Francis), Knossington, Leicester, Esq., Feb. 10, 1865. S. H. C. Maddock, 3, Spring-gardens, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

[illegible] (Charles Goodwin), St. Leonard's-on-Sea, Sussex, gentleman, Jan 20, 1865, M. R. E. B. Church, Rolls-yard, Chancery-lane, London.

[illegible] (Sophia), Colchester, Essex, spinster, Jan. 23, 1865, V. C. S. Stevens and Beaumont, 6, Old Jewry, London.

[illegible] (James), Colton, Norfolk, farmer, Jan. 17, 1865, V. C. K. Treherne and White, 13, Bargevard-chambers, Bucklersbury, London, for Mitchell and Clark, Wymondham, Norfolk.

[illegible] (Sophia), Sloane-street, London, widow, Jan. 16, 1865, M. R. A. Chaffers, 24, Bedford-row, London.

[illegible] (Emma Jane), 17, Alfred-place, Brompton, Middlesex, widow, Jan. 24, 1865, V. C. S. A. C. Ryan, 10, Lincoln's-inn-fields, London.

[illegible] (F. J. S.), 47, Cambridge-terrace, Edgware-road, Middlesex, Esq., Jan. 24, 1865, M. R. Robinson and Preston, 9, Lincoln's-inn-fields, London, for H. H. Burne, Bath.

[illegible] (Richard), Regent-street, Middlesex, draper, Jan. 23, 1865, M. R. Howard and Co., 65A, Paternoster-row, London.

[illegible] (Thomas), formerly of Pristop-park, Ashby-de-la-Zouch, Leicester, and late of Smisby, Derby, gentleman, Jan. 17, 1865, V. C. S. Eyre and Lawson, 1, John-street, Bedford-row, London, for George Palmer, Rugely.

[illegible] (Hon. A. H. M.), 112, Gloucester-place, Middlesex, Jan 22, 1865, V.C. S. Harrison and Finch, 2, Gray's-inn, square, London.

[illegible] (C. J. M.), Norwich, Norfolk, surgeon, Jan. 19, 1865, M. R. J. W. and W. Flower, 17, Gracechurch-street, London, for C. Taylor, Norwich.

[illegible] (George), Chatteris, Isle of Ely, Cambridge, gentleman, Jan. 11, 1865, V.C. K. H. H. Lawrence, 20, Bedford-square, London.

DEATH OF MR. EDWARD WHITE.—Many will be sorry to hear of the death of Mr. Edward White, of Marlborough-street, head of the eminent solicitors' firm of White, [illegible] and White. He was the Queen's private solicitor, and also the Prince Consort's, and as such conducted the prosecution of the publisher Strange, for pirating the Royal drawings. He conducted the prosecution of the Prince Castelcicala in the affair of the *Vectis*, with which Captain Waghorn was mixed up, in the revolutionary attempts in Naples. He died on the 23rd inst., aged sixty-nine.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

OXFORD CIRCUIT.

Reading, Dec. 22.—The calendar contains the names of 21 prisoners, whose offences are comprised in 16 cases, which are of the following description: —Arson, 4; burglary, 2; robbery with violence, 2; shooting with intent to do grievous bodily harm, 1; concealment of birth, 1; unnatural offences, 2; attempt to murder, 1; attempting to procure miscarriage, 1; carnally knowing children under the ages of 10 and 12, 1; larceny, 1.

CLERICAL BARRISTERS.—The following has been addressed to the Editor of the *Times*:—From the *Times* of yesterday I perceive that the above subject is about to be brought under the consideration of the Inns of Court. If so, I hope the Benchers will be more liberal than the House of Commons, and allow clergymen who have left the Church, like ministers of other denominations, to be elegible to be called to the bar. Some years ago I was unfortunately induced to enter the Church, and like many more having been from youth intended, as it is termed, for the Church, I had never seriously thought of the step I was about to take. My attention had been chiefly given to mathematics, but having taken Deacon's orders I was compelled to study theology more carefully. I then found many things with which I could not agree, and especially finding myself entirely unfitted for the work I became so miserable that I determined on no account whatever to take Priest's orders. I resigned my curacy; but having no private means I was obliged to apply myself to tuition. The money I had received from the Church I gave to the poor, as I did not consider myself entitled to it. I was also offered a valuable living if I would take Priest's orders, but I could not conscientiously do so. My great desire is to go to the Bar, but having taken Deacon's orders I am told that I am ineligible; though there is no law to prevent me being called, yet there is a rule of the Inns of Court, passed for a political purpose, in 1794, I believe, which is tantamount to the same thing. It is most cruel that a man should be compelled to pass a life of misery on account of one false step, often taken to please some friends, and at an age when his judgment is not formed. Ministers of all other denominations, if they quit the ministry, can enter any profession they please, and it is a most cruel injustice that a clergyman should not be allowed the same privilege. I know of several clergymen whose views have undergone a change, but who are obliged to remain in their present position, as, having no private means and unable to enter any other profession, they have no choice between hypocrisy and starvation. Pray use your powerful pen to induce the Benchers to rescind a rule which is most cruel and unjust towards men whose only fault is that they are too honest to remain in a Church the duties of which they cannot perform.—I am, Sir, your obedient servant,

A. Z.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

ELECTION LAW—NOTICE OF OBJECTION.—A notice of objection sent by post must be delivered open and in duplicate to the postmaster, who is to compare them, and, being satisfied that they are alike in their address and contents, is to forward one and return the other to the party bringing it. An objector delivered duplicate notices to the postmaster, who stamped them as being such. But one of them had on it the word "copy," implying that it was a copy and not a duplicate, and it was argued that it could not be a duplicate if the word "copy" was on one and not on the other. The Court, however, held it to be sufficient, the word "copy" not being a part of the notice itself: (*Benesh* v. *Booth*, 11 L. T. Rep. N. S. 479. C. P.)

ELECTION LAW—RENTCHARGE.—A rent-charge was created by deeds of lease and release, dated 9th and 10th June 1839. By indenture of 3rd Nov. 1862 it was conveyed to B. On 29th Jan. 1864 it was assigned to D. to the use of the five sons of B. The first payment under the rentcharge became due in June, and the appellant, one of the sons, received his share of it in July. When did he come into possession so as to entitle him to vote? The Court decided that he did so at the time of the assignment, and not at the time of the receipt of it: (*Heelis* v. *Blain*, 11 L. T. Rep. N. S. 480. C. P.)

ELECTION LAW—BOROUGH FREEMEN.—B. was admitted a freeman by right of birth of his father, on the 31st July 1856; the father was admitted on the 2nd May 1831, having only come of age on the 4th April in that year. The grandfather was admitted in 1810. It was objected that the claimant was not entitled because his father was not a freeman, nor entitled to be one, at the time of the passing of the Reform Act, he not being then of age. But the Court held, that the statute designed to preserve a continuous lineal right when claimed from a person who was a freeman before the statute, and that the claimant was therefore entitled to vote: (*Gaydon* v. *Bankroft*, 11 L. T. Rep. N. S. 483. C. P.)

INCLOSURE ACT—NOTICE.—B. was required at quarter sessions to prove the notices directed to be affixed to the church doors. He proved the date of the notices fixed at each end of the way, but he could give no direct proof of the date of the notices on the church. The Court accepted the presumption that the date on the one notice corresponded with that on the other: (*Reg.* v. *Justices of Essex*, 11 L. T. Rep. N. S. 486. Blackburn, J.)

SMALL TENEMENTS ACT.—At a vestry held for the adoption of this Act (13 & 14 Vict. c. 99), a show of hands was taken; then a poll was demanded, and a time agreed upon, viz., two consecutive days between twelve and four a.m. and six and eight p.m. On the first day the voting was slack; but on the second day there was a rush, and out of 1100 ratepayers 300 were unable to vote. The Court held, that a reasonable time had been allowed for the poll, if the voters had used due diligence: (*Reg.* v. *Overseers of Sutton*, 11 L. T. Rep. N. S. 487. Blackburn and Shee, JJ.)

CORONER.—The coroner adjourned the court to a certain day, but it was not held on that day. It was decided that the proceedings could not be resumed, and that the inquisition must be signed at a court duly constituted, which this was not: (*Reg.* v. *The Coroner of Dover*, 11 L. T. Rep. N. S. 488. Shee, J.)

VAGRANT ACT—INSTRUMENT OF GAMING—"PITCH AND TOSS" WITH HALFPENCE—CONVICTION.—When it is remembered that over 18,000 persons are annually summarily convicted of various petty offences under the Vagrant Act (5 Geo. 4, c. 83), it will scarcely be denied that this statute exercises a tolerable influence over magisterial proceedings. Eighteen thousand convictions under one Act of Parliament is no mean result; indeed it would be impossible to point to any other statute and show such brilliant evidences of successful administration. That all these 18,000 victims really deserved their doom we may much doubt; the Vagrant Act is very comprehensive, and its administration is frequently of a very elastic character; a vigilant and morose police officer might find his time fully employed in laying informations under the Act against scores of men and women who have not the slightest notion that they are rogues and vagabonds, nor would many justices of the peace find much difficulty in indorsing the views of such their subordinates. In truth, whilst the statute effects much good, it is a powerful engine in the hands of the unscrupulous to effect great injustice. To be sure, there is a right of appeal against a conviction, but, as the unhappy defendants are usually of the poorest class, such a right, even when it might be exercised with success, is in the great majority of cases of not the slightest utility. Now and then, indeed, the victim happens to be a few degrees above the lowest class, and has the means, by himself or friends, to appeal to a higher tribunal, and hence it is that occasionally the courts above are entertained with a discussion upon a conviction under this most ill-used Act of Parliament.

The last pleasantry of the kind is to be recognised in the case of *Watson* (app.) v. *Martin* (resp.) 11 L. T. Rep. N. S. 372. The facts of that case appeared to be these: A young man of the name of Watson was summoned under sect. 3 of the Vagrant Act for unlawfully playing in a certain highway with certain instruments of gaming called "halfpence" at a certain game called "toss." The young man it seemed was amusing himself with some companions in the highway at the well-known juvenile entertainment of "pitch and toss." For this he was arraigned under the Vagrant Act as "a rogue and vagabond," and what is more, he was convicted and sentenced to be imprisoned in the house of correction for seven days! How many luckless wights have been before sentenced and imprisoned for a like offence we know not, though we can easily believe that our old boyish game of *pitch and toss* may have had a great deal to do in swelling up the number of 18,000 annual convictions under this statute; fortunately, however, fo

our young friend in the present instance, he had the assistance of an attorney, who wisely considering that the decision was erroneous in point of law, required a case to be stated for the opinion of the Court of Q. B., which court had not the least difficulty in coming to the same opinion. Indeed, so clear were the court upon the point, that they required no arguments to assist their judgments. The case indeed was too palpable for doubt, Crompton, J. observing, "We really cannot strain the Vagrant Act to the extent of holding that the current coin of the realm is an instrument of gaming; if so every person who has money in his pocket might be said to have about him instruments of gaming." Thus, then, this lucky young fellow escaped (though at serious pecuniary cost) the doom to which we have every reason for believing a vast number of frolicksome rompsters have been consigned for precisely the same misdoing. From our readings in provincial journals we gather that the performance of this favourite juvenile pastime in the public highways is looked upon in many quarters as a most heinous offence to be put down alone by the strong arm of the law, *i. e.*, the Vagrant Act. No doubt the indulgence in the game of *pitch and toss* in the public highways, like the indulgence in many other things, is an inconvenience to the general public, and should be discouraged, but that the indulgers merit the stigma of *rogues and vagabonds*, and the still greater infliction of *imprisonment with hard labour*, we by no means admit. There should be reason and moderation in everything, especially when the statute to be enforced is such a one as the Vagrant Act, and the individuals to whom it is to be applied, young people recreating themselves.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Barnstaple	Tuesday, January 10	C. J. Murch, Esq.	5 days	J. H. Toller.
Bath	Friday, January 6	T. W. Saunders, Esq.	14 days	J. Taylor.
Bedford	Monday, January 2	A. K. Stephenson, Esq.	3 days	M. Whyley.
Berwick-on-Tweed	Friday, January 6	R. Ingham, Esq., M.P., Q.C.	5 days	R. Horne.
Bideford	Monday, January 9	C. J. Murch, Esq.		J. Booker.
Cambridge	Thursday, January 5	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen	Wednesday, January 4	J. Johnes, Esq.	10 days	J. H. Barker.
Colchester	Tuesday January 3	H. J. Bushby, Esq.	4 days	J. S. Barnes.
Doncaster	Friday, January 6	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Tuesday, January 3	E. W. Cox, Esq.		W. R. T. Pender.
Faversham	Monday, January 2	G. Francis, Esq.	Statutory notice	J. Phillips.
Helston	Wednesday, Jan 4, at 12 noon	E. W. Cox, Esq.		A. Rogers.
Hereford	Tuesday, January 10	F. E. Guise, Esq.	14 days	R. Johnson.
King's Lynn	Thursday, January 12	M. J. West, Esq.	8 days	P. Wilson.
Leicester	Wednesday, January 4	Mr. Serjeant Hayes	8 days	R. Toller.
Lichfield	Monday, January 2	H. W. Cripps, Esq.		C. Simpson.
Lincoln	Saturday, January 7	The Hon. G. C. Vernon		T. G. Dale.
Liverpool	Friday, January 6	J. B. Aspinall, Esq., Q.C.		P. Wright.
Newark	Saturday, January 7	J. F. Stephen, Esq.		T. F. A. Barnaby.
Newcast.-on-Lyme	Friday, January 6	T. C. S. Kynnersley, Esq.		J. W. Ward.
Northampton	Friday, January 6	J. H. Brewer, Esq.	10 days	C. Hughes.
Sudbury	Wednesday, January 4	Mr. Serjeant Manning		R. Ransom.
Tewkesbury	Friday, January 13	A. W. Daniel, Esq.	14 days	W. Winterbotham.
Wigan	Wednesday, January 25	J. Catterall Esq.		R. Leigh.
Winchester	Monday, January 2	A. J. Stephens, Esq., Q.C.	14 days	C. Bailey.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Will.—B. devised real estate on trust for three successive tenants for life, and subject thereto in trust to sell and pay the proceeds "to such person or persons as should, at the time of the decease of the surviving tenant for life of the estates, be the nearest in blood to the testator as *descendants* from his great-grandfather C." At the date of the will B. and his sister were the only lineal descendants of C., but neither of them had, or was likely to have, issue, and at the period of distribution there were no lineal descendants of C. living. The word "*descendants*" was held to mean "*collateral*" descendants. "It is very usual," said the M. R., "not only in legal language, but in popular discourse, to speak of two classes of descendants, lineal and collateral. If it were not so, the word 'lineal' would be superfluous, and the word 'collateral' mere jargon. A descendant means a person to whom *an estate descends*, according to the definitions given by Coke, Blackstone, Dr. Johnson, and the best dictionaries. If, indeed, the issue of a brother of an intestate who has died without issue are not to be called his 'descendants,' there is no word in the English language to express their relationship." And again he said, "The court will not limit the sense of words used by a testator, especially when the result would be to create an intestacy:" (*Beat* v. *Stonehewer*, 11 L. T. Rep. N. S. 468. M. R.)

A bequest to a son, of horses, carriages, household furniture and other effects which should, at the testator's decease, be in or about a certain mansion-house, but if the son died under twenty-one, then over to the daughter who should first attain that age or marry, with power to trustees to sell and let the same with the house, was held *not* to comprise the farm and dairy stock, beasts and implements that appertained to the premises, and were used by the testator in farming the park which surrounded the mansion: (*Brudish* v. *Ellames*, 11 L. T. Rep. N. S. 470. Kindersley, V. C.)

Presumption of Death.—Although the law raises a presumption of death if a person has not been heard of for seven years, it does not presume that he died at any particular time within the seven years, and the onus of proof is upon the party setting up the death as having occurred at such time: (*Thomas* v. *Thomas*, 11 L. T. Rep. N. S. 471. Kindersley, V. C.)

Vendor and Purchaser.—A contract having been entered into for the purchase of land, it is not competent for the purchaser, before the title has been accepted, to obtain an injunction to restrain the vendor from using, or continuing to use, the external wall of the building as a party wall, or from encroaching or obstructing lights: (*Heath* v. *Maydew*, 11 L. T. Rep. N. S. 473. Stuart, V. C.)

Sales of Crown Lands.—The report of the Commissioners of Woods, Forests and Land Revenues, lately issued, shows that in the official year 1863-64 the process was continued of concentrating and improving the Crown property by sales of isolated land and other estates not desirable to be retained, and purchasing lands adjoining property already possessed by the Crown. The largest sale was of Barnard's Wharf, Rotherhithe, to Messrs. Gabriel for 16,700*l*. This property was taken by the Land Revenue Department from the War-office in exchange for part of Woolmer Forest required by the War Department, and the contract for the sale to Messrs. Gabriel had been made before the exchange. Another important sale was of Great Park Farm, near Newport, Isle of Wight. This farm, which consists of 339 acres, tithe free, but subject to 21*l*. land-tax, payable by the lessees, was let on lease for a term expiring in 1874, at a rent of 344*l*. 15*s*. It is detached from any other Crown land, except a few strips of land at Carisbrook Castle. Sir J. Simeon, whose property adjoins this farm, offered 12,000*l*. for it, being about thirty-one years' purchase of the present rent, and the Crown Receiver certified that this was in his opinion its fair value. The greater part of the buildings are old, and would have required a large outlay at the expiration of the lease, and the property was not likely from its position to realise an accommodation price. The sale was concluded accordingly. Some detached parcels of farm land in the township of Dunsforth, Yorkshire, certified by the Crown Receiver to be worth 17*s*. a-year for reletting, if an outlay of about 600*l*. was previously made in new buildings and repairs, were, on account of their being so scattered and intermixed with the estates of other proprietors, put up for sale by auction in lots, and realised 600*l*., being upwards of thirty-four years' purchase of the annual value, without taking into consideration the saving of the outlay of 600*l*. Some sales of manors were made at good prices. Five certain manors are not desirable properties for the Crown to retain; they are generally more profitable to the steward than to the lord. The annual profits of the manor of Wymondham, in Norfolk, could not be estimated to exceed 12*l*. a-year; it has been sold for 5500*l*., being more than forty-five years' purchase. Some small allotments (and right of common) possessed by the Crown at Aysgarth, Yorkshire, certified by the Crown Receiver to be worth 25*l*. 17*s*. a-year for reletting (the lease having expired), have been sold by auction, and produced 1240*l*., being about forty-eight years' purchase. Of the purchases made in the year the two following are the most important: Tyle-place Farm, a small estate, containing 230 acres with two farmhouses and other buildings, abuts on Windsor Great-park, and has been purchased, to prevent injury to that property, for the sum of 26,429*l*., which includes the purchase-money for a tithe rentcharge of 33*l*. a-year, payable out of part of the Crown land in the neighbourhood. Stray-marsh Farm, in the Isle of Sheppey, which contains 371 acres, has been purchased for 8700*l*. It forms a desirable acquisition to the Crown estate which it adjoins, and which has been increased by this purchase to 1430 acres. Stray-marsh Farm has been annexed to an adjoining farm containing 104 acres, that was purchased in 1861 for 3362*l*., and the two farms (upon which an outlay of about 700*l*. has been made by the Crown) have been let upon lease at a rent of 450*l*. a-year.

JOINT-STOCK COMPANIES LAW JOURNAL.

NOTES OF NEW DECISIONS.

Winding-up—Construction of Sect. 81.—In sect. 81 of the Companies Act 1862, in the definition of the court having jurisdiction to wind-up a company, the words "engaged in working" are to be read as "formed for the purpose of working:" (*Re East Botallack Mining Company*, 11 L. T. Rep. N. S. 408. M. R.)

Contributory abroad.—The court will grant a writ of sequestration against a contributory who has left the country, without first issuing an attachment: (*Re East of England Bank*, 11 L. T. Rep. N. S. 410. V.C. K.)

Action of Calls accruing after Bankruptcy.—Bankruptcy is no answer to an action for calls made after the bankruptcy, the liability to pay them not being "a liability to pay money on a contingency:" (*General Divett Company* v. *Stokes*, 11 L. T. Rep. N. S. 423. C.P.)

Liability of Railways as Carriers.—The company conveyed horses in common cattle trucks at nearly one-third less charge than in horse-boxes, if the horses did not exceed 10*l*. in value for each, and the owner should sign a declaration to that effect, and that it was at the owner's risk. B. sent three horses to be thus conveyed, and signed the declaration. On the journey the horses were injured by a defective truck. They were in fact worth more than 10*l*. each. It was held, on appeal, that B. was estopped from giving evidence that the horses were really of greater value than that declared, and that he was not entitled to recover more than his own declared value of each horse, and that the signed declaration of value was only evidence for the jury in mitigation of damages, and not a part of the contract: (*M'Cance* v. *The London and North-Western Railway Company*, 11 L. T. Rep. N. S. 426. Ex. Ch.)

Winding-up.—On a winding-up under the direction of the court, interest will be allowed on simple contract debts from the date of the debt, in any case where a jury might have given interest under 3 & 4 Will. 4, c. 42: (*Re State Fire Assurance Company*, 11 L. T. Rep. N. S. 489. Wood, V. C.)

New Railway Bills for Next Session.—A general list of petitions for private Bills deposited on or before the 23rd inst. has been printed. There are no fewer than 595, being 91 beyond the preceding year. From a former return, issued by authority, it appears that the number of plans deposited at the Private Bill office by the end of last month was 460, of which 356 were new railway Bills. The list now published extends to 24 folio pages, and contains the names of the parliamentary agents to the Bills. In the session of 1863 the number of petitions was 501, and the number of local Acts passed was 329. There are 568 railway projects for the forthcoming session, and it will be a very busy one on local Bills. Before Parliament meets the 8 per cent. deposits must be made, and stock or cash will be lodged in the Court of Chancery to eight or ten millions.

With reference to the fact that under the Administration of Sir Robert Peel, in 1844, an Act of Parliament, introduced by Mr. Gladstone as President of the Board of Trade, was passed to enable the Government, on certain terms, after twenty-one years, to buy up all such railways in the United Kingdom as might thenceforth be constructed, a report has become current among leading persons in the city that a large measure is now under the consideration of the Government to effect upon the basis of these powers a comprehensive change in the railway system of the United Kingdom. Next year the stipulated twenty-one years expire, and the proportion of the existing mileage that will ultimately be liable to come under the operation of the Act in question is believed to be nearly 85 per cent. The main conditions of payment fixed in the Act is that the amount shall be equal to twenty-five years' purchase of the rate of profit of the three preceding years, provided such profit has not exceeded 10 per cent.—*Times*.

Parliamentary Deposits.—A case of some importance on "parliamentary deposits" was heard at the Secondaries Court last week, in an action, *Parker* v. *Fry*, brought in the Queen's Bench, in which judgment was allowed to go by default. The damages were laid at 20,000*l*. Mr. Bridges was counsel for the plaintiff, and Mr. Archibald for the defendant. The plaintiff, as the public officer of the National Bank, and the defendant, who was connected with the Weald of Kent Railway, gave a guarantee to re-transfer certain stock within a specified period after the Bill was passed to the bank. They had lodged the same in the Court of Chancery, as the parliamentary deposit of 8 per cent. New Three per

Cent Annuities to upwards of 30,000*l.* had been deposited, but only deposits to 13,500*l.* were required. That sum still remained in the Court of Chancery, and the action was on the guarantee. It was stated that on a bond being given the money would be paid out to the bank: but, on the part of the plaintiff, the statement was denied. A sum of [illegible] and interest was to be paid. A verdict was taken for 13,890*l.* 16*s.* 3*d.* Mr. Archibald said on the transfer of the stock the verdict could be reduced to 160*l.* and interest. Mr. Tatham, the solicitor for the National Bank, objected. It was doubtful how the deposit was placed. (By a recent order of the House of Commons future warrants will only be made out to promoters of railways.)

MERCANTILE LAW.

NOTES OF NEW DECISIONS.

Principal and Surety—Bankruptcy.—B., a surety, had covenanted to pay for his principal the premiums on a life assurance policy given as a security. The principal became bankrupt, B. then sued the principal for premiums so paid. The bankruptcy was held to be an answer to the action: (*Sanders* v. *Best*, 11 L. T. Rep. N. S. 421. C. P.)

Husband and Wife—Divorce.—A man divorced *a vinculo* is not liable, in an action brought after the divorce, for the torts of his wife committed during coverture: (*Capell* v. *Powell*, 11 L. T. Rep. N. S. 421. C. P.)

Partnership.—The court will not compel the purchaser of a partnership to complete the purchase, when the contract was made on the faith of a balance-sheet produced by the vendor, which he asserted to be substantially correct, but which in fact contained errors to the amount of nearly 1480*l.*, reducing the balance in favour of the business from 1500*l.* to 30*l.*: (*Charlesworth* v. *Jennings*, 11 L. T. Rep. N. S. 439. M. R.)

Patent Law.—The defendant in a suit for infringement of a patent, who relies on the specification of an anterior patent as being in anticipation of the plaintiff's patent, and that the same result would be obtained by a skilled workman working according to that anterior specification, is bound to show conclusively that the invention protected by the anterior patent was used, or was capable of being used, by the means designated in that specification, and it is no proof of the effect of such anterior patent that scientific persons of the present day, with their improved knowledge, through the progress of science, will depose that they can now produce the same result by the process disclosed by such anterior patent: (*Betts* v. *De Vitre*, 11 L. T. Rep. N. S. 445. V.C. Wood.)

Bill of Sale—Assignment of Term.—A tenant of an inn made a bill of sale of all his goods, &c., and *all other his personal estate whatsoever*, &c. Under this term the assignor's interest in the inn was held *not* to pass, the words "personal estate" including only things *ejusdem generis* with those named: (*Harrison* v. *Blackburn*, 11 L. T. Rep. N. S. 453. C. P.)

Wharfinger — Trade-mark.—B., a wharfinger, warehoused certain wines. He was afterwards informed that they bore a spurious trade-mark, that an injunction would be applied for, and that he must not part with them. The holder of the dock-warrants applied for them, and on B.'s refusal, brought an action at law against him for damages by the detention. The Court granted an injunction to restrain the action. The reasons are thus stated by the M. R.:

> I assume that at law they would be held bound to deliver the wine to the holder of the warrants; and that a jury might find that the owner had sustained damages by the refusal of the wharfingers. But the view which a court of equity takes of such a case as this is very different. This court requires a person, under such circumstances, not to deliver up the property, and it will restrain an action against him for the conversion of it. This court has so acted in many analogous cases; for instance, supposing a trust-fund is deposited at the bank in the name of a trustee, and that the bankers receive notice that the trustee is intending to sell out the fund and apply it to his own use, and that a bill is about to be filed and an injunction obtained to restrain such a dealing with the fund: suppose such a case. If, on that supposition, the bankers, after the notice, refuse to pay the money to the trustee when he demands it, this court will not allow the trustee to bring an action against the bankers for damage. The only damage which he has, or can have, sustained is, that he has been prevented from obtaining a profit by committing a breach of trust. In the present case the only benefit which the defendant Maniere would have reaped by obtaining the wine on the 13th Feb. was, that by selling the wine as Clicquot's champagne—that is to say, by committing a gross fraud—he might have obtained a higher price for it. In truth, the matter appears to me really to stand thus: the action was brought against the plaintiffs in equity, to recover damages from them because they prevented the plaintiff in that action from obtaining a benefit by a fraud. It was argued that such is the law. However that may be, it is not equity, and the further prosecution of such an action must be restrained.

(*Hunt* v. *Maniere*, 11 L. T. Rep. N. S. 469. M. R.)

Important Judgment.—The Civil Tribunal of the Seine has just given judgment on a point of law interesting to foreigners. About three months since M. Quartier, a merchant, residing at Breneta, near Neufchâtel (Switzerland), who held a dishonoured bill of exchange for 15,000*f.*, drawn from Constantinople by Abdul-Rezzack, a Persian merchant, at present residing in Paris, obtained from the Tribunal of Commerce an order for the provisional seizure of a quantity of carpets and other property belonging to the latter, and commenced proceedings to recover the amount of his bill. When the case came on for hearing the Tribunal of Commerce declared itself incompetent, on the ground that both parties were foreigners not domiciled in France. Under these circumstances M. Abdul-Rezzack instituted an action before the Civil Tribunal to procure an annulment of the seizure, and the Tribunal, after hearing counsel for both parties, decided that the seizure, having been made in consequence of an engagement made in a foreign country between two foreigners, not domiciled in France, was invalid, and it accordingly gave a judgment to that effect and condemned M. Quartier to pay all costs.

The Patent Laws.—It is understood that the following will be the most important recommendations to be made by the Royal commission which has been appointed to examine and report upon the Patent Laws: "1st. That the present system of obtaining and paying for letters patent ought to be maintained; but that patent fees should not be made to contribute to the general expenditure of the State until every reasonable requirement of the Patent-office has been satisfied. 2nd. That no patent be granted if it be found, after examination, that there has been any previous documental publication of the invention; but that no investigation be entered into concerning its merits. 3rd. That one of the judges should sit for the trial of patent cases exclusively; that he should be assisted by scientific assessors; should sit without a jury, unless the parties to the suit or action desire a jury; and, when sitting without a jury, that he should decide questions of fact as well as law. 4th. That the granting of licences to use patented inventions ought not to be made compulsory. 5th. That patents ought not to be granted to importers of foreign inventions. 6th. That no patent should be extended beyond the original term of fourteen years. 7th. That the Crown should be empowered to use patented inventions without having obtained the consent of the patentee, and should pay him for such use a sum to be fixed by the Treasury. Much surprise has been expressed that the report has not yet been presented, although it has been sitting nearly, if not quite, two years. The simple truth is, that the report is not presented because the members of the commission cannot come to an agreement on some of the principal points referred to them. The establishment of an independent court for the trial of patent causes is understood to be one of the points upon which grave differences exist in the commission, and until this is settled or set aside the report need not be expected. A unanimous report, we hear, is almost, if not altogether, out of the question.

MARITIME LAW.

NOTES OF NEW DECISIONS.

Salvage.—Where a vessel, ignorant of her whereabouts, had struck a shoal, but got off and came to anchor, a steamer coming by gave information of her position, and attempted to tow her to a place of safety, but the hawser breaking no further attempt to tow her was made, but the steamer guided the vessel out to sea clear of all shoals, being with her about five hours. The steamer was held to be entitled to salvage. And where, in doing this, the steamer was so delayed that she reached a dangerous part at low water, which she could otherwise have reached and passed at high water in safety, and struck a rock and was seriously injured, it was held to be too remote a damage to be taken into account in estimating the salvage: (*The Cornelius Grinnell*, 11 L. T. Rep. N. S. 278. U. S. Adm. Court.)

Marine Insurance — Open Policy.— B., established abroad, not knowing at the time of issuing the policy what might be the amount of risk, effected in London with C. open policies of insurance to cover any excess beyond 5000*l.* in which he might be interested in any one ship. The policies described the ships thus: "First-class ship or ships as may be declared." B., from time to time, as advised by his Calcutta agent, made declarations of the amounts and names of the ships which he had insured beyond 5000*l.*, and indorsed same on the policies. When one of the policies was on the point of being exhausted a new one was entered into, and an indorsement made "to follow and succeed policy, No. ." On March 16, 1860, 5000*l.* remained unappropriated on an open policy of March 31, 1859, and on that day both parties received news of the loss of the ship S.; but it was not known that B. had any interest in the goods on board of her. On the 17th March B.'s agent appropriated the 5000*l.* to other vessels than the ship S., and on the 19th effected another open policy for 10,000*l.*, "to follow that of March 31, 1859." On the 21st March 1860, B. received notice from his Calcutta agent that C. had insured the ship S., and that she was to be placed under B.'s open policy, and that particulars would be sent by the mail. B. immediately notified to C. that a declaration of insurance in excess of 5000*l.* on the cargo of the S. would be made on the policy, and on the 26th he made the indorsement accordingly, and gave notice to C. It was held that, it not being known on the 19th March that B. had any interest on goods on board the S., the appropriation of that risk and declaration were sufficient to entitle him to recover, under the policy of the 19th March, the excess beyond 5000*l.*: (*Gledstanes* v. *The Corporation of the Royal Exchange Assurance*, 11 L. T. Rep. N. S. 305. Q. B.)

Marine Insurance.—A ship was insured for a voyage from B. to C., and during thirty days' stay in her port of discharge, the adventure to begin from the loading at B., and to continue and endure until her arrival at C., and until she had moored at anchor twenty-four hours in good safety. The thirty days were held to begin to run from the lapse of twenty-four hours after arrival at C., and anchoring there: (*Mercantile Marine Insurance Company* v. *Titherington*, 11 L. T. Rep. N. S. 340. Q. B.)

Wrongful Detention.—A vessel, wrongfully detained in a cause of damage after sentence in the damage suit, was detained for twelve days, the plaintiff intimating his intention to appeal; he was ordered to pay damage for that twelve days' detention: (*The Cheshire Witch*, 11 L. T. Rep. N. S. 350. Adm. Ct.)

Liability for Damage—Insufficient Value of Vessel and Freight.—If the value of defendant's vessel and freight be not equal to the damage done, the plaintiff may, after judgment, obtain a monition against the defendant personally to satisfy the deficiency: (*The Zephyr*, 11 L. T. Rep. N. S. 351. Adm. Ct.)

Sale of Ship in a Foreign Port.—If an extreme necessity should arise for the sale of a British vessel at a foreign port, it seems that the British vice-consul at the port might, if the master neglected to sell, sanction the sale, which would then be valid, though without the master's consent: (*The Uniao Vencedora*, 11 L. T. Rep. N. S. 351. Adm. Ct.)

LAW OF AVERAGE.

Proposed International Rules on Certain Points Relating to General Average.

(*Continued from page* 31.)

Carrying a Press of Sail.

Sect. 6. Damage occasioned to a ship or cargo by carrying a press of sail shall not be made good as general average.

Exposition of M. Rogron under Article 403 *of the Code de Commerce.*

Question: Averages resulting from getting aground in consequence of a squall encountered at the moment of entering the harbour, are these not particular averages at the charge of the owners of the articles which have suffered the damage? The Court of Douai has decided in the affirmative: Considering that Captain Prémuda had engaged to conduct to Dunkerque the ship *Istro* and her cargo, and that, whatever might be the risks peculiar to long passages, he was bound to fulfil the said obligation; considering that vainly, in the passage given in his protest, the captain declares, that after deliberation, the pilot resolved, in concert with the crew, for the common safety, to run for the port of Dunkerque, that this determination could only admit of particular average for two reasons: first, that, on the one hand, the wind, with all its violence, being favourable, it would have been contrary to prudence that the ship should anchor, or that she should put in to Flessinguen or Ostende at the risk of total loss of both life and property on the banks; and, second, that on the other hand, the only step which the captain ought to have taken and which he did take, lay in pursuing his course, making directly for the port of his destination; that in acting so, the captain, not deviating from his course, had run no other kinds of risks than those to which he was exposed by the voyage which he had bound himself to accomplish; seeing, then, that, in these circumstances, the ship being laid to, the pressing or splitting of the sails being a consequence of the storm, a condition indispensable for making the port, the losses and damages caused to the sails by this manœuvre only constitutes of itself a particular average; that it is important to remark that, in spite of these losses and damages, the ship *Istro* continued to navigate; that it appears afterwards in

the said declaration, that when off the height of the point of the disc of l'Ecluse de Chasse, the ship was struck by a very violent squall, and the grounding which it occasioned are cases purely arising from accident and stress of weather, with which the will of man has nothing whatever to do; that consequently the said going aground and the various damages resulting from it, constitute particular average, and not general average; considering, in conclusion of the preceding, that the ship and her cargo should bear the charges and expenses which are specially relative to them: the tribunal declares as particular average on the ship, first, the losses and damages which she underwent during the course of her passage from Marseilles to the port of Dunkerque; and secondly, as particular average on the cargo, the charges for valuation, and the expenses incurred for saving the goods; consequently declares null and void the classification of averages litigated in that which regards specially the damages to the ship, improperly declared by the adjustee as general averages; declares Captain Prémuda ill-founded in his demands; concludes, &c.

Port of Refuge Expenses.

Sect. 7. When a ship shall have entered a port of refuge under such circumstances that the expenses of entering the port are admissible as general average, and when she shall have sailed thence with her original cargo, or a part of it, the corresponding expenses of leaving such port shall likewise be so admitted as general average; and whenever the cost of discharging cargo at such port is admissible as general average, the cost of reloading and stowing such cargo on board the said ship, together with all storage charges on such cargo, shall likewise be so admitted. Except that any portion of the cargo left at such port of refuge on account of its being unfit to be carried forward, or on account of the unfitness or inability of the ship to carry it, shall not be called on to contribute to such general average.

Exposition by M. Rogron, under Article 402 of the Code de Commerce.

Question: The expenses of unloading, warehousing and reloading goods in a port into which the vessel has put for repairs of particular average, should these, when they have been incurred to effect a repair, be considered themselves as a particular average to the ship, at the charge of the owners of the ship, or of the insurers on the hull? (*a*) The Supreme Court has adopted the affirmative: "Seeing, by law, that in default of special agreements, the averages incurred in the course of a sea voyage are borne, either by the owners of the ship or by the owners of the articles composing her cargo, or by both conjointly, according as these averages may be particular to the ship or to the cargo, or as they may be common to both; that articles 400 and 403 of the Code de Commerce declare, first, what are general averages; second, what are particular averages; that article 403 places under this last class, especially sect. 3, the loss of cables, anchors, sails, masts, cordage, caused by tempest or other accident of the sea, and the expenses resulting from all delays occasioned either by the accidental loss of these articles, or by the necessity of provisioning, or from a leak having to be repaired; that this stipulation is the consequence of the obligation upon the owners of the ship to provide for the transport of the goods to their place of destination a seaworthy ship, a ship in condition to undergo the ordinary accidents of navigation; and seeing that the sentence disputed declares, in fact, that the damages sustained by the ship *Minerva*, and caused by the foul weather, are by their nature particular average; that the expenses of unloading and reloading the goods are the necessary consequence of particular average; that from these facts the sentence in dispute has justly concluded that the master of the vessel, charged with the transport of the merchandise to its place of destination should have seen that his ship was in a condition to make the voyage and to fulfil his obligations; that consequently he alone was liable for those expenses which were occasioned by the average upon which this action proceeds; that this decision, conformable to the laws hereupon cited, contains no violation of the law, reject, &c. (Arrêt du Dec. 2, 1840, C. Eq. Sir. 41, 1226.) See to the same purpose the decision of the Court of Bordeaux, 18th Nov. 1839, cited under article 435, which confirms the present sentence. See, in support of the contrary opinion, the decisions of the Courts of Caen, 20th Nov. 1828 (Sir. 31, II., 47); and of Rouen, 6th Feb. 1843 and 12th Jan. 1849 (Sir. 43, II. 529 and 49, II. 114).

The Court of Bordeaux has decided, in a case where the repairs done to the ship were also for the safety of the cargo, that if, in consequence of the prolonged stay of a ship in a port into which she has put, merchandise by its own nature susceptible of deteriorating itself has suffered this deterioration, the damage ought to be considered as proceeding, not from a sea risk, but from the perishable nature of the article, although the stay of the ship had been constrained by the state of the sea, and that consequently the proprietor of that merchandise could not claim from the underwriters repayment of the amount of insurance, nor abandon it where the deterioration of the merchandise exceeds three-fourths of its value: (Decision 10th Jan. 1842, Sir. 42, II. 149.)

The principle upon which the first rule proposed in the above section is founded is thus tersely expressed in No. 2267 b of the Digest of Cases appended to the Maritime Law Reports: (See the LAW TIMES Reports of 18th June last, p. 584.) "It may be thought, that where the expense of discharging a cargo at a port of refuge is general average, the expense of warehousing" (that is, the warehouse rent) "and reshipping it, being a direct and necessary consequence of discharging it, becomes as a matter of course the subject of general average." The second rule proposed in the 7th section, however, points out an exceptional case, namely, that if part of the goods warehoused be necessarily left at the port of refuge, they should not be liable for any portion of the expense of reshipment.

We may here observe, that the treatise at No. 2267 b of the Digest of Maritime Law Cases to which we have just alluded, gives a clear and comprehensive account of the practice and principles of average with reference to the questions which have recently come before the courts of common law in regard to transhipping charges, extra freight and warehouse rent on goods, and of the distinction which really exists between a policy of insurance warranted "free from particular average," and one effected "against total loss only."

(To be continued.)

(*a*) See decisions on this subject, Dec. 4, 1837, p. 141; Oct. 25, 1842, p. 142; and March 19, 1857, p. 147 of the French Maritime Commercial Directory, published by Letts, Son and Co., Royal Exchange, London.

INTERNATIONAL MARITIME LAW LECTURES.

The following Course of Lectures, under the sanction of the Council of Legal Education, will be delivered to the members of the Inns of Court, by Leone Levi, Esq., LL.D., and Professor of Commercial Law at King's College, London, in the Hall of Lincoln's-inn (by permission of the benchers), on Wednesday, the 11th, 18th and 25th Jan. and the 1st Feb. 1865, at half-past twelve (noon).

Sir Roundell Palmer, Her Majesty's Attorney-General, will preside at the introductory lecture.

INTRODUCTORY LECTURE.

11th January.

ON THE PRESENT STATE OF INTERNATIONAL MARITIME LAW.

Special Province of International Maritime Law as a Branch of the Law of Nations—History and Leading Authorities—Alleged Inability of International Law to control Positive Politics—Proposed Congress of Nations, and Formation of a Code of Maritime International Law—Recent Changes in Navigation, Naval Construction, and Naval Warfare.

LECTURE II.

18th January.

SEA LAWS IN TIME OF PEACE.

Freedom of the Sea—Appropriation of Territorial Waters and Inland Seas—Navigation of Rivers—Difference between Private Ships and Public Ships—Mail Steamers—Ceremonials at Sea—Proofs of Nationality—Controversy on the Territoriality of the Ship—Piracy—Slave Traders—The *Cagliari* Dispute—Right of Visit—Reprisals—Embargoes.

LECTURE III.

25th January.

BELLIGERENT RIGHTS.

Who are Belligerents—Concession of Belligerent Rights — Right of Capture — Difference between Public and Private Property—Proposed Abolition of Capture of Private Property at Sea—Right of Search—Contraband—Duties of Cruisers and Captors—Courts of Prizes—Blockade—Effect of Inland Communication on Blockades — Bombardment of Towns—Difference between Inland and Maritime Warfare, and its Effects on Belligerent Rights.

LECTURE IV.

1st February.

NEUTRALITY AND NEUTRAL RIGHTS.

Neutrality, what it is—Who are Neutrals, and what is Neutral Territory—Rights and Duties of Neutrals—Neutral Trading with Belligerents—Limitations as to Contraband of War—What Articles are Contraband, and how affected by Destination—Military and other Officers—The *Trent* Dispute—Limitation of Neutral Trading with Blockaded Ports—Construction of Ships of War in Neutral Ports—The Foreign Enlistment Act, and its Effects.

A DIGEST OF SALVAGE AWARDS DURING THE LAST TWENTY YEARS.

(*Continued from p. 571.*)

623. The *Aurora*, barque, 280 tons. 1859, Aug. 1 (*Shipping Gazette*, 1859, Aug. 3).—Award, 1200*l*. Alexandria to London. Wheat. In distress off Rottingdean, 9th Feb. The steamship *Paris*, having on board the captain superintendent of the Brighton Steam Packet Company as well as her own captain, went to her aid, and towed her with difficulty to the North Foreland, whence a steam-tug conducted her to Newhaven. A very meritorious service, involving some risk to salvors as well as to ship. 1200*l*. having been awarded by arbitration, and the Court being requested to distribute it, allotted 450*l*. to the owners for the risk to their vessel, expense of coals, damage to hawsers, &c., 400*l*. to the two captains on board the *Paris*, and 350*l*. to the mate and crew, according to their rating in the articles; 27*l*. which had been expended by the master of the *Paris* to be deducted rateably accordingly to sums allotted by the court.

624. The *Pride of the Wear*, barque, 272 tons. 1859, Aug 4 (*Shipping Gazette*, 1859, Aug. 5). Value of property about 4000*l*.; award 200*l*. Sunderland to Alexandria. Coals. Grounded on the Goodwin Sands 31st May. The luggers *Wonder* and *Morning Star* proceeded to her assistance, heaved her off the sand, and conducted her to the Victoria Dock; vessel in considerable difficulty and some danger. Tender of 100*l*. insufficient.

625. The *Martha*, barque, 283 tons. 1859, Aug. 4 (*Shipping Gazette*, 1859, Aug. 5). Got aground upon the kneel of the North Sand Head, 5th Feb. The Broadstairs lifeboat *Broadsword* went to her assistance, and after several unsuccessful attempts they, with the aid of the lugger *Good Friends* and a Broadstairs galley, carried out an anchor, when a steamer arrived and the barque was conveyed to Ramsgate. A master of a ship has a perfect right to take any additional assistance he may think necessary. Salvors, when employed, have no right to take extra aid without the consent of the master or pilot. Laudable services, followed by misconduct on part of salvors. Reward for salvage forfeited, but salvors not condemned in costs. General observations by Dr. Lushington, in regard to the public interests requiring that encouragement should be given to salvors generally, but not so as to encourage exorbitant demands, and in regard to the efficiency of steamers having led to the frequent employment of such vessels instead of those who formerly depended on salvage services for their subsistence.

626. The *Mary Lyon*, 237 tons. 1859, Aug. 4 (*Shipping Gazette*, 1859, Aug. 5).—Value of ship and cargo, 2185*l*., there being no freight then; award, 222*l*. 13*s*. 10*d*. London to Oporto. Indian corn, &c. In danger after having touched on the Brake Sand, 24th April. The luggers *Champion* and *Pawn* went to her aid, and one of them proceeded for a steam-tug while the other remained by the vessel. She was subsequently taken in tow and conducted into Ramsgate. It was a meritorious act on the luggers going out to the ship in tempestuous weather; but the Court being of opinion that the vessel was not in a state of great danger, that what was wanted was a steam-tug to tow her into port, and that the service could not have been performed by the luggers, considered the tender of 222*l*. 13*s*. 10*d*. (which included alleged damage to luggers) as sufficient, and pronounced for it with costs.

627. H. M. steamship *Himalaya*, 3800 tons. 1859, Nov. 3.—Value of property, 107,497*l*.; award, 2000*l*. Bound from Portsmouth to Hong Kong with troops. Aground on a mud bank off Vlieste Point, in Bianca Straits, 6th July, 1857. Assisted off by the ship *Gauntlet*. Allotted 1000*l*. to the owners; 500*l*. to master; 500*l*. to crew according to their rated wages: (1 L. T. Rep. N. S. 241, 307.)

628. *Sedgefield*. 1859, Nov. 3.—Value of ship and cargo, about 1200*l*.; award, 300*l*. Newcastle to Lisbon. Coals. Ashore on the shingles off Hurst Castle, 5th March, after having sustained damage by a heavy sea. Quitted by master and crew with very little hope of returning. Tender of 150*l*. inadequate; look to the risk and the state of the weather; (1 L. T. Rep. N. S. 244.)

629. The *Thomas Blyth*, barque, 372 tons. 1860, Jan. 26.—Value of property, about 18,000*l*.; award, 200*l*. London to Mauritius. General cargo. Got on the Boar Sand, 12th Aug. The lugger *Bright Star* got her off the sand, and proceeded for the Downs. In performing this service the lugger's mizen-mast fouled the jibboom of the barque and she sank. The value of the lugger was stated to be 150*l*. Principles on which the court proceeds in determining whether such a loss is to be made good to salvors.

630. The *Cuba*, brig. 1860, Jan. 26.—Award, 160*l*. Got on the Maplin Sand in August, where she remained. The master engaged the services of nineteen hands and five smacks to relieve her from her difficulty, which they succeeded in doing, and were engaged from eleven o'clock on one day till seven in the evening of the next. On appeal from the decision of two justices of the peace for the county of Essex, who had awarded 160*l*. as remuneration, the Court, considering that although they were rendered in fine weather and at a season of the year when a sudden change of weather is not generally expected, and admitting that there was no danger to the salvors in performing them; yet if a change of weather had taken place greater danger must have been incurred; also, keeping in view what the smacks might have earned in their own occupation, held the amount awarded not to be exorbitant, and dismissed the appeal with costs.

631. The *St. Nicholas*, American barque, 797 tons. 1860, Feb. 13.—Value of property, about 52,000*l*.; award, 2800*l*. Havre to New York, with a valuable cargo and 140 passengers. Damaged in a storm 120 miles west of Scilly Islands, Nov. 1. The screw steamship *Collier*, from Newcastle for Seville, took her in tow, brought her to anchorage within Portland breakwater, and considerable risk was run by two men. Ship in danger; whether, without such assistance, she would have been lost, was a matter of some uncertainty. It was a most important salvage service. Voyage of steamer delayed six or seven days. The Court allotted 1500*l*. to the owners, the steamer, in cases of this kind, being the principal salvor; 500*l*. to the master, he taking upon himself the responsibility of stopping the voyage and incurring all risk of blame; 80*l*. to the crew according to their rated wages, but to the two men who boarded the *St. Nicholas* double shares.

632. *The Goliath*, steam dredger. 1860, Feb. 13; value of property, 3200*l*.; award, 350*l*.—In a sinking state, 30th July. The steam-tug *Pilot*, towing a schooner up Erith Reach, took her in tow, and succeeded in getting her over to the Kentish shore, where the tug grounded, but was got off with the aid of about twenty men, the tug receiving damage while performing the service. The dredger in most imminent danger, and very great risk to salving vessel, the master also having incurred great responsibility in abandoning the occupation in which he was engaged. The Court allotted 220*l*. to the owners, including the damage the tug received; 40*l*. to the master, and 80*l*. to the crew, according to their ratings.

(To be continued.)

LAW STUDENTS' JOURNAL.

Correspondence.

Articled Clerks.—Can any of your correspondents enlighten me touching this point?—Is an articled clerk articled in the country bound to pass his four years there? May not he be with London agents for the last two years; or is he limited to one? S.

Law Classes.—I am exceedingly obliged to you for having inserted in your columns my letter on the subject of Law Classes; and I now beg to inform those of your readers who may be articled clerks that the memorial therein referred to will not remain at Mr. Harrison's, 116, Chancery-lane, after the 14th Jan., as it is then intended to present the same to the Council of the Incorporated Law Society. It may here be observed that the memorial has not received so many signatures as were anticipated; but this may probably be attributed to the fact that articled clerks do not, as a rule, avail themselves of the valuable information and instruction to be derived from a regular perusal of your or the other legal journals, consequently but few of them are aware of the memorial. Increased facilities are undoubtedly required for the assistance of articled clerks in the prosecution of their studies; and as the object the memorial has in view is to improve the present defective system, if you, Mr. Editor, would favour us with any suggestions upon the matter, you would, allow me to say, be very materially assisting this humble effort on our part.

W. J. Travers.

78, Dean-street, Soho, Dec. 27, 1864.

HILARY EDUCATIONAL TERM 1865.

Prospectus of the Lectures to be delivered during the ensuing Educational Term, by the several Readers appointed by the Inns of Court.

CONSTITUTIONAL LAW AND LEGAL HISTORY.

The Reader will trace the History of our Constitution from the reign of Charles the First down to the last period which the time allotted to each course of Lectures will allow him to reach. He will dwell on the legal history of each reign, as recorded in the Statute Book, the State Trials, and the Reports. In his private classes he will pursue the same plan from the reign of Richard the Second down to the last reign that his course will include.

The books to which he will constantly refer are:—Lingard's History; Blackstone's Commentaries, edition by Kerr; Hallam's Constitutional History; Chapter on the Constitution in Hallam's Middle Ages; Brodie's History; Burnet's Memoirs; Lord Clarendon's History and Correspondence; May's History; State Trials; Somers' Tracts; Lord St. Leonards' Preface to Gilbert on Uses; Milton's Prose Works; Matthew Hale; Sullivan's Lectures; Millar's History; Creasy on the Constitution; Walsingham; Knighton; Forrester (Amos's edition); Reeve's History of the English Law; Ralph's History; State Tracts.

EQUITY.

The Reader on *Equity proposes to deliver, during the ensuing Educational Term, two courses of Public Lectures (there being Six Lectures in each course), on the following Subjects:—*

An Elementary Course.

1. On the Rights and Liabilities of Married Women with regard to their Separate Property; and on restraints upon Alienation.
2. On the Right of a Married Woman and her Children to a Settlement out of her Personal and Real Estate.
3. On the Relief afforded in Equity against the consequences of Mistake.

An Advanced Course.

1. On the Validity of Voluntary Conveyances and Gifts Mortis Causa.
2. On the Equitable Doctrine of Election.

In the Elementary Private Class, the subjects proposed will be—The Doctrine of *cypres* with regard to Charitable Trusts—The Nature of Legal and Equitable Mortgages, and Suits for Redemption and Foreclosure. In the Advanced Private Class, the Lectures will comprehend—The Administration of Assets, and the Principles of Equity Pleading.

THE LAW OF REAL PROPERTY.

The Reader on *the Law of Real Property &c., proposes to deliver, in the ensuing Educational Term, Two Courses of Public Lectures (there being Six Lectures in each course), on the following Subjects:—*

Elementary Course.

1. The Statutes known as Lord St. Leonards' and Lord Cranworth's Acts, in continuation and explanation of the last term's lectures.
2. The Law of Mortmain and Charitable Uses.

Advanced Course.

1. The Law of Fines and Recoveries, and the Statute for their Abolition.

In his Private Classes, the Reader will, with the Elementary Class, continue his Course of Real Property Law, using the work of Mr. Joshua Williams as a textbook; and with the Advanced Class, the Reader will go through Mr. Sandars's work on Uses and Trusts.

JURISPRUDENCE, THE CIVIL LAW, AND INTERNATIONAL LAW.

The Reader on Jurisprudence, the Civil Law, and International Law proposes, in the ensuing Educational Term, to deliver Six Public Lectures upon the following Subjects:—

1. The Historical Development of the Roman Law from the times of the Antonines until the composition of the Corpus Juris Civilis.
2. The History of the Laws of Rome, England and France, relating to the Disposition of Property by Testament.
3. The Effect of Fraud, Duress and Mistake (*Dolus, Malus, Metus*, Error) in Vitiating a Contract.
4. Domicil.

In his Private Class, the Reader will continue the course of Roman Civil Law, with the discussion of the Roman Law of Contracts, using Sandars's edition of *Justinian's Institutes*, and the *Systema Juris Romani* of Mackeldey as text-books, and contrast it with the Modern French Law upon the same head. The Reader in his private class will also discuss points of International Law, relating to Treaties of Peace, using the work of Wheaton as the text-book, and referring to the works of the principal modern Jurists, the decisions of the Admiralty and Prize Courts of England and America, the Debates in Parliament, and State Papers relating to the cases under discussion.

COMMON LAW.

The Reader on Common Law proposes to deliver, during the ensuing Educational Term, Two Courses of Six Public Lectures each, upon the following subjects:—

Elementary Course.

1. The Rise and Progress of our Mercantile Law, with some notice of the Leading Statutes relating to it.
2. Mercantile Instruments, and the Evidence admissible to explain them.
3. Mercantile Remedies, whether by Action at Law or otherwise.

Advanced Course.

1. The Jurisdiction of Courts of Common Law in regard to Contracts.
2. Contracts—Special or Simple—of ordinary occurrence—with the Pleadings and Evidence appropriate in Actions thereupon.
3. Contracts of Bailment.

With his Private Classes, the Reader will examine the above-mentioned subjects in the order indicated—using with his Elementary Class Smith's Mercantile Law (by Dowdeswell), and Smith's Leading Cases (5th Edition); and with his Advanced Class Chitty on Contracts, Story on Bailments, and the Precedents of Pleadings, by Messrs. Bullen and Leake, as text-books for reference.

By order of the Council,
(Signed) Westbury, C., Chairman.
Council Chamber, Lincoln's-inn,
Dec. 21st, 1864.

The Public Lectures on Constitutional Law and Legal History, at Lincoln's-inn Hall, on Wednesdays, at 2 p.m.; the first lecture on 11th Jan. The Private Lectures on Tuesdays, Thursdays and Saturdays, at 10 a.m.; first class meets on 12th Jan.

The Public Lectures on Equity, at Lincoln's-inn Hall, on Thursdays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture 12th Jan. The Private Lectures on Mondays, at 3.45 and 4.30; Wednesdays and Fridays, at 3.15 and 4.15 p.m.; first class meets on the 13th Jan.

The Public Lectures on the Law of Real Property, &c., at Gray's-inn Hall, on Tuesdays (Elementary Lecture at 2 p.m; Advanced Lecture at 3 p.m.); the first lecture on 17th Jan. The Private Lectures on Mondays, Wednesdays and Fridays, at 11.45 a.m. and 12.45 p.m.; first class meets on 18th Jan.

The Public Lectures on Jurisprudence and Civil Law, at the Middle Temple Hall, on Fridays, at 2 p.m.; the first lecture on 13th Jan. The Private Lectures on Tuesdays, Thursdays and Saturdays, at 3.45 p.m.; first class meets on the 14th Jan.

The Public Lectures on the Common Law, at the Inner Temple Hall, on Mondays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture on 16th Jan. The Private Lectures on Tuesdays, Thursdays and Saturdays, at 11.45 a.m. and 12.45 p.m.; first class meets on the 17th Jan.

The Educational Term commences on the 11th Jan. and ends on the 30th March.

The First Public Lecture of this course will be delivered by the Reader on Constitutional Law and Legal History, on Wednesday, the 11th Jan., at 2 p.m.

The First Meeting of each Private Class will take place on the usual Morning or Evening of meeting after the First Public Lecture on the same subject.

Students who have been unable to attend a Lecture or Class of either of the Readers, and desire dispensation as a qualification for call to the Bar, should make application, with an explanation of the cause of such absence, in writing, to the Reader during the course, or immediately after the delivery of the last Public Lecture of the course; and the Reader's report thereon, together with the application, will be forwarded to the Council of Legal Education, who alone have the power of granting dispensation.

The Council have resolved that in no case shall students be allowed to change from the Elementary to the Advanced courses of Lectures and Classes, or *vice versâ*, while qualifying for call to the Bar, or for the Examinations on the subjects of Lectures.

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Evidence on Appeal Motions—32nd Gen. Ord. 1861.—It is no ground for an application to the court to allow fresh evidence to be received on an appeal motion that the commissioner had no opportunity of considering it; the only ground of admission being surprise. On this point the L. C. said: "To check this evil by the introduction of fresh evidence before the Court of Appeal the general order was framed, in the hope that it would have a beneficial effect, if it were rigidly observed. But if that practice was departed from, a great amount of confusion would be introduced into the Commissioners' courts. If, therefore, the appellant were not in a condition to state that he had been taken by surprise, or that something had been used against him before the commissioner, which he was unprepared to meet, the rule ought not to be relaxed. In all these cases, moreover, the commissioners knew that it was competent to them to receive applications to admit additional evidence. Suppose it were ever to be permitted that fresh evidence should be allowed on appeal from one of the Vice-Chancellor's courts, his Lordship's court would soon be turned into a court of first instance, and would no longer be a court of appeal: (*Ex parte Holford, re Holford*, 11 L. T. Rep. N. S. 465.)

Trust-deed—Sect. 192, Cond. 2.—Where a creditor, who, at a private meeting, has been by his attorney nominated one of the trustees of a deed to be executed by the debtor for the benefit of creditors, afterwards refuses to execute it, the deed thereby becoming imperfect and disqualified for registration, the court has no power to dispense with the trustee's signature and to order the deed to be registered: (*Ex parte King, re King*, 11 L. T. Rep. N. S. 466. L. C.)

Evidence—B. A. 1861, s. 200.—A decision of a commissioner who declines to receive an affidavit, upon which an application for registration under sect. 200 of the B. A. 1861 is founded, on the ground of the insufficiency of the affidavit, is not the subject of appeal: (*Ex parte A Debtor*, 11 L. T. Rep. N. S. 467. L. C.)

Creditors' Assignee.—A creditors' assignee, who had formerly been the largest creditor of the bankrupt, finding a quantity of raw materials in the bankrupt's possession at the time of the bankruptcy, proceeded to work them up in the same way as the bankrupt had formerly done, and then purchased them himself at the market value, debiting himself with the price in account with the estate. Held, that, as assignee, he had no power of contracting with himself, and of being a buyer and seller at the same time, and hence that he was rightly chargeable with 20*l.* per cent. on the price, as money in his hands, under the 175th section of the B. A. 1861: (*Ex parte Ridgway, re Perry*, 11 L. T. Rep. N. S. 467. L. C.)

Conviction of a Bankrupt.—Edward Ackroyd, who was convicted at Leeds on Thursday week of a misdemeanor under the Bankruptcy Act, was on the following day sentenced by Mr. Justice Keating to an imprisonment for twelve months.

Christmas in the Debtors' Prison.—On Saturday morning the Lord Mayor sent to Mr. Constable, the governor of Whitecross-street Prison, the materials for a Christmas dinner for all the prisoners under his charge. There are at present seventy-five persons detained in custody, to each of whom were given one pound of prime beef, one pound of bread, one pound of potatoes, and one pint of porter. A present of beef and other good cheer has also been forwarded from another quarter. In Horsemonger-lane Gaol, the prison for debtors of the county of Surrey, there are sixteen debtors, to whom lodging and "ordinary diet" is afforded; one female debtor is included in that number. Twelve men and the female debtor are detained under process from the Superior Courts, and the remaining three prisoners were arrested under warrants from the County Courts. Beyond the regulation allowance, these unfortunate debtors are not entitled to receive anything to enable them to pass a comfortable Christmas. Unluckily for them, the architect of their capacious prison-house erected it just 100 feet beyond the boundaries included within the terms of the bequests of two benevolent persons who lived some two hundred years ago, and died

leaving property for the relief and regalement of debtors at Christmas. No considerable was this charity, that those detained in the Queen's Bench Prison during the last years in which it was used as a debtors' gaol received no less than thirty pounds of beef, and other things in proportion, per man. The Queen's Bench being now a military prison, the charity awaits appropriation to some other object.

Bankruptcy Abuses.—The following has been addressed to the Editor of the *Bristol Daily Post*:—One of the latest anomalies in the present bankruptcy system came under my notice yesterday. In a case in court, in which I was engaged, it became necessary to get one sheet of paper to draw up an order, and use a pen to write it with. For this the messenger of the court is entitled to ask for half-a-crown; but, when put down before him, he dares not take it up till he has carried in a bill and had it taxed by the registrar, and obtained an allocatur on an eighteenpenny stamp, which, of course, I have to pay for in the first place, but ultimately the creditors interested. The half-crown does not now go into the messenger's pocket, as he has to account for it to the accountant in bankruptcy; and whilst his (the messenger's) allowance out of it is only possibly about a halfpenny, the remaining two shillings and fivepence-halfpenny and the eighteenpenny stamp go into the general fund, out of which the expenses of the court are paid, including the almost perfectly useless office of the accountant in bankruptcy, which costs the fund at present nearly 10,000*l.* a-year, I understand, too, that in some courts, and our own, I believe, amongst the number, the messenger, when a poor bankrupt has obtained his order of discharge, has, out of kindness, taken the official charges for the stamp and advertisement from him, without, perhaps, giving him a receipt for it; and now, because he has not made out a bill, and had it taxed and obtained a stamped allocatur (and of course made the bankrupt pay for it), he is being visited with all the arrears of stamps, and ordered to refund very many pounds. A short time ago there were complaints (and perhaps in some courts just ones) that the officials of the courts supplied more copies of documents than were needed, so, in order to stop the practice of the officials making these copies (the profit on which did not go into the general fund), an order was issued by the Chancellor on the matter to reduce the supply of such copies, and ordering that solicitors, however much they may require them, shall not in future be allowed even the magnificent sum of 3*s.* 4*d.* for attending at court bespeaking the copies, and again for obtaining them when made, which they were before entitled to. I hesitate not to say that the public are the chief losers by this petty work, and that the tone of the courts is not likely to improve under it. I could give you pages in support hereof out of the late report of the committee of the House of Commons upon the Bankruptcy Law, if I had time to write it, and you room to print it.—I am, Sir, your obedient servant, John Miller.

CORRESPONDENCE OF THE PROFESSION.

Injustice to Suitors.—When in a civilised country a contest is to take place in a court of justice, for life, for character, or for property, it is not too much to expect that the utmost facilities should be given, the greatest care taken, the most reasonable sacrifices made, to secure fair play to both sides; just as when a duel is on hand, every circumstance of advantage or disadvantage is scrupulously watched and guarded, and a breach of the conditions on which the duellists had entered the lists is disallowed as impossible. I lately had a cause at the assizes. I had engaged a Q. C. leader and his necessary junior, and had had two consultations on an important case. My leader was conducting in the Nisi Prius Court the case of a plaintiff, after which my cause, a special jury one, was to come on. On the last prisoner being disposed of, my cause was called on, according to the present practice of assizes, in the Crown Court. My leader declared it was absolutely impossible for him to give me his aid, in the expectation of obtaining which I had paid him fifteen guineas with brief, and for two consultations four guineas, considering that he had then already had sufficient opportunity, by a day's speechifying and contesting, of giving his new audience a taste of his quality (for he appeared I believe for the first time, under a new arrangement of circuits, before that audience). Both judges were inexorable. The Crown Court judge, on being appealed to by my junior, who said the case was very important, and perhaps involving questions other than those pecuniary, and that I hoped something might be ordered or allowed which would secure me the services of my senior, replied in the blandest terms, that such hope and desire was most natural, but that circumstances must be dealt with as they arose, and that the trial must go on. On it went, and we lost. It is true that my adversary was similarly treated, his junior conducting his case, and his senior, similarly to mine, using out in the other court the opportunity of showing what he could do to a new audience. My junior conducted the case admirably; but why, when we know that juniors can conduct cases admirably, do we fee seniors at the price of 19*l.* 19*s.*? The moral I would deduce from all this is, that there is really no reason why the absurd high pressure should be put upon the conduct of affairs at assizes, which is put upon it. Justice is a solemn business, and ought to be conducted with the utmost carefulness and scrupulosity, and neither party ought to be compelled to enter the lists deprived of the armour and weapons which he may have chosen as the best, in his opinion, for the encounter. A little prolongation of the time assigned to the circuit would prevent the necessity for this indecent haste, this scurrying over of things in order that the next assize town may be reached. We know the line,

> And wretches hang, that jurymen may dine.

Which might be rendered thus:

> And suitors lose, that counsel may get fees,
> And nothing do, and judges take their ease.

The Attorney for the Defendant.
Dec. 22, 1864.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

Jurymen's Oaths.—Is there any statute authorising jurymen who have conscientious objections to taking an oath, but who are neither "Quakers," "Moravians," or "Separatists," to use an affirmation instead of being sworn? The 24 & 25 Vict. c. 66, extends that privilege to witnesses. The 6 & 7 Vict. c. 85, s. 2, seems to refer to such an enactment for jurymen. J. R.

Articles of Clerkship.—I should feel greatly obliged if any of your correspondents would be so good as answer the following queries:—A. entered into articles of clerkship with B. to serve him for the term of five years from the execution thereof. The articles were executed on the 9th Jan. 1860. The articles were not stamped until the 14th Jan. 1861, when the 10*l.* penalty was paid. But this omission to stamp the articles did not arise from any negligence of A. The certificate of enrolment, pursuant to 6 & 7 Vict. c. 73, bears date the 15th Jan. 1861, and the certificate of production to the Registrar of Attorneys, pursuant to 23 & 24 Vict. c. 127, is dated the 14th Feb. 1861. First, when did A.'s term of service commence? Secondly, in case the service did not commence from the date of execution, will A. be affected by any of the provisions of the last-mentioned Act? Thirdly, will a judge's order be required previously to A.'s being examined?

An Articled Clerk.

Answer.

Settlement—Stamp on Policy.—In the case of *Samuelle* v. *The Commissioners of Inland Revenue*, 33 L. J., N. S., 270, Ex., it was held that money assured by a life policy was not a definite and certain sum of money chargeable with *ad valorem* duty under the head "settlement," but it seems that the commissioners were not satisfied with that decision, and on the strength of the opinion of the law officers of the Crown they determined to disregard it and to pursue the course they had before followed, of assessing the duty on the sum assured by the policy. But the question is now set at rest by the 27 Vict. c. 18, s. 12 (passed last May), and "D." will find from that Act that the *ad valorem* duty is now payable on the sum assured by life policies, if there be any "certain covenant, contract, or provision made for the keeping up such policy, or for paying the premium which may become payable in that behalf;" and if there be no such covenant, contract, or provision, then *ad valorem* duty is "chargeable only on the value of such policy at the date of such settlement." What the meaning of "certain" covenant, &c., is seems very uncertain, and no doubt other questions will arise on it. Does it mean express? J. C.
Exeter.

LAW LIBRARY.

A Manual for English Bar Students. By Thomas Spence, Barrister-at-Law. Dunn and Duncan.

Mr. Warren's "Introduction to Law Studies" and Mr. Cox's "Advocate" have been hitherto the only books to which the Bar Student could look for assistance in the prosecution of his studies; but neither of these works answers precisely to his needs. Mr. Warren's portly volume is addressed mainly to articled clerks, and although the path of the student for either branch of the Profession is the same for a considerable distance, there is a point at which the ways diverge, and the instructions useful to the one are unsuited for the other. Mr. Cox's treatise on the "Advocate" is designed rather for the practitioner than for the student, only a few chapters being devoted to suggestions for the mental and bodily training of the student for the bar. Mr. Spence's volume, however, is an excellent supplement to, but by no means a substitute for, either of them. They profess to teach the student what to read and how to read, what to do and what *not* to do, if he would fit himself for the great fight for fortune and fame which he will certainly wage if he enters upon his profession with a resolve to succeed in it. Mr. Spence does not pretend to advise; he undertakes a more modest, but scarcely less useful, task. Since Mr. Warren and Mr. Cox published their popular works, a great change has been effected in bar studies. Examinations have been established by the Inns of Court, and questions for that purpose have been regularly framed and have been published in the Law Times and may be found scattered in its recent volumes. The purpose of Mr. Spence's volume was to collect these Examination Questions, re-arrange them under appropriate divisions, and prefix to each division a short treatise on the subjects to which those questions relate, with a list of the text-books in which further information is to be found. Mr. Spence appears to consider this as preferable to specific answers to the several questions. It is probable that the student would better test his own knowledge by reading Mr. Spence's essay, and then constructing his own answers, than by merely committing to memory answers framed by another pen. But, on the other hand, it is impossible to condense the law within the space to which of necessity each of these essays is limited. Constitutional law and legal history cannot by any curtailing be contained in sixty-one pages, common law in forty-two pages, real property law and conveyancing in forty pages; and so forth. What he has done has been well done, but we doubt if it was the right thing to do. True it is that Mr. Spence designs that the student should turn from his outline of the law to the text-books he names, where it will be found in its completeness; but this is precisely what the student is but too likely to avoid, as being a fragmentary means for obtaining knowledge. As it appears to us, the better plan for dealing with Examination Questions is that adopted by Mr. Hallilay in the very successful "Answers to the Examination Questions," which he has provided for the articled clerks, citing the text-book in which the answer is to be found, in the very words of the text, where practicable. Or, which in the case of the Bar student would be still better, to give only the reference to the text-book after each question, leaving to the student the profitable task of searching for it there, and framing the answer for himself; by which exercise he would not only measure his knowledge, but impress what he has read upon his memory. We would recommend Mr. Spence to try this plan in his next edition, in addition to, if not in substitution for, his present one.

But even as it is, the volume is a very valuable aid to the bar student, giving him important information here brought together for the first time.

LEGAL NEWS.

The Yelverton Marriage Case.—Our readers will remember that, a few weeks ago, the indomitable Mrs (Longworth) Yelverton attempted to re-open the whole question of her marriage before the Scotch courts on the strength of some affidavits, which certified that a woman named Sarah Mullins or Mullins, who attended the major brother in his last illness, had heard this brother declare that the major confessed to him his Scotch marriage with Mrs. Longworth was a genuine and valid marriage. The courts refused the application, but the friends of the lady have now produced counter-affidavits signed by the late Mrs. Yelverton's coachman, Lord Avonmore's butler, Lady Avonmore's maid, and the medical attendant of the family, all deposing that they were in daily attendance on Mr. Yelverton during his last illness, and that, to their certain knowledge, there was no woman of the name of Mullins in attendance on him, nor any female whatever, except his mother, wife and sister.

The Dramatist and the Manager.—The Civil Tribunal, Paris, had just given judgment in a suit between M. Marie Uchard, a dramatic author, and M. de Beaufort, director of the Vaudeville, under the following circumstances:—M. Uchard is the author of a piece called *La Clarisse*, now under rehearsal at the Vaudeville, one of the chief parts in which was to be played by M. Faivre, but that actor having fallen ill, the director determined to give the part to another performer. M. Uchard objected to this as contrary to his contract with the director, and took proceedings to compel M. de Beaufort to postpone the further rehearsals of the piece until M. Faivre's recovery. In court M. de Beaufort produced a medical certificate showing that M. Faivre would not be able to resume his duties for less than a month, and he argued that so long a delay would be most injurious to the interest of his theatre. He also deposed on oath that there was no absolute stipulation between him and the author that M. Faivre alone should play that part. After hearing counsel, the Tribunal rejected M. Uchard's demand, and condemned him to pay all costs.

American Greenbacks.—The following letter, on the subject of the legal confusion as to the responsibility for debts contracted respectively in England or America in sterling or greenbacks, shows that on this side as well as at New York some inconsistent decisions have been arrived at. The lesson of the whole discussion is simply to enforce the expediency of a clear preliminary understanding being come to between parties about to enter into contracts, as of, as far as possible, avoiding transactions except with persons of known honour:—"Sir,—What is a dollar? Take the question round the courts, and the mind is oppressed by a multiplicity of answers. I sympathise with the discontent of your correspondents who complain that American judges have held 4 dollars 84 cents. to be equivalent to a pound sterling. But let us look home. The question has been repeatedly agitated in connection with seamen's wages. Magistrates at Queenstown have decided in one way, and magistrates at Falmouth in another. London police magistrates have ordered wages contracted for in dollars to be paid in sterling at the exchange current in New York when the contract was made. A bench of Liverpool merchants, before whom evidence was given that a contract expressed at New Yo

... dollars meant legal tender dollars, ordered payment of such sum in sterling as, according to the latest information, would purchase the required number of legal tender dollars in New York. All these decisions of inferior courts have been overruled by one of the Admiralty judges, who held (the Imperial, July 1864) that a contract expressed at New York in dollars must be discharged in England at the rate of 4s. 2d. for each dollar. Let us be just to the Americans. Has not this decision have been before the American judges whose judgment your correspondents complain of? We all know the weight given by American courts of law to English precedents. If it be right for an English judge to hold that a debt of a dollar cannot be discharged by less than 4s. 2d., who shall blame American judges for holding that a debt of 4s. 2d. may be discharged by a dollar?—I am, Sir, yours respectfully, SHIPOWNER."

THE SHERIFF OF SOUTHAMPTON IN A FIX.—The *Hampshire Independent* states that Mr. Sheriff Emanuel, of Southampton, had determined this year to go beyond the generosity usual on the occasion among the holders of that office in Southampton—the provision of abundant good cheer for the prisoners in the prison. He had determined to pay the debts for which they were imprisoned, thus setting them free. Unfortunately his intentions too soon became known, and an amusing result was the consequence. The custom prevails in the County Court, where the greater proportion of the business transacted consists of plaints preferred by "tallymen," of granting warrants of commitment of defendants for limited periods on the hearing of summonses after judgment, but to suspend their execution during the pleasure of the plaintiffs, in order to give the poor debtors an opportunity of meeting the demands upon them. Mr. Emanuel's generous offer at once presented to the large class of plaintiffs a capital opportunity for the collection of hitherto considered bad debts, whilst to those who should not feel disposed from their own resources to discharge their liabilities an easy method was thus provided by which they might be relieved from future claims. The County Court bailiffs found that they were all at once called upon to do a thriving and unexpected trade, and on Friday the arrivals in the debtors' ward of the prison were so numerous as to call the attention of the officials to the circumstance, and Mr. Emanuel was at once communicated with, in order to prevent his being robbed in the way which was intended by the abuse of his good intentions in such a cunning but scandalous manner. The worthy sheriff proceeded to the gaol, and saw a numerous group of County Court debtors met in the ... "And who put you here?" he said to one. The answer was, "A tallyman." "And who you?" he asked a second. The same reply, "A tallyman." To a third he addressed himself in a similar manner, and was as curtly told, "A tallyman." The trick was now fully exposed, but Mr. Emanuel nevertheless determined that although his original intentions must be abandoned, they should have a good dinner, and inquired for how many he should provide. "Oh," said the official, "the County Court bailiff told us there would be at least another ... to-morrow," and a female could not help venting her wrath at the detection of the trick by exclaiming, "Well, I shouldn't have come here but that I thought you was going to pay the debt for me, and I should get out free." We need hardly add that the sheriff departed with his mind a little enlightened as to the frailties of human nature, but notwithstanding the imposition attempted to be practised upon him he does not forget that it is Christmas time, and he charitably ordered a bountiful dinner for as many who, under such extraordinary circumstances, happened to be in the debtors' ward to partake of it.

WILLS AND BEQUESTS.—The will of H. L. Wickham, Esq. of Chesterfield-street, May-fair, was proved in the London court by his relict, the sole executrix, to whom he has left his personal property for her own absolute use, which is sworn under 35,000*l.*, and has devised to his eldest son, Wm. Wickham, Esq., his real estate absolutely. —The will of Colonel Onslow Baker, of the India army, late of Tenterden-street, Hanover-square, was proved in London under 30,000*l.* personalty. The executors appointed are his nephews, the Rev. Sir Henry Williams Baker, Bart., and Henry Sherston Baker, Esq. Liberal legacies are left to his brother, and to his nephews, nieces and their children; and a legacy of 250*l.* to Mrs. Garland, wife of the Rev. J. Garland, in remembrance of her kind attention to the testator when he greatly required it. The residue of his property, real and personal, he leaves to his said nephew, Sir Henry W. Baker, Bart. There are the following charitable bequests: To the Dudley Stuart Nightly Refuge for the Houseless Poor, 100*l.*; London Society for the Protection of Young Females and Prevention of Juvenile Prostitution, 100*l.*; Society for the Rescue of Young Women and Children, 100*l.*; Cripples' Home, 150*l.*; Little Such of the Poor (Sutherland-garden), 100*l.*; All Saints' Home, 50*l.*; Consumption Hospital, Fulham, 100*l.*; Shipwrecked Mariner's Society, 100*l.*; Society for the Propagation of the Gospel in Foreign Parts, 100*l.*; London Clergy Relief Society, 100*l.*; and like bequests to a few other societies.——The will of Peter Dale, Esq., of North Shields, Northumberland, shipowner, was proved in the London court under ... personalty. The executors and trustees nominated are his relict; his brother, John Broderick Dale, Esq., of North Shields, banker; and the testator's son, George ... Dale, on his attaining the age of 21. The will is dated ... Aug. 1864, and he died on the 10th Oct. He has bequeathed to his relict a life-interest in the whole of his property, and upon her decease it is to be divided equally amongst their children. He has intimated in his will that it is not desirable to increase the number of ships or extend the shipping property.——The will of the late Miss Elizabeth Mary Gee, of Hyde-park-gardens, who died on the 1st Nov., has just been proved in the London court under 40,000*l.*, the whole of which she has bequeathed to her only sister.——The will of Charles Lewis, Esq., of ... Mansion, Albany, has been proved in London by Lieutenants Frederick Lewis and Alfred Lewis, and Mr. Tyrrell Lewis, solicitor, three of the executors. The will bears date Oct. 3, 1862, and, after making ten specific legacies of 100*l.* for the immediate use of his widow and his children, and specific provisions for his eldest and youngest sons, the testator gives a further legacy of ... to each of his five sons, Lieuts. Frederick, Alfred, ..., and Somers, and Mr. Tyrrell Lewis; his freeholds to his widow and daughter for life; and empowers his trustees to sell his pictures and personalty, and gives the residue of his estate to his said five sons. The personalty is sworn under 25,000*l.* The will provides that no advances made by the testator for the advancement of his children, or placing them in honourable positions in society (and touchingly adds, "my efforts to accomplish which they will appreciate"), shall be deducted from their legacies. The deceased was interred at Kensal-green Cemetery, attended by a large body of friends whom he had befriended, and who testified their respect for his easy good nature and domestic qualities. ——The will of Robert George Cecil Fane, Esq., a Commissioner of the Court of Bankruptcy, of 4, Upper Brook-street, was proved by his relict, to whom he has bequeathed the whole of his property absolutely. The personalty was sworn under 40,000*l.* ——The will of John Leech, Esq., artist, was proved by his relict, and the personalty sworn under 6000*l.* He has left the whole of his property, real and personal, to his wife.—*Illustrated London News.*

THE GAZETTES.

Bankrupts.

Gazette, Dec. 20.

ASHLEY, EDWARD THOMAS, innkeeper, Whitchurch. Pet. Dec. 15. Reg. Brougham. O. A. Edwards. Sol. Empson, Moorgate-st.
BARKER, SMITH, corndealer, St. John-st. Smithfield. Pet. Dec. 10. Reg. Hazlitt. O. A. Graham. Sol. Gant, Nicholas-la.
BELL, WILLIAM, farmer and grocer, Littleport Fens. Pet. Dec. 16. Reg. Hazlitt. O. A. Graham. Sol. Ypan, St. Ives.
BIRKETT, JOHN JAMES, no occupation, Haverstock-hill. Pet. Dec. 15. Reg. Roche. O. A. Cannan. Sol. Greatorex, Chancery-la.
BLAMIRES, ANTHONY FORSTER, schoolmaster, Walthamstow. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Branwell, Scott's-yd. Cannon-st.
CLAY, GEORGE, bill broker, Adam's-ct. Old Broad-st. and Hampton-ct. Pet. Dec. 14. Reg. Brougham. O. A. Edwards. Sol. Braden, Copthall-chambers, Copthall-ct.
COLEMAN, ROBERT GORDON, ship and insurance broker, Philpot-la. and Hampstead. Pet. Dec. 13. Reg. Brougham. O. A. Edwards. Sol. Walker, Guildhall-chambers.
DASHWOOD, ARTHUR, oil and Italian warehouseman, Brick-la. Spitalfields. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sol. Catchpole, Great Tower-st.
DEUTSCHLAND, JOSEPH, merchant, Gresham-house, Old Broad-st. and Havannah and Mexico. Pet. Dec. 1. Reg. Brougham. O. A. Edwards. Sol. Abrahams, Gresham st.
DRENNAN, ROBERT, merchant, Pancras-la. Bucklersbury. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Duncan, Basinghall-st.
EMDIN, GEORGE, accountant, Moorgate-st. and Richmond-rd. Barnsbury. Pet. Dec. 15. Reg. Roche. O. A. Cannan. Sol. Harrison, Basinghall-st.
HAWKES, JOHN ALEXANDER, trimming seller, Leman-st. Goodman's-flds. Pet. Dec. 12. Reg. Brougham. O. A. Edwards. Sols. Mason, Start and Co. Gresham st.
HOBSON, GEORGE, grocer, Mosborough-rd north, Hammersmith. Pet. Dec. 13. Reg. Brougham. O. A. Edwards. Sol. Reed, Guildhall-chambers.
HODGSON, JOHN, upholsterer, Walcot-pl. Lambeth. Pet. Dec. 11. Reg. Hazlitt. O. A. Graham. Sol. Barton, Wolsingham-pl. Lambeth.
HUGHES, WILLIAM, butcher, New North-rd. Hoxton. Pet. Dec. 13. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-la.
KENDELL, FREDERICK, warehouseman, Belgrave-st. Euston-rd. and Wood-st. Pet. Dec. 14. Reg. Roche. O. A. Cannan. Sol. Buchanan, Basinghall-st.
KING, HENRY, innkeeper, Southampton. Pet. Dec. 9. Reg. Roche. O. A. Cannan. Sol. Stocken, Leadenhall-st., agent for Blanchard, Southampton.
MEARS, JOHN, commission traveller, Ledbury-rd. Notting-hill. Pet. Dec. 13. Reg. Brougham. O. A. Edwards. Sol. Dobie, Guildhall-chambers, Basinghall-st.
MIHILL, WILLIAM, baker, Walnut-tree-walk, Lambeth. Pet. Dec. 16. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
NORRINGTON, JAMES JOSEPH, baker, Leader-st. Chelsea. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sol. Crossfield, Hackney-rd.
OTTAWAY, ALFRED BRANCHLEY, betting on horse races, Richmond-st. Soho. Pet. Dec. 19. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, Bedford-row.
PARRY, JOHN, stonemason, Charles-st. Old Kent-rd. Pet. Dec. 12. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st.
PULLIN, GEORGE, confectioner, Hickman's-folly, Bermondsey. Pet. Dec. 16. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
ROBERTS, WILLIAM, bricklayer, Maidstone. Pet. Dec. 16. Reg. Roche. O. A. Cannan. Sols. Kingsford and Dorman, Essex-st. Strand.
SCALLY, EDWARD, stonemason, Fitt's-rents, Hoxton. Pet. Dec. 15. Reg. Hazlitt. O. A. Graham. Sol. Wetherfield, Moorgate-st.
SCULLARD, WILLIAM, carpenter, Hampton. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sol. Durant, Guildhall-chambers, Basinghall-st.
SINNOTT, WILLIAM, barge master, Gravesend. Pet. Dec. 16. Reg. Brougham. O. A. Edwards. Sol. Howard, Quality-ct. Chancery-la.
STERNE, SOLOMON, merchant, St. Michael's-house, Cornhill. Pet. Dec. 13. Reg. Hazlitt. O. A. Graham. Sol. Abrahams, Gresham-st.
STRONG, JOHN, beer retailer, Waterloo-rd. Pet. Dec. 16. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
SWINDELL, JOHN, baker, Woodfield-pl. Paddington. Pet. Dec. 15. Reg. Hazlitt. O. A. Graham. Sol. Fisher, New Camberwell-rd.
WEST, HERBERT JAMES, clerk to a solicitor, North-end, Fulham. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sol. Rice, Mortimer-st. Cavendish-sq.
YOUNG, JOHN AUGUSTINE, surgeon, Ordnance-ter. Shooter's-hill. Pet. Dec. 19. Reg. Hazlitt. O. A. Graham. Sol. Pope, Winchester-house, Old Broad-st.

To surrender in the Country.

ARROWSMITH, JOHN, painter, Birmingham. Pet. Dec. 15. Reg. & O. A. Guest. Sol. Beaton, Birmingham.
BIRCHALL, WILLIAM, engineer and machinist, Westhoughton. Pet. Dec. 13. Reg. & O. A. Holden. Sols. Glover and Ranwell, Bolton.
BURDON, WILLIAM, blacksmith, Winlaton. Pet. Dec. 15. Reg. & O. A. Ingledew. Sol. Joel, Newcastle.
COLTMAN, THOMAS JOHN, plumber, Coventry. Pet. Dec. 16. Reg. Hill. O. A. Kinnear. Sols. Powell and Son, Birmingham.
DRAKE, JAMES, builder, Queensbury, Halifax. Pet. Dec. 15. O. A. Young. Sol. Harle, Leeds.
DUNN, ROBERT, sawyer, Bishopwearmouth. Pet. Dec. 12. Reg. & O. A. Marshall. Sol. Graham, Sunderland.
FOSTER, JAMES, commission agent, Newcastle. Pet. Dec. 14. O. A. Clayton. Sols. Scaife and Britton, Newcastle.
GALE, BENJAMIN, baker and broker, Kington Langley. Pet. Dec. 13. Reg. & O. A. Phillips. Sol. Rawlings, Melksham.
HASELDINE, MARY, out of business, Brierley-hill. Pet. Dec. 17. Reg. Hill. O. A. Kinnear. Sol. Allen, Birmingham.
HOUSE, THOMAS, baker, Cheddar. Pet. Dec. 17. Reg. Wilde. O. A. Acraman. Sols. Clifton, Brooking; Beckisham, Bristol.
HOY, JOHN, fishmonger, Merrivale, Worcester. Pet. Dec. 14. Reg. & O. A. Crisp. Sol. Corbet, Kidderminster.
LEVICK, GEORGE, grocer, Bawtry. Pet. Dec. 15. Reg. & O. A. Mason. Sol. Woodhead, Doncaster.
LORD, JOHN, commission agent, Manchester. Pet. Dec. 9. Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester.
LYNDON, WILLIAM HAYNES, out of business, Worcester. Pet. Dec. 17. Reg. Hill. O. A. Kinnear. Sol. Webb, Birmingham.
MORGAN, SARAH, innkeeper, Blaenmaes, Fencagry. Pet. Dec. 8. Reg. Wilde. O. A. Acraman.
NEWSHAM, JAMES, confectioner, Burnley. Pet. Dec. 16. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whittam, Burnley; Cobbett and Wheeler, Manchester.
NICHOLSON, WILLIAM, corn merchant, Ca Hale. Pet. Dec. 12. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle.
O'CALLAGHAN, WILLIAM, general dealer, Liverpool. Pet. Dec. 14. O. A. Turner.
OLIVER, JAMES, out of business, Aston-juxta-Birmingham. Pet. Dec. 13. Reg. & O. A. Guest. Sol. Suckling, Birmingham.
PATTERSON, WILLIAM TAYLOR, private tutor, York. Pet. Dec. 15. Reg. & O. A. Perkins. Sol. Grayston, York.
PETERS, WILLIAM VINCENT, Plymstock. Pet. Dec. 17. Reg. & O. A. Pearce. Sol. Fowler, Plymouth.
PRIOR, GEORGE HENRY, news agent, Westerham. Pet. Dec. 12. Reg. & O. A. Holcroft. Sol. Carnell, Sevenoaks.
READ, JOHN, wheelwright, Linford and Markfield. Pet. Dec. 15. Reg. & O. A. Ingram. Sol. Chamberlain, Leicester.
RINGROSE, JAMES, trainer of horses, Carnaby-pasture, Patrick Brompton. Pet. Dec. 15. Reg. & O. A. Robinson. Sol. Robinson, Richmond.
REYNOLDS, THOMAS HAZELL, cowkeeper, Swindon. Pet. Dec. 3. Reg. Wilde. O. A. Acraman. Sols. Abbot and Leonard, Bristol.
ROBINSON, THOMAS, joiner, Shaw, Crompton. Pet. Dec. 16. Reg. & O. A. Sommerscales. Sol. Thompson, Oldham.
ROGERS, GEORGE GASCOIGNE, coachbuilder, Sheffield. Pet. Dec. 16. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield.
RUSHWORTH, DANIEL, coal agent, Bradford. Pet. Nov. 28. O. A. Young. Sols. Butler and Smith; Bond and Barwick, Leeds.
SMITH, WILLIAM, potato dealer, Aberford, Tadcaster. Pet. Dec. 16. Reg. & O. A. Bickers. Sol. Harle, Leeds.
SPENCER, JAMES, beerhouse-keeper, Loughborough. Pet. Dec. 15. Reg. & O. A. Brock. Sol. Goode, Loughborough.
STODDART, JOSEPH, stonemason, Chilwell. Pet. Dec. 14. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham.
SYKES, RICHARD WILLIAM, tailor, Seaford. Pet. Dec. 17. Reg. & O. A. Tonge. Sol. Hodgson, Great Driffield.
THOMAS, WILLIAM JONES, tanner and carrier, Llanelly. Pet. Aug. 10. Reg. & O. A. Jones. Sol. Bury, Llanelly.
WALLER, JOSEPH, yarn dealer, Colne. Pet. Dec. 2. Reg. Macrae. O. A. Morgan. Sol. Richardson, Manchester.
WEBSTER, JOHN, tailor, Low-town, Pudsey. Pet. Dec. 14. Reg. & O. A. Robinson. Sol. Hill, Bradford.
WELCH, JAMES, jun., carpenter, Emsworth. Pet. Dec. 15. Reg. & O. A. Howard. Sol. Stening, Portsea.
WHITAKER, JAMES SHEARD, dyer, Carlinghow, Dewsbury. Pet. Dec. 17. Reg. & O. A. Nelson. Sol. Harle, Leeds.
WILLIAMS, JOHN, greengrocer, Merthyr Tydfil. Pet. Dec. 17. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil.
WOODRUFF, JOHN, cottager, Harlaxton. Pet. Dec. 15. Reg. & O. A. Winter. Sol. Malin, Grantham.
WOOLLEY, JOSEPH, farmer, Hyde. Pet. Dec. 15. Reg. & O. A. Brooks. Sols. Messrs. Hibbert, Hyde.
WRIGHT, JOHN STEPHEN, grocer, Great Grimsby. Pet. Dec. 17. O. A. Carrick. Sol. Chester, Hull.
WYATT, WILLIAM, relieving officer to Bromsgrove union, Hagley. Pet. Dec. 17. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham.

Gazette, Dec. 23.

To surrender at the Bankrupts' Court, Basinghall-street.

ADAMS, ROBERT, gun and pistol manufacturer, King William-st. Pet. Nov. 30. Reg. Brougham. O. A. Edwards. Sol. Dubois, Church-passage, Gresham-street.
ADAMS, ROBERT, manufacturer and dealer in fire arms, Oakfield, Forest-hill, and King William-st., and Henry-st. Bermondsey. Pet. Dec. 15. Reg. Brougham. O. A. Edwards. Sols. Abbott and Co., New-inn, Strand.
ATTFIELD, FREDERICK WAXMORE, victualler and hop planter, Wrecclesham. Pet. Dec. 20. Reg. Hazlitt. O. A. Graham. Sol. Sheirs, New-inn, Strand.
BAXTER, WILLIAM, merchant's clerk, Montpellier-rd., Peckham-rye. Pet. Dec. 21. Reg. Hazlitt. O. A. Graham. Sol. Hicks, Moorgate-st.
BELCHER, CHARLES, shopman, Lower Marsh, Lambeth. Pet. Dec. 19. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Bedford-row.
BILTON, THOMAS WILLIAM, attorney, Hastings, and Carey-st. Lincoln's-inn. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sol. Camp, Paternoster-row.
BIRKETT, JOHN JAMES, jun., wine and beer merchant, Haverstock-hill. Pet. Dec. 19. Reg. Roche. O. A. Cannan. Sol. Greatorex, Chancery-la.
BUSGER, DE VOOR VRENDENBURGH BRONSWERCKE, watch and clockmaker, Lever-st. St. Luke's. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
BRENNAN, ELIZABETH MARY FLAXMAN, widow, haberdasher and dealer in fancy goods, Norwich. Pet. Dec. 15. Reg. Brougham. O. A. Edwards. Sols. Jay and Pilgrim, Norwich.
BUTT, ROBERT GREAVES, lace and commission agent, Addle-st. Pet. Dec. 20. Reg. Roche. O. A. Cannan. Sols. Traherne and Wolferstan, Aldermanbury.
COLEMAN, HENRY, loan broker, Regent-st. Waterloo-pl., Riding-house-st. Portland-pl. and Wells-st. Oxford st. Pet. Dec. 19. Reg. Hazlitt. O. A. Graham. Sols. Innes and Son, Basinghall-st.
GENGE, JOHN CHITTY, beer retailer, Landport. Pet. Dec. 21. Reg. Roche. O. A. Cannan. Sol. White, Dane's-inn, and Portsea.
GREENE, ALEXANDER MONTGOMERY, oil and colourman, Norfolk-st. Lower-rd. Islington, and Elmore-st. Lower-rd. Pet. Dec. 20. Reg. Roche. O. A. Cannan. Sol. Allen, Chancery-la.
HILLINGER, JOSEPH, watch and clock maker, Rodney-st, Pentonville. Pet. Dec. 21. Reg. Hazlitt. O. A. Graham. Sol. Cartwright, Bishopsgate-st. within.
HOLDEN, THOMAS, waiter, St. Martin's-st. Leicester-sq. Pet. Dec. 21. Reg. Hazlitt. O. A. Graham. Sol. Kent, Mitre-ct.-chambers, Temple.
HOWARD, WILLIAM LITTLE, no occupation, Isle of Wight. Pet. Dec. 20. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-lane, Doctors'-commons.
JONES, DAVID, painter, Weymouth-st. Portland-pl. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
KEEN, ARTHUR, furniture dealer, St. John-st. Smith's-sq. Westminster. Pet. Dec. 21. Reg. Roche. O. A. Cannan. Sols. Lumley and Lumley, Moorgate-st.
KING, RICHARD TWYFORD, iron merchant, Grove-end-road, St. John's-wood. Pet. Dec. 21. Reg. Brougham. O. A. Edwards. Sol. Pearpoint, Leicester-sq.
KNIGHT, CHARLES, carpenter, Archway-pl., Upper Holloway. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate st.
LANE, JOSEPH, commission agent, Notting-hill-ter. Notting-hill. Pet. Dec. 19. Reg. Brougham. O. A. Edwards. Sol. Farrington, George-st., Mansion-house.
LASKEY, JOHN RICHARD, cabinet-maker, Banner-st., St. Luke's. Pet. Dec. 19. Reg. Brougham. O. A. Edwards. Sol. Wyatt, Great Carter-la.
LE CREN, GEORGE, commercial clerk, Fassett-sq. Graham-rd. Dalston. Pet. Dec. 21. Reg. Brougham. O. A. Edwards. Sol. Wyatt, Great Carter-la., Doctor's-commons.
MAYS, RICHARD, pig-jobber, Derby-ter. Plumstead. Pet. Dec. 21. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st.
McNAMARA, JAMES, tailor, Lucan-pl. Hoxton. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
MOFFAT, DAVID, baker, Upper Fitzroy-pl. Kentish-town. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
MUNOZ, DOMINGO, hotel keeper, Queen's-rd. Bayswater. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
MURATORI, LUIGI, and VINCENZO BUZZOLI, Italian and French warehousemen, Hatton-garden. Pet. Dec. 21. Reg. Roche. O. A. Cannan. Sol. Champion, Ironmonger-lane.
NICHOLS, HENRY, grocer, Lavendon. Pet. Dec. 20. Reg. Hazlitt. O. A. Graham. Sols. Ellis and Crossfield, America-sq.
PINKER, WILLIAM, stonemason, Great Western-terrace and Great Western-crescent, Paddington. Pet. Dec. 14. Reg. Hazlitt. O. A. Graham. Sols. Hales, Trustram and Co. Cheapside.
PRICE, NATHANIEL, painter, Longton. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
RAY, WILLIAM, Lower Belgrave-pl. Pimlico. Pet. Dec. 20. Reg. Hazlitt. O. A. Graham. Sol. Poole, Bartholomew-close.
RODGER, JOSEPH HORATIO, shipbroker, Leadenhall-st. Pet. Dec. 21. Reg. Roche. O. A. Cannan. Sol. Stocken, Leadenhall-st.
SKINNER, CHRISTOPHER, shoe manufacturer, Northampton. Pet. Dec. 20. Reg. Roche. O. A. Cannan. Sols. Kingdon and Williams, Lawrence-la. Cheapside, agents for Shields and White, Northampton.
STEER, JAMES, and STEER, STEPHEN, bedstead and bedding manufacturers, Oxford-st. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sols. Kays, New-inn; and Bolton, Berners st.
WOODWARD, EPHRAIM, plumber and painter, Portobello-ter. Kensington-park. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.
WRIGHT, WILLIAM ROBERT, auctioneer and dealer in butter, Chard. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st.

To surrender in the Country.

ANDREWS, JOHN, provision dealer, Liverpool. Pet. Dec. 4. O. A. Turner.
ARCHER, JOHN, book-keeper, Liverpool. Pet. Dec. 20. O. A. Turner. Sol. Brabner, Liverpool.
ASHLEY, HENRY, builder, Bristol. Pet. Dec. 20. Reg. & O. A. Harley and Gibbs. Sol. Hill.
BANCROFT, GEORGE, grocer and shoemaker, Weaverham. Pet. Dec. 19. Reg. & O. A. Cheshire. Sol. Thompson, Northwich.
BEAN, JOSEPH, labourer, Doncaster. Pet. Dec. 20. Reg. & O. A. Mason. Sol. Wright, Doncaster.
BERGER, JOSEPH CHARLES, merchant, Liverpool. Pet. Dec. 20. O. A. Turner. Sols. Anderson and Collins, Liverpool.
BEWLEY, WILLIAM, grocer, Carlisle. Pet. Dec. 16. Reg. & O. A. Halton. Sol. Wannop, Carlisle.
CARRUTHERS, WILLIAM, road maker and beerhouse-keeper, Wrigley-brook, Heap. Pet. Dec. 21. Reg. & O. A. Grundy. Sol. Anderson, Bury

Clapp, Benjamin, baker, Exeter. Pet. Dec. 21. Reg. & O. A. Daw. Sol. Flood, Exeter.

Clarke, Michael William, wine and spirit broker, Bristol. Pet. Dec 21. Reg. & O. A. Harley and Gibbs.

Cragg, Samuel, sen. and Cragg, Samuel, jun., upholsterers and cabinet makers, Leicester. Pet. Dec. 20. Reg. Tudor. O. A. Harris. Sol. Stevenson, Leicester.

Denning, Thomas, shoemaker, Penarth. Pet. Dec. 16. Reg. & O. A. Langley. Sol. Stephens, Cardiff.

Edwards, James, clerk to manure manufacturer, Bristol. Pet. Dec. 21. Reg. & O. A. Harley and Gibbs.

Fowler, Jasper Villiers, barman, Liverpool. Pet. Dec. 16. Reg. & O. A. Hime. Sol. Ritson, Liverpool.

Fowls, John, timber merchant, Liverpool. Pet. Dec. 12. O. A. Turner. Sols. Lloyd, Garnett and Lloyd, Liverpool.

Goodman, James, milkman, Boxmoor. Pet. Dec 16. Reg. & O. A. Simpson. Sol. Annesley, St. Albans.

Haigh, William, late manufacturer of fancy goods, Denby Dale. Pet. Dec. 12. O. A. Young.

Head, William, late tailor and innkeeper, Carlton, near Snaith. Pet. Dec. 12. O. A. Young.

Hendrie, Michael, brewer and maltster, Longtown. Pet. Dec. 12. Reg. & O. A. Halton. Sol. Wannop, Carlisle.

Hinshall, Samuel, shopkeeper, Fulshaw, near Wilmslow. Pet. Dec 13. Reg. & O. A. Porter. Sol. Ambler, Manchester.

Hicks, William, contractor, Chedworth. Pet. Dec. 19. Reg. & O. A. Anderson. Sol. Cheshyre, Cheltenham.

Holland, Esther, saddler, Cambridge. Pet. Dec. 20. Reg. & O. A. Eaden. Sol. Garrat, Cambridge.

Howard, Emanuel Simon, blindmaker, Norwich. Pet. Dec. 20. Reg. & O. A. Palmer. Sol. Atkinson.

Hughes, George Griffiths, builder, Liverpool. Pet. Dec. 11. O. A. Turner.

Jellyman, Frederick, ropemaker, Banbury. Pet. Dec. 19. Reg. & O. A. Fortescue. Sol. Kilby, Banbury.

Jones, William, fireman, Merthyr Tydfil. Pet. Dec. 20. Reg. & O. A. Russell. Sol. Kempthorne, Neath.

Kent, Samuel, coach painter, Brighton. Pet. Dec. 17. Reg. & O. A. Evershed. Sol. Penfold, Brighton.

Leonard, William, butcher, Hull. Pet. Dec. 16. Reg. & O. A. Phillips. Sol. Summers, Hull.

Lockyer, Edward, dealer in hay and straw, Bristol. Pet. Dec. 21. Reg. & O. A. Harley and Gibbs.

Lunt, Thomas, carver and gilder, Liverpool. Pet. Dec. 20. Reg. & O. A. Hime. Sol. Parker, Liverpool.

McCabe, Terence, labourer, Hill Top, near Dipton. Pet. Dec. 19. Reg. & O. A. Bramwell. Sols. Thompson and Lisle, Durham.

Mitchell, Samuel, currier, Torquay. Pet. Dec. 21. Reg. & O. A. Pidsley. Sol. Michelmore, Newton Abbot.

Nawells, John, draper, Whitehaven. Pet. Dec. 17. Reg. Gibson. O. A. Laidman. Sols. Messrs. Watson, Newcastle.

Newson, Robert, bricklayer, Lowestoft. Pet. Dec. 19. Reg. & O. A. Chater. Sols. Chamberlain and Archer, Lowestoft.

Parr, William, potter, Burslem. Pet. Dec. 19. Reg. & O. A. Challinor. Sol. Sutton, Burslem.

Rawsthorne, Richard, victualler, Liverpool. Pet. Dec. 16. O. A. Turner.

Ridyard, Thomas, jun., corn merchant, Liverpool. Pet. Dec. 16. Reg. & O. A. Hime.

Rose, Richard, joiner and builder, Rochdale. Pet. Dec. 20. Reg. Harris. O. A. Morgan. Sols. Whitehead, Rochdale; Scotts, Manchester.

Ryan, John, labourer, Dipton. Pet. Dec. 14. Reg. & O. A. Booth. Sols. Thompson and Lisle, Durham.

Ryan, Patrick, labourer, Gateshead. Pet. Dec. 14. Reg. & O. A. Booth. Sols. Thompson and Lisle, Durham.

Shelton, Samuel, shoe manufacturer, Olney. Pet. Dec. 19. Reg. & O. A. Parrott. Sol. Becke, Northampton.

Spalding, Joseph, grocer, Swaffham Prior. Pet. Dec. 15. Reg. & O. A. Buxton. Sol. French, Cambridge.

Storey, John, weaver, Rastrick, near Brighouse. Pet. Dec. 12. Reg. Rankin. O. A. Drummond Rankin.

Ullathorne, Frank, draper, Hull. Pet. Dec. 17. O. A. Carrick. Sol. Spurr, Hull.

Ward, John, grocer's assistant, Hoyland, near Barnsley. Pet. Dec. 15. Reg. & O. A. Shepherd. Sol. Mason, York and Sheffield.

Weavil, John, joiner, Milnsbridge, near Huddersfield. Pet. Dec. 21. O. A. Young. Sols. Dransfield, Huddersfield; Bond and Barwick, Leeds.

Westall, Thomas John Hawkins, Whitchurch. Pet. Dec. 19. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham.

Wills, John, horse dealer, Wells. Pet. Dec. 10. Reg. & O. A. Lovell. Sol. Reed, Bridgwater.

White, John, and White, Eliza, clothiers, Runcorn. Pet. Dec. 21. Reg. Harris. O. A. Morgan. Sol. Gardner, Manchester.

White, John Thomas, innkeeper, Tonbridge. Pet. Dec. 19. Reg. & O. A. Alleyne. Sol. Palmer, Tonbridge.

Woodhall, Ambrose, beerseller, Manchester. Pet. Dec. 13. Reg. & O. A. Kay. Sol. Gardner, Manchester.

Young, Shadrach, Hemel Hempstead, and Young, Meshach, Harpenden, straw plait dealers. Pet. Dec. 16. Reg. & O. A. Simpson. Sol. Annesley, Saint Albans.

BANKRUPTCIES ANNULLED.

Gazette, Dec. 20.

Bradshaw, Joseph, and Bradshaw, Thomas, cloth manufacturers, Leeds and Yeadon, and Addle-st. London.

Gazette, Dec. 23.

Pickard, Thomas, and Hindle, William, cloth manufacturers, Leeds.

Wilkinson, Joshua, auctioneer, Sheffield.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Alerman, J. P. relieving officer, first, 7s. 6d. Acraman, Bristol.—*Butcher*, W. ironmonger, second, 5s.; with first on new proofs, 13s. Acraman, Bristol.—*Coffey*, J. A. manufacturing engineer, first, 6½d. Stansfeld, London.—*Jenkins*, E. L. grocer, first, 1s. 9d. Acraman, Bristol.—*Jones*, J. H. shipbroker, first, 6d. Acraman, Bristol.—*Jones*, L. grocer, first, 6s. Acraman, Bristol.—*Tippens*, S. draper, first, 7s. Acraman, Bristol.

INSOLVENTS' ESTATES.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, between the hours of eleven and three.

Wines, J. farmer, maltster and coal merchant, 12s. 6d.—*Collins*, L. lodginghouse keeper, High-st. Hoxton, 3s. 9d. (making 1s. 9d.)—*Fincham*, R. farmer, Croydon, 1s. 4½d.

Assignments.

Gazette, Dec. 20.

Brain, Charles, lamp manufacturer, High-st. Aldgate. Nov. 26. Trusts. H. Coulter, Liverpool, G. Marshall, Lime-st. London, and T. Kemp, wool broker, Guildhall-chambers, Basinghall-st.

Brough, William, agent, Sunderland. Nov. 23. Trusts R. Hudson, wholesale stationer, Sunderland, and J. Hudson, paper manufacturer, Newcastle.

Cale, William, gardener, St. John's-wood ter. St. John's-wood. Dec. 12. Trust. G. H. Eveleigh, builder, Victoria-ter. Victoria-rd. Hampstead.

Cornby, Andrew, jun., farmer and potato dealer, Ramsey. Nov. 24. Trusts. A. Fuller, veterinary surgeon, and J. Fisher, draper, both Ramsey.

Cunliffe, John, coloured paper maker, Manchester. Nov. 26. Trust. T. Robinson, cashier, Salford.

Foulds, Robert; Pickles, Stephen; and Hey, John, cotton manufacturers, Coates. Nov. 14. Trusts. T. Bennett, cotton manufacturer, Barnoldswick, and J. Pilkington, cottonspinner, Westhoughton.

Fowler, George, grocer, Ryecroft-st. near Gloucester. Dec. 9. Trust. T. Champion, Bristol.

Galbraith, Hugh James, and Bigland, Samuel Henry, merchants, Old Broad-st. Nov. 23. Trusts. J. Macqueen, merchant, Old Jewry-chambers, and J. Whitaker, commission agent, King William-st.

Hargrave, James Oswald, salesman, Bradford. Dec. 3. Trusts. W. L. Hargrave, commission agent, Bradford, and J. Crossley, dyer, Halifax.

Hayes, James, lighterman, Water-la. Dec. 12. Trust. J. Kimber, book-keeper, Shaftesbury-st. Walworth.

Hill, David, grocer, Manchester. Nov. 21. Trust. J. Winnington, brewer, Manchester.

Horsburgh, James, jun., and Crighton, John, jute and hemp merchants, Mincing la. and Liverpool. Dec. 16. Trusts J. Cooper, public accountant, Coleman-st.-buildings, and W. Ronaldson, produce broker, Mincing-la.

James, David, and Meudon, John Edward, portmanteau manufacturers, Fleet-st. Nov. 28. Trust. H. Hayward, Esq., Queen Anne-st. Cavendish-sq.

Little, John, cutler, King William-st. Nov. 14. Trusts. F. W. Gilbert, cutler, Sheffield, and R. Rowbotham, gentleman, Cannon-st.

Loveкin, Henry, innkeeper, Hereford. Nov. 12. Trusts. J. Griffiths, blacksmith, and E. W. Fowles, wine merchant, both Hereford.

Nichols, John, grocer, Mangotsfield. Dec. 10. Trust. H. Rogers, carpenter, Mangotsfield.

Nicholls, Joseph, general-shop keeper, Tynhill. Nov. 25. Trust. R. Ridler, general warehouseman, Bristol.

Pike, John Robert, share dealer, Finner's-st. Old Broad-st. Dec. 14. Trust. T. P. Thomas, share broker, New Broad-st.

Ray, John, stationer, Old Kent-rd. Dec. 11. Trusts. G. Anderson, shipowner, Lime-st.

Rennards, Thomas, stuff merchant, Bradford. Dec. 1. Trusts. J. Ingle, Bradford, A. W. Ramsden, Bradford, and W. Clapham, Wilsden, manufacturers.

Robson, Thomas Newby, farmer, Edy-hill, near Darlington. Dec. 1. Trusts. J. G. Grace, land agent, and J. R. Ord, lime burner, both Darlington.

Shaw, Susannah, widow, Gissing. Nov. 30. Trusts. H. Shaw, farmer, Flixton, and G. Durrant, auctioneer and valuer, Saint Peter's-by-Bungay.

Smith, William, draper, Clyde-villas, Lewisham-bridge. Nov. 22. Trust. H. Clemmans, gentleman, Mount Eliot-ter. Lee-rd.

Storrar, William, gold chain maker, Brunswick-parade, Islington. Dec. 17. Trust. W. Summer, gasfitter, High-st. Hoxton Old-town.

Walton, James, boot and shoe maker, Sheffield. Dec. 22. Trusts. A. J. Hicks, currier, Handsworth, and G. W. Wright, boot and shoe merchant, Manchester.

Winder, John, shoemaker, Newton with Scales. Dec. 12. Trusts. R. Hunt, and J. Thornton, spirit merchants, Preston.

ERRATUM.

Maturin, Frederick Charles, clerk to a contractor, Carey-st. Lincoln's-inn-fields. Dec. 2. Trust. G. F. Druce (and not Drew as before advertised), attorney, Victoria-st. Westminster.

Gazette, Dec. 23.

Beale, William, grocer, Tunbridge Wells. Dec. 1. Trusts. W. Wagon, grocer, and J. Humphrey, tallow chandler, both Tunbridge Wells.

Birchenough, Thomas, silk manufacturer, Macclesfield. Dec. 5. Trust. W. Bullock, silkman, Macclesfield.

Booth, William, hairdresser, Walkley, near Sheffield. Dec. 8. Trust. J. M. Hall, general decorator, Sheffield.

Child, John, cloth manufacturer, Eccleshill. Dec. 6. Trusts. J. Smithson, jun., yarn merchant, and B. Whalley, drysalter, Leeds.

Clark, William Pyle, timber merchant, Landport. Dec. 12. Trusts. G. Kerswell, jeweller, Portsea, and W. S. Hawgood, bill broker, Landport.

Cufflin, William, grocer, Mansfield. Dec. 12. Trusts. W. King, jun., and T. Goodliffe, provision merchants, both Nottingham.

Dodgson, Percy, cornet in 18th regiment of hussars, Aldershott. Nov. 29. Trust. G. Allen, gentleman, Carlisle-st. Soho-sq.

Ellis, Alfred James, grocer and Italian warehouseman, Brighton. Nov. 23. Trusts. J. Lynn, wholesale grocer, and G. H. Evershed, gentleman, both Brighton.

Farmer, Job, farmer, Braunstone, Frith. Nov. 28. Trusts. W. Partridge, gentleman, Leicester, J. Green, farmer, Braunstone, and H. Hull, cattle dealer, Leicester.

Gibbs, William, grocer, Eastbourne. Nov. 26. Trusts. S. Chester, jun., grocer, Saint Leonard's-on-Sea, and J. Broad, tallow chandler, Lewes.

Gosden, Henry Thomas, bookbinder, High Holborn, and South-rd. Ridgway, Wimbledon. Dec. 13. Trust. W. H. Nutt, leatherseller, Whitefriars-st.

Hickman, John Norton, draper, Ilkeston. Nov. 24. Trusts. R. Evans, earthenware manufacturer, Ilkeston, and J. W. Godber, hosier, Nottingham.

Howell, George William, mantle manufacturer, Leeds. Dec. 10. Trusts. T. Rider, and W. L. Oddy, cloth merchants, both Leeds.

Kemble, Mary, widow, Dawlish. Dec. 7. Trusts. J. Cox, builder, and W. Tapper, cabinet-maker, both Dawlish.

Leach, Joseph, manufacturer, Sough, near Over Darwen. Dec. 1. Trusts. J. B. Deakin, and A. S. K. ..., agents, Manchester.

Locock, Robert, haulier, Weston-super-Mare. Dec. 14. Trusts. T. Gullifer, corn merchant, Bedminster.

Marshall, Charles, saw manufacturer, Walkley, near Sheffield. Dec. 13. Trust. C. G. Peacock, warehouseman, Sheffield.

McEvoy, John, picture frame manufacturer, Birmingham. Dec. 15. Trust. T. Walker, professor of music, Birmingham.

Meaks, Samuel, builder, Weston-super-Mare. Nov. 29. Trust. T. J. Matthias, ironmonger, Weston-super-Mare.

Melrose, William, draper, Liverpool. Nov. 29. Trusts. A. McKean, woollen merchant, Bradford, and W. Sadler, cashier, Manchester.

Napper, Edwin, confectioner, Newport. Nov. 21. Trusts. S. Beard, corn merchant, Newport, H. J. Parnall, flour dealer, Newport, and R. P. Napper, gentleman, Neath.

Packer, Edwin, builder, Cheltenham. Nov. 23. Trust. E. Williams, timber merchant, Cheltenham.

Palmer, George, grocer, Llanelly. Dec. 13. Trust. D. Earl, general provision merchant, Swansea.

Penning, Henry William, architect and surveyor, Marlborough. Nov. 24. Trusts. T. Penniger, and M. Barnes, Bristol, timber merchants.

Perry, George Henry, and Taylor, Robert Scott, lace manufacturers, Nottingham. Nov. 23. Trusts. K. N. Harris, silk merchant, and S. N. Croppes, commission agent, both Nottingham.

Roberts, Owen, grocer, Rhyl. Nov. 19. Trust. A. Jones, wholesale grocer, Liverpool.

Robins, Charles William, shipbroker, Bristol. Nov. 29. Trust. R. Richman, Bristol.

Ryland, Henry Thomas, builder, Cheltenham. Dec. 10. Trust. H. Margretts, baker, Cheltenham.

Sayce, William, stationer, Haverfordwest. Nov. 26. Trust. W. Kent, publisher, Paternoster-row.

Shaw, Charles, baker, Landport. Dec. 8. Trust. J. Wainscot, accountant, Portsea.

Short, William Henry, acting measurer in Portsmouth dockyard, Southsea. Dec. 21. Trust. E. Boscomb, gentleman, Landport.

Stevens, James Edward, ladies' outfitter, Clarence-house, Clapham-rd. Nov. 23. Trust. F. Stevens, attorney, Queen-st.

Thornton, Benjamin, iron ore merchant, Nevil Holt, near Market Harborough. Nov. 21. Trusts. C. Butler, gentleman, and G. E. Danethorpe, spinner, Leeds.

Tomlinson, Benjamin, leather seller, Hull. Dec. 1. Trust. J. Dawson, tanner, Hull.

Travis, James Buckley, chemist, Oldham. Nov. 26. Trust. J. Nield, agent, Oldham.

Viner, William James, grocer, Eastbourne. Nov. 28. Trust. S. Chester, jun., grocer, St. Leonard's-on-Sea.

Webster, George, sen., stonemason, Farnworth. Dec. 7. Trusts. W. Coope, builder, and J. Hilton, ironfounder, both Farnworth.

Webster, James, grocer, Wimbledon. Nov. 23. Trusts. I. Batten, wholesale grocer, Lower Thames-st. and J. Grummier, cheesemonger, Brompton-rd.

Composition Deeds.

Gazette, Dec. 20.

Booth, John, cloth maker, Rawdon. Nov. 24. Trust. C. Spink, gardiner, Chapeltown, near Leeds. 5s. by two instalments of 2s. 6d. at 1 and 2 mos.

Briggs, Joshua, tanner, Leeds. Dec. 6. Trust. J. R. Barrow, hide factor, Liverpool. 12s. 6d. by three instalments at 3, 6 and 9 mos.—secured.

Burton, Richard Whiting, auctioneer, Eccleston-st. south, Pimlico. Dec. 16. 5s. by three instalments of 1s. 8d. each, at 6, 12 and 18 mos.

Chadwick, John Henry, and Chadwick, Reuben, shoddy dealers, Batley Carr, near Dewsbury. Nov. 22. Trusts. J. Chadwick, machine maker, and M. Wharton, woollen manufacturer, both Batley Carr. 12s. by three equal instalments at 3, 6 and 9 mos.—secured.

Coles, George, slate merchant, Portsea. Dec. 11. 9s.

Glanville, Alfred, vocalist, Gibson-sq. Islington. Dec. 16. Trust. A. Kindworth, wardrobe dealer, York-rd. Lambeth. 2s. 6d. in 28 days.

Hadley, William, scrap dealer, Halesowen. Nov. 21. Trust. T. Donovan, writing clerk, West Smethwick. 2s. 6d.

Hick, George Charles, commission merchant, Bradford. Nov. 25. Trust. W. Townend, gentleman, Pudsey. 12s. in three instalments at 3, 6 and 9 mos.

Hilton, Evan Stock, waste dealer, Huddersfield. Nov. 21. 10s.

Jeffery, William, currier, Northampton. Nov. 22. Trusts. J. Wetherell, and T. H. Scottthorn, leather merchants, Northampton. 4s. at 2 and 4 mos.—secured.

Marshall, William, and Gillespie, Charles, provision merchants, both Birmingham. Nov. 30. Trust. J. Gillespie, butter dealer, Monaghan. 5s. by two equal instalments at 1 and 2 mos.—secured.

Monsinger, Charles, and Denninghoff, Hermann, merchants, Mark-la. Nov. 21. 5s. by instalments on 15th Dec., 20th March and 30th April.

Parkhouse, Edward, currier, Clerkenwell-green. Dec 12. Trust. F. Hepburn, leather factor, Long-la. Bermondsey. To pay 1s. in 3 days and 3s. 6d. in 3 mos.

Pickard, Thomas, and Hindle, William, cloth manufacturers, Leeds. Dec. 16. Trusts. J. Nunwick, blacksmith, Eshalt, W. Dawson, shopkeeper, J. Y. Preston, clothier, and J. Dawson, clothier, at Yeadon. 8s.—4s. at 2 mos. and 4s. at 4 mos.—and 1s. 6d. on each separate estate at 2 and 4 mos.—secured.

Ramsden, David, worstedspinner, Bradford. Oct. 31. Trust. H. W. Blackburn, accountant, Bradford. 17s. 6d. by four instalments.

Richardson, Thomas Hope, tailor, Birmingham. Dec. 9. 10s. by three instalments of 3s. 4d. at 4, 8 and 12 mos.

Saul, George, wine and spirit dealer, Liverpool. Nov. 24. 4s. by payment of 2s. 6d. in 14 days, and 1s. 6d. in 3 mos.

Stott, Alice, upholstress, Cardiff. Dec. 6. Trust. W. B. Watkins, banker, Cardiff. Deed of arrangement to pay 4s. in each and 1s. 6d. in 6 mos.

Walker, Charles, and Walker, Peter, smallware manufacturers, Redcliffe-bridge, and Manchester. Nov. 22. Trusts. R. Ecding, commission agent, T. Hodgin, agent, J. Collier, merchant, and W. Ashton, ironfounder, all Manchester. 15s. by three equal instalments at 4, 8 and 12 mos.—secured.

Walley, William, baker and flour dealer, Manchester. Dec. 7. 10s. by three instalments.

Wright, William, builder, Portsdown-gardens, Paddington. Nov. 29. Letter of licence for one year.

Gazette, Dec. 23.

Battersby, William, builder, Old Manor-rd. Stepney. Dec. 16. 6s. by two instalments on 13th Jan. and 13th April.

Bray, John, woollen manufacturer, Leeds. Nov. 15. 7s. 6d. in 1 mo.

Brodie, John, and Brodie, Joseph, drapers, Shotley-bridge and Consett. Nov. 26. Trust. G. R. Shield, wholesale draper, Newcastle. Deed of arrangement to pay debts by four instalments at 4, 8, 12 and 16 mos.—secured.

Bulford, John Rogers, watchmaker, Devonport. Nov. 24. 5s. in 3 mos.

Bywater, John, jun., grocer, Llanwonno. Nov. 30. Trusts. J. Bywater, sen., dissenting minister, Abertillery, and D. Jenkins, grocer, Aberdare. 7s. 6d.—half on 30th Dec. and remainder at 3 mos.

Damm, Ferdinand, merchant, Leman-st. Whitechapel. Dec. 12. 6s. in 3 mos.

Cato, Walter, draper, Kentish-town-rd. Nov. 24. Trusts. W. Cato, canvass manufacturer, Tring, H. Cato, draper, Manor-ter. Kilburn. 4s. on 24th Feb.

Corfe, Charles, draper, Birmingham. Dec. 19. 11s. by three equal instalments on 4th March, 3rd June and 6th Sept.—secured.

Doerflor, Emilius, and Rand, Hermann, merchants, Spring-gardens. Nov. 12. Inspectors T. Grey, colonial broker, Mincing-la. and C. F. Kemp, accountant, Gresham-st. Deed of inspectorship.

Dormer, William, publisher, Southampton-buildings, Chancery-la. Dec. 9. 10s. by four instalments.

Featherstone, Hamlet, and Smith, William John, jun., commission merchants, Manchester. Nov. 25. Trust. E. Simpson, buyer, Manchester. 2s. by two instalments of 1s. 6d. and 6d. on 31st Dec. and 31st Jan.

Fisher, Robert, photographic artist, Westbourne-grove, Bayswater, also Lancaster-rd. Notting-hill. Nov. 26. 5s. by two instalments of 2s. 6d.

Glendinning, James, draper, Gloucester. Dec. 21. 12s. in three equal instalments at 4, 8 and 12 mos.—secured.

Hall, George, cheesemonger, Minories. Nov. 28. Trust. E. Tarler, wholesale cheesemonger, Mount-st. Westminster-rd. 7s.

Hamilton, Rowland, general merchant, Nicholas-la. Dec. 1. Inspectors, T. D. Neave, Leadenhall-st. and J. Brand, New Broad-st. merchants. Deed of inspectorship.

Hodgkins, Thomas, cooper, Bedford. Dec. 17. Trust. T. Jarvis, brewer, Bedford. 10s. in 3 mos.

Hughes, Ellis, grocer, Clynnog. Dec. 7. 5s. on 30th May.

Hutchinson, George, jun., and Toomer, Alfred, ship and insurance brokers, Fenchurch-st. Nov. 28. Trust. J. Lumsden, merchant, Hull. 5s. by three instalments on 26th Dec., 26th March and 26th May—secured.

Keymer, James, silk and flannel printer, Tramp-st. Cheapside, and Dartford. Nov. 28. Inspectors J. Hyland, Skinners-pl. Size-la. W. Field, Goswell-st. drysalters, and G. Walter, coal merchant, Dartford. Deed of inspectorship to pay debts by four equal instalments of 5s. at 3, 6, 9 and 12 mos.

McGregor, Thomas, woollen warehouseman, Cheapside. Dec. 6. Trust. G. H. Ladbury, public accountant, King-st. Cheapside. 12s. by four instalments at 3, 6, 9 and 12 mos.

Meadway, Robert, butcher, Brentwood. Nov. 28. 4s. in 1 mo. from 30th Nov.

Midgley, John, worsted manufacturer, Windhill, near Shipley. Nov. 28. 5s. on 30th Nov.

Partington, Peter, woollen warehouseman, Queen-st. Cheapside. Nov. 25. 12s. by three instalments at 4, 8 and 12 mos.—secured.

Rait, Walter, timber merchant, Queen's-ter. also Blenheim-ter. St. John's-wood. Nov. 29. 7s. 6d.

Redmond, Thomas, cart and team owner, Kirkdale, near Liverpool. Dec. 1. Trust. H. Irwin, Walton, near Liverpool. 5s. by two equal instalments on execution of deed, and 1st March.

Richards, William Henry, coach ironmonger, King-st. Long-acre. Dec. 7. Trust. J. Williams, accountant, Harpur-st. 7s. on 5th April.

Southwood, William, boot-top maker, Leeds. Dec. 1. Trust. J. Southwood, boot-top maker, Leeds. 5s. by two instalments on 1st Jan. and 1st May.

Stocks, Samuel, commission agent, Old Jewry-chambers. Dec. 15. 5s. by equal instalments of 1s. at 3, 6, 9, 12 and 15 mos.

Storbeck, John, watchmaker, Poultry. Dec. 9. 1s. 6d. in 1 mo.

West, Mary, widow, Margaret-st. Cavendish-sq. Dec. 2. Trust. C. K. Anderson, grocer, Vicars-rd. Kentish-town. Deed of arrangement to pay debts in full.

Williams, John, builder, Beaumaris. Dec. 7. 5s. on 1st May.

Wright, Joshua, fly proprietor, Cheltenham. Nov. 21. 2s. in 1 mo.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGES.

Smith—Baily.—On the 22nd inst., at Trinity Church, Westbourne-terrace, Richard Horton Smith, Esq., M.A., of Lincoln's-inn, barrister-at-law, to Marilla, eldest daughter of John Baily, Esq. Q.C.

Thompson—White.—On the 21st Nov., at St. John's Church, Calcutta, Carrie Reeves Thompson, Esq., of the Delhi Railway staff, Meerut, to Augusta Theresa, elder daughter of Edward Gilliam White, Esq., of Charlotte-street, Bedford-square, barrister-at-law.

DEATHS.

Brereton.—On the 24th inst., at Upper Tooting, Streatham, Francis William Brereton, Esq., late of H.M.'s Exchequer, Westminster.

Coulthard.—On the 21st inst., Edward Coulthard, Esq., of 4, Gray's-inn-square.

Martindale.—On the 21st inst., suddenly, at his residence at Barnes, S. M. Martindale, Esq., barrister-at-law, of 10, Old-square, Lincoln's-inn.

Warren.—On the 19th inst., at Dulverton, Somerset, Mary, the beloved wife of Samuel H. Warren, solicitor.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

WE are happy to hear that Mr. Justice WILLIAMS is so far improving in health, that he will begin the resumption of his judicial duties by attending in Chambers next Term.

THE rights and powers of the mortgagees of a ship under sects. 70 and 71 of the Merchant Shipping Act 1854 were for the first time fully considered and determined by the LORD CHANCELLOR in *Collins* v. *Lamport*, 11 L. T. Rep. N. S. 497. The facts were thus: B., the owner, having mortgaged to C., contracted with D. for the sale of the said ship, and before B. became finally bound by the contract D. entered into a charter-party with E. The evidence established that E., though dealing with D., had knowledge of his imperfect title, and of B.'s ownership. Before she had sailed B. stopped payment, thereupon the mortgagees took steps for selling her. But, as it appeared that the terms of the charter-party would not damage the security, the Court granted an injunction to restrain any dealings with the ship inconsistent with the terms of the charter-party. This involved the general question of the powers of a mortgagor in relation to the ship while he still had possession of her, and upon this the LORD CHANCELLOR delivered an elaborate and very instructive judgment, which we recommend to the careful study of those of our readers who are interested in maritime law.

He first stated the history of the Merchant Shipping Act 1854:

Antecedently, by reason of the earlier statutes, the mortgagee, the moment a mortgage was made and registered, became, in the eye of the law, the owner of the property, and the result was that the law was in the habit of regarding the mortgagor as standing in the capacity of *quasi* agent to the mortgagee, and the mortgagee frequently found himself bound either by the contracts of the mortgagor, or, at all events, by the necessary expenditure and earnings of the vessel. That was a very serious injury and inconvenience to mortgagees, and it imposed considerable difficulty in the way of mortgagors getting money upon this species of security.

The Legislature sought to remedy this by laying a general principle:

That principle, in its declaration, exactly fitted the *ratio decidendi* in the cases that had produced the inconvenience. The principle that was declared in opposition to the reasons of those cases was, that the mortgagor should be deemed and regarded as the owner of the vessel. First, there is a negative declaration that the mortgagee shall not, by reason of his mortgage, be deemed to be the owner. Then there is an affirmative that the mortgagor shall not be deemed to have ceased to be the owner; he shall continue to be the owner. The mortgagor, therefore, continues the owner; but it was necessary, of course, or at least in the prudent, cautious way in which Acts of Parliament are framed it was deemed necessary by the framer of the clause, to add these words in declaring in what position the mortgagor shall stand, namely, that he shall be the owner, save so far as may be necessary for making the ship or share available as a security for the mortgage-debt. As long, therefore, as the dealings of the mortgagor with the ship are consistent with the sufficiency of the mortgagee's security, so long as those dealings do not materially prejudice and detract from or impair the sufficiency of the security of the vessel as comprised in the mortgage, so long is there parliamentary authority given to the mortgagor to act in all respects as owner of the vessel: and if he has authority to act as owner, he has of necessity authority to enter into all those contracts touching the disposition of the ship which may be necessary for enabling him to get the full value and the full benefit of his property. Whenever a mortgagee is in a position to show that the act of the mortgagor prejudices or injures his security, then, I apprehend, the parliamentary declaration that the mortgagor shall be deemed the owner ceases to have any binding effect as against the mortgagee, and the mortgagee is in a position to claim and exercise the full benefit of the rights given to him by his mortgage. But, subject to that qualification, every contract entered into by the mortgagor remaining in possession is a contract which derives validity from the declaration of his continuing to be the owner. At the same time, it is a contract into the benefit of which the mortgagee may at any time enter, by giving notice to the party who is to pay the mortgagor under that contract that he requires the payment to be made to him, the mortgagee. I think that would be a reasonable interpretation, which would make the law with regard to this description of property in a great measure analogous to the law as it exists with regard to mortgages of real estate. But, as I am told this point is somewhat a novel one, and at present is not touched by any decision, I should not like to give any absolute and final opinion upon that point without further examination.

And having taken time to consider it further, on the following day he said:

I have again considered this case in regard to the relative positions of the mortgagor and mortgagee, and I see no reason to alter my opinion. Under the statute, so long as the mortgagee of the ship does not take possession, the mortgagor, as the registered owner of the ship, retains all the rights and privileges of ownership, and all contracts made by him are valid so long as they do not impair the rights of the mortgagee. The order of the V.C. must be discharged.

THE Law of Domicil grows in importance as the facilities for locomotion make men more and more citizens of the world, and send them forth from the land of their birth to try their fortunes in other countries. Hence it is that questions of domicil are not now merely curious problems for the exercise of the ingenuity, but practical points, equally difficult and momentous. The recent reports contain two cases which we recommend the student to read. In *Jopp* v. *Wood*, 11 L. T. Rep. N. S. 406, the facts were that B., a domiciled Scotchman, went to India in 1805, first, as a clerk in a private bank, then he became an indigo planter, and ultimately a partner in the bank. He married an English lady in Calcutta, and had a child who died in India, an infant. He visited Scotland in 1819, and while there took great interest in repairing the family mansion, and talked of "dying abroad." He returned to India in 1820, had another child, who also died there; his wife then died, and he erected a monument to her memory in Calcutta, where he died also, and was buried in a grave he had purchased there.

Where was his domicil?

The question arose thus: Two sums of money belonged to the representatives of his two children who had died in their infancy, and that depended upon the domicil of the father at the times of their deaths; was it in India or in Scotland?

The MASTER of the ROLLS held it to be in Scotland. He reviewed the authorities. "Two things," he said, "are necessary to effectuate a change of domicil. First, there must be a change of it *de facto*; secondly, the change must be accompanied by the *animus manendi* in the place to which the party goes. In other words, a man must have left his domicil of origin, and have gone to another domicil: he must then have staid there, or done some act to show an intention of remaining there, and of abandoning his original domicil." He then referred to the cases that have determined that an Englishman going to India to live there in a professional capacity does change his domicil. But he distinguished these from the present one:

But I have not been able to find any case in which the doctrines there enunciated have been extended to persons going to India in any private service or capacity, and with an intention of returning at some uncertain and indefinite period. If they were to be so extended, it is obvious that any merchant or tradesman, or other person going to India or elsewhere to seek his fortune—to make money and to establish himself well in the world—for a time only, would by so doing acquire a domicil in the country which he might so visit; and he might acquire that domicil, notwithstanding the strongest expression on his part of an intention to return to his domicil of origin. Assuming those views to be correct, it would seem that to acquire a new domicil and abandon the old one, it is an essential ingredient that a person should manifest his intention, when moving, *exuere patriam*. It is a very strong thing indeed for the law to deduce a conclusion as to that intention from the mere nature of the duties to be performed by the party when abroad: but it would be stronger still, if any such conclusion were allowed to be so drawn, and to be incapable of being rebutted. In truth, I am of opinion that the point is really settled by the cases to which I have referred. That no such inference can be drawn from the mere fact of a man going abroad for the purposes of business is, I think, clear. If it could, the rule would be as applicable to a man going to Turkey or to France, to Constantinople or Bordeaux, as to India. The authorities, so far as I have examined them upon the question of an Indian or an Anglo-Indian domicil, seem to me to apply to the cases of the covenanted servants of the East India Company. I think that the present case is an exceptional one, and is not within the rules laid down by those authorities.

The case of *The Attorney-General* v. *The Countess Blucher de Wahlstall and another*, 11 L. T. Rep. N. S. 454, is also a revenue case, but also depending entirely upon the law of domicil. B., an Englishwoman, left England unmarried in 1849, and went to reside abroad with an unmarried sister at C. in Germany, and continued to reside with her there, contributing her share of the expenses until her death in 1863, never returning to England, except with her sister on visits to relations. On leaving England in 1849, she discharged her English maid and took a German servant, and caused her library, which was her only moveable property in England, to be sent to C., where she kept it at her sister's house. About two years before her death, an additional room was built solely for her accommodation, and in 1854 she named to her sister a churchyard near C. where she wished to be buried. When on a visit to England, in May 1854, she made a will here disposing of her property (which consisted exclusively of money in the English Funds and a balance at an English banker's), to English trustees for the benefit of her sister, describing herself in the will as "B., now on a visit to my sister D. at her residence, No. 1, Cumberland-terrace, Regent's-park, Middlesex, spinster," and which will was proved at the Probate Court here. In March 1854, she had executed a holograph will at C., bequeathing all her property to her sister, and naming the same English trustees. She often told her sister that if she survived she should continue to live in Germany, and that nothing would induce her to return to England, except on an occasional visit to one of her sisters. These facts were held, by the Court of Exchequer, not to be sufficient evidence of an intention to change her domicil, or that she had changed it in fact, and that, as she still retained her domicil of origin, legacy duty was payable. POLLOCK, C. B. said:

Probably, if the lady herself had been asked the question, she would have said, "I know nothing about domicil, or the law of domicil. I have no intention of becoming a German instead of an English lady. It is very true that as long as my sister lives I certainly mean to live with her; but I cannot exactly say whether, if I should survive her, and should have some surviving relatives in England, I may not possibly go back to my own country, but I shall go back with very great reluctance, for I prefer living in the same country with my sister." But that is a totally different thing from a change of domicil; and when Mr. Coleridge asked the question, "In what way is an English lady to change her domicil?" the answer is, that

this does not change her domicil. It is very difficult to say how a change in the domicil of an English lady, unmarried, who has property in England, and who has no occupation anywhere, can be effected. With respect to some of the matters which have been alluded to, such as her dismissing her English maid and taking into her service a German maid, and proposing to be buried in a particular churchyard, which can only mean, I think, if she was then or about that time to die—I cannot agree with Mr. Kay, that to an unprejudiced mind this would be considered satisfactory evidence of change of domicil, especially with reference to an English lady who retains all her property in this country. If she was likely to stay for some time in Germany, it is likely that she may have taken her books with her. She, however, left all her English property to English trustees, and, as the Attorney-General has very naturally observed, subject to the English law. Under these circumstances, I am distinctly of opinion that there is no sufficient evidence to justify the court in coming to the conclusion that she did, in point of fact, mean to change, or had in point of fact changed, her domicil. The judgment of the court, therefore, is for the Crown upon both the points raised by the Attorney-General.

A FAST and loose man baffles argument. Fortunately, the necessity for it is dispensed with through the weakness of the moral position resulting from such double-mindedness. If JOHN BRIGHT be taken in what may be called his fast mood, when he is tied and bound by the principles of political economy applied to land, he will tell you that land is only capital in a particular shape. Broad acres are but acres for the production of grain, grass, roots and timber, just as the mine is worked to yield coal and iron, or the spinning jenny to give yarn. To associate political power or local influence with ducal or baronial holdings is a perverse and unprofitable maintenance of the military feudalism of the middle ages. To have a demesne to enjoy, or a cover to draw or beat, is as wasteful of the wealth of the nation as to blow off steam from the mills of Rochdale for the sake of hearing the noise or seeing the vapour cloud. A deer park is to JOHN BRIGHT a sin, and a warren an abomination. This is the teaching which has been continually heard during the last twenty years, ever since the landowners were told that they ought to be in no better position by law than "other manufacturers," and legislation has thrown them on their own resources to compete with the producers of the fruits of the earth in all parts of the globe. They must work according to the rules of ADAM SMITH, and not whine according to the practice of their forefathers.

In all this there was reason, though it was pushed to an extreme. Drainage, steam ploughing, and the study of manuring, bear witness to the landowner's keen sense of the trade change which is going on in him. He began at last to think that agriculture might have a worse enemy than the Manchester School. The old corn-law quarrel was giving place to an amicable rivalry. AGRICOLA would ply his steam-engine on his hereditary estates; JOHN BRIGHT would quicken his spindles in his Lancashire mill. But anon this same JOHN, the fast political economist, is found "on the loose." We do not reiterate the accusation of JUPITER, that JOHN BRIGHT would fain parcel out Knowsley in democratic parallelograms; but what is his latest declaration of land economy, under his own hand? He writes to the LORD MAYOR of Dublin, for the edification of the tenant-right, Church disendowment, and education meeting at the Rotunda, "What you want in Ireland is, to break down the laws of primogeniture and entail, so that in course of time, by a gradual and just process, the Irish people may become the possessors of the soil of Ireland. A legal security for tenants' improvements will be of great value, but the true remedy for your great grievance is to base the laws which affect the land upon sound principles of political economy." The only meaning of breaking down the law of primogeniture, whatever may be said of the Irish people possessing the soil of Ireland, can be, that if one seised in fee of land dies intestate his land shall not go to his heir, but be divided among his children or next of kin. In truth, as contrasted with the law of cumpulsory division on succession in France, there is no law of primogeniture in this country, inasmuch as a man is not obliged to leave his land or let it go to his eldest son. But we need not argue the question of primogeniture. The point now is this. The same JOHN BRIGHT, whose doctrine is that land is mere capital, proposes in effect an indefinite division of land, as a sound principle of political economy. Then, is indefinite division of capital also a sound principle? Is it sound that ten thousand cottagers should work at as many handlooms, instead of the same persons working at a power loom? Is or is not aggregation of capital the means of wealth in a highly populous country? Let JOHN BRIGHT ask himself how it is that he was able to say at the Birmingham Exchange, "My opinion is, looking to the course of history, that manufacturers and merchants in the aggregate are gradually becoming much more important in the world than warriors and statesmen, and even than monarchs themselves."

If we turn to Ireland, in particular, the virtual subdivision of land which already exists there, in the shape of younger sons all living together with the eldest on the family property, instead of going out into professional and trading pursuits, is one of the chief causes of the poverty of that country. It is astonishing that, with the con-acre system, and the potato famine fresh in his memory, any one, even not calling himself a political economist, should seek to apply to Ireland the panacea of small holdings. But that a light in the Lancashire world, which was to show the owners of land all over the country their way to wealth as capitalists, should open out such a change of the law as would tend to reduce them to a multitude of small traders, is ludicrous. It is one more example of platform ambition overleaping itself, and falling ignominiously on the other side.

TREASURE TROVE.

THE bank of deposit in former times for gold and silver in coin, plate, or bullion, was mother earth or the wall of a feudal castle. The cashiers of the bank are now the ploughman and the "navvie," by whom treasure trove is turned up. Treasure trove is usually regarded as evidence of the insecurity of property at a time when political disputes were decided not in the lobby of Parliament but on the field, and the use of victory was plunder and confiscation of a rival's possessions, rather than the occupation of his official seat at Whitehall. But the hiding of rose nobles, or the burial of rings of gold, when there were no such things as deposit notes at joint-stock banks, is an illustration of the commercial, no less than of the political or social state of things in the age of fighting barons and abbots. Then none but a Shylock was suspected to be capable of taking a "breed of barren metal" from his friend, or, indeed, from a stranger. "Let me know now," NOMOMATHES, the law student in old FULBECKE's Parallel, asks to CANONOLOGUS, the canonist, and CODIGNOSTES, the civilian, "whether usurie, or lending for interest, be prohibited by your laws, yea or no?" The inquirer thinks that it is a point of brotherly love so to lend a competent sum unto a needy brother. But CANONOLOGUS answers, "Usurie may well be called the divel's charitie." CATO, he says, resembled it to murther. In the eye of the canon law it was "as if a man were troubled with a burning ague, and, greatly inflamed in his bodie, should in the extremitie of his heate aske a cuppe of single beere of one that standeth by, and he reacheth it unto him, this cooleth the heate for a time, and the sick man thanketh him for it, but when the disease doth revert uppon him, and his fittes grow worse than they were before, and he perceiveth that the drinke which he drunke hath too much inflamed him, then he begineth to complaine of the hurtful courtesie and pitie of the other man." Another conceit of CANONOLOGUS is, that a loan at interest is a bee with a flower in her mouth and a sting in her tail. THOMAS AQUINAS had thought that usance, though prohibited by religion, might be tolerated in a politic respect. But the canonist comes to the conclusion, that it is against the law of Nature, because money could not engender money, and against the law of God, by reason of divers texts cited by him. The answer of CODIGNOSTES to the student is, that in this the civil law followed the canon law, for that the Emperor commanded the four general counsels to be observed, in which usury was forbidden. Also ANGLONOMOPHYLAX, a barrister, party to the conversation, considers that the common law winked at usury, "as he that shooteth in a caleever at birdes, who winketh with one eye and woundeth with the other." For our law did not see when the usurer lent his money at interest, but when an information was exhibited against him then it saw the fact, and punished him by a forfeiture of the interest, although he took "but after the rate of 10*l.* in the hundred."

Such being the "encyclical" doctrines which prevailed in old time respecting the use of money, except for purposes of exchange, it is easy to understand at least one cause for the ancient hiding of the eleven pounds weight of articles in pure gold, for which the two men, SILAS THOMAS and STEPHEN WILLETT are, or until lately were, lying in Lewes gaol. It is true that the history of these articles is attempted to be carried back to the time of the Druids, so little being known of the Druids that the antiquary strives to increase his knowledge by ascribing to them everything found of which he happens to know nothing. There is no necessity to be very precise about the persons who concealed this treasure. If it be desirable to mount at all to half and more than half-forgotten times, one might ask how it came to pass that treasure trove should belong to the Crown at all? Judge BRACTON, who, it is well known, was the second in date of English law writers, and lived in the reign of HENRY III., and who, according to his own statement, set his mind to search out diligently the ancient judgments of the just, not without much pains and labour, says in his treatise *De Coronâ*, c. 3, par. 4, that since treasure trove is of no man's goods, and while anciently of natural right it belonged to the finder, now by the *jus gentium* it has come to belong to the King himself. The introduction of this *jus gentium* of kingly perquisite into our own country was made in the reign of some one of those dukes of Normandy who succeeded WILLIAM I., probably in the thirteenth century, for the common law definition, adopted by COKE, 3 Inst., of treasure trove is taken from the 18th chapter of the *Custumier de Normandie*: "Treasure trove is when any gold or silver, in coin, plate, or bullyon, hath been of ancient time hidden, whereasoever it be found, whereof no person can prove any property, it doth belong to the King, or to some lord or other by the King's grant or prescription."

Both the subjects of treasure trove and the circumstances under which the King acquires his title are worthy of remark. Jewels would, according to the definition, not belong to the King. No reason appears for this distinction between them and the precious metals, unless it be an analogy to the King's title to veins of gold and silver in the grounds of subjects, which belong to the King by his prerogative as royal mines. To give the King a title to gold and silver treasure two things must concur; it must be hidden, and it must be such that no person can prove any property in it. The ground of title is not that there is no owner, but that there is no proof who is owner. The case of abandonment, where, consequently, there is no owner, is different. According to BLACKSTONE, a man who scatters his treasure into the sea, or upon the public surface of the earth, is construed to have absolutely abandoned his property, and returned it into the common stock, and therefore it belongs, as in a state of nature, to the finder, unless the owner prove that there was no intention to renounce his ownership. Constructively treasure trove may be regarded as having no owner. Thus BRACTON defines it to be an ancient deposit of coin or bullion of which there exists no memory, so that by the time it is found it has no owner. Still the difference remains that the King succeeds to the old ownership by substitution for the lost owner, and does not acquire his title as he does to veins of gold and silver, or as, on the other hand, he did under the old common law to goods cast out to lighten a ship (or, as they are called, flotsam and jetsam), by reason of abandonment.

But although it is thus essential to the legal constitution of treasure trove that there have been a hiding, we should hesitate to assent to BLACKSTONE's negative position, that treasure abandoned on the surface of the earth does not belong to the King, but to the finder. Such abandonment must be so rare, that absence of judicial authority on the point is not surprising, and speculation on it is scarcely profitable. But it seems to be a principle of the common law that property which has no owner falls to the King. BRACTON puts the King's title not only to treasure trove, but also to wreck, including flotsam, jetsam, and ligan, as well as wreck proper, on the ground that these things are *nullius in bonis*. He classes with them great fish, as sturgeons and whales, and wild animals—that is, within the King's

territories—calling them all *res quæ dominum non habent*. "Concerning the sturgeon," he says, "it is observed that the King shall have the whole of the fish, because of his privilege; but concerning the whale, it is sufficient, according to the authority of some, if the King has the head, and the Queen the tail."

"At one time," remarked ERLE, C. J., of treasure trove, on the hearing of the recent case in the Queen's Bench, "this was a branch of the revenue to which importance was attached. Probably it may have been, after disturbed times, a source of considerable wealth." At that time, according to BRACTON, it was an act of serious presumption against the King and his dignity and Crown—a crime, indeed, of the character of theft—fraudulently to conceal treasure trove. The guilty person was anciently punishable with death; in later times the punishment has been fine and imprisonment. The two men, THOMAS and WILLETT, whom we have mentioned, having sold the treasure in question for 530*l.*, were, upon being found guilty at the Lewes Summer Assizes, condemned each to a fine of 265*l.*, and to be imprisoned until the fine was paid. The facts were, that a ploughman working in a field in Mountfield parish, in Sussex, came upon the gold, but laid it aside for brass. THOMAS and WILLETT, hearing of the find, went to look at the metal, and, with the ploughman's consent, took away a piece, which they ascertained to be pure gold. They came back and bought the whole at the price of brass. Having thus obtained possession of it, they took it to a refiner's in London, and sold it at its full value. After they returned they were so boastful of their bargain with the ploughman, that the matter reached the ears of the Government authorities, and the men were put on their trial. They were found guilty, but a question of law was reserved for the Court of Criminal Appeal on the sufficiency of the indictment and inquisition. The indictment was framed in accordance with the definition above quoted of treasure trove, and presented that THOMAS and WILLETT "did unlawfully, wilfully and knowingly conceal the finding." On the inquisition the jurors likewise found that the men "concealed" the finding. The doubt appears to have arisen from the words in Bracton, that the offence is *occultatio thesaurio inventi fraudulosa*. Ought not fraud to have been charged? The Court held, on the contrary, that the meaning of those words was an unlawful concealment; because the offence was, that if you knew that it was treasure trove, and did conceal it, you were guilty of an unlawful act. If a statute made an offence, and used a word by which the defendant was to be indicted under that statute, that word must be used? If a statute gave a short form of indictment, and said that the description of the offence might be as follows, then using that short form of indictment, the leaving out of the essential description which is given in that short form, lost the benefit of the statute which gave that form. Nothing of that sort applied in the present case: (*Reg.* v. *Thomas and Willett*, 9 L. T. Rep. N. S. 488, C. C. R.)

The prisoners having lain several months in gaol, and being unable to pay the fine, as they had spent the proceeds of the gold, memorialised the Government for release. It is asserted, and the character of the sentence justifies the assertion, that the legal advisers of the Crown had grounds for believing that the prisoners had not spent the 530*l.*, and the prayer of the memorial was therefore refused in the hope of recovering the sum. If so the matter would have an ugly look, as it would resemble a composition for theft. It has, however, since been ascertained that the money had really been spent, and an order of discharge has been granted by the Home-office. At the present day the policy of retaining treasure trove as a branch of the prerogative Crown revenue may be considered questionable. As regards the intrinsic value, the schoolboy aphorism that "finding's keeping" has practically received the assent of the Crown. In modern cases of treasure trove, where the antiquarian value is not of moment, the property has been given back to the finder. Thus, in the last parliamentary return of objects coming under that denomination, which have been claimed by the Treasury Solicitor between March 1863 and March 1864, we find mention of three cases, namely, 900 silver coins found at Amberford, Staffordshire, of the value of old silver only, returned to the finder; eight silver coins found at Malton, Yorkshire, of the like value, returned in like manner; eleven rose nobles, stated to have been found in the cloisters, Westminster Abbey, worth 9*l.* 18*s.*, now in the possession of the Lords of the Treasury. Might not, in this single respect, the papal law be imitated, and the Crown be content with a right of pre-emption? Since treasure trove has become insignificant as a source of revenue, or in respect of its money value, and the QUEEN's right to it is now virtually waived, except for the purposes of the museum or cabinet, it may be expedient to try whether a notice on the QUEEN's part that the full value will be given on application to a specified local officer, would not be the wisest means of rescuing from the hands of the avaricious, as well as of the ignorant, such historical illustrations in gold and silver as chance to be brought to the surface.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES.

CHAPTER VIII.

INVESTORS, THEIR POSITION AND THE ADVANTAGES THEY OBTAIN.

138. *An investor defined.*—An investor in a benefit building society is a person who becomes a shareholder in the first instance, or continues such throughout with the object of lending money at a high rate of interest; or, in other words, of obtaining a good investment for his savings.

139. *These societies enable persons to save money in a convenient manner.*—Building societies enable persons in the industrious and middle classes to save money by the payment of small periodical instalments in so convenient a manner, that the sums so paid are scarcely missed, and in the course of a brief period, by the gradual accumulation of these payments at compound interest, a considerable sum, in the lapse of time becomes realised for any purpose to which the investor may wish to apply the same. And the investor also has the great advantage of being able to withdraw his money at any time when it is likely to prove most useful, and he can then take new shares and begin to save again.

140. *They pay at least 5l. per cent. compound interest.*—These societies pay at least 5*l.* per cent. compound interest, commencing on small instalments and without the necessity for previous savings. The moment the first subscription is paid by a shareholder, he has the satisfaction of knowing that it begins to be productive. The monthly subscriptions on shares of 25*l.* are so small that they are quite within the means of mechanics, artisans, domestic servants and others in a similar class of life. The usual monthly subscription for a share of 25*l.* in permanent societies is 3*s.* 3*d.*, amounting yearly to the sum of 1*l.* 19*s.* These subscriptions continued for ten years certain, by which time they will amount to 19*l.* 10*s.*, will entitle the investing member to 25*l.*, consequently he will realise 5*l.* 10*s.* in addition to the subscriptions which he has from time to time paid. This sum amounts, in fact, to 5*l.* per cent. compound interest. If in the meantime the investor desires to withdraw his money from the society he can do so at any time on giving a short notice to such effect, and he will then receive interest up to that period in addition to the amount of his subscriptions.

141. *Persons in the better classes may also save money by means of these societies for various purposes.*—A benefit building society also affords to the members of the learned professions, to independent gentlemen of moderate fortune, the superior class of tradesmen and others in the middle class of life, the opportunity of gradually and with ease accumulating a fund to place out children in professions or trades, for marriage portions, for fines on leases, for the purchase of businesses or partnerships, and for many similar purposes. A provision for old age may also be secured payable at the end of any number of years, by a person joining a building society as an investor. This mode of investment, however, is more suitable for a person who wishes to obtain a capital sum for some specific purpose, than one who desires to secure an annual or other periodical income.

142. *Investors should ascertain that principles of society are correct.*—It behoves those persons who propose taking shares in a benefit building society not only to make strict inquiry into the respectability of the association and its officials, but to ascertain that the principles of the society are not erroneous, as unfortunately those of a very great proportion of existing societies are. Several hundreds, for instance, proceed upon the plan of 120*l.* shares and 10*s.* monthly payments for ten years; that is to say, an investor who pays 10*s.* per month or 6*l.* a-year, or equal to 60*l.* for the whole term, is entitled at the end of the ten years to 120*l.* To realise this profit to the society the borrower is required to pay for his advance only 7 per cent., being just about one-half of what would render such a result possible.

143. *Shares of deceased members should be considered as withdrawn.*—It is advisable that the rules should provide, that on the death of any member the shares of which he was the holder should be considered as withdrawn, and that his representatives should be entitled to receive the net subscription money paid on account thereof, in case the member should die before the term when members are entitled to withdraw, or if the member should die after that time, the net subscription money and the proper proportion of the profits. This would much simplify the proceedings of the society, and render less the risk of complicated litigation.

144. *Money should not be allowed to remain unproductive.*—The prosperity of a benefit building society depends in a great measure, if not entirely, on the money in hand being used immediately, or shortly after it is accumulated. There should be a constant movement of the funds, otherwise the liabilities of the society cannot possibly be met as they arise. Interest, in order to be paid to the investor, must, of course, have been first realised from the borrower. Therefore, strange as it may read, if the banker's account should happen to be too flourishing, it may be relied on as a faithful index that the prosperity of the society is in a languishing condition.

145. *The ballot rule.*—In order to remove the evil of an accumulation of money what is termed the ballot rule was framed, by which it is provided, that when there is a balance at the banker's beyond a certain amount which is not wanted for advances or other claims, the directors may require the investing members of the society to withdraw by ballot the value of as many shares as will be sufficient to exhaust such portion of the money in hand as they shall think proper. Those of the investing members on whom the ballot falls will receive the value of their shares, including compound interest at the rate on which the society has been formed. In fact, such investors are placed in the same position, and no worse, as if they, at that time, voluntarily withdrew from the society.

146. *Effect of such rule.*—The effect of the ballot rule is to keep the money as it accumulates constantly employed in the most advantageous manner for the benefit of the members of the society, and more especially for those who are borrowers. The ballot rule in effect operates as a safety valve by disposing of the surplus fund when necessary. Of course, however, the ballot rule would destroy any building society established in a neighbourhood where there is not a large demand for new buildings, inasmuch as there would not be a sufficient number of borrowers to keep a society in existence.

JUDICIAL STATISTICS.

NINTH ARTICLE.

SUMMARY CONVICTIONS.

THE cases of summary conviction have increased considerably. The average of the five years from 1857 to 1861 was 389,142; in 1863 they were 421,863, of whom 283,641, or somewhat more than one-half, were convicted. The offences are thus classified:

Drunkenness and drunk and disorderly	94,745
Under the vagrant laws	22,373
Under local Acts and borough bye-laws	22,883
Under the highway, turnpike, railways and carriage laws	20,333
Under the Police Acts	16,470
Under the Licensed Victuallers and Beer Acts	11,635
Under the laws relating to servants, apprentices and masters	8,604
Under the Weights and Measures Act	5,915
Under the Mutiny Acts	5,588
Under the Poor Law Acts	7,441
Nuisances and offences against health	4,264

And the following were the characters of the offenders as nearly as could be ascertained:

	M. & F.
Known thieves	21,011
Prostitutes	20,632
Vagrants, tramps and others, without visible means of subsistence	20,767
Suspicious characters	49,054
Habitual drunkards (not under the above heads)	28,530
Previous good character	158,472
Character unknown	153,207
	452,283

Hence it appears that 35 per cent. were of previous good character, 33 per cent. of whose antecedents nothing was known, and 31 per cent. of known bad character.

During the year the police proceeded against 21,611 known thieves and depredators; that is to to say, that 77 per cent. of this class known to be at large were taken into custody for some cause or other. In like manner they had taken some kind of proceeding against 71 per cent. of the known prostitutes, and 62 per cent. of the vagrants and tramps.

The foremost use of a police is the prevention of crime, the second, the suppression of criminals, the third, the apprehension and punishment of offenders.

The following interesting table shows how well they perform these duties:

	Known Thieves at large.	Crimes committed.	Persons apprehended.	Proportion per cent. of Persons apprehended.
1. The metropolis ...	2,441	14,036	5,767	41·0
2. The pleasure towns	748	790	384	48·6
3. The towns depending upon agricultural districts	242	490	349	80·4
4. The commercial ports	1,349	5,702	3,302	57·9
5. The seats of the cotton and linen manufacture ...	1,472	8,055	2,833	35·0
6. The seats of the woollen and worsted manufacture.....	492	1,171	923	78·8
7. The seats of the small and mixed textile fabrics	451	713	474	66·6
8. The seats of the hardware manufacture	1,148	1,384	1,028	74·2
9. Eastern counties	1,407	1,113	743	66·6
10. South and south-western counties	4,376	1,426	1,226	85·9
11. Midland counties	2,276	1,259	916	72·7

APPEALS FROM JUSTICES.

The number of appeals to quarter sessions from the decisions of justices on summary proceedings was 98, of which 47 were on bastardy orders. Of these latter the decisions were affirmed in 27 cases and quashed in 20 cases. In the remaining 51 cases, 24 convictions were affirmed and 27 quashed.

There were 23 appeals to the Superior Courts. In 16 the decisions of the justices were affirmed, and in 7 only were they reversed.

The number of convictions for disobeying orders in bastardy was 4230; there was therefore only 1 appeal in every 90 of these cases, and only 1 reversal in every 211 convictions.

The other summary convictions were in number 279,411. There was, therefore, 1 appeal in every 5478 convictions, and but 1 reversal in every 10,348 of the convictions.

"Justices' justice," as it is called in derision by the democratic journals, is not therefore such imperfect justice after all, seeing that only one decision in ten thousand is reversed by the Superior Courts, though in all the defeated party had the opportunity of appealing from the decision had he desired to do so.

CORONERS' INQUESTS.

The following inquests were held during the year:

Verdict	Males.	Females.	Total.
Murder	141	129	270
Manslaughter	183	60	203
Justifiable homicide	3	1	4
Suicide or self-murder	1,049	347	1,396
Accidental death.....	7,688	2,264	9,952
Injuries, causes unknown.....	144	66	210
Found dead	1,618	779	2,397
Natural death:—			
From excessive drinking	226	97	323
Diseases aggravated by neglect	62	50	112
Want, cold, exposure, &c.....	93	47	140
Other causes.....	4,604	3,157	7,761
Total	15,770	6,987	22,757

The total shows an increase of 10 per cent. above 1862.

Verdicts for murder have increased in the formidable proportion of no less than 22 per cent.!

The verdicts of suicide have increased by 7 per cent., and accidental deaths by the extraordinary amount of 53 per cent.

Twenty-eight per cent. of the inquests were upon infants of seven years of age and under.

The average cost of each inquest was *3l. 2s. 5d.*

PROPOSAL FOR AMENDING THE LAWS AFFECTING JURIES AND JURYMEN.

BY MR. SERJEANT PULLING.

(Read to the Law Amendment Society.)

TRIAL by jury is so essential a part of the English Constitution, that any proposition to secure its efficiency may bid fair to obtain attention, especially if it aim rather at the curing proved abuses than the introduction of any new principle.

Our system of trial by jury has grown up out of an institution essentially different. For its best features we are indebted little to positive legislation. Our statute law, indeed, upon this, as upon many other subjects, partakes very much of the character of patchwork, disclosing a multitude of mendings, made from time to time, one over the other, on the occasion of the hour, with the avowed object of curing defects. If some of these have tended to improve the original institution, there are others whose tendencies are in the opposite direction.

Trial by jury in this country in its origin consisted merely in twelve of the nearest neighbours of the litigants being impannelled, to compare their several testimony of what they themselves knew and believed of the matter in controversy; delivering thereupon a verdict, "aye or no," on the issue raised.

The foundation of this simple form of trial was, that in the *visne* or neighbourhood where any controversy arose, the truth could be at once ascertained, and ignorance of the facts of the case, on the part of those who were impannelled from the district to try it, was, from a very early period, regarded with great suspicion. If, indeed, the matter was of such a public character that *omnes de patria* were presumed to know it, the "ignoramus" of the jury subjected them to an "attaint:" (Bracton, 290; Forsyth, History of Trial by Jury, 185.) Whilst this state of things lasted, and each juror came rather in the character of a witness than a judge, the chief desideratum was that he should be the witness of truth, and his *veredictum* be founded on his honest belief.

That the jury should be chosen from those who dwelt nearest to the place where the question was moved (Co. Litt. a. b. note), was for ages treated as of the very essence of the institution of trial by jury. The *articuli super-chartas* (28 Edw. 1, c. 9) required the sheriff to put in inquests and juries "such as be next neighbours, most sufficient, and least suspicious;" and a statute of 1360 (34 Edw. 3, c. 4), reciting that jury pannels were often arrayed of people "procured" and "most far off," who had no knowledge of the deed whereof the inquest was taken, enforces the rule that such pannels shall be made *de plus procheins gens qui ne sont suspectes ne procurez*—a rule enforced by a number of subsequent statutes: (see 42 Edw. 3, c. 11.)

How gradually our modern system of trial by jury has grown up out of this very different institution, is told us in a series of statutes. To have the persons to serve on juries and "petty" assizes as well as those to serve on inquests, taken from the very hundred in which the controversy arose, was, while the practice lasted, deemed the privilege of the parties; but in the same way as the leet or district inquest came into disuse, and the inquest of the whole country, or grand jury, succeeded to so many of its powers, the practice of impannelling on trials and assizes only those taken from the immediate district or hundred was also gradually discontinued, so as first to be satisfied by return of six of the twelve with that qualification, then four, then two: (see Gilb. History C. P., c. 8; Fort de laudibus leg. Angl., c. 25; 35 Hen. 8, c. 6; and 27 Eliz. c. 6.) The dispensing with the necessity of having any of the jury from a particular hundred was only effected in 1705 (4 & 5 Anne, c. 16, s. 6), by a statute passed with the professed object merely of avoiding the "delay caused by the frequency of challenges to the array," &c. The law now directs the jury to be chosen from the "body of the county," and practically they are on each occasion summoned from every part of the county. In the larger counties this prevents the influence of local prejudices. In Wales, and in some of the smaller English counties, such prejudices in the jury-box are not so well guarded against. If the venue in these instances were extended, so as to embrace three or more counties, and courts, on the principle of the Central Criminal Court, established, we should hear less of perverse verdicts caused by local prejudices, and the change thus effected would produce advantages also of another character.

In the process of mending the ancient system of trial by jury, the qualification of jurymen has undergone a gradual change, with anything but a corresponding advantage to the public. The qualification for jurymen at common law was, that they should be *boni et legales*. What was the exact social position that would satisfy this requisition, we do not know; but it seems sufficiently clear, that by the "good men" called on to serve on juries was meant the most substantial inhabitants, and a property qualification was very early required. By a statute passed in 1285 (Westminster 2, 13 Edw. 1, st. 1, c. 38), relating to juries and petit assizes reciting that sheriffs and other officers were in the habit of summoning insufficient persons, "so that the assizes and juries pass many times by poor men, and the rich men abide at home, by reason of their bribes," it was enacted that none should pass on juries or assizes but such as should dispend 20*s.* by the year at the least—and if such assizes or juries were taken out of the shire, none should pass in them but such as could dispend 40*s.* by the year.

The qualification for the office of juryman was altered from time to time with the avowed object of making it accord with the alteration in the value of money. Thus in 1415 (2 Hen. 5, st. 2, c. 3), the qualification of a county juror was fixed at 40*s.* per annum, and in 1585 (27 Eliz. c. 6), at 4*l.* per annum, whilst the prescribed qualification for jurymen in cities or boroughs was the ownership of 40*l.* worth of property of any kind (23 Hen. 8, c. 13). As the value of money decreased, the jurymen's qualification was from time to time raised. A statute of 1665 (16 & 17 Car. c. 3) raised it to 20*l.*, but this was only a temporary statute, and suffered to expire, a circumstance tending, according to Mr. Justice Blackstone (3 Bl. Com. 362), to "the great debasement of juries."

This can hardly be disputed, for we have now, indeed, a standard of qualification for ordinary jurymen most materially lower than that formerly prescribed.

If the standard of qualification prescribed by any of the old statutes already referred to were now observed, a juryman's proper qualification would be landed property worth 150*l.* per annum or personal property of at least 1500*l.* in value. At this day, though occasionally there are to be found on the common jury-list the names of men of substance, it is clear that a very small proportion of those who now act as jurymen are assessed at even 100*l.* a-year. The qualification now prescribed by law for jurymen in ordinary cases is the possession of freehold land of the value of 10*l.* per annum, or leasehold of 20*l.* per annum, or the occupation of a house, &c., assessed at 20*l.* (6 Geo. 4, c. 50, s. 1). In Middlesex the assessment must be at 30*l.* (6 Geo. 4, c. 50, s. 42); but in Wales a qualification of two-thirds of the above suffices (6 Geo. 4, c. 50, s. 50); and in the City of London the qualification is the possession of property worth 100*l.* It certainly will not be difficult to show that the various qualifications thus prescribed at once include a very inferior class, and exclude those who by education and social position are peculiarly fitted to discharge the duties of jurymen. Thus, except in the City of London, all who are neither freeholders, leaseholders, or rated householders, are excluded. The jury-box is therefore closed to the numerous class of persons of acknowledged social position, who, not coming under either of the above denominations, have an income derived from funded or joint-stock property, or from the exercise of their own abilities in a hundred different honourable callings.

If persons from the latter class—say those qualified by the possession of an income of 100*l.* a-year—were included in the jurors' book, it would be a very great improvement on our present jury system. There appear from the various returns to be now only about 300,000 names on the jurors' books, and of these it can hardly be said that one-tenth are returned as having incomes of 100*l.* a-year, whilst the whole number of persons in England and Wales possessed of the latter qualification cannot be estimated at less than 800,000. I am indebted to Mr. Gribber, of the Inland Revenue-office, for a very valuable calculation as to the number of persons in England and Wales at this time possessed of 100*l.* a-year.

The number so assessed under schedule D. in respect of trades and professions, is officially returned at	202,441
And under the other schedules, assuming the assessments to bear the same proportion as under schedule D., and excluding those assumed to be included under that schedule, viz., schedule A. in respect of lands, &c. ...	343,360
Schedule B. in respect of dividends, &c.	91,099
Schedule E. in respect of offices, &c.	29,892
Total	666,792

Making every allowance for persons included in this estimate, who are now by law disqualified or exempt from serving on juries, or who are included in the 300,000 now in the jurors' books, the number thus qualified cannot be estimated at less than 700,000, so that with those now legally qualified as jurymen, they would form a body of 1,000,000 of persons, among whom to divide the labours and duties of jurymen, making the labour of serving fall very lightly on all who are included.

Whether or not any such improvement in the ordinary qualification of jurymen be made, the present regulations as to exemption from serving seem to require amendment. The existing regulations as to exemption tend greatly to deteriorate the order of jurymen, and to excuse, in a great degree, the most intelligent from serving at all. In the days when exemption from every kind of social obligation formed the subject of special privilege, the favoured grantees of the Crown easily rid themselves of the duty to serve on juries.

(To be continued.)

INVESTMENT JOURNAL.

THE week has presented no new features. There is increased confidence in the Money-market, and as yet no marked revival of the speculation that has operated so mischievously.

A company has been formed under the title of *The Nazeeray Tea Company of Assam*, to purchase thirteen valuable tea estates already in profitable cultivation, situated in the province of Assam, in British India. The property consists of 12,000 acres of freehold land, held direct from the Government, of which 3183 acres are planted with tea plants. The price to be paid for the property is 163,000*l.*, payable by annual instalments. The capital is 250,000*l.*, in 25,000 shares of 10*l.* each. The directory is composed of respectable gentlemen.

The *Standard* gives the following report of the year just closed:

"The course of fluctuation in English securities during the year has not been very extensive. The range in Consols has been about 4¼ per cent., and certainly there has not been the usual extent of activity in the department. The highest price was in May and June, when the weather was so very favourable and prospects generally were encouraging; the quotation then reached 91⅞. The lowest value was in September, the price then standing 87¼, public securities having experienced a shock through the suspension of the Leeds Banking Company, and the failures contemporaneously occurring. Through the pressure for financial assistance the value of Exchequer-bills varied considerably. In the middle of the year, June, the quotation was 5*s.* prem., and in September they drooped to 27*s.* dis. They have since again rallied, and may be considered par.

"The range in Foreign Stocks has not been so great as it was last year. Still there has been sufficient oscillation to show that speculation has been encouraged to some extent. The value of the stock of the Confederate Cotton Loan is an instance of special variation. In January last the price stood as low as 36, and after repeated changes advanced about July to 50 or 55; but by September it rapidly went to about 85, which was the highest point. Subsequently it receded, and may now be placed about 55. Turkish Six per Cents. of 1854 were in March at 91, and in October and December they stood at 87½. Spanish Passives have been subjected to much fluctuation through representations which have never been fulfilled of the settlement of that portion of the debt. In March last, when it was imagined that honest intentions would guide the Madrid Cabinet, the price touched was 37½. During June and July there was a sharp reaction to 28, but a recovery to 32½ has again taken place. Mexican Three per Cents. have been as high as 30 and as low as 25½, the former quotation being current in July and November, and the latter in October. Peruvian Four-and-a-Half per Cents. have varied from 89 to 76, the market having been heavy throughout the year. Greek, in January, were 26½; in October they drooped as low as 21½, but they may now rank 23½. Egyptian have alternated little more than 3 per cent.; Italian about the same; and Russian and Brazilian about 7 per cent., the one through a fresh loan, the other owing to the temporary panic at Rio de Janeiro.

"The annexed short table of the variations in railway shares indicates the improvement lately in this class of property. The advance in the principal descriptions is attributed to the better management of the various lines, the disposition of the directors to exercise economy, and the satisfactory development of traffic:"

Caledonian	Nov.	138¾	117¼	June
Great Eastern	July	51¼	42	Sept.
Great Northern	July	140½	126	Jan.
Great Western	Dec.	80½	62	March
Lancashire and Yorkshire ..	Aug.	121	108¾	March
Brighton	Jan.	109½	100	April
North-Western	Dec.	122	105½	Jan.
South-Western	Feb.	103¼	91	Sept.
Midland	Dec.	141½	126	Oct.
South-Eastern	Jan.	96¼	80¾	Sept.
Grand Trunk of Canada ..	Nov.	22½	18	Sept.
Great Western of Canada ..	Jan.	10½	8	Dec.
East Indian	Jan.	108½	99½	Sept.
Great Indian Peninsula ..	Jan.	109	100	Oct.

The following were the fluctuations of the month:

	Amnt. per Share.	Amount paid.	Price on Nov. 1.	Highest price during Month.	Lowest price during Month.	Present Price.
Consols ...	...	...	88⅞ to ⅞	89⅞	88⅞	89⅞
Exch. Bills	...	...	6*s.* dis.	5*s.* pm.	6*s.* dis.	par to 5*s.* pm
Railways						
"June"		£				
Brighton ... Stock.	100	105¼	106¼	104½	106	
Caledonian Stock	100	132¾	133¾	130	132½	
Gt. Eastern Stock	100	47¾	48¾	47½	48	
Gt. North. Stock.	100	133	136	132¾	133½	
Gt. Western Stock.	100	78¾	80¾	77¼	79¾	
L. & N. W. Stock.	100	117¼	122¼	117¼	122¼	
Midland ... Stock.	100	136½	141¼	136	140½	
N. E. York Stock.	100	115	117½	114¼	116¾	
Sheffield ... Stock.	100	66¼	66¾	63	64	
South-East. Stock	100	85¼	86½	84¼	85¼	
South-West. Stock.	100	97¼	99¼	97	97½	
Foreign						
E. S.-East. Stock.	100	114¾	115¼	114	115	
G. I. P. M. Stock.	100	104¾	105¼	103	105¼	
Bengal						
East Indian Stock.	100	104¼	104¾	103¾	104¼	
Gr. Trunk	£20	All	20¼	20½	20	20½

The tendency in Consols has been decidedly more favourable, and a fair advance has been established in prices. Exchequer-bills have rallied, in consequence of the easier state of the Money-market, but still they do not float freely at the price. Railway shares have latterly gradually improved; there have been good purchases, though prices have in special instances sustained a satisfactory improvement. Sales have latterly been made to realise profits.

And the following of the week:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	240	...	239½	239	...	238
3 ⅌ Cent. Red. Ann.	88¾	88¾	88¾	88¾	88⅞	89
3 ⅌ Cent. Cons. Ann. ...	89⅛	89⅛	89⅛	89⅛	89⅛	89⅛
New 2½ per Cent. Ann....	...	...	...	...	...	...
Do. do. Jan. 1894	...	71½	...	...	...	...
New 3 ⅌ Cent. Ann.	88¾	88¾	88⅞	88⅞	89	89
New 3½ ⅌ Cent. Ann. ...	...	...	...	...	...	...
5 ⅌ Cent. Annuities	...	...	...	...	...	...
5 ⅌ Cents. Jan. 1873 ...	103½	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	14⅞	14⅞
Do. exp. Jan. 5, 1880 ...	...	...	...	$14\frac{7}{16}$	...	$14\frac{9}{16}$
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89½	89½	89⅜	89⅜	89½	89⅜
Consols 3 ⅌ Cent. for Ac.	...	...	...	...	...	...
India 5 ⅌ Cent. for Acc.	215*a*	...	214	...	...	...
India Stock	...	...	...	...	...	
India Stock, 1874	...	...	*d*	*f*	...	...
India 5 ⅌ Cents.	...	...	...	...	...	...
India 4 ⅌ Cents. 1888...	...	...	98½	...	...	...
India 5 ⅌ Cents. 1870...	103	103	103	102¾	102¾	...
India Bonds (1000*l.*)......	10*s.b*	...	10*s.b*	10*s.b*	12*s.b*	...
Do. (under 1000*l.*)......	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 ⅌ Cent.	...	...	...	...	...	...
Do. do. 5 ⅌ c. Jan. 1872	...	102	...	...	...	...
Do. do. 5½ ⅌ c. May 1879	...	110	...	...	...	...
Ex. Bills, 1000*l.*	...	...	*c*	*e*	*g*	*h*
Do. 500*l.*	...	...	*c*	...	*g*	*i*
Do. 100*l.* & 200*l.* 3 ⅌ c.	...	...	...	...	*g*	...
Do. Small, & 3 ⅌ c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.........	...	...	...	...	...	...

a Div.
b Premium.
c March 4 per cent. par.
d Shut.
e March 4 per cent. 4*s.* prem.
f For account, 215.
g March 4 per cent. 5*s.* 1*s.* prem.
h 6 Per cent. prem.
i Par 1 prem.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

EQUITY PRACTICE.—On motion on behalf of infant children, a receiver and manager of an intestate's estate was appointed, the administratrix being dead, and there being no existing administrators of the estate: (*Steer* v. *Steer*, 11 L. T. Rep. N. S. 502. Kindersley, V. C.)

A decree was made, and subsequently affirmed on appeal. The defendant had afterwards become lunatic, and a committee appointed. The Court made an order to enrol the decree, although six months had elapsed, to be served on his solicitor on the record: (*Smith* v. *Whitmore*, 11 L. T. Rep. N. S. 507. Wood, V. C.)

INTERROGATORIES.—Where these are loosely and carelessly drawn, the judge in chambers will not settle them, but refer them back to be corrected: (*Phillips* v. *Emens*, 11 L. T. Rep. N. S. 512. Ex.)

PROBATE COURT PRACTICE.—Under 21 & 22 Vict. c. 56, it is not necessary that the memorandum of English domicil should be in or on the probate at the time it is issued; and where, in *bonâ fide* mistake, it was taken for property in England only, and afterwards there were found to be also certain railway shares in Scotland, the Court allowed a supplemental affidavit, and ordered the memorandum of English domicil to be written on the probate: (*Re Allison*, 11 L. T. Rep. N. S. 514).

DIVORCE COURT PRACTICE.—When the petitioner at the trial opened evidence which was admissible on the record, but took the other parties by surprise, the Court adjourned the trial: (*Bancroft* v. *Bancroft*, 11 L. T. Rep. N. S. 515.)

In an issue of adultery, where the jury have also to assess damages against a co-respondent who has not appeared, no evidence not admissible against the respondent can be given to affect the co-respondent, but evidence is admissible in aggravation of damages: (*Stone* v. *Stone*, 11 L. T. Rep. N. S. 515.)

HEIRS AT LAW AND NEXT OF KIN.

DEWSNAP (Thomas), Grove-hall, Stockwell, Surrey, Esq. Next of kin to come in by March 1, 1865, at M. R. Singleton and Tattershall, 42, Great James-street, Bedford-row, London, for F. Hoole, Sheffield.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BEAVER (Hugh), formerly of Manchester, and late of Talbot-house, Glossop, Derby, cottonspinner, Feb. 10, V. C. S. J. E. and A. Fox, 40, Finsbury-circus, for Earle, Son, Hopps Orford and Earle, Manchester.

BLAMIRE (George), 1, Adam-street, Adelphi, Middlesex, and Harraby, Carlisle, Cumberland, barrister-at-law, Feb. 6, V. C. S. James and Curtis, 23, Ely-place, London.

BOOTH (John), Silsden, Kildwick, Yorks, yeoman, Jan. 18, V. C. S. Bell, Brodrick and Bell, Bow-churchyard, London, for Weatherhead and Burr, Keighley, Yorks.

CASEMENT (Hugh), Melbourne, merchant, Jan. 12, V. C. S. Lawrance, Plews and Boyer, 14, Old Jewry-chambers.

COLEBY (Thomas Taylor), 5, Richmond-villas, Bayswater, Middlesex, gentleman, Jan. 16, V. C. S. J. and W. Butler, 91, Tooley-street, London.

DYSON (Eli), Hoylehouse, Clough, Linthwaite, Almondbury, Yorks, manufacturer, Jan. 21, V. C. W. Bell, Brodrick and Bell, Bow-churchyard, London, for Rawson, Best and Braithwaite, Leeds, Yorks.

EVANS (Rachel), formerly Rachel Morgan, 4, Bunhill-row, St. Luke, Middlesex, cowkeeper and dairywoman, Jan. 16, V. C. K. Crossley and Burn, 23, Birchin-lane, London.

GLOVER (George), South Repps, Norfolk, Archdeacon of Sudbury, Jan. 16, M. R. Freshfield and Newman, 5, Bank-buildings, London.

LOPES (Sir John), 61, Eaton-place, Middlesex, and Cadwell-house, Torquay, Devon, Bart., Feb. 1, V. C. S. Walter and Moojen, 8, Southampton-street, Bloomsbury, London.

MESSINGER (William), Froyle, Southampton, maltster, Jan. 23, M. R. Johnson and Weatheralls, Temple, London.

MORGAN (Lewis), 4, Lamb's-buildings, Bunhill-row, St. Luke, Middlesex, cowkeeper and dairyman, Jan. 16, V. C. K. Crossley and Burn, 23, Birchin-lane, London.

ROSS (Rickman), 82, Palmeira-square, Hove, Sussex, and of 67, Great Guildford-street, Southwark, Surrey, Esq., Jan. 23, V. C. K. Fladgate, Clark and Finch, 40, Craven-st. Strand.

SPENCE (William), formerly of Kingston-upon-Hull, and late of Lower Seymour-street, Portman square, London, Esq., Jan. 23, V. C. S. G. A. Gadsden, 28, Bedford-row, London.

STOPHER (William), 36, Coleman-street, London, gentleman, Feb. 1, V. C. S. T. Lee, 28, Moorgate-street, London.

WESSON (Thomas), 10, Blenheim-crescent, Sussex-road, Notting-hill, Middlesex, builder, Jan. 20, M. R. F. Scarth, 22, Manchester-street, Manchester-square, London.

WINSTANLEY (John), Bolton, Lancashire, innkeeper, Jan. 25, M. R. Johnson and Weatheralls, Temple, London.

WOOD (James F. L.), 13, Red Lion-square, Holborn, London, a captain in R. N., Jan. 30, V. C. S. F. Stevens, 6, Queen-street, Cheapside, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ABLETT (John Leo), 234, Regent-street, Middlesex, hosier and glover, Feb. 28. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

ALLEN (Rev. William), Narborough, Norfolk, clerk, Feb. 1. H. Hansell, Upper Close, Norwich.

BARTLETT (Thomas), Union-road, Clapham, Surrey, civil engineer, Feb. 1. Hixon and Son, 88, Cannon-street, London.

BOURNE (Susan, or Susanna), Adelaide-lodge, Ombersley, Worcester, spinster, Feb. 2. J. Holyoake, Droitwich.

BROWN (John), 15, Lea Mouth-place, Poplar, Middlesex, mariner, Jan. 31. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

CATOR (Bertie Cornelius), Sussex-square, Hyde-park, an admiral in R. N., Feb. 10. Hallett, Ommanney and Co., 14, Great George-street, Westminster.

DENNY (Rev. Robert Day), 4, Lansdowne-crescent, Cheltenham, Gloucester, clerk, Jan. 13. C. Wilkin, 10, Tokenhouse-yard, London.

FIMISTER (John), formerly of Grange-road, Bermondsey, late of Hastings, gentleman, Feb. 1. J. and W. Butler, 191, Tooley-street, London.

FROUD (Philip), 1, Martha-cottages, Windmill-lane, Lower-road, Deptford, gentleman, Feb. 1. J. and W. Butler, 191, Tooley-street, London.

GOODALE (Henry), Mortlake, Surrey, builder, Feb. 1. Kempson and Trollope, 31, Abingdon-street, Westminster.

HANKEY (Emma), Gloucester-street, Portman-square, Middlesex, spinster, Feb. 1. Sewell, Sewell and Edwards, Gresham-house, Old Broad-street, London.

HENNELL (Edward), Southwark-bridge-road and Croydon, both in the county of Surrey, paperstainer, Feb. 1. J. & W. Butler, 191, Tooley-street, London.

HILLS (Harriotte), Bell-street, Henley-on-Thames, Oxford, spinster, March 1. Smith and Son, 6, Barnard's-inn, Holborn, London.

HOLLICK (Ann Blunkett), Whittleford, Cambridge, spinster, Feb. 1. Thurnall and Nash, Royston, Herts.

HUTCHINSON (Ann Sarah), 12, St. George's-terrace, Herne Bay, Kent, Feb. 1. Marson, Dadley and Cronin, 1, Anchor-terrace, Bridge-street, Southwark, Surrey.

LOWMAN (Hugh Perkins), Axe, Broadwinsor, Dorset, gentleman, Feb. 1. J. M. Templeman, Crewkerne.

MACDONALD (Right Hon. Lord), of Macdonald and the Isles, Scotland, March 1. Gibson, Craig and Co., W. S., 5, Thistle-street, Edinburgh.

MATHEWS (William Joseph), Bath, a major in the East Indian army, March 25. H. H. Burne, 15, Vineyard, Bath.

MIDDLETON (Joel), Manchester and Cheadle Hulme, Chester, corn merchant, Feb. 25. Claye and Son, 47, Princess-street, Manchester.

OVERTON (Henry), Croydon, Surrey, brewer, maltster and coal merchant, Feb. 10. W. Weall, 3, Bell-yard, Doctors'-commons, London.

PARKER (Robert Matthias), Ewell, Surrey, gentleman, Jan. 31. E. Fuller, 32, Hatton-garden, London.

PENNY (Henry), 11, Old Bailey, London, and of Carisbrooke-cottage, Highbury-grove, Islington, Middlesex, stationer and pocket-book manufacturer, Feb. 28. Mardon and Walker, 99, Newgate-street, London.

PRATTENTON (William), Clareland, Hartlebury, Worcester, Esq., March 20. Pidcock and Son, 40, Foregate-street, Worcester.

RAMMELL (Thomas), Sturry-court, Canterbury, Kent, gentleman, Jan. 31. Lake, Kendall and Lake, 10, New-square, Lincoln's-inn, London.

READ (Ellen Fanny), formerly of 177, Southwark-bridge-road, Surrey, and late of Surrey County Lunatic Asylum, near Tooting, widow, March 1. A. Burn, 14, Great Carter-lane, Doctors'-commons, London.

RYAN (Daniel), Old Anti-Gallican, Tooley-street, Southwark, Surrey, licensed victualler, Feb. 1. J. and W. Butler, 191, Tooley-street, London.

SEVERNE (Hester), formerly of Newent, Gloucester, and late of 21, St. George's-square, Claines, Worcester, widow, March 20. Pidcock and Son, 40, Foregate-street, Worcester.

STAINSTREET (Thomas Dawson), 14, Mornington-road, Bow, Middlesex, M.D., Jan. 31. Dean and Eley, 27, New Broad-street, London.

STEELE (Sarah), Norwich, spinster, Feb. 1. Sharpe and Parker, 41, Bedford-row, London, for P. E. Hansell, Upper Close, Norwich.

SMITH (Frederick Harris), 5, Savage-gardens, City of London, Munro-villa, Clephane-road, Islington, Middlesex, wine merchant, Feb. 23. Walters and Gush, 36, Basinghall-street, London.

SYKES (Sir Tatton), Sledmere, Yorks, Bart., May 1. Bell, Steward and Lloyd, 49, Lincoln's-inn-fields, London.

TASKER (William), Dartford, Kent, and 6, Carlton-hill east, St. John's-wood, Middlesex, brewer, Feb. 10. Talbot and Tasker, 47, Bedford-row, London.

TOWNSEND (Thomas), Hillmorton-hall, Hillmorton, Warwick, Esq., Jan. 31. E. Harris, Rugby.

VAUX (Ernest), Southall, Middlesex, gentleman, Feb. 1. J. A. Bertram, Library-chambers, Temple, London.
WILLIAMS (Henry), Palatine-cottage, Stoke Newington, Middlesex, cutler, Jan. 30. B. F. French, 51, Crutched-friars, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]
NEWTON (William), Gloucester, gentleman, and JOYCE NEWTON, his wife. Dividends on 54*l.* 18*s.* 9*d.* Reduced Three per Cent Annuities. Claimant, William Newton.
SARD (Elizabeth Ellis), Conduit-street, Bond-street, London, spinster. Dividends on 100*l.* New Three per Cent. Annuities. Claimant, Elizabeth Ellis Sard.
VERRINDER (Joyce), Gloucester, spinster, since the wife of William Newton, of the same place, gentleman. Dividends on 50*l.* Reduced Three per Cent. Annuities. Claimant, William Newton.

THE FORTHCOMING HILARY TERM.—On Wednesday the list of arrears in the common law courts for the ensuing term, commencing on Wednesday next, the 11th inst., were published. The business is in a satisfactory condition in the common law courts, and in the Court of Chancery the arrears are inconsiderable. In the Queen's Bench there is 1 new trial for judgment and 18 for argument; in the special paper 3 rules for judgment and 35 for argument, whilst of enlarged rules there are 17. In the Common Pleas there are five enlarged rules; 12 rules in the new trial paper, 7 in the remanet list, 3 matters for decision, 2 postponed motions, 19 demurrers entered for hearing, and 4 registration appeals to be heard. In the matters for the decision of the court there are two appeals from the decision of the barristers in the late revision of the lists of voters. In the Court of Exchequer there are 3 errors and appeals to the Exchequer Chamber, 6 rules in the peremptory paper, 3 in the special paper for judgment, and 2 for argument; whilst of new trials there are 2 for judgment and 5 for argument. Besides the list of arrears there are 134 new applications for admission as attorneys, and some 70 applications for re-admission and renewed applications.

THE BENCH AND THE BAR.

BANKRUPTCY COURT.

(Before Mr. Registrar HAZLITT.)

Re GEORGE EDWARD COTTERELL, a Barrister.

F. D. M. Dawson, 3 Essex-court, Temple, was appointed assignee.

The failure in this case was attributable to unfortunate speculations in public companies, but it is believed that all debts will be honourably acquitted.

CORONER FOR GLAMORGANSHIRE.—The election of coroner for the western district of Glamorganshire, rendered vacant by the death of the late Mr. Alexander Cuthbertson, took place at the Town Hall, Neath, on Wednesday, the 28th ult., Mr. Morris, the Under-sheriff, presided, and the only candidate was Mr. Howell Cuthbertson, solicitor, son of the deceased coroner who was elected without opposition.

THE VACANCY ON THE SCOTCH BENCH.—The chief news of the month, and very remarkable news it is, must take the public much by surprise—namely, that no successor has yet been appointed to Lord Mackenzie, whose retirement from the bench was noticed in our last. It is well for litigants that, owing to his lordship's illness, his roll was small; but the inconvenience to those whose cases are in dependence is excessive, and the court has no power to remedy the evil. While his lordship was absent on leave, another Lord Ordinary could be appointed to call his roll, or causes might be transferred from it to the roll of another judge; but with his lordship's retirement both modes of relief to litigants are excluded; and even where judgments on the merits have been pronounced, and nothing remains but to get the auditor's report approved of, and decerniture with a view to extract, procedure is stopped, and the party has it in his power to deal with his property as if there were no judgment against him. It is not creditable to the law advisers of the Crown to occasion so much inconvenience by not filling up the vacancy; and the delay has given rise to an infinity of conjecture as to the causes which have led to it, and the person in whom it is to cease. The want of one ordinary for so long a time will, of course, help to overcrowd the rolls of the other judges, now that the tide of litigation has fairly set in again after having been so low for some time back as to cause serious apprehension to the profession.—*Journal of Jurisprudence.*

AGES OF THE NOBILITY, &c.—It appears from *Who's Who* in 1865 that the oldest duke is the Duke of Northumberland, aged 72; the youngest the Duke of Norfolk, aged 17; the oldest marquis, the Marquis of Westmeath, aged 79; the youngest the Marquis of Ely, aged 15; the oldest earl the Earl of Beverley, aged 86; the youngest, the Earl of Charleville, aged 12; the oldest viscount, Viscount Combermere, aged 91; the youngest, Viscount Downe, aged 20; the oldest baron is Lord Brougham, aged 86; the youngest, Lord Rodney, aged 7; the oldest member of the Privy Council is Viscount Combermere, aged 91; the youngest, the Prince of Wales, aged 23; the oldest member of the House of Commons is General the Hon. Sir Hugh Arbuthnot, member for Kincardineshire, aged 85; the youngest, the Hon. C. R. D. H. Tracy, member for Montgomeryshire, aged 24; the oldest judge in England is the Right Hon. Stephen Lushington, aged 82; the youngest, Sir James P. Wilde, aged 48; the oldest judge in Ireland is Chief Justice Lefroy, aged 88; the youngest, Justice Keogh, aged 47; the oldest Scotch Lord of Session is the Right Hon. Duncan M'Neill, Lord Justice General, aged 71; the youngest, the Right Hon. John Inglis, Lord Justice Clerk, aged 54; the oldest archbishop is the Archbishop of Canterbury, aged 70; the youngest, the Archbishop of York, aged 45; the oldest bishop is the Bishop of Exeter, aged 87; the youngest, the Bishop of Gloucester and Bristol, aged 45; the oldest Colonial bishop is the Bishop of Toronto, aged 85; the youngest the Bishop of Nassau, aged 38; the oldest baronet is Sir Thomas Staples, aged 89; the youngest, Sir George R. Sitwell, aged 4; the oldest civil or military knight is General Sir A. R. Clifton, aged 92; the youngest, Sir Charles T. Bright, aged 32.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

SUNDAY—WHO IS A TRAVELLER?—SALE OF REFRESHMENTS DURING PROHIBITED HOURS.—The question of who is a traveller? is one which, whilst any mere schoolboy would answer it without hesitation, has often caused the sages of the law some difficulty in solving. To an ordinary mind such a question would appear to be as simple as unimportant, and that in no possible condition of things could it be of the slightest consequence whether or not any one of Her Majesty's subjects has acquired that designation. Travelling we all know is not a practice introduced in modern times. Our forefathers travelled as we travel, though not in the same kind of conveyances, and as the human frame has equally required nourishment for its support, whether that frame were snugly ensconced in the quiet chimney corner or were roaming abroad upon behests of business, necessity, or pleasure, so our common law, in consideration of our common wants, has established the rights of travellers to demand (upon sufficient payment) at the hands of those who hold themselves out as victuallers of the public, a needful supply of food and shelter. Nor has this right in any way been limited by those Sabbatical restrictions which are intended to restrain men from following worldly callings and pursuits on the Lord's-day. The supply of food and shelter to the traveller has always been an exception in those legislative provisions which have prohibited Sunday trading. The affairs of life will proceed, sickness will assail us, time with all its attendant vicissitudes will pass on, whether upon the Sunday or any other day, and hence the multitudinous occasions which are ever arising to render travelling on the Sunday both a matter of duty and necessity.

Travelling on the Sunday, therefore, being recognised as a necessity, and the duty of providing for the sustenance and shelter of travellers being enforced, the only question that arises with reference to the subject is the one with which we have commenced this article—who is a traveller? The privilege of being supplied during the hours prohibited to the general public being confined to the traveller, and it not being every man who chooses to designate himself as such who is one, questions have naturally arisen whether, in any certain state of facts, the *status* of a traveller has really existed? For the last four or five years this question has been floating about the courts in Westminster-hall in a very uncomfortable state, rest and quiet being denied to it with a perseverance indicative of strong determination and unabated vigour. The first of modern cases upon the subject is that of *Atkinson* v. *Sellers*, 28 L. J. 12, M. C., in which it was decided by the Court of Common Pleas that "what is a traveller?" is a question of fact, but that a person is not less a traveller because he travels *for pleasure*. In that case a party of persons left on a Sunday afternoon the town of Liverpool in a vehicle for pleasure, and after driving a round of eight to ten miles, arrived at the inn of a licensed victualler at Garston, which is situate about five miles from Liverpool, where they were served with beer and refreshments between the hours of three and five (the prohibited hours). None of the party lived at Garston; and upon those facts it was held that the justices ought not to have convicted the victualler under the 18 & 19 Vict. c. 118, s. 2, for that the persons whom he had served were travellers within the meaning of the exemption in that section.

Here, then, it was established that a party did not lose his *status* of a traveller merely because he was travelling for pleasure. Between two and three years afterwards the same question again arose in the case of *Taylor* v. *Humphreys*, 30 L. J. 242, M. C.; 4 L. T. Rep. N. S. 514. In this case, three persons having walked on a Sunday a distance of four miles from the town of Birmingham for amusement or exercise, called at an inn into which they were admitted, and were served with liquor between the hours of three and five in the afternoon. They afterwards returned to Birmingham, two of them by an omnibus and the third on foot. Upon these facts the Court of Common Pleas held that the party were travellers, and that the innkeeper ought not to have been convicted for opening his house to them for the sale of liquor. In giving judgment, Erle, C.J. said: "If a man goes to an inn when he is on a journey, whether that journey be for business or pleasure, he is a traveller within the meaning of the statute . . . that though an innkeeper is not exempt when he opens his house to a person who has gone there for the purpose of tippling, yet that he is exempt when the person whom he has admitted has walked out some distance and for no other purpose, and has then called at the house and taken refreshment there."

In the very recent case of *Taylor* v. *Humphreys*, 11 L. T. Rep. N. S. 376 (from the similarity of names and place probably the same parties as in one of the before-cited cases) a still wider interpretation of the law upon the subject was adopted; for there it was not only held that a person was a "traveller" who went out from home from any motive of business or pleasure, except the desire of excessive drinking, and by reason thereof required refreshment, but that it was for the justices to say (placing reliance upon their local knowledge) whether the innkeeper believed with reason that his guests were travellers taking refreshment as such, or were making a pretence to that character for the purpose of profaning Sunday and passing it in drinking.

Here then, whilst the proposition scontained in the former cases, that a party is a traveller, whether journeying upon business or pleasure, is affirmed, it is further established that if, under all the circumstances, the innkeeper reasonably believed that his guests were travellers, taking refreshment as such, he incurs no penalty, though in fact they may not be such; and this would seem to be most reasonable, since the innkeeper can only form his judgment from the attending circumstances, and as he is necessarily dependent for his knowledge upon the information of his guests that they are travellers, it would be most unjust to punish him for being ignorant of a fact the truth of which he had no means of ascertaining. The judgment of Erle, C. J. in this case, from its broad philanthropy, expansive liberality and sound reasoning, is well worthy perusal, independently of its being the considered decision of the full Court of Common Pleas.

The next and last case to which we have to draw attention has reference to a description of travellers different from those who figured in the former cases; we mean travellers by railway. Railway trains, unlike our old but neglected friend the stage coach, do not pull up at half-a-dozen alehouses in as many miles, whereat thirsty and exhausted passengers can refresh themselves. Our new acquaintance in this respect is both unaccommodating and hasty, and if a traveller would desire to refresh his inner man he must either wait till perhaps he has journeyed some fifty miles, or do so before he commences his actual journey. All who have had occasion to commit themselves to the tender mercies of a railway train know full well that a meal upon the journey at a refreshment-room means two or three hasty mouthfuls of burning hot soup, or a few bites at some stale comestible, accompanied by a gulp or two of some frothy compound, performed in a space of time sufficiently limited to ensure the greatest possible discomfort, if not a fit of indigestion, to say nothing of the annoyance of being charged about four times the proper value of the articles consumed; all perhaps unavoidable and incident to taking refreshment upon a part-performed journey. Hence, prudent and sensible travellers, who know the hygienic importance of feeding at leisure, are accustomed to eschew these hasty midway meals, and to fortify themselves by a prudent resort to the terminal refreshment-room ere they commence their journey. Now, at the Victoria-station, Pimlico, there is such an establishment, much and deservedly patronised by intended journeyers; and it would seem that, as trains lawfully start from that station on Sundays as on other days, and also as men get hungry and thirsty on Sunday as on other days, this refreshment-room has been accustomed to open its portals to all about to journey upon the line, regardless of whether the day was the first or the last day of the week. Thus, then it occurred, as appears by the case of *Fisher* (app.) v. *Howard* (resp.), 1 L. T. Rep. N. S. 372, a train was to leave the Victoria-station at ten minutes to one o'clock p.m., on Sunday, the 18th Sept., and at twenty minutes before that hour the refreshment-room was opened by the app., and twenty-five persons

who had taken tickets for the train entered therein, and were supplied with fermented liquors. There was no other evidence to show where these persons had come from, or that they were resident in the metropolis. Upon an information for selling fermented liquors during the prohibited hours on a Sunday, the appellant was convicted by a metropolitan police magistrate, who held that the persons so served did not come within the category of "travellers." The Court of Queen's Bench, however, decided otherwise, holding that such persons *were* "travellers," and that a person who had procured a ticket for a journey then about to be undertaken had clothed himself with the character of *a traveller*, and so was entitled to require and be served with refreshment on the Sunday without exposing the party serving him to the penalties imposed by the statute for trafficking on that day.

WEST RIDING SESSIONS, DONCASTER.

JACKSON v. ROWBOTTOM.

Liability of a Steam Thrashing Machine to Toll.

In this case, which came before Charles Jackson, Esq. and William Dunhill, Esq., two of the Doncaster magistrates, the question was raised whether a steam-engine attached to a thrashing machine could be regarded as an "implement of husbandry," and therefore exempt from toll.

Woodhead appeared to support the information.

Shirley appeared on behalf of the defendant.

The question was fully argued on both sides, and from the novelty of the case and its great interest and importance as affecting agriculturists, the magistrates felt called upon to give the subject their fullest consideration. This they did, and on Monday, the 31st ult., Mr. Jackson announced their decision. The question had evidently been most thoroughly gone into, and it will be seen that the judgment is a very elaborate one.

MR JACKSON said:—The case of the Small-briggs toll-bar, which was heard before Mr. Dunhill and myself last Monday, was reserved for decision until to-day, the question involved in it being new to us, and one of considerable importance. An information was laid on the 10th Oct. by Thomas Jackson, the toll-collector at the Small-briggs bar, on the Doncaster and Bawtry turnpike-road, under the provisions of a local Act of Parliament, passed in the 2 Will. 4, 1832, against John Rowbottom, a servant or engine-driver to Messrs. Sellars, of Cantley, farmers, charging that he (Rowbottom), "on the 22nd of Sept. last, did pass through a certain turnpike-gate called Small-briggs Bar, there set up by authority of Parliament, on a certain turnpike-road there situate, called the Doncaster and Bawtry Turnpike-road, without then and there paying the toll appointed to be paid at such gate, in respect of a certain carriage moved by steam, fixed to another carriage propelled by steam, which the said John Rowbottom was then and there driving on the said road, contrary to the statute in that case made and provided." Mr. Shirley, at the outset of his observations on the part of the defendant, referred us to a case (*Higginbotham* v. *Perkins*, 8 Taunt. 795) in which it was laid down that matters relating to agriculture ought to receive a large and beneficial construction. Be that so. I feel sure that, surrounded as we are at Doncaster by agriculturists of no mean order as a class, and second to no other, I believe, in point of individual respectability or prosperity, it will ever be our desire, as magistrates, to regard them with all due liberality, so far as may be consistent with the rules of even-handed justice, which must of course, in all cases, have our principal consideration. Bearing this rule in mind, we have not been forgetful that, on the other hand, we are equally called upon to protect the interests of the trustees of the road and the lessees of the tolls, who have a vested property in them. Now, had this case rested upon the local Act of Parliament alone, and had there been no exemptions of any kind created by law, we should probably have considered that the defendant, by refusing to pay the toll demanded of him, had brought himself within the peril of a conviction, because that statute, without doubt, provides that toll shall be demanded and taken "for every carriage, machine, or caravan, of whatever description, not drawn by any horse or other beast of draught, but propelled or moved by steam, gas, or any other kind of machinery," and the evidence adduced went to show that the carriages or machines under the defendant's control corresponded with the description there given. But the defendant comes before us and claims exemption from toll, by virtue of a general law, which he contends overrules the local Act upon which the complainant relies. That general Act is the 3 Geo. 4, c. 126, s. 32, and by it we find it was enacted "That no toll shall be demanded or taken by virtue of that or any other Act of Parliament, on any turnpike-road, for any horse, beasts, or other cattle, or carriage employed in carrying or conveying any plough, harrow, or implements of husbandry." Now, it was for some time doubtful whether, under that Act, a moveable thrashing machine, not being therein expressly mentioned, could be included under the term "implements of husbandry," the well-known rule of law being that where general words in a statute, relating to persons or things, follow after particular ones, the former must be construed and held to mean such persons or things only as are *ejusdem generis*, or of the same species, quality, or class as those previously enumerated, and it was therefore not an unnatural question to be asked whether a thrashing machine could properly be placed in the category along with ploughs, harrows, drills and such like instruments of agricultural service. That doubt, however, was ultimately removed by the 14 & 15 Vict. c. 38, s. 4, and the words "implements of husbandry" were thereby declared to cover the thrashing machines, and accordingly they were, with the rest, held to be exempted from toll. But afterwards arose another question, what was to be said of the steam-engines which were used in drawing and working those thrashing machines, and which without them would be as useless as a coach without the horses? Were they likewise "implements of husbandry," and, as such, were they to be exempted from toll also, either in passing along the road in conjunction with thrashing machines, or separately and without them? This question came before the Court of Q. B. in 1858, and was decided there in the case of *Reg.* v. *Matty*, 27 L. J. 59, M.C., and also in 22 J. P. 575. That case seems to be the guiding star to us, and must, we think, direct us as to the decision we are to arrive at to-day. Mr. Shirley quoted so fully from this case, in his argument the other day, that a brief notice of it will suffice now. It appears from it that a thrashing machine, drawn by three horses, and a steam-engine, separate from the thrashing machine, drawn by three other horses, passed along a turnpike-road, and through a toll-gate, on its way to a farm where it was to be employed in working the thrashing machine, that being the only purpose for which it was used. It was held by the Court that although the two things, the engine and the machine, were separate, they substantially constituted one and the same "implement of husbandry," and, as such, they were severally exempted from toll. In the case before us the evidence was that the defendant's steam-engine and thrashing machine were fastened together by a coupling chain, or something of the kind, that neither of them was drawn by horses, but both by the action of steam, and both were passing along the turnpike-road from one farm to another, to be used for the purposes for which they are employed in husbandry. Now, it may be urged that the decision of the Queen's Bench affects only such engines and machines as are drawn by horses, whereas these are moved by steam. Does that, in reality, make any difference? We are disposed to say that it does not. By the 3 Geo. 4 toll is not payable either for horses or carriages employed in carrying or conveying any implements of husbandry. The words are in the disjunctive—horses or carriages—and therefore, if by the ingenuity of man a carriage, which this engine is, is enabled to go without horses, and to pass along a road *ex suo motu*, by force of some active power within itself, and by means thereof it can carry or convey any implement of husbandry, which both engine and machine are alike held to be, it does appear to us that the exemption well applies to them both and ought to prevail. If these carriages are exempt with horses, *a fortiori* are they so without them. There is an Act of Parliament which was not referred to in the discussion, which I will just notice whilst upon the subject. That is the 24 & 25 Vict. c. 70, commonly called the Locomotive Act, 1861. It is intituled, "An Act for regulating the use of locomotives on turnpike-roads, and the tolls to be levied on such locomotives, and on the waggons and carriages drawn or propelled by the same." This Act, however, appears to us to be applicable only to locomotives used on roads for the carrying of goods, &c., for profit, and other traffic. At all events there is the following section (the 10th) reserving existing exemptions—"All waggons, carts, or carriages, as hereinbefore described, drawn by any locomotive, and loaded with any materials such as are now exempt from toll under the provisions of any general or local Act, shall be entitled to the same exemption as they would be if drawn by animal power." Finding therefore, as we do, that moveable thrashing machines are defined by statute to be "implements of husbandry," and that steam-engines therewith used have been held by the Court of Queen's Bench to be the same also, and believing, as we do, that whether carried or conveyed along the road by horses or by steam, both are intended to be exempted from the payment of toll, we arrive at the conclusion that this information fails of its support, and it must therefore, in our opinion, be dismissed. I ought to add that this decision is that of the magistrates only who heard the case, and therefore if it is erroneous, as perchance it may be, we do not desire to compromise the rest of the bench by anything we have said.

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

IMPOUNDING CATTLE STRAYING ON HIGHWAYS.—A case submitted by the Oxfordshire magistrates to the Secretary of State having been laid before the Attorney-General and Solicitor-General, they have given their opinion to be that the power of removing to the common pound cattle found on a highway, in contravention of sect. 25 of the Act 27 & 28 Vict. c. 101, does exist; that the power may be exercised by any person lawfully using the highway, who finds such cattle; and that the expenses of the removal can be recovered under Jervis's Act. The points stated in the case were that the authority to impound enacted by sect. 74 of the Highway Act of William IV. was repealed by sect. 25 of the Act of 1864, which, however, enacts "that if any horse, &c., be found straying on or lying about any highway, or by the sides thereof (except on such parts of any highway as pass over any common or waste or unenclosed ground), the owner or owners thereof shall, for every animal so found straying or lying, be liable to a penalty not exceeding 5*s.*, to be recovered in a summary manner, together with the reasonable expense of removing such animal from the highway where it is found to the field or stable of the owner or owners, or to the common pound (if any) of the parish, or to such other place as may have been provided for the purpose," with a proviso as to any existing right of pasturage on the sides of a highway; that the repealed section categorically authorised the surveyor, or a person deputed by him, to seize and impound; and that the 11th section of the Act of 1862 vests in the highway board all the powers of the former parish surveyors; but that a doubt had been raised whether, under the substituted enactment (sect. 25 of 1864), all authority to seize and impound was not taken away; and whether, if an impounding took place, the expense of removing the animal to the common pound or other place, or the penalty for a pound breach (under sect. 25 of Will 4), can be recovered or enforced. And the question put to the law officers of the Crown was, whether (under sect. 25) some or all the powers relating to impounding are not, by implication, re-enacted; and whether the penalty of 5*s.* or less, with the expense of removing and impounding in the common pound or such other place as may have been provided by the highway board or district surveyor, or person impounding, be not recoverable by summary conviction under the general law regulating petty sessional convictions? The opinion, then, will set at rest a question which has been mooted throughout the kingdom.—*Oxford Journal.*

It is rumoured that Viscount Sudeley, aged twenty-four, son of the Earl of Arran, has been appointed special commissioner of Income-Tax, vice Colonel Romilly, promoted to the Board of Customs.—*Liverpool Albion.*

The January quarter sessions for Middlesex commenced on Monday, at the Sessions House, Clerkenwell-green, before Mr. Bodkin, Mr. Payne and a full bench of magistrates. The calendar contains the names of 81 prisoners, of whom 71 were indicted for felony and 10 for misdemeanor.

TOWN-CLERK OF WORCESTER.—At the annual meeting of the Worcester Town Council, held on Monday, Mr. Richard Woof, solicitor, was unanimously elected town-clerk of the city of Worcester, in the room of his late partner, Mr. John Hill, deceased. The salary was fixed at 450*l.* per annum, which also includes the pay for the duties of clerk to the board of health.

THE PUBLIC-HOUSE CLOSING ACT.—The Public-house Closing Act having been adopted in Bradford by a very narrow majority, a doubt arose as to the power of the council to act upon the resolution. The question was submitted to the Home Secretary, who, without considering it necessary to trouble the law officers of the Crown, has confirmed the opinion of the town clerk, that the Local Government Act, which requires a majority of two-thirds in its favour, does not apply in this instance, and that a bare majority is sufficient to authorise the compulsory closing of public-houses.—*Manchester Courier.*

MANSION-HOUSE.—The office of assistant-clerk to the Lord Mayor has become vacant by the promotion of Mr. Oke to the post of chief clerk. Another, that of cashier, is about to be vacated by the retirement, from failing health, of Mr. Pickering, who has held it for many years. The salary of the assistant-clerk will henceforward be 300*l.* a year and that of the cashier 200*l.* Both are in the gift of the Court of Aldermen, and the cashier will be expected to give security. The assistant-clerk must be a person well versed in the study and application of criminal law and be able to discharge the duties of the chief clerk in the occasional absence of the principal.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Banbury	Monday, January 9	J. Manning, Esq., Q.A.S.	10 days	R. H. Rolls.
Barnstaple	Tuesday, January 10	C. J. Murch, Esq.	5 days	J. H. Toller.
Bideford	Monday, January 9	C. J. Murch, Esq.		J. Rooker.
Hereford	Tuesday, January 10	F. E. Guise, Esq.	14 days	R. Johnson.
King's Lynn	Thursday, January 12	M. J. West, Esq.	8 days	P. Wilson.
Lincoln	Saturday, January 7	The Hon. G. C. Vernon		T. G. Dale.
Newark	Saturday, January 7	J. F. Stephen, Esq.		T. F. A. Barnaby.
Newbury	Wednesday, January 11	G. M. Dowdeswell, Esq.		J. Vines.
Rye	Thursday, January 12	R. H. Hurst, Esq.	Statutory notice	G. S. Butler.
Tewkesbury	Friday, January 13	A. W. Daniel, Esq.	14 days	W. Winterbotham,
Wigan	Wednesday, January 25	J. Catterall Esq.		R. Leigh.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

VOLUNTARY SETTLEMENT.—A lady assigned property to trustees for certain purposes named; but she executed the deed without a witness, and gave no notice to the trustees of the deed, or of the fund thereby settled. She kept it in her own possession, and ultimately destroyed it. It contained no power of revocation. On her death the question arose if this deed was valid, and it was held by the Court of Appeal to be so, and that notice to the trustees was not necessary to its validity: (*Re Way's Trusts*, 11 L. T. Rep. N. S. 495. L.JJ.)

WILL — CONSTRUCTION — CONDITION SUBSEQUENT.—B. induced his son-in-law C. to give up his profession and live near him, and B. supported him and his children till his own death. By his will he gave the children legacies of 5000*l.* each, to be invested and paid to them at twenty-five, with a proviso that if any of them should intermarry with certain families the bequest should be void, and that the legacies should not be paid until the legatees had covenanted to refund if they should so intermarry. The estate proved insufficient, and C. was obliged to sell his property and borrow money, in order to maintain the legatees. It was held that B. had thus placed himself *in loco parentis* to his grandchildren, and that the legacies were vested, subject to be divested, as the condition was subsequent, and that the father was entitled to an allowance out of such income for past maintenance, to the extent of the money he had borrowed and raised out of the sale of his property: (*Parsons* v. *Peters*, 11 L. T. Rep. N. S. 501. Kindersley, V.C.)

B. bequeathed to his son all those his freehold brewhouse, buildings and premises situate in S. street, wherein for many years he had carried on the business of a brewer, &c., also all that piece of land with the old malthouse standing thereon, situate in S. street. B. had for forty-five years carried on business as a brewer in freehold premises situate behind certain houses in S. street. On a plot of land situate about 218 feet from S. street he had some years before built a malthouse and a carpenter's shop. It was held that this malthouse did not pass under the description of freehold brewhouse buildings and premises in S. street: (*Lambert* v. *Overton*, 11 L. T. Rep. N. S. 503. Stuart, V. C.)

GIFT OF SHARES.—B. on his deathbed gave to his son certain bank shares, and on the same day wrote to the manager of the bank directing that the shares should be transferred to his son. Before the transfer was made he died. A debt was due from B. to the bank, and inasmuch as it was not proved the son had taken the shares with a condition that he should discharge the debt, the gift was held to be voluntary, and not having been perfected by transfer of th shares, that it fell into the residue: (*Lambert* v. *Overton*, 11 L. T. Rep. N. S. 503. Stuart, V. C.)

MARITIME LAW.

NOTES OF NEW DECISIONS.

SALVAGE—PASSENGER.—A passenger can render salvage services, though his relation continues as a passenger; but those services must be of an extraordinary nature, and beyond the range of his duty. Such would not be merely pumping and aiding in working the ship; but long-continued special labour in altering machinery would be such: (*Towle* v. *The Great Eastern*, 11 L. T. Rep. N. S. 516. U. S. Adm. Court.)

LAW OF GENERAL AVERAGE.

PROPOSED INTERNATIONAL RULES ON CERTAIN POINTS RELATING TO GENERAL AVERAGE.

(*Continued from page 101.*)

Wages and Maintenance of Crew at Port of Refuge.

Sect. 8. When a ship shall have entered a port of refuge under the circumstances defined in sect. 7, the wages and cost of maintenance of the master and mariners, from the time of entering such port until the ship shall have been made ready to proceed upon her voyage, shall be made good as general average. Except that any portion of the cargo left at such port of refuge on account of its being unfit to be carried forward, or on account of the unfitness or inability of the ship to carry it, shall not be called on to contribute to such general average.

French Code de Commerce, Article 400. The following are subjects of general average:—6. The curing and subsistence of sailors hurt in defending the ship; the board and lodging of the sailors during detention when the vessel is stopped by order of a power, and during the reparation of damages voluntarily suffered for the common safety, if the vessel be freighted by the month.

Exposition by M. Rogron.

If the vessel be freighted by the month.—Question: When the ship is arrested by a governing power, or, having been damaged for the common safety, it becomes necessary to repair that damage, who shall pay, during the time of detention, the board and lodging of the crew? It is necessary to distinguish between freighting by the voyage or by the month. If it be by the voyage, the owner of the ship having taken upon himself all the consequences of detention during the voyage ought alone to bear these expenses; they are simple average. If it be by the month, the owner and the shippers ought both to bear the damages caused by the detention; they are general average.

Exposition by M. Rogron under Article 402 of the Code de Commerce.

With regard to the board and lodging of the crew, although this is a question of freighting by the voyage, and the 4th section of Article 403 of the Code de Commerce declares that wages and board and lodging during repairs are to be particular average when the ship has been freighted by the voyage, one cannot, in the present case, apply this regulation; that the last provision of the article shows the purport of it; that in declaring generally as particular average the expenses incurred and the damages suffered by the ship alone, or by the goods alone, it says virtually, that the board and lodging of the crew during repairs of the ship are particular average only when the damage to be repaired is itself a particular average; that the effect cannot be of a nature different from the cause which produced it; that the expenses necessitated by general average are likewise necessarily general average.

Damage to Cargo in discharging.

Sect. 9. Damage done to cargo by discharging it at a port of refuge shall not be admissible as general average, in case such cargo shall have been discharged at the place and in the manner customary at that port with ships not in distress.

Contributory Values.

Sect. 10. The contribution to a general average shall be made upon the actual values of the property at the termination of the adventure, to which shall be added the amount made good as general average for property sacrificed; deduction being made from the shipowner's freight and passage-money at risk of two-fifths of such freight, in lieu of crew's wages, port charges, and all other deductions; deduction being also made from the value of the property of all charges incurred in respect thereof subsequently to the arising of the claim to general average.

Sect. 11. In every case in which a sacrifice of cargo is made good as general average, the loss of freight, if any, which is caused by such loss of cargo, shall likewise be so made good.

Exposition by M. Rogron.

French Code de Commerce, Article 401.—General averages are borne by the goods and by the half of the ship and freight, according to their value.

The half of the ship and freight.—We have given the motives for this proportion at Art. 304, as follows:—

Question: Do they estimate the ship according to her value at the place of departure or at the place of discharge? The Article 417 removes all doubt. It is according to the value at the port of discharge that the ship shall be valued, and there is in this respect no difference between the ship and the goods.

Question: Why does the law make the ship and freight contribute only the half of their value? At first sight it is difficult to explain this arrangement. It seems of course that the objects saved to the owner, by the ransom, being the whole ship and the freight, these objects should contribute to the ransom according to their entire value. But a little reflection will justify the decision of the code, which makes them contribute only for the half. The ship is valued at the place of her unloading; but it is not that value which should contribute: it is that which she had at the time of ransoming, for it is that which has been saved. All the expenses to which she will put the owner afterwards for refitting her and enabling her to continue her voyage, have increased this value; and those expenses must manifestly have been considerable, if we remark that, in the supposition of our article, the ship having been taken by an enemy will not have been so without fighting, and consequently will have been very seriously damaged. There would be injustice to make her contribute for a value in such a way augmented, and the code taking the middle course decrees that the ship shall never contribute but for the half. As for the freight, it is preserved to the owner; so he should contribute. But let us observe that all the freight is not profit to the owner. Upon this freight he must feed her crew, and pay their wages. Therefore, counting the freight as if only half of it were profit is not a disproportioned diminution. In this disposal there is the same justice as in that which decrees that the value of goods shall be with deduction made for their charges.

Question under Article 401: Ought the contribution towards payment of general average to be regulated with regard to the half of the ship and freight according to the value fixed by the policy of insurance?

The Court of Bordeaux has decided the affirmative: "Seeing that Article 401 contains the general rule for contribution to general average, that it rules that they shall be borne by the goods and by the half of the ship and freight according to their value, without explaining how that value should be determined; that immediately after this regulation, the Article 402 enacts that the value of the goods is established by their price at the place of discharge; that it modifies and explains the preceding article; that it makes an evident distinction with regard to the contributory value between goods and the half of the ship and freight; and that, fixing a particular basis for the goods, it cannot be admitted that the Legislature has understood that this basis should serve equally for the half of the ship; that to decide in this way would not be to interpret the law, but to add to its terms, and to make a general rule for a special one; that, if we enter into the motives which brought the legislator to this determination, and if we inquire into the principles of the matter, we shall see that the reason which has fixed, for the contribution of the goods, their value at the place of discharge does not exist for the freight and for the ship; that as to the goods, it is certainly their value at the place of discharge which has been saved by those expenses and damages which are reckoned general average; that with regard to the freight, on the contrary its value is usually determined by the contract which has been made before shipping the cargo; and as for the ship, its value and the benefit which the owner derives from the general expense are independent of its value at the place of discharge, for it is not in that place that the value of the vessel can be realised; that, hence, if one looks to either the spirit or letter of the law, there is not room for applying to the freight and the ship the rule of Article 402, but that the value, of which Article 401 speaks, should be regulated by the general principles of insurance; when the question concerns a dispute between the insured and the insurers, seeing that Article 332 bears that the policy should declare the value of the goods, and that, according to Article 336, it is not necessary to proceed with an estimate of that value except in a case of fraud; that consequently the value agreed upon, when it is not disputed, becomes law to the parties, and the legitimate basis for the adjustment of claims between them, which are the result of the contract; that consequently in the statement the adjusters have apportioned the averages conformably to the value of the ship agreed to by the policy of insurance, &c.;" (Decree of 20th May 1833. Sir. 34, II. 141.) The Court of Caen has maintained the contrary opinion in affirming a judgment of the Tribunal of Cherbourg thus expressed: "Considering on the first question that Article 402 of the Code de Commerce declares that the price of the goods is fixed by their value at the place of discharge; that this article, preceded by that which decrees that general average shall be borne by the cargo and by the half of the vessel and freight at their full value, appears evidently to carry out the intention of the legislator; that a cargo at the place to which it is taken has acquired its saleable value, which is in general superior to that which it had at the point of departure, that what with the freight and the expenses which it must defray in order that it may there obtain its increased value; that the owner of a cargo which has arrived at its destination should always consider that the profit to which he looks and which he may get, is the result of expenses of various kinds which he was obliged to advance; that evidently before being able to realise this profit, the result of his speculation, it was necessary, when he planned his adventure, and when he applied for his goods at the place of their production, to calculate what should be the first price of his purchase, what should be the expenses consequent upon their shipment, then to that he must add the freight which he should have to pay in order to obtain the object of his speculation, and finally the premium of insurance, if he wished to insure it, the charge of landing, warehousing, &c.; that one would be wrong in supposing, in the case of contribution to general average, that what has been saved to the owner of a cargo is only the value of this cargo, deducting freight and expenses, since the determination to bear the freight and charges is only the natural consequence of the speculation of the shipper, a consequence without which his speculation, his profit expected by the transport of one kind of goods from the place of production to that of consumption, could not have been realised; that it is evident that the merchant speculator enters in his calculations of returns, the cost price, the

expenses, the freight, the insurance, and that it is from the difference between the sum total of these and that which he hopes to obtain by its sale, that its chances of profit result; that so the legislator ordering Article 402 of the Code de Commerce in a clear and precise manner, wished to enact that the price of goods for contribution to general average should be fixed according to their value at the place of discharge; that whatever deference the courts may show to authors such as Valin, Emerigon, Delaincourt, Pardessus and others seeing that their opinion is contrary to the formal text of the law, it ought to be rejected; that most certainly the legislator had before him the commentators upon the ordinances of 1681 when he framed Article 402; and if the opinion of those learned jurists has not weighed in his mind it must have been because that opinion was not conformable to justice and equity; that a judge charged with the application of the law would go from his duty if he should repudiate the very text of the law in order to adopt this or that commentary; that besides the increase in the value of goods when arrived at their place of destination is balanced in the mind and in the intention of the legislator by the increased value given to the ship resulting from half the freight being made to contribute; that finally, on the point which we are discussing, the decisions of the Tribunal of Commerce of Cherbourg have been invariable, &c." The judgment having been appealed against, the Court of Caen confirmed it for the following reasons. With respect to the third question relating to the value of the ship, adopting the motives of the first judge, and considering, moreover, that when the question is about determining the basis of contribution to general average, it is Article 417 of the Code de Commerce ("the distribution for payment of the losses and damages is made upon the effects thrown overboard and saved, and upon the half of the ship and freight, according to their value at the place of unloading") which must be consulted, because it is entered under the 12th title of that code, which treats of contribution in general, that is to say, of the manner of proceeding in the distribution of averages between the goods and the half of the ship and freight; that the disposition of this article is not restricted to contribution on account of jetties; but that it fixes the general basis for all contributions between the shippers and the captain of the vessel, and that it is intended to modify those dispositions which are contrary to its express text; that besides there is no reason for valuing the ship upon a different basis from the goods, which might, according to circumstances, become of less value than they had at shipment; that the vessel should therefore be valued conformably to Article 417, at the price which she was worth at the time and at the place where the contribution took effect; confirms, &c." (Arrêt du 6 Nov. 1843. Dall. ann. 1844, II. 159.)

Question: Should one consider as particular average, at the charge of the vessel, the damage caused by collision and by pressing sail in consequence of stress of weather, when the manœuvring with the sails has been with the view of getting into a harbour? The Court of Bastia has decided in the affirmative: "Seeing that, according to terms of law, those only are general averages which are damages suffered willingly and expenses incurred, after due deliberation, for the welfare and common safety of the ship and of the goods; seeing that, according to the declaration of the captain, there was nothing which could be called voluntary in all the damage which happened to the bomb ketch commanded by him, except the abandonment of the anchor and cable at the anchorage of Santa Maria, when he deemed it prudent to quit that roadstead on account of the violence of the wind, and the damage suffered consequent upon that and by the running aground, done after deliberation in order to save the ship, the goods, and the crew; that all the other damages undergone, whether at Santa Maria, or in the passage across, or finally in the gulf of Porto Ferrajo, before running aground, through the collisions and squalls of wind, have been the effects of stress of weather, and consequently can only constitute particular average, &c.:" (Decision of 18th June 1844. Dall. Ann. 1844, II. 35.)

(To be continued.)

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

BILL OF SALE.—B. gave C. a bill of sale. The furniture, &c., to which it referred was described in a schedule written on loose sheets torn from a book and fastened together. Before registration a copy was made of the sheets by D., who signed it as being a copy; this was appended to the bill of sale, and afterwards the original was lost. A copy of the bill of sale and of the copy schedule was then registered; but in that copy D.'s name, which had been signed to each sheet of the first copy, was not given. It was held by the Court of Appeal to be a good registration of a true copy of a bill of sale under sect. 1 of the Bills of Sale Act: (*Green* v. *Attenborough*, 11 L.T. Rep. N. S. 518. Ex. Ch.)

LAW STUDENTS' JOURNAL.

Correspondence.

PRELIMINARY EXAMINATION.—As I intend going up for examination in February, I should be glad if some gentleman who has passed would give me some advice upon the mode in which the examination is conducted, &c. I inclose my name and address, and shall be very much obliged if you will send it to any gentleman who is kind enough to ask for it. SI JE PUIS.

CORRESPONDENCE OF THE PROFESSION.

THE LIBERAL DILEMMA.—In reference to the difficulty which Mr. Buxton, and every candidate for popularity, finds in the way of fulfilling his promises to the majority in number, of entrusting them with the franchise, I would venture to suggest what considerable experience in electioneering in a large manufacturing town and borough which has of late years grown out of aristocratic trammels, and in counties, has led me to conclude, viz., that any alteration of the qualification should in justice be of the nature of rateable, or what you call cumulative, voting; while a large extension of the electors and opinions represented would be effected by restricting the vote or votes of each elector to one candidate, whatever may be the number of representatives. A little reflection will, I feel sure, enable you to judge of this suggestion without the necessity for any argument by me in its support, and if approved you will doubtless ventilate it among your readers.

Jan. 2, 1864. A TORY AGENT.

COPYHOLDS—STAMP ON SURRENDER, &c. OUT OF COURT.—A question having arisen between myself and the steward of a neighbouring manor with regard to the duties upon surrenders and admittances taken out of court, I beg leave to invite your opinion and, through your columns, the opinions of experienced practitioners upon the subject, and I shall be very glad to be set right if I am in error. My practice as steward, in the case of a surrender out of court, is to prepare a draft on plain paper, then to take it, and afterwards to record and engross it on the stamp applicable thereto, treating such engrossment as the memorandum of the surrender. My friend considers that the affixing of the stamp must precede the taking of the surrender, and that otherwise the steward is liable to a penalty of 50*l.* under 48 Geo. 3, c. 149, s. 32. I venture to differ with him for the following reasons:—1. The revenue laws require the same stamp duty only to be paid, whether the surrender is made out of court or in court. 2. A surrender is effected by the tenant passing a rod or other symbol to the steward (and so is an admittance by the steward passing the rod or other symbol to the surrenderee). 3. A surrender, therefore, is not a deed in construction of law, or an instrument in writing; but a memorandum of it is an instrument in writing. 4. The Stamp Acts recognise the difference, and expressly apply to copyhold estates passing by surrender and admittance, or by admittance only, and not by deed. 5. If, therefore, a surrender is not a deed nor an instrument in writing, as it has no bodily existence, there is nothing to affix a stamp upon. 6. The difficulty which would otherwise exist if the last argument is conceded, is met by the Stamp Act, which provides the same stamp on the surrender or admittance made out of court, or the memorandum thereof, as the copy of court roll of any surrender or admittance made in court; so that, even if the surrender or admittance actually were an instrument in writing, the Act is satisfied if the stamp be affixed to the memorandum thereof. 7. Then the words "*the* memorandum thereof" clearly point to the necessity of a written copy or memorandum of the surrender or admittance so taken out of court; but if it had said "*a* memorandum thereof," it might have left it optional in the steward to reduce the surrender into writing or not, and the revenue might possibly, were it not for other legislative provisions, be deprived of the stamp duty. (The entry is now required by the 4 & 5 Vict. c. 35, s. 89.) Lastly, but the steward has expressly the power to affix the proper stamp duty, either on the surrender or admittance, *or* on the memorandum thereof, and, may I submit, treat the engrossed copy as such memorandum; and I take it that the requirement of the revenue laws is complied with, and that no penalty is incurred, if the steward affixes the proper stamp duty on it. Pray excuse the length of these remarks, as I believe that for convenience sake many stewards of manors would be glad to find that the construction which I have ventured to put upon the Acts of Parliament on the subject may be safely adopted. A. WADDINGTON.

Usk, Dec. 31, 1864.

NOTES AND QUERIES ON POINTS OF PRACTICE.

Query.

LOAN SOCIETIES.—A question has been raised under the Loan Societies Act, 3 Vict. c. 110, whether payment of a second loan from a borrower who has not repaid the first loan can be recovered? Any of your readers who can assist in solving the above question, will oblige by stating their views. INQUIRER.

Answers.

ARTICLED CLERKS.—The last two years cannot be spent in the office of the London agent, unless the articles be assigned, and the assignment enrolled. D. H.

Driffield, Jan. 3.

ARTICLES OF CLERKSHIP.—In the cases *Ex parte Bishop*, 30 L. J. 32, C. P., and *Ex parte Fenton*, 32 L. T. Rep. 243, the court allowed the service to reckon from the date of the execution of the articles; but if the delay in the payment of the stamp duty had been purposely made, the court would not have sanctioned such a course. Again, it is directed by 6 & 7 Vict. c. 73, s. 9, that an affidavit of the execution of the articles is to be filed, and the articles enrolled within six months after execution. When this has been omitted, a judge will not allow the service to be computed from the execution of the articles, unless the omission be accounted for by a *bonâ fide* excuse, and not by mere inadvertence: (*Ex parte Cunningham*, 8 Jur. 405; *Re Beason*, 10 Beav. 435.) A judge's order must be obtained before A. is examined. D. H.

Driffield, Jan. 3.

PARISH OFFICERS.—By the Act 27 & 28 Vict. c. 42, s. 1, the guardians of any union or parish are empowered to grant to any officer, whose whole time has been devoted to the service of the union or parish, on his becoming incapable of discharging the duties of his office, a superannuation. Can any of your readers inform me whether a relieving officer, holding an appointment as clerk at a chapel of ease where he attends on Sundays, Good Fridays, and Christmas-days only, devotes the whole of his time to the service of the union within the meaning of the Act; or, whether his office as clerk excludes him from benefit thereunder? B. W.

LAW LIBRARY.

A Manual of Times of Procedure in Chancery. By THOMAS W. BRAITHWAITE, of the Record and Writ Clerks' Office. London: Cox.

THE times of procedure in Chancery are truly stated to be now very numerous; so much so, indeed, as to be a source of no small inconvenience to the practitioner, who cannot possibly carry them in his memory, and therefore is compelled to troublesome searches in the books of practice for the information he needs. Why should there not be a reform of this? Surely it would not be difficult to devise a scheme of times for procedure, by which they might be arranged under a few heads easily remembered, as, for instance, seven, fourteen, twenty-one and twenty-eight days. It would be comparatively easy to carry in the memory which of these equal periods belonged to each kind of procedure. But until some such reform is accomplished, Mr. Braithwaite's volume will be of great value. Arranging the subjects in alphabetical order, he gives under each a short abstract of the particular form of procedure, stating the time within which it must be taken, and adding the statute or general order by which it is directed. It presents so much as the practitioner in equity requires and no more. It is really what it is called, a manual—a title more often assumed than deserved.

A Manual of Bankruptcy. By JOSIAH W. SMITH, Q.C. Stevens and Co.

THIS is, we believe, the unlucky Mr. Smith who, in his zeal for the murderer Muller, accused judge and jury of having given him an unfair trial, and who made the most confident assertions of the innocence of the convict only a few hours before he confessed his guilt. But Mr. Josiah Smith is likely to be better versed in equity law than in criminal law, and his somewhat absurd exhibition in the Muller case will not destroy him as an authority in equity law and bankruptcy. The little volume before us is designed for students. It is an outline of the present law of bankruptcy, the fault of which is that it is too curt. It cannot be read, for it is too much like a note-book; and, on the other hand, it is too long to commit to memory. These analyses for students are a great mistake. Nobody ever yet learned the law from them. The student should read the regular text-book and make an analysis of it for himself as a test of his own knowledge, and to stamp what he has learned upon his memory. Such being our opinion, we cannot recommend Mr. Smith's Manual to the law student as a useful assistant in the learning of Bankruptcy Law. Let him take *Doria and Mucrue*, read the text and the forms as there given, and as he reads chapter by chapter, make an analysis of

what he has read; that is to say, set down upon paper, in the fewest words, the order of procedure—all, in fact, that he, as a solicitor, might be required to do in the conduct of a bankruptcy from its commencement to its conclusion.

The Orator; a Treasury of English Eloquence. Parts 1 to 4. London: Viles.

THIS was a happy thought. There exists no good selection of English oratory, although the field of choice is so large and fertile. But the value must depend upon the good taste that governs the choice. In this respect the editor of the publication before us has executed his task admirably. He has collected the choicest orations of the ablest men of all parties, with a single eye to the merit of the speech as a work of art. When completed it will be one of the most valued additions to the library.

THE COURTS & COURT PAPERS.

SITTINGS AND CAUSE LIST FOR HILARY TERM 1865.

Equity Courts.

Court of Appeal in Chancery.

The LORD CHANCELLOR will sit at Lincoln's-inn on Jan. 11, and hear appeal motions and appeals in bankruptcy. Jan. 12, petitions and appeals. Jan. 13, appeals. Jan. 14, appeals in bankruptcy and appeals. Jan. 16 and 17, appeals. Jan. 18, appeals in bankruptcy and appeals. Jan. 19, appeal motions and appeals. Jan. 20, appeals. Jan. 21, appeals in bankruptcy and appeals. Jan. 23 and 24, appeals. Jan. 25, appeals in bankruptcy and appeals. Jan. 26, appeal motions and appeals. Jan. 27, appeals. Jan. 28, appeals in bankruptcy and appeals. Jan. 30, petitions and appeals. Jan. 31, appeal motions and appeals.

The LORDS JUSTICES will sit at Lincoln's-inn on Jan. 11, and take appeal motions and appeals. Jan. 12, appeals. Jan. 13, petitions in lunacy, appeal petitions and appeals. Jan. 14, 16, 17, and 18, appeals. Jan. 19, appeal motions and appeals. Jan. 20, petitions in lunacy, appeal petitions and appeals. Jan. 21, 23, appeals. Jan. 24, appeals from the County Palatine of Lancaster and appeals. Jan. 25, appeals. Jan. 26, appeal motions and appeals. Jan. 27, petitions in lunacy, appeal petitions and appeals. Jan. 28, 30, appeals. Jan. 31, appeal motions and appeals. Notice.—The days (if any) on which the Lords Justices shall be engaged in the Full Court, or at Judicial Committee of the Privy Council are excepted.

Rolls Court.

The MASTER of the ROLLS will sit at Chancery-lane, on Jan. 11, and take motions and general paper. Jan. 12 and 13, general paper. Jan. 14, petitions, short causes, adjourned summonses, and general paper. Jan. 16, 17 and 18, general paper. Jan. 19, motions and general paper. Jan. 20, general paper. Jan. 21, petitions, short causes, adjourned summonses, and general paper. Jan. 23, 24 and 25, general paper. Jan. 26, motions and general paper. Jan. 27, general paper. Jan. 28, petitions, short causes, adjourned summonses, and general paper. Jan. 30, general paper. Jan. 31, motions and general paper.

N.B.—Unopposed petitions must be presented, and copies left with the secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard; and any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

V. C. Kindersley's Court.

The Vice-Chancellor Sir R. T. KINDERSLEY will sit at Lincoln's-inn, on Jan. 11, and take motions, adjourned summonses and general paper. Jan. 12, General paper. Jan. 13, Petitions, adjourned summonses and general paper. Jan. 14, short causes, adjourned summonses, and general paper. Jan. 16, 17 and 18, general paper. Jan. 19, motions, adjourned summonses and general paper. Jan. 20, Petitions, adjourned summonses and general paper. Jan. 21, short causes, adjourned summonses and general paper. Jan. 23, 24 and 25, general paper. Jan. 26, motions, adjourned summonses and general paper. Jan. 27, petitions, adjourned summonses and general paper. Jan. 28, short causes, adjourned summonses and general paper. Jan. 30, general paper. Jan. 31, motions, adjourned summonses and general paper.

V. C. Stuart's Court.

The Vice-Chancellor Sir J. STUART will sit at Lincoln's-inn on Jan. 11 and take motions and causes. Jan. 12, causes. Jan. 13, petitions and causes. Jan. 14, short causes and causes. Jan. 16, 17 and 18, causes. Jan. 19, motions and causes. Jan. 20, petitions and causes. Jan. 21, short causes and causes. Jan. 23, 24 and 25, causes. Jan. 26, motions and causes. Jan. 27, Petitions and causes. Jan. 28, short causes and causes. Jan. 30, causes. Jan. 31, motions and causes.

No cause, motion for decree, or further consideration, except by order of the Court, may be marked to stand over, if it shall be within twelve of the last cause or matter in the printed paper of the day for hearing.

V. C. Wood's Court.

The Vice-Chancellor Sir W. P. WOOD will sit at Lincoln's-inn, on Jan. 11, and take motions and general paper. Jan. 12 and 13, general paper. Jan. 14, petitions, short causes and general paper. Jan. 16, 17 and 18, general paper. Jan. 19, motions and general paper. Jan. 20, general paper. Jan. 21, petitions, short causes and general paper. Jan. 23, 24 and 25, general paper. Jan. 26, motions and general paper. Jan. 27, general paper. Jan. 28, petitions, short causes and general paper. Jan. 30, general paper. Jan. 31, motions and general paper.

N.B.—Any causes intended to be heard as short causes, must be be so marked, at least one clear day before the same can be put in the paper to be so heard.

Common Law Courts.

Court of Queen's Bench.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir ALEXANDER COCKBURN, Knt., Lord Chief Justice of Her Majesty's Court of Queen's Bench, in and after Hilary Term 1865.

IN TERM.

Middlesex.			
Thursday	Jan. 12	Monday	Jan. 23
Monday	Jan. 16		

There will not be any sitting during term in London.

AFTER TERM.

Middlesex.		*London.*	
Wednesday	Feb. 1	Monday	Feb. 13

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

NEW TRIAL PAPER.

Standing for Judgment.

LIVERPOOL.—Wilson v. Rankin

For Argument.—Trinity Term 1862.

Tried during Term.

MIDDLESEX.—Tennant and others v. Bankart and others. (Part heard; stands for arrangement)

Easter Term 1864.

CHESTER—Hughes (first action) v. Birkenhead Improvement Commissioners. (To be argued with the demurrer; to stand over till decision on similar point in court of error)
CHESTER—Same (second action) v. Same. (Ditto)
CHESTER—Davies v. Same. (Ditto)

Michaelmas Term 1864.

MIDDLESEX—Hall v. Lawrence and another
DURHAM—The Ecclesiastical Commissioners for England v. Peart
LIVERPOOL—Whitby v. Royden and another
LIVERPOOL—Wilde v. The Manchester, Sheffield and Lincolnshire Railway Company
LIVERPOOL—Stuart and another v. Berrisford and another
LINCOLN—Bills and another (Assignees, &c.) v. Smith
YORK—Ackroyd v. Barningham
MONMOUTH—Nott and another (Assignees) v. The Great Western Railway Company
MONMOUTH—Symond v. Pickslay and others. (Not to be argued until after the decision of a similar point in Exchequer Chamber)
BRISTOL—Protheroe and others v. The United Merthyr Collieries Company (Limited)
SURREY—Biddle v. Bond, Lind and Co.
LEICESTER—Wrightley (Executors, &c.) v. Cumberland (executors, &c.)
CAMBRIDGE—Mainprice v. Westley
SUFFOLK—Cowle v. Potts

SPECIAL PAPER.

Standing for Judgment.

Wilson v. Rankin. Demurrer
Shierry and another v. Lord Fermoy and another. Demurrer
Lloyd v. Harrison. Demurrer

For Argument.

Worthington and another v. Ludlow (Clerk, &c.) Demurrer. (A special case to be stated)
Moore and others v. Stroud. Demurrer. (Stands over till issues in fact tried)
Hughes v. The Birkenhead Improvement Commissioners. Demurrer. (Case in New Special Paper to be argued with this in demurrer. To stand over till decision in a similar point in court of error)
Same v. Same. (Ditto)
Davies v. Same
Williams v. Booth and another. Demurrer (Stands for arrangement)
Giffard v. Wright. Special case. (In replevin. Stands for arrangement)
Offenbacher v. Child. Demurrer
Simpson and others v. Mount. Special case
Re A Petition of Right of Robert Barnard Feather v. The Queen. Demurrer
Bryant v. Foot (Clerk.) Special case
Head v. Bush. Demurrer
Jones v. Morris. Demurrer
Duthie v. Hughes. Demurrer
Alexander v. The North-Eastern Railway Company. Demurrer
Andrew and another v. Macklin and others. Demurrer
Bromhead v. Clark. Appeal from County Court
The Regent's Canal Company v. The Commissioners of H. M. Works. Special case
Mecklenburg v. Gloyn. Demurrer
Cooper v. Fell. Demurrer
Sumner and others v. Brownlow and another. Special case
Stephen v. The Central Wales Railway Company. Demurrer
Neven and another (Executors, &c.) v. Chapman. Demurrer
Thompson v. Gunthorpe. Demurrer
Ince v. Peel. Demurrer
Channell and others v. Budd and another. Demurrer
Cusack v. The St. David's Gold Mining Company (Limited). Demurrer
Angrove v. Toppel. Appeal from County Court
Saleman v. Mitchell. Demurrer
Nichols and others v. Nichols. Special case
Nichols and others v. Nichols. Demurrer
Adcock v. Lawrence and another. Appeal from Court of Pleas for the Borough of Cambridge
Leaf v. The Metropolitan Railway Company. Special case
Saltvald v. The Continental Bank Corporation (Limited) Demurrer
Nicholson v. Guardians of the Poor of the Bradfield Union in the County of Berks. Demurrer

ENLARGED RULES.

Hilary Term 1865.

Roberts v. Evans
Re George De Vins Wade (Gentleman, one, &c.)
Re F. W. Freeman (Gentleman)
Parsons and another (Executors, &c.) v. Bagnall
Same v. Lord Willoughby De Broke
Same v. Birch
Same v. Rideout
Hall (Clerk) v. Clarke
Rayner (Executors, &c.) v. Croyden
Re Edward Dakin Stanton (Gentleman, one, &c.)
Re Alfred Stewart v. Walter Parker. County Court appeal
Reg. v. The Commissioners for the Reduction of the National Debt
Reg. v. The Rev. John Price and another (Justices)
Reg. v. The Sheriff of Middlesex
Reg. v. The Commissioners of Bradford
Reg. v. Thomas Gaskell

Court of Common Pleas.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir WILLIAM ERLE, Knt., Lord Chief Justice of Her Majesty's Court of Common Pleas, in and after Hilary Term 1865.

IN TERM.

Middlesex.			
Thursday	Jan. 12	Monday	Jan. 23
Monday	Jan. 16		

There will not be any sitting in London during term.

AFTER TERM.

Middlesex.		*London.*	
Wednesday	Feb. 1	Monday	Feb. 13

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

APPEALS AGAINST DECISIONS OF REVISING BARRISTERS.

KENT.—Smith (app.) v. Foreman (resp.)
CHELTENHAM.—Fletcher (app.) v. Boodle (resp.)
NEW WINDSOR.—Scott (app.) v. Durant (resp.)
YORKSHIRE, WEST RIDING.—Freeman (app.) v. Gaisford (resp.)

DEMURRER PAPER.

Special Arguments—Monday, Jan. 16.

Lyne v. Wyatt. Demurrer. (To stand over for case in Exchequer Chamber)
Langmead v. Maple. Demurrer
Kilby v. Wright. Demurrer
Hodgson v. Moulson. Case by order
Laver v. Rickman and another. Demurrer
Langton and another v. Waring and others. Case by order
Penny (Executor, &c.) v. Brice. Case by arbitrator
Semonza and others v. Prinsly and another. Demurrer
Samvaco v. Linean. Demurrer
Fessard v. Mugnier. Demurrer
The Sedgwick Gunpowder Company (Limited) v. Armanas and another. Case Nisi Prius
Stacey (app.) v. Whitehurst (resp.) Appeal from Justices
Eatwell (app.) v. Richmond (resp.) Appeal from Justices
Whymper (app.) v. Harney (resp.). Appeal from Justices

Special Arguments—Wednesday, Jan. 18.

Clarke (Assignee, &c.) and others v. Watson and another. Demurrer
Richardson and wife v. Power and others. Case by order
Matthew v. Wiseman and another. Demurrer
Grill v. General Iron Screw Colliery Company (Limited). Demurrer
Bullen and another v. Sharp, sen. Case Nisi Prius
Overseers of Sunderland-next-the-Sea (appts.) v. Guardians of Sunderland Union (respts). Case by order

Special Argument—Monday, Jan. 23.

Special Argument—Wednesday, Jan. 25.

REMANET PAPER.

LIVERPOOL.—Farnworth and another v. Hyde
DURHAM.—Graham v. North-Eastern Railway Company
MANCHESTER.—Fielding v. Lee and another
BEDFORDSHIRE.—Parker v. Austen
LEICESTER.—Bourne v. Fosbrooke
CORNWALL.—Gaved v. Martyn
CORNWALL.—Same v. Same

POSTPONED MOTIONS.

LONDON—Antrobus v. Lee and another
LONDON—Mallett v. Bateman

ENLARGED RULES.

First Day.

Re The Arbitration between Simpson and Anderton and another
Tennant v. Robinson
Cobbold and another v. Kitton

Second Day.

Scott (app.) v. Durant (resp.)
Re An Action in the Mayor's Court of London. (Final case in the Exchequer Chamber is disposed of.)
Sarman and another v. Gelpecke and others; Goschen and others Garnishees

NEW TRIALS.

Michaelmas Term 1863.

MIDDLESEX—Packer and another v. Great Western Railway Company. (To stand over till Beal v. The South Devon Railway Company in Exchequer Chamber is disposed of.)

Trinity Term last.

YORKSHIRE—Shaw (widow) v. Shaw. (To stand over for arrangement)
MIDDLESEX—Chubb v. Hutson
MIDDLESEX—Soules v. Shekleton
LONDON—Hogg v. Skeen (sued with another)
LONDON—Bottle and others v. Hutchinson
NOTTINGHAM—Waters and others v. North
MANCHESTER—Crabb v. Curtis and another
LIVERPOOL—Neill and others v. Whitworth and others
LIVERPOOL—Swire v. Leech

Cur. adv. vult.

Hobbs v. Henning
KIDDERMINSTER—Powell (app.) v. Farmer (resp.)
KIDDERMINSTER—Powell (app.) v. Boraston (resp.)

Notice is hereby given—The Court has appointed Thursday, the 12th Jan., in Hilary Term next, by adjourn-

court, for hearing and deciding the remaining appeals from the decision of the Revising Barristers under the 31 Vict. c. 18, and will proceed to hear the same in order in which they are entered. By the COURT.

Nov. 17, 1864.

Court of Exchequer.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir FREDERICK POLLOCK, Knt., Lord Chief Baron of Her Majesty's Court of Exchequer, in and after Hilary Term 1865.

IN TERM.

Middlesex.

Thursday ..... Jan. 12 | Monday ..... Jan. 23
Monday ..... Jan. 16 | Monday ..... Jan. 30

There will not be any sitting in London during term.

AFTER TERM.

Middlesex. *London.*

Wednesday ..... Feb. 1 | Monday ..... Feb. 13

The Court will sit at ten o'clock every day.

The cases in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

SITTINGS IN BANCO AND AT NISI PRIUS.

Wednesday..Jan. 11 Motions and peremptory paper
Thursday..... 12 Errors, peremptory paper and motions. Middlesex first sitting
Monday ..... 16 Special paper. Middlesex second sitting.
Wednesday..... 18 Special paper
Thursday..... 19 Circuits chosen
Saturday ..... 21 Criminal appeals.
Monday ..... 23 Special paper. Middlesex third sitting
Wednesday..... 25 Special paper
Monday ..... 30 Middlesex fourth sitting.

ERROR AND APPEALS.

For Judgment.

Ebden v. Barclay. Error. (Heard 2nd Dec. 1864)

For Argument.

Scott v. The London and St. Katharine Dock Company. Appeal
Fenton v. The Great Western Railway Company. Error or bill of exception

NEW TRIAL PAPER.

For Judgment.

WORCESTER—Great Western Railway Company v. Robins
LINCOLN—Nicholson v. The Lancashire and Yorkshire Railway Company

For Argument—Moved Hilary Term 1864.

LIVERPOOL—Brabner v. Macann

Michaelmas Term 1864.

BRISTOL—Brooks and others v. Bates (P. O., &c.)
YORK—Carr v. Lambert and others
DEVON—Reay (Assignee, &c.) v. Whitehouse

Moved after fourth day of Michaelmas Term 1864.

KINGSTON—Campbell v. Loader

SPECIAL PAPER.

Issues from Michaelmas Term 1863—For Judgment.

Longford v. Andrews. Special case
Lockyard v. Doling. Special case. (Heard 7th Nov. 1864)
Gurney v. Simpson. Demurrer. (Heard 7th and 9th Nov. 1864)

For Argument.

Clark v. Magnus. Demurrer. (To stand over till after issues in fact tried)
Clark v. Mostyn and others. (Demurrer. 14th Nov. 1864, part heard, ordered to stand over till after issue in fact tried.

PEREMPTORY PAPER.

To be called on the first day of the term after the motions, and to be proceeded with the following day, if necessary, before the motions.

In Reference between Frederick Tracksell and Thomas Clayton and William Wilson.
Same and same. To set aside award.
Biddle and others v. Bunyard. To set aside writ of *ca. sa.*
In Mayor, &c., of Wolverhampton
In Steer. County Court Appeal
Bowman v. Almond and another. For leave to issue a writ of revivor.

LAW SOCIETIES.

LEGAL AND GENERAL DISCUSSION SOCIETY.

The second annual meeting of the society was held on Wednesday, the 21st Dec., Mr. G. W. Thompson presiding.

The committee presented their annual report, which stated that:

"The committee, in presenting their second annual report, are glad to be able to announce that the number of members has increased since the preceding year, and generally that the society's position is flourishing and satisfactory.

"One great proof of the success and influence of the society is shown in the fact that numerous solicitors, and also several gentlemen not engaged in the profession, had expressed a desire to become members, and the committee submit that it would be to the interest of the society that the present rule of exclusiveness should be rescinded, thus making any gentleman eligible for election, the ballot, it is thought, being a sufficient guarantee for ensuring proper qualifications and respectability."

The committee likewise suggested some useful alterations, the principal of which were subsequently adopted by the annual meeting, and are embodied in the minutes thereof.

The secretary's half-yearly report was read as follows:

"My present report of the society's proceedings extends from the 6th July to the 21st Dec. 1864, both dates inclusive. During that period, in consequence of the adjournment for the long vacation, there have been only six meetings for debate. The subjects discussed thereat have respectively been as follows: Criminal Appeal (adjourned question), Attorneys and Solicitors' Remuneration Bill, Auctioneers' Liability for Deposit, Construction of Voluntary Deed, Probate of Lost Will, and Unanimity of Juries.

"The committee, in conjunction with myself, having considered fully all the special matters connected with the society, and several suggestions thereon having been made in the annual report of such committee, I have personally only to add that the proceedings of the society continue satisfactory."

(Signed) F. K. MUNTON, Hon. Sec.

The treasurer (Mr. Toombs) presented his annual account of receipts and payment, showing a balance of 3*l.* 11*s.* 2*d.* in the society's favour.

The Secretary addressed the meeting at considerable length on the subject of altering and amending the rules, and a very long discussion ensued thereon, in which Messrs. Jones, Sherring, Rigby, Blayney, Gardner, Ellen, Mote, Toombs and Green took part, and eventually the three following resolutions were carried, viz.:—

1. That the society's Rule 1 be abolished, and that, in future, any gentleman engaged in the legal profession or otherwise, on being duly proposed and seconded, shall be eligible for membership.

2. That a special debate be held half-yearly, to which ladies and other friends of the members shall be invited. The number of visitors' tickets to be issued, and the general arrangement of the meeting to be in the discretion of the committee.

3. That in the event of any member, appointed to preside or speak at any debate, being absent at the hour fixed for the chair to be taken, he shall be fined one shilling, provided that the meeting shall be at liberty to remit such fine where a reasonable excuse for the member's absence be given.

The society then proceeded to appoint the committee for the ensuing year, and the election fell upon Messrs. W. E. Jones, G. H. Kinns, H. G. Rogers, W. M. Sherring, G. W. Thomson, the Treasurer and the Secretary.

After the proposal of several new members, and the usual votes of thanks, the meeting adjourned to the 4th Jan. inst., on which occasion the current programme informs us that the question to be debated is, "Ought the priority of specialty creditors to be abolished?"

ARTICLED CLERKS' DEBATING SOCIETY.

LAW CLASSES.

At an ordinary meeting of this society, held at the Whittington-club, Arundel-street, Strand, on Wednesday last, Mr. Fraser moved, and Mr. Benn Davis seconded, "That in the opinion of this meeting it is expedient that this society should express by letter their approval of the memorial which is now in course of preparation, and shortly to be presented to the Council of the Incorporated Law Society, on the subject of law classes." To this Mr. Drummond moved as an amendment, and Mr. Theodore Lumley seconded, "that this society, while appreciating the utility of law classes in connection with some recognised institution, and while gratefully acknowledging the disinterested and able efforts of Mr. Fraser in bringing the subjects before the Profession, considers that the formation of such law classes in connection with this society (as best representing the articled clerks of England and Wales) would be attended with the most beneficial result to the class for which they are intended." After a very spirited discussion the votes of the meeting were taken, when the amendment was negatived by a majority of one, and the motion subsequently carried by a majority of nine.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Thursday, Dec. 15.

By Mr. T. E. SMITH, at Garraway's.—Leasehold house and shop, being No. 13, Little Tower-street, City; term 16 years from 1815; ground-rent 80*l.* per annum—sold for 755*l.*

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.—Leasehold, eleven residences, being Nos. 25, 26, 31 and 32, Upper Stamford-street, and 7, 9, 30, 32, 33, 34 and 35, Princes-street, Blackfriars; terms varying from 19 to 72½ years unexpired—sold for 2424*l.* Freehold house and shop, being No. 6, Union-street, city—sold for 940*l.* Three residences, being Nos. 1, 2 and 3, Ebor-terrace, Albion-road, Stoke Newington, producing 127*l.* per annum—sold for 1600*l.* Freehold, three residences, being Nos. 5, 6 and 7, Ebor-terrace, aforesaid, producing 127*l.* per annum—sold for 1600*l.* Freehold, two houses, being Nos. 12 and 13, Church-road, Stoke Newington, producing 60*l.* per annum—sold for 1000*l.* Freehold residence, being No. 6, Cemetery-road, Queen's-road, Peckham, producing 36*l.* per annum—sold for 495*l.*

Friday, Dec. 16.

By Messrs. RUSHWORTH, JARVIS and ABBOTT, at Garraway's.—Leasehold house, being No. 79, Arthur-street, King's-road, Chelsea, and a house in the rear, being No. 3, Britten-street north; term 43½ years unexpired; ground rent 30*l.* per annum—sold for 155*l.*

By Messrs. VENTON, CLARKE and BULL, at Garraway's.—Leasehold premises, being No. 23, Bridge-street, Blackfriars; term 99½ years from 1857; ground-rent 200*l.* per annum—sold for 2300*l.*

By Messrs. WEATHERALL and GREEN, at Garraway's.—Leasehold residence, known as "Sidmouth-cottage," situate in Shawfield-street, King's-road, Chelsea, term 54 years from 1843; ground-rent 6*l.* per annum—sold for 310*l.* Leasehold residence, known as "Devon-cottage," situate as above; term similar; ground-rent 2*l.* per annum—sold for 370*l.*

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, Dec. 23.

WILKINSON, W. M. and LEATHER, W. A. D. attorneys and solicitors, Lincoln's-inn-fields.

Bankrupts.

Gazette, Dec. 27.

To surrender at the Bankrupts' Court, Basinghall-street.

BAKER, DANIEL THOMPSON, heraldic artist, Old Cavendish-st. Marylebone. Pet. Dec. 21. Reg. Brougham. O. A. Edwards. Sols. White and Sons, Bedford-row. Sur. Jan. 23.

BARRAS, JOHN RENWICK, hotel keeper, Queen's-rd Bayswater. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

BARTON, GEORGE, farmer's assistant, Blackman-st. Southwark. Pet. Dec. 23. Reg. Roche. O. A. Cannan. Sol. Jarman, Basinghall-st. Sur. Jan. 9.

BAYLEY, JOHN, eating-house keeper, James-st. Oxford-st. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 14.

BRADFORD, GEORGE, beer retailer, Robert-st. Brixton-rd. Pet. Dec. 22. Reg. Brougham. O. A. Edwards. Sol. Wheatley, Symonds-inn, Chancery-la. Sur. Jan. 13.

BROWN, WILLIAM, assistant to a cheesemonger, Drury-la. Pet. Dec. 21. Reg. Roche. O. A. Cannan. Sols. Peckham and Salt, Great Knightrider-st. Doctors'-commons. Sur. Jan. 9.

COLDMAN, WILLIAM, builder, Woodbine-grove, Penge. Pet. Dec. 16. Reg. Hazlitt. O. A. Graham. Sur. Jan. 12.

COWEN, ROBERT TASSIE, musician, Bedford-ter. Camberwell. Pet. Dec. 22. Reg. Brougham. O. A. Edwards. Sol. Paddison, New Boswell-ct. Lincoln-inn. Sur. Jan. 13.

DANIEL, ROBERT LLOYD, manager to a cemetery mason, Princes-ter. Regent's pk. Pet. Dec. 23. Reg. Brougham. O. A. Edwards. Sol. Phelp, Bucklersbury. Sur. Jan. 18.

DUMAS, PETER, alias Dyer, Anchor-st. Bethnal-gn. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 23.

EARL, GEORGE, farmer, Westfield. Pet. Dec. 17. Reg. Roche. O. A. Cannan. Sols. Miller, Sherborne-la. for Savery, Hastings. Sur. Jan. 9.

FLETCHER, FREDERICK, furniture dealer, Bermondsey-sq. Bermondsey. Pet. Dec. 23. Reg. Brougham. O. A. Edwards. Sol. Parsons, Church-st. Westminster. Sur. Jan. 13.

FLETCHER, GEORGE, fish dealer, Lowestoft. Pet. Dec. 14. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

GILL, JOHN, shoemaker, Kingsbridge-pl. Poplar. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

GREEN, FRANCIS HOLMAN, carpenter, Denmark-pl. Lower Norwood. Pet. Dec. 22. Reg. Roche. O. A. Cannan. Sol. Davis, Gresham-st. Sur. Jan. 9.

HANNAFORD, EDWIN, dealer in watches, Chandos-st. Covent-gdn. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

HARWOOD, JOHN CHARLES, bread and biscuit baker, Hampstead-rd. Pet. Dec. 22. Reg. Roche. O. A. Cannan. Sols. Ody and Adams, Trinity-st. Southwark. Sur. Jan. 9.

HIRST, JOHN, builder's foreman, Shaftesbury-st. Islington. Pet. Dec. 21. Reg. Brougham. O. A. Edwards. Sol. Drew, New Basinghall-st. Sur. Jan. 23.

KEMP, ELIAS, timber merchant, Blossom-st. Norton Folgate. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

LANGSTONE, FELIX WILLIAM, builder, Walpole-st. New Cross-rd. Pet. Dec. 14. Reg. Brougham. O. A. Edwards. Sur. Jan. 18.

LATTON, FRANCIS ANDREW, mercantile clerk, Chelsea. Pet. Dec. 22. Reg. Roche. O. A. Cannan. Sol. Chidley, Old Jewry. Sur. Jan. 9.

LEWIS, JAMES, mathematical instrument maker, King's Head-st. Shoreditch. Pet. Dec. 16. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

LUNTLEY, JOHN, undertaker, Liverpool-st. Pet. Dec. 21. Reg. Brougham. O. A. Edwards. Sol. Peverley, Coleman-st. Sur. Jan. 23.

MANN, ROBERT, corn chandler, Waterloo-rd. Pet. Dec. 16. Reg. Brougham. O. A. Edwards. Sur. Jan. 18.

MATTHEWS, JONATHAN, job master, Earl-st. east, Paddington. Pet. Dec. 16. Reg. Brougham. O. A. Edwards. Sur. Jan. 17.

MILSON, HARMAN MATTHEW, horse dealer, Weymouth-mews, Portland-pl. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 14.

MITCHELL, JOHN, commission agent, King-st. Hammersmith. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

MORTIMER, JAMES, builder, Queen's-rd. Dalston. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 23.

MUSSETT, HENRY, stationer, George-la. Botolph-la. Pet. Dec. 22. Reg. Brougham. O. A. Edwards. Sol. Wright, Chancery-la. Sur. Jan. 16.

PARKER, JOSEPH, plumber, Old Ford-rd. Bow. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

PIKE, HENRY CLARK, watchmaker, High-st. Peckham. Pet. Dec. 20. Reg. Brougham. O. A. Edwards. Sol. Stackpoole, Finsers'-hall, Old Broad-st. Sur. Jan. 16.

REED, HENRY JOSEPH, saddler, Norwich. Pet. Dec. 19. Reg. Roche. O. A. Cannan. Sol. Aldridge, Moorgate-st. Sur. Jan. 9.

ROBINSON, CHARLES, builder, Libra-st. West Ham. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 16.

SENDER, AARON, and SENDER, GERSON, shoe manufacturers, Hoxton-sq. Pet. Dec. 14. Reg. Brougham. O. A. Edwards. Sols. Ford and Lloyd, Bloomsbury. Sur. Jan. 23.

SIMMINS, JOHN EBENEZER, watchmaker, Belsover-st. Marylebone. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 23.

SIMON, SAMUEL BELIO, Duke's-pl. Houndsditch. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 27.

SLATER, RICHARD, jun. ironmonger's assistant, De Beauvoir-rd. Kingsland. Pet. Dec. 23. Reg. Hazlitt. O. A. Graham. Sol. Woodward, Fenchurch-st. Sur. Jan. 10.

SOUTHEY, RICHARD, cab proprietor, St. George's-mews, Hampstead. Pet. Dec. 23. Reg. Brougham. O. A. Edwards. Sol. Leefe, Lincoln's-inn-fields. Sur. Jan. 16.

STARY, SAMUEL, carpenter, Colchester. Pet. Dec. 16. Reg. Brougham. O. A. Edwards. Sol. Jones, Colchester. Sur. Jan. 23.

THEACHER, DAVID, publican, George-pl. Bermondsey. Pet. Dec. 17. Reg. Brougham. O. A. Edwards. Sur. Jan. 18.

WARD, WILLIAM, furniture dealer, Hadfield-st. Blackfriars. Pet. Dec. 16. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

WHITEMEAD, JOSEPH, grocer, Balaclava-st. Bermondsey. Pet. Dec. 12. Reg. Roche. O. A. Cannan. Sols. Ody and Adams, Trinity-st. Southwark. Sur. Jan. 9.

WIGGETT, DAVID, cabinghouse-keeper, Bankhill-row, St. Luke's. Pet. Dec. 17. Reg. Hazlitt. O. A. Graham. Sur. Jan. 10.

To surrender in the Country.

ALLEN, THOMAS, commission agent, Sheffield. Pet. Dec. 20. O. A. Young. Sol. Mason, York and Sheffield. Sur. Jan. 20.

BILLYEALD, THOMAS, jun., lace manufacturer, Nottingham. Pet. Dec. 20. Reg. Tudor. O. A. Harris. Sur. Jan. 10.

BLAKE, JOHN, master-at-arms in royal navy, Gunnislake, Calstock. Pet. Dec. 13. Reg. & O. A. Bridgman. Sur. Jan. 9.

BOND, WILLIAM, miller, Bromsberrow. Pet. Dec. 24. Reg. & O. A. Cooke. Sol. Piper, Ledbury. Sur. Jan. 7.

COOKE, WILLIAM, draper, Knighton. Pet. Dec. 23. Reg. Wilde. O. A. Acraman. Sols. Cheese, Kington; Brittan and Sons, Bristol. Sur. Jan. 13.

COOPER, WILLIAM, baker, Nantwich. Pet. Dec. 24. O. A. Turner. Sol. Best, Liverpool. Sur. Jan. 12.

CORBY, JOHN, news agent, Mayerhold, Northampton. Pet. Dec. 22. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. Jan. 7.

CRAWSHAW, JAMES, shoemaker, Epworth. Pet. Dec. 21. Reg. & O. A. Fox. Sol. Morris, Epworth. Sur. Jan 11.

DELAHAY, WILLIAM, painter, Rose. Pet. Dec. 20. Reg. & O. A. Collins. Sol. Minett, Rose. Sur. Jan. 10.

DOYLE, WILLIAM, printer, Liverpool. Pet. Dec. 22. Reg. & O. A. Hime. Sol. Blackhurst, Liverpool. Sur. Jan. 9.

FARLEY, JOHN, chandelier and gas fitting maker, Birmingham. Pet. Dec. 22. Reg. & O. A. Guest. Sols. Powell and Son, Birmingham. Sur. Jan. 16.

FLETCHER, JOSEPH, boot and shoe maker, Rotherham. Pet. Dec. 20. O. A. Young. Sol. Ryalls, Sheffield. Sur. Jan. 20.

FRIPP, SAMUEL CHARLES, architect and surveyor, Clifton and Bristol. Pet. Dec. 22. Reg. Wilde. O. A. Acraman. Sol. Tuthy, Bristol. Sur. Jan. 13.

GIBSON, CHARLES ALFRED, druggist, Leeds. Pet. Dec. 21. Reg. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. Jan. 11.

GROVES, CHARLES, grocer, Birmingham. Pet. Dec. 20. Reg. Tudor. O. A. Klugeen. Sol. Free, Birmingham. Sur. Jan. 13.

HEAP, JAMES, carver and gilder, Manchester. Pet. Dec. 19. Reg. & O. A. Kay. Sol. Bennett, Manchester. Sur. Jan. 16.

HOGG, JOHN, bookseller, Doncaster. Pet. Dec. 13. O. A. Young. Sur. Jan. 20.
HOLLINS, THOMAS, shopkeeper, Melbourne. Pet. Dec. 19. Reg. & O. A. Weller. Sol. Borough, Derby. Sur. Jan. 5.
IRVING, DANIEL, butcher, Little Broughton. Pet. Dec. 29. Reg. & O. A. Waugh. Sol. Hayton, Cockermouth. Sur. Jan. 9.
JACKSON, GEORGE, file maker, Liverpool. Pet. Dec. 24. Reg. & O. A. Hime. Sol. Blackhurst, Liverpool. Sur. Jan. 10.
JAMES, ANNA MARIA, tailor, Bath. Pet. Dec. 21. Reg. & O. A. Smith. Sol. Bartrum, Bath. Sur. Jan. 10.
KEMP, JAMES, sen., baker, Birmingham. Pet. Dec. 22. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Jan. 17.
KING, HYAM ISRAEL, cap manufacturer, Birmingham. Pet. Dec. 24. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Jan. 16.
MCHUGH, MICHAEL, shoe dealer, Sheffield, Rotherham and Chesterfield. Pet. Dec. 15. O. A. Young. Sol. Smith and Burdekin, Sheffield. Sur. Jan. 20.
NEAL, JOSHUA LOUIS, cordwainer, Spittlegate. Pet. Dec. 21. Reg. & O. A. Winter. Sol. Malim, Grantham. Sur. Jan. 4.
NEILL, JOHN, joiner and builder, Chorlton-upon-Medlock. Pet. Dec. 16. Reg. Harris. O. A. Morgan. Sur. Jan. 10.
PARKINSON, JAMES SINGLETON, mechanic, Hulme. Pet. Dec. 22. Reg. & O. A. Hulton. Sol. Swan, Manchester. Sur. Jan. 14.
PASK, WILLIAM, groom, Grantham. Pet. Dec. 21. Reg. & O. A. Winter. Sol. Malim, Grantham. Sur. Jan. 4.
SHAW, GEORGE, butcher, Hulme. Pet. Dec. 11. Reg. & O. A. Hulton. Sur. Jan. 14.
SIMMONDS, EDWARD, blacksmith, East Grinstead. Pet. Dec. 22. Reg. & O. A. Pearless. Sol. Lamb, Brighton. Sur. Jan. 12.
STOKES, JOHN, victualler, Birmingham. Pet. Dec. 20. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Jan. 13.
STRINGER, CHARLES, weaver, Shelley, Huddersfield. Pet. Dec. 13. Reg. & O. A. Jones. Sol. Taylor, Huddersfield. Sur. Jan. 12.
WALKER, GEORGE, woollen manufacturer, Rastrick, Halifax. Pet. Dec. 12. O. A. Young. Sols. Floyd and Learoyd, Huddersfield; Bond and Barwick, Leeds. Sur. Jan. 9.
WARD, WILLIAM TRIFFITT, joiner and builder, Upper Wortley, Leeds. Pet. Dec. 21. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. Jan. 11.

Gazette, Dec. 30.

To surrender at the Bankrupts' Court, Basinghall-street.

BAGLEY, JAMES, men's tie and collar manufacturer, Denmark-ter. Camberwell, and King's-sq. Goswell-rd. Pet. Dec. 23. Reg. Hazlitt. O. A. Graham. Sol. Drew, New Basinghall-st. Sur. Jan. 17.
BECKLEY, GEORGE, saddler, Oxford-st. Pet. Dec. 24. Reg. Brougham. O. A. Edwards. Sol. Preston, Austin-friars. Sur. Jan. 17.
BOX, JAMES, pianoforte maker, Bath-pl. Blackheath. Pet. Dec. 24. Reg. Brougham. O. A. Edwards. Sol. Beard, Great St. Helen's. Sur. Jan. 23.
BYFORD, JOHN, cattle dealer, Mistley. Pet. Dec. 27. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry. Sur. Jan. 16.
CHACK, JULES, commission merchant, Frith-st. Soho-sq. Pet. Dec. 16. Reg. Hazlitt. O. A. Graham. Sol. Smith, Frederick's-pl. Old Jewry. Sur. Jan. 17.
COMPERE, THOMAS BOND, card board maker, Norwich. Pet. Dec. 19. Reg. Hazlitt. O. A. Graham. Sur. Jan. 17.
CUNNINGHAM, THOMAS, victualler, Acton. Pet. Dec. 21. Reg. Hazlitt. O. A. Graham. Sols. Wilkinson, Stevens and Co., Nicholas-la. Sur. Jan. 10.
GALE, HENRY WILLIAM, out of business, Curdridge, Botley. Pet. Dec. 27. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Raymond's-bdgs. Sur. Jan. 17.
GOODLAD, WILLIAM, beerseller, St. Leonard's. Pet. Dec. 22. Reg. Miller. O. A. Edwards. Sur. Jan. 21.
HOWE, HENRY, grocer, Rowledge, Frensham. Pet. Dec. 20. Reg. Roche. O. A. Cannan. Sol. Shore, New-inn, Strand. Sur. Jan. 18.
HILL, WARWICK, cabinet-maker, Curtain-rd. Shoreditch. Pet. Dec. 21. Reg. Hazlitt. O. A. Graham. Sol. Hicks, Moorgate-st. Sur. Jan. 10.
JOHNSON, THOMAS, jeweller, Leicester-sq. Pet. Dec. 21. Reg. Brougham. O. A. Edwards. Sol. Cattlin, Ely-pl. Sur. Jan. 23.
MILLER, THOMAS, commercial traveller, Claude-villas, Camberwell. Pet. Dec. 26. Reg. Brougham. O. A. Edwards. Sol. Bennett, Mark-la. Sur. Jan. 23.
MOORE, GEORGE RICHARD, bookbinder, Lucan-pl. Hoxton. Pet. Dec. 24. Reg. Roche. O. A. Cannan. Sol. Silvester, Great Dover-st. Newington. Sur. Jan. 16.
POWELL, ALFRED, engineer, Great George-st. Bermondsey. Pet. Dec. 24. Reg. Hazlitt. O. A. Graham. Sol. Stackpole, Pinner's-hall, Old Broad-st. Sur. Jan. 10.
WILLCOCK, JOSEPH, patent agent, Arundel-st. Strand. Pet. Dec. 24. Reg. Roche. O. A. Cannan. Sol. Bartley, Bucklersbury. Sur. Jan. 10.
WINTER, JOHN, house and estate agent, Westow-hill, Upper Norwood. Pet. Dec. 27. Reg. Hazlitt. O. A. Graham. Sol. Allen, Chancery-la. Sur. Jan. 10.

To surrender in the Country.

BARFOOT, EBENEZER, tallow chandler, Coventry. Pet. Dec. 20. Reg. Tudor. O. A. Kinnear. Sols. Dewes, Coventry; James and Griffin, Birmingham. Sur. Jan. 13.
BENT, FRANCIS GEORGE, in lodgings, Everton. Pet. Dec. 23. Reg. & O. A. Hime. Sol. Grocott, Liverpool. Sur. Jan. 11.
BOWLING, THOMAS SMITH, innkeeper, Hull. Pet. Dec. 27. O. A. Young. Sol. Spurr, Hull. Sur. Jan. 11.
BRIGGS, EDWIN, and BRIGGS, OSCAR, masons, Halton, Leeds. Pet. Dec. 27. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. Jan. 11.
BROOM, JOHN, victualler, Stourport. Pet. Dec. 23. Reg. Hill. O. A. Kinnear. Sols. Cooke, Stourport; Hodgson and Son, Birmingham. Sur. Jan. 16.
BUCKLEY, JOHN, in lodgings, Gillingham. Pet. Dec. 27. Reg. & O. A. Acworth. Sol. Stephenson, Chatham. Sur. Jan. 11.
BUNTING, HENRY, fishmonger, Belper. Pet. Dec. 23. Reg. & O. A. Ingle. Sol. Smith, Derby. Sur. Jan. 18.
BURBIN, CHARLES, steel and spring manufacturer, Sheffield. Pet. Dec. 16. O. A. Young. Sols. Smith and Burdekin, Sheffield. Sur. Jan. 20.
BURTON, WILLIAM SAMUEL, in lodgings, Balsall-heath. Pet. Dec. 16. Reg. & O. A. Guest. Sol. Sargent, Birmingham. Sur. Jan. 16.
ECKERSLEY, JAMES, engineer, Bolton-le-Moors. Pet. Dec. 19. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster. Sur. Jan. 13.
FUSSELL, FRANCIS, tobacconist, Chatham. Pet. Dec. 21. Reg. & O. A. Acworth. Sur. Jan. 11.
HAIGH, JOSEPH, cattle dealer, Ordsall. Pet. Dec. 28. Reg. & O. A. Newton. Sol. Clough, Worksop. Sur. Jan. 14.
HALES, STEPHEN, general dealer, Chatham. Pet. Dec. 21. Reg. & O. A. Southgate. Sur. Jan. 9.
HARRISON, JOHN MOORE, commercial traveller, Chesterfield. Pet. Dec. 27. O. A. Young. Sols. Smith and Burdekin, Sheffield. Sur. Jan. 20.
HILL, GEORGE, grocer and provision dealer, Claycross. Pet. Dec. 28. Reg. & O. A. Wake and Waller. Sols. Binney and Son, Sheffield. Sur. Jan. 10.
HOLDEN, JOHN, auctioneer, Manchester. Pet. Dec. 27. Reg. Harris. O. A. Morgan. Sol. Boote, Manchester. Sur. Jan. 16.
JEFFERY, GEORGE, innkeeper, Bridport. Pet. Dec. 17. Reg. & O. A. Templer. Sol. Manley, Bridport. Sur. Jan. 12.
JOHNSON, EDWARD, greengrocer, Birmingham. Pet. Dec. 27. Reg. & O. A. Guest. Sol. Francis, Birmingham. Sur. Jan. 16.
JONES, EVAN MORGAN, painter, Cowbridge. Pet. Dec. 23. Reg. & O. A. Lewis. Sol. Stockwood, Bridgend. Sur. Jan. 9.
LAMBERT, JOSEPH, colliery owner, Chesterfield. Pet. Dec. 27. O. A. Young. Sols. Binney and Son, Sheffield. Sur. Jan. 20.
METCALFE, ROBERT, shoemaker, Otley. Pet. Dec. 17. Reg. & O. A. Carr. Sur. Jan. 19.
MULLER, CHARLES HERMANN LOUIS, timber merchant, Middlesborough. Pet. Dec. 26. O. A. Young. Sols. Brewster and Stubbs, Middlesborough; Cattis and Tempest, Leeds.
PARMORE, PETER, shoemaker, Peterborough. Pet. Dec. 23. Reg. & O. A. Gaches. Sol. Taylor, Peterborough. Sur. Jan. 11.
PATTISON, FREDERICK HOPE, commission merchant, Manchester and Liverpool. Pet. Dec. 11. Reg. Macrae. O. A. Morgan. Sols. Chapman and Roberts, Manchester. Sur. Jan. 17.
PICKWORTH, THOMAS, builder, Sheffield. Pet. Dec. 24. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. Jan. 19.
RALPH, WILLIAM, farm labourer, Iden. Pet. Dec. 21. Reg. & O. A. Young. Sol. Hilton, Hastings. Sur. Jan. 14.
RAMSDEN, DANIEL, publican and commission agent, Ullingswick, Bromyard. Pet. Dec. 19. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Jan. 12.
REDFERN, THOMAS, farmer, South Wingfield. Pet. Dec. 21. Reg. & O. A. Hubbersty. Sol. Smith, Derby. Sur. Jan. 14.
SCUDAMORE, GEORGE, plasterer, Castle-hill, Hereford. Pet. Dec. 23. Reg. & O. A. Reynolds. Sol. Garrold, Hereford. Sur. Jan. 11.
SHEFFIELD, JOSHUA, news agent, Earls Barton. Pet. Dec. 24. Reg. & O. A. Burnham. Sol. Cooke, Wellingborough. Sur. Jan. 11.
SHENTON, NOAH, crate maker, Neat-grove of Cellarhead, Caverswall. Pet. Dec. 21. Reg. & O. A. Daniel. Sol. Tennant, Hanley. Sur. Jan. 19.

SPRADBROW, JAMES, shoemaker, Canterbury. Pet. Dec. 20. Reg. & O. A. Calloway. Sur. Jan. 13.
STANILAND, CHARLES, jun., joiner, Newark-on-Trent. Pet. Dec. 22. Reg. & O. A. Newton. Sol. Ashley, Newark-on-Trent. Sur. Jan. 12.
WALTERS, JOHN, seedsman, Rhymney. Pet. Dec. 24. Reg. Wilde. O. A. Acraman. Sols. Clifton, Brookings and Beckenham, Bristol. Sur. Jan. 13.
WALTON, SAMUEL, innkeeper, Pudsey. Pet. Dec. 27. O. A. Young. Sols. Mossman, jun. and Simpson, Leeds. Sur. Jan. 16.
WIGLEY, THOMAS MILLINGTON, builder, Birmingham. Pet. Dec. 20. Reg. Hill. O. A. Kinnear. Sol. Smith, Birmingham. Sur. Jan. 16.
WISE, ELI, victualler, Bloxham. Pet. Dec. 24. Reg. & O. A. Fortescue. Sol. J. Looker, Banbury. Sur. Jan. 11.
WITHERS, JOHN, boot and shoe maker, Hull. Pet. Dec. 27. O. A. Young. Sols. Levitt and Champney, Hull. Sur. Jan. 11.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Bennetts, J. saddler, 1s. 7½d. Apply at the County Court, Redruth.—*Clifford*, W. maltster, first, 10s. Edwards, London.—*Gell*, E. farmer and cowkeeper, first, 1s. 1d. Edwards, London.—*Gibson and Martindale*, ship and insurance brokers, first, 2s. 3¼d. Edwards, London.—*Gunston*, E. poulterer, first, 6s. 7½d. Stansfeld, London.—*Johnston*, T. carrier, first, 5s. 9½d. Edwards, London.—*Jones*, E. grocer, first, 2s. Kinnear, Birmingham.—*Lloyd*, F. G. B. comedian, first, 3½d. Stansfeld, London.—*Martindale*, W. H. ship and insurance broker, first, 3½d. Edwards, London.—*Schembri*, G. L. merchant, first, 2s. Edwards, London.—*St. John*, H. S. B. literary author, first, 2s. 3d. Edwards, London.

Assignments.

Gazette, Dec. 27.

BANKS, JOHN, tailor, Woolwich. Dec. 10. Trust. J. Hardy, woollen-draper, New Bond-st.
BAKERS, JOHN DEAN, baker, Witney. Dec. 2. Trusts. W. Smith, manufacturer, and T. Birdseye, blacksmith, both Witney.
BONDY, HENRY, merchant, Harp-la. Dec. 22. Trust. E. Ozenford, broker, Custom-house, Lower Thames-st.
BRIGGS, CHESTER, farmer, Sotterley. Dec. 6. Trusts. W. Easey, estate agent, Dunwich, and W. Rackhill, miller, Uggeshall.
BYERLEY, EDWIN, grocer, Rhymney. Nov. 24. Trust. W. Williams, grocer, Rhymney.
CLARKSON, WILLIAM THOMAS, merchant, Hull. Dec. 2. Trusts. W. Swan, merchant, Newcastle, and W. Ratcliffe, merchant's clerk, Hull.
ELLIOTT, JAMES, chemist and druggist, Newcastle. Nov. 28. Trusts. J. Ismay, wholesale chemist, and J. T. Coltman, provision dealer, both Newcastle.
FALL, BENJAMIN, cotton manufacturer, Sunnyside, near Rawtenstall, and Nelson, near Burnley. Nov. 27. Trusts. S. Hodgkinson, cotton-spinner, Manchester, E. C. Richards, cottonspinner, Clifton-lodge, near Preston, and J. Armitage, commission agent, Blackburn.
GROVES, DANIEL, and BRIGGS, WILLIAM, cotton manufacturers, Over Darwen. Nov. 10. Trusts. J. H. Stanley, yarn agent, Manchester, J. Hargreaves, yarn agent, Over Darwen, and E. Edge, gentleman, Hollingsforth, near Garstang.
HALFORD, MARY ANN, beer retailer, Manchester. Dec. 19. Trust. J. Kuelling, accountant, Manchester.
HANKIN, WILLIAM HENRY, grocer, Ormskirk. Dec. 12. Trusts. W. Dewhurst, wholesale grocer, and J. Mawdsley, provision dealer, both Ormskirk.
HARTLEY, WILLIAM, cloth manufacturer, Eccleshill, near Bradford. Nov. 12. Trusts. J. Foster, Bradford, and W. Pritchard, Leeds, woolstaplers.
HOWARD, JAMES, printer, Heywood. Dec. 1. Trust. R. Howard, cashier, Tranmere.
JOHNSON, ISAAC, timber merchant, Blaydon. Nov. 22. Trusts. J. W. McRae, timber merchant, and W. A. Douglas, commission agent, both Newcastle.
JONES, WILLIAM GRIFFITH, linendraper, Chatham. Dec. 5. Trusts. G. E. Gates, gentleman, Chatham, and W. Patten, warehouseman, Cannon-st. west.
LOXAM, ROBERT, corndealer, Ormskirk. Nov. 29. Trusts. T. Lycett, farmer, Lathom, and J. Simpson, provision dealer, Altrincham.
NEWRICK, WILLIAM, miller and corn dealer, Darlington. Nov. 26. Trusts. W. Rodd, corn merchant, Yarm, and J. Bell, farmer, Fighting Cocks, Durham.
PARSONS, JOHN GRIGG, innkeeper, Holsworthy. Dec. 9. Trusts. W. Wickham, wine and spirit merchant, Bideford, and J. Joliffe, printer, Holsworthy.
PERKIN, SAMUEL, and PERKIN, THOMAS, towspinners, Leeds. Dec. 7. Trusts. W. Hartley, flax merchant, Leeds, and J. Parker, flaxspinner, Leeds.
RODGERS, THOMAS, victualler, Liverpool. Nov. 25. Trusts. C. C. Christie, wine and spirit merchant, and J. Casement, painter, both Liverpool.
SALOMONS, AARON, warehouseman, Old Change. Nov. 29. Trusts. J. J. Fowls, Gutter-la. Cheapside, and H. Tucker, Gresham-st. warehousemen.
SLIGHT, HENRY, and BOOTH, BENJAMIN, builders, Boston. Nov. 28. Trusts. J. Cartwright, ironmonger, and W. Berry, publican, both Boston.
SPARKS, ROBERT FREDERICK, and MOORE, FREDERICK JOHN, merchants, Liverpool. Trusts. A. W. Chalmers, accountant, and J. H. Coupland, cottonbroker, both Liverpool.
WALKER, SAMUEL JOHN, builder, Nottingham. Nov. 30. Trusts. G. A. Walker, Esq., and J. Hassell, banker's clerk, both Nottingham.
WALKER, WILLIAM, underwriter, Lloyd's Coffee-house. Dec. 13. Trusts. W. Duthie, merchant, East India-avenue, and R. O. Yeats, the Alliance Bank (Limited), Lothbury.
WALLIS, JOHN, and HUTCHINSON, WILLIAM, cotton manufacturers, Ramsbottom. Nov. 30. Trusts. W. Fairbrother, agent, Bury, J. Schofield, cottonspinner, Ramsbottom, and J. Newton, agent, Manchester.
WOOD, GEORGE, shopkeeper, Weston-super-Mare. Dec. 7. Trust. C. Johnson, ostler, Sheffield.

Gazette, Dec. 30.

BARROW, EDWARD, cabinet maker, York. Dec. 8. Trusts. W. Hill, ironmonger, York, and W. Henderson, shoemaker, York.
CARTER, ROBERT, powerloom cloth manufacturer, Accrington. Dec. 7. Trusts. P. Vickers, yarn agent, Manchester, J. Lang, secretary, Clitheroe, and S. Moseron, secretary, Rishton.
COHEN, HARRIS, travelling jeweller, Tankersley. Dec. 21. Trust. E. Siddall, auctioneer, Sheffield.
FENDER, GEORGE, grocer, Bradley-ter. Wandsworth-rd. and Newcut, Lambeth. Dec. 28. Trusts. J. Crosfield, wholesale teadealer, Great Tower-st. and W. Harrison, wholesale grocer, Monument-yd.
HILTON, ROBERT DARWITT, draper, Old Kent-rd. Nov. 21. Trusts. T. Couth, Bread-st. and J. Barnicot, Friday-st. warehousemen.
HOLLIS, JOHN, and HOLLIS, THOMAS, cotton manufacturers, Bury. Nov. 29. Trusts. E. Wild, and H. Stead, cottonspinners, Ramsbottom.
JACKSON, ANDREW, livery-stable keeper, Sheffield. Dec. 12. Trust. M. Tune, publican, Sheffield.
LUCETT, ARTHUR CHARLES, silk mercer, Scarborough. Dec. 5. Trusts. J. Howell, Saint Paul's-churchyard, and R. Bentley, Cheapside, warehousemen. Sols. Parker, Lee and Haddock, Saint Paul's-churchyard.
MIZEN, JAMES, victualler, Bristol. Dec. 3. Trust. R. Scott, hop merchant, Bristol.
RAVEN, JAMES THEOPHILUS, draper, Foulsham. Dec. 1. Trust. G. D. Greatorex, warehouseman, Aldermanbury.
SLIGHT, HENRY, builder, Boston. Nov. 28. Trust. W. Wighton, gentleman, Boston.
SMITH, CHARLES, boot and shoe manufacturer, Worcester. Dec. 20. Trusts. L. Waterman, and A. Collins, shoe manufacturers, Bristol. Sol. Nunneley, Bristol.
SPENCER, RICHARD; SPENCER, HENRY; and SPENCER, THOMAS, cotton manufacturers, Burnley. Dec. 9. Trusts. W. Turner, Pendleton, and J. Massey, Habergham Eaves, cottonspinners.
STATAN, WILLIAM, silk throwster, Congleton. Dec. 1. Trusts. J. C. Washington, bank manager, and J. Ward, stone merchant, both Congleton.
TILDESLEY, GEORGE WILLIAM, commercial clerk, Birmingham. Nov. 30. Trusts. J. Minter, linendraper, High-st. Notting-hill, and J. Warner, gentleman, Highbury-crescent, Islington.
UNSWORTH, JAMES; ANDREW, DANIEL; and BOOTH, GEORGE, cottonspinners, Oldham. Nov. 30. Trusts. J. Platt, machinist, and G. K. Broome, cottonspinner, both Oldham.
WOOD, JOHN, and WOOD, SAMUEL, cottondoublers, Oldham. Dec. 3. Trusts. J. H. Buckley, Oldham, and J. Schofield, Ashton-under-Lyne, cottonspinners.

ERRATUM.

WEBSTER, JAMES, grocer, Wimbledon. Nov. 23. Trusts. I. Batten, wholesale grocer, Lower Thames-st. and J. Grammer (and not Granmier as before advertised), cheesemonger, Brompton-rd.

Composition Deeds.

Gazette, Dec. 27.

BARNETT, WILLIAM, farmer, Ashchurch. Dec. 2. 1s.
BRITTAIN, GEORGE SEPTIMUS, butcher, Sheffield. Dec. 2. Trusts. J. Fawley, contractor, and J. Tasker, gentleman, both Sheffield. 1s.
BROOKS, EDGAR, gun manufacturer, Birmingham. July 11. 1s. on 12th April.
BUCKLEY, JAMES, Oldham, and BROADBENT, RADCLIFFE, Oldham, cottonspinners. Nov. 24. Trusts. H. Atherton, cottonspinner, Saddleworth, and J. G. Bellison, cotton broker, New Brighton. 1s.
CROOK, JAMES, coal merchant, Old Kent-rd. Dec. 13. 1s. in 3 mos.
DALE, JOHN, butcher, Hull. Dec. 16. 5s. on 11th Jan.
DRECKER, HENRY, printer and stationer, Liskeard. Dec. 11. Trust. J. Smith, stationer, Plymouth. 6s. 8d. by two instalments—5s. on 27th Dec. and 1s. 8d. on 7th Feb.
DUCKWORTH, FREDERICK JOHN, commission agent, Brabant-ct. Philpot-la. Nov. 21. Inspector C. F. Kemp, accountant, Gresham-st. Deed of inspectorship.
GARDNER, WILLIAM, and GARDNER, PETER, timber merchants, Liverpool. Dec. 15. Trust. J. Pluney, accountant, Liverpool. 1s. by four equal instalments on 15th Dec., 15th Jan., 15th Feb. and 15th March—secured.
GIBSON, JOSHUA, cloth merchant, Leeds. Nov. 23. Trust. S. Barker, cloth merchant, Leeds. 9s. by three instalments—4s. in 4 mos., 3s. in 8 mos. and 2s. in 12 mos.
GREEN, THOMAS, tobacconist, Ipswich. Dec. 21. Trust. R. Churchman, tobacco manufacturer, Ipswich. 10s. by weekly instalments of 7l.—secured.
JUST, SAMUEL, grocer, Sheffield. Nov. 26. 15s. by six instalments of 2s. 6d. each—on signing deed, and on 15th Dec., 15th Feb., 15th April, 15th June and 15th Aug.
LAZARD, EDOUARD, merchant and foreign banker, Moorgate-st. Dec. 12. Inspector C. F. Kemp, public accountant, Gresham-st. Deed of inspectorship.
MILNER, WILLIAM EDGE, draper, Birkenhead. Dec. 2. 3s. 6d. by three instalments in 2, 4 and 6 mos.—secured.
PAGE, MARTIN, builder, Stratford. Dec. 19. 1s. 6d. on execution of deed.
PEART, GEORGE SYMES, out of business, Chelsea-villas, West Brompton. Dec. 22. 2s. 6d.
RALPH, ALLEN KEMP, coachbuilder, Ipswich. Dec. 12. 5s. in 1 mo.
RITSHER, JAMES LAWS, draper, North Shields. Dec. 8. Trust. G. Nesbitt, accountant, Newcastle. 10s. by two equal instalments in 4 and 8 mos.—secured.
SMART, HENRY, draper, Southampton. Nov. 24. Trusts. W. W. Wintle, gentleman, Broomsgrove-house, Farringdon, and J. Rowell, warehouseman, St. Paul's-churchyard. 11s. by two equal instalments at 3 and 6 mos.—secured.
STAIT, GEORGE, builder, Birmingham. Dec. 1. Trust. T. Lea, scale beam maker, Birmingham. 5s. by two equal instalments on 15th April and 15th June.
STANSFIELD, JOSEPH, boot and shoe maker, Hebden-bridge. Dec. 12. Trust. T. Sutcliffe, stonemason, Hawksclough, near Hebden-bridge. 5s. 6d. by two instalments—3s. on 28th Dec. and 2s. 6d. on 5th March.
WADDINGTON, THOMAS, corn chandler, John's-row, Bow. Dec. 12. 1s. 6d. on 24th June.
WILDE, WILLIAM, jun., victualler, Alhambra-palace, Leicester-sq. Nov. 24. 1s. in 1 mo.
WRIGHT, JAMES, dyer, Leeds. Dec. 10. 5s. in 7 days.

Gazette, Dec. 30.

ARBUTHNOT, JOHN D'MONTE, merchant, York-st. Covent-garden. Dec. 29. Trust. T. Chalkley, clerk to a solicitor, Ely-pl. Holborn. 1s. in 14 days.
BAKEWELL, ROBERT SIMPSON; SOUTHEY, FREDERICK; and ETHERIDGE, MAYER, merchants, Great Tower-st. Dec. 5. 1s. in 7 days.
BUTTERWORTH, JOSEPH; BUTTERWORTH, ROBERT; and BUTTERWORTH, RICHARD WOOFFENDEN, woollen merchants, Huddersfield. Nov. 29. 10s. at 4, 8 and 12 mos. from 1st Dec.—secured.
DUGDALE, WILLIAM, cotton manufacturer, Marsden, near Burnley. Dec. 1. Trust. T. Barrowclough, cottonspinner, Barrowford, near Burnley. 5s. in 1 mo.—secured.
EVANS, DAVID, and LEWIS, JAMES, warehousemen, St. Paul's-churchyard. Dec. 6. Trusts. F. Robinson, silk mercer, Oxford-st., D. Evans jun., warehouseman, Cheapside, W. Tarn, draper, Newington-causeway, S. Lewis, silk mercer, Regent-st., W. Lewis, saddler, Crickhowell, W. Hebdon, Honey-la., J. Young, Watling-st. and J. C. Thompson, Bread-st. warehousemen. 11s. by four instalments—in cash, 2s. at 3 mos., 3s. at 6 mos., and 2s. at 9 mos.—secured.
EWING, ROBERT ALEXANDER, ship store merchant, Minories. Dec. 6. Trust. T. Pell jun., provision merchant, Commercial-st. Whitechapel. 2s. 6d. on 12th Dec.
GENDERS, JAMES, haberdasher, Birmingham. Dec. 1. Trusts. J. Bagley, accountant clerk, Smethwick, and H. Welch, eating-house keeper, Birmingham. 2s. 6d.
GREGSON, GILBERT, draper and outfitter, Liverpool. Dec. 22. 7s. 6d. by three instalments of 2s. 6d.—on signing deed, on 22nd Feb. and 22nd May—secured.
JONES, ROBERT WALTER, corndealer, St. Alban's-ter. Vauxhall-bridge-rd. Dec. 21. 3s. on 21st Jan.
LONG, STEPHEN, cooper, Mere, Wilts. Nov. 1. 6d. by two instalments of 3d. at 6 and 12 mos.
LUPTON, JOHN PETER, manufacturer, Aldersgate-st. Nov. 30. 1s. by two equal instalments at 3 and 6 mos.—secured.
MOORE, LAWRENCE BARTHOLOMEW, builder, Newport. Dec. 1. 1s. by two instalments of 2s. 6d.
RIFFARD, HUGH, drysalter, Liverpool. Dec. 13. Trusts. W. Fairclough, passage broker, and H. C. Langton, accountant, both Liverpool. 3s. by four instalments—1s. forthwith, 1s. 27th March, 6d. 27th June and 6d. 27th Sept.
SIMPSON, WILLIAM, grocer, Manchester. Dec. 24. 2s. 6d.—1s. in 1 mo., 1s. in 3 mos. and 6d. in 5 mos.
SINGLETON, WILLIAM, and TENNANT, JOHN, ironmongers, Leeds. Dec. 5. Trust. J. Cliff, ironfounder, Bradford. 8s.—3s. in 3 mos. from 15th Dec., 2s. in 6 mos., 2s. in 9 mos. and 1s. in 12 mos.
SMITH, HENRY, farmer, South Ockendon. Nov. 30. Trusts. G. Griggs, cornfactor, Romford, I. Dewey, builder, South Ockendon, and E. Chapman, potato salesman, Farringdon-market. 5s. 6d.
THOMAS, TOM EDWARD WILKINS, mining agent, Old Broad-st. Dec. 22. 1s.
VEEVERS, JOHN SHARPLESS, and SALISBURY, WILLIAM, cotton manufacturers, Marsden, near Burnley. Dec. 1. Sutcliffe, E. Parker, worstedspinner, and T. Veevers, gentleman, Burnley. 15s. by three equal instalments at 2, 4 and 7 mos.
WOOLVERTON, CHARLES, jun., and CAMPLIN, JONATHAN, provision merchants, both Liverpool. Dec. 17. Trusts. C. Woolverton, plumber and painter, Great Yarmouth, and R. Camplin, broker, Liverpool. 7s. 6d. by three instalments of 2s. 6d. in 7 days, 2 and 4 mos.—secured.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BOULTON.—On the 29th ult., at 21, Argyle-square, W.C., the wife of Mr. Robert Boulton, of Berners-street, W., solicitor, of a daughter.
SANDERSON.—On Christmas-eve, at The Elms, Berwick-upon-Tweed, the wife of Stephen Sanderson, solicitor, of a son.

MARRIAGES.

CRICHITT—RANKINE.—On the 30th ult., at St. Stephen's Church, Westbourne-park, Henry, son of the late John George Crichitt, Esq., of Doctors'-commons and Blackheath-park, to Emma, daughter of the late Charles Rankine, Esq., solicitor.
NASH—REYNOLDS.—On the 29th ult., at St. Luke's Church, Cheltenham, Clifford E. F. Nash, Esq., M.A., Pembroke College, Oxford, and of Lincoln's-inn, barrister-at-law, to Edith Mary, third daughter of Thomas Forbes Reynolds, Esq., M.D., of Lansdown-place, Cheltenham.
THOMPSON—DAWSON.—On the 29th ult., at the Parish Church, Wolsingham, Durham, John Thompson, Esq., of Stanhope, solicitor, to Annie, only daughter of the late Matthew Dawson, Esq., of Newlands-hall, near Wolsingham.

DEATHS.

DEANE.—On the 21st ult., at 61, Lincoln's-Inn-fields, Charles Deane, Esq., of Kenia-grove, Cumberland.
GOODE.—On the 20th ult., at Ryde, Isle of Wight, aged 66, Jemima, the wife of Henry Goode, Esq., barrister-at-law.
LARCHESTER.—On the 26th ult., at Bognor, Frederick William Larchester, Esq., solicitor.

To Readers and Correspondents.

...—We have mislaid your address. Send your ... and we will forward it to a correspondent.

Anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

LIST OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, JAN. 17.

By Mr. F. J. SITARE, on the premises.

Household furniture, pianoforte, &c. at Arthur-road, Holloway. Advertised this day.

SATURDAY, JAN. 21.

By Mr. F. LEWIS, at 21, Old Bond-street.

Dozens of very choice wines. Advertised this day.

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Four lines or *thirty words* .... 3s. 6d.

Every additional *ten words* .... 0s. 6d.

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Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

The LAW TIMES goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.

A Portfolio to contain the current numbers of the LAW TIMES Reports will be forwarded by post to any person inclosing 4s. 6d. in postage stamps.

Just published,

EVANS'S LAW DIGEST for the last half-year, containing every reported case. Price 8s. ... of boards.

CROCKFORD, 10, Wellington-street, Strand.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THERE has been much gossip about contemplated legal changes. It has been affirmed for the tenth time that Sir WM. ERLE is to be raised to the Peerage, vacating the Chief Justiceship of the Common Pleas; that Mr. Justice WILLIAMS will retire, and that thus two vacancies will be created in that court. We can trace the story of the Peerage to no authentic source, and even if that honour, so well deserved, should be bestowed, it would be no reason for quitting the Bench. A peerage and a chief justiceship are in no way incompatible, according to social or professional etiquette, and the vigorous mind in the vigorous body of Sir WM. ERLE will, it may be hoped, long continue to the country the benefit of his great abilities.

Until the office is actually vacated, it is vain to speculate who will be the successor. The Chiefships are in the exclusive patronage of the Premier; all the Puisnes are promoted by the Lord Chancellor. Neither Minister ventures to interfere, directly or indirectly, with the patronage of the other. The Attorney-General is, by custom, deemed to have the preference of choice for a Chiefship; but the Solicitor-General has no such customary lien. As a matter of courtesy, it is usual to give him the refusal of Puisne Judgeship. If he prefers the bird in hand, he takes it, and retires from public life. If he aims at something higher, he trusts to time and chance for the Attorney-Generalship and its contingent Chiefship. The present ATTORNEY-GENERAL is not likely to accept even a Chiefship in the common law courts. He aims, and with good right, at the Woolsack. Whether, in his default, Lord PALMERSTON would offer it to Sir ROBERT COLLIER it is impossible to guess. There is no obligation upon him to do so. But the honour would be well deserved.

WE learn from Dublin that the legal changes consequent on the retirement of Judge BALL are still in conjecture. Rumour gives the vacant judgeship to Mr. BREWSTER. The Government is said to have been induced to this new arrangement by its reluctance to lose the parliamentary services of the ATTORNEY-GENERAL.

A QUESTION has been raised before Mr. TYRWHITT, at the Marlborough Police-office, whether a ballet is a theatrical representation, or a pantomime, requiring a theatre licence. He has delivered an interesting judgment, in which he held it to come within the meaning of the statute. But, as the case is to be immediately taken to a superior court for final decision, it is not necessary to report it now.

WE have done a great wrong, and we proffer the amplest apologies. The too common name of SMITH has led a contributor into an unfortunate error. There are so many SMITHS that it is difficult to trace the identity of any one of them, especially when, as in this case, they are of the same profession, and more perplexing still, when several are authors of law books. The confusion of persons arising out of this similarity of name is the excuse for the undesigned error into which the writer has lapsed.

Thus it was:

One of the SMITHS who write law books published a pamphlet on the MULLER case, in which he contended strenuously that MULLER was innocent, and that judges, jury and counsel were leagued in a common injustice. This unlucky pamphlet appeared only a few hours before the criminal confessed his guilt, and the author was greeted with a shout of ridicule from all who read his title-page.

In a notice of a volume written by Mr. JOSIAH SMITH, Q.C., the reviewer attributed to him the authorship of this famous MULLER pamphlet. This was almost as great a mistake as that of *the* SMITH whose folly he was fathering upon another SMITH. It seems also that the reviewer was not aware that another pen had formerly noticed the same work, and probably being still in the same error of identity. However that may be, certain it is that the author of the pamphlet is not Mr. JOSIAH SMITH, Q.C., but some other Mr. SMITH, who is also a legal author. The information is conveyed to us by his publishers, whose letter we present in full:

26, Bell-yard, Lincoln's-inn, London.
9th Jan. 1865.

SIR,—Permit us to state that, in your notice last week of Smith's Bankruptcy Manual, you have fallen into a mistake in supposing that the author of that book is the Mr. Smith who wrote on the Muller case. Your mistake has probably arisen from the circumstance that Mr. Josiah W. Smith, B.C.L., Q.C., has stepped out of his way as an equity and conveyancing counsel to write a very successful Manual on Common Law, as a companion to his Manual of Equity, so long used for examination at Lincoln's-inn, and has thereby endangered his identity, which it is of course of not a little importance to him and to ourselves, as his publishers, to preserve. There are *three well-known authors of the name of J. W. Smith*, namely, *the late Mr. John William Smith*, the author of the Leading Cases, the Compendium of Mercantile Law, and the works on "Actions," Contracts, and Landlord and Tenant; *Mr. Josiah Wm. Smith, B.C.L., Q.C. of the Chancery Bar*, one of the consolidators of the Chancery orders, editor of Fearne and Mitford, author of the Compendium of the Law of Real and Personal Property, and of the three Manuals on Equity, Common Law and Bankruptcy; and *Mr. James Walter Smith, LL.D. of the Common Law Bar*, author of a number of handy-books.—We are, Sir, your obedient servants,

STEVENS, SONS and HAYNES.

In conclusion, we can only repeat how much we regret the mistake, and we trust that, by thus prominently correcting it, we shall remove from every mind the impression, anything but pleasant to Mr. JOSIAH SMITH, Q.C., that he is the author of the MULLER pamphlet.

THE Parliamentary Bar, by the revision of their fees, have done good service to the Profession as well as to the public. The old rule that, excepting retainer and refresher, the junior counsel should have the same fee as the leader, was a monstrous imposition upon the suitor, and wrought most injuriously upon the interests of the junior Bar generally, by causing a practical monopoly of the junior briefs. The ancient rule is, we understand, to be abolished, and the Parliamentary Bar placed under precisely the same regulations with respect to fees as the Bar in other courts. Any fee that may be taken elsewhere may be accepted by the Parliamentary Bar. The promoters of Bills will now possess a much wider field of choice, for the difference of fee will often turn the scale in favour of an able junior or a man having special local knowledge, who has been hitherto excluded, because, if he required the same fee as the most famous leader, the latter would be preferred of course. If five hundred pounds must be paid, whether eminent Mr. B. was retained, or clever but unknown Mr. C., Mr. B. was taken. If, however, Mr. C.'s services can be had for fifty pounds, promoters will in many cases prudently prefer Mr. C. to Mr. B., especially as they will secure the presence of Mr. C. throughout the case, while it is uncertain if they could have Mr. B.'s services for more than the opening, which he has not had time to study, and the reply upon evidence which he did not hear.

The benefit to the junior Bar from having Parliamentary practice thus thrown open to them is too obvious to need description. Now that almost all the legitimate junior business of the courts is taken from them by the operation of the various law reforms, some new field in which they can learn by experience the art of advocacy is doubly welcome.

THE *Law Union Fire and Life Insurance Company* has presented to the shareholders a most gratifying report. The business of both branches has largely increased. In the Fire Department the new premiums amounted to no less than 5493*l.*, the renewals to 8237*l.* In the Life Department the new premiums were 6048*l.*, and the total income 31,147*l.* This was the year for the quinquennial division of profits, and they were thus distributed. Those of the Life business are to be applied to increasing the dividend for the next five years to 6 per cent. To this will be *added* the profits of the Fire business, which will yield at the least 2 per cent. more, so that the shareholders will receive 8 per cent. for the present year, which will be continued until the next division of profits five years hence. We refer the reader to the report of the proceedings at the meeting which appears in another place. The lawyers, it will be seen, can maintain flourishing companies of their own, and these are all conducted with extraordinary prudence.

A REPORT has been widely circulated by the newspapers that the LORD CHANCELLOR purposes to introduce a measure for the establishment of a Stipendiary Magistracy throughout the country. Probably there is some foundation for an extremely improbable story. It is understood that a Bill is in preparation for giving paid police magistrates to all the large towns, and some reasons were stated here why such a proposition should be received with approval. The composition of the city and borough magistracies is almost of necessity governed by political influences, which make fitness an impossible consideration, and indeed too often compel the preference of the unfit. But the objections that apply so strongly to borough magistracies do not extend to the magistrates for the county. In the great towns the business is so great as to require more time than persons of the class who usually occupy the bench can conveniently give to it. The cost of a salaried resident judge would be a small burden upon a large community. But otherwise it is in the rural districts. There stipendiary magistrates would be either too few or too many; too few for the convenience of the inhabitants, too many for the amount of work and for the pockets that must pay them. If the district over which the English *préfet* is to preside is extensive, distance would preclude nine-tenths of the people from that cheap and speedy justice which it is the function of a magistrate to dispense. A limited district would not supply sufficient work for one day in the week. These are paramount objections to such a scheme, if it were a desirable one. But is it desirable?

Is it desirable to assimilate the institutions of England to those of France and Germany?—for that is the sure result, though perhaps not the design. There must be no disguise of the fact that it is the substitution of government by *préfets* for self-government; it is centralization in its most perfect form. An army of stipendiary magistrates located throughout the country would, sooner or later, become with us, as it is in France, an instrument of the ruling power, whatever that power may be. We see what use is made of it in France, and we may gather from this what use would be made of it here.

The second objection is, the enormous power which so vast a patronage would give to the Government, already having an influence so much greater than is good for the country. The County Court judgeships have shaken the independence of the Bar. Add five hundred magistrates, at one thousand a-year, and it would be destroyed.

The third objection is not so patent, but it is not the less grave. The measure would at once sever the connection of the educated and independent classes from the administration of the law, and to that extent dissociate them from the conduct of public affairs. Hitherto it has been said always, and received as a truism, that the intellectual superiority and vigorous patriotism for which the English gentry are distinguished beyond those of the Continent are due mainly, if not entirely, to the institutions that compel them to the public service, and drill them to the discharge of public duties, and this, not for pay, but as a part of the tenure of their social position. Supersede them by stipendiaries, and three-fourths of the connection is severed at once. There will then be needed only such a downward extension of the suffrage as to give supremacy to the lowest class, and England will be reduced to the condition of America, where the higher classes stand aloof from a Government in which they have practically no voice.

The fourth objection is the cost. It will be enormous, for if competent men are appointed they must be paid accordingly. A *préfet* could not be offered less than 1000*l.* a-year—say that only 500 are required, here is a charge of half-a-million. We admit, however, that if great advantages are to be derived from the institution, this charge, or five times this charge, is not, or *ought* not to be, an obstacle; but it is to be taken into account in a balance of advantages.

And, after all, what *are* the advantages that are to be thus dearly bought? This is a part of a very large subject, which we will not enter upon at the close of a long article. We purpose carefully to consider them in a future number. In the meanwhile we commend to the consideration of our readers, as providing them with a store of argument in the controversies to which this question will give occasion, should it be formally raised, the following sketch of the uses of English justices of the peace, as distinguished from the paid *préfets* of France, extracted from an admirable paper in the *Saturday Review*:

An English Justice of the Peace is surely the most amazing person in the world, unless it be that into which he often develops once in his life—namely, an English High Sheriff. It is no wonder that both offices are utterly puzzling even to the most intelligent foreigners, as there is certainly nothing like either of them in any other part of the world. First of all nearly everything that is to be done in a whole country is entrusted to a single body of men. The only division of labour is that some functions are discharged by the whole body of magistrates acting together, some by committees chosen out of their number, some by one or two magistrates acting singly. Still the administration of all but the highest justice, the care of the local purse, and the management of most of the public local institutions, are all entrusted to the magistrates in some form or other. Even when anything is not in the hands of the magistrates as magistrates, it is often in the hands either of boards of which the magistrates are *ex officiis* members, or else of commissions which are chosen largely out of the same class from which the magistrates are chosen. Generally, whatever is done in a county, the justices of the peace are the doers of it. And the tendency of recent legislation has been to increase their powers and duties rather than to diminish them. The English Justice, as a justice, is a judge, a financier, an administrator, member of this and that board, member of this and that committee, discharging ten or twenty different functions, which in most countries would be entrusted to distinct officers or bodies of officers. Add to this, what is the great wonder in the eyes of strangers, that he does all this without pay. Add to this again, that though he is in form a Government functionary, appointed by the Crown and liable to be removed by the Crown, he is, in practice, the most independent of men. He has nothing to hope and next to nothing to fear. The Crown appointed him, but the Crown has no attractions to tempt him with, and no penalties to alarm him with. The Crown cannot promote him in his own line, nor can it visit him with any punishment save removal from the commission—a punishment most unlikely to be nowadays resorted to, except in cases of extreme misconduct. His official ambition, if he has any, must be confined to striving after a good reputation in the eyes of his brethren, or, at most, to being placed, by their own votes, at the head of their body. Add again to all this that he enjoys no privilege, no exemption, no means of sheltering himself under the wings of official favour. He must obey the law which he administers, and he is responsible for any blunders or any acts of malversation of which he may be guilty in administering it. There is probably no one else in the world who has so many and such varied duties as the English justice, and who does them all without fee or reward, with nothing to hope and nothing to fear from the powers that be.

The mode of appointment to the office is, at least in its practical working, as unlike anything in other countries as the office itself is. Formally, the justices are Crown officers; they act under a commission from the Crown, the members of the commission being appointed by the Lord Chancellor. But the Lord Chancellor, in all ordinary cases, probably in all cases out of Monmouthshire, appoints on the recommendation of the lord lieutenant of the county—an officer, again, whose position must be as puzzling to a foreigner as that of any of the others. No doubt the lord lieutenant has, in many cases, a real power of choice. There is a large margin within which he can make a real selection among both individuals and classes. One lord lieutenant appoints A., whom another lord lieutenant would probably have passed by; but in neither case is he responsible to anything beyond a gentle criticism of his appointment or of his failure to appoint. One lord lieutenant, again, makes a rule not to appoint clergymen; another appoints them without scruple. But beyond this there is a region in which the lord lieutenant can hardly be said to exercise any choice at all, where his power is limited at most to a mere veto in extreme cases. There are families in every county whose heads at least, and generally one other of their members, have a prescriptive right to a place in the commission. The man who inherits, or even acquires, a certain position in the county walks into his place on the bench almost as naturally as he walks into his family mansion. For the lord lieutenant to pass him by, except in some rare case of manifest incapacity, would be felt as an unpardonable insult.

In short, the class who find their way into the commission are what may be roughly called the local aristocracy. The word is unpleasant and inaccurate, but it is hard to find a better. But it is an aristocracy left wholly undefined by law, and not strictly defined by custom. While the right of some people is undisputed, there are other cases where a wide margin is left. One man is appointed as a matter of course; another man is appointed or not, according to his own character and the circumstances of his district. Now all this is utterly unlike anything in any other country. Different times and places have vested authority in magistrates elected by the people, in magistrates nominated by the Crown or its officers, in magistrates succeeding by hereditary right, or at least confined to a certain hereditary class. The monarchic and the democratic modes of appointment are familiar to us in other departments of our constitution, in our public offices, and in our municipal corporations. Here alone we have some approach to the aristocratic system. It is not the legal property qualification which makes the difference; that qualification has by the change in the value of money, become so low that custom draws another line within the line drawn by law. The hereditary element does practically come in in the choice of our rural dignitaries. Thus far an English county approaches to the character of an aristocratic republic, as an English town approaches to the character of a democratic republic. But it is an open aristocracy, an aristocracy into which a new comer may make his way, not a close patriciate like Venice or Bern. An English magistrate is appointed by the Crown, but, unlike a foreign official, he does not feel himself the servant of the executive government, but simply of the law. In many cases his appointment is practically a matter of hereditary right, but it is never legally so, which makes a great difference. And he has no voice in admitting or excluding colleagues whose claims are less obvious, but who, when once appointed, are his official equals. He is neither elected by the people nor responsible to the people; but, except in the solitary case of the game laws, he has no interests contrary to those of the people. He cannot spend their money without spending his own, he cannot save his own pocket without saving theirs also. The thing is utterly anomalous on any theory, and must be judged solely by its practical working. It is equally easy to say that the mode of appointment of the English justice unites all the merits or that it unites all the vices, of all other modes of appointment. In either royal nomination or popular election you except, in theory at least, some sort of special qualification for the post. But the quasi-hereditary system of appointment does not even profess to give any such guarantee; it is manifest that many a man finds his way into the commission of whom the most that can be said is that he is not utterly disqualified. But in the case of royal nomination or of popular election, there is a tendency to cringe either to the Government or the people, to seek for promotion or for re-election, a temptation from which the English justice is wholly exempt. He does not satisfy the monarchic theory, the democratic theory, or the aristocratic theory, and he sins against a principle more valuable than any of the three, that people's money should not be voted away without their own consent. He is, in short, an anomaly which cannot be justified on any speculative principle. He must be satisfied to stand or fall by his practical working. The most he can ask—and practically that is asking a great deal—is that he may be allowed to keep his place till theorists have invented something which they are sure will practically work better.

Looking at the matter from the point of view of the political philosopher, the English county magistracy is a curious case of a municipal government which could not stand alone if the central power were removed. It is fairly entitled to be called a municipality, although an aristocratic and not a democratic municipality, because it acts freely within the range which the law gives it, and is not a mere portion of a bureaucratic hierarchy acting at the beck and call of a government department. But it is a municipality which could not stand alone, which could never grow into anything beyond a municipality. The smaller states of Europe, princely and republican, arose through the gradual withdrawal of the imperial authority. The central power died away and left the local power only in practical working. The feudal lord became an independent prince, the free city became an independent commonwealth, the free district dependent on the Emperor alone became a rural democracy. Any institution, in short, which was either purely hereditary or purely elective could thus stand alone. If the royal power in England were to die away like the power of the Emperors, one can imagine cities becoming republics, and great proprietors becoming princes, but the county, as a county, must perish or receive some utterly different form of government. The town council might go on, the manor court might go on, but the Court of Quarter Sessions must come to an end. An institution which is neither elective nor hereditary must die out when the means of supplying fresh members is taken away. This is an obvious theoretical truth, but, as nothing like the English magistracy existed in the Empire, and as England is not likely to split up like Germany, it is a truth which will probably always remain theoretical only.

The Lord Chancellor has written a letter to Mr. Paget, M.P., upon the Law of Bankruptcy, which may, but more probably may not, have been intended for the public eye. But Mr. Paget has thought fit to read it to his constituents at Nottingham, and therefore it has become a semi-official document. Thus it runs:

Hackwood Park, Basingstoke.

My dear Mr. Paget,—There has been no efficient superintendence of the administration of the bankruptcy law. It was the object I principally had in view when I desired to have a chief judge appointed, but which the House of Lords refused. I have endeavoured, but imperfectly, to do the duty myself.

In doing so it is most painful to see the amount of dishonesty, neglect and abandonment of duty which has been brought to light.

But there is one evil in bankruptcy which I cannot reach. It is this: As soon as a trader has made a bad debt and the debtor becomes bankrupt in nineteen cases out of twenty he reasons thus:—"The first loss is the best. If I look after this bankrupt's estate I shall have much trouble, and may incur great expense. I cannot leave my business to attend meetings, and it will not do to employ an attorney. If I did, perhaps I should not get more than an extra shilling in the pound dividend. Therefore let it take care of itself." And thus every estate is abandoned to attorneys, brokers, auctioneers, and every description of unnecessary official persons, and it is eaten up by their costs and charges. Then comes statements like these:—Assets, 2100*l.*; cost of solicitors and otherwise in bankruptcy, 1200*l.*—more than half the property. Then there is a great outcry, and people say, this is the fault of the law and of the Lord Chancellor. could establish a board of official administration which should be bound to collect and distribute every estate at a maximum charge of 10 or 12 per cent., but were I to propose it I should have the opposition of every solicitor. How is this to be met? Will you talk to your friends on the best remedy for it; and tell me how I can secure the honest, speedy and efficient collection and distribution of bankrupt estates.—Yours very truly,

Mr. C. Paget. Westbury.

The Lord Chancellor reiterates his partialities for a Chief Judge, and appears to attribute the admitted failures of the new Bankruptcy Law to the absence of this functionary. But the practical evils in the working of the law do not proceed from its interpretation. They extend to its very principles, and lurk in its machinery. All that a judge could have done in return for his 7000*l.* a-year would have been to work two mornings in the week on determining a few difficulties in the construction of the statute, which have been solved quite as satisfactorily by the Lord Chancellor. We may estimate precisely what a Chief Judge in Bankruptcy would have to do by what the Chancellor does; for the work now done by the Chancellor, and no more, would be done by him. How many hours in a year does bankruptcy occupy

the Court of Chancery? Certainly not more than one day in a week, the year through. Is it really worth the cost of creating a high functionary for so small a duty?

The failure of the Bankruptcy Law lies at its foundation. It starts from a false basis. It ought to assume that insolvency is *primâ facie* a wrong, throwing upon the insolvent the burden of proof that it was caused by misfortune, and not by wrong. But the present law proceeds on the opposite principle, and assuming that the bankrupt has innocently taken the property of his neighbour, requires the creditor to prove that the failure to pay him was the result of fraud or folly. Until we have a bankruptcy law founded upon this reasonable and natural basis, it cannot possibly work well in practice, and we shall have a series of failures, whatever the judicial skill that interprets, or the ingenious machinery that works, it. The LORD CHANCELLOR not obscurely hints that it is to the army of solicitors and accountants that the failure of his Act is due, and he intimates that, if the creditors will not take the estate into their own hands, and manage it personally, without agencies, they must expect to find costs eating up the assets. This is true enough; but what remedy would he devise for it? It is all very well to tell creditors to look after the estates themselves. Who is to do the work? They have their own business to attend to and cannot afford to spend their time in managing the business of a bankrupt debtor. Again, all of them could not be concerned in it: who will devote their time and thoughts to it for the benefit of their co-creditors? Again, there are divers matters which none but a lawyer could do: there are disputed claims, and doubtful debts and questions, that would drive a layman to despair. Strive as he may, the LORD CHANCELLOR will find it impossible to banish the solicitors from bankruptcy business. It is placed in their hands now, only because in the long run it is found that they do it better than it can be done by any other persons.

We shall probably be charged with summoning "the army" to the rescue; but in very truth we not only advance this argument in defence, but we propose to carry the practice further and to entrust all bankruptcies to the management of the solicitors, but with this proviso, that their fee be a percentage upon the assets and moneys out of pocket.

THE warm feeling raised towards M. BENOYER, and the Bâtonnier by the conviviality in the Middle Temple Hall has prompted a popular monthly contemporary to reproach Englishmen for knowing less than they ought of the French Bar, and to enlighten them. They suppose that it is distinguished from the English Profession principally by the style in which business is done; but it occupies in a variety of respects a different position.

Here the Bar is almost entirely concentrated in London. In France there are local bars, some of them of the highest reputation, all over the country, each with its own organisation and own system of discipline. While in England the judges from Westminster go the circuits of England, in France there are between twenty and thirty Imperial Courts, each supreme over a certain number of departments, and subject only to the *Cour de Cassation*. Hence the French Bar is scattered, so that it would be almost impossible to collect in Paris such an array of barristers as, in London, did honour to the accepted representatives of the French Bar. The subdivision of that bar exercises a deep influence on the character of the whole body. In England it is a barrister's ambition to be Attorney or Solicitor-General, with a view to become Lord Chancellor or Chief Justice; or his ambition may be contented with a judgeship in a Superior Court, or in the Bankruptcy or a County Court. The consequence is, that an English judge is the faithful representative of all the traditions, all the feelings, and all the mental habits of the Bar. There neither is nor can be any considerable opposition of feeling between them. Such a notion as that the Judges represent authority, and the Bar liberty, would never enter into the mind of either. But in France it is different. The number of judges is enormous. Even in criminal trials, before the Cour d'Assizes, there will perhaps be five or six judges present, who appear hardly to take any part in what passes, and to leave everything in the hands of the president. The judges form a class by themselves, and are promoted from the less to the more important positions. Thus a distinguished judge in the provinces may hope to be promoted to Paris, but the most distinguished Parisian advocate never thinks of being a judge —he remains an advocate to the end of his days.

Another circumstance puts a wide distinction between the advocate and the judge in France. There is a "hierarchy" of official advocates. Every imperial court has its *procureurs impériales*, its *procureurs généraux* and its *avocats généraux*. To the French Bar the official and professional careers are distinct. In England the counsel who prosecutes on Monday defends on Tuesday. Nevertheless the French Bar derives from these very circumstances some qualities which for many centuries have formed its glory. In England the judges, barristers and all persons concerned in the administration of justice are acted upon by an *esprit de corps*, not always in harmony with the wishes or interests of the nation. The instinct of an English lawyer is always in favour of authority. His views are always legal. The unofficial French Bar, on the contrary, appeals more naturally to general principles of justice. Some years ago, in France, a servant, by his mistress's order, shot dead a man who came about the house with the intention of seducing a young lady who belonged to the family. The employers and the servant were tried for the murder. They were defended by M. BERRYER and were all acquitted, apparently because the jury approved of what had been done.

If the historical facts relating to the two Professions be looked at, the English bar has been on the whole triumphant; the French has been militant, and often persecuted. The rights of the Church against the Pope, of resistance to ship money, of personal liberty and of petition, and other political rights, were all established by legal precedent. If the efforts of the French Bar in this direction have been less successful than in the parallel case in our own country, the fault is not theirs. The defects of the French constitution are in a great measure the memorials of the defeat of the French Bar and the old French judges, in gallant and desperate efforts to obtain for their own country the kind of liberty which they liked.

There is a curious contrast between the intellectual characters of the two Bars. The learning of the English is multifarious, ill-digested and ill-arranged; but collected with wonderful patience and labour, with a close exactness and severity of logic which is unequalled anywhere else, and with a most sagacious adaptation to the practical business of life. There are in France as in England technical books which are mere tools of trade; but there is a class of French law books —Domat, Pothier, Emerigon and others of a more modern date—which have merits hardly understood by any English law writer.

In the *religion d'avocat*, which corresponds with our expression "etiquette of the bar," there are the distinguishing rules, that a French counsel is, to a real and appreciable extent, responsible for the character of his cause; and that he is brought into personal intercourse with his client without the intervention of a solicitor.

Such are the leading points of a paper for which we make our acknowledgment to the *Cornhill Magazine*.

Re WAY'S TRUSTS.

From the time of Bacon more than a hundred Lords Chancellors, Keepers, Commissioners and Justices, Masters of the Rolls and Vice-Chancellors have been building the equity law of this country, yet some of the foundation-stones are only now being laid. An every-day occurrence is a simple voluntary assignment of an equitable interest in a fund. Is such an assignment binding or not? The question could not have been answered with certainty until a very short time ago, when (subject, of course, to any appeal to the House of Lords) the Lords Justices put an end to the lawyers' doubt on the point by their judgment in *Re Way's Trusts*, 11 L. T. Rep. N.S. 495. In 1842, according to one who was not the least among these Chancery judges in his investigation of the law of the cases which came before him (the Vice-Chancellor Wigram), in *Meek* v. *Kettlewell*, 1 Hare, 470, the limits of the law, collected from the facts of the decisions made up to that time, did not go further than to establish that, where the legal interest in property was transferred or acquired under an antecedent agreement or direction leading the uses or trusts, or as part of the transaction creating the trust, the court would execute the trust, though voluntary. But the Vice-Chancellor did not see any reason why the doctrine of the court should be so confined, provided the trust was actually created and the relation of trustee and *cestui que trust* established between the parties. Whether that relation were established was, he conceived, the question. The Vice-Chancellor then put two cases, to which the doctrine of upholding a volunteer's interest in equity might be extended. If the owner of property declared himself a trustee for another; "again, if the equitable owner of the property, the legal interest of which was in a trustee, should execute a voluntary assignment of the property and authorise the assignee to sue for and recover the property from that trustee, and the assignee should give notice thereof to the trustee, and the trustee should accept the notice and act upon it . . . it might be difficult for the executor or administrator of the assignor afterwards to contend that the gift of the property was not perfect in equity." The condition made necessary by Vice-Chancellor Wigram in the second supposed case, that notice must be given to and accepted and acted on by the trustee, was, in strictness, extra-judicial. For although in *Meek* v. *Kettlewell* there was a voluntary assignment of an equitable interest in a fund without communication to the trustee of the fund, the principle of the decision was that, as the particular interest in question was a mere expectancy, the operation of the deed must be in the nature of estoppel, which would not necessarily be effected without a consideration. Nevertheless these extra-judicial remarks came with sufficient force of authority to influence the question whether a voluntary assignment by a *cestui que trust* ought not to be invalid unless recognised by the trustee. Lord Justice Turner said, in the recent case, that he had long anticipated from the observations above quoted that this question must arise at some time in a case where a voluntary settlement had been retained by the settlor, and no notice had been given to the trustees that such a settlement had ever been executed.

The Lord Justice's anticipation was now fulfilled. Lady Catherine Cholmeley, by a voluntary deed, in 1852, assigned to trustees a sum of South Sea Annuities, then vested in the trustees of a settlement of 1820 in trust for her, subject to certain life-interests. The voluntary settlement, which was absolute, without power of revocation, was prepared by her solicitor, who was also solicitor to the trustees of the other settlement, and, after her execution of it, was retained by her in her own possession, without being communicated to any person. Lady Catherine, under an impression that she had destroyed the settlement made by her, bequeathed the fund. The trustees of 1820 paid it into court, and the legatees petitioned the Master of the Rolls for a transfer.

Were it not for the conflict of authority which has been manifested in such cases as *Re Way's Trusts*, one would venture to assert that the principles applicable are plain. It ought first to be stated that the position taken in the court below for declaring that Lady Catherine's deed was not effectual, without some further act on her part to pass the property intended to be transferred by it, was, that the assent of the trustees of 1820 was a necessary ingredient to the creation of the relation of trustee and *cestui que trust* under the deed of 1853; until they had assented, the trustees might have repudiated the new trust and the *cestuis que trust* would have had to take steps to enforce it. This position, we think, may be admitted, but the principle remains unaffected, that a deed well executed, that is, sealed and delivered, passes to the grantee the estate granted by it, independently of any communication of the deed to particular persons. Some further ceremony may have been necessary in particular cases at common law, as delivery of seisin in the case of a deed of feoffment, but that was not of the essence of the deed. The law speaks only of a deed sealed and absolutely delivered, or delivered as an escrow, but not of a deed not assented to or not communicated: see Perkins, 137 and following sections. The point, however, has been judicially decided in *Doe* v. *Knight*, 5 Barn. & Cress. 671. In the conveyance of estates, equity follows the law. We are not speaking of that which is an equitable conveyance in form, but a contract in substance, as where a deed purports to convey

an expectancy or anything else which the grantor has not. Then Lady Catherine's assignment would be good to pass her equitable estate to the trustees of the voluntary settlement. But it is objected that the relation of trustee and *cestui que trust* was not created without the consent of the trustees of 1820. It appears to us to be of no avail to consider whether those trustees were or were not bound to act according to the trust created in 1853, for the estate then assigned would not be the less bound by that trust. It does not follow that the assent of trustees is necessary for the assignment of a trust because their assent is necessary in order to fix them with liability arising upon the assignment. A trust shall not fail for want of a trustee. The estate having passed out of Lady Catherine, upon a trust declared by her, it was therefore immaterial whether the trustees of 1820 repudiated the trust of 1853 or not. If Lady Catherine's trustees repudiated that trust, it is said that "the *cestuis que trust* would have had to take steps to enforce it;" meaning that, because volunteers are not aided in equity, the *cestuis que trust* of 1853 could not enforce the trust then created. But for what and against whom must they take steps, if the trustees repudiated? Not against Lady Catherine's representatives, for she parted with her estate by the deed; not even against the trustees (assuming they could repudiate), for they would not have acted in the trust. The steps would be under the Trustee Act for the appointment of new trusetes, that is, if the deed of 1820 itself had not made provision for such appointment in case of repudiation by the trustees named in it. These are steps to which want of consideration to the *cestui que trust* dealing with the trust has never operated as an obstacle. Notice to the trustee as between a prior and subsequent assignee of a *cestui que trust*, regarded as the completion of an assignment, seems to stand on an entirely different footing to notice as the completion of an assignment in relation to the assignor and trustee. There is the element of the adverse equity of the subsequent purchaser, which has no existence in the case of the trustee. The case is analogous to the making of a voluntary conveyance void as against a subsequent purchaser. The voluntary conveyance stands good against the grantor until the new title supervenes. In the case under consideration there is no new title to supervene.

Nevertheless, the conflict of judicial opinion upon the effect of a settlement made like Lady Catherine's, without communication to her trustees, has been great. After the decision of the Lords Justices, reversing the judgment of the Master of the Rolls, it would be unprofitable to do more than mention the two cases of *Beatson* v. *B.*, 12 Sim. 281, and *Bridge* v. *B.*, 16 Beav. 315, on which he relied. It is of more importance to direct attention to the remarks recently made by Wood, V. C., in *Gilbert* v. *Overton*, 10 L. T. Rep. N. S. 902: "It had always been held by this court, that if everything had been done with an equitable interest that would have been necessary had the interest been a legal one, that was enough. It would be a very great extension of the doctrine of the court if it were held that any outstanding legal estate whatever would prevent the court from lending its aid to a volunteer against the person in whom that legal estate was vested. If that were so, a legal estate unknown at the date of a settlement, but subsequently found to be outstanding, might defeat the settlement." The principle had been enunciated by the same Vice-Chancellor in *Donaldson* v. *D.*, Kay, 711. The Lord Justice Turner now expressed the satisfaction which that case afforded to his mind. Respecting the deed of 1853, and the circumstances attending it, the Lord Justice thought that the real result of the modern decisions, was that if a deed was validly executed by the parties it must take effect. The Lord Justice Knight Bruce was of opinion that the circumstance that the irrevocability of the deed had not been called to Lady Catherine's attention did not show such unfairness as to affect the deed, and that there was no evidence to show that her retention of it affected its validity. It should be added that the merely constructive notice, arising from Lady Catherine's employment of the solicitor to the trustees of 1820, was held by the Master of the Rolls to be inapplicable to the case, involving, as it did in his view, the consideration of their actual assent.

INVESTMENT JOURNAL.

There has been a temporary stringency in the Money-market, which has operated to postpone for some time longer the contemplated reduction of the Bank rate of interest to 5 per cent., but they have stopped half-way, and reduced it to 5½. An Italian loan of considerable amount has been announced. The security offered is that of the public lands. But with an annual deficit of thirteen millions, which can only be met by reduced expenditure, and the declared resolve of the Italians to maintain an enormous army, the certain consequence of which must be national bankruptcy, let those who may be tempted to lend think twice before they do so.

The Confederate Loan has rallied a little, and the latest prices were advancing. Turkish Consolidés are the speculative stock at present.

The Metropolitan and Provincial (Limited) Bank announces that no dividend will be declared, and it is rumoured that the Alliance Bank is about to adopt the same prudent course. But what a state of things does this reveal! This bank has done an immense business; in the regular course its profits should have been immense; if there are none, it can only be because the losses have swallowed them up; and losses must have been caused by discounting bad paper. This is precisely what was prophesied of the new banks, that in the competition for customers they would give undue credit. The speculative men whom the experienced banks refuse to trust rush gladly to the new banks, who, for the sake of a show of business, make advances on worthless paper. This is the history of all the recent revelations that have startled the commercial world, and somewhat shaken its faith in that gigantic imposition, "limited liability."

The following are the fluctuations:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	240	240	240	242	240½
3 per Cent. Red. Ann.	89½	89	89½	89¼	89¼	89¼
3 per Cent. Cons. Ann.	89¾	89½	90	90	90	89¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	71	...	...
New 3 per Cent. Ann.	89	...	89	89	89¼	89¼
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 50 yrs. exp. April 5, 1885	...	...	...	...	...	14⅝
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	89½	89½	89½	20½	...	89½
Consols for Acc.	...	...	...	...	...	...
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	212⅝	212	213	213	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	97	98	...
India 5 per Cents. 1870	103½	103½	103½	103½	104	...
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	...	...	...	...	*d*	...
India Debentures, 1859	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1856	97½	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	102	...	102½	102½	...
Do. do. 5½ per c. May 1879	...	...	102½	...	102½	...
Ex. Bills, 1000l.	*a*	...	*a*	...	*c*	*c*
Do. 500l.	*a*	...	...	...	*c*	*c*
Do. 100l. & 200l. 3 per c.	...	...	...	...	*c*	*c*
Do. Small, under 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	98½	...

a March 4 per cent. 5s. prem.
b Ex. div.
c March 4 per cent. 5s. 2d. prem.
d 7s. prem.
e 6 per cent. 5s. prem.

SOLICITORS' JOURNAL.

COURT OF QUEEN'S BENCH.

Wednesday, Jan. 11.

This being the first day of Hilary Term, the Court sat at half-past ten o'clock and proceeded to take motions, as also daily during the first four days of term, and failing motions they will take rules for new trials. The state of business already standing for the court is as follows:—There are no arrears in the new trial paper; that is, no cases but those moved last term after the assizes, of which there are only fifteen for argument. In the Crown paper there are only twenty-three cases standing for argument. In the special paper there are thirty-eight cases for argument. Three cases already argued are standing for judgment, of which two at least are of considerable public importance. One involves a question as to the effect of a nonobservance (by the master) of the Act prohibiting the loading of timber cargoes on deck, with respect to the validity of a policy of insurance. The other raises a most important question as to the operation of a certificate given by the Registrar in Bankruptcy of a deed of arrangement, which turns out to be invalid within the Act.

Re An Attorney.

Huddleston, Q.C. moved for and obtained a rule against an attorney calling upon him to pay over to his client's executors a sum of money which he had received so long ago as April last for payment of probate duty, but which he had not up to the present time paid to the Inland Revenue Commissioners.

Tennant *v.* Robinson.

This was a rule calling on an attorney named Henry Robinson to answer certain matters set out on affidavit.

T. Jones appeared to show cause against the rule, and *Raymond* in support of it.

It appeared by the affidavits that an action had been brought by the plaintiff against a Mr. John Robinson, who was the landlord of the Cross Keys Inn at Barnoldswick, in which 286*l.* 2*s.* 9*d* had been recovered, and Mr. Henry Robinson acted as the plaintiff's attorney, and sought to enforce that judgment. The defendant in the action said he could not pay, that he had sold all his goods to his son, who was in possession, and that he should offer 5*s.* 4*d.* in the pound to his creditors, and under the influence of these representations Mr. Henry Robinson agreed to accept 100*l.* in discharge of the plaintiff's debt. After this agreement the defendant, having arranged with his creditors and brought back his goods, Mr. Henry Robinson in bad faith issued an execution on the judgment for the full amount of 286*l.* 2*s.* 9*d.*

Jones, on behalf of Mr. Henry Robinson, admitted all the facts stated, but on further affidavits contended that an arrangement had been entered into between the defendant and his son, for the purpose of defeating the execution, and that a collusive sale had taken place, the defendant finding the money, and with an understanding that when the execution was got rid of the son should let the father again into possession of the Cross Keys Inn. After the arrangement to discharge the defendant on payment of 100*l.* had been entered into, the son got married, and after an absence of two or three weeks returned to the Cross Keys, and there found his father, who refused to let him again into possession of the house, and the father and son quarrelled, and the son then came to Mr. Henry Robinson, and communicated to him what the arrangement had been, and Mr. Henry Robinson then told the defendant that he should consider the transaction fraudulent, and levy for the whole amount of the debt.

The Lord Chief Justice said, if Mr. Robinson, the attorney, had settled the claim for 100*l.*, which he had paid to his client, and had afterwards levied the whole amount and put the difference between 100*l.* and 286*l.* 2*s.* 9*d.* into his own pocket, this would be no answer; but it would be then for the plaintiff and not the defendant to complain.

Jones said this was not so. It further appeared that Mr. Henry Robinson, the attorney, had subsequently acted as attorney for the son, and under pretence of acting on behalf of the plaintiff had turned the father out of the premises. This, however, was not the immediate complaint before the court.

The Lord Chief Justice said, if the defendant had anything to offer in answer to the attorney's affidavits, he might be heard in a week. If not, the rule must be discharged with costs.

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

In and on the last Day of Hilary Term 1865.

Leech, Arthur, 50, Gibson-square, Islington; and Newcastle-under-Lyme—Articled to F. Bishop, Stoke-upon-Trent

Leeman, Joseph Johnson, 2, Berkeley-place, Hyde-park—G. Leeman, York; J. Leech, 63, Moorgate-street

Morison, John, 36, Old Compton-street—W. W. Clarke, Trinity-street, Southwark; H. M. Ody, Trinity-street, Southwark

Thomas, Geo. Gilbert Treherne, B.A., 86, Piccadilly; and 57, Coleman-street, City—W. R. Maynard, Coleman-street

Tunstall, Charles William, Seven Sisters-road, Holloway—R. G. A. Hillcary, Fenchurch-buildings

Hilary Vacation 1865.

Butt, Gerard Frederick, 19, Chenies-street, Bedford-square—A. S. Twyford, 5, Southampton-street, Bloomsbury

Last Day of Hilary Term 1865.

Bennett, Norman, Chapel-en-le-Frith, Derby—W. Bennett, Chapel-en-le-Frith, Derby

Bradford, Milton, 3, Shrewsbury-villas, Westbourne-park; and Reading—J. Burton, Reading

Clark, John, Nathaniel, 9, Cook's-court, Lincoln's-inn; and 32, Arundel-square, Islington—J. Clark, 9, Cook's-court; and 32, Arundel-square

Clarke, Charles Guyon, 92, Gordon-terrace, King's-cross; East Moulsey, Surrey; 20, Rodney-street, Pentonville; and 19, John-street, Pentonville—H. Vallance, 5, Essex-street

Crozier, Philip Augustus, 1, New Roswell-court, Lincoln's-inn—G. L. Patterson, 17 and 18, New Bridge-street, Blackfriars

Daniels, Thomas Isaac, Amersham, Bucks; and 20, Walbrook, City—T. Daniels, Amersham; and 14, Bucklersbury

Handley, James, Acton, Middlesex—R. H. Munday, 24, Horbury-crescent, Kensington

Holmes, Clarence, 21, Calthorpe-street, Gray's-inn-road, and Cranbrook, Kent—H. J. Farrar, Cranbrook

Leeman, Joseph Johnson, 2, Berkeley-place, Connaught-square—G. Leeman, York; J. Leech, 63, Moorgate-street

Murrow, Charles, 312, Bedford-street, Liverpool—J. Murrow, Liverpool; R. C. Brown, Liverpool

Rigby, Frank Dixon, 43, Southampton-buildings, Holborn—R. W. Lovesey, 7, New-inn, Strand.

Spencer, George Wakefield, Birmingham; and 1, William-street, Holloway—W. Spencer, Birmingham.
Tee, Alfred, 1, Colburn-place, Bow-road—E. S. Donner, Scarborough.
Taylor, Cresswell John, 4, Verulam-buildings, Gray's-inn; Liverpool—A. Lace, Liverpool.
Trimmer, Robert, 4, Wyndham-street, Marylebone-road; and Reading—W. Hobbs, Reading.
Watson, Thomas, 62, Rotherfield-street, Islington; and 8, Boarshead-street—H. Thompson, Durham; J. Watson, Durham; W. E. Duncan, Basinghall-street.

(For previous names see p. 75.)

Applications to take out or renew Certificates on the 1st Feb. 1865.

Barrow, George, Richmond; and 7, South Audley-street
Baxter, Francis Eldon, 10, Queen-square, Westminster
Beck, John Grant, Washington, Sussex
Beverley, Thomas Frederick, Newark-upon-Trent
Chaffers, Alexander, 43, Bedford-row
Clegg, George, Manchester
Croft, Charles Herbert, Newport, Monmouth
De la Rue, John, 24, King William-street, Strand
Evans, Charles, 8, Serle-street, Lincoln's-inn; and 23, Welbeck-street, Cavendish-square
Goddard, William, 2, Montague-place, Hammersmith, W.
Gosling, Charles, Smethwick and Longdon, Stafford
Hacland, Edgar, Bridgwater, Somerset
Hill, George Frederick, Penybryn, near Cardiff
Hunt, John Charles, 152, Euston-road
Roberts, Thomas Henry, Braiswick-house, Colchester; and Appleshaw, Hants
Martin, John, Nottingham
Norton, William Henry, 8, Chesterfield-street, Euston-road; 11, Belgrave-street, Euston-road; and 4, Frederick-street, Gray's-inn-road
Postles, Marshall, 5, St. Andrew's-court, Holborn; and Blackheath
Powell, William Bunney, Kilburn
Russell, Lancelot, 29, Tavistock-street, Covent-garden; and Canterbury-road, Thornton-heath
Sankey, George, Cradley-village, Worcester
Scott, Edward, jun., Wigan
Selby, James Addison, Aylesford, Kent
Smedley, John Benjamin, 17, Charter-house-lane
Spreham, Henry Mills, The Mount, Stanstead, Essex
Swallow, George, Halifax and Sowerby-bridge, York
Turner, Joseph Edward, Tollington-park, Middlesex
Wavell, Charles Greaves, Ryde, Isle of Wight; and 6 and 12, Eastbourne-terrace, London
Walker, John Fraser, 30, Litchfield-street, Soho
Wightman, Dossey, Sheffield, York; and 226, Gray's-inn-road
Yarborough, Richard Cooke, 3, St. Ann-villa, Notting-hill.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BATES (Thomas), 10, Regent-grove, Royal Leamington-spa, Warwickshire, artist, Jan. 28. W. Russell, 37, Church-street, Royal Leamington-spa.
BRANSON (James), formerly of 8, Beech-street, Barbican, London, ironfounder, and late of Reigate, Surrey, gentleman, Feb. 27. Digby and Sharp, 1, Circus-place, Finsbury-circus, London.
BURNEY (George Charles), Ranelagh-arms, Roman-road, Old Ford-road, Bow, Middlesex, licensed victualler, Feb. 1. New, Field and Layton, 2, Suffolk-lane, Cannon-street, London.
BUTLER (William), Shelly-farm, Solihull, Warwickshire, farmer, Feb. 1. J. H. Stubbs, 23, Bennett's-hill, Birmingham.
CLEVELAND (The Most Noble Henry, Duke of), Raby Castle, Durham, and 17, St. James's-square, Middlesex, K. G. Feb. 1. Parkin and Pearden, 3, New-square, Lincoln's-inn, London.
DAVIS (John Ford), 13, Royal-crescent, Bath, M.D., March 25. Gill and Bush, 3, Miles's-buildings, Bath.
DAVIS (Louisa), 13, Royal-crescent, Bath (widow of the late John Ford Davis, Esq., M.D.), March 1. Gill and Bush, 3, Miles's-buildings, Bath.
FERREIRA (Thomas Antonio), 2, Golden-square, Middlesex, hotelkeeper, Feb. 10. C. S. and H. Bramhall, 13, Essex-street, Strand, London.
GIBSON (James), formerly of Regent-street, Middlesex, and late of 23, George-street, Edinburgh, Feb. 10. J. W. Jewitt, 6, Coleman-street, London.
GIFFORD (John Bayly), Exeter, gentleman, April 10. W. Hughes, Paul-street, Exeter.
GRAVES (Robert), Hill-street, Berkeley-square, Middlesex; Wiltshire; and Leweston-house, Dorset, Esq., Feb. 4. Freshfields and Newman, 5, Bank-buildings, London.
GRAHAM (Sophia), Belgrave-house, Turnham-green, Middlesex, spinster, Feb. 10. J. Steavenson, 19, King's Arms-yard, London.
HARWOOD (Charles), Mount-place, New Charlton, Kent, gentleman, March 25. R. Pieroe, 31, Mark-lane, London.
HEDLEY (Arthur), Otterbridge, Northumberland, M.D., Feb. 14. J. and R. Woodman, Morpeth, Northumberland.
HOSKINS (John), Santa Anna, State of Texas, United States of America, carpenter, July 1. Pritchard and Sons, 18, Great Knightrider-street, Doctors'-commons, London.
JUDGE (John), Bedford, Feb. 14. T. W. and J. Pearse, Bedford.
LLEWELLYN (William), Glanwern, Pontypool, Monmouth, coal engineer, March 7. White and Sons, 11, Bedford-row, London.
NORRIS (Percy), 1, The Crescent, Southampton-street, Camberwell, Surrey, grease manufacturer, April 1. Blakeley and Beswick, 26, Nicholas-lane, Lombard-street, London.
ROBINSON (Elizabeth), Seaton Carew, Durham, widow, Feb. 1. Turnbull and Bell, Church-street, West Hartlepool.
SHAW (Catharine Moncrieff), Margate, Kent, widow, Feb. 11. C. Rheeps, 1, Ironmonger-lane, London.
SLIFFORD (George Wildbore), Bishop Stortford, Herts, innkeeper, March 1. Henry Baker, Bishop Stortford.
WHITLEY (John), formerly of 15A, St. Helen's-place, Bishopsgate-street, London, and late of Brighton, Sussex, merchant, March 1. Simpson and Collingford, 51, Gracechurch-street, London.
WOOD (John), Shepperton house, Shepperton, Middlesex, master, Feb. 20. Garrard and James, 13, Suffolk-street, Pall-mall east, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BATE (Richard), Bromley-hall, Kingswinford, Staffs, coal master, Jan. 23, M. R. Sympson and Warner, 7, Golden-square, Middlesex, for C. W. Collis, Stourbridge.
BLAND (Sophia), Colchester, Essex, spinster, Jan. 23, V.C. S. Freeman and Beaumont, 6, Old Jewry, London.
DAVIDSON (William James), 26, Gloucester-road, Regent's park, Middlesex, and 2, Broad-street-buildings, London, estate agent, Jan. 23, M. R. Barnes and Bernard, 2, Great Winchester-street, London.
HAWKER (Emma Jane), 17, Alfred-place, Brompton, Middlesex, widow, Jan. 21, V.C. S. A. C. Ryan, 10, Lincoln's-inn-fields, London.
JOHNSON (Thomas), Feb. 2, V.C. S. Chester and Urquhart, Staple-inn, London.
LAWTON (John), Lawton-hall, Chester, Esq., Jan. 12, V.C. S. Rickards and Walker, 29, Lincoln's-inn-fields, London.
MOORE (John Henry, and Mary his wife), Moore-hall, Burriscarra, Mayo, Ireland, Jan. 20, V.C. W. O. Richards, 16, Warwick-street, Regent-street, London.
MOORE (Thomas), formerly of Pristop-park, Ashby-de-la-Zouch, Leicestershire, and late of Smisby, Derbyshire, gentleman, Jan. 17, V.C. S. Eyre and Lawson, 1, John street, Bedford-row, London, for G. Palmer, Rugeley.
OVERTON (Henry), 7, Kennington-oval, Surrey, gentleman, Jan. 12, M. R. Bothamley and Freeman, 30, Coleman-street, London.
PARSONS (John), Leicester, ironmonger, March 1. J. H. Williams and J. Lloyd, Esqrs., Leicester.

HEIRS-AT-LAW AND NEXT OF KIN.

BLAMIRE (George), 1, Adam-street, Adelphi, Middlesex, and Harraby, Carlisle, Cumberland, barrister-at-law. Next of kin to come in by Feb. 6, at V.C. S. James and Curtis, 23, Ely-place, London.
WATTS (Mrs. Anna Maria), 20, Above Bar, Southampton, whose maiden name was Anna Maria Glaine, of Bath. Next of kin to communicate with Messrs. Sharp, Harrison and Sharp, Southampton.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

LANGDON (Rev. Gilbert Henry), Oving, Sussex, and RHOADES (William Cobden), Chichester, gentleman. Dividends on 32*l.* 15*s.* 5*d.* Three per Cent. Consols. Claimant, William Cobden Rhoades.
MIDDLETON (Rev. John Clement), Greenford Magna, Middlesex, and DUNDAS (Rev. George), Shrewsbury. A dividend on 178*l.* 5*s.* 6*d.* Three-and-a-Quarter per Cent. Annuities. Claimants, John Clement Middleton and George Dundas.

ADMISSION OF ATTORNEYS.—There are 134 applications for admission during the present term, besides seventy renewed applications and for readmission. The number of attorneys on the roll is about 10,000.

THE BENCH AND THE BAR.

EXETER COUNTY COURT.

RETIREMENT OF JUDGE TYRRELL.

In the course of the day's proceedings,

Mr. Willesford, addressing his Honour, said:—As the oldest member of the profession present, it devolves upon me, in consequence of what fell from you the last time you presided at a court in this city, to express to you our extreme regret at the determination which your Honour has come to, of retiring from the position you have so worthily held for, I believe, a period of near twenty years. I am also desired to express to you our strong feeling of thanks towards you personally for the kind manner, urbanity, condescension and politeness with which you have presided over us. We are quite aware that you have had an immense deal to combat in the performance of the arduous duties of the situation which you have so well filled. I can say for myself—and I am quite certain I am only expressing the wishes of the solicitors by whom I am surrounded, as well as of the profession at large—that we thank you for the kindness which you have invariably shown us. We are all quite aware that during the course of advocacy we may be led into little ebullitions of temper; for none of us like to be beaten. These little ebullitions of temper have been met by you with considerably more kindness and urbanity than they deserved. If our regret at your leaving could be tempered at all, it might be in a slight degree by the pleasure which we feel that your Honour will retire into the bosom of your family and into private life, carrying with you not only the good wishes of the Profession, but of society at large. We feel that your Honour will retire to avocations and amusements which may perhaps be more congenial than to witness what your Honour has had to do in this court week after week and year after year. We feel that in retiring into private life you must experience a degree of satisfaction in knowing that you have earned it by arduous labours during twenty years. It must also be consolatory to you to know that during that period there has been, I believe, not one single instance, not only of your judgment being reversed, but, I believe, as far as my information goes, there has not been a single application made against your decisions. I have, therefore, to express the wishes of all the Profession that in your retirement you may be blessed by every happiness which can attend you or any man in this world. I have the honour respectfully to wish you good bye.

Mr. Flood:—As an advocate of some years' standing in your Honour's court, I must indorse every word which my friend Mr. Willesford has addressed to your Honour. I believe I express the sentiments of all, both of those around the table and of the public generally, when I say that when we heard of your Honour's determination to retire, we received it with mingled pleasure and mingled regret. We heard it with regret because, notwithstanding the high honours which the learned serjeant who is likely to succeed your Honour has attained and the high character he bears, we can hardly anticipate that we shall find a judge who shall for so long a period as that for which your Honour has presided on the judgment-seat receive the good feeling and engross so implicitly the confidence and respect of the public. We must have all observed that during the courts your Honour has sat here you have always acted with stern integrity and strict impartiality. I have always observed this: there must be in some causes strong conflicting testimony, given in a manner which renders it not easy to determine where the truth lies. Naturally the question arises whether the judgment in such a case is correct or incorrect. In these doubtful cases your Honour has always evinced a desire in such cases to find out whether there was any further evidence obtainable which could possibly show which party was in the right, and to direct your opinion in such a case. You have never grudged time, attention, or trouble in order to arrive at a decision so that justice might be administered. As time rolls on we must all feel its effects. It is nothing but what is due to your Honour to state that you have a right to demand your retirement into private life. I am sure I express the opinion of every one present, and of the public, when I wish you a happy new year, and express a hope that you may be blessed with health and happiness to enjoy many of them. I am sure all of us heartily say, God bless you.

His Honour replied with feeling:—Gentlemen, I cannot help feeling very strongly upon this occasion at parting from so many kind friends, with whom I have lived on terms of intimacy, and to whom I am greatly indebted for assisting me in the discharge of my duties in this court. I should not have got on as I have done had it not been that I have been greatly assisted not merely by the professional gentlemen, but by the officers of the court, and especially by my friend John Daw, who is recovering from severe illness at Exmouth. To him I am greatly indebted, for he has assisted me for many years in the discharge of my duties here. I repeat that I cannot help feeling strongly in parting with so many kind friends. At the same time it may not be the last occasion on which I shall appear in this court; because my assistance may be required by those who come after me, and that assistance I shall readily give if it should be required. I now take my leave of you, gentlemen, so far as this court is concerned; but I shall meet you all in private life with a hearty shake of the hand and a warm remembrance of your kindness to me. At present, in my judicial capacity, I bid you good bye.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Lord Chancellor has appointed Horatio Dain, of No. 12, Parliament-street, Westminster, gentleman, to be a London Commissioner to administer oaths in the High Court of Chancery.

IRELAND.—Mr. Justice Ball, second Justice of the Court of Common Pleas, has given notice of his intention to retire immediately from the bench, which he has occupied since 1839. He was called to the bar in 1814, so that his professional career has lasted half-a-century. Owing to failing health his resignation has been expected for some time. According to the usual course of promotion, his place on the bench will be taken by the Attorney-General, Mr. O'Hagan. Mr. Lawson, now Solicitor-General, will be Attorney-General, and Mr. Serjt. Sullivan, now Law Adviser, will succeed to the Solicitor-Generalship. Formerly the Law Adviser to the Government was not on the groove to the Bench, but now his *status* is defined, and he succeeds, as a matter of course, to the Solicitor-Generalship when there is a vacancy not caused by a change of Government. The office is therefore regarded as a prize. Mr. Serjt. Armstrong, or Mr. Charles Barry, one of the Belfast Commissioners, is thought most likely to get the appointment. The promotion of Mr. O'Hagan will cause no difference in the proportion of Roman Catholics to Protestants on the Bench, which is now eight to four, both the retiring judge and his successor being of the same Church. The new Attorney-General and the Solicitor-General are both Protestants, and so is Serjt. Armstrong, so that if he came in the balance would be fully redressed. All the gentlemen named are Liberals. There would be an inconvenience to the Government in the retirement of Mr. O'Hagan from Parliament, where he rendered effective service, and his seat for Tralee would be secure; but his health is not the most vigorous, and he has had to endure a succession of domestic afflictions in the loss of three of his daughters, each of whom died at twenty-one years of age. He has always been a favourite with the Irish public. When he retired from the chairmanship of the county of Dublin, the magistrates of that county, mostly Conservatives, unanimously presented him with a most complimentary address. The *Dublin Evening Mail*, an opponent to the Government, has no doubt "that the elevation of the Attorney-General to the Bench will secure for the public the services of an efficient judge." No one doubts that he is eminently qualified for the office, not only by his talents and learning, but by the fairness of his mind and his love of justice, which qualities were fully proved when he acted as county judge, and even in party

contests he has always acted honourably by opponents and won the regard of those who felt bound to resist the policy of the Government with which he was connected. The *Dublin Evening Post* pays him the following just tribute:

Few men have been more endeared to the Irish public of all classes and religion, by qualities of mind and heart, than the Attorney-General. While during a long and brilliant career at the Bar he was the acknowledged champion of his own church in cases where professional services were needed, there was no litigant of any religion, especially upon Mr O'Hagan's transcendentally Protestant circuit, the North-east, who did not eagerly compete for the service in his own case of Mr. O'Hagan's earnestness, efficiency and eloquence. Not unfamiliar as he is with the office of judge, filled by him for many years with the unanimous approval of advocate and suitor, he now ascends the superior Bench, followed by sentiments of more undivided personal regard, sympathy and confidence than have accompanied thither, perhaps, any of his predecessors. The gentleness of his disposition by no means marred the success of a career in Parliament which, for its length, was extraordinarily successful, because the gentleness of the Attorney-General was without prejudice to his manliness; but the judgment-seat where justice has to be administered in mercy is, it will be thought by many, a more fitting place for the exercise of those gentle and more amiable qualities of heart so distinctive to Mr. O'Hagan than the turbulent arena of politics.

The same journal reviews the career of Judge Ball in the following terms:

The retirement of Mr. Justice Ball from the seat which he has so honourable filled upon the Irish Bench for a quarter of a century will be learned with regret throughout the country. One of the most accomplished of the great Catholic lawyers who forced their way into light during the last few decades of the penal period, he was one of the first whose eminence received official recognition at its close. The worthy competitor of Woulfe and O'Loghlen, he came third after these, his distinguished co-religionists, in promotion to the Irish Bench, and may well, therefore, be counted among the first fruits of emancipation. From the death of Sir Michael O'Loghlen to the appointment of Chief Baron Pigott, Judge Ball was the solitary representative of Catholic Ireland upon the judgment-seat, and to no more efficient representative could the dignity or the interests of the country have been trusted. Although during his career at the Bar, Mr. Ball had practised almost exclusively in Courts of Equity, and with a distinction in one court, at least—the Rolls—which, if equalled, has never been surpassed—the exclusive character of his practice did not diminish his efficiency as a Common Law judge. On the Bench, as at the Bar, Judge Ball was remarkable, beyond, perhaps, any of his contemporaries, for luminous and exhaustive statement, grouping and throwing light upon all the main facts—and upon none but those—of the case that he had mastered. He, too, in common with his brethren of that first great galaxy of liberal judges, Catholic and Protestant, which followed after an interval the measure of 1829, is specially entitled to the merit of having contributed his own abounding measure of humanity and mercy to the administration of the criminal law in Ireland from which they had for centuries been strangers.

Mr. Lawson, the new Attorney General, is understood to be a candidate for Portarlington, which has the smallest constitutency in the United Kingdom. —*Times.*

VACANT COUNTY COURT JUDGESHIP.—The judgeship of the County Court of Warwickshire has become vacant by the death of Mr. William Nicholls.

THE NEW SCOTCH JUDGE.—We understand that Mr. Mure is to present to the Lord President to-day (Wednesday), in the presence of the other judges, his letter of appointment by Her Majesty as one of the Senators of the College of Justice. Mr. Mure, on having his trials prescribed, will sit as Lord Probationer in the Inner and Outer Houses, and will to-morrow take his seat upon the bench.—*Courant.*

SIR EARDLEY WILMOT ON GRAND JURIES.—On Friday, at the Warwick borough quarter sessions, Sir Eardley Wilmot, Recorder, the Judge of the Marylebone County Court, in his charge to the grand jury, said that it would not be unreasonable for him to make a few remarks on the value and importance of grand juries, as the question of whether they might not safely be dispensed with was exciting much interest in the metropolis and other large towns. He personally entertained a strong opinion of their great value and importance. In the metropolis, perhaps more cogent reasons might be advanced why gentlemen should not be detained from business for several days on grand juries, as the magistrates presiding in the police-courts were distinguished for their legal acquirements, and acted under the eyes of the public and the supervision of a vigilant press. But he was decidedly of opinion that even in the metropolis grand juries should be retained, and there appeared to him to be several very important reasons why this method of dispensing justice had been adopted by our ancestors. The first was that all classes thus participated in the administration of justice, to which that love of fairness and impartiality, which formed such a prominent trait in the English character, was in no small degree attributable. Another reason was that men engrossed in commercial and professional pursuits were largely benefited by being called upon to share and participate in the dispensation of justice, because Cicero's maxim was unquestionably true, that in proportion as a man forgets himself in the like proportion is he enabled to discharge the duties of a good and virtuous citizen. Besides, the people, who had no opportunity of studying the constitution of their country, were thus instructed in their legal rights, and enabled to some extent to appreciate and value the blessings of freedom. But one of the most important, if not the most important, was that in turbulent times the grand jury stood as a shield between the citizen and the power of the Crown. There were examples of this in various periods of our country's history, but particularly in 1681, when a metropolitan grand jury threw out the bill of high treason preferred by Charles II. against Lord Shaftesbury, which would otherwise, as Parliament was not sitting, have been removed to the Court of the High Steward, the members of which the King had the right to nominate, so that the result would in all probability have been fatal to that illustrious nobleman. Another important privilege vested in grand juries was their power to make presentments to the court, and thus to take cognisance in their official capacity of anything they thought of sufficient public interest or importance. After alluding to the opportunity that the charge to grand juries afforded judges and others for commenting upon required amendments in the criminal law, and the pain which innocent persons were sometimes spared of having to defend themselves in open court against a criminal charge, the stigma of which was not even wholly removed by acquittal, the learned Recorder cited the opinions of the French writers, De Lolme, Ondot, and Béranger, in favour of grand juries as a protection against despotism and tyranny. The opinions of Chief Justice Story, of the United States, and Chief Justice Blackstone, were also quoted at length, the material portions of the latter being:—"Little inconveniences in forms of justice are the price that all free nations pay for their liberty in more substantial matters, and these inroads upon the sacred bulwark of the nation are fundamentally opposed to the spirit of the constitution; for, although they began in trifles, the precedent might gradually increase and spread, to the utter disuse of juries in cases of the most momentous concern." The learned Recorder concluded by briefly referring to petty juries, complaining of the want of accommodation for their comfort, particularly at metropolitan courts, and of the practice of refusing them fire and refreshment when deliberating on their verdict, which he regarded as a relic of a barbarous age, and as calculated to incapacitate jurymen from properly discharging their important duties.

MAGISTRATE AND PARISH LAWYER.

The chairman of the Carlow Quarter Sessions has just decided a disputed point—whether a high sheriff, holding the commission of the peace, can act in his magisterial capacity during his year of office. It arose out of the service of a notice to apply for a spirit licence, the high sheriff being one of the magistrates served with the notice. The court decided that the service was good.

MAGISTRATES' CLERKS—PROSECUTING ATTORNEYS.—The following has been addressed to the Editor of the *Morning Herald*:—Sir, I find the following amongst the reports of the trials of prisoners at the recent quarter sessions at Exeter in an Exeter paper:—"*Counsel's fee:* In a prosecution by Robert Lovell briefs had been prepared by Messrs. Gurney (magistrates' clerks) and Mr. Merlin Fryer. Two counsel had been employed; Mr. Lopes by Messrs. Gurney; and Mr. Rogers by Mr. Fryer. There was a short conversation between Court and counsel as to which brief should have the preference. The chairman at first thought this was a question which the court ought not to be called upon to decide; but, on being pressed by Mr. Lopes, Earl Devon called forward the prosecutor, who said he had given instructions to Mr. Fryer exclusively. Mr. Rogers, consequently, had the case, although the first brief had been received by Mr. Lopes." I beg to ask Messrs. Gurney who instructed them to prepare the brief? Evidently it was not the prosecutor. And Mr. Lopes, from whom did he receive it? Was it from a clerk of Messrs. Gurney, the magistrates' clerks, or from a police-officer? Why I ask this question is simply because I know, of my own knowledge, that certain magistrates' clerks invariably prepare the briefs for the prosecutors without instructions from them, and place the same in the hands of some police-constable who is engaged in the case, with a desire that he will give the same to counsel, and after the case is tried apply for the costs, and bring it back to them (the magistrates' clerks), which he does. What the magistrates' clerks give the police-constable for his trouble I know not, but it is not very probable that he works for nothing. Does the chief constable allow his men to act as clerks to clerks of justices? I cannot see the reason that the clerks to magistrates for counties are allowed to conduct prosecutions, while clerks to magistrates for boroughs are prohibited by the 24 & 25 Vict., c. 75, s. 5, which enacts that "It shall not be lawful for the clerk to the justices of any borough, by himself or his partner, or otherwise, to be directly or indirectly employed or interested in the prosecution of any offender committed for trial by the justices of such borough, or any of them, at any court of gaol delivery, or general or quarter sessions; and any person who shall in anywise offend in the premises shall for every such offence forfeit and pay the sum of 100*l.*; one moiety thereof to the treasurer of such borough, to be paid over to the credit and account of the borough funds, and the other moiety thereof, with the costs of suit, to any person who may sue for the same in any of Her Majesty's courts of record at Westminster." I do hope and trust that in the Justice of the Peace Procedure Bill, now before Parliament, a similar provision to the above will be inserted to prevent clerks to county magistrates from becoming and acting as the attorneys to prosecutors, as it is not fair to the rest of the profession and unjust to the party accused. It is well known that the justices very frequently advise with their clerks as to the propriety of committing a prisoner for trial, and it is a very great temptation to the clerks to advise a committal, knowing at the same time that they are thereby, in many cases, securing to themselves the conducting a profitable prosecution. By giving this a place in your paper you will oblige, yours truly,

Investigator.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

TRUST TERM—DISENTAILING DEED.—The words "and also money subject to be invested in the purchase of lands to be settled," in sect. 71 of 3 & 4 Will. 4, c. 74, include money already raised, or to be raised: (*Fordham* v. *Fordham*, 11 L. T. Rep. N. S. 529. M. R.)

LAND TRANSFER ACT.—The preliminary orders under sect. 43 of this Act must be made upon petition in court, and the proper course is to comprise in one certificate the various matters referred to in that section: (*Bradish* v. *Ellames*, 11 L. T. Rep. N. S. 532. Kindersley, V. C.)

WILL—POSTHUMOUS CHILD.—B. married his deceased wife's niece, by whom he had two children, one posthumous. By his will he gave his estate in trust to sell and pay the interest of 3000*l.* to his wife for life, and subject thereto to his children (naming them), and to every other child he might have by her. Her child born before B.'s death was held to be entitled to share, but not the posthumous child: (*Smith* v. *Charles*, 11 L. T. Rep. N. S. 533. Kindersley, V. C.)

EXECUTORS' SHARES.—In *Re Hirst's Trusts*, 11 L. T. Rep. N. S. 533, executors were allowed to retain for a limited period shares in a joint-stock banking company, from holding which for a certain time great benefits were expected.

VENDOR AND PURCHASER—SPECIFIC PERFORMANCE—DAMAGES.—The court will decree specific performance where there is a complete contract under the Statute of Frauds, although there is in it a reference to a document in the nature of a contract or agreement subsequently to be drawn up. But the court will not also grant a reference to assess damages, unless there has been some special damage arising out of the delays of the defendant: (*Chinnock* v. *The Marchioness of Ely*, 11 L. T. Rep. N. S. 536. Wood, V. C.)

JOINT-STOCK COMPANIES LAW JOURNAL.

SOUR DEVON SLATE AND SLAB COMPANY (LIMITED).—The first general meeting of this company was held on Tuesday. The report stated the operations of the company during the first four months of its existence. Goods has been produced to the amount of 984*l.* at a cost in wages of 381*l.* The present quarries were producing a good supply of excellent slate, which found a ready market. A bed of slate of rare excellence, 200 feet in width and of great length, had been discovered, and would shortly be opened, and from its position it would admit of being worked by galleries, without lifting. Should this prove to be but partially as good as the directors had been advised by the scientific and experienced persons whom they had consulted, the value would be so enormous that they would recommend that thenceforth no further shares be issued but at a premium of three or four hundred per cent. They advised that no division of profits be made until the end of the first year, as it was necessary to provide for increased machinery for the opening of the new quarry, which would not cost more than 200*l.*, and the accumulation of stock—the general demand being far beyond the supply. The report was unanimously adopted.

PARLIAMENTARY DEPOSITS IN THE COURT OF CHANCERY.—On Wednesday parliamentary deposits were made in the Accountant-General's office of the Court of Chancery, on account of private Bills to be brought forward next session, and Saturday is the last day for such deposits to be made. Out of 595 private Bills there are 368 relating to railways, and the amount to be deposited will exceed the sum deposited, or security found, last year, when it amounted to 6,322,889*l.* 17*s.* 5*d.*, and represented a capital of nearly eighty millions. An alteration has been made with regard to the deposits. By the Act of 1846 money or security could be deposited—8 per cent. on railway matters, and 4 per cent. on other works. It was discovered that in 1861 warrants had been made out for deposits by other parties not connected with the undertakings; and, according to a resolution of the House of Commons, it was an evasion of the law; the warrants are now made out to promoters only, and not to "third parties." According to one of the standing orders of the House the deposits must be made previously to the 15th Jan., and, therefore, Saturday is the last day, and great activity prevails in the Accountant-General's office. It is anticipated that for next session the deposits will exceed 8,000,000*l.*

WESTERN BANK OF SCOTLAND.—A trial lasting eight days has just been brought to a close in the Jury Court at Edinburgh, before the Lord President of the Court of Session, in which the pursuer, Mr. Addie, coal and iron master, Viewpark, Lanarkshire, has obtained a verdict against the liquidator and partners of the late Western Bank for repayment of the price paid by him for 135 shares in 1855, and of the calls made upon him in the disastrous winding-up—amounting, with interest, to about 35,000*l.* The issue lodged by the pursuer was whether he had been induced to make the purchase by false and fraudulent representations made by the bank as to the state of its affairs. Evidence was adduced to show that Mr. Addie had been repeatedly solicited by Mr. Torrens, the agent of the bank at Andrie, with whom he had about 40,000*l.* lying in deposit. Mr. Torrens represented that the dividend, which in former years had been 7 and 8 per cent., had further prospect of being increased, and he pointed to the fact of the concern being in the hands of directors who had all managed their own affairs well, and might be relied upon to manage well the affairs of the bank. These representations were ultimately backed up by Mr. Taylor, the manager, and in Nov. 1855, Mr. Addie purchased 135 shares at the price of 104*l.* He had already been a shareholder from 1848, along with his partner in business, and had himself made further purchases in 1848. An elaborate investigation was made into the accounts of the bank, the pursuer undertaking to

show that, at the time he made the purchase in question large losses had been sustained, which were further aggravated by the renewal of bills to firms known to be heavily involved, and which ultimately became bankrupt, and occasioned tremendous losses to the bank. Notwithstanding these losses the directors had in 1855 issued a report in which they stated that profits had been made during the year to the extent of 153,000*l.*, of which 150,000*l.* were appropriated to payment of dividend, and the balance went to the "rest." He contended that looking to the true state of the bank the representations contained in that report were misleading and fraudulent, and that he had been imposed upon in making the said purchase. For the defender it was pleaded that although the partners were in law responsible for the representations made by the directors, there was no proof of falsehood or fraud in the present case, but that the directors had not issued the report till after a reasonable and careful investigation into the state of the bank affairs; that the losses which ultimately ensued occurred, or at all events transpired, subsequent to 1855; that Mr. Addie, who had been a partner in the bank since 1848, was equally responsible with the other shareholders for what had occurred, that at least 50 new shareholders had come into the bank after the date of Mr. Addie's purchase and before its close, and that the effect of this action directed against the liquidator of the bank was simply to make Mr. Addie's fellow sufferers pay for the misfortunes which they had all shared; and that the liquidator had no funds of the bank in hand, and could only meet an unfavourable verdict by a levy upon those who were equally sufferers with Mr. Addie. The Lord President, in his charge to the jury, clearly pointed out that without fraud on the part of those for whom the shareholders were responsible there could be no claim sustained on the part of Mr. Addie against the other shareholders of the bank, and he declined to give the direction asked by the pursuer to the effect that his claim was unaffected by the fact that he was himself a shareholder at the time of the purchase, nor by the fact that he held these shares till the close, nor by the fact that the shares were now unsaleable and worthless; nor by any change which had taken place in the body of shareholders. He stated that the jury were entitled to take all these circumstances into consideration, as also the fact that Mr. Addie had assisted at and sanctioned the proceedings at the winding-up of the bank. The jury, after half an hour's absence, returned an unanimous verdict for the pursuer. It was intimated in the course of the trial that the case would not terminate in the present verdict, involving as it did numerous questions in point of law, and it is also competent to the liquidator to move for a new trial.

COUNTY COURTS.

SHERIFFS' COURT.

(Before Mr. Commissioner KERR.)

GRANT *v.* WELLS.

Debt Collecting Societies and the Public.

This was an action to recover 1*l.* 11*s.* 6*d.*, and the defendant pleaded for time.

Mrs. Grant objected, and after the usual little domestic recriminations,

Mrs. Wells pulled out a sheet of paper, which she held out to his Honour, saying, "Will you please to just look at this, sir?"

His HONOUR.—What is it?

Mrs. Wells.—You look at it.

His HONOUR read the paper, and found it was an application for the money by a trade protection and debt collecting society.

Mrs. Grant.—I asked them to do it for me.

His HONOUR.—I see that they charge 1*s.* 1*d.* I suppose that is 1*s.* for writing the letter and 1*d.* the postage. Do you know, Mrs. Wells, that you could fine these people for a penalty of 50*l.*, though it is extremely doubtful whether you would get the money?

Mrs. Wells.—I ought to get something, for they frightened me pretty well. Ah! it is all very fine to laugh, but I had that thing brought to me in an envelope with a great big seal to it. I thought it was something from government, and when I opened it I found it was an application for this money.

His HONOUR.—I shall look into this matter, and I would advise you, Mrs. Grant, not to have anything more to do with such societies.

Mrs. Grant.—I won't, your Honour, but I could not get my money.

His HONOUR.—You will leave this paper with me, Mrs. Wells, and I will adjourn this case for one month. In the meantime you must pay something.

THE NEW BANKRUPTCY LAW.

NOTES OF NEW DECISIONS.

CRIMINAL PROCEEDINGS.—By an order of a commissioner a bankrupt was ordered to be prosecuted for offences under sect. 221 B. A. 1861. The application was granted on an affidavit of a petitioning creditor. No creditors' assignee had yet been appointed, but this was held to be no objection to the validity of the order. The L. C. further held, that the bankrupt had no right to insist upon, nor could he be called upon to submit to, an examination of himself prior to the issuing of the order; also, that the order was right in not specifying particularly the grounds or charges upon which the bankrupt was directed to be prosecuted: (*Ex parte Levi re Levi*, 11 L. T. Rep. N. S. 527. L. C.)

COMPOSITION-DEED — WHAT DEEDS TO BE VALID, AND UPON WHAT CONDITIONS.—A composition-deed was made between a debtor of the one part and the creditors who were parties thereto of the other part; the debtor covenanted "respectively" to pay the composition therein mentioned; the deed was executed by the requisite majority in number and value of the creditors according to the B. A. 1861, s. 192; but there were many non-assenting creditors. The Court held (affirming the judgment of the Court of Ex.), that, as the covenant with the assenting creditors gave to each individual assenting creditor the right to sue, and the non-assenting creditors were not parties to the deed, they had not equal protection, nor an equal right with those who executed it, to sue, and as the right to sue was the equivalent to so much property, the deed was invalid under the B. A. 1861, sect. 192: (*Benham v. Broadhurst*, 11 L. T. Rep. N.S. 537. Ex. Ch.)

COMPOSITION-DEED UNDER SECT. 192.—A composition-deed under sect. 192, which on the face of it excludes non-assenting creditors who do not come in and sign from getting any benefit from the arrangement, is a bad deed: (*Raphael v. Davis*, 11 L. T. Rep. N. S. 539. Ex. Ch.)

SEARCH-WARRANT—ABSCONDING IRISH BANKRUPT IN ENGLAND—RIGHTS OF SHIPOWNERS—ASSIGNMENT OF BILLS OF LADING—PAYMENT OF FREIGHT.—Where goods have been shipped to be conveyed to a certain port, for a freight agreed upon, bills of lading having been signed, in case of the subsequent bankruptcy of the shipper, his assignees cannot, before the sailing of the vessel, which is in the port of Liverpool, insist upon having the goods redelivered without paying the freight that would be due at the port of destination, and indemnifying the master against any claim in respect of the bills of lading. And the possession acquired by the messenger of such goods, in consequence of a search-warrant granted by the court, in no way changes the onus of proof, or entitles the assignees, where the goods have been redelivered to the master by the court, to cast upon him the duty of impeaching the title of the holders of the bills of lading at the port of destination. The following question arose during the hearing of this case: Has the Court of Bankruptcy in Ireland jurisdiction to issue a search-warrant with respect to goods on the premises of a third party in England? (*Re Clifford Webster*, 11 L. T. Rep. N. S. 547. Lynch, J.)

COURT OF BANKRUPTCY—THE MESSENGERS.—Mr. Hamber, the messenger attached to the Court of Mr. Commissioner Goulburn, retired on Thursday upon full pay. The duties of Mr. Hamber will for the future be performed by Mr. Cooper, who some months since was suspended by reason of supposed irregularities, but who has recently been desired to resume his position in the court.

CORRESPONDENCE OF THE PROFESSION.

ECCLESIASTICAL LAW.—C. D. is only entitled to the income from the date of the formal resignation of A. B., when the benefice became voided. The neglect of A. B. to "read himself in" would not, I think, constitute an "avoidance." The churchwardens or sequestrators are the parties liable to account to C. D., and against whom he should proceed before the ordinary: (4 Burns Eccl. Law, 4; Prid. Churchwardens' Guide, 338, 339, 7th edit.) An action might also lie against the sequestrator for money had and received to the use of C. D.

Pontypool. H. B. R.

APPOINTMENTS FOR SOLICITORS.—The Lord Chancellor proposes to bring in a Bill to appoint stipendiary magistrates. Should not solicitors, after having been in actual practice fifteen years, be eligible for appointments as stipendiary county and borough magistrates in the provinces upon relinquishing private practice? At the present time solicitors are not, as you are aware, eligible to be appointed county magistrates.

Portsea, Jan 11. AN OLD SUBSCRIBER.

BANKRUPTCY PRACTICE.—Can any of your readers inform me what authority there is for Commissioners in Bankruptcy refusing to allow a solicitor to prove for his bill of costs without first procuring it to be taxed, unless with the consent of the creditors' assignee? There is certainly no clause in any Act of Parliament, and I have looked in vain for any rule of court. It is true the inconvenience is rarely felt, because in nearly every case the solicitor for the assignee looks through the bill and agrees upon the amount with the creditor, and should they happen to differ the matter is referred to the Taxing Master in Bankruptcy, who taxes the bill inexpensively. Occasionally, however, an individual is met with who from a misanthropical delight in giving trouble or causing loss to others, will not pursue the usual course. As a solicitor can bring an action for his bill without taxing it, it seems so monstrous that he cannot prove in Bankruptcy without, that I doubt whether there is any foundation for the practice, and shall therefore be glad if any of your readers can answer the question with which I began this letter.

61, Watling-street, N. S. E. STEINBERG.
Jan. 1865.

FORMER CONVICTION—PRACTICE IN PROSECUTION FOR FELONY.—Will you allow me to bring under your notice and that of your readers the following point of practice? A man who has been previously convicted of felony is indicted for larceny. Of course, no hint of the former conviction is opened to the jury, and the case for the prosecution is closed without any allusion to "black books." Then counsel for the defence, addressing the jury, after exhausting his ingenuity in picking the evidence to pieces, and dwelling eloquently on the legal presumption that every man is presumed to be innocent till he is proved to be guilty, "tops up" or "climaxises" his peroration by stating as a fact (after a quiet consultation with "prisoner at the bar" (in which the latter says he has no witnesses), that the accused has never had any other charge brought against him; whereupon the prosecuting counsel (prepared with all satisfactory proof to that effect) "blurts out" to his opponent, rather than to the court or jury, something about a former conviction, as invalidating what has just been said. This remark, or "blurt"—*obiter* as it is—amazes such of the lawyers present as have learnt by rote the A., B., C. of criminal trials, so far as regards "keeping snug," in the first instance, all records of antecedent offences. The question that arises hereon is this: whether it be compatible with ordinary fair play, or with the business-like conduct of the administration of human justice, or with the maintenance of God's truth, that men who are listened to with the deference accorded to "gentlemen of the bar," and who are supposed to be persons of truth and honour, should be allowed to abuse the minds of the jury by such a *suggestio falsi*, omnipotent from the lips of a "counsellor," however powerless if uttered by the prisoner himself, and that the only antidote for such moral poison should be cried down. The misguiding "*cppen pteroenta*" lodge instanter in the ears of the jury; and unless dislodged quite as instantly, they cannot fail to pervert the course of justice. The judge may (or more frequently may not, for fear of seeming partial) caution the jury against believing anything but the sworn evidence. But it is too late. The fallacious story—not to call it falsehood—has effectually done its work. If the rule against "opening a previous conviction" is to warrant counsel on the other side in declaring positively that a once, or a twice, or a thrice convicted felon, is a man of hitherto immaculate character, it will soon be doubted whether it is wise to retain such rule at all. At any rate, it would seem that such rule could not by any means accord with any rational system of ethics. And, in the long run, it would operate adversely to defendants rather than in their favour. JUSTITIA.

11th Jan. 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

UNDER-LEASE.—A. is under-lessee of premises, the superior lease of which he afterwards purchases, and subject to such under-lease the superior lease is assigned to himself and B. as joint tenants. Does the under-lease merge by this transaction? W. N.

ARTICLED CLERKS' DEBATING SOCIETY.—I am desirous of becoming a member of this society, but do not know to whom application must be made. Will you kindly give me such information in your next publication and oblige.

C. W. B.

DIVORCE—COSTS.—Husband proceeds for a divorce from his wife on the ground of her adultery, and obtains leave to proceed without making a co-respondent. The wife has property of her own in the colonies. If the husband obtains a decree dissolving the marriage, is he entitled to costs? and if so, can the order be enforced against the wife or her property? C. F.

Jan. 9, 1865.

FRAUD—NOTICE.—A. and B., as trustees of a will, have the legal estate of freeholds, with powers of sale and their receipts to be good discharges. B., who is a solicitor, by misstating the character of the deed to A., induces him to execute a conveyance (which is already executed by B.) to D., a purchaser. A. signs indorsed receipt. B. acts as D.'s solicitor, and receives purchase-money. B. then becomes bankrupt. L. A., having no knowledge of the sale (ignorant of the nature of the deed he had executed), has he any remedies against D? 2. Would D. be held to have had notice of B.'s fraud upon A.? W. N.

WHARFINGER.—In 1863 a merchant warehoused a parcel of goods at a wharf in the port of London; for these goods the wharfingers issued warrants to his order, charging at the same time to the debit of his account a sum of about

4*l.* for expenses incurred in landing and warehousing such goods. The warrants having been issued and transferred by indorsement to third parties (buyers of the goods), the wharf lost all claim (for landing charges) upon that parcel of goods. In Dec. 1864 the same merchant warehoused another parcel of goods at the same wharf, which were landed and examined by the wharfingers in due course. The wharfingers now refuse to deliver or issue warrants for the second parcel until the 40*l.* expenses incurred on the first parcel (standing in their books as a balance of account against the merchant), as also the amount of charges incurred on the second parcel, be paid. Has the wharf a lien on the goods landed in Dec. 1864 for charges incurred on goods warehoused in 1863? MERCATOR.

London, Jan. 10.

LAW LIBRARY.

Studies in Roman Law, with Comparative Views of the Laws of France, England, and Scotland. By Lord MACKENZIE, one of the Judges of the Court of Session in Scotland. London: Blackwood.

(*Continued from page 543, vol. xxxix.*)

The part of this treatise most interesting to our readers will be the chapter devoted to a very detailed description of the lawyers of Rome.

THE ADVOCATES OF ROME.

In private causes it was customary to deliver to the advocate a brief drawn up by a jurisconsult, in which questions of law were fully discussed. Besides, the advocates were frequently assisted at the bar by a lawyer of the second order, who was called *leguleius* or *formularius*, and sometimes *scanlor*.

Among the Romans the costume of the advocates was the white *toga*, which at one period was common to all the citizens. By the lower class this began to be given up about the time of Cato the Censor, and it had almost fallen into disuse at the end of the republic, except among the senators and equestrians. Under Augustus, advocates were compelled to assume the ancient costume at the bar. Before long the toga was nowhere to be seen except in courts of justice; and the expression *togati*, which Cicero and Virgil had applied to the whole Roman people, became at last the usual designation of the advocates.

Whether any limitation was imposed on the length of the oral pleadings in early times is uncertain; but in the age of Cicero this seems to have been left to the discretion of the judge, especially in private causes. In criminal trials Pompey made a regulation, that the accuser should not be entitled to speak for more than two hours, nor the accused for more than three hours; but the parties were sometimes allowed to exceed these limits when the nature of the cause appeared to require more time. Not long afterwards the judges were again invested with discretionary power to regulate the period to be occupied by the speeches according to the importance of the affair. In criminal causes the time was usually divided in the proportion fixed by the Pompeian regulation, so that if *six* hours were allowed to the accuser, *nine* hours were allowed to the accused.

A clepsydra was used in the tribunals for measuring time by water, similar in principle to the modern sand-glass. When the judge consented to prolong the period assigned for discussion, he was said to give water—*dare aquam*. "As for myself," says Pliny, "whenever I sit upon the bench (which is much oftener than I appear at the bar), I always give the advocates as much water as they require; for I look upon it as the height of presumption to pretend to guess before a cause is heard what time it will require, and to set limits to an affair before one is acquainted with its extent, especially as the first and most sacred duty of a judge is patience, which, indeed, is itself a very considerable part of justice. But the advocate will say many things that are useless. Granted. Yet is it not better to hear too much than not to hear enough? Besides, how you can know that the things are useless till you have heard them?

Marcus Aurelius, we are told, was in the habit of giving a large measure of water to the advocates, and even permitting them to speak as long as they pleased.

By a constitution of Valentinian and Valens, A.D. 368, advocates were authorised to speak as long as they wished, upon condition that they should not abuse this liberty in order to swell the amount of their fees.

Sometimes the pleadings were very long: for, if we are to believe Quintilian, it was a species of glory for an advocate that he had spoken a whole day for one party. Regulus fatigued the judges with interminable harangues. In the trial of Marcus Priscus before the senate, Pliny, who opened the case, spoke nearly five hours. On another occasion, he tells us, he spoke for seven hours before the centumvirs and a crowded audience, with success equal to his great fatigue.

According to ancient custom, one counsel only appears to have been allowed on each side. Afterwards the number was increased.

There was a long struggle between the Bar and the Legislature in respect of fees, and many efforts were made to prevent the giving or receiving even of an honorarium. But in spite of all endeavours to suppress the practice by severe penalties, rewards for services were offered and accepted, and even Cicero was said to have received 8000*l.* for the defence of Publius Sylla, though in words he declared himself an approver of the law that prohibited fees for advocacy. But though the law forbad a fee in the form of a present gift, it appears to have permitted fees in the form of legacies from the grateful clients, and Cicero avowed that in this shape he had received upwards of twenty millions of sesterces, which is about 160,000*l.* of our money.

Failing to prohibit fees, the law sought to limit them; but equally in vain. Where one man wants to receive what another man is willing to give, ingenuity will certainly defeat the law, and that makes the cure of bribery by penalty impossible.

THE BAR OF ROME.

To entitle any one to be admitted to the Roman bar, the first condition was that he should be of competent age, which was fixed at seventeen years by the edict of the prætor, and this was confirmed by Justinian.

The entrance to the bar was forbidden to all infamous persons. Women were never prevented from pleading their own causes, but they were prohibited from acting for others. Caia Afrania, a bold, impudent woman, was in the habit of molesting the prætor by her violent speeches, and this led to an edict forbidding all females from pleading for others in courts of justice. This prohibition passed from the edict into the Pandects.

Candidates for the bar studied the law for four years, and after Justinian's new regulations for five years. They also required to pass a public examination previous to admission.

It is probable that the Roman advocates were formed into a corporation, called *ordo* or *collegium*, about the time of Ulpian; and they certainly were so under Theodosius and his successors. The names of the advocates authorised to plead before the courts were inscribed upon a tablet in the order of their admission; they enjoyed special privileges; and for breaches of duty they were liable to be suspended from the exercise of their functions for a term, or even to be entirely deprived of their office.

From Constantine to Justinian the bar was divided into two classes—the advocates in practice and the supernumeraries. The number of practising advocates was fixed in each tribunal, and new members were only received from the supernumeraries when vacancies occurred. The court of the prætorian prefect of the East could furnish employment for 150 advocates; there were fifty at Alexandria, besides a large number who practised at the provincial bars. But even those whose names were not inscribed in the privileged lists were still members of the order, and were at liberty to practise before some inferior courts.

All the judges were chosen from the profession of the law. The members of the bar were often raised to preside in the tribunals before which they had pleaded. Many of them obtained the government of provinces, and by the aid of merit or favour rose by degrees to the highest dignities of the state.

We conclude with this very interesting sketch of

THE ORATORY OF THE ROMAN BAR.

As success at the bar was the surest mode to gain popularity and distinction, and opened up one of the most direct avenues to political power, it can excite no surprise that the art of forensic speaking was more and more cultivated, until it reached its culminating point in the age of Cicero. In the "Dialogue concerning Oratory," which has been ascribed by some to Tacitus, and by others to Quintilian—the scene being laid in the sixth year of Vespasian, A.D. 75—Messala thus expresses himself:—"Cicero stands at the head of our Roman orators; while Calvus, Asinius and Cæsar, Cælius and Brutus, follow him at a distance; all of them superior not only to every former age, but to the whole race that came after them. Nor is it material that they differ in the mode, since they all agree in the kind. Calvus is close and nervous; Asinius more open and harmonious; Cæsar is distinguished by the splendour of his diction; Cælius by a caustic severity; and gravity is the characteristic of Brutus. Cicero is more luxuriant in amplification, and he has strength and vehemence. They all, however, agree in this—their eloquence is manly, sound, and vigorous. Examine their works, and you will see the energy of congenial minds, a family likeness in their genius, however it may take a distinct colour from the specific qualities of the men." This opinion as to the superiority of Cicero and his contemporaries has been generally adopted by the best critics.

The great Roman orator improved himself, not only by the most laborious exercises, but by a diligent study of the best models of Greece. His own native genius and industry supplied the rest. Yet Cicero had his detractors, who objected to him that he was diffuse without vigour, and luxuriant to a fault, and that he wanted the strength, purity, and elegance of the Attic school. While vindicating Cicero from these criticisms, and placing him in the highest rank among Roman orators, Quintilian candidly acknowledges that, although it was hardly possible to have added anything to his eloquence, something might have been retrenched from it.

All the speeches of Cicero which have reached us, being fifty-nine in number, were carefully revised and corrected by him before they were published. Of the seven orations against Verres, the first two only, called the "Divination" and "the First Action," were spoken in court; the other five were published as they were prepared and intended to be spoken if Verres had not abandoned his defence. Like many of his other speeches, Cicero's defence for Milo was much altered and improved; and when a copy of it was sent to Milo in his place of exile, he is said to have exclaimed, "O Cicero, if you had spoken thus, I never should have eaten such good fish at Marseilles."

Among the contemporaries of Cicero, though eight years his senior, was Hortensius, who exercised for a considerable time an undisputed sway in the courts of justice. He was much engaged in defending men of the aristocratical party when accused of malversation and extortion in the provinces, or of bribery and corruption in canvassing for public honours. In his work called "Brutus," Cicero gives such a graphic account of Hortensius that we cannot resist quoting it. After describing Cotta's way of speaking as calm and easy, Cicero says:—"The language of Hortensius was splendid, warm, and animated, and far more lively and pathetic both in his style and action. He had such an excellent memory, that what he composed in private he was able to repeat without notes in the very same words he made use of at first. He employed this natural advantage with so much readiness, that he not only recalled whatever he had written or premeditated himself, but remembered everything that had been said by his opponents without any notes. He was inflamed with such a passionate fondness for the profession, that I never saw any one who took more pains to improve himself; for he would not suffer a day to elapse without either speaking in the forum or composing something at home, and very often he did both on the same day. He had, besides, a turn of expression which was far from being lax and unelevated, and possessed, too, other accomplishments in which no one could equal him; an uncommon clearness and accuracy in stating the points he was to speak to; and a neat and easy manner of collecting the substance of what had been said by his antagonist and by himself. He had likewise an elegant choice of words, an agreeable flow in his periods, a copious elocution, with a sweet and sonorous voice, which he was partly indebted for to a fine natural capacity, and partly acquired by the most laborious rhetorical exercises. In short he had a most retentive view of his subject, and always divided and parcelled it out with the greatest exactness; and he very seldom overlooked anything which the case could suggest that was proper either to support his own allegations, or to refute those of his opponents."

Hortensius had no rival in the forum till he encountered Cicero. Having first run through the career of public honours and amassed a large fortune, Hortensius remitted his intense application, and began to enjoy a life of ease and affluence; while Cicero, redoubling his exertions, obtained at last, by general consent, the palm of eloquence. The orations of Hortensius, though published, have not reached us, and some other works written by him have also perished. His eloquence appears to have been of the florid or "Asiatic" style, and was probably fitter for hearing than for reading. With a soft and musical voice, his action was graceful and elaborate. Ancient writers have recorded the pains he bestowed in arranging the folds of his toga; and Roscius, the actor, is said to have followed him into the forum to take a lesson in his own art. Hortensius possessed immense wealth. He had several villas, splendidly furnished, a gallery of valuable paintings, and a large stock of wines: he had also parks with fish-ponds, and all sorts of animals. He was renowned for his sumptuous entertainments, and, it is said, was the first person at Rome who brought peacocks to table. He died at the age of sixty-four, in the year of Rome 703, some months before the passage of the Rubicon.

According to Quintilian, Calvus was preferred by some to all the orators of his time. His manner was grave and solid; his style chaste, and often animated. To be thought a man of Attic eloquence was the height of his ambition. His chief fault was, that in labouring to refine his language he was too attentive to little niceties. Had he lived to correct this error, and to give more scope to his eloquence, he would have reached the summit of his art; but he was cut off by a premature death. Asinius Pollio was an accomplished pleader in extensive practice. Of all the eminent advocates he was considered the most happily endowed with the power of speaking on a sudden question with unpremeditated eloquence. As to Brutus, Quintilian says he was fitter for philosophical speculations than for the career of eloquence.

These extracts will be the best commendation of the volume itself to the readers of the LAW TIMES. Every law student should make it a part of his course of reading.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Wednesday, Jan. 11.

Ex parte CRIPLIN.—*Huddleston*, Q.C. moved for a rule calling upon an attorney to answer the matters of an affidavit, pay over a sum of money, and pay the costs of this rule. *Rule nisi.*

REG. v. BOX.—*Hayes*, Serjt. moved for a rule for an attachment for disobedience to a rule of court. *Rule nisi.*

HILL v. LAWRENCE.—*Huddleston*, Q.C. and *Quain*, and *Joyner*, Q.C. and *Philbrick* appeared in this cause, which was a rule for a new trial. *Rule absolute.*

CAUSE LIST FOR HILARY TERM 1865.

Equity Courts.

Court of Appeal in Chancery.

(Before the LORD CHANCELLOR and the LORDS JUSTICES.)

Appeals—Mackintosh v. Steuart; Mackintosh v. Steuart; Hills v. Bush; Green v. Gascoyne; Attorney-General v. Master and Co-Brethren of the Hospital of St. John the Baptist, Bedford; Cornforth v. Poinuton; Taylor v. Meads; Riley v. Bascombe; Tredwell v. London, Chatham and Dover Railway Company; Patch v. Ward; Bouillon v. Ertz; Parkinson v. Hanbury; Lautour v. Attorney-General.

Causes—Baxendale v. West Midland Railway Company; Baxendale v. Great Western Railway Company; Attorney-General v. Chambers; Attorney-General v. Rees.

Rolls Court.

Causes, &c.—Hobson v. Jones; Scott v. Oakeley; Eaton v. Bassett; Symonds v. Wilkes; Bedborough v. Bedborough; Pullan v. Pullan; Halliwell v. Halliwell; Mortan v. Massey; Catton v. Wyld; Braithwaite v. Kearns; Pilling v. Pilling; Bruce v. Morison; Clark v. Eversfield; Ormerod v. Barnes; Reeves v. Matthews; Gamble v. The St. Helen's Canal and Railway Company; Howard v. Earl of Shrewsbury; Chadwick v. Turner; Pomfret v. Plucknett; Bodkin v. Morley; Cheeseman v. Price; Pink v. Aburrow; Lord Durham v. Legard; Plucknett v. Pomfret; Anderson v. Anderton; King v. Morison; D'Huart v. Harkness; Gibbs v. Ashwin; Johnstone v. Blake; Swift v. Swift; Knight v. Swall; White v. Welch; Quicke v. Floud; Jones v. Lambert; Sill v. Boden; Davis v. Davis; Turner v. Mitchell; Brooke v. Robarts; Rowe v. De Lavigerie; Guest v. Smythe; Mathers v. Green; Moet v. Rosenberg; Chambers v. Crabbe; Wood v. Scoles; Hudson v. [illegible]; Vigor v. Salmon; Gatayes v. Flather; Whitlow v. [illegible]; Ellis v. Griffith; Holme v. Williamson; Lloyd v. Bow; Worthington v. Beckitt; Payne v. Hailstone; [illegible] v. Milner; Boothby v. Day; Sheward v. Benbow; [illegible] v. Frankum; Seccombe v. Sanders; Taylor v. [illegible]; Kingsmill v. Mogg; Thomas v. Chorley; Tidswell v. Idswell; Willis v. Willis; Gedney v. Smith; [illegible] v. Baker; Shorey v. Hayward; Pratt v. Jenner; [illegible] v. Barlow; Hyde v. British and Foreign Marine Insurance Company (Limited); Harrop v. Holt; Elmslie v. [illegible]; Robinson v. Clarke; Burke v. Rogerson; Dent v. [illegible]; *re* Malam's Estate; Malam v. Malam; Younge v. [illegible]; Harris v. Nunn; Drew v. Lockett; Darlow v. Cooper; Combe v. Hughes; Heywood, Bart. v. Heywood; [illegible] v. Pinckney; Hole v. Davies; Beavan v. Beavan; [illegible] v. Cunliffe; Tanswell v. Scurrah; Timmis v. Steele; [illegible] v. Count Beilli; Lucas v. Clarke; White v. White; [illegible] v. Archbutt; Dickinson v. Charing Cross Railway Company; Berdoe v. Dawson; Davies v. Otty; Willis v. Willis; Samble v. Wilson; Kirkham v. Muggeridge; [illegible]; *re* Salelbottom and Bradbury v. Cotterell; *re* Cotton and Bowman v. Smith; Smith v. Wilson; Bank of London v. Muggeridge; Ingle v. Partridge; Webster v. [illegible]; Butcher v. Sherwood; Young v. Gill; Conyers v. Beresford; Geale v. Hockley; Dickson v. Adams; Lees v. Lees; Williams v. Thomas.

V. C. Kindersley's Court.

Causes, &c.—Williams v. Williams; Williams v. Williams; [illegible] v. Hawksworth; Millard v. Ellyett; Gant v. Heales; Earl of Eglinton v. Lamb; Earl of Eglinton v. Lamb; [illegible] v. Lemon; Oakden v. Pike; Tomlinson v. Butter; [illegible] v. Heath; Gant v. Heales; Morgan v. Morgan; [illegible] v. Vegra and Clogan Copper Mining Company; [illegible] v. Gane; Gataker v. Reynardson; Fitch v. Cutts; [illegible] v. Symmons; Cooke v. Hathway; Gentry v. Gentry; [illegible] v. Liburn; Smith v. Meadows; Travis v. Illingworth; McClymont v. Ray; The London Monetary Advance, &c., Company (Limited) v. Brown; Hosken v. Sinnet; Pilne v. Brown; Winterbottom v. Storey; Armytage v. Armytage; Hutton v. Hutton; Hollis v. Bulpett; Lillie v. [illegible]; Ford v. Marston; Gutteridge v. Fletcher; [illegible] v. Kempe; Briggs v. Griffiths; Taylor v. Milnes; [illegible] v. Butler; Robinson v. Evans; Maxwell v. Mackenzie; Maxwell v. Wright otherwise Mackenzie; Cooper v. Tharp; Tomkinson v. Naden; Wooldridge v. Nutt; [illegible] v. Chamberlain; Painter v. Ford; Marquis of Downshire v. Smith; Leaton v. Armstrong; Shanks v. Dickinson; [illegible] v. James; Fitzgibbon v. Dillon; Curriers' Company v. Corbett; Grosvenor v. Smallwood; Towns v. Wentworth; Ivimey v. Stocker; Parsons v. Parsons; Hale v. Bower; Pole v. De la Pole; Chapman v. Finch; East of England Bank v. Dixon; Waterhouse v. Farlow; Painter v. Gardner; Bell v. Wilson; Embleton v. Fogg; Oxenham v. Oxenham; *Re* Taylor and Frayne v. Taylor; Beecher v. Hope; Patch v. Shore; Merriman v. Romney.

V. C. Stuart's Court.

Causes, &c.—Tee v. Bridger; Field v. Ryman; Cockayne v. Caster; Higgins v. Lindsay; Hubbard v. Hubbard; Turney v. Townsend; Morocco Land and Trading Company v. Fry; Burris v. Jenkin; McIntosh v. Great Western Railway Company; Defries v. Smith; Walford v. Gray; Clark v. Levena; Bacon v. Clarke; Bayley v. Williams; Tillyard v. Franco; Swanston v. Smethurst; Baine v. Cox; South Metropolitan District School v. Banstead and Epsom Downs Railway Company; Dabbs v. Nugent; Greenfield v. Edwards; Hodson v. Hodson; *Re* Hall and Robinson v. Latham; Dobie v. Moulton; Bayley Worthington v. Williamson; Watlington v. Gammie; Brown v. Hadleigh Gas Consumers' Company; Dover v. Buck; Langdon v. Blake; Burrows v. Langley; De la Fontaine v. Coppage; James v. James; *Re* Brabyn and Brabyn v. Brabyn; Cust v. Middleton; Stonehouse v. Dobing; McLellan v. St. George's Harbour Company; Williams v. Wilson; Eaton v. Attorney-General; Fray v. Drew; Brideoake v. Lees; Phillips v. Wilbraham; Forrest v. Forrest; Soddy v. Searle; Jones v. Dixon; Cox v. Reid; Boulter v. Clark; Austin v. Cantle; Fowler v. Haynes; Forman v. Harvey; Cooke v. Benbow; Joseph v. The Metropolitan Railway Company; Williamson v. Shinton; Hunter v. The General Company of Italian Irrigation Canals (Cavour Canal); Parke v. Lee; Taylor v. Kay; Willoughby v. Brideoake; Hall v. Waterhouse; Neve v. Cust; Stanhope v. Earl of Harrington; Smith v. Thomas; Yardley v. Broughton; Symonds v. Creasy; Edwards-Wood v. Baldwin; Ensley v. Ensley; Croft v. Graham; Davey v. Wietlesbach; *Re* Stubbs's Estate, Stubbs v. Marsh; Rayson v. Watson; Warland v. Gooby; Wood v. Wadham; King v. Brown; Rawley v. Skevington; Upperton v. Upperton; Rhodes v. Bate; Garrett v. Adams; Jones v. Griffith; Ludgater v. Horley; Rapley v. Holbrook; Haig v. Gwyther; Welch v. Phillips; Fowler v. Druce; Thomas v. Cross; Beynon v. Morris; Martyn v. Parnell; Williams v. Caslon; Jenkins v. Parry; Lingen v. Jones; John v. Lloyd; Oliver v. Hughes; Paul v. Buggs; Maugham v. Larchin; Wormald v. Maitland; Foster v. Oxenham; Muskett v. Vernon; Daniel v. Towne; Wriford v. Glubb; Cooper v. Hambrook; Petherham v. Taylor; Ireland v. Trembath; Morgan v. Day; Alexander v. Alexander; Caton v. Caton; Bethell v. Green; Cann v. Morris; Dexter v. Powell; *Colby v. Gadsden; Gill v. Littlefair; Brierley v. Furnival; Johnstone v. Hamilton; Smith v. Berkeley; Lees v. Backer; Lucas v. London, Brighton and South Coast Railway Company; Kirby v. Phillips; Holdgate v. Jones; Goodwin v. Braine; Walldon v. Girand; Marshall v. Marshall; Heberden v. Holden.

V. C. Wood's Court.

Causes, &c.—Simpson v. Brown; Hanmer v. Chance; Wilson v. Bullivant; Fisher v. Moon; Higgins v. Edgell; Onions v. Cohen; Blackett v. Bates; Payne v. Parker; Neuville v. Laneuville; Allan v. Scott; Goucher v. Clayton; Same v. Same; Heiron v. Alexander; Jackson v. Swan; Bignold v. Beevor; Tunstall v. George; George v. Tunstall; Kirkwood v. Thompson; Challinor v. Bowen; Seixo v. Provezende; Eden v. Thompson; Parsons v. North; Foster v. Gladstone; Wedderburne v. Thomas; Cooper v. Ricardo; Hooper v. Gunn; McLellan v. Gunn; Hart v. Stothert; Delton v. Neale; Cheltenham Waterworks Company v. Russell, Bart.; Duke of Northumberland v. The Great Western and Brentford Railway Company; Frith v. Cartland; London and South-Western Railway Company v. Fitter; Thompson v. Fennell; Acland, Bart. v. Troyte; Defries v. Levy; Winearls v. Westby; Tottle v. Washington; Kay v. Barlow; Cooke v. Stilwell; A. H. Ball v. Stanley; Simpson v. Holliday; Bass v. Austin; Hiscock v. Shrimpton; Parker v. Whyte; Shears v. Dickenson; Hansford v. Barton; Hall v. Slack; Forder v. Stevens; Edmonson v. Kilshaw; Panton v. Smith; Roscoe v. Wain; Jarvis v. Moore; Andrewes v. Jones; Tennant v. Bankart; Stepney v. Biddulph; Sampson v. Harrison; Temple Pier Company (Limited) v. Metropolitan Board of Works; Peacock v. Peacock; Fenton v. Fenton; Godfrey v. Brooke; Holmes v. Bridge; Catlow v. Catlow; Sargent v. Coates; Spokes v. The Banbury Local Board of Works; Fletcher v. Goodall; Miller v. Sturgis; Morgan v. Gwynne; Dodds v. Hills; Spires v. Fisher; Smith v. Dawson; Wilbraham v. Simons; Gilbert v. The Charing-cross Railway Company; Cropton v. Smith; South v. Bloxam; Dugdale v. Robertson; Burton v. Shaw; Treacy v. Dolman; Glitsenstein v. Adams; Smith v. Lewis; De Martana v. De Martana; Mostyn v. Mostyn; Wickham v. Wing; Proud v. Bates; Jefferys v. Dickson; Beard v. Turner; Robson v. Wilson; Bidwell v. Wright; Clarke v. Green; Hughan v. Viscount Malden; Finch v. Burden; Savin v. The Oswestry and Newtown Railway Company; Tucker v. Burrow; Searby v. The Tottenham and Hampstead Junction Railway Company; Koch v. McLean; Cox v. Emery; Gray v. Price; Harrison v. Taylor; Waine v. Bitmead; Lakin v. Lakin; Whitehouse v. Kendrick; Eastlake, Knight, v. Eastlake; Wriford v. Wriford; Dilley v. Matthews; Perrott v. Hamilton; Edwards v. Edwards; Alexandre v. Wallis; Locock v. Smyth; Wright v. Peyton; Dean v. Handley; Dowle v. Saunders; Goold v. The Great Western Deep Coal Company (Limited); The Great Western Deep Coal Company (Limited) v. Goold; Morton v. Elliott; Babbetts v. Woodward; Tate v. Williamson; Davenport v. Goldberg; Davenport v. Philips; Horsey v. Mott; Triston v. Winter; Wilkinson v. Wilkinson; Hanbury v. Wood; Davis v. Shepherd; Grainger v. Wright; Tribute v. Rose.

Court of Queen's Bench.

CROWN PAPER.

TEWKESBURY—Reg. v. Severn Navigation Commissioners

SURREY—Reg. v. Messor. (To stand over till judgment given in the H. of L. in the Mersey Docks case.)

CORNWALL—Looe Harbour Commissioners v. Churchwardens and Overseers of the borough of East Looe. (To stand over till judgment given in the H. of L.

DEVON—Bowden v. Clerk of the Peace for the county of Devon

SURREY—Pew v. Metropolitan Board of Works, and Collins and Howell

WEYMOUTH AND MELCOMB REGIS—Mayor, Aldermen, &c., of the Borough of Weymouth and Melcomb Regis v. Nugent

DEVONSHIRE—Mayor, &c., of South Molton v. Churchwardens of South Molton

LANCASHIRE—Fox v. Grimshaw

YORKSHIRE—Overseers of the Poor of the township of Huntswick-with-Toulby and Nostal v. Overseers of the Poor of Morley

YORKSHIRE—Reg. v. Overseers of the Poor of the township of Calverley-with-Tarsley

DERBYSHIRE—Hartley v. Bowlyer

LANCASHIRE—Bevin v. Bird

YORKSHIRE—Trustees, Committee and Officers of Ilkley Hospital v. Churchwardens and Overseers of the township of Ilkley

MIDDLESEX—Tomlins v. Nuisance Removal Committee of Great Stanmore

KENT—Kenyon v. Hart

GREAT YARMOUTH—Reg. v. Newcomb

CHESTER—Thorneycroft v. Crawley

CUMBERLAND—Bell v. Wyndham

SOUTHAMPTON—Ward v. Gray.

Common Law Courts.

Court of Probate

AND

Court for Divorce and Matrimonial Causes.

COURT OF PROBATE.

Wednesday, Jan. 18, Friday, 20, Saturday, 21, and Wednesday, 25.

FULL COURT OF DIVORCE.

Thursday, Jan. 19.

COURT OF DIVORCE.

Thursday, Jan. 12, Friday, 13, Saturday, 14, Thursday 26, Friday, 27, Saturday, 28, Wednesday, Feb. 1, Thursday, 2, Friday, 3, Saturday, 4, Wednesday, 8, Thursday, 9, Friday, 10, Saturday, 11, Wednesday, 15, Thursday, 16.

TRIALS BY JURY.—Friday, Feb. 17, Saturday, 18, Wednesday, 22, Thursday, 23, Friday, 24, Saturday, 25, Wednesday, March 1, Thursday, 2, Friday, 3, Saturday, 4, Wednesday, 8, Thursday, 9, Friday, 10, Saturday, 11, Wednesday, 15, Thursday, 16, Friday, 17, Saturday, 18, Wednesday, 22, Thursday, 23, Friday, 24, Saturday, 25.

Trials by jury in the Court of Probate will be taken first. The judge will sit in chambers to hear summonses at 11, and in court to hear motions at 12, on Wednesday, Jan. 11, and on every succeeding Tuesday until March, 21, inclusive.

Arches' Court.

This court will sit at Westminster, on Monday, Jan. 16, at half-past ten, and on such other days as may be appointed by the judge.

Admiralty Court.

This court will sit at Westminster on Tuesdays, Jan. 17, 24 and 31, and Feb. 7, 14, 21 and 28, and March 7, at half-past ten, for summonses and motions in chambers, and at eleven for motions in court.

The court will hear causes on every Tuesday, Wednesday and Friday from Thursday, Jan. 12, to Friday, March 10, inclusive.

Appeals' Court.

This court will sit at Doctors'-commons on Thursdays, Jan. 12, 19 and 26, and Feb. 2, at half-past ten.

LAW SOCIETIES.

LAW UNION FIRE AND LIFE INSURANCE COMPANY.

The Tenth Annual Meeting of the shareholders in this company was held on the 29th ult., at the chief office, 126, Chancery-lane, London,

G. Burges, Esq., was voted to the chair.

The Chairman said: Gentlemen, in rising to propose the adoption of the report, I must ask your indulgence, inasmuch as I am called upon at a few minutes' notice to fill the gap which has unfortunately occurred. I am sure you will sympathise with Sir William Foster, our esteemed chairman, and Mr. Serjeant Manning, deputy-chairman, who are unable to attend through illness. These casualties we were somewhat prepared for. In the absence of these two gentlemen, the duty of occuping the chair has generally fallen, as it did last year, upon Mr. Cuddon, who I hoped would have taken the chair to-day; but, unfortunately, at the last moment he has been taken ill, and is now unable to leave his house, or, indeed, his bed. Under these circumstances I ask your kind indulgence to the remarks I may have to make on the report and the business of the company. The balance-sheet and different statements of accounts which have been before you for some time are so very satisfactory, that very little need be said by any one upon the subject. I will, however, call your attention to the fact that this is the end of the second quinquennial period, and certainly affords a better ground for comparison than any single year would do, inasmuch as anything connected with fire and life assurance—more especially life—must be a question of average, and it is quite useless to attempt to compare the results of one single year with another. Experience shows that that is too short a period for comparison. I will call your attention to the increase in the funds during the quinquennial period just ended. It will, perhaps, be in your recollection that in the year 1859 the interest upon the actual invested funds of the company amounted to 2817*l.* 9*s.*; the income from life assurance was 15,168*l.*; and the income from fire was 6234*l.* 16*s.* 6*d.*; showing a total income, exclusive of sums received for annuities, of 24,000*l.*; and if we add to that the sums received for the purchase of annuities, it shows a total income of 26,106*l.* 16*s.* 8*d.* Now, let us compare those figures with the same shown in the present account. At the 30th September, 1864, the period to which the figures relate, the interest upon funds invested instead of being 2817*l.* 9*s.* was 6074*l.* 10*s.*; the income derived from life assurances, instead 15,168*l.* was 31,147*l.* 3*s.* 9*d.*; the income from fire had risen from 6234*l.* 16*s.* 6*d.* to 13,376*l.* 6*s.* 8*d.*; the total income, exclusive of sums received for the purchase

of annuities, had risen from 24,000*l.* to 51,519*l.* 0*s.* 5*d.*; and including sums received for the purchase of annuities, from 26,101*l.* 16*s.* 8*d.* to 62,001*l.* 3*s.* 3*d.* So that you will observe, in five years that have elapsed between 1859 and 1864, in every instance the income has more than doubled, and this increase has been about equal in both the fire and life departments, showing there has been no particular jump in any one class of business, but that it has been a steady increase, arising from the prosecution of the business. This brings me to a comparison of the total funds. In 1859 the total amount of funds in hand and invested was 82,737*l.* 6*s.* 7*d.*, and we find that in 1864 we have a very satisfactory fact to notice, the total funds amounting to 165,216*l.* 13*s.* 4*d.*, showing that not only has a large income been received, but also that it has been well invested. There is one other satisfactory statement that the directors have great pleasure in making, and that is, from the first day the doors of the office were opened to transact business to the present time, there has never been a single shilling lost upon any loan or investment made by the company, nor have they, after a most minute investigation of the securities, reason to suppose they will lose a farthing upon them. That is a result, I should think, hardly to be found in any similar company which has been in existence for the same time as this has. With the increase in the funds it was a question with the directors as to what division of profits should be made amongst the shareholders and policy-holders; and, conceiving that that policy which had brought about such very satisfactory results up to the present time was the best to be followed in the future, they have adopted rather a policy of caution than one of advertising the company by making a very large distribution of bonus at the present division, though they would probably have been justified in making a larger division than they have under existing circumstances. They propose that the bonus shall be the same as was given upon the last occasion, having regard to the future rather than to the present, and that they should keep such a reserve fund in hand as will give everybody interested in the company perfect ease, whatever casualties may happen, as they will sometimes. In reference to the basis upon which the valuation has been made by Mr. McGedy, I may say that the calculations have been made upon the 3 per cent. Carlisle table, and that Mr. Jellicoe, President of the Institute of Actuaries, has certified to their correctness. In the valuation the secretary followed the cautious policy which the directors have always adopted. It must be borne in mind, so far as policies are concerned, that every policy-holder in this office receives a portion of the distribution of profits, whether he has been for only one year or for ten years. It is usual with offices for a policy-holder to pass through a probationary period of four or five years before he is permitted to participate; but here he comes in for a proportion of the bonus in the first year, though of course he does not have so large a bonus as the older policy-holders. I apprehend that no shareholder will be dissatisfied with the result of the working of the company, when it is found that, after putting aside a large amount to the reserved fund, and making full provision for the policy-holders, we are able to pay a dividend of 8 per cent. The directors consider that a result which everybody must regard as most satisfactory. Having now been existence for ten years, and having acquired an income of between 50,000*l.* and 60,000*l.* a-year it is due to the shareholders to say that that increase has been made to a great extent by their individual exertions. No paid agent can effect the same amount of good for an office that an energetic shareholder may do by keeping the matter constantly before him, and taking every opportunity of giving the office a lift. We all know that when a company is first started there are many gentlemen who become shareholders in it, and take their chance, but do not feel themselves justified in recommending it to their friends, because of its being new. The directors of the Law Union conceive at all events this office has arrived at such a point that the shareholders may most conscientiously recommend it to persons with whom they may be connected, and by so doing they will promote its interests and their own at the same time. An office that has an invested capital of 165,000*l.*, and an income of between 50,000*l.* and 60,000*l.* a year, must be entirely safe; and I am sure we have as respectable, wealthy, and good a class of shareholders as any company can possibly possess. With these few remarks, I beg to move the adoption of the report.

Mr. E. B. Hooke seconded the motion, observing that the report addressed them much more forcibly and eloquently than he could by any observations he might make as to the prosperity of the company. When they looked at the income of upwards of 50,000*l.* a-year, and at the surplus of the year of over 26,000*l.*, he thought that they might congratulate themselves upon the success they had achieved. One evidence of their success was evinced by the thinly attended meeting, for, as far as his experience went, it seemed that the attendance at annual meetings of public companies was very much in proportion to their success or otherwise. He therefore regarded the present thinly attended meeting as a compliment to the management. The large reserve fund which had been accumulated would give to the public confidence in their stability, but for their own part they had felt confidence from the first. During the period this company had been in existence they had rather looked forward to the time when they should have an income of 50,000*l.* a-year, and as they had now not only arrived at that amount but exceeded it, he could not better conclude than by expressing a hope that before long they might double it, making it 100,000*l.* a-year. He had much pleasure in seconding the adoption of the report.

The report was then adopted unanimously.

Mr. Frederick Chinnock next moved the payment of a dividend at the rate of 8 per cent. per annum free of income-tax, to be paid to the shareholders upon the paid-up capital. It was, he said, a very agreeable duty to propose this resolution, and it was the more agreeable because it required no kind of comment—the thing spoke for itself. After the very lucid and able statement which the chairman had given of the prospects of the company, he could not do better than simply propose the resolution. He could not, however, allow this opportunity to pass without bearing his testimony to the value of the occasional terse fillips he received, but he did not know whether they emanated from the directors or from their spirited secretary. They certainly had the effect of drawing his attention to the necessity—he would say duty—of sending business to his thriving young office. He had taken great interest in the office, knowing, as he did, the secretary and some of the clerks. The shareholders ought to be very much gratified indeed with the report of the business for the past year, and, for his part, he might say that he had attended a great many meetings of this kind, but he did not recollect of having performed a duty with more pleasure than that which now devolved upon him.

Mr. F. Schultz had much pleasure in seconding the resolution, which was at once put to the meeting and carried *nem. com.*

Mr. R. W. Roberts moved the re-election of the retiring directors, Messrs. G. M. Arnold, G. Burges, Edward Burkitt, F. J. Coverdale, P. E. Eyton, A. S. Field, R. J. Gainsford, H. Hancock, J. Huish, H. E. Marsh, H. Mason, R. J. Sisson, H. Verrall, F. R. Ward, and C. J. Wishaw. These names were put separately and severally to the meeting, and each was unanimously re-elected.

Mr. J. A. Rose next proposed, and Mr. John Burkitt seconded, the re-election of Mr. Robert P. Harding as the shareholder's auditor for the ensuing year, which was at once agreed to.

On the motion of the Chairman, seconded by Mr. W. Parsons, Mr. Francis Worsley was unanimously re-elected the auditor on behalf of the directors for the ensuing year.

Mr. J. A. Rose said he had been requested to move the payment of the usual sum to the directors for their services during the past year, and he had great pleasure in doing it because he believed no company could have a better or more efficient board than they had got. He spoke from personal knowledge in regard to most of the directors, who numbered amongst them some of the most respectable and talented men in the legal profession. There were amongst them barristers, conveyancers, valuers, &c., and he could not help mentioning the names of Mr. Hancock and Mr. Erasmus Wilson, who were of great service to the company. By the attendance book, he saw that Mr. Whishaw, whom he had known for over 20 years, had been present 24 times at the life board, 11 at the fire board, and at 4 special board meetings; and if he were the only director present he (Mr. Rose) should be perfectly satisfied that what he did would be done with the greatest conscientiousness for the benefit of the shareholders and policy-holders. Mr. Burkitt had been present twenty-three board meetings; Mr. Cole was well known as one of the most valuable men in the profession, and Mr. Marsh brought to the business of the board a knowledge of the value of property and things in general which must be highly conducive to their interest and the interest of the assured. It might be said that one or two gentlemen could do all their business as well as a full board, but he did not agree with that opinion. The directors of this office brought together such an amount of business knowledge as must be most beneficial to the interests of the company. He did not agree with the observation which fell from an honourable proprietor that the item for advertisements is excessive. A new office ought to advertise more than an old one, and the name of the Law Union ought to appear in every newspaper, so that the public should become thoroughly familiar with it. Now the company had arrived at such a state of prosperity, no man need fear to recommend it to his clients and friends for either fire or life assurances. The result shown in the balance-sheet was conclusive evidence that the directors had exercised a wise discretion and business-like control over the affairs of the office, and therefore he had the greatest pleasure in moving the payment of the sum of 946*l.* to the directors for their services during the past year.

Mr. Chincock seconded the motion, which was carried unanimously.

Mr. R. W. Roberts moved, and Mr. Burkitt seconded, a motion to the effect that Mr. Worsley, the auditor, be paid 30 guineas for his services, and it was also unanimously agreed to.

This concluded the business of the ordinary meeting, and the meeting was then made extraordinary for the purpose of altering two clauses in the deed of settlement.

The Chairman said there was a provision in the deed of settlement that a securities' committee, formed of certain members of the board, shall be formed, to whom all securities should be submitted before being brought before the board. That committee reported as to whether they were satisfied or otherwise with the securities. There was also a provision in the deed that this committee should be composed of a certain number of solicitors, conveyancers, and land agents; but as it was not always convenient for the directors to appoint the proper proportion of each profession required, they were desirous of doing away with this special qualification. He then read a resolution to effect the change proposed.

Mr. Whishaw seconded the resolution, which was carried unanimously.

The Chairman said it was further proposed to alter the time for holding the annual meeting. The deed provided that it should take place in November, but as the accounts were made up to September 30, it was very desirable to alter the month, inasmuch as it was found impossible to have the accounts ready in time for the meeting in November. It was thought that March would be a more convenient month, and he then moved a resolution to effect the desired alteration.

Mr. Parsons seconded the resolution, which was also unanimously carried.

Mr. Erasmus Wilson rose to move a resolution which he was sure would meet with approbation, and that was a vote of thanks to the chairman for the very able manner in which he had presided over the business of this meeting.

Mr. W. Parsons, in seconding the motion, said that however much they might regret the absence of the chairman and deputy-chairman, and the unfortunate cause which rendered their absence necessary, they could not but congratulate themselves on having the duties of the chair so admirably discharged as they had been on this occasion by Mr. Burges.

The resolution was carried with applause, and the meeting dispersed.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially [illegible] in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Monday, Dec. 12.

By Messrs. ELLIS and SON, at Garraway's.—Leasehold premises, being No. 78, Martin's-lane, Cannon-street, City, producing [illegible] per annum; term, twenty-one years from 1853—sold for 1270*l.*

Thursday, Dec. 22.

By Mr. T. S. SMITH, at Garraway's.—Four 100*l.* bonds of the Ventnor (Isle of Wight) Harbour Company (Limited)—sold for [illegible]

By Mr. F. L. SHARP, at Garraway's.—Leasehold house, [illegible] years unexpired, being No. 33, Finsbury-circus, producing a net annual profit of [illegible]—sold for [illegible]

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Jan. 3.

VAUGHAN, JOHN; LINGARD, JOHN ROWSON; VAUGHAN, JOHN LINGARD; and LINGARD, RICHARD BOUGHEY MONK, attorneys and solicitors, Stockport and Manchester.

VENNING, WALTER CHARLES; NAYLOR, WILLIAM BARLE, and ROBINS, THOMAS FRANCIS, attorneys and solicitors, Tokenhouse-yard, as regards Naylor.

Bankrupts.

Gazette, Jan. 3.

To surrender at the Bankrupts' Court, Basinghall-street.

AKERMAN, KONRAD, manager of coffee and refreshment rooms, Coventry-st. Leicester-sq. Pet. Dec. 31. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-ln. Sur. Jan. 17.

BOULT, WILLIAM SMITH, furniture dealer, Bedford-sq. Pet. Dec. [illegible] Reg. Brougham. O. A. Edwards. Sol. Bramwell, [illegible] Bush-la. Sur. Jan. 25.

BRINTON, JOHN, labourer, Norfolk-st. Islington. Pet. Dec. 30. Reg. Roche. O. A. Cannan. Sol. Munday, Essex-st. Strand. Sur. Jan. 1[illegible]

BROTHERS, ROBERT, assistant to a provision dealer, Great Cambridge-st. Hackney-rd. Pet. Dec. 31. Reg. Roche. O. A. Cannan. Sol. Wyatt, Great Carter-ln. Doctors'-commons. Sur. Jan. 16.

BROWN, JONATHAN, builder, Harrow-rd. Pet. Dec. 10. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry. Sur. Jan. 1[illegible]

BURTON, EDWIN, carver and gilder, Brighton. Pet. Dec. 23. Reg. Roche. O. A. Cannan. Sol. Johnson, Clifford's-inn, Fleet-st. Sur. Jan. 16.

GEARING, THOMAS, farmer, North and South Stoneham. Pet. Dec. 31. Reg. Hazlitt. O. A. Graham. Sols. Paterson and Son, Bouverie-st.; Mackey, Southampton. Sur. Jan. 17.

HAZLEWOOD, WILLIAM, warehouseman, Hanover-st. Islington. Pet. Dec. 31. Reg. Hazlitt. O. A. Graham. Sol. Barley, Bucklersbury. Sur. Jan. 17.

HILLS, CHARLES FRANCIS, merchant's clerk, Arnold's pl. Kensington. Pet. Dec. 29. Reg. Brougham. O. A. Edwards. Sol. Lee, Gray's-inn-sq. Sur. Jan. 23.

MAIDLOW, JOHN, builder, Chepstow-pl. Bayswater. Pet. Dec. 31. Reg. Roche. O. A. Cannan. Sols. Roche and Gover, Old Jewry. Sur. Jan. 16.

MOODY, CHARLES, assistant to a cheesemonger, Goswell-rd. Clerkenwell. Pet. Dec. 29. Reg. Roche. O. A. Cannan. Sol. Marshall, Hatton-gdn. Sur. Jan. 16.

PEDE, THOMAS THORPE, composer and vocalist, St. George's-pl. Regent's pk. Pet. Dec. 29. Reg. Brougham. O. A. Edwards. Sol. Parkes, Beaufort-bdgs. Strand. Sur. Jan. 23.

..., builder, Leather-sellers'-bdgs. London-wall, and ... Twickenham. Pet. Dec. 31. Reg. Roche. O. A. Cannan. ... Manchester st. Manchester-sq. Sur. Jan. 16.
..., HARRIET ANN, spinster, Blackfriars-rd. Southwark. Pet. Dec. 30. Reg. Hazlitt. O. A. Graham. Sol. Crafter. Sur. Jan. 17.
..., HARVEY HENRY, grocer, Heybridge. Pet. Dec. 30. Reg. ... O. A. Cannan. Sols. Digby and Son, Linc.-inn-fds. and ... Sur. Jan. 16.
..., FREDERICK, engineer, Cannon-st. Commercial-rd. and Christ... St. George's-east. Pet. Dec. 29. Reg. Roche. O. A. Cannan. ... Basinghall-st. Sur. Jan. 16.
..., DAVID, baker, Parson's-mead, Croydon. Pet. Dec. 30. Reg. Hazlitt. O. A. Graham. Sol. Haynes, Southampton-bdgs. Chancery-la. Sur. Jan. 17.
..., SARAH, victualler, Southsea. Pet. Dec. 27. Reg. Brougham. O. A. Edwards. Sol. White, Dane's-inn, Strand, and Portsea. Sur. Jan. 13.

To surrender in the Country.

..., THOMAS, beerhouse-keeper, Poynton. Pet. Dec. 30. Sols. ... and Barclay, Macclesfield. Sur. Jan. 16.
..., THOMAS, farmer, Draycott. Pet. Dec. 23. Reg. & O. A. ... Sol. Leech, Derby. Sur. Jan. 16.
..., MATTHEW, jun. rag and bone merchant, St. Neot's. Pet. Jan. 3. Reg. & O. A. Day. Sol. Hunt, Cambridge. Sur. Jan. 19.
..., JAMES, baker, Hillhampton, Great Witley. Pet. Dec. 31. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Jan. 17.
..., PETER, inspector of police, Middlewich. Pet. Dec. 29. O. A. Turner. Sol. Welch, Sandbach. Sur. Jan. 20.
..., JAMES SANDERS, manufacturing chemist, Moorland-view, Leeds. Pet. Dec. 23. Reg. & O. A. Sangster. Sol. Clough, Leeds. Sur. Jan. 17.
..., JAMES, cattle dealer, Wheatley Carr, Colne. Pet. Dec. 28. Reg. & O. A. Carr. Sols. Backhouse and Whitham, Burnley. Sur. Jan. 17.
..., HENRY, beerhouse-keeper, Abinghall, Gloucester. Pet. Jan. 2. Reg. & O. A. Harrup. Sol. Smith, Newnham. Sur. Jan. 12.
..., THOMAS, grocer, Middlesborough. Pet. Dec. 13. Reg. & O. A. Crosby. Sol. Palmer, jun. Sur. Jan. 8.
..., WILLIAM, innkeeper, Needham. Pet. Dec. 24. Reg. & O. A. ... Sol. Gudgeon, jun. Stowmarket. Sur. Jan. 17.
..., EDWARD, beer retailer, Manchester. Pet. Dec. 24. Reg. & O. A. Kay. Sol. Swan, Manchester. Sur. Jan. 16.
..., CHARLES, victualler, Liverpool. Pet. Dec. 31. O. A. Turner. Sol. Best, Liverpool. Sur. Jan. 20.
..., JOSEPH, confectioner, Hartlepool. Pet. Dec. 23. Reg. Gibson. O. A. Laidman. Sols. Turnbull and Bell, Hartlepool. Sur. Jan. 16.
..., JOHN, tallow chandler, Oakham. Pet. Dec. 30. Reg. & O. A. ... Sol. Law, Stamford. Sur. Jan. 17.
..., ABRAHAM SHERWOOD, butcher, Hull. Pet. Dec. 28. Reg. & O. A. Phillips. Sols. Hodson and Noble, Hull. Sur. Jan. 16.
..., THOMAS, victualler, Jackfield, Broseley. Pet. Dec. 30. Reg. & O. A. Peele. Sol. Walker, Wellington. Sur. Jan. 21.
..., WILLIAM, blacksmith, Breaston. Pet. Dec. 30. Reg. & O. A. ... Sols. Hawkridge and Cockayne. Sur. Feb. 2.
..., FIELD, stonemason, North Barbourne, Claines. Pet. Jan. 2. Reg. & O. A. Crisp. Sol. Rea, Worcester. Sur. Jan. 17.
..., THOMAS GEORGE, goldbeater, Birmingham. Pet. Dec. 30. Reg. & O. A. Guest. Sol. Baker, Birmingham. Sur. Jan. 16.
..., FRANCES ANN, schoolmistress, Bristol. Pet. Dec. 30. Reg. ... O. A. Acraman. Sol. Williams, Bristol. Sur. Jan. 11.
..., GEORGE, butcher, Thurton. Pet. Dec. 19. Reg. & O. A. ... Sol. Emerson, Norwich. Sur. Jan. 16.
..., WILLIAM, chemist, West Hartlepool. Pet. Dec. 30. Reg. Gibson. O. A. Laidman. Sols. Hodgson and Todd, Hartlepool; ... and Carr, Newcastle. Sur. Jan. 16.
..., JOHN, butcher, Dresden, Trentham. Pet. Dec. 2?. Reg. & O. A. Kerry. Sol. Adderley, Longton. Sur. Jan. 14.
..., WALTER, watchmaker, Newark-upon-Trent. Pet. Dec. 0. Reg. ... O. A. Harris. Sols. Ashwell, Nottingham; Ashley, Newark-upon-Trent. Sur. Jan. 17.
..., HENRY, publican, Cardiff. Pet. Dec. 30. Reg. & O. A. Langley. Sol. ..., Cardiff. Sur. Jan. 16.
..., THOMAS, boot and shoe manufacturer, Manchester. Pet. Dec. 30. Reg. Harris. O. A. Morgan. Sols. Marsland and ..., Manchester. Sur. Jan. 16.
..., surgeon, Bradford. Pet. Dec. 28. O. A. Young. Sols. ... and Killick, Bradford; Carles and Tempest, Leeds. Sur. Jan. ...
..., HARRIET WRIGHT, stonemason, Maldon. Pet. Dec. 28. Reg. & O. A. Cudd. Sol. Skipper, Halstead. Sur. Jan. 17.
..., LOUIS HENRY, book-keeper, Liverpool. Pet. Dec. 29. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. Jan. 16.
..., JOSEPH, linendraper, Leeds. Pet. Dec. 29. O. A. Young. Sol. Simpson, Leeds. Sur. Jan. 16.
..., RICHARD, commercial traveller, Bristol. Pet. Dec. 28. Reg. & O. A. Harley and Gibbs. Sol. Hill. Sur. Jan. 20.
..., DAVID, chemist and druggist, Pontardawe, Swansea. Pet. Dec. 3. Reg. Wilde. O. A. Acraman. Sols. Simons and Morris, Swansea. Sur. Jan. 12.
..., ROBERT, pork butcher, Salhouse. Pet. Dec. 19. Reg. & O. A. ... Sol. Atkinson, Norwich. Sur. Jan. 1?.
..., THOMAS, doctor of medicine, Flint. Pet. Dec. 31. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. Jan. 20.
..., WILLIAM, gardener, Bisbrook. Pet. Dec. 31. Reg. & O. A. ... Sol. Law, Stamford. Sur. Jan. 17.
..., HENRY, marinestore and general dealer, Liverpool. Pet. Dec. 1. Reg. & O. A. Hime. Sol. Blackhurst, Liverpool. Sur. Jan. 17.
..., JOHN, butcher, Sedlescomb. Pet. Dec. 31. Reg. & O. A. ... Sol. Sliom, Hastings. Sur. Jan. 26.
..., JOHN, hat manufacturer, Gloucester and Bristol. Pet. Dec. ... Reg. & O. A. Harley and Gibbs. Sol. Roper. Sur. Jan. 10.
..., JOSEPH, grocer, Southampton. Pet. Dec. 29. Reg. & O. A. ... Sol. Mackey, Southampton. Sur. Jan. 18.
..., CHARLES, news agent, Walsall. Pet. Dec. 20. O. A. ... Sol. Thomas, Walsall. Sur. Jan. 19.
..., MATTHEW, blacksmith, Sheifanger. Pet. Dec. 20. Reg. & O. A. ... Sol. Emerson, Norwich. Sur. Jan. 17.
..., JAMES CHARLES, bookkeeper, Sandown, Isle of Wight. Pet. Dec. 27. Reg. & O. A. Blake. Sol. Urry, Ventnor. Sur. Jan. 14.
..., JOSEPH, provision dealer, Salford and Manchester. Pet. ... Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester. Sur. Jan. 16.
..., JAMES VENABLES, innkeeper, Tonbridge Wells. Pet. Dec. ... Reg. & O. A. Blaker. Sol. Cripps, Tonbridge Wells. Sur. Jan. ...

Gazette, Jan. 6.

To surrender at the Bankrupts' Court, Basinghall-street.

..., JULIUS, boot and shoe manufacturer, New-rd. Whitechapel. Pet. Dec. 30. Reg. Brougham. O. A. Edwards. Sol. Lewis, ...-bdgs. Gray's-inn. Sur. Jan. 25.
..., HYAM, dealer in cloth goods, Cannon-st.-rd. St. George's. Pet. Jan. 3. Reg. Brougham. O. A. Edwards. Sol. Solomon, ...-pl. Sur. Jan. 25.
..., JAMES, eating-house keeper, James-st. Oxford-st. Pet. Dec. ... Reg. Brougham. O. A. Edwards. Sur. Jan. 1?.
..., JOSEPH HENRY, no trade, Cambridge-villas, Camden-tn. Jan. 2. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Great Coram-st. Sur. Jan. 17.
..., JOSEPH, cordwainer, Saffron Walden. Pet. Dec. 31. Reg. Brougham. O. A. Edwards. Sols. Field, Roscoe and Co. Linc.-inn-fds. Sur. Jan. 23.
..., FRANCIS, sen. cabinet-maker, Hoxton Old-town. Pet. Jan. 3. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton gdn. Sur. Jan. ...
..., KIGAN, lighterman, Shad Thames, and King and Queen-st. and Globe Granary, Rotherhithe, and Blackheath. Pet. Jan. ... Reg. Roche. O. A. Cannan. Sol. Kearsey, Bucklersbury. Sur. Jan. ...
..., EDWARD KNOW, pastrycook, Colet-pl. Commercial-rd. Pet. Dec. 31. Reg. Brougham. O. A. Edwards. Sol. ..., Basinghall-st. Sur. Jan. 23.
..., JOHN, milliner, Blackman-st. Borough. Pet. Jan. 3. Reg. ... O. A. Cannan. Sol. Moore, Mark-la. Sur. Jan. 23.
..., WILLIAM, clerk in the General Post-office, Forest-gate. Jan. 4. Reg. Roche. O. A. Cannan. Sols. Preston and Dorman, ...-st. Sur. Jan 23.
..., GEORGE, innkeeper, Frimley. Pet. Jan. 2. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. Jan. 17.
..., CHARLES, draper, Fakenham. Pet. Dec. 28. Reg. Hazlitt. O. A. Graham. Sols. Doyle, Verulam-bdgs. Gray's-inn, for Drake, Fakenham. Sur. Jan. 19.
..., JOHN, ventilating engineer, Brunswick-sq. Pet. Jan. 2. Reg. Roche. O. A. Cannan. Sols. Dean and Ekey, New Broad-st. Sur. Jan. 23.
..., JOHN, marble mason, Little Guildford-st. Southwark. Pet. ... Reg. Hazlitt. O. A. Graham. Sol. Cooper, Linc.-inn-fds. Sur. Jan. 17.

NATHAN, JOHN, and NATHAN, LOUIS JOHN, wholesale clothiers, Houndsditch. Pet. Jan. 2. Reg. Roche. O. A. Cannan. Sol. Solomons, Finsbury-pl. Finsbury. Sur. Jan. 23.
PEARSON, CHARLES, hairdresser, Banbury and Birmingham. Pet. Jan. 3. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl. Sur. Jan. 25.
SIBBETT, WILLIAM, painter, Eastgate, Rochester. Pet. Jan. 3. Reg. Brougham. O. A. Edwards. Sols. Prall and Nickinson, Chancery-la. Sur. Jan. 25.
STEHNER, JULIUS, wine and spirit merchant, Catherine-ct. Tower-hill. Pet. Dec. 29. Reg. Hazlitt. O. A. Graham. Sols. Preston and Lee, Water-ln. Great Tower-st. Sur. Jan. 19.
TUFF, HENRY, agent to a contractor, Walmer, Deal. Pet. Dec. 22. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry. Sur. Jan. 23.
WHITEHEAD, JOHN, miller and merchant, Westleton. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sols. Moseley and Co., Old Jewry-chambers, and Moseley, Framlingham. Sur. Jan. 19.
WILLIAMS, WILLIAM, builder, Little Shelford. Pet. Jan. 3. Reg. Roche. O. A. Cannan. Sols. Sharpe and Parker, Bedford-row. Sur. Jan. 23.
WILLIS, FREDERICK THOMAS, Watling-st. Pet. Dec. 31. Reg. Hazlitt. O. A. Graham. Sol. Michael, Barge-yard, Bucklersbury. Sur. Jan. 17.

To surrender in the Country.

AMBLER, WILLIAM, attorney and solicitor, Manchester. Pet. Dec. 29. Reg. & O. A. Kay. Sol. Swan, Manchester. Sur. Jan. 19.
ANDREWS, WILLIAM HUCKLEY, market gardener, Lowell, Kidderminster, and fruiterer, Stourbridge. Pet. Jan. 4. Reg. & O. A. Talbot. Sol. Corbet, Kidderminster. Sur. Jan. 23.
BAILEY, WILLIAM, innkeeper, Coalville, Packington. Pet. Dec. 16. Reg. & O. A. Dewes. Sol. Dewes, Ashby-de-la-Zouch. Sur. Jan. 17.
BARRETT, GEORGE, plumber, Weymouth. Pet. Jan. 3. O. A. Parkyns. Sols. Hill, Weymouth; Hirtzel, Exeter. Sur. Jan. 16.
BAYNES, PETER, straw plait dyer, Luton. Pet. Jan. 4. Reg. & O. A. Austin. Sol. Annesley, St. Alban's. Sur. Jan. 16.
BEDDOWS, JOHN THOMAS, butcher, Monmore-gn. Wolverhampton. Pet. Dec. 28. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. Jan. 19.
BIRCHWOOD, THOMAS, broker, Liverpool. Pet. Jan. 4. O. A. Turner. Sols. Stone and Hartley, Liverpool. Sur. Jan. 18.
BLENKHORN, MARY JANE; BLENKHORN, SARAH ANNE; and BLENKHORN, ELEANORA MARIA, ladies boarding-school keepers, Caythorpe. Pet. Dec. 31. Reg. & O. A. Newton. Sol. Bean, Bilston. Sur. Jan. 11.
BOUGHEY, THOMAS, turnery foreman and traveller, Wellington. Pet. Jan. 4. Reg. & O. A. Nowill. Sol. Taylor, Wellington. Sur. Jan. 20.
BUSS, WILLIAM, builder, Southsea. Pet. Jan. 7. O. A. Howard. Sol. White, Portsea. Sur. Jan. 17.
BUCKETT, WILLIAM, plasterer, Friar's-wharf. Pet. Nov. 21. Reg. & O. A. Dudley. Sur. Jan. 14.
BURNISS, WILLIAM, innkeeper, Durham. Pet. Jan. 2. Reg. & O. A. Bramwell. Sol. Marshall, Durham. Sur. Jan. 19.
CAWTHRAY, WILLIAM, tailor, Yeadon. Pet. Dec. 31. Reg. & O. A. Carr. Sol. Harle, Leeds. Sur. Jan. 16.
CLAPHAM, WILLIAM, farmer, Otley. Pet. Dec. 31. Reg. & O. A. Carr. Sol. Newstead, Otley. Sur. Jan. 16.
COLLYER, DAVID, assistant to a draper and grocer, Luton. Pet. Jan. 4. Reg. & O. A. Austin. Sol. Shepherd, Luton. Sur. Jan. 16.
DRAYCOTT, WILLIAM, farmer, Smally, Alton. Pet. Dec. 30. Reg. & O. A. Daniel. Sol. Adderley, Longton. Sur. Jan. 14.
EAMES, THOMAS BECKETT, out of business, Lower Upham, Bishop's Waltham. Pet. Jan. 2. Reg. & O. A. Godwin. Sol. Bailey, Winchester. Sur. Jan. 19.
EDMONDSON, EDWARD, and EDMONDSON, ALFRED, worsted spinners, Mytholm Royd, Halifax. Pet. Dec. 24. O. A. Young. Sols. Robson and Suter, and Norris and Foster, Halifax; Watson, Bradford; Carles and Tempest, Leeds. Sur. Jan. 16.
EDMUNDSON, ALLEN, and WIGGLESWORTH, JOHN, cotton manufacturers, Pendle-view-shed, Burnley. Pet. Dec. 31. Reg. Macrae. O. A. Morgan. Sols. Rowley and Son, Manchester. Sur. Jan. 16.
EVANS, EVAN, sen. and EVANS, EVAN, jun. Llanbrynmair. Pet. Jan. 3. O. A. Turner. Sol. Goldrick, Liverpool. Sur. Jan. 10.
HACON, FRANCES ANNA, St. Peter's, Holford. Pet. Dec. 22. Reg. & O. A. Palmer. Sol. Tillett, Norwich. Sur. Jan. 12.
HARDAKER, FRANCIS, cloth manufacturer, Rawdon, Leeds. Pet. Dec. 31. Reg. & O. A. Carr. Sol. Harle, Leeds. Sur. Jan. 16.
HOLGATE, WILLIAM ANSELL, out of business, Jersey. Pet. Dec. 31. O. A. Young. Sol. Spurr, Hull. Sur. Jan. 23.
JACKSON, JOHN, lodging-house keeper, Bath. Pet. Nov. 16. Reg. & O. A. Smith. Sur. Jan. 19.
LAKEMAN, WILLIAM, dairyman, Stoke, Devonport. Pet. Dec. 31. Reg. & O. A. Pearce. Sols. Beer and Rundle, Devonport. Sur. Jan. 18.
LLOYD, EDWARD, provision dealer, Hulme, Manchester. Pet. Jan. 4. Reg. Macrae. O. A. Morgan. Sol. Barlow, Manchester. Sur. Jan. 17.
LORD, WILLIAM, commission agent, Lindley, Huddersfield. Pet. Aug. 12. O. A. Young. Sur. Jan. 16.
LYCETT, ARTHUR CHARLES, linendraper, Scarborough. Pet. Jan. 4. O. A. Young. Sols. Moody and Turnbull, Scarborough; Bond and Barwick, Leeds. Sur. Jan 2?.
MARTIN, WILLIAM, fustian cutter, Manchester. Pet. Jan. 4. Reg. & O. A. Kay. Sol. Homer, Manchester. Sur. Jan. 19.
NELSON, THOMAS, general dealer, Steeple Aston. Pet. Dec. 16. Reg. & O. A. Hawkins. Sur. Jan. 14.
NICHOLSON, JONATHAN, grocer, St. Bees. Pet. Jan. 3. Reg. Gibson. O. A. Laidman. Sol. Musgrave, Whitehaven. Sur. Jan. 18.
NISBETT, DAVID, tailor, Brighton. Pet. Dec. 31. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. Jan. 19.
PAUL, WILLIAM, bookseller, Lewes. Pet. Jan. 3. Reg. & O. A. Blaker. Sol. Laugham, Uckfield. Sur. Jan. 16.
PRYCE, EDWARD, shopman, Birkenhead. Pet. Jan. 4. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. Jan. 10.
RAYNES, JOHN, butcher, Wakefield. Pet. Dec. 31. Reg. & O. A. Mason. Sol. Gill, Wakefield. Sur. Jan. 14.
RIVERS, GEORGE, out of business, Crookham. Pet. Jan. 3. Reg. & O. A. Hollest. Sol. White, Guildford. Sur. Jan. 23.
ROBINSON, JOSEPH, mason, Rusholme, Manchester. Pet. Jan. 4. Reg. & O. A. Kay. Sol. Eltoft, Manchester. Sur. Jan. 19.
SHAW, JOHN, jun. painter, Chorlton-upon-Medlock, Manchester. Pet. Jan. 4. Reg. & O. Kay. Sol. Boote, Manchester. Sur. Jan. 19.
SMITH, WILLIAM, servant, Guiseley. Pet. Dec. 31. Reg. & O. A. Carr. Sol. Siddall, Otley. Sur. Jan. 16.
SUFFOLK, THOMAS, butcher, Lichfield. Pet. Jan. 2. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. Jan. 16.
TEE, EZRA, grocer and teadealer, Wath-upon-Dearne. Pet. Jan. 4. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. Jan. 21.
TURNBULL, AARON, innkeeper, Spennymoor. Pet. Jan. 3. Reg. & O. A. Trotter. Sol. Thornton, Bishop Auckland. Sur. Jan. 23.
TURNER, JOHN, butcher, Plymouth. Pet. Dec. 31. Reg. & O. A. Pearce. Sols. Beer and Rundle, Devonport. Sur. Jan. 18.
TURNER, THOMAS JAMES, and TURNER, GEORGE, butchers, Stalbridge. Pet. Dec. 30. O. A. Parkyns. Sols. Clarke, Exeter. Sur. Jan. 19.
WAKEMAN, HARRIET, out of business, Tonbridge Wells. Pet. Dec. 21. Reg. & O. A. Alleyne. Sols. Hales, Trustram and Birt, Tonbridge Wells. Sur. Jan. 16.
WARD, JOHN, butcher, Cottenham. Pet. Jan. 4. Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge. Sur. Jan. 17.
WARDLE, THOMAS, ironmonger, Burslem. Pet. Jan. 4. Reg. Tudor. O. A. Kinnear. Sols. Salt, Clowe and Smith, Birmingham. Sur. Jan. 20.
WHEELER, RICHARD, dairyman, Cowley. Pet. Dec. 31. Reg. & O. A. Dudley. Pet. Dec. 31. Sol. Mills, Bicester. Sur. Jan. 19.

BANKRUPTCIES ANNULLED.

Gazette, Jan. 6.

JACKSON, GEORGE, file maker, Liverpool.
LOWE, JOHN, grocer, West Gorton.
WELLS, FRANCIS ROSS, photographer, Brighton.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Tanner, G. tailor and draper, first, 2s. 6d. Acraman, Bristol.

INSOLVENTS' ESTATES.

Taylor, H. cordwainer, 2s. 0½d. Apply at the County Court, Derby.

Assignment, Inspectorship, Composition and Trust Deeds.

Gazette, Jan. 3.

ANDREWS, FREDERICK WRIGHT, shoe manufacturer, Northampton. Dec. 9. 2s. 6d. on 7th Jan.
BARKER, ISAAC, builder and contractor, Bates-pl. and Russia-la. Old Ford-rd. Victoria-park. Dec. 21. 3s. by instalments at 3, 6 and 9 mos.
BENTLEY, JOHN, and BENTLEY, RICHARD, woollen manufacturers, Stanningley. Dec. 3. Trusts. S. Walley, Leeds, and W. Wilson, Stanningley, wool merchants.
BOX, STEPHEN THOMAS, gasfitter, Chester. Dec. 7. Trusts. T. Wood, ironmonger, and H. Hurlbutt, timber merchant, both Chester. 5s.
BRADE, ROBERT JAMES, surveyor, Colney Hatch. Dec. 31. Trust. J. F. Holmes, gentleman, Colney Hatch. 5s. in 12 mos.
BUCKNALL, WILLIAM HENRY, upholsterer, Bristol. Dec. 28. 4s. by two instalments of 2s at 2 and 4 mos.—secured.
CARR, HENRY, cloth manufacturer, Calverley. Dec. 12. Inspectors W. Walker, dyer, Leeds, and J. Rayner, mungo merchant, Leeds. 11s. 4d.
CASSON, CHARLES HENRY, wholesale confectioner, Manchester. Dec. 8. Sureties T. Casson, Chorlton-upon-Medlock, and A. Casson, Chorlton, salesmen. 10s. by three instalments of 3s. 4d. at 6, 12 and 18 mos.—secured.
CLEVE, DANIEL HERMAN, merchant, Great St. Helen's. Jan. 2. Inspectors R. B. Byass, merchant, Brabant-ct. Philpot-la. and H. Browning, merchant, Mark-la. Deed of inspectorship.
COBB, NATHANIEL JOHN, and JAMES, GEORGE WILLIAM, cork manufacturers, Brighton. Dec. 14. Trusts. W. D. Howard, cork merchant, George-st. Tower-hill, and M. Horscroft, grocer, Brighton.
COLE, JOHN, cab proprietor, Russell-pl. Larkhall-la. Clapham. Dec. 24. 5s. in 7 days.
COOK, EVERITT PARKER, draper, Sleaford. Dec. 5. Trusts. J. H. Small, draper, Boston, and B. Green, postmaster, Sleaford.
CRAIG, JOSEPH BROWN, draper, Peterborough. Dec. 3. 4s 3d.
CRAWSHAW, WILLIAM; THOMPSON, JOHN; and LAWRENCE, LORD, cotton manufacturers, Marsden. Dec. 5. 8s.—3s. on execution of deed, 2s. 6d. at 3 mos. and 2s 6d. at 6 mos.—secured.
DANN, EDWARD ROBERT, lace manufacturer, Nottingham. Dec. 23. Trusts. J. Dobson, jun., lace manufacturer, and W. Williamson, lace agent, both Nottingham.
DARBY, WALTER, and PRESTON, JOHN COOK, wholesale grocers, Little Tower street. Dec. 27. Trust. E. Hart, accountant, Moorgate-st. 12s.—6s. in 3 days, 3s. in 1 mo. and 3s. in 7 mos.
DOUGLAS, JOHN, draper, Whitehaven. Dec. 7. Trust. W. Martin, master mariner, Whitehaven. 17s. 6d.
D'OURRY, ARMAND, professor of languages, Bishop's Hull. Dec. 2. Trust. E. Wootton, accountant, Taunton.
EASTICK, JABEZ, draper, Gt. Yarmouth. Dec. 9. Trusts. W. Livingston, draper, Gt. Yarmouth, J. Ellerton, warehouseman, St. Paul's-churchyard, and J. Bridgwater, warehouseman, Wood-st.
GARDNER, THOMAS, carpenter, Sutton Coldfield. Dec. 16. Trust. W. Houghton, accountant, Birmingham.
HAIGH, BENJAMIN, merchant, Greetland, and Halifax. Dec. 9. Trusts. J. Armitage, shoddy merchant, Dewsbury, J. Cooper and J. Town woolstaplers, Halifax.
HOLLINGS, SAMUEL, and HOLLINGS, THOMAS, cloth manufacturers, Calverley, and Leeds. Dec. 22. Trusts. J. Foster, woolstapler, Bradford, A. Bicoknell, drysalter, Leeds, and J. Stead, Bramley.
KELLY, FREDERICK, carpenter, Gt. Charlotte-st. Blackfriars-rd. Dec. 24. 3s. by equal payments, at 6 and 12 mos.
LANG, JAMES, merchant, New Broad-st. Jan. 2. Trusts. P. Bell, merchant, Alderman's-walk, Bishopsgate-st. and J. Ball, public accountant, Moorgate-st. Sols. Clarke, Son and Rawlins, Coleman st.
LIKES, FREDERICK GEORGE GRIFFIN, draper, High-st. Notting-hill. Dec. 3. Trusts. J. Holdero, Lisson grove, and G. Hooper, Wood st. warehousemen. 10s.—cash for debts not exceeding 20l. and debts exceeding 10l. by three instalments at 3, 6 and 9 mos.
LUNT, WILLIAM, provision dealer, Birmingham. Dec. 6. Trust. S. Barnett, commercial traveller, Ashton-juxta-Birmingham.
MEARNS, JOHN, clerk in customs, Lewisham. Dec. 28. Trust. R. Jones, solicitor, New-inn, Strand.
MICHAELIS, JACOB, and RUBINO, JOSEPH, merchants, Tower Royal, Cannon-st. Dec. 22. 5s. by three instalments of 1s. 8d. at 3, 6 and 9 mos.
MILLS, JAMES, grocer and provision dealer, Heywood. Dec. 6. Trusts. R. Aspinall, corn and provision dealer, Heywood, and W. Johnston, grocer, Manchester.
MILLS, JESSE, shopkeeper, Oldham. Dec. 14. Trust. B. Greaves, cottonwaste dealer, Oldham.
MOSS, MORRIS, carriage builder, Euston-rd. Dec. 19. Trusts. S. Marks, carriage builder, Orchard-st. Portman-sq. and A. Emanuel, lead merchant, Marylebone-la. 10s. by three instalments—5s. on execution of deed, 2s. 6d. on 19th June and 2s. 6d. on 19th Dec.
NATHAN, JOSEPH, boot and shoe dealer, Birmingham. Dec. 20. 8s. by three instalments of 2s. 8d. at 4, 8 and 12 mos.—secured.
PARSONS, GEORGE, shoe manufacturer, Northampton. Dec. 8. Surety G. F. Newton, leather merchant, Northampton. 6s. by three instalments on 21st March, 21st May and 21st July—secured.
PESTONY, HENRY, brace and belt manufacturer, Mitre ct. Milk-st. and Devonshire-st. Islington. Dec. 14. 15s. by three equal instalments at 4, 8 and 12 mos.
PROCTER, WILLIAM, and PROCTER, JAMES, joiners and builders, Leeds. Dec. 3. 7s.
RAMM, HENRY, and WILTON, ROBERT, drapers, Doncaster. Dec. 7. Trust. W. Morris, accountant, Manchester. 9s. by three instalments of 3s. at 3, 6 and 9 mos.—secured.
RISHTON, HENRY, cottonspinner and manufacturer, Dolphinholme. Dec. 14. Trust. G. Mayor, gentleman, Poulton-le-Fylde. 7s. 6d. by three instalments—2s. 6d. on 10th Jan., 3s. on 10th March, and 2s. on 10th May—secured.
ROWE, JOHN, and ROWE, SAMUEL, general and furnishing ironmongers, Manchester. Dec. 15. Deed of arrangement to pay in full with interest, by four instalments of 5s. on 31st March, 30th Sept. 1865, 31st March and 30th Sept. 1866.
SAWERS, JOHN LE MARCHANT, veterinary surgeon, Stratford Saint Mary. Dec. 22. Trust. H. Cook, gentleman, Great College-st. Camden town.
STATHAM, LUKE, baker and provision dealer, Lymm, near Warrington. Dec. 10. 2s 6d. in 1 mo.
STENSON, THOMAS, silk manufacturer, Derby. Dec. 5. Trusts. J. Fisher, bank manager, Halifax, W. Sale, silk manufacturer, Derby, and J. H. Gascoyne, silk manufacturer, Derby.
STENSON, THOMAS, yeoman, Litchurch. Dec. 5. Trusts. J. Fisher, bank manager, Halifax, W. Sale, silk manufacturer, Derby, and J. H. Gascoyne, silk manufacturer, Derby.
SUTTON, RICHARD, merchant, Manchester. Dec. 2. Trusts. W. Cliffe, R. Johnson, and R. Timperley, merchants, Manchester.
TETLEY, RICHARD JAMES, merchant and commission agent, Liverpool. Dec. 17. Trusts. M. Bousfield, cottonbroker, and O. Okell, broker, both Liverpool.
WALKER, CHARLES, joiner, Dewsbury. Dec. 28. Trust. D. Thompson, shopkeeper, Dewsbury. 1s.
WEEKS, WILLIAM, miller, Rodney Stoke. Dec. 7. 10s.
WELLS, GEORGE, grocer, Sittingbourne. Dec. 8. Trusts. F. Rilbee, tallow melter, Canterbury, and A. Wells, grocer, Little Earl-st. Bloomsbury.
WEISERMAN, ISABEL, dealer in berlin wool and fancy wares, Bristol. Dec. 9. Trust. G. S. Rix, clerk to Hutton and Co., warehousemen, Newgate-st. Deed of arrangement to pay debts by instalments of 15l. weekly.
WILLIAMS, GEORGE, tanner, Long-la. Bermondsey. Dec. 15. 3s. 6d.—1s. 6d. in 7 days, 2s. in 4 mos.—secured.
WILSON, HENRY, draper, Westbourne-grove. Dec. 7. Trusts. E. Caldecott, Cheapside, T. Bayley, Wood-st. and G. N. Reed, Cannon-st. west, warehousemen.

Gazette, Jan. 6.

ALLAN, JOHN CHARLES, paper stainer, Wick-la. Bow. Dec. 21. Trusts. W. Goode, banker's clerk, Birmingham, and J. Crocker, wholesale stationer, Upper Thames-st. 10s. by three equal instalments of 3s. 4d. at 6, 9 and 12 mos.
BAINBRIDGE, WILLIAM RAWLING, boot and shoe manufacturer, Chester. Dec. 19. Trusts. R. Worrall, currier, Chester, and R. Shuttleworth, currier, Chester.
BARRETT, WILLIAM HENRY, gentleman, St. George's-ter. Kensington. Dec. 30. 2s. 6d.
BROWN, RICHARD, builder, Preston. Dec. 12. Trusts. J. Robinson, spirit merchant, Preston, J. Kilshaw, timber merchant, Liverpool, and R. Robinson, spirit merchant, Preston.
BUCKLER, JOHN, and WILLS, THOMAS, shoe manufacturers and curriers, Leicester. Dec. 8. Trust. W. M. Stevenson, watchmaker, Leicester. 6s. by three quarterly instalments at 2, 4 and 6 mos.—secured.

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BURGESS, ROBERT, farmer, Huntingdon. Dec. 22. Trust. T. White, auctioneer, Pastonhall.

BURY, JAMES, cottonwaste manufacturer, Nottingham. Dec. 23. Trust. J. Chambers, tobacconist, Nottingham. 5s. in 3 mos.—secured.

COLBERT, JOHN, farmer and tailor, Foulridge, near Colne, and COLBERT, ALEXANDER, sizer, Nelson, near Colne. Dec. 12. Trusts. W. Hosser, agent, Blackburn W. Baldwin, bay dealer, Nelson, and T. Wiseman, accountant, Colne.

CONWAY, ISABELLA, brush and fancy dealer, Southport. Dec. 9. Trusts. J. Evans, warehouseman, Newgate, W. Hodge, builder, and T. H. Horton, salesman, Southport.

COOPER, EVERITT, caster, Bolton. Dec 15. Trust. W. Grundy, accountant, Bolton.

CORDERY, DAVID, builder, West Ham. Dec. 17. Trust. A. A. Hopper, publican, West Ham. 2s. 6d. on 17th Feb.

CROPPER, JAMES CLOUGH, lace manufacturer, Nottingham. Dec. 12. Trusts. H. Lavick, Nottingham, and J. Fisher, Halifax, gentlemen.

DAVIS, WILLIAM, smith, Bristol. Dec. 10. Trusts. R. Bewley, commission agent, Bristol, and W. J. Hall, grocer, Bristol.

DIXON, JOHN, wool merchant, Leeds. Dec. 2. Inspectors, I. Rea, wool merchant, and W. Whittle, attorney's clerk, both Leeds.

FEARN, WILLIAM, nail manufacturer, Leeds. Dec. 12. Trusts. J. Ingham, cut nail manufacturer, Hunslet, and G. Ingham, timber merchant, Leeds.

GANDELL, EDWARD, jun., yeast contractor, Paradise-st. Lambeth. Jan. 4. 2s. on 5th July.

GRIFFIN, GEORGE, publican's assistant, Palfry, near Walsall. Dec. 21. Trusts. R. Trasler, furniture broker, Walsall, and J. Griffin, farmer, Whitmore. 4s. by three equal instalments of 1s. 4d. each, in 6, 12 and 18 mos.

HARRISON, JOHN, beerseller, Horwich, near Bolton. Dec 28. Trusts. J. Parkinson, auctioneer, Bolton, and W. Young, agent, Lostock, near Bolton.

HEAD, THOMAS, shopkeeper, Limpsfield. Dec. 24. Trust. J. Stanford and J. Laker, millers, Lingfield.

HOWARD, GEORGE, chemist and druggist, Manchester. Dec. 9. Trusts. H. Hemp, chemist and druggist, Ashton-under-Lyne, and H. Ibbotson, salesman, Denton.

HOWARTH, WILLIAM, joiner, Preston. Dec. 19. Trust. R. Parker, slate merchant, Preston. 10s. on 14th Dec. 1864.

JENNINGS, STEPHEN, builder, Rochester. Dec. 21. Trusts. J. Berridge, ironmonger, Chatham, W. Haymen, merchant, Rochester, and J. H. Ivey, stone merchant, Strood. Sols. Harrison and Lewis, Old Jewry, agents for Lewis and Marsh, Rochester.

KEBLE, JAMES, grocer, Bridgwater. Dec. 20. Trusts. R. Salmon, cashier to Stuckey's Banking Co., Bridgwater, and W. Smith, farmer, Bridgwater.

KERSHAW, SAMUEL, waste dealer, Oldham. Dec. 5. Trust. J. Slater, grocer, Oldham.

KING, JOHN, innkeeper, Cheltenham. Dec. 9. Trust. J. D. Paget, brewer, Cheltenham.

LAING, JAMES, merchant, New Broad-st. Jan. 2. Trusts. P. Bell, merchant, Alderman's-walk, Bishopsgate-st., and J. Bell, public accountant, Moorgate-st. Sols. Clarke, Son and Rawlins, Coleman-st.

LEROY, GUSTAVE, wine and spirit merchant, Liverpool. Dec. 28. 2s. 6d. on executing deed.

MURPHY, DANIEL, and DUNCAN, JOHN, shipwrights, Liverpool. Dec. 7. Inspectors, J. Carter, G. Ellis, and J. Price, timber merchants, Liverpool. 5s. in 5 mos.

MELLOR, GEORGE, silk manufacturer, Leek. Dec. 13. Trust. W. Mellor, yeoman, Leek. 4s. 3d. by three equal instalments at 3, 6 and 9 mos.—secured.

METTAM, ROBERT, wholesale window-glass merchant, Princes-st. Soho. Jan. 2. Inspectors, W. Heath, merchant, Leadenhall-st. and W. Stevens, gentleman, Coleman-st.-bldgs. 17l. 6d.

MURDOCH, WILLIAM BUCHAN, merchant, Saint Mary-at-hill. Dec. 15. Trust. T. Gladwish, merchant, Water-la.

MURGATROYD, JAMES, and ROBINSON, JAMES, dyers, Shipley, near Bradford. Dec. 9. Trusts. W. Yatley, drysalter, F. Crossley, oil merchant, both Leeds, and J. Bleasby, manufacturing chemist, Hightown, near Dewsbury.

OELRICHS, GUSTAVE ALBERT, Liverpool, and OELRICHS, WILLIAM HENRY LEWIS, city of London and Liverpool, merchants. Dec. 13. Inspectors J. Bouch, Esq., and J. Bewley, accountant, both Liverpool.

OXLEY, GEORGE PREVOST, merchant, Liverpool. Dec. 6. 3s. 4d. on 24th Jan.

PARKER, CHARLES, grocer, Huddersfield. Dec. 8. Trust. E. Ottley, leadealer, Leeds. 3s. by three instalments of 1s., 1s. and 1s. at 2, 4 and 6 mos.—secured.

PAULS, UTO, merchant, Middlesbrough. Dec. 9. Trusts. H. K. Spark, colliery owner, Darlington, F. Charlton, merchant, C. F. H. Bolckow, merchant, and J. F. Elgee, bank manager, all Middlesbrough.

PFOLKS, GEORGE, grocer, Garnvach Nantyglo. Dec. 7. Trust. Rev. J. Hywater, Abertillery.

PHILLIPS, JAMES, letter-press printer, Hassell-st. Mile-end-gate. Dec. 30. 1s. in 3 mos.

PINDER, JAMES, sewing-machine maker, Cleckheaton. Dec. 14. 5s. on 1st April—secured.

POWELL, FREDERICK, and POWELL, ALFRED LOMAS, merchants, Mincing-la. and Melksham. Dec. 19. 4s. on 23rd March.

RATTENBURY, JOHN OWEN, cloth merchant, Leeds. Dec. 14. Trust. H. Inchbold, stationer, Leeds.

RILEY, JOSEPH, cotton manufacturer, Accrington. Dec. 27. Trusts. J. Boyd, merchant, Manchester, and W. Wainwright, cottonspinner, Oldham. 5s.—2s. in 3 mos. and 3s. by three equal instalments at 4, 8 and 12 mos.

RILEY, WILLIAM, builder, Surrey. Nov. 23. Trust. J. Moore, ironmonger, Euston-rd. 1s. on 31st March.

ROBERTSON, GEORGE SINCLAIR, broker, Liverpool. Dec. 17. Trust. J. Bouch, broker, Liverpool. 2s. 6d.

RUTHERFORD, WALTER ROBERT, jobmaster, Phoenix-yard, Oxford-st. Dec. 19. Trust. C. H. Richards, architect, Albemarle-st. Piccadilly. 12s. 6d. by five instalments at 1 mo. 3, 6, 9 and 12 mos.

SIMMONDS, JAMES, plumber and glazier, Holland-st. Clapham-rd. Dec. 31. 7s. 6d. by three equal instalments on 22nd Feb., 22nd April and 22nd July.

SMITH, CHARLES, boot and shoe manufacturer, Worcester. Dec. 12. Trusts. L. Waterman and A. Collins, shoe manufacturers, Bristol.

SPENCER, CHARLES, and HALL, WILLIAM, curriers, Northampton. Dec. 10. Trusts. T. Shepard, leather merchant, and H. Harris, leather seller, both Northampton.

STACEY, CHARLES, grocer, Neath. Dec. 15. Trust. J. Smith, wholesale grocer, Bristol.

TAYLOR, HENRY, silk and worsted dyer, Exeter. Dec. 10. Trusts C. H. Preston, silk merchant, and J. Foxcroft, drysalter, both Manchester. 4s.—2s. forthwith, 1s. 10th June and 1s. 10th Dec.—secured.

TOWLSON, JOHN, cottondoubler, Nottingham. Dec. 19. Trust. J. Trevitt, cotton agent, Nottingham. Sols. Parker, Lee and Haddock, St. Paul's-churchyard. 10s.—5s. on 21st March, 2s. 6d. on 22nd May and 2s. 6d. on 21st July.

WEBB, RICHARD JAMES, gentleman, Cadogan-pl. Chelsea, and farmer, Reading. Dec. 30. Trust. F. Whinney, accountant, Serle-st. Lincoln's-inn-fields.

WHITE, JOSEPH, builder, Romford. Dec. 13. Trusts J. Maw, tile and cement merchant, Stratford, and J. T. Pink, ironmonger, Romford.

WHITEFOOT, JAMES, furniture dealer, Pierrepoint-row. Islington. Dec. 21. 2s.—1s. in a week and 1s. on 31st March—secured.

WHITTINGHAM, JOHN RANDELL, draper, Newbury. Dec. 8. Trusts. J. T. Simmard, Wood-st. and E. Callicott, Cheapside, warehousemen.

WILHELMS, KROZNISKI, tailor, Poultry. Jan. 5. Trusts. H. Ritchie, Coleman-st. and D. Parker, Goldsmith-st., merchants. 5s., 5s., 5s. and 5s. at 3, 6, 9 and 12 mos.—secured.

WITT, GEORGE LUSSON, tailor, West-st. Triangle, Hackney. Dec. 31. 1s. in 3 mos.

ERRATUM.

TESH (and not Josh as before advertised), SAMUEL, grocer, Sheffield. Nov. 28. 12s. by six instalments of 2s. 6d. each—on signing deed, and on 15th Dec., 15th Feb., 15th April, 15th June and 15th Aug.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BROWNE.—On the 11th inst., the wife of G. Latham Browne, Esq., of the Norfolk Circuit, of a daughter.

PEARCE.—On the 3rd inst., at 2, Middleton-terrace, South Fields, Wandsworth, the wife of Mr. John Pearce, solicitor, of a daughter.

MARRIAGES.

NORGATE—BRADLEY.—On the 5th inst., at St. Peter's, Pimlico, Charles Blacknell Le Gryc Norgate, of East Dereham, solicitor, to Eliza, eldest daughter of Henry Bradley, Esq., of the Temple and Blackheath.

SANDERS—PAGE.—On the 7th inst., at St. Peter's, West Hackney, Mr. Edward Sanders, of Bucklersbury and Lewisham, solicitor, to Susannah Ann, eldest daughter of the late Mr. William Wood Page, formerly of Banbury.

FITZ HUGH—MURE.—On the 29th ult., at St. Mary's, Bryanstone-square, William Henry Fitz Hugh, of Lincoln's-inn, Esq., barrister-at-law, to Harriet, eldest daughter of James Mure, Esq., of 24, Gloucester-place, Portman-square.

DEATHS.

HOLBERTON.—On the 3rd inst., at Brierley-hill, Staffordshire, aged 21, Margaret, wife of J. L. Holberton, solicitor.

ASTON.—On the 5th inst., at 4, Doughty-street, aged five years and four months Arthur James, the second son of James J. Aston, Esq., barrister-at-law.

NICHOLS.—On the 29th ult., at the Pension Anglaise, Mentone, aged 72, Williams Nichols, Esq., of 2, South Villas, Campden-hill, Kensington, Judge of the County Courts of Warwickshire, holden at Atherstone, Birmingham and Tamworth.

BRAIN.—On the 31st ult., at his residence at Birkenhead, Alfred Henry Brain, Esq., solicitor.

PRUEN.—On the 3rd inst., at his residence, Ashmead, Leckhampton, near Cheltenham, aged 47, Septimus Pruen, Esq., solicitor.

KYLE.—At Hythe, Kent, of inflammation of the lungs, Henry Stopford Kyle, Esq., barrister, third son of the late Lord Bishop of Cork, &c.

WATSON.—On Thursday, the 29th Dec., aged 35, James Watson, of the Inner Temple, barrister-at-law.

WEBSTER.—On the 6th inst., at 17, Liverpool-street, King's-cross, aged 65, Mr. Thomas Webster, for many years Usher and Court-keeper of the Lord Chancellor's Court, Lincoln's-inn.

Investments.

LAW FIRE INSURANCE.—100 SHARES to be SOLD, at 3l. 2s. 6d. per share.—Apply to "H. Z.," at Mr. Rutherford's, Cook's-court, Lincoln's-inn.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100l. and upwards, secured either on the general undertaking or upon the Metropolitan Extensions, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, S.W.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary.

SIX PER CENT. DEBENTURES.

THE CREDIT FONCIER OF MAURITIUS (Limited)

Subscribed Capital	£500,000
Paid-up Capital	100,000
Unpaid Capital	400,000

DIRECTORS.

CHAIRMAN—Sir JOHN P. GRANT, K.C.B.

Colonel Balfour, C.B.	Lieut. Col. F. A. V. Thurburn.
George Henry Money, Esq.	Henry Young, Esq.
George Palmer Robinson, Esq.	George Clerihew, Esq.
Richard Spooner, Esq.	Robert G. Lancaster, Esq.

The Credit Foncier of Mauritius (Limited), duly authorised to borrow to the extent of the money, invested on mortgage, is now prepared to issue debentures, with coupons attached, terms to be agreed upon, in amounts from £20 upwards, at 6 per cent. per annum, payable half-yearly at the Alliance Bank, on the 15th of June and 15th of December.

The security to debenture holders will be the whole of the assets of the Company, including the paid and uncalled capital, and its lien on the property mortgaged to the Company.

The state of the law of Mauritius, including the system of registration of mortgages and other claims upon land, is peculiarly conducive to the security of mortgagees.

Applications for debentures to be made to the Secretary of the Company, 17, Change-alley; to the Alliance Bank, 5, Lothbury; or to Messrs. J. and A. Scrimgeour, the brokers of the Company, 10, Old Broad-street.

WILLM. G. DICK, Secretary.

SEVEN PER CENT. GUARANTEED on MONEY invested in first registered Mortgages, through the medium of the TRUST and AGENCY COMPANY of AUSTRALASIA (Limited).

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William Frederick Baring, Esq.
Philip Twells, Esq. (Messrs. Barclay, Bevan, Tritton, Twells and Co.)
Andrew Bonar, Esq., Pembridge-square.
W. W. Cargill, Esq., M.P., Connaught-place West, Hyde-park.
Alfred Denison, Esq., Albemarle-street.
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Henry Loftus Wigram, Esq., Grosvenor-square, London.

Offices—31, St. Swithin's-lane, London, E.C.

The Company, as agents, effect investments in first registered mortgages in Australia and New Zealand, to pay investors 7 per cent. per annum, the interest being guaranteed and paid half-yearly by the Company.

The Company also issue Five per Cent. Debentures for loans for three or more years. The debentures, besides being secured by the paid-up capital and property under mortgage to the Company, have, in addition, the guarantee of uncalled proprietary capital sufficient alone to liquidate in full the whole of the debentures that may be issued; and further, in order that the debenture holders should be most amply protected, it is expressly provided by the Company's constitution that the Directors may borrow only to the extent of the uncalled subscribed share capital.

Full particulars on application to the undersigned.—By order,

JAMES HORA, General Manager.

DEBENTURES AT SIX PER CENT.

THE EAST INDIA FINANCIAL ASSOCIATION (Limited).

SUBSCRIBED CAPITAL, [illegible].

DIRECTORS.

Chairman.—Henry Durance Cartwright, Esq.

Lewis Balfour, Esq.	Thomas Maltby Baldrey, Esq.
James Layton, Esq.	Sir J. Sibbald D. Scott, Bart.
Lieut. Col. William Mac George.	Henry Danby Seymour, Esq., M.P.
William Moran, Esq.	
J. Carrington Palmer, Esq.	Falkiner C. Sandes, Esq.

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52, Chancery-lane, London, W.C.

Subscribed capital, One Million. Four-fifths of the profits on the participating class divided quinquennially among the assured. Fourth division of profits in 1866.

CHARLES JOHN GILL, Secretary.

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

CAPITAL, 250,000l.

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Edward Wm. Cox, Esq., 36, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 33, Devonshire-place.

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Nicholas McCann, Esq., M.D., 30, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street.

CONSULTING ACTUARY.—F. G. P. Neison, Esq., F.S.S.

SECRETARY.—Edward S. Barnes, Esq.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

68, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

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Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, sec.

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No. 1, Old Broad-street, and Nos. 16 and 17, Pall-mall, London.

Established 1803.

Subscribed and Invested Capital and Reserved Fund, £1,900,000.

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FIRE INSURANCES granted on every description of property, at home and abroad, at moderate rates.

CLAIMS liberally and promptly settled.

Insurances on Stock, Machinery, Utensils, and Fixtures in Trade effected at a reduction of One-Half the Duty formerly charged.

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Established in 1797.

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This Company grants Assurances at Moderate Rates of Premium with participation in profits, and at Low Rates without profits.

Also, Loans in connection with Life Assurance upon approved Security.

At the last division of profit the Bonus varied from 28 to 64 per cent. on the premiums paid.

For particulars and forms of proposal apply to the Secretary.

CIRCUMSTANTIAL EVIDENCE.—See *Westminster Review*, January 1865.

London: TRUBNER and Co., 60, Paternoster-row.

This day is published, in 2 vols., Third Edition, [illegible] cloth, pp. 1732,

DEACON'S LAW and PRACTICE of BANKRUPTCY. By A. G. LANDLEY, Esq., Barrister-at-Law. This Work contains upwards of Four Thousand Cases, the Statutes, General Orders, Forms in Bankruptcy, and the County Court Bankruptcy Orders, &c.

London: SHAW and SONS, Fetter-lane.

CROCKFORD'S CLERICAL DIRECTORY for 1865

Is now in the press, and will be ready early in February next. Advertisements and Bills for insertion should be sent in forthwith.

Office 10, Wellington-street, Strand, W.C.

To Readers and Correspondents.

E. B. H.—The Art Unions are specially excepted from the Lotteries Act, provided they obtain the sanction of the Board of Trade.

A. X.—We regret we cannot help him.

E. B. F.—We know of none.

Inquirer.—The Board can compel the unfortunate owner to do almost anything it pleases.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, JAN. 24.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.

Valuable freehold brickfield, at Southall. Advertised Jan. 14.

By Mr. F. L. SHARP, at Garraway's.

Reversionary premises in the City, ground-rents at Limehouse, and freehold house, City-road. Advertised Jan. 14.

THURSDAY, JAN. 26.

By Mr. ROBINS, at Garraway's.

The unexpired lease of a professional residence in Grosvenor-street. Advertised Jan. 14.

FRIDAY, JAN. 27.

By Mr. ABBEY, at Garraway's.

Valuable old life policies in the Scottish Union and Provident Offices. Advertised this day.

CHARGES FOR ADVERTISEMENTS.

Four lines or thirty words ..... 2s. 6d.
Every additional ten words ..... 0s. 6d.

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock *Thursday* afternoon.

NOTICE.

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Publication containing the current numbers of the LAW TIMES *known will be forwarded by post to any person inclosing* 3*s.* 6*d. in postage stamps.*

THE LATE MR. JOHN CROCKFORD.

It is with great sorrow that we announce the death of Mr. JOHN CROCKFORD, for so many years the Publisher of this Journal. The melancholy and unexpected event took place on the morning of Friday, the 13th inst., at the untimely age of 41. His loss will be mourned by a large circle of attached friends.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

Mr. DANIEL, we are credibly informed, has been with the LORD CHANCELLOR, to try to induce him to give his sanction to the exclusive citation of the projected Bar Company's reports. Such a request would be quite in accordance with the ulterior view set forth in Mr. DANIEL's original "Remedy," although policy drew a curtain over that view, both when the report was drawn up in Lincoln's-inn, and when it was afterwards discussed and carried in the Hall with a majority made up by the benchers and committeemen on the platform. Originally it was proposed in the "Remedy" (p. 59) that the new speculative reports should be called so and so, and "from the time of their publication should be the only reports citable as *authority*" (italics, Mr. DANIEL's). "This last object will be effectuated without the necessity of resorting to the exercise of any power inherent in the Judges, if the Bar resolve that the privilege of appending the barrister's name to a report *for the purpose of citation as authority*" (italics, again Mr. DANIEL's) "be exercised in subordination to the authority of the council." The Bar did not think it so to resolve. Now, therefore, resort had to the Judges in the person of the Head of the order. The LORD CHANCELLOR is too well experienced in affairs to give Mr. DANIEL a chance of embarrassing him with an impracticable scheme of reports for exclusive citation; however, the LORD CHANCELLOR has sufficiently shown his disapproval of a close, protective system by his public declaration in court that he knows of no "authorised" reports, and by his equally public praise of the periodical reports. Mr. BEAVAN, it is true, in the very next part of his Rolls Reports, took upon himself to gainsay the LORD CHANCELLOR, by a counterblast, in the shape of an initial paragraph, that those were the reports authorised by the Master of the Rolls. N.B. The genuine are all marked at full length with the name of "CHARLES BEAVAN, Esq., M.A., barrister-at-law;" all others are spurious; be particular to ask for BEAVAN's Reports; and, please, keep this notice. But, inasmuch as the Lord Chancellor is an appeal judge from the Master of the Rolls, the authority to Mr. BEAVAN entails the ridiculous result that the sources of the unwritten law in the subordinate and appeal courts are not to be the same.

It would have been a treat to be present at the interview of Mr. DANIEL with the LORD CHANCELLOR. As we were not asked by either party to form a third on the occasion, we may, Landor-like, imagine some of the interrogatories which the LORD CHANCELLOR would administer in those measured, meditative accents, which compel the respondent, however illogical and impetuous by nature he may be, to make some show of reason and heedfulness in his answers. "Suppose," Mr. DANIEL, "counsel arguing before me cites a case which is not reported in the authorised exclusive reports, but in which he was himself of counsel, and of which he made a note at the hearing of it, am I to refuse to listen to that case so cited?" "I apprehend, my Lord, that we do not propose to go so far as that." "I must be guided by that case, must I not, if it be in point? I should not be expected, should I, to stop the cause before me until the cited case were put into the authorised exclusive reports, and have the cause set down again then for hearing?" "We did not contemplate such a hindrance, my Lord, to the administration of justice." "Then it would follow, would it not, that I must allow that case to be cited, although it did not happen to be in your Bar reports?" "That would appear to be so, my Lord." "Now suppose, Mr. DANIEL, that the gentleman whom I have conceived to be arguing before me were a reporter in one of those series which come out monthly or weekly, and report the cases to the latest date, and which, I may say, I have found very useful to me both when I practised at the bar, after I ceased to grapple with the reports generally, and since I have held my present position; and suppose that this reporter, citing before me a case in which he was of counsel, cited it not from his manuscript note of the case, but from the print of that note in the shape of his report in the monthly or weekly series: am I to say to that gentleman, 'No, I cannot hear that case cited from your printed report'—I, who am very far from being averse to printing legal matter?" "We should be sorry to urge your Lordship to adopt any course inconsistent with your own views on the subject of print?" "That is not exactly the point, Mr. DANIEL. Could I, consistently with the first supposition that I put to you, refuse to receive from the reporter arguing before me this printed report of the case in the serial?" "Perhaps not, my Lord." "It would seem so. We have supposed, Mr. DANIEL, that the gentleman arguing before me is the reporter himself. Let us, if you please, make one more supposition." "If your Lordship pleases." "It is only that some other gentleman than the reporter himself cites the same case from the same serial: am I to say to that other gentleman, 'No, sir, you are not the reporter; you cannot cite that case from that serial?' Would not that place the gentlemen of the Bar who are not reporters at a disadvantage?" "It would, my Lord, seem to do so." "Yes. Besides, Mr. DANIEL, is there not another party concerned in all this matter who is not, if I may use the phrase, yet before the court? It is a party that was not present at your meetings in Lincoln's-inn Hall." "There were representatives of the benchers of all the Inns of Court there, my Lord, and a mixed meeting of the Common Law and Equity Bar." "But the public, Mr. DANIEL?" "Oh, my Lord, public reporters were admitted for all the newspapers." "You do not quite understand me, Mr. DANIEL; has it never occurred to you that the public has an interest in the decisions of courts of justice? I might almost call it a property in them; certainly such a property that the public has a right to the benefit of every decision (save the mark!) so as to have it brought to the notice of the courts by those who have the right of audience there—I mean, by counsel." "That view may have somewhat escaped us, my Lord, unless indeed, now I think of it, Mr. DENMAN did say something to the effect of your Lordship's remark, but at the time our minds were rather possessed by our own side of the question, and perhaps we did not consider the public quite so much as your Lordship would be disposed to do. We were considering the matter among ourselves, and have applied to your Lordship as our head." "Yes, Mr. DANIEL, only the Lord Chancellor is not the Lord Chancellor of the Bar, but of the kingdom. In these days the Bar must look a little out of the window. I have no doubt that you understand me. Think the matter over again, Mr. DANIEL, with your friends, after what we have said. Anything practicable and useful I shall be happy to hear from yourself or any of them."

LIMITED liability does not mean unlimited non-liability. The managers of a company exempted from the legal obligation to pay debts and make compensation for wrongs cannot in all cases shelter themselves under the licence given to them by the law. In the case of *Betts* v. *De Vitre and others*, 11 L. T. Rep. N. S. 533, it appeared that the directors of a limited company which had purchased a patent right gave directions for acts that constituted an infringement of another patent, the owner of which applied for and obtained an injunction. Vice-Chancellor WOOD decreed that the directors should personally pay the costs of the suit, although they were only acting for the corporation which was protected by its limited liability. The judgment is righteous, but is it right? The managers of a company *ought* to be liable, without limit, for the debts they contract and the wrongs they commit; but *are* they made so by the Companies Act, or rather, does not the statute remove their legal liability? Is it not altogether inconsistent with the principle of limited liability? for it opens an indefinite prospect of circumstances in which the liability would not be limited. Vice-Chancellor WOOD's judgment is, nevertheless, very strong on this point. He said

"That they, the directors and managers of the company, have all of them from time to time personally interfered in carrying on the affairs of said company and in the infringement of the letters patent of the plaintiff hereinafter contained, and superintended and given directions to workmen and others employed in the manufactory of the company for the making and manufacturing a metallic material substantially in the manner pointed out in the plaintiff's specification, and by so doing have infringed the plaintiff's letters patent without any authority, consent, or permission of the plaintiff, and the material so manufactured by the defendants has been sold by them in large quantities." Therefore, that would of course include the whole of the defendants. The prayer asks specifically, "that the defendants may pay the costs of the suit." Perhaps that was unnecessary. It is perfectly novel to me to hear it discussed whether or not a corporation may sanction their directors doing something which is utterly illegal; and those directors having undertaken, by the direction of the company, to do something perfectly illegal, such as the infringement of a patent, the cutting down of a whole wood, which would be precisely the same in principle, and then that it should be said that those directors who have been guilty of such an act, and can be made answerable and responsible for it, are not to be made defendants to a suit, and are not to be answerable for the consequences in that suit, because, forsooth, they have done it by the direction of a "limited company." If so, there would be no end to the mischief and injury that might be committed by individuals choosing to act under the sanction of a company who had given those orders. This court has always been in the habit of holding that anybody who takes part in a wrong of this description is liable to be restrained from committing the wrong, and is answerable, although the form is to restrain the company, their servants and agents. I apprehend that every one of those agents might, if any one was a wrong-doer and doing an actual wrong, be made a defendant to the suit, and personally and individually be made to pay the costs of it; and it is no justification for him to say that his master ordered him to do it. Generally speaking, they are persons in that rank of life that it is not thought worth while to make the defendants, the wrong-doers, personally liable. It is no answer to say that because I did it on behalf of a "limited" company, I am not to be made responsible. The case being distinctly stated and proved, I have not the least doubt that the decree must be against them as to the injunction, and the account on the injunction, and that they must be decreed personally to pay the costs.

If this is good law, the directors of a limited

company are personally liable in tort for acts done by them or by their directions, on behalf of the company, and this, whether the act was designed or accidental. If a cart of the company run down a carriage, if the cattle of the company stray, if in erecting a building a neighbour's house falls about his ears, and so on through the long list of torts, the directors are personally liable, at least so far as the equity courts have jurisdiction. That certainly is not either the popular or the professional understanding of "limited liability." Directors manifestly do not possess this privilege. Now, suppose them to be mulcted—the question arises, can they recover from the company, or from the individual shareholders, the expenses to which they have been put by an act done on behalf, and probably with the sanction, of the company? If they cannot do this, what a wrong is inflicted upon them! If they can, what becomes of the supposed limited liability?

We agree entirely with the Vice-Chancellor in his comments on the injustice that might arise if limited companies could commit wrongs and plead their limited liability against the claims of those they have wronged. But that is one of the consequences proving the unsoundness of the principle. From the beginning we pointed out this as the blot upon the scheme, and contended that at least we should adopt the French law, that limits the liability of the shareholders, but leaves to the directors unlimited liability for all debts incurred, contracts made, and wrongs done by themselves, considering that they have the power of the purse, and that if they choose to exhaust the purses of the shareholders their own should supply the deficiency. If Vice-Chancellor Wood's judgment should be affirmed on appeal, our law of joint-stock companies will be practically assimilated very nearly to that of France; but in practice it will be a very different law from that now understood by the promoters and managers of companies, or designed by the Legislature.

THE point, whether a composition-deed, under the Bankruptcy Act 1861, not containing a release to the debtor, can be pleaded in bar to an action by his creditor, came before the Court of Exchequer on the 16th, in *Clark* v. *Williams*. The defendant conveyed all his property absolutely to trustees, for the benefit of his creditors. The deed was executed by the three-fourths in value of his creditors and duly registered, but contained no release. The matter was now in the shape of a special case, and was heard on a demurrer to the plea of the deed in bar.

The relevant sections, it may be remembered, respecting deeds are in effect that a deed with the creditors, or any of them, or a trustee, relating to the debts, and the debtor's release, or the distribution, inspection, management, and winding-up of his estate, or any of such matters, shall be binding on all the creditors, provided the seven specified conditions (including assent of three-fourths in value of the creditors and registration) are observed (sect. 192); a deed conveying or covenanting to convey the estate, or the principal part of it, for the benefit of the creditors, or making any arrangement with them, or on their behalf, for the distribution, conduct, management, or winding-up, or the debtor's release, is to be registered (sect. 194); after filing and registration of a deed, there is to be no execution against the debtor's property or person in respect of any debt, except process against a debtor about to quit the kingdom (sect. 198); in case of want of ascertainment, or absence of creditors, it is to be sufficient to obtain the consent of three-fourths in value present, subject to the foregoing conditions and to certain other provisions, one of which is that the deed must conform to schedule D., where the form given makes no mention of release (sect. 200). First, then, in sect. 192, the words relating to the release are conjunctive, followed by special and general disjunctive expressions; secondly, in sect. 194, the words relating to the release are disjunctive; thirdly, in sect. 200, which is an extension of sect. 192, the form of deed makes no mention at all of a release. It is not surprising then that even after previous decisions the point of the necessity of a release as a bar to a creditor's action should still be agitated. For, in such a pretty state of legislative equivocation, it is impossible to know what the intention of the Act is regarding the expression of the debtor's release in the deed.

Some light was obtained from the latest preceding case on the subject, *Eyre* v. *Archer*, in the Common Pleas, in June last, reported at p. 615 of our 10th volume, where, under the particular circumstances, the deed was executed according to the above-mentioned form made necessary by sect. 200, and furnished by schedule D., and, therefore, contained no release. It was pleaded as "valid, effectual and binding on all the defendant's creditors as if they were parties to and had to recover and enforce against the defendant in breach of the said deed certain debts and demands, being the causes of action." On demurrer, it was argued against the plea that, although the deed might be binding on all the creditors, and possibly the plaintiff might not be able to take any benefit from the judgment, yet that the deed was no answer at that stage of the proceedings. Chief Justice ERLE in that case held, there being in the statutory form no words of release, that the word "sufficient" in sect. 200 did not constitute the deed a bar to the action. Sect. 192 contemplated a deed containing no release, and it was clear that, if there was to be no release, there was not to be a bar until something more were done.

On the authority of *Eyre* v. *Archer* and other cases referred to in the report, the Court of Exchequer held the plea in *Clark* v. *Williams* to be bad. Still the Court did not treat its own judgment as being of a decisive character, for it intimated that, if the parties were dissatisfied, the best course would be to take the case to the Exchequer Chamber. In cases within sect. 200, it is undoubtedly hard upon a debtor who has parted with all his property for the benefit of his creditors, in reliance upon a statutory form as being "sufficient," to find that he is as much exposed to actions as before. But if, as seems to have been admitted by counsel arguing for the demurrer, the creditor suing is disabled by sect. 198 from execution against the debtor's property or person, the debtor might possibly obtain relief in equity against this insufficiency of his sufficient deed. The difficulty in the way of such relief is, that a creditor has no other means than an action of trying the validity of the deed for the purposes of the Act. Great is the inconvenience caused by the want of some provision in the Act for establishing the deed once for all. The necessity for such a provision is proved by the great number of cases on these sections, and is commented on in the evidence before the select committee, now being laid before the Profession in a condensed and analytical form by this journal.

A similar case, *Jones* v. *Morris*, was similarly decided, the next day, in the Queen's Bench, the LORD CHIEF JUSTICE remarking that the recent cases were not easily to be reconciled with others, and that the law on the subject was in a happy state of confusion.

RESPECTING the seizure, contrary to international law, of the Confederate steamer *Florida* by the Federal *Wachusett*, in Bahia harbour, Mr. SEWARD has answered M. BARROZA, the Brazilian Chargé d'Affaires at Washington, by a letter dated Dec. 26, to the effect that the President will suspend Captain COLLINS of the *Wachusett* and compel him to appear before a court-martial; that the United States Consul at Bahia, having advised and incited the captain, will be dismissed; that the answer rests on the ground that the capture was "an unauthorised, unlawful and indefensible exercise of the naval force of the United States within a foreign country, in defiance of its established and duly recognised Government," but that the United States Government disallows the assumption that the insurgents are a lawful naval belligerent, and maintains that the ascription of that character to them, "destitute of naval forces, ports and coasts, is an act of intervention in derogation of the law of nations, and unfriendly and wrongful, as it is manifestly injurious to the United States;" that the Government disallows the assumption that the *Florida* belonged to the insurgents, and maintains that, like the *Alabama*, she was a pirate, belonging to no nation or lawful belligerent; that the captured crew will be set at liberty; that the destruction of the *Florida* has been made the subject of a naval and also of a military court of inquiry. As to some of these positions of Mr. SEWARD, it may be said to England, *de te fabula narratur*.

THE light in which the difference between the teaching of the English and Romish Churches is viewed by the Court of Chancery, in relation to the custody of infants, was made clear by the judgment of the MASTER of the ROLLS in *Austin* v. *A.*, on the 18th. The question in substance was, whether the importance of educating the child in the cause in the faith of its deceased father, which was the Roman Catholic faith, was sufficient of itself to induce the MASTER of the ROLLS to deprive the child, a girl three years old, of the care and protection of the mother, who was a Protestant. The MASTER of the ROLLS was of opinion that it was not. In the matter of religion the Court of Chancery held that the Roman Catholic faith and the Protestant faith were to this extent equally beneficial to the child—it considered her hope of salvation did not depend upon the circumstance whether she entertained "one faith or the other," but upon the manner in which she fulfilled her duties upon earth. But, if other circumstances did not interpose, the Court directed the infant to be educated in the religion of the father; but that was subordinate to the primary object, namely, the welfare of the child; because, as already observed, the salvation of the child did not depend upon the faith. In the opinion of the MASTER of the ROLLS, the welfare of the child was so connected with its being under the care of the mother, that no extent of kindness on the part of other persons could compensate for the absence of her care and attention. The MASTER of the ROLLS appointed the mother guardian, but thought it desirable to associate with her a gentleman who was a relative of the child. He would give no directions as to the religious education of the child, but leave it to her mother, except this, that as the child attained to years of maturity she was to be informed by her guardians of the course of education which they proposed to adopt, and thereupon he would make any further directions he might think proper. Of course, the father's relatives would have intercourse with the daughter.

We have used the terms "Roman Catholic faith" and "Protestant faith" as they were used in the judgment. It is orthodox in a court of justice, and indeed was essential to the ground of this judgment, to speak of one "Catholic faith" and two "Churches."

A morning paper, to be praised for its law reports, the *Standard*, has, it is to be regretted, reported the MASTER of the ROLLS' expression, "one faith or the other" as "one faith or another," and has founded upon its report an editorial statement that "the MASTER of the ROLLS assured his hearers that one religion is as good as another." No English judge in his senses could propound such a view from the bench. Our readers may remember how worthily the subject was treated by KNIGHT BRUCE, V.C. in the Agapemone case, *Thomas* v. *Roberts*, 3 De Gex. & Sm. 758.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(*Continued from page* 108.)

THE official view of the working of the Act as presented to the Select Committee by Mr Commissioner HOLROYD, Mr. Chief Registrar MILLER and other witnesses mentioned in our number of Dec. 10th, has been stated there and in the number of Dec. 31st, so far as relates to the alterations suggested by the Commissioners to be made in the Act, and the evidence on the subjects of *abolition of arrest*, and *misconduct* of bankrupts. We continue the official view.

Pauper bankrupts.—The burden thrown on the court by the unrestricted resort to it of bankrupts without assets, induced the Commissioner to propose, as his fourth alteration, a deposit by a petitioning insolvent. It is desirable, he thinks, not only because it is reasonable that the expenses of the court, which is self-supporting, should, when its assistance is asked, be provided for, but also in order that the creditors themselves should not be deterred by an entire absence of assets from opposition. It would further be desirable that a debtor petitioning against himself should, so far as it can be done, file an account of his assets. Estates might be classified, so as to distinguish pauper estates. But the inconvenience in question, as well as the charge on the Chief Registrar's account arising from the assistance given by the court to debtors in prison adjudicated bankrupt, has since been lightened by the General Order of the 1st Dec. 1864 (L. T. Dec. 10), which rescinds the former order directing that Mr. ALDRIDGE should prepare, attest, file and prosecute bankrupt petitions *in formâ pauperis*, and adjudications against prison debtors.

Creditors' assignees.—The Commissioner is of opinion that the change giving to the creditors' assignees the management and realisation of the estate, with the exception of the collection of debts not exceeding 10*l.*, has not worked well. Supposing, even, that creditors' assignees are, when elected, influenced solely by a desire faithfully to discharge their duties, the motive does not last. Their time is too valuable, and everything is left to the solicitor or manager. A good creditors' assignee may wind-up an estate as well as an official assignee, but the official assignees are, on the average, much more efficient. It would be objectionable to have a number of official assignees from whom the creditors should choose. Interest would be used for particular individuals, and the work would not be fairly divided. The objection would not apply to creditors choosing their own officer (which is the Scotch system), if not confined in their election to a limited number of gentlemen who have to devote their whole time to their official duties. The official assignee's salary should not be entirely fixed. It is true, the chief clerks in Chancery are paid by fixed salaries, but the official assignee has duties which the chief clerk does not take upon himself. The assignee's duties are more analogous to those of an official manager in a winding-up. In one or two cases application has been made under the 139th section to remove the creditors' assignee. No recent case has occurred of removal for improper conduct; but official persons who are daily engaged in a particular kind of work must of necessity be more efficient than an assignee who is appointed to each individual estate, and who has only the working of a few estates, or perhaps, only of one in his life. One of the circumstances which lead to a creditors' assignee being chosen is, that he appoints the solicitor, and he directs the sale. In one rather large estate recently prosecuted before the Commissioner, which was worked well by the creditors' assignee, a professional accountant, the creditors got 87 per cent. of the assets.

The Chief Registrar testifies that in many instances great difficulties have been experienced in getting creditors' assignees to bring in their accounts. Moneys have been kept in hand which ought to have been paid over to the Bank of England; but the moneys have been paid over eventually. In one instance, the circumstances of which are fully given in the evidence, above 70*l.* was realised by sale of a bankrupt's lease and effects, but part being detained by the auctioneer, part by the solicitor as a fund for costs, and the rest by the creditors' assignee for goods supplied to carry on the business until sale, none of the money ever came to the court. In a case in which complaint was made to the LORD CHANCELLOR the assets were 242*l.* and the balance, after payments, 70*l.*; there were charges of 18*l.* auctioneer; 74*l.* solicitor; 24*l.* messenger; and 12*l.* official assignee. In a Leeds case the assets were 415*l.* and the sum for division 40*l.* 18*s.* 1*d.* The creditors' assignees throughout the kingdom collected, in the year ending 11th Nov. 1863, 423,000*l.*, without default; the official assignees 275,000*l.*, all in debts under 10*l.* The difficulty arising from the creditors' assignees holding back money is overcome by adjourning the audit and insisting on the production of the vouchers. The bills of charges and costs are always taxed, but the taxation is rarely checked or opposed. In London the bills are well taxed, but in the country they are not. Creditors take but little trouble; in many instances, probably, they write off the debts as bad. Sometimes the meetings are numerously attended, especially the first; but creditors are very apt to neglect their interests in that respect. There is no statement of the state of the estate during the winding-up. The creditors pay but little attention at that stage. They may call on the official assignee, who would give them every information. A short abstract of the assets and liabilities might be sent to them; the objection would be the expense of printing and the postage. It is the opinion of the Chief Registrar that things are drifting into the state which existed in 1831, prior to Lord BROUGHAM'S Act, so that the old abuses are recurring. By Lord BROUGHAM'S Act the business of bankruptcy was taken out of the solicitors' hands, and put into the hands of the official assignees. It has now come again into the solicitors' hands, as the creditors' assignee, being ignorant of law, relies on his solicitor. Return should be made to the arrangement which existed prior to Lord WESTBURY'S Act, as regards the collection of debts, and their old duties restored to the official assignees; but so that they shall not be paid by a fixed salary, but partly by salary and partly by fees.

Inspector of assignees' accounts.—In dealing with the disclosures made by the LORD CHANCELLOR'S Commissioners of the doings in the Manchester District Court, we pointed (Oct. 29) to the expediency of appointing "a supervisor of accounts, whose duty it shall be to make an audit circuit of the district courts." A similar view is taken in the official evidence. According to Mr. Commissioner HOLROYD, the duty of inspecting the official assignees' accounts would not be taken away altogether from the commissioners. The inspector-general would adopt a course somewhat analogous to that which is required by the Bank of England with respect to their branch banks. An officer is sent down at certain periods, as is thought fit. So the inspector would be sent by a commissioner, or by the Lord Chancellor. At present, however, the audit of the official assignees' accounts is a proper audit, taking the assets and receipts. It used to be done partly by the commissioner; it is now done altogether by the registrar. If all the estates are thrown upon one person, unless he be an experienced accountant, it is almost an impossibility to ascertain that everything is right. Generally speaking, legal men are not well versed in accounts. The commissioners do not now usually look to the extent which they used into bankrupt's estates, to ascertain that they have been properly wound-up, but every facility is given to parties interested who are desirous of obtaining information. At the quarterly examination of official assignees' accounts the commissioner makes necessary inquiries, where money stands to the credit of particular estates which he thinks ought to be divided. The business is so much increased that it is impossible for the commissioner himself to devote so much time as formerly to such investigations.

The appointment of a comptroller of accounts, both over the official assignee and the creditors' assignee, is advised by the Chief Registrar, as defaults have occurred on the part of both. The comptroller's duty should be to go into the official assignee's office and examine his books, and it should be imperative that he should visit every official assignee twice a-year, and also every messenger, and examine their books and report periodically to the Lord Chancellor. The accounts of the messengers, made annually to the Chief Registrar, have been very unsatisfactory. In several instances it was impossible to believe that the accounts which had been sent in were true. The appointment of one of the London messengers has been suspended, and others are under investigation. The messengers have not returned the correct amounts paid for charges and disbursements to be deducted from their receipts in paying over their balances. Altogether there have been about four defaulting official assignees in London, and about the same number in the country. There is no mode by which it can be ascertained that an official assignee has rendered an account of all his receipts. There is no officer whose duty it is to look after the official assignee; hence a comptroller is proposed. The Chief Registrar does not think that an audit by an official unconnected with Basinghall-street would be an advantage, but that the audit is very well as it is. The commissioners audit the accounts of the official assignees by testing about a dozen items in each column of their books. The assignees' book and banker's pass-book, duly balanced, to show the balance placed to the credit of the court in every estate, are produced to the commissioner at the time that he examines the quarterly return. The pass-book is not always examined with the account at the bank. In auditing the accounts of the creditors' assignees, each registrar takes the cases that belong to his commissioner. Twenty are audited in an hour; sometimes forty for an hour are advertised before a particular registrar. The Chief Registrar has put down twenty for eleven o'clock, ten for twelve o'clock, and ten for one o'clock. The twenty cannot be got through, but the attendance of some of the parties is insured. Many of the accounts are verified by affidavit. The creditors' assignee, instead of attending, makes an affidavit and signs it by his solicitor; but sometimes he does not send the vouchers, and the audit is adjourned. The official assignee audits in the first instance, but frequently the vouchers are not sent to him. It does not appear that there is any case in which a creditors' assignee has been required to pay, under the section for that purpose, 20 per cent. on moneys retained by him longer than seven days: (but see now the case commented on in the LAW TIMES, Dec. 31, p. 97.) The origin of the present investigation, ordered by the LORD CHANCELLOR, into official assignees' and messengers' accounts was a comparison made by the Chief Registrar between the London and the Leeds official expenses. He found that in London each official assignee had for the year ending Nov. 11, 1863, 736 cases on an average, and that the total salaries of clerks paid by the London official assignees averaged 866*l.*, and the petty expenses, stationery, postages and printing amounted to 395*l.*; while in Leeds he found that there were only 308 cases, and that the salaries of clerks amounted to 177*6l.*, and the expenses above mentioned to 145*8l.* He reported the matter to the LORD CHANCELLOR.

Trust-deeds.—The preference given to arrangement by deed, when the bankruptcy involves any amount of moment, is admitted. The Commissioner considers one great reason for preferring compositions to be, that, when a failure takes place, mercantile men are desirous of knowing as speedily as possible what their loss is, getting as much as can be paid, wiping it out and having no more to do with it. But, looking at the question solely upon principle, if every estate went through the court it would be better for the commercial community than if wound-up by arrangement. The publicity is a great advantage. The punishment of dishonest debtors operates by way of example. Real injury does not arise from the disclosure of parties' dealings, unless they are in a tottering way themselves. Avoidance of publicity makes arrangements popular. Yet, upon the whole, the interests of creditors would be furthered if they could make up their minds to go into the Bankruptcy Court. Generally speaking, the desire is to settle the thing as quickly as possible. The great estate of LAURENCE, STREATFEILD and Co., came before the court upon the determination of one individual creditor only. Every case of fraud that is hushed up or passed over has the effect of introducing more of the same description. The high percentage of expenses is attributable partly to the absence of great cases from the court. If every failure of every sort were in some way or other brought to the court, a small fee paid upon each estate would be sufficient to support the court. There is not much more trouble in winding-up estates in bankruptcy than by trust-deeds. It would be a good thing to have model deeds for composition, inspection and liquidation: something in print instead of a deed on parchment. Whether the creditor, after giving his assent to the deed, should be let in to dispute it, is matter to be considered. Of course fraud is always an exception. The creditor should be bound by any mistake which, with reasonable care, he ought to have discovered. The registration is not always made. Looking at the returns of deeds registered, it appears that they fall short of the whole number of such deeds in the year. Some further penalty upon non-registration is required. Persons now, it is understood, run the risk; they say they do not mind a deed not being receivable in evidence, and for some reason of their own will not register it, but take it for what it is worth. Several applications have been made for the examination of parties to trust-deeds, not on account of any default, but to show that the conditions have not been complied with. The summonses have come to nothing.

These opinions are shared in a great degree by the Chief Registrar. Almost all large estates, he says, are wound-up by trust-deeds. Moreover, he thinks it doubtful whether the court can be so constituted that large estates will ever be wound-up there. A blot in the trust-deed clauses is that no time is fixed within which the deed cannot be questioned. Trust-deeds are preferred because they get rid of the stigma and exposure of bankruptcy. The debtor dislikes the publicity of the court. Large debts are kept back from proof from the like cause. If a form of deed had been given it would have saved a great deal of litigation. An omission in the Act is that there is no provision for furnishing to a creditor the amount of an estate wound-up by a trust-deed. There has been no instance in which the trustees of a deed of assignment have been called to account by the court. No complaint has been made of neglect or breach of trust, which shows that sect. 192 must work well,

Appeals—Chief judge.—A hearing by two commissioners, by rendering appeals less frequent, Mr. Commissioner Holroyd believes must diminish the objections arising on account of the expense. A court of three commissioners would in some respects be better than two, with a fourth commissioner to attend to the ordinary business of the day. The appeal to the Court of Chancery should be confined to matters of law. After a hearing by three commissioners it would not be necessary to give an appeal on matters of fact. The appeal would be on written documents within a short compass. The ultimate appeal to the House of Lords might then be done away.

The Chief Registrar, on the contrary, would recommend the appointment of a chief judge. With three commissioners you cannot secure any great amount of uniformity of decision. The London commissioners should be permitted to retire. The powers of the registrars should be extended, so that the sittings for last examinations and all unopposed matters should be before them. The time of the chief judge would be devoted to hearing disputed cases of discharge.

Cost—Despatch. The following is also from the Commissioner's evidence:—The cost of the collection and distribution of the assets, as to the correct charges, is more favourable under the Act of 1861, from the abolition of many of the fees, than before, and the general expense, according to the returns, is not very different. The law expenses are the heaviest part of the expenditure in bankruptcy. It would be desirable to have a new table of costs. If an attorney is employed he must be paid as an attorney is usually paid. If a mode could be introduced of paying him differently, that is, otherwise than by the attendance fee of 6s. 8d., it would probably act beneficially for bankrupts' estates. Solicitors frequently take upon themselves duties under a bankruptcy which, if there were not a bankruptcy, they would not peform. In that case the solicitor charges for employment which may or may not be compatible with his own. With regard to despatch and distribution of the assets, the new Act is not more favourable to creditors; though the delay, if any, now rests mainly with the creditors—they have to see what money, and when it shall be divided; formerly it rested with the court. There is no reason why the mode in Chancery, which operates well for administration of a deceased person's estate, should not be applicable to administer a bankrupt's estate.

This concludes the matters worthy of particular notice in the official evidence. We propose, as opportunity may offer, to give succeintly the commercial and the solicitors' views of the working of the Act.

(To be continued.)

INVESTMENT JOURNAL.

The following are the fluctuations:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	240	242	240	240	240½	240
3 ₩ Cent. Red. Ann.	89¼	89	88¾	89	88¾	88¾
3 ₩ Cent. Cons. Ann.	89¼	89¼	89¼	89¼	89¼	89¼
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	71¼	...	...	71¼	...	...
New 3 ₩ Cent. Ann.	89¼	...	89	88¾	88¾	88¾
New 3½ ₩ Cent. Ann.	...	89	...	...	...	...
5 ₩ Cent. Annuities	...	...	...	...	...	...
5 ₩ Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	14 1/16
Do. exp. Jan. 5, 1880	...	...	...	19¼ d	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	90	90¼	90¼	90	90	89¾
Consols for Acc.	...	...	...	...	...	...
Consols 3 ₩ Cent. for Ac.	...	...	...	...	...	...
India 5 ₩ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	212	212	...	216	...
India 5 ₩ Cents.	...	...	...	...	...	...
India 4 ₩ Cents. 1888	...	...	98½	98½	98½	...
India 5 ₩ Cents. 1870	103¾	104	104	103¾	103¾	...
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	...	...	...	...	d	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	98½	98½	...	...	...
India Enfaced Paper, 4 ₩ Cent.	...	...	...	...	...	...
Do. do. 5 ₩ c. Jan. 1872	...	...	102½	...	...	...
Do. do. 5½ ₩ c. May 1879	109½	...	...	...	109½	...
Ex. Bills, 1000l.	a	...	b	c	e	f
Do. 500l.	...	...	...	...	...	...
Do. 100l. & 200l. 3 ₩ c.	...	...	c	...	...	...
Do. Small, & 3 ₩ c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a March 4 per cent. par, 5s. prem.
b March 4 per cent. 4s. prem.
c March 4 per cent. 5s. prem.
d Ex div.
e March 4 per cent. par, 4s. prem.
f 6 per cent. 4s. prem.

The past week has been uneventful. Prices have been firm, and there is a general feeling of revived confidence. Money is plentiful, and the only fear entertained by the prudent is of the possible return of the speculative mania, the decline in the rate of interest being accompanied, as formerly, by the appearance of several new schemes stimulated by the licence of limited liability.

SOLICITORS' JOURNAL.

COURT OF COMMON PLEAS.

Tennant *v.* Robinson.

This was a rule calling on an attorney named Henry Robinson to answer certain matters set out on affidavit.

T. Jones appeared to show cause against the rule, and *Raymond* in support of it.

It appeared by the affidavits that an action had been brought by the plaintiff against a Mr. John Robinson, who was the landlord of the Cross Keys Inn at Barnoldswick, in which 286l. 2s. 9d. had been recovered, and Mr. Henry Robinson acted as the plaintiff's attorney, and sought to enforce that judgment. The defendant in the action said he could not pay, that he had sold all his goods to his son, who was in possession, and that he should offer 3s. 4d. in the pound to his creditors, and under the influence of these representations Mr. Henry Robinson agreed to accept 100l. in discharge of the plaintiff's debt. After this agreement, the defendant having arranged with his creditors and bought back his goods, Mr. Henry Robinson in bad faith issued an execution on the judgment for the full amount of 286l. 2s. 9d.

On behalf of Mr. Henry Robinson, *Jones* admitted all the facts stated, but on further affidavits contended, that an arrangement had been entered into between the defendant and his son for the purpose of defeating the execution, and that a collusive sale had taken place, the defendant finding the money, and with an understanding that when the execution was got rid of, the son should let the father again into possession of the Cross Keys Inn. After the arrangement to discharge the defendant on payment of 100l. had been entered into, the son got married, and, after an absence of two or three weeks, returned to the Cross Keys, and there found his father, who refused to let him again into possession of the house, and the father and son quarrelled, and the son then came to Mr. Henry Robinson, and communicated to him what the arrangement had been, and Mr. Henry Robinson then told the defendant that he should consider the transaction fraudulent, and levy for the whole amount of the debt.

The Lord Chief Justice said, if Mr. Robinson, the attorney, had settled the claim for 100l., which he had paid to his client, and had afterwards levied the whole amount, and put the difference between 100l. and 286l. 2s. 9d. into his own pocket, this would be no answer; but it would be then for the plaintiff, and not the defendant, to complain.

Jones said that this was not so. It further appeared that Mr. Henry Robinson, the attorney, had subsequently acted as attorney for the son, and under pretence of acting on behalf of the plaintiff had turned the *father* out of the premises. This, however, was not the immediate complaint before the court.

The Lord Chief Justice said, if the defendant had anything to offer in answer to the attorney's affidavits, he might be heard in a week. If not, the rule must be discharged with costs.

COURT OF EXCHEQUER.

Thursday, Jan. 12.

Re Thomas Parker.

Crompton Hutton moved for a rule, under the 13 & 14 Vict., calling on an attorney residing at Liverpool to show cause why he should not pay over to the Commissioners of Inland Revenue certain legacy duty received by him.

The Court granted a rule.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner Goulburn.)

Re Henry Pook.

This was an adjourned meeting for examination. The bankrupt was an attorney, carrying on business in Basinghall-street, and also at Camberwell.

Sargood appeared on behalf of the assignees.

R. Griffiths opposed for creditors.

The debts in this case represent a total of 3300l., and no assets have yet been realised. The assignees asked that the bankrupt should file a cash account for the six months preceding the failure, but on behalf of the opposing creditors an objection was raised to the bankrupt's petition, on the ground of an insufficiency of description. It was elicited that in July 1859, the bankrupt took apartments in the house of John Franklin, a police-constable, resident at Old Charlton, in Kent. He gave the name of Wilson, and stated himself to be a commercial traveller. In Feb. 1860, Franklin discovered that Wilson's real name was Pook. Under these circumstances it was suggested that the *alias* of Wilson should have been given in the petition.

His Honour declined to dismiss the petition, but upon the application of the opposing creditors he ordered the bankrupt to file a cash account for the eighteen months preceding the failure, together with an account explanatory of the deficiency.

ADMISSION OF SOLICITORS.

The Master of the Rolls has appointed Tuesday the 31st Jan. 1865, at the Rolls Court, Chancery-lane, at four o'clock in the afternoon, for swearing in solicitors.

Every person desirous of being sworn in on the above day must leave his common law admission or his certificate of practice for the current year at the Secretary's Office, Rolls-yard, Chancery-lane, on or before Monday, the 30th Jan. 1865.

The papers of those gentlemen who cannot be admitted at common law till the last day of term will be received at the Secretary's Office up to twelve o'clock at noon on that day, after which time no papers can be received.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Colby (Thomas Taylor), 5, Richmond-villas, Bayswater, Middlesex, Jan. 16, V.C. S. J. and W. Butler, 191, Tooley-street, London.

Druce (Joseph), Southampton, Esq., Feb. 11, M.R. E. K. Brannd, 3, Furnival's-inn, London.

Eaton (Elizabeth), 16, Lewin-crescent, city of London, widow, Feb. 13, V.C. S. R. W. Peake, 11, Old-square, Lincoln's-inn, Middlesex.

Galloway (Robt.), South Ferriby, Lincolnshire, farmer, Feb. 14, M. R. H. Tyrrell, 14, Gray's-inn-square, for J. Redfern, Leek, Staffordshire.

Hosking (John), Park-terrace, Freemantle, Southampton, Feb. 14, M.R.

Jones (H. R.), 49, Montague-square, Middlesex, gentleman, Feb. 14, M. R. J. H. Triston, 18, Barge-yard-chambers, Bucklersbury, London.

Louis (Sir John), 61, Eaton-place, Middlesex, and Cadmi House, Torquay, Devon, Bart., Feb. 1, V.C. S. Walters and Moojen, 8, Southampton-street, Bloomsbury, London.

Shuttlewood (Thos.), Bagworth, Leicester, gentleman, Feb. 22, V.C. S. Austen, De Gex and Harding, 4, Raymond-buildings, Gray's-inn, for W. Freer, Leicester.

Stanley (R. J.), 5, Cecil-street, Strand, Middlesex, a retired Captain in the Indian Army, Feb. 6, V. C. K. J. F. Strickland, 59, Lincoln's-inn-fields.

Whiteman (John), Northampton, silversmith, Feb. 9, M.R. Spyer and Son, 8, Broad-street-buildings, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Ablett (John Lee), 234, Regent-street, Middlesex, hosier and glover, Feb. 28. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

Andrew (Giles), Bagnley-hill, Saddleworth, Yorks, gentleman, March 1. W. Buckley, Ashton-under-Lyne.

Beacham (Sarah), Burlington-place, Bath, spinster, Feb. 6. Skurray and Son, 2, Chapel-row, Bath.

Blatch (Rev. James), Basingstoke, Southampton, March 5. Howard, Inglis and Keeling, Colchester.

Blunden (Ann), Angmering, Sussex, widow, Feb. 15. R. Edmunds, Bedford-row, Worthing.

Brown (John), 15, Lea Mouth-place, Poplar, Middlesex, mariner, Jan. 31. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

Clarkson (Frederick), Doctors'-commons, London, and 3, Cleveland-square, Hyde-park, Middlesex, Esq., proctor, March 25. Lawrie and Keen, 3, Dean's-court, Doctors'-commons.

Coultate (Edward), Sandy-lane, Bowdon, Chester, gentleman. Rowley and Son, 2, Clarence-buildings, Booth-street, Manchester.

Day (J. E.), Swardeston, Norfolk, Esq., Feb. 17. A. J. Day, Kidderminster.

Denton (Charles), Trinity-terrace, Tredegar-square, Mile-end-road, Middlesex, builder, Feb. 27. Rutherford and Son, 14, Gracechurch-street, London.

Dusantoy (Henry), Southampton, surgeon, March 11. H. Page, 28, Portland-street, Southampton.

Harding (Amelia), Cheltenham, spinster, Feb. 25. Gwinnett and Ticehurst, Cheltenham.

Hillier (John), 30, Park-street, Bristol, hairdresser and perfumer, Feb. 28. W. Sweet, 24, Bridge-street, Bristol.

Holmes (Mary), Findon, Sussex, spinster, Feb. 18. R. Edmunds, Bedford-row, Worthing.

Jeffery (George), 14, Kingsland-road, Middlesex, upholsterer, April 7. Fox and Meadows, 32, Gresham-house, Old Broad-street, London.

Longton (Samuel), Mount-pleasant, Liverpool, Lancaster, master mariner. C. G. Thomson, Kendal, Westmoreland.

Nicholls (Henry), 71, Piccadilly, Westminster, confectioner, Feb. 14. J. Balling, 3, Chapel-place, Poultry, London.

Olerenshaw (Joseph), Berkswell, Warwickshire, gentleman, Feb. 1. Troughton, Lea and Kirby, 16, Little Park-street, Coventry.

Raikes (Henry), Llwynegrin-hall, Mold, Flint, Esq., March 1. H. S. Russell, Mitre-court-chambers, Temple, London.

Steele (Sarah), Norwich, spinster, Feb. 1. P. E. Hansell, Upper-close, Norwich.

Stirling (T. H.), Grove-house, Battersea, Surrey, Esq., Feb. 1. Hancock, Saunders and Hawksford, 36, Carey-street, Lincoln's-inn, London.

Tasker (William), Dartford, Kent, and 4, Carlton-hill east, St. John's-wood, Middlesex, brewer, Feb. 10. Talbot and Tasker, 47, Bedford-row, London.

Taylor (Henry William), formerly of 4, Alldon-place, Blackfriars, Surrey, and late of 40, Aldermanbury, London, master mariner, Feb. 20. J. and C. Robinson, 63, Basinghall-street, London.

Taylor (William), 40, Aldermanbury, London, merchant, Feb. 20. J. and C. Robinson, 63, Basinghall-street, London.

Treadwell (Wm.), 6, George-street, Blackfriars-road, Surrey, stove manufacturer, March 23. J. J. Blake and Son, 4, Arthur-street east, King William-street, London.

Warneford (John), Acaster Malbis, Yorkshire, farmer, March 18. J. P. and H. Wood, 12, Pavement, York.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Frampton (Deborah), Clapton, widow, Frampton (Thomas), St. John's College, Cambridge, Esq., and Frampton (J. De Kewer), of New Broad-street, Esq. 80l. 13s. 10d. New three per Cents. Claimant, J. De Kewer Frampton, the survivor.

Mrs. Mary Barnes Nash.—The widow of the late Roland Nash, formerly assistant-registrar and solicitor, of the Bishop's Registry, Lincoln diocese, died on the 14th

ent, aged seventy-seven, after forty-seven years' suffering. She was daughter of Sir Thomas Barnes, of Saltcham, and married in 1809 to Mr. Nash, who afterwards became connected with the *Star* and other literary of past days, a great political friend of Colonel Sibthorp and Mr. Parnell, solicitor, and once M.P. for Lincoln, which led to habits of a dissipated character, in those electioneering days. A memoir of Mr. Nash appeared in the LAW TIMES for 1859. The deceased lady was remarkable for her noble self-devotion to her family, of which one example may be recorded in her having in the Spring of womanhood parted with her flowing jet black hair, which reached the ground, to avert a sudden pressure upon her children's home.

THE BENCH AND THE BAR.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Lord Chancellor has appointed Mr. Richard Griffith Welford, of the Inner Temple and the Chancery Bar, to be judge of the Birmingham County Court, in place of Mr. Nichols, whose death is recorded on Saturday.

Nov. 23.—The Judges of the Courts of Queen's Bench, Common Pleas and Exchequer, have appointed George Corpe, of No. 3, Lincoln's-inn-fields, gentleman, to be a London Commissioner for administering oaths in common law in the said courts.

A memorial window has been placed in Feniton Church, Devonshire, to the memory of the late Sir John Patteson, Knt., ex-judge, who died in 1861, in his 72nd year.

Mr. Samuel Warren, the master in lunacy, author of the "Diary of a late Physician," and "Ten Thousand a Year," and son of the late Rev. Dr. Warren, of Manchester, is said to be in a state of health that almost precludes the possibility of recovery.

It is a rumour in legal circles, but one for which we do not vouch, that Lord Kingsdown does not intend to continue his attendance on the Judicial Committee of Appeal. We believe it is to this report that we must trace another, as to Chief Justice Erle's retirement with a peerage and a seat in the Privy Council.—*Record.*

DEATH OF SIR A. D. CROFT.—We have to record the death of Sir Archer Denman Croft, Bart., one of the masters of the Court of Queen's Bench. The deceased was the second son of the sixth baronet by the daughter of the late Dr. Thomas Denman, and was born in Old Burlington-street in 1801. He was called to the bar in 1830, and was appointed to his mastership by Lord Denman. He is succeeded in his baronetcy by his son, Herbert George Denman, who was born in 1838. The mastership in the Court of Queen's Bench, which becomes vacant by his death, is in the hands of Sir Alexander Cockburn, Bart., the Lord Chief Justice.

DEATH OF MR. JUSTICE BALL.—We regret to state that this venerable judge, whose death had been hourly expected for some days past, died at four o'clock on Sunday morning, at his residence, Stephen's-green. The late Right Hon. Nicholas Ball was born in Eccles-street, in Dublin, in the year 1791. He was educated at Stonyhurst College, and at the University of Dublin; was called to the Bar in 1811, and obtained a silk gown in 1830. In 1832 he was elected M.P. for Clonmel, and in 1848 succeeded the late Chief Baron Wolfe as Attorney-General for Ireland. In the following year he was elevated to the Bench as one of the judges of the Court of Common Pleas.

THE NEW SCOTCH JUDGE.—On Thursday week Mr. David Mure, advocate, late M.P. for Bute, presented to the Lord President and Judges of the Court of Session the Royal commission appointing him to the office of one of the ordinary of the College of Justice, rendered vacant by the resignation of Lord Mackenzie. All the judges were present, and there was a crowded attendance in the court room of the first division. Mr. Mure having tendered her Majesty's letter, the Lord President ordered that it should be received and recorded, and remitted the judge elect to the usual probation. The lord probationer sat with Lord Jerviswoode, in the hearing of a case which lasted all the afternoon, and on Saturday he was to report his opinion to the Court, and also hear a case in the Inner House. On the customary trials being concluded, his lordship will at a meeting of the whole Court, be called to take his seat upon the bench. He will take the title of Lord Mure.

MAGISTRATE AND PARISH LAWYER.

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

The following case is reported from the recent Quarter Sessions for Cornwall:—

An important and novel appeal case, which involved several technical points of law, was heard in the First Court, at which J. J. Rogers, Esq., and C. R. G. Sawle, Esq., were then sitting. The appellants were Messrs. Jos. Smith and Peter Tabb, of Polruan, represented by *Hall*, *Shilson* and *Merrivck*, and the respondents the churchwardens and overseers of the parish of Lanteglos by Fowey, represented by *Childs*, of Liskeard.

The appeal was against a poor-rate that was made about the 12th Oct. last, and which was signed by Dr. Treffry and R. G. Lakes, Esq. The notices of appeal served upon the churchwardens, waywardens, overseers, and magistrates who made the rate, were then put in. The notice had also been served upon the highway surveyor for the district.

Childs admitted the service upon the persons named, at the same time he drew attention to the Highway Act of 1864 (27 & 28 Vict. c. 101, ss. 37 38 and 39. He did not believe the appellants were in a position to come before the court. He raised an objection that the parties who felt themselves aggrieved should have given notice of appeal to the clerk of the highway district, so that the case might come before the board, and a satisfactory settlement have been made.

Shilson said he was well aware of the various objections raised by Mr. Childs before making the appeal; but he had given the case careful consideration, and had had advice from eminent counsel on the point, and he felt sure that the appeal was legal. They did not appeal against the incorrectness or valuation of the rate; therefore the objection raised on sect. 37 was not valid. So as to sect. 38, the words "put on," or "left out," did not apply to the appellants, as they did not dispute their liability to pay the rate. It was a question of amount. The rate in question had been improperly made, and must be quashed, as a portion had been paid for the highway rate. He understood the term "inequality," as used in that section, to mean unfairness as to the amount of the rating. Of course they could not alter the separate rating, because the portions for the poor and the highway accounts could not be determined. There were many difficulties connected with the question, and the law, now imperfect, must be amended.

Childs, in answer to some points of law raised by Mr. Shilson, upon the Act 25 & 26 Vict. c. 61, said that the last Highway Act repealed the sections alluded to.

Shilson said that the magistrates at the special sessions had not the power to quash the rate, and therefore they appealed to the quarter sessions; but if they could so appeal, the appeal would be concurrent. In making an appeal they must do so against the whole whole amount, as the sum was not divided.

Childs said that the appellants should have given notice to the highway board.

The CHAIRMAN, after some consideration, said the court felt that, according to sect. 39, above referred to, of the last Act, the appeal was not good, as no notice had been given to the clerk of the highway board. It was a *casus omissus*. The appeal must be under the last Act, as that of 5 & 6 Will. 4, c. 50, and the Act of 1862 were incorporated in that of 1864. The Act of Parliament was very faulty, and no doubt would receive the early attention of Parliament. The overseers, under the present Act, could do no other than levy one rate, and not separate the poor and highway accounts.

Shilson said it was very hard that they should suffer for that defect. He applied for a case upon the point, and said it was a matter which he believed had never been raised in any court in the country.

Application granted.

NEW WINDSOR QUARTER SESSIONS.—The Epiphany Quarter Sessions for this borough will be holden on Tuesday, January 31st, before A. M. Skinner, Esq., Recorder. Four days notice of appeal is required. Clerk of the peace, John Secker.

SHRIEVALTY EXPENSES.—The Suffolk Shrievalty Association has been dissolved, and the balance of the funds remaining is to be divided between the two county hospitals. The secretaries, in announcing the dissolution of the association, state that the gentlemen who formed it consider that its object—viz., the reduction of the heavy expenses attending the office of high sheriff in Suffolk—has been attained.

REAL PROPERTY LAWYER AND CONVEYANCER.

TITHE COMMUTATION—SEPTENNIAL AVERAGES.—The following has been addressed to the *Times*:—

SIR,—As many of your readers may feel anxious to know the result of the corn averages for the seven years to Christmas 1864, published by authority in the *London Gazette* of the 30th ult., viz.:—

	Per Imperial Bushel.
Wheat	6*s.* 8*d.*
Barley	4*s.* 3½*d.*
Oats	2*s.* 10*d.*

I beg to state for their information that each 100*l.* of tithe rentcharge will, for the year 1864, amount to 98*l.* 14*s.* 10½*d.*, or about 1*l.* 8*s.* per cent. lower than last year. The following statement, from my "Annual Tithe Commutation Table," will show the worth of 100*l.* of tithe rentcharge for each year since the passing of the Tithe Commutation Act, viz.:—

For the year		For the year	
1837	£98 13 9½	1854	£91 13 5½
1838	97 7 11	1855	89 5 5
1839	95 7 9	1856	89 15 8½
1840	98 15 9½	1857	93 18 1½
1841	102 12 5½	1858	99 13 7½
1842	105 8 2½	1859	105 16 3½
1843	105 12 2½	1860	108 19 6½
1844	104 8 5½	1861	110 17 8½
1845	103 17 11½	1862	112 3 4½
1846	102 17 8½	1863	109 13 6
1847	99 18 10½	1864	107 5 9
1848	102 1 0	1865	103 3 10½
1849	100 3 7½		98 15 10½
1850	98 16 10		
1851	96 11 4½	29) £2,929 1 7	
1852	93 16 11½		
1853	93 16 11½		

General average for the last 29 years £101 0 0½

I am, Sir, your obedient servant,
CHARLES M. WILLICH, Actuary University Life Assurance Society.
23, Suffolk-street, Pall-mall, East, S.W., Jan. 13.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

PATENT LAW.—In a suit for an injunction to restrain an infringement of the patent right, and for an account, the court will assess the damages where that account is a simple one; and even where it is complex, the court has jurisdiction, under the recent statutes, to direct the necessary inquiries to be made in chambers to ascertain the amount of such account: (*Betts* v. *De Vitre*, 11 L. T. Rep. N. S. 533. Wood, V.C.)

CONTRACT FOR WORKS—CERTIFICATE OF ARCHITECT.—B. contracted to execute, "in a workmanlike manner," certain buildings for a burial board, "to the entire satisfaction of the architect," the payments to be made to B. from time to time as the work proceeded, and the balance on the final certificate of the architect that the work had been executed according to the contract. Certificates had from time to time been given by the architect, and payments made on account accordingly. Afterwards it appeared that part of the work was not done "in a workmanlike manner," and the final certificate was withheld. Thereupon B. filed a bill to have it declared that the withholding of the final certificate was a fraud upon him. But the Court held it not to be so, as the architect was justified in withholding the final certificate on afterwards discovering defects, although he had given the former ones: (*Cooper* v. *The Burial Board of Ulloxeter*, 11 L. T. Rep. N. S. 565. Wood, V.C.)

LIABILITY FOR NEGLIGENCE.—B., owner of certain premises, was authorised by the Metropolis Local Management Act, s. 77, to make a drain from his house into a public sewer. He employed a contractor to do it, and the work was so insecurely restored that he was injured by it. The owner as well as the contractor was held to be liable, by reason of his statutory duty to properly reinstate the highway: (*Gray* v. *Pullen*, 11 L. T. Rep. N. S. 569. Ex. Ch.)

PARTNERSHIP.—B., sole proprietor of a wholesale cloth business in Dublin, agreed with C. to become the manager and partner in a separate and larger concern in the same trade at Huddersfield which had belonged to C., and it was also arranged that C. should come to Dublin to superintend the separate business there carried on by B., for the purpose of testing whether the concern was worth being continued. It was further agreed that, at the end of a year, C. should have the option of becoming a partner in the Dublin house and sharing the profits, if any, of that year, but should receive no remuneration nor any part of the profits if he elected not to join the Dublin business. C. never exercised his option of becoming a partner, but having left Ireland and apparently abandoned the concern, died before the expiration of the year of trial. It was held that, inasmuch as C. had not by his superintendence of the Dublin business become a partner, a claim made by his executors to be admitted as creditors of the estate of B. for goods sold and cash supplied by the Huddersfield house to the Dublin concern should be allowed: (*Re Hall*, 11 L. T. Rep. N. S. 579. App. Ct. Ire.)

LAW STUDENTS' JOURNAL.

Correspondence.

PRELIMINARY EXAMINATIONS.—Will you allow an articled clerk to express his views on the subject of the Incorporated Law Society's examinations? I approve the adoption of a preliminary examination before articles, but not of the present method of conducting it—the subjects are too general, while the requirements are too slight. English and Latin should certainly be the main points, with English history, and either French or German; these are enough to test the education of candidates, provided the examination is thorough. At present almost any one can pass, but I think it should be so searching that only those who have had a really good education could be successful. The more the social *status* of the members of the Profession is raised the fewer clerkships will be found in it, while practice will be more agreeable in several ways. I also approve the intermediate examination, but consider the recent selection of books injudicious, as they are not suitable. It was instituted, I apprehend, to prevent articled clerks from idling away the first four years of their time, and "cramming" during the fifth, and also to insure their duly obtaining acquaintance with the principles and general practice of the chief branches of law. But it is not to be expected, nor is it desirable, that young men should aim to learn any subject thoroughly at so early a period; for, to do so, they must almost of necessity neglect to acquire that general knowledge of

law which is the best introduction to its practice, and much of the subject to which they have devoted such an undue proportion of their time will escape their memories as being unprepared for its thorough reception. The Final Examination is, however, the one which most requires attention, as that is the test of admission to the profession. Though it lies before me personally, I advocate the adoption of a higher standard by the examiners. No doubt much that is necessary in a lawyer can never be found out by an examination conducted by means of printed papers only, and I have as low an opinion of the results of examinations generally as anybody. Nevertheless, much may be done to improve the present Final Examination, and with your permission I will explain my scheme for its reformation, which consists in some modifications of the existing examination, and the addition of an examination for honours. As to the modifications: the present plan of giving two papers at once, both of which must be answered by a fixed hour in the afternoon, seems manifestly bad, and I know no other examination conducted in this manner. A better method would be to give one paper at ten o'clock, to be answered by one, and another paper at half-past one, to be answered by half-past four. This would, as another advantage, give time for lunch, and so prevent the irregularities caused by refreshments being taken in the examination-hall. Constitutional history is a subject with which every lawyer, whether belonging to the "higher" or the "lower" branch of the profession, ought to be acquainted; and I think that, to insure the thorough legal training of articled clerks, the Incorporated Law Society would do wisely to add this to their syllabus. The subjects of the pass examination should be constitutional history, conveyancing, common law and equity. If the questions were more directed to bring out the *practical* knowledge of candidates, it would be an improvement. An increase in the number of questions put would also, I think, be beneficial: those who were well prepared could answer all, while those who might not be able to do that would yet have the opportunity of showing the examiners that they had a fair knowledge of the subject, which cannot be satisfactorily done when only a small number of questions are asked. These modifications would not, however, much affect the difficulty of the trial, though they would, I believe, increase its value. I propose that, in order to encourage study and talent and to supply a certificate, as it were, to those who excel in any one or more of the departments of law, there should be in the week following that in which the Final Pass Examination is held separate Honour Examinations in Conveyancing, Common Law, Equity, Criminal Law, Bankruptcy, Probate and Ecclesiastical Law and Mercantile Law, and that these examinations should be conducted by means of a printed list of questions in the morning (from ten o'clock to two) and a *viva voce* examination in the afternoon (from three o'clock to five). No absurd limitations of answers to a half page of paper should be required. Of course only those who passed the Final Examination in the previous week would be admissible to the Honour Examinations. A thorough knowledge, both theoretical and practical, of the particular subject should be required from candidates before passing. A first and a second prize in each subject ought, I think, to be awarded if any candidate deserved them. The fact of a clerk having passed this Honour Examination in any branch would be a certificate to employers that he was competent to manage in that department. At present a prize implies general merit, but a clerk taking no prize may be far superior in a particular subject to all the prizemen. I will next week send you examples of examination papers, as I think they ought to be given, showing also the distinction between Pass and Honour questions.

W.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts ad difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

ORDER AND DISPOSITION—EQUITABLE MORTGAGE OF SHARES—NOTICE TO COMPANY.—A secretary and managing director of a company deposited with a bank a number of certificates of shares in the company as part security for a loan of money to be employed for the purposes of the company. All the other directors had personal knowledge of the transaction, and all joined in giving security for the same loan. No formal notice of the deposit was given by the bank to the company; and there were no special clauses in the company's articles as to the time and manner of giving notice. The secretary and managing director became bankrupt. The Court held that formal notice by the bank was unnecessary, since all the other directors were cognisant of the loan, and so negatived the presumption that the shares were in the bankrupt's reputed ownership with consent of the bank, the true owners, consequently the shares were not in the order and disposition of the bankrupt: (*Ex parte Stewart, re Shelley*, 11 L. T. Rep. N. S. 254. L. C.)

COMPOSITION-DEED.—A covenant in a deed of composition, entered into by the debtors with those only of the creditors who executed, is not for the equal benefit of all the creditors, and consequently invalidates the deed; and the circumstance that a trustee is appointed under the deed on behalf of all the creditors does not alter the case. The expression "equal benefit" means not only equal benefit on the face of the deed, but also equal remedy: (*Ex parte Senders*, 11 L. T. Rep. N. S. 574. Goulburn C.)

SMALL DEBT SUMMONS—PROTECTION.—The chief magistrate's certificate of the due registration of a deed under the 192nd section of the B. A. 1861, operates as a protection to the debtor against process under a summons taken out pursuant to the 8 & 9 Vict. c. 127, for nonpayment, in obedience to an order of the court, of a debt under 20*l.* recovered against him in a Superior Court: (*Gwillim v. Norris*, 11 L. T. Rep. N. S. 575. Winslow, Reg.)

SALE BY EXECUTION CREDITORS—ADJUDICATION—PROCEEDS OF SALE.—The sheriff sold B.'s goods under a *fi. fa.* Three days afterwards B. was adjudicated a bankrupt on his own petition. Under sect. 73, B. A. 1861, the assignees were entitled, as against the execution-creditor, to the balance of the proceeds of the sale after paying the costs and expenses of the action and execution: (*Ex parte The Assignees, &c., re J. Richards*, 11 L. T. Rep. N. S. 576. Hill, C.)

CORRESPONDENCE OF THE PROFESSION.

MAGISTRATES' CLERKS—PROSECUTING ATTORNEYS.—I have read with considerable interest a letter in your last week's impression, copied from the *Morning Herald*, upon the impropriety of magistrates' clerks acting as prosecuting attorneys in cases committed by their own bench. The practice condemned is bad enough at a quarter sessions attended by counsel, to whom magistrates' clerks deliver briefs, and who then accordingly conduct the cases in court. But how much more unseemly (what I have myself witnessed) at sessions where counsel do not attend, and when magistrates' clerks personally act as prosecuting counsel. For if a magistrates' clerk may prosecute, what prevents him defending, the accused? It would but look a little more unseemly. The province of a magistrates' clerk is, I apprehend, to prepare depositions for committment, and for use at the trial, and to advise the magistrates when required; but never to be concerned professionally either on one side or the other. His position is *quasi*-judicial, second only to the magistrate himself. I join, therefore, in the hope that the forthcoming "Justice of the Peace Procedure Act" may prevent a spectacle wholly unsuited to an English tribunal of the 19th century.

WILLIAM E. SHIRLEY.

Doncaster, 18th Jan. 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Query.

THE BANKRUPTCY ACT 1861.—A. having made an assignment of all his estate and effects to B., a trustee, and having satisfied all the requirements of sect. 192 of the Act, and having also obtained the protection of the chief Registrar in Bankruptcy: can any of your correspondents kindly inform me whether the aforesaid protection is an absolute or merely a limited protection? and whether it is necessary in the latter event that the debtor should obtain an order of discharge from the Court of Bankruptcy to relieve him from the claims of non-assenting creditors? W. C. C.

18th Jan. 1865.

LAW LIBRARY.

A Compendium of the Law of Real and Personal Property, connected with Conveyancing, &c. By JOSIAH W. SMITH, B.C.L., Q.C. Third edition. London: Stevens and Co.

THIS is the *real* Mr. Smith; *the* Josiah Smith, Q. C., mistaken for J. W. Smith, of the Muller pamphlet, as explained last week. If the portly and admirable volume upon our table had been seen by the writer before he noticed the manual, he could not have fallen into such an error, for it would be impossible that the author of such a book as this could have been the author of such a pamphlet as that.

We have since examined the Bankruptcy Manual to ascertain if it had been misjudged by the reviewer, under the influence of a natural prejudice against the supposed writer; but we are bound to say that we agree with him very nearly in his judgment of it. It is too sententious, too axiomatic, too much of a mere note-book, and not enough of an essay, for readers. Very different, indeed, is the far more important volume before us. Here Mr. Josiah Smith gives full play to his great legal knowledge and his remarkable faculty for clearly expressing it, so as to be readily understood by his readers. He has, indeed, condensed the law of the property which is the subject of conveyancing, but only into a treatise of moderate compass, and not into a string of propositions. He has given to the student a book to be read, and which he may read over and over again with profit and pleasure, and not a mere book of reference. Here is the living body, and not the mere skeleton of the law. A third edition is the stamp of public approval. A first, or even a second, edition may be bought out of curiosity or through the attraction of a name; but a third edition could not be required unless by virtue of its intrinsic merits, ascertained by positive trial, especially in the case of a book such as this, where the law has undergone no change, and the latest edition does not supersede the earliest.

As it has been noticed twice before, and its scheme must be well known, it is not necessary again to describe its contents further than to say that the new edition has been perfected by the introduction of the latest cases and some recent statutes. Mr. Smith needlessly apologises for having cited the statutes *verbatim*. But it is the only safe form of reference. The very words of a law can alone be received for any practical purpose. If put into other language, we have the commentator's construction of the law, not the law itself, and the reader is at the mercy of his care and capacity. Whenever statute law is cited, there are but two permissible forms of setting it out—the *ipsissima verba*, either alone or accompanied with the interpretation which the courts have put upon them. The adoption of this rule has swollen the bulk of the volume, but increased its usefulness. Mr. Smith states his design to be "to form a connecting link between the old and the new text-books, statutes and cases," as a kind of second book for students, and although he describes his own work in somewhat eulogistic terms, which might better have come from others, we do not think he has much exaggerated his claims upon the notice of those for whom he has laboured.

The Union Assessment Committee Act 1862; with Introduction, Notes and Index. Fourth edition. By DANBY F. FRY, Esq., Barrister-at-Law. Knight and Co.

UPON the whole this Act has worked well. The assessment committees have honestly devoted themselves to their very unpleasant duties, and the paucity of appeals proves that, if they have not given satisfaction, they have done substantial justice. The equalisation of a rate by a general advance has the aspect of individual hardship. But it is in appearance only. If all are equally raised, the incidence of the rate upon each payer will remain as before. The only case in which an increased burden comes of it is that in which it ought to come, namely, when a parish had been purposely rated at half the real value that it might bear less than its fair proportion of the common fund of the union. As our readers are aware, considerable difficulties have arisen in the application of the new law to particular cases, and much discussion as to the principle of rating took place in these columns and elsewhere, the best authorities differing as to the assessment of lands under leases; for instance, whether they should be rated at the rack-rent reserved by the lease, or at the improved rent which they might obtain were they now to be offered by auction. These and the like questions have been treated of in the little volume before us, which contains all the law on the subject, so well put together and lucidly explained that four editions of it have been called for.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Thursday, Jan. 12.

RIDGE *v.* THE WEST LONDON EXTENSION RAILWAY COMPANY.—*Wordsworth*, Q.C. moved for a *certiorari* to bring up an inquisition taken before the Sheriff of Middlesex on a compensation case, in respect of damage to two houses belonging to the trustees of the West London Benefit Building Society who were mortgagees in possession, Nos. 9 and 10, Stamford-cottages, Fulham-road. The injury sustained was caused by the obstruction of a footway, and the jury found that there was no public or private footway, and therefore that the plaintiffs had sustained no damage, and gave a verdict for the Railway Company. The objection was that the jury had no right to try the question of right of way, and that their duty was solely to assess the amount of damage. *Rule nisi.*

REG. *v.* THE REV. J. ROBERTS.—*Hayes*, Serjt. moved for a criminal information against Mr. Roberts, for a libel published by him in a pamphlet reflecting on the magistrates of the Lutterworth petty sessions. *Rule nisi.*

CARNE *v.* GRANT.—*M. Lloyd* moved for a new trial, on the grounds that the case was tried as undefended in the defendant's absence, and of surprise. *Rule nisi.*

WHITTY *v.* ROYDEN.—This was an action against the defendants, iron ship builders, on the Mersey, for knowingly providing an improper scaffold used in the course of building a ship, whereby the plaintiff in using the same sustained an accident. The trial took place at Liverpool before Cockburn, C.J., and the damages were assessed at 150*l.* subject to leave to the defendants to move the court to enter a nonsuit. It appeared that the plaintiff and another man had been requested by the foreman to bring up from the bottom of the ship a bellows and hearth; they had to lift it by their own power, and in so doing availed themselves of a swinging scaffold erected for another purpose. The foreman observed this; and finding that the one they brought up would not do, asked them to get another, and while they were lifting up the second one, the scaffold gave way, and the plaintiff met with a severe accident. A rule *nisi* having been obtained pursuant to leave reserved,—*C. Russell* showed cause, and *T. Jones* appeared to support the rule.—The COURT, without calling on *Jones*, made the rule absolute on the ground that by the decided cases the plaintiff was not entitled to recover, he standing in the position of a fellow-servant. *Rule absolute.*

WILDE *v.* THE MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY COMPANY.—Rule *nisi* for a new trial on the ground of excessive damages. The plaintiff sued for damages for personal injury caused by the negligence of the defendants, he being a passenger in a train. The verdict passed for 1250*l.*—*Holker* and *J. A. Russell* supported the rule. *Damages to be reduced to* 1000*l.*

STAIT *v.* BERESFORD.—Action on a bill of exchange, tried at Liverpool before Pigott, B., verdict for the plaintiff. Rule *nisi* for a new trial.—*T. Jones* showed cause, and *Pope* supported the rule.

Rule absolute for a new trial on payment of costs.

GRAHAM *v.* THE EAST AND WEST INDIA DOCK COMPANY.—Action for false imprisonment. Justification on the ground of suspicion of felony. The case was tried before Cockburn, C.J., and verdict returned for 5*l.* damages.—*Beech* moved to enter the verdict for the defendants on the ground that they were not liable for the act of the constable. *Rule nisi.*

DUKE *v.* THE GROSVENOR HOTEL COMPANY.—Action by the plaintiff for a wrongful dismissal from the office of secretary, tried before the Lord Chief Justice in Middlesex, and verdict found for the plaintiff.—*Bovill* moved for a new trial. *Rule nisi.*

Friday, Jan. 13.

RAWLINSON *v.* HARTLEY.—*Kaye* moved for an attachment against the defendant for non-performance of an award. *Rule nisi.*

BELL AND ANOTHER *v.* SMITH.—Action by the assignees of a bankrupt to recover a sum of money paid to the defendant on the alleged ground of fraudulent preference. At the trial at Lincoln, before Blackburn, J., a verdict was found for the defendant. A rule *nisi* having been obtained for a new trial on the ground of misdirection,—*Keating*, Q.C. and *Fitzjames Stephen* showed cause, and *Hayes*, Serjt. and *A. Wills* supported the rule. *Cur. adv. vult.*

RYAN *v.* MAY.—Trover and detinue for the detention of a horse; tried under a writ of trial before the Sheriff of London, and verdict found for the plaintiff.—*Montague Chambers* moved to set aside the proceedings on the ground that the writ of trial was improvidently issued: (*Smith* v. *Brown*, 2 M. & W. 851.) *Rule nisi.*

ALBOYD *v.* BIRMINGHAM.—Action for non-delivery of 5000 tons of iron rails; tried at York before Blackburn, J., and verdict for the plaintiff.—*Field*, Q.C. having obtained a rule *nisi* to enter the verdict for the defendant on the ground that the letters and evidence did not constitute a contract.—*Overend*, Q.C. and *Maule* showed cause.—*Field*, Q.C. and *Beasley* appeared to support the rule, but were not called upon. *Rule absolute.*

Saturday, Jan. 14.

NORTH BRITISH RUBBER COMPANY (LIMITED) *v.* THE MANCHESTER RUBBER COMPANY (LIMITED).—*Bovill*, Q.C. moved in this case, which was tried at the sittings after last term, to set aside the nonsuit and to enter a verdict for the plaintiff for 40s. damages. *Rule nisi.*

MORRIS *v.* AUSTIN.—*Honyman* moved for a rule calling on the defendant to show cause why a plea pleaded by him should not be set aside and a *stet processus* be entered. *Rule nisi.*

FEATHER *v.* HODGES.—*Joyce* moved to set aside the verdict for the defendant and to enter it for the plaintiff for 3*l.* 7*s.* 6*d.* *Rule refused.*

MACKINTOSH *v.* ANDERSON.—*Seymour*, Q.C. moved on the part of the plaintiff to set aside the verdict for the defendant and for a new trial. *Rule refused.*

FISHER *v.* MARSH.—*H. James* moved in this case, which was tried before Shee, J. when the plaintiff was nonsuited, to set aside the nonsuit and for a new trial. *Rule nisi.*

Monday, Jan. 16.

ROBERTS *v.* EVANS.—Rule *nisi* to set aside a rule making a submission to reference and the enlargements thereon a rule of court.—*Mellish*, Q.C. and *Robins* showed cause; and *Bovill*, Q.C. and *Shaw* supported the rule.

Rule absolute without costs.

Re GEORGE DE VINS WADE.—*Dowdeswell* moved to make a rule absolute to strike this gentleman's name off the roll of attorneys, no cause being shown.—The COURT, after looking into the affidavits, said that the rule should be made absolute.

HALE *v.* CLARKE.—*Raymond* showed cause; and *C. Pollock* supported a rule *nisi* to refer the award herein back to the arbitrator. *Rule absolute.*

RAYNES' EXECUTORS *v.* CROYDON.—*Philbrick* consented to a rule *nisi* obtained by *H. James* to quash an inquisition on a writ of *elegit* being made absolute. *Rule absolute.*

STEWART *v.* PARKER.—*Prentice* showed cause; and *Philbrick* supported a rule *nisi* for a prohibition to the judge of the Shoreditch County Court, on the ground that the defendant had not been served with process.

Rule discharged.

REG. *v.* GASKELL.—*Waddy* showed cause; and *J. A. Russell* supported a rule *nisi* for a *quo warranto*, calling on Mr. Gaskell to show by what authority he exercised the office of town-councillor of Cardiff. *Rule absolute.*

Re FRANK DIXON RIGBY.—*Hawkins* moved for leave of this court to allow this gentleman to be examined for the purpose of becoming an attorney. *Granted.*

MORRIS *v.* AUSTIN.—Sir *George Honyman* moved to release the defendant from custody, and to review the taxation herein. *Rule nisi.*

POTTER *v.* DICKINS AND DICKINS *v.* POTTER.—*Milward* moved to set aside an order of Shee, J., directing a set-off of costs in the two causes. *Rule nisi.*

MERRY *v.* BARON DE MESNIL.—*L. Kelly* moved to make a rule absolute to take money out of court. *Rule absolute.*

PROTHEROE AND OTHERS *v.* THE UNITED MERTHYR COLLIERIES COMPANY (LIMITED).—Rule *nisi* to set aside a verdict found for the plaintiffs for 1968*l.*, at the Bristol assizes, and for a new trial, or to enter the verdict for the defendants.—*M. Smith* showed cause, and *Karslake* supported the rule.—The COURT said that, no doubt the defendants were bound to pay the money, but that, as there were legal difficulties on both sides, the parties had better agree to settle the case. The case was directed to stand over for that purpose.

Tuesday, Jan. 17.

OFFENBACHER *v.* CHILD.—This was a demurrer to a replication.—*L. Kelly* and *H. James* appeared for the parties.

Judgment for the plaintiff.

JAMES *v.* MORRIS.—*Macnamara* and *H. James* appeared for the parties. *Judgment for the plaintiff.*

ANDREW *v.* MACKLIN AND OTHERS.—This was a demurrer to the third plea.—*Kemplay* and *Gibbons* appeared for the parties. *Judgment for the plaintiff.*

BROOMHEAD *v.* CLARK.—This was a case from the Peterborough County Court.—*Wills* appeared for the defendant.

Judgment for the respondent.

MECKLENBURG *v.* GLOYN.—This was a demurrer to a plea.—*E. James*, Q.C. appeared in support of the demurrer.—*T. Jones* contra. *Judgment for the plaintiff; leave to amend.*

SUMNER *v.* BROMILOW.—This was a special case stated by an arbitrator to whom the cause had been referred.—*Kemplay* (*E. James*, Q.C. with him) appeared for the plaintiff.—*Mellish*, Q.C. (*Temple*, Q.C. and *Holland* with him) for the defendant. *Part heard.*

Wednesday, Jan. 18.

WARE *v.* THE CLERK OF THE PEACE OF THE COUNTY OF DEVON.—Special case for the opinion of the court as to whether the borough of Bradninch was exempt from the county rate and county police rate.—*Karslake*, Q. C. (*Lopes* with him) for the respondent.—*Coleridge*, Q.C. (*Kingdon* with him) for the appellant.—The COURT held, that it was not.

PEW AND OTHERS *v.* THE METROPOLITAN BOARD OF WORKS.—Special case stated by an arbitrator, as to the validity of a rate made by the board on the parish of Camberwell, in respect of sewerage works.—*Lush*, Q. C. (*Raymond* with him) in support of the rate.—*Bovill*, Q. C. (*Holl* with him) for the parish of Camberwell. *Cur. adv. vult.*

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Wednesday, Jan. 11.

MOORE *v.* HAIGH.—In this case *Denman* moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and a new trial had on the ground that the verdict was against the weight of evidence. *Rule refused.*

TAWORY *v.* STOTT.—In this case *Webster* moved to rescind an order of Willes, J., changing the venue from Middlesex to Lancashire. *Rule nisi.*

SOULEZ *v.* SHECKLETON.—This case was tried before Willes, J., when a verdict was found for the plaintiff; a rule having been obtained to set this verdict aside,—*Lush*, Q. C. now showed cause. The question was, whether certain letters showed an actual sale, or only a conditional one. *Part heard.*

Re COOPER (married Woman).—*McLeod* moved that an order should be made on the officer of the court to enrol the certificate of acknowledgment of the applicant, he having refused to do so on the ground that it was not sworn before a magistrate as provided by the Act, but by the notary public of a State in America, where this woman resided. A certificate was produced by the Secretary of the State, showing that the notary public was the person authorised to administer oaths in that State.—(Vide Reports of the week.)

Application granted.

Thursday, Jan. 12.

SOULIS *v.* SHEKLETON.—In this case, which was part heard on the previous day, *Holl* supported the rule.

Rule discharged.

WOODWARD *v.* WALLINGTON.—Tried at Guildhall before Erle, C.J.: verdict for the plaintiff for 20*l.*—*M. Chambers*, Q. C. moved, pursuant to leave reserved, to set aside the verdict and enter a nonsuit, or for a new trial on the ground that the verdict was against the weight of evidence.—The COURT granted a rule with respect to the second count of the declaration, but not with respect to the first. *Rule nisi.*

CHURCH *v.* FANE.—Tried at the last sittings in Middlesex before Willes, J.: verdict for the plaintiff for nominal damages.—*M. Smith*, Q.C. (*Mellish*, Q.C. and *Coron* with him) moved to set aside the verdict and enter it for the defendant on the issue on the new assignment, pursuant to leave reserved, or for a new trial on the ground that the verdict was against the weight of evidence. The plaintiff was the lord of the manor of Acton, and the action was brought for trespasses committed (on Old Oak Common) by the defendant, who justified under several persons who claimed a right of common.—*Manisty*, Q.C. (*Karslake*, Q.C. and *Kemplay* with him) appeared to move a cross-rule, if necessary. *Cur. adv. vult.*

PRICE *v.* GIBBS.—*Sawyer* moved for an attachment against the defendant for not obeying an award.

Rule nisi.

COBBOLD AND BIGNOLD *v.* KITTON.—*Mellish*, Q.C. showed cause against a rule obtained last term by *Bovill*, Q.C. to rescind an order of Martin, B. for the production of a deed by the defendant. The defendant claimed to have a lien upon the deed for work done by him as a solicitor for the defendant, and also averred that he had the sanction of Bignold, one of the plaintiffs, to his retaining the deed. Cobbold contended that the work was done for the Eastern Union Railway Company by the defendant as their law clerk, and that the plaintiffs were not personally liable to remunerate the defendant.—The COURT said, that the matter had better be referred to the master that he might investigate the claim of lien, the plaintiffs to pay into court any sum which the master found to be due to the defendant from the plaintiffs, or either of them, and the plaintiffs thereupon to have inspection of the deed.

Referred accordingly.

SMITH (app.) *v.* FOREMAN (resp.)—Registration appeal. Appeal from a decision of the revising barrister for East Kent, allowing a vote for the county to the respondent, in respect of his being sole tenant of a farm at 40*l.* rent, and joint tenant with his father of another farm at 64*l.* rent, both farms being held by the same landlord. The appellant claimed his vote on the ground that the 40*l.* added to half of the 64*l.* amounted to more than 50*l.*—*Bourke* appeared for the appellant; *Hannen* (*Underdown* with him) for the respondent.—The COURT thought the decision of the revising barrister wrong.

Judgment for the appellant.

Friday, Jan. 13.

TUPPER *v.* NICHOLLS.—This was the Putney-bridge registration appeal, argued last term, respecting the right of the shareholders to county votes for Middlesex and Surrey respectively, the revising barristers of the two counties having come to different conclusions.—*Karslake*, Q.C. now stated that the judgment of the court had been drawn up with costs, although neither party had asked for costs. He now applied that so much of the judgment as related to costs should be expunged.—The COURT thought that the case was a very fair case for argument, and that no costs should be given.

HUNT *v.* HARRIS.—Tried before Erle, C.J., at Guildhall: verdict for the plaintiff.—*Hoggins*, Q.C. (*M'Intyre* with him) moved, pursuant to leave reserved, to enter the verdict for the defendant. The question in dispute was the liability of the defendant to pay for the erection of a party wall pulled down and rebuilt under the Metropolitan Building Act. *Rule nisi.*

BENHAM *v.* BATTY.—Tried before Erle, C.J., at the sittings in Middlesex after last term: verdict for the plaintiff for 96*l.*—*Huddleston*, Q.C. (*Dixon* with him) moved, pursuant to leave reserved, to enter a nonsuit. *Rule nisi.*

FOWLER *v.* THE ENGLISH AND SCOTTISH MARINE INSURANCE COMPANY.—Action on a marine policy of insurance; tried before Erle, C.J., at Guildhall: verdict for the plaintiff for damages 2500*l.*—*Mellish*, Q.C. (*Archibald* with him) moved, pursuant to leave reserved, to enter a verdict for the defendant on the plea denying a total loss.

Rule nisi.

DESCULAIN *v.* HODGSON.—Action against an attorney for negligence; tried before Erle, C.J.: verdict for the plaintiff for 300*l.* damages.—*Hodgson* moved for a new trial on the ground that the verdict was against the weight of evidence and the damages excessive.—The COURT thought that the case had been properly left to the jury, and that their verdict ought not to be interfered with, but that a rule should be granted with respect to the amount of the damages. *Rule nisi.*

WHITE *v.* PHILLIPS.—Tried before the Secondary: verdict for the plaintiff for 115*l.*—*G. Francis* moved for a new trial on the ground that the damages were excessive.

Rule refused.

COX *v.* BOCKETT.—*Keane*, Q.C. moved to rescind an order of Willes, J. requiring the attorney for the plaintiff to give the name, address and occupation of his client under sect. 7 of the C. L. P. A. 1852. The objection was that the object of the defendant was to execute a writ of attachment issued out of Chancery.

Rule refused.

FLETCHER (app.) *v.* BOODLE (resp.)—Registration appeal. Appeal from the decision of the revising barrister for the borough of Cheltenham.—*Dowdeswell* appeared for the appellant; *Campbell Foster* for the respondent.

Part heard.

Saturday, Jan. 14.

KIBLY *v.* ROCHUSSON.—This was a case tried before Erle, C. J., at Guildhall, when a verdict was found for the plaintiff, leave being reserved to set that verdict aside and enter it for the defendant, on the ground of misdirection and that the verdict was against the weight of evidence.—*Denman*, Q. C. moved. *Cur. adv. vult.*

MOCKFORD *v.* SPENCE.—In this case, which was tried before Erle, C.J., at Guildhall.—*Temple* moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and entered for the defendant pursuant to leave reserved. *Rule nisi.*

HOWELL (Assignee) *v.* THE CHARTERED BANK OF INDIA, AUSTRALIA AND CHINA.—*M. Smith* moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and a new trial had on the ground that the verdict was against the weight of evidence, and for misdirection. *Rule nisi.*

RAWLINGS *v.* MORGAN.—In this case, which was tried at Guildhall before Willes, J., a verdict was found for the

plaintiff for 22*l.*—*Huddleston*, Q.C. now moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and entered for the defendant upon facts agreed upon by counsel on both sides. *Rule nisi.*

Monday, Jan. 16.

Kilby *v.* Rochussen.—In this case, moved by *Denman*, Q.C. on Saturday, the Court refused the rule. *Rule refused.*

Whiteley *v.* Rogers.—Tried before Blackburn, J., at Liverpool, and verdict for the plaintiff.—*Temple*, Q.C. moved, pursuant to leave reserved at the trial, to enter a verdict for the defendant or a nonsuit. *Rule nisi.*

Crow *v.* Armstrong.—Tried before Blackburn, J., at Liverpool: verdict for the plaintiff for 18*l.*—*Temple*, Q.C. moved to enter a verdict for the defendant or a nonsuit, pursuant to leave reserved at the trial, or for a new trial on the ground of misdirection, and that the learned judge refused to admit evidence of an alleged usage. *Rule nisi.*

Hirschfield *v.* Smith.—This was an action on a bill of exchange, tried before Willes, J., at the last sittings after term in London. The bill was drawn in London on a French subject residing in Paris, it was accepted in Paris and sent to England and indorsed by the drawer to the defendant, and by defendant to the plaintiff for discount. At maturity it was sent to Paris for collection, and dishonoured. It was disputed whether the bill was an English or French bill, and whether due notice of dishonour had been given as required by the English or French law. The learned judge ruled that it was an English bill, and that due notice had not been given, and directed a verdict for the plaintiff, giving the defendant leave to move.—*E. James*, Q.C. (*Tapping* with him) moved accordingly to enter a verdict for the defendant. *Rule nisi.*

Robinson *v.* The London and North-Western Railway.—Tried before Erle, C.J., in London: verdict for the plaintiff.—*Ballantine*, Serjt., moved, pursuant to leave reserved, to enter the verdict for the defendants. *Rule nisi.*

Heard *v.* Holman.—Tried before the Lord Chief Justice in London: verdict for the plaintiff.—*Mellish*, Q.C. moved, pursuant to leave reserved, to enter the verdict for the defendant. *Rule nisi.*

Evans *v.* Wright.—*Honyman* moved for a rule for an interpleader. *Rule nisi.*

Smirthwaite *v.* Kock.—*Honyman* moved to stay proceedings under sec. 11 of the C. L. P. A. of 1854.

Barnett *v.* Nutt.—Tried before Willes, J., in London: verdict for the defendant.—*Patchett*, for the plaintiff, moved for a new trial, on the ground of surprise, and that the verdict was against evidence. *Rule refused.*

Falk *v.* Fletcher.—Tried before Blackburn, J., at Liverpool: verdict for the plaintiff.—*E. James*, Q.C. moved for a new trial on the ground of misdirection, verdict against the weight of evidence and surprise. *Rule refused.*

Barber *v.* Mallett.—Defendant in person moved to set aside the judgment, signed by the plaintiff, and for a new trial, on the ground that he had not sufficient notice of trial. *Rule refused.*

Tuesday, Jan. 17.

Powell (app) *v.* Boraston (resp)—In this case, which was an appeal from the decision of the revising barrister, Erle, C. J. read the judgment of the court. *Decision reversed.*

Powell (app) *v.* Farmer (resp)—Erle, C. J. read the judgment of the court in this case, which was also a registration appeal. *Decision affirmed.*

Scott (app) *v.* Durant (resp)—This was an appeal from the borough of New Windsor.—*Sawyer* showed cause against a rule calling on the appellant to show cause why the appeal should not be struck out.—*Griffits* appeared for the respondent. *Rule absolute.*

Freeman *v.* Gainsford.—This was a consolidated appeal from the West Riding of Yorkshire; the question being whether the claimants were entitled to vote for the county in respect of shares held by them in the Sheffield Music Hall.—*Cleasby*, Q.C. appeared for the appellant, and *Hannen* for the respondent. *Decision affirmed.*

Percival *v.* Oldaker.—This was an action brought by the plaintiff for a breach of warranty of a horse. The case was tried before Byles, J., when a verdict was found for the plaintiff for 22*l.*, that being the difference between the price which the plaintiff bought and sold at.—*Hawkins*, Q.C. now moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and a nonsuit entered on the ground that were passed between the plaintiff and defendant did not amount to a warranty.—The Court, having consulted the learned judge who tried the case, refused the rule. *Rule refused.*

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Hilary Term 1865.

Wednesday, Jan. 11.

Reay *v.* Whitehouse.—*Powell*, Q.C. (*Gil. Evans* with him) showed cause against a rule obtained to set aside the plaintiff's verdict for 50*l.*, and enter a nonsuit. It was an action tried at Stafford before Mellor, J., and was brought by the assignee of a bankrupt to recover a canal boat, the possession of which, it was alleged, defendant had wrongfully taken. The boat had been delivered by one Cross, the owner of it, to the bankrupt as security for money lent, and was in the bankrupt's possession at the time of his bankruptcy; but Cross being also indebted to a person named Hardy, gave him authority to take the boat, which he did, and defendant claimed the boat as his own, and took it from Hardy; whereupon the assignees claiming the boat, as being in the bankrupt's possession at the time of his bankruptcy, brought this action. The jury found that the boat was Cross's; that he had delivered it to the bankrupt as security for money lent; that it was in Hardy's possession when defendant took it; that its value was 50*l.* for which the verdict was entered, subject to the question whether a memorandum in writing was necessary to transfer the boat from Cross to the bankrupt.—*Huddleston*, Q.C., in support of the rule, contended that the plaintiff should have been nonsuited, as the boat was taken from the possession of Hardy, and not from the bankrupt.—The Court held, that this point was not open on the leave reserved, which had reference to the necessity for a written memorandum, and which was clearly unnecessary. They thought the merits were with the plaintiff; their judgment would be for him, for although Hardy took possession of the boat at Cross's suggestion, the right of possession was in the bankrupt, and his assignee was entitled to recover it from defendant, who had wrongfully taken it. *Rule discharged.*

Carr *v.* Lambert and others.—An action of trespass, tried at York before Blackburn, J. A rule *nisi* had been obtained to set aside the plaintiff's verdict, and enter it for defendant.—*Macaulay*, Q.C. and *Kemplay* showed cause.—*Field*, Q.C. contra. *Cur. adv. vult.*

Thursday, Jan. 12.

(Before Martin, Channell and Pigott, BB.)

Wright *v.* ——.—*J. Dixon* moved for a rule to set aside a writ of *fi. fa.*, and all subsequent proceedings on the ground of the execution of a deed of composition under B. A. 1861. *Rule to show cause.*

—— *v.* ——.—*Hewitt v* moved for a rule for an attachment against a party for nonpayment of costs. *Rule nisi.*

Thackwell and Clayton *v.* Wilson.—*Gates* was further heard on part of the defendant in support of the defendant's rule to set aside the award herein, which had been part heard during Michaelmas Term.—*Hannen* and *Holker* contra. *Cur. adv. vult.*

Re An Attorney.—*C. Hatton* moved for a rule against an attorney at Liverpool for payment of residuary duty, he having the money in his hands: (13 & 14 Vict. c. 97.) *Rule nisi*

Re Evans (an Attorney, &c.)—*C. Hatton* moved to make this rule for payment of legacy duty, &c., absolute, no cause having been shown. *Rule absolute.*

Campbell *v.* Lauder.—*Pearce*, for defendant, showed cause against the rule for a new trial herein, which had been obtained at Michaelmas Term, on the ground of misdirection and the improper rejection and reception of evidence by the learned judge Martin, B., who tried the cause.—*M. Lloyd* for plaintiff contra, in support, cited *Vaught* v. *Winch*, 2 B & Ald. 662; *Atlin* v. *Parkyn*, 2 Burr 665; *Doe* v. *Huddart*, 2 C. M. & R. 316; *Clayton* v. *Brettenshaw*, 5 B. & C. 41; *Teley* v. *Mollett*, 10 L. T. Rep. N. S. 380; 33 L. J. 225, C.P.; 19 & 20 Vict. c. 108, ss. 50 and 51.—(See Reports of the week.) *Rule discharged.*

Friday, Jan. 13.

Wheeler *v.* Wright.—An action upon a promissory note for 200*l.*, tried before Martin, B., in Middlesex, when a verdict was found for the defendant.—*Keane*, Q.C. now moved for a new trial on the ground of misdirection. The plaintiff was a banker and defendant a grocer, at High Wycombe. Defendant's son banked with plaintiff, and in June 1856 gave his father's (the defendant) promissory note for 200*l.* the son owed plaintiff. The note, dated 25th June 1856, was not entered in the son's account, nor was any interest ever paid specifically upon it. In the half-yearly accounts supplied by the bank interest was charged on the original debt; the sums so charged and paid were afterwards inserted in accounts rendered by the son to the father and assented to by him. The date of the last allowance of interest was Christmas 1857. Defendant pleaded the Statute of Limitations, and urged that the payments of interest, even if applicable to the note, were made without his sanction, and the jury found as a fact, that the son was not the agent of the father in paying any interest on it, and the learned judge was of that opinion. It was now contended that the original debt formed the consideration for the note; that payments made on account of the one must be treated as payments of the other; that defendant was aware of and recognised their payments, and that there was a sufficient acknowledgment to prevent the operation of the Statute of Limitations.—The Court were of opinion that the evidence showed no fact which could be regarded as a payment of interest on the note by the defendant, and that the verdict for defendant should stand. *Rule refused.*

The Grosvenor Lead Mining Company *v.* Wrightlin.—This was an action against defendant for calls. The declaration in first count said defendant was indebted in two instalments of 2*s.* 6*d.* and 2*s.* respectively of a call of 4*s.* 6*d.* per share on seventy shares. Second count, that he was indebted in two calls of 2*s.* 6*d.* and 2*s.* on seventy shares. Plea, Traverse of due making of the calls. The particulars indorsed on writ were: To call at 4*s.* 6*d.* per share on the seventy shares held by you in this company, payable as follows: 2*s.* 6*d.* per share, part thereof payable Oct. 10, 1863, 8*l.* 15*s.*; to interest thereon from Oct. 10, 1863 to March 1864, 3*s.* 10*d.*; 2*s.*, other part thereof, payable Nov. 10, 1863, 7*l.*; interest thereon, 2*s.* 4*d.*; total 16*l.* 1*s.* 2*d.* On the trial before under-sheriff of Chester the call-book was put in, and it appeared that there were two resolutions following each other at the same meeting, one for a call of 2*s.* 6*d.* payable Oct. 10, 1863, another for a call of 2*s.* payable Nov. 10, 1863. There was also a rule of the company that no more than 5*s.* should be called for at one time, and that calls should be made at intervals of not less than twenty-eight days. At the trial it was objected on behalf of defendant, that plaintiffs could not recover, as the particulars were for a call of 4*s.* 6*d.*, and the evidence was of two calls, neither of 4*s.* 6*d.*, but the under-sheriff ruled that the second call of 2*s.* may be bad, but that the plaintiffs were entitled to recover 2*s.* 6*d.* per share, and a verdict was taken accordingly.—*J. O. Griffits* moved to set aside that verdict on two grounds: first, that the plaintiffs were bound by the particulars of demand which they had given, and that these particulars showed the claim was not for two separate calls but for one call payable by instalments, which was unsupported by the evidence; and secondly, that there were no calls due, as the resolution of the directors by which the calls were claimed was illegal. The company were expressly prohibited, as well by the provisions of their deed as by the Act of Parliament, from making more than one call on their shareholders on the same day.—The Court said the particulars were sufficiently correct to sustain the action, and the verdict was right; it was in substance a special demurrer to the plaintiff's particulars of demand. *Rule refused.*

Ridout *v.* Lucas.—*Karslake*, Q. C. moved in this case, tried before Martin, B. in London, to set aside the nonsuit and enter a verdict in such a way as the court may direct, the court to draw such inference of fact as a jury might; the question depended on the correct construction that should be put upon a particular agreement entered into by the parties. *Rule nisi.*

Nash and another *v.* Tidy.—An action for not accepting a bill of exchange for 32*l.* 0*s.* 8*d.*, drawn by plaintiffs on defendant on account of certain brandy delivered by them to him. The cause was tried in London before Martin, B.; verdict for plaintiff for the sum claimed.—*Deasman*, Q. C. moved to set aside the plaintiffs' verdict and enter it for defendant. Plaintiffs were spirit merchants, and the defendant was a publican at Hampstead. On 14th July plaintiffs' traveller, a Mr. Tagg, called on defendant and received an order for two quarter-casks of pale Cognac and a half-cask of brown Cognac, for which the bill at a month's date should be given after delivery. The brandy, an invoice and bill of exchange were sent on 21st July, the bill was not accepted as defendant complained of the badness of the brandy, and said it was not brandy at all. Plaintiff denied this, and it would seem that the brandy sent was in accordance with the bargain for it. Plaintiffs, however, assented to its being returned and another quarter-cask substituted for it. Plaintiff sent another quarter-cask, and defendant returned the other two, but without any permit from the Excise, and plaintiff therefore refused them, saying defendant should have first procured the necessary permit. Differences arose between the parties, and this action was brought. Defendant pleaded that after the 14th and before 21st July plaintiffs exonerated him from the original contract, and another was substituted in lieu of it. Another plea of accord and satisfaction, but the court having intimated an opinion that none of the pleas were proved it stood over for consideration as to whether any rule should be taken.

Chandler *v.* Doulton.—An action for an excessive distress, tried before Martin, B., in London: verdict for defendant, with leave to move to enter a verdict for plaintiff for 1*l.*—*Lavies* now moved accordingly; 50*l.* worth of goods had been taken for 12*l.* rent, which was under the circumstances, clearly excessive. The brokers were paid the rent, and there was no sale; the jury found the plaintiff had not sustained any damage, but such an action as this would lie without any special damage: (The stat. of Marlbridge, 52 Hen. 3, c. 15; *Willoughby* v. *Backhouse*, 2 B. & C. 821; *Bayliss* v. *Fisher*, 7 Bing. 153; *Smith* v. *Ashford*, 29 L. J. 259, Ex.) *Rule nisi.*

Parkinson *v.* Koberry.—An action for not delivering certain machinery, tried before Blackburn, J., at Liverpool, when the plaintiff was nonsuited.—*Pope* now moved to set aside that nonsuit, and for a new trial, on the ground of misdirection. Defendant had authorised his broker at Liverpool, to dispose of a quantity of second-hand machinery; he was to sell it at a certain price named, or close at the best price he could get; the plaintiff bought it of the machine broker below the price actually named by defendant, but, as plaintiff could show, it was its full value; the judge, however, thought that the authority of the machine broker was limited to the specific price mentioned, and that he had no authority to sell under it; but see *Hayworth* v. *Knight*, 33 L. J. 298, C. B. Byles, J.'s judgment in that case was directly in point for plaintiff. *Rule nisi.*

Saturday, Jan. 14.

Mason and another (Administrators, &c.) *v.* Mitchell.—*E. James*, Q. C. (with him *Holker*) moved, pursuant to leave, to enter a nonsuit, or for a new trial in this case, which was tried at Liverpool, before Blackburn, J., and a verdict for plaintiff for 46*l.* 15*s.* 9*d.* damages. The action was for recovery of the value of certain property of a person deceased, which had been sold by the defendant, an auctioneer. It appeared that the woman had left her husband and led a profligate life, and that she had obtained an order of justices under the Act of 21 Vict., for protection of her property; but the jury found the order was fraudulently obtained, as the deceased had not been deserted by her husband, and the goods were not the proceeds of her lawful industry. The plaintiffs claimed the goods under the order, and the defendant, the auctioneer, had paid the money over. He contended that an order obtained by fraud was void. *Rule nisi.*

Brown *v.* The Accrington Cotton Spinning Company.—This was an action for compensation for bodily injuries received by plaintiff, a stonemason, by the flooring of a room in the defendant's mill, in which he was at work giving way and falling with and upon him. It was tried at Liverpool, before Blackburn, J., and a verdict found for plaintiff with 50*l.* damages.—*S. Temple* now moved, pursuant to leave, for a rule to set aside the verdict, on the ground that defendants were not liable. *Rule nisi.*

Wright *v.* Goodlake.—*A. Wills*, for plaintiff, moved for a rule to show cause why an order of Martin, B., allowing certain interrogatories to be administered by defendant to plaintiff should not be allowed. Plaintiff was registered proprietor of a pamphlet entitled "History and Construction of Clifton Suspension Bridge," and complained that a large portion of it had appeared in the columns of the *Times* newspaper as an original article, and without any acknowledgment, and that the sale of his pamphlet had thereby been injured. He had applied to the editor of the *Times*, but received no answer. The object, it was contended, of the interrogatories was to get a sight of the plaintiff's books to see how much damage he had sustained, and so be able to offer the least sum in compensation, which was unfair.—The Court thought that the object of the interrogatories was to ascertain the true nature of damages, and were not unfair or unreasonable. *Rule refused.*

Grimshaw *v.* Ogden.—*Holker* moved for a rule to set aside plaintiff's verdict, and enter it for defendant, or for a nonsuit in this case, which was tried before Mellor, J., at Liverpool, to recover the value of machinery included in a bill of sale given by a Mr. Lord, a cotton manufacturer, to the plaintiff. *Rule nisi.*

Greatley *v.* Great Western Railway Company.—*Lush*, Q. C. moved on plaintiff's part to set aside the award of the arbitrator herein on the ground of miscarriage. It was an action for damages for injuries by an accident on the defendants' railway, and was referred by consent at the trial. *Rule nisi.*

Norton *v.* Tilling.—*Gibbons* moved for a rule for a new trial, on the ground that the verdict found for defendant was against the weight of evidence, and also on the ground of misdirection on the part of the Lord Chief Baron, before whom the cause was tried, at Westminster. The action was brought for injury done to a chaise by an omnibus alleged to belong to the defendant but the evidence on both sides at the trial was very con

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hearing. The misdirection complained of was a statement made by the Lord Chief Baron, who tried the case at Westminster, with respect to a conspiracy some years ago between certain parties to bring actions against the proprietors of brewers' drays for injuries done to vehicles by accidents which never happened. The learned counsel argued that this allusion to a case of fraud was calculated not only to prejudice the jury, but also, as the verdict was for the defendant, to throw a kind of imputation upon the plaintiff.—POLLOCK, C. B. disclaimed having any intention to cast an imputation on the plaintiff's character; and KELLY, B.: A verdict for the defendant was perfectly consistent with the conduct of the plaintiff being bad.

Rule refused.

JAMES v. THE ORIENTAL FINANCIAL CORPORATION (LIMITED).—*E. James*, Q. C. moved for a rule to show cause why the verdict should not be set aside and a new trial granted, on the ground of misdirection, or that the verdict was against the evidence. The action was for money had and received, and was tried at Guildhall, before Martin, B. The plaintiff sent in an application to the company for 100 shares, having previously paid into the bankers 10*l.* a deposit, being at the rate of 1*l.* per share. The company allotted him 65 shares upon which 5*l.* per share had to be paid, or a sum of 325*l.* Having already paid 10*l.* the company requested him to pay by a certain time the balance, 225*l.*, and intimated that if it were not so paid the allotment would be cancelled and the deposit forfeited. The plaintiff paid no attention to this communication, nor several other subsequent ones. Ultimately, however, he claimed the 100*l.*, but the company refused to return it, and he lost his action. The question was whether the company could impose upon him the condition as to the forfeiture of the money to which the learned counsel said he had never assented.

Rule to show cause.

Monday, Jan. 16.

COLLIER v. MANN.—An action for breach of contract; tried at Liverpool, before Blackburn, J.; verdict for plaintiff for 25*l.*—*E. James*, Q.C. moved for a new trial on the ground of misdirection, and that the verdict was against the evidence. *Rule nisi.*

TRESIDDER v. HADDOCK.—An action upon a bill of exchange for 65*l.* odd. Plea, tender of the amount due before action, but after the day fixed for payment; demurrer to the plea.—*Macnamara*, in support of the demurrer, argued that the plea was clearly bad, and mentioned *Dobie* v. *Larkin*, 10 Exch. 776; and *Hume* v. *Peploe*, 8 East, 168.—*Pollard* contra called upon to support the plea.—The COURT said the plea was clearly bad; so bad that the plaintiff might have applied to have had it struck out.

Judgment for plaintiff.

EDWARDS v. HARPER. *Curr. adv. vult.*

GATE v. REES.—Part heard. *To stand over.*

Tuesday, Jan. 17.

TRESIDDER AND CLAYTON v. WILSON.—CHANNELL, B. delivered the judgment of PIGOTT, B. and himself, making the rule absolute to set aside the award herein, and stated that although POLLOCK, C. B. and MARTIN, B. took no formal part in the judgment, not having heard the arguments on the rule, they had read the judgment and approved of it.

Rule absolute to set aside the award; no costs.

LAFFLEY v. MACMORRAN.—*Hindmarch*, Q. C. applied that this new trial case might stand over to Thursday.

Stands over.

PELL v. BULL.—*R. Rigby* made a similar application in this case; counsel on the other side, he said, consented.

To stand over to Thursday.

RE AN ATTORNEY.—*R. Rigby* moved to make a rule absolute against an attorney to pay over money; no cause being shown, *Rule absolute.*

EXCHEQUER CHAMBER.

Thursday, Jan. 12.

SITTINGS IN ERROR.

This morning the learned Judges assembled, as is usual on the second day of term, and fixed the days for sittings in error.

WILDE, B. announced that the court would take errors from the Court of Queen's Bench, on Wednesday, Feb. 1, on Thursday, Feb. 2, on Friday, Feb. 3, and on Saturday, Feb. 4. From the Court of Common Pleas, on Monday, Feb. 6. From the Court of Exchequer, on Tuesday, Feb. 7, and on Wednesday, Feb. 8; and if necessary on further days to hear cases from any of the courts when business may require it.

Wednesday, Jan. 18.

GALE v. REED.—Demurrer to a plea.—*Mellish* (*Cohen* with him) in support of the demurrer. The question depended entirely upon the construction to be given to the terms used in a special agreement made by the parties, as to the sale and delivery of a quantity of cotton, to be delivered at the seller's option in August or September.—*Lush*, Q. C. (*Compton* with him) contra. *Judgment for defendant.*

THE PUBLISHER OF THE ROYAL RECORD v. MACANN. (*James Dow*, claimant).—This was an appeal from the decision of a County Court judge.—The COURT directed a *New trial.*

WILCOCKS v. JOHAY. *Curr. adv. vult.*

COMMON LAW RULE.

Hilary Term 1865.

It is ordered that the several Masters for the time being of the Courts of Queen's Bench, Common Pleas and Exchequer respectively, together with Francis Thomas Bircham, John Henry Bolton, William Strickland Cookson, William Ford, Charles Kaye Freshfield, George Burrow Gregory, Frederick Halsey Janson, Edward Lawrance, James Leman, Joseph Maynard, William Murray, Park Nelson, Frederick Ifild Nicholl, Arthur Ryland, William Sharpe and Henry Thomas Young, gentlemen, barristers-at-law, be and the same are hereby appointed Examiners for the present year, to examine all such persons as shall desire to be admitted attorneys of all or either of the said courts, and that any five of the said Examiners (one of them being one of the said Masters) shall be competent to conduct the said examination in pursuance of and subject to the provisions of the rule of all the courts made in this behalf in Hilary Term 1853.

A. E. COCKBURN, CHARLES CROMPTON.
W. ERLE, J. S. WILLES.
FRED. POLLOCK, W. F. CHANNELL.
E. V. WILLIAMS, JNO. MELLOR.

CHANCERY ORDER.

Whereas by an order made by the Right Honourable the Master of the Rolls on the 13th day of January 1844 it was, amongst other things, ordered, that every person who has not previously been admitted an attorney of the Courts of Queen's Bench, Common Pleas and Exchequer, or one of them, should, before he be admitted to take the oath required by the statute 6 & 7 Vict. c. 73, to be taken by persons applying to act as solicitors of the High Court of Chancery, undergo an examination touching his fitness and capacity to act as a solicitor of the said Court of Chancery, and that twelve solicitors of the same court to be appointed by the Master of the Rolls in each year be Examiners for the purpose of examining and inquiring touching the fitness and capacity of any such applicant for admission as a solicitor, and that any five of the said examiners shall be competent to conduct the examination of such applicant.

Now, in furtherance of the said order, the Right Hon. the Master of the Rolls is hereby pleased to order and appoint that Francis Thomas Bircham, John Henry Bolton, William Strickland Cookson, William Ford, George Burrow Gregory, Frederick Halsey Janson, Edward Lawrance, James Leman, Park Nelson, Frederick Ifild Nicholl, William Sharpe and Henry Thomas Young, solicitors, be examiners until the 31st Dec. 1865, to examine every person (not having been previously admitted an attorney of the Courts of Queen's Bench, Common Pleas and Exchequer, or one of them) who shall apply to be admitted a solicitor of the said Court of Chancery, touching his fitness and capacity to act a solicitor of the said court. And the Master of the Rolls doth direct that the said examiners shall conduct the examination of every such applicant as aforesaid in the manner and to the extent pointed out by the said order of the 13th Jan. 1844 and the regulations approved by his Lordship in reference thereto, and in no other manner and to no further extent.

11th Jan. 1865. JOHN ROMILLY, M. R.

SHERIFF'S COURT.

Thursday, Jan. 12.

PROCLAMATIONS OF OUTLAWRY.

Mr. Hemp, the officer, made proclamations of outlawry in the following cases:

James Hall, at the suit of William Langdon;
Henry Lucas, at the suit of Thomas W. Williams;
William Nokes, at the suit of Samuel Fox Stephens and George Oliver Stephens; and
George Warner, at the suit of Edward Watkins Edwards.

The case of the Hon. Richard Bethell, at the suit of William Sperett, was countermanded last night, and withdrawn from the list, the action, which was for a large sum of money, having been settled.

There was no other business before the court, and four officials were required to appear to constitute a court.

The next county court was appointed for the 9th Feb.

SPRING ASSIZES FOR 1865.

The learned Judges of the Court of Queen's Bench, the Court of Common Pleas, and the Court of Exchequer met in their private room, at Westminster-hall, on Wednesday morning, and chose their different circuits, which were as follows:

THE NORFOLK CIRCUIT.—The Lord Chief Justice Cockburn and Mr. Justice Williams.

THE HOME CIRCUIT.—The Lord Chief Baron Pollock and Mr. Baron Bramwell.

THE WESTERN CIRCUIT.—Mr. Justice Crompton and Mr. Baron Channell.

THE MIDLAND CIRCUIT.—Mr. Baron Martin and Mr. Justice Willes.

THE OXFORD CIRCUIT.—Mr. Justice Keating and Mr. Baron Pigott.

THE NORTHERN CIRCUIT.—Mr. Justice Shee and Mr. Justice Mellor.

THE NORTH WALES CIRCUIT.—Mr. Justice Byles.

THE SOUTH WALES CIRCUIT.—Mr. Justice Blackburn.

The Lord Chief Justice Erle, of the Court of Common Pleas, will stay in town to try cases that will come before him as a judge at chambers.

LEGAL OBITUARY.

MR. FRANCIS TURNER.

Mr. Turner was a native of Great Yarmouth, and was one of the twelve children of the Rev. Richard Turner, formerly minister of that parish.

Mr. Francis Turner was articled to his grandfather, Mr. Rede, and carried with him into the higher walk of his profession the advantge of an early familiarity with its practical aspect. While here he formed friendships, both within and beyond the circle of his own relatives, which were only interrupted by death. The late Mr. Edwin Sharpin, from having been a fellow-student at Beccles, became, we believe, his first pupil in London, and we know that at Mr. Sharpin's death Mr. Turner referred to him as his "oldest friend."

Mr. Turner was called to the bar in 1810, and had chambers in the Inner Temple, until some years ago, he removed to Lincoln's-inn. For more than half a century he devoted himself to conveyancing with an assiduity and acuteness which brought to him a large share of the business from these counties, where he was so well known, as well as from other quarters. The property which has been entrusted, for its security or disposal, to his skill and learning, would show an aggregate value at which we should be afraid to hazard even a guess. He had accustomed himself to the use of forms more verbose than are acceptable in these days of unsparing retrenchment; but as to precision and luminousness, his style of legal composition was perhaps unrivalled. Many of the most respectable solicitors now or lately practising in the eastern counties had the advantage of being among Mr. Turner's pupils; all of them were treated by him with the utmost kindness. For, while indefatigable himself, and ever ready to help the industrious, he was most genial and social in his disposition. Those who were in the habit of consulting him in person, were at once surprised at the immense quantity of work he could get through, and fascinated by his singular power of passing "from grave to gay, from lively to severe."

Nor did he altogether discard the claims of literature and the arts. During some of his later years his ever active mind found relaxation in collecting and arranging materials for the topography of Kent. To that county he had become attached by accidental residence, and perhaps even more by the sad charm of some domestic afflictions during his abode in that part of the kingdom.

The position of a conveyancing barrister of eminent ability, though its duties are laborious, and its responsibilities, to an honourable mind, heavy indeed, does not often secure public distinction or receive the full reward and recognition it deserves. But Mr. Francis Turner, by his singular clearness of perception, his untiring industry, and his long-continued and great usefulness, not less than by his transparent integrity, had earned to himself a reputation and esteem more to be coveted than robes of ermine or mines of wealth.—*Hungay Weekly News.*

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

ANNUAL REPORT OF THE COMMITTEE OF MANAGEMENT.

(*Continued from p. 556, vol. xxxix.*)

During the last session of Parliament, the committee made a renewed effort to obtain the abolition of the solicitors' annual certificate duty, and presented a petition to the House of Commons, in which they supported their prayer by a statement of the following facts and arguments:—

That in the year 1785, a duty was imposed upon the annual certificates of attorneys solicitors and proctors, together with a tax on warrants to prosecute.

That the tax on warrants to prosecute, together with all other taxes on law proceedings, were in the year 1824 declared to be inexpedient, as taxes on the administration of justice.

That, nevertheless, the annual certificate duty has been not only not repealed, but was from time to time, prior to the year 1853, increased from its original amount of 5*l.* on metropolitan and 3*l.* on provincial certificates to 12*l.* on metropolitan and 8*l.* on provincial certificates, granted to persons who had been admitted more than three years, half those sums being charged during the first three years from admission. That in the year 1853 this annual duty was reduced to its present limits of 9*l.* on metropolitan and 6*l.* on provincial certificates, with the like reduction of one-half in favour of practitioners not admitted more than three years.

That while solicitors are not exempted from any taxes which are imposed upon the other classes of their fellow-citizens, theirs is the only case in which British subjects following a lawful and honourable calling are prevented by law from each placing their own value upon the exertion of their respective individual talents and industry, and are restricted to a scale of charges that does not vary with the gradually increasing expenses of living arising from the continual diminution in the relative value of money.

That the amount of revenue derived from this duty is comparatively insignificant while the tax presses heavily and unequally upon solicitors having but small practice.

That the effect of various enactments which have been passed of late years for the amendment and alteration of the law, as well as for regulating the practice of the courts, has been considerably to diminish the emoluments of attorneys and solicitors, and at the same time to render the disbursements necessary for the prosecution of the business of their clients more onerous.

That the certificate duty, from which the other branch of the legal profession is exempt, is equivalent to a tax of 3*l.* per cent. upon the average incomes of attorneys and solicitors. The effect of it is, therefore, that they are compelled to pay an income-tax of 6*l.* per cent., while the rest of their fellow subjects pay 3*l.* per cent. only.

That a large number of attorneys and solicitors are every year excluded from the Law List in consequence of their certificate duty not having been paid within the time fixed by the Act.

That according to every principle of fairness and justice in taxation, if it can be deemed expedient to impose any especial tax on the talent and energy of persons engaged in lawful and honourable business, such tax ought to be raised by an equal assessment upon every branch of industry.

That as the protest made against this tax is founded upon the fact that it is partial and unjust in its nature much more than upon its actual amount, the remission of a portion thereof which was made in 1853 should not be regarded as any settlement of the question; but, on the contrary, such remission should be considered as only an instalment of justice, and as an acknowledgment that the tax is in itself indefensible.

The committee have lately received a letter from Mr. J. T. Hopwood, the honorary secretary of the bar law reporting committee, inclosing their circular, and requesting any suggestions which the association might be pleased to make.

The committee stated, in reply, that they were not disposed to suggest any change from the present open system of law reporting, but that they would feel obliged for an opportunity of considering any plan or suggestion that might be entertained by the bar committee.

A short time back, the committee received a complaint from a solicitor to a provincial building society that an accountant, who acted as secretary, was taking upon himself to prepare mortgages to the society, for which he had charged 6s. each, paying out of it 2s. 6d. to the funds of the society. The committee informed the solicitor that the accountant was liable to a penalty of 50l. for so doing, but that the penalty could only be sued for by the Stamp-office authorities, whom it was very difficult to induce to take proceedings in such cases. Ultimately the committee undertook to lay the case before the Commissioners of Inland Revenue on being furnished with the necessary evidence, which, however, they have not yet received.

The following are among the questions submitted for the opinion of the committee during the past year, and the answers they have returned.

1. May an under-sheriff legally act as attorney either for the prosecutor or the prisoner in any criminal prosecution in which it is part of his official duty to summon the grand and petty juries to whom the case will have to be submitted?

2. Will the Court of Queen's Bench, at the instance of a prisoner now in prison for manslaughter, restrain the under-sheriff from acting as attorney for the prosecutor?

The committee returned the following resolutions as their answers to queries 1 and 2:—

That, without expressing any opinion as to the propriety of an under-sheriff so acting, this meeting considers that the 1 Vict. c. 55, having repealed the 1 Hen. 5, c. 4, prohibiting an under-sheriff from being "an attorney in any court of the King," there is now nothing to prevent such officer from legally acting as an attorney, either for the prosecutor or prisoner in any criminal prosecution in which it is part of his official duty to summon the grand and petty juries to whom the case will have to be submitted, except at a general or quarter session of the peace within the county, from practising at which he is restricted under penalty of 50l., by 22 Geo. 2, c. 46, s. 14.

That unless some improper motive can be successfully imputed to an under-sheriff who is retained as attorney for the prosecution of a prisoner now in prison for manslaughter, this meeting does not think that the Court of Queen's Bench would, at the instance of a prisoner, restrain the under-sheriff from so acting.

3. A., who held several mortgages of freehold estates, died, having made a will appointing B. and C. executors, to whom he devised his trust and mortgaged estates. After A.'s death, C. disclaimed, and renounced the trusts and executorship. B. then gave notice to four mortgagors to pay in their mortgage-debts. The four mortgagors, though not connected with each other, employed one solicitor, who applied to the solicitor of B. for an extract from the will showing the devise of trust-estates, and for an abstract of the deed of disclaimer. Having got these, he forwarded to B.'s solicitor the four draft reconveyances for perusal, in each of which was contained a covenant for production by B. of the deed of disclaimer. B.'s solicitor charged one guinea in one case, and 15s. in each of the other three for extract and abstract. As one only had been furnished, as ordered, the solicitor of the mortgagors contended that the three charges of 15s. ought not to be made, while B.'s solicitor contended that he was entitled by the etiquette of the Profession, or by right, to insist upon them.

With respect to this case the committee resolved that the three charges of 15s. each for extracts and abstracts, neither asked for nor supplied, ought not to be made by the mortgagee's solicitor, and could not be maintained either on the ground of right or of the etiquette of the Profession.

The committee have been informed that the same question has since been submitted for the opinion of the council of the Incorporated Law Society, who have come to a decision in accordance with that of the committee. The leading offices of the town where the question arose also hold the same opinion.

4. A solicitor stated that he had applied to a solicitor in another county, who is the local superintendant registrar of births, deaths and marriages, to furnish him with a certificate of a marriage. That instead of doing this from the books supposed to be in his possession, the superintendent applied to the district registrar, and charged 3s. 4d. for attending to search, and 3s. 7d. for letter and postage, in addition to the statutory fee of 2s. 7d. paid to the district registrar for the certificate and stamp. The first solicitor paid this 2s. 7d., and requested to be informed whether he was bound to pay the 3s. 4d. and 3s. 7d.

The committee answered to the following effect:—By 6 & 7 Will. 4, c. 85, s. 24, every district registrar is to send quarterly to his superintendent registrar, a copy of the quarter's entries in his marriage register book, and when full, the register book itself. By 6 & 7 Will. 4, c. 86, s. 35, every registrar who shall have the keeping for the time being of any register book, shall allow searches to be made, and shall give certificates on payment of the statutory fee. If, therefore, the superintendent registrar had not received the original register book from the district registrar, he could only furnish the certificate asked for by procuring it from the district registrar, and paying him the statutory fee. At the same time, assuming he had no retainer, he could not recover charges as a solicitor for procuring and furnishing the certificate.

5. An answer to the following effect was made to an application by a provincial solicitor to be informed of the fees legally chargeable by commissioners to administer oaths in Chancery in England, and common law commissioners of affidavits:—

IN CHANCERY.	s.	d.
For each oath	2	6
" exhibit	1	0
" declaration .	2	6
" exhibit	1	0

IN COMMON LAW.	s.	d.
For each oath	1	0
" exhibit	1	0

IN PROBATE COURT.	s.	d.
For each oath	1	6
" exhibit.	1	0
Superintending and attesting execution of bond	1	6
If all parties to bond do not execute at the same time, then for each separate attendance attesting..	1	6

6. The committee have received from a provincial member a request for information as to the expense of registration of title under the Act of 1862, answered on the 17th Dec. last, to the following effect:—

The cost of registration with a certificate of indefeasible title depends too much on the value of the property and the length of the abstract, to be at all guessed at. You will find the office fees in the Rules and Orders of the 1st Oct. 1862. There is as yet no special scale for solicitors. They are allowed the usual conveyancing charges. The cost would, therefore, generally be about the same as a vendor's expenses on a sale without conditions, besides the office fees, expense of plans and advertisements, and one guinea to counsel for perusing each six sheets of abstract.

The committee in making their report cannot refrain from referring to the melancholy and unexpected death of their late provincial deputy-chairman, Mr. James Livett, of Bristol. At the first meeting they held after the occurrence of this sad event the following resolution was unanimously passed:—

"That the committee are deeply sensible of the great loss they have sustained by the lamented death of their much valued friend, colleague and chairman elect, Mr. James Livett, of Bristol, a loss which they are confident (from the very high estimation in which his kindness of heart, urbanity of manner, and the largeness and accuracy of his views were held by all who had the pleasure and advantage of his acquaintance) must be felt by a very considerable number of his professional brethren in all parts of England."

Copies of this resolution were forwarded to Mr. Henry Livett, nephew and partner of the deceased, and to the Bristol Law Library Society.

In consideration of Mr. Hope Shaw, of Leeds, being one of the founders of the association, and of the provincial general meeting next autumn being fixed to take place in that town, the committee thought it right to ask Mr. Hope Shaw to consent to his name being proposed to the Easter Term annual meeting, for election to the vacant office of provincial deputy-chairman, but they have received a most kindly expressed reply from Mr. Hope Shaw declining to be proposed, but stating that were he "twenty years younger than he is, he should not only gladly accept but ardently wish for the honourable office of vice-president and future president of the association."

The committee have the pleasure to report that the chairman's address, and all the papers read at the last autumn general meeting at Leicester, have been printed in an improved form and circulated among all the members, thus continuing last year's resumption of this publication intermitted for several years previously for lack of funds.

After the meeting the secretary canvassed Leicester by personally waiting upon the resident members of the profession, and by the kind assistance of Mr. J. Bouskell, Mr. S. Harris, Mr. Alfred Paget and others, thirteen new members joined the association.

Twelve new members from other places have also joined.

During the past year Messrs. Thomas Ingram, Samuel Stone and George Toller, of Leicester, Mr. Edwin Eddison, of Leeds, and Mr. John Hopgood, of London, have been elected members of the managing committee.

In addition to the loss of Mr. Livett, already mentioned, the committee have to lament the death of another of their colleagues, Mr. H. Bruce Campbell, of Nottingham.

There are now upon the roll of the association 783 members, of whom 201 are metropolitan, and 582 provincial solicitors. Of these 140 are life members, and 643 pay annual subscriptions. Of the two divisions of the association the Northern Circuit contains 295, and the "Rest of England," including London, 488 members.

In conclusion, the committee will simply express their sincere trust in the uninterrupted welfare of the association, and their hope that each member will do his utmost to procure for it additional support; let one and all keep in view that "Union is strength."

LEGAL NEWS.

BISHOP COLENSO'S APPEAL.—The *Record* states that the Lords of the Privy Council Committee of Appeal have come to a decision in the case of the *Bishop of Natal* v. *The Bishop of Cape Town*, and that the task of drawing up the report embodying their Lordships' views has been confided to Lord Kingsdown. In that case the judgment may be expected at the close of the sittings after the present Hilary Term.

PROCLAMATIONS OF OUTLAWRY.—The following names were proclaimed in the usual way at the hustings of Common Pleas, held at Guildhall recently, and the proceedings in outlawry, unless the cases are settled, will be advanced a step: Lennox Berkeley, at the suit of Julius Calisher; Frederick Sargent, at the suit of Ezra Jenks Coates; and T. S. Teevan, at the suit of Charles Arthur Raynsford.

THE YELVERTON CASE AGAIN.—The action of libel brought by Miss Longworth against the proprietors of the *Saturday Review* came before the Outer House of the Court of Session on Thursday week for debate on the question whether, by the arrestment of certain funds in the hands of publishers in Edinburgh, the defenders had been made amenable to the jurisdiction of the Court of Session. The Solicitor-General, for the defenders, proposed that the record should be made up and closed before the question of jurisdiction was discussed; and the Lord Ordinary accordingly appointed parties to revise their pleadings.

INTERNATIONAL AND MARITIME LAW.—On Wednesday a lecture on the subject of International and Maritime Law was delivered by Mr. L. Levi, LL.D., in Lincoln's-inn Hall, Sir E. Ryan in the chair. The lecturer traced the growth and history of international law from the time of the Rhodians and the Italian civic republics down to 1856, when certain maritime principles were laid down at the Congress of Paris. He deplored the uncertainty by which international law was still surrounded, and quoted several opposing authorities of eminence in illustration of the uncertainty. Free seas, free ships, free goods, and other questions had been so far settled, but belligerent and neutral rights demanded defining and general recognition. A vote of thanks concluded the proceedings.

CAWLEY AND GOSLING *v.* LORD VERNON.—At the last Chester Summer Assizes the plaintiffs sought to recover from the defendant the sum of 526l., being the balance of accounts amounting to 1641l., consisting of many items for iron, &c., sold by them for use at his lordship's coal works at Poynton and Worth. The defendant disputing every item in the account, the Lord Chief Justice Erle, who presided at the trial, ordered the case to be referred, and G. B. Hughes, Esq., barrister, was appointed the arbitrator. The reference was taken at Macclesfield, and was attended by Mr. Horatio Lloyd, barrister for the plaintiffs, and Mr. Morgan Lloyd, barrister for the defendant. The hearing occupied twelve days, and on the 31st ult. the arbitrator made his award, directing the verdict to be entered for the plaintiffs for 178l. 15s. 6d., and excluding from the 526l. the sum of 98l. 12s., as claimable from Mr. Hadwen's representatives; together, 275l. 7s. 6d. This verdict ensures to the plaintiffs their costs of the action, and the award gives them four-fifths of their costs of the reference to be paid by the defendant, who is also to pay his own costs of the reference and the whole costs of the award, which form a very heavy item. Parrott, Colville and May, Macclesfield, plaintiff's attorneys; White and Co., London, defendant's attorneys.—*Macclesfield Weekly Observer*, Jan. 5.

RATIO OF PAUPERISM.—On the 1st of January 1864, the following were the ratios of the number of paupers to the number of the population as enumerated at the census of 1861. It should be explained that the majority of those returned as able-bodied are children under 16. In the metropolis the paupers were 3·69 per cent. of the population, and of these paupers 4·86 per cent. were able-bodied and 0·5 vagrants. In the South-Eastern Counties the paupers were 3·53 per cent. of population, 4·4 per cent. of the paupers able-bodied, and 0·3 vagrants. South Midland Counties, paupers, 6·35 per cent.; able-bodied 4·30; vagrants, 0·2. Eastern Counties, paupers, 7·[illegible] per cent., of whom 4·51 per cent. were able-bodied, and 0· vagrants. South-Western, paupers, 5·43 per cent., of whom 3·37 were able-bodied, and 0·2 vagrants. We Midland, paupers, 4·31 per cent., of whom 4·15 were able-bodied, and 0·3 vagrants. North Midland, paupers, 6·7 per cent., of whom 4·09 were able-bodied, and 0·3 vagrant North-Western, paupers, 6·06 per cent., of whom 0·4 w able-bodied, and 0·3 vagrants. Yorkshire, paupers, 3· per cent., of whom 4·62 were able-bodied, and 0·7 vagrant Northern Counties, paupers, 4·04 per cent., of whom were able-bodied, and 0·3 vagrants. Wales, paupers 6·09 per cent., of whom 3·63 were able-bodied, and vagrants.

THE LAW OF COMPENSATION.—At the Sheriffs' Co Red Lion-square, recently, a compensation case, *Sm* v. *The Metropolitan Railway Company*, occupied the att tion of a jury several hours. Mr. Day appeared counsel for the claimant, who had kept a coffee-hou 151, Praed-street, Paddington; and Mr. Lloyd (with wh was Mr. Holloway) represented the company. The l of the claimant was alleged to have been sustained in 1 and 1861, when Praed-street was opened for the works the Metropolitan Railway Company, in consequence which the business of the claimant was said to have fall off. Mr. Lloyd said that the law as regards compensa was in so unsettled a state that the company was oblig to resist such claims, made four years after the alle injury; and told the jury that if they gave a large s (350l. being claimed), there would be numerous applica

The learned assessor, Mr. Humphreys, left it to the jury to say what loss had been sustained, and contrasted the evidence with the book produced by the plaintiff to substantiate his claim. The sum of 40l. was ultimately awarded by the jury.

PROBATE AND SUCCESSION DUTY.—At the recent Congress of the Social Science Association, held at York, a paper was read by the Rev. Nash Stephenson "On the Probate and Succession Duty levied on property left under general power of appointment." The heaviness of the tax on property bequeathed under these circumstances was illustrated by assuming that the sum of 1200l. had been left, the parties being strangers in blood. There would then have to be paid—Under first will: probate duty on 1200l., 30l.; succession duty on 1200l. at ten per cent, 120l. Under second will: probate duty on 1050l., 30l.; succession duty at ten per cent. on 1050l., 105l. Total to be paid by appointee, 285l. An exaction like this, which eats into and devours nearly a fourth of the capital, ceases to be of the nature of a tax, and amounts to confiscation of property, paralyses the desire for amassing of wealth, and leads to evasion of duty. A like sum, left direct under the first will, would be subject to half the amount of duty: and yet no one would pretend to assert, except, perhaps, in strained legal phraseology, that there were two successive devolutions, two beneficial enjoyments, and it was sound policy to encourage the leaving of general powers of appointment, and to defer to as late period as possible the appropriation of the *corpus*, as none can foresee the changes which death and ever-varying circumstances may bring about. It was hard to understand why leasehold should be included with personal property as subject to probate duty, and freehold property should be exempt. If it be contended that freehold property has its special burdens, such as tithe, poor and highway rates, &c., the answer is good as against personal property, but breaks down as regards leasehold property. Both freehold and leasehold property are similarly circumstanced. There is but one alternative—both or neither should be included. From what had appeared recently in the public press, it was probable that the probate and succession duties would be reconsidered in the approaching session of Parliament, and Mr. Stephenson hoped that the whole subject would be first of all taken up by the Law Amendment Society, now affiliated with the Social Science Association, and that they would draw up a Bill, and that in such Bill the grievances complained of would be righted.

WILLS AND BEQUESTS.—The will of Hudson Gurney, Esq. of Keswick, Norfolk, and St. James's, Westminster, was proved in London under 1,000,000l. personalty in England. There are many legacies. The principal legatee is John Henry Gurney (the testator's second cousin, and son-in-law of testator's late brother, Joseph Henry Gurney). To him he has devised the mansion and freehold of Keswick, and all other his real estates, and has left to him the plate, library, manuscripts, and family reminiscences as heirlooms, bequeathing 5000l. for the erection of a room suitable to contain his collection; and further bequeaths in trust for him the sum of 160,000l., to be invested and settled in the same manner with the inheritance of the freeholds, appointing him also residuary legatee of the personal estate. And the testator further directs that the sum of 120,000l. shall also be invested in the purchase of real property, to be held in trust for the sons (according to seniority) of the late John Gurney, of Earlham (who was the son of testator's late cousin, Samuel Gurney, of Upton-street). To his said cousin and executor, Daniel Gurney, he leaves 120,000l.; to his said executor, Francis Hay Gurney (eldest son of the said Daniel Gurney), 20,000l. Amongst the legatees is W. H. Tritton, of Barclay and Bevan's Bank, 100 guineas, and a like sum to gentlemen in Gurney's Norwich Bank; and legacies to others in the brewery of which the testator was principal partner. Annuities and legacies to his domestics, and 10l. for each year they have been in his service. The charitable bequests are: To the Old People's Hospital, St. Helen's, Norwich, 1000l.; Norfolk and Norwich Hospital, 1000l.; Quakers' Monthly Meeting, in Norwich, 1000l.; Norwich Public Library, 100l.; Norwich Literary Institution, 100l. He also leaves 2000l. for such minor allowances as he had been in the habit of making; and as they fall in, the principal to be given to charities in and about Norwich and elsewhere where he had property.——The will of the Hon. Hannah Mayer Fitzroy, of Upper Grosvenor-street, the widow of the late Right Hon. Henry Fitzroy and daughter of the late Baron Nathan Meyer Rothschild, has been proved in the Principal Court of Probate. After various bequests, the will directs 400l. to be applied, through the National Lifeboat Society, in the purchase of a lifeboat; also 400l. to be given to the poor of the parishes of St. George, Hanover-square, St. Marylebone, St. George-in-the-East, and St. Margaret, Westminster. There are legacies and other bequests to all her servants; and the residue is bequeathed to her only daughter, Caroline Blanche Elizabeth, the wife of Sir Coutts Lindsay, Bart., who inherits the whole of the large fortune of the deceased.——The will of the Right Hon. Lady Arabella Alvanley, of Hertford-street, was proved in London by the executors, Richard William Peirse, Esq., of Northallerton, and Charles Reynolds Williams, Esq., of Lincoln's-inn-fields. The personalty was sworn under 70,000l. Her ladyship has left legacies to her nephews, nieces, and others. To Mr. R. W. Peirse, 1000l., in addition to 200l. left to each of her executors; and appointed her niece, Meyrick, the daughter of Colonel and Lady Meyrick, her residuary legatee, leaving to her also the principal part of the property over which her ladyship had the power of disposition under a deed of the late Lady Amelia Powlett.——The will of the Rev. Sir William Marriott Smith-Marriott, Bart. M.A., of Horsmonden, Kent, was proved under 35,000l. personalty, the executors being the Rev. Hugh Forbes Smith-Marriott, the son; the Rev. Lewis C. Davis, and George Hinds, Esq. The testator was appointed to the rectory of Horsmonden in 1825, of which living he was also patron. He died in October last, at the age of 63, having executed his will in 1862. He leaves the advowson of the rectory of Horsmonden to his son Hugh Forbes; devises his farm, land, and estate called Pattenden to his son John Bosworth; and to his eldest son, now Sir William Henry Smith-Marriott, Bart., he devises the rest of his freehold property. He bequeaths to his relict an immediate legacy of 500l. and a portion of the furniture. To his sons John and Hugh pecuniary legacies are left; and after providing for his three daughters, he has appointed his three sons residuary legatees. There are the following charitable bequests: To the Society for the Propagation of the Gospel in Foreign Parts, Curates' Aid Society, Church Building Society, and the Kent Ophthalmic Hospital, each 50l., free of legacy duty.——The will of John Dakin Gaskell, Esq., of Highgate, was proved under 50,000l. personalty. The executors appointed are William Beaumont Esq., of Warrington; Samuel Gaskell, Esq., one of the Commissioners of Lunacy; and Warburton Pike, Esq., of the Temple. The testator died in August last, having executed his will in 1859, and a codicil in July 1864. He has bequeathed to each of his executors a legacy of 100l., and to Mrs. Pike, wife of the Rev. Mr. W. Pike, whom he appoints guardian to such of his children as are in their minority, he leaves a legacy of 500l., and divides his estate equally amongst all his children.——The will of the late Edward Yates, Esq., of 30, Compton-terrace, Islington, has been proved. His personal property is sworn under 60,000l. The executors are Mrs. Yates, of the same residence, mother of the testator, and Dr. C. J. Hare, of Brook-street. After some legacies to Mrs. Yates and other relatives, so much of the property as may legally be applied to charitable purposes is left to University College, London, in trust to apply one moiety of the annual income thereof to the general purposes of the North London Hospital, connected with that college, and the other moiety to the Samaritan fund for the relief of poor patients. The residue of personal property is left to Dr. Hare.—*Illustrated News*.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Wednesday, Jan. 11.

By Messrs. WILKINSON and HORNE, at Garraway's.—Leasehold residence, situate in the Harder's-road, High-street, Peckham; term forty years, unexpired; ground-rent, 6l. 7s. per annum—sold for 390l.

By Messrs. BAKER and SHEKLETON.—Leasehold residence, known as 40, Loudoun-road, Marlborough-road, St. John's-wood; let at 85l. per annum; term 55½ years unexpired; ground-rent, 11l. per annum—sold for 805l.

Thursday, Jan. 12.

By Messrs. C. C. and T. MOORE, at Garraway's.—Leasehold house, being No. 13, Wentworth-road, Mile-end; term 77½ years from 1861; ground-rent 4l. 4s. per annum—sold for 120l. Freehold, two plots of building land fronting Wellington-road south, Bow-road—sold for 63l.

By Messrs. E. and H. LUMLEY.—Lease of business premises, being No. 160, Piccadilly; held for a term of 24½ years unexpired from June last, at a rent of 240l. per annum—sold for 330l. Lease of business premises, being No. 131, Oxford-street; held for a term of 4 years unexpired from 1864, at a ground-rent of 250l. per annum—sold for 200l. Lease of first floor of Nos. 64 and 56, Gresham-street, City; held under agreement for 3 years from 1861, at a rent of 160l. per annum—sold for 70l. Leasehold residence, being No. 6, Clarendon-place, Somers-town; let at 18l. per annum; term 25 years unexpired; ground-rent 3l. per annum—sold for 90l. Absolute reversion to 1-7th part of 300l., to take effect on the death of a lady aged 82; and 1-6th part of 1-7th part of 300l.—sold for 20l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Jan. 6.

HOLGATE, JOHN; ROBERTS, WILLIAM; and ROBERTS, CHARLES JAMES, attorneys and solicitors, Rochdale.
KNOCKER, EDWARD NEWMAN, and WILKS, GEORGE, attorneys and solicitors, Hythe.

Bankrupts.

Gazette, Jan. 10.

To surrender at the Bankrupts' Court, Basinghall-street.

ALDWORTH, WILLIAM, victualler, South Hinksey. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Jan. 21.
ANTHONY, THOMAS, grocer, Aldershot. Pet. Jan. 4. Reg. Hazlitt. O. A. Graham. Sol. Shiers, New-inn, Strand. Sur. Jan. 24.
ARKILL, JOHN, greengrocer, Old Fish-st. Doctors'-commons. Pet. Jan. 4. Reg. Roche. O. A. Cannan. Sol. Steadman, Great Leonard-st. Finsbury. Sur. Jan. 23.
BALLS, FRANK, out of business, Carlisle-st. Soho. Pet. Jan. 7. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Jan. 24.
BATTEN, ANTHONY, farmer, Kintbury. Pet. Jan. 7. Reg. Roche. O. A. Cannan. Sol. Empson, Moorgate-st. Sur. Jan. 25.
BRADLEY, THOMAS WILLIAM, merchant, Fenchurch-st. and Beckenham. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sols. Wilkinson and Co., Nicholas-ln. Sur. Jan. 24.
CLARKE, JUSTINIAN BARRELL, wharfinger, Norwich. Pet. Dec. 16. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry, for Miller, Son and Burr, Norwich. Sur. Jan. 23.
COOK, THOMAS, engineer, Old Kent-rd. Pet. Jan. 5. Reg. Brougham. O. A. Edwards. Sols. George and Co. Sise-ln. Sur. Jan. 23.
DELAMOTTE, CAROLINE, lodging-house keeper, Beaufort-bldgs. Strand. Pet. Jan. 5. Reg. Brougham. O. A. Edwards. Sol. Stocken, Leadenhall-st. Sur. Jan. 23.
DEVON, WILLIAM JAMES, beerseller, Homerton, Hackney. Pet. Jan. 5. Reg. Roche. O. A. Cannan. Sol. Spicer, Staple inn, Holborn. Sur. Jan. 23.
EURIPIDI, GEORGE, merchant, Paris, and Surrey-st. Strand. Pet. Jan. 6. Reg. Roche. O. A. Cannan. Sol. Nicholson, Lime-st. Sur. Jan. 23.
EVERETT, BINYON GEORGE, warehouseman's clerk, Grosvenor-park north, Camberwell. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, King's-rd. Bedford-row. Sur. Jan. 21.
FRANN, WILLIAM FREDERICK, victualler, Bonner's-rd. Bethnal-gn. Pet. Jan. 7. Reg. Roche. O. A. Cannan. Sol. Tripp, Dane's-inn, Strand. Sur. Jan. 25.
FLINT, WILLIAM, cab driver, Windham mews, Bryanstone-sq. Pet. Jan. 6. Reg. Roche. O. A. Cannan. Sol. Boydell, Queen-sq. Bloomsbury. Sur. Jan. 21.
GOTTEL, RICHARD, merchant, New Broad-st.-ct. New Broad-st. Pet. Dec. 30. Reg. Brougham. O. A. Edwards. Sols. Van Sandau and Co. King-st. Sur. Jan. 23.
GUNTHORPE, GEORGE, police constable, Skinner-st. Bishopsgate. Pet. Jan. 6. Reg. Roche. O. A. Cannan. Sol. Marshall, Hatton-gdn. Sur. Jan. 23.
HAY, HARVEY PHILIP, solicitor's clerk, Church-way, Euston-sq. Pet. Jan. 6. Reg. Brougham. O. A. Edwards. Sol. Allen, Chancery-ln. Sur. Feb. 1.
LONG, ALFRED, sub-bailiff at the Clerkenwell County Court, Parkfield-st. Islington. Pet. Jan. 6. Reg. Brougham. O. A. Edwards. Sol. Layton, jun. Church-row, Islington. Sur. Feb. 1.
NORRIS, BENJAMIN, bricklayer, Lawson-st. Borough. Pet. Jan. 5. Reg. Roche. O. A. Cannan. Sol. Wyatt, Great Carter-ln. Doctors'-commons. Sur. Jan. 23.
PALMER, ROBERT WILLIAM, grocer, Ratesdale. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sols. Ashurst and Co., Old Jewry, for Fillett and Son, Norwich. Sur. Jan. 24.
PIERPOINT, JOSEPH, beershop-keeper, St. Jude-st. Bethnal-gn. Pet. Jan. 7. Reg. Roche. O. A. Cannan. Sol. Bratton, Guildhall-chambers, Basinghall-st. Sur. Jan. 23.
SMITH, FREDERICK WARWICK, general agent, Molesworth-st. Lewisham, and Upper Thames-st. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sol. Nicholson, Lime-st. Sur. Jan. 24.
WIGGLESWORTH, WILLIAM BRADY, victualler, Walham-gn. Pet. Dec. 30. Reg. Roche. O. A. Cannan. Sols. Tanqueray-Willaume and Hanbury, New Broad-st. Sur. Jan. 23.
WOODHAMS, DANIEL THOMAS, attorney and solicitor, Frederick's-crescent, Camberwell New-rd. and Kennington-ln. Pet. Jan. 2. Reg. Brougham. O. A. Edwards. Sols. Matthews and Co. Leadenhall-st. Sur. Jan. 23.

To surrender in the Country.

ARMITAGE, GEORGE GREGORY, victualler, Luton. Pet. Jan. 6. Reg. & O. A. Austin. Sol. Shepherd, Luton. Sur. Jan. 27.
ARROWSMITH, JAMES, nailmaker, Hull. Pet. Jan. 9. Reg. & O. A. Phillips. Sol. Summers, Hull. Sur. Jan. 23.
BOWDEN, JAMES, jun. merchant's clerk, Hull. Pet. Jan. 6. Reg. & O. A. Phillips. Sols. Eaton and Bellby, Hull. Sur. Jan. 23.
BYRNE, JOHN, and BARNES, THOMAS WILLIAM, shipbuilders, Hempstead, Gloucester. Pet. Dec. 30. Reg. Wilde. O. A. Acraman. Sol. Wilkes, Gloucester. Sur. Jan. 20.
COULSON, JOHN, commission agent, Upper Wortley and Leeds. Pet. Jan. 6. Reg. & O. A. Sangster. Sol. Simpson, Leeds. Sur. Jan. 27.
CRADOCK, WILLIAM, commercial traveller, Sedborough. Pet. Jan. 7. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. Jan. 23.
CROSSLAND, PARSON, woollen manufacturer, Earlsheaton, Dewsbury. Pet. Jan. 5. O. A. Young. Sols. Sykes, Heckmondwike; Bond and Barwick, Leeds. Sur. Jan. 3.
CROSSLEY, GEORGE FREDERICK, silk dyer, Hulme. Pet. Dec. 16. Reg. & O. A. Hulton. Sur. Jan. 21.
CULWICK, JOHN WESLEY, baker, Wolverhampton. Pet. Jan. 5. Reg. & O. A. Brown. Sol. Turner, Wolverhampton. Sur. Jan. 19.
DAVIES, MARY, grocer, Milford, Steinton. Pet. Jan. 5. Reg. & O. A. Summers. Sol. James, Haverfordwest. Sur. Jan. 20.
DEACON, WILLIAM, flannel manufacturer, Windhill, Calverley. Pet. Jan. 5. O. A. Young. Sols. Hill, Bradford; Simpson, Leeds.
DIGGLE, SAMUEL, trimmer, Loughborough. Pet. Jan. 6. Reg. & O. A. Brook. Sol. Goode, Loughborough. Sur. Jan. 21.
DUCKHOUSE, CHARLES, butcher, Wolverhampton. Pet. Jan. 6. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. Jan. 19.
FOSTER, JOSHUA, worsted and yarn spinner, Horbury. Pet. Jan. 6. O. A. Young. Sols. Stewart and Son, Wakefield; Bond and Barwick, Leeds. Sur. Jan. 23.
HARRIS, THOMAS FROST, thatcher, Harbertonford. Pet. Jan. 6. Reg. & O. A. Bryett. Sol. Kellock, Totnes. Sur. Jan. 23.
HENLEY, JOHN CONNOR, carpenter, Torquay. Pet. Jan. 9. O. A. Parkyns. Sol. Champion, Exeter. Sur. Jan. 20.
HILL, WILLIAM, chandelier maker, Sheffield. Pet. Jan. 5. Reg. & O. A. Wake and Rodgers. Sol. Turner, Sheffield. Sur. Jan. 26.
JACKSON, GEORGE, file maker, Liverpool. Pet. Jan. 4. Reg. & O. A. Hime. Sol. Blackhurst, Liverpool. Sur. Jan. 20.
LANGDON, JAMES, Lanivet. Pet. Jan. 6. Reg. & O. A. Collins. Sol. Wallis, Bodmin. Sur. Jan. 21.
MARSH, GEORGE, grocer, Sheephouse. Pet. Jan. 7. Reg. & O. A. Shepherd. Sol. Hamer, Barnsley. Sur. Jan. 27.
MORTIMER, FRANK, draper, Mark. Pet. Dec. 31. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. Jan. 20.
PALMER, SAMUEL, Newcastle-under-Lyme. Pet. Jan. 5. Reg. & O. A. Sianey. Sol. Litchfield. Sur. Jan. 24.
RHEAD, RICHARD, beerseller, Audley. Pet. Jan. 6. Reg. & O. A. Sianey. Sol. Salt. Sur. Jan. 24.
RICKARDS, FREDERICK, sen., coal merchant, Tongham. Pet. Jan. 5. Reg. & O. A. Hollier. Sol. White, Guildford. Sur. Jan. 20.
RUSSELL, JOHN, coachbuilder, Bristol. Pet. Jan. 5. Reg. & O. A. Harley and Gibbs. Sol. Peterson. Sur. Jan. 27.
SALISBURY, JOHN, turnkey at the Derby County gaol. Pet. Jan. 4. Reg. & O. A. Weller. Sol. Smith, Derby. Sur. Jan. 26.
SIMPSON, THOMAS, butcher, Sheffield. Pet. Jan. 5. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. Jan. 26.
SPOONER, CHARLES, plumber, Chapel Ash. Pet. Jan. 5. Reg. & O. A. Brown. Sol. Walker, Wolverhampton. Sur. Jan. 19.
STONE, ROBERT, joiner, Liverpool. Pet. Dec. 28. O. A. Turner. Sol. Tyrer, Liverpool. Sur. Jan. 20.
THOMAS, GEORGE WILLIAM, accountant and auctioneer, Crockherbtown, Cardiff. Pet. Jan. 3. Reg. & O. A. Langley. Sol. Reece, Cardiff. Sur. Jan. 20.
THOMAS, MORGAN, carpenter, Ystradowen, Cowbridge. Pet. Dec. 27. Reg. & O. A. Lewis. Sol. Raby, Cardiff. Sur. Jan. 23.
WALKER, LAWRENCE, cloth merchant, Leeds. Pet. Jan. 5. O. A. Young. Sols. North and Son, Leeds. Sur. Jan. 23.
WILLIAMS, WILLIAM, grocer, Llanyfllin. Pet. Jan. 5. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool; Pugh, Llanbyllin. Sur. Jan. 26.

Gazette, Jan. 13.

To surrender at the Bankrupts' Court, Basinghall-street.

ATTWATER, GEORGE HENRY, yeoman, Worthing. Pet. Jan. 2. Reg. Hazlitt. O. A. Graham. Sols. Hill and Son, Throgmorton-st. Sur. Jan. 26.
BALDRY, GEORGE WILLIAM, photographer, Norwich. Pet. Jan. 10. Reg. Roche. O. A. Cannan. Sols. Treherne and White, Barge-yard-chambers, Bucklersbury, for Emerson, Norwich. Sur. Jan. 23.
CANTRELL, EDWARD, clerk, Bayswater. Pet. Jan. 5. Reg. Brougham. O. A. Edwards. Sol. Stacey, Southampton-st. Bloomsbury. Sur. Feb. 1.
EVERARD, EDWARD HEAD, out of business, Sydenham. Pet. Jan. 9. Reg. Roche. O. A. Cannan. Sols. Ellis and Crossfield, America-sq. Minories. Sur. Jan. 23.
FISH, THOMAS PHILIP, coach painter, New-st. Southwark. Pet. Jan. 11. Reg. Hazlitt. O. A. Graham. Sol. Murr, Kennington-row, Kennington. Sur. Jan. 26.
FREEMAN, HENRY, wholesale newspaper agent, Fetter-ln. and Red Lion-ct. Fleet-st. Pet. Jan. 11. Reg. Hazlitt. O. A. Graham. Sols. Prall and Nickinson, Chancery-ln. Sur. Jan. 26.
GATES, BENJAMIN, victualler, Brighton. Pet. Jan. 9. Reg. Roche. O. A. Cannan. Sols. Linklaters and Hackwood, Walbrook. Sur. Jan. 23.
HUNT, JOHN, out of business, Spencer-st. Islington. Pet. Jan. 6. Reg. Hazlitt. O. A. Graham. Sol. Bradley, Fenchurch-st. Sur. Jan. 24.
HUNT, WILLIAM WILLOMATT, cheesemonger, High-st. Poplar. (Pet. Jan. 9. Reg. Hazlitt. O. A. Graham. Sols. Peck and Dowling, Basinghall-st. Sur. Jan. 24.
JOSEPH, CYRIL TERRINGTON, clerk in the civil service, Priest's-bridge, Mortlake. Pet. Jan. 10. Reg. Roche. O. A. Cannan. Sols. Harrison and Lewis, Old Jewry. Sur. Jan. 25.
KING, ROWLEY FLUDYER, temporary clerk, Warwick-st. Pimlico. Pet. Jan. 11. Reg. Roche. O. A. Cannan. Sol. Holmes, Southampton-st. Bloomsbury. Sur. Jan. 30.
KNIELING, JOHN, out of business, Blenheim-ter. Kentish-tn. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sol. Hicks, Moorgate-st. Sur. Feb. 1.
KUHKLE, CHRISTIAN, grocer, Albert-ter. Battersea. Pet. Jan. 11. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-flds. Sur. Feb. 1.
LAZARUS, ISAIAH, out of business, Minories. Pet. Jan. 9. Reg. Roche. O. A. Cannan. Sol. Howell, Cheapside. Sur. Jan. 25.
MAIDLOW, ERNEST JOHN, builder, Brondesbury-rd. Kilburn. Pet. Jan. 10. Reg. Roche. O. A. Cannan. Sols. Chapman and Clarke, Linc.-inn-flds. Sur. Jan. 25.
MAIR, ROBERT HENRY, clerical agent, Cecil-st. Strand. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sol. Wetherfield, Moorgate-st. Sur. Feb. 1.
MANSELL, WILLIAM, jun., carpenter, Great Titchfield-st. Marylebone. Pet. Jan. 9. Reg. Roche. O. A. Cannan. Sol. Atkinson, Bedford-row. Sur. Jan. 25.
MARKS, ISAAC, dealer in watches and jewellery, Scarborough-st. Goodman's-flds. Pet. Jan. 9. Reg. Hazlitt. O. A. Graham. Sol. Solomon, Finsbury-pl. Sur. Jan. 24.
MAY, JAMES FRANCIS, greengrocer, Meeting-house-ln. Peckham. Pet. Jan. 9. Reg. Roche. O. A. Cannan. Sol. Wyatt, Gt. Carter-ln. Doctors'-commons. Sur. Jan. 25.
MICKLESCROM, SAMUEL SMITH, brewer, Richmond-rd. Kingston-on-Thames. Pet. Jan. 6. Reg. Roche. O. A. Cannan. Sols. Wyatt, Gt. Carter-ln. Doctors'-commons. Sur. Jan. 25.
MILLER, ISAAC, butcher, Emsworth. Pet. Jan. 11. Reg. Roche. O. A. Cannan. Sols. Nichols and Clark, Cook's-ct. Linc.-inn, for Stening, Portsea. Sur. Jan. 30.
MILLS, JOHN, cheesemonger, Minerva-pl. Kensington-gn. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sol. Padmore, Westminster-bridge-rd. Sur. Feb. 1.
OLD, JOSEPH JOHNSON, miller, Enfield. Pet. Jan. 9. Reg. Roche. O. A. Cannan. Sol. Wells, Moorgate-st. Sur. Jan. 25.
PYNE, PETER, wine merchant, Charles-st. Grosvenor-sq. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sol. Taylor and Jacquet, South-st. Finsbury-sq. Sur. Feb. 1.
REEVES, EDWIN THOMAS, vocalist, Smith-sq. Westminster, and Strand Music-hall. Pet. Jan. 7. Reg. Brougham. O. A. Edwards. Sol. Chandler, Bucklersbury. Sur. Feb. 1.
ROWLES, ELLEN MARIA, dyer, Blackman-st. Southwark. Pet. Jan. 5. Reg. Hazlitt. O. A. Graham. Sols. Hawks, Williams and Co. High-st. Southwark. Sur. Jan. 24.

SALVUCCI, CESARE GUISEPPE NATALE, general dealer in Italian goods, Jermyn-st. St. James's, and James-st. Golden-sq. Pet. Jan. 10. Reg. Brougham. O. A. Edwards. Sols. Foster and Anderson, King William-st. Sur. Feb. 1.
SEARL, JOHN HUMPHREY, carpenter, Camberwell-grove, Camberwell. Pet. Jan. 9. Reg. Hazlitt. O. A. Graham. Sol. Silvester, Great Dover-st. Newington. Sur. Jan. 26.
SILVA, JOHN GOMEZ, shipping and insurance broker, Caversham-rd. Kentish-town-rd. and Leadenhall-st. Pet. Jan. 7. Reg. Hazlitt. O. A. Graham. Sol. Mossop, Ironmonger-la. Sur. Jan. 24.
SINCLAIR, THOMAS, tailor, Adam-st. west, Bryanston-sq. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sol. Wetherfield, Moorgate-st. Sur. Feb. 1.
SWIFT, CHARLES WILLIAM, out of business, New-st. Rotherhithe. Pet. Jan. 11. Reg. Roche. O. A. Cannan. Sol. Marshall, Linc.-inn-fds. Sur. Jan. 29.
VAUGHAN, JAMES, and WELLS, AMOS, grocers, Chenies. Pet. Dec. 23. Reg. Brougham. O. A. Edwards. Sols. Lee, Gray's-inn-sq; Sedgwick, Watford. Sur. Feb. 1.
WRIGHT, CHARLES, grocer, Gloucester-pl. and Cornwall-ter. Paddington. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sol. Hempson, Connaught-ter. Hyde-pk. Sur. Feb. 1.
WILLIAMS, JOHN WILLIAM, lighterman, Stainsbury-rd. Poplar. Pet. Jan. 9. Reg. Brougham. O. A. Edwards. Sols. Wood and Ring, Basinghall-st. Sur. Feb. 1.
WRIGHT, HENRY, bread and biscuit baker, South-pl. Camberwell New-rd. Pet. Jan. 10. Reg. Hazlitt. O. A. Graham. Sol. Bennett, Mark-la. Sur. Jan. 26.

To surrender in the Country.

ALEXANDER, JAMES, professor of music, Brighton. Pet. Jan. 6. Reg. & O. A. Blaker. Sol. Hellman, Lewes. Sur. Jan. 23.
ASHMAN, JOSEPH WILLIAM, county court clerk, Newport. Pet. Dec. 10. Reg. & O. A. Roberts. Sol. Bradgate, Bristol. Sur. Jan. 24.
BAKER, JOHN, farmer, Blackley. Pet. Jan. 10. Reg. & O. A. Key. Sol. Horner, Manchester. Sur. Jan. 30.
BAKER, JOHN MALLABY, farmer, Hall-end, Polesworth. Pet. Jan. 9. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Jan. 20.
BARNARD, CHARLES, butcher, Wells. Pet. Jan. 11. Reg. Wilde. O. A. Acraman. Sols. Clifton and Bockingham, Bristol. Sur. Jan. 27.
BORRETT, WILLIAM, farming bailiff, Attleby. Pet. Jan. 7. Reg. & O. A. Fiske. Sol. Kent, Beccles. Sur. Jan. 30.
BRETT, MARK, woollendraper, Liverpool. Pet. Jan. 11. O. A. Turner. Sol. Worship, Liverpool. Sur. Jan. 27.
BRISCOE, THOMAS, confectioner, Monk's Coppenhall. Pet. Dec. 30. Reg. & O. A. Broughton. Sol. Edleston, Nantwich. Sur. Jan. 26.
BUCKLEY, JOHN JAMES, out of business, Claines. Pet. Jan. 10. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Jan. 23.
BUSHELL, GEORGE, electro plate finisher, Birmingham. Pet. Jan. 9. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Feb. 6.
BUTTERWORTH, BENJAMIN, tin-plate worker, Shaw, Crompton. Pet. Jan. 9. Reg. & O. A. Summerscales. Sol. Taylor, Oldham. Sur. Jan. 26.
CARPENTER, JOHN NELSON, commission agent, Graig, Swansea. Pet. Dec. 27. Reg. & O. A. Morris. Sur. Jan. 21.
COX, WILLIAM, victualler, Hathern. Pet. Jan. 21. Reg. & O. A. Beech. Sol. Giles, Loughboro'. Sur. Jan. 21.
DAVIES, ANNE, grocer, Brierly-hill, Ebbw-vale. Pet. Jan 10. Reg. Wilde. O. A. Acraman. Sols. Abbot and Leonard, Bristol. Sur. Jan. 23.
DAWSON, WILLIAM, Felling Shore, Gateshead. Pet. Jan. 10. Reg. & O. A. Ingledew. Sol. Forster, Newcastle. Sur. Jan. 24.
FIELD, JOHN, bricklayer, North Walsham. Pet. Jan. 7. Reg. & O. A. Wilkinson. Sol. Atkinson, Norwich. Sur. Jan. 23.
GORRINGE, GEORGE HENRY, carpenter, Brighton. Pet. Jan. 10. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. Jan. 24.
HAPPEY, CHARLES, cabinet-maker, Shieldfield and Newcastle. Pet. Jan. 7. Reg. & O. A. Clayton. Sols. Scaife and Britton, Newcastle. Sur. Jan. 28.
HEYS, JONATHAN, broker, Glossop. Pet. Jan. 5. Reg. & O. A. Hibbert. Sol. Reddish, Glossop. Sur. Jan. 24.
HOLME, JAMES, beerseller, Everton and Liverpool. Pet. Jan. 9. Reg. & O. A. Hime. Sol. Hughes, Liverpool. Sur. Jan. 23.
HOPKINS, WILLIAM, grocer, St. Bride's Major. Pet. Jan. 10. Reg. & O. A. Lewis. Sol. Popkin, Bridgend. Sur. Jan. 23.
HUGHES, JAMES, butcher, Barking. Pet. Jan. 6. Reg. & O. A. Hart. Sol. White, Gull Reel and Dane's-inn. Sur. Jan. 23.
JAQUES, JOHN, innkeeper, Spennymoor. Pet. Jan. 9. Reg. Gibson. O. A. Laidman. Sols. Hodge and Harle, Newcastle. Sur. Jan. 24.
JONES, MARY ANN, keeper of a school, Newport. Pet. Jan. 10. Reg. & O. A. Spilsbury. Sol. Hinds, Stafford. Sur. Jan. 26.
KNIGHTS, WILLIAM, jun., tin plate worker, Sandy. Pet. Jan. 10. Reg. & O. A. Harper. Sol. Rogers, Bedford. Sur. Jan. 25.
MOODY, GEORGE MAY, ropemaker, King's Lynn. Pet. Jan. 11. Reg. & O. A. Wilson. Sol. Wilson, King's Lynn. Sur. Feb. 4.
NEWSOME, BENJAMIN, farm servant, Newall-with-Clifton, Otley. Pet. Jan. 7. Reg. & O. A. Carr. Sol. Siddall, Otley. Sur. Jan. 24.
PARRISS, JOHN, weaver's harness maker, Coventry. Pet. Jan. 10. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. Jan. 31.
PEGG, JOHN, ironfounder, Leicester. Pet. Jan. 9. Reg. & O. A. Ingram. Sol. Petty, Leicester. Sur. Jan. 25.
POTTER, THOMAS, poulter, Wellingborough. Pet. Jan. 6. Reg. & O. A. Nasham. Sol. Cook, Wellingborough. Sur. Jan. 19.
PUGH, EDWARD, merchant's clerk, Rainhill. Pet. Jan. 10. O. A. Turner. Sols. Forshaw, Goodman and Hawkins, Liverpool. Sur. Jan. 21.
QUEENBOROUGH, WILLIAM EDWARD, dealer, Caddington. Pet. Jan. 9. Reg. & O. A. Austin. Sol. Shepherd, Luton. Sur. Jan. 23.
RICHMOND, GEORGE, carrier, Ratcliffe-on-Trent. Pet. Jan. 10. Reg. & O. A. Patchitt. Sol. Bartley, Bingham. Sur. Jan. 25.
SHEPPARD, WILLIAM, shipowner, Exmouth. Pet. Jan. 10. O. A. Parkyns. Sol. Clarke, Exeter. Sur. Jan. 25.
STORRIER, JAMES, travelling draper, Chudleigh. Pet. Jan. 10. O. A. Parkyns. Sol. Clarke, Exeter. Sur. Jan. 25.
THOMAS, MARY, grocer, Swansea. Pet. Jan. 11. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Jan. 21.
THOMPSON, WILLIAM, tin-plate worker, Halifax. Pet. Jan. 10. Reg. Rankin. O. A. Dyson and Rankin. Sol. Storey, Halifax. Sur. Jan. 27.
TREBILCOCK, JOHN DAVIES, farmer, Angarrack, Phillack. Pet. Jan. 1?. O. A. Parkyns. Sol. Downing, Redruth; Pitts, Exeter. Sur. Jan. 25.
TURNER, FRANCIS, grocer, Birmingham. Pet. Jan. 11. Reg. Hill. O. A. Kinnear. Sol. Beaton, Birmingham. Sur. Jan. 30.
WALKLEY, WILLIAM, farmer, Skellingthorpe, and butcher, Lincoln. Pet. Jan. 11. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln. Sur. Jan. 25.
WALTON, JOSEPH, greengrocer, Hyde. Pet. Jan. 10. Reg. & O. A. Brooke. Sols. Messrs. Hibbert, Hyde. Sur. Jan. 25.
WHITELEY, SAMUEL, machinist, Wortley, Leeds. Pet. Jan. 9. O. A. Young. Sol. Greene, Leeds. Sur. Jan. 27.
WILD, WATTS, cheese and bacon dealer, Oldham. Pet. Jan. 9. Reg. & O. A. Summerscales. Sol. Taylor, Oldham. Sur. Jan. 26.
WRIGGLESWORTH, GEORGE, corn miller, Helperby, Boroughbridge. Pet. Jan. 11. O. A. Young. Sols. Seymour and Blyth, York; Bond and Barwick, Leeds. Sur. Jan. 25.

BANKRUPTCIES ANNULLED.

Gazette, Jan. 13.

ACKROYD, EDWARD, colliery owner and brickmaker, Gildersome, Leeds.
BOWLES, JOHN, grocer, Market-hill, Cambridge.
COPE, THOMAS, boot and shoe maker, Manchester.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Peake, J. commission agent, second, 1s. 2d. Harris, Nottingham—Bean, J. farmer, first, 4s. Harris, Nottingham—Brown, H. miller, first, 1s. 6d. Kinnear, Birmingham—Clarke, I. N. ribbon manufacturer, second 9½d. Kinnear, Birmingham—Cowen, J. R. travelling draper, first, 7s. 1d. Stansfeld, London—Dodd, G. saddler, first, 9d. Kinnear, Birmingham—Dudley, A. grocer, 1½d. Kinnear, Birmingham.—Hine, J. miller and farmer, first, 12s. Laidman, Newcastle—Jackson, J. H. druggist, first, 2s. Harris, Nottingham.—Lapsley and Marfitt, timber merchants, first, 7s. Turner, Liverpool—Marshall, F. hotel keeper, first, 4s. 2d. Harris, Nottingham.—Oliver, J. grocer, second, 1s. 6d. Harris, Nottingham.—Richards, C. cordwainer, second 2d. Harris, Nottingham.—Smith, C. painter, third, 1¼d. Turner, Liverpool.—Staveley, J. innkeeper, first, 1s. 1d. Harris, Nottingham.—Taylor, J. C. victualler, first, 5½d. Harris, Nottingham.—Thompson, W. watch manufacturer, first, 7s. 4½d. Kinnear, Birmingham.—Tooby, A. grocer, first, 7s. 9½d. Kinnear, Birmingham.

INSOLVENTS' ESTATES.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, between the hours of eleven and two.

Frain, J. T. bricklayer, 20s.—Dare, D. clerk in the Audit office, 11s. 6d. (making 20s.)—Heck, T. S. no profession, Bognor, 1s. 1½d. (making 14s. 9½)—Hanson, E. chair maker, 3s. 6d.—Parkes, T. W. out of business, Southwood-la. Highgate, 7½d.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Jan. 10.

BANFIELD, JOHN LEWIS, grocer, Northampton. Dec. 21. Trusts J. S. Buck, wholesale grocer, Leadenhall-st. and P. Gray, grocer, Northampton.
BARNS, THOMAS, maltster, Lichfield. Dec. 31. Trust C. Barrs, farmer, Yoxall. 2s. 6d. in 3 mos.
BOOTH, JAMES BOWKER, boot and shoe manufacturer, Manchester. Dec. 12. 2s. on 5th Jan.
BURBIDGE, JOHN, draper, Rugby. Dec. 14. Sureties, I. Hean, screw manufacturer, Birmingham, and T. Bury, farmer, Whitley. 3s. 2d. each, at 3, 6 and 9 mos.—secured.
BUTTERWORTH, WILLIAM HENRY, tea dealer, Manchester. Dec. 13. Trusts, R. Worthington, tea merchant, Mincing-la. and J. Fairclough, corn miller, Warrington.
CARVER, THOMAS, Nottingham, and CARVER, THOMAS GILBERT, Nottingham-park, hosiers. Dec. 12. Trusts T. L. Acton, bank manager, Nottingham park, H. Ashwell, bleacher, Basford, and J. P. Ford, box manufacturer, Nottingham.
COOPER, WILLIAM, musician, Nottingham. Dec. 17. Trusts G. Hall, gentleman, and J. Greasley, appraiser, both Nottingham.
DOHERTY, ALEXANDER, artificial flower maker, Manchester. Dec. 13. Trusts, F. Hodges, shirt manufacturer, and D. Smith, accountant, both Manchester.
ELLISON, JAMES, corn miller, Livesey. Dec. 31. Trust D. Badger, book-keeper, Preston.
EMDIN, WILLIAM HENRY, dealer in photographic goods, Aldersgate-st. Dec. 22. Trust W. Clegg, merchant, 16 Wharf, Macclesfield-st. City-rd. Sols. Harrison and Lewis, Old Jewry.
FELKIN, WILLIAM, lace manufacturer, Nottingham. Dec. 19. Trusts F. Wright, banker's clerk, Nottingham, A. J. Henley, silk manufacturer, Derby, and J. H. Chambers, commission agent, Nottingham.
FORD, WILLIAM, builder, Fownhope. Dec. 14. Trust, H. Griffiths, accountant, Hereford. 12s. by two instalments of 5s. in 1 mo. and 3 mos.
FORDRED, JOHN, seed crusher, Canterbury-villas, Blackheath. Dec. 22. 2s. on 31st March.
FREELOVE, FRANCIS JOHN, grocer and draper, Great Bardfield. Dec. 22. 4s.
GANDER, WILLIAM, Ash-grove, Hackney. Dec. 12. 5s. in 3 mos.
GROSSFELD, PHILIP, dressmaker, Church-rd. Islington. Jan. 7. 2s. by two instalments of 1s. at 3 and 6 mos.
HANDCOCK, GEORGE, joiner, Black-hill, Durham. Dec. 19. Trusts J. Pursell, agent, Newcastle, and R. Handcock, timber merchant, Annfield-plain.
HART, ISAAC, marine store dealer, Lucas-pl. Hoxton. Jan. 5. 1s. in 10 days.
HAZLEDINE, JOSEPH HENRY, general dealer, Old Swinford. Dec. 9. Trust. E. Grainger, woollendraper, Stourbridge.
HERDMAN, EDWARD, out of business, Ardwick. Dec. 12. 5s.
JOHNSON, GEORGE HILDITCH, clerk in a Government office, Essex-st. Strand. Jan. 9. Trust. R. S. Taylor, jun., gentleman, Gray's-inn. Covenant to pay 300l. a-year by instalments of 25l. a mo.
KNIGHTS, WILLIAM HENRY, corn merchant, Ipswich. Jan. 5. 2s. 6d. in 1 mo.
LAVO, JAMES, merchant, New Broad-st. Jan. 2. Trusts P. Bell, merchant, Alderman's-walk, Bishopsgate-st. and J. Bell, public accountant, Moorgate-st. Sols. Clarke, Son and Rawlins, Coleman-st.
LEE, HENRY, shipbuilder, South Shields. Dec. 30. Trusts G. Harford, sailcloth manufacturer, and T. H. Henderson, merchant, both Newcastle.
LENG, ROBERT, innkeeper, Gate Fulford. Dec. 20. Trusts J. Braithwaite, brewer, York, and G. Lakin, gentleman, York.
LOWENTHALL, JULIUS, provision merchant, Little Tower-st. Dec. 12. 6d.
MAC CONCHIE, ANDREW, draper and tea dealer, Stoke-next-Guildford. Dec. 12. Trusts, L. McCutcheon, warehouseman, Friday-st. Cheapside, and A. McHow, wholesale clothier, Angel-ct. Friday-st.
MORRIS, THOMAS, soap manufacturer, Bolton. Dec. 16. Trusts R. Stewart and H. Mercer, jun., accountant, both Bolton.
NEALE, THOMAS RHODES, commission agent, Liverpool. Dec. 16. Inspectors, W. Armitage, manufacturer, Manchester, R. Udale, merchant, Manchester, J. Mathews, drysalter, Liverpool, R. M. Begg, linen manufacturer, Leeds, and W. Nisbett, accountant, Liverpool. Deed of inspectorship.
PALMER, ROBERT, furniture dealer, Neath. Dec. 20. Trusts J. C. Dalrymple, railway inspector, Neath, and J. Lewis, accountant, Swansea.
PARKIN, JOHN, farmer, Greashough. Dec. 12. Trust. J. Johnson, clerk, Denby, near Huddersfield.
PARKINSON, THOMAS, brick manufacturer, Clitheroe. Dec. 10. Trusts W. Hargreaves, grocer, Clitheroe, and J. Duxbury, book-keeper, Accrington.
PARRISH, THOMAS, tailor, Holbeach. Dec. 12. Trusts T. G. Leader, Holbeach, and C. Pigg, Norwich, drapers.
PARTRIDGE, CHARLES, railway guard, East Dereham. Dec. 13. Trust. R. Cock, farmer, Northwold.
PICKERING, JOHN ALEXANDER, professor of music, Weybridge. Dec. 11. 5s. on 9th Jan.
PIGOU, JOHN DUFF, clerk in the Admiralty, Gloucester-ter. Camden-hill, Kensington. Dec. 24. Trusts, I. Charlton, Geological Museum, Somerset-house, and C. J. Wicker, gentleman, Caroline-st. Bedford-sq. Deed of arrangement to pay debts in full by monthly instalments equal to 30l. per annum.
POUND, WILLIAM, wine merchant, Cooper's-row. Jan. 9. Trusts H. J. V. Long, and F. Brown, wine brokers, Mark-la. 4s. 6d. by three equal instalments at 1, 3 and 6 mos.
RENDELL, ROBERT, warehouseman, Watling-st. Dec. 20. 2s.
RILEY, WILLIAM HENRY, rope dealer, Bilston. Dec. 12. Trust. B. Smith, accountant, Wolverhampton.
SALMON, THOMAS HENRY, manufacturing chemist, Birmingham. Dec. 13. Trust. J. H. Grierson, accountant, Birmingham.
SELDEN, JAMES, ironmonger, Hammersmith. Dec. 31. 5s. on 1st May, 1st Aug., 1st Nov. and 1st Feb.
SHAW, EDWARD, grocer, Hyde. Dec. 12. Trust J. Brooks, gentleman, Ashton-under-Lyne. 6s. on 5th Feb.
SHRUBSOLE, STEPHEN, contractor, Canterbury and Kingston-on-Thames. Dec. 10. Trusts, H. Looker, Kingston-on-Thames, and H. Kynoch, Hounslow, brick manufacturers.
SMITH, JAMES, shopkeeper, Morley. Dec. 21. Trusts, S. Hirst, flour dealer, Morley, and E. Froman, wine and spirit merchant, Huddersfield.
STANLEY, JOHN MARTIN, and STANLEY, JABEZ, ironfounders, Sheffield. Dec. 10. Trusts, R. Liddell, bank manager, Sheffield, G. Ward, jun., merchant, Manchester, and W. Law, tobacco manufacturer, Sheffield.
STEVENS, THOMAS ROBERTS, builder, Liverpool-st. Walworth. Dec. 19. 2s.—2s. on 10th Jan. and 2s. on 10th April.
THOMPSON, CHARLES, cottonspinner, Manchester and Stockport. Dec. 27. Trust. W. Holland, cottonspinner, Stockport. 12s. 6d. in 1 mo.
TRIGGS, JAMES, boot and shoe maker, Deptford. Dec. 9. 3s. in 7 days.
TURNER, GEORGE, tailor, Portsea. Dec. 30. Trust. J. Wainscot, accountant, Portsea.
WILLIAMS, WILLIAM JAMES, tailor, Queen-sq. Westminster. Jan. 4. 4s. in 1 mo.

Gazette, Jan. 13.

BAKER, GEORGE, grocer, Grange-rd. Kentish-town. Jan. 2. Trust G. W. Greenwood, solicitor, Chancery-la. 4s. on execution of deed, and 3s. on 2nd May.
BEETON, WILLIAM, painter, Hollesley. Dec. 24. Trust. A. C. Ridley, wholesale druggist, Ipswich.
BENNETT, WILLIAM SCOTT, ironmonger, Sheffield. Dec. 12. Trusts. G. Wright, and G. Hattersley, stove grate manufacturers, Rotherham.
BOWLES, JOHN, grocer, Cambridge. Dec. 13. Trusts H. Stanger, drysalter, West-st. Finsbury-circus, and F. P. Keysell, provision merchant, Philpot-la.
BRAY, JAMES; WADDINGTON, JOHN; and WADDINGTON, THOMAS, makers of rolling stock, Leeds. Dec. 17. Trust. W. Turquand, public accountant of Leeds Banking Company, Tokenhouse-yard. 20s. with interest at 5 per cent., by three instalments of 6s. 8d. at 6, 12 and 18 mos.
BROMHEAD, RICHARD, jun., miller, Leicester. Dec. 17. 6s. by three equal instalments on execution of deed, and at 3 and 6 mos.—secured.
BURSCOUGH, WILLIAM, cotton manufacturer, Church. Dec. 20. Trust. R. Horwood, cotton manufacturer, Bolton. 9s. by instalments—1s. on execution of deed, 2s. on 10th Jan., 1s. on 10th Feb. and 1s. on 10th March—secured.
CLARKE, ROBERT JOSEPH, accountant, Old Jewry-chambers, Old Jewry. Jan. 5. 5s. by two instalments of 2s. 6d. on 4th Feb. and 4th May.
COLE, JOHN COLE, merchant, Lawrence Pountney-pl. Dec. 16. Inspector, R. Bradford, insurance broker, Royal Exchange-buildings. Deed of inspectorship.
CROSLAND, ENOCH, broker, Nottingham. Jan. 5. 2s.
CROSSLEY, THOMAS, stone merchant, Halifax. Dec. 29. Trust K. Aspinal, stone merchant, Brighouse.
DAWSON, EDWARD, linendraper, Gloucester. Dec. 21. Trusts G. P. Thirkell, merchant, Wood-st. and C. Thompson, St. Paul's-churchyard. 12s. by six instalments on 24th Dec., 15th Jan., 15th March, 15th June, 15th Sept. and 15th Dec.—secured.
DOUGLAS, WILLIAM HUTCHINSON, coal merchant, Upper East Smithfield. Jan. 10. 10s. by four equal instalments of 2s. 6d. at 3, 6, 9 and 12 mos.—secured.
EDGLEY, THOMAS, and WATTS, EDWARD HENRY, woollen merchants, Bermon-la. London, also Leeds. Dec. 19. Inspectors, C. Butler, gentleman, Connaught-pl. and A. Young, accountant, Tokenhouse-yard. Deed of inspectorship.
EDWARDS, JOHN, stationer, Sussex-terrace, Westbourne grove, Bayswater. Dec. 14. Deed of arrangement to pay 20s. by three instalments of 6s. 8d.
ELLIOTT, GEORGE, flour dealer, Newcastle. Dec. 14. Trust. E. Culley, corn merchant, Newcastle.
FIELD, THOMAS, wine agent, Crown-ct. Threadneedle-st. Jan. 4. 2s. by two equal instalments at 9 and 12 mos.
FRY, JOSEPH ROBERT WILLIS, grocer and oilman, Lupus-st. Pimlico. Jan. 11. 5s. by two instalments of 2s. 6d. on the 30th March and 30th June.
GALLOWAY, JOHN SPENCER, solicitor, Hull. Dec. 10. Trusts C. Wells, Hull, and H. Ferraby, insurance agent, Hull. Sol. Reed, Hull.
GARRINGTON, JOSEPH, beer retailer, Wolverhampton. Dec. 22. Trust. W. Mortiboy, maltster, Wolverhampton.
GEDDES, GEORGE TOD, government clerk, Charlotte-st. Portland-pl. Dec. 15. 19s. 11d.—100l. per year by quarterly payments on 1st Jan., 1st April, 1st July and 1st Oct.
HAMER, SAMUEL, and PARKINSON, JOHN, cotton manufacturers, Ramsbottom. Dec. 19. Trusts B. Wolstenholme, cottonspinner, Ramsbottom, and J. Buckley, yarn agent, Manchester. 10s. by four instalments of 2s. 6d. at 24 days, and 3, 6 and 9 mos.
HASLAM, WILLIAM, publisher of music, Dalston. Jan. 10. 1s. 6d. on 10th July.
HAYMAN, JOSEPH HENRY, draper, Exmouth. Dec. 16. Trusts G. R. Greatorex, Aldermanbury, and J. L. Hughes, Bow-churchyard, warehousemen.
HEALEY, BENJAMIN, merchant, Great St. Helen's. Dec. 12. Inspector, C. Hall, metal broker, Newman's-ct. Cornhill.
HIDE, THOMAS, draper, Quarry Bank. Dec. 31. Trust. D. Clark, schoolmaster, Brierley-hill.
JACKSON, HENRY, innkeeper, Stockton. Jan. 4. Trusts W. Graham and F. Robinson, wine and spirit merchants, both Stockton.
JENKIN, WILLIAM, builder, Plymouth. Dec. 14. Trusts, T. W. Lyne, J. Hayley, and G. E. Fox, gentlemen, Plymouth.
JOHNSON, DANIEL, grocer, Aston-new-town, near Birmingham. Dec. 17. Trusts W. Fairbairn, baker, Lozell's-la. near Birmingham, and W. H. Day, grocer, Birmingham.
JOHNSTONE, JOHN, tea dealer, Leicester. Dec. 15. Trust. J. Green, wholesale grocer, Leicester.
LEEMING, WILLIAM, and WOOD, EDWARDS, manufacturers, Blackburn. Jan. 3. Trusts, R. A. Lightoller, and G. H. Lightoller, cottonspinners, Chorley.
MAKEPEACE, HENRY WILLIAM, draper, Thornhill-crescent, Hemingford-rd. Islington. Jan. 3. 1s. within 1 mo.
PARRY, THOMAS PRICE, and PARRY, JOHN DAVID, grocers, Church-st. Bethnal-green. Dec. 14. Trust. H. G. Rushbury, gentleman, Queen's-ter. Bayswater. By four equal instalments on 21st Dec., 21st March, 21st June and 21st Sept.—secured.
PEARSON, JOHN, draper, Warrington. Jan. 11. Trusts W. B. Cooper, and G. E. Pierson, merchants, Manchester.
PHILLIPS, MAXIMILIAN, wine and spirit merchant, Harp-lane, and Villiers-st. Strand. Dec. 14. Trust. R. Davison, commission agent, Oakfield-rd. Hackney-downs. 7s. 6d. in three instalments of 2s. 6d. in 7 days and 3 and 6 mos.
PORTER, ALFRED JOHN, and GRAY, JAMES, tailors, Newcastle. Dec. 20. Trusts J. Storm, warehouseman, Manchester, and D. Dunkin, ironmonger, Newcastle.
POWELL, RICHARD, farmer, Condover. Nov. 28. 1s. 9d.
RAMSDEN, SAMUEL, worstedspinner, Halifax. Dec. 17. Trusts J. Mason, spindlemaker, Ovenden, J. Scott, grocer, Northowram, and P. Taylor, accountant, Stanningley. Deed of arrangement to pay in full debts by three instalments of 6s. 8d. on 17th March, 17th June and 17th Sept.—secured.
RANSON, WILLIAM, pork butcher, Ipswich. Jan. 4. Trust G. M. Sexton, auctioneer, Wherstead.
RENSHAW, JAMES, shopkeeper, Woolford, near Bury. Dec. 27. Trust. D. Smith, corn merchant, Bury.
ROXBURGH, ROBERT, and THOMPSON, WILLIAM, insurance brokers, Austin-friars. Jan. 5. Inspectors, C. Leathley, and D. Mackenzie, underwriters, both Lloyd's Coffee-house. Deed of inspectorship.
SEAGRANT, JOHN WILLIAM JENKINS, general factor, Bristol. Dec. 12. 4s. within 30 days.
SMITH, JOHN HARRISON, and GREGORY, FREDERIC, ship brokers, Gracechurch-st. Dec. 14. Trusts W. Fickus, gentleman, Birchin-la. and G. F. Miller, insurance broker, Cornhill.
SOWDEN, HENRY, auctioneer, Moorgate-st. and Old Kent-rd. Dec. 14. 2s. by equal instalments at 6 and 12 mos.
STAFFORD, WILLIAM, draper, Darlington. Dec. 20. Trusts, F. Stafford, coal agent, Blyth, J. E. Pawson, and G. F. Thirkell, warehousemen, city London.
STROYAN, JAMES, draper, Birmingham. Dec. 17. Trusts, A. Mason, Dudley, and M. G. Allan, Birmingham, merchants.
SWAIN, SYDNEY, tailor, Kingston-upon-Hull. Dec. 22. Trust. H. Shaw, cloth merchant, Huddersfield.
TENNANT, JOHN, commission agent, Watling-st. Dec. 13. 1s. 6d. on 13th Feb.
WAITE, AMELIA, widow, Bath. Dec. 20. Trusts T. H. Clements, wholesale tobacconist, and F. T. Strong, boot manufacturer, both Bristol.
WATKINS, THOMAS, cab proprietor, Southsea. Jan. 3. Trust. E. E. White, cab proprietor, Landport.
WILKINSON, JOHN, grocer, Wigan. Dec. 20. Trust. W. Altham, grocer, Wigan.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BEAUMONT.—On the 12th inst., at Great Coggeshall, Essex, the wife of Joseph Beaumont, Esq., solicitor, of 3, Old Jewry, London, of a daughter.
BLACKBURN.—On the 8th inst., at Leeds, the wife of Vernon Blackburn, barrister, of a son.
JOHNSON.—On the 12th inst., the wife of Samuel G. Johnson, solicitor, and town clerk of Faversham, of a son.

MARRIAGE.

CROFT—MARSH.—On the 16th inst., at Weyhill Church, Hants, Herbert George Denman Croft, Esq., only son of Sir Archer Denman Croft, to Georgina Eliza Lucy, eldest daughter of Matthew Henry Marsh, Esq., M.P., of Ramridge-house, Hants.

DEATHS.

BEGBIE.—On the 10th inst., at Bernard-street, Russell-square, in 2?th year of his age, C. N. Weiman Begbie, of the Middle Temple, barrister-at-law, third son of Dr. Begbie, Edinburgh.
COOPER.—On the 13th inst., at 12, Hilldrop-crescent, Camden-road, Clara, the wife of James Cooper, Esq., of Hilldrop-crescent, and Gray's-inn, barrister-at-law.
CROFT.—On the 10th inst., at 1, Sussex-place, Hyde-park, aged 6?, suddenly, Sir Archer Denman Croft, Bart.
FLUKER.—On the 12th inst., at Sandgate, Berwick-upon-Tweed, aged 21, Robert Fluker, solicitor.
GEACH.—On the 2nd inst., at Guildford, after a very short illness, Watson, youngest son of Robt. Edgar Geach, 42, Bedford-row, solicitor.
KENT.—On the 13th inst., at Shortheath, Kidderminster, aged ??, Arthur Kent, Esq., solicitor, of that town.
NICHOLSON.—On the 7th inst., suddenly, at his residence, Manor-house, Great Berkhamstead, aged 34, Henry William Nicholson, Esq., barrister-at-law.

To Readers and Correspondents.

D. H. DAVIES.—Our correspondent will, we are sure, see that we cannot constitute the LAW TIMES a court of appeal from the decisions of the courts.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

CHARGES FOR ADVERTISEMENTS.

For lines or *thirty words* ..... 3s. 6d.
Every additional *ten words* ..... 0s. 6d.

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Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Postal orders payable to Mr. HORACE COX, *at the Chief Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be mailed to the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach us by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES *Reports will be forwarded by post to any person inclosing 2s. 6d. in postage stamps.*

THE death of the late Publisher of the LAW TIMES, Mr. J. CROCKFORD, making it necessary to clear the books, Subscribers and Advertisers will much oblige by transmitting the amount of their Christmas accounts at their earliest convenience. Cheques and Post-office orders are to be made payable to Mr. HORACE COX, the present publisher.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE Incorporated Law Society wisely declines the moral responsibility of being made an organ of the proposed hand-to-mouth finance of the Reporting Council, which is itself *in nubibus*. On the 17th Dec. the ATTORNEY-GENERAL wrote to the society expressing a hope that the society's council would further the objects of the Bar Committee's scheme. This council answered that it found the scheme comprised many matters of detail which appeared to be important to its ultimate success, and that, as a careful inquiry into the financial branch of the subject would better enable the council to take steps to promote the scheme on the part of solicitors generally, the council was desirous of giving the matter further consideration. It gave a fortnight's consideration, and on the 7th of this month came to the conclusion that it did not think it necessary or desirable to communicate with the members of the Incorporated Law Society, or solicitors generally, on the subject. The society's council left any such communication to be made by the intended reporting council, that is, when it shall come into existence. The Queen's Counsel and others, who complain in pamphlets and *ore rotundo* on the platform, that they are no less than 30*l.* a-year out of pocket for law reports, "exclusive of binding"—an expense from which our subscribers are exempt without being substantially worse off for certain unwritten law—are pressing their fellow-benchers hard in the different Inns of Court, and even their friends in Chancery-lane, to get up the protective system, which is to entail three times the expense of any periodical series, but to be cheaper than all the reports in an aggregate. So the existing reports, in the aggregate, are to be put down with one swoop, and a monopoly to be substituted under a Bar Government tariff. This is as about as great an abuse of the powers possessed by the Inns of Court as can well be conceived. Their powers were given for the education and discipline of the Bar, and only for such education and discipline.

The Benchers of Lincoln's-inn, it is stated, have expressed their willingness to concur with the other Inns in paying a secretary and the office expenses of the Reporting Council, when it comes down from the clouds. The salary and expenses are not to exceed 800*l.* a-year. The sum is not large, but the principle is. These bodies, existing as they do for a special purpose, can scarcely suppose that they will be allowed to step out of their legitimate course without question of this appropriation of their funds. As to the council, at present suspended aloft in the Aristophanic basket, it is perfectly immaterial whether ten or ten score councillors be appointed. They will do nothing. The novelty of the thing may tickle for a time. Love of power or ambition of notoriety may set men on eagerly at first. After a while old stagers will not turn away from their oats to overtime work in looking after the making of law reports. "Enough to do to to read them." Witness the state of otiose collapse into which the Inns themselves had fallen a dozen years ago, until the public reproach of eating the way to the bar stung the masters into activity, and the apparition of a commission of inquiry into their privileges and funds pushed them from their stools at the well-laden bench table. After a while the working of this reporting scheme, if it happens now to come to anything, will fall back to the editors and reporters—in fact, into the same hands as at present. The only difference, could it be imagined possible, would be that a superadded monopoly would throw reporting into the state in which it was forty years ago.

ALTHOUGH the day for the reassembling of Parliament so rapidly approaches, nothing has leaked out of contemplated measures. From the LORD CHANCELLOR'S letter to Mr. PAGET, it may be inferred that he is not prepared with any new scheme of bankruptcy reform. The rumoured proposal for assimilating England to France by the substitution of a Prefecture, appointed and swayed by the Government, for an independent, because unpaid, magistracy, is, we believe, only a *canard*. A Reform Bill is quite as improbable, seeing that Lord PALMERSTON and Mr. GLADSTONE hold upon this question principles diametrically opposed. The notion of taking the railways into the hands of the State has been abandoned, if, indeed, it was ever seriously entertained. But, in truth, no measure of the slightest importance can have the remotest chance of success in the last session of a dying Parliament, when party ties will certainly be loosened, and every man will be speaking and voting exclusively with an eye to the hustings. The probable course of things will be, that the necessary public business, and the unusually heavy private business, will be hurried on with all decent despatch, and that when these are concluded, somewhere about the end of June, or in July, Parliament will be dissolved, and the new Parliament summoned to meet in November, to go through the preliminary forms that will enable them to set to work on the business of the country at the usual session in February. To defer the dissolution beyond July would be to spoil the vacation, to which all would be averse. To put it off until next year would be to waste the entire Session. Now that the inevitable end draws near, the more the death struggle is shortened the better it will be for all concerned.

THE Inns of Court Hotel Company has issued its proposition for raising the required capital by a very convenient form of debentures, instead of a mortgage in one sum. This magnificent property is freehold; the *uncovered* site has been valued by Messrs. NORTON, HOGGART and TRIST at 40,500*l.* The buildings upon it, now far advanced towards completion, will cost 75,000*l.*, so that the freehold security will be worth 120,000*l.* The furniture will be worth 20,000*l.* at least.

This property will be assigned to trustees for the debenture holders as their security for their principal, and the usual powers of distress will give them a further security of 20,000*l.* for their interest.

Upon this security, the amplitude of which is unquestionable, debentures will be issued for sums of 50*l.* and 100*l.*, so as to suit the convenience of persons desirous of profitably investing any sum they please. The loan will be for seven years, and bear interest at 6 per cent. To each debenture will be attached coupons for the interest for each half-year through the term, fourteen in all. These coupons will be payable to bearer, so that they may be used as bank-notes, and will be marketable at any time. The amount of a debenture may be paid by the subscriber either in one sum or by four equal quarterly instalments, at his option. The borrowing powers of the company being limited to 80,000*l.* they will not exceed that sum.

There are so many persons in the country desirous of investing small sums on unquestioned security at a good rate of interest, that the board hopes to obtain it through the medium of the solicitors, without going to the general public, and they have therefore resolved to allow to the solicitors the usual commission of 2½ per cent. on all debentures subscribed through them.

The Holborn block of the hotel is to be finished in the course of the summer, and will open for business in the autumn.

Advertisements for loans on debentures are frequent, but this is, we believe, the only one that offers a freehold security.

WE are serious in proposing, as the most effective reform that could be made in the Bankruptcy Law, the doing entirely that of which the LORD CHANCELLOR so much complains now that it is done but partially; namely, to give the entire getting in of bankrupts' estates to the solicitors. It is quite true that, as the LORD CHANCELLOR asserts, the assets are eaten up by the charges of accountants and solicitors. But we contend that these are unavoidable evils. It is simply impossible to collect and wind-up an estate by any personal labour a creditor could or would give to it. Some person must be employed and paid to do the work. If an accountant is retained for the purpose, there is a great deal of legal difficulty, often much dispute about debts and claims, and property which cannot be determined without calling in a solicitor, and so it comes that the estate is burdened with double charges for collection.

It is a wise practice to accept an evil we cannot avoid, and see if we cannot utilise it, or at least if we may not mitigate it by management. So we would do in this case. The solicitor is a necessary evil in the winding-up of all bankrupt estates. Do what you will you cannot dispense with him. Then we say, as you cannot do without him, turn him to the best account. Discharge the accountant and keep the lawyer. Substitute the solicitor for the official assignee; confide to him the winding-up of the estate, paying him by a commission upon the assets. There would then be at least a fixed instead of an indefinite charge, and the pay would be proportioned to the work.

The public would certainly be great gainers by our suggestion. The only question is, whether it would be worth the acceptance of the solicitors. Undoubtedly there are many cases in which he would be very poorly paid; but in this, as in other matters, and as it is with other men, the solicitors would probably be content to take the rough with the smooth, and set the profitable against the unprofitable bankruptcies—especially as the consideration would be the throwing into their hands of the entire business.

As all other schemes have failed, why should not this be tried? We invite to it the attention of the LORD CHANCELLOR, and should like to have the opinion of the Profession upon it.

IT is remarkable that, at the very time when there is an agitation for the abolition of Grand Juries in England, a proposal by the Government of India for their abolition in that great empire is received with unbounded hostility by the public, who wisely look upon that institution as one protection against the overwhelming power of the officials. The author of the scheme is Mr. MAINE, who has exercised his wonted ability in proving the system to be theoretically absurd. But he has not convinced the Indian public, and this measure has caused a greater agitation than any that has been mooted of late years. The correspondent of the *Times* gives the following account of it:

The Legislative Session promised, when it opened, to pass off with as little manifestation of interest in the proceedings on the part of the public as ordinarily. The public generally—I use the convenient word "public" to denote the non-official portion of the European community—knew perfectly well that except on rare occasions it cannot hope to exercise any influence upon the Government of the country, and until very lately there was not even a decent report published of what was done in the Council. Quite unexpectedly it has been aroused from this indifference, and we are in the midst of what is accounted in India a political crisis. That is, the Government seems resolved to pass a measure which is thoroughly unpopular; public meetings are about to be held against it; the Chamber of Commerce and the Landholders' Association are opposed to it, as are also very many civilians. The Bill which has stirred up this antagonism is a very harmless and inoffensive

one to all appearance—Mr. Maine's Bill for the Abolition of Grand Juries. When the outline of it was first made known it was received without a single objection, and, reflecting that feeling, I wrote you in approval of it. But a very important change was subsequently made. Originally the intention was to place non-official Europeans upon the bench in the Mofussil, and establish courts resembling the courts of quarter session at home. That part of the Bill has been left out, and the part remains which destroys grand juries. The article which the public bargained for was changed by the shopkeeper before it was sent home. It is, consequently, disappointed, and the more so because the gentleman who has apparently managed the transaction is one of the ablest and most independent, as well as one of the fairest to the non-official class who ever came to this country—Mr. Maine. I cannot exaggerate to you my impression, formed from extensive connexion with the class referred to, of the value to the Government of a man like Mr. Maine. He is not suspected of official prejudice, and he has treated merchants and others here, for the very first time, as reasonable beings. He has explained the provisions of various Bills in Council with a care and minuteness which the rest of the Council very likely consider half degrading—at any rate, they never imitate his example. The accepted theory is that the outside public is an unreasoning, unrepresented class, which it is impossible to convince, and which it is unnecessary to conciliate. Mr. Maine has hitherto taken a more statesmanlike view of that large body of his countrymen, whose productiveness to the State might conciliate any Finance Minister in the world. The enterprising men who are reclaiming waste land in all directions, and thus increasing the land revenue, which does more than any other dozen items in the national accounts to make up the prosperity of India; the merchants and cultivators who are covering the country with cotton; the clergymen, the lawyers, and the other professional men who swarm in the Presidency towns, and who have never yet been accused by the most malicious of oppressing the native—this large class has, I repeat, for the first time in India, found in Mr. Maine a member of the Viceregal Council who is desirous of treating them in a fair spirit, and making them as friendly towards the State as they are useful to it. Yet his Bill is thoroughly unpopular, and more feeling is being exhibited about it than at a distance it might be supposed its importance deserved. Grand juries are often a source of inconvenience to those who serve upon them, and Mr. Maine has argued with much pains to prove that the system is in itself a cumbrous, inefficient and unsatisfactory one. It may be so; but every man who has only lived a few months in India can perceive that there are times and conditions when the grand jury may prove of infinite service to the European settler. Remember that the classes I have referred to are utterly in the hands of officials. They have no representative institutions; they cannot speak except through the press. But I dare not trespass on your patience by recapitulating the objections which are raised to the Bill.

May we not learn something from this attachment of our Indian fellow-subjects to the Grand Jury? They give good reasons for it. Our Indian empire is practically a despotism, and therefore it is necessary to preserve as many barriers against oppression as may be possible between the Government and the subject. The grand jury may be, and probably is, useless for nine years out of ten; but in the tenth its presence may be of incalculable value. Its utility is not seen in quiet times, but let a troublous season arrive, when the rulers and the subjects are in conflict, the Grand Jury then becomes a shield against that most terrible form of oppression which takes the shape of law. Should the Government win the lower class to its side, there still remains the Grand Jury to snatch the middle or upper class victim from the persecutor. Should the Government lure the upper class to its assistance, the Common Jury will in like manner protect its own poor against the combination.

May it not be so in England? May not the time come here when we shall require the aid of juries to protect our liberties? Let America be a warning to us not to be over-confident. Four years ago, would the wildest dream have suggested as possible that utter prostration of liberty the world now witnesses with amazement? If even republican America could not keep her liberties, are our own placed beyond peril? Is the despotism of Democracy impossible at home? Already there is an agitation to bring it about—to open the door a little, with knowledge that the whole multitude will soon rush in. Ten years of the despotism of Democracy would annihilate our liberties quite as effectually as any other despotism. If Mr. GLADSTONE's principle were adopted, the entire middle and upper class of England would need the protection of a Grand Jury to stand between them and the power that will control, if not wield, the Government. Therefore let those who may be induced to hostility by the seeming inutility of the Grand Jury when liberty reigns, pause before they consent to its abolition, remembering that, when despotism prevails, whether imperial or democratic, the Grand Jury is the most efficient protection that could be devised against the abuse of power.

UNMERCIFUL revealers of things kept secret are law courts. In many instances circumstances which, at the time of their occurrence, are of as great interest to the public as the law point which afterwards arises upon them is to the Profession, first see the light in our reports. In 1861, when the success of the *Great Eastern* steamship was still in the balance, she left Liverpool on the 10th Sept. for New York. She carried 400 passengers and a considerable cargo, with about the same number as officers and crew, including engineers and others below. It was hoped, as she started, that she would still retrieve the misfortune which had befallen her off the Devonshire coast. But in a few days she came back disabled into port. It became known to the public that, when she was about 300 miles west of Cape Clear, she encountered a heavy storm in the night of Thursday the 12th, which swept away her paddle-wheels and some of her boats, and that as, with her rudder rendered useless, she lay in the trough of the sea rocking from side to side, her cabin furniture was broken up, and the luggage in the hold drenched and crushed into a mass of rubbish. But the real amount of the danger, which in fact became so great that it was a providential thing that she was ever seen again, was not allowed to transpire. What happened was this. When the force of the sea against her great bulk in one direction, and its strain in the opposite direction against her rudder had twisted the rudder pillar in two, like a piece of stick, so that part remained attached to the steering gear, while the blade swung idle in the water, the officers of the ship made repeated attempts, between Friday morning and Saturday afternoon, to get control of the ship's motions. These attempts all proved fruitless. A further attempt made by the chief engineer, and commenced by unscrewing a nut which contributed to support the weight of the lower part of the rudder, threatened to make the case hopeless. It was denounced to Captain WALKER by one of the passengers, and was ordered to be discontinued. Then the captain lost all confidence in the chief engineer, and, for aught that appeared, the vessel must be left to her fate. But this passenger, Mr. HAMILTON E. TOWLE, was himself an engineer of considerable experience. Immediately after the mishap occurred, he revolved in his own mind the plan of a remedy, drew a sketch of it, and showed it to the chief engineer, but was repelled with rudeness. Captain WALKER, however, having exhausted his own expedients and those of his officers, and being alarmed for the ship's safety, decided that Mr. TOWLE should try his plan, and placed men and materials at his disposal for the purpose. At five o'clock on Saturday afternoon Mr. TOWLE set to work, screwed up the nut with great labour, and, principally by means of an immense chain of sixty pounds to the link (brought from the forward part of the ship), which was let down into the steerage deck through a hole cut in the upper deck, and was wound round the cone of the lower part of the rudder, with its ends fastened to posts in the steerage deck, Mr. TOWLE, after working all Saturday night, at five o'clock on Sunday afternoon enabled the ship to be brought up to the sea and put on her course. The legal question was Mr. TOWLE's right to salvage for this service. It was decided in the United States Admiralty District Court, by Judge SHIPMAN: (*Towle* v. *The Great Eastern*, 11 L. T. Rep. N. S. 516.)

The difficulty in the case arose from the incident that Mr. TOWLE was a passenger in the ship, the subject of the salvage. Had Mr. TOWLE fallen in with the ship thus disabled and in the power of the sea, and gone from his own ship and rendered these services, there would have been no question of his right as a salvor. The authorities, the Judge said, were abundant and decisive on that point. But in the case of the *Branston*, 2 Hagg. 3, where the claimant, a lieutenant in the Navy, being a passenger on board the brig in distress, contributed assistance, the Court held, that where there was a common danger, it was the duty of every one on board to give all the services he could, and more particularly of one whose ordinary pursuits enabled him to render most effectual service. A passenger might, if he could, leave the vessel. The *Vrede*, 1 Lush. 322, was decided on the same principle. After a collision, the claimants, emigrant passengers, manned the pumps until the vessel was towed into Ramsgate Harbour. Dr. LUSHINGTON was of opinion that there being, under the circumstances of the case, no danger, and the claimants not choosing to leave the ship, as they might, by means of a tug and pilot cutter which were present, but remaining to work, were not entitled. As to the stronger of these two cases, the *Branston*, Judge SHIPMAN concluded that the service rendered by the lieutenant was of the ordinary character, and consisted in assisting in working the brig in those ordinary ways well known to seamen. But the present question, whether there were not extraordinary services which a passenger might render, that extended beyond the line of his duty, and might entitle him to salvage compensation, was not decided in the negative by the *Branston* or the *Vrede*. The authorities showed that officers and men, pilot and passengers, might all become salvors when they performed services to the ship in distress beyond the line of their duty. "I think," said the Judge, "it follows from the principles laid down by the authorities, first, that a passenger on board a ship can render salvage service to that ship when in distress at sea; secondly, that, in order to do this, he need not be first personally disconnected from the ship; but, thirdly, that these services, in order to constitute him a salvor, must be of an extraordinary character and beyond the line of his duty, and not mere ordinary services, such as pumping and aiding in working the ship by usual and well-known means." Accordingly the Judge decided in favour of Mr. TOWLE's claim, and, putting the value of the *Great Eastern* at five hundred thousand dollars, awarded to him fifteen thousand.

THE Court of Common Council having, in the latter part of the past week, voted medals to its present members on account of a certain visit to the City made when others were members of the Court, grew virtuous half-an-hour afterwards about the parliamentary fees of the Recorder and Common Serjeant. These officers, at least, have not been feed on the retainers given to their predecessors. A resolution was passed by the Court on the 19th that it be referred to the law, parliamentary and city courts committee to prepare a return of the several occasions, during their respective appointments, on which the Recorder and Common Serjeant have been respectively engaged as counsel on behalf of the corporation, either before parliamentary committees or otherwise, setting forth the particulars of the cases and the sums received or to be received by them in reference thereto; and that the committee be authorised to apply for similar returns from the Honourable the Irish Society and the Commissioners of Sewers, and report thereon to the court. Such a resolution raises out of doors a suspicion of the existence of some great abuse, or of very small consideration for the dignity of the Recorder and Common Serjeant. Whichever it be, the City seems to be fouling its own nest, when officers who reflect more honour upon the Corporation than they borrow from it are placed, in respect of a honorarium, on the level of a Thames embankment contractor under the imputation of not driving his cofferdam with a speed proportional to the payments certified in his favour by Mr. BAZALGETTE. What can have happened? The most abstemious and self-denying municipal body in all corporate creation must be in a poor way if, even with the opportunity of the forty days of Lent in prospect, it cannot afford to pay for such things as reception medals and reception perfumery and knick-knacks without prying into counsel's fees, expectant as well as enjoyed, and auditing them with the particulars of the cases drawn for counsel's opinion. In the City everything has its tariff. We shall yet live to see as precise a price list for law brain-work as for coal-metage, molasses, turtle and rosewater.

The salary of the Recorder is 3000*l.* a-year; of the Common Serjeant 1500*l.*, speaking of whom, with the advantage of some knowledge of his learning and calibre, and in language fitting the

occasion, we may be allowed to say that he is cheaply done at that figure. But it is objected that, in addition, these functionaries are employed and paid by the corporation for their services in Parliament and elsewhere. It was argued by the mover of the resolution that there was no necessity to employ them as counsel in Parliament; on the other hand, if the corporation could get the best legal advice at home, there was no occasion for them to go abroad in search of it: still, he "wished it to be understood that they were completely independent of their officers in the matter of employing them in Parliament." If the establishment of this independence was the gist of the unexampled resolution passed by the Common Council, there must surely have been, although within the sound of Bow bells, some more delicate and less unmannerly way of accomplishing the object. The resolution was actually passed in the enforced presence of the Common Serjeant, who, *prosh pudor!* was brought down on his moral knees to plead for his honoraria the extenuating circumstances of the last three sessions being "exceptional ones entirely as regards parliamentary business."

It was appended to the resolution, that the nature of the duties and the terms of the appointment of the two officers in question should be added to the return. More smoke than anything else will in all likelihood be the end of the business.

A GRENADE was thrown into the House of Lords, sitting in appeal, by Sir EDWARD SUGDEN, when he issued his remarks on the law of real property as there administered. The latest novelty in the administration of the law of real property is, that on a statement in writing, certified by the registrar at the Office of Land Registry, of the circumstances of an applicant's case, the LORD CHANCELLOR, or the MASTER of the ROLLS, will determine whether the applicant is capable of applying, under the Transfer of Land Act, for registration with an indefeasible title. In February last, a Mr. KENNARD and others, having applied to the registrar for registration, the muniments of title were examined by the examiner, according to the Act. Requisitions were made and replies sent in, whereupon the registrar requested that the direction and decision of the MASTER of the ROLLS might be obtained as the question whether the applicants were trustees for sale capable of applying under the 4th section. A summons was taken out in August for obtaining the required direction and decision in chambers. The summons was adjourned into court, when the MASTER of the ROLLS, hearing that there was no respondent, and that a point of law had to be decided on an *ex parte* application, politely declined to deal with the matter until it had been mentioned to the LORD CHANCELLOR; who, when the matter came before him, directed such a statement as we have mentioned to be prepared by the Registrar for the opinion of the court. (*Re Kennard*, 11 L. T. Rep. N. S. 585.)

The provisions of the Act bearing on the question are in effect, (sect. 4) that application may be made for registration of title by, among others, "trustees for sale of the fee;" "any person authorised by the Court of Chancery to make such application;" (sect. 5), on application the title is to be examined by the registrar and examiners; no title is to be accepted for registration as indefeasible unless it shall appear to be such as a court of equity would hold to be a valid marketable title; (sect. 6), any question as to any matter of title that may arise "in the course of such investigation" may be referred to a judge of the Court of Chancery; (sect. 7), if the title shall appear good and marketable, the applicant shall furnish to the registrar the particulars for registration.

It is clear from these provisions that the reference to a judge in Chancery under the 6th section is not to see whether there is a right of application, but whether after application the title appears good and marketable for the purpose of registration. The 5th section brings the business as far as the acceptability of the title for registration. Next, if any question arises whether the title be acceptable for registration, then, by the 6th section, the question may be referred to a judge, and if the title appears to be acceptable (not if there appears to be a right of application), then, by the 7th section, the registration itself is to be proceeded with. The registrar has no power to shift on the Court of Chancery the responsibility of the question whether the party applying has a right of application. No doubt, a question of title may logically involve the conclusion that an applicant does not fill the required character, but if regard be had to the frame and language of the Act, that is not the meaning of the Act any more than it is the meaning of a conveyancer when he speaks of an owner in fee as having or not having a good marketable title. If the question of title is substantially a question of the right of application, the registrar, appointed with a salary of 2500*l.* out of the serjeants-at-law or barristers of at least ten years' standing, is supposed to be competent to solve it. The applicant, if dissatisfied, may go to Chancery under the Declaration of Title Act.

Another thing is also clear in the Act, namely, that the power of the Court of Chancery to authorise an application for registration is the power given by the 4th section independently altogether of the registrar, that is, the exercise of the power must rest on the court's own responsibility, by means of its own investigation of the title. Had the Act intended that the court should, on a statement prepared and certified by the registrar, authorise or, which comes to the same thing, pronounce in favour of a right of application, the Act would have said so. It has not said so, and the LORD CHANCELLOR or the MASTER of the ROLLS, exercising jurisdiction as if the Act had said so, will leave the parties or those claiming through them under the risk of having the indefeasibility of title called in question at some future time. There will be nothing then to fall back upon but the indemnity by the 21st section against any "irregularity or informality" in the proceedings previous to the entry in the record of title. Whether that indemnity will be sufficient to cover a defect of jurisdiction remains to be seen. Were the Office of Land Registry a court of record, *Re Kennard* and its consequences might have a different aspect. As it is, the registrar's statements, except where the Act declares otherwise, are no better than matters *in pais*.

AN attachment will not lie against a party to a cause for not carrying out the terms of a compromise of it by his attorney and counsel, if he has not personally consented to the terms. This has been established by cases which have occurred in the last few years, the latest of which, *Crosland* v. *Whitehead*, was decided in the Exchequer on the 21st. The *Huddersfield Chronicle* and *Examiner*, which were WHITEHEAD'S, having spoken in gross terms of Crosland, he brought an action of libel against WHITEHEAD, which was compromised on an agreement between the counsel on either side. They signed an undertaking for carrying out the agreement, and, WHITEHEAD being absent, his attorney signed on his behalf, undertaking, at the same time, to procure his signature. On the morning of trial, a verdict was taken for 40*s.*, as agreed on, and Whitehead, "on the faith that he would carry out all the terms of the compromise"—though how that faith was ascertained did not appear in the application for attachment—was allowed to return into Yorkshire. One of the terms was that he should publish an apology in his paper. This he afterwards refused to do; the other terms he accepted. A rule was now moved for, calling upon him to show cause why he should not sign the undertaking and publish it, and why, in case of refusal, he should not be attached for contempt. "How," asked the LORD CHIEF BARON, "should we be able to enforce our order for attachment? Suppose the defendant were to say he gave no authority to his attorney to sign the undertaking." The attorney, it appeared, also repudiated the undertaking. This fact was treated by the LORD CHIEF BARON as making it clear that the defendant had not personally consented to the terms. A rule was granted against the defendant, in the alternative, to show cause why he should not sign the undertaking and publish it, or why there should not be a new trial. Substantially, then, the rule was for a new trial.

A similar result was arrived at in equity in the well-remembered case of *Swinfen* v. *S.*, where the MASTER of the ROLLS fully discussed in his judgment the subject of the authority of party's legal advisers to compromise an action or suit on his behalf. He treated the matter both on principle and according to the practice of the court. The distinction in principle is between the conduct and the compromise of a cause. Over the one the attorney has authority, but not over the other. In practice the consent of the party, except in the cases of infants and married women, is assumed to have been given to the terms of a compromise sanctioned by his legal advisers, until the contrary be proved. The MASTER of the ROLLS' judgment was affirmed on appeal, and a new issue had. The cases will be found given at a very instructive length in 30 L. T. Rep. 169, and 31 L. T. Rep. 157. At common law two successive rules for attachment had been obtained against Mrs. SWINFEN and discharged (28 L. T. Rep. 233). In these three reports will be found all the learning on a subject of no small importance to the members of the Profession, with respect both to their clients and to themselves personally.

LAND AND ESTATE MARKETS.

IN addition to the estate of Pwll-y-Crochon, which we have before noticed, there is but one sale advertised, viz., a villa in Tollington-park, Hornsey-road, which Messrs. PRICKETT and SON will offer at Garraway's, on Feb. 14. These gentlemen are instructed by Messrs. CHAUNTLER and CHOUCH, of Gray's-inn-square.

INVESTMENT JOURNAL.

THERE has been no change in public securities; but there is considerable agitation in many of the private shares and stocks. The Alliance Bank has held its meeting and declared no dividend, avowedly on account of its losses by discounting bad paper. Its shares, a few weeks ago at an immense premium, have consequently fallen as low as 3; but on the report of the directors, which was decorated an honest admission of past faults, they rose to 8. The National Discount Company has paid no less than 20 per cent. Some new companies have made their appearance, and we hear of many more as in concoction. One projector has been named to us as having no less than thirteen schemes in hand in which he hopes to secure promotion money—the promotion of limited companies being now become a regular profession.

The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	243	241	...	243	...	...
3 per Cent. Red. Ann.	88⅝	88⅝	88⅝	89	89	89⅛
3 per Cent. Cons. Ann.	89⅛	89⅛	89⅛	89⅛	89⅜	89⅜
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	71⅛	...
New 3 per Cent. Ann.	88⅛	88⅛	88⅛	88⅛	89	89⅛
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	14⅛	...	...	14⅛	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	246
Consols for Acc.	89⅛	89⅛	89⅛	89⅛	...	90⅛
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	213	...	216	216	216	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	98⅛	...
India 5 per Cents. 1870	103⅛	103⅛	104⅛	104⅛	104⅛	...
India Bonds (1000*l.*)	...	...	...	15*pm*	...	...
Do. (under 1000*l.*)	...	...	...	...	—	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	102⅛	...	102⅛	...	...	...
Do. do. 5½ per c. May 1859	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*a*	...	*b*	*a*	*e*	*f*
Do. 500*l.*	...	...	*c*	*d*	...	...
Do. 100*l.* & 200*l.* 5 per c.	...	...	...	*a*	...	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	98⅛	...	...

a March 4 per cent. 4*s.* prem.
b March 4 per cent. 1*l.* 4*s.* prem.
c March 4 per cent. 1*l.* prem.
d March 4 per cent. 4*s.* prem. par.
e March 4 per cent. 4*s.* prem.; June 5½ per cent. par.
f 5 per cent. 4*s.* prem.
g Prem.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

EQUITY PRACTICE.—A petition of appeal is not receivable if signed only by one counsel, who was not engaged in the cause in the court below, the Q. C., in the court below refusing to sign it, and the junior having left the bar: (*Parkinson* v. *Hanbury*, 11 L. T. Rep. N. S. 557. L. C.)

Where a defendant absconds to avoid process and interrogatories cannot be served upon him, it is not necessary to advertise them, but the bill may be taken *pro confesso* against him: (*Anthony* v. *Cowper*, 11 L. T. Rep. N. S. 562. M. R.)

Where a defendant leaves a written copy of

his answer with the clerk of records and writs and obtains his certificate of its accuracy, but does not file a printed copy of the answer within the prescribed time, the plaintiff should move to take the bill *pro confesso*: (*Bloxam* v. *Chichester*, 11 L. T. Rep. N. S. 562. M. R.)

The principal defendant resided in Scotland, but the whole of the transactions, which related to the sale of a chattel, took place in England. The bill was filed to set aside the contract and restrain the negotiation of a bill of exchange given for the purchase-money. The principal defendant had a general agent in London, with whom the contract had been made: substituted service upon the agent was allowed: (*Jones* v. *Cargill*, 11 L. T. Rep. N. S. 566. Wood, V. C.)

COSTS.—The costs of certain affidavits going to the merits, which defendant had filed but not used on the appeal motion, and which he had given notice that he should use at the hearing, cannot be included in defendant's costs of the appeal motion: (*Camille* v. *Donato*, 11 L. T. Rep. N. S. 584. L. C.)

The rule that costs follow the event means, not the result of any act of the parties to the suit, but the decision of the court: (*Straker* v. *Ewing*, 11 L. T. Rep. N. S. 589. M. R.)

PRACTICE—REDEMPTION OF MORTGAGE.—The mortgagee of a tenant for life sought to redeem prior mortgagees in fee and to foreclose the remaindermen. After the bill was set down, but before the hearing, the tenant for life died. The bill was dismissed with costs: (*Riley* v. *Croydon*, 11 L. T. Rep. N. S. 591. Kindersley, V. C.)

DEATH BY NEGLIGENCE—DAMAGE.—To support an action for damages for death by negligence, the damages must be special, and the action cannot be supported to recover merely nominal damages: (*Boulter* v. *Webster*, 11 L. T. Rep. 598. Q. B.)

ACKNOWLEDGMENT BY MARRIED WOMAN.—A married woman, living in the United States, made an affidavit of acknowledgment before the notary public of the State in which she resided, and a certificate was produced from the Secretary of the State certifying that such notary was the person authorised to administer oaths in that State. This was held to be sufficient: (*Re Cooper*, 11 L. T. Rep. N. S. 605. C. P.)

EVIDENCE—STAMP.—Where at the trial an objection is taken to a document for want of stamp, and the judge decides that it requires a stamp, it is the duty of counsel intending to rely on this as a ground for a new trial, to object to the rejection after the judge's decision that it requires a stamp, and formally to tender it in evidence, and require a note to be taken of the tender and rejection. And where documents are put in evidence by defendant in the course of the plaintiff's case, without objection on the part of the plaintiff, they are to be taken as plaintiff's evidence received by consent, and that reception cannot afterwards be made ground for a new trial: (*Campbell* v. *Louder*, 11 L. T. Rep. N. S. 608. Ex.)

COURT OF QUEEN'S BENCH.

Re AN ATTORNEY.

Staveley Hill moved for a rule against an attorney of this court to compel him to perform an undertaking given in the course of a suit in the Divorce Court for the payment of money; but

The COURT said there was, to say the least, even if this court had summary jurisdiction in such a case, no necessity for its exercise, seeing that, beyond all doubt, the Divorce Court could exercise it; and it would much more properly be exercised there.

Rule refused.

Re AN ATTORNEY.

Archibald moved for a rule against another attorney calling upon him to pay over a sum of money, and to answer the matters set forth in an affidavit in relation to his receipt and retention thereof. He had been employed, it appeared, in a suit relative to the will of a lunatic, and had received a considerable sum of money, which he was to invest in Consols, but which, it appeared, he had not invested, and retained in his hands. *Rule nisi.*

Re AN ATTORNEY.

Archbold applied on behalf of Mr. James Drury, for a rule calling upon an attorney of this court to pay over a certain sum of money and answer the matters of an affidavit, &c. In 1820 a Mr. Drury, now deceased, made a will leaving the applicant executor and residuary legatee. In 1849 the testator was found a lunatic, and in consequence the attorney, who was then solicitor to the Alleged Lunatics' Friend Society, became possessed of the will. On his death he communicated the fact to the applicant and the will was proved, but the applicant had not been able to get a settlement of the estate from the attorney. *Rule granted.*

Re FREEMAN (an Attorney).

This was an application against an attorney, on the ground of alleged misconduct, in having, as was represented, obtained a sum of 200*l.* on a bill of exchange, from two persons (named Ricketts and Legg) for a specific purpose—the payment of a debt due from them to another person (one Fryer), and then applied it to his own use; and then having taken away deeds which were to have been held as security, and raised a second sum of 200*l.* upon them, which also it was said he had spent. There were affidavits on the part of the attorney, contradicting, or at all events, controverting some of the material allegations in the affidavits on which the application was made.

H. T. Cole appeared for the applicant; *A. J. Collins* showed cause on the part of the attorney.

The LORD CHIEF JUSTICE, after hearing the affidavits in answer, said it was impossible for the court to determine, on conflicting affidavits, questions of fact upon which it would depend whether an attorney should be struck of the rolls, and, therefore, in the ordinary course, the case must be referred to the Master to inquire and report.

COURT OF EXCHEQUER.

Thursday, Jan. 19.

WILLIAMS *v.* LLOYD.

H. F. Gibbons moved, on behalf of an attorney named Gaynes, for a rule for an attachment against the defendant Lloyd for disobedience of an order of Mr. Baron Martin, or for the amendment of the order by the erasure of the name of the plaintiff. Mr. Gaynes had originally acted as the attorney of the plaintiff, Mr. Williams, in the above action, which was brought to recover some sheep. Before the case came on for trial it was privately settled by the parties, without any allowance being made for Gaynes's costs. Gaynes thereupon obtained from Mr. Baron Martin an order for the payment of his professional claim. The order was worded in the alternative, requiring the plaintiff or defendant to pay the amount. As the plaintiff was a person without any means, Gaynes signed judgment and issued a *fi. fa.* against Mr. Lloyd for the debt. The execution was subsequently stayed by Mr. Justice Shee on Mr. Lloyd bringing the money into court. As the order was in the alternative there was some doubt whether it was valid and could be enforced against either party. The present application, therefore, was to amend the order by striking out the name of Williams, or at least for an attachment for disobedience against Lloyd. There had been a personal service of the order as well as a demand of the debt made on him.

The COURT were of opinion that the latter part of the rule asked for could not be granted, but allowed it to go for an attachment.

Rule nisi for an attachment.

BANKRUPTCY COURT.

Re FRESTON.

The bankrupt, who was a solicitor of Coleman-street, formerly a partner in the firm of Stopher, Freston and Watt, obtained an immediate order of discharge.

Sargood and *Reed* were the counsel engaged.

Saturday, Jan. 21.

(Before Mr. Registrar WINSLOW, as Commissioner.)

Re WILLIAM SLADDEN.

This was the meeting for examination and discharge. The bankrupt was an attorney, of Camden-town, and had also been in practice at Chancery-lane and at Sambrook-court, Basinghall-street. The debts and liabilities amount to 5798*l.* 13*s.* 1*d.*, and there are no assets.

Reed opposed on behalf of Mr. Morgan, a creditor; *Lawrance* supported.

It was stated that Mr. Morgan, who was a publican in Chancery-lane, being desirous to raise a sum of 1000*l.* upon mortgage of his property, was introduced to Mr. Sladden as a gentleman who was likely to obtain an advance. Protracted negotiations ensued, and at length Mr. Morgan obtained 800*l.*, the remainder having been absorbed in law charges and expenses which had been incurred before the business was undertaken. The bankrupt's bill was taxed, and reduced from 200*l.* to 150*l.*, leaving a balance in Mr. Morgan's favour for about 40*l.*, for which he proved, and now sought to bring the bankrupt within the 159th section of the Act, as having contracted his debt without any reasonable expectation of payment. The bankrupt, it was alleged, had been in embarrassed circumstances for a considerable period, and had executed three deeds of composition, two of which were contested and set aside. The court was asked to deal with this case as being one of considerable aggravation, and to suspend the order of discharge.

On behalf of the bankrupt it was urged by *Lawrance* that the opposition had no foundation. The delay in bringing the business to a conclusion had arisen from circumstances over which the bankrupt had no control, as the title to the property was imperfect. He submitted that it would be straining the Act of Parliament to say that the bankrupt had contracted Mr. Morgan's debt without reasonable expectation of payment, merely because it turned out that upon the balance of account he was Mr. Morgan's debtor for 40*l.* The bankrupt had, moreover, paid Mr. Morgan money to a separate account in order that it might remain intact, which was of itself evidence that he intended to hold it sacred. He (*Lawrance*) asked for an immediate order of discharge.

His HONOUR, however, held that, looking at all the facts of the case, he ought to suspend the order of discharge for six months, and so ordered, but allowed protection.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BOUTLAND (Wm.), Bill-quay, Durham, shipbuilder, Feb. 25, V.C. S. H. C. Toombs, 12, Lincoln's-inn fields.

CURTIS (William), Chatteris, Isle of Ely, gentleman, Feb. 21, V.C. K.

HODGSON (Mary), Wry Tree, Hartwhistle, Northumberland, widow, Feb. 14, M. R. Pilgrim and Phillips, Church-court, Lothbury, for J. Kemp, Bath.

HOSIER (Elizabeth), Trowbridge, Wilts, widow, Feb. 17, M. R. Pilgrim and Phillips, Church-court, Lothbury, for J. Kemp, Bath.

JONES (Thomas), 19, Lloyd-square, Pentonville, Middlesex, gentleman, Feb. 13, M. R. Davidson, Carr and Barnister, Weavers'-hall, 22, Basinghall-street, London.

MEREDITH (John), Kington, Herefordshire, ironmonger, Feb. 28, M. R. Tatham and Procter, 36, Lincoln's-inn-fields, for Banks and Son, Kington.

RHODES (Harrison), 53, Marylebone, Middlesex, Feb. 18, V.C. W. H. F. Vallance, 12, Tokenhouse-yard, London.

SEWALLIS EARL FERRERS (Hon. Washington), Stanton Harold, Leicestershire, Feb. 20, M. R. H. Harris, 24, Moorgate-street, London.

THOMPSON (Leonard), Hesse-mill, Yorkshire, miller, Feb. 20, V.C. Stuart. Clarke, Woodcock and Ryland, 14, Lincoln's-inn-fields, for T. Anderton, Chorley, Lancashire.

WILLIAMS (W. F.), 316, Euston-road, Middlesex, statuary and mason, Feb. 18, M. R. Walker and Twyford, 5, Southampton-street, Bloomsbury.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ATKINSON (Wm.), Moor-end-house, Shipley, Bradford, Yorkshire, farmer, March 25. Hailstone and Munford, 73 Manchester-road, Bradford.

BEIK (Ann), Scholes, near Wentworth, Yorkshire, widow, March 31. W. and B. Wake, Castle-court, Sheffield.

BRENNER (D. J.), 23, Henrietta-street, Cavendish-square, London, surgeon-dentist, April 20. C. R. Berkeley, 4, South-square, Gray's-inn, London.

BROOKE (Wm.), Quay-street, and 5, Camden-terrace, Clifton, Bristol, wine merchant, Feb. 28. C. A. Peters, 6, Corn-street, Bristol.

CHAPMAN (Daniel), Little Matlock, Ecclesfield, Yorkshire, forger, Feb. 28. Parker and Son, 10, George-street, Sheffield.

CLARKE (Jeremiah), 1, Harleyford-terrace, Bridge-road, Camberwell, Feb. 23. H. D. Draper, Vincent-square, Westminster.

COLLARD (William), 1, Radnor-street, King's-road, Chelsea, Middlesex, gentleman, Feb. 10. E. Newman, 3, Budge-lane, Cannon-street, London.

COATES (Marianne), 2, Phillimore-terrace, Kensington, Middlesex, spinster, Feb. 23. Summerlin and Bruce, 3, John-street, Adelphi, London.

CRAVEN (Charles John), 24, Sussex-square, Brighton, Esq., March 1. Tathams, Curling and Walls, 3, Frederick's-place, Old Jewry.

CUTLER (G. H.), Upton-lodge, Brixham, Devon, Esq., March 6. Simpson and Dimond, 10, Henrietta-street, Cavendish-square, London.

DODD (George), 9, Grosvenor-place, Hyde-park, Middlesex, Esq., March 28. Burgoynes, Milnes and Burgoynes, 160, Oxford-street, London.

ELLIS (J. S.), Butler-street, Oldham-road, Manchester, gentleman, March 1. Bowley and Son, 2, Clarence-buildings, Booth-street, Manchester.

EYLES (A. G.), 1, Calverley-terrace, Tunbridge Wells, Kent, spinster. J. L. Wynne, 63, Lincoln's-inn-fields, London.

FELLOWS (Mary), Risley, Derbyshire, widow, April 1. Janson, Cobb and Pearson, 4, Basinghall-street, London.

FRITH (Wm.), 18, Medina-villas, Dalston, Middlesex, and 24, Lawrence Pountney-lane, London, gentleman, March 1. Houghton and Wragg, 13A, St. Helen's-place, London.

GRANGER (Jane), Bocking, Essex, spinster, March 1. T. Clark, 3, Dean's-court, St. Paul's-churchyard.

GREENWOOD (Elizabeth), Springfield, Essex, widow, April 8. J. A. Copland, Institute, Chelmsford.

HENLY (Robt.), Shrub-hill house, Box, Wilts, Esq., March 1. J. C. Maynard, 3, Albion-place, Blackfriars-bridge.

HILL (George), Attercliffe, Sheffield, gentleman, March 6. Parker and Son, 10, George-street, Sheffield.

HILL (Sarah), Attercliffe, Sheffield, widow, March 6. Parker and Son, 10, George-street, Sheffield.

JOHNSON (F. J.), Red Cow public-house, 57, Mile-end-road, Middlesex, publican, Feb. 21. Summerlin and Bruce, 3, John-street, Adelphi, London.

JOHNSTON (Edmund), Beaulieu, Edmonton, Middlesex, Esq., March 8. Janson, Cobb and Pearson, 4, Basinghall-street, London.

KNIGHT (George), Broomfield-place, Ealing, Middlesex, gentleman, Feb. 15. Lake, Kendall and Lake, 10, Lincoln's-inn, London.

LLEWELLIN (William), Glanwern, Pontypool, civil engineer, March 5. White and Sons, 11, Bedford-row, London.

LOCKWOOD (F. R.), Great Driffield, Yorkshire, officer of Inland Revenue, April 6. Foster and Tonge, Driffield.

LOWMAN (Elizabeth), Brunswick-square, Southampton, spinster, Feb. 22. W. Hickman, 7, Albion-place, Southampton.

LUSHINGTON (C. M.), Queen-street, Mayfair, Middlesex, and Dorking, Surrey, Esq., Feb. 20. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields.

MACLEAN (Samuel), 46, Wimpole-street, Middlesex, surgeon-dentist, March 25. J. L. Syms, 7, Furnival's-inn, London.

MARRABLE (T. J.), Royal Mail Tavern, 17, Noble-street, Cheapside, London, licensed victualler, March 1. H. D. Roberts, 29, Bucklersbury, London.

MUNN (H. O.), captain in H.M.'s 12th regiment of Light Dragoons, Feb. 15. Forty, Hallet and Creery, Ashford.

NICHOLS (Wm.), Esq., No. 2, South-villas, Kensington, Middlesex, judge of the County Courts of Warwickshire, May 1. R. Beanlands, 4, Raymond's-buildings, Gray's-inn, London.

NORMAN (Owen), Stocks Farm, Chailey, Sussex, farmer, April 1. Blaker and Son, Lewes.

PARRETT (Wm.), Eversley, Hants, Esq., Feb. 11. A. T. Hewitt, 22, Nicholas-lane, Lombard-street, London.

PELHAM (Most Noble Henry), Duke of Newcastle, K. G., Clumber, Notts, April 29. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

[illegible] (Stephen), 13, Devonshire-street, Queen-square, Middlesex, Esq. W. Braikenridge and Sons, 16, Bartlett's-buildings, Holborn, London, for W. H. Newman, Southampton.
[illegible] (James), 1, York-terrace, Regent's-park, Middlesex, Esq., March 25. Booty and Butt, 1, Raymond's-buildings, Gray's-inn, London.
[illegible] (Henry), Bedford-street, Leamington Priors, Warwickshire, coachbuilder, March 25. James and Curtis, 23, Ely-place, London.
[illegible] (Charles), Sheffield, cooper, March 24. W. and R. Wake, Castle-court, Sheffield.
[illegible] (John), Bristol, gentleman, March 1. M. Britton and Sons, Albion-chambers, Bristol.
[illegible] (Geo.), 31, Ballance-street, Bath, gentleman, March 1. Little and Son, 11, Bladud-buildings, Bath.
[illegible] (George), 104, Camden-road-villas, Camden-town, Middlesex, gentleman, Feb. 25. R. Buchanan, 16, Great Knightrider-street, Doctors'-commons, London.
[illegible] (Elizabeth), Seaton Carew, Durham, widow. Tweddell and Bell, Church-street, West Hartlepool.
[illegible] (Wm.), Grundy Croft, Prigg, Cumberland, yeoman, Feb. 11. Hodgkin and McKelvie, Whitehaven.
[illegible] (John), Greenside, Dilag, Cumberland, yeoman, Feb. 11. Hodgkin and McKelvie, Whitehaven.
[illegible] (F. H.), 3, Savage-gardens, and Minno-villa, Clephane-road, Islington, Middlesex, wine merchant, Feb. 23. Walters and Gush, 36, Basinghall-street, London.
[illegible] (Thomas), 3, Carlton-grove, Queen's-road, Peckham, Surrey, gentleman, March 31. J. Rae, 9, Mincing-lane, London.
[illegible] (John), 8, Bellevue-place, Plymouth, Devon, gentleman, March 31. Hooker, Lavers, Matthews and Shelly, Frankfort-chambers, Plymouth.
[illegible] (Martin), Dinas, Denbighshire, Esq., Feb. 21. Duncan and Marton, 13, Southampton-street, Bloomsbury, London.
[illegible] (Edward), 20, Compton-terrace, Islington, Middlesex, and Etchingham, Sussex, Esq., Feb. 12. Torr, Janeway, and Tagart, 38, Bedford-row, Middlesex.
[illegible] (John), Alston, Cumberland, watchmaker, Feb. 23. J. Dickinson, Alston.
[illegible] (Mary Catherine), Standard-hill, Notts, widow, March 20. Watson and Wadsworth, Nottingham.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

[illegible] (H. H.), Tynemouth, Esq. 40l. New Three per Cents. Claimant, said H. H. Forster.
[illegible] (Jane), Lady, Connaught-place west, widow; and [illegible] (Wm. Fredk.), of Doctors'-commons, Esq. 80l. 1s. 8d. Three per Cent. Consols. Claimants, said J. Lady Freeling, and W. F. Gostling.
Lloyd (Dame E. A.), widow, and Lloyd (G. K. C.), Lieut.-Col., both of Lancing, Sussex. Dividend on 100l. Three-and-a-Quarter per Cent. Annuities. Claimant, said G. K. C. Lloyd.
[illegible] (W. S.), Ramsgate, Esq. Dividends on 4l. 6s. 6d. Long Annuities. Claimant, Rev. W. C. Plenderleath, executor.
Reid (James), Bartholomew's Hospital, surgeon. 10l. New Three per Cents. Claimant, said J. Reid.

INNS OF COURT HOTEL.—We take the following from *the Builder*:—The "Inns of Court" Hotel, the erection of which is now rapidly progressing, occupies an excellent and central site, having frontages in Holborn, Lincoln's-inn-fields, and "Whetstone-park," the former occupying the whole of the premises of that ancient hostelry known as the "Old George and Blue Boar." In length, from front to back, the main building is about 265 feet, with an average breadth of about 90 feet, except at the Holborn front, where the dimensions are curtailed to about 60 feet in width. A small thoroughfare called "Whetstone-park" divides the hotel into two blocks, the one with a frontage to Holborn occupying about two-thirds, and the other, with a frontage to Lincoln's-inn-fields, the remaining one-third of the area. A tunnel of communication on the basement story under the "Park," and a wide gallery or corridor on the first floor over the same, unite the two blocks into one edifice, and leave the intervening thoroughfare wholly unobstructed. The two principal *façades* and grand entrances to the hotel are in Holborn and Lincoln's-inn-fields, a noticeable and novel feature in the plan being the introduction of a large interior court, occupying the centre of the Holborn block, 70 feet long by 40 feet wide, with a roof of iron and glass, and faced with Bath stone, round which many of the sitting-rooms are planned, and which will, when finally completed, be laid out as a conservatory or winter garden, with ornamental water, a crystal fountain in the centre, &c. On the ground floor of the Holborn block is situate the coffee-room, 55 feet by 24 feet; numerous private dining-rooms, bar and manager's rooms; and on the upper floor a ladies' coffee-room, also 55 by 23 feet, and a reading-room adjoining, 32 feet by 23 feet. In the Lincoln's-inn-fields block, a principal coffee-room, 30 feet wide, and having a frontage into the "fields" of 70 feet, is planned, as also numerous dining and arbitration rooms of handsome dimensions. A billiard-room for three large tables (the lawyers are very fond of billiards), 68 feet by 30 feet, and a smoking-room, 40 feet by 16 feet, are included in the arrangements. The bedrooms are 160 in number, with bath rooms throughout on each floor, and each block of the building will be fitted with an ascending room, or passengers' lift, and with lifts for domestic purposes, worked by hydraulic machinery, by Sir W. Armstrong and Co., Elswick Works, Newcastle-on-Tyne. The buildings throughout are fire-proof, on Messrs. Fox and Barrett's system; and there are four principal staircases for visitors, and two secondary staircases for servants and domestics. The kitchens are in the basement story, the principal one being 40 feet by 30 feet, and 16 feet high, fitted with cooking apparatus by Messrs. Jeakes and Co. Adjoining are the servants' hall, &c., glass and china rooms, and other requisite conveniences. Large ale and porter cellars, cellars for wine in wood and bottle, heating apparatus chambers, and the bedrooms for the men and women servants, occupy the remainder of the basement. The general building stands seven stories in height, but some of the towers and ornamental portions will be carried up from the basement to a height of eight stories. The arrangements for the ventilation of the kitchens, smoking and billiard rooms, are upon a perfect principle. The flues from the larger fire-places are carried up in tubes, enclosed in hollow shafts, thus forming an air chamber round the flues, into which communication is had from the rooms mentioned. All the staircases, entrance halls, and the interior court will be warmed by hot water apparatus. With regard to the general character of the buildings, which are designed in a bold style of Italian architecture, and will depend for effect fully as much on proportion and mass as upon elaborate detail and carving, the two principal fronts are built in bath stone, with polished columns of Aberdeen granite introduced at the doorways and windows of each. The height of the Holborn front, from pavement to parapet, is eighty feet, and of the Lincoln's-inn-fields front, between the same points, ninety feet. The architects are Messrs. Lockwood and Mawson, of London and Bradford; the builders, Messrs. Hill and Keddell, of Whitechapel, and Mr. Heard is the clerk of the works. The estimated outlay of the building, including the freehold site upon which it is erected, and the furniture, is 175,000l., but the capital of the company, as originally started, was but 100,000l., in 10,000 shares of 10l. each. The primary object of the hotel, as already shadowed forth, is to afford improved accommodation to the Legal Profession, of members of which the company is stated to be very largely composed. The situation is certainly central and convenient for all the Inns of Court, and the prospect held out by the Government of a speedy removal of the law courts from Westminster to the neighbourhood of Lincoln's-inn-fields has been an additional inducement to those who have been its promoters to embark in the undertaking. By the introduction to a certain extent of the Continental hotel system, and by the establishment of a reasonable tariff of charges, which is stated to be a portion of the programme of the directors, there is a probability that they may meet the requirements of the public successfully. The hotel will be finished and opened for business, it is expected, early in the ensuing summer.

THE BENCH AND THE BAR.

COURT OF COMMON COUNCIL.

The Recorder and Common Serjeant.

Mr. Taylor moved, "That it be referred to the Law, Parliamentary and City Courts Committee to prepare a return of the several occasions during the years 1862, 1863 and 1864 on which the Recorder and Common Serjeant have been respectively engaged as counsel on behalf of this corporation, either before parliamentary committees or otherwise, setting forth the particulars of the cases, and the sums received, or to be received, by them in reference thereto; and that the committee be authorised to apply for similar returns from the honourable the Irish Society and the Commissioners of Sewers, and report thereon to this court." In submitting the motion he said he had but one feeling, namely, that the court should obtain as much information as possible touching the expenditure. He did not disparage the ability either of the Recorder or the Common Serjeant, but then the former received 3000l. a-year, and the latter 1500l. a-year, for their respective services, and they had been, in addition, employed and paid by the corporation for their services in Parliament and elsewhere. There was no necessity on the part of the court to employ them as counsel in Parliament, and certainly some rule ought to be acted upon in this matter different from that which now existed. On the other hand, if they could get the best legal advice at home, there was no occasion for them to go abroad in search of it. Still, he wished it to be understood that they were completely independent of their officers in the matter of employing them in Parliament.

Mr. Fricker seconded the motion.

Mr. Rowe supported it. He wished to know what the duties of the Recorder and Common Serjeant were defined to be at the time those gentlemen were appointed, because it was undeniable that now, in addition to their handsome salaries, they were receiving extraordinary pay for extraordinary work in Parliament.

Mr. Harris said that some time ago, when legal assistance was wanted, there was no legal gentleman to be found; the Recorder being in Italy, the Common Serjeant being in the West of England acting as a judge, the City Solicitor being in Switzerland, and the Town-clerk being somewhere spending his vacation. The only legal gentleman who then came to the aid of the corporation was the City Remembrancer.

Mr. Deputy Fry moved as an addition to the resolution that the nature of the duties and the terms of the appointment of the Recorder and Common Serjeant be added to the motion.

Mr. Pedley seconded the amendment.

Mr. H. L. Taylor replied, and said he had no objection to the amendment, as his object was information.

The Common Serjeant reminded the court that the last three years were exceptional ones entirely as regarded parliamentary business.

The amendment was adopted; so also was another amendment, moved by Mr. Saunders, which struck out from the motion the words "during the years 1862, 1863 and 1864," and substituted the following: "since their respective appointments."

With these amendments the motion was passed.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

His Royal Highness the Prince of Wales has been pleased to direct letters patent to be passed under the seal of the Duchy of Cornwall appointing the Right Hon. Edward Berkeley, Baron Portman, Lord Warden of the Stannaries in Cornwall and Devon, and Rider and Master Forester of Dartmoor, in the room and place of the Duke of Newcastle, deceased.

VACANCIES.—A mastership in the Court of Queen's Bench has become vacant by the death of Sir A. D. Croft, Bart. Court of Probate: A vacancy has occurred in the department of the clerk of the calendar, in consequence of the death of Mr. Edward Biddell, second assistant clerk, deceased. A vacancy has occurred in the Record Keeper's Department, in consequence of the resignation of Mr. Frederick Cope, assistant for Scotch and Irish grants.

FUNERAL OF JUDGE BALL.—On Thursday, the 19th inst., the remains of Judge Ball were deposited in the family vault beneath the Roman Catholic Chapel, Marlborough-street, Dublin. The funeral was attended by the chiefs of the various law courts, and a large number of members of Parliament, gentlemen, and professional men. Dr. Cullen received the remains at the gates of the church.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

ELECTION LAW—NONPAYMENT OF RATE.—A rate was signed by a minority of the overseers and by the assistant-overseer. The appointment of the latter was expressed to be "to assist the said overseers, &c., in the performance of all the duties incident to the office of overseer." B. was objected to on the ground that he had not paid this rate. It was contended for him that it was invalid, as not having been made and signed by a majority of the parish officers. It had been allowed by the justices and duly published. It was held to be a valid and subsisting rate, good upon the face of it, and in force until lawfully set aside, and that nonpayment of it was a disqualification: (*Baker v. Locke*, 11 L. T. Rep. N. S. C. P.)

HIGHWAY-RATE.—A hamlet in parish B. had been assessed, down to the year 1841, to the highway-rate of parish C. Since 1841, by arrangement with C., it had mended its own highways, and had paid no highway-rate to C., and it had never paid highway-rate to B. A rate having been made upon it by B., it was held not to be exempt, either on the ground that, for the purposes of the rate, it was a part of the parish of C., or because of its having repaired its own highways in the manner stated: (*Reg. v. Dawson*, 11 L. T. Rep. N. S. 597. Q. B.)

ELECTION LAW—BOROUGH OCCUPATION.—B. had a house of sufficient value in the borough. During a portion of the twelve months preceding July 31 he was a prisoner under sentence for a misdemeanor in a gaol not within seven miles of the borough. His house had been occupied and his business carried on by a servant. This was held not to have been a sufficient residence within the statute: (*Powell v. Guest*, 11 L. T. Rep. N. S. 599. C. P.)

BOROUGH—PAYMENT OF RATES.—B. occupied a house and garden, and also two adjoining houses. He compounded for poor-rate under the provisions of a local Act, and therefore was assessed for all the premises at about one-half their proper value. Afterwards he improved the house and garden, so as to raise their value to more than 10l., and applied to the overseers to rate him for them separately from the other houses, for the express purpose, as he told them, of enabling him to vote. Some arrears of rates were due, and for that reason the overseers would not then alter the rate. He subsequently paid more than enough to cover all the rates due for the house and garden, but not enough to cover the arrears for the whole of the premises; and the overseers appropriated the payment to the arrears, nothing being said, at the time of payment, in respect of which premises it was made. This was held to be sufficient evidence from which the revising barrister might infer that it was understood between the claimant and the collector, at the time of payment, that it was made for the rates due on the house and garden, and his claim was rightly admitted: (*Powell v. Jones*, 11 L. T. Rep. N. S. 600. C. P.)

BOROUGH—OCCUPATION BY PERSON UNDER AGE.—Although it is necessary that, at the time of registration, the claimant should be of full age, it is not requisite that he should be so during the twelve months of occupation: (*Powell v. Bradley*, 11 L. T. Rep. N. S. 602. C. P.)

BOROUGH OF POOLE.—The quarter sessions of the borough will take place on Saturday, the 28th January, before Henry Bullar, Esq., Recorder. Eight days notice of appeal is required. Clerk of the peace, G. Braxton Aldridge.

The Dorchester magistrates have decided that apples are not agricultural produce, and therefore not exempt from toll when conveyed by horse and cart through turnpike gates.

LAW STUDENTS' JOURNAL.

THE INTERMEDIATE EXAMINATION.

The Hilary Term's intermediate examination of articled clerks took place at the Hall of the Incorporated Law Society, Chancery-lane, on Thursday, the 19th inst., Mr. Hodgson, one of the Masters of the Court of Queen's Bench, being the chairman of the board of examiners on the occasion. The questions taken from Chitty on Contracts are more difficult than they have hitherto been, and certainly cannot be said to embrace the salient points of the chapters of that work, which the candidates are required to study. The questions from Williams on the Law of Real Property, as also the book-keeping questions, are, however, fairly put. We give all the questions and the answers to those on book-keeping.

Questions from Chitty on Contracts. (*a*)

1. In what manner can a liability by deed be varied or discharged?

2. When a party has made an offer to another by letter, up to what period has the former a right to retract?

3. Where several persons stipulate for the performance of an act by them, are they bound jointly or severally?

4. How far is a husband liable upon a contract entered into by his wife *dum sola*?

5. What is the meaning of a *del credere* agent?

6. In what cases will a subsequent ratification of an agent's contract be equivalent to a precedent authority?

7. What requisites must be observed in order to render an executor liable out of his own estate for a debt due from his testator?

Questions from Williams on the Law of Real Property.

1. Describe the differences and the similarities between a joint tenancy in fee and a tenancy in common in fee?

2. Describe a contingent remainder and give an instance of it?

3. Mention as near as you can the recent statute which made an alteration in the law as to the destruction of contingent remainders, and describe the change made and the effect, on the old law?

4. What acts and formalities are now required to give validity to a lease of land for a longer term than three years, and by what statute are these acts and formalities made necessary?

5. Describe a reversion and vested remainder, showing the difference between them?

6. What is now the effect of a devise of real estate to A. without words of limitation, and by what statute is that effect given to such devise?

7. What title-deeds is a purchaser entitled to receive on completion of the purchase, and what is he not entitled to receive?

Book-keeping Questions.

1. What are the names of the books required to be kept by a merchant or tradesman?

2. State the objects of the several books referred to in last question?

3. Give the appropriate heading of an account between an agent and his employer, and mention the respective sides on which the receipts and payments should be placed?

4. Describe shortly the nature and object of a balance-sheet.

5. Explain the meaning of the phrase "posting books," and give a short example of mode of doing it.

Answers to the Questions on Book-keeping.

1. They are the day-book, cash-book, bill-book and ledger.

2. The day-book contains a record of all goods bought and sold. The cash-book, of all cash received and paid. The bill-book, of all bills receivable and payable. The ledger collects together the dispersed accounts of each person from the other books.

3. The account might be headed, "Dr. sale fifty bales cotton per the *Waterloo*, from New Orleans on account of Marshall, Pearce and Co., Cr." The agent would enter all payments, charges and deductions made on account of his principal on the "Dr." or left hand side of the account, and all receipts, &c., on the right hand or "Cr." side of the same account and strike the balance.

4. The balance-sheet is a summary of the several balances (except those of the stock and profit and loss account) dispersed throughout the ledger. Independently of its other advantages the balance-sheet enables the merchant, in connection with the ledger, to ascertain his real worth.

5. Posting books consists of copying the entries, or the substance of them, from the other books into the ledger. For examples the student is referred to Chambers's or Isbister's work on book-keeping.

(*a*) These questions and the answers to those on book-keeping are furnished to us by Mr. Richard Hallilay, solicitor, author of "A Digest of the Final Examination Questions and Answers," &c.

QUESTIONS FOR THE FINAL EXAMINATION.

Hilary Term 1865—First Day.

I. Preliminary.

1. What is now your age?

2. Where, and with whom, did you serve your clerkship?

3. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.

4. Mention some of the principal law books which you have read and studied.

5. Have you attended any, and what, law lectures?

II. Common and Statute Law and Practice of the Courts.

6. What is the meaning of local and transitory actions? Give instances of each.

7. In what cases may a plaintiff avail himself of "the summary procedure on Bills of Exchange Act 1855," and state the different steps and proceedings under that Act where the holder of a bill seeks to enforce it against both acceptor and drawer.

8. Where a bill of exchange, or other negotiable instrument is lost, how can a party suing upon it prevent the defendant setting up the loss as a defence?

9. Where there is reason to believe that a judgment-debtor has debts owing to him from third parties, is there any, and what, mode by which the judgment-creditor can obtain payment from these parties?

10. Where personal service of a writ of summons cannot be effected, what steps must be taken to obtain an order for substituted service?

11. Where A. has broken into B.'s mine, and taken coal thereout, can B., besides suing in trespass for the damage, obtain protection in the same court against a recurrence of the injury? State, shortly, in what manner and at what stages of the cause this may be done.

12. If an infant be sued, in what manner can he appear to the action?

13. At what stage of a cause, will a plaintiff or defendant be entitled to the costs of briefs, and of otherwise preparing for trial?

14. Where a party is dissatisfied with the decision of one of the Superior Courts upon a rule to enter a verdict, or for a new trial, in what manner, and under what conditions can he review that decision?

15. Where a material witness in a cause is resident at Calcutta, what different modes may be adopted to obtain his evidence?

16. If a defendant, sued by two joint plaintiffs, pleads that after action brought one of them released him, is this a good defence against both? and in what manner can the plaintiffs obtain their costs in such a case?

17. Where all matters in difference, not in a cause, are referred to arbitration, the costs of the reference to abide the event, and the arbitrator finds partly in favour of each party; can either of them have the costs of the reference?

18. In what cases, and to what extent, is an innkeeper protected against losses incurred by guests in his house?

19. Explain shortly the nature and operation of a charter-party and a bill of lading.

20. Can goods belonging to a third party, be seized under a distress for rent, and under what limitations? Does the same principle extend to a seizure under a writ of *fi. fa.*?

III. Conveyancing.

21. Define a base fee, and illustrate your answer by an example?

22. Write out "the habendum" in a mortgage of a house, held on lease for a term of eighty years, and enumerate shortly the usual covenants and provisoes in such a mortgage?

23. Are estates tail liable to judgment-debts, to any, and what, extent?

24. What is the effect of a lease of two farms at an entire rent, one of which belongs to the lessor in fee, and the other is subject to his power of leasing?

25. Can a bidding at an auction be retracted under any, and what circumstances?

26. Mention in what cases the Wills Act of 1 Vict. c. 26, prevents a legacy from lapsing by the death of the devisee or legatee in the lifetime of the testator?

27. What is the effect of legacy to a husband, wife, or child, of an attesting witness to a will?

28. If A. by his will devises a farm to B., and sells it in his lifetime, but dies before the purchase is completed, who will be beneficially entitled to the proceeds of the sale?

29. What is the effect of a purchase, by a testator, of a freehold estate of inheritance, upon a devise of "all my real estate" in a will made before the estate was contracted to be purchased?

30. Under what circumstances may a bond to resign an ecclesiastical benefice be valid?

31. Can an advowson, and an ecclesiastical benefice, be charged, and how?

32. In the absence of an express bargain, can a mortgagor pay off, at any time, his mortgage debt, and can a mortgagee call in mortgage money at any time?

33. State fully in respect of what property succession duty is payable, and when?

34. If A. die intestate, leaving a father, wife, two sons, and one daughter, him surviving, how will his real and personal estate be divided?

35. Whose duty is it to prepare a mortgage, a conveyance, and a marriage settlement?

(To be continued.)

GENTLEMEN WHO PASSED THE FINAL EXAMINATION.

Hilary Term 1865.

Adcock, Edward Harry—Articled to S. Adcock; J. Clear
Addams, Richard Hartley—C. R. Lucas
Arnott, Thomas—T. Chater
Atkinson, Thomas Swainson—T. Swainson
Baker, John—F. H. Barr
Barrett, Charles John - A. Austin
Barrett, Richard Henry—C. P. Barrett
Bartram, Richard—J. D. Waters; S. C. Burton; T. Pelse
Beaumont, William Coppard—J. Beaumont; R. Beyer
Bell, Charles—N. Cobham
Bell, Theodore—J. Bell
Bennett, Norman—W. Bennett
Bilton, Alfred—J. Hooker; C. T. Room
Bird, Arthur—J. Bowker
Blackburn, Arthur Wellesley—J. Blackburn
Blewitt, Matthew John—H. Ludlow
Blood, William Bindon—C. Douglas; J. Vallance
Bowen, Arthur John - W. Burchell
Brignall, William, jun.—W. Brignall
Brocklesby, George Johson—G. M. Arnold; D. Sturdy; C. Preston
Brooks, William Robert—T. Thomson
Brown, Samuel—F. Edwards
Burton, Francis John—F. Burton
Butler, Thomas—W. Butler
Butt, Gerard Frederick—A. S. Twyford
Cartmel, George Edward Yeats—J. Thornely; R. C. Duncan
Clabburn, James William—T. Brightwell, jun.; C. E. Abbott
Clark, George Brodie—W. Ruston
Clarke, Charles Guyon—H. Vallance
Clarke, John Henry—C. S. Clarke
Cotton, Frank—H. M. Cotton
Davies, Allan Thomas, B.A.—H. Roscoe
Ditton, Ambrose Gibbons—P. Wood; C. Beaton; R. G. Chipperfield
Dolling, Robert Dundas, B.A.—J. T. Bolton
Donaldson, Alexander Leathes—W. Skilbeck
Duncan, Henry Thomas—W. E. Duncan
Dyer, Benjamin Bissill—C. Bean
Eldridge, Robey Frank—J. Eldridge; T. B. Cartwright
Ellis, Thomas Ratcliffe—J. S. Marshall
Froom, George—C. P. Froom; E. Bromley
Garbett, Edmond Johnstoun Hardwicke—J. G. James; J. D. W. Beeston; J. Walker
George, Thomas Samson—T. George
Goodard, Charles—W. W. Kearsey
Gough, Hubert—S. H. Warren
Griffith, John Lloyd, M.A.—E. Evans
Griffiths, George Alexander—W. L. Whitmore; E. Lambert
Groves, William, B.A.—R. J. L. Frere
Gudgeon, George—J. Gudgeon
Hanrott, Robert Cory—C. Cory; W. S. Calvert; F. A. Hanrott; H. A. Hanrott
Hardwick, Edmund Faunce—R. Wilton
Hilton, William Hughes—W. Sale
Hobbes, William Albert—R. H. Hobbes
Hodgson, John Sheldon—T. Smith, jun.
Hodson, William Henry—J. Nowell
Hogg, Thomas George—Hargreave and Knowles
Ince, Francis—H. Hill
Jesson, Thomas, jun.—W. Evans
Johnson, John Lubson—T. Toulmin
Jones, David Clement—Woosnam and Lloyd
Keary, William Plumer—J. C. Mee
Kelsall, Thomas Moultrie—W. Kelsall
Kirkman, William Wright—H. Taylor
Lambert, Thomas Henry—J. Galsworthy; M. Sheppard
Lane, Charles William—A. R. Hudson
Lane, John Reginald—J. Lane
Latham, Charles—W. Latham
Leech, Arthur—F. Bishop
Leeman, Joseph Johnson—G. Leeman; J. Leech
Lewis, Hugh—W. Lewis
Lewis, Rowland—J. Morgan
Lovell, William George Whittall—R. W. Aplin
Merrick, William, jun.—W. Merrick; W. Gaisford
Merriman, Josiah John - R. Peckham; J. H. Torr
Mills, James—S. E. Todd
Morris, Henry—G. Gordon
Nalder, John—F. I. Nalder
Nettleship, William Francis—T. Nettleship; S. Palmer
Noble, John Campion—A. Stephenson
Oliver, William Robert—N. Gedye
Paddon, Charles Edward, M.A.—J. F. Paddon
Parkinson, Frank—F. D. Parkinson; B. Hunter
Paynter, Francis Edward—F. Paynter; T. S. Southgate
Pleasance, William—G. S. Hall
Postlethwaite, John, jun.—J. Postlethwaite
Pugh, Richard Bailey—R. Pugh
Reader, William Oliver—D. Ward
Redgrave, John—T. Smallbone; J. R. York; J. Clarke; W. A. Crowther
Redhead, John Allen—F. Baker; E. H. Rickards
Reed, William—W. Chater
Rhodes, John—T. Swarbreck
Roberson Charles Augustus—T. Coombs
Roberts, Robert Humphreys—T. G. Edwards
Rooke, Frederick Henry—T. J. Rooke
Roose, Henry—D. Evans
Rutter, Algernon—C. Evans
Ryalls, Leonard Atkinson—J. Ryalls
Rylance, William—D. Boote
Salkeld, George—H. J. Marshall
Saunders, George Henry—W. Aplin
Scott, Stephen—C. Smith
Sheppard, John—J. Galsworthy
Smith, William—W. Lloyd; E. Williams
Snell, Frederick John—G. Josselyn
Snow, Terence Alexander—W. G. Bateson
Still, Stafford Francis—C. Meredith

Thomas, George William—C. Rice
Tisdale, John Richard—J. H. Taylor
Trimmer, Henry Walter—C. Berkeley
Trimmer, Robert—W. Hobbs
Upperton, Clement, R.A.—C. K. Freshfield
Vaughan, James—T. M. Siddall; W. Chapman
Wagstaffe, Matthew Mawe, R.A.—W. Crossman
Warwick, Horatio Seymour—W. Hunt
Whiston, William Harvey—W. Whiston, jun.
Whitborne, John—A. Carew
Wilkinson, Isaiah—M. Gray
Williamson, Surtees—F. G. Butler
Willis, Frederick, jun.—F. Willis
Wood, George, jun.—G. Wood; J. Evans
Wood, William, jun.—J. Roberts

THE NEW BANKRUPTCY LAW.

NOTES OF NEW DECISIONS.

BROKER'S AGREEMENT.—Where a bought note (in the case of a sale or purchase by brokers) coming out of the possession of the buyer only, and apparently never delivered to the seller, was accompanied by evidence that the contract of which it was evidence was partly performed by the seller, it is a valid memorandum within the meaning of the Statute of Frauds: (*Ex parte Thomas, re Thorp*, 11 L. T. Rep. N. S. 387. L.C.)

RIGHT OF CREDITOR TO SUE—DEED IN FORM IN SCHEDULE D.—This deed cannot be pleaded in bar to an action against the debtor by a creditor: (*Clarke* v. *Williams*, 11 L. T. Rep. N. S. 611. Ex. Ch.)

THE SCOTCH BANKRUPTCY LAW.—On Friday a special meeting of the Council of the Leeds Chamber of Commerce was held for an examination of the Scotch bankruptcy law. A full consideration of its provisions left a conviction that, especially as regards an effective system of realising the assets at the least expense, it is very superior to the system now in force in this country, and the council unanimously resolved to recommend to the Chamber to make an effort in the next Session of Parliament to secure its adoption in England.—*Leeds Mercury.*

COSTS IN BANKRUPTCY.—A recent local bankruptcy case exemplifies, on a small scale, the recent remarks of the Lord Chancellor. The estate realised 312*l.* 12*s.* 2*d.*, which was expended in the following manner:—For wages, rent, taxes, &c., payable in full, 117*l.* 0*s.* 2*d.*; for solicitors' bills, 110*l.* 11*s.* 7*d.*; for messengers' bills, 27*l.* 11*s.* 11*d.*; for auctioneers' bill, 20*l.* 10*s.*; for bankrupt's allowance, 10*l.*; for fees, 3*l.* 16*s.* 9*d.*; for petty expenses, 2*l.* 11*s.*; in all, 304*l.* 1*s.* 3*d.*, leaving a sum of 15*l.* 10*s.* 9*d.* available for dividend, or a dividend of 5*d.* in the pound on 629*l.* 17*s.* 9*d.*—*Sheffield Independent.*

A NEW WAY OF SATISFYING A CREDITOR'S CLAIMS.—A singular case came before the Nottingham magistrates on Wednesday, which is an example of the manner in which debtors are "fixed" by the present bankruptcy laws. A watchmaker, named Allsopp, keeping a small shop on Ilkeston-road, charged Mr. Michael Joseph, a jeweller, carrying on business at Birmingham, with obtaining from him, by false pretences, a watch of the value of 3*l.* 5*s.* It appeared that on the 11th inst. the prisoner entered Allsopp's shop and offered to buy a watch of him. Allsopp agreed, and the prisoner, representing himself as Mr. Ezekiel, of Birmingham, an invoice was made out in that name. Having got the watch into his possession the prisoner told his real name, and said he meant to keep the watch. Here comes the curious point in the case. The prosecutor then discovered that the person who had obtained the watch was one of his largest creditors. In cross-examination it came out that the prosecutor had run into Mr. Joseph's debt to a considerable amount; that he had promised payment, but instead of doing so, issued circulars to his creditors offering them 1*s.* in the pound. The magistrates decided that there was no intention to defraud, although they believed Mr. Joseph intended to obtain a preference of the other creditors. He would be discharged.—*Sheffield Independent.*

THE ALLEGED IRREGULARITIES OF BANKRUPTCY OFFICIALS.—At the Nottingham Bankruptcy Court Mr. Commissioner Sanders has delivered judgment in the case of Mr. Harris, official assignee of the Birmingham District Court of Bankruptcy, at Nottingham, who was charged by Mr. Chief Registrar Miller with having kept in hand more than 100*l.* in one bankrupt's estate, or above 1000*l.* in the aggregate of estates, as the case might be, for more than one week, whereby he had become chargeable under the 130th section of the Bankruptcy Act 1861, and rendered liable to a penalty of 20 per cent. on the sums so detained. Mr. Harris was also charged with using the money for his own private purposes. The learned commissioner gave a detailed account of Mr. Harris's quarterly returns from 1861 (when the new Act came into operation) down to 1864. He said he had closely examined the accounts, and found that there were only two instances in which the official assignee had in hand more than 1000*l.* on the aggregate of estates for above a week—one was on the 16th Aug. 1863, when there was an excess of only 1*l.* 3*s.* 10*d.*, and the other was on the 18th Sept. 1863, when he had in hand 271*l.* 14*s.* above the sum mentioned in the Act. The first-mentioned sum was too small to be taken into consideration, and the retention of the latter sum was accounted for by the absence of Mr. Harris from home during the long vacation, for during his absence no payments could be made, but after his return the sum was reduced to its proper amount. He complained that the conduct of Mr. Commissioner Ayrton and Mr. Commissioner Harding was too precipitate, inasmuch as they jumped at conclusions and made statements in their report for which they had no legal grounds. Their report dealt in generalities; it stated that sums had been retained for more than seven days, contrary to the Act; but it did not say when the offence was committed, nor upon what amount the 20 per cent. was to be charged. By the B. A. of 1861 the manner of remunerating the official assignee was entirely changed. Before that time he received fees out of which he had to defray all office expenses; but by the new Act he ceased to receive fees, and was limited to a salary free of all such expenses. No rules or orders were made under the new Act as to how the office expenses were to be paid, and Mr. Harris accordingly paid these, together with other expenses, out of money in hand received from bankrupts' estates. These payments would reduce the balance to the amounts mentioned in his cash-book. With reference to 1602*l.* 11*s.* 2*d.*, which Mr. Harding and Mr. Ayrton said the official assignee ought to return, he having received it in fees and not entered in his accounts, the commissioner said that they had not sufficient grounds for calling upon Mr. Harris to refund it. Mr. Harris might not unreasonably suppose that he was entitled to those fees, as they were from estates under the old Act. The practice in the London courts under the old Act was for the official assignee to receive four-fifths of the fees, and the other fifth was paid into court. This sum of 1803*l.* was made up of fees so obtained. The conduct of Mr. Chief Registrar Miller was indefensible. He had instituted a prosecution and then withdrawn from it in a manner by no means creditable. Having gone through all the matters connected with the charge in open court against Mr. Harris, the Commissioner was of opinion that Mr. Harris must be acquitted of fraud, or any attempt to convert the public money to his private purposes. That his books were not methodically and accurately kept must be admitted, and was a subject of great regret, but it had brought its punishment with it, and the anxiety it must have occasioned throughout so lengthened an investigation would be a safe guarantee in preventing any such irregularity for the future. No order could, therefore, be made to charge him with 20 per cent. upon any sum.

CORRESPONDENCE OF THE PROFESSION.

ARTICLED CLERK.—I should be glad if any of your readers could inform me whether my articled clerk ought to apply to the Court of Queen's Bench for leave to enter into fresh articles for one year, his original articles having expired, he having only actually served four years of the term? Or could he simply enter into articles for the desired time without any leave whatever? LEX.

MAGISTRATES' CLERKS.—Referring to the correspondence in your journal of the 14th and 21st inst. on this subject, I beg to point out what appears to be a gross irregularity which is permitted in a neighbouring borough town having a separate commission of the peace, and where county magistrates also hold periodical sessions. The borough, as well as the county magistrates have appointed as their clerk an attorney residing in the town, who carries on his business there in partnership with another attorney. This latter gentleman frequently prosecutes and defends prisoners and others before the borough as well as county magistrates. If this be not contrary to the provisions of the statute 24 & 25 Vict. c. 75, s. 5, it is a most unseemly practice, and gives rise to loud complaints among the suitors of the court, as being likely to prejudice their interests, and at the same time the practice must be embarrassing as well to the justices as to their clerk. SCRUTATOR.

Burslem, 23rd Jan.

—With reference to the letter of Mr. William E. Shirley upon this subject in the LAW TIMES of last Saturday, I would refer him and your other readers to clause 21 of my "Justices of the Peace Procedure Bill" (which will be reproduced early in the ensuing session of Parliament as revised), which, I think, provides an adequate remedy in all cases to which the present law (24 & 25 Vict. c. 75, s. 5, and 25 & 26 Vict. c. 97, s. 6) does not apply. The clause alluded to is subjoined, and I shall be glad to receive any criticism of it. GEORGE C. ORE.

Mansion-house, Jan. 24.

21. No clerk to justices (other than a clerk to the justices of any borough) already or hereafter to be appointed shall, by himself or his partner or clerk, be directly or indirectly employed, concerned, or interested in the prosecution of any offender committed for trial by any justice of the division or place (unless the examining or committing justice shall in cases where no attorney appears for the prosecution, signify his consent thereto, or direct such clerk, or his partner or clerk, to conduct such prosecution), nor shall any clerk to justices whatever, or his partner or clerk, be so employed, concerned, or interested in the defence of any such offender, or be engaged or concerned, practise or act, as the attorney or solicitor or agent for any party before the justices to whom he is such clerk (except in the case of the preliminary examination of an indictable offence, wherein the previous consent of such justices to the partner or clerk of such clerk to justices so engaged, concerned, practising, or acting shall have been obtained), or act as the clerk of any attorney or solicitor so practising or acting; and if any such clerk shall be so employed, concerned, or interested, practise or act, without such consent or direction, he shall forfeit the sum of one hundred pounds to any person who shall sue for the same in any of Her Majesty's Superior Courts of Record by action of debt or on the case.

—It must be satisfactory to the Profession to observe that your correspondents are again protesting against the power exercised by many magistrates' clerks in monopolising prosecutions. At the last winter assizes for Worcestershire a man was tried for the murder of a woman. The deceased's friends requested the clergyman of the parish where the alleged murder had been committed to employ a professional man, and he instructed me to attend the inquiry before the magistrates, which I accordingly did for many hours on two several occasions, and the man was on the last of such occasions committed for trial. The magistrates' clerk was present and saw me conducting the case, but five weeks afterwards he wrote to me as follows: "I think it as well, in order to prevent the possibility of mistakes, to inform you that I am instructed by the prosecutor (the superintendent of police) to conduct the case at the assizes." I had previously to this prepared brief for the prosecution, and had even been applied to by the prisoner's friends to conduct the defence, but of course referred them to another attorney. In answer to the clerk's intimation, I wrote to him as follows: "I shall not submit quietly to the transference of the prosecution to you by the nominal prosecutor Phillips, who had nothing to do with the case, and seems to have been bound over to prosecute in order that he might effect such a transfer." The clerk, however, insisted on prosecuting, notwithstanding that there then actually existed an order on the magistrates' books that "no policeman should interfere with prosecutions, or be bound over to prosecute." This order was subsequently, viz., at the last quarter sessions (it may be assumed for perpetuating the monopoly) rescinded. I delivered brief to counsel, but Mr. Justice Byles ruled (and technically he was no doubt right) that the person bound over to prosecute had the privilege of employing whom he chose, and consequently my claim was set aside. I may add, that the magistrates' clerk (a man of high standing, and holding several public appointments) handed the prosecution to the clerk of the peace for the county, who, on his part, transferred it to another attorney as his agent.

THOMAS CLUTTERBUCK.

Worcester, Jan. 23, 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

Answers.

UNDER-LEASE.—The essential element of a merger is, that both estates meet in one person *in the same right*. In the case put by "W. N.," the sub-lease is in A. *solely*, but he (A.) has merely a *joint tenancy* in the reversion. This, I submit, effectually precludes merger. J. P.

Exeter, 24th Jan. 1865.

BANKRUPTCY PRACTICE—COSTS.—Untaxed costs, *when not annexed to a debt*, are, as a rule, unprovable in bankruptcy; and it seems the commissioner alluded to by Mr. Steinberg in your journal of the 14th makes no distinction between costs of the bankrupt's solicitor, and those of an ordinary creditor. I refer Mr. Steinberg to *Re Samuel Tripp*, 3 L. T. Rep. N. S. 509. J. P.

Exeter.

DIVORCE—COSTS.—In the first instance, the husband has (although he is the petitioner) to give security for his wife's costs. The court, however, has power, under sect. 45, of the Divorce Act, to settle a portion of the wife's property on the husband, if the circumstances warrant such a step; but it will not do this, unless satisfied that the wife have a sufficient provision (having due regard to her own property and her position in life): (See *Carstairs* v. *Carstairs*, 10 L. T. Rep. N. S. 636.) J. P.

Exeter.

FRAUD—NOTICE.—In reply to "W. N." (LAW TIMES 14th Jan.), I submit that A. cannot obtain any relief as *against* D., the purchaser. The fraud committed by B. showed *great "laches"* on A.'s part; and the simple admission of A. that he executed the deed *without the least inquiry*, would put him out of court. B.'s *double* position of *solicitor* and *trustee* must be ignored, and the case must be treated with reference to the latter capacity. It is a rule of law that "payment to *one* trustee is payment to all," and unless *gross fraud* can be shown, is the rule acted on. Such fraud would be forgery, or obtaining money without the consent or knowledge of the co-trustees. Neither of these grounds can be set up by A. His own "laches" preclude him. His Honour Wood, V. C. recently asserted (by unmistakable implication) that the *genuine signatures of all* the trustees were a sufficient authority for *payment to one*. See *Cottam* v. *The Eastern Counties Railway Company*, 3 L. T. Rep. N. S. 463; and compare same with *Barnard* v. *Boyshaw*, 7 L. T. Rep. N. S. 544. Further, refer to Williams' Executors, 3rd edit. 755; and Chitt. Cont. 7th edit. 658. J. P.

Exeter.

THE BANKRUPTCY ACT 1861—ASSIGNMENT.—If the assignment referred to by "W. C. C." contain a release to the debtor, which is so prepared as to comprise or include *dissenting* creditors, it may be well pleaded in bar to an action, and a plaintiff cannot proceed unless the debtor fail to prove the validity of the deed. The *dicta* of the various judges and commissioners have been so conflicting (and I may say contradictory) as to render it difficult for any one to state what the law, with reference to trust-deeds under the B. A. 1861 really *was*; however, I deferentially submit the following as the pith of the *existing* law: The certificate of protection *cannot* be taken as an *absolute* and incontestible answer to any claim, although there is a *solitary* case in the affirmative on the high authority of the Chief Baron, decided so recently as Aug. 1864. The debtor, on being furnished with the certificate (*and knowing that he can establish the assignment*), may choose whether he will defend an action brought against him, or remain passive until *ca. sa.* be issued. If he adopt the latter course, the certificate should be produced to the sheriff's officer, who will, I submit, be liable to an action for illegal arrest if he ignore it; but supposing the debtor to be lodged in prison, his next step will be to apply to the court out of which the *ca. sa.* issued for his release; and should the execution-creditor impeach the assignment, the debtor must be prepared to prove its validity, which being done, his release is a legal consequence. In many cases, application has been made to the Bankruptcy Court, but the commissioners disclaim the right to release from custody. Whether the deed be valid or the contrary, I should say the more judicious and

economical proceeding would be to enter appearance to the writ and plead the release and assignment, and then a demurrer would bring the matter to an immediate issue, and save the unpleasantness of the arrest and imprisonment. Certainly, in such a case, where the debtor is certain the creditor will fight to the end, the axiom, "prevention is better than cure," should be the motto of the former. The only safe course for a dissenting *creditor* to pursue would be to apply to the Bankruptcy Court, under sect. 108, for leave to put in force a *fi. fa.* or *ca. sa.*, as the case may be. "W. C. C." would derive great assistance from a review and comparison of the following cases:—*Leigh* v. *Pendlebury*, 10 L. T. Rep. N. S. 31; *Re Smith*, Ib. 551; *Re Johnson*, Ib. 848; *Jansen*, Ib. 850.

Exeter. J. P.

LAW LIBRARY.

The Worship of Bacchus. By GEORGE CRUIKSHANK.

WHAT have we to do with the Worship of Bacchus? In the first place, good George Cruikshank has sent us a copy of the engraving of his great didactic picture, and it gives us pleasure to go out of our way to do a service to so excellent a man. But the worship of Bacchus and the law are in truth very intimately connected, for it may be said without exaggeration that three-fourths of the work of the law, and no small portion of the profits of the lawyer, directly result from the worship of Bacchus. It may be fearlessly asserted that in our police courts five-sixths of the business is produced by drink, and a considerable portion of the work of the civil courts has its origin in the same cause. How many of the bankruptcies, how many of the lunacies, come from indulgence in liquor? The lawyers have the lesson of temperance taught to them every day of their lives by being brought face to face with all the terrible evils that flow from intemperance. To them George Cruikshank's pencil can teach nothing new. But to the public, who see only some of the fruits of the bottle, the silent sermon preached by the picture will be of infinite service, and we ask our readers to recommend it to a prominent place in every household.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Thursday, Jan. 19.

WILSON *v.* RANKIN.— *Judgment for the plaintiff.*

BRYANT *v.* FOUR.—*Prideaux* showed cause against a rule for referring back the special case herein to the arbitrator. —*Keane*, Q.C. in support of the rule.

Rule absolute on terms.

COHEN *v.* DAVIS.—*Salter* moved in this case, in which a verdict was returned for the plaintiff on the first count, and for the defendant on the other counts, for a rule to deprive the plaintiff of costs. *Rule nisi.*

Ex parte THE OVERSEERS OF STOKESLEY-UP. — *Manle* moved for a rule calling upon certain justices to show cause why a *mandamus* should not go commanding them to allow a certain poor-rate. *Rule nisi.*

EVANS *v.* SKEENE.—*Keneley* moved for a rule to enter a verdict herein for the defendant. *Rule nisi.*

Friday, Jan. 20.

SUMNER AND OTHERS *v.* BROMILOW AND ANOTHER.—Special case stated by an arbitrator for the opinion of the court, as to the right of the defendants to remove certain trade fixtures on saltworks in Cheshire. The articles were removed after the defendants had been served with an ejectment on the ground of forfeiture, and before it came on for trial; and it was further contended by the plaintiff that the defendants were bound, by the particular covenant, to leave them, at the expiration of the term, on the premises.—THE COURT held, that the defendants were entitled to a reasonable time for removing the fixtures after the determination of the term by forfeiture, and that the case must go back to the arbitrator to ascertain whether they had been so taken; and they also held that the defendants were entitled to take away the salt-pans and trade fixtures.—*Kemplay* (and *Temple*, Q.C. with him) for the plaintiffs.—*Mellish*, Q.C. (*Holland* with him) for the defendants.

NEVES AND ANOTHER (Executors) *v.* CHAPMAN.—Action by the executors of the payee of a promissory note for 100*l.* on demand, with interest, against the maker. Plea on equitable grounds, that the note was given as security for the payment of interest during the lifetime of the testator for the sum of 100*l.*, agreed to be left as a legacy to the defendant's wife, the testator's daughter, but advanced by the testator to the defendant, and that all interest had been paid. There was a replication to the plea.—THE COURT suggested that the replication required some alteration, and hoped that this family dispute would be settled out of court.—*Macnamara* in support of the plea.—*Kemplay* contra.

Saturday, Jan. 21.

Ex parte THE MAYOR OF SHEFFIELD.—*Manisty*, Q.C. moved for a rule calling upon the commissioners acting under the Sheffield Inundation Act to show cause why they should not hear and determine whether a certain agreement entered into between the Sheffield Water Company and one Joseph Stones is fraudulent and void as against the mayor. *Rule nisi.*

THE MAYOR OF SOUTHWOLTON *v.* THE OVERSEERS OF SOUTHWOLTON.—*Coleridge*, Q.C. and *Kingdon* appeared herein in support of the rate.—*Karslake*, Q.C. contra.

Cur. adv. vult.

Monday, Jan. 23.

Re KIDDER AND WILLETT.—*Kingdon* showed cause against a rule for discharging a rule of the 21st Nov.— *Lloyd* contra. *Rule absolute without costs.*

KENYON *v.* FOLLETT.—*Hobbs* moved for a rule calling upon the defendant to show cause why the judgment signed herein in the borough court of Salford should not be set aside. *No rule.*

Re BACKHOUSE AND FIVE OTHERS.—*Quain* moved for rules calling upon these parties to show by what authority they exercise the office of members of the Local Board of Health of Darlington. *Rules nisi.*

Re FREEMAN (an Attorney).—*Collins* appeared to show cause herein.—*H. T. Cole* contra. *To go to the Master.*

Re THE OVERSEERS OF THE TOWNSHIP OF TUDHO *v.* THE ASSESSMENT COMMITTEE OF THE DURHAM UNION.—*Heath* moved for a rule calling on the Assessment Committee of the Durham Union to pay the costs of the *mandamus* herein. *Rule nisi.*

BIDDLE *v.* BIRD.—*Thrupp* showed cause herein.—*Piercy*, Serjt. and *Howard* contra. *Cur. adv. vult.*

Tuesday, Jan. 24.

FEATHERS *v.* THE QUEEN.—This was a demurrer to a petition of right by Mr. Feathers, for compensation for the use of his patent for improvements in the construction of the hulls of ships, wooden or iron, used in warfare. His improvements had been introduced into Her Majesty's ship of war *The Enterprise*.—The *Attorney-General* (the *Solicitor-General*, *Phinn*, Q.C., *Hindmarch*, Q.C., and *West* with him) for the Crown; and *Borrill*, Q.C. (*J. Brown* with him) for the suppliant.—The grounds of objection to the claim were mainly that the Crown, by granting letters patent to a subject, did not deprive itself of the privilege of using the invention the subject of the patent, without the licence of the patentee; and, secondly, that the act complained of was in the nature of a tort, for which the parties committing it were responsible by action against them personally, and not the Queen, by petition of right: (*Tobin* v. *The Queen*, 15 C. B., N. S., 310.) *Part heard.*

Wednesday, Jan. 25.

FOX (appt.) *v.* GRIMSHAW (resp.)—*Patchett* appeared for the appellant herein. *Judgment affirmed.*

THE OVERSEERS OF HUNTSWICK (appts.) *v.* THE OVERSEERS OF MORLEY (respts.)—*Keane*, Q.C. and *West* appeared in support of the order of removal; *Manle* contra. *Judgment for the respondents.*

BUSINESS OF THE COURT.

The LORD CHIEF JUSTICE announced that the court would sit in *banc* on the four days immediately after Term, for the purpose of taking the Crown paper and special paper, and on Saturday, the 25th Feb., for judgments. The new trial paper, it may be mentioned, is very nearly disposed of already, and doubtless will be so entirely before the end of Term.

COURT OF COMMON PLEAS.

Reported by W. MAUD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Wednesday, Jan. 18.

LANGMEAD *v.* MAPLE.—Demurrer to plea. Part heard last term.—*Rockfort Clarke* was heard for the defendant. *Judgment for the plaintiff.*

KILBY *v.* WRIGHT.—Demurrer to plea setting out a composition-deed.—*Lawton* appeared for the plaintiff.— *Peter Williams* for the defendant. *Judgment for the plaintiff.*

LANGTON AND ANOTHER (Assignees of Holloway) *v.* WARING AND OTHERS.—Special case stated without pleadings.—*Field* (*Wills* with him) were for the plaintiffs, who claimed a cargo of timber which the bankrupts were under contract to deliver to the defendants, and on which the defendants had advanced 600*l.* The timber had not been delivered at the time of the bankruptcy, and the plaintiffs contended that the advance was a simple loan and did not constitute a charge on the timber.—*Keane*, Q.C. (*Bridgman* with him), for the defendants, was not called on.—(See the Reports of the week.) *Judgment for the defendants.*

HODGSON *v.* MORTSON.—Special case stated by consent. The question which arose was upon the construction of a covenant in a mining lease, and whether the defendant had worked the mine in accordance with the covenant.— *Quain* was heard for the plaintiff.—*Mellish*, Q.C. (*Kemplay* with him) for the defendant. The surface ground had subsided in consequence of the defendant not having left pillars of stone sufficient to support it. The defendant contended that sufficient pillars had been left to enable him to quarry in a workmanlike manner, and to enable the lessor to continue the works at the expiration of the lease. *Judgment for the plaintiff.*

PENNY (Executor of Penny) *v.* BAILE.—Special case stated by judge's order under the C. L. P. A. 1854. The cause of action accrued to the plaintiff's testator while the defendant was in India, whence he returned to England in Sept. 1856. The plaintiff's testator died in May 1861, without having commenced any action against the defendant. An interval of six years from the defendant's return to England expired in Sept. 1862, and in the following November the executor commenced the action. The defendant pleaded the Statute of Limitations. The plaintiff relied on the rule laid down with a doubt in Williams on Executors, 5th edit. vol. 2, p. 1705, but absolutely in Chitty's Archbold's Practice, 11th edit., vol. 2 p. 1212, that an executor has one year from his testator's death within which he may commence an action, the death having taken place before the action had become barred by the statute.—*Mellish*, Q.C. (*Coele* with him) said that the authorities referred to in Williams on Executors did not seem to support the proposition contended for by the plaintiff, and admitted that he had no other authority. —*Coleridge*, Q.C. (*J. C. Mathew* with him) was not heard.— THE COURT ruled that the action was barred by the statute.—(See the Reports of the week.) *Judgment for the defendant.*

Thursday, Jan. 19.

CHUBB *v.* HUTTON.—This was an action on a promissory note, to which the defendant pleaded that the only consideration for which it was given was to compromise a misdemeanor. The jury having found that this plea was established, Willes, J., before whom the case was tried, directed the verdict to be entered for the defendant. A rule *nisi* having been obtained to enter the verdict for the plaintiff *non obstante veredicto*, *Henry Matthews* now showed cause against the rule; *Reynolds* appearing in support of it.—THE COURT were of opinion that there was no distinction between a felony and a misdemeanor, and that neither could be compounded, and that this was not one of the cases of private damage in which a civil as well as a criminal remedy was given, and that the case of *Keir* v. *Leman*, 9 Q. B. 371, was in point. *Rule discharged.*

HUGH *v.* SKEENE.—This was an action on a bill of exchange, tried before Willes, J., when a verdict was found for the defendant, leave being reserved to move to enter it for the plaintiff.—A rule having accordingly been obtained, *Griffits* now showed cause; and *C. Pollock* appeared in support of the rule. The action was brought by the holder against the acceptor of the bill, to which the defendant pleaded that he did not accept. It appeared that the defendant had a partner, who accepted the bill contrary to the partnership articles, and in fraud of the defendant; and under these circumstances the question was raised, whether the burden was not cast upon the plaintiff to show that he had given value for the bill; and the COURT held that he was so bound.—(To be reported.) *Rule discharged.*

BOWEN *v.* HUTCHINSON.—This was a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and entered for the defendant, or why the damages should not be reduced as the court should direct, pursuant to leave reserved, upon the ground that the damages claimed beyond the amount paid into court were too remote.—*Temple*, Q.C. and *Udall* showed cause against the rule; and *Borrit*, Q.C. and *Luther* appeared in support of it.—The action was for a breach of contract, for not delivering a quantity of soda at Hull in accordance with the contract, whereby the plaintiff lost his market: Held, that the rule must be discharged as to the damages for breach of contract and loss of market, but made absolute as to the claim of damages for a liability to a sub-contractor, such damages being too remote.—(To be reported.) *Rule accordingly.*

Friday, Jan. 20.

MAKINSON *v.* LEACH.—*Temple* obtained a rule to resist an order of Blackburn, J., at Liverpool, for particulars in an action for libel.

SHORT *v.* FRENCH.—*Barnard* applied for a rule to show cause why plaintiff should not recover his costs in an action for less than 20*l.* *Rule refused.*

THOMAS *v.* SPENCER.—*Wood* moved for particulars of infringement of a patent for sewing machines. *Rule refused.*

TAGUE *v.* STOTT.—*Cole* showed cause against a rule to rescind an order of Willes, J., changing the venue in a patent case from Middlesex to Lancashire.—*Webster* in support. *Rule discharged.*

SAME *v.* SAME.—*Cole* showed cause against a rule for inspection of a pulley. *Rule absolute.*

COOPER *v.* NEWLAND.—*Lawton* moved to rescind an order of Willes, J.

KOEBEL *v.* SAUNDERS.—In this case, tried before Erle, C.J., at Guildhall, the plaintiff obtained a verdict for 10,000*l.*, and a rule *nisi* was obtained by the defendant for a new trial on the ground that the verdict was against the weight of evidence. The action was against underwriters on a policy of insurance on a cargo of casks of cocoa-nut oil, and the amount claimed was 20,000*l.* The case had previously come before the court in consequence of the defendants having pleaded that the goods were not seaworthy or in a condition to encounter the ordinary risks of a sea voyage, and on demurrer this plea was held to be a new and bad one: (see the report 10 L. T. Rep. N. S. 695.) The plea which gave rise to the present rule was a plea traversing the allegation in the declaration that there had been a total loss of the cargo by perils of the sea. The interstices between the casks had been filled up with copra or cocoa-nut fibre, which, as was alleged by the defendants, heated and caused the bands of the casks to fall off so that the oil ran out. The plaintiffs contended that the heating of the copra was caused by the salt-water which got into the hold during rough weather, and therefore that the loss was caused by a peril of the sea within the meaning of the policy.—*Lush*, Q.C. and Sir G. *Honyman* showed cause against the rule.—*Bovill*, Q.C., *Brett*, Q.C., and *Watkin Williams* commenced supporting it. The argument was not concluded. *Part heard.*

Saturday, Jan. 21.

ROBERTS *v.* GROVER.—This was a case tried this term before Byles, J., when a verdict was found for the plaintiff. —*Denman*, Q.C. now moved for a new trial on the ground that the verdict was against the weight of evidence. *Rule refused.*

BROOKES *v.* CLARKE.—*H. Lloyd* moved for leave to plead two pleas which Byles, J. had refused in chambers to allow. The action was upon a deed granting to the plaintiff an annuity of 300*l.*, to which the defendant pleaded the following pleas:—1. That the deed had been cancelled. 2. That it had been obtained by fraud. 3. That defendant was of unsound mind when he executed the deed. 4. An equitable plea that the defendant, when the deed was signed, was in a bad state of health, both mentally and bodily; that he was given to excessive indulgence in drink, and was unfit to transact any business requiring thought, judgment and reflection, and that shortly after he became insane and was sent to a asylum; that the plaintiff got the defendant to execute the deed by undue influence and contrivance, and that it was executed without any valuable consideration for it. The two last pleas were those refused. *Rule nisi.*

CRABB *v.* CURTIS.—In this case, which was tried before Cockburn, C.J., at Manchester, *Hollker* showed cause and *Milward* appeared in support of the rule. *Settled on terms.*

Monday, Jan. 23.

SEMENZA AND OTHERS *v.* BRINSLEY AND ANOTHER.—Demurrer to plea of set-off against the plaintiff's agent, who had sold the goods, for the price of which the action was brought, as his own. The plaintiff contended, that although it appeared from the plea that the agent sold them as his own, it did not appear from the plea that the defendant did not know from other sources that the goods were

in fact the agent's, and that he was selling on account of other persons. The other objection was, that it did not sufficiently appear that the set-off against the agent accrued before the defendant discovered that he had only sold the goods as an agent.—Sir *G. Honyman* argued for the plaintiff, and *Watkin Williams* for the defendant.—The Court suggested an amendment, but judgment being demurred on the plea as it stood, the case was argued out, and the Court reserved their judgment. *Cur. adv. vult.*

FISHER v. MCGIVER.—Demurrer to plea, replication and subsequent pleadings. The plea was founded on sects. 128-131 of the B. A. 1861, and averred that the defendant had executed a deed of composition which had been duly assented to and registered so as to become binding on the plaintiff.—*Bardswell*, for the plaintiff, amongst other objections objected that there was no averment in the plea of payment or tender of the composition.—*Topping*, for the defendant, replied, that it appeared from the pleadings that the plaintiff was residing in Paris, and that the defendant was not bound to go there to pay or tender the composition.—The Court gave judgment on this point for the plaintiff, on the ground that although a debtor is not bound to go beyond the four seas to seek his debtor, yet, as it appeared that the plaintiff was residing in Paris at the time when the composition was agreed to and the deed executed, the defendant ought to have gone to Paris to pay or tender the composition.—(See the Reports of the week.) *Judgment for the plaintiff.*

THE SEDGWICK GUNPOWDER COMPANY v. ACHAMAN.—This case was tried before Byles, J., in the summer assizes in 1864, and the facts were stated in a special case.—*Henry Matthews* (*Hawkesley*, Q. C. with him) appeared for the plaintiff. *Part heard.*

Tuesday, Jan. 24.

WALTERS v. NORTH.—This case was tried before Keating, J., at Nottingham, when a verdict was found for the plaintiff. The action was brought to recover the price of a quantity of timber which had been sold to the defendant, a colliery owner. It appeared that the transaction had been managed through the agency of a Mr. Langham, and a rule having been obtained calling on the plaintiff to show cause why a nonsuit should not be entered, on the ground that this Mr. Langham was a partner of the plaintiff, or had been held out to be so, and therefore ought to have been joined as plaintiff, as, if that had been done, the defendant would have had a defence to the action. A rule was also obtained for a new trial on the ground that the verdict was against the weight of evidence.—*O'Brien*, Serjt. and *Cave* showed cause. —*Field*, Q.C. and *Wills* appeared in support of the rule. *Rule discharged.*

NEIL AND OTHERS v. WHITWORTH.—This was an action tried before Pigott J., at Liverpool, when a verdict was found for the plaintiffs. A rule having been obtained on a former day, calling on the plaintiffs to show cause why the verdict found for them should not be set aside and entered for the defendant, or why the damages should not be reduced, pursuant to leave reserved, upon the grounds —on the first point, that the stipulation "ex quay" was a matter of the vendors; or, if not, it was a stipulation only and not a condition, in the contract; and as to the second point, that the damage should be nominal, or at most the difference between the contract price and the market price of the day of the breach.—*Edward James*, Q.C., *Welsh*, Q. C. and *Baylis* showed cause; *Brett*, Q. C. and *Potter* appearing in support of the rule. *Part heard.*

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Thursday, Jan. 19.

WILLIAMS v. LLOYD.—*Gibbons* moved for an attachment (or to amend the rule) for not obeying an order of Martin, B to pay money. *Rule nisi.*

NEW TRIAL PAPER.

SCOTSEY v. MCMORRAN.—*Hindmarch*, Q.C. and *Aston*, for plaintiff, showed cause against a rule for a new trial on the grounds of misdirection and of the verdict being against evidence. It was an action for the infringement of a patent for a machine for making sausages, by which the meat was cut up and delivered minced and ready for use, at an open end of the revolving cylinder. The trial took place before Martin, B., and a verdict was found for the plaintiff.—*Webster*, for defendant, supported his rule. *Seed* v. *Higgins*, 8 H. of L. Cas. 550; *Betts* v. *Menzies*, in the H. of L.; *Allen* v. *Lenthes*; and *Macfarlane* v. *Price* were cited.—The Court unanimously discharged the rule, being of opinion that there was no misdirection, and upon the report of the learned judge that the verdict was in accordance with the evidence. *Rule discharged.*

BELL v. BELL.—*Parry*, Serjt. showed cause against the rule to enter a nonsuit or to set aside the plaintiff's verdict, or for a new trial in this case, which was tried before Martin, B. in which the question was, whether a carrier was liable in damages for a bodily injury happening to a passenger by reason of the chain (trace by which the cart was drawn breaking, and which again involved questions of negligence on the defendant's part, and contributory negligence on the plaintiff's part.—*J. O. Wright*, for defendants, supported the rule. *Sharp* v. *Gray*, 7 Bing. 457; *Cotton* v. *Wood*, 8 C. B.; *Bird* v. *Great Northern Railway Company*, 28 L. J. Ex.; *Cornman* v. *Eastern Counties Railway Company*; and *Scott* v. *London Docks Company*, 11 L. T. Rep. N. S. were cited.—The Court discharged the rule as to the nonsuit, but thought the defendant was entitled to a new trial if he desired to have one.

Rule discharged as to nonsuit; rule absolute for new trial if defendant desires to have one; no costs.

BRADLEY v. LUCAS.—*Barrill*, Q. C. and *Mellish*, Q. C. (with *Baldry*, for defendant, showed cause against a rule obtained by *Karslake*, Q. C., to set aside a nonsuit and enter a verdict for plaintiff. *Part heard and adjourned.*

Friday, Jan. 20.

FISHER v. WHITE.—*H. T. Cole* moved to change the venue in this cause from Middlesex to Bristol. The cause of action arose in or near Bristol, and all the parties lived there. *Rule nisi.*

BRADLEY v. LUCAS. *Cur. adv. vult.*

JAMES AND OTHERS (Executors of, &c.) v. BATES (P. O.)— *Part heard.*

Saturday, Jan. 21.

WRIGHT v. BREEK.—*Day* showed cause against a rule calling on the sheriff to show cause why he should not withdraw from possession under a *fi. fa.*, a deed under sect. 192 of the B. A. 1861 having been executed.—*Dixon* supported the rule. *Clapham* v. *Atkinson*, 9 L. T. Rep. N. S. 479; 33 L. J., Q. B., was cited. [MARTIN, B. suggested that the sheriff should pay the money into court, and that *audita querela* should be brought.] *Adjourned to Tuesday.*

NEW TRIAL PAPER.

CHANDLER v. DOULTON AND ANOTHER.—This was an action for trespass, with a count for an excessive distress; tried before Martin, B. and a special jury, when all the issues were found for defendants, and leave reserved to plaintiff to move to enter a verdict for 1*l.*, if the court should think it was not necessary in order to enable him to recover nominal damages to prove some actual damage.—*E. James*, Q. C. and *J. H. Hodgson* showed cause, citing the statute Marlbridge (52 Hen. 3, c. 4); *Piggott* v. *Bertles*, 1 M. & W. 441; 5 L. J., N. S., 193, Ex.; *Rodgers* v. *Parker*, 18 C. B. 162; 25 L. J. 320, C. P.; *Bodlis* v. *Fisher*, 7 Bing. 153; *Williams* v. *Mostyn*, 4 M. & W. 145; 7 L. J., N. S., 289, Ex.; *Proudlove* v. *Twemlow*, 1 C. & M. 326; 2 L. J., N. S., 111, Ex.—The Court, without calling on *Larkin*, for plaintiff, to support his rule, made it absolute to enter a verdict for 1*l.*—(See Reports of the week.) *Rule absolute accordingly.*

The Court here rose at two o'clock to prepare for the sitting of the fifteen judges in a criminal appeal case.

Monday, Jan. 23.

MORGAN v. CATTLE.—Demurrer to pleas and replication. There had been a contract between the parties for sale of a quantity of cotton, to be delivered when plaintiff was ready to deliver it in merchantable condition. The second count of the declaration was for not accepting the cotton. Defendant, by his eighth plea, said it was not in merchantable condition, and therefore defendant rejected it.—*Crompton* and *Maclachlan* for plaintiff—*Brett*, Q.C. and *A. Peel* for defendant.—It was arranged between the parties that the construction to be put on the terms of the special contract only should be left for the decision of the court; and after argument, the Court held that the contract intended, and the parties contemplated, that the bulk of the cotton contracted for should be when delivered to defendant in merchantable condition and as it appeared to be admitted that such bulk was damaged and not in merchantable condition, defendant was entitled to judgment; if, however, the plaintiff appealed to a court of error the pleadings on both sides must be amended, and the special contract fully set out, so as to raise the real point between the parties for the decision of that court. *Judgment accordingly—No costs on either side.*

LA TOUCHE v. LA TOUCHE. *Cur. adv. vult.*

Tuesday, Jan. 24.

NICHOLSON v. LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—POLLOCK, C. B. delivered the judgment of the court in this case, discharging the rule to enter a nonsuit which had been obtained pursuant to leave reserved at the trial. *Rule discharged.*

WRIGHT v. BREEK.—*Dixon* was heard in continuation of his argument in this case, and cited *Marr* v. *Cuderhill*, 4 B. & S. 513; *Ex parte Wilson*, 11 Ves.; *Lampleigh* v. *Parry*, 2 D. & R. 337; *Bevan* v. *Carr*, 7 Bing. 503; *Stone* v. *Jellicoe*, 11 L. T. Rep. N. S. 140; 31 L. J. 11, Ex.; *Beardsman* v. *Langland*, 11 L. T. Rep. N. S. 348; *Jones* v. *Simpson*, 3 H. & N. 836. *Cur. adv. vult.*

BROOKS AND OTHERS v. BATES.—The arguments in this part-heard case were resumed, and *Cleridge*, Q. C. was heard in support of the rule; at the conclusion of which the Court gave judgment *seriatim*, discharging the rule. *Rule discharged.*

MARKROW v. PUTT AND OTHERS.—*Milward* showed cause against a rule to set aside plaintiff's verdict, and to enter it for defendants, in pursuance of leave reserved by the judge at the trial.—*Karslake*, Q. C. (with whom was *Roope*) supported it. *Rule discharged.*

JAMES v. THE ORIENTAL FINANCIAL CORPORATION (LIMITED).—*M. Smith*, Q. C. (with him *Robins*) showed cause against, and *J. T. Clarke* (with him *E. James*, Q. C.) supported the rule herein. *Rule discharged.*

BROWN v. THE ACCRINGTON COTTON SPINNING COMPANY. —*E. James*, Q. C. and *Holker*, for plaintiff, showed cause against the rule to enter a nonsuit herein. *Part heard and adjourned.*

Wednesday, Jan. 25.

WAKEFIELD v. SENESCALL.—This was an appeal from the decision of justices upon a case stated by them.—*Quain* (*Peel* with him), for the appellant, objected to the case being heard, and moved that it be sent back for the actual facts to be found, and then properly stated for this court to decide. There were affidavits both in support of and opposition to the motion, as to what the real facts existing were. It appeared from the case, that a surveyor of highways of some parish in Lincolnshire had incurred an expense of 14*l.* for, and the laying down of, flagstones to sides of the road in that parish, and had sought to have this sum allowed in his accounts. The question was, whether this was a "contracting for repairs" within the meaning of 5 & 6 Will. 4, c. 50, s. 46. The surveyor had also done the team work himself without the necessary licence, and charged for it.—*Quain*, in support of his motion to send the case back, contended that as the parish roads had never been flagged before, it was new work altogether, not repairs by the surveyor within the meaning of the Act of Parliament. He referred to Burn's Justice, tit. "Highway," p. 520. The parish surveyor had no right to do such work without the previous permission or authority of the vestry for that purpose: but, by his affidavits, this was done not only without the consent, but against and in opposition to the order of the vestry.—*Fitzjames Stephen*, contra, was then called upon by the Court. [MARTIN, B.: Why, is not Mr. Quain right even upon the merits? It is quite clear the surveyor could not charge for his own team work in the way stated; besides which, as he did not get the consent of the vestry, you ask us to repeal the 46th section of the Act of Parliament.] The Court (after hearing *F. Stephen*, and without calling upon *Quain*) held that the parish surveyor was not entitled to the 14*l.* from the parish for the flagstones, under the circumstances, that the justices, by the decision they had come to, were wrong, and therefore gave their *Judgment for appellant, without costs.*

WALKER v. NEVILL.—Composition deed question. *Cur. adv. vult.*

LAW SOCIETIES.

SOCIETY OF THE ATTORNEYS AND SOLICITORS OF IRELAND.

A general meeting of the society was held on Dec. 12, pursuant to adjournment, at the Solicitors' Hall, Four Courts, for the purpose of receiving the reports of the auditors of accounts and of the scrutineers of the ballot.

The chair was taken at eight o'clock by Richard Orpen, Esq.

Mr. Goddard read a report of the auditors, which contained a recommendation in reference to the mode of remunerating the collector of the members' subscriptions. The recommendation, after some discussion, was referred to council. The report stated that there was a sum of 125*l.* 17*s.* 1*d.* to the credit of the society in November last.

Mr. Joshua H. Nunn brought forward a resolution recommending changes in the mode of electing the council. According to the present practice thirty-one members were elected by ballot, and a supplemental list of ten was in addition elected, out of which any vacancies that occurred through members declining or ceasing to act were filled. Virtually, therefore, forty-one members were elected, while only thirty-one were voted for. According to another rule, ten members annually went out of office who had gained the least number of votes by ballot, and these were not eligible for re-election at the succeeding election. The present system admitted the possibility of the whole council being changed at the annual election. This was calculated to prevent the effectual performance of the duties of the council; because the newly-elected members would take some time to become acquainted with what their predecessors had in hands. All the public companies that he was acquainted with provided that the majority of their governing bodies should remain in office. Formerly it was complained that the council did not possess the confidence of the majority of the Profession. That may have arisen from one-third of the council having been elected by a comparatively small minority among the electors, of which there was a remarkable instance in the election which had just taken place. At the last general meeting of the society in May, a resolution was passed condemning the principle of the non-eligibility of the outgoing members. They had now ten going out of office, the lowest of whose number of votes was 85, and ten coming in, the highest of whose number was 36. So that, if the society had the power of doing what it wished, instead of changing ten members of the council, it would only change one. He believed that members would decline serving on the council, to a greater extent this year than before; so that gentlemen having from 47 to 50 votes would be replaced by others having only 15 and 16. The principle of the eligibility of the outgoing members was sanctioned by the practice of the Law Society of England. He now moved that rules 8, 9, 10, 12 and 13 be rescinded, and that the practice be in future as follows: First, that the management of the affairs of the society be under a council of thirty members, to be elected by ballot; that these members continue in office until the annual election in 1866, when the ten members having had the lowest number of votes at their election shall go out of office; that at the annual election in 1857 the ten members having had the next least number of votes shall go out of office, and that at the election in 1858 the remaining ten members elected in 1865 shall go out of office, it being understood that in each year the member longest in office, or the member elected in his place, shall go out at first. Secondly, that every vacancy shall be filled up by an election held at a public meeting of the society, of which notice shall have been posted in the hall. Thirdly, that the members going out of office at each annual election shall be eligible for re-election. Fourthly, that the members shall be chosen by a majority of votes, and in case of an equality of votes, the decision shall be by lot. Fifthly, that no person shall be eligible to be elected or re-elected unless his name shall have been proposed in writing by a member, and lodged with the secretary, and posted in the public room on or before the 20th of Nov. preceding the day of election. Sixthly, that no person shall be eligible for election or re-election who shall not have paid his subscription for the current and the two preceding years. The English society did not admit a member to the council unless he had been a practising solicitor of ten years' standing.

Mr. West, in seconding the resolution, excepted from his approbation the clause requiring written nomination of the candidate. Such a rule might keep young men altogether out of the council, whereas he believed experience had shown that the infusion of new blood was always beneficial.

Mr. Shannon said the principle that a change in the mode of electing the council was essential had been affirmed. He recommended that at each election each member should be at liberty to vote for thirty members on the entire number of the council. The outgoing members should be eligible for re-election. For the purposes of the election let lists of all the members of the society be forwarded

through the country, with the annual reports and voting papers for the members to return filled up. These were his suggestions, but he advised the meeting not to come to a decision on the subject that day. Let it go back to a committee, who should examine all the plans that should be submitted to them and select the best. His amendment was—"That this meeting do affirm the principle that a change is necessary in the mode of electing members of the council; and that it be referred back to the committee, who have already reported on the subject, to inquire and report to a subsequent meeting of the society what change is expedient in the mode of electing the council."

Mr. Goodman seconded the amendment.

Mr. Fyffe asked, was it be understood that the committee were to limit their inquiries to the two plans which had been suggested at that meeting?

Mr. Shannon.—Certainly not.

Mr. Fyffe thought that ten should go out as a matter of course. The anomaly at present was, that those by whom the outgoing ten were replaced might have fewer votes than the men that they supplanted. A plan which he had drawn out embraced the following heads: Printed lists of all the members to be prepared; the names of the outgoing members of the council to be printed in that list in italics; the voter to draw a line under each name for whom he voted; ten members to go out each year; any list returned by a voter containing more than thirty-one names, or twenty-one members of the old council, to be void.

After some discussion Mr. Nunn withdrew his resolution, and the amendment of Mr. Shannon was adopted almost unanimously, the day for the adjourned meeting being fixed as the 1st Feb.

Mr. Davis then moved a resolution declaring that the committee should consider it to be already decided by the society that all outgoing members of the council should be eligible for re-election.

This was seconded and passed with a few "noes."

On the motion of Mr. Macrory, Mr. Barlow was called to the chair, and thanks were voted to Mr. Orpen, with which the proceedings terminated.

SOCIETY FOR PROMOTING THE AMENDMENT OF THE LAW.

The fifth meeting of the department of jurisprudence and amendment of the law connected with the National Society for the Promotion of Social Science, was held on Monday at the Society's Rooms, Adam-street, Adelphi. Sir Fitzroy Kelly, M.P., occupied the chair.

Mr. G. W. Hastings, previous to the commencement of the regular business, called attention to a pamphlet which had been published on the subject of the concentration of courts, and mentioned that the society had resolved to make one more effort in the next session of Parliament to obtain the passing of a Bill to concentrate the courts of London. The good results that would be gained by a concentration of the courts were fully shown by that pamphlet, and he hoped it would have the effect of urging the question forward. The pamphlet had been circulated in every quarter where it was thought influence in favour of the concentration of the courts might be created; and he hoped the result would be that through the influence of their learned chairman, and other members of the House of Commons, they would have the satisfaction of soon seeing the desired measure passed through Parliament.

The Chairman believed that very few entertained any doubt as to the expediency of concentrating the various courts. He would recommend that the association should itself present a petition to both Houses of Parliament. In that petition all the reasons which had been urged with very great force in the pamphlet to which his learned friend Mr. Hastings had referred might be concisely set forth and urged on the Legislature. He believed that a clear and unanimous expression of opinion from that association would have great weight in that branch of the Legislature to which he (the chairman) had the honour to belong. He threw the suggestion out for the consideration of those who were particularly engaged in the working of the association, and he would further suggest that they should particularly set forth the peculiar reasons applicable to the concentration of the courts in the neighbourhood of Lincoln's-inn, which he believed the writer of the pamphlet approved of. With respect to the presentation of the petition he should be very willing to take charge of it, and would do his best to urge the matter on the House of Commons. He hoped, therefore, that between this and the 7th Feb., when the House would meet, the necessary steps would be taken by the association for the presentation of such a petition.

Mr. A. J. Williams then read a report from the standing committee of the department on Dr. Waddilove's paper "On the Amendment of the Law of Evidence." The committee, after considering the four propositions made by Dr. Waddilove, passed a resolution approving of the first, permitting persons charged with criminal offences to tender their own evidence if they desired, such evidence to be subject to cross-examination. Resolutions were also adopted by the committee approving of the second and third propositions, whereby husbands and wives would be competent and compellable to give evidence for and against each other in criminal as well as civil cases. With respect to the fourth proposition, empowering judges to adjourn cases for the purpose of summoning before them any witnesses they might deem necessary, both in civil and criminal cases, the committee hesitated passing an express resolution on the point. They approved of the principle laid down, but considered that the proposition was open to some question.

The Chairman, in moving the adoption of the report, said he thought that Dr. Waddilove's paper, and the report that had resulted from it, furnished some excellent reasons why an amendment in the law of evidence should be made. He was fully convinced of the necessity of the desired amendment, particularly in cases of divorce. Indeed, so convinced was he of this necessity, that he intended to take the opinion of the House of Commons on the question, and he would be glad to receive any suggestions or assistance that the members of the society might be able to afford him.

After a discussion, in which Mr. A. J. Williams, Mr. G. W. Hastings, Mr. Daniel, Q.C., and Mr. Wilson took part,

Mr. Hill moved an amendment to the adoption of the report, to the effect, that in the opinion of the meeting the evidence of husband and wife for or against each other in criminal cases ought to be allowed; but, when the husband demanded the evidence of the wife, or the wife that of the husband, the evidence in such cases ought not to be compellable.

Mr. Wilson seconded the amendment.

After some discussion, in which Mr. Edgar, Mr. Rosher, Sir Eardley Wilmot, and Dr. Waddilove, who replied on the whole case, took part, the amendment was put and negatived.

The report was then agreed to, and after a vote of thanks to the chairman, the meeting separated; the reading of a paper by the Rev. Nash Stephenson "On the Probate and Succession Duty levied on Property left under General Power of Appointment," having been, from the lateness of the hour, postponed.

LEGAL NEWS.

Italy, Legal and Educational.—The *Diritto* of Turin states that the kingdom of Italy contains 59 prefects, 144 sub-prefects, 250 councillors of the Prefecture, 4 courts of cassation—being three more than in France—18 courts of appeal, 50 assize courts, 1540 magistrates with the power of issuing warrants, 142 tribunals, 19 universities, and 320 colleges or public schools.

Posthumous Restitution.—The *Press* of Vienna quotes a curious passage from the will of Count Hartig, ex-Minister of State, who recently died in that city. The deceased bequeaths to the Central State Treasury at Vienna a sum of 1000 florins by way of indemnification for the customs duties on different small articles which he had not declared on entering Austria, in order to avoid the vexatious formalities attendant on the same.

The Napoleons in the Irish Courts.—The Lord Chancellor has pronounced a decree on the petition of Mr. Napoleon A. Bonaparte Wyse, eldest son of the late Sir Thomas Wyse, praying for a specific performance of certain marriage articles on the occasion of the marriage of the deceased, at Paris, with Madame Letitia Bonaparte. The object of the petitioner was to establish his right to the estates of his father in the Queen's county and the county of Waterford. There is another suit pending as to the amount of jointure to which Madame Wyse is entitled, but that is not affected by the decree.

Strange Breach of Promise Case.—A somewhat novel motion came before the Court of Queen's Bench in Ireland, arising out of an action for breach of promise of marriage. The plaintiff, who is the administrator of Robert R. Telford, sought to recover damages, which were laid at 2000l., from the defendant, Miss Sarah Shillington, for refusing to carry out her agreement to marry the deceased. It was stated that she had induced Mr. Telford, who had been a surgeon in San Francisco, to give up his business there, which appeared to have been extensive, and come over to Ireland, for the purpose of marrying her. He complied with the wishes of the defendant, but she declined to carry out her undertaking on his arrival in this country, and he subsequently died, but whether his death was accelerated by the pangs of disappointed love remains to be proved. Thereupon the present action was instituted. Mr. Harrison applied to the court to set aside the count in the summons and plaint which averred special damages. Mr. Serjeant Armstrong resisted the motion. The Court ordered the pleadings to be amended.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

In London.

Friday, Jan. 20.

By Mr. Frank Lewis, at the Guildhall Coffee-house.—Freehold house, being No. 5, Great Hermitage-street, Wapping; estimated annual value 34l.—sold for 320l.

Tuesday, Jan. 24.

By Mr. F. J. Sharp, at Garraway's.—Freehold ground-rent of 77l. 10s. per annum, secured on property in Fore-street, Limehouse—sold for 1760l.

By Messrs. Kemp, at Garraway's.—Freehold ground-rent of 60l. per annum, secured on property situate in Crown-street, Finsbury—sold for 1720l.

THE GAZETTES.

Bankrupts.

Gazette, Jan. 17.

To surrender at the Bankrupts' Court, Basinghall-street.

Bigg, James, chandler's-shopkeeper, Rose-st. Long-acre. Pet. Jan. 11. Reg. Hazlitt. O. A. Graham. Sol. Watkins, Lamb's Conduit-st. Sur. Jan. 31.

Bridger, William, surveyor, Salisbury. Pet. Jan. 11. Reg. Brougham. O. A. Edwards. Sols. Gregory and Rowcliffe, Bedford-row; Whatman, Salisbury. Sur. Feb. 8.

Budge, Joseph, bootmaker, Bloomfield-pl. Kensal New-town. Pet. Jan. 13. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Scott's-yd. Bush-la. Sur. Feb. 8.

Catton, William, out of business, Goat-la. Norwich. Pet. Jan. 11. Reg. Roche. O. A. Parkyns. Sols. Treherne and White, Barge-yard-chambers, Bucklersbury, for Emerson, Norwich. Sur. Jan. 30.

Chapman, Henry, commission agent, Fountain-ct. Cheapside. Pet. Jan. 7. Reg. Brougham. O. A. Edwards. Sol. Kersey, Welbeck-st. Cavendish-sq. Sur. Feb. 8.

Chappell, Mary, widow, in no business, Cambridge-ter. Hammersmith. Pet. Jan. 10. Reg. Roche. O. A. Cannan. Sol. Paddison, New Boswell-ct. Lincoln's-inn. Sur. Jan. 30.

Clyburn, Joseph, commission agent, Upper Thames-st. and Pudding-la. Pet. Jan. 12. Reg. Roche. O. A. Parkyns. Sol. Maddock, Serjeants' Inn. Sur. Jan. 30.

Cole, John, plumber, Sherwood-st. Golden-sq. Pet. Jan. 11. Reg. Hazlitt. O. A. Graham. Sol. Weekes, New Boswell-ct. Lincoln's-inn. Sur. Jan. 31.

Comfort, Benjamin Gilbert, leather dresser, Alexander-ter. Bermondsey. Pet. Jan. 12. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. Jan. 30.

Cutler, James Henry, hatter, Bermondsey-ter. Bermondsey. Pet. Jan. 11. Reg. Hazlitt. O. A. Graham. Sol. Cooper, St. Martin's-la. Sur. Jan. 31.

Dix, James Charles, engraver, St. Ann's-la. St. Martin's-le-grand and Lancaster-rd. New Barnet. Pet. Jan. 14. Reg. Roche. O. A. Parkyns. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. Jan. 30.

Dowding, Thomas, boot and shoe maker, Wolferton. Pet. Jan. 11. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry; Shepherd, Luton. Sur. Feb. 8.

Glanister, Charles James, butcher, East Barnet. Pet. Jan. 12. Reg. Hazlitt. O. A. Graham. Sol. Leyton, jun. Church-row, Islington. Sur. Jan. 31.

Hatton, Edmund, beershop-keeper, Gospel-oak-fields, Kentish-tn. Pet. Jan. 1. Reg. Brougham. O. A. Edwards. Sol. Wetherfield, Moorgate-st. Sur. Feb. 8.

Holton, Edward Mathews, out of business, Harmer-st. Gravesend. Pet. Jan. 12. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. Jan. 31.

James, Frederick, builder, Camden-st. Camden-tn. and Grenville-st. Brunswick-sq. Pet. Jan. 6. Reg. Brougham. O. A. Edwards. Sol. Howell, Cheapside. Sur. Feb. 8.

Kessel, Stephen, and Schonfield, Anton, general merchants, St. Mary-at-Hill. Pet. Jan. 11. Reg. Hazlitt. O. A. Graham. Sol. Murray, Great St. Helen's. Sur. Jan. 31.

Mason, James, painter and glazier, Paradise-pl. Hammersmith. Pet. Jan. 12. Reg. Hazlitt. O. A. Graham. Sol. Dubois, Church-passage, Gresham-st. Sur. Jan. 31.

Oppenheim, Walter Michael, mahogany and timber merchant, Worship-st. Finsbury, and Bayswater. Pet. Jan. 12. Reg. Hazlitt. O. A. Graham. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. Jan. 31.

Perez, Moses, ginger-beer maker and dealer, Exchange-buildings, Houndsditch. Pet. Jan. 11. Reg. Brougham. O. A. Edwards. Sol. Beard, Basinghall-st. Sur. Feb. 8.

Reding, Edward William, timekeeper at an iron foundry, Henry-st. Deptford. Pet. Jan. 9. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. Jan. 31.

Silva, John Gomez, shipping and insurance broker, Caversham-rd. Kentish-tn.-rd. and Leadenhall-st. Pet. Jan. 7. Reg. Hazlitt. O. A. Graham. Sol. Mossop, Ironmonger-la. Sur. Jan. 31.

Staniford, Henry, cabinet-maker, Little Chapel-st. Soho, and Walcot-sq. Lambeth. Pet. Jan. 14. Reg. Roche. O. A. Parkyns. Sol. Newstead, Ely-pl. Holborn. Sur. Jan. 30.

Tebbs, Edward, no occupation, Cotton-st. Limehouse. Pet. Jan. 11. Reg. Roche. O. A. Parkyns. Sol. Greenwood, Chancery-la. Sur. Jan. 30.

Vaughan, Robert, and Wells, Amos, grocers, Chenies. Pet. Dec. 23. Reg. Brougham. O. A. Edwards. Sols. Lee, Gray's-inn-sq.; Sedgwick, Watford. Sur. Feb. 1.

West, John, merchant's clerk, East Ascent, St. Leonard's. Pet. Jan. 12. Reg. Hazlitt. O. A. Graham. Sol. Gregson, Angel-ct. Throgmorton-st. Sur. Jan. 31.

White, Richard, cattle dealer, Lower Winchendon. Pet. Jan. 4. Reg. Brougham. O. A. Edwards. Sols. Harrison and Co., Old Jewry; Holloway and Co., Thame. Sur. Feb. 8.

To surrender in the Country.

Beddows, John, farmer, Bronheulog. Pet. Jan. 7. Reg. & O. A. Crozon. Sols. Randles and Cartier, Ellesmere. Sur. Jan. 28.

Bellerbore, Francis John Hunt, attorney's clerk, Stockton-on-Tees. Pet. Jan. 9. Reg. & O. A. Crosby. Sol. Thompson. Sur. Jan. 23.

Benson, James, hardware dealer, Rusholme. Pet. Jan. 14. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. Jan. 30.

Bevan, Peter, farmer, Allrick, Buckley. Pet. Jan. 13. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Jan. 31.

Bewley, Alexander, wheelwright, Quemerford, Calne. Pet. Jan. 13. Reg. & O. A. Rogers. Sol. Bakewell, Chippenham. Sur. Feb. [illegible]

Carter, William, miller, Worle. Pet. Jan. 11. Reg. & O. A. Davies. Sol. Smith, Weston-super-Mare. Sur. Jan. 27.

Chater, Thomas John, manager to an innkeeper, Rugby. Pet. Jan. 13. Reg. & O. A. Hubbard. Sol. Smallbone, Coventry. Sur. Jan. [illegible]

Coates, Robert, relieving officer, East Leake. Pet. Jan. 5. Reg. & O. A. Patchitt. Sol. Maples, Nottingham. Sur. Feb. 15.

Cole, Benjamin, machinist, Wellingborough. Pet. Jan. 12. Reg. & O. A. Burnham. Sol. Cook, Wellingborough. Sur. Jan. 30.

Colville, Eliza, dealer in tobacco, Nottingham. Pet. Jan. 14. Reg. & O. A. Patchitt. Sol. Smith, Nottingham. Sur. Feb. 2.

Davies, James, whitesmith, Dudley. Pet. Jan. 14. Reg. & O. A. Walker. Sol. Warmington, Dudley. Sur. Feb. 2.

Delahay, William, painter, Ross. Pet. Dec. 20. Reg. & O. A. Collins. Sol. Minett, Ross. Sur. Jan. 28.

Evans, David Jenkin, grocer, Aberayron. Pet. Jan. 14. Reg. & O. A. Lloyd. Sol. George, Newcastle Emlyn. Sur. Jan. 30.

Gibbons, William Edgeworth, ironmaster, Sedgley, and Greenbridge, West-bromwich. Pet. Jan. 16. Reg. Hill. O. A. Kinnear. Sols. Bourne and Owen, Dudley; Allen, Birmingham. Sur. Feb. [illegible]

Goldthorp, Thomas, and Goldthorp, Benjamin, timber merchants, Ashton-under-Lyne. Pet. Jan. 12. Reg. Macrae. O. A. Morgan. Sols. Brooks, Marshall and Brooks, Manchester. Sur. Jan. 31.

Graham, Alexander, cooper, Aston New-town, Birmingham. Pet. Jan. 12. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. Feb. [illegible]

Haine, John, butcher, Liskeard. Pet. Jan. 12. O. A. Carrick. Sols. Hingston, Liskeard; Terrell, Exeter. Sur. Jan. 27.

Halliwell, Edward, doubler of yarns, Lees, Oldham. Pet. Jan. [illegible] Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington, Shipman and Seddon, Manchester. Sur. Jan. 27.

Hamley, William, innkeeper, Newton Abbot. Pet. Jan. 12. O. A. Carrick. Sol. Fryer, Exeter. Sur. Jan. 27.

Hanson, Joseph, out of business, Marlbrook, Bromsgrove. Pet. Jan. 12. Reg. & O. A. Scott. Sol. Mole, Bromsgrove. Sur. Jan. [illegible]

Hides, Edwin, engraver, Sheffield. Pet. Jan. 11. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. Feb. [illegible]

Hirst, John, warehouseman, Hunslet, Leeds. Pet. Jan. 12. Reg. & O. A. Sangster. Sol. Gill, Wakefield. Sur. Feb. 3.

Holland, Joseph, and Roberts, William, joiners and builders, both Ruthin. Pet. Jan. 11. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool; Louis, Ruthin. Sur. Jan. 27.

Howell, William, glover, Whistones, Claines, Worcester. Pet. Jan. 12. Reg. & O. A. Crisp. Sol. Knott, Worcester. Sur. Jan. [illegible]

Hughes, Edward, hotel keeper, Llandudno. Pet. Jan. 11. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. Jan. 27.

Hulley, John, out of business, Rectory-la. Prestwich. Pet. Jan. 11. Reg. & O. A. Kay. Sol. Boote, Manchester. Sur. Jan. 31.

Jenkins, Richard, baker, Liverpool. Pet. Jan. 13. Reg. & O. A. Hime. Sol. Jones, Liverpool. Sur. Jan. 31.

Jones, William Thomas, collier, Tramway, Hirwain, Aberdare. Pet. Jan. 12. Reg. & O. A. Rees. Sol. Simons, Merthyr Tydfil. Sur. Jan. 31.

Keet, George James, photographic artist, Liverpool. Pet. Jan. [illegible] O. A. Turner. Sol. Neddon, Liverpool. Sur. Jan. 27.

Letts, James, grocer, Cinderhill, Sedgley. Pet. Jan. 9. Reg. & O. A. Walker. Sol. Blew, Bilston. Sur. Feb. 2.

... GEORGE HENRY, boot and shoe maker, Gloucester. Pet. Jan. 17. Reg. & O. A. Wilton. Sol. Wilkes, Gloucester. Sur. Jan. 28.
... THOMAS CURTIS, shoe manufacturer, Northampton. Pet. Jan. 14. Reg. & O. A. Dennis. Sur. Feb. 4.
... RICHARD, beershop-keeper, Plymouth. Pet. Jan. 17. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. Feb. 1.
... FREDERICK, metal smith, Sheffield. Pet. Jan. 11. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. Feb. 1.
... JOHN, shoe manufacturer, Northampton. Pet. Jan. 11. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. Jan. 28.
... ALFRED, shoddy manufacturer, Rawfolds, Liversedge. Pet. Jan. 12. O. A. Young. Sols. Bond and Barwick, Leeds. Sur. Jan. 28.
... NATHANIEL DERRY, hop merchant, Hereford. Pet. Jan. 14. ... O. A. Kinnear. Sol. Suckling, Birmingham. Sur. Feb. 1.
... JOHN, builder, Wellington. Pet. Jan. 13. O. A. Carrick. ... Exeter. Sur. Jan. 28.
... JOHN, farmer, Upper Gornal, Sedgley. Pet. Jan. 14. Reg. ... O. A. Kinnear. Sols. Bolton and Saunders, Dudley; James and Griffin, Birmingham. Sur. Jan. 28.
... WILLIAM, blacksmith, Lichfield. Pet. Jan. 14. Reg. & ... Sol. Wilson, Lichfield. Sur. Jan. 30.
... WILLIAM RICHMOND, silver plate manufacturer, Sheffield. Pet. Jan. 9. O. A. Young. Sol. Mason, York and Sheffield. Sur. Feb. 1.
... JAMES, victualler, Leamington Priors and Tamworth. Pet. Jan. 7. Reg. & O. A. Tibbits. Sol. Beaton, Birmingham. Sur. Jan. 6.
... WILLIAM, plumber, Guildford. Pet. Jan. 14. Reg. & O. A. ... Sol. White, Dane's-inn, Strand, and Guildford. Sur. Jan. 28.
... WILLIAM, grocer, Stoke-fields, Guildford. Pet. Jan. 13. Reg. & O. A. Marshall. Sol. White, Dane's-inn, Strand, and Guildford. Sur. Jan. 28.
... WILLIAM, button maker, Birmingham. Pet. Jan. 12. Reg. & O. A. Guest. Sol. Foster, Birmingham. Sur. Feb. 6.
... JOHN, grocer, Moss, Wrexham. Pet. Dec. 27. O. A. Turner. Sols. Acton, Wrexham; Evans, Son and Sandys, Liverpool. Sur. Jan. 31.
... FREDERICK, steam tenter, Spodden, Rochdale. Pet. Jan. 11. Reg. & O. A. Woods. Sol. Standring, Rochdale. Sur. Jan. 28.
... LEWIS WILLIAM, out of business, Cardiff. Pet. Jan. 13. Reg. & O. A. Langley. Sol. Neby, Cardiff. Sur. Jan. 30.

Gazette, Jan. 20.

To surrender at the Bankrupts' Court, Basinghall-street.

BATES, WILLIAM, scale maker, Exeter-st. Lisson-grove. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Waldron, Lamb's Conduit-st. Sur. Feb. 6.
...LEW, THOMAS, china and glass dealer, Wellington-st. Norwich. Pet. Jan. 11. Reg. Brougham. O. A. Edwards. Sol. ... Portsmouth-st. Linc.-inn. Sur. Feb. 8.
BARTLETT, THOMAS, plumber, Hackney. Pet. Jan. 14. Reg. Hazlitt. O. A. Graham. Sol. Bennett, Size-la. Sur. Feb. 2.
..., GEORGE, carman, Lower Clapton. Pet. Jan. 14. Reg. Roche. O. A. Parkyns. Sol. Adams, Arthur-st. City. Sur. Jan. 30.
..., GEORGE, patentee of printing in water colours, Northampton-sq. Clerkenwell. Pet. Jan. 11. Reg. Brougham. O. A. Edwards. Sol. Weeks, City-rd. Sur. Feb. 6.
..., HENRY, clerk to a commission agent, Chadwell-st. Clerkenwell, and Dunster-ct. Mincing-la. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sol. Chandler, Bucklersbury. Sur. Feb. 15.
..., GEORGE, gun manufacturer, Chamber-st. Whitechapel. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sol. Murrough, Warwick-ct. Gray's-inn. Sur. Feb. 13.
..., HENRY, surgeon, Moore-pk.-ter. Fulham. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sol. Pearpoint, Leicester-sq. Sur. Feb. 13.
..., MICHAEL, oil and colourman, Kentish-town-rd. Pet. Jan. 17. Reg. Roche. O. A. Parkyns. Sols. Sheen and Roscoe, ... Sur. Jan. 30.
..., HENRY, farmer, Alperton. Pet. Jan. 14. Reg. Roche. O. A. Parkyns. Sol. Stilling, Chapel-pl. Poultry. Sur. Feb. 6.
..., JAMES, bricklayer, Patriot-sq. Cambridge heath-rd. Pet. Jan. 12. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-la. Doctors' commons. Sur. Feb. 2.
..., SAMUEL, and KING, HENRY, music publishers, Regent-st. Pet. Jan. 12. Reg. Brougham. O. A. Edwards. Sols. Denton and ... Gray's-inn-sq. Sur. Feb. 13.
..., THOMAS, dealer in ship's stores, King-st. Tower-hill. Pet. Jan. 17. Reg. Roche. O. A. Parkyns. Sol. Sydney, Jewry-st. Aldgate. Sur. Jan. 30.
..., JAMES, general dealer, Sudely-st. Islington. Pet. Jan. 12. Reg. Roche. O. A. Parkyns. Sol. Bartley, Bucklersbury. Sur. Feb. 6.
..., attorney, New-inn, Strand. Pet. Jan. 17. Reg. Winslow. O. A. Graham. Sol. Haynes, Southampton-bldgs. Chancery-la. Sur. Feb. 2.
..., WILLIAM JOHN FOX, solicitor's clerk, Acton-st. Gray's-inn-rd. Pet. Jan. 14. Reg. Brougham. O. A. Edwards. Sol. ..., Wellington-st. Strand. Sur. Feb. 8.
..., WILLIAM HENRY, carrier's clerk, Carlingford-st. Hampstead-rd. Pet. Jan. 13. Reg. Hazlitt. O. A. Graham. Sol. Drew, New Inn. Sur. Feb. 2.
..., DAVID, commercial clerk, Englefield-rd. north, Islington. Pet. Jan. 16. Reg. Hazlitt. O. A. Graham. Sol. Murray, Great St. Helen's. Sur. Feb. 2.
..., GEORGE, painter and glazier, Evelyn-st. Deptford. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. Feb. 6.
..., GEORGE, cheesemonger, Leather-la. Holborn. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Dinsdale, Poultry. Sur. Jan. 30.
..., VALENTINE LANE, auctioneer, Ramsgate. Pet. Jan. 13. Reg. Hazlitt. O. A. Graham. Sol. Wetherfield, Moorgate-st. Sur. Feb. 2.
..., GEORGE GRAVES, butcher, Clarendon-rd. Notting-hill. Pet. Jan. 14. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st. Sur. Feb. 2.
..., JOSEPH JOB, boot and shoe dealer, Willow-pl. Deptford New-town. Pet. Jan. 17. Reg. Hazlitt. O. A. Graham. Sol. ..., Symond's-inn, Chancery-la. Sur. Feb. 2.
..., EDWARD, attorney and solicitor, Chichester. Pet. Jan. 16. Reg. Hazlitt. O. A. Graham. Sol. Sowton, Great James-st. Bedford-row. Sur. Feb. 2.
..., HARVEY, builder, Waterloo-rd. Freemantle. Pet. Jan. 13. Reg. Brougham. O. A. Edwards. Sols. Paterson and Son, Bouverie-st. ...; ..., Southampton. Sur. Feb. 13.
..., JAMES STEVENS, banker, Old Hummums, Covent-gdn. and ... Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sols. Ashurst, Morris and Co., Old Jewry. Sur. Jan. 30.
..., EDMUND, lamp and oil dealer, Margaret-ter. Paddington-grn. and St. Martin's-la. and Great Marylebone-st. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-la. Sur. Feb. 8.

To surrender in the Country.

..., ESTHER, lodging-house keeper, Brighton. Pet. Jan. 13. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. Feb. 1.
..., JOHN, butcher, New Mills, Manafon. Pet. Jan. 18. Reg. & O. A. Woosnam. Sol. Jones, Newtown. Sur. Feb. 7.
..., ANN, victualler, Everton. Pet. Jan. 17. O. A. Turner. Sol. Curtis, Liverpool. Sur. Feb. 2.
..., WILLIAM, carpenter, South Creake. Pet. Jan. 12. Reg. & O. A. Watson. Sol. Loynes, Wells next-the-sea. Sur. Feb. 2.
..., WILLIAM, tailor, West Retford. Pet. Jan. 16. Reg. & O. A. ... Sol. Marshall, jun. East Retford. Sur. Feb. 1.
..., RICHARD, shopkeeper, Willoughton. Pet. Jan. 11. Reg. & O. A. Copleby. Sol. Bladon, Gainsborough. Sur. Jan. 31.
..., SAMUEL JOHNSON, hair seating manufacturer, Hull. Pet. Jan. 16. O. A. Young. Sols. England, Saxelbye and Roberts, Hull. Sur. Feb. 8.
..., JAMES, shoe manufacturer, Wolverhampton. Pet. Jan. 13. Reg. & O. A. Brown. Sur. Feb. 6.
..., THOMAS, tailor and draper, Wolverhampton. Pet. Jan. ... Reg. & O. A. Brown. Sol. Underhill, Wolverhampton. Sur. Feb. 6.
..., CAROLINE, widow, Trent-vale, Stoke-on-Trent. Pet. Jan. 17. Reg. & O. A. Keary. Sols. E. and A. Tennant, Hanley. Sur. Feb. 6.
..., JOHN, commission agent, Leicester. Pet. Jan. 16. Reg. & O. A. Ingram. Sol. Pike, Leicester. Sur. Feb. 1.
..., MICHAEL, iron turner, Little Bolton. Pet. Jan. 14. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. Feb. 1.
..., EDWARD, woollen merchant, Leeds. Pet. Jan. 18. O. A. Young. Sols. North and Sons, Leeds. Sur. Feb. 6.

CROPPER, WILLIAM, builder, Rochdale. Pet. Jan. 11. Reg. & O. A. Woods. Sols. Messrs. Standring, Rochdale. Sur. Feb. 7.
CURLENDER, JACOB, tobacconist, Liverpool. Pet. Jan. 13. O. A. Turner. Sols. Gleadhurst, Liverpool. Sur. Feb. 2.
DAVIS, WILLIAM, sen. cooper, Buck Pool, Kingswinford. Pet. Jan. 16. Reg. & O. A. Harward. Sol. Collis, Stourbridge. Sur. Feb. 8.
DEAVILLE, ISAAC, cotton waste dealer, Stockport, and Tiviot Dale, Heaton Norris. Pet. Jan. 14. Reg. Harris. O. A. Morgan. Sol. Gardner, Manchester. Sur. Feb. 6.
DELF, DANIEL, blacksmith, Oulton. Pet. Jan. 11. Reg. & O. A. Chater. Sol. Archer, Lowestoft. Sur. Jan. 31.
DEWHURST, JAMES, butcher, Southport. Pet. Jan. 17. Reg. & O. A. Welsby. Sol. Husband, Southport. Sur. Feb. 1.
FEARN, JOSEPH, jun. shopkeeper, Sheffield. Pet. Jan. 17. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. Feb. 8.
FOX, JOSHUA, Esq. Tregolna, St. Buleck. Pet. Jan. 17. O. A. Carrick. Sols. Daw and Son, Exeter. Sur. Feb. 3.
FRANKENSTEIN, JACOB, draper, Falmouth. Pet. Jan. 2. O. A. Carrick. Sols. Moorman, Falmouth; Hirtzel, Exeter. Sur. Feb. 1.
HARGREAVES, ROBERT, grocer, Halifax. Pet. Dec. 22. O. A. Young. Sols. Wavell, Philbrick and Foster, Halifax; Bond and Barwick, Leeds. Sur. Jan. 30.
HAYES, WILLIAM, butcher, Ruddington. Pet. Jan. 17. Reg. & O. A. Patchitt. Sur. Feb. 8.
HENVILE, EDWARD, clerk in holy orders, Emley Woodhouse, Wakefield. Pet. Jan. 14. Reg. & O. A. Mason. Sol. Barratt, Wakefield. Sur. Feb. 4.
HIGHMORE, ALFRED, grocer, Yeovil. Pet. Jan. 16. O. A. Carrick. Sol. Hirtzel, Exeter. Sur. Feb. 17.
HOLLINGS, EDWARD, grocer, Middlesborough. Pet. Jan. 17. Reg. & O. A. Crosby. Sol. Dobson, Middlesborough. Pet. Feb. 1.
HOYLAND, EZRA, moulder, Thornhill, near Rotherham. Pet. Jan. 16. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. Jan. 30.
HUTIN, THOMAS, carrier, Warminster. Pet. Jan. 14. Reg. & O. A. Fussell. Sol. Wakeman, Warminster. Sur. Jan. 30.
JENNINGS, THOMAS, grocer, Swansea. Pet. Jan. 6. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. Feb. 3.
KNOTT, JOSEPH, hatter, Denton, near Manchester. Pet. Jan. 18. Reg. Harris. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. Feb. 6.
LEGGETT, HENRY, blacksmith, Worlingworth. Pet. Jan. 16. Reg. & O. A. Chabbs. Sol. Moseley, Framlingham. Sur. Feb. 1.
LINTINE, MORRIS, shoe and slipper manufacturer, Birmingham. Pet. Jan. 16. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Feb. 16.
MITCHELL, SAMUEL, provision dealer, Middlesborough. Pet. Jan. 9. O. A. Young. Sol. Hoche, Leeds. Sur. Jan. 30.
NEIGHBOUR, HENRY EUGENE, accountant, Penarth. Pet. Jan. 17. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. Feb. 2.
PAYNE, GEORGE, grocer and provision dealer, Birmingham. Pet. Jan. 16. Reg. & O. A. Guest. Sol. Beaton, Birmingham. Sur. Feb. 6.
REDFEARN, JOSHUA, glass bottle manufacturer and merchant, Liverpool. Pet. Jan. 14. O. A. Turner. Sols. Messrs. Gregory, Liverpool. Sur. Feb. 2.
RETH, CHARLES, jun., builder, Aveton Gifford. Pet. Jan. 17. O. A. Carrick. Sols. Harrell, Kingsbridge; Floud, Exeter. Sur. Feb. 1.
SAULL, SAUL, publican, horse clipper and singer, Winslow. Pet. Jan. 16. Reg. & O. A. Hearn. Sol. Small, Buckingham. Sur. Feb. 8.
SCOTT, HUGH, cabinet maker, Whitehaven. Pet. Jan. 16. Reg. & O. A. Hodgkin. Sol. Webster, Whitehaven. Sur. Jan. 31.
SKINNER, GEORGE, linendraper, Hastings. Pet. Jan. 16. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. Feb. 4.
SLADEN, ROBERT, farmer, Lower Dowhirst. Pet. Jan. 16. Reg. Harris. O. A. Morgan. Sols. Holland, Rochdale; Smith and Sewer, Manchester. Sur. Jan. 31.
STANFORD, SAMUEL, horsedealer, Wolverhampton. Pet. Jan. 14. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. Feb. 16.
STEPHENSON, ROBERT, shoemaker, Alkborough. Pet. Jan. 17. Reg. & O. A. Brown. Sols. Nowel and Priestly, Barton-on-Humber. Sur. Jan. 31.
SUMNER, THOMAS BUTLER FORSHAW, traveller to a leather factor and leather dealer, Liverpool. Pet. Jan. 14. Reg. & O. A. Hime. Sol. Harris, Liverpool. Sur. Feb. 1.
TRUEMAN, EDWIN, warder, Worcester. Pet. Jan. 17. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Jan. 31.
WARD, JOHN, hair dresser, Northampton. Pet. Jan. 14. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. Feb. 6.
WATERTON, WILLIAM, blacksmith, Swinton. Pet. Jan. 16. Reg. & O. A. Newman and Hoyle. Sols. Binney and Sons, Sheffield. Sur. Jan. 3.
WATSON, GEORGE BLOMFIELD, lodging-house keeper, Aldwyn Tower, Great Malvern. Pet. Jan. 16. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Feb. 3.
WELLS, SETH ELLIS, and HANCOCK, HENRY, photographers, Leicester. Pet. Jan. 16. Reg. & O. A. Ingram. Sol. Harvey, Leicester. Sur. Feb. 1.
WHITE, JOHN, brickmaker, Merthyr Tydfil. Pet. Jan. 17. Reg. & O. A. Russell. Sol. Plews, Merthyr Tydfil. Sur. Jan. 31.

BANKRUPTCIES ANNULLED.

Gazette, Jan. 17.

SPENSLEY, WILLIAM, silk broker and merchant, Alderman's-walk, New Broad-st. and Shrubbery-house, Lower Edmonton.

Gazette, Jan. 20.

FRANKENHEIM, FERDINAND, diamond merchant, Bloomsbury-sq.
LOWENTHAL, JULIUS, cheesemonger, Little Tower-st.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Andrew, P. of Menadarva, 4s. 6d. Peter, Redruth.—*Baxter*, J. R. dealer in hay, 2s. 3½d. Button, Newmarket.—*Jennings*, J. beer retailer, first, 2s. 1d. Kinnear, Birmingham.—*McLiver*, P. draper, first, 1s. 7½d. Pearce, East Stonehouse.—*Nankivell*, T. grocer, 1s. 10¼d. Peter, Redruth.—*Penning*, E. grocer, second and final, 11d. Peter, Redruth.—*Rapson*, G. corn miller, second, 3s. 4½d. (in addition to 11s. previously declared). Laidman, Newcastle.—*Roberts*, E. lime and coal merchant, second, 1s. 3½d. Kinnear, Birmingham.—*Smith*, J. builder, first, 3s. 9¾d. Laidman, Newcastle.—*Wilson*, G. builder, first, 1s. 3d. Laidman, Newcastle.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Jan. 17.

ABBOTT, ROBERT, wine merchant, Change-alley, Cornhill. Dec. 29. 6s. 8d. by two instalments of 3s. 4d. in 10 days and 4 mos.
ANDERTON, JAMES, currier and cab proprietor, Northampton. Jan. 12. Guarantor J. Ward, innkeeper, Northampton. 4s. 6d. in 2 mos.
BARNES, ANN, draper, Union-st. Borough. Dec. 19. Trust. J. R. Kay, warehouseman, Old-change.
BATES, THOMAS, butcher, Hull. Dec. 21. Trusts. A. Spink, butcher, Hull, and J. Carlill, farmer, Anlaby.
BENT, EDWARD STANLEY, solicitor, Northwich. Dec. 31. Trusts. J. McEvoy, public accountant, Manchester, and W. Poole, salt proprietor, Winsford.
BRADSHAW, THOMAS, jun., butcher, Malin-bridge, near Sheffield. Jan. 6. Trust. T. Bradshaw, sen., butcher, Malin-bridge. 2s. 6d. in 3 mos.
BURTON, GEORGE, butcher, Selby. Dec. 19. Trusts. J. Burton, farmer, Selby, and D. Helm, Sherburn.
CHILD, WILLIAM, grocer, Bermondsey-st. Jan. 2. Trust. E. A. Wilson, wholesale teadealer, Gt. Tower-st.
COHEN, HENRY, jeweller, Liverpool. Dec. 24. Trust. E. Roberts, accountant, Liverpool. 10s. by four instalments of 2s. 6d. at 3, 6, 9 and 12 mos.—secured.
COLLINS, STEPHEN, grocer, Bristol. Jan. 6. Trusts. J. Llewellin, hairdresser, Bristol, and H. Willis, wholesale grocer, Bristol.
COOPER, JOSEPH, maltster, Drighlington. Dec. 21. Trusts. S. Musgrave, corn merchant, Pocklington, and R. D. Newman, currier, Leeds.
CROFT, JAMES, grocer, West Derby. Dec. 20. Trust. E. Menlove, tea merchant, Liverpool.
CROSSLEY, JOHN, jun., merchant, Manchester. Dec. 30. 4s. in 1 and 3 mos.—secured.
DIETRICHSTEIN, SIGISMUND, out of business, King William-st. Jan. 12. 1s. by two equal instalments—first paid down, and second in 3 mos. after.
DITCHMAN, WILLIAM, attorney, Gray's-inn-sq. Jan. 9. 6s. 8d. by two instalments of 3s. 4d. on 1st Feb. and in 6 mos.
EDMUNDS, JAMES, gunmaker, Birmingham. Dec. 21. 5s.—2s. 6d. forthwith and 2s. 6d. on 21st March.
ELLIOTT, FREDERICK LOVELL, grocer, Fisherton, near Salisbury. Jan. 9. Trusts. J. Woodward, wholesale provision merchant, and W. Edmonds, accountant, both Portsea.
FORD, HENRY, mantle maker, Brompton-rd. Dec. 29. 5s. by two equal instalments on 24th Jan. and 25th March.
FOULON, ALEXIS, merchant, Cross-la. St. Mary-at-hill. Jan. 4. Trust. B. Kirkman, merchant, Great St. Helen's. 2s. 6d. by two instalments—1s. 6d. in 1 mo. and 1s. on 25th April.
FRANKENHEIM, FERDINAND, diamond merchant, St. Ann's-rd. Brixton. Dec. 31. Trust. J. Cooper, accountant, Coleman-st.-buildings. 2s. 6d.
FRANKLIN, STEPHEN, draper, Doddington. Dec. 16. 12s. 6d. by two equal instalments at 3 and 6 mos.—secured.
FRITH, JOHN, Sheffield. Dec. 21. Trust. T. R. Marsh, cooper, Sheffield. 5s. by two instalments of 2s. 6d. in 35 days and 4 mos.
GABRIEL, ISAAC, bootmaker, Brick-la. Spitalfields. Dec. 17. 1s. by 17th March.
GADDES, JOHN, boot and shoe maker, Gateshead. Dec. 20. 10s. by four instalments at 1, 3, 6 and 9 mos.—secured.
GENT, THOMAS, gasfitter, Leicester. Jan. 7. Trust. J. Treshern, boot and shoe manufacturer, Leicester.
GIBSON, JAMES, in no business, Sandiway. Jan. 12. Trusts. G. Willis, silversmith, Northwich, and J. Heap, auctioneer and accountant, Northwich.
GRAY, JOHN ROBERT, builder, Cornwall-pl. Holloway. Jan. 11. 5s. by two equal instalments in 24 days and 6 mos.
GRIFFITH, GEORGE SILKSTONE, ironfounder, Amlwch Port. Dec. 20. Trust. R. B. Rouse, accountant, Liverpool.
HAIGH, SAVILLE, Longwood, and HAIGH, JOHN, Longwood, manufacturers. Dec. 31. Trusts. W. Shaw, manufacturer, and C. Hall, woolstapler, both Longwood.
HALL, JOSEPH, attorney, Coleman-st. Dec. 20. Trust. C. Brutton, gentleman, Moorgate-st. Deed of arrangement to pay 100*l.* by two equal half-yearly instalments on 24th June and 24th Dec.
HUNTINGTON, THOMAS, and LOVELY, JOSEPH, corn merchants, Liverpool. Dec. 20. 12s. 6d. by instalments—4s. 6d. on execution of deed, 4s. in 1 mo. and 4s. in 4 mos.
ISLIP, THOMAS, milliner, Luton. Dec. 19. 4s. in 7 days.
LAMPEN, CHARLES PERINO, ironmonger, Gravesend. Dec. 21. Trust. A. Seline, widow, Bexley-heath.
LANCASTER, DAVID, general dealer, Bradford. Jan. 3. Trust. J. Pickard, manufacturer, Keighley. Sol. Humble, Bradford.
LEDGARD, HENRY, London and Manchester warehouseman, Wood-st. Dec. 21. Trusts. J. Dowson, tea merchant, Upper Thames-st. C. Poppleton, gentleman, Huddersfield. E. Day, Dewsbury, F. Barker, Leeds, B. Mellor, Huddersfield, and G. Brooke, Huddersfield, woollen manufacturers. 5s. 6d.—1s. 6d. on 1st Feb. and 1st April, 1s. 6d. on 1st Aug. and 1s. 6d. on 1st Dec.
LONGBOTTOM, ABRAM, engineer, Hammersmith-ter. and Chancellor's-wharf, Hammersmith. Dec. 31. 5s. by two equal instalments at 9 and 12 mos.
LONGFIELD, STEPHEN, woollendraper, Blackburn. Dec. 21. Trust. J. Kerr, public accountant, Manchester.
MELLOR, WILLIAM, hosier, Over-la. near Winford. Dec. 29. Trusts. E. C. McCrew, merchant, Walbrook, and J. A. Davenport, gentleman, Swanlow.
MERCIER, LEWIS PAGE, clerk, Clarence-pl. Woolwich. Jan. 4. Trust. W. F. White, treasurer, St. Bartholomew's-hospital.
MITCHELL, JOSEPH, innkeeper, Barnsley. Jan. 5. Trusts. W. J. Dandeson, wine and spirit merchant, Barnsley, and W. M. Walker, farmer, Round-green, near Barnsley.
PALMER, MARIA DONNITHORNE, widow, Cecil-st. Strand. Dec. 17. 10s. in 2 mos.—secured.
PALMER, WILLIAM JOHN, and PALMER, GEORGE HOWARD, brewers, Hereford. Jan. 5. 7s. 6d. on 31st Jan.
PARKER, LINSEY GOLDSMITH, tailor, Dover. Jan. 13. Trust. L. Farmer, of coast-guard service, Dover.
PROCTOR, HENRY, butcher, Sheffield. Dec. 16. 10s.—5s. on execution of deed and 5s. on 16th March.
PURDAY, SARAH, spinster, Cheriton, and PURDAY, MARY ANN, stationers, at Sandgate. Jan. 5. Trusts. W. Watson, Cannon-st. west, wholesale stationer, and H. Stock, solicitor, Folkestone.
RABBITTS, WILLIAM, farmer, Donhead Saint Mary. Dec. 16. Trusts. E. Rabbitts, farmer, Temple Combe, and W. Godwin, auctioneer, Stower.
RITSON, WILLIAM, watchmaker, Maryport. Dec. 24. Trusts. N. Tordiff, Pow, and J. Telford, Maryport.
ROBINSON, WILLIAM, farmer, Barnhill. Dec. 17. Trusts. J. Alexander, cattle dealer, Eglingham, and J. Robertson, merchant, Gateshead.
SIMPSON, MARY; BUTTERWORTH, JOSEPH; and RILEY, JAMES, cotton cloth manufacturers, Bury. Jan. 9. Trusts. G. W. Jackson, commission agent, Manchester, and W. Yates, cottonspinner, Bluepits, near Rochdale.
SMITH, FREDERICK, grocer and cheesemonger, Orchard-st. Great Chapel-st. Westminster. Dec. 19. Trust. E. Stuart, gentleman, Union-rd. Southwark.
SMITH, JAMES, grocer, Fareham. Dec. 29. Trust. J. Woodward, wholesale provision merchant, Portsea.
SMITH, ROBERT, and SMITH, JAMES, timber merchants, Manchester. Dec. 30. Trust. J. Richardson, grocer, Manchester. 5s. by two equal instalments on 25th April and 25th Aug.
STARK, WILLIAM, cheesedealer, Mark. Jan. 10. Trust. W. Fear, yeoman, Uphill.
TAYLOR, JOHN, butcher, Ipswich, also Harwich. Jan. 12. Trust. J. W. Knights, auctioneer, Woodbridge.
THOMAS, DAVID, farmer, Newbus-farm, near Hurworth. Dec. 21. Trusts. J. G. Grace, land agent, Darlington, and E. Waldy, farmer, Barmpton.
TRIPP, GEORGE, horsedealer, Ipswich. Jan. 14. Trust. G. Knights, gentleman, Ipswich.
TURNER, HUMPHRY, iron, steel and file manufacturer, Sheffield. Dec. 24. Trusts. W. Owen, railway axle and tyre manufacturer, Rotherham, H. Unwin, iron merchant, and H. Wharton, iron agent, both Sheffield.
VENABLES, JAMES, job and fly master, St. John's-wood-ter. St. John's-wood. Dec. 16. Trust. J. Joslin, job and fly master, Assembly-yard, Kentish town.
WHATTON, WILLIAM HAWKINS, and WILLIMOTT, OLIVER ARCHER, lithographers, Nottingham. Dec. 10. Trust. J. Soar, colour merchant, Nottingham.
WILLIAMS, ROBERT, joiner and builder, Beaumaris. Jan. 11. 2s. 6d., on 1st Sept.
WILSON, ABRAHAM, farmer, Raithby. Jan. 9. Trusts. W. Potter, grocer, T. Young, merchant, and T. Mason, auctioneer, all of Louth. Sols. Allison and Sons, Louth.
WILSON, CHARLES, warehouseman, St. Paul's-churchyard. Dec. 20. Trusts. R. Dalton, warehouseman, Sambrook-ct. Basinghall-st. R. Hall, warehouseman, Mitre-ct. Milk-st. and C. Rumpe, merchant, Basinghall-st. 11s. 6d.
WRIGHT, CHARLES, tea broker, Fenchurch-st. Dec. 23. 2s. 6d. in 10 days.

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ANDREWS, ROBERT, assistant to a poulterer, Bull-gate-yard, Lincoln's-inn-fields. Jan. 9. Trust. J. Bull, carriage dealer, Kew-rd. Richmond.
ASHWORTH, JOHN, cotton manufacturer, Rossendale. Jan. 2. Trust. D. Law, auctioneer, Newchurch. 10s. by four equal instalments on 13th Jan., 23rd March, 23rd June and 23rd Sept.—secured.
BEAUMONT, GEORGE, hotel proprietor, New Holland. Jan. 12. Trust. G. Mayor, auctioneer, Worksop. 5s. on 16th Dec. and 5s. on 16th Feb.
BILLS, GEORGE, builder, Dartford. Jan. 6. Trusts. W. Gambrell, carpenter, and J. Miles, stonemason, both Dartford.
BOCK, THEODOR, merchant, Mincing-la. Dec. 21. Inspectors, F. Maynard, accountant, Bread-st. and H. Y. Overzee, merchant, Foulkes-bldgs. Great Tower-st.
BOCK, GEORGE THEODOR, and WANDESLEBEN, GEORGE, merchants, Mark-la. Dec. 30. Inspectors, L. V. Kakerbeck, merchant, Saint Dunstan's-hill, G. C. Graves, shipbroker, Hood-la. and F. Maynard, accountant, Bread-st. Cheapside.
BOON, THOMAS, grocer, Biddulph. Jan. 10. Trust. J. Mitchell, farm labourer, Leek.
BOWDEN, JAMES, soap manufacturer, Chicksand-st. Whitechapel. Dec. 12. Trusts. B. Biggs, Lawrence Pountney-hill, and J. Bowden, jun., Bishopsgate-st. without.
BOWYER, WILLIAM, grocer, Salford. Jan. 17. Trust. J. Milner, provision dealer, Salford.
BRAYSHAW, EDWIN, manufacturer, Idle. Jan. 11. 9s. by three instalments—1st in cash at 1 mo., 2nd and 3rd in 3 mos.—secured.
BREWIS, JOHN, grocer, Newcastle. Dec. 31. 10s. by four equal instalments at 3, 6, 9 and 12 mos.
BURTON, WILLIAM, innkeeper, Hull. Dec. 22. Trusts. J. Hodgson, wine and spirit merchant, and A. Prynn, salt merchants, both Hull

CARD, JOHN, warehouseman, Milk-st. Dec. 21. Trusts J. Hayne, Esq., Holland-park, J. A. Hofmann, Gresham-st. and G. Rawlinson, Wood-st. warehousemen 7s. 6d.

COWPE, HORATIO, Hurley-rd. Kensington-la. Jan. 7. 2s. in two mos.

CROMBLEY, HENRY, cotton manufacturer, Spring-mill, and Winter's-mill, near Todmorden. Dec. 20. Trusts J. Graham, ironfounder, Burnley, and B. Wood, engineer, Sowerby-bridge. 15s.—2s. 6d. in cash, 4s. in 6 mos. 4s. in 9 mos. and 1s. 6d. in 12 mos.—secured.

DAVIS, THOMAS WILLIAM, boot and shoe maker, Gloucester, and Stroud. Dec. 21. Trusts E. Mason and W. Parker, boot and shoe manufacturers, both Leicester.

DENE, WAVELL ARUNDEL, surgeon, Barnstaple. Dec. 22. Trusts M. Snell, spirit merchant, and J. Westcombe, gentleman, both Barnstaple.

DUFFY, HENRY, grocer and provision dealer, Halshaw Moor, near Bolton. Jan. 10. 7s. 6d. by three instalments—2s. 9d. in 1 mo., 2s. in 6 mos. and 1s. 9d. in 9 mos.

DYSON, JABEZ, grocer, Darnall. Jan. 13. Trust J. Hall, wholesale grocer, Sheffield. 10s. by two instalments of 5s. at 3 and 6 mos.

EASTMAN, THOMAS EDMUND ATKINSON, shipping agent, Clifton-villas, Clifton-rd. New Peckham. Jan. 11. Trust J. C. Eastman, Custom-house agent, Blackheath-hill.

ELLIS FREDERICK, butcher, Birkenhead. Dec. 10. 2s. on 2nd May.

FARRALL, JOHN, commission agent, Kirtonal Vale. Dec. 10. 5s.

GARDNER, THOMAS, brickmaker, Granville-ter. Jeffreys-rd. Stockwell, and Stanhope-brickfields, Wimbledon. Jan. 12. 3s. in 6 mos.

GIBSON, CORNELIUS, flat builder, Leftwich. Dec. 21. Trusts, F. H. Firth, banker, Northwich, and J. Hassall, timber merchant, Liverpool. 11s. 6d. by instalments—4s. in 4 mos., 4s. in 8 mos. and 3s. 6d. in 12 mos.

GIBSON, GEORGE, merchant, Leeds. Dec. 23. Trusts H. Oxley, banker, and T. W. George, dyer, both Leeds. 1s. 9d.

GURNEY, HENRY, timber merchant, Birmingham. Dec. 21. Trusts W. Cooper, accountant, George-st. Mansion-house, G. Edwards, banker's clerk, Birmingham, and A. E. Wenham, accountant, Birmingham.

HERBERT, EDWARD PARHAM, grocer, Southampton-st. Clerkenwell. Jan. 12. 2s. 6d. in 1 mo.

HEWER, JAMES STONE, grocer and provision dealer, Macclesfield. Jan. 9. Trusts, W. Pointon, miller, Astbury, and W. Beresford, grocer, Macclesfield.

HILL, ALFRED, and MEADOWS, THOMAS, shipping insurance agents, both Milk-st. Cheapside, and Liverpool. Dec. 21. Inspectors, A. A. Jones, public accountant, King-st. Cheapside, W. H. Shirley, merchant, Liverpool, and R. Cockburn, trunk and packing-case maker, Liverpool. Deed of arrangement to pay debts in full by four equal instalments of 5s. in 7 days, and 15s. at 3, 5 and 7 mos.—secured.

HOLMES, JOSEPH, farmer and innkeeper, Kiveton-park. Jan. 3. Trusts A. Hirst, agent, Rotherham, and G. Harvey, wine merchant, Newark-on-Trent.

HUGHES, EDWARD WALTER, wine merchant, Great Tower-st. and Bloomfield-rd. Edgware-rd. Jan. 11. Trust F. C. W. Brandt, accountant, Abchurch-chambers, Abchurch-la.

INMAN, MARY, milliner, Torquay. Dec. 24. 7s. on 10th Jan.

IRELAND, JOHN, commission merchant, Liverpool. Jan 13. Trust J. Hemley, accountant, Liverpool.

JAMES, ROBERT HOPKINS, corn merchant, Liverpool. Dec. 30. 8d. on 16th Feb.

JENKINS, THOMAS, draper, Blaenavon. Dec. 21. Trust A. A. Taylor, Manchester warehouseman, Bristol.

JENNINGS, STEPHEN, builder, Rochester. Dec. 22. Trusts J. Berridge, ironmonger, Chatham, W. Haynes, merchant, Rochester, and J. H. Ivey, stone merchant, Strood.

JOAKE, PAUL, merchant, Mark-la. Dec. 21. Inspectors, E. G. Godsell, Great Tower st., E. F. Sichel, Old Broad-st. merchants, J. Mathew, wine broker, Great Tower-st. and H. Browning, merchant and agent, Mark-la.

KERSHAW, THOMAS, tobacconist, Oldham. Dec. 21. Surety, T. C. Thompson, machinist, West Leigh. 6s. 6d. by three instalments at 2, 5 and 8 mos.

LISTER, JOSEPH, hairdresser, Dewsbury. Jan. 12. Trust J. Littlewood, insurance agent, Batley. 1s.

LLOYD, EDWARD RICHARD, timber merchant, Birmingham. Dec. 14. Trusts, J. T. Cartwright, surgeon, Wolverhampton, and J. Harrison, timber merchant, Liverpool.

MACKIE, SAMUEL JOSEPH, artist, Alma-sq. St. John's-wood. Dec. 22. 1s. in 12 mos.

MEIKLE, GEORGE BURNS, draper, Hull. Dec. 21. Trust J. Menzies, draper, Hull.

MOODY, JOHN, leather cutter, Otley. Dec. 22. 10s. by two equal instalments at 4 and 10 mos.—secured.

MOORE, PAUL, wire manufacturer, Aston-juxta-Birmingham. Dec. 30. Trust J. Smith, gentleman, Birmingham. 3s. 6d. in 14 days.

PITTS, HENRY JAMES, miller, Bitton. Jan. 16. Trust T. B. Clements, tobacconist, Bristol. 3s. 6d.

RUST, ROBERT ANDERSON, patent pianoforte manufacturer, Great Marlborough-st. Dec. 20. Trust T. Owen, pianoforte maker, Comming st. Pentonville-st.

RUTHERFORD, WILLIAM, and NORFOLK, RICHARD, timber merchants, Liverpool. Jan. 16. Trusts J. Nuttall, ironfounder, Todmorden, W. Crowe, timber merchant, Birkenhead, and H. Mackay, timber merchant, Liverpool. 12s. 6d. by five instalments of 2s. 6d. in 3, 6, 9, 12 and 15 mos.

SMITH, JOHN GALT, merchant, Chester. Dec. 30. 6d. in 6 mos.

SMITH, WILLIAM, lace and trimming manufacturer, Nottingham. Dec. 22. 6s.—2s. on 7th April, 2s. on 7th July and 2s. on 7th Oct.—secured.

SUTTON, FREDERICK, plumber, Brownlow-st. Holborn, and Romford. Jan. 14. Trusts A. Sutton, Rochester, and W. Yeoud, Gt. James-st. Bedford-row.

TAYLOR, MAXWELL HANNAY, master mariner, London-docks. Jan 10. Trusts G. A. Hughes and H. Browne, jun., shipbrokers, Leadenhall-st. 2s. 6d. on 11th Feb.

TEASDALE, RICHARD, commercial traveller, Ellington-st. Barnsbury. Jan. 11. Trust R. Walker, Laurence Pountney hill. 2s. 6d. by two equal instalments on 31st July and 31st Jan.

TETLOW, HENRY, cotton waste dealer, Oldham. Dec. 21. 4s.

TARBUTT, JOHN, and HISCOCK, JOSEPH, grocers and teadealers, Hackney-rd. Dec. 21. Trust J. Tarbutt, gentleman, Fotheringay. 7s. 6d. in 14 days.

WAITE, JAMES, joiner, Southport. Dec. 21. Trust J. Walker, brickmaker, Monks Coppenhall.

WHITEHOUSE, JOB, bookseller, Birmingham. Dec. 19. 5s. by two equal instalments on 21st Dec. and 21st April.

WINGROVE, CHARLES, cheesemonger, Ker-ter. Old Ford-rd. Bethnal-green. Dec. 22. 3s.—1s. 6d. in 1 mo. and 1s. 6d. in 3 mos.

BIRTHS MARRIAGES AND DEATHS.

BIRTHS.

RENNOLLS.—On the 14th inst., at Kilburn Priory, the wife of Wm. Henry Rennolls, of Lincoln's-inn-fields, solicitor, of a son.

ROBINSON.—On the 12th inst., at Albert-square, Clapham-road, the wife of James Robinson, Esq., solicitor, of a son.

RUSSELL.—On the 15th inst., at 26, Montague-place, Russell-square, the wife of Charles Russell, Esq., barrister-at-law, of a daughter.

HERBERT.—On the 14th inst., at Firsgate, Augustus-road, Edgbaston, Birmingham, the wife of Mr. John H. Herbert, solicitor, of a daughter.

REYNOLDS.—On the 25th inst., at 23, Addison-road north, Notting-hill, the wife of Edward Reynolds, Esq., barrister-at-law, of a son.

MARRIAGE.

BOWKER—CROSS.—On the 19th inst., at St. Martin-in-the-Fields, Mr. Thomas Bowker, of 1, Gray's-inn, and 16, Lansdown-road, Notting-hill, solicitor, to Eliza Jane, eldest daughter of Robert Cross, Esq., M.D., of New-street, Spring-gardens.

DEATHS.

THOMPSON.—On the 6th inst., aged 73, Mr. Edward Thompson, upwards of fifty-two years the faithful and respected clerk of Messrs. Blake, White, Tylee and Co., solicitors of 14, Essex-street, Strand.

BALL.—On the 15th inst., at St. Stephen's-green, Dublin, in his 74th year, the Right Hon. Nicholas Ball, Second Justice of the Court of Common Pleas in Ireland.

TOLVER.—On the 15th inst., at Great Yarmouth, in his 84th year, Samuel Tolver, Esq., for many years town clerk of that borough.

MELLOR.—On the 2nd Dec. 1864, at Durban, Port Natal, South Africa, Maria, wife of Henry James Mellor, Esq., Acting Puisne Judge of the Supreme Court, Pietermaritzburg.

NETTLESHIP.—On the 17th inst., at Kettering, aged, 15, Horace Nettleship, youngest son of H. T. Nettleship, solicitor.

PRICE.—On the 12th inst., at Stourbridge, in his 17th year, Rowland, youngest son of Mr. Rowland Price, solicitor.

SEWELL.—On the 7th Nov. last, at Melbourne aged 61, Richard Clarke Sewell, Esq., D.C.L., barrister, of the Middle Temple, and late Fellow of Magdalen College, Oxford.

Investments.

SIX PER CENT. DEBENTURES.—The DIRECTORS of the INNS OF COURT HOTEL COMPANY (Limited) are now prepared to receive TENDERS of LOANS on DEBENTURES of 50l. or 100l. each for the term of 7 years at 6 per cent. per annum.

The Loan to be secured as a first charge on the freehold property of the Company, the value of which is estimated at not less than 120,000l. The sum of nearly 70,000l. has been already expended on the security.

For further particulars apply to the SECRETARY, at the offices, 61, Lincoln's-inn-fields, W.C., who will supply forms of application, which may also be obtained from the Company's Bankers, the AGRA AND MASTERMAN'S BANK (Limited), 35, Nicholas-lane, E.C.

By order of the Board,

Jan. 1865. H. I. L. BEWLEY, Secretary.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100l. and upwards, secured either on the general undertaking or upon the Metropolitan Extensions, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, S.W.

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

CAPITAL, 250,000l.

DIRECTORS.

Ralph T. Brockman, Esq. Folkestone.
Edward Wm. Cox, Esq., 36, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 34, Devonshire-place.

MEDICAL ADVISERS.

Nicholas McCann, Esq., M.D., 30, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 34, Wimpole-street

CONSULTING ACTUARY.—F. G. P. Nelson, Esq., F.S.S.

SECRETARY.—Edward S. Barnes, Esq.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary.

SIX PER CENT. DEBENTURES.

THE CREDIT FONCIER OF MAURITIUS (Limited)

Subscribed Capital	£500,000
Paid-up Capital	100,000
Unpaid Capital	400,000

DIRECTORS.

CHAIRMAN—Sir JOHN P. GRANT, K.C.B.

Colonel Balfour, C.B.	Henry Young, Esq.
George Henry Money, Esq.	George Clerihew, Esq.
Richard Spooner, Esq.	Robert G. Lancaster, Esq.
Lieut. Col. F. A. V. Thurburn.	

The Credit Foncier of Mauritius (Limited), duly authorised to borrow to the extent of the money, invested on mortgage, is now prepared to issue debentures, with coupons attached, terms to be agreed upon, in amounts from £20 upwards, at 6 per cent. per annum, payable half-yearly at the Alliance Bank, on the 15th of June and 15th of December.

The security to debenture holders will be the whole of the assets of the Company, including the paid and uncalled capital, and its lien on the property mortgaged to the Company.

The state of the law of Mauritius, including the system of registration of mortgage and other claims upon land, is peculiarly conducive to the security of mortgagees.

Applications for debentures to be made to the Secretary of the Company, 17, Change-alley; to the Alliance Bank, 5, Lothbury; or to Messrs. J. and A. Scrimgeour, the brokers of the Company, 10, Old Broad-street.

WILLM. G. DICK, Secretary.

SEVEN PER CENT. GUARANTEED on MONEY invested in first registered Mortgages, through the medium of the TRUST and AGENCY COMPANY of AUSTRALASIA (Limited).

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William Frederick Baring, Esq.
F. A. Bevan, Esq. (Messrs. Barclay, Bevan, Tritton, Twells and Co.)
Andrew Bonar, Esq., Pembridge-square.
W. W. Cargill, Esq., M.P., Connaught-place West, Hyde-park.
Alfred Denison, Esq., Albemarle-street.
Henry Kingscote, Esq., Eaton-place.
Hon. Arthur Kinnaird, M.P. (Messrs. Ransom, Bouverie and Co.)
Henry Loftus Wigram, Esq., Grosvenor-square, London.

Offices—31, St. Swithin's-lane, London, E.C.

The Company, as agents, effect investments in first registered mortgages in Australia and New Zealand, to pay investors 7 per cent. per annum, the interest being guaranteed and paid half-yearly by the Company.

The Company also issue Five per Cent. Debentures for loans for three or more years. The debentures, besides being secured by the paid-up capital and property under mortgage to the Company, have, in addition, the guarantee of uncalled proprietary capital sufficient alone to liquidate in full the whole of the debentures that may be issued; and further, in order that the debenture holders should be most amply protected, it is expressly provided by the Company's constitution that the Directors may borrow only to the extent of the uncalled subscribed share capital.

Full particulars on application to the undersigned.—By order,

JAMES HORA, General Manager.

DEBENTURES AT SIX PER CENT.

THE EAST INDIA FINANCIAL ASSOCIATION (Limited).

SUBSCRIBED CAPITAL 1,000,000l.

DIRECTORS.

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C. B. CLABON, Sec.

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Manager—Will. Thos. Thomson, F.R.S.E.

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Solicitors—Messrs. Minet and Smith.

London, 82, King William-street, E.C.; Edinburgh, 3, George-street (Head Office); Dublin—66, Upper Sackville-street; Glasgow, 166, St. Vincent-street.

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◆

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◆

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Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. Horace Cox, *the latter at the General Office.*

The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the Law Times Reports *will be forwarded by post to any person inclosing* 1*s.* 6*d.* *in postage stamps.*

The death of the late Publisher of the Law Times, Mr. J. Crockford, making it necessary to clear the books, Subscribers and Advertisers will much oblige by transmitting the amount of their Christmas accounts at their earliest convenience. Cheques and Post-office orders are to be made payable to Mr. Horace Cox, the present publisher.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

Mr. Justice Williams has resigned his seat upon the Bench of the Common Pleas. He had endured the work of a term *in banco*, but the coming Circuit was more than he dared adventure. He will carry with him into private life the respect and esteem of the whole Profession. A kindlier man and a better lawyer never adorned the Bench. His growing deafness for some time past has warned him that, although the vigour of his intellect was unimpaired, the gradually increasing difficulty of communicating with it really was an impediment not to be overcome, and he resolved to resign, with commendable reluctance, the labour that was to him a delight. He was raised to the Bench in 1846, having been previously only a stuff gownsman. He had been a laborious pleader, and his opinions were held in high esteem in chambers. Upon the Bench he enjoyed the proud position of being looked up to almost as an authority by the other Judges. May he live many years to enjoy the love of that large circle of professional and other friends whom his kindly disposition has gathered round him.

The successor to Mr. Justice Williams is not yet (Thursday) announced. The names of Mr. Montague Smith, Mr. Lush and Mr. Mellish are floating about Westminster-hall, the chances of the first being preferred, although he is attached to "the opposition." But the Lord Chancellor is not one to sacrifice public interests to party feeling, and he will doubtless choose the best man in the Profession without reference to politics.

The Irish appointments that hung fire so long are completed. The Attorney-General, albeit reluctantly parted with by the Government, accepts the Judgeship vacated by the death of Mr. Justice Ball: the Solicitor-General becomes Attorney-General; Mr. Serjt. Sullivan is Solicitor-General; his coif is given to Sir Colman O'Loghlen, M. P., and Mr. C. Barry, Q. C. takes the part of Law Adviser to the Government, vacated by Serjt. Sullivan. Mr. Barry is a Protestant; the others are Roman Catholics.

Vice-Chancellor Stuart has added another to the testimonies which the Judges are continually volunteering as to the value of what Mr. Daniel endeavours to discredit by calling them "Ephemeral Reports." At the hearing of *Francome* v. *Francome*, last week, Mr. W. Karslake cited a case from the *Jurist*. The Vice-Chancellor asked if he had verified it; Mr. Karslake answering that he had not, the Vice-Chancellor said that he could not receive it as an authority binding upon him; but he added these emphatic observations:

The Vice-Chancellor then said, he could not act on the report of the case in the *Jurist* as an authority. He wished it, however, to be clearly understood that he was not one of those who had lately made a run against the Ephemeral Reports. His Honour thought that any gentleman was at liberty to report any case he might think proper, and the Ephemeral Reports were, in his Honour's opinion, most useful. But their utility was directed rather to the purposes of intelligence and suggestions for inquiry, than to that of authority. Such, indeed, appeared to have been the intention in which they had originated, although he thought that that intention had of late been somewhat abused. For his own part his Honour could not act upon the Ephemeral Reports as binding authorities.

Vice-Chancellor Stuart is quite right in his view of the *Jurist* and Law Times Reports. They are designed only for citable use until the case is reported in the regular reports, with all the care and correction necessary to make a report an authority binding upon the Judges. When so reported they alone should be cited in the Superior Courts. But until that time they are admissible everywhere, and in the Inferior Courts at all times, and so they may be read and referred to at all times for information and suggestion.

If a creditor of an insolvent be abroad at the times of the debt accruing and of the execution and registration of a composition-deed, the composition must be tendered to him, although he is abroad at the time for payment of it. If, on the contrary, a contract to pay be made in England with a party in England, who afterwards goes abroad, the person liable is not bound to follow him. The declaration in *Fenard* v. *Maynier*, C. P., 11 L. T. Rep. N. S. 635, was on a foreign bill of exchange, drawn in Paris by the plaintiff on the defendant, and accepted there by the defendant, and not paid. A composition-deed was pleaded, the plea following sects. 185-191 of the Act of 1861, and averring that the defendant had always been, and still was, ready and willing to pay to the plaintiff the composition. The plaintiff demurred to the plea, on the ground that the deed did not aver payment or tender of the composition to him. The defendant rejoined that the plaintiff was abroad at the time of the composition becoming due. The plaintiff surrejoined that he was residing abroad at the time of the accruing of the debt, and the making of the deed, of which the defendant had notice. The Court gave judgment for the plaintiff.

It was part of the plea that the plaintiff was bound by the deed, as if he had been a party to and duly executed it, and a question arose, whether the release by the creditors should be pleaded as a release or as a covenant not to sue; but, the plea being bad for want of averment of the tender abroad, that point remained undecided.

Two cases, worthy of more than common notice, are now before the Judges. One is in patents, the other in composition-deeds. The Crown, in *Feather* v. *The Queen*, at the Queen's Bench, claims the right to use a patented invention generally, or, at least, where the invention concerns the defence of the realm. The Attorney-General's points of argument against the patentee's petition of right were, first, letters patent do not grant any privileges as against the Crown: secondly, otherwise the letters patent would be void, because it is against public policy that the Crown should grant privileges against the Crown; thirdly, the statutes and authorities support this conclusion; fourthly, not the Crown, on a petition of right, but the individual alleged wrong-doer, on an action, is liable for the infringement of letters patent. The cause was argued on the 24th ult., and was again heard on Friday and Monday; it was intimated that judgment would be for the Crown.

In the Bankruptcy case, *Walker* v. *Nevill*, at the Exchequer, on the 25th ult., the question, whether a deed under the 192nd section of the Bankruptcy Act 1861, made by one of two partners, and providing that a certain dividend should be paid to his creditors, without distinguishing creditors of the joint firm from creditors of the separate partner, or joint estate of the firm from his separate estate, is good, was raised on a demurrer by a joint creditor to a plea of the deed put in to his action brought against the partners on their bond. It was argued, in support of the demurrer, that such a deed was contrary to the spirit of the Act, and it was submitted that the Act contemplated that where there were joint and separate estates they should be dealt with by separate deeds. Judgment was to have been delivered during the last term. This is *dignus vindice nodus*.

A correction was made by the case of *Penny* v. *Brice*, in the Common Pleas (11 L. T. Rep. N. S. 632) of a statement of a point of law in some text-books of high repute. In the second vol. of Williams on Executors, p. 1706, 5th edit., there is a passage that, if an executor take out proper process of *assumpsit* within a year after his testator's death, the six years not having elapsed before, though they expire within that period, yet, it is said, that will be sufficient to take the case out of the Statute of Limitations (21 Jac. 1, c. 16). Similarly in the 2nd vol. of Chitty's Archbold, p. 1212, 11th edit., it is laid down, that if the time limited by statute have not expired before the death of the testator, the executor or administrator may bring the action at any time within a year after the death. The authority cited to both passages is a case in Buller's Nisi Prius, which, however, as reported in Willes, does not sustain the point. It is singular that such text-books should thus go through edition after edition, stereotyping bad law, and still more so, that no opportunity should have occurred of adjudicating on the point since the year 1741, the date of Buller's authority. Now the case was, that the cause of action arose while the defendant was beyond seas; Brice, the defendant, returned from beyond seas in Sept. 1856; the plaintiff's testator died on the 31st May 1862, without having brought any action; the plaintiff, his executor, proved on the 12th July 1862, and brought his action on the 5th Nov. in the same year. On the 1st Oct. six years had elapsed since the defendant's return. Judgment was given for the defendant. Mr. Justice Williams explained, that the passage in his work was inserted out of deference to the learned author of Tidd's Practice, to which book, as well as to the report in Willes, there is a reference in a note to the text in Williams's Executors. The words "it is said" were added there to show that the passage was only inserted for the reason given. If an action had been brought by the testator, then, under the equity of the 4th section of the statute, a question might have arisen whether the executor had continued the action within a reasonable time; but, that not being so, the case fell within the general rule.

If the six years are near their expiration at the time of the testator's death, it should be borne in mind that an executor may sue before obtaining probate.

The report from the Select Committee on the Bill for the Judgment Law Amendment Act of last session, which was commented on in the number of Aug. 6 and elsewhere in this journal, has been agreed on. The following is the substance of it:

Materials for report.—The committee examined several solicitors, including members of the Council of the Incorporated Law Society and the Presidents of the Liverpool and Manchester Chambers of Commerce, and other gentlemen in both branches of the Profession; it was furnished with a paper by the Law Society on the existing system, containing suggestions for amendment; also with returns from the Common Pleas and

Yorkshire Registry offices of the judgments registered and re-registered from July 1860 to March 1864, with the amounts secured.

Existing operation on land.—Under a judgment 1. The debtor's chattel leaseholds may be sold under a *fieri facias;* 2. His freeholds and leaseholds may be delivered under an *elegit* to the creditor, who may hold them until satisfied out of the rents and profits; 3. A judgment duly registered creates an equitable charge on the land enforceable, twelve months after entering up the judgment, by a decree in Chancery for sale. But no judgment entered up after 23rd July 1860 affects lands in the hands of a purchaser or mortgagee, with or without notice of it, unless in addition to registration a writ of execution has been issued and registered before the conveyance or mortgage, and execution been put in force within three months from such registration.

Expense and inconvenience.—There is the creditors' expense of registering, which is trifling, and the debtor's of procuring a partial release. But this release is a troublesome process. A judgment cannot be released until after execution levied. The release may discharge from the equitable charge, but does not prevent the land being taken in execution under sect. 11. It is doubtful whether the Act of 1860, restricting the operation of a partial release, has changed the law. Hence a judgment is a great hindrance to transfer of land, even though the creditor be willing to waive his rights in favour of the transferee.

The great expense and inconvenience are in searches. The ordinary expense of searching against a single name for judgments, where there has been no change of the debtor's residence, is between 30*s.* and 2*l.*, which, for 16,000 conveyances a-year, the estimated number in which search is made, gives an annual cost of from 24,000*l.* to 32,000*l.*; yet the search may be ineffectual, first, from impossibility to identify the debtor with the name on the register, over a period of five years; secondly, because the search is not made at the last moment. When a transaction takes places in the country, the proper course is to search up to four o'clock, when the registry-office closes, then telegraph (where practicable), and complete the next morning before eleven, when the office re-opens. The execution writ is registered under the Act of 1860, in the creditor's name, so that a double search is necessary.

In small transactions the difficulty causes searches to be omitted. The cases in which searches are made are stated to average one in ten; the judgments found to bear about the same proportion to the searches. Yet, whenever the search is omitted, the purchaser or mortgagee incurs risk, and unless he sanctions the omission, his solicitor incurs responsibility for loss. A town agent writes to the country solicitor to disclaim responsibility for any oversight or omission in searching, which is evidence of the opinion of the Profession of the risk and uncertainty of the search.

The landowner.—Judgments do not form part of "the land credit system" of the country, being seldom or never resorted to, in the first instance, as a mode of effecting a security upon land. Of 5610 judgments registered between July 1860 and March 1864, 2549 were for sums under 100*l.*; 4008 for sums under 300*l.* each, and only 658 for sums above 1000*l.* Therefore, judgments are seldom resorted to as a security for large advances. A judgment is generally entered up, in the first instance, to give priority out of the personal estate, and to enable the creditor to seize the debtor's chattels. Where there is land, a mortgage is had, or a charge. As a collateral security, a judgment is generally resorted to on the chance of the debtor becoming possessed of land. A mortgagee now generally having a power of sale, and, by statute, other facilities of realising, judgments as a collateral security have almost fallen into disuse. It is stated that the persons who accept judgments are money-lenders hoping to catch expectancies under family settlements, and charging exorbitant interest. It is true that a judgment becomes a charge without investigation of title, but the same result may be accomplished at less expense by an equitable charge. A mortgagee may exercise his power of sale, but a judgment-creditor must wait a year and then file a bill for a sale. He is also exposed to the risk of having his lien defeated for want of re-registration of his judgment, or of non-registration of his writ of execution.

For these reasons the committee is of opinion, with Mr. Christie, that landowners derive no advantage from the present system of judgments, and would be better without them.

The creditor.—As between the creditor and the landowner, an equitable mortgage would serve all the purposes of a judgment, with the exception of publicity by registration. But this publicity is often attended with injury to debtors, as by the publication of the table called the "Commercial Compendium." Thus a judgment registered for the purpose of charging land is made a means of exposure of private affairs.

As between a creditor and a purchaser the law makes a distinction in the effect of a judgment on personal and on real estate. The effect of sect. 1 of the Mercantile Law Amendment Acts 1856, is, that the creditor, in order to entitle himself to the debtor's personal chattels, must have them sold under a *fieri facias.* Is there any reason why real estate should not be put on the same footing? Or if, from difficulties on the score of title, this is not practicable, ought not the creditor who gives time and postpones suing out execution to do so at his own risk?

At present the creditor has an advantage as to realty. A charging order must issue on specific stocks and shares. So, as to the lien under a bill of sale. But a judgment-creditor obtains a lien on all the lands, both those already and those after acquired. In Ireland an affidavit states what lands the judgment is intended to affect. It is an abuse of the law that a judgment-creditor should be able to force all purchasers of the debtor's land to search. It is the vendor's duty to disclose the judgment.

The remedy.—It would be difficult to assimilate the modes of execution against real and personal estate. The courts of law have no adequate machinery for investigating titles, for sale.

The other alternative is that furnished by the provisions of the Bill for the Act of the session.

The Act is an extension of the Act of 1860, in so far as it does away with the interval of three months. The Act requires that the land shall have been actually taken in execution.

The same principle applies to Crown debts and *lis pendens.*

It is advisable that the writ of extent be improved, so as to enable the Crown to take real estate in execution. Then, the Crown still retaining its preference over all other creditors, principals and sureties, while the parties are solvent and there is no intention to issue execution, might have free control over their property, and *bonâ fide* purchasers be able to enjoy the protection of the law.

As regards *lis pendens,* it charges an estate, although the claim made by the plaintiff is neither ascertained nor acknowledged, and holds good until the proceedings in Chancery are finally disposed of. It is liable to abuse: *lis pendens* is registered against parties alleged to be shareholders. No notice of *lis pendens* should be binding unless the particular land affected be specified in the register.

The committee recommends a consolidation of the existing law of judgments and other incidental charges on land. There are at least twelve statutes on the subject; and in order to arrive at the rights of a purchaser without notice, the law as it stood before 1837 has on each occasion to be ascertained.

With regard to future judgments, recognisances, Crown debts, *lites pendentes,* bankruptcies and insolvencies, the committee are of opinion that they should no longer create a lien on the land till the land is actually taken in execution by the sheriff, coroner, or other legal authority, and that until this is done the land should be capable of sale and mortgage as effectually as purely personal estate.

The committee are also of opinion, that it is deserving the consideration of Parliament whether some more ready means cannot be devised for enabling land to be taken in execution than is at present afforded by the writs of extent and *e egit,* and that this should be done by enlarging or accelerating the legal or equitable remedies to which it is now competent to the judgment-creditor to resort.

We may add, that the Act as passed applies only to judgments, statutes and recognisances, including under the term "judgments," registered decrees, orders of courts of equity and bankruptcy, and other orders having the operation of a judgment. Further, the Act of last session is much more than an extension, as the report terms it, of the Act of 1860. That Act was in favour of purchasers and mortgagees, but the present provides that no judgment shall affect land at all until delivery in execution.

INVESTMENT JOURNAL.

In spite of the reduction of the rate of interest to 5 per cent. there is more than common dulness in the Investment-market. Confidence, so severely shaken by the experience of the last autumn, is not yet restored, and a though limited liability speculations are again making their appearance, it is probable they will find but scanty support. The economists prophesy another panic in the Money-market in the course of the spring, to be produced by the large extent to which English capital has been pledged to foreign enterprises. But this is the dullest season of the year at all times, and prospects are as gloomy as the weather. The fluctuations of the last month are thus reported by the *Standard:*

The following is the table for the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	244	245	...	246	...
3 per Cent. Red. Ann.....	88¼	88¼	89	88¾	88¾	88¾
3 per Cent. Cons. Ann. ...	89¼	89¾	89¾	89¾	89¾	89¾
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.....	88¼	88¼	89	88¾	88¾	88¾
New 3½ per Cent. Ann. ...	94¼	...	...	...	...	...
5 per Cent. Annuities.....	...	...	...	...	...	...
5 per Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¾	89¾	89¾	89¾	89¾	89¾
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	216	...	216	217	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888 ...	98¼	...	98¾	...	98¾	...
India 5 per Cents. 1870...	104¼	104¼	104¾	104¾	104¾	...
India Bonds (1000*l.*).....	17s	...	...	18s *f*	...	...
Do. (under 1000*l.*).....	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 3½ c. Jan. 1872	102	...	...	...	101¾	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*a*	...	...	...	*a*	*d*
Do. 500*l.*	*a*	*b*	...	...		*e*
Do. 100*l.* & 200*l.* 3½ per c.	*a*	...	*c*	...	3s *f*	*e*
Do. Small, & 3½ per c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	98¾	...	...	...

a 4 per cent. par &c. prem.
b 4 per cent. par.
c Par 3*s.* prem.
d 6 per cent. &c. prem.
e Par, prem.
f Prem.

Subjoined is a table of fluctuations in stocks and shares for the month of January. The range has been very limited either in Consols, Exchequer Bills, or Railway shares. Perhaps the latter have presented the greatest improvement, because the tendency has latterly been for this class of property. With a favourable spring and a fresh development of trade, the advance will probably make progress, especially as the dividends of the last six months appear to have been very good:—

	Amount per Share.	£	Price on Jan. 2.	Highest price during Month.	Lowest price during Month.	Present Price.
Consols ...	...	...	89⅝ to ¾	90⅛	89⅝	89⅝ to ¾
Exch. Bills.	...	...	par	5*s.* pm.	par	par to 2*s.* pm
RAILWAYS: "June"		£				
Brighton ...	Stock.	100	106¾	109¾	106	107
Caledonian.	Stock.	100	133	134	130¾	131¾
Gt. Eastern	Stock.	100	47¾	48¾	46¾	47¼
Gt. North. .	Stock.	100	135¾	137¾	134	136
Gt. Western.	Stock.	100	79¾	83	79¼	82¾
Lon.&N.W.	Stock.	100	122¾	123¾	121	122¾
Midland ...	Stock.	100	141	141¾	138	138¾
Lan.&York.	Stock.	100	116¾	117¾	116	117¼
Sheffield ...	Stock.	100	64	64¾	60¼	62¾
South-East.	Stock.	100	86	88¾	87¼	88
South-West	Stock.	100	98¾	99¾	97¾	99¾
Berwick N.-East.	Stock.	100	114¾	115¾	113¾	114¾
York&N.M.	Stock.	100	105¾	106	103¾	105¾
Foreign: East Indian	Stock.	100	101¾	102¾	100¾	101¾
Lom.-Ven..	£20	All	20¾	21¾	20¾	21¾

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Taxation of Costs.—A mortgage-deed recited that a certain sum was paid for costs, not then ascertained, but by arrangement the mortgage money and costs, as recited, were advanced by B., "the accounts to be thereafter adjusted." The mortgagee then transferred the property to B. The solicitor afterwards sent in the bill of costs, when it was found to be more than the amount paid, and to comprise items properly chargeable only to the mortgagor, but without which it would not have amounted to the recited sum. A summons for taxation was dismissed, the mortgagee being estopped by the recital in

the mortgage-deed: (*Re Forsyth*, 11 L. T. Rep. N.S. 616. M. R.)

Arbitration—Practice.—To make enlargement of time a rule of court it is only necessary to verify the handwriting of the arbitrator's indorsement, if it purports to have been made in due time: (*Roberts* v. *Evans*, 11 L. T. Rep. N. S. 625. Q. B.)

Practice—Giving Defendant's Address.—Where defendant applies under sect. 7 of the C. L. P. A. 1852 for an order that the plaintiff's attorney shall disclose the address of his client, it is no answer that defendant's object is to enforce against plaintiff a writ of attachment from Chancery: (*Cox* v. *Beckett*, 11 L. T. Rep. N.S. 629. C. P.)

Interrogatories—Libel.—The Court refused to compel the publisher of a newspaper not registered to answer interrogatories, the effect of which would be to subject him to the penalties for not registering: (*Baker* v. *Lane*, 11 L. T. Rep. N. S. 638. Ex.)

Libel.—An agreement to accept an apology to be published will support a plea of accord and satisfaction in an action for libel: (*Bousey* v. *Wood*, 11 L. T. Rep. N. S. 639. Ex.)

COURT OF QUEEN'S BENCH.

Re An Attorney.

Crompton moved for a rule for an attachment against an attorney for disobedience to an order for delivery up of his bill of costs and papers to a client. It appeared, however, that there had not been sufficient service of the rule, and there was not sufficient evidence that he was keeping out of the way with a view to evade and avoid service of process.

The Court, therefore, refused a rule.

Quain made a similar application, under similar circumstances, with the like result.

In An Action by Attorneys of this Court.

This was an application on the part of a firm of attorneys who, for some reason or other, as their counsel stated, desired that their names should not be mentioned, and whose names, therefore, did not transpire, against a lady, a former client of theirs, their circumstances rather singular. There had been, it appeared, a rupture between them and disputes as to costs, &c., and they had commenced an action against her, the nature of which they had not yet quite resolved upon, and had not yet been stated or declared, and they had applied at judges' chambers before Crompton, J. for an order allowing them to administer interrogatories to the lady before declaration of the cause of action, but this the learned judge had refused to allow.

Wathis Williams now moved on their behalf for a rule to allow such interrogatories before declaration, and in his statement of the case it appeared that they intended to impute to her that, in some way or other, she had improperly dealt with papers of theirs lying at their offices; but whether the charge was that she had bodily taken them away, or had surreptitiously taken copies of them, or got one of their clerks to do so, they did not appear to be quite clear; and it rather appeared that the object of the interrogatories was to discover what should be the precise nature of their charge against her. And it was stated on the affidavits that the lady had stated that she had acquired an insight into the contents of the papers by means of clairvoyance, or had got hold of them by some spiritual agencies.

The Lord Chief Justice.—You don't mean to interrogate her as to that, I presume?

Wathis Williams.—No, my Lord; not as to clairvoyance or spiritual agencies, but as to matters of a far more common character—tampering with our clerks, &c.

Crompton, J.—But you have not yet made that charge, nor any particular charge.

Blackburn, J. observed that this was what was called "a fishing" application—that is, an application with a view of fishing out some cause of action.

Crompton, J. also said the objection to the application was that it would not be in support of a cause of action, but for the purpose of discovering one, and such applications were never allowed.

Mellor, J. likewise remarked that the C. L. P. A. required in such cases an affidavit of an existing cause of action.

The Lord Chief Justice.—The object of the Act allowing interrogatories is that a plaintiff may obtain by admissions evidence in support of his cause of action. But here it appears that the applicants have not made up their minds what is their cause of action, and that the object is to find out what it is to be. Such an application it never was intended to allow, and it cannot be assisted to.

Rule refused.

BAIL COURT.

Friday, Jan. 27.

(Before Mr. Justice Shee.)

Re An Attorney.

Inderwick moved for a rule calling upon an attorney (not named) to show cause why he should not pay over 110*l.*, and why he should not answer the matters in the affairs of the Rev. Mr. Kelson and Mr. Somerville, an attorney. It appeared that in August last Mr. Kelson had a son in the army who was indebted to some persons in various sums of money. Mr. Kelson gave the attorney 110*l.* to settle with his son's creditors, but he did not pay them, and judgment had been signed against the son. On the 16th Nov. the attorney was called upon to refund the money, when he promised to pay in a week. The attorney, however, did not pay the money, and an attorney wrote to him, and he answered by stating that he would pay in a fortnight, and excused himself for not having paid it before on account of the large demands on professional men. The attorney had not yet paid the money, and therefore this motion was made.

Rule to show cause granted.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Cappagh Mining Company (Limited).—Petition for winding-up to be heard before Wood, V. C., on the 11th Feb. Davies, Son, Campbell and Reeves, 17, Warwick-street, Regent-street, London.

Darjeeling Brewery Company (Limited).—Creditors to send in by May 17, to F. Whitney, 5, Serle-street, Lincoln's-inn fields, London, their names and addresses, and particulars of their claims, and (if any), the names and addresses of their solicitors. Solicitor, A. J. Lee, 27, Lincoln's-inn-fields.

HEIRS-AT-LAW AND NEXT OF KIN.

Bland (Sophia), Colchester, spinster, March 20, V.C. S. Stevens and Beaumont, 4, Old Jewry, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Carter (Thomas), Sweet-briar-street, Gloucester, gentleman, Feb. 28. M. R. J. Rae, 9, Mincing-lane, London.

Eastlake (G. S.), Plymouth, solicitor, Feb. 2, V.C. W. Suff and Gribble, 12, Auchurch-lane, for Gibson and Moore, Plymouth.

Eaton (Elizabeth), 16, Jewin-crescent, London, widow, silversmith, Feb. 13, V.C. S.

Galloway (Robert), South Ferriby, Lincolnshire, farmer, Feb. 14, M. R. H. Tyrrell, 14, Gray's-inn-square, London, for J. Redfern, Leek, Staffordshire.

Gourton (Charles), sen., Great Warley, near Brentwood, gentleman, March 3, M. R. F. Broughton, 18, Finsbury-square.

Grove (Christopher), jun., 130, New Bond-street, Middlesex, and Amersham, Bucks, fishmonger, Feb. 23, V.C. K. H. Irving, 8, Staple-inn.

Jones (H. B.), 49, Montagu-square, Middlesex, gentleman, Feb. 14, M. R. J. H. Triston, 18, Bargeyard-chambers, Bucklersbury, London.

Lyle (Joseph), Bonython, Cornwall, Esq., Feb. 23, M. R. G. T. Woodroffe, 1, New-square, Lincoln's-inn.

Miller (William), Roebuck Tavern, Lewisham, Kent, licensed victualler, Feb. 20. J. and W. Butler, 191, Tooley-street, London-bridge.

Poulett (Right Hon. John), Earl, Hinton St George, Somerset, Feb. 23, M. R. G. Annesley, 64, Lincoln's-inn-fields, London.

Sagar (Jane), Headingley, near Leeds, spinster, Feb. 23, M. R. Jacobs and Son, 1, Budge-row, London.

Shuttleworth (Thomas), Bagworth, Leicestershire, gentleman, Feb. 22. Austen, De Gex and Harding, 4, Raymond-buildings, Gray's-inn, for W. Freer, Leicester.

Thomas (J. W.), Hanover Arms, Wells-street, Sydenham, Kent, licensed victualler, Feb. 14, V.C. W. V. France, 69, Lincoln's-inn-fields, London.

Trout (Wm.), Heigham, Norwich, gentleman, Feb. 24, V.C. K. Field, Roscoe, Field and Francis, 30, Lincoln's-inn-fields, for P. E. Hansell, Norwich.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Proof.

Andrews (Rev. Wm.), Postwick, Norfolk, Feb. 27. Walker and Son, 13, Swithin's-lane, London.

Astley (Emma), Elvetam-house, Spring-street, Edgbaston, near Birmingham, spinster, March 1. Gem, Docker and Sutton, 1, Newhall-street, Birmingham.

Baird (Mary Elizabeth), 30, Weymouth-street, Marylebone, Middlesex, spinster, March 1. Lewin and Co., 32, Southampton-street, Strand, London.

Baker (Richard), 83, Bread'y-street, Birmingham, gunbarrel maker, April 1. Rawlins and Rowley, 12, Temple-row, Birmingham.

Besson (Rev. Isaac), Acklam, North Riding, Yorkshire, March 7. J. R. E. Hunton, Stockton-on-Tees.

Bullen (J. T.), Marshwood-manor, Marshwood, Dorset, Esq., April 3. W. and J. Sparks, Crewkerne.

Burnside (Rev. John), Plumtree, Notts, March 27. Watson and Wadsworth, Nottingham.

Cooper (Robt.), Club-chambers, Regent-street, Middlesex, Esq., May 1. Young and Jackson, 12, Essex-street, London.

De Castro (J. H. R.), 74, Cam'on-street, London, and Plaistow-lodge, Bromley, Kent, Esq., July 28. J. H. Mackenzie, 77, Gresham-house, Old Broad-street, London.

Edge (Thomas, jun.), 39, Vincent-square, Westminster, gas engineer, Feb. 28. T. B. Chester, 24, The Grove, Hammersmith.

Haines (Capt. Berry), South-town, Yarmouth, Esq., a Captain in the Royal Navy, April 1. Mr. Wynne, 66, Lincoln's-inn-fields, London.

Harris (Wilmer), Phœnix Fire Office, Lombard-street, London, and 10, Champion-place, Upper Clapton, Middlesex, Esq., Feb. 15. Hughes, Masterman and Hughes, 17, Bucklersbury, London.

Harrison (Rev. J. H.), Erdington, Aston-juxta-Birmingham, March 25. E. Housman, Birmingrove.

Hughes (Elizabeth), New Inn, Salford Priors, Warwickshire, spinster, March 25. Jones and Son, Alcester.

James (Richard), 207, Adelaide-road, St. John's-wood, Middlesex, Esq., Feb. 28. H. Child, 2, Paul's Bakehouse-court, Doctors'-commons, London.

Le Blanc (Sarah Jane), 36, Wilton-place, Belgrave-square, Middlesex, widow, March 31. Nelson and Son, Doctors'-Commons.

Lees (Wathin), Dukinfield, Cheshire, cottonspinner, March 25. Sale, Worthington, Shipman, Seddon and Sale, 23, Booth-street, Manchester.

Lister (Joseph), 6, New Elvet, Durham, baker, Feb. 14. Mary Lister, Durham.

Mann (Sarah), Huntingdon, spinster, April 5. M. Hannyban, Huntingdon.

Meredith (George), Surrey-lodge, Laurie-park, Sydenham, Surrey, civil engineer, May 30. Rixon and Son, 38, Cannon-street, London.

Morgan (Moses), 12, Charlotte-street, Bedford-square, Middlesex, doctor of medicine, May 1. H. Dyte, 6, King's Bench-walk, Temple, London.

Ormerod (Rev. J. A.), Leamington, March 1. Charlewood and Ormerod, 5, Clarence-street, Manchester.

Pemberton (Mary Dorothea), Sherburn-hall, Durham, widow, April 1. Donville, Lawrence and Graham, 6, New-square, Lincoln's-inn, London.

Penny (Ann), 13, Foley-street, Marylebone, Middlesex, widow, March 15. F. Mayhew, 16, Great Marlborough-street, London.

Staples (Wm.), Swanley, Sutton-at-Hone, Kent, farmer and fruit grower, April 1. Russell and Son, 39, Queen-street, Cheapside, London.

Tatler (Rev. H. J.), Upton-upon-Severn, Worcestershire March 25. Baker, Baker and Folder, 52, Lincoln's-inn-fields, London.

Warren (W. T.), Ivy-cottage, Dulwich, near London, civil engineer, March 31. J. E. and A. Fox, 46, Finsbury-circus, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Dyke (Charles), Blackheath, Esq. 64*l.* 4*s.* Three per Cent. Consols. Claimant, said C. Dyer.

James (Martha), Saltford, Somerset, spinster. Dividends on 13*l.* 2*s.* 10*d.* Long Annuities. Claimant, D. J. Ivall, administrator.

Roswell (Charles), and Blaker (John), Lewes, gentleman. 150*l.* 2*s.* 4*d.* Three per Cent. Consols. Claimant, Mary Blaker, executrix of said J. Blaker.

Tod (Julia), Cumberland-terrace, Regent's-park, widow, and Gillett (W. S.), Guildford, Esq. 100*l.* New Three per Cents. Claimant, W. S. Gillett, the survivor.

THE BENCH AND THE BAR.

CALLS TO THE BAR.

Lincoln's Inn, *Jan.* 26.—The under-named gentlemen were this day called to the degree of barrister-at-Law by the Honourable Society of Lincoln's Inn, viz.:—Robert Neil, Esq., Cambridge University; Arthur Talbot Smith, Esq., B.A., Cambridge; Herbert Hatfield Harter, Esq., M.A. and LL.B., Cambridge; Henry Alexander Giffard, Esq., M.A., Oxford; Walter Barnard Byles, Esq., B.A., Oxford; Frederick Townsend Procter, Esq.; James Thomas Hammick, Esq.; George Ashley Dodd, Esq., B.A., Oxford; Kenelm Edward Digby, Esq., M.A., Oxford; Henry Denis Le Marchant, Esq., M.A., Oxford; Frederic La Tour Mason, Esq., B.A., Oxford; and Zachary Edwards, Esq., B.A., Oxford.

Inner Temple, *Jan.* 26.—The under-mentioned gentlemen were this day called to the Bar by the Honourable Society of the Inner Temple:—David Lyell, Esq., holder of the studentship awarded in Trinity Term, 1864, M.A., St. Andrew's and LL.D., London; Charles Evan Thomas, Esq., M.A., Cambridge; Henry James William Wheeler, Esq., B.A., Oxford; Charles Lanyon, Esq., B.A., Oxford; William Edward Murray Tomlinson, Esq., M.A., Oxford; Thomas Whittenbury Wheeler, Esq., B.A., Cambridge; William Cecil Smyly, Esq., LL.B., Cambridge; George Leigh Cochrane, Esq.; James Ernest Brudenell Bruce, Esq.; Edward Pennefather O'Brien, Esq., B.A., Dublin; James Albert Clement Talor, Esq., Cambridge; Maurice Powell, Esq., B.A., Cambridge; William Frederick Traill, Esq., B.C.L., Oxford; E. Wynne Powell, Esq.; and Henry Warren Jones, Esq., B.A., Oxford.

Gray's Inn, *Jan.* 26.—At a pension of the Honourable Society of Gray's-inn, holden this day, William Lowes Rushton, youngest son of Edward Rushton, Esq., late of Liverpool, and a barrister of the Inner Temple, deceased, was called to the degree of barrister-at-law.

Middle Temple, *Jan.* 26.—The under-mentioned gentlemen were this day called to the degree of the Utter Bar by the Honourable Society of the Middle Temple:—Hans Morrison, Esq., B.A., Trinity College, Dublin; Wesley Tom, Esq., B.A., Sydney University; Robert Dennison Clarke, Esq., B.A., Caius College, Cambridge; Thomas Marriott Dodington, Esq., B.A., Trinity College, Cambridge; Edmund Lumley, Esq., B.A., Trinity College, Cambridge; David Nasmith, Esq., of the University of London; Edmund Thomas, Esq.; Edouard Amand Esnouf, Esq.; Alexander Muirhead Aitken, Esq., of the University of Edinburgh; Antonio Lourenço Fernandes, Esq.; Henry Abbott Robert Alexander, Esq.; and H. Tindal Atkinson, Esq.

INNS OF COURT EXAMINATIONS.

At a meeting of the Board of Examiners, appointed by the four Inns of Court to conduct, under clause 2 of the Consolidated Regulations, dated Michaelmas Term 1863, the examination of persons applying to be admitted as students to any Inn of Court, held in the Parliament Chambers, Middle Temple, on the 25th Jan. 1865, it was, among other things, resolved, "That during the current year an examination should be held in the Benchers' Room, Middle Temple Library, on every Saturday during Term, and the Saturday preceding each Term, from 10 a.m. till 1 p.m. That whenever the chairman should think fit, he might fix one or more extra examinations, and appoint examiners to conduct the same; and notice of the time of every

such examination should be sent to the four Inns of Court. That two examiners should conduct such examination, of whom one should always be present, and both should be present at any *viva voce* examination, and they should enter their names and the date of the examination in a book to be kept for the purpose. That the certificates should be granted and signed by the two examiners who conducted the examination; and any other examiners who might have been present should not decide on the merits of the candidates, and should not be considered as 'attending' within the meaning of rule 9 of the 'Consolidated Regulations.' That there should be an examination on paper in all cases, and a *viva voce* examination at the discretion of the examiners; and that the examination in the Latin language should consist of translations by the candidates from one or more classic authors."

In pursuance of the above regulations, examinations of candidates will be held in the Benchers'-room, Middle Temple Library, on the following days, from 10 a.m. till 1 p.m.:—April 8, 15, 22, 29; May 6, 20, 27; June 3, 10; Oct. 28; Nov. 4, 11, 18, 25, 1865; and Jan. 6, 1866.

Middle Temple.—Hilary Term 1865.—Mr. Charles Mager Ryalls, of Trinity Hall, Cambridge, LL.B., and of, &c., has this Term received permission from the Bench of this honourable society to practise as a special pleader.

Mr. Massey, M.P. for Salford, and Chairman of Committees in the House of Commons, will succeed Sir Charles Trevelyan as Finance Minister of India. Sir Charles is compelled by the state of his health to return to England.

The Address in the House of Commons in reply to the Speech from the Throne will be moved by Sir Hedworth Williamson, M.P. for North Durham, and seconded by Mr. Hanbury Tracy, M.P. for the Montgomery boroughs.—*Globe.*

A meeting of the English and Irish Law and Chancery Commissioners was held at No. 6, Adelphi-terrace, on Wednesday. Present—The Vice Chancellor Sir William Page Wood, the Hon. Mr. Justice Willes, and Robert Bayley Follett, Esq. W. Neilson Hancock, LL.D., and H. R. Vaughan Johnson, secretaries, were also in attendance.

State of V. C. Wood's Court.—The condition of the wretched little den, dignified by the name of "court," in which his Honour sits, was absolutely intolerable throughout the day. Bad as the place is from the absence of all proper space and accommodation for counsel, solicitors, or the general public, it is made infinitely worse by the obstinate stupidity of those with whom the ventilation would seem to rest. During the early part of the day the stove is heated until the temperature approaches that of the hot room in a Turkish bath. Scarcely a breath of external air is allowed to purify the poisonous heat of the place, and without a personal appeal to the Vice-Chancellor it would seem impossible to obtain the comparative luxury of an open window. Later in the day the process is ingeniously reversed, and, as the heat of the stove is reduced, the windows are freely opened, until those who were almost suffocated in the morning are ready to cry out for cold in the afternoon. But after all no amount of ventilation would render these courts endurable or fit for judicial sittings. They are emphatically a disgrace to the country, and we trust that, during the coming Session, interested opposition will not be allowed again to defeat the Chancellor's scheme for concentrating the courts and providing buildings more suitable for the decent administration of justice than the present wretched make-shifts.—*Times.*

Maritime International Law.—The last of the course of lectures on this subject was delivered on Wednesday, in the hall of Lincoln's-inn, to the members of the Inns of Court, by Leone Levi, Esq., LL.D., Professor of Commercial Law at King's College, London; Sir Roundell Palmer, Q.C., her Majesty's Attorney-General, in the chair. The subject of the lecture was "Neutral Rights." After defining what is neutrality, the professor dwelt on the rights and duties of neutrals as regards trade and navigation, illustrating the bearings of the rule of 1756, and commenting on the law of nations prohibiting the carrying of contraband of war and selling of articles of war to belligerents in a neutral country. The Foreign Enlistment Act in force in this country and in the United States was carefully expounded, as well as the points involved in the dispute regarding the *Alabama*, the *Alexandra*, &c. The professor lamented the practice of contraband carriers and blockade runners; dealing, as they did, against both the law of nations and municipal law. He showed the great advantage of adopting the principle of "free ship, free goods," dwelt on the importance of preserving the immunity of neutral territory, and concluded with recapitulating the principal points of the previous lectures. At the conclusion, the Attorney-General moved a vote of thanks to the professor, both in the name of those who attended the lectures and of the Council of Legal Education. He said that, whatever difference of opinion there might be on the points that had formed the subjects of this course of lectures, it would not be doubted that it was a great benefit to have these important questions so well matured and discussed; and thanks were due to the professor for devoting so much learning and time in the elucidation of these subjects.

Ireland.—Mr. O'Hagan succeeds the late Mr. Justice Ball, and Mr. Lawson becomes Attorney-General in his place. It was expected by many that he would prefer remaining at his post as Attorney-General, in order that he might carry through the House of Commons certain reforms in the Irish courts, by which his name would go down to posterity as a legislator. He seemed to enjoy Parliamentary life, and to feel too young and active to settle down in repose. There is one of our judges who is understood to regret that he left Parliament, and to be anxious to return to it again if he could only take with him his salary as a pension for life. Mr. O'Hagan was supposed to be in a similar state of mind, and his constituents had given up the idea that he would resign his seat; but it seems he has changed his mind, for he has accepted the vacant judgeship. Perhaps he feared that he might never have the opportunity again, or perhaps he was pressed by others whose interests would be affected by his declining; and that he consented less for his own sake than for theirs. However that may be, there is but one opinion as to his qualifications for a seat on the bench. All the journals speak in the highest terms of his fitness, and the greatest confidence is expressed in his impartiality and fairness as a judge. Few public men in this country have ever been more liked by all parties, or have excited so little hostility from political opponents and envy from less successful competitors. His success has been due entirely to his talents, energy, and perseverance, to his honourable dealing with all men, and the amiability of his disposition. True to his own convictions as a Roman Catholic, he has been tolerant, candid, and conciliatory with Protestants. The *Daily Express* remarks that he is the fourth Roman Catholic Attorney-General appointed by Lord Palmerston, the others being Judges Keogh, J. D. Fitzgerald, and Deasy. It is also remarked that during nine years six Roman Catholic judges have been appointed, and only one Protestant. This arose from the fact that most of them not only held a prominent position at the Bar, but were able to get into Parliament and give an effective support to the Government. They thus became members of the Irish Administration, and as the judges died off went on the bench as a matter of course. Mr. Lawson, the new Attorney-General, is a Protestant. His career in the University was most distinguished. He was the Whately Professor of Political Economy, and he has held next to Mr. Brewster the highest position at the bar, having great practice in the Courts of Equity. He contested the University on one occasion in the Liberal interest, but he has never been able to get a seat in Parliament. He intends, it is said, to try his luck in Portarlington if he cannot get in for Tralee, which is not likely. That constituency will probably insist on having a Roman Catholic representative, and any Government candidate will have a formidable opponent in Mr. M'Kenna, manager of the National Bank. He is a man of ability and energy, and has much local influence in Tralee. It is reported that he is determined to fight hard for the representation of that borough.—*Times.*

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Vendor and Purchaser.—Three estates, two of which were vested in different sets of trustees, and the third of which was the property of a lady in fee, were sold to B. under one contract and for an undivided sum. According to the conditions, the titles were to commence at different periods varying from sixty to ten years before the date of the contract. The purchaser objected to complete, and he was held not to be bound to do so, for the contract was a breach of trust by the trustees, who were not entitled to make the property held by them respectively liable for any defect of title which might affect any other part of the property with which it was sold. It was also held, that where a bill for specific performance is dismissed, the court may order repayment of the deposit to the purchaser: (*Rede* v. *Oakes*, 11 L. T. Rep. N. S. 549. L. C.)

Duty of Executors.—Payment to a creditor who has proved a debt due to him jointly from several persons ought not to be suspended while the questions between the debtors are being settled: (*Micklethwait* v. *Winstanley*, 11 L. T. Rep. N. S. 582. L.JJ.)

Will and Codicils.—B. made a will and three codicils, all of which referred to the will, but the later codicils did not allude to the earlier. The distributions of the property by the third codicil were held to be substitutional, and that only the legacies given by it were payable: (*Roxburgh* v. *Fuller*, 11 L. T. Rep. N. S. 587. M. R.)

Lease—Conditions.—An agreement for a renewal of a lease stated that it should contain the same covenants and conditions as the old one. Among the old covenants was one to the effect that, so long as any tax upon property or income should be imposed upon the rents, the reserved rent of 690*l.* should be increased in proportion to the amount of the tax. It was held held that, notwithstanding the provisions of the Income Tax Act, which required that the tax shall be paid by the owner, the new leases must be on the same terms as the old one: (*Bendel* v. *Pitt*, 11 L. T. Rep. N. S. 592. V.C. S.)

Leases and Settled Estates Act, s. 29.—The expenses of making roads on the estate are not such costs as the court will, under sect. 29, direct to be raised by sale or mortgage of the settled estates, or to be charged thereon: (*Re Hurle*, 11 L. T. Rep. N. S. 592. V.C. W.)

Lease—Covenant to Repair.—In a lease for lives of "all those three tenements or dwelling-houses, and a field or plot of ground adjoining," &c., the lessee covenanted "well and sufficiently to repair, sustain and keep the said tenement or dwelling-house, field, plot of ground and premises, and every part thereof, as well in houses, buildings, walls, hedges, ditches, fields and gates, as in all other needful and necessary reparations whatsoever, so often as occasion should require during the said term," &c. Afterwards the lessee sold portions of the field to various sub-lessees for terms, and they had built houses thereon. The above covenant was held not to extend to such newly-erected buildings, and that the words "as well in houses, buildings," &c., in the latter part of it, were not an extension of the former part of the covenant: (*Cornish* v. *Cleife*, 11 L. T. Rep. N. S. 596. Ex.)

Will.—The testamentary character of a paper writing may be proved by parol evidence: (*Re English*, 11 L. T. Rep. N. S. 612. Prob. Ct.)

Settlement.—Where a voluntary settlement stated that the personalty should be in trust "only" for the wife, her heirs, &c., this was held not to give it to her for her separate use: (*Spirett* v. *Willows*, 11 L. T. Rep. N. S. 614. L. C.)

Marriage Contract—Representations of Wife's Father.—The court will not refuse to enforce the performance of representations, on the faith of which a marriage has been contracted, on the ground that the suitor was not a party to them, if he be a person who by express terms comes within the benefit of the contract—such as a child of the marriage: (*Walford* v. *Gray*, 11 L. T. Rep. N. S. 620. Stuart, V. C.)

JOINT-STOCK COMPANIES LAW JOURNAL.

NOTES OF NEW DECISIONS.

Winding-up.—The court will not make a winding-up order on the application of some of the shareholders, although the company was working at a loss, where it was shown that, by a change of management, there was a fair prospect of speedy improvement in its business: (*Re The Fireclay Parisien Company (Limited)*, 11 L. T. Rep. N. S. 500. M. R.)

A shareholder in a limited company who has paid up all that is due from him for his shares, has not, on that account alone, such an interest as to entitle him to present a petition for a winding-up order: (*Re Patent Artificial Stone Company*, 11 L. T. Rep. N. S. 561. M. R.)

Powers of Court.—The court will not restrain a company from doing something within the scope of its objects on the ground that, if it does that thing, the doing of it may incapacitate it from performing something else that is also within the scope of its powers. Thus, where a company was formed to establish a brewery, the Court would not restrain it from purchasing a brewery already established: (*Sykes* v. *The Brighton Brewery Company*, 11 L. T. Rep. N. S. 560. M. R.)

Contract to take Shares—Power of Directors to vary.—B. had applied for 200 shares, and he paid the first call upon them. Having afterwards desired to take only fifty, he agreed with the directors that the money he had paid on the call on the 200 should be applied to payment of fifty in full. The directors allotted to him fifty shares only, and on that number he received dividends, and they declared the remaining 150 to be forfeited by reason of nonpayment of calls. B. was held, upon appeal, to be a contributory in respect only of the fifty shares, and that the directors had authority to vary the original contract: (*Re The Exhall Coal Mining Company; Miles's case*, 11 L. T. Rep. N. S. 581. L.JJ.)

Liabilities of Promoters and Directors.—B. and others were applied to by the promoter of a company to become directors, which they agreed to do, on the express understanding that all the preliminary expenses of forming the company be borne by the promoter. They framed an advertisement, which they ordered the secretary to give to advertising agents to insert in various newspapers. These agents required to see his authority, and he showed them the resolution of the directors. The agents afterwards sued B. for the amount, and it was held to be a question for the jury whether he had not authorised the secretary to pledge his credit to the plaintiff, and that the secret arrangement between the promoter and directors was not binding upon the creditor, who was ignorant of it: (*Maddick* v. *Marshall*, 11 L. T. Rep. N. S. 611. Ex. Ch.)

Altering Articles of Association.—The articles were altered, after having been signed by the shareholder, by the substitution of one sheet for another. In the absence of proof that the sheets were the same in substance, the shareholder was removed from the list of contributories: (*Pelgate's case*, 11 L. T. Rep. N. S. 615. L.JJ.)

Condition of taking Shares.—B. signed the articles on a promise that he should become broker to the company. He was held, however, not to be thereby discharged from his liability as a contributory, but that he must look for redress to those who had deceived him: (*Fekgate's case*, 11 L. T. Rep. N. S. 613. L.JJ.)

Distress—Damages.—In an action for an excessive distress under the statute of Marlebridge, the plaintiff is entitled to a verdict for nominal damages, though substantial damages are not proved: (*Chandler* v. *Doulton*, 11 L. T. Rep. N. S. 639. Ex.)

MARITIME LAW.

NOTES OF NEW DECISIONS.

Salvage — Signal of Distress. — Where there was no personal risk or danger, but only an ordinary salvage service performed with skill, attended with complete success, and when the vessel would otherwise have been totally lost, the Court awarded *one-fourth* of the admitted value and costs: (*The Rothsay Castle*, 11 L. T. Rep. N. S. 377. Ir. Adm. Ct.)

Collision—Practice — Interest on Damages.—The Court of Chancery will follow the rule of the Admiralty Court, and allow interest on damages recovered in a suit for collision, in the case of a vessel in ballast, from the date of the collision, at the rate of 4 per cent.: (*Straker* v. *Hartland*, 11 L. T. Rep. N. S. 622. Wood, V.C.)

LAW STUDENTS' JOURNAL.

EXAMINATIONS AT THE INCORPORATED LAW SOCIETY.

Hilary Term.—Intermediate Examination.

The Examiners reported that the following gentlemen, whose names are arranged in alphabetical order, have passed the intermediate examination with distinction:

Francis Henry Kendall, aged 19, articled to Mr. William Venn, of London.

Thomas John Webb, aged 19, articled to Messrs. Partridge and Woodward, of Birmingham.

The number of candidates examined in this Term was 77; of these, 65 were passed, and 12 postponed.

Final Examination.

At the Examination of Candidates for Admission on the Roll of Attorneys and Solicitors of the Superior Courts, the Examiners recommended the following gentlemen, under the age of 26, as being entitled to honorary distinction:—

1.

John Nalder, aged 21, who served his clerkship to Mr. Frank Isaac Nalder, of Shepton Mallett.

William Henry Hodson, aged 21, who served his clerkship to Messrs. Nowell and Priestley, of Bartonupon-Humber; and Mr. William Hunt, of London.

John Reginald Lane, aged 24, who served his clerkship to Mr. John Lane, of Stratford-upon-Avon; and Messrs. Routh, Rowden and Stacey, of London.

2.

William Planner Keary, aged 22, who served his clerkship to Messrs. Mee, Burnaby and Denman, of East Retford.

William Wright Kirkman, aged 22, who served his clerkship to Messrs. Beever, Darwell and Taylor, of Manchester.

The Council of the Incorporated Law Society have accordingly awarded the following prizes of books:—

To Mr. Nalder, the prize of the Honourable Society of Clifford's-inn.

To Mr. Hodson, the prize of the Honourable Society of Clement's-inn.

To Mr. Lane, one of the prizes of the Incorporated Law Society.

To Mr. Keary, one of the prizes of the Incorporated Law Society.

To Mr. Kirkman, one of the prizes of the Incorporated Law Society.

The Examiners have also certified that the following candidates, under the age of 26, whose names are placed in alphabetical order, passed examinations which entitle them to commendation:

Charles Bell, aged 21, who served his clerkship to Mr. Nathaniel Cobham, of Ware.

Arthur Bird, aged 21, who served his clerkship to Messrs. Bowker and Peake, of London.

William Robert Brooks, aged 23, who served his clerkship to Messrs. Thomson and Son, of London.

James William Clabburn, aged 21, who served his clerkship to Mr. Thomas Brightwell, the younger, of Norwich; and Mr. Charles Edward Abbott, of London.

Thomas Henry Lambert, aged 21, who served his clerkship to Messrs. J. and W. Galsworthy, of London; and Mr. Mark Shephard, of London.

Richard Bailey Pugh, aged 23, who served his clerkship to Mr. Richard Pugh, of Watford; and Mr. Henry Drake, of London.

George William Thomas, aged 21, who served his clerkship to Messrs. Rice and Wighton, of Boston; and Messrs. Scott and Co., of London.

Robert Trimmer, aged 21, who served his clerkship to Messrs. Hobbs and Collins, of Reading; and Messrs. Jenkins and Abbott, of London.

William Wood, jun., aged 22, who served his clerkship to Mr. James Roberts, of Manchester.

The Council have accordingly awarded them certificates of merit.

The Examiners have further announced to the following candidates that their answers to the questions at the examination were highly satisfactory, and would have entitled them to prizes or certificates of merit if they had not been above the age of 26:—

Ambrose Gibbons Ditton; Horatio Seymour Warwick; and William Groves, B.A.

The number of candidates examined in this Term was 139; of these, 120 were passed, and 19 postponed.

By order of the Council,

E. W. Williamson, Secretary.

Law Society's-hall, Chancery-lane,
London, 1865.

Correspondence.

"An Articled Clerk" will be obliged by information on the following questions:—1. Whose system of book-keeping is, in your opinion, the most suitable for articled clerks, and what is the price of the book? 2. Are "Williams' Law relating to Real Property" and "Chitty on Contracts" the only books required by the Examiners to be read for the Intermediate Examination?

A Query.—Could any of your readers inform me what is the proper course for an articled clerk to adopt under the following circumstances? He was articled in Feb. 1863 to a country attorney who some months ago became a bankrupt, and is supposed to have absconded, and the articles which are properly stamped and registered cannot be found, the clerk however has a counterpart. The London agent of the attorney to whom he was articled has agreed to take a transfer of his articles for the rest of the term. Can the clerk serve one year without any transfer; if not, within what time must the transfer be executed and by whom? and is an order of the court necessary; if so, how and when should it be made; and what will be the effect of losing the original articles.

A Subscriber.

Pass and Honour Examinations.—I beg to inclose you the two papers of questions, one for the Pass and the other for the Honour Examinations, to which I referred last week. Allow me to correct one error in the printing of my letter: "I think that the more the social *status* of the members of our profession is raised, the fewer black sheep (not clerkships) will be found in it." W.

Pass Examination.

1. What is the stamp duty on an agreement for the purchase of lands? must the stamp be impressed?
2. What is the *ad valorem* stamp duty on a marriage-settlement?
3. Who may make wills?
4. What are the essential formalities to the execution of wills?
5. In what counties must deeds relating to lands (in such counties) be registered?
6. Who pays the cost of drawing marriage-settlements?
7. What is the rule between solicitors as to (1) marriage-settlements (2) leases?
8. How should a solicitor be influenced in drawing conditions of sale, when acting for justices?
9. When one of the parties to a conveyance executes it by attorney, to what should the purchaser's solicitor direct special attention?
10. What is the best form of a mortgage of leasehold property? give your reasons for preferring the form you name to any other.
11. State the usual course of proceedings up to, and inclusive of completion on a purchase of copyholds held for lives.
12. How is a mortgage of copyhold property managed?
13. Draw (in skeleton) the assignment of a mortgage by indorsement on the mortgage deed.
14. What are the points to be attended to in leaving property by will for charitable purposes?
15. In what cases does the interest of a devisee or legatee dying in the lifetime of the testator, survive?
16. A testator devises all his property to trustees for sale, having previously charged it with certain legacies thereby given. What steps should you take on a purchase from the trustees to see that the land you bought was discharged from these legacies?
17. If the testator in the previous question had charged his property with debts as well as legacies how would that have affected your answer?
18. How is succession duty paid?
19. How do municipal corporations convey? are there any peculiarities as to consent of other parties or execution of conveyance?
20. What are the disadvantages of a mortgage of property subject to a prior mortgage to a third party?

Honour Examination.

1. How is stamp duty calculated on a marriage-settlement when the property settled is personalty in reversion (1) when the trustees of the property have no power to vary the then present investment; (2) when they have such power?
2. How is the stamp duty on a purchase calculated when the consideration is 100 shares in a mining company?
3. What difference in the amount of stamp duty payable would there be between the cases of a legacy of 100*l.* to "my daughter M., wife of N.," and a legacy of 100*l.* to "N." the husband?
4. When a person is about to leave England, and his property may have to be sold before his return, what steps should his solicitor take with reference to a sale during the owner's absence?
5. What is meant by covenants running with the land? Give examples.
6. Describe the process of getting the conveyance of a house in (1) Serjeants'-inn, (2) Westbourne-terrace, registered.
7. Under the Lands Clauses Consolidation Act how is the purchase and compensation money paid when the parties to receive it are under disability?
8. Are any special formalities required in the execution or attestation of wills of bastards under any circumstances?
9. Give instances of conditions upon a sale by trustees held (1) good, (2) bad.
10. Draw (in skeleton) a mortgage of a policy of insurance on the life of the mortgagor, with all usual provisions and covenants.
11. What restrictions are there as to directions in wills to accumulate income? give examples, (1) violating, (2) falling within the rule.
12. What persons are by the Settled Estates Act empowered to grant leases? What length of lease may they grant? Do these regulations apply to copyhold estates?
13. State the provisions of the Bills of Sales Act, 17 & 18 Vict. c. 36. Do they apply to (1) a voluntary settlement of personal chattels; (2) an ante-nuptial settlement; (3) a post-nuptial settlement?
14. How should you determine whether an annuity is payable out of the *corpus* of a fund in case of deficiency of income?
15. Describe the steps to be taken up to completion by a purchaser's solicitor on a sale in a creditor's administration suit, (1) where the purchaser is willing, (2) when he is unwilling.
16. What is "tacking?"
17. What are the usual conditions and arrangements in ordinary articles of partnership?
18. What are emblements? What recent statutory enactments have been made respecting them?
19. What are the principal rules for the interpretation of (1) statutes, (2) deeds, (3) wills?
20. An intestate dies leaving a sister and a lunatic brother (both younger than himself) of the whole blood, two brothers and a sister (all older than himself) of the half-blood; to whom should letters of administration be granted?

QUESTIONS FOR THE FINAL EXAMINATION.

Hilary Term 1865—Second Day.

(*Continued from page* 150.)

IV. PRELIMINARY.

36. What is *now* your age?
37. Where, and with whom, did you serve your clerkship?
38. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.
39. Mention some of the principal law books which you have read and studied.
40. Have you attended any, and what, law lectures?

V. EQUITY AND PRACTICE OF THE COURTS.

41. Mention the principal matters in which a Court of Equity exercises jurisdiction?
42. When a party to a suit has obtained a decree, what course can he adopt to prevent a rehearing, or an appeal to the Lords Justices, or Lord Chancellor?
43. State the steps to be taken for the appointment of a guardian without a suit.
44. Will a Court of Equity, in any, and what, cases enforce specific performance of a parol contract—notwithstanding the Statute of Frauds?
45. When an infant is made a ward of court, what is the effect as regards his person, and his property?
46. State the ordinary course of proceedings in an administration suit commenced by summons.
47. Where trustees or executors wish to be relieved from the responsibility of administering the funds in their hands, what course can they adopt—and state, generally, the proceedings to be taken?
48. Mention the principal modes of defence to a bill in Chancery.
49. What is the equitable doctrine of "Election?" Give an example.
50. When the answer of a defendant is considered insufficient, what course can the plaintiff adopt, and within what time?

51. When a party is dissatisfied with the certificate of a taxing master, what course can he take to have the taxation reviewed?

52. In what manner are applications for taxation of a bill, or for delivering up of deeds and papers now to be made?

53. What power has a married woman of dealing with property settled to her separate use? Is there any and what distinction as regards her "pin-money," and other property?

54. Where a will, or settlement of real estate confers no powers of leasing, or of sale and exchange, what steps can be taken to acquire such powers?

55. An order is made for payment of money by the Accountant General to a party who dies without having received it. By whom, and by what means can the money be received?

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.

56. Describe the general scope and object of a bankrupt law in a commercial country, and the benefits sought to be attained by it.

57. What are the powers and duties of assignees under the existing law, distinguishing the two classes.

58. What new acts of bankruptcy are created by the Bankruptcy Act 1861?

59. What constitutes acts of bankruptcy by a non-trader?

60. What formalities are required in order that an assignment by a trader for the benefit of his creditors shall not constitute an act of bankruptcy?

61. State how an act of bankruptcy may be brought about by means of a trader-debtor summons, and under what statute?

62. What must be the amount of the petitioning creditor's debt, distinguishing the debt of a single creditor, of two or more creditors being partners, of two creditors not being partners, and of three or more creditors not being partners?

63. Can a creditor holding security, prove on the bankrupt's estate, and if so, what preliminary steps must he take?

64. What are the conditions which must be fulfilled in order to make a deed of arrangement under the 192nd section of the Bankruptcy Act 1861, binding on non-assenting creditors?

65. In what way, and for what amount, may an annuity creditor prove against the bankrupt's estate?

66. For what amount of rent due before the bankruptcy, is a distress against the goods of a bankrupt available?

67. What is the meaning of reputed ownership, and how does it affect chattels in the bankrupt's possession?

68. State some acts which would constitute a fraudulent preference?

69. What is the effect of the order of discharge?

70. To what court does an appeal from the decision of the commissioners, or judge of the County Court lie, and within what time must it be entered?

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. What is justifiable, and what is excusable homicide?

72. What is an affray as distinguished from an assault?

73. What is larceny?

74. Of what crime is the receiver of stolen goods guilty; 1st, where the taking of such goods is felony; 2ndly, where it is misdemeanor?

75. What are the requisites to constitute the crime of murder?

76. What proof is required upon an indictment for bigamy?

77. What is conspiracy?

78. By what description of persons can embezzlement be committed, and by what statute are they defined?

79. A servant in the habit of receiving money from his master for various purposes, appropriates part of it to his own use; of what offence is he guilty?

80. What offence is committed by an attorney, under a power of sale or transfer of stock fraudulently converting same to his own use, and by what statute is it defined?

81. On the trial of a prisoner for embezzlement the case is found to be one of larceny, what is the consequence?

82. What are the requisites for the admission of depositions taken before a magistrate as substantive evidence?

83. What is a dying declaration, and under what circumstances is it admissible in evidence?

84. How is the venue laid in case of felony upon the high seas?

85. What right of challenging a jury has a prisoner in a case of felony?

THE NEW BANKRUPTCY LAW.

NOTES OF NEW DECISIONS.

Voluntary Deed set aside as against Creditors—Separate Use.—Where a voluntary settlement is impeached by a creditor on the ground of its being fraudulent and void under the statute of Elizabeth, if the debt of the creditor existed at the date of the settlement, and it is shown that his remedy is defeated or delayed by the existence of the settlement, it is immaterial whether the debtor was or was not solvent after making the settlement. But if the voluntary settlement be impeached by subsequent creditors whose debts had not been contracted at the date of the settlement, then it is necessary to show, either that the settlor made the settlement with express intent to delay, hinder, or defraud creditors, or that, after the settlement, the settlor had not sufficient means or reasonable expectation of being able to pay his then existing debt; that is to say, was reduced to a state of insolvency: (*Spirett* v. *Willows*, 11 L. T. Rep. N. S. 614. Chan.)

Composition-deed — Creditor Residing Abroad—Tender of Composition.—To a suit on a bill of exchange the defendant pleaded a composition-deed, which contained a covenant to pay a certain composition on a day named. The plaintiff demurred, on the ground that the plea did not aver payment or tender of the composition to the plaintiff on the day named. The defendant rejoined that the plaintiff was abroad when the composition became due. The Court held that, as the plaintiff was residing abroad when the debt accrued and when the deed was made and registered, the defendant was bound to pay or tender the composition to him abroad when it became due: (*Fenwick* v. *Maynier*, 11 L. T. Rep. N. S. 635. C. P.)

Assignment to Trustees for Benefit of Creditors—Execution issued the same Day—Title of Trustees as against Execution-creditors—Division of a Day.—By a deed under sect. 192, B. A. 1861, executed at 10 a.m. on Dec. 3, and expressed to be made in pursuance of a resolution at a meeting of the debtor's creditors on the previous Nov. 25, a debtor assigned all his estate, &c., to trustees (the plaintiffs) for the benefit of all his creditors, "being such persons as would have been entitled to rank as creditors in bankruptcy if the said debtor had been adjudicated a bankrupt upon a petition for that purpose filed on the said 25th Nov." All the statutory requirements with respect to trust-deeds for creditors were complied with, and possession of the goods was immediately taken on behalf of the trustees. Subsequently, at 11·30, a.m. of the same 3rd Dec., judgment was signed and execution issued thereon in an action at the suit of the defendants against the debtor's goods, which were seized at noon of the same day under a writ of *fi. fa.*: and it was held, that the deed was a good deed at common law, and passed the property to the trustees, and was not void for fraud under 13 Eliz. c. 5; and also that it was a good deed under the B. A. 1861, and that plaintiffs, the trustees under it, were entitled to hold the debtor's goods against and in priority to the execution-creditors: (*Evans and others* v. *Jones and others*, 11 L. T. Rep. N. S. 636. Ex.)

CORRESPONDENCE OF THE PROFESSION.

Magistrates' Clerks.—I am certain the Profession will read the recent correspondence with satisfaction, but the parts within parentheses, in clause 21 of Mr. Oke's "Justice of the Peace Procedure Bill," ought to be omitted. Some time ago there was a dispute here between the clerk and a solicitor as to a prosecution. Since then, I am informed, the clerk procures the justices to inform prosecutor he need not employ a solicitor; the clerk will conduct the case for him. Should the clause referred to be allowed to stand as now drawn, of course other clerks will soon follow the above example. Solicitor.

— I am glad to see, from Mr. Oke's letter which appeared in the Law Times of Saturday last, that, in the ensuing session of Parliament, he will re-introduce his "Justices of the Peace Procedure Bill," as it is doubtless a step in the right direction; but I (and no doubt every other attorney who is not a magistrates' clerk will be of the same opinion) think that the words in clause 21 of the proposed Act, as given in your paper and written in a parenthesis, viz.: "Unless the examining or committing justice shall, in cases where no attorney appears for the prosecution, signify his consent thereto, or direct such clerk, or his partner or clerk, to conduct such prosecution," should be struck out, because, in eleven cases out of twelve, it is unnecessary for an attorney to (and he seldom does) appear to conduct a prosecution before the magistrates. The clerk is supposed to be capable of taking down the evidence and completing the depositions for trial; it is his duty to do so, and he is paid fees for so doing. The attorney is but seldom wanted until after committment, and then to prepare the brief, instruct counsel, look after the witnesses, and attend to the case at sessions or assizes, as the case may be. I would suggest that the prosecutor should, after the committment of a prisoner for trial, be left to himself to employ his own attorney, whether he is represented by an attorney before the magistrates or not. I would also suggest that no police inspector, superintendent, sergeant, constable, or other police officer should be bound over to prosecute in any case, for it is a common "dodge" (I can call it nothing else) for the magistrates' clerks to get the policeman in the case bound over to prosecute, in order to ensure to themselves (the clerks) the conduct of the prosecutions. Another way by which the clerks to the justices spite the attorneys who are employed in prosecutions, is to charge 1s per folio for copies of the depositions (they are only allowed to charge 1½d. per folio for copies of depositions for prisoners), by which means the attorney has often to pay more for such copies than he gets allowed for preparing the briefs and attending to the cases, &c. The clerk ought to be compelled to charge the same fee in both cases.

1st Feb. 1865. Vigilans.

— On behalf of myself and your other readers, I beg sincerely to thank Mr. Oke for his letter which appeared in your columns of last Saturday, and for the extract from his "Justices of the Peace Procedure Bill." But I differ from him in thinking that his clause provides an "adequate remedy in all cases to which the present law does not apply;" and I believe his proposal would be found insufficient to prevent the mischiefs complained of. The 24 & 25 Vict. c. 75, s. 5, enacts that "it shall not be lawful for the clerk to the justices of any borough, by himself or his partner or otherwise, to be directly or indirectly employed or interested in the prosecution of any offender committed for trial by the justices of such borough, or any of them, at any court of gaol delivery or general or quarter sessions; and any person who shall in anywise offend in the premises shall for every such offence forfeit and pay the sum of one hundred pounds." Now, Mr. Editor, that is intelligible language, and effectually accomplishes an important object, declared by Pollock, C. B., in *Reg.* v. *Fox*, 29 L. J. 54, M. C., to be, "that a clerk to justices shall not be employed in prosecutions or have any interest in them, or derive any advantage from multiplying them." And Lord Campbell, C. J., in the same case, said: "The Legislature has wisely shown great anxiety that there shall be good advice given to justices of the peace by some person who is a professional man; and it is by virtue of the advice given to justices by their clerks that the administration of the law by our unpaid magistracy has been most beneficial. At their petty sessions they are advised by a clerk whom they may select and appoint; and it seems to me, that by means of such advice, the unpaid magistracy have been and are a great credit to the country. But it is of the last importance that the clerk should have no interest in the prosecutions, that he should have no bias in his mind, and that he should obtain no advantage, either directly or indirectly, from those cases in which he has to advise." Mr. Oke invites criticism upon his production. I venture, therefore—backed by the opinion of the Judges—to recommend the section I have quoted, which works admirably in boroughs with no practical inconvenience whatsoever. I earnestly deprecate its ever becoming the duty of an English magistrate to "direct" the "conduct" of a prosecution. Such a system would degrade his office from that of "Judge" to "Commissioner of Police," and deprive of half its value Lord Tenterden's well-known splendid eulogium. In conclusion, I must add, that I speak quite disinterestedly, desiring only the improvement of a tribunal (now threatened with extinction by stipendiary officials) of which—partly as magistrate, and partly as advocate—I have had great experience.

William E. Shirley.

Doncaster, Feb. 1, 1865.

Mr. Oke's Magistrates' Courts Practice Bill.—I beg to call the attention of justices' clerks throughout the country to the very important bill relating to summary procedure, which was drawn by Mr. Oke, and introduced into the House of Commons in the last session, and which will again be brought forward soon after Parliament assembles. As the Bill is intended to supersede the very imperfect Administration of Justice Acts, and to introduce a more perfect and practical code for the regulation of Courts of Petty Session, it ought to receive the utmost attention and support. I regret that the Justices Clerks' Society, or the committee of that body, have not thought fit to take more active steps with regard to the measure, for a more important one, as affecting the clerks, has not been brought before Parliament. The slight notice taken of the Bill in the annual report of the society was quite inadequate. I think the Clerks' Society should have taken more active steps to have had the provisions of the Bill canvassed, by having had convened a general meeting of the clerks, or having

arranged for each county to have had a meeting of the clerks of the various petty sessions within it (whether all such clerks were members of the society or not) and to have collected the views of the clerks, and have obtained their united efforts in support of the Bill. It is not too late yet to take such steps; and I also think that the clerks generally, who are naturally desirous of seeing the Courts of Petty Sessions placed upon a better system, and of having an improved and intelligible course of procedure marked out, should feel it incumbent to take upon themselves active steps to promote the desired object. I beg to suggest that in each county a general meeting of all justices' clerks (whether county or borough) be held; that a committee of their number be appointed to attend in London, when required, to watch the Bill and assist, by their influence with members and otherwise, in endeavouring to have the Bill carried through Parliament. W. Finnie.

Swindon, 1st Feb. 1865.

Lawyers and Building Society Secretaries.—Before proceeding, Mr. Editor, to enter upon the consideration of the subject of the present letter, intended for publication in the columns of your paper, I must apologise for the space it will unavoidably occupy, and plead, as an excuse for the length, the very important character of the subject itself, not to a limited class of your readers only, but to every one interested in the intact preservation of the just, legitimate and proper prerogatives of the lawyer from ruthless usurpation by a class of men who are now beginning to infest our large maritime towns—men who are qualified neither by education, training, nor experience to discharge the duties they take upon themselves to perform; and whose right to infringe upon the duties of the lawyer cannot, under any pretence whatever, be justified, or be defended by any arguments, however subtle and ingenious. Many of the articled clerks have of late occupied much of their time in penning epistolary dissertations on the desirability of establishing law classes. Attorneys, too, have, it is alleged, been mustering their combined strength in resisting the Lord Chancellor's abortive schemes, whilst barristers have been no less assiduous in discussing the merits of their respective views on the authorised reporting scheme. But it has been matter of profound regret to me, after waiting patiently, to find that no one able and willing can be found to come forward as the champion of the attorneys and solicitors to rouse the Profession from the lethargy into which it has fallen, and to expose the injurious and alarming consequences that must inevitably ensue to the greater part of that body in a few years' time, if the evil complained of, that is now rapidly taking deeper root, is not speedily and effectually eradicated. That it is a gross and flagrant wrong perpetrated upon the lawyers at large, but more especially upon the rising generation, is so palpable as to require little or no effort to satisfy even the most prejudiced. Here we have articled clerks, who have had the benefits of an expensive education, and upon whose legal training a large sum of money is expended; and this is not all, for, in order to obtain a sufficient recompence for this heavy expenditure, it is incumbent that an aspiring law student should work *long, perseveringly and laboriously* to make himself qualified to dispose of the business he expects to be called upon to discharge, to his own credit, the honour of the Profession, and the satisfaction of his client. Then he has his examination to pass, and a somewhat heavy duty to pay upon subsequent admission, besides the yearly certificate to take out. Such being the case, I ask with some concern, is it right that an enterprising fellow, with more energy than ability and less honesty than cunning and plausibility, should be allowed to step in through some loophole and gather the harvest of years' labours and fortunes? Can any one say, Yes? I defy it. I will now proceed to specify the manner in which some of these building society men have infringed upon the duties of attorneys and solicitors. In the first place, there is in the very town where I am at this moment writing a man who is secretary to a large building society having some 1000 members, and this person investigates titles, prepares mortgage securities for all advances, whether large or small, and transacts all other legal business of the society for *nothing*. So state his advertisements and large placards. Now, is this a conscientious to take an alarm from? Others have followed in the same track, finding, no doubt, the business exceedingly remunerative. This usurpation, although large, is not the extent of the evil. With a mortgage is frequently connected a conveyance, a will, or a marriage-settlement, and these documents are prepared by men who have not sufficient ability to raise a doubt in their minds; consequently what matters they do transact must often, if not invariably, be done in an off-handed, careless sort of manner. Some may ask, how is it that they attain even sufficient knowledge to do these things in the worst manner? I reply, is it not possible for them to have been at some period of their lives attorneys' clerks; or, is it improbable that they may have one in their pay? for they are quite wealthy enough to employ, and do employ, a staff of clerks to transact, not only business of this description, but also the investigation of accounts, arbitrations, &c., &c. Will the parties so deeply concerned in the continuance of this state of thing still quietly slumber on? Will the solicitors throughout the length and breadth of the land, who have before now vanquished the lion, will they now tamely submit to be devoured by the wolf? If so, it behoves the articled clerks to put on their armour and fight the battle manfully, for theirs is the interest most seriously jeopardised. Let them be determined, and ere long they will have succeeded in hunting every one of these intruders out of their supine quarters. It occurs to me that a clause might easily be inserted in the numerous petitions which the Legal Profession are laying before Parliament praying for a remedy to meet this inconvenience.

30th Jan. 1865. Vigilans.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Query.

Bankruptcy.—I should be obliged if any of your readers could inform me whether any, and what fee is payable to a registrar of a County Court on the meeting for a bankrupt passing his last examination. It appears, by the General Order of 22nd May 1862, that the fee on a first meeting is 1*l.*; would the registrar be entitled to the same fee of 1*l.* on the next meeting, namely, for the final examination, or only to 5*s.* as on an adjourned meeting, under the General Orders of 19th Nov. 1861, No. 5?

A Subscriber.

Answer.

Under-lease.—The joint tenancy in the reversion is severed, and a moiety of the sub-term merged: (*Wiscot's case*, 2 Rep. 60; see also Preston's Conveyancing, vol. 3.)

Gray's-inn. J. C.

THE LAW LIBRARY.

BOOKS SENT FOR REVIEW.

The Irrationale of Speech, by a Minute Philosopher.—London: Longman, Green, Longman and Roberts.

The Lunacy Acts, with an Introductory Commentary, Notes to the Statutes, References to Decided Cases, and a copious Index. By Danby P. Fry, Esq., Esq., Barrister-at-Law.—London: Knight and Co.

The Joint Stock Companies Directory for 1865.—London: Charles Barker and Sons.

Primitive Marriage; an Inquiry into the Origin of the form of Capture in Marriage Ceremonies. By J. F. McAnnan, M.A.—Edinburgh: Adam and Charles Black.

Tabulæ Curiales; or, a Table of the Superior Courts of Westminster-Hall. By Edward Foss, F.S.A.—London: John Murray.

On Food as a Means of Prevention of Disease. By Erasmus Wilson, F.R.S. London: John Churchill and Sons.

Private Conveyancing Reformed; or, Dealings with Land rendered secure, simple and easy, by Registration of Title. A Lecture. By Henry Dix Hutton, Esq., Barrister-at-Law.—Belfast: Henry Greer.

Report of the Committee of the Registration of Title Association, with Observations on the Bill for the Recording of Titles to Land in Ireland. Prepared by Henry Dix Hutton, Esq., Barrister-at-Law.—Dublin: Hodges, Smith and Co.

A General Review of the Subject of Capital Punishment. By William Tallack.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by John Thompson and T. W. Saunders, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Hilary Term 1865.

Thursday, Jan. 26.

Ex parte F. J. Bosley.—*Giffard* moved for a *certiorari* to bring up a conviction of Mr. Bosley, a wharfinger near London-bridge, by Mr. Alderman Stone at the Mansion-house, for a breach of the Thames Conservancy Act, by allowing vessels unloading at his wharf, to overlap the limits of the wharf, contrary to the Conservancy regulations. *Rule nisi.*

Reg. v. The Bradford Commissioners.—The *Solicitor-General* showed cause against a rule *nisi* calling on the commissioners for paving, lighting and watering the town of Bradford, to pay to the executors of Mr. Bush, their late clerk, the balance due on a judgment-debt recovered by him in Feb. 1864, and if necessary to make a rate for that purpose. The Solicitor-General was contending that the commissioners had no power to incur debts, and that they were bound to provide funds in advance, and that a retrospective rate could not be made by them to pay this debt: (2 & 3 Vict. c. lxiii., ss. 11, 12, 69, 94.)—The Court said the only question now was, whether the prosecutors ought not to be allowed to raise the question by *mandamus*, not which was the point was to be ultimately decided, and that the point was not such as that the court ought to preclude them from issuing a *mandamus*; and then the commissioners could raise their objections in answer.—*M. Smith* and *Lopes* appeared to show cause. *Rule absolute.*

Re Joseph Rogers (an Articled Clerk).—*Hawkins*, Q.C. moved for a rule allowing Mr. Rogers to dispense with a portion of his term on the ground of absence from service occasioned by illness.—Channell, J. said that the Court had twice during the present term refused similar applications, and that the probability was that there would be no difficulty at the expiration of the term of service if the Law Society was satisfied of the fact of the illness.

Rule refused.

Ex parte Bell (an Attorney).—*P. Thompson* moved for a rule in the nature of a rule to review the master's taxation. The point was as to the terms on which Mr. Bell had been employed as an agent by a society calling itself Stubbs' Trade Protection Society to recover a debt due to Mr. Whitfield. *Referred back to the master.*

Ellison v. Bray.—*Quain* moved for a rule calling on the defendant to pay money pursuant to the award. The affidavit did not show personal service, but only that the demand and a copy of the award had been left with the defendant's wife, and that she had said that they had come to her husband's knowledge.—The Court said that this would not do, for it was not shown that defendant was keeping out of the way to avoid personal service.

Rule refused.

Rhind v. The West London Extension Railway Company.—*Hawes*, Serjt. showed cause against a rule *nisi* obtained by *Wordsworth*, Q.C. for a *certiorari* to bring up an inquisition of damages in a compensation case, in which the jury had gone into the question of whether there was a right of way, and determining that there was not, had given their verdict for the defendants.—The Court said that it had been decided that a jury could not do that, and that the only question for them was the amount of damage. *Rule absolute.*

Reg. v. J. R. Arscott.—*Lopes* moved for a *certiorari* to remove the proceedings on an inquisition by the coroner, wherein a verdict of manslaughter was returned against Mr. Arscott, from the city and county of Exeter to the county of Exeter. The object was to obtain the trial before a jury of the county instead of before a jury of the city, on the ground of the political feeling against Mr. Arscott.—The Court desired Mr. Lopes to look and see if he could not obtain the object of his application under the 38 Geo. 3, c. 52, without applying for a *certiorari* which would remove the case to the civil side of the court and alter the course of proceeding.

Reg. v. Justices of Devon.—*Arnould Rogers* moved on behalf of the Rev. G. Nolan and the inhabitants of East Stonehouse, for a *certiorari* to bring up an order of justices made under the 3 & 4 Vict. c. 38, forming the parish of East Stonehouse into a police district by itself. *Refused.*

—— v. Parr.—*Watkin Williams* moved for a rule to allow the plaintiff to administer interrogatories to the defendant before declaration. *Refused.*

The Wakefield Board of Health v. The West Riding and Grimsby Railway Company.—*Temple*, Q.C. showed cause against a rule calling on the defendants and two justices to show cause why they should not state a case for the opinion of this court, under 20 & 21 Vict. c. 43, on dismissing an application to the justices to enforce an order, the objection being that one of the justices who heard and determined the application was an interested party.—*Clerasby*, Q.C. and *Manle* appeared to support the rule. *Rule absolute.*

Reg. v. Askerton.—*Macleod* showed cause, and *Hayes*, Serjt. supported, a rule *nisi* to bring up an order of justices made under the Highway Act, directing an indictment to be preferred against the parish of Askerton for non-repair of a highway, on the ground that it was made without jurisdiction, the road in question not being a highway. *Rule absolute.*

Callisher v. Grant.—*Lopes* showed cause, and *Morgan Lloyd* supported, a rule for a new trial on the ground of surprise, and that the case was tried as an undefended action inadvertently. *Rule absolute.*

Ex parte Erewash.—*A. Wills* moved for a *certiorari* to bring up a provisional order of the Secretary of State authorising the compulsory powers of the Lands Clauses Act to be put in force by the local board of health of Hastings. *Rule nisi.*

Reg. v. The London, Chatham and Dover Railway Company.—*H. James* moved on behalf of Mr. Bullen for a *mandamus* to the company, to compel them to issue their precept to the sheriff to summon a jury to assess compensation for injury caused by their works. *Rule nisi.*

Friday, Jan. 27.

Feather v. The Queen.—The argument in this case was continued from Tuesday last, and occupied the entire day. At the rising of the court, it was adjourned until Monday the 30th. *Part heard.*

Saturday, Jan. 28.

Bills v. Smith. *Rule discharged.*

Shelly v. Sherlock.—*Bovill*, Q.C. moved in this case to rescind an order of Crompton, J. changing the venue from Middlesex to Liverpool. *Rule nisi.*

Monday, Jan. 30.

Coxhead v. Watkins.—*Bovill*, Q.C. moved on the part of the defendant for a rule calling upon the plaintiff to show cause why all proceedings in the action should not be stayed, it having been commenced in breach of good faith. *Rule nisi.*

Feather v. The Queen. *Judgment for the Crown.*

Reg. v. The Worksop Board of Health.—The Court said that they would hear Mr. Bovill's argument herein, and that the case should go therefore into the Crown paper.

Parry v. Fox.—*Parry*, Serjt. moved for a rule to set aside the verdict for the defendant herein. *Rule nisi.*

Sichel v. Purday.—*C. A. Russell* moved to set aside the verdict for the plaintiff, and to enter it for the defendant or for a nonsuit. *Rule nisi.*

Griffiths v. Warne.—*Chambers*, Q.C. moved for a rule to set aside the verdict for the defendant, and to enter it for the plaintiff for 50*l.* *Rule nisi.*

Ex parte The Mayor of Sheffield, *re* The Inundation Commissioners of Sheffield.—*Pickering*, Q.C., *Mellish*, Q.C. and *Quain* appeared to show cause herein.—*Manisty*, Q.C., *Blackburn* and *Shepherd* in support of the rule for a *mandamus* to the above commissioners.

Rule absolute by consent.

Arnold *v.* Bradish.—*C. Hutton* showed cause against a rule to inspect certain deeds.—*E. James*, Q.C. and *Milward* in support.—(To be reported.) *Rule discharged.*

Tuesday, Jan. 31.

Longhurst *v.* Hayne.—*Austie* moved to set aside a judgment on a demurrer on the ground that the plaintiff did not appear through inadvertence. *Rule refused.*

Everitt *v.* The Queen.—*G. Taylor* moved to make a rule *nisi* for a procedendo absolute. *Rule absolute.*

Howard *v.* The Queen.—*Partridge* moved on an affidavit of service to make a rule absolute for judgment for the plaintiff in error. *Rule absolute.*

Corbett *v.* Wheeler.—The plaintiff in person moved to set aside a nonsuit and for a new trial in an action of ejectment. The trial took place at the Surrey Spring Assizes 1858. *Rule refused.*

Re Richard John Salter Robins.—The *Solicitor-General* applied that this gentleman, who was struck off the roll of attorneys, might be readmitted. *Rule granted.*

Cowell *v.* The Amman Aberdare Company (Limited).—*J. Brown* showed cause, and *Quain* supported, a rule *nisi* to deprive the plaintiff of costs in an action referred before trial, "the costs of the action to abide the result." The arbitrator awarded 20*s.* only as the damages.

Cur. adv. vult.

Wormsen *v.* Studen.—*M. Smith* applied for leave for the defendant to appear and plead in an action on two bills of exchange. *Rule nisi.*

Reg. *v.* The Justices of Surrey.—*Gorth* showed cause, and *Lush* Q.C. supported, a rule for a *mandamus* to two justices to allow a poor's rate made by the overseers of Kew in December last. The point raised was, whether a new valuation of the parish delivered to the assessment committee was binding on the parish, it being signed by the overseers only, and not by the churchwardens: (25 & 26 Vict. c. 103, ss. 14, 28.) Ultimately it was agreed that the rule should be made absolute for the justices to sign the poor's rate, which was made according to the old valuation. *Rule absolute.*

Reg. *v.* Roberts.—*Hayes*, Serjt. moved that the service of the rule for a criminal information should be deemed valid. *Rule granted.*

Ex parte The Parishes of Northowram and Clayton.—*Mellish*, Q.C. (*Kemplay* with him) moved for a *certiorari* to bring up certain orders made by the Home Secretary for putting in force the Local Government Act in the district of Queensbury. *Rule nisi.*

Tilly *v.* Pearce.—*H. T. Cole* moved to set aside an order of Shee, J. for inspection of certain books in an action for the fraudulent misrepresentation of a business sold by defendant to plaintiff. *Rule nisi.*

Re Henry Hugh Pyke.—*Stammers* applied to the court for a rule to readmit Mr. Pyke as an attorney of this court. He was admitted in 1840; struck off the rolls at his own request in 1856; called to the bar by the Society of Gray's-inn in 1858; disbarred for misconduct in 1844.—*Bovill*, Q.C. and *Gorth* showed cause on behalf of the Incorporated Law Society.—The Court said, that they could not order Mr. Pyke to be readmitted without some satisfactory evidence as to his conduct since 1845. *Rule refused.*

Reg. *v.* Good and Three others.—*Mellish*, Q.C. (*H. T. Williams* with him) showed cause, and *Lush*, Q.C. and *A. L. Smith* supported, a rule *nisi* for a *quo warranto* calling on the defendants to show by what authority they claimed to exercise the office of councillors of Haverfordwest.

Rule nisi as regards only the councillor declared to be elected who had the smallest number of votes.

Re The Coroner of Margate.—*Parry*, Serjt. and *G. Francis* showed cause against a rule obtained by *H. James* to quash an inquisition of manslaughter against two servants of the South-Eastern Railway Company, for negligently and feloniously causing the death of Susannah Lock in July last. *Rule absolute.*

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Hilary Term 1865.

Wednesday, Jan. 25.

The Sedgwick Gunpowder Company *v.* Ackman.—In this case, part heard on Monday, the Court said, that it would not be necessary to hear *Gray*, Q.C. for the defendant, and decided in favour of the plaintiff.

Judgment for the plaintiff.

Burnell *v.* Conway.—*Gibbons* moved for a rule for the inspection of a mortgage-deed. The application had been made to Byles, J. at chambers, and refused.

Rule refused.

Stacke (app.) *v.* Whitehurst (resp.)—Case stated by justices. The respondent and another had been summoned before the justices and charged, the latter with trespassing in pursuit of game, and the former with aiding and abetting the latter in committing the said offence. The justices convicted the other but dismissed the summons against the respondent, on the ground that what he did in the matter was not done till after the offence had been completed.—*H. James*, for the appellant, was stopped.—*Raymond* was heard for the respondent.

Judgment for the appellant.

Eatwell (app.) *v.* Richmond (resp.)—Case stated by justices. The appellant, a carrier, was summoned before justices by the respondent, the keeper of the London-road turnpike-gate, at Bath, for nonpayment of tolls.

Judgment for the appellant.

Whitmer (app.) *v.* Furnell (resp.)—Case stated by justices. The respondent was summoned before justices by the sub-inspector of factories for having a female under the age of eighteen at work in his factory after six o'clock in the evening, not being working for the recovery of lost time. The respondent was a manufacturer of crinolines and crinoline steel-skirts, and he contended that his factory was not a cotton-mill or a place where cotton was worked up, within the meaning of the statute, 3 & 4 Will. 4, c. 103, and 7 & 8 Vict. c. 15, s. 73. The magistrates dismissed the summons.—*Hannen* (the *Solicitor-General* with him) for the appellant, and *Quain* for the respondent. *Judgment for the appellant.*

Clark *v.* Watson.—Demurrer to declaration, stating that the plaintiff agreed to do certain works for the defendants, which were to be paid for upon production of the certificate of the defendants' surveyor, and that the plaintiff executed the works, but the surveyor wrongfully withheld the certificate. The declaration did not allege any fraud or collusion between the defendants and their surveyor.—*H. James* appeared for the defendants.—*Parry*, Serjt. (*Joyce* with him) for the plaintiff.—(See the Reports of the week.) *Judgment for the defendant.*

Thursday, Jan. 26.

Thomas *v.* Welsh.—In this case *Bovill*, Q.C. moved for a rule to inspect the defendant's sewing machines.

Rule nisi.

Brett *v.* Philpot.—*Francis* moved for a rule to attach the defendant in this case. *Rule nisi.*

Cobb *v.* Saunders.—This was a part-heard case.—*Bovill*, Q.C. and *Watkin Williams* were now heard in support of the rule. Rule absolute for new trial unless the plaintiff would agree to reduce the damages by 88*l.* *Rule absolute.*

Nicll and others *v.* Whitworth and others.—The arguments in this case were concluded, and the Court held that the words in the bought note "the cotton is to be taken from the quay," did not amount to a condition precedent, but were merely an independent stipulation for the benefit of the vendor, on the performance of which the vendee could not insist. *Rule absolute.*

Friday, Jan. 27.

Cox *v.* Beckett.—Action against attorneys.—*Keane*, Q.C. moved for a rule for discovery of documents. The matter had been referred to the court by Byles, J.

Rule refused.

Ex parte Davies.—*Philbrick* moved for a rule calling on an attorney to answer the matters contained in an affidavit. *Rule nisi.*

Price *v.* Giles.—*Hemaller* moved to enlarge the rule.

Rule enlarged.

Skittow *v.* Symmons.—*Keneally* showed cause against a rule for the arrest of a debtor in spite of his having obtained a protection order from the Court of Bankruptcy on his having executed a composition-deed. The instalments due under the deed had not been paid.—*Griffits* supported the rule. *Rule discharged with costs.*

Ellwood *v.* Christy.—*Murray* showed cause against a rule for an account of profits. The action was for the infringement of a patent.—*Hindmarch*, Q.C. and *Aston* supported the rule. *Referred to the master.*

Evans *v.* Wright and another.—*Day*, for the plaintiff, showed cause against a rule for an interpleader applied for by the defendant. The action was for tenant right, the defendant being the landlord, and it being a question which of two persons was the tenant entitled to the amount.—*Diran* appeared for the third person; *Wills* for the defendant. *Rule absolute.*

Swire *v.* Leach.—Trover by a pawnbroker to recover the value of goods pledged with him and seized by his landlord under a distress for rent. The plaintiff contended that the goods were privileged from distress. The defendant maintained his right to distrain them, and alleged that the forfeited pledges which had been in the plaintiff's hands more than twelve months were certainly liable to be distrained, and that if the plaintiff was entitled to recover he would be entitled only to the amount which he had advanced on the goods, not to the full value of the goods. The case was tried before Pigott, B. at Liverpool, and a verdict found for the plaintiff for the full value of the goods.—*H. Saunders* and *Holker* showed cause against a rule to enter a verdict for the defendant or to reduce the damages.—*Mead*, Q.C. supported the rule.—(See the Reports of the week.)

Rule discharged.

Saturday, Jan. 28.

The learned Judges of this court were sitting during the whole day in the Court of Criminal Appeal.

Monday, Jan. 30.

Hobbs *v.* Hemming.—The Court gave judgment in this very important case, which was argued last term by *Temple*, Q.C. (*Hannen* with him) for the plaintiff, and *Lush*, Q.C. (Sir *G. Honyman* with him) for the defendant. The action was brought against an underwriter of a policy of insurance on goods on board the ship *Peterhoff*, from London to Matamoras, which was captured by Federal cruisers and condemned in a prize court at New York, on the ground that the ship's destination was not really Matamoras, a neutral port, but some other port in the territories of the Confederate States, and that the ship's papers were false and simulated. It was contended for the underwriter that the judgment of the prize court was conclusive on the point that the ship's papers were simulated, and that the destination of the ship was not really Matamoras, and consequently that there was a suppression of material information which ought to have been given to the underwriters, and that there had been a deviation if the voyage was really to Matamoras, and that any contract to run the blockade or supply contraband of war to the Confederate States was illegal *ab initio*, and rendered illegal all contracts relating to the voyage. The defendant contended that although the judgment of a prize court is conclusive on the *status* of a ship, so as to change the property in it, yet it is not conclusive on any subordinate fact involved in the investigation, such as the genuineness of the ship's papers. The considered judgment, which was of great length, was in favour of the plaintiff on all the points raised. *Judgment for the plaintiff.*

Douglas *v.* Bridges.—*J. Brown* showed cause against a rule to set aside an interpleader order made by Byles, J.—*Bush Cooper*, for the plaintiff, supported the rule.—*Gorth*, for the claimant, was not heard.

Rule discharged with costs of the defendant, and of the claimant.

Re An Arbitration between Dennis and Cutcliffe.—*Karslake*, Q.C. showed cause.—*Huddleston*, Q.C. supported the rule. *Rule discharged.*

Matthews *v.* Leach.—*Quain* showed cause.—*Temple*, Q.C. supported the rule. The rule was to set aside a judge's order for better particulars. The action was for slander.

Rule absolute.

Thomas *v.* Welch.—Action for infringement of a patent. *Manisty*, Q.C. (*Macrory* with him) showed cause.—*Bovill*, Q.C. (*Aston* with him) applied to have the rule enlarged.

Rule enlarged.

Thomas *v.* Welch.—*Manisty*, Q.C. applied for a rule for the examination of a witness in America. The matter had been referred to the court by Byles, J.

Rule nisi to be served and argued next day.

Simpson *v.* The Lancashire and Yorkshire Railway Company.—*Mellish*, Q.C. (*Milward* with him) showed cause for the plaintiff.—*Temple*, Q.C. (*T. Jones* with him) was for the defendants. *Cur. adv. vult.*

COURT OF EXCHEQUER.

Reported by F. Hallet and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Hilary Term 1865.

Friday, Jan. 20.

Brookes and others (Executors, &c.) *v.* Bates (P. C.).—This cause was tried before Byles, J., at the last Bristol summer assizes, and was an action by the plaintiffs as executors of a person named Howell, to recover the sum of 3500*l.* alleged to be due to his estate from the West of England and South Wales District Bank of Bristol, of which the defendant was manager and public officer. The deceased Mr. Howell for some years previously to his death had carried on in partnership with a Mr. Leak the business of a timber merchant. In the year 1858 the firm opened an account with the West of England and South Wales District Bank of Bristol, of which the defendant was then the public officer; he has since become a director. Large sums were advanced to them from time to time by the bank, and in the year 1861 their account was considerably overdrawn. On the 16th Aug. of that year Howell and Leak dissolved partnership. Leak, however, still continued to keep an account with and pay in moneys to the name of Howell and Leak to the bank. In the following November a sum of 3500*l.* was received and put to the private account of Howell by the bank, and in a conversation which he subsequently had with Bates, certain terms were arranged as to the commercial relations of the firm with the bank, which Bates desired Howell to put in writing. These Howell embodied and sent in a letter, dated the 21st Nov. 1861, by which he agreed that the sum of 3500*l.* should be held as a security for the amount of the account then due from Howell and Leak on their allowing him 3 per cent. interest. The following is a copy of such letter:—"Bristol, 21st Nov. 1861. Dear Sir,—On the 19th ult. you paid Abraham Leak's acceptance to my draft for 1500*l.* and on the 19th inst. one for 2000*l.*, which said amounts are placed to the credit of my private account. You will please hold the above as security for the payment of the amount now owing you by Messrs. Howell and Leak, you allowing me 3 per cent. upon the same.—Your obedient servant, James Howell. To John Bates, Esq." It was contended, on the part of the defendant, that this letter did not contain all the facts, or represent the real terms of the conversation, and, in truth, that the actual terms verbally agreed upon between them, and which should have been reduced into writing, were, that the 3500*l.* was to be a security for a floating balance. At that time Howell and Leak were indebted to the bank to the amount of 24,000*l.* After this guarantee was given large advances were obtained from the bank by Leak, and at the same time considerable payments to upwards of 25,000*l.* made by him. There was no express appropriation of these payments, but occasionally Leak, in making a settlement, would leave with Bates a paper containing a list of the bills which the bank had subsequently to the above letter of November discounted, and which were becoming due. On the 3rd March 1862 Howell died, and the balance of accounts then showed a debt due to the bank of about 14,000*l.* The bank, therefore, on the executors of Howell applying for the 3500*l.*, claimed to retain it as a partial set-off against that amount, on the grounds either that Howell had agreed that it should be retained as against the floating balance due, or that, if it was to be confined to the existing balance due on the 21st Nov. 1861, still that it could be kept, as the subsequent payments to the letter of trust were applied by Leak to subsequent advances, and the sum of 24,000*l.* had never been entirely satisfied. The jury found that the guarantee was given to cover any floating balance that might be due. The judge directed that a verdict should be entered for the plaintiffs with leave for the defendants to move to enter the verdict for them. A rule having been subsequently obtained by the defendants to set aside the plaintiff's verdict, and enter it for the defendants on the grounds that the true agreement was that found by the jury, that the letter of Nov. 1861 was not the agreement between Mr. Howell and the bank, that upon the evidence there was an appropriation of moneys paid in subsequent to the agreement, to sums other than those owing at the date of the agreement, and that the amount then owing was never wiped out or liquidated.—*M. Smith*, Q.C. and *Pinder* showed cause, and contended that the letter of the 21st Nov. 1861 was the real contract between the parties, and that being in writing, was the contract binding upon them? It was duly received by the bank kept, and afterwards acted upon. They allowed interest in accordance with it at 3 per cent. The following cases were cited:—*Lindley v. Lacey*, 31 L. J. 7, C. P.; *Hadley v. Rogers*, 2 H. & C. 773; *Holme v. Brown*, 2 C. B. N. S., 442; *The Liverpool Borough Bank v. Eccles*, 4 H. & N. 139.—*Karslake*, Q.C., *Coleridge*, Q.C. and *Mead* contra, in support of the rule. *Adjourned.*

Thursday, Jan. 26.

Brown *v.* The Accrington Cotton Spinning Company (Limited).—The hearing of this part-heard case was renewed. *E. James*, Q.C. and *Holker* showing cause for the plaintiff, and *Temple*, Q.C. and *J. Kaye*, on the part of the defendants, supporting the rule to enter a nonsuit.

Cur. adv. vult.

Mason and another (Administrators, &c.) *v.* Mitchell.—*Quain*, for plaintiffs, showed cause against the rule obtained pursuant to leave herein for a nonsuit, or a new trial, on the ground that a protection order under 20 & 21 Vict. c. 85, s. 21, had been obtained by a deceased woman by fraud, she not having been deserted, as she had alleged, by her husband, and that the property sought to be protected by the order were not the proceeds of her "lawful industry," as required by the Act, but the result of her immoral gains as the keeper of a brothel.—*E. James*, Q.C. (with *Holker*) for defendant, in support of the rule, was stopped.—The Court gave no judgment on the first

[illegible] of the rule, but unanimously made it absolute for a nonsuit on the second ground.

Rule absolute to enter a nonsuit.

Stone v. Strange.—In this action for breach of promise of marriage, *H. T. Cole*, for defendant, moved, on affidavits for a rule calling on the plaintiff to show cause why defendant should not inspect and take copies of the letters written and sent by him to plaintiff, or why plaintiff should not set forth, on affidavit, what documents she had in her possession, &c., relating to the matter in dispute in the action, and if she objected, on what grounds she objected to the production, &c. Crompton, J., at chambers, had recently refused to make the order for inspection, and Bramwell, B. had previously declined to make the order for discovery. The affidavits of the defendant and his attorney stated their belief that the production was essential to the defence of the action to which there was a [illegible] defence. *Rule to show cause.*

Friday, Jan. 27.

The Yar Bridge Company v. Dore.—This was a special case. The action was brought to try the plaintiffs' right to demand and receive of defendant tolls as a passenger under 1 & 2 Vict. c. 81 (a local Act), by which the plaintiffs were incorporated. A toll-house had been erected by them after building the bridge across the river Yar, in the Isle of Wight, on a hard or causeway which at ordinary tides was covered with sea-water; and over the causeway an old road had existed from time immemorial, on which small quantities of goods and merchandise were carried from Freshwater to Yarmouth. Upon the hard or causeway was a private house called the Sandhouse, adjacent to which was a strip of land from which persons were in the habit of going in boats, and conveying merchandise to a quay at Yarmouth. The defendant [illegible] Freshwater, walked along the bridge to the Sandhouse, and then took a boat and went to the quay at Yarmouth. Toll of 1*d.* was demanded of and refused by him, and this action was brought to try the right of the plaintiffs to demand and recover the toll from persons going from the Sandhouse to the quay.—*Lush*, Q.C. (*Bullar* with him) for plaintiffs.—*Coleridge*, Q.C. (*Henry James* with him) for defendant. It was submitted on the part of the defendant that *primâ facie* the company was entitled to charge toll for using the bridge; but that, under the 67th section of the Act, [illegible] which preserves to the public the right of using all landing-places at or in connection with the quay free of toll, the defendant was exempt.—Pollock, C.B. was of opinion that this was a landing-place in connection with the quay, and that the rights which the public had enjoyed from time immemorial of using the landing-place for the purposes before-mentioned was still preserved to them. The construction he put on the 67th section of the local Act of Parliament, which said that nothing therein should be construed to prejudice or alter in any manner or [illegible] with the free use by the public of those landing-places, at or in connection with the quay, which had hitherto been free, exempted the defendant from the payment of the toll; that therefore the action was not well founded, and the defendant entitled to judgment.—Martin, Channell and Pigott, BB. were of a contrary opinion, and that upon the ordinary meaning and grammatical construction of the above-mentioned Act of Parliament, the landing-place was not at or in connection with the quay, and that the judgment of the court should be for the plaintiffs. *Judgment for the plaintiffs.*

Saturday, Jan. 28.

The Court sat in the afternoon, the learned Barons having previously sat with all the other judges on a special appeal case.

Carman v. Hatt.—*Quain* moved for a rule for a new trial in this case. *Rule nisi.*

[illegible] v. White.—*C. P. Butt* showed cause against, and *H. T. Cole* supported a rule to change the venue in this case to Taunton. *Rule absolute.*

Goddard v. Woodhead.— *Part heard and adjourned.*

Monday, Jan. 30.

[illegible] v. The Great Western Railway.—*Bovill*, Q.C., *Karslake*, Q.C. and *Clarke* showed cause against a rule obtained to refer the matter back to the arbitrator for reconsideration. The plaintiff complained that he and his witnesses had not been sufficiently heard; that the arbitrator who had awarded him 750*l.* as damages, should have given 1500*l.* for the injury sustained.—*Lush*, Q.C. and *Willis*, contra, in support of rule.

Rule discharged, without costs.

Lovibond and another (Executors of Grey, deceased) v. Fox.—This was an action brought by Mr. Grey (surviving partner of the firm of Moore and Co., of Bond-street, gunmakers). Grey died, and the suit was continued by the plaintiffs, his executors, to recover the price of guns and cartridges ordered by defendant in 1858, and the cost of repairing another rifle. The cause came on for trial before Bramwell, B., and Mr. F. Grey, son of the deceased and a witness for plaintiffs, was asked whether, at the time the order was given, he was not the partner of his father? He replied that he was. In re-examination he said, that up to 1855, he had been a clerk at a fixed salary, in that year his father told him he would give him a third of the profits as a salary, which was done down to the year 1860, when formal partnership was agreed to, his father signed the cheques, kept the banking account in his own name, and the business of the firm was in no way altered. The learned judge held that this constituted the witness a partner; that he ought to have joined his father in the action; and that, in that case, the right of action survived to him, and did not pass to the father's executors. An application was then made to amend the record, which was refused and a nonsuit directed.—*R. D. Keane*, Q.C. now moved to set aside the nonsuit or to amend the record, and for a new trial on the amended record, if necessary. He submitted that the son, if a partner at all, was a dormant partner, who [illegible] could not or need not have sued with his late father; that the sole right of action being in the deceased passed to the executors; he referred to *Cox* v. *Hickman*, 8 H. L. Rep. 268; Story on Agency; Lindley on Partnership; *Kerans* v. *Gillett*, 2 Taunton, 324; he contended that the judge ought to have amended under the powers of the C. L. P. A. 1852, sect. 222, and 34 and 35 (*Blake* v. *Done*, [illegible]); that the court might now amend on such terms as it thought fit upon the evidence at the trial, or at trial and the affidavits now offered, by striking out the names of the executors, leaving the name of the son (the [illegible] surviving partner, plaintiff. *Rule nisi.*

Tuesday, Jan. 31.

Re Evans (Attorney).—*C. Hutton*, on the part of the Inland Revenue Commissioners, moved to make a rule for an attachment against the attorney absolute in the first instance. It was for the nonpayment of legacy duty in his hands. The rule *nisi*, which had been served in Michaelmas Term, had been made absolute by the Court on the 12th inst., no cause having been shown; and that rule absolute had been duly served on the party. It was the first case under the statute 13 & 14 Vict. c. 97, s. 8, in which an application for an attachment absolute in the first instance had been made. But he apprehended there was no doubt that the application was warranted by the statute and the general practice in other cases. [Martin, B. (reading the section.)—The Act says it shall be lawful for the court "to enforce payment" by attachment "or otherwise."] He apprehended there was no other way. It was similar to a case between subject and subject, *e.g.* an attachment on the Master's *allocatur* for costs—and *à fortiori* it should be so as between the Crown and a subject. By the Court: *Rule absolute for an attachment.*

Dugdale v. Hartley.—*Kemplay* moved for a rule to set aside an order of Channell, B. at chambers, dismissing an application to strike out a plea of justification in exercise of a right of public way in an action of trespass *qu. cl. fregit.* *To go back to chambers.*

Neale v. Williams.—*Milward* moved for a rule to set aside an award made in this case under an order of reference, on the ground that the award was inconsistent on the face of it. It was an action on a builder's bill for building a cotton-mill.—The Court were all of opinion that there was no ground shown for their interfering. *Rule refused.*

Pontifex and others v. Pope and others.—*Denman*, Q.C. showed cause against a rule obtained herein to set aside an order of Willes, J., ordering the time for trial of the action to be extended to twelve months, two of the defendants having taken the benefit of the Insolvent Act, and the third defendant being a pauper, and not worth powder and shot. The affidavits were conflicting as to the fact of a partnership existing between the third defendant and the other two.—*C. A. Turner* supported the rule.—The Court thought the order of Willes, J. ought to be sustained, and the costs to be costs in the cause.

Rule discharged accordingly.

Re H. B. Dunn (an Attorney).—*W. Barnard* moved to set aside or rescind a rule making an order for the service of an attorney's signed bill of costs on the party a rule of court, on the ground that the order had been complied with by posting the bill to the party's only known residence or place of business at Frankfort-on-the-Maine.

Rule nisi returnable next Term.

Blakeley v. Abeles.—*Murphy* moved for a new trial in this case tried before the undersheriff of Yorkshire, and a verdict for plaintiff for 13*l.* 2*s.*, on the grounds of misdirection and verdict against evidence. The misdirection complained of was in the undersheriff telling the jury there was in law an acceptance of certain goods sufficient to go to them, and to take the case out of the Statute of Frauds. *Cusack* v. *Robinson*, 30 L. J., 261, Q. B. was cited. The affidavit in support of the notes of the undersheriff was headed "In the Queen's Bench," and was sworn before a commissioner of that court, the action being in the Exchequer.—The Court on that ground refused the rule, it being necessary that the affidavit should be made before an officer of the court in which the action is brought. *Rule refused.*

Edwards v. Warren.—*Macnamara*, for plaintiff, showed cause against a rule to set aside a writ of *exigi facias* and proceedings in outlawry instituted against the defendant, a general in the army, with an income from pay and other sources, of from 1000*l.* to 1200*l.* a-year. The defendant was residing at Brussels, with intent, as plaintiff alleged, to delay and defeat creditors. Judgment had been signed, in Nov. 1863, for 630*l.*, and three writs of *ca. sa.* had been issued, but to no purpose, and every effort had been made to obtain payment. The defendant's objection was ground of error, and these proceedings would not be set aside on motion; at all events, the Court could follow the usual practice, and not make the rule absolute except on the usual terms of payment of debt and costs: (2 Arch. Practice, 1293, 1301.)—*Gibbons*, contra, for defendant.—The ground on which the rule was moved might be matter of error, but the Court would not drive defendant to take that course. The issuing the writs of *ca. sa.* was an abuse of the process of the court, defendant being abroad at the time, to plaintiff's knowledge. He referred to 6 H. 8, that outlawry should not go against a person in a foreign country without proclamation.—By the Court: We are all against you; but we dare say Mr. Macnamara will not be hard upon you, and will let you off the costs of this application upon payment of the original debt and costs.

Rule absolute to set aside the outlawry on payment of debt and costs within a month; plaintiff to be in the same position as he is now, if not then paid.

Miller v. Drury.—*Bulwer* mentioned that in this case, which had stood over for arrangement, the parties had not been able to come to terms, and the case must, therefore, abide the judgment of the court. It was a rule calling on an attorney to show cause why an action should not be stayed.

Clarke v. Hart.—*Prentice*, for plaintiff, moved that 23*l.* paid into court under an order of Martin, B., should be paid to plaintiff. A composition-deed had been executed, and the only doubt in the matter arose as to the effect of that deed. *Rule nisi.*

Carman v. Hatt.—*Huddleston*, Q.C. (with *Barnard*), showed cause against, and *Quain* supported the rule for a new trial. *Rule discharged.*

Metropolitan Provincial Bank v. Holden.—*Merewether* moved for leave to plead an equitable plea in addition to other pleas in an action on a bill of exchange by indorsee against acceptor. Bramwell, B. had refused to allow it at chambers on the authority of *Flight* v. *Gray*, 3 C. B., N. S.—*C. Russell*, contra, showed cause, and cited *Ford* v. *Beech*.—By the Court:

All the other pleas to be struck out and this plea to be pleaded to-morrow; short notice of trial for London to be taken, with leave for plaintiff to demur or to reply specially. Costs to be costs in the cause.

Hadley v. Burke.—*H. James* showed cause against a rule to set aside an award, on the ground of insufficient notice of a peremptory meeting having been given, whereby the defendant could not attend, and the arbitrator proceeded to his award in his absence.—*G. Francis* contra for defendant, supported the rule, and cited the judgment of Coleridge, J. in *Ghuleria* v. *Chilcote*, 9 Dowl. 550. [Martin, B.—That case was in 1841, since which a very different practice has taken place with reference to these matters. At that time awards were set aside upon almost any pretence.]—The Court (Pollock, C. B., Martin, Channell, and Pigott, BB.) were unanimously of opinion that they ought not to interfere. The defendant had taken no notice of various appointments, either by attending or explaining why he could not do so. The rule therefore must be discharged. *Rule discharged.*

Stone v. Strange.—*Prideaux* showed cause against, and *H. T. Cole* supported the rule obtained by the latter for an inspection and discovery of the letters written by defendant to the plaintiff in this action for breach of promise of marriage.—*Schneider* v. *Mangino*, 7 M. & W.; *Shadwell* v. *Shadwell*, 6 C. B., N. S., 679; *Price* v. *Harrison*, 29 L. J., 335, C. P., were cited.—By the Court:

Rule absolute for the first alternative of the rule.

Nuttall v. Bracewell.—Adjourned.

Edmonds v. Barnett.—*L. Kelly*, for plaintiff, showed cause against, and *H. Lloyd* supported, a rule to set aside the verdict and for a new trial on the ground that a sufficient notice of trial had not been given to defendant. It was an action brought in the superior court and sent for trial to the County Court of Stafford, and the notice given was the usual County Court notice by the registrar, which in the present case was only seven days, and defendant had been absent in Wales on his business as a cattle dealer until the evening before the day of trial, and so had been unable to prepare for his defence. Sect. 26 of 19 & 20 Vict. c. 120 (the County Courts Amendment Act); rule 65 and form 33 of the County Court Practice Regulations, C. L. P. Act 1852, s. 97; *Wheatcroft* v. *Foster*, E. B. & E. 737, were referred to and cited.—Pollock, C. B.: The impression of the court, acting on the case cited from the Queen's Bench, is that the County Court notice is sufficient, but we will not decide the matter, but enlarge the rule to next term, with leave to defendant to file an affidavit of merits.

Rule enlarged accordingly.

The Court appointed Friday, the 10th Feb., for sitting to dispose of the cases remaining unheard, and for giving judgments in the cases standing for judgment, and then adjourned, after the usual proclamation, to next Term.

BAIL COURT.

Reported by J. H. James, Esq., Barrister-at-Law.

BUSINESS OF THE WEEK.

Friday, Jan. 27.

(Before Shee, J.)

Re —— (an Attorney).—*Inderwick* moved for a rule calling upon an attorney to show cause why he should not pay over a sum of money, and why he should not answer certain matters of an affidavit. It appeared that a Rev. Mr. Kelson had a son in the army who had contracted certain debts, whereupon his father gave the attorney in question a sum of money, with which he was to settle with the creditors; but he had retained the money, and judgment had been signed against the son. On the 16th Nov. the attorney, when called upon to refund the money, promised to repay it in a week. Further excuses had been made, and the money was not yet paid. *Rule nisi.*

Froud v. London and Brighton Railway Company.—*Giffard* moved for a rule calling upon the defendants to take the necessary steps for proceeding to assess compensation due to the applicant in respect of land which they were intending to take. It appeared that the claimant was under an agreement made on the 14th July 1864 to build seventy-seven houses on certain building land. On the 25th Aug. the company gave notice that they should require a portion of the land. Every endeavour had been made on the part of Mr. Froud to induce the company to pay his claim of 10,500*l.*, or to summon a jury to assess compensation.

Rule nisi, returnable on the last day of Term.

Saturday, Jan. 28.

(Before Crompton, J.)

Reg. v. The Justices of Oxfordshire.—*Sawyer* showed cause against a rule for a *mandamus* to the justices of Oxfordshire to enter continuances and hear an appeal in a case in which the guardians of the poor for the Medway Union were the appellants, and the overseers of the parish of Littlemore were the respondents. The appeal was against an order for the removal of a lunatic pauper. When the case came on to be heard at the quarter sessions, the respondents took an objection that proper notice of appeal had not been given. The justices held that the objection was valid, and refused to hear the case. It appeared that, although notice of appeal had not been given in due time, the appellants had accepted the service.—*Hayes*, Serjt. supported the rule.

Rule absolute.

Watkins v. Hickman.—*Hayes*, Serjt. showed cause against a rule for a new trial in this action, on the ground that the judge at the trial had improperly directed a nonsuit. The case was tried before the judge of the Birmingham County Court. The question raised in the case was whether there was evidence of a contract sufficient to satisfy the provisions of the Statute of Frauds.—*Kennedy* supported the rule. *Rule absolute—costs to abide the event.*

Monday, Jan. 30.

Reg. v. The Tottenham Board of Health.—*Macnamara* moved for a *mandamus* commanding the board of health to produce to certain ratepayers for their inspection, certain accounts, estimates and documents relating to a private improvement rate made in December last. There was an appeal pending against the rate, and the appellants could not proceed to the trial of the appeal without inspecting the documents. They had inspected some, but the secretary admitted there were others, and the board refused to produce them. By the 11 & 12 Vict. c. 63, s. 98, it is declared that these documents shall be open for inspection, and that parties may take copies without fee or reward. *Rule nisi.*

Re Crik.—*Harrison* moved for a rule against Mr. Barker, the police magistrate, and the Metropolitan Railway Company, to show cause why the magistrate should not hear and adjudicate in a case for compensation. In cases of compensation, it is enacted that a tenant from year to year may prefer his claim before a magistrate. The magistrate in the present instance, having heard the opening statement, objected to go into the case, on the ground that the facts would not then show such an injury as to entitle the claimant to compensation. *Rule nisi.*

CAUSE LIST.

The Judicial Committee of the Privy Council.

FEBRUARY.

Jones *v.* Gough, and Fry and Greata *v.* Treasure, from Court of Arches.—Dionisis *v.* the Queen and Hillyar, from Vice-Admiralty Court, Antigua.—Anderson *v.* Hoen and others, the Owners of the steamer Otter *v.* the Owners of the steam-tug United States, Mann and others *v.* Malcolmson and others, Bligh, Hardbottle and Co. *v.* Simpson and others, The United Steam-tug Company *v.* Klingender (2), from High Court of Admiralty.—Wise *v.* Ram Kishore Acharj Chowdry, Mussumat Bhoobun Moyee Debia *v.* Ram Kishore Acharj Chowdry, Gopal Lall Thakoor *v.* Tilluckchunder Raj and others, and Shamapershad Roy Chowdry and others *v.* Hurropershad Roy Chowdry, from Bengal.—Graham and Bindon *v.* Berry, from New South Wales.—Nawab Tajdar Bahoo *v.* Mirza Jehan Kudr and others, from Oude.—De Comas *v.* Prost and another, from New South Wales.

Patents.—Thomson's Prolongation (Irish), hydraulic machinery, and Galloway's Prolongation (steam engines and boilers, 11th March, 1854), to be heard Feb. 1.

Judgments.—*Ex parte* the Lord Bishop of Natal—Chapman and others *v.* Oriental Bank Corporation—Rajah Leelanund Sing *v.* Maharnjah Luckhmissur Sing, Government and others.

Council Chamber Whitehall.

Petitions.—Wardle *v.* Bethune from Canada, for leave to appeal—Smith *v.* Creswell, from St. Vincent, to restore appeal—Baboo Prosunno Coomar *v.* Rance Shurut Soondry, from Bengal, for leave to appeal—Baboo Chunder Coomar Roy *v.* Rajah, Baroda Kant Roy, from Bengal, for leave to appeal—*Re* Parsekh and others, from Bombay (in the matter of the goods of Cojah azar Gregoria), for leave to appeal—Nilmoney Chunder *v.* Bamasoondry Dossee, from Bengal, for appearance of an appellant.

Patents.—Thomson's Prolongation (Irish), hydraulic machinery, to be heard—Galloway's Prolongation, steam engines and boilers, to be heard.

CIRCUITS OF THE JUDGES.

SPRING ASSIZES.

NORFOLK CIRCUIT.

(Before the Lord Chief Justice Cockburn and Mr. Justice Williams.)

Assize towns.	Last days for full Notice of trial.	Commission days.
Oakham	Feb. 16	Tuesday, Feb. 28
Leicester & Borough	Feb. 18	Wednesday, March 1
Northampton	Feb. 24	Monday, March 6
Aylesbury	Feb. 27	Thursday, March 9
Bedford	Mar. 3	Monday, March 13
Huntingdon	Mar. 6	Thursday, March 16
Cambridge	Mar. 8	Saturday, March 18
Bury St. Edmunds	Mar. 11	Wednesday, March 22
Norwich and City	Mar. 17	Monday, March 27

HOME CIRCUIT.

(Before Lord Chief Baron Pollock and Mr. Baron Bramwell.)

Hertford	Feb. 18	Wednesday, March 1
Chelmsford	Feb. 14	Monday, March 6
Maidstone	Mar. 3	Monday, March 13
Lewes	Mar. 10	Monday, March 20
Kingston	Mar. 17	Monday, March 27

MIDLAND CIRCUIT.

(Before Mr. Baron Martin and Mr. Justice Willes.)

Warwick	Feb. 18	Tuesday, Feb. 28
Derby	Feb. 22	Saturday, March 4
Nottingham and Town	Feb. 27	Thursday, March 9
Lincoln and City	Mar. 4	Tuesday, March 14
York and City	Mar. 8	Saturday, March 18
Leeds	Mar. 15	Saturday, March 25

WESTERN CIRCUIT.

(Before Mr. Justice Crompton and Mr. Baron Channell.)

Devizes	Feb. 17	Monday, Feb. 27
Winchester	Feb. 20	Thursday, March 2
Dorchester	Feb. 27	Thursday, March 9
Exeter and City	Mar. 3	Monday, March 13
Bodmin	Mar. 10	Monday, March 20
Taunton	Mar. 15	Saturday, March 25
Bristol	Mar. 21	Friday, March 31

NORTH WALES CIRCUIT.

(Before Mr. Justice Byles.)

Welshpool	Feb. 25	Wednesday, March 8
Bala	Mar. 3	Monday, March 13
Ruthin	Mar. 7	Friday, March 17
Carnarvon	Mar. 11	Wednesday, March 22
Beaumaris	Mar. 15	Saturday, March 25
Mold	Mar. 18	Wednesday, March 29
Chester and City	Mar. 22	Saturday, April 1

SOUTH WALES CIRCUIT.

(Before Mr. Justice Blackburn.)

Haverfordwest & Town	Feb. 21	Friday, March 3
Cardigan	Feb. 25	Tuesday, March 7
Carmarthen	Feb. 28	Friday, March 10
Swansea	Mar. 4	Wednesday, March 15
Brecon	Mar. 17	Monday, March 27
Presteign	Mar. 18	Wednesday, March 29
Chester and City	Mar. 22	Saturday, April 1

OXFORD CIRCUIT.

(Before Mr. Justice Keating and Mr. Baron Pigott.)

Reading	Feb. 15	Saturday, Feb. 25
Oxford	Feb. 18	Wednesday, March 1
Worcester and City	Feb. 22	Saturday, March 4
Stafford	Feb. 27	Thursday, March 9
Shrewsbury	Mar. 10	Monday, March 20
Hereford	Mar. 15	Saturday, March 25
Monmouth	Mar. 18	Wednesday, March 29
Gloucester and City	Mar. 22	Saturday, April 1

NORTHERN CIRCUIT.

(Before Mr. Justice Mellor and Mr. Justice Shee.)

Appleby	Feb. 10	Monday, Feb. 20
Carlisle	Feb. 11	Tuesday, Feb. 21
Newcastle and Town	Feb. 15	Saturday, Feb. 25
Durham	Feb. 18	Wednesday, March 1
Lancaster	Feb. 24	Monday, March 6
Manchester	Feb. 28	Friday, March 10
Liverpool	Mar. 14	Thursday, March 23

(The Lord Chief Justice Erle will remain in Town.)

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

SIR A. D. CROFT, BART.

Suddenly, at his residence in Sussex-place, Hyde-park, aged 63, Sir Archer Denman Croft., Bart., barrister-at-law, and one of the masters in the Court of Queen's Bench.

The deceased baronet, who was the second, but eldest surviving son of the late Sir Richard Croft, Bart. (who died in 1818), by Margaret, daughter of the late Thomas Denman, Esq., M. D., and sister of the first Lord Denman, was born in Old Burlington-street, London, on the 7th Dec. 1801, and was educated at Westminster school.

He succeeded to the title on the death of his elder brother, Sir Thomas Elmsley Croft, F. S. A., the seventh baronet, in Oct. 1835 (who left issue an only daughter, Grace, now Mrs. Edward Murray). Sir Archer D. Croft was called to the Bar at Lincoln's-inn in 1839, and, through the influence of his uncle Lord Denman, was appointed to the post in the Court of Queen's Bench, which he held till his death.

The late baronet married, Aug. 31, 1837, Julia Barbara, youngest daughter of Major-General John Garstin of the East India Company's service, and widow of Athelstan Corbet, Esq., of Ynys-y-Maengwyn, co. Merioneth, by whom he had issue an only daughter, Julia Helen, and a son, Herbert George Denman, M.A., of Merton College, Oxford, who married, on the very day of his father's death, a daughter of Matthew H. Marsh, Esq., of Ramridge-park, Wilts, M.P. for Salisbury, who now succeeds as ninth baronet. The title was created in 1671, in favour of Herbert Croft, Esq., eldest son of the Bishop (Croft) of Hereford, and Dean of the Chapel Royal, temp. Charles II. The Crofts, of Croft Castle, were an old Herefordshire family, of Saxon origin, and they held for many generations the fine old hall from which they took their title, but which was alienated and sold either early in the present century, or else towards the close of the last.

LAW SOCIETIES.

LAW AMENDMENT SOCIETY.

Monday, Jan. 16.

Sir Fitzroy Kelly, Q.C., M.P., in the chair.

The minutes of the last meeting were read and signed.

Mr. Hastings drew attention to the subject of the concentration of the courts and offices of law, and laid on the table a statement prepared by order of the Council for general circulation.

Mr. A. J. Williams read a report from the standing committee of the department on Dr. Waddilove's paper, "On the Amendment of the Law of Evidence."

A discussion took place in which the Chairman, Mr. Hastings, Mr. Williams, Mr. Daniel, Q.C., Mr. Wilson and Mr. Edgar took part.

On the motion being put by the Chairman, "That the Report be received and adopted,"

An amendment was moved by Mr. F. Hill, and seconded by Mr. Wilson, "That, in the opinion of this meeting, the evidence in criminal cases of husbands and wives for or against each other ought to be allowed; but except when the husband demands the evidence of the wife, or the wife that of the husband, such evidence ought not to be compellable."

A discussion ensued, in which Mr. Burch-Rosher, Sir Eardley Wilmot, Dr. Waddilove, Mr. Hastings, the Chairman, and Mr. Daniel, Q.C., took part.

The amendment was put and negatived.

The original motion was then put and carried.

A paper by the Rev. Nash Stephenson "On the Probate and Succession Duty levied on Property left under general Power of Appointment," was postponed.

The department then adjourned to Monday, Jan. 30, at eight o'clock.

WORCESTER AND WORCESTERSHIRE LAW SOCIETY.

REPORT OF THE COMMITTEE TO THE ANNUAL MEETING.

January 20, 1865.

Your committee have to report that the society at present comprises thirty-six members, of whom twenty-six are in practice in the city, and ten in the country, and there are two barristers subscribers to the library.

It is with great regret that your committee have to notice that during the past year the society has lost an old and much respected member by the death Mr. John Hill. Mr. Hill was, upon the formation of the society in 1841, elected treasurer and performed the duties of that office from that period to the commencement of 1848. He was vice-president during the years 1854, 55, and 56, and president during the years 1857, 58, and 59. He held for many years the offices of town clerk, clerk to the magistrates and registrar of the County Court, and discharged the several duties of his position with the sound judgment and business-like habits, which he was universally acknowledged to possess.

There has been an addition during the past year of three members, Mr. C. F. Pidcock of this city, Mr. Saunders of Kidderminster, and Mr. Blick of Droitwich, and there are six gentlemen practising in this city to be proposed at this meeting. With respect to the last-named anticipated addition to our members, your committee would observe that it may in great measure be attributed to the alteration in rule 23 made in October last, by which the amount of entrance fee or share was reduced from 10*l.* to 5*l.*

The Natural History Society requiring the room occupied by this society for so many years, it became necessary to look out for some other place convenient and fit for the purpose, and after viewing several rooms and places offered to them, your committee finally decided on taking from the trustees of the old city library, on a lease for twenty-one years determinable at the end of the first seven or fourteen years, the room in which the society meets to-day for the first time. The expenses attending the removal, putting up a partition, making the necessary alterations, papering, painting, &c., amounted to upwards of 40*l.*, which has been defrayed by a subscription among members residing in the city.

The annual law reports for the last five years and other works have been bound, additional book-cases and cocoa-nut matting have been provided, the expense of which is proposed to be defrayed by another subscription now being made.

By the change of room, and by the arrangement made with Mr. Dunn, law stationer, as to the care of the library, a saving of upwards of 18*l.* a year has been effected, and your committee trust that, for the future, the annual expenditure will be covered by the income.

Whilst having thus given their best attention to the carrying on of the affairs of the society, your committee have not been inattentive to the legislative and other measures affecting the interest of our branch of the profession.

The County Court Amendment Act of last session was carefully examined by your committee, and a petition against it was presented by Lord St. Leonards in the House of Lords.

The committee have also been for some time past, and are now, in correspondence with the Incorporated Law Society and the Metropolitan and Provincial Association upon the subject of the Solicitors Remuneration Bill, the Bill for concentration of Courts of Justice and the bar committee upon the subject of reporting. Several suggestions upon the first mentioned Bill have been made by the committee, both collectively and individually, and several M.P.'s connected with Worcestershire have, through the intervention of members of your committee, been induced to give the measure for concentrating courts of justice their support.

The treasurer's accounts have been audited, and a balance of 8*s.* 10*d.* found to be due to him.

Mr. A. C. Hooper was re-elected president, Mr. E. Corles vice-president, and Mr. W. Allen treasurer and secretary, and six new members were elected.

LEGAL NEWS.

A BOROUGH FOR SALE.—A considerable portion of the borough of Bridgnorth is to be sold by auction on the day after the meeting of Parliament. The property consists of about ninety freehold houses, including some of the most desirable residences in the town, with nine hotels and public-houses, several shops, building premises, wharves, &c., with attractive building sites in the best situations. "It presents," it is said "considerable attractions to an enterprising capitalist, not only for investment, but as tending towards securing a seat in Parliament." The population of Bridgnorth is about 7900 and the number of electors about 700. It always returns two Conservative members to the House of Commons. Mr. Whitmore, the Tory whipper-in, is one of the present representatives.

THE QUEEN *v.* CORBETT.—At the Judges' Chambers, on Saturday, an application was made before Mr. Justice Crompton, in the case of the *Shenandoah*, on the part of Captain Corbett, who had been committed by Sir Thomas Henry from Bow-street Police Court to the Central Criminal Court, for an alleged offence against the Foreign Enlistment Act, in hiring seamen within the jurisdiction of the Admiralty for the Confederate service. An application had been made to his Lordship to remove the indictment into the Queen's Bench, and granted, as stated in the *Times* on Thursday, and the present application made by Mr. Le Riche, was to obtain an order for the nomination of a special jury to try the indictment in the Court of Queen's Bench. Mr. Hannen attended as counsel on the part of the Government, and submitted to his Lordship that no indictment had been preferred, and that such an application could not be granted. Mr. Le Riche urged that the case had been removed by writ of *certiorari*, and that the Central Criminal Court session would commence on Monday. One of the reasons for the removal was that the indictment should be tried by a special jury, as important questions under the Foreign Enlistment Act would arise. Mr. Justice Crompton declined to interfere, as no indictment had been preferred. He would not adjourn the application, but indorse the summons "No order." The application was accordingly refused.

"Women's Rights."—A novel question has arisen at [illegible] respecting the rights of lady governors of the Radcliffe Infirmary. At the October quarterly court two ladies entered the room and tendered their votes on the election of a committee. This was an unprecedented circumstance, and the Master of University College, who presided on that occasion, would only receive the votes under protest. At the quarterly court last week five ladies attended, and a long discussion took place, two propositions being submitted—one denying their right of attending and the other proposing that counsel's opinion be taken on the question. The advocates of the former pleaded the usage of eighty years, and relied on a phrase in the rules—"ladies subscribing as governors," as implying a distinction between them and the other sex. On the other side it was shown that ladies had the privilege of voting by proxy on certain occasions, and that proxies generally conferred an additional and not a limited right. The latter eventually prevailed, and it was consequently deemed necessary to obtain a legal opinion. Professor Westcott has, however, since published a letter which, while admitting the right to vote of unmarried ladies, asserts that this is a chattel interest, which in the case of married women is vested in their husbands. The dispute will therefore, probably be revived.

St. Pancras Will Case.—On Wednesday afternoon the directors and guardians of the poor of the parish of St. Pancras held a meeting at the Vestry-hall, Camden-town, for the purpose of receiving a report from the house committee as to the recent proceedings connected with the making of a will by a pauper inmate of the workhouse, named Joseph Smart, said to be heir to property in Leicestershire and Staffordshire, of the value of 110,000*l.* or [illegible]*l.* The circumstances were reported in the *Times* of Friday last. Mr. Sheffield, a member of the committee, said they were unable to make anything like a conclusive report. They met on Friday last, and when they called for the testator Joseph Smart it was found, although it was unknown by the master and others that the inquiry was pending, that he had quitted the workhouse. The only explanation of this they could obtain was that Smart was permitted to go in and out of the house at all hours. The report was then read. It set forth that the first witness examined was Mr. John Roberts, F.R.C.S., surgeon of the workhouse. He stated that he was asked to sign the will as a witness, and had done so after hearing it read in presence of Mr. Bishop, a member of the vestry, who prepared the will, Mr. Morrison the master, and Mr. Smart. Mr. Morrison held his hand. He had misgivings about the [illegible], but as the master and Mr. Bishop were there, he thought it would be right. The master was the only person connected with the establishment named in the will. [illegible] Eley, the second witness, said Smart had not had [illegible] comforts in the house. He had a holiday when [illegible], and was frequently out of his ward after eight o'clock in the evening. Mr. Morrison, next examined, stated that Smart had gone out that day, he having, like all aged inmates, permission to go and come as he thought fit. The committee concluded their report by saying that they had adjourned the inquiry in consequence of the absence of Smart. The chairman said there were a number of letters addressed to the board on the subject. One was from Mr. Bishop, refusing to give up the will. He denied that the property was of the value of more than [illegible]*l.*, and denied the authority of the board of directors to interfere with the man's will, or of any property he may hereafter possess, except to the extent of reimbursing themselves for the cost of his maintenance while in the house, and he declined to obey any order from them to deliver up the will. Another letter was from [illegible] at Clifton, Bristol, stating that some few years ago he attempted to gain the property in Leicester for Smart, and took him there. He found his statements fairly correct, and took copies of the registers. He afterwards went to Doctors'-commons and perused the wills of his uncles, but found the great difficulty to be his identification. He should have pursued the inquiry but for his health giving way; and, having numbers of documents and papers relative to his claim, he was prepared, if required, to place them at the disposal of the directors. The proceedings were adjourned.

Wills and Bequests.—The will of the Vice-Admiral [illegible] Francis Greville, C. B., of Chesham-place, Belgrave-square, was proved in London by the executors and trustees, [illegible] Howley Palmer, Esq., the son-in-law, and Captain [illegible] Lambert Fulke Greville, the son. The personalty was sworn under 14,000*l.* This gallant admiral had received many badges of distinction as well as foreign medals for meritorious services. His will bears date 1863, and he died, in October last, at Bray, in Berkshire. He has left his property to his unmarried daughters for their lives, which, upon their decease, will revert to his said son, Captain H. L. F. Greville, R.A., but charged with a legacy of [illegible]*l.* for his grandson and godson, Henry Loftus, son of Lord Augustus Loftus.——The will of Lieut.-Colonel [illegible] Andrew Girardot (Coldstream Guards, retired), lately residing at Wellesley-terrace, Dover, was proved in the London court by the executors and trustees, the Rev. [illegible] L. Girardot, M.A., of Hinton Charter-house, Somerset (the testator's brother), and George Newcome, Esq., of Aldershott Manor, Hants. The personalty was sworn under 30,000*l.* The gallant colonel died on the 16th of Nov. last, having executed his will in June [illegible]. After leaving legacies to his executors, and making provision for his wife, in which there is an annuity of [illegible] a year, he has bequeathed the residue of his property equally amongst his three daughters.——The will of [illegible] Bates, Esq., formerly of Boston, in the United States, afterwards of Bishopsgate-street, of Portland-place, and of Arlington-street, was proved in London on the 18th ult., the executors nominated being Thomas Baring, Charles Baring Young, and John Baring, Esqs. The personalty in this country was sworn under 600,000*l.* The testator died in September last, at New Lodge, Windsor, having executed his will in August 1863. The principal legatee is his daughter, Elizabeth, wife of his Excellency Sylvain Van de Weyer, Ambassador at London for the kingdom of Belgium. To her he has left an immediate legacy of 10,000*l.*, and all his pictures, books, objects of virtu, and his residences, East Sheen and Arlington-street, and a life-interest in the whole of the residue of his property, real and personal, and, after her decease, to her husband and her children. There is a legacy to Dr. [illegible], of Gower-street, and to several of the testator's friends in America. To the testator's sister, Mrs. Cowing, [illegible], and a like legacy to the children of the late Samuel [illegible]. All legacies to be paid free of legacy duty.—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

In London.

Thursday, Jan. 26.

By Mr. Robins, at Garraway's.—A Renter's share in the Theatre Royal, Drury-lane—sold for 57 guineas. A similar share in the Theatre Royal, Drury-lane—sold for 59 guineas. Leasehold house, being No. 38, Robert-street, Hampstead-road—sold for 515*l.* Leasehold residence, being No. 76, Grosvenor-street—sold for 1725*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Jan. 20.

Woosnam, Charles Thomas, and Lloyd, Thomas, attorneys, Newtown.

Bankrupts.

Gazette, Jan. 24.

To surrender at the Bankrupts' Court, Basinghall-street.

Amis, David, stationer, Herne-cottage, Pentonville. Pet. Jan. 14. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

Arthur, Rev. William Lukon, clerk in holy orders, Purbrook, Fareham. Pet. Jan. 21. Reg. Roche. O. A. Parkyns. Sols. Parker, Lee and Haddock, St. Paul's-churchyard; Hinde, Goudhurst. Sur. Feb. 8.

Barker, Isaac, fruiterer, Whitechapel-rd. Pet. Jan. 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Barnes, John William, builder, Milton-st. Dorset-sq. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Beal, Richard Daniel, musical instrument maker, Charles-st. Kensington. Pet. Jan. 19. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. Feb. 7.

Bourssinot, Amoine Auguste, accountant, Little Chapel-st. Soho-sq. Pet. Jan. 14. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Scott's-yd. Bush-la. Sur. Feb. 15.

Brown, Robert, furniture broker, High-st. Wapping. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Carter, Henry, contractor, Bridge-rd. Stratford. Pet. Jan. 20. Reg. Brougham. O. A. Edwards. Sols. Peck and Downing, Basinghall-st. Sur. Feb. 13.

Cassini, John, pianoforte hammer coverer, Paddington-st. Upper Holloway. Pet. Jan. 20. Reg. Hazlitt. O. A. Graham. Sol. Layton, jun. Church-row, Islington. Sur. Feb. 7.

Chapman, John Dudley, commission agent, Craig's-ct. Charing-cross. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Cohen, Woolf, fruit salesman, Providence-pl. Aldgate. Pet. Jan. 19. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Scott's-yd. Cannon-st. Sur. Feb. 6.

Collingridge, Augustus, shipping and commission agent, George-st. Mansion-house. Pet. Jan. 14. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

Crafter, John Barttelot, watch and clock maker, Brydges-st. Covent-gdn. Pet. Jan. 20. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. Feb. 6.

Cunningham, John, Esq. Southend. Pet. Jan. 18. Reg. Hazlitt. O. A. Graham. Sol. Grant, Scott's-yd. Bush-la. Sur. Feb. 7.

Danks, Andrew Sidesman, commercial clerk, Lupus-st. Pimlico. Pet. Jan. 17. Reg. Hazlitt. O. A. Graham. Sol. Tucker, Southampton-bldgs. Chancery-la. Sur. Feb. 7.

Davall, John, Vicarage-rd. Lower Leyton. Pet. Jan. 16. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

Deane, Alexander, builder, York-st. Westminster. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Dowsett, Robert, dealer in left off clothes, Kestfield-st. Stepney. Pet. Jan. 17. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

Fleming, James, bricklayer, Holly-st. north, Dalston. Pet. Jan. 21. Reg. Roche. O. A. Parkyns. Sol. Davis, Gresham-st. Pet. Feb. 6.

Frank, Theodore, colonial broker, Road-la. Fenchurch st. and Rue des Vosges, Paris. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Gander, William, farmer, Lower Beeding. Pet. Jan. 16. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

George, Samuel Robert, woollen and cloth merchant, Hunter-st. Brunswick-sq. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Giathner, Henry Louis, commission agent, Portland-ter. Hackney. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Goodson, Henry, hay dealer, Weston Turvil and Harrow-rd. Pet. Jan. 19. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Scott's-yd. Bush-la. Sur. Feb. 7.

Hatch, William, dealer in boots and shoes, Brighton. Pet. Jan. 18. Reg. Hazlitt. O. A. Graham. Sols. Tilleard and Co., Old Jewry; Freeman, Brighton. Sur. Feb. 7.

Herbert, Edwin, victualler's assistant, Wheeler-st. Shoreditch. Pet. Jan. 18. Reg. Roche. O. A. Parkyns. Sol. Atkinson, Quality-ct. Chancery-la. Sur. Feb. 6.

Hill, Alfred Thomas, hairdresser, Pierpoint-row, Islington. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Hook, Josiah, upholsterer's tool dealer and hawker, St. Ann's-rd. Bow-common. Pet. Jan. 17. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Jenkins, George Thomas, publican, Woolhampton. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Jones, George, general dealer, Rotherhithe. Pet. Jan. 19. Reg. Brougham. O. A. Edwards. Sol. Parsons, Church st. Westminster. Sur. Feb. 13.

Kingdon, William, out of business, Oakley-crescent-north, Chelsea. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sol. Ball, Dyer's-hall, Dowgate-hill. Sur. Feb. 15.

Knight, John Adams, Symonds-inn, Chancery-la. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Lacey, Jeremiah, hay dealer, Princes Risborough. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Scott's-yd. Bush-la. Sur. Feb. 15.

Membery, John, victualler, High-st. Shoreditch. Pet. Jan. 17. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Great Leonard-st. Finsbury. Sur. Feb. 7.

Moore, James, baker, Forncett St. Peter. Pet. Jan. 6. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Co. Old Jewry; Tillett and Son, Norwich. Sur. Feb. 13.

Neve, Mary Ann, Warwick-pl. Plumstead-common. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Olley, Jonathan, contractor, High-st. Lower Norwood. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sur. Feb. 13.

Park, John Robert, boot and shoe maker, Montpellier-st. Brompton. Pet. Jan. 23. Reg. Hazlitt. O. A. Graham. Sol. Wells, Aldermanbury. Sur. Feb. 7.

Pritchard, Jessey, beerseller, Bushey. Pet. Jan. 14. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Raynes, Samuel Felton, coachbuilder, Maldon. Pet. Jan. 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Reeve, John, manager of a dairy, Acre-la. Brixton. Pet. Jan. 16. Reg. Brougham. O. A. Edwards. Sol. Peverley, Coleman-st. Sur. Feb. 15.

Rope, Richard, baker, Caledonian-rd. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sols. Treherne and Wolferstan, Aldermanbury. Sur. Feb. 13.

Standish, Charles William, wire worker, King's-rd. Chelsea. Pet. Jan. 13. Reg. Hazlitt. O. A. Graham. Sol. Richardson, Old Jewry-chambers. Sur. Feb. 7.

Stapleton, William, mast and block maker, Wint-ter. Manchester-rd. Pet. Jan. 16. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

Stimson, George, butcher, St. Peter's-rd. Mile-end. Pet. Jan. 16. Reg. Hazlitt. O. A. Graham. Sur. Feb. 7.

Taylor, Henry Barkley, solicitor's clerk, Canterbury-pl. Lambeth. Pet. Jan. 14. Reg. Brougham. O. A. Edwards. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. Feb. 13.

Watson, Henry William, musician, Osborne-ter. Clapham rd. Pet. Jan. 20. Reg. Brougham. O. A. Edwards. Sol. Wells, Moorgate-st. Sur. Feb. 13.

Webb, George, fancy trimming manufacturer, Esmond-rd. Victoria-pk. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 6.

Wright, Edgar, carpenter, Hollingsworth-st. Holloway. Pet. Jan. 20. Reg. Roche. O. A. Parkyns. Sols. Eldred and Andrew, Great James-st. Bedford-row. Sur. Feb. 6.

To surrender in the Country.

Bailey, Joseph, collier, Milton, Norton-in-the-Moors. Pet. Jan. 18. Reg. & O. A. Challinor. Sols. Messrs. Tennant, Hanley. Sur. Feb. 4.

Barrow, Samuel, warehouseman, Levenshulme. Pet. Jan. 21. Reg. & O. A. Kay. Sol. Boot, Manchester. Sur. Feb. 11.

Bate, John, book-keeper, St. Helen's. Pet. Jan. 9. Reg. & O. A. Ansdell. Sol. Marsh, St. Helen's. Sur. Feb. 3.

Boulton, Aaron, collier, Harrisehead, Wolstanton. Pet. Jan. 19. Reg. & O. A. Challinor. Sols. Messrs. Tennant, Hanley. Sur. Feb. 4.

Brumwell, Richard, draper, Preston. Pet. Jan. 20. Reg. Harris. O. A. Morgan. Sols. Grundy and Davies, Manchester. Sur. Feb. 8.

Brook, Benjamin, miller, Swilland. Pet. Jan. 20. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. Feb. 4.

Budd, Frederick Edward, major in the army, Chorlton-upon-Medlock. Pet. Jan. 21. O. A. Carrick. Sol. Clarke, Exeter. Sur. Feb. 8.

Cadman, George, farmer, Bosley, Stanton-upon-Hineheath. Pet. Jan. 17. Reg. & O. A. Barker. Sol. Davies, Shrewsbury. Sur. Feb. 2.

Carr, Percy, woollen and stuff merchant, Halifax. Pet. Jan. 20. O. A. Young. Sol. Simpson, Leeds. Sur. Feb. 6.

Carter, Joseph, butcher, Chorlton-on-Medlock. Pet. Jan. 20. Reg. & O. A. Kay. Sols. Smith and Boyer, Manchester. Sur. Feb. 13.

Clee, George, hairdresser and photographic artist, Birmingham. Pet. Nov. 18. Reg. & O. A. Guest. Sur. Feb. 6.

Cohen, Jacob, dealer in cigars, Greenheys, Manchester. Pet. Jan. 14. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Feb. 3.

Cowlin, Henry, builder, Bristol. Pet. Jan. 17. Reg. & O. A. Harley and Gibbs. Sol. Benson. Sur. Jan. 31.

Dawson, John, assistant butcher, Shambles, Blackpool. Pet. Jan. 14. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster. Sur. Feb. 3.

Draper, James, coal dealer, Brigg and Kelsey. Pet. Jan. 21. O. A. Young. Sols. Hett, Freer and Hett, Brigg; Simpson, Leeds. Sur. Feb. 6.

Duckworth, Thomas, engine tenter, Bacup. Pet. Jan. 11. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Feb. 3.

Elliott, James, builder, Ellacombe, Torquay. Pet. Jan. 20. Reg. & O. A. Fildery. Sol. Michelmore, Newton Abbot. Sur. Feb. 6.

Entwistle, Samuel, carter, Little Bolton, Bolton-le-Moors. Pet. Jan. 20. Reg. & O. A. Holden. Sols. Glover and Romwell, Bolton. Sur. Feb. 8.

Evans, William, provision dealer, Shoals Bank, Weobley. Pet. Jan. 16. Reg. & O. A. Robinson. Sol. Garrold, Hereford. Sur. Feb. 2.

Firth, Charles, painter, Hoyland Nether. Pet. Jan. 18. Reg. & O. A. Shepherd. Sol. Hamer, Barnsley. Sur. Feb. 12.

Firth, William, jun., book-keeper, Leeds. Pet. Jan. 17. O. A. Young. Sur. Feb. 6.

Fisher, Thomas, grocer, Barrow-in-Furness, and maltman, Dalton-in-Furness. Pet. Jan. 19. Reg. Harris. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. Feb. 7.

Folland, John, boot and shoe maker, Great Torrington. Pet. Jan. 12. O. A. Carrick. Sols. Dee, Great Torrington; Laidman and Tremewen, Exeter. Sur. Feb. 3.

Franks, Alexander, quarryman, Thornaby. Pet. Jan. 23. Reg. & O. A. Crosby. Sols. Dodds and Trotter, Stockton. Sur. Feb. 3.

Gilbertson, John, coal and general provision dealer, West Derby, Liverpool. Pet. Jan. 19. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. Feb. 8.

Greenwood, George, Southport, Northmeols. Pet. Jan. 19. Reg. & O. A. Welsby. Sol. Parr, Ormskirk. Sur. Feb. 6.

Hawksley, Thomas, butcher, Sheffield. Pet. Jan. 18. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. Feb. 9.

Haynes, Alfred, livery-stable keeper, Great Malvern. Pet. Jan. 21. Reg. Hill. O. A. Kinnear. Sols. Cowley and Whatley, Great Malvern; James and Griffin, Birmingham. Sur. Feb. 8.

Honagger, Alfred, wine merchant, Hockley, Birmingham. Pet. Jan. 6. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Feb. 3.

Horrocks, James, grocer, Spennymoor. Pet. Jan. 19. Reg. & O. A. Trotter. Sol. Thornton, Bishop Auckland. Sur. Feb. 7.

Hughes, William, farmer, Michaelchurch, Exley. Pet. Jan. 19. Reg. & O. A. Reynolds. Sol. Garrold, Hereford. Sur. Feb. 3.

Inman, Richard, grocer, Tetford. Pet. Jan. 19. O. A. Young. Sols. Brown and Son, Lincoln. Sur. Feb. 8.

James, William Henry, jeweller, Birmingham. Pet. Jan. 21. Reg. & O. A. Guest. Sol. Hemmant, Birmingham. Sur. Feb. 6.

Johnson, Robert, jun. ironmonger, Middlesborough. Pet. Jan. 20. O. A. Young. Sols. Brewster and Stubbs, Middlesborough; Carlos and Tempest, Leeds. Sur. Feb. 6.

Keates, James, tailor, Cheadle. Pet. Jan. 20. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Feb. 3.

Kendredine, Edward, commercial traveller, Manchester. Pet. Jan. 16. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Feb. 3.

Kitchen, Joseph, blacksmith, Tadcaster. Pet. Jan. 20. Reg. & O. A. Bickers. Sol. Harle, Leeds. Sur. Feb. 6.

McAllister, Robert Robertson, builder, Liverpool. Pet. Jan. 21. O. A. Turner. Sol. Jones, Liverpool. Sur. Feb. 9.

Mellish, Thomas, jun. builder, Brighton. Pet. Jan. 21. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. Feb. 6.

Moon, James, soap manufacturer, Bristol. Pet. Jan. 19. Reg. Wilde. O. A. Acraman. Sol. Harwood, Bristol. Sur. Feb. 3.

Moore, Charles, shoemaker, Troy-town, Rochester. Pet. Jan. 20. Reg. & O. A. Acworth. Sol. Hayward, Rochester. Sur. Feb. 3.

Newton, William Augustus, confectioner, Newcastle. Pet. Jan. 2[illegible]. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. Feb. 2.

Ogden, James, waste dealer, Manchester. Pet. Dec. 14. Reg. & O. A. Hulton. Sur. Feb. 4.

Ostler, George, tailor, Hull. Pet. Jan. 21. Reg. & O. A. Phillips. Sol. Summers, Hull. Sur. Feb. 4.

Pendleton, Thomas, trimmer, New Radford. Pet. Jan. 21. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham. Sur. Feb. 8.

Rix, Matthew, cooper, Fansworth. Pet. Jan. 19. Reg. & O. A. Palmer. Sol. Sadd, jun. Norwich. Sur. Feb. 6.

Roberts, James, beerhouse-keeper, Sunninghill. Pet. Jan. 18. Reg. & O. A. Gregory. Sol. Grazebrook, Chertsey. Sur. Feb. 7.

Rookes, Frederick, dealer in game, Boston. Pet. Jan. 18. Reg. & O. A. Staniland. Sol. Hellins, Boston. Sur. Feb. 1.

Senescall, John, grocer, Skegness. Pet. Jan. 20. O. A. Young. Sol. Hellins, Boston. Sur. Feb. 8.

Shaw, Henry, cigar dealer, Huddersfield. Pet. Jan. 17. O. A. Young. Sur. Feb. 6.

Shaw, Joshua, farmer, Thorngumbald. Pet. Jan. 20. Reg. & O. A. Ironson. Sols. Pettingell and Ayre, Hull. Sur. Feb. 9.

Slack, John, warehouseman, Sheffield. Pet. Jan. 19. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. Feb. 9.

Smart, George, millwright, Fratton, Portsea. Pet. Jan. 18. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Feb. 6.

Smith, John, grocer and provision dealer, Coventry. Pet. Jan. 19. Reg. Hill. O. A. Kinnear. Sol. Smallbone, Coventry. Sur. Feb. 8.

Stubbs, George, police constable, Longton, Stoke-upon-Trent. Pet. Jan. 19. Reg. & O. A. Keary. Sol. Young, Longton. Sur. Feb. 4.

Sutcliffe, William, plumber and glazier, Southport. Pet. Jan. 14. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster. Sur. Feb. 3.

Thompson, William, horsedealer, Tranmere. Pet. Jan. 14. O. A. Turner. Sur. Feb. 6.

Tillson, George, miller and baker, Rashington. Pet. Jan. 19. Reg. & O. A. Moore. Sols. Brown and Son, Lincoln. Sur. Feb. 7.

Weston, Harry, auctioneer, Newcastle. Pet. Jan. 20. O. A. Laidman. Sols. Story and Hossfield, Newcastle. Sur. Feb. 2.

Wilcox, Edwin, teadealer, Cuckfington. Pet. Jan. 11. Reg. & O. A. Messiter. Sur. Feb. 3.

Gazette, Jan. 27.

To surrender at the Bankrupts' Court, Basinghall-street.

Batten, Edwin, plumber, Chichester-pl. Harrow-rd. Paddington. Pet. Jan. 23. Reg. Brougham. O. A. Edwards. Sol. George, Jermyn-st. St. James's. Sur. Feb. 13.

Baxter, George, patentee of printing in oil colours (and not water colours as previously advertised), St. George's-ter. Hyde-park. Pet. Jan. 14. Reg. Brougham. O. A. Edwards. Sol. Mills, Brunswick-st. City-rd. Sur. Feb. 6.

Benison, James Frederick, butcher, York-rd. Battersea. Pet. Jan. 18. Reg. Brougham. O. A. Edwards. Sol. Cotton, Bell-yard, Doctors'-commons. Sur. Feb. 13.

Birkhead, Thomas, corn merchant, Peterborough. Pet. Jan. 23. Reg. Brougham. O. A. Edwards. Sols. Burt and Stevens, South-sq. Gray's-inn. Sur. Feb. 22.

Brown, James Andrew, commission agent, Fulham-rd. Brompton. Pet. Jan. 21. Reg. Hazlitt. O. A. Graham. Sol. Snell, George-st. Mansion-house. Sur. Feb. 9.

CARHAM, HENRY, glass and china dealer, Tabernacle-sq. Old-st.-rd. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sol. Hope, Ely-pl. Sur. Feb. 11.

CLARK, ALFRED WILLIAM, dealer in glass, lead and colours, Down's-ter. Clarence-rd. Lower Clapton. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sol. Wyatt, Great Carter-la. Doctors'-commons. Sur. Feb. 22.

COOMBS, HENRY WILLIAM, publican, Salisbury. Pet. Jan. 23. Reg. Hazlitt. O. A. Graham. Sol. Cooper, St. Martin's-la. Charing-cross. Sur. Feb. 9.

COURTENAY, WILLIAM, coaldealer, Wellington-st. Pentonville, and Blue Anchor-rd. Bermondsey. Pet. Jan. 23. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Feb. 8.

COURTHOPE, GEORGE, coal merchant, Grosvenor-park south. Pet. Jan. 11. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 9.

CROYDEN, WILLIAM, officer of the Lexden and Winstree Union, Fingringhoe. Pet. Jan. 24. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. Feb. 20.

DENN, ALFRED, auctioneer, King's-rd. also Brighton. Pet. Jan. 23. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Hackwood, Walbrook. Sur. Feb. 13.

DOWNIE, JOHN ROBERT, late managing a cab business, Vauxhall-bridge-rd. Pet. Jan. 24. Reg. Roche. O. A. Parkyns. Sol. Pope, Winchester-house, Old Broad-st. Sur. Feb. 1.

DUNHART, WILLIAM, farming bailiff, Sutton. Pet. Jan. 24. Reg. Hazlitt. O. A. Graham. Sol. Storey, King's-rd. Bedford-row, for Tillett, Norwich. Sur. Feb. 9.

FELGATE, WILLIAM, builder, Sydney-sq. Commercial-rd. Pet. Jan. 24. Reg. Roche. O. A. Parkyns. Sol. Boydell, Queen-sq. Bloomsbury. Sur. Feb. 4.

GIBBS, WILLIAM, grocer, Whitechapel-rd. Pet. Jan. 23. Reg. Hazlitt. O. A. Graham. Sol. Davis, Gresham-st. Sur. Feb. 9.

GILES, JOHN, commercial clerk, Tenison-st. York-rd. Lambeth. Pet. Jan. 23. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. Feb. 8.

HANCOCK, HENRY PALMER, commercial traveller, Woburn buildings Euston-sq. Pet. Jan. 21. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. Feb. 9.

HARRIS, THOMAS CADE, miscellaneous dealer, Grosvenor-row, Pimlico. Pet. Jan. 24. Reg. Brougham. O. A. Edwards. Sol. Kent, Strand. Sur. Feb. 20.

ISAACS, SAMUEL, greengrocer, Pickering-mews, Paddington. Pet. Jan. 24. Reg. Hazlitt. O. A. Graham. Sol. George, Jermyn-st. St. James's. Sur. Feb. 9.

JACOBS, SAMUEL, jeweller and hawker, Park-side, Knightsbridge. Pet. Jan. 23. Reg. Brougham. O. A. Edwards. Sol. Hutchinson, Warwick-st. Pimlico. Sur. Feb. 27.

KEYLOCK, WILLIAM, warehouseman and general agent, Ironmonger-la. Cheapside, and Gloucester-grove, Old Brompton. Pet. Jan. 23. Reg. Brougham. O. A. Edwards. Sol. Stark, Furnival's-inn. Sur. Feb. 20.

LAMB, THOMAS, attorney's clerk, Portugal-st. Lincoln's-inn-fields. Pet. Jan. 23. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. Feb. 8.

LAKIN, JOSEPH, linendraper, Edgware-rd. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sols. Treherne and Wolferstan, Aldermanbury. Sur. Feb. 22.

LEVY, NATHANIEL, printseller and picture-frame maker, Little Alie-st. Goodman's-fields, and Bury-st. St. Mary-axe. Pet. Jan. 11. Reg. Roche. O. A. Parkyns. Sol. Dobie, Guildhall-chambers. Sur. Feb. 8.

MOORE, HENRY, attorney and solicitor, Wimborne Minster. Pet. Jan. 24. Reg. Brougham. O. A. Edwards. Sol. Gibbs, Poultry. Sur. Feb. 22.

NIVES, FREDERICK WILLIAM, hairdresser, Southampton. Pet. Jan. 25. Reg. Roche. O. A. Parkyns. Sols. Sharpe and Parker, Bedford-row, for Cosweil and Basset, Southampton. Sur. Feb. 8.

POWER, HENRY ALFRED, articled clerk to an attorney, Carlisle-st. Soho. Pet. Jan. 18. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl. Sur. Feb. 14.

PRICE, EDWARD, mason, Westmoreland-st. Pimlico. Pet. Jan. 23. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Southampton-st. Strand. Sur. Feb. 9.

RICHES, JAMES, cattle salesman, Kelling. Pet. Jan. 20. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. for Miller, Son and Bugg, Norwich. Sur. Feb. 9.

STRUTT, GEORGE, builder, Havelock-ter. Meeting-house-la. Pet. Jan. 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 9.

TUGWELL, JOHN, bookbinder and printer, West-st. Horsham. Pet. Jan. 23. Reg. Roche. O. A. Parkyns. Sols. Messrs. Webb, Austinfriars. Sur. Feb. 8.

TURNER, LEONARD PETHWICK, painter, Wrestler's-pl. Camomile-st. Bishopsgate. Pet. Jan. 24. Reg. Roche. O. A. Parkyns. Sols. Wood and Ring, Basinghall-st. Sur. Feb. 8.

WATTS, ALFRED, builder, Freemantle, near Southampton. Pet. Jan. 25. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers, agents for Sharp, Harrison and Sharp, Southampton. Sur. Feb. 8.

WEBSTER, JOSEPH, Lee-park, Lee, hop merchant. Pet. Jan. 24. Reg. Hazlitt. O. A. Graham. Sols. Few and Co. High-st. Southwark. Sur. Feb. 9.

WHEELER, JAMES, furniture dealer, Cottage-row, Lock's-fields, Walworth. Pet. Jan. 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 8.

WHITTLE, CHARLES, clerk to a wine merchant, Waterloo-rd. Lambeth. Pet. Jan. 24. Reg. Roche. O. A. Parkyns. Sol. Spicer, Staple-inn, Holborn. Sur. Feb. 8.

WICKWAR, FRANCIS, Wellington-rd. Walham-green. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sol. Geoghegan, Lincoln's-inn-fields. Sur. Feb. 10.

WILLIAMS, THOMAS, clerk to an insurance company, Horaton-st. Kensington. Pet. Jan. 23. Reg. Roche. O. A. Parkyns. Sols. Pawle and Lovesy, New-inn, Strand. Sur. Feb. 6.

WILSON, WILLIAM, beerhouse-keeper, Warwick-st. Borough. Pet. Jan. 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Feb. 8.

To surrender in the Country.

BOLSOVER, WILLIAM, jun., merchant's foreman, Hull. Pet. Jan. 24. Reg. & O. A. Phillips. Sol. Summers, Hull. Sur. Feb. 7.

BOSTOCK, OLIVER, blacksmith, Whitwick. Pet. Jan. 24. Reg. & O. A. Dewes. Sol. Cheatle, Ashby-de-la-Zouch. Sur. Feb. 6.

BRACKENBURY, PERCY WILLIAM, land surveyor and valuer, Upton, Gainsborough. Pet. Jan. 23. O. A. Young. Sols. England, Saxelbye and Noble, Hull. Sur. Feb. 8.

BUCKLEY, JOSEPH, tobacconist, Tunstall. Pet. Jan. 23. Reg. & O. A. Challinor. Sol. Sutton, Burslem. Sur. Feb. 25.

BULLOCK, HENRY, journeyman potter, Joiners'-square, Hanley. Pet. Jan. 23. Reg. & O. A. Challinor. Sol. Mason, Hanley. Sur. Feb. 11.

CLARK, PETER, brewer, Hull. Pet. Jan. 23. O. A. Young. Sols. Hodson and Noble, Hull. Sur. Feb. 8.

COOPER, THOMAS EDWIN, victualler, Birmingham. Pet. Jan. 26. Reg. Tudor. O. A. Kinnear. Sol. Smith, Birmingham. Sur. Feb. 10.

DAVIES, EDWARD, roller coverer, Halifax. Pet. Jan. 21. Reg. Rankin. O. A. Dyson and Rankin. Sol. Jubb, Halifax. Sur. Feb. 16.

DAVISON, ROBERT, commission agent, Cheetham. Pet. Jan. 25. Reg. & O. A. Hulton. Sol. Nuttall, Manchester. Sur. Feb. 11.

GREEK, WILLIAM, farmer, Little Torrington. Pet. Jan. 18. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. Feb. 7.

HACKETT, THOMAS, attorney and solicitor's clerk, Sutton Coldfield. Pet. Jan. 23. Reg. & O. A. Guest. Sols. Powell and Sons, Birmingham. Sur. Feb. 27.

HAMPTON, JOSEPH, horsedealer, Newport, Isle of Wight. Pet. Jan. 17. Reg. O. A. & A. Blake. Sur. Feb. 11.

HARTLAND, WILLIAM, jun., butcher, North Malvern. Pet. Jan. 21. Reg. A. & O. Gough. Sol. Wilson, Worcester. Sur. Feb. 10.

HOBSON, NEHEMIAH, beerseller, Hulme. Pet. Jan. 24. Reg. & O. A. Hulton. Sol. Grundy, Manchester. Sur. Feb. 11.

HUGHES, HUGH, Mace-maur. Pet. Jan. 19. Reg. & O. A. James. Sol. Griffith, Llanrwst. Sur. Feb. 4.

JONES, ELIZABETH, butcher, Liverpool. Pet. Jan. 23. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. Feb. 9.

JONES, SEPTIMUS, beerseller, Northampton. Pet. Jan. 21. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. Feb. 17.

JONES, WILLIAM HENRY, boot and shoe maker, Birmingham. Pet. Jan. 23. Reg. & O. A. Guest. Sol. Ladbury, Birmingham. Sur. Feb. 27.

KNOWLES, EZRA, boot and shoe maker, Bradford. Pet. Jan. 21. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. Feb. 11.

LANCASHIRE, JOHN, crinoline manufacturer, Manchester. Pet. Jan. 21. Reg. Macrae. O. A. Morgan. Sol. Leigh, Manchester. Sur. Feb. 9.

LAWTON, ISRAEL, dye winder, Mossley. Pet. Jan. 24. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. Feb. 9.

LESTER, WILLIAM, chemist and druggist, Everton, Liverpool. Pet. Jan. 19. Reg. & O. A. Hime. Sur. Feb. 7.

LOADER, RICHARD, french polisher, Preston. Pet. Jan. 21. Reg. & O. A. Myres. Sol. Edelston, Preston. Sur. Feb. 11.

LOFTIS, UCK, JAMES, furniture dealer and cabinet maker, Hyde. Pet. Jan. 24. Reg. & O. A. Brooks. Sols. Messrs. Hibbert, Hyde. Sur. Feb. 8.

MOORE, RICHARD, brewer, Liverpool. Pet. Jan. 16. O. A. Turner. Sols. Messrs. Norris, Liverpool. Sur. Feb. 9.

PARKIN, HENRY, shoemaker, Barrow. Pet. Jan. 21. Reg. & O. A. Brown. Sol. Mackrill, Barton-on-Humber. Sur. Feb. 7.

POOLE, WILLIAM PEARCE, schoolmaster, Honiton. Pet. Jan. 19. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. Feb. 7.

POWELL, MARIA, milliner, Liverpool. Pet. Jan. 16. Reg. & O. A. Hime. Sur. Feb. 4.

PULLEN, ERNEST, brassfounder, Birmingham. Pet. Jan. 25. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. Feb. 27.

REES, RICHARD, cabinet maker and upholsterer, Neath. Pet. Jan. 23. Reg. Wilde. O. A. Acraman. Sols. King and Plumber, Bristol. Sur. Feb. 10.

RICHARDSON, JOHN, ginger-beer manufacturer, Bradford. Pet. Jan. 23. Reg. & O. A. Robinson. Sol. Halls, Leeds. Sur. Feb. 14.

ROSE, CALEB, baker and grocer, Rochester. Pet. Jan. 19. Reg. & O. A. Acworth. Sur. Feb. 7.

RUFFLE, JOHN, commercial traveller, Ventnor. Pet. Jan. 21. Reg. & O. A. Blake. Sol. Hamilton, Ventnor. Sur. Feb. 11.

SPARKS, SAMUEL, tripe dresser, Bath. Pet. Jan. 19. Reg. & O. A. Smith. Sol. Ricketts, Bath. Sur. Feb. 7.

STEPHENSON, HENRY, victualler, Salford. Pet. Jan. 24. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. Feb. 11.

STEVENS, JACOB, victualler, Merthyr Tydfil. Pet. Jan. 21. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil. Sur. Feb. 7.

SUTTON, DANIEL, tailor, Loughborough. Pet. Jan. 23. Reg. & O. A. Broch. Sol. Giles, Loughborough. Sur. Feb. 11.

TAUNT, GEORGE, engine fitter, Oxford. Pet. Jan. 19. Reg. & O. A. Dudley. Sur. Feb. 8.

TOMLINSON, JAMES, joiner and builder, Leeds. Pet. Jan. 10. Reg. & O. A. Sangster. Sol. Whiteley, Leeds. Sur. Feb. 8.

TOWERS, SAMUEL, carter, Leeds. Pet. Jan. 21. Reg. & O. A. Sangster. Sol. Hopps, Leeds. Sur. Feb. 8.

WHEATLEY, WILLIAM, pawnbroker, Hull. Pet. Jan. 23. O. A. Young. Sol. Summers, Hull. Sur. Feb. 6.

WILTON, ELIZABETH, grocer, Ely. Pet. Jan. 19. Reg. & O. A. Hall. Sol. Cross, Ely. Sur. Feb. 7.

WOOD, WILLIAM, cotton waste dealer, Ashton-under-Lyne. Pet. Jan. 21. Reg. & O. A. Worthington. Sols. Messrs. Drinkwater, Ashton-under-Lyne. Sur. Feb. 9.

BANKRUPTCIES ANNULLED.

Gazette, Jan. 24.

BROOKS, EDWARD, and LOMAX, SAMUEL, manufacturers, Tottington, Lower End.

DENNY, ROBERT ARTHUR, Esq., Cheltenham.

RAMSDEN, NATHANIEL, oil, pitch and resin manufacturer, Bristol.

Gazette, Jan. 27.

WOODARD, EPHRAIM, plumber, Portobello-ter. Kensington-pk.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Slack, M., and M. C. timber merchants, first, 1s. 11d.; first sep. of M. C. Slack, 9s. 1d. Kinnear, Birmingham.

Assignment, Inspectorship, Composition and Trust Deeds.

Gazette, Jan. 24.

BARRACLOUGH, JAMES SAMSON, logwood grinder, Halifax. Dec. 29. Surety, D. Smith, manufacturing chemist, Siddall, near Halifax. 4s. by two instalments at 3 and 5 mos.

BATTELY, WALDEGRAVE, draper, Bath. Dec. 24. Trust. W. G. Ling, glover, Bath. 14s.—4s. at 3 mos., 4s. at 6 mos. and 6s. at 9 mos.—secured.

CABALLI, GEORGE JOHN, merchant, Winchester-buildings. Jan. 19. 2s. 6d. in 21 days.

COMFIELD, THOMAS, commercial clerk, Buckhurst-hill, Essex. Dec. 23. Trust. A. Holwell, baker, Woodford. 4s. by four equal instalments at 6, 12, 18 and 24 mos.

COWIE, VARDOME HENRY, and BRIDGES, JAMES HENRY, wine merchants, Mark-la. Dec. 24. Trust. J. Mackenzie, jun., distiller, Upper Whitecross-st.

DARLEY, WILLIAM, bookseller, Melton Mowbray. Jan. 12. Surety, J. Darley, architect, Chippenham. 5s. by two instalments of 4s. each—secured.

GASKELL, JACOB, eating-house keeper, Manchester, and Higher Broughton. Dec. 23. Trust. T. Acton, auctioneer, Manchester.

GORDON, DONALD; KAYE, JAMES; and GORDON, LEWIS ALEXANDER, whisky merchants, Lower Thames-st. Dec. 30. Trust. A. Usher, distiller, Edinburgh.

HALLIFAX, REV. JOSEPH, clerk, Kirkbridge. Jan. 14. Trust. R. Pattinson, gentleman, Bowness. Deed of arrangement to pay debts by an annual sum of 160*l.*, by half yearly payments on 1st Sept. and 1st March.

HANCOCK, FRANCIS ALBERT, stationer, Wood-st. Cheapside. Jan. 12. Guarantor, H. M. Clark, Cow Cross-st. 3s. by three equal instalments at 3, 6 and 9 mos.

HART, PHILIP, boot and shoe manufacturer, Little Alie-st. Whitechapel. Dec. 27. 2s. 6d. by two instalments at 1 and 4 mos.

HERIOT, WALTER, warehouseman, Bread-st. London, and Glasgow. Dec. 30. Trusts. W. Heriot, sen., shipbroker, and J. Heriot, gentleman, both Aberdeen-park, Highbury. 3s. 9d. at 3, 6 and 9 mos.—secured.

HOUGHTON, JOHN FRERTH, land surveyor, Kidderminster. Dec. 30. 2s. 6d.

ILIFFE, HENRY JEREMIAH, and WAKEMAN, THOMAS SUTTON, button makers, Birmingham. Dec. 24. Inspectors, T. Bassett, and C. T. Parsons, metal dealers, both Birmingham. 5s.—3s. on 24th June and 2s. on 24th Dec.

KIRKMAN, MONTAGUE, medical practitioner, Princes-sq. Bayswater. Jan. 18. 1s. by 7th April.

LAWTY, REV. COOPER, clerk, Rowston. Jan. 7. Trust. H. K. Hebb, gentleman, Lincoln. 13s. 4d.—6s. 8d. on demand, 3s. 4d. on 1st Aug. next, and 3s. 4d. on 1st Aug. 1866.

LEVY, PHILIP, stationer, Houndsditch. Jan. 12. Trust. J. Peartree, warehouseman, St. Mary-axe. Deed of arrangement to pay debts in full by two instalments of 10s. at 1 year and 18 mos.

LOWMAN, JOSEPH ALBERT, provision merchant, Melcombe Regis. Jan. 7. Trusts. W. Edmonds, accountant, Portsea, W. Hardie, Melcombe Regis, and J. H. Cookney, Southampton, provision merchants.

MILLER, JOHN, grocer, Farnworth. Jan. 14. Trusts. J. Ormrod and J. Bolton, corn-dealers, Bolton-le-Moors.

MITCHELL, RICHARD, boot and shoe manufacturer, Cranford-st. and Drury-la. Dec. 27. 3s. by two instalments at 2 and 5 mos.

MORGAN, WILLIAM JOHN, merchant, Leadenhall-st. Jan. 10. Trusts. W. J. Lord, colonial broker, Mincing-la. and J. J. Saffery, public accountant, Basinghall-st. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

MULLER, CHARLES, merchant, Walbrook-buildings. Dec. 31. Trust. A. Baumgarten, New Oxford-st. 2s. 4d. by two instalments of 1s. 2d.

MURTON, GEORGE, grocer, Newcastle. Dec. 31. Trust. W. Revely, wholesale grocer, Newcastle. 5s.

NEUMANN, GEORGE LORENZ, commission agent, Fenchurch-st. Dec. 31. Deed of arrangement to pay debts in full by instalments in 5 years.

OAKLEY, ALFRED MORRICK, tailor, Portsea. Jan. 23. 7s. by two instalments at 3 and 6 mos.

OGDEN, WILLIAM, cottonspinner, Oldham. Dec. 28. Surety, J. Lees, grocer, Oldham. 12s. 6d. by five promissory notes of 2s. 6d. each.

PATTERSON, WILLIAM, shipbuilder, Bristol. Dec. 27. Inspectors, J. P. Gilbert, manager of West of England and South Wales District Bank, J. H. Nash, iron merchant, and T. Barnes, timber merchant, all Bristol.

PETCH, THOMAS, clerk in Legacy Duty-office, Somerset-house, and May-cottage, Brentwood. Dec. 31. 5s.

PRICE, REES, builder, Brynmawr. Dec. 21. Trusts. J. Thomas, timber merchant, Newport, and J. Williams, auctioneer, Abergavenny.

THURLOW, HENRY, cheesemonger, Blackmoor-st. Drury-la. Dec. 30. Trusts. J. Lunham, High-st. Southwark, and J. Corderoy, Tooley-st. provision merchants.

TURTON, GEORGE, manufacturer, Dogley Bar, near Huddersfield. Dec. 30. Trusts. J. Ainley, Golcar, E. Butterworth, and C. Wood, both Huddersfield, manufacturers.

VARLEY, BENJAMIN; LEES, JAMES; and CUTTING, WILLIAM, cotton waste dealers, Rochdale. Jan. 17. Trust. L. Hal, accountant, Rochdale. 4s.

WADDINGTON, JEREMIAH, boatbuilder, Burnley. Dec. 31. Trusts. P. Fletcher, plumber, H. Jobling, land agent, J. Balcock, ironmonger, and J. Wiseman, joiner, all of Burnley.

WAGSTAFF, WILLIAM MARSTER, contractor and financial agent, Saint Michael's house, Cornhill. Jan. 5. Inspector, T. Collis, hop merchant, High-st. Southwark.

WHITE, ELLEN, shopkeeper, Calver. Dec. 31. Trusts. W. Booth, grocer, Sheffield, and J. Hodgson, corn merchant, Rotherham.

WILLETT, JOSEPH, builder, Southport. Dec. 13. Trusts. T. P. Griffiths, ironmonger, and J. Muir, timber merchant, both Southport.

WINKS, WILLIAM, grocer, Brentford. Dec. 30. 4s.

WORMAN, ADOLPH, boot and shoe manufacturer, Minories. Jan. 16. 3s. by two instalments at 2 and 4 mos.

WRIGHT, THOMAS, and PRESTON, FREDERICK WALTER, iron manufacturers, Bilston. Dec. 24. Trust. J. Percivall, accountant, Birmingham.

ERRATUM.

EASTMURE (and not Eastman as before advertised), THOMAS FORBES ATKINSON, shipping agent, Clifton-villas, Clifton-rd. New Peckham. Jan. 14. Trust. J. C. Eastmure (and not Eastman), Custom-house agent, Blackheath-hill.

Gazette, Jan. 27.

ARNOLD, THOMAS WESTON, coachmaker, Bath. Jan. 2. Trust. J. Horham, wholesale boot and shoe maker, Bristol.

BALLARD, MARK, farmer and labourer, Selby, York. Dec. 20. 2s. in 28 days.

BRAUND, JOHN, draper, Calstock. Dec. 30. Trusts. T. Knight, merchant, Gunnislake, G. Hooper, warehouseman, and R. Braund, farmer, Stowford. 12s. 6d. by three instalments—4s. 2d. on 15th April, 15th Aug. and 15th Dec.

CASPARI, MICHAEL, merchant, Cullum-st. Jan. 21. Inspectors, W. Edwards and A. A. James, accountants, King-st. Cheapside.

CHAMBERS, GEORGE, hardware manufacturer, Russia-row, Milk-st. Jan. 14. Inspectors, W. Green, merchant, Nicholas-la. and J. Hall, manufacturer, Sheffield.

CLAYTON, WILLIAM, and BORKE, SAMUEL, crinoline skirt manufacturers, Sheffield. Jan. 2. Surety, W. W. Bottrill, gentleman, Sheffield. 10s. by three instalments of 3s. 4d. on 1st May, 1st Sept. and 1st Jan.

CROPPER, SAMUEL NATHANIEL, silk agent, Nottingham. Dec. 7. Trust. S. Haines, gentleman, Brighouse.

CROSSLEY, GEORGE JONAS, professor of music, Bowden. Jan. 4. Trust. C. Crossley, hosier, Sheffield.

CURRIE, RICHARD WITHERS COWARD, shopkeeper, Salisbury. Jan. 26. 1s. by two equal instalments in 6 and 12 mos. payable at the offices of Mr. R. Jones, solicitor, New-inn, Strand.

DRAY, FREDERIC, saddler, Heathfield. Dec. 29. Trusts. C. Ellis, sen., and C. Ellis, jun., wholesale saddlers' ironmongers, Maidstone.

ELLIS, GEORGE, shoe manufacturer, Northampton. Dec. 31. 4s. 6d.

GAFFINO, MICHEL, hotelkeeper, Church-pl. Piccadilly. Jan. 9. 2s. 6d. on 1st Jan.

GAME, GEORGE, watchmaker and jeweller, Portsea. Jan. 7. 1s. on 1st Feb.

GIBSON, MARY, shoemaker, Newcastle. Jan. 9. Trust. E. Stephenson, currier, Newcastle.

GLOVER, JOSEPH, jun., builder, Leicester. Jan. 7. Trust. J. Glover, sen., timber merchant, Leicester. 5s.

GROCOTT, MARY ANN, spinster; FAULKNER, WILLIAM, clerk, FAULKNER, LOUISA MATILDA, his wife, all of Manchester. 5s.—1s. 6d., 1s. and 1s. 6d. at 3, 6 and 9 mos.—secured.

HANDS, JOHN JOSEPH, and HOWELL, GEORGE FRADLAY, provision merchants, Birmingham. Jan. 6. 8s. by three instalments, one of 3s. and two of 2s. 6d. at 2, 4 and 6 mos.—secured.

HARDING, WILLIAM, innkeeper, Wellingborough. Dec. 28. 1s. 6d.

HEATON, WILLIAM, joiner, Upholland. Dec. 30. 10s. by two instalments of 5s. on 1st Jan. 1866 and 1st Jan. 1867.

HILL, EDWIN, bonnet-front manufacturer, Nottingham. Jan. 3. Trusts. J. Hill, lace manufacturer, Nottingham, and W. J. Clarke, Nottingham. 7s. by three instalments of 3s., 2s. and 2s. at 4, 7 and 10 mos.

HOWES, SAMUEL, merchant, Liverpool. Dec. 31. 4s. 6d. by three instalments of 2s., 1s. 6d. and 1s. on 31st Dec., 1st March and 1st June.

JOLLY, WILLIAM, draper, Portsea. Jan. 4. Trusts. M. Kelsey, Friday-st. and W. Morley, Gutter-la. warehousemen.

JONES, THOMAS, coal and salt merchant, Llanrwst. Jan. 11. 5s. on 15th Feb.

JONES, THOMAS, and THOMAS, HUGH, timber merchants, both Liverpool. Dec. 29. Trust. W. Alexander, accountant, Liverpool.

KENDALL, THOMAS COPE, painter, Liverpool. Dec. 31. Trust. G. W. Heywood, Manchester.

LEECH, JOHN ANGELL, warehouseman, Watling-st. Jan. 19. 2s. by two equal instalments on 1st July and 1st Jan.

LEMKE, JOHN MATTHEW, baker, Kentish-town-rd. Jan. 12. Surety, F. Fuchs, baker, Westbourne-ter. north, Paddington. 5s. by two instalments of 2s. 6d. in 11 days and 9 mos.

LOWE, JAMES, common wharfinger and builder, Stonebridge-wharf, Salmon's-la. Limehouse. Jan. 4. Trust. W. Rowe, ironmonger, Pheasant-row, Cambridge-rd. Mile-end. 5s. by two equal instalments in 10 days and 6 mos.

MATTOCK, HENRY, grocer, Beeston. Jan. 6. Trust. J. Ball, grocer, Radford.

MEALOCK, ROBERT, plumber, Birkenhead. Jan. 16. 13s. 6d.—4s. 6d. in 4 mos., 4s. in 8 mos., 4s. in 12 mos. and 1s. in 16 mos.—secured.

MILLS, FREDERICK EDWARD, gentleman, Barnsbury-rd. Jan. 7. 1s. on 26th July.

MORGAN, WILLIAM JOHN, merchant, Leadenhall-st. Jan. 10. Trusts. W. J. Lord, colonial broker, and J. J. Saffery, accountant, Basinghall-st.

PARSONSON, JAMES, boot and shoe maker, Ballingdon. Jan. 6. 5s.

PRIOR, JOHN, upholsterer and furniture dealer, St. John's-st. Road. Jan. 24. 7s. 6d. by three instalments of 2s. 6d. on date of deed and in 3 and 6 mos.

ROBERTS, THOMAS LLOYD, Llanfairfechan and Penmaenmawr, and ROBERTS, THOMAS THOMAS, Penmaenmawr, drapers and grocers. Dec. 30. Trusts. W. H. Westhead and E. Spencer, merchants, Manchester.

SCOTTHORN, THOMAS KENDALL, carrier and leather merchant, Northampton. Jan. 2. Trusts. J. Winkle, watch manufacturer, and I. Ault, shoe manufacturer, both West Bromwich. 5s. 6d.—2s. 6d. and 3s. 6d. by acceptances, payable 9 mos. after 13th Dec.

SHERRELL, JAMES SAMUEL, deputy parish clerk, King's-rd. Chelsea. Jan. 14. Trusts. T. R. Dipnock, doctor of medicine, Dudley-villa, Upper Cheyne-walk, Chelsea, and J. Matthews, brewer, Oakley-st. Chelsea. Deed of arrangement to pay 10*l.* per annum, by equal monthly instalments, till debts are paid in full.

SLARKE, JAMES, plumber, Croydon. Jan. 4. 10s. by two instalments of 5s. on 15th Jan. and 15th Feb.

SMYTH, CHARLES FREDERICK, builder, Burton-rd. Bristol. Dec. 31. 5s. on 24th Feb.

STUDDS, JOHN, carriage builder, Maidstone. Dec. 31. Trust. E. Haynes, ironmonger, Maidstone.

TODD, JOHN CATTLEY, ship chandler, Colonial-chambers, Crutchedfriars. Dec. 31. 7s. 6d. by three instalments of 2s. 6d. on 30th March, 30th June and 30th Sept.

TURCK, WILLIAM, and BARCLAY, ROBERT WILLIAM, merchants, Old Broad-st. Dec. 31. Inspectors, E. Cobb, Lime-st. and J. Ferris, Mark-la. brokers.

WHITE, JOSEPH, lacemaker, Radford. Jan. 17. Trust. A. Sinfield, book-keeper, Carrington.

ZIMMERN, HERMANN THEODOR, merchant, Mark-la. Dec. 29. Inspectors, J. Oxford, Bury-st. St. Mary-axe, and E. I. Rosenthal, Fenchurch-st. merchants.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

JACOBS.—On the 4th Dec. last, at King William's Town, the wife of Simeon Jacobs, Esq., H.M.'s Attorney-General of British Kaffraria, of a son.

WILLIAMSON.—On the 31st ult., at the Law Society's Hall, London, the wife of Edward Walter Williamson, Esq., of a son.

DEATHS.

GOODEVE.—On the 19th ult., at Cook's Folly, near Bristol, aged 54, Joseph Goodeve, Esq., late Master in Equity, Calcutta, and Professor of English Law at Presidency College.

GREGORY.—On the 29th ult., at 5, Upper Montague-street, Russell-square, aged 67, Jonas Gregory, Esq., solicitor.

MILES.—On the 25th ult., suddenly, at his chambers, in Raymond's-buildings, Henry Miles, Esq., of the Inner Temple.

WALKER.—On the 27th ult., at 3, Tamworth-terrace, Hornsey-road, aged 67, Holden Walker, Esq., solicitor, of 3, Clifford's-inn, late of 12, Furnival's-inn.

To Readers and Correspondents.

S. W. F.—Mr. Wharton's "Legal Maxims" is in the press and will be published shortly.

—The General Index to the first ten volumes of the Law Times Reports is now in preparation.

—The complaint has been made, and all now required are practical suggestions.

Anonymous communications are invariably rejected.

Communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

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Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. Horace Cox, *the* ... *of the Strand Office.*

The Law Times goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.

A Portfolio to contain the current numbers of the Law Times *Reports will be forwarded by post to any person inclosing* ... *in postage stamps.*

The death of the late Publisher of the Law Times, Mr. J. Crockford, making it necessary to clear the books, Subscribers and Advertisers will much oblige by transmitting the amount of their Christmas accounts at their earliest convenience. Cheques and Post-office orders are to be made payable to Mr. Horace Cox, the present publisher.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The Lord Chancellor is entitled to the very highest commendation for his choice of the new Judge. It needs some courage to set partisan influences at defiance and distribute patronage according to professional instead of political merit. Mr. M. Smith was an active opponent in Parliament of the Ministry to which Lord Westbury belongs. Only in May last he voted for their expulsion from office. But, regardless of this, Lord Westbury selected him for the vacant seat upon the Bench, because he knew that there was no man at the Bar having higher professional claims to the office, or whose ermine would be more heartily welcomed by the entire Profession. These are the acts which will be recorded and remembered to the honour of the present Lord Chancellor when hasty words that have provoked hostility are forgotten. The appointment of the Conservative Mr. M. Smith by the Liberal Lord Chancellor Westbury to the highest office in his gift is an act memorable and valuable in itself, and of great value as an example to future Chancellors. It would, indeed, be well if henceforth politics were to be wholly excluded from the choice of Judges, and if it were to be made a rule that competency alone should be considered in the selection.

Silk gowns are, it is said, to be given immediately to Mr. C. Milward and Mr. T. Webster, of the Northern Circuit; Mr. Hardinge Giffard, of the South Wales Circuit; Mr. Joseph Brown, of the Home Circuit; and Sir Thomas Phillips, of the Parliamentary Bar. Mr. B. C. Robinson, of the Home Circuit, will receive the coif.

The Session of Parliament has opened. The Queen's Speech promises a few measures that will interest our readers: the Palace of Justice is to be erected on the site so long appointed for it; a further relaxation of the Law of Settlement is to extend the area of settlement to the limit of the Union, so that, in future, we shall not talk of sending a man home to his parish, but to his union. A necessary supplement to this will be a general union rate. An Equity Jurisdiction is to be given to the County Courts, but nothing is said of the mischievous scheme of last session for taking from the County Courts the power of imprisonment, nor of the scarcely less alarming proposal to make debts irrecoverable after one year. It may be presumed, therefore, that both of these projects are dropped, and that we shall have all that was really good in the Lord Chancellor's Bill, without the dead weight thrust into it by other meddling hands, and to which it owed its discomfiture.

The law of Patents is to be amended, and the recent case of *Flower's Patent* will compel Parliament to decisive action. But amendment is more easily desired than effected. Opinion is divided on the very principle of a Patent Law, one party objecting to the grant of any patent rights whatever, and advocating the reward of inventors by public grant; another party insisting that patents should be maintained, but under better regulations. The former comprises the intelligence of the country, the latter has the preponderance of numbers. The country is not yet ripe for abolition pure and simple, while any proposal for amendment is sure to be met by fierce hostility, and to be answered by overwhelming argument. Being in itself bad, no change in the law can much increase the mischief; at best it will only be a choice of evils. There will certainly be long and animated debates on this subject, which is, happily, wholly untainted by party.

The revision of the Statute Law is to be carried a step further, but what more is to be done we are not yet informed.

The Speech is, however, more eloquent in its silence. We learn from it what is *not* to be done.

The broken-down Bankruptcy Law is not to be reconstructed. The Lord Chancellor probably feels that to tinker it would be to make ten flaws while trying to stop one. It is incapable of amendment, so utterly bad is it alike in principle and in practice; the foundation is as unsound as the edifice. When taken in hand at all it must be changed entirely, and that is not a work for the last session of a dying Parliament. Perhaps it is the more prudent course to defer the necessary work to a better season, and in the meanwhile to suffer the system so thoroughly to disgust the public mind that even the Mercantile Law Committee will be ashamed of their own handy work, and be induced modestly to leave the next Bankruptcy Law to the skilled hands of the lawyers.

Nor is there a word about the much-talked-of abolition of the unpaid magistracy and the threatened subjection of provincial England to the government of paid functionaries, as in France. We ventured to assert that Lord Westbury had never even contemplated so un-English a scheme, and that the utmost that was designed was the planting of paid police magistrates in the large towns where the Justices are too often chosen from partisan motives, with utter disregard of fitness either in social position or education. We believe that this will be proposed and carried, but nothing more than this.

Nor is there a word about the threatened absorption of the railways by the Government.

And there is a significant silence about a Reform Bill. Manifestly, Lord Palmerston has prevailed, and there is no present intention to substitute the despotism of Democracy for the mixed government that secures liberty to all. The time is not yet come for depriving the upper and middle classes of the control of the Government and consigning it to the least educated but most numerous class.

While the Incorporated Law Society declines to be a means of communicating the law-reporting speculation of Mr. Daniel and his party to the members of the society or the solicitors generally, Gray's-inn will have nothing to do with the scheme at all. It was resolved at a pension on the 25th Jan. that the Benchers "regret that they have not sufficient confidence in the scheme to induce them to join it." How could they, when all that the scheme promises in certainty to the reporter in the court of one of the most influential members of the Gray's-inn bench is 200*l.* a-year? To make such a proposal when it is perfectly well known that Mr. Beavan, performing that function, not only enjoys the confidence of the Master of the Rolls, but earns, by his skill, industry and enterprise, an income worthy of his standing at the Bar, is laughable, although the scheme would offer him the protection of a council of potent and grave signiors, and the guidance of an editor salaried with 300*l.* a-year certain. It would be interesting to know Mr. Beavan's private opinion of the proposed council and editors, now that he is in his seventh lustrum of his reporting life. It was a pity he did not mount the platform as Mr. Best, of the Queen's Bench series, did. Probably nothing more than a smile has been provoked from him, in his strong confidence that the *posse* of the Council will not venture across the Rolls yard. Not daunted by this disappointment, but only regretful, the Lincoln's-inn Benchers continue to move on under the impulse first given to them. They have determined to subscribe 142*l.* 17*s.* 1½*d.* a-year for pay, coals, candles, stationery, and other expenses of a secretary to the Council. The Temples are going to do the like. We say "the Council," because there has been a paper council in existence since the 2nd Dec. last. But on the 15th Lincoln's-inn will again move in the matter. Two flesh and blood councillors will be elected for Mr. Best and Mr. Beavan to contemplate, *pour fixer les idées*. Perhaps the Benchers of the Inns will consider this a favourable opportunity for giving effect to Mr. Edward Webster's suggestion, in a recent letter to this journal, to dress up different grades of the Bar in differently coloured silk costumes. Some, for instance, were to be purple, others red. They were all to sit together, without distinction of bars, which, Mr. Webster suggested, would have a pleasing effect. The Lincoln's-inn councillors might be purple, the Templars red and green respectively. This, however, is a matter in which Mr. Webster might be consulted, and, moreover, the advice and assistance of Mr. Ruskin be obtained. We would merely throw out, that we observed once, when looking at the procession of the Swiss deputies entering the Legislative Chamber at Lucerne, that some of the robes were half of one colour and half of another, according to the heraldic emblems of the particular canton.

No time has been, or is to be, lost in the carrying out of the scheme for the erection of the Palace of Justice in Carey-street, Lincoln's-inn-fields. On the first night of the Session the Attorney-General introduced a Bill to provide the necessary funds, and Mr. Cowper brought in another Bill for the purchase of the site. We understand that these are to be pushed forward as fast as the forms of the House will permit, so that the work may be begun with the present summer. The only opposition to be anticipated is from the Benchers of Lincoln's-inn, who, receiving a goodly rental for the use of the present Equity Courts, are naturally reluctant to lose it. Inconvenience is, of course, only the excuse that must be put forward for hostility, for it can be but a small matter whether the equity counsel go from New-square to the new courts, or to the present courts. It is scarcely possible that such an opposition should succeed, if even it should be attempted. The demand for Law Courts more worthy of the metropolis of the world, has grown to be so loud and so general that few members of the House of Commons will have the courage to say "no" to it, especially with an election so near. The City authorities are said to be hostile, fearing to lose the petty importance of their own courts; but only the representatives of the City will be likely to sanction such an objection.

We hope, therefore, that we may at length congratulate the Profession on a near prospect of the accomplishment of this long-desired improvement, which may be counted as one of the greatest of law reforms.

A proposition has been put forth, startling at first sight for its bold departure from all principles hitherto recognised, but which grows into favour as it is contemplated, and for which there is really a great deal to be said. All attempts to construct a good Bankruptcy Law have failed entirely. Every alteration appears only to be

for the worse, and every amendment increases the evils it was designed to cure. Our readers are aware that, for reasons often submitted to them, we impute this failure in practice to a faulty foundation, and that we despair of improvement until the principle of the law is changed. The suggestion to which we refer is not an improvement either in principle or in practice, but the sweeping away of Bankruptcy altogether! In plain terms, it is gravely proposed to abolish bankruptcy and imprisonment for debt, and to leave the creditor to his common law remedy against his debtor's property. Thus, on the one hand, the creditor could not harass the debtor's person, and if the debtor has nothing it will be useless to proceed against him; but, on the other hand, the debt will not be confiscated, as now it is, but if at any time thereafter during the pendency of the judgment property should come to the debtor, it would be liable to be taken by the creditor, as it ought to be. Thus we should be rid of a costly machinery and a law that gives satisfaction to nobody: we should return to the natural state of things in which the man who takes his neighbour's goods to his own use is in justice responsible for them to that neighbour, not merely for five or six years, but at any time thereafter should he possess the means for doing justice. Nor would this prevent a *cessio bonorum* by private arrangements between debtors and creditors; such settlements would probably be more frequent than now: the honest debtor would be relieved, as only he should be, by the voluntary goodwill of his creditors; the fraudulent and improvident debtor alone would suffer, as he ought to do, by the refusal of such relief and subjection to liability at any future time to repay, if he can, the value of that of which he wrongfully deprived his creditor.

When our experienced readers have given some thought to this proposal, we should like to hear what they have to say about it.

A debtor compounding with his creditors under sect. 192 of the Bankruptcy Act 1861 cannot choose his own time for availing himself of the protection afforded by sect. 198, that after notice of the filing and registration of the composition-deed, process shall not issue against his property or person without leave of the Bankruptcy Court. This was the opinion of the Barons of the Exchequer in *Whitmore* v. *Wakerley*, 11 L. T. Rep. N. S. 683. The writ in the action was issued on the 24th Nov. to recover the amount due on bills of exchange. The debtor executed the deed in December, promising to pay the creditors 5*s.* in the pound; and the deed was duly registered. The defendant suffered judgment by default, when a writ of *fieri facias* was issued, and the sheriff levied. The defendant then obtained a rule *nisi* to set aside the execution, but the Court discharged the rule, on the ground that the defendant had the opportunity of pleading the deed as an answer to the action.

The case of a deed under sect. 192 must be distinguished in this respect from one of a deed under sect. 200, which provides for the emergency of the debtor not being able to obtain the assent of the required majority by reason of his being unable to ascertain the holders of negotiable securities on which he is liable, or of the absence of creditors in a foreign country, or other similar circumstances. In any such an event, a form of deed is provided in the schedule, which, our readers may remember, from the recent notice in this journal, Jan. 21, of *Clarke* v. *Williams*, 11 L. T. Rep. N. S. 611, does not contain a release. It was accordingly there decided that such a deed cannot be pleaded in bar to an action by a creditor against the debtor. Therefore a rule or other proceeding in arrest of execution would be the proper mode of taking advantage of sect. 200, judgment having been allowed to go by default.

A new point in real property law was settled by the decision of the Lords Justices, in *Shaw* v. *Bunny*, 11 L. T. Rep. N. S. 645, confirming the decision of the Master of the Rolls. The question which arose upon the circumstances of the case was, whether, when a landed estate has been twice mortgaged by the owner, so that there are several and distinct mortgages not connected with each other, the one first, and the other second, and the first mortgagee having a power of sale duly exercises it, the second mortgagee becoming the purchaser, such a state of things prevents him from acquiring, by means of that purchase, the same absolute and irredeemable title against the mortgagor which a stranger who became the purchaser would have acquired. This is the shape in which Lord Justice Knight Bruce framed the question. A case at the Rolls, similar in principle to the present, and decisive of it apparently, according to the statement in 3 Peere Wms. 251, note, occurred about a century and a half ago. "A mortgagor in fee died, and the mortgagee bought in the mortgagor's wife's right of dower. Decreed, that the heir of the mortgagor, on his bringing a bill to redeem, should have the benefit thereof, on this principle, that the mortgagee is but a trustee for the mortgagor after the money paid:" (*Baldwyn* v. *Banister.*)

So the doctrine on the point might have stood, if, as contended by some, case law were to be derived from the Reports alone. That was a position against which this journal stoutly contended, in opposition to a much respected contemporary, when in the session of 1863 the Lord Chancellor proposed a digest of the unwritten law as contained in the thousand volumes of the Transactions of the Courts of Law and Equity. We maintained, in particular on the 9th Jan. 1864, that not on the reports, "authorised" or "unauthorised," standing alone, could a trustworthy digest be framed, but that for such a purpose the reports must be verified by comparison with the records of the courts. The present case gives an illustration of the truth of this view. Lord Justice Turner examined the statement of *Baldwyn* v. *Banister* with the registrar's book, when that case assumed a very different aspect. It was found that, in answer to a bill filed against an executor for an account, a mortgagee, made party, stated that he had purchased the dower of the mortgagor's widow for 50*l.*, and he claimed to have that sum allowed to him; the decree was for an account against him of what was due on his mortgage, of the rents and profits which he had received, with the direction that the 50*l.* should be allowed him in the account. There was therefore no claim by the mortgagee to hold the dower which he had purchased adversely to the mortgagor; and, in truth, there was no authority on the point raised in the case before the Lords Justices. Vice-Chancellor Kindersley, in *Parkinson* v. *Hanbury*, 1 Dr. & Sm., said that he knew of no authority for a rule in equity, suggested in argument, that a second mortgagee cannot purchase from a first who sells under a power of sale. But that case was not decisive, inasmuch as redemption of the first mortgage was decreed against the second mortgagee, the purchaser, on the ground that the ordinary indemnity in a mortgagee's power of sale, that a purchaser from him shall not be required to see whether notice of sale has been given to the mortgagors, does not enable a purchaser, if he knew that notice had not been given, to sustain his purchase. *Quod nota.*

It was already well settled that a second mortgagee is not entitled, as against the *bonâ fide* assignee of a first mortgagee, to insist on an account being taken of what was actually paid by the assignee to the first mortgagee. In the absence of fraud or collusion the second mortgagee has no privity attaching to him which renders him liable to such an account. Any such account was characterised by Lord Langdale, in *Davis* v. *Barrett*, 14 Beav. 554, as "a new equity, and productive of the most injurious consequences." Whether the first mortgage be assigned to a stranger or to the second mortgagee himself, the first mortgage still stands as a security in the hands of the assignee, the same in force and effect as when it was in the hands of the assignor; and the force and effect are not weakened by any bargain between them under which the assignment may have been made for a consideration less than the amount of the mortgage money. A trustee, on the contrary, buying up an incumbrance cannot claim it against his *cestui que trust* as a security for any greater amount than the purchase-money. Such being the law where the second mortgagee takes a transfer of the first mortgage, Lord Justice Turner, having regard to the contract by a second mortgagee in his own mortgage, to reconvey to the mortgagor on payment of the money secured by that mortgage, felt "very anxious doubt" whether the case of a purchase from a prior mortgagee under a power of sale, and the simple case of a subsequent mortgagee buying in a prior mortgage for less than was due on it, ought to be considered as standing on the same footing. While the Lord Justice was inclined to favour such a distinction on principle, he yielded to the united opinions of the Master of the Rolls on the hearing before him, of Lord Justice Knight Bruce on the appeal, and of Vice-Chancellor Kindersley in the prior case before him. He felt himself compelled, although not without much reluctance, to submit to the decree of the court below in favour of the validity of the second mortgagee's purchase being affirmed.

We may take the liberty of remarking that, while the reason of contract, given by Lord Justice Turner, for making objection to the decree, does not strongly impress us, a decision in accordance with his opinion would have avoided some anomaly in a second mortgagee's becoming a purchaser from a first under his power of sale. As regards the contract, it can scarcely be contended that the case of such a purchase was at all within the contemplation of the contracting parties. The proviso for redemption in the second mortgage, or the equity of redemption attaching on it, was not intended to restrain the second mortgagee from being party to an act by which the first mortgagee had power to put an end to the original equity of redemption, even if it had remained in the hands of the mortgagor. The second mortgage cannot have been meant by the mortgagor to put himself in a better position with the second mortgagee, as regards the equity of redemption on the first mortgage, than the mortgagor would have been if he had not mortgaged that equity of redemption. The contract for reconveyance in the second mortgage is not meant to create any privity between the parties to it respecting the first mortgage, but only in respect of the equity of redemption mortgaged, so long as it subsists in accordance with the terms of the first mortgage. But it does appear to be anomalous that the second mortgagee being the party who has the mortgagor's estate, and being the party to redeem the first mortgage, should, when he takes a conveyance from the first mortgagee, be allowed to take it otherwise than in virtue of redemption. If the mortgagee of the equity of redemption on the first mortgage can become a purchaser on a sale by the first mortgagee, why should not the original owner of the equity of redemption, the mortgagor himself, be able to become such a purchaser? Why should he not be able thus to take a new fee, affecting possibly the descent of the estate at his death?

In applying the decision of *Shaw* v. *Bunny* in practice, the lawyer must be careful to bear in mind the warning given in the judgment of Lord Justice Knight Bruce, that the second mortgagee must not, in purchasing from the first, avail himself of his position as a mortgagee to procure any facility or advantage relating to the purchase, or connected with it. The authority should not be put higher than the negative, that the mere circumstance of the purchaser's being second mortgagee does not disable him from purchasing from the first mortgagee.

The concentration of the Law Courts and offices, and the revision of the statute law, having been made prominent subjects in the Queen's Speech to the Parliament, with a view to speedy legislation on them, it may be convenient to mention that the stage to which the concentration business has been hitherto brought may be found in the number of this journal of July 9 last. There it will be seen that Mr. Gladstone had adopted the original estimate of 1,500,000*l.* for site and buildings, and that he proposed to provide this sum by means of, first, 1,000,000*l.* out of the Chancery Accumulated Interest Fund (Fund B); secondly, taxation of suitors in other courts and offices than those of the Court of Chancery; and thirdly, the value of the property now occupied by the courts and offices to be accommodated. It was part of this financial scheme, that compensations charged on the Chancery funds should, instead of being allowed to linger on until they drop naturally and suddenly, be bought up out of any available part of those funds. Thus, the relief from the dropping of the compensations would be, in effect, equalised in the shape of a less sum of permanent interest, represented by the principal paid for them. The site proposed for the courts, it has now become almost superfluous to state, was that lying to the west of Bell-yard. The Bills to be introduced will doubtless not differ materially from

those of last session. But who shall say whether it may not be found convenient some evening by the Government to come down to the House and intimate that, for reasons which they need not discuss, they think so important a measure ought, rather, to be left to the disposal of a new Parliament? Seeing that nothing has been done year after year but bring in Bills, the question of carrying any Bills must, in the eyes of the Government, be at the present time merely one of more or less popularity at the hustings.

The kind of progress made in the revision of the statute law, as far as it was carried by the Act of 1863 (c. 125), also may be seen from our articles of July 11th, 18th and 25th in that year. The revision was brought down to the second regnal Jas. I, c. 17. The substantial work of revision was not begun, for Jas. I does not even reach the end of the third of the early thin volumes of the quarto edition of the statutes. If in the two years which have elapsed since the session of 1863, the remaining forty-one thick quarto volumes have been revised, then all praise to Mr. Reilly and Mr. Woon, the revisers. The Speech says the revision will "be completed" by a Bill this session. We wait to see what is meant by this completion.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(Continued from page 138.)

The Commercial View.

The analytical character of this notice will be best preserved by an adherence, as nearly as may be convenient, to such a division of the subject as we made in the Official View.

Abolition of arrest.—Mr. Sampson Samuel Lloyd, the banker, Birmingham, chairman of the Association of Chambers of Commerce of the United Kingdom, gives evidence that there is a feeling amongst commercial men that, in the present state of things, it is scarcely possible to do without imprisonment for debt on final process. In case of bankruptcy, the only effect now is, that you secure the bankrupt's attendance, otherwise there is no good result. If a proper tribunal could deal with the case immediately, a man might come at the first and claim protection. It is right that a man, giving up everything, should get a discharge from his debts, after paying any penalty for misconduct.

Mr. Samuel Morley, of the firm of Morleys, Wood-street, and chairman of the City Mercantile Law Amendment Society, objects to imprisonment for debt except for fraud. Traders ought to be put on their careful carrying on of their own business as to credit.

Misconduct of bankrupts.—Mr. Lloyd considers that the present law does not deter from the commission of fraud, it rather affords facilities for the debtor who wishes to evade the just claims of his creditors than it does to the creditors to obtain their just claims from the debtor. Few of the persons obtain punishment at all in the Bankruptcy Court who recklessly and wilfully misuse credit, and thereby obtain possession of property without any just and well-founded means of payment. The Act makes the condition of proving fraudulent conduct to be the intent, according to the judgment of the commissioner, in the mind of the bankrupt, and that intent is not so clear to the commissioner's mind, as it would be to the minds of a jury of commercial men, or to a court of common law. The penal clauses of the Act are defective. According to the French law, a person, within three days after he ceases payment, must go before the Tribunal of Commerce. The Tribunal announces, from the evidence before it, and according to precise acts and deeds which are laid down in the Code, without reference to intent, whether the bankruptcy is simple or fraudulent. The Bankruptcy Act is inoperative for the punishment of the fraudulent bankrupt. There are several causes. The enormous expense of the court and the reluctance of creditors to enter it prevent their being active in prosecuting for fraud. The penal clauses are so framed, there being so many safeguards about intent to defraud, that it is difficult to prove fraud to the commissioner's satisfaction. The destruction of books three months and one day before the bankruptcy is not a misdemeanor. Cases constantly occur in which no proper books are forthcoming. A short time ago a man's cash-book was stated to have been overposted to the extent of 43,000*l.*, and he passed without the slightest punishment.

For a remedy a leaf might be taken out of the French law, where it is pronounced a fraudulent bankruptcy if there are excessive personal or household expenses, gambling or fictitious operations in goods, purchases for resale below the original price, borrowing, trafficking in goods, or other ruinous means of procuring funds, preferential payment after suspension, undue liability on account of another without value, with other things of less importance. A man keeping his books loosely receives a punishment of imprisonment from two months to two years. With us the punishment is that the certificate may be suspended, but with protection. Yet the man goes on with another name over his shop. Society puts no ban on him, because the law does not. If he were sent to prison and made to wear the prison dress, it would have a deterring effect. It is desirable that, as in France, there should be some punishment which would be a certainty. There are two branches of equal importance in bankruptcy, one the economical and prompt division of the estate, the other the prevention of fraud. Society should take the proceedings for prevention, it is unjust that they should be paid out of the estate.

In the opinion of Mr. Josiah Lewis, silk merchant, deputy-chairman of the Derby Banking Company, the Act does not give sufficient means of detecting fraud, or of punishing it when detected. Fraud is encouraged by the unwillingness of creditors to put estates into the court, on account of the adverse operation of the Act.

Mr. Morley agrees with Mr. Lloyd respecting the restriction of three months prior to bankruptcy, as to crime. A longer period should be allowed before the bankruptcy for acts which the judge might pronounce fraudulent. On the order of discharge there should be indorsed the length of time the trader was in business, the capital he began with, the amount of debts proved, the amount of dividends paid, whether proper books were kept, and whether accommodation bills were ever accepted. Creditors should have some voice in a bankrupt's discharge. Suspension for a limited time should be in the hands of a majority.

Pauper bankrupts.—In Mr. Morley's view it would be a great accommodation to separate the cases where there are no assets into a distinct class. The non-trader class generally have not large assets. Those who have no assets should be dealt with differently as regards proceedings from those who have. They must be dealt with not by the creditors, but by statute. A court exercising jurisdiction over them is not to be judged merely by the fact of distribution of assets; something more is requisite. A transfer of the whole system of the late Insolvency Court would do everything which would be required. For bankrupts without assets, although not for other bankrupts, there must be a paid official body to administer the law. But bankrupts and insolvents should be dealt with in the same way as regards discharge. There might be a court with two sides, and the chief judge would dispose, in the ordinary course, of the cases in which there were no assets. The expense of such bankruptcies should not be put on the trade of the country. The Chancellor of the Exchequer should provide for it.

Creditors' assignees.—Mr. Lloyd thinks the position of the creditors' assignee, under the present law, is so difficult, so intolerable in many respects, and so unremunerative, that few, if any, men of character and ability would be induced to accept the office. First, he is unpaid. Then the account to be rendered by the official assignee under the 118th section is sometimes not rendered, which adds to the creditors' assignee's difficulty. A great deal of trouble arises in rendering periodical accounts under sect. 129, also in making the statement under sect. 174. A Liverpool or Manchester merchant is liable to be dragged up to London or Bristol again and again at adjournments. Consequently, the choice of assignee virtually becomes a contest for the appointment of solicitor; and the solicitor gets some person who happens to be a creditor to act as his dummy. He makes a large bill for discharging duties which it is not necessary or desirable that he should discharge, and, in fact, doing with the estate very much as he wills. The assignee may appoint a manager, but the evil is that you are paying the expenses of the official assignee and of the manager. Sometimes a large creditor become assignee for the purpose of an investigation into the bankrupt's affairs, but then he generally appoints a manager. The present power to appoint a creditors' assignee does not work well. Besides, the official assignee is to collect debts under 10*l.* It is not easy to be certain which debt is under 10*l.*, from questions of interest and set-off. Sometimes both assignees write to the same man for payment. Practically the creditors' assignee cannot check the official assignee, and the account made to him by the official assignee is only up to the time of his appointment. The part of the Act relating to the creditors' assignee is an entire failure. The Associated Chambers petitioned, on the Bill of 1861, that the creditors' assignee should have increased power and be permitted to appoint a manager. The provisions complained of were made against their advice.

Mr. Morley considers the present law an improvement on the former, as there is a more general recognition of the rights of creditors. But the law has been worked by men who are opposed to it. The collection of the debts should be entirely in the hands of the creditors' assignees, and the assets placed in their hands, with a minimum of official supervision. The majority of three-fourths at meetings works admirably, but secured creditors should represent only the balance above the security. It is a great defect that no notice is given to creditors generally of the choice of creditors' assignees. Two cases, Mr. Morley knew, went through without the creditors knowing that the trader was in the *Gazette* at all. The system of winding-up in England works well. If you select two of the creditors who have the largest pecuniary interest in the estate, and give them the power of choosing their agents, you have the most perfect system that you can secure. It would be preferable to the Scotch system. Trade assignees should not be paid. The appointment of managers has furnished no ground of complaint. Accountants are the best. In the Scotch system, one of the inconveniences is the canvassing among accountants. Gentlemen interested are willing to act as creditors' assignees. Creditors ought to feel that they are personally interested, and not be surrounded by officialism. There might be a certain number of accountants registered in the court, of whom one could be chosen by the creditors' assignee, and have the proceedings placed in his hands. But there should be a periodical registration of the accounts in bankruptcy, as distinguished from private arrangement, and a periodical audit of the accounts.

Official assignees.—Mr. Lloyd observes, that the official assignees having the privilege of selling printed forms to the solicitors, at a very high price. People suspect that the assignees occasionally get douceurs from the bankrupts. They are paid by salary, but they have a considerable allowance for clerks' salary, stationery, and other office expenses. It would be desirable to pay them partly by salary and partly by commission.

Mr. Morley would abolish the official assignees. Last year 45,000*l.* was paid in respect of them. If they continue they should receive a percentage. They do not perform their duty of looking after the creditors' assignees.

Registrars.—Mr. Lloyd understands the charges made by the registrar to be illegal. In the case of a Shrewsbury bankrupt, the proper allocatur was 15*s.*; 1*l.* was inserted in the column before the 15*s.*, apparently in the registrar's handwriting; it was signed and certified by the registrar. In another bill, 5*l.* 5*s.* was charged as paid to a registrar for allowing the proceedings to be taken to a neighbouring town. There were similar registrar's charges specified by the witness in other bills; whereas, it is part of the registrar's judicial duty to go on certain occasions, as it is of other judges.

(To be continued.)

JUDICIAL STATISTICS.

TENTH ARTICLE.

Coroners' Inquests.

The verdicts of accidental death increased considerably in 1863. But the most remarkable increase was exhibited in the deaths from excessive drinking, which numbered 112, an increase of no less than 53 per cent. above those of the preceding year!

The deaths arranged under the various verdicts are thus stated.

Murder	370
Manslaughter	203
Justifiable homicide	4
Suicide or self-murder	1,385
Accidental death	2,052
Injuries, causes unknown	210
Found dead	2,397
Natural death	8,336
Total	22,757

Of these 69 per cent. were males and 30 per cent. females; 28 per cent. were infants under seven years of age, of whom 18 per cent. were illegitimate.

Criminal Proceedings.

The number of persons committed for trial increased by 817, or 4 per cent. This increase has been continuous for three years, amounting together to 4819. In the then preceding three years there had been a decrease to nearly the same amount, viz. 4270. In 1857 the proportion of the commitments to the population was 1 to 950; in 1863 it was 1 to 987. But, as compared with twenty years ago, taking into account the increased population, the commitments have much decreased. In 1844 they were 26,542, while in 1863 they were only 20,813. In 1854, only ten years ago, they amounted to 29,359. The lowest of the twenty years was 1860, when they were but 15,999, and the highest in 1848, when they numbered 30,349, or nearly double.

In 1863, 24 counties gave an increase of commitments, varying from 1 in Leicestershire to 219 in Lancashire; in 16 there was a decrease varying from 1 in Kent to 63 in Norfolk. In Middlesex the increase was 5 per cent.; in Shropshire, 21 per cent.; in Hertfordshire, 29 per cent.

Of offences against the person there was an increase of 20 per cent.; and this class of offences has been increasing for several years. But offences against property, with violence, have much diminished; burglary, by 12 per cent. Fraud seems to have the preference.

Offences against property increased by 2 per cent., following an increase of 7 per cent. on the preceding year. Embezzlement has decreased by 17 per cent.

Malicious injuries to property have increased by 48 per cent., following an increase upon both of the two previous years. Arson, too, has increased by the alarming proportion of 54 per cent. Forgery has decreased by 5 per cent. There were twenty-five commitments for offences against the Bankruptcy Acts. The trials were thus taken:

1. County Quarter Sessions Courts	8,838
Middlesex County Sessions	2,119
2. Borough Sessions Courts	4,442
3. Circuit Assize Courts	3,996
Central Criminal Court	1,423
Total	20,818

And the results of those trials were as follow:

Not prosecuted, and admitted evidence	41	
No bills found against	994	
Not guilty on trial	3,951	
Acquitted and discharged		4,986
Acquitted on the ground of insanity	18	
Found insane	15	
Detained as insane		33
Sentenced to death	29	
" penal servitude	3,071	
" imprisonment	12,491	
" whipping, fine, &c.	208	
Convicted		15,799
Total committed, &c.		20,818

In each of the preceding four years there was an increase in the proportion of acquittals to charges; but this has not continued during the last year, when they were 23 per cent.; in 1858 they were 25 per cent. Of the bills presented 4 per cent. are ignored by the grand jury.

Thus it appears that a criminal's chance of escape after committal is one in four; in other words, there are three chances to one against him.

INVESTMENT JOURNAL.

The dullness that marked the opening of the year still continues. There is no fear of political complications abroad, but great dread of the consequences of the foreign investments into which the financial companies are so deeply plunging the capital of this country. Every week sees one or more of these schemes produced under the auspices of one of the associations in question, in which the capitalists of England are invited by the promise of large dividends to invest in speculations, of which other countries are to reap the entire industrial advantages. It is manifest that we cannot provide capital for the Continent and for ourselves. Our own industry must flag if the money which keeps it in full employ is sent to the support of labourers abroad. At the utmost we can only receive an annuity in exchange for that capital; it can never come back to us again as such, and even that annuity is precarious, for the first war would sweep it away. Hence the gloom that rests upon the Money-market. The Great Northern Railway has startled the world and delighted its shareholders by announcing a dividend of 8½ per cent. Railway property is everywhere improving.

The following are the fluctuations of the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	248	...	246	248	246	248
3 per Cent. Red. Ann.	88¾	88¾	88¾	88¾	88¾	88¾
3 per Cent. Cons. Ann.	89¾	89¾	89¾	89¾	89	89¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.	88¾	88¾	88¾	88¾	88¾	88¾
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	14 5/16	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89¾	89¾	89¾	89¾	89	89¾
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	218	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	98¾	...
India 5 per Cents. 1870	103¾	103¾	103¾	103¾	103¾	...
India Bonds (1000l.)	...	15s.	...	...	...	...
Do. (under 1000l.)	...	15s.	...	...	8	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	98¾	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	...	...	...	...
Do. do. 5 per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000l.	a	b	b	d	b	g
Do. 500l.	...	...	...	...	c	...
Do. 100l. & 200l. 3 per c.	...	...	...	...	f	4c
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 per cent. 5s. prem. par.
b 4 per cent. par 1s. prem.
c 1 prem.
d 4 per cent. 2s. prem.
e 4 per cent. par
f 4s. prem.
g 6 per cent. 4s. par.
h 15s. prem. 10s. prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

THE BANKRUPTCY ACTS.

Mr. Moffatt gave notice that on Thursday he should move the re-appointment of the committee to inquire into the operation of the Bankruptcy Act 1861.

PUBLIC-HOUSES.

Mr. Cox gave notice that next Tuesday he should move for leave to bring in a Bill to amend the Act of the 27 & 28 Vict., commonly called "The Public-houses Closing Act."

THE LAW OF EVIDENCE.

Sir F. Kelly gave notice that on Tuesday he should move for leave to bring in a Bill for the further amendment of the law of evidence and the practice in certain courts of justice; also, on an early day he should move for a select committee to inquire into the claims of Prince Areem Jah.

PRIVATE EXECUTIONS.

Mr. Hibbert gave notice that on an early day he should ask leave to introduce a Bill to permit capital punishments to be carried out under certain regulations within the interior of prisons.

RAILWAYS.

Mr. Roebuck gave notice that on Tuesday next he should ask the Chancellor of the Exchequer whether it was the intention of the Government to institute any and what inquiry into our railway system, with a view to future legislation, should such legislation appear practicable and advantageous.

REMOVAL OF PAUPERS.

Mr. Maguire asked the President of the Poor Law Board whether he would lay upon the table all correspondence between the Poor Law Commissioners in Ireland and the Poor Law Board in London, relative to the alleged illegal removal to Ireland of Mary Moriarty and her four children, and Julia Hannan and child, by the guardians of the Greenwich Union, as well as all papers thereto relating.——Mr. Villiers said there was no objection to the production of the papers, and they would be laid upon the table.

NEW LAW COURTS.

The Attorney-General gave notice that on Friday he should ask leave to introduce a Bill to supply means towards defraying the expense of providing courts of justice and various offices belonging thereto, and for other purposes; and on the same day he should move for leave to bring in a Bill to alter the constitution and amend the practice and course of procedure in the High Court of Chancery in Ireland.——Mr. W. Cowper gave notice that on Friday he should move for leave to bring in a Bill to empower the Commissioners of Works to purchase a site for the erection of courts of justice.

COURT OF ADMIRALTY, IRELAND.

Mr. Maguire gave notice that he should to-morrow (Wednesday) ask the Secretary for Ireland whether the Government intended to introduce a measure for the reform of the Court of Admiralty in Ireland.

PRIVATE BILLS.

Mr. C. Foster gave notice that on Thursday he should move to amend Standing Order No. 7, so as to reduce the number of members serving upon committees on private Bills from four to three.——Mr. Scourfield gave notice that on Friday he should move for leave to bring in a Bill to award costs in certain cases to opponents and promoters of private Bills.

MORTGAGE DEBENTURES.

On the motion of Lord Naas, leave was given to introduce a Bill to enable certain companies to issue mortgage debentures founded on securities upon or affecting land, and to make provision for the registration of such mortgage debentures and securities. The Bill was subsequently introduced, and read a first time.

NEW WRITS.

On the motion of Mr. Brand, the following new writs were ordered:—For the borough of Truro, in the room of the Right Hon. Thomas O'Hagan, appointed a judge of the Court of Common Pleas in Ireland; for the city of Cork, in the room of Mr. Lyons, who had accepted the office of steward of the manor of Hempholme; for the borough of Salford, in the room of Mr. Massey, who had accepted the office of one of the members of the Council of the Governor-General and Viceroy of India; and for the borough of Truro, in the room of Mr. Montague Smith, who had been appointed one of the judges of the Court of Common Pleas.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Evidence.—An unauthenticated manuscript report of a trial of an action of trespass 140 years ago, and the charge of the Chief Baron therein, was held to be inadmissible in evidence: (*Bridges* v. *Highton*, 11 L. T. Rep. N. S. 633. L. C.)

Equity Practice.—A petition for an order to tax a solicitor's bill of costs was dismissed with costs; the proper course being to take out a summons for the purpose before a judge in chambers: (*Re May*, 11 L. T. Rep. N. S. 653. M. R.)

Where, on motion for an *ex parte* injunction, it appeared that the affidavit in support of the bill had by mistake been sworn in the country on the day before the bill was filed, it was held to be fatal to the application, the affidavit having been filed in a non-existing suit: (*Francombe* v. *Francombe*, 11 L. T. Rep. N. S. 666. V. C. Stuart.)

The provisions of the General Order, Feb. 3, 1861, for taking evidence, do not alter the rules of procedure laid down by 15 & 16 Vict. c. 86, except where the alteration is express. The former, where not inconsistent, are supplementary to the latter; therefore, although the time for cross-examination of a deponent given by rule 19 had elapsed, the other party may still compel his attendance and answer under sect. 40: (*The Singer Manufacturing Company* v. *Wilson*, 11 L. T. Rep. N. S. 670. V. C. Wood.)

An amendment of a bill which would raise a new issue will not be allowed: (*Dennison* v. *Cert*, 11 L. T. Rep. N. S. 671. V. C. Wood.)

COURT OF BANKRUPTCY.

Friday, Feb. 3.

Re William Hudson Hand.

The bankrupt, who was a solicitor, of 5, Clement's-inn-row, obtained an immediate order of discharge. Debts, 7296*l.*; against property in the hands of creditors, 641*l.*; and good debtors, 369*l.*

Bagley and *R. Griffiths* appeared for the creditors. *Lawrance* for the bankrupt.

Re E. G. Markby.

This adjudication was obtained at the instance of creditors. The bankrupt, Edward Gillam Markby, was a solicitor practising at Chatteris, in Cambridgeshire, and he now came up by adjournment to pass his examination.

Bagley was counsel for the assignees, and *Reed* for creditors.

The accounts show unsecured debts to the extent of 14,037*l.*; secured ditto, 14,017*l.*; against available assets, 550*l.*; and property in the hands of creditors, 17,185*l.* It appeared that since the last hearing the bankrupt had filed a supplemental list of creditors increasing the amount of his debts by about 700*l.* and rendering the original account defective in several particulars.

Reference was made by the assignees to the great expense consequent upon these repeated adjournments; and

His Honour postponed the further hearing *sine die*.

HEIRS AT LAW AND NEXT OF KIN.

Bitzard (R. S.), Upper Thames-street, London, and 9, Highbury-terrace, Highbury, Islington, Middlesex, paper manufacturer and Custom-house agent. Heir-at-law to come in by March 1, at M R. Solicitors, Bridger and Collins, 2, King William-street, London-bridge.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Lane Wine Shipping Company (Limited).—Creditors to send in by 21st March, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to A. Cooper, 13, George-street, Mansion-house, London. Solicitors, Mercer and Mercer, 7, Mincing-lane.

CREDITORS UNDER ESTATES IN CHANCERY.
Last Day of Proof.

Amos (E. F.), Worcester, woollendraper, March 10, V.C. S. F. C. and C. Milne, 2, Harcourt-buildings, Temple, London.

Bolton (Webber), 3, Hill-street, Upper Clapton, Middlesex, builder, March 10, M. R. C. T. and A. C. Jenkinson, 7, Change-alley-lane, Lombard-street, London

Evans (John), Gogoyan, Llanddewy, Cardiganshire, farmer, Feb 14, V.C. K. C. A Pullen, 22, Chancery-lane, London, for P. Vaughan, Lampeter.

Fisher (Abraham), Seatoller, Borrowdale, Cumberland, Esq., March 3, M. R. Tatham and Procter, 26, Lincoln's-inn-fields, for E. Waugh, Cockermouth

Hanson (Mary), Wry Tree, Haltwhistle, Northumberland, widow, Feb. 14, M. R. Pilgrim and Phillips, Church-court, Lothbury, London, for J. Kemp, Bath.

Hill (Thomas), Leicester, maltster, March 6, V.C. K. Lucas, Vizard, Crowder and Anstie, 10, New-inn, Middlesex.

Hugo (George), Holybourne, Alton, Southampton, coal-merchant and maltster, March 6, M. R. Johnson and Weatheralls, Temple, London.

Kirby (Ann), 4, Arnold-terrace, Bow-road, Middlesex, widow, March 6, V.C. S. Wrentmore and Son, 43, Lincoln's-inn-fields.

Lewis (John), Albany-row, Neate-street, Camberwell, Surrey, and Sise-lane, London, parchment and vellum manufacturer, March 7, M. R. Graham and Lyde, Mitre-court-chambers, Temple.

Lee (C. F.), 3, Clifton-villas, Maida-hill west, Paddington, Middlesex, and 13, Clifford's-inn, London, attorney, March 7, M. R. Lawrance, Plews and Boyer, 14, Old Jewry-chambers, London.

Matthews (Mary), Eagair, Merionethshire, widow, March 6, V.C. K. H. Williams, 4, Verulam-buildings, Gray's-inn, London.

Ness (William), 12, Park-terrace, Brixton, Surrey, Esq., Feb. 28, M. R. Mathews, Carter and Bell, 102, Leadenhall-street, London.

Sweet (Harrison), 55, Marylebone-road, Middlesex, Feb. 16, V.C. W. H. F. Vallance, 11, Tokenhouse-yard, London.

Smith (A. M.), Bexley, Kent, widow, March 3, V.C. W. A. Chandler, 75, Old Broad-street, London.

Watson (Wm.), Beverley, gentleman, March 6, V.C. K. Jenkins, Ouvry and Farrer, 66, Lincoln's-inn-fields.

CREDITORS UNDER 22 & 23 VICT. c. 35.
Last Day of Claim.

Bayley (Warwick), Vicarage-farm, Harbury, Warwickshire, and Larbourne-farm, Iver, Bucks, farmer, March 10. H. S. Hall, Uxbridge.

Beeston (T. C.), Charlton Musgrove, Somerset, Esq., March 27. E. Y. Cooper, Wincanton.

Barker (John), Grantham, Lincolnshire, farmer and innkeeper, March 1. H. Thompson, Grantham.

Browne (G. F. S.), 48, Oxford-terrace, Paddington, Middlesex, Esq., a Major in the Madras Staff Corps, June 9. S. Fisher, Merchant Taylors'-hall, Threadneedle-street, London.

Cleland (John), Biddenden, Kent, farmer, April 10. Neve, Webb and Farrar, Cranbrook, Kent.

Dowling (William), 3, Upper Bedford-place, Russell-square, Middlesex, March 8. H. F. Holt, 26, Bucklersbury, London.

Easter (Sarah), 34, Clifton-terrace, Brighton, widow, March 1. S. Smith and Son, 6, Barnard's-inn, Holborn, London.

Free (George), 9, Grosvenor-place, Hyde-place, Middlesex, Esq., March 28. Burgoynes, Milnes and Burgoyne, 163, Oxford-street.

Fitt (William), Littleworth, Norton-juxta-Kempsey, Worcestershire, farmer and shopkeeper, March 7. Parker, Gillingham and Parker, 43, Foregate-street, Worcester.

Fisk (Frances), Great Malvern, spinster, March 25. Lake, Kendall and Lake, 10, New-square, Lincoln's-inn.

Gibbs (Robt.), Shrub-hill-house, Box, Wilts, Esq., March 1. J. C. Meymott, 5, Albion-place, Blackfriars-bridge.

Hall (Harriette), Bell-street, Henley-on-Thames, Oxon, spinster, March 1. S. Smith and Son, 6, Barnard's inn, Holborn.

Hill (Phoebe), Bensington, Oxon, widow, June 1. J. K. and C. Hedges, Wallingford.

Llewellin (William), Glanwern, Pontypool, civil engineer, March 7. T. White and Sons, 11, Bedford-row, London.

Laycock (James), Misterton, Notts, gentleman, March 8. Hickman and Wood, Gainsborough.

Mathews (Alexander), 314, Mile-end-road, Middlesex, beer retailer, March 23. J. and T. and R. Cole, 49, Lime-street, Leadenhall-street, London.

Marshall (Joseph), Turnham-green, Middlesex, Esq., March 22. A. A. Corsellis, Wandsworth.

May (Thos.), 60, Frederick-street, Brighton, engineer, March 7. F. Farrer, 12, Godliman-street, Doctors'-commons, London.

Mortimer (John), 4, Russell-street, Reading, Berks, Esq., June 1. Fairfoot, Webb and D'Aeth, 13, Clement's-inn, London.

Moss (James), Kenningham-hall, Mulbarton, Norfolk, Esq., April 15. J. M. Yetts, Temple-chambers, Fleet-street, London.

Neale (Sarah), 20, Kensington-park-gardens, Middlesex, widow, April 3. H. Palmer, 9, Mitre-court-chambers, Temple, London.

Parker (Rev. James), Breamore, Southampton, March 31. R. E. Brown, 4, Lincoln's-inn-fields.

Pickman (John), Hampton Wick, Middlesex, gentleman, April 14. J. M. Yetts, Temple-chambers, Fleet-street, London.

Tarbs (Thos.), South Warnborough-lodge, Southampton, Esq., March 7. A. Peachey, 17, Salisbury-square, London.

Thomas (Henry), 22, Gloucester-square, Middlesex, and Redcliff-street, Bristol, merchant, March 13. M. Brittan and Sons, Albion-chambers, Bristol.

Tree (Henry), Bedford-street, Leamington Priors, Warwickshire, coachbuilder, March 25. James and Curtis, 23, Ely-place, London.

Tyler (Louisa), Mount Beacon, Bath, spinster, March 10. Ware and Westall, 1, Copthall-court, London.

Tyler (Charles), Mortlake, Surrey, gentleman, March 1. Lampen and Trollope, 31, Abingdon-street, Westminster.

Toms (Elizabeth), 21, Grove-road, North Brixton, Surrey, widow, March 10. Ware and Westall, 1, Copthall-court, London.

Winterbottom (James), Castleford, Featherstone, Yorkshire, glass bottle manufacturer, March 15. G. Bradley, Castleford.

Youle (Mary Catherine), standard-hill, Nottingham, widow, March 20 Watson and Wadsworth, Nottingham.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Benett (H. B.), Wilmot-street, Middlesex, gentleman. Dividend on 210*l*. 16*s*. Reduced Three per Cents. Claimant, W. M. Benett, executor.

Foley (Rev. John), Holt, Worcestershire, Daniel (Edward), Clifton, Esq., and Vizard (Wm.), of Lincoln's-inn-fields, Esq. Dividend on 250*l*. Three per Cent. Consols. Claimants, Mary, Frances and Caroline Vizard.

Patteson (Susanna), Buckerell, near Honiton, Devonshire, spinster. 42*l* Three per Cent. Consols. Claimant, said S. Patteson.

THE BENCH AND THE BAR.

APPOINTMENT.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s*. 6*d*. each, for which postage-stamps should be inclosed.]

Crown-office, *Feb.* 7.—The Queen has been pleased by letters patent under the Great Seal of the United Kingdom to give and grant the office of one of the justices of the Court of Common Pleas to Montague Edward Smith, Serjeant-at-Law, on the resignation of Sir Edward Vaughan Williams, Knight, late one of the justices of the said court.

IRISH LEGAL APPOINTMENTS.

The following legal appointments have been made consequent upon the elevation of Mr. Thomas O'Hagan to the Bench, and the promotions consequent thereon :—

Mr. James Murphy has been appointed Crown Prosecutor at the Commission Court and Recorder's Court, in the room of Mr. Charles Barry, Q. C., the new Law Adviser.

Mr. James S. Green has been appointed Crown Prosecutor to the county, and Mr. Philip Keogh to the city of Cork, in the room of Sir Colman O'Loghlen, Bart., Q. C., the new Serjeant.

Mr. George Waters has been appointed Crown Prosecutor for the county of Kerry, also in the room of Mr. Barry, Q. C.

Mr. R. H. Mills has been appointed counsel to the Attorney-General.

All the foregoing appointments appear to have met with the general approval of the Bar and the public.

Cambridge, Feb. 7.—The Downing Professor of the Laws of England proposes to give during the present Term a course of lectures on the Elements of International Law and its Relation to Municipal Law. The lectures will be given at West-lodge, Downing College, on Tuesdays and Saturdays, at twelve o'clock, commencing on Tuesday, the 14th inst., and will be available for the professorial certificate. Gentlemen desirous of attending are requested to send their names to West-lodge on or before Saturday, this day.

Discontinuance of Transportation to Western Australia.—The official correspondence between the Colonial-office and the Governors of the Australian Colonies concerning the discontinuance of transportation to any part of the Australian continent was laid before Parliament on Wednesday. In his principal despatch on the subject Mr. Cardwell says: "Desirous of giving to the feelings of the inhabitants of the eastern colonies all the consideration which it might be possible, consistently with justice to other interests, to extend to them, and impressed with the belief that it would be for the interest of Western Australia itself to prohibit the introduction of convict labour into the new district, her Majesty's Government has delayed approving the regulations of Governor Hampton, in order maturely to consider whether it might not be expedient to accompany the issue of these regulations with an announcement that transportation to Western Australia would, after the expiration of a very limited time, be altogether discontinued. I have now the satisfaction of acquainting you that, upon a full and careful review of the question in all its bearings, Her Majesty's Government have determined not only to issue the regulations for the disposal of land in the new district coupled with a provision that no convict labour shall be introduced into it, but also to propose to Parliament in the ensuing session measures which, if adopted, will in the short period of three years render it unnecessary any longer to continue transportation to Western Australia."

The Church and the Bar.—Some weeks since a paragraph appeared in the *Times* stating that a question of considerable importance to members both of the Church and the Bar, was under the consideration of the Benchers of the Inner Temple. It was, whether a duly ordained clergyman of the Church of England was eligible to be called to the degree of barrister-at-law, and to practise in our courts of justice. At the time, the name of the clergyman whose proceedings had given rise to the inquiry was not mentioned, but there will be no impropriety in now stating that the gentleman referred to is the Rev. F. H. Lascelles, M.A., formerly a beneficed clergyman of the Church of England, and a near connection of the family of the Earl of Harewood. Mr. Lascelles was ordained about eighteen years ago, and served several offices in the Church. Becoming dissatisfied with his ecclesiastical position, he gave up, as far as he was able to do so by law, his connection as a clergyman with the Church, and was admitted, on the recommendation of Mr. Locke, Q.C., M.P. for Southwark, a student of the Inner Temple. He kept the usual terms, and about two years ago was called to the Bar, the Benchers being, at the time, unaware that he had taken holy orders. When their attention was directed to the matter, the Benchers instituted an inquiry, and called to their assistance the Benchers of the other courts. The following gentlemen were appointed to institute the necessary inquiries:—Lincoln's-inn—Mr. Loftus T. Wigram (treasurer), Sir E. B. Ryan, Mr. E. B. Denison, Q.C., Mr. Bazalgette, Q.C., Mr. R. Amphlett, Q.C., and Dr. Travers Twiss. Inner Temple—Mr. K. Macaulay, Q.C., Dr. Lushington, Mr. J. A. Roebuck, Mr. R. Gurney, Q.C., Mr. R. Ingham, Q.C., and Mr. Samuel Warren, Q.C. Middle Temple—Mr. H. R. Bagshawe, Q.C. (treasurer), Sir W. T. Alexander, Q.C., Mr. Montagu Smith, Q.C., Sir R. J. Phillimore, the Queen's Advocate, Mr. J. D. Coleridge, Q.C., and Mr. Greenwood, Q.C. Gray's-inn—Mr. W. Wilde (treasurer), Mr. J. W. Huddleston, Q.C., Mr. R. Lush, Q.C., Mr. H. Manisty, Q.C., Mr. W. H. Hindmarch, Q.C., and Mr. J. A. Stephens, Q.C. These gentlemen having carefully inquired into the matter, held their last meeting on Monday evening, when they came to a decision. Dr. Lushington and Mr. M. Smith (the new judge) declining on account of their position to express an opinion, it was decided on a division that ordained clergymen should henceforth be eligible for call to the Bar, and Mr. Lascelles consequently may continue to practise. It is understood that the main argument of the minority, and that chiefly relied upon by Sir R. Phillimore, Mr. Coleridge, and Mr. Samuel Warren, was grounded on the 76th canon, which declares that "No man being admitted a deacon or minister shall from thenceforth voluntarily relinquish the same, nor afterwards use himself as a layman upon pain of excommunication." On the other hand, it was argued that the exclusiveness of this canon is to a great extent repealed by the Act passed in the second year of Her Majesty's reign, called the Pluralities Act. In that statute, brought in and passed by the heads of the Church, there are several enactments sanctioning clergymen occupying themselves in secular pursuits, and among others the directors and managers of insurance and other companies. Many clergymen have complained during the last few years that they have been unable to enter any other profession on becoming dissatisfied with their position in the Church. Such difficulties are to some extent removed, and probably as soon as the Benchers' decision becomes known there will be many applications to the Inns of Court for admission from clergymen who are anxious to aspire to legal honours. At the present time there are some clergymen who are practising at the Bar, but these are gentlemen who were called before they were ordained. Mr. Lascelles is the first barrister, as far as present inquiries show, who has been called after taking holy orders.—*Times.*

MAGISTRATE AND PARISH LAWYER.

NOTES OF NEW DECISIONS.

Indictment—Error.—On a motion by plaintiff in error, for judgment on an indictment for misdemeanor, he must be personally in court, and the rule is *nisi* only: (*Howard* v. *The Queen*, 11 L. T. Rep. N. S. 629. Q. B.)

Election Law—Borough—Payment of Rates.—B. went into occupation before Aug. 1. The outgoing tenant left unpaid part of a rate made in April and extending till September. It was not demanded of B., nor did he pay it, nor was his name mentioned in the rate. He paid the subsequent rates. He was held not to be thereby disqualified, as, notwithstanding that sect. 12 of 17 Geo. 2, s. 38 enacts that the incoming tenant is to be liable to pay a proportionate part of the rate, it was not "payable" by him within the meaning of the 27th section of the Reform Act: (*Fletcher* v. *Boodle*, 11 L. T. Rep. N. S. 630. C. P.)

Larceny by an Adulterer.—Prisoner, a servant of the prosecutor, eloped with his wife, and was found living with her in a room which they had occupied for two days. Some of the husband's property was in a locked box belonging to the prisoner, and of which the wife had the key; but the prisoner was wearing a watch belonging to the husband, which the wife proved she had given him. Held to be sufficient evidence of larceny: (*Reg.* v. *Mutters*, 11 L. T. Rep. N. S. 642. C. Cas. R.)

False Pretences—Existing Fact.—The indictment charged that prisoner did falsely pretend to B. that she had power to bring back her husband to her over hedges, ditches, &c., by which money and clothes were obtained from B. This was held to be a false pretence of an existing fact: (*Reg.* v. *Giles*, 11 L. T. Rep. N. S. 643. C. Cas. R.)

Election Law—County—50*l*. Occupier.—B. rented a tenement of less than 50*l*.; but he also occupied as joint tenant, under the same landlord, another tenement his moiety of the rent of which, added to that of the one he held alone, made up more than 50*l*. He was held *not* to be qualified: (*Smith* v. *Foreman*, 11 L. T. Rep. N. S. 673. C. P.)

County—Freeholders.—A music-hall and its management was, by deed, vested in the trustees, the proprietors reserving certain proportionate shares of the profits, but no direct interest the property. It was held *not* to be a qualifying freehold interest: (*Freeman* v. *Gainsford*, 11 L. T. Rep. N. S. 675. C. P.)

SHERIFFS FOR 1865.

(From a Supplement to the *London Gazette* of Friday.)

At the Court at Osborne House, Isle of Wight, the 4th Feb., 1865; present, the Queen's Most Excellent Majesty in Council.

Sheriffs appointed by Her Majesty in Council for the year 1865 :—

ENGLAND (excepting Cornwall and Lancashire).

Bedfordshire.—Lionel Ames, of East Hyde, Esq.
Berkshire.—Benjamin Buck Greene, of Midgham House, near Newbury, Esq.
Bucks.—Nathaniel Grace Lambert, of Denham Court, Esq.
Cambridgeshire and Huntingdonshire.—John Hall, of Ely, Esq.
Cheshire.—Wilbraham Spencer Tollemache, of Dorfold Hall, Esq.
Cumberland.—William Postlethwaite, of The Oaks, Esq.
Derbyshire.—Sir William Fitzherbert, of Tissington, Bart.
Devonshire.—Baldwin John Pollexfen Bastard, of Kitley, Esq.
Dorsetshire.—John Brymer, of Islington, Esq.
Durham.—William Peareth, of Usworth House, Esq.
Essex.—Sir Thomas Barrett Lennard, of Belhus, Bart.
Gloucestershire.—John Altham Graham Clarke, of Frocester, near Stonehouse, Esq.
Herefordshire.—Sir Henry Geers Cotterell, of Garnons, Bart.
Hertfordshire.—Forster Alleyne M'Geachy, of Shenley-hill, Barnet, Esq.
Kent.—Robert Rodger, of Hadlow Castle, near Tonbridge, Esq.
Leicestershire.—Frederick Palmer, of Withcote Hall, Oakham, Esq.
Lincolnshire.—John Lewis Fytche, of Thorpe Hall, Louth, Esq.
Monmouthshire.—Arthur Davies Berrington, of Panty-Goitre, Esq.
Norfolk.—William Henry Trafford, of Wroxham, Esq.
Northamptonshire.—Richard Aubrey Cartwright, of Edgcott, Esq.
Northumberland.—John Errington, of High Warden, Esq.
Nottinghamshire.—William Frederick Webb, of Newstead Abbey, Esq.
Oxfordshire.—William Mellar Foster-Mellar, of North Aston, Esq.
Rutland.—William Gilford, of North Luffenham, Esq.
Shropshire.—Francis Harries, of Cruckton, Esq.
Somersetshire.—Sir John Henry Greville Smyth, of Ashton Court, Bart.
County of Southampton.—Sir Archibald Keppel Macdonald, of Woolmer Lodge, Bart.
Staffordshire.—Smith Child, of Stallington Hall, Esq.
Suffolk.—John Page Reade, of Stutton, Esq.
Surrey.—John Bradshaw, of Knowle, Guildford, Esq.
Sussex.—Sir Percy Florence Shelley, of Boscombe, Christchurch, Hants, Bart.
Warwickshire.—Henry Townshend Boultbee, of Springfield, Esq.
Westmoreland.—Arthur Shepherd, of Shaw End, near Kendal, Esq.
Wiltshire.—Thomas Henry Allen Poynder, of Hartham Park, near Chippenham, Esq.
Worcestershire.—Albert Hudson Royds, of Crown East, near Worcester, Esq.
Yorkshire.—Francis Watt, of Bishop Burton Hall, near Beverley, Esq.

WALES.

North and South.

Anglesey.—George Higgins, of Red Hill, Esq.
Brecknockshire.—Henry Gwynne Vaughan, of Yscirfechan, Esq.
Cardiganshire.—Lieut.-Colonel John Lewes, of Llancar.
Carmarthenshire.—Edward Morris Davies, of Upland, near Carmarthen, Esq.
Carnarvonshire.—Charles Millar, of Penrhos, Esq.
Denbighshire.—John Lloyd Wynne, of Coed Coch, Abergele, Esq.
Flintshire.—Bryan George Davies Cooke, of Colomendy, Esq.
Glamorganshire.—Thomas William Booker, of Velindre, Esq.
Merionethshire.—Richard Meredyth Richards, of Caerynwch, Esq.
Montgomeryshire.—Robert Simcocks Perrott, of Bronhyddon, Esq.
Pembrokeshire.—Thomas Henry Davis, of Clareston, Esq.
Radnorshire.—Thomas Williams Higgins, of Cwm Llandyre, Esq.

TOWN CLERK OF STRATFORD.

Mr. Hunt having resigned this office, the Town Council passed the following resolution :

That in accepting the resignation of Mr. William Oakes Hunt, as Town Clerk, the Council desire to express their deep regret on the occasion of his retirement from the office so worthily held by him for the long period of forty-six years, and to express their high sense of the zeal, the untiring patience and the warm personal interest which he has taken in their affairs. The Council will ever remember with the greatest satisfaction the constant readiness with which Mr. Hunt has ever devoted his time, his legal acquirements and his great local knowledge to the welfare of this corporation. Among the many things for which the burgesses of Stratford-on-Avon must ever feel indebted to him may be mentioned the interest which he took in the arrangement, calendaring, and binding of the very valuable Corporation Records, by his friend Mr. J. O. Halliwell. The Council also wish to speak warmly of their appreciation of Mr. Hunt's high and upright character and of that amiability and gentleness of disposition which have endeared him to all with whom he was brought into communication. In retiring from the office of Town Clerk, Mr. Hunt takes with him the heartfelt wishes of the Council for his future health and happiness, and that he may long be spared to his family and many friends.

Reporting this the *Stratford Chronicle* says :

The vote of thanks passed at the Council Meeting on Wednesday last, to Mr. William O. Hunt, recalls to mind that in the year 1835 the following resolution, signed by all the members of the old Corporation, was presented to Mr. Hunt :—"Borough of Stratford-on-Avon. At a Common Council held the 5th Dec. 1835. That the Mayor, Aldermen and Burgesses of the borough of Stratford-on-Avon, constituting the Corporation about to be dissolved in conformity to an Act passed in the last session of Parliament, feel it to be their especial duty to express to William Oakes Hunt, Esq., the grateful sense they unanimously entertain of the zeal, ability, fidelity, and honour, with which he has ever attended to the business of the corporation, and to the general interests of the towns of Stratford-on-Avon, for the space of seventeen years, during which he has held that office; by which they feel convinced that he has on numerous occasions materially contributed to the welfare of the corporate body, and of the borough at large."

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Mortgage.—A first mortgagee with power of sale duly exercised it, and the property was bought by a second mortgagee for a less sum than was due on the first mortgage. The purchaser was held, on appeal, to have the same absolute title as a stranger against the mortgagor, who was not entitled to redeem : (*Shaw* v. *Bunny*, 11 L. T. Rep. N. S. 645. L.JJ.)

Divorce—Annuity.—B., who died before the Divorce Act, by will gave an annuity of 150*l.* to husband and wife as joint tenants, with a provision reducing the annuity to 50*l.* to the wife if she survived and lived a widow. She was divorced. It was held, that she was not entitled to any part of the annuity : (*Knox* v. *Wells*, 11 L. T. Rep. N. S. 666. Wood, V.C.)

Copyhold—Waste.—In a suit by the lord of a manor to restrain the copyholders from digging and carrying away sand from the copyholder's lands, an uninterrupted user of twenty-seven years was proved; but it was held that, to presume a grant there must be distinct proof of full thirty years' user : (*Hanmer* v. *Chance*, 11 L. T. Rep. N. S. 667. Wood, V.C.)

Demise—Reservation—Licence.—A demise of land contained a reservation of the free use of a certain slip by the lessor and his assigns. The word assigns was held to include a licensee of the lessor : (*Metcalfe* v. *Westaway*, 11 L. T. Rep. N. S. 673. C. P.)

Will—Revocation.—B. duly executed a will and had it recopied, with the exception of one bequest. He signed the second will in the presence of two witnesses, but it was not duly attested, in consequence of the name of one of the witnesses who could not write having been written by the other. Two years afterwards, without any reason assigned, she cut out of the first will the names of the attesting witnesses. Both wills remained in her possession till her death. The reasonable presumption was held to be, that she mutilated the first will under the erroneous impression that the second will was valid, and therefore that, on the principle of dependent relative revocation, the will was not revoked : (*Re Middleton*, 11 L. T. Rep. N. S. 684. Prob. Ct.)

Will—Codicil—Signature.—Where the dispositive part of a codicil written on a sheet of note paper occupied nearly the whole sheet, and the names of attesting witnesses were subscribed at the bottom of the page, and the signature of the testator was written upon the lower part of the edge of the paper, it was held to be duly executed : (*Re Jones*, 11 L. T. Rep. N. S. 685. Prob. Ct.)

B. duly executed her will, which was attested by two of the legatees. Afterwards she re-executed it in the presence of two other witnesses. When it was found after her death, the first attestation clause and the name of the first two witnesses had been struck through with a pen, but there was no evidence when or by whom this deed had been done. It was held that it could not be presumed that they were struck through before the will was re-executed, and therefore that probate should be granted in facsimile : (*Re Smith*, 11 L. T. Rep. N. S. 684. Prob. Ct.)

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

Partnership.—One of two partners in the firm of B. and Co., in a country town, having died, the survivor filed a bill against his executors to have the partnership wound-up. On a reference to chambers to settle the terms and conditions of sale of the goodwill and premises, a statement in the advertisement that the purchaser would have "the exclusive right" to hold himself out as the successor of B. and Co., was ordered to be struck out, as calculated to mislead, and a statement to be introduced that the sale would *not* prevent the survivor or his assigns from carrying on the same business in the same town : (*Johnson* v. *Helleley*, 11 L. T. Rep. N. S. 581. L. JJ.)

Composition-deed.—A deed in the form given by the B. A. 1861, though duly executed and registered, cannot be pleaded in bar to an action against the debtor by a creditor : (*Clarke* v. *Williams*, 11 L. T. Rep. N. S. 611. Ex.)

Statute of Frauds—Bought and Sold Note.—Where a bought note came out of the possession of the buyer only, and apparently had never been delivered to the seller, but there was evidence that the contract to which it related had been in part performed by the seller, it was held to be a valid memorandum within the Statute of Frauds, although in the case of a sale by brokers it is usual to require the production of both a bought and sold note, or evidence that the sellers had notice of the particular contract : (*Ex parte Thomas*, 11 L. T. Rep. N. S. 586. Ld. Ch.)

Statute of Limitations.—When the creditor dies before the expiration of six years from the contracting of the debt, the executor should commence his action before the expiration of the six years, and is entitled to no further time in order to investigate the testator's affairs : (*Penny* v. *Brice*, 11 L. T. Rep. N. S. 632. C P.)

Composition-deed.—The debtor is bound to pay or tender the composition due under the deed to a creditor residing abroad : (*Fassett* v. *Mugnier*, 11 L. T. Rep. N. S. 635. C. P.)

Arbitration.—The court cannot make a part submission to arbitration a rule of court, although it was made in pursuance of a previous written agreement to refer any dispute that may arise : (*Ex parte Glashier*, 11 L. T. Rep. N. S. 638. Ex.)

Cheque.—A negotiable cheque was drawn by B., payable to the order of C., and given to D. to hand to C., to be received by him on certain conditions, and D., who was indebted to C. in that amount, handed it to C. in discharge of such debt without imposing the conditions. It was held that B. could not recover from C. the cheque being taken from D. by C. for value and without notice : (*Watson* v. *Russell*, 11 L. T. Rep. N. S. 641. Ex. Ch.)

Contract — Condition Precedent. — A builder contracted to execute certain works for B. to be paid for on production of the surveyor's certificate that the work had been done to his satisfaction. The surveyor refused his certificate, and on an action against B. for the amount charged, alleging that the surveyor "wrongfully and improperly neglected to give his certificate," it was held to be a condition precedent binding on the builder, in the absence of fraud or collusion on the part of the surveyor : (*Clarke* v. *Watson*, 11 L. T. Rep. N. S. 679. C. P.)

Distress—Pawnbroker's Pledges.—It is now decided that goods deposited by way of pawn with a pawnbroker cannot be distrained : (*Swire* v. *Leach*, 11 L. T. Rep. N. S. 680. C P.)

Evidence—Contract.—B. contracted with the Government to supply knapsacks, to be delivered at certain times. Afterwards he contracted with C. thus : "We agree to make for Mr. B. 7000 knapsack slings . . . delivered at Thames-street, at 3*s.* 9*d.* per set net, to be delivered 1500 the first month, and 3000 per month until complete." C. did not supply them at the times named, for which B. brought this action. When the contract was made, the price was said to have been discussed, and C. said the ordinary selling price was 2*s.* 10*d.* per set, but considering the stipulations as to time, B. agreed to pay 3*s.* 9*d.* This was proposed to be proved by asking B., "What was your reason for giving 3*s.* 9*d.*? What was the market price at the time of the contract?" These questions were held to be inadmissible, as being in effect the admission of parol evidence to alter a written contract : (*Brady* v. *Ostler*, 11 L. T. Rep. N. S. 681. Ex.)

MARITIME LAW.

LAW OF GENERAL AVERAGE.

Proposed International Rules on Certain Points Relating to General Average.

(*Continued from page* 117.)

French Code de Commerce, Article 402. The price of the goods is fixed by their value at the place of discharge.

Exposition by M. Rogron.

It would appear to be the result of Article 417 that the value of the ship is likewise estimated at the place of discharge. But against this opinion see the decision of the court of Bordeaux, reported under the preceding article.

French Code de Commerce, Article 414. The estimate of the losses and damages is made at the place of the ship's unloading, at the suit of the captain and by experts. The jury is chosen by the Tribunal of Commerce, if the unloading takes place in a French port. In places where there is no Tribunal of Commerce the experts are chosen by the justice of the peace. They are chosen by the French consul, and, in default of him, by the magistrate of the place, if the unloading takes place in a foreign port. The jury take oath before acting.

Exposition by M. Rogron.

If the place of the ship's discharge.—A place which might not be that of her destination; for example, if the ship, in consequence of the averages she has suffered, finds herself obliged to unload.

Question: When the captain has not been able to take his ship to her place of destination, when the goods have been brought thither by another vessel, and when the writings to certify the averages could not be procured on the spot; can the declaration of the averages and their adjustments be made, not, as our article declares, at the place of discharge, but at the place of loading? The Court of Cassation has decided in the affirmative: "Considering, that if, in terms of the law (Art. 414 et suiv. Cod. Com.) the averages incurred in the course of a sea voyage must be certified at the place of the ship's unloading, and if the estimate of the losses and damages must be made out in that place, this rule ceases in a case where it is impossible at the place of unloading to take the steps necessary for certifying the averages and for getting together the requisites for that purpose; and since, in such a case, the Royal Court of Bordeaux (by its decision of 14th March 1839) has recognised this impossibility, not, as the plaintiffs allege, because at the place given for the unloading of the ship, the *Courrier de la Vera Cruz*, a just and lawful sentence could not be obtained, but because the captain had not been able to take his ship as far as the place of her destination, nor to get the account of the sales made in the course of the voyage, and likewise because the consignees appointed at Vera Cruz had raised difficulties, and refused to pay the freight; that, from the circumstances brought out by the disputed decision, the Royal Court has justly decided that the action has been in due form brought before the French tribunals at the place of the vessel's loading; repel," &c.: (Arrêt du 13 Août 1840, Ch. reg. Sirt. 40, I. 837.) The same principles have been applied to the following case.

Question: Since the question is, not of a real action for the contribution towards the losses, raised by the owners of the articles thrown overboard or damaged, against the owners of the articles which were saved, but of a personal action for indemnity raised by the owners of the articles thrown overboard or damaged, against the insurers of the goods, can the claim be brought, not before the tribunal at the place of unloading, but before the tribunal at the place of their abode, and the adjustment of the averages be made by a jury named by this tribunal? The Court of Cessation has declared the affirmative: "Considering that Article 414, and those following, of the Commercial Code make a collection of regulations which have had no other end than to guarantee the validity of the real action which has been raised, in the case of contribution on account of jettison, by Article 416 of the same code; that it is in that view that Article 414 intends that the estimate of the losses should be made out by a jury at the place of unloading; for the articles thrown overboard, the value of which must be ascertained in order to make out the contribution, cannot be of another price than that which the price current gives in the place where they had gone to 'try their commercial fortune;' that, as a consequence of this first arrangement, Article 416 likewise intends that the distribution of the losses and damages which is to operate upon the objects thrown overboard and saved should be made by a jury, and rendered executory by the competent authorities at the place of unloading; because that, on the one hand, it is by the price current of that place that it is possible to fix the value of the effects saved, and that, on the other hand, those effects consisting of property subject to decay should be attached and burdened with their contributive part before any displacement, and while things are yet entire; but that none of those operations are necessary when the question is of a personal action of the insured against the insurer to obtain indemnity through the policy of insurance; that in this case the value of the articles thrown overboard is got from the policy itself, and is independent of the fluctuations in the price of merchandise at the place of unloading; that the repartition ordered by the Court of Bordeaux between the different insurers of various portions of the goods lost has no connection with the repartition contemplated by Article 416, which only directs itself towards determining the contribution to be exacted from the goods which have been saved; repel," &c.: (Arrêt du 16 Fevrier 1841. Ch. reg. Sir. t. 41, I. 177.)

French Code de Commerce, Article 415. Goods thrown overboard are valued according to the price current of the place of unloading; their quality is proved by the production of bills of lading, and invoices, if there are any.

Exposition by M. Rogron.

The place of unloading.—Loss caused by jettison should be borne by every one of those interested. It is therefore necessary, first of all, to fix the amount of that loss by valuation of the goods. This valuation should be made at the place of unloading, because it is the value which they have in that place which is lost to their owners. But this value can only be fixed in as far as one knows the qualities of the articles thrown overboard. In terms of our article one should for this refer to the bills of lading or to the invoices, if there are any.

French Code de Commerce, Article 416. The adjusters named according to the preceding article shall make the apportionment of the losses and damages. The adjustment is rendered executory by the sentence of the tribunal. In foreign ports it is rendered executory by the Consul of France, or, in default of him, by every tribunal competent for such causes—the sentence of the tribunal; the tribunal which has nominated the adjusters.

French Code de Commerce, Article 417.—The distribution of the losses and damages is made upon the effects thrown overboard and those saved, and upon the half of the ship and her freight, at the rate of their value at the place of unloading.

Exposition by M. Rogron.

Upon the effects thrown overboard and those saved.—Effects saved should likewise enter into contribution; for if that were not done, the owners of these goods, receiving their entire value, should suffer no prejudice from the jettison, while the owner of the goods saved would suffer from it.

The half of the ship and freight.—We have explained the reason for this proportion in Article 304.

Their value at the place of unloading.—Expressions which seem here to apply as much to ships as to goods. See, however, the decision of the Court of Bordeaux, reported under Article 401. See likewise the note to Article 401, and the example which we have there given of a contribution. We have treated in that article of a ransom, but the calculation is the same in that of jettison. The Court of Rouen has decided that, in order to fix that value of the ship which should contribute towards the losses, it is necessary to add fictitiously to the ship those parts which are wanting represented by the amount of the averages: (Arrêt du Fev. 1843, Sir. 43, II. 529.)

French Code de Commerce, Article 418. If the quality of the goods has been misrepresented by the bill of lading, and they should be found to be of much greater value, they must contribute according to their actual value if they are saved. They are paid for according to the quality defined in the bills of lading, if they are lost. If goods declared are of a quality inferior to that which is set down in the bill of lading, they must contribute according to the quality defined in the bill of lading, if they are saved. They must be paid for according to their real value if they should be either thrown overboard or damaged, when the quality of goods has been misrepresented in the bill of lading, when they have been declared either of an inferior quality or else of a superior quality. This being the case, it may happen, in the case of jettison, either that these goods have been thrown overboard, and then they must be paid for, or that they have not been thrown overboard, and then they must contribute. In both cases the owner, who is in fault, since he has disguised the quality of his goods, should draw no advantage from this fault. *Nemo ex suo delicto debet consequi emolumentum.* So in both cases it is to his disadvantage that the sentence must be given. Is the question about paying for the goods? It must be calculated upon the lowest value. Is it about making them contribute? It must be on the highest value.

French Code de Commerce, Article 419. Ammunition, provisions, and the baggage of the ship's company do not contribute to jettison. The value of such of them as have been thrown overboard must be paid by contribution on all the other effects.

Exposition by M. Rogron.

Do not contribute to the jettison.—When, for the common safety, things have been lost, nothing can be more just than that all which, through this loss, has been saved, should contribute to its indemnification, but at the same time nothing can be more natural than that those things which of themselves are a means of safety should not contribute to the loss; such are ammunition and provisions. We must not, however, forget that this exception is applicable only to ammunition provided for the defence of the ship and provisions for the subsistence of the crew. It by no means extends to those of either kind which are loaded for transport and make part of the cargo.

French Code de Commerce, Article 420. Those effects for which there is no bill of lading or declaration of the captain are not paid for if thrown overboard; they contribute if they are saved.

Exposition by M. Rogron.

For which there is no bill of lading or declaration.—It is, in fact, not just that, by the fraud of a third party who had overloaded the ship by introducing goods without declaration, the captain should find himself exposed to see the vessel lost, and the other shippers to lose their goods *are not paid for.* The shipper to whom these articles belong should have no right to claim payment for them, for he is to blame, and he can only impute to himself the loss of his goods. But if these goods are saved they should contribute, because the owner should reap no advantage from his fraud.

LAW STUDENTS' JOURNAL.

NOTES OF NEW DECISIONS.

Articled Clerks.—It is not absolutely necessary that an articled clerk should produce a certificate of faithful service from his master. If refused, such service may be proved by other means: (*Ex parte Rigby*, 11 L. T. Rep. N. S. 671. Q. B.)

Correspondence.

Pass and Honour Examinations.—Referring to "W.'s" letter (contained in your impression of the 21st Jan.) on this subject, I am quite of his opinion as to the desirability of two distinct examinations, one of which it should be obligatory on every gentleman to pass before being admitted into the Profession; the other, of a higher standing, should be gone through by those gentlemen who seek to gain honorary distinction in the Profession. Let the first of these examinations be conducted on much the same principle as the final examination is conducted at the present time. I think "W.'s" suggestion of giving one paper in the morning and another in the afternoon would be a decided improvement; six consecutive hours in a crowded room being much too long a time for any student to work and keep a clear head until the end. All those candidates, and only those, who get a certain number of marks (some number far above that which would enable them to pass) in this examination should be permitted to go in for the "honour examination." The questions for this examination should be of a much higher standing than those set for the pass examination, and the subjects, in addition to conveyancing, common law, equity, criminal law and bankruptcy, should include constitutional history, probate and ecclesiastical law, and mercantile law, and it should be in the discretion of the examiners whether or not they would have any viva voce examination. Only those candidates who obtain one-half, or perhaps two-third, marks, should be entitled to honorary distinction, which, I suggest, should be given in some lasting form. Let it be a degree of some kind, with permission to use letters indicative thereof after their names, as is done in the medical and other learned professions. The prizes which are now given by the societies at Clifford's-inn and Clement's-inn, and by the Incorporated Law Society, and the certificates of merit, are very soon forgotten, and consequently are of little real worth to their possessors; but a degree which would remain with the name of its possessor as long as he lived, and which might appear in the Law List, would certainly be some "encouragement to study," and bring forward some of that talent of which "W." speaks. I cannot say that I approve of "W.'s" suggestion of giving separate certificates for each subject; for a solicitor, whose province it is to advise on whatever legal point his client may consult him, should be well up in every branch of the Profession, or he would stand little chance of retaining many of his clients. I do not think "W." can dictate to the "learned examiners" as to the class of question for the final examination.

Feb. 8, 1865. Studiosus.

ANSWERS TO THE FINAL EXAMINATION QUESTIONS. (a)

Hilary Term 1865.

I. Preliminary.

Questions 1 to 5.

II. Common and Statute Law and Practice of the Courts. (b)

6. *Actions.*—Local actions are such as necessarily refer to some particular locality, *ex gr.*, trespass to land; transitory actions such as may arise anywhere, *ex gr.*, trespass to the goods or the person: (Halliday's Digest, 31, 4th edit.; 3 Steph. Com. 479, 5th edit.)

7. *Bills Act.*—Only when the bill, &c. is not more than six months overdue. The plaintiff may join both the defendants in one writ, but the subsequent proceedings are as if separate actions had been commenced. The writ, in addition to the usual indorsements, must have a copy of the bill set out, and a

(a) By Richard Halliday, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(b) The questions are given *ante*, p. 130.

notice stating that the defendant must obtain leave from a judge to appear within twelve days from service, &c.: (see Hallilay's Digest, 20, 21, 4th edit.; Pat. & Mac. Pr. 997.)

8. *Lost bill.*—An action may be brought on a lost bill, &c., and the court or judge may order that the loss be not set up as a defence, provided a satisfactory indemnity be given against the claim of any other person: (Hallilay's Digest, 21, 4th edit.; Pat. & Mac. Pr.)

9. *Attachment.*—The judgment-creditor should obtain a rule or order that the judgment-debtor be orally examined before a master, or other person appointed, as to what debts are owing to him, and for production of the debtor, and any books or documents: (17 & 18 Vict. c. 125, s. 60.) After such oral examination, if it turns out that the debts are owing, the judgment-creditor may proceed to have them attached in the mode pointed out by the 61st and following sections of the Act, which see.

10. *Writ.*—Make an affidavit to satisfy a court or judge that efforts have been made to effect personal service, and either that the writ has come to the defendant's knowledge, or that he wilfully evades service and has not appeared thereto: (Pat. & Mac. Pr.; Hallilay's Digest, 47, 4th edit.)

11. *Injunction.*—B. may, at any stage of the cause, either before or after judgment, claim *ex parte* a writ of injunction in the same court, against the repetition or continuance of A.'s conduct: (Hallilay's Digest, 50, 4th edit.; Pat. & Mac. Pr.)

12. *Infant.*—By guardian, appointed on petition in the same manner as a *prochein amy* is appointed: (Hallilay's Digest, 51, 4th edit.; Pat. & Mac. Pr.)

13. *Briefs.*—It is not usual to allow the plaintiff the costs of briefs and otherwise preparing for trial until after issue found and notice of trial given; nor to allow them to the defendant until issue joined and a reasonable time before trial: (see *Knight* v. *Gravesend Railway Company*, 27 L. J. 8; Chit. Arch. 512, 11th edit.)

14. *Appeal.*—If a new trial is moved for on the ground that the judge did not rule according to law, the party decided against may appeal to the court of error, if one of the judges dissents from the rule being made absolute or discharged, or if the court allows an appeal. When the rule is to enter a verdict or nonsuit, the party decided against may appeal in all cases. Notice of appeal must be given to the opposite party and one of the masters. The appeal is in the form of a special case: (17 & 18 Vict. c. 125, s. 34 *et seq.*; Pat. & Mac. Pr.; Hallilay's Digest, 79, 4th edit.)

15. *Witness.*—The modes are by *mandamus* or commission: (see Hallilay's Digest, 72, 4th edit.; Pat. & Mac. Pr.)

16. *Release.*—This is a good defence against both, if the release is under seal or for valuable consideration: (Chit. Cont. 687, 691, 7th edit.) The plaintiffs should confess the plea, and will be entitled to the costs up to the time of pleading it: (R. G. 22, 23; Pat. & Mac. Pr. 886.)

17. *Costs.*—No; each party will have to pay his own costs, even though there be a substantial balance in favour of one: (Arch. New Pr. 420 *et seq.*, 2nd edit.)

18. *Innkeeper.*—By this Act the innkeeper's liability for his guests' goods (not being a horse or other live animal, or the gear appertaining thereto, or any carriage) is restricted to 30*l.*, unless (1) lost, &c., through the wilful neglect of the innkeeper or his servants; or (2) unless the goods were deposited with him for safe custody: (sect. 1.) To take advantage of this Act, the innkeeper must exhibit (conspicuously) in his house the above section: (sect. 3.)

19. *Charter-party.*—A charter-party is an agreement for the hire of a vessel. A bill of lading is an instrument used for authenticating the transmission of goods from abroad. The indorsement of this instrument passes the property in the goods to the indorsee: (see fully Hallilay's Digest, 15, 16, 4th edit.)

20. *Distress, &c.*—The goods of a third party may be taken provided they be not his implements of trade in his actual use at the time, or other sufficient distress without them: (Hallilay's Digest, 115, 4th edit.) The same principle does not extend to a seizure under a *fi. fa.*: (Ib. 96, and note.)

III. CONVEYANCING.

21. *Base fee.*—A base fee is one that has a qualification annexed to it, which must determine whenever the qualification is at an end, as in the case of a grant to A. and his heirs, tenants of the manor of Dale. A base fee, at the present day, however, seldom arises by grant, but usually when the tenant in tail bars the entail without the consent of the protector: (1 Steph. Com. 240, 579, 4th edit.; Hallilay's Digest, 133, 4th edit.)

22. *Mortgage.*—"To have and to hold the said messuage and premises hereinbefore demised to the said B., his executors, administrators and assigns, for all the residue and remainder now to come of the said term of ninety-nine years except the last ten days thereof." Proviso by the mortgagee for redemption, &c.; and for quiet enjoyment until default. Covenants by mortgagor for payment of principal and interest; that lease is valid, &c.; that he has good right to demise; for quiet enjoyment after default; free from incumbrances and for further assurance; also to pay rent and perform covenants in lease. Powers of sale may follow: (Prid. Conv. 210, &c., 2nd edit.; Hallilay's Digest, 179, 4th edit.)

23. *Judgments.*—Judgments entered up against the tenant in tail bind his issue, and the remainderman also when the entail may be barred without the consent of the protector: (1 & 2 Vict. c. 110, ss. 11, 13; Hallilay's Digest, 134, 4th edit.)

24. *Lease.*—Such a lease would on the death of the lessor be invalid against the remainderman as to the farm, over which he has only a power of leasing; because it could not be ascertained that a proper amount of rent had been reserved for this farm. Yet an apportionment will be made of the rent as to the lands in fee, the lease as to which is good: (1 Sug. Pow. 421–426, 7th edit.)

25. *Bidding.*—It may be retracted at any time before the lot is actually knocked down; it should be made in a tone sufficiently loud for the auctioneer to hear: (Lord St. Leonards' Handybook, 35, 7th edit.; Hallilay's Digest, 193, 4th edit.)

26. *Lapse.*—1. Where the devisee of an estate tail dies in the testator's lifetime, having issue inheritable under such entail living at the testator's death. 2. Where a child or other issue is the devisee or legatee (not being for life merely), and dies in the testator's lifetime having issue at the testator's death; unless in either case a contrary intention appears: (1 Vict. c. 26, ss. 32, 33; Hallilay's Digest, 231, 4th edit.)

27. *Witness.*—The legacy to the husband or wife, but not to the child, of the attesting witness is void; yet even in the former cases they are good attesting witnesses: (1 Vict. c. 26, s. 15; Hayes & Jar. Conc. Wills, 43, &c., 43 a, 6th edit.)

28. *Devise.*—The residuary legatee, if one, or if not, the next of kin will be beneficially entitled to the money, as the contract for sale (if valid) amounts to an equitable conversion of the land; B. therefore is only a dry trustee of the legal estate: (*Eaton* v. *Sanxter*, 6 Sim. 517; Hallilay's Digest, 203, 4th edit.)

29. The effect is that the devise will pass the after purchased land: (1 Vict. c. 26, s. 3; Hallilay's Digest, 230, 4th edit.)

30. *Bond.*—The patron must be entitled to an advowson as his private property, and the bond be made in favour of a relative of the patrons by blood or marriage, being an uncle, son, grandson, brother, nephew, or grand-nephew. One part of the agreement must be deposited within two calendar months in the office of the registrar of the diocese; and the resignation must refer to the engagement and state for whose benefit made: (9 Geo. 4, c. 94; Hallilay's Digest, 148, 4th edit.)

31. *Advowson.*—An advowson may be mortgaged. But a benefice cannot either directly or indirectly be charged by the incumbent: (see the cases collected, Hallilay's Digest, 180, 4th edit.; Burt. Comp. Pl. 219, notes.)

32. *Mortgage.*—The mortgagor cannot, in the absence of express contract, after the time of payment has passed, pay off the mortgage-debt without first giving six calendar months notice of his intention to do so: (Will. Real. Pro. 390, 6th edit.) The mortgagee may, however, after forfeiture, enforce his security without notice: (Hughes Conv. 452, &c.)

33. *Succession-duty.*—This duty is payable on all real (including leasehold) estate, or even personal estate on which legacy duty is not payable, to which a person becomes entitled on the happening of a death. It is payable by eight equal instalments, the first commencing on the expiration of a year from the time the successor became beneficially entitled, the rest by seven half-yearly instalments: (Hallilay's Digest, 207, 208, 4th edit.)

34. *Descent.*—The eldest son will take the realty, subject to the widow's dower if not barred. The personalty will go a third to the widow, and the rest to the three children equally: (see Hallilay's Digest, 240, 244, 4th edit.)

35. *Deeds.*—The mortgagee's solicitor prepares the mortgage-deed at the mortgagor's expense; the purchaser's solicitors the conveyance at the purchaser's expense; and the intended wife's solicitor usually prepares the settlement, which is paid for by the intended husband: (Hughes Conv. 182, 331, 569; and as to marriage-settlements, see also *Helps* v. *Clayton*, 11 L. T. Rep. N. S. 476.)

(To be continued.)

PRELIMINARY EXAMINATIONS

BEFORE ENTERING INTO ARTICLES OF CLERKSHIP TO ATTORNEYS AND SOLICITORS.

Pursuant to the Judges' Orders, the Preliminary Examination in general knowledge will take place on the 11th and 12th July 1865, and will comprise—

1. Reading aloud a passage from some English author.
2. Writing from dictation.
3. English Grammar.
4. Writing a short English composition.
5. Arithmetic.—A competent knowledge of the first four rules, simple and compound.
6. Geography of Europe and of the British Isles.
7. History.—Questions on English History.
8. Latin.—Elementary knowledge of Latin.
9. 1. Latin. 2. Greek, Modern or Ancient. 3. French. 4. German. 5. Spanish. 6. Italian.

The special examiners have selected the following books, in which candidates will be examined in the subjects numbered 9 at the examination on the 11th and 12th July 1865:—

In Latin.—Cicero, De Amicitia; *or*, Horace, Odes, books i. and iv.

In Greek.—Xenophon, Anabasis, book i.;

In Modern Greek.—*Βικκαρίου, περὶ 'Αδικημάτων καὶ Ποινῶν μεταφρασμένον ἀπὸ τῆς 'Ιταλικῆς Γλώσσης*, 1—7, both inclusive; *or*, *Βουτσινᾶ 'Ιστορία τῆς 'Αμερικῆς, βιβλίον ζ'*.

In French.—Voltaire, La Mort de César, acts 1, 2 and 3; *or*, A. de Lamartine, Christophe Colomb, part 1.

In German.—Schiller's Jungfrau von Orleans, acts 1 and 2; *or*, Goethe's Aus meinem Leben, vol. 1, books 4 and 5.

In Spanish.—Cervantes' Don Quixote, capit. i. to xv. both inclusive; *or*, Leandro Fernandez de Moratin, El Sí de las Niñas.

In Italian.—Manzoni's Promessi Sposi, cap. i.–viii. both inclusive; *or*, Torquato Tasso's La Gerusalemme, 4, 5 and 6 cantos.

With reference to the subjects numbered 9, each candidate will be examined in *one language only according to his selection.* Candidates will have the choice of *either* of the above-mentioned works.

The Examinations will be held at the Incorporated Law Society's Hall, Chancery-lane, London, and at *some* of the following towns:—Birmingham, Brighton, Bristol, Cambridge, Cardiff, Carlisle, Carmarthen, Chester, Durham, Exeter, Lancaster, Leeds, Lincoln, Liverpool, Maidstone, Manchester, Newcastle-on-Tyne, Oxford, Plymouth, Salisbury, Shrewsbury, Swansea, Worcester, York.

Candidates are required by the judges' orders to give *one calendar month's* notice to the Incorporated Law Society, before the day appointed for the Examination, of the *language* in which they propose to be examined, the *place* at which they wish to be examined, and their *age* and *place of education.* All notices should be addressed to the Secretary of the Incorporated Law Society, Chancery-lane, W.C.

E. W. WILLIAMSON, Secretary.

Law Society's Hall, Chancery-lane,
London, Feb. 1865.

FORM OF NOTICE.

Preliminary Examination.

Notice is hereby given, that A. B., of aged who was educated at intends on the day of next to present himself for examination at previous to entering into articles of clerkship, and that he proposes to be examined in the language.

Dated the day of 18 .

CORRESPONDENCE OF THE PROFESSION.

SUCCESSION DUTY PRACTICE.—It seems to me that there is a great want remaining to be supplied and as you have always shown your readiness to meet such emergencies, allow me to call your attention, and that of your readers, to the matter to which I allude. I refer to the practice of the Succession Duty department with reference to accounts under the Succession Duty Act. We have heaps of reports of cases coming before the various courts of law, all of them of the utmost importance with reference to the points affected by them, but which perhaps are of very great rarity in general practice; whilst upon a subject which comes daily and hourly before the practitioner, we have but very meagre information. Compare for a moment the number of cases decided by the courts of law upon the Act in question with the number of cases upon which duty must have have been paid. I would therefore suggest that you should allot a portion of your paper to "the Succession Duty department," and invite your readers to contribute notes of cases passing under their supervision; all of which might, at the end of the year, in conjunction with cases coming before the Superior Courts, be classified and indexed; or, if found of sufficient importance (as I expect), might form the subject of a treatise by one of your editorial staff. I shall be happy further to explain my views if desired; but I do not wish, at present, unnecessarily to intrude upon your space.

A MANAGING CLERK.

Feb. 6, 1865.

LAW REPORTING.—The attention of the Council of this society has been directed to an article which appeared in your journal on the 28th ult. on the subject of law reporting. As the article is calculated to convey an inaccurate impression of the views of the Council, as expressed in the President's letter to the Attorney-General, referred to in the article, I am desired to forward to you the accompanying copies of these letters, and to express a hope that

[illegible] will be good enough to insert them in your [illegible] publication.

E. W. WILLIAMSON, Secretary.

Incorporated Law Society, U.K., Chancery-lane, London, W.C., 3rd Feb. 1865.

(Copy.)

Incorporated Law Society,
Chancery-lane, Dec. 24, 1864.

Sir,—I had the honour, on the 17th inst., to acknowledge the receipt of your letter, expressing a hope that the council of this society would approve and further the objects of the scheme embodied in the report of the Bar committee, on the subject of law reporting, which has been adopted at a general meeting of the Bar, held on the [illegible].

Your letter and the accompanying print of the report and scheme have been submitted to the council, and I am requested by them to signify to you their approval of the objects and general principles of the scheme as embodied in the report, and their willingness to further them.

The council, however, direct me to state, that as they find the scheme comprises many matters of detail which appear to be important to its ultimate success, and as [illegible] inquiry into the financial branch of the subject [illegible] enable the council to take effectual steps to promote the objects of the scheme on the part of solicitors generally, they are desirous of giving the matter further consideration.

The council hope very shortly to be able to communicate to you the course they determine to adopt.

I have the honour to be, Sir,
Your very obedient servant,
E. S. BAILEY, President.

To the Attorney-General, &c., &c., &c.

(Copy.)

Incorporated Law Society,
Chancery-lane, Jan. 7th, 1865.

Sir,—On the 24th Dec. last I had the honour to address [illegible], on the part of the council of this [illegible] approval of the objects and general principles [illegible] embodied in the report of the Bar Committee on the subject of law reporting. At the same time [illegible] that the council were desirous of giving the financial branch of the scheme further consideration.

I am now requested to inform you that, after discussing [illegible] very fully, the council adhere to their approval [illegible] as expressed in my former letter, and are [illegible] to nominate two members of their own body to [illegible] the proposed council, under whose management [illegible] suggested that the various Law Reports [illegible] by the Bar Committee shall be placed, and [illegible] the nomination on being informed that the time [illegible] for doing so.

[illegible] do not, however, think it necessary or desir[illegible] communicate in the meantime with the members [illegible], or solicitors generally, on this subject, [illegible] communication appears to fall within the functions [illegible] Council on Law Reporting, which will be [illegible] effectually than the council I have the honour [illegible] to bring the proposed undertaking under the [illegible] the Profession in the shape most likely to insure [illegible].

I have the honour to be, Sir,
Your very obedient servant,
E. S. BAILEY, President.

[illegible] Attorney-General, &c., &c., &c.

NOTES AND QUERIES ON POINTS OF PRACTICE.

[illegible] are inserted unless the name and address of the [illegible] are sent with it, not necessarily for publication, but [illegible] guarantee for *bona fides*.

Queries.

[illegible]

[illegible] the bankrupt will, in the event of his sur[illegible] (who is living), be entitled to a small [illegible]. The official assignee is about to sell the [illegible] of the bankrupt to a purchaser. Who are [illegible] in the conveyance? A. B.

[illegible] CHAPEL.—Will any of your readers kindly [illegible] the Act, 13 & 14 Vict. c. 28, "to render more [illegible] effectual the titles by which congregations or [illegible] of religious worship or education [illegible] hold property for such purposes" [illegible] amended or repealed? I am instructed to do [illegible] on the appointment of new trustees [illegible], and would adopt the form of [illegible] in the schedule to the Act, if it can [illegible], upon which point also I shall be [illegible] your readers. A. B.

[illegible] to any of your correspon[illegible] what is the proper stamp to be [illegible] of shares in any incorporated com[illegible] (value of 700l.), which is collateral to a [illegible] of the same shares. My own [illegible] bear 5s. per cent., the *ad valorem* [illegible] stamp; but I am met [illegible], whether the value [illegible] transfer stamp is expressly [illegible] in cases of sale or mortgage, [illegible] by 13 & 14 Vict. c. 97, in the case [illegible]. R. A.

Answer.

[illegible]—The answer of "J. P." in your last num[illegible]. The estates continued through the opera[illegible] conveyances," and a merger of a moiety of the premises comprised in the under-lease ensued. See [illegible] v. *White*, 31 L. J., N.S., 93, C. P., where a moiety of a trust term of 1000 years, assigned to two trustees, was held to have merged in the life-estate of one of them, and thereby the joint tenancy of the trustees in the term was also severed. X.

THE LAW LIBRARY.

BOOKS SENT FOR REVIEW.

The Law Magazine and Law Review. February 1865. London: Butterworths.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Wednesday, Feb. 1.

THE COMPANY OF PROPRIETORS OF THE REGENT'S CANAL v. THE COMMISSIONERS OF PUBLIC WORKS.—*Manisty*, Q.C. and the *Attorney-General*, and *M'Mahon* appeared herein. *Judgment for the Crown.*

GIFFARD v. WRIGHT.—*Hayes*, Serjt. and *Griffiths* and *Gibbons* appeared herein. *Judgment for the plaintiff.*

SIMPSON v. MOUNT.—*Hayes*, Serjt. and *Field*, Q.C. appeared for the respective parties. *Judgment for the plaintiff.*

Thursday, Feb. 2.

ADCOCK v. LAWRENCE.—*Markby* and *Anstie* appeared herein. *Stet processus.*

LEAF v. THE METROPOLITAN RAILWAY COMPANY.—*Garth* and *Shee* appeared for the respective parties herein. *Judgment for the plaintiff.*

BAYES v. BEACH.—This was a demurrer to a plea.—*Macnamara* appeared for the plaintiff, and *Matthews* for the defendant. *Leave to amend.*

WILLIAMS v. JONES.—*J. B. Green* and *W. Williams* appeared for the parties herein. *Judgment for the plaintiff.*

MORRIS v. BALDWIN.—This was a demurrer to certain pleas.—*Littler* and *Baylis* appeared for the respective parties. *Judgment on terms.*

Friday, Feb. 3.

OVERSEERS OF CALVERLEY WITH FARSLEY (app.) v. OVERSEERS OF BRADFORD (resps.)—Case stated from West Riding quarter sessions on appeal against order of removal of pauper, Bradford to Calverley, the point involved being, whether the pauper had acquired a settlement by estate in Bradford under 9 Geo. 1, c. 9.—*Maule* and *West* for respondents.—*T. C. Foster*, for appellant, not heard. *Judgment for appellant.*

HARTLEY (app.) v. BOWLZER (resp.)—Case stated by justices of Derbyshire as to whether conviction of appellant for evading payment of a turnpike toll was valid.—*Harrington* for respondent; *Raymond* for appellant. *Conviction affirmed.*

TRUSTEES OF ILKLEY v. CHURCHWARDENS OF ILKLEY.—Case as to rateability of charitable building. *To stand over to abide decision of Mersey Docks v. Jones pending in House of Lords.*

TOMLINS (app.) v. GREAT STANMORE NUISANCE REMOVAL COMMITTEE (resps.)—Case stated by justices of Middlesex as to validity of a conviction of the appellant for disobeying an order of justices to remove offensive privies, the seven days having expired, and the committee being ordered as well as the appellant.—*Brandt* for respondent; *Clarke* for appellant. *Conviction affirmed.*

KENYON (app.) v. HART (resp.)—Case stated as to whether an owner who shot a pheasant which rose from his own land, but which was over his neighbour's land when it fell, and who entered his neighbour's land to pick up the bird, could be convicted under 1 & 2 Will. 4 c. 32, s. 30, for an illegal trespass in pursuit of game. Justices refused to convict.—*Keane*, Q.C. for appellant; *Denman*, Q.C. for respondent. *Judgment for respondent.*

CRAWLEY (app.) v. THORNEYCROFT (resp.)—Case stated by justices of county of Chester as to validity of conviction for forcibly passing through toll-gate without payment of toll.—*Macintyre* for respondent,—*Hayes*, Serjt. for appellant. *Conviction quashed.*

BELL (app.) v. WYNDHAM (resp.)—Case stated by justices of Cumberland as to validity of conviction of appellant, as occupier of a salmon fishery, for not removing the inscales, &c., of his boxes, cruives, &c., for catching salmon, pursuant to Salmon Fishery Act, s. 22.—*Mellish*, Q.C. and *Thesiger* for appellant. *Conviction affirmed.*

Saturday, Feb. 4.

POPE (app.) v. WHALLEY (resp.)—Case stated by justices on conviction of the appellant, for exposing drapery goods for sale within the limits of the borough of Wigan, not in the appellant's own dwelling-house or shop, contrary to the Markets and Fairs Clauses Act 1858.—*Keane*, Q.C. and *Cottingham* for the appellant; and *Field*, Q.C. and *Le Breton* for the respondent. *Conviction affirmed.*

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

HILARY TERM 1865.

Tuesday, Jan. 31.

BREMNER v. HILL.—Sir *G. Honyman* applied for a rule to set aside an award on the grounds that it was not final, and that no notice of meeting was given. *Rule refused.*

COCK AND OTHERS v. SUMMERTHWAITE.—*Lewers* showed cause against a rule to stay proceedings. *Rule absolute.*

THOMAS v. WELCH.—*Grove*, Q.C. showed cause against a rule to postpone the trial on the ground that it was necessary to examine a witness in America.—*Manisty*, Q.C. supported the rule.

Rule absolute. Terms to be settled at chambers.

WOODMAN v. WATKINS.—*Prideaux* moved for a writ of *certiorari* to bring up a plaint entered in a County Court, as involving a difficult question of law. The action was for goods supplied to the defendant's wife, and raised questions similar to those in *Jolly v. Rees*, 10 L. T. Rep. N. S. 298.—The matter had been referred to the court from chambers by Byles, J., who had differed from the rest of the court in the judgment given in that case. *Writ of certiorari granted.*

FILBY v. THE LONDON, BRIGHTON AND SOUTH COAST RAILWAY.—This case was tried before Byles, J. on the 13th Jan., and a verdict was found for the plaintiff in the absence of any one on behalf of the defendants in consequence of the mistake of the clerk to the attorneys to the defendants.—*Parry*, Serjt. showed cause against a rule for a new trial obtained by Bovill, Q.C., and pressed for the costs of the first trial as between attorney and client.—The COURT refused to give the plaintiff his costs as between attorney and client, but gave them as between party and party, and directed a new trial, the defendants to take short notice of trial. *Rule absolute.*

Re OLDKNOW.—Oldknow, an attorney, applied in person to be re-admitted upon the rolls.—*Garth*, for the Law Institution, appeared to state the facts of the case to the court.—The COURT, under the peculiar circumstances of the case, granted the application. *Application granted.*

BROOKS v. CLARK.—*Morgan Howard* showed cause against a rule to rescind an order of Byles, J. putting the defendant to his election of two pleas which he had applied for leave to plead.—*Horace Lloyd* supported the rule. *Rule absolute.*

Re AN ARBITRATION BETWEEN GIBSON AND GREEN.—*Mellish*, Q.C. obtained a rule to revoke the appointment of an arbitrator. *Rule granted.*

CALVERT v. THE SCINDE RAILWAY COMPANY.—The COURT gave judgment discharging a rule to review taxation. *Rule discharged.*

SITTINGS AFTER TERM.

Monday, Feb. 6.

FIELDING v. LEE.—This was a rule calling on the plaintiff to shew cause why the verdict found for him should not be set aside, and instead thereof a nonsuit entered pursuant to leave reserved on the ground that no notice of action was proved to have been given; or why the verdict entered for the plaintiff on the third issue joined in this case should not be set aside, and instead thereof a verdict entered thereon for the defendants pursuant to leave reserved on the ground that the third plea was proved; or why a new trial should not be had between the parties on the ground of misdirection of the learned judge in telling the jury first, that no notice of action was necessary, and secondly, in telling them that upon the pleadings the defendants could not set up as an answer to the action that the goods were in the order and disposition of the bankrupt as reputed owner. It was an action of trover tried at Manchester before Atkinson, Serjt., when a verdict was found for the plaintiff. The above rule having been obtained pursuant to leave reserved on a former day,—*Edward James*, Q. C., *Bayliss* and *Pope* now showed cause; *Temple*, Q. C., *Wood* and *Torr* appearing in support of the rule. *Rule absolute.*

EXCHEQUER CHAMBER.

Reported by T. W. SAUNDERS, LUMLEY SMITH and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

ERRORS FROM THE QUEEN'S BENCH.

Friday, Feb. 3.

(Before ERLE, C.J., POLLOCK, C.B., WILLES and KEATING JJ., CHANNELL and PIGOTT, BB.)

REG. v. THE JUSTICES OF SUSSEX.—(To be reported.) *Judgment reversed.*

REG. v. THE COMMISSIONERS ACTING FOR THE PORT AND HARBOUR OF SOUTHAMPTON.—*Lush*, Q.C. was heard herein in reply. *Judgment reversed.*

RICKETTS v. THE METROPOLITAN RAILWAY COMPANY.— *Judgment reversed.*

GRIMM v. TYRIE.—*M. Smith*, Q.C. appeared for the respondent.—*Honyman* for the appellant. *Judgment affirmed.*

ERRORS FROM THE COMMON PLEAS.

Monday, Feb. 6.

CAMERON v. THE CHARING-CROSS RAILWAY COMPANY.—*Hugh Shield* appeared for the company, who were the appellants.—*Giffard* for the respondent. The claimant complained that the goodwill of his business had suffered in consequence of the obstruction of the street by the railway company's works.—The COURT asked Giffard if he could distinguish the case from that of *Ricketts* v. *The Metropolitan Railway Company*, decided in the Ex. Ch. last week.—*Giffard* said that the only distinction was that in that case there had been no actual obstruction of the street opposite to the claimant's shop, but only an obstruction of the neighbouring streets.—The COURT said that, the case was not decided on that ground, and gave judgment for the appellant reversing the decision of the Court of C. P., reported 10 L. T. Rep. N. S. 381. *Judgment for the appellant.*

DOGGETT v. CATTERNS.—*Hayes*, Serjt. (*Baker Greene* with him) appeared for the appellant, the defendant.—*Tindman* for the respondent, the plaintiff.—The action was brought to recover back money deposited with the defendant to abide the event of a bet. The question raised in the court below was, whether the Act of 16 & 17 Vict. c. 119, prohibiting betting-houses, applied to a case where a man took his stand daily under a certain tree in Hyde-park, and carried on business as a betting agent. The Court of C. P. decided that it did. (See the report 11 L. T. Rep. N. S. 422.) Against this decision the defendant appealed.—The COURT were of opinion that the decision was wrong. *Judgment reversed.*

ERRORS FROM THE EXCHEQUER.

Tuesday, Feb. 7.

(Before ERLE, C.J., CROMPTON, BYLES, BLACKBURN, KEATING and MELLOR, JJ.)

HIBSON v. BARCLAY.—BLACKBURN, J. read the written judgment of the Court in this case, which was argued after Michaelmas Term last.—(See report of the case below, 10 L. T. Rep. N. S. 587, Ex.) *Judgment reversed.*

SCOTT v. LONDON AND ST. KATHARINE'S DOCKS COMPANY.—*Field*, Q.C. (with *Murphy*) argued the case on the part of the appellants (the defendants).—The *Solicitor-General* (with him *Jones*) appeared for the plaintiff (the respondent). *Judgment affirmed.*

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Sutton v. Great Western Railway Company.—The Same v. The South-Eastern Railway Company.—These two cases, involving "the packed parcel" question, were, on the application of *Raymond* for the plaintiff, postponed to the sitting of the court after next term; *M. Smith*, Q.C., who was to have argued for the defts., having been raised to the bench, and *Karslake*, Q.C. not being at present prepared to argue the case. *To stand over accordingly.*

(Before Erle, C.J., Crompton, Byles and Blackburn, JJ.)

Williams v. Blackwall.—*E. James*, Q.C. (with him *J. A. Russell*) argued this case for plaintiff (the appellant), involving a question as to what was sufficient evidence for the jury of "immemorial usage," under the Salmon Fisheries Act (24 & 25 Vict. c. 109), s. 11.—*Mellish*, Q.C. and *Milward* contra, for respondent, were not called on to argue. *Judgment affirmed.*

Hall v. Johnson.—Error on bill of exceptions to the ruling of Blackburn, J.—*T. Jones*, for the plaintiff (the appellant), was heard, and at the conclusion of his argument the Court rose, adjourning the further hearing to to-morrow. *Part heard.*

CHANGE IN THE IRISH CIRCUITS.

The Judges having selected their respective circuits prior to the advancement of Justice O'Hagan to the Bench, and the fact of his having, as Attorney-General, advised the prosecutions for the approaching circuits making it a reason for not acting judicially, the members of the Bench met to alter the prior arrangements. Mr. Serjeant Armstrong has been selected to discharge the important duties of going Judge of Assize for the Munster Circuit.

Home.—The Right Hon. the Lord Chief Justice and the Right Hon. the Lord Chief Baron.

North-east.—The Right Hon. the Chief Justice of the Common Pleas and the Right Hon. Baron Deasy.

Leinster.—The Hon. Baron Hughes and the Right Hon. Judge Fitzgerald.

Connaught.—The Right Hon. Judge Keogh and the Hon. Judge Christian.

North-west.—The Hon. Judge Hayes and the Hon. Baron Fitzgerald.

Munster.—The Hon. Judge O'Brien and Mr. Serjt. Armstrong.

By the foregoing arrangements Chief Justice Monahan takes, instead of the Home Circuit, the North-east, the duties of which are most responsible, in consequence of the number and magnitude of the offences arising out of the Belfast riots in August last. The Chief Baron goes from the Munster to the Home Circuit.

LEGAL OBITUARY.

MR. JUSTICE BALL.

This venerable judge died at four o'clock on Sunday morning, the 15th ult., after a brief illness. During the last year his health exhibited symptoms of decline, which were accelerated by the untimely death of a beloved son. He bore his advanced years with all the lightness and elasticity of youth, when the sudden shock bowed his apparently vigorous frame, though he continued to discharge his judicial duties and went the last summer circuit. He was the only son of John Ball, an eminent silk mercer in Nicholas-street, and born in 1791, so that he had completed his seventy-third year. He received his education in Stonyhurst and Trinity-college, where his fellow-students were Sir Thomas Wyse, Stephen Woulfe, Richard Shiel and William Henry Curran. He was called to the bar in 1811, when the Veto was raging, into which Shiel, then a youth, threw himself with all the ardour of his impulsive nature. He was strongly opposed to any interference, on the part of the State, with the nomination of Irish bishops, and his speeches on the question foreshadowed the distinction he afterwards acquired in the field of Catholic politics. Mr. Ball was less demonstrative. He took no part in the Veto dispute, nor did he give more than a passive support, in the great conflict of a subsequent day, to the Catholic Association. He was indisposed to any excess, and preferred the quiet pursuit of his profession to the notoriety to which so many aspired and some few gained. His practice was inconsiderable for some few years, but gradually, as his merits unfolded, they were rewarded by an ample share of easy and profitable business. His practice in the Rolls, under Sir William M'Mahon, was very large. Warren, Richards, O'Loghlen and Ball, divided between them the lucrative practice of the court. Sir William, so hard to be pleased, liked young Ball, and, in doubtful questions of costs, gave him his fair share, which induced solicitors to avail themselves of his persuasive powers with the frowning master. He was an excellent Rolls counsel, acute, clear and ready. In the Court of Chancery his business was also considerable, and, in cases of Catholic trusts, his opinions were highly valued. He was not distinguished for profound knowledge, but he had admirable working qualities, when he chose to give them exercise, and an excellent address. The promotion of Serjeant O'Loghlen threw a large share of business into his hands, just as the retirement of O'Connell filled Serjeant O'Loghlen's. Among Catholic lawyers, Mr. Ball filled a very high place. The three most conspicuous were Woulfe, O'Loghlen and himself, for Shiel was whirled round in the political vortex, and, soon after Emancipation, was working his way to office in the House of Commons. In 1836, on Serjeant Woulfe's promotion to the Solicitor-Generalship, Mr. Ball obtained the vacant serjeantcy, and two years after he succeeded Woulfe as Attorney-General, and was returned in the same year for Clonmel. He disliked parliamentary life. He spoke very rarely, and little at a time, but what he said was admired for the terse and lucid language in which he expressed himself. He might have acquired a name, but he cared little about such distinctions, and avoided political conflicts which then raged fiercely in both Houses. Tired of the "first assembly in the world," relief came in 1839 on the resignation of Arthur Moore. As a judge he was punctilious in the discharge of his duties, which were not very heavy in the Common Pleas, where Chief Justice Doherty looked so grave in his well-fitting English wig. When some anxious junior was sweating over "the current of authorities" he inclined to his brother Ball, and, with mouth awry, told the last story current in the Kildare-street Club. In charging juries and analysing evidence Judge Ball was often unrivalled. Some of the best charges in the last thirty years, we heard one of the first Conservative lawyers say, were delivered by him on circuit. He grasped almost intuitively the central point round which the minor facts revolved, and put the issues to the jury with remarkable precision. He was rather a finished than a forcible speaker. Though not a great lawyer, he was never at a loss in making up an able judgment, to which Chief Justice Doherty nodded Olympian assent, though he knew nothing at all about the matter. His peculiarities on the bench had been the subject of much pleasant talk, and not a little animadversion. Indeed, while he suffered from the death of a beloved son, and under the first strokes of that illness to which he finally succumbed, a malicious story had been set afloat about an action in which he was defendant. He ordered a mill to cease clacking, until otherwise ordered by the court; and, forgetting the withdrawal of the order before he left Cork, the owner brought an action for damages. Any person with a grain of sense knew the utter absurdity of the story, which "went the rounds of the papers" as a good thing, though it gave the venerable judge deep pain. He said some curious things on circuit, and in the Common Pleas sometimes displayed the same singularity. There was in this peculiarity, perhaps, some affectation, but also much that was natural. He was, in his early days, educated in England, where he could have acquired no knowledge of Irish idioms or Irish character. When called to the bar he only went circuit a few times, and had no opportunity of perfecting himself in the knowledge of our provincial *patois*. He knew no more than Baron Foster what a *Clogh Alpeen* meant, and when he questioned counsel or witness about some of those mysteries it was ascribed to conceit. His judicial character was open to a graver fault, though the indulgence was rare. He liked, betimes, to perplex a junior by putting annoying questions and sporting with his nervous timidity. But, when he felt he had gone too far, he made every reparation by giving him credit for "powerful argument," or "enlightening the court by his admirable statement." In private he was one of the kindest and gentlest of men, and ever ready to do a generous act without caring for that public approbation which prompts others to do openly what he preferred to do unknown. His literary acquirements were extensive and accurate. Though not a linguist, he knew a great deal about languages, and could talk learnedly on the subject. As a specimen of a highly cultivated Irish gentleman few surpassed him. His idiosyncracies were harmless. He laughed at them himself as heartily as others, when he found his mistake, and often wondered, how, as an Irishman, he should not have known what was intelligible to all but himself. He was the last of the second class of Irish lawyers between the great names of the beginning of the century and the present—a class represented by O'Loghlen, Woulfe, Shiel, and Perrin. Judge Ball was a true reformer, and in the best sense of the term, Liberal. A lover of progress, he detested ascendancy in any shape, and repressed with equal severity partisan displays in the south, where they are rare, and in the north, where they are frequent. He leaves one surviving son, having lost Nicholas, who had been at the bar for some years, and Thomas, whose name will be permanently associated with the introduction of improved breeds of cattle into Ireland.—*Dublin Freeman.*

T. H. KENNEY, ESQ.

On the 21st ult., at Claremont, co. Roscommon, Ireland, the seat of his brother-in-law, the Hon. Gonville Ffrench, aged sixty-five, Thomas Henry Kenney, Esq., late of Ballyforan-house, in the same county, and of the Chateau de la Virilliere and Le Vivier, Loir-et-Cher, France, barrister-at-law.

The deceased gentleman, who was the second son of the late William Kenney, Esq., of Kilclogher, co. Galway, by Bridget Fitzgerald, daughter and heir of the late John Daly, Esq., of Dalybrook, co. Kildare, was born in 1799, and received his early education at the Jesuit College, Stonyhurst, Lancashire, whence he passed in due course to Trinity College, Dublin. He was called to the Irish Bar in 1825, but never actively followed his profession. He married, in 1827, Mdlle. Sophie Aimée Armaden Guyon, daughter of Jacques Moire Cecile, Comte de Montlivault, in France, by whom he has left surviving issue two daughters. The family of Kenney has long been of high standing in the county of Galway; and, according to Burke's "Royal Descents," and "The County Families," appears to trace its origin maternally from King Edward I., and paternally from an ancient and knightly family, the Kennes of Kenne, in the county of Somerset. They claim to be sprung from John de Kenne, who was living in the twelfth year of King Henry II. A branch of the family, descended from this John de Kenne, migrated into Ireland, according to the family records, before the Reformation of the 16th century, and were established in the manor and lands of Edermine, or Eddermine, in the county of Wexford, in the reign of Queen Elizabeth. Some further account of the family may be found in the "Nobiliaire Universel, or French Manual of Illustrious Families," published under the editorship of the Viscount de Magny.

J. GREGORY, ESQ.

The late Jonas Gregory, Esq. was born in 1777. He was admitted a solicitor in Hilary Term 1802, and joined the firm of Allen and Bodle, of 12 and 13, Clement's-inn. On the death of Mr. Allen and the retirement of Mr. Bodle, he continued the business until the year 1863, when he ceased to take out his certificate. He died on the 29th ult., and was buried on the 6th inst., at the Kensal-green Cemetery. He has left a widow and eight children; three sons and five daughters.

LAW SOCIETIES.

LAW STUDENTS' DEBATING SOCIETY.

At the Quarterly General Meeting of this Society, on Jan. 10th, the Secretary read the following report.

Gentlemen,—In accordance with the 17th rule I beg now to lay before you a statement of the proceedings of the society during the quarter which commenced on the 25th Oct., and terminated on the 20th Dec. 1864, and I am happy to be able to state that during that time the position and progress of the society have been as satisfactory as ever.

During the quarter nine meetings have been held, at which five legal and three jurisprudential questions have been discussed; the legal question appointed for discussion on the 6th Dec. having been postponed on account of the length of time occupied by the motions.

Twenty-one gentlemen have been elected members, but two of them have allowed their elections to become void; and eight gentlemen having resigned, the society now consists of 141 members.

Messrs. Peard and Buckland having resigned their offices of reporters, the vacancies thus caused have been filled up by the election of Mr. Last and Mr. Winch.

At the final examination in Michaelmas Term Mr. Hepburn was awarded a certificate of merit.

The average attendance of members at the meetings has been thirty-two, the highest number being thirty-six, and the lowest twenty-nine.

The debates on the legal and jurisprudential questions have been very satisfactory, the average number of speakers being twelve, and the average duration of the debates being two hours and four minutes. The average number of members voting has been seventeen, of whom an average of eleven voted at the divisions and six by means of the register of votes.

In the face of such favourable evidence of the energy with which the members have joined in the debates I might perhaps be excused from making any remark on this subject, except by way of congratulation; but the other members of the committee as well as myself feel that if gentlemen would make it convenient to stay a little longer at the meetings than many of them have been accustomed to do during the past quarter, it would be of considerable advantage not only to themselves but also to those who do not leave so early, as on more than one occasion the debate has ceased not for want of members ready to speak, but on account of the number of members in the room being so small as to discourage those who remained from taking the trouble to address the society.

There is one duty to which I beg to call the attention of gentlemen who have recently become members, as I think many of them are not aware of it, and that is the duty of the members under the 10th rule to supply the committee with questions suitable for discussion. I shall be very glad to receive some questions, as the committee have at present very few before them for consideration.

No alteration has been made in the rules during the past quarter, but at the meeting on the 6th Dec. upon the motion of Mr. Rooks, a committee of five members was appointed to revise them.

T. Sanister Green, Secretary.

Law Institution, 10th Jan. 1864.

LEGAL NEWS.

The Bankruptcy Act.—The following are the names of the committee proposed by Mr. Moffatt to inquire into the working of the New Bankruptcy Act: The Attorney-General, Mr. Moffatt, Mr. Murray, Mr. Malins, Mr. Weguelin, Mr. Osthorne Hardy, Mr. Kirkman Hodgson.

Mr. Crum-Ewing, the Lord-Advocate, Mr. Lowe, Mr. Vance, Mr. Cave, Mr. Goschen, Mr. Roebuck, Mr. Taverner John Miller, and Mr. Ayrton.

ROSA BONHEUR A DEFENDANT.—The Civil Tribunal of Fontainebleau has just tried an action for breach of contract brought by M. Pourchet, a judge of the Lyons Tribunal of Commerce, and a noted amateur of paintings, against Mdlle. Rosa Bonheur, the celebrated painter. It appeared from the statement of counsel that in Dec. 1860, M. Pourchet requested Mdlle. Bonheur to execute for him a painting in the style of her "Horses Ploughing." The artist expressed her readiness to accede to M. Pourchet's request and fixed the price of the proposed painting at from 8,000 francs to 10,000 francs, which that gentleman agreed to pay. Ever since that time M. Pourchet has been vainly expecting the execution of the contract, and, having at last become urgent in his demands, Mdlle. Bonheur informed him that he should not have "an inch of her canvas." M. Pourchet consequently commenced the present proceedings to compel the execution of the contract, or payment of 15,000 francs as damages. After hearing counsel for both parties, the Tribunal decided that it was evident from the correspondence which had passed between the plaintiff and defendant that the latter had really contracted to execute a certain painting, but without fixing any precise time for its delivery, she was bound to fulfil her engagement, and the Tribunal was competent to fix the time for its performance; it accordingly ordered that the painting should be delivered within six months from the notification of the present judgment, and that the defendant, after the expiration of that term, should pay 20 francs for every day's delay during three months, after which time further remedy should be provided. The defendant was also condemned to pay all costs of the suit.—Galignani.

ILLEGALITY OF MONASTIC ORDERS.—The Lord Chancellor and the Lord Justice of Appeal in Ireland have just given judgment in a case arising out of a bequest to monastic institutions, which has taken many very much by surprise, and involves questions and interests of vast importance. The late John Sims, of Cork, made a will, dated the 15th Sept. 1861, in which he bequeathed to the Rev. R. White and the Rev. R. T. Russell, of St. Saviour's Catholic Church, Dublin, the sum of 500l., to be applied as they should deem best, for the education and maintenance of the priests of the Order of St. Dominic in Ireland; also 500l. to the Rev. P. T. Conway, of St. Mary's Priory, Cork. The Lord Chancellor and the Lord Justice of Appeal pronounced the bequests to be void, and upon any technical defect, or by analogy, but because the purposes for which the bequests were given in trust are illegal and directly prohibited by statute. The Emancipation Act declares it a misdemeanor for any person to found, or enter into, Jesuit or other religious orders, and provides for their gradual suppression. It imposes highly penal consequences on those who contravene or resist its operation. "The misdemeanor so committed (said the Lord Chancellor) is of the highest class known to the law." The bequest in the case, accordingly, as one enabling a person to fly in the face of an Act of Parliament, was absolutely void. On the same ground he held that the matter was cut short at once, and that the legacies could not be dealt with under the doctrine of *cy-pres*, or in any other way. The Lord Justice of Appeal is equally unhesitating in his decision. "The Act said that monastic orders are illegal, and their existence a violation of the law. The testator in the will under notice said, 'It is my object to effect that violation.' Under these circumstances he must hold that the bequests were totally void." The object of the testator was to afford means for perpetuating institutions which the Legislature declared ought to be abolished. "It was utterly impossible to read the prohibitory and penal clauses in those enactments without coming to the conclusion that bequests to continue those orders, so violating the Act of Parliament, were void."

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

N.B.—The Reports of the Estate Exchange are officially supplied to the following list. Auctioneers whose names are registered will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Tuesday, Feb. 7.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.—Leasehold, two residences, being Nos. 1 and 2, Castle-villas, Shoreditch, Hackney; term eighty-years, from 1861; ground-rent, 10l. per annum each—sold for 1160l. Freehold villa, being No. 2, Springfield-road, Colney Hatch—sold for 460l. Absolute reversion to one-fourth of 1000l. reduced Three per cent. Bank Annuities, receivable on the death of a lady aged 76 years—sold for 125l.

By Messrs. TEES BROTHERS.—Leasehold residence, being No. 7, [illegible]-villas, Talbot-road, Paddington; term 83 years unexpired; ground rent 10l. 10s. per annum—sold for 530l. Leasehold manufacturing premises, known as Hagley Works, Culvert-road, Battersea, term 96 years; ground rent, 15l. per annum—sold for 300l. Leasehold three shops and premises, being Nos. 1, 2 and 3, Aberdeen-place, High-street, Stoke Newington; term 50 years from 1862; ground rent 10l. each—sold for 780l.

Wednesday, Feb. 8.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Lease ([illegible] years unexpired) and goodwill of a coffee and chop-house, being Nos. 23 and 24, Old Jewry—sold for 250l. Freehold house, being [illegible], Bell-court, Jewry-street, Aldgate; let at 18l. per annum—sold for [illegible].

By Mr. C. WARTON, Leasehold two residences, situate at Sutton, [illegible] term, eighty-two years unexpired, at 1l. each—sold for 147l. Improved ground-rent and rents amounting to 71l. 17s. per annum, arising from property situate in Broad street and Stone-stairs-court, [illegible]—sold for 280l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Jan. 27.

[illegible], JAMES RICHARD and THOMAS, solicitors, Cornhill.

Gazette, Jan. 31.

[illegible] LEYS and ELLIS, GEORGE HENRY, attorneys and solicitors, [illegible].

Bankrupts.

Gazette, Jan. 31.

To surrender at the Bankrupts' Court, Basinghall-street.

[illegible], HARRIET, bookbinder, Paternoster-row. Pet. Jan. 27. Reg. Roche. O. A. Parkyns. Sols. Le Blanc and Torr, New Bridge-st. Blackfriars. Sur. Feb. 13.

BAINES, COOKE, commission merchant, Cheapside. Pet. Jan. 26. Reg. Brougham. O. A. Edwards. Sol. Plunkett, Milk-st. Cheapside. Sur. Feb. 23.

BURG, KARL, and HOPKINS, PERCY, booksellers, Hastings. Pet. Jan. 26. Reg. Hazlitt. O. A. Graham. Sols. Miller, Sherborne-la. for Savory and Norris, Hastings. Sur. Feb. 14.

CHAMBERLIN, GEORGE, plumber, Whitchurch. Pet. Jan. 26. Reg. Roche. O. A. Parkyns. Sols. Austen, De Gex and Harding, Gray's-inn, agents for Clarke, Whitchurch. Sur. Feb. 13.

CHAPMAN, THOMAS WILLIAM, builder, Junction-rd. Holloway. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sur. Feb. 27.

COLE, JOHN, cab proprietor, Larkhall-la. Clapham. Pet. Jan. 27. Reg. Brougham. O. A. Edwards. Sol. Pope, Winchester-house, Old Broad-st. Sur. Feb. 22.

CLUBB, GEORGE, engineer, Colchester. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry; Smythies and Co. Colchester. Sur. Feb. 20.

DICKINS, JOHN, victualler, Oval, Hackney-rd. Pet. Jan. 25. Reg. Brougham. O. A. Edwards. Sols. Ellis and Co. Clement's-la. Lombard-st. Sur. Feb. 20.

DURRANT, HENRY, grocer, Norwich. Pet. Jan. 26. Reg. Hazlitt. O. A. Graham. Sol. Doyle, Verulam-bdgs. Gray's-inn, for Sadd, jun. Norwich. Sur. Feb. 14.

FLETCHER, GRENVILLE, newspaper editor and author, Doddington-grove, Kensington-pk. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sur. Feb. 21.

GARNETT, EDWARD, manager to a cab proprietor, Phillip-st. Kingsland-rd. Pet. Jan. 27. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Feb. 14.

GRAVES, CHARLES, greengrocer, Richmond-pl. Marylebone. Pet. Jan. 25. Reg. Hazlitt. O. A. Graham. Sol. Jackes, Basinghall-st. Sur. Feb. 14.

GRIEVES, JAMES, commission merchant, Poultry, and Talbot-ter. Bayswater. Pet. Jan. 27. Reg. Roche. O. A. Parkyns. Sol. Dimsdale, Poultry. Sur. Feb. 13.

GREEN, WALTER, college servant, Oxford. Pet. Jan. 19. Reg. Roche. O. A. Parkyns. Sol. Abbridge, Moorgate-st. Sur. Feb. 13.

HALL, WILLIAM, builder and contractor, Barnes. Pet. Jan. 21. Reg. Hazlitt. O. A. Graham. Sur. Feb. 14.

HARDING, WILLIAM, builder, Lee-rd. Blackheath. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sol. Harcourt, King's Arms-yd. Coleman-st. Sur. Feb. 13.

HARTLEY, WILLIAM, carpenter, 24, Aldate's, Oxford. Pet. Jan. 19. Reg. Brougham. O. A. Edwards. Sur. Feb. 20.

KEELING, ENOCH BASSETT, architect, Verulam-bdgs. Gray's-inn, and Napier-ter. Islington. Pet. Jan. 31. Reg. Brougham. O. A. Edwards. Sol. Smith, Throgmorton-st. Sur. Feb. 20.

KNIGHT, WILLIAM, baker, Little Marylebone-st. Pet. Jan. 26. Reg. Brougham. O. A. Edwards. Sol. Drake, Walbrook. Sur. Feb. 20.

MANIERE, EDWARD, attorney, Bedford-row. Pet. Jan. 26. Reg. Roche. O. A. Parkyns. Sols. Few and Co. High-st. Southwark. Sur. Feb. 13.

McINTOSH, CHARLES HENRY DE MORTIMER, solicitor's clerk, Bingfield-cottages, Islington. Pet. Jan. 23. Reg. Roche. O. A. Parkyns. Sol. Grout, Scott's-yd. Cannon-st. Sur. Feb. 12.

MORGAN, CHARLES, coach smith, Central-st. St. Luke's. Pet. Jan. 24. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Feb. 13.

NYBERG, EDWARD, merchant, Bucklersbury and Forest-hill. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sols. Lawrence and Co. Old Jewry-chambers. Sur. Feb. 21.

PECOVER, JOSEPH, upholsterer, Westbourne-ter.-north, Paddington. Pet. Jan. 23. Reg. Brougham. O. A. Edwards. Sols. Yeo and Warner, Hart-st. Bloomsbury. Sur. Feb. 20.

PEDLEY, WILLIAM, baker, Bartholomew-sq. St. Luke's. Pet. Jan. 26. Reg. Hazlitt. O. A. Graham. Sol. Mason, Symond's-inn. Sur. Feb. 14.

REED, JOHN, flour factor, Swan-st. Bethnal-gn. Pet. Jan. 26. Reg. Hazlitt. O. A. Graham. Sol. Tripp, Danes'-inn, Strand. Sur. Feb. 16.

SAY, HENRY WILLIAM, bricklayer, East-st. Walworth. Pet. Jan. 21. Reg. Brougham. O. A. Edwards. Sur. Feb. 21.

SHANNON, MICHAEL JOSEPH, first-class assistant engineer, Woolwich. Pet. Jan. 26. Reg. Roche. O. A. Parkyns. Sol. Cooper, St. Martin's-in Charing-cross. Sur. Feb 13.

SPICER, JOHN, innkeeper, Finedon. Pet. Jan. 17. Reg. Brougham. O. A. Edwards. Sols. Keene and Hincks, King-st. Finsbury-sq.; Cook, Wellington. Sur. Feb. 22.

STONE, GEORGE, merchant's clerk, Temple-st. Whitefriars. Pet. Jan. 27. Reg. Brougham. O. A. Edwards. Sols. Roberts and Vaughan, Bucklersbury. Sur. Feb. 20.

TATHAM, AUGUSTA, lodging-house keeper, Shaftesbury-villas, Hornsey-rise. Pet. Jan. 25. Reg. Hazlitt. O. A. Graham. Sol. Kent, Mitre-ct.-chambers. Sur. Feb. 14.

WENDOLY, HENRY, watchmaker, Wood-st. Goswell-rd. Pet. Jan. 27. Reg. Roche. O. A. Parkyns. Sol. Hicks, Moorgate-st. Sur. Feb. 13.

WORSLEY, JOSEPH JAMES, commission agent for hosiery, Farringdon-st. Pet. Jan. 26. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, Quality-ct. Chancery-la. Sur. Feb. 14.

WRIGHT, HENRY, artificial flower and feather manufacturer, Monkwell-st. Wood-st. and Gloucester-st. Holborn. Pet. Jan 26. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-la. Sur. Feb. 20.

To surrender in the Country.

ARMITAGE, JOHN, cloth weaver, West Royd-hill, Pudsey. Pet. Jan. 27. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. Feb. 14.

BALLANCE, JOHN, factor, Birmingham. Pet. Jan. 21. Reg. Tudor. O. A. Kinnear. Sol. Allen, Birmingham. Sur. Feb. 10.

BEDDARD, JAMES, provision dealer, Wombourne. Pet. Jan. 28. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Feb. 15.

BOAK, JOHN, jun. tailor, South Stockton. Pet. Jan. 31. Reg. & O. A. Crosby. Sol. Webster, Darlington. Sur. Feb. 6.

BUXTON, SAMUEL, contractor, Hunslet, Leeds. Pet. Jan. 26. O. A. Young. Sols. Bond and Barwick, and Shackleton and Whiteley, Leeds. Sur. Feb. 11.

CAVANAGH, ANDREW, beerseller, Manchester. Pet. Jan. 26. Reg. & O. A. Kay. Sols. Richardson and Brandwood, Manchester. Sur. Feb. 13.

CLAGUE, WILLIAM, joiner, Liverpool. Pet. Jan. 26. Reg. & O. A. Hime. Sol. Pemberton, Liverpool. Sur. Feb. 13.

COCKERILL, WILLIAM, butcher, Northampton. Pet. Jan. 23. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. Feb. 11.

CROSS, WALTER, tailor and draper, Minster. Pet. Jan. 21. Reg. & O. A. Snowden. Sol. Towne, Ramsgate. Sur. Feb. 16.

DAWSON, EDWIN, pianoforte dealer, Sheffield. Pet. Jan. 26. O. A. Young. Sol. Unwin, Sheffield. Sur. Feb. 17.

EVANS, JENKIN, farmer and cattle dealer, Ponyboat Tyrch. Pet. Jan. 26. Reg. Wilde. O. A. Acraman. Sols. Clifton and Bockingham, Bristol. Sur. Feb. 15.

EVANS, RICHARD, labourer, Hulme. Pet. Jan. 24. Reg. & O. A. Hulton. Sol. Smith, Manchester. Sur. Feb. 11.

FIRLINSON, JAMES, grocer, Leeds. Pet. Jan. 21. O. A. Young. Sol. North and Sons, Leeds. Sur. Feb. 13.

FINNEY, JOHN, butcher, Hanley. Pet. Jan. 26. Reg. & O. A. Challinor. Sol. Tennant, Hanley. Sur. Feb. 15.

GLAISTER, JOHN, cooper, Saltcoats, Holme Cultram. Pet. Jan. 27. Reg. Gibson. O. A. Lakiman. Sols. Messrs. Sanis, Carlisle; Messrs. Watson, Newcastle. Sur. Feb. 17.

GRIFFITHS, DAVID JONES, printer, Llandilo. Pet. Jan. 26. Reg. Wilde. O. A. Acraman. Sol. Benson, Bristol. Sur. Feb. 10.

HAGUE, CHARLES WALTER, grocer, Lichfield. Pet. Jan. 25. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. Feb. 10.

HALLIWELL, THOMAS, manufacturer, Rake Wood Mill, Littleborough. Pet. Jan. 26. Reg. Macrae. O. A. Morgan. Sol. Holland, Rochdale; Sols. Worthington, Shipman and Seddon, Manchester. Sur. Feb. 10.

HARRALD, WILLIAM, milliner, Bury St. Edmunds. Pet. Jan. 24. Reg. & O. A. Collins. Sol. Salmon, Bury St. Edmunds. Sur. Feb. 14.

HARTOP, HENRY, Esq. Ilkeston. Pet. Jan. 26. O. A. Young. Sol. Preston, Sheffield. Sur. Feb. 17.

HICKMAN, GEORGE, gun lock filer, Birmingham. Pet. Jan. 23. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. Feb. 27.

HILLS, HENRY, surveyor, Gateshead. Pet. Jan. 26. Reg. & O. A. Bowes. Sols. Keaife and Britton, Newcastle. Sur. Feb. 13.

HOLT, JOHN, beer retailer, Radcliffe. Pet. Jan. 26. Reg. Harris. O. A. Morgan. Sol. Swan, Manchester. Sur. Feb. 14.

INGHAM, JAMES, stamp distributor. Pet. Jan. 27. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whitham, Burnley; Cobbett and Wheeler, Manchester. Sur. Feb. 14.

JACKSON, PETER; GRIME, GEORGE; and BERRY, MATTHEW, cotton spinners, Blackburn. Pet. Jan. 19. Reg. Macrae. O. A. Morgan. Sols. Higson and Robinson, Manchester. Sur. Feb. 17.

JONES, ALBERT, hosier and milliner, Birmingham. Pet. Jan. 27. Reg. Hill. O. A. Kinnear. Sol. Hawkes, Birmingham. Sur. Feb. 13.

MARLEY, JOHN, grocer, Rainford. Pet. Jan. 26. O. A. Turner. Sol. Worship, Liverpool. Sur. Feb. 11.

MARTIN, HENRY, retail brewer, Great Bridge, Tipton. Pet. Jan. 30. Reg. Tudor. O. A. Kinnear. Sol. Jackson, West Bromwich. Sur. Feb. 17.

RANDALL, WILLIAM JOHN FISHER, grocer's assistant, Southsea. Pet. Jan. 24. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Feb. 11.

RENTON, JAMES GARSDEN, boot top maker, Wigan. Pet. Jan. 18. Reg. & O. A. Part. Sur. Feb. 28.

ROLLASON, JOHN, metal broker, Manchester. Pet. Jan. 26. Reg. Harris. O. A. Morgan. Sol. Peacock, Manchester. Sur. Feb. 15.

SCOBLE, RICHARD, ironmonger, Balminland, Liskeard. Pet. Jan. 27. O. A. Carries. Sol. Fowler, Plymouth; Floud, Exeter. Sur. Feb. 10.

SMART, THOMAS, outfitter, Cardiff. Pet. Jan. 9. Reg. Wilde. O. A. Acraman. Sols. King and Plummer, Bristol. Sur. Feb. 13.

SPEIGHT, JOHN, rope and twine manufacturer, Market, Lancaster. Pet. Jan. 24. Reg. Harris. O. A. Morgan. Sols. Tilly, Lancaster; Cobbett and Wheeler, Manchester. Sur. Feb. 11.

TAYLOR, HENRY, factor, Birmingham. Pet. Jan. 27. Reg. Tudor. O. A. Kinnear. Sol. Allen, Birmingham. Sur. Feb. 10.

TAYLOR, JOHN, butcher, West Tanfield. Pet. Jan. 26. Reg. & O. A. Hesiop. Sol. Fisher, Masham. Sur. Feb. 10.

TILL, RICHARD, butcher, Worcester. Pet. Jan. 25. Reg. & O. A. Crisp. Sol. Corles, Worcester. Sur. Feb. 14.

TOMLINSON, PETER, tailor, Hanley. Pet. Jan. 26. Reg. & O. A. Challinor. Sol. Tennant, Hanley. Sur. Feb. 23.

UNDERWOOD, ROBERT CROWLEY, miller, Cam. Pet. Jan. 24. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. Feb. 10.

WATTS, EDWARD FREDERICK, commission agent, Gravesend. Pet. Jan. 26. Reg. & O. A. Southgate. Sol. Sharland, Gravesend. Sur. Feb. 11.

WATTS, JOSEPH, innkeeper, Kingsholm, Gloucester. Pet. Jan. 28. Reg. Wilde. O. A. Acraman. Sol. Wilkes, Gloucester. Sur. Feb. 13.

WILDER, JOSEPH, victualler, Aston-juxta-Birmingham. Pet. Jan. 27. Reg. & O. A. Guest. Sol. Robinson, Birmingham. Sur. Feb. 27.

WILLIAMS, OWEN, grocer, Ystradgunlais and Glyn Neath. Pet. Jan. 23. Reg. & O. A. Morgan. Sol. Kempthorne, Neath. Sur. Feb. 13.

WILLIS, JOHN, iron and brass founder, Maidstone. Pet. Jan 26. Reg. & O. A. Scudamore. Sol. Morgan, Maidstone. Sur. Feb. 9.

WINGARDH, AUGUST, shipbroker, West Hartlepool. Pet. Jan. 27. Reg. Gibson. O. A. Lakiman. Sols. Turnbull and Bell, West Hartlepool. Sur. Feb. 17.

Gazette, Feb. 3.

To surrender at the Bankrupts' Court, Basinghall-street.

ARROWSMITH, JOSIAH, upholsterer, Chisenhall-rd. Victoria-pk. Pet. Feb. 1. Reg. Roche. O. A. Parkyns. Sol. Solomons, Finsbury-pl. Sur. Feb. 21.

AVERY, WILLIAM; AVERY, DANIEL, and AVERY, RICHARD, chair manufacturers, West Wycombe. Pet. Jan. 30. Reg. Brougham. O. A. Edwards. Sols. Cox, St. Swithin's-la.; Clarke, High Wycombe. Sur. Feb. 27.

BARNARD, MARY, milliner, Duke-st. Grosvenor-sq. Pet. Jan. 31. Reg. Brougham. O. A. Edwards. Sol. Dubois, Church-passage, Gresham-st. Sur. Feb. 27.

BERRY, JOHN ROBERT, railway clerk, Chancellor-rd. West Dulwich. Pet. Jan. 30. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. Feb. 16.

BLAKE, ALFRED JOHN, foreman to a stationer, Powerscroft-rd. Dalston. Pet. Feb. 1. Reg. Brougham. O. A. Edwards. Sol. Chalk, Coleman-st. Sur. Feb. 27.

BOULD, WILLIAM ALFRED, carman, Reginald-rd. Deptford. Pet. Jan. 27. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. Feb. 24.

BRAND, WILLIAM, beershop-keeper, Highway, Enfield. Pet. Jan. 20. Reg. Roche. O. A. Parkyns. Sol. Wells, Moorgate-st. Sur. Feb. 11.

COLLINS, HENRY, land agent, Boyle-st. Burlington-gdns. Pet. Nov. 25. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Raymond-bdgs. Gray's-inn. Sur. Feb. 16.

CRIPPS, WILLIAM, hay and horse dealer, Hockliffe. Pet. Jan. 31. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Feb. 14.

FRENCH, JAMES, furniture dealer, Great Earl-st. Pet. Jan. 30. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. Feb. 13.

GOODE, ROBERT, butcher, North-st. Walworth. Pet. Jan. 31. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Linc.-inn-fds. Sur. Feb. 21.

HARROLD, ROBERT, dairyman, Great Yarmouth. Pet. Jan. 30. Reg. Hazlitt. O. A. Graham. Sols. Treherne and White, Barge-yd.-chambers, Bucklersbury; Emberson, Norwich. Sur. Feb. 16.

HARDING, JOSEPH, furniture dealer, Northampton. Pet. Jan. 10. Reg. Hazlitt. O. A. Graham. Sols. Kingdon and Williams, Lawrence-la. Cheapside; Shield and White, Northampton. Sur. Feb. 16.

HEATH, ROBERT VERNON, photographic artist, Piccadilly, and Roehampton. Pet. Jan. 30. Reg. Roche. O. A. Parkyns. Sol. Howell, Cheapside. Sur. Feb. 13.

KING, ROWLEY FLUDYER, temporary clerk, Warwick-st. Pimlico. Pet. Jan. 30. Reg. Roche. O. A. Parkyns. Sol. Holmes, Southampton-st. Bloomsbury. Sur. Feb. 12.

LEE, JOHN HENRY, watch figure maker, St. Thomas-st. Islington. Pet. Jan 30. Reg. Hazlitt. O. A. Graham. Sol. Jackes, Basinghall-st. Sur. Feb. 15.

MASON, MALCOLM RONALD LAING, banker's clerk, Park-rd. Stoke Newington. Pet. Jan. 27. Reg. Brougham. O. A. Edwards. Sol. Tower, King-st. Finsbury-sq. Sur. Feb. 23.

O'GRADY, EDWARD WILLIAM, baker, Talbot-rd. Bayswater. Pet. Jan. 26. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. Feb. 16.

PARKER, WILLIAM, jun. commission merchant, Lower Thames-st. Pet. Jan. 30. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Feb. 24.

PHILLIPS, DANIEL JOHN, dairyman, Princess-ter. Primrose-hill. Pet. Jan. 30. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. Feb. 27.

ROBERTS, GEORGE, Cheyne-walk, Chelsea. Pet. Jan. 19. Reg. Roche. O. A. Parkyns. Sol. Hembery, Staple-inn, Holborn. Sur. Feb. 20.

ROBINSON, JOSEPH GALIFFE, no occupation, York-pl. Hammersmith. Pet. Jan. 23. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. Feb. 12.

ROBY, HENRY GREATOREX, comedian, 84, George's-st. Peckham. Pet. Jan. 31. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. Feb. 20.

ROOKER, THOMAS, baker, Lower Vale-pl. Fulham. Pet. Jan. 27. Reg. Hazlitt. O. A. Graham. Sol. Oliver, King-st. Cheapside. Sur. Feb. 14.

SCOTT, JAMES, and CALDWELL, JOHN SMITH, provision merchants, Tower-hill. Pet. Jan. 31. Reg. Hazlitt. O. A. Graham. Sol. Mount, Sise-la. Bucklersbury. Sur. Feb 16.

STRINGER, RICHARD DURANT, grocer, Staines. Pet. Jan. 31. Reg. Roche. O. A. Parkyns. Sols. Clifton, Burton, Yeates and Hart, Chancery-la., for Horne, Staines. Sur. Feb. 12.

WILLCOX, WILLIAMS, confectioner, Blackman-st. Southwark. Pet. Jan. 30. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. Feb. 27.

WINTER, JOSEPH, jun. lighterman, Old Brentford. Pet. Jan. 26. Reg. Brougham. O. A. Edwards. Sol. Oliver, King-st. Cheapside. Sur. Feb. 20.

To surrender in the Country.

ALLINSON, JOHN, farmer, Trafford Moss, Stretford. Pet. Jan. 30. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. Feb. 13.

BADHAM, EDWIN, whitesmith, Worcester. Pet. Jan. 31. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Feb. 14.

BANNISTER, HENRY, glass dealer's assistant, Heaton Norris. Pet. Jan. 30. Reg. & O. A. Coppock. Sols. Chew and Son, Manchester. Sur. Feb. 24.

BARKER, HOLT, commission agent, Levenshulme. Pet. Jan. 11. Reg. & O. A. Kay. Sol. Ambler, Manchester. Sur. Feb. 16.

BARRABALL, WILLIAM, butcher, Plymouth. Pet. Jan. 30. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. Feb. 15.

BELL, ALFRED HENRY, hosier, Bradford. Pet. Jan. 31. Reg. & O. A. Robinson. Sols. Terry and Watson, Bradford. Sur. Feb. 17.

BIRKINSHAW, THOMAS, joiner, Manchester. Pet. Jan. 25. Reg. & O. A. Kay. Sol. Ambler, Manchester. Sur. Feb 16.

BOUGHEY, JAMES, general dealer, Newton. Pet. Jan. 16. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. Feb. 10.

BRADLEY, EDWARD, assistant to a cowkeeper, Birmingham. Pet. Feb. 1. Reg. & O. A. Guest. Sol. Beaton, Birmingham. Sur. Feb. 27.

BURLAND, WILLIAM HUGH, organist and teacher of music, Shirbeck. Pet. Jan. 31. Reg. Tudor. O. A. Harris. Sol. Bailee, Boston. Sur. Feb. 21.

CHAPMAN, WILLIAM DANIEL, innkeeper, Southampton. Pet. Jan. 30. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. Feb. 22.

CLAY, THOMAS, butcher, Withington. Pet. Jan. 28. Reg. & O. A. Poole. Sol. Davies, Shrewsbury. Sur. Feb. 16.

FLITCROFT, THOMAS, beerseller, Huddersfield. Pet. Jan. 24. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. Feb. 20.

FRANKLIN, THOMAS, innkeeper, Stebbing. Pet. Jan. 31. Reg. O. Wade. Sol. Baker, Bishops Stortford. Sur. Feb. 16.

OLDHILL, WILLIAM, yarn manufacturer, Hill-top, Slaithwaite. Pet. Jan. 19. Reg. & O. A. Jones. Sol. Freeman, Huddersfield. Sur. Feb. 10.

GOODYEAR, SAMUEL, joiner, Lindley, Huddersfield. Pet. Jan. 14. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. Feb. 20.

HAIGH, DARIUS, grocer, Mold-gn. Kirkburton. Pet. Jan. 4. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. Feb. 20.

HALLIWELL, DANIEL, manufacturer, Low Moor, Bradford. Pet. Jan. 25. O. A. Young. Sols. Green, Bradford; Carter and Tempest, Leeds. Sur. Feb. 11.

HARDMAN, HANNAH MARIA, assistant to a confectioner, Lymm. Pet. Jan. 24. Reg. & O. A. Nicholson. Sol. Gardner, Manchester. Sur. March 2.

HARVEY, ROBERT PARSON, jun. dealer in bullocks, Wymondham. Pet. Jan. 17. Reg. & O. A. Feltham. Sol. Atkinson, Norwich. Sur. Feb. 15.

HAWKINS, JAMES, butcher, Hemel Hempstead. Pet. Jan. 25. Reg. & O. A. Simpson. Sol. Annesley, St. Alban's. Sur. Feb. 15.

HAZLEHURST, THOMAS, grocer, Runcorn. Pet. Jan. 26. Reg. & O. A. Nicholson. Sols. Day and Wood, Runcorn and Warrington. Sur. Feb. 11.

HILL, GEORGE EDWARD, milliner, Liverpool. Pet. Jan. 30. Reg. & O. A. Hime. Sol. Harris, Liverpool. Sur. Feb. 15.

HIND, THOMAS, joiner, Sheffield. Pet. Jan. 5. O. A. Young. Sol. Fernell, Sheffield. Sur. Feb. 17.

HULLS, ROBERT, cordwainer, Worcester. Pet. Jan. 31. Reg. & O. A. Crisp. Sol. Rea, Worcester. Sur. Feb. 14.

JARROLD, WILLIAM, dealer, Bradfield. Pet. Jan. 14. Reg. & O. A. Chapman. Sol. Moore, Ipswich. Sur. Feb. 16.

KEWLEY, WILLIAM, baker, Liverpool. Pet. Feb. 1. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. Feb. 14.

LAWS, GEORGE, clothier, Leeds. Pet. Feb. 1. O. A. Young. Sols. Shackleton and Whiteley, Leeds. Sur. Feb. 13.

LETT, OWEN, stonemason, Ladywood, Birmingham. Pet. Jan. 30. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Feb 17.

LILLY, ALFRED ROWLEY, chemist and druggist, Birmingham. Pet. Jan. 31. Reg. Hill. O. A. Kinnear. Sol. Suckling, Birmingham. Sur. Feb. 13.

LINCH, THOMAS, boot and shoe maker, Foxhole, Llansamlet. Pet. Jan. 31. Reg. & O. A. Morgan. Sol. Tripp, Swansea. Sur. Feb. 17.

LINNEY, JOSEPH, farmer, Billingborough, South Witham-common. Pet. Jan. 21. Reg. Tudor. O. A. Harris. Sol. Law, Stamford. Sur. Feb. 21.

MALLIN, MATTHEW, travelling draper, Birmingham. Pet. Jan. 20. Reg. & O. A. Guest. Sols. Powell and Son, Birmingham. Sur. Feb. 17.

MILLIGAN, ROBERT, boot and shoe maker, Brownlow-hill, Liverpool. Pet. Jan. 28. Reg. & O. A. Hime. Sol. Goldrick, Liverpool. Sur. Feb. 14.

MOUNTFORD, JOHN, boot and shoe maker, Leamington Priors. Pet. Jan. 31. Reg. & O. A. Tibbits. Sol. Griffin, Leamington Priors. Sur. Feb. 20.

PAUL, FRANCIS JOHN DEAN, Esq. Dolgelly. Pet. Feb. 1. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. Feb. 15.

PERKINS, HENRY, innkeeper, Hinton. Pet. Jan. 30. Reg. & O. A. Wilson. Sol. Hill, Salisbury. Sur. Feb. 15.

POLKEY, WILLIAM LIMBERT, agent and accountant, Loughborough. Pet. Jan. 31. Reg. Hill. O. A. Harris. Sol. Goode, Loughborough. Sur. Feb. 14.

PREVAL, WILLIAM, potato dealer, Barwick-in-Elmet. Pet. Jan. 30. Reg. & O. A. Bickers. Sol. Harle, Leeds. Sur. Feb. 22.

PURSELL, JOHN, farm bailiff, Lower-house, Llanwarne. Pet. Jan. 23. Reg. & O. A. Collins. Sol. Garrold, Hereford. Sur. Feb. 14.

RACE, SARAH ANN, grocer, Berry Edge. Pet. Jan. 28. Reg. & O. A. Booth. Sol. Brignal, Durham. Sur. Feb. 21.

RATE, WILLIAM, mushroom buyer, Bilsby. Pet. Jan. 30. Reg. & O. A. Walker. Sol. Walker, Alford. Sur. Feb. 14.

REDHEAD, JAMES, beerhouse-keeper, Skerton. Pet. Jan. 25. Reg. & O. A. Day. Sol. Holden, Lancaster. Sur. Feb. 17.

RICHES, EDMUND THOMAS, shoemaker, Heigham. Pet. Jan. 30. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. Feb. 11.

RIDDELL, ROBERT, jun. labourer, Woodhouse, Woodburn. Pet. Jan. 27. Reg. & O. A. Cook. Sol. Taylor, Hexham. Sur. Feb. 14.

ROBERTS, AMBROSE, cloth manufacturer, Yeadon, Otley. Pet. Jan. 31. Reg. & O. A. Carr. Sol. Harle, Leeds. Sur. Feb. 17.

ROBSON, JOHN THOMAS, tailor and outfitter, Leeds. Pet. Jan. 31. O. A. Young. Sols. Christie, Daniel and Christie, Leeds. Sur. Feb. 13.

ROEBUCK, HENRY, weaver, Kirkburton, Huddersfield. Pet. Dec. 13. Reg. & O. A. Jones. Sur. Feb. 20.

SENDALL, EDWARD, dealer in corn, Great Ringstead, Hunstanton. Pet. Jan. 17. Reg. & O. A. Wilson. Sol. Ward, King's Lynn. Sur. Feb. 21.

SISWICK, BENJAMIN, journeyman woollen dyer, Huddersfield. Pet. Jan. 9. Reg. & O. A. Jones. Sol. Freeman, Huddersfield. Sur. Feb. 20.

STILES, JOHN, farmer and stage carrier, Abberley. Pet. Jan. 31. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Feb. 14.

TAIT, GEORGE, innkeeper, South Shields. Pet. Jan. 30. Reg. Gibson. O. A. Laidman. Sols. Keenlyside and Forster, Newcastle. Sur. Feb. 17.

TANNER, SANDERMAN, innkeeper, Aberychan, in Trevethin. Pet. Feb. 1. Reg. & O. A. Edwards. Sol. Edwards, Pontypool. Sur. Feb. 22.

THOMPSON, JOHN, beerhouse keeper, Rotherham. Pet. Jan. 30. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. Feb. 20.

TINDALL, JOHN, hairdresser, Bradford. Pet. Jan. 31. Reg. & O. A. Robinson. Sol. Dawson, Bradford. Sur. Feb. 17.

UNWIN, JOHN, clothier and draper, Wolstanton. Pet. Jan. 31. Reg. & O. A. Challinor. Sol. Salt, Tunstall. Sur. Feb. 23.

VERY, BENJAMIN, leather seller, Newport, Isle of Wight. Pet. Jan. 30. Reg. & O. A. Blake. Sol. Hooper, Newport. Sur. Feb. 15.

VARLEY, WILLIAM, Great and Little Marsden, near Colne. Pet. Jan. 31. Reg. & O. A. Carr. Sols. Backhouse and Whittam, Burnley. Sur. Feb. 20.

VICKERMAN, THOMAS, innkeeper, Almondbury. Pet. Jan. 19. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. Feb. 20.

WALKHAM, HENRY, baker, Great Grimsby. Pet. Jan. 31. Reg. & O. A. Daubney. Sol. Wintringham, Great Grimsby. Sur. Feb. 17.

WALLER, JOHN, victualler, Elsted, near Midhurst. Pet. Jan. 28. Reg. & O. A. Johnson. Sol. White, Dane's-inn, Strand, and Portsea. Sur. Feb. 14.

WATKIN, HENRY, tailor, Leeds. Pet. Jan. 31. Reg. & O. A. Sangster. Sol. Pickering, Leeds. Sur. Feb. 16.

WATSON, JOB, wheelwright, Whaplode. Pet. Feb. 1. Reg. & O. A. Capera. Sol. Clark, Moulton. Sur. Feb. 19.

WEBB, JOHN, huckster, Birmingham. Pet. Jan. 30. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Feb. 27.

WILD, WILLIAM, and WILLIAM HENRY BARLOW, cotton spinners, Lees, Oldham. Pet. Jan. 30. Reg. Harris. O. A. Morgan. Sols. Murray and Wrigley, Oldham, and Sale, Worthington, Shipman and Seddon, Manchester. Sur. Feb. 15.

WILKINSON, CHRISTOPHER, blacksmith, Alston. Pet. Jan. 24. Reg. & O. A. Dickinson. Sol. Pattinson, Haltwhistle. Sur. Feb. 13.

WORSLEY, JOHN LYALL, draper, Heigham. Pet. Jan. 31. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. Feb. 13.

BANKRUPTCIES ANNULLED.

Gazette, Jan. 31.

LANE, EDWARD, provision merchant, Fish-st.-hill.

Gazette, Feb. 3.

STERNE, SALIOMIA, merchant, St. Michael's-house, St. Michael's-alley, Cornhill.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Allen, J. draper, first, 6s. 10d. Kinnear, Birmingham.—*Aflatt*, E. C. architect, first, 2s. 7¾d. Kinnear, Birmingham.—*Bateman*, J. agent, seventh, 3s. 0d. 7-16ths. Edwards, London.—*Bell*, F. J. mantle manufacturer, first, 7d. Parkyns, London.—*Beaumont*, W. H. ironfounder, second, 2¾d. Parkyns, London.—*Bunney*, H. brickmaker, first, 11¾d. Parkyns, London.—*Coote*, W. grocer, first, 3s. Kinnear, Birmingham.—*Dew*, M. farmer, first, 11d. Edwards, London.—*Dobbins*, G. J. ironmonger, first, 10s. 7¾d. Parkyns, London.—*Elder*, J. builder, first, 2s. 7d. Edwards, London.—*Elams*, J. farmer, first, 1s. 1¾d. Parkyns, London.—*Elstone*, W. bookseller, first, 1s. 7¾d. Edwards, London.—*Fincher*, J. T. saddler, first, 1s. 6d. Parkyns, London.—*Francis*, W. L. Middleton-rd. first, 9s. 6d. Parkyns, London.—*Fry*, P. S. Walbrook, first, 1s. 5d. Parkyns, London.—*Garrard*, J. G. miller, first, 11¾d. Parkyns, London.—*Garrett*, G. F. grocer, first, 1s. 3d. Parkyns, London.—*Gibbs*, S. ironmonger, first, 3s. 1d. Acraman, Bristol.—*Harper*, J. farmer, first, 13s. 2d. Parkyns, London.—*Harrison*, W. market gardner, first, 2d. Harris, Nottingham.—*Hay*, J. A. C. clerk, in Woolwich Arsenal, first, 7s. 11¼d. Parkyns, London.—*Higginson*, J. merchant, sixth sep. 1s. 2¼d. Turner, Liverpool.—*Hughes*, W. J. provision merchant, first, 2s. 9d. Acraman, Bristol.—*Jones and Birmeridge*, house decorators, second, 3d.; on new proofs 10s. 3d. Edwards, London.—*Jones*, J. Skinner, first, 3s. 6d. Turner, Liverpool.—*Kirk*, *Waite and Kirk*, coal and timber merchants, second, 1d. Harris, Nottingham.—*Leyall*, J. D. draper, second, 2s. 11¼d. Parkyns, London.—*Lawrence*, F. brewer, first, 1s. 7d. Parkyns, London.—*Mennet*, T. ship chandler, first, 4s. 6¼d. Parkyns, London.—*Mundy*, U. cook and confectioner, second, 2d.; on new proofs 2s. 2d. Edwards, London.—*Norfolk*, W. lighterman, first, 2s. 7¼d. Parkyns, London.—*Pemberton*, G. R. major-general, second, 2s. 11¼d. Parkyns, London.—*Piggins*, C. S. saw and tool maker, first, 1s. 2d. Parkyns, London.—*Pinnm*, J. R., brickmaker, 9d. 15-16ths.; on account of first of 5s. Turner, Liverpool.—*Pool*, T. farmer, first, 4s. 6¼d. Kinnear, Birmingham.—*Pritchett*, R. T. gun manufacturer, second, ¾d. Parkyns, London.—*Richards* M. G. stationer, first, 7s. 10d. Parkyns, London.—*Roberts*, J. R. victualler, first, 5s. Edwards, London.—*Robins and Priest*, auctioneers, first, 1s. 5¼d. Parkyns, London.—*Symoll*, W. victualler, first, 3s. 6d. Kinnear, Birmingham.—*Stanton*, T. boot and shoe dealer, first, 2s. 2d. Kinnear, Birmingham.—*Sullivan*, Sir C. Bart., first, 7¼d. Parkyns, London.—*Totton*, P. tarpaulin manufacturer, first, 3s. 5¼d. Parkyns, London.—*Thompson*, G. S. tradesman, first, 2s. 6d. Turner, Liverpool.—*Walker*, C. wine merchant, first, 7¾d. Parkyns, London.—*Westworth*, W. merchant, second, 1s. 1¼d. Parkyns, London.—*Winder*, T. of Liverpool, first, 5s. Turner, Liverpool.—*Wright*, T. P. victualler, first, 5s. Parkyns, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Jan. 31.

AMELAM, FREDERICK, broker's clerk, Liverpool. Jan. 24. Trust. A. Rodriques, wholesale stationer, Nath-st. Newgate-st. 2s. by two instalments of 1s. on 15th Feb. and 15th April.

ANDERTON, FRANCIS, leather seller, Northampton. Jan. 14. Trusts S. Barrow, tanner, Grange-rd. Bermondsey, and T. P. Streeiger, currier, Northampton.

ARCHER, AMBROSE, baker and flour dealer, Liverpool. Dec. 30. 9s. by three instalments—3s. in 3 mos., 3s. in 6 mos. and 3s. in 9 mos.—secured.

BISHOP, JOHN, butcher, Holland-rd. Shepherd's-bush, Hammersmith. Jan. 26. 2s. 6d. on 6th Feb.

BLACKBURN, JOSHUA, stonemason, Heckmondwike. Jan. 3. Trusts G. Keighley, woollen manufacturer, and D. Barber, stonemason, both Heckmondwike.

COLLINS, ALFRED, boot and shoe manufacturer, Bristol. Jan. 2. Trusts T. N. Ashman, leather merchant, and H. Lane, gas engineer, both Bristol.

DAVIS, GEORGE, grocer, Bermondsey-new-rd. Jan. 17. Trust F. Nicholls, accountant, Old Jewry-chambers. 6s. by three equal instalments on 30th Jan., 15th March and 15th May.

DAWSON, JOHN, cheesemonger, Church-st. Camberwell. Jan. 3. Trust C. Duvall, cheesemonger, Crosby-row, Camberwell. 5s. on 1st Feb.

DESNAEUX, FREDERICK, merchant, Gresham-house, Old Broad-st. Jan. 25. Trusts J. Wiseman, merchant, Great St. Helen's, H. Vavasour, manufacturer, Sommer-st. Southwark, W. H. Westall, Manchester, J. Whitaker, King William-st. P. B. Ferguson, Manchester, and H. Haschke, Bow-la. merchants. Deed of arrangement to pay debts in full by four equal instalments, first on execution of deed and at 6, 9 and 12 mos.

DURNFORD, GEORGE WILLIAM, gentleman, Olney. Dec. 31. 2s. 6d. in 12 mos., 7s. 6d. in 2nd year, and 10s. in 3rd year.

EAGLESFIELD, JOHN WALTON, provision dealer, Liverpool. Jan. 3. 15s. by three equal instalments at 3, 6 and 9 mos.—secured.

EVANS, JAMES, grocer, Llanelly. Jan. 19. Trust R. Kernick, commercial traveller, St. Ives.

FAULL, THOMAS, mason, St. Ives. Jan. 28. Trusts S. Higgs, jun. Penzance, and T. Coger, St. Ives, merchants.

FISHER, JAMES, gas tube and iron bedstead manufacturer, Great Bridge. Jan. 3. Trusts C. Bloomer, Westbromwich, and H. Banks, Wednesbury, iron merchants.

FROST, EDWARD, painter, Bristol. Jan. 5. 5s.

GREEN, HYMAN, boot and shoe manufacturer, Preston-st. Brick-la. Spitalfields. Jan. 16. 1s.

GRIFFITH, ROBERT, writing slate manufacturer, Bangor. Dec. 21. Inspectors, G. Owen, farmer, Tymawr, near Llanfair, J. Owen, brass and ironfounder, Bangor, and O. Morgan, tailor, Port Dinorwic.

HAWESLEY, WILLIAM, auctioneer and fish salesman, Hull. Jan. 17. 2s. 6d.

HILL, WILLIAM, printer and manufacturing chemist, Hull. Dec. 30. Trusts J. Ardill, clasp manufacturer, Leeds, and J. Davies, brush manufacturer, Hull.

HORNE, THOMAS, teadealer, Edgware-rd. Jan. 26. Trust H. Hewett, teadealer, Eastcheap.

HORNE, THOMAS JOHN, grocer, Hampstead. Jan. 14. Trusts T. H. Fry, refined sugar merchant, Cannon-st. and H. Hewett, Eastcheap.

JEARY, ROBERT, stationer, Norwich. Jan. 16. Inspectors, W. T. Palmer, accountant, Norwich, T. O. Hutton, wholesale stationer, Budge-row, G. Croll, Strand, and J. Butlifant, auctioneer, Norwich. 7s. 6d. in 18 mos.

KELSEY, JAMES, hay dealer, Salford. Dec. 30. Trust H. Elliott, accountant, Manchester.

LANE, EDWARD, provision merchant, Fish-st.-hill. Jan. 2. 2s. 6d. by two instalments of 1s. 3d. in 5 days and 2 mos.—secured.

LANG, SAMUEL, merchant, New Broad-st. Jan. 3. Trusts P. Bell, merchant, Alderman's-walk, Bishopsgate-st. and J. Ball, public accountant, Moorgate-st.

MILLAR, JANE ANN, milliner, Stockton. Jan. 3. Trust N. Guthrie, auctioneer, Pedlington.

OFFORD, SAMUEL, working cutler, Ipswich. Jan. 16. Trust J. W. Knights, auctioneer, Woodbridge.

SAMES, WILLIAM THOMAS, wine and spirit merchant, Blackburn. Jan. 20. Trust J. Ibbotson, accountant, Blackburn. Sol. Kay, Blackburn.

SELLERS, WILLIAM, farmer, Barton Leonard. Jan. 16. Trusts G. Raynor, drysalter, and W. C. Fraser, leather merchant, both Leeds.

SMITH, RICHARD, butcher, Southampton-ter. Southampton-rd. Haverstock-hill. Jan. 11. Trusts S. Tildesley, brickmaker, Irongate-wharf, Paddington, and E. Vigers, timber merchant, Burne-st. Paddington.

STOTT, JAMES, ironmonger, Rochdale. Jan. 12. Trust J. Handley, teadealer, Rochdale.

TAYLOR, JOHN, saddler, Birmingham. Dec. 31. Trust M. J. Taylor, spinster, Birmingham. 5s.

THOMPSON, JOHN HOWERBANK, draper, Sheerness. Jan. 5. Trusts J. Martin, tailor, and L. Martin, carrier, both Penrith. 10s. by three equal instalments at 3, 6 and 9 mos.—secured.

WATSON, CALEB DAVID, merchant, Liverpool. Jan. 25. Inspectors, S. Gardiner, shipowner, and F. Kelly, average adjuster, both Liverpool. 1s. in 4 mos.

WAUD, EDWARD WILKES, colliery proprietor, Whitkirk. Nov. 22. Trusts R. Hardwick, woollen merchant, and J. Radford, linen-draper, both Leeds.

WRAY, WILLIAM, watchmaker, Brigg. Jan. 24. Trust J. Jacobs, jeweller, Birmingham. 10s. by four equal instalments on 14th March, 14th June, 14th Sept. and 14th Dec.—secured.

ERRATUM.

LERNER (and not Lerner as before advertised), JOHN MATTHEW, baker, Kentish town-rd. Jan. 19. Surety, F. Fuchs, baker, Westbourne-ter. north, Paddington. 5s. by two instalments of 2s. 6d. in 14 days and 6 mos.

Gazette, Feb. 3.

BELL, WILLIAM, shopkeeper, Heywood. Jan. 3. Trust S. Haworth, shopkeeper, Heywood.

BONSER, WILLIAM, beerhouse keeper, Nottingham. Jan. 11. Trust J. Chambers, chimney sweeper, Nottingham.

BOTTING, MICHAEL, grocer, Brighton. Jan. 2. Trusts J. Lynn, grocer, C. Wells, teadealer, and E. J. Reeves, grocer, all of Brighton.

BOULTON, GEORGE, glove manufacturer, Goswell-rd. Jan. 7. Trusts J. Mabey, artificial modeller, Princes-gate, Westminster, and W. S. Fisher, leather merchant, Mazepond, Southwark. 6s. by two equal instalments at 2 and 4 mos.

BRADBURY, JOHN, tailor and draper, Market Bosworth. Jan. 12. Trusts G. J. Bale, draper, Atherstone, and J. Nunnelly, brewer, Burton-on-Trent.

BUXTON, THOMAS, auctioneer, Salford. Jan. 23. Trust C. Webb, silk manufacturer, Hazel-grove, co. Chester.

CHALLAND, WILLIAM, corndealer, Huddersfield. Jan. 12. Trusts H. Rhodes, cornmiller, Mirfield, Bristol, and J. Gath, cornfactor, Wakefield.

CHRISTMAS, ROBERT DENY, surgeon, Hounslow. Jan. 21. 2s. 6d. in cash.

COLLIER, SAMUEL WILLIAM, H. M. ship Blenheim. Jan. 11. Deed of arrangement to pay debts in full quarterly in Jan., April, July and Oct.

DIXON, JAMES, nail manufacturer, Sheffield. Jan. 23. 5s. on 1st March.

DRAYSON, VALENTINE, grocer, Gravesend. Jan. 24. Trust W. Acworth, tallow chandler, Gravesend. Sols. Hardison and Lewis, Old Jewry.

DUNTON, JOSEPH, photographer, Cheltenham. Jan. 4. Trust W. Ricketts, currier, Worcester.

DUNMORE, ELIZABETH, widow, Market Harborough. Jan. 7. Trust W. Glasdow, coal merchant, Leicester.

EMERSON, JAMES, grocer and provision dealer, Birmingham. Jan. 14. Trusts J. Watson, provision merchant, and F. W. Houghton, accountant, Birmingham.

GODMAN, JOHN, cattle drover, Luton. Jan. 23. 5s. in 6 mos.

GRAHAM, JOSEPH HARRISON, grocer, Gateshead. Jan. 16. Trust J. Clavering, solicitor, Newcastle.

GREGORY, HENRY, bricklayer and maltster. Jan. 6. Trust R. Platt, brickmaker, Newburgh.

HAIGH, EDWARD, manure merchant, Manchester. Jan. 13. 4s. on 15th Sept.

HALL, DENNIS, salt proprietor, Wharton. Jan. 9. 6d. by 1st April.

HARRIS, THEOPHILUS, bill broker, Bell-yard, Doctors'-commons. Jan. 21. 1s. in 14 days.

HARTLAND, JOHN, ironmaster, Walsall, and Great Bridge. Dec. 1. Trusts J. H. Pearson, ironmaster, J. Field, coalmaster, both West Bromwich, and J. Kelley, coke merchant, Birmingham.

HUMPHREYS, JOHN, builder, Great Western-ter. Paddington. Jan. 14. 4s. by two instalments of 2s. in 1 week, and 2s. in 3 mos.

HUNT, JOHN, silversmith, Barnstaple. Jan. 16. Trust L. Platnauer, merchant, Birmingham.

HUTTON, JAMES, public accountant, Moorgate-st. and Barton-crescent. Jan. 23. Trust W. Richardson, wine merchant, Peterborough.

IVES, JOHN COLLINGWOOD, agent, Norwich. Jan. 24. 2s. by instalments of 1s. each—1st in 14 days, and 2nd in 3 mos.

JOHNSON, JAMES, joiner and builder, Southport. Jan. 9. Trusts L. Sudbury, Ormskirk, and R. Isherwood, brickmakers, Bury and Burscough.

KNOWLES, JAMES, carpenter, Milton next-Gravesend. Jan. 21. Trust J. P. Strickland, outfitter, Gravesend.

LENZBERG, LOUIS, cornice pole manufacturer, New Oxford-st. Dec. 31. Surety, W. Harries, timber merchant, Friars Mount, Shoreditch, and Park-st. Camberwell. 1s. in addition to dividend received.

LEVINSTEIN, HUGO, chemical manufacturer, Salford, and Mornington-crescent, Regent's park, also Thomas-st. Blackfriars. Jan. 23. 1s. on 24th April.

LOVETT, WILLIAM, bricklayer, Stratford. Jan. 16. Trust C. L. Smith, manufacturing chemist, Corbett's-ct. Spitalfields.

LUFF, HENRY, builder, Ipswich. Jan. 26. 5s. in 7 days.

MADDERN, WILLIAM, shoemaker, Penzance. Jan. 18. Trust J. Lenyon, ironmonger, Penzance. 5s. by two instalments on 1st Feb. and 15th April.

MARE, CHARLES JOHN, shipbuilder, Northfleet, and Great St. Helen's. Jan. 2. Inspectors, G. Wigg, merchant, Liverpool, and W. Gore, iron merchant, Shoe-lane-la. Deed of arrangement to pay 1s. 6d. from 1st Jan.

MARKS, DAVID, printseller and publisher, Strand, Westminster. Jan. 5. Eight promissory notes, each for 2s. 6d. payable at 6, 12, 18, 24, 30, 36, 42 and 48 mos.

MARSH, JOHN EDWIN, screw rivet manufacturer, Birmingham. Jan. 19. Trusts D. J. Fleetwood, metal merchant, and W. H. E. Shaw, brassfounder, both Birmingham. Assignment with graduated composition of 10s.

MILLARD, FREDERICK JOHN, shoe manufacturer, Yeovil. Jan. 1. 2s. 6d. in 3 mos.

MITCHELL, JOHN GRAHAM, and STENNING, EDWARD, corn factors, Mark-la. Jan. 5. 5s. 3d.

NOAH, HENRY, fustian manufacturer, Manchester. Jan. 26. 6s. by three instalments of 2s. on 2nd April, 2nd July and 2nd Oct.—secured.

MURRIN, JOHN, grocer, Markfield. Jan. 7. Trusts J. Roberts, jun. wholesale grocer, Leicester, and T. E. Butler, chemist and druggist, Leicester.

PEARCE, JOHN, auctioneer's clerk, Bath. Jan. 30. 2s. 6d. by two equal instalments at 6 and 12 mos.

PRICE, WILLIAM, gentleman, Cheshunt. Jan. 25. 2s. on 21st Jan.

ROLLISON, ALEXANDER, manufacturing chemist, Old Kent-rd. Jan. 6. Trust H. Grimmond, engineer, Cannon-st. 5s. on 1st Jan.

RYDER, GEORGE, hatter and outfitter. Jan. 27. Trusts J. Shaw, auctioneer and accountant, and G. Hardley, furniture broker, both Northwich.

SAWYER, JONATHAN COUTTS, dealer in berlin wool, Falmouth. Jan. 19. Trust W. Woods, accountant, Wells-st. Gray's-inn-rd. 4s. by four instalments of 1s. on 20th March, 20th April, 20th July and 20th Oct.

SCOTT, THOMAS, joiner, Wallsend. Jan. 6. Trusts G. C. Baker, hardwareman, and G. T. Easton, agent, both Newcastle.

STERNE, SALIOMIA, merchant, St. Michael's-house, Cornhill. Jan. 18. Trusts J. Cooper, accountant, Moorgate-st. and H. Ruben, gentleman, King's-bench-walk. Deed of arrangement to pay 20s. by two payments of 10s. in 6 and 12 mos.

STEEVENS, EDMUND, surveyor, Belmont-villa, Wandsworth-rd. Jan. 30. Deed of arrangement to pay debts in full by two equal instalments at 6 and 12 mos.

THOMPSON, EDMUND, ship broker, Liverpool, and Leadenhall-st. Jan. 9. Trusts H. Nicholson, shipowner, and W. D. Smith, merchant, both Liverpool.

THORNICROFT, JOSEPH, saddler, Crewe. Jan. 3. 1s.

TODD, CHARLES, corn merchant, Corn Exchange-chambers, Seething-la. also Keppel-st. Russell-sq. Jan. 2. Trust J. Haish, accountant, Moorgate-st. 1s.; separate creditors to receive 20s. in the pound.

VON HOLST, MATTHIAS, professor of music, Cheltenham. Jan. 5. Trusts W. Draper, tailor, Cheltenham, and G. Von Holst, professor of music, Cheltenham. Deed of arrangement to pay 10l. per annum by half yearly payments, on 30th Aug. and 28th Feb.

WESCOTT, RICHARD, butcher, Aldershot. Jan. 16. Trust C. Pidgeon, cattle salesman, Twyford, and R. Tanner, contractor, Farnborough.

WILSON, ABRAHAM, farmer, Raithby. Jan. 9. Trusts W. Pickett, grocer, T. Young, merchant, and T. Mason, auctioneer, all of Louth. Sols. Allison and Son, Louth.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

CARTER.—On Feb. 6, at Bellegrove-house, Putney, Mrs. Carter, of a daughter.

MARRIAGE.

HARRIS—BERRIDGE.—On the 2nd inst., at St. Pancras Church, London, Joseph Harris, solicitor, Knutsford, to Jessee, youngest daughter of the late William Berridge, Esq., Lincoln.

DEATHS.

DOYLE.—On the 1st inst., at St. John's-wood, aged 72, Mr. Michael Doyle, of the Steward's-office, Lincoln's-inn, 1813–1863.

HIGGINS.—On the 4th inst., at Leamington, Thomas Charles Higgins, Esq., of Turvey-house, Bedfordshire, Chairman of Quarter Sessions for that county.

RICHMOND.—On the 6th inst., aged 52, Jane, wife of Robert Richmond, Esq., barrister-at-law, of Crouch-end, Hornsey, Middlesex.

SCOTLAND.—On the 31st Jan., at No. 13, St. Mary Abbott's-terrace, Kensington, aged 82, George Scotland, Esq., C.B., late Chief Justice of Trinidad, West Indies.

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To Readers and Correspondents.

R. W. L.—We have consulted the reporters on the suggestion, and they say there are difficulties; but we will make further inquiry.

F. H. S.—The Law Times does not give advice gratis.

J. E.—The father may do so.

Anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

LIST OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, FEB. 21.

By Messrs. [illegible] and Schaller, at Rowland's Castle Hotel, Havant.

Freehold houses and grounds, near Havant. Advertised this day.

The leasehold furniture and effects of the above hotel. Advertised this day.

WEDNESDAY, FEB. 22.

By Messrs. Fox and Bousfield, at Garraway's.

Long leasehold residences at Blackheath. Advertised Feb. 11.

By Messrs. Ellis and Son, at Garraway's.

Freehold premises in the Poultry, Cheapside and Old Jewry. Advertised Feb. 11.

Extensive leasehold premises in Little Tower-street. Advertised Feb. 11.

FRIDAY, FEB. 24.

By Mr. F. Lewis, at the Guildhall Coffee-house.

Long leasehold residence, known as Colebrook-house, [illegible]. Advertised this day.

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Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. Horace Cox, *the [illegible] of the Strand Office.*

The Law Times goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be arranged accordingly. None can appear that do not reach the office by Thursday morning's post.

A Portfolio to contain the current numbers of the Law Times *[illegible] will be forwarded by post to any person inclosing [illegible] in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The admission to the Bar of clergymen who have abandoned their calling is looked upon in certain quarters as a serious scandal. The rule of the Church, flowing necessarily from the principle of its ordinations, is that "once a clergyman always a clergyman." This is true, and, so far as the Church is concerned, it cannot look upon an ordained priest as anything but a priest, whatever profession he may choose to follow after his ordination. But they who censure the Benchers and are so indignant at their decision forget that it is by the law of the Church only that the clerical character once assumed cannot be put off. Individually, too, conscientious and strict Churchmen may refuse to recognise the seceder in any other pursuit, and probably would be bound to do so. But that was not the position for the Benchers. They were not assembled to consider the question in their personal but in their corporate capacities. As such they had no right to view the clergyman with any other eyes than a doctor, or an architect, who might be desirous to quit one profession and adopt another. But it is said that the law of the Church is the law of England, and that it did not become the heads of the law to treat the law with disrespect. But the law only recognises this, that the Church of England holds that a priest cannot secularise himself. Nor can be do so *as respects the Church*. The Church will hold him to be still a priest, and he will still be subject to the law of the Church. But out of the pale of the Church he is neither more nor less than a British subject, having the same rights and subject to the same disabilities as other subjects, and no more. He is not a priest in relation to the public, and therefore the Benchers would not be justified in treating him as such. They, as a corporation, know him only as A. B., gentleman. Bencher B., as a good Churchman, may look upon him as still a priest, but it is as B., and not a Bencher, that he so regards him. As a Bencher, he knows nothing of Churchman or Dissenter; he has to ask himself only, is the candidate a gentleman, and has he qualified himself to be a lawyer?

The case of the *Palace of Justice* was admirably stated by the Attorney-General. The inconvenience of the present courts scattered over the metropolis; the convenience to all concerned therein, suitors, counsel, solicitors and judges, of the concentration of the courts under one roof; the saving of time, of money, of health and of temper, were arguments plain to the House, as they must be convincing to the public; and they found but one opponent. Mr. Selwyn, who plumes himself on having defeated the proposition two years ago by the glorious majority of one, and for so long deprived the metropolis of its greatest requirement, is reluctant to believe that he won then by a fluke, and not upon the merits of his case; so he opposes still, although opinion, if doubtful before, has come to a resolve that the work must be done, and without delay, and he endeavoured to combat the overwhelming case of the Attorney-General by a repetition of the weak objections that were made the excuse for what was, in fact, a partisan division, directed not against the measure, but against the Government that proposed it. But Mr. Selwyn's hostility served only to mark more strongly the otherwise almost unanimous approval of the House. Manifestly there will be no partisanship on this occasion. Member after member rose on both sides of the House, and even below the gangway, to express approval of the scheme. Even the hostility threatened in quarters that have a fair excuse for it in certain inconvenience it would entail upon themselves, has been not merely withdrawn, but exchanged for positive support. It was expected that the City authorities would exclaim against the removal of the courts from Guildhall. But, whatever the first impulse, reflection has satisfied them that they make a small sacrifice for a great public benefit, and they have petitioned in favour of the Bill. There remains, then, only Lincoln's-inn, and the motives for hostility in that quarter are so palpably selfish, that we question if a single member of the House, save Mr. Selwyn, will have the hardihood to assert them in a speech or support them by a vote.

Compared with this, all other law reforms are of minor importance. They can wait; this cannot endure delay. The arrangements are already made, only the sanction of Parliament is required for the work to be begun. There is to be no jobbery. The requirements are to be decided by the Government; there is to be a competition for a plan, and the building is also to be competed for by a limited number of the most eminent firms.

The Lord Chancellor has justified the despondent tone in which he has spoken of bankruptcy reform, by the production of figures that appear to have taken the country by surprise, although they are not new to our readers. But the facts cannot be better nor more briefly stated than in his own words:

> The Lord Chancellor, in laying on the table certain returns relating to the business done in the Court of Bankruptcy during the last year, said:—I shall not take the liberty of going into this subject on the present occasion, because the subject must be fully considered when the committee of the House of Commons has made its report; but I beg to draw your Lordships' attention to this return, in order that, in the interval, you may have an opportunity of considering w at is necessary and proper to be done in this matter. During the past year there took place 7224 adjudications, of which 5260 were made on the petition of the debtor, 1360 on the application of debtors in prison, and only 604 were on the application of creditors. The number of cases in which a dividend was made was 1586. The whole property collected and realised was only 677,536*l*., and of that only 533,664*l*. was divided among the creditors—the difference, 143,872*l*., was absorbed in the costs of collecting and dividing the 677,536*l*. To this 143,872*l*. must be added the enormous sum of 140,000*l*. for the salaries and other ordinary expenses of the tribunal, making altogether a total of 283,373*l*. expended for the purposes of dividing only 533,664*l*. I appeal to your Lordships whether this monstrous expense can be allowed to continue. The Bill of 1861 contained two main features. One was the establishment of trust-deeds, and that has quite answered my anticipations, for during last year the property divided under trust-deeds has amounted to 3,802,000*l*. The trust-deed is a voluntary arrangement made with the creditor. If you contrast that amount with the 533,664*l*. divided under adjudication, you will find that under trust-deeds more than six times the amount has been distributed. The other particular portion of the Bill was the establishment of a chief judge, with a view to the regulation and supervision of all the other tribunals of the court. Of the necessity for the most careful supervision of the existing authorities your Lordships shall judge from this further return. It is the duty of the official assignees, who are paid by salary, to collect and return to the Court of Bankruptcy the fees which they still receive in bankruptcy. In 1862 I was much surprised to find that the whole sum returned was only 1390*l*. In 1863, in consequence of some inquiries which I directed, the sum had increased to 13,620*l*., but in the year 1864, having directed a more searching inquiry, the sum which was paid in by the official assignees and messengers amounted to 45,158*l*. Of the necessity of that investigation your Lordships will judge when I tell you that with regard to one official assignee now retired, who has been a defaulter for several thousands of pounds, I ascertained that his accounts, which it was the duty of the commissioner to audit, had been audited for years by the usher under the direction of the commissioners. This is a very hopeless picture, but when the Report of the Committee of the House of Commons is presented I trust to have the opportunity of submitting to your Lordships some effectual remedy for this monstrous state of things.

It is impossible not to sympathise with the Lord Chancellor's disappointment, and we entirely indorse his despair. We are more than ever satisfied that the Bankruptcy Law is incapable of amendment, because it is unsound at the foundation. Starting from a wrong principle, it fails in practice, and ever it must do so until that principle is changed. The figures prove it. The great majority are bankrupts on their own petition. Now it is notorious that nine-tenths of these bankruptcies are fraudulent in fact. Must there not be something wrong in a law that provides such facilities for fraud? And wherefore does it so? Simply because the bankrupt is not required to prove his right to a release by establishing a case of misfortune, instead of assuming honesty and requiring others to prove the contrary. If the burden of proof that he has become insolvent by reason of unavoidable misfortune, and not through any wrongful act or default of his own, were cast upon the man seeking, on his own application, to be relieved from his obligation to pay for the property of others which he has taken to himself, very few indeed would be the petitions presented. This change, which a single clause of a few words would effect, would of itself be a Bankruptcy reform greater than could be secured by any amount of amendment in the machinery of the existing law.

Then, for the administration of the estate, we repeat deliberately the proposition thrown out before, that it might be given to the solicitors directly and avowedly, paying them by an *ad valorem* fee, and thus one half of the present costs would be saved at once. It will be impossible by any contrivance to dispense with the services of solicitors in the collection and distribution of bankrupts' estates. As they must be employed and paid, would it not be better to confide the entire of the work to them? Creditors would then know very nearly what will be the percentage of expense. As it is, the costs exceed 60 per cent. Say that a fee varying from 20 to 5 per cent. according to the amount of assets were to be paid to the solicitors for undertaking the entire business, here is at once a saving that will be as great a reform as that described above.

Fancy did not stray far from fact in our imaginary conversation of the 21st Jan. between the Lord Chancellor and Mr. Daniel about exclusive citation in court of reports to be made by some heaven-born reporters. Under the inspiration of probability, the wonted Egeria of diviners, we had a clairvoyant insight into the Lord Chancellor's mind as he seemed to say, speaking of the periodical reports, "Those series which come out monthly or weekly, and report the cases to the latest date, and which I may say I have found very useful to me, both when I practised at the bar, after I ceased to grapple with the reports generally, and since I have held my present position." Only six days afterwards, in hearing an appeal from Vice-Chancellor Stuart's decision in *Francome* v. *F.* (*ante*, p. 157), the Lord Chancellor did say of a case in one of the periodical reports, "It is of such materials the law of England is made up, and I should be denying myself much

valuable assistance in ascertaining what the law is if I were to refuse to receive the citation of cases reported by barristers in that useful publication." Vice-Chancellor Stuart, at the hearing before him, when the case in question was cited as an authority for granting an injunction on facts sworn to in an affidavit filed before the filing of the bill, considered that the utility, of the periodical reports was directed rather to the purposes of intelligence and suggestions for inquiry, than to that of authority. We expressed our concurrence. But the case cited before the Vice-Chancellor, not having been reported by Mr. Smale or Mr. Giffard, who were the "authorised" reporters at the time in the court where the Vice-Chancellor sits, was refused by him as authority until it were verified by the registrar's book. In this decision, which was of a personal rather than judicial character, there were involved two incongruities, one hindrance to justice, and one inconvenience, all of which were so plain, that they could not have escaped the appeal judge, although he did not notice them.

The first incongruity was, that if Mr. Beebie (now a colonial judge), who reported the case in the rejected periodical, had been himself the counsel citing it thence, instead of Mr. W. Karslake, the Vice-Chancellor could not, without doing open violence to a privilege of the Bar, have refused to receive it. But when Mr. W. Karslake cited the same case from the same report, the Vice-Chancellor refused to receive it.

The second incongruity was, that the Vice-Chancellor would have received the case as authority if it had been verified with the registrar's book. Therefore he must have trusted to an "unauthorised" counsel for the verification. Then, why not for the report itself? Possibly, by a kind of judicial algebra, an unauthorised report, verified by counsel unauthorised to report, is equal to an authorised report.

The hindrance to justice was, that a point decided incidentally to the hearing of a case, as, for instance, the right to begin, and not reported in the authorised reports, nor appearing in the registrar's book, would be lost altogether, although the decision on the point were reported consentaneously in every one of the five periodical reports.

The inconvenience was, that counsel, before citing, perhaps, in his argument, half-a-dozen cases from the periodical reports, must verify every one of them with the registrar's book. This would be a pretty state of things in the present unconcentrated condition of the law courts and offices. Even after the concentration there must be a junior's junior to do the verification business.

It is not surprising, then, that the Lord Chancellor, in refusing, on an intrinsic ground, to be bound by the cited case, took care that the concurrent effect of his own and the Vice-Chancellor's decisions should not be mistaken for a concurrence in opinion as to the authority of cases in the periodical, or, as they are now called, with judicial supercilliousness, the "ephemeral" reports. Probably we wrong the Bench. Having regard to the scores of volumes of the *Law Journal*, *Jurist*, Law Times, and other serials with which lawyers' bookcases are stored, and to the constant reference made in practice to their pages, ephemeral must, as an epithet of these reports, mean used day by day. The Lord Chancellor, of course, did not use this Danielistic term of reproach. But he said, referring to his decision of the case before him on the merits, "I desire it to be understood that I come to this conclusion, not because I do not consider the case in the *Jurist* receivable as an authority." Any other conclusion would have been in palpable contradiction to the Lord Chancellor's own declaration in the Lords, in his famous speech on case and statute law reform, in the session of 1862, that it was competent to counsel when arguing, and for the Judge when deciding, to produce a mere manuscript decision, something that had never been printed or published, and which no one had ever heard of before. "The advocate produces it from his pocket-book, or the Judge produces it from his pocket-book, and that is the law of England." It is for this reason that we have styled the Vice-Chancellor's rejection of the periodical reports as a personal rather than a judicial decision.

Some praise is due, we think, to Mr. W. Karslake, the appellant's counsel, who brought to the Lord Chancellor's notice the refusal of the Vice-Chancellor to receive the *Jurist* report as authority. A little more of such courage and good sense would soon put an end to confused and old-fashioned notions on this subject, whether on the Lincoln's-inn platform, or on any higher seat. However, the matter has now passed out of the region of speculation. Until the House of Lords, sitting as a court of appeal, shall rule to the contrary, the "ephemeral" reports must not be denied as authority because they are not "authorised." It is not very likely that the House of Lords will rule to the contrary. Independently of the reason of the thing, the House has already pronounced. Mr. Tennison Edwards, at the first Bar meeting, on the 2nd Dec. 1863, stated that, on an occasion some years before, when he was an "irregular" reporter, he inquired of the law peers whether exclusive citation of the "authorised" reports was part of the practice in appeals to their court. The peers answered that it was not. No other answer would have been in accordance either with principle or with common sense.

Growing and spreading is the intolerable mischief that could not fail to follow from the existence of such a society as that for the so-called "Protection of Women," whose business it is to promote prosecutions, and whose fate it must be, therefore, by the strong inducements it offers to false charges, to subject all men to far greater dangers than ever they had cause to dread from garotters. A gentleman whom business compels to pass our thoroughfares at night, runs imminent risk of losing that which is dearer than life—his good name—through fabricated accusations, easily made, impossible to refute, to which extortioners are prompted by the knowledge that there exists a society that will prosecute for them, pay them and pet them, if only they will make out a plausible tale, in such a matter by no means difficult to be invented. A correspondent of the *Telegraph* thus narrates an incident to himself:

In returning homewards last night, down Oxford-street, a little to the eastward of Tottenham-court-road, about half-past ten or quarter to eleven o'clock, I hailed a cab; the driver went on without taking notice, and three or four young girls—apparently crossing-sweepers—called to him with a similar result. One or more returned, and followed me, calling to another cabman, for the purpose, I presume, of earning a penny by opening the door; but as that cab did not stop, I saw nothing more of them. An elderly ill-clad woman then came up, and expressed a wish to speak to me. I declined, when she twice repeated her request. I crossed the road, she following, when I told her that if she annoyed me any further I should give her in charge. Her reply, as nearly as I can recollect, was that she intended to hand me over to the first policeman for abusing the little girls—to whom I had not even spoken—that it was no wonder their mother should be thought little of if gentlemen like myself took notice of such children, and other similar expressions, leaving no doubt in my mind that she wished to extort money from me. I saw no policeman after passing Messrs. Meux and Co's Brewery, until I got a cab at the corner of Museum-street, or should certainly have carried out my threat, as the woman followed me nearly the whole distance, several times repeating that she was close behind me. If you consider this worth inserting in your widely-circulated paper you are quite at liberty to do so.—I am, Sir, yours &c.,

Feb. 13. J. E. P.

To one who has the courage to resist the extortion, twenty would submit to it. The trade, doubtless, is a profitable one. The mother and her girls act in concert. Doubtless all would be prepared to swear to anything, should occasion offer. Then they would speedily be found, or would speedily find, one of the Society's touters, whose business it is to discover unprotected females, and whose scent is therefore remarkably keen, and then there is a prosecution by the Society, with the Society's solicitor and the Society's counsel, and the Society's purse to pay the witnesses, and if the innocent victim escapes all this, it is by a miracle.

Therefore, knowing his risk, he pays, as the least of two evils.

The Lands Clauses Act has left a simple case unprovided for relating to compensation money. If the sum paid into court by a railway or other company, under the 76th section, for an interest in land, represents the value of an interest greater in estate than that which ought to be compensated, according to the true state of the title, how is the money to be dealt with by the court when the person interested presents a petition, under the 78th section, for payment of the money out of court? This was the point which came before Vice-Chancellor Kindersley in *Re The North London Railway Company, ex parte Cooper*, 11 L. T. Rep. N. S. 661, where the compensation money was paid into court in respect of the interest under certain supposed leases, which the Vice-Chancellor held to be invalid; at the same time, he considered that the claimant had an equity by reason of his outlay in improving the property. Not only does the Act contain nothing on the point, but there was no authority in the shape of a decided case from which any assistance could be derived in the practice. In the difficulty which thus arose, the Vice-Chancellor thought that the court could not give back the money to the company, and say that there must be some other mode of determining the value of the new interest. The court had no jurisdiction to do anything of the kind, but it must dispose of the money according to the rights of the parties. The reversioner would not and the court could not compel him to receive the excess of the compensation money above the value of the particular interest of the lessee. The proceeding was not a proper occasion for adjudicating on any question between a particular tenant and a reversioner. There was, in fact, no issue between them. The petitioner being entitled to a portion of the money, if the remainder did not represent the interest of any other person, the court saw no other alternative than to give the person claiming what he was entitled to, and to give the residue back to the company.

The case is not different where the company, doubting the interest of the particular owner, pays the compensation money into court to the account of that owner, and also of the reversioner. Even then the company cannot compel the parties interested in the land to come before the court and fight their battle. The reversioner has a right to say, he has nothing to do with the particular interest. These were the circumstances in *Brandon v. B.*, reported at p. 658. There the money was paid in by the company in respect of a lease, supposed to carry a right of renewal, under the Ecclesiastical Commissioners. The commissioners had been served with the lessee's petition, but declined to claim a farthing of the money, and to fight, for the convenience of the company, a battle which they never intended to fight, at all events in that shape. Still the petitioner had a right to have the question of renewal dealt with on his petition; and the court, although it might not have before it the reversioner to contest the question, would be bound, the Vice-Chancellor considered, as in a case between vendor and purchaser, in the absence of a person interested, it determined whether the vendor had such an interest as he purported to sell, to decide the question of the petitioner's lease being renewable or not. The court could not send the question to a jury or an arbitrator without the consent of all parties. The court must apply its own machinery to find out the value of the particular interest, and if the lease proved not to be renewable, pay back to the company the surplus over the actual value of the lease.

The Lands Clauses Act, therefore, requires some additional provisions with regard to such cases as these which we have noticed.

We may add that it was the Vice-Chancellor's opinion (although he was not aware of any decision on the subject), that, under the strict powers of the Act, neither a jury nor an arbitrator would have right or jurisdiction to determine whether the claimant had the interest which he claimed to have, but only the value of the interest claimed.

Mr. Selwyn's and Sir H. Willoughby's doubts of the soundness of the Attorney-General's financial scheme for building the new Palace of Justice will not have taken our readers by surprise, who recollect the conclusions arrived at by this journal, in the articles on "The Ways and Means for the New Law Courts," of March 26 and April 2 last year, before the present scheme was introduced to Parliament. The objections made on Friday evening, the 10th, are out of date. So long as the falling in of the compensations payable to former office-holders and others out of the income of the Chancery funds was relied on for recovery of the interest on the principal to be expended out of those funds in the Palace of Justice, it was pertinent to show, as Mr. Selwyn and Sir H. Willoughby did, that, according to the parliamentary returns

of the Chancery funds, there was no prospect of such recovery. It is clear, in the first place, that if 1,500,000*l.* is to be sold out, there will be a diminution in the Chancery income of 45,000*l.* a-year. Until last session, the ways and means were based upon a calculation that the terminable charges on the Chancery income would decrease at the rate of 2000*l.* a-year. In 1859, the year before the commission on the concentration reported, the surplus income was 3547*l.* If the expected annual decrease of the charges on income had taken place, there ought in 1863 to have been a surplus from income of above 10,000*l.*, whereas the Chancery return for the year ending Nov. 1863 showed only a surplus of 56*l.* This was caused by the heavy lunacy and other charges which had been meanwhile thrown on the income, and had outweighed the actual gain from the dropping of compensations. Consequently, unless the State came forward, the money prospect then looked gloomy. That was the position of things up to the time when the two Bills of 1864 were brought in. Of these the money Bill proposed two means for getting out of the difficulty to which this journal had called attention, and which was insisted on by the above-named members in opposition to the Attorney-General. At the same time we are not quite so confiding as to believe, with Mr. Malins, that the Attorney-General would not deceive himself and tell the House that there was a million available from the Chancery funds, unless that were really the case. It is a matter in which the data are not so many or the process so complicated that men cannot make for themselves.

One expedient of the last and of the present Bills is to raise a portion of the necessary amount by means of an annuity to be collected from the suitors, other than those in Chancery, through additional fees. To this portion there being added the value of the existing courts and offices (which, of course, was taken into account in the old financial scheme), only 900,000*l.* cash or 1,000,000*l.* stock will be required from the Chancery Fund B. The abstracting of that sum would cause a corresponding abstraction of 30,000*l.* from income. The second expedient, then, of the Bills is to prevent this abstraction operating to create a deficiency. The plan is as follows. At the beginning of the present year the annual charge for terminable compensations amounted to 50,469*l.* The present or capital value of them, according to the maximum estimate of Mr. Pearson, is 500,000*l.* sterling or 541,000*l.* stock, the interest of which is about 16,000*l.* If then the compensations be now bought up, there will be payable, instead of a decreasing annual charge, which in the present year is 50,469*l.*, a perpetual annual charge of 16,000*l.* The present relief afforded will therefore be the difference between these annual sums, that is, say, 50000*l.* more than 30,000*l.* Hence the required 30,000*l.* interest, which otherwise would have been deficient, may be spared, and its principal, 1,000,000*l.* stock, be made available towards the new courts and offices.

There was, nevertheless, something discouraging in the discussion which took place when the Attorney-General moved to introduce the Bills. Of the nine speakers, six were practising barristers, personally interested in the question one way or the other; five, the Attorney-General, Mr. Aytoun, Mr. Malins, Mr. Denman and Mr. Bovill, supporting the motion; one, Mr. Selwyn, opposing it. The other three speakers were Sir H. Willoughby, who threw cold water on the finance; Mr. Hadfield, who was lukewarm; and Mr. Scully, who shamed this part of the kingdom by the contrast of the so-called Dublin Four Courts, where fifteen courts with a hall and library are under one roof, besides solicitors' rooms and an abundance of offices and coffee and refreshment-rooms in the wings. It would have been a more hopeful sign, if some popular and less professional support had been given to the Attorney-General. An impression may be created that the building a Palace of Justice is after all a lawyers' question; that they wish to save their own time and to consult their own convenience. Such an impression would be strengthened rather than otherwise by Mr. Malins' lively description of counsel's sufferings on a wet, snowy morning, in their wigs and gowns, when they, that is, the Q. C.s, are obliged to hurry helter-skelter with their umbrellas open, up Chancery-lane to the appeal courts to catch their appeals, and when these are over then helter-skelter, back again, in the wet and mud. This is all true; but neither the House nor the public cares a dump for Mr. Malins' discomfort, with or without his wig, gown and umbrella. They will think, perhaps, that he might take a sedan-chair, with two of the stoutest of the Lincoln's-inn porters. If the existing condition of things is treated in the House as a lawyers' grievance, the Consolidated Fund will not be made responsible for a shilling. At first, no doubt, the lawyers will be the gainers by a cheapening of the administration of justice, just as any other producer is the first to benefit by economy in a process of production. But competition will not allow this to last long. The public must always be the ultimate gainers by professional economy. In the present case, the public will derive the benefit, not only of the physical advantage of bringing the courts and offices together at the central Bell-yard site, but also of the legal advantage of a closer relation between the different branches of the judicial family. Now those branches dwell apart, like strangers in blood, and as if forgetful of their common origin, justice.

Were the Attorney-General's estimates absolutely conclusive, no great boon would be required at the hands of Parliament. Sanction, rather than money, would be the object. But a legal journal would not help the scheme by keeping out of sight the fact that the former estimate made by the Board of Works, and adopted by Mr. Gladstone in his treasury minute which killed the late Attorney's Bills, was 2,000,000*l.*, being 500,000*l.* for contingencies beyond the 1,500,000*l.* As the House of Commons cannot have forgotten this, and already itself has one foot in the grave, we fear that, unless some pressure be speedily put on the Government by the country, to show that the concentration of the courts and offices is demanded by the public as a national good, and not merely by lawyers and newspaper editors as a boon to a class, the great and worthy project will not be accomplished, as far as legislation can accomplish it, before the expiration of the present Parliament.

A correspondent directs our attention to the prospectus of the Registered Land Company (Limited), whose professed business it is to facilitate the Registration of Titles. What does this mean? Registration is the proper work of a solicitor, not of a company. It cannot be done but by a solicitor. What then does the company propose? Is its own solicitor to discharge this profitable duty? If so, at whose cost? At that of the company or of the landowner? If the former, whence are the dividends to come? If the latter, is it not an attempt to create a monstrous monopoly?

It is impossible not to look with extreme suspicion upon this scheme. It bears the aspect of a gigantic invasion of the Profession. If the company is to profit by doing the work of registration of titles, it is as much a trespass upon the province of the lawyers as if the chairman or secretary were to advertise that he was prepared to draw deeds. Registration is but a branch of conveyancing, and if it is permissible for a company to undertake conveyancing, why should not there be a company to carry on the profession of an attorney? If, however, the company avoids this difficulty by giving the work to its own solicitor, what is it but a machinery for monopolising a profitable business, doing indirectly that which would not be permitted to be done directly?

We do not say that so it is; but the scheme has such an aspect, and we should like to hear what our readers think of it.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(*Continued from page* 171.)

The Commercial View (*continued.*)

Messengers.—The Commercial Chambers, Mr. Lloyd states, petitioned against the continuance of the messenger's office, as unnecessary. In special cases, as a jeweller's stock, the official assignee could do the duty. The messenger himself never takes possession; he merely receives the fees, and sends ordinary sheriff's officers to take possession. The expense of the messenger's keeping possession serves as an excuse for the prompt sales which are made by the court. With certain exceptions and limitations, it is considered that, in the Birmingham Court at least, the power of sale by the court has worked very prejudicially and very improperly in the administration of some estates. In one instance a court auctioneer had to sell a draper's stock; he asked for tenders; only one tender came; the offer was quite out of proportion to the value of the stock, but was accepted at once. The purchaser, before he left the room, resold at a profit of 100*l.* per cent. The second purchaser took down the shutters, sold at "an alarming sacrifice," and realised, it is said, 300*l.* or 400*l.* from what the official auctioneer had got only 40*l.* for. That was before the choice of assignees. It was from the abuse of sect. 40 of the Act of 1849, through the court's giving the preference to a special auctioneer. The office of broker to the court is abolished, yet at Birmingham there is an appearance of giving the sales to a particular auctioneer, who formerly held the office of broker. The machinery of the auctioneer is put in motion by the commissioner or registrar. If the expense of keeping possession were done away with, the necessity for these sales would rarely arise. It arises otherwise on the question of rent having a prior claim over creditors' claims, and in the case of perishable articles, like fish and butter. Another evil is, that the messengers charge according to the scale prescribed in the Act of 1849, which is designed for a different state of things. In some instances the registrar's warrant, where there are assets, goes direct to the messenger, and an allocatur on his bill is made, without the official assignee coming in. The office of messenger, as well as broker, should be abolished.

Ushers.—According to Mr. Lloyd's evidence, the ushers were originally appointed with a salary of 80*l.* a-year, as door-keepers; but the income of some of them now is 1000*l.* a-year. They derive their large income from the copies of the proceedings, for which they are paid by the solicitors. They also receive a small fee for sending notices to the creditors who have not proved. In Birmingham there are two gentlemen acting as ushers, though there is only one commissioner. One was appointed by the Lord Chancellor, and has a salary, the other goes on without such appointment; he was appointed by a commissioner, and has a better berth, from copies and mileage. Fees should not be allowed for copies of proceedings unless actually required, and taxation should bring them down to a minimum.

Trust-deeds—Arrangement.—Commercial men, says Mr. Lloyd, value the 192nd section very much indeed as a whole. It may remain as it is where there is an assignment of the whole property, but where the debtor offers a composition the unsecured creditors only should form the statutory majority of two-thirds. The economy of compositions is great as compared with bankruptcy.

Assignments, according to Mr. J. Lewis, are preferred, because it is thought that trustees get more for the estate than the court. Legal expenses, in trust-deeds, are heavy. An insolvent resorts to a solicitor of a lower stamp who goes about to the creditors for their signatures, threatening them that the estate will go into the court, where they will get nothing. Each trustee appoints his own solicitor. It would be better that the court should be so constituted that persons should go there invariably.

Mr. Morley considers the arrangement clauses invaluable, because a majority can control the minority. There are in the City a certain few houses notorious for wishing to get preferences: the action of a sufficient majority controls those persons. But any creditor, instead of being prevented by the decision of the majority from going to the court in reference to the conduct of the insolvent, ought to have that power. The majority ought not to have the power of condoning any offence. In compositions the *bona fides* of the assets constituting the majority should be first proved.

Chief Judge—Appeal.—The impression, Mr. Lloyd states, is very strong amongst the commercial community that they have a grievance in the want of uniformity of decisions in the various courts. There is a unanimous feeling on the part of the Chambers of Commerce as to the expediency of appointing a chief judge, to give a greater certainty in the administration of the law, and to constitute some more economical and accessible court of appeal.

Mr. Morley thinks that it would be hailed with the intensest delight in the City, if every commissioner were comfortably shelved, and there were a judge of ability and character, who

should have sympathy with the commercial wants of the country, and who would be an authority. Unanimity would be secured. A chief judge should be appointed. In most cases all that is wanted is simple administrative action, as under the private arrangement clauses, which have been the greatest blessing to the trade of the country. The judge should have the fullest power as to punishments, as the judges in the Insolvent Court had. He should have a large discretion, and not be limited by a period of three months prior to the bankruptcy. He should sit in the City. The chief judge would have simply ministerial aid. "If we had a judge who would say to Mr. Barnso and some half-dozen men representing various trades, 'If you put before me a scheme which will meet the necessities of the commercial classes, as to the realisation of the various kinds of assets, I will see that all interests are fully considered in that scheme, then we should get such a scheme as we want." The detail brought into Acts of Parliament might well be left to the competent authority. In the discharge of the judge's duty judicial points might be so contracted as to come within the scope of one person's power. A control would be exercised over the decisions of the County Court judges. The chief judge would be assisted by registrars, whose functions in bankruptcy would be similar to those of a trustee under the private arrangement clauses. The registrar would from time to time insist upon proper statements and copies of balance-sheets, and have a periodical audit of the estate.

Cost.—Mr. Lloyd testifies that there is a feeling of great dissatisfaction in consequence of the great expense incurred. The expense attending the execution of the messenger's duties, though the greater part of it goes into the Chief Registrar's fund, is still heavier than the cases require. The office of messenger is not necessary at all. The cost of investigating the circumstances of concealment of assets makes the creditors very unwilling to prosecute the inquiry at the expense of the estate. Mr. Lloyd quoted a return made by a gentleman of the Birmingham Court of the sixty-five traders' estates in that court in the years 1861-62 (already published in this journal of Nov. 19), showing 90,000*l.* liabilities; 30,000*l.* assets returned; gross assets realised, 17,386*l.*, giving, less preferential payments, 14,132*l.* net assets; costs of realisation 7828*l.*, of which solicitors' fees and payments, 4000*l.*; amount divided, 6050*l.* The great expenses are the charges of solicitors. There was a charge by one in the Birmingham Court for paying a bankrupt's allowance, for receiving money over the counter of the bankrupt's shop and for paying it into the bank, for paying rates and taxes, and for carrying on the bankrupt's business. There is an obnoxious charge for copies of proceedings paid to the ushers, under sect. 122. The solicitors are morally compelled to take these copies, when they do not want them; instances have occurred where they have paid the usher a lump sum, and have never had the copies at all, because they did not wish to be troubled with them. They feel it necessary to keep on good terms with the officers of the court. Not the slightest value is attached to these copies, but the average cost is stated to be 6*l.* or 7*l.* per case. Items are put in the bills for fictitious attendances. There are also the official assignee's authorised charges, which in the case of the 14,000*l.* assets amounted to 1000*l.*, to be paid over to the Chief Registrar's fund. The messenger's charges were 900*l.* The registrar is unfitted for the position of taxing master. A bankruptcy solicitor in Birmingham offered another solicitor 100*l.* above the amount of his bill in a bankruptcy, meaning that the purchasing solicitor would take the conduct of the case and introduce beyond the items in the bill, as made out up to that time by the selling solicitor, further items which the registrar would pass, to the amount of 100*l.* A barrister taxing does not understand this sort of chicanery. The judicial functions of the registrar ought to be entirely separate from the functions of a taxing master. To diminish the expense, the Scotch system is very satisfactory, and with very little exception nothing can be conceived better. See the system described, Law Times, Nov. 19. The administration, collection, and distribution of the assets naturally belongs to the creditors, just as the personal liberty and character of the bankrupt, and all the judicial and legal questions, naturally belong to the court. The Scotch system recognises that sound principle. The functions of registrar should be separated from those of taxing master, and a central or a district taxing master be responsible for every item of expense. The judicial part might be done by the County Courts, with improved machinery and good men.

Mr. J. Lewis thinks that the main ground of objection to the Act of 1861 is, that the creditors get very small dividends because so much is swallowed up by the court expenses. In three failures in the silk trade at Derby, which were very much connected together in business transactions and accommodation bills, and in one of which two young men, commencing without a penny, failed for 50,000*l.*, with only 17,000*l.* assets, the creditors, to avoid the diminution of dividend through expense in the court, resorted to trust-deeds. The complaint is the heavy expense of the court.

Mr. Morley concurs with Mr. Lloyd respecting the County Courts.

Delay—Difficulty.—"The whole system of the payment of dividends is cumbrous and inconvenient, in Mr. Lloyd's opinion. When the creditors' assignee has collected the estate and paid it to the official assignee, a considerable interval of ten elapse between the declaration and payment of the dividend. The system of payment is absurd. The official assignee makes out a list of the dividends with the creditors' names. The same clerk frequently makes out the warrants who makes out the list by which the warrants are to be checked. Then the list goes to London, and the warrants are handed to individual creditors who negotiate them. The supposed check is, that the list is compared with the warrants when they come in. It would answer every purpose if the official assignee were permitted to send a post-office order or a crossed cheque at the creditors' risk. It is not necessary that the dividends should go through the hands of the accountant in bankruptcy. He is a useless officer. There is great difficulty of recovering by British creditors bankrupts' assets in the colonies and foreign countries, because the present law does not vest in the assignee any property out of the United Kingdom. The assignee has to institute proceedings. Some mutual system might be established. At present, if a man dies insolvent there is no remedy but the Court of Chancery; not only are the expenses very great, but the delay causes a dead loss unless the estate is very large. Great evils arise from irregularity of attendance in the Bankruptcy Court.

Mr. Morley thinks that there should be some speedier means of getting possession of the bankrupt's estate; and that, although the creditor first moving in the court be paid his debt, other creditors should be at liberty to follow up the proceedings with a view to show the insolvent state of the debtor. In proving debts, if a creditor were allowed to send in an account with a declaration, it would be a great improvement. Now he is obliged to make the declaration before a person authorised to take declarations, which destroys the value of the whole thing. There is great delay in the distribution of the dividends. The practical course usually is, when a trader stops payment, that he comes to a large creditor and says, "I cannot go on." The creditor asks, "Who are your largest creditors?" He answers. He is then told to go and confer with them as to the accountant to be sent in. The idea is to throw that responsibility on the largest creditor. The accountant submits an account to a meeting of the creditors. Meanwhile the accountant has possession at the will of the trader. That is the simple course desired in all cases. If there were any ground of suspicion, the creditors might be enabled to apply to the court. The accountants might be registered and give security. As regards the courts, they are exceedingly inconvenient. Men have been known to leave the court, and not prove their debts, rather than submit to the nuisance. Concerning the colonies, it would be an advantage to extend the bankruptcy law to them in a certain degree. There ought to be prompt action in dealing with the estates of deceased insolvents. The delay and expense of going to the Court of Chancery are excessive. The creditors ought to have a power of proving the insolvency and getting some control. The Court of Chancery might take possession of the assets and appoint a manager. There must in such case be clear proof of the insolvency, by affidavit or otherwise; such a power, however, in the court might have the effect of preventing disclosure by the executors of the testator's affairs.

This will be sufficient to give our readers an idea of the current of the commercial evidence, without going into it further. While upon some points there were differences of opinion, all the commercial witnesses agreed in the inefficiency of the present bankruptcy system, and the general aversion of creditors to the court. The appointment of a chief judge, to be in "sympathy" with the trading class, was almost unanimously recommended, and further power to the creditors to work out the bankruptcy through their own paid agents rather than with the protecting aid of official persons.

(To be continued)

THE PATENT LAWS.

The report of the commissioners appointed to inquire into the working of the law relating to letters patent for inventions is embodied in a blue-book of 228 pages, containing, in addition to the report itself, the reports likewise of Mr. Hindmarch and Mr. Fairbairn, together with a list of the witnesses, the evidence given on the inquiry, an analysis of the evidence, and the written answers to the commissioners' circulars. The following are the recommendations with which the commissioners, after going at considerable length into the question of the working of the law of patents, sum up their investigation into this important subject:

"1. Your commissioners do not find that the present cost of obtaining letters patent is excessive, or the method of payment inconvenient. They do not, therefore, recommend any alteration of the present system on these points; but they think that patent fees should not be made to contribute to the general expenditure of the State until every reasonable requirement of the Patent-office has been satisfied. 2. They are unable to recommend a preliminary investigation into the merits of the invention for which a patent is claimed; but they advise that a careful inquiry be instituted, under the direction of the law officers of the Crown, as to whether there has been any previous documentary publication of the intention, either by grant of letters patent or otherwise; and if such publication have taken place, that the patent shall be refused. No evidence other than such documentary evidence should be admissible, and the reasons for the refusal to grant the patent should be certified by the law officers; an appeal from their decision should lie to the Lord Chancellor. 3. Your commissioners are of opinion that the present mode of trying the validity of patents is not conducted in a satisfactory manner. That such trials ought to take place before a judge sitting with the aid of scientific assessors, but without a jury, unless at the desire of both parties to the suit or action. That such assessors ought to be selected by the judge in each case and the remuneration to be paid them be included in the costs of the suit or action, and provided for in such manner as the judge shall direct. That no special judge be appointed for the trial of patent cases, but the judges of law and equity be empowered to make rules by which one court should sit for trial of patent cases exclusively. That on such trial the judge, if sitting without a jury, decide questions of fact as well as of law. 4. That the granting of licences to use patented inventions ought not to be made compulsory. 5. That patents ought not to be granted to importers of foreign inventions. 6. That in no case ought the term for which a patent is granted to be extended beyond the original period of fourteen years. 7. That in all patents hereafter to be granted a proviso shall be inserted to the effect that the Crown shall have the power to use any invention therein patented without previous licence or consent of the patentee, subject to payment of a sum to be fixed by the Treasury. 8. While, in the judgment of the commissioners, the changes above suggested will do something to mitigate the inconveniences now generally complained of by the public as incident to the working of the patent law, it is their opinion that these inconveniences cannot be wholly removed. They are in their belief inherent in the nature of a patent law and must be considered as the price which the public consents to pay for the existence of such a law.

(Signed)

Stanley	(L.S.)	Overstone	(L.S.)
W. Erle	(L.S.)	R. M. Cairns	(L.S.)
W. P. Wood	(L.S.)	W. R. Grove	(L.S.)
H. Waddington	(L.S.)	Wm. Fairbairn	(L.S.)
W. E. Forster	(L.S.)		

Appended to the report of the commissioners is that of Mr. Hindmarch, who states that he concurs in some, but not in all, of the recommendations of the other commissioners, and that, in his opinion, the law relating to patents requires amendment in several other particulars not mentioned in the report. He says that the law is at present defective in making no provision for an appeal against the decision of a law officer adverse to an application for letters patent, and he suggests that when the decision of a law officer is adverse to a petitioner he should have the same right of appeal as a person who fails in an opposition, so that the parties may be placed upon an equal footing. Specifications,

Hindmarch believes, are frequently prepared in such a manner as to occasion great difficulty in construing them, and often with a fraudulent object: and he recommends that no patent should be granted for an invention until a specification of it containing a clear and distinct statement of the claim or claims made by the inventor has been filed in the Patent-office, and that the sufficiency of all claims in specifications should be ascertained and certified by competent persons appointed to perform that duty. Questions of fact relating to the validity of patents should be tried by a judge or judges, aided, when deemed necessary, by scientific assessors, but without a jury, unless requested by both parties to the suit. Mr. Hindmarch does not concur in the sixth recommendation, that in no case ought the term for which a patent has been granted to be extended beyond the original term of fourteen years. He is also strongly in favour of the establishment of a court both of law and equity, for the determination of all matters in dispute relating to patents, and that the jurisdiction of the court should extend to the whole of the kingdom; adding, that without an addition to the number of judges it will be found impracticable to obtain the speedy and satisfactory decision of disputes respecting patent rights now desired by the public. Mr. Fairbairn, in a brief report, states that he is unable to concur in the sixth recommendation of the commissioners, as regards the "non-extension of the time for which a patent has been granted beyond fourteen years." On that question he agrees with the views expressed by Mr. Hindmarch.

LAND AND ESTATE MARKETS.

There are no land sales to chronicle this week, the property offered being confined to houses, if we except a sale, on March 3, by Messrs. Ellis and Son, of the late Mr. Alderman Humphrey's cellar of wines.

The same firm will offer, on Feb. 23, some houses in the Poultry, Cheapside and Old Jewry. Messrs. Hunter, Gwatkin and Hunter, of Lincoln's-inn, are the solicitors. Also, some leasehold premises in Little Tower-street; E. Hodgkinson, Esq., is the solicitor instructing them.

Messrs. Edwin Fox and Bousfield will sell, at Garraway's, on Feb. 22, some valuable house property at Blackheath.

Messrs. Brooks and Schaller announce for sale in April about 88 acres of building land at Barnet. Messrs. Taylor and Co., of Furnival's-inn, are the solicitors.

INVESTMENT JOURNAL.

There has been no improvement in the state of things at the Stock Exchange. The dullness of the week weighs upon enterprise, and the probabilities of peace in America caused a complete paralysis, which would have been converted into a panic had the rumours been confirmed. As it is, the certainty of a continuance of the strife, combined with the extremely pacific speech of the Emperor, will probably restore confidence and revive commercial enterprises. Several new companies have made their appearance, but it is supposed that the majority of them have found a very insufficient support.

The fluctuations of the week are as follows:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	247	...	247	...	...	247½
3 p Cent. Red. Ann.	88¾	88¾	88¾	88¾	88¾	88¾
3 p Cent. Cons. Ann.	89¾	89¾	89	89¼	89¾	89
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 p Cent. Ann.	88¾	88¾	88¾	88¾	88¾	88¾
New 3½ p Cent. Ann.	...	...	...	...	...	...
3 p Cent. Annuities	...	...	...	...	...	...
3 p Cents. Jan. 1873	...	...	...	...	...	...
Ann. 20 yrs. exp. April 5, 1885	14¼	...	...	14⅞	...	14⅞
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Canada for Acc.	89¾	...	89¾	89¾	89¾	89¾
Canada 5 p Cent. for Acc.	...	...	...	...	...	...
India 5 p Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	218	...	...
India 4 p Cents.	...	...	...	...	...	...
India 4 p Cents. 1888	99	...	98¾	...	98¾	...
India 5 p Cents. 1870	104¾	104¾	104¾	104¾	104¾	...
India Bonds (1000l.)	...	10c	10c	...	...	...
Do. under 1000l.	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	98¾	...	...	...	...	...
India Enfaced Paper, 4 p Cent.	...	...	...	89¾	...	...
Do. do. 5 p c. Jan. 1872	...	102¾	...	101¾	102	...
Do. do. 5 p c. May 1879	...	...	...	...	102	...
Ex. Bills, 1000l.	...	...	d	a	...	h
Do. 500l.	a	a	...	a	...	h
Do. 100l. & 200l.	...	...	...	...	...	h
3 p c.	...	b	e	a	g	h
Do. Small, 3 p c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	98¾	...	...

a 1 per cent. 3s. prem.
b 1 per cent. 1s. to 3s. prem.
c Par.
d 1 per cent. par, 2s. prem.
e 4 per cent. 1s. prem.
f 4s. per cent. 3s. prem.
g 1 per cent. 8s. par.
h 6 per cent. 4s. prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

THE BANKRUPTCY ACT.

Mr. Moffatt rose to move the appointment of a select committee to inquire into the working of the New Bankruptcy Act and report thereon. He said a parliamentary return, dated Oct. 1864, showed that in that year the total assets realised from bankrupts' estates amounted to 680,000*l.*, and that the official charges for collecting the same amounted to 140,000*l.*, which was exclusive of solicitors' charges and the various other claims to which bankrupts' estates were unfortunately liable. Of 7200 bankruptcies only 600 were at the instance of creditors, 6602 being at the instance of the debtors themselves. On only 1500 bankrupts' estates had dividends been declared, and of those 1500 only 150 had paid a dividend of 7*s.* 6*d.* in the pound. On 5200 estates no dividend whatever had been declared, and the debtor had simply come in and got his discharge. If the Bankruptcy Commissioners were justified in administering the law as they did at present, then the Legislature, in passing the Bankruptcy Act, had set up a system for the encouragement of roguery and the very worst offences that could be committed in a mercantile community. The number of compositions that had been entered into under the late Act, and the smallness of the composition, showed how desirous creditors were of resorting to any process but that of the bankruptcy system for a distribution of their debtors' estates. That portion of the bankruptcy law of 1861 which encouraged assignments of debtors' estates gave a great advantage to fraudulent debtors, because they inserted in their deeds of assignment the names of sham creditors for the purpose of pretending that they had obtained enough of assents from creditors to make the deed valid. The real creditors of course could not undertake the trouble and expense of inquiring into the reality of the claims of creditors which they supposed to be fictitious. If the Act had passed in the shape it left the House of Commons the result would have been very different, but the House of Lords sent it back emasculated. He doubted very much whether any Bankruptcy Bill based upon the present system would answer the requirements of the country. He thought the State ought not to interfere between creditors and debtors for the purpose of collecting and distributing assets amongst creditors. The creditors themselves should have control in that matter, as they had in Scotland, where for the last ten years a system whereby the creditors appointed a person to collect the debtors' assets for them had worked satisfactorily. He would suggest to the Government the propriety of entirely abolishing the bankruptcy laws, but he thought there ought to be a court of appeal in which all important question as to the right to prove against an estate and the rights of creditors amongst themselves should be determined. He thought it would be well if such a system as this were adopted; let those creditors who desired an immediate distribution of assets give a discharge to the debtor, but let those creditors who preferred to wait have a claim against after-acquired property of the debtor. That plan had worked satisfactorily in France. The hon. gentleman concluded by moving the appointment of a select committee to inquire into the working of the New Bankruptcy Act and report thereon, and that the committee do consist of sixteen members:—Mr. Attorney-General, Mr. Moffatt, Mr. Murray, Mr. Malins, Mr. Wegueliu, Mr. Gathorne Hardy, Mr. Kirkman Hodgson, Mr. Crum-Ewing, the Lord Advocate, Mr. Lowe, Mr. Vance, Mr. Cave, Mr. Goschen, Mr. Roebuck, Mr. Taverner John Miller, and Mr. Ayrton.——The Attorney-General said he did not think it likely that the House would wish him to follow the hon. gentleman who had just sat down into the particulars he had entered into in reference to this subject. The motion itself showed that the time for such discussion had not arrived, and therefore he would not detain the House with any remarks upon the present discussion.

QUALIFICATION FOR OFFICES ABOLITION.

In Committee of the whole House, Mr. Hadfield obtained leave to bring in a Bill to render it unnecessary to make and subscribe certain declarations as a qualification for offices and employments, and for other purposes.——The Bill was subsequently brought in and read a first time.

PROTECTION OF WATERS IN RIVERS AND STREAMS.

Lord R. Montagu obtained leave to bring in a Bill to amend and better to administer the laws for the protection of water in rivers and streams in England.

SEWAGE OF TOWNS.

Lord R. Montagu moved for leave to bring in a Bill for facilitating the more useful application of town sewage in Great Britain and Ireland.——Sir G. Grey said he gladly assented to the introduction of the Bill, but, at the same time, he was bound to say that having given a great deal of attention to the subject, he doubted whether they were yet in possession of sufficiently full and accurate information to enable them to legislate on it. He rather thought that the noble lord himself held the same opinion, seeing that he had given notice to move for a committee on a future day.

NEW COURTS OF JUSTICE.

The Attorney-General moved for leave to bring in a Bill to supply means towards defraying the expenses of providing Courts of Justice, and the various offices belonging thereto, and for other purposes. After a preliminary statement explaining the nature and extent of the evil, the inadequacy of the existing accommodation for the administration of justice in the principal courts and the dispersion of the courts, he proceeded to discuss the question of a site for all the courts and their offices, which the Government proposed to concentrate in the vicinity of Lincoln's-inn, between Carey-street and the Strand, at a cost of 1,500,000*l.*, including site and buildings. He then explained, at considerable length, the details of the financial arrangements by which it was proposed to provide the means of supplying funds for this outlay, and the machinery whereby existing charges upon certain appropriated funds would be provided for, justifying the proposed mode of defraying the cost of this great and important improvement otherwise than from the public purse and the taxation of the country.——Sir H. Willoughby said the financial part of the scheme, by which the funds were to be provided, did not inspire him with much confidence. He believed that a large portion of the funds must come out of the pockets of the taxpayers; and that the expense, instead of 1,500,000*l.*, would be nearer 2,000,000*l.* or 2,500,000*l.*——After a few remarks by Mr. Hadfield,——Mr. Selwyn likewise objected to the financial portion of the scheme, contending that the Attorney-General had greatly over-estimated the resources to which he proposed to resort, and he did not think the object of concentrating the courts so important as to justify a large vote of public money. He did not oppose the introduction of the Bill, though he objected to the appropriation to the cost of the proposed scheme of the funds which it was intended to divert it.——Mr. Ayrton approved the principle of charging the cost of the new building not upon the public revenue but upon funds arising from the courts themselves.——Mr. Malins supported the proposed scheme. He thought it would be better to take the money from the Consolidated Fund: but if the Government had said they had got the money, he believed them. He described the great inconveniences arising from the separation of even the equity courts, and considered that the advantages resulting from the concentration of all the courts under one roof would be cheaply purchased on the terms proposed by the Government.——The motion was supported by Mr. Denman, Mr. Bovill, and Mr. Scully.——After a brief reply by the Attorney-General the motion was agreed to, and leave was given to introduce the Bill.——Mr. Cowper moved for leave to bring in a Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a site for the erection and concentration of Courts of Justice and of the various offices belonging to the same. He described the advantages of the proposed site, bounded on the north by Carey-street, on the south by the Strand and on the east by Bell-yard, in close contiguity to Lincoln's-inn and the Temple, and to the chambers and offices of the legal profession, and he suggested the practicability of subsidiary improvements, affording further facilities.——Leave was given.

Mr. Walter asked the First Commissioner of Works whether he had any objection to lay on the table of the House a return showing the number of houses at present standing on the site proposed to be taken by the Government for the erection of the new courts of law, and also the amount of the population residing in those houses.——Mr. Cowper said there would be no difficulty in furnishing a return specifying the number of houses on the site in question, but he could not at present state whether the information required with respect to the number of the population could be given. Whatever information could be obtained on the subject he should be happy to lay on the table of the House.

TRANSPORTATION TO AUSTRALIA.

Mr. Moor asked the right hon. gentleman the Secretary for the Colonies whether it was the intention of Her Majesty's Government to discontinue the transportation of criminals to Australia, and, if so, at what period such discontinuance would be commenced.——Mr. Cardwell: The papers which have been laid upon the table show that it is the intention of Her Majesty's Government to propose to Parliament measures for the total discontinuance of transportation to the Australian colonies, and also that the time within which the necessary arrangements can be made in this country for carrying that change into effect has been calculated not to exceed three years.

MORTGAGE DEBENTURES.

Lord Naas moved the second reading of the Mortgage Debentures Bill. After narrating the somewhat peculiar history of the measure, he stated its object—namely, to extend land credit, by obviating difficulties and impediments and increasing

facilities in the raising of money upon the security of estates. He then explained the leading features and details of the system he proposed by the Bill, which he said resembled one in operation with great advantage in Prussia. He had no objection to refer the Bill to a Select Committee.——Sir G. Grey, observing that the subject was one of very great importance, requiring careful consideration, had no objection to the second reading of the Bill upon the understanding that it should go with other Bills on the same subject to a Select Committee.——Mr. Henley suggested that the details of the Bill, which professed to be only an enabling measure, should be carefully watched by the Government.——Mr. Scully urged various objections to the Bill, having himself a Bill upon the subject, standing for a second reading, confined to Ireland.——Mr. Ayrton, who had another Bill upon the subject, doubted the expediency of the intermediate agency proposed by Lord Naas.——The Bill was read a second time, as well as the Land Debentures (Ireland) Bill and the Land Debentures Bill, and the three Bills were referred to a Select Committee.

GRAND JURIES IN IRELAND.

Mr. Hassard rose to ask the Chief Secretary for Ireland whether it was his intention to introduce any Bill for the alteration of the laws relating to grand juries in Ireland; and, if it was his intention to do so, whether he would lay such Bill upon the table of the House in sufficient time to be submitted to the several grand juries now about to assemble in Ireland?——Sir R. Peel said that in the course of the discussion last year upon the Bill introduced by the hon. member for Waterford, which the House refused to read a second time, his right hon. and learned friend the late Attorney-General for Ireland and himself undertook to consider this question during the recess. They had considered it, but, as they had not received from any part of Ireland a single representation that the present system was not working satisfactorily, they had not thought it right to recommend the introduction of any Bill upon the subject.

FORFEITURE.

Mr. C. Foster rose to ask the Attorney-General whether, in pursuance of his engagement of last session, he was prepared to introduce a Bill, at an early period of the present session, to alter the law of forfeiture on conviction of felony?——The Attorney-General said that a Bill with this object was in course of preparation.

FEES OF PARLIAMENTARY COUNSEL.

Mr. D. Griffith gave notice that on Thursday, the 23rd Feb., he should move the following standi g order:—"The fees to be received by the Parliamentary Bar practising before committees of this House to be regulated by the same rules in that respect as prevail in the ordinary courts of law and equity."

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Interrogatories.—The Court refused them to be administered to defendant before declaration, where they were required for the purpose of seeing how to declare, and the affidavit stated only that plaintiff believed he had a good cause of action, but did not show precisely what it was: (*Anon.* v. *Parr*, 11 L. T. Rep. N. S. 706. Q. B.)

Common Law Practice—New Trial—Affidavit.—The affidavit on which a rule for a new trial is moved should be made before a commissioner of the court in which the action is brought. If sworn before a commissioner of another court the rule will not be granted: (*Blakeley* v. *Abeles*, 11 L. T. Rep. N. S. 716. Ex.)

Breach of Promise—Discovery of Documents.—In an action for breach of promise of marriage, the court will order inspection by the defendant of his own letters, in which the proof of the alleged contract is contained. "Of all conceivable cases," said Pollock, C.B., "this is one in which a defendant is clearly and justly entitled to see every syllable he has ever written to the person who is now bringing an action against him: (*Stone* v. *Strange*, 11 L. T. Rep. N. S. 717. Ex.)

Trover—Waiver of Objection.—A declaration contained two counts, one in trover and the other in detinue. The judge of the Sheriff's Court had no jurisdiction to try the cause. But the objection was not taken until after verdict. The Court made the rule absolute for a new trial: (*Ryan* v. *May*, 11 L. T. Rep. N. S. 718. Shee, J.)

Award—Service of Rule.—Personal service of a rule *nisi* to pay a sum of money under an award cannot be dispensed with, unless it appears that defendant is evading service. Service on his attorney is not sufficient: (*Evans* v. *Prosser*, 11 L. T. Rep. N. S. 718. Shee, J.)

Correspondence.

Who is He?—Is the inclosed a usual form of application for payment of debts? The solicitor's address is not given. Is the gentleman a member of the Profession? A Firm.

An Application for Debt before proceeding according to the new Act for the recovery thereof.

As per 9th & 10th Vict. c. 25.

Sir,—Mr.—— having instructed me to take proceedings, the New Small Debts Act for the more easy Recovery of Small Debts and Demands being now in force, and the sum of 10*l.* 10*s.* due from you to Mr. J—— being still unpaid, I now give you notice that if the same be not paid to him on or before the 20th day of Dec. 1864, I shall proceed against you under the above Act. Trusting, however, that you will deem it prudent to pay the amount before the day above stated, and thereby prevent proceedings to which you will otherwise subject yourself.—

Yours, &c., A. Parsons, Solicitor.

Dated this 15th day of Dec. 1864.

Caution.—By the above-mentioned Act, it is enacted, that where any person has obtained credit under false pretences, or by means of fraud or breach of trust; or has wilfully contracted such debt or liability without having had at the time a reasonable expectation of being able to pay the same; or shall have made any gift, delivery, or transfer of any property or effects; or shall have charged, removed, or concealed the same, with intent to defraud his creditors, or any of them; such person renders himself liable to be committed to the gaol, or house of correction, or the prison of the court, and kept there for the time specified in the commitment.

This notice will not be repeated.

THE PRIVATE BUSINESS OF THE HOUSE OF COMMONS.

It may be interesting to the public to have laid before them just at this period the changes that may arise in Private Bill legislation, owing to the Standing Orders ordered to be printed by the House of Commons on the 21st July last.

The Speaker announced in his place on Thursday week that he had "to inform the House that Mr. Hugh Adair and Mr. Hassard having consented to act as referees on Private Bills, he had appointed those gentlemen, together with Mr. Rickards, his counsel, who will act with the Chairman of Ways and Means. He need not point out to the House the great sacrifice of personal convenience which those gentlemen would incur by the duties they had undertaken.

This new Court of Referees will, therefore, consist of: 1. Mr. George Dodson, M.P., the Chairman of Ways and Means; 2. Mr. Hugh H. Adair, M.P.; 3. Mr. Michael D. Hassard, M.P.; 4. Mr. G. K. Rickards, counsel to the Speaker.

The following is the text of the Standing Orders referred to:

"The Chairman of Ways and Means, with not less than three other persons, who shall be appointed by Mr. Speaker for such period as he shall think fit, shall be referees of the House on private Bills, such referees to form one or more courts; two at least to be required to constitute each court.

"The Chairman of Ways and Means shall be the chairman of the referees, and at any sitting of the referees at which the chairman is not present, one of the other referees, whom the chairman shall nominate for that purpose, shall be the acting chairman.

"The practice and procedure of the referees, their times of sitting, order of business and the forms and notices required in their proceedings, shall be prescribed by rules to be framed by the Chairman of Ways and Means, subject to alteration by him as occasion may require. All such rules and alterations, when made, to be laid on the table of the House.

"The referees shall inquire into all or any of the following matters as to which parties petitioning against any Bill desire to be heard in opposition, viz.:—

"1. In the case of Bills of the second class for authorising the construction of works, the engineering details of the undertaking, the efficiency of the works for the proposed object, and the sufficiency of the estimate for executing the same.

"2. In the case of Bills for authorising a new line of railway, the statistics of the traffic proposed to be accommodated.

"3. In the case of Waterworks Bills, the nature and amount of the existing and the proposed source of supply, the quality of the water in each case, and the provisions as to storage reservoirs.

"4. In the case of Gas Bills, the quality of the gas, the existing supply and its price, the amount of pressure, the cost of production, and the modes of testing the purity and illuminating power of the gas.

"So soon as the inquiry into the matters referred to them upon any Bill has been completed, the referees shall make their report upon the same to the House, and the report shall thereupon stand referred to the select committee on the Bill. No further evidence shall be taken by the committee to prove or disprove any of the facts reported by the referees.

"The select committee to which any Bill has been referred may, subject to the approval of the Chairman of Ways and Means, refer any question arising in the course of their inquiry, which they may deem suitable to be so referred, to the referees for their decision, such question to be stated in writing, and signed by the chairman of the committee. The referees, as soon as their inquiry has been completed, to return the question, with their decision certified thereon, to the chairman."

COURT OF COMMON PLEAS, GUILDHALL.

Monday, Feb. 13.

This was the first day of the sittings in London. The cause-list contains an entry of no less than 2[illegible] causes, of which 94 are marked for special juries. As the circuits are commencing in a week or ten days, and the judges will be required elsewhere, it is manifest that it is impossible to get through this amount of business in the time, if the causes are to be tried, although two or three courts may sit. The truth of the matter is, causes from all parts of the country are now sent up to London for trial; they are so sent because sufficient time and opportunity for their proper trial do not exist in the country, and they do not exist because there are not judges sufficient to get through the work if more time and more frequent opportunities were given for assize trials in the country. With a very slight addition the same judicial staff now disposes of the disputes and tries the crimes of 25,000,000 people that existed two centuries ago, when the population was but 10,000,000; while our commercial transactions have enormously and out of all proportion increased.

It is more than probable that the aggregate loss and expenses of the suitors in the various courts occasioned by the delay of their causes over to next term will exceed the cost of an increase of two or three judges to the judicial staff, who, if appointed, would enable a better arrangement for the trial of causes in the counties where they arise to be made, and thus lessen the undue glut of work cast on the jurors of the metropolis, who are now called on to give their time to the trial of disputes from all parts of the country.

APPOINTMENT.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

The Lord Chief Justice of the Common Pleas has appointed Lauriston Wintertotham Lewis, of Walsall, in the county of Stafford, gentleman, one of the perpetual commissioners in and for the said county of Stafford, for taking the acknowledgments of deeds by married women, pursuant to the Act for the abolition of fines and recoveries, and for the substitution of more simple modes of assurance.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Anglo-French Porcelain Company (Limited).—A official manager to be appointed by the M. R., at his chambers, on Thursday, 23rd Feb., at noon. Solicitors, Waller and Kelly, 2, Duke-street, Adelphi, London.

Agriculturist Cattle Insurance Company.—List of contributories to be settled by the M. R., at his chambers, on Tuesday, 28th Feb., at two o'clock in the afternoon. Solicitors, Horn and Murray, 7, St. Martin's-place, Trafalgar-square, Westminster.

Bank of Gibraltar and Malta (Limited).—Creditors to send in by 14th March, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to J. A. Morgan, of 17 and 18, Gresham-house, Old Broad-street, London, solicitor, one of the liquidators of the said company.

East Dylifff Lead and Copper Mining Company (Limited). —Creditors to send in, by 1st March, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to G. A. Cape, 3, Adelaide-place, London. Solicitor, A. Pulleed, 31, Threadneedle-street, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Alston (E. F.), Worcester, woollen draper, March 1[illegible] V.C. S. S. C. and C. Milne, 2, Harcourt-buildings, Temple, London.

Clarke (John), Farleigh, Surrey, grocer, March 2[illegible], M. R. Eyre and Lawson, 1, John-street, Bedford-row, London, for G. H. Long, Windsor.

Forbes (Sophia), Sloane-street, Middlesex, widow, March [illegible] M. R. A. Chaffers, Great James-street, Bedford-row, London.

Higgs (Edward), 30, Pentonville-road, Middlesex, gentleman, March 14, V.C. K. J. T. Marshall, 8, King's-road, Bedford-row, London.

Hill (Henry), 108, Brompton-road, Middlesex, Esq., Feb. 28, V.C. W. Dawes and Sons, 9, Angel-court, Throgmorton-street, London.

Hill (George), formerly of Calcutta, afterwards of 1, [illegible] terrace, Queen's-road, Bayswater, Middlesex, and elsewhere, Esq., March 13, M. R. Coverdale, Lee, Collyer-Bristow, and Withers, 4, Bedford-row, London.

James (Hugh), Burgh-by-Sands, Cumberland, surgeon, March 10, V.C. S. Gray and Mounsey, 8, Mag[illegible], London, for J. C. Wannop, Carlisle.

Matthews (Mary), Eggair, Merionethshire, widow, March [illegible] V.C. K. H. Williams, 4, Verulam-buildings, Gray's-inn, London.

Silvester (Thos.), West Bromwich, ironmaster, March 2[illegible], V.C. S. J. C. Rutter, 4, Ely-place, Holborn, London, for T. Simcox, 23, Waterloo-street, Birmingham.

Taylor (A. M.), Bexley, Kent, widow, March 2, V.C. W. A. Chandler, 75, Old Broad-street, London.

Unwin (R. J.), College-crescent, St. John's-wood, Middlesex, and Ardleg-Kilmun, Argyleshire, N. B., Esq., March [illegible], V.C. K. Coverdale, Lee, Collyer-Bristow and Withers, 4, Bedford-row, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Austin (James), 1, Larkhall-place, Walcot, Bath, gentleman, March 25. Stone, Chamberlayne and King, 13, Queen-square, Bath.

Austin (F. F.), Shefford, Bedfordshire, wine merchant, May 31. T. J. Hooper, Biggleswade.

Blackman (Wm.), Gower's-walk, Rupert-street, and Church-lane, Whitechapel, Middlesex, and Buckhurst-hill, Woodford, Essex, cooper, March 25. H. S. Mitchell, 5, Great Prescott-street, Whitechapel.

[illegible] (Samuel), Stoke-upon-Trent, gentleman, March 25. Ward Son and Cooper, Newcastle-under-Lyme.

[illegible] (Elijah), East Mersea, Essex, farmer, March 25. [illegible] Goody and Son, Colchester.

[illegible] (T. Z.), Stamforth-street, Birmingham, ironfounder, March 31. Hodgson and Son, 13, Waterloo-street, Birmingham.

[illegible] (Robert), Club-chambers, Regent-street, Middlesex, May 1. Young and Jacksons, 12, Essex-street, London.

[illegible] (J. H. R.), Esq., Plaistow-lodge, Bromley, Kent, July 25. J. H. Mackenzie, 77, Gresham-house, Old Broad-street, London.

[illegible] (J. N.), Bristol, gentleman, March 31. Fry and Otter, [illegible]-court, Bristol.

[illegible] (George), 2, York-terrace, Hammersmith, Middlesex, March 12. A. C. Scores, 35, Great James-street, Bedford-row, London.

[illegible] (Sarah), Southborough, Kent, widow, April 3. Minet and Smith, 3, New Broad-street, London.

[illegible] (Frederick), Merthyr Tydfil, Glamorganshire, chemist and druggist, June 1. G. A. A. Davies and Son, Cardiff.

[illegible] (John), Clapham-common, Surrey, Esq., March 10. [illegible] and Proctor, 38, Lincoln's-inn-fields.

[illegible] (A. E.), 66, Camberwell-grove, Surrey, widow, March 25. Booty and Butt, 1, Raymond's-buildings, Gray's-inn, London.

[illegible] (Richard), 8, Greenhills-rents, St. John-street, St. [illegible], Middlesex, file manufacturer. Hopwood and Sons, 6, Chancery-lane.

[illegible] (Watkin), Dukinfield, Cheshire, cottonspinner, March [illegible]. Sale, Worthington, Shipman, Seddon and Sale, 28, [illegible]-street, Manchester.

[illegible] (John), jun., Khandalla, East Indies, contractors' [illegible], May 1. R. Soars, 40, Waterloo-street, Birmingham.

[illegible] (William), Full Moon Inn, Upper Borough-walls, [illegible] licensed victualler, March 25. Stone, Chamberlayne and King, 13, Queen-square, Bath.

[illegible] (Robert), Wykeham, North Riding, Yorkshire, [illegible], April 1. J. Grayston, jun., 3, New-street, York.

[illegible] (Wm.), 1, Lansdowne-terrace, Brixton, Surrey, and 15, [illegible]-street, London, woollen warehouseman, April [illegible]. Wilde, Rees, Humphry and Wilde, 21, College-hill, London.

[illegible] (John), 3, Great Prescott-street, Goodman's-fields, Whitechapel, Middlesex, collector of parochial rates, March 25. H. S. Mitchell, 5, Great Prescott-street, Whitechapel.

[illegible] (Rev. J. A.), fellow of Brasenose-college, Oxford, March 1. Charlewood and Ormerod, 2, Clarence-street, Manchester.

[illegible] (M. D.), Sherburn-hall, Durham, widow, March [illegible]. Domville, Lawrence and Graham, 6, New-square, Lincoln's-inn, London.

[illegible] (Henry), Crewkerne, Somerset, builder and auctioneer, June 24. G. L. Lang, Crewkerne.

[illegible] (John), Bristol, gentleman, March 1. M. Brittan and [illegible], Albion-chambers, Bristol.

[illegible] (Elizabeth), 6, Carlton-hill east, St. John's-wood, Middlesex, widow, March 1. Talbot and Tasker, 47, Bedford-row, London.

[illegible] (William), Empshott-grange, near Petersfield, Southampton, Esq., April 14. Poole and Gamlen, 3, Gray's-inn-square.

[illegible] (Samuel), Stapleton-hall Tavern, Middlesex, April 15. [illegible] and Showler, 1, Trinity-place, Charing-cross, London.

[illegible] (John), Henstridge, Somerset, gentleman, July 31. [illegible] Slade, Yeovil.

[illegible] (Mary), Bedford, spinster, April 18. T. W. and J. Pearse, Bedford.

[illegible] (Alfred), Heckington, Lincolnshire, farmer and [illegible], April 6. C. Steel, Sleaford.

[illegible] (Charlotte), Ship Inn, South Norwood, Surrey, licensed victualler, Feb. 28. T. Angell, 22, King-street, Guildhall, London.

[illegible] (Henry), 3, South-square, Gray's-inn, Middlesex, [illegible], April 1. J. Whishaw, 16, York-terrace, Regent's-park, Middlesex.

[illegible] (Frederick), North-street, Sloane-street, Chelsea, Middlesex, brewer, June 24. G. and E. Hilleary, 5, Fenchurch-buildings, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

[illegible] (John), Chatton, Northumberland. 150l. 11s. 6d. Three per Cent. Consols. Claimant, said J. Buddle.

[illegible] (Thomas), Chelsea, gentleman. 118l. 2s. 6d. New Three per Cents. Claimants, H. Turnbull and Mary Ward, administrators.

[illegible] (Robert), Reading, Berks, gentleman. Dividend on [illegible] Imperial Three per Cents. Claimants, W. Brooks and J. B. Gardiner, executors.

[illegible] (R. K.), Frisky-hall, Yorkshire, Esq. Dividend on [illegible] Reduced Three per Cents. Claimant, M. A. [illegible], administratrix.

[illegible] (Rev. Wm.), Bishop's College, Calcutta. 150l. Three per Cent. Consols. Claimant, said Rev. W. Kay.

[illegible] (Sarah), widow, and RANKIN (John), gentleman, [illegible], Essex. 120l. New Three per Cents.

THE BENCH AND THE BAR.

COUNSEL'S FEES.

At a meeting of the Local Board of West Derby, held last week, the following curious discussion was raised:

A letter was read from Mr. James Drury, stating that in the session of 1862 Mr. Calvert held a brief on behalf of the local board in the opposition by them to the Liverpool Corporation Water Bill. The brief was delivered to Mr. Calvert by Mr. Atherton (of the firm of Anderson and Atherton), solicitor to the board. The fees on that brief amounted to [illegible] 13s., and they had not been paid. Mr. Radcliffe, the present solicitor to the board, having been applied to for payment, had replied that Mr. Atherton was paid his bill of costs to enable him to pay counsel's fees, and the board were therefore not responsible for any further claim. Mr. Calvert, however, desired to say that he still looked to the local board for payment of his fees, and that the payment to Mr. Atherton did not discharge the debt due by the board to him (Mr. Calvert).

Mr. King said they heard nothing of the claim by Mr. Calvert until eighteen months after Mr. Atherton had received the money for the purpose of paying it. In explanation at that time, Mr. Atherton said it was a mere oversight that the money had not been paid, and that within a certain period it should be paid. He ought to say that Mr. Atherton gave as a reason for the nonpayment that he had cross claims, but that was denied on the other side.

Mr. Radcliffe, the solicitor, stated that he had replied to Mr. Drury that Mr. Calvert was retained by Mr. Atherton, and to that gentleman he looked for payment of his fees, and not to the board. They were neither morally nor legally liable. Mr. Atherton was paid the balance of his bill of costs in the matter early in 1863, having received 200l. or thereabouts in 1862 to enable him to pay counsel's fees. Mr. Radcliffe added that it was quite clear that the board could do nothing for Mr. Calvert. If that gentleman had communicated with the board before the balance had been paid to Mr. Atherton they might have insisted upon that gentleman paying counsel's fees. He might mention that the bankruptcy commissioner had power to order the payment of rates in full.

It was resolved to inform Mr. Calvert that, acting under the advice of their legal adviser, the board could not recognise his claim.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

The Queen has been pleased to appoint Lewis Charles Innes, Esq., of the Madras Civil Service, to be a Judge of the High Court of Judicature at Madras.

Mr. H. J. Stonor, Chief Commissioner of the West Indian Incumbered Estates Commission, has been appointed Judge of the Reading County Court.

THE LORD CHANCELLOR OF IRELAND IN A LIBEL CASE.—In the Court of Queen's Bench, Dublin, last week, before Mr. Justice Fitzgerald and a special jury, a somewhat curious case was heard. It was an action for libel, brought by Mr. O'Sullivan against Mr. Walsh, both justices of the county of Roscommon. The libel was contained in a letter addressed to the Lord Chancellor, who was sworn as a witness in the case, but who declined to give up the document. Considerable discussion arose as to whether the court should make an order that his Lordship should produce it. Such, however, was not made, and, after hearing the case, Mr. Justice Fitzgerald directed a verdict for the defendant, against which exceptions were taken.

THE NEW COURTS OF JUSTICE.—The Bill for the concentration of the courts of justice provides that in making up by fees from the suitors (other than those of the Court of Chancery) the residue or deficiency in the funds provided for the new building, the mode of payment is to be a redemption annuity of 4 per cent. on the sum to be thus made up, which annuity is to be paid for a term not exceeding fifty years. The suitors (other than those of Chancery) are to contribute in proportion, as far as may be, to the extent of the use made by them of the building. The contribution is to be levied by a separate fee, called "the rent of courts fee," to be collected by stamps. The Bill provides that causes at present tried at Guildhall and at Westminster are to be tried in the new building.

MAGISTRATE AND PARISH LAWYER.

NOTES OF NEW DECISIONS.

HIGHWAYS.—Before they direct an order for indictment of a parish for non-repair of a highway, the justices are bound to satisfy themselves by the evidence that the road in question is a highway, if that fact be disputed: (*Reg.* v. *Askerton*, 11 L. T. Rep. N. S. 606. Q. B.)

CORONER'S JURY.—An inquisition was adjourned to a named day, in order that the coroner might draw up the inquisition. Before the day he wrote to the jurors not to attend on that day, nor until they received further notice. Pursuant to a further notice they met and signed the inquisition and verdict. These were held to be void, as having been signed *coram non judice*: (*Reg.* v. *The Coroner of Margate*, 11 L. T. Rep. N. S. 707. Q. B.)

TRESPASS IN PURSUIT OF GAME—AIDING AND ABETTING.—B. was charged with aiding and abetting C. in committing a trespass in pursuit of game. The evidence was, that B. and C. were driving along a high road in a trap, and that B. got down and went into an adjoining field and shot a hare, which he brought back and placed in the trap. C. remained in the trap, which he kept standing still till B. returned with the hare, and then he drove the trap along the road, B. walking behind. He was held to have been rightly convicted of aiding and abetting in a trespass in pursuit of game, and also that he might have been convicted as a principal: (*Stacey* v. *Whitehurst*, 11 L. T. Rep. N. S. 710. C. P.)

FACTORY ACTS.—A building in which steam power is used for the manufacture of crinoline is a cotton factory within the Act: (*Whymper* v. *Harney*, 11 L. T. Rep. N. S. 711. C. P.)

HUSBAND AND WIFE—PROTECTION ORDER.—The Divorce Act, s. 21, only gives protection to the produce of the wife's lawful industry, and does not extend to the profits acquired by immorality, as the keeping of a bawdy-house: (*Mason* v. *Mitchell*, 11 L. T. Rep. N. S. 714. Ex.)

MANSION-HOUSE JUSTICE-ROOM.—The Court of Aldermen having, on the 30th Dec. last (on receiving a further report of the general purposes committee on the reference to them relative to the business of this justice-room, on the retirement of Mr. Goodman, the principal clerk, and the promotion of Mr. George C. Oke, the assistant-clerk, in his stead, and also on the retirement of Mr. Pickering, the cashier, and other changes in the other officials of the court), referred the subject back to the committee to make the several appointments of assistant-clerk, cashier, and junior clerk. The committee, on Saturday last, made the following appointments, viz.:—Mr. T. Holmes Gore (a solicitor and magistrates' clerk at Margate) to succeed Mr. Oke as assistant-clerk, at a salary of 300l. per annum; Mr. William Ball to succeed Mr. Pickering as cashier, at a salary of 200l. a-year; and a junior clerk, Mr. Arthur Allnutt, in the place of Mr. H. W. Sewell, the summons clerk, at a salary of 50l. a-year. There was a very large number of candidates for the two first offices.—*City Press.*

BRIBERY AT A MUNICIPAL ELECTION.—The first cases which have ever been tried under the 22 Vict. c. 35, s. 11, arising out of malpractices at an election under the Municipal Act, has just been before the Leeds County Court. The agent of the Liberal Registration Society sought to enforce a penalty of 40s. in each of several cases in which it was alleged that bribery had been committed by a town-councillor named Wray, an auctioneer named Joy, and two other persons. It was proved to the satisfaction of the judge that Wray and Joy had paid to certain men 1s. each to induce them to vote at a special election of a councillor on the 28th Nov. last, and he imposed the 40s. penalty in each case, with an intimation that the defendants, as a necessary consequence, would for six years be struck off the roll and disqualified to exercise any of the rights of burgesses either with respect to municipal or parliamentary elections.

JOINT-STOCK COMPANIES LAW JOURNAL.

NOTES OF NEW DECISIONS.

LANDS CLAUSES ACT.—A jury summoned to assess the value of property taken by a company has no jurisdiction to try whether the claimant possesses the interest in the property which he claims, nor has an arbitrator under the Act any such jurisdiction: (*Brandon* v. *Brandon*, 11 L. T. Rep. N. S. 658. V.C. Kindersley.)

Where, by common agreement, money has been paid into court to represent the interests of certain persons in property taken under this Act, a question cannot afterwards be entertained by the court whether the interest of those persons was sufficient to entitle them to receive the whole of the money: (*Ibid.*)

Two leases of premises were granted to B. by executors under certain circumstances, relying upon the security of which he laid out money upon the property. On its being taken by the company, a question was raised as to the validity of the leases, and the company paid the money into court. The leases proved to be invalid, but it was held that B. was entitled in equity to compensation for the money he had laid out upon the property, by which he had increased the value of the fee-simple: (*Re North London Railway Company*, 11 L. T. Rep. N. S. 661. V.C. Kindersley.)

Where land of a married woman was taken by a company, which was on mortgage for 50l., that sum was ordered to be paid out to the mortgagee, although she had not acknowledged the mortgage-deed: (*Re Clarke's Estate*, 11 L. T. Rep. N. S. 663. V. C. Stuart.)

WINDING-UP.—On an adjournment into court at the instance of a contributory seeking to vary the certificate, the court will not, in the absence of special circumstances, depart from the general rule that costs shall be paid by the unsuccessful party: (*Re Birkbeck Life Assurance Company*, 11 L. T. Rep. N. S. 691. V. C. Kindersley.)

Where two petitions were presented, one for a voluntary, the other for a compulsory, winding-up, and the liquidator appeared on both, the Court making the order for a voluntary winding-up refused to him the costs of his appearances: (*Re The General International Agency Company*, 11 L. T. Rep. N. S. 700. M. R.)

CONTRACTS BY COMPANY.—When directors have power to make a contract, they have also the power to ratify a contract made on their behalf. Sect. 97 of 8 & 9 Vict. c. 16, which provides for the manner in which the contracting powers of directors are to be exercised, while enacting that all contracts so made shall be binding, does not enact that contracts otherwise made shall not be binding. The Act, being affirmative, takes away no existing rights or remedies, nor deprives the court of any jurisdiction otherwise possessed. Therefore where B., having by letter contracted with the manager of a com-

pany for the purchase of land, and the company took possession and removed plant and machinery to the land so contracted for, it was held, on appeal, that although the manager had at the outset no authority to make the contract, it was binding on the directors: (*Wilson* v. *The West Hartlepool Railway Company*, 11 L. T. Rep. N. S. 692. L. JJ.)

Railways Clauses Act, ss. 53–55—Highway.—The special Act forbad the company to stop up, obstruct, or impede, except temporarily, any highway, and it was forbidden to do so temporarily until they had made another good and sufficient road contiguous to the former. The Court would not restrain a railway from blocking up a road as to which the balance of evidence seemed to show that, although once a public road, the use of it had been abandoned by the public, the plaintiff requiring the use of it only for his own private purposes: (*Freeman* v. *The Tottenham Junction Railway Company*, 11 L. T. Rep. N. S. 702. V. C. Stuart.)

LAW STUDENTS' JOURNAL.

Correspondence.

Law Classes.—I take the liberty of again trespassing upon your valuable space in order to inform those of your readers who may be articled clerks that the memorial to the council of the Incorporated Law Society on the subject of law classes, together with the correspondence, &c., were left with the secretary last week. I had hoped to have been allowed to present the memorial in person; but, in reply to my application to do so, the council, through their secretary, informed me that on receipt of the memorial they would give it their "best consideration," and, if necessary, would be happy to avail themselves of a personal interview with me; and, from what I have heard, I think it is probable that by next Michaelmas Term we may find some improvement of the present almost universally admitted to be defective means for the legal education of articled clerks effected. I may be permitted to add that the law classes so recently established at King's College show that the authorities there are of the same opinion with the memorialists, and those who have supported them; but possibly it might have been more satisfactory to the Profession if these classes had first been instituted under the management of the Incorporated Law Society. To all those kind friends and members of the Profession who have so courteously supported the object the memorial has in view, including yourself, Mr. Editor, I beg to offer my most sincere and cordial thanks, and particularly to Mr. W. Harrison, law stationer, 116, Chancery-lane, who so readily allowed the memorial to remain on his premises, and has so liberally rendered his services to complete it without making any charge for the same. W. J. Fraser.

78, Dean-street, Soho, W., Feb. 14, 1865.

ANSWERS TO THE FINAL EXAMINATION QUESTIONS. (*a*)

Hilary Term 1865.—Second Day.

PRELIMINARY.

Questions 36 to 40 are preliminary ones.

V. EQUITY AND PRACTICE OF THE COURTS. (*b*)

41. *Jurisdiction.*—They are, accident, mistake, fraud, trusts, specific performance, account, administration, injunctions, in matters of infancy, lunacy, and married women: (Smith's Man. Eq.; Hallilay's Digest, 255, 4th edit.)

42. *Appeal.*—Get the decree recognised by the Lord Chancellor and enrolled: (Hallilay's Suit, 67.)

43. *Guardian.*—This is done by summons at chambers. At the hearing an affidavit must be produced showing the age of the infant, the nature and amount of his income, and what relations he has; also, that the guardian has no interests adverse to the infant: (Hallilay's Digest, 309, 4th edit.)

44. *Parol contract.*—Yes. 1. Where the agreement is set out in the bill, admitted by the answer, and the statute is not set up. 2. Where the contract was prevented from being reduced into writing by fraud. 3. Where there has been a part performance: (Smith's Man.; Hallilay's Digest, 274, 4th edit.)

45. *Infant.*—After this all acts affecting the person or property of the infant must be done under the express or implied direction of the court, otherwise it is contempt of court, punishable by attachment: (Hallilay's Digest, 310, 4th edit.; Smith's Man. 391, 6th edit.)

46. *Administration.*—A summons is taken out and sealed at the record and writ office, and a duplicate filed there; it is then served. If the executor appears he does so at the record and writ office, and gives notice thereof. On the return of the summons the parties attend at the judge's chambers, when an order for administration may be made, which must be drawn up, passed and entered. The accounts and inquiries are then proceeded with, and in due course the chief clerk makes his certificate, which is approved, &c. The cause and matter then come on for further consideration, and a final decree is made and the assets distributed: (see Ayck. Pr. 533, *et seq.*, 7th edit.; Hallilay's Digest, 370, 4th edit.)

47. *Trustees.*—Trustees or executors may apply by petition to the court, or summons and statement at chambers, for the opinion and direction of the court or judge touching the management of the estate, and if they act in accordance therewith, they are protected. So they may, by the direction of the account-ant-general, pay the money into court and obtain protection. An affidavit must be filed setting forth the name and address of the trustee; the amount of the fund; a description of the trust and trust instrument; the names of the *cestui que trust*; and the submission of the trustee to the court or judge. Notice is then given to the *cestuis que trust*: (see Hallilay's Digest, 272, 4th edit.; Ayck. Pr. 428, 7th edit.)

48. *Defences.*—They are, answer, plea, demurrer, and disclaimer: (see Hallilay's Suit, 21, &c.)

49. *Election.*—It is the choosing between two rights by a person who takes one of them under an instrument in which a clear intention appears that he shall not enjoy both. As if A. devises B.'s property to C. and gives B. a legacy, B. must elect whether he will keep his own property and forfeit the legacy, or take the legacy and part with his property: (Hallilay's Digest, 297, 4th edit.; Smith's Man. 334, 6th edit.)

50. *Exceptions.*—He should except thereto for insufficiency within six weeks after the answer was filed: (Hallilay's Suit, 33.)

51. *Taxation.*—Such party may, before the certificate is signed, deliver to the opposite side and to the taxing master a written objection to the allowance or disallowance of any item or items, and apply to the master for a warrant to review the taxation. Being still dissatisfied with the allowance or disallowance of these items, he then applies by summons at chambers for an order to review the taxation: (Consol. Order 40, rule 33, and Order Aug. 2nd, 1864, rule 3.)

52. By summons at chambers instead of by special petition to the court, except application for orders of course, which may be made as heretofore: (Order Aug. 2nd, 1864, rule 1.)

53. *Married woman.*—She cannot, without an express power of appointment, dispose of the inheritance except under the 3 & 4 Will. 4, c. 74, her husband concurring, &c., but she may dispose of the rents and profits for her life. The pin-money not being an absolute gift, but only for the purpose of dressing the wife, &c., she cannot dispose of. Personal property settled to the separate use of the wife may, however, be disposed of by her either by deed or will: (see Smith's Man. 405, 412, 6th edit.; Hayes & Jar. Wills, 169, 6th edit.; Hallilay's Digest, 156, 317, 4th edit.)

54. *Powers.*—Application must be made to the Court of Chancery by petition, with the consent of the proper persons, for such powers: (see fully 19 & 20 Vict. c. 120; Hallilay's Digest, 166, 306, 4th edit.)

55. *Payment.*—The money may, if the order authorises payment to the deceased or his representatives, be received by the personal representatives on producing to the accountant-general probate of the will or letters of administration, a certificate of burial and an affidavit of identity: (see Hallilay's Digest, 373, 4th edit.; Ayck. Pr. 445, 6th edit.)

(*a*) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(*b*) The questions are given *ante*, p. 161.

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Composition-deed—Pleading Action by Creditor.—A debtor, having an action brought against him by a creditor, entered into a composition-deed, and got it duly registered; he then allowed the action to go on, suffered judgment to pass against him by default, and, when execution issued, applied to the court to set the execution aside under sect. 198 of the A. B. 1861. The Court declined to do so, as the defendant should have pleaded the deed in answer to the action: (*Whitmore* v. *Wakerley*, 11 L. T. Rep. N. S. 683. Ex.)

Capias to hold to Bail—Adjudication in Prison—Jurisdiction—Release from Custody.—A person in custody upon a capias to hold to bail is in custody for "a debt, claim, or demand" within the meaning of the 100th section of the B. A. 1861, and may, as such, be adjudicated bankrupt by the registrar under the 101st section, and is entitled to his release under the 162nd section, upon obtaining his order of discharge: (*Ex parte Gaskell, re Gaskell*, 11 L. T. Rep. N. S. 685. Mr. Reg. Winslow.)

Trader-debtor Summons—Jurisdiction of Registrar—Practice.—A registrar has no jurisdiction to hear a trader-debtor summons, even with the consent of the parties concerned; and any order made by him, though signed by the commissioner, will be discharged for irregularity: (*Ex parte Evans, re Evans*, 11 L. T. Rep. N. S. 686. Goulburn, C.)

Registration of Deed—Affidavit by Debtors.—The court will not, for the purposes of registration, dispense with the affidavit of both partners, as required by the General Order of the 22nd May 1861, upon the ground that one of the partners is away in the north of England: (*Re A Trust Deed*, 11 L. T. Rep. N. S. 687. Goulburn, C.)

Composition-deed—Invalid Covenant—Non-assenting Creditor.—A deed of composition under sect. 192 of the B. A. 1861 contained a covenant by the debtor with trustees for the creditors to pay the full amount of his debts by certain instalments, with the usual clause of release. It also contained a covenant that if any creditor should "act or do contrary to the said covenant, he (the said debtor) shall be and is hereby for ever acquitted and released of and from all sums of money, bonds, accounts and demands whatsoever due, owing, or belonging to, or which may or might be asked, claimed, or demanded by such of the said creditors respectively, so acting or doing contrary to the said covenant." The Court held, in an action brought by a non-assenting creditor, that he was not barred, for that the above covenant vitiated the deed as regarded such creditor: (*Thompson* v. *Gunthorpe*, 11 L. T. Rep. N. S. 708, Q. B.)

Last Examination—Transfer of Proceedings.—The court will, at the instance of the solicitor for the official assignee where no creditors' assignee is chosen, and at the sitting for the bankrupt to pass his last examination and apply for his order of discharge, order a transfer of the proceedings from the court in London to a country district court within the jurisdiction of which the bankrupt resided and traded, and where sixty-nine out of seventy-three of his creditors resided, only two creditors being resident in London: (*Ex parte Turner, re Turner*, 11 L. T. Rep. N. S. 719. Goulburn, C.)

Small Debt Summons—24 & 25 Vict. c. 134, s. 198—Process in respect of any Debt—What.—Process of contempt in not obeying an order of the court, is not "process against the person" in respect of any debt within the meaning of those words in the 198th section of the B. A. 1861, and does not therefore apply to the case of a debtor committed under the Small Debts Act (8 & 9 Vict. c. 127) for not obeying the order of the court to pay the debt by instalments. The process in respect of the debt is satisfied by the issuing of the judgment in the action: (*Ex parte Lay, re Wollams*, 11 L. T. Rep. N. S. 720. Goulburn, C.)

COURT OF BANKRUPTCY.

Re Boothby.

Messengers' Charges.

May brought before the court the exorbitant charge made by the messenger in this case, for preparing an inventory of the bankrupt's effects. The brokers of the court had been abolished, and it was now the duty of the messenger to make out the inventory. A person was sent to the bankrupt's premises, who knew nothing at all about the business, not even the names of the articles in the trade, and for making an inventory of about 100*l.* worth of goods, he had charged 9*l.* 16*s.*, the time occupied being six and half hours. The bill had been taxed without notice to the assignees, and this item had been allowed. In the other two courts those charges were not allowed, and it was desirable that the practice of the courts should be uniform.

Mr. Edwards, the official assignee, said it was necessary that a list or inventory of the bankrupt's effects should be taken, otherwise the messenger would be constantly open to the suspicion of abstracting property; but he must admit that this charge was exorbitant.

His Honour directed the re-taxation of the bill.

CORRESPONDENCE OF THE PROFESSION.

Justices of the Peace Procedure Bill.—On my return to town to-day, after an absence of a few days, my attention has been drawn to the letters in the Law Times of Saturday respecting the 21st clause of this Bill. I wish to inform your cor

respondents that, since my former letter in your journal, I have been favoured with numerous communications from magistrates, clerks of counties and boroughs, and others, in favour of a general prohibition against the clerks conducting prosecutions, and that I have been induced to alter that clause accordingly, making it applicable to *all* justices' clerks, and omitting the portions as to the direction and consent of justices. The Bill, therefore, will be reintroduced shortly to the consideration of the Legislature, with a like prohibition as in the 24 & 25 Vict. c. 75, s. 5, and 26 & 27 Vict. c. 97, s. 6.

GEORGE C. ORR.

Mansion-house, Feb. 9.

STIPENDIARY MAGISTRATES.—Lord Tenterden's eulogium upon the "great unpaid," which I mentioned in my last letter, does not seem so well known as I had thought, for I have been asked by several of your readers to refer them to the passage. Probably, therefore, it may interest others if I say, that it is in his judgment in the case of *Rex* v. *Borron*, 3 B. & Ald. 432, which arose out of the memorable proceedings of the Manchester yeomanry in Aug. 1820, and is as follows:—"The application to this court is made against a gentleman, who is one of that class of persons to whom this country is under as great obligation as this or any other nation is, or ever was, to any members of its community. I speak of the gentlemen resident in the different parts of England who act in the execution of His Majesty's commission of the peace; and who gratuitously devote a great portion of their time, and bestow most valuable but often thankless labour, in the administration of many branches of the law; and among others, in most of the early and in many of the mature stages of our criminal jurisprudence. In this most valuable class, many persons are found who possess a sound knowledge of the law, united with the most useful and extensive practical information. They are called upon in many cases of a difficult and in many of a delicate, kind; and are, in general, addressed by those who apply to them with the respect that is due to their station and character. They are, indeed, like every other subject of this kingdom, answerable to the law for the faithful and upright discharge of their trust and duties. But whenever they have been challenged upon this head either by way of indictment or criminal information, the question has always been, not whether the act done might, upon full and mature investigation, be found strictly right, but from what motive it had proceeded; whether from a dishonest, oppressive, or corrupt motive, or from mistake or error. In the former case, alone, have they become the objects of punishment. To punish as a criminal any person who, in the gratuitous exercise of a public trust, may have fallen into error or mistake, belongs only to the despotic ruler of an enslaved people, and is wholly abhorrent from the jurisprudence of this kingdom." At this time, when we hear so much about the existing order being superseded by "stipendiaries," I have especial pleasure in citing the instructive and well-considered testimony of Lord Tenterden—himself a great magistrate, one of the finest classical scholars, and the best lawyer of his generation.

WILLIAM E. SHIRLEY.

Doncaster, 15th Feb. 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

☞—None are inserted unless the name and address of the writer are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

THE FRIENDLY SOCIETIES ACT 1862, AND THE COMPANIES ACT 1862.—Will some of your correspondents kindly answer the following query: Upon what scale should costs of a petition for winding-up a friendly society in the County Court pursuant to the above Acts be taxed, whether on the usual Chancery scale, or upon the scale now allowed in the County Courts in bankruptcies, or as near thereto as the latter will permit? W. C. C.

CRIMINAL LAW.—A charge of larceny having been heard at petty sessions is, in consequence of insufficient evidence of identification of the goods stolen, dismissed and the prisoner discharged, and the question arises, whether the goods, which are claimed by both parties, should be kept in court or handed over to one, and which, of the two, whereupon the prisoner is recommended to leave the town in order to avoid the inconvenience and exposure of being sued by the prosecutor for their value in the County Court. The statute 9 Geo. 4, c. 31, enacts that "if the justices upon hearing a case of assault shall deem the offence as not having been proved, or that it was justified, or trifling, and accordingly dismiss the complaint, they shall deliver a certificate of such dismissal, which shall be a bar to all other proceedings, civil or criminal, for the same offence." The Criminal Justice Act (18 & 19 Vict. c. 126, s. 1, giving power to justices at petty sessions to deal with persons charged with simple larceny of property to the value of 5*s.*, or with attempts exacts, that "if the justices find the offence not proved and dismiss the charge, they shall deliver to the party charged a certificate of such dismissal," and (sect. 12) every person who obtains such certificate of dismissal under that Act (an Act, be it observed, wholly referring to charges of larceny) shall be released from all further or other criminal proceedings for the same cause. There having been no conviction in such case the prosecutor would obtain no restitution of the property under 7 & 8 Geo. 4, c. 29, s. 57; and I therefore contend that the prisoner, on obtaining a certificate of dismissal under the second-mentioned Act, may safely take away with him the goods in question, without any prospect of ulterior proceedings. The form R of certificate in schedule of the Act appears to support this view. The opinions of your criminal lawyers is solicited.

Feb. 1865. DEBUT.

THE LAW LIBRARY.

The Joint Stock Companies Directory for 1865. By C. BARKER and Co.

THE astonishing extent to which the joint-stock system has been carried cannot be rightly understood without an inspection of this book. Here is a volume of 682 closely printed 8vo. pages devoted entirely to a species of catalogue of companies, commencing with a list of the Railway Companies at home and abroad, with the title, direction, secretary and address of each; then come the Insurance Companies, the Banking Companies, Discount Companies, Finance Companies, Contract Companies, and so in like manner the Companies for Shipping, Hotels, Mining and Miscellaneous Companies. This is followed by a sort of Directory of Directors, alphabetically arranged, stating the company or companies in which that office is held; and the number attached to some names is quite a curiosity. For instance, a Mr. Cremer is stated to be a director of eight companies, Mr. S. Gurney, M.P., of ten; Sir C. P. Roney of ten, and Captain Mangles of no less than twelve; from which it may be gathered that there is such a *profession* as that of Director. It is an invaluable book of reference.

Tabulæ Curiales; *or, Tables of the Superior Courts of Westminster Hall.* By EDWARD FOSS, F.S.A. London: Murray.

THE indefatigable Mr. Foss has here collected, with his usual patient industry, an alphabetical list of the Judges of the Superior Courts from 1066 to 1864, with the Attorney and Solicitor Generals of each reign from the institution of those offices. The alphabetical list is followed by a series of tables, showing who were the judges of each of the courts during the reign of each of our Sovereigns, with the dates of their appointments, and a brief introductory statement of whatever changes were made in the constitution of the courts during the same period. It is, of course, a book for reference, not for reading, and, as such, no law library will be complete without it.

Dod's Parliamentary Companion for 1865.

MR. DOD has lately died. But the work he commenced is continued with the same care. It is a perfect record of Parliamentary facts.

BOOKS SENT FOR REVIEW.

The Past, Present and Future Almanack. A Permanent Calendar.

Joint-Stock Companies; being a Practical Treatise on their Formation, Management and Winding-up under the Companies Act of 1862. By R. SPEARMAN E. FARRIES. London: Farries Brothers and Co.

Outlines of Equity; being a Series of Elementary Lectures on Equity Jurisdiction, delivered at the request of the Incorporated Law Society, with Supplementary Lectures on certain Doctrines of Equity. By FREEMAN OLIVER HAYNES, of Lincoln's-inn, Barrister-at-Law. Second Edition. London: Maxwell.

PAMPHLETS.

The Ambulatory Schoolmaster: Miss Burdett Coutts' Letter on the Extension of National Education.

THE COURTS & COURT PAPERS.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Friday, Feb. 10.

FARMOUTH *v.* HYDE.—The arguments in this case were concluded.—The COURT took time to consider their judgment. *Cur. adv. vult.*

WHITAKER *v.* ROGERS.—*Temple*, Q.C. stated that the question in this case was very similar to that in *Neil* v. *Whitworth*, and suggested that the rule should stand over till the appeal in that case was heard.—*C. Russell*, for the plaintiff, said there would be no objection if security were given for the damages. *Stands over.*

GRAHAM *v.* NORTH-EASTERN RAILWAY COMPANY.—This was an action by a guard in the employment of the North British Railway Company, who had running powers over the defendants' line, for injuries sustained by reason of his head coming in contact with a bridge over the defendants' line, while he was looking out of his van. A verdict having been found for the plaintiff for 80*l.*—*Mellish*, Q.C. obtained a rule to show cause why a nonsuit should not be entered on the ground that the defendants were not liable, as the plaintiff's company ought to make their carriages to suit the defendants' line.—*Temple*, Q.C. and *T. Jones* now showed cause.—*Mellish*, Q.C. and *Barrison* in support.—The COURT held, that as the jury had found that the bridge was dangerous without any qualification to that verdict, the rule must be discharged.

Rule discharged.

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Friday, Feb. 10.

GRIMSHAW *v.* OGDEN.—Tried at Liverpool, before Mellor, J.: verdict for plaintiff, 124*l.* 8*s.* A rule *nisi* was obtained to set aside that verdict and enter it for defendant. The question was, whether a bill of sale, which conveyed to the defendant all the machinery, implements and fixtures in the schedule written at the foot of the bill of sale, and all other machinery, implements and fixtures in and about the premises, were sufficient to pass the forty machines which were upon the premises, but which were not mentioned in the schedule.—*Temple*, Q.C. and *Baylis* showed cause.—*James*, Q.C. and *Holker* contra.—The COURT said the case was very clear, and gave

Judgment for the defendant.

COLLIER *v.* MANN.—Tried before Blackburn, J., at Liverpool: verdict for plaintiff. A rule *nisi* was obtained to set it aside and enter it for the defendant, on the ground that there was no evidence of a substituted contract declared on, or for a new trial, on the ground that the verdict was against the evidence. The action was brought for not accepting 1500 pieces of shirting. The evidence went to show that there was a contract for sale and delivery of 1800 pieces to the defendant within a certain time, stipulated between them. At the expiration of this term only 300 pieces were delivered, and some conversation took place between plaintiff and defendant, in which the latter said it was not particular about the delivery, as he was heavy in stock. Subsequently the defendant requested the plaintiff to proceed with the delivery of the remainder of the goods, which he proceeded to do; but before all had been delivered the market fell in price, and the defendant declined to accept the residue.—*Temple*, Q.C. and *Holker* showed cause against the rule, but were stopped by the Court.—*Thos. Jones*, contra, was called upon to support the rule. He contended that there could be no binding agreement for the prolongation of the time for delivery, as the conversation alluded to, and which it had been said constituted that agreement, had taken place after the breach of the original contract, and also that if the conversation amounted to a new agreement, there was no consideration to support it.—The COURT held that the conversation between the parties amounted to a new contract altogether, the consideration for which was the ordinary undertaking by the plaintiff to deliver, and the defendant to accept the goods.

Rule discharged.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

J. GOODEVE, ESQ.

THE late Joseph Goodeve, Esq., of Calcutta, Master in Equity, was the third son of the late John Goodeve, Esq., of Bury-hall, Hampshire, by Elizabeth, daughter of John Gibson, Esq. He was born at Gosport in the year 1801, and was educated under a private tutor. He was called to the Bar at the Inner Temple 1829; was appointed Master in Equity in 1861, and Professor of English Law at Presidency College, Calcutta, in 1860. He died at Cook's Folly, near Bristol (his father-in-law's house), on the 29th ult., and was buried at Norwood, Surrey. He married, first, in 1834, Louisa Stuart, daughter of Francis Eccles Barker, Esq., by whom he has left three children: Emmeline Barker, wife of Charles Boulnois, Esq., Judge of the Small Cause Court, Calcutta; Mary Eliza, wife of Lieut. F. V. Eyre, R.A., son of Gen. Vincent Eyre, C.B.; and Mr. Louis Arthur Goodeve, B.A., student of Ch. Ch., Oxford, and of the Middle Temple. He married, secondly, in 1843, Clara Eliza, daughter of Wm. Geo. Thompson, Esq., by whom he has left two children, Louisa Helen and Clara Eliza, both infants. In his earlier days Mr. Goodeve was much connected with literature. He used to write constantly for the *Westminster Review* (in which the political economy articles are principally from his pen) and the *Monthly Magazine*, &c. In 1854, he published a pamphlet, addressed to the then Lord Chancellor, "Shall we Transfer our Lands by Register?" He did not believe in the practicability of such a method. Later he published "The Law of Evidence as administered in England and applied to India," which is the text-book and standard authority on this subject throughout India. Mr. Goodeve was widely respected and beloved among his contemporaries and friends at the Chancery Bar.

SOLOMON ATKINSON, ESQ.

It is with much regret that we announce the decease, on Sunday, the 12th inst., of Solomon Atkinson, Esq., barrister-at-law, at his residence in

Mornington-crescent, Hampstead-road. Mr. Atkinson was for many years an eminent conveyancer, and he was also the author of several valuable works on the law of real property and conveyancing.

He was a native of Cumberland, and distinguished himself at the University of Cambridge by taking the highest honour of the year, viz., that of senior wrangler, in 1821.

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

NEW COURTS OF LAW.

The following petition has been presented:—

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble petition of the Metropolitan and Provincial Law Association

Sheweth,—That your petitioners are an association consisting of nearly 800 solicitors, practising in England and Wales, of whom about 600 carry on business in the provinces, and that their objects are to promote the better and more economical administration of the law, and to maintain the rights and increase the usefulness of the Profession.

That your petitioners are strongly convinced of the very great benefits which would result to the whole country from a concentration of all the Superior Courts of Law and Equity, the Probate and Divorce Court, the Court of Bankruptcy, and the High Court of Admiralty, and the various offices belonging to the same, in one central locality.

That such concentration would materially diminish the expenses of litigants, and would prove an incalculable advantage to every suitor, as well as to the Bar and to attorneys and solicitors; and it would facilitate far more business being performed by the same number of persons than is practicable in the present dispersed situation and most inconvenient state of the courts and offices, and would avoid many postponements and delays.

That such concentration would also prove a relief to all non-litigant tax payers, by saving the time of the Judges.

That your petitioners cordially concur in the conclusions and recommendations (both as to the site of the proposed Palace of Justice and the source from which the necessary funds might be provided) submitted, in July 1860, in their report by the majority of the commissioners appointed by Her Majesty to consider this subject.

That, truly entertaining these views, your petitioners anxiously anticipate the renewed introduction this session, to your honourable House, of Bills for carrying out such concentration on the site recommended by such commissioners, and usually known as the Carey-street site.

That all the more important features bearing on the question of the courts and offices were thoroughly investigated upwards of a quarter of a century ago, by two committees, consisting of most distinguished members of the then House of Commons; and the scheme of concentration has been supported by the evidence of numerous eminent lawyers of every shade of political opinion, from Lord Cottenham and Lord Langdale to the Earl of Devon (Courtenay, formerly master), Sir Launcelot Shadwell and Sir James Wigram.

That the feeling of all attorneys and solicitors, and of all the Inns of Court (except Lincoln's-inn) is entirely in favour of the scheme and site referred to, and even in Lincoln's-inn it is understood the opinion is divided.

That the much desired fusion of law and equity would be greatly assisted by the constant intercourse which such concentration would produce between the different Bars, and what perhaps is equally important, greater facilities would be afforded for frequent communication between the Judges of the different courts.

That it is highly desirable that the great benefits that the passing of Acts for carrying out the proposed scheme would confer on all classes of Her Majesty's subjects, should not be delayed longer than the absolute necessities of the case require.

Your petitioners, therefore, humbly pray that Bills to enable the Commissioners of Her Majesty's Works to acquire "the Carey-street site" for the erection of courts of justice and of the various offices belonging to the same, and to supply means towards defraying the expenses of providing such site, courts of justice and offices, may, with all possible despatch, pass your honourable House and become law.

And your petitioners will ever pray, &c.

(Signed) EDWARD F. BURTON, Chairman.
PHILIP RICKMAN, Secretary.

THE JURIDICAL SOCIETY.

On Monday evening a meeting of the Juridical Society was held at the rooms of the association at Charing-cross. Lord Stanley, M.P., presided.

Mr. Edward Webster read a paper advocating the entire abolition of capital punishment. This opinion was ably supported by the Hon. D. Campbell, who was followed in the same direction by Mr. Francis Worsley and Mr. William Tallack.

Mr. W. M. Best pleaded for the retention of the death penalty on the ground of its deterrence.

Lord Stanley expressed his conviction that the theological defence of capital punishment had "entirely fallen through;" but that the principal difficulty of the question arose from the uncertainty of finding a satisfactory substitute. He was certain that the subject would meet with a thoroughly impartial treatment, both by the Royal Commission now sitting to consider the laws of capital punishment, and also by Parliament after the issue of the report of that commission.

Mr. Tallack stated that in America and Germany murderers were punished by secondary penalties, found, in practice, to be satisfactory and secure. He also alluded to the perfect security and absolute permanency of the confinement at Broadmoor of about 500 of our lunatic murderers, the most dangerous class of any.

SOCIAL SCIENCE ASSOCIATION.

Monday, Jan. 30, 1865.

G. W. Hastings, Esq., in the chair.

The minutes of the last meeting were read and signed.

The Chairman laid before the department a draft bill, which had been approved by the standing committee, for amending the Divorce Act, and the Legitimacy Declaration Act, by rendering it obligatory on the court, on the application of either party to any suit for a divorce or dissolution of marriage, or of nullity of marriage, or of declaration of legitimacy, to direct that the contested matters of fact shall be tried by a jury.

Mr. Edgar read a paper on "The Court of Final Appeal in Ecclesiastical Causes."

A discussion took place, in which Mr. Hamilton Geale, Dr. Pankhurst, Mr. R. Wilson, the Hon. G. Broderick, Mr. F. Hill, Mr. Burch-Rosher, Lord Robert Montagu, M.P., Mr. G. R. Tennent, Mr. W. Dunn, Mr. Edgar and the Chairman took part.

It was moved by Mr. Hill, and seconded by Mr. Burch-Rosher, "That the paper now read be received and printed, and circulated among the members."

The motion was carried unanimously.

The department then adjourned to Monday, Feb. 13, at eight o'clock.

MINUTES OF THE LAST MEETING.

Tuesday, Jan. 31.

Edwin Chadwick, Esq., C.B., President of the Department, in the Chair.

Mr. Chadwick read a paper on "The Economical Principles of a Reform of the Legislation and Administration for the Conveyance of Goods and Passengers by Railways."

A discussion ensued in which Mr. Hawkshaw, C.E., Mr. Roebuck, M.P., Sir John Pakington, M.P., and the President took part.

It was moved by Sir John Pakington, and seconded by Mr. Roebuck, "That the paper now read be received and printed, and circulated among the members."

The motion was carried unanimously.

On the motion of Mr. Edgar, the discussion was adjourned till Wednesday, Feb. 15, at eight o'clock.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Thursday, Feb. 9.

By Messrs. CRAFTER and SON, at Garraway's.—Freehold premises, known as the "Bear Inn," situate at Crayford, Kent—sold for 1260l.

Friday, Feb. 10.

By Messrs NORTON and TRIST, at the Guildhall Coffee-house.—Leasehold residence, being No. 3, Berkeley-square, held on lease for a term, whereof twenty-one years will be unexpired at Lady-day next, at a rent of 92l. 5s. per annum—sold for 110l. Leasehold ground-rents amounting to 41l. 13s. per annum, arising out of six tenements, situate in Edwards-place, Bryanston-square, term twenty-four years unexpired—sold for 310l.

By Messrs. RUSHWORTH, JARVIS and ABBOTT, at Garraway's.—Freehold residence, with pleasure grounds and meadow land, containing about 2a. 1r., situate at Perry-vale, Forest-hill, Sydenham—sold for 2940l.

Monday, Feb. 13.

By Mr. J. J. ORGILL, at Garraway's.—Lease, &c., of the "Coopers' Arms" wine and spirit vaults, being No. 12, Budge-row, Cannon-street, City; term 20 years unexpired, subject to a rental of 200l per annum—sold for 1020l.

By Mr. WHITTINGHAM—Freehold building land, situate in Haydon's-lane, High-street, Merton, Surrey, in 31 lots. Lots 1 to 3—sold for 32l. each; lot 4—sold for 33l. lot 5—sold for 36l.; lot 6—sold for 44l.; lots 7 to 9—sold for 40l. each; lots 10 to 12—sold for 23l. each; lot 13—sold for 40l; lots 14 and 15—sold for 37l. each; lot 16—sold for 34l.; lot 17—sold for 37l; lots 18 to 20—sold for 18l each; lots 21 and 22—sold for 37l. each; lots 23, 24 and 25—sold for 29l. each; lots 26 to 28—sold for 40l. each; lot 29—sold for 205l; lot 30—sold for 64l.; lot 31—sold for 59l

Tuesday, Feb. 14.

By Messrs. WINSTANLEY and HORWOOD, at the Guildhall Coffee-house.—Leasehold shop and premises, being No. 111, Jermyn-street, Westminster, let on lease at 180l. per annum; term sixty-seven years from 1813; ground-rent 17l 5s. per annum—sold for 1850l. Leasehold business premises, being No. 112, Jermyn-street aforesaid, let on lease at 16l per annum; term similar to above; ground-rent 23l. 15s. per annum—sold for 1990l. Leasehold residence, being No. 110, Jermyn-street aforesaid, let on lease at 150l. per annum; term similar to above; ground-rent 19l. 2s. 3d. per annum—sold for 1380l. Leasehold house, being No. 1, Wells-street, Westminster, let at 80l. per annum; term similar to above; ground-rent 14l per annum—sold for 630l. Leasehold house, being No. 2, Wells-street, Westminster, let on lease at 80l. per annum; term similar to above; ground-rent 18l. per annum—sold for 630l. Leasehold house, being No. 3, Wells-street aforesaid, let at 80l. per annum; term similar to above; ground-rent 11l. 6d. per annum—sold for 650l. Leasehold house, being No. 4, Wells-street aforesaid, let at 80l. per annum; term similar to above; ground-rent 15l. 6d. per annum—sold for 660l.

Wednesday, Feb. 15.

By Mr. NEWBON, at Garraway's.—Freehold and leasehold premises known as "Clarence-house," Durham-road, Seven Sisters road, Holloway, with workshops, stabling and yard—sold for 950l. Leasehold, two houses, being Nos. 1 and 2, Clarence-cottages, Durham-road aforesaid; term ninety-eight years from 1850; ground-rent, 9l. per annum—sold for 275l. Freehold house, being No 3, Clarence-cottages, aforesaid—sold for 215l. Freehold house, situate in rear of the above—sold for 141l. Reversion of 500l. Three per Cent. Consols receivable on the decease of a lady aged sixty years—sold for 280l. Leasehold residence known as Spencer-house, No. 301, Essex-road, Islington; let at 60l. per annum; term, 96½ years from 1819; ground-rent, 3l. 10s. per annum—sold for 720l. Leasehold houses, being Nos. 212 to 222, Queen's-road, Dalston; term, 50 years unexpired; ground-rent, 5l. a house—sold for 1340l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Feb. 3.

PRESTON, CHARLES, and LEY, ROBERT, attorneys and solicitors, Water-ln. Great Tower-st.

Bankrupts.

Gazette, Feb. 7.

To surrender at the Bankrupts' Court, Basinghall-street.

ALFORD, JAMES, out of business, Wellington-st. Blackfriars-rd. Pet. Feb. 3. Reg. Brougham. O. A. Edwards. Sol. French, Crutched-friars. Sur. Feb. 1.

ASH, JAMES, Cubitt's-tn. Poplar, and Tredegar-sq. Bow-rd. STEWART, JOSEPH, Cubitt's-tn. and Blenheim-pl. Poplar, and BAILLIE, ROBERT, Cubitt's-tn. and East India-rd. Poplar, iron ship builders. Pet. Feb. 1. Reg. Brougham. O. A. Edwards. Sol. Hilleary, Fenchurch-bldgs. Sur. Feb. 21.

ASHTON, THOMAS, provision dealer, Ivy-ln. Newgate-st. and Princes-sq. St. George's-east. Pet. Feb. 1. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. Feb 20.

BRIGGS, FREDERICK, shipbroker, Penryn-pl. Dalston, and Leadenhall-st. Pet. Jan. 31. Reg. Hazlitt. O. A. Graham. Sol. Emmett, Connaught-ter. Edgware-rd. Sur. Feb. 21.

CLARKE, PAGET WOTTON, captain Bombay Native Infantry, Gloucester-crescent, Regent's-pk. Pet. Feb. 4. Reg. Roche. O. A. Parkyns. Sols. Terrell, Chamberlain and Blake, Basinghall-st. Sur. Feb. 20.

CULLAMORE, WILLIAM, haberdasher, Copenhagen-st. Islington. Pet. Feb. 3. Reg. Hazlitt. O. A. Graham. Sol. Craven, Mark-ln. Sur. Feb. 21.

DICKENSON, ELIZABETH COOPER, clothier, Southampton. Pet. Jan. 3. Reg. Roche. O. A. Parkyns. Sols. Mason and Parker, King-st. Cheapside. Sur. Feb. 20.

DUGDALE, WILLIAM, farmer, Fordingbridge. Pet. Feb. 3. Reg. Roche. O. A. Parkyns. Sols. Paterson and Son, Bouverie-st. Fleet-st. for Mackey, Southampton. Sur. Feb. 20.

EMDIN, WILLIAM HENRY, dealer in photographic goods, Cloudesley-sq. Pet. Feb. 4. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. Feb. 21.

HOWELL, JOHN, carpenter, Albert-st. Paddington-gn. Pet. Feb. 2. Reg. Brougham. O. A. Edwards. Sol. George, Jermyn-st. St. James's. Sur. Feb. 27.

HUBBELL, THEODORE BYRON, crinoline maker, Fountain-ct. Aldermanbury. Pet. Jan. 31. Reg. Brougham. O. A. Edwards. Sol. Drew, New Basinghall-st. Sur. Feb. 27.

LACEY, CHARLES, engineer's machinist, St. James'-st. Old Kent-rd. Pet. Feb. 1. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Scott's-yd. Cannon-st. Sur. Feb. 20.

MASLEN, WILLIAM, director of International Gas and Water Fittings and Contract Company (Limited), Finsbury-pl.-south. Pet. Jan. 31. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. Feb. 27.

McDONALD, WILLIAM, preceptor, Grove-ter. Peckham. Pet. Feb. 1. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Scott's-yd. Cannon-st. Sur. Feb. 27.

MITTERS, WILLIAM, cabinet-maker, Martha-st. Haggerstone. Pet. Feb. 4. Reg. Roche. O. A. Parkyns. Sol. Mason, Symond's-inn, Chancery-ln. Sur. Feb. 20.

MORDON, BENJAMIN JOSEPH, merchant, Minories. Pet. Jan. 31. Reg. Hazlitt. O. A. Graham. Sol. Sydney, Jewry-st. Aldgate. Sur. Feb. 21.

NEWSOM, RICHARD BOWDEN, gas apparatus manufacturer, Finsbury-pl.-south. Pet. Feb. 3. Reg. Brougham. O. A. Edwards. Sols. Keighley and Bell, Basinghall-st. Sur. Feb. 27.

ODDY, JOSEPH, farmer, Writtle. Pet. Feb. 3. Reg. Brougham. O. A. Edwards. Sols. Duffield and Bruty, Cornhill. Sur. Feb. 27.

PHILIPPART, PIERRE, wine merchant, Limerston-st. Chelsea. Pet. Feb. 2. Reg. Roche. O. A. Parkyns. Sol. Maniere, Bedford-row. Sur. Feb. 20.

POUND, CHARLES, attorney's clerk, Clapham-rd.-pl. Pet. Feb. 1. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Scott's-yd. Cannon-st. Sur. Feb. 21.

RAYMOND, GEORGE, commander R. N. Chiswick. Pet. Jan. 31. Reg. Brougham. O. A. Edwards. Sol. Cooper, St. Martin's-ln. Sur. Feb. 22.

ROTTON, JAKOB, boot merchant, St. James's-rd. Bermondsey. Pet. Feb. 4. Reg. Roche. O. A. Parkyns. Sols. Kingdon and Williams, Lawrence-ln. Cheapside, agents for Shield and White, Northampton. Sur. Feb. 20.

RUSSELL, DAVID, butcher, Artillery-ln. Bishopsgate-st.-without. Pet. Feb. 1. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. Feb. 21.

SINGDAHLSEN, CHRISTIAN FREDRIK, ship chandler, Rotherhithe. Pet. Feb. 1. Reg. Hazlitt. O. A. Graham. Sol. Hawke and Co. High-st. Southwark. Sur. Feb. 21.

SOUTH, WILLIAM, carpenter, Forest-ln. Stratford. Pet. Feb. 1. Reg. Hazlitt. O. A. Graham. Sol. Grout, Scott's-yd. Cannon-st. Sur. Feb. 21.

THORPE, HENRY, wholesale and retail grocer, Commercial-rd.-east. Pet. Jan. 28. Reg. Brougham. O. A. Edwards. Sols. Kelliher and Co. Leadenhall-st. Sur. March 1.

WADE, ARTHUR ROBERT WILLOUGHBY, adjutant of rifle volunteers, Dorking. Pet. Feb. 2. Reg. Roche. O. A. Parkyns. Sol. West, Lime-st.-sq. Sur. Feb. 20.

WATTS, WILLIAM JAMES, innkeeper, Freemantle. Pet. Feb. 1. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co. Old Jewry, for Sharp and Co. Southampton. Sur. Feb. 21.

WHEELER, EDWARD HUNT, cook, Cambridge-ter. Clapham-rd. Pet. Feb. 2. Reg. Roche. O. A. Parkyns. Sol. Mote, Warwick-ct. Gray's-inn. Sur. Feb. 20.

WHITLOCK, JOHN, horse and cattle dealer, Woodstock. Pet. Jan. 31. Reg. Hazlitt. O. A. Graham. Sur. Feb. 21.

To surrender in the Country.

BALCHIN, WILLIAM, tailor, Wonersh. Pet. Feb. 1. Reg. & O. A. Marshall. Sol. White, Dane's-inn, Strand, and Guildford. Sur. Feb. 18.

BASTARD, WILLIAM HENRY, teadealer, Wakefield. Pet. Feb. Reg. & O. A. Mason. Sol. Gill, Wakefield. Sur. Feb. 16.

BLAKEMORE, JOHN, baker, Wellington. Pet. Feb. 4. Reg. & O. A. Newill. Sol. James, Wellington. Sur. Feb. 21.

BLUNSON, RICHARD HOLMES, saddler and harness maker, Hucknall Torkard. Pet. Feb. 1. Reg. & O. A. Moore. Sol. Toynbee, Lincoln. Sur. Feb. 20.

BOLSHAW, JAMES, carter, Macclesfield. Pet. Feb. 2. Sols. Higginbotham and Barclay, Macclesfield. Sur. Feb. 17.

BROWN, JOHN, carpenter, Brighton. Pet. Feb. 2. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. Feb. 17.

BUDD, FREDERICK EDWARD, major in the army, Exeter. Pet. Feb. O. A. Carrick. Sol. Clarke, Exeter. Sur. Feb. 17.

CLAVERLY, GEORGE, pork butcher, Bristol. Pet. Feb. 2. Reg. Wilde. O. A. Acraman. Sol. Benson, Bristol. Sur. Feb. 17.

COTTIS, THOMAS, grocer, Wednesfield-heath, Wolverhampton. Pet. Feb. 6. Reg. Tudor. O. A. Kinnear. Sols. Dallow, Wolverhampton; Green, Birmingham. Sur. Feb. 24.

DAVIES, THOMAS, butcher, Birkenhead. Pet. Feb. 3. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. Feb. 21.

DIX, GEORGE, joiner and builder, Mexborough. Pet. Feb. 3. O. A. Young. Sol. Nyalls, Sheffield. Sur. Feb. 17.

EATON, ALFRED, boot and shoe maker, Birmingham. Pet. Feb. Reg. Hill. O. A. Kinnear. Sol. Allen, Birmingham. Sur. Feb.

GLASSPOOL, JOHN, dealer in game, Winchester. Pet. Feb. 4. Reg. & O. A. Godwin. Sol. Bailey, Winchester. Sur. Feb. 21.

HAWLATT, JOHN, carpenter, North Crawley. Pet. Feb. 2. Reg. & O. A. Parrott. Sol. Stimson, jun. Bedford. Sur. Feb. 20.

HOLDSWORTH, THOMAS, mason, Leeds. Pet. Feb. 2. Reg. & O. A. Sangster. Sols. Horsfall and Latimer, Leeds. Sur. Feb. 24.

HOLLOWOOD, THOMAS, shoemaker, Vauxhall, Nantwich. Pet. Jan. Reg. & O. A. Broughton. Sur. Feb. 21.

HOLT, GEORGE, watchmaker, East Retford. Pet. Feb. 6. O. A. Young. Sol. Broomhead, Sheffield. Sur. Feb. 17.

HORN, ROBERT, innkeeper, St. Mary-quay, Ipswich. Pet. Feb. Reg. & O. A. Pretyman. Sol. Pollard, Ipswich. Sur. Feb. 20.

JARMAN, JOSEPH, coachbuilder, Bury. Pet. Feb. 1. Reg. & O. A. Grundy. Sol. Anderson, Bury. Sur. Feb. 24.

JOHNSON, STEPHEN, book keeper, Liscard-village, Liverpool. Pet. Feb. 2. Reg. & O. A. Gill. Sol. Henry, Liverpool. Sur. Feb. 21.

KENYON, JAMES GARSDEN, boot top maker, Wigan. Pet. Jan. Reg. & O. A. Part. Sur. Feb. 22.

MILES, HENRY, milkman, Cardiff. Pet. Feb. 3. Reg. & O. A. Langley. Sol. Easor, Cardiff. Sur. Feb. 21.

OWEN, THOMAS, labourer, Rookery, Walsingham. Pet. Feb. 3. Reg. & O. A. Challinor. Sol. Sherratt, Talk-o'-the-Hill. Sur. Feb. 2

PARKER, JOHN, barge owner, Wolverhampton. Pet. Feb 1. Reg. Hill. O A Kinnear. Sol. Wright, Birmingham. Sur. Feb. 13.
PIERCE, WILLIAM ROBERT, corn merchant, Valley, Holyhead. Pet. Feb 4. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. Feb. 16.
PRESENT, PHILIP, bricklayer, St. Augustine's-gates, Norwich. Pet. Feb 4. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. Feb. 22.
PROSSER, WILLIAM, innkeeper, Mordiford. Pet. Feb. 4. Reg. & O. A. Reynolds. Sol. Averill, Hereford. Sur. Feb. 24.
REES, JOHN, fitter, Brynmawr. Pet. Feb 2. Reg. & O. A. Shepard. Sols. Simons and Plews, Merthyr. Sur. Feb. 24.
RHODES, JOSEPH, cloth manufacturer, Westgate, Otley. Pet. Feb. 1. Reg. & O. A. Carr. Sol. Hill, Bradford. Sur. Feb. 17.
SAVILL, ARTHUR, publican, Elsenham. Pet. Feb. 3. Reg. & O. A. Lewis. Sol. Bowker, Bishop's Stortford. Sur. Feb. 21.
SHERWOOD, WILLIAM, farm labourer, Fell Head, Silkstone. Pet. Feb. 2. Reg. & O. A. Shepherd. Sol. Rogers, Barnsley. Sur. Feb. 21.
SMITH, JOSIAH, caster and pattern maker, Wednesbury. Pet. Feb. 1. O. A. Clarke. Sol. Ebsworth, Wednesbury. Sur. Feb. 20.
SQUIRE, FRANCIS, builder's foreman, Bournemouth. Pet. Feb. 4. Reg. & O. A. Sharp. Sol. Sharp, Christchurch. Sur. Feb. 20.
THYNE, WILLIAM EMECKE, egg, butter and fruit dealer, Wolverhampton. Pet. Feb. 6. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. Feb. 22.
TURNBULL, ROBERT MICHAEL, builder, Sunderland. Pet. Jan. 31. Reg. & O. A. Marshall. Sol. Kirson, Sunderland. Sur. Feb. 21.
WARD, THOMAS, steelmelter, Hill Top, Attercliffe. Pet. Feb. 1. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. Feb. 23.

Gazette, Feb. 10.

To surrender at the Bankrupts' Court, Basinghall-street.

BAKER, HENRY, musical composer and pianist, Longstone-ter. East Greenwich. Pet. Feb. 4. Reg. Brougham. O A Edwards. Sol. Streater, Great Dover-st. Newington. Sur. March 1.
BAKER, ROBERT JAMES, architect and surveyor, Springfield-rd. Colney-hatch. Pet. Feb 2. Reg. Brougham. O. A. Edwards. Sol. Ward, Scott's-yd. Bush-ln. Sur. Feb. 27.
CALLEY, GEORGE, builder, Winchester. Pet. Feb. 8. Reg. Roche. O A Parkyns. Sols. Harrison and Lewis, Old Jewry, agents for Bowker, Winchester. Sur. Feb. 27.
CARPENTER, GEORGE, joiner's foreman, Williams'-mews, Knightsbridge. Pet. Feb. 8. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. Feb. 27.
CARR, THOMAS, saddler, Northampton. Pet. Feb. 7. Reg. Brougham. O. A. Edwards. Sols. Kingdon and Williams, Lawrence-ln.; Shield and White, Northampton. Sur. March 1.
CREE, JOHN WILLIAM, fishmonger, Tyler-st. Golden-sq. Pet. Feb. 6. Reg. Roche. O. A. Parkyns. Sol. Royle, Great Marlborough-st. Sur. Feb. 22.
CRAWFORD, JOSEPH COOPER, brazier, Chapel-row, Clerkenwell. Pet. Feb. 7. Reg. Roche. O. A. Parkyns. Sol. Tonge, Southampton-bldgs. Chancery-ln. Sur. Feb. 27.
FELLOWES, GABRIEL, and VINCENT, CHARLES, merchant, Broad-st.-bldgs. Pet. Feb. 7. Reg. Hazlitt. O. A. Graham. Sols. Mason, Sturt and Mason, Gresham-st. Sur. Feb. 23.
FOREMAN, THOMAS, sen. coachbuilder, Mount-st. Grosvenor-sq. Pet. Feb. 6. Reg. Hazlitt. O. A. Graham. Sol. Padmore, Westminster-bridge-rd. Sur. Feb. 13.
HORTON, ELIZABETH ANN, Burton-st. Eaton-sq. Pet. Feb. 2. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. Feb. 21.
[illegible], DEMOSTHENES DEMETRIUS, merchant's clerk, Markham and Mortimer-rd. St. John's-wood. Pet. Feb. 2. Reg. Brougham. O. A. Edwards. Sols. Thomas and Hollams, Mincing-ln. Sur. Feb. 27.
LINWOOD, WILLIAM BLAKE, tailor, Newman-st. Oxford-st. Pet. Feb. 8. Reg. Hazlitt. O. A. Graham. Sol. Allen, Southampton-bldgs. Sur. Feb. 21.
HAWKINS, BENJAMIN, butcher, Datchet. Pet. Feb. 6. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. Feb. 23.
HOWSON, GEORGE, bonnet crown and hat manufacturer, Providence-row, Finsbury. Pet. Feb. 6. Reg. Hazlitt. O. A. Graham. Sol. Chappell, Great Carter-ln. Sur. Feb. 23.
HUTCHISON, JOHN, and HUTCHISON, JAMES, scotch fancy hosiers, Warwick-st. Regent-st. Pet. Feb. 4. Reg. Hazlitt. O. A. Graham. Sols. Mason, Sturt and Mason, Gresham-st. Sur. Feb. 21.
JONES, WILLIAM, builder, Cromwell-rd. Colney-hatch. Pet. Feb. 6. Reg. Roche. O. A. Parkyns. Sol. Howell, Cheapside. Sur. Feb. 22.
KNOWLES, WILLIAM, builder, Ledbury-rd. Bayswater. Pet. Feb. 6. Reg. Brougham. O. A. Edwards. Sol. Smith, East Temple-chambers, Whitefriars-st. Sur. March 1.
LEVY, ALFRED, tailor, High-st. Poplar. Pet. Feb. 7. Reg. Hazlitt. O. A. Graham. Sol. Solomon, Finsbury-pl. Sur. Feb. 23.
LOWES, CHARLES, bricklayer, Luton. Pet. Feb. 6. Reg. Hazlitt. O. A. Graham. Sols. Treherne and Wolferstan, Aldermanbury. Sur. Feb. 21.
MARE, JOHN MARSHALL, Esq. Gravesend. Pet. Feb. 6. Reg. Roche. O. A. Parkyns. Sols. Taylor, Hoare and Taylor, Great James-st. Bedford-row. Sur. Feb. 22.
MATTHEWS, WILLIAM, builder, Desborough-pl. Paddington. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. March 2.
MORRIS, THOMAS, tailor, Seymour-st. Euston-sq. Pet. Feb. 7. Reg. Brougham. O. A. Edwards. Sol. King, Queen-st. Cheapside. Sur. March 1.
PACKARD, HENRY, merchant, Scole. Pet. Jan. 24. Reg. Roche. O. A. Parkyns. Sols. Sherriff and Son, Fenchurch-st. agents for Pollard, Ipswich. Sur. Feb. 22.
ROBERTS, ROBERT, grocer, Kent-st. Borough. Pet. Feb. 4. Reg. Brougham. O. A. Edwards. Sols. Wood and King, Basinghall-st. Sur. March 1.
SEWELL, THOMAS, miller, Stamford. Pet. Feb. 8. Reg. Hazlitt. O. A. Graham. Sols. Wright and Bonner, London-st. Fenchurch-st. for Law, Stamford. Sur. Feb. 13.
STAFFORD, EDWARD GORDON, patentee of a machine for printing in colours, Alfred-pl. Bedford-sq. Pet. Feb. 8. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. Feb. 22.
STEVENS, HENRY, newsvendor, Leytonstone. Pet. Feb. 7. Reg. Brougham. O. A. Edwards. Sols. Houghton and Wragg, St. Helen's-pl. Sur. March 1.
WESTBERLEY, CHARLES HENRY, clerk in the money order office, general post-office, Sunnybank-rd.-south, Norwood. Pet. Feb. 7. Reg. Roche. O. A. Parkyns. Sol. Bennett, Mark-ln. Sur. Feb. 22.
WOODSTOCK, STEPHEN, boot maker, Leather-ln. Holborn. Pet. Feb. 2. Reg. Brougham. O. A. Edwards. Sol. Bartley, Bucklersbury. Sur. March 1.

To surrender in the Country.

BAXTER, JAMES, jun., thatcher, Wortwell, Norfolk. Pet. Feb. 8. Reg. & O. A. Fox. Sol. Gudgeon, jun. Stowmarket. Sur. Feb. 21.
BARKER, EDWARD WILLIAM, baker, Trowse Millgate. Pet. Feb. 8. Reg. & O. A. Palmer. Sol. Emerson, Norwich. Sur. Feb. 23.
BARTON, JOHN, blacksmith, Northampton. Pet. Feb. 4. Reg. & O. A. Gorham. Sol. Taylor, Peterborough. Sur. Feb. 21.
BELL, GILES LACELL, carpenter, Rochester. Pet. Feb. 7. Reg. & O. A. Acworth. Sol. Morgan, Maidstone. Sur. Feb. 21.
BOLTON, WILLIAM, sen. farmer, Little Witley. Pet. Feb. 4. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Feb. 21.
BROWN, HENRY HUGH, ironmoulder, Monmore-gn. Wolverhampton. Pet. Jan. 30. Reg. & O. A. Brown. Sol. Thursfield, Wolverhampton. Sur. March 2.
BROWN, JAMES, innkeeper, Morley, Leeds. Pet. Feb. 4. O. A. Young. Sol. Harle, Leeds. Sur. Feb. 20.
BUNT, JOHN WALKER, picture dealer, Stretford. Pet. Feb. 7. Reg. Kay. O. A. Morgan. Sol. Crowther, Manchester. Sur. Feb. 22.
CARTER, GEORGE, farmer, Besby, Stanton-upon-Hine Heath. Pet. Feb. 4. Reg. & O. A. Barker. Sol. Davies, Shrewsbury. Sur. Feb. 21.
CASWELL, WILLIAM, no occupation, Salford. Pet. Feb. 6. Reg. & O. A. Hulton. Sol. Bent, Manchester. Sur. Feb. 23.
CHADWORTH, JOHN, schoolmaster, Frizinghall. Pet. Feb. 7. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. Feb. 20.
COOK, JOHN, cloth dresser, New Wortley, Leeds. Pet. Feb. 6. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. Feb. 24.
COX, HENRY, grocer, Boston. Pet. Feb. 7. Reg. & O. A. Stanfield. Sol. Bailey, Boston. Sur. Feb. 20.
CRUTE, WILLIAM, grocer, Willenhall. Pet. Jan. 30. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton. Sur. March 2.
DAY, JAMES, thatcher, Mount Bures. Pet. Feb. 7. Reg. & O. A. Lambe. Sol. Jones, Colchester. Sur. Feb. 23.
DAVIS, EDWIN PRICE, accountant, Birmingham. Pet. Feb. 6. Reg. & O. A. Guest. Sol. James and Griffin, Birmingham. Sur. Feb. 23.
DEW, CHARLES, whitesmith, Salisbury. Pet. Feb. 4. Reg. & O. A. Wilson. Sol. Hill, Salisbury. Sur. Feb. 27.
DRAKE, EDWIN, boot and shoe maker, Southampton. Pet. Feb. 7. Reg. & O. A. Thorndike. Sol. Mackey. Sur. March 1.
ELLIS, WILLIAM, eating-house keeper, Swansea. Pet. Feb. 4. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Feb. 20.
EMERY, WILLIAM, stonemason, Stafford. Pet. Feb. 4. Reg. & O. A. Spilsbury. Sol. Hinds, Stafford. Sur. Feb. 21.
FRIESNER, MORRIS, manufacturing chemist, Manchester. Pet. Feb. 8. Reg. Macrae. O. A. Morgan. Sols. Thompson, Lancaster; Leigh, Manchester. Sur. Feb. 22.
HALLAM, GEORGE BROUGH, hair dresser, Birmingham. Pet. Feb. 7. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Feb. 27.
HARRISON, ELIZABETH, beerhouse-keeper, Hyde. Pet. Feb. 7. Reg. & O. A. Brooke. Sols. Messrs. Hibbert, Hyde. Sur. Feb. 22.
HAWKIN, RICHARD, sen. baker, York. Pet. Feb. 7. O. A. Young. Sol. Young, York. Sur. Feb. 23.
HILLIER, FREDERICK, builder, Southampton. Pet. Feb. 8. Reg. & O. A. Thorndike. Sol. Mackey. Sur. March 1.
HOPTON, WILLIAM, plumber, New Wortley, Leeds. Pet. Feb. 4. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. Feb. 21.
HOWES, STEPHEN, tobacconist, Northampton. Pet. Feb. 7. Reg. & O. A. Dennis. Sol. Shoosmith, Northampton. Sur. Feb. 23.
HUDSON, JOHN, shoemaker, Leeds. Pet. Feb. 2. Reg. & O. A. Sangster. Sol. Simpson, Leeds. Sur. Feb. 21.
HUTCHINSON, GEORGE, brick and tile maker, Isleback, Kirby Knowle and Bagby. Pet. Feb. 6. Reg. & O. A. Kilner. Sol. Mann, Castlegate, York. Sur. Feb. 22.
JENNINGS, SAMUEL, beerseller, Wolverhampton. Pet. Feb. 1. Reg. & O. A. Brown. Sol. Ward, Wolverhampton. Sur. March 3.
LANCASTER, JOHN, and WORSNOP, JOHN, estate agents, Liverpool. Pet. Feb. 6. O. A. Turner. Sol. Martin, Liverpool. Sur. Feb. 21.
LAWTON, JAMES, baker, Pinchbeck. Pet. Feb. 4. Reg. & O. A. Bonner. Sol. Percival, Spalding. Sur. Feb. 21.
LLOYD, GEORGE, shipwright, Pembroke. Pet. Feb. 6. Reg. & O. A. Lanning. Sol. Parry, Pembroke-dock. Sur. Feb. 23.
LOVELUCK, JOHN, jun., cattle dealer, Llandaff. Pet. Feb. 6. Reg. & O. A. Langley. Sol. Davis, Cardiff. Sur. Feb. 21.
LOWE, DAVID, iron roller, Litchurch. Pet. Feb. 6. Reg. and O. A. Weller. Sol. Briggs, Derby. Sur. Feb. 13.
MARTIN, THOMAS, innkeeper and platelayer, Newport. Pet. Feb. 7. Reg. & O. A. Roberts. Sol. Pain, Newport. Sur. Feb. 21.
MATSON, FRANCIS, plumber and glazier, Shepshead. Pet. Feb. 7. Reg. & O. A. Brock. Sol. Deane, Loughborough. Sur. Feb. 22.
McCARTHY, DANIEL, mason and beerhouse keeper, Berry-edge. Pet. Feb. 4. Reg. & O. A. Booth. Sol. Brignall, Durham. Sur. Feb. 22.
MOLLESWORTH, GEORGE, painter, plumber and glazier, Brownhills, in Ogley-hay. Pet. Feb. 6. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. Feb. 21.
MORGAN, WILLIAM, boot and shoe maker, Swansea. Pet. Jan. 30. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Feb. 20.
NELSON, HENRY, in lodgings, Oldham. Pet. Feb. 6. Reg. & O. A. Sommerscales. Sol. Buckley, Oldham. Sur. Feb. 24.
NETHERSOLE, FRANCIS, accountant, Swansea. Pet. Jan. 30. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Feb. 20.
NEWTON, ENOCH, dealer in china, Penrith. Pet. Feb. 4. Reg. & O. A. Varty. Sol. Cant, Penrith. Sur. Feb. 27.
OWENS, OWEN, joiner and builder, Liverpool. Pet. Jan. 6. O. A. Turner. Sol. Browne, Liverpool. Sur. Feb. 21.
PARAGRIFS, JOHN THOMAS, blacksmith, Chipping Warden. Pet. Feb. 4. Reg. & O. A. Fortescue. Sol. Kilby, Banbury. Sur. Feb. 21.
PARKINSON, JOHN, mill furnisher, Manchester. Pet. Jan. 31. Reg. & O. A. Kay. Sol. Dawson, Manchester. Sur. Feb. 27.
PEZZOLI, PAOLO, ship chandler, Cardiff. Pet. Feb. 7. Reg. & O. A. Langley. Sol. Reby, Cardiff. Sur. Feb. 27.
POLLARD WILLIAM, jun. butcher, Worcester. Pet. Feb. 7. Reg & O. A. Crisp. Sol. Wilson, Worcester. Sur. Feb. 23.
ROSE, WILLIAM, nail maker, Northfield, near Birmingham. Pet. Jan. 18. Reg. & O. A. Guest. Sur. Feb. 27.
ROWLINSON, RICHARD BARNES, cotton broker, Liverpool. Pet. Feb. 2. O. A. Turner. Sols. Atkinson and Bartlett, Liverpool. Sur. Feb. 22.
SAWKINS, JAMES, coachbuilder, Quendon. Pet. Feb. 7. Reg. & O. A. Collin. Sol. Thurgood, Saffron Walden. Sur. Feb. 23.
SCORAH, THOMAS, boot and shoe maker, Sheffield. Pet. Feb. 8. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. March 7.
SMITH, WILLIAM WORKMAN, straw hat and bonnet manufacturer, Aston. Pet. Feb. 4. Reg. Tudor. O. A. Kinnear. Sol. Smallbone, Coventry. Sur. Feb. 24.
STROUD, WILLIAM, coachbuilder, Chichester. Pet. Feb. 1. Reg. & O. A. Bowton. Sol. Lamb, Brighton. Sur. Feb. 22.
SUTTON, ELLIS, and SUTTON, SAMUEL, cottonspinners, Radcliffe. Pet. Feb. 2. Reg. Macrae. O. A. Morgan. Sols. Torr, Janeway and Tagart, Mildred's-ct. and Sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. Feb. 21.
TORR, JOHN GEORGE, wireworker, Derby. Pet. Feb. 3. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. Feb. 13.
TOWNSEND, GEORGE, china and earthenware manufacturer, Longton. Pet. Feb. 9. Reg. Tudor. O. A. Kinnear. Sols. Clarke and Hawley, Longton, and James and Griffin, Birmingham. Sur. Feb. 24.
TURTON, HENRY, out of business, Manchester. Pet. Feb. 7. Reg. & O. A. Hulton. Sol. Bent, Manchester. Sur. March 4.
TUPMAN, JAMES, publican, Goole. Pet. Feb. 8. O. A. Young. Sols. Wilson, Goole, and Bond and Barwick, Leeds. Sur. Feb. 27.
TURNER, EDWARD, grocer, Egremont. Pet. Feb. 6. Reg. & O. A. Heighton. Sol. Pattison, Whitehaven. Sur. Feb. 21.
WILLACY, JAMES, grinder, Manchester. Pet. Feb. 6. Reg. & O. A. Kay. Sol. Law, Manchester. Sur. Feb. 24.
WILLIAMS, BENJAMIN HUGHES, Chester. Pet. Feb. 7. Reg. & O. A. Hime. Sol. Grocott, Liverpool. Sur. Feb. 20.
WILLIAMS, HUMPHREY, farmer, Llanchuedr. Pet. Feb. 8. Reg. & O. A. Edwards. Sol. Louis, Ruthin. Sur. Feb. 21.
WINN, THOMAS EASTBURN, lead miner, Blubberhouses. Pet. Feb. 8. O. A. Young. Sols. Booth and Clough, Leeds. Sur. Feb. 20.
WOOD, JOHN, builder, New Malton. Pet. Feb. 9. O. A. Young. Sols. Jackson and Wilson, Malton, and Bond and Barwick, Leeds. Sur. Feb. 27.
WOOD, THOMAS HUGHES, commission agent, Manchester. Pet. Feb. 6. Reg. Macrae. O. A. Morgan. Sols. Boote and Roylance, Manchester. Sur. Feb. 27.
WOOLGAR, THOMAS, harness maker, Sandgate. Pet. Feb. 6. Reg. & O. A. Brockman. Sol. Minter, Folkestone. Sur. Feb. 24.
WRIGHT, JOHN, publican, Leominster, Sussex. Pet. Feb. 6. Reg. & O. A. Holmes. Sol. Lamb, Brighton. Sur. Feb. 21.
YOUNG, WILLIAM, chemist, Barton-on-Humber. Pet. Feb. 6. Reg. & O. A. Brown. Sol. Mason, Barton. Sur. Feb. 21.

BANKRUPTCIES ANNULLED.

Gazette, Feb. 7.

HUBBELL, ROBERT, provision merchant, Botolph-pl. and Cold Harbour-ln. Camberwell.

Gazette, Feb. 10.

ERICH, THEODOR, foreign glass manufacturer, Newgate-st.
TICHBORNE, SIR ALFRED JOSEPH DOUGHTY, Bart. Tichborne park, near Alresford.
WRIGHT, JAMES, jun., tobacco manufacturer, Mildmay-park, Stoke Newington.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Barry J. W. merchant, first, 2s. Turner, Liverpool.—*Bowers*, S. farmer, first, 3s. Kinnear, Birmingham.—*Cardwell*, J. and R. manufacturers, first, 3s. 10d. Morgan, Maidstone.—*Charles*, H. oil and colour dealer, first, 3s. Morgan, Manchester.—*Claxton*, F. messenger, first, 10½d. Mansfield, London.—*Collins*, G T. brick maker and farmer, first, 4s. 4d. Acraman, Bristol.—*Edmondson* and *Riley*, fellmongers, first, 9½d; first sep. of Riley, 11¼d. Morgan, Manchester.—*Forrester*, J. farmer, first, 3s. 6d. Laidman, Newcastle.—*Freeman*, E. grocer, first, 3s. 10½d. Stansfeld, London.—*Hosford* J. farmer, first, 1s. 7d. Morgan, Manchester.—*Jones*, W. general dealer, second, 1s. 11¼d. Turner, Liverpool.—*Matthews*, M. J. harmonium manufacturer, first, 9¼d. Turner, Liverpool.—*Nutsch*, W. merchant, first 1s. 7¼d. Laidman, Newcastle.—*Raphael*, F. wine merchant, final, 1¼d. Stansfeld, London.—*Riding*, K. joiner and builder, first, 10¼d. Morgan, Maidstone.—*Sawyer*, G. doctor of medicine, first, 3s. 2d. Edwards, London.—*Smith*, M. flour dealer, first, 5s. Turner, Liverpool.—*Terry*, R. J. farmer, first, 1s. 1¼d. Mansfield, London.—*Welch*, J. J. printer, first, 8s. 6d. Edwards, London.

INSOLVENTS' ESTATES.

Carter, C shoemaker, 2d. Apply at the County Court, Attleboro'.

Assignment, Inspectorship, Composition and Trust Deeds.

Gazette, Feb. 7.

ALDRIDGE, ROBERT, plumber and gasfitter, Ipswich. Feb. 3. 6s. 6d.
AMOS, WILLIAM, carpenter, Newton. Jan. 7. Trusts. J. Parr, ironmonger, and J. Harker, jun., chemist, both Sudbury.
BALCHIN, WILLIAM, shipowner, Leadenhall-st. Jan. 30. Trusts. J. Prowse, sen., shipowner, Liverpool, and C. B. Jewell, gentleman, Nicholas-ln.
BENT, JOHN, builder, George-st. Gipsy-hill, Norwood. Jan. 11. Trusts. J. Harpham, timber merchant, King-st. Clerkenwell, and A. B. Freud, architect, Bedford-row.
BELL, WILLIAM REE, common brewer, Sunderland. Jan. 14. Trust. T. Hebron, agent, Newcastle.
BODINGTON, THOMAS, miller, Walsall. Jan. 13. Trusts. C. D. Pratt, Stratford-upon-Avon, and U. P. Gomes, Birmingham, corn merchants.
BRIGNALL, CHARLES HENRY EDGAR, ladies' outfitter, Brompton-rd. Dec. 7. 14s. 6d. by three equal instalments on 28th Feb., 28th May and 28th Aug.—secured.
BROOK, HENRY WILLIAM, wine merchant, Woodbridge. Jan. 30. Trust. M. A. Salkeld, Woodbridge. 5s. by two instalments of 2s. 6d. at 1 and 3 mos.
BRYANT, WILLIAM, grocer, Cardiff. Feb. 2. 1s.
BUCKLEY, GEORGE, omnibus proprietor, Castle Northwich. Feb. 3. Trusts. J. Davenport, miller, Altrincham, and T. W. Jones, coachbuilder, Northwich.
BUCKLEY, JOHN, and BUCKLEY, SAMUEL, cottonspinners, both Micklehurst. Jan. 7. Trust. H. E. Warren, registrar's clerk of County Court at Hyde. 5s.
BUCKLEY, THOMAS, grocer, Congleton. Jan. 11. Trust. W. Pointon, miller, Old Rhode.
DUNHAM, HENRY, coffeehouse keeper, Arthur-st. New Oxford-st. Jan. 24. 6d. in 3 mos.
EVERITT, WILLIAM SMITH, draper, Southampton. Jan. 6. Trusts. G. H. Greatorex, Aldermanbury, and T. Bayley, Wood-st. Cheapside, warehousemen.
FRANKS, JOHN, grocer and teadealer, Nottingham. Jan. 31. Trusts. J. Birks, gentleman, Mansfield, and J. H. Hutchinson, tea merchant, Nottingham. 6s. 6d. by two instalments of 3s. 3d. at 3 and 6 mos.
GEARY, SAMUEL, draper and silk mercer, Leicester. Jan. 7. Trusts. H. B. Jones, silversmith, and J. H. Williams, share broker, both Leicester.
GODFREY, THOMAS, steelpen manufacturer, Birmingham. Jan. 24. Trusts. J. Mills, cabinet-maker, and J. Lewis, upholsterer, both Birmingham.
GYDE, EDWIN LEWIS, general factor, Birmingham. Jan. 12. Trust. J. Lewis, die sinker, Birmingham. 5s. by two instalments of 2s. 6d. in 14 days and 2 mos.
HARRIS, CHARLES, commercial traveller, Hurley-rd. Kennington-ln. Feb. 3. 1s. in 3 mos.
HAYLLAR, SAMUEL, draper, Wolviston. Jan. 5. Trust. S. Barker, smith, Wolviston.
HIRST, HENRY, boot and shoe maker, Dewsbury. Jan. 26. Trusts. I. Saville, Bradford, and W. Gower, Dewsbury, overlookers. 5s.
HOLT, THOMAS WILLIAM, printer, Portsea. Jan. 24. Trust. P. Dickson, butcher, Torrington-pl. London.
HOPPER, WILLIAM, builder, Rochester. Jan. 21. Trusts. H. J. Hare, and V. Hills, both Chatham, timber merchants, and W. Naylor, builder, Rochester.
HORROCKS, HENRY, wholesale teadealer, Bolton. Jan. 19. Sureties, J. P. Lucas, commercial traveller, Chorlton-upon-Medlock, and J. Morris, Bolton. 7s. 6d. by three instalments of 2s. 6d.—on demand, and at 4 and 8 mos.
HOW, CHARLES, innkeeper, Aylesford. Jan. 31. Trust. A. Spencer, wine merchant, Maidstone. 12s. by 2 payments of 8s. and 4s on 12th April and 12th Aug.
HUNTER, JOHN OLIVER GEORGE, publican, Wellington-st. Strand. Jan. 21. 5s.
HUTTON, JAMES, public accountant, Moorgate-st. and Burton-crescent. Jan. 21. Trust. W. Richardson, wine merchant, Peterborough. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
JOHNSON, WILLIAM, watchmaker, Dorset-pl. north, Clapham-rd. Jan. 23. Trust. J. Hammon, sen., watchmaker, Northampton sq. Clerkenwell.
KELLY, JAMES, draper, Manchester. Jan. 19. Trusts. P. Gillibrand and F. Rawson, merchants, both Manchester.
KNAPP, HENRY, and KNAPP, ALFRED, builders, Duke-st. Manchester-sq. and Cirencester-pl. Portland-rd. Jan. 12. 10s. by promissory notes at 1 and 4 mos. each for 5s.
LOW, GEORGE, engineer, Newark-upon Trent. Jan. 16. 13s. on 16th, Feb.
MARSDEN, JOSEPH, cloth manufacturer, New-mill, near Huddersfield, and Huddersfield. Jan. 9. Trusts. W. Hirst, wool merchant, J. Barwick, bank manager, both Huddersfield, and W. Whiteley, machine maker, Lockwood, near Huddersfield.
MATTISON, SYLVESTER, jun., butcher, Liverpool. Jan. 25. 5s. in 14 days.
MILNE, ALEXANDER, ship broker, Great St. Helen's. Jan. 16. Inspector, W. F. Hatley, gentleman, Angel-ct. Throgmorton-st.
NADIN, MARY, brush manufacturer, Sheffield. Jan. 11. Trusts. J. Greenwood, merchant, Hood-ln. and J. Swinscoe, timber merchant, Sheffield.
NEWTON, SAUNDERS, farmer, Ramsey. Jan. 6. Trusts. C. Robinson, tailor, and F. Mutton, gentleman, Saint Ives.
NICHOLSON, THOMAS, draper, Liverpool. Jan. 19. Trusts. J. H. Bankrupt, merchant, Bradford, and J. Radcliffe, shawl manufacturer, Saddleworth.
OWEN, DANIEL, farmer, St. Dogwells. Jan. 11. Trusts. J. Thomas, ironmonger, Haverfordwest, D. Rees, shopkeeper, Llandeloy, and W. Beynon, auctioneer, Walterson.
PAYNE, WILLIAM, joiner, Cawood. Jan. 13. Trusts. H. Liversedge, timber merchant, Selby, and T. Townsley, brickmaker, Kelfield.
PRICE, GEORGE, silk commission agent, Nottingham. Jan. 11. Trusts. G. W. Wilson, silk merchant, Bradford, and H. Frost, silk throwster, Nottingham.
RAWLINSON, HENRY, and RAWLINSON, EDMUND, cottonspinners, Barnsley. Jan. 23. Trusts. J. S. Walker, machinist, Bury, R. A. Hilton, cotton broker, Liverpool, and W. Y. Hodgson, commission agent, Manchester.
SHACKLETON, ALEXANDER HENNING, house agent, Great Russell-st. Bloomsbury. Feb. 2. 3s.—1s. down, 2s. in 3 mos.
STUBBS, WALLER, Esq., Alcester. Jan. 14. Trusts. W. H. Bayley, banker, Shrewsbury, and J. Hand, gentleman, Ludlow.
THOMPSON, JAMES, shopkeeper, Hoyland Nether. Jan. 12. Trusts. H. Hayes, pork butcher, Barnsley, and T. Cowood, shopkeeper, Kitroyde, near Elsecar.
VERDIN, RICHARD, waterman, Leftwich. Jan. 30. Trusts. J. Heap, auctioneer, Northwich, and J. Owen, waterman, Leftwich.
WADDELL, WILLIAM, draper, Yeovil. Jan. 9. Trusts. J. Curtis, jun., draper, and C. Sharp, draper, both Yeovil.
WARDELL, LOUISA STEWARD, spinster, Horbury-gardens, Notting-hill. Jan. 16. Trust. F. Marshall, gentleman, Cheltenham. 3s. in 30 days.
WEBSTER, ROBERT BLYTH, paper manufacturer, Claydon. Jan. 28. Trust. A. C. Ridley, chemist, Ipswich.
WHOMES, FREDERICK, tailor, Eltham. Jan. 17. Trust. E. S. Gissing, gentleman, Granville-sq. Pentonville. 7s. 6d. in 1 mo.
WILLIAMS, JOHN, grocer and provision dealer, Merthyr Tydfil. Jan. 23. Trust. D. Lewis, collier, Dowlais. 3s. by two instalments—secured.
WOOD, JAMES, tailor and draper, Liverpool. Jan. 10. Trusts. J. Ramsay, woollen merchant, and H. C. Ogden, merchant, both Manchester.

Gazette, Feb. 10.

ADAMS, FRANK, lighterman, St. James's-st. Hammersmith. Feb. 7. Trust. T. Harvey, builder, River-ter. Hammersmith. 5s. by two equal payments on 1st March and 11th May.
ATKINSON, ROBERT, sergeant of police, Dewsbury. Feb. 3. 7s. 6d. in 28 days.
BARNES, RICHARD, agent, Accrington. Jan. 12. 5s.
BARNETT, RICHARD JOB, farmer, Leighton. Jan. 12. Trusts. S. Hudson, farmer, Wytheford, and J. Kynock, banker, Wellington.
BELL, ANN, and BELL, RICHARD ARTHUR, grocers, Teddington. Jan. 12. 11s. forthwith.
BRUCE, JOHN ALEXANDER, mast and block maker, Liverpool. Jan. 27. Trusts. W. T. Dixon, merchant, and Z. Jones, gentleman, both Liverpool.
CHAMBERS, JOHN CHOICE, needle manufacturer, Alvechurch. Jan. 12. 5s.
CLARK, THOMAS EDWARD, upholsterer and furniture dealer, Wandsworth-rd. Vauxhall-cross. Jan. 13. Trusts. E. Austin, carpet warehouseman, Finsbury-pavement, and J. G. Lamb, upholsterer, Curtain-rd.

Clemitson, Peter James, grocer, Ramsgate. Jan. 14. Trusts. F. Cobb, grocer, Ramsgate, and J. A. Wells, cheesemonger, Lime-st.

Cooke, James Packer, timber merchant, Liverpool. Jan. 31. Trust. T. W. Read accountant, Liverpool. 7s.—2s. at 3 and 6 mos. and 2s. at 9 mos.

Chidland, Thomas, butcher, Watchet. Jan. 17. Trusts. T. Hawkes, gentleman, Williton, and T. Maber, butcher, Taunton.

Dalby, Samuel, bookseller, Bradford. Jan. 12. Trust. Rev. W. R. Dalby, Wesleyan minister, Ormskirk. 10s. by three equal instalments on 3rd May, 3rd Sept. and 3rd Jan.

Daniel, Rev. John, clerk, East Ardsley. Feb. 7. Trust. J. Young, brewer, Leeds.

Deane, William Hack, china and glass dealer, Reigate. Jan. 16. 10s. by four instalments on execution of deed, on 16th May, 16th Sept. and 16th Jan. next, and 10s. on 16th May, 1866.

Dodgson, Joseph, Manchester. Jan. 19. 12s. 6d. by three equal instalments of 4s. 2d. at 4, 8 and 12 mos., with a further sum of 2s. 6d. if estate realises sufficient.

Drew, Ambrose, grocer, Ewyas Harold. Jan. 13. Trust. E. Smith, grocer, Hereford.

Friedlander, John, drysalter and draper, Liverpool. Feb. 8. 6d. forthwith.

Gale, Elizabeth, Ely. Jan. 9. Trusts. R. Porter, brewer, and J. Myston, butcher, both Ely. Sol. Hall, Ely.

Gay, William, boot and shoe maker, Newport. Jan. 11. Trust. S. Fisher, currier, Bristol.

Greenwood, Thomas, cooper, Hull. Jan. 19. 5s. on the execution of the deed.

Harford, Lancaster, timber merchant, Liverpool. Jan. 21. Trusts J. Harrison, Liverpool, and T. Williams, Birkenhead, timber merchants.

Hodgkinson, Isaiah, bonecutter, Sheffield. Jan. 12. Trusts. J. Morton, horn merchant, and J. Sharpe, merchant's clerk, both Sheffield.

Hutchings, John, ironmonger, Whitehaven. Jan. 21. Trusts. J. Braithwaite, ironmonger, and R. Dawson, gentleman, both Whitehaven.

Isaacson, Edward Thomas, gentleman, Datchet. Jan. 31. 5s.—1s. on 5th April next, 5th July, 5th Oct. 5th Jan. and 5th April following.

Jackson, Sidney Vaughan, solicitor, Leinster-sq. Bayswater. Jan. 11. Trust. J. Eyre, solicitor, Dublin.

Keighley, Joseph, and Keighley, Benjamin, engineers, Halifax. Jan 12. Trusts. H. Edmunds, iron merchant, and W. Woodworth, whitesmith, Halifax.

King, Thomas Harper, merchant, Great St. Helen's. Feb. 4. Inspectors, J. Baggally, Aldermanbury, and J. Elliston, St. Paul's-churchyard, warehousemen.

Lyddon, David, merchant, Liverpool. Jan 12. Trusts. J. Edwards, merchant, Liverpool, and D. Hirrel, merchant, Liverpool.

Machin, John, carrier, Speenhamland. Jan. 11. Trusts. T. H. Pierce, gentleman, Paddington, and J. Carderoy, innkeeper, Speenhamland.

Mackay, Donald, fishdealer, Liverpool. Jan. 12. Trusts. J. R. Darsie and T. Moffatt, merchants, Liverpool.

Meredith, Henry, wine merchant, Malvern Link. Jan. 28. Trust. J. Stallard, distiller, Worcester.

Messenger, Richard, grocer, Greenhithe. Jan. 11. Trusts. J. P. Woods, provision merchant, Suffolk-la.

Methley, Willoughby, boarding-house keeper, Brighton. Jan. 11. Trusts. C. S. Hannington, draper, and H. Woolett, ironmonger, both Brighton.

Mitchell, James, grocer, High Southwick. Jan. 17. Trusts. J. Ryder, miller, Monkwearmouth Shore, and G. Lindsay, drysalter, Bishopwearmouth.

Oldacres, Thomas Holmes, commission agent, Nile-ter. Peckham. Jan. 26. 2s. in 4 mos.

Paupie, Bernard, and Bofill Jose, cork merchants, St. Dunstan's-hill. Jan. 24. Trust. L. Costa, cork merchant, St. Dunstan's-hill.

Pinder, Joseph, box manufacturer, Nottingham. Jan. 13. Trust. W. Ellis, jun., box manufacturer, Nottingham.

Rattenbury, Samuel Owen, accountant, John-st. Bedford-row. Jan 13. Trusts. J. H. Smallpage, merchant tailor, Maddox-st. New Bond-st. and J. Pickering, gentleman, Leeds.

Raw, William, publican, Hertford. Jan. 16. 2s. 6d. on 15th April.

Robinson, Dan Alexander, print seller, Bradford. Feb. 1. Trust. J. Cowell, estate agent, Leeds.

Robinson, Henry, boot and shoe manufacturer, Birmingham. Jan 12. Surety, J. Robinson, boot and shoe manufacturer, Birmingham. 10s. by four equal instalments at 3, 6, 9 and 12 mos.

Roe, Israel, draper, Hadley, near Barnet. Jan. 14. Trust. T. Boyley, warehouseman, Wood-st. Cheapside.

Rudie, Joseph, and Campbell, William Alexander, merchants, Great St. Helen's. Jan. 30. Inspectors, W. Squire, drug merchant, Coleman-st. and C. S. Hawkes, merchant, Birmingham.

Sames, William Thomas, wine merchant, Blackburn. Jan. 20. Trust. J. Ibbotson, accountant, Blackburn.

Seal, Charles William, farmer, Leigh-delamere. Jan. 23. Trusts. H. Little, gentleman, Chippenham, and J. Gough, farmer, Leigh-delamere.

Sharp, Francis, grocer, Taunton. Jan. 10. 8s. in 2, 3 and 5 mos.

Simpson, Isaac, wheelwright, East Leake. Jan. 21. Trust. J. Ottewell, nail manufacturer, Horsley Woodhouse.

Whitaker, William, and Lambert, Edwin, cloth manufacturers, Leeds. Feb. 2. Surety, R. Whitaker, cloth manufacturer, Armley, near Leeds. 2s. 6d. at 4 mos.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

Bayley.—On the 9th inst., at Westbromwich, the wife of Mr. Charles Bayley, attorney-at-law, of a daughter.

Bury.—On the 14th inst., at 76, Westbourne-square, the wife of Edward Bury, Esq., of Lincoln's-inn, of a son.

Gibson.—On the 13th inst., at Battle-hill, Hexham, the wife of Richard Gibson, Esq., solicitor, of a son.

MARRIAGES.

Grantham—Wilson.—On the 15th inst., at Brighton, William Grantham, Esq., barrister-at-law, of Sussex-place, South Norwood, to Emma, elder daughter of Richard Wilson, Esq., Molesworth-house, Brighton.

Kain—Prichard.—On the 15th inst., at Christchurch, Lancaster-gate, G. J. Kain, Esq., F.S.S., of 69, Chancery-lane, London, to Annie Catherine, youngest daughter of the late Richard Preston Prichard, of Sydenham, Kent, Esq., Justice of the Peace for that county.

DEATHS.

Coode.—On the 13th inst., at Moor Cottage, St. Austell, Cornwall, aged 72, Edward Coode, Esq., Clerk of the Peace for the county of Cornwall.

Huggins.—On the 14th inst., at Brent Lodge, Finchley, in his 57th year, Edward Huggins, Esq., a Deputy-Lieutenant of the county of Middlesex and Justice of the Peace, a Deputy-Lieutenant of the city of London, and also of the Tower Hamlets.

Irving.—On the 12th inst., John Irving, Esq., solicitor, at the residence of his father, W. B. Irving, Esq., Bennington, Grantham.

Lowndes.—On the 9th inst., at Southport, Lancashire, in his 69th year, Matthew Dobson Lowndes, Esq., solicitor, late of Liverpool.

Investments.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100l. and upwards, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W.

SIX per CENT. DEBENTURES.—The Directors of the BRIGHTON HOTEL COMPANY (Limited) are now prepared to ISSUE a limited number of DEBENTURES, for terms of years, in sums of 50l. and upwards, bearing interest at the rate of 6 per cent. per annum, payable half-yearly.

By order, H. A. LINFORD, Secretary.

No. 36, Cannon-street, E.C.

LOAN ON DEBENTURES, at SIX PER CENT., on AMPLE FREEHOLD SECURITY, in the centre of London.

The DIRECTORS of the INNS OF COURT HOTEL COMPANY (Limited) are prepared to receive Applications for Loans on Debentures for seven years, bearing interest at six per Cent. per Annum, payable half-yearly, to be a first charge upon the very valuable Freehold Property of the Company, situate in the best part of Holborn and Lincoln's-inn-fields.

The Hotel is rapidly in course of construction, and will, it is anticipated, be completed in the course of the summer. The site alone, uncovered, has been valued by Messrs. Norton, Hoggart and Trist at 40,500l.

Upwards of 75,000l. will be laid out on the Building, of which amount the sum of 25,000l. has been already expended. The total value of the Security will, therefore, not be less than 120,000l.

A copy of Messrs. Norton, Hoggart and Trist's valuation is subjoined.

The Hotel, which will contain nearly 200 bedrooms, and other rooms in proportion, is most centrally situated, and property in the neighbourhood has been greatly increasing in value for some years past. The situation is already adjacent to many of the Law Courts and the Legal Public Offices, and the Government has given notice that a Bill will be introduced into Parliament in the ensuing session for bringing all the courts into the immediate neighbourhood. The effect of this measure must be not only materially to enhance the value of the property itself, but also greatly to increase its especial value as an Hotel and convenient place of meeting for the Legal Profession. No doubt is, therefore, entertained of the success of the undertaking as an Hotel; but if these expectations should not be realised, it would be at least of equal value as chambers and offices; in either case it must command an income far greater than will secure the debenture-holders.

The following are the Conditions of the Loan.

1. The Freehold Land, with the Hotel and its contents, will be assigned to Trustees in trust for the Debenture-holders, with the usual powers of distress and sale for principal and interest.

2. Debentures will be issued for sums of 50l. or 100l. bearing interest at the rate of six per cent. per annum, payable half-yearly. To each Debenture coupons payable to bearer will be attached for the half-yearly interest for seven years. These coupons will consequently be negotiable at any time or place.

3. The sums applied for may be paid upon allotment, or by four equal quarterly instalments (the first being made upon allotment), at the option of the subscriber.

The Company's borrowing powers being limited to 80,000l., they cannot issue Debentures beyond that amount.

All further particulars may be had at the Offices of the Company, 63, Lincoln's-inn-fields, where the Estimates, Contracts, &c., may be seen. Any desired information will be given to any applicant there, or at the offices of Messrs. Gregory and Rowcliffes, the Solicitors to the Company, 1, Bedford-row, W.C.

Applications for the Debentures must be sent in by the First day of March next to the Secretary, at the offices of the Company, 63, Lincoln's-inn-fields.

The following is a copy of the valuation of Messrs. Norton, Hoggart and Trist:

"62, Old Broad-street, E.C.
"June 27, 1864.

"Dear Sir,

"We have surveyed the property in Lincoln's-inn-fields, Whetstone-park, and Holborn: that in Lincoln's-inn-fields at present consists of three houses—Nos. 20, 21 and 22—but which, to carry out the building scheme, will have to be pulled down. The buildings on the other portion have been pulled down, and the foundations of the new buildings commenced. It would have materially assisted us if we had been supplied with plans showing the number and arrangement of the rooms about to be erected for the purposes of this report; we have therefore confined ourselves to a valuation of the land as entirely uncovered, treating the houses in Lincoln's-inn-fields as materials only.

"The property in Lincoln's-inn-fields has a frontage thereto of 72 feet 6 inches; a similar frontage in Whetstone-park; it extends in depth about 97 feet 6 inches, making an area of about 7000 square feet.

"The property in Holborn and Whetstone-park has a frontage to Holborn of 62 feet, of 88 feet to Whetstone-park, and a depth of 171 feet 6 inches, making an area of about 13,750 feet—the total area being as nearly as may be 21,000 square feet.

"We are of opinion that the rental value of the whole of the property is 1800l. per annum.

"Taking the fee-simple as an uncovered ground-rent at twenty-two and a half years' purchase—Four and a half per cent., the value is Forty Thousand Five Hundred Pounds. When covered, it would be worth, as a secured ground-rent, twenty-five years' purchase—Four per cent., Forty-five Thousand Pounds.

"The materials are of course of some value, but we have not thought it necessary to add anything for them to our valuation; nor have we taken into our consideration any expense which has been incurred in commencing the foundations.

"We are, dear Sir,
"Yours faithfully,
"NORTON, HOGGART and TRIST.

"H. T. L. Bewley, Esq.,
"Secretary Inns of Court Hotel Company,
"63, Lincoln's-inn-fields.

"P.S.—We have assumed that the Land-tax is redeemed upon the entire property."

SEVEN PER CENT. GUARANTEED on MONEY invested in first registered Mortgages, through the medium of the TRUST and AGENCY COMPANY of AUSTRALASIA (Limited).

DIRECTORS.

William Frederick Baring, Esq.
F. A. Bevan, Esq. (Messrs. Barclay, Bevan, Tritton, Twells and Co.)
Andrew Bonar, Esq., Pembridge-square.
W. W. Cargill, Esq., M.P., Connaught-place West, Hyde-park.
Alfred Denison, Esq., Albemarle-street.
Henry Kingscote, Esq., Eaton-place.
Hon. Arthur Kinnaird, M.P. (Messrs. Ransom, Bouverie and Co.)
Henry Loftus Wigram, Esq., Grosvenor-square, London.

Offices—31, St. Swithin's-lane, London, E.C.

The Company, as agents, effect investments in first registered mortgages in Australia and New Zealand, to pay investors 7 per cent. per annum, the interest being guaranteed and paid half-yearly by the Company.

The Company also issue Five per Cent. Debentures for loans for three or more years. The debentures, besides being secured by the paid-up capital and property under mortgage to the Company, have, in addition, the guarantee of uncalled proprietary capital sufficient alone to liquidate in full the whole of the debentures that may be issued; and further, in order that the debenture holders should be most amply protected, it is expressly provided by the Company's constitution that the Directors may borrow only to the extent of the uncalled subscribed share capital.

Full particulars on application to the undersigned.—By order,

JAMES HORA, General Manager.

ADVOWSON for SALE.—The ADVOWSON of a RECTORY, situate in the best part of Norfolk, is for SALE by PRIVATE CONTRACT, with immediate possession, a commodious ELT... HOUSE, with stables, coach-house and offices, laun... laries, flower and kitchen gardens, 26 acres of glebe land and 83 acres of freehold and leasehold (999 years) land, farm-house, farm and buildings. About 25 acres are let for 5...l. a-year, remainder in hand. Valued (with Rectory) at ...l. a-year; tithe rentcharge 36...l. The Rectory is close to a market-town, and within a moderate distance of a railway station, close to several noblemen's seats, and amid excellent county society.

For further particulars apply (principals or Solicitors only) to Skilbeck and Griffith, Solicitors, 21, Bedford-row, London, W.C.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.
Subscribed Capital, 500,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

ACCIDENTS to LIFE or LIMB, in the Field, the Streets, or at Home, Provided for by a Policy of the
RAILWAY PASSENGERS' ASSURANCE COMPANY,
64, Cornhill, London, E.C.
COMPENSATION
Has been paid for 10,000 Claims.
1000l. in case of Death, or 6l. per Week while laid-by by Injury, secured
By the annual payment of from 3l. to 5l. 5s.
For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,
64, CORNHILL, and 10, REGENT-STREET.
WILLIAM J. VIAN, Secretary.

ANNUITIES AND REVERSIONS.
LAW REVERSIONARY INTEREST SOCIETY.
68, CHANCERY-LANE, LONDON.

Chairman.—Russell Gurney, Esq., Q.C., Recorder of London.
Deputy Chairman.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

LAW UNION FIRE and LIFE INSURANCE COMPANY.
Chief Offices—126, Chancery Lane, W.C.
Subscribed Capital—ONE MILLION STERLING.
The Fire and Life Departments are under one management, but with separate Funds and Accounts.
Chairman—Sir WILLIAM FOSTER, Bart.
Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Premiums and Reserve Fund.

Business consists of the best classes of risks.

Insurants will be allowed the full benefit of the Reduction of Duty.

Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Premiums and Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1869. The bonus in 1859 amounted to from 25 to 80 per cent. per annum on premiums paid, varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

In One Vol., large 8vo., price 35s., the Fifth Edition of
THE LAW of CONTRACTS. By C. ADDISON, Esq., Barrister-at-Law, Author of the Law of Torts.
London: Stevens, Sons and Haynes, Bell-yard, Lincoln's-inn.

This day is published, Second Edition, price 10s. cloth,
A TREATISE on the WEST INDIA INCUMBERED ESTATES ACTS, with Reports of Cases heard before Henry James Stonor, Esq., Chief Commissioner, to the present time, the Local Acts, Forms, Table of Fees, &c. By R. J. CUST, Esq., Barrister-at-Law, Secretary to the W. I. I. E. Commission.
London: William Amer, Law Bookseller and Publisher, Lincoln's-inn-gate, Carey-street, W.C.

THE COMING GENERAL ELECTION.
Preparing for Publication, the Ninth Edition of
COX'S LAW and PRACTICE of ELECTIONS, comprising all the Statutes, Cases decided, Instructions for the Management of an Election in Boroughs and Counties, Forms, &c., and the Law of Election Committees.
By EDWARD W. COX, Esq., Barrister-at-Law, Recorder of Falmouth and Helstone.
Law Times Office, 10, Wellington-street.

To Readers and Correspondents.

A MAGISTRATES' CLERK.—Mr. Oke's Bill has been brought in, but we have not prophetic power to say if it will pass.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, FEB 28.

By Messrs. TEBB, at Garraway's.

Extensive business premises in Cheapside. Advertised this day.

FRIDAY, MARCH 3.

By Mr. MOXON, at Garraway's.

Leasehold house and stabling, Mecklenburgh-square. Advertised this day.

By Messrs. ELLIS and SON, at Garraway's.

Rare wines of the late Alderman Humphrey. Advertised Feb 11.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 3*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE LORD CHANCELLOR has introduced his promised Bill for giving an Equity Jurisdiction to the County Courts. It will, we believe, be received with almost universal acclamation. With the grace of a mind that can afford to acknowledge a mistake, Lord WESTBURY has abandoned the objectionable features of his Bill of last session, and now proposes neither to abolish the power of imprisonment for contempt, nor to destroy credit by making debts irrecoverable after a year. We trust, however, that the storm of protests raised against that wholesale extention of the Statute of Limitations will not deter him from proposing a curtailment of the unduly lengthened period of seven years. The discussion caused by the suggestion of last session ended in a general approval of three years as the proper limit, and a short Bill for that purpose would be well received by the mercantile community.

The LORD CHANCELLOR'S speech will best explain his scheme.

The LORD CHANCELLOR, in rising to present a Bill to confer a jurisdiction in equity upon the County Courts of England and Wales, said:—These courts have at present a jurisdiction not extending beyond the authority exercised by the courts of common law. Your Lordships are aware that there is at present a great and marked difference between the subjects that are properly within the jurisdiction of the courts of equity and those which come under that of the courts of common law. A number of matters in which the poorer classes are materially interested do not come within the range of the jurisdiction of the County Courts as at present established, and therefore frequently there is a denial of justice in such cases. For instance, supposing a man in humble circumstances dies intestate; his property may amount to 120*l.*, or even 150*l.*, and he may leave a widow and children, and frequently the widow is the step-mother of the children. It constantly happens that disputes arise among the family with regard to the division of such small estates, and, unfortunately, when they do arise, the only possibility of their being determined under the existing system is by resort to the Court of Chancery. Now, although the expenses of litigation in the Court of Chancery has of late years been much diminished, yet when cases of such small amount arise they cannot be determined in a court of equity unless they are brought to London, which requires the agency of solicitors residing in London and also of others in the country. All the necessary communications require the concurrence of these different solicitors, and all matters which demand proof have to be proved by evidence collected in the country and transmitted to London. The result of this system is that in the case supposed of a small amount of property, if there be injustice, that injustice cannot be redressed, there being at present no tribunal which can take cognisance of the case because it does not involve sufficient property to pay the expenses incurred. Another source of great injustice to the poorer classes, and which is also a denial of justice to them, arises in this way:—A dispute may take place between two tradesmen in a country town, who are in partnership, which may lead to a desire to dissolve the partnership and wind-up their affairs by having an account taken and applying the property in payment of the joint debts. Now, that cannot be done by the County Courts under the present system, the only tribunal available being the Court of Chancery; and the expenses of that court are so great as to prevent resort to it in small cases, and it practically, therefore, amounts to a denial of justice. There are many other cases, such, for instance, as small mortgages, involving the necessity of a speedy appeal to some court where the proceedings are not so expensive nor the process so slow as of necessity characterises the superior tribunals. There, again, is an urgent necessity for some cheap and speedy remedy to be administered by tribunals which ought to be at the door of the poor man, and to which he might resort in an easy and simple manner. I will not weary your Lordships by adding other instances in support of the principle of the Bill, because I believe the necessity of the measure to be generally admitted. The measure I now present to Parliament formed part of a larger scheme laid before this House last session. My anxiety was excited very much at that time, from observing the great number of persons committed to prison by the process of the County Courts, which appears to me to be injurious to the greatest possible extent, and which is founded upon a system which leads poor men into habits of great improvidence, and makes them the slave, in a great measure, of the shopkeeper. My Lords, I am sorry to say that my proposal of last year excited very grave opposition, and though I felt convinced that it would have been a great benefit to the poor man, your Lordships will recollect that I gave up that Bill. But I was induced to do so in a great measure because I had succeeded in otherwise making some alterations in the proceedings of County Courts which, at that time, I believed would result in much relief to the poor. I am happy to say that my anticipations in that respect have been realised, for I find that though the rules to which I refer were only made in the end of 1863, and did not come into operation till 1864, while the number of persons actually committed to prison in 1863 was 8,583, and in 1862 9,370, the number in 1864 was only 6,428, being 2,155 less than the number in 1863. There is another alteration in the practice of the County Courts which I propose to recommend to the judges of these courts, and, though at first sight it may appear a trifling one, I think it likely to be very beneficial in its operation. At present the order made by the County Court judge may be carried into effect by a sale of the goods of the debtor, or by his imprisonment; but in the first instance it frequently occurs that a time is given for the payment of the debt by monthly instalments. Now, how does this work? Let us suppose the case of a man in humble circumstances, a labourer for instance, who has been ordered to pay a sum in that way. It may probably happen that if has got a shilling, or two or three shillings in his pocket which he has been saving up against the end of the month, when the instalment is to be paid, some temptation may arise, some emergency may occur which he is unable to restrain himself from yielding to, and not being in a position to pay the next instalment, he is sent to prison in obedience to the law. I propose to recommend to the County Court judges to introduce, as far as they can do so, the practice of ordering the instalments to be paid weekly instead of monthly; and I have every hope that the result of this change will be to diminish the number of commitments. There is another proposal which I sought to give effect to in the Bill of last year, but which is not in the measure now before your Lordships' House. Your Lordships are aware that the term after which debts are barred by the Statute of Limitations is at present six years. By the Bill of last year I proposed to reduce that term to one year. I hope to introduce some general measure with the object of reducing the present term, and fixing it at two years instead of one year—the proposal of last session. There is another proposal, with reference to actions in County Courts, which I intend to make one of the subjects of a separate measure—namely, that actions shall not be brought for the score of ale or other liquor consumed in a publichouse. As to the Bill which I am now about to lay upon your Lordships' table I hope it may pass through Parliament, for I feel satisfied that it will improve our County Court system, and remove from it some of those imperfections which are so much complained of, and which press with severity on the humbler classes.

The Bill was then read a first time.

THE annual meeting of the Equity and Law Life Assurance Society was held on the 21st inst. The report showed a very flourishing state of affairs. During the year, 190 new policies had been issued, insuring the sum of 308,645*l.* and yielding premiums to the amount of 10,666*l.* The total income was 93,369*l.* The claims, however, were unusually heavy, twenty deaths having occurred, on which payments amounting to 26,503*l.* had been made.

WE are glad to receive from Mr. PARSONS, of Nottingham, the following disclaimer of his identity with the person bearing the same name as himself, or possibly usurping his name, which was appended to one of those debt-collecting notices that are now so freely circulated by sham lawyers. Mr. PARSONS should at once take measures to put a stop to this abuse of his name, for doubtless the printed circular forwarded to us has been addressed to many debtors. We have sent it to him that he may trace its origin.

I was surprised to see in the LAW TIMES of day, under the head of "Correspondence," that a most unprofessional letter, applying for an account, purporting to be signed by a person of the same name as myself, appears therein. I, therefore, take this opportunity of stating that I am not the "A. Parsons" signing the letter, nor are any letters of such a character written at my office.

ARTHUR PARSONS,
Solicitor, St. James-street, Nottingham,
Feb. 18, 1865.

It will be observed that the circular was without an address, and was so stated to be by the correspondent who sent it.

THE *Associated Chambers of Commerce of the United Kingdom* held their annual meeting on Tuesday. Among the subjects of debate and decision, law reforms occupied a prominent place, the Bankruptcy Law being foremost. All agreed in condemnation of the existing law, but differed as to a substitute, opinion inclining towards the Scotch law, which is said to work well. The whitewashing system was emphatically denounced, and Mr. MOFFATT'S suggestion for a *cessio bonorum*, leaving to the creditor the choice of acceptance or waiting the chance of future property, taking away all process against the person and making a stringent law for the punishment of fraud and gross improvidence by the ordinary tribunals, appeared to find much favour. A resolution was passed approving limited liability for dormant partners in private partnerships, but with a proviso that the money lent should be liable for the debts of the firm for twelve months after its withdrawal, and for registration. A resolution was carried in favour of the repeal of the 17th section of the Statute of Frauds. The County Courts Equity Jurisdiction Bill received a vote of approval, and it was resolved to petition in favour of a reduction of the fire insurance duty to a sum not exceeding 1*s.* per cent.

THE tide of disfavour with juries has run so long and so furiously against companies, that it has come to be the common opinion of their legal advisers that it was better to submit to any imposition rather than to fight, for that, whatever the merits of their defence, a jury would be sure to give a verdict against them. The consequence has been, that rogues were emboldened, by their knowledge of this enforced readiness of companies to compromise, at any cost, rather than resist any demand, however monstrous or frivolous, to prefer claims of the most unjust and unfounded description, and to bring actions upon them in the confidence that they will be enabled to screw something out of their victim as a compromise; and it must be confessed, with shame, that solicitors have been found to take up these causes, perhaps, to promote them, in the hope that, at the least, they could settle on payment of their costs.

But it is gratifying to observe, that of late juries have begun to treat companies more as they would treat individuals, and during the last fortnight several verdicts have been recorded in their favour.

In the Queen's Bench a trial, protracted over a week, of actions brought against some directors to recover back the amount paid for some shares

purchased on the faith of a prospectus alleged to contain false and fraudulent representations, has ended in their triumphant acquittal, the plaintiff or his backers being justly saddled with all the enormous costs of the litigation he had provoked, and which the LORD CHIEF JUSTICE characterised thus: "I should not do my duty if I did not say, with emphasis, that a more wantonly vexatious piece of litigation was never brought into a court of justice."

Such cases as these should encourage directors to resist the attempts at extortion that are so constantly made upon them in reliance on their dread of the injustice of juries. A notable instance of the wisdom of this policy of resistance to wrong has lately occurred with the Inns of Court Hotel Company. A building firm brought an action against the company for damages for not giving them the building of the hotel, in pursuance of a contract alleged to have been made with the promoters on the very day the company was registered, and of which the board had no knowledge. The circumstances attending this alleged contract were such that the directors were advised to plead fraud. Nevertheless the plaintiffs proceeded, but the board resolved to resist to the last rather than submit to such a wrong. The plaintiffs made repeated endeavours to procure a compromise, but the board would not listen to it. They twice gave notice of trial, and the company was put to the cost of a defence; on the day of trial the plaintiffs withdrew the record, paying upwards of 40*l.* as the costs of the day. Again they gave notice, and again withdrew the record, not daring to take their case into court, and then the company obtained judgment of *non pros.*, and the plaintiffs will have to pay at least 400*l.* costs for this speculation upon the submissiveness of companies to pay rather than fight.

If the directors of all companies would resolve upon a like resistance to every unjust demand, they would soon put an end to the system of plunder which has been practised with impunity by persons who count upon their fear of the injustice of juries. But even juries are beginning to be more just.

We are bound to say, to the honour of the Lord Chief Justice COCKBURN, that he has always distinguished himself by his resolve, so far as he could direct the juries, that the same measure of justice should be meted out to companies as to individuals. He never shared the notion, which appears to have prevailed even upon the Bench, that a Company is fair game—that its purse is bottomless, and that which would be deemed unjust to an individual is righteous when applied to a company.

EVEN the newspapers are beginning to exclaim against the actions for breach of promise of marriage. Two recent cases, as monstrous as any of those to which the LAW TIMES has been directing attention for ten years past, have been the immediate cause of this awakening sense of justice and propriety. A middle-aged captain came home from India with a small fortune, and was caught as a prize by a distant cousin who was almost penniless. Upon reflection, seeing that he had made a fool of himself, and that marriage would be misery to both, he frankly told her so and broke off the engagement. For this, which it was but his duty to do in such case, the jury mulcted him in 1500*l.*—just one-fifth of his whole fortune! In the other case, a gallant M.P., a confirmed invalid, wanting a nurse rather than a wife, was likewise tempted into a hasty engagement with a woman of inferior rank, who had attended on him. But when removed from her influence reason returned. He was totally incompetent to any of the duties of married life; his doctors advised that marriage would kill him; yet a sage jury gave her 2000*l.* And for what? As balm to blighted affections? There could have been no love on her part—at least for his person, though possibly for his purse. For the loss of the husband? But he would have been no husband to her, and she nothing but a nurse to him—if she did her duty to him. There was no pretence of a broken heart; but there was the legal fiction of loss of anticipated social position, and the share of the expected husband's income. Put into plain language, what is the meaning of this? Why, that a woman "sets her cap" at a man, as her lady friends call it; as we men would call it, sets a trap for him, catches him without caring for him, and then, if he is lucky enough to escape from her toils, the law gives her a *solatium* for the disappointment of her artifices and cold-blooded calculations. For, be it remembered that cases of real wrong, cases where the man *has* stolen the affections of the woman and jilted her never come into court. True love would prefer death to the exhibition of its sorrows, and starvation to the acceptance of gold as a salve for its wounds. The very fact that a woman is brazen enough to submit her affections to the comments of counsel, the jeers of the public and the verdict of a jury, is of itself conclusive proof that she had no love to be wounded, that her objects were purely mercenary, and therefore that the man is not merely to be excused, but to be applauded, for having abandoned her. Her asking damages should be decisive that she is not entitled to them, for no man should be compelled to marry a woman so unwomanly as to be capable of soothing blighted love with money.

But the action itself, founded as it is in a fiction, ought to be swept away altogether. Not only does it inflict injustice, but it encourages immorality. Many a cunning woman is tempted to entrap a man, in a weak moment, into a promise of marriage, by the hope, which this action encourages, that she will be enabled to pick his pocket. It offers a direct reward to mercenary parents as well as to scheming daughters; it says, in effect, "Though you do not love this woman, though you will make her miserable as well as yourself, you must marry her, because you asked her to do so before you knew, or could have known, how unfitted you were for one another. True, that such a marriage is contrary to the law of GOD; but it is enforced by the law of England."

Perhaps the public mind is not yet ripe for the real reform of abolition of the action altogether; but a very great improvement might be adopted at once, namely, to place that contract under the protection of the Statute of Frauds and require that it be in writing. If it is deemed necessary for the security of a contract for a few pounds worth of goods that the terms of it should be in writing, surely much more necessary is it that the same security should be shown about a contract involving the happiness of a man's whole life as well as his fortune.

Why should not some M.P., looking for a "subject," introduce a Bill for this purpose?

THE extension of the common fund of the Union, and the adoption of Union instead of Parochial Settlement, is the onward stride in poor-law reform proposed for the present session. From this there will be one small step to that which reason and justice demand, but which powerful interests have hitherto successfully resisted—the establishment of union rating and the abolition of settlement, leaving the pauper to be chargeable wherever he chances to be when he becomes pauperised. The towns object to this, that, inasmuch as the poor flock to them, the whole burden will be thrown upon them, to the exoneration of the country. But the answer to that is, that the towns have the benefit of the labour of the workman in youth and health, and in fairness should maintain him in sickness and old age. It is a manifest wrong that a man who quits a remote parish in Somerset and goes to Birmingham and contributes a life of labour towards the wealth of that town, should be sent back to the poor little parish in Somerset, with a wife and family, to be supported by those who have profited nothing by his industry, merely because he or his father was born there, or his grandfather served one of the farmers for a year. Union rating will do much to equalise the burden of pauperism. We shall not so often see the rates in two adjacent parishes varying by one-half, because benevolent people build cottages for the labourers in one, and selfish people pull down the labourers' cottages in the other. Upon the whole, there will be little left to complain of in the rural districts. But the new law will do little or nothing for the metropolis. The rich and the poor parishes are not here linked together in unions. Still the rates in the poor districts will be fourfold those of the rich ones, who are five to one better able to pay them. A special law should be made to meet this special case. Why not a single metropolitan rate, to be levied and expended by a central board consisting of one delegate from each union, district, or parish, having a separate existence, with power to make general rules for the guidance of the district boards, and to act as auditors of their accounts, but leaving the immediate distribution of poor relief to the districts, subject only to such supervision?

Let us be thankful, however, to Mr. VILLIERS for the improvement he has promised.

VIGOROUS attempts are being made in the present session to increase the power of landowners to raise money on their property. Hitherto the advantage conferred by the possession of the legal estate in land, in our division of law and equity, has had the effect of simplifying, and to a corresponding degree of restricting, mortgage operations. Practically, when money is to be borrowed on the security of land, the system does not extend beyond a mortgage to a single lender on his own account, or to joint lenders of trust-money. Even a second mortgage is exceptional; a transfer, with an additional loan, being generally taken of the first. The effect, on the whole, is, that money lent on such security generally consists of a single sum. Three Bills have been introduced into the House of Commons for the purpose of opening a wider field for bringing capital to land. It is proposed that the amount to be lent, instead of consisting of a single sum, may be made up by contribution. At present, if two or more lenders wish to join in an investment on mortgage, they must either have a conveyance made to a trustee for them, or take the legal estate themselves as tenants in common. Either mode is inconvenient, both as respects transfer of his mortgage interest by any one of the lenders, and as respects his remedy. There would also be, where the contributions were each of small amounts, as of 500*l.* or less, a great obstacle caused by the necessary investigation of title. For every contributor ought to be satisfied as to the title, and in like manner ought the transferee from any contributor.

To avoid these difficulties, two modes, altogether different in principle, are proposed. By one system the lenders are to have a security in specific land, in the shape of mortgage debentures referring to it, the difficulty as to title being remedied by means of the statutory title available in Ireland through the Landed Estates Court, and in England through the Office of Land Registry, and the difficulty as to recovery of payment being obviated as regards England by a simple statutory process of receivership and sale on behalf of all the lenders. By the other system, mortgages of the ordinary character are to be made to a company so as to constitute an aggregate fund of securities, with reference to which generally, but not specifically as to any particular land, debentures are to be issued to lenders, which will have the additional benefit of the company's paid and unpaid capital, provision being made that the total amount of debentures shall not exceed a certain ratio to the company's funds for payment. The Irish Bill is brought in by Mr. VINCENT SCULLY, the veteran of land debentures, and the English Bill, under the first-mentioned system, by Mr. AYRTON. The English Bill, under the second system, for companies, is promoted by Lord NAAS, the chairman of the Land Securities Company. Originally it was a private Bill in the Lords, last session, when the DUKE of MARLBOROUGH was chairman of the company; but on the recommendation of the chairman of committees in that House, it was converted into a public Bill; now it is reintroduced in the Commons.

The provisions of Mr. SCULLY's Bill are, in effect, that, on the application of a landowner to the land court to have his land declared chargeable with debentures, the court shall investigate the title, and may give a certificate for the purpose required; a duplicate of the certificate is to be entered in the court-books, and the other duplicate in the registry of deeds; after this the court may, on the owner's application, charge the land by debentures in a statutory form with sums bearing interest, redeemable at not later than ten years; the total principal is not to exceed ten times the annual value; subject to specified incumbrances, quit or ground rents, tithe rent-charges and statutory charges, the debentures are to be first incumbrances, without priority between one another; the ownership in a debenture may be transferred by the court by entry in the court-books, or by indorsement to the landowner or any other person; when transferred, it is to be personal estate.

The substance of Mr. AYRTON's Bill, which is founded on the Land Transfer Act, is, that a registered landowner may by a registered declaration indorsed on his land certificate charge his

land with a principal sum and interest. On the registration, he is to deposit his title-deeds; the declaration is to have no other effect than is expressed in the Act; after the registration of the declaration the registered owner for the time being of the property charged may issue debentures in a statutory form, the registration of which is to relate back to the time of registering the charge, and the debentures are to rank equally one with another; coupons may be annexed; the debentures are to be personal estate, but are to have the benefit of indefeasible title, by being entered in the record of title; they are to be mortgages within LOCKE KING'S Act for the exoneration of personal estate; transfer may be made of a debenture, carrying the rights of action and suit; trusts affecting debentures are to be excluded from the register; by an order of court, a debenture may be satisfied by payment of principal and interest into court under the Trustee Relief Act; an investment on debentures is to be within a trust to invest on real security; on default in payment the court may appoint a liquidator and banker; the liquidator will have power to enter, lease, appoint a receiver, sell and pay off the debentures, his leases and conveyances having the like effect as if made by the registered landowner; a debenture owner is not to have any other remedy against the property charged. The Bill, in short, is intended to provide machinery for splitting a mortgage into any number of shares.

The Bill of Lord NAAS, or, as it may be practically called, of the Land Securities Company, is on the principle of issuing debentures as charges on an aggregate fund of mortgages. It is to apply to companies, the objects of which are to make advances on real security and to borrow on transferable mortgage debentures, and which have a subscribed capital of not less than a million in 50*l.* shares, with not less than one-tenth, or more than a half, paid up; the company is to produce the securities, before issuing debentures founded on them, to the registrar at the land registry, to be registered in manner prescribed by the Bill; he is not to register any securities which in his judgment are not a proper foundation for debentures, and a certificate of value by a surveyor approved by the Inclosure Commissioners is to be produced to him: the aggregate of the debentures is never to exceed the amount of the registered securities, and never to exceed ten times the amount of the uncalled capital (which is a strange provision, for if all the capital be paid up and invested in mortgages, the power to issue debentures ceases); all the registered securities are to be charged with payment of the debentures, and no security is to be dealt with until discharged from registration; but nevertheless the company may give a discharge for any mortgage moneys paid to it; the registrar is to discharge securities from the debenture charge, if the aggregate of the remaining securities appears to him sufficient; the company is to make quarterly returns to the registrar of its securities and debentures; he is to certify the returns; the debentures are to be transferable by deed or by delivery according to their forms; they are to be payable *pari passu* in priority to all other debts of the company; trust-money may, by leave of the court, be invested in debentures transferable by deed; debenture holders to the amount of 5000*l.* may procure the appointment of a receiver; the company is not to be restricted from borrowing in any other manner.

The difficulty in such a scheme is, to give to the debenture-holder substantial security in the company's mortgages, without, at the same time, unduly fettering the company's own actions in dealing with the mortgages. The attempt to do this by making the registrar officially responsible for the character of the mortgages, and that the amount of the debentures shall not exceed the aggregate of the securities, involves the turning of him into a kind of commercial auditor. It appears, moreover, to be contradictory to put the securities under his protection, and at the same time to provide that, nevertheless, the company may give a valid discharge to mortgagors; and again, to give the debentures priority over all other debts of the company, and then to declare that nothing in the Act shall restrict the company from borrowing in any other manner. But in the present stage of these Bills it is scarcely worth while entering into any discussion of details. We will wait until they come out of the Select Committee.

OBTAINING an order to tax a solicitor's bill is too apt to be regarded as a means of hostile attack. The MASTER of the ROLLS, in *Re Chambers*, 11 L. Rep. N. S. 726, said a few words to correct the feeling. "Taxation of a solicitor's bill of costs is not a vindictive proceeding, but only a mode of ascertaining what is fair and right for the client to pay." Therefore, if a solicitor, trusting to a profession of generosity on his client's part, or other extenuating circumstances, frames his bill too liberally for himself, but is afterwards willing to cut off any excess without the application of the master's pruning knife, he should be allowed to do so. Mr. CHAMBERS, in November last, delivered his bill of costs to a client. The client, according to Mr. CHAMBERS's statement, promised that he should be liberally paid; consequently some items were inserted in the bill which would not have been allowed on strict taxation. The bill was objected to by the client, when Mr. CHAMBERS admitted that it would not bear the scrutiny as it stood. Notwithstanding this admission, an order for taxation was obtained on the 5th Jan. It does not appear whether any negotiation on the subject of the bill took place in the meantime. But, on the 6th Jan. Mr. CHAMBERS sent his client a second bill of costs, accompanied by a letter stating that he withdrew the first bill, and giving the reason above mentioned for the amount of that bill. On the next day the taxing master's offices reopened, when the order was carried in, a reference obtained, and a warrant issued for the taxation of the first bill.

The rule, as laid down by Lord LANGDALE in *Re Carven*, 8 Beav. 438, is, that "if a solicitor has delivered his bill, he is bound by it, and the taxation must be on that bill. He is not entitled, as of course, to reduce his demand, or to reserve the power of delivering a bill containing other charges." In cases of overcharge from accident or mistake, a proper application of the solicitor to redress the error would receive consideration: but to do it of course, when he found himself in a scrape, would not be permitted. Mr. CHAMBERS's was certainly not a case of accident or mistake, in the sense in which Lord LANGDALE used the word, but, except as regards the impending costs of taxation, he could scarcely be said to be in a scrape. On the face of the case, the proceeding to tax, when Mr. CHAMBERS had withdrawn his bill, originally struck in a high key for the reason alleged and not contradicted, was, to say the least, harsh in one solicitor towards another. The client's interest did not require it if, as the MASTER of the ROLLS says, the object of taxation is to ascertain what it is fair and right in the client to pay. On a motion on behalf of Mr. CHAMBERS to discharge the order for taxation, the Court, thinking that the order ought not to have been proceeded with after the withdrawal of the first bill, ordered the second bill to be substituted for it in the order for taxation, and, moreover, gave no costs of the motion. The particular circumstances of a case may therefore operate to extend Lord LANGDALE'S rule.

THE pith of the bulky blue-book which this journal has been analysing for some time past, is given statistically in a couple of pages in the bankruptcy return for the year ending October last. It was laid before the Houses on the 10th of this month, and is now printed. In that year, nearly four millions, gross value of estates and effects, was administered under trust-deeds, divided into, assignments nearly two and a quarter millions, compositions, nearly one and a quarter millions, and inspectorship nearly half-a-million; while the total amount of the gross produce realised in court from the several bankrupts' estates was only about 677,536*l.* Of this amount it is remarkable that the official assignees, who do not collect debts above 10*l.*, realised one-half, less 11,500*l.* only. This shows, even more plainly than the other features of the return as to the amount of dividend and the number of petitioning debtors, the petty character of the business now transacted by the Bankruptcy Court. Out of 7224 adjudications, 5260 were on the debtor's own petition; and by a curious relation of numbers there were 5324 cases in which no dividend at all was paid. The number in which a dividend was made was 1586. In the majority of these the dividend was under 2*s.* 6*d.*, and in only fifty-nine was as much paid as 10*s.* in the pound. In thirty-seven cases 20*s.* in the pound was paid. The fact seems to be, that the old insolvency business has gone into the Bankruptcy Court, while the old bankruptcy business has walked out of it. Experimental proof is thus furnished that traders can wind-up their bankrupts' estates for themselves, that is, with the aid of their own professional men. The law, in effect, is required to do little more than throw a shield over the process in order to prevent executions or other proceedings in favour of individual creditors, and to punish the debtor if he has been guilty of misconduct. But, according to the uniform testimony before the select committee, there is great difficulty in moving creditors to come forward as informers or prosecutors, unless in case of extraordinary delinquency. We doubt whether bankrupts ever can be systematically punished by any proceeding incidental to the realisation and distribution of the estate. In addition to legal protection to the winding-up process, a suitable tribunal to resolve legal or other difficult questions in the course of the winding-up is required. As for the rank of bankrupts, it is of very little importance, as the law stands, whether process against the person for debt be put an end to altogether or not. It seems to be agreed that every one should be discharged from his debts and be punished by imprisonment for his offences only committed in connection with them. So that here a discharging and punishing tribunal is the thing required. But the unwillingness which cleanly men feel to hunt a beggar, and the nicety, in a legal view, of questions of immorality with regard to credit, combined with the expense of procedure, must always be strong hindrances to making debtors virtuous by law. At the present moment they have proved to be an effectual bar.

However, it cannot be very long before we see the LORD CHANCELLOR'S promised measure. He is to bring it in when the new select committee makes its report. This will probably appear in a short time, as the committee will not, there is good reason to think, take fresh evidence, but resume the work at the point where the former committee broke off last year.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(*Continued from page* 184.)

THE SOLICITOR'S VIEW.

SINCE the facilities for administering the estates of insolvent traders out of the Bankruptcy Court were given by the Act of 1861, the business has practically lain between the solicitor and the accountant. In one or the other, or in both, it will, doubtless, be continued by the Bill which the LORD CHANCELLOR promises to bring in when the newly-appointed select committee shall have made its report. In the last session, as our readers may remember from the first notice in this journal of the labours of the former select committee (Oct. 29), there was not time to do more than put together the evidence, of which we now resume our analysis.

The English Solicitors who gave evidence were Mr. CHARLES EDWARD LEWIS, Mr. EDWARD LAWRANCE, Mr. FREDERIC JOHN REED, and Mr. J. R. CHIDLEY.

Abolition of arrest for debt.—Mr. LEWIS is not in favour of abolition of imprisonment on final process: it would have the effect of unduly diminishing credit.

Mr. LAWRANCE strongly objects to imprisonment for debt. It should follow mercantile offences. The sending a man to prison for the mere form of petitioning *in formâ pauperis* is an absurdity. He would totally abolish imprisonment for mere debt. Arrest should be limited to cases of fraud. The person now taken in execution is one who has not the means to pay a solicitor to petition. As soon as he is taken some document should be signed, authorising the officer to discharge him.

Mr. REED thinks that a man, without going to prison, might be allowed to petition the court *in formâ pauperis*.

Misconduct of bankrupts.—According to Mr. LEWIS, the powers, under the Act, for punishing bankrupts are too severe in one view, and not severe enough in another. Some of the common law judges are greatly against allowing convictions under sect. 221, and juries are unwilling to convict; while under sect. 159 the commissioners

have not sufficient powers. As if to compensate for th is insufficiency, the bankrupt is frequently worrie d by being asked for additional accounts. By the rules of 1861, he must furnish definite accoun ts. Sometimes he files the ordinary accoun ts and the meeting is adjourned; at the last m oment a creditor, acting oppressively, wants a goods account, or a deficiency account. There ought in every case to be a cash account, a good s account, and a deficiency account for a given period; and unless the creditors, within a given time, require something beyond, they should not be at liberty to postpone the passing of the bankrupt. A statement might be furnished prior to the last meeting. As respects orders of discharge, the old rule, under the Act of 1849, of notice of opposition to the bankrupt should apply. Fraudulently contracting a debt should be made punishable, as it was under that Act. Bills of sale to friends and relatives are more common than before 1861. If the creditor can bring the case within the 8th clause of sect. 221, he may go to the criminal court; the consequence is, that an enormous disposal of property to the injury of creditors passes unnoticed. A creditor cannot oppose the discharge without first proving his debt; but, by proving, he relinquishes any action at law that he may have brought, and can take no action for the purpose of punishment. The only persons who can imprison the bankrupt are those who have not proved. Under the old law the assignee or any creditor might, upon the B. A. certificate, arrest an uncertificated bankrupt without protection. As to the commissioner's power under sect. 159, there is no provision as to where the imprisonment is to take effect, consequently the leading London practitioners have agreed that they do not see their way to carry out the section: in some instances the commissioners have sentenced a man to imprisonment, and no one has ventured to carry out the sentence; the terror of such an imprisonment would be an advantage. Great struggles are made by the friends of a failing trader who has committed an offence to carry him over the three months mentioned in clause 10 of sect. 221. The notion of punishment does not interfere with the winding-up of an estate, except as to expense. Probably those are the best bankrupts in court who have committed the greatest number of offences out of court. A discharge should not be entirely refused, but a stigma be fixed on the man. The commissioners' power of punishment should be enlarged, including suspension for ten years. Some of the misdemeanor powers should be put into the 159th section. The time, under the present law, during which a debtor can keep his creditors at bay is too long; it is sixteen or seventeen days under the judgment-debtor summons clauses. The 73rd and 74th sections are worth all the rest put together. An execution over 50*l.*, followed by sale, should be an act of bankruptcy. The 10th and 11th sections strike at sales of goods procured on credit to raise money. There is a place called "The Slaughter House," at the back of Ludgate-hill, for such sales. These sections are sufficient.

Mr. Lawrance objects that the commissioners are now deprived of all discretion for punishment by sect. 159. The B. A. certificate should be restored and the old law as to fraudulent preference. The effect of the existing law is to afford every facility to the dishonest debtor, thereby depriving the suffering creditor of almost every protection. The classification of certificates worked well. The system of refusing a certificate should not be restored. There should be power to withhold it, but for not more than three or five years.

Mr. Reed is of opinion that it would be an advantage to restore the B. A. certificate, but so that the creditors' assignees having it should use it for the benefit of all the creditors, and not for the malice or ill-will of one of them; or the court might have a direct power of committal. Bankruptcy prosecutions are expensive. The trials by the commissioners are not so expensive, but it is difficult to convict under those clauses. The grounds for suspending discharges should be very much widened. You have no punishment for fraudulent preference, or for obtaining goods without being able to pay for them; the cost of indictment puts it out of the question. Besides, a man must prove his debt before he can complain, and proving puts it out of his power to take the debtor. The commissioner should have a discretionary power of looking through the whole tenour of the bankrupt's conduct. The court should try the bankrupt, without sending him to the Central Criminal Court. The bankrupt's consent to trial by the commissioner ought to be taken away.

Mr. Chidley would revive the practice of the insolvent judges, of remanding for two years in case of fraud.

Pauper bankrupts—Small estates.—According to Mr. Lewis, the 7000 cases, in the return, on the debtors' own petitions, are not nearly all pauper cases. Since the old provision, of a debtor not being allowed to petition unless he had 150*l.*, has been abolished, many with some assets petition. There is no reason for excluding men without assets, if there were ordinary arrangements and a commodious building. The pauper petitions are a great charge on the court, for a very doubtful good. The charge, up to the 4th Feb. 1864, was 2157*l.*; but that does not include the actual burden, as there are many outstanding accounts. The small stamp upon a petition, under 300*l.* of 1*l.*, and above that sum of 5*l.*, is not an impediment. A man is often induced, by knowing that he can become a pauper bankrupt, to go on until he has drunk the last dregs of his estate. In the 6910 cases which paid no dividend, the money that was consumed in expenses at least had the advantage for the community of procuring the debtors' discharge. There must be expense of administration if you have a tribunal. It is a mistake to allow prisoners to petition as paupers; if they do, there is no advantage at all in sending them to prison. It frequently corrupts a man. He is in prison three weeks, until the choice of assignees.

The importation of small insolvency cases has, in Mr. Lawrance's opinion, lowered the court. It would be difficult to weed out the cases that have no assets, unless there were an early statement of the estate. There might be a separate court for cases under 500*l.* assets. The small cases frequently take up more time than the important cases.

Mr. Reed also thinks that introducing small estates into the court has done more to bring the court into bad odour than anything else. Any division must be made by liabilities rather than assets.

Mr. Chidley would send the pauper business recently introduced back to Portugal-street.

Creditors' assignees.—Mr. Lewis thinks that the main scope of the Act, which goes upon the basis of the creditors taking everything into their own hands and acting for themselves, has entirely broken down, for one reason or another. On the choice of assignees the creditors do not attend in anything like numbers for the purpose of selecting, as between themselves, the best assignee, or determining what shall be the allowance of the bankrupt; consequently, powers of attorney are placed in the hands of solicitors, and in nine cases out of ten they become the administrators of the bankruptcy. At the dividend meeting, where the Act gives the creditors power to investigate the position of the estate, there is the greatest difficulty to get a creditor to attend, even to vote a dividend; the creditors, when a man has declared himself insolvent, cease to take any interest, except when they are excited by some sense of wrong. It is impossible to hold a deliberative meeting in the building. A creditor once going there would never go again. This is attributable to defects partly in the building and partly in the law. With six or seven choices of assignees going on in the same room, with combatants on each side of the registrar, and he having to dispose of part of one choice at one moment and part of another choice at another moment, the solicitors, eager to carry the choice, combating questions and raising disputes, the creditors would say, "This is not the way in which a proof of 1000*l.* can be disposed of." A creditor is struggling with a crowd at one end of the court, while the solicitor is waiting for his signature at the other end. Probably, in a rough way, the mode of choice of creditors' assignees works advantageously. If the largest creditor puts the matter into his solicitor's hands, he has confidence in the solicitor, and probably the thing is properly carried out to a great extent; but it is altogether objectionable that the creditors' assignees should receive the money. It is kept in their hands much longer than the law allows; the means of punishing them are only very laxly used; it is an obnoxious thing to apply to fine a creditors' assignee, and the registrars are not otherwise disposed to fine; there have only been one or two cases. Creditors' assignees occasionally abuse their trust, especially in cases where the assets are from 200*l.* to 300*l.*, and the debts 1500*l.* to 2000*l.*, and where it may be of the greatest importance to the creditors to receive their dividends without delay. If a man goes through quickly, the only way the creditors could gain a knowledge of the state of affairs would be by summoning the creditors' assignee, but it would be at the risk of costs. There may be only one public meeting after the choice of assignees. There is no general machinery by which a creditors' assignee can be called to account. The four months' clause is practically a dead letter. The official assignee has power to check the other's accounts, if his attention is called to it by a creditor, and to insist on the money being brought in; there have been frequent cases of that kind. But there is a *lapsus* in the mode of calling a dividend meeting under sect. 174. The creditor's solicitor is the person to ask for it; he does not do so if his client has money in his hands and does not wish to part with it. The official assignee cannot have his eye on hundreds of cases at once. Nothing could be better than the old system of allowing the official assignee to receive and pay everything.

Mr. Lawrance thinks that the appointment of a creditors' assignee does not work advantageously. Except in large estates creditors will neither appoint nor be appointed. Consequently the creditors' assignee is either the bankrupt's nominee, or the official assignee's standing solicitor. The creditors' assignees neglect their duty; they keep money in their hands and pay it over just before the audit. The appointment of a creditors' assignee is to be approved of, to represent the creditors, but to act with the official assignee. The appointment of the solicitor should be left in the hands of the creditors' assignee.

Mr. Reed considers it would be more satisfactory if the creditors' assignee realised the whole estate. It would not be an improvement to have a number of gentlemen, accountants and others, to choose from, to collect and realise estates; it would be very likely to promote jobbery.

Official assignees.—In Mr. Lewis's experience, the sections of the Act requiring the official assignee to furnish an account to the creditors after the dividend has become a dead letter in London. When the witness was in one of the commissioners' courts lately, and an application was made to discharge the creditors' assignee for not having brought in his four months' account, and it came out that the official assignee had never sent in the account that he was required to send, the creditors' assignee was discharged, but the official assignee passed without the slightest censure. In this respect the official assignees continually neglect their duties. In London they do not fulfil their duty of sending notice to the creditors after the balance-sheet is filed. Some of them do send notice after the dividend meeting. The court has power to punish them if attention be drawn to it. As regards any control over the official assignees, the business of the court has gone on increasing, and there has been no attempt to bring the working arrangements into form. There has been neglect in the official assignees, in collecting debts and paying dividends. In one case a dividend of 7*s.* 9*d.* was kept back nine months from inattention or want of force, the official assignees being now on salaries. It is a mere fiction that they assist the bankrupts in the preparation of their accounts. Their duties are very heavy under the present Act. They render accounts to the creditors' assignees. No one ascertains from the official assignee that he has collected the assets. The witness had never heard of an investigation at the court into the official assignee's accounts, or seen at any audit his books produced. Whatever the official assignee says is taken for granted. It was a fatal mistake of the Act of 1861 to put them on salaries. The effect was evident. An attempt has been made to grant orders of discharge conditional on payment of a fee to the official assignee, and the fees of the official solicitor. Several such orders are on the file. There were no assets, and no offence was proved against the bankrupt.

Mr. Lawrance also thinks that the Act made a mistake in paying the official assignees by salary. However, they do what they can in accounting to the creditors' assignees, and bringing them to an account. The creditors' assignees will not attend the audit meetings. The

present quarterly audit of the official assignee's accounts by the commissioner is defective. It was infinitely better under the Act of 1849. The delay in the payment of dividends is owing more to the solicitors than to the official assignees, who, as well as the registrars, are overwhelmed with a mass of small business. To choose from a number of official assignees would be objectionable on account of favouritism.

The delay in paying dividends may, in Mr. REED'S view, be caused by the insufficiency of the official assignees's staff: it might be worth while to have an officer to pay dividends alone.

(To be continued.)

PROPOSAL FOR AMENDING THE LAW AFFECTING JURIES AND JURYMEN.

BY MR. SERJEANT PULLING.

(Read to the Law Amendment Society.)

(Concluded from p. 112.)

By a series of provisions the exemption from serving on juries now extends to all the clergy and ministers of religion of any denomination; to barristers, attorneys, solicitors, proctors, and notaries; to physicians, surgeons, apothecaries, and druggists; to officers in the Excise and Customs, and various other branches of the Civil Service; to officers in the army and navy; to licensed pilots, masters of vessels, and a host of others.

The principle of privileged exemption from serving on juries is in itself bad, and is productive of much abuse. The duty of serving on juries is one of a very solemn obligation. It ought not to yield on every occasion to mere private convenience. Of the large number of persons in England and Wales thus legally exempt, whose numbers appear in the last census to be upwards of 100,000, very few, indeed, really require for any just cause such a general exemption. Many are without any legitimate excuse for claiming it, and very few make their professional avocations an objection to their seeking public offices, which directly bring honour or gain; and none are, of course, exempt from attending as witnesses. Of those best entitled to consideration—the medical profession—some of the most eminent are, indeed, very frequently to be found in the witness-box. In France and Germany the exemption from serving on juries extends only to the *ministers* of religion. (The *Code d'Instruction Criminelle* enumerates among those qualified for Jurymen, the Doctors and Licentiates of the Faculties of Law, Medicine, science and belles lettres, &c., Liv. 2 ch. 5, tit. 2 sect. 1 S. 382.) In our own country it would seem that even clerks in orders were formerly not exempt from serving on juries if seised of lands or tenements as lay fees: (see F. N. B. 166. Reg. Brev., 170.) Chartered exemptions from serving on juries were abolished in 1836 by the Municipal Corporation Reform Act (5 & 6 Will. 4, c. 76, s. 123).

It may be a serious question whether the Legislature might not also be called on to interfere with regard to exemptions conferred by statute, repealing the general exemption, except in the case of the clergy, judges, magistrates, &c., and substituting a special exemption on every occasion where there is a legitimate excuse for not attending, or at all events, requiring the person claiming a general exemption to prove on the revision of the jurors' lists that he was really entitled to it.

The law now excludes from the jurors' book all persons above the age of sixty. The disqualifying age for five centuries before 1825 was seventy. Sir Robert Peel's Act, passed in that year, fixed it at sixty. It is worthy of consideration whether this was a wise change. There are in this country a large number of intelligent and capable men, between sixty and seventy, who, with ample leisure, are peculiarly fitted to discharge the duties of jurymen—such men rarely announce themselves as too old to fill offices of honour or profit, such as those of magistrate, mayor, alderman, &c., and to require these to share with their neighbours an important public duty for a few days or hours once in every three years can scarcely be deemed a hardship.

Whatever privileges of exemption are allowed by law, it ought before all things to be a legal disqualification to a juryman that his personal character is defective; our law barely provides for a conviction for treason or felony being a disqualification (6 Geo. 4, c. 50, s. 3), but it is only just to the community, to those whose cases have to be tried, and to those who have to serve as jurymen that the jurors' book should be purged of all who are tainted with the imputation of crime or fraud. I would suggest for this purpose that a conviction of any criminal offence, or of any fraud should, *de facto*, disqualify for the office of juryman for ten years afterwards—not only ought the fact of such conviction be a disqualification, but I would make it an indictable offence for a person so convicted to act as a juryman within the prescribed time.

The existing regulations as to special juries next deserve consideration—the statute of Edw. I, already referred to, fixed the qualification of those who were to pass on juries and assizes taken out of the county at double that prescribed for ordinary jurymen: and the judges at Westminster, from a very early period, seemed to have exercised the power of ordering the sheriff to produce the freeholders' book so that the secondary might strike a special jury from those who were entered in that book. Special juries were thus struck in all cases of trials at bar; but from an Act of 1730 (3 Geo. 2 c. 25, s. 13) it seems doubtful whether a special jury could then have been ordered in other cases. This Act authorises special juries on trials at Nisi Prius, and after a variety of provisions on the subject it was directed by the Jury Act of 1825 (6 Geo. 4, c. 50, s. 31), that separate lists should be made in the sheriff's office of those who are described in the jurors' book as "esquires or persons of higher degree, bankers or merchants," and those persons were to serve on special juries when required. It was recently pointed out by Mr. Justice Willes that there is no provision in the Act of 1825 exempting those who are on the special jury lists from serving as common jurymen, but in practice they are exempted; and the result is that any person who can get himself described in the jurors' book in the manner specified, though in reality a mere tenant farmer, or retail dealer, gets on the special jury list and practically obtains exemption from the ordinary business of a juryman. Remarkable instances of the abuse of this system have been occasionally pointed out; pawnbrokers and dealers in coal, wine, spirits, and potatoes, under the name of esquires or merchants, being placed on the lists of special jurymen. By a return made in 1853, it appears that in the county of Kent a larger number of persons were returned on the special jury list than there were left to act as common jurymen.

This is a great evil. If the jurors' book were reformed in the manner already suggested, special juries would be less frequently demanded, and, perhaps, very rarely, if those who required a special jury had at once to deposit the amount of the expenses. It would be well, however, if a more reliable qualification were prescribed for persons acting as special jurymen, when a special jury is required. Whether this qualification should consist in the possession of a given amount of property, or the holding a recognised position, may be a question.

This question of the qualification of jurymen and the disinclination of the majority of persons to serve, suggests the consideration whether a proper allowance ought not to be made for their services. In ordinary civil cases, common jurymen have for several centuries been allowed a fee of 8*d.* a head for each cause tried, and in the local courts of the City of London the fee is in some cases 4*d.* a cause, and in others only 2*d.*, but in special jury cases, an allowance has long been allowed to each juryman of one guinea per cause: that amount was fixed by an Act (24 Geo. 2, c. 18, s. 2), to check the "great and extravagant fees paid to jurymen." The making an allowance to special jurymen and none to ordinary jurymen, is a gross inconsistency. It can scarcely be contended that a proper allowance ought not to be made to jurymen in all civil cases; but there is really no just reason why the allowance should not also be made in criminal cases. Under the present regulations, the costs of criminal prosecutions fall on the public: and whilst ample allowance is made to prosecutors and witnesses, jurymen are really left without any recompence, either for loss time or travelling expenses. This is an injustice which ought to be rectified.

By establishing a fixed scale of allowance for jurymen in attendance, either in our civil or criminal courts, very little would be added to the actual cost of each case; and the reform would secure more punctual attendance and encourage a better class of jurymen. From the fees payable by the suitors and the fines for non-attendance, a fund might be formed, which, with the amount to be allowed under the head of costs of prosecutions, would suffice to meet the claims of each juryman in attendance, and no injustice be done to any one. The fees payable by the suitors in civil causes, should be collected as under the County Courts Act, on entering the cause for trial, and double fees should be required in all cases tried elsewhere than in the county where the cause of action arose, or the parties resided, and a fixed extra payment required when a special jury was demanded.

The two important questions of qualification for jurymen, and a system of remuneration for their services, being thus disposed of, the next desideratum is a proper system of "registration of jurymen." Without this any other reform would be of no use.

In old times it was the business of the sheriff to select whom he thought best to serve on juries and inquests; and though the Legislature prescribed penalties against sheriffs and bailiffs and their officers for unfair dealing in making the selection; and a number of clumsy contrivances are furnished by challenges to the array, &c., where the sheriff was personally interested in the case to be tried; yet it was only at the beginning of the last century that authentic lists of those who were qualified to serve as jurymen were made. By the laws now in force (6 Geo. 4, c. 50, s. 35; 25 & 26 Vict. c. 107) the clerk of the peace is required in July every year to issue precepts to the parish officers to make out lists of persons qualified as jurors, on or before the 1st Sept. The lists so made out are placed on the church doors for three successive Sundays, and being signed by the justices at petty session, become the "jurors' book" for the year ensuing. Though power is given by law for the justices, at the instance of any person complaining, to rectify the lists by inserting names improperly omitted, or striking out others, such corrections are rarely made; and of those now legally qualified to serve on juries, it is to be feared many are from favour or carelessness omitted altogether from the lists.

The short remedy for the present defective state of the jurors' lists is to assimilate the procedure with respect to their revision, &c., to that prescribed in the case of the voters' lists. The overseers should every year be required to make out a list of all persons residing in the parish, whom they believed duly qualified as jurymen, describing in separate columns the nature of their qualification, and whether objected to, or exempt from serving, and any one on the list should be entitled to object to its incompleteness or inaccuracy.

The revising barrister should, of course, be invested with power to summon all necessary parties before him, and to enforce penalties for giving false information, or in the case of officials for any neglect of duty. In the revision of the lists he should strike out the names of all persons not appearing to be properly qualified or who were found to be disqualified on the ground of age, or conviction of crime or fraud, or who were exempt generally, or for a limited period by reason of having already served. The register should also show in separate columns which of those in the list are qualified by law to serve on the grand jury and as special jurymen.

The register of jurors thus settled by the revising barrister should be forwarded to the clerk of the peace, or the town clerk in the case of borough lists, and printed, and copies sold under regulations similar to those which have been made as to the register of voters.

It remains to consider the subject of the attendance of jurymen. At present the selection of those serving in any department rests with the sheriff, the number required only being fixed by the precepts issued previous to the holding the various courts and assizes, &c. Great complaints are now made of the mode in which this is effected. Many are said to be unfairly excused; others to be vexatiously summoned over and over again.

No one who is familiar with the proceedings of our courts can forget the scramble that occurs to get a jury together, when the business of the courts commences, the waste of time and confusion in disposing of questions whether those who do not attend shall be fined, and the general dissatisfaction that is occasioned. In France, all the persons summoned to attend as jurymen are required to be at their post as their names are read over, at the commencement of the business of the court, and to remain there until formally discharged, under a penalty increasing in amount according to the number of defaults that are made (see *Code d'Instruction Criminelle*, liv. 2, tit. 2, s. 396), and the default is made a positive obstacle to the defaulter's being admitted to any judicial or administrative offices. If a proper system of rotation were established among those liable to serve as jurymen, and the rule uniformly enforced that every juryman summoned would be subject to a certain penalty, there would be far less complaints made on behalf of the public or individual jurymen. A simple plan would be to have the rota of serving settled by the revising barrister at the time of revision, and that the sheriff should summon the required number of jurymen according to such rota. Those who, being summoned, should not show lawful excuse for non-attendance, or duly attend at a place appointed near the court for that purpose, an hour before the sitting of the court, should be subject to penalties, to be increased in case of a second default. If these penalties were to go into a fund for the remuneration of jurors, and each juryman in attendance paid according to the scale of allowance fixed by the judges, punctuality in attendance would, no doubt, be the rule.

Each juryman, having duly attended to his duties, should be entitled to a certificate of having served, and to have his name entered on the register of jurors as exempt for a fixed period afterwards.

A matter of inferior importance to few of those we have already considered, is that of the accommodation provided for the personal comfort of the juryman when attending in discharge of his duty. Jurymen at this day, as in the time when an attaint was ever held *in terrorem* over them, are treated systematically with a species of harshness, and occasionally as requiring coercion if not torture to bring them to their duty. Bad as is the accommodation in most of our courts for judges, counsel, and solicitors, there is simply none for the poor juryman either waiting his turn to be called into the box, or locked up to consider the verdict. This is a matter urgently deserving attention. If the personal comfort of the jurymen were more cared for, we should have fewer complaints of the hardship of having to attend, and less delays and inconveniences caused

by the absence of those whose presence is essential to the administration of justice.

Any proposition for a reform of our institution of trial by jury would be incomplete which omitted to notice the vexed question of the utility of the grand jury in criminal cases. The grand jury has always formed an important part of the whole system of trial by jury. To abolish grand juries would be to introduce a very serious if not a very dangerous innovation. It may be that in nine cases out of ten, the exercise of the functions of the grand jury in criminal trials may be productive of nothing but delay, that in some cases the ends of justice may be defeated by the grand jury neutralising in secret conclave, and for reasons altogether suppressed, proceedings legally taken in open court; and it has been urged that in all cases where a full preliminary investigation has already taken place before a competent magistrate, the re-opening the case in the grand jury room should be prohibited. But even to this proposition there are objections.

In England we shall ever be reluctant to deprive a person accused of crime of any just protection which the law can afford him, and to drive him to stand at the bar of a criminal court on the commitment of a single magistrate, when by a more careful investigation by the grand jury the judgment of the committing magistrate may be found altogether erroneous.

Can no middle course be adopted? If the option were given to every person committed for trial by a magistrate to have the accusation against him re-opened by the grand jury, or be tried on the case as presented by the committing magistrate, the result would probably be that very few would demand such an intermediate investigation. I would propose that when the accused did not, on being committed for trial, or a certain time before trial, expressly demand that his case should be presented to the grand jury, the case should proceed as if a true bill had been found, but otherwise the proceedings be as at present. Where, however, in consequence of the demand of the accused, the intervention of the grand jury should be required, the prosecutor and prisoner should be entitled to the assistance of counsel and attorney, in that as in every other stage of the case.

To sum up shortly these various suggestions, I would propose:

Firstly.—That the jurors' book should contain the names of all persons possessed of 100*l.* a-year from any source, in addition to, or to the exclusion of 20*l.* householders; and that the law as to disqualification and exemption should be amended.

Secondly.—That orders for trials by special juries should be less frequently made.

Thirdly.—That an allowance after a fixed rate should be made to jurymen in all cases, and better provision made for their personal comfort when attending in discharge of their duties.

Fourthly.—That there should be a more perfect system of registration of jurors and revision of the lists.

Fifthly.—That improvements should be made in the mode of compelling the attendance of jurymen, and dividing the labour among them.

Sixthly.—That an option should be given in certain cases to persons committed for trial on a criminal charge, to take their trial without the intervention of the grand jury.

With these improvements I believe that our time-honoured institution of trial by jury would be freed from many abuses which time has introduced, and the office of juryman become one, the duties of which, instead of being avoided by all who have an excuse from exemption, would be cheerfully undertaken by every good citizen.

ADMISSION OF CLERGYMEN TO THE BAR.

The following important orders were made last week by the Bench of Lincoln's-inn, on receiving the report of the delegates from the four Inns of Court, stating that the motion had been rejected by a majority of one among them, that "persons in holy orders are not properly eligible to be called to the Bar:"—

1. That no person in holy orders shall be called to the Bar by Lincoln's-inn without making and signing a declaration that he has not held any ecclesiastical preferment or duty, or performed any clerical functions, for the last year, and that he intends no longer to act as a clergyman.

2. That any person who is afterwards found to have either not disclosed the fact of his being in orders, or to have made such declaration untruly, shall be liable to be disbarred.

3. That notice of these rules be given to all persons on admission, and on applying to be called to the Bar.

Although these orders are in the restrictive form, they undoubtedly imply permission for clergymen to be called to the Bar under those restrictions only, and under the same conditions as all other persons who are admissible. It was supposed by the lawyers themselves, no less than the public, until this discussion arose upon the case of Mr. Lascelles, who was called lately by the Inner Temple in ignorance that he was in orders, that clergymen were absolutely prohibited from being called by general rules of all the Inns of Court, at least since the refusal of Horne Tooke's application in 1779. But it was found on inquiry that there was no actual rule against it, but only a declaration of opinion by the Benchers of each Inn in 1779, and again in 1794, on the question being proposed to them by one of the Inns; that that opinion had always been acted on since, whenever an applicant for call to the Bar had disclosed that he was in orders; but that no inquiry was ever made whether applicants were in orders or not. For that reason the motion was made in the form above stated in the meeting of delegates, who declined to entertain a previous motion which assumed the existence of a rule for exclusion.

The object of the Lincoln's-inn resolutions was, while allowing clergymen to be called to the Bar, to prevent them from pleading in the courts on week-days and preaching in church on Sundays. The Bishop of Oxford appears, from his speech in Convocation a few days ago, to agree with the Benchers that it lies with the Bishops to take proper steps to prevent clergymen who thus declare their abandonment of clerical functions from resuming them, by the Bishops refusing again to license or institute such persons, and possibly prohibiting their own clergy from allowing them to officiate.

We do not know what steps the other Inns of Court have taken, or intend to take on the subject, but it is said that the six delegates from Gray's-inn were all but unanimous in favour of admitting clergymen, while the majority of the Temple Benchers were against it. But as admissibility to the Bar by one Inn is as good as by all, and the Lincoln's inn resolutions are understood to have been carried by nearly four to one in a very full council, it must be considered settled (unless Parliament interferes, which is not very probable) that clergymen can and will be called to the Bar on making the required declarations.

We have endeavoured to ascertain what legal or historical authorities there are bearing on the question, and the following seem to be all that were discovered or relied on by the advocates of both sides of the question at the various meetings which have been held upon it. First, of course, comes the 76th Canon, which enacts "that no man being admitted a deacon or minister (*in diaconi aut presbyteri ordinem semel admissus*) shall thenceforth voluntarily relinquish the same (*ab eodem recedet*), nor use himself in his course of life as a layman, on pain of excommunication." Then there was the Act of 1801, excluding clergymen from Parliament after the end of the then Parliament; and the Municipal Corporation Act 1835, excluding them from the new town councils; and the undoubted practice of the Inns of Court and Doctors'-commons, in not (knowingly) calling clergymen since 1779. There appears to be no certain evidence of the time when the clergy entirely ceased to practise in the courts. On the other hand, it was contended that it is begging the question to assume that the law is an essentially lay calling and so prohibited by the canon; for that it certainly was not in early times, as the old maxim *nullus clericus nisi causidicus* testifies; that Blackstone says the clergy only withdrew from the courts by degrees; and that they certainly had not withdrawn as late as the 28th year of Henry VIII., when the Master of the Rolls, the Masters in Chancery, and the Advocates in Doctors'-commons were exempted by statute from residence on their benefices if they were clergymen. Further, it was said that the canon is, in effect, repealed by a series of statutes ending with the Plurality Act, 1 & 2 Vict. c. 106, which prohibits *only beneficed and licensed clergymen* from trading or farming (under lease) more than eighty acres, and going to market; and that for other legal reasons excommunication—or its equivalent, six months' imprisonment—could not now be inflicted for following a lay calling. And even if this were not so, the Benchers disclaimed the authority of the canons altogether as in any way binding upon them, and said that the clergy must settle that point among themselves; and that it not appear that they made any vow at their ordination never to give up clerical duty.

The arguments from the Acts excluding from Parliament and corporations, were answered by saying that those Acts arose at first from the determination to exclude Horne Tooke personally from the House of Commons, where he sat for one Parliament; and that the necessity for passing them proved that there was no common law or enforceable ecclesiastical law to prevent clergymen from following what is commonly considered a lay occupation. And it appears that only a few years before Horne Tooke's Act an unbeneficed clergyman, Rushworth, had been declared duly seated on petition in the House of Commons. As to the long-continued practice, it was said that that also appeared to have no definite origin except the case of the same individual, Horne Tooke, and that it was as competent for the Inns of Court now to terminate as it was then to institute the rule or practice of excluding clergymen from the Bar. We cannot learn that any other arguments or information on the history of the subject were brought forward on either side. It appears from Dugdale's *Origines Juridiciales*, cap. 8, that Bishop Poore (the builder of Salisbury Cathedral) issued some orders in the time of Henry III. against his clergy practising *in foro seculari, nisi vel proprias causas vel miserabilium personarum prosequentur*. And the "regular" clergy were prohibited by the Council of Tours from being advocates, but the prohibition was held not to apply to the "secular" clergy, who certainly practised, in England at least, long after that time, as already stated.—*Guardian, Feb.* 22, 1865.

THE PRIVATE BUSINESS OF THE HOUSE OF COMMONS.

The following rules, framed by the Chairman of Ways and Means, under Standing Order 89, have been published for the practice and procedure of the referees on Private Bills:

1. Applications for hearing before the referees how to be made.—Parties petitioning against Private Bills in respect of any of the following matters, and who desire to be heard in opposition by their counsel or agents thereon, viz.:—In the case of Bills of the second class, for authorising the construction of works, the engineering details of the undertaking, the efficiency of the works for the proposed object, and the sufficiency of the estimate for executing the same; in the case of Waterworks Bills, the nature and amount of the existing and proposed means of supply, the quality of the water in each case, and the provisions as to storage reservoirs. In the case of Gas Bills, the quality of the gas, existing supply and its price, the amount of pressure, the cost of production, and the modes of testing the purity and illuminating power of the gas, shall indorse upon their petitions, previously to depositing the same in the Private Bill-office, a statement of the grounds (being some one or more of the grounds specified above) on which they desire to be so heard; but it shall be competent to the referees, if satisfied that the omission to make such indorsement in any case occurred through inadvertence or unavoidable cause, to admit the petitioners to be heard before them upon such conditions as they may think fit.

2. Applications for hearing before referees may be withdrawn.—Parties who have indorsed their petitions in manner above mentioned may at any time withdraw their opposition to a Bill, so far as relates to the grounds specified in such indorsement, by depositing a requisition to that effect in the Private Bill-office.

3. Notice of hearing to be given through the Private Bill-office.—The clerk to the referees shall give not less than two clear days' notice to the clerk in the Private Bill-office of the day on which the case of each Bill is appointed to be taken by the referees.

4. Order in which cases shall be taken.—The cases shall be heard in such order as the Chairman of Ways and Means shall appoint, and according to a list prepared under his direction, and kept in the office of the clerk to the referees.

5. Certificate of appearance to be produced.—When a Bill is called on for consideration the agents for the petitioners against the same shall be required to produce a certificate of appearance from the Private Bill-office, in which shall be stated the names of the petitioners, their counsel and agents.

6. Hours of meeting of referees.—The sittings of the referees shall commence at eleven o'clock in the forenoon, or at such other hour as may have been specially fixed by adjournment at a previous sitting.

7. Mode of voting by referees.—All questions before the referees shall be decided by a majority of voices, including the voice of the chairman; and whenever the voices are equal, the chairman shall have a second or casting vote.

J. G. Dodson,
Chairman of Ways and Means.

House of Commons, Feb. 14.

LAND AND ESTATE MARKETS.

Messrs. Fox and Bousfield announce for sale on Wednesday, five acres of building land at Wimbledon. Messrs. Haslam and Reed, of Copthall-court, are the solicitors.

Messrs. Tenn, instructed by Messrs. Wallis of King-street, will sell at Garraway's, on March 14, some important property on the site of the immense grand Metropolitan Station, at Finsbury.

Messrs. Farebrother, Lye and Wheeler announce for sale some important properties in London and the country, for the particulars of which we refer to the advertisements in another column.

INVESTMENT MARKET.

The startling revelation made in the House of Lords on Monday, of the defenceless state of Canada, and of the time and cost that must be expended to put the colony in a position to resist the attack which the Federals are threatening, has caused an extraordinary depression in the Money-market. On the following day Consols and every kind of security experienced a considerable decline, from which they have since rallied only partially. This is the only incident of the week worth recording, save the appearance of the long-talked-of Peruvian loan, which, if taken up, will again cause a tightness of money that will tell upon the home trader, who is the victim of the multitudinous schemes for sending English money to foreign countries, which the finance companies are encouraging to the infinite injury of the people at home.

The following are the fluctuations of the week:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	...	248	247	248
3 p Cent. Red. Ann.....	88¾	89	89	89¼	89	89
3 p Cent. Cons. Ann.	88¾	89¼	89¼	89¼	89¼	89¾
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	93
New 3 p Cent. Ann.....	88¾	89	88¾	89¼	89	88¾
New 3½ p Cent. Ann. ...	...	...	...	...	...	...
3 p Cent. Annuities.....	...	...	...	...	...	...
3 p Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	14 5/16	14 5/16	14 5/16	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¾	89¾	89¾	89¼	89¼	89¾
Consols 3 p Cent. for Ac.	...	...	...	...	...	...
India 3 p Cent. for Acc.	...	...	104	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	215	...	...
India 3 p Cents.	...	...	...	...	...	...
India 4 p Cents. 1888....	99	...	...	...	...	...
India 5 p Cents. 1870...	103¾	103¾	103¾	103¾	104	...
India Bonds (1000l.).....	...	10pm	...	10pm	10pm	...
Do. under 1000l.).....	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do do. 1866	98¾	98¾	99	...	99	...
India Enfaced Paper, 4 p Cent.	...	...	89¾	...	...	...
Do do. 5 p c. Jan. 1872	101	101¼	...	...	102	...
Do do. 5½ p c. May 1879	110	...	109	...	...	...
Ex. Bills, 1000l.	a	b	a	...	c	...
Do. 500l.	a	...	a	...	c	...
Do. 100l. & 200l. 3 p c.	a	...	a	...	c	...
Do. Small, & 3 p c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	98¾	...	...	...

a 4 per cent. 4s. 8d. prem. b 4s. Prem.
c 4 per cent. & 7s. prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

COURTS OF JUSTICE BUILDING BILL.

On the order for the second reading of this Bill, Mr. F. POWELL suggested certain points regarding which, he thought, further explanations were required from the Government, and other points deserving consideration with reference to the future building.——After a few remarks by Mr. HADFIELD, ——Mr. WALPOLE explained some objections which, he said, he entertained rather strongly to the object of this Bill. He thought that space might be economically found for an increased accommodation for the courts of justice in proximity to Westminster-hall, observing that four courts of equity were already suitably provided for. His last objection related to the financial part of the question, upon which he desired further information. —— Mr. MALINS totally differed from Mr. WALPOLE on the subject of the site, and was perfectly satisfied with the financial part of a scheme which, he thought, did the Government great honour.——The ATTORNEY-GENERAL replied in detail to the objections of Mr. Walpole. On the subject of the population that would be displaced by the new building, adverted to by Mr. Kinnaird—who, he said, had much exaggerated the numbers, the houses not exceeding 400—he contended that the result of experience in other large improvements, where there had been considerable displacements of population, showed that there was no reason to took with alarm on the dispersion of the inhabitants of the proposed site. The subject, however, he admitted, was not to be lost sight of. In conclusion, the Attorney-General gave full and detailed explanations respecting the financial arrangements contained in the bill.——Sir F. GOLDSMID referred to the evils which had attended the displacement of poor populations in the improvements effected in the east of London. ——The Bill was then read a second time.

THE HIGH COURT OF CHANCERY IN IRELAND.

Mr. WHITESIDE moved for leave to bring in a Bill to alter the constitution and amend the practice and course of proceeding in the High Court of Chancery in Ireland. After a review of past abortive attempts at the reform of the Irish Court of Chancery, he developed the scheme proposed in this Bill, the main features of which, as regarded the constitution of the court, were the abolition of the Masters and the appointment of a Vice-Chancellor to be taken from one of three judges of the Landed Estates Court. He explained the amendments proposed in the practice and proceedings of the court.——The ATTORNEY-GENERAL did not oppose the introduction of the Bill, and leave was given.

POSTAGE-STAMPS.

Mr. D. GRIFFITH rose to ask the Chancellor of the Exchequer whether he saw any objection to the postage-stamp and rate of threepence, which was now in use for certain foreign and colonial postage, to be made applicable to the internal postage of the country. The hon. gentleman said he was in hopes that this question had already been settled as he desired, because in the course of experiments which he had recently made he had sent through the post two letters weighing an ounce and a quarter, each bearing a 3d. stamp, and they had been delivered without any overcharge.——The CHANCELLOR of the EXCHEQUER said that, without entering into details, he might inform the hon. gentleman that the Post-office and the Treasury had under their consideration the expediency of making some modification in the present arrangement of the scales of postage, which would, he thought, confer great accommodation on the public, and would include the change which the hon. gentleman desired to see effected.

THE MARRIAGE LAW.

Sir C. O'LOGHLEN asked the Secretary for the Home Department if it was the intention of Her Majesty's Government to introduce this session any measure to regulate the law of marriage in the United Kingdom, or to institute any inquiry by means of a committee of that House, or a Royal Commission, with a view to future legislation.—— Sir G. GREY.—Her Majesty has been advised to issue a Commission for the purpose of inquiring into the state of the marriage law.

LAW OF SETTLEMENT—UNION RATING.

Mr. VILLIERS moved for leave to bring in a Bill to provide for the better distribution of the charge for the relief of the poor in unions. After some prefatory remarks upon the law of settlement and removal, and its evils; upon the policy of compulsory relief of the poor, and upon the substitution of the union system for the parochial system, which has been attended with great advantage, he pointed out the reason of its comparative failure—namely, the continuance of parochial chargeability. He stated the results of the Act of 1862 in diminishing the evils of removals—results which, in his opinion, justified a further extension of its principle; and there was no proof that it would create any unjust or excessive charge upon the common fund. The Bill, therefore, proposed to carry the principle further, by making the common fund in future bear the maintenance of all the poor within the union. He dwelt upon the benefits which this change would confer upon the pauper poor, and the enormous evils connected with settlement and removal it would tend to cure, and cited testimonies in favour of the change.——Mr. HENLEY suggested certain points regarding which, he thought, information was required.——Mr. LOCKE observed that the Bill would be of no advantage to the metropolitan parishes; that union rating would not meet the evils attending the displacements of population there.——Leave was then given to bring in the Bill.

LEGACY AND SUCCESSION DUTIES.

Mr. LOCKE KING inquired of the Chancellor of the Exchequer whether he had directed the Board of Inland Revenue to take the evidence of professional men and of the public generally upon any improvements in the present mode of collecting and assessing the legacy and succession duties; also whether, through the same sources, he had ascertained if any and what grievances exist.—— The CHANCELLOR of the EXCHEQUER said that the Board of Inland Revenue had no authority, nor could he give them any, to apply generally for the evidence of professional men in regard to collecting and assessing the legacy and succession duties. It would, however, be very agreeable to the Government or the Board to receive the assistance of any professional men who were likely to conduct these inquiries. With respect to the latter part of the question, he had no doubt the means of knowing what were the grievances complained of. The Government and the Board of Inland Revenue were cognisant of the additional charge, for instance, over and above the duties themselves. They were, of course, in contact with a body of professional men whose duty it was to conduct that part of the business on the part of their clients, and it was probably known to the hon. gentleman that considerable discussion took place last autumn in the public journals, which had the effect of drawing general attention to the subject. There was a certain number of particular cases which were brought before him in connection with the correspondence inserted in the public journals, and the communications which he had had with the parties on the subject of their complaints pretty well opened to the Government the difficulties that occurred in the administration of the law. That correspondence had not all been brought to a conclusion, but, as it was of a public character, there would be no objection when it was finished to lay it upon the table. He believed that the result of the inquiry would be to show that the principal part of the difficulty was inherent in the nature of the law and of such taxes. These taxes were more obviously justifiable in principle than, perhaps, any others, but in their administration they were necessarily attended with considerable difficulty. However, he entertained the hope that in revising a complicated system of procedure in an office of that kind, after a long period had elapsed since a review, it might be found possible to introduce many practical improvements which would afford some satisfaction and relief.

FELONY AND MISDEMEANOR—EVIDENCE AND PRACTICE BILL.

Mr. DENMAN, in moving the second reading of this Bill, said that it consisted of two parts, and that its object was the same as the Bill which he had introduced on the subject in 1860, but which had been dropped in consequence of an amendment made in it in the other House. The object of the first part was to assimilate the practice in criminal cases to that which prevailed in civil cases with respect to allowing counsel to sum up in criminal cases. Another provision was with reference to witnesses who might give evidence contrary to what they had previously given, and he proposed that it should be competent to the parties to show that the witness had previously given such evidence. There was also a provision as to cross-examination with reference to a previous statement made in writing, and he saw no reason why a difference should exist between civil and criminal cases in that respect. He also proposed to allow proof of a person's conviction of felony by the production of a certificate by the proper officer. In criminal cases a will, for instance, could not be put in evidence unless the attesting witnesses were called, and he wished to do away with the distinction that existed as to such documents in civil and criminal cases. In cases of forgery it was of the utmost importance that the opinions of experts should be had as to the character of the writing, and that witnesses should be allowed to see the documents. He once happened to be arbitrator in a case in which he had to decide whether a certain handwriting was not a forgery. It was said to be the handwriting of a deceased bishop. It related to the receipt of a sum of 200,000l., not properly accounted for in his lifetime. To test the genuineness of the writing, twenty-two letters written by the bishop were put into his hand, and experts gave an opinion that the handwriting was genuine. On the other side 111 letters were put in, and the result of the same kind of comparison was exactly the opposite. In one case the correspondence was exact, in the other it was not. Such comparison could not be made in criminal cases. At the last Winter Assizes for Sussex, a charge of forgery was tried before Mr. Baron Channell. The prosecutor was an aged gentleman, and he was losing his eyesight. Cheques purporting to be signed by him appeared, and he was unable to say, from inspection, whether they were in his handwriting or not. It was proposed to put in specimens of handwriting for comparison by experts with that alleged to be forged, but the learned judge said the law would not allow this to be done. Every clause in the Bill was already law in Ireland, and the English and Irish Law and Chancery Commission of last session recommended that the law should be made applicable to England also. In drawing the Bill he (Mr. Denman) had confined its operation to felonies and misdemeanors; but he should propose that the enactments, as he now found was the case in Ireland, should extend to all courts of criminal judicature.——Mr. ROEBUCK asked: Why not effect all that was intended by the Bill by simply saying that the law in civil cases should be law in criminal cases?——Sir G. GREY stated that the Attorney-General, if present, would have given his assent, on the part of the Government, to the Bill. In the learned gentleman's absence, he (Sir George Grey) assented to the second reading.——The Bill was then read a second time.——Mr. DENMAN said his experience had taught him that it was a highly inconvenient mode of legislation to pass an Act referring to another Act. In court or elsewhere the other Act might be sent for, when it might be found not to contain what was wanted, but to refer back to a third Act. The most convenient plan was to put down in black and white the alteration that it was intended to make, copying, if desirable, the clauses from an existing Act.

THE LAW OF LIBEL.

Sir COLMAN O'LOGHLEN, in moving for leave to introduce a Bill to amend the law of libel, and for more effectually securing the liberty of the press, said his proposal was that no indictment should be permitted in cases of libel without the assent of the law officers of the Crown. Such a course would, he believed, prevent the powers of indictment from being abused, and would not, at the same time, deprive our law of one of its most salutary provisions. In cases of indictment, he further proposed that the defendant should be admissible as a witness. He proposed also to get rid of the anomaly at present existing, by which the proprietor of a newspaper was liable for libellous or defamatory matter contained in the publication of speeches made at public meetings, while no action could be laid against the persons who made those speeches. By the Bill, therefore, the introduction of which he was moving, a person who went to a public meeting, where reporters must, as he knew, be present, and made such a speech, would be liable, either by civil or criminal action, in the same way as if he had published the libel in writing. Such clause, however, would not affect the privileges of Parliament or courts of justice. It might be said that there would be cases in which such speeches would be made by men of straw; and although he would not

deny the possibility of such cases arising, the party injured would have the power of proceeding against the offender criminally, if such a course were sanctioned by the law officers of the Crown. He proposed also allowing the plea of a belief in the correctness of a libel to be admitted as a defence. As newspapers were frequently subject to vexatious actions, he had inserted a clause providing that a plaintiff recovering less than 20s. damages should not only pay his own costs, but also the costs of the defendant, and that his own costs should not be awarded if he did not recover damages above 40s. ——Leave was then given to introduce the Bill.

FEES OF PARLIAMENTARY COUNSEL.

An Hon. Member asked the President of the Board of Trade whether the members of the Parliamentary Bar had come to any agreement that the practice before Parliamentary Committees should be open to the Bar in general, on the same terms in regard to fees as prevail in the ordinary courts of law and equity.——Mr. Milner Gibson said that he was led to the conclusion from the inquiries he had made that a counsel practising before committees of the House was at liberty to accept any fee which he might regard as a proper and adequate remuneration for the duties he was discharging. He concluded that counsel might accept any fee that the Bar in general might take in the ordinary course of practice.

PETITIONS.

The following petitions were presented in favour of the Bills for the Concentration of the Courts of Law and Equity:—By Mr. Murray, from the Incorporated Law Society of the United Kingdom, from the Surrey Law Society, from the Society of Clifford's-inn, from the Somerset Attorneys' Club, and other attorneys and solicitors in Somersetshire; by Mr. Clay, from attorneys and solicitors practising in Kingston-upon-Hull; by Mr. Lee, from attorneys and solicitors of Maidstone; by Mr. Butler Johnstone, from attorneys and solicitors of Canterbury.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Equity Practice. — Where defendant had filed a written answer, but omitted to leave a printed copy, as required by the order of the 6th March 1860, he may be attached until he complies: (*Blaxham* v. *Chichester*, 11 L. T. Rep. N. S. 722. L.JJ.)

Solicitor and Client—Taxation of Bill of Costs.—On this subject the M. R. made some observations worthy of note in *Re Chambers*, 11 L. T. Rep. N. S. 726. A solicitor having delivered his bill, to items in which objections were made, he then delivered another with charges of lesser amount. The M. R. said:

The sole question which I have now to consider is this, whether the order for taxation ought to refer to the first, or to the second bill? In other words, I have to decide which is the proper bill to be submitted to the master for the taxation. It is not competent to a solicitor to deliver a bill of costs with certain charges in it, and when objection is taken to them, then to deliver another with charges of a smaller amount. If he does that, he must pay the costs occasioned by the delivery of the first bill. Lord Langdale has very clearly stated the rule in the case of *Re Carren*, and I concur in the rule there enunciated by him. The rule, however, is not without an exception to it; for, if a solicitor has delivered a bill in which there is a mistake, if he wishes to correct the mistake, and if, before the taxation begins, he applies to the court for leave to correct the error, the court will, if the transaction is *bonâ fide*, allow the correction to be made, and will order the corrected bill to be taxed instead of the bill first delivered. In this case, when the first bill was delivered it was admitted to be unfit for taxation. The second bill, and the notice and letter which accompanied it, were delivered to Mr. Graves on the 6th Jan., before the re-opening of the taxing master's offices, and before any reference had been obtained, or any service of the order effected. I must assume that Mr. Graves' solicitors knew of that delivery, and, assuming that they did, I think they should then have accepted the second bill. Taxation of a solicitor's bill of costs is not a vindictive proceeding, but only a mode of ascertaining what it is fair and right for the client to pay. The order to tax the first bill ought not, therefore, to have been proceeded with. I shall in this case order the second bill to be substituted for the first in the order for taxation. Mr. Chambers must pay all the costs of Mr. Graves up to and including his costs incurred on the 7th Jan. I think the case should never have been brought into court, and I will therefore give no costs of the motion.

Arbitration—Practice.—A deed contained the usual arbitration clause; after bill filed, notice was given to refer, in pursuance of it, and the notice comprised not only all matters relating to the subject of the deed, but all matters in dispute between the parties. The Court held the case to come within sect. 11 of the C. L. P. A. 1854, but refused, in its discretion, to stay the proceedings: (*Wheatley* v. *Westmoreland &c. Coke Company*, 11 L. T. Rep. N. S. 728. V. C. Kindersley.)

Divorce Court Practice.—B. petitioned for divorce, and for assessment of damages. The judge, on summons, at the instance of the co-respondent, ordered the petitioner to bring into the registry letters written by the respondent to him, or to file an affidavit that he had no such letters, or that they contained no such matters as suggested by the affidavit in support of the summons: (*Pollard* v. *Pollard*, 11 L. T. Rep. N. S. 749.)

When the Court, on pronouncing the decree *nisi*, had directed the damages to be invested, and the annual income arising from them to be paid to the respondent *dum casta vixerit*, and the decree had been made absolute, it was held to be too late afterwards to apply to the court to amend the order by inserting in it after the words "dum casta" the words "et sola:" (*Narracott* v. *Narracott*, 11 L. T. Rep. N. S. 750.)

The Court refused to grant an attachment against a husband for nonpayment of certain costs incurred on behalf of the wife in a suit initiated by her for judicial separation on the ground of cruelty, when, on his uncontradicted answer, it appeared that he had been compelled to separate from her several months before the institution of the suit, in consequence of her drunkenness and violence, and had not present means to comply with the order for payment: (*Holland* v. *Holland*, 11 L. T. Rep. N. S. 750.)

COURT OF COMMON PLEAS.

Monday, Feb. 20.

Special Juries in London and Middlesex.

For many years past the grievances of special jurymen in London and Middlesex, but more especially in London, have been the ground of daily complaints. Some judges have sympathised with these complaints, some have suggested that the special jurors ought to be thankful that they were not on the common jury panel, for in that case their hardships would be much increased, and one learned judge has recently told the complainants that it might be as well to suffer in silence, because he believed that in strictness they were not only liable to be summoned on special juries as at present, but also to be included in the common jury panel.

Erle, C. J., during a pause this morning, communicated his opinion upon the matter to the jury in the box. He said that in all parts of the kingdom, except London and Middlesex, the practice was to summon thirty gentlemen to try all the special jury cases; whilst in London and Middlesex twenty-four jurymen were summoned in each case. It was spoken of as a "privilege" of London and Middlesex that they possessed their own peculiar system; but there could be no doubt that it inflicted very great hardship, and he never could understand why the system of other parts of the country should not be extended to the metropolis. If this were done they would summon a panel of thirty-six gentlemen for five or six days, who would try all the special jury cases that came on during that time, and would then be discharged. If this mode were acted on there would be no loss of time, and the special jurors would be to some extent remunerated by fees for their loss of time. According to the present practice it was unavoidable that special jurymen had to wait several days at times for their cause coming on, and perhaps only to hear in the result that they were not wanted, as the cause had been withdrawn; and that they would be remunerated if they were again wanted.

A Juryman asked what steps they could take to bring about the alteration.

Erle C. J. said that, if the amount of hardship which the constant complaints led him to infer existed, he had no doubt that those who suffered could soon find a way of making their wishes known.

A Juryman said that he had then in his pocket five summonses to attend upon special juries; and another juryman complained that he had frequently at the same time summonses to attend at different courts.

The subject then dropped, but probably only to reappear in some other shape; and it may be added that, from the constant complaints which are heard at every step taken to procure juries, from the time of the preparation of the lists by the parish officers to the appearance of the jurors in the box, it is surprising to those acquainted with the system that some organised attempts at improvement have not been made.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Lord Chief Justice of the Common Pleas has appointed Arthur Cheese, of Kington, Herefordshire, and Hay, Breconshire, a Commissioner for taking the acknowledgments of married women.

John Williams, Esq., solicitor, Llanidloes, Montgomeryshire, has also been appointed a Commissioner to administer oaths in Chancery in England.

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

Easter Term 1865.

Adams, Francis Thomas, 18, Montague-street, Russell-square; 224, Euston-road; and Alresford—Articled to E. Hopkins, Alresford

Amos, John James, 1, John-street, Bedford-row; Wye, Kent; and 19, Ampton-street, Gray's-inn-road—J. Amos, Wye; G. L. P. Eyre, John-street, Bedford-row

Anderson, John Eustace, Mortlake; 13, Lincoln's-inn-fields; and 17, Ironmonger-lane—E. Anderson, Ironmonger-lane

Atkinson, John, 38, Southampton-row; and Hexham—R. Gibson, Hexham

Atkinson, John Frederick Henry, Seaforth, near Liverpool—A. T. Squarey, Liverpool; J. Atkinson, Liverpool

Balch, John Henry Michell, 1, and 51, Lincoln's-inn-fields; and Bruton—J. Balch, Bruton

Batham, William, 9, Brand-street; and Bellegrove, Greenwich—W. Bristowe, Greenwich

Belk, George, Sneinton, Nottingham—J. W. Sant, Nottingham

Bell, Theodore, 7, Torrington-square, Bloomsbury; and 21, Abchurch-lane—J. Bell, 21, Abchurch-lane

Billings, Samuel Bruce, 13, Westbourne-grove-terrace, Bayswater; and 62, Lincoln's-inn-fields—E. T. Hall, 13, Bedford-row; N. Mason, 13, Bedford-row; J. E. James, 62, Lincoln's-inn-fields

Bleeck, Charles Albert, B.A., Wells; and 3, Garden-court, Inner Temple—E. Davies, Wells; H. Bernard, Wells

Blewitt, William, Ilford, Essex—W. R. Preston, 13, Gresham-street

Blood, William Bindon, 3, Grenville-street, Brunswick-square; and 20, Essex-street, Strand—C. Douglas, Witham; J. Vallance, Essex-street

Boulton, Edward, 1, Upper Montague-street, Russell-square—Messrs. Boulton and Sons, 21a, Northampton-square, Clerkenwell

Bourne, Thomas Charles, Lincoln—J. W. Daly, Lincoln

Briggs, William, Derby—J. Briggs, Derby

Bulley, William Engelberts, 93, Sloane-street—J. W. Hawkins, 2, New Boswell-court; E. Bloxam, 2, New Boswell-court

Bury, Thomas, 1, New Millman-street, Guildford-street; Wrexham; and 14, Gray's-inn-square—T. R. Acton, Wrexham

Butcher, Webster, 10, Bloomfield-terrace, Harrow-road—W. Lund, Castle-street, Holborn

Cammack, Edmund, Spalding, Lincoln; and 14, Red Lion-street, Holborn—C. F. Bonner, Spalding

Clabburn, James William, 52, Lincoln's-inn-fields; and Norwich—T. Brightwell, jun., Norwich; C. E. Elliot, Lincoln's-inn-fields

Clarke, John Henry, 51, Weymouth-street, Portland-place—C. S. Clarke, Bristol

Cleverton, Frederick William, Plymouth; and 4, Stone-buildings, Lincoln's-inn—F. W. P. Cleverton, Plymouth; G. F. Jackson, Plymouth

Cotton, Frank, 83a, Eccleston-square, Pimlico—H. R. Cotton, 64, Chancery-lane

Crook, James, Chorley—C. Crook, Chorley

Daw, Charles James, Crediton, Devon—W. C. Clent, Crediton

Dolling, Robert Dundas, 43, Ebury-street, London; and 4, Elm-court, Temple—J. T. Bolton, Elm-court

Eades, George Lavender, 11, Calthorpe-street, Gray's-inn-road; Evesham; and 39, Coleman-street—G. Eades, Evesham

Eden, John, jun., 22, Queen's-terrace, Bayswater; and Liverpool—J. F. Stanistreet, Liverpool

Ellison, John, Bradford—J. Cator, Bradford

Fry, Samuel, jun., 101, Barnsbury-road, Islington; and Holsworthy, Devon—C. Kingdon, Holsworthy; E. Shearm, Holsworthy

Goulter, Morse, Bristol—C. Taddy, Bristol

Griffith, John Lloyd, Chester; 9, Bernard-street, Russell-square; and 2, Caroline-place, Mecklenburgh-square—E. Evans, Chester

Griffiths, George Alexander, 14, Portsdown-road, Kilburn—W. L. Whitmore, 7, John-street, Bedford-row; E. Lambert, 62, Chancery-lane

Gudgeon, George, Stowmarket, Suffolk; and 1, Theobald's-road—J. Gudgeon, Stowmarket

Hanchett, William John Henry, Ickleton, Cambridge—E. Wayman, Cambridge

Harriss, Alfred Edmund, 32, Ockendon-road, Islington; and 7, Holford-place, Holford-square—C. M. Simons, 18, Southampton-buildings, Chancery-lane

Harward, Edward Netherton, 119, Barnsbury-road—S. Daws, Angel-court, Throgmorton-street

Hebb, William, Thornes, York; and Newcastle-on-Tyne—T. S. Merrifield, Wainfleet All Saints, Lincoln

Hind, Jesse, Sneinton—G. Deverill, Nottingham

Hodson, William, jun., 65, Charlwood-street, Belgrave-road; and 11, Bernard-street, Russell-square—C. Coppard, Henfield, Sussex

Hothersall, Thomas, Clitheroe, Lancaster—W. Wheeler, Clitheroe

Hubbard, John, 11, Lorn-road, Brixton—A. Brewis, 24, Austin-friars

Hughes, Edward Arthur, 1, New Millman-street, Guilford-street; and 32, Commercial Sale Rooms, Mincing-lane—T. Hughes, Wrexham; G. Thomas, Commercial Sale Rooms, Mincing-lane

Hugo, William Henry Temple, Stoke Newington; Crediton; and 38, Walbrook—J. Searle, Crediton

Hunter, Leslie, 1, Tredegar-place, Bow-road—J. H. Linklater, 7, Walbrook

Hustwick, Thomas Henry, 18, Tavistock-street, Bedford-square; and Soham, Cambridge—T. Hustwick, Soham

Imeson, John Forster, 14, Hanover-square, Kennington; Thirsk; and 29, Coleman-street—J. P. Allison, Thirsk

Jarrold, Charles Frederick, Cambridge—E. Foster, Cambridge

Jones, Joseph John Alley, Hammersmith; and 1, Clifford's-inn—T. A. Jones, 1, Clifford's-inn

Jones, Watson Robert, 37, Great Ormond-street, Queen's-square; and Chester—J. Bridgman, Chester

Jgoat, George, 5 and 6, Canning-place, Kensington-gate; and Stourbridge—T. P. Burbury, Stourbridge

Kimber, Edmund, 28, Canonbury-villas, Islington; and 1, Lancaster-place, Strand—H. Kimber, Lancaster-place, Strand

Knowles, Robert Andrew, Bolton; Brompton; and 7, Glo'ster-terrace, Chelsea—J. Knowles, Bolton

Knowles, James, Hardcastle, Bolton; Brompton; and 7, Glo'ster-terrace, Chelsea—J. Knowles, Bolton

Lambert, Henry William, Brighton; 3, Calthorpe-street, Gray's-inn-road; and Bradford—R. Ridehalgh, Bradford

Latham, Charles, 3, Princes-terrace, Queen's-terrace; Melton Mowbray; and 11, Lincoln's-inn-fields—W. Latham, Melton Mowbray

Leviton, Maurice Harris, 66, Leadenhall-street—E. Edward, 66, Paternoster-row

Lloyd, Herbert John, 19, River-street, Myddelton-square; Carmarthen; and 25, New Kent-road—W. Lloyd, Carmarthen

Lloyd, William Wynn, 42, South Audley-street, Grosvenor-square; Oswestry, Salop—J. R. Griffith, Llanrwst

Lovell, William George Whittall, 13, Claremont-square, Pentonville; King's Sutton; and 18, Myddelton-square—R. W. Aplin, Banbury

Lupton, Thomas, Preston—P. Catterall, Preston

Manby, William Edward, 89, Chancery-lane—W. Manby, Wolverhampton; G. W. Greenwood, 89, Chancery-lane

Marland, Benjamin, West-street, Walworth—T. Keene, 77, Lower Thames-street

Martin James Conolly, Deal—W. H. Rennolls, Deal

Maynard, William, 26, Southampton-street, Camberwell—W. W. Hayne, 24, Red Lion-square; F. T. Dubois, 3, Church-passage, Gresham-street

Merrick, William, jun., 271, New-road, Camberwell; and Bradford-on-Avon—W. Merrick, Bradford-on-Avon; W. Gaisford, Berkeley

Messard, Charles Leonard, 11, Wakefield-street, Regent-square; Sunderland; and 5, New Boswell-court, Lincoln's-inn—G. S. Ranson, Sunderland

Mitchell, William, 3, Talbot-cottages, Hammersmith; and Nottingham—R. Enfield, Nottingham

Molineux, Charles Hurlock, Lewes; and 43 and 39, Guildford-street, Russell-square—B. H. Hunt, Lewes

Morgan, William, Pontypool—R. Greenway, Pontypool

Neate, Arthur Edmund, 38, Stanley-street, Pimlico—H. Ford, Exeter; E. F. Bigg, 33, Southampton-buildings; C. Mallam, 1, Staple-inn

Pare, Frederick Julian, Notting-hill—F. F. Jeyes, 22, Bedford-row

Pateman, John Thomas, Uppingham, Rutland—R. H. G. Wilson, Uppingham

Philipson, Joseph Atkinson, Newcastle-upon-Tyne—R. R. Dees, Newcastle-upon-Tyne

Pole, Arthur Charles, 8, Duke-street, Portland-place; and Manchester—W. H. Myers, Manchester

Popham, James, 3, Bedford-street, Hornsey; and 10, John-street, Russell-square—J. Evans, John-street, Bedford-row

Potter, James Biggs, Frome Selwood, Somerset; and 12, Lincoln's-inn-fields—H. F. T. Miller, Frome Selwood; W. Dunn, Frome Selwood

Prescot, Charles Warre, 4, Garden-court, Temple; and 29, Whitehall-place—H. L. Pemberton, Whitehall-place

Proctor, William, jun., Allergate, Durham—G. Moore, Durham; R. Stafford, Durham

Readhead, John Allen, Tunbridge Wells; Derby; and 29, Lincoln's-inn-fields—F. Baker, Derby; E. H. Bickards, Lincoln's-inn-fields

Richardson, Walter, Chatteris, Isle of Ely; and 2, Francis-street, Regent-square—C. Smith, Tokenhouse-yard

Robertson, Charles Augustine, 8, Alfred-place, Bedford-square; Dorchester; 98, Warwick-street, Pimlico; and 3, Cambridge-street, Pimlico—T. Coombs, Dorchester

Roden, William Mason, 4, Chesterfield-street, King's-cross; and Kidderminster—W. Boycott, Kidderminster

Rooke, Frederick Henry, 3, Highbury-hill, Islington; and 17, Bedford-row—T. J. Rooke, 17, Bedford-row

Seard, John Cowper, Colney Hatch-park; and 29, Great St. Helen's—J. Seard, Great St. Helen's

Scott, Thomas, Thirsk; and 11, Hanover-square, Surrey—J. Arrowsmith, Thirsk

Sharp, William Thomas, Lancaster; and 8, Percy-circus, Clerkenwell—J. Sharp, Lancaster

Shrapnell, Henry, Bradford, Wilts—G. Spackman, Bradford

Slate, Edward Booth, Manchester—W. Slater, Manchester

Taylor, Thomas Compton Farnworth, Croydon; and 15, Furnival's-inn—R. Taylor, Furnival's-inn; W. Brittan, Bristol

Thomas, George William, 189, Upper Gower-street, Bedford-square; Boston; and 11, Lincoln's-inn-fields—C. Rice, Boston

Tippett, Edward Peter, 5, Upper Belgrave-place, Pimlico; Devonport; and 3, Gray's-inn-square—P. M. Little, Devonport

Tolhurst, Alfred, Milton next Gravesend—G. M. Arnold, Gravesend

Turner, Octavius Thomas, Derby—W. Robotham, Derby

Wagstaffe, M. Mawe, B.A., 10, Walcot-place, Kennington; and 3, King's-road, Bedford-row—W. Crossman, 3, King's-road, Bedford-row

Ware, Richard, Heath-street, and North End, Hampstead—R. A. Parker, 41, Bedford-row

Waterworth, John James, 60, Stanhope-street, Hampstead-road; Keighley, York; and 14, Serjeants'-inn—T. Waterworth, Keighley

Wavell, Edmund Minson, jun., Halifax; and 14, Bloomsbury-square—E. M. Wavell, Halifax

Weedon, George, Uxbridge—W. Gardiner, Uxbridge

Whiston, William Harvey, Derby; and 3, Lancaster-place, Strand—W. Whiston, jun., Derby

Wightman, Arthur, 23, Great Percy-street; and Sheffield—B. Wake, Sheffield

Williams, Edward Bliss, 40, Grove-road, St. John's-wood—W. H. Watson, 12, Bouverie-street

Wilson, Charles Maurice, Bradford—T. Senior, Bradford

Wilson, Edward Henry, Salisbury; 3, Auckland-villas, Canonbury; and 9, Tokenhouse-yard—G. Smith, Salisbury

Wise, William, Bristol—H. A. Salmon, Bristol

Witham, Philip, 1, Gray's-inn-square; and 28, Clifton-road east, St. John's-wood—F. B. Ward, 1, Gray's-inn-square

Pursuant to Judges' orders.

Hamy, Miles Coverdale, 27, Markham-street, Chelsea—W. Kimberley, Birmingham; E. R. Pope, 26, Old Broad-street; and J. M. Green, Birmingham

Graham, John Edward Thorley, Liverpool—J. J. P. Moody, Scarborough

Kilvington, Frederick Richard, 18, Laura-terrace, Southwark; and Surbiton—C. Walter, Kingston-upon-Thames

Pocock, John Neat, 3, Henrietta-street, Brunswick-square, Southampton; and 3, South-square, Gray's-inn—J. Sharpe, Southampton

Easter Vacation 1865.

Fullagar, Walter Palmer, Leicester; and 50, Torrington-square—H. J. Davis, Leicester

HEIRS AT LAW AND NEXT OF KIN.

BLAND (Sophia), Colchester, spinster. Next of kin or heir-at-law to come in by 20th March, at Stuart's, V. C. Solicitors, Stevens and Beaumont, 6, Old Jewry, London.

HARRISON (Richard), Lovely-lane, Warrington, Lancashire. Next of kin to come in by 9th March, at M. R. Solicitors, Field, Roscoe, Field and Francis, 36, Lincoln's-inn-fields, for Marsh and Barratt, Warrington.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

AUDLEY-HALL CO-OPERATIVE COTTON SPINNING AND MANUFACTURING COMPANY (LIMITED).—An official manager to be appointed by the M. R., at his chambers on Monday, the 27th Feb., at noon.

BRITISH COPPER COMPANY (LIMITED).—Creditors to send in by 20th March their names and addresses and particulars of their claims, and the names and addresses of their solicitors (if any), to H. T. Edwards, 9, King's Arms-yard, Moorgate-street, London, the liquidator of the said company. Solicitor, A. Fulbrook, 31, Threadneedle-street, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

CHILD (Wm.) Deptford, March 11, V.C. K. J. Fox, Gresham-house, Old Broad-street, London.

COOK (Wm.), Bristol, rope and sail maker, March 16, V.C. S. Vizard and Austie, 55, Lincoln's-inn-fields, London.

DE L'ISLE AND DUDLEY (P. C.), Baron Penshurst, Kent, and Burlington-street, Middlesex, March 16, V.C. K. Mason and Withall, 18, Bedford-row, London.

DIXON (Edward), the younger, Horseley-house, Dudley, Worcestershire, banker, March 29. Hilliard, Dale and Stretton, 3, Gray's-inn-square, London.

DIXON (Edward), the elder, Dudley, Worcestershire, Esq., March 29, V.C. S. Hilliard, Dale and Stretton, 3, Gray's-inn-square, London.

EASTMAN (George), 2, Anthony-street, St. George's-in-the-East, Middlesex, stevedore, March 9, V.C. S. R. Buchanan, 16, Great Knightrider-street, Doctors'-commons, London.

FOSTER (Percival), Clent-house, Staffordshire, Esq., March 18, M. R. Benbow, Tucker and Saltwell, 1, Stone-buildings, Lincoln's-inn.

GOMERSAX (Richard), Bath-road, Peckham, Surrey, gentleman, March 20, M. R. Roberts and Simpson, 62, Moorgate-street, London.

GREAVES (Mary), Radford Semele, Warwickshire, widow, March 20, M. R. Field, Roscoe, Field and Francis, 36, Lincoln's-inn-fields, for A. S. Field, of Leamington.

HEALES (George Samuel), 18, Great Carter-lane, Doctors'-commons, London, proctor, March 27, V.C. K. J. C. Gant, County-chambers, Cornhill, London.

JARMAN (J. B.), 20, York-buildings, Adelphi, Middlesex, and York-place, New Windsor, Berks, Esq., March 16, M. R.

JOYCE (Wm.), Kidsgrove, Staffordshire, druggist, March 13, M. R. N. C. and C. Milne, Temple, London, for F. G. Rex, Stafford.

KIRBY (Ann), 4, Arnold-terrace, Bow-road, Middlesex, widow, March 6, V.C. S. Wrentmore and Son, 43, Lincoln's-inn-fields.

LONG (Samuel), Yarbridge, Isle of Wight, solicitor, March 24, M. R. Watson and Sons, 12, Bouverie-street, London, for W. A. Way, Portsea, Hants.

LORD (C. F.), 3, Clifton-villas, Maida-hill west, Paddington, Middlesex, and 13, Clifford's-inn, London, attorney-at-law, March 7, M. R. Lawrance, Plews and Boyer, 14, Old Jewry-chambers, London.

NORTH DEVON SHIPPING COMPANY, Liverpool, March 20, M. R. T. Southgate, 7, King's Bench-walk, Temple, for E. H. Clarke, Exeter.

NUNN (J. H.), Toppesfield, Essex, March 21, M. R. Bridges, Sawtell, Heywood and Ram, 23, Red Lion-square.

PRICE (Mary), 3, Old Steyne, Brighton, spinster, March 27, V. C. S. Emmet and Son, 14, Bloomsbury-square, London.

RICHARDSON (Joseph), Queen's Head, Sherrard-street, Golden-square, Middlesex, licensed victualler, March 1, M. R. E. Lewis, 22, Great Marlborough-street, London.

SLATER (John), Back-o'-th'-Bank, Little Boston, Lancashire, Esq., March 15, V.C. W. T. Johnston, 3, Raymond-buildings, Gray's-inn, London, for R. Winder, Bolton-le-Moors, Lancashire.

TIMS (Thos.) Highgate-rise, and 34, Charlotte-street, Fitzroy-square, Middlesex, auctioneer, March 29, V.C. S. Scadding and Son, 1, Gordon-street, St. Pancras, London.

WALCOT (John), 26, Tithing, Worcestershire, gentleman, March 7, M. R. Young, Maples, Teesdale and Young, 6, Frederick's-place, Old Jewry, for Parker, Goldingham and Parker, Worcester.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BASTARD (T. C.), Charlton Musgrove, Somerset, Esq., March 25. E. Y. Cooper, Wincanton.

BROOKS (T. D.), 4, King's-terrace, Southsea, Hants, gentleman, March 31. T. Berkeley, 12, Gray's-inn-square, London.

BRUNSDEN (Jno.), Broadwas, Worcestershire, grocer, March 25. W. P. Hughes, Pierpoint-street, Worcester.

CLOUGHLY (James), 7, Great Ormond-street, Bloomsbury, and 37, Bruton-street, Middlesex, tailor. Smith and Shepherd, 15, Golden-square, London.

DAVIES (Rev. David), Henbant, Llandyssil, Cardiganshire, March 25. D. Lloyd, Lampeter.

DARKER (Jane), Weston Favell, Northamptonshire, widow, March 9. W. R. Gates, Northampton.

DRUCE (T. C.), 68, Baker-street, Portman-square, Middlesex, upholsterer, and of Mill-hill, Hendon, May 21. Walker and Twyford, 5 Southampton-street, Bloomsbury.

FOSTER (John), Thomas-street, Woolwich, billsticker, March 25. C. R. Gibson, Dartford.

FYLER (Frances), formerly of Bloomfield-terrace, Harrow-road, Middlesex, late of Great Malvern, Worcestershire, spinster, March 25. Lake, Kendall and Lake, 10, New-square, Lincoln's-inn, London.

GOODMAN (Sarah), Brewer's-green, Westminster, Middlesex, cowkeeper and widow, March 31. C. V. Field, 41, Ely-place, Holborn, London.

HAYWOOD (Edwin), Stephenson-terrace, gentleman, Worcester, March 25. W. P. Hughes, Pierpoint-street, Worcester.

HELM (Sophia Frances), College-green, Worcester, April 10. Meredith and Lucas, 8, New-square, Lincoln's-inn, London.

HEWITT (Frances), Worcester, widow, April 10. Meredith and Lucas, 8, New-square, Lincoln's-inn, London.

HILTON (Joseph), Church-lane, Mitcham, Surrey, gentleman, March 19. E. Newman, 3, Suffolk-lane, Cannon-street, London.

HORWOOD (Daniel), West Cowes, Isle of Wight, March 4. E. L. Grimths, Newport, Isle of Wight.

HUGHES (Henry Joseph), Great Malvern, Worcestershire, a Capt. in H.M.'s 62nd Regiment of the Bengal Army, March 31. R. D. Hughes, 32, Lincoln's-inn-fields.

HUNT (Jane), Ham-castle, Clifton-on-Teme, Warwickshire, widow, March 10. S. J. Mitchell, 28, Waterloo-street, Birmingham.

HURST (Richard), Gravesend, gentleman, April 13. Hopwood and Sons, 47, Chancery-lane, London.

IVES (Francis), Great Yarmouth, Norfolk, yeoman, May 18. Lucas and Steward, Great Yarmouth.

LA TERRIERE (Mary Ann Adams), Hampton-court, Middlesex, widow, May 27. Young and Jacksons, 12, Essex-street, London.

LA TERRIERE (P. P. de Sales), Hampton-court, Middlesex, Esq., May 27. Young and Jacksons, 12, Essex-street, London.

LEECH (John), 6, The Terrace, Kensington, Middlesex, artist, March 25. Denton and Hall, 15, Gray's-inn-square, London.

LINGARD (John), 91, Mount-pleasant, Liverpool, plumber, March 29. A. S. Samuel, 16, North John-street, Liverpool.

PALMER (Rev. J. N.), Breamore, Southampton, March 31. H. E. Brown, 4, Lincoln's-inn-fields, London.

PRICHARD (Hy.), 32, Gloucester-square, Middlesex, and Redcliff-street, Bristol, merchant, March 13. Abbot and Leonard, Albion-chambers, Bristol.

SAMPSON (A. K.), Priory-crescent, Southover, Lewes, Sussex, March 25. Clutton and Ade, 10, Serjeants'-inn, Temple.

SHARROD (Thomas), 16, Hampden-street, Harrow-road, Middlesex, gentleman, March 31. Hume and Bird, 10, Great James-street, Bedford-row.

SHORTLAND (Samuel), Woodend, Blakesley, Northamptonshire, farmer, April 10. W. Whitton, jun., Towcester.

SMITH (Wm.), 452, Old Kent-road, Surrey, Esq., March 30. Hancock, Sharp and Hales, 25, Birchin-lane, London.

TITTERTON (John), Elizabeth-terrace, Mary-street, Balsall-heath, Worcestershire, gentleman, March 24. Beale, Mangold and Beale, 21, Waterloo-street, Birmingham.

TOMS (Elizabeth), 21, Grove-road, North Brixton, widow, March 10. Ware and Westhall, 1, Copthall-court, London.

UTTING (Samuel), jun., Fakenham, Norfolk, boot and shoe maker, March 25. M. B. Bircham, Bridge-street, Fakenham.

WATERS (Wm.), Portsmouth, gentleman, April 20. Lepard and Gammon, 8, Cloak-lane, London.

WELLES (Harriet), Victoria-street, Cheltenham, widow, March 25. Gwinnett and Ticehurst, Cheltenham.

WILLIAMSON (G. J.), Flynonnan, Brecon, Esq., barrister-at-law, April 14. E. H. Williamson, Greenfield, Flint.

WINTERBOTTOM (James), Castleford, Featherstone, Yorkshire, glass bottle manufacturer, March 13. G. Bradley, Castleford.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BIRD (Robert), Taplow, Bucks, Esq., and BIRD (C. R.), Oxford, Esq. Dividends on various sums of Reduced Three per Cents. Claimant, said C. R. Bird.

FELTHAM (David), Coombe Bissett, Wilts, farmer. 80*l.* 18*s.* 9*d.* Three per Cent. Consols. Claimants, W. F. Terrill, J. Fleetwood, and J. Woodlands.

LACK (Wm.), New Brentford, Middlesex, gentleman, 400*l.* Reduced Three per Cents. Claimant, Accountant-General of the Court of Chancery.

MITCHESON (Jno.), jun., Sunbury, Middlesex, gentleman, 120*l.* New Three per Cents. Claimant, Accountant-General of the Court of Chancery.

TAWNEY (H. C.), Headington, Oxon, gentleman. 100*l.* Three per Cent. Consols. Claimant, said H. C. Tawney.

SPECIAL JURIES.—The following has been addressed to the editor of the *Times*:—"I would suggest to 'One of the Jury,' who complains, and with great reason, of the scanty remuneration for his five days' attendance, in the case of *Moore v. The Danubian Navigation and Colliery Company*, to follow a plan I have seen adopted, with much success, by juries in Ireland. No sooner have they made up their minds than the foreman rises, and, with a wink at the successful attorney, informs my lord, with much gravity, that they are agreed, but they do not intend to deliver their verdict unless paid thirty or fifty guineas, according to the time occupied. Should any unwillingness appear to assent to these terms, the foreman politely intimates that the jury will reconsider their verdict, a hint I have rarely, if ever, known to fail.—I am Sir, yours, &c.,

"THE ATTORNEY FOR ONE OF THE FIVE DEFENDANTS."

THE BENCH AND THE BAR.

THE CHIEF JUSTICE OF THE UNITED STATES.

Salmon Portland Chase, now Chief Justice of the United States, was born in Cornish, New Hampshire, Jan. 13, 1808. His father having died, he was sent, at the age of twelve, to Ohio, and placed under the care of his uncle, Bishop Chase. After studying for a year at Cincinnati College, he entered Dartmouth College in New Hampshire, from which he graduated in 1829. He went to Washington, where he opened a school, at the same time studying law under the direction of William Wirt. Having been admitted to the bar, he went to Cincinnati and entered on the practice of his profession. To this, for some years, he applied himself exclusively, taking no prominent part in politics, although he belonged to the Democratic party. In 1841 he first took a decided part in politics. He was then a member of the Convention of those opposed to the further extension of slavery, and was the author of the address unanimously adopted by that body. He took a prominent part in all the subsequent movements having this end in view, and was president of the Free Soil Democratic Convention at Buffalo in 1848. The Democratic party in Ohio had at this time assumed the position of hostility to slavery in the territories. Mr. Chase was chosen United States Senator in Feb. 1849, receiving the votes of all the Democratic members of the Legislature, together with those of others who were in favour of free soil. Though elected as a Democrat, he declared that if the party withdrew from its position in regard to slavery he should withdraw from it. This he did formally in consequence of the section of the Democratic Convention held at Baltimore in 1852. When the Republican party was organised Mr. Chase took the position of one of its acknowledged leaders. Soon after the close of his senatorial term in 1855, he was elected

Governor of Ohio. He was re-elected, his second term closing in 1860. He had in the meantime been again elected to the Senate of the United States, and had he taken his place would undoubtedly have been the leader in that body. But he resigned his seat in order to accept the position of Secretary of the Treasury—a position for which he was especially pointed out by the success of his financial policy while Governor of Ohio. Some difference of view between himself and leading members of Congress led, on the 30th June 1864, to his resignation of this post: since when he has not held office, but has been frequently named by the Bar and country as a probable successor of Taney, C.J., in case of the demise of that aged magistrate. Mr. Chase, who thinks clearly, and writes well, enters upon the duties of his high office at the age of fifty-six, with a sound legal reputation, and with a physical vigour which gives reason to hope that he may be able to perform its duties for a period as long as that of his predecessor.—*Legal Intelligencer.*

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Queen has been pleased by letters patent under the Great Seal of the United Kingdom to constitute and appoint Thomas Webster, of Lincoln's-inn, in the county of Middlesex, Esq.; Sir Thomas Phillips, Knight, of the Inner Temple, London; Joseph Brown, of the Middle Temple, London, Esq.; Clement Milward, of the Middle Temple, London, Esq.; James Redfoord Bulwer, of the Inner Temple, London, Esq.; and Hardinge Stanley Giffard, of the Inner Temple, London, Esq., to be of Her Majesty's Council learned in the law.

The Queen has also been pleased by writ under the Great Seal of the United Kingdom to call Benjamin Coulson Robinson, of the Middle Temple, London, Esq., to the state and degree of a Serjeant-at-Law.

Nesbitt Kirchoffer, Albert Prince, John Read and Edward D. Blake, of Osgoode Hall, Esquires, Barristers-at-Law, to be Queen's Counsel in Upper Canada. (Gazetted, Dec. 31, 1864.)

Health of Dr. Lushington.—On Wednesday, Dr. Lushington was unable to take his seat in the Arches Court, as appointed. The learned judge—the oldest on the bench—is in his eighty-fourth year.

The House of Lords.—The Hon. Slingsby Bethell, who has received the appointment of Reading Clerk and Clerk of the Committees in the House of Lords, has for more than two years held the office of Registrar of the Court of Bankruptcy in the Exeter and London districts. By a recent decision of the committee of the House of Lords Mr. Leonard Edmunds will receive a retiring pension of 800*l.* a-year, and Mr. Bethell will receive 1200*l.* a-year, the amount of the salary which he received as registrar in bankruptcy.

Death of Mr. Henry George Hoby.—This gentleman died on the 17th inst., at his residence in Clarges-street, Piccadilly. He was for forty years clerk of arraigns and deputy-clerk for the Western Circuit, and enjoyed during that lengthened period not only the regard and esteem of the Bar, but also the respect and confidence of the judges who went that circuit. As an officer of the courts he was most efficient, and by his accessibility and courteous manner he secured the goodwill of all classes, while he endeared himself to those who enjoyed his friendship, not only by his intellectual qualities, but by his high moral and upright character.

A Negro Lawyer Admitted at Washington.—A Washington correspondent of the *New York Times*, writing on the 1st, says:—"Through the door that was too narrow to freely let out the bearers that bore Charles Sumner's inanimate form from the Senate chamber, where he had been stricken down by the assassins of the slave power, Charles Sumner to-day marched back, leading a negro by the hand, and, standing upon the very spot that had been stained with his blood for demanding freedom and equality for the blacks in America, demanded of the Supreme Court of the United States to enrol among its members an African lawyer, and to license him to practise at its bar. The black man was admitted. Jet black, with hair of an extra twist—let me have the pleasure of saying, by purpose and with premeditation, of aggravating 'kink'—unqualifiedly, obstrusively, defiantly 'nigger'—with no palliation of complexion, no let-down in lip, no compromise in nose, no abatement whatever in any facial, cranial, osteological particular from the despised standard of humanity brutally set up in our politics and in our judicatory by the Dred-Scott decision, this inky-hued African stood in the monarchical power of recognised American manhood and American citizenship within the bar of the court which had solemnly pronounced that black men had no rights which white men were bound to respect, stood there a recognised member of it, professionally the brother of the distinguished counsellors on its long rolls, in rights their equal, in the standing which rank gives their peer. By Jupiter! the sight was grand. 'Twas dramatic too. At three minutes before eleven o'clock in the morning Charles Sumner entered the court-room followed by the negro applicant for admission, and sat down within the bar. At eleven o'clock the procession of gowned judges entered the room with Chief Justice Chase at their head. The spectators and the lawyers in attendance rose respectfully on their coming. The associate justices seated themselves nearly at once, as is their courteous custom of waiting upon each other's movements. The Chief Justice, standing to the last, bowed with affable dignity to the Bar, and took his central seat with a great presence. Immediately the senator from Massachusetts arose, and in composed manner and quiet tone said, 'May it please the Court, I move that John S. Rock, a member of the Supreme Court of the State of Massachusetts, be admitted to practise as a member of this court.' The grave to bury the Dred-Scott decision was in that one sentence dug, and it yawned there wide open, under the very eyes of some of the judges who had participated in the judicial crime against democracy and humanity. The assenting nod of the great head of the Chief Justice tumbled in the corse and filled up the pit, and the black counsellor of the Supreme Court got on to it and stamped it down, and smoothed the earth to his walk to the rolls of the court. Boutwell of Massachusetts was by drinking in the spectacle, and Wilson of Iowa stood at his side measuring the big fact and welcoming it. A New York representative who yesterday voted against the constitutional amendment to abolish slavery, giggled at a spectacle which he had not the sense to appreciate nor the heart to feel. A few lawyers of the old *regime* looked on, stunned somewhat, but rapidly growing in wisdom and mixing deference to destiny with their instinctive reluctance to this revolutionary instrusion. These and three journalists and two sightseers straggled in from their weary aversion to the tawdry ornamentation of the new capitol wing, and the clerk of the court, especially appointed by Taney's urgency and vote—these were all the spectators of the noteworthy scene. Self-possession and the insecurity of his tenure of his valuable place constrained the semi-Seceah clerk to propriety of manner while swearing in the first negro lawyer upon the rolls in his custody. His face, however, was set hard, and his soul evidently longed for the resurrection of his old chief, Taney, and the palmy slave-driving days of the Attorney-Generalship of Black. But they are all gone, and the revolution which is washing off the continent slavery, aristocracy, caste, and privilege came up with Salmon P. Chase into the Supreme Court of the United States, and is already enthroned in the seat of its chief justice, and in the chairs of the lawyers who argue at its bar."

MAGISTRATE AND PARISH LAWYER.

NOTES OF NEW DECISIONS.

Trespass in Pursuit of Game.—B. flushed a pheasant on his own land; it flew over C.'s land, and in its flight B. shot at and killed it, and it fell on C.'s ground. B. entered C.'s land and picked it up. This was held not to be trespass "*in pursuit of game*," but only a civil trespass: (*Kenyon* v. *Hart*, 11 L. T. Rep. N. S. 733. Q. B.)

County Constabulary.—Under 3 & 4 Vict. c. 88, s. 27, a single parish may be constituted a separate police district, and it is no objection to an order of quarter sessions forming county police districts that the report required by this section to be sent to the Secretary of State does not contain sufficient materials: (*Ex parte Inhabitants of East Stonehouse*, 11 L. T. Rep. N. S. 733. Q. B.)

Criminal Law—Evidence of Character.—The collective Bench has solemnly decided the point often mooted in the criminal courts, as to the evidence by which it is competent to the prosecution to meet evidence of good character given by the prisoner. It is now settled law, only to be changed by legislation, that evidence of good character may be rebutted by evidence of general bad repute, but that it is not permissible to produce specific instances of bad character or individual opinion, although the result of personal experience. The witness may say he has evil repute in his neighbourhood; but he cannot say, "I was at school with him, and from his conduct there I know him to be a man capable of the grossest indecencies." The Judges differed in opinion as to this, but a large majority was in favour of the practice as above stated, and which, indeed, is that hitherto generally recognised as the rule, so that the decision introduces no new practice. But the adverse judgments certainly show it to be very defective: (*Re Rowton*, 11 L. T. Rep. N. S. 745. Cr. Cas. Res.)

Poor Law—Notice of Appeal.—The Exchequer Chamber has reversed the practice hitherto established with respect to notices of appeal. It has held—first, that the next practicable sessions is that which falls within the time for which by the practice of the sessions notice of appeal is to be given, to date from such notice, and not from the time of the delivery of grounds of appeal. Consequently it will be no answer to say that the fourteen days allowed for delivery of grounds of appeal have not elapsed. That is to say, these periods of eight and fourteen days cannot be claimed as of right; it is for the sessions to say if due diligence has been used, and they may refuse to enter and respite. Secondly, where the sessions of a county *are divided*, and by the practice of the county the appeals are heard in the divisions in which they arose, the appellant is bound to give his notice within the time calculated by the holding of the session at which such appeal is to be heard: (*Reg.* v. *Justices of Sussex*, 11 L. T. Rep. N. S. 740. Ex. Ch.)

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Specific Performance.—In cases of part performance of contracts not in themselves formally binding, the court will give relief by decreeing specific performance on the ground of protection against fraud, and the Court hold it be fraud to set up the absence of an agreement, when possession has been given on the faith of it: (*Wilson* v. *The West Hartlepool Railway Company*, 11 L. T. Rep. N. S. 692. L.JJ.)

Separation Deed—Custody of Children.—The general rule that a covenant by a father to relinquish the custody of his children is against public policy and void, is framed with a view to the advantage of the children; therefore, where the father's conduct has been such as to render his custody injurious to the children, the rule will not prevail: (*Swift* v. *Swift*, 11 L. T. Rep. N. S. 697. M. R.)

Dower—Apportionment Act.—In 1824 a corporation took compulsorily certain land of an intestate, subject to his widow's dower, but no assignment of dower was made. One-third of the purchase-money was paid into court and invested in consols, and the dividends ordered to be paid to the doweress for life. She died in the middle of a quarter, and it was held that her representatives were entitled to an apportionment of the dividends of the fund in court: (*Harrup* v. *Wilson*, 11 L. T. Rep. N. S. 699. M. R.)

Lease—Specific Performance—Award.—In a suit for specific performance of an award which set out a lease in a given form, it was argued that it contained conditions which the lessee could not perform, such as right to haulage and certain special repairs. The Court held that it could, at the hearing, so modify the conditions as to do justice to all parties: (*Blackett* v. *Bates*, 11 L. T. Rep. N. S. 703. V. C. Wood.)

Adverse Possession.—B. left two infant daughters as heiresses-at-law, and appointed his brother his executor. He died in 1803. The brother took possession, kept down the interest on a mortgage, and made permanent improvements. He died in 1858, and his widow, as administratrix, continued in possession, paid off the mortgage, and procured a transfer of it to herself. One of the co-heiresses died in 1834, an infant, and the other married in 1843 (being still an infant). On a bill filed by herself and husband to redeem the mortgage, and for an account, it was held, that there had been no adverse possession by the uncle as against his nieces: (*Pelley* v. *Bascombe*, 11 L. T. Rep. N. S. 739. L.JJ.)

Lease.—Acceptance of rent after coming of age was held, under the circumstances, to be no confirmation of an invalid lease. An assignee of a lease had purchased under an engagement not to call for the lessor's title. It was held, that it must be imputed to him that he had the knowledge of facts which he might have obtained by prudent inquiry: (*Robson* v. *Flight*, 11 L. T. Rep. N. S. 725. Ld. Ch.)

Will.—Thellusson Act.—B. bequeathed a share of his residue, and directed that it should accumulate during the lifetime of the husband of the legatee. The bequest was held to be valid, but that the accumulation could enure only for twenty-one years from testator's death: (*Coombes* v. *Hughes*, 11 L. T. Rep. N. S. 738. M. R.)

B. signed his name on five sheets of a testamentary paper, which consisted of six sheets. The names of the attesting witnesses appeared on each of the five sheets. On the sixth sheet was a testimonium and attestation clause, and the names of the witnesses, but not B.'s signature. The entry at the end of the fifth sheet broke off in the middle of a sentence which was continued on the sixth sheet. The Court refused probate: (*Sweetland* v. *Sweetland*, 11 L. T. Rep. N. S. 749. Prob. Ct.)

MARITIME LAW.

LAW OF GENERAL AVERAGE.

Proposed International Rules on Certain Points Relating to General Average.

(*Continued from page 175.*)

We have laid before our readers the international rules proposed at the recent congress of the Social Science Association at York on certain points relating to general average, and plac

them in contrast with the corresponding rules of the French Code de Commerce, and the relative decisions of the courts of law in France.

We now present the entire law of general average prescribed by the Legislature of France under the titles xi. and xii. of the Code de Commerce.

TITLE XI.

Exposition by M. Rogron.

The word average (avarie) is synonymous with damage. It is applied in general to all those sorts of loss which are the effects of navigation. Among averages, some fall upon the owners of the vessel, others upon the shippers, while some are common. It is important to fix regulations for this. It must be observed that the lenders on bottomry and insurers are liable for the averages which are at the charge of the borrowers or of the assured respectively. If, for example, the insurance is upon the ship, the insurer is responsible for the averages which fall upon the ship; if it be upon one part of the cargo, for those which fall upon that part.

Article 397. All extraordinary expenses incurred for the vessel and the goods, conjointly or separately; all damages which happen to the ship and to the goods from the time of their loading and departure to that of their arrival and discharge, are reckoned average.

Article 398. In default of special agreements between all parties, averages are regulated as follows:

Article 399. Averages are divided into two classes, general average, and simple or particular average.

Exposition by M. Rogron.

Into two classes.—It may happen, 1st, that the averages may have had for their object the common welfare and safety of the ship and her cargo; 2nd, they may have been the result of a particular accident, or arising from the nature of the thing itself. In the first case they should be borne in common. They are then called general averages. In the second case they are borne by the thing which has suffered them. These are called simple or particular averages.

Article 400. The following are subjects of general average:

1. Things given by composition, and under the name of ransom for the ship and cargo.

2. Those which are thrown overboard.

3. Cables or masts, broken or cut.

4. Anchors and other articles abandoned for the common safety.

5. Damages occasioned by jettison to goods remaining in the ship.

6. The curing and subsistence of sailors hurt in defending the ship; the board and lodging of the same during detention when the vessel is stopped on her voyage by order of a power, and during the separation of damages voluntarily suffered for the common safety, if the vessel be freighted by the month.

7. The expenses of unloading in order to lighten the vessel and enter a harbour or a river when the ship is obliged to do so by stress of weather or by pursuit of the enemy.

8. The expenses incurred in getting the ship afloat when run ashore to avoid total loss or capture.

And, in general, damages suffered voluntarily and expenses incurred, after deliberation or consultation with the crew, for the advantage and common safety of the ship and goods, from their loading and departure to their arrival and discharge.

Article 401. General averages are borne by the goods and by the half of the ship and freight, according to their value.

Article 402. The price of the goods is fixed by their value at the place of discharge.

Article 403. The following are particular averages:

1. That damage which happens to goods from their particular nature through tempestuous weather, capture, shipwreck, or stranding.

2. The expenses incurred for saving them.

3. The loss of cables, anchors, sails, masts, ropes, caused by tempestuous weather or other accident of the sea. The expenses resulting from delays occasioned, either by the accidental loss of these objects, or by the necessity of victualling, or of repairing a leak.

4. The wages, board and lodging of the sailors during the detention, when the ship is stopped on her voyage by order of a governing power, and during the repairs they require to effect at the time of detention, if the ship is freighted by the voyage; the board and lodging of the sailors during quarantine, whether the ship be hired by the voyage or by the month; and, in general, expenses incurred and damages suffered for the ship alone, or for the goods alone from the time of their loading and departure to that of their arrival and discharge.

Article 404. Particular averages are borne and paid by the owner of the thing which has suffered the damage or caused the expense.

Article 405. Damages which happen to goods from the captain not having properly closed the hatches, tight the vessel, provided good tackle, and from accidents proceeding from the negligence of the captain or his crew, are equally particular averages borne by the proprietor of the goods, but for which he has recourse against the captain, the ship and the freight.

Exposition by M. Rogron.

The hatches.—They so call the openings made through the deck to get into the interior of the vessel.

Article 406. Hauling out of port, towing, pilotage at entering havens or rivers, or leaving them; dues of departure, surveys, declarations, buoy beacon, anchorage, and other dues of navigation, are not averages, but they are simple expenses at the charge of the ship.

Article 407. In the case of collision of ships, if the event has been purely accidental, the damage is borne without claim of recovery, by that one of the ships which has suffered. If the collision has been by the fault of one of the captains the damage must be paid by him who caused it. If there be doubt as to the causes of collision the damage must be repaired at the common charge and in equal shares, by the ship which has caused the damage and by that which has suffered from it. In these two last cases the estimate of the damage is to be made by a jury.

Article 408. A claim for average is not admissible if the general average does not exceed one per cent. of the conjoint value of the ship and the goods and if the particular average does not exceed one per centum of the value of the article damaged.

Article 409. The clause free from averages frees the insurers from all averages, either general or particular, except in cases which give a right of abandonment, and in these cases the insured have the option between abandonment or recovering the average.

TITLE XII.

Exposition by M. Rogron.

Of jettison and contribution.—Jettison is the act of throwing into the sea goods which are shipped on board the vessel. Jettison may result from the fault of some one, and in this case it will be a particular average; but it may likewise have been done intentionally for the common interest; for there are circumstances in which the ship in danger of being either captured or lost could be saved only by the jettison of goods which overburdened her. In this case the jettison becomes a general average, and the goods and the ship should together contribute to compensate the loss which has resulted from it. But in what proportion should such contribution be made? The code takes this up. It treats first of jettison, then of contribution.

Article 410. If, either from storm, or from chase by an enemy, the captain should think himself obliged, for the safety of the ship, to throw into the sea a part of his cargo, to cut his masts, or abandon his anchors, he takes counsel with those interested in the cargo who may be in the vessel, and with the principal part of his crew (*principaux*). If there are a variety of opinions, that of the captain and principal part of the crew is followed.

Article 412. The captain is bound to take down in writing the deliberation as soon as he has the means of doing so. This deliberation shows the motives which determined the jettison, the articles thrown overboard or damaged. It bears the signatures of those who deliberated, or their reasons for their refusal to sign. It is transcribed in the register.

Article 413. At the first port into which the vessel enters the captain is bound, within twenty-four hours after his arrival, to make affidavit of the acts contained in the deliberation.

Article 414. The estimate of the losses and damages is made at the place of the ship's unloading, at the suit of the captain, and by experts. The jury is chosen by the Tribunal of Commerce, if the unloading takes place in a French port. In places where there is no Tribunal of Commerce the experts are chosen by the justice of the peace. They are chosen by the French consul, and in default of him by the magistrates of the place, if the unloading takes place in a foreign port. The jury take oath before acting.

Article 415. Goods thrown overboard are valued according to the price current of the place of unloading; their quality is proved by the production of bills of lading and invoices, if there are any.

Article 416. The adjusters named according to the preceding article shall make the apportionment of the losses and damages. The adjustment is rendered executory by the sentence of the tribunal. In foreign ports it is rendered executory by the consul of France, or, in default of him, by every tribunal competent for such causes.

Article 417. The distribution of the losses and damages is made upon the effects thrown overboard and those saved, and upon the half of the ship and her freight, at the rate of their value at the place of unloading.

Article 418. If the quality of the goods has been misrepresented in the bill of lading, and they should be found to be of much greater value, they must contribute according to their actual value if they are saved; they are paid for according to the quality defined in the bill of lading if they are lost. If goods declared are of a quality inferior to that which is set down in the bill of lading, they must contribute according to the quality defined in the bill of lading if they are saved; they must be paid for according to their real value if they should be either thrown overboard or damaged.

Article 419. Ammunition, provisions, and the baggage of the ship's company do not contribute to jettison; the value of such of them as have been thrown overboard must be paid by contribution on all the other effects.

Article 420. Those effects for which there is no bill of lading or declaration of the captain are not paid for if thrown overboard; they contribute if they are saved.

Article 421. Goods loaded on the deck of the vessel contribute if they are saved. If they are thrown overboard or damaged through the jettison, the owner is not allowed to make a demand in contribution; he can have his recourse only against the captain.

Article 422. There is no room for contribution on account of damage happening to the ship, unless where the damage has been done in order to facilitate the jettison.

Article 423. If the jettison does not save the ship, no contribution can take place. The goods saved are not liable for the payment or indemnification of those which have been either thrown overboard or damaged.

Article 424. If the jettison saves the ship, and if the ship in the continuation of its voyage comes to be lost, the effects saved contribute to the jettison at the rate of their value in the condition in which they were found, deduction being made for the expense of salvage.

Article 425. Effects thrown overboard in no case contribute towards payment of those damages which may happen, after the jettison, to goods saved. Goods contribute nothing towards payment of a ship lost or reduced to a state of innavigability.

Article 426. If, in virtue of deliberation, the ship has been opened in order to extract from her the goods, they must contribute towards reparation of the damage caused to the ship.

Article 427. In case of the loss of goods put into craft in order to lighten the ship when going into a harbour or river, the assessment for them is made upon the ship and her whole cargo. If the ship be lost with the rest of her cargo, no assessment is made upon the goods put on board the lighters, although they should arrive safe in port.

Article 428. In all the cases given above the captain and crew have a claim upon the goods or the price realised by them for the amount of the contribution.

Exposition by M. Rogron.

When there are general averages, all those who have sustained them have a direct action against the captain to recover an indemnity; for it is the captain, in his quality of responsible mandatory, who should take steps to realise the contribution; it is he who should cause to be paid to every one interested the sum for which he is debtor. On this account he has a privileged claim on the goods, or the price proceeding from them. He can even object to these goods being delivered into the hands of the shippers until they have paid their contribution. This privilege the captain has in the interest of the shippers, but he has it, with much stronger reason in his own interest, if he have suffered any average for which he should be indemnified. It is the same with the crew, for reimbursements of effects which may belong to them, and which may have been included in the jettison.

(To be continued.)

LAW STUDENTS' JOURNAL.

ANSWERS TO THE FINAL EXAMINATION QUESTIONS. (a)

HILARY TERM 1865.—SECOND DAY.

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.(b)

56. *Object of laws.*—Their object is, so far as regards creditors, to protect them by compelling the insolvent debtor to divide his property rateably amongst them; and as regards the bankrupt to enable an unfortunate man to relieve himself of his debts and liabilities, and allow him to use his future exertions for his own benefit: (Doria & Mac. Bank.)

57. *Assignees.*—It is the duty of the official assignee to take possession of the bankrupt's estate until the creditors' assignee is chosen (whereupon he is divested), and to render an account to the creditors' assignee; to collect debts under 10*l.*, and act as sole assignee after the discharge of the creditors' assignee: (24 & 25 Vict. c. 134; Doria & Mac. Bank. 538, 876, &c.) The creditors' assignee must audit the official assignee's account, and manage and (except as to debts under 10*l.*) realise the bankrupt's estate and forthwith pay all moneys and securities for money belonging to the estate into the Bank of England to the account of the Accountant in Bankruptcy, and render accounts to the official assignee

(a) By Richard Halliday, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(b) The questions are given *ante*, p. 161.

every three months: (24 & 25 Vict. c. 134, ss. 119, 127–129; Doria & Mac. Bank. 538, &c.)

58. *Acts of bankruptcy by Act of* 1861.—They are where a trader allows an execution to be levied for a judgment above 50*l.*; trader or non-trader not satisfying a judgment-debtor summons of 50*l.* or upwards; or lying in prison; or having an adjudication against him in a colonial court, &c.: (see Doria & Mac. Bank.)

59. *Non-trader.*—1. Departing the realm or continuing abroad. 2. Making a fraudulent grant or gift of his property. 3. Not paying a judgment-debt of 50*l.*, on which a judgment-debtor summons has issued. 4. Lying in prison for two calendar months. 5. Escaping out of prison. 6. Filing a declaration of insolvency: (Doria & Mac. Bank. 127.)

60. *Assignment.*—It is not an act of bankruptcy if a petition be not filed within three months from its execution, and the deed be executed by the trustee within fifteen days after the execution by the trader, and their executions, attested by an attorney, and within one month after the execution by the trader, notice be given, if he reside within forty miles of London, in the *Gazette* and two London daily newspapers, and if he resides more than forty miles from London, then in the *Gazette*, one London daily newspaper and one provincial newspaper. Such notice to contain the date and execution of the deed, and the name and address of the trustee and attorney: (12 & 13 Vict. c. 106, s. 38: (Doria & Mac. Bank. 154.)

61. *Trade summons.*—The creditor must first make an affidavit of the truth of his debt and of his belief that the creditor is a trader, and that he has delivered written particulars of his demand requiring immediate payment, and then the court may issue a summons requiring the trader to appear, and admit the demand of the creditor. If the trader does not do so, or does not within seven days after personal service of the summons (or within such further time as the court may allow) pay, secure, or compound for such demand to the satisfaction of the creditor, or enter into a bond in such sum and with two sufficient sureties to pay such sum as shall be recovered in any action that may be afterwards commenced, and costs as the case may be, such trader is deemed to have committed an act of bankruptcy on the eighth day after service of the summons, if a petition for adjudication be filed against such trader within two months from the filing of the affidavit: (12 & 13 Vict. c. 106, ss. 78 to 80; see also ss. 82 to 86; Doria & Mac. Bank. 160–175.)

62. *Debt.*—The debt must amount to (1) 50*l.* or upwards; (2) 70*l.* or upwards; and (3) 100*l.* or upwards: (Doria & Mac. Bank.)

63. *Security.*—The general rule is, that a creditor holding a security must first realise his security, and then he may prove for the difference, if any: (Doria & Mac. Bank. 863.)

64. *Trust-deeds.*—1. A majority in number representing three-fourths in value of the creditors of 10*l.* and upwards must assent to the deed. 2. The deed must be executed by the trustees. 3. The execution of the debtor must be attested by a solicitor. 4. Within twenty-eight days from its execution the deed, duly stamped, and a certified copy, and schedule of debts, &c., verified by affidavit, must be left with the chief registrar of bankrupts. 5. The fact that the required majority of creditors have assented and the value of the property, must be verified. 6. A memorandum of the deed must also be left and advertised in the *Gazette*, within forty-eight hours afterwards: (see Doria & Mac. Bank. Prac. 924; see further, *Ex parte Morgan, re Woodhouse*, 7 L. T. Rep. N. S. 729.)

65. *Annuity.*—After having the value of the annuity ascertained by the court, the creditor may prove for that amount: (Doria & Mac. Bank.)

66. *Rent.*—Only for one year's arrears of rent: (Ib.)

67. *Ownership.*—The 12 & 13 Vict. c. 106, enacts that if any bankrupt, at the time he becomes bankrupt, shall, by the consent of the true owner thereof, have in his possession, order, or disposition, any goods or chattels whereof he was the reputed owner, or whereof he had taken upon him the sale, alteration, or disposition as owner, the court shall have power to order the same to be sold and disposed of for the benefit of the creditors under the bankruptcy. But it is provided that this section is not to affect the Act for the registering of British vessels: (sect. 125; Doria & Mac. Bank.)

68. *Preference.*—If a person in insolvent circumstances gives preference to one creditor over others by paying his debt or transferring property to him, such payment or transfer constitutes a fraudulent preference: (Doria & Mac. Bank, 146, 147.)

69. *Order of discharge.*—It discharges the bankrupt from all claims and demands proveable under the bankruptcy; and if the bankrupt be arrested he may plead that the cause of action accrued before the bankruptcy: (Doria & Mac. Bank.)

70. *Appeal.*—To the Court of Appeal in Chancery, in either case. It must be entered within twenty-one days from the decision complained of: (Doria & Mac. Bank, 31, 36.)

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. *Homicide.*—Justifiable homicide is of various kinds, *ex gr.*, putting a malefactor to death. Excusable homicide is of two sorts, either by misadventure or upon a sudden affray: (see further, 4 Steph. Com.)

72. *Affray.*—The former is the fighting of two or more persons in some *public* place to the terror of Her Majesty's subjects. If this took place in *private* it is an *assault*: (Ib.)

73. *Larceny.*—It is the unlawful taking and carrying away of things personal with intent to deprive the right owner of the same: (Ib.)

74. *Receiver.*—If the receiver has a guilty knowledge, he will also be guilty of (1) felony, and (2) misdemeanor: (24 & 25 Vict. c. 96, ss. 91, 95; Saund. & Cox Cr. Acts, 79, 82.)

75. *Murder.*—The person killing must be of sound mind and discretion; the killing must be unlawful; the person killed a reasonable creature; and there must be malice aforethought: (4 Steph. Com.)

76. *Bigamy.*—Proof of the first legal marriage; the second marriage; and that the first wife was alive at the time of the second: (see further Arch. Cr. Pl. by Welsby, 711, &c., 12th edit.)

77. *Conspiracy.*—It is an agreement between several persons to carry into effect a purpose hurtful to some individual, or to particular classes of the community: (4 Steph. Com.)

78. *Embezzlement.*—Embezzlement may be committed by clerks or servants, public servants, or constables, agents, bankers, or factors: (see 24 & 25 Vict. c. 96; Saund. & Cox Cr. Acts, 62 *et seq.*)

79. *Servant.*—Larceny: (Saund. & Cox. Cr. Acts, tit. "Larceny.")

80. *Attorney.*—Of a misdemeanor: (24 & 25 Vict. c. 96, s. 75; Saund. & Cox. Cr. Acts, 69.)

81. *Mistake.*—The jury may find him guilty of larceny, and he is then liable to be punished in the same manner as if indicted for larceny: (24 & 25 Vict. c. 96, s. 72; Saund & Cox Cr. Acts, 66.)

82. *Depositions.*—They must be taken in the presence of the accused, who had an opportunity of cross-examining the witness; the depositions must be signed by the witness and magistrate; they must be upon oath or affirmation; and the witness must be dead or too ill to attend the trial: (Pow. Ev. 265.)

83. *Dying declarations.*—It is a declaration as to the cause of death. If made with a consciousness of approaching death and religious responsibility, it is admissible in evidence for or against a prisoner who is charged with the crime: (Pow. Ev. 106.)

84. *Venue.*—The venue is to be laid in the county in which the trial is had: (Arch. Cr. Pl. 24, 12th edit.)

85. *Challenge.*—A prisoner may, without showing any cause, challenge twenty jurors: (see further, 4 Steph. Com.)

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Ironbrokers' Contract.—Messrs. W. and Co., ironbrokers, acting for Messrs. B. and Co., contracted for iron to be delivered and paid for on a certain day. By the custom of the trade the principal's name does not appear in the contracts. Before the day for delivery arrived Messrs. B. became bankrupt, and the assignees refusing to take the iron, W. and Co., becoming liable to the sellers, resold the iron in a falling market, thereby sustaining a loss, for which they sought to prove in the bankruptcy. The Court held that W. and Co.'s claim was not a contingent liability within the meaning of the 178th section of the Act of 1849, nor a contingent debt within the 177th section; nor was it a demand in the nature of "unliquidated damages" within the meaning of the 153rd section of the Act of 1851; hence that the proof of Messrs. W. and Co., which had been admitted in the court below, was expunged: (*Ex parte Kempson, re Barker*, 11 L. T. Rep. N. S. 723. L. C.)

Trust-deed—Dissenting Creditor—Right of to examine Trustee—Lapse of Time.—The Court will not, after a lapse of two years from the registration of a deed, grant a summons to a dissenting creditor for an examination of the debtor, to enable the creditor to try the validity of the deed. Nor will a dissenting creditor be allowed to inquire into the estate passing under the deed by an examination of the trustees: (*Ex parte Nisbett, re A Trust-deed*, 11 L. T. Rep. N. S. 751. Goulburn, C.)

Bankrupt Shareholder and Contributory—Future Calls.—After a bankrupt has been settled upon the list of contributories, the liquidators may, in pursuance of the 75th section of the Companies Act 1862, prove against his estate for the estimated value of future calls in respect of the shares held by him in the company which is being wound-up; but the Court will reserve liberty to the assignees to institute an inquiry and call upon the liquidators to show in what way the estimate was arrived at: (*Ex parte Gibbons, re Clarke*, 11 L. T. Rep. N. S. 732. Mr. Registrar Winslow.)

Three-day Statement—Enlargement of Time for Filing.—The Court will, upon sufficient evidence, enlarge the time for filing the statement of debts and liabilities required by the 93rd section of the B. A. 1861, notwithstanding that the three days specified in the 4th General Order of Oct. 12, 1861, are expired: (*Ex parte Agg, re Agg*, 11 L. T. Rep. N. S. 752. Mr. Reg. Winslow.)

CORRESPONDENCE OF THE PROFESSION.

Country Attorney and Town Agent.—May I ask the favour of a space in your paper, so extensively circulated among my country brethren of the legal Profession, to call attention to a mistaken idea of the relative position of themselves and their town agents very prevalent among them, and particularly the younger members and practitioners of limited business. I allude (at this time) to a current notion that, in matters of business in which they are at professional loss, the town agent should participate in that loss, or at least sacrifice his proportion of profit. Now, if the matter is inquired into, there is not, I believe, a single sound argument to be adduced in support of it, though there are conclusive reasons against even the desirability of such a system. In undertaking agency business the agent relies solely upon the good faith and responsibility of his principal: in ninety-nine cases out of a hundred he knows not the client by name, he has no means of judging as to his solvency, his character, or the *bona fides* of his business; in short, whether he should be trusted or not. To what a ruinous extent then might the services of the town agent be impressed by a speculative or incautious attorney, if such a principle of business existed. Moreover, it must be borne in mind that there is no equal participation in profit, for in the lighter and more profitable business connected with actions and suits and in those which involve extra costs to attorney and client, the agent seldom or never participates: he shares only in the profit of his own labour, not in that of his principal; whilst the principal takes the whole reward of his own labour, and half that of his agent. And what is the remuneration of the town agent? The instances might be multiplied indefinitely of attendances, involving loss of time as well as considerable responsibility, for remuneration that would scarcely pay the office boy. Take as examples attendances at judges' chambers, and on pleaders and counsel, and generally in relation to suits and actions. Every town agent loses hours of valuable time where a charge of 3*s.* 4*d.* or even 1*s.* 8*d.* is in the eye of the law, as at present administered, the *quantum meruit* for the service rendered. In common law actions under 20*l.* (and every agent knows how many of them serve to swell the bulk, though not the profit, of his current bill) it is ridiculous to extract the agency profit, so small and utterly inadequate as it is as a compensation for the loss of time and trouble, yet we know that the half share of the party and party costs for the town business alone is all that is to be got legitimately from such cases. I have heard it asserted by the common law clerk of a large London agency firm, that given a single common law action, the agency profit would not pay a ticket porter's charge for the numerous errands necessary in conducting it. The determination to bring this question under notice was induced by one of my country clients informing me, on making a remittance on account, that he was about to send me an account of business in which he had been a loser, in order (as I presume) for me to make a corresponding deduction from my charges. Now, if the case is fairly considered by country attorneys, they must see the injustice of such a demand. The system, having regard to the true interests of the Profession, is bad and indefeasible. For, granted a slight saving to the pockets of the country practitioners, it would lead to a much larger proportion of speculative and unsound business being undertaken by unscrupulous men, and thus render the professional name more odious; it would also damage them and their clients by a diminution of care and interest in the conduct of business on the part of the agent; for what respectable attorney, if doubtful of obtaining such remuneration as agency charges are at the best, would care to give his attention to it, or even undertake it at all? and the consequence would be, that it must be left to ill-educated and unscrupulous men, who by extortion and plunder would make attorney and client alike suffer. If an agent agrees specially to conduct business on the speculative principle adverted to, nothing of course can prevent it, though

the respectable practitioner will deprecate the principle, and despise the contracting parties. I believe, however, that if it were fairly shown that the system is not just, or such as is in vogue with respectable men, there are few who would press it; but that there is an impression now existing in the minds of many highly respectable men that such a division of loss is only what is right and proper, from my own experience I know, not alone from the case above alluded to, but from many other examples; and, in justice to the Profession generally, it should be counteracted. In making these remarks, however, I would not be supposed to assert that there should not be any kind of exception to the rule—as in cases of pure philanthropy or of peculiar hardship; for in such cases every respectable town agent would, I am sure, co-operate cheerfully and cordially in the common duty of Christian charity; but these should stand on their own individual merits as *exceptions*, not as establishing a rule, but proving it, in fact, to be the other way; and the discretion should be exercised only with caution and consideration for the rights of others. I must offer, as my apology for the length of this letter, the importance of the subject. I have but very imperfectly drawn attention to it, but I wish rather to leave others to consider it themselves, for in doing so twenty arguments in support of my view will suggest themselves to the mind of the thinker whilst I can write one. There are some other matters which I have in view in reference to the relative duties of principal and agent which are very generally misunderstood, to the detriment of the Profession and the public, which I hope to draw attention to on another occasion.

AGENS LOND.

Gray's-inn, London, Feb. 23, 1865.

THE SOLICITORS AND THE REGISTRATION OF TITLES ACT.—An ingenious method has been adopted for gaining public support to the transfer of land and registration of title scheme, closely analogous to that of the quack doctor, who seeks to exalt the merits of his own nostrum by sneering at and deprecating that of his neighbour. A pamphlet has been published by Routledge, entitled, "A Popular Explanation of the Land Transfer Act." It assumes that which is truly a fiction and a slander, viz., that the legal Profession from interested motives oppose and ignore that measure. It exaggerates the faults and imperfections of the present conveyancing system, and takes for granted the excellence and superiority of the new one. All political economists agree that it is neither the duty nor the right of a government to interfere with the law of supply and demand, and the fair exercise of individual exertion, by engaging in trading speculation, but it is reserved for a ministry of free traders, whilst boasting of the enlightened policy of a Gladstone, to set up the Land Transfer-office as a sect of conveyancing advisers to the British nation, having no connection with the antiquated, obstinate, self-interested firm of attorneys over the way, who, not being blessed with a liberal salary from the national pocket, are fain to expect a fair day's pay for a hard day's work. We deny *in toto* the truth of the theory that the scheme meets with the selfish opposition of the Profession, and we challenge its friends to prove or retract a charge affecting the moral character of those who have a legal right to the title of gentlemen, of which they should be at once deprived if the insinuations are true. Because a solicitor is too cautious, too regardful of his client's interests to advise him immediately to revolutionise the proofs of his title to, and the mode of dealing with, those broad acres, the possession of which is the cherished ambition of every Englishman, because he hesitates to give up the practical certainty of the common law for the intricacies of a statute, every word of which was penned by the author of that bankruptcy enactment whose condemnation by its judicial expounders has no parallel in our history—a statute which can only be safely interpreted after centuries of litigation; because a solicitor can speak with certainty of the cost of registry, but can only express a diffident hope of the benefit to be gained; and because he knows that he alone must meet the anger of a disappointed experimenter; because this is the true state of the case, 10,000 educated men, the trusted advisers of the first realm of the world, are to be branded with the imputation, nay the crime, of standing in the way of a just and necessary reform, because forsooth their craft is assumed to be in danger. Why the fact is, that the immediate registration of every inch of land in England would double the fortune of half the attorneys in the country. We have a right to complain that this trumpery pretence is flourished in the face of the country, to induce them to cast off their legal advisers, and get rid of their conveyancing incubus, of which many of them probably hear for the first time by bringing their "musty parchments" under the magic influence of the Land Transfer-office. These remarks are suggested by the perusal of a pamphlet entitled "A Popular Explanation of the System of Land Registration under Lord Westbury's Act," by Robert John Abraham, published by Routledge and Co., and sold for 1s. as semi-official at the Land Transfer-office. We find, on referring to the *Law List*, that Mr. Abraham's name appears amongst the London attorneys. The author considers that his exertions are called for by "the very small disposition evinced by the legal profession to enlighten their clients with regard to the real benefits," &c. He has discovered that owners of property, poor creatures, think their "ownership can only be retained by the assistance of their lawyers, and country owners" (what are they?) "have ever been especially ready to render homage and pay tribute to those real lords of their manors." And why? Mr. Abraham can tell us. The "matter is so surrounded by the thick meshes which have been woven about it by the lawyers for a century back." What, is it to the days of fines and recoveries, of John Doe and Richard Roe, of leases and releases, of writs of *posse* and bills of Middlesex, that we must look for the palmy days of the law of real property; and have the conveyancing reforms which within the last century every lawyer can remember really only tightened the meshes of the conveyancing web, and given the unfortunate "country owner" more firmly to the grasp of the legal spider? He dilates on "the conveyancing mill," "ramparts of parchment," "the conveyancing threshing machine," and so forth. We fail to see any necessary connection between that "popular explanation" which is the professed object of the pamphlet, and that intemperate and vulgar abuse of a whole class of society which seasons the first three pages. We pass over the praises which are lavished on the scheme and its author, and can only hope that that self-interest which is so fully attributed to the profession of solicitors exercises no influence on the mind of our author. The instructions as to the procedure for registration are tolerably clear, and in fact bear a suspicious resemblance to the official directions recently issued; but the *animus* is apparent throughout. A personal application is of course implicitly recommended. "The abstract can be made by a law stationer, at a charge of half-a-crown a sheet, though if there be any confusion it would be best to pay a solicitor." "All information will be given at the office;" the public "will be taken in hand the moment they make application at the registry, and regularly put through the different steps of the proceeding," and "the applicant can with a little trouble manage the business himself, even though he may reside at a distance." The expense is carefully softened down, and safe generalities, easy assumptions and a general depreciation of parchment and lawyers lead the author to the conclusion that "there is no end to the benefits which the system affords." Now we have not the smallest desire to censure Mr. Abraham for holding these or any opinions on this or any other subject. It must be remembered, however, that the very basis of the abuse which has been lavished upon the attorneys is the allegation that upon the merits of an intricate and important legal measure they, the only competent judges, look unfavourably upon the scheme. We do therefore protest, not simply on behalf of the legal Profession, but of the public, against the conduct of a government department in lending the sanction of official cognisance and approval to a merely party pamphlet for the purpose of puffing its own merits, and a pamphlet which unnecessarily goes out of its way to attack and abuse a learned profession because it assumes what can never be proved, and is contrary to the fact, that the united opinion of that profession upon a purely professional question is unfavourable to the policy which has given rise to the existence of the office. If advertising for business be within the scope of the registrar's duties, by all means let him adopt that course; let him throw the pamphlet into every cab which passes through Lincoln's-inn-fields, and circulate flaming placards throughout the country as to the cheapness, the excellence, the durability and the "no end of benefits" which may be obtained by registration; but, if this course is improper and discreditable, if it be more likely to convert the assumed hostility of the lawyers into a fact than to convert them from the error of their ways, let it be forthwith discontinued, and this day fifty years the Profession may reasonably be called upon either to support the scheme or to justify their disapproval if they refuse to give it their support. *Opinionum commenta delet dies naturæ judicium confirmat.*

Y. Z.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

COPYHOLD ENFRANCHISEMENT.—Will any of your readers kindly inform me the expense of compelling the lord of a manor to enfranchise a small copyhold property independently of the usual compensation to him and his steward?

B.

TRUST ESTATES.—Will some of your correspondents kindly give their opinions on the following point: A., a married woman, is the devisee of trust-estates under the will of B., who is a trustee for C., a mortgagee. Is it necessary that A., who executes the reconveyance of the legal estate to D., should also acknowledge the deed under the statute 4 & 5 Will. 4, c. 92?

S. T.

Luton, Feb. 21.

DEVISE.—A. bequeaths the whole of his personal estate to his wife and another upon trust to collect and get in all the testator's money out at interest on securities, and then to dispose of the proceeds as mentioned in his will. He does not, however, devise to them the land upon which the moneys are secured, or even authorise them in express terms to sell. Probate of the will is granted to the wife, power being reserved of making the like grant to the other on the attainment of his majority. Now, in order to carry out the testator's intention, it is necessary either to sell or assign the securities, and the question is, whether the legal estate passes to the trustees by implication, so as to enable them to carry out the directions of the will: and, if so, whether the acting trustee is competent to convey the legal estate in the property during the minority of her co-trustee. If any reader will refer me to decided analogous cases, or other authority upon the point, I shall feel obliged.

WM. MOORE.

TACKING.—A. and B., the trustees under a marriage-settlement which authorises the placing out of the trust-fund at interest, advance 1000*l.* on mortgage to C., who afterwards procures a second mortgage of 2000*l.* from D. At the request of the *cestuis que trust* under the settlement, the surviving trustee assigns his 1000*l.* mortgage to E. for securing 250*l.*, at the same time passing to him the legal estate in the premises. The trustee subsequently wishing to redeem gave the usual six months' notice to E. of his intention to pay off; but on the expiration of that time discovers that E. had after notice assigned his security and passed the legal estate to D., the second mortgagee. Can D. tack the sub-mortgage to his mere security without paying the difference between the sub-mortgage and principal one? To put the question in another and perhaps clearer form, can the trustee redeem the sub-mortgage upon payment of principal, interest and costs due in respect thereof? A reference to authorities is requested.

WM. MOORE.

JOINDER OF PARTIES—BILLS OF EXCHANGE ACT.—The 18 & 19 Vict. c. 67, s. 6, enacts that the holder of any bill of exchange or promissory note may, if he think fit, issue one writ of summons against all or any of the parties to such bill or note, and such writ of summons shall be the commencement of an action or actions against the parties therein named respectively; and all subsequent proceedings against such respective parties shall be in like manner, so far as may be, as if separate writs of summons had been issued. A short time ago, being instructed to proceed under the above Act for the recovery of a sum due upon a joint and several promissory note, to save the parties expense (although under the circumstances I should have been fully justified in issuing separate writs), I issued one writ against the three parties to the note. Neither of the defendants having appeared, I signed separate judgments against them all, considering that the section I have quoted made it imperative upon me to do so, and this opinion I still hold, and it is shared by numerous professional friends. But, on taxing my costs, the master refused to allow me more than the costs of one judgment, taking a view different to my own as to the meaning of the section, which he thought was not imperative, and would only justify the plaintiff in splitting the action where such a course would answer some good end. As I could allege no other reason for my proceeding than that I considered the words of the section gave me no alternative to adopt any other course than that I had taken, the costs of the two other judgments were disallowed. I shall be glad if some of your readers will favour me with their view as to whether the master's opinion or my own is the correct one.

J. M. S.

THE LAW LIBRARY.

Outlines of Equity; being a Series of Elementary Lectures on Equity Jurisdiction, with Supplementary Lectures on certain Doctrines of Equity. By FREEMAN OLIVER HAYNES, Barrister-at-Law. London: Maxwell.

CLEAR and concise, with a wide and almost philosophical grasp of the subject, the argument admirably constructed, so that even a hearer could not only follow it as he listened, but store it in his memory, these lectures are models of legal discourses. We are not of those who believe that law can be taught by lecturing, like science, where instruction is conveyed by the eye, as well as through the ear; or like literature, where the imagination is evoked, and can supply the words necessarily left by the lecturer. Law appeals to the reasoning faculties alone, and these work more slowly than the slowest lecturer reads; and there is the further fatal defect, that the loss of any single link of the chain of argument destroys the whole, and causes either vacuity or error. Everybody who has read a law book of any worth knows that it cannot be read right on, like any other book, but that sentence after sentence in every page must be read twice or thrice, and pondered upon before the proposition can be completely mastered. The only use of spoken lectures is to show the student what there is to be learnt, where to find the information, and how to learn, and thus to stimulate him to *self*-instruction. But otherwise it is with printed lectures. These fulfil the conditions of a law book, with the further advantage that they are usually composed in a more popular style than if they had been

designed for the study and not for the platform. In this shape Mr. Haynes's lectures will be read with great profit. They present the best, because the most readily intelligible, sketch of the jurisdiction of our courts of equity that has been given to the Profession. It is not so learned a work as that of Spence, for its aim is not so ambitious. It was designed to present to those who are about to practise the law the principles out of which that practice has grown. With this view Mr. Haynes has classified his subject into three great divisions:

I. Exclusive Jurisdiction.
II. Concurrent Jurisdiction.
III. Auxiliary Jurisdiction.

The subdivisions are shown by a tabular analysis, which we would recommend the student to copy, for nothing is so impressed upon the memory as that which the hand has drawn. There is, then, in fact, the double memory of the eye and the words. A map is more readily recollected than a name. The lectures treat, in order, of the general nature and extent of equity jurisprudence, and of the history and constitution of the courts by which it is administered. The lecturer then presents an outline of a suit. The three following lectures review the Exclusive, the Concurrent, and the Auxiliary Jurisdictions of the Courts of Equity. The Wife's Separate Estate, the Suit for an Account and Injunction, complete the course. In addition to this are supplementary lectures on Election, Satisfaction and Conversion.

As a specimen of his singularly lucid style, we extract Mr. Haynes's sketch of the

JURISDICTION OF THE EQUITY COURTS IN ACCOUNT.

Well, then, what jurisdiction has equity in matters of "account?" that is to say, neglecting all those heads of exclusive or concurrent jurisdiction where account is an adjunct more or less frequent, in what cases may a bill in equity be filed merely to obtain an account?

This brings me at once to the consideration of a ground or supposed ground of equity jurisdiction frequently referred to both in the reports and by the text writers. The most concise statement of the principle is that of Lord Nottingham in the case of *Parker* v. *Dee*, frequently referred to, and adopted *verbatim* by Mr. Ballow in the treatise on equity commonly quoted as "*Fonblanque on Equity.*" In that case, the defendant's counsel urging that the suit in equity ought to be dismissed, because the plaintiff had obtained a discovery and might go on at law, his Lordship said:—"As for dismission to law because the plaintiff hath discovery here, when this court can determine the matter, that shall not be a handmaid to other courts, nor beget a suit to be ended elsewhere."

It is obvious that if the principle here laid down had been carried out to the full, the ancillary jurisdiction of the court could never have existed. Every plaintiff requiring discovery would have said, "I am obliged to come for discovery; give me relief also;" and the court must have answered. "We will do so." The equity jurisdiction would then practically have been unbounded, for it is hard to suppose a case in which some facts requiring proof by the plaintiff in equity would not be within the knowledge of the defendant, and the extent to which discovery was actually needed by the plaintiff could hardly have been brought to any accurate test. The principle thus largely stated would have applied equally to an action of assumpsit for not accepting goods, as to a case of intricate and complicated accounts.

It may seem needless to say that no principle capable of such general application exists; yet even so recently as the time of Sir Thomas Plumer we find that learned judge adverting to the supposed principle in language almost as general as that of Lord Nottingham. Thus in the case of *Ryle* v. *Haggie* his Honour says: "When it is admitted that a party comes here properly for the discovery, the court is never disposed to occasion a multiplicity of suits by making him go to a court of law for the relief."

The rational course, if I might without presumption express an opinion, would, as it seems to me, have been for the equity courts to have assumed concurrent jurisdiction in all those cases where a plaintiff came alleging his need of discovery, and where, having regard to the nature of the case, trial by an equity judge afforded a convenient mode of determination; and to have limited itself to the office of handmaid whenever trial by jury and *vivâ voce* examination in open court seemed desirable.

No such general intelligible rule of jurisdiction can, however, be traced. The nearest approach ever made to any general statement has been, that "in most cases of fraud, accident, mistake, and account, where discovery was needed, the court would not turn the plaintiff in equity back to law, but would give relief as well as discovery;" and as Mr. Fonblanque, in one of his notes to the "Treatise on Equity," has stated his inability to strike out the distinguishing principle upon which courts of equity have proceeded in assuming or declining entire jurisdiction in cases where discovery was needed, I may well be excused the attempt.

Relinquishing, then, all endeavour to define by means of general principle the cases in which equity assumes jurisdiction in matters of account, I will attempt to classify the results of the actual decisions on this head. They appear to be as follows:—

1.—Equity will assume jurisdiction in favour of a principal against his agent, though not in favour of the agent against the principal.

2.—Equity will assume jurisdiction where there are mutual accounts between the plaintiff and defendant.

3.—It will do so where there are circumstances of special complication.

First then—A bill for an account will lie in equity by a principal against his agent. This proposition was first distinctly laid down by Sir John Leach, to whose short, terse judgments we owe many bold enunciations of principle, of which not a few have held their ground. I refer now to the case of *Mackenzie* v. *Johnston*. In that case the plaintiff had agreed with Johnston and Meaburn, owners of a vessel, to ship earthenware to Bombay, to be sold there on their account, and the shipment had been made. The bill was against Johnston and Meaburn for an account: they demurred. The Vice-Chancellor's judgment is as follows:—"The defendants here were agents for the sale of the property of the plaintiff, *and wherever such a relation exists a bill will lie for an account*; the plaintiff can only learn from the discovery of the defendants how they have acted in the execution of their agency, and it would be most unreasonable that he should pay them for that discovery if it turned out they had abused his confidence; yet such must be the case, if a bill for relief will not lie."

In this pithy judgment we find, you will observe, not merely the broad enunciation of the rule, but also distinct indications of the grounds on which it stands. The facts are, in general, exclusively within the knowledge of the agent; the principal therefore usually requires discovery, and if a bill for relief did not lie, he could obtain discovery at his own expense. You should note further the single word "confidence," referring to the fiduciary relation betwen the parties which forms a distinct ground for supporting the jurisdiction in equity. Sir John Leach's proposition must, I consider, be viewed as sound law in all its breadth.

Some difficulty, no doubt, occurs occasionally in determining whether the particular relation of principal and agent does exists between two parties. One of the best illustrations of this will be found in the conflicting opinions which long obscured the relation between banker and customer, and in the litigation which resulted in the final settlement of the law on that point; and as the general importance of the question makes it doubly interesting, I will briefly review its history.

There can be little doubt that the popular notion for a long time was, perhaps still is, that the banker stood towards his customer in the position of a kind of trustee or agent. People talk indeed even now of having so much money in Coutts' or at Hoare's, with a kind of belief that the banking firm holds the money as a depositary only. But, further, the true view on this point has only been settled amongst lawyers within the last twelve years. Thus, in the case of *Bowles* v. *Orr*, Lord Abinger, C.B., in 1835, thus expresses himself: "It appears to me that a customer who trusts his banker with a fund, is justly entitled to call on his banker for an account of it, and that the banker by receiving it becomes his agent, and accountable to him for it."

You find in these words both the expression of the popular view that the banker was an *agent*, and also a reference to the consequence which would have followed had that view been correct, viz., that a bill for an account would have lain in equity; however in, the case of *Foley* v. *Hill*, which cause came first before the late Vice-Chancellor of England, then before Lord Lyndhurst on appeal, and ultimately before the House of Lords, the relation between banker and customer was decided to be that of debtor and creditor merely, and a bill for an account by the latter against the former was dismissed.

In the first instance the Vice-Chancellor of England, when the case came before him, decreed an account. Lord Lyndhurst, on appeal, dismissed the bill, using in the course of his judgment the following words: "It is quite clear that a banker is not to be considered a trustee for his customer in the legal sense of the term. Money advanced by a customer to a banker is a loan, and constitutes a debt." Upon appeal to the House of Lords, Lord Lyndhurst's views were affirmed by Lord Cottenham, Chancellor, Lord Brougham, and Lord Campbell; and, the fiduciary relation failing, the bill for an account, notwithstanding an attempt to sustain it on the distinct ground of complication, apart from the fiduciary relation, failed also.

Next, although a principal may file a bill against his agent, it is clear that an agent cannot do so against his principal. The decisions are distinct on this point, and the absence of reciprocity in this respect is, having regard to the grounds for the jurisdiction in favour of the principal against the agent, as indicated by Sir John Leach, consistent with sound principle. For first, the agent has commonly all the knowledge requisite to support his rights, and requires no discovery; and, secondly, the agent reposes no special confidence in the principal.

The present Lord Justice Turner, in a case which came before him when Vice-Chancellor (*Padwick* v. *Stanley*,) expressed himself on the question of reciprocity as follows: "It was then said that this was a case of principal and agent; and that if the principal may file a bill against his agent, the agent may file a bill against his principal; but I cannot admit that the rights of principal and agent are correlative. The right of the principal rests upon the trust and confidence reposed in the agent; but the agent reposes no such confidence in the principal."

But whatever the grounds, the result is certain. A bill does lie by principal against agent, but not by agent against principal for an account.

Secondly—Equity will assume jurisdiction when there are *mutual accounts* between the plaintiff and defendant. Perhaps I ought to have said that the *better opinion seems to be to this effect*; for in reference to this, as indeed in reference to other questions arising upon the equity jurisdiction in matters of account, the authorities are mainly agreed on one point only, viz., the extreme difficulty of defining the jurisdiction.

The nearest approach to a systematic definition of the equity jurisdiction in cases of mutual accounts is that contained in the judgment of Lord Justice (then Vice-Chancellor) Turner, in the case of *Phillips* v. *Phillips*. His lordship in that case, in allowing a demurrer to a bill for an account, expressed himself as follows: "I have no doubt that this bill cannot be maintained. I take the rule to be, that a bill of this nature will only lie where it relates to that which is the subject of a mutual account; and I understand a mutual account to mean, not merely where one of two parties has received money and paid it on account of the other, but where each of two parties has received and paid on the other's account. I take the reason of that distinction to be, that, in the case of proceedings at law, where each of two parties has received and paid on account of the other, what would be to be recovered would be the balance of the two accounts; and the party plaintiff would be required to prove, not merely that the other party had received money on his account, but also to enter into evidence of his own receipts and payments—a position of the case which, to say the least, would be difficult to be dealt with at law. Where one party has merely received and paid moneys on account of the other, it becomes a simple case. The party plaintiff has to prove that the moneys have been received, and the other party has to prove his payments. The question is only as to the receipts on one side and the payments on the other, and it is a mere question of set-off; but it is otherwise where each party has received and paid."

The rule here laid down is, I should have considered, reasonably clear and free from objection; but his Honour Vice-Chancellor Kindersley seems on a recent occasion to have placed a different construction upon the judgment of Lord Justice Turner from that which appears to me the obvious one, and indeed to have denied altogether the efficacy of mutuality of accounts as a ground for equity interposition. I allude to the case of *Fluker* v. *Taylor*. In his judgment in that case, the Vice-Chancellor, though not expressly mentioning *Phillips* v. *Phillips*, evidently refers to it in the following observations: "It is difficult to lay down any fixed rule which goes to mark out the line between those cases where an account must be taken in equity and where it need not. An attempt has been made to lay down such a rule by saying the accounts must be mutual, that there must be receipts and payments on both sides. . . . But it really appears to me that it would be dangerous to lay down the rule in any such terms. For, take the common case of any gentleman of fortune keeping a mere money account, not a business account, with his banker: he pays money to the banker and the banker pays his cheques; that is mutual receipt and payment; the banker receives money from the customer and pays cheques to the customer; and the customer pays money into the banker's and draws money out. If the rule were as stated, such a case would fall within it, while it is clear in such a case no bill would lie. It is therefore dangerous to say the equity depends on mutual receipts and payments; the equity must depend in each case on the nature of the account; it depends on this, whether the account is in its own nature, not merely from the number of items but from its own nature, so complicated that this court will say such an account cannot be taken in a court of law."

Notwithstanding the great weight due to any observation falling from so careful a judge, it is difficult not to feel that the doubts here expressed by him are outweighed by the judgment of Lord

Justice Turner, and by the distinct expression of opinion on the part of Lord Eldon in the leading case of *Dinwiddie* v. *Bailey*, who says, in speaking of the equity jurisdiction in account, "there must be mutual demands forming the ground;" and it may, I think, be safely laid down that, whether Lord Justice Turner's definition of "mutual accounts" ultimately prevails or not, "*mutual accounts*" will remain firmly fixed as a ground of equity jurisdiction in *account*.

Thirdly—Equity will assume jurisdiction *where there are circumstances of special complication*.

Here, again, both the decisions and dicta create a distressing uncertainty as to the nature and extent of complication requisite to found the equity jurisdiction. In the leading case of *O'Connor* v. *Spaight*, Lord Redesdale, in a passage of his judgment which is frequently quoted on this point, uses the following language: "The ground on which I think that this is a proper case for equity is, that the account has become so complicated that a court of law would be incompetent to examine it upon a trial at *Nisi Prius* with all necessary accuracy, and it could appear only from the result of the account that the rent was not due. This is a principle on which courts of equity constantly act by taking cognisance of matters which, though cognisable at law, are yet so involved with a complex account that it cannot properly be taken at law; and until the result of the account, the justice of the case cannot appear."

Lord Redesdale's observations, if they could with safety be accepted as a correct representation of the doctrine of the court as to complication, would furnish a broad intelligible rule. In every case the question would simply be, could the accounts be taken at *Nisi Prius*, or would the common law judge, either before trial under the special power conferred by the Procedure Act of 1854, or by moral coercion upon the cause coming on at *Nisi Prius*, compel a reference to arbitration?

Nor are Lord Redesdale's views unsupported by other dicta. In the case of *The Taff Vale Railway Company* v. *Nixon*—in which, as I shall presently endeavour to show, the special facts were such as clearly to make the case a fitter one for equity than law—you will find, first, *Lord Cottenham*, referring with approbation to the rule as laid down by Lord Redesdale, and then *Lord Campbell* expressing himself as follows:—

"I do not proceed merely upon the ground which is stated in the case as having been taken by his Honour the Vice-Chancellor; I proceed upon this ground, that here is a complicated account that could not by possibility be taken by a jury. The facts of the case, as stated by my noble and learned friend on the woolsack, very clearly show that it would be a mere mockery to bring such an action before a jury. What would be done if such an action were brought at *Nisi Prius*? I know that within five minutes from the opening of the case by the leading counsel for the plaintiffs, the judge would say, 'If we sit here for a fortnight we cannot try this sort of case; and, therefore, it is indispensably necessary for the sake of justice—not to save us from the trouble of trying the case, which we are perfectly willing to take—but for the sake of justice, that there should be a reference to an arbitrator who will take accounts between the parties.'"

Primitive Marriage. An Inquiry into the Origin of the Form of Capture in Marriage Ceremonies. By JOHN F. M'LENNAN, M.A., Advocate. Edinburgh: Black.

MR. M'LENNAN has started a curious speculation: what was the primitive form of marriage? He contends that it was by capture, and that traces of this universal practice for procuring wives are to be found in the marriage ceremonies of all nations. The question is one that will greatly interest the Ethnological Society, where the book will receive a hearty welcome and be the basis of many a debate, but it is of no practical interest whatever, nor does it in any way affect that which alone concerns our readers, the present law of marriage. We know this much, that if any man, emulous to rival his ancestors in their manner of wife-getting, were to attempt a marriage by capture, he would be indicted for a rape, and his counsel would plead in vain the immemoriality of the custom, as shown in the marriage ceremonies of our own time and maintained by M'Lennan.

Seriously, however, it is a very curious and amusing volume, but it belongs to the antiquarian, and not to the law, library.

Debrett's Illustrated Peerage of the United Kingdom of Great Britain and Ireland. Bosworth 1865.

Debrett's Illustrated Baronetage and Knightage of the United Kingdom. Bosworth. 1865.

Few names are more familiar to the household than "Debrett." His "Peerage" has been the authority for more years than our memory can count, and his Baronetage and Knightage has obtained an equal renown. The only difference is, that whereas formerly the "Peerage" was a large and costly volume, which only a few could afford to possess, it is now reduced in bulk and vastly lessened in price, so that all who want may possess it. Woodcuts of the arms accompany the genealogical facts of each family.

BOOKS SENT FOR REVIEW.

A Treatise on the West Indian Incumbered Estates Acts; with an Appendix containing the Acts and Reports of Cases. By R. J. CUST, Esq., of Lincoln's-inn, Barrister-at-Law. Second edition. London: Amer.

Debrett's Peerage for 1865.

Debrett's Baronetage and Knightage for 1865.

The Law and Practice of the Court of Probate, Contentious and Common Form; with the Rules, Statutes and Forms. By P. W. DODD, Solicitor, and G. H. BROOKS, Proctor in Doctors'-commons. London: V. and R. Stephens, Sons and Haynes.

THE COURTS & COURT PAPERS.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

SITTINGS AFTER TERM.

Thursday, Feb. 9.

FARNWORTH v. HYDE.—This was an action on a policy of marine insurance, in which the plaintiff obtained the verdict. The policy was on timber on board the *Arca*, which was stranded in the St. Lawrence, and surrounded by sea. The ship and cargo were sold, but, owing to an unusually high tide, the ship was afterwards got off by the purchaser.—*Brett*, Q.C., *Mellish*, Q.C. and *C. Russell* showed cause against a rule for a nonsuit, or to enter a verdict for the defendant, which had been obtained on the grounds that there was no evidence of a total loss, and no evidence of a partial loss, beyond the sum paid into court.—*T. Jones* was heard in support of the rule. *Part heard.*

Saturday, Feb. 11.

PARKER v. ASHTIE.—This was a case of disputed right of way.—*Stephenson* showed cause against a rule for a new trial, on the ground that the verdict was against the weight of evidence.—*O'Malley*, Q.C. and *Hartley* in support of the rule. *Rule discharged.*

BROOKE v. POSNOOKE.—This was an action against an executor for withholding certain articles belonging to the plaintiff, and selling them as the property of the testator. The point in the case was, whether the plaintiff's possession of things given her by a married woman was sufficient to entitle her to maintain this action against a person not claiming through the husband.—*Keane*, Q.C. and *Mereweather* showed cause against a rule to enter a verdict for the plaintiff.—*O'Malley*, Q.C. and *Hartley* supported the rule. *Rule absolute.*

LAW SOCIETIES

MANCHESTER LAW ASSOCIATION.

THE Annual General Meeting of the members of the Association was held on Friday, the 13th of Jan., at their rooms, No. 4, Norfolk-street, when an account of the receipts and disbursements (previously audited by two of the members) was submitted and passed.

The proceedings of this society for the last year were stated in the following report, which was read by the honorary secretary and unanimously adopted.

REPORT OF THE COMMITTEE FOR THE YEAR 1864.

Presented to the Annual Meeting held on Friday, the 13th Jan. 1865.

During the past year little change has occurred in the number of members of the association, and its funds continue to be in a prosperous state. In addition to the sum of 430*l.* 2*s.* 2*d.* invested in the Three per Cent. Consols, and the dividends thereon, the treasurer has in hand, to the credit of the building fund account, the sum of 267*l.* 6*s.* 8*d.*, and of the association account 155*l.* 3*s.* 1*d.*

Numerous as were the Acts which received the sanction of Parliament during the last session, very few possess any general interest for the legal Profession, although, during its course, several important measures which either failed to become law, or were not ripe for legislation, came under the consideration of the committee.

Judgments Law Amendment Act.—This important measure, almost the only one really affecting the profession which marks the session, has at last, owing to the perseverance of Mr. Hadfield, M.P., received the assent of Parliament. Its object is to assimilate the law of freehold, copyhold and leasehold estate to that of pure personalty, in respect of future judgments, &c. It provides that no future judgment, &c., shall affect any land (of whatever tenure) until the same has been actually delivered in execution by virtue of a writ of *elegit* or otherwise; such writs to be registered at the Common Pleas judgment office, in manner provided by 23 & 24 Vict. c. 38, but in the name of the debtor instead of the creditor. The Act also enables an execution-creditor whose writ shall be duly registered to obtain from the Court of Chancery, in a summary way, an order for sale of the debtor's interest in the land. Your committee again presented a petition in favour of the Bill, and Mr. Hoelis was examined in support of it before the Select Committee of the House of Commons, to whom the Bill was referred, and his evidence is printed along with the report of the committee.

The other Bills which received the attention of the committee and passed into law were—"The Leases and Sales of Settled Estates Act Amendment Act," "The Improvement of Land Act," "The Railway Companies Powers Act," and "The Railway Construction Facilities Act."

Among the Bills of real importance to the profession which claimed, though unsuccessfully, the attention of Parliament were:—"The Partnership Law Amendment Bill," "The County Courts Acts Amendment Bill," "The Courts of Justice Site Bill," "The Courts of Justice Money Bill," and "The Attorneys and Solicitors Remuneration, &c., Bill."

The Partnership Law Amendment Bill was withdrawn, with a view, it is believed, to its re-introduction as a Government measure in the approaching session.

The County Courts Acts Amendment Bill, which was introduced by the Lord Chancellor, proposed many important and objectionable changes in the present state of the law, as affecting the relations and interests of debtors and creditors; your committee prepared and presented to the House of Lords a petition against the measure, except as to that part of it which proposed to confer a limited equitable jurisdiction upon the County Courts; and they submitted that the appeal in equity from the County Courts of Lancashire ought to be to the Chancery of the county palatine, instead of to the high court. This suggestion was enforced by letters from the Preston Law Society and your association to the Lord Chancellor. In consequence of the opposition shown to the Bill in various quarters, it was ultimately withdrawn.

Concentration of Courts of Justice.—Two Bills, one for obtaining the necessary site, the other for providing the requisite funds for the erection of a Palace of Justice, within which the now widely-scattered and inconvenient courts and offices of the Superior Courts may one day be gathered, were brought before Parliament at a late period of the session. Your committee presented petitions in favour of both Bills to the House of Commons; they had, however, been brought forward too late in the session, and were withdrawn by the Attorney-General, who said he should reintroduce them early next session, in anticipation of which a deputation from your association has been appointed to obtain an interview with the members for Manchester, Salford and South Lancashire, to request their support when again before the House.

Attorneys and Solicitors' Remuneration.—This subject, which was first started by the meagre provisions in the miscellaneous Bill introduced by the Lord Chancellor, promises to result in an improvement upon the method by which solicitors are at present remunerated. The session ended before the select committee upon the Bill was nominated; but the Lord Chancellor expressed his intention to bring the question forward next year in a more matured form. The Liverpool Law Society drew up and forwarded to his Lordship a letter containing many valuable suggestions. In his reply the Lord Chancellor proposed their communicating with other law societies, and expressed his own wish to be "auxiliary in removing the unjust subjects of complaint which exist in the unfair regulations that now injuriously affect the Profession." Your committee forwarded to the Incorporated Law Society a series of remarks upon the practical "suggestions" prepared by them, and expressed a very decided opinion that, before any scheme was finally submitted to the Lord Chancellor, it was most desirable that representatives from the principal provincial law associations should meet the special committee of the Incorporated Society, to discuss the whole question, so that the unanimity of the Profession might be secured, which the Lord Chancellor had suggested as most important. This proposal the Council of the Incorporated Law Society are making arrangements to carry into effect.

Law of Bankruptcy.—The House of Commons having appointed a select committee to consider the amendments required in this branch of the law, your committee agreed upon various suggestions, which were incorporated, along with those of other law societies, in a petition presented to the House by the Metropolitan and Provincial Law Association. The select committee broke up without making any report, though it is understood that the basis of one was agreed to, which will probably be adopted by a reconstitution of the same committee next session.

Assizes.—Your committee would congratulate the members of the association and the Profession generally, on the fact that the past year has witnessed the establishment of assizes in Manchester. On the invitation of the Assize Courts Committee, a deputation from your association took part in the ceremony of opening the new and beautiful building, on the

27th July last. Your committee, however, regret that the hundred of Salford was not allowed to derive the full benefit of the splendid accommodation provided for the purpose, by the holding of a winter civil assize. On discovering that the reasonable expectations of the public, no less than the Profession, were likely to be disappointed, the committee prepared memorials to the Home Secretary and the Judges, which were presented by a deputation from the association, accompanied by the town clerk. The Home Secretary admitted the reasonableness of the request, and promised to issue the commission if the Judges could arrange to hold the assize. The Lord Chief Justice did not admit the necessity of a winter civil assize for Manchester, and met the claim for one with a decided negative, stating that the circuits were already fixed, that the present staff of judges was insufficient for the duties imposed upon them, and that there was no judge (if the necessity of a winter civil assize for the hundred of Salford was admitted) who could be spared to go. Sir George Grey subsequently addressed a letter to the town clerk, referring to the objections of the Lord Chief Justice, and stating that, under the circumstances, he did not feel justified in issuing the commission. Your committee are prepared to take active measures in urging upon the attention of Her Majesty's Government the unanimous feeling which prevails throughout the hundred, that a winter civil assize in this city is necessary, and ought to be granted.

Amalgamation of Courts of Record.—Your committee exceedingly regret that their exertions for amalgamating the two courts of Manchester and Salford have failed. The scheme for the amalgamation which your committee presented in the first instance to the corporation of Manchester for their approval, and afterwards to the Earl of Sefton, is given at the end of this report. From the town-clerk your committee received every assistance, and they were disposed to think the main difficulties were fairly met. They proposed that the offices should be removed from Salford to a central position in Manchester; that the appointment of a judge should rest, as at present in the Salford court, with the Chancellor of the duchy; that the office and dignity of the Earl of Sefton, as Steward of the Hundred of Salford, should in no way be affected, and that any remuneration payable to him should be adjusted to his satisfaction; that a retiring pension or sum in gross should be paid to the present deputy-steward and registrar of the Salford court, as he might choose, and that the general supervision of the court should be under the corporation of Manchester; and as regards the name, that the amalgamated court should be called the Court of Record for the City of Manchester and Hundred of Salford. The considerations which have outweighed the substantial benefits that would have arisen had this scheme been adopted, refer to the Salford Hundred Court (*i.e.*, the old 40*s.* Wapentake Court) being the more ancient of the two—to its comprising a larger area—to the Salford Town Council having recently erected a large and convenient court-house—to the increase of population in the borough of Salford—to the impolicy of sanctioning any proceeding which would make that borough a mere suburb of Manchester, and to the Salford Hundred Court being a royal court.

The unworthy use which is made by the objectors to the scheme of the antiquity of the old Salford Hundred, or 40*s.* Wapentake Court, and the attempt to identify it with the modern Salford Court of Record, evince an absence of really substantial reasons to the amalgamation proposed by your association. The Court of Record for the Hundred of Salford is not a royal court, nor is it so old as the Court of Record for the City of Manchester, nor is it associated with any ancient honours in the family of the Earl of Sefton. With that court which is an ancient one, the amalgamation scheme did not contemplate dealing; that might remain in Salford, and be administered in all its integrity. The reasons, however, which were urged against the amalgamation induced Lord Sefton to decline giving his assent to the scheme. The committee trust, however, that at some future time the advisability of combining the two courts may be generally admitted by all parties, and that the desired amalgamation may take place.

Common Pleas at Lancaster.—The answers to the circulars issued to the members of the profession throughout the hundred of Salford enable your committee to state, that the business which will be brought to the Manchester Registry of the Common Pleas at Lancaster, if established, will be amply sufficient to meet all its expenses.

The difficulty of obtaining returns to enable them to go before the Chancellor of the Duchy was felt by the committee of the Liverpool Law Society, who placed themselves in communication with your committee on the subject, and an arrangement was made for an interview between the chairman of your committee and the members of the committee of the Liverpool Law Society, which resulted in their issuing similar circulars, for ascertaining the feelings of the Profession in the West Derby hundred, to those sent out by your committee to the attorneys practising in the Salford hundred. It is expected that the Liverpool Law Society will be in a position shortly to join your committee in seeking another interview with the Chancellor of the Duchy, for the purpose of again urging upon his attention the establishment of district registries both in Manchester and Liverpool.

Preliminary Examinations of Articled Clerks.—These examinations continue to be conducted in Manchester, under the superintendence of members of the association.

Lease of Premises in Norfolk-street.—The lease held by the association will expire on the 29th Sept. next, and your committee do not think it desirable to apply for a renewal of it; they will therefore have to arrange to remain as yearly tenants, or to find other rooms for the association.

The List of Fees on Swearing Affidavits, &c., some years since printed by the association, has been revised, and a copy sent to each member.

A deputation from your association attended the annual provincial meeting of the Metropolitan and Provincial Law Association, which took place at Leeds in the month of October last.

AMALGAMATION OF COURTS OF RECORD.

Copy Suggestions of the Manchester Law Association, for Carrying out the Scheme.

It is presumed that the parties interested in the existing courts will be prepared to make mutual concessions, for the purpose of giving to the public the important advantages which will arise from their amalgamation, as set forth in the memorials presented to the Earl of Sefton. It is suggested—

That the amalgamated court be called "The Court of Record for the City of Manchester and Hundred of Salford." (*a*)

That the offices of the amalgamated court be in some central position in Manchester, and that the sittings of the court for the trial of issues be held in Manchester once a month.

That a judge with an adequate salary be appointed by the Chancellor of the Duchy of Lancaster.

That the office and dignity of the Earl of Sefton, as steward of the hundred of Salford, be in no way affected, and that the fees or remuneration payable to him be the subject of future arrangement.

That the present registrar of the Salford Hundred Court be paid a retiring pension, upon a principle of calculation to be hereafter arranged.

By the 30th section of the Salford Court of Record Act it is directed that the fees of the court, after payment of the current expenses, shall be applied as to one-third thereof, to the steward of the hundred of Salford; as to another third to the judge of the court, as a remuneration for the duties to be executed by him; and as to the remaining third, to the deputy-steward, as a remuneration for the duties performed by him. Now inasmuch as the present judge of the Salford Hundred Court was appointed on the express understanding that he should not be entitled to any compensation for the loss of his office, in the event of the two courts being amalgamated, and as it is proposed to pay the judge of the amalgamated court by salary, and give a retiring pension to the deputy-steward, and such compensation or income to the steward as may be hereafter arranged, it is suggested that the fees receivable from the amalgamated court shall be dealt with by the Manchester corporation, in payment of the expenses of the court and the salaries of the judge, registrar and subordinate officers, with power for the Chancellor of the Duchy to direct, whenever he may deem it necessary, such reduction in the fees as mentioned in the 31st section of the Salford Hundred Court Act.

That the appointment of the registrar and inferior officers of the amalgamated court shall be vested in the Manchester corporation.

(*a*) This is a similar title to that of the Manchester District Probate Court.

LEGAL NEWS.

ORDER OF REMOVAL.—A return made by the Poor Law Board shows that in a year—the year ending at Lady-day 1863—there were executed 366 orders of removal to another parish in the same union, and 5689 orders of removal to parishes in other unions of England. 18,989 persons were removed under these orders, and the expense of the removals amounted to 19,184*l.* In the same year 68 orders were made for the removal of Scotch paupers, 416 for the removal of Irish paupers, and 9 for the removal of paupers belonging to the Channel Islands and Isle of Dogs. In the metropolis 4298 paupers were removed under orders of removal; in Lancashire 3024.

WILLS AND BEQUESTS.—The late Miss F. Mainwaring, of Highfield, Derby, has left the following bequests: To the Church Missionary Society; British and Foreign Bible Society, 200*l.*; Church Pastorial Aid Society, 200*l.*; Society to Promote Christianity amongst the Jews, 100*l.*; and to the Old Age Society, Leicester, 100*l.*——The will of the Hon. Georgiana Louisa Montgomerie, of Garboldisham Hall, Norfolk, was proved in the London court under 70,000*l.* personalty, the executors and trustees therein appointed being her brother, the Right Hon. Thomas Henry Lord Foley, P.C., and the Hon. Arthur Fitzgerald Kinnaird, M.P. The testatrix was the daughter of the third Baron Foley, and married, in 1844, Thomas Molyneux Montgomerie, Esq., whom she survived, and died in November last, at the age of 52, having executed her will in 1856, to which are added two codicils, dated 1861, and March 1864. To her sister-in law, Lydia Montgomerie, she has left an annuity, and also liberal legacies and annuities to her servants. Her real estate she has devised to her son, Cecil Thomas Molyneux Montgomerie, Esq., and she has appointed him residuary legatee of the personalty.——The will of the Ven. Charles Parr Burney, D.D., Archdeacon of Colchester, and rector of Wickham [illegible], Essex, was proved in the London court under [illegible] personalty; the executors and trustees appointed being his sons, the Rev. Charles Burney, M.A., hon. canon of Rochester and vicar of Halstead, and the Rev. Edward Kaye Burney, M.A., vicar of Thornham, together with the testator's sons-in-law, Lieutenant-Colonel James Wood and Henry Wood, Esq., of Tonbridge Wells. The will bears date June 1857; with two codicils—1861, and July 1864. He died on the 1st Nov. last, at Royal-crescent, Brighton. The will is of considerable length. To his wife there is secured an annuity of 1500*l.*, and an immediate legacy of 1500*l.*; and to her he leaves his carriages and the furniture, the use of plate, &c., together with other interests under the will. To his two sons he leaves his freehold estates equally between them, also his library, books, pictures, and articles of [illegible], and to each a legacy of 10,000*l.* and a share in the residue. To each of his daughters he leaves a legacy of [illegible] and a share in the residue. The residue, however, is to accumulate for a period of twenty-one years, or until the death of his widow. The grandchildren will also participate largely in the ultimate residue.

CRIMINAL JUSTICE IN FRANCE.—The *Moniteur* publishes a report addressed to the Emperor by M. Baroche, [illegible] of Justice, giving a general account of the administration of criminal justice in France and Algeria during the year 1863. From this document, which extends over [illegible] columns of the official journal, it appears that the [illegible] number of cases submitted to the jury in 1863 was [illegible], of which 1673 were for offences against the person and [illegible] against property. The total in 1862 was [illegible], and in [illegible] 3842. The diminution in 1863 is chiefly in offences against property. Infanticides increased from 198 in 1862 to [illegible] in 1863. Criminal assaults on females decreased from [illegible] to 921. The 3614 cases tried comprised 4543 accused, being 447 less than in 1862. Corsica, which has hitherto alternated with the department of the Seine at the top of the scale of criminality, showed a much smaller proportion of crimes against the person in 1863, the number being [illegible] against 80 in 1862. This change is attributable to the strict enforcement of the law against carrying arms. Of the 4523 persons tried in 1863, 3840 were males and [illegible] females. More than half the accused were between the ages of 20 and 40. Of the whole number, 1756 could not read at all, 1964 could read and write imperfectly, [illegible] passably, and only 198 had received a good education. Of the 4543 accused, 1144 were acquitted, and [illegible] condemned, 20 to death, 145 to hard labour for life, 743 for a term of years, 746 to long imprisonments, 1 to civic degradation, 1529 to imprisonment for a year and upwards, and [illegible] to less than a year. Of the persons condemned to death [illegible] only were executed. The jury admitted extenuating circumstances in favour of 75 per cent. of the persons found guilty. The number of cases tried by the [illegible] of correctional police in 1863 was 133,817, being [illegible] than in 1862. The number of the accused has [illegible] diminished from 176,456 in 1862 to 165,104 in 1863, a decrease of 11,352. Of this total, 138,023 were males and 27,101 females. As to age, 5527 of the accused were under 16, 18,601 between 16 and 21, and 112,490 had attained their majority. The number of persons acquitted was 13,762 (about 83 per 1000), 9279 were sentenced to [illegible] imprisonment and upwards, 73,941 to shorter terms, and 62,783 were only fined. The proportion of appeals was 7656, or about 6 in 100, or the same as in 1862; and the sentences were confirmed in 4456 cases. The number of old offenders tried by the courts of assize was [illegible], and by the correctional tribunals 45,937, against 47,[illegible] in 1862. The cases of simple police decided by the juges-de-paix were only 392,605, against 434,602 in 1862. The number of persons inculpated was 518,089, of whom [illegible] were fined, 26,333 imprisoned from one to five days; [illegible] were acquitted. The number of persons subjected to preventive imprisonment in 1863 was 58,861, against 67,427 in 1862; a diminution of 8566, although the new law on the subject did not come into operation till the 1st June. The number of suicides in 1863 was [illegible] against 4770 in 1862; of accidental deaths, 12,[illegible], the [illegible] having increased yearly from 1858, when it was only [illegible]. The cost of the administration of justice in 1863 was 4,542,984*l.*, against 4,832,370*l.* in 1862. The courts of assize in Algeria tried 262 cases in 1863, being [illegible] less than in the previous year; of these 84 were offences against the person, and 178 against property. The number of accused was 453, against 374 in 1862. As to nationality, 17 per cent. were French, 6 other Europeans, and [illegible] natives. In 1862 the proportions were 24, 11, and [illegible]. Of the total number of prisoners 95 were acquitted, [illegible] condemned to afflictive punishments, and 190 to correctional penalties. The correctional tribunals tried 4775 accused, of whom 910 were acquitted, 3845 condemned to imprisonment, and 721 to fines. The juges-de-paix heard [illegible] cases, implicating 13,022 persons; [illegible] were acquitted, 10,948 fined, and 694 imprisoned. The report terminates in these words:—"Your Majesty may have convinced yourself by the above report that a considerable progress has been attained. The sensible decrease in the number of crimes; the less frequent use of preventive imprisonment, and especially the shortening of its duration; a diminution in the number of affairs submitted to [illegible] instruction; reduction in the expenses—such are the most striking results of the year 1863. Some are due to the general situation of the empire, and the peace and material prosperity which assure public order; others are the consequence of the improvements introduced into the criminal procedure, and of the indefatigable surveillance which discourages vice by the certainty of detection."

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are reported there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Friday, Feb. 17.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house—Freehold property known as Cox's livery stables, situate in [illegible]-street, and four houses being Nos. 10 to 13, [illegible]-street, [illegible]—sold for 5400*l.*

Tuesday, Feb. 21.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.—*Freehold* residence, situate in Gordon-road, Peckham; estimated annual value, 84*l*.—sold for 800*l*. Leasehold, four houses, being Nos. 13 to 18, Silurian-terrace, Brooke-road, Dalston; term, eighty years unexpired; ground-rent, 20*l*. per annum—sold for 780*l*. Leasehold residence, being No. 1, Stonefield-street, Cloudesley-square, Islington; let at 35*l*. per annum; term, forty and a-half years from Christmas last; ground-rent, 4*l*. per annum—sold for 335*l*. Leasehold improved rental of 14*l*.10*s*. per annum for twenty-two years, secured upon a house and shop, being No. 67, Lamb's-conduit-street, Holborn—sold for 130*l*.

Wednesday, Feb. 22.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Leasehold residence, with garden, known as "Wilton House," situate in Shooter's-hill-road, Blackheath, let on lease at 12*l*. 10*s*. per annum; term 91 years unexpired; ground-rent 10*l*. per annum—sold for 1310*l*. One hundred and twenty-five 10*l*. shares in the London Tavern Company (Limited)—sold for 5*l*. 17*s*. 6*d*. per share.

Thursday, Feb. 23.

By Messrs. ELLIS and SON, at Garraway's.—Leasehold premises, being No. 17, Little Tower-street, City; term 24 years unexpired; ground-rent 300*l*. per annum—sold for 7300*l*.

THE GAZETTES.

Bankrupts.

Gazette, Feb. 14.

To surrender at the Bankrupts' Court, Basinghall-street.

BACON, ROBERT CAESAR, Esq. Duke-st. St. James's. Pet. Feb. 10. Reg. Hazlitt. O. A. Graham. Sol. Keene, Linc.-inn-flds. Sur. Feb. 28.

BECKWITH, WILLIAM, carpenter, Kingsland-rd. Pet. Feb. 9. Reg. Hazlitt. O. A. Graham. Sol. Angell, Guildhall-yd. Sur. Feb. 24.

BLAKE, WILLIAM, coachbuilder, Pentonville-rd. Pet. Feb. 9. Reg. Roche. O. A. Parkyns. Sol. Cooper, Linc.-inn-flds. Sur. Feb. 27.

BROOKER, HENRY, jun. oilman, Upper John-st. Hoxton Old-town. Pet. Feb. 9. Reg. Roche. O. A. Parkyns. Sol. Moss, Martin's-la. Cannon-st. Sur. Feb. 27.

CLARK, THOMAS, carman, Albert-ter. King's-cross. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sol. Ricketts, Frederick-st. Gray's-inn-rd. Sur. March 8.

DAVIS, ALFRED, clerk, Victoria-ter. Stockwell. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sols. Mackeson and Goldring, Linc.-inn-flds. Sur. March 8.

DE BOCK, THOMAS HENRY, gunmaker, Upper Whitecross-st. Pet. Feb. 6. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Feb. 28.

FRASEY, EDMUND, commercial traveller, Montpellier-sq. Knightsbridge. Pet. Feb. 10. Reg. Hazlitt. O. A. Graham. Sol. Scarth, Air-st. Regent-st. Sur. Feb. 28.

GARDINER, ROBERT FREDERICK GEORGE, machinist, Blackfriars-rd. Pet. Feb. 10. Reg. Roche. O. A. Parkyns. Sols. May and Norton, Adelaide-pl. London-bridge. Sur. Feb. 27.

GIBBEY, JOHN, jun. watchmaker, Broadway and Manbey-grove, Stratford. Pet. Feb. 10. Reg. Roche. O. A. Parkyns. Sols. Hillary and Co. Fenchurch-bdgs. Fenchurch-st. Sur. Feb. 27.

HATTON, JESSE, barman, Bear-st. Leicester-sq. Pet. Feb. 11. Reg. Roche. O. A. Parkyns. Sol. Pook, Gresham-st. Sur. Feb. 27.

HOWARD, GEORGE, scale board and splint cutter, Blackfriars-rd. and Whitehart-yd. Southwark. Pet. Feb. 2. Reg. Hazlitt. O. A. Graham. Sol. Gray, Gray's-inn. Sur. March 2.

JOY, HENRY, victualler, Robertsbridge. Pet. Feb. 10. Reg. Hazlitt. O. A. Graham. Sols. Sole, Turner and Hardwick, Aldermanbury. Sur. Feb. 28.

LEWIS, ROBERT, cotton broker, Commercial Sale-rooms, Mincing-la. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sols. Wright and Bonner, London-st. Sur. March 8.

MOSS, SAMUEL MOSES, merchant, Leadenhall-st. and Bedford-sq. Commercial-rd. Pet. Feb. 10. Reg. Brougham. O. A. Edwards. Sols. Reed and Phelps, Gresham-st. Sur. March 8.

PARK, SAMUEL MANNING, colonial merchant, Norfolk-sq. Hyde-pk. Pet. Feb. 8. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Scott's-yd. Cannon-st. Sur. Feb. 28.

POSTER, MARY ANNE CALEY, boarding-house keeper, Brighton. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. March 8.

SANDERS, ALFRED, painter, Plumstead. Pet. Feb. 11. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Feb. 27.

SAUNDERS, GEORGE EDWARD, butcher, Portland-st. Soho. Pet. Feb. 9. Reg. Roche. O. A. Parkyns. Sol. Wyatt, King's-rd. Bedford-row. Sur. Feb. 27.

SMITH, WILLIAM SIDNEY, corn dealer, Palmerston-st. Battersea. Pet. Feb. 12. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. March 2.

SOUTHGATE, SAMUEL NELSON, baker, Colchester. Pet. Feb. 11. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry; Philbrick, Colchester. Sur. March 8.

SPRATT, THOMAS, dealer in corn and hay, Ramsgate. Pet. Feb. 7. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-la. Sur. March 1.

SPRIGGS, HENRY, carpenter, Hart-st. Bloomsbury, and Lower Norwood. Pet. Feb. 8. Reg. Brougham. O. A. Edwards. Sol. Atkinson, Quality-ct. Chancery-la. Sur. March 8.

STRATTON, JOHN, salt and coal proprietor, Thomas's-hotel, Charles-st. St. James's. Pet. Feb. 10. Reg. Roche. O. A. Parkyns. Sols. Miller and Smith, Chatham-pl. Sur. Feb. 27.

THORNCROFT, HENRY, butcher, Lower Norwood. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sol. Westall, Gray's-inn-sq. Sur. March 8.

TOMBS, JOHN HONEYWILL VIOL, cigar importer, Spencer-rd. Stoke Newington. Pet. Feb. 9. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st. Sur. Feb. 28.

To surrender in the Country.

ADAMS, ARTHUR ORMSBY, victualler, Birmingham. Pet. Feb. 8. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Feb. 27.

ARCHER, MATTHEW JOHN, butcher, High Wycombe. Pet. Feb. 8. Reg. & O. A. Parker. Sol. Marshall, High Wycombe. Sur. Feb. 24.

BURKE, THOMAS, shopkeeper, Sheffield. Pet. Feb. 9. Reg. & O. A. Rodgers. Sols. Binney and Son, Sheffield. Sur. March 2.

BURNEY, JAMES, master mariner, Maryport. Pet. Feb. 10. Reg. & O. A. Waugh. Sol. Mendorff, Cockermouth. Sur. Feb. 17.

DILL, ROBERT, draper, Sheffield. Pet. Feb. 3. O. A. Young. Sol. Binney and Son, Sheffield. Sur. March 2.

EVANS, DAVID, joiner, Everton. Pet. Dec. 14. O. A. Turner. Sur. Feb. 22.

FELL, JAMES, shoemaker, Worcester. Pet. Feb. 10. Reg. & O. A. Crisp. Sol. Tree, Worcester. Sur. Feb. 22.

FISHER, JOHN, furnace builder, Smethwick. Pet. Feb. 9. Reg. & O. A. Watson. Sol. Shakespeare, Oldbury. Sur. Feb. 21.

FOWLE, THOMAS LLOYD, publisher of music, Purton, near Swindon. Pet. Feb. 10. Reg. Wilde. O. A. Acraman. Sols. King and Plummer, Bristol. Sur. Feb. 24.

FREEMAN, THOMAS and GEORGE, joiners, Otley. Pet. Feb. 28. Reg. & O. A. Carr. Sol. Siddall, Otley. Sur. March 1.

HAINES, EDWARD HUNT, hotel keeper, Alcester, and farmer, Welford. Pet. Dec. 29. Reg. Tudor. O. A. Kinnear. Sols. Allen, Birmingham, and Jones and Son, Alcester. Sur. Feb. 24.

HEATH, WILLIAM, general merchant, Dartmouth. Pet. Feb. 7. Reg. & O. A. Bryett. Sol. Michelmore, Totnes. Sur. Feb. 23.

HOLLAND, JOHN THOMAS, dealer in coal, Coventry. Pet. Feb. 12. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. March 3.

HOPPS, JAMES ALEXANDER, and JOHN ROBERT CAINE, grocers, Liverpool. Pet. Feb. 6. O. A. Turner. Sol. Browne, Liverpool. Sur. Feb. 23.

JAMES, ANTHONY, cattle and sheep salesman, Bromyard. Pet. Feb. 2. Reg. Tudor. O. A. Kinnear. Sol. Fitter, Birmingham. Sur. March 2.

LEEMAN, THOMAS, and JAMES MARTIN LEEMING, spinners, Manchester. Pet. Feb. 8. Reg. Harris. O. A. Morgan. Sol. Leeming, Manchester. Sur. Feb. 28.

LEWIS, WILLIAM, coachbuilder, Ross. Pet. Feb. 9. Reg. & O. A. Collins. Sol. Minett, Ross. Sur. March 2.

LITTLEJOHNS, JOHN, farmer, Hartland, near Bideford. Pet. Feb. 10. O. A. Carrick. Sur. March 7.

PRESTON, ALFRED, beerseller, Northampton. Pet. Feb. 11. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. March 4.

PITT, JOHN EDWARD, veterinary surgeon, Evesham. Pet. Feb. 10. Reg. Hill. O. A. Kinnear. Sol. Smith, Birmingham. Sur. March 8.

POWNER, THOMAS, butcher, Stoke-on-Trent. Pet. Feb. 6. Reg. & O. A. Keary. Sol. Stevenson, Stoke-on-Trent. Sur. Feb. 23.

PURNELL, STEPHEN, beerseller, Upton St. Leonard's. Pet. Feb. 10. Reg. & O. A. Wilton. Sol. Jones, Gloucester. Sur. Feb. 23.

ROBERTS, JOHN, organ builder, Widwick, Manchester. Pet. Feb. 10. Reg. & O. A. Kay. Sol. Whitworth, Manchester. Sur. Feb. 27.

ROBERTS, ROBERT, sailor, Dolgelly. Pet. Feb. 10. Reg. & O. A. Walker. Sol. Jones, Dolgelly. Sur. Feb. 23.

RUSSELL, HENRY, plumber, Kidderminster. Pet. Feb. 4. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Feb. 27.

SCOTT, JAMES, hat and bonnet blockmaker, Luton. Pet. Feb. 8. Reg. & O. A. Austin. Sol. Shepherd, Luton. Sur. Feb. 27.

SEABRIGHT, SAMUEL, carpenter, Aldershot. Pet. Feb. 11. Reg. & O. A. Hollest. Sol. White, Guildford. Sur. Feb. 23.

SMART, GEORGE, clerk, Manchester. Pet. Jan. 19. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. Feb. 27.

SMITH, CORNELIUS, tailor, Leicester. Pet. Feb. 9. Reg. & O. A. Ingram. Sol. Arnall, Leicester. Sur. March 4.

SWAFFIELD, JOHN FREDERICK, plumber, Aldershot. Pet. Feb. 11. Reg. and O. A. Hollest. Sol. White, Guildford. Sur. Feb. 23.

THOMPSON, ANDREW, tea dealer, Longton. Pet. Feb. 8. Reg. & O. A. Keary. Sols. Tennant, Hanley. Sur. Feb. 23.

TOLSON, FREDERICK JOHN, railway clerk, Ossett. Pet. Feb. 10. Reg. & O. A. Nelson. Sol. Ibberson, Dewsbury. Sur. Feb. 24.

WARINGTON, HENRY, whitesmith, Northampton. Pet. Feb. 11. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. March 4.

WHALLEY, JOHN, and WHALLEY, EDWARD, manufacturers, Radcliffe-bridge. Pet. Feb. 4. Reg. Macrae. O. A. Morgan. Sol. Boote, Manchester. Sur. March 2.

Gazette, Feb. 17.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, JOSEPH, flour factor, Jack's Coffee-house, Mark-la. and Bedford. Pet. Feb. 10. Reg. Hazlitt. O. A. Graham. Sol. Carr, Rood-la. Sur. Feb. 28.

BEEDHAM, STEPHEN, and WITHRINGTON, JAMES, silk manufacturers, Fort-st. Spitalfields. Pet. Feb. 12. Reg. Brougham. O. A. Edwards. Sols. Smith, Stenning and Co., Basinghall-st. Sur. March 8.

BROAD, CHARLES, corkcutter, Montague-ter. Queen's-rd. New-cross. Pet. Feb. 13. Reg. Hazlitt. O. A. Graham. Sol. Holmes, Fenchurch st. Sur. March 2.

CLANCY, JAMES JOSEPH, coal shipper, Mincing-la. Pet. Feb. 11. Reg. Roche. O. A. Parkyns. Sols. Linklaters and Hackwood, Walbrook. Sur. March 6.

DEAN, HENRY, iron bedstead maker, Brook-pl. Munster-sq. Regent's-park, and Frederick-st. Hampstead-rd. Pet. Feb. 13. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-garden. Sur. March 6.

EARDLEY, SIR EARDLEY GIDEON CULLING, Bart., Florence, in Italy. Pet. Oct. 20. Reg. Roche. O. A. Parkyns. Sol. Sydney, Old Burlington-st. Sur. March 6.

GARDNER, MATTHEW, butcher, Sutton. Feb. Pet. 12. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. March 2.

GRAHAM, PAUL, printer, New-st.-sq. Pet. Feb. 13. Reg. Roche. O. A. Parkyns. Sols. Sheen and Roscoe, Bedford-row. Sur. Feb. 27.

HABERFIELD, THOMAS JOSEPH, tailor, Sutton-st. Soho-sq. Pet. Feb. 13. Reg. Hazlitt. O. A. Graham. Sol. Olive, Portsmouth-st. Lincoln's-inn. Sur. March 2.

HAINES, HENRY BRUNSDEN, herbalist and seedsman, Old Church-st. Paddington, and New Church-st. Lisson-grove. Pet. Feb. 10. Reg. Brougham. O. A. Edwards. Sol. Wilding, Tichborne-st. Edgware-rd. Sur. March 6.

HARVEY, WILLIAM, Clerkenwell-close. Pet. Feb. 14. Reg. Brougham. O. A. Edwards. Sol. Goatly, Bow-st. Covent-garden. Sur. March 6.

HAYDEN, WILLIAM LILES, tailor, Bishop's Stortford. Pet. Feb. 12. Reg. Brougham. O. A. Edwards. Sols. Mason, Sturt and Mason, Gresham-st. Sur. March 6.

JONES, HARRIET EMILY, governess, Holland-grove, Brixton. Pet. Feb. 13. Reg. Hazlitt. O. A. Graham. Sol. Swan, Great Knightrider-st. Doctors'-commons. Sur. March 2.

LEVY, MOSS, butcher, Stoney-la. Aldgate. Pet. Feb. 12. Reg. Brougham. O. A. Edwards. Sol. Pailmore, Westminster-bridge-rd. Sur. March 6.

MAUNSELL, WILLIAM HARE, attorney, Brompton-crescent, Brompton. Pet. Feb. 11. Reg. Hazlitt. O. A. Graham. Sol. Cooper, St. Martin's-la. Sur. Feb. 28.

MCKNIGHT, JOHN, boot and shoe dealer, Clare-st. Clare-market. Pet. Feb. 13. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Linc.-inn-fields. Sur. March 2.

NORTH, JOSEPH, grocer and cheesemonger, Hart-st. Grosvenor-sq. Pet. Feb. 11. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. Feb. 28.

RUSSELL, FREDERICK HERBERT, stationer, Hanway-st. Oxford-st. Pet. Feb. 13. Reg. Brougham. O. A. Edwards. Sol. Scott, Guildford-st. Russell-sq. Sur. March 6.

SAVAGE, SAMUEL, boot and shoe maker, High-st. Christchurch. Pet. Feb. 14. Reg. Hazlitt. O. A. Graham. Sol. Peacock, South-sq. Gray's-inn. Sur. March 2.

SPURGIN, ELIJAH HENRY, journeyman upholsterer, Marshall-st. Golden-sq. Pet. Feb. 13. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. March 6.

TERBUTT, JOSEPH, cheesemonger's assistant, Wint-ter. Poplar. Pet. Feb. 13. Reg. Roche. O. A. Parkyns. Sol. Greenwood, Chancery-la. Sur. Feb. 27.

TWITCHIN, JOHN, jun., plasterer, Alpha-ter. Canterbury-rd. Kilburn. Pet. Feb. 11. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. March 6.

WALKER, HENRY, commercial traveller, Kentish-town-rd. Pet. Feb. 12. Reg. Roche. O. A. Parkyns. Sols. Mason, Sturt and Mason, Gresham-st. Sur. Feb. 27.

WARE, BENJAMIN, farmer, Steeple Claydon, near Winslow. Pet. Feb. 12. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry, for Shepherd, Luton. Sur. March 2.

WEDDELL, WILLIAM HENRY, clerk in the Admiralty, Somerset-house, Lorn-rd. Brixton. Pet. Feb. 9. Reg. Brougham. O. A. Edwards. Sol. Gray, Union-ct. Old Broad-st. Sur. March 6.

WEMYSS, EDWARD, in no business, Sussex-rd. Holloway. Pet. Feb. 11. Reg. Roche. O. A. Parkyns. Sol. Scott, Staple-inn. Sur. Feb. 27.

WILKINS, JOHN, fellmonger, Oxford. Pet. Feb. 8. Reg. Brougham. O. A. Edwards. Sols. Hawkins and Co., New Boswell-ct. Sur. March 6.

To surrender in the Country.

BANKS, WILLIAM, shoemaker, Morpeth. Pet. Feb. 12. O. A. Bramwell. Sol. Swan, Morpeth. Sur. March 6.

BLACK, ROBERT, beer retailer, Patricroft. Pet. Feb. 12. Reg. & O. A. Hulton. Sol. Swan, Manchester. Sur. March 4.

BLAKE, JOHN, carpenter, R. N. Landport. Pet. Feb. 7. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Feb. 28.

BOWEN, STEPHEN, shoemaker, Narberth. Pet. Feb. 12. Reg. & O. A. Owen. Sol. Lascelles, Narberth. Sur. March 4.

COSTARD, ROBERT, assistant to a linendraper, Great Yarmouth. Pet. Feb. 14. Reg. & O. A. Chamberlain. Sol. Cafande, Great Yarmouth. Sur. March 3.

CROWTHER, JOHN, farmer, Halifax. Pet. Feb. 12. Reg. Rankin. O. A. Dyson and Rankin. Sol. Holroyde, Halifax. Sur. March 3.

COOK, WILLIAM CHARLES, butcher and coal dealer, Lower Horning. Pet. Feb. 13. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. March 2.

DAVIES, WILLIAM, gasfitter, Hanley. Pet. Feb. 13. Reg. & O. A. Challinor. Sol. Tennant, Hanley. Sur. March 10.

EDDEN, EDWARD, market gardener, Chesterton. Pet. Feb. 13. Reg. & O. A. Eaden. Sol. Hunt, Cambridge. Sur. March 3.

ELMORE, JOSEPH, market gardener, Flitton. Pet. Feb. 11. Reg. & O. A. Wright. Sol. Stimpson, jun., Bedford. Sur. Feb. 23.

EVANS, THOMAS, miller, Aberwheeler. Pet. Feb. 12. Reg. & O. A. Edwards. Sol. Williams, Rhyl. Sur. Feb. 27.

FOULDS, JAMES, innkeeper, Bradford. Pet. Feb. 14. Reg. & O. A. Robinson. Sol. Dawson, Bradford. Sur. Feb. 28.

FROST, JOHN BODLEY, upholsterer, Cullompton. Pet. Feb. 10. Reg. & O. A. Daw. Sol. Cockram, Tiverton. Sur. Feb. 24.

HALSTEAD, LAWRENCE, upholsterer, Liverpool. Pet. Feb. 14. Reg. & O. A. Hime. Sol. Talbot, Liverpool. Sur. Feb. 28.

HANNATH, DAVID, butcher, Market Rasen. Pet. Feb. 14. Reg. & O. A. Rhodes. Sol. Haddelsey, Caistor. Sur. March 1.

HIRST, WILLIAM THOMAS AIRLEY, clerk in an insurance office, Leeds. Pet. Feb. 11. O. A. Young. Sol. Harle, Leeds. Sur. Feb. 27.

HOLBROOK, WILLIAM NORTHAGE, victualler, Basford. Pet. Feb. 13. Reg. & O. A. Patchitt. Sols. Cowley and Everall, Nottingham. Sur. March 29.

HOPKINS, HENRY, marine store dealer, Scarborough. Pet. Feb. 13. O. A. Young. Sol. Simpson, Leeds. Sur. Feb. 27.

HUGHES, THOMAS WILLIAMS, assistant surgeon, Sheerness. Pet. Feb. 10. Reg. & O. A. Wace. Sol. Morgan, Maidstone. Sur. Feb. 22.

JACKSON, JOHN, coaldealer, Birkenhead. Pet. Feb. 14. Reg. & O. A. Gill. Sur. March 7.

LOWTHER, GEORGE, fishmonger, Lancaster. Pet. Feb. 13. Reg. & O. A. Mason. Sols. Shirley and Atkinson, Doncaster. Sur. Feb. 27.

LUCAS, SAMUEL, journeyman brass founder, Birmingham. Pet. Feb. 11. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Feb. 27.

MILLARD, GEORGE, printer, Blockhouse and Worcester. Pet. Feb. 13. Reg. & O. A. Crisp. Sol. Rea, Worcester. Sur. Feb. 23.

MILLS, JOSEPH, woollen yarn spinner, Paddock, near Huddersfield. Pet. Feb. 11. O. A. Young. Sur. March 6.

MOUNSEY, HENRY, greengrocer, Darlington. Pet. Feb. 14. Reg. & O. A. Bowes. Sol. Dunn, Darlington. Sur. March 1.

OLIVER, GEORGE, builder, St. Mary Church. Pet. Feb. 16. O. A. Carrick. Sol. Campion, Exeter. Sur. March 1.

PINCOMBE, WILLIAM, mason, Filton. Pet. Feb. 10. Reg. & O. A. Bencraft. Sol. Bromham, Barnstaple. Sur. Feb. 28.

ROOSE, THOMAS, sailmaker, Garston, near Liverpool. Pet. Dec. 14. Reg. & O. A. Hime. Sur. Feb. 27.

SCHIELE, CHRISTIAN, engineer, Manchester. Pet. Jan. 28. Reg. Harris. O. A. Morgan. Sols. Sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. Feb. 28.

SMITH, ROBERT, mining engineer, Peterstone-super-Ely. Pet. Feb 13. Reg. Wilde. O. A. Acraman. Sols. Wakiron, Cardiff; Press and Inskip, Bristol. Sur. March 1.

STONE, WILLIAM HOLMES, hide and skin broker, Manchester. Pet. Feb 13. Reg. Macrae. O. A. Morgan. Sol. Bingham, Manchester. Sur. March 2.

THOMPSON, GEORGE HENRY, and THOMPSON, SAMUEL, hawdealers, York and Leeds. Pet. Feb. 14. O. A. Young. Sols. Bond and Barwick, Leeds. Sur. March 6.

WILLIAMS, HENRY, draper, Boston. Pet. Feb. 14. Reg. Tudor. O. A. Harris. Sol. Bailes, Boston. Sur. Feb. 28.

WILLIAMS, THOMAS, Whitford. Pet. Feb. 13. Reg. & O. A. Williamson. Sol. Davies, Holywell. Sur. March 1.

WILLIAMS, WILLIAM, hatter, Cardiff. Pet. Feb. 15. Reg. & O. A. Langley. Sol. Bird, Cardiff. Sur. March 8.

WITHAM, SAMUEL, cloth manufacturer, Horsforth. Pet. Feb. 11. O. A. Young. Sur. March 6.

WITHERS, GEORGE HENRY, warehouseman, Leicester. Pet. Feb. 12. Reg. & O. A. Ingham. Sol. Arnall, Leicester. Sur. March 4.

YOUDALE, JAMES, draper, Guildford. Pet. Feb. 11. Reg. & O. A. Marshall. Sol. White, Danes'-inn, Strand, and Guildford. Sur. March 4.

BANKRUPTCIES ANNULLED.

Gazette, Feb. 14.

TATE, FRANCIS, clerk in holy orders, Axminster.

Gazette, Feb. 17.

BEDFORD, PAUL JOHN, comedian, Ashley-pl. Westminster.

COOKE, WILLIAM, draper, Knighton.

Dividends.

BANKRUPTS' ESTATES.

Atherton, I. attorney, first, 2*s*. Turner, Liverpool.—*Barfield*, T. W. of Fairlight, first, 5*d*. Parkyns, London.—*Cocks*, J. tailor, first, 2*s*. 1*d*. Parkyns, London.—*Hendy*, C. E. apothecary, first, 4*s*. 11*d*. Kinnear, Birmingham.—*Heathcote*, J. cheesemonger, first, 7*d*. Parkyns, London.—*Hughes*, B. brick manufacturer, 4*s*. 8*d*. Kinnear, Birmingham. —*Macintosh*, J. bookbinder, first, 1*s*. 10*d*. Parkyns, London.—*Mailthorpe*, H. haberdasher, first, 3*s*. 9*d*. Laidman, Newcastle.—*Watson*, F. L. bookseller, first, 10½*d*. Parkyns, London.—*Wright*, J. draper, 6½*d*. Kinnear, Birmingham.

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Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Feb. 14.

ABRAHAM, JOHN, woollen warehouseman, Aldermanbury. Jan. 16. Trust. A. Young, public accountant, Tokenhouse-yard. 7*s*. 6*d*. by four equal instalments at 3, 6, 9 and 12 mos.—secured.

ANTWIS, JOHN, and TUSTIN, JOHN, tailors, Liverpool. Jan. 19. Trust. G. M. Bidwell, accountant, Liverpool.

ASKAM, JOHN FARRELL, publican, Sheffield. Jan. 18. Trust. J. Newton, farmer, West Stockworth.

BALL, JOSEPH, and ATKINSON, WILLIAM, builder, Southport. Jan. 20. Trusts. S. Boothroyd, draper, T. Rawcliffe, brick dealer, both Southport, and R. Isherwood, brick dealer, Burscough. 12*s*. 6*d*.—secured.

BERGER, FRANCIS, and BERGER, LEE, metal brokers, Mincing-la. Jan. 18. 5*s*.—2*s*. 6*d*. in 21 days, and 9*d*. at 6 and 12 mos.

BOWES, EDMUND, broker, Liverpool. Feb. 9. Trust. H. W. Eddis, accountant, Liverpool.

BURNS, GEORGE, printer, Edgware-rd. Jan. 23. Trust. W. A. Blake, gentleman, South-bank, Saint John's-wood. 7*s*. 6*d*. by three equal instalments—first in cash, and at 4 and 12 mos.

CARNE, JOHN, timber merchant, Vauxhall-walk, Lambeth. Jan. 11. 3*s*. on 14th March.

COLLARD, ALBERT JOHN, farmer, Flete Farm, near Margate. Jan. 30. Trust. J. Fraser, gentleman, Furnival's-inn.

DE FRECE, HENRY, dealer in fancy goods, Liverpool. Jan. 19. Surety, J. Lazarus, clothier, Hampstead-rd. 5*s*. by two equal instalments at 3 and 6 mos.—secured.

ELVINS, JOHN WARWICK, publisher, Plymouth. Jan. 23. Trust. J. Yeo, wine merchant, Plymouth.

FEWTRELL, JOHN, coachbuilder, Wolverton. Jan. 18. Trusts. T. Clarke, blacksmith, and J. Chapman, ironmonger, both Stony Stratford.

FITTON, SAMUEL, miller, Macclesfield. Jan. 17. 10*s*.—3*s*. on execution of deed, 7*s*. 6*d*. in 6 mos. and 12 mos.—secured.

GEE, MARK, fishmonger, Nottingham. Jan. 21. Trust. A. McIntosh, bobbinmaker, Beeston.

GRANGER, PRESSEY, commission agent, West Green-rd. Tottenham. Feb. 7. 1*s*. on 7th March.

HAGUE, JAMES, cottonspinner and manufacturer, Shaw, near Oldham. Jan. 19. Trust. G. Lawton, cotton merchant, Ashton-under-Lyne.

HARRISON, ISABELLA, milliner, Bath. Jan. 13. Trust. R. King, warehouseman, St. Paul's-churchyard.

HORRIDGE, JAMES, and WALLIS, JONATHAN, cotton manufacturers, Radcliffe. Jan. 17. Sureties, S. Bradbury, J. Bradbury, and T. H. Bradbury, ironfounders, Radcliffe. 12*s*. by four equal instalments of 3*s*. on 24th Jan., 24th April, 24th July and 24th Oct.

HOWLEY, WILLIAM, Wellington. Jan. 27. Trust. R. G. Bellis, grocer, Wellington. 10*s*. by instalments, 5*s*. in 3 mos., 2*s*. 6*d*. in 6 mos., and 2*s*. 6*d*. in 12 mos.

HUSBAND, ELIZABETH, widow, Woodborough-lodge, Abbey-rd. Saint John's-wood. Feb. 11. 5*s*. by two instalments of 2*s*. 6*d*. each on 11th Aug. and 11th Feb.

JEFFERYS, THOMAS, corn merchant, Melksham. Jan. 12. Trusts. J. W. Pearce, merchant, Swansea, and T. H. Jefferys, gentleman, Melksham. 2*s*. 6*d*. on 19th Feb.—secured.

KENNARD, JOHN, ironmonger, Tottenham-court-rd. Jan. 16. Trust. F. R. Dummett, Birmingham and Sheffield agent, Ely-pl. Holborn. 7*s*. 6*d*. by three instalments of 2*s*. 6*d*. on 11th Feb., 11th May, and 11th Sept.

KNIGHT, GEORGE, builder, Sarre. Jan. 16. Trust. H. Knight, builder, Sarre.

LOWE, JOHN, printer, Cheltenham. Feb. 7. Trust. H. Margrett, Cheltenham.

MARSLAND, WILLIAM, jeweller, Stockport. Feb. 10. Sureties, J. Thompson, grocer, Brinksway, Stockport, and J. Bowden, corndealer, Marple. 5*s*.—1*s*. 6*d*. on April and 1st July, 1*s*. on 1st Oct. and 1s Jan.—secured.

MAXWELL, JOHN, cottonspinner, Constable. Jan. 26. Trusts. J. Furnevall, ironfounder, Haslingden, and J. Gaunt, wastedealer, Manchester.

MELLOR, DANIEL, COLLINGWOOD, THOMAS, and RADCLIFFE, JONATHAN, cottonspinners, Crompton. Jan. 23. Trusts. A. Lees, machinist, Oldham, and J. Wood, banker, Rochdale.

MELLOR, DANIEL, cottonspinner, Oldham. Jan. 19. Trusts. R. Asbley, salesman, Shelford, near Manchester, and J. Mellor, cottonspinner, Oldham.

MITCHELL, JAMES HENRY, commission agent, Northumberland-str. Westbourne-grove. Feb. 7. Trust. S. P. Haynes, gentleman, Duke-st. Manchester-sq. 2s. 6d. in 12 mos.

NATHAN, HENRY, general dealer, Duke-st. Aldgate. Jan. 30. Trust. H. F. Isaac, publican, Prospect of Whitby Tavern, Wapping. 3s. in 1 mo.

OLDACRE, THOMAS HOLMES, commission agent, Nile-ter. Peckham Rye. Jan. 25. 2s. at 6 mos.

PALMER, JOHN, tanner, Liverpool, and COX, BESSIE, widow, Grassendale, near Liverpool. Jan. 16. Trust. G. M. Bidwell, accountant, Liverpool.

REAY, RICHARD, millwright, Newcastle. Feb. 4. Trusts. T. Lynn, iron merchant, Newcastle, and S. P. Walker, ironfounder, Newcastle.

ROBERTS, WILLIAM, meango and waste dealer, Huddersfield. Jan. 27. Trusts J. Armitage, shoddy merchant, Dewsbury, and T. Gooden, oil merchant, Bolton.

SIMPSON, JOHN, table blade manufacturer, Sheffield. Jan. 14. Trust. R. Bradley, publican, Sheffield. 10s.—3s. in 21 days and two instalments of 1s. 6d. at 4 and 8 mos.

SMITH, GEORGE, cattle dealer, Manchester. Feb. 2. Trust. G. Humphrey, timber dealer, Manchester. 24l. 11s. 6d. on 1st March and 24l. 17s. 3d. on 1st June.

SPRAGGS, RICHARD, stonemason, Bibley-rd. Kingsland. Jan. 31. 4s. on 31st Jan.

TADLOO, DAVID, butcher, Diamond-row, Stepney-green. Jan. 16. 4s. by two equal payments on 14th Feb. and 13th May.

TENEY, EDWIN HOWARD, carpenter, Gunter-pl. Camden-town. Jan. 18. 5s. in 14 days.

TONGE, JOHN MEDLEY, Hulme, and SMITH, WILLIAM, Cheriton-on-Medlock, warmlab manufacturers. Jan. 18. Trust. M. Fitzgerald, accountant, Manchester.

WILSON, THOMAS, coachspring manufacturer, West Bromwich. Feb. 3. Trust. S. Wilson, gentleman, Tipton.

WOOD, CHARLES, auctioneer, Devonport. Jan. 16. Inspector, J. Smith, butcher, Devonport. To pay debts by eight equal instalments of 2s. 6d. on 31st Jan. and each succeeding 4 mos.

WOODFORD, ADOLPHUS FREDERICK ALEXANDER, clerk in holy orders, Swillington. Feb. 4. 5s.

WOODROW, JOHN HOCKLEY, tailor, Old Burlington-st. Bond-st. Jan 12. Surety, G. W. Woodrow, merchant's clerk, Stock Orchard-villas, Holloway. 5s. by two instalments at 1 and 4 mos.—secured.

WRIGHT, ROBERT, fishing-boat owner, Lowestoft. Jan. 12. Trusts T. Smart, shipping agent, and W. Youngman, brewer, both Lowestoft.

YOCKLEY, WILLIAM JOHN, auctioneer, Bristol. Jan. 24. Trust. T. Loader, rope manufacturer, Bristol.

Gazette, Feb. 17.

ALKINSON, JOHN HOUGHTON, oakum manufacturer, Liverpool. Feb. 13. Trust. F. A. Tassiker, agent, Bolton.

ALLSOPP, ELIJAH, clockmaker, Nottingham. Feb. 7. 2s. 6d.—1s. 7th March and 1s. 6d. on 7th May.

ANDREWS, GEORGE, tailor and outfitter, Sheffield. Jan. 26. Trusts. T. Crowther, and A. Glendinning, woollen merchants, both Huddersfield.

ATKINSON, THOMAS, provision merchant, Newcastle. Jan. 31. Trusts. R. J. Sutherland, commission merchant, W. H. Scott and W. Nesham, merchants, all Newcastle.

ATTWOOD, WILLIAM, grocer, Enfield. Jan. 30. Trust. P. Rumney, gentleman, Enfield. 5s.

BAKER, ALEXANDER, grocer, Swansea. Jan. 17. Trust. H. Stevens, provision merchant, Bristol.

BANISTER, THOMAS, grocer, Northampton-rd. Clerkenwell. Feb. 13. Trusts. J. W. Holland, jun., 14l.—1s. and J. I. Rogers, St. Swithin's-la. merchants. Sols. Harrison and Lewis, Old Jewry.

BARNES, JAMES, jun., beer retailer, Manchester. 2s. 6d.—1s. at 3 and 6 mos. and 6d. at 9 mos.

BURTON, THOMAS, woollendraper, High Holborn. Jan. 23. Trusts. J. Pounsford, woollen warehouseman, Watling-st. and O. Downes, silk manufacturer, Reggio-la.

BOWKER, HENRY, and BOWKER, GEORGE, cloth finishers, Huckmondwike. Jan. 21. Trusts. S. Perrit, yarnspinner, Liversedge, and W. Stapleton, commercial agent, Dewsbury.

BOWKER, JOHN, commercial traveller, Bloomsbury-sq. Jan. 28. 1s. on 1st Aug.

BUNTOFENLAW, HENRY, fruiterer, Halifax. Feb. 1. Trusts. J. Marsden, Halifax, and R. Latham, Liverpool, fruiterers.

BUTLER, THOMAS, lace manufacturer, Nottingham. Feb. 11. Trusts. W. Turney, machine builder, Radford, and H. Davies, silk agent, Nottingham.

COOKE, EDWIN RASWELL, whiting manufacturer, South Newton. Feb. 2. Trusts. S. Ingram, grocer, Wilton, and W. Cooper, builder, Wishford.

COPP, JAMES, and COPP, ROBERT, carpenters, Grosse-st. Tottenham-court-rd. Feb. 1. Trusts. W. Druce, A. W. Druce, timber merchants, both Swan-wharf, Chelsea, and C. Richardson, brick merchant, South-wharf, Paddington.

DANDATT, THOMAS PARKIN, and WOODHEAD, HENRY, flaxspinners, Huddersfield. Jan. 20. Trusts. C. Weiss, merchant, Huddersfield, G. Wood, builder, and J. Byram, ironmonger, both Meal-green, near Huddersfield.

DENINGHAM, CHARLES RICHARD, innkeeper, Ipswich. Jan. 28. Trust. J. H. Bridges, brewer, Ipswich.

DURDEN, CHARLES, cheesemonger, Staverton-row, Walworth-rd. and Great Chapel-st. Westminster. Feb. 13. 11s. by five instalments of 2s., 2s., 2s., 3s. and 3s. at 14 days and 1, 2, 3 and 5 mos.—secured.

GILBERT, THOMAS, general merchant, King William-st. and Charlotte-st. Bedford-sq. Feb. 14. 4s.—3s. in 7 days and 2s. in 6 mos.—secured.

GLOVER, JOSEPH, sen., timber merchant, Leicester. Feb. 10. Trusts. W. Winterton, timber merchant, J. Cooke, auctioneer, and W. H. Jackson, timber merchant, all Leicester.

HALL, SAMUEL, joiner and builder, Halifax. Jan. 19. Trusts. J. Taylor, plasterer, Halifax, and R. P. Stafford, plumber and glazier, Halifax. 7s. 6d. by three equal instalments on 1st Feb., 1st May and 1st Aug.

HARDWICK, BENJAMIN, brushmaker, Leeds. Jan. 31. Trust. J. Robinson, forgeman, Leeds. 2s. 6d.

HARDIMAN, JOSEPH, stationer, Chapter-house-court. Saint Paul's-churchyard. Jan. 25. 4s. by instalments at 3, 6 and 9 mos.

HARRIS, RICHARD NIDD, silk merchant, Nottingham. Jan. 17. Trust. S. Baines, gentleman, Derby.

HILL, THOMAS, and WARD, ELIJAH, ironfounders, Birstal. Feb. 11. Trusts. J. Ward, colliery steward, Wakefield, T. Boyd, jun., metal agent, Manchester, and W. F. Naylor, innkeeper, Liverpool. Sol. Humble, Bradford.

JONES, PETER MELVERN, timber merchant, Liverpool. Jan. 21. Trusts. J. W. D. Roche, merchant, and H. C. Langton, accountant, both Liverpool. 5s. by three instalments of 1s. 6d. on 17th April, 17th July and 17th Oct.

MARRIOTT, WILLIAM, brewer, Leek. Feb. 3. Trusts. W. Jackson, plumber and glazier, Leek, and M. Watts, ironfounder, Macclesfield.

MARTIN, PHILIP, general dealer, Gloucester-rd. Holloway. Feb. 6. 2s. on 31st Jan. 1867.

MIERS, WILLIAM, paper stainer, Old Kent-rd. and Upper King-st. Old Kent-rd. Feb. 4. 1s. 3d.—3d. within 21 days, 6d. on 4th May and 6d. on 4th Aug.

MORGAN, EDWIN, hop merchant, Queen's Head Inn-yd. High-st. Southwark. Feb. 1. 2s. 6d. by two instalments of 1s. 3d. on 1st April and 1st June.

MORRIS, JOHN, joiner, Birkenhead. Jan. 20. Trust. J. H. Jones, accountant, Birkenhead. 1s. 6d. on 20th March.

NORMAN, JAMES LUCAS, and NORMAN, CHARLES LUCAS, builders, Sheffield. Jan. 20. Trusts. J. H. Sales, timber merchant, J. Webster, manager, and H. Matthews, builder, Sheffield.

NORTON, JOSEPH, clerk to an attorney, Cambridge-ter. Edgware-rd. Paddington. Feb. 16. Trust. E. J. Kelly, stonemason, Kilburn priory works, Kilburn.

PAGE, ELIZABETH, smallware dealer, Nottingham. Jan. 21. Trusts. J. Phythian, smallware merchant, Manchester, and A. Page, smallware dealer, Nottingham.

PEARCE, WILLIAM, goldbeating manufacturer, Clerkenwell-green. Feb. 6. 10s.—32l. 15s. down, 32l. 15s. on 1st May and 32l. 15s. every succeeding 3 mos. until 10s. is paid.

PELLING, THOMAS, and PELLING, JOHN, machinists, Radcliffe. Jan. 23. 3s. in 1 mo.

POLAK, JAMES, picture dealer, Gt. Russell-st. Bedford-sq. Feb. 8. 10s. by four equal instalments on 13th March, 13th Sept. 1865, and 13th March and 13 Sept. 1866.

POTTS, GABRIEL RAWLINGS, anchor manufacturer, Sunderland. Jan. 21. Trust. T. Potts, timber merchant, Sunderland. 4s.

REES, DAVID, provision dealer, Carmarthen. Feb. 6. Trusts. J. Reynolds and H. Allen, mealmen, both Gloucester.

ROMER, FRANCIS, clerk in the Admiralty, Doctors'-commons, Westbourne-ter. north, Westbourne-sq. Paddington. Feb. 3. Deed of arrangement to pay 70s.—30l. yearly by quarterly instalments on 3rd April, 3rd July, 2nd Oct. and 2nd Jan.

SCOTT, JAMES, manager and victualler, Liverpool. Jan. 23. Trusts. J. Yates, soda-water manufacturer, T. S. Trumble, paper-hanging manufacturer, and H. Davies, painter, all of Liverpool.

SIMPKIN, WILLIAM, fruiterer, Birmingham. Jan. 26. Trust. H. Simpkin, fruiterer, Birmingham. 6s. by two equal instalments, the first forthwith and the second in 6 mos.

SLADE, JOHN, innkeeper and builder, Exeter. Jan. 31. Trusts. J. Harding, wine and spirit merchant, Exeter, and T. Chudleigh, merchant, Collumpton.

SMITH, WILLIAM, wholesale milliner, Basinghall-st. and Margaret-st. Commercial-rd. Feb. 3. Trust. J. Hill, gentleman, Shoreditch.

SPARKES, JOSEPH, and SPARKES, ROBERT, cottonspinners, Oldham. Feb. 10. 2s. 6d.

STATHAM, JONATHAN BROWN, builder, Southport. Jan. 20. Trust. G. Kirkley, slater, Salford.

STEVENS, JAMES, butcher, Torquay. Feb. 2. 2s. 6d. in 7 days.

SUTTABY, CONSTANTINE FOSTER, saddle maker, Thorney. Jan. 30. Trusts. W. Lound, saddle maker, Peterborough, and T. Aston, grocer, Thorney.

THOMAS, JEFFREY, farmer, Llansantffraid-Glan-Conway. Jan. 27. Trusts. J. Thomas, Cross, and J. Owens, Gross Engan, farmers.

THOMPSON, JOSEPH LOGAN, sailmaker, South Shields. Feb. 8. Trust. G. Harford, sailcloth manufacturer, Newcastle-upon-Tyne.

THORMAN, ARTHUR JAMES, ship and insurance agent, Lime-st. Jan. 30. 5s. by three equal instalments of 1s. 8d. at 3, 6 and 9 mos.

TURNER, JACOB, coal merchant, Beverley. Jan. 21. Trusts. F. Deason, brickmaker, Beverley, and O. Aigsworth, solicitor's clerk, Sheffield.

VOSS, JAMES, ship broker, Billiter-sq. Feb. 8. Trust. J. Weise, accountant. Tokehouse-yd. 5s. 9d. by two instalments of 3s. and 2s. 9d. at 14 days and 4 mos.—secured.

WADE, HENRY, commission agent, Birmingham. Jan. 20. Trust. C. Wade, merchant's clerk, Birmingham. 2s. 6d.—secured.

WARDLE, RICHARD JAMES, and BAKER, JOHN, builders, New Palace-wharf, Millbank-row, Millbank. Feb. 3. Trusts. J. T. Cosling, brick merchant, New Barnet, J. Stiff, potter, High-st. Lambeth, and W. H. Miller, stationer, Westminster-bridge-rd. 5s. in 3 mos.

WHITAKER, CHARLES, cloth manufacturer, Armley, near Leeds. Jan. 24. Trust. M. Holdsworth, butcher, Armley. 2s. 6d.

WILCOCK, THOMAS, grocer, Manchester. Jan. 19. Trust. J. Broomfield, potato merchant, Manchester.

WOODHOUSE, JAMES, Hollerk, near Leeds. Jan. 23. Trusts. S. Mitchell, mungo merchant, Ossett, and W. Hastings, cotton warp manufacturer, Huddersfield.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGES.

EDWARDS—LLOYD.—On the 21st inst at St. John the Baptist, Frenchay, Gloucestershire, Jeffery, only son of Thomas Edwards, Esq., of Riverford, Totnes, to Mary Anne, fourth daughter of E. J. Lloyd, Esq., Q.C.

DEATHS.

PIGGOTT.—On the 10th inst., at Thornville, Rede, Isle of Wight, aged 68, Deborah, widow of the late Hon. Ephraim Piggott, Chief Justice of the Island of Tobago, West Indies.

VAUGHAN.—On the 10th inst., at Heaton Norris, Stockport, aged 77, John Vaughan, solicitor.

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Practice in Winding-up.
2. Voluntary Winding-up.
3. Winding-up under supervision.
General Powers for Winding-up.
Dissolution of the Company.
Liabilities of Directors and Others.
Application of Act to Unregistered Companies.

LAW TIMES OFFICE, 10, WELLINGTON-STREET, STRAND, W.C.

To Readers and Correspondents.

R. A.—No.

All anonymous communications are invariably rejected.

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DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, MARCH 7.

By Messrs. DRISCOLL and TWYSON, at the Guildhall Coffee-house.

Important freehold building site, near the Bank of England. Advertised Feb. 25.

WEDNESDAY, MARCH 8.

By Messrs. FOX and BOUSFIELD, at Garraway's.

Valuable lease of warehouses in Wood-street, five acres of building land at Wimbledon, and valuable long leasehold property at Lee, Kent. Advertised Feb. 25.

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By Messrs. FREEBROTHER, LEE and WHEELER, at Garraway's.

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Leasehold premises, 1a New Broad-street, and two houses in the Waterloo-road. Advertised Feb. 25.

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Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing in it 1s. in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

REGULAR Reports, carefully prepared for preservation as authorities, after revision by the counsel engaged and the Judges, must of necessity be slow in publication. As they must, also, be extremely select, decisions of only temporary value, as points of practice and such like, must be sedulously excluded, and the Reports must be strictly confined to courts whose decisions are authorities with other courts.

Therefore, under any circumstances, there is needed a series of rapid reports, in addition to the regular reports, to be accepted as authorities until the cases are formally reported in the regular reports, and to contain all such as are not of sufficient permanent value to entitle them to a place in the regular reports.

As such a series of reports is required, more especially for use by advocates, we have arranged for the issue of the LAW TIMES REPORTS in a wrapper, as a distinct publication, under the appropriate title of "THE BAR REPORTS," so as to indicate, by the name they bear, of what quality they are. They will endeavour to fill the place we have described, and to supply the requirements of the courts, until the regular reports become the properly recognised authorities.

An advertisement fully describes the plan.

"The *Bar Reports*" will be useful only to those who do not take the LAW TIMES; therefore, they are of little interest to our readers.

We may announce that we have made arrangements for a series of reports of Parliamentary Practice.

A General Index to the first ten volumes of the LAW TIMES REPORTS, N. S., is now in the press, and will be published in a few weeks. The price will be 12*s.* 6*d.* to subscribers. As it is necessary to know how many copies are likely to be required, we shall be obliged if those who desire to have it will forward their orders at once. To non-subscribers the price will be 15*s.*

THE LORD CHANCELLOR has reproduced his Bill for the better regulation of the Fees of Attorneys and Solicitors. It does not differ from the scheme of last year. The provision is brief. It enables the solicitor and his client to contract for work to be done at a price, and such a contract will not be subject to taxation. As it is, even if such a bargain is made, the law will not recognise it, and the client can enforce taxation. Should the new Bill become law, the client will say to his solicitor, "What will you do this mortgage for?" "What will you take to carry on this suit?" If they agree upon a fixed sum, or any other scale of payment than the regular one, it will be permitted to the solicitor to do so, and the client will be bound by it. The LORD CHANCELLOR thinks that such payments by the job will do away with the inducements offered by fees by measure to lengthened documents and multiplied letters and attendances.

It certainly will do so, but we doubt if it will not be attended with mischiefs that will more than counterbalance the benefits. Foremost of these is the danger of introducing competition. At present, as all solicitors are legally entitled to the same charges, any underselling must be *sub rosâ*. It exists, but covertly, and it is done, but indirectly. If, however, the practice, encouraged and sanctioned by the new Bill, should become frequent of clients' bargaining with their solicitors at so much for the job, the clients would soon advance from bargaining with one solicitor to bargaining with many. There would be likely to grow up, by degrees, a species of lottery by tender, the lowest to be accepted, which, we fear, would conduce neither to the respectability nor harmony of the Profession.

On the other hand, it must be admitted that there are many cases in which the scheme will work well. The principle of payment by fees, regulated at a percentage upon the property dealt with, is equally just and convenient. It is the fair principle on which solicitors might properly conduct the vast business of debt-collecting, and thus regain that which has been filched from them by the invading class who call themselves agents and accountants. In this manner, the greater portion of conveyancing can be undertaken, to the equal satisfaction and relief of solicitor and client. Thus it is that we have proposed that the entire business of bankruptcy should be entrusted to the solicitors. The principle is capable of extensive application, and its advantages are immense. The passing of Lord WESTBURY'S Bill (if it should be passed) should be followed by immediate action on the part of the Profession, to frame a conventional scale for percentage fees for the various classes of business adapted to this form of remuneration, and by which the respectable members of it may be guided. As for the disreputable, no rule would govern them; they could not do worse things than now. Upon the whole, we see much to approve, but also not a little to fear, in the LORD CHANCELLOR'S new Bill.

THE Bills for the Palace of Justice have met with an unexpected obstacle, delaying but not endangering them. Mr. KINNAIRD has chosen to take under his protection the tenants who are to be removed from the not very creditable or wholesome district that is to be the site of the new building. He sought to make it an instruction to the committee that means should be devised for procuring other residences for them—a proposition which, if adopted, would put an end to all public improvements. Lord PALMERSTON and the ATTORNEY-GENERAL vigorously resisted the insidious attack upon the Bills; but the House was counted out, and thus there is delay.

THREE Bills are before Parliament for amending the Law of Evidence. The object of all is the same, to extend the application of the principle that the best means for ascertaining the truth is to hear what everybody has to say who knows anything about the matter, leaving his veracity to the test of cross-examination and the sagacity of judge and jury. In civil tribunals the practice has been adopted without reserve, and the parties, their wives and husbands, are admitted as witnesses, doubtless with some addition to perjury, but with incalculable advantage to justice. It is now proposed, by three independent members, to extend to criminal tribunals the practice which has worked so well in the civil courts, and to make the accused and his wife competent, but not compellable, as witnesses upon oath. The arguments in favour of such a course are plausible, and even potent. If it promotes justice in a dispute about property, why not in a trial for life or liberty? Cross-examination will make innocence more clear, though it would confound guilt. How unjust it is to hear the accuser, who may be an enemy, while you seal the lips of the accused.

But these arguments come from lips and pens that have had little experience in criminal courts. The answers to them will instantly present themselves to those who have been much engaged in the defence of prisoners. There is a distinction between a civil and a criminal trial which justifies the difference of practice in this respect. At Nisi Prius, the question is of a dispute between two parties where justice is generally the *mesne* between them, and each is required to sustain his own case. In a Criminal Court, the question is all on one side; it is for the prosecution to prove the prisoner guilty, not for the prisoner to prove his innocence, and if the prosecution fails to do this the prisoner is entitled to a verdict. As the law is, the accused is called upon to do no more than fold his arms and say, "Prove your charge."

But, if he may be called as a witness on his own behalf, his position will be practically changed. The prosecution will make out a lame case and call upon the prisoner to answer it; or at least, it will do what will be the same in effect, it will inform the jury that the prisoner may deny or explain, if he can, and that, if he will not avail himself of the privilege, it may be taken as a tacit admission of guilt. Even if this be not said by the counsel, it will certainly be felt by the jury, and there will be many a conviction, not because of cogency of proof, but because the prisoner declines to subject himself to the ordeal of a cross-examination. Thus it will work cruelly to him, for, if he offers himself as a witness and denies the statements of the prosecution, he will not be believed, and if he declines to do so, he will be convicted, because he is silent when he might speak.

It is a fallacy to assert that cross-examination will not endanger innocence, but rather make it more clear. The writer of that remark cannot have had much practice in cross-examination, or he would tell a different tale. We venture to assert, from large experience, that a clever advocate, by an ingenious cross-examination, could confound the guiltless, and so perplex innocence as to give it the aspect of guilt. We question much the policy of *this* change; but we have no doubt as to the propriety of admitting all the parties in charges of assault, conspiracy and minor misdemeanors, as also in cases of adultery or desertion, breach of promise of marriage, and summary convictions of all kinds.

THE Law of Libel is still very unsettled and unsatisfactory. Lord CAMPBELL'S Act wrought a great improvement, and if the spirit of it had been sustained by judges and juries, little would have been left for amendment. But, unfortunately, the tendency of the courts has been rather towards the contraction than the expansion of the principle sought by its author to be embodied in that famous statute. Lord CAMPBELL'S purpose was to establish by law the right of full and fair criticism of public men as well as of public matters. It was his object to protect the press in the honest performance of this duty, by affording it reasonable opportunity, when lapsing into accidental error, often absolutely unavoidable, to make reparation by apology and otherwise to those whom it might undesignedly have wronged. It was permitted to the offending journal to plead a contradiction and apology, and to pay damages into court.

If the courts had acted up to the spirit of that statute, it would have amply sufficed for the protection of the press in the performance of its difficult and delicate task. The questions for the jury would then have been—Was the article a commentary on the public acts of a public man, or private conduct that had been made public? Was it a fair commentary? Was it made in good faith, without malice or motive of

personal hostility? Is it true in fact? If not true, did the plaintiff prefer a complaint, and demand a contradiction and apology? Was that contradiction and apology promptly made, was it sufficient in itself, and published as prominently as was the libel? If these are answered in the affirmative, it will be a verdict for the defendant. But it may be further asked, whether any pecuniary damage was sustained by the plaintiff? If so, had he been compensated for it by the defendant, or had the defendant offered to refer it to arbitration, or paid anything into court?

Thus treated (and Lord CAMPBELL'S Act might have been so dealt with) no further legislation would have been required. But since it became law, and especially of late years, courts and juries have read it in a more restricted sense.

Absurdly limited views have been taken of who are public men and what are public acts. The most unjust of these cases was that of the *Saturday Review*, in the matter of Dr. CAMPBELL, and it may be asserted that, if this case were to be followed out to its consequences, the liberty of the press would be entirely subverted. The recent case of Mr. Serjeant PULLING'S citation from the *Law Journal* is scarcely less restrictive; only a few days since, the repetition of a statement made by counsel in open court was visited with heavy damages, and at this moment an editor and a publisher are waiting trial for the letter of a contributor whose name and address were appended, and against whom the plaintiff could have an ample remedy.

It may, therefore, be affirmed that the liberty of the press is at this moment in the very greatest peril, and it behoves the conductors of it to exert themselves to procure the protection which Lord CAMPBELL designed to give them, but of which they have been practically deprived. Journalism is indebted to Sir COLMAN O'LOGHLEN for a Bill which he has introduced into the House of Commons to amend the Law of Libel. This Bill proposes to enact that no criminal proceedings shall be had for libel unless the object of the libel was to extort money or some valuable thing. In civil proceedings for libel in any newspaper or periodical publication, it is expressly provided that "proof that the alleged libel was a true report of a speech or part of a speech spoken at any public meeting lawfully assembled for a lawful purpose open to reporters for the press, and that the said report was published in the said public newspaper or other periodical publication *bonâ fide* without actual malice and in the ordinary course of business, shall amount to a defence, unless it shall be proved that the defendant declined or omitted, if required so to do, to publish in his said public newspaper or other periodical publication, and in a portion of the same as conspicuous as that in which the said alleged libel was published, an explanation or contradiction of the said alleged libel, of not unreasonable length, immediately after such contradiction or explanation shall have been furnished to the said defendant by or on behalf of the party complaining of the said alleged libel." It is further to be enacted that "proof that the defendant believed the alleged libel to be true, and that the same was published without any defamatory intent, and with a lawful object, or, *bonâ fide*, as a fair comment on a matter in which the public were interested, shall amount to a defence, unless the plaintiff shall prove that he has sustained actual loss or damage by the publication of the said alleged libel, or unless the jury at the trial shall be of opinion that the alleged libel is such as is fairly calculated to cause actual loss or damage to the plaintiff by its publication." Provisions are also made for payment into court of money, as in other personal actions, and that defendant shall be entitled to his costs when the damage does not exceed 20*s*. A speech at a public meeting, reported in a newspaper, is to have the same liability and protection as a written libel. Nothing in the Bill is to affect the privilege of Parliament, or of courts of justice, or of any other public body entitled to privilege.

These provisions appear to throw around the press sufficient protection, without in any manner depriving those whom it might wrong of the redress to which they are entitled. An ample apology, compulsorily published, and damages where pecuniary injury has been sustained, is all that can fairly be required for accidental libel. Malicious and unjustifiable libel will continue to be punishable as heretofore, and as it always should be.

THE important composition-deed case of *Walker v. Nevill and others*, to which attention was drawn in this journal on the 4th Feb., upon the hearing in the Exchequer, when judgment was reserved, has now been decided, and will be found at 11 L. T. Rep. N. S. 774. The composition and inspectorship deed made by the defendant NEVILL and registered under the 192nd section of the Act of 1861, was pleaded by him in the plaintiff's action of debt on the defendants' joint and several bond. The plaintiff demurred on the ground that there were joint and separate creditors, and joint and separate estates of the compounding debtor, and that the deed placed the joint and separate creditors on the same footing. To invalidate the deed the 197th section was relied on, which provides that the persons bound by the deed shall in all matters relating to "the estate and effects" of the debtor respectively have the "benefit of and be liable to the provisions" of the Act in like manner as if the debtor had been adjudged bankrupt. In such case, as our readers are aware, under an ancient order in bankruptcy, the joint creditors have a preference in the joint estate, and the separate creditors a preference in the separate estate. The question therefore was, whether this deed, giving to all the creditors equally a certain sum in the pound, could stand with the 197th section. The Court thought that it could. Whatever weight there might be in the objection to putting all the creditors into one class, if that objection were applied to a deed of assignment under the 192nd section, where the property assigned was to be distributed, but at the same time a distribution according to the law of bankruptcy respecting joint and separate creditors and joint and separate estates were excluded, the objection did not apply to a deed of composition and inspectorship made under the same section. It is apparent, on the face of it, that the Act is incongruous in providing, by that section, that a deed relating to the distribution, inspection, management, and winding-up of the debtor's estate, "or any of them," shall put the parties bound by it on the like footing as they would have been in bankruptcy; inasmuch as bankruptcy cannot be conceived without distribution. To escape this incongruity, then, the 197th section, as to benefit of the estate and effects, must be read with qualifying words, such as "where there are estate and effects to be distributed." No case could more strongly illustrate than *Walker* v. *Nevill* the roughness with which these important clauses, giving law to the administration of four millions worth of property in a year, have been drawn. It is not surprising that such experienced witnesses before the Select Committee as Mr. LAWRANCE and Mr. C. E. LEWIS should testify to the insecurity of the trust-deed system, on account of the imperfection of the Act and the decisions of the courts. The reluctance of the courts to admit a plea in bar to a plain and otherwise undefended action of debt, unless compelled to do so by clear enactment, cannot be imputed to them as a reproach. It is their bounden duty to be strict with the Act. Hence, although eight-ninths of the amount of the estates of insolvents have been and are being administered out of the Bankruptcy Court, no man can tell, until an action be brought or a judgment of the Lord Chancellor be had on the deed in the particular case, or unless the deed be on all fours with another which has actually been the subject of judicial decision, whether the deed under which he may have given up the whole of his property, or, on the other hand, may have had an unsatisfactory dividend thrust upon him, be good or be bad.

There was raised against the deed, in *Walker* v. *Nevill*, another question which was not resolved there on its merits, but on the form of the plea, Must there be the requisite assenting majority of creditors in each class of them, joint and separate? Fortunately the same number of our reports contains a decision on this point. In *Ex parte Oldfield, re Oldfield*, before the LORD CHANCELLOR, p. 750, a deed of assignment under the 192nd section was executed by two debtors, who were in partnership, but one of them was afterwards adjudicated bankrupt on the petition of a separate creditor, a dissentient, and a motion to dismiss the petition was refused by the commissioner on the ground that, there being no separate estate of this debtor, there was nothing to bind the dissenting creditor. But the LORD CHANCELLOR held that the Act did not admit, in a matter of that kind, of separate creditors being consulted separately in respect of the separate estate. "By the provisions of the statute," said the LORD CHANCELLOR, "the whole body of the creditors are to deliberate and decide together. There is nothing to warrant the conclusion that separate creditors might not constitute a majority, even if there were no separate estate." The decision in the court below was according to common sense, the reversal of it on appeal was according to the Act. It would seem to follow that here the Act is not according to common sense.

Two points, then, may be laid hold of by the practitioner. When a joint and several debtor makes a deed under the 192nd section, first, in obtaining the requisite majority there is no distinction between his joint and his separate creditors; secondly, if the deed is not an assignment of estate for distribution, the joint and separate creditors may be treated as one class with respect to the payments to be made by them.

UNEASINESS respecting the Concentration of the Courts Bills may have been caused to some of our readers by the division on Mr. KINNAIRD'S motion, that it be an instruction to the committee on the Site Bill, that they have power to make provision for appropriating or obtaining sites, and for the erection of dwellings for the working classes proposed to be displaced by the Bill. The motion was carried by eighteen to eight. In the course of the debate, the ATTORNEY-GENERAL, after showing the impracticable character of such an instruction, proceed to deprecate strongly that, by an unintended effect, the passing of a measure of great public utility, which by general concurrence ought to be carried, would thus be obstructed. Lord PALMERSTON, too, showed that the committee would have no power to accomplish the instruction, and that the motion, if passed, would only impose upon them the duty of reporting to the House that they were totally unable to carry it out. The consequence of any such report would be, we apprehend, to neutralise the operations of the committee. The division having been told, and there being not forty members present, the Speaker adjourned the House. The division itself is not further referred to, either in the newspaper accounts or in the Commons' Votes and Proceedings; it might, therefore, be supposed to have been effectual. But we hear it is not so. As the numbers told show that there were not forty members in the division, it is inoperative, so far, so good. Nevertheless, the fact that there was no House is discouraging. It argues either lukewarmness or timidity in members to absent themselves when a motion is before the House obstructive to the Bills. The Government, as is well known, can always make a House; but it evidently lacks either the courage or the earnestness to do so, when a philanthropy, pleasing to the people but demonstrably unsound, threatens a measure which does not excite popular sympathies, although it is of "great public utility" in the administration of justice. It begins to be what we feared. The hustings are too near. At this moment, the popularity that would be gained by passing the Bills is weighed against the unpopularity of unhousing 3000 working men; and the Government is content to look on while the beam inclines against the progress of their Bills. Having regard to the history of the concentration question, how the late ATTORNEY of this Government was frightened from his Bills by the CHANCELLOR of the EXCHEQUER of the same Government, and how the present ATTORNEY last session threw himself into an attitude of despair at the opposition of those terrible gentlemen the benchers of Lincoln's-inn, we have found much reason to doubt the sincerity of the Government in the matter. We believe the truth may be that the CHANCELLOR of the EXCHEQUER fears that the Board of Works estimate will prove true, and that his financial scheme will be thrown out by a demand for half a million or more. Hence all is willingly left to the chance of the *popularis aura*. That Board has petitioned to be heard by counsel against the Bills. When a Government means to carry a Bill, it very soon shows its intention by its acts in the conduct of the Bill. The first thing is, to make a House to support a friend or to defeat an enemy. It is easy to make speeches; but fine words butter no parsnips, either natural or parliamentary. Lord PALMERSTON and the ATTORNEY-GENERAL voted for Mr. KINNAIRD'S

motion. The third reading may, perhaps, clear up the difficulty.

THE legal advisers of the owners of land and real property being interested, as well as the conveyancers, in pending measures affecting the mode of raising money on land, we gave a professional notice last week of the Mortgage and Land Debenture Bills now before a Select Committee of the Commons. Into the policy of thus facilitating the transaction of borrowing and lending on real security we did not think it necessary to enter. It seemed plain that, as to the Irish Bill, and the one of the English Bills which relates to single estates, there could be no economical disadvantage in providing legal machinery for enabling a landowner to raise money by contribution of the loan in parts on his land, and a small capitalist, wishing for a secure investment, to put his 50*l.* or 100*l.* towards a mortgage of 5000*l.* or 10,000*l.* on the land. Such legislation, so far from giving encouragement to rash speculation, appeared likely to preserve the savings of many a working man from the attractions of bubble companies and swindling societies. The other of the three Bills, that for companies, which contemplates an aggregate fund of mortgage securities as a basis on which debentures are to be issued by a company, we considered to labour under the difficulty of furnishing means to satisfy a lender to the company on its debentures as to the sufficiency and soundness for the time being of the company's securities fund. But the *Times*, missing the legal character of these Bills, has fallen into a dream over them of "hungry victims" of some "vast catastrophe" who "would come back in clouds to their only solid security and would eat up the land, getting each his little dividend after the liquidators and the lawyers had filled themselves full." Landed property as it is, and landed property as it is to be, will be as different as "an honest piece of brown windsor soap lying ready for our domestic use, and the same piece of soap whipped into suds and floating about the air in beautiful bubbles."

Fear of the lawyers is as settled and wit-scaring in some minds as the fixed dread in DICKENS's old lady of her kitchen chimney being a-fire. The way in which the debenture alarmist has worked himself up to his soap bubbles is this: he begins by seeing in imagination, "two hundred millions of debentures," which are to pass from hand to hand like bank-notes. Any owner of real property may, we are told, issue debentures to any extent he pleases, according to one English Bill, and to the extent of three-fourths of the value of the property according to the other; there is no security that the interest of the land will be of an enduring character; any man might issue debentures under the existing law against any property, but the question is, whether the law is to give a "special sanction and air of security" to these transactions; by this "mighty change," all traders making 10 per cent. by trading, and owning their own premises, would issue debentures on them at low rates of interest, and add the sum to their capital; to the landowner a debenture company will say, "You have real property on which you can borrow at 3 or 4 per cent., we, by our operations, can make 10 per cent. of the money; make over to us your estate, we will turn it into debentures and sell them; we can afford to pay the interest on the debentures and give you 1 or 2 per cent. for the use of the credit of your land, without any trouble or outlay on your part;" this would bring in hundreds and thousands of landowners to become partners in the bubble schemes which several hundred millions of these transferable debentures would raise in the land; then would come a change in the value of money, and in the relations of commerce, after the value of a great proportion of the fee-simple land of England was floating about in paper securities.

Panic always has its comic side. The idea is ludicrous enough that, because an Act of Parliament will provide a form of instrument to lenders on land which is to give them a remedy of a particular kind in the land, therefore all the world will rush to lend, whatever be the value of the security offered. It might as well be said that Lord WESTBURY's Land Transfer Act, enacting by its 63rd section that all registered land may be charged by indorsement on the land certificate, will burden the world with monstrous land charges, or that the statutory powers to companies of all sorts to borrow money must draw hundreds of millions in loan to delusive joint-stock schemes. The truth is, that in the present state of the law, as we showed last week, a joint mortgage taken by numerous mortgagees beneficially interested in small sums involves so many difficulties and complications as to title and remedy, that such a mortgage, whether in the shape of debentures or in any other shape, is impracticable. To suppose that making it practicable by Act of Parliament will induce men to advance unlimited sums, without regard to value, and will thus divert hundreds of millions of money to real security, or, rather, real insecurity, is simply juvenile. It is not much less juvenile to picture the landowner as lending his credit for 1 or 2 per cent. to a debenture company. Lending his credit would, according to Lord NAAS's Bill, involve a security on his land, in such an effectual shape as must satisfy the registrar at the office of Land Registry that the security is a proper one on which to issue debentures. The first thing which, as every lawyer knows, the registrar would look for when he had such a security presented to him would be a receipt indorsed by the landowner for the money purported to be paid to him by the company. The landlord is not very likely for 1 or 2 per cent. to execute a regular security and sign a receipt without getting the money. If men are not made wise by Act of Parliament, they are not made fools. So that the clever operation pictured in the *Times* article of lending land credit is the mere fancy of one who has not studied that Bill, but has run wild at land debentures. Even if the owners of a great proportion of the fee-simple land of England were to be seized with such statutory madness, a court of equity would hold their land to be effectually bound by the debentures, so that the paper securities would represent value just as much as if the landowner had mortgaged in the ordinary sane manner to the company. These rhapsodies are not the means either to stop or to aid legislation on an important subject. The case of a company issuing mortgage debentures on its aggregate fund, and not on specific land, does present points of detail which will require much care in their treatment. The other two Bills provide for debentures out of specific land only, of which the English Bill leaves the lender to use the same discretion as at present in the amount of his advance, merely providing a new remedy adapted to numerous equal mortgagees on one estate.

BILLS relating to the law and the lawyers have been more abundant at the opening of this session than is usual. On the one subject of the law of evidence no less than three have been introduced. The principle that interest shall not disqualify a witness is still being worked out. For nearly two centuries the common law has been undergoing a gradual process of relaxation in this respect by statute. First, the members of a community, as the parishioners or inhabitants of a place, were made competent witnesses, although the action were for recovery of money by the churchwardens, or for the benefit of the place; then persons whose names were forged were enabled to give evidence in a prosecution for the forgery; burgesses were no longer to be incompetent by reason of interest in the borough fund, nor officers or members of companies by reason of their interest. The great stroke was made by the Act of 1843, by which witnesses in general were to be free from incapacity by crime or interest. Still parties individually named in the record, or persons on whose behalf individually actions were brought, and their husbands or wives, remained under their common law incapacities. Eight years afterwards such parties and persons (without mention of husbands and wives) were made competent and compellable to give evidence, but not either for or against themselves in any criminal proceeding, nor were husbands and wives to be competent or compellable to give evidence for or against one another in any such proceedings; and this relaxation of the law was not to apply to any proceeding instituted in consequence of adultery, or to any action for breach of promise of marriage. Husbands and wives remained for two years longer tongue-tied in relation to one another in civil proceedings until the Act of 1853 relieved them from this disability, except in any criminal proceeding, or any proceeding instituted in consequence of adultery; but no husband or wife was to be compellable to disclose any communication made by wife or husband during the marriage.

Mr. SCULLY's Bill proposes to amend the law of evidence in criminal cases, providing that any person who in any criminal proceeding is charged with the commission of any indictable offence or any offence punishable on summary conviction, and his or her wife or husband, shall be competent, but (save as after mentioned) not compellable, to give evidence for or against himself or herself, and for or against his or her wife or husband, subject, however, to be cross-examined, and in that case compellable to answer any question, although it may tend to criminate himself or herself, or his or her wife or husband. This Bill does not leave it clear whether the restriction of the Act of 1853 respecting evidence of communications between husbands and wives themselves is to continue to be operative or not. The terms of the Bill are general. If a repeal of the restriction be intended, it had better be done expressly; if it be not intended, then there should be a saving. As regards the policy of this Bill, nothing, it may be conceived, can be more welcome to an innocent prisoner than the opportunity of giving evidence and being cross-examined. If it be said that prisoners would be open to a presumption of guilt if they did not take the same course, the answer is that the presumption is fair. But there might be danger that an innocent man would get entangled, as he does sometimes under the French system of interrogation. Examination, however, by a counsel, according to English rules of evidence, enforced by the prisoner's counsel under the eye or an English judge, is a very different thing from the judicial vivisection by which the Bench displays its cleverness and zeal in France. The expediency of admitting the testimony of a prisoner depends on the whole upon the degree in which the rules of evidence are proper, and are properly observed. There is, it is true, the case of an innocent man shrinking from self-exposure to cross-examination on some collateral matter. But it is exceptional.

Sir FITZROY KELLY deals with the remnants of the common law in evidence in criminal cases, and also in those of breach of promise of marriage and adultery. In any proceeding for such breach the parties are to be competent and compellable to give evidence on behalf of either or any of the parties; in a proceeding instituted in consequence of adultery, a party, and the husband or wife of a party, may offer himself or herself as a witness on the party's behalf. On the trial of any indictment, information, or inquisition, and upon any impeachment, whether for treason or other felony or misdemeanor, the party charged as prisoner or defendant, or the husband or wife of the party, may offer himself or herself as witness on the party's behalf; so, in cases of acts punishable on summary conviction; persons offering themselves are to be examined and cross-examined like any other witnesses; on a trial for felony or misdemeanor, the prosecutor's counsel, at the close of his case, if the prisoner's or defendant's counsel does not announce his intention to adduce evidence, may sum up, and the prisoner or defendant, or his counsel, may open his case and sum up, the reply remaining as at present (C. L. P. A. 1854, s. 18); in felony or misdemeanor, on the application of the prosecutor, or the person charged, the court may order a special jury; in any proceeding in which legitimacy or a claim to be declared a British subject shall be in question, the party may move for a trial by jury. This Bill, then, resembles Mr. SCULLY's as regards evidence in criminal cases, except that it is more comprehensive as to the kind of trial, but is confined to evidence (subject to cross-examination) in favour of the prisoner. As to adultery cases, the present law leads to the absurdity, that, where adultery is pleaded by way of defence, the husband and wife may be examined, although they cannot where the proceeding is instituted in consequence of adultery. The other provisions above noticed, in Sir FITZROY KELLY's Bill, tend to assimilate criminal to civil proceedings.

Such assimilation is also the object of Mr. DENMAN's Bill, which is to the like effect as Sir FITZROY KELLY's as to procedure on the part of the prisoner's or defendant's counsel. Mr. DENMAN's Bill next adapts sections 22 to 26 of the Common Law Procedure Act 1854 to proceedings on indictment for felony or misdemeanor; and it provides that comparison of a disputed writing with any writing proved to the

satisfaction of the judge to be genuine, shall be permitted to be made by witnesses, and the writings and evidence of the witnesses respecting them may be submitted as evidence. This Bill has been read a third time. It is probable, we think, that, if both the other Bills are proceeded with, a select committee will fuse them into one.

THE REPORT ON THE NEW BANKRUPTCY ACT.

(*Continued from page* 197.)

The Solicitors' View (*continued*.)

The Lord Chancellor.—At one time under this Act there was a system of exacting illegal demands, to make the court solvent, and the Lord Chancellor's name was quoted for all these matters, the messenger stating that it was done with his sanction. So says Mr. Lewis.

The Commissioners.—In London, according to Mr. Lewis, the commissioners do not attend every day. No one sits in chambers except Mr. Commissioner Holroyd. Some of them are very punctual, some are not; they profess to begin work at eleven o'clock and to end at four. Public convenience would be attended to a little more if the commissioners and registrars sat at ten o'clock.

Mr. Lawrance thinks the court well constituted, but that the commissioners have passed their vigour. Three would be sufficient. If the commissioner is to perform judicial and administrative functions, he cannot go into the details of audits. A court of three commissioners, with comparative youth, sitting separately, like the Vice-Chancellors, might be made to work well. They should have 3000*l.* a-year each. They should sit from ten to four every day to hear disputed adjudications only. But even so, the Act would not work much better. Its radical defects are, the absence of any power in the official assignees, the substitution of creditors' assignees, the absence of any power in the court to punish fraudulent debtors, and the imperfections with regard to trust-deeds.

Mr. Chidley suggests that the last examination and order of discharge in every contested matter should be heard before three commissioners sitting together. In four days a week they might dispose of all such matters. Contradictory decisions would be thus avoided.

Registrars.—Mr. Lewis says that the audit is conducted in such a way that no attention can be paid to it by the registrar. The audit by the registrar is of no great value. The registrars do not attend every day in the week.

The Registrar, Mr. Lawrance proposes, should take unopposed orders of discharge, creditors giving notice of their intention to oppose.

Brokers.—Notwithstanding the 16th rule of court, Mr. Lewis states it to be the practice of the court in London to have a broker employed by the messenger and paid out of the estate. Payment was refused by the witness, but insisted on. He might have appealed to the commissioner and set all the officials against himself. There is the most suspicious haste with which assets are realised immediately after a petition is filed. Stocks are sold before the meeting for the choice of assignees. These orders for sale are never obtained when a solicitor of influence in the court is the petitioner's solicitor, but in other cases this is a system which has become an abuse and a corruption. It was not so under the Act of 1849. The order for sale is generally obtained by the clerk of the official assignee or by the broker, who has been to the official assignee and got him to put his initials in the margin. The official assignee's clerk would also take it to the registrar, and he would put his initials in the corner. In *Moore* v. *Moore*, contrary to the 16th rule, 37*l.* 16*s.* 9*d.* was paid to the broker for a charge of inventory of effects. It was said that instructions had come down from the Lord Chancellor to that effect.

Mr. Lawrance says that the persons referred to by Mr. Lewis are auctioneers, and it is in that character that they are complained of. A broker is not now employed, except for the purpose of making out the inventory. The sales of bankrupt's effects are a serious grievance. The official assignees desire to get assets into their hands as soon as possible, and obtain an order for sale. Sometimes the sale is made to prevent a distress for rent. Under the old system the official assignee, who had an interest in making the most of the property, would make an advance to pay the rent.

Managers.—The system of managers, according to Mr. Lewis, has taken something off solicitors' and added it to managers' bills. That is the only operation. There have been no great abuses in their appointment. They are frequently appointed in the drapery trade. They sell the effects, and are paid by commission.

Trust-deeds — Arrangement. — The dishonest debtors, Mr. Lewis considers, have benefited most by the trust-deed clauses. The debts and creditors are manipulated so as to make up a majority. A man, in one case, doubled a debt to one of his creditors for the purpose. The debtor makes an affidavit of the amount and number of his creditors, and whether they are assenting. But the assents are neither on the deed, nor filed, so that his oath must be taken for them, or a creditor must be at the expense of testing it by going round to the others. The validity of trust-deeds should be investigated before they are registered, upon notice to the creditors; so that the inquiry might be made once for all, and the deed not be improperly registered or the debtor afterwards be arrested. Such a law would be exceedingly useful, otherwise the clauses are worse than those of the Act of 1849. The private arrangement in court system works better than the trust-deed. There is the evil that until the certificate of registration the debtor is liable to be arrested. To get rid of this difficulty, on the day of the execution of a trust-deed a petition is filed in the court, then an application is made under sect. 199 to stay proceedings and grant protection until the registration of the trust-deed. In trust-deeds, there is no penalty for omitting creditors; no statement of assets is required to be filed. There ought to be an inventory, on oath. There is no time for inquiry by a creditor: a man will call at his counting-house, and say he wants him to sign at once to gain a majority, otherwise the estate will go into bankruptcy. Sometimes a creditor is falsely told, "We have a majority without you, therefore there is no use in your opposing." The trustee should, from time to time, file an affidavit of his proceedings. But the administration in the court ought to be such, that neither debtor nor creditor would seek to go out of it. The defects of the present law might be remedied to that end. In all cases but those where men of good character have fallen into misfortune, the enormous evils which arise from administration out of court, do, whether the court has the power of punishing or not, preponderate against the arguments on the other side. Primarily, the object of a bankrupt law is to administer the estate; but the court has the duty of protecting the commercial morals. If the laws under which creditors are to act were contained in an Act of Parliament instead of being wrapped up in a deed, the kind of business now performed under trust-deeds would be facilitated. The deeds might be dispensed with by means of an order or authority of the court, which should at once introduce a defined system of administration. The present insecurity of trust-deeds, from the nicety of the courts to discover reasons for upsetting them, is a reason for regulating the system by Act.

In trust-deeds, Mr. Lawrance considers that the Act has conferred a great boon on the trading community, but they are open to serious objections, there being no mode of testing the *bona fides* of the debts, or of punishing a debtor on a complaint of a creditor in the minority. Fraudulent statements of assets and liabilities prevail. On registration, any creditor ought to have power to summon the debtor to examine him, and, at the peril of costs, the official assignee should be directed to investigate the accounts. Meanwhile the debtor's oath to the deed should secure him protection. The principle of a majority works well. Further, the creditor should be at liberty to inquire whether any debt has been improperly contracted, and then it would be for the court to adjudicate the man a bankrupt. It would not involve a creditor in much trouble or expense; he would consult his solicitor. But the main element in the bankrupt law is the distribution; and, as a general rule, it should not be sacrificed to punishing dishonesty in the debtor. The principle of sect. 110 of the Act of 1861 might be adopted. You could not rely much on a debtor's statement of assets at the early stage of the proceedings. He might make an approximate statement. The information may be obtained under sect. 197. If a trader is relieved from the stigma of bankruptcy he ought to conform to the spirit of the bankrupt laws. An accountant is generally called in, and before the meeting of the creditors a statement is made sufficiently disclosing for that purpose the state of the assets. Under a composition possession is not taken; under a trust-deed it is. The creditors generally determine who shall be the trustee, and he is represented by his own, not by the debtor's solicitor. The trustees are better than creditors' assignees. The class of estates, as well as of men, is different. There is no discharge to be striven for. Every facility given to the majority to wind-up an estate out of court is a benefit to the community. That mode is less expensive. At present it gives some advantage to dishonest persons. The deeds ought to be accompanied by powers analogous to those of the Act of 1849. Any complaining creditor should have leave to go to the court. The system is at present insecure, from the decisions of the courts, and the imperfections of the Act.

Mr. Reed thinks the present law of trust-deeds fairly good, if sects. 192 to 200 had been a little helped. In practice a debtor, when assigning his estate, gives an account of his assets and liabilities. It could not be attached to the deed, on account of the frequent urgency of the circumstances. The rule in the Manchester trade is not to acknowledge any investigation except by an accountant nominated by the creditors; the principal creditor nominates him. The accountant should not be an official person; the less official interference you have between creditor and their debtor the better. The creditor should use their power, under sect. 197, of applying to the court to direct a supervision of the estate. A creditor ought, under that section, to be able to ascertain at the Bankruptcy Court if the deed be valid, and if it is invalid he might bring his action. According to the construction put on the section, a creditor cannot apply to the court, unless he is bound by the deed. The number of frauds is small in comparison with the number of deeds. A heavy percentage is placed on estates which have no benefit from the Act, by the 194th section coming before the present 195th; the 194th ought to be the 200th. Assignments and composition-deeds are more favourably looked on than bankruptcy in the Manchester, Yorkshire, Midland Counties and Scotch trades. The 110th section is a most valuable one, enabling creditors who have grounds of complaint against their debtor to leave him to be dealt with by the commissioner while they deal with the assets out of the court. Under assignments, compositions, or inspectorship-deeds, dividends are more speedily made. The delay in the payment in bankruptcy is one of the most serious evils. Fraudulent debts are not brought forward under compositions. The wholesale traders wish to introduce the procedure under assignments; they object to prove debts in bankruptcy. The assents to a deed are seen by the registrar, so far as it is actually executed by or on behalf of creditors, but in many instances there are separate assents which he does not see. An authority from the creditors to execute is included in their assent to the deed. The solicitor executes for them and attaches the executions to the deed. But the registrar has an affidavit by the debtor, prepared by the creditors and their solicitor, stating who has assented. To creditors in the country, a paper is sent asking their signature. As a rule the creditors are satisfied to leave their interests in the hands of those who have the largest debts. Unless a man's conduct is so gross that the creditors think he ought to be taken out of trade, they prefer a composition to an assignment, and an assignment to bankruptcy.

Mr. Chidley does not approve of assignments; he thinks many frauds are committed under them. Friends are paid to the exclusion of trade creditors. The proceeds of a fraudulent preference cannot be got back under assignment as under bankruptcy.

Chief Judge—Appeal.—If a chief judge were appointed, Mr. Lewis cannot say that the commissioners should be dispensed with. No chief judge would be able to do the judicial and quasi-judicial work. The idea of the Act of 1861, of a judge sitting in Lincoln's-inn to control the court in Basinghall-street, would have been a greater failure than the Act now is. A chief judge ought to sit in Basinghall-street. He should be in the centre of commerce.

Mr. Lawrance is of opinion that one of three commissioners should be chief, and the three constitute a final court, except in matters of law,

where the appeal should be to the Lord Chancellor or to the Lords Justices. The cost of the present appeal is a denial of justice to the bankrupt. A chief judge would be very much in the way. You want a good working court. There would be greater uniformity of decisions than at present if the three commissioners formed a court of appeal. That the Court of Bankruptcy may be accessible as a commercial court, you do not want to approach it, as you do a judge at Westminster, by counsel. The court should not be removed out of the City.

Mr. REED thinks that you want a judge in the position of the ordinary judges of the land, to give a tone to the court, and give law.

The suggestion for the appointment of a chief judge is, in Mr. CHIDLEY's opinion, idle. One judge could not do all the work which the commissioners do now.

Inspection of assignees' accounts.—Mr. LEWIS considers an audit by the commissioner is incompatible with his duties; there ought to be an outside audit. The commissioners could not physically go through all that their own rules and the Acts have put upon them.

It seems to Mr. LAWRANCE that one of the most substantial improvements would be the appointment of a public auditor. He should be a first-rate accountant with an adequate salary; and he should have power to call for an audit at any moment.

Mr. REED says that the commissioner ought to be the inspector, and that if the rules of the court had been carried out there would not have been the defalcations of the official assignees.

Expense.—Mr. LEWIS is of opinion that a bankruptcy administration, similar to Chancery administration, might increase expense in smaller cases, but it would diminish them in the others. Under the present system you have several persons to pay. The result would be the same to the solicitor; his bill might be increased in one particular, decreased in another. In bankruptcy the solicitor is unchecked to a great degree. The expenses, only up to the choice of assignees, are from 20*l.* to 40*l.*, while the first steps in Chancery cost less than 10*l.* In an estate of 370*l.*, the official assignee's charge was no less than 53*l.* 8*s.* 8*d.*, in which the postages and petty charges amounted to 15*l.* 14*s.* 1*d.* Had this been in Chancery, 8*l.* 8*s.* would have represented all the payments. Payments and fees which the public was given to understand in 1861 were done away, were afterwards covertly re-imposed.

Mr. LAWRANCE does not think that winding-up in Chancery would be less expensive than bankruptcy.

In Mr. REED's opinion, Chancery administration entails more expense than bankruptcy. The percentage is very much less under assignments. The costs in bankruptcy are a great deal overestimated. Many are unfairly put; they are not costs of administration.

Delay—Difficulty.—The old feeling of want of confidence in the court has, in Mr. LEWIS's opinion, been increased by the physical difficulties of transacting business in the court. Cases are crowded on the list in such a manner on Tuesdays, Wednesdays and Fridays, that there is not room for the officers of the court, or for the solicitors and assignees engaged to go up to the table to transact the necessary business. Frequently as many as thirty or forty cases are put down on Tuesday in each court. As regards the system, that adopted in the Court of Chancery in the administration of the estates of deceased persons would be a better system to apply to the Court of Bankruptcy.

Mr. LAWRANCE, on the contrary, says that, if the same amount of business were transacted in Chancery as in bankruptcy, every avenue to the courts would be crowded. The Bankruptcy Court building is very bad; it should be pulled down, and a larger court built. Justice is inaccessible in it.

LAND AND ESTATE MARKET.

THERE are several important sales advertised for March.

Messrs. FAREBROTHER, LYE and WHEELER instructed by Mr. R. HERVE GIRAUD, will sell, at Garraway's, on March 10, some important building sites in the very heart of the city; also a block of buildings at Hampstead; Messrs. R. M. and F. [illegible] are the solicitors. On March 17 they will [illegible] some valuable premises in Pall-mall east, [illegible] by Messrs. CREE and LAST, of Gray's-inn; and also a valuable freehold tithe rentcharge in [illegible]berland; Mr. W. DICKSON, of Alnwick, is the solicitor; also, early in the spring, a large house and grounds at Cheltenham.

Messrs. DEBENHAM and TEWSON will sell, on March 7, at the Guildhall Coffee-house, a valuable building site near the Bank of England, and adjoining the proposed new Auction-mart; Mr. H. F. VALLANCE, of Tokenhouse-yard, is the solicitor.

The same gentlemen will sell, on March 14, instructed by Mr. H. J. GODDEN, of Fenchurch-street, some freehold ground-rents at Haverstock-hill; also an estate on the coast of Suffolk, of 76 acres, near Southwold.

On March 10, Mr. St. QUINTIN will sell, at Garraway's, some premises in New Broad-street, City: also some houses in the Waterloo-road; Messrs. JACKSON and SPARKE are the solicitors for the latter sale.

Messrs. EDWIN FOX and BOUSFIELD have some excellent investments to offer for sale on March 8. Firstly, a valuable lease in Wood-street, City; secondly, a good building estate of five acres in the neighbourhood of Wimbledon; and thirdly, some long leasehold residences in Lee, Kent.

Messrs. TEBB BROTHERS, instructed by Messrs. W. and W. A. WALLER, will offer, at Garraway's, on March 14, a valuable freehold property adjoining or forming part of the site of the Grand Metropolitan Station at Finsbury.

Messrs. RUSHWORTH, JARVIS and ABBOTT will sell, on March 10, a complete set of chambers in Lincoln's-inn; Messrs. NICHOLL, BURNETT and NEWMAN are the solicitors for the sale.

INVESTMENT JOURNAL.

IT will be seen by the advertisement that many applicants for the 6 per cent. debentures of the Inns of Court Hotel Company have desired a shorter term, and that the board therefore proposes to issue them for three, five, or seven years at option. We are informed that up to Wednesday evening 21,200*l.* had been taken up.

The funds continue to fall, and nobody knows why. It would be intelligible if money were growing scarcer and interest increasing. But this is not the case. On the contrary, a reduction of another ½ per cent. in the bank rate is confidently looked for. Good bills can be discounted at 4 per cent., and, in fact, the market is flooded with money seeking profitable employment. The cause of this revulsion may be seen in the returns of the Board of Trade, which show an immense falling off in our foreign commerce during the months of November and December, a decline which is said to be still in progress. In these circumstances foreign enterprise would appear to be hopeless. Nevertheless, new companies are continually springing up designed to carry English capital to foreign shores, and they appear to meet with some success. The fluctuations of the week are shown by the following table:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	...	248	...	246	246	248
3 % Cent. Red. Ann.	88⅞	88⅞	88⅝	88⅝	88⅝	87⅞h
3 % Cent. Cons. Ann.	89⅛	89⅛	88⅞	88⅞	88⅝	88⅝
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	71½	...	...	71
New 3 % Cent. Ann.	88⅞	88⅞	89⅛	88⅝	88⅝	87⅞
New 3½ % Cent. Ann.	...	...	...	...	...	...
5 % Cent. Annuities	...	...	...	...	...	...
5 % Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	14⅟₁₆	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅛	...	89	88⅞	88⅝	88⅝
Consols 3 % Cent. for Ac.	...	...	...	...	...	...
India 5 % Cent. for Acc.	...	...	104	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	215½	215	...	...
India 5 % Cents.	...	...	...	...	...	...
India 4 % Cents. 1888	99	99½	...	...	99½	...
India 5 % Cents. 1870	104	103⅞	103⅞	103⅞	103⅞	...
India Bonds (1000*l.*)	...	...	...	14pm	...	...
Do. (under 1000*l.*)	...	11pm	...	15pm	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	99½	...	...	...	...	...
India Enfaced Paper, 4 % Cent.	...	...	...	...	89½	...
Do. do. 5 % c. Jan. 1872	...	...	101½	...	...	...
Do. do. 5½ % c. May 1879	...	...	109½	...	109	...
Ex. Bills, 1000*l.*	*a*	...	*c*	*d*	...	*f*
Do. 500*l.*	*a*	...	...	...	...	*g*
Do. 100*l.* & 200*l.* 3 % c.	*b*	...	...	*e*	...	...
Do. Small, & 3 % c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 per cent. 3*s.* prem.
b 4 per cent. 3*s.* 7*s.* prem.
c 4 per cent. 3*s.* 4*s.* prem.
d 4 per cent. 6*s.* prem.
e 4 per cent. 3*s.* 6*s.* prem.
f 6 per cent. 6*s.* prem.
g 6 per cent. par, 6*s.* prem.
h Ex div.

Subjoined is a table of the fluctuations in stocks and shares during the month of February. The variation in Consols has not been very extensive, about ¾ per cent., but compared with the opening there is a reaction of a half per cent. Railway shares have presented large fluctuations, and they generally rank lower; but the principal drop has been in Great Western through the disappointment created by the dividend:—

	Amnt. per share.	Amount paid	Price on Feb. 1.	Highest price during Month.	Lowest price during Month.	Present Price.
Consols	...	...	89⅞ to ¾	89¾	88⅞	88⅝
Exch. Bills.	...	...	par to 4*s.* pm.	8*s.* pm.	par	4*s.* pm.
RAILWAYS: "June"		£				
Brighton	Stock.	100	106½x d	106¾x d	103x d	103½x d
Caledonian	Stock.	100	133½	133½	131	132
Gt. Eastern	Stock.	100	47¾	47¾	45½	46½
Gt. North.	Stock.	100	135	136	130½	131¼
Gt. Westrn.	Stock.	100	81x d	81½x d	72¼x d	73¼x d
Lon.&N.W.	Stock.	100	119¾ ,,	120 ,,	116½ ,,	116½ ,,
Midland	Stock.	100	135½ ,,	135½ ,,	131½ ,,	132½ ,,
Lan.&York.	Stock.	100	115 ,,	115½ ,,	113½ ,,	113½ ,,
Sheffield	Stock.	100	62½	62½	59½	60
South-East.	Stock.	100	85½x d	87x d	83½x d	83½x d
South-West	Stock.	100	97 ,,	97½ ,,	96½ ,,	96½ ,,
Berwick N.-East.	Stock.	100	111½ ,,	112 ,,	108½ ,,	108½ ,,
York&N.M.	Stock.	100	102¾ ,,	103½ ,,	99½ ,,	99½ ,,
Foreign:						
East Indian	Stock.	100	101½	102	100½	101
Lom.-Ven.	£20	All	21¾	22	21½	21¾

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

ATTORNEYS' AND SOLICITORS' COSTS.

The LORD CHANCELLOR, in presenting a Bill to amend the law relating to attorneys and solicitors, said:—The present principle of remunerating attorneys and solicitors is one which requires amendment, and is one of the instances of the old and absurd practice of the law interfering to regulate the rights of labour, and of determining the manner in which the person employed shall be remunerated. According to the present system, when an attorney is employed by a client, his remuneration is governed by certain fixed rules, from which it is impossible for either party to depart. For instance, supposing a solicitor be employed to collect and distribute the assets of a debtor among his creditors on the terms of receiving one-sixth of the sums so distributed as his remuneration, such a contract would not be legal, and could not be enforced between the parties. Another objection to the present practice is, that the remuneration is regulated by the quantity of writing required, so that, instead of being remunerated according to the skill, care, time, and labour expended in the conduct of the case, the solicitor is paid by the yard. This practice is most mischievous, as it leads to a great deal of that verbosity and tautology in legal documents which has thrown so much opprobrium upon a numerous body of practitioners. The Bill proposes to deal with these defects by a very simple remedy—namely, by allowing the attorney and his client to enter into a contract specifying the remuneration to be given for the work to be performed. Of course the Bill requires to be looked at with care and attention, and I feel assured that I shall have the assistance of your Lordships, and more especially of my noble and learned frien s, in my endeavour to accomplish this great object. It is singular that until I brought forward my Bill last session no attempt should have been made to remedy the acknowledged and admitted defects I have referred to. The noble and learned lord concluded by moving that the Bill be read a first time.——The Bill was then read a first time.

HOUSE OF COMMONS.

INNS OF COURT.

Sir G. BOWYER, in moving for leave to bring in a Bill to enable the Benchers of the Inns of Court to appoint judicial committees in certain cases, and to give the necessary powers to such committees, said this Bill was in substance, with two exceptions, similar to the Bill he introduced last year. The first of those exceptions was, that he made this Bill permissive, the effect of which would be that the Benchers of the Inns of Court would form a sort of grand jury, and would decide whether the particular case ought to go before the judicial committee or not. The other alteration was, that he now omitted the last clause of the Bill, which enabled the person charged with any offence to give the go-by to the Benchers of the Inn of Court to which he belonged, and to go at once before the judges. He proposed to give ample time for the discussion of the Bill, and he believed, from rumours he had heard, that there was rather a change of opinion among the former opponents of the Bill.——Leave was given to bring in the Bill, which was afterwards brought in and read a first time.

THE BALLOT.

Mr. BERKELEY asked the Home Secretary whether it was the intention of the Government to bring forward this session any stringent and decisive measure for the prevention of corruption and the protection of electors at parliamentary elections.——Sir GEORGE GREY said the Government did not intend to propose a Bill upon that subject during the present session.——Mr. BERKELEY gave notice that he should, in that case, propose a protection to voters at parliamentary elections in the shape of a Ballot Bill.

LOCOMOTIVES ON TURNPIKE-ROADS.

Mr. Holland gave notice that on Thursday, March 9, he should move for leave to bring in a Bill for further regulating the use of locomotives on turnpike and other roads for agricultural and other purposes.

LAW OF EVIDENCE.

Sir F. Kelly, in moving the second reading of the Law of Evidence Bill, explained the objects of the Bill, reserving a fuller exposition and a defence of its main provisions for the committee.——After some remarks by Mr. Scully,——The Attorney-General said, without anticipating the discussion which would arise in the committee, he was bound to express dissent from that portion of the Bill which proposed to render parties under trial in criminal cases to be examined as witnesses.——Mr. Dunlop and Mr. M'Mahon having made a few observations.——Mr. G. Hardy urged various objections to so great a change in the law as would render prisoners competent, though not compellable, to give evidence in their own case, which, he thought, so far from being an improvement, would prejudice the cause of justice.——After a brief reply by Sir F. Kelly, and some remarks by Sir J. Fergusson, the Bill was read a second time.

LAW BILLS IN PARLIAMENT.

ATTORNEYS AND SOLICITORS REMUNERATION BILL.

A Bill intituled An Act to amend the Law relating to Attorneys and Solicitors.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Contract between attorney or solicitor and client as to remuneration for professional services to be valid.*—A contract between an attorney or solicitor and his client respecting his remuneration for any professional services, either past or future, whether the contract be for payment of a gross sum or for payment of any sum or sums to be ascertained according to any principle, rate, or mode differing from the rules which would otherwise regulate the amount of such remuneration, and whether the remuneration contracted for be greater or less than that to which such attorney or solicitor would otherwise be entitled, shall be valid; provided that the validity, construction and effect of such contract may be determined in any proceeding by motion, petition, or rule in the matter of the attorney or solicitor without suit.

2. *Power to taxing officer to award interest on bills of costs in certain cases.*—That the officer to whom it shall be referred to tax a bill of fees, charges and disbursements of any attorney or solicitor which has been delivered, sent to, or left with the client in manner required by the Act of the sixth and seventh years of Her Majesty's reign, chapter seventy-three, shall have the like power to award interest thereon from the time when demand of payment shall have been made in writing, so as such demand shall give notice to the debtor that interest will be claimed from the date of such demand until the term of payment, as by the twenty-third section of the Act of the third and fourth years of the reign of His late Majesty King William the Fourth are given to juries with respect to the debts or sums there mentioned).

3. *Attorney or solicitor being trustee or executor entitled to fees, &c., for professional business.*—An attorney or solicitor being trustee or executor shall be entitled, either alone or jointly with his partner or partners (if any), to the payment of professional fees and charges for professional business done by him or his firm in connexion with the duties or powers of the trusteeship or executorship.

4. *Attorney or solicitor may take security from client for future fees, &c.*—An attorney or solicitor may take security from his client for his future fees, charges and disbursements.

5. *Construction of "attorney" and "solicitor."*—In this Act the words "attorney" and "solicitor" respectively shall have the same meaning as they have in the Act of the session holden in the twenty-third and twenty-fourth years of Her Majesty, chapter one hundred and twenty-seven; and any expression referring to the client of an attorney or solicitor shall be construed to include a person or corporation about to become or having been such client, and also a person or corporation chargeable with such bill as aforesaid, or authorised to apply for a taxation and settlement thereof, under the provisions of the aforesaid Act of the sixth and seventh years of Her Majesty.

APITAL PUNISHMENT WITHIN GAOLS.

Mr. Hibbert, Mr. Bonham Carter, and Viscount Enfield, have brought in a Bill to provide for the carrying out of capital punishment within gaols. This Bill proposes to enact:—

"1. The sentence of death to be executed on a prisoner condemned to death, after the passing of this Act, shall be carried into effect within the walls of the gaol in which the prisoner shall be confined immediately previous to his execution.

"2. The sheriff, the gaoler, chaplain (or other officiating minister), and surgeon of the gaol, and such other officers of the gaol as the sheriff may require, shall be present at every such execution; and any justices of the peace who may desire to attend and such other persons as the sheriff may think fit may be present at every such execution.

"3. So soon as the sentence of death shall have been duly carried into effect the surgeon shall sign a certificate in the form set forth in schedule A. to this Act annexed, and the sheriff, gaoler and chaplain (or other officiating minister) shall sign, and such of the other persons present as think fit may sign, a declaration according to the form set forth in schedule B. to this Act annexed.

"4. The coroner of the district wherein any such sentence of death shall have been carried into effect shall, within twelve hours next after such execution, hold an inquest on the body of the prisoner so executed, and the jury at such inquest shall inquire and find whether the sentence of death was duly carried into effect on the prisoner condemned to death, but in no case shall any officer of the gaol or any prisoner confined in the gaol be a juror on such inquest.

"5. Any person who shall sign any such certificate or declaration, knowing the same to be false, shall be guilty of a misdemeanor.

"6. Printed copies of such certificate and declaration, and of the inquisition of the jury, shall be forthwith exhibited on or near to the principal entrance to the gaol; and every such certificate, declaration and inquisition shall, as soon as convenient, be transmitted by the sheriff to the Secretary of State for the Home Department.

"7. The following words shall in this Act have the following meanings: 'Sheriff' shall mean and include the sheriff, under-sheriff, or other legal competent deputy, for the county, city, or place in which the gaol is situate. 'Gaoler' shall mean the governor, keeper, or other chief officer of the gaol. 'Justices of the peace' shall mean justices of the peace acting for the county, city, or borough or place in which the gaol is situate.

SCHEDULE A.

I, A. B., being the surgeon in attendance at the execution of C. D., at the gaol of , do hereby certify that I this day witnessed the execution of the said C. D. at the said gaol, and that the said C. D. was hanged by the neck until dead.

Given under my hand, this day of , A.D. , at the gaol of , in the county of .

SCHEDULE B.

We do hereby declare that we were this day present at the gaol of , when the sentence of death was duly carried into effect on C. D., a prisoner in the said gaol condemned to death.

Dated this day of , A.D. , at the gaol of , in the county of .

, Sheriff; , Chaplain (or other officiating minister); , Gaoler; , Justices; and others.

EXTENSION OF THE SUFFRAGE.

The following is a copy of the Bill to extend the Parliamentary franchise, prepared and brought into the House of Commons by Mr. Baines, Mr. Bazley, Mr. Scholefield and Mr. William Edward Foster:—

"Whereas it is expedient to extend the right of voting for members of Parliament in cities and boroughs in England and Wales:—be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

"1. The occupation of premises within a city or borough which returns a member or members to serve in Parliament, or within a place sharing in the election for such city or borough, of the clear yearly value of not less than 6*l.*, shall confer a right to vote in the election of such member or members, in like manner as such right is now conferred in respect of the occupation of premises of the clear yearly value of not less than 10*l.*; and all provisions now in force concerning such right in respect of such occupation shall, save as herein otherwise provided, be applicable to the right hereby conferred as if 6*l.* were mentioned in section 27 of the Act of the session holden in the 2nd and 3rd years of King William IV., cap. 45, and were mentioned or referred to in all other the provisions concerning such right instead of 10*l.*

"2. No person shall be entitled under this Act to vote in an election in respect of his occupation, jointly with any land, of any building other than a dwelling-house in which he himself resides unless such building separately be of the clear yearly value of not less than 3*l.*

"This Act may be cited as 'The Borough Franchise Act 1865.'"

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

Equity Practice.—An injunction cannot be granted on an affidavit sworn on the day before the filing of the bill: (*Francombe* v. *Francombe*, 11 L. T. Rep. N. S. 757. L. C.)

Plaintiff in a suit made an important affidavit and died. No notice of the affidavit was given to defendants, and they had not cross-examined plaintiff upon it. Nevertheless, the Court allowed the affidavit to be received at the hearing on motion for decree: (*Tanswell* v. *Scarrah*, 11 L. T. Rep. N. S. 761. M. R.)

A creditor who has neglected to come in and prove in due time in an administration suit will not be allowed to disturb the dividend of the other creditors after an order made for payment thereof: (*Hull* v. *Falconer*, 11 L. T. Rep. N. S. 761. Kindersley, V. C.)

Where plaintiff, an executor, had filed a bill charging defendant, his co-executor, with wilful default, and praying for administration, for an account, injunction and receiver, and that the defendant might be discharged from the office of trustee; and defendant took out an administration summons, and the V. C. in chambers decided that the case was a proper one to be disposed of on summons, the Court refused to vary the order: (*Piffard* v. *Vincenzo*, 11 L. T. Rep. N. S. 766. Stuart, V. C.)

Injunction.—An injunction was granted against the use of a rifle range as being dangerous to surrounding property, until it was made free from danger: (*Bannister* v. *Biggs*, 11 L. T. Rep. N. S. 769. M. R.)

SHERIFFS' COURT.

Saturday, Feb. 25.

(Before Mr. Commissioner Kerr.)

The Metropolitan Coal Consumers Company (Limited) v. Edwards.

Acceptance of Shares in Joint-Stock Company.

This was an action brought by the company against an alleged shareholder for calls.

His Honour remarked that he had had this very case before him on a previous occasion, and fancied that he had decided it.

The Secretary to the company said that he had been nonsuited in the first trial, but the matter was really so very serious and important to shareholders in joint-stock companies, that he ventured to bring the case again before the court. He was now prepared to show by the Act of 1862 that the defendant was a shareholder in the company. It was a fact that he had applied for shares, and those shares were duly allotted to him, his name being entered on the register in conformity with the statute. He would beg to refer the court to sect. 11 of the Act.

His Honour was of opinion that before defendant could be made a shareholder he must have given a written acceptance for the shares.

The Secretary read a clause as to the names of shareholders being entered in the register, and that would be sufficient.

His Honour was quite sure that there was a special clause as to the acceptance of shares being in writing. Where were the articles of association?

The Secretary remarked that the company was one limited by shares, and contended that defendant had really accepted his share in writing.

His Honour said that one clause in the articles of association expressly laid down that the acceptance of shares must be in writing. Now, where was that writing?

The Secretary produced the proposal of the defendant, in which were the words, "I agree to accept such shares."

His Honour.—How could that be an acceptance when he had not received the shares? Acceptance means clearly after the shares are allotted to the shareholders, and then to be in writing. I must find a verdict for the defendant with costs.

COMMON LAW NOTICES.

Common Pleas Chambers
1st March 1865.

The following regulations for transacting the business at these chambers will be strictly observed till further notice.

Acknowledgments of deeds will be taken at a quarter past ten o'clock.

Original summonses to be placed on the file.

Summonses adjourned by the judge will be heard at half-past ten o'clock.

Summonses of the day will be called and numbered at a quarter before eleven o'clock and heard consecutively.

The parties in two summonses only will be allowed to attend in the judge's room at the same time.

All long orders to be left that they may be ready on being applied for on the following day.

Counsel will be heard at two o'clock. The name of the cause in which counsel are engaged to be put on the counsel file.

Affidavits in support of *ex parte* applications for judge's orders (except those for orders to hold to bail) to be left the day before the orders are to be applied for, except under special circumstances, such affidavits to be properly indorsed with the names of

the parties, the nature of the application, and a reference to the statute under which any application is made, the party being prepared to produce the same.

All affidavits read or referred to before the judge must be indorsed and filed.

The summonses will be made returnable at a quarter past ten o'clock, and will be attended for the half hour in the Exchequer-hall, where they will be called over and numbered at a quarter before eleven o'clock and heard consecutively.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

Mr. Samuel Horace Clarke Maddock, of No. 3, Spring-gardens, in the county of Middlesex, gentleman, has been appointed to be a London Commissioner for administering oaths in Common Law in Her Majesty's Courts of Queen's Bench, Common Pleas and Exchequer.

Jan. 23, 1865.—The Right Honourable Sir William Erle, Knight, Lord Chief Justice of Her Majesty's Court of Common Pleas at Westminster, has appointed Samuel Horace Clarke Maddock, of No. 3, Spring-gardens, within the liberty of Westminster, gentleman, to be one of the perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Middlesex, also in and for the city and liberties of Westminster and the city of London.

Feb. 6, 1865.—The Lord Chancellor has appointed James Powell, of Pocklington, in the East Riding of the county of York, gentleman, to be a Commissioner to administer oaths in Chancery in England.

HEIRS AT LAW AND NEXT OF KIN.

CUTTING (Hannah), Little Bromley, Essex. Heirs-at-law to come in by March 22, at Kindersley's, V. C. Solicitor, D. Mustard, 7, Furnival's-inn, London.

WHITEHOUSE (George), Deptford-bridge, Kent, Esq. Next of kin to come in by April 28, at Wood's, V. C. Solicitors, Field, Roscoe, Field and Francis, 36, Lincoln's-inn-fields, London.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

BANK OF GIBRALTAR AND MALTA (LIMITED).—Creditors to send in by 14th March, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to J. A. Morgan, 17 and 18, Gresham-house, 024 Broad-street, London.

LIFE ASSURANCE TREASURY.—A call of 10*l.* per share to be made by Wood, V. C., at his chambers, on Wednesday, 8th March, at noon.

STRAND MUSIC-HALL COMPANY (LIMITED).—Creditors to send in by 18th March, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to W. Turquand, 16, Tokenhouse-yard, London.

UNIVERSAL MERCANTILE ASSOCIATION (LIMITED).—Petition for winding-up to be heard before Kindersley, V. C., on the 10th March. Solicitors, Treherne and Wolferstan, 75, Aldermanbury.

WEST CENTRAL HORSE AND CARRIAGE REPOSITORY (LIMITED). Creditors to send in by 25th March their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any) to F. Whinney, 3, Serle-street, Lincoln's-inn, Middlesex. Solicitors, Matthews and Greetham, 68, Lincoln's-inn-fields, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ALLEN (Harriet), Barley, Herts, widow, April 3. W. and R. D. Thurgood, Saffron Walden.

BASSATT (Joseph), Deptford, Kent, engineer, April 3. Taylor, Hoare and Taylor, 28, Great James-street, Bedford-row, London.

BENCK (Samuel), Stoke-upon-Trent, Staffordshire, gentleman. Ward, Son and Cooper, Newcastle-under-Lyme.

BUSBY (Wm.), 39, Tower-street, Chester, grocer and provision dealer, March 23. J. P. Cartwright, Bridge-street, Chester.

CREAT (Rev. H. C.), Burghfield, Berks, April 15. Symes and Sandilands, 31, Fenchurch-street, London.

CUTTING (G. H.), Upton-lodge, Brixham, Devon, Esq., March 6. Simpson and Dimond, 10, Henrietta-street, Cavendish-square, Middlesex.

DAVIS (Richard), Rood-lane, London, and Elm-wood, Upper Tooting, Surrey, tea-broker. April 15. Roberts and Simpson, 6, Moorgate-street, London.

HALL (R. S. H.) 9, London-street, London, June 1. Bell, Steward and Lloyd, 49, Lincoln's-inn-fields, London.

JAMES (Martha), 4, Bridge cottages, West-street, St. Peter's, Walworth, Surrey, spinster, May 31. Bischoff, Coxe and Bompas, 19, Coleman-street, London.

JAMES (Samuel), Reading, Berks, surgeon, April 22. Whatley and Ireland, Reading.

LINDSAY (J. T.), Everton, Liverpool, ironmonger, March 31. F. De E. Collin, 3, York-buildings, 14, Dale-street, Liverpool.

LLOYD (David), Brecon, auctioneer and hop and seed merchant, April 29. D. Thomas, High-street, Brecon.

LUCAS (John), Clapham-common, Surrey, Esq., March 20, Tatham and Proctor, 36, Lincoln's-inn-fields, London.

MERRY (Elizabeth), 120, Park-street, Grosvenor-square, London, March 30. Bray, Warren, Harding and Warren, 5, Great Russell-street, Bloomsbury, London.

MIX (Wm.), Stationers'-court, London, bookseller, and of 5, Oakley-road, Southgate-road, Middlesex, April 3. Coverdale, Lee, Collyer-Bristow and Withers, 4, Bedford-row, Gray's-inn, for Stamp and Jackson, Hull.

(Watkin), Dukinfield, Cheshire, cottonspinner, March 25. Sale, Worthington, Shipman, Seddon and Sale, 22, Booth-street, Manchester.

PARKER (J. J.), Colne Engaine, Essex, Esq., April 21. Barnes and Neck, Colchester.

ROBERTS (George), Surrey-lodge, Laurie-park, Sydenham, Surrey, civil engineer, May 30. Rixon and Son, 28, Cannon-street, London.

ROOLS (Sarah), Little Chesterford, Essex, widow, April 3. W. and R. D. Thurgood, Saffron Walden.

SMITH (Henry), Crewkerne, Somerset, builder and auctioneer, June 24. G. L. Lang, Crewkerne, Somerset.

TALBOT (Wm.), 123, Thomas-street, Bristol, haulier, April 6. H. Gillard, 5, Bridge-parade, Bristol.

(Simeon), Bloomfield, Tipton, Staffordshire, maltster, April 25. J. Round, High-street, Tipton.

SCOTT (Wm.), Empshott-grange, near Petersfield, Southampton, Esq., April 14. Poole and Gamlen, 3, Gray's-inn-square, London.

SMITH (G. P.), 13, Regent-street, Middlesex, Esq., March 11. Simpson and Dimond, 10, Henrietta-street, Cavendish-square, Middlesex.

SMITH (Hannah), 4, Adelaide-square, Windsor, Berks, widow, March 31. C. Sawbridge, 120, Wood-street, Cheapside, London.

STAMPER (Joseph), 6, Colebrook-row, Islington, Middlesex, gentleman, March 31. C. Sawbridge, 128, Wood-street, Cheapside, London.

THURGOOD (R. D.), Saffron Walden, Essex, gentleman, April 3. W. and R. D. Thurgood, Saffron Walden.

TRICKETT (James), Malin-bridge, Ecclesfield, Yorkshire, farmer, March 31. J. Webster, Sheffield.

WARTON (Charles), 14, Springfield-terrace, Glaskin-road, Hackney-road, Middlesex, commercial clerk, March 31. C. Sawbridge, 128, Wood-street, Cheapside, London.

WELCH (Elizabeth), Froxfield, Wilts, widow, April 1. W. Rowland, Rainsbury, Wilts.

WHITE (Frederick), North-street, Sloane-street, Chelsea, Middlesex, brewer, June 24. C. and E. Hilleary, 5, Fenchurch-buildings, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

ALATON (E. F.) Worcester, woollendraper, March 10, V. C. S. N. C. and C. Milne 2, Harcourt-buildings, Temple, London.

BAKER (Wm.), High Ongar, Essex, farmer, March 28, M. R.

BEAN (Thomas), Althorpe, Lincolnshire, farmer, March 22, V.C. K. Coverdale, Lee, Collyer-Bristow and Withers, 4, Bedford-row, for Oldman and Wood, Gainsborough.

BELCHIER (John), 22, Broad-street, Bloomsbury, Middlesex, builder, March 31, V. C. K. E. S. Cavell, 5, Gray's-inn-place, London.

CLARKE (John), Farleigh, Surrey, grocer, March 20, M. R. Eyre and Lawson, 1, John-street, Bedford-row, for G. H. Long, Windsor.

GRIFFITH (Jane), Bodwrdda, Aberdaron, Carnarvon, widow, March 22, M. R. Elsdale and Byrne, 3, Whitehall-place, London, for R. D. Williams, Carnarvon.

HASTIE (Ann), Inverleith-row, Edinburgh, March 24, M. R. Graham and Lyde, Mitre-court-chambers, Temple, London.

HATCH (John), East Peckham, Kent, farmer, March 28, M. R. Smith, Stenning and Croft, 30, Basinghall-street, London, for G. Stenning, Tonbridge, Kent.

HORLAN (D. P.), Church-style-house, Exminster, Devon, bachelor, a person of unsound mind, March 27, M. R. Bolton and Hill, 4, Elm-court, Temple, London, for C. L. Radcliffe, Plymouth.

HUGH (James), Burgh-by-Sands, Cumberland, surgeon, March 10, V. C. S. Gray and Mounsey, 8, Staple-inn, London, for J. C. Wannop, Carlisle.

JARVIS (J. S.), Montrose-house, Hackney, Middlesex, Esq., March 28, M. R. Dawson and Bryan, 54, Bedford-square, Middlesex.

KIDDLE (Wm.), the Cottage, Gipsy-hill-road, Lower Norwood, Surrey, March 28, M. R. Fallows and Son, Carlton-chambers, 8, Regent-street, London.

NASH (John), the elder, Market Rasen, Lincolnshire, March 27, M. R. Coverdale, Lee, Collyer-Bristow and Withers, 4, Bedford-row, London, for Rhodes and Son, Market Rasen, Lincolnshire.

OAKLEY (Alfred), Southampton, florist, April 10, V. C. S. Abbott, Jenkins and Abbott, 8, New-inn, Strand, Middlesex, for W. Hickman, Southampton.

RIDINTON (George), New Star and Crown, Broadway, Westminster, publican, April 13, V. C. S.

SANSOM (Charles), 7, Britannia-street, Gray's-inn-road, Middlesex, dealer, March 22, M. R. S. Nichols, 7, Percy-square, Clerkenwell, London.

SILVESTER (Thomas), West Bromwich, ironmaster, March 21, V.C. S. J. C. Rutter, 4, Ely-place, Holborn, for J. Simcox, 20, Waterloo-street, Birmingham.

WHITE (George), Landport, Portsea, Southampton, grocer, March 22, M. R. Dyne and Harvey, 61, Lincoln's-inn-fields, for J. Stening, Portsea, Hants.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

DELLATORRE (Joseph), 70, Lamb's Conduit-street, merchant, NOSOTTI (Angelo), Caggiona, near Milan, gentleman, and NOSOTTI (C. F.), of 398, Oxford-street, carver and gilder. 45*l.* 8*s.* 9*d.* Three per Cent. Consols. Claimants, said J. Dellatorre and C. F. Nosotti.

LYON (J. W.), Hoopern-house, near Exeter, Esq. 1000*l.* Three per Cent. Consols. Claimant, M. Kennaway, surviving executor.

PULLEN (Edward), Sutton Courtney, Berks, gentleman. Dividends on 1000*l.* Three per Cent. Consols. Claimants, T. H. Graham and E. Pullen, executors.

VYNER (Henry), Newby-hall, Ripon, Esq. Dividends on 300*l.* Consolidated Long Annuities. Claimant, Right Hon. the Earl De Grey.

THE JURY AND THE JUDGE.—In the recent case of *Sasson and another* v. *Hall and others*, which came on for trial before a special jury, who were ultimately discharged without a verdict, the Lord Chief Justice said, that he had received a remonstrance from the jury, who were discharged at ten o'clock the previous night, stating, that at four o'clock they were divided in opinion in the proportion of eleven to one, and that they were at that hour certain that neither party would change sides. He believed that if gentlemen of the jury, instead of making up their minds that they never would change their side after they had once chosen it, would, with an earnest desire to get at the truth, communicate one with another, they would then get rid of what he might call a matter of feeling, though of course gentlemen desired to do their duty. The jury said that they were perfectly certain at four that neither side would change, and that there was no use in the judge keeping them until ten; but he begged most humbly to differ from them, and must say that if the jury would only join in discussion with some mutual trust in each other, the result would in general be a verdict.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

HOME CIRCUIT.

Hertford, March 1.—The commission for the county of Hertford was opened to-day by Baron Bramwell. The calendar contains the names of 33 prisoners—1 for manslaughter, 4 for rape, 3 for arson, 1 for highway robbery with violence, 2 for housebreaking, and 1, described as of superior education, for threatening to publish a libel with intent to extort money. The remainder are committed upon minor charges. The cause-list contains an entry up to the present time of six causes, two of which are marked for special juries, one, *Hood* v. *M'Murray*, an action for an alleged fouling of a trout stream at Rickmansworth by the refuse of a paper-mill (unless referred), will probably last for two days.

NORTHERN CIRCUIT.

Newcastle, Feb. 27.—The town calendar contains an entry of thirteen prisoners, none of them charged with very serious offences. Mr. Justice Shee arrived late on Saturday night. The county calendar contains a list of sixteen prisoners; for the most part charged with offences of a light character. The cause-list contains an entry of seven causes for the town, and two for the county. Light as the business is at this assizes, there will be great difficulty in getting through it in the time limited, which is really only two working days, lengthened, to the inconvenience of everybody, by attempting to get through work on the commission day as well as on the commission day for Durham, as on those days barristers, attorneys, witnesses, and jurymen are travelling, and scarcely ready to settle down to work.

WESTERN CIRCUIT.

Devizes, Feb. 28.—This circuit commenced yesterday, when the commission for Wilts was opened by Mr. Justice Crompton, at Devizes. Mr. Baron Channell arrived in the course of the evening. The business in the Crown Court is heavy, there being thirty-one prisoners for trial, but many of the offences are such as might have been disposed of at the sessions. Mr. Justice Crompton stated that fact to Sir John Awdry, the foreman of the grand jury. Sir John said that before the Criminal Justice Act passed the magistrates used to have an adjourned sessions just before the assizes, but now the country did not like to incur the expense, as there was so little to do. The judge thought it would be well to insert a clause in the commission that judges should not try such small cases. There are five cases entered in the cause-list, three of which are marked to be tried by special jury.

OXFORD CIRCUIT.

Reading, Feb. 27.—The cause-list contains four entries, of which two are marked for special juries. The calendar contains the names of 22 prisoners, whose offences are of a slight character.

Oxford, March 1.—Mr. Justice Keating and Mr. Baron Pigott opened the commissions here. The cause-list will probably contain 6 entries. The calendar contains the names of 43 prisoners, whose offences consist of a rape, an arson, a riot, a forgery, an assault with intent, an embezzlement, the breaking and entering of two shops, a cutting and wounding, a burglary, a false pretence, and larcenies.

MIDLAND CIRCUIT.

Warwick, March 1.—The commission for this county was opened yesterday by Baron Martin. The calendar contains the names of 44 prisoners, but the crimes with which they stand charged are unusually light. The more important charges include 2 cases of manslaughter, 1 of infanticide, and 1 of rape. There is also the case of Moses Levi, who is charged with certain offences against the bankruptcy law.

CONCENTRATION OF THE COURTS OF JUSTICE.—A return has been issued showing that the site to be purchased under the powers of the Courts of Justice Concentration Bill comprises 343 houses, standing in thirty-three streets, lanes, places and courts.

GRAY'S-INN.—On the occasion of the interment of the late Duke of Northumberland, on Saturday, the chapel bell of Gray's-inn was tolled as a mark of respect to his memory, his Grace and other members of his family having been for more than eighty years members of that society.

LAW REPORTING.—The members of the council, appointed in pursuance of the scheme of the Bar Committee, are as follow: Lincoln's-inn—Sir Fitzroy Kelly, Knt., M.P., Q.C.; W. T. S. Daniel, Esq., Q.C. Inner Temple—William Forsyth, Esq., Q.C.; George Markham Giffard, Esq., Q.C., Middle Temple—T. W. Greene, Esq., Q.C.; J. B. Karslake, Esq., Q.C. Law Institution—W. S. Cookson, Esq.; William Williams, Esq., Vice-President of the Law Institution. The Attorney-General, the Solicitor-General, and the Queen's Advocate are *ex-officio* members. Sir Fitzroy Kelly is chairman, and Mr. Daniel vice-chairman of the council; and Mr. James T. Hopwood, of Lincoln's-inn, has been appointed the secretary.

THE WESTERN CIRCUIT.—The Hon. Mr. Justice Smith was entertained by the Western Circuit at a banquet at the London Tavern, on Friday. The Leader of the Western Circuit (Mr. Serjeant Kinglake) presided, and amongst those present were the following past and present members of the Western Circuit:—The two Chief Justices, Right Hon. Sir W. Erle and Right Hon. Sir A. Cockburn; Right Hon. W. N. Massey; Right Hon. J. R. Mowbray, M.P.; the Solicitor-General, Sir R. P. Collier; the Queen's Advocate, Sir R. Phillimore; Sir Arthur Buller, M.P.; Sir W. Hodges; Mr. J. J. Rogers, M.P.; Mr. Paull, M.P.; Mr. Merewether, Q.C.; Mr. Karslake, Q.C., Mr. Coleridge, Q.C.; Mr. Cole; Mr. Kingdon; Mr. Bullar; Mr. Stock; Mr. Lopes; Mr. Bere; Mr. Clark; Mr. Merivale, &c. The health of Mr. Justice Smith was warmly received, and Sir William Erle said it might with truth be said of him that he never, even in the heat of argument, uttered one word that he should wish afterwards to recall. The company separated at an early hour.—*Western Morning News.*

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

Banker's Lien.—B., a customer of a bank, drew bills, which the bank accepted and discounted. On a particular day, whilst the bills were running, when B.'s balance exceeded 4000*l.*, the bank refused to cash his cheques, on the ground that he was under greater liabilities to them. Thereupon B. brought an action to recover damages and the amount of his balance. Afterwards, and before trial, one of the bills fell due, was dishonoured by the acceptor, and not taken up by B. An injunction was granted to restrain the action: (*The Agra and Masterman's Bank* v. *Hoffmann*, 11 L. T. Rep. N. S. 701. Stuart, V. C.)

Statute of Limitations.—Where a person is called upon to pay the debt of another, his remedy over against that other runs from the time of actual payment, and not from the time when he became liable to pay. B. accepted an accommodation bill for C., which became due in 1856. B. was sued upon it and paid the amount some time within the last six years. In an action by B. against C. for the amount, to which C. pleaded the statute, it was held that the statute began to run against B. only from the time of actual payment by him: (*Ingrove* v. *Tippett*, 11 L. T. Rep. N. S. 708. Q. B.)

Bill of Exchange—Partners.—A bill drawn by B. was accepted by C. in the partnership name of C. and D. for a debt of his own, which bill was indorsed over to plaintiff, the present holder. C. suffered judgment by default, and D. pleaded *non accepit*, producing at the trial the deed of partnership, in which there was a stipulation by which C. was prohibited from drawing or accepting bills in the partnership name. It was held that, the bill being tainted with fraud from its inception, the indorsee was bound to show that he gave value for it: (*Hogg* v. *Skeene*, 11 L. T. Rep. N. S. 709, C. P.)

Measure of Damages.—Where there is no market for a certain kind of goods, the measure of damages for their non-delivery is the difference between their value when delivered and when they ought to have been delivered, provided the plaintiff has used all reasonable care and skill to diminish the loss. Therefore, where B. sold some caustic soda, for which there is no market, to C., to be delivered at H. in June, July and August, and at the time of the contract B. informed C. that the soda was wanted for the Continent, and B. at once resold the soda to D., who again resold, and C. neglected to send it in the agreed months, but delivered a small portion in September, when B. was obliged to pay higher prices for freight and insurance: B. was held to be entitled to recover the loss on the contract with D., and also the additional freight and insurance, but not the loss on the contract between D. and his vendee, that loss being too remote: (*Borries* v. *Hutchinson*, 11 L. T. Rep. N. S. 771. C. P.)

Married Woman—Promissory Note.—B. having a separate estate, joined her husband in Jan. 1848 in a promissory note for 1000*l.* to C., their banker, for an overdrawn account of the husband, who died in Nov. 1855, owing a balance of 2340*l.* to the bank, which by other securities had become reduced to 917*l.* The bank applied to B. about it, and on 28th Aug. 1856 she gave them a promissory note for the balance expressed to be for value on account of her late husband. She was held to be liable on this note; for the first note, though made during coverture, was binding on her separate estate. Unless something occurred to release that estate from liability, there was good consideration for the note now sued upon made after the determination of the coverture: (*La Touche* v. *La Touche*, 11 L. T. Rep. N. S. 773. Ex.)

COUNTY COURTS.

Equitable Jurisdiction of County Courts.—The Lord Chancellor's Bill is substantially the same as the third part of his Bill of last year. He proposes to give Chancery jurisdiction to the County Courts, subject to the following restrictions. A claim demanded must not exceed 100*l.*; or property to be divided, administered, or dealt with must not exceed 500*l.* Where a declaration of right to lands is sought the annual value must not exceed 20*l.* Suits for foreclosure or sale of property in mortgage may be brought only where the principal does not exceed 100*l.*; for winding-up a partnership only where the gross value of the partnership property does not exceed 500*l.*; for specific performance or for cancelling an agreement for a sale, only where the value of the property does not exceed 500*l.* Unlike the measure of last session, the present Bill provides that injunctions may be granted in such suits as aforesaid, and orders for the restraint of waste upon land not exceeding 20*l.* of annual value. The County Courts are to have jurisdiction in all matters relating to the guardianship or custody of the person of infants where the annual sum applicable to the infant's maintenance does not exceed 20*l.* a-year. The Bill of last year proposed that no suit should be brought in a County Court involving a question concerning the sanity of a testator; that is now omitted, but the present Bill provides that no part of the jurisdiction in lunacy now exercised by the Lord Chancellor or the Lords Justices shall be exercised by any County Court. The fees taken in all the County Courts for equity business are to be divided equally among the judges until each has 1000*l.* a-year.

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Trust-deed of Assignment — Separate Creditor—Separate Estate.—Two debtors in partnership executed a deed of assignment, conveying all their joint and separate estates to the trustees for the benefit of the joint and separate creditors. The deed was duly registered, but one of the debtors shortly after was adjudicated a bankrupt on the petition of a creditor who, out of six separate creditors, was the only dissentient. The Commissioner refused a motion to have the petition dismissed, on the ground that it appeared there was no separate estate, and hence nothing to bind any single dissentient creditor. On appeal, the L. C. reversed the order, saying, "By the statute, joint and separate creditors must deliberate and decide together, and there is nothing to warrant the conclusion that separate creditors may not constitute a binding majority within the statute, even although there may be no separate estate:" (*Ex parte Oldfield, re Oldfield*, 11 L. T. Rep. N. S. 750. L. C.)

Administration Suit—Creditor—Proof or Debt.—A creditor who has neglected to come in at the proper time and prove his debt in an administration suit, cannot be allowed to disturb the dividend of the other creditors after an order has been made directing payment thereof: (*Hall* v. *Falconer*, 11 L. T. Rep. N. S. 761. V. C. K.)

Judgment—Re-registration—Priority.—The provisions of the 23 & 24 Vict. c. 38, *s.* 4, with respect to the re-registration of judgments, are not retrospective so as to take away the right of a judgment-creditor where the judgment-debtor is dead, and the right of the judgment-creditor existed at the date of the passing of the Act. The Court will not, unless obliged, construe an Act of Parliament retrospectively, so as to take away existing rights: (*Evans* v. *Williams*, 11 L. T. Rep. N. S. 762. V. C. K.)

Composition-deed—Joint and Separate Creditors—Joint and Separate Estate.—The plaintiffs sued defendants upon a bond, wherein they became jointly and severally liable to pay a sum of money by instalments. Defendant N. pleaded a deed of composition. There were joint and separate creditors and estates, and the deed placed the joint and separate creditors on the same footing, and the plea alleged that a majority of the said creditors of the defendant, and each of them, assented. The Court held, that the deed was a valid deed of composition and inspectorship within the 192nd section of the B. A. 1861, and that the plea contained a sufficient averment of assent of the joint and separate creditors. There was also a covenant in the deed not to sue for a limited time, but with an express provision also that during such limited time the deed may be pleaded in bar. The Court held that this was reasonable, and the plaintiffs were, by virtue of the statute, in the same position as if they had executed the deed. A covenant not to sue does not make the deed void as against the non-assenting creditors. The 192nd section does not require that the affidavit to be delivered to the registrar shall distinguish the joint and separate debts, and the court will not import such requirement into the Act as an additional consideration to the validity of the deed: (*Walker and others* v. *Nevill and another*, 11 L. T. Rep. N. S. 774. Ex.)

Composition-deed — Release — Tender—Accord and Satisfaction.—To an action by a non-assenting creditor as indorsee of a bill of exchange, it was pleaded that, after the accruing of the cause of action, and before action, the defendant executed a deed which recited that the creditors agreed to accept a certain composition if paid on or before a certain date. The Court held, on demurrer, that it was such a deed as, by virtue of the B. A. 1861, plaintiff was bound by in the same manner as if he had executed it; that, although it contained no release in express terms, it could be pleaded in bar; and that a plea which alleges that "the creditors of the defendant had agreed to accept a composition of 2*s.* 6*d.* in the pound in discharge of their respective debts, so far as they are able to do so without the consent or permission of third parties or sureties, but no further," and then alleges a tender by the defendant to the plaintiff of the amount of the composition, was a good plea, and showed a good defence to the action: (*Garrod* v. *Simpson*, 11 L. T. Rep. N. S. 777, Ex.)

Composition-deed—Application for Process—Affidavit of Debt merely insufficient.—The court will not, at the instance of a dissenting creditor, and without any other evidence than an affidavit of debt in the ordinary form of proof, grant leave, under the 198th section of the B. A. 1861, to issue process against the debtor who has registered a composition-deed under the 192nd section, although the deed is apparently bad upon the face of it. The court cannot go into the question of the validity of the deed upon such an application: (*Ex parte Hart, re Pound*, 11 L. T. Rep. N. S. 781.)

Bankrupt's Petition—Adjudication—Annulling of, after Order of Discharge—Surplus Estate.—The court has jurisdiction, with consent of creditors, to annul an adjudication of bankruptcy made upon the bankrupt's own petition after he has obtained his order of discharge. And where in such a case all the creditors are satisfied and consent, except one creditor to a small amount, who cannot be found, the Court will, upon being satisfied that the claims of the official assignee are paid, make the order to annul the bankruptcy, and also, concurrently therewith, an order for payment to the hands of the Accountant-General: (*Ex parte Newall, re Newall*, 11 L. T. Rep. N. S. 782.)

COURT OF CHANCERY.

Saturday, Feb. 25.

The Attorney-General v. Johnson (an Official Assignee).

It will be recollected that after a retiring pension of 800*l.* per annum had been accorded to Mr. Patrick Johnson, official assignee in the Bankruptcy Court of the late Mr. Commissioner Evans, a discovery was made that Mr. Johnson had not accounted for some thousands of pounds which he had obtained in his official capacity from various bankrupts' estates, and upon application to the Lord Chancellor last year Mr. Johnson's annuity was suspended until the question of his defalcations had been fully investigated. That investigation having taken place, the matter was brought again before his Lordship to-day.

The *Attorney-General* and *Joseph Chitty* appeared in support of a motion against Mr. Johnson with respect to the amount ascertained to be due from him.

Bacon and *Tripp*, who appeared for Mr. Johnson, appealed to his Lordship to deal leniently with him. He was now seventy years of age, and his accounts would have been rendered with more regularity if others whose duty it was to superintend these accounts had been more vigilant in the discharge of their duties. In a multitude of small bankruptcies Mr. Johnson had to make disbursements which the bankrupt's estate could not repay; and it was submitted that by way of reimbursing himself these expenses he was entitled to retain small amounts in other bankruptcies where the assets were not sufficient to pay the expense of holding a dividend meeting.

The Lord Chancellor, in giving judgment, expressed his regret that gross neglect on the part of the late Mr. Commissioner Evans had permitted defalcations of so serious an amount as this case exhibited. It was manifest that some person should be appointed specially to watch over the dealings of official assignees with bankrupts' estates, and to require a systematic rendering of accounts from them. It appeared that, subject to small deductions, the sums of 4106*l.* and 3427*l.* were due from Mr. Johnson to the Bankruptcy Court in respect of the moneys of bankrupt estates, for which he had not accounted. Mr. Johnson must pay the former sum (subject to the deductions) forthwith, and the latter sum in six months. In the meantime his annuity of 800*l.* must be suspended.

THE LORD CHANCELLOR AND BANKRUPTCY REFORM.

A deputation of gentlemen from the Association of Chambers of Commerce of the United Kingdom waited upon the Lord Chancellor on Thursday, for the purpose of presenting a memorial on the subject of the law of bankruptcy reform. The Lord Chancellor said he was of opinion that a radical change was

required in the law of bankruptcy. The law undertook to give a bankrupt a discharge from all his debts, but it should do no such thing. It multiplied the costs, and made the Court of Bankruptcy an instrument for fraud. That arose from the fact of there being imprisonment for debt. People revolted from the idea of imprisonment for debt, and they undertook to see that a man could get his discharge under certain conditions, and that opened the door for the evils of which they complained, the result being that the Court of Bankruptcy offered great opportunities for fraud. He proposed to abolish imprisonment for debt, and to devote the Bankruptcy Court to its legitimate purpose—to collect the estate of a bankrupt, and distribute it *pro rata* among the creditors, the bankrupt to be left to get his discharge from the creditors. He proposed to introduce an alteration of the present laws affecting solicitors and attorneys. At present they could not undertake any business for a lump sum. He proposed to give them a specified sum. He would make the penal law much more severe. He should like to know if they would leave to creditors the power of dealing with an estate in their own mode. He would leave a debtor to get his own discharge from the creditors, emancipating him from a prison, but leaving him to his last penny at the mercy of any of his creditors until they gave him a discharge. The judge of a bankruptcy court should have plenary jurisdiction.

Sir T. Crossley said, if he understood rightly, when an estate was distributed, and it did not realise 20s. in the pound, and the bankrupt commenced business again, every shilling he made might be taken by the creditors.

The Lord Chancellor replied in the affirmative; but in the case of misfortune arising from shipwreck or a fire he might safely trust the bankrupt to the mercy of English creditors.

Mr. Lloyd said the Chambers of Commerce would reply to the observations of the Lord Chancellor in a memorial at a future time.

NOTES AND QUERIES ON POINTS OF PRACTICE.

Queries.

Gift to a Natural Child.—A testator wishing to bequeath to his natural child, a married lady, a share of several and personal property, and being unwilling to disclose the fact of her illegitimacy on the face of his will, framed the bequest in the following words: "I give and bequeath to my daughter A., the wife of B. C., &c." I have been informed that a case recently before the court has decided that such a bequest would pass no interest to the intended legatee, inasmuch as the testator had no daughter, the wife of B. C., and that the court had no power to give the bequest to any other than a daughter answering that description; and could not regard the word "daughter," or any words used by a testator in the description of a legatee, as surplusage. I have searched for, but have been unable to find, this case. I shall therefore be glad if some of your experienced readers can tell me whether such a case has been decided, and where it can be found; also what their practice is when they desire to study the feelings of a testator in a case like that above stated. C. C.

London, March 1, 1865.

Salmon Fishery Act 1861.—The following questions under this Act were raised at a petty sessions, and I ask insertion of this letter in the hope that some one or more of your numerous readers will solve them: Four men, A. B. C. and D., were seen together on a river bank on a Sunday morning by a policeman, who searches them: A. has a salmon spear; B.'s pocket is wet, is stained with fresh blood and has salmon-scales adhering to it; while from C. is taken a noose made of copper-wire; but nothing found on D. The four men are summoned under sect. of 24 & 25 Vict. c. 109, "for using a spear or other instrument for catching salmon;" and are all convicted. The points mooted were: 1. Is it necessary that each defendant should have a "spear, gaff, strokehall, snatch, or other like instrument for catching salmon?" see sect. 8. 2. Is the copper-wire noose (with which, it is admitted, a human might be taken) within the words of the section? and what is a "strokehall" and what a "snatch"? 3. Are cumulative penalties be imposed? as, for instance, for using a spear (sect. 8); for taking unreasonable salmon (sect. 14); for disturbing salmon near a spawning-bed (sect. 15); and for fishing on a Sunday (sect. 21). 4. Has any one a power of searching suspected persons, and if so, to what extent may the attempted search be lawfully resisted? A point of practice also arose at the hearing: The complainant was the policeman who saw and searched the defendants, but on the cause being called the police superintendent of the district rose, made an opening speech, examined his witnesses, cross-examined one for the defence, and acted as an attorney. Can the superintendent thus act as a public prosecutor? and can the defendant's attorney successfully object to his so doing?

Exeter, Feb. 28. Lex.

Answers.

Fine-Estate—Acknowledgment.—In reply to "S. T.'s" query, A. must acknowledge the deed of reconveyance under the 4 & 5 Will. 4, c. 92, there being no distinction in this respect between a conveyance by a *feme covert* of her own estate, and one vested in her as a trustee.

New Romney. J. R.

The deed must be acknowledged. A married woman seised in fee can only convey by deed acknowledged, or by appointment under a power. The fact of trusteeship makes no difference. X.

A must acknowledge the deed, as the statute 3 & 4 Will. c. 74, which provides for the conveyance by deed merely of the interest of married women in real estate, refers to every kind of conveyance or disclaimer of freehold estates by them. H. M. B.

Bideford, Feb. 27.

Stamp.—In reply to "R. A." I submit that the transfer of shares must be stamped as one not chargeable under the head of mortgage or conveyance upon sale, and therefore that 35s. is the proper stamp to be affixed. J. R.

New Romney.

Conveyance by Bankrupt.—As upon the bankruptcy of a person all his estate and effects become vested in the official assignee until the creditors' assignee be appointed, when it is immediately divested out of the official assignee and vested in the creditors' assignee (except as to debts under 10*l.*), but none having been appointed, and the bankrupt's estate being still vested in the official assignee, he can convey the same to a purchaser; but to prevent any objection being raised hereafter an order should be obtained from the commissioner authorising the sale and conveyance by him. The bankrupt should also join, and covenant for title. J. R.

New Romney.

Tacking.—The doctrine of tacking has no application to this case, and it is unnecessary to consider whether D. when he advanced the 2000*l.* had or had not notice of the prior mortgage. E. took the legal estate under an express contract for reconveyance on payment of the 250*l.* and interest, and D., his grantee, could only take subject to the same equity. It is quite out of the question to suppose that D., deriving the legal estate from A. and B., can blow hot and cold, so as to retain the legal estate, without regard to A. and B.'s own equities expressly reserved. A. and B. can therefore redeem on payment of the 250*l.*, interest and costs. X.

Gray's-Inn.

Devise—Mortgage.—The question put by Mr. Moore is one admitting of many nice distinctions. Assuming that the query shows everything in the will which touches the point, I think the legal estate did pass to the trustees. This opinion is based on the fact that *mortgages* are *specifically* bequeathed under the words "moneys out at interest;" and the direction *to get in* such moneys gives the trustees a dominion over the legal estate, otherwise it would be a futile power. The principle is clearly laid down in *Re Arnesmith's Trusts*, 31 L. T. Rep. 248, a case exactly in point, and, I believe, the ruling and most modern decision on the subject. It must not be inferred from the foregoing that a general bequest of *personal estate* will carry the legal estate of lands mortgaged to a testator. The subject is such a comprehensive one, that I cannot do better than refer the querist to Jarman on Wills, 3rd edit. vol. 1, 666 *et seq.* As to the second question, admitting that the legal estate was vested in the trustees by the will, certainly *both* trustees should release the property. It is a joint tenancy, and both should execute the reconveyance.

Exeter. J. P.

THE LAW LIBRARY.

The Law and Practice of the Court of Probate, Contentious and Common Form, with the Rules, Statutes and Forms. By Philip William Dodd, Solicitor, and George Henry Brooks, Proctor. London: Stevens and Co.

"The practice, indeed, can scarcely be considered to be even yet completely settled." So the Authors state in their preface to the volume treating of it. If this be the imperfect practice of the new court, what will it be when complete? Simplicity was to be the boast of the Probate Court. The proof of a will was to be easy and inexpensive. Such was the dream of the Law Reformers. Here is the reality! Behold a volume of no less than 1296 pages devoted to the exposition of this reformed practice! It is frightful to think of. A new court imposes upon the practitioner's library, if not upon his brains, all this mass of new law. It is certainly disheartening to law reformers to think that a reform they have striven to bring about culminates in the addition of 2000 pages to the study of the practice alone!

Nor does it appear that the authors of this great book have unduly expanded their work. There is no part of it that could have been omitted, and but little that could have been curtailed. Only twenty-nine pages are devoted to an introduction descriptive of the Court of Probate. The second part treats of the Factum of a will, in ten chapters, including the capacity to make it, what constitutes a will, its execution, the wills of soldiers, wills under powers, contingent wills, alterations in wills, revocation, revival and republication. The third part is devoted to the Practice in the Common Form business, and the fourth to the Contentious business. An appendix comprises the statutes, the rules, tables of fees, a collection of useful forms, and bills of costs as allowed by the courts.

There is, however, one grave defect. The authors cite the New Reports. Now, considering that these reports are *new* in fact as in name, that they have a limited circulation, and therefore are seen by very few of those to whom the volume is addressed, it was scarcely fair to refer to reports which not one in twenty of its readers are likely to possess, instead of reports which are in every lawyer's library. The rule of citation is, to refer to the reports that are most circulated, in addition to the regular reports. Not to do so is a defect that seriously impairs the utility of any book of practice, and there is no doubt that the value of the volume before us is greatly diminished by the neglect of this obvious duty. We trust it will be repaired in the next edition.

The Lunacy Acts, with Introductory Commentary, Notes to the Statutes, and a copious Index. By Danby P. Fry, Esq., Barrister-at-Law. Knight and Co.

The first exclamation, on taking up this volume, will be, "Is it possible that there are lunatics enough to make a remunerating sale for a book devoted to the law relating to them?" Unhappily it is so, and, sadder still, their numbers are steadily increasing, both positively and relatively to the population. There is something not clearly known in our modern ways of life that tends to the production of insanity. Perhaps it is the ever-growing struggle of competition, that gives no rest to the brains of those who are striving to live; perhaps it is the vitiated air of houses in which that eager competition is conducted; perhaps it is, as some say, the hurry to railways, the rush through space vibrating through the fibres of the brain; or, more probably, it is the combination of these and other causes; but nevertheless the fact remains uncontradicted, and the lawyers as well as the doctors are concerned in it. The treatment of lunatics has for many years engaged the attention of the Legislature, and a series of laws have been passed for the purpose of securing good treatment of the persons of the insane and proper care of their fortunes. As experience exhibited the defects in the law, these humane measures have been amended from time to time, until the entire statute law on the subject, and the decisions of the Courts upon its construction, have grown to a considerable bulk. Now, there are no books so useful to the practitioner as those which collect all the law on a single subject, arranged so that any part of it may be readily found when wanted. This has been the design of the volume before us. That design has been accomplished with care and industry; these are all that is required, and these will commend it to all whose practice may at any time require an acquaintance with the law of lunacy.

BOOKS SENT FOR REVIEW.

The Laws relating to Public Health, including the Legislation to the End of the last Session of Parliament. By T. Baker, Esq., of the Inner Temple, Barrister-at-Law. London: Maxwell; Sweet; and Stevens, Sons and Haynes. Dublin: Hodges, Smith and Co.

PAMPHLETS.

Transportation: The British Convict in Western Australia; a Visit to the Swan River Settlements. By the Special Correspondent of the *Melbourne Argus*. London: Harrison and Sons.

LEGAL OBITUARY.

Note.—This department of the Law Times is contributed by Edward Walford, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the Law Times Office any dates and materials required for a biographical notice.

M. D. LOWNDES, ESQ.

The late Mr. Matthew Dobson Lowndes, solicitor, of Liverpool, whose death occurred at Southport, Lancashire, on the 9th ult., at the age of sixty-eight, was for many years one of the leading solicitors of that town. He came of an old Cheshire family, and was born in 1797. He was early left an orphan, and the late Mr. Wm. Roscoe was his guardian. He served his time at Altrincham, in Cheshire, and when quite a young man entered into partnership in Liverpool with Mr. Bulmer, under the firm of Bulmer and Lowndes, and afterwards took into partnership the late Mr. James Robinson, and subsequently Mr. Bateson. The late Mr. Lowndes was a very active and industrious man, and his health gave way under the constant pressure of professional work, though no doubt his death was hastened by the shock which he received in a railway accident a few years ago, and from the effects of which his nervous system never quite recovered. He was extremely well acquainted with the details and principles of his profession, in which a very copious and retentive memory gave him great advantages; and he bore the reputation of being especially well versed in commercial law. He was also well acquainted with English and European literature, and he translated

some valuable "Lettres sur la Chancellerie d'Angleterre," which were published in one of the Liverpool papers about thirty-five years ago, and helped on his then rising reputation considerably. He subsequently published a pamphlet on "Delays in Chancery considered," and another on "The Joint Stock Bank Acts," both marked by sound sense and practical legal knowledge; and many of his suggestions have since been embodied in more recent Acts of Parliament. Many of his suggestions on the bankruptcy laws would now be found very valuable. According to the *Liverpool Albion*, "Mr. Lowndes leaves behind him five sons and four daughters. The two eldest sons are in holy orders. The third joined his father as partner in the year 1856. The fourth has just passed the College of Surgeons, having studied in the infirmary in this town and at Edinburgh. The fifth is a solicitor in London, where he has practised for the last fifteen months." The funeral took place at St. James's Cemetery, Liverpool, on the 14th ult.

CHARLES WELLS LOVELL, ESQ.

Mr. Lovell, the head of the firm of Messrs. Lovell and Co., of Gray's-inn, was born in 1786, served his articles to Mr. Griffiths, one of the Secondaries of the Court of Common Pleas, an office long since abolished, and was admitted in Michaelmas Term 1808. Mr. Lovell soon after commenced practice, and during the earlier part of his professional career was much engaged in poor-law settlement appeals, the then intricacies of which he was thoroughly conversant with, and it was upon his suggestion, while a Bill for amending the law on that subject was passing through the House, that the clause rendering it imperative to set out the grounds of appeal was introduced, and subsequently became law. Mr. Lovell was receiver of the tithes of the parishes of Writtle and Roxwell, in Essex, where, for very nearly half-a-century, he attended in that capacity, and by his kindliness of disposition and courtesy he was held in high esteem, forming many a friendship, and never making an enemy. For the last four or five years Mr. Lovell had retired from the active duties of his profession, a step necessitated by partial, and succeeded by permanent, loss of sight. He had for some months been in failing health, but calmly and trustfully awaited his decease, which occurred at Hagbourne, Berks, on the 24th ult.

LEGAL NEWS.

IRELAND.—The Colclough case, which has been at hearing in Wexford, has been brought to a final close. The prize contended for was the estates of Tintern Abbey, granted to Sir Anthony Colclough by Queen Elizabeth, and now yielding a rental of 8000*l.* a-year. The estates were always strictly entailed, and now the last living male representative of Sir Anthony sought to recover possession from Mr. John T. Rosborough Colclough, who had assumed the name on marrying the daughter of the late Cæsar Colclough, the owner of the estates. The case of the plaintiff, Mr. Patrick Larsfield Colclough, is that the gentleman, just named, who had been Chief Justice of Newfoundland, was not legitimate, because his father had eloped from Duffry-hall with Miss Byrne, of Cabinterly, a Roman Catholic, and that they were illegally married by a priest. Evidence was produced with the object of showing that the plaintiff was regarded by Cæsar Colclough as his heir. But a telegram has arrived, stating that before Mr. Brewster, Q. C., had stated the whole of the case in reply, Mr. Hemphill, Q.C. agreed to have a verdict entered for the defendants.

THE BREADALBANE SUCCESSION.—On Thursday week a new petition of Lieutenant Charles William Campbell was presented to the First Division of the Court of Session, praying for sequestrations of the entailed estates of Breadalbane, and the appointment of a judicial factor. The petition was ordered to be intimated to Mr. Campbell, of Glenfalloch. It will be recollected that in May 1863, a petition to the same effect was presented to the court, but by a majority of three to one refused, reserving, however, to Lieutenant Campbell right to present another petition in the event of any such change in the state of the proceedings or circumstances of the case as may make the appointment of a judicial factor proper. On appeal to the House of Lords this judgment was sustained by a majority of two to one. Lieutenant Campbell now tenders his completed proof in the case, and in the present petition sets forth "that the proceedings which have been adopted by the respondent in the management of the estates tend greatly to the dilapidation of the property;" and also, "that circumstances have been established in the course of the proof which have changed the aspect of the petitioner's case, and entitled him to state that the evidence which was required formerly by the court is now fully supplied." The petitioner names Mr. Donald Lindsay, C.A., as a suitable person for appointment as judicial factor.—*Scotsman.*

LORD RUSSELL ON CAPITAL PUNISHMENT.—Lord Russell has published a new edition of his work on the "English Constitution." In a lengthened introduction, which his Lordship has specially written for the edition, he expresses himself favourable to the abolition of capital punishment:—"For my own part I do not doubt for a moment either the right of a community to inflict the punishment of death, or the expediency of exercising that right in certain states of society. But when I turn from that abstract right and that abstract expediency to our own state of society—when I consider how difficult it is for any judge to separate the case which requires inflexible justice from that which admits the force of mitigating circumstances—how invidious the task of the Secretary of State in dispensing the mercy of the Crown—how critical the comments made by the public—how soon the object of general horror becomes the theme of sympathy and pity—how narrow and limited the examples given by this condign and awful punishment—how brutal the scene of the execution—I come to the conclusion that nothing would be lost to justice, nothing lost in the preservation of innocent life, if the punishment of death were altogether abolished. In that case a sentence of a long term of separate confinement, followed by another long term of hard labour and hard fare, would cease to be considered as an extension of mercy. If the sentence of the judge were to that effect there would scarcely ever be a petition for remission of punishment, in cases of murder, sent to the Home-office. The guilty, unpitied, would have time and opportunity to turn repentant to the Throne of Mercy."

CRIME IN VICTORIA.—It is satisfactory to observe that the criminal statistics for the year 1864 (issued by the Police department just before the departure of the last mail) show that for five years crime in Victoria had been steadily and largely decreasing. Within that time the number of persons taken into custody decreased from 30,357 to 22,253; the summary convictions from 20,218 to 14,302; the committals for trial from 1428 to 1081; and the convictions by the superior tribunals from 755 (in 1860) to 653. Thus, though the population of the colony has largely augmented since 1859, the crime, as measured by the committments, has diminished by 24 per cent. In many of the more serious crimes there has been a very marked reduction in recent years. In the year 1863 the great majority of the offences were not of a serious character. Of the 22,000 persons actually taken into custody, 68 per cent. were summarily dealt with by the magistrates, 31 per cent. were discharged, and not more than 5 per cent. were committed for trial. In England, in the same year, the total number of persons apprehended was 452,273, and of these 62 per cent. were summarily convicted, 32 per cent. were discharged, and 4·7 were committed for trial. Of the committals, 60 per cent. resulted in conviction in Victoria and 75 per cent. in England, while the proportion of acquittals was 31 per cent. in Victoria and 24 per cent. in England. It would seem, therefore, that justice is more sternly administered in England than in Victoria. As regards the character of the crimes committed in 1863, it is satisfactory to find that the offences against the person are largely in the minority. Of the cases summarily dealt with, only 784 were of this class, while there were 1778 crimes in connexion with property, and 11,740 offences of a miscellaneous kind. In this latter category are included 6976 cases of drunkenness and disorderly conduct, and 1036 convictions under the Vagrant Act, making together more than two-thirds of the whole.—*Australasian.*

WILLS AND BEQUESTS.—The will of the most noble Frederick William Marquis of Bristol was proved in Her Majesty's Court of Probate on the 9th ult. The personalty was sworn under 100,000*l.* His lordship succeeded to the title and estates in 1859, and executed his will in 1860; and there are two codicils dated March and July. To his eldest son, the present marquis, he has devised all his real estates, and has bequeathed to him the residue of his personal property. To each of his younger sons he has left a legacy of 20,000*l.*, and to each of his daughters 10,000*l.*, besides other bequests to them.——The will of the Hon. Gertrude Florinda Tollemache was administered to in the London court by her daughter. The testatrix was the eldest daughter of the late General William Gardiner, niece of the first Viscount Mountjoy, and widow and relict of the Hon. Charles Tollemache, who died in 1850. The will bears date 1851, and there are three codicils, dated 1853, 1859, 1863. To her sister, Frances Gardiner, she has bequeathed the property left to her by the will of her uncle, Lord Mountjoy, for her life, and after her decease to the testatrix's nieces, Harriet and Frances Hastings. There are a few legacies to friends and to her servants. To the Middlesex Hospital she has bequeathed all her linen and underclothing, and plain pocket-handkerchiefs without borders or lace. The residue of her property she leaves to her daughter, the said Hon. Frances Louisa Tollemache.——The will of the late William Kaye, Esq., of Tetworth Hall, Huntingdonshire, was proved in London under 40,000*l.*, and is contained in these words: "The last will and testament of me, William Kay, revoking all other wills. I hereby will and bequeath to my most excellent wife, Mary Cecilia, all my personal and real property, and appoint her executrix, and her sons, Joseph and James, executors. Dated Nov. 19, 1864."——The late James Quilter, Esq., of 1, York-place, Regent's-park, whose personal property was sworn under 70000*l.*, has left to each of the following charitable institutions a legacy of 25*l.*: The British and Foreign Bible Society, London City Mission, Church Missionary Society, Female Penitentiary, Pentonville-road, and the National Schools at Hadley.——The will of the Hon. Penelope Powys was proved in London on the 3rd inst., under 30000*l.* The testatrix has left some small charitable bequests, viz., to the Church Missionary Society, the Bible Society at Thrapstone, and St. Mary's Hospital, Paddington, each 10*l.*—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Thursday, Feb. 23.

By Mr. MARSH, at the Guildhall Coffee-house.—Freehold cottage situate in Heywood-road, Forest-lane, Stratford—sold for 145*l.* Leasehold residence, being No. 6, the Villas, Erith, Kent, term 96 years from 1857, ground-rent 10*l.* per annum—sold for 75*l.*

Friday, Feb. 24.

By Mr. FRANK LEWIS, at the Guildhall Coffee-house.—An annuity of 500*l.* per annum, payable out of estates at sale in Yorkshire during the lives of a lady and gentleman aged 45 and 56 years—sold for 11,300*l.* Leasehold residence, known as "Colebrook House," situate No. 72, Highbury-new-park; term 94 years from 1855; ground-rent 13*l.* 10*s.* per annum—sold for 1700*l.*

Monday, Feb. 27.

By Mr. WHITTINGHAM, at Garraway's.—Freehold building land, situate in New Barnet-road, East Barnet, Herts. Lot 291 sold for 70*l.*, lots 293 to 301 sold for 30*l.* each, lot 302 sold for 23*l.*, lot 303 sold for 65*l.*, lot 304 sold for 65*l.*, lots 401 to 410 sold for 27*l.* each, lots 411 and 412 sold for 25*l.* each, lots 413 to 415 sold for 21*l.* each, lot 431 sold for 70*l.*—Freehold building land fronting Cricket field-road, Lower Clapton. Lot 75 sold for 105*l.*, lot 84 sold for 155*l.*, lots 1103 and 104 sold for 180*l.* each.

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, Feb. 21.

DUTTERTON, JOHN WILLIAM; GREATREX, FREDERICK; and DUTTERTON, GEORGE ASH, attorneys, solicitors, proctors and conveyancers, Ecclesall and Sheffield.

Bankrupts.

Gazette, Feb. 21.

To surrender at the Bankrupts' Court, Basinghall-street.

ATLOFF, AUGUSTE GEORGE, bootmaker, Upper Berkeley-st. Portman-sq. Pet. Feb. 17. Reg. Roche. O. A. Parkyns. Sol. Crowly, Ferjeants'-inn, Fleet-st. Sur. March 6.

BARDWELL, GEORGE STOKE, printer, Lakenham, Norwich. Pet. Feb. 14. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 6.

BARRATT, WILLIAM, jun., victualler, Dover-st. Piccadilly. Pet. Feb. 20. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. March 7.

BRAY, CHARLES, builder, New-rd. Hammersmith. Pet. Feb. 15. Reg. Hazlitt. O. A. Graham. Sol. Johnson, Clifford's-inn. Sur. March 7.

BUNYARD, CHARLES, merchant, Bucklersbury. Pet. Feb. 16. Reg. Roche. O. A. Parkyns. Sol. Camp, Bucklersbury. Sur. March 6.

CASTLE, THOMAS HENRY, linendraper, Reading. Pet. Feb. 17. Reg. Brougham. O. A. Edwards. Sols. Courtenay and Co. Gracechurch-st. Sur. March 13.

CLARK, SAMUEL EDWARD, die sinker and lithographer, Jewin-st. Cripplegate, and Clifton-rd. Hornsey-rd. Pet. Feb. 16. Reg. Brougham. O. A. Edwards. Sol. Hume, South Molton-st. Oxford-st. Sur. March 6.

EARLE, CHARLES, saddle and harness maker, High-st. Kensington. Pet. Feb. 14. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Stanford, Great James-st. Sur. March 13.

FRAMPTON, JAMES, builder, Newtown, Christchurch. Pet. Feb. 16. Reg. Brougham. O. A. Edwards. Sols. Lovell and Co., Gray's-inn, Druitt, Christchurch. Sur. March 13.

GOSDY, GEORGE HENRY, military tailor, Clifford-st. Bond-st. Pet. Feb. 11. Reg. Hazlitt. O. A. Graham. Sol. Stinton, Mayor-st. Cavendish-sq. Sur. March 7.

GRIMES, JAMES, builder, Shooter's-hill, West Combe. Pet. Feb. 8. Reg. Roche. O. A. Parkyns. Sol. White, Dane's-inn, Strand. Sur. March 6.

HALL, JOHN, marine butcher, Woolston. Pet. Feb. 17. Reg. Roche. O. A. Graham. Sols. Paterson and Son, Bouverie-st., Hosier Southampton. Sur. March 7.

HALLEWELL, JAMES, engineer, Queen-st.-pl. Cannon-st. and St. George's-pl. Battersea-fields. Pet. Feb. 15. Reg. Brougham. O. A. Edwards. Sol. Parson, Duke-st. Adelphi. Sur. March 6.

HOWDEN, THOMAS ANDERTON, engineer, Philpp-st. Carisbrook Pet. Feb. 13. Reg. Hazlitt. O. A. Graham. Sol. Hutson, Upper Clapton-st. Finsbury. Sur. March 7.

HOWLETT, FREDERIC, hair net manufacturer, Stratford. Pet. Feb. 13. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 6

JONES, THOMAS, sen., ironmonger, Barbiton. Pet. Feb. 16. Reg. Roche. O. A. Parkyns. Sol. Fisher, King's Bench-walk, Temple. Sur. March 6.

KOCH, PETER, baker, Upper Fitzroy-pl. Kentish-town. Pet. Feb. 17. Reg. Hazlitt. O. A. Graham. Sol. Olive, Portsmouth-st. Lincoln's-inn. Sur. March 7.

LUNK, JOHN, and SUTHERLAND, ELIZABETH, merchants, Gracechurch-st. Pet. Jan. 31. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. Sur. March 8.

MADDOX, RICHARD HENRY, commercial traveller, Lambeth Caledonian-rd. Pet. Feb. 17. Reg. Roche. O. A. Parkyns. Sol. Dore, New Basinghall-st. Sur. March 6.

MARKS, CHARLES, merchant, Ironmonger-la. Pet. Jan. 27. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. Sur. March 6.

MOSES, JOSHUA, Esq., Barnett grove, Hackney-rd. Pet. Feb. 8. Reg. Winslow. O. A. Graham. Sol. Heydon, Scarle-st. Lincoln's-inn. Sur. March 7.

MORRIS, MICHAEL, merchant, Love-la. Cheapside. Pet. Feb. 3. Reg. Brougham. O. A. Edwards. Sol. Abrahams, Gracechurch-st. Sur. March 6.

NUGENT, AUGUSTUS NAGLE CHRISTOPHER ROBERT, Esq. Serjeants'-inn, Fleet-st. Pet. Feb. 13. Reg. Brougham. O. A. Edwards. Sol. Low, Chancery-la; Ford, Portsea. Sur. March 6.

PHILLIPS, CATHERINE, spinster, Dale-rd. Kentish-town. Pet. Feb. 11. Reg. Brougham. O. A. Edwards. Sol. Greatorex, Chancery-la. Sur. March 8.

ROWE, JABEZ COATE, optician, Basinghall-st. Pet. Feb. 14. Reg. Brougham. O. A. Edwards. Sol. Lewis, Great Marlborough-st. Sur. March 13.

THURSTON, MARY ANN, widow, Charlotte-st. Portland-pl. Pet. Feb. 18. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry. Sur. March 6.

TUBB, JOHN, victualler, New Hinksey, Oxford. Pet. Feb. 16. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. March 7.

WAREHAM, ROBERT, surgeon, Park-rd. Peckham. Pet. Feb. 11. Reg. Brougham. O. A. Edwards. Sols. Sole and Co. Aldermanbury. Sur. March 8.

WILL, JAMES, dealer in bread, Fann-st. Gosswell-st. Pet. Feb. 17. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. Sur. March 13.

WRIGHT, HENRY, oil and colourman, Cambridge-rd. Mile-end. Pet. Feb. 14. Reg. Roche. O. A. Parkyns. Sol. Boydell, Queen-st. Bloomsbury. Sur. March 6.

To surrender in the Country.

ARCHER, ABRAHAM, jun., cloth manufacturer, Ossett and Birstall. Pet. Feb. 13. O. A. Young. Sols. Hill, Bradford; Simpson, Leeds. Sur. March 8.

BAKER, GEORGE, labourer, Conisgrby. Pet. Feb. 14. Reg. & O. A. Cliborow. Sol. Adcock, Horncastle. Pur. Feb. 28.

BARTON, JOSIAH, and BARTON, CHARLES, stuff manufacturers, Bradford. Pet. Feb. 16. O. A. Young. Sols. Hill, Bradford; Simpson, Leeds. Sur. March 8.

BERTRAM, JAMES, iron, steel and hardware dealer, Sheffield. Pet. Jan. 21. Reg. & O. A. Wake and Rodgers. Sols. Bonsey and Son, Sheffield. Sur. March 8.

BOWMAN, THOMAS, publican, Percy Main. Pet. Feb. 19. Reg. Gibson. O. A. Lakiman. Sols. Harle and Co., Newcastle. Sur. March 9.

BRADSHAW, JOHNSON, miller, Liverpool. Pet. Feb. 17. O. A. Turner. Sur. March 4.

CALVERT, FIELDING, Old Accrington, and NOBLE, MERCER, New Accrington, joiners. Pet. Feb. 13. Reg. & O. A. Woods. Sol. Lake, Accrington. Sur. March 21.

CAWTHRAY, JAMES, grocer, Yeadon, near Leeds. Pet. Feb. 17. Reg. & O. A. Carr. Sol. Hartley, Otley. Sur. March 15.

COUNSHUTT, JOHN FOLLARD, draper, Skipton. Pet. Feb. 12. O. A. Young. Sols. Robinson, Skipton; Bond and Barwick, Leeds. Pet. 20.

COLLIERWOOD, JOSEPH, waste dealer, High Crompton, near Oldham. Pet. Jan. 19. Reg. Marsden. O. A. Morgan. Sur. March 6.

CORBIDGE, DENIS, publican, Newcastle. Pet. Feb. 15. Reg. Gibson. O. A. Lakiman. Sols. Harle and Co., Newcastle. Sur. March 9.

COURTNAY, ROBERT HESELADE, photographic artist, Brighton. Pet. Feb. 15. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. March 2.

DEAVES, BENJAMIN WALTER, innkeeper, Gloucester. Pet. Feb. 13. Reg. & O. A. Andrews. Sol. Mumford, Sudbury. Sur. March 4

DIXON, THOMAS, moulder, Iron Bridge. Pet. Feb. 17. Reg. & O. A. Potts. Sol. Walker, Wellington. Sur. March 11.

EASTWOOD, JOHN, wheelwright and blacksmith, Liverpool. Pet. Feb. 18. O. A. Turner. Sol. Harris, Liverpool. Sur. March 4.

EDWARDS, RICHARD, farmer, Tiverton. Pet. Feb. 17. Reg. & O. A. Daw. Sol. Cockram, Tiverton. Sur. March 8.

FISH, WILLIAM, innkeeper, Holbeck, Leeds. Pet. Feb. 16. O. A. Young. Sols. Rooke, Leeds. Sur. March 8.

GARSIDE, JOHN, cattle salesman, Wakefield, Stainclrop. Pet. Feb. 13. Reg. Gibson. O. A. Lakiman. Sol. Boyle, Newcastle. Sur. March 9.

GARSIDE, THOMAS, blacksmith, Stainclrop. Pet. Feb. 13. Reg. & O. A. Watson. Sol. Nixon, Barnard Castle. Sur. March 6.

GRIFFITHS, EDWARD, mail manufacturer, Nantyglo. Pet. Feb. 16. Reg. & O. A. Shepard. Sols. Simons and Flews, Merthyr Tydfil. Sur. March 17.

HAIGH, JAMES COWLING, cabinet-maker, Bradford. Pet. Feb. 11. Reg. & O. A. Robinson. Sur. March 7.

HALEY, JOSEPH, druggist, Bradford. Pet. Feb. 11. Reg. & O. A. Robinson. Sur. March 7.

BARKER, SAMUEL, and HODDER, JOHN, builders, Frome. Pet. Feb. 17. Reg & O. A. Messiter. Sols. Cruttwell and Daniel, Frome. Sur March 6.
BOLKERT, JOHN, sugar refiner, Seacombe. Pet. Feb. 15. O. A. Turner. Sur. March 4.
JEFFERY, WILLIAM, gardener, Northampton. Pet. Feb. 15. Reg. & O. A. Deane. Sols. Sheild and White, Northampton. Sur. March 9.
JENNINGS, SAM. worsted spinner, Bradford. Pet. Feb. 16. O. A. Young. Sols. Lancaster, Bradford; Bond and Barwick, Leeds. Sur. March 9.
KENYON, JANE, boot dealer, Accrington. Pet. Feb. 16. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 10.
KIRSHAW, WILLIAM, manufacturer, Gomersal. Pet. Feb. 14. O. A. Young. Sols. Messrs. Carr and Cadman, Gomersal; and Blackburn and Son, Leeds. Sur. March 8.
KING, JOHN, labourer, Barrow-in-Furness. Pet. Feb. 13. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 10.
KAYSER, THOMAS SANKEY, theatrical director, Liverpool. Pet. Feb. 11. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 10.
KNIGHT, ROBERT, provision dealer, Birkenhead. Pet. Feb. 14. O. A. Turner. Sol. Rymer, Liverpool. Sur. March 4.
KNIPE, JOHN, machinist, Thurlby. Pet. Feb. 17. Reg. & O. A. Bell. Sol. Law, Stamford. Sur. March 2.
LAW, JAMES, draper and bookseller, Bolton. Pet. Feb. 17. Reg. & O. A. Hobson. Sols. Richardson and Brandwood, Bolton. Sur. March 8.
LEVIS, WOLF, clothier and outfitter, Sunderland. Pet. Feb. 17. Reg. & O. A. Marshall. Sol. Bignal, Durham. Sur. March 16.
LEWIS, WILLIAM, eatinghouse-keeper and commission agent, Shiffnall. Pet. Feb. 14. Reg & O. A. Potts. Sol. Walker, Wellington. Sur March 11.
MASTERS, CHRISTOPHER saddler and harness maker, Pocklington. Pet. Feb. 15. Reg. & O. A. Powell. Sol. Harle, Leeds. Sur. March 6.
MCCALL, OWEN, commission agent and cotton dealer, Everton, Liverpool. Pet. Feb. 16. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. March 6.
MCDONALD, THOMAS, manager to a brewer, Kirkdale, Liverpool. Pet. Feb. 17. O. A. Turner. Sol. Blackhurst, Liverpool. Sur. March 9.
MCLEOD, JOHN, farmer, Heskin, Chorley. Pet. Feb. 13. Reg. & O. A. Dunn. Sol. Morris, Chorley. Sur. March 16.
MEADOWS, GEORGE, blacksmith, Great Hampton. Pet. Feb. 15. Reg and O. A. Chock. Sol. Eades, Evesham. Sur. March 6.
MILLER, JAMES ELLERSHAW, grocer and cabinet-maker, Lancaster. Pet. Feb. 9. Reg. & O. A. Dunn. Sols. Johnson and Tilley, Lancaster. Sur. March 10.
MINCHCOTT, HENRY, farmer and chemical labourer. Parr, Flatt. Pet. Feb 13. Reg. & O. A. Ansdell. Sol. Marsh, St. Helen's. Sur. March 3.
MORRIS, WILLIAM, accountant, Manchester. Pet. Feb. 17. Reg. Macrae. O. A. Morgan. Sol. Woodall, Manchester. Sur. March 10.
PECK, WALTER, gentleman, Isle of Thanet. Pet. Feb. 17. Reg. & O. A. Jameson. Sol. Towne, Margate. Sur. March 4.
PRETTY, WILLIAM, artist, Brighton. Pet. Feb. 14. Reg. & O. A. Brembel. Sol. Lamb, Brighton. Sur. March 1.
RAYNALL, EDWARD, bookseller, Liverpool. Pet. Feb. 17. O. A. Turner. Sol. Harris, Liverpool. Sur. March 4.
ROBERTS, JOSEPH, hardware dealer, Liverpool. Pet. Feb. 13. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 10.
ROBERTS, GEORGE, tailor, Liverpool. Pet. Feb. 11. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 10.
SEED, THOMAS, earthenware dealer, Preston. Pet. Feb. 11. Reg. & O. A. Dunn. Sol. Rawlinson, Manchester. Sur. March 10.
SIDEBOTTOM, HENRY, provision dealer, Ardwick. Pet. Feb. 14. Reg. Harris. O. A. Morgan. Sur. March 9.
SMITH, URIAH, beer retailer, Cardiff. Pet. Feb. 16. Reg. & O. A. Langley. Sol. Essex, Cardiff. Sur. March 6.
SMITH, JOHN, beerhouse-keeper, Kempsey. Pet. Feb. 16. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. March 9.
SMITH, JOSEPH, meter inspector, Birmingham. Pet. Feb. 15. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. March 20.
WAINWRIGHT, JOHN, saddler, Staveley. Pet. Feb. 17. Reg. & O. A. Webb and Rodgers. Sols. Binney and Son, Sheffield. Sur. March 8.
WHEELER, EDMUND, dealer, Wendlebury. Pet. Feb. 15. Reg. & O. A. Hume. Sol. Berridge, jun. Bicester. Sur. March 8.
WHITEHEAD, WILLIAM, victualler, Oldham. Pet. Feb. 17. O. A. Turner. Sur March 4.
YATES, ROBERT, painter, Accrington. Pet. Feb. 13. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 10.

Gazette, Feb. 24.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, BENJAMIN, victualler, Milton-next-Gravesend. Pet. Feb. 21. Reg. Hazlitt. O. A. Graham. Sols. Wilkinson and Co., Nicholas-la. Sur March 14.
BERRY, JAMES, Weymouth-pl. New Kent-rd. Pet. Feb. 20. Reg. Brougham. O. A. Edwards. Sol. Beard, Basinghall-st. Sur. March 13.
BLACKFORD, HENRY, victualler, Portsea. Pet. Feb. 18. Reg. Hazlitt. O. A. Graham. Sol. White, Dane's-inn, Strand, and Portsea. Sur. March 7.
BROWN, WILLIAM THOMAS, tailor, Pembridge-villas, Bayswater. Pet. Feb. 15. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Scott's-yard, Bush-la. Cannon-st. Sur. March 6.
BULLAS, WILLIAM, plumber, Blakeney. Pet Feb. 16. Reg Hazlitt. O. A. Graham. Sol. Doyle, Verulam-bldgs. Gray's-inn, for Williamson and Dam, Holt. Sur March 7.
BURKE, JOHN JOSEPH, builder, Holt. Pet. Feb. 18. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Co. Old Jewry; Tillett and Son, Swaffham. Sur. March 13.
DAVIS, HENRY, plasterer, Marshfield-st. Poplar. Pet. Feb. 22. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-garden. Sur. March 20.
DAVIS, HENRY THOMAS, commercial clerk, Langton-rd. Camberwell New-rd. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Charlton, Chatham-pl. Blackfriars. Sur. March 13.
DAVIS, JAMES, retail grocer, Holland-st. Kensington. Pet. Feb. 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.
DOWELL, DANIEL, beershop-keeper, Mason-st.-brewery, Mason-st. Newcross. Pet. Feb. 22. Reg Roche. O. A. Parkyns. Sol. Charlton, Chatham pl. Blackfriars. Sur. March 17.
DUNSTERVILLE, WILLIAM HENRY, hosier's assistant, Westmoreland-st. Pimlico. Pet. Feb. 20. Reg. Roche. O. A. Parkyns. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. March 13.
ENGLAND, WILLIAM CHARLES, hay and coal merchant, Aylesbury. Pet. Feb. 23. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry, agents for Parrott and Co., Aylesbury. Sur. March 8.
JEFFREY, AUGUSTUS FRANCIS RICHARD, merchant's clerk, Lower Streatham. Pet. Feb. 17. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Hackwood, Walbrook. Sur. March 13.
MAY, WILLIAM, merchant, Little Carter-la. Cannon-st. and East-st. Bermondsey. Pet. Feb. 22. Reg. Roche. O. A. Parkyns. Sol. Doble, Basinghall-st. Sur. March 13.
MEEK, WILLIAM, carpenter, James-st.-mews, Kensington sq. Pet. Jan. 14. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.
SAYER, SAMUEL HOLDITCH THOMAS, manufacturing silversmith and merchant, Red Lion-st. Clerkenwell. Pet. Feb. 20. Reg. Roche. O. A. Parkyns. Sols. Ashurst, Morris and Co., Old Jewry. Sur. March 6.
SCRIBBY, PHILIP, farmer, Mountfield. Pet. Feb. 18. Reg Hazlitt. O. A. Graham. Sols. Treherne and Wolferstan, Aldermanbury. Sur. March 7.
SELL, ROBERT HICKS, stay manufacturer and seller, High-st. Whitechapel. Pet. Feb. 17. Reg. Hazlitt. O. A. Graham. Sur. March 13.
SELMES, CHARLES, carpenter, Liverpool-st. and Worship-st. Pet. Feb 21. Reg. Brougham. O. A. Edwards. Sol. Pope, Winchester-house, Old Broad st. Sur. March 11.
SHEPHERD, HENRY CHARLES, auctioneer, Portsea. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. White, Dane's-inn, Strand, and Portsea. Sur. March 6.
SMITH, WILLIAM, butcher, George-st. Camberwell. Pet. Feb. 21. Reg Brougham. O. A. Edwards. Sol. Silvester, Great Dover-st. Newington. Sur. March 20.
STONE, WILLIAM, general dealer, Marlborough-rd. Peckham. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall st. Sur March 13.
STEELE, SAMUEL, ironmonger and zinc worker, Liverpool rd. Islington. Pet. Feb. 15. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Great Leonard st. Finsbury. Sur. March 7.
STEVENS, DAVID, builder, Maria-pl. Kingsland-rd. Pet. Feb. 17. Reg Roche. O. A. Parkyns. Sol Aldridge, Moorgate-st. Sur. March 6.
STOCKLEY, THOMAS, carpenter, Princes-st. Red Lion-sq. and Harringay grove, Hornsey. Pet. Feb. 17. Reg. Hazlitt. O. A. Graham. Sur. March 14.
MILLS, ALLEN, corn merchant, Attleborough. Pet. Feb. 11. Reg. Roche. O. A. Parkyns. Sols. Ashurst, Morris and Co., Old Jewry, agents for Fillett and Son, Norwich. Sur. March 11.
MOORE, WILLIAM LOVELL, check taker at the Sadler's Wells Theatre, Rydon-crescent, St. John's-st.-rd. Clerkenwell. Pet. Feb 21. Reg. Brougham. O. A. Edwards. Sol. Charlton, Chatham-pl. Blackfriars. Sur. March 13.
MOTT, JOHN WILLIAM, and NICKELS, BENJAMIN, tobacco-pouch makers, Lea-bridge-rd. Clapton. Pet. Feb. 20. Reg. Roche. O. A. Parkyns. Sol. Reed, Guildhall-chambers, Basinghall-st. Sur. March 13.
NORTON, JOHN, japanner, Hatton-wall. Pet. Feb. 16. Reg. Hazlitt. O. A. Graham. Sur. March 15.
PEARCE, ROBERT, plumber. East-rd.-cottage, City-rd. Pet. Feb. 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.
RICHES, JAMES, law stationer, New Boswell-ct. Carey-st. Pet. Feb. 15. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 8.
RIDLER, HANDY, upholsterer, Halsey-st. Cadogan-st. Chelsea. Pet. Feb. 20. Reg. Brougham. O. A. Edwards. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. March 13.
SEAWARD, WILLIAM, retired commander in the navy, Heather-villa, St. Mary's-grove, Richmond. Pet. Feb. 17. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 8.
STEEL, ANN, boot and shoe dealer, High Holborn. Pet. Feb. 13. Reg. Roche. O. A. Parkyns. Sols. Linklaters and Hackwood, Walbrook. Sur. March 9.
TAYLOR, THOMAS, baker, Pembroke-pl. Spring-grove, Hounslow. Pet. Feb. 22. Reg. Brougham. O. A. Edwards. Sol. Milton, Hounslow. Sur. March 20.
WALMSLEY, THOMAS, and WALMSLEY, HEZEKIAH, silk manufacturers, Leek. Pet. Feb. 6. Reg. Roche. O. A. Parkyns. Sols. Sole, Turner and Hardwick, Aldermanbury. Sur. March 8.
WILLIAMS, CHARLES CAVE, contractor, Glasshouse-yard, Goswell-st. and coal merchant, Wharf-rd. City-rd. Pet. Feb. 21. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Boyer, Old Jewry. Sur. March 14.

To surrender in the Country.

ALLCOCK, JEREMIAH, spirit merchant, Macclesfield. Pet. Feb. 13. Sols. Higginbotham and Barclay. Sur. March 6.
ALLEN, ROBERT, beerseller, Manchester. Pet. Feb. 21. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. March 11.
ALMOND, EDWARD, cloth manufacturer, Gildersome. Pet. Feb. 21. O. A. Young. Sols. Worth and Sons, Leeds. Sur. March 8.
BAILEY, GEORGE, grocer, Dawley. Pet. Feb 16. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. March 8.
BEDDALL, ROBERT, journeyman blacksmith, Bedford. Pet. Feb. 18. Reg. & O. A. Hinrich. Sol. Jessopp, Bedford. Sur. March 7.
BLAKELEY, GEORGE, baker, Manchester. Pet. Feb. 14. Reg. Macrae. O. A. Morgan. Sur. March 10.
BEATT, WILLIAM, draper, Crewe. Pet. Feb. 13. Reg. & O. A. Broughton. Sol. Bent, Northwich. Sur. March 30.
BRAUND, ASHCOTT, farmer, Black Torrington. Pet. Feb. 22. O. A. Carrick. Sols. Stokes, Truro; and Hirtzel, Exeter. Sur. March 6.
BURKEY, THOMAS, joiner, Birkenhead. Pet. Feb. 17. O. A. Turner. Sur. March 10.
BROMWICH, ARTHUR, commission agent, Walsall. Pet. Feb. 21 Reg. Tudor. O. A. Kinnear. Sol. Glover, Walsall. Sur. March 10.
BUTTLE, HENRY, small farmer, Hemingbrough, near Howden. Pet. Feb. 27. Reg. & O. A. Porter. Sol Harle, Leeds. Sur. March 8.
CHENEY, JAMES, blacksmith, Longham. Pet. Feb. 21. Reg. & O. A. Rawlins. Sol. Tanner, Wimborne Minster. Sur. March 17.
CHURCH, CHARLES, boarding-house keeper, Newport. Pet. Feb. 22. Reg. & O. A. Roberts. Sol. Cathcart, Newport. Sur. March 8.
CLARKE, JOSEPH WRIGHT, innkeeper, Anwick. Pet. Feb. 21. Reg. & O. A. Moore. Sol. Snow, New Sleaford. Sur. March 9.
COLESWORTHY, WILLIAM HENRY, labourer, Chatham. Pet. Feb. 21. Reg & O. A. Acworth. Sol. Hayward, Rochester. Sur. March 7.
COOLEY, THOMAS BLACK, salesman to a clothier, Nottingham. Pet. Feb. 21. Reg. & O. A. Patchitt. Sur. March 29.
DAVIES, ROBERT, grocer, Swansea. Pet. Feb. 20. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur March 8.
DENTON, EDWARD, merchant, Liverpool. Pet. Feb. 22. O. A. Turner. Sols. Hodge and Wynne, Liverpool. Sur. March 9.
EDWARDS, DAVID, shopkeeper, Lincoln. Pet. Feb 21. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln. Sur. March 8.
EDWARDS, JOHN, painter, Middlesbrough. Pet. Feb. 18. Reg. & O. A. Crosby. Sol. Dobson, Middlesbrough. Sur. March 8.
EDWARDS, WILLIAM, grocer, Birmingham. Pet. Feb. 17. Reg & O. A. Guest. Sur. March 20.
ELLANTHORPE, JOHN, joiner, Rochdale. Pet Feb. 18. Reg. Macrae. O. A. Morgan. Sols. Messrs. Standing, Rochdale. Sur. March 7.
GASTON, THOMAS, victualler, Nottingham. Pet. Feb 21. Reg. & O. A. Patchitt. Sur. March 29.
GORDON, CHARLES HALFORD, schoolmaster, Finningham. Pet. Feb. 14. Reg. & O. A. Archer. Sols. Gudgeon and Son, Stowmarket. Sur. March 2.
HALLIWELL, WILLIAM, cotton manufacturer, Blackburn. Pet. Feb. 15. Reg. Macrae. O. A. Morgan. Sur. March 9.
HARCOM, JOSHUA, builder, Swansea. Pet. Feb. 21. Reg. Wilde. O. A. Acraman. Sols. Waldron, Cardiff; Press and Inskip, Bristol. Sur. March 8.
HARDISTY, MARK, grocer and cotton manufacturer, Huddersfield. Pet. Feb. 20. O. A. Young. Sols. Hesp. and Owen, Huddersfield; Simpson, Leeds. Sur. March 8.
HAWKESWORTH, THOMAS, currier, Swinegate, Leeds. Pet. Feb. 20. O. A. Young. Sol. Pullan, Leeds. Sur. March 8.
HENTHORN, JOHN HARDMAN, beer retailer, Hulme. Pet. Feb. 21. Reg. & O. A. Hulton. Sol. Mann, Manchester. Sur. March 11.
HODSON, WILLIAM, grocer and flour dealer, Masbrough, Rotherham. Pet. Feb. 20. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. March 13.
HOULT, JOHN, jun. attorney's clerk and commission agent, Wolverhampton. Pet. Feb. 22. Reg. Hill. O. A. Kinnear. Sols. Messrs. Underhill, Wolverhampton; Green, Birmingham. Sur. March 13.
JOHNSON, GEORGE, farmer, Tideswell. Pet. Feb. 14. Reg. & O. A. Hubbersty. Sol. Tomlinson, Ashbourne. Sur. March 1.
JONES, JAMES, draper, Trevalleoin. Pet. Feb. 21. Reg. Wilde. O. A. Acraman. Sols. Thomas, Aberystwith; and Brittan, Bristol. Sur. March 11.
LAGDEN, ROBERT, out of business, Bury St. Edmunds. Pet. Feb. 20. Reg & O. A. Collins. Sol. Salmon, Bury St. Edmunds. Sur. March 10.
LAYFIELD, JOHN, joiner, Liverpool. Pet. Feb. 16. Reg. & O. A. Hime. Sur. March 8.
MANTON, WILLIAM, beer retailer, Bedford. Pet. Feb. 18. Reg. & O. A. Hinrich. Sol. Rogers, Bedford. Sur. March 7.
MARSHALL, GEORGE, machinist, Nottingham. Pet. Feb. 22. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham. Sur. March 2.
MEEK, JOSEPH, renter and manager of tollgates, Wells. Pet. Feb. 20. Reg. Wilde. O. A. Acraman. Sols. Clifton and Beckingham, Bristol. Sur. March 9.
MURPHY, CHARLES STANFIELD, timber dealer, Liverpool. Pet. Feb. 15. Reg. & O. A. Hime. Sur. March 8.
NEWTON, CYRUS, farmer, Ramsey. Pet. Feb. 18. Reg. & O. A. Margetts. Sol. Gaches, Peterborough. Sur. March 9.
OGDEN, SAMUEL, woollen cloth dealer, Manchester. Pet. Feb. 15. Reg. Macrae. O. A. Morgan. Sol. Gardner, Manchester. Sur. March 6.
PALLETT, THOMAS, carpenter, Cannock Chase, Burntwood. Pet. Feb. 20. Reg. & O. A. Birch. Sol. Crabb, Rugeley. Sur. March 10.
PARR, MARY, innkeeper, Temple Cloud. Pet. Feb. 14. Reg. Wilde. O. A. Acraman. Sols. King and Plummer, Bristol. Sur. March 8.
POTTS, TAYLOR, timber merchant, Sunderland. Pet. Feb. 21. Reg. Gibson. O. A. Laidman. Sols. Messrs. Moore, Sunderland. Sur. March 10.
PRICE, WILLIAM WALTER, horse dealer, Llanidloes. Pet. Feb. 21. Reg. & O A. Williams. Sol. Jenkins, Llanidloes. Sur. March 6.
RAE, MARTIN, paraffin oil dealer, Manchester. Pet. Feb. 11. Reg. Macrae. O. A. Morgan. Sols. Ashurst, Son and Morris, London; Sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. March 9.
RAWLINGS, HENRY, fishmonger, Weston-super-Mare. Pet. Feb. 20. Reg. & O. A. Davies. Sol. Smith, Weston-super-Mare. Sur. March 10.
RHODES, JOSEPH, shirt manufacturer, Manchester. Pet. Feb. 21. Reg Macrae O. A. Morgan. Sol. Gardner, Manchester. Sur. March 6.
ROYSTON, WILLIAM, druggist, Flint. Pet. Feb. 22. O. A. Turner. Sol. Cartwright, Chester. Sur. March 10.
SHARP, HENRY, carrier, Lichfield. Pet. Feb. 18. Reg. & O. A. Birch. Sol Wilson, Lichfield. Sur. March 3.
SHORT, JOSEPH, tailor and draper, New Sleaford. Pet. Feb. 21. Reg. & O. A. Moore. Sols. Foster and Rodgers, New Sleaford. Sur. March 10.
SKEE, WILLIAM, and ALEXANDER DIXON, shipowners, South Shields. Pet. Feb. 16. Reg. Gibson. O. A. Laidman. Sols. Leitch and Kewney, North Shields. Sur. March 9.
SPENCER, MURQUIS, late hairdresser, Macclesfield. Pet. Feb. 15. Sols. Parrott, Colville and May, Macclesfield. Sur. March 6.
SPIKES, THOMAS, carpenter, Smethwick. Pet. Dec. 12. Reg. & O. A. Watson. Sur. Feb. 28.
STEEL, JOHN, boot and shoe manufacturer, Leeds. Pet. Feb. 14. O. A. Young. Sols. Lees and Senior, Bradford; Bond and Barwick, Leeds. Sur. March 8.
TAYLOR, JOSEPH, late fish dealer, Accrington. Pet. Feb. 15. Reg. Macrae. O. A. Morgan. Sur. March 7.
USHER, JOHN, joiner, Liverpool. Pet. Feb. 18. Reg & O. A. Hime. Sol. Blackhurst, Liverpool. Sur. March 9.
WENHAM, WILLIAM, ironmonger's assistant, East Dereham. Pet. Feb. 20. Reg. & O. A. Cooper. Sol. Sadd, jun. Norwich. Sur. March 6.
WHITEHEAD, PHILIP, jun., miller, Bardwell. Pet. Feb. 17. Reg. & O. A. Collins. Sur. March 13.
WHURMAN, SIMON HENRY, clothier, Birmingham. Pet. Feb. 11. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. March 8.
WIDDUP, RICHARD, out of business, Ormskirk. Pet. Feb. 10. O. A. Turner. Sols. Toulmin and Carruthers, Liverpool. Sur. March 6.
WILDE, JAMES, commercial traveller, Manchester. Pet. Feb. 21. Reg. & O. A. Kay. Sol. Horner, Manchester. Sur. March 13.
WOOTTON, CHARLES, beer retailer, Basford. Pet. Feb. 21. Reg. & O. A. Patchitt. Sur. March 29.

BANKRUPTCIES ANNULLED.

Gazette, Feb. 21.

COLLARD, ALBERT JOHN, farmer, Margate.
ROTHERHAM, CALEB CHARLES, insurance broker, Grassendale, Liverpool.

Gazette, Feb. 24.

HOTHAM, RICHARD HENRY, surgeon, Thames Ditton.
NEWALL, JAMES BENJAMIN, smith and ironmonger, Sloane-st. Chelsea.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Attwell, A. G. butcher, first, 2s. 6¼d. Stansfeld, London.—*Beckwith*, S. hide and tallow broker, first, 1½d. Turner, Liverpool.—*Behrends and Nichols*, general merchants, second, 10½d. Parkyns, London.—*Bennett*, E. T. jeweller, first 1s. 10½d. Carrick, Exeter.—*Birch*, F. commission agent, first, 1s. Turner, Liverpool.—*Bulmer*, W. H. shirt manufacturer, first, 5s 10d. Morgan, Manchester.—*Burton*, E. dealer in earthenware, first, 1s. 2½d. Carrick, Exeter.—*Burrow*, E. T. milliner, first, 1s. 1½d. Carrick, Exeter.—*Clark*, J. travelling draper, first, 4s. 4d. Morgan, Manchester.—*Clarke*, R. umbrella manufacturer, first, 6½d. Stansfeld, London.—*Copeland*, G. A. cartridge manufacturer, first, 1s. 1½d. Carrick, Exeter.—*Cordeaux*, R. G. wine merchant, first, 7s. 3d. Stansfeld, London.—*Deel*, J. hay and corn dealer, further, 1d 13-16ths. Carrick, Exeter.—*Down*, J. shopkeeper and farmer, first, 3s. 1½d. Carrick, Exeter.—*Edwards*, S. grocer, first, 1s. Turner, Liverpool.—*Foy*, H. G. surgeon, first on new proofs, 1s. Carrick, Exeter.—*Foy*, H. G. surgeon, further, 2½d. Carrick, Exeter.—*Garrett*, S. contractor and coal pit proprietor, further, 4d.-21-32nds Carrick, Exeter.—*Gee*, T. cotton spinner, first, 6s. Morgan, Manchester.—*Godfrey*, J. B. coachmaker, first on new proofs, 1s. 6d. Carrick, Exeter.—*Godfrey*, J. B. coachmaker, further, 1d. 13-16ths.; Carrick, Exeter.—*Gurney*, A. wine and spirit merchant, final, 4d. 1-8th. Stansfeld, London.—*Hales*, K. printer, first, 2s. 2½d. Carrick, Exeter.—*Hutchings*, T. fancy stationer, first on new proofs, 10d. Carrick, Exeter.—*Kelly*, C. publican, first, 7d. Acraman, Bristol.—*Lamb*, T. plumber, first, 3s. 3d. Morgan, Maidstone.—*Luscombe*, E. builder, first, 1s. Carrick, Exeter.—*Mackie*, J. draper, first, 4s. Morgan, Manchester.—*McIntosh*, G. grocer, first, 4s. 9d. Acraman, Bristol.—*Owen*, T. victualler, second, 1½d. Turner, Liverpool.—*Palmer*, G. G. printer and engraver, first on new proofs, 5s. 3d. Carrick, Exeter.—*Palmer*, G. G. printer and engraver, further, 1½d. Carrick, Exeter.—*Palmer*, J. dealer and baker, first, 1s. 9½d. Carrick, Exeter.—*Restarick*, E. leather seller, further, 1s. 4½d. Carrick, Exeter.—*Roberts*, J. grocer and draper, first 6s. 11½d. Carrick, Exeter.—*Ross*, H. O. ship chandler, first, 2s. 9½d. Carrick, Exeter.—*Sims*, W. shipwright, second, 0½d. Turner, Liverpool.—*Smith*, C. painter, third, 10½d. Turner, Liverpool.—*Strand*, S. outfitter, first, 5d. Parkyns, London.—*Thomas*, E. ropemaker, first, 3s. 6½d. Carrick, Exeter.—*Thomas*, W. grocer and livery stable keeper, first, 1s. 3½d. Carrick, Exeter.—*Tomachits*, J. commission agent, first, 3½d. Turner, Liverpool.—*Webber*, W. innkeeper, first, 11d. Carrick, Exeter.

Assignment, Inspectorship, Composition and Trust Deeds.

Gazette, Feb. 21.

ALDERSON, HENRY, commission agent, Carlton-rd. Kentish-town, Feb. 15. 2s. by two equal instalments, on 25th Feb. 1866, and 25th Feb. 1867.
BALL, GEORGE, builder, Bedford-st. Poplar. Jan. 31. 2s. 6d. on 28th Feb.
BATTY, JOHN, cloth manufacturer, Leeds. Jan 21. Trusts R. Holmes, mungo dealer, Leeds, T. Lockwood, cloth manufacturer, Leeds, and H. W. Hammond, wool merchant, Gomersall.
BAKER, JOHN, chemist, Westbromwich. Feb. 16. Trust, T. Skidmore, auctioneer, Wolverhampton.
BILBIE, RICHARD; SWINDELLS, JAMES LEES; and SWINDELLS, THOMAS, Nottingham. Jan. 28. Trust T. Shaw, lace manufacturer, Nottingham. 10s. by three equal instalments at 3, 6 and 9 mos.—secured.
BROWN, JOHN, butcher, Thorney. Jan. 31. Trust. S. Poles, farmer, Thorney Fen.
CAMPLING, WILLIAM, victualler, Norwich. Jan. 31. Trust F. G. Moore, soda-water manufacturer, Norwich.
CLARK, JOHN, consul of Bilbao, Southampton. Jan. 23. 4s.
CLIFTON, CHARLES, gentleman, Harewood-sq. Feb. 10. Trust. T. Dicconson, Esq., Wrightington-hall, Lancashire. 2s. 6d.
CLIFTON, EDWARD GERARD, gentleman, Harewood-sq. Feb. 10. Trust. T. Dicconson, Esq., Wrightington-hall, Lancashire. 2s. 6d.
CRAWFORD, ROBERT, victualler, New Milford. Feb. 8. 6d.
CUNNINGHAM, GEORGE THOMAS, grocer, Portsea. Feb. 6. Trusts, C. H. Dorrington and J. Woodward, provision merchants, both Portsea.
DEANE, PETER VENABLES, yarn agent, Manchester. Jan. 31. 15s. 6d.
ELT, CHARLES FRANCIS, slater, Adderbury. Jan. 28. Trust. C. Cherry, farmer, Hinton-in-the-Hedges.
EYLES, EDWARD; EVANS, CHARLES; HANDS, JOHN CHECKETTS; and WELLS, ROBERT, warehousemen, Cannon-st. west. Jan. 26. 11s. by three instalments of 3s. 8d. at 4, 8 and 12 mos.
FURLONG, WILLIAM, watchmaker and jeweller, Pembroke Dock. Jan 21. Trust. M. J. Plemaner, wholesale watchmaker and jeweller, Bristol.
GASSON, WILLIAM BENJAMIN, stationer, Tunbridge. Feb. 10. 2s 6d. in 1 mo.
GURNEY, ARTHUR LAMB, grocer and cheesemonger, Dorset-house, York-rd. Battersea. Jan. 21. Trusts. W. Reynolds, provision merchant, Cock-la. Giltspur-st. and G. W. Paine, tea merchant, Little Tower st.
HARDEN, WILLIAM HENRY, out of business, Beaumont-st. Mile-end-rd. Feb. 10. 10s.
HARRISON, JOHN, corn miller, Thorne. Jan. 23. Trust. J. Routh, accountant, Leeds.
HEMINGRAY, SILVANUS, silk and cotton agent, Nottingham. Feb. 10. Trusts. W. Vickers, jun., merchant, and J. H. Chambers, both Nottingham. 10s. by three instalments of 3s. 4d. each at 1, 3 and 5 mos.—secured.
HIRST, GEORGE EDWARD, commission merchant, Arlington-sq. Islington. Jan. 24. Trust. J. Hirst, merchant, Halifax.
HUNT, THOMAS EDWARD, commission agent and broker, Heaton Norris and Manchester. Jan. 26. Trust. B. Brooke, corndealer, Stockport.
JAMES, WILLIAM EDMUND, fancy box manufacturer, Leicester. Jan. 23. 5s.
JONES, STEPHEN, Italian warehouseman, High-st Islington. Feb. 9. Sureties, R. S. Witherden, and I. Witherden, corn merchants, Eltham, and W. Jones, wine merchant, Windsor. 16s. by four equal instalments of 4s. at 2, 4, 6 and 8 mos.—secured.
KIRK, JOHN, lace manufacturer, Nottingham. Feb. 13. Trust. W. Spybey, draper, Nottingham. 5s. by two instalments of 2s. 6d. at 3 and 6 mos.
LOWE, JOSEPH, gentleman, Ilam. Feb. 14. 4s.
MACHIN, GEORGE, tobacconist, Rotherham. Feb. 11. Trust J. Page pawnbroker's assistant, Rotherham.

MANNERS, EDWARD, seed merchant Belsis. Feb. 1. Trust. H. H. Wren, corn merchant, Stockton-upon-Tees. 10s.—1s. 6d. on 10th March, 2s. 6d. on 10th June, 2s. 6d. on 10th Oct., 1s. on 10th March and 1s. 6d. on 10th Sept. 1866—secured.

MARRIOTT, ARTHUR, lareman, Watling-st. Jan. 28. Trusts W. H. Halton, publisher, Cockspur-st. L. Smith, manufacturer, Angel-st. and W. Sansor, warehouseman, Church-rd. east, De Beauvoir-town.

MAYES, WILLIAM AYRES, tailor, Birmingham. Jan 23. Trusts T. B. Sheppard, and G. W. Sheppard, manufacturers, Frome, and T. Holroyd, woollen draper, Birmingham. 5s. 6d. by three instalments—1s. on 1st May, 1s. on 1st Sept. and 2s. 6d. 1st Jan.

MITCHELL, THOMAS, cardmaker, Halifax. Jan. 25. Surety, D. Boothman, contractor, Leeds. 11s. 6d. by three equal instalments at 3, 6 and 9 mos.—secured.

MORRIS, ALFRED VALENTINE, banker's clerk, Streatham. Feb. 13. 2s 6d. by twelve equal instalments on 25th March, 24th June, 29th Sept. and 25th Dec. each year.

MOUSER, ANTHONY, miller, Wickham Skeith. Jan. 28. Trust. R. Taylor, gentleman, Brighton.

PARKER, JOHN, cotton manufacturer, Burnley. Feb. 17. Trusts J. Nowell, butcher, and G. Sutcliffe, cottonspinner and manufacturer, both Burnley.

PASS, JOHN WILLIAM, hatter and hosier, Huddersfield. Jan. 25. Trusts J. Parry, merchant, and A. Morris, accountant, both Manchester.

POWELL, WILLIAM, butty miner, Wolverhampton. Jan 27. 5s by two equal half-yearly payments on 27th July and 27th Jan.

PRESTON, CHARLES, gentleman, Hammersmith. Feb. 10. Trusts J. Rayner, banker, and H. Ferroby, insurance agent, both Hull. 5s.—2s. on 23rd March, 1s. 6d. in 18 mos., 6d. in 2 years, 6d. in 2 years and a half, 6d. in 3 years.

PRICE, RICHARD WATKINS, oil and Italian warehouseman, Welbeck-st. Cavendish sq. Feb. 11. Trust. R. Price, saddler, Oundle. 7s.

PRISMALL, EZRA, hay and cattle dealer, Thatcham. Jan. 26. 4s. on 1st Feb.

RANDALL, EDWIN, draper, Maidstone. Feb. 3. Trusts W. Powell Friday-st. Cheapside, and F. Shaw, warehouseman, Cannon-st. west.

RICHARDS, WILLIAM HENRY, mining agent, Marazion. Jan. 23. Trust. H. R. Michell, tin smelter, Marazion. 1s.

RILEY, JONATHAN, and RILEY, JOHN, Dewsbury, woollen manufacturers. Jan. 23. Trust. W. G. Eichells, merchant, Huddersfield.

ROBISON, WILLIAM PAULIN, farmer, Tweedmouth. Feb. 13. Trusts J. Young, grocer, A. Darling, merchant, and M. Young, linseed cake manufacturer, all of Berwick.

SCOTT, WILLIAM, clothier, Braintree. Feb. 6. 9s. by three equal instalments at 3, 6 and 9 mos.—secured.

SPELTZ, LOUIS, merchant, Liverpool. Feb. 6. Inspectors, C. F. Maddock, broker, Liverpool, and C. F. Kemp, accountant, Gresham-st.

STATHAM, FRANCIS KINGTON, clerk in holy orders, Shrubland-grove, Dalston. Feb. 18. 5s. by four equal instalments on 2nd March, 2nd June, 2nd Sept. and 2nd Dec.

SULIVAN, ROBERT DESMOND, farmer, Guilsborough. Feb. 4. Trust. W. Pell, farmer, Thornby. Deed of arrangement to pay 150l. a-year with interest.

TACKSOHN, HERMANN, dyer, Chorlton-upon-Medlock. Jan. 23. 5s. by two equal instalments on 22nd March and 23rd July.

THOMPSON, SAMUEL WILLIAM, baker, Darnel grove, Bethnal-green. Feb. 4. 2s. by two equal instalments on 24th May and in 9 mos.

THORNTON, VALENTINE; THORNTON, EMANUEL; THORNTON, JOSEPH; THORNTON, JAMES; and THORNTON, JOHN, cotton manufacturers, Church and Enfield. Jan. 26. Trusts J. Walmsley, cotton manufacturer, Over Darwen, and R. Cockshott, cottonspinner, Preston.

TIPPER, CHARLES, and FENTON, EDWIN, warehousemen, Lock, and Aldermanbury. Feb. 9. Trust. C. S. Goodwyn, gentleman, Old Broad-st. Sols. Turners and Hardwick, Aldermanbury.

WARE, JOHN, carpenter, Lyng. Feb. 11. 1s.

WATERS, SAMUEL, and BAINLEY, JOHN, builders, Tabernacle sq. Feb. 16. Trust. G. Holmes, timber merchant, De Beauvoir-rd. Kingsland. 6s. 8d. by two instalments of 3s. 4d. each at 2 and 4 mos.—secured.

WOLFSKY, MORITZ, bag manufacturer, Newgate-st. and Loraine-pl. Holloway. Jan. 23. Trusts P. Enchiel, dealer in fancy leather goods, Castle-st. Holborn, and H. Lange, importer of foreign goods, Catnomile-st. 7s. 6d. at 3, 6 and 9 mos.—secured.

YEATMAN, THOMAS, paint manufacturer, Liverpool. Jan. 27. Trusts J. Mathews, oil merchant, and H. D. R. Wall, oil merchant, both Liverpool. 7s. 6d. by three equal instalments on 23rd April, 23rd July and 23rd Oct.—secured.

Gazette, Feb. 24.

AYKROYD, JONATHAN, and WROE, THOMAS, rag dealers, Bradford. Jan. 20. 5s. in 4 days after demand.

AUSTEN, WILLIAM, plumber, Rochester. Jan. 31. Trusts W. R. Baker, gentleman, Rochester, and J. J. Lloyd, lead merchant, Duke-st. London-bridge. To pay debts in full by six instalments of 3s. 4d. each on execution of deed, on 31st May, 30th Sept., 2nd Jan., 2nd May and 2nd Sept.

BAKER, WILLIAM GEORGE PADLEY, draper, Barton-on-Humber. Jan. 31. 12s. 6d. to be paid down.

BARRY, JOHN, accountant, Hathampton. Jan. 24. Trust. J. Wilton, wine and spirit merchant, Grace's-alley, Wellclose sq. 10s.

BOCKER, JOHN, cornfactor, Hereford. Feb. 1. Trust. H. Griffiths, accountant, Hereford.

BROOKS, EDWARD, and LOMAX, SAMUEL, manufacturers, Tottington Lower-end. Jan. 27. Trust. J. Fielding, accountant, Manchester. 2s. 6d. forthwith.

BRUCE, JOHN, stockbroker, Buckingham-ter. Paradise-rd. Stockwell. Feb. 21. 1s. on 21st Feb.

CARR, HENRY LASCELLES, and CARR, THOMAS HAY, cloth merchants, Leeds. Feb. 4. 3s. by three instalments of 1s. at 3, 6 and 9 mos.

CARSON, WILLIAM, sen., joiner, Sheffield. Feb. 18. Trust. W. Coggon, Sheffield. 2s. 6d. on 15th Aug.

COHEN, ABRAHAM, jeweller and factor, Birmingham. Feb. 13. Trusts, M. Pardoe, Birmingham, and T. Morris, Birmingham, jewellers.

CRANE, HENRY, auctioneer, Kidderminster. Jan. 27. Trust. W. Beeston, butcher, Kidderminster.

DANIEL, REV JOHN, East Ardsley. Feb. 21. Trust. J. Young, brewer, Leeds. 1s. on 1st Jan. 1866.

DARLOW, EDWARD, draper, Ramsey. Feb. 9. Trusts J. Walker, Esq., Aldermanbury, and C. Leaf, Esq., Old Change. 8s. in 1 mo.

DENNETT, HENRY, miller, Isle of Wight. Jan. 30. Trusts J. Dennett, yeoman, Bembridge, and R. Penhorn, bank manager, Newport.

EAYRS, HENRY, tailor, Handsworth. Jan. 30. Trust. J. Parsons builder, Handsworth. 10s.—5s. in 1 mo., 2s. 6d. in 4 mos. and 2s. 6d. in 6 mos.—secured.

FARMERY, RICHARD WILLIAM, beerseller, Bradford. Jan. 25. 4s. 6d. on 30th Jan.

FLOOKS, WILLIAM, chemist, Wells. Jan. 5. Trust. S. Fletcher, vicar choral Wells. 10s. by two equal instalments of 5s., first forthwith, second in 2 mos.

FRASER, JOHN, draper, Southampton. Feb. 9. Trust. J. Savery, general warehouseman, Exeter.

GAIR, WILLIAM, rope manufacturer, Wallsend. Feb. 10. Surety, W. Shaw, joiner, Wallsend. 6s.

HALLEN, ELIJAH, currier, Hull. Feb. 16. Letter of licence for a year in order to pay debts in full.

HILDITCH, WILLIAM, ironmonger, Congleton. Jan. 26. Trusts T. Lea, farmer, Brownedge, and A. W. Gilbody, silk merchant, Manchester.

HUGGINS, JOHN, saddler, Launceston. Jan 21. Trusts J. T. Pearse, hotel keeper, and W. Prockter, ironmonger, both Launceston.

JUKES, WILLIAM, grocer and provision dealer, West Bromwich. Jan. 30. Trusts, W. Lloyd, agent, Birmingham, and D. May, provision dealer, Dudley.

KEENE, FRANCIS EDWIN, gentleman, Seymour-place, Brompton. Feb. 1. 3s. 6d.

KINLAW, THOMAS, jeweller, Tunbridge Wells. Jan. 31. Trusts W. Brame, wholesale jeweller, Southampton-buildings, Holborn, and J. Kirby, jeweller, Kirby-st. Hatton garden. 10s., with release.

KIRBY, HENRY, farmer, Chelworth. Feb. 7. Trust. W. Rowley, miller, Cirencester. 5s. in 3 mos.

LLOYD, HENRY, victualler, East Greenwich. Jan. 26. Trusts W. G. S. Bromley, ironmonger, Greenwich, and W. Challis, plumber, Greenwich.

LUCAS, MARTHA CAMILLA, widow, Langarron. Feb. 16. Trust. J. Davies, accountant, Ross. 6s. 8d.

LUNHAM, JAMES, wholesale cheesemonger, High-st. Southwark. Feb 1. Inspector, H. E. Bird, public accountant, Tokenhouse-yd. 9s. 6d. by five instalments of 2s. in 1 mo., 2s. in 3 mos., 2s. in 6 mos. and 1s. 6d. in 10 mos.

LYNN, JOHN, grocer, Brighton. Feb. 17. 5s. by four instalments—1s. within 14 days, 3s. in 3 mos., 1s. 6d. in 9 mos. and 6d. in 12 mos.—secured.

MARTIN, CLAUDE AUGUSTE, Park-cottage, Acton, surveyor of anchors. Feb. 14. 2s. 6d. by two instalments of 1s. and 1s. 6d. at 4 and 10 mos.

MAURICE, SAMUEL SOLOMON, merchant, Watling-st. Feb. 9. Trust. F. B. Smart, accountant, Gresham-st.

McCONNELL, WILLIAM, wine merchant, Manchester. Feb. 13. Trust. D. Woodhead, accountant, Manchester. 12s.—6s. on 11th April and 11th July—secured.

MILLER, HENRY, shoe manufacturer, Uttoxeter. Feb. 7. Trusts G. Allis, accountant, Uttoxeter, and J. Hollingworth, currier, Somercotes.

PALMER, HENRY, corn and coal merchant, Abingdon. Jan. 31. 3s. by 31st March.

PRIDHAM, THOMAS BRAWN, wholesale tea and coffee merchant, Manchester. Jan. 26. 10s. by three instalments, first of 3s. on 11th Feb., second of 3s. on 11th April and third of 4s. on 11th July—secured.

PRIESTMAN, SAMUEL, butcher, Grantham. Jan. 28. Trusts F. S. Priestman, miller and horse dealer, Garthorpe, and B. Siddall, butcher, Spittlegate.

RUMENS, WILLIAM, grocer and cheesemonger, Upper Lewisham-rd. Lewisham. Feb. 1. 5s. by two equal instalments in 14 days and 3 mos.

SANDFORD, JOHN, paper maker, Mounton. Jan. 24. Trusts J. B. Snead, banker, and G. Waters, coal merchant, both Chepstow.

SMITH, HENRY, boot and shoe maker, Bristol. Feb. 13. Trusts C. Bryant, leather merchant, and T. Newman, coal merchant, both Bristol.

STRINGER, RICHARD DERANT, grocer, Staines. Jan. 30. Trusts E. Dexter, builder, Staines, and W. Pentelow, grocer, Richmond.

WAITE, JAMES, butcher, Northampton. Feb. 2. Trusts, J. G. Franklin, farmer and grazier, Shuttlehanger, and W. Law, farmer, Pilgrove.

BIRTHS MARRIAGES AND DEATHS.

BIRTH.

EDDOWES.—On the 21st ult., at Derby, the wife of Charles Kirk Eddowes, solicitor, of a son.

MARRIAGES.

EAST—NOY.—On the 25th ult., at St. Michaels, Stockwell, George Edward East, of Staple-inn and Upper Holloway, solicitor, to Mary Ann, fourth daughter of the late Edward Hampton Noy, of Beechworth, Surrey.

JENERY-SHEE—PASHLEY.—On the 27th Feb., at Berlin, Richard Jenery-Shee, Esq., barrister-at-law, of the Inner Temple, to Marie Pashley, née Baronne de Lauer Munchofen.

LUSHINGTON—MOWATT.—On the 28th ult., at the Church of the Holy Trinity, Westminster, Vernon Lushington, of the Inner Temple, barrister-at-law, son of the Right Hon. Stephen Lushington, to Jane, third daughter of Francis Mowatt, Esq., of 91, Eccleston-square.

PEEL—LUDGATER.—On the 28th ult., at St. George's, Hanover-square, William Henry, second son of William Peel, Esq., of Ackworth-park, Yorkshire, to Mary Charlotte, eldest daughter of James Ludgater, Esq., barrister-at-law.

DEATHS.

HARTLEY.—On the 18th ult., suddenly, at Settle, aged 60, George Hartley, of the same place, solicitor.

HODSON.—On the 22nd ult., at The Close, Lichfield, in his 68th year, Thomas Hodson, Esq., solicitor.

Investments.

SIX PER CENT. ON FREEHOLD SECURITY.

THE INNS of COURT HOTEL COMPANY (Limited), are now issuing DEBENTURES of 20l. and 100l. for three, five, or seven years, at option, with coupons payable half-yearly, charged as a first charge upon its magnificent freehold property in Lincoln's-inn-fields, estimated at 120,000l. The usual Commission to Solicitors.

Particulars, with forms for application, may be had at the Offices of the Company, 63, Lincoln's-inn-fields, and at the Agra and Masterman's Bank.

N.B.—The time for application is extended to March 31.

G. BEWLEY, Secretary.

BY EXECUTORS.—To be SOLD, THIRTY-FIVE SHARES in the ALBERT LIFE ASSURANCE; 30l. paid on them, and paying a dividend of 7 per cent. If purchased at once, 20l. will be taken.—Apply to "J. C.," 47, Theobald's-road, Bedford-row, W.C.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100l. and upwards, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W.

BIRKENHEAD IMPROVEMENT COMMISSIONERS.

LOANS OF MONEY.

The Birkenhead Improvement Commissioners are prepared to receive LOANS on the Security of the Gas and Water Account under the provisions of the "Birkenhead Improvement Commissioners' Gas and Water Act 1858."

All communications to be addressed to the Treasurer, Mr. J. H. ATHERTON, Gas and Water Offices, 50, Hamilton-square, Birkenhead. By order,

AMBROSE WAIN, Clerk of the Commissioners.

Commissioners' Offices, Birkenhead,
6th February 1865.

BURY GASWORKS.

THE BURY IMPROVEMENT COMMISSIONERS are prepared to receive TENDERS for a LOAN of 6000l. for three, five, or seven years, at 4½ per cent. per annum, either in one sum or in sums not less than 500l. Interest payable on the 1st January and 1st July in each year. The Security is the Bury Gasworks, and the rents, rates and charges for supplying gas within the limits of the Bury Gas Act, the rates leviable on the town of Bury, under the Bury Improvement Act 1846, being an additional and collateral security.—Application to be made to the undersigned,

WM. HARPER,
Clerk to the Commissioners.

Bury, Lancashire, 21st February 1865.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 500,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

68, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

EQUITABLE REVERSIONARY INTEREST SOCIETY. Established 1835. Capital, 500,000l.

DIRECTORS.

Daniel Smith Bockett, Esq.	Charles Richard Harford, Jun., Esq.
Major C. L. Boileau.	Henry Pigeon, Esq.
Lieut.-Col. Chase.	Henry Roberts, Esq.
William Henry Cole, Esq.	George Roots, Esq.
Thomas Curtis, Esq.	
Francis Bennett Goldney, Esq.	

AUDITORS.—Charles Armstrong, Esq. William Eldred Bingley, Esq. Alfred Langdale, Esq.

SOLICITORS.—Messrs. Clayton and Son.

BANKERS.—Messrs. Coutts and Co.

ACTUARY.—F. Hendriks, Esq.

This Society Purchases and grants Loans upon Reversionary Property, Life Interests, and Life Policies of Assurance.

Forms of Proposal may be obtained at the Office, 10, Lancaster-place, Strand.

JOHN CLAYTON, FRANCIS S. CLAYTON, } Joint Secretaries.

SPECIAL NOTICE.

THE STANDARD LIFE ASSURANCE COMPANY.

Constituted by Special Acts of Parliament. Established 1825.

Governor—His Grace the Duke of BUCCLEUCH and QUEENSBURY.

Deputy-Governor—The Right Honourable the Earl of ROSSLYN.

APPROACHING DIVISION OF PROFITS.

The Seventh Division of the Company's Profits is appointed to be made on 15th of November 1865, and all Policies now effected will participate.

The fund to be divided will be the profits which have arisen since 15th November 1860.

A policy effected before 15th November 1864, will in all cases participate in the approaching division of profits, and will secure one year's additional bonus, at all future divisions, over policies of a later date.

The Standard Life Assurance Company is one of the largest and most successful of the Life Assurance Institutions of Great Britain. Its income exceeds 600,000l. per annum, and its accumulated and invested funds amount to upwards of 3,500,000l. sterling.

WILL. THOS. THOMSON, Manager.

H. JONES WILLIAMS, Resident Secretary.

London—82, King William-street, E.C.
Edinburgh—3, George-street (Head Office).
Dublin—66, Upper Sackville-street.

Further information can be obtained by application at the Company's Offices, or to any of the Agents in the principal towns of England, Scotland, or Ireland.

CLERICAL, MEDICAL and GENERAL LIFE ASSURANCE SOCIETY, 13, ST. JAMES'S-SQUARE, LONDON, S.W.

ESTABLISHED 1824.

President.—THE ARCHBISHOP OF CANTERBURY.

Chairman.—Right Hon. JOHN ROBERT MOWBRAY, M.P.

Deputy-Chairmen. { WILLIAM BOWMAN, Esq., F.R.S. / SIR CHARLES LOCOCK, Bart., F.R.S.

Financial results of the Society's operations.

The Annual Income exceeds .... £[illegible]
The Assurance Fund safely invested is over .... £[illegible]
The New Policies in the last year were [illegible], assuring £[illegible]
The Bonus added to Policies at the last Division was £[illegible]
The Total Claims by death paid amount to .... £[illegible]

The following are among the distinctive features of the Society:

CREDIT SYSTEM.—On any Policy for the whole of Life where the age does not exceed sixty, one-half of the Annual Premiums during the first five years may remain on Credit, and may either continue as a debt on the Policy, or be paid off at any time.

LOW RATES OF PREMIUM FOR YOUNG LIVES, with early participation in profits.

ENDOWMENT ASSURANCES may be effected, without Profits, by which the Sum Assured becomes payable on the attainment of a specified age, or at death, whichever event shall first happen.

INVALID LIVES may be assured at rates proportioned to the increased risk.

PROMPT SETTLEMENT OF CLAIMS.—Claims paid thirty days after proof of death.

The Reversionary Bonus at the Quinquennial Division in 1862 averaged 48 per cent., and the Cash Bonus 29 per cent., on the Premiums paid in the five years.

THE NEXT DIVISION OF PROFITS will take place in January 1867, and persons who effect New Policies before the end of June next will be entitled at that Division to one year's additional share of profits over later entrants.

Tables of Rates and Forms of Proposal can be obtained of

GEORGE CUTCLIFFE, Actuary and Secretary,
13, St. James's-square, London, S.W.

COMMISSION.—10 per Cent. on the First Premium and 5 per Cent. on Renewals, is allowed to Solicitors. The Commission will be continued to the person introducing the assurance, without reference to the channel through which the premiums may be paid.

To Readers and Correspondents.

ANNA—No.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, MARCH 14.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.

Freehold ground-rents amounting to 700*l.* per annum, at Hackney and elsewhere; and freehold and copyhold estate of seventy-six acres on the Suffolk coast. Advertised Feb. 25.

By Messrs. TRUE Brothers, at Garraway's.

Valuable freehold commercial property in Finsbury, near the intended new station. Advertised this day.

FRIDAY, MARCH 17.

By Messrs. FAREBROTHER, LYE and WHEELER, at Garraway's.

Valuable premises at the West-end, and tithe rentcharge of 142*l.* in Northumberland. Advertised Feb. 25.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the Law Times Office, in the Strand.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 1*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE LORD CHANCELLOR has triumphantly vindicated himself from the aspersions that for some time past have been whispered about at the Clubs, then published by a democratic journal delighted to have a kick at any man with a title, thence making gossip for the London correspondents of the provincial papers, and finally finding their way into the *Times*. It was just one of those cases in which there was enough of fact to form a foundation for a huge edifice of scandal, and the lovers of that sort of work went to it with hearty goodwill. Mr. EDMUNDS, of the Patent-office, leader in the House of Lords, and holding two other offices, was a defaulter; he had resigned his offices and retired upon a pension, and one of the sons of the LORD CHANCELLOR had been appointed in his place. These were materials which required no great ingenuity of invention to mould into a grave accusation. Mr. EDMUNDS, it was said, had resigned to avoid an inquiry, and for that had been rewarded with the pension which had been filched from the Lords by keeping them in ignorance of their Reading Clerk's misdeeds. That resignation and pension had been conveniently provided a pleasant place for Mr. SLINGSBY BETHELL, and the whole affair was thus represented as a bargain that savoured very much of corruption.

As became him, Lord WESTBURY lost not a moment in meeting the accusation with an open avowal and challenge of inquiry. He came down to the House of Lords on Tuesday, and, prefacing with a plain narrative of the whole case, moved the appointment of a Select Committee to investigate and report upon the entire of the transaction—a request that was granted as of course.

It would be indecorous to comment upon a case that is to be submitted to a quasi-judicial inquiry, until the evidence is taken and the report published. But it is due to Lord WESTBURY to state that the explanations he has delivered entirely exonerate him from all the charges set afloat by the envious and malicious, save the one error, admitted by himself to be such, that he did not communicate to the Lords' Committee, by whom the pension was voted, what he knew of Mr. EDMUNDS's misdeeds in another office. But even that was a fault that leans to virtue's side. Mr. EDMUNDS had made what he asserted to be full amends by repayment of his debt to the Treasury. He implored the Chancellor not to ruin him by disclosure. With a compassion most creditable to his heart, however unwise, Lord WESTBURY could not harden himself to inflict a blow which, perhaps, strict justice demanded. He listened to the voice within that whispered mercy, closed his lips and saved Mr. EDMUNDS from utter ruin. It was wrong, certainly; but most of us would have done the same, and all of us really like a man the better for a weakness on the side of mercy.

As for the scandal about the appointments and the asserted bargain, it was not even attempted to be repeated in Parliament, nor did the LORD CHANCELLOR condescend to notice it. There is not even a shadow of truth in it. The office was vacant; Lord WESTBURY gave it to his son. That is neither a new nor a reprehensible practice. Even our Judges do the same. If a good thing comes into the gift of a Judge, and he has a son, or a son-in-law present or prospective, he bestows it upon the relative having the strongest claim upon him, and nobody thinks of imputing it as a sin, for, in truth, everybody would do the like, had he the power. Call over the Bench at this moment, and say how many sons and relatives of the Judges hold good offices given to them by their fathers; and surely it may be permitted to Lord WESTBURY to bestow the offices that fall to his lot in like manner, without being reproached for that from which they have been excused.

THE dinner given by the Western Circuit to Mr. Justice MONTAGUE SMITH must have been most gratifying to that gentleman, and not less so to the circuit that so cordially greeted his promotion. The CHIEF JUSTICE of ENGLAND and the CHIEF JUSTICE of the COMMON PLEAS, the QUEEN'S ADVOCATE, the SOLICITOR-GENERAL, the Right Hon. Mr. MASSEY, M.P., and the Right Hon. ROBT. MOWBRAY, Sir A. BULLER, M.P., Sir W. HODGES, Mr. PAULL, M.P., Mr. ROGERS, M.P., a swarm of silks, and almost all the stuffs past and present, were gathered about that table to express their esteem for the man who had raised himself by his great ability and stern integrity to the highest place to which the lawyer, who is not a politician, can aspire. The paragraph in our last, cut from a contemporary, incompletely states the list of the company. By a singular and somewhat suspicious accident, it tacks to the names of the men of mark who were present the names of a few juniors, oddly selected, without any claim to be singled from the rest, and omitting others of far longer standing and greater distinction. The reporter was evidently either near-sighted or far-sighted, and we must apologise for the adoption of his paragraph in the hurry of publication. In truth, there was no reason for naming any but the leaders; the juniors one and all might well have gone in the ruck without invidious selection.

But, by all was the new Judge heartily welcomed. The compliments that were paid to him were not the usual formulæ of after-dinner speeches, they came from the hearts of the speakers, and found an echo in all the hearers. The speech in which the honour was acknowledged by the new Judge was modest and graceful, and probably there was not a junior in the room who did not leave it with a firmer resolve to emulate the professional honour and the personal virtues of the man who had just quitted the social circle of the Western Circuit for the dignity of the ermine.

THE Middlesex magistrates have received a happy inspiration. It occurred to their chairman that this was the fiftieth year of unbroken peace and amity with France. Why not a jubilee on the occasion? Never was there so grand and genuine a cause for national rejoicing; for peace between England and France implies prosperity and progress, as war between them is another name for human misery, and the backward march of civilisation. Let the two nations devote one day to this celebration—one magnificent holiday. The idea will be eagerly seized in England, and it will have the cordial co-operation of France. We believe that it has been already suggested to the EMPEROR, and met with his warm approval.

THE *County Courts Equity Jurisdiction Bill* is in danger. Lord ST. LEONARDS has fallen foul of it and given it some ugly thrusts. He pronounces positively that it will not work, and imagines a number of cases in which difficulties might arise which the County Courts could not solve. But even if his objections were substantial, they are not insuperable. There is no infallible tribunal, no perfect court of justice, no administrative system, legal or civil, that has not its defects. We very often see the Judges of the Common Law Courts in perplexity and doubt. The Judges and their chief clerks in Equity are not unfrequently sorely puzzled, upon points of jurisdiction more especially. The County Courts in their new equity jurisdiction are not expected to be more free from these troubles than are the Superior Courts, and they will have the advantage of the aid of the Superior Courts in any cases of real doubt.

The Bill will be closely scrutinised in committee, as it ought to be. If it is defective in its provisions, the united wisdom of the Law Lords will supply the defects; but we trust that no changes will be made in the outlines of the scheme, at least in the way of compression. They might possibly be expanded a little in some directions; but any curtailment of the jurisdiction would be a loss of efficiency, and the deprivation to the public of that which to the country at large is unquestionably a great boon.

It cannot be disguised that large and powerful interests are opposed to a measure that will do them some injury, though not to the extent anticipated. The Equity Bar is not friendly to a scheme which cuts off a considerable stream of briefs. But they will probably submit with the same philosophy as did the Common Law Bar, when the establishment of the County Courts swept away almost the entire of the briefs that supported the juniors while living into the better business. The injury to the Equity Bar is trifling compared with that which was formerly inflicted upon the Common Law Bar.

The interest that it will most affect is that of the London agency houses. If the measure is successful, it must remove from the metropolis to the country a very large share of the business of the Equity Courts; not, indeed, that which only is known to the public—the hearing of suits—but that which is more productive of fees, if not of fame—the vast mass of merely formal and administrative business, conducted in chambers, much with the aid of counsel, but still more by the solicitor himself. If an agent's bill were examined, it would be found that a very considerable part of it consists of charges for small matters which, under Lord WESTBURY's scheme, will henceforth be done in the country by the country solicitor. There can be no surprise, therefore, if the Bill should be met by a formidable opposition, in some of the many shapes by which measures unwelcome to powerful interests are impeded by objection, delay and amendment, proceeding apparently from no tangible source. It is not probable that there will be open hostility. There will be no petitions against the Bill; but objection will be hinted in one quarter and amendment moved in another, the hand that holds the strings being unseen, though not unknown.

This should be met by action on the part of those who will benefit so greatly by the scheme. To the country solicitors it will be a great boon, and they should bestir themselves in its behalf. The provincial law societies and the solicitors of the various towns should petition in favour of it; and, as it really interests their clients even more than themselves, the signatures of their clients should be invited. The use of petitioning is mainly to enlist the support of the members through whose hands the petition will pass into the House of Commons. A petition directly informs them what are the desires of so many among their constituents, and if it be a question not affecting principle or party, they will usually be guided by those wishes in their votes. This is no party measure, but a law reform that may look for support from all parties. There is a growing tendency to centralise the legal business in London, to the serious injury of the Profession in the provinces. This Bill goes far to counteract that tendency, and therefore, as well as for its intrinsic merits, do we give it the heartiest support.

It is due to Lord BROUGHAM to state that an equity jurisdiction formed a part of his original proposition for local courts which issued in the establishment of the County Courts. Provisions to that effect formed a part of his Bill of 1833, and again in his Bill of 1851, entitled "An Act for extending the jurisdiction of County Courts to certain matters cognisable in the Court of Chancery." No less than twenty sections of Lord BROUGHAM'S Bill of 1833 were devoted to this subject.

The honour of having first made the proposition, now received on its revival with so much applause, should be given to the great law reformer to whom it of right belongs.

THE array of names in a prospectus is now pretty well understood. Peers, baronets, generals and admirals in a row, as the chairman, vice-chairman, and directors of a company, are known by experience, painful to others, and not seldom so to themselves, to be only the horses of the coach driven by some one enterprising man. So the list of the Law Reporting Council recently appointed, consisting of half-a-dozen Queen's Counsel, one or two of whom are of great name, and of other lawyers in large practice, will not necessarily gain confidence. Not one of them has any special knowledge on the subject of reporting. Not one, except Mr. DANIEL himself, the vice-chairman, has given evidence of having taken any special part in the consideration of the proposed new system. The members of the council, full of their own business, and empty of peculiar qualification for the office undertaken by them, will, including even Mr. DANIEL himself, fall, of course, into the hands of their editors, reporters and publishers. Not only from the composition of the council will this result naturally follow, but also from the "no cure no pay" principle, which, although put by Mr. DANIEL'S pamphlet in the lowest deep of reporting degradation, is now to govern the whole working out of his scheme. The reporters are to be sure of nothing but work. The half salary which was to be guaranteed to them is to be no longer guaranteed. An attempt is to be made to thrust upon the Judges of the Law and Equity Courts young men who will enter upon their duties on an assurance of nothing more substantial than the bubble reputation. None of the old "authorised" reporters have come to terms with the council, or are likely to do so, when they are called on to give up incomes in hand, varying from four or five hundred to a thousand a-year, for the council's small birds in the bush. This, then, after all, is the mode in which law reporting is to be regenerated. We cannot do better than quote Mr. DANIEL'S own comment on such a system, when he was making his first attack on the periodical reports. "Thus it would seem that the 'no cure no pay' principle has been introduced, and under this it may be said that reporting has become labour of love! Love of what? Notoriety! the pleasure of seeing one's name in print! or shall we suggest the more laudable object of 'improvement in their Profession?' This would be well if these gallant volunteers did not publish the fruit of their loving labours as authority; but as they do this they are like students in anatomy seeking to acquire a knowledge of the science of vivisection. They are demonstrating upon the body of the living public, who, reasonably enough, cry out against the cruel operation." Will such gallant volunteers be the less cruel to the public because they are officered by the eight members of the newly-chosen council? The truth is, that so far as this council is concerned, the seventh reporting speculation now entering the field is a sham. We do not mean that the members of the council intend to delude any one, but they cannot help it; the circumstances show that they have allowed themselves to be appointed, not as individually responsible, but as an amplification of Mr. DANIEL. If that gentleman, or any other private person, had thought fit to endeavour to organise a series of "authorised" reports, under one or more editors, as the LAW TIMES and the other periodical reports are organised, the market was open to him. We should not have said a word, whether the reporters were to be paid, or were to take the risk of failure. He might have fought the battle with the existing "authorised" reporters without any interference on our part. But this journal has for a long period thought it a duty to draw attention to the hollowness of one prospectus and another, put forth from time to time with an imposing air, but found, when examined, to be unsubstantial. We follow the same course impartially with the Law Reporting Council. What, in the eye of partnership law, when others become interested in the point, will be the commercial relations between that body and the editors, reporters and publishers who are to be connected together with it, the future must tell. But we are much mistaken in our experience of the working of trade associations, if this kind of ill-provided kite-flying by Inns of Court will not bring disaster on themselves, as well as on the corps of volunteers of which they will be the nominal commanders.

DISCUSSING the character and operation of "Lloyd's Bonds," Oct. 15th and 22nd, last year, we had occasion to remind our readers of the relations between Parliament and the railway companies under the Act of 1844, c. 85, which gives powers to the Lords of the Treasury to revise the tolls on future lines, and to purchase railways. The Traffic Act of 1854, c. 31, also came under our review, in treating of traffic conditions of railway companies in connection with the case of *Beal* v. *The South Devon Railway Company*, Oct. 29. The whole subject of the working of railways, in relation to the advantage derived from them by the public, will, doubtless, be investigated by the Commission now appointed.

The first of the powers given by the Act of 1844 is to revise the scale of tolls and fix a new scale at any time after twenty-one years from the 1st Jan. next after the passing of the Act, or any future Act for the construction of a new line of railway, the profits of which shall exceed 10 per cent. No more, therefore, need be said of that power. The second power is, that, whatever be the amount of the profits, the Lords of the Treasury may, after the twenty-one years, purchase any such railway, with its stock, on behalf of the Crown, at twenty-five years' purchase of the profits on the average of the three next preceding years, provided that if the average be less than 10 per cent., the company may require the price to be left to arbitration. In order that the policy of such purchase may not be prejudiced by this Act, but may remain for the future consideration of the Legislature, upon grounds of general and national policy, before any notice for the purchase is given, provision is to be made by Parliament for authorising the levy of the purchase-money. The same Act gives an earnest of its good will towards the public in compelling every railway company thereafter incorporated, or obtaining any extended or amended powers, to run from end to end of each main line, branch and junction one train at least each way at a penny a mile, every week day, so long as the company carries other passengers on it, and on Sunday if the company carry other passengers on that day. It is not to be supposed either that the Government has any direct intention of hampering itself with, or the Parliament of voting money for, the purchase of any railway for the purpose of working it. The power to purchase will, it is reasonable to believe, only be held *in terrorem* over companies with a view of compelling compliance with any measures which the commission may recommend and Parliament be disposed to adopt, to render railways subservient to the convenience of the people without compromising the fair treatment of the companies. Up to the present time, if some few enactments such as the one we have mentioned, establishing the parliamentary trains and the Traffic Act be excepted, railway companies, so long as they keep within the maximum of the tolls allowed by their special Acts, have run their trains with regard to nothing but their own will. Like every other tradesman, they have given as little as competition would allow them to give to their customers for the prices paid. The effects of competition itself have never been lasting, as the competing companies have always before long come to an agreement to which the public are not parties otherwise than passively. The public interest has never been closely represented, or even closely investigated. At length the desired investigation will take place by this commission. All the railways will practically come within its operation; for, although the Act of 1844 is limited in terms to future lines, the working of the old lines has now become inextricably mixed up with the working of those future lines, so that no company could now successfully take advantage of the restriction. A kind of revolution, then, in Railway traffic seems to be at hand. What can be done by railway companies is shown by the low fares of excursion trains, where number and not necessity of travellers is the governing principle. Number must also be the principle of the commission—the greatest railway happiness of the greatest number, consistent with a fair return to the company. We should be sorry to see the working of railways thrown into the hands of the Government, but unless companies in regulating their traffic will place themselves in the same position as the Government would stand in, the national interest will require a change of management. It is certain that hitherto the management has not been successful either as regards the shareholder or the customer. The dividends are below what they ought to be, while cheapness and convenience of carriage are rarely found in combination.

MR. DODSON'S Partnership Law Amendment Bill proposes to rid the law of some of the vexatious and perplexing questions which arise out of the principle that community of profit entails community of liability, as regards third parties. It is not the direct application of this principle which has caused objection, but its indirect consequences, where, for instance, remuneration is calculated on the basis of profits or savours of them in some other manner. To hold that a man is a partner because he in some shape partakes of the profits is a straining of the maxim, *qui sentit commodum sentire debet et onus*. He might well be held accountable to third parties for the profits actually received by him, but he ought scarcely to be fixed with partnership liability as the ground of agency. Indeed the doctrine of throwing the liability of a transaction on a principal unknown at the time, and afterwards discovered, is open to discussion; inasmuch as the true question at law in all these cases is, to whom was credit given? The Bill provides that an advance to a person "about to" trade, upon terms that the rate of interest shall vary with the profits, or the lender receive a share of the profits, or bear a share of the loss, shall not, of itself, constitute the lender a partner; in the event of the trader's becoming bankrupt or dying insolvent, the lender shall not be entitled to receive any of his principal, or of the profits or interest in respect of his loan, until the other creditors for value are satisfied; remuneration of a trader's servant by a share of the profits, shall not, of itself, render the servant responsible as a partner; the widow or child of a trader's deceased partner receiving a portion of the profits by way of annuity, shall not be deemed to be a partner of the trader.

THE Official, Commercial, and Solicitors' Views of the Bankruptcy Act, born with so much hope, but doomed in the fourth year of its age, having been laid before our readers at such length, in comparison with the 500 folio pages of the Blue-book, as the limits of this journal would allow, no more need now be said on the merits of the question. When a nearer prospect shall open of the appearance of the report for which the LORD CHANCELLOR is waiting to bring in his Bill, it may be profitable to consider the principles involved. Meanwhile, it will be convenient to state that the votes and proceedings of the Commons show that the Select Committee is holding frequent meetings for the consideration of resolutions. As the committee has been appointed but a short time, this framing of resolutions must have been taken up as its first labour. But it is improbable that the committee will seek to exercise influence on the opinion of the House or of the public by mere resolutions, without some indication, by a report, of the steps by which it has arrived at such conclusions. It is a long story, considering the numerous unsuccessful changes which have taken place in bankruptcy law and administration during the sixty-one years from the time when Lord ELDON, mounting the woolsack, "took the first occasion of expressing strong indignation at the frauds committed under cover of the bankrupt laws, and his determination to repress such practices. Upon this subject," says VESEY (vol. 6, p. 1), "his Lordship observed with warmth that the abuse of the bankrupt law is a disgrace to the country, and it would be better at once to repeal all the statutes, than to suffer them to be applied to such purposes. There is no mercy to the estate. Nothing is less thought of than the object of the commission. As they are frequently conducted in the

country, they are little more than stock in trade for the commissioners, the assignees, and the solicitor." When the committee has agreed upon its resolutions, it will still, therefore, have a heavy piece of work before it, to lead up to them. Hence it is scarcely possible that Lord WESTBURY'S new measure can be introduced before Easter. After those holidays, bankruptcy reform will, in all likelihood, be the solid dish until the expiration of the Parliament. Before it expires, it must in any event put an end to the existing Rogues' Indemnity Act. The Parliament will make this, the only atonement in its power, although it cannot efface from history the record that it was the author, to trader and non-trader, of the continual four years' bankruptcy saturnalia from 1861 to 1865.

Two Parliamentary returns have just been issued, bearing on the concentration of the courts. One of them specifies, first, under the head of courts and offices proposed to be transferred to the Commissioners of Public Works, the buildings in Southampton-street, now used for the registrars in Chancery, the registrar in Lunacy, and the Patents offices; secondly, under the head of courts and offices to become available for other public purposes, or of which the rental is defrayed out of public moneys, and which will not be required, the buildings on the west side of Westminster-hall; the offices of the common law courts, in the Temple and Serjeants'-inn; the offices of the Probate and Divorce Courts, at Doctors'-commons; the Admiralty registry, at Doctors'-commons; the Rolls house and offices; the chambers of the common law judges; the Insolvent Debtors' Courts and Land Registry offices; and the Registry of Deeds of Married Women, 7, Lancaster-place.

The other of the two returns shows the state of the so-called "Suitors' Fund," and the "Suitors' Fee Fund," for the year ending 1st Oct. 1864. In the Suitors' Fund, the total amount of stock on that day, including 110,344*l.* purchased during the year with suitors' cash, was 4,222,676*l.* This amount, we may mention, includes the million to be applied towards the Palace of Justice. The million arose from accumulations on investments made not in virtue of the rights of individual suitors, or for their benefit, or the benefit of any private persons, but under Acts of Parliament in view of certain purposes relating to the Court of Chancery. It is money raised by Act of Parliament for a public department; nevertheless, with an ulterior liability by way of guarantee to the suitors if certain other funds fail. So that, in truth, if this guarantee be taken up by Parliament, the million, or any other part of what is called "Fund B.," is not properly part of any "Suitors' Fund," although it is usually so classed. The income of the Suitors' Fund in the year, together with the balance at the beginning of it, was applied, as to 54,241*l.*, in payment of salaries, pensions and compensations to certain existing and retired Chancery officers, and some others, and of court expenses, and, as to the surplus, amounting to 63,768*l.*, was carried, under the 15 & 16 Vict. c. 87, s. 53, to the "Suitors' Fee Fund Account," leaving a balance of income 21,000*l.* The Suitors' Fee Fund Account, for the year of the return, shows payments to certain existing and retired Chancery officers, and for salaries under the 5 & 6 Vict. c. 84, and the Lunacy Regulation Acts, salaries to the taxing masters and others, under the 5 & 6 Vict. c. 103, eighteen sworn clerks, copy money for writing, and court expenses, 161,980*l.*; receipts, including 72,440*l.* from stamps, and the above-mentioned 63,768*l.*, 175,980*l.*, giving an excess of income (for the year ending 25th Nov. 1864), 13,900*l.*, to which adding the cash balance on the 24th Nov. 1863, 99,252*l.*, we have a total cash balance 113,152*l.* The 13,900*l.* excess of income, which in effect represents the source whence the million will come, is very encouraging. By the last preceding return the excess was, as our readers may recollect, only between three and four hundred pounds.

WOULD codification settle or unsettle the law? The matter is in dispute. But there can be no dispute that it is both mortifying to the jurist and harassing to the practitioner, that leading points of law have not been brought within some foreseeing system, instead of being left for decision as the occasion may arise. To attempt to forecast in detail the whole law of a country like England, where there arise innumerable new combinations of circumstances, would be futile. But there is a great interval between such an attempt and some theoretical system adequate to determine, without suit, whether, for instance, a married woman ought to be able to dispose of her equitable separate estate in fee as freely as if she were not under the disability of coverture. It was only on the 11th of last month that this obvious case was decided by the LORD CHANCELLOR, and his decision was directly contrary to, and therefore virtually overruled, a decision of the MASTER of the ROLLS in a similar case in May 1863. So animating is the conflict, that in the *Jurist* of last week a writer, championing the MASTER of the ROLLS, longs heartily to see an appeal from the LORD CHANCELLOR to the House of Lords. It is not to the praise of English law that in so plain a matter the citizen cannot be sure of his rights, unless he travels through two Chancery courts to the supreme tribunal.

The case of *Taylor* v. *Meads*, 12 L. T. Rep. N. S. 6, before the LORD CHANCELLOR, on appeal from the MASTER of the ROLLS, was, that real estate was devised to trustees in fee, upon trust as to a part of it, that they should convey to trustees to be named by Elizabeth Meads, a married woman, to hold upon trust for her and her heirs, and to be assigned or conveyed by her to any person and his heirs as she should, notwithstanding coverture, appoint by any instrument in writing to be by her signed, sealed and delivered in the presence of, and attested by, two or more credible witnesses; and in default of appointment, in trust for her and her heirs, to her separate use. Elizabeth Meads devised the estate by her will, executed according to the statute of VICTORIA. The MASTER of the ROLLS held that the will was a valid execution of her power to assign or convey, so that it was unnecessary for him to decide whether the will were good in virtue of her separate estate, independently of the special power. The MASTER of the ROLLS did not intimate any opinion on that point. But in *Lechmere* v. *Brotheridge*, 8 L. T. Rep. N. S. 751, where he decided that a married woman's conveyance of her equitable separate estate in fee was not good without her statutory acknowledgment, he did not recognise it as "settled law," that she could dispose of such an estate by will, notwithstanding the opinion of Lord Justice TURNER, in *Atchison* v. *Le Mann*, 33 L. T. Rep. 302, that the separate use leaves a married woman at liberty to dispose of the land by will in any way she may think proper. The MASTER of the ROLLS, indeed, in *Lechmere* v. *Brotheridge*, drew a distinction between such a disposition by will and by deed, on account of the deed being subject to the enactments relating to married women in the Fines and Recoveries Abolition Act. The Lord Justice, however, did not stop at a will; for in *Atchison* v. *Le Mann*, he said: "It being settled that an estate in fee may be limited to the separate use of a married woman, thus giving her an absolute ownership, she must, I think, have all the rights of disposition which are incident to that ownership."

The broad question which has divided the Equity Bench and the Profession, and to some extent still divides them, is whether a married woman has the rights attributed to her by the Lord Justice. The LORD CHANCELLOR, in his judgment, holding that the will of Elizabeth Meads was not a valid execution of her power to convey by an instrument, came to the next question whether, by reason of her separate use, she had the same power of disposition by deed or will over the equitable fee as she would have if she were a *feme sole*. Could she convey without a statutory acknowledgment, and could she devise by a will executed in conformity with the statute? There was no difficulty as to the principle. The courts having established the separate use, it became necessary to give the married woman an independent personal *status* as if she were *sole*. It was of the essence of the separate use that she should be free from the control of her husband. The whole lay between the married woman and her trustees, and the true theory of her alienation was, that any instrument, were it deed or writing, when signed by her, operated as a direction to the trustees to convey or hold the estate according to the new trust which was created by such direction. With regard to the ordinary equitable estate belonging to a *feme covert*, equity followed the law and required the equitable estate to be dealt with *inter vivos* in the same manner as the legal estate, and in like manner an estate of that nature could not be devised by a *feme covert*; but the separate estate was the creation of equity, to which there was nothing correspondent at law. After noticing the statute law and numerous decided cases on separate use, for which we refer our readers to the report, the LORD CHANCELLOR quoted Lord ST. LEONARDS, "Where a married woman has property settled to her separate use, without any restraint on alienation, she is deemed a *feme sole*, and may dispose of it accordingly." The court must hold, therefore, that a *feme covert*, not restrained from alienation had, as incident to her separate estate, and without any express power, a complete right of alienation by instrument *inter vivos* or by will.

The case of *Taylor* v. *Meads*, the reader will remark, was one of a disposition by will; therefore the LORD CHANCELLOR'S holding, as to a deed, might be considered extra-judicial. We do not take that view of the decision. When a judge puts his decision thus on a broad principle that comprehends all instruments, the principle itself becomes the subject-matter of decision. Unfortunately, it is frequently said by Judges, in referring to a prior case, that it decided more than it needed to decide for the particular circumstances of it, and the excess is treated as a *dictum*. But when a principle is thus comprehensively laid down by a Chancellor, the court would stultify itself and abrogate its function as a tribunal administering a system of law if it did not hereafter hold that, in the case of a deed by a married woman disposing of her separate equitable fee, acknowledgment was unnecessary. So far, therefore, as the Court of Chancery can settle the point of disposition of the equitable separate fee, the law may now be regarded as settled, and *Lechmere* v. *Brotheridge* be treated as overruled.

Let us add that *Atchison* v. *Le Mann* was reported exclusively in the LAW TIMES REPORTS, and has ever since been a prominent authority. How vain, then, it would be to contend that the periodical reports ought not to be received in court until verified with the Registrar's book. The weighty *dictum* of TURNER, L. J., quoted above, would not even be found there recorded.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (*a*)

CHAPTER IX.

BORROWERS, THEIR PRIVILEGES AND LIABILITIES.

147. *A borrower defined.*—A borrower in a benefit building society is one who has in view the purchase, by means of an advance from the association, of a house for his own personal occupation, or as an investment. Before, or at the same time as, a person becomes a borrower, he must enrol himself as an investor, that is, take a certain number of shares in the society.

148. *Repayments on a loan do not much exceed the rent of house.*—The annual repayments required by a building society upon a loan do not much exceed the rent of a house, which could be purchased with the amount borrowed; so that a man living ten or fifteen years in a house, instead of paying his rent to a landlord, and thus sinking so much money for ever, pays it, with a small addition, to a building society for a limited number of years. In consideration of a person's consent to this arrangement, the society advances him at once the money requisite for the purchase of the property, which thus, in the stipulated time when the loan has been repaid with interest, becomes entirely his own, the money advanced being in the meantime secured by a suitable mortgage. Or, to put the matter in another way, through the means of a benefit building society, a house can be purchased instead of being hired, by an inconsiderable increase of annual outlay.

149. *As to the hire and purchase of furniture.*—It has been justly said by one writer that every one knows something of the ultimate cost of hiring furniture for their house or lodgings; they know that it is much more advantageous to the hirers of furniture to buy the articles at once outright than to pay continually for their use, and, therefore, most prudent people in the middle and humble walks of life make it a rule to purchase their own furniture and other articles of domestic comfort and convenience. They are

(*a*) By W. W. BARRY, Esq., Barrister-at-Law.

aware that the price paid for long hiring is at least equal to the original price of the article hired. And yet how many thousands of persons there are in the metropolis only, who deem it an unwise extravagance not to purchase their articles of household furniture, and yet are quite content to hire their houses. What numbers occupy hired houses or apartments in which to deposit their own furniture!

150. *Suggested formation of building societies for the middle classes.*—The class of persons who were intended by the Legislature to be benefited through the agency of building societies were evidently artisans, mechanics, tradesmen in a small way, and the like. But there are a great number of professional men, and others engaged in commercial pursuits, with ample means, who continue for years to pay away large sums in rent without reflecting that by uniting themselves together in the formation of a superior kind of benefit building society, they would be able to realise additional property for their families with but little extra outlay. Such a society would also offer another channel for temporary investment to many non-commercial persons of the higher classes who would be willing, as investors, to lay out from time to time comparatively small sums of money at advantageous interest.

151. *Meaning of the terms present value and discount.*—If a person be entitled to a certain sum at the end of a given time, and desire in its stead to receive the equivalent value of such amount at present, the sum which he ought to receive is termed the present value of the amount in question, and the difference between the two is called discount. The discount will be greater or less, according as the sum due is discounted at simple or compound interest. When money is calculated at compound interest the present value, or sum to be given at present instead of a payment due at the end of a certain number of years, must be such that, if invested and reinvested at interest for that time, it would become equal to the amount due at the future period.

152. *The contingencies arise from the borrowers.*—The contingencies arise not from the investors, but from the borrowers. The security offered to benefit building societies is one of much tendency to be of an unsound nature, and out of a large number of such investments a few bad cases will always arise entailing loss. It therefore becomes necessary to charge the borrowers a sufficiently high rate of interest in order, on the one hand, to afford enough to meet the engagements in respect of interest on their subscriptions contracted towards the investors, and on the other hand to cover any losses arising from bad securities or other causes.

153. *The standard premium fixed by the rules.*—The standard premium fixed by the society, below which no advance is to be made upon a share, is determined by the actuary upon what he considers to be an equitable principle as between the anticipating and non-anticipating members. A very good test of the equity of the standard generally adopted as regards the anticipating members, who alone could have any right to complain if there was any ground for so doing, is, that the premium realised at a sale almost invariably exceeds that fixed by the rules.

154. *Borrowers have to pay more than 5 per cent. interest.*—There are very few building societies, if any, where the investing members are not offered 5 per cent per annum compound interest for their money. To raise this, as well as the expenses of management, it is obvious that the borrowers must pay considerably more than that rate of interest for money advanced to them. A borrower does, in fact, pay—to use an obsolete term—a usurious rate of interest for his loan, but in a manner so convenient that the advantage of the mode of payment in many instances outweighs the disadvantage of paying so highly for the accommodation.

155. *Borrower must be possessed of some capital, or begin as an investor.*—A person who proposes to become a borrowing member of a building society must either, in the first instance, be possessed of some capital himself, or he must begin as an investing member, and continue such until the value of his shares will, on his withdrawal, realise the amount of capital he requires; for the society cannot advance him more than three-fourths, or at the most four-fifths, of the value of the property he proposes to mortgage to them. The remainder he must find elsewhere. If the society did more than this they would jeopardise the capital of the investors, and would be benefiting one class of members at the expense of the other.

156. *He should give notice of withdrawal as to existing shares.*—Where a member of a building society, who is already an investor, wishes to take up shares in advance he must give notice of withdrawal, and he will then be entitled to obtain the money he has invested when he receives his advance. This observation, of course, applies to those cases where the investor is desirous of receiving the money to which he is entitled simultaneously with the advance.

157. *Principle on which subscriptions of borrowers are based.*—The principle on which the subscriptions of borrowers are based will perhaps be better explained by illustration. When the payments are made monthly, as is usual in building societies, the monthly payment will equal twice the interest for one month; for example, in a fourteen years' building society, calculated at 5 per cent. monthly rate of interest, the shares are 120*l.*, of which the present value is 60*l.*, because money doubles itself in nearly fourteen years at 5 per cent. interest; that is to say, 10*s.* a-month for nearly fourteen years will pay off a debt of 60*l.* borrowed at the beginning. This explains the principle of those societies that charge 10*s.* a-month for that purpose. In ten years' societies, formed on a basis of 7 per cent. interest, a monthly payment of 14*s.* for about ten years will pay off the debt of 60*l.* with interest. Hence the charge of 14*s.* a-month in such societies.

158. *Rates of payment in respect of a share of 100l.*—If a member borrows 100*l.* for ten years, to be repaid by equal instalments, including principal and interest at 7 per cent., in that time he must pay nearly 14*l.* 5*s.* a-year in repayment for the same. Again, if a member of a building society desire to purchase by a single payment a share whose amount is 100*l.*, to be received at the end of ten years, and the rate of interest be 5 per cent., he must pay 61*l.* 7*s.* 11*d.* for the same, a modification of course being made in the case of monthly payments.

159. *Provision for absolute release of mortgagor at a fixed time illegal.*—A provision that, whatever be the position of the society's affairs, the borrowing members at the end of the expected time of its duration shall not be required to continue their payments beyond that period, but shall have their deeds returned to them, and their property released from any further claims, is not legal.

160. *Suggested, that repayments on advances should be postponed for a year.*—The primary object of benefit building societies, namely, to enable the industrious poor to become possessors of their own homes, would be accomplished with greater certainty and less inconvenience, if the monthly repayments upon advances did not begin for a year after the same had been granted. The borrower would thus have time to furnish and set his house in order. However, that the association may be properly protected, collateral security, personal or otherwise, should perhaps be required during the time which is allowed before the repayments commence.

161. *Three modes of selling the shares, namely, the bidding system, rotation, and the ballot.*—Where there are more applications for loans than can be complied with from the money in hand, as is usually the case, three courses of action present themselves, namely, what is termed the bidding system, rotation, and the ballot. The plan of bidding consists in putting the sum proposed to be lent up to auction among the members, and in finally allotting it to that person who offers the highest discount for the same. The chairman puts up, we will say, one share of 120*l.*, and the persons present hand up written biddings. At the end of the first round of biddings the result is declared, and thus for a second and third time, when the member who offers the highest discount obtains the loan. A common and more convenient practice, however, is for the share to be put up for sale by auction, in the same manner as any ordinary article of merchandise, and for the biddings to proceed verbally, at any rate of progress the individual bidders may think proper, until the highest discount offered is reached. The member who has thus, as it were, bought the share, is entitled to purchase any number of further shares he may wish, at the same rate of discount. Another share is then put up for sale in a similar way, and so on until the funds in hand have been exhausted, or reduced so low as not to be available for any further advance at the same meeting. By the rotation or seniority system, a member puts his name down on the list of applicants, and waits his turn for an advance. By the balloting plan, the names of all the applicants are placed together in a ballot-box, and one is drawn out by lot, to whom preference is given. To this last arrangement some societies incline, because each individual has thereby a fair chance. We may observe that the balloting system is perfectly legal. One disadvantage relating to the system of ballot has been pointed out (14 Law Rev. 17), namely, that the member who obtains the chance of a loan by ballot will sometimes dispose of it at a still higher premium, so that in such cases individual members reap an advantage whichshould have belonged to the society itself.

162. *Advantage of limiting the amount of advances.*—There is some advantage to be derived from establishing a limit, not lower than 700*l.* or 800*l.*, to the amount of advance that a member may obtain, in order to prevent the speculation of persons of a higher class, who become purchasers of shares, not for occupation, but in the hope of deriving undue benefit from the purchase. For no doubt a large absorption of funds by a single member is contrary to the legitimate objects of these societies, and extremely unsafe in practice.

163. *Indemnity to trustees.*—There should be a rule providing that trustees obtaining advances from the society on property which they hold in trust, shall not be in any manner, personally or otherwise, liable beyond the property actually secured to the society. Such a provision is very important, and should never be omitted, otherwise no persons in the situation of trustees could be advised to borrow money of the society. The trustees need not become members of the society, though it is desirable that they should do so.

(To be continued.)

INVESTMENT JOURNAL.

Petroleum is now the great subject of speculation in the United States, and enormous fortunes are there realised in a few months. But petroleum exists in large quantities in Europe. There are wells of it in Wallachia, said to be very rich. A company has been formed to work them, the prospectus of which appears among the advertisements.

The Funds continue to droop, and dullness reigns at the Stock Exchange. New enterprises are being put forth almost daily, but we learn that very few of them find favour. The state of the American war is a primary cause of suspense, for it may stop at any moment, and the effects of that upon cotton and many other commodities it baffles the wisest to conjecture. The following are the fluctuations of the week:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thr
Bank of England Stock	217½	218	...	218	217	...
3 per Cent. Red. Ann.	87⅛	87⅛	87	87	86⅞	87
3 per Cent. Cons. Ann.	89	89	88⅞	88⅞	88⅞	89
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	52½	52
New 3 per Cent. Ann.	87⅛	87⅛	87	86⅞	87	87
New 3½ per Cent. Ann.	...	...	...	93	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	14	...	...	...	14	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	10½	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89½	88⅝	88⅝	88⅝	88⅝	89
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	218	...	216	216	...	...
India 6 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	97½	...	...	...	...
India 5 per Cents. 1870	104	104	103½	104	104	...
India Bonds (1000*l.*)	...	...	...	*f*	15s.	...
Do. (under 1000*l.*)	...	...	...	10s.	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	...	...	...	98½	98½	...
India Enfaced Paper, 4 per Cent.	...	...	...	89	...	...
Do. do. 5 per c. Jan. 1872	102	...	101	...	100	...
Do. do. 5½ per c. May 1879	...	...	...	...	108	...
Ex. Bills, 1000*l.*	...	*a*	*b*	*c*	*g*	*h*
Do. 500*l.*	...	...	*c*	...	...	...
Do. 100*l.* & 200*l.*	...	...	...	...	...	...
3 per c.	...	...	*d*	*c*	*c*	...
Do. Small, 4 & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 per cent. 7*s.* prem.
b 4 per cent. 14*s.* prem.
c 4 per cent. 7*s.* prem.
d 4 per cent. 4*s.* prem.
e 4 per cent. 3*s.* prem.
f 11*s.* prem.
g 4 per cent. 3*s.* prem.
h 6 per cent. 6*s.* prem.
i Ex div.
k Prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

COUNTY COURTS EQUITABLE JURISDICTION BILL.

On the order of the day for the second reading of this Bill,——Lord St. Leonards, who was nearly inaudible in the gallery, contended that the County Court judges were not competent to exercise equitable jurisdiction, because they were for the most part common lawyers. In the second place these courts had not the requisite machinery for the administration of an equitable jurisdiction. The county court judges did not desire to have an equitable jurisdiction which they knew they could not exercise; it was attempted to be thrust upon them; and he deprecated the attempt to compel them to discharge duties which they had never undertaken to discharge, and for which their professional education and professional practice had not fitted them. They were about to build a Palace of Justice with money belonging to the Chancery suitors, not one farthing of which they had a right to touch. When that was completed the rich man would be able to go there and get good law from competent judges, while the poor man would be sent to the County Courts to receive bad law from incompetent judges. If this Bill passed, there would, for the first time in the history of England, be one law for the rich and another for the poor. Instead of taking a million of money from the suitors' fee fund in order to build a Palace of Justice, they should apply this sum to the reduction of the fees upon small business in the Court of Chancery, and then the poorest might resort there and obtain justice. He had another objection to this Bill. Courts of equity must always be fixed in one locality, because applications were constantly made to the judge, to hear which he ought always to be on the spot. But the County Court judges were itinerant, and it might, therefore, happen that when a judge was wanted he was forty or fifty miles off. This Bill would give to the County Courts all the jurisdiction possessed by the Court of Chancery, except in regard to lunacy; and although the exercise of that jurisdiction was said to be limited to small cases, it was clear that questions of as much difficulty might arise with reference to small as to great causes. A judge conversant with equity and equitable practice was equally required in all cases. The more the Bill was examined the more obvious it was that it could never work. He was strongly opposed to the measure, but looking to the number of noble lords present on the other side of the House, he did not think it would be prudent in him to divide.——Lord Cranworth thought that there were many provisions in the Bill which should not stand; but at the same time he believed that it would be most useful to give an equitable jurisdiction to the county courts in certain small cases. He had no hesitation in saying that the County Courts were quite competent to entertain an administration suit—for after all, there was nothing to be done there but to divide estate amongst those who were entitled to it. He objected, however, to the mode in which it was proposed to pay the judges under this Bill; for he did not think that any part of their remuneration should be provided by fees paid by the suitors. Upon the whole he approved of the Bill.——Lord Chelmsford thought it was desirable to give the County Courts a certain amount of equitable jurisdiction; but at the same time this ought to be done with great care and discretion. He did not think that the limits of the proposed County Court jurisdiction were defined with sufficient accuracy in this measure. It seemed to him, moreover, that the present staff of County Court judges and officials would not suffice to discharge the duties which it was proposed to commit to them. Nor did he approve of the manner in which it was intended to remunerate the judges. It seemed to him that the County Court judges had been treated by Parliament in a very unfair and niggardly manner. Their duties had been increased from time to time—indeed, they had been made mere judicial beasts of burthen—their salaries had not been correspondingly increased. Their salaries ought to be in all cases 1600*l.* a-year; while in many cases they should be 1800*l.*——The Lord Chancellor said the mode of remunerating the judges embodied in the present Bill was dictated by necessity, and not by choice. He should have preferred another mode if he had thought that he could carry it. The County Courts at present cost the country 234,000*l.* a-year. He did not himself think that was too much, but he feared that if he had sought to increase it, such a proposition would either have been fatal to the Bill in the House of Commons, or would have led to the County Court judges being deprived of any additional remuneration whatever. He was surprised to hear Lord St. Leonards describe the common law judges as incompetent to administer equity. Why, Lord Lyndhurst was transferred at once from the common law courts to the woolsack, and he was one of the greatest equity judges who ever sat. He did not believe that the County Courts would confess themselves incompetent to administer equity. If they did display any such misplaced modesty, he should advise them to get rid of it at once; for, after all, the greater part of equity was nothing but common sense and sound reason, guided by some knowledge of legal principles. Nor did he doubt that gentlemen selected as the County Court judges had been for the last twenty-five years would be found to possess the requisite knowledge and ability to exercise the jurisdiction which he proposed to entrust them with. When Lord St. Leonards told him that he had better not have laid sacrilegious hands on the suitors' fund for the purpose of defraying the cost of the Palace of Justice, but should have used the fund in reduction of the fees in Chancery, his noble and learned friend appeared to have forgotten that the court fees were a very small proportion of the cost of a suit in Chancery. If those fees were altogether abolished, the other costs of carrying on such a suit would render impossible resort to that court in small cases. Witnesses must be brought to London, a solicitor must be employed in the country and another in town; counsel must be retained; and the expenditure on these things was an effectual bar to the poor suitor's obtaining relief under the present system. It had been said that the law would not be so well administered in the County Courts as in the Court of Chancery. That might be so; but he believed that the best thing that could be done would be to have a tribunal which would decide all these summarily, on the appearance of the parties before it, just in the same way as the police magistrates did cases brought before them. A much greater amount of good than of harm would be done by the adoption of such a system. The great fault of lawyers was, that they were so enamoured of the law that they refused to see anything but good in its application. They dilated on the perfection of its principles, and on the scientific accuracy with which they were carried out, without regard to the interests of the suitor, just in the same way as a surgeon dilated on the nicety of an operation whilst his patient sunk and died under it. The noble and learned lord concluded by expressing his willingness that the Bill should be referred to a select committee.——The Bill was read a second time and referred to a select committee.

HOUSE OF COMMONS.

SCOTCH JUDICIAL STATISTICS.

Colonel Sykes asked the Lord Advocate whether, in the annual report of Scotch judicial statistics, he would adopt the English and Irish forms to facilitate comparison.——The Lord Advocate said he thought it desirable to adopt that system as far as possible, and would consider the suggestion.

ALLOWANCES TO JURIES.

Mr. D. Griffith gave notice that in committee on the Juries in Criminal Cases Bill he should move the insertion of a clause providing that they should receive such compensation for expenses as was given to witnesses and others attending compulsorily.

LAW BILLS IN PARLIAMENT.

COUNTY COURTS EQUITABLE JURISDICTION.

A Bill intituled An Act to confer on the County Courts a limited Jurisdiction in Equity.

Whereas it is desirable to confer on the County Courts Jurisdiction in Equity; Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

1. *Jurisdiction in Equity to be exercised in County Courts in certain suits and matters.*—Every suit or matter that may now be commenced and prosecuted in the High Court of Chancery may hereafter be brought and prosecuted in the County Courts held by virtue of the Act of the ninth and tenth years of the reign of Her present Majesty, chapter ninety-five, and the judges thereof shall have full jurisdiction to hear and determine the same, subject nevertheless to the provisions and restrictions hereinafter mentioned; that is to say,

(1.) The sum of money or amount demanded or sought to be recovered by the plaintiff in any such suit shall not, exclusive of interest and costs, exceed the sum of one hundred pounds, unless it be a distributive or other share of property sought to be divided or distributed:

(2.) The whole estate or property sought to be divided, distributed, dealt with, or administered in any such suit, or whereof it is sought to appoint a new trustee in any such matter, shall not exceed in value the sum of five hundred pounds:

(3.) Where such suit seeks a declaration of right to any lands, tenements, or hereditaments, the annual value thereof, or, where the same shall not be let, the annual sum at which the same shall be assessed to the relief of the poor, shall not exceed the sum of twenty pounds:

(4.) Where such suit relates to the foreclosure, redemption, or sale of any property in mortgage, the amount of the principal of such mortgage shall not exceed three hundred pounds:

(5.) Where the suit relates to the dissolution or winding-up of any partnership, the gross value or amount of the whole property, stock, and credits of such partnership shall not exceed the sum of five hundred pounds:

(6.) If the suit relate to the specific performance, or to the delivery up or cancelling, of any agreement for the sale or purchase of any property, the whole amount or value of the property shall not exceed the sum of three hundred pounds:

(7.) Injunctions or orders in the nature of injunctions, if the same are requisite for granting relief in any such suits as aforesaid, may be made by the County Courts, and they shall also have power to make orders for the restraint of waste upon lands or tenements the annual value whereof shall not exceed the sum of twenty pounds, and also for stay of proceedings at law where the plaintiff in such proceedings seeks the recovery of a debt provable under a decree for the administration of an estate made by the court to which the application for injunction is made:

(8.) No part of the jurisdiction in lunacy which is now exercised by the Lord Chancellor or the Lord Justices of the Court of Chancery shall be exercised by any County Court:

(9.) The County Courts shall have jurisdiction in all matters relating to the guardianship or custody of the person of infants where the annual sum applicable to the maintenance of the infant shall not exceed the sum of twenty pounds per annum.

2. *County Courts for purposes of this Act to have power and authority of Court of Chancery.*—The County Courts shall, in addition to the power and authority they now possess, have and exercise, for the purposes of this Act, all the power and authority of the High Court of Chancery; and every County Court judge, treasurer, registrar, and high bailiff shall discharge, and shall have authority to discharge, all the duties imposed upon him or them by this Act, or by any rules and orders to be framed as herein-after provided.

3. *Provisions of County Court Acts as to juries, suitors, and witnesses extended to suitors and witnesses under this Act.*—Whenever it is required that a jury should be summoned for the trial of any matter arising out of the jurisdiction given to the County Courts by this Act, it shall be summoned from the list of jurors in the possession of the registrar of the County Court in which the suit or matter has been brought; and all the enactments relating to the summoning, impannelling, and swearing of a jury in a County Court, and to the number of the jury and the unanimity of their verdict, shall apply to every jury summoned under this Act; and the duties and obligations of and upon all jurors, suitors, and witnesses, and their liability to penalty and punishment shall, in any proceeding under this Act, be the same as those created, authorised, and imposed by the several statutes now in force relating to County Courts.

4. *Power to enforce judgments of County Courts in Equity.*—For the due execution of any judgment, decree, or decretal order made under the authority of this Act, or of the rules and orders to be framed as hereinafter provided, the court shall have power to order, and the registrar upon such order shall have authority to seal and issue, and the high bailiff to execute, any writ or warrant of possession, writ or warrant of execution, or other process of execution for carrying into effect any judgment, decree, or decretal order of the said court; and such writs, warrants, and processes shall be in the form and executed at the time and in the manner to be set forth in the rules and orders to be framed as herein-after provided.

5. *Where amount of subject-matter of suit exceeds the limit of the jurisdiction of the County Court, suit may be remitted to Court of Chancery, or if the County Court deem it inexpedient to so remit it, plaintiff to apply to the Vice-Chancellor for an order authorising the County Court to proceed in the matter.*—If during the progress of a suit, or matter, it shall be made to appear to the court that the subject matter of the suit exceeds the limit in point of amount to which the jurisdiction of the County Courts is hereby limited, it shall not affect the validity of any order or decree already made, but it shall be competent for the said court, if it shall think fit, to transfer the suit, or matter, to the Court of Chancery and thereupon the suit, or matter, shall proceed in such one of the Vice-Chancellor's courts as the Lord Chancellor may by general order direct; and such Vice-Chancellor shall have power to regulate the whole of the procedure in the suit, or matter, when so transferred: Provided always, that if the County Court shall deem it expedient that the suit, or matter, should not be so transferred, it shall be lawful for the plaintiff to apply to one of the Vice-Chancellors at chambers for an order authorising and directing the suit, or matter, to be carried on and prosecuted in the County Court, notwithstanding such excess in the amount of

the limit to which jurisdiction in the matter is hereby given to the County Courts; and the Vice-Chancellor, after hearing the defendant or defendants, if he shall deem it right to summon them to appear before him for that purpose, or on default of the appearance of all or any of them, shall have full power to make such order.

6. *In what courts proceedings shall be taken.*—With respect to the court in which proceedings in equity shall be taken:

1. Proceedings under this Act which relate to the recovery or sale of, or to the restraint of waste on, lands, tenements, and hereditaments shall be taken in that County Court within the district of which the lands, tenements, or hereditaments, or the greater part thereof, are situate:
2. Proceedings under the Trustee Acts, 1850 and 1852, or relating to trustees, or trusts, shall be taken in the County Court within the district of which the trustees, or the cestuique trust, or one of them, respectively, shall have their or his usual place of abode:
3. Proceedings for the administration of the assets of a deceased person shall be taken in the County Court within the district of which the deceased person at the time of his decease had his usual place of abode:
4. Proceedings in partnership cases shall be taken in the County Court within the district of which the partnership business was or is carried on:
5. Proceedings for the foreclosure, sale, or redemption of property in mortgage shall be taken in the County Court within the district of which either the mortgagee or mortgagor has his usual place of abode:
6. Proceedings for the specific performance of agreements shall be taken in the County Court within the district of which either the person seeking to obtain the specific performance of the agreement, or the person against whom such specific performance is sought to be obtained, resides or carries on business.

7. *Transfer of suit from one County Court to another.*—If during the progress of a suit, or matter, it shall be made to appear to the court that the suit, or matter, could be more economically dealt with in some other County Court, it shall be competent for the court to transfer the suit, or matter, to such other County Court, and thereupon the suit, or matter, shall proceed in such other County Court.

8. *Remuneration of registrars and high bailiffs in matters of equity.*—The registrars and high bailiffs of the County Courts shall be remunerated for the duties to be performed by them under the jurisdiction in equity given to the courts by this Act, by receiving for their own use such fees as may be from time to time authorised to be taken by any orders to be made by the Commissioners of the Treasury, with the consent of the Lord Chancellor; and the Commissioners of the Treasury are hereby authorised and empowered, with such consent as aforesaid, from time to time, to make such orders.

9. *Certain fees taken out of which judges shall have their salaries increased to such an amount as the fees received will be sufficient to pay to each judge not exceeding 1600l.*—In addition to the fees to be authorised to be taken by order of the Commissioners of Her Majesty's Treasury as aforesaid, there shall be paid by the suitors the several fees which are specified and set forth in the schedule to this Act, or such further or other fees as the Lord Chancellor shall from time to time by order direct, which fees shall be received by the registrar of the court, and accounted for and paid over by him to the treasurer of the court, who shall, at such times as the said Commissioners shall direct, pay such fees into the Bank of England, to the credit of the Paymaster General, to be by him carried to an account to be called "The County Court Equitable Jurisdiction Fund Account;" and at the end of every year the said commissioners shall equally divide among the judges of the County Courts the fees so received: Provided that no judge shall in any one year participate in such fees to any further amount than shall be requisite to raise his existing salary to the sum of sixteen hundred pounds a-year; and the surplus of such fees, after each judge shall have been paid the amount necessary to make up his salary to sixteen hundred pounds a-year as aforesaid, shall be carried forward from year to year to provide for the payment of such additional salaries in future.

10. *Judgment to be registered in registry of County Court judgments in London.*—Such of the judgments and decrees as may be directed by any rule or order shall be registered with the registrar of County Court judgments in London, in such manner as may be therein directed.

11. *Power to frame rules and orders.*—The County Court judges appointed or to be appointed by the Lord Chancellor from time to time to frame rules and orders for regulating the practice of the courts, and forms of proceeding therein, under the thirty-second section of an Act passed in the nineteenth and twentieth years of the reign of Her present Majesty, chapter one hundred and eight, shall frame the rules and orders for regulating the practice of the County Courts under this Act, and forms of proceedings therein, and from time to time amend such rules, orders and forms; and such rules, orders and forms, or amended rules, orders and forms, certified under the hands of such judges, or of any three or more of them, shall be submitted to the Lord Chancellor, who may allow or disallow or alter the same, and so from time to time; and the rules, orders and forms, or amended rules, orders and forms, so allowed or altered, shall, from a day to be named by the Lord Chancellor, be in force in every County Court.

12. *Scale of costs to be framed by the judges.*—The County Court judges mentioned in the last section shall be empowered to frame a scale of costs and charges to be paid to counsel and attorneys with respect to all proceedings whatever which under any statute may now be taken, or which are herein authorised to be taken, or which may hereafter be authorised to be taken in the County Courts, and from time to time to amend such scale; and such scale or amended scale, certified under the hands of such judges, or any three or more of them, shall be submitted to the Lord Chancellor, who from time to time may allow or disallow the same; and the scale or amended scale so allowed or altered shall, from a day to be named by the Lord Chancellor, be in force in every County Court.

13. *Parties aggrieved may appeal.*—If any party in a suit or matter in equity shall be dissatisfied with the determination or direction of a judge of a County Court on any matter of law or equity, or on the admission or rejection of any evidence, such party may appeal from the same to one of the Vice-Chancellors, provided that such party shall, within ten days after such determination or direction, give notice of such appeal to the other party or his attorney, and also give security, to be approved by the registrar of the County Court, for the costs of the appeal, whatever be the event of the appeal, and for the amount of the judgment, decree, or order, if he be the defendant, and the appeal be dismissed; provided, nevertheless, that such security, so far as regards the amount of the judgment, decree, or order, shall not be required in any case where the judge of the County Court shall have ordered the party appealing to pay the amount of such judgment, decree, or order into the hands of the registrar of the County Court in which such suit shall have been tried, and the same shall have been paid accordingly, or where the judge shall think it right that an appeal be made without any such security; and the said court of appeal may make such final or other decree or order as it shall think fit, and may also make such order with respect to the costs of the said appeal as such court may think proper; and such orders shall be final, provided that nothing herein contained shall authorise any party to appeal against any decision of a County Court, given upon any question as to the annual rent or rateable value, or as to the value of any real or personal property, for the purpose of determining the question of the jurisdiction of the court under this Act, nor to appeal against the decision of a County Court on the ground that the proceedings might or should have been taken in any other County Court.

14. *Appeal to be in the form of a case agreed on by all parties; but if they cannot agree, judge to settle and sign case.*—Such appeal shall be in the form of a case agreed on by all parties, or their attorney, and if they cannot agree, the judge of the County Court, upon being applied to by them or their attorneys, shall settle the case, and sign it; and such case shall be transmitted by the appellant to the office of the clerks of records and writs in Chancery.

15. The provisions of this Act shall come into operation on the first day of October one thousand eight hundred and sixty-five, except the provisions relating to framing a scale of costs and making rules and orders of practice and forms of proceeding, which shall come into operation on the passing of this Act.

SCHEDULE.	£	s.	d.
On the entry of every plaint	0	10	0
On setting down any matter for hearing...	1	0	0
On application for final decree or decretal order	1	0	0

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

Writ of Ne Exeat Regno.—On an *ex parte* application for this writ, the affidavit in support of it did not show that the amount of the debt due to the applicant was clearly ascertained. The application was therefore refused. The same certainty as to the amount is necessary, whether the debt be legal or equitable: (*Thompson* v. *Smith*, 12 L. T. Rep. N. S. 9. M. R.)

A voluntary answer put in by a defendant under the new practice entitles him to the same advantages on an application to quash the writ before answer as he would have had by the old practice after answer. Although, in case of an answer, the oath of the plaintiff that a balance is due to him is in general sufficient to sustain a writ of *ne exeat*, yet he is bound to supply all reasonable information, that the defendant may have an opportunity of rebutting the case. Therefore, where B. had filed a bill for an account, and C., before answer, filed a cross-bill stating a case not materially contradicting B., but claiming a balance to himself on the account to be taken, and on that applied for a writ of *ne exeat*, the writ was quashed: (*Anderson* v. *Stacp*, 12 L. T. Rep. N. S. 13. V.C. W.)

Equity Practice.—Where a bill had been several times re-amended, and the defendants, by amendment, had answered, and then plaintiff took no further step for so long a time as to lead to a reasonable impression that he did not intend to prosecute the suit, a motion to dismiss the bill was allowed to a defendant who was not required to answer: (*Forbes* v. *Preston*, 12 L. T. Rep. N. S. 11. V.C. S.)

Correspondence.

Our Invaders—You will oblige by inserting a copy of the inclosed in your next issue. I make no comment thereon. A.

Manchester Guardian Society for the Protection of Trade. Established 1828.

Offices—Carlton-buildings (Old Mechanics' Institution), Cooper-street, Manchester, Feb. 27, 1865.

37321.—In your reply quote this number.

Henry Whitworth, Secretary.

Mr. ——

Sir,—Take final notice that unless 10*l.* 5*s.* 6*d.*, due to Mr. W. Hornblow, is paid at this office, on Wednesday, March 1st, you will be sued for it on the following day.

By order,

Hy. Whitworth,

per E. Hawkins.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

Mr. George J. Murray, of Oldham, has been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women, for the county of Lancaster.

HEIRS AT LAW AND NEXT OF KIN.

Lees (Sarah), Brinscomb, Gloucestershire, widow. Next of kin to come in by March 28, at Kindersley's, V.C. Sols. Price, Bolton and Filder, 1, New-square, Lincoln's-inn; Mr. Jones and Forrester, Malmesbury, Wilts.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Alexandra-park Company (Limited).—An official liquidator to be appointed by M. R. at his chambers, on March 14, at one o'clock in the afternoon.

Anglo-Californian Gold Mining Company.—Petition for winding-up to be heard before Kindersley, V.C., on March 17. Sols. Bridges, Sawtell, Heywood and Rees, 23, Old Lion-square, Middlesex.

Taranaki Steel Iron Company (Limited).—Creditors to come in by 25th March, at eleven o'clock in the forenoon, at the Court of Bankruptcy, Basinghall-street, London. Sols. Roy and Cartwright, 4, Lothbury, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Cook (Wm.), Bristol, rope and sail maker, March 16, V.C. S. Vizard and Anstie, 35, Lincoln's-inn-fields.

Davies (J. C.), Crown Inn, West Ham, Essex, licensed victualler, April 10 M. R. Hobbs and Seal, 8, Serjeants-inn, Fleet-street, London.

De L'Isle and Dudley (Philip Charles), late Baron, Penshurst, Kent, and Burlington-street, Middlesex, March 18, V.C. K. Mason and Withall, 18, Bedford-row.

Dixon (Edward), the elder, Dudley, Esq., March 23, V.C. S. Hilliard, Dale and Stretton, 3, Gray's-inn-square, London.

Dixon (Edward), the younger, Horsley-house, Dudley, banker, March 23, V.C. S. Hilliard, Dale and Stretton, 3, Gray's-inn-square, London.

Donald (Wm.), Newton Arlosh, Holme Cultram, Cumberland, yeoman, April 12, V.C. S. Bell, Brodrick and Bell, Bow-churchyard, London, for J. Carrick, Wigton, Cumberland.

Edmonston (Sir G. F.), K.C.B., Effingham-hill, Effingham, Surrey, March 29, V.C. W. Lee and Bolton, 3, Broad Sanctuary, Westminster.

Gourgian (Richard), Bath-road, Peckham, Surrey, gentleman, March 20, M. R. Roberts and Simpson, 62, Mourgate-street, London.

Johnstone (George), 53, Tavistock-square, Middlesex, and Broncroft Castle Farm, Salop, Esq., April 18, M. R.

Pitfard (Elizabeth), Landour, Bengal, July 22, V.C. S. Wilson, Bristows and Carpmael, 1, Copthall-buildings, London.

Price (Mary), 3, Old Steyne, Brighton, spinster, March 27, V.C. S. Emmet and Son, 14, Bloomsbury-square, London.

Russell (C. P.), King's Somborne, Southampton, farmer, April 10, M. R. H. May, 67, Russell-square, London, for T. Lamb, Andover.

Tims (Thomas), Highgate-rise and 24, Charlotte-street, Fitzroy-square, Middlesex, auctioneer, March 28. Scadding and Son, 1, Gordon-street, St. Pancras, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Blackman (William), Gower's-walk, Rupert-street, Whitechapel, Middlesex, and Buckhurst-hill, Woodford, Essex, cooper, March 25, H. S. Mitchell, 3, Great Prescott-street, Whitechapel.

Boyes (John), 8, Kensington-gardens-terrace, Middlesex, Esq., April 30. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

Brown (E. E.), Harbor-grace, Newfoundland, North America, sub-collector of H. M.'s Customs, April 20, Pilgrim and Phillips, Church-court, Lothbury, London.

BURRELL (John), 4, Windsor-villas, Lockyer-street, Plymouth, Esq. Phillips and Son, 5, Frankfort-street, Plymouth.

COCKERLY (James), 7, Great Ormond-street, Bloomsbury, and 22, Bruton-street, Middlesex, tailor, March 31. Smith and Shepherd, 15, Golden-square, London.

CORNELL (Silas), the elder, Canterbury, veterinary surgeon, April 4. Sankey, Son and Flint, Canterbury.

CROMPTON (Jane), Lower Grove-house, Roehampton, Surrey, widow, May 13. J. Crosby, 3, Church-court, Old Jewry, London, for H. W. Litler, of Oldham.

DAVEY (R. S.) Draper's Farm, Goldhanger-road, Heybridge, Essex, farmer, April 22. Miller and Miller, 5 and 6, Sherborne-lane, London.

GOW (Niel), Northam, Devon, gentleman, May 1. Barker, Bowker and Peake, 1, Gray's-inn-square, London.

GREEN (Wm.), Oxford-lodge, Garratt-lane, Tooting, Surrey, April 30. T. Oliver, 11, Old Jewry-chambers, London.

HAYCOX (Wm.), formerly of Tipton, innkeeper, late of Winson-green, Warwickshire, gentleman, May 22. J. Webb, 25, New-street, Birmingham.

HARRIS (William), Cross-house, Dilwyn, Herefordshire, gentleman, May 1. E. Lloyd, Leominster.

HILLS (John), 15, Westbourne-terrace north, Paddington, Middlesex, corn dealer, April 6. C. R. Gibson, Dartford, Kent.

HEMS (Sophia Frances), College-green, Worcester, April 10. Meredith and Lucas, 8, New-square, Lincoln's-inn, London.

HEWITT (Frances), Worcester, widow, April 10. Meredith and Lucas, 8, New-square, Lincoln's-inn, London.

HOWARD (T. C.), 3, Chatham-place, Edge-hill, Liverpool, Esq. April 1. Tennant, Newstead and Wilson, Red-hall, Leeds.

LE GASSICK (J. W. B.), 221, Maida-vale, Middlesex, tailor, May 1. Stephens and Smith, 11, Staple-inn, London.

MACFARLANE (James), Horsforth, Guiseley and Shipley, Bradford, Yorkshire, cashier, April 15. Rawson, George and Wade, Bradford.

MANNAGON (Georgina), 38, York-street, Portman-square, Middlesex, spinster, April 24. Rogers and Jull, 40, Jermyn-street, St. James's, London.

MCGREGOR (Alexander), 1, Lothian-terrace, Brixton, Surrey, licensed victualler, April 3. Tanqueray-Willaume and Hanbury, 34, New Broad-street, London.

MORRISON (John), 4, Russell-street, Reading, Berks, June 1. Fairfoot, Webb and D'Aeth, 13, Clement's-inn, London.

NEALE (Emma), 5, Codrington-place, Brighton, widow, April 29. Rogers and Jull, 40, Jermyn-street, St. James's, Westminster.

OLIVER (John), 8, Great Prescott-street, Whitechapel, Middlesex, collector of parochial rates, March 25. H. R. Mitchell, 3, Great Prescott-street, Whitechapel, London.

PEPS (Wm.), North Walsham, Norfolk, auctioneer and hatter, May 1. Wilkinson and Baker, North Walsham.

RUSSELL (Charlotte), 84, Inverness-terrace, Bayswater, Middlesex, March 31. Lawrance, Plews and Boyer, 14, Old Jewry-chambers, London.

RUSSE (C. A.), 44, Kennington-place, Kennington-park, Surrey, Esq., May 3. J. Wills, 3, Great Carter-lane, Doctors'-commons, London.

SMART (Etheldred Mary), 5, Stanhope-place, Mornington-crescent, Middlesex, spinster. May 1. St. B. Staden, 14, Parliament-street, Westminster.

SMITH (Wm.), Darnhouse, Sheffield, Esq., April 30. Burbeary and Smith, 8, Campo-lane, Sheffield.

SOLEY (John), Sibford Gower, Oxon, yeoman, April 6. T. Pain, Bridge-street, Banbury.

SOMERVILLE (Right Hon. Kenelm), Newbold Comyns, near Leamington, May 1. Bennett, Dawson and Thornhill, 2, New-square, Lincoln's-inn, London.

[illegible] (C. S.), 5, Trinity-street, Hastings, Dissenting minister, April 10. C. Smith, Tokenhouse-yard, London.

[illegible] (Augustin), St. Anne, Limehouse, Middlesex, gentleman, April 15. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

[illegible]WOOD (Charlotte), Ship Inn, South Norwood, Surrey, licensed victualler, April 12. T. Angell, 23, King-street, Guildhall, London.

WILLIAMS (G. J.), Ffynonnan, Brecon, Esq., barrister-at-law, April 14. E. H. Williamson, Greenfield, Flint, Esq.

[illegible] (Joseph), Leeds, butcher, June 1. Snowdon and [illegible], Leeds.

[illegible] (J. M.), Queen's Head, Marsham-street, Westminster, Middlesex, April 1. A. Clark, 4, Lincoln's-inn-fields, London.

[illegible] (Thomas), Sackville-street, Piccadilly, Middlesex, [illegible], June 8. Janson, Cobb and Pearson, 4, Basinghall-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

[illegible] (Right Hon. G. W. F.), Earl, and NICHOLL (F. L.), of [illegible]-street, Lincoln's-inn, Esq. Dividend on 230*l.* [illegible] per Cent. Consols. Claimant, the Marquis of Ailesbury.

[illegible] (John), Luton, Beds, surgeon. 140*l.* New Three per Cents. Claimants, G. Gilbert and R. J. Crosse, executors.

[illegible] (H. M.), Banner-cross, near Sheffield, Esq. Dividend on [illegible], 12*s.* 7*d.* Three per Cent. Consols. Claimant, [illegible] H. G. Bagshawe, administrator.

[illegible] (Eliza), spinster, and MCMILLAN (Buchanan), [illegible], both late of Bow-street, Covent-garden. 150*l.* Three per Cent. Consols. Claimant, W. H. Millar, sole [illegible]tor.

[illegible] (Joseph), Stratford-green, Essex, Esq., and LAYARD [illegible] J. T.), of Swafield, Norfolk. 93*l.* 6*s.* 6*d.* Three per Cent. Consols. Claimants, said J. Somes and J. T. [illegible]yard.

THE FIRST ACT OF THE SESSION.—On Tuesday was issued the Act passed during the present session, the object of which was to correct an Act passed last year to amend the [illegible] Bills Courts Procedure Act. The alterations embodied in the Act relate to six "clerical" errors which were allowed to pass in the statute of last year as to certain figures used therein. The present session is declared to be the "seventh" of the eighteenth Parliament of the United Kingdom.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

HOME CIRCUIT

[Hert]ford, March 2.—There were only three cases of malicious offences—one (the most serious) of highway robbery with violence, two of arson, and one of maliciously killing a sheep. Altogether there are about 30 cases, most of which are cases of stealing. There are, however, two cases of rape, in one of which three youths are charged.

[Chelm]sford, March 6.—The calendar is unusually light. There are only the names of sixteen prisoners, and happily there are hardly any very serious cases. There is no case of homicide, although there are three cases of concealment of birth, and one of administering drugs with intent to procure miscarriage. There is only one case even of wounding, and that does not seem to have been malicious, but only to resist arrest. There is one case of rape, and one of assault with intent to ravish. There are three cases of burglary, all of which appear, however, of a minor character, and one of stealing in a church. The other cases are ordinary cases of larceny. The civil business promises to be more serious than the criminal. The Roupell case, indeed, is not be tried at these assizes, although a paragraph went the round of the papers representing that it would be. There is, however, a great oyster fishery case—an action against the mayor and corporation of Colchester,—which is said to be likely to be heavy, and is the great cause of the assizes, and it appears probable that the civil business will be, altogether, at least equal to the average amount.

March 7.—The cause-list showed the names of 12 causes, of which three were marked for special juries, and the learned Baron took to-day the others—the common jury causes—most of which were disposed of.

MIDLAND CIRCUIT.

Derby, March 6.—The calendar contains the names of 42 prisoners, a number which slightly exceeds the average. With a few exceptions, however, the charges against them are not of a very heavy character. Among the more important are 2 cases of rape, 2 of shooting, 1 of forgery, 1 of manslaughter, and 1 of arson. There are also the cases of David Gray, who is charged with setting fire to his house with intent to defraud an insurance company, and of James Potter, who is charged with the wilful murder of his wife at Derby, on the 23rd Dec. The cause-list is unusually meagre, containing only 4 causes, of which one is to be tried by a special jury.

NORFOLK CIRCUIT.

Leicester, March 2.—The business of this circuit commenced on Tuesday, 28th Feb., Mr. Justice Montague Smith having opened the commission for the county of Rutland at 3 p.m. on that day at Oakham, where therp were for trial one cause and one prisoner. The whole of the business of the assizes lasted about two hours and a half, and furnished no materials for a report. From Oakham the learned judge, Mr. Justice Montague Smith, came on to Leicester yesterday forenoon, and opened the commission for the county and borough of Leicester. The business is light on both sides of the court, there being only 11 prisoners for trial in the county, and four in the borough. It must, however, be remembered that there has been a winter assize, which was held in December, and that at the borough sessions, which were held on Monday, 27th Feb., several cases were disposed of which would have swelled the calendar at these assizes. The quality of the offences charged against the prisoners is also not serious, there being 1 case of arson, 1 of bigamy, 2 of burglary, 2 of housebreaking, 3 of false pretences, 1 of throwing stones at a railway engine, 1 of robbing a post-office, and 1 of uttering false coin, the rest being larcenies. In the Nisi Prius Court there is only one cause to be tried by a special jury.

Northampton, March 7.—The commission for the county of Northampton and for the borough was opened by Mr. Justice Montague Smith yesterday afternoon. The business is heavy, there being 36 prisoners for trial in the county and 20 in the borough, but none of the offences are of a very grave nature, many of them being such as would have been tried at quarter sessions if any had preceded these assizes. There are 3 cases of arson, 4 of assaults upon women, 2 of burglary, 2 of concealing and attempting to conceal a birth, 1 of bigamy, 4 of forgery, 1 of obtaining goods by false pretences, 22 of larceny, 1 of robbery with violence, and 1 of unlawfully uttering and publishing obscene photographs. There are 5 causes, two of which are to be tried by a special jury, and in which Mr. Macaulay, Q.C., of the Midland Circuit, is specially retained.

IRELAND.—Mr. Senior, the Poor Law Commissioner, was killed on March 7, on the Midland Great Western Railway. He was crossing the line, when the train came up. The wheels passed over his body, which was shockingly mutilated.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

CHURCH-RATES.—The Privy Council has confirmed the decision of Dr. Lushington, previously reported, that one of two churchwardens has no right, without the consent of the other, to use his name as co-plaintiff in a suit against a parishioner for subtraction of church-rate, having no implied authority for such a purpose. The proper remedy is the removal of the obstinate churchwarden for misconduct: (*Fry* v. *Treasure*, 11 L. T. Rep. N. S. 753. Priv. Co.)

TURNPIKE.—The rule is, that it is lawful to evade liability to toll, but not to evade the payment of toll. The following contrivance was held to be the latter. Two one-horsed carts went through the gate and returned again. The horses were taken out of the carts and put into another vehicle of the same owner, from which the horses that had drawn it near to the turnpike-gate were removed, and the horses that had passed before passed again, and he claimed to pay only a lesser toll which the local Act imposed where he paid toll and passed again not more than four times in the day. This was held to be evidence from which the justice might find that it was done to evade payment of a toll under sect. 41 of the General Turnpike Act: (*Hartley* v. *Bowker*, 11 L. T. Rep. N. S. 767. Q.B.)

MARKETS AND FAIRS ACT.—A structure of upright posts let into the ground with cross pieces of wood, on which counter-boards were supported, and a wooden roof projecting so as to shelter seller and customer, and erected in the yard of a public-house within the borough, was held not to be "a shop" within sect. 13 of the Markets and Fairs Act, 10 & 11 Vict. c. 14: (*Pope* v. *Whalley*, 11 L. T. Rep. N. S. 769. Q.B.)

FORMAL ADJOURNMENT OF A COURT—OMISSION OF—INVALIDITY OF SUBSEQUENT PROCEEDINGS WHEN NO ADJOURNMENT.—Though many of the forms which attend upon the administration of justice, from their utter meaningness, may well be disregarded in practice, there are some which cannot be omitted with impunity. To many it would naturally seem that when a court has commenced its sitting for the dispatch of a certain quantity of business, such court (unless there be some obvious and substantial reasons to the contrary) may proceed on from day to day with the business until all is disposed of, without the performance of the ceremony of daily adjournment. Such, however, is not the case. As a rule, proceedings in courts of justice can only be continued from day to day through the instrumentality of a formal adjournment. Some years ago this doctrine received a powerful illustration from a remarkable miscarriage in the administration of criminal justice at the Middlesex sessions. It appeared that these sessions met regularly on the Monday and were regularly adjourned to the Tuesday. The Court was not legally opened or adjourned on the Tuesday or Wednesday, and did not meet for business until the Thursday, but the witnesses were notwithstanding sworn on the Tuesday and Wednesday to give evidence before the grand jury, by the crier of the court in the usual form. The magistrates attended on the Wednesday and received the bills from the grand jury. The irregularity consisted in this: the crier of the court pronounced the opening and adjournment of the court in the usual form on the Tuesday morning and afternoon, and also on the Wednesday, but *at the time when he did it none of the justices were present*, though they were in the course of the morning. The magistrates, on being informed of this fact, at first came to a resolution that the adjournments had taken place according to the custom which had been adopted during the memory of the oldest officer of the court; but on a subsequent day resolved that the sessions, for want of a regular adjournment, had lapsed on the Tuesday. This being the state of things, and many prisoners having been tried since the lapse occurred, a special commission was issued by the Crown to retry those who had been so irregularly tried and convicted. Parke, J. (Lord Wensleydale), one of the special commissioners, in his charge to the grand jury, said: "You are assembled in consequence of a commission, directed to myself and others, empowering us to try certain offenders. This is an extraordinary proceeding. You are aware that it arose from an irregularity in the mode of swearing the witnesses who were to give evidence before the grand jury, which irregularity would prevent those persons from being indicted for perjury. This, in the opinion of the judges, prevented the prisoners from being legally convicted; therefore this commission has been appointed. Some were tried and acquitted; those are not included; they may be considered as for ever quit of the charges against them. Some were convicted of trifling offences; they have been

discharged. Some were not tried at all, and some were tried and convicted of serious offences; but these latter descriptions will come before you," &c.

Here, then, from the seemingly trifling irregularity of the adjournment of the sessions being proclaimed when there happened to be no justices present (they having, in all probability, left the court as soon as the real business of the day was concluded), the subsequent proceedings were held to be abortive, or, in judicial language, *non coram judice*; hence the special commission: (see *The Middlesex Special Commission*, 6 Car. & Pay. 90.)

Very recently we have had another illustration of the importance of a due observance of this form. It appears that the coroner of Dover was called upon to hold an inquest upon the body of one Susan Lock, who was killed by a railway accident. The first sitting of the inquest was on the 2nd Aug., and regularly adjourned to the 5th, when the jury declared their verdict. The coroner, however, for the purpose of obtaining time for preparing the formal inquisition, adjourned the inquest to the 8th, and the jurors were accordingly bound over in their recognisances to attend on that day to sign the inquisition. The coroner, however, finding subsequently that the formal inquisition would not be ready by that day, sent a letter on the 6th to the summoning officer, directing him to inform the jury that the inquest was further adjourned for a few days, and that they need not attend until they had a fresh notice. They subsequently reassembled on the 12th Aug., and then signed the formal inquisition. A rule *nisi* for a *certiorari* to bring up this inquisition in order to its being quashed was subsequently obtained upon the ground that, as there was no formal adjournment to the 12th Aug., the proceedings on that day were *coram non judice*, and upon the argument that rule was made absolute. In giving judgment, Shee, J. (sitting alone in the Bail Court) said: "It is of great importance that the duties of coroners in the holding of inquisitions *super visum corporis* should be conducted with the observance of those forms which have been established to insure regularity. The forms of adjournment are requisite to secure the reattendance of the jurors after an adjournment at the time and place appointed, and to preserve the continuity of the proceedings from the first meeting of the inquest until its completion by the signing of the inquisition. If the coroner had taken the trouble, as it was his duty to do, of holding the court on the 8th Aug., and had then again adjourned the inquest to a day certain, all would have been right; but, not having done so, the final and important proceeding of adopting and signing the inquisition did not take place under the original precept, and was *coram non judice*:" (see *Reg.* v. *The Coroner of Dover*, 11 L. T. Rep. N. S. 488.)

The same question was again argued upon the motion to quash the inquisition upon its being returned upon the *certiorari*, and is reported in 11 L. T. Rep. N. S. 707, under the name of *Reg.* v. *The Coroner of Margate*. It was there argued, that inasmuch as the verdict was given on the 5th Aug., the signing of the inquisition by the jury was a merely ministerial act, not requiring them to be all present in court. But to this Cockburn, C. J. said, that the jury were not bound by the verdict until they have signed it, and that signing is not a mere ministerial act; and he further remarked, that if some of the jurors had refused to attend on the 12th, they could not have been fined, because they were not properly summoned, the court having been dissolved; that the inquest might have begun *de novo*, but that the jury were summoned for a particular inquest, and the moment they were allowed to disperse and the court was broken up and not adjourned their duty and functions were gone.

In thus calling attention to this subject, we have been anxious to show what grave consequences may result from the omission of what, upon the first blush, may seem to be a merely unimportant form.

Evidence and Practice in Criminal Cases.—One of the law Bills of the session—that of Mr. Denman—has already passed the House of Commons. It allows counsel in criminal cases the same means of testing the credibility of a witness as in civil cases. The counsel on both sides are to have a right to sum up the evidence they have adduced. It is not to be necessary to call the attesting witness to an instrument to the validity of which attestation is not requisite. Comparison of a disputed writing with any writing proved to the satisfaction of the judge to be genuine is to be permitted to be made by witnesses and by the jury.

A French Anniversary.—It has occurred to several of the justices of the county of Middlesex who meet for the discharge of public duties at the Sessions-house, Clerkenwell, that a proposal to celebrate the completion of fifty years' peace with France by some suitable demonstration would be received with general approval. The intention is to invite to a public banquet certain distinguished noblemen and gentlemen of France, and to fix the entertainment for some day in the month of June. A committee is about to be formed, and an announcement of their views will shortly be laid before the public.

A Justice of Peace Committed to Prison.—Mr. William Bates, of Werrington, senior magistrate for the Liberty of Peterborough, was charged with having during the months of November, December, January, and February last, issued certain scandalous and defamatory papers derogatory to the character of the Rev. Joseph Pratt, rector of Paston, himself a magistrate, and various members of his family. After a lengthened hearing of the case yesterday, before a full bench of magistrates, he was fully committed to take his trial at the next quarter sessions, on the 6th April. Bail was required, himself in 400*l.* and two sureties in 200*l.* each, and he was locked up in default.—*Leeds Mercury*.

Bribery at Municipal Elections.—A short time ago two active members of the Conservative party in Leeds were found guilty in the County Court of having, at the election of a councillor for one of the wards, given 4*s.* each to voters who voted for the Conservative candidate. On Monday in the same court several cases of bribery at the same election by Liberals were established, and also one case of bribery at a previous election, the amount given in no case exceeding 5*s.* Seven penalties of 10*s.* and full costs were imposed by the judge. In one case the Conservatives failed because the witness on whom they relied to prove the bribery refused to obey his subpœna, and for that contempt of court he was fined 10*l.* In two or three cases the principal witnesses appeared in court intoxicated, and the judge fined them 5*l.* each, or imprisonment for seven days unless the fines were in the meantime paid. In one case the evidence showed that there were 240 burgesses in the ward, and that at the last election the expenses of the Liberal candidate were 150*l.* The principal ground of defence in all these cases was that the money had been paid as remuneration to persons who had been employed as canvassers, and that it was the custom of both parties at an election to have paid servants of that description. The judge remarked that if the law of bribery was that any man under pretence of helping a candidate might receive a day's wage he could not see any objection to a candidate employing every burgess. Defendants could easily say that the payment was not for their votes, but for their work. If the practice was so common as had been stated it was high time that it was checked.

The General Turnpike Act.—An important decision, affecting farmers, was given at the Doncaster Police-court on Monday, interpreting the 32nd section of the 12th of the 3 Geo. 4, better known as the General Turnpike Act. A toll-keeper at the Small Briggs bar of the Doncaster and Bawtry turnpike-road charged the joint owner of a thrashing machine the sum of 1*s.* 4½*d.* as toll for a locomotive thrashing machine, on the ground that such a machine, in his interpretation of the section, was not exempt from toll if it passed more than two miles along a turnpike-road, and for this he relied upon certain excepting words in the clause referred to. The question was, whether the words at the end of the section —"such horses or beasts not going or returning on these occasions more than two miles on the turnpike-road on which the exemption shall be claimed"— referred to the latter part of the section only or to the whole. Mr. Jackson, in giving the decision of the bench, remarked that, after the best consideration, himself and Mr. Alderman Dunhill were satisfied that the two miles referred only to horses or beasts going to or returning from plough or harrow, pasture or water, shoeing or farrying, and to no other matters or things before mentioned in the clause. This appeared to the bench to be the true and obvious meaning of the exception as to the two miles. Farmers, on the one hand, were to have reasonable egress on certain occasions and for certain purposes; while, on the other hand, the tollbar-keepers were to have a sufficient control to protect themselves against the possibility of any unfair or excessive use of the road, and if some check of this kind was not afforded them, to use the expression of Lord Kenyon, "it opened the door for fraud upon turnpike men." They thought that the defendant had misconstrued the Act, and that he ought to have allowed the exemption claimed.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Judgment — Re-registration. — The provisions of sect. 4 of 23 & 24 Vict. c. 38, with respect to re-registration, were held not to be retrospective, so as to take away the right of a judgment-creditor, which existed at the passing of the Act, where the judgment-debtor is dead: (*Evans* v. *Williams*, 11 L. T. Rep. N. S. 762. V.C. K.)

Advancement by Gift. — To support an advancement it is necessary that the evidence should concur in establishing both a present intention to benefit, and such a relationship between the parties as will lead to a legal inference of an intention to advance: (*Forrest* v. *Forrest*, 11 L. T. Rep. N. S. 763. V.C. S.)

Will.—Execution of.—Where the evidence of the attesting witness directly negatives due execution, and is not rebutted, nor the veracity of the witnesses impeached, the Court will not, because the attestation clause is formally correct, and on the principle of *omnia rite esse acta*, pronounce for the will: (*Croft* v. *Croft*, 11 L. T. Rep. N. S. 781. Prob. Ct.)

Lease—Option to Purchase at the End of the Term.—A lease contained a covenant by the lessor that if the lessees should be desirous of purchasing the inheritance at the end of the term, and should give to the lessor six months' notice in writing of such their desire, and pay 2000*l.*, the lessor would convey, and the lessees thereby accepted the lessor's title. On this covenant it was held, on appeal, that the delivery and payment of the purchase-money in the manner prescribed were conditions precedent to be fulfilled by the owner before any binding contract arose: (*Weston* v. *Collins*, 12 L. T. Rep. N. S. 4. L. C.)

Execution of Powers.—A general power of appointment by "any instrument in writing, to be signed, sealed and delivered in the presence of and attested by two witnesses," is not well executed by a will executed in the ordinary form, notwithstanding the provisions of sect. 10 of the Wills Act: (*Taylor* v. *Meads*, 12 L. T. Rep. N. S. 6. L. C.)

Agreement for a Lease—Covenant for Quiet Enjoyment.—An agreement for a lease of seven years of land and iron foundry contained a covenant for quiet enjoyment. B. took possession, but no lease was actually executed. B. alleged that by certain mining operations under the land great injury had been sustained. The proposed lessor was only a sub-lessee under a canal company, empowered by their Act to work mines under their canal. The proposed lessee called for the original lessor's title, which was refused. On a bill filed by the lessees for specific performance, B. was held to be bound specifically to perform the agreement with the stipulated covenants, &c.: (*Onions* v. *Cohen*, 12 L. T. Rep. N. S. 15. V. C. W.)

Easement—Custom.—A custom for the freemen or citizens of B. to enter land on a certain day for the purpose of holding horse-races, is a good custom, but it is not an easement within the Prescription Act: (*Mounsey* v. *Ismay*, 12 L. T. Rep. N. S. 26. Ex.)

JOINT-STOCK COMPANIES LAW JOURNAL.

NOTES OF NEW DECISIONS.

Winding-up.—A holder of scrip certificates for shares may petition for a winding-up order if he admits his liability as a contributory, and undertakes to do all acts necessary to becoming a shareholder: (*Re Littlehampton Steam Ship Company*, 11 L. T. Rep. N. S. 725. M. R.)

A holder of scrip which rendered it in no way binding on him to accept shares, nor made him liable to contribute to the assets of the company, nevertheless has an interest in the company that will enable him to present a petition for winding it up, if, after such petition presented, he undertakes to do all acts necessary to make him a shareholder. So affirmed on appeal: (*Re Littlehampton, &c. Steamship Company*, 12 L. T. Rep. N. S. 8. L.JJ.)

Where a petition was presented by a judgment-creditor of an insolvent company praying the usual order for a compulsory winding-up, the only question being if it should be compulsory or voluntary, the former was ordered: (*Re The General Rolling Stock Company*, 12 L. T. Rep. N. S. 9. M. R.)

Railway.—Where the Act authorises the company to enter upon, take and use such of the lands, there specifically described, as they may think necessary, a mere affidavit of the engineer stating generally that the lands were so required, but not stating for what specific purposes, is insufficient: (*Flower* v. *The London, &c., Railway Company*, 12 L. T. Rep. N. S. 10. V.C. K.)

COUNTY COURTS.

NOTES OF NEW DECISIONS.

Order and Disposition—Order of County Court Judge.—B. was the occupier of a house in which was some furniture and other articles belonging to the plaintiff, and which he allowed B. to use as his own. Upon B. becoming a bankrupt, an order was made by the County Court judge in the following terms: "The Court doth hereby order that the household goods, furniture, linen, china, &c., being in or about the messuage and premises in the occupation of the said B., be sold and disposed of by the

assignee for the benefit of the creditors of the said B." The Court held, that this was a good order, that the description of the goods was sufficient, and that it was not necessary, under the statute, to state in the order the name of the true owner: (*Fielding* v. *Lee and others*, 12 L. T. Rep. N. S. 25. C. P.)

Disputed Adjudication—Absenting himself with Intent.—After a meeting of creditors, and all the creditors had left except the chairman, the debtor promised to meet the accountant at his office the next day, but neglected to attend. This was held not to be an absenting himself with intent to delay or defeat his creditors, and therefore not an act of bankruptcy. The court cannot receive an unstamped deed of assignment as evidence of an act of bankruptcy; but it may impound the deed, and upon a sum sufficient to cover the stamp duty and penalty being deposited with the registrar of the court, it will allow the instrument to be read in evidence: (*Ex parte Drayson, re A Disputed Adjudication*, 12 L. T. Rep. N. S. 28. Goulburn, C.)

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Proof of Debts—Proof by Partners.—The established rule that a copartner cannot be admitted to prove against the estate of his partner until the joint debts are satisfied, although operating for the benefit of the separate creditors, was intended for the benefit of the joint creditors; and in cases where that intention fails, and the joint creditors are not benefited by the operation of the rule, the rule itself will cease: (*Ex parte Topping, re Levey and Robson*, 12 L. T. Rep. N. S. 3. L. C.)

Fraudulent Preference.—B. borrowed from C. his brother, certain moneys, which C. borrowed to lend to B., promising to pay on a certain date. B. paid C. at the time appointed, being at the time in embarrassed circumstances. In an action by B.'s assignees (he having afterwards become bankrupt) to recover the money so repaid, on the ground of fraudulent preference, the judge left it to the jury as a question of fact, whether, at the time of the payment, B. contemplated bankruptcy, and told them that, if he did, the assignees were entitled to recover, but that if B., though aware that bankruptcy was unavoidable, paid the debt simply in discharge of the obligation he had entered into to pay it on a given day, without intending to give a preference to his brother at the expense of the rest of his creditors, the payment would not be a fraudulent preference. The Court of Q. B. held that the direction was right: (*Bills and others* v. *Smith*, 12 L. T. Rep. N. S. 22. Q. B.)

CORRESPONDENCE OF THE PROFESSION.

Courts of Justice Concentration (Site) Bill.—The division on the 28th ult. as to Mr. Kinnaird's motion, "That it be an instruction to the select committee on the Courts of Justice Concentration (Site) Bill, that they have power to make provision for appropriating or obtaining sites and for the erection of lodging-houses or other suitable dwellings for the working classes proposed to be displaced by the said Bill," and in which Lord Palmerston and the Attorney-General voted in the majority, was not on the motion itself, but only on the question, "That the word 'make' stand part of the question." The result of the division was, therefore, only to negative Mr. Hennessey's amendment, which proposed to leave out the word "make" (in the original motion) in order to insert the words "inquire into the practicability and expediency of making." The division showed that less than forty members were present, so the House at once adjourned, as on a count out, and Mr. Kinnaird's motion was thus prevented from being put at all. If the number of members had been sufficient, and the motion had been put, doubtless Lord Palmerston and the Attorney-General would have voted against it, as they practically did against the modified proposition proposed to be substituted. As an erroneous impression as to the effect of this division has got abroad, I shall feel obliged if you will kindly insert this letter in your next number.

Philip Rickman.

Her Majesty's Salford Hundred Court of Record.—The annual report of the Manchester Law Association, published in your issue of Saturday last, contains several statements so incorrect that they ought in common fairness to those whom they affect to be publicly contradicted. I desire to make no comment on the merits of the subject reported upon, I would merely extract as follows from the report, adding a few remarks in answer: "The Court of Record for the Hundred of Salford is not a royal court, nor is it so old as the Court of Record for the city of Manchester, nor is it associated with any ancient honours in the family of the Earl of Sefton." With that court, which is an ancient one, the amalgamation scheme did not contemplate dealing." The question being one of amalgamating the two courts above mentioned, it is impossible to make sense of the last sentence, except by concluding that the words "that court" refer to a previous sentence, viz., "the unworthy use which is made by the objectors to the scheme, of the antiquity of the old Salford Hundred or 40s. Wapentake Court, and the attempt to identify it with the modern Salford Court of Record evince an absence of really substantial reasons to the amalgamation proposed by your association." In answer to that, the following title of the Salford Hundred Court of Record Act ought to be quoted, namely, "An Act for more effectually regulating the Salford Hundred Court, for extending the jurisdiction and powers of the said court, and for establishing and constituting it as a Court of Record;" the first section consequently enacts, "that the said court for the hundred or wapentake of Salford shall thenceforth be a court of record," &c. In the preamble of the above Act the court is called by its ancient title, "Her Majesty's Court." The public will decide upon the "unworthy use" of facts, and form their own opinion upon them. If they are of opinion that the present Salford Hundred Court of Record is the Wapentake Court, they will then be decidedly of opinion that it is a royal court as truly, and of more ancient title than, even the courts at Westminster; that it is older than the Court of Record for the city of Manchester by at least a thousand years; and that it *is* associated with the most ancient honours in the family of the Earl of Sefton. The above extracts from the report seek to make it appear that the "Forty Shilling Wapentake Court" is identical with a court leet which is held once a year for the hundred of Salford. Every lawyer knows that a hundred or wapentake court is entirely distinct from a court leet. The jurisdiction of the former was fixed as to amount at forty shillings by the statute of Gloucester in 1278, the Sovereign having previously commenced to send his judges on assize, and forty shillings being at that date a large sum of money. The jurisdiction of courts leet is unlimited in amount, and they are not peculiar to the hundreds or wapentakes, but to manors, however large or however small. In the instance under consideration the court leet is held for the Queen as lady of the manor, which is commensurate with the hundred of Salford, and several persons resident in Manchester and other parts of the hundred know by experience that the verdicts are by no means limited to 40s. The records also would no doubt show that the wapentake court and the court leet have always been perfectly distinct. Bearing in mind the above facts, it is a matter of regret that an association of lawyers should have been persuaded to publish the statements I have quoted from their report respecting the most ancient legal institution in this neighbourhood (possibly the most ancient in England), as they thereby encourage the belief that in a report where strict impartiality might have been respected, there is virtually an erratum by which the words "your committee" have been misprinted for the words "the corporation of Manchester." An Attorney Practising in the said Court.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Administration Bonds.—Will any reader oblige by referring to a case where administration bondsmen have been sued thereon, by the next of kin, for the residuary estate, where the administrator has neglected or refused to distribute such estate as required by the administration bond? W. P. A.

Conveyancing.—C., who is treating for the purchase of a small real property from H., is not willing to give the price asked by H.'s attorney, but upon consideration, intimates by letter from his attorney his willingness to give the sum, provided an abstract of title is supplied. With a view of obtaining a clear understanding, and preventing a departure from the terms agreed upon, can he, without objection, add a request that if the terms be accepted, such acceptance be communicated by letter? It appears only reasonable and conformable to rule that such contracts should be mutually arranged through the medium of written correspondence, and that the efforts to effect a contract of sale and purchase having been commenced by letter, should be concluded in like manner, although it is true that such letters are afterwards in large purchases generally superseded by a formal agreement signed by both parties, or indeed by an immediately executed deed. Is it not desirable, and may it not be required, that the successive steps by which the price is arrived at be evidenced by writing capable of easy reference?

Veto.

Answer.

Gift to a Natural Child.—In reply to "C. C.," I believe the law laid down in Hayes and Jarman's Concise Forms of Wills, 4th edit. 127, still holds good; it is as follows: "Where the illegitimate children, who are the intended objects of bounty, have acquired names by reputation, they may be described by those names (*Hirer's case*, 1 Atk. 410); and the additional designation of them as children (without the word *reputed*), or even as *legitimate* children, would not invalidate the gift, but be mere redundancy:" (*Marsden* v. *Marsden*, 2 Ves. jun. 389.) I should point out the case *Re Overhill's Trusts*, 32 L. J. N. S. 485, merely for the purpose of stating that it does not apply to the question of "C. C." T. M.

Taunton.

THE LAW LIBRARY.

The Law relating to Public Health, Sanitary, Medical, and Protective. By Thomas Baker, Esq., Barrister-at-Law. London: Maxwell.

The design of this work is to collect all the statutes that relate to public health, classifying them under convenient titles placed in alphabetical order for convenience of ready reference, and to preface them by a short explanatory introduction, in which the cases decided on the construction of the statutes are noted. With deference to the author, we object to the arrangement. It is too troublesome for practical use. Nobody sits down to read a book of miscellaneous law right through. It is never used but in the nature of a book of reference, when some case arises in which the law is sought for, and this most frequently occurs in the course of business in court, where noise and hurry generate confusion of eye and hand. The first requirement of such a book is, that the subject should be readily found; and the next, that when found, all that relates to that subject should be upon the same page, and that there should be no turning of the leaves to and fro in a hunt after a part of the desired instruction. Now, Mr. Baker's volume well provided the first, but not the second, of these requirements. The statutes are excellently arranged, and no time is wasted in searching for all the statute law relating to any branch of the general subject. But then he gives us there the statutes only. For the exposition of them, and for the cases decided upon them, we are compelled to turn to the introduction, and as we read it is necessary often to return to the statute, to see what are its very words, and thus the patience is wearied and time wasted. If Mr. Baker had consulted the wants of his readers, he would have appended his commentaries as notes to the sections of the statutes, so that the eye might catch at the same moment the language of the law and the interpretations which the Judges had put upon it. Should he attain to the honour of a second edition, we would hint to him to correct this mistake.

And we have to make a similar complaint against him to that preferred last week against another author. He, too, has cited from a series of reports, very juvenile as yet, very little known, seen by few and possessed by fewer—a volunteer rival of the paid reporters. Now, it is not fair to his readers, nor is it prudent in the author, to make his references to that which those readers are not at all likely to have at hand, and to omit those they are almost certain to possess. We do not say that Mr. Baker, or any other author, should omit reference to reports produced by his publisher. By all means let him give to them such publicity as he can. But he should not sacrifice the convenience of his readers to the exigencies of his publisher, and present the yet immature youth, to the exclusion of his seniors in age and superiors in standing and reputation, such as the *Law Journal*, the *Jurist* and the *Weekly Reporter*. He should, at least, make his reference to one or more of the reports that have an established reputation, and what is even more important, a real circulation, in addition to that which he is required to advertise.

We refer to this because we know that there is a very general complaint among the Profession of the manner in which books, otherwise of much value, have been found to be rendered almost worthless to them by reason of the system which has been adopted of citing reports whose volunteer origin is but too well known, to the exclusion of others of far greater age and respectability, which are to be found in every law library.

BOOKS SENT FOR REVIEW.

Odds and Ends, No. 2. Convicts. By A PRACTICAL HAND. Edinburgh: Edmonston and Douglas.

A Treatise on Costs in Chancery. By G. O. MORGAN, M.A., Barrister-at-Law, and H. DAVEY, M.A., Barrister-at-Law, with an Appendix containing Forms and Precedents of Bills of Costs. London: Stevens, Sons and Haynes.

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The following petition has been presented to the House of Lords:

The humble petition of the Metropolitan and Provincial Law Association,

Sheweth,—That the Metropolitan and Provincial Law Association is a society composed of nearly 800 attorneys and solicitors practising in England and Wales, of whom the greater part carry on business in the provinces, and that its objects are to promote the better and more economical administration of the law, and to maintain the rights and increase the usefulness of the Profession.

That your petitioners have perused with much pleasure a Bill now before your right honourable House, intituled "An Act to confer on the County Courts a Limited Jurisdiction in Equity," and they desire to express their cordial concurrence in the measure.

That they consider that such Bill, if passed into law, will supply a long felt want, by enabling equitable questions affecting small properties or small amounts (as to which at present there is practically no remedy) to be cheaply dealt with by local courts, and will by such means remove the present crying evil of a practical denial of justice in cases where the amount involved is too small to justify the incurring of the expenses of a resort to the High Court of Chancery.

Your petitioners, however, are of opinion that it is desirable that section 11 should be amended by extending the appeal (therein most properly provided for) to questions of fact as well as "matter of law or equity."

Your petitioners therefore humbly pray that the said Bill so amended may pass your right honourable House and become law.

And your petitioners will ever pray, &c.

(Signed) EDWARD F. BURTON, Chairman.
PHILIP RICKMAN, Secretary.

LEGAL NEWS.

A WEALTHY BANKRUPT.—A lady was recently committed to Bristol gaol, arrested for a debt of 50*l*., when the governor informed her that in a month he would have to return her as a defaulter, when she would be adjudged a bankrupt, and her property, if any, divided amongst the creditors. She intimated she had no property, and therefore must abide the result. On being afterwards searched, according to the rules of the prison, 800*l*. was found secreted in her dress.

SUITORS' FEE FUND.—The account of the Suitors' Fund for the year ending Oct. 1864, just laid before Parliament, shows that owing to the Chancery pensions charged upon the fund having diminished in the course of the year, the payments from the fund were less by 3423*l*. than in the previous year. The sum of 63,768*l*. was carried over as surplus interest to the Suitors' Fee Fund account, leaving a balance of 21,004*l*. cash. The Suitors' Fee Fund account shows receipts in the year, including the above 63,768*l*., amounting to 175,890*l*., a larger receipt than in the previous year by 13,846*l*.; the increase arose partly from a larger surplus brought over from the Suitors' Fund, partly from a large sum paid in for brokerage, and partly from increased product of Chancery fees. The payment from this Suitors' Fee Fund for expenses of the courts, salaries and compensations, amounted to 161,990*l*., about the same sum as in the previous year, leaving 13,990*l*. as the excess of income over expenditure in the year, instead of the previous year's sorry surplus of 356*l*. Adding the 99,152*l* cash in hand at the beginning of the year, the balance in hand in Nov. 1864 on the Suitors' Fee Fund account is brought up to the respectable sum of 113,152*l*.

THE CODES OF JUSTINIAN AND NAPOLEON.—A correspondent of a contemporary writes to protest against the assumption being made that there is any true parallel between the Code Napoleon and the Pandects and Code of Justinian, or that the last two may be cited as a model for the labours of modern jurists in the codification of the English law. He says:—"The Code Napoleon was a reduction of written laws into a system; it was, in fact, a digest of law. The 'Code' of Justinian is a collection of statutes—that is, of judicial decisions of the Roman Emperors, as the supreme judicature, and of the Prætorian edict—'a heterogeneous mass of objects,' says Mr. Austen, 'having no other relation than that they are all of them Imperial constitutions—that is to say, statutes and other orders emanating from the Emperor directly, and not from subordinate legislatures or tribunals.' The Pandects, that is, fragments from the writings of celebrated jurisconsults, were arranged by Tribonian by the command of the Emperor, 'tam secundum nostri constitutionem codicis quam Edicti Perpetui imitationem.' The contents of these excerpts or fragments and of the Code were arranged according to the order of the Prætorian Edict. No systematic reduction into a code, in the proper sense of the word, of the laws of the Populus or Plebs, nor the consults of the Senate, nor of the constitutions of the Emperors, was ever attempted. The Prætor's Edict, a shapeless mass of occasional and insulated rules, was the only known model for the projected compilation. The Pandects were analogous to judicial decisions. They formed, together with the Imperial constitutions, 'a compound of statute and judiciary laws; being partly a collection of statutes proceeding immediately from a sovereign legislator, and partly a collection of judicial decisions proceeding immediately from a sovereign judge:' (Austin, Juris, vol. 2) Since, therefore, the contents of the Code and Pandects were arranged according to the order of the Prætorian Edict, their compilation had as little pretension to the name of systematic as if it were merely alphabetical."

WILLS AND BEQUESTS.—The will of William Bide, Esq., of Yeovil, Somersetshire, was proved in London under 70,000*l*. personalty. To his wife he leaves an annuity of 1000*l*. and a legacy of 1200*l*., also the residue of his property, together with his residence and furniture, for her life; which, upon her decease, he bequeaths to his nephew, Thomas William Dampier, to whom he leaves an annuity of 500*l*. and appoints him reversionary residuary legatee of both the personal and real estates, including his freeholds in the counties of Somerset and Dorset. There are annuities of 250*l*. to each of his two nieces, Elizabeth Bide Dampier and Mary Ann Whetham, who are to receive 6000*l*. each out of the residue upon the decease of the relict.——The will of William Sollory Grey, Esq., merchant, of Cullum-street, City, and of St. Leonard's-on-Sea, was proved in London under 45,000*l*. personalty. To his wife he has bequeathed the sum of 20,000*l*. and the furniture, carriage, &c., and leaves her the estate he lately purchased called Malcolm Peth, at St. Leonard's. He leaves liberal legacies to his sister-in-law, Elizabeth Grey, and to other relatives and friends; and to Ragonath Abajee, of Bombay, 200*l*. To the Benevolent Society of Blues, 100*l*. The residue of his property he leaves to his brother-in-law, John Alexander Russell, one of the executors.——The late John Hayes, Esq., of Shepherd's-bush, died intestate. His personal property was sworn under 30,000*l*., and letters of administration were granted to his nephew, the Rev. Charles Hayes, of Eggngswell House, Torquay.——The will of the late Everson Harrison, Esq., of Tolethorpe Hall, Rutland, was proved in the London court, on the 3rd instant, by his relict, the sole acting executrix. The personality was sworn under 30,000*l*. The will was made in 1847, and is entirely in his own handwriting, and contained in a few clauses, devising his estates in Tydd, St. Mary's, and also in Litton, Sutton, St. Edmunds, Flary, and Thurlby to his eldest son, Charles Millns Harrison, Esq. His other estates and funded property he leaves to his wife for life, and upon her decease to be divided equally amongst their younger children; the furniture, plate, carriages, &c., to his wife absolutely; legacies to his sister, brother, and other relatives; and legacies and annuities to servants. To the British and Foreign Bible Society and the Society for the Propagation of the Gospel in Foreign Parts, each 100*l*.——The late Miss Frances Cecilia Burton Forster, of Hyde-park-square, has bequeathed to the Charing Cross Hospital 100*l*., and 50*l*. to the Sailor's Home, Great Yarmouth.——The late Miss Mary Ann Ellis, of Balham, Surrey, has left to the Balham Schools 100*l*.; and to the Blind Schools, St. George's; Deaf and Dumb Asylum, Old Kent-road; Royal Free Hospital, National Benevolent Institution, and the Asylum for Idiots, each a like legacy of 100*l*.——The late Jacob Stiebel, Esq., of Pembridge-terrace, Bayswater, has bequeathed to University College Hospital 300*l*., and to the Jews' Free School, Bell-lane, Spitalfields, 200*l*. His personal estate was estimated at 45,000*l*.—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially compiled in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Thursday, March 2.

By Mr. T. SIDNEY SMITH, at Garraway's.—The leases of a residence, being No. 32, St. James'-square, Pall-mall, held under two leases for twenty-one years, from 1857, at a rent of 125*l*. per annum—sold for 446*l*.

By Mr. GARDINER.—Lease of the "Duke of York" wine and spirit establishment, being No. 43, Queen-street, Edgware-road; term 21 years from 1864, at the rent of 160*l*. per annum—sold for 3500*l*.

Friday, March 3.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house.—Freehold premises, situate No. 27, Laurence Pountney-lane, Cannon-street, City—sold for 8300*l*. The equitable reversion, on the death of a lady, aged 50 years, to freehold property situate in Blackman-street, and Lant-street, Boro', producing 23*l*. per annum—sold for 1170*l*. Freehold plot of building land, adjoining the Mission-hall, Aldershott—sold for 100*l*. Freehold plot of building land opposite the Mission-hall, Aldershott—sold for [illegible]

By Mr. W. MOXON, at Garraway's.—Leasehold-house, being No. 7, Mecklenburgh-square, with coach-house and stable in the rear, term about 40 years unexpired, ground-rent 42*l*. per annum—sold for 730*l*.

Monday, March 6.

By Messrs. WALTERS and LOVEJOY, at Garraway's.—Leasehold wine and spirit vaults, known as "The Grapes," situate Nos. 91, 93 and 94, High-street, Borough—sold for 9170*l*.

By Mr. H. HAINES.—Lease, &c., of the "Cape of Good Hope" wine vaults, Albany-street, Regent's park—sold for 2300*l*.

Tuesday, March 7.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.—Freehold property, situate Nos. 18, 19 and 10, Tokenhouse-yard, City, occupying an area of about 1790 square feet—sold for 30,000*l*. Freehold cottage residence, known as "Hill's Bank," situate at Gravely, Herts, with stabling and grounds of 1½ acres—sold for 575*l*. Leasehold residence, No. 13A, Belgrave-square; term 4½ years unexpired; rent 100*l*. per annum—sold for 130*l*.

By Mr. NEWBON.—Freehold house and shop, No. 21, Upper-street, Islington; let for a term at 100*l*. per annum—sold for 2250*l*.

THE GAZETTES.

Bankrupts.

Gazette, Feb. 28.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, BENJAMIN, waterman, Milton-next-Gravesend. Pet. Feb. 21. Reg. Hazlitt. O. A. Graham. Sols. Wilkinson and Co. Nicholas-la. Sur. March 14.

ATTWOOD, WILLIAM HENRY, builder, Luton. Pet. Feb. 23. Reg. Hazlitt. O. A. Graham. Sols. Treherne and Wolferston, Aldermanbury. Sur. March 14.

BANGS, WILLIAM, baker, Gibson-st. Waterloo-rd. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.

BANKS, HENRY, watchmaker, Canterbury-pl. Lambeth-rd. Pet. Feb. 23. Reg. Hazlitt. O. A. Graham. Sol. Charlton, Chatham-pl. Blackfriars. Sur. March 14.

BARGMAN, GEORGE ELKIN, photographic printer, Bowater-pl. Blackheath. Pet. Feb. 22. Reg. Brougham. O. A. Edwards. Sol. Peddell, Ironmonger-la. Sur. March 10.

BOON, GEORGE, stay and crinoline manufacturer, Baker-st. Regent's-pk. Pet. Feb. 22. Reg. Hazlitt. O. A. Graham. Sur. March 14.

BUSWELL, WILLIAM, and BUSWELL, ROBERT, colonial produce merchants, Rood-la. Pet. Feb. 22. Reg. Brougham. O. A. Edwards. Sol. Moore, Mark-la. Sur. March 22.

CLARK, CHARLES, engraver, City-rd. Pet. Feb. 22. Reg. Brougham. O. A. Edwards. Sol. Wetherfield, Moorgate-st. Sur. March 21.

CONNELLY, PATRICK WILLIAM, beerhouse-keeper, St. James's-walk, Clerkenwell. Pet. Feb. 17. Reg. Brougham. O. A. Edwards. Sur. March 22.

EAST, JOHN, currier, Northampton. Pet. Feb. 18. Reg. Hazlitt. O. A. Graham. Sur. March 14.

ELLIS, JOHN, builder, Smith-st. Camberwell. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.

EVE, JOHN, carpenter, Woodington-rd. Kentish-town. Pet. Feb. 23. Reg. Hazlitt. O. A. Graham. Sur. March 14.

FERN, WILLIAM, manager to an umbrella manufacturer, Oxford-st. Pet. Feb. 22. Reg. Hazlitt. O. A. Graham. Sur. March 14.

FISHER, FRANCIS, glass letter maker, St. Martin's-la. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.

GLOVER, ANN, lodging-house keeper, Stafford-st. Pimlico. Pet. Feb. 17. Reg. Hazlitt. O. A. Graham. Sur. March 14.

GOALEN, JAMES WALLACE, coaldealer, Harrison-st. Gray's-inn-rd. Pet. Feb. 18. Reg. Brougham. O. A. Edwards. Sur. March 21.

HARRIS, CHARLES, cab driver, East-st. Walworth. Pet. Feb. 21. Reg. Hazlitt. O. A. Graham. Sol. Cooper, Lincoln's-inn-flds. Sur. March 14.

HARTFIELD, GEORGE, cashier, Duncan-pl. Hackney. Pet. Feb. 21. Reg. Hazlitt. O. A. Graham. Sol. Drew, New Basinghall-st. Sur. March 14.

ISAAC, FREDERICK, shipwright, High-st. Deptford. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Heathfield, Lincoln's-inn-flds. Sur. March 13.

JONES, WILLIAM, tailor, Clifford-st. Bond-st. Pet. Feb. 22. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.

NOLAN, EDWARD HENRY, author and journalist, Abingdon-villas, Kensington. Pet. Feb. 23. Reg. Roche. O. A. Parkyns. Sol. Jones, New-inn, Strand. Sur. March 13.

PALMER, JAMES, carpenter, David's-rd. Forest-hill. Pet. Feb. 16. Reg. Hazlitt. O. A. Graham. Sur. March 14.

PALMER, WILLIAM TOWNSHEND, haircutter and perfumer, Ladbroke-rd. north, Notting-hill. Pet. Feb. 23. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. March 14.

POOLEY, RICHARD, haberdasher, Brighton. Pet. Feb. 21. Reg. Brougham. O. A. Edwards. Sols. Treherne and Wolferstan, Aldermanbury. Sur. March 22.

RAYNER, WILLIAM, cab proprietor, Victoria-pk.-rd. Pet. Feb. 17. Reg. Hazlitt. O. A. Graham. Sur. March 14.

REED, ROBERT, surveyor, Adelphi-ter. Strand, and Carlton-ter. Hornsey-rd. Pet. Feb. 21. Reg. Roche. O. A. Parkyns. Sol. Kent, Strand. Sur. March 13.

SKILTON, STEPHEN, wood dealer, Holmwood, Dorking. Pet. Feb. 2. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 13.

SLATER, HENRY, victualler, Tottenham-ct.-rd. Pet. Feb. 21. Reg. Brougham. O. A. Edwards. Sur. March 20.

SNOXELL, JAMES, carpenter, Broad-st. Golden-sq. Pet. Feb. 17. Reg. Brougham. O. A. Edwards. Sur. March 20.

TARTE, WILLIAM, lead merchant, Tothill-st. Westminster. Pet. Feb. 22. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. March 14.

TAYLOR, SILAS, plumber and painter, Montpelier-ter. Portland-st. Pet. Feb. 18. Reg. Hazlitt. O. A. Graham. Sur. March 14.

THOMSON, PATRICK JOHNSTON, shipbroker, College-crescent, Hampstead, and Billiter-sq. Pet. Feb. 22. Reg. Roche. O. A. Parkyns. Sol. Philbrick, Girdler's hall, Basinghall-st. Sur. March 13.

WAKELIN, WILLIAM, brewer, Saint Alban's. Pet. Feb. 21. Reg. Hazlitt. O. A. Graham. Sol. Cooper, St. Martin's-la. Sur. March 14.

WHITLAW, HERMAN WILLEM, hotel keeper, Deal. Pet. Feb. 21. Reg. Brougham. O. A. Edwards. Sol. Hall, Staple-inn. Sur. March 20.

WING, SUSANNAH BETSY, Hopper's-rd. Southgate. Pet. Feb. 21. Reg. Brougham. O. A. Edwards. Sur. March 20.

To surrender in the Country.

ARCHER, SAMUEL, schoolmaster, Yeaveley. Pet. Feb. 11. Reg. & O. A. Weller. Sol. Smith, Derby. Sur. Feb. 14.

ARDEN, JOHN, corn miller, Warmingham, Sandbach. Pet. Feb. 3. O. A. Turner. Sol. Sheppard, Crewe. Sur. March 9.

ATKINSON, DAVID, innkeeper, Pontefract. Pet. Feb. 21. ... Young. Sol. Harle, Leeds. Sur. March 13.

ATTOE, JOHN, lime burner, Old Catton. Pet. Feb. 16. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. March 13.

AYTON, JOHN, baker, Norwich. Pet. Feb. 24. Reg. & O. A. Palmer. Sol. Emerson, Norwich. Sur. March 13.

BASSENDEN, JOHN HARRY, refreshment-house keeper, Leicester. Pet. Feb. 21. Reg. & O. A. Ingram. Sol. Petty, Leicester. Sur. March 13.

BATES, JOHN JOHNSON VERNON, publican, Breaston. Pet. Feb. ... Reg. & O. A. Weller. Sol. Briggs, Derby. Sur. March 14.

BAYLIS, WILLIAM, fruiterer, Cheltenham. Pet. Feb. 23. Reg. O. A. Gale. Sol. Stroud, Cheltenham. Sur. March 14.

BELLERBY, JOHN, hairdresser, York. Pet. Feb. 22. O. A. ... Sol. Young, York. Sur. March 13.

BERESFORD, WILLIAM, brushmaker, Birmingham. Pet. Feb. ... Reg. & O. A. Guest. Sol. Sargent, Birmingham. Sur. March 3.

BIRD, SIMEON, innkeeper, Bloxwich. Pet. Feb. 24. O. A. ... Sols. Duignan, Lewis and Lewis, Walsall.

BLACKBOROW, JOHN, clerk, Mainlee, Christchurch. Pet. Feb. ... Reg. & O. A. Roberts. Sol. Hall, Newport. Sur. March 9.

BURGESS, CHARLES, butty collier, New Town, Stoke-on-Trent. Pet. Feb. 21. Reg. & O. A. Keary. Sol. Lees, Burslem. Sur. March 15.

BUTTERWORTH, JAMES, tin-plate worker, Shaw, Crompton. Pet. Feb. 24. Reg. & O. A. Sommerscales. Sol. Taylor, Oldham. Sur. March 16.

CARTER, GEORGE CHARLES, innkeeper, Ashe. Pet. Feb. 21. Reg. O. A. Hollest. Sol. White, Guildford. Sur. March 6.

CHAMBERS, JAS. ALEXANDER, stationer, Nottingham. Pet. Feb. ... Reg. Tudor. O. A. Harris. Sur. March 14.

CHILDS, WALTER, ironmonger's assistant, Heath, Oldswinford. Pet. Feb. 24. Reg. & O. A. Harward. Sol. Hackford, Kidderminster. Sur. March 20.

CLARKE, JOSEPH, oil merchant, Beeston-hill, Leeds. Pet. Feb. ... O. A. Young. Sol. Simpson, Leeds. Sur. March 13.

CLAYTON, THOMAS LUCAS, corndealer, Leighton Buzzard. Pet. Feb. 22. Reg. & O. A. Kipling. Sols. Conquest and Stimson, Bedford. Sur. March 13.

COLE, CHARLES, farmer, Trotton. Pet. Feb. 21. Reg. & O. A. ...son. Sol. Soames, Petersfield. Sur. March 13.

COX, WILLIAM, general shop keeper, Lacconby. Pet. Feb. 21. Reg. O. A. Bell. Sol. Law, Stamford. Sur. March 14.

DENHAM, JOHN HENRY, carpenter, Ryde. Pet. Feb. 22. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. March 11.

EDWARDS, THOMAS, collier, New-town, Stoke-on-Trent. Pet. Feb. 24. Reg. & O. A. Keary. Sol. Lees, Burslem. Sur. March 14.

ELM, CHARLES, farm labourer, Barrow-upon-Humber. Pet. Feb. ... Reg. & O. A. Brown. Sol. Mason, Barton. Sur. March 21.

FEW, GEORGE, shoemaker, Swavesey. Pet. Feb. 23. Reg. & O. A. Margetts. Sol. Aunt, Cambridge. Sur. March 14.

GOODAY, AUGUSTUS FREDERICK, physician, Newcastle. Pet. Feb. 17. Reg. Tudor. O. A. Kinnear. Sols. Dutton, Newcastle; ...son and Son, Birmingham. Sur. March 17.

HALKET, THOMAS HERBERT, book-keeper, Liverpool. Pet. Feb. ... Reg. & O. A. Hime. Sol. Grocott, Liverpool. Sur. March 11.

HAMERTON, WILLIAM, painter, Basford. Pet. Feb. 23. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham. Sur. March 21.

HIGGINBOTTOM, THOMAS, grocer and provision dealer, ... Pet. Feb. 11. Reg. & O. A. Weller. Sol. Smith, Derby. Sur. ...

HINCHCLIFF, SARAH ANN, and HINCHCLIFF, DAVID, cloth manufacturers, Marble-hall, Holmfirth. Pet. Feb. 22. O. A. Young. ... Booth, Holmfirth; Bond and Barwick, Leeds. Sur. March 13.

HOBISSON, RICHARD CHARLES, general agent, Birmingham. Pet. Feb. 21. Reg. Tudor. O. A. Kinnear. Sur. March 17.

HOULDING, WILLIAM, cut nail manufacturer, Preston. Pet. ... Reg. & O. A. Myres. Sol. Edelston, Preston. Sur. March 13.

HOLDSCROFT, JAMES, joiner, Adwalton, Leeds. Pet. Feb. 21. ... Young. Sol. Harle, Leeds. Sur. March 13.

JONES, JOHN, brazier, Banbury. Pet. Feb. 22. Reg. & O. A. ... Sol. Pellatt, Banbury. Sur. March 9.

JUDD, ALBERT MEW, victualler, Portsea. Pet. Feb. 24. Reg. Howard. Sol. White, Portsea. Sur. March 14.

JULER, GEORGE, watchmaker, Burnham Westgate. Pet. ... Reg. & O. A. Watson. Sol. Garwood, jun. Wells-next-the-Sea. Sur. March 16.

KING, JOSEPH BERRY, physician, Coventry. Pet. Feb. 22. Reg. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. March 15.

LEWIN, THOMAS, book-keeper, Tranmere. Pet. Feb. 23. Reg. Gill. Sol. Wynne, Liverpool. Sur. March 14.

LONGLAND, ELI, butcher, Isham, Wellingborough. Pet. ... Reg. & O. A. Burnham. Sol. Cook, Wellingborough. Sur. ...

LOUDON, JAMES, outfitter, West Cowes. Pet. Feb. 21. Reg. Blake. Sol. Joyce, Newport. Sur. March 17.

Lowe, David, iron roller, Litchurch. Pet. Feb. 6. Reg. & O. A. Wake. Sol. Briggs, Derby. Sur. March 14.
Massey, Joseph, tobacco and cigar dealer, Ancoats, Manchester. Pet. Feb. 13. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. March 11.
Mason, Edward, grocer and provision dealer, Wolverhampton. Pet. Feb. 21. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. March 7.
Matthews, John Alexander, brassfounder, Monkwearmouth. Pet. Feb. 13. Reg. & O. A. Marshall. Sol. Lisle, Durham. Sur. March 15.
Midgley, John, painter, Southampton. Pet. Feb. 22. Reg. & O. A. Thornlike. Sol. Mackey, Southampton. Sur. March 18.
Moore, Alfred, butcher, Sawston. Pet. Feb. 24. Reg. & O. A. Eaton. Sol. Hunt, Cambridge. Sur. March 10.
Morris, John Smith, grease manufacturer, Old Trafford, Manchester. Pet. Feb. 21. Reg. Macrae. O. A. Morgan. Sol. Leigh, Manchester. Sur. March 13.
Paine, Thomas, harness maker, Piddletown. Pet. Feb. 27. Reg. & O. A. Symonds. Sol. Weston, Dorchester. Sur. March 13.
Palmer, John Wells, law clerk, Whistones, Worcester. Pet. Feb. 21. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. March 14.
Price, John, blacksmith, Wellington. Pet. Feb. 22. Reg. & O. A. Jevill. Sol. James, Wellington. Sur. March 11.
Quarmby, Joseph Lockwood, medical student, Lees, Ashton-under-Lyne. Pet. Feb. 21. Reg. & O. A. Worthington. Sol. Taylor, Oldham. Sur. March 21.
Rivière, David Archibald Dixon, attorney and solicitor, Market Harborough. Pet. Feb. 24. Reg. Hill. O. A. Kinnear. Sol. James and Griffin, Birmingham. Sur. March 13.
Roberts, Mary, Newcastle-under-Lyme. Pet. Feb. 14. Reg. & O. A. Sibley. Sol. Lichfield. Sur. March 11.
Robinson, Matthew, lacemaker, Radford. Pet. Feb. 24. Reg. Tudor. O. A. Harris. Sol. Heath, Nottingham. Sur. March 14.
Rogers, John Baptist, engraver, Hastings. Pet. Feb. 23. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. March 11.
Rowland, Joseph, contractor, Burton-on-Trent and Stapen-hill, and ale broker, Hanley. Pet. Feb. 24. Reg. Hill. O. A. Kinnear. Sol. East, Birmingham. Sur. March 15.
Rudge, George, beer and porter seller, Cheltenham. Pet. Feb. 14. Reg. & O. A. Gale. Sol. Jones, Cheltenham. Sur. March 14.
Samuel, Pineus, dealer in jewellery, Portsea. Pet. Feb. 24. Reg. & O. A. Howard. Sol. White, Portsea. Sur. March 18.
Stevens, Henry Richard, dealer in ale and porter, Truro. Pet. Feb. 21. Reg. & O. A. Rogers. Sol. Marshall, Truro. Sur. March 13.
Taylor, Daniel, innkeeper, Gloucester. Pet. Feb. 23. Reg. & O. A. Wilton. Sol. Wukes, Gloucester. Sur. March 17.
Thomas, Alfred, ironfounder, Perranarworthal. Pet. Feb. 23. Reg. & O. A. [illegible]. Sol. Jenkins, Penryn. Sur. March 8.
Walker, William Spencer, inspector of railways, Knaresborough. Pet. Feb. 22. Reg. & O. A. Gill. Sol. Richardson. Sur. March 13.
Wearing, Thomas, machine fitter, Liverpool. Pet. Feb. 12. O. A. Turner. Sol. Gabrich, Liverpool. Sur. March 14.
Williams, John Henry, shipbroker, Liverpool. Pet. Feb. 24. O. A. Turner. Sols. Messrs. Gregory, Liverpool. Sur. March 11.
Winfield, Josiah, and Smith, John, plumbers, Manchester. Pet. Feb. 21. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. March 11.
Wright, George, farm labourer, Follifoot, Harrogate. Pet. Feb. 23. Reg. & O. A. Gill. Sol. Harle, Leeds. Sur. March 15.

Gazette, March 3.

To surrender at the Bankrupts' Court, Basinghall-street.

Baker, Matthias, farmer, Upper Beddington. Pet. March 1. Reg. Roche. O. A. Parkyns. Sols. Austen, De Gex and Harding, Gray's-inn. Sur. March 21.
Barnett, Bennett, picture and curiosity dealer, Burlington-gdns. Old Bond-st. Pet. Feb. 28. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. March 15.
Barrow, William, greengrocer, College-st. north, Camden-tn. Pet. Feb. 28. Reg. Brougham. O. A. Edwards. Sols. Messrs. Webb, Ashurst. Sur. March 27.
Bennett, James, baker, Woolwich. Pet. Feb. 27. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. March 13.
Brittain, William, carpenter, Chandos-rd. Stratford. Pet. March 1. Reg. Roche. O. A. Parkyns. Sur. March 20.
Joseph, tailor, Canterbury-rd. Kennington-rd. Pet. Feb. 21. Reg. Brougham. O. A. Edwards. Sur. March 20.
Ellis, William, mason and builder, Albany-row, Peckham. Pet. Feb. 27. Reg. Hazlitt. O. A. Graham. Sols. Chipperfield and Co. Trinity-st. Southwark. Sur. March 16.
Gee, Robert, grocer, Lodfield. Pet. Feb. 22. Reg. Hazlitt. O. A. Graham. Sur. March 11.
Harris, Joseph Alfred, decorator, Graham's-cottages, Willesden-gn. Pet. Feb. 24. Reg. Brougham. O. A. Edwards. Sol. Dobie, Guildhall-chambers, Basinghall-st. Sur. March 29.
Hayes, Robert, grocer, Sutton-at-Hone. Pet. March 1. Reg. Roche. O. A. Parkyns. Sols. Russell and Son, Queen-st. Cheapside. Sur. March 20.
John, manure manufacturer, Cotton-st. Limehouse, and West-st. Bromley. Pet. Feb. 27. Reg. Brougham. O. A. Edwards. Sol. Murray, Great St. Helen's. Sur. March 21.
William Henry, clerk and tailor, Gwalior-house, Belsize-park. Pet. Feb. 25. Reg. Roche. O. A. Parkyns. Sol. Stinton, Harpur-st. Cavendish-sq. Sur. March 20.
John, confectioner, Chapter-st. Pimlico. Pet. Feb. 27. Reg. Hazlitt. O. A. Graham. Sol. George, Jermyn-st. St. James's. Sur. March 16.
Thomas, commercial traveller, Oxford-ter. Clapham-rd. and Upper Thames-st. Pet. Feb. 24. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co. Old Jewry. Sur. March 16.
James, cocoa nut fibre matting manufacturer, Whitmore-, Hoxton. Pet. Feb. 27. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. March 13.
Frederick, manufacturer of fancy leather goods, Little Distaff-la. Upper Thames-st. Pet. March 2. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. March 13.
Charles, commission agent, Bevois-town, Southampton. Pet. Feb. 24. Reg. Roche. O. A. Parkyns. Sols. Paterson and Son, Bouverie-st. Fleet-st. agents for Mackey, Southampton. Sur. March 13.
William Henry, baker, Great Saffron-hill. Pet. Feb. 22. Reg. Roche. O. A. Parkyns. Sol. Morris, Southampton-bldgs. Sur. March 13.
John, merchant, Mornington-rd. Deptford. Pet. Feb. 25. Reg. Brougham. O. A. Edwards. Sols. Doyle, Verulam-bdgs. Gray's-inn; Morgan, Maidstone. Sur. March 20.
Alexander William Dow, attorney and solicitor, Lincoln's-inn-fields and Princes-sq. Bayswater. Pet. Feb. 27. Reg. Roche. O. A. Parkyns. Sol. Moon, Linc.-inn-flds. Sur. March 13.
Thomas, marble mason, Russell-rd. Old Kent-rd. Pet. Feb. Reg. Brougham. O. A. Edwards. Sur. March 20.
Benjamin, surveyor, Ramsey. Pet. Feb. 28. Reg. Hazlitt. O. A. Graham. Sols. Paterson and Son, Bouverie-st. for Mackay, hampton. Sur. March 16.
Thomas Hatchard, bookseller, Gracechurch-st. Pet. Feb. Reg. Hazlitt. O. A. Graham. Sols. May and Norton, Adelaide-, London-bridge. Sur. March 16.
Catherine Ann, Frederick-pl. Newington-butts. Pet. March 2. Reg. Hazlitt. O. A. Graham. Sols. Gibbs and Tucker, bury. Sur. March 21.
James, musical string maker, Brick-la. Spitalfields. Pet. Feb. 27. Reg. Roche. O. A. Parkyns. Sol. Turner, Mount-pl. Whitechapel. Sur. March 13.
Francis, boot and shoe maker, Union-st. Borough. Pet. Feb. 27. Reg. Hazlitt. O. A. Graham. Sol. Pope, Winchester-house, Old Broad-st. Sur. March 14.
John, brick burner, Waterloo-rd. and Tichborne. Pet. Feb. 28. Reg. Hazlitt. O. A. Graham. Sol. Wells, Aldermanbury. Sur. March 14.
Thomas, victualler, Montague-st. Whitechapel. Pet. Feb. 22. Reg. Brougham. O. A. Edwards. Sur. March 23.
Edward, merchant's-clerk, Grove-ter. Forest-hill. Pet. Feb. Reg. Brougham. O. A. Edwards. Sol. Fenton, George-st. Mansion-house. Sur. March 20.
William, carman and miner, Blackthorn-st. Bow-common. Pet. Feb. 28. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. March 20.
Edward, plasterer and house decorator, Lee. Pet. Feb. 27. Reg. Roche. O. A. Parkyns. Sol. Kebl, Bow-la. Sur. March 13.
George Alexander, tailor and grocer, Kempston. Pet. Feb. 28. Reg. Brougham. O. A. Edwards. Sol. Herbert, Staple-inn. Sur. March 27.
George, cheesemonger, Triangle, Hackney. Pet. March 1. Reg. Roche. O. A. Parkyns. Sols. Wood and King, Basinghall-st. Sur. March 13.

Willmott, Thomas, builder, Eastbourne. Pet. Feb. 26. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. March 14.
Wren, Frederick, tailor and draper, Croydon. Pet. March 1. Reg. Hazlitt. O. A. Graham. Sol. Parry, Croydon. Sur. March 21.
Wyman, Edmund, brewer and wine merchant, Bishop's Stortford. Pet. Feb. 27. Reg. Brougham. O. A. Edwards. Sol. Ley, Bishop's Stortford. Sur. March 22.

To surrender in the Country.

Adamson, Robert Henry Jefferson, publican, Durham. Pet. Feb. 27. Reg. Gibson. O. A. Laidman. Sols. Harle and Co., Newcastle. Sur. March 16.
Akrill, Jonathan George, jeweller, Llanfyllin. Pet. Feb. 24. Reg. & O. A. Pugh. Sol. Pughe, Llanfyllin. Sur. March 21.
Anderson, Scott, and Collier, Samuel, printers, Liverpool. Pet. March 1. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. March 16.
Armstrong, Christopher Eskuche, and Jackson, George, coal exporters, Middlesbrough. Pet. Feb. 27. O. A. Young. Sols. Gowan, Middlesbrough; Tempest, Leeds. Sur. March 13.
Ash, William, mason, Totnes. Pet. Feb. 28. Reg. & O. A. Bryett. Sol. Carter, Torquay. Sur. March 20.
Baker, John George, boot maker, Liverpool. Pet. Feb. 27. Reg. & O. A. Hime. Sol. Gray, Liverpool. Sur. March 13.
Blackburn, William, victualler, Liverpool. Pet. March 1. O. A. Turner. Sol. Best, Liverpool. Sur. March 13.
Brookes, Robert, builder, King's Norton. Pet. Feb. 27. Reg. & O. A. Guest. Sol. Sargeant, Birmingham. Sur. March 20.
Butler, Josiah, bolt and nut manufacturer, Darlaston. Pet. Feb. 27. Reg. Hill. O. A. Kinnear. Sol. Smith, Birmingham. Sur. March 15.
Crowther, Samuel, cloth manufacturer, Gildersome. Pet. Feb. 25. O. A. Young. Sols. North and Sons, Leeds. Sur. March 13.
Daniells, James, commission agent, Wallgate, Wigan. Pet. Feb. 15. Reg. Macrae. O. A. Morgan. Sur. March 14.
Diggle, James, jun., publican, Loughborough. Pet. Feb. 28. Reg. & O. A. Brook. Sol. Goode, Loughborough. Sur. March 14.
Ducker, George, blacksmith, Swinefleet, Goole. Pet. Feb. 23. Reg. & O. A. Wilson. Sol. Harle, Leeds. Sur. March 17.
Dunning, William, cabinet-maker, Monkwearmouth. Pet. Feb. 27. Reg. Gibson. O. A. Laidman. Sols. Harle and Co., Newcastle. Sur. March 15.
Evans, Charles, innkeeper, Penyrheolir, Llanvrechva Lower. Pet. Feb. 27. Reg. & O. A. Edwards. Sols. Greenway and Bytheway, Pontypool. Sur. March 13.
Gittins, Thomas, sadler, Oswestry. Pet. Feb. 22. Reg. & O. A. Croxon. Sol. Jones, Welshpool. Sur. March 13.
Grey, George Thomas, builder, North Shields. Pet. Feb. 28. Reg. Gibson. O. A. Laidman. Sols. Tinley, Adamson and Adamson, North Shields. Sur. March 16.
Haines, William Carter, basket maker, Great Yarmouth. Pet. Feb. 24. Reg. & O. A. Chamberlain. Sol. Cufaude, Great Yarmouth. Sur. March 14.
Hooper, Edward Ash, mason, Totnes. Pet. Feb. 28. Reg. & O. A. Bryett. Sol. Carter, Torquay. Sur. March 20.
Hudson, Sam, labourer, Sheepridge, near Huddersfield. Pet. Jan. 21. Reg. & O. A. Jones. Sur. March 20.
Instone, Joseph, smith, Farnborough. Pet. Feb. 23. Reg. & O. A. Hellett. Sol. White, Guildford. Sur. March 17.
Jackson, William, innkeeper, Burnley. Pet. Feb. 24. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whittam, Burnley, and Cobbett and Wheeler, Manchester. Sur. March 17.
Jones, John, confectioner, Dowlais. Pet. Feb. 23. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil. Sur. March 14.
Jones, William, hat manufacturer, Aberystwith. Pet. Feb. 17. Reg. & O. A. Jenkins. Sol. Rowe, Aberystwith. Sur. March 28.
Jones, John, confectioner, Dowlais. Pet. Feb. 23. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil. Sur. March 14.
Jones, William, hat manufacturer, Aberystwith. Pet. Feb. 17. Reg. & O. A. Jenkins. Sol. Rowe, Aberystwith. Sur. March 18.
Keenan, John, clothes dealer, Manchester. Pet. Feb. 22. Reg. Macrae. O. A. Morgan. Sol. Lamb, Manchester. Sur. March 22.
Lloyd, Henry, farmer, Maes Lewis and Haighton. Pet. Feb. 27. O. A. Turner. Sol. Norton, Liverpool. Sur. March 14.
Loveluck, John, jun., farmer, Talvoyallwyn. Pet. Feb. 8. Reg. & O. B. Langley. Sol. Davis, Cardiff. Sur. March 13.
Lyons, Emma Martha, watchmaker, Ripon. Pet. Feb. 22. O. A. Young. Sols. Messrs. Emsley, Leeds. Sur. March 11.
Melton, Charles Robert, tobacconist, Aldershot. Pet. Feb. 17. Reg. & O. A. Holme. Sur. March 17.
Milnes, Philip, cordwainer, Stamford. Pet. Feb. 21. Reg. & O. A. Sheild and Hough. Sol. Laxton, Stamford. Sur. March 13.
Moon, Thomas, husbandman, Bellman-houses, near Bowness. Pet. Feb. 27. Reg. Gibson. O. A. Laidman. Sols. Harle and Co. Newcastle. Sur. March 16.
Morris, Thomas Henry, outfitter, Southampton. Pet. March 1. Reg. & O. A. Thornlike. Sol. Mackey, Southampton. Sur. March 18.
Newsome, William, wool merchant, Milverton. Pet. Feb. 28. Reg. Tudor. O. A. Kinnear. Sols. Judge and Wilson, Banbury; and James and Griffin, Birmingham. Sur. March 17.
Owens, Owen, draper, Amlwch. Pet. Feb. 20. O. A. Turner. Sols. Evans, Son and Sandys, Liverpool. Sur. March 13.
Perry, William, jun., plumber, Tipton. Pet. Feb. 15. Reg. & O. A. Walker. Sol. Lowe, Dudley. Sur. March 16.
Pilkington, Samuel, baker, Manchester. Pet. March 1. Reg. Macrae. O. A. Morgan. Sol. Elcoft, Manchester. Sur. March 14.
Richards, Edward, cabinet maker, Manchester. Pet. March 1. Reg. Macrae. O. A. Morgan. Sols. Boote and Ryland, Manchester. Sur. March 16.
Rowan, Thomas, stevedore, Liverpool. Pet. March 1. O. A. Turner. Sol. Best, Liverpool. Sur. March 13.
Rowley, Samuel, tailor, Old Swinford. Pet. Feb. 13. Reg. & O. A. Harward. Sur. March 30.
Saxty, Henry, linendraper, Trowbridge. Pet. Feb. 28. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. March 13.
Scholefield, Henry, farmer, Huddersfield. Pet. Feb. 28. O. A. Young. Sol. Greene, Leeds. Sur. March 13.
Skinner, James Searle, ironmaster's clerk, Dudley. Pet. Feb. 25. Reg. & O. A. Walker. Sol. Warmington, Dudley. Sur. March 16.
Smith, David, tailor, Penarth. Pet. Feb. 28. Reg. & O. A. Langley. Sol. Griffith, Cardiff. Sur. March 20.
Smith, William Milward, ropemaker, Derby. Pet. March 2. Reg. Tudor. O. A. Harris. Sols. Reeve and Harris, Birmingham. Sur. March 21.
Stansfield, Joseph, shopkeeper, Sowerby-bridge, near Halifax. Pet. Feb. 17. Reg. Rankin. O. A. Dyson and Rankin. Sols. Wavell, Philbrick and Foster, Halifax. Sur. March 17.
Tall, William, lessee of tolls, Winchester. Pet. Feb. 28. Reg. & O. A. Godwin. Sol. Mackey, Southampton. Sur. March 16.
Walker, Henry, baker, Ogley, Hay. Pet. Feb. 27. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. March 17.
Walker, Jacob, Lechlade. Pet. Feb. 28. Reg. Wilde. O. A. Acraman. Sol. Bevan, Bristol. Sur. March 15.
Watkins, John, collier, Aberdare. Pet. Feb. 27. Reg. & O. A. Edwards. Sols. Greenway and Bytheway, Pontypool. Sur. March 13.
Wooldridge, Josiah, clerk, Handsworth. Pet. Jan. 18. Reg. & O. A. Guest. Sol. Beeton, Birmingham. Sur. March 20.
Wright, John, victualler, Lichfield. Pet. Feb. 24. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. March 17.

BANKRUPTCIES ANNULLED.

Gazette, Feb. 28.

Jones, Isaac, timber dealer, Old Kent-rd.

Gazette, March 3.

Burrowes, Thomas, stockjobber, Montpelier-villas, South Lambeth-rd. and Angel-ct. Throgmorton-st.
Rodger, Joseph Horatio, shipbroker, Leadenhall-st.
Stringer, Richard Durant, grocer, Staines.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Brennand and Whitaker, flannel manufacturers, first, 1s. 10d. Morgan, Manchester.—*Clough*, S. alkali manufacturer, fourth sep. 1s. 2d. Turner, Liverpool.—*Cordeaux and Yule*, wine merchants, first, 1s. 11½d. Stansfeld, London.—*Dawes*, J. G. innkeeper, first, 6s. Harris, Nottingham.—*De Wouton*, G. J. warehouseman, first, 1s. 2d. Stansfeld, London.—*Desborough*, T. farmer, first, 6s. 8d. Stansfeld, London.—*Donaldson*, T. tin-plate worker, first, 6s. 5d. Turner, Liverpool.—*Fuller*, J. ironmonger, first, 5s. Turner, Liverpool.—*Foley*, J. wholesale stationer, first, 7s. 6d. Acraman, Bristol.—*Hall*, W. flour and spirit merchant, first, 11d. Acraman, Bristol.—*Hooker*, J. grocer, first, 2s. 11d. Acraman, Bristol.—*Royle*, Brothers, bleachers and dyers, first, 7d. Morgan, Manchester.—*Royle*, P. bleacher and dyer, first, 3s. 4¼d. Morgan, Manchester.—*Shelton*, J. corn merchant, first, 4s. Harris, Nottingham.—*Stones*, F. grocer, first, 1s. 1½d. Morgan, Manchester.—*Sutton*, J. farmer and cattle dealer, first, 1s. 9½d. Acraman, Bristol.—*Spurs*, J. M. oil refiner, second, 8¼d. Turner, Liverpool.—*Wilson*, W. printer, second, 3d. Harris, Nottingham.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Feb. 28.

Ainsworth, Henry, and Fish, John, cotton cloth manufacturers, Over Darwen. Jan. 31. Trusts. G. Lightollier, Chorley, R. Ferniecliffe, Leigh, cottonspinners, and W. Taylor, yarn agent, Over Darwen.
Bailey, William, manufacturer, Halifax. Feb. 8. Trusts. I. L. Stott, cotton warp dealer, Rochdale, J. Firth, waste dealer, Halifax, T. Chappell, agent, Heckbury, and J. Dyson, machine maker, Elland.
Bennitt, William, ironmaster, Kinver. Jan. 30. Trust. J. S. Bourne, gentleman, Kinville. 4s. by four equal instalments on registration of deed, at 6, 12 and 18 mos.—secured.
Bentley, John, tailor, Oldham. Feb. 6. 5s. by three instalments of 1s. 8d. on 30th April, July and Oct.
Bowen, John James, pewterer, Euston-rd. and Great Dover-st. Feb. 14. 10s. by three equal instalments at 4, 8 and 12 mos.
Carr, George, musical instrument dealer, Cheapside. Feb. 6. 5s. in 7 days.
Chappell, Samuel, flint grinder, Kent-green. Jan. 31. Trust. E. Fernie, accountant, Stafford.
Cohen, Adolph, tailor and outfitter, Sunderland. Jan. 28. Trusts. F. Holstendahl, shipbroker, and F. Boysen, shipchandler, both of Sunderland. 5s.—cash down and 7s. 6d. at 6 mos.—secured.
Conson, Leopold, Philpot-la. Feb. 20. 5s. by two equal instalments in 6 and 12 mos.
Cragg, Thomas, merchant, Wakefield. Feb. 21. 10s. 6d. by 1st March.
Craig, Robert, engineer, Birkenhead. Feb. 14. Trust. L. J. Fosbrooke, coal merchant, Birkenhead. 7s. 6d. by three equal instalments at 3, 6 and 12 mos.—secured.
Creed, William, cabinet-maker, Birmingham. Feb. 1. 2s. 6d. forthwith, and 2s. 6d. on 1st May next.
Dando, Nathaniel, warehouseman, Bread-st. Cheapside, and Upper Sydenham. Feb. 4. Trusts. T. Hayes, silk merchant, Walbrook, and N. Dando, jun., gentleman, Friern Barnet.
Druce, George Frederick, gentleman, Leigham-mead, Leigham-ct.-rd. Streatham. Jan. 31. Trust. J. T. King, wholesale stationer, Queen-st. Cannon-st.
Dumas, Anthony Apostle, merchant, Finsbury-circus. Jan. 31. Trusts. N. M. Caralli, merchant, Winchester-bldgs. and J. Young, public accountant, Tokenhouse-yd. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
Graham, David, leatherseller, Newcastle. Jan. 27. Trusts. G. Leadbitter, commission agent, Newcastle, and R. Graham, merchant tailor, Ferry-hill. 5s. by three equal instalments on 27th April, 27th July and 27th Oct.—secured.
Greenfield, Daniel, brassfounder, Birmingham. Feb. 6. Trust. J. Sanders, brassfounder, Birmingham. 3s. 6d. on execution of deed.
Greenfield, Francis Samuel, baker, Nottingham. Feb. 22. Trust. J. C. L. Wood, cornfactor, Nottingham. 5s.—3s. on 6th March and 2s. on 6th May—secured.
Grout, William, sawmill proprietor, Stratford. Jan. 31. 2s. in 6 mos.
Grundler, Edmund, and Ormond, Richard, commission merchants, Fenchurch-st. Feb. 2. Trust. H. Kistle, merchant, Saint Dunstan's-hill.
Hanney, James, travelling draper, Manchester. Feb. 11. Trusts. W. Thorburn, woollen merchant, Manchester, and A. Hanney, travelling draper, Manchester.
Heathcote, Charles, combmaker, Sheffield. Feb. 2. Trusts. F. E. Fisher, and J. Chester, horn merchants, both Sheffield.
Jenkins, Frederick, jun., boot and shoe maker, Chester. Feb. 22. Trust. J. Thorpe, cotton merchant, Manchester.
Jump, James, contractor, Liverpool. Feb. 24. Inspectors, W. O. Carter, slate merchant, J. Pickup, ironfounder, and Z. Innes, bank manager, all of Liverpool.
Keogh, John, baker, Stafford. Jan. 30. Trust. W. Petchell, miller, Stafford.
Lacy, William Skinner, upholsterer, East-pl. Kennington-rd. Lambeth. Feb. 9. 1s. on 14th May.
Leney, George, sen., commission agent, Cambridge-ter. Ledbury-rd. Westbourne-grove north. Jan. 28. Trust. J. Holland, confectioner, Upper King-st. Bloomsbury.
Long, Charles, Alexander-ter. Stockwell. Feb. 20. 2s. 6d.—1s. 3d. on 15th May, and 1s. 3d. on 15th Aug.
Love, John, draper and teadealer, High-st. Feltham. Jan. 31. Trusts. M. McGeorge, and I. McCutchan, jun., warehousemen, both Friday-st.
Lunham, James, wholesale cheesemonger and provision agent, High-st. Southwark. Feb. 1. Inspector, H. E. Bird, accountant, Tokenhouse-yd. 9s. 6d. by five instalments—3s. in 1 mo., 2s. in 3 mos., 2s. in 5 mos., 1s. in 8 mos. and 1s. 6d. in 10 mos.
McGuffie, Anthony, draper. Jan. 31. Trusts. M. McGeorge, and I. McCutchan, jun., warehousemen, both Friday-st.
McGuffie, David Culton, grocer, Florence-villas, Feltham. Jan. 30. Trusts. M. McGeorge, and I. McCutchan, jun., warehousemen, both Friday-st.
Mullett, Thomas, oil and Italian warehouseman, Saint Martin's-st. Leicester-sq. also Croydon. Feb. 1. 4s.
Naylor, Joseph, and Naylor, Isaac, brickmakers, Bradford. Jan. 30. Trusts. W. Beaver, gentleman, W. Hartley, coal merchant, and E. Davies, millwright, all of Bradford.
Newbolt, Charles, and Newbolt, Charles James, engineers, Redbridge. Jan. 30. Trusts. F. Ray, miller, and W. Bovill, iron merchant, both Southampton.
Parker, Frederick William, machinist, Sheffield. Feb. 10. Trusts. J. Parker, book-keeper, Sheffield, and J. Monks, surveyor, Sheffield. 5s. in 1 mo.
Pearce, Eliza, grocer, Chew Magna. Feb. 2. Trust. J. C. Isaac, merchant, Bristol.
Randall, John, lodging-house keeper, Felpham. Feb. 16. Trust. G. G. Randall, yeoman, Southbersted.
Rhodes, Stephen, joiner, Farnworth. Feb. 2. Trusts. E. Mercer, Liverpool, C. Norris, Bolton, timber merchants, and J. Marsh, stonemason, Farnworth.
Richardson, John, and Richardson, Samuel, cottonspinners, Heywood. Jan. 31. Trusts. F. Reynolds, cotton broker, Liverpool, S. Weston, yarn agent, Manchester, and R. Walker, engineer, Bury.
Rickett, Thomas, engineer, Buckingham. Jan. 30. Trusts. W. Slade, manager of the Buckingham branch of the London and County Bank, and F. E. Bartlett, woolstapler, both Buckingham.
Robinson, Dobson, wheelwright, Hill-house, near Huddersfield. Feb. 1. Trust. R. Scholes, accountant, Huddersfield.
Robinson, Sarah, boot and shoe manufacturer, Liverpool. Jan. 23. 7s. by two instalments—of 4s. 6d. on 16th Feb. and 2s. 6d. on 16th June—secured.
Robson, Samuel, grocer, South Shields. Jan. 31. 5s. 9d. by two equal instalments at 6 and 9 mos.
Rogers, Nathaniel, provision dealer, Birkenhead. Feb. 1. Trust. S. Vestar, provision dealer, Liverpool, and C. Timmis, grocer, Birkenhead.
Rowden, William, house decorator, Vernon-ter. Portobello-rd. Kensington-park. Feb. 13. Trust. G. Roberts, cab proprietor, Torrington-mews, Burwood-pl. Edgware-rd.
Rowley, Arthur, builder, Kingswinford. Feb. 1. Trust. T. Lowe, farmer, Trysull.
Shaw, David, grocer, Morley, near Leeds. Jan. 31. Trust. T. Weatherley, auctioneer, Leeds.
Silvester, Lucas, ironmaster, Westbromwich. Feb. 9. Trusts. H. O. Firmstone, ironmaster, Lays Iron Works, near Stourbridge, and S. Dickinson, metal broker, Wolverhampton.
Splatt, Sagar Holden, and Somerville, James, shipchandlers, Postern-row, Tower-hill. Jan. 28. Trusts. J. Brown, ropemaker, Commercial-rd. east, and G. Brown, public accountant, Coleman-st.
Talbot, John Stewart Shreeve, job and post master, Westow-hill, Norwood. Jan. 31. Trust. G. Amery, coachmaker, Upper Berkeley-st. Portman-sq. 5s.
Thompson, George Vernon, tailor, Leeds. Feb. 20. Trust. J. Thompson, weaver, Hemsley Blackmore. 12s. 6d. by two bills of exchange for 6s. 3d. in 3 and 6 mos.

Tichborne, Sir Alfred Joseph Doughty, Bart., Tichborne-park, near Alresford. Feb. 13. Trusts. J. Carter, ironmonger, Winchester, and H. Clayton, engineer, Woodfield-rd. Harrow-rd. London.
Turner, James, miller, Nottingham. Feb. 21. Trusts. R. Webster, Beeston, and T. Shephard, Nottingham, manufactors.
Uthank, David, yeoman, Milton. Jan. 31. Trusts. W. Jarvis, innkeeper, and W. H. Bullock, grocer, both Pewsey.
Walker, William George, chemist, Chatham. Jan. 31. 5s.
Wallis, Edward, and Tadman, Richard, stonemasons, Hull. Jan. 31. Trusts. W. Malone, stonemason, and J. Callis, stone merchant, both Hull.
Wheeler, Moses; Wheeler, Edward Martin; and Wheeler, Joseph, coachsmiths, Robert-st. Grosvenor-sq. Feb. 9. 5s.—one moiety in 1 mo. and the other at 6 mos.
Whitaker, James, cotton manufacturer, Bacup, and Newchurch. Jan. 30. Trust. J. Halliday, accountant, Manchester. 9s. by three equal instalments at 3, 6 and 9 mos.—secured.
Wilkes, William, cabinet-maker, Wellington. Feb. 1. Trust. G. H. York, painter, Wellington. 10s. forthwith.
Wilson, William, and Wilson, Thomas, manufacturers, Habergham Eaves, near Burnley. Feb. 13. Trusts. G. Lomas, cotton-spinner and manufacturer, Habergham Eaves, and J. Whittaker, waste dealer, Burnley.
Woollatt, Thomas James, lace manufacturer, Nottingham. Jan. 31. Trusts. J. Bryan, lace manufacturer, and H. Davies, silk merchant, both Nottingham.

Errata.

Beck, John, stockbroker, Buckingham-ter. Paradise-rd. Stockwell. Feb. 21. For 5s. read arrangement to pay 20s. in the pound by ten yearly instalments of 2s. each—first instalment on 21st Feb.
Jackson, Herrmann (and not Tacsohn, Hermann, as advertised in Gazette, Feb. 21.)
Thompson, Joseph Logan (and not Thompson, Joseph Logar, as advertised in Gazette, Feb. 17.)
Furlong, William, watchmaker, Pembroke Dock. Jan. 22. Trust. M. J. Platnauer (and not M. J. Platnauer, as advertised in Gazette Feb. 21), wholesale watchmaker, Bristol.

Gazette, March 3.

Archer, Ambrose, baker and flour dealer, Liverpool. Feb. 21. Trusts. T. Leicester, E. Drakeford, and W. T. Leigh, corn merchants, all Liverpool.
Aspinall, James, wholesale bookseller, Huddersfield. Feb. 3. Trusts. G. Harper, general printer, and B. Brown, printer, both Huddersfield.
Beall, Richard, tailor, Bishopsgate-st. March 2. 2s.
Berridge, Charles Harris, manufacturer's clerk, King's-rd. Chelsea. Feb. 22. 1s. 3d. on 22nd March.
Bore, William, machinist, Ufford. Feb. 15. Trusts. J. Bendall, ironfounder, Woodbridge, and J. Betts, jun., chemist, Woodbridge.
Bowen, Benjamin, grocer and shopkeeper, Salhouse. Feb. 4. Trusts. W. Hargrave, merchant, Salhouse, and J. Springall, grocer, Norwich.
Briggs, Stephen Henry, merchant's clerk, Park-cottages, Loughborough-park, Brixton. Feb. 24. 5s. in 21 days.
Bromley, Thomas Marsden, grocer, Gateshead. Feb. 9. Trust. W. L. McKenzie, soap manufacturer, Gateshead. 8s. by two instalments of 3s. at 3 and 6 mos., and one of 2s. at 9 mos.
Brooks, John Frederick, cheesemonger, High-st. Shoreditch. Feb. 17. 8s. by three instalments—3s. 6d. in cash in 14 days, and 3s. 6d. and 1s. 6d. in 3 and 5 mos.—secured.
Brown, John, grocer, Westbourne-rd. Arundel-sq. Holloway. Feb. 9. 7s. 6d. by three instalments of 2s. 6d. in 1, 3 and 9 mos.
Brownhill, John, boot and shoe maker, Newcastle. Feb. 6. 10s. by three equal instalments at 3, 6 and 9 mos.—secured.
Bull, Thomas Edmund, hotel keeper and farmer, Isle of Wight. Feb. 6. Trusts. F. B. T. Gladstone, manager of the Isle of Wight branch of the Hampshire Banking Company, Newport, W. B. Mew, brewer and spirit merchant, Newport, and J. Joliffe, gentleman, Yafford.
Bullough, Elizabeth, widow, and Porter, Thomas, merchant, both Manchester. Feb. 28. Trusts. J. Whitehead, oil merchant, Wakefield, and J. Thomas, public accountant, Manchester.
Canham, Henry, grocer, Birmingham. Feb. 11. Trusts. T. P. Cheshire, wholesale grocer, and T. Foster, tallow chandler, both Birmingham.
Chapman, Edward Jeffry, builder, Sutton. Feb. 16. 2s. 6d. on 1st March.
Chapman, Frederick, ironmonger, Stamford. Feb. 9. Trusts. F. Keep, merchant, Birmingham, and J. Dent, grocer, Stamford.
Crack, William, jun., shoemaker, Bury St. Edmunds. Feb. 17. Trusts. J. Last, woolman, Bradfield St. George, and W. B. Webb, farmer, Coombe.
Crossley, Henry, and Crossley, James William, dyers, Brighouse. Feb. 27. Trusts. J. Brook, Brighouse, and W. Stead, drysalter, Heckmondwike. 5s. by three instalments—1s. 6d. on 9th April, 2s. on 9th July 1865, and 1s. 6d. on 9th Feb. 1866—secured.
Elwin, Thomas Bousfield, grocer, Bishopwearmouth. Feb. 6. Trusts. J. Bruce, grocer, Sunderland, W. Liddell, miller, Bishopwearmouth, T. Hanson, commission agent, Bishopwearmouth, and J. Todd, commission agent, Newcastle.
Evans, David, and Jones, Thomas, builders, Liverpool. Feb. 4. Trusts. P. M. Jones, timber merchant, and D. Callow, estate agent, both Liverpool.
Evans, George, grocer, Shelsley. Feb. 2. Trusts. F. Woodward, draper, and J. J. Williams, grocer, both Worcester.
Fellows, Joseph, grocer, Willenhall. Feb. 13. 5s.—one-half on 10th May and the remainder on 10th Aug.
Foster, Abraham, grocer, Darlaston. Feb. 8. Trust. E. Bruerton, auctioneer, Darlaston.
Gibbs, Alfred John, clerk, Herne-hill-rd. Cold Harbour-lane, Camberwell. Feb. 16. Arrangement to pay in full—1s. every 3 mos.
Harper, George, accountant, Stoke Newington. Feb. 19. Trust. W. Stuckey, Esq., Yeovil. Arrangement to pay 1l. 5s. quarterly until debts are paid.
Henson, William, grocer, Nottingham. Feb. 17. Trust. G. Herrod, basket-maker, Sneinton.
Holt, George, victualler, Knutsford. Feb. 1. Trust. P. Whitley, gentleman, Appleton.
Hope, John, builder, Runcorn. Feb. 2. Trusts. R. Lee, Runcorn, and G. Bentley, Lymm, ironmongers.
Inwood, Charles James, cheesemonger, London-rd. Southwark. Feb. 6. 3s.—2s. in 3 days and 1s. in 1 mo.
Jackson, Edward, joiner, Dukinfield. Feb. 23. 1s. at 6 mos.—secured.
Jones, John, innkeeper, Pembroke. Feb. 8. Trust. A. Phillips, wine merchant, Bristol.
Kenshead, William Bath, schoolmaster, Southsea. Feb. 18. Trusts. A. Beidham, upholsterer, Portsea, E. Shotter, butcher, Portsea, and J. Leah, brewer, Southsea. Covenant to pay 100l. on 1st April next, and the full amount of debts, with interest at 5 per cent., by quarterly instalments of 100l. commencing 1st May.
Kemp, Hubert Henry, grocer and draper, Saint Osyth, Essex. Feb. 4. Trusts. W. M. Tabrum, and E. Parkes, grocers, Colchester.
Lawrence, Eliza, widow, Luton. Feb. 10. Trust. A. Carter, printer, Luton. 7s. 6d. on 3rd April.
Lewis, Richard Limbery, jobmaster, Berkeley-mews, Portman-sq. and Reuter's Farm, Hendon. Feb. 22. Trust. R. C. Lewis, saddler, Berkeley-mews, Portman-sq. 5s. in 21 days.
Lightbound, William, flour dealer, Birkenhead. Jan. 24. 10s.—one-half at 1 mo. and remaining half at 2 mos.
Matthews, William Veale, Italian warehouseman, London-house-yard, Saint Paul's. Jan. 21. Trust. J. T. Vining, gentleman, Moorgate-st.-buildings. To creditors in first schedule 10s. by four instalments of 2s. 6d. on 23rd April, 23rd July, 23rd Oct. and 23rd Jan. next, and to creditors in second schedule 10s. on 23rd April 1866.
Middleton, James, carver and gilder, Nottingham. Feb. 22. Trust. H. J. Browne, stationer, Nottingham. 5s. in 1 mo.—secured.
Mottram, Joseph, stagmaster, Sheffield. Feb. 1. Trusts. W. Fisher, merchant, and J. Sharpe, merchant's clerk, both Sheffield.
Mullen, John, boot and shoe dealer, Bolton. Feb. 1. Trust. W. Grundy, accountant, Bolton.
Matthews, Matthew Blades, master mariner, Adam-st. Rotherhithe. March 2. 2s. by two instalments—1s. by 2nd March 1866, and 1s. by 2nd March 1867.
Nicholson, Henry, tailor and outfitter, Horbury. Feb. 22. 5s. in 28 days.
Norman, William, draper, Abergavenny. Feb. 8. Trusts. J. R. Pawson, Saint Paul's-churchyard, and H. Brown, Wood-st. warehousemen.
Ody, Henry Morton, attorney, Trinity-st. Southwark, and Camberwell-green. Feb. 17. Arrangement to pay debts in full by three equal instalments at 6, 12 and 18 mos.
Owtram, Richard; Williamson, Henry; and Whitaker, John, cloth merchants, Manchester. Feb. 3. Trusts. B. Hall, Huddersfield, O. Nussey, and W. F. Smith, Leeds, cloth merchants.
Seckel, Sigismund, merchant, Aldermanbury-postern. March 2. 2s. 6d. on 15th April.
Shewell, Henry, and Shewell, Frederick, provision merchants, Liverpool. Feb. 17. 12s. by three instalments of 4s., 4s. and 2s. at 1, 3 and 6 mos.—secured.
Skeet, Alexander, printer, Great Saint Helen's. Feb. 27. 5s. in 6 mos.
Slater, John Bailey Fletcher, clockmaker, Burslem. Feb. 16. Trust. A. Boulton, accountant, Burslem. 2s. 6d.—1s. in 21 days and 1s. 6d. in 3 mos.—secured.
Smale, Thomas, draper, Plymouth. Feb. 4. Trusts. C. J. Lee, and J. R. Kay, warehousemen, Old Change.
Smith, John, provision dealer, Salford. Feb. 16. Trust. D. Smith, accountant, Manchester.
Smith, John, warehouseman, Manchester. Feb. 11. 10s. by three equal instalments at 6, 12 and 18 mos.
Spaules, William, farmer, Sutton. Jan. 31. Trust. F. W. Etheredge, civil engineer, Greenwich. 1s. 6d. in 1 mo.
Stanley, Mary, widow, Dawley. Feb. 15. Trust. W. O. Norris, accountant, Coalbrookdale.
Steer, James, and Steer, Stephen, bedstead manufacturers, Oxford-st. Jan. 21. 4s. in 14 days.
Stocker, George Bulkton, hosier and haberdasher, Chelmsford. Feb. 14. 3s. 6d.
Stott, Thomas, Birmingham and Sheffield warehouseman, Manchester. Feb. 6. Trust. R. Bell, stay manufacturer, Manchester.
Sydenham, Charles Joseph, boot and shoe maker, Gosport. Feb. 18. Trust. W. H. Wheeler, commission merchant, Southsea.
Townsend, John, victualler, Ashborne. Feb. 1. Trust. J. Dawson, maltster, Ashborne.
Turner, Alfred, leather dealer, Halifax. Feb. 7. Trust. M. Turner, widow, Halifax. 5s. on 1st March—secured.
Walsh, Thomas, cotton manufacturer, Edenfield. Feb. 3. 6s. on execution of deed.
White, John George, shipbroker and commission merchant, Liverpool. Feb. 10. 2s.
Wise, Joseph, shoemaker, Coningsby. Feb. 9. Trusts. J. M. Knowles, Boston, and T. D. Briggs, Horncastle, curriers.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGE.

Lawrance—Lee.—On the 19th Jan., at St. John's Cathedral, Hong Kong, by the Rev. John J. Irwin, D.D., Edward Lawrance, Esq., of Shanghae, solicitor, to Mary Matilda, eldest daughter of the late George Lee, Esq., Ceylon Civil Service.

DEATHS.

Downer.—On the 7th inst., at Petworth, aged 7 months, Henry John, the infant son of William Downer, Esq., solicitor.
Mant.—On the 2nd inst., at Storrington, Sussex, aged 40, Frances, the dearly beloved wife of Mr. Arthur Mant, solicitor.

Investments.

SIX PER CENT. ON FREEHOLD SECURITY.

THE INNS of COURT HOTEL COMPANY (Limited), are now issuing DEBENTURES of 50l. and 100l. for three, five, or seven years, at option, with coupons payable half-yearly, charged as a first charge upon its magnificent freehold property in Lincoln's-inn-fields, estimated at 120,000l. The usual Commission to Solicitors.

Particulars, with forms for application, may be had at the Offices of the Company, 63, Lincoln's-inn-fields, and at the Agra and Masterman's Bank.

N.B.—The time for application is extended to March 31.

G. BEWLEY, Secretary.

ISSUE OF 4000 SEVEN-AND-A-HALF PER CENT. MINIMUM GUARANTEED PREFERENCE SHARES OF 10l. EACH.

WALLACHIAN PETROLEUM COMPANY (Limited).

Capital, 200,000l.

4000 A Shares of 10l. are now offered, entitled to a Preferential Dividend of 7½l. per cent. guaranteed out of first profits, with rateable participation in further profits.

£1 per share payable on application
£2 " " allotment
£2 " " 1st June.

Or the entire 5l. per share may be paid up at once, and receive the guaranteed 7½l. per cent. Preference Dividend thereon.

Future Calls, if required, not to exceed 2l. per share, and at intervals of not less than three months.

DIRECTORS.

Robert Pulling, Esq. (Messrs. R. and W. Pulling), 18, Philpot-lane, Chairman.
Alfred Bryant, Esq., 3, Catherine-court, Tower-hill.
Joseph Fry, Esq. (Messrs. Trueman and Fry), Gresham-house.
Augustin Soares, Esq. (Messrs. M. and A. Soares), 40, Seething-lane.
Edward Tewart, Esq., 16, York-place, Portman-square.
G. S. Trower, Esq. (Messrs. Trowers and Lawson), St. Mary-at-hill.
J. R. Vance, Esq., 37, Westbourne-terrace, Hyde-park.

Bankers.
The Agra and Masterman's Bank, Limited.

Solicitors.
Messrs. Courtenay and Croome, 9, Gracechurch-street.

Broker.
John Inchbald, Esq., 2, Copthall-court and Stock Exchange.

Auditors.
Alexander Beattie, Esq.
George Hall, Esq.

Offices.
66, Bishopsgate-street Within.

This Company was formed in February 1864, and during the last twelve months has succeeded in providing the necessary plant, and getting into efficient working order many of its valuable oil springs situated in the important concessions it has obtained in Wallachia.

Professor Capellini, the eminent Italian geologist, who has made a special study of the petroleum districts of America and elsewhere, has recently visited and surveyed those of Wallachia, states that the Principalities furnish a vast field for petroleum enterprise, and adds: "I am of opinion, however, that no other company can compete with the Wallachian Petroleum Company, as they decidedly possess the richest and most accessible localities."

Upwards of 300 tons of oil have already been obtained from the Company's wells and from contractors; the yield at present from the wells of the Company is about 30 tons weekly.

The Directors propose to erect a refinery establishment at or near Ibraila; they estimate that when it is completed a weekly net profit of about 400l. can be realised on the present limited rate of yield from the Company's wells. As these increase it is confidently expected that sixty tons or more of oil will be produced weekly, by which means it is fully anticipated that profits will be realised equal to similar enterprises in America, some of which are dividing from the profits of refined oil between 10 and 20 per cent. per month amongst their shareholders.

With the view of establishing such refinery, and to keep in reserve the uncalled ordinary capital of the Company, it has been decided to issue the above-mentioned preference shares.

Prospectuses and report above referred to of Professor Capellini, of Bologna, can be had at the offices of the Company, or from the Company's Solicitors or Broker.

FIRST-CLASS LEASEHOLD GROUND-RENTS for SALE, to pay 5 per cent.—Apply to Messrs. Yeo and Warner, Solicitors, 13, Hart-street, Bloomsbury-square, W.C.

LEICESTERSHIRE.—To be SOLD by private Contract, the NEXT PRESENTATION to a Living in Leicestershire. Age of the present incumbent 6_. Income from tithe-rentcharge 200l., and from 15a. of glebe, at present rental, 17_l. a-year. There is a good parsonage house.

For further particulars apply to Messrs. Mee, Beevor and Denman, Solicitors, East Retford, Notts.

ADVOWSON and NEXT PRESENTATION for SALE.—The ADVOWSON and NEXT PRESENTATION of a RECTORY, situate in a desirable part of Lincolnshire, is for SALE by Private Contract, comprising newly-erected and commodious rectory house, with stables, coach-house, offices, and every convenience, extensive lawns, shrubberies, flower, kitchen, and fruit gardens, &c., and __ acres of glebe land of first-rate quality and well drained, with an excellent farmhouse and new buildings. The rectory is within a convenient distance of a market-town through which the Great Northern and Midland Railways run. The population is of an agricultural character, and numbers __. The purchase is a most desirable one, and presents advantages rarely to be met with.

For further particulars apply (principals or solicitors only) to Mr. William Newton, Solicitor, Newark-on-Trent, Notts.

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AMBROSE WAIN, Clerk of the Commissioners.

Commissioners' Offices, Birkenhead.
6th February 1865.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

SOME of the newspapers, affecting an air of virtuous indignation, exclaim against Lord WESTBURY for bestowing some of his vast patronage upon his relatives. There is a great deal of popular cant on this subject. Provided the patron does not appoint an unfit officer, he may fairly make the choice from among his own family and friends. His duty to the public is simply to provide them with a competent servant. Provided that condition be observed, there is not the slightest obligation to take or to refuse by reason of relationship; and inasmuch as it is a duty to serve his family and friends, if he can do so without injury to others, the duty to the public in such a case in no way conflicts with the other duty, still provided that the chosen officer is competent to the post.

And not only is it permissible morally, the practice is universally recognised socially. Everybody does the like who has the opportunity, and nobody blames him for so doing, save those who hoped to be chosen, but were not, and the envious, who cannot endure to witness the success of others.

If examples were required, Lord WESTBURY could point to twenty living men who have used their patronage to provide for relations at least as extensively as he has done. We will not name them, but they are known to every reader.

Does any one person really think the worse of Lord WESTBURY for having provided for his relatives? On the contrary, is it not a common remark, when the exercise of his patronage is the subject of conversation, that "Lord WESTBURY has never forgotten a friend nor failed to reward a service?" And is not this always said in the way of praise, even by those who in other respects are fault-finders?

LORD BROUGHAM'S name has been introduced into the EDMUNDS' scandal, but on no sufficient grounds. Mr. EDMUNDS was, we believe, the son of Lord BROUGHAM'S solicitor, who was killed from a fall from a gig during an electioneering trip. With characteristic generosity Lord (then Mr.) BROUGHAM took upon himself the charge of the son of the man who had lost his life in his service. If we are not misinformed, Mr. EDMUNDS was taken into his patron's house and became a member of his family. When Lord BROUGHAM was elevated to the woolsack, one of his first cares was to provide for the orphan, and he presented him with the offices he has now resigned. Whatever were the pecuniary transactions between Mr. WILLIAM BROUGHAM and Mr. EDMUNDS, whereby the salary of one of those offices was set apart by Mr. EDMUNDS for payment of the interest on a loan, Lord BROUGHAM had nothing to do with it; nor indeed was there anything wrong, or even uncommon, in an official borrowing money and giving up a portion of his official income as security for the interest and the premium on the necessary life assurance. What was the precise nature of the transactions between Mr. EDMUNDS and Mr. WILLIAM BROUGHAM has not been stated; but, from the fact that Mr. EDMUNDS paid the interest and premiums out of his salary, it may be assumed that it was in some way an accommodation to himself.

It is perhaps necessary to state that this solution is offered without authority, and only as a deduction from the partial statement that has been published.

THE LORD CHANCELLOR is anticipating by a small measure, designed to take effect immediately, a change in the Law of Bankruptcy which was suggested here some time since, and which appears to be growing in favour alike with the mercantile and the legal world. The principle of that scheme is practically the abolition of bankruptcy altogether, as a machinery for white-washing, substituting for protection and discharge and all the other contrivances for enabling rogues to rob their creditors, the simple plan of leaving debtors and creditors to the regular course of law, to settlement between themselves on such terms as they may agree upon, only depriving the creditor of the power to imprison the body, and the debtor of the power of exempting his future property from liability for past debts. This would be perfectly fair to both. When the creditor finds that his debtor has no property wherewith to discharge his claim, he will probably prefer a composition to abiding the chance of the debtor being in better circumstances at some future time, and if the debtor sees that he can never again become possessed of property without liability he will have the strongest inducement to offer the best terms he can command. All the help then needed from the law will be some special powers given to the trustees of composition-deeds to facilitate the getting-in of the assets, and perhaps to secure a more efficient audit and responsibility. Not even a court will be required, for the ordinary tribunals could easily transact the very small quantity of business that would grow out of such a relationship between the debtor and the creditor.

The LORD CHANCELLOR has evidently anticipated that some such reform, or rather revolution, as this will be recommended by the Committee of the Commons now sitting to inquire into the Bankruptcy Law, for he has introduced a Bill to adopt the principle immediately, with certain reservations, so, if possible, to stay the present swelling flood of mischief until the Legislature can deal with the whole subject. He proposes that a discharge in bankruptcy shall not operate to release the future property of the bankrupt, unless he pays 5*s.* in the pound, or five-sixths of his creditors consent to such release. The foundation is thus laid for the greater reform which the committee will certainly propose. Its vital principle is here conceded. Therefore, though in appearance a small measure, in reality it is a very great one. A long time—certainly a year and a-half, but more probably two years and a-half—must elapse before a complete reform of the Law of Bankruptcy can be effected. In the meanwhile, the Bill now before the Lords will do a great deal to remedy the existing facilities for dishonesty which are demoralising the country, and against which there is a universal outcry, not only from the Profession who see the mischiefs, but also from the traders who feel them.

The LORD CHANCELLOR thus prefaced the introduction of the Bill:

He proposed to lay upon the table of the House a Bill which he regarded as one of very great importance. Its object was to abolish imprisonment for debt, or rather so much of it as still continued in operation. Their Lordships were aware that the Act for the Amendment of the Law of Bankruptcy, which had been passed two or three years back, contained a provision empowering the Registrars of the Court of Bankruptcy to visit prisons and adjudge bankrupt those whom they found imprisoned there for debt. The result of that provision had been most beneficial, and one of its immediate effects was that the Queen's Bench Prison was closed; nor had any one complained that the remedy of the *bona fide* creditor had, in consequence of the operation of the measure, been abridged. That being so, it was ascertained by the returns on the subject, that those who were now in prison for debt generally consisted of persons who found their way there for the purpose of being discharged under the Bankruptcy Law, and the consequence was that there was a great number of applications for discharge. He thought, therefore, that their Lordships would be justified in taking one step further; for it appeared to him, and it was the general opinion throughout Europe, that the old practice of imprisoning a debtor merely on account of a debt not being paid, was neither quite just or expedient. Their Lordships were probably aware that there was a committee now sitting for the purpose of inquiring into the whole of the bankrupt law, and it was probable that the report of that committee might be made at no very distant period. From what, however, he had been able to gather of the probable contents of their report, it was likely that a very considerable time would be required for the preparation of a Bill to carry its recommendations into effect. He did not under those circumstances anticipate that Parliament would be in a position to legislate upon the ground of the report during the present session, and he therefore proposed by the present Bill to make an enactment which he had reason to believe would be in perfect harmony with the recommendations of the committee. This proposal was that no order of discharge granted to a debtor should have the effect of releasing his future goods unless he paid a dividend of at least 5*s.* in the pound under the Bankruptcy Act. The present state of the law was, that every man who was brought up for discharge as a bankrupt was in a better condition if he had no property at all than if he had some; for if he had no property and set his estate down at *nil* no one opposed him, and he got his discharge as a matter of course. I propose that no discharge shall avail to release the future property of a bankrupt unless he pays a dividend of 5*s.* in the pound, or obtains the assent to his discharge of five-sixths of his creditors in point of value. There will be no hardship in discriminating between the honest and fraudulent bankrupt, and in imposing this condition upon the order of discharge by which future property will be released from liability. I hope your Lordships will give the Bill a first reading.

Lord CHELMSFORD inquired whether the Bill would take away from the judges of County Courts the power to commit in default of satisfaction of judgment.

The LORD CHANCELLOR said that the Bill entirely reserved the existing County Court system.

A VERY small majority of the Lords has rejected the Solicitors Remuneration Bill. It was vehemently opposed by Lord ST. LEONARDS and Lord CHELMSFORD, and feebly supported by Lord CRANWORTH, who objected to most of its provisions. As the subject directly touches the interests of our readers, we have preserved a full report of the debate. Undoubtedly the main feature of the scheme was not altogether free from question. Designed as a boon to the solicitors, it might have proved the parent of that mischief which is most to be dreaded—the introduction of the trading practice of a competition of prices. If legal business were to be made a matter of prior bargain between the solicitor and his client, no long time would elapse before acute clients would take that business to the cheapest market. Farmer B., contemplating a purchase or a mortgage, would go to Lawyer C. and ask, "What will you do this for?" Having received a price, he would go to Lawyer D. and say, "What will *you* do it for? C. wants so much for it." Many solicitors, of stern professional honour and large practice, would refuse to undersell their neighbours; but it is certain that others would be found with no such scruples, or having more pressing necessities. Nor would this be the worst of it. The solicitors who desire to conduct their business respectably could not afford to lose it, and sooner or later would be compelled to do likewise, or starve.

But the plan of payment by a percentage fee when the nature of the case admits of it, as in conveyancing and debt-collecting, is unexceptionable, and not open to the objection named against prior contracts for general business, as proposed by the rejected Bill. If the LORD CHANCELLOR had limited his measure to the legalising of such a method of charging, it would have been more successful, and would have better deserved success. Nothing more is needed for this than an authority to the taxing master to allow an *ad valorem* charge, if satisfied that it was

not excessive. If the Incorporated Law Society would prepare a well-considered scale of percentage charges, and obtain the sanction of the Legislature to such a method of charging, all would be effected that the Lord Chancellor's Bill designed, without the danger that would certainly have attended it.

It will be seen, by reference to our current reports, that we have commenced the publication of a series of decisions upon questions of parliamentary practice. Reports of the decisions of Election Committees are not unknown to the Profession. Some of these, if we are not mistaken, were provided at an early stage of his career, by the present Chief Justice of England. But we are not aware of the existence of any collection of the decisions of Committees upon Private Bills. There can be no doubt that many of these Bills are disposed of without any point of more than immediate interest having been raised. This, however, is not always the case, and it is therefore of importance that some record should be preserved of the opinion of the committee, in order that it may serve as a precedent on future occasions. We believe that the leading parliamentary agents and solicitors practising before the committees are well acquainted with certain leading decisions of former committees. But it must often happen, that when it is necessary to refer to these decisions, their authority is impaired by the absence of full particulars as to their details, owing to the frailty of human memory. And it appears to us that during the present session there will be great need of some chronicle of the mode in which points of general interest have been discussed and decided, particularly in the Court of Referees. The practice of that tribunal is daily increasing in importance. The Referees intimated, at an early period of the session, that all jurisdiction as to *locus standi* was transferred to them, except cases arising incidentally, and that if an objection to *locus standi* were not taken before the Referees, it would be taken as admitted before the Committee. These decisions on *locus standi* it will be our endeavour to report as speedily as is consistent with accuracy. But it is not our intention to confine ourselves solely to cases upon the right of parties petitioning against Bills to be heard. The construction of the Standing Orders, giving jurisdiction to the Referees over the engineering details of an undertaking, &c., has already given rise to considerable difficulty, and great care is needed on the part of those to whom is committed the task of framing petitions against a Bill. It is often objected, that the petition addressed to the Referees contains no substantial objection to the engineering details of the railway, and that what is really their object is to object upon competitive grounds to the whole scheme of the Bill. Cases of this description are well worthy of a report. In conclusion, we submit our new publication, with some confidence, to those for whose benefit it is intended, a class of practitioners engaged in labours the magnitude and influence of which cannot well be exaggerated.

Having done well without any law of bankruptcy, leaving debtors and creditors to the general law for their remedies, neither helping the one nor protecting the other, the United States have suddenly borrowed from us the law we are on the eve of repudiating. Debtors are to be allowed henceforth in America, as they are now permitted in England, not merely to compel their creditors to accept what it pleases them, with the aid of a little cunning, to pay, but to confiscate the claim of the creditor to the future property of the rogue who has robbed him.

It will be asked with astonishment why the United States should at this critical time have adopted such a law. The declared reason is, that they contemplate an early panic; that individuals in the North are largely indebted to traders and others in the South; they fear that if amicable relations were to be restored, they would be called upon for payment of their debts, so they avail themselves of the Legislature being in their own hands to make an iniquitous law for their own interest, and by one clause in it they declare that all debts due to any person who has aided or encouraged the rebellion by his sympathy shall be irrecoverable, and that debtors availing themselves of the new Bankruptcy Law to "whitewash," shall be absolutely freed from all future claims and demands for any debts then existing.

Thus at one blow all debts due from Northeners to Southeners are confiscated, and debts accumulated at home during the war are to be swept away, and the debtor freed from all future liability.

If Democracy can so deal with its own debts, there can be no doubt how it will deal with the great burden of the public debt.

A meeting of the delegates of the middle classes, and those of the working classes, was held on Saturday, to inaugurate a new reform movement. It was attended by Mr. Bright, M.P., Mr. Ayrton, M.P., Mr. Lawson, M.P., and some others who called themselves the representatives of the middle classes. The delegates of the working classes stated that, after grave deliberation, they had resolved not to co-operate in a movement for any reform that was not based upon manhood suffrage and vote by ballot. Mr. Bright and his colleagues thought that it would be more prudent to begin by asking for less sweeping measures, such as Mr. Baines's Bill for a 6*l.* franchise, or household suffrage; having obtained which, they would be enabled soon to command the manhood suffrage they desired. But the working men were resolute not to bate a fraction of their demand, and ultimately the delegates of the middle classes yielded, and agreed to join the working men in demanding universal suffrage. Mr. Lawson, M.P., of "the Permissive Bill" fame, went so far as to declare that he approved of the extreme demand of the working men. Moderation is, therefore, thrown overboard. A 6*l.* suffrage will not be accepted, if offered, and therefore it is useless as a concession.

The Parliamentary return, noticed in the last number of the Law Times, of the courts and offices to be transferred to the Commissioners of Public Works, and of those to become available in value towards the Palace of Justice, does not include the Bankruptcy Courts and offices in Basinghall-street. The Government seems, therefore, to have decided to exclude them from the concentration. On this point a great difference of opinion was manifested by the witnesses examined by the Select Committee on the working of the new Bankruptcy Act. As the matter belonged to the concentration question, rather than to the inquiry of the Select Committee, we did not think it desirable to lengthen our analysis of the evidence by taking in much of it which related to the site of the Bankruptcy Court. But since the subject has not yet occupied, and, in the absence of the Committee's report, could not so well occupy, the attention of the House of Commons on any of the stages of the two Concentration Bills, we revert to the evidence, in order that no hasty opinion may be formed. A separate report on the subject would be welcome from the Committee, unless, perhaps, it considers its own inquiries under this head as extrajudicial, and not technically influential on the House, the Committee having been appointed "to inquire into the working of the new Bankruptcy Act, and to report thereon."

Mr. Commissioner Holroyd thought it very desirable that, when the Palace of Justice was built, provision should be made for having the Court of Bankruptcy within that building. A recommendation to that effect was contained in the report of the Commissioners of 1854. It would be advantageous to the public that there should be the means of more frequent communication between the Commissioners and the higher judicial authorities. The present isolation the Commissioners felt to be a great evil. That was not a sentimental consideration, but the opinion of a reflective mind, after much consideration and thought. The Bar practising in the court was necessarily more confined from the circumstance of its separation from the other courts. The public would derive advantage through the information of an enlarged Bar. The more the different members of the Profession were brought into contact the better it was likely to be for the public. Formerly counsel from the Chancery bar and Common Law bar were much more in the habit of attending the Bankruptcy Court than they were now, which might be accounted for from the circumstance of there now being a bar at the court; but the number was not large, probably ten or a dozen. Queen's counsel scarcely ever attended; as a rule, they did not. By the isolation of the court the barristers practising there were shut out from the highest walk of the Profession. The reason urged against change was the convenience of mercantile men in the City; but that objection was very much weakened by the facilities given of late years for proof of debts without attending the court. A great many of the solicitors practising in the court resided in the City, but the objections against having the court westward were nothing as compared with what they were formerly, from the circumstance that such increased facilities were given to parties to prove. The circumstance of many solicitors having their offices in the City would not be deemed an insurmountable objection. The solicitors have more ready access to their clients from being in the City, but the communications east and west are very easy. The Commissioner thought there was not any practical difficulty in bringing the Bankruptcy Court into connection with the Superior Courts, either from the mercantile world or from solicitors engaged in bankruptcy practice coming as far as Temple-bar. It was also desirable that all the business of bankruptcy should be transacted under one roof. The official assignees' business might be done elsewhere than in the same building; but it was undesirable to have to send elsewhere for books and papers for the inspection of the Commissioners, which were frequently wanted for reference.

The solicitors, as well as Mr. Samuel Morley, differed from the Commissioner. Mr. C. E. Lewis did not think that the mercantile community would look with much favour upon a removal of the Court of Bankruptcy from the City to bring it into connection with the Superior Courts. But he deferred on the point to the opinion of mercantile men, his own being, that "a lawyer, like the eagle, would go where the carrion was."

Mr. Lawrance decidedly disapproved of any suggestion for removing the Court of Bankruptcy out of the city. Merchants who had to go and prove their debts ought to be put to as little inconvenience as possible by a ready access to Basinghall-street. He had frequently seen some of the leading merchants and bankers there; but the work of the large houses depended more upon clerks than upon the principals, and if you took away their clerks and their books, you would put them to great inconvenience. As regards the Bar there, they could not much boast of it, although there were some very able men; but you would never get the leaders of the Bar into the Court of Bankruptcy, for this reason, that the character of the business did not justify the fees which those gentlemen were justly entitled to receive. If the courts were removed for the purpose of concentration, the advantage that bankruptcy would form part of the system of the administration of justice would not compensate for the commercial inconvenience.

Mr. Morley always felt that it would be undesirable to remove the seat of justice from the City. Even if courts of justice were to be provided at Temple-bar it would be a greater convenience to the traders who would have to appear if the judge were to sit in the City.

It is plain from this evidence that the conflict lies between the advantage of a local union of bankruptcy with the other branches of legal administration, and the disadvantage of compelling the suitors in the court to quit the locality of their ordinary callings. The balance must depend on the character of the court, in respect of the relative degrees in which it is a court of justice and a court of administration. At present its character, as a court of administration, preponderates. What may be its main character under the new system, of which the Lord Chancellor has this week favoured the Lords with an instalment, but which as to the rest awaits the report of the select committee, we cannot tell. But if reliance is to be placed on the evident tendency of the committee towards the Scotch system, where the administration takes place by a paid trustee, under the control of creditors, out of court, and the fact is observed that eight-ninths of the whole amount of insolvent estates are now actually administered out of court under deeds, the probability is that there will not in future be much of the administrative part of the business done in court. If so, mercantile convenience will not enter more into the question of the locality of this court than it does into the locality of the Superior Courts. On the other hand, the isolation of the Bankruptcy Court in the City has fostered abuses which could not have borne the contact of the other courts for a

day. Witness Mr. Lewis's description of the business scenes in Basinghall-street, before the registrars, in which we recognise all the accessories of a prize-fight but the well-kept ring. Witness, too, the cool indifference of commissioners coming down to take their seats, four or five days only out of the seven, at eleven o'clock, and sometimes keeping the throng waiting until one o'clock. Of the occasional displays, when some of them do take their seats, we need say nothing, as the frequent reports in the newspapers exhibit in a remarkable manner the judicial effects of isolation. The only just view of which the question of bringing the Bankruptcy Courts within the proposed concentration seems capable at present is, that opinion must be suspended until the bankruptcy question itself is settled.

The Royal Commission on Railway Charges has been issued. It consists of the Duke of Devonshire, who will be the chairman, the Earl of Donoughmore, Lord Stanley, Mr. E. F. Leveson Gower, Mr. Lowe, Sir Rowland Hill, Mr. Roebuck, Mr. Horsfall, Mr. R. Dalglish, Mr. G. C. Glyn, Mr. A. S. Ayrton, Mr. D. Galton, Mr. E. T. Hamilton, and Mr. J. R. M'Clean. The commissioners are to inquire into the charges now and heretofore made by the railway companies for the conveyance of passengers and merchandise, and into the equality or difference of charges under similar circumstances, whether as between different companies or by the same company in different cases, and where irregularity or difference exists, whether there are special circumstances rendering it necessary, and into the actual costs of conveyance, and to compare the costs and charges, if and so far as the commissioners think fit, with those relatively to the accommodation given and service performed on the railways in foreign countries, and to report whether, with a due regard to the progressive extension of the railway system, it would be practicable, by means of any changes in the laws relating to railways or otherwise, to effect a more convenient interchange of traffic between the several systems of railways, and more economical arrangements for the working of railways, so as to make any considerable reduction in the costs of conveyance, and in the charges to the public on account thereof, and more effectually to provide for securing the safe, expeditious, punctual and cheap transit of passengers and merchandise upon the railways, with as near an approach as may be to uniformity of charge and equality of treatment for all persons under similar circumstances. The quorum is to be five. The commissioners are to invite competent witnesses to attend with books, documents, papers and accounts.

The Public Schools Bill, brought in by Lord Clarendon, has been printed. After a *preliminary* of definitions, it provides for the *governing bodies*, regulating their proceedings, votes and expenses, and the transfer of powers of existing governing bodies; next, under the head of *Statutes by Governing Bodies*, are powers to make statutes under restrictions, provisions for consolidation, and amendment of existing statutes and regulations, for restrictions on making statutes, laying them before the Queen in Council and before Parliament, and repeal of statutes; then follows a clause for *Regulations by Governing Bodies*; clauses on *Masters*, relative to their appointment and duties; *Boys on the Foundation*, concerning candidates for college at Eton, election of King's College at Eton, free foundation at Harrow, free education at Rugby, scheme for Harrow and Rugby, scholarships at Shrewsbury and abolition of rights of burgesses at Shrewsbury. Under the head *Miscellaneous* are schemes for appropriation of estate in Westminster School, for buildings of a school, for constituting the parish of Eton a distinct vicarage, powers to remove certain schools, with saving clauses. There are eight schedules, constituting in detail the governing bodies of Eton, Winchester, Westminster, the Charterhouse, Harrow, Rugby, Shrewsbury and St. Paul's.

While this journal was in the press last week, containing an expectation that after Easter, when the Bankruptcy Act Committee had made its report, the promised Bill thereon would become the solid dish of the session, the Lord Chancellor was stealing a march on the committee. From the committee's joint on the spit he has cut off a slice and run away with it. The last bankruptcy return, showing 7224 adjudication, and 5324 of them without any dividend at all, made the public so hungry, that unless the Chancellor put something quickly before them, he stood in danger of being himself devoured. In the majority of the 1586 cases which did pay a dividend, it was under 2*s.* 6*d.* The Bill which is now introduced provisionally until there be time to deal with the whole law of bankruptcy, and, we hope, consolidate it in one well-arranged measure, is partly based on the recommendations given in evidence before the committee by Mr. Commissioner Holroyd, and partly suggested by the state of things exhibited by the return above referred to.

The Bill abolishes execution or detainer on judgments, decrees and orders in any superior or inferior court in England, for the payment of any sum of money, or damages, or costs, with a saving of the remedies of creditors in the County Courts; the remedies under sects. 76 to 85 of the Bankruptcy Act are to be extended to debts of 20*l.*, exclusive of costs; the like amount is to be a good petitioning creditor's debt; sects. 98 to 107 of the Bankruptcy Act are to be repealed. No order of discharge is to be granted, nor, if granted, is to release any estate, property, income, or salary which a bankrupt may acquire, possess, or become entitled to after the date of the order, unless the estate of the bankrupt shall have paid, or be sufficient to pay, in the bankruptcy 5*s.* in the pound on the debts proved, or four-fifths in amount of the creditors who have proved consent to the order.

The Bill is to receive some corrections, and has been withdrawn for the purpose of being reprinted. But substantially it is the intended bankruptcy measure of the session. The repealed sections are those which relate to debtors in prison. The 71st section, which makes lying in prison for debt an act of bankruptcy, might have been added to them. In addition to abolition of imprisonment for debt, there is the novelty of the 5*s.* dividend as a condition of the discharge of future estate. But what is to be done with the bankrupt's estate until the discharge? Is it to remain vested in the creditors' assignee indefinitely, until the Greek Kalends, or the bankrupt's death? The state of bankruptcy during a life offers difficulties of which the Lord Chancellor seems to be unconscious. In truth, the Bill is very crudely drawn. While the preamble recites the expediency of abolition of imprisonment for debt, except where the debtor has income or property which cannot be taken in execution, the body of the Bill does not notice this exception. Perhaps the Lord Chancellor has had a hint, and the reprint will set all right. The House of Commons may even think that, while its committee is preparing the report, it would be better to have no reprint at all.

The scope and language of the Trustee Relief Act (10 & 11 Vict. c. 96) have raised a question whether a trustee desirous of being discharged frm the trusts ought not to pay the fund into court under the Act, instead of adopting the old course of filing a bill. The Act purports, by its preamble, to provide means "for relieving trustees from the responsibility of administering trust-funds in cases where they are desirous of being so relieved," and enacts that the payment into court shall be "a sufficient discharge to such trustees" for the money paid. In a case before the Master of the Rolls in 1862, *Wells* v. *Malbon*, 6 L. T. Rep. N. S. 39, it was decided that where the object of the trustee's bill is not his own discharge, but the determination of the rights of the parties entitled, he will, if he takes upon himself to institute a suit, only be allowed such costs as, on a liberal computation, he would have had if he had availed himself of the Act. It is the province of the court, under the 2nd section of the Act, to determine whether a suit be necessary for the purposes of distribution. But in a recent case, where the facts were that, although the trust-fund was of ascertained amount, controversies had arisen as to the rights of the parties entitled, who had altogether changed since the execution of the deed originally constituting the trust, and that the trustee had been subjected to much trouble and litigation for many years and was now growing old, so that he had sufficient reasons for wishing to be discharged from the trusts, Vice-Chancellor Kindersley held that he might pray for such discharge by bill: (*Barker* v. *Peile*, 12 L. T. Rep. N. S. 50.) He would have been entitled to do so previously to 1847. Did the Trustee Relief Act deprive him of that right? On the contrary; although by a payment into court he would, as we have seen, be discharged from all further liability, still he would remain a trustee, and must be a party to every matter. The sixth of the rules regulating the practice under the Act is, that the trustees shall be served with notice of any application made to the court or to the judge in chambers, respecting the funds or the dividends or interest thereof by any person interested therein. So far, therefore, as the trustee's position is concerned, payment into court only operates as a partial discharge. The forensic responsibility of protecting the fund by instructing a solicitor and appearing through counsel remains. The Vice-Chancellor said he could not conceive that the Legislature intended by the Act to prevent a trustee from coming to the court to be discharged. Therefore the plaintiff, the trustee, must be allowed his full costs of suit, as between solicitor and client. The case of *Barker* v. *Peile* will be an important guide in practice on a point that was hazardous.

The Common Law may be the perfection of reason, but the reason is not always consistent with natural equity. Thus an executor has a right to retain for his own debt due to him from the deceased, in preference to all other creditors of equal degree. If the estate is insolvent, he may, consequently, sweep away all the assets, leaving the other creditors nothing for their consolation but wonder at the antique wisdom of the law. The principle was stigmatised by the Lord Chancellor in *Boyd* v. *Brooks*, reported in our last number, page 37, as barbarous. In that case the plaintiffs were simple contract creditors of the testator in the cause; the testator, with a surety, one of the defendants, had given joint and several promissory notes, and appointed the surety executor; the surety paid the notes out of his own moneys after the testator's death, and claimed a right of retainer in respect of his debt. The Lord Chancellor held that, in administering legal assets, effect must be given to the executor's right of retainer. But in arriving at this conclusion in favour of the defendant executor, he felt great regret that in a case of equitable distribution the result should be so unequal, and that it should be all in favour of one creditor. The reason of the executor's right of retainer is, no doubt, that the executor cannot sue himself, and therefore must take his remedy into his own hands. But this reasoning begs the question in point of justice. Why should any creditor of a deceased person be enabled to obtain an advantage over other creditors of equal degree by suing an executor when the estate is insolvent? The principle is the same as in the case of the insolvent estate of a living person. If he cannot pay a judgment debt, or, indeed, a trade debt, his estate becomes liable to distribution in bankruptcy. Justly speaking, an executor, where the estate is insufficient to pay creditors, or creditors of equal degree, cannot pay any one of them. The estate ought then to become distributable at law as it would be in equity. An extension of the principle of bankruptcy to the insolvent estates of dead men would be a wholesome reform. As the Lord Chancellor is not a timid legislator, we commend to him to pursue his train of thought in *Boyd* v. *Brooks* to a practical end. It would not even be rash to attempt something equitable by Act of Parliament which should break down the artificial degrees at law between creditors of different classes. Here is a proper subject for fusion of law with equity.

On our advertisement page will be seen the prospectus of a company, the objects and purposes of which will be new to many of our readers. The South of England Waggon Company is started for the purpose of lending out waggons for carrying purposes, whether it be on road or rail, in the western counties of England. The first perusal of this to us strange scheme left no very favourable impression on our minds, but a little reflection and a more careful inspection of the prospectus disclosed several excellent points of importance. We are told that this is not the first company of the kind; that in the northern and central districts they have been long established and are very flourishing. So much for the scheme itself. The details are as follows: The company will buy their waggons from the best builder, instead of making

their own, and Hodge the farmer, or Grist the miller, will hire waggons from the company when they want them, instead of going to the expense of buying and keeping their own. It is this letting by the company which will be the chief source of profit, and will be conducted on two plans: viz., first, the letting of waggons at fixed rentals; and, secondly, the letting of waggons at redemption rentals. Whether this will prove of a sufficiently remunerative character, we will leave our readers to judge.

THE REPORT OF THE PATENT LAW COMMISSION.

The intention to bring in a Bill this session, founded on some of the views of the commissioners appointed to inquire into the working of the law relating to letters patent for inventions, was announced in the House of Commons on Friday evening by the Attorney-General. The commissioners were Lord Stanley, Lord Overstone, Chief Justice Erle, Vice-Chancellor Wood, the late Attorney-General, Sir Hugh Cairns, Mr. Waddington, Mr. Grove, Q.C., Mr. Hindmarch, Q. C., Mr. W. E. Forster and Mr. Fairbairn. Their conclusions have already been published in our impression of Feb. 18th. It may be remembered that these are in a great degree of a negative character respecting changes in the existing law or practice. The commissioners do not recommend—1, any alteration of the present system as to the cost of letters patent, or the mode of payment; or, 2, any preliminary investigation into the merits of the invention, except as to want of novelty appearing by previous documentary publication; or, 4, any compulsion on patentees to grant licences. The figures refer to the order in which the commissioners have stated their propositions. The changes recommended are that—3, trial of validity of patents be before a judge sitting with the aid of scientific assessors, but without a jury, unless at the desire of both parties, the judge being one of the judges of law and equity, who are to make rules for one court to sit for patent cases exclusively; 5, patents be not granted to importers of foreign inventions; 6, the term be in no case extended beyond the original fourteen years; 7, in future patents there shall be inserted a proviso that the Crown may use the invention without previous licence or consent of the patentee, subject to a payment to be fixed by the Treasury. Since the decision in *Feather* v. *The Queen*, this last recommendation cannot, we presume, be received. Nevertheless' we shall draw attention to the grounds on which the commissioners think it expedient and just. The right technically established in the Crown by that case cannot alter either the equity or the policy involved in the question of the right of the Crown as against a patentee. Mr. Hindmarch made a separate report proposing, in addition to the recommendations in the general report, that an applicant for a patent should have the same right of appeal from an adverse decision of a law officer as an opponent has; that a specification should contain a clear statement of the inventor's claim, and the sufficiency of the claim be ascertained and certified by competent persons; that, when there is a disputed state of facts as to the novelty of the petitioner's invention or his priority, the Lord Chancellor should be authorised to direct a trial before the grant of a patent; that patents be shortened in form by an enactment embracing the provisions usual in them, and be printed and issued with a printed copy of the specification. Mr. Hindmarch does not concur in the recommendation to abolish extension of the fourteen years, and Mr. Fairbairn here agrees with him; but Mr. Hindmarch recommends a careful inquiry by competent persons in every case of application for extension; further, that there should be a right of appeal to the Lord Chancellor, or a judge appointed by him, from the decision of the law officers on applications to enter disclaimers and memorandums of alteration; that, in lieu of the proceeding by *scire facias*, any person complaining of the illegality of a patent be able to apply in a summary way to the Lord Chancellor to have it revoked and cancelled; and that all patent agents be registered in the office of the Commissioners of Patents, and no person be hereafter permitted to practise as an agent until examined as to his competency, and all registered agents take out an annual certificate and be punishable for misconduct by the Lord Chancellor or the Master of the Rolls. This is a point worthy of the attention of solicitors, for if, as Mr. Hindmarch observes, the right of persons to act as patent agents without being admitted solicitors has been too long established to be taken away, at all events, so far as respects persons at present in practice, there is, at least, no reason why patent agents and solicitors should be so unequally weighted as they are at present.

Before entering upon the reasons with which the commissioners support the conclusions in their general report, it is fair to them to state their opinion that, while in their judgment the changes suggested by it will do something to mitigate the inconveniences now complained of, these inconveniences cannot be wholly removed, but are inherent in the nature of a patent law, and must be considered as the price which the public consents to pay for the existence of such a law. Such a mode of argument, however, appears to imply that the patent law is of an arbitrary character, and has no common foundation with any natural system of the law of property. This question underlies the whole subject, and is worthy of a special inquiry. Probably the report has thus insinuated rather than investigated the doubt of the expediency of a patent law, because the commission was appointed to inquire into "the working" of the law, not into its policy. But until the major inquiry into policy is made, and the relation or no relation between the right to inventions and the right to property is settled, it can scarcely be expected that any exhaustive argument will be arrived at on the subject of patent law as a branch of jurisprudence, either in respect of principle or of practice.

The most important of the defects of the patent law system since the amendment in 1852 appears to the commissioners to be the protracted litigation and consequent expense of the mode of trying questions of patent rights. In two instances the law expenses of plaintiff and defendant together amounted to 26,000*l.* and 15,000*l.* respectively, the litigation lasting for periods of ten or twelve years. The multiplicity of patents, arising from the diminished cost of obtaining them, is a serious cause of complaint. The average yearly number of provisional protections, is now about 3000, of the sealed patents 2000, many being for frivolous or useless inventions. On the other hand, there is an opinion that the cost of 175*l.*, commencing with a 25*l.* fee, is still an insuperable bar to the poor inventor. Again, it is contended by inventors that the tax on granting patents ought to be no more than sufficient for the expenses of the Patent-office, whereas the surplus fees since 1852 amount to more than 200,000*l.*, and the annual surplus is estimated at 40,000*l.* With these considerations before them the commissioners drew up and submitted to the Chambers of Commerce and other societies and persons, and to some extent based the oral examinations on a series of twelve questions, to which we may have occasion to revert in noticing the evidence. At present it will be more convenient to follow the divisions under which the report has been drawn up.

I. The first head is a statement of the successive stages of procedure in applying for the grant of letters patent; of the fees at each stage and during the fourteen years; and of the procedure on disclaimers, memoranda of alterations, confirmations and prolongations. The first step is to lodge at the Great Seal Patent-office the petition disclosing the title of the invention, the provisional specification describing its nature, and a solemn declaration of being the true and first inventor. The documents are referred to the law officers, who decide whether the nature of the invention is sufficiently described in the specification, and may call in scientific assistance, but rarely exercise the power. The law officer grants his certificate of provisional protection, which is advertised. By lodging a complete specification the certificate may be obtained without investigation, as of course. After four months, notice must be given and advertised of the applicant's intention to proceed, and twenty-one days are allowed for lodging objections. The applicant and objector are heard separately by the law officer, or, at his discretion, in one another's presence, if the opponent knows the nature of the invention. There being no appeal from the law officer's decision, he does not refuse his fiat unless the want of novelty is clear. After the applicant obtains the fiat for the warrant, the objector may, by a caveat, appeal to the Lord Chancellor. The next stage is the application for sealing to be made within three months. If an objection is lodged, the parties are heard before the Lord Chancellor, who may, though he does not often, refer the matter to the law officer for his opinion. The fees, up to the grant, are 5*l.* for each of the following five particulars: lodging petition, certificate of notice to proceed, warrant, sealing, and specification. After six months, or such further time as the Lord Chancellor allows, the provisional protection ceases, and any grant made is void, unless the complete specification be filed. Before the end of three years the patentee must pay 50*l.*, and before the end of seven 100*l.*, if he is to maintain his patent. About two-thirds of the patents become void at the end of the third year, and less than one-sixth are continued beyond the seventh year. Since the alteration of the practice in 1852, by which the patentee was allowed the right of replying, the proceeding by *scire facias* to repeal a patent has fallen into disuse. The patentee may, by a petition to the Commissioners of Patents, and on reference to the law officer, at any time obtain leave to disclaim part of the title or of the specification of his patent, or to alter either of them. The number of disclaimers and memoranda of alterations filed since the new law varies from two to fifteen in a year. If the patentee finds out that part of his invention already exists in a printed form, grown obsolete from having long escaped public attention, and has rediscovered the invention, he may obtain a confirmation by application to the Judicial Committee. He may also apply to that committee for a prolongation of the original period of fourteen years. The usual extension is for not more than three to six years. An objector to the extension must lodge his grounds in writing, and may appear at the hearing. The law officer also appears on behalf of the public. The patentee must satisfy the Judicial Committee that the invention is of great ingenuity and merit; that it is of considerable public utility; and that, in spite of reasonable exertions, the inventor has not been adequately remunerated. From 1835 to 1862 the prolongations granted were 62; refused, 46; withdrawn, 29; compensations granted, 1; dismissed, 6.

(To be continued.)

INVESTMENT JOURNAL.

The failure of Attwood's Birmingham Bank, of whose unsoundness not even a suspicion had existed exercised a perceptible influence over the Money-market, lowering the prices even of railway shares. The first exclamation was, "If *they* could fail, who is safe?" But when the facts became known, the alarm somewhat subsided. The Attwood family had drawn largely on the resources of the bank, which the present proprietors had sought to restore in vain.

The following are the fluctuations of the week:—

English Funds	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	248	...	246	247½	...	...
3 p. Cent. Red. Ann.	86¾	86¾	86¾	86¾	87	87
3 p. Cent. Cons. Ann.	88¾	88¾	88¾	88¾	88¾	89
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 p. Cent. Ann.	87¼	86¾	86¾	86¾	87	87
New 3½ p. Cent. Ann.	...	...	...	...	...	...
3 p. Cent. Annuities	...	...	...	...	...	...
5 p. Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	10
Do. exp. Jan. 5, 1889	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89	88¾	88¾	88¾	89	89
Consols 5 p. Cent. for Ac.	...	...	...	...	...	...
India 5 p. Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	215½	218	...	215	218	...
India 5 p. Cents.	...	...	...	...	...	...
India 4 p. Cents. 1858	...	...	...	...	...	...
India 5 p. Cents. 1870	103½	103½	103	103½	104	...
India Bonds (1000*l.*)	12 *p*	...	...	...	...	...
Do. (under 1000*l.*)	14 *p*	...	...	...	...	...
India Debentures, 1853	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1860	...	...	...	99½	...	...
India Enfaced Paper, 4 p. Cent.	...	...	...	...	...	...
Do. do. 5 p. c. Jan. 1872	100	...	100½	100	101	...
Do. do. 5½ p. c. May 1879	...	...	108	...	109	...
Ex. Bills, 1000*l.*	...	*c*	*a*	*d*	...	*f*
Do. 500*l.*	*a*	*b*	...	*d*	...	*f*
Do. 100*l.* & 200*l.*	...	...	...	...	...	...
3 p. c.	*b*	*b*	...	*d*	*c*	*f*
Do. Small, 3 & 3 p. c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 per cent. 6s. prem.
b 4 per cent. 3s. 7d. prem
c 4 per cent. 4s. prem.
d 4 per cent. 4s. prem.
e 6 per cent. 6s prem.
f 6 per cent. par, 7s. prem.
g Prem.

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Business continues dull, not in England only, but throughout the Continent. The fact is, that the speculation of last year was overdone. The time for taking shares to sell them at a premium has passed, and now the calls are being made with regularity, and holders must pay or sell. As many cannot pay, they are compelled to go into the market, and as that is glutted, buyers can have shares at their own price. Now, therefore, is the time for *bona fide* investors to purchase shares in substantial undertakings. They can be had for about half of what has been paid upon them; they are sure to go up again when the tide turns, and then every pound now spent will be represented by two pounds, or even more.

Now that money is cheap again, land will come into favour, and a good sale season may be anticipated.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

ATTORNEYS AND SOLICITORS BILL.

The LORD CHANCELLOR moved that this Bill should be read a second time.——Lord ST. LEONARDS said that as the noble and learned lord had moved the second reading of the measure without a word of comment, it would be necessary that he should explain its provisions in order that he might show why he objected to it. In the measure which his noble and learned friend introduced last session, it was recited that the law as it stood with regard to the charges of attorneys was inexpedient—that was, that they were not paid enough. Those words were omitted from the preamble of this Bill, and therefore he presumed that the noble and learned lord now thought that the law was not unjust. The first clause of the Bill gave to every attorney the power of making a bargain with his client, at any time, as to the sum for which he would conduct a particular business, although that sum should be in direct violation of the orders of the court fixing the amount of attorneys' fees in every particular instance. The same clause gave to an attorney interest from the time of demand. The third provided that an attorney, who was executor or administrator, might act as attorney to the estate, and charge his fees as such; and the last clause provided that an attorney or solicitor might take from his client security for future costs; such a thing as that had never been permitted by the courts of England, and ought not to be allowed; because, if an attorney could obtain security for future costs he would be utterly reckless, and need not care in what litigation he involved his client. He would show their Lordships what had been the settled practice of the courts of law and equity as to the relation between attorneys and solicitors and their clients. Lord Hardwicke, in a case which was reported in 2 Atkins, page 27, said that since the passing of the Act for taxing attorneys' costs, 2 Geo. 2, c. 23, solicitors had been considered as officers of justice, stated fees had been allotted to them, and in all the courts, more particularly in courts of law, certain rules had been laid down to regulate their behaviour to their clients. Lord Loughborough and Lord Eldon had laid it down as a well-known principle of law that under any circumstances the charges of an attorney were taxable, and even in cases where he had already obtained payment the court would interfere if there was any ground for suspecting the existence of any overcharge or fraud on his part. He had quoted these authorities to show that the law had always regarded transactions between attorneys and their clients as resting upon a totally different foundation to that of ordinary transactions. If, for instance, an attorney were to purchase his client's estate, it would scarcely be possible for him to maintain such purchase in equity, notwithstanding the value of the property was well ascertained and the client had the advice of a second attorney. The whole system was well devised for protecting the client against possible improper conduct of the attorney. It would be far from pleasant to him who had had to deal for so many years with attorneys to speak of them with disrespect as a class, and he distinctly disclaimed any such intention; but there were persons in that profession who would endeavour to take advantage of any Bill giving them uncontrolled power over their clients. As the law now stood, an attorney could make no bargain with his client for any given sum for his services. The law from the earliest period had provided for the taxation of the costs of attorneys, and the costs which they were entitled to charge were most accurately determined. From the time of the 3 Jas. 1, down to the present day, Bills were introduced to regulate the costs of attorneys, but in every case they contained most stringent provisions against the attorney, and subjected his charges to taxation. In 1843, by the 6 & 7 Vict. c. 73, all the laws upon this subject was consolidated, simplified and amended. One of the most material provisions of the Bill was contained in the 37th section, which enacted that no attorney or solicitor should be entitled to commence an action for fees until the expiration of one month after the delivery of his bill, or until it was duly taxed. The 5 & 6 Vict. c. 102, provided six taxing masters with a salary of 2000*l.* per annum each, and certain returns showed that the expenses of the taxing master's offices amounted to 16,000*l.* or 17,000*l.* per annum. The proposed Bill was intended to strike at the root of all these laws, and to render the office of the taxing master utterly useless and nugatory. It overruled the general practice and practically repealed all former Acts of Parliament upon the subject, by rendering it lawful for every attorney and solicitor to enter into a contract with his client regulating the amount of his remuneration. There was a rather extraordinary case showing what the effect was of a man making an agreement with his client for work done. It was that of Mr. Kennedy, a barrister, who admittedly had carried the case of his client through a long litigation with great tact, judgment and nerve. He thought that as a barrister he was entitled to make a bargain with his client, and accordingly he did make a bargain with her that he was to receive 20,000*l.* for his services in the suit. The lady did what ladies sometimes would do—changed her mind, and refused to pay the money. Mr. Kennedy, thinking that law was on his side, went to every court in Westminster-hall; but all the courts decided what they ought to have decided—that he was not entitled to recover a single shilling; so that all his ability had been successfuly employed for his client without any remuneration for himself. Was Parliament now to enable attorneys to do what barristers could not do? Would their Lordships enable attorneys to do that which, from the nature of things, ought not to be done? Coming to another portion of his noble and learned friend's measure, he had to observe that in the Bill of last year his noble and learned friend proposed that if, of two trustees or executors, one, being an attorney, proposed to commence a suit, he would not be entitled to his fees as an attorney unless he had obtained the consent of the other trustee or executor to the suit being instituted; but under the Bill now before their Lordships an attorney in such a position was not required to obtain the consent of his co-trustee nor of his *cestui que trust*, so that his first act might be to institute a suit against himself. The Bill would do as much damage to the client as to the solicitor whom it was meant to benefit, and it would make the relations between them much less amicable and confidential than they formerly were.——The LORD CHANCELLOR thought it was somewhat unreasonable of his noble and learned friend to complain of not having heard his explanation, since he had introduced much the same Bill last year on the 9th July, which was read a second time on the 21st, and he had then explained its details. His noble and learned friend complained of this Bill on two grounds—first, that it had altered the law, which was perfectly true; and next, that it was a law of great antiquity. That complaint, too, was true, for this law which partook of the error and absurdity of ancient laws, was practically the last relic which remained in our institutions of the attempt by law to regulate the remuneration of persons employed in any trade, calling, or profession. Any man employing a surveyor, architect, or engineer was enabled to enter into a contract with him as to the remuneration which he should receive, but the solicitor and client were debarred from making any such contract. The first evil attendant on this state of things was that a client, when he employed a solicitor, never knew to what amount of liability he was subjecting himself. If a man wished to sell an estate, and for that purpose applied to an auctioneer or agent, he would learn at once the commission he would be charged, but if he employed a solicitor he would have no means of knowing what the amount of his bill of costs would be. He contended, therefore, that it was impolitic to maintain a restriction which prevented solicitors and clients from entering into arrangements which would meet the interests of both parties. The present mode of remuneration was really productive of injury to both parties. The solicitor derived a benefit from delay and procrastination, which were injurious to the client. The longer the time employed in performing the business, the greater would be the solicitor's remuneration. If the parties were allowed to agree upon a certain amount of charge, there would be a pressure upon the solicitor to expedite the business, that he might the sooner receive what was due to him. The great evil of the present system was that the solicitor, in common justice to himself, was compelled to devise a mode of remuneration most injurious to the client, while, at the same time, it was not sufficiently beneficial to himself. It was this great vice, this old folly, which the noble and learned lord sought to maintain. The attorney was paid for every instrument which he prepared according to its length, and not according to its value. What was the consequence? Deeds swollen by redundant words, by a vast amount of useless verbosity, until the sense was obscured and the truth hardly discernible, offering great facilities for obscurity, error and uncertainty. A deed which at present consists of 100 folios of seventy-two words each might with advantage be condensed into twenty folios. But in such a case the attorney, being paid according to the length of the deed, would only receive one-fifth of his proper remuneration, so that he was compelled to adhere to a practice which he knew to be injurious, merely because the law prescribes to him only that mode of remuneration. His noble and learned friend had said that very great evils would arise from placing attorneys in a position to be enabled to contract with their clients; but he (the Lord Chancellor) was at a loss to understand what possible evils could arise from that permission being granted. What harm could there be in allowing an attorney to say to his client who wished to sell an estate that the charge would not exceed 150*l.*? It must be observed that the Bill did not propose to give that power to any but clients who were perfectly competent *sui juris*, and able to enter into a contract. In all other cases—such as infants or married women—the ordinary bill of costs must still be sent in and be subjected to taxation. But instead of the proposed change being inexpedient, unjust and mischievous, he believed that, if the profession generally were consulted, they would declare that the present system was inexpedient, unjust and mischievous, because they are compelled to resort to a mode of remuneration which did not represent that which they ought to have, but which did represent that which they ought not to do. The noble and learned lord had also spoken of great evils likely to follow from that part of the Bill giving to the attorney a right to interest upon the amount of his demand. But that was only a right which was enjoyed by all other persons who were employed to do work for others. A man having done the work sent in his bill and demanded payment, and from the time of such demand he was entitled to receive interest as compensation for the money which was detained from him. In the case of an attorney that was not so, but it was difficult to see why a different rule should prevail against him. The attorney, in many cases, was obliged to disburse large sums during the progress of the business, and when the business was completed it was only fair that he should receive payment or be allowed to charge interest. His noble and learned friend also complained that it was unjust to give to an attorney power to take from his client security for costs, but if there was one point of the Bill which he (the Lord Chancellor) thought would be more beneficial than another it was that very power. That a rule existed forbidding attorneys from taking security for costs had been regretted by many judges. The Bill did not propose to interfere with the law as it stood with relation to what was called champerty and maintenance, but there were many cases in which a man was unable to recover what was due to him, and it was proposed to allow him to give a security for costs upon the amount he might recover. The object was to offer facility to the obtaining of justice, and to take away an impediment which now deprived many men, who had no other means of recovering it, of property due to them. His noble and learned friend had made other objections, and some of them referred to a clause which, indeed, was open to some question—the clause which provided that professional trustees should be at liberty to act as solicitors, and to be remunerated for so doing. For his own part he should have preferred the clause as it stood in the Bill of last year, but that had not been the general feeling of the profession, and in deference to that feeling he had brought forward the clause in its present shape. The clause, however, would prevent much mischief from arising in cases where the remuneration of a solicitor-trustee was not provided for. It constantly happened that a testator had great confidence in a particular solicitor or firm of solicitors, and therefore selected that solicitor, or one of the firm, to be one of his trustees, in order that his estate might have the benefit of the prudence, skill and knowledge of the individual selected. But then the law stepped in and said that, as the testator had neglected to direct that the individual selected as trustee should act as solicitor and be remunerated as such, therefore the person so acting could not receive any remuneration. That really was a very inconvenient rule, and he had known many cases of hardship where gentlemen, after devoting their time and attention to the winding-up of a testator's affairs, ultimately found themselves deprived of all remuneration for their labours. If some power could be placed in the hands of the solicitors by which they would be authorised in entering into arrangements with their clients, he believed that the result would tend to the advantage not only of the clients, but also of the profession itself, for he knew nothing which had done more harm to the profession of the law as a science than the objectionable method in which attorneys had been remunerated. The present system induced long fees. These, in their turn, led to long abstracts, entailing infinite expense in all transactions with regard to real property, and more particularly in the case of unregistered estates. He invited their Lordships, therefore, to accede to the principles of the Bill, though there might be several particulars in the measure itself deserving attention and care.——

Lord Chelmsford fully agreed with his noble and learned friend who had first addressed their Lordships that the Bill was vicious in principle. He fully concurred in the opinion, also, that the present mode of remunerating solicitors for what was called conveyancing business was objectionable. In alluding, however, to the "verbosity and redundancy of deeds," he believed his noble and learned friend had mistaken the effect for the cause, because it was not until 1843 that there was any power instituted for taxing attorneys' bills upon conveyancing business. It was not, therefore, until 1843 that the present objectionable scale was introduced; but his noble and learned friend knew that long before that period leases, settlements and conveyances had assumed all the verbosity of their present form. He believed that the prolixity of deeds arose from the fact that the practice had been in use for many years; that it had undergone the test of judicial criticism, and that clients were generally afraid of departing from the usual custom, lest they should by so doing incur the chance of a flaw in their deeds. His noble and learned friend justly complained of the present objectionable mode of remunerating solicitors by folios and the number of words in each folio, but in his Bill his noble and learned friend proposed still to retain that system, except in cases where an attorney was willing to enter into an agreement with a client. He, however, for his part regarded the client as a person who ought to be protected from the attorney. In entering into an agreement with a solicitor the client could not be expected to know what would be a fair remuneration for a solicitor's labour. The solicitor, on the other hand, knew perfectly well what he was entitled to, and would take care in his agreement to realise as much as he would have been enabled to charge under the old system. He understood that in Scotland attorneys were remunerated in conveyancing business according to the value of the property, and some such system might, he thought, be introduced into this country. Of course, the percentage upon a large property would not be the same as upon a small one. The method would, however, be much better than the one at present in use. The objection to which he had referred was the least that could be urged against the Bill introduced by his noble and learned friend. He was afraid that his noble and learned friend had looked at the subject in too narrow a spirit. The attention of his noble and learned friend had been called to an objectionable mode of remuneration in one branch of the profession, and, instead of confining his efforts to finding a remedy for this particular evil, his noble and learned friend had extended his proposal, and now suggested that solicitors in suits of every kind should be permitted to make agreements with their clients. He quite agreed with his noble and learned friend in the opinion that attorneys, as a rule, were not likely to enter into any agreements which would be unfair. As a body, they were as honourable as any other profession. Still, all were not so, and protection ought to be afforded by the law, in order to prevent a client falling into the hands of those solicitors who were not respectable, and who would be likely to take advantage of their clients. His noble and learned friend on the woolsack had described the existing arrangement as an ancient barbarism. He could only say it was a provision made by the Legislature for the protection of one of the parties concerned against the undue influence which the other might exercise over him. In the reign of James I. an Act was passed to repress the misdemeanors of attorneys and solicitors, and to prevent unnecessary suits and charges. It was enacted by that statute that no solicitor or attorney should be allowed any fees alleged to have been paid to counsel unless he was able to exhibit a receipt signed by the barrister in question. It was also provided that no fees should be recovered by an attorney from any of his clients until the former had submitted a detailed bill of fees. From 1605 down to 1729 there was no inherent power in the courts of law to tax the bills of solicitors, although, no doubt, they exercised some sort of control over them. In 1729 a power of taxation was created over the accounts of agents in suits at law, and it was declared that all attorneys and solicitors should be bound to produce their accounts for taxation, and that, if a sixpence were struck off, the attorney should pay all the costs of taxation. That system continued down to 1843, and worked so well that in that year conveyancing and all other business was brought under the operation of the rule. The present measure would deprive clients of that protection, and he thought this was to be regretted. He might remind their Lordships that there were two kinds of costs—the costs between party and party, which the loser was obliged to pay, and the costs between client and attorney, which were taxed, but which each party had to pay for himself. The present Bill, however, would deprive the client of the protection of taxation in regard to the costs he owed to his agent, apart from those which were recognised between party and party by the courts of law.—Lord Cranworth said that the principle of the Bill was to leave clients and attorneys to settle the charges between themselves, and that principle, in his opinion, was so sensible and convenient that he held the burden of argument lay with those who sought to deviate from it. There was a great distinction between contentious and conveyancing business. He doubted whether taxation had done much good in checking the length and tediousness of conveyancing transactions, and he did not know that the Bill would have much effect in that direction, but was at least a right step. It should be borne in mind that the case of conveyances was one in which the attorney would have always to deal with educated persons, who might be presumed to be able to take care of their own interests; but then the case of contentious litigation was altogether different, and so far as that was concerned he entirely concurred in what had fallen from his hon. friend opposite. In that case the costs which the losing party would have to pay were duly fixed by the court, and if by means of any previous contract the attorney was able to get more than the amount so fixed, an injury would thus far be inflicted on his client. He was, therefore, of opinion that great difficulties would be the result if the House were to depart from the salutary rule that costs in contentious cases should be taxed and fixed by the court. He also objected to the proposal that a trustee being an attorney should be able to charge his own costs; for if there was any one principle better established in equity than another it was that no man having a fiduciary duty to perform should be able to place himself in a situation in which the obligation upon him to cut down expense should be in conflict with his interest to increase it. He did not, he might add, see the remotest reason why a solicitor should not to be enabled to take security for costs; but, although he thought the Bill as a whole was of sufficient importance to entitle it to a second reading, he was of opinion that it would require considerable modification in committee. The House then divided:—Contents, 21; Non-contents, 23; majority against the second reading, 2. The Bill was therefore lost.

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL.

The order of the day for going into committee on this Bill having been read,—The Earl of St. Germans moved that it be referred to a select committee.—The Marquis of Clanricarde expressed his regret that there should be the slightest delay in the passing of a measure which was so necessary. The omission in the Act of 1857, which it was sought to remedy, was, he contended, of a purely accidental character, and he was surprised that the noble earl whom he saw opposite should have objected to the Bill on a former occasion on the ground that it would operate retrospectively, seeing the course which had been taken in 1849, when it was declared that no railway company should come under the operation of the Winding-up Act. If the law of Ireland were not placed upon the same footing as that of England, every man in Ireland would be made discontented, and that with good and sufficient cause; and a more serious blow would be struck at the prosperity and progress of the country than had been aimed at it by any ministry either before or since the Union.—The Earl of Donoughmore admitted that the present state of the laws had arisen in consequence of a mistake in the Act of 1857; but that in no way affected the argument. There were creditors who had certain rights, and those rights must be respected. He had been informed that there was one gentleman who was a creditor of a railway company for 25,000*l.*, and who stated that before he entered into the contract under which that debt had arisen he took legal advice, and was told that not only had he the remedy of making the company bankrupt, but very probably he might also call upon the shareholders individually and collectively to make good the debt. If the House assented to this *ex post facto* legislation he would lose that remedy. He was willing, nay, anxious, to restore the law to the condition which existed before 1857, and all that he desired was, that no injustice should be done to creditors.—The Bill was then referred to a Select Committee.

HOUSE OF COMMONS.

LAW OF PATENTS.

Mr. Hibbert wished to know whether Her Majesty's Government intended to bring in a Bill this session to carry out the recommendations of the commission for inquiring into the working of the law relating to letters patent for inventions.—The Attorney-General said it was the intention of the Government to introduce a Bill founded on some of the recommendations of the commission.

JURIES IN CRIMINAL CASES BILL.

On Wednesday Sir C. O'Loghlen moved the second reading of a Bill containing declaratory provisions in reference to the law respecting juries in criminal cases, and also containing provisions for the amendment of the law.—The Solicitor-General opposed the Bill, deeming it to be unnecessary.—Mr. D. Griffith submitted that common juries were unfairly treated, because they got no compensation, while judge, jury and attorneys were rewarded for their services and prosecutors and witnesses were remunerated for their loss of time.—After a few words from Mr. Locke, the Bill was withdrawn.

LAW BILLS IN PARLIAMENT.

PARTNERSHIP BILL.

The Bill introduced by Messrs. Dodson, Milner Gibson and Hutt, for the amendment of the partnership law, so as to remove the restrictions that now prevent traders from obtaining advances of capital upon the legitimate principle that prevails in nearly every other country, of the lender taking a proportionate share of the risk or profit of the sum employed, is extremely concise. Annexed is an abstract of its clauses:

"1. The advance of money by way of loan to a person in trade upon a contract that the lender shall receive a rate of interest varying with the profits, or shall receive a share of the profits, or bear a share of the loss arising from carrying on such trade or undertaking, shall not of itself constitute the lender a partner, or render him responsible as such.

"2. In the event of any such trader being adjudged a bankrupt, or dying in insolvent circumstances, the lender of any such loan shall not be entitled to receive any portion of his principal, or of the profits or interest payable in respect of such loan, until the claims of the other creditors for valuable consideration in money or money's worth have been satisfied.

"3. No contract for the remuneration of a servant or agent of any person engaged in any trade or undertaking by a share of the profits of such trade or undertaking, shall of itself render such servant or agent responsible as a partner.

"4. No person being the widow or child of the deceased partner of a trader, and receiving by way of annuity a portion of the profits made by such trader in his business, shall, by reason only of such receipt, be deemed to be a partner of or to be subject to any liabilities incurred by such trader."

SOLICITOR'S JOURNAL.

SURREY ASSIZES.—NOTICE.

Entry of Causes.

Causes can be entered provisionally at the office of the clerk of assize for the Home Circuit in London on Monday, the 20th March, and daily thereafter until Saturday, the 25th March inclusive, between the hours of ten and two. They will be formally entered and put on the list at Kingston by the clerk of assize in the order of their provisional entry, and before causes entered at Kingston. In case any record entered in London be withdrawn before the opening of the commission at Kingston, the entry fee will be returned. A list of causes for trial each day will be sent to London in the evening of the previous day, and will be affixed outside the prothonotaries' lodge, Serjeants'-inn, Chancery-lane, and also outside the office of Mr. Abbott, the under-sheriff, No. 8, New-inn, Strand, as soon as possible after the list can be arranged. The first day's list will not exceed beyond the 20th common jury in the list of causes provisionally entered, should there be so many. The list of causes provisionally entered may be seen at the London office of the clerk of the assize. No cause will be allowed to be entered under any circumstances after the sitting of the court. This arrangement may not apply to future assizes.

By Order of
Her Majesty's Judges of Assize.

THE YELVERTON MARRIAGE CASE.

Edinburgh.—*Friday, March* 10.

The Court of Session to-day gave judgment on Miss Longworth's petition to refer the whole case to the oath of Major Yelverton. The Court by a majority refused the reference, holding it to be a matter in their equitable discretion, and that as it was a question of *status*, affecting the rights of third parties already established by final judgment, the petition could not be granted. The reference was of the nature of a contract, to which contract Mrs. Forbes and children could not be parties, and there was no precedent for sustaining a reference in such a case.

Lord Deas differed, holding that reference to a party's oath was a competent mode of proof; that the object was to ascertain the truth; that if Major Yelverton affirmed the alleged marriage with Miss Longworth on oath he was to be believed; and therefore, that if the rights of Mrs. Forbes and children were affected, they suffered no injustice from the law, being simply in the same position as the first marriage had been established by evidence in the cause. His Lordship held that, under a reference to oath of the first marriage, it would be incompetent to inquire whether there had been a second marriage at all.

Miss Longworth's counsel then moved the Court to cite Mrs. Forbes, but the Court decided that the case was at an end.

COURT OF BANKRUPTCY.

(Before Mr. Registrar ROCHE.)

Re ALEXANDER WM. DOW LEATHER.

This was a first sitting for proof of debts and choice of assignees, under the bankrupt's own petition, who was described as a solicitor, of 44, Lincoln's-inn-fields, and 6, Prince's-square, Bayswater.

The debts, according to the preliminary statement, are—secured, 17,085*l.*, and unsecured, 14,117*l.*; total, 31,202*l.* The cause of bankruptcy is attributable partly to the "promotion of railway and other projects, and to the recent money panics, negotiating loans and financing for railway contractors."

Proofs were admitted for a very large amount, including those of the Provincial Banking Corporation, the National Bank, the Union Bank of London, and the York City and County Bank.

Mr. Henry Bond, of No. 19, Great George-street, Westminster, railway contractor, was chosen creditors' assignee.

HEIRS AT LAW AND NEXT OF KIN.

NARSON (George), Corbridge, Northumberland, painter and glazier. Next of kin or heir-at-law to come in by April 12, at Kindersley's, V.C.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

INTERNATIONAL RACE COURSE SOCIETY (LIMITED).—Petition for winding-up to be heard before M. R. on the 23th March. Solicitor, M. Abrahams, 17, Gresham-street, London.

KENTISH ROYAL HOTEL COMPANY (LIMITED).—Creditors to send in by 13th April their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. Whinney, 3, Serle-street, Lincoln's-inn, Middlesex. Solicitors, Foster and Payne, 28, Queen-street, Cheapside, London.

PATENT CARRIAGE COMPANY (LIMITED).—Petition for winding-up to be heard before M. R., on the 23th March. Solicitor, A. C. Ryan, 10, Lincoln's-inn-fields, Middlesex.

PITSOLEUM TRADING COMPANY (LIMITED).—Petition for winding-up to be heard before M. R. on Saturday, the 25th March. Solicitors, Ashurst, Morris and Co., 6, Old Jewry, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

CUBDAN (Joseph), 5, Brunswick-terrace, Westbourne-grove, Middlesex, butcher, April 12, M. R. Chaundler and Crouch, 4, Gray's-inn-square, London.

JENNER (Susanna), Cricklade, Wilts, widow, April 10, M. R. Eyre and Lawson, 1, John-street, Bedford-row, London, for R. Elliott, Cirencester.

MAXWELL (James), formerly of 40, Albemarle-street, Piccadilly, Middlesex, wine merchant, late of Beulah-hill, Norwood, Surrey, Esq., April 10, M. R. J. D. Finney, 6, Furnival's-inn.

NICHOLSON (John), Liverpool, merchant, April 10, M. R. Dill and Hoyle, 73, Cannon-street, London.

OAKLEY (Alfred), Southampton, florist, market gardener and fruiterer, April 10, V.C. S. Abbott, Jenkins and Abbott, 8, New-inn, Strand, for W. Hickman, Southampton.

POOLE (Jane), Audlem, Cheshire, widow, March 27, M. R. A. D. Bird, 27, Guildford-street, Russell-square, Middlesex, for T. C. H. Bellyse of Audlem, Cheshire.

SIMMONDS (Thomas), Cheltenham, gentleman, April 4, M. R. Wadeson and Malleson, 11, Austin-friars, London.

WARWICK (Thomas), Mark-lane, London, and 3, Emanuel-terrace, Camberwell, Surrey, merchant, April 10, M. R. Eyre and Lawson, 1, John-street, Bedford-row, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ASHBY (John), Croydon, Surrey, miller, April 9. S. D. Ashby, 9, Clement's-lane, Lombard-street, London.

ATHILL (Jacob), Wellhouse, Niton, Isle of Wight, April 8, W. J. Beckingsale, Newport, Isle of Wight.

BROOKS (T. D.), 4, King's-terrace, Southgate, Hants, gentleman, March 31. T. Berkeley, 12, Gray's-inn-square.

BURRETT (Joseph), Deptford, Kent, and 17, Queen-street, London, engineer, April 3. Taylor, Hoare and Taylor, 28, Great James-street, Bedford-row, London.

DENSON (Sarah), Leeds, widow, May 10. G. Yewdall, 12, South-parade, Leeds.

EVANS (John), Hilston-street, Sedgley, Staffordshire, gentleman, April 22. J. Round, High-street, Tipton.

GILBERT (Mary), 8, May's-row, Oak-lane, Limehouse, Middlesex, widow, April 17. W. C. Dalrymple, 43, Bow-lane, Cheapside, London.

HANDY (Martha), 4, Bridge-cottages, West-street, Walworth, Surrey, spinster, May 31. Bischod, Coxe and Bompas, 19, Coleman-street, London.

HAY (William), Admiral Napier, Amersham-vale, Deptford, Kent, licensed victualler, May 1. Nash, Field and Layton, 2, Suffolk-lane, Cannon-street, London.

HENSLEY (Henry), 7, Tokenhouse-yard, London, and 115, Camberwell New-road, Surrey, wine and coal merchant, June 30. W. Rose, 19, Change-alley, Cornhill, London.

HINCKLEY (Wm.), Pontywall, Bromleys, Brecon, farmer, April 12. D. Thomas, High-street, Brecon.

HUGHES (H. J.), Great Malvern, a captain in Her Majesty's 2nd Regiment of the Bengal Army, March 31. R. D. Hughes, 32, Lincoln's-inn-fields.

HUGHES (Wm.), Gothic-villa, 40, Finchley-road, St. John's-wood, Middlesex, Esq., May 31. Allen, Nicol and Allen, 88, Queen-street, Cheapside, London.

HUNT (Ann Elizabeth), 3, New-terrace, Camberwell-green, Surrey, widow, May 1. Allen, Nicol and Allen, 88, Queen-street, Cheapside.

HUNT (Sophia), Brighton, widow, April 27. F. Schultz, 4, Dyer's-buildings, Holborn, London.

KING (Ann), Paddington-green, Middlesex, spinster, April 21. Harrison and Lewis, 24, Old Jewry, London.

LEES (Watkin), Dukinfield, Cheshire, cottonspinner, March 25. Sale, Worthington, Shipman, Seddon and Sale, 29, Booth-street, Manchester.

LE GASSICK (J. W. B.), 221, Maida-vale, Middlesex, tailor, May 1. Stephens and Smith, 11, Staple-inn, London.

MOORE (A. H.), 1, Albert-terrace, Dulwich-road, Surrey, merchant, April 15. H. W. Smith, 17, Serjeants'-inn, Fleet-street, London.

MERRETT (James), Kemningham-hall, Mulbarton, Norfolk, Esq., April 15. J. M. Yetts, Temple-chambers, Fleet-street, London.

MYERS (Richard), 14, Marshall-street, London-road, Southwark, Surrey, gentleman, May 13. F. W. Cooper, 8, Blandford-place, Regent's-park, Middlesex.

PARSHAM (John), Hampton Wick, Middlesex, gentleman, April 15. J. M. Yetts, Temple-chambers, Fleet-street, London.

RAVEN (Samuel), Ball-ring, Worcester, plumber and glazier, April 20. T. A. Wilson, Worcester.

ROBINSON (William), Moulton Eangate, Lincolnshire, farmer, May 31. Harvey and Cartwright, Double-street, Spalding.

SMITH (Hannah), 4, Adelaide-square, Windsor, widow, March 31. C. Sawbridge, 126, Wood-street, Cheapside.

STUBBS (Caroline), 433, West Strand, Middlesex, widow, staymaker, April 15. Summerlin and Bruce, 3, John-street, Adelphi, London.

STOKE (William), 214, Euston-road, St. Pancras, Middlesex, and Mayfield, Sussex, surgeon, May 1. Monckton and Monckton, 1, Raymond's-buildings, Gray's-inn, London.

TURNER (Ann), 44, Clarendon-road, Kensington-park, Middlesex, spinster, April 17. T. S. Jennings, 12, New Boswell-court, Lincoln's-inn, London.

THOMPSON (Sarah), 19a, Holmes-road, De Beauvoir-town, Middlesex, widow, May 1. C. Etherington, 7, Dane's-inn, Strand, Middlesex.

WEBB (James), 11, Brunswick-square, Bristol, gentleman, April 30. Fry and Otter, Shannon-court, Bristol.

WESTWOOD (J. J. C.), Rio de Janeiro, Esq., May 1. Jennings and Son, 18, Bennett's-hill, Doctors'-commons.

WETHERELL (Harriet Maria), Anlaby-house, Pittville, Cheltenham, widow, May 11. Helps and Son, 1, Barton-street, Gloucester.

WILLETT (Thomas), Loughborough-house, Brixton, Surrey, Esq., April 15. F. R. Smith, 70, King William-street.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BARNEWALL (Robert), Lieutenant-Colonel, New Road-street, 46*l.* 5*s.* 4*d.* Three per Cent. Consols. Claimant, Charles Buttler, executor.

CORNISH (Rev. R. P.), Bickington, Devon, 400*l.* Three per Cent. Consols. Claimant, said Rev. R. P. Cornish, Bickington, Devon.

CUFF (George), Woodford, near Salisbury, gentleman. Dividend on 421*l.* 5*s.* 5*d.* Three per Cent. Consols. Claimant, Sarah Cuff, administratrix.

DRAKE (Richard), Georgeham, Devon, farmer, 24*l.* 11*s.* Three per Cent. Consols. Claimants, Official Trustees of Charitable Funds.

DELLATORRE (Joseph), 70, Lamb's Conduit-street, merchant, NOSOTTI (Angelo), Cazziano, near Milan, gentleman, and NOSOTTI (C. F.), 328, Oxford-street, London, carver and gilder, 45*l.* 8*s.* 9*d.* Three per Cent. Consols. Claimants, said J. Dellatorre and C. F. Nosotti.

HYDE (George and Eliza), Lesdenhall-street, 208*l.* 11*s.* 10*d.* Three per Cent. Consols. Claimant, C. Reilly, executor.

PEACOCK (Chatteris), Isle of Ely, watchmaker. 100*l.* Three per Cent. Consols. Claimant, John Peacock, executor.

SUMNER (Charles), Farrar's-buildings, Temple, Esq., and BURDER (John), jun., of Parliament-street, Esq., 337*l.* 7*s.* 8*d.* Three per Cent. Consols. Claimants, said C. Sumner and J. Burder.

WILLIAMS (Jane), Epsom, Surrey, widow, and HOLDER (Dan.), of Albourne, Sussex, a minor. 33*l.* 9*s.* 8*d.* Three per Cent. Consols. Claimant, said D. Holder (now of age), the survivor.

ANOTHER SOLICITOR ELECTED MAYOR.—Dunstable, in the county of Bedford, has lately had granted a charter of incorporation, and the mayor was elected on the 9th March instant, when Mr Charles Stockdale Benning, solicitor, was chosen the first mayor.—Dunstable, March 15.

MRS. YELVERTON *v.* THE "SATURDAY REVIEW."—The debate in this action, at Mrs. Yelverton's instance, against the *Saturday Review*, in regard to the question of jurisdiction, is at last concluded, it having been suspended since Friday week, day after day, to allow the Solicitor-General, who is enormously busy, an opportunity of being heard. The substance of his argument was that jurisdiction constituted by arrestment *jurisdictionis fundandæ causa*, is essentially a mercantile jurisdiction introduced for the benefit of trade, and not applicable to an action of damages for slander published in a foreign country. He argued against the impolicy of allowing some one who thought he had been slandered by a newspaper to choose his court and jury according to his hopes of their prejudices being in his favour. He maintained that because the domicil of both parties was English, because the alleged wrong was done in England, the proper forum in which to obtain redress was the courts of England, where alone the English law of slander was understood. To this it was answered that there is no difference between the English law of slander and the Scotch—that the same argument would apply to a libellous letter written in England and sent to Scotland, or to an injury done in England by a Scotchman who escaped out of it before he could be cited to appear before an English court—that the pursuer does not know where the domicil of the defenders is, and does not know her own further than that she was born in England, and maintains she is lawfully married to a domiciled Irishman. Further it was denied that this kind of jurisdiction had been confined exclusively to mercantile contracts, or circumscribed in any way further than to be held insufficient to give jurisdiction in actions of declarator of marriage and of divorce. The policy or impolicy of the law was said to be not at all a question for the court, but for the Legislature; but it was asked, by way of retort, if the English courts would not sustain their jurisdiction against a Scotchman, personally cited or served with a writ in London the instant of his arrival there for the first time in his life; and if a Scotchman might not go to England, leaving all his debts and nearly all his property behind him, and be adjudged a bankrupt the next day by the courts of England? It was further pointed out that the defendants' argument, if good against this kind of jurisdiction, would be good against the other two grounds recognised by the law of Scotland, viz., residence in the country, and the possession of real or heritable property in it. Lord Jervis wood made *avizandum*, and his judgment will soon be given; but whatever it be, it will certainly be appealed to the Inner House. That it will be to sustain the jurisdiction is generally expected; but then there is the House of Lords at the end of the vista, and Lord Chancellor Westbury, who—as Sir Richard Bethell in the case of Lindsay—made fine fun of a jurisdiction which could be founded by arresting the old umbrella of a tourist left behind in a hotel, or "a toothpick at a penny a dozen," according to the doctrine gravely propounded by the eccentric Lord Monboddo.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

MIDLAND CIRCUIT.

Nottingham, March 11.—The whole of the criminal business of the county was begun and concluded to-day, the cases being of a very ordinary nature, and constituting, in respect of the character of the offences, one of the lightest calendars ever known in this county. The criminal business for the town, on the other hand, is very heavy, both as regards the number and the character of the offences charged. In addition to occupying the whole of yesterday, the trials will probably extend over the whole of Monday and some part of Tuesday, unless the state of business in the Civil court admits of some prisoners being tried there.

Lincoln, March 15.—The calendar for the county contains the names of forty-five prisoners—1 of child murder, 3 of manslaughter, 2 of concealment of birth, 2 of rape, 3 of unnatural crimes, 6 of wounding with various intents, 2 of burglary, 3 of arson, 1 of robbery, 3 of larceny, 1 of forgery, 2 of perjury, 1 of making a false declaration touching a marriage, 2 of bigamy, 1 of abduction, 3 of night poaching, 1 of throwing a stone at a railway carriage. The cause list is unusually small, there being only 6 cases, of which two are to be tried by special juries.

NORTHERN CIRCUIT

Manchester, March 11.—Again, on arriving at these courts, after the experience of the courts on other parts of the circuit, every one is struck with their beauty and exquisite taste, and with their combined air of comfort, elegance and admirable fitness for the purposes for which they are required. At Durham, as at Newcastle and Carlisle, the buildings in which the courts are held are large enough for their purpose, but no amount of ingenuity could make them more comfortless, more difficult of access and egress, more draughty, or worse ventilated, or less adapted to the object for which they were designed. And yet these courts are all quite equal to the best courts to be met with in the south of England. It is to be hoped that the same genius and skill which has designed these courts at Manchester, and made them the most perfect and convenient in the country, will be brought to bear on the new Palace of Justice about to be erected in the metropolis. The calendar contains the names of 83 persons; of these 15 are charged with burglary, 12 with robbery, 11 with manslaughter, 2 with murder, and the rest with various other offences. The cause-list verifies the predictions that have been made of the great probable increase of business at Manchester. Before the assizes were held at Manchester, the average number of causes in the Salford division list was 30 to 35, which number was rarely exceeded. The present cause-list contains an entry of 78 causes, of which 31 are marked for special juries—more than double what the old list used to be when the causes of the Salford division were tried at Liverpool.

OXFORD CIRCUIT.

Worcester, March 4.—The calendar for the county contains the names of 23 prisoners, whose cases are made up of a murder, 2 manslaughters, 2 wounding with intent, 1 assault with intent, 3 unnatural offences, 1 causing bodily harm, 1 sacrilege, a breaking and entering a dwelling-house, a forgery, throwing stones at a railway train, and 5 larcenies. The calendar for the city contains the names of 11 prisoners, of whom 2 are charged with manslaughter, 1 with forgery, and the rest with larceny.

Stafford.—The cause-list contains 20 entries, of which 7 are marked for special juries. The calendar contains 74 prisoners, but of these 25 ought to have been tried at the several borough sessions of Wolverhampton, Walsall and Newcastle. These latter prisoners had been committed to those sessions, but in consequence of the sessions not being held before the assizes the names appear in the calendar, and the judges deem it their duty to deliver the gaol. There are 65 cases, which are composed as follows:—1 manslaughter, 6 wounding, 4 rape, 7 burglary, 3 robbery, 1 robbery with violence, 4 breaking into a dwelling-house, 3 forgery, 3 embezzlement, 1 perjury, 1 bigamy, 1 coinage, 1 unnatural offence, 1 concealment of birth, 1 unlawful combination, 3 false pretences, 1 fraud, 1 conspiracy to cheat, and 19 larcenies.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

Mr. Henry J. Stonor has been appointed a County Court judge in Surrey by the Lord Chancellor.

Mr. James Fleming has been appointed Chief Judge in the West India Incumbered Estates Office, in the room of Mr. Stonor.

Mr. Reginald Cust, Secretary to the West India Estates Commission, is appointed to act as Second Judge (without salary), in the room of Sir Frederick Rogers, resigned.

IRELAND.—The following changes have taken place among the county chairmen—Mr. Gibson, Q.C., is promoted from the second-class chairmanship of the Queen's County, to the first-class chairmanship of Donegal; Mr. Charles Kelly, Q.C., has been appointed chairman of the county of Longford, in the room of Mr. Loftus Bland, Q.C., who is promoted to a second-class chairmanship in another county, not yet named.

MAGISTRATE AND PARISH LAWYER.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Berwick-on-Tweed	Friday, April 7	R. Ingham, Esq. M.P., Q.C.	5 days	R. Home.
Bolton	Thursday, March 30	R. B. Armstrong, Esq.	10 days	J. Gordon.
Bridgnorth	Friday, March 31	T. Corbett, Esq.	14 days	W. D. Batte.
Bridgwater	Saturday, March 18	E. H. Reed, Esq.	14 days	J. Trevor.
Bristol	Wednesday, March 22	Serjt. J. A. Kinglake	Statutory notice	W. O. Hare.
Carmarthen	Wednesday, April 5	J. Johnes, Esq.	10 days	J. H. Barker.
Colchester	Tuesday, April 4	H. J. Bushby, Esq.	8 days	J. S. Barnes.
Derby	Tuesday, April 4	G. Baden, Esq., Q.C.	1 day	J. Dunnicliff.
Devonport	Friday, March 31	C. Saunders, Esq.	10 days	G. H. E. Rundle.
Falmouth	Monday, March 27	E. W. Cox, Esq.		W. R. T. Pender.
Faversham	Monday, April 3	G. Francis, Esq.	Statutory notice	J. Phillips.
Gloucester	Monday, March 27	C. S. Whitmore, Esq. Q.C.		C. Smallridge.
Helston	Saturday, March 25	E. W. Cox, Esq.		A. Rogers.
Hereford	Monday, March 27	F. E. Guise, Esq.	10 days	R. Johnson.
Kingston-on-Hull	Thursday, April 6	S. Warren, Esq., Q.C.		R. Champney, jun.
Leicester	Thursday, May 18	Mr. Serjeant Hayes	8 days	R. Toller.
Northampton	Friday, April 7	J. H. Brewer, Esq.	10 days	C. Hughes.
Penzance	Friday, March 24	H. T. Cole, Esq.	8 days	R. Millett.
Plymouth	Thursday, March 30	C. Saunders, Esq.	14 days	R. E. Moore.
Scarborough	Saturday, March 25	Henry W. West, Esq.	8 days	I. J. P. Moody.
Stamford	Saturday, April 8	The Hon. E. C. Leigh	10 days	J. Torkington.
Tewkesbury	Friday, March 31	A. W. Daniel, Esq.	14 days	W. Winterbotham.
Wigan	Wednesday, April 26	J. Catterall, Esq.	Statutory notice	R. Leigh.

Justices of the Peace Procedure Bill.—An important measure of law reform much needed, introduced by Mr. Paull, Mr. Stanland, and Mr. Richard Hodgson, under this title, has just been issued, the object of it being to "reduce into one Act the existing enactments regulating the procedure before justices of the peace out of quarter sessions in England, to simplify and amend those enactments and the forms of such procedure; to regulate the appointment of clerks to justices of counties; and to provide uniform tables of fees to be taken by clerks to justices and constables." The Bill is of a most comprehensive and useful character, providing a uniform code of practice before all descriptions of magistrates, whether police, stipendiary, or unpaid, and for every class of case within their jurisdiction, which at present is mostly regulated by an Act having for each description of offence or matter some different course of procedure with the exception of three or four general statutes practically of very limited operation, two of which are known as Jervis's Acts, passed in 1848. At the same time it appears to remove most, if not all, the defects which have been found to exist, and the doubts which have, from time to time, been raised upon those Acts, and in the practices before justices, as well as to afford many additional facilities in the administration of the onerous and increasing duties of the magistracy. The measure is necessarily of some length, occupying 131 pages, of 148 clauses, with schedules of justices clerks' fees, short forms for justices and others, and a table of nearly forty Acts specifically repealed, wholly or partially; and the nature of its provisions may be learned from a description of the fourteen parts into which it is divided, viz.: The first part to the jurisdiction and authority of justices; the second, to clerks to justices, their fees and duties; the third, to preferring complaints and charges; the fourth, to process to enforce appearance; the fifth, to witnesses; the sixth, to adjourning and remanding cases; the seventh, to the place of hearing, and proceedings thereat; the eighth, to summary jurisdiction; the ninth, to indictable offences; the tenth, to summary jurisdiction over certain indictable offences; the eleventh, to special sessions matters; the twelfth, to the execution of warrants; the thirteenth, to recognisances; the fourteenth, to repeal of acts and miscellaneous provisions. In additional to the usual "arrangement of clauses," it has prefixed a "Comparative table of repealed Acts and new provisions," showing at a glance where the re-enactments or new provisions for those repealed are to be found in the Bill, or the reasons for their omission, which, as a new feature in a parliamentary Bill, will materially facilitate any critical examination of the proposed enactments. The task of preparing this Bill (which is similar to that introduced at the close of the last session, and printed with a view to its being considered by the magistracy and their clerks in the interval), is understood to have been voluntarily undertaken by Mr. Oke, the principal clerk to the Lord Mayor, from a large experience with the subject. The details, of which such a measure must of necessity principally consist, are of a practical and useful nature, its framer having invited, by a circular to the profession and magistracy, criticisms and suggestions upon the Bill of last year, with a view to a more perfect measure; and the present Bill has apparently been carefully revised, agreeably to the views generally of those of experience in the extensive branch of law which it proposes to consolidate and amend. The second reading is fixed for Wednesday, the 29th March.

MARITIME LAW.

NOTES OF NEW DECISIONS.

Renewal of Licence of a Pilot.—A pilot produced a licence which was last renewed on 22nd Jan. 1864. It purported to be conferred "from thenceforth up to the 31st Jan. next ensuing, and no longer." It is enacted by sect. 346 of the Merchant Shipping Act, that no licence shall continue in force beyond the 31st Jan. next ensuing the date of such licence, but the same may, on application, be renewed on such 31st Jan., or any subsequent day. It was held, on appeal, to be the intention of the Legislature that the renewal should operate from the 31st Jan., whether applied for on that day or not: (*The Beta*, 12 L. T. Rep. N. S. 1. Pr. C.)

Insurance.—A policy of insurance on freight is not rendered void by the master, without the authority or knowledge of the owner, having loaded part of the cargoo n deck, contrary to the 170th and following sections of the Customs Consolidation Act, 16 & 17 Vict. c. 107. A master loaded on deck spars and other articles for the use of the owner, but more than were required for the use of the ship during the voyage. The excess was held to be cargo within the meaning of sects. 170 and 171 of the same Act: (*Wilson* v. *Rankin*, 12 L. T. Rep. N. S. 20. Q. B.)

Collision—Negligence—Duty as to Look-out.—The B., a tug steamer, when being launched in the river Tyne, ran stern foremost into the starboard side of the steamer C., then passing down the river, and negligently being at that place. It was held that, notwithstanding such negligence of C., the B. might by ordinary care, such as a signal before launching, have avoided the consequences of such negligence, and therefore, both being to blame, only half the damage was payable by B.: (*The United States*, 12 L. T. Rep. N. S. 33. P. C.)

Admiralty Court Act, s. 6—Charter-Party Bill of Lading—Freight—Jettison—Breach of Duty and Contract.—Through the negligence of a pilot not compulsorily taken, a vessel got aground in the course of the voyage, and part of the cargo (rice) was thereby damaged, and other parts it became necessary to throw overboard. The vessel subsequently put into the Mauritius for repairs, where the damaged portion was sold. On the arrival of the vessel at her port of discharge the master, who was under the circumstances entitled to land and warehouse the cargo, neglected to cause it to be assorted, and also wrongfully refused delivery to the consignee: held, that the consignee was entitled to damages for, first, the goods jettisoned; secondly, the goods sold at the Mauritius; thirdly, the non-assortment of the cargo at Liverpool; fourthly, the loss of interest occasioned by the wrongful withholding of the cargo. A vessel was chartered in London to bring a cargo from a river port in India, and guaranteed "to carry 3000 tons upon a draught of twenty-six feet of water:" held, that the stipulation was not a promise absolutely to bring home 3000 tons; but a guarantee, first, that the ship was large enough to carry 3000 tons; secondly, that the build of the ship was such that she could carry 3000 tons upon a draught of twenty-six feet of water: held, also, that the guarantee as to the vessel's draught had reference not to her ordinary sea-going draught, but to her draught during the whole time of her taking in cargo in a river port and until she reached the open sea; that is, her draught in fresh water. In all cases of short delivery under a bill of lading, a deduction may be made from the freight of such proportion of the freight as would have been payable if the goods had been delivered, and this, even though the freight be lump freight; but the value of the goods not brought to destination may not be deducted from freight, but must, if necessary, be the subject of a separate action. Non-production by the master of papers and information to enable the consignee of the goods comprised in a bill of lading to verify the justice of the claim made for freight and general average, together with a refusal to deliver except on payment of the sum claimed, is a "breach of duty" within the 6th section of the Admiralty Court Act 1861, and exempts the consignee from the necessity of making a tender. The refusal of the master to deliver, except on payment of an unjust demand for freight, and his persistent rejection of any compromise, constitute a constructive waiver of tender. Personal delivery of cargo shipped is not necessary; the usage of trade constitutes a delivery on a wharf, with notice to the consignee, sufficient. In estimating the damages for non-delivery of cargo, the court will not take into account that the consignee might have prevented some damage if he had availed himself of the 70th and 71st sections of the Merchant Shipping Act Amendment Act, to obtain possession of his cargo; that privilege being conditional upon the consignee depositing with the wharfinger the full amount claimed by the master: (*The Norway*, 12 L. T. Rep. N. S. 57. Adm. Ct.)

CORRESPONDENCE OF THE PROFESSION.

Courts of Justice Site.—If the area could be extended to the southern side of Lincoln's-inn-fields, what a magnificent and commodious frontage would be secured. Utile Dulci

County Court Amendment Act.—If the Lord Chancellor would introduce a clause enabling plaintiffs to sue in the district where "any part" of the cause of action arises (the *whole* cause, as you are aware, must now exist), he would confer a great benefit: *e. g.*, goods are delivered to the Great Western Railway Company here to be delivered, say, at a place ten or twenty miles off. I cannot sue in the County Court unless I go to Paddington.
Worcester, March 11. T. C.

Solicitors as Justices.—Is it too late for a clause being inserted in the Justices of the Peace Procedure Bill (which I believe is to be read a second time on the 29th inst.) removing the disqualification of attorneys (except under certain restrictions) to be justices of the peace? In the Attorneys, &c. Act of 28 & 24 Vict. c. 127, which was prepared by the Incorporated Law Society, the following clause was originally inserted in it when introduced into the House of Lords:

Sect. 33 of the 6 & 7 Vict. and so much of the 5 Geo. 2 as renders proctors incapable of being justices of the peace shall be repealed, and no one shall be disqualified by being an attorney, solicitor, or proctor; but such justice or his partner shall not directly or indirectly act professionally in any criminal proceedings before any justice of assize, or gaol delivery of the county of which he is such justice, or in any business before any justice of the county. (See Law Times, March 17, 1860, page 4.)

Some amendments were made in the Bill in the House of Lords, and the above clause was altered so that a solicitor acting as a county magistrate was forbidden to act in the county in which he practised: (Law Times, March 31, 1860, page 29.) On the Bill being read a second time in the House of Commons, the above section as altered was objected to by Messrs. Knight, Edwin James, Locke, Osborne and Lowe: (see Law Times, April 21, 1860, page 64.) Mr. Bovill supported the clause, and the Bill was read a second time, containing the above amended section. But in committee this section was again opposed by Messrs. Knight, James, Locke, Collins, Brady, Ayrton and Mowbray; Messrs. Bovill, Collier, Malins and the then Solicitor-General (Sir William Atherton) supported the clause, which was, however, negatived without a division: (see Law Times, May 5, 1860, page 88.) I need hardly say there are many attorneys whose practice is almost entirely confined to conveyancing, and an occasional Chancery suit, and who never practise in the criminal courts. It cannot be denied that a large proportion of them are by education and position in society as fully qualified to be on the commission of the peace as the clergy, physicians and bankers who are from time to time appointed. I am sure the *status* of the Profession would be much improved by the repeal of the present disqualification; and as a subscriber for more than fourteen years to the Law Times, I am too well aware of your desire to promote our social position to doubt your undertaking to get a similar clause to the above inserted as suggested if practicable. Surely with the near approach to a dissolution, if the attorneys were to urge on members with whom they have influence to support such a clause, it would have a good prospect of becoming law. A Kentish Solicitor.
March 14, 1865.

Land Registry.—The excellent letter of "C. Z." in the Law Times of the 25th ult., which I have only just seen, has induced me to look up the draft of a letter which I sent to the *Times* in Nov. 1863, and of which the following is a copy:

Sir,—Will you permit me to make a few observations upon the article in the *Times* of Monday last, entitled

"Office of Land Registry." It is therein stated that much of the property comprised in the forty-two applications for registration was building land. I have no doubt of the accuracy of that statement, and that of whatever further applications may be made a very large proportion will be for the registration of land intended for building or other similar speculative purposes; and that in cases where the land is to be sold off in *numerous* lots, *some* expense may, perhaps, be saved by the seller; but I think you will, after reading the case which I shall presently cite, concur with me that no prudent or cautious person will complete a purchase of a plot of such land to which the vendor has obtained from the Registry an "indefeasible title," without having the title investigated by his own professional adviser, for if he were to do so he might in the course discover that he had got no title to the land and was without a remedy for the loss of the money he had paid for it. The writer of the article under consideration speaks of the technicalities surrounding the title to land, and alleges that when once the ordeal has been gone through, and the title finally shown to be good and duly entered on the register all the delay, expense and annoyance will be at end. I say that the same technicalities which surround land not on the register will surround and be required to be observed with respect to land upon the register, and as to the expense and annoyance being at an end, supposing the owner of land upon the register afterwards makes a settlement of it by deed or will, and subsequently grants estates and annuities out of and creates charges upon it, and dies leaving a widow and several children claiming different interests in the property under the settlement and subsequent deeds (some of whom having alienated their interests) and an heir-at-law claiming adversely to the subsequent deeds, or even without any such adverse claimant, or supposing the owner of such land to mortgage it (the enactments and forms of mortgage and transfer in the schedule to the Act, even when aided by the Trustees, Mortgagees, &c., Act being wholly inadequate to secure the mortgagor or transferee), I at least cannot see that the expense and annoyance will be found to have ended when the owner obtained his certificate. The same gentleman gives an instance of the celerity and inexpensiveness of a purchase for 30,000*l.*, completed under what he designates the new system, but which I predict will never become a system. Now, without the aid of the register, I have known purchases to be completed as quickly, and at far less expense, and with only one deed, and if (as is certainly the case) the conveyance which the advocate of the registry mentions contains only a few lines, a conveyance of land not upon the register, but brought into precisely the same situation as, but at infinitely less expense than, the land sold for 30,000*l.* would be nearly as short if the covenant for title were omitted, and would be as follows: 'This indenture, made the eleventh day of November, one thousand eight hundred and sixty three, between John Jones, of A., in the county of B., gentleman, of the one part, and William Smith, of C., in the county of D., Esq., of the other part; whereas the said John Jones hath contracted with the said William Smith for the sale to him of the hereditaments hereinafter described, for the sum of thirty thousand pounds; now this indenture witnesseth, that, in pursuance of the said contract and in consideration of the sum of thirty thousand pounds sterling, paid by the said William Smith to the said John Jones immediately before the execution hereof, the receipt of which sum the said John Jones doth hereby acknowledge, the said John Jones doth hereby grant, convey and release unto and to the use of the said William Smith, his heirs and assigns for ever, all, &c. [describing the property as it would have to be if put upon the register]. In witness whereof the said parties to these presents have hereunto set their hands and seals, the day and year hereinbefore written.' If the covenant, by the way, that he had a good title, &c., were added, the additional cost of the deed would not exceed ten shillings. Indeed a deed containing such a covenant would be worth ten shillings more than one obtained from the registry, we shall see in the following matter of fact which recently occurred in Ireland, and which is reported in the 11th vol. of the Irish Chancery Reports, p. 222:—The estate of O. (tenant for life) being mortgaged, was, upon the petition of the mortgagee, ordered to be sold. Lot 14 of the estate was sold by private sale and conveyed by the commissioners to the purchaser. It was described in the rental as containing, amongst other denominations, "Coolacarra Mountain in common to tenants 365*a.* 2*r.*" A map, approved of by the master of the court, was annexed to the conveyance, which, however, contained no reference to the map; but the denominations and quantities in both were the same. Sufficient of O.'s estate for the discharge of all the incumbrances thereon having been sold, the order for sale was dismissed as to the unsold part, O undertaking to pay the petitioner's post costs and a balance of interest, and to abide any further order to be made by the commissioners in the matter. The sheriff put the purchaser into possession of lot 14, including the 365 acres called "Coolacarra" in the map and rental. Subsequently H., claiming to be entitled to a portion of Coolacarra containing 270 acres, the purchaser brought an action of trespass against H. and obtained a verdict. That verdict was set aside, and on the second trial the jury found that the 270 acres in question had never been known as "Coolacarra," and were the property of H. The purchaser then applied to the Landed Estates Court that the order dismissing the order for sale as to the unsold portions of O.'s estate should be varied, and a further part sold to compensate him for the loss of the 270 acres and for the costs incurred in the two trials. The Court ruled that the purchaser was entitled to compensation in respect of the 270 acres, and that O. in accordance with his undertaking was bound to pay the same, but refused to grant any compensation for the costs of the trials. O. having appealed against the whole order, and the purchaser against the same part of it relating to costs, it was held that the decision as to compensation in cases of sales in the Court of Chancery did not apply to sales in the Incumbered Estates Court in which the conveyance contains no covenant, and the purchaser has no opportunity of investigating title; that O. was not responsible for the compensation by reason of the undertaking given by him when the order for sale was dismissed as to the unsold portions of the estate; and that there being no fund upon which the court could act, and the court having no jurisdiction to sell any further portion of the estate, the purchaser could not obtain any compensation whatever. A purchaser, therefore, of land on the register, and comprehended in a "short"(*a*) conveyance, one that "the owner carries in his hand, written on one small sheet of parchment," has the greater part of the land to which that conveyance gave him an "indefeasible title," wrested from him by law, and has no means of recovering from the seller the purchase-money or costs which he has paid, whilst William Smith, if evicted from his land, would very expeditiously, and at a trifling or in fact no expense, recover from John Jones the whole of the 30,000*l.*—I am, Sir, your obedient servant,

BLACKACRE.

As I anticipated, the *Times* neither inserted my letter nor acknowledged the receipt of it. No direct strictures upon the working of the registry could approximate to the stinging and sarcastic, though covert, satire by the court itself in O.'s case, and certainly it is impossible to imagine an occurrence out of the registry in which such gross errors and such cruel injustice could be committed. But it may be asked by some incredulous nonprofessional reader, "How is it that the purchaser was evicted when the Act of Parliament assured him that the conveyance gave to him an indefeasible title?" I can only answer that it was so, and that the projectors of an indefeasible title scheme, with all its vaunted "short conveyances," "small pieces of parchment," "once and for ever ordeal," and other (will-o'-the wisp) advantages, are to be looked upon either as pure charlatans or visionary theorists. With respect to "Y. Z.'s" remark, that the new Bankruptcy Act is "an enactment whose condemnation by its judicial expounders has no parallel in our history," I have just referred to my note-book and have therein counted sixty-two cases which have been decided in the courts of law and equity only upon the trust-deeds, &c., clauses of the Act, and I have for some time past, from sheer disgust, discontinued making notes of such cases, and whilst it may be said of The Succession Duty Act 1853, that it is one of the best drawn Acts of the British Legislature, it may be as emphatically affirmed that the Bankruptcy Act 1861 is one of the very worst.

BLACKACRE.

(*a*) "Short" conveyances are very profitable to the lawyers. That admirable specimen in schedule D. to the new Bankruptcy Act has within my knowledge occasioned considerable disputes, difficulties and expense, and some (I believe, but am not sure) litigation.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Answers.

Gift to Natural Child.—In reply to the query of "C. C.," in the Law Times of 4th March, I think there can be no doubt but that the bequest "to my daughter A., wife of B. C.," would pass the interest wished, as bastards take under description of children, *if otherwise identified*; *e. g.*, in the case of a legacy to "my son John," the testator having no son of that name, except such as is illegitimate: (see Jarman on Wills, 3rd edit., vol. 2, pp. 208, 223.) The following case entirely bears out the above: A devise by a testator in these words, "to wife Sarah," she being such only in bigamy, was held good: (*Dilley* v. *Matthews*, 8 L. T. Rep. N. S. 762.) I cannot find the case referred to by "C. C." in any of the recent reports, and think he must have been misinformed, as his inference would be quite contrary to the law, as at present, on that point. P. H. Exeter.

Administration Bonds.—Your correspondent does not give the date of his bond.—In the *Archbishop of Canterbury* v. *Tapper*, 8 B. & C. 131, an administration bond given under 22 & 23 Car. 2, c. 10, was put in suit at the instance of a residuary legatee; but it was determined that a neglect to distribute would not be assigned on it, unless there had been a previous decree or sentence of the Ecclesiastical Court. As no suit for distribution can now be entertained either by the Court of Probate or by any court whose testamentary jurisdiction is abolished (Court of Probate Act, s. 23), this part of the condition of bonds given before the 11th Jan. 1858 appears to have become inoperative: (see Dodd's Probate Practice, 687.) The bond now in use does not require the administrator's account to be first examined and allowed.

A Subscriber.

THE LAW LIBRARY.

BOOKS SENT FOR REVIEW.

A Manual of the Practice of Conveyancing, showing the present Practice relating to the daily Routine of Conveyancing in Solicitors' Offices, to which are added Concise Common Forms and Precedents in Conveyancing; Conditions of Sale; Conveyancing; and all other Assurances in constant use. Third Edit. By G. W. Greenwood, Solicitor, and Henry Honwood. London: Stevens, Sons and Haynes.

The Examination of the Accused in Criminal Cases. By W. Bruce, of the Middle Temple, Barrister-at-Law. London: Simpkin, Marshall and Co.

LEGAL NEWS.

Mr. Andrews, Q.C., died at Comber, County Down. He has been a member of the Board of National Education since 1847, representing the Unitarians. He was successively chairman of the counties of Carlow, Wexford and Donegal. An able lawyer, he was universally esteemed for his upright character, and he belonged to a family long honourably connected with the Liberal cause in Ulster, as well as with its manufacturing industry.

Sudden Death of the Ordinary of Newgate.—The Rev. John Davis, M.A., chaplain to the gaol of Newgate, died suddenly Wednesday morning. He had entered an omnibus at London-bridge on his way to the prison, and when near the Mansion-house he became faint and leant heavily back in his seat. He asked to be taken to Newgate, but he gradually sank, and expired before he could reach the prison. The deceased gentleman was upwards of sixty years of age, and had held the office of Ordinary, to which he was appointed by the Court of Aldermen, for some years. He was also chaplain of St. Olave's Union, Southwark. At an inquest held on Wednesday night before Mr. Payne, the coroner, the jury returned a verdict of "Death from natural causes."

The Edmunds Scandal.—The name of Lord Brougham has been connected—first in whispers, and now in print—with the Edmunds scandal: and there can be but one feeling of surprise and pain at such a name being connected with such a matter even for a day. But the utmost confidence, we believe, may be entertained that it will be only for a day, and in error, that that nominal connection will exist. The rumour is, in substance, that when Mr. Edmunds was appointed to the office of Clerk of Patents, thirty-years ago, he became bound to pay over 300*l.* out of the 400*l.* a-year of salary to Mr. William Brougham. There is no doubt, it seems, that between Mr. William Brougham and Mr. Edmunds there were pecuniary relations of a complicated and more or less unsatisfactory character; but even on that point opinions should be reserved till the facts are ascertained before the committee of the House of Lords. At all events, there should be no haste to condemn even Mr. William Brougham on the evidence merely of something said, or rumoured to have been said, by Mr. Edmunds, who stands confessed of an offence with which the alleged transgression of Mr. William Brougham had no connection—the 300*l.* a-year said to have been paid over to Mr. Brougham, for what use does not yet appear, having been only about a tenth part of Mr. Edmund's total income from offices in whose funds he is accused of having been deficient to the amount of 17,500*l.* But, however the case may stand as between Mr. Edmunds and Mr. William Brougham, there is not one tittle either of evidence, or of accusation, or of probability, that any transactions between these two had the assent or knowledge of Lord Brougham. The worst enemies of Lord Brougham—and, a man of strife from his youth upward, he has of necessity had many temporary enemies—never charged him with either greed or avidity, much less with want of integrity in pecuniary matters. His simple tastes and laborious life have kept his spendings low, and in his gettings his fault has been not selfishness, but indifference. The first intimation that would reach Lord Brougham, if anything had been hinted against him in connection with this wretched affair, would, it is supposed, be got from the newspapers reaching him at Cannes; and of course, no communication on the subject has yet been received from him in any quarter. But inquiries set on foot by friends in London have already, we believe, educed facts inspiring an entire confidence that Lord Brougham will come out of the inquiry unstained and indeed unaccused, and will be as well entitled to say at the close as he was to say in the midst of his great career, "These hands are clean."—*Scotsman.*

Wills and Bequests.—The will of the Most Noble Henry Pelham, Duke of Newcastle, K.G., P.C., D.C.L., of Clumber, Notts, and of Portman-square, was proved in her Majesty's Court of Probate by two of the executors and trustees—viz., the Right Hon. William Ewart Gladstone, P. C., and the Right Hon. George Warren Baron de Tabley, power being reserved to Lord Robert Clinton (the testator's brother) to prove hereafter. The personalty was sworn under 250,000*l.* His grace has charged his estates with liberal annuities for his younger sons, as also for his grace's brothers, Lord Robert and Lord Thomas Clinton, appointing his son, the present duke, residuary legatee. To each of his executors acting he has left 200*l.*, and to his valet a legacy of 200*l.*——The will of the late Earl of Morley was proved last week in the Court of Probate, at Exeter, by the executors, the Countess of Morley (his widow) and Augustus G. Stapleton, Esq. The personalties are sworn under 30,000*l.* The whole of the large landed estates are left to the present earl, his only son. To his wife he leaves 800*l.* a-year for life; and to his only daughter, Lady Katherine Parker, he leaves a legacy of 2000*l.*; in both cases, in addition to previous arrangements. There are no other legacies.——The will of George Dodd, Esq., F.S.A., formerly M.P. for Maidstone, late of Grosvenor-place, was proved in the London court under 200,000*l.* The executors and trustees appointed are Joseph W. Thrupp, W. H. Bodkin, Lewis Powell, M.D., and Alfred W. Holmes, Esqs., to each of whom he has left a legacy of 500*l.*, as well as an annuity of 20*l.* each during the period they are acting. To his wife he has left a certain rental from a portion of his freehold estates for her life, also a legacy of 7000*l.* and an immediate sum of 500*l.*, and has appointed her residuary legatee of the real and personal estate for her life. To his son, George Ashley Dodd, he has left his leasehold estates on his attaining the age of twenty-three, and to his daughter certain freeholds on her attaining the age of twenty-one. His son and daughter are also reversionary residuary legatees. There is an annuity of 200*l.* to his wife's mother, and a further legacy to his executor J. W. Thrupp of 1000*l.*, and legacies to his servants. The following are the charitable bequests: To the Royal Institution, the Artists' Benevolent Fund, St. George's Hospital, Middlesex Hospital, and Lock Hospital, each 100*l.*; Society to Relieve Small Debtors, and to the Dramatic College, each 50*l.*; and to the Royal Humane Society 200*l.*——The will of James Haylock Hill, Esq., of Newbold Firs, Leamington, was proved in London on the 1st instant, and the personalty sworn under 120,000*l.*, the trustees and executors nominated being his sons James and George Hill, Esqs., and his son-in-law, Francis H. G. Nicolls, Esq. The will is dated 1863, and he died on the 21st Dec. last. The bequests are confined to the members of his family. He has left to each of his six daughters legacies varying from 10,000*l.* to 12,000*l.*, and has made a liberal provision for the daughter of his late son Henry. The residue of his property he has divided amongst his four sons, to whom some specific bequests are likewise made.—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially compiled in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Wednesday, March 8.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Leasehold premises, being No. 66, Wood-street, City; held for a term of forty years, from 29th Sept. 1853, at a rent of 330l. per annum—sold for 1530l.

Thursday, March 9.

By Messrs. C. C. and T. MOORE, at Garraway's.—Freehold, builders' premises, situate in the Broadway, Stratford Essex; let for a term, at 55l. per annum—sold for 650l. Leasehold, three dwelling-houses, being Nos. 1, 2 and 3, St. Dunstan's-road, Mile-end; term ninety-nine years, from Dec. 1861, ground-rent 9l. 9s. per annum—sold for 530l. Freehold house and shop, being No. 81, Fore-street, Limehouse; let at 30l. per annum—sold for 335l. Leasehold, two dwelling-houses with builder's yard, being Nos. 26 and 27, Hilton-street, Lower-road, Deptford; term sixty-eight years from Sept. 1860, ground-rent 7l. per annum—sold for 440l. Leasehold, six houses, being Nos. 1 to 6, St. Paul's-terrace, South-grove, Mile-end-road; term eighty-two years, ground-rent 3l. each house—sold for 140l. each.

Friday, March 10.

By Messrs. FAREBROTHER, LYE and WHEELER, at Garraway's.—Freehold block of premises, part of Bradley's-buildings, comprising house, shop and garden, situate at Hampstead, Middlesex—sold for 1140l. Freehold business premises, being No. 24, Gracechurch-street, corner of Lombard-street, city—sold for 6450l.

Tuesday, March 14.

By Messrs. BROAD, PRITCHARD and WILTSHIRE, at Garraway's.—Reversion to 500l., receivable on the death or second marriage of a lady aged 69 years, and policy for 150l. effected with the British Empire Mutual Office—sold for 215l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, March 3.

COOKE, PHILLIP JOHN WILLIAM, and COOKE, CHARLES JAMES, attorneys and solicitors, Gloucester and Newent.

Gazette, March 7.

LAIDMAN, JOHN, and TREMEWEN, DIONYSIUS WILLIAM, solicitors, attorneys and agents, Exeter.

Bankrupts.

Gazette, March 7.

To surrender at the Bankrupts' Court, Basinghall-street.

AYRES, ALFRED CHARLES, surgeon, Ramsgate. Pet. March 2. Reg. Roche. O. A. Parkyns. Sol. Towne, Great Russell st. Bloomsbury. Sur. March 20.

CHANDLER, WILLIAM, out of business, Auckland st. Vauxhall. Pet. March 1. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-ln. Doctors'-commons. Sur. March 21.

CROFT, ABRAHAM JAMES, jeweller, London and Crystal Palace, Oxford-st. and Havelock-st. Caledonian-rd. Pet. March 4. Reg. Roche. O. A. Parkyns. Sol. Doble, Guildhall-chambers. Sur. March 20.

DAVIS, JAMES, surgeon, Old Cavendish-st. Cavendish-sq. Pet. March 3. Reg. Brougham. O. A. Edwards. Sols. Hales and Co. Cheapside. Sur. March 22.

DAVISON, WILLIAM, out-door custom house officer, Upper Berkeley-st. west, Connaught-sq. Pet. March 1. Reg. Brougham. O. A. Edwards. Sols. Fallows and Son, Carlton-chambers and Regent-st. Sur. March 22.

ELLIS, GEORGE THOMAS, builder, John-st. Berkeley-sq. Pet. March 4. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. March 21.

FROST, WILLIAM, salt merchant, King's Lynn. Pet. March 3. Reg. Brougham. O. A. Edwards. Sols. Eyre and Lawson, John-st. Bedford-row. Sur. March 22.

HARRIS, NATHAN, merchant, Well-st. Wellclose-sq. Pet. March 1. Reg. Brougham. O. A. Edwards. Sol. Abrahams, Size-ln. Sur. March 21.

HOMES, WILLIAM PAUL, boot and shoe manufacturer, Leman st. Whitechapel. Pet. March 1. Reg. Hazlitt. O. A. Graham. Sol. Poole, Bartholomew-close. Sur. March 22.

HUTCHINSON, WOTTON, horse dealer, Canterbury. Pet. March 2. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc-inn; Minter, Folkestone. Sur. March 22.

JURY, WILLIAM, maltster, Cretingham. Pet. March 2. Reg. Hazlitt. O. A. Graham. Sols. Moseley, Taylor and Co. Old Jewry chambers, for Moseley, Framlingham. Sur. March 21.

MACKENZIE, THOMAS HENRY, commission agent, Rye ln. Peckham. Pet. March 2. Reg. Brougham. O. A. Edwards. Sol. Moss, Martin's-ln. Cannon-st. Sur. March 22.

MAIDMENT, WILLIAM, carpenter, Westbourne-park-villas, Paddington. Pet. Feb. 27. Reg. Brougham. O. A. Edwards. Sol. George, Jermyn st. St. James's. Sur. March 20.

MANSELL, WILLIAM WASHINGTON, manager and secretary of companies, Walbrook. Pet. March 3. Reg. Roche. O. A. Parkyns. Sols. Terrell, Chamberlain and Blake, Basinghall-st. Sur. March 20.

MASON, JOHN, tobacconist, Great Chapel-st. and St. Herman's-hill, Westminster. Pet. March 3. Reg. Brougham. O. A. Edwards. Sol. Durant, Guildhall-chambers. Sur. March 29.

MORRISON, WILLIAM, and FLEMING, WILLIAM BELL, shipbrokers, Gracechurch-st. Pet. March 2. Reg. Brougham. O. A. Edwards. Sol. Stocken, Leadenhall-st. Sur. March 22.

MOYCE, CHARLES, grocer, Gospel Oak-grove, Kentish-town. Pet. Feb. 24. Reg. Brougham. O. A. Edwards. Sol. King, Queen st. Cheapside. Sur. March 22.

RANDALL, ALFRED MATON, surgeon, Finsbury-sq. Pet. March 3. Reg. Roche. O. A. Parkyns. Sols. Peck and Downing, Basinghall-st. Sur. March 20.

REEVES, JOHN, manure merchant, Walworth-pl. Walworth rd. Pet. March 3. Reg. Hazlitt. O. A. Graham. Sol. Howell, Cheapside. Sur. March 21.

SHRIMPTON, JOHN CHARLES, saddler, Cheshunt. Pet. March 2. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. March 20.

SIMPSON, JOHN, commission agent, Agar-st. Strand. Pet. Feb. 27. Reg. Hazlitt. O. A. Graham. Sol. Crook, Moorgate-st. Sur. March 21.

TANNER, EDWARD, and TANNER, GEORGE FREDERICK, Custom-house agents, Lower Thames st. Pet. March 2. Reg. Roche. O. A. Parkyns. Sol. Keene, Lower Thames-st. Sur. March 20.

WELLS, THOMAS, parliamentary agent, Abingdon-st. Westminster. Pet. March 2. Reg. Hazlitt. O. A. Graham. Sols. Nichols and Clarke, Cook's-ct. Linc-inn. Sur. March 21.

WILSON, THOMAS, trimming manufacturer, Sclater-st. Bethnal-gn. Pet. Feb. 28. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. March 21.

To surrender in the Country.

ADYE, JOSEPH, coal shipper, Llandaff. Pet. March 2. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. March 21.

ARMSTON, THOMAS, painter, Hyson-gn. Nottingham. Pet. March 3. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham. Sur. March 27.

BAIRD, WILLIAM, out of business, Newtown. Pet. March 3. O. A. Turner. Sols. Evans, Sandy, Roose and Lockett, Liverpool. Sur. March 17.

BOYCE, FREDERICK, innkeeper, Garboldisham. Sur. March 2. Reg. & O. A. Chenery. Sol. Walpole, Northwold. Sur. March 23.

BRACEGIRDLE, WILLIAM, farmer, Wem. Pet. March 2. Reg. & O. A. Barber. Sol. Craig, Shrewsbury. Sur. March 17.

BURNLEY, SAMUEL, sen., commission agent, Morley. Pet. March 1. Reg. & O. Nelson. Sols. Messrs. Chadwick, Dewsbury. Sur. March 17.

BURTON, JOSEPH, plumber, Burton-upon-Trent. Pet. Feb. 28. Reg. & O. A. Hubbersty. Sol. Prince, Burton. Sur. March 13.

CANE, JAMES FREDERICK, lodging-house keeper, Brighton. Pet. March 2. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. March 21.

CHEW, MATTHEW JAMES, plumber, New Sleaford. Pet. Feb. 27. Reg. & O. A. Moore. Sol. Snow, Sleaford. Pet. Feb. 16.

DIXON, WILLIAM, dyer, Morley. Pet. March 2. O. A. Young. Sols. Jackson, Smith and Firth, Birstal; Cariss and Tempest, Leeds. Sur. March 20.

DOBSON, BENJAMIN, rope and twine maker, Lofthouse, Leeds. Pet. March 2. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. March 29.

DRURY, THOMAS WATERWORTH, innkeeper, Blackburn. Pet. March 4. Reg. Harris. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. March 17.

FARMER, MOSES, timber and coppice dealer, Overton. Pet. March 2. Reg. & O. A. Lamb. Sol. Chandler, Basingstoke. Sur. March 21.

FAULKNER, JOSEPH, grocer, Coventry. Pet. March 1. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. March 15.

FRAMPTON, HENRY, tailor, Worcester. Pet. March 1. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. March 21.

FRANKS, JAMES, tailor, Stockton-on-Tees. Pet. March 2. Reg. & O. A. Crosby. Sol. Dobson, Middlesbrough. Sur. March 17.

GREY, THOMAS, wheelwright, Thetford. Pet. March 1. Reg. & O. A. Watson. Sol. Garwood, Wells-next-the-Sea. Sur. March 29.

GLASGOW, WILLIAM ROBERT, salesman, Stretford. Pet. March 4. Reg. & O. A. Hulton. Sol. Heywood, Manchester. Sur. March 18.

HAMMOND, ALFRED, manufacturer of gloves, Ledbury, Worcester. Pet. March 2. Reg. Hill. O. A. Kinnear. Sol. Reece, Ledbury. Sur. March 22.

HARDY, WILLIAM, farmer, Houghton park, West Drayton. Pet. Jan. 17. O. A. Young. Sur. March 17.

HIGGITT, MARK, wholesale confectioner, Coventry. Pet. Feb. 20. Reg. Hill. O. A. Kinnear. Sols. Browett, Coventry; James and Griffin, Birmingham. Sur. March 22.

HOLMES, JOHN, plumber, Leeds. Pet. March 2. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. March 29.

HUCKELL, GEORGE, grocer, Cambridge. Pet. March 2. Reg. & O. A. Eaden. Sol. Hunt, Cambridge. Sur. March 17.

ILLSTON, JOHN, joiner, Sheffield. Pet. March 2. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. March 21.

JACKSON, JOHN, butcher, Sheffield. Pet. March 2. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. March 21.

JAMESON, DANIEL, cabinet-maker, Goole. Pet. Feb. 21. O. A. Young. Sols. Lee and Thorney, Hull; Bond and Barwick, Leeds. Sur. March 20.

JAVONS, SAMUEL, dealer in fish, Newtown. Pet. March 3. Reg. & O. A. Woosnam. Sol. Jones, Newtown. Sur. March 21.

JOHNS, GEORGE, grocer, Devonport. Pet. March 1. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. March 16.

LAW, SAMUEL, cotton and waste dealer, Hulme. Pet. March 4. Reg. Macrae. O. A. Morgan. Sol. Gardner, Manchester. Sur. March 20.

LEESON, GEORGE, plumber, Sutton in-Ashfield. Pet. March 3. Reg. & O. A. Patchitt. Sol. Cursham, Mansfield. Sur. April 24.

LEMON, RICHARD, cabinet-maker, Torquay. Pet. March 6. O. A. Carrick. Sols. Carter, Torquay; Fryer, Exeter. Sur. March 17.

MARCH, PHOEBE, milliner, Liverpool. Pet. March 3. O. A. Turner. Sol. Goldrick, Liverpool. Sur. March 20.

MARSH, MARY, provision dealer, Chorlton-upon-Medlock. Pet. March 2. Reg. & O. A. Kay. Sol. Elsoft, Manchester. Sur. March 17.

MCKINNELL, JOHN DIXON, grocer, Liverpool. Reg. & O. A. Hime. Sol. Thornley, Liverpool. Sur. March 21.

NEAL, JOHN, cotton and cotton waste dealer, Ashton-under-Lyne. Pet. March 4. Reg. Harris. O. A. Morgan. Sol. Toy, Ashton-under-Lyne. Sur. March 22.

NEWBOLD, HENRY, barm dealer, Foleshill. Pet. March 2. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. March 18.

ORWIN, SIDNEY ASH, miner, New Whittington. Pet. March 6. Reg. & O. A. Wake and Waller. Sols. Binney and Son. Sur. March 27.

PETRY, JOHN, publican, Mumps Oldham. Pet. Nov. 14. Reg. Macrae. O. A. Morgan. Sur. March 21.

REYNOLDS, SAMUEL, porter merchant, Bristol. Reg. & O. A. Harley and Gibbs. Sur. March 17.

SILK, THOMAS, farmer, Nether Whitacre. Pet. March 6. Reg. Tudor. O. A. Kinnear. Sol. Edwards-Wood, Birmingham and Tamworth. Sur. March 21.

SMALL, ROBERT, butcher, Retford. Pet. March 2. O. A. Young. Sol. Mason and York, Sheffield. Sur. March 17.

STEPHENS, WILLIAM, joiner, Hulme. Pet. March 2. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davies, Manchester. Sur. March 17.

STEPHENSON, GEORGE, merchant, Manchester. Pet. March 3. Reg. Harris. O. A. Morgan. Sol. Hampson, Manchester. Sur. March 22.

STEVENSON, CHARLES JOHN, saddler, Woore, Mucclestone. Pet. Feb. 27. Reg. & O. A. Warren. Sol. Pearson, Market Drayton. Sur. March 20.

SWALES, JOSEPH, out of business, Helmsley. Pet. March 3. O. A. Young. Sol. Harle, Leeds. Sur. March 20.

TRAVIS, JOHN HENRY, patent agent, Lagley-brook, Oldham. Pet. March 2. Reg. & O. A. Summerscales. Sol. Mellor, Oldham. Sur. March 22.

TUCKER, CHARLES, attorney-at law, Bristol. Pet. March 2. Reg. & O. A. Harley and Gibbs. Sol. Brittan, Bristol. Sur. March 17.

WALKER, EDWARD, beer retailer, Newark-upon-Trent. Pet. March 2. Reg. & O. A. Newton. Sol. Ashley, Newark. Sur. March 11.

Gazette, March 10.

To surrender at the Bankrupts' Court, Basinghall-street.

BEATLEY, CHARLES, gunmaker, Basingstoke. Pet. March 7. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. March 22.

BERRY, JOHN, auctioneer, Biggleswade and Hitchin. Pet. March 6. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. March 20.

BUTLER, GEORGE, carpenter, Lower Norwood. Pet. March 7. Reg. Roche. O. A. Parkyns. Sol. Hooper, Southampton-bldgs. Holborn. Sur. March 20.

BUTLER, HENRY, carpenter, Trinity-ter. Brixton. Pet. March 7. Reg. Hazlitt. O. A. Graham. Sol. Wyatt, Great Carter-ln. Doctors'-commons. Sur. March 28.

CAREY, JOSEPH, carpenter, Tottenham. Pet. March 6. Reg. Roche. O. A. Parkyns. Sol. Brooks, New North-rd. Sur. March 22.

CARRUTHERS, ROBERT WILLIAM, grocer, Rotherhithe. Pet. March 6. Reg. Hazlitt. O. A. Graham. Sol. Parsons, Church-st. Westminster. Sur. March 21.

CARTER, WILLIAM, stay and crinoline manufacturer, Ludgate-st. Newington-causeway, Smethwick and Landport. Pet. March 6. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. Sur. March 22.

CARTWRIGHT, JOHN HENRY, merchant, Upper Thames-st. Pet. March 3. Reg. Hazlitt. O. A. Graham. Sol. Grout, Scott's-yd. Cannon-st. Sur. March 21.

CLIFFEN, WILLIAM, plasterer, George-st. Notting-hill. Pet. March 7. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. March 29.

DAVIES, OWEN WILLIAM, grocer, Eltham. Pet. March 6. Reg. Hazlitt. O. A. Graham. Sols. May and Norton, Adelaide-pl. London-bridge. Sur. March 21.

DOUGLAS, Sir JOSEPH ABRAHAM, Knight, staff commander R. N. Downes-st. New Peckham. Pet. March 6. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. March 27.

GODDEY, THOMAS TILBURY, baker, North-st. Peckham. Pet. March 3. Reg. Brougham. O. A. Edwards. Sol. Ody, Trinity-st. Southwark. Sur. March 19.

GORDON, HENRY, tobacco merchant, Gracechurch-st. Pet. March 3. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. March 29.

HARPER, NATHANIEL, cattle salesman, Southampton-ter. Kentish-tn. Pet. March 7. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. March 29.

HORN, MARK, pork butcher, Oxford. Pet. March 6. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. March 29.

HUNTER, JOHN, attorney, Marylebone-rd. Pet. March 8. Reg. Hazlitt. O. A. Graham. Sol. Heydon, Serle-st. Linc.-inn. Sur. March 23.

JUSTINS, CHARLES JAMES, crinoline manufacturer, Smethwick and Birmingham. Pet. March 7. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. Sur. March 21.

LANE, JAMES WAKEMAN, watchmaker, Kentish-tn.-rd. Pet. March 8. Reg. Roche. O. A. Parkyns. Sol. Wells, Moorgate-st. Sur. March 22.

LE GEYT, CAROLINE, Devonshire-rd. Balham, and Bognor. Pet. Jan. 16. Reg. Roche. O. A. Parkyns. Sols. Chidley, Old Jewry; Gorres, South Molton-st. Sur. March 22.

LOMBARD, JOHN, bootmaker, Great Marylebone-st. Pet. March 6. Reg. Roche. O. A. Parkyns. Sol. Wetherfield, Moorgate-st. Sur. March 16.

MANNING, EDWIN ECCLES, merchant's clerk, Stanstead-ln. Lewisham. Pet. March 7. Reg. Hazlitt. O. A. Graham. Sol. Stocken, Leadenhall-st. Sur. March 20.

MILLER, WILLIAM, cabinet-maker, York-pl. Richmond. Pet. March 8. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Scott's-yd. Cannon-st. Sur. March 22.

OREY, EDWIN THOMAS, carman, Acorn-pl. Rotherhithe. Pet. March 4. Reg. Brougham. O. A. Edwards. Sols. Ody and Adams, Trinity-st. Southwark. Sur. March 29.

PEARSON, FRANCIS, merchant, Threadneedle-st. Pet. Feb. 27. Reg. Hazlitt. O. A. Graham. Sols. Ashurst, Morris and Co. Old Jewry. Sur. March 21.

POLLOCK, GEORGE SHAW, commercial traveller, Wellington-st. Islington. Pet. March 3. Reg. Hazlitt. O. A. Graham. Sol. Waldron, Lamb's Conduit-st. Sur. March 21.

RANFORD, EDWARD MICHAEL, ironmonger, Grange-rd. Bermondsey. Pet. March 7. Reg. Hazlitt. O. A. Graham. Sol. Stevens, Great Dover-st. Newington. Sur. March 21.

RICHARDSON, HENRY WILLIAM, victualler, Epsom. Pet. March 7. Reg. Roche. O. A. Parkyns. Sol. White, Russell-sq. Sur. March 22.

WILKS, GEORGE, cab proprietor, Chichester-pl. Bayswater. Pet. March 7. Reg. Roche. O. A. Parkyns. Sols. Dod and Longstaffe, Berners-st. Oxford st. Sur. March 22.

To surrender in the Country.

ANDREW, JOSEPH, hatter, Mansfield. Pet. March 7. Reg. Hill. O. A. Harris. Sol. Maples, Nottingham. Sur. March 21.

ASHTON, JOHN, grocer, Bowling, Bradford. Pet. March 7. Reg. & O. A. Robinson. Sol. Dawson, Bradford. Sur. April 11.

BAILEY, MARY ANNE, lodging-house keeper, Bath. Pet. March 7. Reg. & O. A. Smith. Sol. Wilton, Bath. Sur. March 28.

BAKER, JOHN, miller, Butterleigh. Pet. March 6. Reg. & O. A. Daw. Sol. Cockram, Tiverton. Sur. March 20.

BAKER, ROBERT, innkeeper, Longton. Pet. March 4. Reg. & O. A. Hulton. Sol. Wright, Carlisle. Sur. March 22.

BARTLEET, WALTER, carpenter, Aston. Pet. March 6. Reg. & O. A. Guest. Sols. Harrison and Wood, Birmingham. Sur. March 22.

BENNETT, JOHN, mason, Birkenhead. Pet. March 8. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. March 27.

BOULDING, JAMES, labourer, Kingsnorth. Pet. March 4. Reg. & O. A. Dangerfield. Sol. Minter, Folkestone. Sur. March 21.

BOWERMAN, THOMAS, wholesale butter and egg merchant, Birmingham. Pet. March 7. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. March 28.

BRADWELL, ROBERT, general agent, Salford. Pet. March 6. Reg. & O. A. Hulton. Sols. Cobbett and Wheeler, Manchester. Sur. March 22.

BURNLEY, SAMUEL, jun., wool merchant, Morley, Leeds. Pet. March 8. O. A. Young. Sol. Harle, Leeds. Sur. March 29.

BUTLER, ALFRED RUSSELL, fly driver, Hastings. Pet. March 6. Reg. & O. A. Young. Sol. Hilton, Hastings. Sur. March 23.

CARTER, HENRY, wire worker, Balsall-heath. Pet. March 7. Reg. & O. A. Guest. Sol. Sargent, Birmingham. Sur. March 28.

CHAPLIN, EDWARD, grocer, Hempton. Pet. March 8. Reg. & O. A. Watson. Sol. Sadd, jun. Norwich. Sur. March 24.

CLARK, DAVID MCLELLAN, draper, Llanidloes. Pet. Feb. 22. O. A. Turner. Sol. Sherratt, Wrexham. Sur. March 22.

COULTOUS, JOHN, blacksmith, Windhill, Idle. Pet. March 7. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford. Sur. April 11.

DAVIES, ROBERT, painter, Liverpool. Pet. March 7. Reg. & O. A. Hime. Sol. Price, Liverpool. Sur. March 22.

DAVY, WILLIAM, earth-work contractor, Stourbridge. Pet. March 6. Reg. & O. A. Harward. Sol. Homer, Brierley-hill. Sur. March 21.

DOMETT, JAMES, innkeeper, Otter Saint Mary. Pet. March 7. O. A. Carrick. Sols. Jeffery, Ottery Saint Mary; Terrell, Exeter. Sur. March 21.

EASTLAKE, RICHARD, attorney's clerk, Stoney-hill, Bromsgrove. Pet. March 4. Reg. & O. A. Scott. Sol. Mole, Bromsgrove. Sur. March 20.

GARDNER, WILLIAM, jun., in lodgings, Birmingham. Pet. March 6. Reg. & O. A. Watson. Sol. East, Birmingham. Sur. March 21.

GLENISTER, EDWIN, straw hat manufacturer, Luton. Pet. Feb. 21. Reg. & O. A. Austin. Sol. Simpson, Luton. Sur. March 21.

GRIFFITHS, JENKIN MORGAN, boot and shoe maker, Aberavon. Pet. March 1. Reg. & O. A. Morgan. Sol. Cuthbertson, Neath. Sur. March 23.

HARGREAVES, JOHN, beerseller, Farnworth. Pet. March 6. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. March 22.

HARRISON, CHARLES, general hardware dealer, Leek. Pet. March 7. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. March 28.

HELE, ROBERT PHILIP, cordwainer, Kingsbridge. Pet. March 6. Reg. & O. A. Square. Sol. Orton, Kingsbridge. Sur. March 22.

HOLMES, ENOCH, out of business, Longton. Pet. March 6. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley. Sur. March 21.

HOPPER, WILLIAM BRIMMACOMBE, yeoman, Exeter. Pet. March 1. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. March 22.

HUGHES, EDWARD, maltster, Cwmbwrla, and hopmerchant, Swansea. Pet. March 7. Reg. & O. A. Morris. Sol. Gibson, Swansea. Sur. March 21.

HUGHES, JENKIN, grocer, Taibach. Pet. March 6. Reg. & O. A. Morgan. Sol. Kempthorne, Neath. Sur. March 21.

KENDALL, WILLIAM THOMAS, bookseller and stationer, Great Grimsby. Pet. March 8. O. A. Young. Sols. Grange and Wintringham, Great Grimsby. Sur. March 22.

KNOWLES, EDWARD STELFOX, hide broker, Liverpool. Pet. March 6. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. March 27.

LAW, JAMES, grocer and stonemason, Bacup. Pet. Feb. 13. Reg. Harris. O. A. Morgan. Sur. March 28.

LOWE, EDWARD, beerhouse-keeper, Middlewich. Pet. March 7. O. A. Turner. Sol. Duncan, Northwich. Sur. March 22.

MARTIN, JAMES WAKEHAM, victualler, Exeter. Pet. March 7. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. March 21.

MILTON, JOHN, boot and shoemaker, Taunton. Pet. March 7. Reg. & O. A. Giles. Sol. Taunton, of Taunton. Sur. March 20.

MITCHELL, JOHN, boarding-house keeper, Bath. Pet. March 7. Reg. & O. A. Smith. Sol. Bartrum, Bath. Sur. March 28.

MOORE, JOSEPH, SOLOMON, merchant, Birmingham. Pet. March 7. Reg. Hill. O. A. Kinnear. Sols. Collis and Ure, Birmingham. Sur. March 22.

MULROY, THOMAS, labourer, Birmingham. Pet. Feb. 17. Reg. & O. A. Guest. Sur. March 20.

NEWING, WILLIAM ISAAC, farm bailiff, Little Thurrock. Pet. March 7. Reg. & O. A. Southgate. Sol. Sharland, Gravesend. Sur. March 22.

ODELL, WILLIAM, merchant, Liverpool. Pet. March 7. O. A. Turner. Sols. Messrs. Martin, Liverpool. Sur. March 21.

PETERS, EDWARDS, dealer in mother-o'-pearl, Birmingham. Pet. March 7. Reg. Tudor. O. A. Kinnear. Sol. Allen, Birmingham. Sur. March 21.

PETERS, HENRY HELLIER, commission agent, Swansea. Pet. March 7. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. March 21.

POMFRET, PETER, beerseller, Openshaw. Pet. March 6. Reg. & O. A. Kay. Sol. Andrews, Manchester. Sur. March 27.

REAVEY, JAMES, tailor, Leicester. Pet. March 8. Reg. & O. A. Ingram. Sol. Wilson, Leicester. Sur. March 21.

RIDLEY, THOMAS, farmer, Merryshields. Pet. Feb. 18. Reg. Ghest. O. A. Laidman. Sol. Hoyle, Newcastle-upon-Tyne. Sur. March 22.

SANDLAND, THOMAS, coachbuilder, Chester. Pet. March 3. Reg. & O. A. Wason. Sol. Cartwright, Chester. Sur. March 21.

SELFE, WILLIAM, jeweller, Milton next-Gravesend. Pet. March 7. Reg. & O. A. Southgate. Sol. Sharland, Gravesend. March 22.

SIMCOCK, JAMES, timber dealer, Burslem. Reg. & O. A. Challinor. Sol. Lichfield, Newcastle-under-Lyne. Sur. April 1.

STEEL, JOHN, boot and shoe manufacturer, Wortley, Leeds. Pet. Feb. 14. O. A. Young. Sols. Lees and Senior, Bradford; Bond and Barwick, Leeds. Sur. March 20.

STONES, SAMUEL, miller and corn dealer, Over, Winsford. Pet. March 8. O. A. Turner. Sol. Cooke, Over. Sur. March 21.

SWITHENBANK, ROBERT, woolsorter, Bradford. Pet. March 7. O. A. Young. Sols. Terry and Watson, Bradford; Simpson, Leeds. Sur. March 20.

SYLVESTER, WILLIAM, solicitor's clerk and actuary, Alford. Pet. March 8. O. A. Young. Sols. England, Sanslbye and Roberts, Hull. Sur. March 22.

TAYLOR, CHARLES, boot and shoe maker and parish clerk, Gloucester. Pet. March 6. Reg. Wilde. O. A. Acraman. Sol. Wilkes, Gloucester. Sur. March 21.

TAYLOR, JOSEPH, grocer's assistant, Birmingham. Pet. March 6. Reg. & O. A. Guest. Sol. Beaton, Birmingham. Sur. March 21.

TOON, JOSEPH, farmer and licensed victualler, Witherley. Pet. March 8. Reg. & O. A. Baxter. Sol. Wood, Tamworth. Sur. March 22.

TRAPNELL, ELIZA SARAH, ladies' outfitter, Bristol. Pet. March 6. Reg. Wilde. O. A. Acraman. Sol. Benson, Bristol. Sur. March 20.

TURNER, JOHN SMITH, chemist and druggist, Wordsley. Pet. March 6. Reg. & O. A. Harward. Sol. Pearman, Stourbridge. Sur. March 21.

VALANTINE, THOMAS, tailor, Rhosllanerchrugog, Wrexham. Pet. March 6. O. A. Turner. Sol. Sharratt, Wrexham. Sur. March 22.

WATTS, RUSSELL, painter, Plymouth. Pet. March 2. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. March 22.

WHITE, WILLIAM, butcher, Portland. Pet. March 8. O. A. Carrick. Sols. Locke, Dorchester, and Terrell, Exeter. Sur. March 21.

WILKINSON, JAMES, farmer, Patricroft. Pet. March 2. Reg. Macrae. O. A. Morgan. Sol. Elsoft, Manchester. Sur. March 21.

WALLIS, THOMAS BOWRAM, victualler, Sheffield. Pet. March 7. Reg. A O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. March 30.

BANKRUPTCIES ANNULLED.

Gazette, March 7.

GREENWOOD, WILLIAM, manufacturer, Birmingham.

Gazette, March 10.

HANBURY, WILLIAM, painter, Sneinton.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Abert, T. Southampton, first, 1s. 6¼d. Edwards, London.—*Barron*, T. O. jun. woollen warehouseman, first, 2s. Parkyns, London.—*Bird*, C. bookseller, first, 1s. 3¼d. Parkyns, London.—*Cotton*, E. D. draper, 1s. 7d. Kinnear, Birmingham.—*Davies*, H. H. victualler, 1s. 9d. Kinnear, Birmingham.—*Deacon*, T. livery-stable keeper, second, 1s. 3¼d. Edwards, London.—*Gardner*, F. Luton, first, 2s. Edwards, London.—*Glover and Fletcher*, painters, first, 4s. 6d. Turner, Liverpool.—*Howard*, R. M. dealer in curiosities, first, 1s. 5d. Parkyns, London.—*Jenkinson*, A. Clement's-in., first, 1s. 6¼d. Parkyns, London.—*Joyce*, W. farmer, 6s. 6d. Kinnear, Birmingham.—*Jolly*, T. victualler, first, 7d. Turner, Liverpool.—*Lade and Wells*, shoemakers, first, 1¼d. Peter, Redruth.—*Maffeat*, W. shoe manufacturer, 2s. 1d. Kinnear, Birmingham.—*Morrison*, R. clerk in Somerset-house, first, 1s. 3¼d. Edwards, London.—*Oliver*, T. N. cocoa nut matting manufacturer, first, 2s. Parkyns, London.—*Pearson*, T. ironmonger, first, 6d. Edwards, London.—*Percy*, J. L. builder, first, 6¼d. Parkyns, London.—*Purnell*, J. confectioner, second, 4s. 6d. Parkyns, London.—*Sanders*, E. C. merchant, first, 6¼d. Edwards, London.—*Rowsell*, R. butcher, second and final, 1s. 10¼d. Peter, Redruth.—*Slatter*, J. carpenter and builder, first, 3s. 11¼d. Edwards, London.—*Squirrell*, J. whitesmith, first, 2s. 3d. Edwards, London.—*Stewart*, J. cigar and cheroot manufacturer, first, 1s. 1¼d. Edwards, London.—*Treheare*, J. grocer, 1s. 7d. Kinnear, Birmingham.—*Williams*, J. grocer, first, 6¼d. Turner, Liverpool.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, March 7.

ACUTT, ARTHUR TIMOTHY, auctioneer, Alexander-villas, Canterbury-rd. Kilburn. Feb. 24. 2s. 6d. on 25th Dec.

ABELSKE, JAMES, shoe manufacturer, Nottingham. Feb. 10. Trusts W. Low, shoe manufacturer, Great Dover-st. Southwark, and H. Hibbins, maltster, Nottingham.

AVERY, HENRY, jun., cabinet-maker, Newcastle. Feb. 7. Trusts W. R. Welford, ironmonger, and J. W. McRae, timber merchant, both Newcastle.

BIRKS, JAMES HUTCHINSON, book-keeper, Sheffield. Feb. 17. Trust. W. Bush, accountant, Sheffield.

BUTTON, VINCENT JAMES, iron merchant, Gracechurch-st. Feb. 16. 5s.

BICKLE, SAMUEL, jun., draper, Launceston. Feb. 4. Trusts E. Pethybridge, banker, Launceston, A. Cridland, draper, Exeter, and J. Bath, draper, Plymouth.

BUTLER, WILLIAM, and HASLEHAM, GEORGE, jun., smallware manufacturers, Radcliffe. Feb. 22. 11s.—3s. in 4 mos., 4s. in 8 mos. and 4s. in 12 mos.—secured. Trust. J. Powell, cashier, Manchester.

BURKE, JAMES, victualler, Birmingham. Feb. 27. Trust. W. Rennie, accountant, Birmingham.

BRADLEY, JOSEPH, coachbuilder, Huddersfield. Feb. 15. Trust. J. Kaye, timber merchant, Huddersfield.

BERRY, JOSEPH, brewer, Beckford-row, Walworth-rd. Feb. 6. 5s. on 24th Feb.

CLARKE, GEORGE, draper, Carlisle. Feb. 4. 7s. 6d.

COLE, BENJAMIN, butcher, High-st. St. John's-wood. Feb. 27. 2s. 6d. forthwith.

CLARKE, JAMES, yeoman, Braishfield. Feb. 15. Trusts T. Strong, brewer, Romsey, and W. Perkins, auctioneer, Southampton.

DOMMERFIELD, JOHN, chain and rivet maker, Tipton, and grocer and provision dealer, West Bromwich. Feb. 11. Trusts T. B. Horton, miller, Wednesbury, and D. Hipkins, ironmaster, West Bromwich.

DAVIES, DANIEL, warehouseman, Budge-row. March 1. 5s. in 7 days.

DAVIES, JOSEPH, flannel manufacturer, Newtown. Feb. 10. Trusts J. Hall, flannel manufacturer, Holywell, and E. Morgan, chemist, Newtown. Sol. Jones, Newtown.

DAVIS, WILLIAM, brewer, Stoughton. Feb. 4. Trusts R. Turner, provision merchant, Emsworth, and G. Molesworth, draper, Chichester.

DRAPER, JOSEPH, bootmaker, Waterloo, near Liverpool. March 3. 5s.—1s. on execution of deed and 2s. in 2 mos.—secured.

DOREY, WILLIAM, grocer, Lozells, near Birmingham. Feb. 10. Trusts T. Barber, provision merchant, and J. Simmons, wholesale grocer, both Birmingham.

DYER, JOSEPH, carver, Little Tower-st. Feb. 13. 7s. 6d. by three instalments of 2s. 6d. at 3, 6 and 9 mos.—secured.

EAMES, RICHARD, builder, Liverpool. Feb. 16. Trust. D. Carruthers, ironmonger, Liverpool.

FORKER, WILLIAM, house decorator, Newington-causeway. March 1. 5s. in 21 days and 2s. in 3 mos.

FIRTH, JOHN, cotton waste dealer, Holden Wood, near Helmshore. Feb. 16. 4s. by two equal instalments of 2s. in 3 days and 2 mos. Surety, widow, Holden Wood.

FLETCHER, JOHN, drysalter, Halifax. Jan. 15. Trust. L. Dyson and J. Johnson, manufacturing chemists, both Huddersfield.

HALLIDAY, JOHN; FOX, EDWIN; REINER, CHARLES, merchants, Leadenhall-st. Feb. 13. Inspectors W. Mackinnon, Glasgow, J. A. Smith, London, and J. Jones, Billiter-sq. merchants.

HARDING, FREDERICK, pork butcher, Bristol. Feb. 6. 1s. Trust. F. C. Owen, sugar refiner, Bristol.

HAWORTH, JAMES, and OLDROYD, JOSEPH, cotton manufacturers, Islington Lower-end. Feb. 7. Trusts W. Stead, cotton manufacturer, and G. Lund, machinist, both Ramsbottom.

HERBERT, WILLIAM, shoemaker, Abergavenny. Jan. 19. 5s. by two instalments of 2s. 6d. on 19th April and 19th July. Trusts J. S. Lowe, Oxford, and W. Haydon, Birmingham, leather sellers.

HAWKE, WILLIAM, shipbroker, Cardiff. Feb. 8. 4s. 6d. Trust. W. Cope, colliery proprietor, Cardiff.

HOLROYD, HANNAH, and HOLROYD, ALFRED EDWARD, grocers, both Batley Carr, near Dewsbury. Feb. 3. Trusts J. Fawcett, Wakefield, and H. Rhodes, Birstal, corn millers.

HOPE, BENJAMIN, solicitor, Ely-pl. Holborn. Feb. 20. 5s. by two equal instalments at 6 and 12 mos.

HOPKINS, WILLIAM, miller, Marston Biggott. Feb. 7. Trust. J. Stevens, plumber, Frome Selwood.

HOPKINSON, WILLIAM, cloth manufacturer, Armley, near Leeds. Feb. 16. 4s. by two equal instalments at 1 and 6 mos. Trust. L. E. Fallon, spinster, Armley.

HOUGHTON, CHARLES JONATHAN, merchant, Foster-la. Cheapside. Feb. 7. 5s.—2s. 9d. on execution of deed and 2s. 3d. at 4 mos.

JOLLY, THOMAS, and JOLLY, THOMAS, jun., commission agents, Manchester, WHITAKER, THOMAS, Oakenshaw, near Accrington, and WALSH, WILLIAM, Accrington, cotton manufacturers. Feb. 9 and 28. 12s.—5s. in 3 mos., 3s. in 6, 2s. in 9 and 1s. in 12 mos.—secured. Trust. W. E. Hodgkinson, commission agent, Manchester.

JONES, HUGH, merchant and insurance agent, Huyton, near Liverpool. March 4. Trusts J. H. Hutchinson, broker, and T. L. Morewood, both Liverpool.

JONES, JOE RESTON, victualler, Usk. Feb. 8. Trust. G. Masters, wine and spirit merchant, Pontypool.

KENYON, THOMAS, sen., and KENYON, RATCLIFFE, manufacturing chemists, Miles Platting, near Manchester. Feb. 4. Trusts S. Woolworth, Manchester, and T. Kenyon, jun., Miles Platting near Manchester, drysalters.

MAY, MARY, shopkeeper, Calstock. Feb. 16. 6s. by two equal instalments on 16th May and 16th Aug. Trusts W. Jones, miller Whitchurch, and W. Cripps, grocer, Tavistock.

LAWSON, ANDREW, and MAJOR, JOHN, merchants, Liverpool. Feb. 15. 2s. 6d. in 4, 8 and 12 mos., 1s. 6d. in 4, 8 and 12 mos. and 1s. 6d. in 4, 8 and 12 mos.

LEWIS, THOMAS, grocer, Titchmarsh. Feb. 4. Trusts R. Sturton, druggist, Peterborough, and F. I. Welsh, currier and leather merchant, Birmingham.

LYNCH, SQUIRE, beerseller and labourer, Heywood. Feb. 17. 1s. 6d. forthwith.

MAGELLICK, JAMES, merchant's clerk, Liverpool. Feb. 27. To pay 20s. by instalments of 2s. 6d. at every 6 mos. Trusts J. Gardiner, ironmonger, and F. M. Taylor, both Liverpool.

MAURICE, MORITZ, and MULLER, HERMANN, wine merchants, Manchester. Feb. 10. 5s. by Feb. 16. Surety, M. Kaufmann, merchant, Manchester.

MILES, ROBERT, grocer, Birmingham. Feb. 11. Trusts J. Davenport, maltster, and J. Watson, factor, both Birmingham.

MOORHOUSE, PHILIP HENRY, woollen cloth manufacturer, Penistone. Feb. 9. Trusts J. Hinchliffe, coal merchant, Barnside, near Holmfirth, Z. Hinchliffe, coal merchant, Hallhouse and J. Wainwright, jun., builder, Thurlstone. Sols. Dransfield and Son, Penistone.

NUTT, CHARLES, and NUTT, ROBERT, tailors, Cheltenham. Feb. 6. Trusts T. B. Goddard, gentleman, and W. White, grocer, both Cheltenham.

ORRICH, CHARLES, photographer, Orchard-st. Portman-sq. and Ludgate-st. March 1. 4s. in 6 mos.

ORTON, PETER, and NORTH, WILLIAM, carpenters, Huddersfield. Feb. 6. Trust. T. Helm, timber merchant, Huddersfield.

PARTINGTON, ARTHUR JAMES, general dealer, Paddington-st. Marylebone. March 2. 1s. on 31st March.

PEACOCK, THOMAS ROBINSON, timber merchant, Hull. Feb. 10. Trusts A. B. Pease, banker, and C. Hutchinson, builder, both Hull.

PERSON, JOHN, grocer, Liverpool. Feb. 18. To pay debts in full by four quarterly instalments of 5s.—5s. on 19th May, 5s. on 19th Aug., 5s. on 19th Nov. and 5s. on 19th Feb.—secured. Trusts W. Geddes, and T. Lilwall, both Liverpool, tea merchants.

READING, JOHN, wheelwright, Saint Michael Church, Somerset. Feb. 10. Trust. J. Winslade, sawyer, Thurloxton.

ROBINSON, JOSEPH, upholsterer, Tunstall. Feb. 4. Trust. J. W. Powell, commission agent, Burslem.

SATTERTHWAITE, SAMUEL, tanner, Manchester. March 2. Trusts J. Smithson, gentleman, Lightcliffe, near Halifax, and J. King, jun., manufacturer, Manchester.

SHAW, GIDEON, leather dealer, Castleford. Feb. 27. Trust. J. Douglas, leather merchant, Leeds.

SHELLEY, ROBERT, eating-house keeper, Bath. Feb. 14. 3s. 6d. in 2 mos. Trust. J. Barry, accountant, Bath.

SHIRLEY, JOHN, joiner, Gloucester-pl. Upper Grange-rd. Bermondsey. March 3. 1s. 6d. in 21 days.

SHORROCK, JAMES ASHWORTH, cotton manufacturer, Higham. Feb. 10. Trust. W. Hargreaves, cotton manufacturer, Forest of Pendle.

SKAFTE, RASMUS CHRISTIAN HANSEN, ship store dealer and sail maker, Liverpool. Feb. 10. 6s.—2s. on 10th May, 2s. 6d. on 10th Aug. and 1s. 6d. on 10th Nov. Trust. H. C. Langton, accountant, Liverpool.

SKINNER, JAMES, publican, Ashford. Feb. 16. Trusts G. E. Skinner, farmer, Chiddingstone, and G. F. Churchill, wine merchant, Ashford.

SMITH, WILLIAM PENY, metal merchant, Liverpool. March 2. 9s.—2s. 6d. by 1st May, 2s. 6d. by 1st Aug., 2s. 6d. by 1st Nov. and 1s. 6d. by 1st Feb. Surety, A. Sparrow, merchant, Liverpool.

SOLOMON, SOLOMAN, tailor, Duke-st. Aldgate. Feb. 20. 1s. in 12 mos.

STAFFORD, CHARLES, jun., painter, Bristol. Feb. 6. 1s. Trust. F. Owen, Bristol.

STONE, JAMES BENJAMIN, brushmaker, Newbury. Feb. 16. Trust. H. W. Elder, merchant, City-rd.

TAYLOR, WILLIAM FORD, clerk in holy orders, Napton-on-the-hill, near Rugby. Feb. 7. 5s. forthwith. Trust. G. S. Ireland, attorney's clerk, Newcastle.

THOMAS, THOMAS CHRISTOPHER, boot and shoe maker, Aberaman, near Aberdare. Feb. 8. 5s. Trust. W. Thomas, boot and shoe maker, Mountain Ash, near Aberdare.

THOMAS, JOSEPH ANTHONY FELLOWS EBENEZER, grocer, Boston. Feb. 16. Trusts J. Pratt, grocer, Louth, and B. Wrigley, draper, Boston.

TURNER, CORNELIUS, felt manufacturer, Leeds. Feb. 7. Inspectors, M. Shann, paper manufacturer, Leeds, W. Scholefield, wool merchant, Leeds, W. Lynd, oil merchant, Leeds, J. Tweedale, wool merchant, Dewsbury, and J. Smith, waste dealer, Harrogate.

ERRATA.

AINSWORTH, HENRY, and FISH, JOHN, cotton cloth manufacturers, Over Darwen. Jan. 31. Trusts G. Lightoller, Chorley, R. Tunnicliffe (and not Fernlecliffe, as advertised in Gazette Feb. 28) Leigh, cottonspinners, and W. Taylor, yarn agent, Over Darwen.

BERRIDGE, CHARLES HORRIS (and not Berridge, Charles Harris, as advertised in Gazette, March 3).

LEWIS, RICHARD LIMBURY (and not Lewis, Richard Limbery, as advertised in Gazette, March 3).

SMALE, THOMAS, draper, Plymouth. Feb. 4. Trusts C. J. Leaf (and not Lea, as advertised in Gazette, March 3), and J. R. Kay, warehousemen, Old Change.

Gazette, March 10.

ADAMSON, GEORGE, grocer, Wakefield. Feb. 16. Trusts J. A. Skidmore and E. Brown, grocers, both Wakefield.

AIKMAN, GEORGE, finisher, Salford. Feb. 9. Trust. R. B. Pellow, woollen manufacturer, Manchester.

ANDREWS, FREDERICK, draper, Brighton. Feb. 11. Trusts J. T. Stuttard, Wood-st., G. R. Greatorex, Aldermanbury, and R. Davis, Love-la. warehousemen.

BAKER, JOSEPH, bootmaker, Stoke-on-Trent. Feb. 17. 5s.

BANISTER, THOMAS, grocer, Northampton-rd. Clerkenwell. Feb. 15. Trusts J. W. Holland, jun., and J. J. Rogers, St. Swithin's-lane, merchants.

BARLOW, THOMAS, Bacup, and POTT, AMOS, Rockliffe, near Bacup, joiners and builders. Feb. 11. Trusts W. Rutherford, timber merchant, Liverpool, and E. Blomeley, manager for Bury Saw-mill Co., Bury.

BARNWELL, WILLIAM, innkeeper, Leamington Priors. Feb. 14. 7s. 6d. on 10th March. Trust. H. Summerfield, gentleman, Leamington Priors.

BLAKEBOROUGH, SAMUEL, and BLAKEBOROUGH, JOHN WILLIAM, linen-draper, Leeds. Feb. 24. Trusts J. Chadwick and J. G. Cooper, merchants, both Manchester.

BLANCH, DAVID, coachmaker and wheelwright, Church-st. Chelsea. Feb. 21. 2s. 6d. on 31st May. Trust. J. Williams, accountant, Harpur-st. Red Lion-sq.

BOURNE, JOHN, grocer and dealer, Fish-st.-hill. Feb. 24. 2s. 6d. on 24th Feb.

BROUGHTON, WILLIAM, farmer, Mendham. Feb. 9. Trusts H. A. Kersey, merchant, and J. Caley, auctioneer and valuer, both Mendham.

CARR, HENRY WILLIAM, contractor, Cannon-st. Feb. 10. Trust. W. J. Valentine, Throgmorton-st.

CLOUT, THOMAS, builder, Maidstone. Feb. 20. Trust. J. Weekes, ironmonger, Dartford.

COLLEY, FRANCIS PENTLAND, merchant, Liverpool. March 7. Trust. H. W. Eddis, accountant, Liverpool.

CHADDOCK, EDWARD, jeweller, Hamilton-pl. Brixton, and Stratford, and Carey-st. Lincoln's inn. Feb. 25. Trusts J. Williams, manufacturing jeweller, Hatton-garden, and W. H. Beavan, assurance clerk, Cornhill.

CUTLER, JOSEPH, draper, Dunstable. Feb. 7. Trust. G. Williams, warehouseman, St. Paul's-churchyard.

GERARD, JOHN, soap manufacturer, Southampton. Feb. 20. 2s. 6d. in 1 mo. and 2s. 6d. in 3 mos. Trusts W. F. Gerard, and T. B. Gerard, C. Cray, provision merchant, W. C. Holland, provision merchant, all of Southampton.

GOODWIN, WILLIAM, merchant, Peckham. March 1. Trusts J. Adcock, Dalston, and R. G. Perrin, gentleman, Fenchurch-st.

GRAHAM, GEORGE, butcher, Carlisle. Feb. 23. 5s. on demand. Trust. J. Irving, general merchant, Maryport.

GREEN, ROBERT MAJOR, grocer and cheesemonger, Greycoat-pl. Westminster. Feb. 12. 4s. 6d. by two equal instalments at 28 days and 3 mos.

HALL, HECTOR LOUIS, and HALL, HENRY JOHN, wine merchants, Emmett-st. Limehouse, and Trinity-sq. Feb. 27. Trusts W. G. Bracebridge, merchant, and J. Rose, gasfitter, Jamaica-row, Bermondsey.

HALL, JAMES, draper, Salford. Feb. 16. Trusts R. Gill and S. Charlton, general warehousemen, both Manchester.

HENSHALL, GEORGE BUTLER; HENSHALL, EDWARD; and HENSHALL, JOHN WESTON, salt brokers and salt manufacturers, Liverpool, Hull, Winsford and Great Grimsby. March 2. 2s. 6d. in 1 mo. and 1s. 6d. in 4 mos. Trust. R. S. Bisson, accountant, Liverpool.

HOWLAND, JOHN, cheesemonger and poulterer, Queen's-rd. Dalston. March 9. 5s. by two equal instalments on 13th March and 13th Sept.

HOLE, WILLIAM, draper, Totnes. Feb. 13. Trusts W. Brown, gentleman, Torquay, and H. D. Pearse, public officer of Devon and Cornwall Banking Company, Totnes.

HOWELL, ROBERT, boarding-house keeper, Shorter-st. St. George's-in-the-east. Feb. 24. 1s.

HUNT, THOMAS WILLOMATT, and SMITH, JAMES, provision merchants, Stratford. Feb. 28. 5s. on 9th March.

KENNIT, HENRY, gas fitter, Bruton-st. Berkeley-sq. March 6. 12s. 6d. in 21 days.

KING, WILLIAM JOHN, grocer, East Hoathley. Feb. 11. Trusts J. T. Stuttard, warehouseman, Wood-st. Cheapside, and M. Wallis, merchant, Brighton.

LEDDER, GEORGE, Pitfield-st. Hoxton. Feb. 10. 4s. immediately.

LOCKWOOD, JAMES, tailor, Ipswich. March 6. Trust. C. Bloomfield, baker, Ipswich.

MARTIN, STEPHEN, razor manufacturer and cutler, Sheffield. Feb. 16. 10s. in 4 mos. Trust. S. Martin, jun., merchant, Sheffield.

MASON, JOHN JAMES, grocer and draper, Boxford. Feb. 15. Trusts H. M. Burton, grocer, Ipswich, and G. Hayter, linendraper, Colchester.

MEWES, WILLIAM AUGUST, chronometer maker, King-st. Tower-hill. March 9. 2s. 6d. by two equal instalments on 9th May and 10th July. Trust. G. Wetzlar, general merchant, Fenchurch-st.

MORICK, ALEXANDER, ship chandler, Liverpool. Feb. 15. Trusts J. A. Dickson, merchant, Arbroath, and S. A. Lang, merchant, Liverpool.

NAYLOR, FREDERICK, railway clerk, East-view, Hanley. Feb. 9. 5s. in 24 days.

PAYNE, HENRY, and WESTON, RALPH, merchants, both Manchester. Feb. 20. Trust. A. T. Nixon, merchant, Manchester.

PAYNE, WILLIAM, innkeeper, Lympstone. Feb. 22. Trust. J. Foster, maltster, Exmouth.

RAWDING, WILLIAM WILSON, miller, Barrowby. Feb. 27. Trust. J. Rudkin, farmer, West Willoughby.

REED, WILLIAM ATKINSON, grocer, Bootle. March 4. 5s.—1s. 6d. on execution of deed, 1s. 6d. on 1st May and 1s. 6d. on 1st July.

SCOTT, JOHN, jun., swallware dealer, Liverpool. Feb. 10. Arrangement to pay in full by twelve monthly instalments—the first on execution of deed and on the 10th of each succeeding mo. Trust. T. Harkers, haberdasher, Liverpool.

SHAW, WILLIAM, waste dealer, Halifax. Feb. 21. Trusts J. Whitaker, ragdealer, Batley, E. S. Scott, woollen manufacturer, Greetland, T. Chappell, traveller, Horbury, and T. Casker, rag merchant, Liverpool.

SLATER, JONATHAN, grocer, Oldham. March 4. Trust. B. Wild, carrier, Oldham.

SMITH, HAMLET, grocer, Sheffield. Feb. 11. Trust. J. Lewett, sen., miller, Sheffield.

SNUFFLEBOTHAM, JOSEPH WILLIAM, surveyor, Crewe. March 6. 3s. 6d. in 2 mos. Trusts J. Dimmock and T. Keeling, timber merchants, Stoke-upon-Trent, J. Booth, builder, Kidsgrove, and T. Whittaker, farmer, Church Lawton.

SWEETAPPLE, THOMAS, paper manufacturer, Godalming. Feb. 11. Trusts W. H. Smallpeice, banker, Guildford, and J. E. Spicer, paper manufacturer, Alton.

SEKERLMEY, NICHOLAS CHARLES. Feb. 9. Trust. J. S. Gomme, accountant, Bucklersbury.

TAYLOR, SAMUEL, dyer, Sneinton. Feb. 8. Trust. P. Webster, dyer, Sneinton.

THOMAS, FRANCIS MICHAEL, hosier, Saint James's-st. Feb. 16. 8s. by two equal instalments on 4th May and 4th Aug.—secured. Trust. J. W. Spall, warehouseman, Cheapside.

THOMAS, THOMAS, colour dealer, Liverpool. Feb. 22. Trust. R. R. Minton, paint manufacturer, Liverpool.

THOMPSON, JAMES, woolstapler, Halifax. Feb. 14. Trust. W. Mallinson, waste dealer, Halifax.

TICK, WILLIAM, gas engineer, Westminster-bridge-road, Lambeth. March 3. Trust. D. Hodge, lamp manufacturer, Hatton-garden, and John Whitmee, steel mill maker, St. John-st. Clerkenwell. Sols. Harrison and Lewis, Old Jewry.

TIPPER, CHARLES, and FENTON, EDWIN, warehousemen, both Leek, and Aldermanbury. Feb. 9. Trust. C. B. Goodwyn, gentleman, Old Broad-st.

TIPPER, JOHN, grocer, Willenhall. Feb. 21. Trust. R. Jones, grocer, Willenhall.

TRESIDDER, JAMES, baker, Penzance. March 2. Trust. T. Heyne and J. Maxwell, merchants, Penzance.

WAKEFIELD, GEORGE WATERLOO, grocer, Evesham. Jan. 25. 7s. 6d. —2s. 6d. in 1 mo., 2s. in 3 mos. and 3s. in 6 mos.—secured. Trust. G. T. Hart, accountant, Moorgate-street.

WHITE, THOMAS GEORGE, milliner, Aldersgate-street. Feb. 8. 2s. 6d. in 2 mos.

WHITEHEAD, WILLIAM, joiner, Batley Carr, near Dewsbury. Feb. 22. 6s. 8d.—3s. 4d. at 2 mos., and 3s. 4d. at 6 mos. from 20th Feb. Trust. G. D. and D. Armitage, rag merchants, Batley Carr.

WOOD, EDWARD, grocer, Jarrow. Feb. 10. Trust. E. Evans, Sunderland, and W. Wright, South Shields, grocers.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

BROOMHEAD.—On the 9th inst., the wife of Barnard P. Broomhead, of Broomhall-park, Sheffield, of a son.

MARRIAGES.

EAMES—BOWERMAN.—On the 14th ult., by the Rev. Geo. T. Marker, vicar, Thomas Palmer Eames, Esq., Cotley, Chardstock, Dorset, to Elizabeth, daughter of Richard Bowerman, Esq., Lamberoft, Uffculme, Devon, solicitor.

ERNST—CHAMPNESS.—On the 6th inst., at St. Jude's, Stoke Newington, Albert H. Ernst, of 5, Falcon-street, City, and Park-road, Stoke Newington, to Sallie, second daughter of James Champness, Esq., Deputy-Judge, Clinton, British Columbia, late of Cheshunt.

PEACHEY—SMYTHIES.—On the 14th inst., at St. John's Church, Notting-hill, James Pearse Peachey, Esq., barrister, of 3, Chester-terrace, Regent's-park, to Ellen, only daughter of J. K. Smythies, Esq., of 22, Kensington-park-gardens.

WARMINGTON—THOMAS.—On the 11th inst., at St. Martin's Church, Birmingham, Mr. Edward Marcus Warmington, of Priory House, Dudley, solicitor, to Julia Augusta, daughter of the late Mr. Richard Thomas, of the same place.

DEATHS.

BRAMLEY.—On the 12th inst., at his residence, Oakhill-house, Sheffield, aged 39, Edward Bramley, Esq., solicitor, for fifteen years Town Clerk of the borough of Sheffield.

THORLEY.—On the 12th inst., Sarah Rebecca, third daughter of John Thorley, solicitor, of Tarporley, Cheshire.

Investments.

SIX PER CENT. ON FREEHOLD SECURITY.

THE INNS of COURT HOTEL COMPANY (Limited), are now issuing DEBENTURES of 50*l.* and 100*l.* for three, five, or seven years, at option, with coupons payable half-yearly, charged as a first charge upon its magnificent freehold property in Lincoln's-inn-fields, estimated at 120,000*l.* The usual Commission to Solicitors.

Particulars, with forms for application, may be had at the Offices of the Company, 63, Lincoln's-inn-fields, and at the Agra and Masterman's Bank.

N.B.—The time for application is extended to March 31.

G. BEWLEY, Secretary.

LEICESTERSHIRE.—To be SOLD by private Contract, the NEXT PRESENTATION to a Living in Leicestershire. Age of the present incumbent 87. Income from tithe-rentcharge 200*l.*, and from 105a. of glebe, at present rental, 170*l.* a-year. There is a good parsonage house.

For further particulars apply to Messrs. BURNABY and DENMAN, Solicitors, East Retford, Notts.

BURY GASWORKS.

THE BURY IMPROVEMENT COMMISSIONERS are prepared to receive TENDERS for a LOAN of 8000*l.* for three, five, or seven years, at 4½ per cent. per annum, either in one sum or in sums not less than 500*l.* Interest payable on the 1st January and 1st July in each year. The Security is the Bury Gasworks, and the rents, rates and charges for supplying gas within the limits of the Bury Gas Act, the rates leviable on the town of Bury, under the Bury Improvement Act 1846, being an additional and collateral security.—Application to be made to the undersigned,

WM. HARPER,
Clerk to the Commissioners.

Bury, Lancashire, 21st February 1865.

LONDON, CHATHAM, and DOVER RAILWAY.—LOANS on DEBENTURES.—The Directors of the above Company are prepared to receive LOANS on DEBENTURES of 100*l.* and upwards, for three or five years, at 6 per cent. per annum.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W.

ADVOWSON and NEXT PRESENTATION for SALE.—The ADVOWSON and NEXT PRESENTATION of a RECTORY, situate in a desirable part of Lincolnshire, is for SALE by Private Contract, comprising newly-erected and commodious rectory house, with stables, coach-house, offices, and every convenience, extensive lawns, shrubberies, flower, kitchen, and fruit gardens, &c., and 424 acres of glebe land of first-rate quality and well drained, with an excellent farmhouse and new buildings. The rectory is within a convenient distance of a market-town through which the Great Northern and Midland Railways run. The population is of an agricultural character, and numbers 624. The purchase is a most desirable one, and presents advantages rarely to be met with.

For further particulars apply (principals or solicitors only) to Mr. William Newton, Solicitor, Newark-on-Trent, Notts.

SOUTH of ENGLAND WAGON COMPANY (LIMITED).

Incorporated under "The Companies Act 1862."

Capital, 300,000*l.*, in 10,000 shares of 30*l.* each.

(With power to increase.)

First issue of 5000 shares.

Deposit 1*l.* a share on application, and 1*l.* 10*s.* on allotment. Calls not to exceed 2*l.* 10*s.* a share, and at intervals of not less than three months.

(It is not proposed to call up more than 10*l.* a share.)

Directors.

The Hon. JAS. F. STUART WORTLEY (Director of the Bank of Hindustan), Wharncliffe-house, W., Chairman.
Major Clarke, R.E., Director of Works, Admiralty, Whitehall.
W. P. Snell, Esq. (Director of London and South-Western Railway), Belmont, Havant.
Alexander Williams, Esq., Palace-house, Bishop's Waltham.
Lord Richard Grosvenor, M.P., Grosvenor-house, London, W.
(With power to add to their number.)

Auditors.

Captain Fitzmaurice, Auditor of Great Northern and of London, Brighton and South Coast Railways.
Messrs. Chadwick, Adamson, McKenna and Co., 27, Great George-street.

Bankers.

Cocks, Biddulph and Co., 43, Charing-cross, S.W.

Solicitors.

Messrs. Bircham, Dalrymple, Drake and Co.

Inspecting Engineer.

Charles Cubitt, Esq., 3, Great George-street, S.W.

Brokers.

Messrs. Field, Son and Wood, 9, Warnford-court, Throgmorton-street.

Secretary.

R. W. Hall, Esq.

Temporary offices—37, Great George-street, S.W.

Wagon companies have been for some time in successful operation in the northern, north-western and midland counties of England, returning large dividends, after due provision made for depreciation of stock and other contingencies. This Company has been formed for the extension of the system to the south and south-western districts, in which it has been hitherto but partially known.

When it is considered that every year a vast increase to the railways of this and other countries is made, and that according to the returns made to the Board of Trade for 1863, between three and four millions of tons of goods were carried over the lines in this particular district, it will be evident that an ample field is open for the operations of this Company.

Wagon companies are looked on with favour by railway companies and by their customers, the hire of plant being an equal convenience to the manufacturer, the coal owner and the carrier. A profitable business can also be ensured by entering into contracts for the supply of rolling stock to foreign and colonial railways. The demand for that accommodation is very large and increasing.

The Company does not propose to construct its own wagons, but will follow the plan of purchasing its stock from established builders, which has been successfully adopted by other wagon companies. This, from its command of capital, it will be enabled to do on advantageous terms; and a large profit, unattended by any commensurate risk, cannot fail to be secured for the shareholders.

The chief sources of profit in the business proposed to be undertaken by the Company may be divided into two classes, viz:

The letting of wagons at fixed rentals, and
The letting of wagons at redemption rentals.

In the former class of contracts hirers pay the company such an annual sum as will cover depreciation, repairs and insurance against accidents, as well as a remuneration interest on the capital employed.

In the latter class, the hirers pay such sum as will return the capital invested, with interest; the wagons remaining the property of the company until the last payment has been made.

From an agreement which has been made with a well-known manufacturing firm in very extensive business, the Directors can rely on a minimum return of 7½ per cent. per annum upon the paid-up capital of the company. The Directors, however, believe that, from the abundance of business obtainable and the pressing demand for railway plant, both in this country and abroad, the profits of the company will be considerably larger.

Copies of the articles of association may be inspected at the Bankers' and Brokers' and at the temporary offices, and the agreements entered into can be seen at the offices of Messrs. Bircham and Co., 40, Parliament-street.

Applications for shares must be made in the annexed form; but no application will be considered unless the deposit of 1*l.* a share has been previously paid to the bankers. This deposit will be returned if no allotment is made to the applicant; and if an allotment is made, it will be applied in payment on the shares allotted.

Prospectuses and forms of application for shares may be obtained at the temporary offices, and of the brokers.

No.....

Form of Application for Shares.

To the Directors of the South of England Wagon Company (Limited).

Gentlemen,—I request you to allot me shares of 30*l.* each in the South of England Wagon Company (Limited), and I hereby agree to accept those shares, or any less number allotted to me, subject to the regulations of the Company, and to be a shareholder of the Company in respect thereof, and I agree to pay the further deposit of 1*l.* 10*s.* a share on allotment; and I authorise you to enter my name on the register of shareholders of the Company in respect to the shares allotted to me.

Name in full .....
Usual signature .....
Address in full .....
Date .....

CORNWALL LUNATIC ASYLUM.—MONEY WANTED.—A LOAN of 3000*l.* is required by the County of Cornwall, on mortgage of the general rates of the said county, to be repaid by twenty equal annual instalments, with interest in the meantime payable half-yearly.

Persons who may be willing to advance the whole or any part of such sum of 3000*l.* are requested to signify the same to me, on or before the 1st day of April next, and to specify the sum they will advance, and at what rate of interest.

The principal moneys will be required to be paid at Bodmin, on the 1st day of the next sessions, viz., on the 4th day of April next, when the necessary and proper securities will be entered into. STOKES, Clerk of the Peace.

Dated Bodmin, March 9, 1865.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 500,000*l.*

Directors.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.
Harry George Gordon, Esq.
George Ireland, Esq.
Duncan James Kay, Esq.
Stephen P. Kennard, Esq.
Patrick F. Robertson, Esq.
Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 12, Leadenhall-street, London.

By Order, JOHN ANDERSON, Secretary

ISSUE OF 4000 SEVEN-AND-A-HALF PER CENT. MINIMUM GUARANTEED PREFERENCE SHARES OF 10*l.* EACH.

WALLACHIAN PETROLEUM COMPANY (Limited).

Capital, 250,000*l.*

4000 A Shares of 10*l.* are now offered, entitled to a Preferential Dividend of 7½ per cent. guaranteed out of first profits, with rateable participation in further profits.

£1	per share payable on application	
£3	"	" allotment
£3	"	" 1st June.

Or the entire 3*l.* per share may be paid up at once, and receive the guaranteed 7½ per cent. Preference Dividend thereon.

Future Calls, if required, not to exceed 2*l.* per share, and at intervals of not less than three months.

Directors.

Robert Pulling, Esq. (Messrs. R. and W. Pulling), 18, Philpot-lane, Chairman.
Alfred Bryant, Esq., 3, Catherine-court, Tower-hill.
Joseph Fry, Esq. (Messrs. Trueman and Fry), Gresham-house.
Augusto Soares, Esq. (Messrs. M. and A. Soares), 40, Seethin-lane.
Edward Tewart, Esq., 16, York-place, Portman-square.
G. S. Trower, Esq. (Messrs. Trowers and Lawson), St. Mary-at-hill.
J. E. Vance, Esq., 37, Westbourne-terrace, Hyde-park.

Bankers.

The Agra and Masterman's Bank, Limited.

Solicitors.

Messrs. Courtenay and Croome, 9, Gracechurch-street.

Broker.

John Inchbald, Esq., 2, Copthall-court and Stock Exchange.

Auditors.

Alexander Beattie, Esq.
George Hall, Esq.

Offices.

66, Bishopsgate-street Within.

This Company was formed in February 1864, and during the last twelve months has succeeded in providing the necessary plant, and getting into efficient working order many of its valuable oil springs, situated in the important concessions it has obtained in Wallachia.

Professor Capellini, the eminent Italian geologist who has made a special study of the petroleum districts of America and elsewhere, and has recently visited and surveyed those of Wallachia, states that the Principalities furnish a vast field for petroleum enterprise, and adds—"I am of opinion, however, that no other Company can compete with the Wallachian Petroleum Company, as they decidedly possess the richest and most accessible localities."

Upwards of 3000 tons of oil have already been obtained from the Company's wells and from contractors; the yield at present from the wells of the Company is about 30 tons weekly.

The Directors propose to erect a refinery establishment at or near Ibraila; they estimate that when it is completed a weekly net profit of about 400*l.* can be realised on the present limited rate of yield from the Company's wells; as these increase it is confidently expected that sixty tons or more of oil will be produced weekly, by which means it is fully anticipated that profits will be realised equal to similar enterprises in America, some of which are dividing from the profits of refined oil between 10 and 20 per cent. per month amongst their Shareholders.

With the view of establishing such refinery, and to keep in reserve the uncalled ordinary capital of the Company, it has been decided to issue the above-mentioned preference shares.

Prospectuses and report above referred to of Professor Capellini, of Bologna, can be had at the Offices of the Company, or from the Company's Solicitors or Broker.

WALLACHIAN PETROLEUM COMPANY (Limited.)

NOTICE IS HEREBY GIVEN that the List of Applications for the PREFERENCE SHARES of the Company will be CLOSED on WEDNESDAY, the 22nd instant, for London, and THURSDAY, the 23rd instant, for the Country.

March 13th, 1865. By Order.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

56, CHANCERY-LANE, LONDON.

Chairman.—Russell Gurney, Esq., Q.C., Recorder of London.

Deputy Chairman.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

ACCIDENTS to LIFE or LIMB,

in the Field, the Streets, or at Home,
Provided for by a Policy of the
RAILWAY PASSENGERS' ASSURANCE COMPANY,
64, Cornhill, London, E.C.

COMPENSATION

Has been paid for 10,000 Claims.

1000*l.* in case of Death, or 6*l.* per Week while laid-up by Injury, secured

By the annual payment of from 3*l.* to 4*l.* 5*s.*

For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,

64, CORNHILL, and 10, REGENT-STREET.

WILLIAM J. VIAN, Secretary.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, Chancery Lane, W.C.
Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management, but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.
Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.
Business consists of the best classes of risks.
Insurants will be allowed the full benefit of the Reduction of Duty.
Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1868. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 50 per cent. per annum on the premiums paid, varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary

CLERICAL, MEDICAL and GENERAL LIFE ASSURANCE SOCIETY,

13, ST. JAMES'S-SQUARE, LONDON, S.W.

Established 1824.

President.—The Archbishop of Canterbury.
Chairman.—Right Hon. John Robert Mowbray, M.P.
Deputy-Chairmen. {William Bowman, Esq., F.R.S. / Sir Charles Locock, Bart., F.R.S.

Financial results of the Society's operations.

The Annual Income exceeds ..... £[illegible]
The Assurance Fund safely invested is over ..... £[illegible]
The New Policies in the last year were 465, assuring £[illegible]
The Bonus added to Policies at the last Division was £[illegible]
The Total Claims by death paid amount to ..... £[illegible]

The following are among the distinctive features of the Society:

Credit System.—On any Policy for the whole of Life where the age does not exceed sixty, one-half of the Annual Premiums during the first five years may remain on credit and may either continue as a debt on the Policy, or be paid off at any time.

Low Rates of Premium for Young Lives, with early participation in profits.

Endowment Assurances may be effected, without Profits, by which the Sum Assured becomes payable on the attainment of a specified age, or at death, whichever event shall first happen.

Invalid Lives may be assured at rates proportioned to the increased risk.

Prompt Settlement of Claims.—Claims paid thirty days after proof of death.

The Reversionary Bonus at the Quinquennial Division in 1862 averaged 48 per cent., and the Cash Bonus 29 per cent. on the Premiums paid in the five years.

The Next Division of Profits will take place in January 1867, and persons who effect New Policies before the end of June next will be entitled at that Division to one year's additional share of profits over later entrants.

Tables of Rates and Forms of Proposal can be obtained at

GEORGE CUTCLIFFE, Actuary and Secretary.
13, St. James's-square, London, S.W.

Commission.—10 per Cent. on the First Premium and 5 per Cent. on Renewals, is allowed to Solicitors. The Commission will be continued to the person introducing the assurance, without reference to the channel through which the premiums may be paid.

THE COMING GENERAL ELECTION.

Preparing for Publication, the Ninth Edition of

COX'S LAW and PRACTICE of ELECTIONS, comprising all the Statutes, Cases decided, Instructions for the Management of an Election in Boroughs and Counties, Forms, &c., and the Law of Election Committees.

By EDWARD W. COX, Esq., Barrister-at-Law, Recorder of Falmouth and Helstone.

Law Times Office, 10, Wellington-street.

Just published,

THE FOURTH EDITION of HALLILAY'S DIGEST of the EXAMINATION QUESTIONS in Common Law, Conveyancing and Equity, from the commencement of the Examinations in 1855 to Michaelmas Term, with ANSWERS; also the mode of proceeding, and directions to be attended to at the Examination. By RICHARD HALLILAY, Esq., Solicitor. Price 15*s.* cloth.

Law Times Office, 10, Wellington-street.

NEWEST THINGS in DRESS and FASHIONS, PERSONAL ADORNMENTS, and HOUSEHOLD INVENTIONS.—The newest things at the Shops are described every week in THE QUEEN, THE LADY'S NEWSPAPER, by a Special Commissioner. All the Newest Fashions and Work Patterns are also given. Price 6*d.* A copy for seven stamps.—Office, 346, Strand, W.C.

To Readers and Correspondents.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

WEDNESDAY, MARCH 29.

By Messrs. FOX and BOURNFIELD, at Garraway's. Freehold and leasehold estate, Wapping. Advertised this day.

Ground-rents and building land at Harrow; ground-rent of 12*l.*, near the Cattle-market; and reversion to 92*l.* Advertised March 18.

By Messrs. CURTOCK and GALSWORTHY, at Garraway's. Valuable freehold property in Tooley-street. Advertised this day.

THURSDAY, MARCH 30.

By Mr. ABBOTT, at the Coal Exchange, St. Neots. Freehold and copyhold estates at Great Paxton, Hunts. Advertised March 11.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional ten words ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office not later than five o'clock on Thursday afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Postage Orders payable to Mr. HORACE COX, *the Publisher at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

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LAW TIMES office, 10, Wellington-street, Strand, W.C.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

...ORD, we fear, for the sake of teasing the LORD CHANCELLOR, than from any real hostility to the scheme, some of the Lords are attacking, by anticipation, the site for the new Law Courts. However formidable this premature hostility may appear, we believe it will prove to be of very limited extent, and that a large majority will support the scheme of the Government.

MR. HASTINGS, Secretary to the Social Science Association, has stated, at a meeting of the Society, that he is authorised by Lord BROUGHAM and by Mr. WILLIAM BROUGHAM to declare that there is no foundation whatever for the reported scandals in the EDMUNDS' case, and that a complete refutation will be given of them. This is more than we ventured last week to anticipate.

...e have been amused this week at a trade circular, dated "Benchers' Reading-room, Lincoln's-inn"—unless it be a hoax—which sets out the names of other traders in the same line of business, and offers to undersell them with an article of "standard" quality. The novelty of the mode does not lie in this term. We are used to it. Not only are we familiar with the placards of the "largest newspaper in the world," the *Standard*, and of the Standard Theatre, where Tom Thumb is being exhibited, but we occasionally receive a circular, very like the present, of "standard sherry." The difference is, that such circulars confine themselves to the generalities of competition, recommending "the cheapest house in London," or affording to gentlemen an opportunity of a saving of 10 or 12 per cent., for cash. A., B. and Co., of Standard Sherry, do not set forth the prices charged by C., D. and Co., of Golden ditto, and by E., F. and Co., of Amontillado, and then pledge themselves to supply you at a lower charge, if you will only honour them with a trial. This stroke in circular trade advertising has been first attempted from the Benchers' reading-room. It is an improvement on the election tactics of the late Lord MACAULAY, who, when a commoner, dated an election address from Windsor Castle. The address of the Lincoln's-inn speculators introduces their new wares with a statement that "there are published at the present time six sets of independent reports," of which we need not quote the enumeration. "The present cost of all these reports is about 50*l.* per annum; the cost of the regular reports alone is about 30*l.* per annum. The multiplicity of the reports, apart from the cost," which in another place Mr. DANIEL complains of as 29*l.* 12*s.* 6*d.* out of his own particular pocket for some of them, exclusive of binding, "occasions the evils of which the Profession complains. The remedy proposed is—the establishment, under the management and control of the Profession, of ONE SET OF **Standard Reports**." This is the bencher's sensational typography, second only to Champion bill-posting.

In the name of common sense, how will these benchers' reports be under the control of the Profession? And why, in the world, should they be standard? They are, as every one knows by this time, to be under the control of a council of eight QUEEN'S counsel and others, neither elected by the Profession, nor responsible to the Profession. Having quickly cleared our eyes of this first throw of dust, we experience the second, the "standard" pretension. If the antecedents of any one member of the council gave assurance that he had any practical or special knowledge of reporting, or if the names of the intended editors, or intended reporters or any of them, were given in this circular, it might not be thought too bold a venture, considering the usually bombastic style of such documents, to claim thus to whip the reporting world. There certainly is a vague promise, made in common form, of "learning, skill, and care." But in all essentials of excellence of performance the circular is a blank. It is not a blank though on the other side of the account. "It is requested that 10,500*l.* per annum at least should be obtained." This is by no means the first trade prospectus which the present generation has seen where a society has promised nothing definite, but has thought a good round sum "requisite" for a start.

MR. OKE has issued the following circular to the magistracy asking their support of his excellent "Justices of the Peace Procedure Bill." We trust that an immediate energetic response will be given to it.

Mansion-house, London, E.C.,
13th March 1865.

Dear Sir,—This Bill having been recently re-introduced into the House of Commons and printed, and now standing for a second reading on Wednesday the 29th instant, I beg to direct your attention to its important provisions (as affecting the administration of justice in petty sessions, and the interests of justices' clerks), which have undergone careful consideration by me, and, in many respects, are improved in the details since the issue of my circular to the magistracy, their clerks and others, in August last, inviting criticisms and suggestions upon it, and with which I was most promptly favoured from all parts of the Kingdom. Should the measure in its amended form meet your approval, I would suggest a petition in its favour from your bench of magistrates, as well as from the clerks of your county, being presented as early as convenient, and your communicating with the members of the Legislature with whom you are acquainted, and inducing them to support the gentlemen having charge of the Bill; at the same time, I shall be obliged by your apprising me of the names of those members, with your views on any of the proposed enactments. A like petition from the quarter sessions will it is understood, be sent up from some of the counties.—Yours faithfully,

GEORGE C. OKE,
Author of "The Magisterial Synopsis" and "Formulist," &c., &c.

P.S.—The expenses already voluntarily incurred by me in connection with this Bill, as well as my official duties, preclude my sending you a print of it; but I am permitted to state that Messrs. Hansard will send a copy by return of post on receipt of one shilling and elevenpence (in postage stamps), addressed to them at No. 13, Great Queen-street, Lincoln's-inn-fields, W.C.

THE question of the deprivation of the BISHOP of NATAL by the BISHOP of CAPE TOWN, or the *Colenso case*, became, at the hearing before the Judicial Committee of the Privy Council last autumn, one of greater interest to the lawyer than to the churchman. The matter argued and to be decided was not whether the commentator on the Pentateuch had exceeded the liberty of conscience allowed by the Articles of the Church, but whether the colonial metropolitan had exercised a lawfully constituted jurisdiction in deposing the BISHOP of NATAL from his office of bishop, and prohibiting him from the exercise of any Divine office within the province of Cape Town. It is not surprising then that, in the judgment given by the Judicial Committee, no ecclesiastic, member of that body, took part. The DEAN of the ARCHES, however, and the Hon. S. LUSHINGTON sat with the LORD CHANCELLOR, Lords CRANWORTH and KINGSDOWN and the MASTER of the ROLLS, while the ARCHBISHOP of YORK was present as a spectator in the crowded chamber. As the judgment, which the LORD CHANCELLOR delivered on Monday, is of such length that many of our readers may not have time to go through it in full, and it is convenient to all to have the principal points at hand for easy reference, we record here the substance of it.

The two bishops, the parties, created by the QUEEN as Sovereign and as head of the Church, and consecrated by her mandate according to law, received and hold their dioceses under Crown grants. Their *status* ecclesiastical and temporal, and their relative rights, must be determined by the principles of English law applied to the construction of such grants; for they are the creatures of English law.

The letters patent by which the BISHOP of CAPE TOWN was appointed, Dec. 8, 1853, recited that the existing see of Cape Town was of inconvenient extent, and that it was desirable that the Cape of Good Hope colony, with its dependencies and St. Helena, should be divided into the bishoprics of Cape Town, Graham's Town and Natal, the latter two to be subject to the first, in the same manner as any bishop of a see in the province of Canterbury was under the authority of the archbishop; and the letters patent contained passages ordaining that Dr. GRAY, Bishop of the said see of Cape Town, should be the metropolitan bishop of the colony, dependencies and island, under the general superintendence of the ARCHBISHOP of CANTERBURY, and that the Bishops of Graham's Town and Natal should be suffragans to the Bishop of Capetown; and granting to that bishop the power to perform all the functions of metropolitan, and to exercise metropolitan jurisdiction over the other bishops, and to visit them for correcting and supplying their defects, with all and all manner of visitatorial jurisdiction, power and coercion; and ordaining that, in case proceedings should be instituted against any of the Bishops of Graham's Town and Natal, when placed under the metropolitan see of Cape Town, such proceedings should originate and be carried on before the Bishop of Cape Town, whom the letters patent authorised and directed to take cognisance of the same; and any party aggrieved by his judgment might appeal to the Archbishop of Canterbury.

The letters patent constituting the See of Natal, and appointing Dr. COLENSO to it, were dated the 23rd Nov. 1853, fifteen days before those to the Bishop of Cape Town, and recited the patent of Sept. 1847, which created the original diocese of Cape Town, and appointed Dr. GRAY Bishop of it, and that he had since resigned it, whereby that see was then vacant; and these letters recited to the like effect as above mentioned respecting the division of the diocese of Cape Town. These letters next proceeded to erect the separate Bishopric of Natal, and to appoint Dr. COLENSO; and they ordained that the Bishop of Natal should be subject to the Bishop of Cape Town in like manner as above mentioned, and that the Bishop of Natal should, within six months, swear obedience to him. The letters then conferred on the Bishop of Natal episcopal jurisdiction within his diocese.

On the 30th of Nov. 1853, Dr. COLENSO was consecrated, and took an oath of reverence and

obedience to the Metropolitan Bishop of Cape Town, and to the metropolitan church there. At this time there was not in reality any metropolitan see in Cape Town, or any bishop thereof, in existence.

The several letters patent were not granted under any order in council, nor by virtue of any imperial statute, nor were they confirmed by any Act of the Legislature of the Cape, or of the Legislative Council of Natal. Previously Natal had, by letters patent of 1847, been erected into a separate Government, with a Legislative Council empowered to make laws for the district; and by letters of the 23rd May 1850, a Parliament had been ordained for the Cape, to consist of the Governor, a Legislative Council, and House of Assembly, to make laws for that settlement.

In 1863 certain charges of heresy and false doctrine were preferred against the Bishop of Natal before the Bishop of Cape Town as metropolitan; who, claiming to exercise jurisdiction under the letters patent of Dec. 1853, sentenced the former to deposition; by which sentence, published in the diocese of Natal, the clergy of the diocese had been prohibited from yielding obedience to the bishop. In this state of things three principal questions arose: first, Were the letters by which Dr. Gray was appointed metropolitan, and a metropolitan see was expressed to be created, good in law? Secondly, Supposing the ecclesiastical relation of metropolitan and suffragan to have been created, was the grant of coercive jurisdiction good in law? Thirdly, Can the oath taken by the Bishop of Natal, and his consent to accept his see as part of the metropolitan province of Cape Town, confer jurisdiction of deprivation on the Bishop of Cape Town?

On the first question, it is clear on principle that, after the establishment of an independent Legislature at the Cape and Natal, the Crown had no prerogative to establish a metropolitan see, or to create an ecclesiastical corporation which the colony could be required to recognise. The Crown stands in the same relation to such a colony as to the United Kingdom; it may have power to command consecration of a bishop, but it has none to assign him a diocese in the United Kingdom. The Church of England is not a part of the constitution of a colonial settlement, and its authorities there are only members of a voluntary association. Accordingly, in 1813, when under the authority of the Crown a bishop was appointed and consecrated for the East Indies, the 53 Geo. 3, c. 155, s. 49, gave power to the King to grant to such bishop such ecclesiastical jurisdiction and the exercise of such episcopal functions in the East Indies as the King should think necessary. Subsequently, in 1833, it was enacted in like manner by the 3 & 4 Will. 4, c. 86, s. 93, as to Madras and Bombay; also, that the Bishop of Calcutta should be Metropolitan, and the other bishops be subject to him. So again in 1824, when a bishop was appointed in Jamaica, there was an Act. When four new bishoprics were constituted by Henry VIII., that absolute monarch had recourse to an Act, for by the thirty-first of his reign, c. 9, it was enacted that his Highness should have full power to nominate bishops and sees for bishops. And so, in recent times, the two new bishoprics of Manchester and Ripon were constituted. The conclusion therefore is that, although in a Crown colony, properly so called, or where letters patent are made under the authority of an Act (as the 6 & 7 Vict. c. 14), a bishopric may be constituted with ecclesiastical jurisdiction conferred by the sole authority of the Crown, yet that the letters patent of the Crown will not have any such effect in a colony or settlement possessed of an independent Legislature. The principles were laid down by the Judicial Committee in *Long* v. *The Bishop of Cape Town*.

The same reasoning is decisive of the second question. If the letters were assumed to be good to create between the Bishops of Cape Town and Natal the personal relation of metropolitan and suffragan, as ecclesiastics, yet the Crown could not confer jurisdiction or coercive legal authority on the one over the other. It is a settled rule that, although the Crown may by its prerogative establish courts to proceed according to the common law, it cannot create any new court to administer any other law: Coke, 4th Inst. No ecclesiastical jurisdiction is required in a colony where there is no established church, and, in the case of a settled colony, the ecclesiastical law of England cannot, for the same reason, be treated as part of the law which the settlers carried with them from the mother country. So much of the letters patent as attempts to confer coercive legal jurisdiction is also in violation of the law as declared and established by that part of the 16 Car. 1, c. 11, which remains unrepealed by the 13 Car. 2, st. 2, c. 12, by which law there is no power in the Crown to create any new or additional ecclesiastical tribunal or jurisdiction. No metropolitan in any colony having legislative institutions can by virtue of the Crown's letters patent alone (unless granted under an Act of Parliament, or confirmed by a colonial statute) exercise any coercive jurisdiction, or hold any court or tribunal for that purpose. Pastoral or spiritual authority may be incidental to the office of bishop, but not jurisdiction.

Then, thirdly, did the Bishop of Cape Town obtain any jurisdiction by contract or submission on the part of the Bishop of Natal? The only argument can be on the oath; that, both parties being aware that the one had no jurisdiction, the other agreed to give it by voluntary submission. There is no trace of such an agreement; and it was not legally competent in the one to accept or in the other to give such jurisdiction.

There remains the point that, if the Bishop of Cape Town had no jurisdiction, his judgment was a nullity, and no appeal lies. But that is not the consequence. The Bishop, acting under the authority which the letters purport to give, asserts that he has held a court and, in legal form, deposed the Bishop of Natal; also that, the sentence having been published, the clergy and inhabitants of Natal are deprived of episcopal superintendence. Whether the proceedings have this effect is a question which, inasmuch as the appellate jurisdiction to the Archbishop is equally void as the metropolitan jurisdiction to the Bishop, can only be decided by the Sovereign as head of the Church, and depositary of the ultimate appellate jurisdiction. As such an appeal would formerly have lain to the Pope, it is now by statute in the Crown. It is a settled prerogative of the Crown to receive appeals in all colonial causes, and by the 25 Hen. 8, c. 19, s. 4, it is enacted that "for lack of justice at or in any of the courts of the archbishops in this realm, or in any of the King's dominions, it shall be lawful to the parties grieved to appeal to the King's Majesty in the Court of Chancery." If this appeal did not lie, there would be a denial of justice, and no remedy for great public inconvenience and mischief. Moreover, by the 3 & 4 Will. 4, c. 41, constituting the Judicial Committee, the Queen has power to refer for its consideration any matters whatsoever, and this appeal has been referred by an Order in Council. The Committee will therefore report to the Queen that the proceedings taken by the Bishop of Cape Town, and the judgment or sentence pronounced by him against the Bishop of Natal, are null and void in law.

The anxiously expected resolutions of the select committee on the Bankruptcy Act have been reported; the print is not yet issued, but we are enabled to lay the substance of them before our readers.

Matters prior to Bankruptcy.

Imprisonment of debtors at the suit of the subject to compel the payment of money under judgment, decree, or order of court should be abolished (1 & 2 Vict. c. 110, s. 3), except as to absconding debtors before judgment.

The power of an execution-creditor to enforce payment of a debt above 50*l.* should extend to any sum due under judgment, decree, or order of a court of justice: (B. A. 1861, *ss. 76 et seq.*)

Adjudication.

Adjudication should be made by a court in the metropolis, or by a County Court.

Proceedings on Adjudication.

The office of official assignee should be abolished.

On adjudication, the bankrupt's property should remain in his charge in trust for his creditors, without power of alienation, until the appointment of a trustee or other special order.

But the court should be able to order measures for the safe custody of the property and the disposal of it until the appointment.

Any creditor should be entitled to vote on proceedings in respect of the balance due after deducting securities, including bills and other obligations, as in Scotland.

Administration of Assets.

The creditors should meet as soon as possible after adjudication, and those who have verified their claims should elect a trustee.

They should, at the same time, elect two or more inspectors from their own body to superintend, without remuneration, the trustee's proceedings.

The estate should vest in the trustee on his appointment, and he should possess full powers of realisation and distribution.

Also power to admit or reject claims of creditors, with liberty to them to appeal to the Court of Adjudication.

In default of appeal within a reasonable time the creditor should be excluded from the dividend thereupon made, without prejudice to adjustment of his claim at a future dividend.

The trustee should keep a record, and present accounts periodically to the inspectors, and afterwards to the Accountant in Bankruptcy, showing the administration of the assets.

He should give security and be paid a remuneration to be fixed by the creditors.

The Court of Adjudication should have power, on application of a creditor, or of the trustee, to make the orders necessary to compel a due compliance with the bankrupt laws.

The Accountant in Bankruptcy should be required to examine the trustee's accounts, and to issue in each case directions for his due accounting. Such directions to be enforced by the court.

Discharge.

When the bankrupt has made a full disclosure and a surrender of his property to the satisfaction of the Court of Adjudication, and paid to his in the pound to creditors who have proved, he should be freed from all claims proveable in the bankruptcy.

In all cases where he shall have made such disclosure and surrender, he should be freed from all such claims after six years from adjudication.

Payment by the bankrupt, after adjudication, to all his creditors who have proved, of such an amount as will, together with what is actually paid under the bankruptcy, make up the dividend of 6*s.* 8*d.* shall have the same effect as the whole of such dividend had been paid under the bankruptcy.

Punishment.

Such wilful acts of debtors tending to delay or injure creditors as shall be declared by law criminal should be made punishable by the ordinary criminal courts.

Administration under Deed.

Where a deed is to bind creditors who have not executed, the court in which it is registered should have jurisdiction to determine whether it has been duly executed, or is in other respects valid.

The jurisdiction should be exercised by the court which would have exercised the jurisdiction in bankruptcy, and every creditor should prove his debt in respect of which the deed is signed, before the deed shall be deemed to bind non-executing creditors.

The amount of the debt to be proved should be ascertained as above in the case of voting.

No deed shall bind non-executing creditors unless all the estate of the assignor, which in case of bankruptcy would have vested in the trustee, shall have been thereby assigned for equal distribution.

No deed shall discharge from the debts of non-executing creditors unless all the creditors receive 6*s.* 8*d.* in the pound, or until six years from the date of the deed.

Courts of Bankruptcy and Officers.

There should be established a Court of Bankruptcy in the metropolis, and the judges of the Superior Courts of Equity and Common Law should have power to sit as judges in the court.

There should be an appeal to the Court of Bankruptcy from all orders of a County Court or of a single judge in the metropolis relating to matters above the value of 20*l.*, and from all other matters when the court or judge shall allow a special case for appeal.

There should be a chief accountant, who should supervise the accounts of trustees, and discharge the like duties as are provided for by the Bankruptcy Act of Scotland.

The present Metropolitan and District Courts of Bankruptcy should be abolished as soon as practicable.

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Consolidation.

The bankrupt laws should be amended in the above particulars and be consolidated.

As the Lord Chancellor has been waiting for these resolutions in order to bring in his new complete Bankruptcy measure, the Scotch system, described in this journal Nov. 19, may be regarded as adopted, whether in the present or in the next session. In other words, bankruptcy administration will be by paid trustees under the inspection of creditors of the bankrupt, appointed by the body of them, instead of under the assignees. Further, abolition of imprisonment for debt is recommended, as in the Lord Chancellor's present provisional Bill, the clauses of which were noted in our last number, but with the important saving, not to be found in that Bill, of arrest of an absconding debtor. The resolutions, too, do not limit an execution creditor's remedy to 20*l.*, as the Bill does. Also the discharging dividend proposed by the resolutions is the third part of a pound, the Chancellor's the fourth part; but both resolutions and Bill leave open the important point, what is to be done with the administration of the estate in the interval, indefinite in the Chancellor's Bill, but here six years, between adjudication and the payment, if ever, of a discharging dividend. As this question concerns nine-tenths of the bankrupts according to the present course of bankruptcy affairs, it is deserving of very careful consideration. The other main feature of the resolutions is the court, which will supersede the present metropolitan and district Bankruptcy Court. There will neither be a chief judge nor any separate court, but the judges of the Superior Courts will exercise jurisdiction. Practically, it will not be an administrative, but a judicial jurisdiction: the official administrative work under the new system being necessarily done by the registrars and chief accountant. This employment of the judges is like the newly proposed arrangement in the case of the patent laws. Parliament has a wholesome dislike of special judges, with their special mind and manner. As respects the deed system, the resolutions shape out a reform on the points principally urged by the witnesses before the committee, as will be seen from the analysis of their evidence in the recent numbers of this journal, with the additional restrictions as to assignment and the dividend. Such are the plans of the bankruptcy architects. The elaborate structure of 1849 will not have stood twenty years; the daring and incongruous addition to it of 1861 not five years. They are both doomed. The hoarding is up, and the pick and the basket stand ready. It is even said, on trustworthy authority, that the Chancellor's greater Bill is in the printers' hands, at least to be laid on the table in the present session, if not to be carried.

When inner circles and outer circles and radiating lines of railway are being undertaken in London, it becomes of increasing importance to determine what acts of companies in carrying on their works do, or do not, injuriously affect land, or an interest in land, within the meaning of the Lands Clauses Consolidation Act. In *Chamberlain's case*, 8 L. T. Rep. N. S. 149, where compensation was awarded for injury to some unoccupied houses themselves, and no claim arose in respect of loss of actual profit, the arbitrator gave as a reason for the damage, that the number of passengers along the houses would be diminished, and that they were less fit to be let for shops. This reason, having been referred to in the judgment, served as a ground for the decision of two other cases, which were treated as authority for claiming compensation under the Act for loss of custom in a shop through an obstruction by the execution of railway works, until a decision reported in our last number, p. 79, was made to the contrary, in the Exchequer Chamber. Those two cases were *Senior* v. *The Metropolitan Company*, 8 L. T. Rep. N. S. 544; and *Cameron* v. *The Charing-Cross Company*, 10 Ib. 381. *Ricket* v. *The Metropolitan Company*, in the Exchequer Chamber, has overruled them, on the principle of limiting the right to compensation to an injurious affection of an interest in land contradistinguished from injuries to the person or personal property; and that, as the common law confined the remedy for obstruction of public rights to indictments, unless there were special damage, to prevent innumerable actions, so it is expedient that companies executing works which the Legislature has sanctioned on account of their public convenience, should be relieved within certain limits from liability to actions in respect of those works. Examples of injury to land, with the authorities on which they rest, are furnished by Chief Justice Erle in the judgment: as where a house, with a frontage to a wide, well-frequented high-road, was made to front a dumb alley, sunk below the level of the substituted thoroughfare, which was *Chamberlain's case*; or where the road was lowered so that the private right of access to the house was injured; or a wall was built obstructing the access to a street, in which the house was, from the Thames.

It certainly would, in our opinion, be a dangerous doctrine, in a city where buildings and improvements are constantly taking place, that the diversion of passengers, by an obstruction in a street, from a particular pavement where shops are situated, should give the shopkeepers right of action. The offence, if any, is public, not private, except so far as special damage, by collision or otherwise, may be directly caused to an individual or his property by the obstruction itself. Every hoarding erected in a footway, when a house is being built, tends to turn the stream to the opposite pavement. If a shopkeeper were able to claim compensation for loss of custom on this account, on the same principle every passenger might claim it for interruption or inconvenience caused to him in going to the shop. We think, therefore, that the case in the Exchequer Chamber has placed the law on a sound footing, notwithstanding that Mr. Justice Byles and Mr. Justice Keating dissented from the judgment of the Chief Justice, the Chief Baron, Mr. Baron Channell and Mr. Baron Piggott.

A case which, if it be good law, will serve as a warning to practitioners, respecting the completion of purchases of land, has been decided by the Master of the Rolls, *Webster* v. *Donaldson*, 12 L. T. Rep. N. S. 69. By the particulars and conditions of sale, the hay, growing crops and timber were to be included in the sale of the estate; and the purchase was to be completed by the 24th June 1863. Interest was to be paid from the day fixed for the completion. At the time of the sale there were several acres of growing hay. On the 17th June, it was agreed that the time for completion should be extended to the 29th Sept. On the 19th June the vendors refused permission to the purchaser to get in the crops, alleging that they did not belong to him, and sold part of them on their own account; but they offered to account to the purchaser if he would pay interest from the 24th June. The result was a suit by the purchaser for an account. The Master of the Rolls was of opinion that if, at the time of the sale, there had been any hay in stack on the land, it would have passed to the purchaser; but that the words "growing crops" meant the crops which might be upon the estate at the time of the actual completion of the contract. Hence the purchaser was not entitled to relief. We may observe, that we do not understand how this decision is reconcileable with the principle that "equity looks upon things agreed to be done as actually performed;" consequently, subject to the question of title, "when a contract is made for sale of an estate, equity considers the vendor as a trustee for the purchaser of the estate sold, and the purchaser as a trustee for the purchase-money for the vendor." These are Lord St. Leonards' words. So strong is the principle that it operates to make the vendee liable to pay the consideration although the estate be destroyed between the agreement and the conveyance, and to entitle the purchaser to any benefit which may accrue in the interim. Therefore, in the absence of express provision to to the contrary, on a contract for sale the thing sold must be deemed to be defined as at the time of the sale. It is difficult to conceive how any arrangement respecting the time when the purchase-money is payable can be deemed to determine what is sold. In the present case there was a growing crop of hay on the ground at the time of the sale, and in the contract growing crops were included. According to the principle which governs contracts, that growing crop of hay was sold. Such a sale would give to the purchaser an implied right to the benefits of the ripening of the crop on the ground, and of access to the ground to tend and save the crop; and there was nothing in the original or substituted contract to rebut that implication. If the vendors intended to make the perception of the crop dependent on the payment of interest, they should have said so.

The jurisdiction of the County Court Judge is ousted when title is disputed. The jurisdiction of Justices is ousted when the validity of a church-rate is disputed. Simple as this appears, it is extremely perplexing in practice. Obviously it cannot be sufficient for a defendant to evade the law by merely saying "I question the plaintiff's title," "I intend to contest this rate." The Judge and the Justice must be satisfied of the *bona fides* of the objection. That he may test this, he may go into evidence and require the defendant to state the grounds of his claim of title, or of his objection to the church-rate. So far, the practice is now clearly settled. But another difficulty remains, which has proved a sore perplexity to the County Court Judge and to the Justice. If evidence is admissible to enable him to try the *bona fides* of the defendant, may he determine, not only whether the defendant has an honest belief that he has title, or that the rate is invalid, and an intent to try the question elsewhere if need be, but may he not also determine whether there are good grounds for such belief, that is to say, whether any wild claim of title, wanting even a reasonable foundation, shall suffice to oust the jurisdiction of the County Court, and if a perfectly absurd objection to the church-rate prohibits the Justice from enforcing payment of it. Nor does the difficulty end here. The decision of the Judge, giving himself jurisdiction on the ground of there being no foundation for the claim or objection, is a decision upon the fact and not upon the law, and therefore will not be reviewed by the court above. In this dilemma, what is the Judge or Justice to do?

The case of *Reg.* v. *Pedler*, 12 L. T. Rep. N. S. 17, in the Queen's Bench, assists somewhat in the solution of this problem. It explains the duties of Justices, when a church-rate is objected to, more fully than any former case. Let us see to what precise point the difficulty has been now removed.

In this case, a quarrel had arisen between the incumbent of the parish and some of the Dissenters, by reason of his refusal to bury the unbaptized child of Baptist parents. In consequence of this, an agitation was got up against the church-rate, and some of the inhabitants (and amongst the rest the appellant) were proved to have asserted that on this account they would not pay the rate. The appellant was summoned for nonpayment of the rate, and appeared by a solicitor, who on his behalf asserted that he objected to the validity of the rate, and, therefore, to the jurisdiction of the Justices. Evidence was produced of the statements above described, and the Justices holding that the objection was not *bonâ fide*, because arising out of the quarrel, as proved by the threat, made an order for payment of the rate, and the appeal was against this this order.

The judgment of the Lord Chief Justice Cockburn treats the case so well, that we repeat its very words:

> The statute expressly says that, if the validity of the church-rate is disputed, the party disputing is to give notice to the justices, and the justices shall forbear giving judgment thereon. The effect of that provision is stated in the judgment of this court in the case of *Ricketts* v. *Bodenham*, in 4 Ad. & Ell., in these words: "The effect of the proviso is that in every such case the moment it appears that the question is not one merely of enforcing payment, but touching the validity of the rate, the summary jurisdiction is at an end, and that of the Ecclesiastical Court attaches." On the other hand, the courts have laid it down, and I think most properly, that the right which is thus secured to a party against whom an order for payment by magistrates is sought to be obtained, and thus stopped, where he disputes the validity of the rate, must not be abused. Consequently, if the right so given is sought to be abused by a party stating that he disputes the validity of the rate, when in point of fact he does not really dispute it, and does not intend to raise the question as to its validity before the proper tribunal and within the proper time, but merely puts forth that statement fraudulently, in fraud of the statute, the justices, to prevent that, may say it is not a dispute of the validity of the rate, or a notice to which any value should be attached. But it is perfectly clear that we cannot allow magistrates to take on themselves, simply because on the merits they may be of opinion that eventually any attempt to dispute the validity can only end in the signal defeat of the party raising the dispute, to determine that the notice is not *bonâ fide*, and that it is not given with an intention of disputing the validity,

And when a professional gentleman attends for the parties against whom the order is asked, and gives notice that, on various grounds, he intends to dispute the validity of the rating, I, for one, should not have doubted, from his statement, especially when he cross-examined witnesses with a view to establish the propositions on which his objections are to be founded, and calls a witness for the same purpose, even although he might fail in establishing that there really were *bonâ fide* grounds for disputing the validity, but I should have come to the conclusion that I ought to have required some strong evidence to satisfy me that all this was done with *malâ fides*. It is said that there is something showing *malâ fides* —that this notice to dispute was given after a difference had arisen between the vicar and certain of the parishioners who did not belong to the Established Church. It very often happens that the harmony which would otherwise subsist between all parties, and which would lead to a willing acquiescence in the rate necessary to maintain the church, is disturbed by a course of conduct on the part of the authorities which could only lead to quarrel. That may have been the case here. We have nothing to do with that. It may be that certain persons in the parish, thinking they had grounds of complaint against the vicar, may have objected to the church-rate, which they might not otherwise have questioned. We have nothing to do with that. The simple question is, whether they really were in earnest in saying that they intended to dispute the validity of the church-rate? Upon all the affidavits, and all the facts, I cannot entertain a doubt that they really did intend to dispute the validity of the rating; and if it had gone, as it might have gone, to the Ecclesiastical Court, there they would have sought to substantiate the objection which they have taken. As to the hasty conclusion at which the magistrates arrived, I cannot allow, in my judgment, that the proviso of the statute that saves the right of the party having an objection to a church-rate should be defeated by the magistrates finding there was no *bonâ fide* objection.

Crompton, J. said:

Now, in construing the Act of Parliament, there are two difficulties, which arise from time to time, and which would lead to great mischief if a particular course were taken by the parties and they could do so successfully. On the one hand, if one party could come and abuse the Act of Parliament by making an utterly frivolous objection, I think that would be a great mischief, because the consequence would be that in every case it must go to the Ecclesiastical Court and not to the magistrates. On the other hand, an extreme inconvenience would be if the magistrates might say, "This is not *bonâ fide*; we are the judges of that, and we give ourselves jurisdiction by saying that it is *malâ fide*." Therefore, I think this court has met the difficulty by establishing a very proper rule; that it will see that there is evidence that may fairly enable the magistrates to say that the transaction is not *bonâ fide*. When they have decided on evidence, the court will not disturb that. We ought always to look carefully to see that there was sufficient ground on which the magistrates might say there was no jurisdiction. I think this is a case where there was no such fair ground.

And Mellor, J.:

When the object of this Act of Parliament is considered, I think it is clear what should be the construction to be put upon it. Formerly (before the statute), if the churchwardens intended to enforce payment of a church-rate, they were obliged to go to the Ecclesiastical Courts. That was found to be a great hardship, both on the churchwardens and the parties who had to pay the rate, and the result was, that in case there was no real dispute as to the validity of the rate, it was thought proper, within certain limits, to give jurisdiction to the justices. But it was not intended to take away from parties the right to question the validity of the rate, if they were so disposed. Then it is said, it is laid down in several cases in this court, that it was sufficient to go before the magistrates, and say that they object to the validity of the rate, in order to oust jurisdiction. What Lord Tenterden said was this: "The justices stopped too soon; they ought to have gone further and inquired whether the objection had *bonâ fides*, and a foundation for it or not." The justices are to inquire to this extent: is this a rate upon which there is a *bonâ fide* dispute? What is the evidence as to that? The party comes before them and says, "I do dispute it;" and then he puts forward the grounds of such dispute. The magistrates are not to decide on those grounds except so far as whether they appear to be absurd or frivolous. In such case the magistrates may say: "The absurdity of the objection is an element which we have a right to take into our consideration in determining that there is no real dispute," and that it was a fraudulent attempt to evade the Act of Parliament. It must be a strong case to enable the magistrates to do that, and I think we ought, in all cases where the magistrates can by one decision give themselves jurisdiction, and where by another decision their jurisdiction is ousted, most carefully to see, when they do give themselves jurisdiction, that they do so upon reasonable grounds.

From this we take the law, so far as it is now decided, to be:

First, that, to oust jurisdiction, there must be a *bonâ fide* objection to the validity of the church-rate.

Secondly, that, in order to try *bonâ fides*, the Justices may inquire into the grounds of such objection.

Thirdly, that they may determine whether such grounds of objection are substantial, or merely frivolous.

Fourthly, if the latter, they may assume jurisdiction, and make the order; but if of any substance whatsoever, the Justices are not to try the worth of that objection, even if convinced that it is invalid, but should refuse to adjudicate. In other words, they may determine if the objection is in the nature of an objection to a church-rate, and if so it be, however small the *scintilla legis* in it, their jurisdiction is ousted.

The same principle appears to be applicable to a claim of title in the County Courts; and, indeed, to a claim of title under the Malicious Injuries to Property Acts before Justices.

The validity of a purchase by a second mortgagee from a first, selling the property under the usual power, does not extend to every security of a second incumbrancer which, in in common speech, is called a mortgage. The expression "a mortgage by way of trust for sale," although frequently used, is apt to mislead. That a second mortgagee under a proper instrument of mortgage may purchase from the first was established by the case of *Shaw* v. *Bunny*, heard by the Lords Justices on appeal from the Rolls (11 L. T. Rep. N. S. 645), and noticed in our impression of Feb. 11. In that case Lord Justice Turner quoted and was influenced, contrary to his own opinion, by the opinion of Vice-Chancellor Kindersley in *Parkinson* v. *Hanbury*, that there was no rule in equity prohibiting such a purchase. Four days before the Lords Justices' judgment, the last-mentioned case itself came before them on appeal from the Vice-Chancellor: (Ib. 755.) The circumstances were that, in 1823, Parkinson, the intestate in the cause, mortgaged a leasehold public-house and other leasehold property to Chambers to secure 2000*l.*, with a power of sale. In 1828, the mortgagor, being indebted to the Hanburys, the brewers, in a sum of 735*l.*, executed in January of that year to a partner in the firm, as representing them, an assignment of the public-house upon trust for sale; and it was provided that the defendants should out of the proceeds pay Chambers and their own debt. The mortgagor died in 1831, and the plaintiff became administratrix of his estate. In 1834 Chambers sold the mortgaged property to the Hanburys. The administratrix filed her bill to redeem the public-house. The Vice-Chancellor decided that the purchase of that part of the property by the Hanburys was a purchase of the trust property by the trustee, and must be set aside. Other matters unfavourable to the plaintiff were included in the decree, against which she now appealed.

On the part of the case which related to the redemption of the public-house, Lord Justice Knight Bruce confined himself to the remarks that there was some reason for presuming the existence of a mortgage title; but it was to be remembered that there might be a title to an account, and to recover possession other than as against a mortgagee. Lord Justice Turner said he would give no opinion as to the validity of a sale by a first mortgagee, having a power of sale, to a second mortgagee; and his opinion on the judgment of the Vice-Chancellor did not proceed on that ground, but on the ground that the purchase by the defendant in 1834 was a purchase by trustees of their trust property. Upon that ground the sale was properly deemed to be set aside. The abstinence of the Lord Justice from expressing an opinion on the validity of a sale by a first to a second mortgagee cannot be supposed to have any operation to weaken the authority of *Shaw* v. *Bunny*, that is, in the absence of an appeal to the House of Lords, but merely to intimate his personal opinion. We offered some remarks, in the former notice, on the principles involved in that case, and need not again advert to them. But it appears to us that the doctrine of a trustee purchasing the trust property, according to its usual acceptation, is scarcely applicable to the circumstances of *Parkinson* v. *Hanbury*. That doctrine applies to a purchase under the trustee's own trust for sale, and not under a power of sale in another person. Probably the meaning of the court was, that the trustee in buying from the first mortgagee, and so defeating the equity of redemption which had been assigned to him in trust for sale, was doing an act inconsistent with the performance of this express trust. It is in the effect of the express trust that a trust for sale of an equity of redemption, by way of security, differs from a mortgage of it. Lord Justice Turner, in *Shaw* v. *Bunny*, seemed personally disposed to think that the constructive trust to reconvey which arises in the second mortgagee when paid off should be put upon the same footing as this express trust for sale created in a second incumbrancer.

A few days after the judgment in *Parkinson* v. *Hanbury*, on appeal, the case of *Kirkwood* v. *Thompson* was heard by Vice-Chancellor Wood, and, so far as it has been reported, appears to have been similar, in circumstances, but different in decision. Kirkwood mortgaged freeholds in the usual manner, and afterwards gave to other parties a security in the same property in the shape of a trust for sale. The Vice-Chancellor reserved his judgment, and, in giving it on Saturday the 2nd, is stated to have said, that as the Master of the Rolls' decision in *Shaw* v. *Bunny* had not been reversed, it must, although the Lords Justices differed in opinion, be held to be an authority in the case before him. Having perused the authorities, he was of opinion, that in the relation between a mortgagor and a mortgagee there was nothing in the nature of a trust, except as to surplus purchase-money after a sale. No relief in these cases could be given except on the ground of palpable fraud. A mortgagor could only protect himself by paying off the charge: if he did not choose to do so he must take the consequences. In this judgment of Wood, V.C., *Parkinson* v. *Hanbury* is not stated to have been mentioned. Until some further report appears of *Kirkwood* v. *Thompson*, it would be undesirable to discuss this seeming conflict of decision, where the second incumbrance is by way of trust for sale. We therefore content ourselves, at present, with directing attention to that case.

THE REPORT OF THE PATENT LAW COMMISSION.

(*Continued from p. 238.*)

We broke off at the end of the first part of the report respecting the stages of procedure in applying for a patent, the fees, and the procedure on disclaimers and some other matters, and we now go on with the other three parts:

II. *Opinions on the question whether patents should be made easy or difficult to obtain.*—Some of the witnesses maintain that patents which are either frivolous in character or of questionable novelty are not supported by the patentee when exposed to the test of payment for renewal; that to decide beforehand with certainty on the value or worthlessness of an invention is seldom possible, and that the evil remedies itself, inasmuch as worthless patents are seldom continued beyond the period of three years. The majority of the witnesses, however, affirm that the existence of such monopolies, clearly not "new manufactures" within the statute, embarrasses artisans, small tradesmen, and others who cannot afford the expense of litigation against them, and a still stronger case is made out as to the existence of what may be called obstructive patents. It appears, on examining into the first 100 applications in each of the years 1855, 1858, 1862, that, in 1855, 26 were manifestly bad for want of novelty, and 6 were partly so; in 1858, 14 manifestly old, and 1 partly so; in 1862, 7 were old, and 1 probably so. An instance is given in the evidence of a royalty having been demanded, and in most cases obtained, by the patentee of a machine, which turned out to be identical with one publicly known and used nineteen years before. In other instances manufactures are so blocked up by patents, that not only are inventors deterred from improvement, but the manufacturer, in his regular trade, is hampered by owners of worthless patents, whom it is generally more convenient to buy off than to resist; in others again, persons of the same trade combine to buy up all the patents relating to it, and to pay the expense of attacking subsequent improvers out of a common fund. Embarrassment is caused to the naval and military services by

the multitude of patents relating to inventions in use there.

The evidence, then, is to be considered—first, as to the cost of obtaining and renewing letters patent, and as to the mode of payment. A small minority only of the witnesses, who think that patents are unduly multiplied, are in favour of increasing the cost of obtaining them. Some of these object altogether to patents, and therefore desire the number to be reduced by any practicable method; others consider that a larger payment would make projectors more careful respecting ability and novelty; others object to the periods of the third and seventh years for payment of the 50*l.* and 100*l.* respectively as too early, for that many valuable patents have, even in their seventh year, failed to become profitable from the difficulty of inducing manufacturers to adopt new methods. It is also suggested that, instead of the patent becoming void at once on nonpayment, the Lord Chancellor might have power to allow the continuance of the patent on payment being made after the proper time, if the patentee were able to prove that the delay arose from accident or from a mistake not involving gross negligence. The engineering and manufacturing class inclines to a system of annual payments, on the grounds that the burden would be more equally distributed, that the rich and poor inventors would be brought upon more equal terms, while there would be a constant tendency on the part of patentees to allow an unremunerative patent to drop at once; but the greater number of the witnesses, relying on their experience of the difficulty of getting patentees to insure renewal by the necessary formalities, maintain that this difficulty would be the source of still greater evil, if the same process had to be gone through from year to year. There is a general opinion that, whatever be the scale, the aggregate of the payments should not be more than sufficient to provide for the expenses of the Patent-office, library and museum; and that these should be maintained in such a state of efficiency as to give the utmost facility for ascertaining the *status* of every branch of invention. Secondly, as to a system of preliminary examination. It is urged against any further preliminary examination, that the principle of our law requires the inventor himself to make such an examination, as he takes out a patent at his own risk, and that it could not be conducted in a manner free from objection, for if it were *ex parte* the public would be no better protected; if subject to opposition, the inventor would be deprived of secrecy, while the premature trial would not protect him against future litigation. If the result were final, the examining body would seldom undertake the responsibility of refusing a patent; if subject to appeal, they would be in the position of defendants. The consequence would be increased expense and delay, with no greater security to the patentee or to the public. Still, there is a strong expression of opinion in favour of some more strict preliminary examination, a few suggesting that the inquiry should embrace the utility as well as the novelty of the invention. But it is admitted that the inquiry as to novelty must be limited to matter to be found in a printed form. A mixed board of examiners is proposed, of one or more barristers and a proportionate number of practical and scientific men, which, unless forming part of a special tribunal, should assist the law officers; the result to be either a decision subject to appeal, or a certificate which, favourable or unfavourable, should be appended to the specification. The general opinion is, that thus the public interest would be protected, and many applications be excluded which now pass without comment. Respecting caveats, a majority hold that the system should remain unaltered, subject to such modifications as might in practice be required by the institution of a preliminary investigation. Thirdly, as to making licences compulsory, or requiring user within a given period. Against these propositions, it is contended that patentees are willing to grant licences on reasonable terms; to do so is their interest; contrary cases are exceptional. Apart from which, the practical difficulties are regarded as insuperable. No rule can be laid down for estimating the value of a patent, or a reasonable charge for using it; and it is futile to require licences to be granted without determining the price, upon which individual opinions must differ, and no arbitration would be satisfactory, where there is neither precedent, custom, nor fixed rule. Fourthly, as to repeal of invalid patents, it is generally felt, especially by litigants, that some more simple and expeditious mode should be adopted for repeal of invalid patents; it might be either by petition to the Queen in Council, or by motion in a court of equity. Under the present mode, while a patentee, if he maintains his patent, gets such costs as may be covered by the bond which is required from the petitioner against him, the petitioner, if he succeeds in upsetting the patent, gets no costs.

III. *Objections to the present mode of trying patent rights, and alterations of it.*—The evidence shows an almost universal feeling of dissatisfaction at the present mode. The jury seldom possess even scientific knowledge enough to understand the evidence. Advantage is taken of this by a subtle and vague drawing of specifications; by an artful generality in framing the issues to be tried; and by the introduction of a cloud of scientific evidence, to perplex rather than to explain. It is almost without exception admitted that a radical remedy can only be found in reforming the constitution of the tribunal. To a special court the objections are—First, the want of sufficient business to occupy its time; secondly, that on patent trials questions frequently arise requiring an extended knowledge of other branches of the law; thirdly, that it would be extremely difficult, if not impossible, to secure an effectual appeal. The general proposal is that the judge, in a patent case, should either be aided by scientific assessors, or the jury be of from five to seven scientific persons; but the latter plan is not satisfactory, from the difficulty of getting men for such a jury. The conclusion from the evidence is, that a court might be formed on the model of the Admiralty Court assisted by the Trinity Brethren. There is a variety of opinion as to the mode of choosing the assessors. They might be selected, from scientific men generally, by the judge, or by the parties, with a reference to him in case of dispute; but the doubt is whether men of sufficient eminence would be induced by any fee which the court would pay to give up their usual avocations or the chance of being employed by either party. If, on the other hand, the assessors are to be permanent, there would be difficulty in providing men numerous enough for selection for the various cases, and eminent enough to be accepted. It has been suggested that, at the joint request of the parties or at the discretion of the judge, a jury might be employed. The commissioners have been informed that no difficulty would be found in setting apart a court and providing a judge in rotation for patent cases.

IV. *Opinions as regards granting letters patent for foreign inventions, confirmations, prolongations, disclaimers and memoranda of alterations.*—First, as to foreign inventions. The publication of an invention abroad does not deprive it of the character of "a new manufacture within this realm." The present facilities of communication have done away with the reason for such a construction of the statute. Now foreign inventions are most frequently patented by the inventor here and in their native country simultaneously; one result of granting patents to importers of such inventions is, to encourage unscrupulous persons to steal foreign inventions and run a race with the legitimate owner to get them patented here. Secondly, as to confirmations. Only seven applications for confirmation, under 5 & 6 Will. 4, c. 83, *s.* 2, have been made, and only one has been acceded to. There is no reason for retaining a power of which no practical use is made. Thirdly, as to prolongations. The power of granting them is in its nature arbitrary, and the public is excluded for a term of years from the use of an invention, because the inventor has reaped a smaller profit (possibly through his own want of business habits) than he thought himself entitled to expect. Fourthly, as to disclaimers and memoranda of alterations. Sometimes a disclaimer results in an enlargement of the patentee's rights; therefore, more strictness ought to be used. No serious objection is taken to the present system of alterations. It has been suggested that, following the French law, patents of addition should be allowed.

The more striking parts of the evidence will next occupy our attention.

(To be continued.)

INVESTMENT JOURNAL.

The last week has been quiet, with a tendency to improvement in all kinds of securities; and this, too, in spite of several mercantile failures. But there is no revival of new speculations, nor is there likely to be for some time. Calls are now coming on thick and fast, and those who bought to sell at a premium find themselves burdened with unsaleable paper and heavy liabilities.

The following are the fluctuations of the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	Shut	Shut	...	...
3 per Cent. Red. Ann.....	87¼	87¼	87¼	87¼	87¼	87¼
3 per Cent. Cons. Ann. ...	89¼	89¼	89¼	89¼	89¼	89¼
New 2½ per Cent. Ann....	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.....	87¼	87¼	87¼	87¼	87¼	87¼
New 3½ per Cent. Ann. ...	...	...	...	...	...	...
5 per Cent. Annuities.....	...	...	...	...	...	...
5 per Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¼	89¼	89¼	89¼	89¼	89¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	104¼	105	...	...	105	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	214	214½	214½	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888 ...	...	...	...	...	...	...
India 5 per Cents. 1870,...	104	104¼	104¼	105	104¼	...
India Bonds (1000*l.*).....	10s *f*	...	...	...	...	...
Do. (under 1000*l.*).....	10s *f*	...	15s *f*	15s *f*	15s *f*	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	101	100½	101¼	...
Do. do. 5 per c. May 1879	...	...	...	...	100	...
Ex. Bills, 1000*l.*	*a*	...	*a*	*a*	...	*d*
Do. 500*l.*	*a*	*a*	*a*	...	*e*	*e*
Do. 100*l.* & 200*l.* 3 per c.	*b*	...	*a*	...	...	...
Do. Small, & 3 per c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	...	...	...	...

a 4 per cent. 6*s.* prem.
b 4 per cent. 7*s.* prem.
c 4 per cent. 5*s.* prem.
d 6 per cent. 4*s.* prem.
e par 6 prem.
f Prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

FELONY AND MISDEMEANOR EVIDENCE AND PRACTICE BILL.

Lord Chelmsford, in moving the second reading of this Bill, said that it had come up from the House of Commons, and explained its object to be to assimilate the procedure in criminal to that which prevailed in civil cases, so far as to give to the counsel for a prisoner the right of making a second speech at the close of the evidence for the defence. When a similar measure was before their Lordships a few years ago, it was argued that no such alteration as proposed was necessary, inasmuch as the nature of the evidence in criminal cases was always known beforehand from the depositions taken before the magistrates, but then that argument did not apply to those cases, which were not unfrequent, in which the accused person reserved his defence till the day of trial. It was also contended that if the prisoner's counsel were permitted to make a second speech by way of summing up the evidence on behalf of his client, the proceedings would be unduly protracted; but that he maintained was no valid objection where the proper administration of justice was at stake. When, he might add, the measures to which he had already alluded had gone into committee an amendment had been moved by his noble friend Lord Wensleydale to the effect that the counsel for the prisoner should have the right of reply only in those cases in which it seemed to the judge that the evidence rendered such a course expedient, but it was, he thought, undesirable that any provision should be introduced which would cause the mode of proceeding to be adopted to be so much a matter of uncertainty. The noble and learned lord concluded by moving the second reading of the Bill.——Lord Craxworth thought that, in ordinary cases, allowing the counsel for the prisoner to make two speeches would lead to great waste of time. He had never heard of a case in which there was any reason to believe that a prisoner had been convicted who would not have been found guilty if his counsel had been allowed to make two speeches on his behalf. Anything which tended to lengthen the proceedings of criminal trials threw obstacles in the way of prosecutions, and it was on that ground alone that he objected to the clause in this Bill which would increase the number of speeches. That objection did not go to the principle of the Bill, many of the provisions of which he entirely approved, and therefore he should not oppose the second reading.——Lord Chelmsford said that at the trial of Mr. Rumble for a breach of the Foreign Enlistment Act, his counsel, Mr. Bovill, expressed his regret that he had not the opportunity of summing up his evidence, and the Lord Chief Justice said that, in his opinion, there was not the slightest reason for the existing distinction between the

practice in civil and that in criminal cases.——Lord Chanworth asked why then did not the Lord Chief Justice permit Mr. Bovill to sum up. He knew of no law which would have prevented his doing so.——Lord Chelmsford.—Would it not be better to make a law at once?——The Lord Chancellor said that as there would not be many cases in which any necessity for a summing up would arise, he thought that it would be better to leave the matter to the discretion of the judge. It was desirable that the rules of procedure, especially in respect to evidence, should be the same in criminal as in civil proceedings; but there were some details of the Bill which would require consideration in committee.——Lord Chelmsford said that the amendment which the noble and learned lord seemed to recommend had already once proved fatal to the Bill.——The Lord Chancellor should certainly not propose an amendment which experience showed was likely to be fatal to the Bill.——The second reading was then agreed to.

CONCENTRATION OF THE LAW COURTS.

The Lord Chancellor presented two petitions with regard to the scheme proposed by the Government for the concentration of the courts of justice, praying, among other things, that their Lordships should be pleased to regard with favour the site known as "the Carey-street site."——The Earl of Derby asked the noble and learned lord on the woolsack whether he was correct in supposing that one of these petitions had reference to a Bill not yet before their Lordships' House.——The Lord Chancellor said the prayer of the petition was in the plural; it referred to both Bills, and it would not be easy to sever one portion of the document from the other.——The Earl of Derby understood that a Select Committee had been appointed in the other House to consider the question of the proposed site. If the Bill hereafter came before their Lordships he hoped measures would be taken to afford them the benefit of all the information bearing upon the subject.——The Lord Chancellor said he had not had any communication from his right hon. friend the President of the Board of Works, but it appeared extremely reasonable that any evidence which might be taken in the House of Commons should accompany the Bill for the information of their Lordships. He might state that it was not his intention to press the measure relating purely to the finance until both Bills were before the House.

RECEPTION OF PERSONS COMMITTED TO PRISON ON CIVIL PROCESS.

In the House of Lords on Tuesday the Marquis Townshend asked whether the Government intended taking steps to rectify the omission of the Middlesex magistrates to provide for the reception of persons committed to prison on civil process from the police-courts.——Earl Granville said there was a dispute with respect to the liability to provide such accommodation, which would be judicially settled next term. In the meantime the Middlesex magistrates had been requested to provide it.

NEW LAW COURTS.

Lord Stanhope, in moving for certain plans and papers relating to the proposed site of the new Law Courts, pointed out the greater advantages of the space afforded by the Thames Embankment between Somerset-house and the Temple. It afforded a noble opportunity of redeeming London from the reproach to its taste that some of its public buildings justified.——The Lord Chancellor thought the present discussion ill-timed, as the whole subject was still before the House of Commons. He defended the selection of the Carey-street site, as more convenient to the legal Profession and the suitors than any other available locality. It was also less costly than the site proposed on the Thames Embankment, which would necessitate the purchase of considerable property between the Strand and the river. As to the motion, a plan of the ground selected was attached to the Bill in the Private Bill office, and in the evidence already taken would be found a return of the number of houses and the names of the streets, lanes and courts that would be taken for the 7¼ acres of ground required.——Lord Harrowby said the plan suggested by Lord Stanhope deserved every consideration. It was impossible to say at present that the Carey-street site was the best, when such an opportunity as that afforded by the Thames Embankment was rising.——Lord Longford observed that one plan of the Thames Embankment contemplated placing all the public offices along the bank of the river.——Lord Redesdale regretted to hear that so much as seven acres of ground were required. He believed that the more space was given to an architect the less conveniently he was likely to arrange the building. The legal profession had never cared to reside near the courts of law during the many ages they had been held at Westminster. And as the House of Lords must still be the highest Court of Appeal, he suggested that a site cheaper than either of those proposed might be found for the law courts in their ancient locality. The motion was not pressed.

HOUSE OF COMMONS.

OATHS TAKEN BY ROMAN CATHOLICS.

Mr. Monsell moved that the House should go into committee for the purpose of directing the chairman to move that leave be given to bring in a Bill to substitute an oath for the oath required to be taken and subscribed by Roman Catholics under the Catholic Emancipation Act. The portions of the present oath which he would abolish were the clauses renouncing, rejecting and abjuring the doctrine that princes excommunicated or deposed by the Pope or any authority of the See of Rome might be deposed or murdered by the subjects or by any person whatever; testifying that the declaration was made in its plain and ordinary sense; disclaiming, disavowing and abjuring any intention to subvert the Established Church: and swearing never to disturb or weaken the Protestant religion or the Protestant Government in the United Kingdom. For these he proposed to substitute the simple oath of supremacy.——Sir G. Grey assented to the motion so far as the introduction of the Bill was concerned. The subject was one well entitled to the consideration of the House, and when the measure came to a second reading he hoped they would approach it with a desire to maintain the security of the Protestant religion whilst doing justice to any claim that hon. members might make for relief.——The motion was opposed by Mr. Newdegate and Mr. Whalley.

The House then went into committee, and leave was given to introduce the Bill.

SERVING ON JURIES.

Mr. Watkin asked the Secretary of State for the Home Department whether he had received any communication from the War-office on the subject of relieving volunteer officers from liability of service on juries; and if he was prepared to take steps with a view so to relieve such officers, in consideration of the time devoted by them to their duties as volunteers.——The Marquis of Hartington said that no written communication had been addressed to the War-office on this subject, but some volunteer officers who came to the War-office, the other day, said that militia officers were exempt from serving on juries, and represented that it would be a great advantage if volunteer officers enjoyed the same exemption. This representation had been made to the Home-office. The case did not seem very clear as to the exemption of militia officers, but the subject was still under consideration, and if he found that militia officers enjoyed the exemption measures would be taken to extend the privilege to volunteer officers.

MARRIED WOMEN'S PROPERTY (IRELAND) BILL.

Mr. Longfield moved the second reading of this Bill, which was designed to regulate the right of married women to property in case of desertion, in case of divorce *a mensâ et thoro*, and in case of divorce where the woman was to be considered as a *femme sole*. The object of the measure was to assimilate the law of Ireland to that of England.——The Bill was read a second time.

CRIMINAL CASES EVIDENCE BILL.

Mr. Scully postponed the second reading of this Bill till Monday, with the view of bringing it on at the same time as a Bill introduced by the hon. and learned member for Suffolk (Sir F. Kelly), which sought to accomplish the same objects as he (Mr. Scully), but in a less perfect manner.

SOLICITOR'S JOURNAL.

NORTHERN CIRCUIT.—MANCHESTER.

Saturday, March 18.

(Before Mr. Justice Shee.)

William Ambler, a solicitor, aged fifty-one, and Charles Bradbury, his clerk, aged forty-four, were charged with obtaining 5*l.* 10*s.*, in Manchester, from Catherine Mitchell, by false pretences and with intent to defraud, and with having conspired by similar pretences to obtain 5*l.* 10*s.* from the same person.

Taylor and *A. Peel* prosecuted; *Cottingham* defended Ambler, and *Ernest Jones* defended Bradbury.

It appeared from the opening of the learned counsel for the prosecution, and from the evidence of witnesses called, that on the 22nd June a person named Joseph Mitchell was taken into custody on a charge of an indecent assault in Queen's-park. On the following morning, while he was in the cell at the City Police-court, waiting to be brought before the magistrates, he said something to a policeman. Ambler, in consequence, came down into the cell. Mitchell said, "You are not Mr. Bennett," an attorney in Manchester whom he had sent for. Ambler said, "No; you want Mr. Torr's clerk, don't you?" Mitchell replied, "Yes." Ambler then said he was Mr. Torr's clerk. This was part of the false pretence with which Ambler was charged in the indictment, inasmuch as he was not then Mr. Torr's clerk, nor had he been at any time. After this representation by the defendant Mitchell said that he wanted Mr. Torr to defend him. Ambler then said that he was upstairs. This was false; the fact being that Mr. Torr was not there at all. At Mitchell's request the defendant said that he would go and see what Mr. Torr would charge for defending him. On this pretence he went up the stairs of the cell and communicated with the other defendant, Bradbury, his clerk, who descended the stairs and informed Mitchell that Mr. Torr's fee was 2*l.* 10*s.*, and that if he had an attorney as well that gentleman would require 3*l.* 3*s.* After this Ambler asked Mitchell if he had any money about him. The reply was that he had not, but that if he would go to the door he would find Mrs. Mitchell there, and she would give him the money. Ambler left the cell. The other defendant, knowing Mitchell's wife, went to her and said that he had been down to the cell and seen her husband, who said that she was to give him, not Ambler, 2*l.* 10*s.* Mrs. Mitchell accordingly gave Bradbury the sum in question, and subsequently Ambler went into the cell again and said that he had got the money. Mitchell was then brought into court, and while he stood in the dock Ambler said, "Mr. Torr is here; it is all right." Shortly afterwards he spoke to him again, and said that Mr. Torr had been telegraphed to go to Bolton to appear in a very particular case, and therefore he could not attend to the case. The fact was that Mr. Torr never had been telegraphed for to Bolton, nor had he been there. Finding that he was deprived of Mr. Torr's services, Mitchell applied that the case might be postponed. This was done, and upon leaving the court the defendant Bradbury walked away with Mitchell's wife, and said to her that he was going to Bolton to see Mr. Torr, in order to get the matter arranged, and accordingly he made an appointment to meet her at Ambler's office when he should return. He went to and returned from Bolton, met Mrs. Mitchell according to appointment, and then took the opportunity of extracting 3*l.* from her. This was the subject of the second count. In the office Bradbury said that he had been to Bolton, and informed Mrs. Mitchell that Mr. Torr would be in town in the morning. The truth was, that Mr. Torr not having been to Bolton, did not see Bradbury. In the presence of Ambler, while Mrs. Mitchell was in the office, Bradbury said to her that Mr. Torr would require more money, and that he would not plead unless the money was paid beforehand. In reply to the defendants she said that all she had got was 2*l.* Bradbury then lent her 1*l.* 1*s.* to add to her own, without which it was said that Mr. Torr would not plead. This money was to be paid on the following morning, and thus the defendants extracted from her 3*l.* on the pretext that Mr. Torr would plead for Mitchell the next day. The following morning Ambler went to Mitchell when in the dock, and said, "It is all right, and it is arranged to try the case in a private room," and again he said, "Mr. Torr is here." Mr. Torr was not present, and then Ambler for the first time told Mitchell that he was an attorney, and that he could plead for him. Mitchell did not appear to be satisfied with having an attorney to defend him, and asked that either Mr. Ernest Jones or Mr. Pope should be retained for him, saying that he would have no objection to pay 10*s.*, or 1*l.* extra to retain the service of one of these gentlemen. Ambler said that this would be only throwing money away, as he had already paid Mr. Torr the money he had received, and that he could plead as well as the two gentlemen named. Ambler then went away, but on returning shortly afterwards said that Mr. Torr had sent to Mr. Jordan, another barrister. That statement however would be disproved. After Mitchell's conviction his wife communicated to him, while in the cell, what she had paid to Ambler. Immediately afterwards Ambler came in, on which Mitchell said to him, "You rascal, you have robbed my wife of 3*l.* more, and besides that you have not done your duty." On the completion of his three months' imprisonment Mitchell went to Mr. Torr's office and complained of the manner in which he had been treated, and then learnt that that gentleman had not been retained.

The case was commenced yesterday, and was resumed this morning. Mr. Torr, the barrister, proved that neither of the defendants had retained him for Mitchell, nor had he received any communication from them about the matter, nor sent any other barrister to represent him. On cross-examination, he stated that he had spoken to Mr. Roberts, an attorney, who represented Ambler, on the circumstances becoming known, and had insisted upon an ample apology from Ambler for having used his name, and also that the sums obtained from Mitchell and his wife, under pretence of retaining him, should be returned to them, otherwise he should take proceedings in the matter. He had afterwards heard from Mr. Roberts that he had received a letter from Ambler indignantly denying the whole accusation. Mr. Jordan, the barrister, stated that he had had delivered to him a brief to appear before the magistrates as counsel for Mitchell, by Ambler. The brief was indorsed to him over an erasure, and the fee was paid to him, and he accordingly appeared. The brief had been impounded, but was not produced on behalf of the prosecution. The brief did not come to the witness from Mr. Torr, nor did he attend to it for Mr. Torr.

This was the case for the prosecution.

His Lordship, in summing up, said he was happy to say that, as regards the higher branch of the Profession of the law, it did not appear but that every one of the members of it connected with the

case had conducted himself with the most perfect propriety. His Lordship pointed out that though there was not, perhaps, sufficient evidence to support the counts for false pretences, there was ample evidence for the consideration of the jury on those for conspiracy.

And the jury almost immediately returned a verdict against the prisoners on these counts.

Ambler, requesting to be heard before sentence, stated that he had started in life as an office boy on 3s. a week, and raised himself to the position of managing clerk in the law at a salary of 150l. a-year, and, although denying that he ever represented himself to be a barrister's clerk, he requested his Lordship to take into account in passing sentence the effect which the conviction itself must have on his professional position and opportunity of making a livelihood.

His LORDSHIP said he would do so, and also the circumstance that the prosecutor had been efficiently defended after all, and had not suffered materially from the fraud; and he therefore sentenced both prisoners to four months' imprisonment, without hard labour.

HEIRS AT LAW AND NEXT OF KIN.

LIXE (Sarah), Brimscombe, Gloucestershire, widow. Next of kin to come in by 28th March, at Kindersley's, V.C. Solicitors, Price, Bolton and Filder, 1, New-square, Lincoln's-inn, for Jones and Forrester, Malmesbury, Wilts.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

GENERAL INTERNATIONAL AGENCY COMPANY (LIMITED).—Creditors to send in, by 28th April, their names and addresses, and the particulars of their debts or claims, and the names and addresses of their solicitors (if any), to Mr. J. Winney, 3, Serle-street, Lincoln's-inn, London. Solicitor, A. Pulbrook, 31, Threadneedle-street, London.

ROLLING STOCK COMPANY OF IRELAND (LIMITED).—Official liquidator to be appointed by Wood, V.C., at his chambers, on March 28, at noon. Solicitors, Ashurst, Morris and Co., 6, Old Jewry, London.

UNIT JOINT-STOCK MUTUAL BANKING ASSOCIATION.—Petition for winding-up to be heard before M. R. on the 25th March. Solicitors, Eyre and Lawson, 1, John-street, Bedford-row, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

ANDREWS (Rev. Wm.), Postwick, Norfolk, April 21, V.C. K. Walker and Son, 13, Swithin's-lane, London.

BENTON (Wm.), Dudley, carrier, April 20, M. R. Ashurst, Morris and Co., 6, Old Jewry, London.

BROOKS (A. J.), Southsea, gentleman, April 18, V.C. W. Briggs and Son, 55, Lincoln's-inn-fields, for J. J. Webb, Southsea.

COTE (Eyre), West-park, Hants, Esq., April 10, V.C. W.

CONSTABLE (Richard), Edge-lane, West Derby, Lancashire, April 12, V.C. W. Gregory and Rowcliffes, 1, Bedford-row, for Frodsham, Liverpool.

DONALD (Wm.), Newton Arlosh, Holme Cultram, Cumberland, yeoman, April 12, V. C. S. Bell, Brodrick and Bell, Bow-churchyard, London, for J. Carrick, Wigton, Cumberland.

GORGES (George), 15, Howley-place, Paddington, Middlesex, Esq., April 24, V.C. S. Hume and Bird, 10, Great James-street, Bedford-row, London.

HARVEY (Joseph), Peldon, Essex, gentleman, April 15, M. R. N. C. and C. Milne, Temple, London, for Smythies, Goody and Son, Colchester.

HEWLES (George Samuel), 8, Great Carter-lane, Doctors'-commons, London, proctor, March 27, V.C. K. J. C. Gant, County-chambers, Cornhill, London.

ROBERTS (John), Rotherhithe, Surrey, builder, April 20, M. R.

PRYARD (Elizabeth), Landour, Bengal, July 31, V.C. S. Wilson, Bristows and Carpmael, 1, Copthall-buildings, London.

READ (John), 20, Goodman's-fields, Middlesex, publican, April 13, M. R.

WEBB (E. T.), Worthing, merchant, April 15, M. R. Thomson and Son, 24, Cornhill, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BAMFORTH (Joseph), West-street, Leeds, cooper, June 1. Snowdon and Son, 36, Bond-street, Leeds.

BARKER (John), 142, Old-street, St. Luke, Middlesex, corn-dealer and dairyman, April 20, J. Mills, 3A, Brunswick-place, City-road, London.

BURDER (Rev. H. F.), Hatcham-house, St. Paul, Deptford, Surrey, May 4. Lambert and Co., 8, John-street, Bedford-row, London.

BURNELL (John), 4, Windsor-villas, Lockyer-street, Plymouth, Esq., May 10. Phillips and Son, 5, Frankfort-street, Plymouth.

CASWELL (James), Trowbridge, Wilts, cloth manufacturer, June 1. Russell and Son, 59, Queen-street, Cheapside, for E. Rodway, Trowbridge.

CLOUGHLY (James), 7, Great Ormond-street, Bloomsbury, and 37, Bruton-street, Middlesex, tailor, March 31. Smith and Shepherd, 13, Golden-square, London.

COOPER (Joseph), Bolton, Lancashire, coachbuilder, April 13. Greenhalgh and Hall, 8, Acresfield, Bolton.

COOPER (W. D. C.), Toddington Manor, Bedfordshire, Esq., April 30. N. C. and C. Milne, Temple, London.

CORNWALL (Marianne), Great Malvern, spinster, April 18. T. Barneby, 34, Forgate-street, Worcester.

CROSS (James), Bolton and Halliwell, Lancashire, gentleman, May 1. Greenhalgh and Hall, 8, Acresfield, Bolton.

DOWELL (Rev. S. H.), St. James's-square, Bristol, April 10. J. Cooke and Sons, Shannon-court, Corn-street, Bristol.

EATON (T. C.), 68, Baker-street, Portman-square, Middlesex, upholsterer, and of Mill-hill, Hendon, May 21. Walker and Twyford, 3, Southampton-street, Bloomsbury, London.

FAITH (Hy.), 4, Cambridge-heath-road, Mile-end-road, Middlesex, provision merchant, May 1. Lewis and Watson, 27, Pudding-lane, Eastcheap, London.

GEAR (Richard), Rood-lane, London, and Elm-wood, Upper Tooting, Surrey, tea broker, April 15. Roberts and Simpson, 52, Moorgate-street, London.

GREEN (George), Lound, Nottinghamshire, farmer, July 1. Mee, Burnaby and Denman, East Retford.

HANCOX (Wm.), Winson-green, Warwickshire, gentleman, May 22. J. Webb, 56, New-street, Birmingham.

HARDING (Sarah), Selwood-place, Brompton, Middlesex, spinster, April 27. W. J. Holt, 7, John-street, King's-road, Gray's-inn, London.

HARVEY (Edward Robinson), formerly of No. 34, Clarges-street, Piccadilly, Middlesex, late of San Remo, Italy, doctor of medicine, March 28. W. J. Barrett, 8, Bell-yard, Doctors'-commons.

HAZELL (Wm.), Cross-house, Dilwyn, Herefordshire, gentleman, May 1. E. Lloyd, Leominster.

HELM (Sophia Frances), College-green, Worcester, April 10. Meredith and Lucas, 8, New-square, Lincoln's-inn, London.

HEWITT (Frances), Worcester, widow, April 10. Meredith and Lucas, 8, New-square, Lincoln's-inn, London.

HILL (Thomas), 206, Goswell-street-road, Middlesex, gentleman, April 29. J. Mills, 3A, Brunswick-place, City-road, London.

HUME (Walter), 187, Euston-road, St. Pancras, Middlesex, cabinet-maker, April 28. Davies, Son, Campbell and Reeves, 17, Warwick-street, Regent-street, London.

HUNT (Sophia), Brighton, widow, April 27. F. Schultz, 4, Dyer's-buildings, Holborn, London.

HUNTER (Robt.), Sunderland, cab proprietor, smith and farrier, May 13. H. B. and C. Wright, Sunderland.

IREDELL (L. W.), Hastings, gentleman, May 1. Lewis and Watson, 27, Pudding-lane, Eastcheap, London.

LITTLE (W. H.), Llanwair Grange, Abergavenny, Esq., May 2. Smith, Alliston and Smith, 4, Warnford-court, Throgmorton-street, London.

MACFARLANE (James), Horsforth and Shipley, Yorkshire, cashier, April 13. Rawson, George and Wade, Bradford.

MARGERISON (Catherine), Prince William Henry Public-house, Blackfriars-road, Surrey, May 1. Stileman and Neate, 16, Southampton-street, Bloomsbury-square, London.

MCILWRAITH (Wm.), Belgrave-road, and Moreton-street, Pimlico, Middlesex, builder, May 1. J. Evans, 39, Lincoln's-inn-fields, London.

MINCHIN (Samuel), Petersfield, Southampton, builder, April 29. J. Mills, 3A, Brunswick-place, City-road, London.

POPE (William), North Walsham, Norfolk, auctioneer and hatter, May 1. Wilkinson and Baker, North Walsham.

PORTER (A. R.), 48, Notting-hill-square, Middlesex, jeweller, April 29. S. B. Abrahams, 3, Size-lane, London.

RAMSDEN (Charlotte), 84, Inverness-terrace, Bayswater, Middlesex, March 31. Lawrance, Plews and Boyer, 14, Old Jewry-chambers, London.

RUDLAND (Frances), Cavendish-crescent, Bath, widow, April 10. J. G. Reynell, 8, Staple-inn, London.

SANDERSON (R. H.), West Jesmond, Newcastle-on-Tyne, Northumberland, and Montague-grove, Hampstead, Middlesex, Esq., June 1. Palmer, Palmer and Bull, 24, Bedford-row, London.

SHAW (John), Nottingham, gentleman, June 24. Hawkridge and Cockayne, Weekday-cross, Nottingham.

VIGNOLES (John), Lane's Hotel, St. Alban's-place, Piccadilly, Middlesex, April 24. Williamson, Hill and Co., Great James-street, Bedford-row, London.

WOODS (John), 37, White Lion-street, Pentonville, Middlesex, gentleman, April 29. J. Mills, 3A, Brunswick-place, City-road, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

AMBROISE (Roger Marie), Count de Croismare, of Stonehouse, Ludlow, Salop, and PHILPOT (John), of 29, Montague-street, Russell-square, gentleman. Dividend on 147l. 3s. 5d. Reduced Three per Cents. Claimant, said John Philpot.

BAILEY (David), Bonaventure, Newfoundland, planter. 102l. 9s. 10d. New Three per Cents. Claimant, T. H. Brooking, administrator.

CARVICK (C. A. H.), Worthing, widow. Dividend on 163l. 12s. Reduced Three per Cent. Annuities. Claimant, said C. A. H. Carvick.

COBBE (Bernard), Walnut-tree-walk, Lambeth, Esq. 73l. Reduced Three per Cents. Claimants, Anne Frances Cobbe, J. H. Eccles and J. N. Bennett, executors.

FALKNER (Charles), Dippenhall, near Farnham, farmer; FALKNER (Charles), jun., of the same place, gentleman; FALKNER (George), Walnut-tree-walk, Lambeth, gentleman; and FALKNER (William), of Hampton, Middlesex, gentleman. 31l. 11s. 5d. Three per Cent. Consols. Claimants, C. Falkner and C. Falkner, jun.

THISTELTON (C. A.) and GRAY (William), York, gentleman. 37l. 8s. 8d. Three per Cent. Consols. Claimants, said C. A. Thistelton and W. Gray.

WHITLEY (Nathan), Guildford-street, Borough, ironmonger, and WHITLEY (Christian), his wife. Dividends on 103l. Three-and-a-Quarter per Cent. Annuities. Claimant, G. Whitley, administrator.

WILLIAMS (William), Half-moon-street, Bishopsgate, plasterer. 30l. New Three per Cents. Claimant, Wm. Goodbody, administrator.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

NORFOLK CIRCUIT.

Bedford, March 14.—The criminal calendar is heavy in point of the number of offences charged, though somewhat light in respect of the quality of the crimes; for, except 1 case of manslaughter, 1 of arson, 1 of night poaching with violence, and an indecent assault, there is nothing beyond the ordinary run of sessions cases. There are only 2 causes entered, one to be tried by a special jury.

Huntingdon, March 17.—The business is not very heavy, there being no causes for trial on the civil side of the court, and but 14 prisoners in the calendar, against whom there are twelve charges, consisting of arson, assault with intent upon a woman, cutting and wounding, manslaughter and larceny.

WESTERN CIRCUIT.

Exeter, March 14.—The cause-list is very small, there being but 11 cases for the county and 2 for the city. The calendar for the county contains the names of 27 prisoners—not at all a large number for Devon, particularly as there was not a winter assize for this county; but there are serious crimes, there being no less than 4 persons committed for wilful murder, 6 for arson, 1 for attempting to murder, 1 for manslaughter, and 1 for maliciously wounding.

HOME CIRCUIT.

Lewes, March 20.—The assizes were opened here to-day. There were 45 prisoners, 1 case of murder, and 1 of arson.

MIDLAND CIRCUIT.

York, March 18.—Mr. Baron Martin arrived here at half-past two o'clock this afternoon, and opened the commissions for the North and East Ridings, and for the city. There are only fifteen prisoners for trial, but the cause-list is expected to be rather heavy.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

Henry Sewell Stokes, Esq., of Truro, solicitor, has been appointed by the Lord Lieutenant of Cornwall to be Clerk of the Peace for that county.

Mr. J. Hannay has been appointed Recorder of Pontefract.

The Lord Chief Justice Cockburn has appointed Mr. Manley Smith, of the Midland Circuit, a Master in the Court of Queen's Bench, in the place of Sir Archer D. Croft, deceased. Mr. Manley Smith is, we believe, the author of a treatise on the "Law of Master and Servant," and editor of the third and fourth editions of "Hodges on Railways."

The Queen has been pleased to direct letters patent to be passed under the Great Seal, appointing the Right Hon. Frederic, Baron Chelmsford, the Right Hon. Richard Southwell Bourke (commonly called Lord Naas), the Right Hon. Robert Vernon, Baron Lyveden, the Right Hon. Spencer Horatio Walpole, the Right Hon. William Monsell, the Right Hon. John Inglis, Her Majesty's Justice Clerk in Scotland; the Right Hon. Thomas O'Hagan, one of the Justices of Her Majesty's Court of Common Pleas in Ireland; the Right Hon. Sir James Plaisted Wilde, Knight, Judge of Her Majesty's Court of Probate; Sir William Page Wood, Knight, a Vice-Chancellor; Sir Roundell Palmer, Knight, Her Majesty's Attorney-General; Sir Hugh M'Calmont Cairns, Knight; George Young, Esq., Her Majesty's Solicitor-General for Scotland; Travers Twiss, Esq., D.C.L., one of Her Majesty's counsel; and Alexander Murray Dunlop, Esq., to be Her Majesty's Commissioners to inquire into and report upon the state and operation of the various laws now in force in the different parts of the United Kingdom of Great Britain and Ireland with respect to the constitution and proof of the contract of marriage, and the registration and other means of procuring evidence thereof, and also into the state and operation of the laws of the United Kingdom in relation to the marriages of European British subjects in India and in the Colonies; and also into the state and operation of such of the laws of the United Kingdom as relate to the marriages of British subjects in foreign countries.

SIR EDWARD VAUGHAN WILLIAMS.—The Right Hon. Sir Edward Vaughan Williams, late judge of the Court of Common Pleas, took his seat for the first time as one of the members of the Judicial Committee of Privy Council. The other members present were Lord Kingsdown, Sir Edward Ryan and Sir Laurence Peel.

IRELAND.—The *Dublin Evening Mail* has reason to believe that the following changes will be made consequent upon the resignation of Mr. Serjeant Howley. Mr. Charles Rolleston, Q.C., will succeed to the vacant chair in Tipperary, a division of which county, the *Mail* believes, was never contemplated by the Government. Mr. Gibson will be removed to Donegal, in the room of Mr. Rolleston, and will be himself succeeded in the Queen's County by Mr. Joshua Clarke. The vacant chairmanship will be filled by Mr. Hewitt Poole Jellett, Q.C., an appointment (adds the *Mail*) that will give general satisfaction both to the legal profession and the public.

A BARRISTER'S CELLAR.—On Friday week, Mr. Hardy, auctioneer, sold by auction at Carlisle, a quantity of old wines and spirits, the property of the late Mr. George Blamire, barrister-at-law, a gentleman whose death under very extraordinary circumstances was recorded in Sept. 1863. The deceased gentleman was quite a recluse. He shut himself up in his chambers, and held little or no communication with the outer world. His meals were left in an ante-room by his housekeeper, and no one was permitted to enter his apartment for at least a year before he was found dead in the chair in which he used to sleep at nights instead of a bed. When the room was entered at his death, dust and cobwebs covered the furniture, and books and papers were strewn about in great disorder. Mr. Blamire appears also to have adopted a somewhat eccentric course with his wine cellars. Upon the death of his father, Dr. Blamire, of Carlisle, in 1834, a large quantity of the doctor's choice wines and spirits was walled up in a vault beneath a public court in Carlisle. Ten years later, at the suggestion of a friend, the vault was opened for the purpose of substituting stone for wooden bins, but was again walled up and so remained until it was opened for the purposes of this sale. Another portion of the wines sold on Friday had been stored in the chamber of a house at which the late Mr. Blamire stayed when visiting Carlisle. The wines were thus described in the catalogue:—"The ports of 1820, imported and supplied in 1822, by Harris, Crutched-friars, London, have all the characteristics of that wonderful vintage; the charming violet bouquet of the splendid comet wine of 1811 is here in all its richness and perfection, while the crisp and dry sherries, the elegant nectar-like Madeiras, the luscious Lachryma, and the pure sans-dated ports of the last century, are all invested with an ineffable delicacy that can only be acquired in the etherealising laboratory of nature." Agents and dealers from London, Manchester, Newcastle-on-Tyne, and about 100 gentlemen from Carlisle and the surrounding district attended the sale, and some of the prices realised were considered unprecedented. Mr. Nanson, town-clerk of Carlisle, and Mr. Fowler, of Queen's-square, London (the latter acting as agent for an ironmaster in Yorkshire), purchased between them six dozen of port, described as "the finest and most perfect 1820," at 35l. a dozen. For another eight dozen of 1820 port, Mr. Fowler paid 27l. a dozen, after a brisk competition, and 16l. a dozen for eight dozen more. The same agent also bought six dozen West India sherry, date unknown, at 5l. 15s. a dozen; one dozen sherry, described as "of Amontillado character," at 6l. 15s. a dozen.

MAGISTRATE AND PARISH LAWYER.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Berwick-on-Tweed	Friday, April 7	R. Ingham, Esq. M.P., Q.C.	5 days	R. Home.
Bolton	Thursday, March 30	R. R. Armstrong, Esq.	10 days	J. Gordon.
Bridgnorth	Friday, March 31	U. Corbett, Esq.	14 days	W. D. Batta.
Carmarthen	Wednesday, April 5	J. Johnes, Esq.	10 days	J. H. Barker.
Chester	Monday, April 10	E. Beavan, Esq.	14 days	J. Walker.
Colchester	Tuesday, April 4	H. J. Bushby, Esq.	8 days	J. S. Birnes.
Derby	Tuesday, April 4	G. Boden, Esq., Q.C.	1 day	J. Dunnicliff.
Devonport	Friday, March 31	C. Saunders, Esq.	10 days	G. H. E. Rundle.
Dorchester	Tuesday, April 4	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Monday, March 27	E. W. Cox, Esq.		W. R. T. Pender.
Faversham	Monday, April 3	G. Francis, Esq.	Statutory notice	J. Phillips.
Gloucester	Monday, March 27	C. S. Whitmore, Esq. Q.C.		C. Smallridge.
Helston	Saturday, March 25	E. W. Cox, Esq.		A. Rogers.
Hereford	Monday, March 27	F. E. Guise, Esq.	10 days	R. Johnson.
Hythe	Saturday, April 8	R. J. Brom, Esq.		S. P. B. Hook.
Kingston-on-Hull	Thursday, April 6	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Saturday, April 15	J. B. Maule, Esq.	10 days	J. W. H. Richardson
Leicester	Thursday, May 18	Mr. Serjeant Hayes	8 days	R. Toller.
Newark	Saturday, April 8	J. F. Stephen, Esq.		T. F. A. Barnaby.
Northampton	Friday, April 7	J. H. Brewer, Esq.	10 days	C. Hughes.
Plymouth	Thursday, March 30	C. Saunders, Esq.	14 days	R. E. Moore.
Scarborough	Saturday, March 25	Henry W. West, Esq.	8 days	L. J. P. Mowly.
Stamford	Saturday, April 8	The Hon. E. C. Leigh	10 days	J. Torkington.
Tewkesbury	Friday, March 31	A. W. Daniel, Esq.	14 days	W. Winterbotham.
Tenterden	Saturday, April 8	F. Russell, Esq.		S. Weller.
Wenlock	Saturday, April 1	U. Corbett, Esq.	14 days	O. Potts.
Wigan	Wednesday, April 26	J. Catterall, Esq.	Statutory notice	R. Leigh.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

WILL—PROBATE.—Probate in common form of a will, alleged to be valid by the law of a foreign country, will be granted on *primâ facie* proof that the foreign court has adopted it as a valid testament. But the certificate of a notary public referring to some act of a foreign court is not sufficient: (*Re Deshais*, 12 L. T. Rep. N. S. 54. Prob. Ct.)

VENDOR AND PURCHASER—GROWING CROPS.—B. sold a farm, together with "the fixtures, iron hurdles, hay, growing crops, and timber thereon." The contract provided, that the purchase should be completed by a certain day, which was subsequently altered by consent. The purchase-money was paid after that day, under protest, as it appeared that the vendor had, in the interim, and since the sale of the farm, sold or disposed of a portion of the crops upon it. On a bill in equity, filed by the purchaser against the vendors for delivery of the crops to him, or for an account of the crops disposed of, the words "growing crops" were held to mean crops that might be growing on the farm when the sale was completed; that, as the parties had altered the day originally fixed for completion, the plaintiff could not have the relief he sought: (*Webster* v. *Donaldson*, 12 L. T. Rep. N. S. 70. M. R.)

MORTGAGE—PAYMENT.—Where a decree has directed payment of a mortgage-debt at a given place and time, and for sale in default, the mortgagor may require the production by the mortgagee of an affidavit of documents, but he must give notice that he requires it, and it must be at his own expense. The V. C. expressed himself very strongly upon this proceeding. "The truth is," he said, "that in ninety-nine cases out of a hundred parties never reduce the matter to such an absurd question as arises here. Parties very seldom go to the Rolls chapel at all in these cases, and I have ascertained that out of seventy cases of similar orders that have been made, there have been four only in which the transaction was completed in the prescribed form. In the majority of cases the solicitors, being men of common sense, have arranged the matter otherwise in an ordinary and reasonable manner. Insisting on one's strict right in such a case is the same thing as if every person walking in Fleet-street insisted on walking straight forward:" (*Weeks* v. *Stourton*, 12 L. T. Rep. N. S. 71. V.C. K.)

WILL—ESTATE TAIL.—In 1799 B. devised his real estate "to my grandson C. for his own use during his natural life, with remainder to the first son of the body of C. severally and successively in tail male of the name of B., and for want of such lawful issue of that name, either by my said grandson C., or my son D., then among my sisters and their children, share and share alike." C., son of B., was the heir-at-law of B. at the date of the will and death, and B.'s son J. was also then recently married. It was held that C. took an estate in tail male, the words being defective, but by implication, being equivalent to "with remainder to the heirs male of the body of C.:" (*Parker* v. *Foxtal*, 12 L. T. Rep. N. S. 89. H. of L.)

JOINT-STOCK COMPANIES LAW JOURNAL.

NOTES OF NEW DECISIONS.

EXEMPTION OF A CONTRIBUTORY BY REASON OF MISREPRESENTATION.—The prospectuses of a company stated certain persons as being directors, who were not so. It was also advertised that the share-list was closed, and that the shares were at a premium of from 2 to 2½. On the faith of it B. subscribed for shares, on which he paid a deposit, and his name was inserted in the register of shareholders. Afterwards he discovered that the persons named as directors were not only not qualified to act as such, but were not even shareholders, and that the London share-list had not been closed, and he applied for a return of his deposit and repudiated his shares. It was returned accordingly by the board, and his name struck from the register. He was held *not* to be a contributory: (*Re The Life Association of England*, 12 L. T. Rep. N. S. 43. M. R.)

BANKING COMPANY—BILL OF EXCHANGE—LIEN.—A banking company, by its articles of association, had a first lien on all the shares held by any shareholder for all moneys due from him to the company, either alone or jointly with any other person. It was also provided that the company might refuse to register any transfer of shares whilst the shareholder was so indebted, and unless the transferee was approved by the board. B., a shareholder, was indebted to the bank in three bills of exchange. Before they became due they were renewed by the bank taking from B. three others. Before the second bills were due B. transferred his shares to C. for value. B. signed the transfer in blank, and afterwards suspended payment. C. applied to have the transfer registered, which the bank refused, on the ground that by their articles they had an unlimited discretion as to the registration of transfers; that notice had been given of the suspension of B.'s payments before his signature of the blank transfer, and that they had a lien on his shares for their debt. It was held, that at the time of the refusal to register they had a lien on the shares for the debt due to them, and were justified in refusing to register: (*Re London, Birmingham and South Staffordshire Banking Company, Limited*, 12 L. T. Rep. N. S. 45. M. R.)

LIABILITY OF CONTRACTS OF OFFICERS.—Although an officer of the company may have exceeded his authority in constructing certain works, the company, by permitting them to be proceeded with, and afterwards taking the benefit of them, is precluded from disputing the propriety of such works and the power of the officer to order them: (*Hill* v. *South Staffordshire Railway Company*, 12 L. T. Rep. N. S. 63. L. JJ.)

RAILWAY — COMPENSATION. — An injury to the goodwill or a loss of profit in the business of a house, caused by the obstruction of a highway in the execution of the works of a railway company, where no part of the land whereon the business is carried on is taken or otherwise originally affected, is not the subject of compensation under sect. 68 of the Lands Clauses Act; overruling the former decisions: (*Ricket* v. *The Metropolitan Railway*, 12 L. T. Rep. N. S. 79. Ex. Ch.)

PARLIAMENTARY COMMITTEES—PRACTICE.—A petition against the making of a railroad through parish B. was signed by persons, who appeared to be merely inhabitants of the parish, but having no property in it. It was held that, on the true construction of Standing Order 124, those only of the inhabitants whose land was taken under the powers of the railway had a *locus standi* to oppose the Bill: (*London and South-Western Railway* v. *Hill*, 12 L. T. Rep. N. S. 86.)

The petition against the Bill described the petitioners as "The promoters of a Bill now pending in your honourable House." It appeared that for non-compliance with the Standing Orders the Bill had been referred to the Select Committee on Standing Orders, but which had not yet pronounced their opinion whether the parties should be permitted to proceed with the Bill. They were held to have no *locus standi*: (*Promoters of the Great Western, &c. Junction Railway* v. *Hill*, 12 L. T. Rep. N. S. 87.)

The owners and occupiers of wharves and quays on the banks of a river, who alleged that the railroad, which proposed to cross the river by a bridge or viaduct, would obstruct the navigation and hinder vessels from discharging their cargoes, were held to be entitled to be heard against the Bill: (*The Fareham and Netley Railway*, 12 L. T. Rep. N. S. 88.)

The owner of house property commanding an extensive view, petitioned against a railway Bill, on the allegation that the view would be destroyed by the new works. Also, that a yacht would be prevented from navigating the river above the bridge, and that he and his tenants were supplied with goods by vessels passing up the stream, which they could not do if the navigation were interrupted by a proposed bridge. The petitioner was held not to have a *locus standi*: (Ib.)

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

MASTER AND SERVANT—INJURY BY ACCIDENT.—By the negligence of an underlooker of a mine employed by the owner, in failing to prop a roof, a labourer was injured. There was no evidence of want of care on the part of the owner, nor of knowledge of the dangerous state of the roof. He was held not to be liable, as the plaintiff and underlooker were fellow-workmen, and the latter was not in the position of a deputy-master: (*Hall* v. *Johnson*, 11 L. T. Rep. N. S. 779. Ex. Ch.)

BILL FOR AN ACCOUNT.—A principal filed a bill against his agent, charging that the accounts furnished were meagre and unsatisfactory, that he refused to furnish fuller accounts, and that he had regularly debited the plaintiff with the aggregate amount of rents received, less repairs, rates, taxes and insurances, and refused to give any detailed explanation of the items, and praying an account. On demurrer for want of equity and jurisdiction, it was held that such a bill would lie: (*Makepeace* v. *Rogers*, 12 L. T. Rep. N. S. 12. V.C. S.)

RETAINER BY EXECUTOR.—An executor, who has joined in a security as surety for his testator, and paid the debt on the testator's death, is entitled to retain the amount out of the assets, as against all creditors of equal degree: (*Ex parte Boyd*, 12 L. T. Rep. N. S. 38. L. C.)

DOMICIL.—To effect a change of domicil there must be evidence both of the fact of change and of an intent to change. Residence in a new domicil may be decisive as to the fact, but it is only an equivocal act as proof of animus. Domicil imports not merely a home, but a *permanent* and *abiding* home. A residence abroad for the mere purposes of trade, though it began at nineteen, and lasted until death at forty-four, does not alone suffice to change the domicil. Such a residence for the first nine years, without evidence of an intention to return, would not suffice to change the domicil so as to preclude its resumption by mere intention. The domicil of origin is not so readily lost as an acquired domicil. Such are the pithy propositions contained in this case, which might be usefully transferred to the margin of the text-book, and, more useful still, committed to memory: (*Jopp* v. *Wood*, 12 L. T. Rep. N. S. 41. L. JJ.) The entire report should be carefully read.

PATENT — ACCOUNT. — Where a patent [was

granted to B., and then two patents were granted to B., C. and D. for certain improvements in the former patent, and a bill was filed by D. claiming one-third of the profits arising from the use of the latter patents, he was held to be entitled to it, however difficult might be the taking of such account: (*Mathers* v. *Green*, 12 L. T. Rep. N. S. 66. M. R.)

Promissory Note—Indorsee—Injunction.—Indorsee of a promissory note brought an action against the maker. It was impeached, on the ground of fraud, and there was a distinct allegation that the note was not to be negotiated, but to be an item in the settlement of accounts between the parties; and also that the indorsees had received the note with notice of the terms on which it was given. The Court restrained the issuing of execution on any judgment that might be obtained until answer or further order: (*Bainbridge* v. *Hemingway*, 12 L. T. Rep. N. S. 74. V.C. W.)

Joint-Stock Banks and Dishonoured Bills.—At the Sheriff's Court Mr. Commissioner Kerr gave judgment in the case of *Hall* v. *The Mercantile Bank*, which was an action to recover the balance of a deposit account that had been retained by the defendants to meet certain law expenses. The plaintiff, it appeared, had an account at the bank, and he discounted with them a bill of exchange placed to his account. The bill, when due, was dishonoured, and the bank sued both plaintiff and the acceptor. After some expense had been incurred plaintiff took up the bill paying also his own costs. He left a balance in the hands of the bank, which the bank applied to the costs against the acceptor of the bill. On behalf of the bank Mr. Mathews contended that the bill was now in the possession of the plaintiff, and the bank consequently was not in a position to sue the acceptor. In giving his decision his Honour said that he had looked into the case, and he found that the bank had no power to withhold the money. If they had any claim against the acceptor they could sue him, but must pay the plaintiff the sum demanded. Mr. Mathews asked if the court would order the bill to be given up to the bank, so that the acceptor might be sued. His Honour said the bank could sue the acceptor under the 78th section of the Common Law Procedure Act of 1859. Verdict for the plaintiff, with costs.

LAW STUDENTS' JOURNAL.

Correspondence.

Articled Clerk.—In Feb. 1864 an articled clerk of mine passed the preliminary examination in Latin, and has since been articled, and he wishes, as soon as he passes his intermediate, to go to the bar; and would like to know whether he will have to pass a preliminary before keeping terms, and, if so, what are generally the subjects? A Subscriber.

TRINITY EDUCATIONAL TERM 1865.

Prospectus of the Lectures to be delivered during the ensuing Educational Term, by the several Readers appointed by the Inns of Court.

Constitutional Law and Legal History.

The Reader, after dwelling on the reign of Elizabeth, will trace the History of our Constitution from the reign of Charles the First to the reign of Anne. He will illustrate the history of each reign, by references to the Statutes, the State Trials, the Reports, and the Debates in Parliament.

The books to which he will usually refer are:—Blackstone's Commentaries, by Kerr; Rapin's History; Clarendon's History; May's History; Burnet's Memoirs; Hallam's Constitutional History; Somers' Tracts; State Tracts; Ralph's History; Millar's History; Brodie's History; Parliamentary History.

In his private classes he will pursue the same plan, from the reign of Mary downwards, and if time allows, will return to the earlier period of our History.

Equity.

The Reader on Equity proposes to deliver, during the ensuing Educational Term, two courses of Public Lectures (there being Six Lectures in each course), on the following Subjects:—

An Elementary Course.

1. On the Relief afforded in Equity against the Consequences of Mistake (continued).
2. On the Jurisdiction of the Court of Chancery in Matters of Account.
3. On Equitable Set-off and the appropriation of Payments.

An Advanced Course.

1. On the Equitable Doctrine of Election (continued).
2. On Contracts of Suretyship, and the Equitable Rights to which they give rise.

In the Elementary Private Class, the subjects discussed will be—The Rules for determining the Priority of Charges on Real and Personal Property—The Law of Partnership as modified by Courts of Equity. In the Advanced Private Class, the Lectures will comprehend—The Administration of Real Assets, and the Principles of Equity Pleading (continued), and Relief on the Ground of Actual Fraud.

The Law of Real Property.

The Reader on the Law of Real Property &c., proposes to deliver, in the ensuing Educational Term, Two Courses of Public Lectures (there being Six Lectures in each Course), on the following Subjects:—

Elementary Course.

1. The Law of Mortmain and Charitable Uses, in continuation and conclusion of the last term's lectures on this subject.
2. The Law relating to Land of Copyhold Tenure.

Advanced Course.

1. The Law of Prescription.
2. The Law of Fire Insurance.

In his Private Classes, the Reader will, with the Elementary Class, continue his Course of Real Property Law, using the work of Mr. Joshua Williams as a text-book; and with the Advanced Class, the Reader will complete the perusal of Mr. Sandars's work on Uses and Trusts.

Jurisprudence, the Civil Law, and International Law.

The Reader on Jurisprudence, the Civil Law, and International Law proposes, in the ensuing Educational Term, to deliver Six Public Lectures upon the following Subjects:—

1. The Historical Development of the Roman Law of Contract.
2. The Comparative Jurisprudence of Rome, England, and France, with respect to the Contract of Sale.
3. The Roman Law relating to the Warranty of the Vendor against Eviction, and also against Latent Defects in the Property Sold.
4. The Rules of Modern International Law relating to Neutral Trade with an Enemy, and Contraband of War.

In his Private Class, the Reader proposes to continue the course of Roman Civil Law upon Contracts, using Sandars's edition of *Justinian's Institutes*, and the *Systema Juris Romani* of Mackeldey as text-books. The Reader in his private class will also discuss points of International Law, as to the Commencement of War and its immediate effects, and also Rights of War as between enemies, using the Treatise of Wheaton as the text-book, and referring to the works of the principal modern Jurists, the decisions of the Admiralty and Prize Courts of England and America, the Debates in Parliament, and State Papers relating to the cases under discussion.

Common Law.

The Reader on Common Law proposes to deliver, during the ensuing Educational Term, Two Courses of Six Public Lectures each, upon the following subjects:—

Elementary Course.

1. A Comparison will be instituted between the Ingredients in a Crime and those in a Cause of Action on Contract or on Tort.
2. The Origin and Jurisdiction of our Criminal Courts will be investigated.
3. Criminal Procedure will be exemplified by reference to—(1.) The Proceedings before a Magistrate on a Criminal Charge. (2.) The Trial at Quarter Sessions, or at the Assizes, of a Person charged with an Indictable Offence.

In treating the above Subjects, Rules of Evidence will especially be noticed.

Advanced Course.

1. The Nature of and Ingredients in an Indictable Offence.
2. The Structure and Office of an Indictment, with a Specification of the Pleas available in Criminal Cases.
3. Ordinary Offences against the Person or Property.
4. Points connected with the Law of Evidence in relation to Criminal Proceedings.

With his Private Classes, the Reader will examine in detail the foregoing subjects, referring to the undermentioned books:

Elementary Class: Broome's Commentaries (last edit.); Paley on Convictions; Archbold's Criminal Pleading, by Welsby.

Advanced Class: The Criminal Law Consolidation and Amendment Acts (edit. by Greaves); Roscoe's Digest of Evidence in Criminal Cases; Taylor on Evidence (last edit.)

Examination on the Subjects of Lectures and Classes.

The Examinations for Exhibitions on the subjects of Lectures and Classes delivered in the three Educational Terms, 1864-5, will commence on Monday, the 3rd July, at Lincoln's-inn Hall.

Students who propose offering themselves for Examination must enter their names on or before Thursday, the 1st June next, at the Steward's Office, Lincoln's-inn; and a Reader's Certificate of having duly attended the Lectures and Classes, on the subjects in which a Student offers himself for Examination, must be sent to the Council of Legal Education, at Lincoln's-inn, on or before Monday, the 19th June.

Students having duly attended the lectures and classes of one or more of the readers are qualified to enter for examination on such subjects, but they are not allowed to enter for the elementary and advanced examination on the same subject, and provided that the terms they have kept do not exceed the limits prescribed by Clause 39 of the Consolidated Regulations of the Inns of Court.

The examinations for the Exhibitions will be partly oral and partly in writing by means of printed papers of questions.

The following days and hours have been set apart for the said examinations:

Monday morning, 4th July, half-past nine to half-past twelve, Constitutional Law and Legal History.

Monday afternoon, 4th July, half-past one to half-past four, Jurisprudence, Civil and International Law.

Tuesday morning, 5th July, half-past nine to half-past twelve, on Equity.

Tuesday afternoon, 5th July, half-past one to half-past four, on the Common Law.

Wednesday morning, 6th July, half-past nine to half-past twelve, the Law of Real Property.

Wednesday afternoon, 6th July, half-past one to half-past four, a Paper composed of Three Questions on each of the foregoing Subjects of Examination.

By order of the Council,

(Signed) Westbury, C., Chairman.

Council Chamber, Lincoln's-inn,
March 15th, 1865.

The Public Lectures on Constitutional Law and Legal History, at Lincoln's-inn Hall, on Wednesdays, at 2 p.m.; the first lecture on 19th April. The Private Classes on Tuesdays, Thursdays and Saturdays, at 10 a.m.; first class meets on 20th April.

The Public Lectures on Equity, at Lincoln's-inn Hall, on Thursdays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture 20th April. The Private Classes on Mondays, at 3.45 and 4.30; Wednesdays and Fridays, at 3.15 and 4.15 p.m.; first class meets on the 21st April.

The Public Lectures on the Law of Real Property, &c., at Gray's-inn Hall, on Tuesdays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture on 25th April. The Private Classes on Mondays, Wednesdays and Fridays, at 11.15 a.m. and 12.45 p.m.; first class meets on 26th April.

The Public Lectures on Jurisprudence and Civil Law, at the Middle Temple Hall, on Fridays, at 2 p.m.; the first lecture on 21st April. The Private Classes on Tuesdays, Thursdays and Saturdays, at 3.15 p.m.; first class meets on the 22nd April.

The Public Lectures on the Common Law, at the Inner Temple Hall, on Mondays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture on 24th April. The Private Classes on Tuesdays, Thursdays and Saturdays, at 11.15 a.m. and 12.45 p.m.; first class meets on the 25th April.

The Educational Term commences on the 15th April and ends on the 31st July. The Lectures and Classes will be suspended after Thursday, the 11th May, and be resumed at the appointed days and hours on and after Thursday, the 1st June next.

The First Public Lecture of this course will be delivered by the Reader on Constitutional Law and Legal History, on Wednesday, the 19th April, at 2 p.m.

The First Meeting of each Private Class will take place on the usual Morning or Evening of meeting after the First Public Lecture on the same subject.

Students who have been unable to attend a Lecture or Class of either of the Readers, and desire dispensation as a qualification for call to the Bar, should make application, with an explanation of the cause of such absence, in writing, to the Reader during the course, or immediately after the delivery of the last Public Lecture of the course; and the Reader's report thereon, together with the application, will be forwarded to the Council of Legal Education, who alone have the power of granting dispensation.

The Council have resolved that in no case shall students be allowed to change from the Elementary to the Advanced courses of Lectures and Classes, or *vice versâ*, while qualifying for call to the Bar, or for the Examinations on the subjects of Lectures.

Inns of Court.—Rules for the General Examination.

Trinity Term 1865.

The Council of Legal Education have approved of the following Rules for the Public Examination of the Students.

The attention of the students is requested to the following Rules of the Inns of Court:—

"As an inducement to students to propose themselves for such examination, studentships and exhibitions shall be founded of fifty guineas per annum each, and twenty-five guineas per annum each respectively, to continue for a period of three years, and one such studentship shall be conferred on the most distinguished student at each general examination, and one such exhibition shall be conferred on the student who obtains the second position; and further, the examiners shall select and certify the names of three other students who shall

have passed the next best examinations; and the Inns of Court to which such students as aforesaid belong, may, if desired, dispense with any terms, not exceeding two, that may remain to be kept by such students previously to their being called to the Bar. Provided that the examiners shall not be obliged to confer or grant any studentship, exhibition, or certificate, unless they shall be of opinion that the examination of the students has been such as entitles them thereto."

"At every call to the Bar those students who have passed a general examination, and either obtained a studentship, an exhibition, or a certificate of honour at such examination, shall take rank in seniority over all other students who shall be called on the same day."

Rules for the Public Examination of Candidates for Honours, or Certificates entitling Students to be called to the Bar.

An examination will be held in next Trinity Term, to which a student of any of the Inns of Court, who is desirous of becoming a candidate for a studentship, an exhibition or honours, or of obtaining a certificate of fitness for being called to the Bar, will be admissible.

Each student proposing to submit himself for examination will be required to enter his name at the Treasurer's Office of the Inn of Court to which he belongs, on or before Monday, the 15th day of May next, and he will further be required to state in writing whether his object in offering himself for examination is to compete for a studentship or other honourable distinction; or whether he is merely desirous of obtaining a certificate preliminary to a call to the Bar.

The examination will commence on Monday, the 22nd day of May next, and will be continued on the Tuesday and Wednesday following.

It will take place in the Hall of Lincoln's-inn; and the doors will be closed ten minutes after the time appointed for the commencement of the examination.

The examination by printed questions will be conducted in the following order:—

Monday morning, the 22nd May, at half-past nine, on Constitutional Law and Legal History; in the afternoon, at half-past one, on Equity.

Tuesday morning, the 23rd May, at half-past nine, on Common Law; in the afternoon, at half-past one, on the Law of Real Property, &c.

Wednesday morning, the 24th May, at half-past nine, on Jurisprudence and the Civil Law; in the afternoon, at half-past one, a paper will be given to the students including questions bearing upon all the foregoing subjects of examination.

The oral examination will be conducted in the same order, during the same hours, and on the same subjects, as those already marked out for the examination by printed questions, except that on Wednesday afternoon there will be no oral examination.

The oral examination of each student will be conducted apart from the other students; and the character of that examination will vary according as the student is a candidate for honours, or desires simply to obtain a certificate.

The oral examination and printed questions will be founded on the books below mentioned; regard being had, however, to the particular object with a view to which the student presents himself for examination.

In determining the question whether a student has passed the examination in such a manner as to entitle him to be called to the bar, the examiners will principally have regard to the general knowledge of law and jurisprudence which he has displayed.

A student may present himself at any number of examinations, until he shall have obtained a certificate.

Any student who shall obtain a certificate may present himself a second time for examination as a candidate for the studentship or exhibition, but only at the general examination immediately succeeding that at which he shall have obtained such certificate; provided, that if any student so presenting himself shall not succeed in obtaining the studentship or exhibition, his name shall not appear in the list.

Students who have kept more than eleven terms shall not be admitted to an examination for the studentship or the exhibition.

The Reader on Constitutional Law and Legal History

Will expect the Candidates for Honours to be well acquainted with the Origin and Progress of our Laws and Constitution, as explained in Chapter 8, Part 3, of Hallam's History of the Middle Ages.

He will expect them to be well acquainted with the reign of Richard the Second, and with the chapters in Hallam's Constitutional History which comprise the reigns from the accession of Henry the Seventh to the death of Anne; with the Trials of Persons eminent in our History, or otherwise important, from the Accession of Elizabeth to the year 1760; with the History of the Law of Treason and the Law of Libel.

All Candidates will be required to know the principal events in English History, from the Conquest to the year 1796; to have an accurate knowledge of the reigns of the Stuart Kings, of the Trials of Vane, Sidney, Russell, College, Mrs. Gaunt and Lady Lisle; to be thoroughly acquainted with the provisions of Magna Charta, the Bill of Rights, the Act of Settlement, the Habeas Corpus Acts, and the Toleration Act.

The Reader on Equity proposes to examine in the following Books:—

1. Haynes's Outlines of Equity; Smith's Manual of Equity Jurisprudence; Hunter's Elementary View of the Proceedings in a Suit in Equity, Part I.

2. The Cases and Notes contained in the first volume of White and Tudor's Leading Cases. The Act to further Amend the Law of Property, and to Relieve Trustees, 22 & 23 Vict. c. 35. The Act to further Amend the Law of Property, 23 & 24 Vict. c. 38. The Act to give to Trustees, Mortgagees and others, certain powers now commonly inserted in Settlements, Mortgages and Wills, 23 & 24 Vict. c. 145. The Act to regulate the Procedure in the High Court of Chancery and the Court of Chancery of the County Palatine of Lancaster, 25 & 26 Vict. c. 42. The General Orders of the Court of Chancery, of the 1st Feb. 1861, and of the 5th Feb. 1861: (Jur. vol. 7, N.S., part 2, p. 58.) Mitford on Pleadings in the Court of Chancery, Introduction; chap. 1, ss. 1 and 2; chap. 1, s. 3 (the first six pages); chap. 2, s. 1; chap. 2, s. 2, part 1 (the first three pages); chap. 2, s. 2, part 2 (the first two pages); chap. 2, s. 2, part 3; chap. 3.

Candidates for Certificates of having passed a satisfactory examination will be expected to be well acquainted with the books mentioned in the first of the above classes.

Candidates for the Studentship, Exhibition, or Honours will be examined in the books mentioned in the two classes.

The Reader on the Law of Real Property, &c., proposes to examine in the following Books and Subjects:—

1. Joshua Williams on the Law of Real Property, sixth edition.

2. Powers; Josiah Wm. Smith on Real and Personal Property, third edition, pp. 339-357, 723-748.

3. Joint Tenancy, and Tenancy in Common; *Morley* v. *Bird*, 3 Ves. 629, and the notes to that case, in Tudor's Leading Cases in Conveyancing, second edition, pp. 778-802.

4. Gifts to Classes; *Viner* v. *Francis*, 2 Cox 190, *Wild's* case, 6 Co. 16 b, and the notes to those cases in Tudor's Leading Cases in Conveyancing, pp. 702, 581; and Hayes and Jarman's Concise Wills, sixth edition, by Eastwood, pp. 210-214.

5. Sanders on Uses, fifth edition, by Sanders and Warner, chap. 2, pp. 83-276.

Candidates for the Studentship, Exhibition, or Honours will be examined in all the foregoing books and subjects; Candidates for a Certificate in those under heads 1, 2 and 3.

The Reader on Jurisprudence, the Civil Law, and International Law proposes to examine in the following Books and Subjects:—

1. Justinian's Institutes, Book III., tit. I. XXIII. with the Notes of Ortolan or Sandars.

2. Justiniana—Novella, CXVIII.

" —Novella, CXXVII.

3. Mackeldei—Systema Juris Romani hodie Usitati—Pars Specialis, lib. IV. sect. 2, cap. 1; De Successione ab Intestato, § 615—622; Lib. II., sect. 2, cap. 1, § 353—412.

4. Code Napoleon. Livre 3, tit. 1, art. 718—814.

5. Wheaton's Elements of International Law (edit. 1863.) Part. 4, chap. 3.—Rights of War as to Neutrals. Art 19—252, pp. 736—858.

6. Maine's Ancient Law, chap. 7, p. 213.

Candidates for Honours will be examined in all the above subjects; but candidates for a Pass Certificate will be examined in 1, 5 and 6 only.

The Reader on Common Law proposes to examine in the following Books and Subjects:—

Candidates for a Pass Certificate will be examined in—

1. The Ordinary Steps and Course of Pleading in an Action.

2. Broom's Commentaries (third edition), Book I., chapter 3.—"Nature of Rights enforceable by Action." Book II., chapter 1.—"Of Contracts Generally." Book III., chapter 1.—"Of Torts Generally."

3. Smith on Contracts (last edition), Lectures 1-5 inclusive.

4. The Criminal Law Consolidation and Amendment Acts (by Greaves), so far as they relate to the undermentioned offences: Murder and manslaughter, simple larceny, embezzlement and false pretences.

Candidates for the Studentship, Exhibition, or Honours will be examined in the above-named Books and Subjects, and also in—

5. Story on Bailments (last edition), chaps. 1 and 2, and chap. 6, art. 8 (so far as it concerns Land Carriers), with which should be read the Carriers' Act (11 Geo. 4 and 1 Will. 4, c. 68.)

6. The following cases—*Buckhouse* v. *Bonomi*, 9 H. L. Cas. 503; *Chasemore* v. *Richards*, 7 Id. 349; *Hooper* v. *Lane*, 6 Id. 443; and *Emmens* v. *Elderton*, 4 Id. 624.

7. Smith's Mercantile Law (last edition), Book I., chaps. 4, 5—"Of Corporations and Principal and Agent."

8. Taylor on Evidence (fourth edition), Book I., chap. 5—"Presumptive Evidence."

By order of the Council,

WESTBURY, C., Chairman.

Council Chamber, Lincoln's-inn, 15th March 1865.

CORRESPONDENCE OF THE PROFESSION.

SOLICITORS AS JUSTICES.—I read with much interest the letter signed "A Kentish Solicitor," in your last publication, and agree with him that it would greatly improve the *status* of our Profession could a clause be inserted in the Justices of the Peace Procedure Bill, now before Parliament, enabling solicitors to act as magistrates under certain restrictions. Much has been done of late to raise the *status* of our Profession, and if there ever did exist any real ground for the disqualification, the period has now, I think, arrived when, from the many changes in the law, it must have outlived the evil it was intended to abate, therefore it is quite time the stigma should be now removed from our Profession. In the county where I reside there are several solicitors of high standing on the commission of the peace for the county, who do little except conveyancing, agency and Chancery business. Surely there can be no reason why these gentlemen should not be eligible for the office of justice of the peace. Some also are registrars of County Courts, doing no other business, and would not take out their annual certificates except to qualify them for this office, which is in its nature half judicial. It often happens that there is great difficulty in procuring magistrates to attend at petty sessions, and sometimes parties having come long distances are obliged to leave without getting their business transacted for the want of justices. From their education, knowledge of the laws, and business habits, surely solicitors are not less eligible than clergymen, bankers, surgeons, &c., for the office of justice of the peace; and I feel satisfied that the removal of the disqualification would greatly benefit the country, as well as raise the *status* of our Profession. Knowing the lively interest you have always taken in behalf of the Profession, I am induced to address you with a view to your services in endeavouring to procure in the new Bill a clause for a total repeal (if possible) of the disqualification of solicitors to act as justices; but if not a total repeal, then such a clause as would enable solicitors holding public offices, such as registrars of County Courts, clerks of the peace and such like (transacting no other legal business), to act as magistrates.

A COUNTRY ATTORNEY.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

REMAINDER.—In the year 1852 B purchased freehold premises, which were limited to such uses as B should appoint: in default to the use of B for life; with remainder to the use of C during the life of and in trust for B; with remainder to the use of the *right heirs* of B for ever. Query, does the ultimate remainder vest an estate in *fee simple* or *for life* only in B? See Wms. Real Prop. 120, 4th edition; Burton's Comp. Pl. 21; 1 Steph. Com. 223. Perhaps some of your readers will give a reply to the above. R.

PAWNBROKER.—Can a pawnbroker take the sacrament in a Protestant church? J. P. C. T.

THE LAW LIBRARY.

BOOKS SENT FOR REVIEW.

The Election of Representatives, Parliamentary and Municipal. A Treatise by T. HARE, Esq., Barrister-at-Law. Third edition. London: Longman, Green, Longman, Roberts and Green.

Stories of Banks and Bankers. By F. MARTIN. London and Cambridge: Macmillan and Co.

LEGAL NEWS.

THE COLENSO CASE.—Speculation has been very busy in ecclesiastical circles in reference to the probable result of the judgment delivered on Monday by the Judicial Committee of the Privy Council in the case of the Bishop of Natal. A statement has been made that in the event of the appeal being allowed, Dr. Gray would resign the bishopric of Cape Town, but his Lordship's commissary in London has intimated to the ecclesiastical authorities at home that Dr. Gray had no such intention. It is, we believe, no secret, inasmuch as Dr. Colenso has mentioned the matter to many of his personal friends, that he intends to return to the diocese of Natal, and to transact the usual business of his see, in July. As far as legal proceedings in England are concerned they are at an end. Bishop Colenso will not appeal against the sentence of deposition, which it is quite understood Dr. Gray will allow to lapse now that it is declared null and void in law.—*Pall-Mall Gazette.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

REPORTS OF SALES.

IN LONDON.

Wednesday, March 15.

By Messrs. GADSDEN and ELLIS, at Garraway's.—Leasehold, the "Kestago mine," situate in the parish of Llangwig, in the county of Montgomery, term twenty-one years from 1859, at a royalty of one-sixteenth—sold for 50*l*.

Thursday, March 16.

By Mr. MARSH, at the Guildhall Coffee-house.—Leasehold, five houses, known as Lyndhurst-terrace, Lyndhurst-road, Peckham, producing 19*l*. per annum—sold for 1370*l*.

Monday, March 20.

By Messrs. FULLER and HORSEY, at the Guildhall Coffee-house.—Freehold property, known as the "Plough Tavern," Blackwall—sold for 160*l*.

By Messrs. WILKINSON and HORNE, at Garraway's.—Absolute reversionary interest to 8.6*l*. Reduced 3 per Cent. Annuities, expectant on the decease of a lady aged 76 years—sold for 37*l*.

Tuesday, March 21.

By Messrs. E. and H. LUMLEY, at Garraway's.—Leasehold premises, being No. 3 Pickering-terrace, Bayswater, together with goodwill of a tobacconist business; term twenty-one years unexpired; ground-rent 10*l*. per annum—sold for 440*l*.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, March 10.

BERRY, WILLIAM HENRY; WILKINS, WILLIAM HENRY; and BLYTH, EDMUND BELL, attorneys, solicitors, conveyancers and parliamentary agents.

Gazette, March 14.

SOWERBY, JOHN PAGE; SOWERBY, JAMES COATES; and SOWERBY, THOMAS, attorneys and solicitors, Stokesley.

Bankrupts.

Gazette, March 14.

To surrender at the Bankrupts' Court, Basinghall-street.

BARNES, GEORGE, sen., smith and farrier, Stifford. Pet. March 8. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. March 29.

BRICE, THOMAS ROBERT, publican, Fuller-st. Bethnal-gn. Pet. March 9. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Great Leonard-st. Finsbury. Sur. March 28.

BROWN, WILLIAM, commercial traveller, City-rd. Pet. March 7. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. March 29.

CHAPMAN, GEORGE, jun., draper, Eastbourne. Pet. March 2. Reg. Hazlitt. O. A. Graham. Sols. Woodbridge and Sons, Clifford's inn. Sur. March 24.

COLE, FRANCIS JOSEPH, commission agent, Newton-rd. Bayswater. Pet. March 7. Reg. Brougham. O. A. Edwards. Sol. Heard, Devonshire-ter. Hyde-pk. Sur. March 29.

COOPER, JAMES RICHARD, stove and range manufacturer, Phillip-ter. Westbourne sq. Pet. March 8. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. March 17.

DASH, WILLIAM HENRY, hatter, Hampstead-rd. Pet. March 10. Reg. Brougham. O. A. Edwards. Sol. Johnson, Clifford's-inn. Sur. March 27.

DAWSON, DANIEL HUMBION, master mariner, Great Yarmouth. Pet. March 8. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. March 27.

HAYWORTH, THOMAS, attorney-at-law, Sussex-st. Pimlico. Pet. March 7. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. March 28.

HILLS, JAMES, railway clerk, Lumsford-rd. Kentish-tn. Pet. March 13. Reg. Hazlitt. O. A. Graham. Sol. Wetherfield, Moorgate-st. Sur. March 28.

HOLDING, JOHN JAMES, temporary civil service clerk at Board of Trade, Whitehall. Pet. March 10. Reg. Roche. O. A. Parkyns. Sol. Cattlar, Greenwich. Sur. March 27.

HOWARD, CHARLES WILLIAM, cheesemonger, Denmark-ter. Walworth. Pet. March 10. Reg. Hazlitt. O. A. Graham. Sol. Drake, Basinghall-st. Sur. March 28.

KEMP, REUBEN JOHN, draper, Sandy. Pet. March 10. Reg. Brougham. O. A. Edwards. Sol. Rhodes and Co. Chancery-la. Sur. March 27.

KNIGHT, JOHN JACOB, victualler, Robert-st. Blackfriars-rd. Pet. March 6. Reg. Hazlitt. O. A. Graham. Sols. Tanqueray and Co. Old Broad-st. Sur. March 24.

LEA, HENRY, publisher, Fleet-st. Pet. March 9. Reg. Hazlitt. O. A. Graham. Sol. Lawrance, Fenchurch st. Sur. March 28.

NICHOLLS, JOHN FREDERIC, clerk in the War-office, Buckingham st. Strand. Pet. March 8. Reg. Hazlitt. O. A. Graham. Sol. Kent, Mitre-ct.-chambers, Temple. Sur. March 2?.

NIEMEYER, FREDERICK, tailor, Wells-st. Oxford-st. Pet. March 7. Reg. Brougham. O. A. Edwards. Sols. Miller and Miller, Sherborne-la. Sur. March 27.

O'CONNELL, PETER, tailor, Herbert's-passage, Strand. Pet. March 8. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. March 28.

PALMER, WILLIAM, master mariner, Upper East Smithfield. Pet. March 11. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. March 27.

PARKER, JOHN JAMES, dairyman, Oval, Hackney-rd. and brickmaker, Strood. Pet. March 10. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry. Sur. March 27.

PUGH, JAMES GEORGE, butcher, High-st. Wapping. Pet. March 10. Reg. Brougham. O. A. Edwards. Sol. Bratton, Guildhall-chambers, Basinghall-st. Sur. March 27.

ROBERTS, Sir RANDAL HOWLAND, Bart., paymaster in 11th regiment of Lancers, Aldridge-rd.-villas, Bayswater. Pet. March 9. Reg. Brougham. O. A. Edwards. Sol. Lewis, Raymond's-bldgs. Gray's-inn. Sur. March 27.

ROOKE, JOHN, carpenter, Cromwell-pl. Putney. Pet. March 9. Reg. Roche. O. A. Parkyns. Sol. Durant, Guildhall-chambers. Sur. March 27.

SARTIMAHER, HENRY, baker, James-st. St. George's. Pet. March 7. Reg. Brougham. O. A. Edwards. Sol. Turner, Mount-pl. Whitechapel-rd. Sur. March 27.

SMITH, RICHARD JOHN TILLOTSON, colonial broker, Camberwell-grove and Mincing-la. Pet. March 10. Reg. Brougham. O. A. Edwards. Sols. Head and Pattison, Martin's-la. Cannon-st. Sur. March 27.

WATSON, WILLIAM, victualler, Trinity-st. Rotherhithe. Pet. March 13. Reg. Roche. O. A. Parkyns. Sols. Chidley, Old Jewry; Sloe and Robinson, Parish-st. Southwark. Sur. March 27.

WIGHTMAN, BENJAMIN, grocer, Reading. Pet. March 11. Reg. Roche. O. A. Parkyns. Sols. Mathews, Carter and Bell, Leadenhall-st. Sur. March 27.

WITHERS, EDWARD RUSSELL, merchant, Crown-ct. Philpot-la. Pet. March 10. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co., Old Jewry-chambers. Sur. March 28.

To surrender in the Country.

ALLEN, ROBERT, beerseller, Manchester. Pet. Feb. 21. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. March 23.

BALL, JOHN, butcher, Coalville. Reg. & O. A. Dewes. Sol. Dewes, Ashby-de-la-Zouch. Sur. March 27.

BEARD, EDWIN, fruiterer, Cardiff. Pet. March 8. Reg. & O. A. Langley. Sol. Griffin, Cardiff. Sur. March 24.

BOOTH, JOHN, labourer, Hanley. Pet. March 11. Reg. & O. A. Challinor. Sol. Tennant, Hanley. Sur. April 1.

BREWER, JOHN, baker, Farncombe, Godalming. Pet. March 27. Reg. & O. A. Bridger. Sol. White, Dane's-inn, Strand, and Guildford. Sur. March 27.

BUCKLER, THOMAS, blacksmith, Morice-town. Pet. March 9. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. March 29.

BURDEN, JOHN, builder, Wimborne Minster. Pet. March 9. Reg. & O. A. Rawlins. Sol. Moore, Wimborne Minster. Sur. March 24.

CARR, JAMES, maltster, Chawleigh. Pet. March 10. Reg. & O. A. Sparkes. Sol. Floud, Exeter. Sur. March 27.

CARRICK, NATHAN, currier and leather dresser, Leeds. Pet. March 13. Reg. & O. A. Sangster. Sol. Blackburn, Leeds. Sur. March 29.

CHADWICK, JAMES, operative cotton carder, Oldham. Pet. March 11. Reg. Harris. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. March 24.

CHAPMAN, JOSEPH, baker, Neath. Pet. March 9. Reg. Wilde. O. A. Acraman. Sols. Webb, Bristol; Randall, Neath. Sur. March 24.

CLAPHAM, GEORGE, baker, Bath. Pet. March 10. Reg. & O. A. Smith. Sol. Collins, Bath. Sur. March 28.

CROASDALE, JOHN, fishmonger, Rochdale. Pet. March 7. Reg. Harris. O. A. Morgan. Sol. Swan, Manchester. Sur. March 30.

CROSSLEY, JONATHAN, joiner, Cleckheaton. Pet. March 9. O. A. Young. Sol. Harle, Leeds. Sur. March 27.

DAVIES, JOHN, draper, Newport. Pet. March 9. Reg. & O. A. Smith. Sol. George, Cardigan. Sur. March 27.

DEWHURST, JAMES, hatter, Peterborough. Pet. March 9. Reg. & O. A. Gaches. Sol. Law, Stamford. Sur. March 23.

ENGLAND, JOHN, leather seller, Leeds. Pet. March 9. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. March 29.

EVANS, ELIJAH, thatcher, Chapel. Pet. March 11. Reg. & O. A. Barnes. Sol. Cardinall, Halstead. Sur. March 25.

GOODMAN, SELINA, Chichester. Pet. March 13. Reg. & O. A. Evershed. Sol. Howlett, Brighton. Sur. March 24.

GRAYSON, THOMAS, tailor, Burley, Leeds. Pet. March 8. O. A. Young. Sol. Mason, York. Sur. March 27.

GREEN, WILLIAM, pawnbroker's assistant, Leeds. Pet. March 11. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. March 29.

GREENWOOD, JOHN, boot and shoe maker, Rochdale. Pet. March 9. Reg. & O. A. Woods. Sol. Whitehead, Rochdale. Sur. March 28.

HANSON, BEN, flock dealer, Huddersfield. Pet. March 6. Reg. & O. A. Jones. Sol. Craven, Huddersfield. Sur. March 27.

HARRISON, GEORGE, surveyor of taxes, Caistor. Pet. March 10. O. A. Young. Sols. Messrs. Emsley, Leeds. Sur. April 5.

HEPPENSTALL, WILLIAM, book-keeper, Berrybrow, Almondbury. Pet. March 7. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. March 27.

HILEY, FREDERICK ROGER, currier, Newark-upon-Trent. Pet. March 13. Reg. Tudor. O. A. Harris. Sols. Hodgkinson and Pratt, Newark-upon-Trent; Rawlins and Rowley, Birmingham. Sur. March 29.

HODGES, CHARLES, retailer of beer, Little Coxwell. Pet. March 9. Reg. & O. A. Crowdy. Sol. Bullen, Hampton. Sur. March 2?.

HOPKINS, GEORGE, outfitter, Cardiff. Pet. March 3. Reg. Wilde. O. A. Acraman. Sols. Bird, Cardiff; Henderson, Bristol. Sur. March 24.

HUBAND, THOMAS, cab driver, Birmingham. Pet. March 10. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. April 10.

JENKIN, WILLIAM HENRY, blacksmith, Madron. Pet. March 6. Reg. & O. A. Millett. Sol. Trythall, Penzance. Sur. March 22.

JOHNSON, SAMUEL, commercial traveller, Hanley. Pet. March 10. Reg. & O. A. Challinor. Sols. Messrs. Tennant, Hanley. Sur. April 1.

KENDRICK, EDWARD, beerhouse-keeper, Hanley. Pet. March 9. Reg. & O. A. Challinor. Sols. Tennant, Hanley. Sur. April 1.

KILMISTER, WILLIAM, farmer, Shirehampton. Pet. March 10. Reg. & O. A. Harley and Gibbs. Sols. Clifton and Beckingham. Sur. March 24.

KING, JOHN, newsagent, Gainsborough. Pet. March 10. Reg. & O. A. Sowerby. Sol. Dobson, Middlesborough. Sur. March 25.

LAKEMAN, JOHN NELDER, commercial traveller, Plymouth. Pet. March 9. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. March 29.

LEEVERS, THOMAS JABEZ, tanner, Sowerby-bridge, Halifax. Pet. March 10. O. A. Young. Sols. Barstow and Son, Halifax; Bond and Barwick, Leeds. Sur. March 27.

LEWIS, THOMAS, shipowner, Egremont, Birkenhead. Pet. Feb. 20. O. A. Turner. Sols. Thomas and Gole, Lime-st. Leadenhall-st.; Evans, Sandys, Roose and Lockett, Liverpool. Sur. March 24.

LEWIS, WILLIAM, coachbuilder, Ross. Pet. Feb. 9. Reg. & O. A. Collins. Sol. Minett, Ross. Sur. March 14.

MARKS, MOSES, boot and shoe factor, Birmingham. Pet. March 11. Reg. Tudor. O. A. Kinnear. Sol. Parry, Birmingham. Sur. March 31.

MARSH, HENRY LAMB, plumber, Leeds. Pet. March 10. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. March 29.

MARSHALL, HENRY; MARSHALL, HENRY; and ATTWOOD, THOMAS AURELIUS, bankers, Birmingham. Pet. March 10. Reg. Hill. O. A. Kinnear. Sols. Whateleys and Whateley, Birmingham. Sur. March 27.

MATTHEWS, WILLIAM HENRY, builder's clerk, Altrincham. Pet. March 8. Reg. & O. A. Porter. Sol. Farrington, Manchester. Sur. March 27.

MORGAN, GEORGE HENRY, victualler, Swansea. Pet. March 9. Reg. & O. A. Morris. Sol. Field, Swansea. Sur. April 3.

NATTEISS, FRANCIS, publican, Ulleskelf. Pet. March 10. Reg. & O. A. Bickers. Sol. Mann, York. Sur. March 27.

PALMER, WILLIAM, beerhouse-keeper, Bridgwater. Pet. March 11. Reg. & O. A. Lovibond. Sol. Veysey, Bridgwater. Sur. March 29.

PARKER, FREDERICK, market gardener, Meopham. Pet. Dec. 17. Reg. & O. A. Southgate. Sur. March 27.

PARRY, WILLIAM, labourer, Llechydole. Pet. March 9. Reg. & O. A. Dew. Sol. Williams, Carnarvon. Sur. March 30.

ROBERTS, DAVID, overlooker, Cleckheaton. Pet. March 6. Reg. & O. A. Sangster. Sol. Whiteley, Leeds. Sur. March 29.

ROSS, JAMES, watchmaker, Wrexham. Pet. March 10. Reg. & O. A. Edgworth. Sol. Sherratt, Wrexham. Sur. March 30.

ROYLE, JOHN, farmer, Irlam, Patricroft. Pet. March 9. Reg. & O. A. Hutton. Sol. Rylance, Manchester. Sur. March 23.

SMITH, CYRUS, haggler, Fenton. Pet. March 8. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley. Sur. March 31.

TAYLOR, JOHN, cloth manufacturer, Dewsbury. Pet. March 7. Reg. & O. A. Nelson. Sol. Mason, York. Sur. March 24.

WELLS, PETER MICHAEL, tailor, Norwich. Pet. March 9. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. April 3.

WEMPHREY, ROGER, out of business, Gateshead Low Fell. Pet. March 9. Reg. & O. A. Ingledew. Sol. Joel, Newcastle. Sur. March 25.

WHITE, JOHN, milkman, Cheltenham. Pet. March 9. Reg. & O. A. Gale. Sol. Stroud, Cheltenham. Sur. March 27.

WHITWORTH, MARY ANN, newsvendor, Torquay. Pet. March 10. O. A. Carrick. Sols. Hooper, Torquay; Floud, Exeter. Sur. March 24.

WILTON, JOHN ROBINSON, innkeeper, Peterborough. Pet. March 1. Reg. & O. A. Gaches. Sol. Smedley, Peterborough. Sur. March 23.

Gazette, March 17.

To surrender at the Bankrupts' Court, Basinghall-street.

BINGHAM, HENRY STIMSON, tailor's assistant, White-ter. Rotherhithe. Pet. March 13. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Harrisons, Walbrook. Sur. March 28.

BIRD, MATTHEW, tailor, Battersea-sq. Battersea. Pet. March 4. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. March 27.

BULLEN, ISRAEL, butcher, King's Lynn. Pet. March 16. Reg. Hazlitt. O. A. Graham. Sols. Nicholls and Clarke, Cook's-ct. Lincoln's-inn, for Ward, King's Lynn. Sur. March 23.

BURT, LAWRENCE, warehouseman, Brooklands, Lea-bridge and Silver-st. Pet. March 9. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Linc.-inn. Sur. March 27.

COOKE, CHARLES, butcher, Northampton and Duston. Pet. March 13. Reg. Hazlitt. O. A. Graham. Sol. Metcalfe, Furnival's-inn, for Becke and Son, Northampton. Sur. March 29.

COOKE, GEORGE, shoe manufacturer, Northampton. Pet. March 13. Reg. Roche. O. A. Parkyns. Sols. Metcalfe, Furnival's inn, Holborn, agents for Becke and Son, Northampton. Sur. March 27.

CORBYN, WARDLE, musical and dramatic agent, Walcot-pl. Kennington. Pet. March 13. Reg. Hazlitt. O. A. Graham. Sol. Padmore, Westminster-bridge-rd. Sur. March 24.

CUBITT, THOMAS RICHES, trunk and portmanteau manufacturer, Sutherland-sq. Walworth. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. March 28.

DEAKIN, PETER HENRY, commercial traveller, Southgate-rd. De Beauvoir-sq. Pet. March 13. Reg. Brougham. O. A. Edwards. Sols. Messrs. Webb, Austin-friars. Sur. March 27.

EASTER, ROBERT, draper, Snape, Saxmundham. Pet. Feb. 23. Reg. Hazlitt. O. A. Graham. Sol. Howell, Cheapside. Sur. March 28.

EATON, JOHN, builder, Titchmarsh. Pet. March 14. Reg. Hazlitt. O. A. Graham. Sol. Murrough, Warwick-ct. Gray's-inn. Sur. April 11.

EDWARDS, JOSEPH, boot and shoe maker, Aldenham-ter. Old St. Pancras-rd. Pet. March 14. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton. Sur. March 27.

FLOOD, JAMES, out of business, Brewer-st. Golden-sq. Pet. March 14. Reg. Brougham. O. A. Edwards. Sol. Woodbridge, jun. Clifford's-inn. Sur. April 12.

GOODMAN, WILLIAM, farmer, Northleigh. Pet. March 13. Reg. Brougham. O. A. Edwards. Sol. Lee, Witney. Sur. March 27.

GREEN, STEPHEN, victualler, Clarendon-ter. Bow-rd. Pet. March 11. Reg. Roche. O. A. Parkyns. Sols. Bannister and Robinson, Clement's-la. Lombard-st. Sur. March 27.

HALL, JOHN, greengrocer, Church-st. Waterloo-rd. and Waterloo-rd. Pet. March 13. Reg. Roche. O. A. Parkyns. Sol. Charlton, Chatham-pl. Blackfriars. Sur. March 27.

JOHNSON, JOHN FREDERICK, bedstead maker, Crown-st. Finsbury. Pet. March 15. Reg. Brougham. O. A. Edwards. Sol. Mason, Symond's-inn, Chancery-la. Sur. April 12.

MILLER, GEORGE, grocer, Pembroke-rd. Kensington. Pet. March 13. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. March 27.

PARSONS, GEORGE, engineer, Manor-pl. Walworth. Pet. March 15. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. March 27.

POPE, FREDERICK, coal merchant, Crown-wharf, Limehouse. Pet. March 14. Reg. Hazlitt. O. A. Graham. Sur. March 28.

SCHWEND, GEORGE, baker, Stoney-la. Houndsditch. Pet. March 14. Reg. Brougham. O. A. Edwards. Sol. Moss, Gracechurch-st. Sur. March 27.

SMITH, ANN, coffee house keeper, Crown-ct. Pall-mall. Pet. March 13. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. March 27.

TIMSON, WILLIAM, painter, Burdett-rd. Limehouse. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. April 11.

To surrender in the Country.

ALLEN, JAMES, baker, Marple. Pet. March 10. Reg. & O. A. Coppock. Sol. Howard, Stockport. Sur. April 7.

AMOORE, CHARLES, wine and spirit merchant, Calne. Pet. March 11. Reg. Wilde. O. A. Acraman. Sols. Rawlings, Melksham; Henderson, Bristol. Sur. March 11.

BAILDON, THOMAS, railway inspector, Salford. Pet. March 12. Reg. & O. A. Hulton. Sols. Cobbett and Wheeler, Manchester. Sur. April 1.

BAILEY, HENRY, plumber, Boston. Pet. March 14. Reg. Tudor. O. A. Harris. Sol. Ashwell, Nottingham. Sur. March 28.

BALKWILL, JOHN, boot and shoe maker, Exeter. Pet. March 14. O. A. Carrick. Sol. Floud, Exeter. Sur. March 29.

BALSDON, WILLIAM, commercial traveller, Bristol. Pet. March 11. Reg. Wilde. O. A. Acraman. Sols. Brittan and Son, Bristol. Sur. March 29.

BAKER, JOHN MOSS, grocer, Kingswinford. Pet. March 13. Reg. & O. A. Harward. Sol. Collis, Stourbridge. Sur. April 2.

BARKER, ALFRED, metal merchant, Birmingham. Pet. March 16. Reg. Hill. O. A. Kinnear. Sols. Collis and Ure, Birmingham. Sur. April 3.

BARON, JAMES, jun., commission agent, Whalley. Pet. March 13. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. March 27.

BROWNSFORD, JOHN HIND, silk merchant, Nottingham. Pet. March 14. Reg. Tudor. O. A. Harris. Sol. Maples, Nottingham. Sur. March 28.

BUCKLER, NATHAN, boatman, Chilvers Coton. Pet. March 13. Reg. & O. A. Dewes. Sol. Craddock, Nuneaton. Sur. April 1.

CARMICHAEL, ARCHIBALD, draper, Exeter. Pet. March 7. O. A. Carrick. Sol. Pitts, Exeter. Sur. March 30.

CHURCHILL, CHRISTOPHER, butcher, Kingswood. Pet. March 15. Reg. Wilde. O. A. Acraman. Sol. Dix, Bristol. Sur. March 29.

COOP, JOSEPH, beerseller, Tottington Lower-end. Pet. March 15. Reg. & O. A. Grundy. Sols. Messrs. Watson, Bury. Sur. March 29.

COOPER, MARK, innkeeper, Topcliffe, near Thirsk. Pet. March 13. O. A. Young. Sol. Simpson, Leeds. Sur. March 27.

CUSHING, WILLIAM DIXON, blacksmith, Hilgay. Pet. March 13. Reg. & O. A. Reed. Sol. Walpole, Northwold. Sur. April 3.

DALLOW, JOSEPH, wheelwright, Birmingham. Pet. March 14. Reg. & O. A. Guest. Sol. Baxter, Birmingham. Sur. April 10.

DAVIES, THOMAS, jun., builder, Llanerchymedd. Pet. March 14. Reg. & O. A. Dew. Sol. Williams, Beaumaris. Sur. March 30.

FRANK, ROBERT, in lodgings, Leeds. Pet. March 9. Reg. & O. A. Buchanan. Sol. Harle, Leeds. Sur. March 30.

GOODALL, JAMES SCHOLES, warehouseman, Rusholme. Pet. March 16. Reg. Harris. O. A. Morgan. Sol. Hulton, Salford. Sur. March 28.

HITCHIN, THOMAS, lamp and chandelier manufacturer, Birmingham. Pet. March 14. Reg. Tudor. O. A. Kinnear. Sol. Assinder, Birmingham. Sur. March 31.

HOLLINGS, JOHN, grocer, Eggborough, near Whitley-bridge. Pet. March 15. O. A. Young. Sol. Simpson, Leeds. Sur. March 27.

HOOPER, GEORGE ROLFE, fishmonger, Isle of Wight. Pet. March 11. Reg. & O. A. Blake. Sol. Hooper, Newport. Sur. March 29.

HOSKINS, DAVID, victualler, Swansea. Pet. March 13. Reg. Wilde. O. A. Acraman. Sols. Simons and Morris, Swansea. Sur. March 29.

HUDSON, JOHN, victualler, Barrow-upon-Soar. Pet. March 13. Reg. & O. A. Brock. Sol. Giles, Loughborough. Sur. March 31.

HUMPHREYS, ARTHUR, livery-stable keeper, Worcester. Pet. March 17. Reg. Hill. O. A. Kinnear. Sols. Hughes, Worcester; Wright, Birmingham. Sur. April 3.

JACKSON, THOMAS, brickmaker, Spalding. Pet. March 11. Reg. & O. A. Bonner. Sol. Percival, Spalding. Sur. March 31.

KNOWLES, WILLIAM, butcher, Lytham. Pet. March 13. Reg. & O. A. Mason. Sol. Blackhurst, Preston. Sur. March 29.

LIPTROT, ROGER, agent, Wigan. Pet. March 13. Reg. Macrae. O. A. Morgan. Sol. Peace, Wigan. Sur. March 29.

MULLOCK, ISAAC, beerseller, West Derby-road, near Liverpool. Pet. March 14. Reg. & O. A. Hime. Sol. Preston, Liverpool. Sur. March 28.

NEWMAN, JAMES, veterinary surgeon, Havant. Pet. March 13. Reg. & O. A. Howard. Sol. White, Portsea. Sur. March 29.

OAKFORD, JAMES, fishmonger, Exeter. Pet. March 13. Reg. & O. A. Daw. Sol. Rogers, Exeter. Sur. March 27.

PATCHETT, JOHN, grocer, Birmingham. Pet. March 14. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. April 10.

PAYNE, WILLIAM, Leicester. Pet. March 10. Reg. & O. A. Ingram. Sol. Rawlings, Market Harborough. Sur. April 1.

PETERSON, HENRY, dealer in coal, Oldcombe. Pet. March 13. Reg. & O. A. Batten. Sol. Watts, Yeovil. Sur. March 31.

PROCTOR, THOMAS, shoe maker, Sedgley. Pet. March 11. Reg. Hill. O. A. Kinnear. Sol. Stratton, Wolverhampton. Sur. March 29.

REED, MARY, dealer in second hand clothes, Newcastle. Pet. March 10. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. April 4.

ROUGLE, WILLIAM, victualler, Robertsbridge. Pet. March 13. Reg. & O. A. Young. Sol. Bilson, Hastings. Sur. April 1.

SAGE, JOSEPH, shipbuilder, Bristol. Pet. March 14. Reg. Wilde. O. A. Acraman. Sols. Abbott and Leonard, Bristol. Sur. March 29.

SHAW, JOSEPH, silversmith, Birmingham. Pet. March 13. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. April 10.

SMITH, GEORGE, builder, Hexham. Pet. March 4. Reg. Gibson. O. A. Laidman. Sols. Messrs. Watson, Newcastle. Sur. April 4.

SMITH, WILLIAM, owner of a steam thrashing machine, Ruskington. Pet. March 13. Reg. & O. A. Moore. Sol. Snow, Sleaford. Sur. March 30.

TAIT, WILLIAM, builder, Blyth. Pet. March 14. Reg. & O. A. Ingledew. Sol. Brewis, Blyth. Sur. March 28.

TAYLOR, JOEL, ale and porter merchant, Nottingham. Pet. March 16. Reg. Hill. O. A. Harris. Sol. Preston, Nottingham. Sur. April 4.

THORNBOROUGH, ROBERT, jun., sawyer, Barrow-in-Furness. Pet. March 11. Reg. & O. A. Postlethwaite. Sol. Jackson, Ulverston. Sur. March 20.

TIPPER, JAMES, millwright, Burton-on-Trent. Pet. March 9. Reg. & O. A. Hubbersty. Sol. East, Birmingham. Sur. April 3.

TOWERS, JOHN, professor of music, Manchester. Pet. March 14. Reg. Harris. O. A. Morgan. Sols. Slater, Heelis and Co. Manchester. Sur. March 29.

WELLS, JAMES, jun., fruiterer, Great Grimsby. Pet. March 13. Reg. & O. A. Dunbovy. Sol. Summers, Hull. Sur. March 29.

YOXALL, GEORGE, cattle dealer, Greaves-farm, co. Salop. Pet. March 9. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. March 31.

BANKRUPTCIES ANNULLED.

Gazette, March 17.

BUTLER, HENRY WILLIAM, floor cloth manufacturer, Phipps-bridge, Merton.

COLLINS, HENRY, land agent and scrivener, Boyle-st. Burlington-gdns.

HODSON, WILLIAM, grocer and flour dealer, Masbrough, Rotherham.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Burghardt, E. merchant, first, 3½d. Morgan, Manchester.—*Cold*, E. S. mine agent, first, 11s. 3½d. Carrick, Exeter.—*Hanlin*, J. builder, second, 9d. Turner, Liverpool.—*Hardy*, J. slate merchant, first, 6d. Turner, Liverpool.—*Hawkes*, W. agricultural implement maker, first

1s. 5d. Turner, Liverpool.—*Harrison*, H. innkeeper, first, 3s. 6d. Areaman, Bristol.—*Heald*, A. cotton manufacturer, first, 1s. 10d. Morgan, Manchester.—*Legge*, J. ironmonger, further, 4s. 11d. Carrick, Exeter.—*Mangnall*, W. and W. paper manufacturers, first, 3s. Morgan, Manchester; first sep. of Walter Mangnall, 15s. 2d.; sep. of Wilbraham Mangnall, 20s.—*Murray*, W. dealer in horses first, 10s. 6d. Morgan, Manchester.—*Ogden*, J. cottonspinner, first, 6s. 6¼d. Morgan, Manchester.—*Roberts*, E. grocer, first, 7s. 5d. Morgan, Manchester.—*Roberts*, J. master mariner, first, 1s. 3d. Turner, Liverpool.—*Robertson* A. O. C. travelling draper, first, 1s. 8d. Morgan, Manchester.—*Samer*, H. auctioneer and corn dealer, further, 2s. 7½d. Carrick, Exeter.—*Warwick* and *Clayett* merchants, fifth sep. of Warwick, 1s. 6½d. Parkyns, London.—*Wright*, W. H. maltster and farmer, further, 9¼d. Carrick, Exeter.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, March 14.

ALEXANDER, LEWSON, commission agent, Queen-st. Brompton. March 9. 3s. by instalments—2s. in 1 mo. and 1s. in 6 mos. Trust. W. D. Rock, merchant, Duke-st. London-bridge, Southwark.

ASHBY, THOMAS WILLIAM, carrier, Stamford. March 10. Trust. T. Hossen tailor, Stamford.

BAINBRIDGE, JACOB, farmer, Millridge. Feb. 17. Trusts. R. Bainbridge, farmer, Ravensworth, and G. Aungle, corn merchant, Darlington.

BAKER WILLIAM, grocer, South Penge-park. March 8. 4s.—1s. on 9th June, Sept., Dec. 1865, and 9th March 1866.

BALMAIN, WILLIAM HENRY, and NOLAN, EDWIN, manufacturing chemists, St. Helen's. March 11. Trust. T. W. Read, accountant, Liverpool.

BELLAMY, WILLIAM, grocer and cheesemonger, Croydon-common. Feb. 10. Trusts. K. S. Hawkins, wholesale grocer, Layton's-bldgs. High-st. Southwark, and E. Leftwich, provision merchant, High-st. Southwark.

BROWN, RICHARD, grocer, South Shields. March 7. Trusts. G. White, shipowner, and E. W. Dobson, accountant, both South Shields.

CHAPMAN, JAMES, draper, East Grinstead. Feb. 10. 8s by instalments of 4s.—secured. Trust. G. B. Greatorex, warehouseman, Aldermanbury.

CLARK, JOHN, woollen-draper, Birmingham. Feb. 15. Trust. T. Carter, auctioneer, Birmingham.

CLEMENT, WILLIAM, baker, Burgess-hill. Feb. 14. Trust. J. Catt, miller, Brighton.

CORNOCK, RICHARD, Frampton Cotterell, CORNOCK, EDMUND, Tytherington, and CORNOCK, MARIA, Iron Acton, farmers. Feb. 15. Trusts. J. P. Cornock, Tytherington, and J. Nichols, Iron Acton, yeomen.

COWLING, JOHN, cheesemonger, York. Feb. 18. Trust. G. Acton, auctioneer, York.

CROOK, JAMES, tailor, Lancaster. Feb. 22. Trust. E. Kearsley, woollendraper, Gutter-la.

DAVIES, LEWIS THOMAS, grocer and draper, Pontardawe, near Swansea. Feb. 18. Trust. W. Parren, warehouseman, Cannon-st. west.

DAVIS, JACOB, glass dealer, Ann-st. Commercial-st. Whitechapel. Feb. 14. 2s. in 1 week.

DE PLEDGE, JOSEPH, and JACQUES, JAMES, joiners and builders, both Wakefield. Feb. 14. Trust. R. Jacques, innkeeper, Wakefield.

FOX, THOMAS, brewer, Babingdon. March 11. Trusts. S. Higgs, Esq., Sudbury, and H. Thompson, iron-founder, Colchester.

GARRINGTON, JOHN, manufacturer, Darlaston. Feb. 13. 7s. 6d. by three instalments—2s. 6d. on 15th Aug. next, 15th Feb. and 15th Aug. 1866.

GAYFORD, GEORGE, umbrella manufacturer, Basinghall-st. Feb. 13. 3s. in 1 week after registration.

GEORGE, WILLIAM, fellmonger, Carisbrooke, Isle of Wight. Feb. 20. 5s. by two equal instalments in 14 days and in 6 mos. Trusts. R. Flanock, draper, Newport, H. Knighton, butcher, West Cowes, J. Joliffe, farmer, Whitwell, J. Mitchell, butcher, West Cowes, and J. Goodhall, butcher, Newport, Isle of Wight.

GILBERT, CHARLES HILARY, cabinet-maker, New Sarum. March 6. 1s. 6d. by two equal instalments on 24th Dec. next and 24th Dec. 1866. Surety, E. W. Wilson, gentleman, New Sarum.

HARDBOTTLE, JAMES, farmer, Chapel Haddlesey. Feb. 23. To pay 12s. in 1 mo. Trust. W. Hardbottle, farmer, Hurle.

HARRIS, RICHARD NIND, silk merchant, Nottingham. March 3. Trust. S. Haines, gentleman, Brighouse.

HEYMANN, ISAAC JULIUS, and KURTZ, WILHELM, general merchants, Bury-st. St. Mary-axe. Feb. 20. 2s. on 1st April.

HILLIAR JOHN, patent ventilator maker, Oxford-st. Feb. 27. 2s. 6d. by 10th March.

HODGES, EDWARD, doctor of medicine, Stapleton. March 7. 5s. by two equal instalments on 15th July 1865, and 15th Jan. 1866.

HOLMES, THOMAS, plumber, Leeds. Feb. 11. 2s. in cash and 3s. in 3 mos. Trust. T. Hall, plumber, Leeds.

HUMPHREYS, WILLIAM, out of business, New Ormond-st. Queen's-sq. Feb. 14. Trust. E. Winn, victualler, King William-st. Strand.

JAQUES, HENRY LOUIS, watchmaker, Holford-sq. Pentonville. March 8. 1s. 6d. Trust. T. G. Hatfield, gentleman, Walbrook.

JARRETT, GEORGE, builder, Surbiton-hill. Feb. 28. Trust. R. Brown, surveyor, Surbiton-hill.

LINFIELD, HENRY, jun., grocer, Ockley. Feb. 23. Trusts. W. Lintott, provision merchant, J. Angus, draper, and A. Aldridge, all of Horsham. Sols. Lintott and Son, Horsham.

MCCULLOCH, ALEXANDER, and DARLEY, ROBERT, ship store merchants, Liverpool. Feb. 15. Trust. E. Roberts, accountant, Liverpool. Sol. Gregory, Southport.

MORLEY, JOHN, saddler, Cowfold. March 4. Trusts. W. Smith, currier, Chichester, and R. Morley, saddler, Henfield. Sols. Medwin and Clarkson, Horsham.

MURRAY, SAMUEL, commission agent, Felham-ter. Bayswater. Feb. 8. Trust. A. Bohté, tailor, South Molton-st. Oxford-st.

NATTRASS, MATTHEW GLADES, master mariner, Rotherhithe. March 2. 2s. by two instalments—1s. by 2nd March 1866 and 1s. by 2nd March 1867.

NUTTALL, JAMES, grocer. Feb. 20. Trusts. T. H. Robinson, innkeeper, Barnoldswick, T. Frankland, shoemaker, Bolton-by-Bowland, and J. Parker, farmer, Horton, near Gisburn.

OLIVER, HENRY, and SCRUTON, THOMAS, tea merchants, Mincing-la. March 10. Inspectors, W. E. Franks, tea broker, Little Tower-st. and R. Hodgson, Mincing-la.

PEMBERTON, JOHN, glass dealer, Liverpool. Feb. 11. 7s. 6d. by three equal instalments at 3, 6 and 9 mos.—secured.

PURDY, HENRY, grocer, Highbridge. Feb. 22. Trusts. T. Francis, warehouseman, Bristol, and E. Saunders, Esq., Highbridge.

RHODES, CAWTHORNE, grocer, Sheffield. Feb. 11. Trusts. S. Price, jun., miller, and T. Simms, publican, both Sheffield.

RIDGERS, JULIAN EDWARD DISBROWE, surgeon, Denbigh-st. Pimlico. March 11. 5s.—1s. on 10th July, 1s. on 10th Nov. and 1s. on 10th of every third mo. Trust. J. M. Hucklebridge, chemist, Upper Ebury-st. Pimlico.

ROUNDING, FRANCIS, farmer, Kilnwick. Feb. 15. Trusts. R. Oxley, butcher, Beverley, and H. Chaplin, farmer, Barlbro'.

ROUSE, MORRIS, hairdresser, High-st. Poplar, and Oxford-st. Feb. 24. 5s. by two instalments in 12 and 18 mos.

SANDS, THOMAS CHILD, woolstapler, Leeds. Feb. 20. Trusts. C. Charlesworth, woolstapler, and E. Johnson, dealer in nails, both Bradford.

SHINTON, JOHN, grocer, Wolverhampton. Feb. 22. Trust. B. Smith, accountant, Wolverhampton.

SHIRT, JOHN, and WELLS, JAMES, jun., steel manufacturer, Sheffield. March 4. 5s. at 3 and 6 mos. Sureties, A. Shirt, widow, J. Wells, cowkeeper, and G. J. Cummins, commercial agent, all of Sheffield.

SMITH, CHARLES CROAKER, carpenter, Blue Anchor-rd. Bermondsey. Feb. 28. 2s. 6d. on 14th March.

SOLOMON, SOLOMON, tailor, Duke-st. Aldgate. Feb. 23. 1s. in 12 mos.

SPYER, LAWRENCE, clerk to a public company, Alexander-st. Bayswater. Feb. 22. 5s. by two equal instalments at 12 and 18 mos.

STEEL, THOMAS, grease manufacturer, Bradford. March 7. 5s.

STREETER, EDWARD, contractor, Bath. Feb. 22. Trusts. J. Griffiths, iron merchant, Bristol, J. T. Holmes, timber merchant, Bath, and W. Smith, accountant, Bath.

STURGESS, HENRY, bricklayer, Salisbury. March 3. Trusts. E. Harris, estate agent, Salisbury, and R. White, baker, Winterbourne Dauntsey.

TAYLOR, WILLIAM, beer and wine store keeper, Orkney-ter. Battersea-park. March 8. 1s. 6d. on 31st March.

TOZER, ROBERT MAITLAND, grocer, Chipping Wycombe. Feb. 15. Trusts. W. M. Underhill, grocer, Oxford, and J. R. Harris, provision merchant, Slough.

TREGILLUS, EDWARD, miller, Meavy. Feb. 25. Trust. J. Dupré, merchant, Plymouth.

VANN, THOMAS, wire worker, Birmingham. Feb. 13. Letter of licence to pay 20s.—2s. 6d. on 14th Feb., 3s. 14th May, 14th Aug. and 14th Nov. 1865, 3s. on 14th Feb., 14th May, and 2s. 6d. 14th Aug. 1866. Trusts. W. Hibell, wire manufacturer, and A. Harrison, accountant, both Birmingham.

WAGGETT, THOMAS; CHAMPNESS, WILLIAM; and SHAW, JOHN, paper dealers, Manchester. Feb. 10. 12s. 6d. Trusts. W. Demena, paper dealer, J. Ashton, commission agent, and J. Fitzgerald, accountant, all of Manchester.

WALKER, WILLIAM, manufacturer, Colne. Feb. 14. 9s. Trusts. C. Bracewell, cottonspinner, Earby, R. Shaw, cottonspinner, Colne, and J. Pilling, mechanic, Primet-bridge, near Colne.

WATKINS, JOHN, gasfitter, Adelaide-rd. Haverstock-hill. March 1. 4s. on 29th March.

WILLIS, HENRY, steel manufacturer, Sheffield. March 1. 7s. 6d. by three equal instalments at 3, 6 and 9 mos. Surety, M. Elmy, steel merchant, Sheffield.

WHALE, PETER HARFOOT, baker and grocer, Wickham. Feb. 9. 4s. 6d.

YOUNG, WILLIAM, coachbuilder, Beverley. Feb. 14. Trusts. R. J. Jentish, clerk to Hodgson, Son and Gibson, Hull, and J. Dawson, attorney's clerk, Beverley.

Gazette, March 17.

ADAMS, JOHN JOSEPH, draper, Anerley. March 9. 1s. in 1 mo.

AHRENS, FERDINAND ANDREAS, merchant, Old Fish-st. Feb. 21. 2s.

BARKER, FREDERICK, hatter, 94, John-st. Clerkenwell. Feb. 15. Trust. D. Lesser, foreign agent, Spencer-st. Goswell-rd.

BRADLEY, JOHN, poulterer, Holloway-ter. Holloway. March 11. 2s. on 11th March 1867.

BENTALL, THOMAS RUFUS, miller, East Bergholt. Feb. 21. Trusts. C. Taylor, gentleman, Manningtree, and C. Brooks, accountant, Malton.

BURKS, HENRY ALFRED, commercial traveller, Leighton-villas, Kentish-town, and Ramsgate. March 9. 4s. by three equal instalments on 9th July, 9th Nov. 1865, and 9th March 1866.

BRIDMAN, WILLIAM, travelling draper, Cardiff. March 6. Trusts. J. P. Savery, wholesale draper, Exeter, and R. Ridler, general warehouseman, Bristol.

CAINES, ROBERT ELDON, auctioneer, Walbrook, and Gresham-pl. Brixton. March 10. Arrangement to pay by four equal annual instalments of 5s. on 10th Jan. 1866, 1867, 1868 and 1869.

CHAPMAN, JOSEPH, grocer, Coalville. Feb. 23. Trust. J. Barrs, grocer, Leicester.

CLAYTON, GEORGE ALFRED, and FISHER, GEORGE, joiners, Hull. Feb. 20. 10s.

CLIFTON, WILLIAM, carpenter, Leicester. Feb. 15. Trusts. T. Law, ironfounder, J. Yates, builder, and J. Pickering, ironmonger, all Leicester.

COLLINS, JAMES, bootmaker, Norwich. March 4. 5s. by two equal instalments in 1 week and 3 mos.

CUREL, JAMES FREDERICK, gasfitter, Cross-st. Newington-butts. March 11. 7s. 6d. on 27th March.

EARL, JOSEPH, draper, Westbourne grove, Bayswater. Feb. 17. Trusts, G. N. Read, Cannon-st. west, and J. R. Kay, Old Change, warehousemen.

ELLIOTT, BENJAMIN, file manufacturer, Sheffield. March 13. 5s. by two equal instalments on 1st July and 1st Sept.

FISHER, WILLIAM, jun., silk throwster, Macclesfield. March 7. 6s in 1 week. Trust. W. Fisher, sen., silk merchant, city London.

GLEDHILL, SIDNEY, and LUMB, THOMAS, woollen manufacturers, Elland. March 7. Trusts. J. Armitage, shoddy merchant, Dewsbury, J. Cooper, woolstapler, Halifax, and T. Gaukroger, cardmaker, Halifax.

GOODMAN, TIMOTHY, attorney, Warminster. Feb. 13. Trusts J. Haverhill, Esq., Codford, and C. M. C. Whatman, gentlemen, Salisbury.

GREATY, JAMES, joiner, Gaythorn, Manchester. Feb. 18. 11s. by two instalments on 24th May and 24th Aug.—secured.

HADDON, RICHARD, farmer, Chorlton-by-Newcastle. Feb. 14. Trusts. W. Caless, auctioneer, and W. S. Gibbs, ironmonger, both Banbury.

HARDY, JOHN, draper, Nottingham. Feb. 24. Trusts, S. Watts, merchant, and W. R. Westhead, merchant, both Manchester.

JOHNSON, WILLIAM, railway carpenter, Groves, York. Feb. 15. Trust. W. Hill, ironmonger, York.

KENDALL, JAMES, furniture dealer, Manchester. March 15. Trust. G. Scott, teacher, Chorlton-on-Medlock.

KENNEY, WILLIAM, confectioner, Landport. March 13. Trust. T. Wilkinson, outfitter, Landport.

KNOCK, FRANCIS, superintendent of police, Witney. Feb. 21. Trusts. J. Akerman, draper, R. Brayshaw, grocer, and W. Lyford, gentleman, all Witney.

LENNOX, HENRY, plasterer, Nottingham. March 6. Trusts. J. Saunders, beerhouse keeper, Nottingham, and J. Wilkinson, jun., lime burner, Bulwell.

LEWIS, HENRY, pasteboard manufacturer, Birmingham. Feb. 28. 3s. 6d.

LEWIS, JOHN, Pembroke-dock. Feb. 16. Trusts. E. Cole, merchant, Welshback, city London, T. Eastlake, butcher, Pembroke dock, G. Lewis, farmer, Filmstone, and G. Hunt, grocer, Meryek-st.

LIPSCHITZ, SELIG, picture dealer, Commercial-st. Whitechapel. Feb. 14. 5s. by instalments of 2s. 6d. at 1 and 3 mos.

MANN, THOMAS, carpenter, West Ham. Feb. 14. 2s. 6d. on 1st. March.

MARSON, HENRY, saddler, Saville-pl., Lambeth-walk. Feb. 20. 1s. on 29th Sept.

MASSEFORE, EDMUND, pork butcher, Lambeth-walk. Dec. 29. 4s.

MILNER, CHARLES, wine and spirit merchant, Sunderland. March 20. 7s. 6d. at 6, 12 and 18 mos.

MORDUE, MARY, grocer, Howdon. Feb. 18. Trust. T. W. Ferguson, commercial traveller, Gateshead.

MORLEY, WILLIAM, staymaker, Barnsley. March 1. 3s. 6d. on 1st May, 2s. on 1st Sept., and 2s. on 1st Dec.

PARKES, SAMUEL, jun., grocer, Birmingham. Feb. 24. 63l. 8s. by 25th March. Trust. J. Parkes, solicitor's clerk, Bromsgrove.

PERSON, FRANCIS, provision dealer, Liverpool. Feb. 21. 7s. 6d. by three instalments of 2s. 6d. at 2, 4 and 6 mos. Trusts. K. Crosfield, trader, and J. W. Wood, fruit merchant, both Liverpool.

RAWKINS, HENRY, butcher, Sandown, Isle of Wight. Feb. 21. Trust R. Jacobs, yeoman, Grove and Newchurch, Isle of Wight.

ROAN, WILLIAM, draper, Birmingham. Feb. 11. Trust. J. Dawber, tailor, Birmingham.

ROBINSON, ELIZABETH, joiner, Sandal Magna. Feb. 14. Trust. J. Brook, timber merchant, Wakefield.

RUSSELL, JOHN, brick manufacturer, Bawtry, and YOUNG, EDWARD, firebrick manufacturer, Oughtibridge. Jan. 4. Trusts. T. Chambers, bank manager, Sheffield, J. Dyson, ironmaster, Hazlehead, and S. Martin, jun., merchant, Sheffield. 12s. by instalments at 4, 8, 12 and 16 mos.

SAUFREY, PETER, baker, Lamb-st. Spitalfields. March 9. Trust. C. Legge, gentleman, Stamford-st. Lambeth.

SAVILLE, THOMAS, fly proprietor, Cheltenham. March 11. 2s. in 1 mo.

SEWELL, JOHN, mechanic, Preston, and RIGBY, MARSDEN, fellmonger, Freckleton. Feb. 12. Trusts. W. Heyton, butcher, and R. Winder, warper, both Preston.

STEFFANO, PETER, ship chandler, Cardiff. March 2. Trusts. J. Davies, shipbroker, Cardiff, and T. Harding, oil merchant, Bristol.

SUMMERS, HENRY JOHN, builder, Bristol. Feb. 17. 5s. by two instalments—3s. 6d. on 7th March and 1s. 6d. on 4th Aug. Trust. C. F. B. Howell, timber merchant, Bristol.

THOMPSON, SAMUEL, and FEVER, JOSEPH, builders, both Derby. March 13. To secure debts by instalments—4s. in 6 mos. and 4s. every succeeding 6 mos. Inspectors, W. T. Cox, Esq., Spondon, and T. Roe, jun., timber merchant, Derby.

TOWKS, EDWIN JAMES, lock manufacturer, Willenhall. March 4. Trusts. J. Harper, ironfounder, and N. E. Best, iron merchant, both Willenhall.

VINER, JOSEPH JOHN, house decorator, Brighton. March 1. 6s. in 21 days.

WADMORE, FREDERICK, draper, and WADMORE, MARTHA SIDNEY, widow, both Newport, Isle of Wight. Feb. 22. Trusts. C. J. Parker, Gresham-st., J. D. Allcroft, Wood-st. warehousemen, F. B. T. Goldstone, manager of Isle of Wight branch of Hampshire Banking Co., Newport, and T. P. Mew, brewer, Newport.

WALDUCK, HERBERT JOHN, and WALDUCK, CHARLES EDWARD, copper merchants, Manchester. Inspectors, W. Whitwell, ironmaster, South Stockton-on-Tees, and G. B. Lloyd, banker, Birmingham.

WALFORD, SAMUEL MATTHEW, joiner and builder, Stockport. March 10. 5s. by 25th March. Trust. A. Loonie, auctioneer, Stockport.

WARD, JOHN, and TYERS, ELIJAH, elastic web manufacturers, Leicester. Feb. 14. 15s.—4s. on registration of deed and 9s. in 6 mos.

WARREN, JOHN, builder, East Retford. Feb. 28. Trust. J. W. Tempest, accountant, Huddersfield.

WATCH, WILLIAM, dealer in boots and shoes, Brighton. Feb. 23. 17s.

WENHAM, EDWARD, saddler and harness maker, Hastings. March 2. 5s. on 16th March.

WILDE, CHARLES, waste dealer, Ashton-under-Lyne. March 1. Trusts. J. Bradbury, and E. Winstanley, sen., cotton dealers, Ashton-under-Lyne.

WILLIAMS, JOHN, victualler, Austin-ter. Battersea-park. March 11. 7s. 6d. in 12 mos.

WILLIAMSON, RICHARD, miller, South Wingfield. Feb. 21. Trusts. W. Goztel, cornfactor, Lincoln, and J. Lee, cabinet-maker, Wheatcroft.

WINTER, SAMUEL, builder, Dorking. March 9. Trusts. W. Fell, gentleman, Westcott, and W. J. Roedster, ironmonger, Dorking.

WYETH, JOHN, yeoman, Old Alresford. Feb. 16. Trust. J. K. Lipscomb, surgeon, New Alresford.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BOWLBY.—On the 15th inst., at Ryde, the wife of Edward Salvin Bowlby, Esq., barrister-at-law, of a son.

FOWLER.—On the 16th ult., at Summerfield, Wolverhampton, the wife of Henry H. Fowler, Esq., solicitor, of a daughter.

ROWSELL.—On the 24th Dec. 1864, at Armidale, New South Wales, the wife of Evan Edward Rowsell, Esq., solicitor, of a son.

STONE.—On the 18th inst., at Merle Lodge, St. John's-park, Ryde, the wife of Henry Stone, Esq., of the Inner Temple, barrister-at-law, of a son.

MARRIAGES.

ADCOCK—BAKER.—On the 27th Feb., at Great Chishill, Essex, E. Harry Adcock, solicitor, of Cambridge, to Harriette Fanny, younger daughter of Thomas Baker, of Lime-tree-house, Great Chishill.

COPEMAN—SMITH.—On the 15th inst., at St. Giles', Cambridge, James Cole Copeman, of Loddon, Norfolk, solicitor, to Rose, younger daughter of Alderman Henry Smith, of Merton Hall, Cambridge.

IVENS—GEORGE.—On the 16th inst., at St. Martin's, Worcester, F. F. Ivens, Esq., solicitor, Leamington, to Christiana Sarah, eldest daughter of the late Robert George, Esq., of Nobery.

DEATHS.

NORTHCROFT.—On the 14th inst., aged 78, Andrew Northcroft, for many years law stationer at 97, Chancery-lane.

PARKER.—On the 14th inst., at the house of his brother, John Parker, Esq., surgeon, Wincanton, Somerset, aged 47, Richard Parker, Esq., of 23, Argyll-street, solicitor.

POWELL.—On the 21st Dec. last, at Sydney, New South Wales, aged 24, Edmund Powell, Esq., late of the Inner Temple and Sydney, barrister-at-law.

ROBINS.—On the 17th inst., at his residence, 14, Albert-road, Regent's-park, after only thirty-six hours' illness, aged 67, Edward Robins, Esq.

WATERWORTH.—On the 20th inst., aged 53, Thomas Waterworth, Esq., solicitor, of Keighley, Yorkshire.

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The Annual Income exceeds .... £[illegible]
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To Readers and Correspondents.

ENQUIRER.—No.

A YOUNG ATTORNEY.—The LAW TIMES does not report the decisions of the County Courts.

[illegible]—Stamp 6d. Cox's Law and Practice of Joint-Stock Companies, 4th edition.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

[…]MARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, APRIL 4.

By Messrs. DEBENHAM and TEWSON, at the Guildhall Coffee-house.

The Manor of Napton, Warwickshire, comprising 220 acres. Advertised March 25.

FRIDAY, APRIL 7.

By Mr. F. LEWIS, at the Guildhall Coffee-house.

Reversion to four freehold and five leasehold houses, to [illegible] share of two freehold shops and a house; also [illegible] and [illegible]. Advertised this day.

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NOTICE.

[illegible] and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, the [illegible] at the Strand Office.

The LAW TIMES goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.

[illegible] Portfolio to contain the current numbers of the LAW TIMES REPORTS will be forwarded by post to any person inclosing [illegible] in postage stamps.

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A GENERAL INDEX to the First TEN VOLUMES of the New Series of the LAW TIMES REPORTS. I. Index to Plaintiffs. II. Index to Defendants. III. Index to Subjects of Cases. To be issued in Three Parts [illegible] each, and in One Volume price 15s. As only a limited [illegible] will be printed, those who wish to have it are requested to send their names without delay to the publisher.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

[T]HE Profession is asking with wondering per[pl]exity what can be the true motives that have [pro]mpted the Promoters of the pitiful scheme [o]f law reporting, for which they are now [se]nding round the hat. Wherefore are they [se]eking to supplant the *Law Journal* by a similar [mo]nthly Omnibus report, not better in any [par]ticular, and at nearly double its price?

There was some plausibility in the original [pr]oposition. It was then argued that, inasmuch [as] the decisions of the Judges formed a part of [th]e law, it was the duty of the State to pre[ser]ve a record of those decisions, to be the [ult]imate authority if ever they should be ques[tion]ed, instead of leaving them to the rivalry of [vol]unteer reporters.

The argument is fallacious, for it assumes [th]at the reporters selected by private interest [wou]ld not be so accurate as those selected offi[cia]lly—which is not true in fact. But it was [a] plausible argument, supplying a theme for [lea]ding articles during the dull season, and so [se]rved well enough the purpose of the wily [m]en who set it afloat.

[I]f this had been their honest design, their [cou]rse was clear. They would have gone to the [Par]liament, and representing the necessity for [an] official report of the Judge-made law, would [ha]ve asked for the appointment of official [re]porters.

But that was only their ostensible, not their real, design. They used the argument as a convenient advertisement of a far different scheme. The public interest was only a pretence, under which to advance a project which, as now published, stands confessed upon the very face of it a scheme for personal advantage and private gain—a mere trading endeavour to take away the profits earned by one set of men in possession, in order to transfer them to the pockets of another set of men who want to possess them; a project to ruin the existing reporters, that their incomes may be given to other men who want to be reporters, and this, too, without securing the *official* reports, which was the pretence put forth originally; without even giving to the Profession better reports than those they now possess. Promising *official* reports, the Promoters now merely invite the Profession to turn out their old, and tried, and experienced servants, to accept new, and untried, and inexperienced men in their places.

And to what end?

To give us *better* reports?

Even Mr. DANIEL will scarcely venture an assertion that *his Protegés*, though paid 300*l.* a-year apiece, will report more faithfully than BEAVAN, and SCOTT, and GIFFARD, and the many other able and experienced reporters whom he asks us to exchange for neophytes.

Is it to give us *earlier* reports?

He will not dare to promise more speed than the *Law Journal*. A Standard Report *cannot* be speedy. It must be got up with careful reference to the pleadings, and the briefs, and to the cases cited; it *must* be submitted to the Judge for revision; and it ought to be submitted also to the counsel by whom it was argued. All this is a work of *time*. The Judges will never consent to undertake this task at the bidding of a monopolist reporter, in the midst of work, or after a day of toil in court. They will reserve it for holidays and leisure hours. Therefore, either Mr. DANIEL's reports must be slowly produced, or they must be imperfectly produced. If the former, in what respect is the Profession to be advantaged beyond the regular reports now provided for them? If the latter, how can they pretend to the character of *Standard* Reports?

Does Mr. DANIEL's speculation offer us *cheaper* reports?

Their price is to be five guineas. The *Law Journal* costs but 3*l.* 5*s.*; the *Bar Reports* only two guineas and a-half. One copy of each of the regular reports costs a considerable sum; but in fact no lawyer requires all of these, but only such as belong to his special branch of the Profession. One of the Omnibus reports supplies all his needs beyond the regular reports of the two or three courts in which he practises. But the circular of the new speculation ingeniously conceals all this, and still more ingeniously tries to recommend its own cheapness by *lumping together all the other series of reports* in one sum, and insinuating that, the existing reports costing so much, we offer our new reports for so much less. It is as if a bookseller were to advertise a new History of England, and to puff its cheapness by stating that HUME, and HAZLITT, and HALLAM, and LINGARD, and MACAULAY and MASSEY together will cost 30*l.*, while his new adventure only costs 5*l.* This would be a puff scarcely permissible to a Yankee tradesman, but wholly indefensible in a project pretending to be purely patriotic.

So much for the possible advantages. If the new Reports are to be neither better, nor earlier, nor cheaper than the existing reports, and if they are *not to be official* in their character, but merely a private speculation, we ask what claim they have to support, why their promoters should invite the Profession to abandon those who have served them so long and faithfully, for untried and inexperienced strangers?

Having thus shown that no substantial advantages are offered by this scheme, let us briefly count the cost of wrong and injury at which it must be purchased.

As nearly as we can make the calculation, the number of reporters engaged on the existing reports is one hundred and twenty-six.

The value of the property in them is, at the very least, *thirty thousand pounds*.

The new scheme, therefore, *proposes to confiscate thirty thousand pounds worth of property, and to deprive one hundred and twenty-six gentlemen of their incomes.*

If this were proposed to be done by fair competition by an open, honestly acquired and equal rivalry in the market, the interests assailed would have no just cause for complaint. It is open to Mr. DANIEL, as to all others, if not content with the existing reports, to start a new series that should rely on its own greater merits for success. But the complaint we prefer against the present scheme is its unblushing resort to all the arts of puffery, by its pretence of patriotism; its affectation of regard for the pockets of the Profession; its unworthy attempt to appear cheap by setting its single price against the aggregate price of all those whom it seeks by such an artifice to supplant; its array of names of patrons, after the manner of COCKLE's Pills. Official Reports would have something to recommend them; reports proceeding from private enterprise would be intelligible; but reports that are neither official, nor private, wanting the authority of the one and the reputation of the other, whose pretence for existence is, the want of an *authorised record* of judge-made law, and yet which cannot even profess to supply that want; which complains that Reports are too numerous, and yet adds another to the number; that can succeed only by inflicting an enormous amount of ruin and injury, without a single compensating advantage—instead of receiving the support they solicit, should be, as we believe they will be, instantly and indignantly rejected by every member of the Profession possessing a grain of good sense or a spark of right feeling.

DURING the present Assizes, the Judges have been complaining, not without cause, that their time has been wasted in the trial of petty offences that should properly be disposed of at the quarter sessions. Why, they ask, should Judges of the Superior Courts, a Bar and the other costly machinery of justice, be detained for two or three days to try small larcenies, over which a comparatively inexpensive tribunal has jurisdiction? But there is no help for it. The commission directs a general gaol delivery. The Judges on circuit are required to clear the prisons of all untried prisoners, and as the Quarter Sessions do not always precede an Assize there must be more or less of sessions prisoners in the gaol waiting trial. At the recent assize in Cornwall, Mr. Justice CROMPTON was occupied for half a day in trying successively the following larcenies: to wit, of a duck, of a pair of stockings, of a pasty, of a slice of black pudding, of a bundle of old clothes, and of a piece of meat. The Judges, reasonably annoyed at such a waste of their precious time, call upon the Magistrates to hold a general sessions for the clearance of these sessions cases immediately before the Assizes. But the Judges are not aware of the inconvenience that would be caused to the counties by thus calling together the Grand Jury and Petty Jury and Justices in two successive weeks. This remedy would be worse than the evil it is designed to cure. There is a more easy and complete one. It is simply to alter the form of the commission, and instead of a general gaol delivery, let it be limited in express terms to the trial of cases not within the jurisdiction of the Quarter Sessions. This would leave the prisoners committed for trial at the Sessions to be there tried in due course, even although an Assize may have been holden in the meanwhile.

A COMPLAINT having been made to the publisher of the LAW TIMES by the publisher of the *New Reports*, that the judgment of the LORDS JUSTICES in *Graham* v. *Wickham* had been copied from them, the complaint was forwarded to our reporter, Mr. BROOKSBANK, and we have received from him the following explanation:

The MS. judgment in *Graham* v. *Wickham* was given to me by a friend, known as an accomplished reporter and shorthand writer, with liberty to me to make use of it. It was of this I availed myself, and his manuscript itself was sent into the LAW TIMES, with but few alterations; indeed, most of the alterations were occasioned by the restoration of some sentences through which the pen had been run, but which were quite legible.

Thus I did not even know that I was in any way under obligation to the N. R.; but the moment I heard of the complaint, the friend I have referred to and myself called together upon the senior equity editor of the N. R., who, with what appeared to us something like a want of courtesy to members of his own Profession, declined to hear our explanation.

I must be permitted to add, that in the eight years during which I have reported for the LAW TIMES, I know that there never has been any gentleman engaged in reporting before the Lords Justices who

would not most cheerfully have placed *his* notes at the service of any one of his colleagues.

This speaks for itself. We can only express our regret that Mr Brooksbank should have relied unduly upon the custom of mutual assistance usually prevailing among the reporters in the same court, and add our apology to his for any annoyance or injury that may have been thereby caused.

Many correspondents have expressed themselves strongly against the conduct of prosecutions by magistrates' clerks, and Mr. Oke has been so far influenced by these objections as to introduce into his Bill a provision prohibiting the practice, unless the committing magistrate should make an order in writing that the clerk shall prosecute.

We have no doubt that most of our correspondents are practitioners in magistrates' courts in very populous districts where the business suffices to insure the presence of many solicitors, and, therefore, that personal experience has shown them all the objections to the practice of which they complain.

But, if their experience had been wider, they would have seen, also, certain advantages which undoubtedly attend it in many places, and, indeed, that in some places it is positively indispensable.

The magistrates' courts that are attended by solicitors in the nature of a Bar are comparatively few. They are found only in large towns, and very populous neighbourhoods. The vast majority of petty sessions are not attended regularly by any professional man, a solicitor being only an occasional visitor when some case of more than usual importance retains his services.

In these courts it happens, either that prosecutions must be conducted by the magistrates' clerk, or neglected altogether, to the certain miscarriage of justice.

Perhaps it will be said that, if prosecutions were to be had, solicitors would attend. Possibly, in a few divisions a certain class of disreputable members of the Profession might be tempted to visit some of the courts in hope to pick up a case which the more respectable magistrates' clerk is forbidden to conduct. But that would not be to the advantage of the prosecutor. All of us know how he would be victimised.

There can be no doubt of the fitness of the magistrate's clerk for the business; the only objection is, that from his position he is enabled practically to secure almost a monopoly of the prosecutions.

The solicitors practising in his court not unnaturally look upon this as an unfair advantage over themselves, and they complain accordingly, as they are justified in doing. Where the business is so great as to secure the attendance of a sufficient number of respectable solicitors to give to prosecutors a fair choice, Mr. Oke's provision is perfectly just and reasonable. But it is wholly inapplicable to the vast majority of magistrates' courts, where the clerk is of necessity the public prosecutor, because there is no other professional man by whom a prosecution would be undertaken for the paltry county allowance.

We would suggest to Mr. Oke to modify his provision thus: Require the committing magistrate, when binding the prosecutor to appear, to ask him if he desires to employ his own solicitor to conduct the prosecution. If he answer in the affirmative, let it be so indorsed on the depositions. But if he answers in the negative, the committing magistrate should appoint by a like indorsement a solicitor to conduct the prosecution, leaving it to the discretion of the magistrate whether to name the clerk or any other solicitor. Such a power would be exercised under the control of public opinion, for, if abused, it would speedily be denounced.

A decision has just been given by the Court of Referees on Private Bills, which, though it has perhaps only sanctioned a practice which has for some time past existed, is yet of considerable importance. In order fully to understand the effect of it, it will be necessary to state the substance of some regulations with which those who treat with railways are tolerably familiar. The 6th section of the Lands Clauses Act enables the promoters of an undertaking requiring land to purchase such land from those to whom it belongs, or by whom it is occupied. By the 92nd section no one is bound to sell a part only of any house, building, or manufactory, if he be willing to sell the whole. In the next section power is given to the owner of a small piece of land which will be separated from the rest of his property by the proposed works to insist that it shall be purchased by the promoters. As the natural effect of these clauses is to burden the new company with land which will not be required for the purposes of its traffic, sect. 127 allows this land to be sold after a period of ten years (or a time prescribed by the special Act) from the completion of the works. Now, as is well known, Standing Order 39 of the House of Commons (which is in exactly the same terms as Standing Order 184 of the House of Lords) requires an estimate of the expense of the undertaking under each Bill of the second class, to be made and signed by the person making the same. This estimate is often attacked by those who present petitions against a railway Bill. They endeavour to show by the evidence of engineers and surveyors that it is quite inadequate for the necessary expenses of the line, and that, therefore, the Bill ought not to become law. On the other hand, the promoters, who are desirous of making their scheme appear as economical as possible, and are very unwilling to increase the amount of the deposits which the Standing Orders compel them to make, insist, that the provision which they have made is in all respects sufficient. The question which the Referees were some days ago called upon to decide was, whether a railway company, in preparing their estimate, may make an allowance in respect of the proceeds of a resale of land which they may be compelled to take, but which is not required for the purposes of their undertaking. The arguments in favour of such an allowance were numerous. It was urged that, as the promoters are directed to sell the surplus land which they have purchased, they ought surely to be allowed to take into account the proceeds of such a sale. If no allowance for these proceeds be made, how is the difference caused by their amount to be disposed of, supposing that the estimate of which they form no part is in all respects sufficient to meet the expenses of the line? Land valuers of long standing stated that it was their practice to include in the estimate the gross value of the premises which the company might be compelled to buy, taking credit for the surplus land. The chief objection raised against this practice was, the uncertainty in which every one must be placed as to the precise value of the land to be resold. But it is answered that it is hardly possible for a valuer to anticipate with anything like exactness the value which any householder may obtain for his property, and the value put upon the property to be bought is as likely to be just as that put upon the property to be resold. The decision of the Referees, permitting the allowance to be made, appears to have given general satisfaction.

The Society for the Protection of Women by the persecution of men has been extending its mischievous meddling into the country, even so far as Cornwall. We have recorded here numerous instances of prosecutions which it has promoted, and from which innocent men have escaped with difficulty. But these were, for the most part, fished up by the society in the metropolis by touters, whose business it is to look out for cases, and, therefore, will be pretty sure to find them somehow. But this horrible trade is not now confined to London, it is extended far into the provinces. At the assizes at Bodmin last week, the Society took up the prosecution of a poor man for an alleged rape upon a young girl. Her story was so absurdly improbable in itself, that no sensible person could give credence to it. But it was sufficient for the Society. Though there was not the remotest chance of a conviction, it prosecuted, and staked its purse against the poverty of its victim. At the trial, the girl, whom the society had thus patronised, told such a monstrous tale, so improbable, nay, impossible, and so contradicted herself, that even the counsel who conducted the prosecution for the Society was ashamed of it, and threw up the case, with the approval of the Judge, the applause of the audience, and with credit to himself, but to the infinite discredit of the Association that thus cruelly wields a joint-stock purse against individual liberty and reputation.

The report of the Select Committee on the Bankruptcy Act of 1861 was issued last Thursday morning. The twenty-seven resolutions which appear there, expressing the opinions of the Committee, accord with the paragraphs of the like number in which the substance of those opinions was given last week by the Law Times exclusively. The proceedings at the sittings of the Committee have not yet been communicated to the House. We are consequently in ignorance of the particular views which the Attorney-General may have manifested on a division upon any of the resolutions. Of the intentions of the Government, therefore, in the impending bankruptcy law reform we have no further information than that which is afforded by the Lord Chancellor's present provisional Bill, and the question raised by him, at the beginning of the session, whether it were worth while to maintain the present costly machinery of the Bankruptcy Court for the purpose of administering about half-a-million, or one ninth only of the insolvent estates in England. As to the existing short Bill, we have already pointed out, on the last occasion, the points in which it agrees with and differs from the resolutions. The principal differences are: First, the Bill does not make any saving of the power which a creditor under judgment, decree, or order, has, by the 1 & 2 Vict. c. 110, of arresting a debtor who may be about to quit the kingdom. Secondly, the Bill does not extend an execution-creditor's power under the Act of enforcing payment to debts below 20*l.*, exclusive of costs. Thirdly, the Bill puts no limit to the period during which the estate of a bankrupt is to be liable who does not pay five shillings (6*s.* 8*d.* in the resolutions) in the pound. The limit proposed in the resolutions is six years. No doubt it seems reasonable that, if imprisonment for debt is to be abolished, there should be a hold on the estate until a certain dividend is paid, but the practical effect of such a restriction is questionable. The bankrupt, being under no necessity to obtain protection to his personal liberty, will not care to petition in cases where his estate would remain liable even for six years. A creditor, again, being under no apprehension that the estate will be swept away at once and for ever by more active creditors, may consider that he will be in a better position if he lies by for the chance of getting hold of some future property of the bankrupt by an execution for his own benefit, instead of petitioning and letting in the other creditors to a rateable share of it. The effect might be that nobody would be made a bankrupt after his estate had run down lower than 5*s.* or 6*s.* in the pound. If so, debtors would tend to become chronic insolvents.

The good policy of the concentration of the Courts has lived down opposition. At least there is no confessed opposition. The fight, such as it is, appears to be about the site. But so long as Parliament fluctuates between Carey-street and the Thames Embankment, or Westminster, the principle of concentration itself is practically inoperative. How the matter stands so far as the Government is concerned, is shown in the evidence given before the select committee on the Site Bill, by Mr. Pennethorne, the architect to Her Majesty's Board of Works and Public Buildings. He had been furnished by the board with the particulars which would be required for the accommodation of the courts and offices, with reference to the Carey-street site, including now a little more than when recommended by the Commissioners' Report of 1860, for it extends as far as Clements'-inn on the west, with Yeates-court and Horse-shoe-court on its northern boundary, and Pickett-street on the southern, comprising about 7¼ acres.

The particulars of the spaces and appropriations required are: the Lord Chancellor's Court, with eight rooms, containing a total of 3336 feet superficial; the Master of the Rolls' Court, with twenty rooms for retiring rooms, chambers and secretary's office, 7596 feet; Vice-Chancellor Kindersley's Court, with twenty-three rooms, 8142 feet; Vice-Chancellor Stuart's Court, with twenty-two rooms, 7101 feet; Vice-Chancellor Wood's, with twenty-four rooms, 8475 feet; the Lords Justices', with five rooms, 2232 feet; the Record, Writ, and Report-office, eleven rooms, 7004 feet; the Accountant-General's-office, twelve rooms, 6892 feet; the Taxing Master's office, thirty-one rooms, 9938 feet; the Examiners' two courts, with seven rooms, 4[illegible] feet; the Petty Bag, three rooms, 1152 feet; the Masters, Visitors and Registrar in Lunacy,

seventeen rooms, 7366 feet; the Solicitors of the Suitors' Fee Fund, four rooms, 1920 feet; the Chancery Registrars, forty-four rooms, 13,968 feet. Of these some are to be upstairs, but there will be nothing over the courts. Then there are the Common Law Courts, the Admiralty Court, which is a very large apartment, the office for the registration of the acknowledgments of deeds by married women, and robing rooms, consultation rooms and other rooms of that kind, the judges' retiring rooms, space for copying clerks, housekeepers, and record repositories. The particulars of the areas of these courts and offices are not stated, but the total, including the Record-office, is 224,561 feet. These estimates do not include staircases, passages, or closets. Of the Probate Court and offices we shall speak presently; but it is seen that neither the Bankruptcy Court and offices, nor the Office of Land Registry, is mentioned as to be provided for. The Bankruptcy Court was struck out of the list, probably from the uncertainty in which the bankruptcy system is at present placed. With the Land Registry-office the case is different; for in the Parliamentary paper, noticed in this journal of March 11, the Government takes credit for the value of the present site of that office, in Lincoln's-inn-fields, towards the concentration fund. The Exchequer Chamber also is left unprovided for. The total of the ground-site required for all the courts in the Government list, including a library and central hall, will be four and a-half acres, or 196,020 feet. Room might be found here, Mr Pennethorne thinks, for the Office of Land Registry.

So far, concentration is proposed, but it is not to be entire even for all the courts and offices in the list. Mr. Pennethorne's plan carries a street fifty-two feet wide across the site from Foregate in Pickett-street to Carey-street, the Equity and Common Law Courts and offices occupying the four and a half acres on the east side of it, and the Probate Court and offices occupying one acre on the west side. The remaining part of the seven and a half acres is proposed to be appropriated to widening Bell-yard, Carey-street and the remainder of the circuit to fifty-two feet, inclusive of foot-pavements. It seems that, according to Mr. Pennethorne, when Pickett-street was formed, in 1813, Pickett-place was built as the commencement of a line of street intended to run across Lincoln's-inn-fields into Red Lion-street, Holborn. The northern thoroughfare then contemplated should, he suggests, be now carried out, with some variation, by this division, which will give the separate acre to the Probate Court. Mr. Pennethorne thinks that it would be an advantage to that court to be under a different roof. If it were to be under the same roof with the other courts, he would have proposed to purchase more property in Clement's-lane and Pickett-street, and to have taken the new transverse street altogether further to the west. Unless the building lose in grandeur by severance, the separating street does not appear to us to present an insurmountable obstacle, as it may easily be passed by a tunnel. It is also to be borne in mind that probably at no great length of time additional accommodation will be required, even if the building occupy the whole area; consequently, that uncompromising concentration may be unadvisable. Concentration itself may sometimes be pushed too far for convenience of access. Should any future extension be required, the additional area must be taken in Clement's-inn, Carey-street being continued through Clare-market. In that case a thoroughfare north and south must make a separation somewhere. Mr. Pennethorne thinks that even at present more land is more likely to be required than less. The plan prepared by him, of which we have been speaking, is to be regarded as his own idea of the best arrangement, rather than as the design which will be adopted by the Government, for the disposition of the ground will not be decided upon until after the commission for that purpose has fully considered the subject.

The access to the new courts from the north and north-west was also a subject of investigation by the committee. The continuation of Carey-street, proposed some years ago by the Commission upon Metropolitan Improvements, has been in a great measure put a stop to. It was intended to be a great central thoroughfare to Cheapside. The western end might be carried in two directions, one, a branch into Newcastle-street, and so into the Strand; the other northwards, towards the end of Queen-street or the upper part of Drury-lane. To Holborn a better access than at present might be had by breaking through Gate-street at the north-west corner of Lincoln's-inn-fields. Turnstile, at the other corner, has often been recommended for an opening, but that plan has always been strongly objected to by the benchers of Lincoln's-inn. Mr. Pennethorne is not at all sure that it would not be much better and more to their satisfaction and advantage that the proposed new street from Pickett-street should be continued in a straight line up to Red Lion-street as originally intended. A glance at the map, however, will show our readers that such a street would cut off a mere strip on the east side of the Fields and spoil the effect of them. It would run by the east side of the new Inns of Court building, and be only about five doors from the Turnstile.

Information on the modes of life and dwelling of the present occupants of the site, which have lately been a subject of discussion in Parliament, was fully given by Mr. Cadogan. He has known the neighbourhood thoroughly for nearly thirty years, for sixteen or seventeen of which he has been valuer and overseer to the parish for the whole of this property; and on the present occasion he has ascertained the facts by personal inquiry at every house. The result is, that of the 343 houses and 4175 occupants, mentioned in the recent parliamentary return on this subject, there are 171 houses and sets of chambers, belonging to tradesmen and professional persons in the Strand, Pickett-street, Serle's-place, Carey-street, Bell-yard and Great Boswell-court, who, with their families, are in number 1093; and there are 172 houses, with 1163 rooms in them, occupied by families ranked as the labouring class, to the number of 3082 persons. But this respected description must not mislead; for while there are 190 artisans, 67 printers, 13 law writers, 7 clerks, 31 hawkers, and 13 laundresses, and some others who live by getting a job when they can, many of the other 280 "labourers" are persons who blacken their faces and go about singing. Mr. Cadogan says he knows that there is an immense number of "niggers" among them. In the earlier years of the present generation Newcastle-court consisted wholly of brothels, until they were indicted; now it is inhabited by these black-faced fellows and others of a lower class. In Hemlock-place there is a house for thirty night-lodgers, and in Clement's-lane two houses for 115, at any of which a person who can pay fourpence has a bed to himself. The question is, how these 3082 persons will be affected by the proposed clearance. First, there is a curious process of calculation, by which they may be, or are attempted to be, at once reduced to 2000, so far as labour at or near the spot is concerned. Both Mr. Cadogan and Mr. Child, the overseer of St. Clement's Danes, assert that at the present season this class is one-half or a third more numerous that at any other, owing to the attraction of the coals, tea, bread, sugar, blankets, and other good things coming in under Christmas charities. The coals are given in sacks of two hundredweight each, the tea in two ounce gifts, sugar in pounds, and four-pound loaves. Many come and take a room for a week, solely for the purpose of getting the coals. When Mr. Child is asked whether this migratory thousand would be exposed to great hardship, he answers "not at all," for he believes they will "vanish from the parish entirely" in the course of a few weeks. But while Mr. Child is intent on the charms of parochial largess, he seems to forget the circumstance that when the spring opens these poor people get work in gardens and fields elsewhere in the country, until, after harvest and the hop season, winter sets in again and drives them for shelter somewhere. The shelter of course is not made the less pleasant by a sack of coals or a twist of tea. Neither do we join with Mr. Cadogan in his feeling that the poorer classes who will be dispossessed would prefer to "live together in herds," in dirt and stink, although better lodging-houses were offered to them. Cleanliness in London is an expensive article, and depends much on arrangements which afford a good and ready water supply, drying air, sunlight, and saving of cleaners' work. So much for the vagabond one-third: as to the other two-thirds of the labourers, Mr. Child considers that not two-thirds of them have any tie to the parish as respectable workers, and that of the respectable workers there are some few who work in the immediate neighbourhood, but very few. On the whole, we are rather tickled with the idea of relying on the evidence of overseers, that it would do no harm to the poor of the parish to cause one-third of a large district to "vanish" out of it, and to give all a chance of going through being unhoused. If evidence on this point was to be taken at all, it should have come from the poor themselves, by some suitable and independent channel contrived by the committee. We do not, however, think that in a place like London, where there is plenty of capital and enterprise available for the purpose of providing house-room, and where inhabitants lodged are reckoned by millions, any inquiry at all was practically necessary respecting 3000 persons, provided that they had a few months allowed to look about them. They are not more than one-thousandth of the whole population. The wave is constantly spreading towards the thirty miles suburb, and thus place is made in the interior for those who cannot live at a distance from their work.

Dr. Johnson, senior physician of King's College Hospital, and formerly dispensary physician in the district, gave some touching and grave evidence on its unhealthiness. In Lower Serle's-place and Ship-yard there is a great deal of fever. Clement's-lane is one of the worst lanes in London in a sanitary point of view. There were, when he used to visit patients there, certain houses from which fever was rarely absent. It was that form of typhoid fever which depends on local causes. There was a continual succession; as fresh tenants came in they sickened with the fever; so that it would be a merciful act to pull down those houses. The bad sanitary condition acts on the moral character. It is an inducement to the people to take drams; because they feel depressed by the impure air, they must resort to strong stimulants. The depression becomes aggravated and the mischief increases. Many of the houses would come under the Nuisance Removal Act as places of fever and disease instead of being places of healthy abode.

Some light was thrown upon the case of the 67 printers by Mr. Hammond, the surveyor and estate agent, of Chancery-lane. He had inquired of the principal printers on the site, Mr. Stevens and Messrs. Bowonth, and found that no persons in Messrs. Bowonth's employment resided in the immediate neighbourhood. Many of their men went by the workmen's trains. Mr. Stevens' foreman told Mr. Hammond that it was an advantage for their men to live away from the printing establishment. It is also stated by him that in the lodging-house of the Society for the Improvement of the Labouring Classes, in Tyndal's-buildings, Gray's-inn-lane, the average of empty rooms is 10½ per cent.; in Charles-street, Drury-lane, 9 per cent.; in Portpool-lane, 6 per cent. But he thinks that generally the supply of habitations for the working classes in the central parts of London is insufficient. There are, however, many back streets round Drury-lane and other localities where two-storey houses might be made higher; in Clare-market property might be purchased for lodging-houses; and if capital were provided at a low rate of interest—as 3½ per cent.—there would be plenty of contractors, railway companies, and various others who would be glad to provide accommodation. Mr. Hammond was told lately by a surveyor of one of the large railway companies that the company was going to build 500 houses for the benefit of the poor. He considers that the persons who would be dispossessed would be able, at a certain interval of time, to find as good residences elsewhere as they have at present. They would have eighteen months or two years, which is about the time that will be required to purchase the site; taking the average of 172 houses, to remove them would be about at the rate of two weekly; consequently they would disperse easily, and, by management, would not be particularly inconvenienced.

The battle of the Debenture Bills still rages in the newspapers. The *Times* has returned to the charge, the *Standard* meets it with two columns of "leaded" defence, and the *Globe* interposes a judicious leader. "The fee-simple of the land of England will be set afloat in paper securities." "No," answers the defender of Lord Naas's Bill, "a company's mortgage debenture and a private

mortgage will be as like as two peas; but Mr. Ayrton's and Mr. Scully's Bills do attempt to change the land to currency." "Not at all," says the third paper, "they merely remedy some inconveniences of feudal conveyancing." We shall not attempt to mix up our readers in this strife, especially after our remarks of March 4. If we state plainly the drift of the several Bills, as they have come amended from the select committee, an independent judgment may be formed of their probable operation in case they become law. We will begin with those which are of a conveyancing rather than a commercial character.

The Land Debentures Bill (Mr. Ayrton) is to be read with and deemed part of the Land Transfer Act. The land and estate in a land certificate may be charged by the registered owner with a sum payable at a certain time and place, and carrying interest at a certain rate. The charge, which is to be according to a form in the schedule, and is not made in favour of any person in the first instance, may be made subject to any powers, conditions and provisions. The declaration is to be registered and left with the land certificate at the Registry-office; but no property is to be thus charged with an amount exceeding two-thirds of the valuation. Previously to the registration, the title-deeds are to be deposited at the office, together with a valuation on oath. The declaration is to be noted in the record of title; but, either before or after registration, is to have no other operation than is expressed in the Bill. It should be here noticed that the ordinary place for entering charges is the book called the register of incumbrances; but there is this difficulty, that by the Land Transfer Act, indefeasible title is confined to persons entered in the record of title, hence the whole machinery of this Bill seems to have been adapted to the record of title. When the declaration has been registered, the registered owner, or the registered owner for the time being of the property charged, is to have power to issue debentures according to a form in the schedule, which is to the effect that, in consideration of a sum paid to him, the registered owner acknowledges that the person is entitled to a corresponding sum, as part of the charge in the declaration, and carrying interest, and payable accordingly, and the owner enters into a short covenant for payment. Before registering a debenture, the registrar is to satisfy himself that the amount of it, together with that of the debentures already registered, does not exceed the amount of the charge. The registration of a debenture is to relate back to the date of the registration of the declaration. The effect of this will be to give registered debentures priority over any interest created by the landowner subsequent to the declaration; that is, practically, any one dealing with him subsequently to the declaration will deal as if the charge had been created from the first in favour of some particular person. The declaration thus operates as a kind of suspended mortgage, of which the landowner, or the landowner for the time being, may take advantage at any period. This need create no embarrassment in any such subsequent dealing by the landowner with any person, while the debentures or the whole of them may be not yet issued, for the person can put on a caveat, or can cause the debentures to be issued to himself or to a trustee. The power arising on the declaration to issue the debentures would be, in effect, a new mode of land ownership. The Bill provides, however, as to mesne incumbrances *in invitum*, that if after the registration of the declaration a judgment, decree, or order be registered against the property, no further debenture shall be registered until the property is discharged from the judgment or other matter, or the creditor or other person entitled to it consents. The debentures are all to be paid *pari passu*. Interest coupons may be annexed to a debenture. The debenture is to be deemed a mortgage within Locke King's Act. It is to be deemed an interest in land for the purposes of entry in the record of title. A registered debenture owner may transfer according to a form in the schedule, so as to pass his rights of action and suit. A debenture or transfer is not before registration to have any operation in respect of the property charged. Trusts in debentures are not to affect the landowner, and are excluded from the register, with a saving of the right of caveat. When a debenture is paid off, the declaration is *pro tanto* satisfied. On default of the debenture owner to receive payment, or on reasonable ground, the debenture money with interest may, by leave of the court, be paid in under the Trustee Relief Act, in discharge of the land. A debenture is to be of the nature of real security for investment of trust-money. The declaration is to be stamped as a mortgage, and the transfer as a transfer of mortgage. It may be remarked that transfer by a written instrument, with a deed stamp, does not look much like "currency." On default in payment of interest or principal, a debenture owner may, after notice to the landowner, obtain the appointment in Chancery of a liquidator, with powers and duties to manage, let and sell the property, and pay the debenture owners. The debenture owner is not to have any other remedy against the property, except to enforce his covenant.

Mr. Scully's Bill for Ireland is similar in principle to Mr. Ayrton's. The owner may, by application to the Land Court, have his land declared chargeable with debentures, and obtain a certificate to that effect, which is to describe the land and specify the amount of the debentures. After the entry of the certificate at the registry of deeds, the debentures may be issued under the court's sanction. They are redeemable at not less than six months, nor more than ten years. Powers of transfer of debentures are given and liberty to annex coupons. Subject to incumbrances specified in the certificate, and to Crown rents, tithe rents and statutory charges, the debentures are to be first incumbrances, but without priority between one another. They are to be personal estate; and to be mortgages within Locke King's Act. Powers are given for payment into court; and trusts in debentures are excluded as regards the landowner. If interest or principal is unpaid, application may be made to the court for a sale. Provision is made as to stamps.

The Mortgage Debentures Bill (Lord Naas) is to apply to incorporated companies entitled to advance money on real security, or to borrow on mortgage debentures or real security, which have a subscribed capital of not less than 100,000*l.*, with at least one-tenth paid up on shares *bonâ fide* taken. The company, desiring to issue mortgage debentures on its securities is to produce them at the Land Registry-office, where they are to be registered in a book to be kept for that purpose. According to a certificate under the hands of a director and the secretary of the company, the particulars of each security are to be entered, the securities being confined to property in England or Wales. A declaration of a surveyor is to be deposited, verifying the certificate and declaring that the value of the property in the securities, according to the borrower's estate and interest in it, exceeds the amount advanced by the company to the extent of one-third at least of the value; and the title-deeds are to be deposited. The company may then issue the debentures, but the aggregate of them is never to exceed the aggregate amount thus ascertained of the securities, nor to exceed ten times the amount of the uncalled share capital. Before registering the mortgage debentures the company is to file, under the hand of a director, a return as to the capital, shares, assets, shareholders and office of the company. When debentures are paid off the company may issue new ones. The registered securities are charged with the debentures, and are not to be dealt with until discharge from registration; but the company may give the mortgagors a valid discharge for interest. The debenture owners are to be entitled without preference. The registrar may discharge a security on its being made to appear to him that the remaining securities are adequate to the debentures; otherwise a discharge may be obtained by a payment into court. Any person may inspect the register. The company is to make quarterly returns, verified by the statutory declaration of two directors and the secretary, of the aggregate of its registered securities and other investments, the total number and aggregate nominal amount of shares of registered holders, and amounts paid up and unpaid, with the numbers, dates and sums of the mortgage debentures, and the aggregate rates of interest and times of repayment. The debentures are to be in a form in the schedule; and there is to be an indorsement on each of the above-mentioned particulars; as to the capital and securities, the company is to cause its debentures to be registered at the Registry-office. No notice of a trust is to be receivable by the company or the registrar. Provision is made for transfer and for stamps. The company is not to be precluded by the charge from using its assets other than the registered securities. Trustees authorised to invest on real security may, by leave of the court, invest in mortgage debentures. A debenture owner may enforce payment by procuring the appointment of a receiver. The issue of debentures contrary to the Act is to be subject to 500*l.* penalty. A company is not to exceed its borrowing powers.

Whipping shops in some towns of the North American States are unhappily too well known as an institution. An employment of the English police-station yard as a whipping-ground for juvenile offenders seems likely to take place. On the 26th Dec. two boys, aged fifteen years, were charged at Barnet Police-station with stealing a purse containing 18*s.* 3*d.* The magistrates in petty sessions sentenced them to one day's imprisonment, that they might be whipped under the Juvenile Offenders' Act, 10 & 11 Vict. c. 82, and ordered the police inspector to inflict the punishment in the station-yard. The inspector refused, alleging that it would be contrary to his instructions. Thereupon the magistrates' clerk wrote to Sir Richard Mayne, stating that the magistrates were unwilling to send the boys to prison, as their parents were respectable, and therefore wished to put in force the section of the Act under which they can order "a constable" to inflict a whipping without sending the offender to prison; and that in consequence of the inspector's refusal they had been obliged to send the boys ten miles to St. Albans Gaol. The letter then complained of the police regulation, inasmuch as the constables had been superseded by the police. Sir Richard answered that in a case at Epsom, in 1850, Sir George Grey was of opinion that the police constables were not exempt from the performance of the duty, if expressly appointed to whip an offender, though he agreed it might be desirable to make arrangements by which the necessity of throwing it on the police might be obviated; that Sir Richard on that occasion urged on the Epsom magistrates the repugnance of the police to inflict the punishment, and their discontent if they were required to do so, and hoped that they would arrange for its being inflicted by a local constable. The Richmond magistrates had, he said, admitted the like remonstrance; and he now trusted the Barnet magistrates would consider his reasons against the employment of the police sufficient. In reply, those magistrates did not consider his reasons sufficient, as, in consequence of 10 Geo. 4, c. 44, s. 4, there was no other person in the division by whom the punishment could be inflicted, unless the offenders were committed to prison. To this Sir Richard rejoined that precautions must be taken by the magistrates to guard against any abuse of the power proposed to be given; that for this purpose some person should attend on the part of the magistrates, with a competent medical man; but that the police-station could not be allowed to be used, as there were women and children there who ought not to be shocked by such scenes. It appears from the inspector's report that the station-yard at Barnet is under the windows of the station, where his wife and children reside; also a married constable and his family and six single men. The expense of taking the prisoners to St. Albans was 8*s.* 6*d.*

The best friends of the Barnet Bench would admit that under the circumstances the justices' foresight was not equal to their good intentions in giving the order in question. The law was on their side. Yet we should be unwilling to see those helmeted and belted men who march about our thoroughfares in close single file changed into lictors. The rural constable was a patriarchal officer. He had grown up among the parish, and was one of them. The law invested him with its terrors for the occasion only, as it did the juryman; at ordinary times it left him behind the counter or amidst the fruits of the field. He was a parochial father to the boys, even when he scared them most. No one ever saw him marching with a casque, or girt like a man at arms. If he reminded young men sometimes that they were likely to be fathers before they were husbands, the admonition had a domestic sound; and when he put a lout in the stocks it was only like setting a naughty boy in the corner. One never thought of the fasces when one looked at the burly parish constable. One does think of them when a drilled militant, in a Roman head-piece, is talked of as the man to brandish the rod.

INVESTMENT JOURNAL.

Such is the abundance of money and the difficulty of finding safe investments, that it is confidently expected that the Bank will reduce its rate of interest to 4 per cent. almost immediately, and some anticipate a yet further fall. Dulness still pervades all departments of the Stock Exchange, and shares in companies are crowding the market from holders who bought to sell, and not with the remotest intention to pay calls. As a consequence of this state of things, the Land-market is looking up again, and we hear that the solicitors and auctioneers are busily preparing several important sales for the ensuing season.

The following are the fluctuations:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	...	Shut	...	...	...	...
3 per Cent. Red. Ann.	87¼	87¼	87¼	87¼	87¼	87¼
3 per Cent. Cons. Ann.	89¼	89¼	89¼	89¼	89¼	89¼
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	72¼	...	...	...	...
New 3 per Cent. Ann.	87¼	87¼	87¼	87¼	87¼	87¼
New 2½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	212¼	...	...	...	...	...
Consols for Acc.	89¼	89¼	89¼	...	89¼	89¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	211	...	...	211	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	98¼	...	...
India 5 per Cents. 1870	104¼	105¼	105	105¼	105	...
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	15s.	...	11s.	...	...	...
India Debentures, 1858	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	89¼	...
Do. do. 5 per c. Jan. 1872	...	104¼	...	...	...	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000l.	a	...	d	b	d	f
Do. 500l.	b	...	b	b	...	g
Do. 100l. & 200l. 3 per c.	b	...	e	b	...	g
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India certificates	...	...	...	...	104¼	...

a 4 per cent. 6s. 3s. prem.
b 4 per cent. 3s. 6s. prem.
c Prem.
d 4 per cent. 5s. prem.
e 4 per cent. 6s. prem.
f 4 per cent. 3s. prem.
g par 3s. prem.
h Ex div.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

PRIVATE BILLS COSTS BILL.

Lord HOUGHTON moved the second reading of this Bill the object of which, he stated, was to enable committees of the House of Commons to award costs in cases where private Bills had been either promoted or opposed on vexatious or illusory grounds. He thought it desirable that the committees of their Lordships' House should have a similar power.——Lord REDESDALE quite approved the measure, and was glad that it had passed the House of Commons. At the same time he thought that its provisions would require some modification.——After a few words from the LORD CHANCELLOR, the Bill was read a second time.

HOUSE OF COMMONS.

AFFIRMATIONS (SCOTLAND) BILL.

The Lords' amendments in this Bill were considered and agreed to.

MARRIED WOMEN'S PROPERTY (IRELAND) BILL.

This Bill, as amended, was considered.

LAW BILLS IN PARLIAMENT.

QUALIFICATION FOR CHEMISTS AND DRUGGISTS.

A Bill to prescribe a necessary qualification for retail chemists and druggists has been prepared by Sir Fitzroy Kelly, Mr. Kinglake, and Sir Stafford Northcote, and is at present before Parliament. The provisions may be summarised as follows:—That after the 1st Jan. 1866, any person following the business of a chemist and druggist, unless duly qualified under the Pharmacy Act, must be registered under the present Bill. Those in actual business before the date named can be registered by making a prescribed declaration, and so can assistants who have attained the age of twenty-one years. Assistants and associates under the provisions of the present Pharmacy Act would be entitled to registration under the new statute; and any person who, before the date named, shall undergo an examination by the examiners under the Pharmacy Act and obtain a certificate of competency, shall be entitled to registration as a chemist and druggist. The council of the Pharmaceutical Society of Great Britain would make the necessary orders and regulations for the registration prescribed. The register would be printed and published annually, and be evidence. A penalty is prescribed for falsely using the title or description to be conferred by the Act, or for carrying on the business without having strictly complied with the provisions of the new statute.

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

SOLICITOR AND CLIENT.—B., who acted as solicitor to the executors, and some of the legatees, under a will, took assignments, absolute in terms, from the legatees, of their reversionary interests under the will, for a consideration less than the actual value. He died insolvent, and in the administration of the estate a question was raised as to the rate of interest to which the estate was entitled in respect of these advances to the legatees, it being admitted that, under the circumstances, the assignments could not be treated as absolute, but only as security for money advanced. The Court allowed interest at the rate of 5 per cent.: (*Re Unsworth*, 12 L. T. Rep. N. S. 49. V.C. K.)

TRUSTEE RELIEF ACT—COSTS.—The Act does not deprive a trustee of his right to the costs of a bill filed by him for the purpose of being discharged from being a trustee: (*Barker* v. *Peile*, 12 L. T. Rep. N. S. 50. V.C. K.)

PROBATE COURT PRACTICE.—Where a suit has been commenced with a caveat, and the deft. has filed no plea to the declaration propounding the will, a citation may issue against the heir-at-law under sect. 61 of the Probate Act: (*Domvile* v. *Domvile*, 12 L. T. Rep. N. S. 51.)

EQUITY PRACTICE.—Where a suit had abated by reason of the death of a co-defendant, and the plaintiff had thereupon amended his bill by making the representative of the deceased defendant a party to the suit, the Court, on motion by the remaining defendant, ordered the amended bill to be taken off the file for irregularity, the proper course being an order of revivor: (*Webb* v. *Wardell*, 12 L. T. Rep. N. S. 71. V.C. K.)

Where an administration decree was made before, and the master's report of the debts was made after, the General Order of 26th Aug. 1841, the creditors who had come in and proved their debts under the decree before the orders came into operation, and whose debts did not in their nature carry interest, were held not to be entitled to interest under that order: (*Greagan* v. *Cochrane*, 12 L. T. Rep. N. S. 72. V.C. K.)

JURISDICTION—FOREIGNERS.—The persons entitled to a fund were persons residing out of the jurisdiction. The fund was in the hands of stakeholders in England for the purpose of distribution here. On a bill by some of the parties interested to restrain them from parting with it, a plea to the jurisdiction was overruled: (*Central Railroad of Georgia* v. *Mitchell*, 12 L. T. Rep. N. S. 73. V.C. W.)

PRODUCTION OF DOCUMENTS.—In a suit relating to a title, a solicitor versed in the translation of ancient documents was employed by defendant's solicitor to search for and make extracts from ancient records, in order to support defendant's case, and to report on the result of the search. The report was held to be protected: (*Chartau* v. *Freuen*, 12 L. T. Rep. N. S. 105. V.C. K.)

HEIRS AT LAW AND NEXT OF KIN.

AVARY (John), Tooting, Surrey, gentleman. April 15, M. R. Ewbank and Partington, Gray's inn, London.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

LITTLEHAMPTON, HAVRE AND HONFLEUR STEAM-SHIP COMPANY (LIMITED).—Creditors to send in by 25th April their names and addresses and the particulars of their claims and the names and addresses of their solicitors (if any), to L. H. Evans, 13, King-street, Cheapside, London.

PONTNEWYNYDD IRON WORKS COMPANY (LIMITED).—Petition for winding-up to be heard before M. R. on the first petition day in Easter Term next. Solicitors, Thomas and Hollams, Mincing-lane, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BRANCKER (P. W.), Wavertree, near Liverpool, Esq., April 25, M. R. Walker and Son, 13, Swithin's-lane, London.

CROSS (James, the younger) Wardale, near Rochdale, woollen manufacturer, April 24, M. R. C. and H. Bell, 36, Bedford-row, London.

ELLIS (Jane), Neath, widow, April 29, M. R. W. M. Hacon, 31, Fenchurch-street, London.

FAYER (Caroline), Clapham-road-place, Surrey, widow, April 22, M. R. Smith, Stenning and Croft, 38, Basinghall-street, for G. F. Taylor, Compton-road, Canonbury.

GILLETT (George), Middlestone, St. Nicholas, Wilts, gentleman, April 15, V.C. K. Underwood and Coleman, 13, Holles-street, Cavendish-square, London.

HALTON (Wm. Thos.), 4, Lower-terrace, Lower-road, Islington, Middlesex, undertaker, May 1, V.C. K. T. Berkeley, 12, Gray's-inn-square, London.

HAYWARD (Thos.), 2, High-town, Hereford, draper, April 28, M. R. Reed and Phelps, 3, Gresham-street, London.

HEWLETT (F. R.), Leyton, Essex, farmer, April 28, M. R. Mercer and Mercer, 9, Mincing-lane, London.

LEACH (George), 44, Gay-street, Bath, Esq., April 21, M. R. Nokes, Carlisle and Francis, 8, Finch-lane, Cornhill, London.

MAGNUS (L. S.), 3, Adelaide-place, London-bridge, London, and Chatham, Kent, merchant, April 24, M. R. Eyre and Lawson, 1, John-street, Bedford-row, London.

MARKWELL (James), formerly of 40, Albemarle-street, Piccadilly, Middlesex, wine merchant, late of Beulah-hill, Norwood, Surrey, Esq., April 10, M. R. J. D. Finney, 6, Furnival's inn.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ACKROYD (Sophia), 32, St. John's-wood-road, Middlesex, widow, Aug. 1. Bower, Son and Cotton, 46, Chancery-lane, London.

BENETT (W. A.), Fareham, Southampton, spinster, April 30. Paddon and Coxvis, Fareham, Hants.

FOX (Edward), 16, Upper Hilmarton-villas, Camden-road, Holloway, Middlesex, Esq., May 1. J. Greenwood, 7, Chandos-street, Cavendish-square, London.

EARL (Harry), East Sheen, near Mortlake, Surrey, and No. 12, Old Fish-street, London, surgical instrument-maker, May 6. Stephens and Matthews, 20, Essex-street, Strand, London.

EATON (Elizabeth), Croydon, Surrey, widow, May 27. Drummonds, Robinson and Till, Croydon.

HILL (Thos.), Newcastle-under-Lyme, Staffordshire, builder and cabinet-maker, May 15. Knight and Udall, Newcastle, Staffordshire.

HODGES (Wm.), Washington, Sussex, gentleman, April 29. Tribe and Green, 12, Chapel-road, Worthing.

LYLE (James), 17, Old Bond-street, Middlesex, grocer, May 1. Heather and Son, 17, Paternoster-row, London.

McCLELLAND (John), Whetstone, Middlesex, gentleman, April 22. W. Hammond, 8, Furnival's-inn, London.

MOORE (A. H.), 1, Albert-terrace, Dulwich-road, Surrey, merchant, April 15. H. W. Smith, 17, Serjeants'-inn, Fleet-street, London.

MUSKETT (James), Kenningham-hall, Mulbarton, Norfolk, Esq., April 15. J. M. Yetts, Temple-chamber, Fleet-street, London.

MYERS (Richd.), 14, Marshall-street, London-road, Southwark, Surrey, gentleman, May 13. F. W. Cooper, 5, Blandford-place, Regent's-park, Middlesex.

PARNHAM (John), Hampton Wick, Middlesex, gentleman, April 15. J. M. Yetts, Temple-chambers, Fleet-street, London.

PORTER (Rev. Wm. James), vicar of Humbleton, Worcestershire, June 1. W. Humfrys, Hereford.

PULLEN (C. H.), Upper Homerton, Hackney, Middlesex, 28, Great Winchester-street, London, and Latchingdon, Essex, gentleman, June 1. W. Flower, 28, Bedford-row, London.

RAVES (Saml.) Bull-ring, Worcester, plumber and glazier, April 20. T. A. Wilson, Worcester.

RICKARDS (Susannah), Charles-mews, Conduit-street, Paddington, livery-stable keeper, May 1. E. Lewis, 22, Great Marlborough-street, Westminster.

ROBINSON (Wm.), Moulton Eaugate, Lincolnshire, farmer, May 31. Harvey and Cartwright, Spalding.

SAWLE (Sir J. S. G.), Bart., Penrice, St. Austel, Cornwall, and Ashfield, Awliscombe, Devon, June 1. H. S. Stokes, Bodmin.

SITWELL (Frank), Barmoor Castle and Yeavering, Northumberland, Esq., May 1. Nicholson and Herbert, 24, Spring-gardens, Westminster.

SITWELL (W. H.), Barmoor Castle and Yeavering, Northumberland, Esq., May 1. Nicholson and Herbert, 24, Spring-gardens, Westminster.

THOMPSON (Sarah), 104, Balmes-road, De Beauvoir-town, Middlesex, widow, May 1. C. Etherington, 7, Dane's-inn, Strand, London.

TURNER (Sarah), Brunswick-square, Gloucester, widow, May 1. Jones and Starling, 11, Gray's-inn-square.

WEBB (W. S.), 23, Clarendon-gardens, Maida-hill, Middlesex, and the Oriental Club house, Hanover-square. Prall and Nickinson, 5, Chancery-lane, London.

WESTWOOD (J. J. C.), Rio de Janeiro, Esq., Her B. M.'s consul, May 1. Jennings and Son, 18, Bennett's-hill, Doctors-commons.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

CORRIE (Josiah), Birmingham, attorney-at-law, 29l. 10s 1d. New Three per Cents. Claimant, S. Carter the younger, executor.

DELLATORRE (Joseph), 70, Lamb's Conduit-street, merchant, NOSOTTI (Angelo), of Cuggiono, near Milan, gentleman, and NOSOTTI (Charles Francis), 398, Oxford-street, carver and gilder, 45l. 8s. 3d. Three per Cent. Consols. Claimants, Joseph Dellatorre and Charles Francis Nosotti.

MARTIN (Anthony), Evesham, Worcestershire, surgeon, 21l. 6s. 5d. Three per Cent. Consols. Claimant, said A. Martin.

THOMPSON (Charlotte), Nafferton, Yorkshire, spinster, 131l. 1s. 8d. Three per Cent. Consols. Claimant, said C. Thompson.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

NORFOLK CIRCUIT.

Bury St. Edmund's, March 23.—The calendar contains the names of eighteen prisoners, and the offences charged against them are as follows: 5 cases of arson, 1 of burglary, 1 of endeavouring to conceal a birth, 3 of larceny, 2 of unlawful wounding, 1 of night poaching, 2 of rape, 2 of committing an unnatural offence. The cause-list contains an entry of four causes, one of which is marked to be tried by a special jury.

NORTH WALES CIRCUIT.

Beaumaris, March 21.—There were thirteen prisoners for trial, but they were not charged, with one exception, with offences of a serious character. There was only one civil cause.

NORTHERN CIRCUIT.

Liverpool, March 21.—The calendar is, on the whole, a light one for Liverpool, numbering 77 prisoners in all, and comprises 1 case of murder only

(on the high seas), 6 of manslaughter, 3 of rape, and 1 each of arson, concealment of birth, and breach of the Bankruptcy Act. Both judges have been engaged in trying prisoners to-day, and causes will be commenced before Mr. Justice Shee at an early hour to-morrow. If the calendar is within bounds, however, the cause-list is excessively heavy, containing 111 entries, of which upwards of 60 are special juries. It must be almost matter of regret with the bar, and also probably with the judges, that this heavy list has not to be disposed of at Manchester, in the place of the lighter one there, rather than at Liverpool, for it is impossible not to feel the great benefit throughout a long assize of the beautiful and well-ventilated courts at Manchester, and the complete accommodation for their comfort in all respects, provided for the Bar by that city, or to relinquish them without regret for the building at Liverpool, which, though fine in many respects, is, unfortunately, far inferior to that at Manchester in its practical adaptation to the requirements of the assizes and of the circuit.

Oxford Circuit.

Hereford, March 25.—The calendar contains the names of twenty-three prisoners, whose offences, however, are of an ordinary character. There are eight common jury causes entered for trial, but none marked for special jury.

SURREY ASSIZES.

As regards the civil business, it does not seem so likely to be heavy as was anticipated, or as is usual at these assizes. The entry of causes has been going on provisionally all last week under a special order referred to below, but not more than forty cases had been entered up to five o'clock on Monday, and some had been withdrawn, so that the cause-list as sent to press that afternoon only contained the names of thirty-six causes, of which not above six or eight were special jury causes, and the list looks a little "rotten." In fact, there has been a marked indisposition to try heavy cases at these assizes, and scarcely a single heavy case has been tried out. At Lewes a leading counsel had fifteen retainers, of which only two resulted in the delivery of briefs, and only fifteen causes altogether were entered for trial, which were disposed of in two days. The like seems to be the case here. No great cause is heard of. The Roupell case will not be tried at these assizes; that is, the action relating to the large estate in this part of the county. One action, it will be remembered, was tried at Guildford three years ago, and another at Chelmsford, but the action for the Kingston estates has not yet been tried, nor will it be tried on this occasion. The principal feature of a Surrey assize, especially a spring assize, is always the civil business, which is generally very heavy, most of the cases, of course, being really London cases, entered here to be tried earlier than they otherwise could be. With regard to the civil business the important notice, given in this paper on March 18, was issued by the learned judges, and has been acted upon in the entry of causes all through the week, the object being to diminish as much as possible the expense caused by the parties and their witnesses staying in the town while waiting for their cases to come on, and the object being attained by having a list for trial each day. It may be premised that, as a general rule, causes can only be entered after the commission is opened and up to the sitting of the court; and, on the other hand, that causes once entered are all supposed to be for trial (such of them at least as are untried) each day, the effect of which was that from and after the first day all the parties and their witnesses were liable to be kept waiting for many days at an enormous expense. It was stated by the Common Law Commissioners that the great expense of trying causes is that of the maintenance of witnesses, and it occurred to Mr. Baron Bramwell, who was one of the Common Law Commissioners, to attempt to obviate or mitigate the mischief by having a list of cases for each day. Hence the notice above referred to, which has already been issued and acted upon in previous assizes, though it is now a little altered. There is one important point overlooked here, however—viz., that the causes left untried on one day come on next day before those previously appointed for that day which was not sufficiently attended to last time. This notice was issued, it will be observed, last week. The number of causes already entered under it, up to Saturday, was considerable.

THE LAST JUDGMENT.

Said Gray of the Cape unto Bishop Colenso:
"No longer near me shall you quibble and fence so;
Your infidel talk may set England agape,
But no more shall you find any port at the Cape;
I am master—so take your face hence, oh!"

To Gray of the Cape said the Bishop Colenso:
"Your episcopal power 's a sham and pretence, oh.
In Bethell our Sovereign her conscience reposes;
He cares not a button for you or for Moses:
He'll teach you some sound common sense, oh!"

But Chancellor Bethell snubbed Gray and Colenso;
He laid down episcopal law *in extenso;*
He showed that the Queen lets no Protestant Pope
Hold sway even over the Cape of Good Hope;
And left them to share the expense, oh!

Resignation of the Recorder of Pontefract.—Mr. Pickering, Q.C. has resigned the recordership of the borough of Pontefract. The learned gentleman first sat as recorder on the 5th April 1853. We have not as yet heard who is to be his successor.—*Leeds Mercury.*

The Edmunds Affair.—We now learn more of that part of the story with which the name of Lord Brougham is mixed up. The case has no connection, so far as we can see, with the offences of Mr. Edmunds, except so far as the sort of plunder to which he alleges himself to have been subjected may account for his readiness to lay hands in his turn on public property. The story, to which we are able to add some circumstances, is briefly as follows: In 1827 some land belonging to Lord Brougham was mortgaged to the sisters of Mr. Edmunds for 5000*l.* in order to pay off a previous mortgage executed by Lord Brougham in 1811. The money is said not to have been for the benefit of Lord Brougham, but for his brother James. In 1833 Lord Brougham appointed Mr. Edmunds to be clerk of patents, with a salary of 400*l.* a-year. From that time forth till 1864 Mr. Edmunds paid out of that salary 200*l.* a-year to his sisters as interest due on the mortgage of 5000*l.*, and 100*l.* to Mr. William Brougham, who had taken the place in the transaction of his deceased brother James. Mr. William Brougham also owed Edmunds 1200*l.* formerly lent to him, part of which was made up of the payment of the interest on the mortgage from 1830 to 1834. In 1864, after Mr. Edmunds had continued to pay this money for thirty years—relying, we presume, on the fact that no payment of interest could be traced except to Mr. Edmunds himself, and that therefore the mortgage had become extinguished by lapse of time—all knowledge of the mortgage was denied. Mr. Edmunds, on the other hand, claimed back between 9000*l.* and 10,000*l.*, which he asserted was paid on behalf of the children of John Brougham, and which had never found its way to their hands. Lord Cranworth awarded the 5000*l.* secured on the mortgage to Mr. Edmunds's sisters, and the 1200*l.* to Mr. Edmunds himself, but refused to give him back the 9000*l.*, which he claimed on the ground that the trust had not been fulfilled. Comment on these facts is almost superfluous. There seems every reason to believe that by some one the office was sold to Mr. Edmunds for the annual payments which he made, but it is only just to say that the transaction is not brought home to Lord Brougham. The public will wait with much anxiety the result of these unpleasant disclosures, which probably form only a part of what we have yet to learn, and will, we doubt not, withhold a final opinion until it sees the facts found after the careful sifting of an impartial committee.—*Times.*

The Judge and the Counsel.—On Wednesday week, at the close of the opening speech for the defence in the last cause tried in the Civil court, Manchester, Mr. Attorney-General James, Q.C., called attention to the time (ten minutes to six o'clock), and asked if the judge proposed to go further. His Lordship (Mr. Justice Mellor) said he intended to finish the case that night.—Mr. James said he should be obliged to retire, for he had been at work since daylight and had not done yet, and (turning round) he found his junior had left him in the lurch.—The Judge: I am always willing to meet the convenience of counsel, and no one wants rest more than I do; but I must go on, as there are several special jury causes left, besides the common jury causes.—Mr. James said his Lordship was always very kind, but he could go on no further, and really must retire.—Mr. James then left the court, and as his junior (Mr. T. Jones) had previously gone out, there was no one left to watch the case for the plaintiffs but their solicitor. Indeed, the only counsel in court were the learned counsel for the defence, Mr. Holker and Mr. R. G. Williams. When the first witness had been examined (Mr. Jones being still absent) the Judge, addressing the jury, said: If you think, notwithstanding the absence of the learned counsel who has so contemptuously gone away, we can dispose of the cause satisfactorily, I will go on with it; but if you prefer to adjourn I shall be happy to consult your convenience. But I protest against any judge of any court being dealt with in such a manner, and being at the beck of any counsel to order him when he shall rise and when he shall sit.—The foreman of the jury: We are at your Lordship's service, and shall gladly stop as long as your Lordship wishes.—The Judge: If you prefer, I will adjourn.—The foreman: No, my Lord, we are agreed to stop.—Some questions were put in cross-examination to one of the witnesses, by Mr. Barling, the solicitor for the plaintiffs.—One of the plaintiffs, who was sitting at the table, said: May I ask a question, my Lord?—The Judge: No, I can only allow one to do so.—The plaintiff: We are under a great disadvantage, my Lord.—The Judge: I can't help it; you must make your complaint to those who have occasioned your disadvantage. It is the first time in my experience, which embraces a very considerable number of years, that at only ten minutes to six o'clock on the last day but one of the assizes I have seen a judge so treated. There was an immediate outburst of applause throughout the court, and it was suppressed by the officials.—The Foreman: You have our sympathies, my Lord.—Mr. T. Jones returned into court at twenty minutes to seven o'clock. Addressing the judge he said: I hope your Lordship will be kind enough to adjourn the court.—The Judge: No, I have refused already, and the result was—because I said I would go on and see what was to be done—the learned gentleman who asked me immediately turned his back and left the court. I don't consider I'm treated with proper respect when I am endeavouring to make the best use of the time. In my experience I never knew it before. I think it right to sit late and hear a particular case; the jury do not complain, but are willing to sit; and I don't understand why counsel are to take it on themselves to order me to rise at any particular time. Mr. Jones said he had occasion to leave the court. He left Mr. James conducting the case. He did not know Mr. James was going away, and he had now returned to court in accordance with the intention he entertained when he went out. He found it impossible to conduct the case.—The Judge: I am sorry for that; the Attorney-General was here, and could have conducted it, but simply because I did not obey his order to adjourn the court he went out of court. I don't choose to be ordered by the Attorney-General or any attorney-general.—Mr. Jones: I feel I cannot conduct the case.—The Judge: I am very sorry for it. There is one alternative open to you.—Mr. Jones: I cannot do justice to the case. Mr. Holker, who was on the other side, suggested that his lordship would, perhaps, state the effect of the evidence to Mr. Jones.—The Judge stated that the evidence of one witness was a direct contradiction to that of another. He would permit any questions to be put.—Mr. Jones said he could not ask any, not having been present to hear the evidence. He was afraid he must retire under the circumstances.—The Judge: I cannot help it, Mr. Jones. If the jury wish to adjourn I shall be willing to do so.—The Foreman said the jury would finish that night.—Mr. Jones: I feel quite unable to cross-examine, my Lord; I remain here out of respect to your Lordship.—The Judge: I am sure you will do what you think is right.—Mr. Jones: I should go away but for the respect I feel for your Lordship. As the case progressed, Mr. Jones found himself more able to enter into it. He cross-examined the witnesses, and finally replied in a long, effective and closely-reasoned address. Mr. Holker and Mr. Jones refrained from doing more than make a passing allusion in terms of regret to what had occurred, and the Judge, in summing up, only observed, in conclusion, that he thought neither party would suffer the least by the absence of the counsel whose duty it was to have conducted this cause.

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

Ecclesiastical Parish Fees.—Where an ecclesiastical district has been formed out of several parishes, the incumbent of the chapelry in the new district will not be entitled to the fees of marriages until after the next avoidance or the relinquishment of fees by the incumbents of all the parishes out of which the chapelry has been formed. Where the chapelry of B. had an ecclesiastical district annexed to it by Order of Council, such district being formed of parishes C., D. and E., and the order was silent as to fees, but the incumbents of C., D. and E. never claimed them, but the incumbent of the chapelry took them for his own benefit; these facts were held by the Privy Council to be sufficient evidence from which a voluntary relinquishment of the fees might be inferred, and therefore that B. was now duly constituted an ecclesiastical parish: (*Jones* v. *Gough*, 12 L. T. Rep. N. S. 51. Pr. Co.)

Poor Law—Settlement of Estate.—The husband of the pauper built three cottages on an encroachment on the waste of a manor. After his death the lord of the manor demanded an acknowledgment from the widow in respect of the land, and accordingly, in consideration of a rent of 25*s.*, he granted her a lease for 99 years. The pauper resided and slept in one of the cottages nearly twelve months and was rated as the owner. The value was 130*l.*, and the rent upwards of 10*l.* She was held to have gained a settlement by estate although the rent reserved by the lease was only 25*s.*: (*Overseers of Calverley* v. *The Overseers of Bradford*, 12 L. T. Rep. N. S. 51. Q. B.)

Turnpikes.—A local turnpike Act imposed toll for every time of passing and repassing on the same day of a "stage-coach, stage-waggon, van, caravan, cart, or other stage-carriage, for the conveyance of passengers for payment, hire, or reward." B. drove a spring cart with four wheels, daily from C. to D., returning the same day. The van was licensed as a carriage principally and *bonâ fide* used for the conveyance of goods, and only occasionally used for the conveyance of passengers. On a certain day he passed the gate with one passenger, and the same passenger on his return. It was held not to be liable to a second toll, as it was not a van "licensed to carry passengers" within the Act: (*Eatwell* v. *Richmond*, 12 L. T. Rep. N. S. 52. C. P.)

Nuisance Removal Act.—An order to abate a nuisance by removing offensive privies, and to remove the occupiers from houses not in a fit state to be inhabited, was directed to "B. the owner, or to the Nuisance Removal Committee." The owner was ordered to remove the same within seven days, and if such order was not complied with, the Nuisance Committee were ordered to enter and remove the same. The seven days elapsed, and neither the owner nor committee removed the nuisance. The owner was summoned to show cause why the penalty for disobedience of the order should not be inflicted, and the penalty directed by sect. 14 was imposed. It was objected that the order being directed both to the owner and to the Nuisance Committee, the one could not be convicted of disobedience without the other. The justices convicted, and on appeal the conviction was confirmed: (*Tomlins* v. *The Edgware Nuisance Committee*, 12 L. T. Rep. N. S. 118. Q. B.)

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Berwick-on-Tweed	Friday, April 7	R. Ingham, Esq. M.P., Q.C.	5 days	R. Home.
Carmarthen	Wednesday, April 5	J. Johnes, Esq.	10 days	J. H. Barker.
Chester	Monday, April 10	E. Beavan, Esq.	14 days	J. Walker.
Colchester	Tuesday, April 4	H. J. Bushby, Esq.	8 days	J. S. Barnes.
Derby	Tuesday, April 4	G. Boden, Esq., Q.C.	1 day	J. Dunnicliff.
Doncaster	Tuesday, April 4	W. Blanshard, Esq.	10 days	E. Nicholson.
Faversham	Monday, April 3	G. Francis, Esq.	Statutory notice	J. Phillips.
Hythe	Saturday, April 8	R. J. Biron, Esq.		S. P. B. Hook.
Kingston-on-Hull	Thursday, April 6	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Saturday, April 15	J. R. Manle, Esq.	10 days	J. W. H. Richardson.
Leicester	Thursday, May 18	Mr. Serjeant Hayes	8 days	R. Toller.
Lincoln	Saturday, April 8	The Hon. G. C. Vernon		T. G. Dale.
Newark	Saturday, April 8	J. F. Stephen, Esq.		T. F. A. Burnaby.
Newcastle-on-Tyne	Friday, April 7	T. C. S. Kynnersley, Esq.		J. W. Ward.
Northampton	Friday, April 7	J. H. Brewer, Esq.	10 days	C. Hughes.
Stamford	Saturday, April 8	The Hon. E. C. Leigh	10 days	J. Torkington.
Tenterden	Saturday, April 8	F. Russell, Esq.		S. Weller.
Wenlock	Saturday, April 1	U. Corbett, Esq.	14 days	G. Potts.
Wigan	Wednesday, April 26	J. Catterall, Esq.	Statutory notice	R. Leigh.

JUSTICES OF THE PEACE PROCEDURE BILL.

The second reading of the Justices of the Peace Procedure Bill, which stood for the 29th March, is postponed till after the Easter recess, sufficient time not having been given for the examination of its provisions. In the meanwhile petitions in its favour should continue to be sent up from the magistrates' benches and their clerks for presentation by the members for the localities. The subjoined is a suggested form, which can be readily adapted where certain clauses of the Bill are not approved:—

To the Honourable the Commons of the United Kingdom in Parliament assembled.

The Humble Petition of ——

Sheweth,—That your petitioners have perused with much interest and satisfaction a Bill now before your honourable House, "to consolidate and amend the Acts regulating the Proceedings before Justices of the Peace out of Quarter Sessions in England."

That your petitioners, from their experience in the multifarious and increasing duties devolving on the magistracy and in the practice of petty sessions, consider that the proposed enactments contained in the said Bill (except those in clause) are much needed, and are calculated to improve and facilitate the administration of justice, inasmuch as it is most desirable to reduce into one Act the numerous and dissimilar existing enactments regulating the jurisdiction of and procedure before Justices, to simplify and amend those enactments and the forms of such procedure, to regulate the appointment and tenure of the office of clerk to justices, and to provide uniform tables of fees to be taken by such clerks, and by constables and other peace officers.

Wherefore your petitioners humbly pray that your honourable House will be pleased to pass the said Bill (with such modifications as may seem meet) in order that it may become law.

And your petitioners, as in duty bound, will ever pray.

Assaults.—A parliamentary return shows that in the two years June 1860 to June 1862, there were 23,334 cases of assault brought before the magistrates of the metropolitan police courts; and in the two years June 1862 to June 1864, 24,907 cases. The average exceeds 1000 a month, and in some instances two or more persons were included in one case. In the former two years, 6335 of these cases were punished by fine, and the amount received for such fines was 6074*l.*; in the two latter years 7442 of the cases were punished by fine, and the amount received was 8442*l.* So that these troublesome people paid above 3000*l.* a-year for indulging their passion; besides which nearly 3000 of them were committed every year.

Jubilee Year of Peace.—The following has been addressed to a contemporary:—"Sir,—The reminiscences of former years remind me that I have witnessed two national jubilees, viz., the national jubilee in England on the occasion of George III. entering into the fiftieth year of his reign, and the jubilee in celebration of the general peace and of the centenary of the accession of the House of Brunswick. On both of these occasions did the people most cordially rejoice. I now venture to ask your powerful support to obtain a public holiday and recognition of an event which has been attended with unprecedented blessings both to England and France, and should call forth the grateful acknowledgments to Divine Providence from both nations. We are now in the jubilee year of peace between the two countries. So long a period has not occurred since the reign of Henry I., in the year 1116, to the close of the last great war, comprising a period of 599 years, 260 of which have been passed in war. We have now entered into the jubilee of the peace of 1815, and it is difficult to form an adequate estimate of the progress which both France and England have made in every path, leading to the highest state of civilisation, during the last fifty years. Space will not permit even a glance at the advance made in arts, manufactures and commerce. If the energies of the two countries had been even for a portion of the last fifty years directed to war, should we now have gas, steamboats, railways and telegraphs, not to mention numerous other things which conduce so much to domestic comfort and individual enjoyment? The proposal, therefore, is, that both England and France shall set apart a day for the celebration of this fifty years of peace, and that there should be a mutual recognition of this glorious event. Let the birthday of our beloved Queen be a public holiday, with thanksgiving in all places of worship in the morning and general rejoicing afterwards. Let the birthday of the illustrious Emperor of the French, who is entitled to the lasting gratitude of his people, not only for peace, but for unprecedented prosperity, be the *fête* day in France. This arrangement would admit of the interchange of intercourse between both countries. It would also give the Emperor the opportunity of witnessing the mutual rejoicings and happiness which he has been the means of diffusing by his reign of peace, and enable our own veteran statesmen, in whose hands the olive branch has so long blossomed, to witness the fruits which their toil and ability has happily produced.—Your obedient servant, Henry Pownall.—London, March 10."

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Winding-up—Contributory.—Directors of a joint-stock bank announced by circular to the shareholders an intended issue of a portion of the reserved shares. One of the shareholders, on the strength, as he alleged, of a favourable report and balance-sheet, which was admitted to be inaccurate, applied for and purchased some of the new shares. After he had paid for them, but before the issue of the certificates, the bank stopped payment. He was held to be a contributory in respect of these new shares: (*Re Leeds Banking Company*, 12 L. T. Rep. N. S. 109. V.C. K.)

Parliamentary Practice—Locus Standi.—The Bill of a projected railway contained clauses empowering the company to make contracts with the petitioners and three other companies, or either of them, for the conduct of traffic from the said railway to their railways. The petitioners had running powers over one of the said companies, and a power to make agreements with another of them; but it was held that, on the ground of competition, the petitioners had no *locus standi*. It was held, also, that if *locus standi* be not objected to before the referees, it will be taken by the committee to be admitted: (*The Havant, &c., Railway Bill*, 12 L. T. Rep. N. S. 95.)

B. petitioned against a Bill. His *locus standi* was objected to by the promoters, but on the day appointed for the hearing of the petition no person appeared in support of it. The referees indorsed on the Bill that the petitioner had no *locus standi*: (*The Bolton Improvement Bill*, 12 L. T. Rep. N. S. 95.)

By agreement the B. company constructed a station at C. on their line, to which the D. company constructed a railway from their own line to enable them to obtain traffic from the B. line. The C. company paid interest on the cost of the construction of the station in proportion to the traffic fetched from it, and the B. company were bound by their Act to render the station convenient for the use of the C. company. The D. Bill proposed to give running powers over the B. company, which would enable them to come in and use this station. Nevertheless, the C. company were held to have no *locus standi* against the Bill: (*Re Tooting, Merton, &c., Railway Company*, 12 L. T. Rep. N. S. 96.)

The petition by a company against a proposed railway stated that the ancient windows of the hall and official residence of the company received light and air by means of a certain recess which had been protected by former Acts of Parliament regulating the works of the railway; but that the railway had encroached on the recess until stopped by injunction, and that the Bill proposed to repeal the former Act, protecting the recess, and praying to be heard against it. It was held that the company had no *locus standi*: (*The South-Eastern Railway*, 12 L. T. Rep. N. S. 97.)

The trustees of parish B. are a corporation, the members of which are chosen by the parishioners. The proposed railway would pass through the parish, and they petitioned against it on the ground that the rateable value of the parish would be deteriorated. But they were held to have no *locus standi*: (*East London Railway Company Bill*, 12 L. T. Rep. N. S. 98.)

MERCANTILE LAWYER.

Bank Cheques.—At the Manchester Assizes, before Mr. Justice Mellor, a manufacturer of that city named Ashworth brought an action against Mr. Miller, as the public officer of the Manchester and Liverpool District Bank, to recover the value of a bill of exchange for 272*l.* 9*s.* 6*d.*, which had been handed to them by the plaintiff for collection, and of the dishonour of which they had not given him due notice, whereby he was unable to recover against his indorsers. The bill was got from Fielder and Co., and was put into the hands of the bank for collection. It was due on Nov. 24, and on the 30th the plaintiff was informed that it had been dishonoured. Fielder and Co. disclaimed all liability on account of the delay, as did also the previous indorsers. The bank pleaded that it was a general custom in the business not to give notice to casual customers, and the jury held that this was good, and returned a verdict in their favour.

Bankruptcy in America.—Attention was recently drawn to the fact that the United States have as a general rule avoided the adoption of a bankruptcy law, and have managed well without it. The commerce of that country grew up after the period when the enactments against debtors were of a cruel character, and consequently they never found it expedient to adopt a system of exceptional legislation by which a debtor might escape from persecution. In this country it was different, and, while we have of late gradually abolished everything that tended to place undue power in the hands of a creditor, we have not abolished the law that was devised solely to counteract the abuses to which the exercise of undue power was found to lead. Hence, while a creditor has now no means of oppressing his debtor, the debtor has the power of threatening his creditor that if everything is not allowed to pass smoothly he will throw his affairs into a court where not only will his assets be wasted, but where he will obtain a decree confiscating the claim so far as regards the future. But, although the Americans have had the sagacity to dispense with such a law in all their trading intercourse with one another, they adopted it temporarily in one memorable instance, and are now apparently again about to resort to it as an expedient. After the inflation of 1847, when the merchants of the United States, by means of open credits granted by banking correspondents on this side, had involved themselves hopelessly in debt to England to the amount of at least ten or fifteen millions sterling, it was considered politic to escape the embarrassment of allowing such claims to exist indefinitely, and a Bankruptcy Bill was readily passed, which, when it had done its work, was as promptly repealed. But a new occasion has arisen, and after the lapse of a quarter of a century the system is once more likely to be used for special service. A Bill is before Congress, and has probably by this time passed its final stages, "to establish a uniform system of bankruptcy throughout the United States." At the breaking out of the civil war the open accounts between the Northern merchants and the Southern planters were, of course, enormous, and the present Bill virtually provides that any Northern debtor may free himself of his liabilities, but that almost every Southern debtor must remain bound. According to its 32nd section "no discharge shall be granted, or, if granted, shall be valid, if the bankrupt shall have borne arms against the United States, or given aid and comfort to the enemies of the United States or to rebels against the Government or authority thereof."

MARITIME LAW.

LAW OF GENERAL AVERAGE.

Proposed International Rules on Certain Points Relating to General Average.

(Continued from page 203.)

Article 429. If after the repartition the effects thrown overboard should be recovered by their owners, they are bound to refund to the captain and to those interested what they have received in the contribution, deduction being made for the damages caused by the jettison, and for expenses of recovery.

Exposition by M. Rogron.

Should be recovered by their owners.—Jettison is by no means an abandonment of the property, and the things thrown overboard continue to belong to the owners. If then the things are rescued from the waves, the owners will have the right of reclaiming, but on condition of paying the charge of salvage.

See, with regard to salvage, the measures prescribed by the proclamation of 10th Jan. 1770 concerning shipwrecks and stranding. Several regulations, which we think we should transcribe here, of the law regarding sea affairs, of the month of Aug. 1681, are to this day in vigour: (liv. 4, titre 9, des Naufrages et Echouements, art. 1.)

Article 24. Vessels stranded, and merchandise or other effects from wrecks found at sea, or on the beach, can be reclaimed within a year and a day of the publication which has been made of them; and they shall be given up to the owners or their mandatories, on payment of the charges incurred in saving them.

Article 25. The owners shall be bound to prove their right by bills of lading, invoices and other such papers; and the mandatories, moreover, their appointment, by satisfactory warrants.

Article 26. If the vessel and the effects, stranded or found on the shore are not reclaimed within a year and a day, they shall be equally divided between us (or those lords to whom we shall have consigned our right) and the admiral: the expenses of salvage and of justice being previously taken from the whole.

Article 27. If, however, the shipwrecked effects have been found out at sea, or have been gotten up from its bottom, the third part of them shall be given up immediately and without charge, in money to those who have saved them; and the other two-

thirds shall be set apart to be restored to the owners, if they reclaim them within the above time; but after that time they shall be equally divided between us and the admiral, the law charges and claims of justice being previously taken from the two-thirds.

Article 28. Anchors gotten up from the bottom of the sea, which shall not have been reclaimed within two months after public notice being made of them, shall belong entirely to those who have fished them up.

Question. A ship found at sea, near foundering, and having on board only men dead or dying, should it be classed among those shipwrecked effects mentioned in Art. 27, liv. 4, titre 9, de l'ordonnance de 1681; and in that case, those who have found and saved her, or assisted in bringing her into a place of safety, have they a right to a third of her value? The Court of Rouen has warranted the affirmative: "Seeing that in order to give a sound interpretation of Article 27th of book 4, title 9, of the Decree of 1681, and to make a just application of it to the case, we must inquire in what view it was drawn up, and what were the intentions and the thoughts of its author; that when speaking of shipwrecked effects found in the open sea or taken up from its bottom, that is to say, abandoned by their owner or altogether out of reach of either his action or his power, the obvious intention of the legislator has been that, whatever might be the state to which the ship might be reduced, one should not consider it as abandoned as long as the captain or some one of his representatives, by remaining on board, had still the means, either to adopt some manœuvres, or make some attempts for saving it, or to cry for help, or make signals of distress; but that the legislator never meant that a ship was not abandoned, because there might be seen on board corpses or men become altogether incapable to make the least effort or show any will, in fine, on the point of yielding up their last breath; seeing that, if the same article allots the third of shipwrecked effects to those who have saved them, it is not sufficient, in order to be entitled to claim this third, to have first seen the shipwrecked objects, to have got on board an abandoned ship, to have even taken her from the place where she was found and to have made some attempts to conduct her to a place of safety; that, to make the claim for salvage complete, it was necessary that the ship or the goods should be brought either into the harbour or on to the shore, and sheltered from all dangers; seeing that on the 6th of last Feb., when the ship *L'Aimable Marie* was descried by the pilots Romain and their companions, although two of the crew were remaining on board, she was nevertheless at the mercy of the winds and waves, in the condition foreseen by the aforesaid article of the ordonnance of 1681; that, in fact, one of these men yet breathed, but that the poor fellow then expiring could give no information, nor had indeed any appearance of consciousness; seeing that when this ship had been thus fallen in with by the pilots Romain and associates she was two myriametres and a half from the shore, that is to say, out of sight, in the open sea, and without a possibility of succour from the land; that there was in this situation not only an appearance of imminent danger of shipwreck, but certainly shipwreck completed; that it is more than probable that in one day later the ship would have altogether foundered, or broken up, that this rencontre was the pure effect of chance; that from that time the pilots Romain and associates are really in this case the finders who think fit to exercise the rights of salvage and that it only remains to inquire if these rights belonged in totality to them, they being liable to remunerate, as instruments or servants, the steamboats whose service they required, or if they should share with those steamboats; seeing that it is proved that after the greatest efforts, and twenty-four hours after falling in with her, the pilots Romain and associates came to within a little distance of Havre, and having as far as that towed with great labour the ship *L'Aimable Marie*, found themselves incapable of bringing her further without recourse to more energetic means of dragging her, that their inability to complete their claim of salvage is sufficiently attested by the difficulties which more lately attended the getting this vessel off; seeing that if to day the pilots will recognise only the steamboat *Le Vesure*, as that one whose assistance they had sought, it is nevertheless true that on the morning of the 7th of last Feb. they had, at the office of the owners of the *Aleide*, applied for a tug, that it did not rest with these last, who could not immediately meet the application, to inquire if the same steps had been taken in other offices, and if a treaty had been made with other owners of steamers, that the pilots Romain and associates have not proved or sought to prove that they had informed Vieillard and Company of their change of arrangements; that moreover, it remains yet to examine how far, in the personal interests of the pilots, who, after having found a ship abandoned, were in the absolute inability to work out the salvage with their own resources alone, it could be interdicted to third parties to come and assist at this salvage, and to insure its success, leaving to justice to appreciate the part which each has taken, and to regulate the shares of the benefits attached to an operation of this kind:" (Arrêt du 2 Dec. 1840. Sir. t. 41, II. 38.) It would be otherwise in the case of a vessel stranded on the coast, as has been judged by a decision of the Court of Poitiers of 2 Thermidor, an. X. (Sir. 2, II. 129, et coll. nouv. vol. 1er II. 85.)

"*Deduction being made for damages, and for expenses.*"—The objects which have been thrown overboard having been recovered, it is just that the owners should refund the sums which they received only as indemnity for the loss of these objects. The jettison however has not taken place without causing some injury. The effects thrown overboard must have suffered damage more or less, according to the case. Thrown into the sea, spoiled by the water, they have necessarily a value less than they had. On the other hand, the owners are obliged to pay the expenses of salvage: these are so many losses which they suffer, and for which they should be indemnified; so they will retain, of that which they received, the sums necessary for the repair of these losses, and will only refund the surplus.

LAW STUDENTS' JOURNAL.

EXAMINATION OF ARTICLED CLERKS.

The following circulars have been issued by the Incorporated Law Society:—

INTERMEDIATE EXAMINATION.

Sir,—I am directed by the Examiners appointed for the intermediate examination of persons under articles of clerkship to attorneys, to inform you that Thursday, the 27th April next, is the day appointed for the examination, and that candidates for examination are to attend on that day, at half-past nine in the forenoon, at the Hall of the Incorporated Law Society, in Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Friday, the 7th April; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 7th April. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, selected from the works specified by the examiners; and a paper of questions on Book-keeping.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 7th April. (*a*)

Fee, each term, on articles and testimonials of service, 5*s.*—*not* to be sent in postage-stamps.

FINAL EXAMINATION.

Sir,—I am directed by the Examiners appointed for the examination of persons applying to be admitted attorneys, to inform you that Tuesday the 25th, and Wednesday, the 26th April next, are the days appointed for the examination, and that candidates for examination are to attend on those days, at half-past nine in the forenoon of each day, at the Hall of the Incorporated Law Society, Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Thursday, the 13th April. If your articles were executed after the 1st January 1861, the certificate of your having passed the Intermediate Examination should be left at the same time; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 13th April.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 13th April. (*a*)

Where the articles have not expired, but will expire during the term, or in the vacation following such term, the candidate may be examined conditionally; but the articles must be left on or before the 13th April, and answers up to that time. If part of the term has been served with a barrister, special pleader, or London agent, answers to the questions must be obtained from them, as to the time served with each respectively. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the first day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, classed under the several heads of—1. Preliminary. 2. Common and Statute Law and Practice of the Courts. 3. Conveyancing.

On the second day, further papers will be delivered to each candidate, containing questions to be answered in—4. Preliminary. 5. Equity and Practice of the Courts. 6. Bankruptcy and Practice of the Courts. 7. Criminal Law, and Proceedings before Justices of the Peace.

Each candidate is required to answer all the preliminary questions (Nos. 1 and 4); and also to answer in three of the other heads of inquiry, viz.—Common law, conveyancing and equity. The examiners will continue the practice of proposing questions in bankruptcy and in criminal law and proceedings before justices of the peace, in order that candidates who have given their attention to these subjects may have the advantage of answering such questions, and having the correctness of their answers in these departments taken into consideration in summing up the merit of their general examination.

I am, Sir, your very obedient servant,
EDWARD WALTER WILLIAMSON,
24th March 1865. Secretary.

Fee, each term, on articles and testimonials of service, 15*s.*—*not* to be sent in postage stamps.

(*a*) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

TRUST-DEED—PROOF BY MORTGAGEE UNDER—ELECTION.—A mortgagee having elected to prove, and having proved his debt under an assignment executed by the mortgagor for the benefit of his creditors, is not entitled afterwards to have his proof expunged as having been made through inadvertence, and to claim the balance of the purchase-money of the mortgaged property in the hands of the trustees under the deed, in liquidation of his mortgage-debt, and to receive the dividends under the deed upon the balance: (*Ex parte Spicer, re A Trust-deed*, 12 L. T. Rep. N. S. 53. Goulburn, C.)

DISCHARGE FROM CUSTODY.—A bankrupt in custody upon an attachment issued out of the Court of Divorce for nonpayment of alimony, is no bar to his release under the 112th section of the B. L. C. A. 1849: (*Re Rawlins*, 12 L. T. Rep. N. S. 57. Birmingham C. C.)

ENGLISH ADJUDICATION AFTER COLONIAL INSOLVENCY.—An English adjudication in bankruptcy will not be permitted upon the petition of a person who, having been made insolvent in a colony, has failed to obtain a certificate there, where it is apparent to the court that the object of the adjudication is merely to get a discharge from the claims of the colonial creditors; and upon a proper application, such an adjudication will be annulled. The order of discharge may be suspended for twelve months with protection, and then granted, subject to conditions: (*Ex parte Gibson, re Pattrick*, 12 L. T. Rep. N. S. 101. Ld. Ch.)

JUDGMENT-DEBTOR SUMMONS—BANKRUPT'S PETITION—ADJUDICATION—PRECEDENCE.—An adjudication under a judgment-debtor summons pursuant to the 83rd section of the B. A. 1861, dates back to the service of the summons, and consequently takes precedence of an adjudication upon the debtor's own petition made in the interval between the service of the summons and the adjudication thereunder: (*Ex parte Sharp, re Adams*, 12 L. T. Rep. N. S. 120. Holroyd, C.)

TRUST-DEED—LEAVE TO ISSUE EXECUTION.—Upon an application for leave to issue execution under the 198th section of the B. A. 1861, the Court may take into consideration questions of law, as well as the merits of the case, and if it appear that the applicant ought not to be bound by the deed, may give leave to issue execution. A deed of composition was executed on the 7th and registered on the 11th. On the 9th judgment was entered up in an unsuccessful action brought by the debtor, and the costs were inserted as one of the debts in the deed. The Court held that, although the defendants were not bound by the deed, the Court ought to grant them leave to issue execution: (*Ex parte Oastler, re A Trust-Deed*, 12 L. T. Rep. N. S. 130. Winslow, Reg.)

CORRESPONDENCE OF THE PROFESSION.

The Law Reporting Spec.—I have received a circular from a body, called the "Council of Law Reporting," requesting me, in common with other members of the Bar, to subscribe to certain new Reports which are to be brought out if the Council receive a sufficient number of subscriptions. Will you allow me, through the medium of your columns, to remind this "Council," that we have at present no assurance that the Reports in question will be properly conducted? If we are to have a seventh set in addition to the six that already exist, let that seventh set come boldly into the open market, and take its chance with the rest. It is, I think, beneath the dignity of our profession to "tout" in this way for subscriptions, and it is absurd to expect the Bar to support a prospective scheme which has nothing to recommend it except a vague and guarded promise of cheapness.

A Barrister, but not a Reporter.

Country Attorney and Agent.—In pursuance of the intention expressed in my former letter on this subject, published in your paper of the 25th Feb. last, I beg to call attention, under favour from you, to some practical abuses existing in the relationship of country attorneys and their town agents. And at this time I would speak of the very common and serious evil of employing non-professional agents to do professional work. It is well known that there is no more strenuous and able advocate and supporter of the rights of attorneys and solicitors, no more powerful and consistent denouncer and exposer of empirical practices in the legal profession, than you are, through the medium of this journal. And in the exercise and performance of this (to us) valuable work, the country practitioners have, in common with their London brethren of the profession, and perhaps even more demonstratively, applauded your zeal and vigilance. Is it not, therefore, as strange as it is a noted fact, that they give the greatest possible encouragement to the tortious practitioner? How few would plead not guilty, if arraigned upon this indictment! How few could say that in such business as passing legacy and succession duty accounts, obtaining returns of these and probate duties, registering bills of sale and other deeds, stamping and enrolling deeds, searching for judgments and other incumbrances, and much other ordinary professional work, not always perhaps requiring legally the employment of an attorney or solicitor, but dealt with as between themselves and their clients, as if it did, and were so done; how few, I say, could conscientiously assert that they had not so acted! In almost every description of business not legally requiring the employment of a professional town agent, and in such that does, it is the universal practice with many, and common to the majority of country attorneys, to avoid their proper representative and employ non-professional men. I say, in much that requires *legally* a properly qualified practitioner, for it is a well-known fact that persons who take upon themselves the performance of duties which should be intrusted to properly qualified men—pseudo-agents, as I would term them—have at their command professional men of a low grade, who are ready to lend their names for such purposes as require it, for any trifling remuneration. Now, little matters are, perhaps, the most remunerative of any kind of agency business, and for a trifling, and often imaginary, saving to the pocket, the principal thus takes advantage of his agent. It would be well if those practitioners who so act would consider the import of that solemn, but often-forgotten, oath, which they take before admission into the ranks of qualified attorneys. For, as between themselves and their clients, lies this important distinction, that of employing trustworthy or untrustworthy persons in doing their business. I use the terms "trustworthy" and "untrustworthy," not in the sense of "honesty" and "dishonesty," but is that of qualification only. The object in view with the country attorney is, of course, saving to *his* pocket; not to the client, be it observed, but to himself; to the former, indeed, it is generally a positive loss, and to the latter a questionable saving. Now take, for instance, the case of passing an ordinary residuary account. Every one that has any experience in such matters knows the quibbles and quirks raised by those very estimable, no doubt, but exceedingly troublesome gentlemen, who perform the priestly office of examiners of legacy and succession duty accounts at Somerset-house. I say the "priestly office," inasmuch as their lives are spent in performing perpetual sacrifice of public time and money, calling forth now and then an angry roar of remonstrance from the British lion, but not having yet aroused that patient brute to such a pitch of indignation and fury as would cause the amendment of an unmitigated evil. And who are the persons employed by the pseudo-agent to do this kind of work? Men of little or no education, *employés* of a pound sterling or less per week, whose money, doubtless, is hard enough earned in patiently bearing the pain and drudgery of their daily life, for no costermonger's ass is tortured more than they are. Every quibble and quirk at command of the far-foreseaid official is taken out of that functionary's mental storehouse, and a result not particularly commendatory of the honesty of executors and administrators in general appears by queries and suggestions in Cumberland lead upon the face of the account. Backwards and forwards goes the clerkly shuttlecock, affording excellent sport no doubt to the parties holding the battledores, but as each palpable hit inflicts a heavy cost to the unfortunate client, it is a somewhat costly, if an exciting game. After numerous attendances and a volume of correspondence in relation to matters which any person of ordinary legal experience and knowledge would dispose of at once, the account is passed. The pseudo-agent makes his stated charge, as large generally as that of the properly qualified agent; but the country attorney takes the benefit of the bungling, and his bill is thus swelled to double and treble what it should be did he deal fairly by his client. How far an attorney has a right to make charges for work done by such men is a question which I do not propose to go into; suffice it to say, that *they do*. There are few town agents who have not had accounts placed in their hands which, after being bungled, and brought into a state of dismal confusion and intricacy by these pseudo-agents, have been remodelled, proceeded upon and passed in one or two attendances. As I have a good deal more to say upon this subject, I will not venture to intrude further upon your space to-day, but by your leave will continue it in a future and early number.

Gray's-inn, 28th March. Agens Lond.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

County Court Jurisdiction.—Has the County Court any jurisdiction to adjudicate a debtor a bankrupt upon a petition filed by a creditor? The querist will be obliged if any reader can inform him if this point has ever arisen in practice, and the result. H. E.

Mortmain.—I am drawing a lease of a piece of ground as a site for an Independent chapel. The term is sixty years and the rent merely nominal. I shall be obliged if any of your correspondents will inform me whether it will be necessary to enrol the lease under the Mortmain Act, and if so the formalities to be observed on the execution of the lease by the lessor. C. P. W.

Re Bankruptcy.—A. B. was indebted to C. D. 50*l.* and C. D. sued A. B to judgment and execution, and issued *ca. sa.*, and took defendant, who was discharged by registrar. The bankrupt had only one creditor who opposed his order of discharge in the County Court, and the proceedings were dismissed. Can A. B. be again taken on a *ca. sa.* as of C. D.? If your readers have had such a case I shall be glad of a reply. Lex.

Dower.—A small freehold property was conveyed before 1834 to A., in which the usual uses to bar dower were omitted; in 1860 A. mortgaged it to B., and A.'s wife joined in it to release her dower, which necessarily attached by reason of the omission of the dower uses in the purchase-deed to A. A. now wishes to pay off the mortgage money, and have the premises reconveyed to himself in order to sell it. Can B reconvey to uses to bar dower, so as to avoid the necessity of A.'s wife joining again in the conveyance when A. comes to sell it? I shall be glad to have an opinion upon this point from any of your numerous readers. H. O.

Answers.

Pawnbroker.—I answer "J. F. C. T." in the words of Celsus: "Aut non intelligo quid sit de quo me consuluerit, aut valde stulta est consultatio tua." This singular specimen of forensic urbanity was addressed to no less a person than Labeo. "J. F. C. T." therefore will not be offended at the application of it to his question. It is found in Dodd's Probate Practice, 188, *note*.

A Reader.

— The inquirer has no doubt had in view the 109th canon, which provides that "if any offend their brethren either by . . . usury, &c., such notorious offenders shall not be admitted to the Holy Communion till they be reformed." The literal and strict meaning of the word usury (from *utor*, to use) is any reward taken for the use of money, and in this sense not pawnbrokers only, but all those who receive interest or other advantage for a loan would be liable to be canonically excluded from partaking of the Sacrament. The sense, however, in which the word usury is generally applied, is that of taking interest for money beyond the rate allowed by law. The laws fixing the rates of interest on loans have recently been repealed, except those which relate to pawnbrokers. Pawnbrokers alone can therefore now be guilty of usury in the sense of the word last considered. Hence, if pawnbrokers are guilty of taking unlawful interest, thereby causing offence to their brethren, they may perhaps be excluded from the Holy Communion. The penalties, however, to which they are liable for infringement of the statutes relating to them are so severe, that I suppose they are not likely to be guilty of such a breach thereof. D. H.

Driffield, March 27.

Remainder.—In this case I would submit in answer to your correspondent "D.," that B. would take a life-interest together with a reversion in fee-simple expectant on his decease, for the intermediate vested estate of C. prevents during B.'s life any union of B.'s life-estate and remainder. The limitation to B.'s right heirs, however, in accordance with the first part of the rule in *Shelley's* case, which is as follows, that "when the ancestor by any gift or conveyance takes an estate of freehold, and in the same gift or conveyance an estate is limited either mediately or immediately to his heirs in fee-simple or in fee tail, the words heirs are words of limitation of the estate of the ancestor," gives to B. all the powers of disposition belonging to ownership subject to C.'s intervening estate, which estate B. may at any time during his life defeat by exercise of his power. In support of this view I would refer "D." to Williams on Real Property, 233, 4th edit. A. L. C.

— The rule in *Shelley's* case applies, and gives B. an estate in fee in remainder. The word "heir," although in the singular number, may be *nomen collectivum*, and therefore a word of limitation: (Per Lord Cottenham in *Chambers* v. *Taylor*, 2 Myl. & Cr. 376.) B. could not under the limitation to his right heir take an estate for life in remainder; for if the above rule do not apply, then the limitation would be a contingent remainder for life to the right heir of B., and consequently the reversion in fee would be in the grantor of 1822.

New Romney. J. B.

— I presume, though not stated in the query, that the conveyance of the premises would be made to B. and his heirs, to such uses, &c. This being so, B. has the power of appointing in fee-simple, but if he fail to exercise that power the question arises, has he only a life-estate, or an estate in fee-simple in remainder? Coke says, "where the conveyance is to a man and his heir, in the singular number, he has but an estate for life." It is, however, said by Hargrave, one of the annotators of Coke, "that according to many authorities heir may be *nomen collectivum*, as well in a deed as in a will, and operate in both in the same manner as heirs in the plural number." See Co. Litt. 8 b; Hargrave's Notes, 45; Gilbert on Uses, 24; *Bayley* v. *Morris*, 4 Ves. 794. It is not, I think, a settled point, but probably at the present day the remainder would be held to give to B. an estate in fee-simple. D. H.

— I apprehend that under the user declared by the deed which "D." describes, namely, a user to B. for life, remainder to C. during the life of B., with remainder to the right heir (in the singular number) of B. for ever, no remainder vests in B. at all. There is no limitation to the use of B. and his heir, which was probably the case in the contemplation of "D.;" this would have given to B. an estate for life only: (Co. Litt. 8 b.) I rather think that under such a limitation in a voluntary conveyance the heir of B. would take as *persona designata* a life-estate in remainder, expectant on the determination of the estates limited to B. and C. In *Archer's* case, 1 Rep. 66 b, will be found a limitation to A. for life, with remainder to the next heir male of A. and the heirs male of his body; and it was resolved that there was not an estate tail in A., because the remainder was to his next heir male in the singular number, with words of limitation to the heirs of such heir. Heir male and heir are equivalent as words of limitation: (Co. Litt. 27 a.) "D.'s" case, however, appears to be imperfectly stated. I imagine that he employs the word purchase in the popular sense, as the correlative of sale, and not in its larger technical meaning of a possession to which a man cometh not by descent: (Litt. s. 12.) If this be so, I conceive that the pecuniary consideration raised a use in favour of the purchaser, and his heirs, subject to such uses as are expressly pointed by the deed. This conclusion will be strengthened if the deed recite a contract for the purchase by (say) B. of the fee-simple and inheritance; or if the receipt clause admit that the fine was paid in full for the absolute purchase of the fee. In this case, I suppose that B. took an estate for his life, with remainder to C. for the life of B., with remainder by way of springing use to the heir of B., whom I will call X., as a purchaser for life; but X. being also as heir of B. entitled to the fee-simple immediately expectant of this determination of the estate limited to him for life, his life-interest would merge in the fee. D. does not state the name of the releasee nor the terms of the *habendum*. The conveyance probably was made to B. and his heirs to hold to B. and his heirs to the uses mentioned in the deed. This would strengthen the view I have taken. So much for the deed in the present state; but, assuming that the transaction was a conveyance in a sale to B., the Court of Ch. would have not the slightest hesitation in correcting an error so obvious as the omission of the letter "s" after heir. Philip W. Dodd.

Stockton-on-Tees, March 18.

LAW SOCIETIES.

SOCIAL SCIENCE ASSOCIATION.

Equitable Jurisdiction in County Courts.

A meeting of the Jurisprudence Department of the National Association for the Promotion of Social Science was held at their rooms in the Adelphi on Monday week; W. T. S. Daniel, Esq., Q. C., in the chair.

The report on the subject was read by the secretary. It approved of the principle of the Lord Chancellor's Bill, which, if properly applied, would give to the great body of the people a handy and accessible mode of obtaining redress in a class of cases now involving much hardship. But it suggested the limitation of the proposed jurisdiction to the objects defined in the first section, and also pointed out several other parts of the measure which called for alteration and amendment. The committee particularly drew attention to the necessity of modifying the unfair and impolitic plan of remunerating the County Court judges put forward in the Bill, and strongly recommended that it should contain powers for providing adequate judicial and administrative machinery to meet the increased business which it would create.

The meeting was addressed by Mr. C. Clark, Mr. Hastings, Dr. Parkhurst, Sir Eardley Wilmot, Dr. Walter Smith, Mr. George Harris, Mr. Bradford, Mr. F. Hill, and the chairman; after which the report was adopted.

The discussion on the report on the law of appeal in criminal cases was adjourned.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The following petition has been presented to the House of Lords:

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The humble petition of the Metropolitan and Provincial Association,

Sheweth,—That your petitioners are an association consisting of nearly 800 solicitors practising in England and Wales, of whom about 600 carry on business in the Provinces, and that their objects are to promote the better and more economical administration of the law, and to maintain the rights and increase the usefulness of the Profession.

That your petitioners, in common with the whole body of solicitors, are strongly convinced of the very great benefits which would result, not only to the suitors of courts but to the community at large, from a concentration of all the Superior Courts, and the various offices belonging to the same, on one site, provided such site be contiguous to those Inns of Court in which the counsel practising in them have their chambers. And that they are satisfied that such concentration on that site would be highly advantageous to the suitors nothwithstanding that the suitors shall have to bear the cost.

That your petitioners cordially concur in the conclusions and recommendations (both as to the site of the proposed Palace of Justice, and the source from which the necessary funds might be provided) submitted in July 1860, in their report, by the commissioners appointed by Her Majesty to consider this subject.

That firmly entertaining these views, your petitioners heartily welcome the introduction this session to your right honourable House of Bills for carrying out such concentration on the site recommended by such commissioners, and usually known as the Carey-street site, but that your petitioners, on behalf of themselves and the body of Solicitors who are the agents and selected representatives of the suitors in the transaction of their business, would reasonably protest against the moneys of the suitors being employed in the erection of courts and offices on any site except the said Carey-street site.

Your petitioners therefore humbly pray that a measure may be enacted to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a site in the vicinity of the Inns of Court for the erection and concentration of courts of justice, and of the various offices belonging to the same, and also that the Bill now before your right honourable House "to supply means towards defraying the expenses of providing courts of justice, and the various offices belonging thereto and for other purposes," may with all possible despatch pass your right honourable House, and become law.

And your petitioners will ever pray, &c.

(Signed) Edward F. Burton, Chairman.
Philip Rickman, Secretary.

LEGAL NEWS.

William Archer Jenner, a Town Councillor of Salford and a man of wealth, convicted of perjury, was at the recent Manchester Assizes, sentenced to imprisonment for eighteen calendar months, with hard labour.

A Massachusetts judge has decided that a husband may open a wife's letters, on the ground so often and so tersely stated by Mr. Theophilus Parsons, of Cambridge, that "the husband and wife are one, and the husband is that one!"

Crime and Punishment in the Navy.—A return has just been issued of the crime and punishment in the navy in the year 1862. The total number of crimes and offences was 102,392, to punish which 34,692 lashes were inflicted on 1012 persons, 17 individuals were sentenced to penal servitude, 1730 to imprisonment, 1038 disrated, 1590 deprived of good conduct badges, 4063 reduced to second class, 97 discharged with disgrace, 234 discharged as objectionable, and 91,353 punished by minor penalties.

The New Bill to Abolish Arrest on Final Process.—The Lord Chancellor's Bill to abolish arrest upon final process, and for the amendment of the law of bankruptcy in certain particulars, now before the House of Lords, recites that it is expedient "altogether to abolish arrest upon final process in England, except in cases where the debtor is in possession of property or in the receipt of an income which cannot be taken in execution." There are eight sections in the Bill, and it is proposed that the law shall take effect on the 29th June next. No order of discharge shall be granted, nor shall the same if granted release any salary, property, income or salary, which the bankrupt may acquire, until 5s. in the pound is paid, unless three-fourths of the creditors consent.

The Garroters' Act.—It will be remembered that in the session of 1863 an Act was passed punishing with flogging attempts at robbery with violence. A Parliamentary return just issued shows that in the first year of its operation nineteen persons were flogged in England under this Act. The return gives the numbers thus:—Three in Coldbath-fields Prison, one at Horsemonger-lane Gaol, three at Kirkdale, Liverpool, one at Salford New Bailey, four in Birmingham Borough Prison, four in Leeds Gaol, one in the county gaol at Reading, and two at Durham; all flogged by order of the judges at the assizes or Central Criminal Court. The severest sentence was one passed at Liverpool Assizes in Aug. 1863, when the judge sentenced a young man of nineteen to four years' penal servitude, and fifty lashes with a cat-o'-nine tails, but only thirty-six lashes were actually given, the man being then taken down by order of the surgeon.

Search for Legal Documents in a Grave.—There is a remarkable case pending in the Scotch courts (*M'Leod v. Leslie and others*) in which it is asserted by the plaintiff that a marriage contract of the late Mr. Leslie, of Denbigos, in Banffshire, under which he and his children, as representing Mrs. Leslie, are entitled to a sum of 20,000*l.*, has been improperly concealed or destroyed. In the pleadings it was stated that a packet, which from its size and shape might have contained documents of the missing description, were buried with Mr. Leslie in his coffin. The plaintiff maintains that he has proved his case by showing the tenour of the lost writings without the necessity of disturbing the grave, but left it to the court to determine for themselves whether such a step should be adopted. The Court decided to have the grave opened, and have accordingly ordered the sheriff of Banffshire "to take such steps, and after such notice as he shall consider proper, to have the grave of the deceased, Hans George Leslie, opened, and to search for the parcel, and, if found, to examine the contents thereof, so as to ascertain whether it does or does not contain the writs, or either of them, and to report the result of the search."

Reformatory Schools of Ireland.—The third and fourth reports of the inspector of the reformatory schools in Ireland have just been issued simultaneously. It appears from them that the number of young offenders in those schools on the 31st Dec. in each year since the passing of the Act—that is to say, from 1859 to 1864, both inclusive—were 140, 384, 539, 591, 606, 638. "I am frequently asked," says the inspector, "if I am satisfied with the working of the system in Ireland, and my invariable answer is, 'I am satisfied beyond my most sanguine expectations.' . . . . In the reformatory school system, rightly understood, we must look to the results, not to the mode by which they are attained; no two managers in Ireland work upon the same system; and it is to this individuality of management I attribute the fact that out of 125 young offenders discharged in 1863, 113 are known to be doing well; out of 133 discharged in 1864, 115 are known to be doing well."

At the Mayo assizes Dr. Barrett, a graduate of the Dublin University and an M.D., registrar of births and deaths to the Castlebar Poor Law Union, pleaded guilty to a charge of extraordinary fraud. He literally drew upon his imagination for his records, and in order to increase his fees, entered in the register a number of births and deaths that had never taken place. The Crown did not press for punishment; but allowed Dr. Barrett to go out on his own recognisance, for the following reasons:—It was the first offence of the kind in Ireland; he had not made a false entry of any actual birth or death, he was a married man with several children depending on him for support, he had lost all his situations, and had been in prison for six months. Judge Christian, without assuming the responsibility of this lenient course, gave it his sanction. He thought the Crown had exercised a wide discretion, because the fabrication would not affect the legitimacy of children or the honour of families. "It rather appears," he said, "to be a case in which, in an unfortunate moment of temptation, when, perhaps, pressed by want, he adopted this clumsy, trumped-up fraud, in which there is certainly not the same culpability as if it had been a forgery of the names of persons who had existed. The object in such cases as this is not so much that of punishment as of prevention. It is an offence of an exceptional kind, not likely to occur again."

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

Sale of Guns.—The stock of a manufacturer and dealer in firearms was sold by auction, by Mr. Fredk. Inman Sharp, at Old Change, St. Paul's, on Thursday and Friday, 23rd and 24th inst. The stock included a quantity of Colt's patent revolving rifles, manufactured for Garibaldi, which realised on an average 4*l.* 7*s.* each; 227 patent six-chamber revolvers realised 2*l.* 15*s.* each, those of Birmingham manufacture selling at 2*l.* 6*s.* and upwards; sundry breech-loading guns and rifles selling at from 8*l.* 5*s.* to 14*l.* 5*s.* each; various American breech-loaders sold at 1*l.* 8*s.* to 1*l.* 10*s.*; the carbines from 3*l.* to 4*l.*; forty-five single and double guns realised from 8*l.* to 14*l.*; sixty sporting and other rifles fetched about 2*l.* each; 710 cavalry swords sold at 1*s.* 9*d.* each; Highland Claymore's 16*s.* each; police cutlasses, 2*s.* 3*d.*; Enfield rifles, 15*s.* The ammunition apparatus and effects realised good prices. An experimental breech and muzzle loading gun, patented by Mr. Robert Adams, sold at a high price; and a foreign breech-loader by Seldleitz, exhibited in the International Exhibition, sold for 24*l.* 5*s.*

REPORTS OF SALES.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Friday, March 24.

By Messrs. Norton and Trist, at the Guildhall Coffee-house.—Freehold property, situate in High Timber-street, Upper Thames-street, comprising nearly the whole of "Brooke Wharf," and "Hammond's Wharf," and other premises, containing an area of nearly 21,000 feet—sold for 34,000*l.*—Policy of assurance effected in the Equitable Life Office for 700*l.*, on the life of a gentleman aged 73 years. Also an annuity of 100*l.*, payable half-yearly during the same life—sold for 2820*l.*

Tuesday, March 28.

By Messrs. Tebb Brothers, at Garraway's—Leasehold shop and premises with shop, house and stable adjoining, being Nos. 26 and 26A, Leopold-street, Vauxhall; term ninety-six years from 1852; ground rent 4*l.* 3*s.* 4*d.* per annum—sold for 500*l.*

By Messrs. Bróad, Pritchard and Wiltshire, at Garraway's.—Leasehold, two residences, Nos. 1 and 2, Trinity-terrace, and a shop and house, No. 1, Cole's-place, Borough; producing 80*l.* per annum; term seventy-one years from 1826; ground-rent 11*l.* 18*s.* per annum—sold for 910*l.*

Wednesday, March 29.

By Messrs. Edwin Fox and Bousfield, at Garraway's.—Freehold ground-rents amounting to 28*l.* per annum, secured upon twelve houses and building land at Harrow—sold for 700*l.* Leasehold, improved ground-rent of 77*l.* per annum, for sixty-one years unexpired, secured on houses situate in Caledonian-road—sold for 485*l.* Absolute reversion to 925*l.* cash receivable on the death of the survivor of two lives, aged sixty-one and sixty-two—sold for 460*l.*

By Mr. Loud, at Garraway's.—Lease twenty-one years, from Lady-day last of "The Roebuck" public-house, Richmond hill, together with goodwill and possession of business—sold for 1140*l.*

THE GAZETTES.

Bankrupts.

Gazette, March 21.

To surrender at the Bankrupts' Court, Basinghall-street.

Allen, Robert George, smith, Lewisham. Pet. March 17. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. April 10.

Baker, George, poulterer, New-st. Short-st. New-cut, Blackfriars-rd. Pet. March 15. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.

Bennett, Thomas Tomlinson, builder, Broad-st. Golden-sq. Pet. March 17. Reg. Roche. O. A. Parkyns. Sol. Dubois, Church-passage, Gresham-st. Sur. April 12.

Dunster, Charles, waterman, Russell-st. Rotherhithe. Pet. March 16. Reg. Brougham. O. A. Edwards. Sol. Harrison, Basinghall-st. Sur. April 12.

Eld, John, manufacturer of ventilators, Cheapside. Pet. March 11. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.

Faulkner, Robert, farmer, Shipbourne, Tunbridge. Pet. March 11. Reg. Roche. O. A. Parkyns. Sols. Sadgrove and Son, Mark-la. Sur. April 12.

Fowler, Thomas George, painter, Queen's-row, Walworth. Pet. March 13. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.

Harris, Phœbe, laundress, Park-pl. Dalston. Pet. March 17. Reg. Hazlitt. O. A. Graham. Sol. Hall, Coleman-st. Sur. April 11.

Hume, Hamilton, journalist, Blandford-sq. Pet. March 11. Reg. Hazlitt. O. A. Graham. Sol. Richardson, Old Jewry-chambers. Sur. April 11.

Malim, Lewes Bradgate, clerk, Albert-ter. Battersea. Pet. March 14. Reg. Hazlitt. O. A. Graham. Sol. Paddison, New Boswell-ct. Sur. April 11.

Marshall, Thomas, assistant stable keeper, Henry-pl. Barnsbury-rd. Pet. March 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.

Pugh, Charles Vaughan, captain 90th regiment of light infantry, Worthing. Pet. March 17. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.

Satchwell, George, cheesemonger, Church-st. Hackney. Pet. March 16. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. April 10.

Solley, Ralph, victualler, Preston. Pet. March 17. Reg. Brougham. O. A. Edwards. Sols. Nichols and Clark, Cook's-ct. Lincoln's-inn. Sur. April 12.

Stranger, James, stonemason, Hayden's la. and Griffiths-rd. Wimbledon. Pet. March 17. Reg. Brougham. O. A. Edwards. Hill, Basinghall-st. Sur. March 17.

Thick, Thomas, tailor, Upper Church-st. Chelsea. Pet. April 6. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 19.

Thring, Edward, comedian and prompter, Bellevue-ter. Holloway. Pet. March 15. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. April 12.

Vilmot, Augustus, merchant, Southwark-chambers, Southwark. Pet. March 15. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.

Webber, Arthur, boot and shoe maker, Caledonian-rd. Islington. Pet. March 14. Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Lincoln's-inn-fds. Sur. April 10.

Whiston, Thomas, tailor and outfitter, Gosport. Pet. March 16. Reg. Brougham. O. A. Edwards. Sol. Wells, Basinghall-st. Sur. April 14.

Woods, Charles, butcher, Ventnor, Isle of Wight. Pet. March 16. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lean, Old Jewry. Sur. April 12.

Young, William Henry, bookseller and stationer, Bishopsgate without. Pet. March 17. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry. Sur. April 10.

To surrender in the Country.

Barker, Edward, cotton waste dealer, Oldham. Pet. Feb. 13. Reg. & O. A. Summerscales. Sol. Taylor, Oldham. Sur. April 6.

Barker, Thomas, beerseller, Burslem. Pet. March 20. Reg. & O. A. Challinor. Sols. Messrs. Tennant, Hanley. Sur. April 1.

Bennett, Benny John, cloth drawer, Leeds. Pet. March 17. O. A. Young. Sols. North and Son, Leeds. Sur. April 7.

Brassnett, Archibald, baker, Mattishall. Pet. March 17. Reg. & O. A. Cooper. Sol. Redd, jun. Norwich. Sur. April 10.

Brooke, Harrison, grocer, Dewsbury. Pet. March 17. Reg. & O. A. Nelson. Sol. Ibberson, Dewsbury. Sur. March 31.

Brown, Henry, tailor, Willenhall. Pet. Feb. 27. Reg. & O. A. Brown. Sol. Cresswell, Wolverhampton. Sur. April 6.

Brown, Webster, hosier's warehouseman, Loughborough. Pet. March 17. Reg. & O. A. Brock. Sol. Giles, Loughborough. Sur. April 3.

Brunton, James, blacksmith, Lancaster. Pet. March 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 31.

Chilcott, George William, miller, Charmouth. Pet. March 16. O. A. Carrick. Sol. Tweed, Honiton; Floud, Exeter. Sur. March 31.

Chilton, Henry, blacksmith, Salop. Pet. March 11. Reg. & O. A. Newill. Sol. James, Wellington. Sur. April 21.

Clarke, Stephen, miller, Bradwell. Pet. March 10. Reg. & O. A. Chamberlin. Sol. Diver, Great Yarmouth. Pet. March 31.

Cooper, George, mechanic, Bury. Pet. March 17. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. April 6.

Cory, Frederick Edward, bootmaker, Swaffham. Pet. March 15. Reg. & O. A. Palmer. Sol. Wincarls, Swaffham. Sur. April 6.

Cox, Annias, grocer, North Nibley. Pet. March 16. Reg. & O. A. Brown. Sol. Clatterbuck, Stroud. Sur. April 5.

Day, Noah, builder, Taunton. Pet. March 9. O. A. Carrick. Sol. Reeves, Taunton; Hirtzel, Exeter. Sur. April 5.

Dobkin, John, cattle dealer, Etherley. Pet. March 15. Reg. Gibson. O. A. Lakeman. Sol. Hoyle, Newcastle. Sur. April 6.

Fliegeltaub, Abraham David, draper, Liverpool. Pet. March 17. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. April 3.

Foulkes, Thomas, bricklayer, Mold. Pet. March 14. Reg. & O. A. Eyton. Sol. Parry, Mold. Sur. April 14.

Fowler, William, boatman and butcher, Bayford. Pet. March 16. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. March 31.

Fox, Daniel, stationer, Dover. Pet. Feb. 17. Reg. & O. A. Grorebow. Sol. Minter, Dover. Sur. April 1.

Foxwell, Llewellyn, farmer, Wotton-under-Edge. Pet. March 23. Reg. Wilde. O. A. Acraman. Sol. Pigeon, Bristol. Sur. April 3.

Gates, Charles, draper's assistant, Farnham. Pet. March 16. Reg. & O. A. Holland. Sol. White, Guildford. Sur. April 4.

Good, Edmund, beer retailer, Portsea. Pet. March 16. Reg. & O. A. Howard. Sol. White, Portsea. Sur. March 31.

Graham, John, Newcastle. Pet. March 13. Reg. & O. A. Trotter. Sol. Dickinson, Newcastle. Sur. April 2.

Graves, John William, chemist, Everton, Liverpool. Pet. March 14. Reg. & O. A. Hime. Sur. April 3.

Green, Thomas, schoolmaster, Old Bolingbroke. Pet. March 15. Reg. & O. A. Walker. Sol. Walker, Alford. Sur. March 31.

Griffiths, William, shipwright, Pembroke. Pet. March 15. Reg. & O. A. Lanning. Sol. Parry, Pembroke-dock. Sur. April 5.

Harrison, Thomas, master bricklayer, Hutton Cranswick, near Driffield. Pet. March 11. Reg. & O. A. Tonge. Sol. Jennings, Great Driffield. Sur. April 1.

Hayward, Elizabeth, widow, Hereford. Pet. March 17. Reg. Tudor. O. A. Kinnear. Sol. Suckling, Birmingham. Sur. March 31.

Heathorn, Seth, clogger, Atherton. Pet. March 16. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. April 5.

Heseltine, William John, dealer in boots and shoes, Bishopwearmouth. Pet. March 13. Reg. & O. A. Marshall. Sol. Barber, Sunderland. Sur. April 7.

Hitchcock, Robert Jacob, coachbuilder, Liverpool. Pet. March 13. O. A. Turner. Sur. April 3.

Hodgson, John, draper, Wrayton Melling. Pet. March 8. Reg. & O. A. Roper. Sols. Pearson and Pearson, Kirkby Lonsdale. Sur. March 24.

Hopkinson, John, beerhouse-keeper, Bury. Pet. March 17. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. April 6.

Hoskins, James, underground contractor, Cocks, near Blaenavon. Pet. March 15. Reg. & O. A. Batt. Sol. Lloyd, Pontypool. Sur. April 6.

Houghton, William, victualler, Kirkdale, near Liverpool. Pet. March 15. O. A. Turner. Sur. April 3.

Hughes, Joseph Ferdinand, and Hughes, John Spittle, tube manufacturers, Wednesbury. Pet. March 20. Reg. Tudor. O. A. Kinnear. Sol. Hayes, Wolverhampton. Sur. April 7.

Ibbotson, Abraham, victualler, Sheffield. Pet. March 7. O. A. Young. Sol. Ryalls, Sheffield. Sur. March 31.

Jones, John, draper, Festiniog. Pet. March 14. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool, agents for Jones, Portmadoc. Sur. April 6.

Jones, Thomas, charter master, Willenhall. Pet. March 13. Reg. & O. A. Brown. Sol. Cresswell, Wolverhampton. Sur. April 6.

Lancaster, Joseph, Southfield-cottage, near Shap. Pet. March 8. Reg. & O. A. Varty. Sol. Shepherd, Appleby. Sur. March 17.

Lewis, William, coachbuilder, Ross. Pet. Feb. 3. Reg. & O. A. Collins. Sol. Minett, Ross. Sur. April 6.

Little, William, publican, Wolsingham. Pet. March 11. Reg. & O. A. Bates. Sol. Brignall, jun., Durham. Sur. April 3.

Lupton, Thomas, wool dealer, Bradford. Pet. March 17. Reg. & O. A. Robinson. Sol. Harle, Leeds. Sur. April 11.

Mann, Edward, beerhouse keeper, Liverpool. Pet. March 13. Reg. & O. A. Hime. Sur. April 3.

Marks, Morris, tailor, Cheltenham. Pet. March 17. Reg. Wilde. O. A. Acraman. Sols. Duke, Birmingham; Henderson, Bristol. Sur. March 31.

Mence, John, jun., farmer, Dodderhill. Pet. March 18. Reg. Hill. O. A. Kinnear. Sol. Wilson, Worcester. Sur. April 3.
Morrey, Henry, farmer, Grappenhall. Pet. March 16. Reg. & O. A. Nicholson. Sol. Moore, Warrington. Sur. April 13.
O'Neill, John, grocer, Liverpool. Pet. March 15. O. A. Turner. Sur. April 4.
Pike, Joseph, fishmonger, Aberdare. Pet. Jan. 12. Reg. & O. A. Rees. Sur. April 4.
Pooley, Henry, joiner, Everton. Pet. March 16. O. A. Turner. Sol. Harris, Liverpool. Sur. March 31.
Potter, Alfred George, pig butcher, Warmley. Pet. March 18. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. April 3.
[illegible], William John, architectural assistant, Manchester. Pet. March 13. Reg. & O. A. Dunn. Sols. Johnson and Tilly, Lancaster. Sur. March 31.
[illegible], William, coal merchant, Huddersfield. Pet. March 10. Reg. & O. A. Jones. Sol. Bottomley, jun., Huddersfield. Sur. April 24.
Robinson, Matthew Dent, grocer, Barrow-in-Furness. Pet. March 16. Reg. & O. A. Postlethwaite. Sol. Relph, Ulverston. Sur. March 24.
[illegible], Elizabeth, spinster, out of business, Tunstall. Pet. March 11. Reg. & O. A. Challinor. Sol. Stevenson, Stoke-upon-Trent. Sur. April 1.
[illegible], Thomas, shoemaker, High Newton, near Bellingham. Pet. March 14. Reg. & O. A. Cook. Sol. Taylor, Hexham. Sur. April 6.
[illegible], George Patrick, builder, Everton. Pet. March 15. O. A. Turner. Sol. Best, Liverpool. Sur. April 4.
Scott, David, fancy wood worker, Manchester. Pet. March 13. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. March 31.
[illegible], Joseph, woollen factor, Neath. Pet. March 13. Reg. Wilde. O. A. Acraman. Sols. Beer, Swansea; Henderson, Bristol. Sur. April 3.
[illegible], John, builder, Higher Tranmere. Pet. March 16. O. A. Turner. Sol. Best, Liverpool. Sur. March 31.
Spencer, Hartley, and Smith, Robert, cotton manufacturers, Burnley. Pet. March 17. Reg. Harris. O. A. Morgan. Sols. Hartley, Burnley; Boote and Rylance, Manchester. Sur. April 4.
[illegible], George, merchant's clerk, Liverpool. Pet. March 11. Reg. & O. A. Dunn. Sols. Johnson and Tilly, Lancaster. Sur. March 31.
[illegible], Thomas, grocer, Two Mile hill, St. George's. Pet. March 18. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. April 3.
[illegible]field, Joseph, labourer, Mountsorrel. Pet. March 18. Reg. & O. A. Brock. Sol. Deane, Loughborough. Sur. April 3.
Sylvester, William, farmer, Pembridge. Pet. March 17. Reg. & O. A. Temple. Sol. Cheese, Kington. Sur. April 6.
Thomas, David William, bookseller, Cardiff. Pet. March 17. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. April 3.
Thomas, Joseph George, painter and glazier, Torquay. Pet. April 1. Reg. & O. A. Pidsley. Sol. Michelmore, Newton Abbot. Sur. April 1.
Ward, James, general stationer, Leeds. Pet. March 18. Reg. & O. A. [illegible]. Sol. Harle, Leeds. Sur. April 3.
[illegible], David, district inspector of the London and Lancashire Fire and Life Insurance Companies, Liverpool. Pet. March 11. Reg. & O. A. Dunn. Sols. Johnson and Tilly, Lancaster. Sur. March 31.
Wilkinson, James, victualler, Leeds. Pet. March 13. O. A. Young. Sols. Bond and Barwick, Leeds. Sur. April 3.
Williams, David, draper, Llanasa. Pet. March 20. O. A. Turner. Sol. Davies, Holywell. Sur. April 3.
W[illegible], Edwin, rag manufacturer, Dewsbury. Pet. March 11. O. A. Young. Sur. April 3.
Woodward, George Charles, wholesale greengrocer, Wolverhampton. Pet. March 3. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton. Sur. April 7.

Gazette, March 24.

To surrender at the Bankrupts' Court, Basinghall-street.

[illegible], Henry, assistant to a dealer in fruit, Bear-st., Southwark. Pet. March 21. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. April 18.
[illegible], James Henry, coachbuilder, Euston-rd., Saint Pancras. Pet. March 22. Reg. Brougham. O. A. Edwards. Sol. Hope, Ely-pl. Sur. April 19.
Bassett, Benjamin, commission agent, Mildmay-st. Islington. Pet. March 20. Reg. Hazlitt. O. A. Graham. Sol. Duncan, Basinghall-st. Sur. April 11.
[illegible], Joseph, leather seller, Tring. Pet. March 16. Reg. Brougham. O. A. Edwards. Sur. April 12.
[illegible], John William, builder, Park-rd. Brompton. Pet. March 15. Reg. Brougham. O. A. Edwards. Sur. April 12.
[illegible], Juan, merchant, Chenies-st. Tottenham-ct.-rd. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sur. April 11.
[illegible], John, general dealer, Market-row, Kingsland. Pet. March 21. Reg. Brougham. O. A. Edwards. Sol. Chalk, Coleman-st. Sur. April 12.
Challenger, Charles James, railway clerk, Castle-rd. Kentish-town. Pet. March 20. Reg. Hazlitt. O. A. Graham. Sol. Reid, Bow-la. Sur. April 12.
[illegible], Thomas, butcher, Southampton. Pet. March 21. Reg. Brougham. O. A. Edwards. Sols. Paterson and Son, Bouverie-st.; Mackey, Southampton. Sur. April 12.
Clarke, Samuel Forster, mercantile clerk, Woburn-pl. Russell-sq. Pet. March 20. Reg. Hazlitt. O. A. Graham. Sol. Dobie, Guildhall-chambers, Basinghall-st. Sur. April 11.
[illegible], Edward George, first cutter, Acton-st. Gray's-inn-road. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sol. Pearce, Giltspur-st. Sur. April 11.
[illegible], Stephen, wholesale grocer, Love-la. Eastcheap. Pet. March 21. Reg. Brougham. O. A. Edwards. Sol. Flews, Mark-la. Sur. April 12.
[illegible], Mary Ann, needlewoman, George-st. Walworth. Pet. March 14. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.
[illegible], John Alfred French, lodging-house keeper, Upper Eccleston-st., Pimlico. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sur. April 11.
[illegible], Richard George; Alderson, George; and Garman, Robert, merchants, Budge-row, Cannon-st. Pet. March 16. Reg. Brougham. O. A. Edwards. Sol. Rooke, Coleman-st. Sur. April 19.
[illegible], Jacob, wholesale clothier, Carter-st. Houndsditch. Pet. March 13. Reg. Brougham. O. A. Edwards. Sur. April 19.
[illegible], William Edward, civil engineer, Parliament-st. Westminster. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sur. April 1[illegible].
[illegible], Thomas, shoe manufacturer, Towcester. Pet. March 15. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 11.
[illegible], George, greengrocer, Great Marylebone-st. Pet. March 21. Reg. Brougham. O. A. Edwards. Sur. April 19.
[illegible], Henry [illegible] Godwin, gentleman, Bentinck-st. Cavendish-sq. Pet. March 20. Reg. Roche. O. A. Parkyns. Sols. Messrs Cox, Essex-street, Strand. Sur. April 17.
[illegible], James, commission agent, Alexander-ter. New Cross. Pet. March 20. Reg. Brougham. O. A. Edwards. Sol. Lewis, Great Knightrider-st. Sur. April 12.
[illegible], John, sub-contractor, Gospel Oak-grove, Kentish-town. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sur. April 11.
[illegible], James Ballantine, railway clerk, Park-crescent, Stockwell. Pet. March 20. Reg. Brougham. O. A. Edwards. Sols. [illegible] and Lewis, Old Jewry. Sur. April 12.
[illegible], Rees, no occupation, Abingdon-villas west. Pet. March 22. Reg. Hazlitt. O. A. Graham. Sol. Bailey, Tokenhouse-yard. Sur. April 11.
[illegible], Orlando Adolphus, cabinet-maker, Cheshire-st. Bethnal-green. Pet. March 22. Reg. Hazlitt. O. A. Graham. Sol. Hope, Ely-pl. Holborn. Sur. April 11.
[illegible], Edward, merchant, Laurence Pountney-la. Pet. March 15. Reg. Brougham. O. A. Edwards. Sur. April 19.
[illegible], Jacob, baker, Henry-st. Stepney. Pet. March 21. Reg. Brougham. O. A. Edwards. Sol. Olive, Portsmouth-st. Lincoln's-inn-fields. Sur. April 19.
[illegible], Joseph Lionel, private tutor, Brighton. Pet. March 20. Reg. Roche. O. A. Parkyns. Sols. Linklaters and Hackwood, Walbrook. Sur. April 10.
[illegible], Frederick, grocer's assistant, King's Lynn. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sols. Clowes and Hickley, King's-bench-walk, Temple. Sur. April 11.
[illegible], Robert Sparrow, coachmaker, Mile-end-rd. Pet. March 1[illegible]. Reg. Brougham. O. A. Edwards. Sur. April 19.
[illegible], William Augustus, beer engine manufacturer, Green-walk and Wilderness-row, Goswell-st. Pet. March 20. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. April 10.
[illegible], Edward, proprietor of the Athenæum Reading-rooms, Bayswater. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sol. Doyle, Verulam-bldgs. Gray's-inn. Sur. April 11.
Regnault, Corry, commission agent, Bedford-ct. Strand. Pet. March 15. Reg. Hazlitt. O. A. Graham. Sur. April 11.
Rode, Ernest Henry, commission agent, Newgate-st. Pet. March 21. Reg. Brougham. O. A. Edwards. Sols. Peck and Downing, Basinghall-st. Sur. April 19.
Sadler, Thomas, out of business, Argyle-rd. Globe-rd. Mile-end. Pet. March 20. Reg. Hazlitt. O. A. Graham. Sol. Turner, Mount-st. Whitechapel. Sur. April 11.
Salisbury, Eliza Parrot, in no trade, Bedford-st. Bedford-row. Pet. March 13. Reg. Hazlitt. O. A. Graham. Sur. April 11.
Stead, Joseph, bellhanger and gasfitter, Watford. Pet. March 20. Reg. Roche. O. A. Parkyns. Sol. Wells, Moorgate-st. Sur. April 10.
Stringer, James, stonemason, Hayden's-la. and Sinkin-villa, Griffiths-rd. Wimbledon. Pet. March 17. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. April 12.
Tanner, Thomas, in no trade, Upper Charlton-st. Fitzroy-sq. Pet. March 13. Reg. Brougham. O. A. Edwards. Sur. April 12.
Wilkinson, Robert, publican, Kent-st. Southwark. Pet. March 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 10.
Windibank, Henry, furniture warehouseman, Highfield and Southampton. Pet. March 21. Reg. Roche. O. A. Parkyns. Sols. Paterson and Son, Bouverie-st. Fleet-st., agents for Mackey, Southampton. Sur. April 10.

To surrender in the Country.

Anderson, John, joiner, Hull. Pet. March 22. O. A. Young. Sols. Hudson and Noble, Hull. Sur. April 5.
Baigent, Charles Alfred, victualler, Elmsworth. Pet. March 18. Reg. & O. A. Howard. Sol. White, Portsea. Sur. April 5.
Beresford, Samuel, mason, Belper. Pet. March 14. Reg. & O. A. Ingle. Sols. Gamble and Leech, Derby. Sur. April 8.
Berrisford, Samuel, ironfounder, Stockport. Pet. March 7. Reg. Harris. Sols. Slater and Barling, Manchester. Sur. April 5.
Bird, Thomas, beerhouse-keeper, Everton. Pet. March 13. Reg. & O. A. Hime. Sol. Thornley, Liverpool. Sur. April 6.
Brown, George, innkeeper, Worcester. Pet. March 20. Reg. Hill. O. A. Kinnear. Sol. Wright, Birmingham. Sur. April 3.
Carter, Henry, shoddy manufacturer, Birstal. Pet. March 10. Reg. & O. A. Nelson. Sol. Harle, Leeds. Sur. April 7.
Chadwick, Thomas, builder, Darlington. Pet. March 20. Reg. Gibson. O. A. Laidman. Sols. Story and Bousfield, Newcastle. Sur. April 10.
Cockroft, Henry, venetian blind maker, Mayroyd, near Hebden-bridge. Pet. March 11. O. A. Young. Sur. April 3.
Dewhurst, Roger, carter, Tonge, near Bolton. Pet. March 20. Reg. & O. A. Holden. Sols. Glover and Eamwell, Bolton. Sur. April 5.
Edmonds, John, commission agent, Egremont. Pet. March 18. Reg. & O. A. Gill. Sol. Hindle, Liverpool. Sur. April 7.
Firkell, John, innkeeper, Yarm. Pet. March 14. O. A. Young. Sols. Simpson, Yarm; Carles and Trenpest, Leeds. Sur. April 10.
Fitchett, Enoch, butcher, Hulme. Pet. March 21. Reg. & O. A. Hulton. Sol. Leigh, Manchester. Sur. April 6.
Fitzgerald, William Gerald, merchant, Liverpool, and Ramsey Isle of Man. Pet. March 21. O. A. Turner. Sols. Anderson and Collins, Liverpool. Sur. April 11.
Froggatt, Elias, coaldealer, Birmingham. Pet. March 21. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. April 10.
Harcourt, John, general dealer, Milton-next-Gravesend. Pet. March 20. Reg. & O. A. Southgate. Sol. Layton, jun., Church row, Islington. Sur. April 15.
Hatton, James, grocer, Wharton. Pet. March 22. Reg. & O. A. Cheshire. Sol. Bent, Northwich. Sur. April 12.
Hebblethwaite, John, blacksmith, Kirkburton. Pet. March 6. Reg. & O. A. Jones. Sol. Booth, Holmfirth. Sur. April 10.
Hitchen, William, victualler, Newmarket. Pet. March 17. Reg. & O. A. Button. Sol. York, Newmarket. Sur. April 4.
Hope, Henry, ostler, Daventry. Pet. March 20. Reg. & O. A. Willoughby. Sol. Potts, Daventry. Sur. April 5.
John, William, victualler, Swansea. Pet. March 13. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. April 3.
Jones, Abraham, teadealer, Liverpool. Pet. March 22. Reg. & O. A. Hime. Sol. Jones, Liverpool. Sur. April 10.
[illegible], Edward, dyer, Derby. Pet. March 13. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. April 4.
Locker, Joseph, fishmonger, Derby. Pet. March 20. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. April 4.
Magee, Patrick, travelling draper, Hull. Pet. March 20. Reg. & O. A. Phillips. Sols. Hudson and Noble, Hull. Sur. April 4.
Manning, John, tailor, Kingswinford. Pet. March 21. Reg. Hill. O. A. Kinnear. Sols. Freer and Perry, Stourbridge; James and Griffin, Birmingham. Sur. April 5.
[illegible], Edward, boot top maker, Liverpool. Pet. March 18. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. April 5.
Middleton, Joseph, publican, Collingham, near Wetherby. Pet. March 22. O. A. Young. Sol. Mason. Sur. April 10.
Nott, John, mason, Bampton. Pet. March 21. Reg. & O. A. Daw. Sol. Densham, Bampton. Sur. April 4.
Parkes, John, iron screw manufacturer, Birmingham. Pet. March 21. Reg. Tudor. O. A. Kinnear. Sol. Wright, Birmingham. Sur. April 7.
Pearson, Joseph, machine maker, Leeds. Pet. March 21. O. A. Young. Sol. Simpson, Leeds. Sur. April 3.
Pownall, John, confectioner, Hull. Pet. March 23. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. April 4.
Pratt, John, gardener, Luton. Pet. March 18. Reg. & O. A. Austin. Sol. Bailey, Luton. Sur. April 6.
Pryce, Josiah, district manager of an insurance company, Oaklands, near Carmarthen. Pet. March 21. Reg. Wilde. O. A. Acraman. Sols. Stopher, Cudden and Miles, Coleman-st.; Whittington and Gribble, Bristol. Sur. April 4.
Richards, George, butcher, Christchurch. Pet. March 22. Reg. & O. A. Roberts. Sol. Graham, Newport. Sur. April 11.
Rowe, William Henry, innkeeper, Great Torrington. Pet. March 21. O. A. Carrick. Sol. Bencraft, Barnstaple; Clarke, Exeter. Sur. April 5.
Smith, John, greengrocer, Willenhall. Pet. March 15. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. April 7.
Smith, John Henry, baker, Yeovil. Pet. March 21. Reg. & O. A. Batten. Sol. Fear, Sherborne. Sur. April 13.
Smith, Samuel, sawyer, Liverpool. Pet. March 15. Reg. & O. A. Hime. Sur. April 4.
Spring, John, jun., hairdresser, Sandy. Pet. March 16. Reg. & O. A. Hooper. Sols. Conquest and Stimson, Bedford. Sur. April 3.
Stagg, Thomas Mitchell, file manufacturer, Walkley, near Sheffield. Pet. March 21. Reg. & O. A. Rodgers. Sols. Binney and Son, Sheffield. Sur. April 6.
Sydenham, John, saddler, Newport. Pet. March 21. Reg. & O. A. Roberts. Sol. Graham, Newport. Sur. April 11.
Walter, William, farmer, [illegible]. Pet. March 13. O. A. Carrick. Sols. Gurney, Cowlard and Kempson, Launceston; Daw and Son, Exeter. Sur. April 5.
Whitehouse, Jacob, timber dealer, Dudley. Pet. March 20. O. A. Walker. Sol. Lowe, Dudley. Sur. April 17.
Williams, William Winton, grocer, Liverpool. Pet. March 20. Reg. & O. A. Hime. Sol. Roose, Liverpool. Sur. April 7.
Wilson, Joseph, shoddy and mungo manufacturer, Cleckheaton. Pet. March 17. O. A. Young. Sols. Dibb and Atkinson, and Yewdall, Leeds. Sur. April 3.
Wood, Thomas, tar distiller, Ipswich. Pet. March 20. Reg. & O. A. Pretyman. Sol. Pollard, Ipswich. Sur. April 3.

BANKRUPTCIES ANNULLED.

Gazette, March 21.

Desplan, Henry, surgeon, Bristol.
Hayden, William Liles, tailor, Bishops Stortford.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Beardsworth, E. hairdresser, first, 3s. 9½d. Morgan, Manchester.—*Corner*, G. R. attorney, first, 1s. 3d. Edwards, London.—*Elmore*, W. wine and spirit merchant, first, 4s. 11¼d. Turner, Liverpool.—*Flemming*, G. merchant, first, 3s. 5d. Edwards, London.—*Gibson*, R. L. builder, first, 4s. 10¼d. Edwards, London.—*Harkes*, W. agricultural implement manufacturer, first, 1s. 4d. Turner, Liverpool.—*Horton*, J. merchant, first, 2s. 9d. Turner, Liverpool.—*Jenkins*, J. provision merchant, second, 2d.; first, on new proofs, 3s. Acraman, Bristol.—*Latcham*, R. corndealer, first, 3s. 9d. Acraman, Bristol.—*Leech*, J. A. draper, first, 11d. Parkyns, London.—*Lowden*, T. staff warehouseman, first, 10s. Edwards, London.—*Pearson*, T. ironmonger, amended, in place of 9d., 6¼d. Edwards, London.—*Robertson*, R. block and mast maker, first, 3s. 9d. Turner, Liverpool.—*Selby*, P. dealer in general merchandise, first, 1s. 7½d. Parkyns, London.—*Simmons and White*, Cannon-st. west, second, 4¼d.; to new proofs, 2s. 4¼d. Edwards, London.—*Soares*, J. and A. general merchants, second, 6½d.; to new proofs, 1s. 6d. Edwards, London.—*Stalter*, J. tailor, 1s. Eaden, County Court, Cambridge.—*Wilson*, W. A. engineer, second, 1s. Turner, Liverpool.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, March 21.

Attwood, William Henry, builder, Luton. March 13. 6s. 6d. by two equal instalments of 3s. 3d. at 1 and 3 mos.—secured.
Bendelack, Charles, merchant, Burnley. March 6. Trust. J. H. Bendelack, gentleman, Southport.
Booth, William, lace manufacturer, Nottingham. Feb. 15. 5s. by two equal instalments at 3 and 6 mos.—secured.
Brooke, Walter, salesman, Manchester. March 10. 8s. in 7 days. Sureties, W. Brooke, merchant, and E. Brooke, manufacturing chemist, both Manchester.
Broom, William Tyrer, and Broom, Alfred Welsby, general brokers, Liverpool. March 13. Trust. W. Alexander, accountant, Liverpool.
Brown, William, linen draper, Bristol. March 2. Trusts. R. Ridler, Manchester warehouseman, Bristol, and B. Smith, silk mercer, St. Martin's-le-Grand.
Bryan, Thomas, grocer, Birmingham. Feb. 20. 4s. in 3 mos.—secured. Trust F. J. Bryan, grocer, Princes End.
Brynet, William Nickles, iron bedstead and bedding manufacturer, Pentonville-rd. Clerkenwell. Feb. 24. 5s. by two equal instalments on 11th May and 11th Aug.—secured.
Bullock, James, grocer, Chorlton-upon-Medlock. March 6. 6s. in 1 mo.
Caldecott, Henry, draper, Praed-st. Feb. 21. 10s. by three equal instalments at 3, 6 and 9 mos.—secured. Trusts J. Boldero, Lisson-grove, and T. W. Elstob, Wood-st. warehousemen.
Carr, Thomas, and Leaver, James, cotton manufacturers, Blackburn. Feb. 24. 14s. 6d.—4s. on 4th April, 5s. on 2nd May and 4s. 6d. on 6th June—secured. Trust. J. Collier, cloth agent, Manchester.
Clark, Edwin, baker, Brick-la. Bethnal-green. Feb. 10. 2s. 6d. on 20th Feb. and 2s. 6d. on 1st May—secured.
Clement, Thomas, jun., weigher, Swansea. Feb. 21. 5s. by two equal instalments on 31st March and 30th June. Surety, J. Jones, of no business, Swansea.
Cohen, Samuel, clothier, Goulston-sq. Whitechapel. March 17. 1s. at 3 mos.
Cordy, William, grocer, King's-rd. Chelsea. March 8. Trusts. W. Woods, hotel keeper, Furnival's-inn, and H. Barter, wholesale grocer, Southwark.
Davies, George, joiner and packing-case maker, Manchester. March 14. 5s. on 15th April.
Dix, Richard, lamp manufacturer and tin worker, White Lion-st. Clerkenwell. March 9. 2s. 6d.—1s. in 2 mos. and 1s. 6d. in 4 mos.
Duff, William, merchant, Fenchurch-st. Feb. 20. Trust, T. Baxter, broker, Great St. Helen's, and G. T. Hart, accountant, Moorgate-st.
Durrant, Edgar, and Durrant, Leonard, drapers, Hastings. March 10. Trusts. S. Lowry and G. Hooper, warehousemen, Wood-st. Sols. Sols. Turners and Hardwick, Aldermanbury.
Eddy, Walter, painter, Gosport. March 8. Trust. G. Hook, shipwright, Gosport.
Elliott, Edward, cheesemonger, Barnet. March 13. 1s.
Garstang, James, cotton manufacturer, Over Darwen. Feb. 22. Trusts. C. Motherall, J. Haworth, and J. Boyd, commission agents, Manchester.
Gorringe, Francis, hotel keeper, Brighton. March 20. Trusts. C. F. Ease, gentleman, Vine-st. Bloomsbury, and H. W. Fox, gentleman, Camden-sq. Camden-town.
Green, Richard, gas manager, Sharples. March 2. Trusts. J. Green, upholsterer, and G. Winterburn, bookseller, both Bolton.
Heald, Henry, Whalley, and Thompson, Ellen, Newcastle, cottonspinners. Feb. 27. Trusts. J. Platt, Esq., and J. G. T. Child, accountant, Manchester.
Higgins, Charles, and Cattle, James, wholesale druggists, Liverpool. March 13. Trusts. H. H. Withers, manager of the Royal Bank of Liverpool, P. Harris, chemist, Birmingham, J. B. Edwards, analytical chemist, T. Jenkinson, broker, and W. Whatham, spice merchant, all of Liverpool.
Hopkinson, William, shopkeeper, Beckwithshaw. Feb. 20. Trusts. J. Jackson, farmer, Haverah-park, and J. Jackson, grocer, Otley.
Humphreys, William, victualler, New Ormond-st. Queen's-sq. Feb. 16. Trust. E. Wine, victualler, King William-st. Strand.
Jackson, Peter, boot and shoe maker, Hull. March 6. Trusts. J. Phillips, currier and shoe manufacturer, Leeds, and D. Dawson, currier, Hull.
Jacobs, Charles, undertaker, Kentish-town-rd. March 14. 1s. by 15th April.
James, Charles, butcher, Wells. Feb. 20. 5s.
Jennings, John, draper, Melksham. March 6. Trusts. L. Wateman, boot and shoe manufacturer, Bristol, and W. Gilbert, stay manufacturer, Bow-la. Cheapside.
Jones, James, builder, Mangotsfield. March 16. 1s. at 6 mos.
King, John, lace manufacturer, Heanor. Feb. 21. Trust. S. Baines, gentleman, Brighouse.
Latham, Samuel, timber merchant and cabinet-maker, Manchester. Feb. 21. 10s. by four instalments on 7th May, 7th Aug., 7th Nov. and 7th Feb.—secured.
Lingard, Henry John, estate and business agent, Mount-pl. Whitechapel-rd. March 13. 10s. in 6 mos. and 10s. in 12 mos.
Long, Sarah, plumber, Kenilworth. Feb. 1[illegible]. Trust. C. Bliss, banker, Kenilworth.
Marsden, David, draper, Tredegar, near Newport. Feb. 24. Trusts. W. M. Baker, Bristol, and A. Hutton, Glasgow, warehousemen.
Mascha, Joseph, Bow-la. and Hascher, Henry, Watling-st. commission agents. March 1. 10s. in 1 mo.
Nevatt, George, tailor and outfitter, Petworth. Feb. 21. 6s.—2s. 6d. on 14th April, 2s. 6d. on 14th June and 2s. 6d. on 14th Aug.
Ockelford, Henry, furniture dealer, Whitechapel-rd. March 8. To pay 50*l.* in 1 mo. and 50*l.* in each mo. after. Trust. J. Fulcher, King-st.
Parrish, John, wholesale grocer, Huddersfield. March 10. Trust. J. W. Tempest, accountant, Huddersfield.
Paulsen, Edward, commission merchant, Mark-la. Feb. 20. Inspectors, A. Plimpton, merchant, Gracechurch-st. E. Lion, commission agent, Lower Thames-st. and F. Maynard, accountant, Bread-st. Cheapside.
Peters, Joel, builder, Lee. March 17. To pay in full by two equal instalments at 6 and 12 mos.
Pickard, Benjamin, and Chapman, Ann, corn millers, Sherburn. Feb. 17. Trust. R. C. Ouston, corn merchant, Leeds.
Rosen, Julius, picture frame maker, Bristol. Feb. 27. 3s. on 13th March.
Rowland, William Henry, plumber, Cambridge-pl. Paddington. Feb. 27. 4s. by 3rd April.
Skinner, Henry John Hunt, and Streatfield, Frank Newton, ship and insurance brokers, Nicholas-la. March 8. Trusts. A. Howden, jun., merchant, Birchin-la. and C. F. Hance, accountant, St. Helen's-pl. Bishopsgate-st.
Solomon, Lewis, boot and shoe manufacturer, Princes-st. Spitalfields. March 8. 5s. Trust. I. Jacobs, dealer in jewellery, Panton-st. Piccadilly.
Stagg, Thomas, and Edwards, Alexander, braid manufacturers, St. Paul's-churchyard. Feb. 20. 10s. by three equal instalments at 3, 6 and 9 mos.—secured. Trust. W. Munn, corn dealer, Bathurst-mews, Hyde-park.
Tetley, James, worsted manufacturer, Birstal. March 1. 7s. 6d. by two equal instalments at 4 and 8 mos.—secured.
Thompson, Amos, slater, Dewsbury. March 3. 4s.—2s. at 2 and 2s. at 4 mos. Trusts. J. Joy, innkeeper, and G. Thornton, flourdealer, both Dewsbury.
Turner, Thomas, joiner, Preston. Feb. 23. 5s. by two instalments—2s. 6d. on 23rd May and 23rd Aug. Trust. R. Parker, slate merchant, Preston.
Wadsworth, Walter, dyer, Huddersfield. Feb. 27. Trusts. H. K. Beaumont, drysalter, and H. Brook, ironfounder, both Huddersfield.
Wait, Joseph, file manufacturer, Chorlton-upon-Medlock. Feb. 16. Trust. J. A. Harding, public accountant, Manchester.
Walker, Joseph, mungo merchant, Huddersfield. Feb. 18. Trust. W. Thornton, joiner, Huddersfield.
Williams, David Henry, grocer, Bedwellty. Feb. 22. Trusts. J. Wright, provision merchant, Bristol, and F. Edwards, corn merchant, Pontypool.
Williams, William, commission agent, Claughton. Feb. 23. 5s. in a week. Trust. S. D. Downing, surgeon, Birkenhead.

WOOLF, BENJAMIN, and COHABRICH, ISRAEL, boot and shoe manufacturers, Hackney-rd. March 1. Trust. D. M. Woollan, gentleman, Cheapside.

ERRATA.

BIRKS, HENRY ALFRED, commercial traveller, Kentish-town (and not H. A. Berks, as before advertised in Gazette 17, 1865).

HATCH, WILLIAM, dealer in boots and shoes, Brighton (and not W. Watch, as before advertised in Gazette 17, 1865).

LEWIS, JOHN, Pembroke-dock. Feb. 17. Trust. F. Cole, merchant, Welchback, city Bristol (and not London, as before advertised in Gazette 17, 1865).

Gazette, March 21.

ANDREWS, HUGH, machine sewer, Old Fish-st. March 10. 3s. 6d. by two instalments—2s. on 20th March and 1s. 6d. on 20th June.

BADDELEY, THOMAS, ironmonger, Wellington. March 21. 10s. by two instalments of 5s. in 6 and 12 mos. Trust. W. G. Norris, accountant, cashier for the Coalbrookdale Company, Coalbrookdale.

BADOE, KOTO, surgeon, Cardiff. March 11. 5s. by two instalments of 2s 6d on 11th June and 11th Dec. Trusts M. Strine, shipbroker, A. Petrell, jeweller, and T. Whitehorn, chemist and druggist, all Bute Docks.

BLATCHLEY, WILLIAM, baker, Kirkdale, near Liverpool. March 11. Trust. J. Leicester, baker and flour dealer, Wavertree, near Liverpool.

BOOKER, GEORGE, grocer, Sheffield. Feb. 22. Trust. J. Rodgers, miller, Sheffield.

BRADLEY, FREDERICK, surgeon, Leamington Priors. March 7. 5s. by two instalments of 2s. 6d. each on 6th July and 6th Nov.

BRAGG, WILLIAM BAZLEY, Bootle. March 11. 5s. in 14 days. Trust R. Conaway, shipbroker, Liverpool.

BRANDT, MARCUS, felt hat manufacturer, Manchester. March 3. 6s 6d. by three instalments—2s. on 6th May, 2s. 6d. on 6th July and 2s. 6d. on 6th Sept.

BRIGGS, SAMUEL, and DENHAM, JOSEPH MOORE, ironmasters, Hull. March 1. 5s. by two instalments of 2s. 6d. each at 6 and 12 mos. from 1st March—secured. Inspector, T. B. Denham, flaxspinner, Leeds.

BUCKLE, JOSEPH, confectioner and baker, Weston-super-Mare. Feb. 27. 5s. by two equal instalments—first on execution of deed and the other at 4 mos.

CANNON, EDWARD WILLIAM, auctioneer, Hart-st. Bloomsbury. Feb. 27. 1s 6d. by 25th March.

CHESTON, THOMAS CHARLES, gentleman, Birmingham. March 10. Trust W. C. Mare, estate agent, Birmingham.

COMBRES, SAMUEL, rag merchant, West Hartlepool. Feb. 21. 10s by three equal instalments of 3s. 4d. at 4, 8 and 12 mos. from 25th Feb. —secured. Trusts, M. Shann, merchant, Leeds, and J. W. Ward, builder, West Hartlepool.

COULTREP, JOHN, draper, Chatham. March 1. 11s. 6d. by three instalments of 3s 6d. at 3, 6 and 9 mos—secured. Trust. J. Ellerton, warehouseman, St. Paul's-churchyard.

DAVIES, DAVID, flannel manufacturer, Llanidloes. March 6. Trusts, R. Spoonley, wool merchant, and L. Lewis, skinner, both Newtown Sol. J. Jenkins, Llanidloes.

DAY, RICHARD, saddler, Brecon. Feb. 22. Trusts, T. Bowen, banker, and A. N. Humphreys, currier, both Welshpool.

DEAN, WILLIAM, cloth manufacturer, Batley. March 14. To pay debts in full by four equal instalments at 3, 6, 9 and 12 mos.—secured. Trusts, J. Bickler, manufacturing chemist, Hightown, near Normanton, B. Wild, drysalter, Leeds, and W. Knowles, machine maker, Gomersal.

DIX, WILLIAM, grocer, Newport. Feb. 24. 4s. by promissory notes at 2 and 4 mos. secured. Trusts, B. Prewett, ship biscuit baker, Newport, M. Cope, maltster, Carleton, and S. Lloyd, grocer, Newport.

DUMAS, ARTHUR JAMES, gentleman, Chapel-st. Belgrave-sq. Feb. 14 Trust. J. Pusey, stock broker, Warnford court.

ELLIS, THOMAS, engineer, Bristol. Feb. 25. Trusts C. P. R. Howell timber merchant, Bristol, and T. Turner, brickmaker, Stratton St. Margaret.

FLETCHER, MARY, ironmonger, Dudley. Feb. 22. 5s by two instalments of 2s 6d. on 1st April and 1st July—secured. Surety, W. Wilkinson, anvil manufacturer, Dudley.

FOX, WILLIAM, cotton broker, Liverpool. March 10. 3s.—1s. in 14 days and 1s in 3 mos.—secured. Trusts, C. J. English and T. Brandon, ship brokers, Liverpool.

GARDNER, THOMAS, brickmaker, Granville ter. Jeffrey's-rd. Clapham-rise, and Stanhope-brickfield, Wimbledon. March 11. 3s. in 6 mos.

GAZE, WILLIAM JOHN, draper, King-st. Hammersmith. March 1. 9s. by three equal instalments at 2, 4 and 6 mos—secured. Trust. J. E. Pawson, warehouseman, St. Paul's church-yard.

GEE, HENRY PARKER, grocer, Birmingham. March 15. 6s. 6d. by three instalments on 11th April, 11th July and 14th Oct. Trust. H. F. Prosser, surgeon, Cardworth.

GRAVATT, THOMAS, law stationer, Brooksby-walk, Homerton. Feb. 20. Trust. H. J. Allison, tobacconist, Ward-st rd. Kentish-town.

HAMAS, WILLIAM BARHAM, draper, Birmingham. Feb. 20. Release upon paying 10s. 6d. on his share of the partnership debts.

HOFFMANN, GEORGE FREDERICK, merchant, Liverpool. March 4. Trust. J. Hughes, Liverpool.

HOLTON, EDWARDS MATTHEWS, out of business, Gravesend. March 17. Trusts, S. White, provision merchant, St Mary-at-Hill, and I. Barton, wholesale grocer, Lower Thames-st.

HOOKS, DAVID, draper, Newark-on-Trent. Feb. 12. 10s. by three instalments of 3s. 4d. at 4, 8 and 12 mos.

HOWORTH, ROBERT, drysalter, Manchester. Feb. 22. Trust. R. Crompton, draper, Bury.

JACKSON, BENJAMIN SAMUEL, dentist, Horningsham-villas, Junction-rd. Upper Holloway. March 14. 5s.—1s. 3d. on 24th June and 1s. 3d. on each of the three following quarter days.

JACKSON, THOMAS, contractor, Isle of Man. Dec. 31. Inspectors, W. Sedgwick, Queen-st. Cannon-st., clerk to T. Jackson, A. Mosatta, merchant, Finsbury-chambers, London-wall, J. Bethell, manufacturing chemist, King William st, H. F. Burt, timber merchant, Charlotte-row, and W. Cooper, accountant, George-st. Mansion-house.

KAYE, DAVID, tailor, Liverpool. March 20. 11s. by three equal instalments at 4, 8 and 12 mos.—secured. Trust. W. Alexander, accountant, Liverpool.

KAYE, EPHRAIM, and KAYE, JOSEPH, woollen manufacturers, Halifax. March 17. 4s. in 7 days. Trust D. Ormerod, waste dealer, Halifax.

KING, JOSIAH, grocer, Birmingham. Feb. 18. 6s. 8d. by two instalments of 3s. 4d. at 1 and 3 mos.—secured.

LYMN, PARKMAN JOHN, bonnet front manufacturer, Nottingham. Feb. 27. 5s. on execution of deed.

MOORE, WILLIAM, coach axletree manufacturer, Wednesbury. March 1. Trusts, S. Perry, ironfounder, and H. Banks, iron merchant, both Wednesbury.

NATHAN, HENRY YATES, jeweller, Birmingham. Feb. 27. Trust. E. W. Genever, Birmingham.

NELSON, RICHARD, draper, Leeds. March 1. 10s by three instalments of 3s. 4d. each at 3, 6 and 9 mos. from 1st Feb. Surety, J. Perkin, engraver, Leeds.

PEAKS, WILLIAM, jun., beer retailer, Aston, near Birmingham. March 8. 1s. on execution of deed.

RAMUZ, FRANCIS WILLIAM, wine merchant, Maryland-point, Stratford. March 20. 2s. 6d. in 3 mos.

REID, JOHN, travelling draper, Dudley. Feb. 24. Trusts, J. Walker and A. Mackie, drapers, Dudley.

SCHOFIELD, THOMAS; SCHOFIELD, JAMES; and CLEMENTSON, HENRY THOMAS, cotton spinners, Micklehurst. Feb. 24. 7s. 6d. Trust, J. Haleday, accountant, Manchester.

SHARPLES, JOHN, perfumer, Preston. March 11. Trust. D. Wilcockson, cotton manufacturer, Preston.

SHERWICK, HENRY, tobacconist, Brighton. Feb. 21. Trust. T. Cane, builder, Lindfield.

SINGLEHURST, WILLIAM, broker, Liverpool. March 14. 5s.

SMILES, CHARLES FREDERICK, wine merchant, Crosby-hall-chambers, Bishopsgate-street. March 6. 8s. by two instalments of 4s. each, at 3 and 6 mos.—secured. Trusts, R. Smiles, Hilldrop-crescent, Camden-rd., and S. Harding, accountant, Basinghall-st.

SMITH, DAVID KENNEDY, Shrewsbury. March 11. 10s by three instalments of 3s. 4d. each, at 6, 12 and 18 mos.—secured. Trust. W. Hunt, jun., accountant, Manchester.

SOUTHGATE, HENRY, fine art and book auctioneer, Fleet-st. March 16. Inspectors, E. Gambart, wholesale printseller, and H. Barrett, brass and iron founder, King's Head-ct., Barbican.

SQUIRE, GEORGE, tailor, Harleston. March 21. Trust. R. C. Hounsfield, warehouseman, Cannon-st.-west.

TERRY, GEORGE SHIRLEY, gentleman, York. March 1. Trust. J. Hillyard, wine merchant, York.

VON KORMOCZY, STEVAN, Cardiff. March 2. Trust. E. Codney, Cardiff.

WHEELER, BENJAMIN, plumber, Nottingham. Feb. 24. Trusts, H. Taylor, glass merchant, Birmingham, and J. Russell, bank manager, Nottingham.

WHEELER, JOHN, grocer, Bristol. March 11. 10s.—2s. 6d. on registration of deed, 2s. 6d. at two mos., and 2s. 6d. at four mos.

WHITTAKER, JOHN, cotton spinner, Ramsbottom. Feb. 28. Trusts, C. H. Coddington, cotton broker, Liverpool, J. Wild, builder, and J. Heap, stone dealer, both of Ramsbottom.

WILLIAMS, DAVID HENRY, grocer, Bedwellty. Feb. 22. Trusts, J. Wright, provision merchant, Bristol, and E. Edwards, corn merchant, Pontypool.

WILSON, JOSEPH, joiner, Batley Carr. March 21. 1s. 6d. in cash in 10 days—secured. Trust. J. Wilson, weaver, Batley Carr.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

SMITH.—On the 28th ult., at Somerfield, Reigate, the wife of Mr. Charles Joseph Smith, solicitor, of a daughter.

DEATHS.

MACCORMACK.—On the 25th ult., at 54, Offord-road, Barnsbury, aged 71, John MacCormack, Esq., Chief Police Magistrate of the colony of Sierra Leone.

WHARTON.—On the 17th ult., in London, aged 92, G. R. Wharton, Esq., of the Albany, Piccadilly, and Lincoln's-inn-fields, Clerk of the Peace for the county of Durham.

Investments.

SIX PER CENT. on FREEHOLD SECURITY.—The DIRECTORS of INNS OF COURT HOTEL COMPANY, Limited, are now issuing DEBENTURES of 50l. or 100l. and upwards, for three, five and seven years, with coupons attached for payment of interest half-yearly.

The Debentures will form a first charge of 80,000l. upon the very valuable freehold hotel property of the Company in Holborn and Lincoln's-inn-fields, estimated as worth not less than 120,000l.

A Commission to Solicitors.

For further particulars and forms of application, apply to the Secretary, at the Offices, 63, Lincoln's-inn-fields, W.C.

H. T. L. BEWLEY, Secretary.

LONDON, CHATHAM, and DOVER RAILWAY COMPANY.—LOANS on DEBENTURES.—The Directors are prepared to receive LOANS on DEBENTURES for three or five years, to replace loans falling due. Offers to be addressed to the undersigned.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W., March 21, 1865.

NEXT PRESENTATIONS.—Gloucestershire.—For SALE, the NEXT PRESENTATION of THREE LIVINGS, pleasantly situate in the neighbourhood of Stroud, Gloucestershire. Excellent houses. Net incomes between 200l. and 300l. The incumbents of advanced ages.—For particulars apply to Messrs. Frarson, Clabon and Frarson, Solicitors, 21, Great George-street, Westminster.

BURY GASWORKS.

THE BURY IMPROVEMENT COMMISSIONERS are prepared to receive TENDERS or a LOAN of 4,000l. for three, five, or seven years, at 4½ per cent. per annum, either in one sum or in sums not less than 500l. Interest payable on the 1st January and 1st July in each year. The Security is the Bury Gasworks, and the rents, rates and charges for supplying gas within the limits of the Bury Gas Act, the rates leviable on the town of Bury, under the Bury Improvement Act 1846, being an additional and collateral security.—Application to be made to the undersigned,

WM. HARPER, Clerk to the Commissioners.

Bury, Lancashire, 21st February 1865.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

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ACCIDENTS to LIFE or LIMB, in the Field, the Streets, or at Home, Provided for by a Policy of the RAILWAY PASSENGERS' ASSURANCE COMPANY, 64, Cornhill, London, E.C.

COMPENSATION
Has been paid for 10,000 Claims.
100l. in case of Death, or 6l. per Week while laid-up by Injury, secured
By the annual payment of from 3l. to 5l. 5s.

For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,

64, CORNHILL, and 10, REGENT-STREET.

WILLIAM J. VIAN, *Secretary.*

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY,
68, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q. C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

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C. B. CLABON, Sec.

LAW FIRE INSURANCE SOCIETY.
Offices: Chancery-lane, London.
Subscribed Capital, 5,000,000l.

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The Right Honourable Lord Truro.
The Right Honourable the Lord Chief Baron.
The Right Honourable the Lord Justice Sir J. L. Knight Bruce.
The Right Honourable the Lord Justice Sir G. J. Turner.
The Right Honourable John Robert Mowbray, M.P.
William Brougham, Esq.

Insurances expiring at Lady-day should be renewed within fifteen days thereafter, at the Offices of the Society, or with any of its agents throughout the country.

This Society holds itself responsible, under its Fire Policy, for any damage done by explosion of gas.

EDWARD BLAKE BEAL, Secretary.

IMPERIAL FIRE INSURANCE COMPANY,
No. 1, Old Broad-street, and Nos. 16 and 17, Pall-mall, London.

Established 1803.

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ANDREW BADEN, Superintendent.

EQUITABLE REVERSIONARY INTEREST SOCIETY. Established 1835. Capital 500,000l.

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JOHN CLAYTON, FRANCIS S. CLAYTON, } Joint Secretaries.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

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The Fire and Life Departments are under one management, but with separate Funds and Accounts.

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Capital £750,000, in addition to the Reserve Fund.
Business consists of the best classes of risks.
Insurants will be allowed the full benefit of the Reduction of Duty.
Claims settled promptly and liberally.

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A Bonus every five years. Next bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 50 per cent. per annum on the premiums paid varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

SPECIAL NOTICE.

THE STANDARD LIFE ASSURANCE COMPANY.

Constituted by Special Acts of Parliament. Established 1825.

Governor—His Grace the Duke of BUCCLEUCH and QUEENSBERRY.

Deputy-Governor—The Right Honourable the Earl of ROSSLYN.

APPROACHING DIVISION OF PROFITS.

The Seventh Division of Profits is appointed to be made on 15th of November 1865, and all Policies now effected will participate.

The fund to be divided will be the profits since 15th November 1860.

A policy effected now will not only participate in the division, but will secure one year's additional bonus at all future divisions over later policies.

The Standard is one of the largest and most successful of the Life Assurance Institutions of Great Britain. Its income is above 600,000l. per annum, and its invested funds exceed 2,500,000l. sterling.

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Lestock Robert Reid, Esq., 122, Westbourne-terrace.
J. Scott, Esq., 4, Hyde Park-street.
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T. H. Brooking, Esq., New Broad-street.

Manager—Will. Thos. Thomson, F.R.S.E.

Resident Secretary—H. Jones Williams.

Solicitors—Messrs. Minet and Smith.

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To Readers and Correspondents.

W. J. C.—The advertisement is not ostensibly professional, and therefore not within our jurisdiction.

C. F. F. should take the opinion of counsel in the case he puts.

H. P.—We know nothing of the publication or person named.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, APRIL 10.

By Messrs Ellis and Son, at Garraway's.

A noble building in Leadenhall-street, freehold premises in Philpot-lane, freehold shop and dwelling-house in Whitechapel, and freehold property at Anerley. Advertised April 1.

TUESDAY, APRIL 11.

By Messrs. Winstanley and Horwood, at Garraway's.

Reversion of a freehold estate in Essex. Advertised April 1.

WEDNESDAY, APRIL 12.

By Mr. Bray, at Garraway's.

Freehold mansion near Buckingham-gate. Advertised April 1.

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Freehold public-house at Stepney, and leasehold dwelling-houses at Dalston, Mile-end, Limehouse, Stepney and Barking-road. Advertised this day.

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Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

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The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

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REPORTS of MAGISTRATES' LAW CASES and APPEALS. Edited by E. W. Cox, Recorder of Falmouth. Part 4 of vol. 3 now ready. Published quarterly, price 3*s.* 6*d.* The two volumes and back numbers may still be had.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

An addition, which comprises some distinguished names, has just been made to the list of Queen's Counsel. The *Gazette* notifies this honour as conferred on Mr. De Gex, Mr. Joshua Williams, Mr. Edward F. Smith and Mr. Jessel—all of them being of the Equity Bar.

The Bills for the erection of the Palace of Justice have passed the Commons, and are to be considered by the Lords after the Easter recess. They will be subjected to a good deal of criticism and some verbal opposition, but they are essentially money Bills, over which the Lords rarely venture on hostile action, and, indeed, if attempted, the Government would command a large majority in their favour. They may now be looked upon as safe.

The Report of the Lords' Committee on the Edmunds case has been presented and is in the hands of the printer. Rumour says that it entirely exculpates Lord Brougham, as who that knows him could doubt that it must?—that it inculpates Mr. Wm. Brougham to some extent; that Mr. Edmunds is found guilty of almost all that had been imputed to him by Mr. Greenwood and Mr. Hindmarch; that the Lord Chancellor is entirely relieved from the graver accusation of wrongful motive, but the report attaches to him the fault, which indeed himself frankly admitted, of having been induced, by a too generous desire to spare a falling man, to withhold the blow that would have destroyed him. Even those who may be inclined to blame the act must admire the motive and accept the excuse.

A petition from the *Metropolitan, &c. Law Association* prays for the repeal of the certificate duty. When we first stirred this question many years ago, before the tax was reduced, the opinion of the Profession was largely in favour of its total abolition. But subsequent events have considerably disturbed that conviction, and we are not quite sure that more mischief than good might not come of it. There is a large party in Parliament, and a still larger one in the country, entirely hostile to the solicitors, and anxiously desirous to introduce what they call "free trade in law;" and they would be glad of such an excuse for pushing their designs as the repeal of a tax which the solicitors pay as a sort of consideration for the modified monopoly they possess. We would recommend careful consideration of the possible consequences before action in this matter. We will return to the question next week.

Mr. Stonor has been most cruelly used. Some years ago he was appointed to an Australian judgeship. But an election committee had reported him as having been connected with some bribery case at a Sligo election. It was a mere report, made by an unauthorised tribunal and not sustained by anything like legal proof. Nevertheless, Mr. Stonor was recalled. But he had sacrificed his practice by his departure, and on his return there was a general desire that he should receive some compensation. Lord John Russell, in the House of Commons, asked Mr. Labouchere, the Secretary for the Colonies, "If there was any circumstance affecting the character of Mr. Stonor which would disqualify him for appointment to a public office?" To this Mr. Labouchere answered:

I said that I had looked into the circumstances of the case; that the impression upon my mind was that they formed no permanent disqualification to his employment in the colonial service, and that I should have no difficulty in recommending him to the Crown for any office in this country for which he might be competent.

Mr. Malins and Mr. Horsman also stated that they thought Mr. Stonor had been hardly dealt with, and that his case was well entitled to the consideration of the Government. In the next year Mr. Labouchere did accordingly confer upon him the office of sole Judge of the West India Incumbered Estates Court. Mr. Stonor so well discharged the duties of this important post that the Lord Chancellor, with the approval of his colleagues, has given him a County Court judgeship.

And this is the appointment which Lord Robert Montagu has thought fit to question in the House of Commons.

But he might have spared the unworthy insult with which he closed his uncalled-for commentary: "I would," he said, "ask one more question with reference to this appointment, namely, whether, in the opinion of the learned Attorney-General, it was quite impossible to have found a single honest lawyer to fill it?"

The angry shout of "Oh! oh!" that greeted this ungentlemanly attack upon an absent man was perhaps the best rebuke that could have been given to it. Lord Robert must be ashamed of himself when he reads the report of his own speech.

As for Mr. Stonor, his integrity is unimpeached, and he and his friend could desire no more triumphant vindication than that proffered by the Attorney-General.

At the Assizes for the city of Exeter, a gentleman named Arscott was indicted for manslaughter by a blow in a quarrel in a railway train, as the very remote result of which the death of the deceased was charged. The coroner's jury were accused of having found a verdict of manslaughter from partisan antipathies, electioneering politics being somewhat fierce in the city at the time, and the defendant being an active Conservative. The grand jury, however, being of another class and chiefly Conservative, threw out the bill, and they were in their turn accused of being swayed by sympathies on the other side. Mr. Bere was engaged as counsel for the prosecution, and when the defendant was arraigned on the coroner's inquisition he addressed the jury, stating that he designed to offer no evidence, but accompanied it with a commentary severely reflecting upon the conduct of the grand jury, and making an especial allusion to the foreman as being "the boon companion" of the defendant. For this he was most properly rebuked by the Judge, and there can be no question that not even the licence of counsel extends to the right of comment on the conduct of a grand jury, much less of a personal attack upon an individual member of that jury. Clearly it is not within the jurisdiction of counsel, whose public connection with a case commences after the bill is found. Mr. Bere, we believe, was conscious of his error as soon as he had committed it, and apologised to the court for the trespass he had committed. But this did not satisfy the foreman of the jury, who had been specially pointed at in the attack, and on whom, by implication, a charge of violation of his oath and duty had been affixed. He, it seems, has taken up the matter very seriously, placing it in the hands of his solicitor, and the Exeter papers publish the following correspondence, which exhibits the present stage of a very disagreeable affair, which we trust will come to an amicable settlement, for, after all, the trespass was an involuntary impulse, and not a deliberate design.

Reg. v. Arscott.

To the Editor of the *Exeter and Plymouth Gazette.*

Dear Sir,—Will you oblige me by inserting in your publication of Friday next the subjoined correspondence between Montague Bere, Esq., and myself, relative to the learned counsel's address to the court in the above case at the recent Exeter Assizes, on Thursday the 16th inst. T. W. Gray.

Exeter, March 22nd, 1865.

Queen-street Chambers, Exeter, March 18th, 1865.

Dear Sir,—I have been consulted by Mr. John Eyre Kingdon on the subject of a charge made by you against him, as foreman of the grand jury of the city of Exeter, in your address to the court on Thursday the 16th inst., in the trial of the case of the Queen against Arscott.

I enclose with this a copy of the *Exeter and Plymouth Gazette* of the 17th inst., in which I have marked (in page 6) the passages containing the charge referred to.

That charge plainly imputed to Mr. Kingdon corrupt motives in the discharge of his duty as foreman of the grand jury, and was, moreover, entirely unfounded in fact, as Mr. Kingdon never was, in any sense of the term, a boon companion of Mr. Arscott.

I need hardly say that Mr. Kingdon cannot rest under such a serious imputation, and I have now to request from you on his behalf a complete retractation of and apology for that charge, which he requires shall be made as public as the charge itself.

I have to request an early answer to this communication, and am, dear Sir, yours faithfully, T. W. Gray.

Montague Bere, Esq., Western Circuit.

Western Circuit, Bodmin, March 21, 1865.

Dear Sir,—I am not surprised at Mr. Kingdon asking for an apology from me, he having supposed me to have made use of the words which I am reported in the *Exeter and Plymouth Gazette* to have said. The report in that paper does neither correctly nor completely represent my language. The second paragraph does not convey my meaning either in words or in substance. I believe the words I made use of to have been the following:—"If I had been allowed to finish my sentence, I do not think my remarks would have appeared as objectionable as they seem to have been supposed to be. I meant to say that there was as little reason to impute motives to the coroner's jury as there is to impute motives to the grand jury, under the present circumstances of the case." Mr. Baron Channell then said (an observation omitted in the *E. and P. Gazette*), "I am glad, Mr. Bere, that you can explain what you said in that way."

I am perfectly certain that I never mentioned Mr. Kingdon by name at all; that in my address to the judge after the verdict I never mentioned the name of Arscott, nor used the words "boon companion."

The report in the paper referred to has also omitted a sentence which I am sure I spoke after the judge stopped me. I said: "I will say no more. I did not wish to cast any reflection on the grand jury. I know the citizens of Exeter too well not to know that none of the grand jury gave anything but an honest and conscientious verdict."

I cannot think that this language conveys any imputation against Mr. Kingdon; but the words "boon companion" used by me in my address to the jury, I have

found, conveyed to many an imputation of unfairness which I did not by their use intend to convey, and I therefore without hesitation express my regret for having used words capable of such an interpretation, and I can say truly that I used them inadvertently and without reflection.

You can make what use of this letter you please; and I am, dear Sir, yours faithfully. M. Bere.

We were present on the occasion, and can positively affirm that Mr. Bere did not mention the name of Mr. Kingdon, but spoke only of "the foreman of the grand jury." Nor did he mention Mr. Anscott by name. But as certainly he did use the term "boon companion." The apology proffered by Mr. Bere to Mr. Kingdon in this letter is ample, and we trust it will be accepted in a spirit that will be equally honourable to both parties.

The recent conviction of an Irish gentleman who would not work, but was accused of living by a kind of black mail, has led to the speedy introduction of a Bill by Mr. Hennessey, and also bearing indorsed the name of The O'Donoghue, to put an end to the antiquated and curious law under which their countryman has suffered. If antiquated, it does not date so far back in history as its title, "An Act for explaining and amending two several Acts against Tories, robbers and rapparees," might lead one to suppose. It belongs to the date 1707, 6 Anne, and is c. 11 of the Irish Acts of that year. The period was one when the annals of Ireland consisted of little more than a record of the exertions of Parliament to rivet and extend the penal laws. The Irish name Tory, according to De Foe, was first applied in that island, in the time of Elizabeth's war, to robbers who preyed on the country, and particularly to those who joined in the Irish massacre of 1641. They might be compared to the modern brigand in the kingdom of Italy. The English Tory bears merely an insulting adaptation, made at about the end of Charles the Second's reign, of the Irish stigma. The object of the Act of Anne is recited to be the more effectually suppressing the Tories, robbers and rapparees; for which purpose all loose, idle vagrants, and such as pretend to be Irish gentlemen, and will not work nor betake themselves to any honest trade or livelihood, but wander about demanding victuals and coshering from house to house amongst their fosterers, followers and others, shall, upon the presentment of grand juries and upon the warrants of justices, be sent to gaol, and there remain without bail until they shall be sent on board Her Majesty's fleet, or to some of Her Majesty's plantations in America, whither the justices are authorised to send them, unless they give security for good behaviour. Another offence struck at by the Act is the trade of obtaining robbery money from the country, by pretending to have been robbed; such persons are to give notice to some neighbouring justice and to the high constable of the barony. The Act also provides relief to poorer persons, on whom the chief burden of reimbursing robbery money was laid, but who were least able to bear it, or to resist or pursue the Tories. It is further enacted that, if a harbourer of Tories or robbers detects two other harbourers of them, he is to be pardoned. Persons are to be reimbursed their losses from robberies by Irish Papists, who man French privateers, and through intelligence kept up between the Papists and the French infest and insult several parts of the sea-coast. The Act was to continue for seven years, but there were subsequent continuing Acts. The Bill proposes to repeal the Acts, and provides that henceforth it shall not be lawful for any grand jury to present any person in Ireland as a vagrant. Those who do not think Smith O'Brienism quite obsolete may hesitate to sanction a repeal of the entire Act, but it affords sufficient evidence of the state of the Irish statute-book to prompt a suggestion to the gentlemen whose names are on the present Bill, to unite with Mr. Scully in bringing about an expurgation of that part of the written law.

The Referees on Private Bills have more than once had occasion during the past week to consider questions of what may be called Parliamentary Pleading. These questions have arisen in the following manner. A petition is presented to the House praying to be heard against a Bill. It commences with a description of the petitioners, more or less minute, according to the nature of the injury which, as they declare, will be inflicted upon them. The undertaking, and its probable effect upon the property or rights of the petitioners, is then described, the petition concluding with a prayer to be heard against the whole Bill or particular clauses of it, and sometimes asking that certain clauses may be inserted in it. Now, if the *locus standi* of the petitioners, or their right (according to the rules and usage of Parliament) to be heard, is disputed by the promoters, it is the practice to deliver to the petitioners a written notice called a notice of objection. This notice briefly specifies the several grounds of objection, but seldom denies any of the allegations in the petition. The case is then heard before the Referees, the counsel for the promoters opening the proceedings only for the purpose of reading the grounds of objection. The counsel for the petitioners is then heard, and the counsel for the promoters replies upon the whole case. In a large majority of instances, there is no dispute as to the facts, and the argument proceeds very much like that upon a demurrer, or a special case in the courts of Westminster. But the state of things is entirely changed, if during the discussion it should appear that the promoters and the petitioners are at issue upon some material fact. If the analogy of arguments in courts of law were followed, the statements in the petition not expressly or impliedly denied by the notice of objection would be taken to be admitted. This practice is not, however, followed, and the Referees have several times supported counsel for the Bill, in insisting upon proof of certain averments in the petition. In one case one of the petitioners was described as the promoter of a projected undertaking; some doubt having been expressed by the counsel for the Bill as to whether the person was *bonâ fide* connected with the scheme in the capacity of promoter, the case was adjourned for the purpose of proving his qualification. In such circumstances the requirements of the court are easily satisfied. But where the whole struggle is to show that some small piece of land is touched by the projected undertaking, greater difficulties may arise. Are the petitioners to be suddenly called upon to prove their title (as strictly as in a court of law) to a modicum of land of which, until the present moment, no one cared to know anything? Are the conveyances and other documents of title of the owners, perhaps a large and important railway company, *ad unum* to be produced. How if the title shows blots?

The Referees, so far as they have yet decided these questions, appear to have adopted a middle course. Strict proof of the averments of the petition is not, in their opinion, required; but some evidence of their truth must be given, if demanded by the promoters. In the case of the title to land, it may be proved by the *primâ facie* evidence of possession and occupation. But they appear to think that a wide operation is to be given to the notice of objection, and that it has the effect of warning the petitioners that the *onus probandi* is upon them, and that they must be prepared to substantiate at least the material portions of their petition. A decision laying down some broad rule would prevent much loss of time and embarrassment, and perhaps have the effect of stopping petitions which are from time to time presented upon grounds manifestly insufficient.

The Report which has now been made of the proceedings of the Bankruptcy Act Committee throws some further light on the opinions of the Government respecting the coming reform, so far as they are represented by those of the Attorney-General. First, a proposal by Mr. Goschen, that further evidence be taken, was negatived by five to three. The Chairman, Mr. Moffatt, at the next meeting, moved eight resolutions, but they were not further proceeded with. After a week's adjournment thirty-four resolutions were moved by Mr. Ayrton, and the first sixteen were carried. Another was afterwards added by him, making the first seventeen of the resolutions published in this journal, March 25. In the next, the limiting dividend of 6*s.* 8*d.* in the pound was introduced on the Attorney-General's motion, with the alternative six years' liability of the bankrupt's future estate. Mr. Roebuck proposed three years, but was outvoted by seven to six. As to the possible effect of a limiting dividend, we made some remarks last week. The Attorney-General also carried the resolution enabling the bankrupt to discharge his estate within the six years by making up the dividend to the 6*s.* 8*d.* This brought the business as far as to the end of *Discharge of Bankrupt.*

Now came the difficulty. What was to be done with the estate during the six years? A resolution was proposed by the Attorney, "that the property of the bankrupt acquired after the adjudication shall not vest in the trustee, but shall belong to the bankrupt himself, subject to the ordinary operation of law." In other words, there was to be a six years' scramble among the creditors. Mr. Ayrton proposed, by way of amendment, the words "but may be taken possession of by the trustee, with the sanction of the court of adjudication, on sufficient cause being shown to the satisfaction of the court." The original was negatived by eight to four, the amendment by eleven to two, probably from a wholesome dread of going to the court. The knotty question was again proposed as far as the "but." The committee deliberated and adjourned, to sleep on it. Three days after it took up the subject with the "but," when finally the question "that the property of the bankrupt acquired after adjudication shall not vest in the trustee, but—" was put and negatived. So the difficulty connected with the estate in the long interval between adjudication and discharge was left unsolved, except so far as the 11th resolution had proposed that the estate of the bankrupt should vest in the trustee on his appointment. Clearly, as appears from the proceedings, that was not intended to include future estate, and the language is scarcely adapted to it. Our readers are aware that the point is also shirked in the Lord Chancellor's present Bill, which does not even contain the six years' limit, but leaves the bankruptcy open during the bankrupt's whole life, until 5*s.* in the pound is paid.

The first three resolutions under *Administration by Deed* were then carried by Mr. Ayrton. The next, which is a very important one, was the Attorney's, that a deed should not be binding on non-executing creditors unless the estate and effects which in case of bankruptcy would have rested in the trustee were assigned for equal distribution. At present, under sect 192, a *cessio bonorum* has been decided not to be requisite. It was, under the Act of 1849. The next resolution, applying the limiting dividend of 6*s.* 8*d.* to cases of deed was Mr. Lowe's. The five resolutions, respecting the *Courts* and *Consolidation*, which complete the series, were carried by Mr. Ayrton, an amendment having, on Mr. Haudy's proposal, been made, giving the jurisdiction in the Court of Bankruptcy to be established in the metropolis to the judges of the Superior Courts of equity and law instead of to a single judge.

The result, then, of the Lord Chancellor's eagerness in bringing a Bill into the House of Lord on the same subject as occupies the Attorney-General in a select committee of the Commons, and during the same time as he is sitting there, is, that while the Lord Chancellor proposes a certain sum as a limiting dividend, the Attorney-General, in person, proposes a different sum, and that while the one frames a clause that a bankrupt's estate shall be liable indefinitely, the other draws a resolution fixing six years as the proper period. For further differences between the Bill and the resolutions we refer to our former remarks.

Foreign and colonial insolvents have recently been making attempts to avail themselves of the facilities afforded by the present English Bankruptcy law. One of these cases, *Re Puttick*, 12 L. T. Rep. N. S. 101, came before the Lord Chancellor on appeal from an order by Mr. Commissioner Andrews at Exeter. The bankrupt's property had been sequestrated in April 1860, by an order of the Insolvency Court of Sydney, and a distribution made of his assets, under which a small dividend was paid. One of the creditors for a sum of money lent, and interest, did not prove there, and so fell within the provision of the local law, that no creditor can sue an insolvent in the colony for any debt provable under an insolvency after distribution of assets confirmed. Two years after the sequestration, the debtor, having left the colony and being in England, was sued by the creditor, when judgment was allowed to go by default for an amount of nearly 800*l.*, on which a capias was issued. At the same time the debtor had some English creditors whose debts amounted to above 100*l.*, but they were paid out of his wife's estate. He petitioned the Exeter district court; the commissioner ordered notice of the proceedings to be advertised in the colony. While the proceedings were pending in England a certificate

was refused by the colonial court. Finally, the commissioner suspended the bankrupt's discharge for eight months. On the appeal from this order the Lord Chancellor considered it impossible to imagine a case in which a greater perversion would be made of the law of bankruptcy, than if it were to be held that a man, who has failed to obtain his discharge in the country of his domicil, was at liberty to come here, make a clandestine application, and obtain a discharge which would be a bar here to any proceeding by his creditors. The decision, on the appeal, was, that protection be continued, and the period of suspension be extended to twelve months, to give further time for applications on the part of the creditors. But the Lord Chancellor would not allow the discharge, if ultimately granted, to relieve the future estate; and he intimated that if there had been an appeal from the adjudication itself he would have annulled it. Another was the case of a Hamburg bankrupt in the London court: (*Re Behrends*, 12 L. T. Rep. N. S. 149.) The bankrupt carried on business at Hamburg from 1852; afterwards resided in New York for fifteen or sixteen months and came to England last year. He contracted debts in England while at Hamburg, and some at New York, and later in this country. He was made bankrupt after he left Hamburg, and said that the first notice he had of it was from a newspaper in New York. His books he left behind him at Hamburg, but did not know where they were now. He had no property here. The foreign creditors opposed the adjudication. Mr. Registrar Winslow (acting for Mr. Commissioner Fonblanque) refused to dismiss the petition, but thought it might well be said that the place where the bankrupt's books of account and property were left, where his trading was carried on, and the greater part of his debts were contracted, and where he was first made bankrupt, was the proper place for him to make such a disclosure of his affairs as his creditors might require. But the Registrar was unable to say that the application here was such a fraud as would justify him in dismissing the petition. He thought, however, that no satisfactory investigation of the bankrupt's affairs could take place in the court here at present, and that the bankrupt must submit to the bankruptcy and face his creditors at Hamburg, and when he had there disclosed his affairs and his conduct had been adjudicated on, he might, if he thought fit, apply to this court to pass his last examination and for his order of discharge. These cases show that the court will not allow the Bankruptcy Law of this country to be abused to obtain a discharge, either where a colonial insolvent has been refused a certificate in the colony, or where a foreign bankrupt is so situated, as regards the evidence as to his trading and his property, that the administration of his affairs ought to take place under the foreign jurisdiction. In such cases, notwithstanding the Lord Chancellor's willingness to have annulled the adjudication in *Re Patterick*, if the point had been brought before him, it seems more convenient that the adjudication should stand, so as to tie up the bankrupt in his future dealings in this country, but that the proceedings here should be stayed by postponement of the examination or of the discharge or otherwise, until it is manifest that no injustice will be done here to the prejudice of the foreign or colonial administration.

Immediately on the issue of the Public Schools Bill, on the morning of the publication of this journal of March 18, we furnished our readers briefly with the subjects of the proposed enactments. The debates in the Lords during the past week have lent fresh interest to a subject in which few of us are without some concern. We will, then, recur to the provisions relating to the general powers and obligations of the proposed governing bodies of the schools.

The governing body for each school is to hold meetings, and make regulations for that purpose and for the transaction of business. Each member is to have one vote, a majority deciding, and the chairman having a casting vote; but proxies are not to be allowed. The body may before 1st Jan. 1867 make statutes: 1. With respect to the foundation boys, with power to remove restrictions on the class entitled to come on the foundation, and to establish competitive examination. 2. With respect to the privileges and number of such boys. 3. With respect to exhibitions or emoluments, to consolidate or divide them, or convert them into prizes, to remove restrictions on election to them, to open them to competition, either general or limited within the school; but so that these powers are not to extend to any emoluments created within fifty years past; to convert emoluments attached to a particular college into emoluments tenable at either University. 4. With respect to appointment to ecclesiastical benefices. 5. With respect to the masters' salaries, payable out of the school property, with power to abolish any mastership but the head; and to appoint and dismiss any other than the head master. 6. With respect to the disposal of the surplus income. The governing body may by statute consolidate and amend the existing statutes of the school, with power of repeal; but no statute made by the body is to be valid until approved by the Queen in Council. When laid before the Queen in Council, it is to be published in the *Gazette*, and parties interested may petition within a month of the publication; the council, which is to include two of the Judicial Committee, may admit the petitioner to be heard by counsel. The statute published is to be laid before Parliament, and the Queen in Council may, subject to an address from either House within forty days, approve of, or may disapprove of, the statute. The governing body may make, and alter or annul regulations: 1. With respect to the number of boys, other than foundation boys, in the school, their ages and the conditions of their admission. 2. With respect to the mode in which the boys, whether on the foundation or not, are to be boarded and lodged, and on the conditions for leave to keep a boarding-house. 3. With respect to the payments to be made for the maintenance and education of the boys not on the foundation, including fees and charges, and to payments by foundation boys for things to which they are not entitled gratuitously; and with respect to the application of the moneys to be received from these sources, and of moneys from the income of the foundation on account of the instruction of the foundation boys. 4. With respect to attendance at Divine service. 5. With respect to the times and length of the holidays. 6. With respect to the subjects of study and the general discipline and management of the school. 7. With respect to the general disposal (otherwise than by alienation or mortgage) of surplus income, so as best to promote the efficiency of the school. No candidate for any mastership is to be entitled to preference by reason of his having been a scholar of or educated at the school. Subject to the regulations, the head master is to be responsible for the studies and discipline of the school, and may make such rules in relation to it as he thinks expedient. The governing body may, in cases where the commissioners have recommended additions or alterations to the buildings of the school, lay a scheme before the Queen in Council for making them and for raising the money by mortgage, with power to suspend exhibitions. The interest of any member of the governing body, or master of any of the schools, appointed before the Public Schools Act 1864, is saved; also the interest of any existing foundationer or scholar. For the constitution of the governing bodies themselves of the eight public schools, commonly so called, provision is severally made, as we have already informed our readers, in a schedule to the Bill.

A remarkable evasion has been allowed to grow up in equity of the restriction which in terms would seem to be put on a power to a parent of appointment among children when its exercise is limited to a will or testamentary instrument. The principle as stated by Kindersley, V. C., in a recent case which we shall presently mention, used to be that where a donor gave the power to appoint by will only he did it designedly, his object being that he did not wish the donee to exercise it until the last hour of his life, because during that period circumstances might alter or arise in such a way as to make it desirable to be able to exercise the power so as to meet them. If the donor had intended that the power was to be exercised by a deed *inter vivos*, he might have given the power by deed. But it was first decided that the donee might release the power, which was in effect to fix the shares in which the children were to take; then that a donee might covenant that the object of the power should have a certain share, and thereby be precluded from making any subsequent appointment. Thus in *Davies* v. *Huguenin*, 8 L. T. Rep. N. S. 443, a settlor of land reserved to himself a power of appointing it by will among his children, and in default of appointment by him, and of appointment by his wife under a power reserved to her if she survived him, a term was limited to trustees upon trust to raise a sum for the portions of their children in equal shares. On the marriage of one of his daughters he covenanted that he or his wife would not execute any appointment to lessen the daughter's share. Wood, V. C. held that the covenant operated *pro tanto* as a release of his power. In the case just cited the covenant was made on the daughter's marriage, and so far there was a present consideration, but in the case before Kindersley, V. C., *Coffin* v. *Cooper*, 12 L. T. Rep. N. S. 106, the consideration was not only present, but valuable in money. A mother who had a power of appointment by will among her children, was a party to a mortgage made by her son of his interest in default of appointment to persons who were to supply him with goods, as a security for payment to them for the goods, and she covenanted that she would, by will, appoint to the son a certain sum. She made the appointment, but declared by her will that the sum in which she had become guarantee for him, and which she had covenanted to appoint, should be paid to the mortgagee as soon as practicable after her death. The Vice-Chancellor said that this was all perfectly honest, there was no intention of deriving any benefit for the appointor; on the contrary, she was undertaking a sort of burden, as she might be liable to an action on the covenant. If she exercised the power in pursuance of the covenant, she would, no doubt, be doing so for the benefit of her son, but it would also be to relieve her estate from her liability. On abstract principle, if the intent of an appointment was wholly or in part for the benefit of the appointor, that intent vitiated the appointment. But the Vice-Chancellor was bound by authority. The case before him was on all fours as regards the appointor's benefit with one in 1858, in Ireland, before Chatack Smith, M.R.: (*Stuart* v. *Castlestuart*, 8 Ir. Ch. Rep. 408.) There a question raised by exceptions taken by the Earl of Castlestuart was, whether a condition annexed to the appointment of a sum, part of a charge providing for the portions of the younger children of Earl Robert, that the appointee should pay off a certain sum for which Earl Robert, the appointor, had become surety for him, and cause a release to be executed by the creditor, so as to exonerate Earl Robert's assets, rendered the appointment invalid. The Master found that it did, but the Master of the Rolls said he could not concur in that opinion. If the bargain were for the appointor's own advantage, equity would relieve; the object, however, of Earl Robert was not to attain any benefit for himself, his object was to prevent the injustice to his other children of having that which was not the testator's own debt paid out of his general property. There was no corrupt motive, and no fraud actual or constructive. Lord St. Leonards (Powers, p. 527) quotes the case as one where the appointment was supported, apparently adopting the reasoning of the Master of the Rolls. It should be observed that in *Davies* v. *Huguenin*, where a specific sum was dealt with by the appointor in respect of a child's share, it appears from the report that the sum was less than the child's share in default of appointment, so that the principle of release of the power was sufficient to uphold the appointment. The same remark applies to the present case, before Kindersley, V.C.

It is remarkable that so many of the American generals should have been lawyers before they were soldiers. Butler was a village attorney; as was Pope: so, we believe, was Grant; and such were Lincoln and Chase, who have controlled the war. But we were not aware that Sherman was "one of us," a real "learned friend," until we found the following paragraph in an American newspaper:

Citizens of Leavenworth will remember that in 1859 there stood in Main-street on ground now occupied by handsome brick buildings a shabby-looking, tumbling, cotton-wood shell. The ground floor was occupied by the ex-mayor as a land agency office. A crazy-looking stairway on the outside led to the rooms above, constituting the "law shop" of Ewing, Ewing, Sherman, and M'Cook. They were all ambitious men, and it is one instance of the versatility and adaptability of the American character that all four became Generals in our army. Sherman had formerly been a graduate of West Point,

and held a captain's commission in the Topographical Engineer Corps. Before residing in Kansas he lived in California, where, as a miner, banker, and lawyer, he made and lost a large fortune. Of this legal military firm all were Democrats, except Thomas Ewing, who was a Conservative Republican. While in the practice of the law here Sherman was consulting partner, having an almost insurmountable objection to pleading in court. He is accorded the possession, as a lawyer, of thorough knowledge of legal principles; a clear, logical perception of the points and equity involved in any case. He could present his views in the most direct manner, stripped of all verbiage, yet perfectly accurate in form. He was perfectly *au fait* in the authorities. He was tempted from us by the offer of the presidency of the military college of Louisiana. Just at that time he was compelled to appear before the Probate Judge. The other partners were busy, and Sherman with his authorities, and his case all mapped out, proceeded to court. He returned in a rage in two hours after. He had been pettifogged out of the case by a sharp, petty attorney opposed to him, in a way which was disgusting to his intellect and his convictions. His *amour propre* was hurt, and he swore that he would have nothing more to do with the law in this State. The business was closed, partnership dissolved, and in a very short time Sherman was on his way to a more congenial clime and occupation. The war found him in Louisiana, and, despite his strong pro-slavery opinions, found in him an intense and devoted patriot. He is now a man whose name and fame take rank with the greatest of the earth. Of course we remember him. He outlines himself to our memory as a man of middle stature, nervous, muscular frame, with a long, keen head, sharply defined from the forehead and back of the ears. His eyes have a bluish-grey cast, and an introverted look, but full of smouldering fire. His mouth is sharp and well cut; the lower part of the face powerful, though not heavy. His complexion fair, hair and beard of a sandy-red, straight, short, and strong. His temperament is nervous-sanguine, and he is full of crotchets and prejudices, which, however, never stand in the way of practical results. The idea, or rather object, which rules him for the time overrides everything else. Round the mouth we remember a gleam of saturnine humour, and in the eyes a look of kindness which would attract to him the caresses of children. We considered him the most remarkable intellectual embodiment of force we ever encountered; and with that we combine the idea of nervous vitality, angularity of character, and intense devotion to what he had in hand. He is an idealist, even to fanaticism.—*Leavenworth Conservative.*

INVESTMENT JOURNAL.

The following are the fluctuations of the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	Shut	...	242	240
3 p Cent. Red. Ann.....	87⅞	88⅛	88⅛	88⅛	87⅞	89
3 p Cent. Cons. Ann. ...	90	90	90⅞	90⅞	90⅛	90⅝
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 p Cent. Ann.....	87⅞	88	88⅛	88⅛	88⅛	89
New 3½ p Cent. Ann. ...	...	...	...	...	...	...
5 p Cent. Annuities.....	...	...	...	...	...	...
5 p Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	240	242	...	...
Consols for Acc.	89⅞	89⅞	90⅛	90⅛	90⅛	91⅛
Consols 5 p Cent. for Ac.	...	...	...	...	...	...
India 5 p Cent. for Acc.	...	105⅛	106⅛	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	214	214	...	...	216	...
India 5 p Cents.	...	...	...	...	...	...
India 4 p Cents. 1888....	...	...	...	99⅛	...	...
India 5 p Cents. 1870...	105⅛	105⅛	106⅛	106⅛	106⅛	...
India Bonds (1000*l.*).....	...	...	*f*	12c	...	...
Do. (under 1000*l.*).....	...	...	...	12c	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	99⅛	...	100	12c	...	...
India Enfaced Paper, 4 p Cent.	...	...	...	...	...	...
Do. do. 5 p c. Jan. 1872	...	...	101⅛	...	...	...
Do. do. 5½ p c. May 1872	109⅛	...	109⅛	...	...	...
Ex. Bills, 1000*l.*	*a*	*a*	*b*	...	*d*	*c*
Do. 500*l.*	*a*	...	...	...	...	...
Do. 100*l.* & 200*l.* 5 p c.	*a*	...	...	*d*	...	...
Do. Small, & 3 p c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	...	...	...	...

a 4 per cent. 3s. 6d. prem.
b 4 per cent. 6s. 3d. prem.
c Prem.
d 4 per cent. 3s. prem.
e 6 per cent. 2s. prem.
f 15s. 12s. prem.

The reduction of the rate of interest, the abundance of money and returning spring have combined to secure something like cheerfulness on 'Change. The funds have risen and are likely to rise, so that now is the time to buy. Shares in old companies are in demand; but new ones, on which the calls are yet to come, cannot find a market at any price. The perturbing fear at present is of a sudden ending of the American war, the effect of which would certainly be tremendous; but sagacity is baffled in attempting to define what will be the nature and direction of the changes it would cause in supply and demand. The general opinion is still that it will be followed by a war with us, for there will be a terrible crash in the Northern States, both commercial and political, and a war will be the readiest means of averting it for a time.

It is supposed that the Bank will be compelled yet further to reduce its rate of interest. Great surprise has been felt at the small rate of profit realised during the last year by the famous *Credit Mobilier* of France. It augurs ill for our own financial companies, which are but imitators of it.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

THE NEW COURTS OF JUSTICE.

Lord Chelmsford presented a petition from the Benchers of the Inner Temple, in favour of the Carey-street site for the new Courts of Justice, and of some convenient mode of access to them from the Temple by a bridge or viaduct across Fleet-street. ——The Lord Chancellor said he proposed to move the second reading of these Bills when the House met after the recess, April 27.——Lord Chelmsford thought that the first day after the recess, when there was not likely to be a full attendance of their Lordships, was not likely to be a convenient day for the discussion of the subject. ——The Lord Chancellor would fix the Bills for the Friday after the recess, subject to alteration if that day were found inconvenient.

HOUSE OF COMMONS.

MR. H. J. STONOR'S APPOINTMENT.

Lord R. Montagu asked the Attorney-General whether the Mr. H. J. Stonor who had lately been appointed by the Lord Chancellor as judge of a County Court was the person whose appointment as judge in Australia was cancelled, in accordance with the report of the committee moved for by the present Chancellor of the Exchequer, and on the ground that Mr. Stonor has been found guilty of corruption by three separate committees of the House.——The Attorney-General said,—Since the noble lord has thought that this was a case on which to found a question, I am glad for the sake of the gentleman concerned that the question has been put; and, in replying to it, I hope the House will excuse me if I make a statement somewhat longer than is usually made in answer to questions. The noble lord's question misstates more facts than one, but it conveys a most serious imputation on the gentleman named, and of course, by implication, upon those who made the appointment. I say in the outset that the Government are responsible for the appointment (hear), the Lord Chancellor having made it after consultation with, and with the approval of, his colleagues. With respect to the facts of the case, I may say that I believe this gentleman has been very hardly used. In the winter of 1853 the Chief Justice of Victoria, in Australia, was temporarily absent from his duties in consequence of illness, and it was difficult to find a gentleman qualified and willing to accept a temporary appointment without any certainty of its being made permanent. Arrangements were, however, being made to render the appointment permanent, but there was no certainty that it would be so. Mr. Stonor sent in testimonials as to general and professional qualifications from Lord Denman, Lord Campbell, Vice-Chancellor Stuart and other persons of eminent authority. He likewise, in a manner highly honourable to himself, sent in printed papers, giving a full account of the circumstances which had caused his name to be introduced into the inquiry before an election committee in the summer of the same year. Through an accident, which was explained at the time, and which was the subject of inquiry before the committee to which the noble lord referred, those papers were not examined at the Colonial-office, because the permanent Under-Secretary for the Colonies, Mr. Merivale, who was personally acquainted with this gentleman for many years, gave him so strong a recommendation on professional and general grounds, that it was not thought necessary, there being no other competitor for the office, to go minutely into the papers which he sent in, and under those circumstances the Duke of Newcastle, when he made that appointment, was totally unaware that Mr. Stonor's name had been introduced before an election committee. Mr. Stonor received the appointment, and sailed with his family for Australia, imagining that his character was clear. But in the month of March, when he was on the high seas, the subject of his appointment was brought before this House, and attention was directed to the fact that a report involving a serious accusation of bribery against him at the election for Sligo had been made in the preceding June. That fact, coming for the first time to their knowledge, the Government felt themselves unwillingly compelled to take the course which they would have taken if they had known it at the time, and cancelled the appointment, notwithstanding the extreme hardship of sending a gentleman across the world, to be met on his reaching the Antipodes with the statement that he was not to receive the appointment, for the sake of which he had gone out. Still, so much deference was deemed to be due to the report of an election committee, and to the feeling naturally entertained in this House, that the Government thought that, under the peculiar circumstances, and especially so soon after that report, an appointment of that description ought not to be made. The noble lord is quite in error in supposing that that appointment was cancelled in accordance with the report of a committee, seconded by the Chancellor of the Exchequer. The fact was not so; it was cancelled in March, almost as soon as it was mentioned in this house. The committee was appointed to inquire into the conduct of the Government, and ascertain whether there had been any corrupt electioneering or political motive on their part in making the appointment. I need not say it turned out that there was no ground whatever for any such imputation against them. Mr. Stonor returned home; and in the meantime he had lost his practice and his position in this country, to which he came back with the stigma attached to him arising from these circumstances. It is true that he had been found guilty of corruption? It is true that the election committee, in the discharge of their duty, made a report in which they pointed out that a person named Donovan was bribed by Mr. Stonor by the promise of a payment of 203*l.*, being a portion of an outstanding election account, to forbear giving his vote which he had promised to Mr. Somers, and in consequence absented himself during the election. But so unsatisfactory was the evidence on which that finding was arrived at by the committee that it was carried in the committee only by a majority of one, two to three oposing it, those two being members belonging to opposite sides of this House, who rose in their places to protest emphatically against the decision as not being warranted by the evidence. Having myself read that evidence I must say I am decidedly of opinion that the decision was not warranted. These very just observations were made by two distinguished members of this House at the time when the committee reported—namely, by Mr. Stuart Wortley and the hon. and learned member for Sheffield. Mr. Stuart Wortley said:

He did not accept the decision of the committee as decisive of Mr. Stonor's guilt. After looking at the evidence laid before the committee, and considering the divisions in the committee, he must say, that it was extremely doubtful whether or not Mr. Stonor was guilty of bribery.

Mr. Roebuck also said:

The decision of the committee was to be held as conclusive with regard to the objects for which they were appointed; but not with regard to personal character."

Well, Mr. Stonor did all that a man could do to vindicate himself. He had suffered in his prospects, he had gone across the world, and was met there in the cruel manner I have described. It was naturally felt when he came back that his case required to be considered, and that if this gentleman had not really been proved on sufficient grounds guilty of corruption he had some claim upon the Government. In the meantime the Government had changed, and I am happy to say, for the honour of this House, that in 1857 Mr. Stonor received in this House ample amends for what he had suffered. Lord J. Russell on the 6th of June in that year put a question to M. Labouchere, then Secretary of State for the Colonies, and after referring to the circumstances, that noble lord said:

But, without entering into particulars, I think I may fairly say that there was some misconception with regard to the imputations which were made against Mr. Stonor; at least, I was convinced when I was Secretary for the Colonies that if a vacancy should occur in any office which Mr. Stonor was competent to fill, no imputation rested upon his character, and I should be prepared to recommend him to the Crown for public employment. My right hon. friend the Secretary of State for the Colonies is aware of the circumstances, and I wish to ask him whether, in his opinion, there is any circumstance affecting the character of Mr. Stonor which would disqualify him for appointment to a public office.

Mr. Labouchere said that, having regard to the circumstances, he did not think it expedient to offer Mr. Stonor a colonial appointment, because he had been sent out to one colony, and if he were then appointed to another, the colonists might not properly understand the circumstances, but he added:

I said that I looked into the circumstances of the case; that the impression upon my mind was that they formed no permanent disqualification to his employment in the colonial service, and that I should have no difficulty in recommending him to the Crown for any office in this country for which he might be competent.

Mr. Horsman and Mr. Malins also addressed the House on that occasion, both stating that they thought Mr. Stonor had been hardly dealt with, and that his case was one which was well entitled to the consideration of the Government. In the next year, 1858, Mr. Labouchere did appoint Mr. Stonor to a judicial office of great responsibility and importance—viz., that of sole judge of the West India Incumbered Estates Court. From that day to this year Mr. Stonor, with great ability and assiduity,

and without reproach or question of any kind, discharged the duties of that office, and he has now been permitted—I believe the House will think rightly permitted—to exchange it for the position of a County Court judge. (Hear, hear.) Sir, for Mr. Stonor's sake I am not sorry that this question has been asked, and I trust that this explanation will be deemed satisfactory. (Cheers.)——Lord R. Montagu.—The hon. and learned Attorney-General has said that in putting my question I made more misstatements than one. ("Order.") I appeal to you, Sir, whether, when one hon. member charges another with making misstatements, that another hon. member has not a right of reply? ("Order") I shall move the adjournment of the House.——The Attorney-General.—I, of course, meant that the errors made by the noble lord were accidental errors. He said that the appointment was cancelled in consequence of the report of a committee. That is a mistake. The other statement made by the noble lord was, that Mr. Stonor had been guilty of corruption. That is also, I think, a mistake, because the Election Committee had no authority to try Mr. Stonor. (Hear, hear.)——Lord R. Montagu.—I would ask one more question with reference to this appointment—namely, whether, in the opinion of the learned Attorney-General, it was quite impossible to have found a single honest lawyer to fill it. ("Oh, oh.")——The subject then dropped.

TREATMENT OF PERSONS IN CUSTODY ON REMAND.

Mr. H. B. Sheridan gave notice that on Tuesday, 25th April, he should move for the appointment of a committee to inquire into the mode in which persons committed for any crime or offence are treated in those places of detention to which they are sent on remand, pending an investigation into the truth or falsehood of the accusations brought against them. Secondly, to inquire whether such persons have any and what restrictions placed on their means of preparing a defence. Thirdly, to inquire into the state and condition of the places known as "police cells," and the treatment of persons given or taken in charge. And further, to inquire into the number of deaths which have occurred in such cells since the establishment of the present system of police.

CRIMINAL CASES (EVIDENCE) BILL.

Sir G. Gray said that as there was a disinclination to discuss this Bill on a Wednesday, on account of the importance of the principle involved, he would suggest to the honourable and learned member for Cork, whose Bill this was, that he should postpone the second reading until the day appointed for the second reading of a similar Bill introduced by the honourable and learned gentleman the member for East Suffolk (Sir F. Kelly).——Mr. Scully said he would state on Friday whether he would accede to the request of the right honourable baronet.——The order for the second reading was accordingly postponed till Friday.

LAW BILLS IN PARLIAMENT.

ABOLITION OF ARREST UPON FINAL PROCESS.

A Bill intituled An Act to abolish Arrest upon Final Process in England, and for the Amendment of the Law of Bankruptcy in certain particulars.

Whereas it is expedient altogether to abolish arrest upon final process in England, and to amend the law of bankruptcy in certain particulars: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Arrest on final process abolished.*—From and after the commencement of this Act no person shall be taken or charged in execution or detained upon any judgment, decree, or order obtained or made in any of Her Majesty's Superior Courts, or in any inferior court in England, for the payment of any sum of money or damages or costs: provided always, that this Act shall not affect the remedies given to creditors under the eighth and ninth Victoria, chapter one hundred and twenty-seven, intituled "An Act for the better securing the payment of small debts," or under the ninth and tenth Victoria, chapter ninety five, intituled "An Act for the more easy recovery of small debts and demands in England."

2. *Sects. 76 to 85 of the Bankruptcy Act 1861, extended to judgments amounting to 20l.*—The remedies given to judgment-creditors by sections seventy-six to eighty-five, both inclusive, of the Bankruptcy Act 1861, shall extend and be applicable to the case of every judgment-creditor who would have been entitled to sue out against a debtor a writ of *capias ad satisfaciendum*, or to charge the debtor in execution in respect of any debt amounting to twenty pounds, exclusive of costs, if this Act had not passed.

3. *Judgment-debt for 20l., exclusive of costs, to be a good petitioning creditor's debt.*—The debt of a judgment-creditor for twenty pounds, exclusive of costs, petitioning for adjudication of bankruptcy against a debtor, shall be a good petitioning creditor's debt, and sufficient for the purposes of such adjudication.

4. *Repeal of sects. 98 to 107 of the Bankruptcy Act 1861.*—Sections ninety-eight to one hundred and seven of the Bankruptcy Act 1861, inclusive, are hereby repealed; but such repeal shall not affect any proceeding pending, or any right that has arisen or may arise in respect of any transaction, act, matter, or thing done under or by virtue of any such sections.

5. *Order of discharge not to be granted unless estate pay five shillings in the pound or three-fourths of creditors consent.*—No order of discharge in any bankruptcy shall be granted, nor shall the same if granted protect any estate, property, income, or salary which a bankrupt may acquire, possess, or become entitled to after the date of such order of discharge, unless the estate of the bankrupt shall have paid or shall be sufficient to pay, in the bankruptcy, a dividend or dividends of five shillings in the pound upon all the debts proved in such bankruptcy, or unless creditors who have proved and whose debts are equal to three-fourths of the whole amount of the debts proved shall, by writing under their hands, consent to such order of discharge: provided always, that nothing herein contained shall affect any power now vested in the commissioners of the Court of Bankruptcy and judges of the County Courts of refusing, suspending, or annexing conditions to any order of discharge.

6. *Extent of Act.*—This Act shall apply only to England.

7. *Short title.*—This Act shall be cited for all purposes as "The Abolition of Arrest Act 1865."

8. *Commencement of Act.*—This Act shall commence and take effect on the twentieth day of June next.

SOLICITOR'S JOURNAL.

Correspondence.

Another Advertisement.—There is no end of variety in these. I cut the following choice specimen from the *Friendly Societies Journal*. Z.

To Members of Benefit Societies and others desiring legal assistance in any matter in which they may be interested.

Mr. N. White the author of "The Law of Friendly, Industrial and Provident Building and Loan Societies,"—and who has for the past fifteen years been engaged in a most extensive practice in the Superior Courts of Common Law, Equity, Ecclesiastical, Divorce, and other Courts—is prepared to give legal advice upon any subject at an uniform charge of—Two Shillings—for each consultation.

Agreements, Wills, and other Deeds prepared at charges varying according to the intricacy of the matter from 10*s.* 6*d.* to 1*l.* 1*s.* Communications through the post must be accompanied with the amount of the fee in postage stamps.

Address, 14, Portland-place north, Clapham-road, London.

HEIRS AT LAW AND NEXT OF KIN.

Walton (Robt.), Alston, Cumberland, gentleman. Next of kin to come in by 24th April, at Kindersley's, V.C. Solicitor, J. Rae, 9, Mincing-lane.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Alexandra-park Company (Limited).—Creditors to send in by 15th April, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to W. Quilter, 3, Moorgate-street, London.

British and Foreign Gas Generating Apparatus Company (Limited).—Creditors to send in by 10th April their names and addresses and the particulars of their claims to G. A. Cape, 3, Adelaide-place, London-bridge.

Factory Parsons (Limited).—Petition for winding-up to be heard before M. R., on Saturday, 22nd April. Solicitors, Freshfields and Newman, 5, Bank-buildings, London.

Reigate Stock Company of Ireland (Limited).—Creditors to send in by 17th April, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to S. L. Price, 5, Gresham-street, London. Solicitors, Ashurst, Morris and Co., 6, Old Jewry, London.

Universal Mercantile Association (Limited).—An official liquidator to be appointed by Kindersley, V.C., on Monday, 10th April, at noon. Solicitor, A. T. Cox, 28, St. Swithin's-lane, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Behr (Moritz), Hyde-street, Winchester, doctor of philosophy, April 26, V.C. K.

Brancker (P. W.), Wavertree, near Liverpool, Esq., April 25, M. R. Walker and Son, 13, Swithin's-lane.

Gordon (George), 13, Howley-place, Paddington, Middlesex, Esq., April 24, V.C. S. Hume and Bird, 10, Great James-street, Bedford-row, London.

Grenell (Thos.), Partford, chemist and druggist, April 22, M. R. Hulse, Trustram and Birt, 61, Cheapside, London.

Fanshawe (Caroline Elizabeth), Foxcote, Worcestershire, spinster, May 10, M. R. S. W. Johnson, 5, Gray's-inn-square, London.

Haslock (Charles), formerly of Dorrington-street, Leather-lane, Middlesex, late of Shaw-brook, Essex, gentleman, April 28, V.C. W. C. Blake, 22, College-hill, London.

Jones (Robert), Pembroke, ironmonger, April 21, V.C. S. R. S. Gregson, 8, Angel-court, Throgmorton-street, London.

Knowles (George), Newnham, Gloucestershire, wine merchant, May 2, V.C. W. Rogerson and Ford, 31, Lincoln's-inn-fields, Middlesex, for Carter and Gould, Newnham, Gloucestershire.

Lees (Henry), Aspenshaw-hall, Glossop, Derbyshire, Esq., April 25, V.C. W. Cunliffe and Beaumont, 43, Chancery-lane, Middlesex, for Derbyshire and Ashworth, Manchester.

Lee (John), Hill-street, Richmond, Surrey, gentleman, April 24, V.C. K. C. and J. Allen and Son, 17, Carlisle-street, Soho, Westminster.

Lees (J. P.), 61, Moorgate-street, London, merchant, May 2, M. R. Watkins and Bubb, 23, Bucklersbury, London.

Martin (Admiral Sir H. B.), K.C.B., 16, St. James's-square, Middlesex, May 1. Simpson and Diamond, 10, Henrietta-street, Cavendish-square.

Monce (Richard), Chorley, Lancashire, gentleman, April 29, V.C. W. Cunliffe and Beaumont, 43, Chancery-lane, Middlesex, for J. R. and R. Lingard, Manchester.

Prescott (Wm.), Portsea, Southampton, carrier, April 19, V.C. W. Chapman and Clarke, 24, Lincoln's-inn-fields, London, for Low and Son, Portsea.

Thame (Wm.), Cypress-cottage, Carisbrooke, Isle of Wight, gentleman, April 27, V.C. W. Cunliffe and Beaumont, 43, Chancery lane, Middlesex, for E. L. Griffiths, Newport, Isle of Wight.

Ward (J. J.), the Prince of Wales, Southsea, licensed victualler, April 28, M. R. J. and T. Baddeley and Son, 46, Leman-street, Goodman's-fields, London.

Webb (R. T.), Worthing, Sussex, merchant, April 15, M. R. Thomson and Son, 68, Cornhill, London.

Webster (Robert), Brighton, Derby, gentleman, April 22, M. R. Church, Prior and Bigg, 36, Southampton-buildings, London.

Wheal (Anna Mine), St. Hilary, Cornwall. Creditors to come in by 2nd May, at V.C. S. Oliverson, Lavie and Peachey, 8, Frederick's-place, Old Jewry, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Ashburnham (Dame Juliana), Broomham, Guestling, Sussex, widow, June 1. Palmer, Palmer and Hall, 24, Bedford-row, London.

Bannister (James), Northfleet, Kent, June 1. Russell and Son, 30, Queen-street, Cheapside, London.

Burder (Rev. H. F.), Hatcham-house, Deptford, Surrey, May 4. Lambert and Co., 8, John-street, Bedford-row, London.

Cox (Cordelia Isabella), Dorset-street, Middlesex, spinster, June 1. G. A. A. Davies and Son, Crickhowell.

Deane (Wm.), 11, Freeschool-street, Horsleydown, Surrey, cornchandler, May 6. Jones and Arkell, 129, Tooley-street, Southwark, Surrey.

Drury (Elizabeth), Eton, Bucks, widow, July 1. Roberts and Simpson, 62, Moorgate-street, London.

Green (E. L.), 43 and 44, Monkwell-street, Falcon-square, London, builder, May 10. T. H. Weeks, 1, Falcon-square, London.

Guthrie (Alexander), formerly of the Island of Singapore, East Indies, late of No. 8, Upper Wimpole-street, Middlesex, merchant, June 1. H. S Turner, 42, Jermyn-street, St. James's, Westminster.

Hunt, Walter, 187, Euston-road, St. Pancras, Middlesex, cabinet-maker, April 26, Davies, Son, Campbell, and Reeves, 17, Warwick-street, London.

Lee (Thomas), 58, George's-place, Little Bolton, Lancashire, April 26. E. T. Whittaker, Duchy of Lancaster-office, London.

Mallinson (George), Brighton, Norfolk, yeoman, April 29. Foster, Burroughes and Robberds, Norwich.

M'Naughtan (Mary Ann), Nightingale-vale, Woolwich, spinster, May 15. C. Foulger, 2, Tanfield-court, Temple, London.

Pollard (James), Witney, Oxon, grocer, May 15. Bullen and Ravenor, Witney.

Roff (Robt.) Lower Swell, and Stow-on-the-Wold, Gloucestershire, yeoman, May 31. Kendall and Son, Bourton-on-the-Water, Gloucestershire.

Rotherham (H. K.), the cider, Coventry, Esq., May 1. Woodcocks, Twist and Son, Bayley-lane, Coventry.

Sanderson (H. B.), West Jesmond, Newcastle-on-Tyne, and Montague-grove, Hampstead, Middlesex, Esq., June 1, Palmer, Palmer and Hall, 24, Bedford-row, London.

Sharman (Robt.), Bousfield, Orton, Westmoreland, yeoman, May 22. G. R. Thompson, Appleby, Westmoreland.

Short (James), Sherborne, Dorset, gentleman, May 1. J. Y. Melmoth, Sherborne.

Smart (Ethelbred Mary), 5, Stanhope-place, Mornington-crescent, Middlesex, spinster, May 1. St. B. Sladen, 11, Parliament-street, Westminster.

Sowell (Joseph), Budleigh, Salterton, Devon, gentleman, May 31. C. Langley, 3, Charlotte-street, Bedford-square, London.

Symonds (Edward), West Horsley, Surrey, farmer, June 14. T. A. Curtis, Guildford.

Tenney (James), 3, Cranmer-terrace, Cranmer-road, North Brixton, Surrey, a retired major in the Indian army, June 1. Blakeley and Beswick, 26, Nicholas-lane, Lombard-street, London.

Thompson (R. H.), Appleby, Westmoreland, bank agent, May 22. G. R. Thompson, Appleby.

Venables (John), formerly of Archer's-lodge, Southampton, late of Lane's Hotel, St. Alban's-place, St. James, Piccadilly, Middlesex, commander in the Royal Navy, April 24. Williamson, Hill and Co., 10, Great James-street, Bedford-row, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Lloyd (R. W.), Glanrafon, Flint, Esq., and Hughes (John), Lincoln's-inn, Middlesex, Esq. 6*l.* 1*s.* 4*d.* Three per Cent. Consols. Claimant, J. Hughes, the survivor.

Mitchell (Thos. John), King's Dragoon Guards, Esq., Dividend on 2154*l.* 14*s.* 5*d.* Three and-a-Quarter per Cent. Annuities. Claimant, said T. J. Mitchell.

Pitt (E. G.), Bardgate, Darlington, Durham, surgeon. Dividends on 225*l.* Three per Cent. Consols. Claimant, said E. G. Pitt.

County Courts.—A Parliamentary return issued recently shows that the total expenses of the County Courts in England and Wales, in the year ending the 31st March 1864, were 250,643*l.* Of this sum the salaries of the judges, amounting to 75,633*l.*, and compensations, amounting to 9000*l.*, were paid out of the Consolidated Fund. The remainder was voted by Parliament.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

Norfolk Circuit.

Norwich, March 28.—The business, which commenced in both courts this morning about ten o'clock, is heavy, there being twenty-eight prisoners for trial, and fifteen causes entered in the cause-list, ten of which are to be tried by special juries. The offences charged against the prisoners are as follow:—7 cases of arson, 2 of burglary, 1 of attempting to conceal birth, 2 of child murder, 1 of embezzling a post-office letter, 1 of false pretences, 2 of forgery, 2 of manslaughter, 2 of attempting to murder, 3 of stealing, 1 of night poaching, 1 of robbery with violence, and 1 of stabbing.

Midland Circuit.

Leeds, March 27.—The calendar contains the names of seventy-seven prisoners. The offences

with which they are charged embrace an unusual proportion of cases of manslaughter, no fewer than fourteen persons being charged with that offence. There is 1 case of murder and 1 of attempt to murder. There are 7 cases of burglary, 3 cases of robbery, including that of the three men who are charged with a garotte robbery upon Mr. Burnby, at Sheffield, on the 23rd Dec., 2 of arson, 2 of shooting, 1 of administering poison, and 1 charge against a bankrupt under the new Bankruptcy Act. Mr. Justice Willes took his seat in the Crown court at twelve o'clock, and having charged the grand jury, disposed of two or three cases of no public interest.

CHESTER CIRCUIT.

Chester, April 3.—The learned judges on this circuit took their seats this morning at ten o'clock, Mr. Justice Byles presiding in the Crown court, and Mr. Justice Blackburn in the Nisi Prius court. The calendar contained the names of twenty-seven prisoners, none of them being charged with offences of a serious description. There were nineteen causes entered for trial, including five special jury cases.

OXFORD CIRCUIT.

Gloucester, April 3.—The cause-list contains fifteen entries, of which six are marked for special juries. The calendar contains the names of twenty-four prisoners, whose offences are comprised in twenty cases, which are composed as follows:—Murder, 1; manslaughter, 2; burglary, 3; perjury, 3; wounding with intent, 3; coining, 1; forgery, 1; arson, 1.

THE RECORDER OF MANCHESTER AND BOLTON.—On Mr. R. R. Armstrong, Q.C., Recorder of Manchester and Bolton, taking his seat at the opening of the Manchester Quarter Sessions, the Mayor of Manchester addressed him, expressing regret that this was the last occasion of his presiding, and assuring him of the respect he would carry with him of his fellow-citizens into retirement. Mr. J. P. Cobbett spoke to the same effect on behalf of the bar. Mr. Armstrong, in reply, assured them that, after holding the office of recorder for twenty-six years, the thought that he carried with him their good opinion would be a source of pleasing satisfaction to him in the evening of his days. On Wednesday, a meeting of the Bolton Town Council was held, to nominate a fit and proper person for the office of recorder, in the place of Mr. Armstrong, resigned. The voting was as follows:—Mr. W. H. Higgin, 23; Mr. S. Pope, 5; Mr. J. B. Tout, 4; Mr. R. D. M. Littler, 2; Mr. L. Temple, 2; and Mr. R. S. Sowler, 1. The Home Secretary will, therefore, be memorialised to appoint Mr. Higgin.

CHIEF JUSTICE MONAHAN AND THE RATHFRILAND MAGISTRATES.—At a meeting held in Rathfriland on the 22nd March, of justices of the peace usually attending petty sessions for that district—present F. C. Leslie, Esq., J. M. M'Clenehan, Esq.; J. F. Ruxton, Esq., William Watson, Esq., and O. H. Gartlan, Esq.; F. C. Leslie, Esq., was called to the chair. Moved by Mr. Ruxton, seconded by Mr. Gartlan, and unanimously resolved: "That having read in the public press the observations of Chief Justice Monahan on the case of *Reg.* v. *E. O'Hara and others*, lately tried before him at Down Assizes, we emphatically deny the charge of partiality in the administration of justice on this bench implied in those observations; and we consider that such observations were totally unwarranted by the facts of the case, were subversive of the due authority of the magistracy of the county, and were made without that deliberation which should be exercised by a judge in her Majesty's courts."

THE EDMUNDS INQUIRY.—The report of the Lords' committee in the Edmunds case will, we believe, be laid on the table of the House on Friday, if not on Thursday, and then ordered to be printed; so that the whole evidence will be issued to the public during the Easter recess. The last act of the committee, we hear, before adjourning on Friday, was to receive a written statement from Lord Brougham, to the effect that he knew nothing of any of the transactions until last November, the committee having had to wait two days for the formality of getting this document attested by a notary at Cannes. The committee meet again on Tuesday at noon to consider the report, which is then to be presented in draft. It was at first arranged that the report should be drawn by Lord Granville, but that task has now, we believe, been devolved upon Lord Chelmsford—a change regarding the reasons for which we are not informed, though it may naturally be inferred that it is a change not acceptable to nor promising for Lord Westbury. On the other hand, however, it is not impossible that the transfer of the draftsmanship may have been caused by there being no difference of opinion among the members of committee. We believe we are correct in saying that the report will entirely exonerate Lord Brougham. The committee are said to have accepted as part of the evidence Mr. Edmunds' "statement," in which, *apropos* of nothing connected with his official defalcations, that person gave his version of the thirty years old transactions between him and Mr. William Brougham. It is understood that the somewhat abrupt though not early termination of the inquiry was caused by the committee finding that they were "getting out of their depth" by having matters brought before them not connected with the case which they were appointed to investigate, though connected with some of the persons involved in that case. It is said, but need not be accepted as certain till more is known, that a statement was made to members of the committee, though not officially accepted or dealt with by the committee, to the effect that Mr. William Brougham imposed terms similar to those alleged in the Edmunds case upon Mr. James Brougham (son of the late Mr. John Brougham), the holder of an office in connection with the Bankruptcy Courts, first in Liverpool, and now in London. On the whole, it seems nearly certain that Mr. Edmunds will come out of the inquiry in a worse plight than when he went into it; and that Mr. William Brougham—though doubtless such statements regarding him as have as yet received publicity have been one-sided, and rest on tainted testimony—will not be in an enviable or unclouded position. The chief interest, however, will attach to the case of the Lord Chancellor.—*Scotsman.*

MAGISTRATE AND PARISH LAWYER.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Barnstaple	Tuesday, April 11	C. J. Murch, Esq.	6 days	J. H. Toller.
Bideford	Wednesday, April 12	C. J. Murch, Esq.		J. Bowker.
Chester	Monday, April 10	E. Beavan, Esq.	14 days	J. Walker.
Dartmouth	Thursday, April 20	A. W. Bentham, Esq.	10 days	W. Smith.
Hythe	Saturday, April 8	R. J. Bird, Esq.		S. P. B. Hawk.
Leeds	Saturday, April 15	J. B. Maule, Esq.	10 days	J. W. H. Richardson.
Leicester	Thursday, May 18	Mr. Serjeant Hayes	8 days	R. Teller.
Lichfield	Wednesday, April 12	H. W. Cripps, Esq.	8 days	C. Simpson.
Lincoln	Saturday, April 8	The Hon. G. C. Vernon		T. G. Dale.
Newark	Saturday, April 8	J. F. Stephen, Esq.		T. F. A. Burnaby.
Newbury	Wednesday, April 19	G. M. Dowdeswell, Esq.		J. Vines.
Stamford	Saturday, April 8	The Hon. E. C. Leigh	10 days	J. Torkington.
Tenterden	Saturday, April 8	F. Russell, Esq.		S. Weller.
Wigan	Wednesday, April 26	J. Catterall, Esq.	Statutory notice	R. Leigh.

GRAND JURIES AND TRIFLING OFFENCES.—The following has been addressed to a contemporary:—"On several occasions the grand jury at the Central Criminal Court as well as at the assizes and quarter sessions, have made formal presentment, justly complaining of their time and attention being occupied unnecessarily with a number of trifling cases of larceny, and other like offences, which might have been more satisfactorily and economically disposed of summarily by the magistrates in petty sessions, if the law permitted that course to be taken. In May last there appeared in the morning papers a presentment to this effect from the grand jury of the Central Criminal Court, and I then ventured to show that the Criminal Justice and Juvenile Offenders' Acts ought to be extended to several other cases, *i. e.*, cases of embezzlement and fraud of small amount, to accessaries, and the receivers of property. I therefore now beg permission through your columns to call the attention of grand juries and others interested in this subject to the 'Justices of the Peace Procedure Bill,' now before the House of Commons, which proposes to remedy the defects in the law referred to. The tenth part of this Bill (which stands for a second reading on the 3rd May) provides for the disposal of all such cases in petty sessions and by a more simple and uniform procedure than exists under the present statutes.

I am, Sir, your obedient servant,
Mansion-house, April 1. GEORGE C. ORR."

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

LEGACY DUTY.—B. bequeathed specific sums of money to different legatees, and then gave two shares in a company, stating that they were of the value of 250*l.* each. He then directed that the legacy duty on the "several abovementioned sums should be charged on the residuary estate. The actual value of the shares was nearly 1000*l.* The words "above-mentioned sums" were held to apply only to the money legacies, and that neither the shares nor their reputed value of 250*l.* each were to be paid to the legatees free of legacy duty: (*Dakers* v. *Lilburn*, 12 L. T. Rep. N. S. 104. V.C. K.)

MORTGAGE—PREMIUMS ON FIRE INSURANCE.—The deed empowering the mortgagor to raise money by way of mortgage contained a covenant that the mortgagor should insure the premises against fire. Afterwards he mortgaged the premises, but without a similar covenant by the mortgagee to insure. The first mortgagee had, however, insured the premises and duly paid the premiums. Subsequent incumbrancers were held not to be bound to allow their premiums as a charge on the estate, in the absence of a special agreement to that effect: (*Brooke* v. *Stone*, 12 L. T. Rep. N. S. 114. V.C. W.)

SETTLED ESTATES ACTS—PRACTICE.—Where the description in the advertisement of a sale under these Acts departed from that in the title of the petition, a re-advertisement with a proper description was ordered: (*Re Bateman*, 12 L. T. Rep. N. S. 133. L.JJ.)

ANNUITY—APPOINTMENT.—B. conveyed freehold property to trustees, in trust for himself for life, then for his widow, and after the death of the survivor, as he should by will appoint, and subject thereto for the widow absolutely. The deed contained powers for the trustees, during the lives of the tenants for life of the freeholds, to lease and exchange them. B., by his will, exercised the power of appointment, and bequeathed an annuity of 100*l.* per annum to C., to be raised out of his freehold property. B. died leaving his widow surviving. The payment of the annuity was held not to be postponed till the death of the tenant for life of the property in which the reversionary interest was charged, but was immediately raiseable out of such interest: (*Pettinger* v. *Bunn*, 12 L. T. Rep. N. S. 133. M. R.)

TRUSTEES.—B. by will appointed three trustees, and directed that if "the trustees declined or became incapable to act in the trusts, it should be lawful for the surviving or continuing trustee or trustees to appoint trustees in the room of the trustee or trustees so dying, declining, or becoming incapable to act therein." Two of the trustees disclaimed. The third acted, and by deed reciting that he "now declined to act," appointed new trustees. The retiring trustee was held not to be a surviving or continuing trustee within the power, and that the appointment was invalid: (*Travis* v. *Illingworth*, 12 L. T. Rep. N. S. 135. V.C. K.)

Three persons in partnership having executed an assignment of all their joint property to a trustee for the benefit of creditors, the trustee sold the property to B., and soon after repurchased it at the same price; and by a deed, to which all the creditors who had executed the composition-deed, and two of the partners, were parties, the sale by D. to the trustee was confirmed. There was but one creditor who had not come in under the composition-deed, and it was alleged that he had been offered payment in full, and declined to accept it. A bill filed by the third partner, who had refused to confirm the sale, to have it set aside, was dismissed on the ground of his want of interest in the subject-matter. The rule relating to purchase by a trustee was thus stated:

The object of this bill is to set aside a purchase made by a trustee of certain property which he held in trust for the benefit of the plaintiff's creditors. The rule which prohibits trustees from purchasing the property of their *cestuis que trust* is so valuable that I should be glad if I could find enough in this case to enable me to follow it. But, in order to maintain a suit, it is necessary to show that the plaintiff has an interest in the subject-matter of the suit; and therefore it is incumbent on the plaintiff in this instance to prove that he has a substantial interest in setting aside this sale. Assuming for the present purpose that the trustee has not purchased this property at its proper value, it then becomes a mere matter of speculation whether, if the sale were to be set aside, there would be any surplus. The plaintiff's only interest depends on such a result. But he in his bill has named a price which he is willing to take for the property, one far below the full sum necessary to pay the creditors, and thus on his own showing there would be no surplus. Apart from this, the rule in equity which invalidates a sale made by a trustee to himself is one which admits of some qualification; and more than this, if it can be shown that a person acting in a fiduciary position has openly and with perfect fairness, having the concurrence of all the persons who have a primary interest in the property, contracted for the purchase, the court will not set aside the transaction. The rule is not that the contract is necessarily void, but that if a sufficient case is made out it may be rescinded. All the persons really interested have confirmed the sale in the present case. It has been argued that the plaintiff has an interest in this suit, inasmuch as all the creditors were not parties to the deed of assignment, and it is therefore incumbent on the plaintiff to see that their debts are paid; but the relief asked by the bill affords no protection from this danger, and I can see no ground for acceding to the prayer.

(*Dorer* v. *Buck*, 12 L. T. Rep. N. S. 136.)

MARRIAGE-SETTLEMENT.—An agreement in a marriage-settlement to settle after-acquired property contained the words "if the intended wife shall at any time during her coverture become entitled," &c. They were held to mean "if the intended wife shall at any time, from one and the same source, become entitled," &c.: (*Re Hooper's Trusts*, 12 L. T. Rep. N. S. 137. V.C. S.)

OBSTRUCTION TO LIGHT—ESTOPPEL.—To a declaration for injury to a reversion by building walls and obstructing light, defendant pleaded by way of estoppel, that after the passing of the Chancery Regulation Act 1862, the plaintiff impleaded the defendant for the same causes of action in the Court of Ch., which court determined them in defendant's favour. The

plaintiff replied that, in dismissing the bill, the Court of Ch. had reserved to him the right of proceeding at law. It was held to be a good plea, for although the Court of Ch. was not bound to exercise its jurisdiction to award damages for the obstruction of light, inasmuch as it had done so, it in fact considered and determined the matter in dispute. (*Langmead* v. *Maple*, 12 L. T. Rep. N. S. 143. C. P.)

THE CHARITY COMMISSIONERS.—The report of the Charity Commissioners for England and Wales for the year 1864 has been issued. The commissioners state that the special applications for their intervention, with respect to very various endowments, continue to increase. Their number in the past year was 1369; in the three years immediately preceding it had averaged 1239. Last year the number of orders made was 1728; it had been 1612 in the preceding year. The jurisdiction newly extended to the Board of Commissioners by the Charitable Trusts Act of 1860 continues to afford very satisfactory results. Notwithstanding the great facility of appealing from the orders of the commissioners, no instance has hitherto occurred of their reversal or variation. At the close of the year the total amount of various stocks vested in the official trustees was 2,0[illegible],281*l.* 3*s.* 7*d.*, held by them upon [illegible] accounts, of the separate charities to which they belong. During the past year 377 charitable foundations, either newly created or not previously recorded, were brought under the notice of the commissioners, and 11,207 returns of accounts of the receipts and expenditure of charities were received. "It would be very satisfactory," the commissioners remark, "if the trustees of such foundations, considering how largely their advantage may be promoted by the publicity of their administration, and the justice with which information may be expected from themselves as to the discharge of public trusts undertaken by them, would more readily comply with the law which requires from them for such purposes these yearly returns." The compilation of a general digest of endowed charities is now complete for fifteen counties, and also as to the parochial charities of the cities of London and Westminster. "It will be for Parliament to determine," say the commissioners, "upon the expediency of causing the digest to be printed, either on its completion for separate counties, or after a greater extension of the works, if it should form a sufficient estimate of the value of such a record."

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

COMPENSATION.—Another case deciding that loss of profit to a trade and injury to the goodwill, by reason of the obstruction of a highway in the construction of a railway are not subject for compensation: (*Cameron* v. *The Charing-Cross Railway Company*, 12 L. T. Rep. N. S. 121. Ex. Ch.)

PARLIAMENTARY PRACTICE—JURISDICTION OF REFEREES—PETITION.—The following allegation in a petition against a Bill was held to raise no issue as to the efficiency of the engineering details of the undertaking, so as to permit the referees to proceed with the hearing: "But the proposed railways are ill-contrived for the purposes they profess to effect, and your petitioners complain of the said junctions with the Great Northern Railway, not only on account of the interference with their property, but also because they are ill-selected, and will interfere with the safe and efficient management of the traffic of the said railway:" (*The Barnet, &c., Railway Bill*, 12 L. T. Rep. N. S. 127.)

The petitioners rested their case on a part of the petition which stated that the proposed railway would run in dangerous proximity to extensive powder-mills belonging to the petitioners, and would render them utterly useless on account of the risk of explosion thereby created. It was not proposed to offer proof of any other defect in the engineering details. The Referees resolved that, under the exceptional circumstances of the case, they had jurisdiction to proceed with it: (*The Caledonian Railway*, 12 L. T. Rep. N. S. 129.)

ESTIMATE—STANDING ORDER 59.—The promoters of Bills of the second class, in making the estimate under Standing Order 59, may take into account the expected proceeds of surplus land not required for the purposes of the undertaking: (*The North London, &c., Railway Company*, 12 L. T. Rep. N. S. 128.)

LOCUS STANDI—OWNER OF A HOUSE.—Owner and occupier of an inn and road in front of it, which they complained would be crossed by means of a high viaduct, and thereby injuriously affected, but the inn not being within the limits of deviation, were held to have no *locus standi*: *North London, &c., Railway Company*, 12 L. T. Rep. N. S. 128.)

WINDING-UP — CONTRIBUTORY. — The Lord Chancellor has reversed the decree of the M. R. in *Spackman's case*, 11 L. T. Rep. N. S. 13, under the following circumstances. The directors contracted with seven shareholders, that on payment of 4000*l.* they should be released from all present and future liabilities. This was never submitted to a general meeting, but their shares were declared to be forfeited for nonpayment of a call made immediately before the date of the agreement, and their names were struck out of the register. Eleven years elapsed before the company was wound-up, during which time these persons had not in any manner been treated as shareholders. Nevertheless they were now, on appeal, held to be contributories, by reason of the irregularity of the transaction, which was a fraud upon the other shareholders, which no lapse of time or acquiescence could condone. It was held, also, that the power given to the directors to compound actions and suits does not extend to the release of a shareholder from his position in the company, although they may compromise any demand the company may have against him: (*Spackman's case*, 12 L. T. Rep. N. S. 130. Ld. Ch.)

TRANSFER OF SHARES—REGISTRATION.—B. holding some shares as trustee, transferred them to C. as a security, without giving him notice of the trust, and absconded. C. was afterwards informed of the trust, and then registered the transfer: (*Dodds* v. *Hills*, 12 L. T. Rep. N. S. 139. V.C. W.)

FLOATING PUBLIC COMPANIES.—An action has lately been decided at Liverpool, before Mr. Justice Shee, during the course of which the following facts were established in evidence: Mr. O'Byrne, a stockbroker, carrying on business in Liverpool, sued Mr. Hodges, who was promoter of the National Provincial Marine Insurance Company, for 250*l.* commission on shares in the said company, which were disseminated by his exertions. The defendant was professionally a promoter of public companies. The ordinary practice in such an operation is to employ a large stockbroking firm in London to gather together subscribers and place the shares. In this instance, an agreement was entered into between the defendant and the firm of Sir R. W. Carden and Co., who covenanted to use their best endeavours to float the company, for which service they were to be paid by the defendant the lump sum of 500*l.* The plaintiff was then, in his turn, applied to as a country agent, by the firm of Carden and Co., to perform the service of assisting in obtaining shareholders. The commission to be paid him was fixed at 2*s.* 6*d.* per share. Two thousand shares were actually distributed through his exertions, and 250*l.* became due on that account. The question was, who was to pay this sum? A gentleman from the firm of Sir Robert Carden stated that his firm was authorised by the plaintiff to engage agents on the understanding that they would be paid by the plaintiff, and that the 500*l.* which was to fall to the share of Carden and Co. was for something quite independent of procuring the allotment of the shares—namely, for their exertions to "float the company," although of what specific acts those exertions consisted, beyond lending the name of the firm, appeared to be a somewhat difficult matter to describe. It was urged, however, on the other hand, that the defendant had originally stipulated with the National Provincial Marine Insurance Company that he should be paid a lump sum of 5000*l.* (which was afterwards reduced to 3500*l.*) for his services; and another broker, suing the company previously to the present plaintiff, had obtained payment by arrangement, not out of the company's funds, but out of this 3500*l.* of the defendant's. Sir R. W. Carden and Co. had also been compelled to sue him and obtain payment of their 500*l.* out of the same fund, which, it was contended, had been allotted by the company to the defendant expressly to meet such claims. The defendant repudiated his liability, on the ground that Sir Robert Carden and Co. had not acted upon his instructions in employing the plaintiff. The jury gave the plaintiff a verdict for his claim in full.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

TRADE-MARK—INJUNCTION.—B. sold tobacco-pipes packed in boxes or cases, on which were labels or descriptions of a similar character to those of C., using C.'s name as being the real manufacturer, B. having a person in his employ of that name. This was held to be a colourable imitation and use of the labels and descriptions: (*Southorn* v. *Reynolds*, 12 L. T. Rep. N. S. 75. V.C. W.)

WARRANTY.—Where B. sold goods in his shop to C. which were afterwards claimed by D. as being his property, there was held to be an implied warranty by B. that he had a good title to the articles sold, and therefore that C. could recover the money he had paid for them: (*Eicoltz* v. *Bannister*, 12 L. T. Rep. N. S. 76. C. P.)

PATENT LAW.—The rules that govern the construction of specifications for patents are the same as those for construing other written instruments, having regard specially to the fact that the specification must fulfil the obligation imposed upon the patentee, that the grant will be void if the patentee does not particularly ascertain and describe the nature of his invention. The errors that will not vitiate a patent are those only which appear on the face of the specification or the drawings, and which, as they would be immediately discovered on working out the instructions, cannot possibly mislead; and not such errors as can be detected only by experiment and further inquiry: (*Simpson* v. *Holliday*, 12 L. T. Rep. N. S. 99. Ld. Ch.)

An ordinary grant of letters patent to a subject does not exclude the Crown from using the invention without the licence of the patentee: (*Feathers* v. *The Queen*, 12 L. T. Rep. N. S. 114. Q. B.)

UNDUE INFLUENCE.—An assignment of a father and son to secure a debt of the father was set aside under the circumstances stated in the cases, which should be read: (*Berdoe* v. *Dawson*, 12 L. T. Rep. N. S. 103. M. R.)

An agreement made by a father with a bank to secure payment of bills forged by his son, and made under threat of a criminal prosecution and under protest of the father's solicitor, was also set aside: (*Bayley* v. *Williams*, 12 L. T. Rep. N. S. 110. V.C. S.)

LAW STUDENTS' JOURNAL.

LAW STUDENTS' DEBATING SOCIETY.

The following report was read at the last meeting:

Gentlemen,—It is with great pleasure that I again perform the duty of laying before you my quarterly statement of the proceedings of the society, as I find myself again in a position to congratulate you on its continued prosperity.

During the quarter which has just terminated and which commenced on the 10th Jan. last, twelve meetings have been held and six legal and four jurisprudential questions have been discussed—the questions appointed for discussion on two of the meetings having been postponed on account of the evenings being occupied with the business of the society. The question discussed on the 28th March has been adjourned to the 11th April for further discussion, as many of the members desirous of speaking upon it had not time to do so.

Notwithstanding the continued inclemency of the weather, the number of the members attending the meetings has improved since the last quarter; the average number of members attending being 31, the highest number being 40 and the lowest 26.

The number of members speaking upon the legal and jurisprudential questions has been on the average 11; and the average number of members voting has been 17, of whom an average of 11 were present at the divisions and 6 voted by means of the register of votes.

The time occupied by the debates on these questions has averaged two hours.

The number of members of the society is now 142—twelve gentlemen having been elected members during the past quarter, and six members having resigned and five having otherwise ceased to be members.

Three of the reporters, Mr. Lynch, Mr. Winch and Mr. Harvie, having found it necessary from pressure of other engagements to resign their offices, the vacancies have been filled up by the election of Mr. Bradford, Mr. Groves and Mr. Montagu.

At the final examination in Hilary Term Mr. Hepburn was awarded a certificate of merit; and the examiners certified that Mr. Groves would have been entitled to either a prize or a certificate if he had been under the age of twenty-six years.

The committee appointed on the 6th Dec. last to revise the rules have performed the task allotted to them, and the code of rules which they prepared has been adopted by the society by a resolution passed on the 7th Feb., and has been printed for the use of the members.

A committee was appointed on the 7th Feb. on the motion of Mr. Hills, to prepare petitions to the Houses of Parliament in favour of the Bills which have been introduced for the concentration of the courts of justice. The petition to the House of Commons was kindly presented by Mr. Malins, Q.C., and Lord Cranworth has been good enough to undertake to present the petition to the House o Lords.

The committee appointed on the 7th June 1864, to consider the subject of publishing the reports of the society's debates more frequently and in a more extended form, presented their report at the first meeting in this quarter, and upon their recommendation the society has established a periodical under the title of *The Law Students' Debating Society's Journal and Reporter*, to be published three times a-year—in January, April and July; in which periodical the reports are to be published, together with such other matter as the editors consider desirable. The first number of the journal was published accordingly in January last.—I remain, Gentlemen, your very obedient servant,

G. SANGSTER GREEN, Secretary.

Law Institution,
4th April, 1865.

THE NEW BANKRUPTCY LAW.

RESOLUTIONS OF THE SELECT COMMITTEE ON THE BANKRUPTCY ACT.

The select committee appointed to inquire into the working of the B. A. 1861, and to report thereon, have considered the matters to them referred, and have come to the following resolutions, which they have agreed to report to the House:—

That it is the opinion of this committee—

Matters prior to Bankruptcy.

1. That imprisonment of debtors at the suit of the subject to compel the payment of money, under any judgment, decree, or order of any court, should be abolished. 2. That a creditor under any judgment, decree, or order should have the same power of arresting the person of his debtor, who may be about to quit the kingdom, as a creditor now has before judgment under the Act 1 & 2 Vict. c. 110; and the debtor should be detained in custody until he has either given security or paid the demand, or been discharged in due course of law. 3. That the power of an execution-creditor to enforce the payment of a debt above 50*l.* should be extended to any sum due under any judgment, decree, or order of a court of justice.

Adjudication of Bankruptcy.

4. That adjudication of bankruptcy should be made by a court in the metropolis, or by a County Court.

Proceedings on Adjudication.

5. That the office of official assignee should be abolished. 6. That on adjudication, the property of the bankrupt should remain in his charge in trust for his creditors, without power of alienation, until the appointment of a trustee, or other special order. 7. That the Court of Adjudication should be empowered to order such measures to be taken as may be necessary for the safe custody of the property, and the disposal of it between adjudication and the appointment of a trustee. 8. That any creditor should only be entitled to vote on proceedings in bankruptcy in respect of the balance due, after deducting the value of all securities for his claim, including bills of exchange, and other obligations, as provided in the Bankruptcy Act of Scotland.

Administration of Assets.

9. That the creditors should meet as soon as possible after adjudication, and those who have verified their claims should elect a trustee. 10. That they should, at the same time, elect two or more inspectors from their own body to superintend on their behalf, without remuneration, the proceedings of the trustee. 11. That the estate of the bankrupt should vest in the trustee on his appointment, and he should possess full power to collect and realise the estate and distribute it amongst the creditors. 12. That the trustee should be empowered to admit or reject the claims of any creditor, and any creditor should be at liberty to appeal to the Court of Adjudication against such decision. 13. That when an appeal from the rejection of the trustees shall not be made within a reasonable time, the creditor should be finally excluded from the dividend thereupon made, but without prejudice to a proper adjustment of his claim if afterwards admitted at any future dividend. 14. That the trustees should keep a proper record of the proceedings, and present accounts periodically to the inspectors, and afterwards to the accountant in bankruptcy, showing the administration of the assets. 15. That the trustee should give security for the performance of his duty, and be paid a reasonable remuneration, to be fixed by the creditors. 16. That the Court of Adjudication should have power, on the application of a creditor or of the trustee, to make the orders necessary to compel a due compliance with the provisions of the Bankrupt Laws. 17. That the accountant in bankruptcy should be required to examine all such accounts as the trustee may be required by law to file, and to issue in each case such directions as may be necessary for the due accounting by the trustees. Such directions to be enforced by the Court of Adjudication.

Discharge of Bankrupt.

18. That whenever the bankrupt shall have made a full disclosure of his dealings and affairs, and a surrender of all his property to the satisfaction of the Court of Adjudication, and shall have paid a dividend of 6*s.* 8*d.* in the pound to those creditors who have proved their debts under his bankruptcy, he should be freed from all claims capable of proof in the bankruptcy. 19. That in all other cases in which a bankrupt shall have made a full disclosure of his dealings and affairs, and a surrender of all his property to the satisfaction of the court, he should be freed from all such claims after the expiration of six years from the date of the adjudication. 20. That the payment by the bankrupt, after the adjudication, to all his creditors who have proved under the bankruptcy, of such an amount as will, together with what is actually paid under the bankruptcy, make up the dividend required by the 17th resolution, should have the same effect as if the whole of such dividend had been paid under the bankruptcy.

Punishment of Bankrupt.

21. That such wilful acts of debtors tending to delay or injure their creditors as shall be declared by law criminal, should be made punishable only in the ordinary criminal courts of justice.

Administration under Deed.

22. That where a deed is to have the effect of binding creditors who have not executed it, the court in which it is registered should have jurisdiction to determine whether it has been duly executed, or is in other respects valid. 23. That this jurisdiction should be exercised by the court which would have exercised the jurisdiction in bankruptcy, and every creditor should prove his debt, in respect of which the deed is signed, before such deed shall be deemed binding on any creditor who has not executed it. 24. That the amount of the debt to be proved should be ascertained in the manner provided in resolution number eight. 25. That no deed of assignment should be binding upon any creditor who has not executed it, unless all the estates and effects of the assignor, which in cases of bankruptcy would have vested in the trustees, shall have been thereby assigned for equal distribution among the creditors. 26. That no such deed of composition, assignment, or inspection should discharge the debtor from debts due to creditors who do not execute it, unless all the creditors receive a dividend of at least 6*s.* 8*d.* in the pound, or else until six years shall have expired from the date of such deed.

Courts of Bankruptcy and Officers.

27. That there should be established a court of bankruptcy in the metropolis, and the judges of the superior courts of equity and common law should sit as judges in that court. 28. That there should be an appeal to the Court of Bankruptcy from all orders of a County Court, or of a single judge in the metropolis, relating to matters above the value of 20*l.*, and from all other orders when the court or judge shall allow a special case for appeal. 29. That there should be a chief accountant who should supervise the accounts of trustees, and perform such other duties as are provided for in the Bankruptcy Act of Scotland. 30. That the present Metropolitan and District Courts of Bankruptcy should be abolished as soon as practicable.

Consolidation.

31. That the Bankrupt Laws should be amended in the above particulars, and be consolidated.

CORRESPONDENCE OF THE PROFESSION.

A Hint.—Will you permit me to call the attention of the Profession to the second and third parts of the Bill introduced into Parliament last year by the Lord Chancellor, and set out at length in the Law Times of June 18, 1864. These parts are wholly unconnected with the provisions of part one, which the House of Lords at all events are not yet prepared to pass, and therefore there seems no reason why the unobjectionable portions of the Bill should not be re-introduced. Will the Lord Chancellor or some member of Parliament take the matter up and confer a great public benefit? A Solicitor.

April 5, 1865.

The Law Journal and Mr. Daniel's Opposition.—I have been a subscriber to the *Law Journal* for twenty years; it fills two shelves in my library; I have been accustomed to read it for study and cite it as an authority. I have never had reason to complain of it, either as to the completeness or the correctness of its reports. But now I am solicited by the unseemly circular, you have characterised so justly, to give up this old and proved friend who has served me so well, and with whom I have not a single fault to find, for an utter stranger, who has nothing to offer but promises, and who asks me to pay five guineas instead of 3*l.* 5*s.*, which I now pay, for reports which cannot possibly be better and probably will be vastly inferior to those of my tried friend the *Law Journal*. I certainly shall do no such thing, and I call upon my brother solicitors unanimously to do the like and refuse to assist in this unjustifiable attempt, under pretence of serving the Profession, to rob those who have served it long and faithfully of their property and incomes, and transfer them to the pockets of the relatives and friends of the promoters and managers of the rival shop. An Old Solicitor.

Law Reporting.—You are right in terming the would-be reporters the *Protegés* of the promoter of the new speculation. I know that powerful interests are being set in motion to procure reporterships, and that the choice will be a gigantic job. The thanks of the Profession are due to you for your spirited exposures of "the Reporting Scandal."

Another Barrister not a Reporter.

Temple, April 5.

Prosecution Expenses.—I have frequently read in your columns complaints of the smallness of the payments to persons attending as witnesses in prosecutions, but one is apt to see it in a stronger light when made to feel the injustice in one's own person. Some two months ago I was summoned to attend before the magistrates sitting in petty sessions at a place eight miles from this city in a case of arson, to give evidence as the agent of the Law Union Insurance Company, in whose office the property was insured, but who were not the prosecutors. There being no railway-station within four miles of the place I was bound either to hire a horse or cab; as I happened to keep a horse I rode my own, but if had hired I must at least have paid eight shillings for the hire, and more than that for a cab. At the petty sessions I was kept in attendance till after the middle of the day, when I was bound over to appear as a witness on the trial at the ensuing Gloucester assizes. This trial has just now taken place, and I had to dance attendance at the court a whole day. Upon taxing the prosecutor's costs, the officer of the court stated that all he could allow me for my attendance before the magistrate (including travelling expenses) and at the assizes was 2*s.* 6*d.*, which was made up as follows: attendance at petty sessions, 2*s.* 6*d.*; mileage (seven miles), 3*s.* 6*d.*; attending trial at assizes, 3*s.* 6*d.*—9*s.* 6*d.* I would ask whether such an allowance as the above is not an insult to the Profession, and whether something ought not to be done to bring about an alteration of such a state of things. Upon pointing out to the taxing clerk that according to their scale a solicitor was allowed a guinea for his attendance as a witness at the assizes, I was told that this was only where he attended to give professional evidence, and that if solicitors or medical men attended as witnesses to facts not connected with their profession, they would only be entitled to the same allowance as a labourer. J. P.

Gloucester, April 4, 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Joint-Stock Companies Act.—Has an industrial society, registered under the 25 & 26 Vict. c. 87, power to mortgage land held by it under the 5th section of that Act?

Newcastle. A Subscriber.

Commissioners.—Will some of your readers kindly furnish me, through your columns, with information as to what affidavits, affirmations and declarations a common law commissioner can take, or refer me to any work where an answer to this query is to be found.

Inquirer.

Articled Clerk.—A. is articled to B. for five years, serves upwards of two years, when it is mutually agreed that an assignment shall be made to C. Upwards of a year has passed and the assignment is not completed. Will you or any of your readers oblige by stating whether a stamp of 1*l.* 15*s.* will be sufficient, or a stamp of 80*l.* must be impressed on the assignment, seeing that the assignment is for a further term, in order to make up the five years' service. A case or other authority on the point would oblige. A Subscriber's Clerk.

Practice—Copyhold.—Will some of your readers kindly favour us with their opinion on the following case, giving authorities. Is the solicitor of a tenant for life, having the custody of copies of court-roll, entitled, before consenting to produce them to the solicitor of the reversioner in fee, who has contracted to sell his reversion under a decree of the Court of Chancery, to be paid for preparing abstracts thereof obtained by the latter from the original court-rolls of the manor? Subscriber.

Mortmain.—A., by his will, gave to trustees "all his estate except Blackacre, &c., then in his occupation, and which he intended shortly to convey and dispose of for charitable purposes." He died within three months after executing such will, having in the meantime conveyed Blackacre, &c., to the Governors of Queen Anne's Bounty; by such conveyance he, however, reserved to his widow a life-interest in the property, and she occupied it or received the rents for ten years thereafter. She is lately dead, and the heir of the testator now claims the property on the ground that under the statute of Anne, as under the Mortmain Acts, the gift ought to take immediate effect in possession. Can your readers refer me to any decision favouring such a construction of the statute of Anne?

Caritas.

Answers.

County Court Jurisdiction.—In reply to "H. E." a petition by any *creditor* against his debtor for adjudication in bankruptcy must be filed in the *district* court. The County Court has *no* jurisdiction: (ss. 38, 94 of B. A. 1861).

Exeter, April 5. J. P.

Re Bankruptcy.—In the case stated by "Lex," I think C. D., by application to a judge at chambers, would obtain an order for the *re-arrest* of his debtor. The case of *Daniels v. Jansen*, 10 L. T. Rep. N. S. 909, although referring to a trust-deed under the Act, is a case in point, as I submit the same principles rule abortive bankruptcies as well as defective deeds of arrangement. J. P.

Exeter.

Dower.—In case the mortgage was in *fee*, and not for years only, it would seem that the wife's dower (notwithstanding the redeemable nature of the security in equity, being purely a legal right, was absolutely extinguished by the mortgage; and consequently A.'s object would be attained by a reconveyance of the property to him from B. to uses to bar dower: (see the subject discussed fully in

the acts in Bythewood's Conv. by Jarm., 2nd edit., vol. 4, pp. 173 to 176.) H. M. B.

— I conceive that by the deed of 1860 the title to dower is effectually barred at law, but not in equity. In the contemplation of a court of equity a mortgage is but a pledge; and the object for which the wife concurred in the deed being satisfied, her rights are restored; she is restituta in integrum. "The court, in truth, regards the mortgagor as the owner of the same estate as before, subject only to the mortgage:" (Williams on Real Property, 334.) I regret that I have not leisure at this moment to refer "H. C." to any authority; but as he only asks for an opinion on the subject, mine, *valeat quantum*, is at his service. PHILIP W. DODD.

Stockton-on-Tees, April 3.

ENTAILED.—The answers of "A. L. C." and "J. B." to "B.'s" question overlook the fact that the remainder is limited to the heir and not to the heirs of "B." The rule in *Shelley's case* therefore is inapplicable. Words of limitation in the plural number denote a continuous succession, but the word heir is simply *designatio personæ*: (see per Tindal, J., *Doe dem. Winter v. Perratt*, 3 M. & Sc. 597.) *Clowdes v. Taylor*, cited by "J. B.," arose upon a will; but in *Bagley v. Morris*, referred to by "D. H.," the Master of the Rolls, after an elaborate argument and much consideration, distinctly held, that although in a will the expression heir or heir male may be *nomen collectivum*, such a construction cannot obtain in a deed. This appears to settle the question and to overrule the cases referred to in Harg. Co. Litt. By-the-bye, "D. H." should not have spoken of Mr. Hargrave as an annotator of Coke: more than his name is less. We are reminded of the optician who spoke of this very great conveyancer as an obscure law man in Bream's-buildings. PHILIP W. DODD.

Stockton-on-Tees.

MORTMAIN.—Assuming that the lease contains no other reservations or covenants for the benefit of the grantor, than such as are permitted by the 24 Vict. c. 9, s. 1, the charitable trusts may be contained in the lease itself, which must be enrolled within six months from the date. If it contains other restrictions than those referred to, it should be granted to a third person, without any allusion whatever to any charitable purpose, and such third person should afterwards assign the lease to the trustees of the chapel, upon the intended trusts. In that case the deed of assignment, and not the lease, must be enrolled, and in the assignment care should be taken to avoid any recital or acknowledgment that the lease was taken for a charitable purpose. I beg to refer "C. P. W." to Jarkin and Stewart's edition of Bythewood's Conveyancing, vol. 8, tit. "Trust-deeds," p. 299. The lease in the first case and the assignment in the second must be acknowledged by one of the parties thereto, before a Commissioner in Chancery, and the execution of the deed by the grantor must be attested by two witnesses, and it is safer that the execution, by all the parties, should be attested in like manner. H. M. B.

Bideford.

PAWNBROKER.—It is impossible not to agree with "A Reader," that "J. F. C. T.'s" consultatio was *valde* ... If any man be a "notorious" or "manifest" usurer, he is not only inadmissible to the Lord's Table, and he is not entitled to Christian burial; he is, moreover, incapable of making a will (Swinburne, part 2, s. 16): and he has nothing to dispose of; for although before a statute of Henry 7 the temporal courts took no cognizance of his offence in his lifetime, "usurarii omnes ... sive testatus sive intestatus decesserit, domini regis ...: heres quoque ipsius, hac eadem de causa, exhereda... secundum jus regni, et ad dominum vel dominos ... hereditas:" (Glanvill, lib. 7, c. 16.) This was visiting the sins of the fathers upon the children with a vengeance. What then is usury; and are pawnbrokers pursuing their calling in accordance with the law ... of it? Usury is not confined to the taking of interest upon a loan of money; we read of usury of victuals, ... of anything that is lent upon usury: (Deut. c. 23, v. 19.) Matthew Hale says that only Jewish usury, which he takes to be the taking of 40 per cent. or more, is prohibited by the common law: (Hard. 420.) The highest rate of interest allowed to a pawnbroker by law is 20 per cent. Some of the old canonists, however, hold that every taking of interest upon a loan is sinful; a notion borrowed from Scripture—[usury is not prohibited by the Mosaic law unless the borrower be a Jew. "Unto a stranger thou mayest lend upon usury, but unto thy brother thou shalt not lend upon usury:" (Deut. c. 23, v. 20.)]—but from the ... as shown by Blackstone; but some casuists hold that, under certain conditions, usury may lawfully be taken. The foundation of *monts de piété*, that is, pawnbroking establishments, they hold to be not merely lawful but meritorious. Those conditions, which I remember to have seen described in the Compendium ...—a compendium! *theologiæ moralis*—in two ... folio volumes, require that no loan shall be made but upon a pledge; that the pledge shall be of adequate value; and that if not redeemed within a prescribed time, the pawnee shall have power to sell it: conditions which I venture to assert are observed by the least conscientious of pawnbrokers. I am really almost ashamed to occupy, on such a subject, space that ought to be devoted to questions of practical importance.

PHILIP W. DODD.

THE LAW LIBRARY.

BOOKS SENT FOR REVIEW.

Penal Code of the State of New York. Reported complete by the Commissioners of the Code. Albany: Weed, Parsons and Co.

Stammering and Stuttering, their Nature and Treatment. By J. HUNT, Ph. D., F.S.A., &c., &c. 5th edition. London: Longman, Green, Longman and Roberts.

PAMPHLETS.

Leeds Stipendiary Magistrate Question. A Speech by the late Mr. J. Hope Shaw. Leeds: Spark and Co.

Odds and Ends. No. 3.—Wayside Thoughts of an ... Philosopher. By D'ARCY W. THOMPSON. Edinburgh: Edmonston and Douglas.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, Esq., M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

M. SAUNDERS GREENE, ESQ.

In this town, on the morning of the 8th instant, at the residence of his father, John Greene, Esq., J.P., in the twenty-fifth year of his age, Matthew Saunders Greene, M.A., barrister-at-law. The death of this amiable and gifted young gentleman has plunged a large and attached family into the deepest affliction, and is deeply deplored by his numerous friends and acquaintances. The circumstance, too, that he was cut off in the very morning of life, after having successfully completed his legal studies, and when a brilliant forensic career was just opening before him, naturally increases the sorrow testified by all classes at his early demise. From his very childhood he gave promise of great and varied abilities, and these were fully developed by the most careful and assiduous training. After the usual preparatory studies, he was sent to the celebrated College of St. Cuthbert's, Ushaw, being then only twelve years old. In his sixteenth year he entered the Dublin University, where he won several distinctions in classics, logics and metaphysics, and took out his degree as Bachelor of Arts at the early age of twenty. His parents having destined him for the legal profession, he pursued his studies in the law with his usual ardour and success; and after having kept his terms in the Inns of Court, Dublin, and in the honourable Society of Lincoln's-inn, London, he was called to the Irish Bar in Easter Term 1861, being the first native of our town that was ever admitted to that high distinction. He subsequently took out the degree of Master of Arts in his *alma mater*, the University of Dublin; nor did he confine himself to his professional studies, for in addition to a very extensive acquaintance with English literature and mathematical science, he added a thorough knowledge of the German, French and Italian languages. Thus highly educated, and brilliantly gifted, with a noble and honourable profession, for which his mental qualities had eminently fitted him, and in which he was rising rapidly into notice, but for the mysterious intervention of Divine Providence, it might have been confidently predicted of him that he would one day reflect lustre on the town of his birth. He bore his long and painful illness with the most heroic patience, and he died fortified with the sacraments of the Church, and all the consolations that religion can furnish. His friends and acquaintances, especially the members of his own profession, to whom his amiable disposition had particularly endeared him, will hear of his death with deep and genuine sorrow. The salient points of his character—which distinguished him from his earliest years, and gained for him many sincere and valuable friendships—were a high sense of honour, a punctilious regard for truth, a courteous and affable disposition, and a horror of anything mean or ungenerous. On yesterday a solemn requiem office and mass were offered for the repose of his soul, in the Church of the Immaculate Conception. After the final absolution—which was pronounced by the presiding prelate, the Right Rev. Dr. Furlong—his remains were conveyed to their last resting place in the cemetery adjoining the Franciscan Convent. From the time the intelligence of his death became known, until after his interment, numbers of the respectable inhabitants of the town kept their windows closed; and the funeral cortège comprised a large representation of both town and country, all anxiously desirous to show their respect for his memory, and their sympathy for his sorrowing relatives and friends. May he rest in peace.—*Wexford Independent.*

LAW SOCIETIES.

SOCIAL SCIENCE ASSOCIATION.

A meeting of the Jurisprudence Department of this association was held at their rooms, in the Adelphi, on Monday, the 27th ult.; William Hawes, Esq., in the chair. Mr. Robert Wilson read a paper on the report of the Patent Law Commissioners. Its chief object was to direct the attention of the association to propositions of Mr. Grove, Q.C., and Mr. Scott Russell, for making the grant and continuance of a patent dependent on the merit of the invention. The discussion on the paper was taken last Monday evening. Mr. Wingfield read a paper in favour of compulsory examinations for the bar, showing the defective state of legal education and the evils arising therefrom; that the bar is the sole exception to the general rule, all other professions being subjected to examination, especially the lower branch of the legal profession. A discussion followed the reading of this paper, in which Mr. Daniel, Q.C., Mr. F. Hill, Mr. Hastings, Mr. Holland, Mr. Stuart, Mr. Wilson, Sir J. Eardley Wilmot, Bart., and Mr. Bradford took part, after which the meeting separated.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The following petition has been presented by the Society:

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble petition of the Metropolitan and Provincial Law Association.

Sheweth,—That the Metropolitan and Provincial Law Association is a society composed of nearly 800 attorneys and solicitors practising in England and Wales, of whom the greater part carry on business in the provinces, and that its objects are to promote the better and more economical administration of the law, and to maintain the rights and increase the usefulness of the Profession.

That in the year 1785, in consequence of an anticipated deficiency in the shop tax, which was a war tax, a duty was imposed upon the annual certificates of attorneys, solicitors and proctors, together with a tax on warrants to prosecute.

That such shop tax has long since been repealed.

That the tax on warrants to prosecute, together with all other taxes on law proceedings, were in the year 1824 declared to be inexpedient as taxes on the administration of justice, and were accordingly abolished.

That nevertheless the annual certificate duty has been not only not repealed, but was from time to time prior to the year 1853 increased from its original amount of 5*l.* on metropolitan and 3*l.* on provincial certificates to 12*l.* on metropolitan and 8*l.* on provincial certificates granted to persons who had been admitted more than three years, half those sums being charged during the first three years from admission. That in the year 1853 this annual duty was reduced to its present limits of 9*l.* on metropolitan and 6*l.* on provincial certificates, with the like reduction of one-half in favour of practitioners not admitted more than three years.

That your honourable House has of late years acted upon the now established principle that all taxes should be imposed fairly and generally, and not for the protection of any particular class or interest, and that it is evidently unjust that a tax should be imposed upon one particular class in exoneration of any other class.

That while the branch of the legal Profession to which your petitioners belong is not, and justly is not, exempted from any taxes which are imposed upon the other classes of their fellow citizens, it affords the only case in which British subjects following a lawful and honourable calling are prevented by law from each placing their own value upon the exertion of their respective individual talents and industry, and are restricted to a scale of charges that does not vary with the gradually increasing expenses of living arising from the continual diminution in the relative value of money and from other causes.

That the amount of revenue derived from this duty is comparatively insignificant, while the tax presses heavily and unequally upon solicitors having but small practice.

That the various enactments which have been passed of late years for the amendment and alteration of the law, as well as for regulating the practice of the courts and other changes in practice effected by General Orders, have had the effect of considerably diminishing the emoluments of attorneys and solicitors, and at the same time of rendering the disbursement necessary for the prosecution of the business of their clients more onerous. This applies particularly to the establishment of County Courts, and to the introduction of printing, and of a more simple form of procedure in Chancery practice. The effect of these changes on the practice of many solicitors, and particularly on many country solicitors who have to pay a London agent in Chancery business, has been to make it impossible to derive the means of subsistence from their profession. As evidence that Chancery practice has ceased to be remunerative to country solicitors, your petitioners quote the following resolutions passed at a meeting of influential solicitors, held at the Law Society, on the 1st Feb. last, for the purpose of considering a subject quite unconnected with the attorney's certificate duty, viz.: "That the remuneration of solicitors in the country for Chancery business is at present so inadequate that many of them refuse to undertake such business at all, and their clients are driven to seek the assistance of strangers, and that it would in consequence be of advantage to suitors that better remuneration should be afforded.

That the certificate duty, from which the other branch of the legal profession is exempt, is equivalent to a tax of 3*l.* per cent. upon the average incomes of attorneys and solicitors. The effect of it is, therefore, that they are compelled to pay an income-tax of 5¼ per cent., while the rest of their fellow-subjects pay 2¼ per cent. only.

As an evidence of the severe pressure of the annual certificate duty at the present time, your petitioners crave leave to draw the attention of your honourable House to the fact, that a large number of attorneys and solicitors are every year excluded from the law list in consequence of their certificate duty not having been paid within the time fixed by the Act.

Your petitioners submit that, according to every principle of fairness and justice in taxation, if it can be deemed expedient to impose any especial tax on the talent and energy of persons engaged in lawful and honourable business, such tax ought to be raised by an equal assessment upon every branch of industry.

That as the protest which your petitioners feel bound to make against this tax is founded upon the fact that it is partial and unjust in its nature much more than upon its actual amount, your petitioners cannot regard the remission of a portion thereof, which was made in 1853, as any settlement of the question; but, on the contrary, they consider such remission as only a small instalment of justice and an acknowledgment that the tax is in itself indefensible.

Your petitioners therefore humbly pray that your honourable House will be pleased to take this subject into consideration, and that the annual duty on the certificates of attorneys, solicitors and proctors may be wholly repealed.

And your petitioners will ever pray, &c.

(Signed) EDWARD F. BURTON, Chairman.
PHILIP RICKMAN, Secretary.

LEGAL NEWS.

Composition with Creditors.—An official return shows that in the last two months of the year 1864 973 composition deeds were registered in the Court of Bankruptcy According to the debtors' estimates the assets were of the value of 2,234,300*l*. The amount of unsecured debts exceeding 10*l*. was 7,987,374*l*.

Royalties on Mines.—A return issued from the Office of Woods and Forests shows that the revenue of the Crown as royalty on the produce of mines and quarries amounted, in the financial year 1862-63, to 16,453*l*. for England, 6529*l*. for Wales, 32*l*. for Scotland, and 10*l*. for Ireland. The sum of 9770*l*. was received as royalty on coal got in England, 3304*l*. on iron, 2820*l*. on stone. Wales presents the novel item of 2005*l*. for royalty on gold and silver.

The following little scene is authentic, and might, if necessary, be described with all due particulars of name and place. A prisoner at one of our criminal courts was convicted of an outrageous crime. The judge began to sentence him with the usual sermon, in manner and form following:—Judge: "Prisoner at the bar, you stand convicted of a most abominable crime, one equally brutal and cowardly; you——." Prisoner: "'Ow much?" Judge: "Eight." Whereupon without more ado the prisoner was removed, and the officer of the court recorded sentence of eight years' penal servitude.—*Pall-Mall Gazette.*

The Rewards in the Case of Muller.—The question of the disposal of the rewards offered for the discovery of the murderer of Mr. Briggs is still to some extent in abeyance. Although the 100*l*. offered by the Government has been duly received by the trade assignees of Jonathan Matthews, in accordance with a previous understanding, the remaining 200*l*. has not yet been paid by the directors of the North London Railway and the bankers, Messrs. Robarts and Co., the matter having been left to the decision of the Chief Commissioner of Metropolitan Police. On Monday morning, however, Mr. Beard, solicitor to the trade assignees of Matthews, received a communication from Messrs. Ellis and Ellis, by direction of the Chief Commissioner, intimating that there is no objection to the directors of the North London Railway and Messrs. Robarts and Co. handing over the rewards offered by them to the creditors' assignees of Matthews. When the 200*l*. is received, it is expected that an arrangement will be made with the creditors of the bankrupt.

Sudden Death of the Town Clerk of Durham.—By a terribly sudden and unexpected stroke death has just removed one of our most useful and laborious public officers. Mr. Tiplady attended a meeting of the Durham corporation on Friday morning last, and on the same day proceeded to London, taking up his residence at Gray's-inn Hotel. Mr. Tiplady was in his usual state of health when he left home, and on Monday evening proceeded to the Gray's-inn Hotel, where he was staying. On Monday night he was seen by a gentleman staying in the same house to be posting up his diary, and appeared in his usual state of health. Mr. Tiplady afterwards retired to rest. About four o'clock in the morning he rang the bell, which, however, was not heard by the waiter. It was, however, heard by a gentleman in another room, who also heard moans proceeding from Mr. Tiplady's room. He rose and informed the waiter what he had heard. On the waiter going to the room he found Mr. Tiplady raised up in bed, and after breathing heavily once or twice he expired. His death is supposed to have been caused by heart disease.—*Durham Advertiser.*

An Incident in the History of the Great Eastern Steamship.—On Friday week, at the Liverpool Assizes, the case of *Styring* v. *Barber* and others, was continued from the previous day. It appeared that the plaintiff held 420 1*l*. original shares in the Great Ship Company, for some of which he only paid 1*d*. each, but the rest he was induced to subscribe for to the amount of 1000*l*. on the representations put forward in the report of the defendants as directors of the company. By his advice his mother and sister-in-law had also invested money in the shares, which subsequently turned out worthless, and in consequence of some difficulty as to his complying with certain conditions, he could not have his bonds exchanged for shares in the new company, as other shareholders have done. From the statements of Mr. J. Hawes, the official liquidator of the old company, it would seem that 15*l*. was all he had to distribute to the shareholders, and it would require fifteen times the amount for the mere work of distribution. More than half-a-million of money was swallowed up in an incredibly short space of time. Some other evidence was given, which his Lordship considered did not prove the counts on which the plaintiff relied, and it was thereupon agreed that a juror should be withdrawn.

Ireland.—The numerous cases in which justice has been defeated by the disagreement of jurors—a disagreement generally occasioned, there is great reason to believe, either by intimidation or sympathy with the accused—have drawn public attention to the necessity for some alteration in the law, by which the Crown would be enabled to have the accused tried in a place remote from the influence of his lawless associates, or untainted by the evil principles which prompted his crime. Several newspapers have devoted leading articles to the consideration of the proposed reform. The *Londonderry Standard* recommends that the Attorney-General should be empowered to have a case in which Ribandism was concerned tried in whatever county he considered most likely to be free from Riband sympathies, or to transfer it to an English or Scotch county, since the kingdoms are united in one empire, and lay the evidence before jurors who would be free from the possibility of being exposed to objectionable influences? "The evil is becoming of greater magnitude, and something should be done to check it. It may be difficult to promote unanimity in the jury-box, or anywhere else in Ireland, but the attempt should be made by taking steps to keep it clear of known impediments to justice. If such a simple change as that recommended were made, criminal organisations would be discouraged, and human life would be afforded better protection."

Wills and Bequests.—The will of the Baroness Harriet de Dunstanville and Basset, late of Charles-street, Berkeley-square, widow, was proved in the London court under 20,000*l*. personalty. There are legacies to her ladyship's two sisters and two nieces; also legacies of 400*l*. each to her ladyship's maid, housekeeper and coachman, and 300*l*. to her butler; all to be paid free of duty; and to all her servants one year's wages and mourning.——The will of Miss Elizabeth Hervey, late of Park-street, Grosvenor-square, formerly of Englefield-green, Surrey, was proved in London, on the 24th ult., by her nephew, Sir Frederick Hutchinson Hervey Bathurst, Bart., the sole executor. The personalty was sworn under 90,000*l*. The bequests are liberally bestowed. To Sir Charles Knightley, Bart., and Sir Frederick H. H. Bathurst, Bart., each a legacy of 10,000*l*., and a like legacy to four of her nieces, and liberal legacies to others. To her niece Selina Hervey Bathurst she bequeaths her jewellery, books and pictures absolutely, and the use of her plate and furniture for her life. Her real estate and the residue of the personalty she bequeaths to her nephews Thomas J. H. Bathurst, Esq., and Rainald Knightley, Esq., M.P. To each of her servants she leaves a legacy of 100*l*., in addition to any wages or other benefits under the will. To St. George's Hospital, King's College Hospital, Cripples' Home, and Cambridge Asylum, each 250*l*., free of duty. To the poor of Egham 200*l*., to be distributed by the incumbent in sums not to exceed 20*l*., preference being given to the old and infirm.——The will of Sir John Henry Pelly, Bart., of Warnham Court, near Horsham, Sussex, and of Upton House, West Ham, Essex, was proved in London on the 20th of February. The personalty was sworn under 20,000*l*. His estates in Sussex and Essex are entailed on his eldest son, now Sir Henry Carstairs Pelly, Bart., who is of age this year. Sir John has directed a sum of 7000*l*. to be paid over to the trustees under his wife's marriage-settlement. Provision is made for his younger son, and also for his daughters. The testator succeeded to the title in 1852. He was deputy-lieutenant for Essex, and was high sheriff for Hunts and Cambridgeshire in 1857, and died at the age of 56.——Miss Julia Olivia Brodie, No. 7, York-place, Portman-square, lately deceased, has left the following legacies:—Royal National Lifeboat Institution, 400*l*.; the Cripples' Home Refuge Infant Nursery and Laundry, Marylebone-road, 300*l*.; British Orphan Asylum, Sleigh, 300*l*.; Idiots Home, Redhill, 200*l*.; Royal Westminster Ophthalmic Hospital, 200*l*.; Infirmary for Consumption, 26, Margaret-street, Cavendish-square, 200*l*.; Samaritan Hospital for Women and Children, Edward-street, Portman-square, 200*l*.; Cancer Hospital, Fulham-road, 100*l*.; Establishment for Invalid Gentlewomen, 1, Upper Harley-street, 200*l*.; Sailors' Orphan Girls' School, Hampstead, 100*l*.; Soldiers' Daughters' Home, Hampstead, 100*l*.; Orthopædic Hospital, Oxford-street, 50*l*.; Governess's Benevolent Institution, 50*l*.; Society for the Prevention of Cruelty to Animals, 50*l*.; St. George's Hospital, 100*l*.; Middlesex Hospital, 100*l*.; University College Hospital, 100*l*.; Guy's Hospital, 100*l*.; Hospital for Consumption, Brompton, 100*l*.; Church Penitentiary Association, Lincoln's-inn-fields, 200*l*.; St. Marylebone Charity School for Girls, 200*l*.——The will of Miss Rachael Lemage, of Beulah-cottage, Stoke Newington, and of Oxford-terrace, was proved under 12,000*l*. personalty. To her executors, viz., Edward Fraser, of Craven-street, she leaves 300*l*.; John Goodban, of Coutts's Bank and of Brompton, 500*l*.; the Rev. T. Baxter Aveling, of Shacklewell, 200*l*.; to the wife of her executor, Edwin Carpenter, 100*l*. She has devised a freehold estate to Mrs. Fraser and Mrs. Walcouroun, and to the children of the latter; another freehold to Mrs. Aveling, wife of her executor, and to their children. To Carl Schmitz, a baker, nineteen guineas, for his upright conduct; and liberal bequests to her shoemaker, laundress, and others. To Propitt, a muffin boy, living near Beulah-cottage, 10*l*. The following are the charitable bequests: To the German Hospital, the Royal Free Hospital, London Fever Hospital, Middlesex Hospital, St. Thomas's Hospital, North London Hospital, Margate Sea-Bathing Infirmary, Hospital for Incurables, each 100*l*.; Charing-Cross Hospital and Stoke Newington Dispensary, 50*l*. each; the Bible Society, 100*l*.; Tract Society, 50*l*.; Asylum for Fatherless Children, 100*l*.; London Missionary Society, 50*l*.; New Infant School, Kingsland, 19 guineas. The residue of her property she leaves to Mrs. Aveling, Mrs. Maria Fraser, Mrs. Goodban, and Mrs. Nowell, in equal proportions.——The will of Sir Thomas Gage Saunders Sebright, Bart., of Beechwood, near Matfield, Herts, and Besford Court, Worcestershire, was proved in the London Court on the 28th ult. The personalty was sworn under 45,000*l*. The testator has made provision for younger children, to each of whom is secured an annuity of 300*l*., and the residue of the personalty is to be divided equally amongst them.——The will of Joseph Taylor, Esq., of Bishop's Stortford, Herts, malt-factor and brewer, was proved in London on the 20th ult., by the executors, John Dobede Taylor and Henry Taylor, the sons. The personalty was sworn under 40,000*l*. He has liberally provided for his sons and daughter. To his son John he has devised his residence and freehold at Bishops Stortford, Windhill, and other estates. To his son Joseph a pecuniary legacy is left. To his son Henry he leaves the brewery business at Saffron Walden. To his son Alfred he leaves the business at Bishop's Stortford; to his daughter a farm and other property. The residue he divides equally between his sons John, Henry, and Alfred.—*Illustrated London News.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, March 24.

Edgworth, Thomas, and Pugh, John Devereux, attorneys and solicitors, Wrexham.

White, George, and Ward, William Frederick, attorneys and solicitors, Wrexham.

Gazette, March 28.

Alliston, George, and Smith, Henry Grose, attorneys and solicitors, Warnford-ct. Throgmorton-st.

Pead, Samuel, and Cook, Robert Allen, attorneys and solicitors, Cambridge.

Bankrupts.

Gazette, March 28.

To surrender at the Bankrupts' Court, Basinghall-street.

Anderson, James Turner, sack and bag maker, Sherborne-la. Pet. March 22. Reg. Hazlitt. O. A. Graham. Sol. Terry, King-st Cheapside. Sur. April 12.

Atkins, Henry, lime burner, Sutton. Pet. March 22. Reg. Roche. O. A. Parkyns. Sol. Michael, Barge-yd.-chambers, Bucklersbury, for Harrowell, Epsom. Sur. April 12.

Beetson, Sarah, lodging-house keeper, Princes-st. Camberwell-gate. Pet. March 16. Reg. Brougham. O. A. Edwards. Sur. April 26.

Bell, Robert, watchmaker, Norwich. Pet. March 22. Reg. Brougham. O. A. Edwards. Sols. Sole and Co. Aldermanbury; Miller, Son and Bugg, Norwich. Sur. April 26.

Blower, Henry, baker, Bushey. Pet. March 23. Reg. Brougham. O. A. Edwards. Sols. Miller and Miller, Sherborne-la. Sur. April 19.

Braim, Joseph, leather seller, Tring. Reg. Brougham. O. A. Edwards. Sur. April 12.

Bryant, Thomas, builder, Beckenham. Pet. March 20. Reg. Hazlitt. O. A. Graham. Sur. April 12.

Burns, William, military outfitter, Aldershot. Pet. March 21. Reg. Roche. O. A. Parkyns. Sol. Shiers, New-inn, Strand. Sur. April 12.

Chate, John, general dealer, Market-row, Kingsland. Pet. March 21. Reg. Brougham. O. A. Edwards. Sol. Chalk, Coleman-st. Sur. April 12.

Chatwin, William Brown, horsedealer, Wilson-st. Finsbury. Pet. March 23. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, Ely-pl. Holborn. Sur. April 12.

Cohen, Morris Henry, commercial traveller, Birmingham. Pet. March 24. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Hackwood, Walbrook. Sur. April 12.

Coker, William, boot and shoe maker, Bromley. Pet. March 22. Reg. Hazlitt. O. A. Graham. Sol. Hope, Ely-pl. Holborn. Sur. April 12.

Cooke, Francis, farm bailiff, Milton Bryant, Woburn. Pet. March 27. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. April 12.

Coombes, Henry, grocer, Mottingham, Eltham. Pet. March 23. Reg. Brougham. O. A. Edwards. Sur. April 19.

Cooper, Samuel, grocer, Woolwich. Pet. March 20. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 12.

Cuckney, Thomas, tailor, Cobham. Pet. March 20. Reg. Hazlitt. O. A. Graham. Sol. Aldridge, Moorgate-st. Sur. April 12.

Currell, James, sen., block cutter, Wimbledon. Pet. March 21. Reg. Roche. O. A. Parkyns. Sol. Parry, Croydon. Sur. April 12.

Foster, John Boutcher, farmer, Loughton. Pet. March 23. Reg. Roche. O. A. Parkyns. Sol. Branwell, Bucklersbury. Sur. April 12.

Green, Daniel, jun., brick agent, Newland-st. Kensington, and Great College-st. Westminster. Reg. Roche. O. A. Parkyns. Sol. Eades, Copthall-chambers, Copthall-ct. Sur. April 12.

Griffith, Anne Susannah, embroideress, Baker-st. Portman-sq. Pet. March 26. Reg. Brougham. O. A. Edwards. Sol. James, Clifford's-inn. Sur. April 26.

Harding, Henry, baker, Salisbury. Pet. March 23. Reg. Brougham. O. A. Edwards. Sol. Pinson, Albany-rd. Camberwell. Sur. April 8.

Hogarth, Albert George, commission agent, Grafton-st. Pet. March 23. Reg. Roche. O. A. Parkyns. Sols. Roberts and Vaughan, Bucklersbury. Sur. April 12.

Holderness, Edwin, grocer, Aldershot. Pet. March 21. Reg. Roche. O. A. Parkyns. Sol. Clarke, 64, Mary's-sq. Paddington. Sur. April 12.

Holmes, Henry, clergyman, Great Coram-st. Pet. March 14. Reg. Brougham. O. A. Edwards. Sur. April 26.

Holt, Charles, tailor, St. Albans and East-rd. City-rd. Pet. March 17. Reg. Hazlitt. O. A. Graham. Sol. Plunkett, Milk-st. Sur. April 12.

Morris, George, and Purslow, Charles Theodore, tailors, King-st. Holborn. Pet. March 6. Reg. Brougham. O. A. Edwards. Sol. Dalton, Bucklersbury. Sur. April 12.

Morton, James, grocer, Woolwich. Pet. March 20. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. April 12.

Neale, Dorset Palmer, attorney and solicitor, Canterbury-rd. Newington, and Police Court-passage, Lambeth. Pet. March 22. Reg. Roche. O. A. Parkyns. Sol. Terry, King-st. Cheapside. Sur. April 12.

Normanby, Alfred Mackenzie, victualler, Bexley. Pet. March 27. Reg. Brougham. O. A. Edwards. Sur. April 19.

Partridge, John, schoolmaster, St. John's-sq. Clerkenwell. Pet. March 23. Reg. Hazlitt. O. A. Graham. Sol. Branwell, Basinghall-st. Sur. April 12.

Peed, John Samuel, builder, Millfield, Peterborough. Pet. March 22. Reg. Roche. O. A. Parkyns. Sols. Nethersole and Speechly, Lyon's-inn, Strand. Sur. April 12.

Phillips, Robert, cab driver, New Norfolk-st. New North-rd. Pet. March 21. Reg. Brougham. O. A. Edwards. Sol. Hope, Ely-pl. Sur. April 26.

Portlock, John, jun., carman, Johnson-st. Shadwell. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sols. Digby and Sharp, Union-pl. Finsbury-circus. Sur. April 12.

Price, John, dairyman, Collier-st. Pentonville. Pet. March 22. Reg. Roche. O. A. Parkyns. Sol. Hope, Ely-pl. Holborn. Sur. April 12.

Smith, Charles Thomas, waterman, Bisterne-pl. Blackwall, and Gravesend. Pet. March 24. Reg. Roche. O. A. Parkyns. Sol. Hope, Ely-pl. Holborn. Sur. April 12.

Smith, Fillett, victualler, Union-st. Poplar. Pet. March 22. Reg. Roche. O. A. Parkyns. Sol. Pope, Old Broad-st. Sur. April 12.

Soff, Edmund, general dealer, Crown-hill, Croydon. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sur. April 12.

Taylor, Joseph Thomas, foreman to a cab proprietor, Arthur-st. Caledonian-rd. Pet. March 24. Reg. Brougham. O. A. Edwards. Sol. Hope, Ely-pl. Sur. April 19.

Thomas, George, auctioneer, Great Union-st. Newington-causeway. Pet. March 21. Reg. Brougham. O. A. Edwards. Sol. James, Clifford's-inn. Sur. April 26.

Williams, William, tailor, Cheriton. Pet. March 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. March 12.

Witte, Francis Victor Hugo, commission agent, River-st. Clerkenwell. Pet. March 23. Reg. Brougham. O. A. Edwards. Sol. Moss, Gracechurch-st. Sur. April 19.

Woods, Joseph Thomas, debt collector, Low Leyton and Fenchurch-st. Pet. March 20. Reg. Brougham. O. A. Edwards. Sur. April 26.

To surrender in the Country.

Ayres, John Thomas, chapel keeper, Bolton. Reg. & O. A. Hulton. Sol. Broadbent, Bolton. Sur. April 10.

Barber, Joseph, ostler, Farnham. Pet. March 22. Reg. & O. A. Hollest. Sol. Eve, Aldershot. Sur. April 7.

Barnard, George, saddler, Wymondham. Pet. March 22. Reg. & O. A. Feltham. Sol. Sadd, Norwich. Sur. April 12.

Batten, Samuel, horse clipper, Leicester. Pet. March 22. Reg. & O. A. Ingram. Sol. Rawlins, Market Harborough. Sur. April 5.

Bellamy, Charles, boot and shoe maker, Eakring. Pet. March. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. April 5.

Berry, Thomas Hope Green, clerk, Salford. Pet. March 22. Reg. Harris. O. A. Morgan. Sols. Higson and Robinson, Manchester. Sur. April 28.

Brown, Albert Titus, beer retailer, Hulme. Pet. March 23. Reg. & O. A. Hulton. Sols. Boote and Rylance, Manchester. April 8.

Clough, Henry, bookseller, Bradford. Pet. March 22. O. A. Young. Sols. Terry and Watson, Bradford; Bond and Barwick, Leeds. April 14.

Cruickshank, Samuel Hannah, general dealer, Everton. Pet. Feb. 21. Reg. & O. A. Hime. Sol. Campbell, Liverpool. April 18.

Davies, David, cabinet-maker, Merthyr Tydfil. Pet. March 22. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil. Sur. April 21.

Hall, Thomas, baker, Bristol. Pet. March 17. Reg. & O. A. Brittan and Gibbs. Sur. April 7.

Halloran, Michael, smallware dealer, Bury. Pet. March 22. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. April 12.

Healey, William, and Fearnley, Thomas, Dewsbury. Pet. March 3. Reg. & O. A. Nelson. Sol. Harle, Leeds. Sur. April 7.

Hobson, James, builder, Lime-pits, near Rochdale. Pet. March. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davies, Manchester. Sur. April 7.

Homer, Thomas Douglas, attorney's clerk, Lower Broughton, Manchester. Pet. March 13. Reg. & O. A. Hulton. Sol. Manchester. Sur. April 8.

Hooson, Edward, grocer, Flint. Pet. March 13. Reg. & O. A. Sol. Davies, Holywell. Sur. April 18.

Hughes, John, joiner, St. Asaph. Pet. March 20. Reg. & O. A. Sisson. Sol. Roberts, St. Asaph. Sur. April 3.

Hunt, John William, innkeeper, Cambridge-town, Frimley. Pet. March 22. Reg. & O. A. Hollest. Sol. Eve, Aldershot. Sur. April.

Johnston, George, commission agent, Pine Inn, Prescot. Pet. March 24. O. A. Turner. Sols. Evans, Sandys, Son and Lockett, Liverpool. Sur. April 8.

Jones, Thomas, victualler, Rhyl. Pet. March 23. O. A. Sol. Best, Liverpool. Sur. April 8.

Jordan, Robert, tailor, Truro. Pet. March 24. Reg. & O. A. Sol. Marshall, Truro. Sur. April 8.

Kearsley, Thomas, milliner, Kilnhurst, Rotherham. Pet. March. Reg. & O. A. Newman and Hoyle. Sols. Marsh and Edwards, Rotherham. Sur. April 17.

Laycock, James, plasterer, Otley. Pet. March 20. Reg. Carr. Sol. Biddall, Otley. Sur. April 17.

Lanfear, William Alfred, grocer, Newport. Pet. March. Reg. Wills. O. A. Acraman. Sol. Bradgate, Bristol. Sur. April.

Mayer, Obadiah, cattle dealer, Yoxall. Pet. March 21. O. A. Birch. Sol. Wilson, Lichfield. Sur. April 7.

McCulloch, Alexander, and Darley, Robert, ship store and provision merchant, Liverpool. Pet. March 27. O. A. Turner. Sols. Messrs. Gregory, Liverpool. Sur. April 12.
Meeks, Francis, out of employment, Claverley. Pet. March 23. Reg. & O. A. Smith. Sol. Thurstans, Wolverhampton. Sur. April 6.
Pike, George, shopkeeper, Northampton. Pet. March 23. Reg. & O. A. Dennis. Sols. Becke and Son, Northampton. Sur. April 13.
Perry, Joseph Henry, hairdresser, Manchester. Pet. March 24. Reg. & O. A. Kay. Sol. Bennett, Manchester. Sur. April 11.
Phillips, John, shoemaker, Stockton-on-Tees. Pet. March 21. Reg. & O. A. Crosby. Sol. Thompson, Stockton-on-Tees. Sur. April 9.
Plumtree, John, coal porter, Lincoln. Pet. March 23. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln. Sur. April 10.
Prosser, George, tailor, West Bromwich. Pet. March 17. Reg. Hill. O. A. Kinnear. Sols. Atkinson, Saunders, Harford and Co., Manchester; Rowlands and Rowley, Birmingham. Sur. April 12.
Ratcliffe, John, operative braid manufacturer, Manchester. Pet. March 21. Reg. & O. A. Kay. Sols. Cobbett and Wheeler, Manchester. Sur. April 11.
Ryan, John, carpenter, Yalding. Pet. March 21. Reg. & O. A. Sendamore. Sol. Morgan, Maidstone. Sur. April 3.
Ramsey, William, fruit and potato dealer, Halifax. Pet. March 21. Reg. Rankin. O. A. Dyson and Rankin. Sol. Holroyde, Halifax. Sur. April 10.
Rogers, Edward Palmer, printer, Pontefract. Pet. March 24. O. A. Young. Sols. Carter, Pontefract; Bond and Barwick, Leeds. Sur. April 14.
Roche, Alexander Heddy, brewer, Probus. Pet. March 23. O. A. Carrick. Sols. Hodge, Hockin and Marrack, Truro; Daw and Son, Exeter. Sur. April 7.
Rowe, John, shirt manufacturer, Devonport. Pet. March 27. O. A. Carrick. Sols. Edmonds and Sons, Plymouth; Floud, Exeter. Sur. April 6.
Saltford, Benjamin, bricklayer, Chorlton-on-Medlock. Pet. March 23. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. April 11.
Saltcombe, William, timber merchant, Weymouth. Pet. March 2?. O. A. Carrick. Sol. Miller, Bristol. Sur. April 7.
Smith, John, carpenter, Lozells, near Birmingham. Pet. March 17. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. April 10.
Stephens, James, miller, Tregony. Pet. March 23. O. A. Carrick. Sols. Chilcott, Truro; Pitts, Exeter. Sur. April 7.
Taylor, Samuel, baker, Wolverhampton. Pet. March 21. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton. Sur. April 13.
Trafford, Edward, cordwainer, Lincoln. Pet. March 21. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln. Sur. April 6.
Trevella, John, schoolmaster, Birmingham. Pet. March 21. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. April 10.
Tuttle, John, trader, Wanborough. Pet. March 18. Reg. & O. A. Townsend. Sur. April 18.
Upton, Jane Worthington, provision dealer, Salford. Pet. March 23. Reg. & O. A. Hulton. Sol. Leigh, Manchester. Sur. April 8.
Watkins, George Thomas, victualler, Lawrence-hill, Gloucester. Pet. March 20. Reg. & O. A. Harley and Gibbs. Sols. Clifton and Brkingham. Sur. April 7.
Williams, James, tailor, Bishton. Pet. March 24. Reg. & O. A. Gibbs. Sol. Goodere, Newport. Sur. April 11.
Williams, Joseph Davey, hairdresser, Plymouth. Pet. March 24. Reg. & O. A. Pearse. Sol. Gidley, Plymouth. Sur. April 12.

Gazette, March 31.

To surrender at the Bankrupts' Court, Basinghall-street.

[?], James Charles, dentist, Baker-st. Portman-sq. Pet. March 2?. Reg. Brougham. O. A. Edwards. Sols. Wood and Ring, Basinghall-st. Sur. April 22.
[?], Edward, waiter, Only-st. Walworth-rd. Pet. March 27. Reg. Brougham. O. A. Edwards. Sol. Levy, Surrey-st. Strand. Sur. April 2?.
[?], Mark, dairyman, Enfield. Pet. March 23. Reg. Roche. O. A. Parkyns. Sols. Wood and Ring, Basinghall-st. Sur. April 1?.
[?], Thomas, horse dealer, Road. Pet. March 27. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co., Old Jewry-chambers. Sur. April 26.
[?], Henry, laceman, Wood-st. Cheapside. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sol. Terry, King-st. Cheapside. Sur. April 11.
[?], William, chemist, Wolverton. Pet. March 27. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. April 26.
[?], Frederick, bookseller, Murray-st. Hoxton. Pet. March 23. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Basinghall-st. Sur. April 10.
[?], John, grocer, Bingfield-st. Caledonian-rd. Pet. March 29. Reg. Brougham. O. A. Edwards. Sols. Sydney and Son, Finsbury-circus. Sur. April 27.
[?], John, printer, Wellingborough. Pet. March 18. Reg. Hazlitt. O. A. Graham. Sur. April 12.
[?], Lord Thomas Pelham, Les Vertus, France. Pet. Jan. 12. Reg. Brougham. O. A. Edwards. Sols. Bevan and Whiting, Old Jewry. Sur. April 26.
[?], Alexander Paul, bricklayer, Emma-st. Hackney-rd. Pet. March 14. Reg. Hazlitt. O. A. Graham. Sol. Hope, Ely-pl. Holborn. Sur. April 20.
[?], Robert Ramsdale, pork butcher, Newport-st. Newport-market. Pet. March 27. Reg. Brougham. O. A. Edwards. Sol. [?], Erskine-chambers, Lincoln's-inn. Sur. April 26.
[?], Robert, victualler, Norwich. Pet. March 23. Reg. Roche. O. A. Parkyns. Sol. Doyle, Verulam-buildings, Gray's-inn. Sur. April 11.
[?], James, dealer in boots and shoes, Southampton. Pet. March [?]. Reg. Hazlitt. O. A. Graham. Sols. Paterson and Son, Bouverie-street. Sur. April 12.
[?], John, plumber, Stockwell Private-rd. Clapham-rise. Pet. March 24. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. April 12.
[?], Edwin, draper's assistant, Warwick-st. Pimlico. Pet. March [?]. Reg. Hazlitt. O. A. Graham. Sol. Barrett, Hart-st. Bloomsbury. Sur. April 11.
[?], Henry Ellis, schoolmaster, Belton-house, Turnham-green. Pet. March 27. Reg. Roche. O. A. Parkyns. Sol. Wetherfield, [?]-st. Sur. April 19.
[?], Henry, horse breaker, Plumstead. Pet. March 23. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-garden. Sur. April 11.
[?], Francis Louis, no business, Wray-park, Reigate. Pet. March [?]. Reg. Hazlitt. O. A. Graham. Sol. Silvester, Great Dover-st. Sur. April 12.
[?], George, general dealer, Pembroke-ter. Kensington. Pet. March 2?. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. April 1?.
[?], Peter Crusoe, grocer and teadealer, High Wycombe. Pet. March 24. Reg. Brougham. O. A. Edwards. Sol. Cox, St. [?]-la. Sur. April 26.
[?], Frederick William, farmer, Great Waltham. Pet. March [?]. Reg. Roche. O. A. Parkyns. Sols. Duffield and Bruty, Cornhill. Sur. April 12.
[?], George William Alexander, out of business, Charter-house, Aldersgate-st. Pet. March 29. Reg. Roche. O. A. Parkyns. [?], High Holborn. Sur. April 19.
[?], Thomas Henry, tailor, Southampton. Pet. Feb. 27. Reg. Brougham. O. A. Edwards. Sols. Sale and Co., Aldermanbury. Sur. April 22.
[?], Thomas, manager to a victualler, Union-st. Bishopsgate. Pet. March 27. Reg. Roche. O. A. Parkyns. Sols. Lewis and [?], Ely-pl. Holborn. Sur. April 19.
[?], William, no business, Wandsworth. Pet. March 27. Reg. Roche. O. A. Parkyns. Sol. Padmore, Westminster-bridge-rd. Sur. April 1?.
[?], James, salesman, Norfolk-st. Middlesex Hospital. Pet. March 2?. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-garden. Sur. April 12.
[?], Thomas, gas apparatus manufacturer, Union-st. Deptford. Pet. March 1?. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. April 21.
[?], John, victualler, Portsea. Pet. March 29. Reg. Brougham. O. A. Edwards. Sols. Cole and Co., Aldermanbury; Cousins, [?]. Sur. April 22.
[?], Thomas, chemist, Lambeth-walk. Pet. March 28. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. April 13.

To surrender in the Country.

[?], John, silk throwster, Macclesfield. Pet. March 15. Reg. & O. A. Morgan. Sur. April 13.
[?], Joseph, brass caster, Sheffield. Pet. March 2?. Reg. [?] Wake and Rogers. Sols. Binney and Son, Sheffield. Sur. April 1?.
[?], Edward Samuel, baker, Saint Margaret-at-Cliffe, near [?]. Pet. March 23. Reg. & O. A. Greenhow. Sol. Minter, [?]. Sur. April 11.

Bake, William, wheelwright, Coundon. Pet. March 27. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. April 17.
Baxter, John, dealer in German yeast, Barnsley. Pet. March 27. Reg. & O. A. Hartley. Sol. Hartley, Barnsley. Sur. April 10.
Billingham, William Amos, plate shearer, Whitton Park, Durham. Pet. March 27. Reg. & O. A. Trotter. Sol. Brignal, Durham. Sur. April 12.
Blackwall, Daniel, beer retailer, Spelira, Llangynwyd. Pet. March 22. Reg. & O. A. Morgan. Sol. Cuthbertson, Neath. Sur. April 10.
Bowness, Thomas, haberdasher, Bishop Auckland. Pet. July 20. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. April 11.
Bradshaw, Eleanor, no business, Lancaster. Pet. March 13. Reg. Harris. O. A. Morgan. Sur. April 12.
Brenton, James, cordwainer, Saint Dennis. Pet. March 28. Reg. & O. A. Carlyon. Sol. Meredith, Saint Austell. Sur. April 13.
Bunney, James, baker, Liverpool. Pet. March 22. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. April 12.
Capper, David, shoemaker, Oswestry. Pet. March 23. Reg. & O. A. Crewe. Sol. Sabine. Sur. April 11.
Carlin, Ann, dealer in earthenware, Newcastle. Pet. March 29. Reg. & O. A. Clayton. Sols. Dogliah and Stewart, Newcastle. Sur. April 15.
Chapman, Robert, timekeeper, Sadberge. Pet. March 28. Reg. & O. A. Bowes. Sol. Stevenson, Darlington. Sur. April 12.
Clegg, Thomas, cotton waste dealer, Rochdale. Pet. March 21. Reg. Harris. O. A. Morgan. Sols. Messrs. Standring, Rochdale. Sur. April 17.
Cove, John, wheelwright, Cheltenham. Pet. March 2?. Reg. & O. A. Gale. Sol. Boodle, Cheltenham. Sur. April 11.
Crankshaw, William, crinoline manufacturer, Manchester. Pet. March 28. Reg. Harris. O. A. Morgan. Sols. Marslands and Addleshaw, Manchester. Sur. April 11.
Davenport, John Barber, publisher, Rochdale. Pet. March 29. Reg. Harris. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. April 11.
Dawson, Thomas, farm labourer, Astley Moss, near Worsley. Pet. March 25. Reg. & O. A. Holden. Sol. Gardner, Manchester. Sur. April 13.
Delafield, Hopper John, comedian, Sunderland. Pet. March 13. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. April 10.
Dillon, James Mullacurra, fishmonger, Barnsley. Pet. March 23. Reg. & O. A. Shepherd. Sol. Williamson, Barnsley. Sur. April 11.
Doughty, William, bread and biscuit baker, Southampton. Pet. March 24. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. April 26.
Faulkner, Jane, lodging-house keeper, Clifton. Pet. March 23. Reg. & O. A. Harley and Gibbs. Sol. Pigeon. Sur. April 11.
Fleckno, John Dunkley, out of business, Great Horwood. Pet. March 2?. Reg. & O. A. Hearn. Sol. Simpson, St. Albans. Sur. April 12.
Forsyth, John Coddington, bookseller, Liverpool. Pet. March 27. O. A. Turner. Sol. Goldrick, Liverpool. Sur. April 12.
Foster, Ebenezer, hay dealer, King's Walden. Pet. March 28. Reg. & O. A. Himes. Sol. Shepherd, Luton. Sur. April 13.
Hand, Samuel, clock dial writer, Birmingham. Pet. March 24. Reg. & O. A. Guest. Sur. May 1.
Hawley, John, ropemaker, Walsall. Pet. March 29. Reg. Tudor. O. A. Kinnear. Sol. Wilkinson, jun., Walsall. Sur. April 11.
Holland, Thomas Piper, beerhouse keeper, Kempsey. Pet. March 28. Reg. & O. A. Crisp. Sol. Tree, Worcester. Sur. April 12.
Holt, Daniel, watchmaker, Worksop. Pet. March 28. Reg. & O. A. Newton. Sol. Marshall, jun., East Retford. Sur. April 11.
Hughes, John, labourer, Llangwrthllyn. Pet. March 22. Reg. & O. A. Williams. Sol. Pugh, Dolgelly. Sur. April 8.
Jenkins, Humphrey Woodcock, gentleman, Abergele. Pet. March 23. O. A. Turner. Sols. Williams, Rhyl; Evans, Sandys, Roose and Lockett, Liverpool. Sur. April 13.
Kelham, John, provision dealer, Nottingham. Pet. March 31. Reg. & O. A. Patchitt. Sur. April 19.
Kendall, James Augustus, innkeeper, Ryde. Pet. March 23. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. April 12.
Laws, Edward John, labourer, Southsea. Pet. March 27. Reg. & O. A. Howard. Sol. Wallis, Portsmouth. Sur. April 15.
Lloyd, Thomas, draper, Hanley. Pet. March 14. Reg. Hill. O. A. Kinnear. Sol. Allen, Birmingham. Sur. April 17.
Marshall, Thomas, horse dealer, Kirkheaton. Pet. Feb. 14. Reg. & O. A. Jones. Sol. Taylor, Huddersfield. Sur. April 21.
Mason, Mary, spinster, Brighton. Pet. March 29. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. April 12.
Moon, James, grocer, Brighton. Pet. March 27. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. April 5.
Moore, George, dealer in fruit, Soothing. Pet. March 18. Reg. & O. A. Fiske. Sur. April 10.
Morton, Jonathan, and Morton, John Trotter, engineers' tool makers, Leeds. Pet. March 24. O. A. Young. Sols. Middleton and Sons, Leeds. Sur. April 10.
Owen, Ellen, stationer, Liverpool. Pet. March 23. Reg. & O. A. Hime. Sol. Goldrick, Liverpool. Sur. April 11.
Parton, William, bootmaker, Much Wenlock. Pet. March 27. Reg. & O. A. Potts. Sol. Walker, Wellington. Sur. April 22.
Plimmer, Henry, boot and shoe maker, Liverpool. Pet. March 29. O. A. Turner. Sols. Messrs. Martin, Liverpool. Sur. April 13.
Plumby, George, plumber, Freshwater, Isle of Wight. Pet. March 23. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. April 12.
Richardson, Peter, coaldealer, Manchester. Pet. March 13. Reg. Harris. O. A. Morgan. Sur. April 11.
Rogers, William Albert, commission agent, Erdington. Pet. March 24. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. April 10.
Rowland, William, crinoline manufacturer, Manchester. Pet. March 27. Reg. Harris. O. A. Morgan. Sol. Storer, Manchester. Sur. April 11.
Simpson, John Benjamin, wheelwright, Longdon. Pet. March 27. Reg. & O. A. Gardner. Sol. Wilson, Lichfield. Sur. April 13.
Smith, John, victualler, Worcester. Pet. March 20. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. April 12.
Stephens, William, coach proprietor, Freemantle. Pet. March 28. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. April 26.
Stephenson, Lockwood, wool and waste dealer, Bradford. Pet. March 27. O. A. Young. Sols. Hill, Bradford; Simpson, Leeds. Sur. April 10.
Stone, Thomas Howard Elphinstone, quartermaster of Militia, Exeter. Pet. March 29. O. A. Carrick. Sol. Floud, Exeter. Sur. April 12.
Stubbs, Francis, clothes dealer, Bradford. Pet. March 23. Reg. & O. A. Robinson. Sols. Terry and Watson, Bradford. Sur. April 11.
Summers, Robert, farmer, Cheltenham. Reg. & O. A. Gale. Sur. April 11.
Thorpe, Thomas, shopkeeper and dairyman, Hanley. Pet. March 28. Reg. & O. A. Challinor. Sol. Sutton, Burslem. Sur. April 22.
Tuke, Lucy, widow, Madeley. Pet. March 23. Reg. Tudor. O. A. Kinnear. Sols. Hodgson and Son, Birmingham. Sur. April 13.
Tyas, Francis Worrill, implement dealer, Houton Pagnell. Pet. March 22. Reg. Stephens. O. A. Young. Sols. Smith and Burdekin, Sheffield. Sur. April 21.
Williamson, George, commercial traveller, Preston. Pet. March 28. Reg. & O. A. Myres. Sol. Edelston, Preston. Sur. April 11.

BANKRUPTCIES ANNULLED.

Gazette, March 28.

Steer, James, and Steer, Stephen, bedstead and bedding manufacturers, Oxford-st.

Gazette, March 31.

Attwood, William Henry, builder, Luton.
Wickwar, Francis, stationer, Walham-green.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Cross, R. carpenter, first, 6s. 11¼d. Stansfeld, London.—*Lloyd*, F. G. B. comedian, first, 10s. Stansfeld, London.—*Loyet*, E. paterer, final, 3¼d. Stansfeld, London.—*Page*, W. H. shoe manufacturer, first, 11s. 6d. Stansfeld, London.—*Shuttleworth*, T. attorney, first, 6s. 2d. Morgan, Manchester.—*Sprange and Mangens*, colonial brokers, first, 6s. Stansfeld, London.—*Farndell*, S. A. chenille dealer, first, 6¼d. Stansfeld, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, March 23.

Adye, Arthur, jun., solicitor, Chippenham. March 9. 5s. in 10 days. Trust. H. B. Oram, gentleman, Bradford.
Barrow, Edward, grocer and beer retailer, Winton Patricroft, near Manchester. March 6. Trust. T. H. French, accountant, Manchester.
Blacklin, Richard, gentleman, Heighington. March 13. Trusts. C. Miller, auctioneer, Aycliffe, and P. Blacklin, gentleman, Heighington.
Bodman, James, victualler, Bath. March 4. Trust. T. Bodman, yeoman, Odd Down, near Bath.
Bowcock, John, yarndealer, Manchester. Feb. 24. Trust. J. Hadfield, cottonspinner, Oldham.
Bridge, Frank, cotton waste dealer, Oldham. March 15. 3s. 6d.
Broadfoot, George, draper, Bradford. March 14. Trusts. A. French, draper, and T. G. Boyes, draper, both Bradford. Sol. Cater, Bradford.
Brooke, Edward, accountant, Threadneedle-st. March 21. 2s. by two instalments of 1s. at 18 and 24 mos.
Bryan, William, grocer, Bilston. March 22. 2s. 6d. Trust. F. Bryan, grocer, Princes-end.
Bryant, Henry, draper, Dartford. Feb. 25. 5s.
Bunting, Richard, cutlery manufacturer, Sheffield. March 7. 5s.
Clark, John, organ builder, Bath. March 6. 2s. 6d. Trust. J. Harlor, carver, Bath.
Dean, William Henry, manufacturing chemist, Lindley, near Huddersfield. March 14. 6s. 6d. in 12 mos. by three instalments at 4, 8 and 12 mos.—secured.
Drayson, Valentine, grocer, Gravesend. March 2. Trusts. E. Cross, wholesale grocer, Seething-la. and S. Warren, provision merchant, St. Mary-axe.
Eaton, Austin, tailor, Northampton. March 24. 13s. by three instalments on 1st July, 1st Oct. and 1st Jan., or two instalments, two-thirds on 1st July and one-third on 4th Oct. Trusts. J. T. Gledhill and S. Walker, gentlemen, Northampton.
Fairbrother, William, agent, Bury, Schofield, John, cotton-spinner, Ramsbottom, and Newton, Joshua, agent, Manchester. March 1. Covenant to pay 5s. 6d.
Galt, Thomas, ropemaker, Monkwearmouthshore. March 10. 2s.
Groffman, Ebenezer, baker, confectioner and flour dealer, Liverpool. March 18. 6s. by three instalments of 2s. each at 7 days and 3 and 6 mos.
Hancock, Charles, gentleman, Cuckfield. March 23. Trusts. T. W. Best, brewer, E. Jenner, butcher, and H. Malyan, grocer, all Cuckfield.
Holden, Maria, grocer, Louth. March 6. Trusts. M. Colbridge and A. Barret, grocers, Louth.
Hope, John, grocer, Ramsgate. March 1. Trusts. J. Green, Canterbury, and F. Crux, Ramsgate, grocers.
Jones, James, wine and spirit merchant, Nottingham. March 23. Trusts. R. Eades, wholesale grocer, and W. H. Morrison, lace manufacturer, both Nottingham.
Kingston, Henry, beerhouse keeper, South Penge-park. March 14. 1s. in 3 mos.
Lilly, Christopher, miller, Bristol. March 4. 3s. 6d. in 7 days.
Lyon, Henry Isaac, oil and butterman, Store-st. and Alfred-pl. Bedford-sq. March 23. 3s. by 17th June.
Mason, Thomas, corn and flour dealer, Chesterfield. Feb. 25. Trusts. J. Thorpe, miller, Newark, and W. Barkitt, corn merchant, Chesterfield.
Monk, Charles, stationer, Oswestry. March 20. Trusts. R. Jones, cabinet-maker, and J. Fox, bank manager, both Oswestry. Sol. Davies, Oswestry.
Moore, William, commission agent, Manchester. March 4. Trust. W. Johnston, accountant, Glasgow.
Nathan, John, and Nathan, Louis John, wholesale clothiers, Houndsditch. March 2. 6s.—1s. at 1 mo., 1s. 6d. in 4 mos., 1s. 6d. in 8 mos., 1s. in 12 mos. and 1s. in 18 mos. Surety, N. Nathan, fruit salesman, Bow-st. Covent-garden.
Newsome, Charles, ribbon manufacturer, Coventry. March 25. 9s. by three equal instalments at 3, 6 and 9 mos.—secured. Trust. T. Townsend, throwster, Coventry.
Nyberg, Edward, merchant, Bucklersbury. March 24. 10s. by five equal instalments of 2s. at 4, 6, 8, 10 and 12 mos.—secured. Surety I. Kardonsohn, Bedford-pl. Russell-sq.
Osborne, James, attorney's clerk, Church-st. Bethnal green. March 18. 6d. by 20th March 1866.
Owen, Stephen Richard, shoe manufacturer and innkeeper, Olney. Feb. 20. 5s.
Peckham, Henry, draper, Christchurch. March 3. 15s. by three equal instalments on 3rd June, 4th Oct. and 3rd Feb.—secured. Sureties. W. Le Roy, dealer in boots and shoes, Lymington, and C. Davis, builder, Christchurch.
Phillips, Maximilian, wine and spirit merchant, Harp-la. Tower-st. and Villiers-st. Strand. March 13. 5s. by four instalments of 1s. 3d. on 1st April and 4, 6 and 9 mos.
Pike, Samuel, sailmaker, Great Yarmouth. March 3. Trust. R. Gifford, rope factor, Mark-la.
Reynolds, George Waide, manufacturer of steel crinoline, Smethwick and Castle-st. Falcon-sq. March 1. Trusts. J. Bowcock, manufacturer of cotton cord, Manchester, and W. Jackson, steel manufacturer, Sheffield.
Richardson, Joseph, grocer and tobacconist, Manchester. March 22. 5s. by two equal instalments on 30th July and 29th Nov.—secured.
Richardson, Ralph Burlinson, woollen merchant, Leeds. March 6. 12s. 6d. by three instalments of 4s. 9d., 4s. 9d. and 3s. at 3, 6 and 9 mos. Sureties, J. Holroyd, woollen merchant, Leeds, and D. Price, cloth merchant, Gresham-st.
Roberts, Joseph, draper, Carmarthen. March 2. Trusts. J. G. Cooper, merchant, and J. Gwyther, both Manchester.
Roe, William, architect, Charlwood-st. Pimlico. March 10. To pay in full by instalments of 50l. each, half-yearly, on 1st May and 1st Nov.—first on 1st Nov. Trust. C. Gray, Westbourne-pl. Belgrave-sq.
Taylor, William, master mariner, Hardwick-pl. Commercial-rd east. Feb. 26. Trust. C. Sidgreaves, provision merchant, Fenchurch-st., and A. Scrutton, shipowner, West India Dock-rd. Limehouse.
Wade, Thomas Falkingham, shipbroker, Holly-cottage, North-rd Forest-hill. March 24. Trust. T. Bircham, oyster warehouse keeper, Gracechurch-st.
Watkins, Joseph, carrier, Northampton. March 15. Trust. J. Barrow, leather merchant, Grange-rd. Bermondsey.
Wheeler, William Henry, grocer, Romsey. March 16. Trust. C. L. Lordan, bookseller, Romsey.
Wild, Edward; Briggs, George; and Briggs, Thomas, cotton-spinners, Tottington Lower-end. Feb. 20. Trusts. G. H. Shaw, cottonbroker, Liverpool, A. Lees, machinist, Oldham, and W. Houghton, cottonspinner, Bury.
Williams, John, joiner, Liverpool. March 1. 7s. 6d.—2s. 6d. on 1st April, 2s. 6d. on 1st May and 2s. 6d. 1st June, or 3s. 9d. in May and 3s. 9d. on 1st June. Surety, E. Williams, skinner, Leftwich.
Williams, Samuel Warren, cigar dealer, Manchester. March 6. 5s.—2s. 6d. on 10th March and 2s. 6d. on 10th June—secured. Trust. J. P. Lucas, traveller, Chorlton-upon-Medlock.
Wilson, Alfred; Bowles, Richard Francis; Smithett, William Pascall; and Marshall, William Julius, merchants, Mincing-la. Feb. 27. Inspectors, J. Smith, merchant, Lime-st. and J. Spence, shipbuilder, Cowper's-ct. Cornhill.
Wilson, John, grocer, King's Cliffe. March 1. Trusts. T. Almond, provision dealer, Leicester, M. Canner, grocer, Empingham, and W. Kalbb, draper, Oundle.
Winstanley, Aaron Arrowsmith, builder, Wigan, and Earlestown. March 8. Trusts. E. Mercer, timber merchant, Liverpool, and M. Leyland, ironmonger, Wigan.

ERRATA.

Skinner, Henry John Hunt, and Streatfeild (and not Streatfeild as before advertised in Gazette, March 21, 1865), Frank Newton, shipbrokers, Nicholas-la.
Shedwick (and not Shedwick as before advertised in Gazette, March 24, 1865), Henry, tobacconist, Brighton.

Gazette, March 31.

Aitken, Henry Paul, contractor, Mansfield-st. Kingsland-rd. March 29. 1s. on 29th Sept.
Allen, Walter, innkeeper, Yeovil. March 1. Trusts. J. Hill, glove manufacturer, and R. A. Hill, tallow chandler, both Yeovil.
Baker, Richard, colonial broker, Mincing la. March 17. To pay 100l. annually by quarterly instalments until creditors be paid in full. Trust. H. Croysdill, public accountant, Old Jewry-chambers.
Banks, Henry, ironmaster, Wednesbury. Jan. 14. 10s. by four equal instalments on 15th April next, 15th Jan. and 15th July 1866, and 15th Jan. 1868. Trust. T. Davis, West Bromwich, and J. Solly, Tipton, ironmasters.
Benning, William Granger, law publisher, Queen-st. Lincoln's-inn fields, and Albert-rd. Upper Holloway. March 31. Trusts. J. C. Fenwick, Newcastle, and W. T. Pritchard, Doctors'-commons, solicitors.
Bingham, Henry, builder, Litchurch. March 18. Trusts. T. Roe, jun., timber merchant, and T. S. Revington, plumber, both Derby.

Bird, Frank, builder and contractor, Faversham. March 8. Trusts. J. Payn, timber merchant, and J. B. Sharp, ironmonger, both Faversham.

Bucknell, John Holcombe, carpenter, Taunton. March 7. Trusts. N. Herniman, builder, Taunton, and C. P. B. Howell, timber merchant, Bristol.

Burrows, Thomas, builder, Great Crosby. March 6. Trusts. D. L. Davies, timber merchant, and J. W. Kelly, slate merchant, both Liverpool.

Church, Joseph, builder, Leckhampton. March 22. To secure 2s. by three instalments—first forthwith and second and third at 6 and 12 mos. Trust. C. H. Williams, gentleman, Cheltenham.

Colling, William, provision merchant, Barnard Castle. March 4. Trusts. J. Rudd, miller, and F. Howden, weaver, both Barnard Castle.

Cooper, Frederick Fox, dramatic author, Chester-pl. Kennington-rd. March 24. Arrangement to pay in full by two equal instalments on 24th March 1866 and 24th March 1867.

Crichton, James, commission agent, Baltic, Threadneedle-st. and Dundee. March 23. 2s. by instalments—1s. 6d. in 1 mo. and 1s. 6d. in 2 mos. Trust. C. Baxter, colonial broker, Fenchurch-st.

Curtis, William, innkeeper, Banbury. March 10. Trusts C. Savage, corndealer, Warmington, and R. C. Humphrey, wine and spirit merchant, Banbury.

Cuttle, John, hosier, Scarborough. March 9. Trusts D. Sandell, secretary of Scarborough Gas Co., and R. Hull, jun., banker's clerk, both of Scarborough.

Edwards, Thomas, grocer, Rhyl. March 10. Trust. J. Fishwick, tobacconist, Liverpool.

English, George, Gray's-inn-rd. March 11. 3s. 6d.—2s. in 10 days and 1s. 6d. in 3 mos.

Firth, William, and Hopkinson, John, dyers, both of Bradford. March 7. Trusts. W. Stead, drysalter, W. Stead, grocer, and J. Cowburn, chemist, all Birstal.

Ford, John Engham, printer, Taunton. Feb. 17. 14s. by three equal instalments at 4, 8 and 12 mos. Trust. J. Crocker, wholesale stationer, Upper Thames-st.

Gibbs, Edward, sadler, Melton Mowbray. March 21. Trusts J. L. Walker, manufacturer, Banbury, and J. Miles, auctioneer, Melton Mowbray.

Gillett, William, brewer, Brize Norton. March 10. To pay dividend equal to 6s. Trusts. E. C. A. Gillett, widow, Astrop Farm, near Brize Norton, and J. Brown, farmer, Witney.

Godfrey, Robert Frederick, dyer, Crawford-st. March 25. 2s. 6d. in 1 mo.

Greenslade, William Thomas, and Webster, Joseph, hop merchants, Town-hall-chambs. Southwark. March 8. Trusts. A. W. McDonnell, gentleman, Gracechurch-st., and J. W. A. Dickenson, hop factor, High-st. Southwark. Sols. M'Leod, Stenning and Watney, London-st. Fenchurch-st.

Haggard, Henry; Watson, William James; and Sillar, Robert George, bullion merchants, Cheapside. March 24. Trust. W. Kissell, law writer, Old Jewry.

Harvey, John Jones, crinoline-skirt manufacturer, Sheffield. March 11. 7s. 6d.—2s. 6d. at 3 and 6 mos. and 2s. 6d. at 9 mos. Trust. H. W. Kitchen, accountant, Manchester.

Hart, Charles, shoe manufacturer, Northampton. March 20. Trust. G. F. Newton, leather merchant, Northampton.

Hatch, Joseph, grocer, Southampton. March 8. 4s.—1s. on 1st May, 1s. 6d. on 1st July, 1s. 6d. on 1st Oct. 1865 and 1s. on 1st March 1866. Sureties, H. Hatch, draper, Oxford, and W. C. Holland, wholesale grocer, Southampton.

Hawkins, William Henry, baker, Walthamstow. March 24. 4s. by two instalments of 2s. at 1 and 3 mos.

Heather, Charles, carman, High st. Wapping, and King-st. Old Gravel-la. St. George's-in-the-East. March 21. 5s. on 8th April.

Hill, William, grocer and baker, Pointon. March 12. Trusts. F. Allen, grocer, New Sleaford, and A. Tomlinson, miller, Holdingham.

Humphreys, Samuel, tailor, Birmingham. March 2. Trust. R. Free, accountant, Birmingham.

Irish, Marmaduke, wine and spirit dealer, Reading. March 9. Trust. J. Vickers, distiller, Bridge-house Hotel, London-bridge, Southwark.

Jenkins, Edward, clothier, Belper. March 6. 5s.—2s. on date thereof and 3s. on 8th July—secured. Trust. W. Rumens, Liverpool.

Johns, Robert, bookseller, Devonport. March 21. Trusts. T. Jenkin, builder, Devonport, and J. C. Graves, draper, Devonport.

Johnson, William Halsall, Liverpool. March 24. 2s. 6d. by two equal instalments on 1st May and 1st July.

Jones, John, plumber, Stoney Stratford. March 3. Trust. C. Aveline, builder, Wolverton.

King, Robert, and Shuttleworth, Walter Grey, warehousemen, St. Paul's-churchyard. March 14. 13s.—4s. in 14 days, 5s. at 4 mos. and 5s. at 9 mos. Trust. E. King, army clothier, New Coventry-st. and C. T. King, wholesale druggist, Snow-hill.

Knight, William, jun., May, Henry, boot and shoe manufacturers, Tewkesbury. March 15. 8s. 6d. by instalments—2s. on 3rd June, 3s. on 3rd Nov. next, and 2s. 6d. on 3rd March 1866.

Lawrence, Nathan, auctioneer, Cardiff. March 23. Trust. J. Sandler, draper, Cardiff.

Leidesdorf, Gottschalk Mayer, merchant, St. Mary-axe. March 24. Arrangement to pay in full by two instalments of 10s. on 30th Dec. 1865, and 30th March 1866.

Locking, George, innkeeper. March 8. Trusts. W. Dunn, common brewer and farmer, Great Grimsby, and T. Bancroft, butcher, Great Grimsby.

Longbottom, James, waste dealer, Leeds. March 21. 2s. 6d. Trust. T. Colley, mungo dealer, Leeds.

Magnus, Charles William Albert, shoe manufacturer, Hackney-rd. March 14. 1s in 2 mos.

Mayer, Moses, merchant, Castle-st. Aldersgate-st. March 21. 1s. 6d. —1s. in 6 mos. and 6d. in 12 mos.

Mockridge, Daniel, coach builder, Bristol. March 2. Trust. H. Mockridge, fly proprietor, Bristol.

Morrell, Philip, innkeeper and baker, Horfield. March 2. 5s. on 3rd April—secured. Trusts. P. Owen, grocer, Bristol, J. C. Fear, flour merchant, Bristol, and E. F. Keevil, miller, Batheaston, near Bath.

Morris, John, painter, Portmadoc. March 2. 4s. in 1 mo.

Pinnock, George, cheesemonger, Kentish-town-rd. March 6. 4s.

Preece, William, clockmaker and upholsterer, Oxford-st. March 24. 7s. 6d. in 3 mos.

Prout, Victor Albert, photographer, East Moulsey. March 27. 2s. by two instalments of 1s. each on 27th Sept. 1865, and 27th March 1866.

Purcell, William, clerk in Her Majesty's post-office, Garden-ct. Temple. March 22. To set apart 50l. per annum out of salary until debts are paid. Trust. W. Messenger, bootmaker, Eversholt-st. Camden-town.

Rayner, Edward, and Young, Edmund Howarth, timber merchants, Liverpool. March 9. 13s. by four instalments—4s. on 1st June, 4s. on 1st Sept., 4s. on 1st Dec. and 1s. on 1st March next. Trust. T. Bagot, accountant, Liverpool.

Robertson, George, and Ward, William Henry, provision merchants, Fenchurch-st. March 9. Trust. J. Stewart, wine merchant, Leadenhall-st. and F. Croasdell, wholesale cheesemonger, Whitecross-st. Southwark.

Robson, Shadrach, commission agent and teadealer, Liverpool. March 6. Trusts. H. Boote, teadealer, and S. Wood, tea merchant, both Liverpool.

Shedlock, James Forster, out of business, Stock Orchard-cres. Holloway. March 3. Trust. F. King, builder, Bessboro'-gardens, Pimlico.

Smethurst, Charles, commission agent, Friday-st. Cheapside. March 30. 5s. by two instalments of 2s. 6d. on 1st July and 1st Nov.—secured.

Soanes, Edward King, of no trade, Stockwell-pl. Clapham-rd. March 3. Trust. F. E. Tucker, bill broker, Old Broad-st.

Stefano, Peter, ship chandler, Cardiff. March 8. Trusts. J. Davies, ship broker, Cardiff, and T. Harding, oil merchant, Bristol.

Sutcliffe, William, cotton manufacturer, Halifax. March 4. Trusts. R. Robinson, cottonspinner, Newhey, near Rochdale, J. Andrew, yarn agent, Manchester, and W. Fielden, cotton manufacturer, Stansfield.

Sykes, John, and Holt, Thomas, woollen merchants, both Huddersfield. March 14. Trusts. R. Porritt, woolstapler, Huddersfield, R. H. Ellis, Dewsbury, and W. Keighley, Huddersfield, manufacturers. Sols. Hesp and Owen, Huddersfield.

Taylor, Jabez, joiner, Gainsborough. March 2. Trusts. F. G. Smith, ironmonger, and R. M. Thompson, wine merchant, both Gainsborough.

Thomason, George, builder, Widnes. March 27. Trusts. R. Harrison, builder, St. Helen's, and T. Taylor, slate merchant, Widnes.

Tick, William, gas engineer, Westminster-bridge-rd. March 3. To pay 6s. 8d. by 30th Dec. Trusts. D. Hodge, lamp manufacturer, Hatton-garden, and J. Whitmore, steel mill maker, John-st. Clerkenwell.

Todd, John, draper, Aufield Plain. March 27. 12s. by promissory notes at 4, 9, 12 and 15 mos.

Tunnell, William, watchmaker and jeweller, Sunderland. March 11. 3s. 6d. by two promissory notes, 1s. 6d. at 3 mos. and 2s. 0d. at 6 mos.

Tyson, Joseph, boot and shoe maker, Macclesfield. March 7. 7s. 6d. by two instalments of 3s. 9d. on 1st Sept. and 1st March next. Trust. W. R. Shatwell, mercer, Macclesfield.

Wadlow, Henry, potato salesman, Commercial-st. Spitalfields-market. March 29. 5s. by three instalments—2s. 6d. on demand, 1s. on 30th June and 1s. 6d. on 30th Sept.

Ward, Grace, manufacturer of paper hangings, Stratford. March 3. Trust. J. Lindsay, commercial traveller, Cavendish-ter. Victoria-park-rd. Hackney.

Welland, George, grocer, Kirdford, near Petworth. March 18. 7s. 6d.—3s. 6d. in 3 mos. and 4s. in 6 mos.—secured. Sureties, A. Welland, widow, Tillington, G. Payne, butcher, North Chapel, and G. Braby, farmer, Kirdford.

Wightman, Matthew, publican, Kirkby-folly, near Mansfield. March 27. 7s. 6d. on execution of deed.

Williams, William Henry, merchant and manufacturer, Manchester. Oct. 10. Trusts. A. Sussman, Bradford, and L. Sawstron, Manchester, merchants. Sols. Roose and Ryleness, Manchester.

Williamson, William Blizard jun., linman, Sudbury. March 6. Trust. C. M. Turner, gentleman, Welland.

Willicombe, George, builder, Tunbridge Wells. March 17. 10s. on 3rd April—secured. Trust. E. Mills, timber merchant, King William-st.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGES.

Burr—Tomlinson.—On the 30th March, George Courtney Burr, of London, to Mary, eldest daughter of W. Tomlinson, Esq., solicitor, of Ashbourne.

Goodwin—Rudderforth.—On the 1st inst., Charles Wycliffe Goodwin, Esq., barrister-at-law, of Lincoln's-inn, to Augustine Anne, second daughter of E. H. Rudderforth, Esq., M.D., of Air-street, Piccadilly.

Hastings—Holt.—On the 28th ult., at St. George's, Hanover-square, Graham Hastings, Esq., of Lincoln's-inn, barrister-at-law, to Constance A., eldest daughter of the Rev. E. C. Holt, of Eccleston-street, Chester-square.

Jeremy—Evans.—On the 24th ult., Walter D. Jeremy, Esq., of Lincoln's-inn, London, barrister-at-law, to Grace Caroline, fourth surviving daughter of the late Rev. Richard Evans, of Swansea.

Mansfield—Prosser.—On the 20th March, Wm. Mansfield, Esq., of Mildmay-park, eldest son of W. C. Mansfield, Esq., solicitor, to Lydia Ann, eldest daughter of Wm. H. P. Prosser, Esq., of Upper Clapton.

Power—Chance.—On the 4th inst., Robert Power, Esq., solicitor, of New Boswell-court, London, and of Kingston-on-Thames, to Sarah Loeta, second daughter of the late George Chance, Esq., of Edgbaston.

Streeten—Osborne.—On the 4th inst., William Warren Streeten, Esq., of Lincoln's-inn, barrister-at-law, to Sarah Henrietta Anne, eldest daughter of the late Francis Nicholas Osborne, Esq., of Smithstown House, county Meath, Ireland.

DEATHS.

Anning.—On the 1st ult., in his 61st year, Mr. John Anning, for nearly forty years vestry clerk of Sunbury, Middlesex.

Martin.—On the 25th ult., aged 34, John Martin, Esq., barrister-at-law, of 8, Douro-place, Victoria-road, Kensington, and 7, Plowden-buildings, Temple.

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Contents.
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II. Heraldic Manuals.
III. The Australian Colonies.
IV. Madame Roland.
V. Lecky's Influence of Rationalism.
VI. The Church and Mosque of St. Sophia.
VII. Memoirs of Dumont de Bostaquet.
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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

AFTER mature deliberation the Incorporated Law Society has arrived at the conclusion that upon the whole it would be desirable for the Solicitors to urge the repeal of the certificate duty. Certainly the advantages are present and palpable, the danger is but doubtful and remote. Our own opinion is somewhat hesitating, because we know too well the extreme hostility of the Democrat party to the lawyers, and that their first use of power would be to sweep away what they are pleased to call our monopoly, and establish free trade in law. But the Incorporated Law Society is the recognised guardian of the Profession, and our interests are always safe in its hands. It advises action, and if action is desirable, it should be resolute and prompt. There could not be a more propitious season for it than the present, for a general election is at hand, and the lawyers may almost command the representation, if they are willing to use the power they possess.

The Society suggests the following form of petition. Let a copy of it be sent from every town, signed by every solicitor resident there, and in country districts from each individual solicitor.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble Petition of

Sheweth—For many years prior to the year 1853, attorneys, solicitors and proctors were subjected to the following taxation specially imposed on them, namely, first, to a stamp duty of 120*l.* on their articles of clerkship; second, to a stamp duty of 25*l.* on their admission into the profession; and, third, to a tax on an annual certificate, without which they could not lawfully practise in their profession. 12*l.* was the annual certificate tax on those who practised in London, and 8*l.* on those who practised only in the provinces, and one-half the tax was remitted in favour of those who had not been admitted for three years.

In the whole range of special taxation of a class, there is no other instance of this threefold taxation. One class may be taxed, like the attorneys, solicitors and proctors, on their articles of clerkship, or indentures of apprenticeship; another class on being admitted to their profession or calling; and another class on annual certificates enabling them to carry on their callings, as auctioneers, pawnbrokers, hawkers, or pedlars; but attorneys, solicitors and proctors alone are subject to all these three kinds of taxation.

In the year 1853 the stamp duty on articles was reduced by one-third, namely, from 120*l.* to 80*l.*, and the annual certificate tax by one-fourth, namely, from 12*l.* to 9*l.* in London, and from 8*l.* to 6*l.* in the provinces.

Your petitioners now desire respectfully to state their reasons for desiring that they may be entirely relieved from the payment of the annual certificate tax.

The annual certificate tax was imposed in the year 1785 to make up an expected deficiency in the shop tax. The shop tax has long been repealed; but the tax in aid of it has been continued to the present day.

In England and Wales this taxation amounts in the aggregate to upwards of 68,000*l.* per annum.

The annual certificate tax is a grievous and oppressive infliction on a large class of deserving practitioners, the profits of whose business is of small amount. By many recent changes in the law, and the practice of the courts, the emoluments of attorneys and solicitors have been greatly diminished. A very large proportion of attorneys and solicitors do not derive as much as 200*l.* a-year from their profession, but they are nevertheless compelled to pay this onerous tax, which, in London, is equal to an income-tax of 6*d.* in the pound on 360*l.* a-year, and in the provinces to an income-tax on 240*l.* a-year, and to pay the income-tax as well, and they are not exempted from any of the taxation imposed on the general public.

The profession to which your petitioners belong is an honourable one, and every person before he is permitted to enter into articles of clerkship is subjected to an educational test of a stringent character, and before admission, to two examinations in the principles and practice of the law.

An exclusive right to practise their profession is conferred on members of the Bar, and on members of the College of Physicians and Surgeons, yet they are not subjected to a special annual taxation like that which is imposed on your petitioners.

Your petitioners therefore humbly pray your honourable House that the annual duty on certificates of attorneys, solicitors and proctors may be wholly abolished.

And your petitioners will ever pray, &c.

THE second reading of Mr. OKE's Bill for improving the Procedure in Magistrates' Courts has been deferred until the middle of May, a postponement ominous of its fate for the present session. The Government has declined to adopt it; not, we believe, as disapproving either the purpose or the provisions of the Bill, but because it is inconveniently long, and will require more attention than is likely to be given to any measure during the last hours of a dying Parliament. Rather than suffer a defeat it would be better to defer it to the next Parliament, and possibly Mr. PAULL and his colleagues, who have undertaken its production, will be enabled to obtain from the Government a promise that in the meanwhile it shall be considered with a view to its official adoption. There is, we fear, but little hope of such a measure being carried by private members. Sir GEORGE GREY is notoriously reluctant to undertake legislation; he has not yet introduced his long-promised scale for prosecution allowances; what hope is there then that he will voluntarily accept such a scheme as Mr. OKE's Bill? But, then, there is a chance for it yet. Next year Sir GEORGE GREY may not be in office.

THE dog nuisance in Ireland has been the subject of a formal debate in Parliament, and a Bill has been framed for the purpose of putting it down. Even in England it is found necessary to amend the law by making the owners of mischievous dogs liable for the injuries they inflict upon sheep and cattle. Everybody must have remarked the increase in the number of dogs, and especially since the dog-tax has been equalised. The cause of this growing nuisance is, that the tax is not enforced. The surveyors probably find the turning of the income-tax screw a more profitable occupation than looking after stray curs. Even if the names of the owners of these untaxed plagues are sent to the taxing officer, he will make neither charge nor inquiry, and thus four-fifths of the dogs escape the tax. If the surveyor of taxes were instructed to look after the dogs in his district as sharply as he looks after income-tax, and to make the charge upon every person of whom he may be informed as keeping a dog, there would be speedily a marked diminution in the number of these pests, and no further legislation would be necessary.

THE newspapers are congratulating the country upon the increase in the productiveness of the income-tax. Whereas, they say, it was formerly estimated that every penny of the tax produced a million, according to the last return, every penny has produced nearly a million and a half. Such, they exclaim, is the increase of the national wealth.

But, in fact, increasing wealth has nothing to do with it. The cause of the increased productiveness of the tax is simply the increased severity with which it has been levied. During the last year, acting upon Mr. GLADSTONE's instructions, the surveyors have everywhere mercilessly put on the screw. They have proceeded thus: Whatever the return made by the taxpayer, the surveyor has added to the amount according to his fancy, rarely less than twenty-five per cent.; sometimes as much as a hundred per cent. Should the victim complain, he receives for answer, "If you object you can appeal." If he submits rather than incur the harass of an appeal, a further addition is made the next year, and so on, the same answer being always given. The surveyor knows very well that it is extremely difficult for a tradesman or a professional man to prove by his books what is the precise amount of his profits in any named year, and there is a natural reluctance to submit the secrets of his calling to a party of commissioners, who are neighbours, perhaps rivals, even though they are sworn to secresy. The Solicitors have been victimised in this manner to an extraordinary extent. Few have escaped the toils, because there is no calling in which it is so difficult to estimate profits. What, indeed, does rightly represent the Solicitor's profit last year? The surveyor says, and the commissioners upon appeal will say, that he must take all the business done during the year as if it had been paid for, and, deducting the professional expenses, the balance represents the profit, and at that rate he will be chargeable. But our readers know that this is far from being the true representation of the Solicitor's profits. He charges a great deal more than he will receive. He sets down in his day-book every attendance and letter; but when he draws out his bill, he is compelled to omit many and lump others together, and thus the total falls much below that which the separate items in the day-book would exhibit. Again, his bills are subject to taxation. Is he to be charged income-tax at the rate of the produce of his untaxed bills? Further, the solicitor is certain to find many of his debts bad; yet is called upon to estimate and pay for them as good. Lastly, even if good, he probably waits for months or years for payment of them. But he is called upon to pay income-tax on them immediately.

It is not, therefore, surprising that solicitors should prefer submission to an extortionate surcharge rather than incur the labour and loss of time involved in making such an estimate as would be necessary for a successful appeal. The surveyor counts on this, and screws them mercilessly. And by such a contrivance as this it is that the CHANCELLOR of the EXCHEQUER is enabled to boast that a reduction of a penny in the pound has been the loss only of a half-penny!

It is impossible not to admire the ingenuity and dexterity of the scheme. Advantage is taken of the present comparatively small amount of the *tax* to increase the amount of the *assessment*. The victims say now, "It is only sixpence in the pound. The surcharge does not amount to much. It is not worth the trouble and vexation of an appeal." So they submit this year. Next year a further surcharge is

made, and that is submitted to, and so on, until the assessment is largely extended. Mr. Gladstone, or his successor, will be thus put in possession of the groundwork upon which any amount of taxation can be levied hereafter. The increased assessment is no serious burden at sixpence; but let the tax be again raised to five or six per cent., and see what a burden will have been undertaken by the submissive taxpayer. A war would certainly do this. But there is another contingency even more probable. Suppose an extended suffrage, which would give to the class who do not pay income-tax the command of the Government (as it certainly would). Their first act will be, as, indeed, the advocates of democracy candidly avow, to substitute direct for indirect taxation, so as to throw all the taxes upon the middle and upper classes. They will at once put on a ten per cent. property-tax, and if this is levied upon the assessment now so insidiously being increased in the manner above described, the Solicitors may calculate the consequences to themselves. In what manner a Solicitor's profits ought to be estimated for the purpose of income-tax assessment, we will consider next week.

The Concentration (Site) Committee of the Commons devoted a great part of its inquiry, as our readers are aware from our notice on the 1st April of its proceedings, to the question of the 3082 persons of the labouring class to be displaced. We ventured to think that they would not be injured, provided they had a few months allowed to look about them. This view was in accordance with the experience of one of the witnesses, Mr. Hammond, of Chancery-lane, who, as a member of the Society for the Improvement of the Labouring Classes, is well acquainted with their habits of dwelling. He considered that, having regard to the length of time required to purchase the site for the courts, on an average two a-week of the 172 houses to be removed would be taken; that consequently the inhabitants would disperse easily and not be particularly inconvenienced. Lord Shaftesbury has since moved that notice be given in due time to persons of the labouring class by a railway company obtaining powers to take their dwellings to the number of fifteen houses in any one parish or place, and that for this purpose Standing Order No. 191 be amended. By his motion two months' notice was to be given either to the persons concerned, or by posting handbills. In the former case the question was, to whom the notice should be given. The Lord Chancellor, acting for Lord Shaftesbury, inserted words in the motion which would render it necessary for the company to include in the return of persons to be served not only the tenants of the houses, but the persons who lodged in them, and might be only staying in them temporarily. Lord Ellenborough was in favour of public placards alone. Lord Derby wished that all the occupants should be served. The Lord Chancellor thought this impossible. He is probably right, since many of the occupants of the lodging-houses only hire their beds night by night. In the concentration site there are 145 separate beds provided by three houses used entirely for this purpose; and, no doubt, in many other houses which are not exclusively so used beds are provided in like manner. It would be difficult to serve these occupants, or indeed many others of the occupants, who leave their lodging for work early in the morning and do not return again until night. But it appears that now there is to be a stringent provision requiring the railway company to place a notice in public view announcing the company's intended demolition. The Lord Chancellor thinks this will answer the purpose which the various philanthropic peers have in view. So it would, if the labouring poor could all read like Lord Chancellors, or even like reading clerks of the House of Lords. But when it is considered how many bills are daily posted which do not concern labourers, and about which they do not care to inquire of those who can read, why should they be expected to trouble themselves about the standing order placards? Oral notice is necessary. In addition to posting bills, let the company be compelled to send a bellman round at a suitable hour, every day for a month. It is true that on common occasions, elsewhere as well as in the metropolis, the schoolmaster has put out the crier; but this is an occasion when those who most need protection have had the least schooling. The companies will be bound to satisfy justices of the peace that the notices have been duly posted before they exercise their compulsory powers. Let us hope that the amended Standing Order will be found efficient in preventing any future occurrence of such a case as that mentioned by Lord Shaftesbury, where a man in Westminster was moved from four lodgings by as many pullings-down, the roof being taken off one of the lodgings from over his head at a week's notice, and another of them, on the stress of the second of the ejectments, being occupied by him and his wife and family in common with rabbits, *sans* fireplace, *sans* chimney.

Bankruptcy reform, for the present session, has hitherto been considered to rest between the Lord Chancellor's Bill for the abolition of imprisonment for debt, coupled with a continuing liability of bankrupt's estates which do not pay 5*s.* in the pound, and his complete measure to reconstitute bankruptcy jurisdiction. The provisions of the Bill have been commented on in this journal more than once, and may be found at length in last week's number. The complete measure hangs on a speculation thrown out by the Lord Chancellor at the beginning of the session, when the last bankruptcy return showed that the expense of the court approached the amount of the assets administered by it, whether it were expedient that a system so monstrously overgrown should be maintained. The report of the committee was the only thing awaited. When the committee was in parturition of its resolutions the Lord Chancellor brought in his said little Bill, under an impression, gained by some official inspiration or other, that it would be found to be in accordance with the committee's views, and he intimated that there would be no opportunity for more this year. On reflection we have much doubt whether any bankruptcy Bill will be prosecuted in the Lords in the present session. First, as regards the pending Bill, it is a very unusual course for the Lords, when a subject has been thoroughly inquired into by a committee of the Commons, to forestall the Commons by initiating legislation on it, either general or partial. Even if the Lord Chancellor's partial Bill reaches the Commons, and is there taken up, as a point of duty, by the Attorney-General, the probability is that the House, mindful of its own dignity, will find means to strangle the intruder or let it perish by neglect. But the Lord Chancellor has far too much tact to lead the Attorney into such a false position. Then, as respects the promised greater measure, the offence to the other House would be proportionally greater of taking out of its hands a business which it has made its own. Not only so, but the reconstitution of bankruptcy jurisdiction is essentially financial. There will be a chief judge, or, in the alternative, a court consisting of one or more of the judges of the superior courts of law or equity. The resolutions of the committee recommend the latter provision. If there be a chief judge, of course his 5000*l.* a-year must be voted. The Lords could not originate such a thing. Whether there be a chief judge or not, the existing commissioners must be pensioned. Here again the Lords would be equally powerless.

Bankruptcy reform, therefore, falls legitimately into the hands of the Commons. Will that House do anything in the matter this session? It is evidently not pressed with any painful anxiety at the prospect of insolvency kicking up its heels for a few months longer, else the resolutions reported in hot haste would not have been allowed to cool over Easter, and thenceforward *sine die*. Again, it is not likely that the present Parliament, on its death bench, will execute any peddling codicil to its ill-drawn will of 1861, to tie or worse entangle the hands of its successor. A temporary bankruptcy measure would be an unusually absurd expedient. If so, nothing remains but the grand consolidation recommended by the committee. That, certainly, is no fit work for a Parliament, the weeks of which are numbered. No. The present will probably continue to be the Irishmen's session. Irish Chancery, Irish labour loan, Irish tenant right, and Irish railway purchase are to be followed by Irish land title. Then the Pope is to be contingently housed, without political solecism or anachronism. There are plenty of other subjects too to talk about for two or three months. There is the toy called the Dutchies' flag, there is the Edmunds scene of the school for scandal, and there are New Zealand, Bhootan, and Canada. As to the last three, you take your choice, of course paying your money. But there are two more subjects for debate, with very little choice about them, the Budget and the plague.

The Certificate Duty is a direct tax. All taxes are disagreeable, and direct taxes the most vexatious of all. It is an additional grievance that a tax is partial; that it is levied on a calling or a class, and not equally upon all. The solicitor's certificate duty is obnoxious to all these objections.

But the Solicitors are not alone subject to this grievance. Under the name of a licence, the same tax in substance is levied on many other callings. Hawkers must pay for the privilege of selling their wares peripatetically. Innkeepers pay for the privilege of vending spirituous liquors, and beerhouse keepers for permission to sell beer. An auctioneer is taxed 10*l.* for the right to sell by auction, and so on through a long list. If each of these be examined, it will be seen that some privilege is enjoyed for which the licence is thought to be a payment. The innkeeper has a species of monopoly. The hawker is exempt from local burdens. The auctioneer, the horse dealer and others look upon the licence as a positive boon, and would object to its removal, justly considering that indirectly it operates to limit competition, and therefore to increase their own emoluments.

Now the doubt we feel with respect to the certificate duty is, whether it does not come within the category of licences by which a tax is paid for privileges in the nature of a monopoly, as is the case with the innkeeper's licence. If so it is not more unjust than many other similar taxes. But the submission to, or even approval of, a licence by other callings is no reason for acquiescence in it by the Solicitors unless they receive from it some advantage. The question is, do they derive any benefit from it? Certainly not directly, for although they have a *quasi* monopoly, the licence in no way contributes to it, as is the case with the auctioneers. The law limits the number of solicitors by imposing certain restrictions on admission, not by the tax. But then the law says, "We give you certain privileges; we protect you from unlimited competition; for this advantage contribute as much to the State." Our answer to this is, that you tax us unfairly, levying the same contribution from the income of 100*l.* as from the income of 1000*l.* per annum. If you tax us at all, do so rateably, according to the profits we derive from the privileges you have given to us. Besides, why single us out for such a tax? Why is it not imposed upon the barrister, the surgeon, the architect? If the principle is right, apply it fairly.

Mr. Gladstone answers: "The cases are not the same. You are protected against competition not merely in numbers but in charges. The doctor is too necessary a calling to be limited beyond the requirement of capacity. The architect is exposed to unlimited competition. The barrister's fees are not given to him by law." But the grave doubt we feel is, whether the repeal of the certificate duty will not be used in no long time as an argument for "throwing open" the Profession. Who can venture to say how long it will be before Democracy will prevail? Its hostility to the lawyers is unconcealed. Among its earliest acts would be the establishment of free trade in law. Is it prudent to give an excuse for it?

If the stamp on articles of clerkship could be doubled or trebled, the certificate duty could be repealed with safety and advantage. This is the true remedy, and to this our efforts might be directed very prudently. Lord Althorp knew what he was doing when he desired to pay us off for the defeat we had inflicted on him, by reducing the duty on articles instead of repealing the certificate duty. Even now it is not too late to undo the mischief by asking for the doubling of the duty on articles combined with the repeal of the certificate duty.

Rebuilding or altering buildings, as regards its effect on the right to window light, has lately been a cause of litigation in various cases at law and in equity. This is a natural result of the increasing grandeur in street architecture, particularly where joint-stock companies' palaces have risen a head and shoulders taller than the

old houses around them, and railway hotels and stations have been made to tower above the town, like feudal castles with cottages at their feet. A recent case before Vice-Chancellor Kindersley (*The Carriers' Company* v. *Corbett*, 12 L. T. Rep. N. S. 169) was between opposite neighbours, in a court about twelve feet wide, called Helmet-court, at Wormwood-street, in the City. A house there belonging to the plaintiffs had been burnt down fourteen or fifteen years ago, and the windows of the buildings erected on the site were the same in number as the old windows, which were ancient lights, but were broader and not so high as the old windows. In face of this building, on the other side of the court, the defendant had carried a new building from sixteen to thirty-three feet higher than that which lately stood on the spot. He had finished his front wall before the company instituted the suit. The bill prayed an injunction to restrain the defendant from allowing his building to remain of any greater height than his old building. As the court could not grant this mandatory injunction, to pull down the building, on an interlocutory application, the cause was heard on motion for a decree. The Vice-Chancellor in his judgment asked, what was the rule applicable to the state of things before him. He expounded the law to be, that where a house having ancient lights is burnt down and rebuilt, and the question arises whether the character of ancient lights, which belonged to the old house, attaches to the new house, the principle to be applied to the solution of the question is, to inquire whether the new windows would impose on the servient tenement, or, in other words, the tenement which suffers the easement to be enjoyed, either an additional servitude to that to which it was subjected when the old house existed, or a different servitude from that which previously existed. That was a question for a jury, if there were one, or if there were none, for the Judge. It was not every trivial or immaterial change which would prevent the new windows from sustaining the character of ancient lights possessed by the old windows; the change must be material, either in the amount or difference of the servitude imposed. The question was, whether the alteration was such as to impose on the servient tenement a more onerous or different servitude than before existed. On the evidence the Vice-Chancellor came to the conclusion that no greater burden was imposed on the servient tenement by the existing than by the former windows, and, therefore, that the existing were ancient lights. The result of the principle thus stated and applied is, that the same position and dimensions need not be precisely observed in rebuilding with new windows in the place of old, or in altering old windows, if, substantially, the servitude is not altered. This is a wholesome state of the law. Nevertheless, alteration is a hazardous business in practice, as in a court of law the consequence of it must depend on the counter swearing of surveyors and architects.

If the new or altered windows would alter the servitude, so as to make it more burdensome or different, the owner of the servient tenement may block the windows of the dominant tenement in such a manner as to prevent an easement being gained in respect of the excess of burden, or in respect of the difference. But he should not do more (*Binkes* v. *Pash*, 6 L. T. Rep. N. S. 125, C. P.) unless he cannot block the excess or the difference without at the same time blocking that which constitutes or represents the ancient light: (Ib.) In *Renshaw* v. *Bean*, 18 Q. B. 112, it was held that, inasmuch as the owner of the servient tenement, in exercise of his right to prevent the owner of the dominant tenement from acquiring an easement which he did not before possess, had a right to make any erection the effect of which would be to prevent the access of light through the new lights, if, in making such an erection for such a purpose, the access of light through the ancient lights was impeded, that was lawful in the owner of the servient tenement. For it was the fault of the dominant owner in making the attempt to acquire a new easement, and he, being the aggressor, could not complain if the party who had a right to prevent such acquisition, in the exercise of that right, also damaged the easement which the owner of the dominant tenement had acquired with respect to his ancient lights.

Suppose that the new or altered windows are such that the excess of burden or difference of servitude caused by them, as compared with the old windows, cannot be blocked without the ancient light being blocked, and that, after both are blocked by the owner of the servient tenement, the owner of the dominant tenement restores his windows to their ancient state, can he recover in respect of a continued blocking or obstruction? Erle, C. J. and Williams, J. were of opinion that he could, for that the justification of the obstruction ceased and the continuance of it was illegal; but Byles and Keating, JJ. were of a contrary opinion: (*Jones* v. *Tapling*, 5 L. T. Rep. N. S. 728.) On this point Vice-Chancellor Kindersley, in another case (*Martin* v. *Headon*, 11 L. T. Rep. N. S. 590) expressed himself that, in the abstract, if the Legislature were now considering what ought to be the law upon the subject for the purpose of passing an Act of Parliament, it was an extremely difficult question, and one as to which, as at present advised, and without going very carefully through the reasoning of the different judges of the Common Pleas, he should be led rather to question the right of reacquiring an ancient light where that ancient light had been altered so that it was no longer the ancient light it was before.

It is useful to bear in mind that ancient lights are not lost by altering small panes into larger, or sash frames from panes to a single sheet of glass: (*Turner* v. *Spooner*, V. C. K. 4 L. T. Rep. N. S. 732.)

The present case (*The Carriers' Company* v. *Corbett*) was also an example of two other principles which have been established, or become prominent, by decisions of the present Lord Chancellor. The company had sold the servient tenement to the deft. before he pulled down the old building. In *Suffield* v. *Brown*, 9 L. T. Rep. N. S 627, the Lord Chancellor decided that, where during the unity of ownership of two tenements an easement was enjoyed as to one for any number of years in the other, and had not been an ancient easement before the unity, if the owner sold the servient tenement, without reserving the easement, he could not afterwards claim to use the easement as an ancient easement. The Vice-Chancellor, applying this principle to the case of window light, said, that if a vendor, having a house on his land, and having the enjoyment of windows for twenty or even fifty years, sold a portion of the land to a purchaser, the purchaser might erect any buildings he pleased on the land so sold to him, however much his doing so might interfere with the lights of the house retained by the vendor. That was clearly the law; although, if it were carried to an extreme, it would introduce great and startling injustice. The practitioner therefore, advising the vendor in such a case, will do well to see that his client is adequately protected by covenants in the conveyance. The vendor can scarcely be said to suffer injustice, if his enjoyment of what he retains is interfered with because there are no such covenants. But it is apprehended that he would have a remedy against his solicitor, if the covenants were omitted through the solicitor's inadvertence.

The other principle to which we referred is, that where a man has a smaller tenement which is interfered with by a much larger one, as for example might be the case with some of the large hotels now building, the court will not order the larger building to be pulled down, but it considers that the question is one for pecuniary damages, as to the amount of which the court will direct an inquiry in chambers: (*Isenberg* v. *The East India House Estate Company*, 9 L. T. Rep. N. S. 625.) This principle arose in the present case with regard to another tenement of the defendant which had not been purchased from the plaintiffs. The Lord Chancellor's determination to give damages as the only relief has been severely criticised, in *Isenberg's* case. But why should the Court of Chancery, in the absence of any contract between parties, prevent the *bonâ fide* improvement of property, by giving a remedy which could not be obtained in a court of law? Why should it enable the owner of the dominant tenement to pull down the improved building of the owner of the servient? The one has no greater equity than the other. The exercise of such a jurisdiction would be against public policy.

The Carriers' Company v. *Corbett*, then, is a handy repository of the three principles of the law of window light, with respect to, 1, alteration of the aperture; 2, unity of ownership; 3, mandatory injunction.

THE REPORT OF THE PATENT LAW COMMISSION.

(*Continued from p. 251.*)

Having brought before our readers the substance of the report, with the commissioners' recommendations, we proceed with the evidence, necessarily touching it only at certain points, on account of its great length, and rather by way of gleaning facts, in addition to those mentioned in the report, than of exhibiting opinions or theories. Of these our notice of the report itself may be regarded as containing a sufficient intimation.

Mr. Woodcroft, the superintendent of specifications, states, that any one, inquiring in his office, can ascertain in a few minutes what is the nature of every patent taken out since patents were granted in this country. Copies of patents are kept in manuscript up to the very hour. The yearly number (but not *of bonâ fide* patents) greatly increased after the Act of 1852, but now is stationary at about 3000. Patent office publications, to the number of 200 copies, are distributed to various towns and foreign governments. The Americans pay about 23,000*l.* a-year for preliminary examination by scientific men, and are very much dissatisfied with its working. Prussia and Russia have it; France abandoned it. In the superintendent's office there is a printed copy of every foreign and colonial patent law. In America a patentee is bound to deposit a model, but they are very glad when a fire burns most of them. In France, Belgium and Prussia a patented machine must be put in public use before the end of two years.

According to the experience of Mr. Carpmael, patent agent, very few provisional specifications prepared by agents are sent back by the law officers; but the law officers go thoroughly into them. Generally, the opponent is a patent holder. The law officer decides by comparing his printed invention with the applicant's manuscript invention. When there is no opposition, there is no inquiry. If a parliamentary examination were established, there is one town in respect of which the witness might say that no patent could ever be applied for in relation to the manufacture there, without a certain body in that town coming down and opposing it; there are certain bodies there who oppose and endeavour to upset every patent. Very often, in making what would be almost called a frivolous thing, a very important process or system of machinery or of mechanical instruments is used, which becomes of great value to the public. Such specifications become the vehicle of important information. That happened in Heilmann's case; he contemplated originally combining cotton and wool, but the adaptation of his ideas to waste silk and flax became a very valuable consequence of his original invention. There are very few appeals from the law officers to the Lord Chancellor, and but few cases before the law officers, owing to the extensive publication of patents. The 50*l.* payment has weeded out most of the useless patents. As to the duration of patents, Mr. Carpmael has known inventions of the highest merit go, after diligent efforts to get them into use, for twelve or thirteen years, without a shilling of return, and in the fourteenth year they have begun to promise. It is necessary sometimes for a patentee to create even a new class of workmen. The system at the present time of trying patent causes is most disastrous as to money matters; there was a time when a patent cause was got through in a comparatively simple way, in the course of a few hours, and the people were more satisfied than they are now with three days. Formerly there was a simple plea of not guilty; now it has been required that the defendant should give notice of every objection. The pleaders, with the abstracts and indexes before them of patents published by the commissioners, put into the objections every specification relating to the subject. Then the C. L. P. Act requires that, in declaring, the plaintiff shall give particulars of breaches. Unless they are very specific, the defendant is under the difficulty of guarding himself as respects every construction which can possibly be put on the specification. The great source of the growing cost is the want of exactness in the issue. The defendant gets up a defence, consisting partly of specifications, partly of publications in print, and partly of pre-users by others, which entails great cost in scientific evidence and counsel's fees. A barrister stated in a case that he had not known the exact cause of complaint up to the evidence of the last witness in the cause. But you could

not go back to the old system of pleading in such cases. Mr. Carpmael has seen as many as one hundred objections branching out to some ten or twenty heads in each objection. A jury might, in most cases, be dispensed with, as there are very few facts in patent cases; it seldom happens that the defence is grounded upon a previous user in which there is a dispute as to facts.

Mr. Leonard Edmunds, Clerk of the Patents, read a paper on the Acts and the proceedings in the office in passing patents; mentioning that in France, the charge in fees being an annual payment of 4*l.* only, the number of patents granted is from 5000 to 6000 yearly. The French patent is for fifteen years, and fails on nonpayment of the annual tax. In America, the charge being thirty dollars in the whole, the number of applications in 1861 was 4643, of which 1260 were refused on the preliminary examination. It appears that a larger proportionate number of applications fail reaching the patent under the voluntary system in England than in America under the compulsory system of preliminary examination. The present flourishing condition of the office may not hold good in future years; the Franco-Italian war produced a very sensible effect, for the time it lasted, in reducing the number of French inventions imported into England. The last money scarcity had the like effect in reducing the number of applications for English patents for the time. The whole of the fees paid on the passage of patents are taken in stamps, as also the receipts on the sale of printed specifications, indexes, abridgments and other works. In this manner the revenue of the office is passed to the Consolidated Fund, and the sum required for the expenditure of the office is voted annually by Parliament. The clerk of the patents passes his account with the Treasury and Audit Commissioners. An annual balance-sheet is laid before Parliament, according to the Act. There being a stamp duty of 5*l.* only on the specification, an abuse has arisen; in one case 101 sheets of drawings were filed, costing the office 423*l.*; and there were two other sets of drawings, but of less extent, attached to two specifications for flying machines. The charge to the public on the sale of prints is the cost price of printing and paper, 6*d.* a sheet; 250 copies are printed. Three-fourths of the applications for patents are for the inventions of Englishmen; of the remainder the most are those of Frenchmen and Americans. Switzerland does not protect inventions, consequently the Swiss take their inventions to other countries. Bodmer, a Swiss, has patented numerous inventions in this country of great value, in grates and furnaces for steam-engines, and in spinning, metal rolling, and railway machinery. If there were an examiner he would, for instance, on the application for a patent in textile fabrics, have to read through 1500 specifications and all the books on the subject, which would employ him several weeks. In Austria and Sardinia preliminary examination has been tried and abandoned, and in Prussia it is not found satisfactory. The Act of 1852 directed all specifications to be printed and published. The old specifications from 1611 to 1852, 13,561 in number, were also printed. Altogether, up to Dec. 1862, 43,563 have been printed. Abridgments of them are in course of publication and sale in duodecimo volumes, containing references to scientific and other works, and to law reports. The number of separate entries in the indexes amounts to 330,525. There is a free library in addition to the museum. The unsatisfactory state of the law for the trial of patent rights was exemplified in *Betts* v. *Menzies*. The invention was for a new manufacture of capsules and for a new material. The litigation began at Chancery and common law, in 1857, and was still depending. The writ of error in the House of Lords was decided in 1862, and the judgment in the Exchequer Chamber reversed; the effect was to reopen the litigation at common law. In the next year the patent would expire, but was extended by the Privy Council. Up to that time the plaintiff's costs were 15,267*l.*, the defendant's 11,090*l.* In Heath's case, for improvement in the manufacture of steel, the patent was granted in 1839. The litigation commenced in 1842, and was ended in 1855, the costs of plaintiff and defendant amounting to 15,000*l.*

Mr. Spence, patent agent, has heard of cases where tradesmen have complained of being impeded in their business by threats of actions from patentees. Americans have found fault with our practice as to imported patents, which has the effect of encouraging persons to prowl about the Patent-office at Washington, whence they in fact run a race for a patent here. The artificial mode of trying patents generally arises from a great desire, in the first instance, to import as much scientific evidence into the case as possible, and to make the most of any ambiguities in the specification. The slowness of the proceedings and the power which men of capital possess to swamp the smaller men, is a great encouragement to occasional acts of oppression. Too much laxity in the preliminary proceedings arises from a calculation upon the imperfect knowledge of the tribunal. Some of the observations in specifications that are thrown in by the way are thrown in with a purpose. Claims are designedly expressed in ambiguous language. In practice, inconvenience occasionally arises from patentees refusing to allow other persons to use their inventions on the payment of a certain sum. Where a patent has been granted for an improvement on a patented invention, the first patentee occasionally refuses to allow the second to use his invention on any terms.

Mr. Scott Russell had not thought it worth while to defend any patents that were taken out by him, and had merely registered his invention in order to secure himself against the patents of others. Many most meritorious inventors under the present patent laws are utterly ruined, enriching others, and never pocketing a farthing themselves. When an invention has been made the subject of a patent everybody shrinks from it, because the person who has the monopoly can subject you to a most expensive prosecution, and can charge you a most inconvenient sum for what you have done, and punish you in every way. When a patentee takes out a patent for a thing in which he trades himself, he is anxious to monopolise the entire trade and is unwilling to grant licences; in other cases a patentee may be willing to grant them, but the very application raises his ideas and puts you in a difficulty. Many inventions are so manifestly absurd, that the greatest benefit to the public and to the inventors is to let them know at once that it is so; for example, there are a great number of inventions for putting weights at a greater distance from the centre, so as to produce something equivalent to creating a power; there are hundreds of these inventions every day. The most noxious kind of patents are those which contain but little in them, but the holders of which menace others in trade, giving them the option of abandoning a more valuable thing or contesting an action. A great many such patents are taken out for boilers of steam-engines, which are things admitting of an enormous variety of shape and proportion, without damage to their efficiency. The consequence is, that it is hardly possible at this moment for a man having to scheme a boiler for a new situation, or new circumstances, to avoid putting his foot in doing so into a trap which somebody has previously set in boilers. Nearly the whole of the patents for the boilers of steam-engines at this moment are of no practical value to inventors or to the public, but they are continually getting every man who makes a boiler into a scrape with some patentee. That is the case of the most numerous and most valueless patents, which are full of injury to the public, and do no good to the authors. With regard to the screw, several patentees clubbed together, and made a joint-stock company; they agreed to appoint arbitrators, and among the half-dozen rivals they screwed them all down with great difficulty to a moderate royalty, and the unremunerative patent became a prosperous one. After you have got one good screw with the largest possible merit of contrivance, you could invent a hundred and fifty other screws, every one of which should differ from the original, and no one of which should possess any real merit; and yet it would have this effect, that you could not set about making a screw for any particular case without infringing some one of those 150 patents. There are two classes of patents, for preliminary examination: one, the patents of which the utility or practicability would be doubtful in the then state of knowledge—for instance, Davies' mode of protecting the bottoms of ships; the other, patents of a minute and frivolous character, which no subsequent knowledge could alter, as for the shape of a boiler. Thus, while all engineers agree that such patents are of no merit or value, an Italian, named Grimaldi, not long ago invented an entirely new principle in boiler making; he undertook to make a boiler so more that every part of the water should in turn come in contact with every part of the boiler, so that there would be an enormous increase of evaporating power. The greater number of patent cases are cases of oppression; dishonest persons bring actions in the way of persecution, and dishonest defendants try to destroy a patent, each party acting in bad faith, and trying to injure his adversary in any way that he can. In the great hot blast case, the whole litigation arose from the ironmasters, who were making enormous sums of money, wishing to get rid of a very small patent rate per ton, which had accumulated to a great sum in consequence of the success of the patent. The expenses in that case amounted to more than 100,000*l.* There was a case in the wool trade, where a large number of persons engaged in the trade combined to litigate a patent, and at the same time combined to evade it; an enormously expensive and massive litigation followed, and they drove the owner of a most valuable patent into much easier terms than they deserved. When they had got it into their own hands they made vast sums of money of it. There are many cases of large interests vested in a noxious trade where a patent that would benefit the public would be opposed by those interests. There are such cases in Swansea and near Glasgow, where a chimney 450 feet high was erected to prevent the devastation of the neighbourhood.

(To be continued.)

COMMUNICATED.

In a recent number (April 1st) we commented upon the fact that the Judges have been complaining, not without cause, that their time has been wasted in the trial of petty offences that should properly be disposed of at the quarter sessions. These complaints were made on the Western Circuit. There have been complaints also on the Northern, no less grave, that the public time has been wasted in the trial of causes of small importance, which might have been disposed of in the inferior courts.

The three cause-lists for Lancashire contained an entry of 200 causes in the aggregate to be tried between the 6th March and the middle of April. Lancashire now forms the greater part of the Northern Circuit, and alone furnishes as much work for the Judges as any other entire circuit. Seventy-eight causes entered for trial in eleven days, the time allotted for the Salford Hundred Assizes at Manchester, involved the necessity of two supplemental courts, and of senior counsel being taken from their duties at the bar to act as Judges. Leading counsel were obliged to throw up their briefs at the last moment, and in one case the Attorney-General for the county palatine of Lancaster retired from a cause, leaving the attorneys to conduct it. Dissatisfaction on all sides, from the Judges to the doorkeepers, could only result from this state of things, and counsel added to the confusion by suggesting difficulties about appearing before the gentlemen associated with the Judges in the commission. Circumstances such as these induce the question whether justice is not at least as certainly obtained in courts of inferior jurisdiction presided over by competent judges, and assisted by an equally competent bar, as in the assize courts, where a deliberate trial is a question of chance and not a certainty. The County Palatine of Lancaster has greater advantages than most other counties, as there are in that county several inferior courts of record, besides the Court of Common Pleas at Lancaster, which has a jurisdiction in the county co-equal with the Common Pleas at Westminster in all matters.

Lancashire is, for assize purposes, divided into the Northern Division, the Salford Hundred (southern division), and the West Derby Hundred (southern division.) Of these, Lancashire two millions and a half, Salford Hundred one million and a quarter, the Hundred of Salford comprises the most rapidly increasing and the largest population, and contributes the greatest amount of business to the assizes; the Liverpool list being the last on the circuit is swollen by many causes brought from other parts of the kingdom, as the venue of nearly every action is now transitory. In the Salford Hundred there exists the ancient Hundred Court, following the practice of the Superior Courts. The Hundred Court for West Derby seems not to be in extent, but, if so, the Liverpool Court of Passage is well adapted to try all causes arising within that Hundred. If these courts and the Court of Common Pleas at Lancaster, slightly modified in its working, were to sit more frequently, and the amounts to which their jurisdiction should extend were fixed with reference to the class of cases now being brought at the Lancashire Assizes, a full hearing of

many causes now deliberately slaughtered at the assizes might be secured. All causes under a certain amount arising in Lancashire should be brought in one of these courts or a County Court, unless the leave of a judge were obtained to issue a writ at Westminster, and it would be to the interest of these courts to discourage all causes which could be brought in the County Court. The process of each court should run throughout the county; writs of summons should be serviceable in any part of England; and each court should have power to try cases were part only of the cause of action arises within the jurisdiction of that court. Such complaints as have been lately made with so much justice would then be removed. Causes would be fairly tried on the Northern Circuit then, but before this or some similar course is adopted we despair of much improvement.

The Superior Courts in London would also be relieved from trying many causes which now are sent to town (vide *Times*, 14th Feb. 1865), because time and opportunity for their proper trial do not exist in the country, and also from retrying, in effect, many of the slaughtered causes. We are all interested in this question, and in the hope of solving it the Northern Circuit was recently curtailed, with what result appears above. Lancashire ought to be a circuit in itself, it is rapidly increasing in population and importance, it is the most concerned in this question, and well able to form its own opinion. We throw out these hints for the consideration of the Lancashire lawyers. Something must be done. Let them think this over.

INVESTMENT JOURNAL.

IMPROVEMENT continues. There is again a slight advance in the funds, and larger dealings in miscellaneous securities are reported. In spite of the depression, several new companies have been announced, as will be seen by the list in the department devoted to that branch of the law. The Land-market is rising, as the consequence of a fall in speculative securities. But when we use the term Land-market, we mean estates *bonâ fide* devoted to agriculture. The extravagant prices paid for offices in London, the eligible sites for building and such like, are no more indications of the Land-market than are premiums on a popular company of the value of consols.

The following are the fluctuations of the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	242a	242	242	242	240½	242
3 per Cent. Red. Ann.	88¾	88⅞	89⅛	89⅛	89¼	89⅜
3 per Cent. Cons. Ann.	90⅞	90⅞	90⅞	91⅛	91	91
New 2½ per Cent. Ann.	...	74½	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	75
New 3 per Cent. Ann.	88⅞	88⅞	89⅛	89⅛	89¼	...
New 3½ per Cent. Ann.	...	86	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	91⅛	91	91⅛	91⅛	91¼	91⅛
Canada 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	217	...	217	215	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	...	...
India 5 per Cents. 1870	106½	107	106⅞	106⅞	107	...
India Bonds (1000l.)	16d	...	12d	...	...	...
Do. (under 1000l.)	...	...	16d	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	99¼	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	101¼	101¼	102	...	...	...
Do. do. 5½ per c. May 1879	...	...	...	109	...	...
Ex Bills, 1000l.	b	...	b	c	c	...
Do. 500l.	e	...	e	e	e	f
Do. 100l. & 200l. 3 per c.	...	...	...	c	c	f
Do. Small, & 3 per c.	...	...	...	...	...	f
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a Ex div.
b 4 per cent. 5s. prem.
c 4 per cent. 6s. prem.
d Prem.
e 4 per cent. 3s. prem.
f 6 per cent. 3s. prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

LANCASTER COURT OF CHANCERY.

The ATTORNEY-GENERAL obtained leave to bring in a Bill to extend to the Court of Chancery of the county palatine of Lancaster certain of the provisions of an Act passed in the session holden in the 23rd and 24th years of her present Majesty, intituled, "An Act to give to trustees, mortgagees, and others, certain powers now commonly inserted in settlements, mortgages and wills."—The Bill was read a first time.

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

EQUITY PRACTICE.—Where a suit had been instituted by a married woman, by her next friend, making the husband a defendant, the court cannot, on the motion of a co-defendant, make an order to compel the next friend and the husband of the plaintiff to make and file the usual affidavit as to documents in their or either of their possession or power: (*Hardwick* v. *Wright*, 12 L. T. Rep. N. S. 138. V.C. S.)

DIVORCE COURT PRACTICE.—Where the wife's answer contains charges against the husband, which at the trial appear to have been made without any foundation, the whole of her costs will not be allowed to be taxed as against her husband: (*Clark* v. *Clark*, 12 L. T. Rep. N. S. 148.)

IN CHAMBERS.

Monday, April 3.

(Before Lord Chief Justice ERLE.)

EVANS v. GILLETT.

County Court costs—Where plaintiff's claim reduced by set-off.

This was an application for costs.

The action was brought to recover the sum of 50*l.* 8*s.* 8*d.* for work and labour done, and money paid by the plaintiff as a haulier and corn agent. The defendant pleaded, firstly, never indebted; secondly, payment; and thirdly, a set-off equal to the plaintiff's claim. The set-off was disputed. By the order of Chief Baron Pollock all matters in the cause were referred to the arbitrament of George Milward, Esq., who awarded the plaintiff 11*l.* odd, and the costs of the reference.

Pamphilon, attorney for the plaintiff, applied for costs, on the ground that the set-off being disputed, no plaint could have been issued in the County Court.

Moon, for the defendant, contended that, as the plaintiff and defendant resided within twenty miles of each other, that several items in the plaintiff's claim arose within the district of the County Court in which the defendant resided, and the plaintiff had recovered under 20*l.*, no order ought to be made.

The Learned CHIEF JUSTICE, however, ruled that the plaintiff was entitled to costs, on the ground that no plaint could have been issued in the County Court, the defendant's set-off being disputed. His Lordship stated that, had the set-off been admitted, the plaintiff would not have had his costs.

SHERIFF'S COURT, RED LION SQUARE.

Thursday, April 6.

PROCLAMATION OF OUTLAWRY.

Mr. Hemp, the officer, made proclamation of outlawry in several cases, some of which were called for the "last time." Since the list appeared several matters have been settled through the publicity given, and the cases were withdrawn:

The names proclaimed on the present occasion were the following:

Ellen Hunter, at the suit of George Trotter;
Thomas Fitzmaurice Burke, at the suit of the Credit Mobilier Company (Limited);
John Canny and Gage John Hall Canny, at the suit of Robert Morris;
George Warren, at the suit of Edward Watkins Edwards.

No surrender was made to the "calls," and the next county court was appointed for Thursday, May 4.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

BRITISH AND FOREIGN GAS GENERATING APPARATUS COMPANY (LIMITED).—Petition for winding-up to be heard before V.C. S., on the next day of petitions. Solicitor, D. Woolf, 17, King-street, Cheapside, London.

ISLE OF WIGHT FERRY COMPANY.—Official liquidator to be appointed by Wood, V.C., at his chambers, on 24th April, at one o'clock in the afternoon.

LONDON, HAMBURG AND CONTINENTAL EXCHANGE BANK (LIMITED.) Petition for winding-up to be heard before M. R., on Saturday, the 22nd April. Deane, Chubb and Saunders, 14, South-square, Gray's-inn.

TAN, GAS and CHARCOAL COMPANY (LIMITED).—Creditors to send in, by 24th April, their names and addresses and the particulars of their claims to J. Sawyer, 173, Fenchurch-street, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

LEACH (George), 44, Gay-street, Bath, Esq., April 21, M.R. Nokes, Carlisle and Francis, 8, Finch-lane, Cornhill, London.

PARGETER (C. E.), Foxcote, Worcestershire, spinster, April 10, M.R. S. W. Johnson, 5, Gray's-inn-square, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BLUMER (George), South Shields, gentleman, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

BOWERS (Jemima), Cheam, Surrey, widow, May 8. W. Carpenter, 10, Coleman-street, London.

BROOKES (Wm.), Matlock Bath, Matlock, Derbyshire, hotel-keeper, May 20. F. C. Piesse, 261, Albany-road, Camberwell, London.

BROWN (Jane), Temple-town, South Shields, Durham, widow, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

CALVERT (Elizabeth), 16, Mabledon-place, Burton-crescent, Middlesex, spinster, May 4. Simpson and Dimond, 18, Henrietta-street, Cavendish-square, Middlesex.

COGSWELL (James), Trowbridge, Wilts, cloth manufacturer, June 1. Russell and Son, 30, Queen-street, Cheapside, London, for R. Rodway, Trowbridge, Wilts.

COOPER (Elizabeth), North-town, near Maidenhead, Berks, widow, May 15. Darvill, Darvill and Last, Windsor.

CROMPTON (Jane), formerly of Farnworth, afterwards of Ellerbeck-hall, near Chorley, late of Lower Grove-house, Roehampton, Surrey, widow, May 13. J. Crosby, 3, Church-court, Old Jewry, London, for H. W. Litler, Oldham.

DENNISON (Andrew), Cape of Good Hope public-house, Albany-street, Regent's-park, Middlesex, licensed victualler, July 8. Janson, Cobb and Pearson, 4, Basinghall-street, London.

DENNISON (John), Woolton-hill, Little Woolton, near Liverpool, gentleman, June 12. Ellis and Field, 3, Fenwick-street, Liverpool.

DOVE (Samuel Nathl.), 15, Powis-street, Woolwich, cow-keeper and dairyman, July 31. J. Colquhoun, Parson's-hill, Woolwich.

GOSFORD (Archibald), Earl of, Gosford-castle, Armagh, Ireland, and Grosvenor-street, Middlesex, May 29. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

HIGGINS (Peter), Puddington, Cheshire, and Liverpool, hide merchant, June 29. Ford and Duncan, Chester.

HILL (F. T.), Spitalfields-market, and 20, City-road, Middlesex, fruit salesman and importer, June 10. H. Tayler, 16, Great St. Helen's, London.

HILTON (C. A.), Sible Hedingham, Essex, gentleman, May 17. Holmes and Son, Bocking, near Braintree.

HODGSON (Hannah), Sunderland, widow, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

HOOLE (Frederick), Wood Farm, Stanton-upon-Hine-heath, Salop, farmer, May 20. J. H. Edwards, Shrewsbury.

JOLLY (Thomas), West Holborn, South Shields, grocer, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

KEEN (Francis), 1, Upper Cheltenham-place, Montpelier, Bristol, accountant, June 5. E. Harley, St. Werburgh's-chambers, Small-street, Bristol.

LYLE (JAMES), 17, Old Bond-street, Middlesex, grocer, May 1. Heather and Son, 17, Paternoster-row, London.

MACKAY (Robert), South Shields, wine and spirit dealer, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

MAY (S. M. T.), Brynsworthy, Fremington, Devon, Esq., May 15. Willoughby and Cox, 13, Clifford's-inn, Fleet-street, London.

MORTON (J. P.), Howdon, Northumberland, river pilot, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

MURPHY (Wm.), 23, Upper Marylebone-street, Middlesex, painter, May 21. Hobbs and Steel, 8, Serjeants'-inn, Fleet-street, London.

OUCHTERLONY (Thomas), 34, Edwardes-square, Kensington, Middlesex, and 157, Fenchurch-street, London, merchant, June 5. Wordsworth, Greathead and Blake, South Sea-house, Threadneedle-street, London.

PARBURY (Maria Louisa), Cornwall-cottages, Cornwall-place, Holloway, widow, June 8. Sawyer and Brettell, 2, Staple-inn, Holborn.

PIZEY (Rev. Edward), Camberwell-house, Peckham-road, Peckham, Surrey, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

ROUNDELL (S. W.), Liverpool, gentleman, June 12. Ellis and Field, 3, Fenwick-street, Liverpool.

SHEWARD (Samuel), 18, Green-street, Park-lane, Middlesex, horse dealer, June 1. T. Stamey, 11, Serjeants'-inn, Fleet-street, London.

SITWELL (Frank), Barmoor Castle, and Yeavering, Northumberland, Esq., May 1. Nicholson and Herbert, 24, Spring-gardens, Westminster.

SITWELL (W. H.), Barmoor Castle, and Yeavering, Northumberland, Esq., May 1. Nicholson and Herbert, 24, Spring-gardens, Westminster.

WILEY (James), Alnwick, Northumberland, brewer, July 1. W. E. and H. T. Duncan, 80, Basinghall-street, London.

WESTON (Hy.), Garbett-street, Birmingham, licensed victualler, July 1. J. Suckling, 45, Cherry-street, Birmingham.

WESTWOOD (J. J. C.), Rio de Janeiro, Esq., H.B.M.'S Consul, May 1. Jennings and Son, 18, Bennett's-hill, Doctors'-commons.

YOUNG (Thomas), Sackville-street, Piccadilly, Middlesex, surgeon, June 8. Janson, Cobb and Pearson, 4, Basinghall-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Tansferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

LEA (Rev. Thomas), Tadmarton, Oxon, and MARRIOTT (Rev. John), Bradfield, Berks, 50*l.* 15*s.* 7*d.* Three per Cent. Consols. Claimants, said Rev. T. Lea, and Rev. J. Marriott.

EASTER TERM.—As Easter Term falls this year in the holidays, a good deal of misunderstanding exists. The legal terms are fixed by Act of Parliament, and by the 1 Will. 4, c. 70, s. 6, it is enacted "That if the whole or any number of days intervening between the Thursday before and the Wednesday next after Easter-day shall fall in the Easter week, there shall be no sitting in Banco on any of the intervening days, but the term shall in such case be prolonged and continued for such number of days of business as shall be equal to the number of intervening days before mentioned, exclusive of Easter-day, and the commencing of the ensuing Trinity Term shall in such case be postponed, and its continuance prolonged for an equal number of days of business." It appears that in the Court of Queen's Bench there are 1 new trial rule for judgment and 18 for argument; in the special paper there are 1 for judgment and 5 for argument. It appears that in the Court of Common Pleas there are 1 enlarged rule and 17 new trial rules, 1 postponed motion and 19 demurrers. In the Exchequer of Errors and Appeals there are 1 for judgment and 9 for argument; there are 5 rules in the peremptory paper; and in the special paper, 1 for judgment and 7 for argument. In that court there are only 2 rules for new trials. Easter Term is generally a busy one, arising from matters tried in the spring circuits. This day is the first day of term "according to Act of Parliament," and it will be prolonged several days, as neither the equity nor common law courts will sit until Wednesday next, the 19th inst.

THE BENCH AND THE BAR.

Mr. John Cutler, of the Chancery bar, has been appointed to the vacant professorship of English law and jurisprudence at King's College, London.

HEALTH OF DR. LUSHINGTON.—Dr. Lushington was to have sat in the Arches Court on Monday, but in consequence of his recent attack the venerable judge will not at present resume his duties. It is stated that his Lordship is getting better.

ROCHDALE.—Mr. Brett, Q.C., who had formerly declared

himself a candidate for the borough at the ensuing general election, has issued an address to the electors, in which, after a grateful tribute to the memory of the late member, he announces his principles as a frank opponent of the present Government, and an adherent of the political views of Lord Derby.

New County Magistrates.—The names of the following gentlemen have just been added to the commission of the peace for the County Palatine of Lancaster: Mr. Hamilton R. Gilmour, Fulwood-park, Aigburth; Mr. Thomas D. Hornby, Druids'-cross, Little Woolton; Mr. James Radcliff Jeffery, Woolton-hall; Mr. Richard Johnson, Brookfield-house, Seaforth; Mr. Thomas Kirkpatrick, Tyldesley; Mr. William Langton, Abercrombysquare, Liverpool; Mr. William Moon, Woolton-hill House, Woolton; Mr. Harry Rawson, Wheet-hill, Roby; and Mr. John Swainson, Elmswood, Mossley-hill.

A Boy Barrister.—A singular instance of mental precocity has just been given at Montpellier. M. Emmanuel de Ricard, only sixteen years of age, has been admitted a member of the bar of that town. The first president of the court, in administering the oath, introduced the young barrister to his future confrères by a flattering address, in which he referred to the brilliant studies that M. de Ricard had gone through. At twelve he had, by a dispensation of age, been received bachelor of letters, and a few months later had obtained the same degree in science. He was then, after a most severe examination, received into the Naval School at Brest; but, in place of entering the navy, he accomplished his law studies at the Ecole de Droit of Toulouse with great *éclat*, and has now been duly received as avocat.

The Inns of Courts Bill.—Sir G. Bowyer's Inns of Courts Bill is put down for second reading on Wednesday the 26th April. It gives power to the benchers of each of the Inns of Court to select from their own body five benchers to form a judicial committee, to hear and determine charges against barristers, or to inquire into the conduct of any member of their Inn, or into the objections to the call or admission of students. The committee may disbar or suspend barristers, or expel any member of the Inn, and no barrister is to be disbarred or suspended, or student refused to be called, except by such committee. Any three members of the committee may be challenged, and an appeal is to lie from their decision to the common law judges. The committee and judges are to sit in open court, unless the parties consent to a private hearing, and are to have all the powers of a court of record.

Circuit Court at Dundee.—In accordance with an Act passed last session, a Circuit Court of the Scottish Judiciary was opened for the first time at Dundee on Thursday week by the Lord Justice Clerk and Lord Cowan. The judges were received on their arrival by the provost, magistrates and sheriff; the bells were rung, and flags were displayed from the steeples and houses. The court was opened by public procession and with great formality. The Lord Justice Clerk delivered a short address, in the course of which, after remarking that the establishment of Dundee as one of the towns of the Northern Circuit was due to the constantly advancing importance of the district, he said that part of our judicial system which requires the Supreme Criminal Court to travel into the provinces and to try and punish criminals in the localities where their crimes have been committed had the sanction of high antiquity, and was recommended by cogent reasons of social expediency. The same policy which lies at the bottom of this constitutional rule requiring justice to be administered openly, and all courts to be accessible to the public, prescribed also that the valuable lessons to be learnt by the masses of the people, seeing with their own eyes and hearing with their own ears how justice was administered, should not be confined to the inhabitants of the metropolis, but that the instructive spectacle should be brought before the people in every great centre of population.

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

Order of Removal—Appeal—Time for giving Grounds of Appeal—Adjourned Sessions—Discretion of Justices—Notices for Adjourned Sessions—4 & 5 Will. 4, c. 76, s. 81—11 & 12 Vict. c. 31, s. 9.—The case of *Reg.* v. *Justices of Sussex*, 11 L. T. Rep. N. S. 740, is a remarkable one in several points of view: first, as being a mere question of sessions practice carried up to the Court of Ex. Ch. for ultimate decision; second, as having been in litigation for nearly five years; and third, as overruling the daily and settled practice of a quarter of a century. The facts were these: On the 18th Aug. 1860, an order was made by certain justices of Sussex for the removal of a pauper named John Sandham and his six children from the parish of Funtington in that county, to the parish of Colemore, in the county of Hants. On the 30th of the same month, the order and grounds of removal were sent by post to the overseers of Colemore, by whom they were received on the 1st. Sept. On the 17th of that month the parish officers of Colemore applied for copies of the depositions, which were accordingly sent on the 18th and delivered on the 19th of the said month of September. On the 1st Oct. the parish officers of Colemore gave notice of appeal to the then next quarter sessions for Sussex, which were about to be holden on the 15th of the same month, but, as there were not fourteen clear days, they did not send any grounds of appeal. At such sessions the appellants applied to enter and respite the appeal, which was refused. In the following term a rule was argued for a *mandamus* to the justices to enter and respite the said appeal, which rule was made absolute and the *mandamus* issued accordingly. The justices did not obey the writ, but made a return. This return was demurred to by the appellants, and upon argument it was held by a majority of the Court (Crompton and Mellor, JJ.) that the return was bad (Blackburn, J. *dissentiente*), and a peremptory *mandamus* was awarded: (see *Reg.* v. *The Justices of Sussex*, 6 L. T. Rep. N. S. 422; 2 B. & Sm. 664; 31 L. J. 193, M. C.) The respondents hereupon appealed by writ of error to the Ex. Ch., which court reversed the decision of the court below. It appeared that by the practice of the Sussex quarter sessions, only eight days' notice of appeal were required; and it further appeared that the quarter sessions of the county were held for the convenient despatch of business in each of the two divisions of the county; the one after the other in the same week, being held (in this instance) for the eastern division on the 15th Oct., and for the western division on the following 18th. It was a rule of the sessions that appeals should be tried in that division to which they belonged, and as the removing parish in this instance was in the western division, the appeal would have been triable at the sessions in such division on the 18th. According to the contention of the appellants, they were not bound to have gone to the sessions on the 18th prepared to try their appeal: first, because, according to the authority of *Reg.* v. *Justices of Suffolk*, 16 L. J. 36, M. C., the time for giving notice and grounds of appeal is to be calculated with reference to the first day of the holding of the original sessions, and not to the adjournment day, notwithstanding that by the practice of the sessions the appeal is to be tried at the adjourned sessions; secondly, because there were not fourteen clear days between the 1st and 15th Oct. (the first day of the original sessions) for the giving of the grounds of appeal. To make the latter ground more intelligible, attention must be directed to the language of the 4 & 5 Will. 4, c. 76, s. 81, which enacts that "the overseers or guardians of the parish appealing against such order, or any three or more of such guardians, shall with such notice, or fourteen days at least before the first day of the sessions at which such appeal is intended to be tried, send or deliver to the overseers of the respondent parish a statement in writing, under their hands, of the grounds of such appeal." Now, certainly, upon these words it was fairly open to contention that the period of fourteen days was not absolute in all cases, but only applied to cases where such a period really intervened, but that at all events, if there was time for giving notice of appeal, though less than fourteen days, the grounds of appeal should be given with such notice. This construction, however, had never been put upon the section, but, on the contrary, it was enunciated by the Q. B. in *Reg.* v. *The Justices of Suffolk*, 4 Ad. & Ell. 319 (and subsequently recognised in *Reg.* v. *The West Riding*, 27 L. J. 269, M. C.), that the appellant is entitled absolutely to his fourteen days for his ground of appeal irrespective of the time for his notice of appeal. The Ex. Ch., however, in the present case, have held that if there is time for giving full notice of appeal, though there be not fourteen days, the appellants are bound to give their grounds of appeal with such notice, and to be prepared to try at the ensuing sessions, and that such service of the grounds of appeal would be good and sufficient.

In thus deciding, the Ex. Ch. have avowedly overruled the exposition of the 81st section of the 5 & 6 Will. 4, c. 76, as set forth in the cases above mentioned. In giving the judgment of the court upon this point, Erle, C.J. said:

"The matter has now been brought for the first time before a court of error. In this court we are limited to the statutes themselves as a fountain-head, and we are to declare the law as it appears to us to be contained therein, although at the expense of dissenting from several judicial opinions of eminent judges founded in a great measure upon the case of *Reg.* v. *Suffolk*, 4 Ad. & Ell., from which in the court below, according to usual course, they did not feel themselves at liberty to dissent."

The decision upon this point will work a vast change in the practice of appeals, and it should be carefully noted that the old practice upon the subject is now at an end, and that for the future, if by the practice of the particular sessions there is time for giving full notice of appeal, but less than fourteen days, the appellants must serve their grounds of appeal, together with the notice, and that such service will be sufficient.

The Court decided another question of equal importance, and in like way overruling the old practice. By the 11 & 12 Vict. c. 31, s. 9, notice of appeal must be given within twenty-one days after receipt of the notice of chargeability and grounds of removal "unless within such period of twenty-one days a copy of the depositions shall have been applied for as aforesaid . . . in which case a further period of fourteen days after the sending of such copy shall be allowed for the giving of such notice of appeal," &c. Now, the practice under this section as sanctioned by judicial decisions, has been, that the appellants have an absolute period of fourteen days after the sending of the copy of the depositions within which to give their notice of appeal, and that they are entitled under any and all circumstances to take such full period of fourteen days before giving their notice of appeal; and that if at the expiration thereof there is not time for giving full notice of trial and grounds of appeal, they are only required to enter and respite their appeal. Thus, in *Reg.* v. *The West Riding*, 27 L. J. 269, M. C., Lord Campbell, C. J., in delivering a considered judgment, at p. 273, says: "As a rule, we think that the parties appealing are entitled to take the twenty-one days, and the fourteen days mentioned in the 11 & 12 Vict. c. 31, s. 3, and that if at the expiration of the last of those days there is time to give effective notice of trial of the appeal at the next sessions, such notice ought to be given; but that if there is not time to give such notice of trial the appeal ought to be entered and respited at the then next sessions following the expiration of the fourteen days. Such an entry and respite will be the only step the appellant can then take to show his intention to prosecute the appeal; as he will do so at the peril of being obliged to pay costs in case he omits further to prosecute it; and this is in accordance with the modern practice."

The Ex. Ch. have now decided that the appellants have not this absolute right; and that it is for the quarter sessions to say whether or not they have been guilty of unreasonable delay in prosecuting their appeal. Upon this point Erle, C. J. says: "According to our construction of the statutes, the appellants derived no right to assume that it is not practically possible to prepare for trial of an appeal in less than twenty-one days, with an addition of fourteen days; and as it is clearly possible to prepare for the trial of an appeal in less than thirty-five days after service of the order of removal, the sessions have a right to find, as the sessions of the North Riding in the case above cited found, that the appellants had been guilty of unreasonable delay, and on that account to refuse the adjournment, and if they so found they had the right to decide on the question of adjournment as they thought right. There is ample authority for saying that an appellant cannot, by his negligence or dilatory conduct, make the sessions impracticable which were in fact practicable: (see *R.* v. *Sevenoaks*, 7 Q. B. 136; *R.* v. *Peterborough*, 7 El. & Bl. 643; *R.* v. *The West Riding*, Ell. Bla. & Ell. 717.) It has been said in some of these cases that the appellants may take all the time—that is, twenty-one days *plus* fourteen days—without losing the right of appeal. This is true where more than thirty-five days intervene between the service of the order of removal and the beginning of the sessions, but not true according to the statutes above reviewed, where the sessions begin within thirty-five days. Then the question being, whether the appellants had by any statute a right upon these facts to demand an adjournment? our answer is in the negative, and it follows that even if grounds of appeal should be sent fourteen days at least before the first day of the sessions, this *mandamus* is bad."

Here, then, it is decided that, whether or not the appellants have used due diligence in giving their notices, is a question for the sessions, and that the appellants have no absolute right to avail themselves of the full periods of twenty-one and fourteen days men-

thened in sect. 9 of the 11 & 12 Vict. c. 31. This decision will doubtless give rise in practice to great difficulties, since that certainty of action which always arises and exists where fixed dates are taken as guides, must now give place to the uncertainty which ever attends upon the opinion of a fluctuating body of judges upon a state of facts ever varying in their peculiarities. However, such now is the law.

The case further overrules another point of well-established sessions practice. It will be remembered that in the county of Sussex the sessions were held in each of the two divisions, one after the other, and for the purposes of the judgment the Court assumed that they were held in the latter of the two divisions by adjournment from the first. Under such a state of things it has been held heretofore that the notices must be given with reference to the holding of the sessions at the first place, though by the practice of the sessions the appeal itself is to be tried at the adjourned sessions. This was so held by Erle, J. himself in a considered judgment in *R.* v. *Suffolk*, 16 L. J. 36, M. C. In that case the sessions for the county of Suffolk were, for the purpose of trying appeals, &c., divided into four divisions, being held in the sessions week at Beccles on the Monday; at Woodbridge on the Wednesday, by adjournment; at Ipswich on the Friday, by adjournment; and at Bury St. Edmunds on the following Tuesday, also by adjournment, at each of which places such appeals were entered and tried as arose within each respective division. Upon an appeal against an order of removal, which would according to this practice have been tried at Bury St. Edmunds, the appellants gave their full notices with reference to the adjourned sessions at this place, but the notices were not in time if calculated with reference to the holding of the original sessions at Beccles. Upon the adjourned sessions at Bury St. Edmunds refusing to hear the appeal upon the ground that the notices were insufficient, a rule nisi was obtained for a *mandamus* to the justices to hear it. Erle, C.J., after taking time to consider, held that the notices were insufficient, for that they should have been given with reference to the original sessions at Beccles. His Lordship said: "I think this rule ought to be discharged. No doubt the appeal in this case was to have been tried at the Bury sessions; and if these had been original sessions the notice of grounds of appeal would have been in time; but in point of fact the Bury sessions were only adjourned sessions, the original sessions having been previously held at Beccles, and the service not having been effected the fourteen days before they commenced. The real question is, whether or not the appellants were bound to have given their notice fourteen days before the sessions at Beccles, or were only bound to have given it that number of days before the sessions at Bury? And I am of opinion, that upon a proper construction of sect. 81 of the 4 & 5 Will. 4, c. 76, it was not competent to the appellants to have disregarded the Beccles sessions, and given their notice with reference only to the adjourned sessions at Bury. I think the notice should have been served the required number of days before the sessions commenced at Beccles; the whole of these adjourned sessions being in contemplation of law but one sessions, although for the purposes of convenience the justices adjourn the sessions from place to place; and this opinion is justified by the cases which have been cited. The rule, therefore, will be discharged."

We have given the foregoing judgment at length, because it was a considered one, pronounced by a very learned judge, and for many years (in very clear terms) settled the practice upon the point; and if we now find the same learned judge overruling his own decision and treating it with indifference as being the decision of a single judge alone, we cannot but say that we much prefer the decision of Mr. Justice Erle when sitting alone in the Bail Court, to his judgment as the exponent of the Court of Ex. Ch., for we cannot but feel that his first judgment was the sounder one of the two, and that it was that judgment which led to this lengthened litigation and its consequent enormous expense. But for the judgment in *Reg.* v. *Suffolk*, the appellant in the present case would have gone with his appeal to the adjourned sessions for the eastern division of Sussex, as he would have been in time for those sessions. The decision, however, of Mr. Justice Erle in *Reg.* v. *Suffolk* told him he would be wrong in doing so, and hence all the difficulty, to say nothing of the ruinous costs. To the county of Suffolk this decision of the Ex. Ch. will be of especial interest, as it overturns the practice which has obtained for nearly twenty years.

In conclusion, we beg to state in few words what the case of *Reg.* v. *The Justices of Sussex* has decided. It decides—First, that if upon an appeal against an order of removal there is by the rules of the sessions time for giving full notice of appeal, though this should be less than fourteen days, the appellants are bound to give their grounds of appeal, together with such notice. Secondly, that the appellants cannot claim as of right the full periods of twenty-one and fourteen days mentioned in sect. 9 of the 11 & 12 Vict. c. 31, unless there is that full time before the commencement of the sessions. Thirdly, that where the sessions are held in succession in different divisions of the county by adjournment, and by the practice of the sessions the appeals are to be tried in that division in which they arise, the time for the notices is to be calculated with reference to the actual time of trial, and not with reference to the first day of the original sessions. It will be seen that the decision of the Ex. Ch. upon each point overrules the old and well-established practice.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Dartmouth	Thursday, April 20	A. W. Bentham, Esq.....	10 days	W. Smith.
Leeds.....	Saturday, April 15	J. B. Maule, Esq.....	10 days	J. W. H. Richardson.
Leicester	Thursday, May 18	Mr. Serjeant Hayes	8 days	R. Toller.
Newbury	Wednesday, April 19	G. M. Dowdeswell, Esq. .		J. Vines.
Wigan	Wednesday, April 26	J. Catterall, Esq.	Statutory notice	R. Leigh.

MARITIME LAW.

NOTES OF NEW DECISIONS.

Arrest — Bail — Release — Practice.—A vessel having been arrested, bail, afterwards pronounced sufficient, was tendered to plaintiffs, who nevertheless entered a caveat against the release of the vessel, and she was consequently delayed for some days. It was held that, the detention not being justifiable, the plaintiffs must be condemned in the damages and costs arising from the detention: (*The Corner*, 12 T. Rep. N. S. 62. Adm. Ct.)

Bill of Lading — Duty to Carry on, Tranship, or Deliver.—A bill of lading in English, of goods to be delivered in a French port, was given by the master of a French vessel lying in the port of New York. The vessel during her voyage suffered injury, and was compelled to put into an English port. The cost of repairs would have exceeded the value of the vessel, and the master therefore gave notice of abandonment, which the underwriters refused to accept, and litigation ensued, pending which the master was, by French law, unable to complete the act of abandonment. The cargo was discharged, warehoused, and various offers were made to the master as to payment of freight, and amongst them to deposit in a bank the whole sum claimed and sign the usual average bond; but the master insisted upon payment of the whole freight, without any deductions. The litigation in France having ended: Held, in a suit brought immediately afterwards by the assignee of the bill of lading (an English subject) against the master for breach of contract and breach of duty, that the law of the vessel's flag governed the contract, and that, therefore, the duty of the master, to carry on or tranship the goods, or to deliver them at an intermediate port, must be ascertained by reference to the law of France; that the master was entitled to a reasonable time within which to carry on or tranship the goods, and that until that time had elapsed he could not be called upon to deliver, except upon payment of full freight; that the delay occasioned by the litigation in France must be considered as reasonable; that the offer to pay into a bank the whole freight was not equivalent to an offer to pay the freight; and that, under the circumstances, the master had not been guilty of a breach of duty or contract: (*The Bahia*, 12 L. T. Rep. N. S. 145.)

Tolls.—Where the proprietors of an oyster fishery claimed to levy tolls on all ships anchoring within the limits of their fishery, and proved immemorial user, it was held by the H. of L. that the claim could not be sustained without proof of a consideration given: (*Gann* v. *The Free Fishers of Whitstable*, 12 L. T. Rep. N. S. 150. H. of L.)

Right of River Navigation.—The bed of all navigable rivers and estuaries is vested in the Crown, but for the benefit of the subject, and subservient to the paramount right of the subject to free navigation, and the right to anchor is a necessary part of the right of navigation. The grantee of the Crown takes subject to the same public rights. Where, therefore, a subject claims anchorage tolls in respect of ships, it is not enough to prove a grant of the soil and immemorial user; a consideration must be shown, or a corresponding advantage to the public, such as the right of haven: (*Gann* v. *The Free Fishers of Whitstable*, 12 L. T. Rep. N. S. 150. H. of L.)

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Liability of Trustees.—B. by will, in March 1842, bequeathed a sum of money, owing to him by C. on security of a promissory note dated the preceding February, to his daughter D. for her separate use for life, with remainder to her children, and appointed her husband executor. D. died a few days after, and on the 18th of April the executor, who had a current account with C., delivered over to him the promissory note with knowledge of the trusts. Twenty years after (less one day) D. filed a bill against C. for repayment. Upon appeal C. was ordered to pay the money into court for the benefit of the wife and children with interest from the filing of the bill. The Lord Chancellor thus explained the meaning of this jurisdiction: "The relief is founded on fraud, and not on constructive trust. When it is said that the person who fraudulently receives or possesses himself of trust property is converted by this court into a trustee, the expression is used for the purpose of describing the nature and extent of the remedy against him, and it denotes that the parties entitled beneficially have the same rights and remedies against him as they would be entitled to against an express trustee who had fraudulently committed a breach of trust. As the remedy is given on the ground of fraud, it is governed by this important principle, that the right of the party defrauded is not affected by lapse of time, or, generally speaking, by anything done or omitted to be done, so long as he remains, without any fault of his own, in ignorance of the fraud that has been committed:" (*Rolfe* v. *Gregory*, 12 L. T. Rep. N. S. 162. Ld. Ch.)

Prescription Act — Copyhold. — Copyholders claimed a custom to dig sand on their copyhold tenements. The evidence of user went no further back than twenty-seven years. It was held that the 1st section of the Prescription Act applies only to cases where one man claims, by custom, prescription, or grant, some profit or benefit to be taken or derived from the land of another, and not to such a case as a right claimed by a copyholder in his own tenement. And as to sect. 6, its true meaning was stated to be, that no prescription or inference in support of the claim is to be derived from the bare fact of user or enjoyment for less than the prescribed number of years. But when there are other circumstances, the statute does not diminish the weight of evidence derived from the fact of enjoyment for a shorter period.

It was held also, that a custom to dig for gravel on the copyhold, to the extent even of removing the whole stratum of sand, is not unreasonable: (*Hanmer* v. *Chance*, 12 L. T. Rep. N. S. 163. Ld. Ch.)

Legacy Duty.—B., after giving several pecuniary legacies to different purposes, bequeathed two shares in a joint-stock company, stating that they were "of the value of 250*l.* cash," and he directed that the legacy duty "on the several above-mentioned sums" should be paid and charged on his residuary estate. These words were held not to include the shares, but that the legatees must pay the whole duty upon them: (*Dakers* v. *Lilburn*, 12 L. T. Rep. N. S. 167. L.JJ.)

Easement—Ancient Lights.—Where a house

with ancient lights is burnt down and rebuilt, the way to ascertain whether the character of ancient lights appertains to the new windows is to consider whether they would impose on the servient tenement a servitude either added to or different from that which previously existed: and the change in the amount or a difference in the servitude imposed must be material in order to prevent such new windows from sustaining the character of ancient lights: (*The Carriers' Company* v. *Corbett*, 12 L. T. Rep. N. S. 169. V.C. K.)

Trust Funds.—Where these can be properly traced and identified, although they may have passed through many transformations, the court will fix them with the trust and direct a proper application of the proceeds. Where a portion of them has been improperly mixed up with other moneys of his own by a fraudulent trustee, the whole fund becomes affected with the trust, while the least trace exists that any part of it was trust property: (*Frith* v. *Cartland*, 12 L. T. Rep. N. S. 175. V.C. W.)

Ward of Court.—An infant being about to contract an improper marriage, his parent, for the express purpose of giving jurisdiction to the court, settled a small sum of money for his benefit, and on a bill filed for execution of the trusts of the settlement, an injunction was granted to restrain the marriage: (*Dawson* v. *Thompson*, 12 L. T. Rep. N. S. 178. V.C. W.)

Investment of Trust Funds.—A Bill has been laid before Parliament by the Lord-Advocate for facilitating the administration of trust-estates in Scotland. The Bill proposes to enact that certain powers shall be held as belonging to all trustees appointed by future trust-deeds, unless the deed provides otherwise; among them is the power to invest the trust-funds in the purchase of the debentures of any joint-stock company paying dividends, or trust incorporated by any Act of Parliament in any part of the United Kingdom. Trustees under existing trust-deeds are to have power to invest the trust-fund in debentures of any railway company in the United Kingdom paying dividends.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Practice of Parliament.—Locus Standi.—Four companies joined in the making of a railway, with equal rights of user. The B. company and two of the constituent companies petitioned against a Bill for introducing a fifth company. The two latter were held to have no *locus standi*. The C. company owned a station on the joint line, and were held to have a *locus standi*, so far as the Bill might affect the station: (*The London, Chatham and Dover Railway Bill*, 12 L. T. Rep. N. S. 155.)

A railway Bill proposed to carry coals from a colliery to a town occupied by the petitioners, and to other towns more distant, at an uniform rate. The petitioners had not a *locus standi*: (*The Lancashire Union Railways Bill*, 12 L. T. Rep. N. S. 156.)

A facility clause enjoyed by the railway, of which the petitioners were lessors, give them no *locus standi*: (*The Ogmore Valley, &c. Railway Bill*, 12 L. T. Rep. N. S. 157.)

A Bill gave power to a company to construct three lines of railway, one only of which exceeded six miles in length; but it gave the company power to charge a six-mile toll for any goods carried any distance on the proposed railway. The owners and workers of mines in the district affected by the Bill were held to have a general *locus standi* to be heard in opposition to it: (*The North Staffordshire Railway Bill*, 12 L. T. Rep. N. S. 157.)

Commissioners of a company incorporated by statute for preserving the navigation of a river have no *locus standi* to oppose a railway proposed to cross the river by a bridge under the circumstances set forth in the report of the case: (*The Dee and Mersey Junction Railway*, 12 L. T. Rep. N. S. 159.) A very similar question affecting the same river was decided in another case, but there the corporation of Chester were held to have a *locus standi* on the ground that they were the owners of wharves, and by their charter levied tolls and customs in the nature of anchorage there within the port of Chester: (*Connah's Quay Railways and Docks*, 12 L. T. Rep. N. S. 161.)

Practice—Petition—Referees.—The referees will not hear parties on any questions not raised by their petition. When the petition alleged that the works proposed by the petitioners were better defined and more conducive to public convenience than those proposed by the promoters, and the petitioners prayed to be heard against the engineering details of the proposed lines, but the petition did not otherwise allege any defects in such details, it was held that they could not be heard upon them: (*The Lancashire and Yorkshire, &c., Junction Railway Bill*, 12 L. T. Rep. N. S. 158.)

Winding-up—Practice.—Where a suit instituted by the company is adopted by the liquidator, any order in the suit affecting a question of costs as against the liquidator, must name him personally, adding, "Official liquidator of, &c.:" (*Consols Insurance Company* v. *Wood*, 12 L. T. Rep. N. S. 170. V.C. K.)

Railway.—Where a company was in possession of lands, the conveyance of which was still unexecuted by some necessary parties, the tenant for life, who had executed, was held to be entitled to the interest and dividends of the purchase-money: (*Re Wrey*, 12 L. T. Rep. N. S. 171. V.C. K.)

NEW COMPANIES REGISTERED.

United Kingdom Land Company, L., 500,000*l.*
Colonial and General Land Credit Co., L., 1,000,000*l.*
Patent Floor Cloth Co., L., 25,000*l.*
West of England Cigar and Tobacco Co., L., 20000*l.*
Laundry, Bleaching and Dyeing Co., L., 20,000*l.*
West Cwm Ervin Mines Co., L., 50000*l.*
Bread Patents Co., L., 100,000*l.*
London and San Francisco Bank, L., 1,000,000*l.*
Birmingham and District Advance and Deposit Co., L., 30,000*l.*
Ocean Telegraph Co., L., 1,000,000*l.*
John King and Co., L., 125,000*l.*
Dorking Grey Stone Lime Co., L., 10,000*l.*
Thomas Hoyle and Sons, L., 200,000*l.*
Union Land Building and Investment Co., L., 50,000*l.*
Insurance Corporation of Great Britain, L., 4,000,000*l.*
Brampton Scotch Tweed Mill Co., L., 18,000*l.*
Collompton Gas Light and Coke Co., L., 2000*l.*
Henry Briggs, Son and Co., L., 143,000*l.*
Mexican, Havanna, and Colonial Bank, L., 1,000,000*l.*
The Burglary, Robbery, Fraud, and Guarantee Insurance Co., L., 200*l.*

CORRESPONDENCE OF THE PROFESSION.

Winding-up.—It is the practice of official liquidators, especially those doing much business, to encroach on the duties of solicitors. Will those members of the Profession who are acquainted with the practice in winding-up favour your readers with their opinions on the subject, that the encroachers may be confined to their legitimate duty.

Company.

Police Prosecutions.—I beg to call your attention to a case in which I recently appeared to watch the proceedings at an inquest, at the request of the widow and relatives of the deceased. The jury found a verdict of manslaughter against the accused. I then asked the coroner to appoint one of the family of the deceased, or his widow, prosecutor. The superintendent of police urged upon the coroner his claims to be elected prosecutor, as for many years this had been the rule, and although I pointed out the expressions of opinion which had been made by various judges as to the impropriety of thus constituting police officers prosecutors, and that (especially in a case of this description) no one could be more proper to entrust the conduct of the prosecution to than the widow or immediate relatives of the deceased; yet the coroner would not depart from the rule (which appears to be almost formed into a settled determination, both with coroners and magistrates) that police officers are the only proper parties to be bound over to prosecute. Hence the relatives of the deceased are precluded from in any way facilitating the ends of justice. Their wishes are never consulted; a police officer calls what witnesses he thinks fit for examination; perhaps the material facts of the case are arrived at, or may be not. I think, Sir, it is time that such a system should be abolished, or at any rate ventilated. It is a well-known fact that the police officers have a monopoly of the prosecutions throughout the country, and my opinion is, that in every case the parties immediately concerned ought to be bound over to prosecute, and not entrust the matter (however serious) to the capacity of every police officer, who, though some may rank as Solons, yet the majority of whom are the converse. It is not my intention to let this matter remain in abeyance. I think it is time that every attorney should put his shoulder to the wheel, and cause to be represented in the proper quarter this system of monopoly, which appears to have culminated into a settled rule, as regardless of the feelings of the parties immediately interested as it is unjust to the Profession.

Robt. Palmer, Jun.

York, 12th April 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

Practice—Declarations.—Can any of your readers state, and on what authority, who are the proper persons to take statutory declarations under the 18th section of 3 & 4 Will. 4, c. 62? Does the expression "other officer now by law authorised to administer an oath" in that section include a commission for taking affidavits in the common law courts?

E. Y.

Answer.

Mortmain Act—Queen Anne's Bounty.—The 43 Geo. 3, c. 107, was passed for the purpose of exempting (either wholly or partially) gifts or grants by deed or will to the Governors of Queen Anne's Bounty from the operation of the Mortmain Act (9 Geo. 2, c. 36). I have not at hand the former Act, and cannot, therefore, say what would be the effect of the reservation mentioned by the inquirer. A reference to the Act will however, no doubt, solve the difficulties.

D. H.

THE LAW LIBRARY.

Legal Maxims, with Observations and Cases. By George Frederick Wharton, Attorney-at-Law. Law Times Office.

When these "Maxims" were published in the pages of the Law Times, they were found to be so useful that the author was entreated to reproduce them in the more permanent form of a volume. Complying with this request, Mr. Wharton has availed himself of the opportunity to make some desirable additions, which have much enhanced the value of his work. It now consists of two parts. The first contains one hundred legal maxims, with a full page of explanation devoted to each, and reference to the cases by which it is illustrated; and the second part is an alphabetical collection of all the recognised "Maxims of the Law," with translations.

These should be committed to the memory. The uses of maxims are manifold. They compress a great deal of law into a small space, and enable us to express in a few words the pith of a considerable amount of learning. To give to the hearer the same idea as the maxim conveys to him, a speaker or writer must employ a multitude of words, and often many sentences, as is seen by Mr. Wharton's explanation, which, though as curt as is consistent with clearness, usually occupy a full page of print. Then the maxim carries the same precise meaning to all ears, and when reference is made to it, we may be sure that we are not misunderstood. Again, a maxim is commonly a legal axiom, and therefore a safe starting point in an argument. It is universally accepted without proof as settled law, and is better than a leading case. Lastly, it is easily learned and not easily forgotten, for its quaintness fixes it upon the memory. Being such, it behoves the lawyer not merely to learn the maxims of the law, so as to be enabled to cite them without book, but distinctly and precisely to comprehend their meaning. We know of no publication where this necessary knowledge could be so well acquired as this volume by Mr. Wharton, who has employed much learning, care and skill upon its preparation. To the law student it will be indispensable.

BOOKS SENT FOR REVIEW.

Introductory Lecture on International Maritime Law. By Leone Levi, Esq., F.S.A., Barrister-at-Law. London: Stevens, Sons and Haynes.

An Elementary View of the Proceedings in a Suit in Equity, with an Appendix of Forms. By S. J. Hunter, B.A., Barrister-at-Law. Third edition. By G. W. Lawrence, M.A., Barrister-at-Law. London: Butterworths.

THE COURTS & COURT PAPERS.

SITTINGS AND CAUSE LIST FOR EASTER TERM 1865.

Equity Courts.

Court of Appeal in Chancery.

The Lord Chancellor will sit at Lincoln's-inn on April 19, and hear appeal motions and appeals in bankruptcy. April 20, petitions and appeals. April 21, appeals. April 22, appeals in bankruptcy and appeals. April 24 and 25, appeals. April 26, appeals in bankruptcy and appeals. April 27, appeal motions and appeals. April 28, appeals. April 28, appeals in bankruptcy and appeals.

May 1 and 2, appeals. May 3, appeals in bankruptcy and appeals. May 4, appeal motions and appeals. May 5, appeals. May 6, appeals in bankruptcy and appeals. May 8 and 9, appeals. May 10, petitions, appeals in bankruptcy and appeals. May 11, appeal motions and appeals.

The Lords Justices will sit at Lincoln's-inn on April 19 and hear appeal motions. April 20, appeal motions and appeals. April 21, petitions in lunacy, appeal petitions and appeals. April 22 and 24, appeals. April 25, appeals from the county palatine of Lancaster and appeals. April 26, appeals. April 27, appeal motions and appeals. April 28, petitions in lunacy, appeal petitions and appeals. April 29, May 1, 2, and 3, appeals. May 4, appeal motions and appeals. May 5, petitions in lunacy, appeal petitions and appeals. May 6, 8, 9 and 10, appeals. May 11, appeal motions and appeals.

Such days as his Lordship shall be engaged in the House of Lords and such days as the Lords Justices shall be engaged in the full court, or at the Judicial Committee of the Privy Council, are excepted.

Rolls Court.

The Master of the Rolls will sit at Chancery-lane on April 15, and take motions. April 20 and 21, general paper. April 22, petitions, short causes, adjourned summonses and general paper. April 24, 25 and 26, general paper. April 27, motions and general paper. April 28, general paper. April 29, petitions, short causes, adjourned summonses and general paper. May 1, 2 and 3, general paper. May 4, motions and general paper. May 5, general paper. May 6, petitions, short causes, adjourned summonses and general paper. May 8, 9 and 10, general paper. May 11, motions and general paper.

Unopposed petitions must be presented, and copies left with the secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard, and any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

V. C. Kinderaley's Court.

The Vice-Chancellor Sir T. R. Kindersley will sit at Lincoln's-inn on April 19, and take motions. April 20, general paper. April 21, petitions, adjourned summonses and general paper. April 22, short causes, adjourned summonses and general paper. April 24, general paper. April 25, general paper. April 26, general paper. April 27, motions, adjourned summonses and general paper. April 28, petitions, adjourned summonses and general paper. April 29, short causes, adjourned summonses and general paper. May 1, general paper. May 2, general paper. May 3, general paper. May 4, motions, adjourned summonses and general paper. May 5, petitions, adjourned summonses and general paper. May 6, short causes, adjourned summonses and general paper. May 8, general paper. May 9, general paper. May 10, general paper. May 11, Motions, adjourned summonses and general paper.

V. C. Stuart's Court.

The Vice-Chancellor Sir J. Stuart will sit at Lincoln's-inn, on April 20, to take motions and causes. April 21, petitions and causes. April 22, short causes and causes. April 24, causes. April 25, causes. April 26, causes. April 27, motions and causes. April 28, petitions and causes. April 29, short causes and causes. May 1, causes. May 2, causes. May 3, causes. May 4, motions and causes. May 5, petitions and causes. May 6, short causes and causes. May 8, causes. May 9, causes. May 10, causes. May 11, motions and causes.

No cause, motion for decree or further consideration can, except by order of the court, be marked to stand over, if it be within twelve of the last cause or matter in the printed paper of the day for hearing.

V. C. Wood's Court.

The Vice-Chancellor Sir W. P. Wood will sit at Lincoln's-inn, on April 19, to take motions. April 20, general paper. April 21, general paper. April 22, petitions, short causes and general paper. April 24, general paper. April 25, general paper. April 26, general paper. April 27, motions and general paper. April 28, general paper. April 29, petitions, short causes and general paper. May 1, general paper. May 2, general paper. May 3, general paper. May 4, motions and general paper. May 5, general paper. May 6, petitions short causes and general paper. May 8, general paper. May 9, general paper. May 10, general paper. May 11, Motions and general paper.

N.B.—Any causes intended to be heard as short causes before either of the Vice-Chancellors must be so marked at least one clear day before the same can be put in the paper to be so heard.

Common Law Courts.

Court of Queen's Bench.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir Alexander Edmund Cockburn, Bart., Lord Chief Justice of Her Majesty's Court of Queen's Bench, in and after Easter Term 1865.

IN TERM.

Middlesex.

Friday ..... April 21 | Wednesday ..... May 3
Wednesday ..... April 26 |

There will not be any sitting during term in London.

AFTER TERM.

Middlesex. *London.*

Friday ..... May 12 | Tuesday ..... May 16

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

New Trial Paper.

For Judgment.

Bevan—Prothero and others v. The United Merthyr Collieries Company (Limited)

For Argument—Easter Term 1864.

Chester—Hughes v. The Birkenhead Improvement Commission. First action. (To be argued with the demurrer. To stand over till decision on a similar point in a court of error)

Chester—Same v. Same. Second action
Chester—Davies v. Same

Michaelmas Term 1864.

Durham—The Ecclesiastical Commissioners for England v. Pearl
Monmouth—Symonds v. Picksley and others. (Not to be argued until after the decision of a similar point in the Exchequer Chamber)
Leicester—Keighley v. Cumberland
Cambridge—Mainprice v. Westley
Suffolk—Cowles v. Potts

Hilary Term 1865.

Middlesex—Austin v. Bunyard
Middlesex—Graham v. The East and West India Dock Company
Middlesex—Foley v. Same
Middlesex—Darke v. The Grosvenor and West End Railway Terminus Hotel Company (Limited)
Middlesex—The North British Rubber Company (Limited) v. The Manchester Rubber Company (Limited)
London—Fisher v. Marsh

Tried during Term.

Middlesex—Evans v. Skeen
Middlesex—Parry v. Fox
Middlesex—Sichel v. Purdie
Middlesex—Griffiths v. Ware

Special Paper.

For Judgment.

Thierry and another v. Lord Fermoy and another. Demurrer

For Argument.

Worthington and another v. Ludlow. Demurrer. (A special case to be stated)
Hughes v. The Birkenhead Improvement Commissioners. Demurrer. (Case in New Trial Paper to be argued with this demurrer. To stand over till decision in a similar point in a court of error)
Davies v. Same. Demurrer
Bryant v. Foot. Special case. (Stands for amendment)
Neven and another v. Chapman. Demurrer. (Stands for arrangement)
Nichols and others v. Nichols. Special case
Nicholson v. The Guardians, &c. of Bradfield Union. Demurrers
The Ecclesiastical Commissioners for England v. The Dean and Canons of Manchester. Demurrer
Lee v. The Great Western Railway Company. Demurrer
Head v. Bush. Demurrer
Dalley v. Marson, jun. Demurrer
Smith and another v. Hudson. Special case
Hernlewicz v. Jay. Demurrer
Cory and others v. The Thames Iron Works and Ship Building Company (Limited.) Special case
Alexander v. The N. E. Railway Company. Demurrer
Backhouse and others v. Hall. Special case
Jolivald v. The Continental Bank Corporation (Limited). Demurrer
Newton v. Couper. Demurrer
Moody v. Corbett and others. Special case
Kemp v. Halliday. Special case
Brabant v. Sir T. M. Wilson, *re* The Copyhold Acts, &c. Manor of Hampstead. Appeal from Copyhold Commissioners
Le Strange v. Rowe. Demurrer
Elison and another v. Gittoes the younger. Demurrer
Tydeman v. Carne. Demurrer
Roper v. Taylor. Demurrer

Enlarged Rules.

First Day.

Kelly v. Sherlock
Reg. v. Justices of West Riding of Yorkshire
Reg. v. Overseers, &c. of Township of Lutton
Reg. v. Alfred Backhouse and others
Reg. v. London, Brighton and South Coast Railway Company

Standing for Judgment.

Cowell v. Amman (Aberdare) Colliery Company (Limited.)

Court of Common Pleas.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir William Erle, Knt., Lord Chief Justice of Her Majesty's Court of Common Pleas, in and after Easter Term 1865.

IN TERM.

Middlesex.

Friday ..... April 21 | Wednesday ..... May 3
Wednesday ..... April 26 |

There will not be any sitting in London during term.

AFTER TERM.

Middlesex. *London.*

Friday ..... May 12 | Monday ..... May 15

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Enlarged Rules.

Re An Action in the Mayor's Court of London, Lurmann and another v. Gelpecke and others; Goschen and others Garnishees. (Stands over till case in the House of Lords is disposed of)

New Trials.

Michaelmas Term 1863.

Middlesex—Packer and another v. Great Western Railway Company. (To stand till Beal v. The South Devon Railway Company, in the House of Lords, is disposed of)

Michaelmas Term 1864.

Cornwall—Gaved v. Martyn

Hilary Term 1865.

Middlesex—Benham v. Batty
Middlesex—Deneulain v. Hodgson and another
London—Tyler v. The Charing-Cross Railway Company
London—Woodward v. Wallinger
London—Hunt and another v. Harris
London—Fowler and another v. The English and Scottish Marine Insurance Company
London—Mockford v. Spence
London—Howell v. The Chartered Bank of India, Australia and China
London—Robinson v. The London and South-Western Railway Company
London—Heard and another v. Holman and another
London—Rawlings v. Morgan
London—Hirschfield v. Smith
Liverpool—Crow and another v. Armstrong
Liverpool—Whitaker and others v. Rogers and another

Postponed Motion.

Mallett v. Bateman

Demurrer Paper.

Wednesday, 26th April—Special Arguments.

Lyne v. Wyatt. Demurrer. (To stand over until case in Exchequer Chamber is disposed of)
Bullen and another v. Sharp, sen. Case Nisi Prius
Overseers of Sunderland-next-the-sea (appts.) v. Guardians of the Sunderland Union (respts.) Case by order
Walker v. Brogden. Demurrer
Day v. Peacock. Case by order
Cobb v. Same. Case by order.
Binder v. Same. Case by order
Day (app.) v. Simpson, jun. (resp.) Appeal from magistrates
Phillips and another v. Thurn. Demurrer
Matthey v. Wiseman and another. Demurrer
Great Western Railway Company (appts.) v. Willis (resp.) County Court appeal
Lel (app.) v. Riley (resp.) County Court appeal
Pepper (app.) v. Ockenden (resp.) County Court appeal
Wood (app.) v. Smith (resp.) Appeal from justices

Friday, 28th April—Special Arguments.

Earl of Shrewsbury and another v. Keighley and others. Case Nisi Prius
Same v. Harbord and others. Case Nisi Prius
Same v. Beazley and others. Case Nisi Prius
Coles v. Turner. Demurrer
Scott v. Jackson. Demurrer
Barker and another v. MacAndrew. Demurrer

Wednesday, 3rd May—Special Arguments.

Mayor, &c., of York (appts.) v. The Churchwardens, &c., of All Saints, North-street, York (respts.) Appeal from justices
Johnson and another v. Chapman. Case by order
Trayes v. Worms. Case by order
Rodgers v. Hamilton. Demurrer
Alton and another v. The Midland Railway Company. Demurrer
The Highway Board of the Wrexham District (appts.) v. Hardcastle (resp.) Appeal from justices
Everett and another v. The London Assurance Company. Case by order
Lock v. Furze. Demurrer

Court of Exchequer.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir Frederick Pollock, Knt., Lord Chief Baron of Her Majesty's Court of Exchequer, in and after Easter Term 1865.

IN TERM.

Middlesex.

Friday ..... April 21 | Wednesday ..... May 3
Wednesday ..... April 26 |

There will not be any sitting in London during term.

AFTER TERM.

Middlesex. *London.*

Friday ..... May 12 | Monday ..... May 15

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Sittings in Banco and at Nisi Prius.

Wednesday, April 19 Motions and peremptory paper
Thursday ..... 20 Errors, peremptory paper and motions
Friday ..... 21 Middlesex first sitting
Monday... ..... 24 Special paper
Wednesday ..... 26 Special paper. Middlesex second sitting
Saturday ..... 29 Criminal appeals
Monday .....May 1 Special paper
Wednesday ..... 3 Special paper. Middlesex third sitting

Errors and Appeals.

For Judgment.

Williams v. Jones. Appeal

For Argument.

Sutton v. The Great Western Railway Company. Error on bill of exceptions
Sutton v. The South-Eastern Railway Company. Error on bill of exceptions.
Symons and another v. George and others. Appeal
Harrison v. The Great Northern Railway Company. Appeal
Woolhouse and others v. The same. Appeal
Gresham v. The same. Appeal
Yar Bridge Company v. Dore. Error

Peremptory Paper.

To be called on the first day of the term after the motions, and to be proceeded with the next day (if necessary) before the motions.

Nuttall v. Bracewell
Same v. Metcalfe
Metcalfe v. Nuttall
Crosland v. Woodhead
Edmonds v. Barnett

Special Paper.

Remanets from Hilary Term 1865—For Judgment.

Richards v. Harper and another. Demurrer

For Argument.

Clark v. Magnus. Demurrer. (To stand over till after issues in fact tried)
Cooke v. Mostyn and others. Demurrers. (To stand over till after issues in fact tried)
Campbell v. Dufaur. Demurrer. (To stand over till after issues in fact tried)
Oakley v. Monck. Special case
The Chesterfield and Midland Silkstone Colliery Company (Limited) v. Hawkins. Demurrer
Wright and another v. Hunt. Demurrer
Silver and others v. Bonellis Electric Telegraph Company (Limited.) Demurrer

NEW TRIAL PAPER.

Moved Hilary Term 1864—For Argument.

LIVERPOOL—Brabner v. Macann. (To stand over till special case settled)

Moved after the Fourth day of Hilary Term 1865.

MIDDLESEX—Lawrence and another v. Wade

LEGAL NEWS.

FALSE WEIGHTS AND MEASURES.—In the year ending at Lady-day 1864 there were 120 convictions in the city of London for using false weights and measures. The population resident, that is to say sleeping in the City, is about 110,000.

METROPOLITAN POLICE.—The number of this force, officers and men, on the 1st Jan. 1865, was 7191, a decrease of 136 as compared with the number on the 1st Jan. 1864. The cost of the force, however, in the year 1864—560,864*l.*—was rather larger than in 1863. The number of constables on lowest salary, 19*s.* a-week, was 4289 at the end of 1864, but only 1790 at the end of 1864. The police rate was 8*d.* in the pound, the Treasury contributing 2*d.* and the parishes 6*d.*; the amount received from the parishes in respect of the rates of the year was 354,627*l.*, the rate being computed upon a rental of 14,183,088*l.* A large sum was also paid by the Admiralty, the War-office, and various Government departments for the services of the police in the dockyards, at military stations, and at public offices. Charges appear in the accounts for 1864 for the funeral expenses of 54 constables. 1684 men were on the superannuation list of the year. The expenditure for the service of the metropolitan police-courts in 1864 amounted to 63,214*l.*, of which sum 12,691*l.* was obtained from fines and penalties imposed at the police-courts, and the residue came from the public purse.

SCOTTISH PRISON RETURNS.—It has been noticed in prison reports that for the last three or four years there has been a tendency to an increase in the number of criminal prisoners. This tendency appears to have ceased in Scotland about the middle of the year 1864, whether temporarily or permanently remains to be seen. In the year ending June 30, 1864, the total number of commitments in Scotland was 24,628; but the more serious sentences, namely, to penal servitude, constituted only 237 of the whole 22,458 sentences. The number of juvenile offenders continued to decrease. In 11,949 instances the prisoners received had been in the same prison before; in 278 cases for more than 50 times. Of the prisoners admitted, 5166 could not read, and 12,942 could only read with difficulty—both numbers larger than in former years. The average daily number of prisoners was 2225 in the year 1862, 2342 in 1863, and 2378 in the year 1864—a correction being made in stating these numbers, for the sake of comparison, by deducting the average number of convicts detained in Scotland in 1863 and 1864 for their first stage of punishment (60 in 1863 and 79 in 1864), the previous practice having been to remove them immediately to England. The average cost per prisoner (in prisons where the average number was not below five), for the year ending with June 1864, is stated at 22*l.* 6*s.* 1*d.*, and the average earnings per head available for the prison at only 2*l.* 15*s.* 5*d.*, leaving the net cost 19*l.* 10*s.* 8*d.* Two prisoners escaped in transmission from Perth to Portsmouth by cutting a hole in the roof of the railway carriage; one of them got clear off, the other was found dead on the line. The searching of prisoners before their removal had been permitted to become lax, and these convicts were in possession of a blade of large scissors and a piece of a knife blade. The escape was made from a railway carriage constructed for the conveyance of prisoners, and supposed to be of iron, though covered with thin panels of wood, so as to appear made of wood; but, in fact, there was no iron on the roof, and thus the arrangements made for special security became sources of special insecurity through the reliance falsely placed on them.

THE CONVICTS AT GIBRALTAR.—General Sir W. Codrington, K.C.B., in a despatch to the Right Hon. Edward Cardwell, M.P., transmitting the annual report of the visitors and controller of the Convict Prison at Gibraltar, now presented to Parliament, observes:—"I consider Gibraltar to be a very fit place for the employment of prisoners. There are Government works both for the navy and the army being carried on; there are stone quarries for the purpose of those works, in which there can be a certain amount of isolation from the inhabitants. Quarrying is labour—sometimes, indeed, hard labour—and always of a nature by which the Government benefits. Stone-cutting and dressing is a trade taught to the prisoners by their very occupation, and can materially aid them in getting an honest livelihood on the expiration of their sentences. Whatever may be the proper comparative value of free labour and prisoners' labour, there is no doubt of this, that every day's work fairly done by a prisoner is so much gain to the Government. If prisoners were in solitary confinement, or entirely debarred from work, they would have to be maintained in idleness, and would entail upon themselves and their managers a multitude of evils, and greater stringency of discipline. The same result would happen if they refused constantly to work; the employment of force to secure work can only be exceptional. I see prisoners volunteering to put themselves in dangerous places, high up perpendicular cliffs for blasting rock; and I have seen other work done almost entirely by prisoners which has merited and received the commendation of Engineer officers. I believe that these works, with the quarrying and stone-cutting, have not only been of advantage to the Government in a very high degree, but that they have been of advantage to the prisoners themselves for their future life. Both with regard to Admiralty works and Army works I consider that it is fortunate for the execution of such necessary works that labour is obtained from criminals, who would otherwise be a burden, and it is equally possible that these works would not be done at all in Gibraltar were there an addition of 10,000*l.* or 12,000*l.* a year to the estimates of each department, instead of such prisoners' work."

AMERICAN CODE.—The commissioners appointed by the State of New York to prepare a systematic code of the whole body of the laws of the State have, after eight years' labour, completed their work last month. The code is divided into three parts—political, civil and penal; procedure (practice and pleading) was intrusted to a separate commission. The political code declares the political rights and duties, the law concerning its public ways, police, &c., and the local government of counties and towns. The civil code deals with the civil condition of persons, the law relating to property, and the whole subject of obligations. The penal code contains the law of crimes and punishments. The commissioners have suggested such amendments in the existing law as they think expedient; these are mentioned in notes, together with the reasons for proposing an alteration of the law. Among these proposed amendments are laws for securing equal rights to married women in respect to their children and their property, the abolition of dower and curtesy, and a law concerning adoption, giving the substituted parent all the rights and responsibilities of the real one, who having voluntarily renounced parental rights is not to be permitted to resume them when the affections have grown into new relations. The commissioners also propose an assimilation to the utmost extent possible of the laws of real and personal property, by reducing the law of real estate to the simplicity of personal wherever it can be done without the disturbance of existing rights, establishing for both the same rules of succession. The code includes the common as well as the statute law. The task was difficult; no code of the common law of America or of England had ever been attempted. It is impossible to foresee all the cases which can arise in the multifarious affairs of men; but the object has been to collect and arrange all the general principles and rules of law, whether hitherto written or unwritten, and express them with care and precision. The code has been circulated among the judges and other competent critics, and revised after their suggestions had been received. It is signed by Mr. David Dudley Field and Mr. A. W. Bradford; the third commissioner, Mr. W. C. Noyes, died while the revised sheets were passing through the press.

WILLS AND BEQUESTS.—The will of Sir Joseph Sawle Graves-Sawle, Bart., of Penrice, near St. Austell, Cornwall, and of Ashtebl, Devon, was proved in the London court on the 17th ult., the executors appointed being Charles Glynn Prideaux Brune, Esq., and the testator's sons, Sir Charles Brune Graves-Sawle, Bart. (late M.P. for Bodmin), and Thomas Graves-Sawle, Esq. The personalty was sworn under 20,000*l.* Provision under two marriage-settlements is made for his wife, Lady Sawle. His son, the present baronet, who succeeds to the family estates, is also residuary legatee of the personalty. A charge, by way of annuity, is made on the estates in favour of his son Thomas, to whom some estates are bequeathed. There are legacies, contingent and reversionary, to his grandchildren.——The will of Richard Barrow, Esq., of Ringwood Hall, Derbyshire, was proved in London under 500,000*l.* personalty. The executors are his brothers, John Barrow, Esq., and the Rev. James Barrow. To his brother John he has devised his estates in the counties of Derby and Notts, and has appointed him residuary legatee; to his brother James he leaves the advowson to the rectory of North Wingfield, Derby; to his brother William and two sisters 10,000*l.* each; to his niece Juana, wife of the Rev. D. Alexander, M.A., 20,000*l.*; and to his niece Mary Ann, wife of the Rev. G. Darby, M.A., 20,000*l.*; to two other nieces, 5000*l.* each; and to his housekeeper, butler and housemaid, 100*l.* each.——The will of Wright Ingle, Esq., of Chapel-street, Grosvenor-square, was proved in London on the 1st ult. The personalty was sworn under 100,000*l.* The executors and trustees nominated are Haylock Watson, John Russell Sowray, and David Owen, Esqrs. To each of them he has bequeathed a legacy of 150 guineas and 10*l.* for a ring, and to have the free use of his wines, &c., and of his residence, for the next two years, whilst engaged upon his property. His estates are held in trust for his great-nephew, George Wright Ingle (the son of his nephew, George Ingle, of Cambridge, miller), now in his infancy, and in the care of the testator's niece). Mrs. Ann Watson, an annuity being left to him), increasing in amount from 100*l.* to 500*l.* per annum, till he comes into possession. To his said niece, Mrs. Ann Watson (the wife of his executor and the daughter of his late brother, James Ingle), he leaves an annuity of 150*l.*, and the selection of plate and furniture; 2000*l.* to his great-nephew Wright Ingle, son of his nephew Hokten Ingle. Legacies and annuities are left to his brother, nephews, nieces, and their children; also to his servants. The interest of 200*l.* is to be given to four poor widows of St. Ives, and the like to four poor widows of Feustanton, Hunts.——The will of Charles Cavendish Fulke Greville, Esq. of Bruton-street, Berkeley-square, was proved in the London court on the 1st inst., by the executors, William Henry Greville, Esq. (his brother), Captain the Hon. Francis Egerton, and Harvie Morton Farquhar, Esq., of Brackley-house, Northamptonshire. The personalty was sworn under 25,000*l.* Amongst other bequests, he has left to the Earl of Clarendon his Emperor's Cup, won at Ascot Races, 1846, by his horse Alarm; to George Payne, Esq., of John-street, Berkeley-square, he leaves all the shares he jointly held with him in racehorses and thorough bred racing stock; and to Charles Mills, Esq., of Camelford House, some other like shares. A few other legacies are left to personal friends; and his brothers, Algernon and William Henry Greville, are appointed residuary legatees. To his valet he has left 1000*l.*, to his coachman 200*l.*, and to his groom 100*l.*——The will of Edward Ward Walter Raleigh, Esq. late of Pall-mall, a retired officer of the Bengal Medical Staff, and an honorary fellow of the College of Surgeons, London, was proved in the principal registry under 140,000*l.* personalty. The executors and trustees nominated are Sir Edward Cholmeley Dering, Bart., M.P., his nephew, and Charles Vine, Esq., of Queen's-gardens, Hyde-park (his nephew's uncle.) The testator has bequeathed to his sister, Mrs. Caroline Amesbury (widow of Joseph Amesbury, Esq.) and to her children the sum of 20,000*l.* free of duty. There are legacies to other of his relatives. He directs his property to be invested in freehold landed estates in England, and to pay therefrom to his nephew, Edward Walter Raleigh, son of his late brother, Major Frederick Raleigh, an annuity of 500*l.*, the remainder to accumulate and be laid out in the improvement of and in adding to the said landed estates, for the benefit of the male issue of his said nephew; and in failure of such issue, then to his nephew, Walter Raleigh Amesbury, the eldest son of the said sister.——The will of Mrs. Mary Wright, widow, formerly of Maulduth Hall, Lancaster, and late of Tunbridge Wells, was proved in London under 60,000*l.* personalty; the executors and trustees being her cousin, Henry Houldsworth, of Oak Hill, Lancaster; William Henry Houldsworth (his son), and Philip Richard Falkner, Esq., of Newark-on-Trent. The will is dated Sept. 1854. To her daughter, Mrs. Mary Hooper, she leaves the interest of 10,000*l.* for life, and appoints her two children, the testatrix's grandson and granddaughter, residuary legatees. Testatrix's sister, Isabella Duffield, has the interest of 10,000*l.* for her life. Legacies are bequeathed to others of her own family, and those of her late husband; to the Rev. Theophilus Bennett, M.A., of Wittington, and W. Richardson, M.D., of Tunbridge Wells, each 500*l.*; to the Irish Society Missions to Catholics, 500*l.*; to the Church Missionary Society and Manchester Infirmary 200*l.* each.——Probate of the will of Admiral the Most Noble Algernon Percy, Duke and Earl of Northumberland, K.G., P.C., D.C.L., F.R.S., passed the seal of her Majesty's Court of Probate on the 28th ult., and was granted to the Right Hon. Hugh Lupus, Earl Grosvenor, M.P., and the Right Hon. John Thomas Freeman Mitford, Baron Redesdale, the executors. The personal property was sworn under 300,000*l.* His grace married, in 1842, Lady Eleanor Grosvenor (born 1820), eldest daughter of the second and present Marquis of Westminster, but has no issue. To her grace he leaves a life-interest in the estates at York and Durham, over which he had power of disposition; he also confirms two marriage-settlements in her favour, adding thereto a sum making up 7000*l.* per annum, and leaving her grace a legacy of 8000*l.* and the plate having the baronial coronet and crest of "Prudhoe" (his former title), two carriages and four carriage horses; also the paintings, pictures, books, articles of virtu, furniture, wines, &c., and the deer at Stanwick Hall. The residue of his property he leaves to the possessor of the estate of Alnwick Castle, Northumberland.—*Illustrated News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, April 4.

By Messrs. DEBENHAM, TEWSON and FARMER, at the Guildhall Coffee-house.—Leases of suite of offices on the ground-floor of No. 31, New Broad-street, term 14 years unexpired—sold for 600*l.* Leasehold house, being No. 3, Sydney-place, Lansdowne-road, Clapham, term 37 years, unexpired; ground-rent 4*l.* per annum—sold for 175*l.*

Friday, April 7.

By Messrs. RUSHWORTH, JARVIS and ABBOTT, at Garraway's.—Leasehold house, being No. 1, Brewer's-court, Battersbay, producing 37*l.* 14*s.* per annum; term 749 years unexpired; ground-rent 7*s.* per annum—sold for 300*l.* Leasehold house, being No. 63, Chester-street, Kennington—sold for 260*l.* Leasehold residence, being No. 16, Pavement-street, Grosvenor-square; term 78 years unexpired; ground-rent 7*s.* per annum—sold for 590*l.*

By Messrs. FAREBROTHER, LYE and WHEELER.—Freehold (the rent charges, amounting to 143*l.* per annum, arising out of farm and land situate in the parish of Chatton, Northumberland—sold for 3000*l.*

Tuesday, April 11.

By Messrs. DRIVER and Co., at the Guildhall Coffee-house.—Leasehold, three houses, with shops, yards and premises, being Nos. 1 to 3, Upper Kennington-lane, Vauxhall; estimated annual value 191*l.*; term 99½ years from 1845; ground-rent, 30*l.* per annum—sold for 1600*l.* Freehold estate known as "The Grove," Teddington, comprising mansion, grounds, paddock, coachhouse and stabling, containing 13*a.* 1*r.*—sold for 9100*l.* Freehold building land, about 1½ acre, situate at Teddington—sold for 1542*l.*

By Messrs. WARLTERS and LOVEJOY.—Leasehold, two shops and premises, being Nos. 1 and 7, High-street, Islington, together with the goodwill of a confectioner's business; term eighty-four years from 1833; ground-rent, 15*l.* per annum—sold for 2100*l.*

Wednesday, April 12.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house.—Ninety 10*l.* shares in the Bedford Hotel Company (Limited), 8½ paid—sold from 4*l.* 5*s.* to 5*l.* per share.

By Mr. BRAY.—Freehold residence, being No. 12, James-street, Buckingham-gate; let on lease at 130*l.* per annum—sold for 2075*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, March 31.

ELLIOTT, WILLIAM TIMBRELL, and PIERCE, JOHN TIMBRELL, attorneys and solicitors, Verulam-bdgs. Gray's-inn.

KENT, FREDERICK, and EDE, HENRY HUTCHINS, attorneys, solicitors, conveyancers and parliamentary agents, Cannon-st.-west.

MILLER, JAMES; MILLER, JAMES MUSGRAVE; and BYERS, ROBERT LEDGARD, attorneys and solicitors, Philpot-la.

Gazette, April 4.

ANDERSON, THOMAS PATERSON; SHOUBRIDGE, CHARLES JOHN; and SHOUBRIDGE, HARRY, attorneys and solicitors, Lime-st.

ELLIS, JOHN; BARRISTER, CHARLES; and ROBINSON, JAMES, attorneys, solicitors and conveyancers, Clements-in.

Bankrupts.

Gazette, April 4.

To surrender at the Bankrupts' Court, Basinghall-street.

ABLEWHITE, EDWARD, coachmaker, Mount-st. Grosvenor-sq. and Putney. Pet. March 31. Reg. Roche. O. A. Parkyns. Sols. Foster and Anderson, Gray's-inn-sq. Sur. April 17.

ALBERT, GEORGE PASCAL, surgeon, Croydon. Pet. March 29. Reg. Broughan. O. A. Edwards. Sol. Peverley, Coleman-st. Sur. April 27.

BARTLETT, JOSEPH, coal agent, Forest-row, Dalston, and Dalston-la. Kingsland-gate. Pet. March 28. Reg. Broughan. O. A. Edwards. Pet. Chalk, Coleman-st. Sur. April 18.

BLISS, JAMES, boot and shoe maker, Brackley. Pet. April 1. Reg. Broughan. O. A. Edwards. Sol. Buchanan, Basinghall-st. to May 4.

BURT, ROBERT WALTER, dentist, Beaborough-place, Pimlico. Pet. March 30. Reg. Broughan. O. A. Edwards. Sol. Tarr, New Bridge-st. Blackfriars. Sur. April 22.

COFFARD, THOMAS, and NEWMAN, JAMES, grocers and drapers, Meads, Eastbourne. Pet. March 31. Reg. Hazlitt. O. A. Graham. Sols. Lawrence, Plews and Co. Old Jewry-chambers. Sur. April 20.

DOWNING, EDWARD MATTHEW, and DOWNING, CHARLES JOHN, furniture dealers, Camberwell-rd. and York-pl. Kennington-rd. Pet. March 29. Reg. Hazlitt. O. A. Graham. Sol. Kenrick, Hatton-gdn. Sur. April 20.

ENGLISH, THOMAS, Thurlow-pl. Bethnal-gn. Pet. March 30. Reg. Roche. O. A. Parkyns. Sol. Edwards, Heath-la. Camden-st. Sur. April 19.

FRENWICK, JOSEPH, servant, Burlington-mews, Bayswater. Pet. March 30. Reg. Hazlitt. O. A. Graham. Sol. Chibby, Old Jewry. Sur. April 20.

GARDNER, TOWNLEY, curate in holy orders, Surrey-st. Islington. Pet. April 1. Reg. Hazlitt. O. A. Graham. Sol. Barker, Furnival's-inn. Sur. April 24.

HEAD, JOSEPH, coisie dealer, Alwalton. Pet. March 29. Reg. Bacon. O. A. Parkyns. Sol. Bell, Great James-st. Bedford-row. Sur. April 19.

HOWES, JOSEPH, shoe manufacturer, Northampton. Pet. March 31. Reg. Hazlitt. O. A. Graham. Sol. Kirby, Frederick-st. Sur. April 20.

IVISON, JAMES, commercial and ornamental printer and engraver, Well-st. Cripplegate-without, and Sussex-rd. Holloway. Pet. March 31. Reg. Roche. O. A. Parkyns. Sol. Frost, Leadenhall-st. Sur. April 19.

MARQUARDT, CESAR FERDINAND, out of business, Warwick-st. Pimlico. Pet. March 31. Reg. Hazlitt. O. A. Graham. Sol. Fry, Mark-la. Sur. April 20.
NEWBY, THOMAS GILBERT, baker, Belmont-ter. Clapham. Pet. Reg. Hazlitt. O. A. Graham. Sol. Haynes, Southampton-bldgs. March 21. Chancery-la. Sur. April 20.
PLIMSOLL, SARAH, lodging-house keeper, Ely-pl. Holborn. Pet. March 29. Reg. Brougham. O. A. Edwards. Sol. Humbery, Staple-inn. Sur. April 22.
RICHARDS, JOHN REES ROWLAND, tutor, Kelvedon. Pet. March 28. Reg. Brougham. O. A. Edwards. Sol. Lindus, Bedford row. Sur. April 22.
RIGGE, WALTER WILLIAM, publican, Mayfield-st. Dalston. Pet. April 1. Reg. Hazlitt. O. A. Graham. Sol. Brutton, Guildhall-chambers. Sur. April 25.
ROGERS, HERBERT, tapster, Southampton. Pet. March 30. Reg. Roche. O. A. Parkyns. Sols. Paterson and Son, Bouverie-st. Fleet-st. for Mackay, Southampton. Sur. April 19.
SCHELLER, EDWARD, merchant, Water-la. Tower-st. Pet. March 18. Reg. Hazlitt. O. A. Graham. Sol. Abrahams, Gresham-st. Sur. April 19.
STRANGE, CHARLES MATHEW, builder's clerk, Tunbridge Wells. Pet. April 1. Reg Roche. O. A. Parkyns. Sols. Sole, Turners and Hardwick, Aldermanbury. Sur. April 24.
STAITE, GEORGE, warehouseman's clerk, Redman's-row, Mile-end-rd. Pet. March 31. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Basinghall-st. Sur. April 19.
TALLING, EBER, stonemason, Alma-rd. Kentish-tn. and Gloucester-terrace, Friern-well-pl. Pet. March 29. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. April 22.
TIBBY, EDWARD, clerk and commission agent, Carshalton. Pet. March 23. Reg. Roche. O. A. Parkyns. Sols. Blake and Snow, College-hill. Sur. April 19.
TIPLER, MAHALA, milliner, Clarendon-rd. Notting-hill. Pet. April 3. Reg Hazlitt. O. A. Graham. Sol. Cole, Beaufort-st. Chelsea. Sur. April 26.
TUCKER, JOHN OLDHAM, watchmaker, St. George's-ter. Kilburn. Pet. March 30. Reg. Roche. O. A. Parkyns. Sols. Treherne and Wolferstan, Aldermanbury. Sur. April 19.
WHEELER, JOHN, trimming seller, St. Paul's-rd. Canonbury. Pet. March 29. Reg. Hazlitt. O. A. Graham. Sol. Jarman, Basinghall-st. Sur. April 20.
WHITE, JACOB, butcher, Great Suffolk-st. Southwark. Pet. March 21. Reg. Hazlitt. O. A. Graham. Sol. Silvester, Great Dover-st. Sur. April 20.

To surrender in the Country.

BALLENY, HENRY, market gardener, Claines. Pet. April 1. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. April 19.
BAKER, JOSIAH, blacksmith, Duck-end, Stebbing. Pet. March 29. Reg. & O. A. Wade. Sol. Baker, Dunmow. Sur. April 18.
BICKERTON, JOHN HUGO, grocer, Gravel, Winsford. Pet. March 14. Reg. & O. A. Cheshire. Sol. Bent, Castle Northwich. Sur. April 17.
BLAKEWAY, HENRY, wheelwright, Castle Town, Castle Church. Pet. April 1. Reg. & O. A. Spilsbury. Sol. Frough, Stafford. Sur. April 24.
BLUNT, GEORGE, baker, Wolverton. Pet. March 31. Reg. & O. A. Parrott. Sol. Jones, Aylesbury. Sur. April 17.
BRADLEY, CHARLES, fishmonger, Leeds. Pet. March 29. Reg. & O. A. Sergeant. Sol. Harle, Leeds. Sur. April 18.
CASE, JAMES, commission agent, Leeds. Pet. March 30. O. A. Young. Sol. Simpson, Leeds. Sur April 24.
CHAPMAN, WILLIAM, paperhanger, Landport. Pet. March 29. Reg. & O. A. Howard. Sol. White, Portsea. Sur. April 18.
DAVIES, JOHN, innkeeper, Llanfyllin. Pet. March 30. Reg. & O. A. Peck. Sol. Pughe, Llanfyllin. Sur. April 18.
DICKINSON, MOSES, joiner, Little Bolton. Pet. April 1. Reg. & O. A. Hulton. Sols. Richardson and Brandwood, Bolton.
DOYLE, JOHN EDWARD, fish salesman, Birmingham. Pet. March 30. Reg & O. A. Guest. Sol. East, Birmingham. Sur. May 1.
ELLIOTT, THOMAS, commission agent, Liverpool. Pet. March 31. O. A. Turner. Sol. Goldrick, Liverpool. Sur. April 20.
FLETCHER, WILLIAM, commission agent, Stetchworth, and barman, Newmarket. Pet. March 25. Reg. & O. A. Dutton. Sol. Bye, Soham. Sur. April 11.
FROST, THOMAS, mason, Darfield, Barnsley. Pet. April 1. O. A. Young. Sol. Clarke, Leeds. Sur. April 24.
GEE, WALTER, tailor, Burton. Pet. March 2?. Reg. & O. A. Reper. Sol. Fearnehough. Sur. April 13.
HARTSHORNE, BENJAMIN, tile maker, Broseley. Pet. March 31. Reg. & O. A. Peile. Sol. Walker, Wellington. Sur. April 24.
HAYWARD, SAMUEL HENRY, pharmaceutical chemist, Gloucester. Pet. March 31. Reg. Wilde. O. A. Acraman. Sols. Taynton, Gloucester; Press and Inskip, Bristol. Sur. April 19.
HARRIS, WILLIAM FRANCIS, grocer, Penryn. Pet. March 29. Reg. & O. A. Bullmore. Sol. Stephenson, Redruth. Sur. April 17.
HOLROYD, TOM, boot and shoe maker, Wakefield. Pet. March 31. Reg. & O. A. Mason. Sols. Wainwright and Mander, Wakefield. Sur. April 21.
HORSWELL, THOMAS, farmer, Dipford. Pet. April 1. Reg. & O. A. Bryett. Sol. Michelmore, Totnes. Sur. April 13.
INGRAM, JOSEPH, clerk, Luton. Pet. March 30. Reg. & O. A. Jessop. Sol. Bailey, Luton. Sur. April 19.
JENNINGS, BENJAMIN, wheelwright, Highertown, Kenwyn. Pet. March 30. Reg. & O. A. Rogers. So. Marshall, Truro. Sur. April 12.
JONES, JOHN, draper, Merthyr Tydfil. Pet. March 25. Reg. Wilde. O. A. Acraman. Sols. Davidson, Carr and Bannister, Weavers'-hall, Basinghall st.; Henderson, Bristol. Sur. April 12.
KELLY, JOSEPH, engineer. Pet. March 24. O. A. Turner. Sol. Etty, Liverpool. Sur. April 25.
LIDDICOAT, WILLIAM HENRY, hairdresser, Fleetwood. Pet. March 30. Reg. & O. A. Pattinson. Sol. Edelston, Preston. Sur. April 20.
MILLS, CALEB, baker, Dursley. Pet. March 31. Reg. & O. A. Brown. Sol. Hemming, Stroud. Sur. April 20.
McNULTY, EDMUND, fishmonger, Ipswich. Pet. March 30. Reg. & O. A. Pretyman. Sol. Pollard, Ipswich. Sur. April 18.
NOBLE, JOHN HENRY, joiner, Bevington-hill, and butcher, Liverpool. Pet. March 30. Reg. & O. A. Hime. Sol. Goldrick, Liverpool. Sur. April 17.
ROBERTS, THOMAS, druggist, Guilsfield. Pet. March 31. Reg. & O. A. Harrison. Sol. Jones, Welchpool. Sur. April 29.
ROSE, SAMUEL, Abinger Hammer, Dorking. Pet. March 28. Reg. & O. A. Hart. Sol. White, Dane's-inn, Strand, and Guildford. Sur. April 11.
SAYERS, CHARLES, horse dealer, Trottersciffe. Pet. March 30. Reg. & O. A. Scudamore. Sur. April 12.
SMETHURST, JOHN, worsted dyer, Manchester. Pet. March 20. Reg. & O. A. Kay. Sols. Smith and Boyer, Manchester. Sur. April 24.
STEVENSON, HENRY, cattle dealer, Ipswich. Pet. March 30. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. April 18.
STRAW, WILLIAM, jeweller, Shanklin, and Ventnor, Isle of Wight. Pet. Nov. 9, 1863. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. April 19.
WALKER, HENRY, provision dealer, York. Pet. March 31. O. A. Young. Sol. Simpson, Leeds. Sur. April 24.
WEBB, WILLIAM, labourer, Harley. Pet. March 31. Reg. & O. A. Brown. Sol. Smallbone, Coventry. Sur. April 23.
WILLIAMSON, EDWARD HENRY, grocer, Stafford. Pet. March 15. Reg. Hill. O. A. Kinnear. Sols. Morgan, Stafford; James and Knight, Birmingham. Sur. April 20.

Gazette, April 7.

To surrender at the Bankrupts' Court, Basinghall-street.

BALLARD, GEORGE, cabinet-maker, Wilderness-row, Clerkenwell. Pet. April 3. Reg. Roche. O. A. Parkyns. Sol. Howell, Cheapside. Sur. April 24.
BERNSTEIN, DAVID, dealer in and importer of fancy goods, Sidney-sq. Commercial-rd.-east. Pet. April 5. Reg Hazlitt. O. A. Graham. Sol. Murray, Great St. Helen's. Sur. April 25.
BETTS, JOHN GEORGE, solicitor's clerk, New North-st. Red Lion-sq. Pet. April 3. Reg. Brougham. O. A. Edwards. Sol. Leverson, Bishopsgate-st.-within. Sur. April 26.
BUCKLAND, WILLIAM THOMPSON, auctioneer, Clapham-rise, Clapham-rd. Pet. April 5. Reg Roche. O. A. Parkyns. Sol. Hill, Basinghall st. Sur. April 24.
CASSIDY, JAMES, greengrocer, Sand-ct. St. George's-east. Pet. March 31. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. April 22.
CASTLE, GEORGE, yeast merchant, Kingston. Pet. April 2. Reg. Brougham. O. A. Edwards. Sol. Towne, Great Russell-st. Bloomsbury. Sur. May 3.
COLLIER, EDWARD DUPPA, builder, John-st. Berkeley-sq. and Albemarle-st. Piccadilly. Pet. March 21. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. April 21.
CULLER, THOMAS, publisher, Frederick-st. Gray's-inn-rd. Pet. April 3. Reg. Brougham. O. A. Edwards. Sol. Merriman, Bouverie-st. Sur. May 3.
FORD, THOMAS, clerk, Downing-st. Fulham. Pet. April 4. Reg. Brougham. O. A. Edwards. Sol. Biddles, Chancery-ln. Sur. May 3.
DANCHELL, CHARLES HAMBRO, merchant, Mincing-la. Pet. April 4. Reg. Brougham. O. A. Edwards. Sols. Hillyer and Co. Fenchurch-st. Sur. May 2.
GILL, HARRY, out of business, Union-pl. Newington. Pet. April 4. Reg. Roche. O. A. Parkyns. Sol. Neale, Canterbury-row, Kennington-rd. Sur. April 24.
HARDING, DAVID, builder, Eastbourne. Pet. April 3. Reg. Hazlitt. O. A. Graham. Sol. Perry, Guildhall-chambers. Sur. April 25.
HASLAM, EDWIN, merchant's clerk, Park-rd. Stoke Newington. Pet. March 30. Reg. Brougham. O. A. Edwards. Sols. Lofty, Potter and Co. King-st. Cheapside. Sur. April 22.
HOLDOM, WILLIAM, table manufacturer, Ashwell-rd. Old Ford. Pet. April 1. Reg. Brougham. O. A. Edwards. Sol. Walmisley, Victoria-st. Westminster. Sur. May 3.
HORNER, HENRY, shipping agent, Summerhill-rd. Tottenham. Pet. April 3. Reg. Roche. O. A. Parkyns. Sol. Walker, Guildhall-chambers. Sur. April 24.
HUSTLER, ORBELL ANDERSON, farmer, Bendysh-hall, Radwinter. Pet. April 3. Reg. Brougham. O. A. Edwards. Sols. Field, Roscoe and Co. Linc.-inn-fds. Sur. May 3.
JAQUES, JOHN HENRY, carman, Watling st. and Fulham st. Spitalfields. Pet. April 3. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. April 26.
JONES, FREDERICK AYRTON, boot and shoe manufacturer, Camden-passage, Islington. Pet. April 3. Reg. Roche. O. A. Parkyns. Sols. Eldred and Andrews, Great James-st. Bedford-row. Sur. April 24.
KEMP, HORATIO, auctioneer, St. George's-pl. Brixton-rd. Pet. March 30. Reg. Brougham. O. A. Edwards. Sol. Braddon, Dane's-inn. Sur. April 22.
KNIGHT, WILLIAM, out of business, Emerson-ter. Southwark. Pet. April 5. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. April 20.
LING, GEORGE, pig dealer, Kingston. Pet. April 4. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. April 24.
MAY, JOHN, potter's assistant, Carlisle-st. Lambeth. Pet. April 4. Reg. Hazlitt. O. A. Graham. Sol. Holmes, Fenchurch-st. Sur. April 25.
PARAMORE, HENRY DAVID, assistant paymaster in the navy, Woolwich. Pet. April 2. Reg. Roche. O. A. Parkyns. Sols. Lewis and Lewis, Ely-pl. Sur. April 24.
RAMPTON, CHARLES, watchmaker, Alton. Pet. March 30. Reg. Hazlitt. O. A. Graham. Sol. White, Dane's-inn, Strand. Sur. April 20.
ROGERS, WILLIAM PEARCE, carpenter and builder, St. Paul's-ter. Camden-tn. Pet. April 3. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. April 26.
ROOTHAM, JAMES, baker, [illegible]. Pet. April 4. Reg. Roche. O. A. Parkyns. Sol. Metcalfe, Furnival's-inn. Sur. April 24.
ROSENBERG, CHARLES, aquatint engraver, Camberwell-new rd. Pet. April 1. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. April 24.
SHEEN, WILLIAM, cloth japanner, Tyro-ter. Bermondsey. Pet. April 3. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. April 25.
STEVENS, JOSEPH FISHER, lieut.-colonel in the army, Herne Bay. Pet. March 28. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. April 24.
TAYLER, EDWIN MILES, wine merchant, St. Mary-at-hill, Eastcheap, and Lorrimore-rd. Walworth. Pet. April 3. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. May 3.
WATERWORTH, GEORGE, jun. and WATERWORTH, WILLIAM, tortoiseshell and east india merchants, Great St. Helen's. Pet. April 4. Reg. Roche. O. A. Parkyns. Sol. Murray, Great St. Helen's. Sur. April 24.
WILSON, ROBERT, clerk, Dalston-rise, Dalston. Pet. April 4. Reg. Hazlitt. O. A. Graham. Sol Hill, Basinghall-st. Sur. April 20.
WOODBRIDGE, FREDERICK, not in business, Paradise-pl. Hackney. Pet. April 1. Reg. Hazlitt. O. A. Graham. Sol. Stark, Furnival's-inn. Sur. April 25.

To surrender in the Country.

ALLEN, FREDERIC OWEN, tailor, Whitstable. Pet. April 3. Reg. & O. A. Calloway. Sol. Delasaux, Canterbury. Sur. April 19.
ASHLEY, HENRY, baker, Heigham, Norwich. Pet. April 4. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. April 24.
ASTON, JOHN, innkeeper, Sedgley. Pet. April 3. Reg. & O. A. Walker. Sol. Warmington, Dudley. Sur. April 20.
ATKINSON, JOHN, salesman, Manchester. Pet. April 3. Reg. Macrae. O. A. Morgan. Sol. Farrington, Manchester. Sur. April 27.
BOMFORD, WILLIAM STONE, farmer, Wyre Piddle, Fladbury. Pet. April 5. Reg. Tudor. O. A. Kinnear. Sol. Allen, Birmingham. Sur. May 1.
CONSTANTINE, JOHN, general dealer, Blackburn. Pet. March 15. Reg. Harris. O. A. Morgan. Sur. May 1.
COO, WILLIAM, joiner, Horncastle. Pet. April 4. Reg. & O. A. Clitherow. Sol. Chambers, Lincoln. Sur. April 18.
COOPER, GEORGE, horse dealer's servant, Crewe. Pet. March 30. Reg. & O. A. Broughton. Sol. Salt, Crewe. Sur. April 27.
CURTIS, JAMES, grocer, Middlesborough. Pet. April 4. Reg. & O. A. Crosby. Sol. Clemmett, jun., Stockton. Sur. April 19.
DAVIS, JOHN, sen., dealer in earthenware, Bedford. Pet. April 5. Reg. & O. A. Hurich. Sols. Conquest and Stimson, Bedford. Sur. April 19.
DENHAM, EDWARD, ironfounder, Manchester. Pet. March 27. Reg. & O. A. Dunn. Sol. Gardiner, Manchester. Sur. April 21.
EASTES, CHARLES, dispensing chemist, Milton next-Gravesend. Pet. April 4. Reg. & O. A. Southgate. Sol. Oxtred, Gravesend. Sur. April 19.
EVERY, HENRY, limeburner, Westbury-upon-Trim. Pet. March 31. Reg. & O. A. Harley and Gibbs. Sol. Hill. Sur. April 28.
FISHER, MATTHEW, photographic artist, Carlisle. Pet. April 3. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. April 19.
FROST, ARTHUR, grocer, East Harling. Pet. April 4. Reg. & O. A. Johnson. Sol. Soames, Petersfield. Sur. April 21.
GODLEY, WILLIAM, grocer, Keymer. Pet. April 3. Reg. & O. A. Waugh. Sol. Lamb, Brighton. Sur. April 12.
GREEN, WILLIAM, victualler, Ashton-under-Lyne. Pet. March 25. Reg. & O. A. Dunn. Sol. Gardiner, Manchester. Sur. April 21.
HALSTEAD, WILLIAM, cotton manufacturer, Worsthorne, near Burnley. Pet. March 15. Reg. Harris. O. A. Morgan. Sur. May 1.
HIGGINSON, WILLIAM, blacksmith, Hanley. Pet. April 3. Reg. & O. A. Challinor. Sol. Tomkinson, Burslem. Sur. April 22.
HOBBINS, JOHN, glass dealer, Birmingham. Pet. March 24. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. May 1.
HODGSON, WILLIAM, butcher, Manchester. Pet. March 29. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. April 24.
HOWELL, ALFRED, boot and shoe maker, West Cowes, Isle of Wight. Pet. April 1. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. April 19.
HUGHES, THOMAS, builder, Llanfairfechan. Pet. March 20. Reg. & O. A. Jones. Sol. Roberts, Saint Asaph. Sur. April 18.
JONES, JOHN, teacher of music, St. Asaph. Pet. April 4. Reg. & O. A. Stason. Sol. Roberts, St. Asaph. Sur. April 26.
JONES, WILLIAM, victualler, Roughills, Bilston. Pet. April 6. Reg. Tudor. O. A. Kinnear. Sol. Stratton, Wolverhampton. Sur. April 21.
KEMP, JOHN, carter, Monks Coppenhall. Pet. March 30. Reg. & O. A. Broughton. Sol. Cooke, Crewe. Sur. April 27.
KNOWLES, EDWARD, stone dealer, Lobbottom, near Todmorden. Pet. April 1. O. A. Young. Sols. Eastwood, Todmorden; Bond and Barwick, Leeds. Sur. April 24.
LEE, JOHN, bricklayer, Middleton. Pet. April 4. Reg. Harris. O. A. Morgan. Sol. Ascroft, Oldham. Sur. April 25.
LEUTY, WILLIAM, accountant's clerk, Leeds. Pet. April 4. O. A. Young. Sol. Harle, Leeds. Sur. May 1.
MORGAN, THOMAS, beer retailer, Neath. Pet. April 5. Reg. & O. A. Morgan. Sol. Cuthbertson, Neath. Sur. April 19.
MORGAN, WILLIAM, baker, Cambridge. Pet. April 3. Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge. Sur. April 24.
NEWICK, WALTER, innkeeper, Higher Kingston, Yeovil. Pet. April 3. Reg. & O. A. Batten. Sol. Watts, Yeovil. Sur. April 21.
MUTTON, SAMUEL, furniture broker, Plymouth. Pet. April 1. Reg. & O. A. Pearce. Sol. Robins, Plymouth. Sur. April 19.
NUTTALL, JONATHAN, joiner, Bacup. Pet. March 23. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. April 21.
O'REILLEY, JOHN, printer, Manchester. Pet. March 27. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. April 21.
OVERS, JAMES, shopkeeper, Hindon. Pet. April 3. Reg. & O. A. Hannen. Sol. Chitty, Cann, Shaftesbury. Sur. April 23.
PICKARD, FRANCIS, painter, Southsea. Pet. Feb. 20. Reg. & O. A. Howard. Sur. April 27.
PRIESTLEY, SAMUEL, farmer, Horton. Pet. April 1. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford. Sur. April 17.
PRIESTLEY, WILLIAM, labourer, Wigan. Pet. March 27. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. April 21.
RACE, WILLIAM, coal miner, Coundon. Pet. March 30. Reg. & O. A. Trotter. Sol. Thornton, Bishop Auckland. Sur. April 20.
REED, MICHAEL, out of business, Middlesborough. Pet. April 3. O. A. Young. Sols. Clement, Middlesborough; Harle, Leeds. Sur. May 1.
RHODES, ISRAEL, packing-case maker, Birmingham. Pet. April 3. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. May 1.
ROBINSON, JOHN, victualler, Arnold. Pet. April 3. Reg. & O. A. Patchitt. Sol. Lee. Sur. April 19.
SALES, JOSEPH, draper, Wainfleet. Pet. March 30. O. A. Young. Sols. Robi and Abbey, Hull. Sur. April 19.
SLOAN, JOHN HENRY, commission agent, Liverpool. Pet. March 27. Reg. & O. A. Dunn. Sols. Johnson and Tilly, Lancaster. Sur. April 21.
SOUTHERN, LEE, sen., joiner, Manchester. Pet. April 2. Reg. Harris. O. A. Morgan. Sol. Crowther, Manchester. Sur. April 25.
STEP, THOMAS, smith, East Stonehouse. Pet. April 1. Reg. & O. A. Pearce. Sol. Robins, Plymouth. Sur. April 19.
STEVENS, HENRY THURLOW, hotel keeper, Norwich. Pet. March 16. Reg & O. A. Palmer. Sol. Emerson, Norwich. Sur. April 17.
TAIT, JAMES, publican, Newcastle. Pet April 14. Reg. & O. A. Clayton. Sols. Searle and Britton, Newcastle. Sur. April 25.
TATTON, JAMES, beerhouse keeper, Stoke-upon-Trent. Pet. April 3. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley. Sur. April 24.
THOMPSON, FREDERICK, carpenter, Bristol. Pet. March 30. Reg & O. A. Harley and Gibbs. Sol. Nash. Sur. April 28.
THROWER, GEORGE, blacksmith, Fulham, Norfolk. Pet. April 4. Reg. & O. A. Fox. Sol. Gudgeon, jun., Stowmarket. Sur. April 21.
TURNER, RICHARD, grocer, Crewe. Pet. March 30. Reg. & O. A. Broughton. Sol. Salt, Crewe. Sur. April 27.
TURNER, WILLIAM GEORGE, commercial clerk, Ardwick. Pet. April 5. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. April 27.
WAGSTAFF, JOHN, shoemaker, Roxton. Pet. April 5. Reg. & O. A. Hurich. Sols. Conquest and Stimson, Bedford. Sur. April 19.
WILSON, CHARLES, and WILSON, ALFRED, victuallers, Stratford-on-Avon. Pet. April 4. Reg. Hill. O. A. Kinnear. Sols. Warden, Stratford-on-Avon; Allen, Birmingham. Sur. April 20.

BANKRUPTCIES ANNULLED.

Gazette, April 4.

NYBERG, EDWARD, merchant, Bucklersbury, and Woodsome-villa, Forest-hill.

Gazette, April 7.

CRICHTON, JAMES, commission agent and merchant, the Baltic, Threadneedle-st. and Panmure-st. Dundee.
GRAYSON, THOMAS, tailor and draper, Burley, Leeds.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Baldwin, H. and J. tailors, third, 1½d. Graham, London.—*Farrer*, J. farmer, first, 7s. Laidman, Newcastle.—*Gorton*, T. calico printer, first, 6s. 8d. Morgan, Manchester.—*Hayes*, J. H. broker, first, 1½d. Morgan, Manchester.—*Hickey* and *Mannion*, leather dealers, first, 6½d. Turner, Liverpool.—*Hindle*, L. commission agent, first, 7s 9d. Morgan, Manchester.—*Hughes*, R. grocer, second, 7s. 9d. Turner, Liverpool.—*Jones*, H. farmer, second, 1s. 7d. Turner, Liverpool.—*Lace* and *Addison*, stationers, fourteenth, 1s. 9d. Turner, Liverpool.—*Livesey*, R. chemist, first, 7s. Turner, Liverpool.—*Lloyd*, J. joiner and builder, second, 1d. Turner, Liverpool.—*Priestman*, J. jun. tanner, first, 11s. 5d. Morgan, Manchester.—*Richardson*, R. grocer and draper, first, 7s. 9d. Turner, Liverpool.—*Roberts*, J. druggist, 3d. Turner, Liverpool.—*Strahan, Paul* and *Bates*, bankers, sixth, 6d. (on account of first of 9d.) Graham, London.—*Taylor*, W. draper and milliner, first, 1s. 6¾d. Morgan, Manchester.—*Williams*, W. merchant, first, 3d. Turner, Liverpool.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, April 4.

BAKER, WILLIAM, draper, Colchester. March 15. 8s. by three equal instalments at 3, 6 and 9 mos.—secured. Declaimers, T. Bayley, Wood-st. and J. M. Kay, Old Change, warehousemen.
BELTON, THOMAS STOREY, brewer, Hull. March 16. Trust. J. H. Welton, hop merchant, Hibernia-chambers, Southwark.
BERRINGTON, ROBERT, grocer, Burslem. March 10. Trusts. S. Edge, corndealer, Burslem, J. Robinson, provision merchant, Liverpool, and R. Boughton, mercer, Burslem.
BREEZE, JOHN, farmer, St. Harmon. March 2. Trusts. R. Hamer, farmer, and S. Meddlins, maltster, both Llandinam.
BROWN, WILLIAM, draper, Blackheath-hill. March 7. Trusts. W. Pallett, Bread-st. and G. B. Greatorex, Aldermanbury, warehousemen.
CAMBRIDGE, WILLIAM COLBORNE, engineer, Bristol. March 30. 3s. on execution of deed.
CAWTHORNE, GEORGE, shoddy merchant, Bolton. March 14. Trusts. A. Ferguson, banker, and D. Winder, waste dealer, both Bolton.
CHALMERS, FREDERICK, commercial agent, Sheffield. March 29. Trust. A. Unwin, steel merchant, Sheffield.
CLARK, ALFRED, jeweller and silversmith, Stockton. March 13. Trusts. F. Levy, jeweller, Birmingham, and M. Law, engineer, South Stockton.
COOK, EDWARD JOHN, estate agent, Ipswich. March 20. Trust. E. J. Crasse, auctioneer, Colchester.
CORBETT, JAMES, beer retailer, Compton, near Kinver. March 10. Trust. J. S. Bissell, gentleman, Kingswinford.
DARLEY, ABEL SMITH, shoe-tip manufacturer, Birmingham and Harborne. March 8. Trusts. T. Johnson, ironmaster, West Bromwich, E. Cashmore, iron merchant, Birmingham, and E. Smith, ironmaster, Walsall.
DINHAM, ELIZA, widow, Manchester. March 11. 6s. by instalments—1s. 6d. at 28 days, 1s. 6d. on 31st May and 3s. on 31st Aug.—secured. Trust. J. Thomas, public accountant, Manchester.
DUMAS, FRANCIS KUPER, merchant, Fenchurch-st. and HANKEY, JOHN ALERS, jun., agent, Albert-rd. Regent's-park. March 31. A deed, whereby the debts of the debtors, and each of them, are covenanted to be paid in full, as follows, viz., 20,000l. to be paid to the trustees within three weeks from the registration of the deed, upon trust, after the payment of expenses to pay therewith a rateable dividend amongst their creditors; and the said Francis Kuper Dumas covenants to secure the payment of the balance of the claims of the said creditors by his promissory notes at twelve months from the date of the deed; with a release to the debtors from their creditors. Trusts. J. A. Hankey, shipowner, Leadenhall-st. and W. Cooper, accountant, George-st. Mansion-house.
EARLE, NATHANIEL JOHN, teadealer, Exeter. March 7. Trusts. E. Reed, contractor, Exeter, and E. Edwards, wholesale teadealer, Fenchurch-st. London.
GAWTHORNE, WILLIAM IRELAND, shoe manufacturer, Northampton. March 15. 10s. by two equal instalments at 4 and 8 mos. Trusts. W. H. Cooper, shoe manufacturer, Wellingborough, and T. P. Stroulger, leather merchant, Northampton.
GREGORY, WILLIAM, grocer, Shoreditch. March 6. 11s. by three equal instalments at 3 days, 3 mos. and 6 mos.—secured.
HARDING, THOMAS, ironmonger, Birmingham. March 13. 10s. at 1 mo. Surety, W. Udal, merchant, Birmingham.
HITCHIN, THOMAS, and JONES, JOSEPH, screw and rivet manufacturers, Birmingham. March 15. Trusts. J. Phillips, banker's clerk, G. Baker, wire drawer, and J. Holder, ironfounder, all of Birmingham.
HOLDERNESS, HENRY, linendraper, St. Mark's-ter. Fulham-rd. March 6. Trust. E. Smith, stock and share broker, Royal Exchange, London.
ISLE, JOHN COLLISSON, upholsterer, Scarborough. March 6. Trust. M. S. Raich, warehouseman, Gresham-st.
JEFFERSON, JOSEPH HARDEY, carver, Bristol. March 18. Trust. S. Cashmore, glass merchant, Bristol.
JEWELL, WILLIAM HENRY, fire and life insurance agent, Walbrook. March 17. To secure a percentage out of his future earnings for 12 years. Inspectors, G. Haddock, gentleman, Threadneedle-st. and C. F. Kemp, public accountant, Gresham-st.
LAMB, WILLIAM, hosier, High-st. Southwark. March 9. 2s.
LARCOMBE, JAMES, grocer, Bristol. March 25. Trust. J. Ford, currier, Bristol.
MARSON, JAMES GARBUTT, tanner, Beverley. March 4. Trust, W. R. Lundie, brewer, Beverley.

MCGIBBON, EDWARD, and ROBSON, CHRISTOPHER THOMAS, manufacturers, Carlisle, and Head's Nook. March 9. 9s. by four equal instalments at 4, 7, 10 and 12 mos.—secured. Trust. M. Ross, yarn agent, Manchester, C. Grant, yarn agent, Glasgow, and P. Dalton, cottonspinner, Cummersdale-mills, near Carlisle.

MERRY, WILLIAM PICKERING, hotel keeper, Coventry. March 6. Trusts. D. Waters, wine merchant, W. Lynes, Esq., both Coventry, T. Sabin, grazier, Newmarket, and T. Heydon, coachbuilder, Coventry.

MOUNCEY, JOSEPH, timber merchant, Salford. March 14. Trust. J. Ferguson, carrier, Salford.

MURLEY, FRANK, soapmaker, Worcester-cottage, Salisbury-crescent, Walworth New-town. March 15. 6d. by 24th Dec.

NEWBERY, ALFRED, map and print seller, Carey-st. Chancery-la. March 13. 7s. 6d. on 1st June.

NEWBY, RICHARD NORMAN, Tanner-pl. Peckham, and DORRINGTON, BENJAMIN, Tottenham, warehousemen, Gresham-st. and Bradford and Halifax. March 29. 3s. 6d. in 3 mos.—secured. Trust. T. Greatbatch, gentleman, Vincent-ter. Islington.

NICHOLSON, MATTHEW HENRY, tableknife manufacturer, Sheffield. March 7. 5s. in 3 mos. Surety, H. J. J. Brownill, gentleman, Sheffield.

NICHOLSON, WILLIAM ATWILL, baker, Portsea. March 16. Trust. E. Emery, merchant, Portsea.

ORD, RALPH, jun., draper, Middlesborough. March 14. Trust. T. H. Bainbridge, Newcastle, J. Thorpe, Manchester, merchants, and J. Smith, stationer, Eaton.

PATERSON, WILLIAM, gentleman, Child's-hill, Hampstead. March 16. To set aside 100l. a-year, payable half-yearly, first payment on 16th Feb. 1866. Trusts. W. Wadbrook, Kingston, and H. Holden, Old Broad-st.

PENTON, GEORGE, draper, Streatley. March 11. Trust. T. E. Field, gentleman, Wallingford.

PICKARD, SIMEON, linendraper, Wakefield. March 7. Trusts. W. Shaw, merchant, Manchester, and J. G. Wallis, hosier, Wakefield.

REYNOLDS, ARTHUR JAMES, grocer, Maidstone. March 14. Trusts C. Arkcoll, grocer, Maidstone, C. Buck, provision merchant, King William-st. and H. Wright, tobacconist, Red Cross-st. Cripplegate.

RIPLEY, JOSEPH, provision dealer, Wakefield. March 14. 5s. 6d. by two equal instalments at 3 and 6 mos.—secured. Trust. J. Craven, cowkeeper, Wakefield.

ROBBERDS, CHARLES AUGUSTUS, and MONEY, WILLIAM, cornmillers, Norwich, and Lynn. March 6. Trusts. J. H. Tillett, and J. B. Gibbons, official liquidators of the late East of England Banking Co., Norwich.

ROBINS, EDWARD THOMAS, commission agent, Dartmouth-ter. Rotherhithe. April 1. Trust. W. J. Dickinson, builder, Erith.

SMITHARD, HENRY, and BROOKE, OSWALD, cottonspinners and manufacturers, Bacup. March 8. Trusts. J. Cadman, grocer, Manchester, W. Brooke, merchant, Manchester, and J. Law, coaldealer, Bacup.

SUTCLIFFE, JOHN, grocer, Bradford. March 22. 10s. by three equal instalments at 3, 6 and 9 mos.—secured. Trust. J. Sutcliffe, carpenter, Sowerby-bridge.

TATTERSALL, GEORGE; TATTERSALL, WILLIAM; and TATTERSALL, YOUNG, manufacturers, Southall, near Todmorden. April 3. 4s. Trust. W. Pickup, shopkeeper, Manchester.

THOMSON, WILLIAM HUTCHINSON, shipowner, Fenchurch-st. and Medway-ter. New Cross. March 8. Inspectors, R. O. Yeats, gentleman, Claremont-pl. Brixton, and J. R. Dealy, Brockley-villas, New Cross.

WAITE, JONATHAN, cloth manufacturer, Guiseley. March 7. 6s. by three instalments of 2s. on 1st April, 1st May and 1st Oct. Trust. W. Whitfield, woolstapler, Leeds.

WALLIS, JAMES, grocer, Cheltenham. March 15. Trust. E. McDermott, boot and shoe manufacturer, Cheltenham.

WARD, EDWARD, colliery proprietor, Manston. March 13. Inspectors, W. B. Denison, banker, J. Manning, engineer, and F. Firth, iron merchant, all of Leeds.

WICKWAR, FRANCIS, Amiols-cottages, Walham-green. March 20. 6s. Trust. L. Spain, Old Quebec-st. Portman-sq.

WILLANS, JOHN, grocer, Bristol. March 9. Trusts. J. Bailey, timber merchant, and J. Moffatt, grocer, both Heckmondwike.

ERRATA.

BINGHAM, HENRY, builder, Litchurch. March 14. Trusts T. Roe, jun., timber merchant, and T. Shevington (and not T. S. Revington, as advertised in Gazette, March 31, 1865), plumber, both Derby.

CHURCH, JOSEPH, builder, Leckhampton. March 22. To secure 6s. by three instalments of 2s each (and not 2s. by three instalments, as before advertised in Gazette, March 31, 1865), first forthwith and second and third at 6 and 12 mos.

CUTTLE, JOHN, baker, Scarborough. March 7. Trusts. D. Sandell, secretary of Scarborough Gas Co., and R. Hull, jun. (and not Hull, as before advertised in Gazette, March 31, 1865), banker's clerk, both Scarborough.

SUTCLIFFE, WILLIAM, cotton manufacturer, Halifax. March 4. Trusts. R. Robinson, cottonspinner, Newbey (and not Newkey, as previously advertised).

Gazette, April 7.

BAILEY, JOHN, provision dealer, Manchester. March 23. 10s. by three equal instalments in 2, 5 and 8 mos.—secured.

BARNES, WILLIAM, and HOWE, JOSEPH, builders, Manchester. March 16. Trusts. T. Mellor, timber merchant, Manchester, S. Adshead, bricklayer, Manchester, and S. Longlin, ironfounder, Manchester.

BILKS, JOSEPH draper, Bath. March 20. Trust. T. Francis, warehouseman, Bristol.

BOYES, CUNNINGHAM BURNSIDE, travelling draper, Waltham Cross. March 13. Trusts. T. Harmer, gentleman, Norwich, and G. Hogg, warehouseman, Wood-st. Cheapside.

BLUMBERG, HENRY, doctor of medicine, Bournemouth. April 6. 10s.—7s. 6d. in 10 days, 1s. in 12 mos. and 1s. 6d. in 24 mos.

CARTER, ELLIOT, edge tool maker, Highburton, near Huddersfield. March 18. Trust. J. Addy, iron merchant, Sheffield.

CONNOR, RICHARD, auctioneer, Pleasant-cottages, Paragon-rd. Hackney. April 5. 5s. by two equal instalments on 17th April and 17th Oct.

CROWTHER, JOSEPH, boot and shoe maker, Todmorden. March 16. Trusts. G. Halford, common brewer, Halifax, and T. Stansfield, leather dealer, Todmorden.

CURTIS, WILLIAM LETTY, shopkeeper, Bampton. March 13. 5s. by two equal instalments at 3 and 6 mos. Trust. H. Tapscott, grocer, Exeter.

DAVENPORT, WILLIAM; DAVENPORT, MILES; and DAVENPORT, BENJAMIN, manufacturers and dyers, Ratcliff-bridge. March 9. Trusts. E. Atkin, drysalter, Manchester, and E. Hall, ironfounder, Bury.

DEAN, JAMES, and CROFT, FREDERICK, merchants, Liverpool. March 6. 4s. by two equal instalments on 1st May and 1st Sept. Sureties, W. Dean, merchant, and J. R. Hutton, wine merchant, both Liverpool.

DEWHURST, JAMES, fishmonger, Pendleton. April 4. 10s. by two instalments of 5s. each in 6 and 9 mos. Sureties, J. Dewhurst, assistant fishmonger, Pendleton, and S. Worthington, fishmonger, Manchester.

DODGE, HUBERT, upholsterer, Blackheath. March 20. Trust. W. Halford, auctioneer, Mare-st. Hackney.

ELCOMB, GEORGE, gasfitter, Milton-next Gravesend. March 8. Trust. E. M. Martin, ironmonger, Milton-rd. next Gravesend.

ESSERY, ROBERT, tailor, Northampton. March 10. 13s. by promissory notes—4s. 6d. on 24th June next, 4s. 4d. on 25th March and 4s. 4d. on 24th June 1866. Trust. S. Estcourt, woollen warehouseman, Gutter-la. Cheapside.

FARMER, THOMAS RAWSON, and KNEE, JOHN, shawl warehousemen, Nottingham. March 11. Trusts. J. Farmer, linendraper, Nottingham, and T. Spreckley, warehousemen, Cannon-st.

FISHER, THOMAS, blanket manufacturer, Dewsbury. March 22. Trust. P. Fox, ragdealer, Batley.

FLETCHER, THOMAS GERRARD, and WICKENS, HENRY, warehousemen, Aldermanbury. March 31. Trusts. R. J. V. Joyce, Aldermanbury, and T. J. Young, Gutter-la. Sols. Harrison and Lewis, Old Jewry.

FLORACK, JACOB JOSEPH, yarn merchant, Bradford. April 4. 15s. by three instalments of 4s. in 21 days, 6s. in 3 mos., and 5s. in 6 mos.

FORSHAW, PETER, victualler, Stanley, near Liverpool. March 21. Trust. T. Bartlett, wine merchant, Liverpool.

GRAHAM, JOHN, and GRAHAM, JAMES, woollen manufacturers. March 18. Trusts. C. Hutchinson, cloth merchant, Leeds, J. Dodds, manufacturer, Huddersfield, and J. Read, manufacturer, Bramley.

GREGORY, SAMUEL, cabinet-maker, Hull. March 17. Trust. J. H. Walker, timber merchant, Hull.

HAYS, WILLIAM IVERY, monetary agent, Cannon-st. March 25. Trust. J. Tuck, stationer, Union-ct. Old Broad-st. 1s. on 25th March.

HENDRIE, JOHN, surgeon and apothecary, Cheshunt. March 13. 5s.

HOOPER, JAMES, surgeon, Ford. April 6. 2s. 6d. on 6th May.

HUBBALL, WILLIAM, earthenware dealer, Birkenhead. March 10. 1s. 6d. on registration of the deed. Trust. J. W. Powell, accountant, Burslem.

INGRAM, MARY, upholsterer, Chester. March 6. Trust. E. Hunton, cabinet-maker, Paul-st. Finsbury, and H. R. Ellington, carpet warehouseman, Watling-st.

JOSEPH, LEWIS, watchmaker, Merthyr Tydfil. March 22. 2s. 6d.—1s. in 1 mo., and 1s. 6d. in 6 mos.

KAYE, WILLIAM, innkeeper, Salisbury. March 8. Trust. P. P. Cother, wine merchant, and W. Jameson, brewer, both Salisbury.

KENYON, WILLIAM, and TAYLOR, HENRY, cotton manufacturers, Accrington. March 18. 6s. by three instalments—3s. on 1st April, 2s. 6d. on 1st July, and 2s. 6d. on 1st Oct.—secured. Trust. W. Butcher, public accountant, Manchester.

LEWIS, WILLIAM, and LEWIS, ALFRED HENRY, needle manufacturers, Redditch. March 7. 10s. by three equal instalments on 7th July, 7th Nov next, and 7th March 1866. Trust. W. James, auctioneer and appraiser, Redditch.

MAIDLOW, JOHN, builder, Chepstowe-pl. Bayswater. March 1. Trusts. T. B. Phillips, lead merchant, Paddington-green, J. Galloway, timber merchant, South Wharf-rd. Paddington, and R. Lyne, Esq., Westbourne-park-rd. Paddington.

MALINS, WILLIAM, merchants, Poultry, city London. April 5. 2s. 6d. in fourteen days, reinable in certain events to 3s. Trust. H. Honey, public accountant, Ironmonger-lane.

MASSEY, JOHN, baker, Berkeswell. March 23. 7s. by two equal instalments on 25th March and 1st Aug.—secured.

MAY, FERDINAND, hotel keeper, Church-rd. Islington. April 4. 1s.—6d. on 1st June and 6d. on 1st Oct.

MILLER, THOMAS, china dealer, Buckhurst-hill. April 7. 2s. 6d. on 31st May.

MILLS, JOHN, innkeeper, Heywood. March 9. Trusts. J. C. Fawcett, maltster, Garnforth, near Leeds, and T. Taylor, hatter and clothier, Heywood.

MORGAN, ALFRED, shoemaker, Cardiff. March 14. Trusts. R. Legg, shoe manufacturer, and S. Fisher, leather merchant, both Bristol.

NELSON, JAMES, cloth manufacturer, Morley. March 27. 5s. on 7th April. Trust. J. Webster, mungo merchant, Farnley.

NICHOLS, JOHN, sen., stationer, Farnham. March 9. Trust. W. Green, gentleman, Paternoster-row, and J. Pointing, stationer, Joiner's hall-buildings.

OGILVIE, EDWARD JOHNSON, joiner, Gorton, Manchester. March 21. Trust. T. Acton, auctioneer, Manchester.

OWEN, JAMES, innkeeper, Glossop. March 21. 5s.—1s. in cash in fourteen days, 2s. in 3 mos. and 2s. in 6 mos. Trust. G. Newton, innkeeper, Bury.

PENNEY, CHARLES JOHN, varnish manufacturer, Compton-rd. Canonbury. March 10. 2s. 6d. on 10th May.

ROLLINGS, JOHN, baker, Pembroke-dock. March 10. 2s. to be paid on application.

RUST, FRANCIS, commission merchant, Great Winchester-st. March 20. 1s. 6d. by two instalments—1s. in 6 weeks, and 6d. in 12 weeks. Trust. W. H. Morgan, commission merchant, Great Winchester st.

SEARLE, WILLIAM, linendraper, Camberwell-rd. March 11. Trust. S. Walkden, Lawrence-la. Cheapside, and E. G. Barron, King-st. Cheapside, woollen warehousemen.

SHAW, WILLIAM, bootmaker, Altrincham. March 8. Trust. J. W. Haworth, leather factor, Manchester.

SMITH, JOHN, and SMITH, GRIMSHAW HENRY, cotton manufacturers, Burnley. March 10. 11s. 6d.—11s. on date of deed, and 1s. 6d. in 6 mos. Trust. J. Scarr, accountant, Burnley.

SMITH, JOHN HENRY, innkeeper, Hanley. March 23. Trust. R. Smith, agent, Stoke-on-Trent.

SNOOK, JAMES, draper, Houndsgate, Nottingham. March 23. 16s. by three equal instalments at 3, 6 and 9 mos.—secured. Trust. C. J. Leaf, warehouseman, Old Change.

SOILLACX, FREDERICK, stock dealer, Paradise-pl. South Hackney. March 21. 1s. in 6 mos.

SPENCER, HENRY, attorney, Guildhall-chambers. March 27. 2s. by two equal instalments in 6 and 12 mos.

SPENCER, ROBERT HORWOOD, waste dealer, Bury. March 22. Trust. W. Parker, waste dealer, Bury.

SPENCER, THOMAS, shoemaker, Swallowcliffe. March 13. Trusts. J. Hellyar, currier, Cerne Abbas, and G. Kersley, grocer, Shaftesbury.

STAPLEY, LYDIA, butcher, Wootton Bassett. March 11. Trust. W. Archer, farmer, Wootton Bassett.

TOPHAM, JOSEPH ABRAHAM, grocer, Sheffield. March 27. Trusts W. Booth, grocer, Sheffield, and J. Rickett, miller, Sheffield.

WADDINGTON, EDWIN ARTHUR, baby linen warehouseman, Halifax. March 10. Trusts. H. S. Ferris, Old Change, and S. J. Giffin, Bread-st.

WEST, EDWARD, saddler, Landport, Portsea. March 14. Trusts. J. Wainscot, accountant, Portsea, and J. Eldrid, saddlers' ironmonger, Fore-st. London.

WHITALEY, JOHN, book-keeper, Bolton. March 16. Trust. W. Grundy, accountant, Bolton.

WIGHTMAN, BENJAMIN, grocer, St. Mary's-butts, Reading. March 13. Trusts. G. Chancellor, grocer, Reading, and T. White, tea merchant, Railway-pl. Fenchurch-st.

WRIGHT, JOHN, colliery owner, Greenhill, Norton. March 6. Trusts. R. Wright, hay and straw dealer, and A. S. Street, joiner, both Sheffield.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

HOUGHTON.—On the 5th inst., at 32, Abingdon-villas, Kensington, the wife of John Houghton, Esq., barrister-at-law, of a daughter.

STALLARD.—On the 12th inst., at 12, Granville-park-terrace, Blackheath, the wife of Frederick Stallard, Esq., barrister-at-law, of a daughter.

DEATHS.

GOULBURN.—On the 6th inst., the Hon. Catherine Goulburn, wife of Mr. Serjeant Goulburn.

LOWNDES.—On the 6th inst., at 44, Westbourne-terrace, aged 72, William Loftus Lowndes, Esq., Q.C.

OWSTON.—On the 7th inst., at Brigg, aged 63, Robert Owston, solicitor.

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To Readers and Correspondents.

J. T. (New Romney).—We do not know, and have not time to search.

Errata.—In the report of the case of *Willoughby* v. *Ashcroft* 12 L. T. Rep. N. S. 173, Messrs. Taylor, of Manchester, were stated as being the solicitors to the defendant. It should have been for the plaintiff. The proper style of the firm is J. H. and H. M. Taylor.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The Law Reporting Scheme was on Wednesday submitted to the Judges and Serjeants assembled at Serjeants'-inn, in pursuance of the invitation to send a representative to the Council. *The proposition was rejected unanimously*, all the Judges, without exception, expressing their disapproval of the scheme. This must give it the *coup de grâce*, for, without the help of the Judges, Mr. Daniel cannot create a monopoly, and without monopoly the speculation must be an utter failure. In fair, open and unassisted competition with the experienced reporters of the *Law Journal*, to say nothing of the present Regular Reporters, Mr. Daniel's neophytes must be distanced.

Resistance to the removal of the Equity Courts from their present place to one where they can be under the same roof with the Common Law Courts having yielded to necessity, on the part of the Inn which has hitherto housed the Chancellor and the Vice-Chancellors, it is not improbable that the same Honourable Society will advance a step further in wisdom and make a virtue of necessity. When the new Palace of Justice shall have arisen, the Accountant-General's and other offices, built in 1775 in the garden of Lincoln's-inn, and paid for out of the very "Fund B," will no longer be wanted for the purposes which they have since served. Here will be a fine extent of frontage available to the society, when that part of the garden is revested in them. Next come Old Buildings. If the society was willing a few years back to demolish a large part of this relic of the times of Henry VII. and his successors down to the first Stuart, with a view to carry out the vain proposal to build new isolated equity courts within the Inn, there is no reason why the site should not be taken advantage of for the purpose of improvement of the Inn itself. It has no doubt occurred to the society that, as soon as the courts are on the other side of Carey-street, those cellarless, closetless, corkscrew-stained chambers clustered about the old hall, many of which must have been wood-lofts before sea-coal was common, will lose their attraction. Moreover, enterprising builders, or rather building speculators, will acquire plots in close neighbourhood with the new palace, and put to shame the dirty, and ill-provided holes and corners of Old Buildings. It would not surprise us if the rumour were right, that it is within contemplation to sweep the whole away, to make room for a range of chambers worthy of the first legal society in the world. There would be dignity as well as profit in the change. The chamber question, in truth, comes next to the concentration question. The old Gate-house in Chancery-lane, with its Tudor legend, we should be sorry to see destroyed. The only other piles which offer such a noble entrance in old dispersed brickwork, are Lambeth Palace and St. James's Palace, and these three, with the one remaining gateway of the ancient priory of the Knights of St. John, in Clerkenwell, are all that are extant of the kind in London. If the old hall, a monument of 350 years, must go, and antique memories make way for to-day's conveniences, the loss will be one less of structure than of historical association. The chapel will, beyond doubt, be spared, and continue to testify by its Gothic, such as it is, to the skill of Inigo Jones, and by its deep-stained windows to the art of Hall, the glass painter. The crypt, it is true, no longer serves its original purpose of an open ambulatory for lawyers "to walk in, to talk, and confer their learning," when men had no need to put off their gowns and take the train to smell "the ripe harvest of the new mown hay;" but the recollections of Prynne and Hargrave are still awakened under the arches, as are those of Usher, Tillotson and Warburton, in the pulpit of the sacred building above. To see the great west window again, no longer blocked up by attics and smoky chimneys, will be a Christian sight. The old Spanish bell, too, which is said to have been once part of the spoil carried off by Essex from Cadiz, but which certainly now tolls the knell of parting to each Master of the Bench in his turn, might be elevated in a fitting tower. The Benchers of the Inn can scarcely be otherwise than alive to the great opportunity which presents itself to them of making their land a dwelling-place subsidiary to the law in its new temple. The barristers, who in their early days of purgatory are doomed to inhabit fragments of these time-eaten gables, have always been keenly sensible that, if Providence did not in its good time send the Irishman with his pick and shovel to Old Buildings, the next greatest blessing would be a fire, commencing at No. 6, with a quickening north wind to carry it, in spite of engine and brigade-axe, right through to the corner of Chichester-rents.

The Law Amendment Department of the Social Science Association has been engaged in the discussion of a scheme of Electoral Reform, invented by Mr. Hare, who first proposed it as applicable to all England, but now appears to prefer its limitation to the metropolis. It must be premised that Mr. Hare is a Liberal of a school once deemed to be very advanced indeed, of which Bentham was the founder, and the *Westminster Review* the representative. After steadfast advocacy of pure Democracy for many years, these philosophers—for such they are in fact as well as in profession—have suddenly made the discovery that the effect of lowering the franchise would be practically to transfer all political power from the middle and upper classes to the lowest class, and thus in effect to *disfranchise* property and intelligence by placing them in a hopeless minority. The experience of America appears to have opened their eyes to this certain result of the doctrines they have been so long preaching, and now they are crying out in terror against that which they declare would not be a reform but a revolution. To avert this catastrophe they are calling for suggestions by which the domination of mere numbers may be prevented and the despotism of the pure Democracy sought by Mr. Baines averted. Mr. Hare has come to the rescue with a very ingenious scheme for securing the representation of minorities, and making the House of Commons the representative of all classes and all varieties of opinion. It is, however, extremely complicated and difficult to be described briefly. He proposes to constitute the entire metropolis as one electoral district; that it shall still return twenty-two members; that every elector shall have twenty-two votes; but that the election shall be by the attainment of a certain number of votes only, and that all beyond that requisite number shall be carried to the account of the candidate next below, and so downwards upon the list until the entire number of votes shall be equally divided among the entire number of members to be elected. The nomination of candidates to be self-made on a deposit of 50*l.* for each. For instance: If the votes given are 88,000, and the candidates 100 in number, and twenty-two members are to be elected, then 4000 votes would secure the return of the candidate.

Mr. Hare undoubtedly thus gives to minorities a chance of being represented, and he places a bridle on the proverbial tyranny of majorities. But he overlooks the practical difficulties. Say that but two hundred candidates are nominated. How would the electors know for whom to vote? A large proportion of the names would certainly be strange to them, and in such a situation they would be guided by external influences. Clubs, or demagogues, or paid agencies, would incite them to vote for certain men who pay for services. Instead of a diminution, there would be an enormous increase of committees, and of all the costly machinery of an election, as under the present system. Indeed, they would speedily lapse into the American system of a "caucus" and a "ticket." Candidates would not be the choice of electors, but of a controlling mob; and we see by the example of America what sort of persons are chosen by such a machinery. Lord Stanley, who was in the chair, quietly hinted at this difficulty. But Mr. James Stuart Mill, who is not merely a man of great ability, but a practical man, strange to say, gives to it a warm approval. We fear that Mr. Mill was induced, by his dread of a more downward extension of the franchise, to adopt, without sufficient forethought, a scheme that offered him an escape from that which he sincerely believes to be destructive of liberty. Mr. Hare's paper is, however, to be printed, and we shall then be enabled to give a more complete account of his project. But whatever its results might be, it is too complicated for use. There is but one rational and practical plan by which the suffrage could be extended without giving to the poor and ignorant the power taken from education and property, and that is, the adoption of the parochial system of cumulative voting. By this, all who pay taxes would have a voice, and each would have power in proportion to the taxes he pays. Any mere contrivance for taking away with one hand what is professed to be given by the other is sure to be scouted by those to whom it is proffered.

Mr. Braithwaite, of the Record and Writ Clerks Office, author of the excellent "*Manual of Forms of Procedure in Chancery*," has addressed to us a letter, suggesting that in any future issue of Consolidated Orders in Chancery, the lexicographical arrangement, observed in his manual, should be adopted by the court.

There can be no question that some such arrangement is required for facility of reference. Already, since the publication of the General Orders of 1860, no less than twelve separate sets of new orders have been issued. The confusion thence arising, the loss of time, and the unavoidable errors, through oversight, are incalculable. Something should be done, and speedily too, to remedy this. There must be a re-consolidation, at all events. But that is not sufficient of itself. There must also be re-arrangement, either according to order of time, or simply alphabetically, the subjects being classified in dictionary fashion. Mr. BRAITHWAITE hints that the impending assimilation of the practice of the Court of Chancery in Ireland with that of England, as proposed by a Bill now before Parliament, would afford an excellent opportunity for trying the experiment. It would be hard to thrust upon Ireland such an undigested mass of law as our present Chancery Orders. If we would do justice to Ireland, we must give her a code that will be at least intelligible and accessible. We cannot offer to the suitors there a volume of Consolidated Orders, altered, amended, and increased by twelve other sets of orders that are to be incorporated with them. We must re-consolidate the whole mass, and when doing this, would it not be as well also to recast the whole, and produce them in a shape that would make them readily accessible to the practitioners in Ireland, who will be compelled to undertake a new course of study? And so, while assisting the Irish lawyers, we shall also be serving ourselves. We recommend it to the consideration of the LORD CHANCELLOR.

HAS any of our readers yet carried through a registration of title from its commencement to its completion?

The few landowners who have sought a Parliamentary title complain loudly of the cost they have been put to, of the toil and trouble of the process, and of the liability to fail after all the expenses have been incurred.

The most profound ignorance exists, among all who have not actually conducted the experiment, as to what are the difficulties to be encountered and the cost to be calculated upon. Mr. AYRTON'S Treatise on *The Law and Practice of Registration of Titles* gives full instructions for what may be termed the official portion of the business, and supplies the forms that are to be used; but the solicitors want to know what work is to be done in procuring the materials for completing those forms, and especially the difficulties that attend the perfecting of titles, the notices to surrounding owners, how conflicting rights of boundary and easement are dealt with, and what practical troubles result from the discovery of blots in title on the appearance of rival claimants.

Therefore, we are but expressing the wishes of the Profession in asking from any of our readers, who may have conducted a registration of title from the inception to the end, to favour us with a minute narrative of what was required of him; what he did, what he did not, what difficulties presented themselves, how he dealt with them, and finally, what was the cost of the whole affair to his client?

In like manner, a narrative from a Solicitor who has attempted a registration and failed from defect in title, or from other causes, would be equally instructive and acceptable.

In either case, names of persons and places should be changed; all that we require being a narrative of the incidents that attend the process of registration.

THE question, what limit is to be placed to the right of parties to be heard on petition against a private Bill? has become both complicated and interesting. There was, no doubt, before the establishment of the Court of Referees, a great dearth of fixed principles upon the subject of *locus standi*. A few examples are indeed given in "May's Parliamentary Practice," in order to show the nature of the interest that would entitle a company or an individual to oppose before Parliament the acquisition or extension of any statutory powers. But the instances are few, and it would have been obviously difficult, from the number of the tribunals before which *locus standi* was considered, to collect any considerable number of uniform and reliable decisions. The learning upon the subject was supposed to be familiar to some few only of the leaders of the Parliamentary Bar, who were usually selected to argue cases where it was likely to be required. This is a condition of things which may still continue for some time in Committees of the Lords, where, however, the inconvenience from want of uniformity is not so serious, owing to the comparatively small number of petitions which come before the Upper House. The Court of Referees, from the fact that its members are not continually changing, from the number of cases that come before it, and from its exclusive jurisdiction in matters of *locus standi*, is surely able to do something towards settling so important a branch of parliamentary practice. Still it cannot be denied that the duties of the new court would be much lighter if the Standing Orders afforded it a little more assistance. It has been the recognised practice of the House (although there is no Standing Order to that effect) to allow persons whose land is taken or touched by a proposed undertaking, to be heard against the Bill. It has also been the practice, where land of the petitioners has been neither touched nor taken, but only injuriously affected, to refuse to allow them to be heard, and to leave them to obtain compensation under the provisions of the Lands Clauses Act. An exception to this practice is afforded by Standing Order 128 of the House of Commons, which provides that the municipal or other authority having the local management of the Metropolis, or of any town, or the inhabitants of any town or district, alleged to be injuriously affected by a Bill, may be heard against it. But a decision of the Referees at an early period of the session. (*The Fareham and Netley Railway*, 12 L. T. Rep. N. S. 88), seemed to recognise the existence of a new description of injury, which would entitle the parties injured to relief in Parliament. In that case, a railway proposed to cross a river by a viaduct, and the owners of wharves and quays abutting on the river, above the proposed bridge, petitioned against the Bill upon the ground that the navigation of the river would be injured, and the traffic to and from the wharves, &c. interrupted. It was held that the *locus standi* was sufficient. It was thought by some that the *ratio decidendi* in this case would extend to various kinds of easements, but its effect has been since limited rather than extended. The Referees were probably unwilling to lay a foundation for innumerable petitions against projected railways upon the ostensible ground of injury to the private interests of the petitioners, though the real mover might be some existing railroad, unable to oppose the new scheme on the ground of competition, but able and willing to purchase the grievances of others, and assail the promoters with a hundred masked batteries. But while it is of great importance that Parliament should not allow trivial grievances to stand in the way of a meritorious undertaking, it is most necessary that a really substantial injury, such as one affecting the navigation of a river, should entitle such persons as wharfingers, &c., to be heard in opposition. In such a case it may be said with truth that the land of the parties is touched, for they have an estate in the water which is for all practical purposes of the same value as one in the land which it covers.

THE circumstances of the Railway system, with reference to the Act of 1844, giving powers of purchase to the Lords of the Treasury, and in connection with the appointment of the commission on railway charges, were briefly noticed in this journal of March 11. We considered that Government had not any direct intention of hampering itself with, or the Parliament of voting money for, the purchase of any railway for the purpose of working it, and we expressed our unwillingness to see the working of any railway thrown into the hands of the Government, unless a change of management absolutely required such a course. The commissioners appointed, and the inquiries to be undertaken by them, have been since announced (March 18). They have how begun their labours, and we have at the same time from Mr. GLADSTONE, who may reasonably be regarded as the author of the commission, some intimation of the policy of the Ministers. It was proposed in the House by Mr. MONSELL, that the commissioners should first give their attention to Ireland, with a view to the purchase and working by the Government of the twenty or twenty-five millions' worth of Irish railways, or of such of them as are subject to the Act. But Mr. GLADSTONE answered, that he had no hesitation in asserting that, at no time and under no circumstances, ought the working of any railway to pass under the direct superintendence of the Government. There were various modes of Government intervention for the purpose of securing the benefit of cheaper travelling; as, by purchase, or by guarantee, or by becoming creditors of railway companies, and taking up the debts to which the companies were liable, and thus affording them the benefit of the lower rate of interest at which money could be raised by the Government. The benefit conferred on the country by a reduction of the cost of conveyance must, he said, be enormous; but nothing except the most minute, searching, and comprehensive investigation could enable the Ministers to deal safely with questions of that kind. Therefore the commission had been appointed. Mr. GLADSTONE declined to take any step which would confine the commissioners to the specific and exclusive object of determining whether the provisions of the purchase clause of the Act of 1844 should be applied to Irish railways. He certainly attached some value to that Act. It was a distinct and specific notice, and it would facilitate the settlement of the question of right, if policy should appear to dictate Government interference; but he thought it was quite essential, and especially in the case of Ireland, that if there was to be any such dealing with railways, it ought not to be confined to railways subject to the Act. Mr. GLADSTONE cast aside all idea of compulsion in that case. He did not believe that any measure could be satisfactorily adopted if it were to be enforced upon reluctant bodies of shareholders. It would, he thought, be much more satisfactory that amicable communications should take place, and should not be confined to any particular railway, but should embrace the whole of our railway system. It is not extravagant then, to hope that the railway system will be put on a similar footing as respects interchange of traffic to that of the Post-office; so that a passenger will be able to take a ticket from any station to any other accessible station in the country, at a uniform fare of so much per mile, for each class. The commissioners have been charged to direct their inquiries with a view to the securing of the safe, expeditious punctual and cheap transit of passengers and goods, making as near an approach as may be to uniformity of charge and equality of treatment for all persons under similar circumstances.

A STRIKING difference between the law of England and Scotland, in the effect of divorce on the marriage-settlement of the parties concerned, was brought to light by the case of *In re Drummond*, before Vice-Chancellor KINDERSLEY, reported last week at p. 173 of our current volume. In England, according to the old law, divorce has no effect on the provision made for the wife on marriage. Her adultery, if she elope, is a bar of her dower, unless there be a reconciliation. Elopement alone is sufficient for a bar. But neither elopement nor adultery deprives her of her jointure. To remedy this state of the law, in a Divorce Bill the Lords usually made suitable provisions on the subject of property. The terms of the settlement itself of the parties may, no doubt, be such that a cessation of the marriage state will affect their interests, as may be concluded from the late case of *Knox v. Wells*, 11 L. T. Rep. N. S. 666, where an annuity was bequeathed to the husband and wife, and certain less annuities according as the one or the other survived: the wife having been divorced for adultery was held to be entitled to nothing. The bequest was before the Matrimonial Causes Act (20 & 21 Vict. c. 85). That Act by its 45th section went so far as to give power to the court, pronouncing a sentence of divorce or judicial separation for adultery of the wife, to order any property to which she might be entitled in possession or reversion to be settled for the benefit of the innocent party and of the children of the marriage, or either or any of them. But the Act did not give power to alter any settlement already made. The Court of Chancery will not exercise any such power: (*Evans v. Carrington*, 4 L. T. Rep. N. S. 65.) The Divorce Court, exercising its jurisdiction under sect. 45, in *Bacon v. B.*, 2 Ib. 438, settled two-thirds on the children immediately, and the remaining third after her death. But the jurisdiction did not long remain in the restricted condition in which it was left by sect. 45. In the next

session but one after the original Act an Amendment Act (c. 61) enabled the court, after a final decree of nullity or dissolution, to inquire into the existence of ante or post-nuptial settlements of the parties, and to make order with reference to the application of the whole or a portion of the property settled, either for the benefit of the children of the marriage or of their "respective" parents. On the exercise by the court of its power conferred by this Act various cases have been reported. Cresswell, J. O. has held, on dissolution for the wife's adultery, that it was never intended that the court should deprive an injured husband of the benefit he takes under a settlement, at the prayer of the adulterous wife, whether for the benefit of the children or not: (*Thompson* v. *T.*, 7 L. T. Rep. N. S. 396.) In *Stone* v. *S.*, 10 Ib. 140. Wilde, J. O. has decided that money settled by the marriage-settlement of the wife's parents, but of which it appeared that she might never have any share, was not property within the 45th section of the first Act. With reference to a separation deed which had been executed between the parties, he stated that he was not prepared to say it was not a post-nuptial settlement within the meaning of the Amendment Act. It was further held that the co-respondent, condemned in costs, must bear the costs attending the alteration of the settlement: (see also *Gill* v. *G.* Ib. 140.) Such are the principles, enactments, and some points of the English law.

The Scotch law is a very simple affair, with regard to its effect on a wife's interest under a marriage-settlement, where she has been divorced on the ground of adultery. By an affidavit which the Lord Advocate made in *Re Drummond* (*ubi sup.*), "By the law of Scotland, a married woman who is divorced for her adultery absolutely forfeits and is deprived of all her legal provisions, and all the conventional provisions made for her by her husband or his relatives by ante-nuptial or post-nuptial contract, and she is considered with regard to all such provisions as if she were naturally dead." But as, in truth, she is not naturally dead after divorce, but requires some maintenance to save her from sinking during the rest of her life into deeper degradation, we think that the Scotch law errs more on the side of harshness than the English common law does on the side of mercy.

The privilege which England allows to aliens, on trial for felony or misdemeanor, of having one-half of the jury aliens, should be jealously guarded. In this mode of securing an impartial verdict, England is alone among nations. The jury *de medietate* is at least as old as King Ethelred's time. It was afterwards enforced by statutes of Edward III. and Henry VI., and is especially preserved in the Act of 6 Geo. 4, for consolidating and amending the jury laws. On the prayer of any alien indicted or impeached of felony or misdemeanor, the sheriff shall, by command of the court, return for one-half of the jury a competent number of aliens. Yet this institution has been neutralised by what took place at the Central Criminal Court, on the 12th, before Mr. Baron Channell and Mr. Justice Smith, at the trial of Pelizzioni for stabbing Alfred Rebbeck.

When the prisoner had pleaded, he was asked whether he wished to be tried by a jury of Englishmen, or one partly composed of foreigners, and he said "foreigners." As no foreigners had been summoned to serve, the prisoner's request occasioned some delay, that the sheriffs might have an opportunity of summoning the requisite persons. But, after a short interval, Mr. Serjeant Ballantine, the prisoner's counsel, said that he considered it quite unnecessary to detain the court any longer, and the prisoner would elect to be tried by an English jury. We then read as follows, it being premised that Mr. Giffard was counsel for the prosecution:

The officer of the court said—You are entitled to a jury of half Englishmen and half foreigners. Do you wish a jury composed of half foreigners?

The prisoner.—I prefer to have half the jury foreigners—Italians.

Ballantine, Serjt.—There is no foreign juror summoned.

Channell, B.—It is usual when a foreigner is on his trial to have a mixed jury.

Ballantine, Serjt.—There is no doubt it was known the prisoner was to be tried to-day. The matter was stated by the Recorder, and it was perfectly well known the trial would take place to-day. I should like, on the prisoner's behalf, to have him tried by an English jury.

Channell, B.—Communicate with your client.

Mr. Negretti communicated with the prisoner, and he stated he would rather have six foreigners on the jury.

A further communication was made to the prisoner, when he said, "Very well, let them be all Englishmen;" but this was said with evident dissatisfaction.

The Officer of the Court then repeated the question before put to the prisoner.

The prisoner.—An English jury.

Giffard did not know whether it would be right under the circumstances of the case to go on with it, when the prisoner was acting seemingly contrary to his own judgment, and he suggested an adjournment.

Channell, B. said he was doubtful whether the court ought to receive the admission of the prisoner. Therefore they must hear it from his own lips, not from his counsel.

The prisoner then repeated his desire to be tried by a jury of Englishmen, with a very ill grace, but his advisers urged him so strongly he repeated his assent.

The jury were accordingly sworn.

The trial was then ordered to proceed.

On the course taken by the prisoner's counsel, who began by making a great privilege of his client a question of detaining the court, who met his client's decided preference for a jury half of foreigners with the remark, "There is no foreign juror summoned," who, in direct contradiction to his client's wishes, would "like, on the prisoner's behalf," to have him tried by an English jury, we need not comment. Mr. Baron Channell has saved us the trouble by taking the matter out of the counsel's hands, and putting him aside to hear the prisoner in person. The court may have had no practicable means of doing more. But it was a sorry expedient. It was as little to be expected that the prisoner could at that critical moment fly in the face of his own counsel, as that the court could examine the prisoner, apart from the presence and influence of the counsel, in order to ascertain the prisoner's will. Nothing was left to the court but the alternative of requesting the counsel to withdraw or to take from the prisoner's lips the admission forced upon them, that he would recant his thrice expressed desire to avail himself of the privilege with which the law mercifully offered to protect him.

Fortunately Pelizzioni was acquitted. Had he been found guilty, we doubt whether a trial begun with this moral coercion could have been regarded by the Home Minister as morally satisfactory.

The Select Committee appointed to inquire into the best means of preserving for the public use the forests, commons and open spaces in and around the metropolis, have agreed to a first report. It consists of three resolutions, which are, that it is not expedient that the Wimbledon Common should be fenced round or inclosed, or that the existing common rights should be extinguished; that it is not necessary, and would be undesirable, that any part of the common should be sold; that the 20 Hen. 3, c. 4, commonly called the Statute of Merton, by which the lord of a manor can inclose without either the assent of the commissioners or the sanction of Parliament, ought immediately to be repealed. Reports were proposed by the chairman (Mr. Locke), by Lord Bury, and by Mr. Peacocke. The first two were negatived, the third adopted, with amendments. The chairman's draft disapproved of the inclosure of the common, but provided for drainage and appointment of common keepers. Lord Bury's also was in favour of keeping the common open, stated that the powers of inclosure claimed by Lord Spencer were disputed, and, after noticing the objections to his scheme, expressed an opinion that his proposed cession of 688 acres was advantageous, if the fence project were abandoned, the sale of portions postponed, and existing rights duly regarded. The committee sat five days examining witnesses. The witnesses were ten in number, including Mr. G. Wingrove Cooke and Mr. Ridley, Inclosure Commissioners, Lord Spencer, and Mr. Forster, his manor steward, Lord Elcho, and residents on or near the manor, among whom were Mr. Joseph Burrell, barrister, and Mr. William Williams, solicitor. Whatever may be the effect of the report, the law at least owes a debt of gratitude to Lord Spencer's Bill for having been the means of calling attention to the Statute of Merton, particularly as regards commons near London or other populous places.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (a)

CHAPTER IX (*continued.*)

Borrowers, their Privileges and Liabilities.

164. *Mode of assessment of the income-tax.*—A benefit building society is liable to pay income-tax upon its profits, that is to say, on the interest part of the repayments of borrowing members, but not upon the other receipts, as they form the working capital of the association. It should be remembered, however, that if a society pay income-tax on such of its receipts as arise from interest, a corresponding deduction must be made, either at the close of the society or a person's membership, from the amount of his share then due, the deduction affecting that portion of the full share which represents the accumulations from interest. With reference to individual members, where the profits are divisible among the investors only, the borrowers are authorised, on assessment for income-tax, to deduct from their gross income the amount of interest paid to the society. If by such deduction the income is reduced below 200*l.* the tax is payable on the lower scale, if below 100*l.* no tax is chargeable. But in all cases where the borrowing members partake of profits the Commissioners of Inland Revenue consider the interest paid to building societies as part of income, and insist upon payment of the tax: (Social Science Transactions, 1862, Introduction, 59, 60.)

165. *Application of life assurance.*—If the borrower survive the term of his mortgage, and effect the redemption of his property, he will have secured an unincumbered provision for his family; but if the borrower die before this desirable result is achieved, then, unless his family can continue the redemption payments for the number of years remaining, the building society will be under the necessity of foreclosing the mortgage and selling the property. This difficulty, however, can fortunately be surmounted by the application of life assurance. The contingency to be provided against is the chance of a given life dying before the expiration of a certain number of years. In order to accomplish this object two plans exist: either the policy secures a single sum of money to be paid at the death of the assured, and sufficient to clear off the debt; or the assurance company undertakes to continue the subscriptions of the borrower after his decease until the period of the expiration of his mortgage.

166. *Modes of effecting the policy.*—In the first of these two plans there are three varieties of policy: firstly, that the borrower should effect an insurance equal to the amount of his loan by a whole life policy, thus, in any event, securing the sum assured. Secondly, to effect a temporary policy, commencing at the time of the advance, and equal to the mount thereof, and to last for the number of years, or a few months over, which the mortgage is expected to continue. It is then arranged with the office that at the end of each year the assurer shall be allowed to diminish the amount of his policy to a sum equal to the diminution effected in his debt to the building society during each past year, the annual payments thus receiving a corresponding diminution. Thirdly, some life assurance societies issue temporary policies, diminishing by an unvarying fixed amount every year, the rates of premium decreasing accordingly. Such principle, however, is not sound, as the sum thus assured will not be sufficient to cover the amount of the debt.

167. *Another system for the same purpose.*—The second system of life assurance for a borrower is that by which, in the event of his death, the assurance company takes his place and continues his monthly subscriptions. This contingent liability the office undertakes in consideration of a fixed diminishing, or, under certain conditions, equal annual premiums paid to it by the borrower, namely, to continue from the time of his decease the monthly subscriptions for which the house or property is liable until the mortgage is cleared off. The term of the annuity is taken as ending with the year in which the society (if terminating) is expected to close, or for a few years longer. This plan has been adopted under the name of the "guarantee temporary annuity policy." In order to meet the requirements of the industrious classes, the policy is frequently desired at an average equal premium, so as to

(a) By W. W. Bakay, Esq., Barrister-at-Law.

lessen the heavy expense at first, but such principle of assurance is unsound.

168. *Society may advance money on mortgage to member, though property already in his possession.*—As the Building Societies Act seems to contemplate that the advance is to be made for the purpose of being applied by the member in the purchase or erection of a dwelling-house, a doubt arose whether a loan could be made to a member in respect of property already in his possession. It has, however, been clearly decided, that a benefit building society may lend money upon mortgage security to one of its members, although the property may have been in his possession long before the date of his advance: (*Cutbill* v. *Kingdom*, 1 Ex. Rep. 494; s. c. 17 L. J. 177, Ex.; *Morrison* v. *Glover*, 4 Ex. Rep. 430; s. c. 19 L. J. 20, Ex.; 14 L. T. Rep. 204.) These societies may, therefore, pursue with safety and confidence the practice which has hitherto prevailed of advancing money to members on good security without reference to its intended application, and whether the property to be mortgaged is being acquired through the means of the society or not.

169. *Copyhold property may be accepted as security.*—Another question which arose upon the construction of the first section of the Building Societies Act was, whether property of the nature of copyhold tenure was included within the provisions of the statute, and this doubt occurred in consequence of the words in the preamble, "freehold or leasehold property," not being of so extensive an import as those used in the enacting part, "dwelling-house or dwelling-houses, or other real or leasehold estate." It was upon such seeming discrepancy between the preamble and enacting part of the statute that advice was given by eminent counsel to some of the earlier societies not to accept copyhold security. However, the doubt that once existed in this respect has long passed away and been removed without the aid of a judicial decision, and it is the practice for building societies to accept copyhold security. There is a large portion of waste manorial copyhold land to be found throughout the kingdom which can be obtained with facility on liberal terms, and the possession whereof by the industrious classes would prove most conducive to their interests. Consequently, the purchase of small copyhold properties becomes of importance. The rules, therefore, should adopt the more comprehensive words of the enacting part of the statute, "or other real or leasehold estate." A benefit building society, however, can only make advances on real or leasehold estate, and not on personalty.

170. *Loans from private mortgagees and those from building societies contrasted.*—Though the intelligent reader will, no doubt, by this time understand the position of a borrower from a benefit building society, yet it may be desirable to place in comparison the case of loans from private individuals. In the first place there is no doubt that a person who has good security to offer, and without which he can obtain no assistance from a building society, would be able to obtain from a private mortgagee a loan at a much lower rate of interest, at 4 or 5 per cent. interest, for instance, instead of 7 per cent. Again, if the interest be paid regularly, the mortgagee will generally wait the convenience of the mortgagor for discharge of the principal, or the security may be easily transferred. It may be observed, however, that the whole principle of the building societies system is different from that of ordinary loans. The object which the member of a benefit building society has in view is to obtain the ownership of his house by means of annual payments spread over a certain number of years, and though, of course, amounting to more, yet at the same time corresponding, as near as possible, to the rent which would otherwise have to be paid to a landlord. No doubt in some cases a similar loan might be obtained on more advantageous terms from an individual, but the question is, would the thing be done? We think not. Besides, private mortgagees, as a general rule, much object to payments by instalments. True, the borrower might put by small sums until the amount was sufficient to repay the mortgage-debt at one time, but practically such a course involves a greater amount of self-denial than many persons possess. In the result, the mortgage-debt would descend as a dead weight from father to son, until in the end the property would have to be sold in order to pay off the incumbrance.

171. *Pressure to which member is subjected operates beneficially.*—The gentle pressure, moreover, to which the member of a benefit building society is subjected operates in a highly beneficial manner. Formerly he was compelled to pay the rent to the landlord, or a distress would be put in and eviction take place. Now the tenant is obliged to pay periodically certain sums to a building society, or he will be sold out of house and home, but only for a fixed and definite time, after which period the property will be his own without any further payments being necessary.

172. *Borrower also can obtain a larger sum in proportion to the value of the property.*—Another great advantage in the case of a loan from a building society is, that the borrower can obtain a larger sum in proportion to the value of the property. Private mortgagees are not advised to lend more than two-thirds of the value of land and one-half of houses; but building societies can afford to advance a much larger proportion—indeed to nearly the value of the property, partly because the principal sum at once begins to be reduced by means of the periodical payments, and partly also because these societies being co-operative associations may recoup losses arising from bad securities here and there from general funds or resources.

173. *Legal expenses moderate.*—In the case of benefit building societies, also, the legal expenses are much less than with reference to private mortgages, on account of the statutory provisions in favour of these institutions, and by reason that the solicitor to the society, being concerned in many similar transactions, can afford to charge less in respect of the conduct and completion of any particular security.

174. *No vote until annual value of property amounts to 40s. above the monthly payments.*—With regard to the important privilege of voting, we may observe, that unless or until the annual value of the freehold property mortgaged by a member to the building society amounts to the sum of 40*s.* per annum above the monthly payments secured by the mortgage-deed, he is not entitled, as mortgagor in possession, to be registered as a voter for the county under the 6 & 7 Vict. c. 18, s. 74, it being held, that the monthly payments secured by the mortgage-deed to the society are "a charge on the estate" within the 8 Hen. 6, c. 7: (*Copland*, app., and *Bartlett*, resp., 6 C. B. Rep. 18; s. c. 13 Jur. 127; 2 Lutw. Reg. Cas. 102; *Beamish*, app., and *Overseers of Stoke*, resps., 11 C. B. 29; s. c. 21 L. J. 9, C. P.; 18 L. T. Rep. 172; 16 Jur. 597.)

175. *Sometimes practical difficulty in ascertaining the annual value.*—There may, however, sometimes be a practical difficulty in ascertaining the annual value above all charges according to the foregoing principle. For instance, in the case cited (*Robinson* v. *Dunkley* or *Derby*, 9 L. T. Rep. N. S. 481; s. c. 12 W. R. 202, C. B.) Charles Derby was a member of a freehold land and building society, in which he held one share. The society advanced the purchase-money of the land (73*l.*) some years since, and the voter mortgaged the property to secure the monthly payments due upon his share amounting annually to 4*l.*, and upon failure of the payment by the voter of his instalments for a certain limited period, the society was entitled either to suspend enforcement of payment or to enter upon possession, and the voter was entitled to redeem the premises by the payment of these monthly instalments alone without any other payment of principal. It was proved that the whole money paid up by the claimant was 73*l.*, and that the annual value of the property was 3*l.* for building purposes, and that during the past year ending in June then last he had paid instalments back to the society to the amount of 4*l.*, 2*l.* whereof had not been paid before the 1st Jan. then last, but such sum was paid in July then last, and therefore before the time of revision of the votes. Under these circumstances the revising barrister held that the claimant was progressing towards the acquisition of his freehold, and that he had a freehold prior to the 31st Jan. of the value of 40*s.* per annum, and therefore retained his vote. On appeal this decision was affirmed by the Court of Common Pleas. The objection was that, as the annual value as admitted by the claimant was less than the annual payment made by him to the society, there was no freehold worth 40*s.* per annum. The Court, however, held that the sum of 2*l.* remaining due must be considered as partly principal and partly interest, and therefore only as a charge to that amount on the freehold, and consequently that substantially the claimant was entitled to a freehold of the annual value of 40*s.* over and above all charges. During the argument the case of *Copland* v. *Bartlett* (*ubi supra*) was mainly relied upon on behalf of the objector, but the Court considered that such decision was distinguishable from the principal case.

JUDICIAL STATISTICS.

ELEVENTH ARTICLE.

Crime and Punishment.

The following were the sentences passed in 1863. We place in juxtaposition the sentences of 1854—just ten years previously:

Sentences.	1863.	1854.
Death	29 ...	11
Transportation:—		
For life	— ...	[illegible]
Above 15 years...	— ...	[illegible]
15 years and above 10 years...	— ...	216
10 years " 7 years...	— ...	—
7 years	— ...	—
Penal Servitude:—		
For life	20 ...	2
Above 15 years...	31 ...	—
15 years and above 10 years...	81 ...	—
10 years " 6 years...	470 ...	[illegible]
6 years " 4 years...	705 ...	[illegible]
4 years	731 ...	[illegible]
3 years	930 ...	—
Imprisonment:—		
Above 3 years	— ...	1
3 years and above 2 years ...	5 ...	6
2 years " 1 year ...	1,175 ...	[illegible]
1 year " 6 months...	3,664 ...	[illegible]
6 months " 3 months...	3,878	
3 months " 1 month...	2,525 ...	[illegible]
1 month and under	1,054	
Detained in Reformatory Schools	210 ...	—
Whipping, Fine, Discharge on Sureties...	208 ...	[illegible]
Total convicted...	13,799 ...	[illegible]

The diminution in total number is due chiefly to the summary convictions introduced since 1854, and not wholly to the diminution of crime.

It will be observed that more than half of the sentences to penal servitude were for terms of four and three years, both of which terms are now prohibited. Hence the difficulty felt by all who administer criminal justice in apportioning punishment. The majority of the crimes punished by penal servitude were deemed by the judge not to call for the extreme severity of a sentence of five years, while imprisonment was insufficient. They are now practically compelled to substitute imprisonment in the cases in which but for the change in the law they would have inflicted penal servitude, and thus that which was designed to increase the severity of punishment has practically operated to make it more lenient.

These figures have, also, an important bearing on the question of capital punishment. It is now confined to murder, and murders have increased from 11 in 1854 to 29 in 1864; whereas sodomy, for which it has been abolished, has decreased from 15 to 10; burglary with violence from 4 to 3; robbery with violence from 7 to 5, and arson in a dwelling-house from 5 to 1. It is, therefore, a fallacy that there is danger of increasing murders by abolishing capital punishment. Probably there is no other crime upon which punishment has so small a deterrent effect.

In 1863 the capital sentence was carried into effect in 22 cases. In 7 it was commuted to penal servitude for life.

The following are the particulars of the cases of those who were executed in 1863.

Cambridgeshire.—John Green, aged 23, labourer in a malting-house. Murder in a drunken rage of a woman of loose character, whose body he partially burned in the malting-room

Cheshire.—Alice Hewitt or Holt, aged 27, factory worker. Murder of her mother by poisoning with arsenic, with a view of obtaining from an allowance office a sum for which she had fraudulently insured her mother's life.

Dorset.—Charles Fooks, farmer, aged 49. Murder, by shooting him, of a neighbouring farmer, with whom he had been on bad terms.

Herefordshire.—William Hope, agricultural labourer, aged 29. Murder of a servant girl of 16 years of age, by strangling her after having committed a rape upon her.

Kent.—Robert A. Barton, aged 18. Murder of a boy of 10 years of age, by cutting his throat, without apparent motive.

Kent.—Alfred Holden, soldier in the Artillery, aged 5[illegible]. Murder of his child, by cutting its throat, after a quarrel with his sergeant, on the ground that he was tired of life and did not wish to leave the child as a burden to his wife.

Kent.—Alfred Eldridge, labourer, aged 31. Brutal murder of a baker to whom he owed money.

Liverpool.—Duncan McPhail, aged 34, and George Woods, aged 45; McPhail, a labourer; Woods had been 12 years in the army and had borne a good character. With two others, one of whom died in prison, the other turned approver, they broke into the house of a woman 73 years of age, robbed her, and treated her with so much violence that she died.

Liverpool.—Jose Maria Alvarez, aged 22, a Spanish sailor. Murder of a man with his knife, on slight provocation in the street.

Liverpool—Benjamin Thomas, aged 21, a sailor. Murder of a woman, the keeper of a lodging-house in which he was staying, with a potato-masher, on a trifling quarrel.

Liverpool—John Hughes, shoemaker, aged 31. Murder of his wife, by a savage assault upon her, when he was in a state of excitement from excessive drinking; he had habitually ill treated her.

Liverpool—James O'Brien, aged 26, a sailor. Murder of a woman, the keeper of a brothel in which he had been robbed, by stabbing her with a knife.

Liverpool—Luke Charles, police constable, aged 29. Murder of his wife by drowning in a canal, with a view to marrying another woman.

Middlesex—Joseph Brooks, aged 34, labourer. Murder, by shooting him, of a policeman by whom he was suspected of stealing wood.

Newcastle-on-Tyne—George Vass, aged 19. Murder of a woman of 60 years of age, with great brutality, after committing a rape upon her.

Oxfordshire—Noah Austin, aged 19, butcher. Murder of an old farmer by shooting him with a pistol. Apparent motive, cupidity, and ill will at not being approved as a suitor for the old man's daughter.

Shropshire—Edward Cooper, aged 30. Murder of his son, a deformed boy of 8 years of age, whom he strangled and burned in a copse, being tired of maintaining him.

Suffolk—John Ducker, aged 63. Murder of a police constable, by whom he was detected carrying off stolen hay.

Surrey—Samuel Wright, bricklayer, aged 31. Murder, on slight provocation, of a woman with whom he cohabited, by cutting her throat.

Warwickshire—Henry Carter, aged 20. Murder of his sweetheart, a girl of 17 years of age, by shooting her with a pistol, apparently through jealousy.

Edwin Alfred Preedy, aged 20, a convict in Portland prison. Murder of a warder of the prison, by stabbing him with a knife.

In the following cases the sentence was commuted:

Derbyshire—George Victor Townley, aged 25, an educated man, the son of a cotton manufacturer. Murder of a young woman by whom his addresses were rejected, by cutting her throat.

Lancashire—Levi Taylor, aged 18, a youth in a respectable position. He had married a prostitute by whom he was deserted. Finding her acting as a barmaid in a low description of beerhouse he cut her throat.

Liverpool—Elizabeth Benyon, aged 17. Murder of her child aged one year, by drowning in a canal. She had been forced by her father to have incestuous intercourse with him, and he had afterwards turned her and her child into the street.

Surrey—Joseph Mahaig, sergeant in the army, aged 28. Murder of a girl whom he had seduced, and who took poison with his knowledge or was given it by him.

Westmoreland—Ann Pattinson, aged 19. Murder of her illegitimate child.

York—John Gair, a military pensioner, aged 53. He cut the throat of a woman with whom he was living (it was uncertain whether they were married or not), from jealousy and a suspicion of her being unfaithful. He afterwards attempted suicide. The woman was of drunken habits and gave great provocation.

Yorkshire—Patrick Hurley, labourer, aged 25. Murder by stabbing with a knife of a bystander who expostulated with him when engaged in a drunken riot.

There were 16 appeals, viz., 6 from the assizes, from the Central Criminal Court, and 9 from the Quarter Sessions. Of these, 7 judgments were affirmed, 7 reserved, 1 reversed, and 1 remitted to amendment.

The expenses of prosecutions are thus stated:

	No. of Cases.	Costs. £	s.	d.	Average each Case. £	s.	d.
Assize Courts... ...	3,231	45,457	2	9	14	1	4
Central Criminal Court ...	945	5,577	5	11	5	18	0
County Quarter Sessions ...	7,709	60,580	11	4	7	17	2
Without County Sessions	1,918	5,357	10	5	2	15	10
Borough Quarter Sessions .	4,196	23,908	2	1	5	13	11
Total on indictment ...	17,999	140,880	12	6	7	16	6
Criminal Justice Act	14,930	14,792	2	7	0	19	10
Female Offenders Act ...	2,040	1,142	9	5	0	11	2
Total sum. proceedings...	16,970	15,934	12	0	0	18	9

These show an increase of 16,255*l.* or 12 per cent., and of 1437*l.* or 10 per cent. on summary convictions, over the amounts of the previous year.

In addition to these were 407 Mint cases, the costs of which were 3677*l.*; and 39 other Treasury prosecutions, the costs of which were 58*l.*

RIGHTS OF MORTGAGEES UNDER POLICIES OF INSURANCE AGAINST FIRE.

We are indebted for the following very interesting judgment on a question of vast importance to our own no less than to the Colonial community, to the kindness of the Honourable Mr. Justice Young, by whom it was delivered. It was heard in the Supreme Court of Upper Canada under the title of *Brush* v. *The Albion Insurance Company*, and it was an action on a policy of insurance, dated the 10th Dec. 1861, by which John Ogilvie, the then owner of the premises, was insured in the sum of 1000 dollars against loss or damage by fire for one year, the policy containing the following clause: "Loss, if any, payable to Peter Brush (the plaintiff) if claimed within fifty days after proof, his interest therein being as mortgagee." The premises were burned down on the 17th Nov. 1862, and notice of the loss was given by Ogilvie to the agent of the defendants; but Ogilvie having left the province the proofs were furnished by the plaintiff in his own name. The premises were subject to another mortgage subsequent to that of the plaintiff, which was foreclosed, and the premises were sold by the sheriff previous to the fire.

They were purchased by a Mr. Lynch, but not conveyed; he admitted that "he bought for the accommodation of Ogilvie, and told him that he would allow him to redeem on payment of the purchase-money and interest." The ground was also sold under the plaintiff's mortgage, and produced 200*l.*, of which, after deducting expenses, he received 175*l.*, leaving 75*l.* due on his security, with two years' interest. It was admitted that the entire amount of the mortgage was due to the plaintiff at the time of the loss and of action brought. Fraud on the part of Ogilvie was charged, but negatived by the jury, so that, for the purpose of the argument, it is assumed that the claim against the company was a valid one; the question was, who was entitled to the proceeds of the policy? The learned Judge proceeded thus to review the law bearing upon the case, and as an essay on a practical point of law likely to recur often, we present it for reading and reference:

We are called upon now to deal with a class of contracts of more extensive application and of larger values than any other perhaps in our province, excepting the promissory notes in ordinary use. In this city, especially, there are at this moment many hundred thousands of dollars insured upon properties in which the policies in some shape or other, either by assignment or by indorsement, or by a memorandum, as in this case in the body of the policy, are declared to be in whole or in part for the benefit of mortgagees. Many of these mortgagees are trustees for children and others, and it is deeply interesting to them to ascertain to what extent and under what circumstances these policies afford security against loss. Nothing is more vague and unsettled than the ideas usually entertained upon this subject, which has now, for the first time, come before this court; and I may venture to add, that it has been little thought of even among the profession. I think it right to suggest the difficulties and the conflicting views that naturally belong to this inquiry, though in accordance with modern usage I shall abstain from pronouncing judgment upon any other than the points immediately before us. In the ordinary course of business a capitalist lends a tradesman or other party having built or being about to build a house, a sum of money, looking to the property as his security. If he be a prudent man, he looks also to the character of the borrower; but his main dependence is the property, and he requires a policy against fire to secure him from loss. Some cautious lenders take the policy in their own names; but as the premium is always paid by the mortgagor, this is rarely done, and it is generally distasteful to mortgagors, as the sum they insure often exceeds the amount of the mortgage, and a policy in the name of the mortgagee implies, or is supposed to imply, a certain doubt or mistrust of the mortgagor. I have reason to believe, therefore, that nine-tenths of the insurances now subsisting for the protection of mortgagees are in the names of mortgagors. Is the mortgagor, then, to be taken as the sole party insured? and his acts conclusive as against the mortgagee? Let us see the consequences of this doctrine. Fraud on the part of the mortgagor would be fatal to the mortgagee, though he is entirely innocent of it, and is not at all aware that he is insuring, without premium, the moral habits and character of the man to whom he has lent his money, looking chiefly to his property. But where there is no fraud, if the mortgagor, after loss, neglects, or for purposes of extortion refuses, except upon terms, to furnish the preliminary proof, the mortgagee, on the given supposition, has no right of action against the insurers, but must depend on their generosity, or on their sense of justice. This is also the case where the mortgagor has sold to another, subject to the mortgage, without notice to the mortgagee, or having the transfer or change of title indorsed on the policy. Or to go a step further, as in this case, there has been a foreclosure of a second mortgage, and the title has passed out of the hands of the mortgagor *in invitum*. Again, a further insurance is made by the mortgagor without notice, either from negligence or fraud, the policy is clearly void as against him; and so also, it is said, against the mortgagee, who loses his money for a neglect or fault which he has not committed. If all these and others that might be put are the legitimate consequences and really and truly represent the legal effect of these policies, it is plain that they afford a very inadequate security to the lender, a security of a very different kind from what the vast majority of lenders imagine they possess, and if all these consequences were affirmed by this court, I cannot doubt that a very general alarm would be raised, and that the insurance offices would find their business at once and most seriously affected. Nor is there any remedy that I can perceive for these evils. The only safety to the mortgagee would be an insurance in his own name; but this, independently of the considerations I have already suggested, is subject to very grave objections on the part of the mortgagor. Such an insurance covers only the interest of the mortgagee, the insurer in case of loss is bound to pay only the amount remaining due on the mortgage at the time of action brought. On paying the loss the insurer in some of the American cases, though it is doubted in others, is entitled by way of subrogation to an assignment of the securities, and when the mortgagor has been paid from the proceeds of the land or from other sources, the policy does not accrue to the use of the mortgagor. (In illustration of these positions his Lordship here cited several American cases, particularly 16 Peters, 497; 17 New York Appeal Reports, 391; 10 Peters, 507.) Again, though, as we have seen, the mortgagor and mortgagee may each separately insure his own distinct interest, this will never be done unless in exceptional cases, first, because the double insurance would be regarded by a prudent office with suspicion and dislike, and would in fact be a temptation to fraud; and, secondly, because the premium being in all ordinary transactions a charge on the mortgagor, he would be paying two premiums for one and the same property. It will be perceived, then, that whenever the insurers, from a belief of fraudulent dealing, or from any other motive, refuse to act liberally as they usually do, but insist before a court on their extreme rights, as the defendants are doing here, there are many difficulties in determining the true meaning and effect of this contract. From English cases we have little or no assistance; not a single case of modern date was cited at the argument, and in the Law Times' Reports since 1859 there are but three or four decisions on fire policies, none of them bearing on the present. The truth is, that technical and extreme objections are seldom if ever raised by English companies, they resist claims, as on the ground of fraud and that resolves itself into a question of fact. Let us turn, then, to the American cases, to such of them at least as we have access to in this province. We will find them by no means clear or consistent with each other, insomuch that in the Appeal Court of New York, one of the judges remarks so recently as in the year 1858 (17 N. Y. Rep. 405), "that in case of fire policies effected by the mortgagee upon the property, with a view to his own protection, the relative rights of himself, the mortgagor and the underwriters, as between each other, have not yet been determined upon any very satisfactory legal principles." The case put is that of a mortgagee insuring for his own benefit, and it has been held in that case that he may receive the full amount insured and recover also the full amount due on his mortgage. This is maintained in a case cited in Parson's Merc. Law, 570, notwithstanding respectable opinions to the contrary. But the case we are dealing with is a policy by the mortgagor, recognising on the face of it the interest of the plaintiff as mortgagee. This recognition in the contract itself distinguishes the case from that of *Grosvenor* v. *Atlantic Insurance Company*, 17 N. Y. Rep. 291, where the interest of the plaintiff did not appear on the face of the policy, though the word mortgagee is used; the words being, "Loss, if any, payable to Seth Grosvenor, mortgagee," and the deciding judge treated him merely as the appointee of the insured to receive the money which might become due to him from the insurers upon the contract. The bearings of this case have been minutely surveyed by one of my brethren in his opinion, and therefore I forbear from enlarging on them. It is urged by the defendants that Ogilvie was the only party they contracted with—the only person who must be taken under the policy as insured. The parol evidence on this point affects my judgment but little. Brush says he paid the premium, which he admits, however, having received from Ogilvie. He says the insurance was got for him by his agent at his request, while Scott says he was applied to by Ogilvie and took his signature and description. Both parties have doubtless stated what is true, but the written contract controls both, and must speak for itself. The defendants cannot deny that in recognising the plaintiff's interest they have incurred some obligation to him and the point is, what is the extent and scope of that obligation? are they to be held as having contracted with him either alternately with or independently of Ogilvie? and if so, can he, in either case, maintain this action in his own name, and recover on his own preliminary proof? If I am asked what I believe to have been the real intention of the parties, and the course of business with all such policies, I would answer, without hesitation, that this policy was to cover Ogilvie's interest as owner, the defendants at the same time agreeing or contracting, in case of loss, to pay the amount to Brush, as mortgagee, if claimed, and if not claimed, or if the mortgage had been satisfied, then the amount

to be paid to Ogilvie. In these two cases the right of action would have been in Ogilvie, so that if a right of action exists in the plaintiff, there is an alternate right according to the circumstances of the case. Now, I am not insensible to the difficulties of this position. The policy would seem to contemplate only one party as the party insured, and if Brush is insured, it may be argued that Ogilvie cannot be so. This point, however, it is not necessary to determine, as we are considering the rights of Brush, and not of Ogilvie. One case is of frequent occurrence, where the action surely cannot lie with the party who effected the policy, and that is, where he conveys the property, and the policy is indorsed with the assent of the insurers, to the purchaser. Here the insurers must be held to have substituted one party for another under the same policy—to have entered, in fact, into a new contract. This is the view taken by C. J. Shaw, in *Wilson* v. *Hill*, 3 Metc. 64, and it seems to follow as a necessary consequence that the action in such a case should be brought in the name of the assignee, and that he should be entitled and obliged, as he alone is competent, to furnish the preliminary proof. Now, if in this case the defendants have entered into a contract with Brush, and if Brush cannot enforce it by action, and if Ogilvie cannot enforce it, or neglects or refuses to do so, there is a right in Brush, without any legal means, to recover it—a conclusion to which no court will be driven if it can possibly avoid it. I am not surprised, therefore, to find that there are American cases on the point, which I take from Parson's Merc. Law, 511, and Angell on Fire Insurance Companies, as the reports are not here: "If a mortgagor procures insurance in his own name, but with a stipulation that the amount of loss, if any, shall be paid to the mortgagee, a suit on the policy may be maintained in the name of the mortgagee:" (16 Shep. M. Rep. 337.) The fact, says Angell, of bringing such suits, ratifies the act of procuring insurance for his benefit. It seems, says Parsons, that an order indorsed by the insured on a policy issued by the mutual insurance company, to pay the within in case of loss to a mortgagee, and assented to by the company, will enable the mortgagee to sue the company in his own name: (7 Cush. 175, *Barret* v. *Mutual Insurance Company.*) When the policy provides that the insurance, in case of loss, shall be paid to a third person (that is, not describing him as a mortgagee), the action should be in the name of the party to the policy: (*Nevins* v. *Rockingham Fire Insurance Company*, 5 Foster, 22.) These cases are somewhat assisted by the analogy drawn from marine policies, where it is the common practice to bring the action in the name of the party really interested, and for whose benefit the insurance was made, though not named in the policy. The cases to this effect are referred to in 2 Phil. 593, *Arnold* v. *Insurance*, 269. Nor is this doctrine confined to policies of insurance; it is applicable to other contracts in writing, not under seal. I am of opinion, therefore, that Brush had a right to bring this action in his own name—in fact, that he is to be taken, to the full extent necessary for his own protection, as the party insured. It follows, that preliminary proof furnished by him, in the terms of the policy, is sufficient; nor is the company any worse off than if they had effected a policy for him as mortgagee, when they must have been content with proof equally vague and unsatisfactory as they complain of here. In ninety-nine cases out of a hundred, the mortgagee having no possession or control of the premises, and residing perhaps at a distance, can have no personal knowledge of the circumstances or fairness of a loss—he is to make oath "when and how the fire originated, so far as he knows or believes"—but in fact he knows nothing of the circumstances, and his attestation dwindles into a form. The other objections urged at the argument do not, in my judgment, amount to much. It is obvious that they came in merely as *succedanea* in aid of the main question, and but for that would never have been heard of. The involuntary transfer of title, if there be any transfer on the part of Ogilvie, cannot and ought not to affect the plaintiff; and as for the plaintiff's affidavit not being sworn to before, and a certificate procured from the nearest notary, it is obvious from the evidence both of Mr. Hartshorne and Mr. Scott, that the objection was not to the form of the proof, but to the proof as coming from Brush. "What I required (says Mr. Scott) was proof from Ogilvie." The want of this proof—the absence of Ogilvie at the trial, the fact that no opportunity of examining or cross-examining him has been afforded—is really the only thing the defendants have to complain of. Now, although the whole amount insured was due to Brush at the time of action brought, his claim has been since reduced by the proceeds of the land to about 90*l.*, and the balance of 160*l.*, if paid to him, would be in his hands as trustee for Ogilvie, or parties under Ogilvie. For my own part, therefore, I think that the justice of the case would be answered by the plaintiff's receiving the sum due on his mortgage, with interest to the time of payment and his costs, and that the balance should be paid into court, subject to all such equities as may attach to it, when claimed by or on the part of Ogilvie, his creditors, representatives, or assigns.

TAXES ON ATTORNEYS.

Statement in Support of the Total Repeal of the Annual Certificate Tax.

For many years prior to the year 1853, attorneys, solicitors and proctors were subjected to the following taxation specially imposed on them; namely: 1st, to a stamp duty of 120*l.* on their articles of clerkship; 2nd, to a stamp duty of 25*l.* on their admission into the profession; and 3rd, to a tax on an annual certificate, without which they could not lawfully practise in their profession. 12*l.* was the annual certificate duty on those who practised in London, and 8*l.* on those who practised only in the provinces; and one-half the tax was remitted in favour of those who had not been admitted for three years.

In the whole range of special taxation of a class, there is no other instance of this threefold taxation. One class may be taxed, like the attorneys, solicitors, and proctors, on their articles of clerkship, or indentures of apprenticeship; another class on being admitted to their profession or calling; and another class on annual certificates enabling them to carry on their callings, as auctioneers, pawnbrokers hawkers, or pedlars; but attorneys, solicitors and proctors alone are subject to all these three kinds of taxation.

In the year 1853, the stamp duty on articles was reduced by one-third; namely, from 120*l.* to 80*l.*; and the annual certificate tax by one-fourth; namely, from 12*l.* to 9*l.* in London, and from 8*l.* to 6*l.* in the provinces.

There are cogent reasons why attorneys should be entirely relieved from the payment of the annual certificate tax.

The annual certificate tax was imposed in the year 1785 to make up an expected deficiency in the shop tax. The shop tax has long been repealed, but the tax in aid of it has been continued to the present day.

In England and Wales, this taxation amounts in the aggregate to upwards of 68,000*l.* per annum.

The annual certificate tax is a grievous and oppressive infliction on a large class of deserving practitioners, the profits of whose business is of small amount. By many recent changes in the law, and the practice of the courts, the emoluments of attorneys and solicitors have been greatly diminished. A very large portion of attorneys and solicitors do not derive as much as 200*l.* a-year from their profession; but they are nevertheless compelled to pay this onerous tax, which in London is equal to an income-tax of 6*d.* in the pound on 360*l.* a-year, and in the provinces, to an income-tax on 240*l.* a-year, and to pay the income-tax as well; and they are not exempted from any of the taxation imposed on the general public.

The profession of an attorney is an honourable one; and every person, before he is permitted to enter into articles of clerkship, is subjected to an educational test of a stringent character, and before admission, to two examinations in the principles and practice of the law.

An exclusive right to practise their profession, is conferred on members of the Bar, and on members of the College of Physicians and Surgeons; yet they are not subjected to a special annual taxation like that which is imposed on attorneys.

A Bill for the total repeal of this tax was first introduced in the Session of 1850.

The second reading of the Bill was carried on a division, and the principle of the Bill was again affirmed on two other divisions. After the Bill had passed through committee, it was lost on a division upon the third reading taken *at three o'clock in the morning.* 483 members voted on these divisions, and if the fate of the Bill had depended on their votes, taken on a single division, it would have been carried by a majority of 35.

In 1851, the motion for leave to bring in a similar Bill was affirmed by a majority of 30 out of 308 members, but in consequence of the dissolution of Parliament, the Bill was not again brought forward until 1853.

On the 10th March 1853, the motion for leave to bring in the Bill was carried by a majority of 52, out of 386 members.

Before the Bill was brought to a second reading, a resolution for the total repeal of *the advertisement duty* was carried.

On that occasion, the Chancellor of the Exchequer stated the impossibility of repealing the *certificate tax*, and also the *duty on advertisements*; and on the second reading of the Bill for the repeal of the certificate duty he reminded the House, that if both these duties were repealed, it was plain from the statement he then made, that the financial operations of the country would have to be carried on, not on a *surplus*, but on a *deficit*.

In consequence of this statement, 61 members who had previously voted *in favour* of the repeal of the certificate tax, voted *against it*, being driven to an alternative between the two duties.

The reasons, therefore, which induced those members to vote against the repeal of the tax on that occasion do not, it is submitted, apply at the present time. In 1853 the country was on the eve of a war, and the Chancellor of the Exchequer had not then, as it is confidently expected he will have at the end of the present financial year, a large surplus revenue available for the reduction of taxation.

There are at present about 10,200 practising attorneys and solicitors in England and Wales, and 60 conveyancers, special pleaders, and draftsmen in equity.

There are in Scotland about 1600 writers to the signet or procurators, including parliamentary solicitors, licensed in Scotland, practising in London.

There are in Ireland about 1350 practising attorneys, solicitors and conveyancers.

In the three countries, therefore, there are at present in the aggregate about 13,200 licensed practitioners.

In England there are about 4500 barristers, in Scotland 400, and in Ireland 900, making together about 5800 persons exercising a profession not less lucrative than that of an attorney, who do not *contribute anything annually* to the revenues of the country with reference to their calling.

If, therefore, it be admitted that barristers are properly exempted from the payment of any annual tax for the privilege of exercising their profession, upon what principle can it be maintained that attorneys, who are not remunerated at by any means so high a rate for their labours, should be subjected to the burden of an annual payment *amounting to nearly* 90,000*l.*?

INVESTMENT JOURNAL.

HOLIDAY week, and the Money-market has continued unchanged. A brisk spring was anticipated, but business is paralysed pending the issue of the war of America. Any moment may bring news of peace, and that would again dislocate the trade of the world. Hence there is a reluctance to speculate, and prudent men make ready for a storm whose direction and strength it baffles the wisest to conjecture. The only foreign stock that has been subject to a marked alteration is the Confederate Loan, which has fallen to 22, and finds few buyers even at that depression. Railway stock has improved.

The following shows the fluctuations of the week

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thr
Bank of England Stock	Closed.	243	...	...	240	240
3 per Cent. Red. Ann.		89¼	...	89¼	89	89
3 per Cent. Cons. Ann.		90⅞	...	91⅛	91	90⅞
New 2½ per Cent. Ann.		...	...	...	...	...
Do. do. Jan. 1894		...	...	73	...	...
New 3 per Cent. Ann.		89¼	...	89¼	89¼	89⅛
New 3½ per Cent. Ann.		...	...	...	...	...
3 per Cent. Annuities		...	...	...	...	...
3 per Cents. Jan. 1873		...	...	...	...	...
Ann. 20 yrs. exp. April 5, 1885		...	...	...	...	...
Do. exp. Jan. 5, 1880		...	...	...	...	...
Red Sea Tele. Ann. 1908		...	...	...	...	...
Bank Stock, for Acc.		...	...	...	...	...
Consols for Acc.		91	...	91⅛	91	90⅞
Consols 3 per Cent. for Ac.		...	...	...	...	...
India 3 per Cent. for Acc.		...	...	...	...	...
India Stock		...	...	...	...	...
India Stock, 1874		...	...	217	216	...
India 5 per Cents.		...	...	...	...	...
India 4 per Cents. 1888		...	...	99⅛	98⅞	...
India 5 per Cents. 1870		105¾	...	105¾	105¾	...
India Bonds (1000*l.*)		...	...	...	...	...
Do. (under 1000*l.*)		...	...	18s c	...	...
India Debentures, 1863		...	...	...	...	...
Do do. 1864		...	...	...	...	...
Do. do. 1866		...	...	...	...	...
India Enfaced Paper, 4 per Cent.		...	...	...	...	...
Do. do. 5 per c. Jan. 1872		101¼	...	102⅛	102	101
Do. do. 5½ per c. May 1879		110	...	...	...	...
Ex. Bills, 1000*l.*		a	...	b	a	a
Do. 500*l.*		...	...	b	...	...
Do. 100*l.* & 200*l.* 3 per c.		...	...	b	...	...
Do. Small, & 3 per c.		...	...	...	...	...
Do. Advertised		...	...	...	...	...
India Certificates		...	...	...	...	...

a 4 per cent. 7s. | c prem.
b 4 per cent. 7s. 4d. prem. | d 6 per cent. 7s. prem.

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

EQUITY PRACTICE.—A guardian *ad litem* will not be ordered to pay costs incurred by the plaintiff in consequence of an unsuccessful defence raised by himself, except in case of gross misconduct: (*Morgan* v. *Morgan*, 12 L. T. Rep. N. S. 109. V.C. K.)

DIVORCE COURT PRACTICE.—Unless the respondent to a petition for restitution of conjugal rights can establish a legal defence, the petitioner will be entitled to a decree, and the court has no discretion to inquire into the sincerity of the petitioner in bringing the suit: (*Scott* v. *Scott*, 12 L. T. Rep. N. S. 211.)

COURT OF QUEEN'S BENCH.

Ex parte TWO ATTORNEYS OF THE COURT.

Turner applied for a rule calling upon two attorneys of the court to show cause why they should

not pay over the sum of 400*l.* placed in their hands by the trustees under a marriage-settlement between Mr. Braithwaite and Miss Serjeantson, executed in June 1863. Repeated applications had been made for the money and promises to pay returned, but up to this time they had neglected to hand it hand it over.

The COURT granted a rule *nisi*.

Re WILLIAM AMBLER.

Lovesay applied for a rule calling upon William Ambler, an attorney, to show cause why his name should not be struck off the rolls of the court on the ground that he had been convicted of obtaining money under false pretences and sentenced to four months' imprisonment. *Rule granted.*

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

In Easter Term 1865.

Brocklesby, George Jobson, 4, Arthur-road, Holloway; and 16, Water-lane, Great Tower-street—Articled to G. M. Arnold, Gravesend; D. Sturdy, 29, Bucklersbury; C. Preston, 16, Water-lane; R. Ley, 16, Water-lane

Brown, Samuel, Rotherham, York; and 38, Myddelton-square, Clerkenwell—F. Edwards, Rotherham

George, Thomas Sampson, 4, Belgrave-terrace, Peckham—T. George, Chipping Barnet

Goddard, Charles, Stroud, Gloucester; 21, Bernard-street, Russell-square; and 2, Wells-street, Gray's-inn-road—W. W. Kearsey, Stroud, Gloucester

Holmes, Clarence, 21, Calthorpe-street, Gray's-inn-road—H. T. Farrar, Cranbrook, Kent

Lanyon, John Rodolphus, 34, Bernard-street, Russell-square; 27, Albert-street, Mornington-crescent; and Truro—F. H. Cock, Truro

Payne, Robert Sugden, 8, Belgrave-street, Argyle-square; and Liverpool—R. A. Payne, Liverpool

Paynter, Francis Edward, Penzance; and 7, King's-bench-walk, Temple—F. Paynter, Penzance; T. Southgate, King's-bench-walk, Temple

Wilkinson, Surtees, 7, Gray's-inn-square—F. G. Butler, Eaton Socon

On the last Day of Easter Term 1865.

Adams, Richard Hartley, 79, Addison-road, Kensington—C. R. Lucas, 6, New-square, Lincoln's-inn

Baker, John, 5, Mornington-road, Middlesex; and Leeds—F. H. Barr, Leeds

Best, William, Winchester—J. Ralfe, Winchester

Blackburne, Gilbert Ireland Montagu, Clifton—G. W. Nabler, Bristol; J. R. Bramble, Bristol

Clarke, Charles Guyon, 22, Gordon-terrace, King's-cross; East Monkey; 20, Rodney-street; and 19, John-street, Pentonville—H. Vallance, 20, Essex-street, Strand

Cooper, William David Seymour, Harrow, Middlesex—W. B. Cooper, 3, Verulam-buildings, Gray's-inn; C. H. Hodson, 3, Verulam-buildings, Gray's-inn

Fox, John Bohun Chandler (articled as John Fox), 60, Charrington-street, Oakley-square—J. Phillips, jun., Stamford, Lincoln

Frame, Thomas, 17, Charlwood-place, Pimlico—W. H. Surman, 11, New-square, Lincoln's-inn

Heslop, William, 50, Torrington-square, Bloomsbury; and Newcastle-upon-Tyne—J. Arnott, Newcastle-upon-Tyne

T. Chater, Newcastle-upon-Tyne

Lang, Hickman, Crewkerne, Somerset; and 6, Raymond-buildings, Gray's-inn—G. L. Lang, Crewkerne; C. P. Wood, 6, Raymond-buildings

McKeever, James, Wigton, Cumberland—A. B. Were, Wigton

Murrow, Charles, Liverpool—J. Murrow, Liverpool; R. C. Brown, Liverpool

Postlethwaite, John, 15, Leamington-road-villas, Westbourne-park; and 3, Raymond-buildings, Gray's-inn—J. Postlethwaite, Whitehaven

Rigby, Frank Dixon, 43, Southampton-buildings, Holborn—R. W. Lovesy, 7, New-inn, Strand

Smale, William, 10, Greville-street, Brunswick-square; and Barnstaple, Devon—J. T. P. Tucker, Barnstaple

Stamp, Edmund Archibald, 24, Cambridge-street, Pimlico; Honiton, Devon; and 98, Warwick-street, S.—E. Stamp, Honiton

Steel, Thomas, jun., Sunderland; and 41, Clarendon-terrace, St. John's-wood—W. J. Young, Sunderland

Sugg, Hubert Henri, Ilkeston, Derby—J. Shaw, Ilkeston; Mr. Jessop, Ilkeston

Taylour, Cresswell John, 5, Verulam-buildings, Gray's-inn—A. Lace, Liverpool

Tunstall, Charles William, 4, Clarence-terrace, Holloway—R. G. A. Hilleary, 5, Fenchurch-buildings, City.

Readmission on the last Day of Trinity Term 1865.

Tyler, Henry Hugh, 27, Leighton-road, Kentish-town.

To take out or renew Certificates on the 12th May 1865.

Brown, Walter Adam, Great Ealing, Middlesex

Burkinshaw, John, Southampton; and Norwich

Crouse, Robert Frederick, 10, Brownlow-street, Bedford-row; Port Natal, South Africa; upon the Seas; and 2, Derby-street, Argyle-square

Darlington, Henry Cecil, 21, Lanark-villas, Maida-hill

Dawnside, John, jun., Barton, Westmoreland

Fagge, Francis Alexander, 1, D'Eyncsford-road, Camberwell-green

Foster, Richard Betton Charles, 5, Cleveland-terrace, Hyde-park; and Pulsford

Garwood, Clifton Ramsey, Acomb, York

Hemmant, John, Birmingham

Holmes, Whitaker, Liverpool; and 12, Berkeley-terrace, Kennington

Hooper, Henry Richard, Newport, Isle of Wight

Hutchinson, William Johnson, 6, Priam-place, Hammersmith

Oxley, Frederick, 60, Hungerford-road, Islington; and 17, Leighton-villas, St. Pancras

Penny, William Hughes, 17, Studley-road, Stockwell

Prin, George Ashby, 2, Burlington-road, St. Stephen's-square; and 10, Cleveland-gardens, Hyde-park

Richardson, Albert William, Withyham, Sussex

Shaw, Sydney John, 1, Westbourne-terrace-road; and 6, Blenheim-terrace, St. John's-wood

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

GENERAL ROLLING STOCK COMPANY (LIMITED).—Creditors to send in by 1st June their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to H. Chatteris, 21, Lawrence-lane, London. Solicitors, Davidson, Carr and Bannister, 22, Basinghall-street, London.

HEIRS AT LAW AND NEXT OF KIN.

WALTON (Robt.). Alston, Cumberland, gentleman. Next of kin to come in by April 24th. Solicitor, J. Rae, 9, Mincing-lane, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

CRISFORD (George), Westfield, Sussex, miller, May 23, M. R. Palmer, Palmer and Bull, 24, Bedford-row, London, for J. Lewis, Lewes.

HALTON (W. T.), 4, Lower-terrace, Lower-road, Islington, Middlesex, undertaker, May 1, V.C. K. T. Berkeley, 12, Gray's-inn-square.

JACKSON (William), Gillygate, York, gentleman, May 13, V. C. S. Bell, Brodrick and Bell, Bow-churchyard, London.

KNOWLES (George), Newnham, Gloucestershire, wine merchant, May 2, V. C. W. Rogerson and Ford, 31, Lincoln's-inn-fields, Middlesex, for Carter and Goold, Newnham.

LEITE (J. P.), 61, Moorgate-street, London, merchant, May 2, M. R. Waltons and Bubb, 30, Bucklersbury, London.

MURLESS (P. R.), 3, Great James-street, Bedford-row, Middlesex, and Aldershott, Hants, solicitor, May 8, V.C. K.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BOWNAS (M. A.), Bramham, Yorkshire, spinster, May 14. Seymours and Blyth, 12, Lendall, York.

CULL (Thos.), Cheltenham, builder, May 16. Bubb and Co., Cheltenham.

DAVIS (Thomas), 12, Regent-street, Middlesex, tailor, May 15, Mackeson and Golding, 59, Lincoln's-inn-fields, London.

DAVISON (A. W.), St. Margaret's Bank, Rochester, gentleman, May 1. M. S. Stephens, 19, Gibraltar-place, Chatham.

GEE (William Henry), Liverpool, architect, May 20. Lace, Banner, Gill and Lace, 1, Union-court, Castle-street, Liverpool.

GUTHRIE (Alexander), formerly of Singapore, East Indies, late of No. 8, Upper Wimpole-street, Middlesex, merchant, June 1. H. S. Turner, 42, Jermyn-street, St. James's, London.

HUBBARD (John), 176, High-street, Shadwell, Middlesex, wood hoop merchant and bender, May 23. Lewis and Watson, 27, Pudding-lane, Eastcheap, London.

HULLEY (M. A.), 14, Church-street, Hackney, Middlesex, spinster, June 14. Rutherford and Son, 14, Gracechurch-street, London.

JEPSON (Rev. W. N.), vicar of St. Martin's, Lincoln, June 30. R. C. Carline, Silver-street, Lincoln.

KAY (Wm.), 32, Hill-street, Berkeley-square, Middlesex, and Tring-park, Herts, Esq., May 20. J. and W. Galsworthy, 12, Old Jewry-chambers, London.

MACKENZIE (F. W.), 11, Chester-place, Hyde-park-square, Middlesex, doctor of medicine, June 1. Johnson and Master, 22, Duke-street, Grosvenor-square, London.

MADOX (J. F.), Foots Cray, and No. 2, Haddington-terrace, Greenwich, Kent, gentleman. W. Wyatt, 1, Arthur-street west, London-bridge.

MARSHALL (John), Cotgrave, Nottinghamshire, gentleman, June 21. S. R. P. Shilton, St. Peter's-churchside, Nottingham.

POPHAM (W. C.), Stourfield, Southampton, Esq., an admiral in the Royal Navy, June 1. St. Barbe Sladen, 14, Parliament-street, Westminster.

SHAW (John), Nottingham, gentleman, June 24. S. R. P. Shilton, St. Peter's-churchside, Nottingham.

TENNENT (James), 3, Cranmer-terrace, Cranmer-road, North Brixton, Surrey, a retired major in the Indian army, June 1. Blakeley and Beswick, 26, Nicholas-lane, Lombard-street, London.

WRIGHT (Benjamin), 332, Portland-place, Manchester, gentleman, June 1. J. Leigh, 30, Brown-street, Manchester.

YERBURY (Rebecca), 1, Montpellier-terrace, Cheltenham, spinster, June 1. R. S. Lingwood, 2, Promenade-place, Cheltenham.

LAND REGISTRATION.—To the Editor of the *Standard*.—I think it right to say that having registered one property I would on no account register another; and those who, like me, have been foolish enough to register I would advise to consider well the effect of the red line, about which I have many doubts as affecting the rights of the property not included within it. I have no doubt the course taken is a serious error, and I regret to subscribe myself, REGISTERED.—April 11.

THE BENCH AND THE BAR.

ILLNESS OF MR. JUSTICE WILLES.—The Lord Chief Justice, in the course of Wednesday, in reference to an application to set aside an order of Mr. Justice Willes, said that this learned judge had had an attack of illness which rendered it impossible for him to be in court that day; but it was hoped that in the course of a few days he would be present.

NEW QUEEN'S COUNSEL.—The following gentlemen were called within the bar:—Mr. Josh. Browne, Mr. Bulwer, Mr. Webster and Mr. Milward, of the Common Law Bar; Mr. De Gex, Mr. Joshua Williams, Mr. Edward F. Smith and Mr. Jessell, of the Chancery Bar. Mr. Serjeant Robinson, having received the coif, was also called within the bar.

EASTER TERM.—The business of the Easter Term commenced on Wednesday. Owing to Easter falling within the term, the courts did not sit the first four days, but the time is made up by adding them to the end of the term. Trinity Term will consequently be delayed four days this year, and the sittings before the long vacation will be prolonged in order to prevent any loss of time or inconvenience to the suitors who have causes set down for trial. Mr. Manley Smith, the newly appointed master in the room of the late Sir A. D. Croft, took his seat for the first time in the Court of Queen's Bench.

CRUELTY TO SHEEP BY A BARRISTER.—At the petty sessions for the division of Tiverton, held at the Town-hall, on Tuesday, 18th inst., Mr. William Stoate, of Allerford, Somerset, was charged by the Secretary of the Royal Society for the Prevention of Cruelty to Animals with ill-treating and torturing certain sheep on his farm, the Upcotts, Clayhanger, Devon. The court was crowded to excess, and the most intense excitement prevailed in the neighbourhood owing to the notoriety of the alleged offence, the number of animals said to have been tortured, and the position of the defendant in the county. It appeared from the evidence of several witnesses that the defendant was an eccentric and wealthy barrister, and that at Midsummer last he sent a flock of 275 sheep, thirteen bullocks and five horses to the above-named farm. In the course of the autumn, some of the bullocks and horses were taken away, and as the winter advanced and the food became scant, the shepherd who had charge of the animals wrote to Mr. Stoate "requesting him to provide food as the sheep were starving," but he received only a supply of straw. The shepherd repeated several times his application without better success, and he was ultimately discharged by Mr. Stoate in February last. Another shepherd was engaged for a fortnight, but since that date the sheep had been altogether uncared for, and about 130 of such animals and an Exmoor pony had literally died of starvation. One of the sheep had its eye picked out by a bird, before it was dead, as it lay in a prostrate condition. The defendant pleaded that he had been buying straw through the winter to sustain the sheep, and that the present proceedings had been instituted from spite and malice, because there were many farmers in the neighbourhood who coveted his farm, and he would not let it to them. He conducted his own case, and his behaviour was very eccentric throughout the proceedings. The Bench, after a brief deliberation, sentenced the defendant to six weeks' imprisonment with costs. Loud applause followed the delivery of this sentence.

A NOTORIETY OF THE TEMPLE.—Miss Flight fell down dead in the Middle Temple last week. Dickens's readers know her as the little lady who was always hovering about the courts and behaving eccentrically. Doubtless she was considered a mere pen-and-ink sketch from fancy, but she was a fact, every inch of her. She would, we know, stop the most learned judges that sit on the bench when in full swing of their awful judgment. She would rise and shake her long weird fist at the embodiment of wisdom in horsehair, and exclaim, "Oh, you vile man! Oh, you wicked man! Give me my property. I will issue a *mandamus*, and have your *habeas corpus!*" And having continued in a like fashion for a minute or two, she would bind up her papers in "red tape"—at least tape that had once been red, and had followed her dirty fortunes for years, and either subside into the seat granted her beside the barristers or depart triumphant from court. No usher had dared exclaim "Silence!" or send forth the hush of the cackling animal peculiar to that official. No barrister had nudged her under the fourth rib, as he might have done another, and would have done had she been fairer. And the learned judge sitting patiently till the end, with a mild perspiration only rising on the tip of the nose to show that he was in any way put out, would then, as if nothing had occurred, resume the thread of his learned judgment, to be appealed against, perhaps, soon after. What the mystery is between Miss Flight and the Bar no one can tell. She may have been the embodiment of a peculiar wrong, and have appeared in the eyes of the bewigged as a sort of ghost threatening the evil-doers with the shades. Perhaps she was pensioned merely out of some stray idea of benevolence. We scarcely thought of that in connection with the object of our comment, and yet to a certain extent it may be true, as she received from the right learned Middle Temple a sum of shillings per week which she added to a sum of shillings received from the right learned Inner Temple, and so she supported life. But why the learned of the law gave something for nothing and were afraid of and respectful to the little woman let no man inquire. The little woman's soul has, however, flitted, and we can say that, after all, the few young lawyers who know naught of her history will send after her whither she has gone a word of regret.—*Court Journal.*

MAGISTRATE AND PARISH LAWYER.

DONCASTER BOROUGH.

Feb. 27 and March 6.

HANSON *v.* JACKSON.

Traction engines upon turnpike-roads—Exemption from toll.

A case of great importance (a short statement of which we gave a week or two ago) came before the Doncaster borough magistrates, on Monday, Feb. 27, which, after full argument on both sides, was adjourned for consideration until the 6th March. The facts being fully stated in the judgment below, need not be repeated here.

Shirley appeared for the complainant.

Woodhead for the defendant.

MR. JACKSON, in delivering the judgment of the Court, said:—The information is laid by the complainant Francis Hanson, and it charges the defendant Thomas Jackson as follows: "For that he, the said Thomas Jackson, on the 10th Feb., then being the collector of the tolls at a certain gate there called Small-briggs, on a certain turnpike-road there situate called the Doncaster and Bawtry turnpike-road, did then and there demand and take from one Francis Hanson the sum of 1*s.* 4½*d.* as and for the toll of a locomotive thrashing machine of which the said Francis Hanson was then and there the driver on the said turnpike-road, the said Francis Hanson being then and there exempt by law from the payment of toll in respect of the said locomotive thrashing machine, and the said Francis Hanson then and there duly claiming the said exemption, contrary to the statute in that case made and provided." The circumstances of the case appear to be briefly these: Mr. Hanson, a farmer, residing at Hurst Farm, near Rossington, is the owner of a steam traction engine and a thrashing machine, which, being coupled or fastened together, travel along the turnpike and other roads from one place to another, and from one farm to another. The machine is not drawn by horses, but moves

along by the action of the steam-engine. On Thursday, the 9th Feb., he was working at Mr. Parkinson's, of the Crown Hotel, Bawtry, and at half-past three on Friday morning he left Bawtry with the engine and machine to come to Doncaster, a distance of nine miles, in order to thrash corn at Mr. Eyre's, a farmer there. At the Rossington Bridge bar, four miles and a half on his road, the toll-bar keeper made no demand for toll, but allowed him to pass freely through. At the Small-brigge bar, however, kept by the defendant, situate about three miles further, a toll of 1s. 4½d. was demanded. This was at once resisted by the complainant, on the ground of his exemption, but to this it was answered that he was liable for having come upwards of two miles on the road. After some expostulation, the complainant ultimately paid it to the defendant under protest, and an intimation that the latter would be summoned before the magistrates about it. The Doncaster and Bawtry Road Local Act 1832 enacts that it shall be lawful to demand and take for toll (*inter alia*) "for every carriage, machine, or caravan, or whatever description, not drawn by any horse or other beast of draught, but propelled or moved by steam, gas, or any other kind of machinery, any sum not exceeding 2s.," and we have to see whether or not toll was payable at all. In a case lately before us (*Jackson* v. *Rowbottom*, 40 L. J. 115), we held, upon the authority of one previously decided by the Court of Q. B. (*Reg.* v. *Matty*, 27 L. J. 59, M. C.), that these locomotive engines and machines were exempted from the payment of toll, on the ground of their falling within the legal definition of carriages employed in carrying or conveying any implements of husbandry, and we ventured to lay down that whether they were drawn by horses, or moved along by steam-power, in reality it made no difference, as the exemption contained in the General Turnpike Act, 3 Geo. 4, c. 126, s. 32, appeared to us equally to apply to both, the words being "horses or carriages." But the defendant has been advised to raise the question in another form. He now contends that a locomotive thrashing machine is not exempt from toll if it has passed for more than two miles along a turnpike-road; and for this he relies upon certain excepting words in the clause conferring the exemption in the Act of 3 Geo. 4, before alluded to. That clause is to this effect—that no toll shall be demanded or taken on any turnpike-road, for any horses or carriages attending his Majesty, or any of the royal family, or returning therefrom; or of or from any person or persons for any horse or horses or other beast or cattle, or for any waggon, wain, or cart, or other carriage employed in carrying any material for repairing roads or bridges, or for carrying or conveying (amongst other things) any ploughs, harrows, or implements of industry, &c.; "or for any horses, or other beasts employed in husbandry going to or returning from plough or harrow, or to or from pasture or watering-place, or going to be or returning from being shoed or farried, such horses or other beasts not going or returning on those occasions more than two miles on the turnpike-road on which the exception shall be claimed." These last are the words of exception on which the defendant rests his case of claim for toll. The question for us to decide is whether they do or do not bear the construction he seeks to put upon them. Now, the words themselves clearly have reference only to "horses or beasts," and not to carriages of any kind, and the engine and machine in respect of which toll was here demanded and taken was without horses, and moved along by steam. Probably on that account alone it might not be unsuccessfully contended that although these carriages properly came within the clause of exemption, for the reasons before given, and fail to be included within the words of exception which apply to "such horses or other beasts," &c. But then it is contended, and we are asked to assume, that, in this instance, the steam-engine stands in need of, and must be held to represent the horses. Well, assuming that so to be for the sake of argument, and granting the defendant the fullest benefit of that position, still it appears to us that he gains nothing thereby. After the best consideration we have been able to give, we are satisfied, as far as we well can be, that these words of exception, as to the two miles passage along the road, refer only to horses or beasts going to or returning from plough or harrow, pasture or water, shoeing or farrying, and to no other animals, matters, or things, before mentioned in that clause of the Act. Why is the distance here restricted to "two miles" only? We answer, simply because where farms lie contiguous to turnpike roads that space may be considered to include and cover the utmost distance that any farming horses, or cattle of any kind, may be likely to pass upon those roads to and from their pasture, or watering place, or the blacksmith's shop, and therefore the law says that "on those occasions," and for those purposes only, such horses or beasts not going or returning more than two miles shall have a free passage thereon. This appears to us to be the true and obvious meaning of the exception as to the two miles. The farmers, on the one hand, are to have reasonable egress and regress on certain occasions, and for certain purposes, whilst, on the other, the toll-bar keepers are to have a sufficient control to protect themselves against the possibility of any unfair or excessive user of the road, and if some check of this kind was not afforded them, "it would," to use the expression of Lord Kenyon in *Harrison* v. *Brough*, 6 T. R. 706, "open a great door to fraud on the turnpike men." We think that the defendant has misconstrued the Act, and that he ought to have allowed the exemption from toll as claimed by the complainant on his arriving at the gate: consequently our judgment is that he pay such toll with costs.

HIGHWAYS LAW.

[Note.—A department of the Law Times will be devoted to communications and inquiries upon this subject.]

Correspondence.

Highways Improvements—Election of Waywardens.—Under sect. 47 of the Highway Act 1864 it is enacted that a highway board may make such improvements as are thereinafter mentioned, and may borrow money for the purposes of defraying the expenses of such improvements. Is the section imperative as to borrowing money, or may the board pass a resolution to carry out any matter which the Act has deemed improvements and charge the expenses to the parish as in ordinary cases? Under sect. 19 every waywarden before taking his seat as member of the board must produce a certificate of his appointment. The first meeting of the board after the election of waywardens is on some day between the 7th and 14th of April. The waywarden being usually appointed on the 25th March, who is the waywarden from the latter date up to the meeting at which the new waywarden takes his seat for the purpose of calling extraordinary meetings, &c? E. S.

Borough of New Windsor.—The Easter Quarter Sessions will be holden on Friday next, the 28th day of April. A. M. Skinner, Esq., Recorder. John Secker, Clerk of the Peace. Four days' notice of appeal is given.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Vendor and Purchaser — Possession by Purchaser without Payment.—B. contracted for the purchase of an estate from C., to be completed on a day named. Before that day C. allowed B. to let a house upon the estate, and receive the rents of it. The contract was not completed, nor was the purchase-money paid. C. then proposed to rescind the contract on terms to which B. (who had contracted for the subsale of the estate) would not assent. C. thereupon resumed possession of the estate, and filed a bill for specific performance; and he was held to be entitled to it: (*Colby* v. *Gadsden*, 12 L. T. Rep. N. S. 197. M. R.)

Equitable Mortgage.—In the case of a mortgage by deposit of deeds, with an agreement to execute a legal mortgage when required, the proper form of a decree will be, not to direct a sale, but to order defendant to execute a legal mortgage, with a provision for foreclosure. But when the deeds are deposited as a security, without any memorandum of agreement, the depositee may be entitled to a decree for sale: (*London Monetary Advance Company* v. *Brown*, 12 L. T. Rep. N. S. 199. V. C. K.)

Marriage-Settlement.—Where an executory covenant is entered into on a marriage, the court will, in carrying it out and ordering a conveyance, give effect to the intention of the parties, and will not leave to a parent such an estate as would enable him to destroy limitations in favour of the children intended to be provided for. If the effect of the words in the instrument would, if contained in an absolute conveyance, pass an estate tail, the court will cut it down, and give the parent an estate for life, and an estate tail by purchase to the children, introducing cross-remainders in tail among the daughters: (*Phillips* v. *James*, 12 L. T. Rep. N. S. 200. V. C. K.)

Mortgage — Marshalling Securities.—Freeholds, leaseholds and chattels, and two policies of assurance, were mortgaged to B. The same property, except the policies, was afterwards mortgaged to C. D., the executor of a surety in the first mortgage, after unsuccessfully resisting an action at law, brought by B. on the covenant in that mortgage, paid off the balance due to B., and took a transfer of the policies. C. was held, on a bill filed by him, to be entitled to have the securities marshalled in his favour, as to the policies, and that the balance in D.'s hands, after payment of the first mortgage and the costs only of the plaintiff in the action, should be applied in discharge of C.'s security: (*Smith* v. *Bloxam*, 12 L. T. Rep. N. S. 204. V. C. W.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Parliamentary Practice.—The works were described as "a railway commencing at, &c., by a junction at or near the S. station." By the deposited plans the junction appeared to be thirty chains from the station. It was held to be a good description: (*The Lancashire and Yorkshire Railway Bill*, 12 L. T. Rep. N. S. 182.)

The referees will, as a question of engineering details, go into the question whether the proposed works pass through lands which the promoters are not empowered by their Bill to take. But they will not inquire whether it would be possible at a future time to extend the proposed railway, or whether a better course than that proposed, but without the limits of deviation, could be selected: (*The Lancashire and Yorkshire, Railway Bill*, 12 L. T. Rep. N. S. 182.)

A railway proposed to join an existing railway by a junction very near to a level crossing, which was the only means of access to a portion of the petitioners' estate, and the effect would be that the level crossing would be rendered practically useless. The Referees allowed the petitioners to produce evidence to show that it was possible to construct a bridge under the two railways which would remedy the evil: (*The Great Western Railway Bill*, 12 L. T. Rep. N. S. 183.)

The Referees will hear evidence as to the obstruction of the navigation where there is a viaduct over a navigable river: (*The South Wales and Great Western Direct Railway Bill*, 12 L. T. Rep. N. S. 185.)

A railway proposed to cross the Frith of Forth by a viaduct two miles in length. The sufficiency of the estimates being questioned, the promoters were held to be entitled to begin: (*The Forth Bridge Bill*, 12 L. T. Rep. N. S. 183.)

Locus Standi.—Petitioners against so much of a railway Bill as related to tolls, rates and charges, as being partial and unequal, and framed with a view to force traffic by certain routes, thereby increasing the company's receipts at the expense of the petitioners and the public, were admitted to a *locus standi*: (*The London and North-Western Railway Bill*, 12 L. T. Rep. N. S. 183.)

But petitioners were rejected because the petition did not show that the rates, tolls and charges of the promoters were excessive and unequal, or that any hardship would be caused by their application to the new line: (*The Manchester, Sheffield and Lincolnshire Railway Bill*, 12 L. T. Rep. N. S. 184.)

Winding-up—Contributory—The policy of the law will not permit a debtor to an estate being wound-up to buy up counter claims, subsequently to the winding-up order, for the purpose of making a set-off. But where there is an actual ownership of a counter claim, which is a consequence of anterior circumstances, though arising subsequently, it is otherwise: (*Barrett's case*, 12 L. T. Rep. N. S. 193. L. C.)

Lands Clauses Act—Invalid Lease.—A jury was summoned to assess the value of the lessee's interest in certain premises. An arrangement was come to and verdict taken by consent for a lump sum, no separate assessment being made for lessee's interest, damage to trade, &c. The lease was afterwards found to be invalid. It was held, that the sum assessed must be taken as the value which the jury by agreement had assessed for the interest claimed, and not as representing the actual interest of the claimant: *Re North London Railway Company*, 12 L. T. Rep. N. S. 200. V.C. K.)

MARITIME LAW.

NOTES OF NEW DECISIONS.

Salvage of Life—Liability of Owners of Cargo.—The owners of the cargo of a vessel to which services have been rendered are liable to contribute to that portion of the claim of the salvors which arises from saving the lives of the passengers on board the vessel. In such cases, the first consideration is the value of the services with reference to the amount of property rescued from peril; and the next is, how far

the merit of these services is enhanced by the risk to life or property which has been involved in them. In salvage services for the saving of life, passengers stand on the same footing as the crew, for they are equally "persons belonging to such ship." The benefit to property is not the criterion of liability to the payment of life salvage: (*The Fusilier*, 12 L. T. Rep. N. S. 186. Pr. Co.)

Marine Insurance.—To a declaration on a policy of insurance on goods on board a ship from London to Matamoras, defendant pleaded that the goods were contraband of war, shipped by the plaintiff for the purpose of being imported into a port in a State in North America, engaged in hostilities with the United States of America, and were liable to be seized by cruisers of the United States, and that the ship was carrying goods and papers that rendered her liable to such seizure, and that she and they were so seized, which was the loss complained of. This was held to be a bad plea, because it was consistent with it that the goods were being sent from a neutral port to a neutral port in a neutral ship, and therefore were not liable to seizure; because plaintiff was not shown to be responsible for the ship's papers, or the character of any goods besides his own; and because the carrying of the papers did not alone work a forfeiture, but was only evidence from which a cause of forfeiture might be inferred: (*Hobbs* v. *Henning*, 12 L. T. Rep. N. S. 205. C. P.)

A DIGEST OF SALVAGE AWARDS DURING THE LAST TWENTY YEARS.

(*Continued from p. 271, col. xxxix.*)

632. The *Lord Raglan*, screw steamship, 350 tons. Loss, Feb. 17.—Value of property about 10,000*l.*; award, 400*l.* Rotterdam to Newcastle. General cargo. Grounded on a bar off Brielle, 22nd Oct. The steamship *Seagull*, from Rotterdam to Hull, with passengers, went to her aid and got her clear of the bar, and towed her safely into Hull. Ship in distress, but not in any great danger, yet if she had remained longer on the bar she would have been entirely lost. In estimating salvage, "the court looks to the nature of the exertions made, the danger to which property is exposed, the danger incurred by salvors, duration of the service, and the probabilities that might take place unless the service was rendered." It likewise considers any ground of complaint that might arise against the owners because of a passenger ship not performing the voyage with due celerity, and because of the additional risk to which the cargo is exposed in rendering the service. The Court could not take into consideration the circumstance of both vessels being insured in the same insurance office. The amount awarded considered a moderate sum.

633. H. M. steamship *Vulcan*, 1860, Feb 23.—Award 50*l.* Sheerness to Gravesend. Aground on the Blyth Sand. A steam-tug on the night of the 23rd Sept. 1859 went to her assistance, and succeeded in towing her off. The *Vulcan* was not in great danger, but might have been if the wind had come on to blow from a quarter which would have placed her in difficulty. No risk to salvors. Service effectual but of short duration. The Court thought that Government ought to pay liberally for services of this description. It does not consider salvors entitled to a high rate of salvage by reason of the large value of the property alone, but it is better able to give an adequate reward where the value of the property is large than where it is small.

634. The *Gudrun*, brig, 162 tons. 1860, March, 9.—Award 30*l.* Copenhagen to Galway. Wheat. Vessel abandoned by crew, 23rd Jan., in apprehension of danger, but with the intention of obtaining assistance, and returning to the vessel if possible. On the 24th and 25th the violence of the weather prevented their return. The steamer *European* from Limerick to London went to her aid. She had previously on the same day been taken possession of by the crew of the smack *Isaac*, whom the court considered the primary salvors. The *European*, at the request of the smack *Isaac*, took the brig in tow and brought her safely up half a mile within the mouth of Dingle Harbour. Service short and simple, but effectual. Tender of 20*l.* not a sufficient one: (Admiralty Court, Dublin.)

635. The *Sea Ware*, barque, 316 tons. 1860, March, 12.—Value of property 6,955*l.*; award 250*l.*; percentage 35·90*l.* Valparaiso to Liverpool. Found derelict and in a very disabled state, 27th Oct., off Strumble Head, by the screw steamship *Britonferry*, from Swansea to Liverpool, which took her in tow, and conducted her into Holyhead New Harbour. Ship in most imminent danger. A very meritorious case, in which a considerable proportion of value was to be given; the service was performed with great energy and success, and it was of the highest merit, looking to the state of the weather, period of the year, locality, and seeing that she was abandoned by her master and crew. But for the assistance rendered her destruction would have been all but certain. The Court allotted 120*l.* to the owners, it being through the instrumentality of their steamship that the service was performed; 50*l.* to the master, he taking upon himself the responsibility of leaving his voyage; and the remainder to be divided among the crew according to their rated wages.

637. The *Innocenza*, brig, 130 tons. 1860, March, 24.—Value of property between 4000*l.* and 5000*l.*; award 47*l.*—Tagarroy to Falmouth and Boston. Linseed. Got on a shoal 26th Aug., but came off. Hoisted a signal for a pilot and for assistance. The lugger *Susannah* went to her aid, and conducted her to Yarmouth Roads. An agreement had been made to assist her into Boston Deeps Plain water for 47*l.*, and the court considering that it was equitable, that the salvors were bound by its terms to render every aid, and that an alleged destruction of the agreement by the salvors could not invalidate it, not having been made with the consent of the master, held it as binding on the parties. He did not condemn the salvors in costs, as although the principle that costs follow the decision ought not to be easily departed from, there were circumstances in this case which induced them to wish to cancel the agreement, that there was more labour than they anticipated. Dr. L. said, in salvage cases Lord Stowell thought that "if, as a general rule, he accompanied the decree with costs it would discourage other salvors—a class of people not able very well to comprehend these matters, and therefore it would be likely to injure public interests."

638. The *Margaret*, brigantine. 1860, March 31.—Value of property, 4484.; award, 150*l.*; percentage, 33·482. Ran on the Arrow Bank off Sussex coast, 20th Jan. A galliot (twenty-four men) went to her assistance, and, with considerable risk and labour, succeeded in conducting her to a place of safety. A very meritorious service.

639. The *Ellen*, fishing-smack. 1860, March 31.—Award. 15*l.* In collision with the brig *Two Sisters*, and received considerable damage. The fishing-smack *William and Ann* went to her assistance, and the fishing-smack *Sebastapol* towed the *Ellen* into Scarborough Harbour, for which she received 5*l.*; two men of the *William and Ann* remaining on board to work at the pumps. The Court considering this an *ex parte* case, both vessels belonging to the same owners, and that it must view it with great jealousy, even as regarded the claim of the seamen, decreed 12*l.* to be paid to the two seamen who boarded the *Ellen*, pronounced altogether against the owners' claim as being even fraudulent, and condemned the owners in all the costs.

640. The *Alida Rina*, Dutch brig, 175 tons. 1860, March 31.—Award 80*l.* Ibrail to Queenstown for orders. Indian corn. While proceeding from Queenstown to Ballina, 4th Dec., in charge of a Ballina pilot, was compelled, from stress of weather, to run for shelter into Sligo Bay. On 5th Dec. the vessel was lying within 150 fathoms of Bournon Strand, embayed in its curve between Deadman's Point and Lower Ross's Point, exposed to the drift of the Atlantic. The steam-tug *Commerce* went to her aid and towed her to the Pool of Sligo, after a towage by the steam-tug of about two miles. Tender of 40*l.* inadequate: (Admiralty Court, Dublin.)

641. The *Eastern Monarch*. 1860, April 19.—Value of ship's hull, cargo and passage-money, about 41,32*l.*; award, 1660*l.* Bombay to London. Troops and a general cargo. On fire off Spithead, 3rd June. The barges *Providence*, *Petrel*, *Aleona* and *New Speedwell* went to her aid and succeeded in rescuing 416 persons, the salvors on board the *Providence* incurring great personal risk. Two men came off in the wherry *Mazeppa*, and the bargemen having made an arrangement with six boatmen from the shore to assist them, sent for three tugs, and having made one of them (the *Isabella*) fast to the wreck, endeavoured to cut the cable and remove the ship into shallow water, and the tug *Ranger* towed the masts and spars which had been cut away into Portsmouth Harbour, the tug *Pleiades* lying by to protect the *Isabella* from the flames. The salvors, with the assistance of a Government steamer and thirty or forty men, towed the wreck into shoal water at the back of the Arrow Bank and continued endeavouring to extinguish the fire and save portions of the wreck as well as preventing the ship being plundered, the *Pleiades* having previously endeavoured to scuttle her. Service meritorious. Imminent danger to life and property. The Court allotted 200*l.* to the *Fiscn*, 120*l.* to the *Pelton*, 300*l.* to the *Providence*, which underwent the greatest danger (60*l.* of which was allotted to the owners and the remainder to the master and crew), 200*l.* to the *Aleona*, 180*l.* to the *Petrel*, 180*l.* to the *New Speedwell*, and the remainder to the three tugs and seven men. In fixing amount of salvage the court is "bound to bear in mind the 459th section of the Merchant Shipping Act, which contemplates the possibility of the whole proceeds being exhausted by payment of salvage for life, and it is its duty to give a liberal reward for the saving of life, two things being considered the degree of danger the persons saved were exposed to, and the degree of peril the salvors encountered."

642. The *Rover*, schooner, 1860, April 19; value of property, 1262*l.*; award, 350*l.*; percentage, 27·734.—Laden with wheat. Abandoned in a leaky state. The fishing smacks *Valiant* and *Thomas*, 22nd Dec. 1859, conducted her to the Royal Docks, at Grimsby.

(*To be continued.*)

CORRESPONDENCE OF THE PROFESSION.

Law Reporting.—I beg to inclose you the circulars and preliminary address from the so-called Council of Law Reporting, by which you will see that the Law Society have taken a favourable view of the scheme. I find the Law Times Reports rapid, correct, reliable and cheap, and, as a member of the Profession, beg to express by disapproval of the scheme proposed by Mr. Daniel and the Council.

Longton, 19th April 1865. Geo. H. Hawley.

Abolition of Arrest upon Final Process.—About twenty years ago an Act was passed for the abolition of imprisonment for debt. Unfortunately, it had been made retrospective as well as prospective. It was found impossible to withstand the outcry of tens of thousands who were suddenly deprived of a remedy, on the faith of which they had already given credit, and the Act was repealed the following year. In the Bill now before Parliament for the abolition of arrest upon final process, I would suggest the following alterations:—In sect. 1, after the words "for payment of any sum of money, damages, or costs," add "which shall become due after the 1st Jan. 1866." In sect. 8, "that the Act commence on the 1st Jan. 1866." A change so important as that proposed by the Bill, should be made with great deliberation, and with full notice to all concerned, especially creditors.

A North Country Attorney.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bond fides*.

Answer.

Mortmain Act—Queen Anne's Bounty.—By statute 2 & 3 Anne, c. 11, all persons having in their own right any estate or interest in possession, reversion, or contingency, in any lands, tenements, or hereditaments, or any property of or in any goods or chattels, are enabled by deed enrolled according to the statute 27 Hen. 8, c. 16, or by will duly executed according to law, to give and grant to and vest in the Governors of Queen Anne's Bounty, such lands, goods and chattels for the purposes of that corporation. And by statute 43 Geo. 3, c. 107, s. 1, the above provision is exempted from the provisions of the 9 Geo. 2, c. 36, commonly called the Mortmain Act. Under this latter Act, a gift must take immediate effect in possession; but this is not requisite in case of a gift to Queen Anne's Bounty, as the statute of Anne mentions any estate or interest in possession, reversion, or contingency.

Bideford. H. M. B.

THE COURTS & COURT PAPERS.

SITTINGS AND CAUSE LIST FOR EASTER TERM 1865.

Common Law Courts.

Court of Queen's Bench.

Crown Paper.

Tewkesbury—Reg. v. Severn Navigation Commissioners.
Surrey—Reg. v. Measor. (To stand over till judgment given in the House of Lords in the Mersey Docks case.)
Cornwall—Looe Harbour Commissioners v. Churchwardens and Overseers of the Borough of East Looe. (To stand over till judgment given in the House of Lords.)
Devonshire—Mayor, &c. of South Molton v. Churchwardens of South Molton.
Lancashire—Bevin v. Bird.
Yorkshire—Trustees, Committee, and Officers of Ilkley Hospital v. Churchwardens and Overseers of the Township of Ilkley.
Buckinghamshire—Reg. v. Trustees of the British Orphan Asylum
Nottinghamshire—Reg. v. Worksop Local Board of Health
Middlesex—Reg. v. Governor of the House of Correction, Coldbath-fields
Devonshire—Reg. v. Harris
Devonshire—Reg. v. Vesey
Leicestershire—Reg. v. Inhabitants of Ashby Folville
Surrey—Conservators of the River Thames v. Guardians of the Parish of St. Mary, Lambeth
Cardiff—Guaglieni v. Matthews
Ramsgate—Hammond v. London, Chatham and Dover Railway Company
Middlesex—Laughlin v. Overseers of the Liberty of Saffron-hill
Surrey—Secretary of State for India v. Churchwardens and Overseers of St. Mary, Lambeth
Norfolk—Brown v. Evans
Warwick—Barker v. Davis
Yorkshire—Reg. v. Richmond and another
Cambridge—Reg. v. Churchwardens and Overseers of Fulbourn
Kent—Reg. v. Inhabitants of Buckland
Cheshire—Reg. v. Heath and others
Southampton—Reg. v. Stevens and Anderson
Cheshire—Mellor v. Lees
Lancashire—Harter v. Overseers of Salford
Suffolk—Great Eastern Railway Company v. Churchwardens and Overseers of Haughley
Worcestershire—Reg. v. Guardians of Stourbridge Union
Middlesex—Howsack v. Gray
Middlesex—Trustees of Homœopathic Hospital v. Governors and Directors of Poor of St. Andrew's, Holborn, and St. George the Martyr
Staffordshire—Washington v. Scott
Lincolnshire—Brook v. Robinson

Court of Probate
AND
Court for Divorce and Matrimonial Causes.

COURT OF PROBATE.

Friday, April 21, Saturday, 22, Wednesday, 26.

FULL COURT OF DIVORCE.

Thursday, April 27.

COURT OF DIVORCE.

Friday, April, 28, Saturday, 29, Wednesday, May 3, Thursday, 4, Friday, 5, Saturday, 6.

Trials by Jury.—Wednesday, May 10, Thursday, 11, Friday, 12, Saturday 13, Wednesday, 17, Thursday, 18.

The trials by jury in the Court of Probate will be taken first.

The Judge will sit in chambers, to hear summonses, at eleven o'clock, and in court, to hear motions, at twelve o'clock, on Thursday, April 20, Tuesday 25th, and on each succeeding Tuesday until 16th May inclusive.

LEGAL NEWS.

The Will of the Late Duke of Northumberland.—The accounts recently published relative to the will of the late Duke of Northumberland are, in some measure, obscure and incomplete as regards the provision made by the late lamented duke for his excellent widow. The bequests to her grace are as follow:—1. The life-interest in the Stanwick estates; also the mansion for life, which may be assumed to be gross, 7500*l.*; annuity under the will, 2000*l.*; annuity under settlement, 1500*l.*; making a total of 11,000*l.* per annum. 2. Besides life-interest

in the house in Whitehall-gardens, with the household furniture, wines, &c. 3. To her grace absolutely a legacy of 8000*l.* under the will. 4. The selection of carriages and horses for her grace's absolute use. 5. The whole of the plate absolutely which belonged to his grace when Lord Prudhoe, and bearing the colonial crest or coronet of Prudhoe.—*Newcastle Daily Journal.*

The New Bankruptcy Law—Another Hard Case.—We find that another faithless swain, against whom large damages were recovered at the last Appleby Assizes, in an action for breach of promise of marriage, has taken sanctuary in the Court of Bankruptcy, and has departed with protection until the first meeting of creditors, no doubt blessing Lord Westbury. He describes himself as "John Wilson, of Windermere, not in any trade or business." The statement made to the court officials is, that the bankrupt has not any property to give up; but this statement is probably untrue, as the jury on the trial would not have awarded 500*l.* damages without evidence as to the defendant's ability to pay such an amount. He is, we understand, the son of a substantial yeoman. It seems likely that the courts of law will be relieved from trying this class of actions for the future, if the defendants can defeat the verdict by coming to the Court of Bankruptcy; and it is remarkable that they should have done so in each of the breach of promise cases from this district, tried on the Northern Circuit at the last assizes. We often see it complained that the Lord Chancellor's Act of 1861 seems to have been expressly designed to "make things pleasant" for debtors; but this is an application of it which probably was not intended. Before Lord Westbury's tinkering of the bankruptcy law such a case as Billingham's, mentioned in our impression of yesterday, or such a case as Wilson's, would have been dealt with under "the discretionary clause" of the Insolvent Debtors Act; and imprisonment, as well as liability of after-acquired property, would have been the defendant's fate, if he had sought the benefit of the Act. But under the law, as reformed by Lord Westbury, the defendant, the bankrupt, must, we believe, go free, unless it can be shown that he has committed an offence against the law of bankruptcy; for it is understood that the power to annex a condition to the discharge can be exercised only where the debt has been contracted in contravention of the bankruptcy law.—*Newcastle Journal*, April 11.

Wills and Bequests.—The will of the Hon. George Scotland, C.B., of St. Mary Abbots-terrace, Kensington, formerly Chief Justice and Judge of the Vice-Admiralty Court of Trinidad, Companion of the Most Honourable Order of the Bath, was proved in the London Court under 40,000*l.* personalty in England by two of the executors and trustees, viz., William Humphrys Scotland and Henry Scotland, Esq., sons of the testator; power being reserved to the Rev. John Scotland, also a son, and trustee and executor. His relative, Dr. Thomas Anderson, M.D., of Trinidad, is appointed executor of his property in the islands of Antigua and Trinidad, to whom he leaves a legacy of 200*l.*; to Nathaniel Humphrys, Esq., Clerk of the House of Assembly in the island of Antigua, 1000*l.*, and legacies to other persons in Antigua and Trinidad, and to two of his nieces in the United States. To Mr. Dixon, principal clerk in the banking-house of Sir Charles Price and Co., he leaves 25*l.*; 10*l.* to one other clerk of that house he may select; to the servant who has been longest with him 20*l.*, and 10*l.* each to two other servants. He appoints his three sons, John, William and Henry, residuary legatees.——The will of Miss Anne Dealtry, late of Bryanston-square, was proved in the London court, on the 30th ult., by her sister, Miss Frances Dealtry, the sole executrix, to whom she has bequeathed the whole of her property absolutely. The personalty was sworn under 60,000*l.*——The will of the late Captain Sir William Cunningham Cavendish Dalzell, Bart., of Greenwich Hospital and of Binns, in Linlithgowshire, N.B., has been proved by Lieut.-Col. Charles T. Du Plat, of the Royal Artillery, and John Ward Nicholls, Esq., Royal Navy, two of the executors. The personalty was sworn under 18,000*l.* The real estate of Binns descends with the baronetcy to the only surviving son, Robert Alexander Dalzell. Lady Dalzell and the daughters being respectively provided for under their several marriage settlements, the personalty, after payment of certain bequests to the son and daughters and legacies to the two executors, falls to Lady Dalzell, as residuary legatee. Sir William died on the 16th Feb. 1865.—*Illustrated London News.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Thursday, April 13.

By Messrs. C. C. and T. Moore, at Garraway's.—Freehold residence, known as North-villa, Downs-road, Lower Clapton—sold for 1010*l.* Leasehold residence being No. 3, Acacia-villas, Grange-road, East Dalston, term eighty-two years unexpired; ground rent 5*l.* per annum—sold for 300*l.* Leasehold house being No. 43, Upper Jubilee-street, Mile-end Old-town, let at 24*l.* per annum; term forty-four years unexpired; ground rent 4*l.* per annum—sold for 250*l.* Leasehold house being No. 24, Princes-street, Jubilee-street, aforesaid, let at 24*l.* per annum; term forty-nine years unexpired; ground-rent 3*l.* per annum—sold for 280*l.* Leasehold house, being No. 7, Upper John-street, Watney-street, Commercial-road east, let at 21*l.* per annum; term thirty-three years unexpired; ground-rent 3*l.* per annum—sold for 225*l.* Leasehold house, being No. 22, Margaret-street, Commercial-road east, let at 23*l.* 8*s.* per annum; term twenty-nine years unexpired; ground-rent 3*l.* per annum—sold for 155*l.* Leasehold two houses, (one with shop), being Nos. 111 and 114, York-street, Commercial-road east, producing 40*l.* 8*s.* per annum; term twenty four years unexpired—sold for 250*l.* Leasehold house, being No. 12, Alfred-street, White-horse-lane, Stepney, let at 13*l.* per annum; also two houses, being Nos. 4 and 12, Victory-row aforesaid; term 51 years unexpired; ground-rent 3*l.* per annum—sold for 210*l.*

Monday, April 17.

By Messrs. Nisbet and Miles, at Garraway's.—Freehold and leasehold wine and spirit vaults, known as "Gurney's," Upper-street, together with a residence in Parkfield-street, Islington, term thirty-eight years unexpired; at a rent of 70*l.* per annum—sold for 1250*l.*

Tuesday, April 18.

By Messrs. Green and Son, at Garraway's.—Leasehold, two houses, one with shop, being Nos. 9 and 10, Hopefield-terrace, Battersea-rise, producing 15*l.* per annum; term eighty-years, from 1863; ground-rent 15*l.* per annum—sold for 600*l.*

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, April 11.

Hollway, John Hardwick, and Harwood, Henry, attorneys and solicitors, Boston.

Bankrupts.

Gazette, April 11.

To surrender at the Bankrupts' Court, Basinghall-street.

Bateman, Alfred, pianoforte maker, East-st. Walworth. Pet. April 6. Reg. Brougham. O. A. Edwards. Sol. Clark, Dean's-ct. St. Paul's-churchyard. Sur. May 3.

Broad, Charles, eating-house keeper, High-st. Whitechapel, and beer retailer, Fenchurch-st. Pet. April 6. Reg. Hazlitt. O. A. Graham. Sol. Phillips, Size-ln. Sur. April 25.

Clunie, John, clerk to a warehouseman, Nile-ter. Old Kent-rd. Pet. April 6. Reg. Brougham. O. A. Edwards. Sol. Munday, Basinghall-st. Sur. May 3.

Crossman, William Henry Frederick, secretary to a company, Norfolk-ter. Brixton. Pet. April 4. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. April 25.

Drury, Rupert, dentist, Sloane-st. Chelsea. Pet. April 7. Reg. Hazlitt. O. A. Graham. Sol. Davies, Baring-st. Hoxton. Sur. April 25.

Ebbt, Richard, cab proprietor, Harley-mews, Cavendish-sq. Pet. March 30. Reg. Brougham. O. A. Edwards. Sols. Newbon and Starkey, Wardrobe-pl. Doctors'-commons. Sur. May 3.

Evans, Henry Griffiths, victualler, Adams-ct. Old Broad-st. Pet. April 5. Reg. Brougham. O. A. Edwards. Sols. Wood and Ring, Basinghall-st. Sur. May 3.

Gillot, Alphonse, stockbroker, Copthall-ct. Throgmorton-st. and Stock Exchange, Capel-ct. Bartholomew-ln. Reg. Brougham. O. A. Edwards. Sols. Travers, Smith and Co. Throgmorton st. Sur. May 3.

Graham, Horace, commercial traveller and agent, Jewin-st Cripplegate. Pet. April 10. Reg. Hazlitt. O. A. Graham. Sol. Drake, Basinghall-st. Sur. April 25.

Hall, William, grocer, New-st. West Smithfield. Pet. April 6. Reg. Roche. O. A. Parkyns. Sol. Mason, Symond's-inn. Sur. April 28.

Henzell, Joseph, insurance agent, St. Benet's-pl. Gracechurch-st. and Grove-cottages, Holloway. Pet. April 6. Reg. Brougham. O. A. Edwards. Sol. Moss, Gracechurch-st. Sur. May 3.

Hughes, Lancelot Steele, clerk to a wholesale druggist, Upper Charles-st. Goswell-rd. Pet. April 7. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. May 3.

Kimsick, Engelbert, watch and clock maker, Hemel Hempstead. Pet. April 7. Reg. Hazlitt. O. A. Graham. Sol. Olive, Portsmouth-st. Linc.-inn-flds. Sur. April 25.

Levy, Isaac, and Levy, Joseph, drapers, Commercial-st. Whitechapel. Pet. April 4. Reg. Hazlitt. O. A. Graham. Sol. Sydney, Old Jewry, Aldgate. Sur. April 25.

Lock, George William, stevedore and coal agent, Oxford-st. Mile-end, and Sparrow-corner, Minories. Pet. April 6. Reg. Roche. O. A. Parkyns. Sol. Pope, Winchester-house, Old Broad-st. Sur. April 24.

Margein, Thomas, timber dealer, Gray-st. and Boundary-row, Blackfriars-rd. Pet. April 7. Reg. Roche. O. A. Parkyns. Sol. Pope, Gray's-inn-sq. Sur. April 26.

Molloy, John Bernard, export oilman, Sidney-st. Commercial rd. east, and St. Mary-axe. Pet. April 6. Reg. Roche. O. A. Parkyns. Sol. Cooke, New Broad st. Sur. April 21.

Newman, George, milkman, Glasshouse-st. Whitechapel. Pet. April 7. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. April 25.

Norman, Nathan, boot and shoe dealer, King's-rd. Brighton. Pet. April 6. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Hackwood, Walbrook. Sur. April 25.

Perry, John, printer, Blackman-st. Borough, and cornchandler, Thornton-st. Horsleydown. Pet. April 7. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-flds. Sur. May 3.

Rice, Robert, farmer and maltster, Earl Soham. Pet. April 7. Reg. Roche. O. A. Parkyns. Sols. Shirreff and Son, Fenchurch-st., agents for Pollard, Ipswich. Sur. April 21.

Skelton, Edward, land and estate agent, Great Russell-st. Bloomsbury, and Tavistock-mews, Bedford-sq. Pet. April 7. Reg. Roche. O. A. Parkyns. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. April 24.

Wright, Mary Ann, sign painter, Rosebank-rd. Old Ford. Pet. April 6. Reg. Brougham. O. A. Edwards. Sols. Reed and Phelps, Gresham-st. Sur. May 3.

To surrender in the Country.

Archer, William Nelson, chemist and druggist, Sunderland. Pet. April 4. Reg. & O. A. Marshall. Sol. Bramwell, Durham. Sur. April 25.

Bainbridge, Peter, beer retailer, Salford. Pet. April 8. Reg. & O. A. Hulton. Sol. Slack, Manchester. Sur. April 27.

Ball, Henry, assistant to a rifle sight and pistol maker, Birmingham. Pet. April 8. Reg. Tudor. O. A. Kinnear. Sol. Beaton, Birmingham. Sur. April 26.

Ball, Joshua, out of business, Leek. Pet. April 3. Reg. & O. A. Allen. Sol. Tennant, Hanley. Sur. April 13.

Barber, James George, merchant's clerk, Bishopstoke. Pet. April 21. Reg. & O. A. Godwin. Sol. Mackey, Southampton. Sur. April 24.

Billingham, William Amos, plate shearer, Witton-pk. Pet. April 8. Reg. Gibson. O. A. Laidman. Sol. Brignall, jun. Durham. Sur. April 26.

Bollard, Mary, and Bollard, Edward Hoodhouse, ironfounders, Middleton. Pet. April 6. Reg. Harris. O. A. Morgan. Sol. Cobbett and Wheeler, Manchester. Sur. April 24.

Bone, John, groom, Harpley. Pet. March 22. Reg. & O. A. Wilson. Sol. Nurse, King's Lynn. Sur. May 2.

Borst, Godfrey, commission merchant, Liverpool. Pet. April 8. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. April 25.

Brufford, Francis, general merchant, Bristol. Pet. March 31. Reg. Wilde. O. A. Acraman. Sol. Press and Inskip, Bristol. Sur. April 26.

Burr, John William Roberts, accountant, Gloucester. Pet. April 6. Reg. & O. A. Wilton. Sol. Taynton, Gloucester. Sur. April 21.

Charlton, Thomas, ship chandler, Sunderland. Pet. April 3. Reg. Gibson. O. A. Laidman. Sol. Graham, Sunderland. Sur. April 24.

Coates, Nelson, cab driver, Colchester. Pet. April 3. Reg. & O. A. Barnes. Sols. Duffield and Bruty, Chelmsford. Sur. April 22.

Cole, Benjamin, victualler, Darlaston. Pet. April 4. O. A. Clarke. Sols. Duignan, Lewis and Lewis, Walsall. Sur. April 21.

Cotterill, Ann, and Cotterill, Isaac Edward, victuallers, Wellington. Pet. April 6. Reg. Hill. O. A. Kinnear. Sol. Newill, Wellington; Hodgson and Son, Birmingham. Sur. April 20.

Crackneil, Benjamin, farmer, Southolt. Pet. April 5. Reg. & O. A. Clabbe. Sol. Moseley, Framlingham. Sur. April 24.

Croudace, John, timber merchant, Sunderland. Pet. April 5. Reg. Gibson. O. A. Laidman. Sols. Messrs. Hanson, Sunderland. Pet. April 26.

Dixon, Henry, cloth manufacturer, Bank Top, Leeds. Pet. April 7. Reg. & O. A. Nelson. Sol. Harle, Leeds. Sur. April 21.

Fowle, Thomas Lloyd, doctor of music, Fairford, Swindon. Pet. March 27. Reg. Wilde. O. A. Acraman. Sols. Gibbon, Great James-st. Bedford-row; King and Plummer, Bristol. Sur. April 21.

Gallimore, Charles Moore, manufacturer's clerk, Wednesbury. Pet. April 3. Reg. & O. A. Clarke. Sol. Bayley, Wednesbury. Sur. April 21.

Gentle, James, baker, Bedford. Pet. April 5. Reg. & O. A. Hinrich. Sols. Conquest and Stimson, Bedford. Sur. April 27.

Gibbs, Sarah, fishmonger, Banbury. Pet. April 7. Reg. & O. A. Fortescue. Sol. Pellatt, Banbury. Sur. April 27.

Gosling, James, innkeeper, Leek. Pet. April 7. Reg. Hill. O. A. Kinnear. Sols. Young, Longton; Hodgson and Son, Birmingham. Sur. April 28.

Greenwood, William, omnibus proprietor, Abberley. Pet. April 6. Reg. & O. A. Crisp. Sol. Corbet, Kidderminster. Sur. April 25.

Hall, Thomas, boot and shoe maker, Birmingham. Pet. April 6. Reg. & O. A. Guest. Sol. Francis, Birmingham. Sur. May 1.

Hamer, Samuel, and Parkinson, John, manufacturers, Ramsbottom. Pet. April 4. Reg. Harris. O. A. Morgan. Sol. Richardson, Manchester. Sur. May 1.

Hext, John, auctioneer, Ilminster. Pet. April 7. O. A. Carrick. Sols. Louch, Langport; Clarke, Exeter. Sur. April 21.

Hickin, Joseph, shingler, Wednesbury. Pet. April 4. O. A. Clarke. Sol. Waterhouse, Bilston. Sur. April 24.

Horsley, Wacey, blacksmith, Fakenham. Pet. April 6. Reg. & O. A. Watson. Sol. Sadd, jun. Norwich. Sur. April 27.

House, Henry, and House, Richard, waste dealers, Bradford. Pet. March 18. O. A. Young. Sols. Wood and Killick, Bradford; Carter and Tempest, Leeds. Sur. May 1.

Jackson, Alfred, tobacconist, Birmingham. Pet. April 7. Reg. Hill. O. A. Kinnear. Sols. Rawlins and Rowley, Birmingham. Sur. April 24.

King, Joseph, seedsman, Grantham. Pet. April 7. O. A. Harris. Sol. Smith, Nottingham. Sur. April 25.

Kirby, John, farmer, Williton. Pet. April 8. O. A. Young. Sols. Burland and Son, South Cave. Sur. May 2.

Lewis, James Philip, ship broker, Cardiff. Pet. April 6. Reg. Wilde. O. A. Acraman. Sol. Batchelor, Newport. Sur. April 11.

Matthews, Thomas, wharfinger, Cardiff. Pet. April 5. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. April 21.

McGhee, John, draper, St. Helen's. Pet. March 22. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. April 25.

Nolan, Joseph, boot and shoe manufacturer, Liverpool. Pet. April 6. O. A. Turner. Sol. Best, Liverpool. Sur. April 25.

Oppenheim, Saul Benjamin, cap manufacturer, Manchester. Pet. March 20. Reg. Harris. O. A. Morgan. Sols. Sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. May 1.

O'Sullivan, John, boarding-house keeper, Cardiff. Pet. April 6. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. April 22.

Parker, Henry, innkeeper, Nailsea. Pet. April 4. Reg. & O. A. Harley and Gibbs. Sol. Trenchard, Taunton. Sur. April 24.

Pritchard, John Daniel, oxalic acid manufacturer, Bristol. Pet. April 7. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. April 28.

Redman, Roberts, grocer, Bradford. Pet. April 7. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. April 21.

Robertson, Richard, bricklayer, Hunslet, Leeds. Pet. April 7. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. April 26.

Simpson, Isaac, commission worsted spinner, Bradford. Pet. April 5. Reg. & O. A. Robinson. Sol. Dawson, Bradford. Sur. April 21.

Simpson, John, coal agent, Westgate, Halifax. Pet. April 7. Reg. Rankin. O. A. Dyson and Rankin. Sol. Jubb, Halifax. Sur. April 22.

Tindall, George, painter, Scarborough. Pet. April 5. Reg. & O. A. Woodhall. Sol. Cornwall, jun. Scarborough. Sur. April 24.

Tunstall, William, packing case maker, Hulme. Pet. March 11. Reg. & O. A. Hulton. Sur. April 21.

Waterman, James, shoemaker, Ramsgate. Pet. April 5. Reg. & O. A. Snowden. Sol. Isaacson, Margate. Sur. April 22.

Watts, Joseph, innkeeper, Mare Fair, Northampton. Pet. April 6. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. April 22.

Gazette, April 14.

To surrender at the Bankrupts' Court, Basinghall-street.

Adams, James, out of business, William-st. Hampstead-rd. Pet. April 12. Reg. Roche. O. A. Parkyns. Sol. Brandon, Dane's inn, Strand. Sur. April 26.

Adams, William, hairdresser, Winterton-ter. Chelsea. Pet. April 11. Reg. Hazlitt. O. A. Graham. Sol. Hanswell, Barge yd. Bucklersbury. Sur. April 25.

Atkinson, James William, out of business, Paul-st. Finsbury. Pet. April 10. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. May 2.

Blain, James Hamilton Smith, rope and canvas agent, Old Kent-rd. and Bury-st. St. Mary-axe. Pet. April 10. Reg. Roche. O. A. Parkyns. Sol. Moss, Gracechurch-st. Sur. April 26.

Bowden, James Knight, tailor, Lamb-yd. Kingsland. Pet. April 11. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. May 3.

Bransgrove, Edward, gasfitter, Walton-st. Brompton. Pet. March 16. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. April 25.

Brown, Catherine, out of business, Claremont-pl. Brixton-rd. Pet. April 11. Reg. Roche. O. A. Parkyns. Sol. Hall, Staple inn. Sur. April 26.

Ciocci, Raphael, marble merchant, Strand, and Upper Rathbone-pl. Oxford-st. Pet. April 11. Reg. Brougham. O. A. Edwards. Sols. Anderson and Stanford, Great James-st. Sur. May 16.

Harding, John, teacher of music, Cambridge-ter. Hammersmith. Pet. April 10. Reg. Roche. O. A. Parkyns. Sols. King and McMillin, Bloomsbury-sq. Sur. April 26.

Hope, William, engineer, Henley-on-Thames. Pet. April 11. Reg. Brougham. O. A. Edwards. Sols. Courtenay and Co. Gracechurch-st. Sur. May 16.

Hunt, George, general commission agent, Church-st. Soho. Pet. April 11. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. May 16.

Hurry, William Lock, house decorator, Kingston-on-Thames. Pet. April 13. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. May 2.

James, Thomas, attorney, Ramsey. Pet. April 12. Reg. Hazlitt. O. A. Graham. Sol. Brook, New-inn, Strand. Sur. May 2.

Johnson, Edward Davey, solicitor and attorney, Carlton-rd. Kentish-tn. Pet. April 11. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. April 26.

Jones, Robert, advertising agent, Nelson-st. Blackfriars, and Town-hall-chambers, Borough. Pet. April 12. Reg. Hazlitt. O. A. Graham. Sol. Howell, Cheapside. Sur. May 2.

Kirby, William, jun., baker, Oxford. Pet. April 12. Reg. Brougham. O. A. Edwards. Sols. Doyle, Verulam-bdgs. Gray's-inn; Looker, Oxford. Sur. May 16.

Knight, Jonathan, whitesmith, St. Mary's-sq. Harrow-rd. and Edgware-rd. Paddington. Pet. April 8. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. Sur. May 3.

Lay, Alfred, baker, Oxford. Pet. April 12. Reg. Roche. O. A. Parkyns. Sol. Doyle, Verulam-bdgs. Gray's-inn, for Looker, Oxford. Sur. April 26.

Loke, Alfred, out of business, Leighton Buzzard. Pet. April 11. Reg. Hazlitt. O. A. Graham. Sols. Sole, Turner and Co. Aldermanbury. Sur. May 2.

Muller, Francis Joseph, importer of fancy goods, Queenhithe. Pet. April 10. Reg. Hazlitt. O. A. Graham. Sol. Martin, Cannon-st. Sur. May 2.

Preston, William Henry, draper, Lower-marsh, Lambeth, and Lambeth-walk. Pet. April 10. Reg. Roche. O. A. Parkyns. Sol. Starpoole, Pinner's-hall, Old Broad-st. Sur. April 26.

Saunders, James Henry, confectioner, Westow-hill, Upper Norwood. Pet. April 10. Reg. Brougham. O. A. Edwards. Sol. Lay, Poultry. Sur. May 16.

Studd, Alfred, clerk, Westbourne-pk.-villas, Hyde-pk. Pet. April 12. Reg. Brougham. O. A. Edwards. Sol. Venn, Sew-st. Strand. Sur. May 16.

Tayler, Henry, shipping grocer, Upper East Smithfield. Pet. April 10. Reg. Roche. O. A. Parkyns. Sol. Drake, Welbeck. Sur. April 26.

Watkins, Elizabeth, milliner, Norton Folgate. Pet. April 12. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Co. Old Jewry. Sur. May 16.

Weatherley, Charles, draper, High-st. Kensington and Kentish-tn. Pet. April 12. Reg. Roche. O. A. Parkyns. Sol. Hess, Kingsgate-st. Sur. April 26.

To surrender in the Country.

Aspinall, Moses, auctioneer, Middleton, near Manchester. Pet. April 12. Reg. Marrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. May 4.

Baker, Albert Alexander, grocer, Bristol. Pet. April 11. Reg. & O. A. Harley and Gibbs. Sol. Shipton. Sur. April 28.

Bailey, Joseph, joiner, Burslem. Pet. April 12. Reg. & O. A. Chabinor. Sol. Sutton, Burslem. Sur. May 20.

Bennett, Arthur, Hanley. Pet. April 12. Reg. & O. A. Challinor. Sol. Adderley, Longton. Sur. May 20.

Bowtoft, John, butcher, Ardwick, Manchester. Pet. April 11. Reg. & O. A. Kay. Sol. Law, Manchester. Sur. April 26.

Brodie, Hugh, manufacturer, Manchester. Pet. April 10. Reg. Harris. O. A. Morgan. Sols. Higson and Robinson, Manchester. Sur. May 3.

Cook, George, plumber, Crondall. Pet. April 8. Reg. & O. A. Hollest. Sol. White, Guildford. Sur. April 21.

Crook, Ambrose, boot dealer, Burnley. Pet. April 10. Reg. & O. A. Hartley. Sol. Hartley, Burnley. Sur. April 27.

Dobbin, William, clerk in Paymaster General's office, Cawsand, Rame. Pet. April 11. O. A. Carrick. Sols. Beer and Rundle, Devonport; Hartnoll, Exeter. Sur. May 3.

Edwards, Lewis, milkman, Aberystwith. Pet. March 23. Reg. & O. A. Jenkins. Sol. Vaughan. Sur. April 24.

Fletcher, James, lamp manufacturer, Liverpool. Pet. April 11. O. A. Turner. Sol. Best, Liverpool. Sur. April 27.

Fletcher, Joseph, Holl, and Fletcher, Hiram, coaldealers, Ashover. Pet. March 30. O. A. Young. Sol. Gratton, Chesterfield; Smith and Burdekin, Sheffield. Sur. April 27.

FREEMAN, JAMES, agricultural labourer, Brimfield, near Tenbury. Pet April 18. Reg. & O. A. Norris. Sol. Walker, Wolverhampton. Sur. April 27.
GEERING, HENRY, builder, Lindfield. Pet. April 10. Reg. & O. A. Waugh. Sol. Lamb, Brighton. Sur. April 26.
GERSON, WOLFE, jeweller, Strangeways, Manchester. Pet April 10. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. April 29.
GRIFFITHS, FRANCIS, salesman for fruit, Birmingham. Pet. March 31. Reg. & O. A. Guest. Sol. Clarke, Birmingham. Sur. May 1.
HALL, WILLIAM, milkman, Gloucester. Pet. April 10. Reg. & O. A. Wilson. Sol. Taynton, Gloucester. Sur. April 24.
[illegible], ISAAC, fire iron maker, Birmingham. Pet. March 28. Reg. & O. A. Guest. Sur. May 1.
[illegible], WILLIAM HENRY, innkeeper, York. Pet. April 11. Reg. & O. A. Perkins. Sol. Young, York. Sur. April 27.
[illegible], SAMUEL, commission agent, Wrexham. Pet. April 12. Reg. & O. A. Kigworth. Sol. Sherratt, Wrexham. Sur. April 27.
HODGKINSON, WILLIAM, miller, Basford. Pet. March 21. Reg. & O. A. Patchitt. Sur. May 31.
HUGHES, WATSON, tailor, Middlesborough. Pet. April 12. Reg. & O. A. Crosby. Sol. Dobson, Middlesborough. Sur. April 26.
JONES, EVAN, draper, Gwyddyfynon, Liedrod Upper. Pet. March 29. Sol. Vaughan. Sur. April 28.
JONES, MOSES, paper hanger, Llandudno. Pet. April 12. O. A. Turner. Sol. Goldrick, Liverpool. Sur. April 21.
JONES, RICHARD, bootmaker, Ashley. Pet. April 10. Reg. & O. A. Watson. Sol. Pearson, Market Drayton. Sur. May 1.
KNIGHT, RICHARD, collier, East Dean. Pet. April 11. Reg. & O. A. Barrow. Sol. Gould, Newnham. Sur. April 26.
LEWIS, HARRIET, grocer, West Cowes, Isle of Wight. Pet. April 8. Reg. & O. A. Blake. Sol. Hooper, Newport. Sur. April 26.
[illegible], HENRY, gentleman, Bongate, Saint Michael Appleby. Pet April 10. Reg. & O. A. Heslis. Sol. Shepherd, Appleby. Sur. April 26.
[illegible], JOHN, cattle dealer, Tong. Pet. April 8. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford. Sur. April 22.
MILLER, EDMUND, carter, Birmingham. Pet. April 11. Reg. & O. A. Guest. Sol. Francis, Birmingham. Sur. May 1.
MORRIS, LLEWELYN, grocer, Rhyl. Pet. April 10. Reg. & O. A. Stone. Sol. Williams, Rhyl. Sur. April 25.
OLDHAM, WILLIAM, out of business, Blackburn. Pet. April 11. Reg. & O. A. Kay. Sol. Backhouse, Blackburn. Sur. April 26.
OWEN, THOMAS, carrier, Aberffraw. Pet. April 11. Reg. & O. A. Dew. Sol. Williams, Carnarvon. Sur. May 1.
PERRY, JOHN, butcher, Tean. Pet. April 6. Reg. & O. A. Daniel. Sol. Young, Longton. Sur. April 25.
[illegible], HENRY GEORGE, grocer, Bristol. Pet. April 4. Reg. White. O. A. Acraman. Sol. Henderson, Bristol. Sur. April 29.
RAVENSCROFT, JOHN, tailor, Everton, Liverpool. Pet. April 6. Reg. & O. A. Hime. Sol. Goldrick, Liverpool. Sur. April 24.
ROBINSON, JEREMIAH, coal proprietor, Wakefield. Pet. Jan. 18, 1864. O. A. Young. Sur. May 1.
SADLER, JOSEPH BENJAMIN, printer, Tamworth. Pet. April 11. Reg. Hill. O. A. Kinnear. Sols. Argyle, Tamworth; Hodgson and Son, Birmingham. Sur. April 16.
[illegible], WILLIAM FRANCIS, wine merchant, Wakefield. Pet. April 4. O. A. Young. Sols. Carlos and Tempest, Leeds. Sur. May 1.
[illegible], JOHN, machine joiner, Bolton. Pet. April 12. Reg. & O. A. Wildes. Sols. Richardson and Brandwood, Bolton. Sur. April 27.
[illegible], DAVID, flannel merchant, Llanidloes. Pet. April 11. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. April 27.
SPENCER, WILLIAM, farm bailiff, Wellington. Pet. April 8. Reg. & O. A. Reynolds. Sol. Gwillim, Hereford. Sur. April 26.
[illegible], DAVID, stationer, Wigan. Pet. April 10. Reg. Macrae. O. A. Morgan. Sols. Ashton, Wigan; Richardson, Manchester. Sur. May 4.
TAYLOR, THOMAS, grocer, Wigan. Pet. April 10. Reg. Harris. O. A. Morgan. Sols. Ashton, Wigan; Richardson, Manchester. Sur. May 4.
WATT, JAMES SHERIFF, draper, Sunderland. Pet. April 10. Reg. Gibson. O. A. Laidman. Sols. Messrs. Wright, Sunderland. Sur. April 26.
[illegible], JOHN, not in business, Windermere. Pet. April 10. Reg. Clines. O. A. Laidman. Sols. Harle and Co. Newcastle. Sur. April 26.
WOOD, JOSEPH, pawnbroker, Leicester. Pet. April 10. Reg. Tudor. O. A. Harris. Sol. Smith, Birmingham. Sur. April 25.
WORSEY, JOHN, miller, Whitford-mill, near Bromsgrove. Pet. April 14. Reg. Tudor. O. A. Kinnear. Sols. Southall and Nelson, Birmingham. Sur. April 26.

BANKRUPTCIES ANNULLED.

Gazette, April 11.

BOLTON, EDWARD MATTHEWS, grocer, Gravesend.
WHEATLEY, WILLIAM, pawnbroker, Drypool, Hull.

Gazette, April 14.

HUBBELL, THEODORE BYRON, merchant and manufacturer of crinolines, Fountain-ct. Aldermanbury, and Aldermanbury.
[illegible], JOHN, and NATHAN, LOUIS JOHN, wholesale clothiers and colonial merchants, Houndsditch.
WARE, BENJAMIN, farmer, Steeple Claydon, Winslow.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Bailey, S. ironfounder, second, 1*d*. Kinnear, Birmingham.—*Barnett*, H. tea dealer, first, 1*s*. 6*d*. Turner, Liverpool.—*Beach*, W. farmer and schoolmaster, first, 6*s*. 7½*d*. Carrick, Exeter.—*Broad*, R. corndealer, second, 1*s*. Edwards, London.—*Earle*, J. N. printer and teadealer, first, 5*s*. 7½*d*. Carrick, Exeter.—*Escudier*, S. surveyor, first, 7*d*. Edwards, London.—*Garraway*, J. J. baker, first, 2*s*. 1*d*. Acraman, Bristol.—*Hidder*, L. saddler, first, 1*s*. 6*d*. Edwards, London.—*Hogg*, H. chemist, first, 2*s*. 1*d*. Acraman, Bristol.—*Jones*, P. banker, seventh, 0½*d*. Acraman, Bristol.—*Knowles*, B. brewer, further, 0½*d*. Carrick, Exeter.—*Levy*, H. watchmaker, further, 1*s*. 1½*d*. Carrick, Exeter.—*Maury*, J. barber, further, 1*s*. 4½*d*. Carrick, Exeter.—*Milner*, J. farmer, first, 9*d*. Acraman, Bristol.—*Owen*, G. grocer, first, 5*s*. 10*d*. Acraman, Bristol.—*Paine*, F. attorney, eighth, 3*d*. Carrick, Exeter.—*Pengelly* C. farmer, first, 11½*d*. Carrick, Exeter.—*Pinson*, T. B. farmer, second, 1*s*. 7½*d*.; on new proofs, 9*s*. 7½*d*. Edwards, London.—*Stroud*, J. jun. farmer, first, 1*s*. 0½*d*. Carrick, Exeter.—*Swan*, C. shirt manufacturer, first, 11*s*. 3*d*. Edwards, London.—*Tomkinson*, J. stonemason, seventh, 6-11-16ths. Turner, Liverpool.—*Yalley*, R. attorney, first, 2*s*. 5½*d*. Edwards, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, April 11.

ADAMS, GEORGE, boot and shoe maker, Brewer-st. Golden-sq. March 15. 7*s*. 6*d*. in three instalments of 2*s*. 6*d*. each at 2, 4 and 6 mos.
AMOS, THOMAS, shipbroker, Fenchurch-st. April 4. 6*s*. by four instalments—2*s*. 6*d*. in 1 mo., 2*s*. 6*d*. at 4 mos., 1*s*. 6*d*. at 8 mos. and 1*s*. 6*d*. at 12 mos. after registration.
ATKINS, JOHN, travelling draper, Wellington. March 31. 6*s*. by three equal instalments at 3, 6 and 9 mos.—secured.
BAKER, RICHARD, colonial broker, Mincing-la. March 17. Trust. H. Coppard, public accountant, Old Jewry-chambers. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
BARNETT, URIAH, farmer, Coaton. March 27. Trust. T. Capell, farmer, Floore.
BOWCOCK, BARTHOLOMEW, fancy goods dealer, Manchester. March 15. 1*s*. 6*d*.
BRINSLEY, JAMES, draper, Stourbridge. March 13. Trusts. J. Howell, St. Paul's-churchyard, and J. Barnicot, Friday-st. warehouseman.
BUTT, WILLIAM, cab proprietor, Bradford. March 31. Trusts. W. Sharp, hay and straw dealer, and J. Robertshaw, corndealer, both Bradford.
CARTER, JOHN; CARTER, SAMUEL; CRAWSHAW, JOSEPH; HEAP, WILLIAM; HOLROYD, JAMES, sen.; HOLROYD, JAMES, jun.; SMITH, JOHN; SMITH, WILLIAM; and SMITH, THOMAS, cottonspinners, Halifax. March 18. 4*s*. 2*d*. in 28 days. Trusts. R. Edgar, bank cashier, and H. Oakroyd, cardmaker, both Halifax.
CROSS, GEORGE, shopkeeper, Lymm. March 13. Trusts. J. C. Sutton, [illegible], Warrington.
CRUMP, PHILIP EDWARD, printer, Bridgwater. March 13. 5*s*. on 1st May. Trust. C. H. Lott, draper, Bridgwater.
EVANS, THOMAS, machine tool manufacturer, Sheffield. April 1. Trust. J. Addy, steel merchant, Sheffield.

FLETCHER, THOMAS GERRARD, and WICKINS, HENRY, warehousemen, Aldermanbury. March 31. Trusts. R. J. S. Joyce, Aldermanbury, and T. J. Young, Gutter-la.
FORBROOKE, LEONARD JOHN, coal merchant and agent, Liverpool and Birkenhead. March 30. Trust. J. Pearson, colliery proprietor, Liverpool.
FRENCH, FRANCIS PHILIP, farmer, Linstead Magna, Suffolk. March 11. Trust. G. F. Freeman, auctioneer, Frostenden.
GIBSON, JOHN BOYDELL, saddler, New Coventry-st. Leicester-sq. March 13. Trusts. R. Gibson, Esq., Sandhurst-lodge, near Wokingham, H. Gilling, currier, Barnet, and S. S. Smith, gentleman, Lansdowne-crescent, Notting-hill.
GOODALE, JAMES, innkeeper, Ramsey. March 16. Trusts. G. Mann, veterinary surgeon, Warboys, and W. Turner, publican, Chatteris, Isle of Ely.
GOUGH, JOHN, shipbuilder, Bridgwater. April 4. 15*s*. Trusts. A. Chapman, Chepstow, and G. M. Barnes, Bristol, timber merchants.
GRANT, SUSAN ELIZABETH, milliner, Holborn-hill. April 3. 5*s*. by two equal instalments in 2 and 3 mos.
GREENGRASS, HENRY, boot and shoe manufacturer, Newport, Isle of Wight. March 24. Trusts. J. Dean, leather cutter, Newport, J. Clark, boot manufacturer, Basinghall-st. and T. Cairncross, bank manager, Bristol.
GRIMWOOD, EDWARD, draper, Ossulston-st. Somers-town. March 29. Trusts. E. Ellerton, St. Paul's-churchyard, and T. Lloyd, Manchester, warehousemen.
HARRIS, ABRAHAM, and HARRIS, JOSEPH, silversmiths, West Hartlepool. March 18. 8*s*. by instalments—3*s*. on execution of deed, 2*s*. at 3 mos., 2*s*. at 6 mos. and 1*s*. at 6 mos.—secured.
HERDEN, FRANK, watchmaker, Halifax. March 31. Trust. J. D. Taylor, accountant, Halifax.
HUTCHINSON, HENRY, watchmaker, Bolton. March 20. Trusts. D. Michaelson, and L. Wolfson, jewellers, both Manchester.
JACK, PETER FREDERICK, oil and colourman, Three Colt-la. Mile-end. April 6. 5*s*. by two instalments—2*s*. 6*d*. on 10th April and 2*s*. 6*d*. on 22nd May. Trust. J. Baker, pickler, Old Montague-st. Whitechapel.
JACKSON, BENJAMIN SAMUEL, dentist, Horningsham-villas, Junction-rd. Upper Holloway. March 31. 5*s*. by four equal instalments on each quarter-day, commencing 24th June.
JONES, THOMAS, draper, Treherbert. March 31. 7*s*. 6*d*. by three equal instalments on 4th July, 4th Oct. 1865, and 4th Jan. 1866. Trust. D. W. Jones, draper, Cardiff.
JUMP, JAMES, contractor, Liverpool. March 13. Trusts. W. O. Carter, slate merchant, J. Pickup, ironfounder, and Z. Innes, bank manager, all Liverpool. Sols. Messrs. Gregory, Liverpool.
KIDD, WILLIAM, commission agent, Liverpool. April 3. Trusts. H. Wyse, commission agent, and J. Bewley, accountant, both Liverpool.
LANE, WILLIAM, photographer, Brighton. March 31. 6*s*. 6*d*. by three instalments—2*s*. 6*d*. in 14 days, 2*s*. 6*d*. in 3 mos. and 1*s*. 6*d*. in 6 mos.—secured.
LIALTER, JOSEPH, butcher, Aldgate. April 3. 5*s*. in 7 days after registration. Trust. I. Lialter, sen., gentleman, King-st. Stepney.
MAWDSLEY, ANN, joiner, Ormskirk. March 16. Trust. G. Ball, painter, Ormskirk, W. Twist, innkeeper, Ormskirk, and L. Lloyd, timber merchant, Liverpool.
MCDERMID, JOSEPH, coachbuilder, Darlington. March 20. Trust. W. W. Benson, ironmonger, Darlington.
MERRY, SAMUEL, saddler, St. James's-st. and Leamington. April 3. Trusts. H. Matthews, Esq., Chepstow pl. Bayswater, and G. L. Southey, leather merchant, Parker-st. Lincoln's-inn-fields.
MILLER, JOHN, ironfounder, Manchester. Feb. 28. 13*s*.—7*s*. 6*d*. on execution of deed, 2*s*. 6*d*. at 8 mos., 2*s*. 6*d*. at 12 mos. and 2*s*. 6*d*. at 16 mos.—secured.
MILLS, THOMAS, grocer and provision dealer, St. Thomas Apostle. March 17. Trusts. E. Peters and T. Crabb, grocers and teadealers, both Exeter.
MOORE, ANDREW, coachbuilder, Fareham. March 27. Trust. J. Wainscot, accountant, Portsea.
MOSS, JOHN, draper, Kensington. March 16. 7*s*. by three instalments at 2, 6 and 9 mos.—secured. Trusts. G. N. Read, warehouseman, Cannon-st. west.
PLACE, JOHN, cotton manufacturer, Pendleton, near Manchester. March 14. Trusts. J. Ormerod, merchant, Manchester, and J. Radcliffe, cottonspinner, Heywood.
POOLE, OCTAVIUS, commission agent, Mile-end-rd. March 27. 1*s*. by two equal instalments on 29th April and 29th July—secured. Trust. H. G. Rushbury, accountant, Queen's-ter. Queen's-rd.
ROBERTSON, GEORGE, and WARD, WILLIAM HENRY, provision merchants, Fenchurch-st. March 9. Trusts. J. Stewart, wine merchant, Leadenhall-st. and F. Crossfield, wholesale cheesemonger, White-cross st. Southwark. Sols. Harrison and Lewis, Old Jewry.
SCOTCHER, JOHN ADAMS, gunsmith, Bury St. Edmunds. March 27. Trusts. E. E. Clayton, linendraper, and E. Gould, gentleman, both Bury St. Edmunds.
SHUTTLEWORTH, HENRY; BARLOW, JOHN; and BOOTH, THOMAS, cotton manufacturers, Blackburn. March 15. Trusts. C. H. Codlington, cotton broker, Liverpool, A. Wight, banker, M. Ross, commission agent, both Manchester, and T. Laud, merchant, Blackburn.
SYKES, JOHN, and HOLT, THOMAS, woollen merchants, Huddersfield. March 14. Trusts. R. Perritt, woolstapler, Huddersfield, and H. H. Ellis, manufacturer, Dewsbury.
THOMAS, FREDERICK GEORGE, engineer, Liverpool. April 6. 6*d*. on 1st May.
THORNELY, WILLIAM, provision dealer, Newton, near Hyde. March 29. 7*s*. 6*d*. by three equal instalments at 4, 8 and 12 mos. from 25th Jan.—secured. Trust. J. Powell, cashier, Manchester.
TURNLEY, WILLIAM, cabinet-maker, York. March 29. Trust. S. Jacobs, general furnisher, York.
WALSH, SAMUEL, whitster, Outwood. March 11. Inspectors, W. Coward, jun., banker, Bury, J. Wynn, tinplate worker, Manchester, and J. Buckley, Outwood.
WATKINS, WALTER, leatherseller, Northampton. April 1. 4*s*. by two equal instalments at 3 and 6 mos.—secured. Trust. T. Dyer, currier, Northampton.
WORRALL, ROBERT, painter, Nottingham. March 13. Trust. J. Dawson, builder, Nottingham.

Gazette, April 14.

ADAMS, CHARLES FREDERICK, and GEE, WILLIAM, Middle-st. Cloth-fair. March 30. Trusts. G. Churcher, accountant, Fish-st-hill, and E. Morgan, stationer, Queen-st. Cheapside.
AITCHISON, ROBERT KER, gentleman, Rutland-ter. Forest-hill. 5*s*. on debts for which he and George Henry Stevens are liable, and 10*s*. on debts for which he is liable separately.
ALLEN, JOSEPH, grocer, Derby. March 25. Trust. C. J. Storer, grocer, Derby.
ANDERTON, WILLIAM, merchant, Liverpool. March 23. Inspectors, R. E. Edwards, cotton broker, and J. B. Thompson, broker, both Liverpool.
ARMSTRONG, JOHN, tailor and draper, Manchester. March 23. 5*s*. on 25th March next.
ATKINSON, WILLIAM, woolstapler, Halifax. March 13. Trust. W. S. Williams, and M. Walsh, both woolstaplers, Halifax.
BIGGLESTONE, JAMES, farmer, Hereford. March 15. Trusts. J. G. Watkins, draper, Grafton bury, and H. Tibbey, wheelwright, Blackmarstone.
BLACKWELL, JOHN THOMPSON, auctioneer, Leicester. April 3. Trust. J. Checkley, clothier, Leicester.
BROOMHALL, JAMES, file cutter, Worcester. April 3. 5*s*. in 28 days.
BROWN, WILLIAM, and COX, EDWARD PHILIP, linendrapers, Northgate, Halifax. March 4. Trust. S. Evans, warehouseman, Old Change.
CATLOW, ISAAC, hard waste spinner, Bolton. March 16. Trusts. J. Grisdale, waste bleacher, and W. Pearson, cotton waste dealer, both Bolton.
CHATTERTON, DAVID BANNISTER, builder, Tranmere. March 16. Trusts. K. Corlis, Tranmere, and William Parker, Chester, builders.
CLEGG, WILLIAM, innkeeper, Ottringham-in-Holderness. March 17. Trust. M. Holmes, spinster, Patrington-in-Holderness.
CLIFFE, JOSEPH, brewer, Bayhall, Huddersfield. March 13. 9*s*. at 3, 6 and 9 mos. Sureties, A. Platt, cottonspinner, Uppermill, Saddleworth, and G. F. Bradbury, machinist, Oldham.
COAD, ROBERT, linen collar manufacturer, Nicholas-st. Mile end. March 27. 7*s*. on 27th April.
COLAM, WILLIAM, jun., joiner, Louth. March 15. Trusts. J. H. Simons, chemist, and J. Colam, plumber, both Louth.
COLLINS, HENRY, innkeeper, the Jump, Darfield. March 30. 5*s*. forthwith.
COOMBE, EDWARD, merchant, Mincing-la. March 16. Trust. H. Chatteris, accountant, Lawrence-la.
CRAIG, ROBERT, draper, Denmark-st. Islington. Nov. 16. Trusts. A. McGaw, Friday-st., and S. Walkden, Lawrence-la. warehousemen. Sols. Bennett and Paul.
DALTON, THOMAS, dressingcase maker, Regent-st. April 4. 2*s*. 6*d*. on 6th Nov. 1865, and 6th April 1866.

DASHWOOD, ALFRED, grocer, Crosby-row, Walworth. March 21. 5*s*. by two equal instalments in 1 and 3 mos. Trust. Peyton Dashwood, auctioneer, Eastcheap.
DIXON, JOSEPH, grocer, Spilsby. March 23. Trusts. T. J. Sale, tea merchant, Nottingham, and B. Robinson, corn chandler, Spilsby.
DODD, EDWARD SUMNER, baker, Chipping Norton. March 22. Trusts. C. Young, builder, Chipping Norton, and I. B. Wilson, miller, Shipston-on-Stour.
EDWARDS, EDMUND, civil engineer, Seymour-chambers, Adelphi. April 10. To pay in full in 2 years.
FOWLER, CHARLES, grocer, Uxbridge. March 17. Trusts. J. C. Conway, White-horse-yard, Friday-st., and F. Keysell, Crown-ct. Philpot-la.
FRASER, RODERICK, draper, Tredegar Iron Works, Monmouthshire. March 27. 10*s*., one half in cash on 8th April, and remainder at 6 mos. Trust. W. Sutherland, Mansell-st. Swansea, and R. Sutherland, Cardiff.
GIBSON, JOHN BOYDELL, saddler, New Coventry-st. Leicester-sq. March 13. Trusts. R. Gibson, Esq., Sandhurst-lodge, near Wokingham, H. Gilling, currier, Barnet, and S. S. Smith, gentleman, Lansdowne-crescent, Notting-hill. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
GOULD, THOMAS, private hotel keeper, Birmingham. March 14. 7*s*. 6*d*. on 16th June. Trusts. J. Horlow, manufacturer's clerk, Birmingham, and H. Probin, furniture dealer, Birmingham.
HANDELOAK, SAMUEL, general dealer, Commercial-st. Whitechapel. April 17. 7*s*. on demand.
HARDY, WILLIAM EDWARD, furniture dealer, Curtain-rd. Shoreditch. April 10. 2*s*. in 2 mos.
HEILBORN, WILLIAM FERDINAND, Leeds, and JACOBY, BERNHARD, merchants, Hamburg. March 16. 9*s*.—3*s*. in 6 mos., 3*s*. in 9 mos., 2*s*. in 12 mos., and 1*s*. in 15 mos.—secured. Inspectors, J. Simon and G. Nathan, merchants, Leeds, and W. H. Colbeck, manufacturer, Batley.
HIGGINSON, THOMAS, rice merchant, Liverpool. March 23. 6*d*. in 30 days.
HODGES, WILLIAM, grocer, Bradford-on-Avon. March 15. Trust. J. Gummer, draper, Bristol.
HUBBELL, THEODORE BYRON, merchant, Fountain-ct. Aldermanbury. April 6. 5*s*. by two equal instalments—first in 7 days, the second 11th April—secured. Trusts. H. Boden, braid manufacturer, Limehouse, and J. Matthews, warehouseman, Addle-st.
HUGHES, ALFRED BENJAMIN, superintendent of police, Bath. March 28. To pay 100*l*. per annum, by equal quarterly payments till debts are paid, first payment on 1st July. Trusts. J. Knight, chemist, and H. J. Pocock, insurance agent, both Bath.
JAMES, OWEN, clothier, Pontypool. March 22. Trust. P. McLaren, merchant, Manchester.
JONES, STEPHEN THOMAS, boxmaker, Cubitt-ct. Golden-la. St. Luke's. April 10. To pay full amount of debts by nine equal monthly instalments, commencing 20th May.
JONES, WILLIAM AVERY, trunkmaker, Birmingham. March 28. 5*s*. by two equal instalments on 11th April and 25th Aug. Trust. W. Jones, Birmingham.
JONES, WILLIAM WALL, farmer, Condover. March 18. Trusts. T. Hickman, farmer, and J. Head, maltster, both Salop.
KILBURN, GEORGE, rag merchant, Dewsbury. April 11. 9*s*. on 1st May.
LEADBEATER, HENRY, glover, East Retford. March 24. 4*s*. in 28 days. Trust. W. Leadbeater, gentleman, Clarborough.
LIGHTFOOT, ROBERT, chemist, St. Helen's. March 29. Trust. H. S. Evans, chemist, Liverpool.
MARTIN, HENRY, leather dealer, Birkenhead. April 3. 6*s*.—2*s*. 6*d*. at 4 mos., 2*s*. at 8 mos. and 1*s*. 6*d*. at 12 mos.
MELLOR, SAMUEL, woollen cloth manufacturer, Mytholmbridge, near Huddersfield. March 18. Trusts. M. W. Cliffe, wool merchant, Huddersfield, G. Greenwood, cloth finisher, Thongsbridge, near Huddersfield, and F. Shaw, cardmaker, Huddersfield.
MITCHELL, TIMOTHY, and LEVER, HENRY, woollen manufacturers, Halifax. March 31. Trusts. J. Milner, cardmaker, Halifax, J. Haigh, machine maker, Huddersfield, and G. Normanton, manufacturer, Halifax.
MONK, FREDERICK, out of business, Hanover-st. Pimlico. March 28. 5*s*. in 14 days.
MORRIS, ZALIC MORDECAI, and HOLLAND, CHARLES, picklers, Portland st. and Villa-st. Walworth. March 29. Trusts. H. A. Isaacs and J. M. Isaacs, merchants, St. James's-pl. Aldgate. Sols. Sydney and Son, Finsbury-circus.
MURGATROYD, GERSHORN, stuff manufacturer, Binley. March 27. 5*s*. 6*d*.—3*s*. on 20th April and 2*s*. 6*d*. on 11th May—secured.
MURTAGH, JAMES, grocer, Birmingham. March 17. Trust. W. O. Dixon, accountant, Birmingham.
PERROTT, WILLIAM, tailor, Cardiff. March 22. Trust. J. Sutton, cloth merchant, Stroud. Sol. Kearsey, Stroud.
POTTER, WILLIAM, draper, Pontypool. March 28. Trusts. W. B. Westhead, and J. G. Cooper, merchants, both Manchester.
PRATT, GEORGE, baker, Portsea. March 13. 6*s*. 8*d*.—3*s*. 4*d*. on 14th April and 3*s*. 4*d*. on 14th June.
REED, HENRY JOHN, gasfitter, Chrisp-st. Poplar. March 14. 5*s*. at certain times. Trusts. G. Reed, oilman, and B. R. Reed, gasfitter, both East India Dock-rd.
SANITER, HERMANN LEBRECHT, and LUDWIG, HEINRICH GABRIEL, shipbrokers, Newcastle. March 17. Trusts. J. Rogerson, and H. G. Erichsen, both merchants, Newcastle.
SMITH, FREDERICK, sheep salesman, Easthampstead. Feb. 24. Trust. B. B. Smith, gentleman, Neville-ter. Holloway.
SMITH, JAMES HENRY, innkeeper, Ely. March 13. Trusts. C. Mainprice, wine merchant, and A. Hall, gentleman, both Ely.
SMITH, THOMAS, builder, Norwich. March 30. Trusts. W. Blyth, and R. Steward, timber merchants, and R. Thorns, ironmonger, all Norwich.
STEVENS, GEORGE HENRY, soap manufacturer, Dock-st. East Smithfield. April 8. 5*s*. in 1 mo. on debts for which he and R. K. Aitchison are liable, and 10*s*. on debts for which he is liable separately.
SOUTHERN, JAMES WILSON, packing-case maker, Manchester. March 21. 7*s*. 6*d*.—2*s*. 6*d*. in 3 mos., 2*s*. 6*d*. in 6 mos. and 2*s*. 6*d*. in 9 mos.—secured.
STORY, ROBERT LACOCK, gentleman, Birkenhead. March 14. 10*s*. in 28 days.
STORLAND, GEORGE, lace manufacturer, Nottingham. April 7. Trust. W. Salt, lacemaker, Beeston.
THOMAS, SAMUEL, ironmonger. March 22. 10*s*. by equal monthly payments of 10*l*. each—the 1st on 27th April and every 28 days after. Trusts. T. H. Webster, cutler, Sheffield, and S. J. Addis, edge tool manufacturer, Worship-st.
WADLAND, JOHN, butcher, Hull. April 5. Trust. T. Hickman, butcher, Hull.
WALKER, RICHARD, and WALKER, JOHN, woollen manufacturers, Halifax. March 21. 12*s*. by three instalments of 4*s*. each on 13th July, 13th Oct. and 13th Jan. next. Surety, S. Walker, butcher, Stainland.
WALKER, THOMAS, milliner, Upper-st. Islington. March 14. Trust. J. Harvey, jun., draper, Ludgate-hill.
WARD, THOMAS, farmer, Hanging Heaton, near Dewsbury. March 31. Trust. J. Steward, stonemason, Dewsbury.
WARE, BENJAMIN, farmer, Steeple Claydon, near Winslow. March 23. 7*s*. 6*d*. in 10 days.
WATTRIDGE, JOHN, printer, Southampton. April 6. To pay 20*s*. by 12 quarterly payments—first payment on 24th June. Trust. W. Back, accountant, Southampton.
WATTS, ALFRED, draper, Deptford. April 3. 10*s*. by three instalments of 3*s*. 4*d*. each at 3, 6 and 9 mos.—secured.
WEATHERLEY, CHARLES JOSEPH, hosier, Cheapside. March 20. 6*s*. by three instalments of 2*s*. on 23rd March, 23rd May and 22nd July next. Trusts. J. D. Allcroft, wholesale glove manufacturer and merchant, Wood-st. Cheapside, and E. Price, warehouseman, Cheapside.
WEBB, GEORGE HENRY, surgeon dentist, Birkenhead. April 10. 1*s*. on 1st June.
WEBER, VICTOR FERDINAND, and BIDDULPH, ORMUS, merchants, Philpot-la. March 14. Trust. A. Young, accountant, Tokenhouse-yard.
WIBBERLEY, EDWARD, victualler, Ashbourne. April 5. Trusts. F. J. Forman, hop merchant, Derby, and J. Porter, confectioner, Ashbourne.
WILSON, JAMES, linendraper, Cleckheaton. March 20. Trusts. G. Booth and E. Jackson, merchants, Manchester, and E. Crawford, banker's clerk, Leeds.
WOOD, WILLIAM, linen yarn bleacher, Aketon, near Wetherby. March 24. Trusts. M. W. Duncan, yarn bleacher, Rawdon, J. Sharples, flaxspinner, Bolton, and J. Pollard, yarn agent, Leeds.
WOODS, JOHN, joiner, Blackburn. March 16. Trust. J. Harrison, timber merchant, Liverpool.
WORSNOP, JOHN, cowkeeper, Bradford. March 31. 5*s*. by two equal instalments at 3 and 6 mos. Trust. J. C. Walmsley, grocer, Bradford.
WRIGHT, WILLIAM, and WRIGHT, SARAH, publicans, Macclesfield. April 1. 2*s*. 6*d*. on 11th April—secured. Trusts. W. Bailey, gentleman, J. Hart, brewer, and T. Macey, gentleman, all Manchester.

YOUNG, JAMES, victualler, Upper Fredling-st. Caledonian-rd. April 11. Trust. W. Carden, gentleman, St. John-st. Clerkenwell.
ERRATUM.
SPENCER, ROBERT HOPWOOD, waste dealer, Bury. March 22. Trust. W. Yachet (and not Parker, as before advertised in Gazette, April 7, 1865), waste dealer, Bury.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BULL.—On the 13th inst., at the Spa Hotel, Gloucester, the wife of Mr. Henry Bull, solicitor, of a son.
TAYLOR.—On the 9th inst., at Grove House, Windermere, the wife of J. H. Taylor, Esq., solicitor, of a son.
SWARBRECK.—On the 14th inst., at Thirsk, the wife of Charles McC. Swarbreck, Esq., solicitor, of a son.

MARRIAGES.

GULLEY—SELBY.—On the 11th inst., William Court Gulley, Esq., of the Inner Temple, barrister-at-law, to Elizabeth Anne Walford, eldest daughter of Thomas Selby, Esq., of 12, Westbourne-square.
JEFFERY—HAWES.—On the 13th inst., Alfred John Jeffery, Esq., solicitor, Northampton, to Maria Theresa, second daughter of the Rev. T. B. Hawes, rector of Burgh Castle.
WALKER—MURHALL-GRIFFITHS.—On the 10th inst., Charles Walker, Esq., of Lincoln's-inn, barrister-at-law, to Mary Ellen, only daughter of the late Thomas Murhall Murhall-Griffiths, Esq., of Ash Grove, Shropshire.

DEATH.

BENTLEY.—On the 13th inst., at Torquay, Henry, youngest surviving son of the late Michael Bentley, Esq., barrister-at-law and one of the Benchers of the Society of the Middle Temple.

Legal Notices.

LAW.—A Gentleman at the Bar, who has been in the habit of preparing articled Clerks for their examination on the roll of attorneys for several years past, undertakes the PREPARATION of Candidates for their Preliminary, Intermediate and Final Examinations, upon moderate terms. High testimonials can be obtained from the parents and guardians of former pupils, as well as from the young men themselves.—Apply by letter only, signed "LEX," Mr. Kelly's, Newsvendor, Gray's-inn-archway, Holborn.

JUSTICES' CLERKS' SOCIETY.—The next GENERAL MEETING of the Members of the above Society is appointed to be held at the LAW INSTITUTION, Chancery-lane, London, on FRIDAY, the 28th APRIL instant, at Two o'clock in the Afternoon precisely, to audit the accounts for the year 1864, and choose the officers for the current year.

As the "Justices Procedure Bill," now before Parliament, will be brought before the members for consideration, they are earnestly requested to attend the annual meeting on this occasion, to assist with their experience the progress of the discussion as to the merits of the Bill, and the expediency of any suggested amendments therein.

In compliance with the rules, it is intended to dine together after the business of the meeting, the dinner hour being fixed for Five o'clock precisely, to enable members to return home by the evening trains.

By order,
CHARLES AUGUSTIN SMITH, Secretary.
Crooms-hill, Greenwich, April 1865.

TO SOLICITORS or their PRINCIPALS. WEST-END FREEHOLD PROPERTY.—To be Sold to pay 5½ per cent. on First-class Decorative Property, in a most commanding situation, of the value of 500l. per annum.—Apply to Mr. LLOYD, on the premises, 23, Great Marlborough-street, Regent-street.

FOR SALE—LAW JOURNAL.—LAW JOURNAL REPORTS in Equity and Common Law, Magistrates' Cases, Statutes, &c., from 1846 to 1864 inclusive; fifty vols. 4to., whole bound law calf, except last year, and one Digest, fine uniform set, 30l. (cost upwards of 80l).—Apply to J. R. W. CADBY, New-street, Birmingham.

LAW.—COPYRIGHTS.—To be SOLD (under Bankruptcy), the COPYRIGHTS in the following well-known useful works, namely:
"Moore's Instructions for preparing Abstracts of Title;"
"Moore's Country Attorneys' Pocket Remembrancer;"
"Moore's Solicitor's Book of Practical Forms."
The two former have passed into second editions, and new editions of all are required, for which the Author's services could be obtained. Apply to Mr. HAGGOOD, Auctioneer, Wimborne Minster, Dorset, or to Mr. GIBBS, Solicitor to the trade assignee, 18, Poultry, London.

BEDFORD-ROW.—Convenient OFFICES to be LET, on the First Floor. Rent moderate.—Apply to Mr. HEALY, Auctioneer and Valuer, 43, Bedford-row, W.C.

GRAY'S-INN.—A very desirable SET of CHAMBERS to be LET on the First Floor, in South-square, adapted for business purposes, or Bachelors' Chambers; fitted with water-closet and other conveniences, and Kitchen and Bedroom on an upper story. Apply to Mr. HEALY, Auctioneer and Valuer, 43, Bedford-row, W.C.

IMPORTANT TO SOLICITORS.
20 per cent. saved.
JAMES TANN and SON,
LAW STATIONERS, LITHOGRAPHERS and PRINTERS,
4, Cook's-court, Lincoln's-inn, W.C. Established 20 years.
Deeds and Writings Engrossed and Copied,
20 *per Cent. Discount.*
Engrossments, per folio, 2d., Fair Copies, 1½d.
Printing and Lithography at moderate charges.
Country business promptly attended to.

THE NEW LAW COURTS.—LAW PRINTING.—Messrs. COX and WYMAN invite the attention of the LEGAL PROFESSION to the superior Facilities their establishment presents for the execution of every description of PRINTING.—Lincoln's-inn Steam Printing Works, 74-75, Great Queen-street, W.C.

AN ENGLISH LADY, filling up her leisure hours by superintending a small refuge, with the aid only of a cottage matron, where fallen girls are received and cared for as in the home of their childhood, appeals for kind help to her brothers, the gentlemen of England, who, remembering their former sins against womankind—or blessing God for purity of early life—would help her to gather in more of these despised ones and lead them to a new life. The full working-out of the plan may be seen by reference to the small pamphlet called "Loving Ministry to the Fallen and Aged," by Mrs. G. W. Sheppard, 2d., Jarrold and Sons, Paternoster-row; or address Mrs. G. W. SHEPPARD, Fromefield-house, Frome. Cheques and Post-office orders to be made payable to Emma Sheppard. April 1865.

Investments.

LONDON, CHATHAM, and DOVER RAILWAY COMPANY.—LOANS on DEBENTURES.—The Directors are prepared to receive LOANS on DEBENTURES for three or five years, to replace loans falling due. Offers to be addressed to the undersigned.

By order, W. E. JOHNSON, Secretary.
Victoria Station, Pimlico, S.W., March 21, 1865.

NEXT PRESENTATIONS.—Gloucestershire.—For SALE, the NEXT PRESENTATION of THREE LIVINGS, pleasantly situate in the neighbourhood of Stroud, Gloucestershire. Excellent houses. Net incomes between 200l. and 300l. The incumbents of advanced ages.—For particulars apply to Messrs. FEARON, CLABON and FEARON, Solicitors, 21, Great George-street, Westminster.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Five Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to GEORGE J. JEFFERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.
Dock Office, Liverpool, April 6, 1865.

SIX PER CENT. on FREEHOLD SECURITY.—The DIRECTORS of INNS OF COURT HOTEL COMPANY, Limited, are now issuing DEBENTURES of 50l. or 100l. and upwards, for three, five and seven years, with coupons attached for payment of interest half-yearly.

The Debentures will form a first charge of 80,000l. upon the very valuable freehold hotel property of the Company in Holborn and Lincoln's-inn-fields, estimated as worth not less than 120,000l.

A Commission to Solicitors.

For further particulars and forms of application, apply to the Secretary, at the Offices, 63, Lincoln's-inn-fields, W.C.

H. T. L. BEWLEY, Secretary.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 200,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary

THE INVESTMENT and FINANCE AGENCY.

Established for the purpose of effecting Purchases and Sales on Commission in every description of Public Securities, and for affording the necessary precautionary information for the safe investment of Capital, &c., &c.

A record is kept of the status and prospects of the various Public Companies and Foreign Stocks; and as this Agency scrupulously declines speculative transactions upon its own account, the Public have, first, the security of being protected by unbiassed information, based upon twenty-seven years' experience in the Stock and Share Markets; and, secondly, the guarantee that any business which this Agency undertakes will be completed with the strictest fidelity.

During the past year 1864, no less than ten new Foreign Loans, constituting an aggregate Capital of 22,271,100l., and 282 new Joint Stock Companies with an authorised Capital, of 135,837,500l., were introduced upon the London Market.

Never were there times which inculcated more forcibly than the present the necessity of experience and caution prior to the investment of Capital, or when reliable services, such as this Agency specially renders, were more requisite.

The FINANCE DEPARTMENT includes the Agency of Public Companies, Loans, Deposits, &c., and advances are negotiated on Public Securities having a Market value.

An important feature of this Agency is, that the same uniform system of strict attention is paid to transactions of small, as well as large amounts—the object being, to increase its facilities for carrying out its operations to the greatest possible advantage by embracing the business of every description of Investors.

Cheques to be drawn to the order of Mr. CHARLES PETERS, Secretary, and crossed "The Agra and Masterman's Bank."

No. 12, Clement's-lane, Lombard-street, London, E.C.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, CHANCERY LANE, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management, but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.
Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.
Business consists of the best classes of risks.
Insurants will be allowed the full benefit of the Reduction of Duty.
Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 30 per cent. per annum on the premiums paid, varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

58, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., Recorder of London.
DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

CAPITAL, 250,000l.

DIRECTORS.

Ralph T. Brockman, Esq. Folkestone.
Edward Wm. Cox, Esq., 36, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 33, Devonshire-place.

MEDICAL ADVISERS.

Nicholas McCann, Esq., M.D., 59, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street.

CONSULTING ACTUARY.—P. G. P. Nelson, Esq., F.S.S.
SECRETARY.—Edward S. Barnes, Esq.

SPECIAL NOTICE.

THE STANDARD LIFE ASSURANCE COMPANY.

Constituted by Special Acts of Parliament. Established 1825.

Governor—His Grace the Duke of BUCCLEUCH and QUEENSBERRY.

Deputy-Governor—The Right Honourable the Earl of ROSSLYN.

APPROACHING DIVISION OF PROFITS.

The Seventh Division of Profits is appointed to be made on 15th of November 1865, and all Policies now effected will participate.

The fund to be divided will be the profits since 15th November 1860.

A policy effected now will not only participate in this division, but will secure one year's additional bonus at all future divisions, over later policies.

The Standard is one of the largest and most successful of the Life Assurance Institutions of Great Britain. Its income is above 400,000l. per annum, and its invested funds exceed 2,500,000l. sterling.

Chairman of the London Board.—The Right Hon. Lord ELCHO, M.P.

ORDINARY DIRECTORS.

Charles Hemery, Esq., 24, Threadneedle-street.
Lieut.-Col. J. D. G. Tulloch.
Alex. Gillespie, Esq., Lime-street.
Lestock Robert Reid, Esq., 122, Westbourne-terrace.
J. Scott, Esq., 4, Hyde Park-street.
Francis Le Breton, Esq., 21, Sussex-place, Regent's-park.
T. H. Brooking, Esq., New Broad-street.

Manager—Will. Thos. Thomson, F.R.S.E.
Resident Secretary—H. Jones Williams.
Solicitors—Messrs. Minet and Smith.

Offices:—London—82, King William-street, E.C.; Edinburgh—3, George-street (Head Office); Dublin—66, Upper Sackville-street; Glasgow—105, St. Vincent-street.

Information can be obtained at the Company's Offices, or from the Agents in the principal towns of England, Scotland, or Ireland.

NEW EDITION OF PATERSON'S COMPENDIUM.

Just published, in royal 8vo., New Edition, price 24s.

COMPENDIUM of ENGLISH and SCOTCH LAW, stating their differences. By JAMES PATERSON, M.A., of the Middle Temple, Barrister-at-Law.

Edinburgh: A. and C. BLACK. London: LONGMAN.

BARRY'S PRACTICE OF CONVEYANCING.

In a few days will be published, one vol. 8vo. cloth,

A TREATISE on the PRACTICE of CONVEYANCING. By WILLIAM WHITTAKER BARRY, of Lincoln's-inn, Esq., Barrister-at-Law, late holder of the Studentship of the Inns of Court, and author of a "Treatise on the Statutory Jurisdiction of the Court of Chancery."

London: BUTTERWORTHS, 7, Fleet-street, Her Majesty's Law Publishers.

LEWIS ON EQUITY DRAFTING.

In a few days will be published, one vol. post 8vo. cloth

PRINCIPLES of EQUITY DRAFTING, with ILLUSTRATIONS. By HUBERT LEWIS, B.A., of the Middle Temple, Barrister-at-Law. Author of "Principles of Conveyancing, &c."

London: BUTTERWORTHS, 7, Fleet-street, Her Majesty's Law Publishers.

Just published, in 1 vol. 8vo., price 15s. cloth,

BOYD KINNEAR'S HOUSE of LORDS' CASES; a Digest of House of Lords' Cases decided on Appeal from Scotland, 1709-1864; with Glossary of Scottish Law Terms. By JOHN BOYD KINNEAR, Advocate and Barrister-at-Law, Author of a Practical Treatise on the Law of Bankruptcy in Scotland.

N.B.—A large proportion of these cases, distinguished by Italics, are decided on or involve principles of English Law; and in this digest are for the first time brought to the notice of the Profession in England.

W. MAXWELL, 32, Bell-yard, Lincoln's-inn.

This day is published in 8vo. price 15s. cloth,

GREENWOOD'S CONVEYANCING: A Manual of the Practice of Conveyancing, showing the present practice relating to the daily routine of Conveyancing in solicitors' offices; to which are added concise common forms and precedents in conveyancing; conditions of sale, conveyances, and all other assurances in constant use. Third edition, revised and considerably enlarged. By C. W. GREENWOOD, Solicitor, and HENRY HORWOOD, Solicitor.

London: STEVENS, SONS and HAYNES, Law Booksellers and Publishers, 39, Bell-yard, Lincoln's-inn.

To Readers and Correspondents.

E. H. (Bristol).—This agency is well known to us; many of their circulars have been forwarded, but they desire publicity, and we will not give them an advertisement gratis.

J. C. D.—Not a legal question, to which we are bound to restrict the queries.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, MAY 2.

By Messrs. Debenham and Tewson, at the Guildhall Coffee-house.

An area of nearly 8000 feet near the new railway terminus in Bishopsgate. Advertised April 15.

Important freehold property in Gracechurch-street. Advertised April 22.

WEDNESDAY, MAY 3.

By Messrs. Driver and Co., at the White Hart Hotel, Newmarket.

Freehold residence, training stables, &c., adjoining the heath. Advertised this day.

By Messrs. Watkins and Lovejoy, at Garraway's.

Freehold rents at Stepney, Limehouse and Ratcliffe. Advertised April 22.

CHARGES FOR ADVERTISEMENTS.

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Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Advertisers are requested to make their Cheques and Postoffice Orders payable to Mr. Horace Cox, *the latter at the Strand Office.*

The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the Law Times *Reports will be forwarded by post to any person inclosing* 2*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The Lord Chancellor has placed his resignation in the hands of Lord Palmerston. He could do no less; it was for others, and not for himself, to determine whether the report of the committee inculpates or exonerates him. It is said that Lord Palmerston has refused to accept it, and therefore we may assume that Lord Westbury's colleagues are of opinion that he has come out of the ordeal with untarnished honour. Where the worst that can be said of a man is, that he has erred through too much kindness towards an offender who was at his mercy, he has little cause for self-reproach, and the public will be very lenient in its judgment of a fault that leans to virtue's side.

The imputation of corrupt motives was early withdrawn, and the charges of nepotism are advanced only by disappointed place-hunters or political enemies.

It is rumoured, in Westminster-hall, that Baron Martin is about to retire from the Bench, and enjoy the leisure he has earned by long service. He is entitled to a retiring pension; and his private fortune is very ample. The example set by Sir J. Coleridge and Sir E. V. Williams may be advantageously followed. An ex-judge need not wholly withdraw from public life. On the contrary, special functions of no small utility have been found for him. He becomes a valuable member of the Judicial Committee of the Privy Council. He is placed upon high commissions, where the practice of evidence and the judicial mind are valuable qualifications; and he is constituted a species of official arbitrator in public disputes. Sir John Coleridge has done excellent service in all these capacities; and Baron Martin may occupy the same position with equal honour to himself and advantage to the community.

We have received the following letter:

3, New-square, April 27, 1865.

Sir,—The Council of Law Reporting have had their attention drawn to an article appearing in the Law Times under date of the 22nd April 1865: "The Law Reporting scheme was on Wednesday submitted to the Judges and Serjeants assembled at Serjeants'-inn, in pursuance of the invitation to send a representative to the council. *The proposition was rejected unanimously*, all the Judges, without exception, expressing their disapproval of the scheme." The fact stated by you that "all the judges without exception expressed their disapproval of the scheme, was very important, and though the statement was in itself most improbable, opportunity has been taken to ascertain its truth, and with this view personal communication has been had with some of the judges and serjeants who were present on the occasion. Lord Chief Justice Erle presided, and from a personal communication which has been had with his Lordship I am enabled on behalf of the council to state that Serjeants'-inn declined to send a representative to the council on the sole ground that, as it was known that the influence of the Judges was predominant in that society, such an act might be regarded as intended to influence the profession, whereas the Judges considered it to be their duty to abstain from all present interference. Upon the same authority I am enabled to state that no Judge expressed or intimated directly or indirectly any disapproval of the scheme.

This communication is made to you that you may have an opportunity of giving such explanation to the Judges and Profession as you may consider it due to them to offer.—I am, Sir, your obedient servant,

James T. Horwood, Secretary *pro tem.*

The information came to us from a trustworthy authority, and we have no doubt that it was substantially correct, as indeed may be inferred from the very lame explanation proffered by Mr. Horwood. It is manifest from the result that the scheme has *not* found favour with those whose active assistance is essential to its success.

Mr. Denman has deferred his motion for the repeal of the Certificate Duty until May 19. Doubtless he had good reasons for the delay, but it is not the less to be regretted. The Budget will then be determined, and the Chancellor of the Exchequer will have the ready and almost unanswerable excuse, "It is too late: the finance of the year is arranged, and your proposal would disturb it." Such a plea is sure to command the assent of a majority of our legislators, most of whom have little love for the lawyers, although standing in a certain fear of them, and they will be glad of an excuse to support the Government and please their other tax-paying constituents, while professing a great regard for the interests of the solicitors. We see in this how difficult it is to obtain redress of a sectional grievance. The solicitors are, with innkeepers, auctioneers, horse dealers and licensed hawkers, selected from the community for a special tax. It is palpably unjust, for if it is right to license one calling it would be right to license all. But those who are exempted from the burden feel very little sympathy for those by whom it is borne. The most destructive of democrats contemplates with equanimity and even complacency a tax imposed on his neighbour from which he is himself exempt, and he will not put himself much out of the way to procure its removal, especially to transfer that neighbour's share of it to his own shoulders.

The history of the Paper Duty and Fire Insurance Duty should have counselled better tactics for the opposition to the Certificate Duty. Both of those imposts were stricken down by divisions taken *before* the Budget, leaving the reluctant Chancellor of the Exchequer no excuse for resistance to the expressed will of the Commons, holding the public purse. If Mr. Gibson and Mr. Sheridan had listened to the seductions of the Treasury Bench, and postponed their motions until the Budgets were produced, as Mr. Gladstone almost entreated of Mr. Sheridan, those duties would be still in full vigour, instead of being now the one dead and the other dying. There is a large surplus to be dealt with, and after reducing the Income-tax by another penny, and the Fire Insurance Duty to one shilling per cent. there will remain enough to allow of the repeal, not only of the Solicitors' Certificate Duty, but of all the other duties of the same kind, imposed, in the name of licences, upon other callings. We have nothing to do but to press our own claims to relief with all our might, conscious that our might is more likely to be received with respect than our right. But we must not disguise from ourselves that Mr. Gladstone cannot look at it as we do. He must consult all claims, and cannot repeal our burden without at the same time taking off the like load that is placed upon others. It is not, therefore, so easy for him to do as for us to ask. But the time is singularly favourable to the attempt; the surplus will be large enough to permit the repeal of all other licences as well as ours, so that excuse will not be at hand, and we shall not value justice to ourselves the less because it carries with it also justice to others.

We cannot help looking upon the postponement as fatal. The only chance remaining to us is to petition, and so to leave no excuse for comparison between this and former efforts. If any have not yet sent up a petition, or signed one, they should take some pains to do so before the 19th May.

The rejection of the Lincoln's-inn reporting speculation by the Common Law Judges is not at all surprising, when the serious inroad is considered which it threatened to make upon their independence, in their relations to the reporters enjoying their confidence in the respective courts. The reports were to be brought under "the general management and control" of the council. That body was in the first place to be incorporated by Act of Parliament (why not under the Joint-Stock Companies Act 1862?) or charter. It would thus have acquired a legal *status* to make its management and control felt in Westminster-hall. The editors and reporters were to be appointed and removable by the council; but the appointment of the reporters in each court was to be subject to the approval of the chief or presiding judge. That looked all very well on paper, but it did not require much sagacity on the part of the chief or presiding judge to foresee that, in any objection which he might venture to make against the council's nominee, he would stand alone against twelve councillors, fearfully incorporated, including among them the Attorney and Solicitor-General. If the judge dared to urge his objections, how was he to do so with any chance of success? Such a position for a judge would be in sorry contrast with that now enjoyed by him of appointing the reporter, without any one's interference. Suppose all difficulties smoothed over, the appointment made, and the Judge and reporter working together in harmony, the reporter might any day have been removed by the council, and the Judge have had no voice in the matter, for the Judge's approbation was not to be asked to the removal. Or suppose that, after a time, the Judge and the reporter fell out, the Judge himself would have no power to remove the reporter. He must apply to the council. Then again the Judges of the several courts were to be "requested to appropriate convenient places to be occupied by the reporters, to allow the reporters access to all such papers as they could control and their written judgments, and to revise the reports of their unwritten judgments before publication." It did not require much penetration in a judge, chief or puisne, to imagine what a "request" would become when made by twelve incorporated gentlemen, backed by the alleged authority of a bar meeting. This proposal amounted to nothing less than placing the Court in subordination to the council. Such a wretched want of judgment as was betrayed by this paragraph in the scheme was enough to damn the whole comedy. If the paragraph had been, that the Judges be requested to confer with the council on the best means of securing the object in view in their respective courts, or something to that effect, the thing would have been respectful and tolerable. But when the Judges were to be publicly set down in the evening, like schoolboys, to correct their exercises before bedtime, the thing became impertinent and intolerable. And the Equity Judges? Are they willing to submit to all this? The last bench-room circular—we mean the one on the "Standard Sherry" model—said nothing about them, any more than it did about the persons who were to be the reporters and the editors. The whole affair has now degenerated into an instance of what a knot of busy men, with no settled purpose but that of saving themselves a few pounds yearly and exercising power and patronage, can do, in trying to saddle the bulk of the Profession with additional cost and all the other evils of monopoly, and to wound the Judges in their dignity and independence.

In another column will be found some reasons in favour of Mr. Orr's Bill for Improvement in the Procedure of Magistrates' Courts. Among our readers there will be no difference of opinion

upon this question, for the defects of the present procedure are daily before them. But, unfortunately, neither the Government nor the Parliament is sufficiently conscious of the existing inconveniences to undertake the task of removing them. The Home-office refuses its aid. The Attorney-General is an equity lawyer, and does not understand the subject. The Solicitor-General says that it is too heavy a matter to be undertaken by himself alone. Mr. Henley, as a representative chairman of Quarter Sessions, considers that it is not called for, and therefore not worth the trouble that will attend it. Altogether we fear there is no chance of its advancing another stage during the present Parliament. We regret this, for the magistrates' courts are the only tribunals whose procedure has not been reformed. It is capable of great improvement. Mr. Oke has constructed at least the outline of a complete reform, and it is provoking that its progress should be stayed by obstructions in the Home-office and the indolence of a dying Parliament.

As we anticipated on the 15th, the resolutions of the Bankruptcy Act Committee are not to be followed up with any legislative step by the Government in this Parliament. Considering the magnitude and importance of the subject, the Attorney-General said, in answer to Mr. Murray, that he did not think it would be possible to give any engagement on the part of the Government that they would introduce a Bill in the course of the present session. All he could undertake to say was, that the recommendations of the committee would, without loss of time, receive the best consideration of the Government, with a view to the speedy introduction of a Bill founded on those recommendations. In fact, the question is a little out of joint just now. Independently of the short duration remaining to the Parliament, and also of the untowardness of the Lord Chancellor's Bill, brought into the other House while the Commons' committee was sitting, and framed in some respects at variance with the committee's opinions, the affairs of the committee itself did not pursue an ordinary course. Usually the resolutions proceed from the chairman, and their adoption by the House would be moved by him. But in the present case, as we have seen, the Chairman's proposed resolutions were passed over, and, with the exception of a few, the resolutions adopted were drawn by and carried on the motion of another member of the committee, Mr. Ayrton. The Attorney-General was also a member, and moved one or two of the resolutions, as to the limiting dividend, but was out-voted in an important proposal respecting the disposition of the bankrupt's estate between adjudication and the six years' liability of the estate, until payment of the 6*s.* 8*d.* in the pound. Failing the Chairman, the Attorney-General could therefore scarcely be expected to push the matter forward in the House. At the same time he would not be inclined to permit a third member of the committee, although the framer of the resolutions, to take the business out of the hands of the Government. In this entanglement recourse will be judiciously had to the clear ground to be afforded by a new Parliament. There the Attorney can take what course he and the Lord Chancellor please, unfettered by embarrassing antecedents in any quarter. We presume that the Attorney's answer to Mr. Murray implies that the Lord Chancellor's Abolition of Arrest Bill, now in the Lords, may be regarded as dropped.

Mr. Moffatt, the chairman of the select committee, has given notice to call attention, on the 16th May, to the resolutions, and the existing state of the laws in regard to debtor and creditor. But this notice was given before Mr. Murray put his question to the Attorney-General, and Mr. Moffatt himself was not in the house, but was represented by another member. Consequently it is doubtful now whether anything will come of the notice.

The difference in point of evidence between a profit to be taken by a man in another's land, and a profit to be taken by a copyholder in his own land, against the lord of the manor, was well exemplified by the judgment on appeal in *Hammer* v. *Chance*, 12 L. T. Rep. N. S. 163. The profit in question was silver sand, which Messrs. Chance, the glass makers, used in their manufacture, and for the sake of getting which they had purchased a piece of land, part of the manor of Leighton Buzzard. Col. Hanmer, the lord, prayed an injunction to restrain them from digging or carrying away any of the sand. There was considerable evidence before Vice-Chancellor Wood of the practice by the copyholder of digging the sand for the last twenty-seven years. In a case of common of pasture claimed in respect of a messuage, the Court of of Queen's Bench held, in *Bailey* v. *Appleyard*, 8 Ad. & El. 167, that proof of a thirty years' enjoyment under the Prescription Act (2 & 3 Will. 4, c. 71) was not complete if proof were given of an enjoyment for twenty-eight years immediately preceding the action, and it appeared that twenty-eight years back the enjoyment was interrupted, the right having been exercised before the interruption; but that it lay on the party prescribing, under the statute, to prove thirty years' uninterrupted enjoyment.

Upon the authority of this case, the Vice-Chancellor held, that Messrs. Chance's claim was not supported by sufficient evidence to satisfy the provisions of the 1st section of the Act, that no claim by custom, prescription, or grant to any profit to be taken upon any land of any person shall, where the profit has been actually taken without interruption for thirty years, be defeated by showing only that it was first taken at any time prior to the thirty years. But the Lord Chancellor said it was clear on the language of the Act that the provision applied only to cases where one man claimed some profit to be taken or enjoyed from or upon the land of another, and had no application to the case of a right claimed by a copyholder on his own tenement according to the custom of the manor. The 6th section of the Act was also expounded. The enactment is to the effect that no presumption is to be allowed in support of any claim upon proof of the exercise or enjoyment of the right claimed for any less number of years than the period above mentioned in the Act. The meaning of this seemed to the Lord Chancellor to be, that no presumption or inference in support of the claim should be derived from the bare fact of user or enjoyment for less than the prescribed number of years; but that, when there were other circumstances in addition, the statute did not take away from the fact of enjoyment for a shorter period its natural weight as evidence, so as to preclude a jury from taking it, along with other circumstances, into consideration as evidence of a grant.

The custom of taking the particular sand was treated by the Lord Chancellor as part of the larger custom for the copyholders of Col. Hanmer's manor to get and sell sand, gravel and clay from within their own copyholds, and the evidence of the silver sand having been dug and sold during the twenty-seven years as part only of the larger body of evidence adduced to prove a custom of the copyholders to dig and sell sand generally, which would include the right to dig and sell the particular sand in question. Such a general customary right, the Lord Chancellor observed, differed from a prescriptive right; the former was a usage which applied to a number of persons in a certain district or locality; but a prescriptive right was claimed as existing in a person and his ancestors, or as attached to a particular estate. The law had laid down no rule as to the extent of evidence which was required to establish a custom, or from which the presumption or inference of the fact of a custom might be readily drawn. It was the province of a jury to draw the conclusion of fact. According to the cases, which were cited in the judgment, a single instance of a particular kind of admittance had been allowed as proof of a custom of descent, and a single instance of a particular kind of surrender as proof of a custom to bar entails. The decision of the Vice-Chancellor against the custom was, therefore, on the evidence, reversed, and the plaintiff's bill dismissed with costs.

The question of the legality of a contract involving breach of the Federal blockade has again come into court. The difference of opinion on the point between Mr. Baron Martin and Mr. Justice Willes, in relation to the Queen's proclamation of May 1861, was noticed in this journal of Dec. 24th last. The case on that occasion was, that merchants in London agreed with merchants at Leeds to provide shipping for Manchester goods to be sent by the latter to Charleston, and also with a shipper to carry the goods, and run the blockade for that purpose. Mr. Justice Willes and the Common Pleas Judges had treated the contract as legal; Mr. Baron Martin at Nisi Prius, on the other hand, took judicial notice of illegality in it, for that running the blockade was contrary to the Proclamation. We ventured to advance an argument to the contrary of this view, taking as our ground that the Proclamation, while warning British subjects against breaches of the Foreign Enlistment Act, spoke of breach of blockade and carrying of contraband as offences against the law of nations only, and as offences in respect of which the offender would not receive the Queen's protection from the consequences, but would incur her high displeasure. Having regard to the judgment of the Lord Chancellor, on Saturday, the 22nd, in *Ex parte Chevasse*, on appeal from the Liverpool Court of Bankruptcy, we may be allowed to continue our reference to what we further remarked on the former case, that a declaration of the Queen's displeasure at breach of blockade would not be held to make illegal a contract involving such a breach, unless the statute or common law of the realm made the breach illegal. Neither the one nor the other did so. The offence was not cognisable by domestic law. Even as regards the cruisers of the blockading belligerent, the offence did not travel on with the vessel further than to the end of the return voyage. This view of the law of breach of blockade, in its operation on contracts, has now been fully confirmed.

In the case before the Lord Chancellor, a Liverpool merchant entered into a joint adventure with Mr. Chevasse, swordmaker of Birmingham, to convey a cargo of arms and ammunition to an agent at Wilmington, running the blockade. The blockade was run, and the proceeds were invested in cotton, which remained in the agent's hands. The merchant having become bankrupt, and Mr. Chevasse having executed a trust-deed for the benefit of his creditors, an application was made to the Bankruptcy Court on Mr. Chevasse's part, that a share of the cotton might be apportioned to him. This was resisted on the ground that the contract was illegal, its object being to supply by neutrals contraband of war to belligerents, and for this purpose to break a duly constituted blockade.

The judgment on the appeal, proceeding from the fundamental position that, in the view of international law, the commerce of nations is perfectly free and unrestricted, showed that a belligerent acquired certain rights which were given to him by international law. One of these was the right to capture on the seas munitions of war being transported in a neutral ship to the enemy. But the act did not give the belligerent any ground of complaint either against the neutral trader personally, or against the Government of which he was a subject. The title of the belligerent was limited entirely to the right of seizing the contraband article. The act of either party was lawful; his right did not render the act of the other unlawful. In support of this opinion the Lord Chancellor quoted Vattel, Kent and Wheaton.

The Lord Chancellor then considered the English Law. If a British shipbuilder built a vessel of war in an English port, and sent her armed and equipped *bonâ fide* for sale, as merchandise, to a belligerent country, he would not in so doing fall within the Foreign Enlistment Act. Great reliance, however, had been placed on the Queen's proclamation, in arguing against the legality of the contract made by Mr. Chevasse. "I need not observe," said the Lord Chancellor, "that the object of a proclamation is to make known the existing law, and that it can neither make nor unmake law; but in truth the Proclamation of 1861 is directed, and very properly directed, to two objects: first, to declare that the provisions of the Foreign Enlistment Act would be strictly enforced; and, secondly, not to prohibit the exportation of warlike stores, but to warn the subjects of the realm that if any subject carried contraband of war to either belligerent he would incur the penal consequences of the law of nations, and would receive no protection or relief from those consequences (that is, from capture or condemnation) at the hands of Her Majesty. The proclamation had no effect whatever on the legality of the adventure."

The rule was laid down in all but recently published books on Chancery practice, that on an appeal in the Court of Chancery a respondent

could not be called upon to pay costs. According to the last edition of a work, specially intended for the guidance of solicitors, *Daykhaurn's Practice*, "if the appeal is successful, although it is not usual to make the respondent pay costs, the court will do so in a proper case." The practice has now gone further. The rule of the Privy Council, that the wrong-doer shall pay the whole costs of the litigation may be considered as adopted by the Appeal Court in Chancery since the order made by the Lord Chancellor in *Birney* v. *Harris*, 12 L. T. Rep. N. S. 218. An injunction, prayed by the plaintiff's bill, had been granted by Vice-Chancellor Kindersley, but was dissolved with costs, on appeal. The Lord Chancellor at first said that he could not give the costs of the appeal, but that he reversed the Vice-Chancellor's order and substituted for it the order of dismissal with costs. He was urged by counsel to make the costs of the appeal costs in the cause, but expressed his fear that he could not do so. After some discussion the case stood over for an interval to allow of cases being cited. When it came on again the counsel on both sides were agreed that it had been the practice of the Lord Justices in several cases to give the costs of the appeal as well as the costs in the court below: that in fact they exercised a discretion whether they should give the costs or not. "If that be so," the Lord Chancellor said, "and I am very glad to find it is; I think the alteration introduced by the Lords Justices is a very wholesome alteration, and I have no hesitation in giving you the costs of the appeal." Such, then, is the rule now established. The change from the old practice is consonant with justice. The ground on which an unsuccessful respondent used always to escape on payment of his own costs only was, that he was justified in maintaining the decree made in his favour by the court below. But it might equally well be contended that the other party ought not to suffer from an erroneous decision by that court. In fairness, then, the decree or order appealed against ought to have been regarded merely as a step towards the final decision of the cause, and the costs of the step to have followed the result of the whole litigation. The rule in the Privy Council itself appears to be of recent origin. Mr. Macqueen, in his "House of Lords and Privy Council Practice" (1842), p. 770, states the general rule of those judicatures to be, not to award costs to an appellant, but that in the Privy Council there is more than one exception to the rule. The exceptions given are only those in two decided cases, in one of which the appeal involved points of law previously determined in two former appeals against the same respondents; the other was a case of a mortgagee, appellant in a West India foreclosure suit.

It is not competent to a company, even by vote of a general meeting, to issue *preference shares*. It was so decided in *Hutton* v. *The Scarborough Cliff Hotel Company*, 12 L. T. Rep. N. S. 228, since confirmed on appeal to the Lord Chancellor. And the decision is strictly just and reasonable. Preference shares mean preferred shareholders, who are to take a larger proportion of the profits than their fellows. In the particular case, the articles of association made no provision for such a contingency. They merely provided that dividends should be paid to the shareholders in proportion to their respective shares, and thus there was an implied contract between the shareholders that all should receive a rateable dividend in proportion to the number of their shares. "The question, then," said V. C. Kindersley, "is, can a majority of the shareholders make an arrangement by which other persons who have taken up some of the 12,000 shares, not before issued, shall get a dividend proportionably higher than that given to the other shareholders, and by which the dividends of other shareholders shall be suspended until those preferential dividends are paid? I am of opinion that it is not open to the shareholders to do this. It is not necessary that there should be a case of fraud in a moral sense. It is a breach of contract, and the directors and shareholders have no right to make this contract."

The Vice-Chancellor expressly refused to decide whether the company might effect their object by altering their articles of association, and it certainly appears to us very doubtful if it could be so done. True, that by observing the procedure as to special meetings, &c., it is competent to a company to alter its articles of association. But there must be some limit to this power: it could not be extended to an alteration of the character of the company, so as to convert it into something altogether different. The certificate of incorporation defines that character. It states the purposes for which the company is incorporated, and the number of shares into which its capital is to be divided: and the courts would probably say that the term "share" means a definite proportion of capital, entitling to the like proportion of profits, and that this could not be changed by a change in the articles of association. If this be so, many companies must have been acting illegally by the unauthorised issue of preference shares, and serious difficulties might result. We recommend the solicitors to companies to look to it at once. In future, the original articles of association should expressly empower the issue of preference shares. It might *then* be done, because the company is incorporated *with* its articles as a part of its constitution; and all who take shares accept these articles as the terms of their contract with the other shareholders.

It has been often asked, of late years, what limit should be placed to the already enormous powers enjoyed by railway companies? There can be but little doubt that in many Bills promoted by railway companies much more is obtained than is contemplated by the Legislature. By means of general clauses and provisions the force of which escapes notice at the time, the company procure opportunities of allying themselves, by private agreement, with existing lines, and push their influence in every direction. It was, however, intended from the beginning that railway companies should obtain a practical monopoly of the traffic by land. It was well known that their enormous wealth and the elaborate arrangements which they could always make for booking and transporting goods upon their lines would drive private companies and individuals from the field. But it was generally believed that a fair equivalent would be received in exchange for this gigantic monopoly. The business of the companies would be most carefully regulated, and any irregularity on their part would be promptly repressed. And lest the monopoly should be in the slightest degree extended, any application of the funds of a railway beyond the scope of its powers was immediately arrested, and a long array of what were called *ultra vires* decisions shows the vigour with which the intention of the Legislature was interpreted by the Superior Courts. Gradually, however, the companies were enabled to make a step in advance. "Steamboat powers," as they were called, were introduced. This was an innovation of considerable importance. It may seem very reasonable that a railway should be at liberty to provide a complete and uniform route over land and water, but this is in fact to extend the monopoly already enjoyed. A large and wealthy railway company could well afford to sustain a loss on the tolls derived from its traffic by water, if it succeeded in ousting those whose very existence as carriers depended upon the perception of a reasonable profit. The gross injustice caused by this last privilege at length attracted the attention of the House of Commons, and resulted in Standing Orders 148 and 155. By the first of these, railway companies are forbidden to acquire docks, piers, harbours, or ferries, or to acquire and use any steam-vessels for the conveyance of goods and passengers, or to apply any portion of their capital or revenue to other objects distinct from their undertaking, unless the committee on the Bill report against such a restriction. And by Standing Order 155 no powers of purchasing, hiring, or providing steam-vessels are to be contained in a railway Bill, except when the transit by such steam-vessels is required to connect portions of railway belonging to or proposed to be constructed by the company. In addition to the protection afforded by these Standing Orders, the House of Commons has never been over critical in considering the right of shipowners to be heard against a Bill seeking "steamboat powers." In a Bill now pending in the House, an association of shipowners successfully applied for leave to be heard against such a Bill. This association represented more than 300,000 tons of shipping, and was established in 1845, solely for the purpose of protecting the interests of shipping against the usurpation of the railways. Although it might be difficult for this society to show a direct injury sustained by any one of its members, it is right that the carriers by water should be adequately represented against an enemy so restless and powerful as railway enterprise and capital.

BONA NOTABILIA.

Judicial Sayings.

Selected from the Reports by J. M. S. G. Schank, Notary Public.

No. XXXVII.

Without prejudice.—*Prima facie*, a party writing a letter and using the expression "without prejudice," means that he is not to be prejudiced. No case has decided that a person so writing has a right to use it; but, of course, the other side has a right to use it against him. In this case the defendant's solicitor, before bill filed, referring to the smallness of the property, offered to settle on certain terms, making the offer "without prejudice," and added, "This is no admission of any right on your part;" although the party to whom this was written cannot treat it as an admission of right, the party writing it can use it against the other on the question of costs: (*Kindersley*, V.C., 31 L. J., N. S., 676, Ch.)

Domicil.—The question of domicil is a very large one, and it is not easy to ascertain affirmatively all that belongs to it, particularly when applied to English law. It is somewhat remarkable that "domicil" is now very frequently the subject of discussion in our courts; and, as we have more than once observed, the word is comparatively new to the English law; for neither it, nor the notion it conveys, belongs to anything English. The word "domicil" is not to be found in Viner's Abridgment, Bacon's Abridgment, Comyn's Digest, or in English law books from Bracton down to Blackstone. An English subject is domiciled in every part of England; but that is not so in foreign countries, where the law of domicil prevails. There a man is domiciled at the particular part of the dominions where he was born; and there are certain acts which he cannot perform unless at his place of domicil. The English law knows no such disabilities. The English subject may marry or make a will in any part of the British dominions: (*Pollock*, C. B., 33 L. J., N. S., 305, Ex.)

Tenements.—The word "tenements," or "tenementa;" in Co. Lit. 20 a, it is stated: "This is the only word which the statute of Westm. 2, that created estates taile, useth, and it includeth not only all corporate inheritances which or are may be holden, but also all inheritances issuing out of any of those inheritances or concerning or annexed to, or exerciseable within the same, though they lie not in tenure, therefore all these without question may be entailed." That is a proper legal definition of "tenement:" (*Martin, B.*, 31 L. J., N. S., 251, M. C.)

Children.—Authoritative writers, as well as the habits of educated society, show that an accurate speaker may, without impropriety, use the term "children" for the purpose of indicating "offspring" or descendants, or posterity in whatever degree: (*Knight Bruce, L.J.*, 29 L. J., N. S., 490, Ch.)

Bank Stock.—One plain mode of construction is, that any term used by a testator is to receive its ordinary meaning unless controlled by the context, and shown to be used in a different sense to its primary meaning. It is well known that the term "Bank Stock" has a distinct meaning: there is a stock at the Bank of England designated by the term "Bank Stock," and that term is quite well understood: (*Kindersley*, V.C., 21 L. J., N. S., 29, Ch.)

"*Or*" *and* "*And.*"—The words "or" and "and" are frequently used inaccurately, even by persons in the habit of preparing legal documents, and, if necessary, the word "or" may sometimes be read "and:" (*Kindersley*, V. C., 25 L. J., N. S., 76, Ch.)

Bona Notabilia.—No case establishes that the Archbishop of Canterbury has original jurisdiction over *Bona Notabilia* in Ireland: (*Lord Denman, J.*, 9 L. J., N. S., 345, Q. B.)

INVESTMENT JOURNAL.

The startling news from America has paralysed the Stock Exchange. There has been no such shock since the Russian war. The possible and even probable complications that may arise out of it baffle conjecture, and there will be suspense until it is known whether the North will accept the drunken tailor as its President, or whether, as it is to be hoped, the Generals will take the matter into their own hands and supersede the wretched mockery of a ruler whom an atrocious crime has invested with power for four years. Every description of security has fallen in value, and the alarm was increased by the failure of one of the oldest and most respectable firms on 'Change, for, as it was said, if these men fail, who is safe? The Confederate Loan advanced by 2 per cent., but it is down to 12, so that its fortunes are almost at the lowest ebb.

The following are the fluctuations:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	212	...	212	210	212	...
3 per Cent. Red. Ann.	88¾	89¼	89¼	89¼	88¾	89
3 per Cent. Cons. Ann.	90¾	91	90¾	91¼	90¾	91
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.	88¾	89¼	89¼	89¼	88¾	89
Now 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	11	11	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	19¼	...	...	19¼	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	90¾	91	90¾	91¼	90¾	91¼
Consols 3 per Cent. for Ac	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	215	...	...	217	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	...	...
India 5 per Cents. 1870	107¼	108¼	107¼	107¼	107	107
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	17s. c	4s. c	...	...	14s. c	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	...	...	99¼	110	...	99¼
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	102	...	102¼	93	...	...
Do. do. 5 per c. May 1879	100	...	...	102	...	...
Ex. Bills, 1000l.	a	...	d	...	g	h
Do. 500l.	b	...	d	f	g	h
Do. 100l. & 200l. 5 per c.	b	...	e	f	g	h
Do. Small, 5 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 per cent. 4s. 7d. pm.
b 4 per cent. 4s. prem.
c prem.
d 4 per cent. 7s. prem
e 4 per cent. 7s. 5s. pm.
f 4 and 3½ per cent. 5s. 8s. pm.
g 4 per cent. 5s. 8s. pm.
h 8s. pm.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

THE BANKRUPTCY ACT 1861.

Mr. Murray asked the Attorney-General whether it was intended to introduce this session any Bill to carry out the resolutions reported to the House by the select committee appointed to inquire into the working of the Bankruptcy Act 1861.——The Attorney-General said, considering the magnitude and importance of the subject, he could not give any engagement that a Bill would be introduced this session, but he could say that the recommendation of the committee would receive the best consideration of the Government in order to introduce a Bill at the speediest possible opportunity. ——Mr. C. Forster gave notice, on behalf of the hon. member for Halifax, that on the 16th May he would call the attention of the House to the report of the select committee on the Bankruptcy Act of 1861, and the existing state of the law of debtor and creditor, and would submit a motion with regard to the subject.

CERTIFICATES OF ATTORNEYS, &c.

Mr. Denman postponed the motion of which he had given notice, for the abolition of the annual duty payable on certificates taken out by attorneys, solicitors, &c., to the 19th May.

INNS OF COURT BILL.

Sir G. Bowyer, in moving the second reading of this Bill, said that many members of the House who did not belong to the legal Profession might not be aware that the benchers of the Inns of Court exercised a very important jurisdiction of a penal nature. They heard complaints and charges made against any of their own members, and had the power of refusing admission to persons seeking to enter an inn of court as a student, and thereby excluding him from the practice of an important and lucrative profession. They also possessed the power of refusing to call a student to the bar after he had completed his terms. They had the authority also to expel a person from an inn of court; but the most important power which they exercised was that of disbarring—that is to say, of expelling from the legal Profession—barristers, even though they had obtained the rank of Queen's counsel. He need scarcely point out the severe nature of this punishment. The jurisdiction in these cases is exercised by the whole body of the benchers, and though he had no doubt that these gentlemen administered their powers to the best of their ability, and with general impartiality, yet justice could not be properly administered by such numerous bodies as the benchers of the Inns of Court. In Lincoln's-inn there were sixty-nine benchers; in the Inner Temple, forty-five benchers; in the Middle Temple, thirty-six benchers; and in Gray's-inn, which was the least numerous of the courts, twenty benchers. A case heard before such numerous bodies as these could not be satisfactorily disposed of. In the first place, it was necessarily a shifting tribunal, and a case which was heard one day before one set of benchers, on another day was heard before another set. On each day of hearing there was a variation in the members of the court. He had been told in answer to this objection that a bencher who was not present had an opportunity of reading the short-hand writer's notes; but he submitted that that was not a satisfactory state of things. Again, the benchers had no power to administer oaths, and therefore no power to prosecute for perjury, no power to compel the attendance of witnesses or the production of documents, and no power to punish for contempt of court. This was a state of things which required a remedy, and he proposed to apply to the benchers of the Inns of Court the principle of the statute known as the Grenville Act. Before that Act was passed cases of contested elections were tried before the whole House; but under it power was given to appoint committees to try these cases, and the powers essential to the administration of justice were given to them. On the same principle he proposed that the benchers should have power to elect judicial committees for the determination of these cases, and to these committees he would give the usual powers belonging to a court of law. It was objected to a Bill which he introduced on this subject last year that he made it necessary for the benchers to appoint judicial committees in all cases of complaint or charge. To obviate that objection, he proposed in the present Bill to leave it to the benchers to refer cases or not to a judicial committee; but he would not give the benchers the authority to exercise the high penal power to which he had referred except through the medium of a judicial committee. He thought the benchers themselves would agree that that was a fair restriction. He objected to the practice of the benchers of the Inns of Court trying cases in secret, though he cast no blame upon them for following that course, as it was one which they found long established. The proposed Bill, therefore, provided that, where both parties concurred, a case should be heard in private, but unless both parties so concurred, the case should be tried in public.—— Mr. Roebuck seconded the motion.——Mr. Locke expressed his surprise that his hon. and learned (Mr. Roebuck) should have seconded the motion for the second reading of the Bill, because it appeared to him (Mr. Locke) that no case whatever had been made out for it. Both the hon. baronet Sir G. Bower and his hon. and learned friend (Mr. Roebuck) admitted that down to the present time everything had been performed quite right. Nothing could be better than the present tribunal, yet they proposed that an entirely new system should be adopted to satisfy the minds of a few unknown individuals, and he begged to move that the Bill be read a second time that day six months.——Mr. Neate seconded the motion, as he did not think any sufficient case had been made out for disturbing the present system of the Inns of Court.—— The Attorney-General was personally not inclined to oppose the Bill in its present stage, but would reserve the question of amendments at a future stage. Still it was not expedient to deal with a large question like this piecemeal. Besides, it would be desirable, if legislation were necessary, that the benchers themselves should have moved in the matter, so as to give the Legislature the benefit of the assistance of those learned bodies. Neither was it right that this matter should be discussed on a Wednesday, as many of the legal members of the House were necessarily absent. The House should bear in mind the relation of this subject to the other important question, raised by the recommendations of the select committee of 1854 on the relations of the Inns of Court to the constitution of the Bar. That committee recommended the establishment of a legal university, although it also recommended that the Inns of Court should retain the power of calling to the bar and of disbarring. What had been since done? The Inns of Court had shown much inclination to give effect to the recommendations respecting the qualifications of students for the bar; and he should greatly rejoice if the Inns of Court could be brought to concur in the creation of the legal university so recommended. In the hope that that may yet be done, he could not look with favour on piecemeal legislation, such as proposed by the present Bill, which dealt only with the subject of disbarring. And it would be highly unjust to deprive the Inns of Court of their present power to expel their own students, or to refuse admission to students, and to refuse to call students, which they now possessed, and of which the Bill would deprive them. A gentleman (Mr. Daniel Whittle Harvey) to whom they had refused admission to the bar, subsequently obtained a seat in that House, and he prevailed upon the House to appoint a select committee to review and pronounce upon the decision of the Inns of Court in the performance of their duty. Some of the gentlemen on the committee might not have entered into the inquiry with unbiased minds, and he could not look upon their opinion as entitled to weight in opposition to the opinions of the benchers. Separating the subject of disbarring from the rest, and giving his own individual opinion, he agreed substantially on that point with what had been said by the hon. and learned members for Dundalk and Sheffield. He did not think the present constitution of the tribunal was satisfactory, or fit for the discharge of what was not undeserving of the name of a criminal jurisdiction. He had himself sat when questions of a painful nature were brought before the benchers, and he was struck by the anxious desire which every person evinced to do justice. It was impossible to secure the uniform attendance of the benchers, and a difficulty arose respecting the evidence in consequence of the absence of any power to administer an oath.——The amendment was withdrawn, and the Bill was read a second time.

REFORMATORY EXHIBITION.

Mr. Miller asked the Secretary of State for the Home Department whether his attention had been called to a proposed exhibition of reformatory children to be held at the Agricultural Hall, Islington, from the 19th to the 25th May next; and whether it met with his sanction and approbation. He might be allowed to add that the children in question were all convicted offenders.——Sir G. Grey replied that his attention had not been drawn to this subject till it was mentioned last night by the hon. member. But this morning he received by post a printed paper stating that the exhibition that was to take place was an exhibition of the products of the industrial schools, that on the opening day 1000 of the children were to be present, and to perform some pieces of music and sing; and that the same thing would take place on several successive days. He entirely concurred in what he understood to be the opinion of the hon. gentleman, that it was most inexpedient that children convicted of offences and sent to reformatories should be made a public exhibition of in this way. He therefore sent to Mr Turner, the inspector of reformatories, asking whether he was aware that this exhibition was to be held, and Mr. Turner's reply was that no child from a certified reformatory would be allowed to attend. The children were therefore really unconnected with the Government in any way.——Mr. Miller: There are to be 200 children from the Middlesex certified reformatory.——Sir G. Grey: No; from the Industrial School at Peckham. It is not a certified reformatory.

OBSOLETE STATUTES.

Mr. Hadfield asked the Attorney-General when he intended to bring in a Bill to repeal obsolete Acts of Parliament, in continuation of the Act of 1863. ——The Attorney-General replied that a Bill was in course of preparation, and that, if possible, it would be introduced in the present session of Parliament.

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

Equity Practice.—In the course of a suit in this country, special examiners were appointed to take evidence in Sydney. The costs of doing so, which were very heavy, were taxed as between solicitor and client at Sydney, and paid by the defendant. The scale of taxation was larger there than here. At the final taxation of costs, it was held that these should be taxed on the Australian scale, and that if the taxing master here had any doubt he should refer to Sydney for information: (*Wentworth* v. *Lloyd*, 12 L. T. Rep. N. S. 226. M. R.)

Divorce Court Practice.—The Court refused to make an order on the husband to execute a deed for alimony charging stock with a yearly sum equal to the amount of permanent alimony allotted: (*Hyde* v. *Hyde*, 12 L. T. Rep. N. S. 235.)

In a suit by a wife for judicial separation, where the Court had reason to believe that the suit was not instituted *bona fide*, but for the purpose of obtaining costs from the husband, it refused to make the usual order for the payment of costs to the petitioner's attorney, but directed that they should be paid into the registry to abide the event of the hearing: (*Rogers* v. *Rogers*, 12 L. T. Rep. N. S. 236.)

Judicial separation was decreed on a verdict establishing the husband's cruelty, though an issue on the wife's adultery was still pending in a cross-suit: (*Bancroft* v. *Bancroft*, 12 L. T. Rep. N. S. 236.)

ADMISSION OF SOLICITORS.

Easter Term 1865.

The Master of the Rolls has appointed Thursday, 11th May 1865, at the Rolls Court, Chancery-lane, at four o'clock in the afternoon, for swearing in solicitors.

Every person desirous of being sworn in on the above day must leave his common law admission or his certificate of practice for the current year at the Secretary's office, Rolls-yards, Chancery-lane, on or before Wednesday, the 10th May 1865.

N.B.—The papers of those gentlemen who cannot be admitted at common law till the last day of term, will be received at the office up to twelve o'clock at noon on that day, after which time no papers can be received.

CHANCERY ORDER.

Whereas by the 5th of the Consolidated Orders of this Court, rule 6, it is provided that the Lord Chancellor may from time to time, by special order, direct the offices to be closed on days other than those mentioned in the 1st rule of the said order; and whereas Wednesday, the 24th day of May next, has been appointed for the celebration of Her Majesty's birthday, and such event has been heretofore observed as a general holiday in the several offices of this court: his Lordship doth therefore order that the several offices of this court be closed on Wednesday, the 24th day of May next, and that this order be entered and set up in the several offices of this court. WESTBURY, C.

20th April 1865.

COURT OF COMMON PLEAS.

Monday, April 24.

DESCHAMPS v. HODGSON.

The action was against an attorney for negligence in not obtaining the signature of a lady named Deschamps to an agreement for a lease, she having proposed to take a lease of a shop to be opened as a milliner's shop from the plaintiff. After the plaintiff had taken steps relying on this agreement being carried out, Mme. Deschamps was unable or unwilling to fulfil her part, and could not be compelled to do so, as she had never signed the agreement, whereby the plaintiff lost the value of her lease and was put to expense. The jury awarded her 300*l.* damages.

The CHIEF JUSTICE, in delivering the judgment of the court, said the court had great anxiety in disposing of the rule. Mr. Hodgson appeared to have entitled himself to respect, and that which was complained of was an error in judgment on his part. But, looking at the whole of the trial, the summing up and the verdict, the Court thought the verdict ought to stand. The damages had been given at 300*l.* and the anxiety of the court had been in respect of dispensing with that amount. The plaintiff was entitled to consideration, and had suffered a grievous calamity, the loss of her lease, worth 300*l.*, and the verdict against Mr. Hodgson appeared to the court not by any means to be an indemnity to her; but it appeared to the court more than Mr. Hodgson ought to be called on to pay. He had committed an error in judgment, negligence which was actionable. The court could not say that he was responsible entirely for the loss the plaintiff had sustained, and they thought 150*l.* damages were sufficient as against him. The rule would therefore be discharged on the damages being reduced to 150*l.* *Rule accordingly.*

HEIRS AT LAW AND NEXT OF KIN.

BERRY (John), Chapel-street, Stockwell, Surrey, gentleman. Next of kin to come in by 25th May, at M. R. Solicitors, Hawkes, Willmott and Stokes, 82, High-street, Southwark.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

LEGHAID SULPHUR AND COPPER COMPANY (LIMITED).—Creditors to send in by Monday, 8th May, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to C. G. Carter, 7, Skinner's-place, Sise-lane, London. Solicitors, Sheppard and Riley.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BLAKE (Wm.), Fordington, Dorset, bricklayer, May 1, V.C. K. C. Hooper, 3, Southampton-buildings, London.

FITZGIBBON (Right Hon. John), baron, Mount Shannon, Tipperary, Ireland, and Lowndes-square, Middlesex, May 11.

LAMBERT (Francis), jun., Coventry-street, Westminster, Middlesex, goldsmith, May 19, V.C. W.

MILLS (Rev. T. S.), Littleborough, Lancashire, May 21, M. R. N. C. and C. Milne, 2, Harcourt-buildings, Temple.

MAUNSELL (E.), Brownslade, Pembroke, 60, Upper Seymour-street, Portman-square, and 3, Redcliffe-road, West Brompton, Middlesex, Esq., May 23, V.C. W. G. J. Spicer, 38, Cannon-street, London.

NASH (Charles), 88, Borough-road, Southwark, Surrey, wholesale boot and shoe maker, May 23, V.C. K. C. W. Jackson, 2, Field-court, Gray's-inn, London.

THOMAS (Richard), St. Mary's, Scilly, Cornwall, civil engineer, May 19, M. R. Gregory, Rowcliffe and Rowcliffe, 1, Bedford-row, London, for J. T. Trevena, Redruth.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ADAMS (William), Evington, Leicestershire, grazier and publican, July 1. T. Hall, Leicester, maltster.

BARRETT (Mary Grace), 3, Gloucester-terrace, Regent's-park, Middlesex, spinster, July 1. Palmer, Palmer and Bull, 21, Bedford-row, London.

BELL (Francis), 46, Church-street, Minories, London, and 2, Newington-crescent, Newington-butts, Surrey, sack manufacturer, June 23. Thomson and Son, 60, Cornhill, London.

BRIGHAM (William), Matlock Bath, Matlock, Derbyshire, hotelkeeper, May 20. F. C. Please, 261, Albany-road, Camberwell, London.

CHITTY (Richard), West-street, Dorking, Surrey, timber merchant, May 21. J. H. Kays, 8, New-inn, Strand, London.

CHAPLIN (Thomas), East Ham, Essex, farmer and market gardener, June 23. Thomson and Son, 60, Cornhill.

GRAVES (Joseph), Crooked-well, near Westgate, Stanhope, farmer, June 1. Newby, Richmond and Watson, Stockton.

HAGGITT (Charles), 61, Union-terrace, York, Esq., Aug. 1. W. Walker, 9, Lendal, York.

HOLDEN (Edward), Blackburn, Lancashire, sizer, July 12. Hindsley and Tattersall, Burnley.

HOTTER (John), The Parade, Tunbridge-wells, Kent, butcher, May 12. Haise, Trustram and Birt, 61, Cheapside, London.

JONES (Mary), Llangollen, Denbighshire, widow, June 21. C. and W. Richards, Llangollen.

JONES (William), Bedicote, near Banbury, Oxon, gentleman, May 31. C. and J. Allen and Son, 17, Carlisle-street, Soho-square, Westminster.

LEMON (Ellen), York, spinster, Aug. 1. W. Walker, 9, Lendal, York.

MARSHALL (Francis), Clay-hill, Bushey, Herts, gentleman, June 6. W. Day, 1, Queen-street, Mayfair, London.

MAY (S. M. T.), Brynsworthy, Fremington, Devon, Esq., May 15. Willoughby and Cox, 13, Clifford's-inn, Fleet-street, London.

NEWMAN (Richard), Clapham, Surrey, Esq., June 25. R. E. Mellersh, Godalming, Surrey.

PAYNE (Thomas), Broadwell, Gloucestershire, yeoman, June 9. Kendall and Son, Bourton-on-the-Water, Gloucestershire.

PAYTON (Joseph), Backford, Cheshire, railway contractor, June 24. Hostage and Tatlock, Chester.

PORTER (Samuel), Bridge-hall, Bradwell, near Coggeshall, Essex, gentleman, July 20. J. A. Copland, Institute, Chelmsford.

RAVEN (William), Purleigh, Essex, farmer, July 20. J. A. Copland, Institute, Chelmsford.

SHEWARD (Samuel), 12, Green-street, Park lane, Middlesex, horse dealer, June 1. T. Sisney, 11, Serjeants'-inn, Fleet-street, London.

VIGOR (William), 11, Peake-villas, Stoke Damerel, Devon, Esq., June 3. A. B. Bone and Son, Barrack-street, Devonport.

WELLS (Mary Ann), Streatham, Surrey, widow, June 2. B. Wiltshire, 9, Cloak-lane, London.

WELLS (W. C.), Chelmsford, Essex, gentleman, July 20. J. A. Copland, Institute, Chelmsford.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BEAUMONT (Ann Susanna, and Rev. M. B.), Lowestoft, Suffolk. 108*l.* 11*s.* 2*d.* New Three per Cents. Claimant, said M. B. Beaumont.

PEAKE (Robert), of the Stock Exchange, gentleman, and INCHES (Charles), surgeon, R. N. 23*l.* 17*s.* 9*d.* Three per Cent. Consols. Claimant, F. C. Peake.

IRELAND.—Mr. John Rea, solicitor, member of the Belfast town council, and relator in the celebrated Chancery suit, has been found guilty of uttering a libel against Mr. Lytle, mayor of Belfast, and was brought up for judgment in the Court of Queen's Bench. He put in an affidavit stating grounds for mitigation of punishment, in which he called Mr. Lytle a perjurer; he argued that he ought to have a new trial, that the Attorney-General should prosecute his antagonist, and that he should himself be discharged, and digressed into a variety of topics, which the Court declared to be irrelevant. At length the Court brought the unprofitable discussion to an end, and stated that sentence would be given on Saturday. It is said that Mr. Rea intends to bring the matter before the House of Lords.

THE BENCH AND THE BAR.

THE PATENT OFFICE SCANDAL.

The papers relating to the Patent-office defalcations, which were presented to Parliament, have been published. The leading facts of the case have already been made known through our columns. In July 1864, Mr. Hindmarch, Q.C., and Mr. Greenwood made a report to the Lord Chancellor, in which they stated that Mr. Edmunds ought to be dismissed from his office as Clerk of the Patents, if only on the ground that he had seriously neglected the duties of the post. "We have found," they say, "that his manner and conduct towards his subordinates is offensive, harsh, and unnecessarily severe, that his orders have been hasty and ill-considered, and that he has allowed the business, as well of the Commissioners' office as of the Patent-office, to go on from its commencement without any proper system of accounts, or any proper regulations for the receipt, custody and disbursement of the large sums received in those offices."

In addition, however, there were other charges against Mr. Edmunds of which the following were the principal:—1stly. That Mr. Edmunds had, from the year 1852, withheld from the public purse large sums of money (to the amount of 2681*l.*) which he ought to have accounted for and paid quarterly in every year from that time to the present. 2ndly. That he had in 1853 advanced 500*l.* out of public moneys for the purchase of stamps, and had in 1863 taken 500*l.* (in purported repayment) out of public moneys, and put it into his private pocket. 3rdly. That he had purchased stamps at wholesale prices, sold them in the Patent-office at retail prices, and put the difference into his own pocket, instead of crediting the amount to the public, the purchase having been made out of public moneys. The fourth charge was that Mr. Edmunds had drawn large sums out of the public moneys of the office to his own use, and had given no account of such sums; and the fifth, that he had withheld a sum of 399*l.* 7*s.* 4*d.*, for which he ought to have given credit to the Treasury, and had three times passed his accounts, while that sum was in his hands, without noticing it.

To this "preliminary report" Mr. Edmunds replied in a long letter to the Lord Chancellor, in which he does not specifically deny the five charges given above, but complains that the Commissioners display a bad *animus* against him, and that their report is exaggerated. He traces the *animus* to "differences of opinion, and contest for power" between Mr. Bennet Woodcroft and himself, which led Mr. Woodcroft to prejudice the commissioners against him. As to the practice of appropriating the discounts upon the price of stamps, Mr. Edmunds says he did not introduce it, but found it already established in the office, and that it prevails in other public departments—as, for instance, in the country registries of the Court of Probate.

Further, he asserts that he took the discounts openly and "with the full knowledge of the authorities of the Stamp-office," and that the special Patent-office account at Coutts's is sufficient to disprove the imputation of fraudulent intentions. Had he meant to misapply the fund he would not thus have ear-marked it. As to his having retained in his hands moneys received for fees on patents, he says, "I am fully conscious that my conduct has been negligent and improper."

He owns, also, he was wrong in drawing sums from the Patent-office account, but offers to repay any money which he can be shown to have improperly withheld. In conclusion, he hopes the Lord Chancellor, in deciding what is to be done in regard to him, will bear in mind the "mental suffering" already inflicted by the Commissioners' report.

To this Mr. Greenwood answers in a letter dated the 20th Sept., in which he mentions the very significant and conclusive fact, that in the interval Mr. Edmunds, while he had admitted the withholding of 2681*l.*, had paid to the Treasury nearly three times that amount—viz., 7872*l.* That the Patent-office account was not used exactly as a public account should be, was shown by the fact that Mr. Edmunds had drawn from it 6671*l.* for his private purposes, in addition to other unexplained drafts. Mr. Hindmarch also furnishes "observations" to much the same effect; and Mr. Edmunds rejoins in a letter, dated the 17th Dec., in which he mentions incidentally that within thirty-one years he has received in cash, disbursed, and been made answerable for 250,000*l.* of public money, and no difficulty has even been raised as to his accounts by the Audit-office. He complains that while dealing with such large sums his salary was very small, never exceeding 400*l.* a-year.

In a second report, dated 31st Jan. last, the commissioners repeat their charges against Mr. Edmunds in an extended form. While Mr. Ruscoe did all the work of the office for Mr. Edmunds, he received no regular remuneration, but paid himself out of the receipts for stamps, falsifying his accounts, in order that the deductions might escape notice. In 1852, however, Ruscoe received a salary from the Government of 400*l.* a year, and there was then no possible pretext for abstracting public money. For ten years sums amounting to from 500*l.* to 600*l.* were annually obtained for discounts on stamps, which Mr. Edmunds and Mr. Ruscoe divided between them. The total thus improperly obtained was 5131*l.* Upon the whole the commissioners found that the sums payable to the Consolidated Fund and the Suitors' Fee Fund of the Court of Chancery, and for which Mr. Edmunds was responsible, amounted in all to 17,490*l.*, of which 7872*l.* having been paid back in September, 9617*l.* still remained due. The reports, with evidence, rejoinders and accounts, fill 259 pages.

THE AUDIT BOARD.—Mr. Henry Arbuthnot, the senior Commissioner of the Audit Board, has resigned the post which he has held for nearly forty years, and will be succeeded as commissioner by Mr. Charles Zachary Macaulay, the present secretary to the board. It is stated that Mr. C. L. Ryan, of the Treasury, private secretary to the Chancellor of the Exchequer, is likely to succeed Mr. Macaulay as secretary of the Audit Board.—*Globe.*

The early and premature death of Edward Parkyns Levinge, one of the judges of the Supreme High Court of Calcutta, is announced. It is hardly more than two years since his appointment was chronicled, and carrying as he did into Eastern clime the highest testimonials for forensic talent and legal jurisprudence, it may be fairly asserted that his loss is poignantly felt and lamented. His judgments earned such unqualified approbation that we believe we are correct in stating that not one was ever reversed. The late Hon. Mr. Justice Levinge expired of dysentery, aged thirty-eight, on March 2, and was a member of the old family whose name he bore, dating from the time of Canute, whose ancestor, the celebrated archbishop, crowned that monarch. He was the eighth son of the late Sir Richard Levinge, Bart., of Knockdrin Castle, county Westmeath, and brother to the present baronet and M.P.

THE JUDGES AND CORPORATION AT ST. PAUL'S.—On the first Sunday in Easter term, Her Majesty's judges and the corporation of the City of London attended in state at St. Paul's Cathedral, for the purpose of taking part in the ceremony well known in civic language as "Churching the Judges." The high dignitaries of the law assembled at three o'clock in the hall of Serjeants'-inn, Chancery-lane. The Court of Queen's Bench was represented by Mr. Justice Blackburn; the Court of Common Pleas, by Lord Chief Justice Erle and Mr. Justice Keating; and the Court of Exchequer by Mr. Baron Channell. The other branches of the law were represented by one gentleman only, Mr. Serjeant Robinson, who has just assumed the coif. This was regarded as a somewhat remarkable circumstance, the number of serjeants-at-law and Queen's counsel who usually attend on such occasions being large. The high legal party were conducted to St. Paul's in three carriages by the city marshal on horseback, and on arriving at the Cathedral were received in the nave by the Lord Mayor, Mr. Alderman and Sheriff Dakin, Mr. Alderman and Sheriff Besley, the Very Rev. Henry Hart Milman, D.D., Dean of St. Paul's, the Rev. W. W. Champneys, M.A., vicar of St. Pancras, the canon in residence, Mr. Thomas Chambers, Q.C., the Common Serjeant, Alderman Sir R. W. Carden, Mr. Alderman Stone, Mr. Alderman Abbiss, Mr. Alderman Lusk, Mr. Alderman Carter, Mr. Alderman Waterlow, the Rev. James Lupton, M.A., rector of St. Michael, Queenhithe; the Rev. J. H. Coward, M.A., rector of St. Benet, Paul's Wharf, the Rev. W. C. F. Webber, M.A., rector of St. Botolph, Aldgate; the Rev. R. Morgan Cowie, B.D., vicar of St. Lawrence, Jewry; Mr. Secondary Potter, and a host of members of the Common Council, all wearing their official robes. As soon as the party had been conducted to the choir, and taken their seats in the stalls, full choral services was performed, the sermon being preached by the Rev. Canon Champneys, M.A.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Parliamentary Practice—Locus Standi.—A private company for supply of gas, without parliamentary powers, has not a *locus standi* against a Bill for enabling a local board to supply gas in their district, and in adjoining places: (*The Tyldesley Local Board*, 12 L. T. Rep. N. S. 214.)

The corporation of a borough petitioning as owners of wharves and quays injuriously affected by a bridge proposed to be erected by a railway company, have not a general *locus standi*, and can be heard only in their private capacity as owners of such wharves, &c.: (*The Severn Junction Railway*, 12 L. T. Rep. N. S. 217.)

Where notice of objection to their *locus standi* had been given to petitioners, on the ground that the Bill did not interfere with any of their property, the *onus probandi* was held to be on the petitioners, and that they must begin by giving some evidence of their title. There were other objections to the *locus standi* of the same petition; but on application by counsel that the question of title should be first determined, it was resolved that all the questions on the petition must be taken together: (*The Manchester, Sheffield and Lincolnshire Railway*, 12 L. T. Rep. N. S. 216.)

Shareholders — Transfer of Shares — Contributory.—B., a shareholder in a company, being dissatisfied with the state of its affairs, threatened to apply for a winding-up order, unless the directors would "find him a *bonâ fide* purchaser of his shares, and pay the costs of a former petition." Calls were due; but the sum stipulated for as the price of the shares was rather less than this amount. The directors proposed a purchaser, but he was objected to by B. as being a "purchaser on behalf of the company." The evidence, however, showed that B. must have been aware of this fact, and that in the then state of the company a *bonâ fide* purchaser could not have been found. B. was held to be liable, the sale to the company being illegal, and the whole transaction an attempt to evade a liability: (*Benham's Case*, 12 L. T. Rep. N. S. 224. M. R.)

NEW COMPANIES REGISTERED.

London and Mediterranean Bank, Limited, 2,000,000*l.*
Carlisle Rope and Twine Company, Limited, 100,000*l.*
Shot-proof Armour Company, Limited, 200,000*l.*
Belmia Gas Consumers' Company, Limited, 40,000*l.*
Lloyds' Banking Company, Limited, 2,000,000*l.*
Begnor Gas Light and Coke Company, Limited, 30,000*l.*
City of Marseilles Improvement and Land Credit Company, Limited, 1,000*l.*
Deal and Walmer Newspaper Printing and Advertising Company, Limited, 5,000*l.*
Boulin Manure Company, Limited, 30,000*l.*
United Warehouse Company, Limited, 2,000,000*l.*
Anglo-Indian Contract Company, Limited, 2,000,000*l.*
Cranleford Gas Consumers' Company, Limited, 15,000*l.*
John Vipond and Company, Limited, 100,000*l.*
New Clive Mining Company, Limited, 20,000*l.*
China Railways Company, Limited, 500,000*l.*
Lackimpore Tea Company of Assam, Limited, 150,000*l.*
Humageria Coffee Company, Limited, 120,000*l.*
Fowey Consumers Gas Company, Limited, 60,000*l.*

MARITIME LAW.

NOTES OF NEW DECISIONS.

Marine Insurance—Total Loss—Notice.—In an action against underwriters on a policy of insurance on a cargo of timber, it was proved that the ship, on board of which the timber was, had run aground and been sold with its cargo by the master, under the advice of competent surveyors, and the jury found that the sale of the ship was justified, because the cost of the repairs of the ship would have exceeded its value when repaired, and that the sale of the timber was justified, because it was not practicable, in a mercantile sense, to convey it to its destination. No notice of abandonment of the cargo was given to the underwriters before the sale: Held (per Erle, C.J., Keating and M. Smith, JJ.), that such a sale, supervening on the existing state of things, amounted to an actual total loss of the cargo, so as to render it unnecessary for the owner of the cargo to give notice of abandonment to the underwriters before the sale. Held, further, that the question whether or not the sale was under the circumstances justifiable, was entirely a question for the jury. Held (per Byles, J.), that the necessity of selling the timber must be strictly proved, and that if the timber could have been carried to its destination and there sold to greater advantage than if it had been sold with the ship, the master was not justified in selling it, and that the verdict of the jury was not conclusive, and that on the facts of the case, as set out in the judge's notes of the trial, the court were bound to review it: (*Fitzsworth* v. *Hyde*, 12 L. T. Rep. N. S. 231.)

Bill of Lading.—Indorsees of a bill of lading accepted a bill of exchange in payment, and, as further security, deposited the bill of lading with the shippers' agent. But, having afterwards fraudulently obtained possession of the bill of lading, he indorsed it to a *bonâ fide* transferee for value. The shippers were held not to have thereby lost their rights to stoppage *in transitu*. A bill of lading is not a negotiable instrument which passes by mere delivery to a *bonâ fide* transferee for value, without regard to the title of the transferor. Although a shipper may have indorsed in blank a bill of lading deliverable to his assigns, his right is not affected by an appropriation of it without his authority, and if he has not authorised a transfer, a subsequent *bonâ fide* transferee for value cannot make title under it: (*The Marie Joseph*, 12 L. T. Rep. N. S. 236. Adm. Ct.)

Salvage Jurisdiction — Merchant Shipping Act 1854, s. 464.—In an application to magistrates for an award of salvage the plaintiffs claimed 200*l.*, but afterwards made a formal demand of 40*l.* only. The Admiralty Court has in such case no jurisdiction of appeal: (*The Mary Ann*, 12 L. T. Rep. N. S. 238. Adm. Ct.)

Ship — Liability of Part Owner. — The owners of a ship entitled to the privilege of limited liability are not necessarily those whose names appear on the ship's register. The master, a part owner, sold his shares; but before the transfer had been registered, the ship, through the master's default, came into collision with and damaged another vessel. He was held not to be an owner so as to affect the privilege of limited liability. Part owners are not partners, and therefore the error or misconduct of one part owner would not forfeit the right of his co-owners to limited liability: (*The Spirit of the Ocean*, 12 L. T. Rep. N. S. 239. Adm. Ct.)

Collision in a Narrow Channel. — Where two vessels were beating up a narrow channel, both close-hauled on the larboard tack, and the one which was to leeward suddenly came round on the starboard tack, and ran on till she struck the other vessel, which did not change its course: Held, that the injured vessel, not being able to go about because of her nearness to a shoal, and being so far to windward and ahead of the other one in the channel, that if she had ported her helm she would have been in imminent danger of colliding, the other one was not in fault for keeping her course, though on the larboard tack: That the other vessel might have gone about or might have starboarded her helm and gone under the stern of the injured vessel, and was, therefore, under the circumstances, in fault for keeping her course, though on the privileged tack: (*The Ann Caroline*, 12 L. T. Rep. N. S. 240. United States Adm. Ct.)

LAW STUDENTS' JOURNAL.

Correspondence.

Law Clerks.—The Articled Clerks of London have, in a memorial recently presented, requested the Incorporated Law Society to assist them in their studies by the institution of Law Classes. This memorial is now under the consideration of the council; but it has been thought advisable that gentlemen articled in the country should express their concurrence with it by means of the following supplementary memorial:

To the Council of the Incorporated Law Society.

Gentlemen,—We, the undersigned, at present serving under articles of clerkship in the country, are desirous of expressing our entire concurrence with the memorial recently presented to you relative to legal instruction.

At present articled clerks obtain little or no assistance in their studies; as, while in the country, they cannot expect their principals to devote any large portion of their valuable time to them; and, when in London, prior to their final examination, but little authorised aid is afforded them.

The able lectures annually delivered in the Hall of your society are, taken alone, of little benefit; the great obstacle to their utility being the absence of individual and personal explanation and interrogation between preceptor and pupil.

We would therefore join with the prior memorialists in suggesting that, in addition to the lectures before alluded to, classes should be instituted, in order that articled clerks might have the benefit of an advantageous and useful course of legal tuition under the direction of the Incorporated Law Society.

The importance of this movement must be evident to all, and I should feel obliged if each articled clerk who reads this would, at his earliest convenience, send a letter of authority to sign to Mr. W. J. Fraser, 78 Dean-street, Soho, London, W.; or to Mr. T. W. Windeatt, Plymouth-road, Totnes, Devon; or to myself; and at the same time communicate such suggestions as to the management of the proposed classes as may occur to him.

John Richard Collins.

Queen-street-chambers, Exeter.

QUESTIONS FOR THE FINAL EXAMINATION

Easter Term 1865.—First Day.

I. Preliminary.

1. What is now your age?

2. Where, and with whom, did you serve your clerkship?

3. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.

4. Mention some of the principal law books which you have read and studied.

5. Have you attended any, and what, law lectures?

II. Common and Statute Law and Practice of the Courts.

6. Who is the party primarily liable on a bill of exchange, and to what other party or parties should notice of dishonour be given?

7. What is the effect, as regards the liability of other parties, of giving time to the acceptor of a bill of exchange?

8. By, and against whom, should actions be brought to recover debts due to and from a married woman before her coverture?

9. What contracts are required by the Statute of Frauds to be in writing?

10. What constitutes a specialty as distinguished from a simple contract debt, and in what period are specialty and simple contract debts respectively barred by the Statutes of Limitation?

11. What is a set-off; and mention instances in which demands may, and may not, be set off against each other?

12. Is a father liable for any debts contracted by his infant son?

13. Can one partner maintain an action against another to recover a share of money received on account of the firm?

14. Describe shortly the several stages in a common action at law, not involving anything special.

15. What is long, and what short notice of trial?

16. What is the meaning of pleading, and demurring respectively?

17. Are there any pleadings in an action of ejectment, and how is the issue made up?

18. What is a writ of inquiry, and what is a *nisi* of trial?

19. How long does a writ of summons remain in force, and what should be done to keep it in force in case it cannot be served within the prescribed period?

20. Within what time must a motion for a new trial be made, when an action has been tried at the assizes.

III. Conveyancing.

21. State all the essentials to the valid execution and attestation of a will.

22. By what means can a married woman effectually convey her interest in land held for an estate in fee-simple?

23. What is an advowson, and what right does it confer on the owner?

24. A testator being an owner in fee-simple of land, devises it to the use of A. and his heirs, in trust for B. and his heirs. A. by deed disclaims the devise made to him. By whom can the land be conveyed in fee-simple to a purchaser?

25. A testator devises land to A. and B. and their heirs. A. dies intestate leaving a son, and afterwards B. dies intestate leaving two daughters, one of whom afterwards dies intestate leaving a son. Who are the necessary parties to convey the land to a purchaser?

26. Can land, by any, and what, means, and under any, and what, conditions, be conveyed to charitable uses?

27. A testator possessed of (1) land held in fee simple; (2) stock in the public funds; (3) mortgages of freehold interests in land; (4) mortgages of leasehold interests in land; and (5) furniture, and having (6) money at his bankers; and (7) money owing to him in his business; devises and bequeaths all his real and personal estate to trustees upon trust to be divided among specified charitable institutions. As to which portions of his property will he will take effect, and as to which will it be inoperative?

28. What is the difference in interest between a fee-simple and a base fee in land?

29. What words will accurately describe an estate in tail male, an estate in tail general, and an estate in special tail general, respectively?

30. A. and B. are man and wife, but have no child. Land is limited to A. and the heirs of his body by B. During the life of B., or after her death, can A. by any, and what, means acquire an estate in fee-simple in the land?

31. An owner in fee-simple of an advowson.

having presented to the living, dies intestate, leaving a son A. and a daughter B. by his first wife, and a son C. by his second wife. A. dies intestate, and afterwards the incumbent dies. Who is entitled to the advowson, and why?

32. A testator leaves a legacy to his son, and a legacy to a nephew. Both son and nephew die before the testator, leaving children. Do the legacies lapse, and if not, to whom are they respectively payable?

33. Land is limited to such uses as A. may appoint. A. appoints the land to B. and his heirs to the use of C. and his heirs, in trust for D. and his heirs. What estates or interests do B. C. and D. respectively take?

34. Land held in fee-simple is mortgaged to A. in fee to secure a sum of money. A. dies intestate. What instrument, and by whom executed, will effectually restore the land to the owner discharged from the mortgage?

35. A female, owner in fee of land, marries without a settlement, and has children. What estate or interest has her husband in the land during her life, and after her death?

CORRESPONDENCE OF THE PROFESSION.

COUNTRY ATTORNEY AND AGENT.—"Agens Lond." writes on the assumption that the country attorney who employs a law stationer to do business which should properly be done by a legal agent does so with a view to put more money into his own pocket. But this is not always so. I, for one, am very averse to the principle of encouraging "poaching," but I confess I have been *driven* to employ a law stationer in the very business referred to by "Agens," namely, that of passing residuary and succession accounts, in cases where my clients either could not afford the charges of my agent, or where they would so complain that I should either be obliged to reduce the charges out of my own pocket or annoy my client. The difference of charges is a *serious difference*, and the fault really lies with the London agents, who ought in *small* and *formal* matters to *be much more moderate*, and then few country attorneys would not be glad to employ members of their own profession. "Agens" may say I should change my agent, but that is not agreeable, and London agents should all agree in the reduction, and not allow it to be a subject of competition. As to the efficiency of the work done by law stationers, I can only say that I have found none of the "bungling" referred to by "Agens," and I was recently told by a member of a firm in my city, *of very large business*, that *he* found that from some reason which he could not explain the work was done very much more expeditiously by the law stationer than by the agent. He was referring to passing accounts, and his idea was that the law stationers have some mode of propitiating the "troublesome gentlemen" at Somerset-house that the agent does not employ. I only wish London agents would agree upon some small scale of charges for routine matters, such as accounts, searching for judgments, &c., registering memorials, &c., &c., and I for one would never employ a law stationer in any case.

A. B.

6th April.

THE NEW BANKRUPTCY LAW.—Will you oblige me with the insertion of this letter in your next, to ventilate a subject sadly needing reform in the New Bankruptcy Law. I allude to the following clause of the Bankruptcy Act 1849, sect. 125:

If any bankrupt at the time he become bankrupt, by the consent and permission of the *true* owner thereof, has in his possession, order, *or* disposition any goods or chattels whereof he was the reputed owner, or whereof he had taken upon him the sale, alteration, or disposition as owner, the court has power to order the same to be sold and disposed of for the benefit of the creditors under the bankruptcy.

Can a more ingenious mode of fraud be devised than these statutory directions given to *reputed* owners for appropriating goods and chattels in their possession, order, *or* disposition? No tenants of furnished houses or hired furniture need have any delicacy in making away with their landlord's furniture, or goods or chattels, caught by this clause of an Act of Parliament enacting such pious frauds as a legal duty. If such were meant, no better authority for a release from the Old Bailey exists as a sanctuary for swindlers. Look even at the sense of the sentence in connection with the construction of the Act. No one dares say that a clause so construed is in accordance with the principles of English law, without admitting that regulators are wanted. That this clause should be so abused is a recent fact to my knowledge, where a bankrupt sold hired furniture by his solicitor's advice, and paid the proceeds into a Bankruptcy Court to be disposed of under this clause. Having it done in a recent case is proof of its not being a precedent from *Punch*. Fraud follows fraud. Friendly creditors must be found for a friendly trade assignee to exclude the plundered creditor from any voice in the disposition of proceeds of his property, which may be hundreds where all other debts can be covered by 50*l*. This is the mildest form of the case, which may assume proportions of gigantic frauds varying with the means and audacity of the accomplices. There is no guard or clue to discovery provided to meet such cases by human agency if such monstrous meanings can be urged to demoralise society by statute law. A creditor thus cheated would be excluded from the trade assigneeship if he claimed his property. The bankruptcy law decides that he cannot be trade assignee if his interests are adverse to the creditors. I submit that is nonsense; inasmuch as, if a creditor accepts the assigneeship, he is by the principles of English equity a trustee, and forfeits his right to recover more than a rateable proportion of the bankrupt's estate: as equity presumes that no one would accept the office of trade assignee without reflecting that he *could not sue himself* to prosecute his claim, and would be liable for breach of trust if he neglected to distribute the estate *pro rata*, and do his assigneeship duties. Such a construction could never have been contemplated by any Act of Parliament when convictions for obtaining goods on false pretences are common daily. Either numbers are so convicted wrongfully, or fraudulent bankrupts are a privileged class. Publicity by the press is both a prevention and palladium against such gross perversion of common sense. Such scenes would end by Burglar Bill becoming bankrupt, and bringing into court all his plunder from the last jewellery robbery, with his pals coming in to share the swag, by proving their debts against the bankrupt's estate, and excluding the jeweller from being trade assignee on account of his interests being adverse to the other creditors. Neither Chubb's nor any safe would be safe then.

J. H. DAWSON.

Nottingham, 5th April.

MORE JUDGES.—I wish you would let the subject of an increased number of judges occupy your particular attention. It is a question of great moment, the *admitted* inability of the present staff to do the work required from them being a complete denial of justice. At the August 1864 Assizes, at Manchester, more than twenty causes were made remanets for want of time to try them; and when a deputation from the corporation of Manchester and the Manchester Law Association presented a memorial to Sir George Grey, asking for a Winter Civil Assize in December, they were told by him that they had made out a proper case, and if the judges could make the necessary arrangements, he would issue a commission. The deputation then waited upon the Lord Chief Justice, who, with several of the other justices, said that it was impossible with their present staff to spare a judge from Manchester, but that *if the Government* would provide more judges there could be no objection; they also admitting the force of the arguments urged by the deputation. And there the matter rested, there being no winter assize at Manchester, for want of sufficient judges, and the remanets were left to float about until March, when they were with the new cases scattered in all directions, less than a fortnight being allowed for the trial of seventy-eight causes, many of which were special juries. To give an instance of the injustice thus done, I may mention, that at the Manchester Assizes, in August 1864, in one of the causes made a remanet there were amongst others a score of witnesses from Cornwall and like distant places; that case was again in the list, and the parties with all their witnesses attended at the March Assizes, but after waiting to the end of the assizes, it had at last to be referred, there being no time to try it. The expense (useless) was in this case enormous. But I need not instance particular cases. I may safely say that justice is not done in the trial of any one case by the manner in which they are all hurried through. Some are referred—some compromised—some tried before an inferior judge or commissioner not having reputation or ability sufficient to be otherwise engaged; any excuse is sufficient to send a cause over; two causes at least were put off on the ground of *absence of a material witness*, and though the defendant in one of those cases agreed to admit all the absent witness could say, and to allow counsel to read his deposition from his brief, all would not avail. It is, I believe, the opinion of some of the judges, and I have this upon authority, that the causes in Lancashire are unimportant in their nature and scarcely worth attention. If this be really so considered, let me tell the reason. It is because the important causes are kept until the last, and they, in fact, are never reached. The list is generally in the first instance run through, and the undefended and trifling causes taken first, and then comes a big cause and occupies a day; the judge and counsel thereupon begin to tire, and at the outset of every fresh cause the question is, How long will it take? and if likely to take long, every means are taken to *dispose of it* otherwise than by trial; and thus it is that important causes are not tried, even though they are in the list. Many others also are taken at once to London, which would otherwise be tried at the assizes, knowing that a fair trial cannot there be had for the reasons before mentioned. The evil does not apply to Manchester alone. Liverpool was told it was not to have a winter civil assize last year, but the Corporation and the Law Association insisted, and it was granted to them, and there was a large list which would otherwise have had to stand over till March. In March the list contained 111 causes, for the trial of which only sixteen days were allowed, and, of course, it is not difficult to imagine how they were *disposed of*. The following from a daily paper may give some idea:—"Friday. The common jury list has been *got through*, thirteen cases having been withdrawn. Two libel actions have been made remanets. Eighteen special jury cases remain. It is said that their Lordships cannot remain beyond Tuesday." The evil applies to *all trials at assizes*. The assize trials are all *time* trials. It is not, How long will this cause take to try? but, How long is there in which to try it? Either abolish assizes altogether, or make them efficient. At present they are a gigantic swindle, an enormously expensive luxury. The Manchester and Liverpool Law Societies and Corporations are, I believe, going to memorialise Government for the appointment of more judges. The chief grievances being, the hasty trial and avoiding trial of causes for want of time, and the desire to have a winter civil assize in consequence of the increased amount of assize business. The leaders of the circuit are opposed to a winter assize, because it takes them from their Guildhall business, and for other reasons preferring to remain in London at that time; but that ought not to stand in the way of suitors. The manner in which the business in both Manchester and Liverpool during the last assizes was disposed of, for want of sufficient time, or judges, has called forth very strong feelings of disapprobation not only on the part of the Profession but of the public also. Please do what you can in the matter.

READER.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

MANOR COURTS—COURT BARON.—Is there anything to prevent the lord of a manor being the plaintiff in any action which, had any other person been the plaintiff, would have been tried there? The objection I have to the lord being plaintiff is, that he thereby becomes judge in his own court, which is improper; for though the jury try the action, yet they are directed by the steward, who is the same as the lord himself—*qui facit per alium facit per se*. But I shall be glad of the opinions of, and for any authorities from, any of your experienced readers. D.

THE LAW LIBRARY.

A Treatise on Costs in Chancery. By GEORGE OSBORNE MORGAN, M.A., Barrister-at-Law, and HORACE DAVEY, M.A., Barrister-at-Law. London: Stevens and Co.

THE authors state in their preface that, "since the year 1840, when the last edition of Mr. Beames' work on Costs was published, there has been no regular treatise on the subject."

That there was need of such a work for Equity as Mr. Marshall provided for Common Law is proved by the multitude of decisions that have accumulated, and the list of which fills twenty-seven pages in double columns, amounting in number to upwards of three thousand, and the greater portion of these accumulated since the publication of Mr. Beames's volume. The authors have done their work very completely. They treat, first, of the various kinds of costs; then of security for costs; then of the costs of a suit generally; of costs in particular suits; of costs under particular Acts of Parliament; of costs affecting particular persons. The delivery and taxation of bills of costs, and the modes of enforcing payment of costs, conclude the text. An appendix gives the general orders and regulations relating to costs in Chancery; forms of subpœna and writs for costs; and finally, a very valuable collection of forms and precedents of bills of costs. The index is unusually copious—a feature in a law book that cannot be too much commended.

A treatise on costs is of necessity dull and tedious reading; it must assume mainly the character of a book of reference, to be used when a case occurs in practice, and almost incapable of being studied in the abstract. Neither lawyer nor student would think of sitting down to read it through as a branch of legal knowledge. The law of costs is not based upon principles, it is entirely a structure of practice, built up by judicial decisions, and to a considerable extent arbitrary. Hence no skill could make it other than a well-arranged digest of the rules and cases, and this it is that Messrs. Morgan and Davey have supplied, and for which the practitioners in equity will thank them.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law

BUSINESS OF THE WEEK.

EASTER TERM 1865.

Wednesday, April 19.

MAINE v. BOYS.—*Field*, Q.C. in this case, which was tried at Leeds before Martin, B., when the plaintiff was nonsuited, moved pursuant to leave for a rule to enter a verdict for the plaintiff for 100*l*. *Rule nisi.*

HOOPER v. FLETCHER.—*Brett*, Q.C. moved in this case, which was tried before Mellor, J., at Manchester, pursuant to leave to enter a verdict for the plaintiff for 22*l*.

Cur. adv. vult.

NEWTON v. KERSHAW.—In this case, which was tried before Bramwell, B., when a verdict was returned for the defendant, *M. Chambers*, Q.C. moved for a rule to set aside the verdict and for a new trial on the ground of the verdict being against the weight of evidence.

Cur. adv. vult.

Re AN ATTORNEY.—*Lovesy* moved for a rule to strike an attorney off the roll, he having been convicted of a conspiracy to obtain money by false pretences and sentenced to four months' imprisonment. *Rule nisi.*

LEES v. NEWTON.—*T. Jones* moved for a rule to enter a suggestion to enable this action to be continued by another party. *Rule nisi.*

REG. v. THE JUSTICES OF THE WEST RIDING OF YORKSHIRE.—*Prentice* moved for a rule for a *certiorari* to remove into this court an order of the West Riding Quarter Sessions, constituting the Bolton highway district, in order that the same may be quashed. *Rule nisi.*

Thursday, April 20.

HAWKINS AND ANOTHER v. CARE.—Action by the executors of one Parsons to recover the price of goods sold to the defendant. The question at the trial was whether the case was taken out of the operation of the Statute of Limitations by certain letters. At the trial before Pigott, B. at Oxford, the plaintiffs were nonsuited.—*Huddleston*, Q.C. now moved to set aside the nonsuit.—The COURT held that the letters only amounted to a conditional promise to pay out of certain funds expected on the winding-up of the defendant's affairs, and that there was no evidence of any such funds. *Rule refused.*

REYNOLDS AND ANOTHER v. GEE.—This was an interpleader issue to try the right to a cargo landed at the Stanley Docks, Liverpool, and detained by the dock company by orders of the defendants, the charterers of the vessel, for their lien in respect of freight. At the trial before Shee, J., at Liverpool, the verdict was entered for the plaintiffs, with leave to the defendants to move to enter it for them.—*Temple*, Q.C. moved accordingly.

Special case to be stated.

NEWTON v. KERSHAW.—Moved yesterday by *M. Chambers*, Q.C. *Rule nisi.*

MAINWARING v. CHEESE.—This was an action to recover the purchase-money for real estate sold to the defendant, tried at Hereford before Keating, J., and a verdict found for the plaintiff for 111*l*.—*Gray*, Q.C. moved to enter the verdict for the defendant on the ground that the plaintiff was estopped, by a recital and acknowledgment of the payment of the purchase-money in the deed, from recovering it although it was not in fact paid.

Rule nisi.

EGAN v. ALEXANDER AND ANOTHER.—Action for an illegal distress; tried before Shee, J., at Westminster, and a verdict returned for the plaintiff, damages 10*l*. The question at issue was, whether certain fittings of a coffee and concert-room were fixtures.—*D. D. Keane*, Q.C. moved to enter the verdict for the defendant. *Rule nisi.*

BRYSON v. BRANDT.—Action by the vendee for non-delivery of deals of the proper quality and description according to the contract. The deals were shipped at St. Petersburg and were to be delivered at the port of Hull, Yorkshire. The trial took place at York before Willes, J., and verdict found for the plaintiff.—*Overend*, Q.C. moved for a new trial. *Rule refused.*

MARTIN v. SHARRAT AND ANOTHER.—Action by a builder, under a church-building contract, against the trustees for the last instalment. The question was, whether the plaintiff was entitled to recover, not having got the architect's certificate as required by the contract. The case was tried at Lancaster before Shee, J., and a verdict directed for the plaintiff, with leave for the defendants to move to enter a nonsuit.—*E. James*, Q.C. moved accordingly. *Rule nisi.*

OWEN v. LANCASTER.—Action on three bills of exchange; tried in London before Cockburn, C.J., and verdict found for the plaintiff.—*Robinson*, Serjt. moved pursuant to leave to enter the verdict for the defendant, on the ground that a plea of want of consideration, and the bills being accommodation bills, and that the drawer had been discharged by a covenant to pay the same debts, was sufficiently proved. *Rule nisi.*

GOLLOP v. THE METROPOLITAN RAILWAY COMPANY.—Action by the surviving husband under Lord Campbell's Act against the defendants, for negligently causing his wife's death at the Portland-road station of the Underground Railway. The case was tried before Blackburn, J., and the jury returned a verdict for the plaintiff, damages 1*s*., to be divided among the three children. It was proved that the wife was drunk at the time of the accident.—*Ribton* moved for a new trial on the ground of the smallness of the damages.

Rule nisi on payment of costs.

Ex parte TUDHOE AND OTHERS (Overseers of the Durham Union).—*Price*, Q.C. showed cause, and *Heath* supported a rule calling on the overseers to pay the costs of a *mandamus* directed to the assessment committee of the Durham Union, to alter an assessment of certain iron works in conformity with an order made on appeal to the quarter sessions. *Rule enlarged.*

RIGBLEY v. CUMBERLAND.—Rule *nisi* from the new trial paper.—*D. D. Keane*, Q.C. showed cause, and *O'Malley*, Q.C. supported the rule.—The COURT suggested a *diet procesus*.

Stands over for arrangement.

Friday, April 21.

O'HANLEY v. THE GREAT WESTERN RAILWAY COMPANY.—Action for nondelivery of pilot cloth bought by the plaintiff at Leeds; payment into court of 22*l*. At the trial before Blackburn, J., at Glamorgan, the jury returned a verdict for 3*l*. beyond the sum paid into court. It appeared that the cloth had never been delivered by the company to the plaintiff, and that the cost price at Leeds was 20*l*. 10*s*. 9*d*., and by the particulars of demand the plaintiff claimed 12*l*. 12*s*. for loss incurred through the non-delivery.—*Grove*, Q.C. moved to enter the verdict for the defendants, or for a new trial on the ground that the sum paid into court was amply sufficient to satisfy the legal damage the plaintiff was entitled to recover. *Rule nisi.*

HEDLEY v. BARLOW.—Action against the publishers of the *Gas Lighting Journal* for a libel for reflections on the character of the plaintiff as to his evidence before a parliamentary committee, when the gas Bills for Nottingham and Birmingham were under consideration. At the trial before Cockburn, C.J., in London, the jury returned a verdict for the plaintiff, damages 250*l*.—*Borrill*, Q.C. moved for a new trial on the ground that the verdict was against the evidence, and that the damages were excessive.

Rule nisi for a new trial, unless the plaintiff consents to reduce the damages to 100l.

SCRUTTON v. LEE, SYERS AND COBBEN.—Action to recover for the services of the band at concerts at St. Martin's-hall, of which the defendants were promoters. At the trial before Blackburn, J. the jury returned a verdict for the plaintiff for 6*l*. 18*s*. as against all three defendants.—*D. Seymour*, Q.C., on the part of the defendant Syers, moved for a new trial on the ground that the verdict as against him was against the evidence. *Rule refused.*

REG. v. WRAY.—*Field*, Q.C., on behalf of Wm. Baynes, applied for a *quo warranto* calling on Mr. Wray to show by what authority he exercises the office of town councillor of the borough of Leeds. The ground of the motion was, that Mr. Wray had become disqualified by a conviction in the penalty of 10*s*. for bribery at a municipal election under the 22 Vict. c. 35, s. 11.—The COURT was of opinion that this offence did not disqualify Mr. Wray.

Rule refused.

REG. v. THE JUDGE OF THE CONSISTORY COURT OF LONDON.—*Coleridge*, Q.C. moved on behalf of Albert Bedford for a prohibition to restrain the judge of the Consistory Court from proceeding further in a suit by the guardians of the parish of St. Leonards, Shoreditch, London, to enable them to build over a part of the consecrated burial-ground of the parish for the purpose of enlarging the workhouse. *Rule nisi.*

RICHARDSON v. LOCHLIX.—Action to recover compensation for personal injuries caused by an improper alteration of a footway in Essex. At the trial before Bramwell, B., in Surrey, the plaintiff was nonsuited on the ground that the action was local, and should have been brought in the county of Essex.—*Hawkins*, Q.C. moved to set aside the nonsuit on the ground that the venue in an action for personal injury was transitory. *Rule nisi.*

Ex parte DAVIS.—*Hannen* moved for a *mandamus* to the Aldermen, &c., of the borough of Haverfordwest to command them to administer the necessary oaths and admit Mr. Davis as a town councillor of the borough.

Rule granted.

SMITH AND ANOTHER v. WHITWORTH.—Action to recover damages for non-acceptance of a large quantity of cotton. At the trial before Shee, J., at Liverpool, a verdict was found for the plaintiffs for 6634*l*., with liberty to the defendant to move to reduce that amount to 1234*l*.—*Quain* now moved accordingly. *Rule nisi.*

Saturday, April 22

LUNT v. THE LONDON AND NORTH-WESTERN RAILWAY COMPANY.—*E. James*, Q.C. moved in this case, which was tried at Liverpool, when a verdict was returned for the plaintiff for 10*l*., for a rule to set aside the verdict and for a new trial on the ground that the verdict was against the weight of evidence. *Rule nisi.*

JOSSELAND v. THE GREAT WESTERN RAILWAY COMPANY.—*Huddleston*, Q.C. moved in this case, which was tried at Worcester before Pigott, B., when a verdict was returned for the plaintiff, with 6000*l*. damages, for a new trial on the ground of the damages being excessive.

Rule refused.

REG. v. THE INHABITANTS OF EAST STOKE.—*H. James* moved on the part of the prosecutors for a rule to set aside a side-bar rule for costs herein. *Rule nisi.*

THIERRY v. LORD FERMOY.—*Leah*, Q.C. moved in this case, which was tried at Guildhall, when a verdict was returned for the plaintiff, with 20,000*l*. damages, for a new trial. *Rule nisi.*

(The COURT suggested the facts should be turned into a special case.)

PICKERING v. MILLINGTON.—In this case, which was tried before Blackburn, J., at Chester, when a verdict was returned for the plaintiff, *McIntyre* moved for a rule for a new trial on the grounds of misdirection and the improper admission of evidence. *Rule refused.*

DIMMOCK v. THE NORTH STAFFORDSHIRE RAILWAY COMPANY.—*Huddleston*, Q.C., in this case, which was tried before Keating, J., at Stafford, when a verdict was returned for the defendants, moved for a new trial on the ground of the verdict being against the weight of evidence. *Rule nisi.*

BICKFORD v. THE GREAT WESTERN RAILWAY COMPANY.—*Huddleston*, Q.C., in this case, which was tried before Pigott, B., at Shrewsbury, when a verdict was returned for the plaintiff with 21*l*. damages (agreed upon), moved for a new trial on the ground of the verdict being against the evidence. *Rule nisi.*

GREEN v. GROVES.—In this case, which was tried at Bristol before Channell, B., when a verdict was returned for the plaintiff for 81*l*. damages, *Cole* moved for a rule to set aside the verdict as against evidence or to reduce the damages. *Rule nisi.*

MATHON AND ANOTHER v. HENDERSON.—*Hollar*, in this case, which was tried before Mellor, J., at Manchester, when a verdict was returned for the plaintiff for 288*l*. 16*s*., moved for a new trial on the ground that the verdict was against the weight of evidence. *No rule.*

Monday, April 24.

KELLY v. SHERLOCK.—Action for libel published in the *Liverpool Mail*, of which the defendant is the proprietor.—*E. James*, Q.C. and *T. Jones* showed cause; and *Borrill*, Q.C. supported a rule *nisi* to rescind an order of Crompton J., changing the venue from Middlesex where it was originally laid, to Liverpool, and making the cause a special jury one and directing the jury to be struck in the old mode, and the publication of the libel to be admitted. At the suggestion of the Court, it was agreed that the venue should be laid at Manchester.

REG. v. THE OVERSEERS OF THE TOWNSHIP OF SUTTON.—*T. Jones* showed cause; and *Pickering*, Q.C. and *Heath* supported a rule calling on Mr. Beasley, the attorney for the prosecutor, to pay the costs of a rule for a mandamus which was discharged.

Rule enlarged.—Mr. Beasley to be at liberty to state the names of the persons who instructed him, and that he was not liable to contribute to the fund to be raised for payment of the expenses.

BROWN v. THE MAYOR, &c. OF HALIFAX.—*Manle* moved to set aside an *ex parte* injunction, granted after writ of summons issued, but before service, to restrain the defendants from trespassing on plaintiff's land, by carrying a shaft through it under a Waterworks Act, until the defendants had complied with the Lands Clauses Act and given the plaintiff the proper notices preliminary to compensation.

Rule nisi returnable at chambers.

THE GUARDIANS OF THE KETTERING UNION v. THE COMMISSIONERS OF THE NORTHAMPTON GENERAL LUNATIC HOSPITAL.—*Pollard* moved for a *certiorari* to quash an order of the Northampton Borough Quarter Sessions, made on appeal against an order for a lunatic's maintenance in the hospital against the parish sending the pauper to the hospital under 16 & 17 Vict. c. 97, s. 96. It was contended that there was no appeal against the order under s. 15, and that the recognisances to try the appeal were not duly entered into. *Rule nisi.*

Ex parte TURTON.—*Milward*, Q.C. moved for a *certiorari* to quash an order on the putative father in a bastardy case. After the lapse of twelve months a second summons was taken out and adjudicated on, the first having been adjourned *sine die*. *Rule nisi.*

HUGHES v. GRAEME.—*J. A. Russell* (*G. R. Williams* with him) moved to set aside an award or refer it back to the arbitrator. *Rule nisi.*

Re —— (One &c.).—*McIntyre* moved to strike an attorney off the rolls. It appeared that in 1859 he received 300*l*. to pay for the purchase of real property for his client, but paid only 200*l*. on account; but in 1861 the client took a bond for the debt, payable with interest, and received thereon only 2*l*. for interest. The bond was used to sue judgment recovered, but nothing realised.—The COURT said that the client having treated the delinquency as a civil debt and taken security for the debt was a conclusment, and that they could not now, because the security had turned out a bad one, resort back to the original transaction. *Rule refused.*

MAINPRICE v. WESTLEY.—Rule *nisi* from the New Trial Paper.—*Lush*, Q.C., *D. Brown*, and *Markby* showed cause. *Part heard.*

Tuesday, April 25.

NICHOLS v. NICHOLS.—This was a special case upon a charter-party. *To go back to the arbitrator.*

THE ECCLESIASTICAL COMMISSIONERS OF ENGLAND v. THE DEAN AND CANONS OF MANCHESTER.—*Lush*, Q.C. (*Souter* with him) appeared in support of the declaration, which was demurred to.—*Cleasby*, Q.C. (*Williams* with him) contra.

To be turned into a special case.

HEAD v. BUSH.—*Prentice* appeared in support of the demurrer to the plea herein.—*Oppenheim* contra.

Judgment for the plaintiff.

ALEXANDER v. THE NORTH-EASTERN RAILWAY COMPANY.—*Holker* appeared in support of the demurrer to the rejoinder herein. *Judgment for the defendant.*

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

EASTER TERM 1865.

Wednesday, April 19.

WARD v. GREENLAND.—This was an action brought by the official liquidator of the Leeds Banking Company against the manager. The declaration alleged that the manager had negligently and improperly advanced money to persons of insufficient credit, and upon insufficient and forged securities.—*Quain* now moved for a rule to add a plea setting out the indemnity clause in the deed, and the substance of which was that the officers should not be liable for loss unless it were caused by their wilful neglect or default. *Rule nisi.*

CORBETT v. DALLAS.—In this case *Phillimore*, on behalf of the plaintiff, moved to administer interrogatories. The plaintiff in this case is a missionary of the Church of England; and whilst staying in Rupert's Land was taken into custody under the order of the defendant, who, as Governor of the Hudson's Bay territory, exercised a criminal jurisdiction over Rupert's Land under the charter of Charles II. This was the first time that such power had ever been exercised over a British subject who was not connected with the Hudson Bay Company, the usual course in such cases being to send the person to be tried in the Queen's Courts in Canada. The plaintiff was tried in the ordinary way by a jury and convicted, but eventually steps were taken whereby he was freed, and he thereupon came to this country and brought an action for false imprisonment, and the object of the present motion was to administer to the defendant interrogatories, in order to ascertain from him how he claimed to exercise jurisdiction over Rupert's Land.—The COURT expressed an opinion that the plaintiff could not question the Governor as to his authority, suggesting at the same time that an application should be made at chambers to administer interrogatories to him as to what had actually taken place. *Rule accordingly.*

CATER v. WOOD.—In this case, which was tried at Maidstone, before Pollock, C. B., *Bramwell*, Q.C. moved to set aside a nonsuit and enter a verdict for the plaintiff for 50*l*. *Rule nisi.*

BENHAM v. BATTY.—This was a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and a nonsuit entered, on the ground that there was no evidence to go to a jury that Burton was Batty's agent. The action was brought by the plaintiff to recover a deposit of 20*l*. paid to one Burton, a house agent, under an agreement to purchase a house. It appeared that the plaintiff being anxious to invest some money in the purchase of a house, had some communication with Burton, and paid him a deposit of 20*l*., upon the understanding that he was to enter into an agreement for the purchase of a house, No. 17, Hugh-street, Pimlico. Subsequently the plaintiff was given to understand that No. 7 was not for sale; but the plaintiff was nevertheless pre-

ended to sign an agreement to purchase No. 17 in the same street, belonging to the defendant, and he paid an additional deposit, making in all 96*l.*; but the term was represented to be sixty-eight years, whereas Batty had only a term of sixty-four and a half. Upon this coming to the knowledge of the plaintiff, he refused to complete the purchase, and applied to the defendant for the return of the deposit. The defendant signed an authority to Barnes to return the money, which he did not do, and the plaintiff therefore brought this action.—*Wordsworth*, Q.C. and *Hodgson* showed cause, and *Biron* supported the rule.

Rule discharged.

JAGER *v.* WITTS.—This was an action of ejectment, tried before Blackburn, J., at Swansea, when, a verdict was entered for the defendant, leave being reserved to move to enter it for the plaintiff. The question was, as to the validity of a lease made in the year 1840, by the Countess de Witt, as tenant for life under a will.—*Joshua Williams*, Q.C. (of the Chancery bar) moved.

Rule nisi.

Ex parte BEANTON (married Woman).—*Bagford* moved for an order that the applicant be at liberty to dispose of certain property, to which she was entitled, under her father's will, without the concurrence of her former husband, under sect. 91 of 3 & 4 Will. 4, c. 74. The applicant was married in March 1845, and lived with her husband until 1860, when he left her and went to America, and had not been heard of since, and in 1861 she married again.—By the COURT: Upon the authority of the case *Re Tarnell*, 17 C. B. 189, we grant the application.

Thursday, April 20.

SCHIVERE *v.* PASK.—Tried in Middlesex before Byles, J.—*G. Denman*, Q.C. moved to set aside the nonsuit entered in this case and to enter a verdict for the plaintiff for such sum as an arbitrator might direct. The plaintiff, who was a builder, had contracted to build a house for the defendant for a certain price, based upon quantities taken out by the defendant's architect, in which an error was subsequently discovered, and the house cost a considerably larger sum to build than it would have done if the quantities had been correct. This excess it was now attempted to make the defendant pay.

Rule refused.

HURST *v.* THE GREAT WESTERN RAILWAY COMPANY.—Tried before Mellor, J., at Newcastle.—*James*, Q.C. moved to set aside the verdict for 1*l.* 18*s.*, entered for the plaintiff, and to enter a nonsuit pursuant to leave reserved, or for a new trial on the ground that the verdict was against the weight of evidence.

Rule nisi.

PHELPS *v.* THE LONDON AND NORTH-WESTERN RAILWAY COMPANY.—Tried in London before Byles, J. The verdict was for the plaintiff for 44*l.* 1*s.*—*Keanplay* moved, pursuant to leave reserved, to reduce the damages to 20*l.*, or such sum as the court should direct.

Rule nisi.

DELEKE *v.* NORWOOD.—*Archibald* moved for a rule calling on the defendant to show cause why the plaintiff should not enforce his judgment in the Ex. Ch., the defendant not having prosecuted his appeal to the H. of L.

Rule nisi.

DENHOLM *v.* BRACKWELL.—Tried before Shee, J., at Lancaster: verdict for the plaintiff for 119*l.*—*Temple*, Q.C. moved for a new trial on the ground of misdirection or to reduce the damages.

Rule refused.

FAREY *v.* TURNER.—Tried before Cockburn, C.J., at Northampton: verdict for the plaintiff for 28*l.*—*Keane*, Q.C. moved, pursuant to leave reserved, to enter the verdict for the defendant.

Rule nisi.

SLATER *v.* SHAW.—Tried before Willes, J., at Nottingham as an undefended case.—*Bristowe*, for the defendant, moved for a new trial on affidavits.

Rule nisi.

WHITAKER *v.* HEWITT.—Tried in the Salford Court of Record.—*Holker* moved to enter a nonsuit, or for a new trial on the ground that the verdict was against the weight of evidence.

Rule nisi.

LYLE *v.* FOWLER.—Interpleader; tried at Guildhall: verdict for the plaintiff.—*Keneley* moved to enter a verdict for the defendant.

Rule nisi.

WOODWARD *v.* WALLINGER.—Tried before Erle, C.J.: verdict for the plaintiff for 20*l.*—*Digby Seymour*, Q.C. and *Tompson* showed cause against a rule to enter a verdict for the defendant on the ground that there was no evidence of malice.—*M. Chambers*, Q.C. and *Archibald* supported the rule.

Rule discharged.

Friday, April 21.

HATHEAY AND OTHERS *v.* MAYER.—In this case *Lush*, Q.C. moved for a rule calling on the defendant to show cause why certain money paid into court should not be paid out to him, together with costs of application.

Rule nisi.

BOWLER AND WATSON *v.* MAYER (sen. and jun.)—In this case, which was tried at Guildhall, *Huddleston*, Q.C. moved for a rule calling on the defendants to show cause why the verdict found for him should not be set aside and entered for the plaintiffs, pursuant to leave reserved.

Rule nisi.

LEIGHMORE *v.* THE GREAT WESTERN RAILWAY COMPANY.—This case was tried at Stafford before Keating, J., when a verdict was found for the plaintiff for 500*l.*, leave being reserved to move to enter a nonsuit, on the ground that there was no negligence, on behalf of the defendants.—*Gold*, Q.C. now moved.

Rule nisi.

MAY *v.* EVANS.—In this case, which was tried at Guildhall, before Erle, C. J., *Powell*, Q.C. moved to increase the sum found by the jury to 69*l.* 3*s.* 7*d.* The action was brought upon an attorney's bill of costs, which defendant had become liable to pay for work and labour done, and money advanced to him by the plaintiff in procuring a patent.

Rule nisi.

MILLER *v.* ———.—This was an action tried before Cockburn, C.J., at Norwich, when a verdict was found for the defendant, leave being reserved to move to enter it for the plaintiff.—*Keane*, Q.C., now moved accordingly.

Rule nisi.

ENGLEY *v.* THE BRIGHTON RAILWAY COMPANY.—*Borrill*, Q.C. moved for a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside and entered for the defendant upon the ground that upon the facts proved the plaintiff did not establish his case, and that there was no evidence of negligence or any statutable duty on the defendants to place a man at a certain gate on their line. The action was tried at Guildhall before Erle, C.J.

Rule nisi.

WALKER *v.* BRODGDEN.—This was an action of libel brought by the plaintiff, the vicar of Bardney, in Lincolnshire, for damages against the defendant, the proprietor of the *Lincoln Gazette*. The cause was tried at Lincoln before Martin, B. when a verdict was found for the defendant.—*Hayes*, Serjt. now moved for a rule calling on the defendant to show cause why the verdict found for him should not be set aside and a new trial had on the ground of misdirection.

Cur. adv. vult.

SPRINGHALL *v.* BOYLE.—*Lumley Smith* moved that a writ of revivor in this case should be made absolute, no one appearing on the other side to oppose.

Rule absolute.

ELDRED *v.* PRICE.—*C. Coleridge* moved for a rule calling on the defendant to show cause why a nonsuit should not be set aside upon the plaintiff's paying the costs of the day. The cause was one of those at Kingston in which the parties on one side or the other were not present, and the Lord Chief Baron directed a nonsuit to be entered.

Rule nisi.

HORN *v.* PRESTON.—In this case, in which *Field*, Q.C. moved on a former day, the COURT intimated that they had conferred with Martin, B, and that he was perfectly satisfied with the verdict.

Rule refused.

CALDECOTE *v.* HODGES.—This was another of the Kingston cases in which the plaintiff was nonsuited, he not being present when the case was called on.—*Joyce* now moved to set the nonsuit aside and have a new trial upon affidavits.

Rule nisi.

DENEULIN *v.* HODGSON.—This was an action against an attorney for negligence: tried before Erle, C.J., when a verdict was found for 300*l.* A rule having been obtained on a former day calling on the plaintiff to show cause why the damages should not be reduced,—*Digby Seymour*, Q.C., *Joyce* and *Kidd* now showed cause: *Parry*, Serjt. and *Hodgson* appearing in support of the rule.

Part heard.

Saturday, April 22.

POUND (Assignee of Dodd) *v.* WILSON.—Tried before Erle, C.J., at Guildhall.—*Hawkins*, Q.C., for the plaintiffs, moved pursuant to leave reserved, to set aside the nonsuit, and to enter a verdict for the plaintiff.

Cur. adv. vult.

O'BYRNE *v.* HODGES.—Tried before Shee, J., at Liverpool: verdict for the plt. for 250*l.*—*Temple*, Q.C. moved for a rule for a new trial on affidavits.

Rule refused.

BENNETT *v.* NAGIL.—Ejectment; tried before Bramwell, B, at Lewes: verdict entered for the claimant.—*Lush*, Q.C. (*Hurst* with him) moved, pursuant to leave reserved, to enter a verdict for the defendant. The ejectment was for two rooms appropriated to the adjoining house by the common owner. The houses had been sold, and the question was to which the two rooms belonged.

Rule nisi.

MATTINSON *v.* LEACH.—Slander; tried before Shee, J., at Liverpool: verdict for the plaintiff for 5*l.*—*Mellish*, Q.C. moved for a new trial on the ground of misdirection, in that the judge ought to have directed the jury that the words complained of, if spoken without malice, were privileged.

Rule nisi.

LOCK *v.* FURZE.—Tried before Erle, C.J., in Guildhall; verdict for the plaintiff for 1522*l.*—*Borrill*, Q.C. (*Gantt* with him) moved, pursuant to leave reserved, to enter a verdict for the defendant on the second and fourth pleas, or to reduce the damages by 65*l.*, or such part thereof as the court should think fit, or for a new trial, on the ground of misdirection.

Rule nisi.

HIBBERT *v.* BROADBRIDGE.—*Aspinall*, Q.C. moved to reduce the damages by the sums of 73*l.*, 74*l.* 15*s.* 8*d.*, 59*l.* 2*s.* and 6*l.*

Rule nisi.

SOUTHERN *v.* THOMAS.—Tried before Mellor, J, at Liverpool: verdict for the defendant.—*T. Jones*, for the plaintiff, moved for a new trial on the ground of misdirection, and that the verdict was against the weight of evidence.

Rule refused.

THE UNITED BROTHERS *v.* PUGH.—*Kydd*, for the defendant, moved to set aside the certificate of the master.

Rule refused.

MCCALL *v.* TAYLOR.—Tried before Byles, J. in London.—*Hannen* moved, pursuant to leave reserved, to enter the verdict for the plaintiff, on the ground that a certain document sued on was a promissory note, as stated in the declaration.

Rule nisi.

JEFFERYS *v.* EVANS.—Tried before Blackburn, J. at Haverfordwest.—*Bowen* (*C. Coleridge* with him) moved, pursuant to leave reserved, to enter a verdict for the plaintiff, on the second, third and fourth issues.

Rule nisi.

Monday, April 24.

DENEULIN *v.* HODGSON.—The arguments in this case were concluded, and the COURT reduced the damages from 300*l.* to 150*l.*

GARTON *v.* WOOLL.—This was a case tried at Norwich before Cockburn, C.J., when a verdict was found for the defendant.—*Keane*, Q.C. now moved to set that verdict aside and have a new trial, on the ground that the verdict was against the weight of evidence.

Rule nisi.

HUNT *v.* HARRIS.—This was a rule calling on the plaintiff to show cause why the verdict found for him should not be set aside, and a nonsuit entered or verdict for the defendant. The action was tried at Guildhall before Erle, C.J., and the real question at issue was as to the construction to be put upon the word "owner" in sect. 3 of 18 & 19 Vict. c. 122 (the Metropolitan Building Act).—*Coleridge*, Q.C. and *Day* showed cause.—*Huggins*, Q.C. appeared in support of the rule.

Part heard.

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

EASTER TERM 1865.

Wednesday, April 19.

BLAKE AND ANOTHER *v.* DE WITTE.—*Philbrick*, for defendant, moved for a rule calling on plaintiffs, who were attorneys, to show cause why an order made by Erle, C. J. at chambers should not be rescinded, and the judgment and the subsequent proceedings be set aside, and the defendant be at liberty to come in and defend the action. The action was brought to recover a sum of 942*l.* on bills of exchange; and defendant being absent from England an order was made to substitute service of the writ, and no appearance being entered on his behalf judgment was signed. The copy of the writ which came to defendant's knowledge contained neither the name of the court out of which it issued, nor the plaintiff's name, nor was it tested of any day, nor did it contain the name of the Lord Chief Baron as provided by the statute. Defendant had an affidavit of merits showing a defence. [MARTIN, B. suggested that the money should be brought into court as a security; defendant should have taken out a summons to set aside the writ of summons.] He could not tell from which court it issued. It was a hardship to compel defendant to bring in so large a sum before letting him in to defend, in the face of the irregularities on the plaintiffs' parts. Ultimately the COURT granted a rule for defendant to come in and defend without paying money into court, the judgment to stand as security for the discharge of any claim which plaintiffs might be able to make good.

Rule nisi accordingly.

COOPER AND OTHERS *v.* BILL AND ANOTHER.—*Powell*, Q.C. moved to set aside the plaintiffs' verdict in this case, tried at Hereford, before Keating, J., and to enter a nonsuit.

Rule nisi.

INGRAM *v.* STOKE.—*G. Francis* on affidavits moved for a rule for a new trial on the ground of the cause having been called on at an unexpectedly early hour in the absence of the defendant's counsel and attorney. It was an action of trover and detinue; tried at the Last Surrey Assizes before Martin, B., when a verdict for plaintiff for 80*l.* was the result.

Rule nisi.

NUTTALL *v.* BRACEWELL. SAME *v.* METCALFE. METCALFE *v.* NUTTALL.—In these cases, in which *Manisty*, Q.C. and *Rew* appeared on the one side, and *Overend*, Q.C. and *T. Jones* on the other, the rule to refer back to the arbitrator was discharged with costs.

Rule discharged.

EDMUNDS *v.* BARNETT.—In this case, in which, after hearing counsel last term, the rule was enlarged to the present term, to enable defendant to file an affidavit of merits (see *Agenda* column of the Ex., 40 L. T. 165), *L. Kelly* now again showed cause against, and *H. Lloyd* having an affidavit of merits, supported the rule to set aside plaintiff's verdict, and for a new trial, on the ground that sufficient notice of trial had not been given. It was an action brought originally in the Superior and sent by order to the County Court to be tried. The action was begun on the 9th Feb. 1861, and had come to issue on 9th March following, and on 14th March was sent by judge's order to the County Court. Months passed, and no intimation was given to defendant of what was to be done till, on the evening of 7th Dec., his attorney received a notice from the registrar of the court of trial for the 11th Dec. Defendant was absent in Wales as a cattle dealer. The attorney attended before the judge and protested, but the judge disregarded it, and proceeded with the case as undefended. It was contended by the defendant that the notice of trial was insufficient, or that at all events defendant was entitled to a new trial. The question turned on sect. 26 of 19 & 20 Vict. c. 108. *Wheatcroft v. Foster*, E. B. & E.; *Edwards v. Edwards*, 5 C. B. N. S., were cited.—The COURT declined to give any decision on the principal point, but made the

Rule absolute for the new trial, on payment of costs.

WHITTAKER *v.* LOW.—*Holker*, pursuant to leave reserved, moved to enter a verdict for plaintiff for 340*l.* 19*s.* in this case, which was tried before Mellor, J., at Manchester, and a verdict found for defendant. It was an action in which a composition-deed under B. A. 1861 was pleaded in defence, and the question was whether, in arriving at the value of the bankrupt's debts, the secured creditors were to be reckoned amongst the statutory three-fourths, or to be deducted therefrom. If they were to be deducted, which it was contended was the more reasonable construction of the Act, then, according to the jury's finding, the requisite three-fourths had not signed the deed, and so it was invalid under the statute. He cited *Turquand v. Moss*, in the C. P., and a subsequent contrary decision of the L. C. in *Ex parte Scath, re Smith*.

Rule nisi.

Thursday, April 20.

CROSLAND *v.* WOODHEAD.—This was an action brought by Colonel Crosland, a candidate for the representation of Huddersfield, against Mr. Woodhead, who was the proprietor of a newspaper there, for a libel, charging him with fraud, forgery and theft of papers. The publication of the libel arose out of a controversy which had been long carried on in the borough, upon what is known as the Huddersfield tenant right question. The case came on for trial at Guildhall before Martin, B, when Mr. Coleridge, acting as defendant's counsel, withdrew the charge on the part of the defendant, and apologised for having published it. The terms of the retractation, which were very complete, were reduced to writing, and signed by the counsel on each side, and by Mr. Clough, the defendant's attorney, who also undertook to procure the defendant's signature to the terms. The defendant, on being applied to, refused to sign, and last term a rule was obtained for the purpose of procuring his signature to the paper.—*Lush*, Q.C. (*Quain* with him) having shown cause against the rule, the case was adjourned until this term, in order that further affidavits might be filed.—*Borrill*, Q.C. (with him *Hawkins*, Q.C. and *H. T. Cole*) was now again heard in support of the rule, he said that the plaintiff would be perfectly satisfied if defendant stated, through Mr. Lush, that the charges he had made against the plaintiff were wholly and entirely without foundation.—*Lush* said his client had already done so, and published the fullest apology in his newspaper.—POLLOCK, C.B., (after reading the apology so published in the defendant's newspaper), said he had read the apology, and thought it was as ample and handsome an apology as ever was made.—MARTIN, B. concurred, and said it was evident the plaintiff was no more guilty of the offences charged than the most innocent person in court, and expressed his strong opinion that the rule should be allowed to drop without any costs on either side. This was ultimately agreed to by all parties.

DUNKERLEY AND ANOTHER *v.* JOHNSON AND ANOTHER.—*Brett*, Q.C. moved in this case, which was tried at the Middlesex sittings after last term, before Bramwell, B, and resulted in a verdict for the plaintiffs, for a rule to show cause why there should not be a new trial on the ground of misdirection by the learned judge, the improper reception of evidence, and the improper rejection of evidence. The case arose out of an attempt to force the blockade of the Confederate ports, and involved a claim of 7000*l.* The plaintiffs were collectors of goods for shipment at Liverpool, and the defendants were owners of a ship called the *Georgiana*, trading from that port. The plaintiffs' case was that defendants contracted with them to convey a quantity of goods on board the *Georgiana* from Liverpool to Nassau. When they arrived at Nassau they were to be broken up into five parts, and forwarded either to Wilmington or Charleston by five different vessels, one of them to be the *Georgiana*. This arrangement was

made in order to lessen the risk of the goods being seized by the Federals, but instead of being carried out, the goods were not transhipped from the *Georgiana*, and the result was that they never reached the consignees, the ship, in attempting to run into Wilmington, being driven on shore to avoid the Federal cruisers, and becoming a total wreck. It was now contended (amongst other points) that there was no evidence to establish such a contract as that alleged in the declaration, and upon that point only the COURT granted a *Rule nisi.*

SACKER *v.* CHUDLEY AND OTHERS.—*Chambers*, Q. C. moved in this case, tried before Martin, B, in London, to set aside the plaintiff's verdict for 60*l.*, and for a new trial, on the ground of misdirection. It was an action of trover for a brougham, horse and harness: (*Fletcher* v. *Manning*, 12 M. & W. 571; the 13 Vict. c. 101, s. 125; and *Barrow* v. *Bell*, 25 L. J. 2, Q. B., were referred to. It was also contended that there had been a voluntary and fraudulent preference; that, however, was a question of fact for the jury, and they had found it was not a fraudulent preference, and the judge was not dissatisfied with their finding, and on the first point raised the COURT held, that the articles must be in the possession of the bankrupt at the time of the bankruptcy, and here they were clearly not so, that the verdict was right, and therefore

Rule refused.

ASHFORD *v.* LORD HUNTINGTOWER.—An action upon a covenant in a deed made by defendant in the year 1854, whereby he covenanted to pay the plaintiff 60*l.* a-year, by instalments of 15*l.* a quarter, upon terms therein mentioned, for her sustenance and support. In the deed she was described as spinster. The defendant pleaded that she was his wife, and the question at the trial at Maidstone, before Pollock, C. B., was, whether there had been a legal marriage according to the law of Scotland. No evidence was given of the Scotch law upon the point, and a verdict was entered for the defendant, with leave reserved to the plaintiff to move to set it aside and enter a verdict for the plaintiff for the amount claimed.—*G. Denman*, Q. C. now moved for a rule *nisi* accordingly.

Rule nisi.

M. Chambers, Q. C., upon the part of the defendant, said, the Scotch marriage, or any other, could not be proved, and therefore he would consent now that the rule should be at once made absolute.

Rule absolute (by the consent of Mr. Chambers).

COLLIER *v.* MOSS.—*Edward James*, Q. C. moved in this case, tried before Mellor, J., at Manchester, to set aside the defendant's verdict, and by leave reserved to enter it for the plaintiff, or for a new trial, on the ground that the verdict was against the weight of evidence. It was an action of debt upon a bill of exchange, to which defendant pleaded that a deed of arrangement, under the 192nd section of the Bankruptcy Act, had been duly made, but the requisitions necessary to make it valid were not shown or proved. Second plea, that after the making of such deed, whilst Harvey and Wilde were the holders of the bill sued on, an arrangement was made whereby plaintiff should take the composition offered if same paid to Harvey and Wilde, but it was not proved.

Rule nisi.

ARMSTRONG *v.* BARRETT.—Tried at Carlisle before Shee, J.: verdict found for the plaintiff.—*C. Hutton* moved for a new trial, on the ground of misdirection.

Rule refused.

MORRIS *v.* THE SWANSEA VALE RAILWAY COMPANY.—*Quain* moved for a rule calling on the defendants to show cause why the appointment of Mr. David Hughes Jones, as arbitrator, should not be revoked, or, under the circumstances, why the order of reference should not be rescinded. The 3 & 4 Will. 4, c. 42, s. 39, was referred to.

Rule nisi.

Friday, April 21.

RICHARDS *v.* HARPER.—In this case the Lord Chief Baron intimated that the Court desired to have the demurrer re-argued, and to be put first in the special paper.

To be re-argued.

CORSER *v.* STRINGER.—Tried at Worcester, before Pigott, B., and a verdict for plaintiff on second count.—*Gray*, Q.C. moved for a new trial on the ground of the verdict being against the weight of evidence. *Rule nisi.*

HARRISON *v.* GIBBS.—An interpleader issue as to the ownership of goods seized under an execution; tried at Leeds before Martin, B, when a verdict was found for the plaintiff, and leave reserved to defendant to move as to certain of the goods.—*Manisty*, Q.C. now moved accordingly. The case raised a question as to the husband's ownership over chattels, &c. purchased by the wife with money settled to her separate use. *Rule nisi.*

HAYGROVE AND OTHERS *v.* ALBION MARINE INSURANCE COMPANY (LIMITED).—Tried at Liverpool before Shee, J., and a verdict found for plaintiff for 92*l.*—*Brett*, Q.C. moved for a new trial, on the ground of the verdict being against evidence. *Rule nisi.*

WEBBER *v.* THE GREAT WESTERN RAILWAY COMPANY.—*Grove*, Q. C., by leave, moved in this case, which was tried at Chester before Blackburn, J., to set aside the plaintiff's verdict for 2*l.*, and enter it for defendant, or for a new trial as against evidence. *Rule nisi.*

SAUNDERS *v.* MERRYWEATHER.—An action of ejectment, tried at Liverpool before Mellor, J.—*Hollish*, Q. C. moved, by leave, to enter the verdict for defendant, or for a nonsuit. *Rule to show cause.*

YOUNG (Assignee, &c.) *v.* FLETCHER.—This was an action of trover by assignees of a bankrupt, to recover the proceeds of a sale of furniture sold by defendant under a bill of sale; it was tried before Martin, B, at Leeds, and a verdict was found for plaintiff for 125*l.* 7*s.* 11*d.*, the learned judge declining to nonsuit, and giving leave to defendant to move.—*Field*, Q.C. now moved for a new trial accordingly, on the ground of misdirection, the learned judge having left to the jury whether the bill of sale substantially comprised all the bankrupt's property which enabled him to carry on his trade. He moved on the authority of *Young* v. *Ward*, 8 Ex. 221; *Smith* v. *Timms*, 7 L. T. Rep. N. S. 859, Ex. Ch.; 2 H. & C.; and *Pennell* v. *Reynolds*, 5 L. T. Rep. N. S. 286.

Rule to show cause.

BOSTOCK *v.* JARDINE.—*E. James*, by leave in this action, which was tried before Mellor, J., at Liverpool, moved to enter the verdict for defendant, or for a nonsuit, the court to draw inferences of fact. *Rule nisi.*

BOWES *v.* LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—*Simon*, Serjt. (by leave of Shee, J., before whom the cause was tried, at Liverpool) moved to enter the verdict for defendants, and submitted that the mischief done to the goods, and which was the cause of action, was not caused by any carelessness of the defendants, as carriers, during the transit, but arose from wet, which caused injury to them in the company's warehouse after arrival, and before delivery. *Rule nisi.*

GOULD AND OTHERS *v.* RALPH AND ANOTHER.—*Cooke*, Q. C. obtained a rule *nisi* to enter a nonsuit, on the ground of no evidence of defendants' liability, and for a new trial as against evidence. It was an action tried at Hereford, before Keating, J., who reserved leave to defendants to move. *Rule to show cause.*

DAVISON *v.* CAMPBELL AND OTHERS.—*Yeatman* resumed his motion of yesterday. *Rule refused.*

SALOMONS *v.* PENDER.—(See Reports of the week.)

Rule refused.

HENRY *v.* SMILES.—*Woollet* obtained a rule to set aside the nonsuit in this case, tried at last Surrey assizes, in the absence of plaintiff's counsel and witnesses on both sides. *Rule nisi.*

JONES *v.* ROBERTS AND ANOTHER.—Tried at Carnarvon, before Byles, J., and a verdict for plaintiff for 100*l.*—*M'Intyre*, by leave, moved to enter a nonsuit or verdict for defendant. *Rule nisi.*

PENNYFATHER *v.* KEELING.—In this case, tried at Guildhall, before Martin, B.—*Holl*, by leave, moved to enter the verdict for defendant or a nonsuit, if plaintiff wished it, the court to have liberty to amend and to draw inferences. It was a plea of a deed under sect. 192, B. A. 1861, and raised, amongst others, the question whether secured creditors were to be counted in estimating the creditors requisite to make the necessary majority.

Rule nisi on both points.

Saturday, April 22.

ROBINSON *v.* FLETCHER.—*Day* moved in this case, tried before the under-sheriff of Nottingham, to set aside the defendant's verdict on the ground that the verdict was against the weight of evidence, and for a new trial.

Rule refused.

MORGAN *v.* GARTH.—Tried before Mellor, J., at Liverpool: verdict for plaintiff for 285*l.*—*Brett*, Q.C. moved, pursuant to leave reserved, to enter a nonsuit, or to reduce the verdict to nominal damages, or to 84*l.* 2*s.* The action was brought upon a peculiar contract for the non-acceptance by the defendant of a quantity of cotton; the declaration also contained a count for the price of the cotton as bargained and sold by the plaintiff to the defendant.

Rule nisi.

COOKE *v.* TRENNETT.—*Gifford*, Q.C. moved in this case, tried at Chester before Blackburn, J., to set aside the plaintiff's verdict for 29*l.*, and for a new trial upon affidavits, on the ground of the absence of a material witness.

Rule nisi.

BOUTFLOWER AND WIFE *v.* VALENTIN.—*Simon*, Serjt. moved to set aside the plaintiff's verdict and judgment signed herein, and for leave to have a new trial upon grounds disclosed in affidavits. *Rule nisi.*

ADAMS *v.* PHILLIPS.—*Joyce* moved in this case, tried before the under-sheriff of Surrey, to set aside the defendant's verdict, and by leave reserved to enter a verdict for the plaintiff, or for a new trial. The defendant was assignee of a bankrupt, appointed on the 29th August last, and it was said he had accepted and adopted a lease of certain premises which the bankrupt held under the plaintiff, and that, consequently, the defendant was liable to the terms of it. The bankruptcy was in August, the rent now sued for became due in September, the trial of this action was in February last. The declaration stated the demise, and that the parties had come to the term by assignment, that defendant had accepted the terms, &c. The defendant traversed this. It was submitted that upon the facts and evidence the verdict should be entered for the plaintiff.

Rule nisi.

ROBERTS *v.* BATES.—An action for the non-delivery of cotton, tried at Liverpool, before Shee, J.: verdict for the plaintiff.—*Potter* moved for a new trial on the ground of misdirection, or to reduce the verdict of 28*l.* to nominal damages. The learned judge held that a letter containing terms of the purchase of the cotton between the parties, but which letter was not signed, was conclusive.

Rule nisi.

CANDY *v.* PLAYSTEAD.—Tried at Bristol, before Crompton, J.—*Pritchard* moved, pursuant to leave reserved, to set aside the plaintiff's verdict, and enter a nonsuit or a verdict for the defendant. The action was brought against the defendant as the acceptor of a bill of exchange for 41*l.* 16*s.*, dated Jan. 1, 1865, payable one month after date; there was a second count for goods sold and delivered. Defendant was treasurer of an industrial society. The question was whether under the circumstances he was liable upon either count. The 25 & 26 Vict. c. 87, and *Beale* v. *Mellor*, 15 C. B. N. S., 19, were referred to.

Rule refused.

KEMPSON AND OTHERS *v.* PELLY AND OTHERS.—*Macaulay*, Q.C. moved in this case, tried at Warwick before Willes, J., to set aside defendants' verdict and enter a verdict for the plaintiffs for 285*l.*, pursuant to leave reserved, or for a new trial, on the ground that the verdict was against the evidence. On the first point 3 Car. & Kir. 20, was cited.

Rule nisi on first point; and speak to Willes, J. on the other point.

HAYDON *v.* WHITEHURST.—Trover for three barges; tried at Stafford before Keating, J.: verdict for the defendant. —*Huddleston*, Q.C. moved for a new trial on the ground that the verdict was against the weight of evidence.

Cur. adv. vult.

MOSELEY *v.* LOCKWOOD.—This was an action on a bill of exchange. On the 30th May a composition-deed had been executed: the question was whether the deed was valid. Subsequently a *fi. fa.* was issued and goods seized thereunder. An application had been made to Pigott, B, at chambers, for the purpose of redeeming the goods, but he made no order.—*Day* now moved for a rule to have the goods returned out of the custody of the sheriff.—MARTIN, B.—You should have pleaded the deed in answer to the action. *Rule nisi.*

GRIMSLEY *v.* BOOTH.—*Underhill* moved to stay proceedings on an injunction which had been granted by Pigott, B, upon an *ex parte* statement made to him, restraining the holding of horse-flesh until after the cause had been tried. The cause was neglected to be tried. *Rule nisi.*

THOMAS *v.* JONES AND HUMPHREYS.—*M. Lloyd* moved to set aside the defendant's verdict, obtained at Denbigh, before Byles, J., and for a new trial, on the ground that the verdict was against the weight of evidence, or for leave to enter a verdict for the plaintiff. The action was one of trespass, for searching the plaintiff's house. The defendant Humphreys was a police-officer, acting under Jones's order. There was no ground whatever for the search, but the jury thought the defendants acted without malice, although the judge appeared to be of a different opinion.

Rule nisi to enter the verdict for the plaintiff on the first count.

BIRLEY *v.* TAYLOR.—*Quain* moved for a new trial, on the ground of misdirection, and that the verdict was against the evidence. The action was tried at Liverpool before Shee, J.: verdict for the plaintiff, damages 40*s.* The plaintiff complained of the shaking of his premises by the defendants' working of an engine for the mixing of colours next door to the plaintiff's premises.—The COURT thought the direction was quite right, and the verdict also

Rule refused.

WALKER *v.* WYNDHAM.—This case was tried at Carlisle, before Shee, J., when a verdict was entered for the defendant.—*Edward James*, Q.C. moved for a rule to set aside the verdict, and enter it for the plaintiff, pursuant to leave reserved, or for a new trial on the ground of misdirection. The action was for trespass, and the defendant justified under the Salmon Fisheries Act 1861 (24 & 25 Vict. c. 109). The plaintiff replied, that he came within the reservation of the 11th section of the Act. The plaintiff claimed a right under Lord Lonsdale to stake-nets fixed on the seashore of the Solway, some distance from the river, at Workington. The nets were destroyed with the intention of complying with the provisions of the Salmon Fisheries Act. Lord Lonsdale is the owner, and has been from time immemorial, of the foreshore between high and low-water mark, and, as owner of the soil, had put up, as it was contended he had a right to do, stakes for the purpose of putting nets for fishing. The only question left by the learned judge at the trial was, whether the mode of fishing had been lawfully exercised at the time of the passing of the Act. There had been an alteration in the mode of fixing the stakes, and consequently an alteration in the mode of fishing; but it was said that if that alteration had been done by the owner of the soil in furtherance of his right as owner, then that was immaterial. The plaintiff claimed as tenant or nominee of Lord Lonsdale, who was the owner of the soil. It was admitted that he had no right to obstruct the navigation of the waters; but he could exercise all those rights which belonged to the owner of the soil. If the Crown had a right to grant the soil between high and low-water mark, the grant carried with it all rights. He may have a right to fish, and the public have over the soil, when the state of the water admitted of their doing so. He would have a right to fix his stake-nets, and, notwithstanding the recent Act, his rights would be preserved to him as they had been before the passing of the Act. There was no doubt that Lord Lonsdale had a right to put up stakes before the passing of the Act, as vessels had a right to come over the ground to fish, for then they had to pay to Lord Lonsdale, as owner of the soil, anchorage dues. The question was, whether the recent Act had taken away Lord Lonsdale's rights as owner of the soil. He had not sought to interfere with any public right. The 11th section of the Act was not to affect any ancient right or mode of fishing. The section in substance enacted that no fixed engine shall be placed for catching salmon in any inland or tidal waters; but it was not to affect any ancient right or mode of fishing lawfully exercised, at the time of the passing of the Act, by any person by virtue of any grant or charter, or by memorial usage. *Rule nisi.*

Monday, April 24.

HAYDON *v.* WHITEHURST.—POLLOCK, C. B. gave judgment refusing the rule. *Rule refused.*

KERSHAW *v.* OWDEN.—Tried at Manchester before Mellor, J. and verdict for plaintiff for 78*l.* 7*s.*—*Brett*, Q. C. by leave, moved to enter verdict for defendant, or a nonsuit, on the ground of there being no evidence within the Statute of Frauds of a contract to bind defendant, and that the verdict was entered for the price of goods as for goods bargained and sold, whereas no property in them passed. It was an action by one cottonspinner against another, and the subject of dispute was a lot of cotton waste.

Rule nisi.

PAIN *v.* TERRY.—(See Reports of the week.)

Rule refused.

EGGLES *v.* INGLIS AND OTHERS.—*E. James*, Q.C. moved, by leave of Mellor, J., before whom the cause was tried at Manchester, to set aside the plaintiff's verdict and enter it for defendants. *Rule nisi.*

BERRIDGE *v.* MORRIS.—This was an action by an advertising agent to recover price of advertising the property of the Treleck Lead Mining Company (Limited), of which the defendant was a provisional director. The order was given by the secretary, and it was contended the secretary had authorised the secretary to pledge the plaintiff's credit for the work.—Martin, B nonsuited the plaintiff at the trial in London; and *Gifford*, Q. C. now moved to set aside and for new trial, and contended there was evidence for the jury of plaintiff's liability. He cited and distinguished *Hoddick* v. *Marshall* in the Ex. Ch., 11 L. T. Rep. N. S. 611.—By the COURT: *Rule refused.*

SCHEFFER *v.* HOUSLEY.—An action tried before Pollock, C. B. at Hertford, and a verdict for plaintiff for 26*l.* 15*s.*, with stay of execution.—*Joyce* now moved for and obtained a rule to set aside the verdict and for a new trial on the ground of the rejection of evidence. *Rule nisi.*

WOODWARD *v.* METCALFE.—In this case, tried before Shee, J., at Liverpool, the plaintiff was nonsuited, and *T. Jones* now, by leave, moved to set it aside and enter a verdict for plaintiff for 30*l.* on the facts and certain letters, &c. the Court having power to draw inferences. It was an action to recover the value of certain corn which had been bought by the plaintiff, and which lay in defendant's warehouse, and was there attacked and damaged by an insect called the weevil, known to be destructive of corn.

Rule nisi.

DUNDALE *v.* HARTLEY.—This was an action tried at York a year ago, before Blackburn, J.—*Kemplay* now moved for a rule why the 5th plea should not be struck out. The declaration was in trespass *q. c. f.*, and defendant pleaded not guilty, and three pleas justifying in right of a private right of way, and the 5th plea in right of a public way. By agreement at the trial, the 5th plea was to be struck out, and the cause was referred to arbitration. By some mistake the 5th plea was left on the record, and though at the reference counsel on both sides treated the case as though the 5th plea was struck, still, when the arbitrator made his award, having the record before him, he necessarily made his award

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to the 5th plea, as well as the others. This was contrary to the arrangement at the trial. He had moved last term, and was referred to chambers, where Channell, B. had declined to make an order, and he now renewed the motion.—By the COURT: You may take a rule, but you had better consider whether you should, in the first instance, apply to Blackburn, J., to correct the mistake in the Nisi Prius record. *Rule accordingly.*

SPECIAL PAPER.

CHESTERFIELD AND MIDLAND SILKSTONE COLLIERY COMPANY (LIMITED) v. HAWKINS.—*A. Cohen* for plaintiffs; *Mellish* (with *Joslou*) for defendant. *Part heard.*

Tuesday, April 25.

SMITH v. FLETCHER.—*Crompton* moved to set aside the judgment signed herein, and also an order of Erle, C. J., authorising it, on the ground that the judgment was irregular, and that the learned judge had no power to make such an order. An action was brought in Jan. 1863, and the cause was, by consent, referred to arbitration; an award was subsequently made, and leave was then asked to sign final judgment upon it, the order now complained of was thereupon made. It was in no way a compulsory reference under the C. L. P. A. 1854, sect. 10, which provides for the enforcing of awards within the period for setting them aside. Another summons had been obtained and execution stayed for seven days, in order to give time to apply to this court for a rule. *Rule nisi.*

BROWNE v. THE SOMERSET AND DORSET RAILWAY COMPANY.—*Lopes* moved to set aside the judgment signed herein without authority. The cause came on for trial at the Dorchester assizes in 1864, when a verdict was taken, subject to a reference. An award had been made, whereby the company were ordered to make a certain carriage way, and which they had done in compliance with the award. The judgment (if any) should have been for nominal damages only, but judgment had been signed for 100*l.*, the full amount of damages laid in the declaration. *Rule nisi.*

BOSCLIFFE v. LANE.—*Griffits* moved, on behalf of the defendant for leave to amend the pleadings herein, by striking out the plea of not guilty as to the trover count, and allowing the plea of payment of 8*l.* into court, which had been pleaded to extend to that count. There had been a reference of the action by consent to arbitration, but the defendant was willing to be put under such terms as the court might think right in granting his application. *Rule nisi.*

BLY v. STACEY.—*H. T. Cole*, for the plaintiff, moved for leave to take out of court a sum of money paid in in lieu of special bail. *Rule nisi.*

LAWRENCE AND ANOTHER (Executors of Gray) v. WADE.—This was an action for goods sold and delivered, which was brought by Mr. Gray in his lifetime, and continued after his death by the plaintiffs as his executors. The cause was tried before Bramwell, B., in Middlesex, when the plaintiff was nonsuited, as it appeared from the evidence that a son of the deceased was his partner at the time the goods were supplied. A rule *nisi* had been obtained for a new trial, because the judge held that the witness Gray had been a partner of the testator, and that the action ought to have been brought by him as survivor, or on the ground that the judge should have amended the record by making the plaintiff Gray sole plaintiff as surviving partner, or on the matters contained in the affidavit.—*Hannamore* showed cause.—*D. D. Keane* contra.
Rule absolute for a new trial on payment of costs.

THE CHESTERFIELD AND SILKSTONE COLLIERY COMPANY v. HAWKINS.—Arguments concluded. *Cur. adv. vult.*

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The annual general meeting was held at the Hall of the Incorporated Law Society on Wednesday last. Mr. S. Williams in the chair.

The Secretary read the report and the annual balance-sheet.

Resolved—1. On the motion of the Chairman, "That the Report of the Committee of Management be adopted, and that it be printed and circulated in the usual way."

Resolved—2. On the motion of Mr. Sidney Smith, seconded by Mr. Dobinson, "That the cordial thanks of the Association be presented to the Committee of Management for their labours during the past year."

Resolved—3. On the motion of Mr. Charles Augustin Smith, of Greenwich, seconded by Mr. Payne, of Bath, "That the following members of the association be elected chairman, deputy-chairmen, and members of the Committee of Management for the ensuing year:

Chairman: Mr. G. W. Hodge, of Newcastle-on-Tyne. *Deputy-chairmen:* Mr. S. Williams; Mr. H. S. Wasbrough, of Bristol. *Metropolitan Solicitors:* Messrs. J. Anderton, E. S. Bailey, J. Beaumont, William Bell, E. Benham, George Bower, T. Holme Bower, J. Bridges, E. Bromley, James Burchell, E. F. Burton, Henry C. Chilton, J. M. Clabon, W. S. Cookson, W. Crossman, Charles Druce, E. W. Field, H. J. Francis, A. Hemsley, Jno. Hopgood, T. Kennedy, Edward Lawrance, C. E. Lewis, C. H. Lovell, J. A. Rose, W. Shaen, M.A.; J. S. Torr, C. R. Williams, S. Williams, and John Young. *Provincial Solicitors:*—Messrs. T. Payne, Bath; F. Champney, Beverley; Arthur Ryland, Birmingham; J. Rawlins, Birmingham; J. W. Whateley, Birmingham; J. Rymer, Bradford; H. Verrall, Brighton; W. J. Williams, Brighton; A. J. Cox, Bristol; L. Fry, Bristol; H. S. Wasbrough, Bristol; J. Greene, Bury St. Edmunds; T. Wilkinson, Canterbury; H. T. Sankey, Canterbury; John Nanson, Carlisle; T. Coombs, Dorchester; Herbert New, Evesham; R. T. Brockman, Folkestone; John Bevan, Gloucester; Wm. Henry Moss, Hull; R. Wells, Hull; S. R. Jackaman, Ipswich; H. Sanders, Kidderminster; John Sharp, Lancaster; A. S. Field, Leamington; Robt. Barr, Leeds; John Bulmer, Leeds; Edwin Eddison, Leeds; T. Ingram, Leicester; S. Stone, Leicester; W. Toller, Leicester; T. Avison, Liverpool; E. Banner, Liverpool; R. A. Payne, Liverpool; W. Radcliffe, Liverpool; J. J. Ridley, Liverpool; Jas. O. Watson, Liverpool; J. W. Danby, Lincoln; J. Case, Maidstone; J. P. Aston, Manchester; J. F. Beever, Manchester; J. Crossley, Manchester; S. Heelis, Manchester; J. Janion, Manchester; W. H. Partington, Manchester; James Street, Manchester; G. Thornley, Manchester; John Clayton, Newcastle-upon-Tyne; Wm. Crighton, Newcastle-upon-Tyne; R. R. Dees, Newcastle; G. W. Hodge, Newcastle; T. Scriven, Northampton; Sir W. Foster, Bart., Norwich; Messrs. William Skipper, Norwich; R. Enfield, Nottingham; W. Hunt, Nottingham; E. Ball, Pershore; E. T. Pickslay, Rhayader; Joseph Pears, Ruthin; E. P. Kelsey, Salisbury; J. Broughall, Shrewsbury; T. Brown, Skipton; C. E. Deacon, Southampton; A. J. Moore, Sutherland; E. J. Hayes, Wolverhampton; T. M. Whitehouse, Wolverhampton; C. Pidcock, Worcester; J. Stallard, Worcester; W. Beamont, Warrington; T. Waters, Winchester; John Lewis, Wrexham; Thomas Hodgson, York; George Leeman, York; and G. H. Seymour, York.

Resolved—4. On the motion of Mr. Avison, of Liverpool, seconded by Mr. Benham, "That the best thanks of the Association be presented to Mr. C. A. Smith and Mr. J. Morris, for their services as auditors, and that they be requested to accept the same office for the ensuing year."

Resolved—5. On the motion of Mr. Hodge, of Newcastle-on-Tyne, seconded by Mr. Janion, of Manchester, "That the best thanks of the Association be presented to the Council of the Incorporated Law Society, for the cordial co-operation they have afforded to the Committee of Management during the past year, and for their courtesy in lending one of their rooms for the purpose of the meeting."

Resolved—6. On the motion of Mr. J. S. Torr, seconded by Mr. Kennedy, "That the best thanks of this meeting be presented to Mr. E. F. Burton, for his services during the past year, and to Mr. S. Williams for his able conduct in the chair this day."

The meeting concluded with a vote of thanks to the Secretary.

SOLICITORS' BENEVOLENT ASSOCIATION.

The fourteenth half-yearly general meeting of the members and friends of the above association was held on Wednesday last, at the Law Institution, Chancery-lane, for the purpose of receiving the report and statement of accounts for the past half-year.

Thomas Harrison, Esq., the deputy-chairman (in the absence of Mr. Anderton, the chairman), presided.

The Secretary (Mr. Eiffe) read the notice of meeting, and the minutes of the previous half-yearly meeting.

The report, which was taken as read, shows that the association had received an accession of 66 new members, since the last general meeting in October, increasing the entire number of members to 1559, of whom 547 are life, and 1012 are annual subscribers. The receipts during the past half-year had amounted to 812*l.* 13*s.* 2*d.*; 98*l.* had been distributed in relief amongst the distressed widows and families of deceased attorneys in town and country, and 530*l.* had been added to the invested fund, leaving a balance of 186*l.* 3*s.* 11*d.* to be carried to the next account. The invested capital of the association is 5071*l.* 6*s.* 4*d.* in Consols, and 4512*l.* 2*s.* 4*d.* in India Five per Cents., making a total invested fund of 9583*l.* 8*s.* 8*d.*, producing in annual dividends the sum of 370*l.*, which at present forms the extent of the society's annual relief fund.

The Chairman, in moving the adoption of the report and balance-sheet, stated that he thought they had every reason to congratulate themselves upon the position of the society and the progress it had made. Combining the figures of the report now placed before them with those given in the preceding half-year, it would appear that the association had gained a total increase of 119 new members during the twelve months, and had augmented its invested capital by a sum of 1491*l.* 11*s.* The subscriptions received from annual members now amounted to 1062*l.* 12*s.* per annum, and taking these at a valuation of fifteen years, which did not appear to be an unreasonable computation, they would be worth 15,939*l.*, representing, in addition to their invested fund of 9583*l.* 8*s.* 8*d.*, a sum of 25,522*l.* 8*s.* 8*d.*, which he considered to be the present value of the society's assets. He thought that this was a highly satisfactory and encouraging position for the association to occupy in only the seventh year of its existence, and he believed they might confidently look forward to increased success, but while congratulating them, he trusted that every member of the association would persevere in endeavouring to obtain new supporters for the society, and he had no doubt, with such unanimous help, that in a few years the association would be in a most gratifying state of prosperity.

The report and balance-sheet were then adopted, after which cordial votes of thanks were unanimously passed to the directors and auditors for their valuable services during the past half-year; to the Council of the Incorporated Law Society for kindly permitting the use of the society's building for the meetings of the association; to the chairman for presiding; and to the secretary for his very efficient services; and the proceedings were then terminated.

LEGAL NEWS.

COLLECTION OF THE REVENUE.—The estimates for the revenue departments for the current year amount to 4,656,760*l.*—a decrease of 35,332*l.* as compared with the charge for last year. The saving is in the Inland Revenue department and the superannuations. The superannuations amount to 478,116*l.*, rather more than a ninth of the amount of the effective charges. The effective charge for the customs is 773,000*l.*, and the number of persons in the department, 5437; for the Inland Revenue department, 1,284,157*l.*, and the persons, 5025. The Inland Revenue department has to pay 60,000*l.* for poundage to distributors of stamps, and 210,000*l.* for poundage to collectors and assessors of taxes and clerks to tax commissioners, besides the salaried collectors of excise duties. For the Post-office department the charge is 2,121,478*l.* The entire number of persons in this department has risen to 25,697. The manufacture and sale of postage stamps cost 28,730*l.* in the year; there is 4600*l.* poundage allowed for the sale of the stamps. The conveyance of mails by railway in the United Kingdom costs 570,236*l.*; and by mail coaches, carts and other vehicles, and pneumatic tubes, 144,760*l.* The estimate is that 82,426*l.* will be paid by the Post-office to the London and North-Western Railway Company this year, 50,371*l.* to the Great Western, 44,000*l.* to the Midland, 41,359*l.* to the North-Eastern. Votes are to be taken of 12,000*l.* for the purchase of a site and erection of a new post-office at Bristol, 6500*l.* for the like purpose at Sheffield, 3200*l.* at Leicester, and a further sum of 18,343*l.* towards 57,000*l.* for the new post-office at Edinburgh.

THE GAZETTES.

Bankrupts.

Gazette, April 18.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, JOHN, beerhouse-keeper, William-st. Lisson-grove. Pet. April 12. Reg. Roche. O. A. Parkyns. Sol. Clapham, Liverpool-st. Sur. May 1.
BAKER, W. J., draper, High-st. Stoke Newington. Pet. April 8. Reg. Hazlitt. O. A. Graham. Sols. Reed and Phelps, Gresham-st. Sur. May 2.
COLLINS, WILLIAM, stonemason, Kentish-tn. Pet. April 10. Reg. Brougham. O. A. Edwards. Sur. May 10.
CLARKE, LUKE, cattle dealer, Peterborough. Pet. April 10. Reg. Roche. O. A. Parkyns. Sols. Wright and Bonner, London-st. Fenchurch-st. for Law, Stamford. Sur. May 1.
JONES, JOHN, draper, Merthyr Tydfil. Pet. March 25. Reg. Roche. O. A. Parkyns. Sols. Davidson, Carr and Barrister, Basinghall-st. Sur. May 1.
LLOYD, EDWARD, linendraper, High-st. Shoreditch. Pet. April 8. Reg. Roche. O. A. Parkyns. Sol. Jones, Size-ln. Bucklersbury. Sur. May 1.
MILLER, WILLIAM, chandler's-shop keeper, Jubilee-st. Mile-end Old-tn. Pet. April 12. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. May 1.
PRESTON, GEORGE, draper, Streatley. Pet. April 13. Reg. Brougham. O. A. Edwards. Sol. Webster, Serjeants'-inn, Fleet-st. Sur. May 10.
TERROTT, ROBERT, broker's clerk, Sackville-st. Piccadilly, and Abchurch-chambers. Pet. April 13. Reg. Brougham. O. A. Edwards. Sol. Gresham, Basinghall-st. Sur. May 10.
WELTON, NICHOLAS, timber dealer, Greenwich. Pet. April 11. Reg. Brougham. O. A. Edwards. Sols. Leverson, Bishopsgate-st.-within; Morgan, Maidstone. Sur. May 10.
WOOLGER, JAMES, farrier, Selbridge-mews, Paddington. Pet. April 12. Reg. Brougham. O. A. Edwards. Sol. George, Jermyn-st. St. James. Sur. May 10.

To surrender in the Country.

AINSCOUGH, JOHN, publican, Millgate, Wigan. Pet. March 13. Reg. Macrae. O. A. Morgan. Sur. May 2.
ALDRED, JOHN HENRY, boat dealer, Hulme. Pet. March 15. Reg. & O. A. Hulton. Sur. April 29.
BAYLEY, RICHARD MASEFIELD, grocer, Abbots Bromley. Pet. April 12. Reg. Hill. O. A. Kinnear. Sol. Palmer, Rugeley. Sur. May 1.
BINGLEY, BENJAMIN BROWN, stationer, Hull. Pet. April 13. Reg. & O. A. Phillips. Sol. Spurr, Hull. Sur. April 28.
BOOKER, THOMAS, butcher, Chichester. Pet. April 12. Reg. & O. A. Bowton. Sol. Holtham, Brighton. Sur. May 2.
BUSLING, WILLIAM FRANCIS, tailor, Great Yarmouth. Pet. April 11. Reg. & O. A. Chamberlin. Sol. Wiltshire, Great Yarmouth. Sur. April 26.
BURY, EDGAR, gentleman, St. Mary's, Uplyme. Pet. Feb. 17. O. A. Carrick. Sol. Tweed, Honiton; Floud, Exeter. Sur. April 24.
CUTCLIFFE, JOHN, miller, Marwood, Barnstaple. Pet. March 29. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. April 28.
DALZELL, JOSEPH, grocer, Milnthorp, Kendal. Pet. April 13. Reg. Gibson. O. A. Laidman. Sol. Harle and Co. Newcastle. Sur. May 4.
ELLISON, JOHN, spindle and fly maker, Manchester. Pet. April 13. Reg. & O. A. Kay. Sol. Lomas, Manchester. Sur. May 8.
GEARING, HENRY, carpenter, Lindfield. Pet. April 10. Reg. & O. A. Waugh. Sol. Lamb, Brighton. Sur. April 26.
GLOVER, ISAAC, coal master, Wednesbury. Pet. April 13. Reg. Hill. O. A. Kinnear. Sol. Beaton, Birmingham. Sur. May 1.
GREEN, GEORGE, stone and marble mason, Gainsborough. Pet. April 13. Reg. & O. A. Burton. Sol. Hayes, Gainsborough. Sur. May 2.
HANDYSIDE, HENRY GEORGE, draper, Hawkwell Brewery, Stamfordham. Pet. April 15. Reg. Gibson. O. A. Laidman. Sols. Story and Dousfield, Newcastle. Sur. May 3.
HEATH, WILLIAM, boot and shoe dealer, Dartmouth. Pet. April 6. Sol. Floud, Exeter. Sur. April 28.
HEYWOOD, JAMES, joiner, Manchester. Pet. April 13. Reg. & O. A. Kay. Sol. Andrew, Manchester. Sur. May 5.
INCH, RICHARD, tallow chandler, Bideford. Pet. April 12. Reg. & O. A. Rooker. Sol. Small, jun. Bideford. Sur. April 29.
JONES, EDWARD, corn and cider dealer, Congresbury. Pet. April 13. Reg. & O. A. Fry. Sol. Wintle, Bristol. Sur. May 1.
LEE, REUBEN, victualler, Kirkstall, Leeds. Pet. April 11. Reg. & O. A. Saugster. Sol. Harle, Leeds. Sur. April 25.
MARK, WILLIAM, butcher, Swansea. Pet. April 6. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. May 3.
MARSH, CHARLES FRANCIS, iron and metal dealer, Cardiff. Pet. April 11. Reg. & O. A. Langley. Sol. Griffith, Cardiff. Sur. May 2.
MAYER, WILLIAM CHARLES, grocer, Middlesborough. Pet. April 13. Reg. & O. A. Crosby. Sol. Griffin, Middlesborough. Sur. April 29.
McCARTHY, PATRICK, commission agent, Long Millgate, Manchester. Pet. April 13. Reg. & O. A. Kay. Sol. Partington, Manchester. Sur. May 8.
McGREGOR, BARTHOLOMEW, gardener, Carlisle. Pet. April 12. Reg. & O. A. Hudson. Sol. Donald, Carlisle. Sur. May 3.
MUNDEN, CHARLES, machine boot top closer, Northampton. Pet. April 13. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. April 29.
OLIVER, JOHN, and OLIVER, WILLIAM, drapers, Choppington Guide Post. Pet. April 13. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. May 3.
PEAD, MARY, out of business, Whittlesey, Isle of Ely. Pet. April 6. Reg. & O. A. Gaches. Sol. Wilders, Whittlesey. Sur. April 29.
PERKINS, FREDERICK, publican, Kenilworth. Pet. April 13. Reg. & O. A. Austin. Sol. Bailey, Luton. Sur. May 3.
PITFIELD, WILLIAM WALKER, mechanic, Haulgh. Pet. April 12. Reg. & O. A. Holden. Sols. Greenhalgh and Hall, Bolton. Sur. May 3.
ROSCOE, SARAH, jun., smallware dealer, Stamford-arcade, Ashton-under-Lyne. Pet. April 12. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. May 11.
RUCK, WILLIAM, farmer, Gorsty-close, St. Weonard's. Pet. April 11. Reg. & O. A. Collins. Sol. Garrold, Hereford. Sur. April 27.
SHIRTCLIFFE, WILLIAM, plumber, Goole. Pet. April 17. Reg. & O. A. Wilson. Sol. Harle, Leeds. Sur. April 24.
SIMM, ISAAC, builder, Fairfield, Liverpool. Pet. April 13. O. A. Turner. Sols. Collins and Preist, Liverpool. Sur. April 19.
SLADE, ALFRED, innkeeper, Charlton Mackrell. Pet. April 10. Reg. & O. A. Watten. Sol. Watts, Yeovil. Sur. April 26.

Smith, James, joiner, Great Grimsby. Pet. April 13. Reg. & O. A. Paulmer. Sol. Summers, Hull. Sur. April 28.
White, Edwin Jacob, furniture broker, Bristol. Pet. April 13. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. April 28.
Williams, John, and Williams, George, tailors, Ropley, Alresford. Pet. April 13. Reg. & O. A. Godwin. Sol. Bailey, Winchester. Sur. April 28.
Williams, Richard, joiner, Lower Tranmere. Pet. April 11. Reg. & O. A. Gill. Sol. Ward, Birkenhead. Sur. May 2.
Williams, Robert, labourer, Tal-y-Bont, Caerhun. Pet. April 12. Reg. & O. A. Hughes. Sol. Jones, Conway. Sur. May 1.
Williamson, Alfred, letterpress printer, Ashton-under-Lyne. Pet. April 13. Reg. & O. A. Worthington. Sol. Cartside, Ashton-under-Lyne. Sur. May 11.
Wilson, John, warehouseman, Chorlton-upon-Medlock. Pet. April 13. Reg. & O. A. Worthington. Sol. Heywood, Manchester. Sur. May 11.

Gazette, April 21.

To surrender at the Bankrupts' Court, Basinghall-street.

Bayston, George, out of business, Northumberland-pk. Tottenham. Pet. April 13. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl. Sur. May 10.
Beaton, Emma, tailor and draper, Markham-pl. Lower Tottenham. Pet. April 15. Reg. Roche. O. A. Parkyns. Sol. Dalton, Bucklersbury. Sur. May 1.
Bottell, William, shipbroker, Erith. Pet. April 19. Reg. Roche. O. A. Parkyns. Sol. Ideson, Fenchurch-st. Sur. May 1.
Brett, Edward, football maker, Edward-sq. Islington. Pet. April 19. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. May 1.
Buskin, Henry Godfrey, cornfactor, Mark-la. and Lee. Pet. April 19. Reg. Roche. O. A. Parkyns. Sol. Kearsey, Bucklersbury. Sur. May 1.
Day, Charles James, out of business, Francis-st. Islington. Pet. April 15. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl. Sur. May 10.
Donaldson, Thomas, steeplechase rider, Regent-st. Haymarket. Pet. April 15. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. May 2.
Flood, Mary Ann, widow, Bedford. Pet. April 15. Reg. Hazlitt. O. A. Graham. Sols. Whyley and Piper, Bedford. Sur. May 4.
Glancy, John, out of business, Ironmonger-st. St. Luke's. Pet. April 19. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. May 10.
Jeffreys, Richard, jun., picture dealer, Langham-st. Great Portland-st. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. May 2.
Manton, Ebenezer, traveller for a bread company, Herbert-st. New North-rd. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. May 2.
Miller, Joseph, out of business, Amersham Vale-rd. New Cross. Pet. April 18. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. May 2.
Mizon, David, baker, Ingrave, Brentwood. Pet. April 19. Reg. Brougham. O. A. Edwards. Sols. Duffield and Bruty, Cornhill. Sur. May 10.
Moores, Benjamin, grocer, Poole. Pet. April 18. Reg. Roche. O. A. Parkyns. Sols. Loftus, Visard, Crowder and Austin, New-inn, Strand, agents for Visard, Poole. Sur. May 1.
Mudd, Thomas John Edgar, butcher, Ipswich. Pet. April 18. Reg. Hazlitt. O. A. Graham. Sol. Dalton, Bucklersbury. Sur. May 4.
Rogers, Philip, cheesemonger, Lower-marsh, Lambeth, and London-wall. Pet. April 11. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 1.
Seymour, James, chemist's assistant, St. Augustin's-rd. New Camden-tn. Pet. April 15. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co., Old Jewry-chambers. Sur. May 2.
Troup, George, printer, Queen Margaret grove, Islington. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. May 4.
Tyler, Henry, builder, Thurlow-pl. Walworth. Pet. April 19. Reg. Roche. O. A. Parkyns. Sol. Croft, Mark-la. Sur. May 1.
Wenthen, Albert Charles, agent, Gloucester-rd. Camberwell. Pet. April 5. Reg. Brougham. O. A. Edwards. Sol. Smith, Ely-pl. Sur. May 3.
West, John, dairyman, High Barnet. Pet. April 19. Reg. Roche. O. A. Parkyns. Sol. Hensbury, Staple-inn, Holborn. Sur. May 1.
Willson, Thomas, architect, Cambridge-ter. Hammersmith. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. May 4.
Wilson, Charles Frederick, clerk to a wine merchant, Torriano-avenue, Camden-rd. Pet. April 11. Reg. Hazlitt. O. A. Graham. Sol. Silvester, Great Dover-st. Newington. Sur. May 2.

To surrender in the Country.

Ashworth, Robert, spindle-maker, Manchester. Pet. April 11. Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester. Sur. May 8.
Bamford, William, grocer, Sheffield. Pet. April 19. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. May 10.
Barker, William, contractor, Liverpool. Pet. April 18. O. A. Turner. Sur. May 2.
Beeson, Thomas, jun., commission agent, Manchester. Pet. April 19. Reg. & O. A. Hulton. Sol. Seddon, Manchester. Sur. May 6.
Bell, John, general dealer, Middle Skelgill, near Alston. Pet. April 10. Reg. & O. A. Dickinson. Sol. Wannop, Carlisle. Sur. April 28.
Bowman, John, cinder drawer, Escomb. Pet. April 18. Reg. & O. A. Trotter. Sol. Thornton, Bishop Auckland. Sur. May 8.
Brindle, William, baker, Bolton. Pet. April 11. Reg. Harris. O. A. Morgan. Sols. Glover and Hartwell, Bolton. Sur. May 4.
Brooke, John, woollen spinner, Almondbury. Pet. April 7. Reg. & O. A. Jones. Sol. Drake, Huddersfield. Sur. May 13.
Burgess, William, milkman, Wolverhampton. Pet. April 13. Reg. & O. A. Brown. Sol. Thorneloe, Wolverhampton. Sur. May 1.
Burscough, James, cabinet-maker, Aughton. Pet. April 12. Reg. Harris. O. A. Morgan. Sur. May 8.
Campbell, William, provision dealer, Manchester. Pet. April 17. Reg. & O. A. Kay. Sol. Farrar, Manchester. Sur. May 8.
Clarke, Edward George, hosier, Liverpool. Pet. Oct. 14. Reg. & O. A. Hime. Sol. Worship, Liverpool. Sur. May 3.
Clarkson, Albert, chemist, Wetley Rocks, Cheddleton. Pet. April 14. Reg. & O. A. Challinor. Sols. Messrs. Tennant, Hanley. Sur. May 20.
Cossins, Edward Willey, dairyman, Teignmouth. Pet. April 19. O. A. Carrick. Sol. Toby, Exeter. Acc. May 2.
Crosher, James, grocer, Hockley, Nottingham. Pet. April 18. Reg. Tudor. O. A. Harris. Sol. Heath, Nottingham. Sur. May 16.
Evans, David, smith, Merthyr Tydvil. Pet. April 17. Reg. & O. A. Russell. Sol. Smith, Merthyr Tydvil. Sur. May 2.
Fairbairn, John, hosier, Sunderland. Pet. April 12. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. May 3.
Gates, William, miller, Wythop. Pet. April 17. Reg. & O. A. Waugh. Sol. Ramsay, Cockermouth. Sur. May 1.
Giles, George, baker, Northleach. Pet. April 19. Reg. Wilde. O. A. Acraman. Sols. Sellee, Northleach; Abbot and Leonard, Bristol. Sur. May 3.
Grant, Ebenezer, stationer, Sunderland. Pet. April 12. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. May 3.
Iliff, William, beerhouse keeper, Wolverhampton. Pet. April 11. Reg. & O. A. Brown. Sol. Dallow, Wolverhampton. Sur. May 1.
Jordan, Alfred, shoemaker, Garndiffaith, Trevethin. Pet. April 18. Reg. & O. A. Edwards. Sols. Greenway and Bytheway, Pontypool. Sur. May 3.
King, Charles, tailor, Torquay. Pet. April 19. Reg. & O. A. Pidsley. Sol. Watkin, Torquay. Sur. May 6.
Lawson, Michael, wheelwright, Wolverhampton. Pet. April 10. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. May 1.
Lonsdale, Thomas, cottonspinner, Old Accrington. Pet. April 19. Reg. Macrae. O. A. Morgan. Sols. Smith and Boyer, Manchester. Sur. May 5.
Luscombe, Robert, commercial traveller, Newton Abbott. Pet. April 19. O. A. Carrick. Sol. Willesford, Exeter. Sur. May 4.
Marquis, Wolf, watchmaker, Liverpool. Pet. April 19. O. A. Turner. Sol. Goldrich, Liverpool. Sur. May 4.
Matthews, William, innkeeper, Dudleston, Ellesmere. Pet. April 19. Reg. & O. A. Crewe. Sol. Ball, Oswestry. Sur. May 17.
McCabe, John Augustin, agent, Everton, Liverpool. Pet. April 12. Reg. & O. A. Hime. Sols. Evans, Sandys, Knowles and Lockett, Liverpool. Sur. May 1.
Medley, William, stonemason, Deighton, Huddersfield. Pet. April 11. Reg. & O. A. Jones. Sol. Taylor, Huddersfield. Sur. May 15.
Melville, Hector, timber dealer, Everton, Liverpool. Pet. April 12. Reg. & O. A. Hime. Sur. May 2.
Mills, Henry, watchmaker, Cirencester. Pet. April 12. Reg. & O. A. Anderson. Sol. Ellett, Cirencester. Sur. April 28.
Noakes, George, blacksmith, St. Leonard. Pet. April 18. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. May 5.
Orr, John, bricklayer, Liverpool. Pet. April 17. O. A. Turner. Sur. May 2.
Perry, Thomas, fishmonger, Hull. Pet. April 19. Reg. & O. A. Phillips. Sols. Hodson and Noble, Hull. Sur. May 3.
Potter, Thomas Russell, schoolmaster, Wymeswould. Pet. April 19. Reg. Hill. O. A. Harris. Sol. Maples, Nottingham. Sur. May 2.
Ridge, Edwin, beerhouse-keeper, Sheffield. Pet. April 12. Reg. & O. A. Wake and Rodgers. Sol. Binney and Son, Sheffield. Sur. May 10.
Robinson, George, plumber, Yeaveley, near Ashbourne. Pet. April 17. Reg. & O. A. Hubbersty. Sol. Moody, Derby. Sur. May 19.
Robinson, John, cotton dealer, Manchester. Pet. April 19. Reg. & O. A. Welsby. Sol. Husband, Southport. Sur. May 4.
Sanders, George, victualler, Tewkesbury. Pet. April 17. Reg. & O. A. Brown. Sol. Taynton, Gloucester. Sur. May 12.
Smith, Joe William, commission agent, Huddersfield. Pet. March 25. Reg. & O. A. Jones. Sol. Bottomley, jun., Huddersfield. Sur. May 13.
Thomas, Patrick, cabinet-maker, Liverpool. Pet. April 12. O. A. Turner. Sur. May 2.
Veal, Catherine, grocer, Bute Docks, Cardiff. Pet. April 18. Reg. & O. A. Langley. Sol. Morris, Cardiff. Sur. May 8.
Webb, James, farmer, Lydford. Pet. April 19. O. A. Carrick. Sol. Friend, Exeter. Sur. May 2.
Welch, George, coal merchant, Menheniot. Pet. April 19. O. A. Carrick. Sol. Friend, Exeter. Sur. May 4.
Whiting, George, clicker, Wootton. Pet. April 17. Reg. & O. A. Dennis. Sols. Becke and Son, Northampton. Sur. May 6.
Williams, Thomas, jun., miner, Springbank, Willenhall. Pet. April 6. Reg. & O. A. Brown. Sol. Creswell, Wolverhampton. Sur. May 1.
Wood, Robert, shipping master's porter, Bootle, near Liverpool. Pet. April 18. Reg. & O. A. Hime. Sol. Gray, Liverpool. Sur. May 2.

BANKRUPTCIES ANNULLED.

Gazette, April 18.

Creed, Henry Herries, clerk in the House of Commons' offices, St. James'-sq.
Holt, Charles, tailor and outfitter, Saint Albans, and East-rd. City-rd.

Gazette, April 21.

Cracknell, Benjamin, farmer, Southolt.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Acraman, W. E. merchant, first to new proofs, 8¼d. Edwards, London.—*Gunther and Muller*, merchants, first, 7d. Edwards, London.—*Spence*, D. pawnbroker, first, 1s. 6½d. Turner, Liverpool.—*Bowler*, T. fringe manufacturer, second, 1s. 6½d. Turner, Liverpool.

INSOLVENT'S ESTATE.

Brown, R. Lewes, second, 5s. Blaker, Lewes.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, April 18.

Branson, Thomas Palmer, grocer, New Whittington. April 4. Trusts. M. H. Walker, miller, Chesterfield, and C. W. Durham, grocer, Whittington.
Curtis, William, boot and shoe maker, Bull's Head-passage, city London. April 12. 1s. in 1 mo.
Frayling, George Augustus, butcher, Calne. March 28. Trusts. J. Spencer, land agent, Buckhill, near Calne, and R. Henly, jun. grocer, Calne.
Fryer, William, plumber, Birmingham. March 23. 6s. 8d. on 20th April. Surety, R. Fryer, plumber, Whitehall.
Greenwood, Joseph, woolstapler, Bradford. March 24. Trust. J. Fisher, bank manager, Halifax.
Haines, Alfred, boot and shoe maker, Stoke-upon-Trent. March 20. 2s. 6d. in 14 days from registration of deed.
Johnson, Thomas, engineer, Leicester. March 22. Trust. W. March, ironfounder, Leicester.
Leale, Andrew Stephen, coppersmith, Litchfield-st. Soho-sq. and St. John's-villas, Colney-hatch. April 10. 3s. by two instalments—1s. 6d. on 10th May and 1s. 6d. on 10th June.
Parkinson, John, innkeeper, Over Darwen. March 29. Trust. F. F. Turner, accountant, Blackburn.
Perrott, William, tailor, Cardiff. March 22. Trust. J. Sutton, cloth merchant, Stroud.
Pickles, John, manufacturer, Dewsbury. March 21. Trusts. R. Walker, bank manager, Dewsbury, G. Fox, rag merchant, Staincliffe, and D. Hardcastle, shoddy merchant, Dewsbury.
Pillay, Joseph Grimshaw, cloth manufacturer, Calverley. March 18. 7s. 6d.—5s. on execution of deed and 2s. 6d. in 3 and 6 mos. Trust. J. Foster, woolstapler, Bradford.
Rapp, David, butcher, Norton. March 22. Trusts. J. Thompson, bank agent, New Malton, and W. Lovel, timber merchant, Norton.
Ratcliffe, James, gentleman, Boreham. March 21. 2s. 6d. on 1st July.
Reed, Nicholas White, and Reed, Robert, both in Newcastle, contractors for works. April 7. Trusts. W. Southern, timber merchant, and W. Scott, contractor for works, both Newcastle.
Roberts, Henry, merchant's clerk, Chorlton-upon-Medlock, near Manchester. April 13. 2s. by equal instalments at 6 and 12 mos.—secured.
Sutton, Richard, grocer, Birmingham. March 31. Trust. W. Bate, commission agent, Birmingham.
Taylor, Jacob, machinist, Oldham. March 24. 11s. 6d. in 1 mo. Trust. R. Hilton, farmer, Crompton.

Gazette, April 21.

Bamberger, Julius Walton, timber merchant, Sunderland. April 19. 7s. 6d. on execution of deed.
Battersby, John, mason, Sheffield. March 21. Trusts. G. Woodhead, draper, and J. Powell, joiner, both Sheffield.
Beaven, George, builder, Wells. March 25. To pay a composition of 7s. Trusts. W. J. S. Foster, gentleman, J. Willmott, linendraper, and W. C. Berryman, wine merchant, all of Wells.
Binns, Samuel, and Binns, Joseph, vice and anvil makers, Lye Cradley. March 31. Trust. J. Percivall, accountant, Birmingham.
Blidberg, Swen Eric, and Thorlander, Eliezer, ships' chandlers, Sparrow-corner, Minories. April 7. 12s.—3s. 6d. on 15th June, 3s. 6d. on 15th Oct. 1865, 3s. on 15th Feb. and 2s. on 15th April 1866—secured.
Bott, William, grocer, Birmingham. April 1. Trust. J. Lanpard, teadealer, Birmingham.
Briggs, Christopher, cotton manufacturer, Farnworth, near Bolton-le-Moors. March 21. Trusts. W. E. Heather, yarn and cloth agent, Manchester, and J. Haworth, yarn agent, Manchester.
Bryant, Alexander, wine broker, Water-la. Great Tower-st. April 18. 1s. on 18th July.
Bushell, Edward, victualler, Upper East Smithfield. March 23. Trust. E. Adams, Castle-st. Long acre, clerk to Combe, Delafield and Co., brewers, Castle-st. Long-acre.
Caldwell, John Marsden, shopkeeper, Westhoughton. March 28. Trusts. S. Watts, warehouseman, Manchester, and H. Haddock, flour-dealer, Westhoughton.
Clark, David, baker, Hocking. March 27. 1s. 3d.
Clarkson, James, tailor, Blyth. March 25. Trusts. T. Watson and J. Angus, drapers, both Newcastle.
Coates, James, hairdresser, Sheerness. March 22. 12s. 6d. by five instalments of 2s. 6d. in 3, 6, 9, 12 and 15 mos.
Collumbell, David, eating-house keeper, Derby. April 5. Trusts. J. Yates, tailor, Derby, and R. W. Welch, provision merchant, Derby.
Cook, Christopher, and Slater, Christopher, manufacturers, Adlington, near Chorley. March 24. Trusts. R. Hadfield, Little Bolton, R. Foster, Bolton, A. P. Willdows, Chorley, and A. Mills, Heywood, cottonspinners.
Cooke, William, contractor, Wroxall, Isle of Wight. March 23. 5s. by two equal instalments in 7 days and 6 mos.
Cornelius, Sidney Morris, auctioneer, St. George's-villas, Canonbury-sq. April 11. Trusts. R. Perry, banker, and J. Pearce, druggist, both Newhorne.
Crowther, John, cotton manufacturer, Gibbet, near Todmorden. March 23. Trusts. J. Pollitt, cottonspinner, Heywood, W. Fielden, cotton manufacturer, Newgate-Bottom, near Todmorden, and T. Greenwood, cotton manufacturer, Canteen, near Todmorden.
Darby, John, farmer, West Bromwich. April 5. 5s. in 2 mos. Trust. W. Darby, glasscutter, West Bromwich.
Davey, Agnes, widow, innkeeper, Exeter. April 11. Trust. E. Lemoncroft, maltster, Exeter, and J. Harding, wine and spirit merchant, Exeter.
Farnworth, John Kay, attorney, Chorley. March 27. Trusts. T. Darwell, attorney and solicitor, Manchester, and A. Lee, merchant, Chorley.
Faulkner, John, contractor, Manchester. April 7. 5s. by two equal instalments on 6th July and 6th Oct. Trust. S. Faulkner, grocer, Manchester.
Ferguson, Ewen, draper, Pontypool. March 22. Trust. J. Carly, Manchester warehouseman, Bristol.
Foskett, Henry, silver thimble manufacturer, Great Sutton-st. Clerkenwell. April 5. Trust. H. H. Cannan, public accountant, Gresham-st.
Garnett, John; Garnett, Robert; and Garnett, Samuel, woollen manufacturers, Morley. April 13. 7s. in 21 days.
Gibbs, James, and Gibbs, Walter Parker, ironmasters, Birmingham. March 30. Trust. W. L. Harrison, accountant, Birmingham.
Gray, Alexander, and Wilson, James, coal and timber merchants, and shipbrokers, Sunderland, also Newcastle, and West Hartlepool. March 29. 7s. 6d.—3s. 6d. on execution of deed and 4s. in 6 mos.—secured.
Hall, George, farmer, Barrow-upon-Humber. March 29. Trusts. T. Bower, farmer, Keelby, R. L. Smith, maltster, Barrow-upon-Humber, G. Barton, farmer, Barrow-upon-Humber, and D. Moody, farmer, Wootton.
Hanbury, James, commission agent, Wolverhampton. April 8. Trust. T. Skidmore, auctioneer, Wolverhampton.
Harding, Robert, commission agent, Manchester. April 13. Trust. R. Pettie, woolstapler, Bradford.
Harrison, Frederick William, farmer, Lullington. March 24. Trusts. E. Paddison, farmer, Ingleby, and J. Kinder, farmer, Measham.
Hayden, William Lucas, tailor and draper, Bishop's Stortford. March 21. 10s. Trust. G. Newman, woollendraper, High-st. Southwark.
Henderson, William, Darlington. April 1. 10s. Trusts. M. Geal, yeoman, Cockerton, near Darlington, R. Geal, carrier, Walbut, and R. Greenep, grocer, Darlington.
Holdsworth, Henry, watch jeweller, Great Sutton-st. Clerkenwell. April 7. 5s. in 1 mo.
Holdsworth, Owen Jones, indiarubber dealer, Liverpool. March 27. Trust. J. Leech, shoe manufacturer, Daventry.
Hoskin, Edward Henry, waste spinner, Lockwood, near Huddersfield. April 1. Trusts. T. Dawson, oil merchant, and J. W. Tempest, accountant, both Huddersfield.
Hotson, John, boiler maker, Bradford. April 12. 2s. by two equal instalments on 11th April and 11th July. Trusts. R. Lord and J. Robertshaw, engineers, Bradford.
Howes, James, builder, Horsham. March 21. Trusts. F. Rowe, gasfitter, Ebury-st. Pimlico, and J. Agate, timber merchant, Horsham.
Hughes, John, timber merchant, Liverpool. April 11. Trusts. W. Rutherford and J. Harrison, timber merchant, Liverpool.
Hutchinson, John, innkeeper, Scarborough. March 27. Trusts. R. Chatterton, wine and spirit merchant, Hull, and T. Hatson, farmer, Bridlington.
Ingram, William, draper, Batley. April 1. Trusts. W. Abercrombie, Bradford, and H. S. Bates, Halifax, stuff merchants.
Killham, Henry, beer retailer, Anderson's-walk, Vauxhall-walk, Lambeth. April 12. 2s. in 21 days.
Knibb, Joseph, shoe manufacturer, Northampton. April 11. 2s. 6d. on execution of deed.
Latham, William, brush manufacturer, Chester. March 23. Trusts. J. Thompson, shoemaker and clogger, and J. Austin, agent, both Chester.
Leader, Catherine Mary, widow, Bedford. March 21. To pay debts in full with interest. Trusts. J. E. Cardiffe, draper, and G. Thody, butcher, both Bedford.
Lewis, David Leopold, merchant, George-yard, Lombard-st. April 6. To wind-up estate. Inspectors, C. Bailey, Esq., M.P., Spring-gardens, and J. E. Coleman, public accountant, Tokenhouse-yard.
Mallinson, Walker Morey, provision dealer, Huddersfield. April 12. 7s. 6d. by two instalments, 4s. in 1 mo. and 3s. 6d. in 4 mos.—secured.
Mardock, William Henry, photographic chemist, Liverpool. March 24. 10s. by three instalments of 3s. 4d. at 3, 6 and 9 mos.—secured.
Meason, William, wood engraver, Osborne-villas, Kidbrooke, Haverstock-hill, and Strand. April 6. Trust. H. Bridges, brush manufacturer, Oxford-st.
Metcalf, George, lamb's wool yarnspinner, Wakefield. March 27. Trusts. G. Greaves, shoddy merchant, Dewsbury, and T. Hewitt, engineer, Wakefield.
Monk, Charles, stationer, Oswestry. March 30. Trusts. R. Jones, cabinet-maker, and J. Fox, bank manager, both Oswestry.
Myhill, Henry, and Myhill, William Henry, coopers, Jewin-st. Cripplegate. April 6. Trust. H. H. Cannan, public accountant, Gresham-st.
Parsonage, Thomas, brickmaker, Ruabon. April 6. Trusts. J. Moore, brickmaker, Ruabon, and J. Jones, grocer, Crabtree-green, near Wrexham.
Peach, John, bonnet-front dealer, Leicester. April 5. 6s. by three equal instalments at 3, 6 and 9 mos. from 10th Feb.—secured. Trust. S. Peach, lacedealer, Nottingham.
Pereira, Joseph, grocer and victualler, Sevenoaks. April 13. 5s. on 15th May.
Perse, John, watchmaker, Barnstaple. March 21. Trust. A. Lewis, wholesale jeweller, Birmingham.
Shelley, George, boot and shoe maker, Walsall. March 22. 7s. 6d.—5s. in 7 days and 2s. 6d. in 21 days.
Shires, Richard, grocer, Larkfield Rawdon. April 6. Trust. W. Shires, cloth fuller, Larkfield Rawdon.
Simpson, William, farmer, Hellaby, near Rotherham. April 4. Trusts. J. M. Dowson, grocer, Wickersley, and C. Thornhill, tanner, Maltby.
Smallwood, John, innkeeper, Wolverhampton. April 6. 1s. on 22nd May.
Stalkemagen, Julius, tobacconist, Plymouth. April 1. Trusts. G. Temple, gentleman, J. J. Hamblin, wine merchant, both Plymouth, and H. B. Hanger, tobacco manufacturer, Devonport.
Steward, James, miller, Scole. March 24. Trusts. H. Cuthbert and R. Leathers, merchants, both Diss.
Sutcliffe, John, shopman, Manchester. April 13. Trust. T. Tomkinson, timber merchant, Salford.
Thomas, Rice, provision merchant and shopkeeper, Merthyr Tydfil. April 3. 5s. by two instalments—one-half forthwith, the other half at two mos.—secured. Trust. D. Williams, tallow chandler, Merthyr Tydfil.
Tilbury, Charles, grocer, West Cowes, Isle of Wight. March 22. Trusts. J. Turner, commercial traveller, and J. Woodward, provision merchant, both Portsea.
Tupper, John, victualler, Ash common. April 12. 1s. on 11th [illegible]
Turner, Edward, dealer in paper hangings, Chester-ter. Pimlico. March 20. Trusts. A. Haig, agent, Cannon-st. west, and W. Scott, paper hanging manufacturer, Whitelands, Chelsea.
Wade, George Wellen, ironmonger, Deptford. March 23. Trust. W. Udal, brassfounder, Birmingham.
Wild, Reuben, shopkeeper, Dearnley, near Rochdale. April 12. 1s. on 7th July—secured.
Williams, Richard, dairyman, Britannia-ter. Fulham-rd. March 17. 5s.—2s. 6d. on 17th June and 2s. 6d. on 15th Sept.
Wilson, John William, draper, Clay Cross. March 22. Trusts. J. Taylor and E. Jackson, Manchester.
Wright, Thomas, travelling draper, Shrewsbury. April 8. 15s. by three instalments of 5s. 6d. each at 6, 12 and 18 mos.—secured. Trust. F. Fletcher, wine and spirit merchant, Shrewsbury.
Xenos, Aristides, merchant, Tillotson-pl. Waterloo-rd. March 17. 1s. on 27th March 1866.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

Stewart.—On the 19th inst., at 12, Eglin-crescent, the wife of John Stewart, Esq., barrister-at-law, of a son.

MARRIAGES.

Huntley—Clayton.—On the 10th inst., at St. John's, Paddington, Robert Huntley, Lieutenant Royal Navy, to Emma, eldest daughter of Wm. Clayton Clayton, of Bradford Abbas, Dorset, and of Lincoln's-inn, in the county of Middlesex, barrister-at-law.
Smale—Boeckelmann.—On the 13th inst., at Neuwied-on-the-Rhine, J. Jackson Smale, Esq., of Lincoln's-inn, barrister-at-law, to Cornelia, elder daughter of the Rev. C. P. Boeckelmann, of Burderath, near Aix-la-Chapelle, Prussia.

DEATH.

Aspery.—On the 17th inst., at Dalston, aged 53, Frederick Aspery, Esq., solicitor, of 43, Moorgate-street, late of Bedford-place, Russell-square.

To Readers and Correspondents.

All anonymous communications are invariably rejected.
All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, MAY 9.

By Messrs. WILKINSON and HOWE, at Garraway's.
Freehold property covering 1100 square feet close to the site of the new law courts. Advertised April 29.

WEDNESDAY, MAY 10.

By Messrs. FOX and BOURNFIELD, at Garraway's.
Valuable freehold and leasehold estate comprising 4120 feet close to the Royal Exchange. Advertised this day.
Freehold building land in Rotherhithe, and two pairs of semi-detached villas at Notting-hill. Advertised April 29.

THURSDAY, MAY 11.

By Messrs. C. C. and T. MOORE, at Garraway's.
Freehold houses at Mile-end, Poplar, Stratford and Woodford; and copyhold and leasehold houses at Stepney and Bethnal-green. Advertised this day.
Substantial leasehold residence at Woodford, and freehold estate at Old Ford. Advertised this day.

By Mr. THEODORE MOORE, at Garraway's.
Freehold and leasehold estates at Kingsland-road, Dalston and Clerkenwell. Advertised this day.

FRIDAY, MAY 12.

By Mr. F. LEWIS, at the Guildhall Coffee-house.
Reversion to 2643*l.*, reversion to freehold houses and land, policy for 500*l.*, reversionary legacy of 500*l.*, and 120 shares in the Lambeth-bridge Company. Advertised this day.

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NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the Publisher at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

Parcels to contain the current numbers of the LAW TIMES *Tracts will be forwarded by post to any person inclosing 3d. in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

We have to record the death of Mr. JOHN GEORGE PHILLIMORE, Q.C., Reader on Constitutional Law to the Inns of Court, for some time M. P. for Leominster, and an author of repute in the Profession. He died at the premature age of fifty-five.

The injunction sought by the *New Reports* against the *Jurist* is happily unprecedented in the history of periodical literature, and the severe language of the Vice-Chancellor is only a faint expression of the shout of "shame" with which it will be greeted by the Profession as well as by the whole world of journalism. A report of it appears in another column; but the facts may be briefly stated. It is the courteous as well as the convenient practice of the reporters in the several courts to render mutual assistance by lending notes, comparing notes, and taking notes, in the absence of another. This is especially a mutual convenience in the matter of judgments. It is a manifest waste of labour for five or six men to be employed in taking a shorthand report of the same judgment; for, if they report correctly, their notes must be precisely in accord. Hence it is a frequent practice for one reporter to take the notes of a judgment and give them to the others, who on other occasions do the like in return, to the common benefit of all, and without any possible injustice to the reports to which they contribute; for any number of reports of a judgment, if taken with tolerable correctness, must of necessity closely resemble one another, and if taken in shorthand, must be *verbatim*.

Acting upon this customary courtesy, and thinking that he was dealing with a gentleman, the reporter for the *Jurist*, in the court of the Lords Justices, made use of a judgment that had been taken by the reporter for the New Reports. The usage of reporters sanctioned the liberty; but even if it was not approved, and the reporter whose notes were copied had objected to the use of them, the impulse of a gentleman, thinking himself aggrieved by another gentleman pursuing the same occupation in the same court, should have been to complain of the trespass beyond the limits of mutual aid, with a polite request that it might not again occur—a request that, inasmuch as the others are gentlemen, would certainly have been observed.

Not so the New Reporter. The offender is of course his brother reporter, but the law gives the power only over the journal that had innocently published the report. Neither Mr. SWEET, the proprietor, nor the Editor, of the *Jurist* had the slightest knowledge of any piracy. They accepted and published the report, as sent to them by their regular reporter. Yet, well knowing this, the New Reporter attacks, not the actual offender, but the innocent publisher, and with no less formidable, because costly, a weapon than an injunction!

It ought to be known whose doing this was. The publisher was the ostensible complainant. Was he the real one? If he was merely moved to it by the reporter, it is due to his own credit to show that it was only the unwelcome use of his name. If it was *his* act, and not that of his reporter, it is still more important to that reporter's credit that he should proclaim far and wide that he had no part in it.

Equally desirable is it that it should be known if the publisher made this attack on the *Jurist* reporter as proprietor, for then another question arises.

LORD ST. LEONARDS vehemently opposed the new Palace of Justice, mainly, as it would appear, because he objects to the fusion of equity and law, as advocated by persons who know nothing of either. He thinks that bringing the rival courts under the same roof will, in some unexplained manner, facilitate the object of these visionaries; but he forgets that it could only do so by enabling the Profession and the public to become better acquainted with both procedures, and if the result of this should be to prove the practicability and the desirableness of fusion, his objections to it will be properly set aside. And, on the other hand, if he is right, as we believe him to be, the ready means of comparison will bring over converts to his views. There is not the slightest chance of the noble and learned lord's objections being received, and the Bills may be looked upon as out of danger.

There is, however, one defect, for which no remedy is yet provided. The site will be magnificent; the building is to be worthy of our age and country; but how is access to be had to it? It will lie between Holborn and the Strand, the two great arteries of the metropolis, between which there is at present most imperfect means of communication. It is essential to the success of the Palace of Justice that there should be broad approaches to it on both sides, alike from Holborn and from the Strand. The latter is provided for by the plan; but the Holborn entrances are not determined. Now of these but two are practicable, viz., at the Turnstiles leading into Lincoln's-inn-fields. At present these are merely footways, and the requisite broad carriage way can be made only by removing houses in Lincoln's-inn-fields. As this must be done ultimately, it should be resolved upon at once, as it might be the means of making another great improvement. A magnificent structure is now rising close upon what must be the boundary of the new road through Lincoln's-inn-fields to the Palace of Justice and the Strand. This building is the Inns of Court Hotel, which by common consent is admitted to be the most tasteful work of its kind yet executed in London. Now, it would be manifestly desirable for the artistic effect of this great thoroughfare, as it must become whenever opened, that it should be bounded at its entrance by a grand structure such as the Inns of Court Hotel will be. There would be little difficulty in arranging this. If the Government would purchase the houses lying between the Inns of Court Hotel and the Turnstile, the company would, doubtless, gladly treat with them for a space which would give to the hotel a side entrance, made ornamental so as to form the appropriate front of the new roadway. Under any circumstances, the roadway that is to be opened there will immensely improve the hotel by giving to it a carriage entrance from Holborn. But the suggestion we have thrown out for a further improvement will, probably, be deemed worthy of some further consideration.

THE Bill for amending the Law of Partnership has been read a second time by a considerable majority, although opposed by every mercantile authority in the House, save one. The objections to it are patent, but it is the necessary "next step" in the modern principle of commercial legislation, whose aim it has been to protect debt and promote fraud, by giving to them practical impunity. The now recognised rule is *caveat emptor*, and the favoured maxim is, "let it be lawful to cheat any person who is fool enough to be cheated."

After creating so many facilities for debt and fraud, it would have been absurd for Parliament to be seized with a moral fit at the last moment, and shrink from the completion of its work. If seven men are to be permitted to speculate for profits without liability to pay for losses, no sufficient reason can be assigned why the same privilege should not be given to four, or two, or one. As it is, the honest trader is subjected to a most unjust disability in being compelled to pay his debts, while his neighbours, who start in opposition to him, are exempted from that liability. Mr. GIBSON'S Bill, however, but partially remedies this palpable wrong, and so far is imperfect. It is a step towards the end, but it stops short of the full measure of justice. The single trader, or the trading partnership of less than seven, is still to be subjected to liability to pay debts and perform contracts, instead of being permitted (as of right they should be) to register themselves with limited liability, as is permitted where the partners are seven instead of six. It is true that indirectly individual traders will be enabled to use the new law for the attainment of limited liability in fact, by the simple process of trading under the name of an agent, reaping the profits of success, and, if the speculation fails, withdrawing their capital and leaving their tool to the facile process of going through the Bankruptcy Court. Inasmuch as, in the absence of any registration of the loan, it will be impossible for creditors to ascertain what of the ostensible trading capital is his own and what is supplied by the real trader behind him, the provision that the lender is to be postponed to other creditors is a mere farce, for it will be always in his power to withdraw his capital when he sees a crash coming, and before it comes. The only real protection against enormous frauds under the provisions of Mr. GIBSON'S Bill is a registration of all such loans, for the purpose, in the first place, of enabling those who deal with the concern to know how far credit may be given, and secondly, to prevent the secret withdrawing of the real trader's capital when danger approaches.

The second provision, that permits of servants being paid in proportion to profits, without constituting a partnership, is worthy of all commendation. The present state of the law in this respect is most irrational—if, indeed, it is the law, as Baron BRAMWELL doubts.

The third provision, that enables the business of a deceased trader to be carried on for the benefit of his widow and children, without making them partners, with the liabilities of partnership, is likewise an improvement, and we cannot discern any mischief that is likely to come of it.

The Bill goes too far, or it does not go far enough. If the principle of limited liability is so excellent, wherefore should it not be at once extended to all traders? Let it be permitted to any man (or partnership) to limit his own liability by registration, in precisely the same manner as seven men trading together may now do. This would secure all that the present measure is designed to effect, together with much that it ought to have done, but omits to do.

If, however, the Government is not willing to complete the work at once by extending the privilege of exemption from payment of their debts to all traders equally, they will leave their task in a very unfinished and unsafe condition. Endless frauds will be the inevitable consequence of the first clause of the Bill, unless there be a compulsory registration of all such privileged loans, and for this necessary safeguard a determined effort should be made in committee.

AMONG the difficulties which attend the progress of a Bill through the new Court of Referees and

the ordinary committees, there is one touching the jurisdiction of the inferior courts which has given rise to much embarrassment and some conflict of decision. By the terms of Standing Order 90 (which is one of those establishing the Court of Referees), "the referees shall inquire into all or any of the following matters, as to which parties petitioning against any Bill desire to be heard in opposition:—(2) In the case of waterworks Bills, the nature and amount of the existing and the proposed source of supply, the quality of the water in each case, and the provisions as to storage reservoirs. (3) In the case of gas Bills, the quality of the gas, the existing supply and its price, the amount of pressure, the cost of production, and the modes of testing the purity and illuminating powers of the gas. No further evidence shall be taken by the committee to prove or disprove any of the facts reported by the referees."

A difficulty arose some time ago in the case of a waterworks Bill for providing a district with a fresh supply of water. In the course of the inquiry before the Referees, the counsel for the petitioners adduced evidence to show that certain brooks in the neighbourhood contained much purer water than that proposed to be supplied by the promoters. This evidence was not objected to by the counsel for the promoters, and upon the termination of the inquiry the Referees drew up a report in which they stated that in their opinion the water which the promoters offered to furnish to the district was by far the purest that could be obtained. But, upon a subsequent occasion, the Referees rejected similar evidence, deciding, after some consideration, that they were only empowered to consider the nature of an existing supply of water, and that they could not go further and report upon the superiority of other supplies. This decision led, however, to fresh complications. After the Referees had thus narrowed the scope of the investigation, the petitioners came before the Committee and once more endeavoured to put in evidence which would show, as they contended, the inferiority of the intended supply, by proving the superiority of that which might be derived from other streams and watercourses. But the Committee decided that, upon a true construction of the Standing Orders, the consideration of all questions touching the nature of the supply of water was delegated to the Referees and concluded by their decision.

The inconvenience of this decision is manifest. Comparisons, answering in some cases to the description "odorous comparisons," are often the only means of showing the bad quality of the water which is supplied by an existing company, or of that which will be supplied by the promoters. The opponents of the Bill may come provided with samples of water from the spring which is to feed the waterworks, but unless there is some standard of excellence, no satisfactory decision can be given. Or take the case of a gas Bill. Complaints are frequent respecting the bad quality of gas supplied by existing companies, and a Bill is promoted for the purpose of introducing some competition, and thereby compelling an improvement. But as the company stoutly deny that their materials are defective, the counsel for the Bill, in order to make out a *primâ facie* case against the present abuses, must show that there are companies which procure superior gas. It may be said that this is merely a question of construction, and that it is the duty of the House to follow the words of the Standing Order by which their jurisdiction is created. But if this be the case, it is a strong argument in favour of an alteration of that Standing Order, which we trust may speedily be effected, even though it may interfere with the conciseness of the present rules. Little advantage can be expected from a brevity which has hitherto raised so much confusion and difficulty.

The returns have been made which were moved for by Mr. Longfield of the number of applications for registration of any estates with or without an indefeasible title, and the number of all transfers or land certificates made to, or by, or under the office of Land Registry, together with the amount of fees received in the Land Registry office since its establishment; and of all applications to obtain a declaration of title under the 25 & 26 Vict. c. 67. At least, a paper issued towards the end of last week purposes to make those returns; but as to so much of the order of the House as relates to a return of transfers, there has been no compliance with it in the paper, probably because that part of the order was considered by the officers of land registry to be unintelligible.

The order also failed to require a return of the number of registered titles, which is the principal thing. The number of land certificates does not show this. For, if a registered owner A. sold to B., A. obtaining for the purpose a land certificate, and B. sold to C., B. in his turn obtaining one, there would be two land certificates in respect of the same registered title. Again, if A. has not yet sold at all, he may not have had occasion to obtain a land certificate, so that there may be a registered title without any corresponding land certificate. Hence the number of land certificates issued is not a guide to the number of registered titles.

The return of the number of applications is next to worthless, unless information be at the same time given of what has been done on the applications. An application consists of this: the applicant procures from the office gratis a printed form to the effect that he, being owner of "certain lands in the parish of ——," requires the title to be registered as an indefeasible title; he signs the form and lodges it. There is nothing more. Not even a fee is required. The appellant may there drop the matter. You might as well ask an angler after a day's fishing for a return of the number of nibbles, if you wanted to test the goodness of his tackle.

This paper of returns, such as they are, shows that from the 15th Oct. 1862, the day of opening the Office of Land Registry, up to the 1st March 1864, the date of the last return made to Parliament, the number of applications was sixty-five. From the 1st March 1864 up to the 20th April 1865 the number of applications is 211, making together 276. The number of land certificates granted, thirty-two. The fees of the office, which are paid by stamps, have amounted to 600*l.* As to declarations of title the return is "none."

These returns form a pitiful contrast with the full information which was obtained from time to time on Lord Chelmsford's motions in the Lords. A notice of the last of them will be found in the Law Times of March 19, 1864. The present paper is expressed to be in continuation of a Parliamentary paper of Session 1863. If the Commons cannot do better than this in the way of ordering land registry returns, they may as well break off the continuation altogether.

Mr. Moffatt, it is understood, intends to follow up his notice for the 16th, to call attention to the report of the Select Committee on the Bankruptcy Act 1861, and the existing state of the law in regard to debtor and creditor, and to submit a motion. His zeal has not been damped by the Attorney-General's declaration that the magnitude and importance of the subject would preclude the Government from bringing in any measure this year. But it can scarcely be supposed that the intended motion will be very formidable. Most probably it will take the shape of recommending the resolutions of the committee to the attention of Her Majesty's Ministers, with a view to consolidated legislation by the next Parliament in accordance with the opinions expressed in the resolutions. It is not likely that, whether this or any stronger character be given to the coming motion, more can be elicited from the Attorney-General than he has already expressed, that is, that the Government will take the resolutions into their consideration with a view to the speedy introduction of a Bill founded on them. Apparently the only effect of the motion, if carried to a vote, will be to procure a confirmation of the pledge which has been thus offered. But some allowance must be made for the position of the chairman of a committee, who, of course, would not like his labours during the past and present sessions to be entombed *sub silentio* in the last great bankruptcy blue-book.

The third reading of the Land Debentures Bill has been deferred for a fortnight. The Attorney-General evidently distrusts his own judgment in the matter. On a former occasion he said that he had allowed these Bills to go on out of deference to the select committee, but that he reserved to himself the right to oppose their progress at any future stage. He has not ventured to do so yet. But whether from his own uneasiness at the novelty of the principle involved, or from alarm at the denunciations of a newspaper, which to our readers on the 4th of March were a source of amusement rather than of serious apprehension, the Attorney hesitates. His clothes are off, but he will not jump in. He has never advanced any argument against the expediency of allowing debentures to be founded on land, either in the shape of an aggregate fund of securities in the hands of a company, as by the Mortgage Debentures Bill, or in the shape of an individual estate, as by the Land Debentures Bill, so he seems to be "letting I dare not wait upon I would." It is possible that he may think the proposed change of such importance as to be a proper subject for deliberation by the Ministers collectively in the usual manner. As far as his own personal objections have transpired, they lie against the power to be given to trustees to invest in the debentures, and to the shifting of the securities in the aggregate fund by companies. The power to trustees might be struck out. The Lords, if they like, can reinsert it. But it is not easy to understand how a company could carry on its operations unless it had power to deal with its securities, on the condition always that an adequate aggregate fund were kept up. We doubt the wisdom of treating a Bill in this undecided manner. If a Crown lawyer does not take upon himself the responsibility of opposition to the second reading, but allows a Bill to be amended by a select committee, and to be recommitted to the House, the consequence must be that if afterwards he opposes the third reading, either the House will have run away from him and he be unsuccessful, or he will frustrate by success the labour already incurred by the members.

With great pleasure we publish the following explicit and satisfactory refutation of the calumnious reports of their connection with the Edmunds scandal, forwarded by Lord Brougham and Mr. William Brougham.

Cannes, April 24.

My Lord,—Mr. Edmunds has thought proper to introduce into the late inquiry as to the circumstances of his appointment to the office of Clerk of the Patents a long statement as to various money transactions which, he says, took place between him and me.

This statement I refuted on oath before the Committee of the House of Lords, but the opportunity of meeting it by evidence in detail was refused me by the Committee on the ground that "the matter was collateral to the inquiry."

I beg to state,—

First. That I never received for my own use, or applied to my own purposes, directly or indirectly, one farthing of Mr. Edmunds's salary.

Second. That I was no party to the original arrangement between him and my late brother James as to the application of any part of his salary, and that I never heard of such arrangement until ten months after my brother's death. I felt upon learning it that I had no right to disturb an arrangement entered into for the benefit of creditors.

Third. That I have never benefited, and that never can under any possible circumstances benefit by that arrangement, or by any payments that could have been made by Mr. Edmunds.

Fourth. That I am not and never was a party to the mortgage-debt of 3000*l.*, nor in any respect whatever liable thereto; and that Lord Brougham's liability to that debt was disputed by me on his authority and by his express desire, and under the circumstances stated by him in his affidavit, sworn on the 22nd April, a copy of which I subjoin.

While the matter was under the consideration of the Committee I refrained from taking public notice of the statements largely circulated by Mr. Edmunds in newspapers and elsewhere. But the moment has now come when I feel it due to your Lordship, as Lord-Lieutenant of my county, to trespass upon you thus far, in vindication of my character.

I have the honour to be your Lordship's most obedient servant, W. Brougham.

To the Earl of Lonsdale, &c.

Lord Brougham's Affidavit.

In the matter of the inquiry into the circumstances of the resignation by Mr. Edmunds of certain offices and of the pension granted to him by the House of Lords.

I, Henry, Lord Brougham and Vaux, make oath and say that when I made my affidavit in the above matter on the 27th March last I knew nothing of the specific charges made against me or against any member of my family by the said Edmunds, nor did I know that the committee appointed to investigate the above matters intended to pursue their inquiries beyond the circumstances of the late Edmunds's original appointment as clerk of the patents, and to travel into the private concerns of my family, and among others into the circumstan

of a mortgage-debt alleged to have been incurred by me in 1811, more than half a century ago. Now I make oath and say, that I made over the premises so mortgaged, and which are known by the name of the Howes Farm, which forms no part of the Brougham estate, to my late brother, James Brougham, in the year 1810. That from that time no part of the rents has ever been received by me or by any person on my account or for my benefit. That my said brother James was put into possession of the said premises in 1810, and continued to be sole beneficial owner thereof until his death in Dec. 1833. That from his death until the present time the whole rents of the said premises have by my direction been applied towards the payment of his debts and liabilities. That the money borrowed in 1811 on the security of the said premises was borrowed by my said brother James solely for his own use, and was wholly received and wholly enjoyed by him. That the legal estate in the said premises being still in me, I was a necessary party to the said mortgage-deed, which I executed in 1811, and which I have never seen from that day to this, nor heard of till October last. That I have been informed there was some transfer of the said mortgage in 1827, but I say that I was never told of any such transaction at the time, that I never received nor dealt with any part of the money, and that I never executed any such transfer. And I further say that no claim has ever been made to my knowledge for interest upon any such debt, and that I did not know and did not believe that at the time of my said brother's death in 1833 such mortgage still existed, and therefore that I, from my brother's death until the present time, directed all the rents of the said premises to be applied in relief of different liabilities affecting my said brother's estates. That the first time I heard of any claim was in a letter from James Leman, solicitor of the said Edmunds, some time in October last, in which he stated that the said Edmunds' funds were exhausted, and that he had nothing left but a mortgage "upon the Brougham property," or words to that effect. And I further say that, well knowing there was no such mortgage upon the Brougham property, I directed my brother William Brougham to write to the said Leman that "I knew of no such debt and that I owed no such sum." That late in the same month of October the mortgage-deed of 1811 upon the said Howes Farm was found, as I have been informed, in the muniment room at Brougham; but I was not there, and I never saw, and never since have seen the said deed. And I further say that after I had left England I was informed that the question of the validity of the said mortgage was to be referred to Lord Cranworth. And I further say I have been informed, and believe, that the said Edmunds has stated upon oath that I was kept in ignorance of such reference. Now, I say that such statement is absolutely false, for I was not only informed of such intended reference at the time, but I afterwards sent to the said Lord Cranworth, in December last, from Cannes, a paper signed by me, in which I stated that I submitted in all respects to his arbitration and award. And I further say that, acting under the firm conviction and belief that I owed no such debt, and that the claim so made against me by the said Leman on behalf of the said Edmunds in respect of a debt of 5000*l.* alleged to be secured on the Brougham property was, as regarded me, an unjust claim, I directed my said brother William to resist and oppose the same by every means in his power, and to urge upon the said Lord Cranworth that, inasmuch as no interest had ever been demanded of or paid by me, or by my order, or with my knowledge, privity, or consent, in respect of any such debt, that such liability, if it ever existed, ought not now to be pressed against me, and I believe that my said brother did accordingly resist such claim on my behalf. And I further say that if, as I have been informed and believe, my said brother ever offered to take upon himself such debt, such offer was purely voluntary on his part, and, having been made without my knowledge or consent, could in no way render me liable for any such debt. And I further say that the said premises are now liable to the claims of certain creditors of my said brother James to an amount largely exceeding the value thereof, so that if said claim for 5000*l.* were extinguished by the money which I am informed and believe is secured on the said Edmunds's death by a policy for 3000*l.*, or in any other manner, the said premises would become at once available to satisfy the claims of the said creditors, but would confer no benefit upon me, or upon any member of my family. And I further say that neither I nor any existing member of my family have ever benefited, or ever can, under any possible circumstances, benefit, by any payments that have ever been made by the said Edmunds, in respect of the said debt, or otherwise. And I further say I have been informed and believe that the said Edmunds has stated upon oath that Alfred Montgomery, a Commissioner of the Board of Inland Revenue, told him that I had said to him, the said Montgomery, that I had given him, the said Edmunds, the said Patent-office, on the understanding that the proceeds were to be applied for the benefit of his brothers and sisters. Now, I say that such statement, whether made by the said Edmunds or by the said Montgomery, is false; for I say that I did not give the said Edmunds the said Patent office upon the understanding that it was to be for the benefit of his brothers and sisters, or upon or coupled with that or with any other condition or understanding whatever; and I further say that I never said either to the said Montgomery, or to any other person, that I had so given the said office, and I say that such statement is altogether untrue, whether made by the said Montgomery—but which I entirely disbelieve—or invented by the said Edmunds. And I further say, that when the said Patent-office became vacant, by the death of William Henry Scott, I had full power and absolute right to have given it to any member of my own family, as Lord Northington and as Lord Eldon had done, the former to his daughter in her marriage settlement, the latter to his son, William Henry Scott; and that if I had followed the example of my predecessors in office, some member of my family would have enjoyed for his life a sinecure of nearly 4000*l.* a-year; but, so far from having the desire to unduly enrich my family at the expense of the public, I voluntarily abolished the said sinecure, replacing it by the said office of 400*l.* a-year, which I gave to the said Edmunds. And lastly, I say that from Nov. 1830 to Nov. 1834, the said Edmunds enjoyed by my gift the two offices of pursebearer and secretary to the commissions of the peace, and that such offices, while I held the Great Seal, were paid by fees, and averaged together a sum exceeding 1100*l.* a-year, although they were afterwards, as I believe in Lord Cottenham's time, reduced in amount and paid by fixed annual sums. And I further say that when the said Edmunds lost the said offices by the change of Government in 1834, I had obtained for him from Lord Melbourne the Clerkship of the Crown, at that time 600*l.*, but afterwards raised to 1000*l.* a-year, and which office in 1848 he (the said Edmunds) exchanged for the clerkship in the House of Lords, the salary of which was 1500*l.* a-year; and that he thereby gained 500*l.*, and not 300*l.* a-year, as I am informed he has sworn before the committee. And I further say, that shortly afterwards the said Edmunds obtained an additional 600*l.* a-year as clerk to the Commissioners of Patents, and that he added to his already large income a further sum of not less than 300*l.* a-year from discounts upon patent stamps.

"Sworn this 22nd day of April 1865, before the British Vice-Consul at Cannes in France,

"BROUGHAM AND VAUX.

(Consular Seal.)

"These are to certify that the foregoing is the true and genuine signature of the Right. Hon. Lord Brougham.

"Cannes, the 22nd of April 1865.

"AUGT. BORNIOL,

"Her Britannic Majesty's Vice-Consul for Cannes.

(Notarial Seal.)

"Je certifie que le scea apposé d'autre part est le vrai sceau de M. le Vice-Consul de sa Majesté Britannique à Cannes.

"Cannes, le 22 Avril 1865,

"BORNIOL, Notaire Public à Cannes."

JUSTICES OF THE PEACE PROCEDURE BILL. (*a*)

REASONS in support of this Bill—

"*to consolidate and amend the Acts regulating Proceedings before Justices of the Peace out of Quarter Sessions in England*;" the Preamble of which

Recites, that "it is expedient to reduce into one Act the existing enactments regulating the procedure before justices of the peace out of Quarter Sessions in England,—to simplify and amend those enactments and the forms of such procedure,—to regulate the appointment of clerks to the justices of counties,—and to provide uniform tables of fees to be taken by clerks to justices and constables."

The Bill is intended to regulate and provide one uniform mode of proceeding in all cases before every description of magistrate, whether a police, stipendiary, or unpaid justice,—to cure the many defects in the present practice, and to afford additional facilities in the administration of justice at Petty Sessions, without interfering with the existing sessional divisions or the recognised clerks to the justices.

It was framed by the writer (whose experience with the subject, in addition to that acquired in the compilation of his legal works, reckons upwards of fourteen years in extensive districts in the country, and nearly ten years in London), and introduced and printed in the session of Parliament 1864. It has since been carefully revised after communication with a large number of magistrates and officials connected with this branch of law throughout the country.

The criminal and civil jurisdiction of the magistracy has doubled during the past twenty years, is yearly increasing, whilst this branch of the law more than any other is ever varying. In fact, as has been well remarked, in regard to the large extent of magisterial jurisdiction, "the administration of the law, in *every-day affairs*, is altogether entrusted to magistrates. In reference to law, as its operation affects the masses of people, *justice law* is infinitely more important than Westminster-hall law. The great body of the people pass year after year without hearing one word about the Superior Courts at Westminster; but they are on all sides surrounded by magistrates' courts, in which are transacted the daily work of popular legal affairs."(*a*)

There are about 10,000 acting magistrates in England and Wales.

There are 980 magistrates' courts, or places at which petty and special sessions are held, being nearly double that of the County Court sittings.

There are 900 persons acting as clerks and advisers of those magistrates.

The only general Acts, which at all resemble Consolidation Acts, governing the proceeding before justices, are the Acts known as "Jervis's Acts," passed seventeen years since, viz., the 11 & 12 Vict. cc. 42 and 43, the latter applying to the larger class of cases, summary convictions and orders. These two Acts of 1848, although they effected many improvements in the then practice of these courts, but a step towards a more complete and necessary reform in the procedure, and, indeed, they fell very short of what they professed to be, were soon found defective, and do not give that facility in the administration of justice which was expected of them. Regarding 11 & 12 Vict. c. 43, as to summary proceedings, the writer has said in a published document: (*b*)

"It does not create a uniformity of practice, for it exempts from its operation so many offences and matters, to which some, if not all, of its provisions might advantageously have been applied and contains in every fourth or fifth section some exception or proviso as to portions of procedure supplied by other enactments, which should have been repealed, that its utility is much impaired; it being in fact and practically of limited operation, and, in many cases, only of a cumulative character, thereby creating confusion and uncertainty in the application of its provisions, as the questions submitted to the Superior Courts from time to time abundantly testify. It has likewise in many cases of modern legislation been referred to as *the* Act containing the procedure, without due consideration of the nature of its provisions, to many of which it was never intended to apply, and, as respects others, it provides no adequate machinery to carry out; whilst many statutes passed afterwards, to which it would have applied, have, regardless of the procedure provided by it, embodied similar clauses to those in it on procedure, and others have contained new and unnecessary enactments, applicable in some instances, only partially, to the steps taken in the same class or description of cases. As an illustration of recent date: in four of the important Criminal Law Consolidation Acts of the Session of 1861, (*c*) there are upwards of twenty clauses as to procedure which are unnecessary, or are already law, and enacted in almost similar terms in the 11 & 12 Vict. c. 43, which is also specially, though unnecessarily, referred to in those statutes; and which clauses would been more appropriate in a Consolidated Procedure Bill, and must be repealed when such a measure is brought before Parliament. In confirmation of this view, it was considered necessary in the next Session (1862), by a Bill (*d*) promoted by the Government, to amend these four Acts in regard to Ireland, by enacting that certain provisions in them as to procedure for offences punishable summarily should not extend to Ireland, which had already a better and more comprehensive code of procedure provided fourteen years since, in the 14 & 15 Vict. c. 93, and is three years later in point of time than our own incomplete measure, the defects in which were avoided."

The magistracy, their clerks, and the solicitors practising before them, feel that their duties are rendered unnecessarily onerous and embarrassing by the present condition of the acts affecting the procedure before justices, and the utter want of system which prevails in the mode of framing penal statutes.

The Bill also would, if passed, make a clearance from the Statute-book of a large accumulation of useless enactments as to procedure, which now impede the consolidation of the statutes in general; it would also shorten future legislative measures giving jurisdiction, which would then simply refer, if at all, to the Procedure Act for the mode of recovery of penalties or determining complaints.

The Statute Law Commission, in March 1857, decided that a Consolidation Procedure Bill, "upon the principle of Jervis's Act, 11 & 12 Vict. c. 43, but extending to *all* cases of summary conviction and to *all* necessary proceedings before justices," should be prepared, and instructions were afterwards given for such a Bill, and it was partially proceeded with by Mr. Macnamara, under the direction of Mr. Greaves, Q.C., but that commission expired before its completion.

Mr. Greaves, however, in the Introduction to his edition of the Criminal Law Acts of 1861 (p. xxviii and xxix), expresses his regret that such a Bill had

(*a*) Brought in by Mr. Paull, Mr. Staniland and Mr. Richard Hodgson, 13th Feb. 1865 (Bill 33).

(*a*) Vide *Law Magazine* and *Law Review* for Feb. 1865, p. 282.

(*b*) Vide Paper on "Magisterial Procedure: Reasons for its Revision, Simplification and Uniformity," read at the Social Science Congress, at the Guildhall, London, June, 1862 (*Transactions of the Association*, p. 146).

(*c*) 24 & 25 Vict. cc. 94, 97, 99, 100.

(*d*) Now the 25 & 26 Vict. c. 50.

not been passed before those Acts were drawn, so as to simplify or omit their procedure clauses.

Ireland had a General Procedure Act in 1851, the Petty Sessions Act, 14 & 15 Vict. c. 93; (a) and in the last session of Parliament a similar measure was passed for Scotland in the 27 & 28 Vict. c. 53: while in England the magistrates' jurisdiction is far more extensive and important than in either.

The legal journals—the LAW TIMES and *Solicitors Journal*—have, on several occasions, advocated a consolidation and amendment of the procedure.

(To be continued.)

INVESTMENT MARKET.

THERE has been a complete recovery from the depression caused by the first receipt of the terrible news from America. The Money-market continues steady at the reduced rates; and an abundant supply has produced a large crop of new companies. The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	240½	242		...	240½	...
3 per Cent. Red. Ann.....	88¾	89		88¾	88¾	88¾
3 per Cent. Cons. Ann. ...	90¾	90¾		91¼	...	90¾
New 2½ per Cent. Ann...	...	...		...	...	...
Do. do. Jan. 1894	73½	...		...	...	...
New 3 per Cent. Ann.....	88¼	89		88¾	88¾	88¾
New 3½ per Cent. Ann. ...	...	...		...	...	...
5 per Cent. Annuities.....	...	...		...	...	...
5 per Cents. Jan. 1873 ...	...	...		...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...		134½	...	...
Do. exp. Jan. 5, 1880 ...	...	...		...	...	...
Red Sea Tele. Ann. 1908	...	...		...	...	...
Bank Stock, for Acc. ...	99½	91		99¾	...	99¾
Consols for Acc.	...	...		...	...	...
Consols 5 per Cent. for Ac.	...	...		...	...	...
India 5 per Cent. for Acc.	...	...		...	...	...
India Stock	...	...	Closed.	...	...	...
India Stock, 1874	216	217		...	216½	...
India 5 per Cents.	...	...		...	...	...
India 4 per Cents. 1888...	...	...		...	...	...
India 5 per Cents. 1870...	107	107		107	107	...
India Bonds (1000l.).....	12s. b	...		...	...	...
Do. (under 1000l.).....	15s. b	...		...	...	...
India Debentures, 1863	...	...		...	...	...
Do do. 1864	...	...		...	...	...
Do. do. 1866	...	...		...	...	...
India Enfaced Paper, 4 per Cent.	...	...		...	...	...
Do. do. 5 per c. Jan. 1872	102½	...		102	...	...
Do. do. 5 per c. May 1879	...	...		...	...	...
Ex. Bills, 1000l.	d	c		c	...	...
Do. 500l.	...	...		c	...	...
Do. 100l. & 200l. 3 per c.	...	...		d	c	...
Do. Small, & 3 per c....	...	...		...	...	...
Do. Advertised	...	...		...	...	...
India Certificates.....	...	...		...	...	...

a 4 and 3¼ per cent. 5s. 4s.
b prem.
c 4 and 3½ per cent. 7s. pm
d 4 and 3½ per cent. 8s. pm

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

COURTS OF JUSTICE BILLS.

On going into committee on the Courts of Justice Building Bill, Lord REDESDALE complained that there never was a proposal for spending a large sum of money on which so little information had been given to their Lordships. He moved that the Bill be referred to a Select Committee.——Lord ST. LEONARDS supported and Lord GRANVILLE opposed the amendment.——Lord ELLENBOROUGH said that though not entirely hostile to the measure, yet he was strongly opposed to the blind manner in which the Government were rushing into it. The proposed design would require the genius of a Michael Angelo to execute it. He thought that those who came after them would much censure the reckless spirit in which the whole idea had been conceived. ——The LORD CHANCELLOR said their Lordships would certainly never see the end of the work if they never made a beginning. They had been waiting for these courts forty years—forty long years of inquiry, talk and expectation. He thought the Bill proposed would be the greatest measure of legal improvement he had known in his life.——Their Lordships then divided on the question that the Bill be committed:—Content, 55; non-content, 32; majority, 23. Their Lordships then went into committee on the Bill, when its various clauses were agreed to. The Courts of Justice Concentration (Site) Bill was then passed through committee.

HOUSE OF COMMONS.

LAW OF PARTNERSHIP.

Mr. MILNER GIBSON moved the second reading of the Partnership Amendment Bill. The measure proposed to relax that rule of law which laid down that participation in the profits of a business constituted a partnership. It enabled persons lending money to a firm carrying on a trade to receive, instead of interest, a remuneration in the form of a *pro rata* share in the profits. Under this Act such lenders would stand in the relation of creditors of the firm, not partners. The Bill also enabled persons in trade to give their servants a share in the profits of a business as a payment or reward for labour, or in place of wages; and under its provisions the widow or child of a deceased partner in a firm might receive a portion of the profits of the business, without being made partners in it themselves. The persons, however, who by lending money on the terms of the Act became creditors of a firm would be "postponed creditors" in case of bankruptcy. He hoped the House would approve the principle of the measure, which it had more than once affirmed.——Mr. J. PEEL moved that the Bill be read a second time that day six months. He believed the measure was unnecessary, and would create opportunities for fraud.——Mr. J. A. TURNER seconded the amendment.—— Mr. SCHOLEFIELD heartily supported the Bill. All the objections made to the measure were questions of detail, not of principle.—Mr. MOOR believed the Bill would be a dead letter. Some provision for registration ought to be inserted in it.—— Mr. CAVE thought the measure would not be extensively acted on.—— Mr. BAXTER supported the Bill, the principle of which was quite in accordance with the spirit of the legislation of the last ten years.——Mr. HUBBARD objected to the Bill that it changed the whole law of principal and agent. The arguments in its favour were fallacious. It was no longer necessary to give any artificial stimulus to the combination of skill and capital. He feared the results of the measure would be mischievous.——The ATTORNEY-GENERAL answered the objections made to the Bill, and contended that the law of principal and agent would not be affected in the manner described by Mr. Hubbard. The Bill simply left people free to make what agreement they pleased. No one would now contend that the maintenance of the present strict rule of law was essential to commercial prosperity.——Mr. BOVILL said, the Bill ought to be called an Act to enable capitalists to commit fraud with impunity. Nothing would be easier than for a man to carry on a business through mere salaried agents, obtain credit to the amount of thousands, absorb all the profits in prosperous years, withdraw his capital in a period of adversity, and escape all responsibility. The Bill did not contain a single provision for the protection of the public. All the protecting clauses contained in the Limited Liabilities Acts were omitted in this measure, and the House was asked to accept it without them. The Board of Trade was supposed to exist for the protection of the public, but the President of the Board had not affected that object by his measure.——The SOLICITOR-GENERAL defended the Bill, asserting that its effect would be to constitute the person who lent money to a firm a lender only, whereas the present law made him a partner against his will.——Mr. T. BARING denounced the Bill as a measure that would enable traders to make profits and obtain credit without incurring responsibility. The Bill changed the whole commercial system of the country.—— Mr. GOSCHEN trusted the House would pass the Bill. Its opponents seemed to suppose that the public was always about to be duped.——Mr. MALINS supported the Bill. All the evils predicted as its results existed under the present state of the law.——Mr. NEWDEGATE and Alderman ROSE spoke against the Bill.——Mr. HENLEY would vote for the second reading, as some protective clauses might be introduced in committee.——The House then divided. The numbers were: Ayes, 126; Noes, 39; Majority for the second reading, 87.

LAW BILLS IN PARLIAMENT.

THE NEW LAW COURTS.

The Courts of Justice Building Bill was on Tuesday read a second time in the House of Lords, but not without some show of opposition from Lord St. Leonards. Petitions were presented in favour of the Carey-street site from Lincoln's-Inn, the two Temples, the Society of Solicitors, and the Law Debating Society. In explaining the measure, the Lord Chancellor described the courts allotted to the puisne Vice-Chancellors as "places in which neither judges nor practitioners could remain for any time without being affected by the atmosphere, so that they could not give proper attention to the case." Nor were the Common Law Courts much better. Moreover, the situation was as objectionable as the construction of the courts. The Courts of Law were at Westminster, but the chambers of the judges were in Serjeants'-Inn, at the bottom of Chancery-lane. Hence the judge sat half the day in court and was obliged to rise much earlier than would otherwise be necessary in order to go to chambers. In like manner, the offices of the Courts of Law were scattered about in different localities; and the same might be said of the equity offices. The concentration of the courts at Caery-street was recommended not only by the convenience of the locality for barristers and suitors, but by the incidental consideration that it would lead to "weeding out of the centre of London a nest of fever and a receptacle of all sorts of abominations." The sufficiency of the estimates for the new courts, and the propriety of applying various funds connected with Chancery to the object, led the Chancellor into a long argument, for these are the points upon which the scheme has chiefly been assailed. He showed that the State committed no wrong in taking any part of the large sum which had been accumulated during 120 years by the successive investment of the profits of the Court of Chancery's banking transactions. As the Chancellor explained, the Court of Chancery did with regard to the suitors' money precisely what an ordinary banker did with respect to the money of his customers. The banker took his customers' money, retained the amount which might be necessary for the purposes of the bank, and invested the difference, the profits resulting from that investment being the banker's property. There was now an accumulation of ready money which might be applied to any purpose the State thought fit, and which had actually been applied to more than one purpose connected with the administration of justice. Indeed, as late as 1725 these unemployed balances were allowed to be used by the masters for their personal benefit. As to the Suitors' Fee Fund it had been suggested that it should be applied rather to the reduction of the fees of the Court of Chancery than to the erection of new courts, but there was good reason to believe that suitors would benefit far more by the concentration of the different tribunals in a convenient situation than by any reduction of fees which could be effected. The Lord Chancellor did not close his remarks without contemplating as an important though remote consequence of the measure, a fusion of law and equity, so that "the same questions would be treated in all the courts upon one uniform set of principles and maxims of justice."

Lord St. Leonards was amazed to find that the courts in which he had spent so many years of his life were so detrimental to health, and especially to find the Lord Chancellor looking so remarkably well. The courts were quite good enough at present; and great injustice and suffering would be inflicted on the 4000 inhabitants of the 300 houses at Carey-street, which would have to be pulled down. The inutility of bringing law and equity courts together with the view of encouraging a larger community of practice; the "confusion, and not fusion," which would arise from any schemes of reform in this sense; the absurdity of calling the measure a concentration of the courts of justice when the Sheriffs' Court and the Bankruptcy Court were not included, were also urged as objections to the project. He challenged both the accuracy of the estimates and the title of the Government to the money they proposed to spend on the new courts. They had no more right to the Suitors' Fund than to the two millions in the hands of the Charity Commissioners. Something had been said about the Government having made the profit on the fund at their own risk; but it was a novel idea that the risk a thief ran gave him a right of ownership in the property he stole.

As Chairman of the Commission of 1861, the Duke of Argyll condemned the accumulation of money in Chancery as unjust to suitors, who lost the whole of the interest on it. The system was bad, but the fund which had thus been collected undoubtedly belonged to the State and not to any individual. Lord Cranworth did not doubt that the concentration of the courts would be a convenience to the legal profession, but suspected that it would make little difference to suitors, as a man was unfortunate who had one suit in his whole life. He shared the Lord Chancellor's view as to the right of the Government to the balances of the Suitors' Fund. The removal of the courts from Westminster appeared to Lord Redesdale quite superfluous.

Both the Courts of Justice Building and Site Bills were read a second time.

MERCHANT SHIPPING DISPUTES.

Mr. Denman has laid before Parliament a Bill for the establishment of local courts for the trial of disputes relating to merchant shipping. The president of such a court would be the County Court judge or the bankruptcy commissioner, or a stipendiary magistrate of the district, and with him would sit assessors chosen periodically by the town council of the borough (and approved by the Lord Chancellor), such assessors to be persons who have been in business for seven years as merchants, manufacturers or shipowners. The assessors, of whom six, twelve or eighteen would be appointed, according to the population of the district, would be summoned in rotation; they would receive no salaries, and the salaries of the clerks and other officers would be paid from court fees. The judgment is to be according to the opinion of the majority of the court, the president to have a second or casting vote if the court are equally divided in opinion. These courts would exercise within their district all the powers of the Court of Admiralty, and have concurrent jurisdiction therewith; and they would exercise exclusively all the powers of the County Courts in cases of claims for freight, demurrage, average, marine insurance, towage, pilotage, necessaries supplied to ships, or cash advanced, and in all claims for building, selling, or employment of ships, or for wages, and in all cases

(a) It is a remarkable fact, that the year after Jervis's Acts were passed there was passed for Ireland an Act (13 & 14 Vict. c. 68) providing a similar procedure as in them; but it was found defective and cumbrous and repealed, and the present statute, 14 & 15 Vict. c. 93, substituted.

of disputes relating to ships or their cargoes, whether of a legal or an equitable nature. Where the claim amounts to 50*l.* there is a right of appeal on any point of law, or on the admission or rejection of evidence. Where parties consent the court may in any case state the facts in the form of a special case for the opinion of one of the Superior Courts.

SOLICITOR'S JOURNAL.

NOTES OF NEW DECISIONS.

PRACTICE — NEW TRIAL.—A country cause was tried in London on Jan. 30, the last day but one of Hilary Term, at the trial of which defendant, but not his attorney, was present, and by the same night's post the London agent wrote to the country attorney at Sandwich for instructions as to moving for a new trial, which he did not receive in due course of post till Feb. 1, the day after term ended. A motion for a new trial was made on the 4th day of the following term, but the full Court refused to modify the rule under the circumstances of the case: (*Pain* v. *Terry*, 12 L. T. Rep. N. S. 269. C. P.)

VICE-CHANCELLOR WOOD'S COURT.

MAXWELL *v.* SWEET.

This case, which has excited considerable interest in the profession, came before the court upon a motion by the proprietors of the *New Reports*, a legal periodical established in Nov. 1862, for an injunction to restrain the publication in the *Jurist* of the 4th March of the report of a case before the Lords Justices, on the ground that such report was pirated from the *New Reports* of the 4th Feb. The case made by the bill was that the greater, and by far the most important part of the judgment of Lord Justice Turner, in this particular case, had been copied by the *Jurist* reporter, or adopted with only colourable alterations from the printed report that had previously appeared in the *New Reports*. In answer to this charge the *Jurist* reporter stated that he had been in court and taken the judgment in shorthand, and that, so far as he could recollect, his report was compiled partly from a transcript of his own shorthand note, and partly from the *New Reports*, which he had told his clerk to copy, when he found that their report corresponded substantially with his own note. We may also state that several gentlemen engaged in reporting had made affidavits stating the common practice of reporters to give and receive assistance by comparing notes, lending slips, and scouting as most ungenerous and uncourteous any charge of piracy based upon a correction of one report by another that had previously appeared. In answer to this statement the editors of the *New Reports* had made an affidavit ignoring any such principle of mutual assistance, and stating the strict instructions given to their staff not to receive any help whatever, and, in effect, to hold themselves aloof from their competitors.

Giffard, Q. C., on behalf of the plaintiff, opened the motion, but had not concluded at the rising of the court.

On the case being called on the next morning,

Wickens was about to follow *Giffard* in support of the motion, when

The VICE-CHANCELLOR, who had more than once suggested that the case was one for arrangement, and that, without intimating any opinion as to the extreme rights so rigorously asserted by the plaintiff, no immediate injury would result from allowing the motion to stand over until the hearing. If the parties thought that there were important rights to be tried, though he confessed he hardly saw such importance, then the case would go on, and all questions would be as well determined at the hearing as now. Let the motion stand until the hearing, costs to be costs in the cause.

Bolt, Q. C. and *Speed* were instructed on behalf of the defendants, the proprietors of the *Jurist*.

A SCENE IN COMMITTEE.

Our readers will perhaps recollect an unusual circumstance which last session occurred in a committee of the Lords, when a Mr. Rea, a solicitor, of Belfast, conducted himself in so violent a manner towards the noblemen composing the committee, that he had to be forcibly ejected by a number of policemen. A similar outbreak was apprehended the other day, on the part of the same individual in Room 6, where he presented himself as a petitioner against the Antrim County and Belfast Borough Bill. The object of the Bill is to enable the local authorities of Belfast to act for themselves, independently of the county, who have at present the power of assessing rates, and performing other judicial matters in that part of the borough—and it is a considerable part—which is comprised in the county of Antrim. The grand jury of the county are loath to part with their time-honoured privileges and functions; they, therefore, oppose. Mr. Rea makes common cause with them, though he says it is not so much on his own behalf—although personally aggrieved—as on behalf of the great majority of the citizens of Belfast, 80,000 of whom back him up, he alleges, in his opposition to the corporation. Against the corporation, there is no fear to state, he is in deadly antagonism. He detests them as a body, he freely admits, and on Thursday week Mr. Hope Scott, who appeared for the promoters, told the committee he had been endeavouring for years to blot them out of existence. There were faint flashes of a storm on that day, but it was not until the next day that it fairly broke out. Mr. Hope Scott had insisted that he should state specifically the grounds on which he claimed to be heard, and the committee, who comprised Mr. Talbot, chairman, Mr. Humberstone, Mr. Bramley-Moore and Mr. Schneider, drew up a resolution setting forth that Mr. Rea must comply with the standing orders by stating in writing the precise grounds of his opposition. On the following morning, accordingly, Mr. Rea presented a paper purporting to set forth those precise grounds. The committee, however, were not satisfied with it, and, urged on by Mr. Hope Scott, they distinctly gave him to understand that if he would be heard he must comply with the standing orders. It was ultimately arranged that the case should proceed as regarded the other opponents of the measure, leaving Mr. Rea to be dealt with hereafter. When, however, he found that Mr. Hope Scott had closed the case of the promoters, he claimed the right, at all events, of arguing the point as to whether he had any title to be heard, telling the committee that by next July he was likely to be a member of the House himself, when he should possess privileges like themselves. The argument was carried on for some time on the part of Mr. Rea with the greatest pugnacity, and Mr. Hope Scott was clearly unwilling to admit his right as an opponent, whilst the committee afforded every opportunity to Mr. Rea to establish his point. He, however, entered into what the committee considered irrelevant matter. He persisted in recalling the events of last session, whereupon the committee, to make short work of the matter, peremptorily ordered the room to be cleared.

Mr. Rea exclaimed that he insisted upon his right to be heard. He, moreover, insisted on his right to be heard against the hon. member for Lancaster, who had been speaking privately, he said, with Sir Hugh Cairns. (Sir Hugh Cairns had looked into the room.)

The Chairman had previously remarked that there was a gross imputation against an hon. member in the document submitted by Mr. Rea, and before he could possibly be heard that would have to be withdrawn.

Mr. Rea told Mr. Schneider he was bound, in the presence of the shorthand writer, to divulge what was the nature of the conversation.

Mr. Schneider begged distinctly to tell Mr. Rea that he had no right in any way to interfere with the privileges of any member of the House, much less to impute any charge of the nature inferred by his remarks. Further, he begged to tell him that if he persisted in that course of conduct he (Mr. Schneider) should take measures to have him removed from the room.

Mr. Rea retorted that he had made his charge, and it was for Mr. Schneider to answer it. If Mr. Schneider refused to satisfy him that he had not done wrong—that was, if he declined to tell him the nature of the conversation with Sir Hugh Cairns, he would try in some other way to find it out.

The room was cleared after some difficulty, spectators (who were startled at this unseemly interruption of the serenity and decorum which invariably mark the proceedings in Parliament) being anxious to see the end of it. After some time the public were again admitted.

Mr. Rea again claimed the right to be heard, before even the committee's decision was pronounced.

The Chairman.—Order. We have decided that Mr. Rea be not heard again personally by this committee. We will hear any properly authorised person, but not himself.

Mr. Rea wanted to know whether, after the long time they had taken for deliberation, the committee were unanimous upon the matter.

The Chairman.—We desire that no question of the kind be addressed to the committee.

Mr. Rea.—Then if the committee will not hear me I shall petition the House for an order compelling you to hear me.

The Chairman.—The committee have passed a resolution refusing to hear you. You can petition the House if you think proper.

Mr. Rea was essaying to reply, when

The Chairman begged to recommend him, for his own sake, to say no more.

Mr. Rea.—Oh, I cannot sustain any injury in any event. I again call upon Mr. Schneider to state what passed between him and Sir H. Cairns.

The Chairman again begged he would be silent.

Mr. Rea still would speak.

The Chairman, evidently moved beyond further endurance, got up and said he must really put a stop to this.

Mr. Rea said something about his being considered by the Carlton Club a very dangerous fellow in Ireland, and he was satisfied that if the chairman had erred he had erred unwittingly in deciding not to hear him.

The case then proceeded.

At the close of the day's hearing Mr. Rea asked Mr. Schneider to apologise to him. He only asked that—he did not want to be severe upon him; he now gave him an opportunity of telling the truth in the presence of the public.

Mr. Schneider declined having anything further to do with Mr. Rea, and the persons who crowded the court (including a number of learned counsel), in momentary expectation of a fresh outburst, reluctantly retired, leaving Mr. Rea wildly thrusting his hands through his hair, and conducting himself in a strange manner, as though sorely nonplussed at his discomfiture.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

GENERAL ROLLING STOCK COMPANY (LIMITED).—Creditors to send in by 1st June, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any) to H. Chatteris, 21, Lawrence-lane, London. Solicitors, Davidson, Carr and Bannister, 22, Basinghall-street, London.

ISLE OF WIGHT FERRY COMPANY.—Creditors to send in by 20th May, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to Mr. W. Moates, 10, King's-arms-yard, Moorgate-street, London, accountant.

PORTSMOUTH, PORTSEA, GOSPORT AND SOUTH HANTS BANKING COMPANY.—Official liquidator to be appointed by Kindersley, V.C., at his chambers, on Tuesday, 9th May, at noon. Solicitors, Tilleard, Son, Godden and Holme, 34, Old Jewry, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BAKER (Ann), 58, Sloane-street, Chelsea, and Ovington-square, Brompton, Middlesex, widow, May 29, V.C. W. Palmer, Palmer and Bull, 24, Bedford-row, London.

COLE (T. B.), Kirkland-hall, Garstang, and the Cote, Bolton-by-the-Sands, Lancashire, Esq., May 23, M. R. Gregory, Rowcliffe and Rowcliffe, 1, Bedford-row, for G. Webster, of Liverpool.

ESPLEY (Josiah), Bedworth, Warwickshire, ribband weaver, May 23, V.C. S. Church and Sons, 3, Bedford-row.

HODGE (David), Bridgemere, Cheshire, May 26, M. R. A. D. Bird, 37, Guilford-street, Russell-square, Middlesex, for F. C. H. Bellyse, Audlem, Cheshire.

HORNE (Mary), 33, New Montagu-street, Spitalfields, Middlesex, widow, June 2, M. R.

HORTON (Silvanus), Maldon, Essex, gentleman, May 29, M. R. Digby and Son, 35, Lincoln's-inn-fields, and Maldon, Essex.

HUNT (Wm.), Keevil, Wilts, yeoman, May 29, V.C. S. Lewis, Wood and Street, 6, Raymond's-buildings, Gray's-inn, for S. Witney, Devizes.

JACKSON (Ann Esther), Dockhead, Bermondsey, Surrey, spinster, June 2, M. R. G. Crafter, 81, Blackfriars-road, Westminster.

MOTLEY (Robert), Kinnersley, Herefordshire, blacksmith, May 23, M. R.

PETROCHEIN (J. M. J.), Baroness de, Southampton, widow, May 27, M. R. Shum and Crossman, 3, King's-road, London, for Green and Moberly, Southampton.

RALEIGH (E. W. W.), 32 Pall-mall, Middlesex, an Honorary Fellow of the Royal College of Surgeons, May 26, M. R. Smith and Shepherd, 15, Golden-square, Middlesex.

TOWNLEY (Lydia), 5, Dean-street, Finsbury-square, Middlesex, widow, May 23, V.C. W. Foster and Anderson, 13, Gray's-inn-square, London.

WALCOTT (J. M.), Knowle, Devon, Esq., June 8, V.C. S. Robinson, Barlow and Moberly, Southampton.

WHEELHOUSE (George), Deptford-bridge, Kent, Esq., May 23, V.C. W. Field, Roscoe, Field and Francis, 36, Lincoln's-inn-fields, Middlesex.

WILKINSON (Edward), Dorset-square, Middlesex, Esq., May 23, M. R. Barnes and Bernard, 2, Great Winchester-street, London.

WYNDHAM (Sir Henry), Cockermouth Castle, Cumberland, and 68, Mount-street, Grosvenor-square, Middlesex, June 14, V.C. S. Blahcoff, Coxe and Rompas, 19, Coleman-street, London, for E. Waugh, of Cockermouth.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BARNETT (Mary Grace), 5, Gloucester-terrace, Regent's-park, Middlesex, spinster, July 1. Palmer, Palmer and Bull, 24, Bedford-row, London.

CATES (Julia Charlotte), Margate, spinster, June 16. E. Chippendale, 10*a*, King's-arms-yard, Moorgate-street, London.

CRAIGIE (Susannah), Cleveland-street, Mile-end-road, Middlesex, spinster, June 1. Turner and Son, 8, Mount-place, Whitechapel-road, London.

DAVIES (Samuel), 63, St. Martin's-lane, and Bolton-road, Kilburn, Middlesex, gentleman, June 15. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

FORSTER (F. C. H.), 20, Hyde-park-square, Middlesex, and Eythorne, Kent, spinster, June 1. J. Birt, 1, Southampton-street, Fitzroy-square, London.

HINGSTON (Joseph), 1, Stanhope-terrace, Gloucester-gate, Regent's-park, Middlesex, gentleman, June 12. J. Holmes, 25, Poultry, London.

HUNTLEY (Sir Henry Vere), Santos, Brazil, H. B. M.'s Consul there, May 31. O. Ommanney, 14, Great George-street, Westminster.

LANIGAN (Amy Elizabeth), Kensington, May 22. Hallett, Ommanney and Co., 14, Great George-street, Westminster.

LINDSEY (John), Norbiton, Kingston, Surrey, carman, June 23. R. P. Mellersh, Godalming, Surrey.

MARSHALL (John), Colgrave, Notts, gentleman, June 21. S. R. P. Shilton, St. Peter's Churchside, Notts.

MITCHESON (John), 22, Upton-road, De Beauvoir-town, Middlesex, Inland Revenue officer, July 1. J. G. Prevot, 176, Mile-end-road, Middlesex, auctioneer.

PERRY (R. C.), Kingston, Surrey, Esq., July 8. Steward and Son, Ipswich.

PERRY (Robert), Ipswich, Esq., July 8. Steward and Son, Ipswich.

PRIDDOTT (Deborah), Thornville-house, St. Helen's, Isle of Wight, widow, June 17. Currie and Williams, 32, Lincoln's-inn-fields, London.

POPHAM (W. C.), Stourfield, Southampton, Esq., an admiral in the Royal Navy, June 1. St. B. Staden, 14, Parliament-street, Westminster.

TEASDELL (George), 32, Hatton-garden, Holborn, and 3, Mercers'-terrace, Holloway, Middlesex, wholesale jeweller, June 1. P. T. J. Jerwood, 17, Lily-place, Holborn.

THOMAS (Morgan), Woolwich, late Inspector-General of Ordnance Hospitals, June 1. J. Simpson, 34, Savile-row, Burlington-gardens, Westminster.

WAGNER (George), 70, Berners-street, Oxford-street, and Fitzroy-mansion, 41 and 42, Upper Charlotte-street, Fitzroy-square, Middlesex, auctioneer and estate agent, July 1, W. A. Stuckey, 30, Old Steine, Brighton.

Walker (Robert), Moseley-street, Manchester, doctor of medicine, June 24. W. Heron, 24, Kennedy-street, Manchester.

Whelika (William), 2, Buckingham-villas, Notting-hill, Middlesex, builder, July 1. Roy and Cartwright, 4, Lothbury, London.

Yeamans (Rebecca), 1, Montpellier-terrace, Cheltenham, spinster, June 1. R. S. Lingwood, 2, Promenade-place, Cheltenham.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants appear.]

Hunter (John), Poplar-row, New Kent-road, baker, 30*l.* New Three per Cents. Claimant, said J. Bishop.

Pearse (J. W.), Salisbury-square, London, Esq. 194*l.* Three per Cent. Consols. Claimants, E. C. T., W. J. and Rev. H. K. W. Pearse, executors.

Ramsbottom (Richard), of Brighton, Esq., and Leman (James), of Lincoln's-inn-fields, Esq. 28*l.* 6*s.* 11*d.* Three per Cent. Consols. Claimants, said J. Leman and Richard Ramsbottom.

An "Ancient" Coroner.—Mr. Stephen Reed, solicitor, Newcastle-on-Tyne, the coroner for South Northumberland, died at his residence in that town on Tuesday. Mr. Reed was probably the oldest coroner in England, having held his office no less than fifty-five years, and he probably "sat upon" more inquests or catastrophes of terrible magnitude than any man in his time, among which may be enumerated the fearful colliery explosions at Wallsend, Barraston and Hartley. Mr. Reed exercised the functions of his office until within a comparatively short period of his death.

THE BENCH AND THE BAR.

COURT OF QUEEN'S BENCH.

Saturday, April 29.

At the sitting of the Court, Sir Edward Vaughan Williams, lately one of the judges of the Court of Common Pleas, was sworn in as one of Her Majesty's Privy Council, probably with a view to his occasionally giving his valuable assistance on the Judicial Committee. The learned knight, who had for a great many years the highest reputation at Westminster-hall, was received by the judges and the Bar with every mark of respect, the Bar standing up when he came into court, and remaining standing while he was being sworn in. The general feeling of the Bar was one of great satisfaction at his reappearance.

CALLS TO THE BAR.

Inner Temple, *May* 1.—The undermentioned gentlemen were this day called to the Bar by the Honourable Society of the Inner Temple:—John Eldon Gorst, Esq., M.A., Cambridge; Alfred Arthur Kaye Legge, Esq., B.A., Oxford; Charles Stuart Calverley, Esq., M.A., Cambridge; Richard Hudson Smithett, Esq., M.A., Oxford; William John Smelter Cadman, Esq., Cambridge; Henry Charles Gehlart, Esq., B.A., Cambridge; William Eustace Peacock, Esq., Allan James Crosby, Esq., B.A., Oxford; Oliver Lodge, Esq., B.A., Oxford; the Hon. Edward Stanhope, B.A., Oxford.

Middle Temple, *May* 1.—The undermentioned gentlemen were this day called to the degree of the Utter Bar by the Honourable Society of the Middle Temple:—William Joseph Cripps, B.A., of Trinity College, Oxford, Esq.; Joseph James Stuckey, B.A., of St. John's College, Cambridge, Esq.; Digby Green, Esq.; and Charles Frederick Hamond, Esq.

Lincoln's-Inn, *May* 1.—The undermentioned gentlemen were this day called to the degree of Barrister-at-Law by the Honourable Society of Lincoln's-inn, viz.:—Louis Courtauld, Esq., L.L.B., Cambridge; John Byers Gunning Moore, Esq., B.A., Cambridge; Benjamin St. John Ackers, Esq., Oxford; George Cary, Esq., B.A., Oxford; Thomas Mansel Franklin, Esq., B.A., Oxford; John Radcliff Battersby, Esq., B.A., Dublin.

The French Bar.—Some sensation was produced in Paris a short time ago by a letter published by a member of the French bar respecting a political pamphlet written by his friend and colleague M. Maurice Joly, for which M. Joly had been prosecuted by the Government. In the letter in question, the barrister disclaimed all knowledge of the pamphlet in question, and its author; and even went so far as to speak of M. Joly in terms of very strong censure on account of the political opinions he had advocated. The excessive prudence of their colleague was not at all to the taste of the French barristers, who have now appointed a *conseil de discipline* to inquire into the matter. It is expected that the advocate will be severely reprimanded for his faithlessness and cowardice.

LAW STUDENTS' JOURNAL.

QUESTIONS FOR THE FINAL EXAMINATION

Easter Term 1865.—Second Day.

IV. PRELIMINARY.

36. What is now your age?

37. Where, and with whom, did you serve your clerkship?

38. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.

39. Mention some of the principal law books which you have read and studied.

40. Have you attended any, and what, law lectures?

V. EQUITY AND PRACTICE OF THE COURTS.

41. He who seeks equity, must do equity—and equity considers as done, that which ought to be done; explain the meaning of these maxims, and particularly a consequence of the latter one, as regards conversion of realty and personalty, and *vice versâ*, when directed.

42. Does the jurisdiction of a court of equity to afford relief, extend to property not actually within the limits over which its power geographically extends? State the cases when it does, and the contrary.

43. What rule is applicable to the succession or devolution to personal and real estate, when the domicil is not English?

44. What is the distinction between trusts executed and executory?

45. What trusts will a court of equity enforce? and what trusts will it not enforce?

46. What lapse of time will bar the claim of a *cestui que trust* against his trustee? and is there practically any, and what, exception to the rule?

47. What is the meaning of an implied, or constructive trust?

48. When property is given upon trusts which fail either in the whole, or partially, by deaths, or by illegality, or indefiniteness of the trusts themselves, or when they are finally fulfilled without exhausting the property, to whom does the resulting trust of such remaining property belong?

49. Where a conveyance or transfer of property, real or personal, is made without consideration, but upon trust, of which no distinct use or trust is stated, to whom, then, will the implied trust devolve?

50. What becomes of the undisposed-of residue of a testator's personal estate, when executors are appointed without any express bequest? Will equity look through the will for expressions to show that it was or was not intended to go to the executors beneficially?

51. A testator gives a specific bequest to A., and directs that in consideration of such bequest A. shall pay his testator's debts, and makes A. his residuary legatee and executor. The debts far exceed the value of the bequest. Is A. bound to pay them in full or not? Give the reason for your answer.

52. If a testator gives his estate to A. by will, and then disposes, by the same instrument, of an estate of A.'s, by giving it to B.—will equity oblige A., on his accepting the bequest, to give up his own estate to B.? State the principle which guides the court in its decision.

53. When two persons (plaintiff and defendant) have an equal equity, and have been equally innocent as well as diligent, what rule does the court apply in its judgment in a suit against a purchaser for valuable consideration, without notice of the adverse title of the plaintiff?

54. And when the parties are *in pari delicto*, what maxim will guide the court in such case?

55. Give a brief outline of the proceedings in equity to administer an intestate's personal estate, when there are no known next of kin, *ab ovo usque ad mala*.

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.

56. What description of persons are now subject to the bankrupt law?

57. What are the requisities to subject any person to be declared bankrupt?

58. What constitutes an act of bankruptcy?

59. State how an act of bankruptcy may be obtained by means of a trader-debtor summons. (Bankrupt Law Consolidation Act 1849.)

60. As to the petitioning creditor's debt, what must be its character?

61. Is it essential to the validity of a petition for adjudication, that the petitioning creditor's debt should be due and payable at the time of the act of bankruptcy?

62. Are any, and what, contingent debts provable under the petition for adjudication?

63. What is the effect on the other partners, where one only of the several members of a firm becomes bankrupt?

64. What is a fraudulent preference; is it an act of bankruptcy?

65. What are the rights of assignees, either to retain or relinquish property of the bankrupt held on lease?

66. Specify generally the kinds of debts which may be proved under a bankruptcy.

67. Is a surety for the bankrupt entitled to prove under the adjudication, in any, and what cases?

68. What is the rule as to proof by separate creditors under a joint adjudication, and *vice versâ*?

69. Have any, and what, classes of debts or creditors priority of claim on a bankrupt's estate?

70. What is the rule as to the distribution of the joint and of the separate effects of the partners when all are bankrupt?

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. State the definition of crime, and give instances of acts producing similar results, some of which acts are crimes, and some are not.

72. Into what two grand divisions are crimes, according to the law of England, divided?

73. What are the principal statutes relating to crimes and their punishments?

74. Under what circumstances can a person, not being a constable, apprehend a criminal, and what are the peculiar powers of a constable?

75. In what crimes can there be no accessories in the eye of the law; and upon what principle is the distinction between these crimes, and those in which accessories are admitted, based?

76. In what respect does the statute law differ from the common law as to the trial of accessories?

77. Define conspiracy, and state in what cases an indictment for conspiracy is a proper proceeding.

78. Define larceny, and state the distinctions made by common law, and those made by the statute.

79. What is it necessary to prove in order to maintain a conviction of larceny against the finder of lost property, who appropriates it to his own use?

80. As to misappropriation of goods by bailees, what was the common law, and what change has been introduced by statute?

81. A. gives to B. at a railway station a sovereign, and asks him to get a railway ticket which would costs 10*s.*; B. agrees to get the ticket, he however does not do so, but runs away keeping the sovereign. B. is here the bailee of the sovereign, and his duty was to give to A. not the sovereign, but a ticket and 10*s.* Can an indictment for larceny be maintained? State your reasons for your answer.

82. A post-office letter carrier receives, with other letters for delivery, one containing a sovereign. He delivers all the letters except this and four others. The four he returns to the office and reports that he has completed the delivery. He is subsequently asked why he had not delivered the letter containing the sovereign, he replied the house was closed (this was not true), and he would deliver it in the afternoon. The post-office regulations forbid a carrier placing any letter in his pocket. Could an indictment for larceny be maintained? Give reasons for your answer.

83. Upon what principle was the stealing of deeds not larceny at common law, and how is this offence now dealt with by statute?

84. State the cases of incompetency of witnesses on criminal trials.

85. State the chief rules of evidence in criminal trials.

INTERMEDIATE EXAMINATION.

Easter Term.

QUESTIONS FROM CHITTY ON CONTRACTS (*a*).

1. What are specialties and simple contracts respectively?

2. Is a consideration necessary to give effect to bills of exchange and promissory notes, and how do they differ as regards consideration from simple contracts?

3. What is a deed delivered as an escrow?

4. Is parol evidence admissible to explain, vary, or contradict a written contract? If so, when and in what cases?

5. On what contract is an infant liable?

6. What is the husband's liability on contracts entered into by the wife before coverture, and in case the wife dies before action is brought what will be the consequence?

7. When, as a rule, is an agent personally liable on contracts entered into by him for another?

QUESTIONS FROM WILLIAMS ON REAL PROPERTY.

1. What is a reversion in fee as distinguished from a remainder in fee?

2. A testator by his will made three years ago devised a house to A., and another house to B. and his heirs. Is there any difference, and if so, what difference in the effect of the two devises?

3. A., an only son, takes an estate from his mother by descent. B., an only son, takes one from his mother by purchase. On the death of A. and B. intestate and without issue, leaving each a brother of their fathers and mothers surviving, who will succeed to the estates of A. and B.?

4. A holder by copyhold tenure sells lands. By what means can the land be vested in the purchaser?

5. In 1860 A., seised in fee, borrows money, and covenants for repayment and mortgages land. He dies without giving directions as to re its payment, leaving ample personality. Of course both the land and the personal estate are liable, but in what priority?

6. If A. is tenant for life, and B. tenant in tail in remainder, can B. turn his estate into one in fee-simple, and if so how?

7. Land is limited by settlement to the use of A. for life, with remainder to his first and other sons in tail male, and charged with a jointure and portions to younger children. The settlement confers no power for trustees to sell. Can the land be sold during the minority of A.'s son, and if so, by what means?

(*a*) These questions, as also the answers to the book-keeping questions are furnished us by Mr. R. Halliday, solicitor, author of "A Digest of the Final Examination Questions and Answers," &c.

QUESTIONS ON BOOK-KEEPING.

1. What are the names of the books required to be kept by a merchant or tradesman?

2. What are the uses of the respective books referred to in the preceding question?

3. What is a balance-sheet, how formed and what does it show?

4. What is the difference between a balance-sheet and a profit and loss account?

5. What are bills payable and bills receivable books, and what particulars are entered therein?

ANSWERS TO THE BOOK-KEEPING QUESTIONS.

1. They are the invoice-book, day-book, cash-book, bill-book and ledger: (Hallilay's Articled Clerk's Handbook, 89, 93, 2nd edit.)

2. The invoice-book is used for entering all goods *bought* on credit, the day for all goods sold on credit, the cash-book for all cash received and paid, the bill-book for all bills receivable and payable, and the ledger collects together the dispersed accounts of each person in the above books under one entry: (Hallilay's Articled Clerk's Handbook, 89, 90, 93, 2nd edit.)

3. This is a summary of the several balances (except those of the stock and profit and loss accounts) dispersed throughout the ledger. On the creditor side are entered all balances owing *to* you, to which are added cash in hand, as shown by balancing the cash-book, and the value of unsold goods, obtained from the stock account. On the debtor side are entered your capital at commencement and all balances owing *by* you. The assets and liabilities of the concern are thus exhibited at one view, and their difference will give the net profit or loss within the given period: (Hallilay's Articled Clerk's Handbook, pp. 91, 94, 2nd edit.)

4. The profit and loss account is formed by entering on the debtor side the *losses*, as bad debts, expenses and discounts; and on the creditor side the *profits*, if any, as shown by the stock account, the discounts allowed *to* you, &c. If the accounts have been properly kept, the difference of the balance-sheet will correspond with the balance of the profit and loss account: (Hallilay's Articled Clerk's Handbook, pp. 91, 93, 2nd edit.)

5. In the bills receivable book are entered all bills payable *to* you with the date, by whom drawn, the term, upon whom drawn, when due, amount, &c. So the bills payable book contains a like record of the particulars of all bills accepted by, and therefore payable by, you: (Hallilay's Articled Clerk's Handbook, pp. 90, 93, 2nd edit.)

[*Note.*—Mr. Hallilay's Handbook not only contains a succinct account of the elements of book-keeping, but also all the previous examination questions thereon.]

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

B. L. C. A. 1849, SECT. 112—B. A. 1861, SECT. 159—ARREST OF BANKRUPT AFTER LIMITED PROTECTION—JURISDICTION TO ORDER RELEASE.—The court will not, under sect. 112 of the B. L. C. A. 1849, release a bankrupt who has neglected to obtain a renewal of the protection granted to him pending a suspension of his order of discharge: (*Re Kimberley*, 12 L. T. Rep. N. S. 180.)

SPECIAL CASE—EQUITABLE MORTGAGEE—RECEIPT OF RENT.—Equitable mortgagees, who have received rent before order for sale in bankruptcy, are entitled to retain the same as against the assignees, and ought not to be compelled to refund as a condition of obtaining the order: (*Ex parte Williams, re Freeman*, 12 L. T. Rep. N. S. 180.)

JURISDICTION—RESIDENCE—FOREIGN BANKRUPTCY.—Under the 88th section of the B. A. 1861, it is sufficient to support a petition for adjudication if the debtor shall have resided within the district of some Court of Bankruptcy in England for the longest period during six months next immediately preceding the date of his petition during which he has been in England, although such residence may not amount to more than two months and four days: (*Re Behrends*, 12 L. T. Rep. N. S. 149.)

Where a debtor, being a bankrupt in Hamburg, where the great majority of his creditors resided, and where he carried on his business, comes over to England, having no property here, and only two creditors resident in this country whose debts amount to 500*l.*, whilst his whole indebtedness amounts to about 12,000*l.* and files his petition here for an adjudication against himself, the court will not proceed with the prosecution of the bankruptcy here until he shall have completed his bankruptcy proceedings at Hamburg: (Ibid.)

PRACTICE—AFFIDAVIT—SECT. 198.—On an application made by a judgment-creditor, under the 198th section, B. A. 1861, for leave to render process available against the person and property of the debtor, notwithstanding the registration by him of a deed of composition purporting to be within the 192nd section, B. A. 1861, it was held that a copy of the affidavit filed in support of the application must be served upon the debtor; the mere notice of the filing is insufficient: (*Re Gillard*, 12 L. T. Rep. N. S. 241.)

PROOF OF DEBT—SECURED CREDITOR—RIGHT OF PROOF—PRACTICE.—Where a bill of exchange for a larger amount is held as security for a debt, the holder may prove for the full amount against the estate of the bankrupt acceptor, though he can only receive dividends up to the amount of his debt: (*Re Magnus, ex parte Hodges and Hart*, 12 L. T. Rep. N. S. 241.)

185TH SECTION OF B. A. 1861—COMPOSITION-DEED — REGISTRATION — ANNULLING BANKRUPTCY.—Where a bankrupt has executed a deed of arrangement with his creditors under sect. 185, B. A. 1861, providing for payment to them of a composition of 5*s.* in the pound by two equal instalments, the first within one week after registration, and the other at the expiration of three months, the last to be secured to the satisfaction of the trustees, and the necessary majority of the creditors assent thereto, the court will order the registration of such deed, and upon proof that sufficient funds are in hand to pay the first instalment, and that bills of exchange, adequate to the payment of the other instalment, have been delivered to the trustees, will annul the bankruptcy: (*Ex parte the Assignees, re Hubbell*, 12 L. T. Rep. N. S. 270.)

CORRESPONDENCE OF THE PROFESSION.

HONOURS.—In the *Law List*, the counsel who have taken studentships or certificates of honour are distinguished by having such honour added to their names. Why should not this be done with attorneys who have taken honours at the Incorporated Law Society? It would only be giving to those gentlemen, who at present receive but slight reward for their hard work and laborious study, that which they are surely as much entitled to as the higher branch of the Profession. A SOLICITOR.

COSTS OF APPEAL.—In your observations in *Baring v. Harris*, 17 L. T. Rep. N. S. 308, you cite Macqueen's H. L. Practice, 1842, p. 770, as stating that the general rule of the Privy Council is not to award costs to the appellant. The present practice is thus described in a recent publication: "In the Privy Council (9 Moo. P. C. C. 9, r. 1, see *Valentine v. Clough*, 3 Moo. P. C. C. 167, 178) an appellant who succeeds in obtaining a reversal or a material alteration of any judgment, decree, or order appealed from is entitled to the costs of the appeal, except in cases in which the Judicial Committee may otherwise direct. This, however, is regarded merely as a rule for the guidance of their Lordships' judgment. The effect of it is, that the appellant is to have his costs if he ask for them at the hearing; if he omit to do so, the order is simply to reverse, and the committee will not afterwards entertain an application for costs: (*Lindo v. Barrett*, 9 Moo. P. C. C. 460, 465.) In the House of Lords costs are never awarded against a respondent (*Mackersy v. Ramsays*, 9 Cl. & F. 818, 851), although they are occasionally ordered to be paid out of the estate (*Stokes v. Heron*, 12 Cl. & F. 161, 202), or out of some portion of it. In *Fisher v. Brierley*, 10 H. of L. Cas. 159, 170, it was ordered that the costs incurred by the appellants and certain of the respondents should be paid out of such part of the fund in court as consisted of the shares of the residuary legatees, with the exception of the shares of Procter and Lambert, who did not join in the appeal: (Dodd's Probate Practice, 939.) It may be added, the Court of Appeal created by the 13 & 14 Vict. c. 61, will as a general rule give costs to the successful party: (*Daniels v. Chartley*, 11 C. B. Rep. 739; *Robinson v. Lawrence*, 17 Ex. Rep. 128, Ib.)

May 1, 1865. A SOLICITOR.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides.*

Queries.

BANKRUPTCY.—A. and B. are partners, having separate places of business and residence at two different towns, but not in the jurisdiction of the same County Court. A. managing one business and B. managing the other business. B. every Saturday night goes to A.'s house and remains until Monday morning. The firm are insolvent, but owe debts under 300*l.* In what court must they file their petition in bankruptcy? Z.

REVERSIONARY INTEREST.—Can any of your readers inform me whether a reversionary interest, vesting in a woman either prior to or on her marriage (and not included in the marriage-settlement) in moneys hereafter to arise from the sale of real estates, would revert to her, on being at her own suit divorced from her husband? T. M. B.

Answer.

MANOR COURTS—COURT BARON.—It is a maxim always strictly observed in practice, that when a judge is interested in a cause he cannot, either personally or by deputy, sit in judgment upon it: (*Brooks v. Earl of Rivers*, Hard. 503; *Earl of Derby's case*, 12 Rep. 114.) If, for instance, a plea allege that the lord of the manor has a prescriptive right to seize cattle *damage feasant*, and to detain them until a fine is paid for the damage, such fine to be at the lord's will, this prescription will be void, and the plea consequently bad, "because it is against reason that if wrong be done to any man, he thereof should be his own judge:" (Litt. s. 212.) I have a note of a case (*Wood v. Lovatt*, 6 T. R. 511), to the effect that a fine at a court leet for an injury to the lord is illegal; but I have not the case itself to refer to. I presume that the illegality arose from the fact that the lord was the judge in his own cause. D. H.

THE LAW LIBRARY.

BOOKS SENT FOR REVIEW.

Kinnear's Digest of House of Lords Cases. Ball and Bradfute.

Fisher's Treatise on the Law of Bankers and Banking. Second edition by Grant. Butterworths.

Paterson's Compendium of English and Scotch Law. Second edition. A. and C. Black.

Law Magazine and Review for May.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

EASTER TERM 1865.

Wednesday, April 26.

REG. v. THE WORKSOP LOCAL BOARD OF HEALTH.—This was a special case as to the validity of a rate made by the board of health.—*Bovill*, Q.C. and *Bristowe* in support of the rate.—*Mellish*, Q.C. and *Cure* contra. *Part heard.*

(For the other business of the day see the Reports.)

Thursday, April 27.

BLISS v. BROWN.—*Raymond* showed cause against a rule for an attachment for nonpayment of a sum of money under an award.—*D. Brown* in support.

Rule absolute; the attachment not to issue if 19l. be paid within a week.

REG. v. LEVI.—*Wills* moved for a rule calling on the clerk of assize for the Midland Circuit to tax the costs of the prosecution herein. *Rule nisi.*

REG. v. THE JUSTICES OF WILTS.—*Bullar* moved to make absolute the rule herein with costs against one Lampard. *Rule absolute.*

JEFFS v. THE TOWN COUNCIL OF KIDDERMINSTER.—*Waddy* moved for a *certiorari* to bring up two orders of the Town Council of Kidderminster. *Rule nisi.*

Friday, April 28.

NICHOLS AND OTHERS v. NICHOLS.—Special case as to the construction of a charter-party. There were also demurrers raised in the same case. The argument involved no principle of law, and the difficulty in the case arose from the result of circumstances being so different to what the parties had contemplated.—*Lush*, Q.C. and *Hannen* for the plaintiffs.—*Bovill*, Q.C. and Sir *G. Honeyman* for the defendant. *Judgment for the plaintiffs.*

SMITH AND ANOTHER v. HUDSON.—Special case as to the right of the plaintiffs, assignees of a bankrupt, to recover the value of 48½ qrs. of barley agreed to be sold by the defendant to the bankrupt. The barley was sent by the defendant to the railway-station invoiced and addressed to the bankrupt, where it lay at the time of the bankruptcy, nothing having been done by the bankrupt in the interval between its arrival and the bankruptcy to alter the nature of the transaction.—The defendant obtained the redelivery from the railway company on giving an indemnity.—*Mellish*, Q.C. (*Metcalfe* with him) for the plaintiffs.—*Gray*, Q.C. (*J. Brown*, Q.C. with him) for the defendant. *Part heard.*

Saturday, April 29.

The Right Hon. Sir E. V. WILLIAMS took the oaths as a member of Her Majesty's Privy Council.

REG. v. THE INHABITANTS OF ASHBY FOLVILLE.—*Sills* appeared herein, *Merewether* contra. *Cur. adv. vult.*

QUAGLIENI (app.) v. MATHEWS (resp.)—This was a question, stated for the opinion of the court under the 20 & 21 Vict. c. 43, as to whether under the circumstances, the appellant was liable to be convicted under the Cardiff Local Act.—*Keane*, Q.C. appeared in support of the conviction.—*Giffard*, Q.C. contra.—(To be reported).

To go back to the justices.

HAMMOND (app.) v. THE LONDON, CHATHAM AND DOVER RAILWAY COMPANY (resps.)—This was a case stated under the 20 & 21 Vict. c. 43, upon a conviction of the appellant. —*Prentice* and *Bovill*, Q.C. appeared for the respective parties. *Conviction affirmed without costs.*

LOUGHLIN AND OTHERS (apps.) v. THE OVERSEERS OF SAFFRON-HILL (resps.)—This was a case stated under the 20 & 21 Vict. c. 43, as to the rateability of certain national school-houses.—*Huddleston*, Q.C. and *Hopwood* appeared for the respondents and *Mellish*, Q.C. and *Beresford* for the appellants.—(To be reported.)

Judgment for the respondents.

Monday, May 1.

REG. v. SIR GEORGE GREY, Bart.—Rule *nisi* for a *certio-*

rari to bring up an order made by Sir Geo. Grey as Secretary of State, determining that the vote for the adoption of the Local Government Act by the ecclesiastical district of Queenshead was valid.—*Horill*, Q.C. and *Maule* showed cause, and *Mellish*, Q.C. and *Kemplay* supported the rule.—The Court directed the rule to be made absolute, and said that the case could be fully argued on the motion to quash the order. *Rule absolute.*

Reg. v. Local Board of Health of Walton.—Rule *nisi* for a *mandamus* to the board of health to license a slaughterhouse.—*L. Temple* showed cause, and *Milward*, Q.C. supported the rule. *Rule discharged.*

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers at-Law.

BUSINESS OF THE WEEK.

Easter Term 1865.

Tuesday, April 25.

Hunt v. Harris.—*Hoggins*, Q.C. supported the rule.—(Part heard.) *Rule discharged.*

Pegrim v. Knatchbull.—Tried before the Under-sheriff of Middlesex by order of Willes, J.: verdict for the plaintiff for 10*l.* 3*s.* 3*d.*—*B. T. Williams*, for the plaintiff, moved for a rule for the payment by the defendant of the plaintiff's costs, on the ground that the court had concurrent jurisdiction with the County Court.—*C. Marshall Griffith*, for the plaintiff, showed cause in the first instance. *Rule absolute without costs.*

Phillips v. Hall.—*J. A. Russell* moved to refer a certificate of the Master back to him.—The Court suggested an arrangement. *Stands over.*

Gell v. Denton.—*Markby* moved to make an amended order of reference and a submission to arbitration a rule of court. *Application granted.*

Stockton v. Merritt—Smith v. Merritt.—*Macluchlan*, for the plaintiff, applied for leave to have special juries in these cases. The matter was referred to the court by Keating, J. *Rule nisi.*

Fowler v. The English and Scottish Marine Insurance Company.—*Lush*, Q.C. and Sir *G. Honyman* showed cause against the rule.—*Mellish*, Q.C. and *Archibald* supported the rule. *Rule discharged.*

Mockford v. Spence.—*Lush*, Q.C. and *Kingdon* showed cause. *Part heard.*

Wednesday, April 26.

Line v. Wyatt.—This was a demurrer to a plea in which a composition-deed was pleaded, the question being as to whether the deed of composition was binding on the creditors whose names were not mentioned in the schedule.—*J. Brown*, Q.C. for the plaintiff, and *Sykes* for the defendant. *Judgment for plaintiff.*

Bullen v. Sharp.—This was a special case stated for the opinion of the Court, the question being whether the defendant was a partner with his son in an underwriting business.—*J. Brown*, Q.C. appeared for the plaintiff, and *Lush*, Q.C. for the defendant. *Judgment for the plaintiff.*

Thursday, April 27.

Re Eliza Hall.—*Pulling*, Serjt. moved for leave to file a certificate of the acknowledgment of a deed by a married woman in America. There was no affidavit that the person certifying was a notary public.—The Court said that they would consult the registrar. *Stands over.*

Langley v. Headland.—*J. Mellor* moved to discharge the defendant out of custody. The plaintiff, a minor, employed Mr. Wallinger, an attorney, to bring the action against the defendant, and judgment was recovered, and the defendant arrested under a *ca. sa.* The plaintiff's father then intervened, and by his solicitor arranged to release the defendant on his giving a bill for 500*l.*, and handing over the duplicate of a diamond which he had pledged. A consent to the defendant's discharge was signed by the plaintiff, and sent to Wallinger, with directions to take the proper steps to free the defendant, but Wallinger kept the paper and refused to do anything in the matter till his costs were paid.—*Bridge*, for Wallinger, opposed the application, and said that, although the cases showed that the plaintiff might release the defendant, and deprive his attorney of all security for his costs, yet the attorney was not bound to move in the matter to his own prejudice.—The Court suggested that the paper should be given up to the plaintiff, so that he might send it to the sheriff. *No costs.*

Stockton v. Merritt—Smith v. Merritt.—*Clare*, for the plaintiff, showed cause against a rule *nisi* for special juries. The defendant might have obtained what he wanted in the ordinary way under rule 44 of Hilary Term 1852. The offices opened on the 12th April, and the first day of the sittings was on the 26th April. The Easter holidays intervened, and the defendant, instead of having two days to go to the office, had only one.—*Macclachlan* supported the rule. *Rule absolute.*

Mockford v. Spence.—(Part heard)—*Lush*, Q.C. and *Kingdon* showed cause.—*Temple*, Q.C. and *Murphy* supported the rule. *Rule discharged.*

Friday, April 28.

The Overseers of Sunderland v. The Guardians of Sunderland.—This was an appeal against a rate made by the Union Assessment Committee.—*Lush*, Q.C., *Pritchard* and *Heath* appeared for the appellant, and *Lichfield*, Q.C. and *Tomlinson* for the respondent. *Cur. adv. vult.*

Saturday, April 29.

The Court did not sit, in consequence of some of the judges being engaged in the Court of Criminal Appeal.

Monday, May 1.

Powell v. Chartered Bank of India, Australia and China.—*Lush*, Q.C. and *Hannen* appeared to show cause against a rule obtained by *J. Brown*, Q.C. on the grounds that the verdict was against the evidence, and of misdirection.—*J. Brown*, Q.C. (*Watkin Williams* with him) argued in support of the rule. *Rule discharged.*

Dresser v. Norwood.—*Crompton Hutton* showed cause against a rule obtained by *J. Brown*, Q.C. to enforce a judgment against defendant in Ex. Ch. as if defendant had given no notice of appeal to H. of L. on ground that defendant had failed to prosecute appeal. It appeared that since judgment in Ex. Ch. plaintiff had become bankrupt, by which defendant contended the fruits of the judgment passed to the assignees, and that the rule should have been obtained in their name.

Stands over to see if defendant would prosecute appeal.

Langley v. Headland.—Defendant had been arrested in execution, and plaintiff being unable to get anything out of defendant consented to his release from custody, but plaintiff's attorney wanted his costs, which he could not get from plaintiff, as he was a minor. A rule was granted for *Wallinger* (plaintiff's attorney) to show cause why defendant should not be released. *Rule nisi.*

Robinson v. South-Western Railway Company.—This was a part-heard rule, calling on the plaintiff to show cause why the verdict found for him should not be set aside and a nonsuit entered.—*Denman*, Q.C. and *Kingdon* showed cause.—*Ballantine*, Serjt. and *J. F. Wood* appeared in support. *Rule discharged.*

Tuesday, May 2.

Noakes v. Nicholson.—Tried before Keating, J., in Middlesex: verdict for the pit. for 135*l.*—*Hawkins*, Q.C. moved, pursuant to leave reserved, to enter a nonsuit. *Rule nisi.*

Ellan v. Lumley.—Interpleader.—*J. O. Griffits* appeared for the pit.; *Murphy* for the defendant; and *Eyre Lloyd* for the claimant. *Interpleader order made.*

Heard v. Holman.—*Lush*, Q.C. and *W. Williams* showed cause against the rule.—*Mellish*, Q.C. and *T. Jones* supported it. *Rule discharged.*

Rawlings v. Morgan.—*O'Malley*, Q.C. and *Holl* showed cause against the rule; *Huddleston*, Q.C. and *Beasley* supported it. *Rule discharged.*

Hirschfield v. Smith.—Action on a bill of exchange, tried before Willes, J., in London. The question raised was, whether a bill of exchange was a French or English bill, and whether the indorsements and notice of dishonour had been sufficient.—*H. James* and *Harrington*, for the defendant, showed cause against a rule to enter a verdict for the plt.—*E. James*, Q.C. and *Tupping* supported the rule. *Cur. adv. vult.*

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Easter Term 1865.

Wednesday, April 26.

special paper.

Gardom v. Lee and others.—Special case by consent of parties and judge's order, stated after declaration and before plea, involving the question whether defendants upon the facts stated had, under certain conditions of sale, the right to rescind, and did rescind, a certain contract for the sale of an estate, and whether plaintiff was entitled to recover interest upon his repaid deposit and costs.—*Hayes*, Serjt. (with *F. Stephen*), for plaintiff, cited *Tanner* v. *Smith*, 10 Sim. 410; *Morley* v. *Cook*, 2 Hare, 105.—*Lush*, Q.C. (with him *Gates*) for defendants.—By the Court:

Judgment for plaintiff.

Oakley v. Monk.—*O'Malley*, Q.C. for plaintiff; *Keane*, Q.C. (with *D. Brewster*) for deft. *Roe* v. *Ward*, 1 H. Bl. 97; *Doe d. Martin* v. *Watts*, 7 T. R. 83; *Hyatt* v. *Griffiths*, 17 Q.B. 505, were cited. *Judgment for defendant.*

Friedenburg v. Kemmish.—Demurrer to a plea setting up a composition-deed as a defence to an action.—*Sills*, for plaintiff, argued in support of the demurrer against the validity of the deed, and no one appearing to support the plea, the Court, as of course, gave

Judgment for plaintiff.

Fraser v. Trustees of the Fintord Bridge and Banbury Turnpike Roads.—Special case raising the question of what was the effect of a new local Act (22 & 23 Vict. c. 93) on a creditor of the trust under the old local Turnpike Act, 3 Geo. 4, c. 95.—*Hayes*, Serjt. and *Wills*, for plaintiff; *R. E. Turner* (with him *Lush*, Q.C.) contra, for defendants. *Judgment for plaintiff.*

Thursday, April 27.

—— v. ——.—An execution had been issued into Devonshire for 23*l.* The defendant set up, in answer, an assignment for the benefit of his creditors. An interpleader summons was obtained, but the deed at the time was not registered. The summons was adjourned, and the deed then registered. An objection was then taken that it was not registered within the twenty-eight days allowed by the Act. It was, however, registered on the twenty-ninth day (the twenty-eighth day being Easter Tuesday). All parties had at first agreed to leave it to Channell, B. at chambers, to determine, and that his decision should be final; but one of them afterwards withdrew his consent, as he wished to have leave to appeal to the court, if necessary.—*Kingdon* moved, on behalf of the sheriff, for a rule to have an interpleader issue.—By the Court: The sum is so small, your application should be to a judge in chambers.

Hemstead v. The Phœnix Gas Company.—Same and Wife v. Same.—*Lyell* moved to rescind an order of Pigott, B., directing (under the C. L. P. A. 1852, s. 40), that these causes be consolidated. It was submitted that the Act in question did not apply to these cases. The plaintiff's house, &c. had been much damaged by the defendant, and his wife seriously injured. Secondly, the plaintiff would be delayed, one action being ready for trial, the other not. He had a right to maintain the actions separately.—By the Court: The learned Baron's order is right. A judge will, at chambers, put the defendants under terms to try so as not to prejudice the plaintiffs. It would have been done at the time the order in question was made, if it had been asked. *Rule refused.*

Webster v. Searle.—Tried in London before Martin, B. It was an action for work and labour for building washhouse; pleas, never indebted and set-off: verdict for the defendant. A rule *nisi* having been obtained to set it aside and for a new trial, on the ground that the verdict was against the weight of evidence, and on affidavits on the ground of surprise.—*Robinson*, Serjt. showed cause.—*M. Chambers*, Q.C. and *Philbrick* contra.

Referred to the master.

Pennefather v. Brooks and Kelling.—This was an action for money alleged to be due to the plaintiff; in answer to which the defendant set up a composition-deed, which was in the form given by the B. A. 1861, schedule D. The cause came on for trial in London before Martin, B., when a verdict was found for the plaintiff, leave being reserved to move to set aside that verdict and enter it for the defendants, or for a nonsuit: the court to have power to draw inferences, and to amend, if necessary.—*T. Jones* showed cause. This composition-deed does not contain a release; the first question therefore is, is it any answer to the present action? There are several authorities to show, as it has no release, that it is no answer to an action at law by a non-assenting creditor. In *Eyre* v. *Archer*, 33 L.J. 296, C.P.; and 16 C.B. N.S. 648, it has been expressly decided that a trust-deed for the benefit of creditors executed in the form given in schedule D. of the 24 & 25 Vict. c. 134, cannot, without the addition of a clause of release, be pleaded by the bankrupt in bar to an action against him by a creditor. *The Ystalyfera Park Iron Ore Company (Limited)* v. *Pattinson*, 33 L.J. 193, Ex.; and *Clark* v. *Williams*, 34, L.J. 60, Ex., are precisely to the same effect: (He was then stopped.)—*Holl*, contra, referred to *Garrod* v. *Simpson*, 34 L.J. 70, Ex., showing that it was good by way of accord and satisfaction.—Martin, B.: There is clearly no satisfaction here. We are concluded by the authority of *Eyre* v. *Archer*, in the C.P. If you wish to contravene the decision referred to, you must go to a court of error for the purpose. *Rule discharged.*

Young v. Fletcher. *Part heard.—Adjourned.*

Friday, April 28.

England v. Hope.—*Daly*, for plaintiff, appeared to show cause, and *E. Francis*, for defendant, to support the rule for a new trial herein, which it was ultimately arranged by leave of the Court should stand over for the defendant to have an opportunity to answer the plaintiff's affidavits.

Stands over accordingly.

Elwood v. Harris.—*Digby Seymour*, Q.C. moved in this case, tried before Channell, B., on Tuesday last, when a verdict was found for plaintiff for 38*l.* 8*s.*, for a new trial on the ground of verdict against evidence.

Consult the Judge.

Re An Arbitration between John and Edward Brooks and the Chesterfield and Midland Silkstone Colliery Company (Limited).—*Horace Smith* moved for a rule for payment of money under the award. *Rule nisi.*

special paper.

Allsop v. Gurney.—Demurrers. Postponed on the application of *Field*, Q.C. until the issues of fact are tried.

Young (assignee, &c.) v. Fletcher and others.—The arguments in this part-heard case were resumed by *Field*, Q.C. and *A. Wills* for defendants; *Manisty*, Q.C. and *Keeplay* for plaintiff. The Court gave judgment for plaintiff, and refused leave to defendants to appeal.

Judgment for plaintiff.

Goold and others v. Ralph and Garrold.—*Huddleston*, Q.C. and *Austin*, for plaintiffs, showed cause against a rule obtained by *W. H. Cooke*, Q.C., on the part of defendants, pursuant to leave reserved at the trial at the last Hereford assizes to enter a nonsuit on the ground that there was no evidence of personal liability of either of the defendants, nor of their joint liability, or for a new trial. The action was by plaintiffs, who are papermakers, against defendants, as shareholders in the *Hereford Journal* newspaper, to recover the value of paper supplied to the manager of the journal on, as plaintiffs contended, the credit and order of the defendants.—*W. H. Cooke* and *Cleare*, for defendant Ralph, and *G. Brown* and *Jelf*, for defendant Garrold, showed cause.—The following cases were cited: *Carr* v. *Hickman*, in the H. of L.; *Cross* v. *Williams*, 6 L. T. Rep. N. S. 434; *Edmondson* v. *Thompson and Hulley*, 34 L. J. 207, Ex.; *Reynell* v. *Lewis*, 15 M. & W. 507.—The Court thought there was evidence for the jury of the liability of both defendants, and that they had come to a right conclusion, and so discharged the rule. *Rule discharged.*

Cooper and others v. Bill and another.—*Huddleston*, Q.C. and *Griffits*, for plaintiff, showed cause against, and *Powell*, Q.C. and *H. Matthews* supported the rule herein. *Rule discharged.*

Thomas v. Jones and another.—In this case no notes had been delivered.

Jones v. Roberts.— *Stands over to Tuesday.*

Saturday, April 29.

Ford v. Bennett.—*Philbrick*, for the defendant, moved set aside the award of the arbitrator on the ground that he had amended the declaration in a way which he had no authority to do. *Rule nisi.*

Mellor v. Chaffel.—*Brett*, Q.C. moved to set aside an order of Shee, J. for the examination of a witness abroad. There was no limit as to the time in which it was to be done; in fact, we think it was for delay. The witness wished to be examined in, however, now in England. The amount sought to be recovered is 5000*l.*, and it is now asked either to rescind the order or vary it, or to change the venue. *Rule nisi.*

Webber v. The Great Western Railway.— *Cur. adv. vult.*

Monday, May 1.

special paper.

Wright v. Hunt.—Postponed on the application of *Coleridge*, Q.C. and *Mellish*, Q.C. *To come on as a motion.*

Ibbotson v. Peal.—(See Reports of the week.)

Judgment for plaintiff.

Goodyear v. Lindsay and others.—Demurrer to plea to a declaration on a charter-party.—*F. M. White* (with him Sir *G. Honyman*) for plaintiff, in support of the declaration, cited *Hutchue* v. *Atkinson*, 10 East, 295; *Atkinson* v. *Ritchie*, 1b. 530; *Blight* v. *Page*, 3 B. & P. 295; *Toutney* v. *Hubbard*, 1b. 288; Smith's Merc. Law, 271.—*T. Jones* (with him *Lush*, Q.C.) contra, supported the plea: (*Crow* v. *Falk*, 8 Q. B. 467; *Bruce* v. *Nicolopulo*, 24 L. J. 371, Ex.; *Sproods* v. *Luscombe*, 16 East, 201. Ultimately it was arranged the case should stand over for defendant to amend the third plea, and to add another plea, the plaintiff to be at liberty to demur to such new plea, and to reply on the defendants' arguments if necessary, the costs of amending, &c. to be plaintiff's costs in the cause in any event.

Stands over accordingly.

Martin v. Gribble.—Demurrer.—*F. M. White* for plaintiff.—*G. Taylor* for defendant.

To stand over to Wednesday for defendant on affidavit to add a plea of tender.

Union Bank of Manchester (Limited) v. Beech.—Demurrer to a replication.—*Harrington*, for defendant, in support of demurrer, cited *Boulthee* v. *Stubbs*, 18 Ves. 20; *Ystalyfera Park Company* v. *Pattinson*, 9 L. T. Rep. N. S. 806; and *Cooper* v. *Smith*, 4 M. & W. 519, which latter case he admitted made against him, if it was not distinguishable.—(*Temsley*, Q.C. (with *R. G. Williams*), for plaintiff, not called on. *Judgment for plaintiff.*

Tuesday, May 2.

Julian *v.* Clarke.—*O'Malley*, Q.C. (*Daly* with him) moved to set aside the plaintiff's verdict for 20*l.*, and for a new trial, on the ground that the verdict was against the evidence.

Rule nisi.

Henry *v.* Smiles.—*Garth* showed cause against a rule obtained to set aside the nonsuit obtained at Kingston, and for a new trial on the ground of surprise, and that the defendant was not in a position to claim a nonsuit.—*Wallett* contra.

Rule absolute on terms; venue to be changed to London.

Botillon and Wife *v.* Valentin.—*Karslake*, Q.C. (*Dowdeswell* with him) showed cause against this rule to set aside the plaintiff's verdict and judgment, and for a new trial on the grounds disclosed in affidavits.—*Simon*, Serjt. and *Bennett* contra.

LEGAL OBITUARY.

Note.—This department of the Law Times is contributed by Edward Walford, Esq., M.A. and late Scholar of Baliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the Law Times Office any dates and materials required for a biographical notice.

J. G. PHILLIMORE, ESQ.

On Thursday, April 27, at Shiplake-house, Oxfordshire, aged 55, John George Phillimore, Esq., one of Her Majesty's Counsel, and Reader on Constitutional Law and Legal History to the Four Inns of Court.

Mr. Phillimore was the eldest son of the late Joseph Phillimore, Esq., D.C.L., of Shiplake-house, who was many years chancellor of the dioceses of Worcester, Oxford, Bristol, &c. (who died in 1855), by Elizabeth, daughter of the Rev. Walter Bagot, of Blithfield, Staffordshire. He was born in 1809, and was educated at Westminster School and at Christ Church, Oxford, of which he was Faculty Student, and where he graduated B.A. in 1828, and proceeded M.A. in 1831. He was called to the Bar at Lincoln's-inn in 1832, and for several years went the Oxford Circuit. In 1850 he was appointed reader on civil law and jurisprudence to the Middle Temple; in 1851 he was made a Queen's Counsel, and in 1852 he received the appointment of reader on constitutional law and legal history by delegates from all the Inns of Court. He represented Leominster in Parliament, in the Liberal interest, from 1852 to 1857. He is described, in Dod's "Parliamentary Companion," as having supported the abolition of church-rates, and of being in favour of an extension of the suffrage, vote by ballot, and of an extensive law reform.

The late Mr. Phillimore, who was the author of "An Introduction to the Study and History of Roman Law," "History of the Law of Evidence," and of various pamphlets on law reform, &c., represented a younger branch of the Phillimores of Kendal, in Hertfordshire. He married, in 1839, Rosalind Margaret, daughter of the Lord Justice Knight Bruce, by whom he has left a son, Egerton Greville Bagot, born in 1857, who succeeds to the family estate at Shiplake.

HON. E. LASCELLES.

On Tuesday, April 25th, suddenly, whilst on a visit at Wighill-park, near Wetherby, Yorkshire, aged sixty-six, the Hon. E. Lascelles, D.C.L., Barrister-at-Law. The deceased gentleman, who was a brother of the late, and uncle of the present Earl of Harewood, was the fourth son of Henry, second Earl of Harewood who was Lord Lieutenant and Custos Rotulorum of the West Riding of Yorkshire, by Henrietta, eldest daughter of the late Lieutenant-General Sir John Saunders Sebright, Bart. He was born on the 25th Dec. 1799, and was educated at Eton and at Christ Church, Oxford, where he took his degree of B.A., and was afterwards elected to a Fellowship at All Soul's College, which he held till his death, being unmarried. He was called to the Bar at the Inner Temple in 1826, and went for some time the Northern Circuit. He had for some years been chairman of quarter sessions of the West Riding. He was also a magistrate and deputy-lieutenant of the Riding. His courtesy, affability, and kindness gained for him the esteem and respect, not only of his fellow magistrates, but also of the bar and the public. In personal appearance and bearing he was an excellent specimen of a country gentleman. He represented Ripon in Parliament, in the Conservative interest, from 1846 to 1857.

LEGAL NEWS.

The Road Murder.—The following has been addressed to the *Times*:—Will you allow me to state, in justice to detective Whicher, who was employed in the above case, and was very generally thought to have been quite wrong in his opinion as to who the murderer was (viz. Miss Constance Kent), that the last words he said to a friend of mine at the time where, "Mark my words, Sir, nothing will now be known about the murder till Miss Constance Kent confesses.—I am, Sir, your obedient servant,

52, Grosvenor-street. Folkestone.

Action against the French Postmaster-General.—The Civil Tribunal of the Seine has just been called on to try an action brought by MM. L. Durand and Co., of Paris, sculptors and photographers, against the director-general of the Post-office, under the following circumstances:—Some time since MM. Durand and Co. posted a considerable number of printed circulars to artists residing in Paris. As the circulars were not sealed MM. Durand put on them a 5c. stamp only, as required by art. 7 of the law of 25th June 1856. The Post-office authorities, however, charged 15c. for each circular; the same as for unpaid letters. The persons to whom they were addressed were annoyed by receiving unpaid circulars, and many of them addressed unpleasant notes on the subject to MM. Durand, who accordingly commenced proceedings against the director-general to recover 5000*l.* damages for the injury done to them by what they considered an illegal charge made by the Post-office. In court the counsel for the director-general pleaded the incompetence of the tribunal, as according to a decree of the 29th Aug. 1790, all complaints relative to the postal service should be addressed to the executive power. The tribunal, taking this view of the law, declared itself incompetent, and condemned MM. Durand to pay all costs.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, April 21.

Birkett, James, and Anthony, W. H. attorneys and solicitors, Liverpool.

Townsend, Jackson, and Jackson, William, jun. attorneys and solicitors, Liverpool and Birkenhead.

Gazette, April 25.

Halcomb, John, and Woodward, William Frederick, attorneys and solicitors, Marlborough and Hungerford.

Marcy, William Nichols; Whitcombe, Robert Henry, and Clarkson, Richard, attorneys, solicitors and conveyancers, Bewdley, as regards Clarkson.

Marcy, William Nichols, and Whitcombe, Robert Henry, attorneys, Bewdley.

Bankrupts.

Gazette, April 25.

To surrender at the Bankrupts' Court, Basinghall-street.

Baldwin, Alfred, merchant's clerk, St. Peter's-rd. Mile-end. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sol. Vant, Leadenhall-st. Sur. May 9.

Carslake, Robert Dare, baker, Richmond-rd. Hackney. Pet. April 20. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 8.

Chennall, John Snell, mining engineer, Tokenhouse-yd. and Englefield-rd. Islington. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Moon, Old Broad-st. Sur. May 8.

Chaffer, George, bricklayer, Strand. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. May 9.

Curgenven, Samuel Lavalliere, captain in H. M. military train, Woolwich. Pet. April 19. Reg. Brougham. O. A. Edwards. Sol. Braden, Copthall-chambers, Copthall-ct. Sur. May 6.

Dike, Thomas, boot and shoe maker, Dorset-st. Pimlico. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sol. Cooke, New Broad-st. Sur. May 2.

Farrance, David, victualler, West-st. Mile-end Old-town. Pet. April 20. Reg. Hazlitt. O. A. Graham. Sol. H. de Medina, Primrose-st. Bishopsgate-st. Sur. May 2.

Gander, William, builder, Longfellow-rd. Mile-end-rd. Pet. April 20. Reg. Roche. O. A. Parkyns. Sols. Kent and Kent, Cannon-st. west. Sur. May 8.

Greetham, Frederick Charles, tobacconist, Landport. Pet. April 20. Reg. Roche. O. A. Parkyns. Sol. White, Dane's-inn, Strand, and Portsea. Sur. May 8.

Gullen, George, willow cutter, New York-st. Bethnal-gn.-rd. Pet. April 22. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. May 8.

Hessing, George John, cheesemonger, Crown-row, Walworth. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sols. Peckham and Salt, Doctors'-commons. Sur. May 9.

Holland, Elizabeth, grocer, Kenworth. Pet. April 22. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry. Sur. May 8.

Knight, Henry, baker, Slough. Pet. April 20. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand. Sur. May 8.

Lucas, Alexander, shipping agent, Richmond-rd. Hackney. Pet. April 24. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. May 8.

Mathews, Charles Robert, gas fitter, High-st. Bloomsbury. Pet. April 21. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. May 8.

Michaelis, Jacob, importer of foreign goods, Tower Royal, Cannon-st. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sols. Sydney and Son, Finsbury-circus. Sur. May 9.

Parasiers, Isidore, schoolmaster, Welling, East Wickham. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sur. May 9.

Robeson, Richard Thomas, short-hand writer, Widmore-ln. Bromley. Pet. April 19. Reg. Brougham. O. A. Edwards. Sols. Humphries and Morgan, Giltspur-chambers, Newgate-st. Sur. May 8.

Shaw, James, boiler maker, John-st. Hackney. Pet. April 20. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. May 2.

Surridge, James, plumber, Commercial-pl. Lewisham. Pet. April 19. Reg. Brougham. O. A. Edwards. Sur. May 6.

Syms, Abraham Hodges, lighterman, Charlotte-st. Old Kent-rd. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Atkinson, High Holborn. Sur. May 8.

Terry, George Roberts, stone, timber and tile dealer, Brighton. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sur. May 9.

To surrender in the Country.

Allen, Richard, baker, Barton. Pet. April 17. Reg. & O. A. Austin. Sols. Conquest and Stimson, Bedford. Sur. May 8.

Armstrong, Henry, alum manufacturer, Mulgrave alum works, Whitby. Pet. April 20. O. A. Young. Sols. Buchanan and Son, Whitby; Simpson, Leeds. Sur. May 8.

Baxendale, Richard, deputy fireman in a coal mine, Pemberton, Wigan. Pet. April 18. Reg. & O. A. Part. Sol. Darlington. Sur. May 18.

Broomfield, Thomas, baker, Warwick. Pet. April 24. Reg. Tudor. O. A. Kinnear. Sols. Hodgson and Son, Birmingham. Sur. May 12.

Caddick, John, grocer, Peasley-cross, St. Helen's. Pet. April 12. O. A. Turner. Sur. May 5.

Craven, John Hugh, cattle salesman, Heifer Law Bank, Alnwick. Pet. April 15. Reg. & O. A. Wilson. Sol. Swan, Morpeth. Sur. May 6.

Cushion, Joseph Ambrose, farmer, Southrepps. Pet. April 21. Reg. & O. A. Wilkinson. Sol. Atkinson, Norwich. Sur. May 12.

Dale, John, butcher, Conway. Pet. April 22. O. A. Turner. Sol. Goldrick, Liverpool. Sur. May 8.

Garner, Edmund, farrier, Bournheath, Bellbroughton. Pet. April 21. Reg. & O. A. Scott. Sol. Mole, Bromsgrove. Sur. May 8.

George, William, chair manufacturer, Chipping Wycombe. Pet. April 27. Reg. & O. A. Parker. Sol. Spicer, Great Marlow. Sur. May 12.

Hancock, William, builder, Birlingham, Pershore. Pet. April 22. Reg. Tudor. O. A. Kinnear. Sol. Devereux, Worcester; Wright, Birmingham. Sur. May 8.

Harrison, Priestley, tanner, Horton, Bradford. Pet. April 22. Reg. & O. A. Robinson. Sol. Hutchinson, Bradford. Sur. May 16.

Howard, Joseph, tailor, Burringham-on-Trent. Pet. April 11. Reg. & O. A. Hett. Sur. May 4.

Jarman, John, coachbuilder, Bury. Pet. March 18. Reg. & O. A. Grundy. Sur. May 18.

Jennings, John Oliver, cattle dealer, Exeter. Pet. April 24. O. A. Carrick. Sol. Fryer, Exeter. Sur. May 3.

Jones, David, builder, Market Drayton. Pet. April 12. O. A. Turner. Sur. May 3.

Jones, Job, hay and straw dealer, Falling's-heath, Wednesbury. Pet. April 21. Reg. Hill. O. A. Kinnear. Sol. Glover, Walsall. Sur. May 8.

Kershaw, Thomas, stonemason, Smallbrook, Oldham. Pet. April 20. Reg. & O. A. Sommerscales. Sol. Whitehead, Rochdale. Sur. May 11.

Markcrow, Edward William, foreman, Hull. Pet. April 19. O. A. Young. Sols. Gale and Middlemiss, Hull. Sur. May 17.

Mecklenburg, Hermann, commission agent, Manchester. Pet. April 22. Reg. Harris. O. A. Morgan. Sol. Storer, Manchester. Sur. May 9.

Mitchell, Samuel, saddler, High Wycombe. Pet. April 21. Reg. & O. A. Parker. Sol. Clarke, High Wycombe. Sur. May 17.

Montgomery, Stephen, schoolmaster, Tranmere. Pet. April 20. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. May 9.

Moore, Joseph, gun barrel and ramrod manufacturer, Birmingham. Pet. April 20. Reg. Hill. O. A. Kinnear. Sol. Duke, Birmingham. Sur. May 8.

Nicholas, John Martin, merchant, Whitehall, Gloucester. Pet. April 22. Reg. Wilde. O. A. Acraman. Sols. Abbot and Leonard, Bristol. Sur. May 9.

Rawding, William, farmer, Swinderby. Pet. April 19. Reg. & O. A. Newton. Sol. Ashley, Newark. Sur. April 29.

Roberts, John, joiner, Colwyn, Conway. Pet. April 20. O. A. Turner. Sol. Goldrick, Liverpool. Sur. May 5.

Shears, Christopher, innkeeper, Exeter. Pet. April 20. Reg. & O. A. Daw. Sol. Campion, Exeter. Sur. May 4.

Silcox, George Edward, jeweller, Bath. Pet. April 15. Reg. Wilde. O. A. Acraman. Sols. Clark, Bath; Abbot and Leonard, Bristol. Sur. May 5.

Strahan, Francis; Strahan, John, and Strahan, Nicholas, wholesale chair and cabinet manufacturers, Cheetham, Manchester. Pet. April 22. Reg. Harris. O. A. Morgan. Sols. Heath and Sons, Manchester. Sur. May 10.

Stringer, Henry, victualler, Cockedge, Warrington. Pet. April 19. Reg. & O. A. Nicholson. Sol. Nicholson and White, Warrington. Sur. May 11.

Taylor, George, manager of a merchant's carting establishment, Fairfield, Liverpool. Pet. April 19. O. A. Turner. Sol. Morris, Liverpool. Sur. May 5.

Teal, Alexander, station master, Shalford. Pet. April 20. Reg. & O. A. Marshall. Sol. Geach, Guildford. Sur. May 6.

Temple, John Mark, maltster, Darlington. Pet. April 20. Reg. & O. A. Bowes. Sol. Stevenson, Darlington. Sur. May 9.

Thomason, William, cotton dealer, Bury and Manchester. Pet. April 21. Reg. Macrae. O. A. Morgan. Sols. Boote and Ryland, Manchester. Sur. May 12.

Trotter, Frederick King, surgeon dentist, Lincoln. Pet. April 20. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln. Sur. May 4.

Watson, Thomas, joiner, Ainstable. Pet. April 18. Reg. & O. A. Varty. Sol. Scott, Penrith. Sur. May 4.

Weston, George, builder, Quemerford, Calne. Pet. April 21. Reg. & O. A. Rogers. Sol. Rawlings, Melksham. Sur. May 10.

Woodcock, James, edge tool manufacturer, Sheffield. Pet. April 20. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. May 10.

Gazette, April 28.

To surrender at the Bankrupts' Court, Basinghall-street.

Barnes, Henry, blacksmith, Totton. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. May 8.

Boyd, Andrew Forbes, wine and commission merchant, White Lion-ct. Cornhill. Pet. April 24. Reg. Brougham. O. A. Edwards. Sol. Pope, Winchester-house, Old Broad-st. Sur. May 6.

Budd, George James, dairyman, Queen-st. Edgware-rd. Pet. April 24. Reg. Brougham. O. A. Edwards. Sol. Searth, Air-st. Regent-st. Sur. May 6.

Coombe, William Biddlecombe, victualler, Old Bond-st. Piccadilly. Pet. April 19. Reg. Brougham. O. A. Edwards. Sols. Robinson and Co. Charterhouse-sq. Sur. May 6.

Crampton, William Norman, clerk in the Admiralty, Claylands rd. Clapham-rd. Pet. April 25. Reg. Hazlitt. O. A. Graham. Sols. Hancock and Co. Linc.-inn-flds. Sur. May 11.

Croghan, James, farmer, Jubilee-st. Commercial-rd.-east. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Curry, Samuel, manager of a turkish bath, Goswell-rd. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. May 8.

Durrant, Thomas Parker, accountant, Great Carter-ln. Doctors'-commons. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Galloway, George, timber merchant, Strathmore-ter. Shadwell. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Gathercole, James, Ostend provision merchant, Cranmer-rd. Brixton. Pet. April 14. Reg. Brougham. O. A. Edwards. Sol. Binns, Trinity-sq. Southwark. Sur. May 23.

Hervey, Alexander Charles, clerk to the French Consulate, Westbourne-ter. New Peckham. Pet. April 24. Reg. Roche. O. A. Parkyns. Sol. Abrahams, Gresham-st. Sur. May 8.

Hodson, James Shirley, jun. fine art and general printer, Carlton-rd. Kentish-tn. Pet. April 24. Reg. Brougham. O. A. Edwards. Sol. Doyle, Verulam-bldgs. Gray's-inn. Sur. May. 6.

Howlett, George Watkinson, builder, Barking-rd. Plaistow. Pet. April 22. Reg. Brougham. O. A. Edwards. Sol. Cartwright, Basinghall-st. Sur. May 8.

Ingram, Harriet, wardrobe dealer, Princes-sq. Lambeth. Pet. April 22. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Jackson, Benjamin Samuel, dentist, Hollingsham-villas, Upper Holloway. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

James, Thomas Morgan, house and estate agent, Caledonian-rd. and St. John-st.-rd. Clerkenwell. Pet. April 26. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. May 11.

Lambert, William, grocer, Walls-end, Pevensey. Pet. April 21. Reg. Brougham. O. A. Edwards. Sols. Monckton and Co. Raymond-bldgs. Gray's-inn; Monckton and Sons, Maidstone. Sur. May 8.

Livermore, William Charles, jun. builder, Paradise-row, Bethnal-gn. Pet. April 24. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. May 9.

Lorenz, Henry Charles Rudolph, merchant, Tonbridge-st. Euston-rd. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Martin, Robert, out of business, Berkeley-st. Lambeth-walk. Pet. April 24. Reg. Roche. O. A. Parkyns. Sol. Abbott, Basinghall-st. Sur. May 8.

O'Connell, John, surgeon, Parson's-hill, Woolwich. Pet. April 24. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 8.

Preckerini, Alberto, general merchant, Essex-st. Strand. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate st. Sur. May 8.

Rubino, Joseph, clerk, Sambrook-ct. Pet. April 22. Reg. Hazlitt. O. A. Graham. Sols. Sole, Turner and Co. Aldermanbury. Sur. May 9.

Sly, Mary Ann, Princes-st. Soho. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Smith, Thomas, merchant, Basinghall-st. Pet. March 27. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Co. Old Jewry. Sur. May 24.

Smith, Thomas Matthew, greengrocer, Red Lion-passage, Holborn. Pet. April 25. Reg. Hazlitt. O. A. Graham. Sol. Cooper, St. Martin's-ln. Sur. May 11.

Spencer, Lewis Charles, clerk to a solicitor, Queen's-rd. Dalston. Pet. April 22. Reg. Brougham. O. A. Edwards. Sol. Bratton, Guildhall-chambers, Basinghall-st. Sur. May 6.

Street, Abiathar, lodging-house keeper, Gloucester-grove-west, Old Brompton. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. May 8.

Tuckwell, Joseph, publican, Kidlington. Pet. April 21. Reg. Hazlitt. O. A. Graham. Sur. May 11.

Turner, Charles, chemist, Cromer-st. King's-cross. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. May 8.

Vaudrau, Louis Benjamin, artificial florist, Allerton-st. Hoxton. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. May 8.

Venables, Charles, foreman to a cab proprietor, Portnea-rd. Maida-hill. Pet. April 25. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. May 6.

Wilsher, John, jun. coachsmith, Francis-st. Tottenham-ct.-rd. Pet. April 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. May 8.

Wilson, Charles, greengrocer, Salem-gdns. Bayswater. Pet. April 21. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand. Sur. May 6.

Winter, James, doctor of medicine and surgeon, High-st. Hampstead. Pet. April 27. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. May 11.

To surrender in the Country.

Allsop, John, milk-seller, Tettenhall. Pet. April 17. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. May 10.

Barker, Richard, carver, Layerthorpe and Colliergate, York. Pet. April 25. Reg. & O. A. Perkins. Sol. Mann, York. Sur. May 12.

BAXTER, WILLIAM NEWSOME, brewer's clerk, Thornton-le-Moor. Pet. April 21. O. A. Young. Sols. Dale, York; Simpson, Leeds. Sur. May 8.
BERRIDGE, CHARLES, cordwainer, Stamford. Pet. April 21. Reg. & O. A. Hough and Shield. Sol. Laxton, Stamford. Sur. May 9.
BROWN, JOHN EDWIN, book-keeper, Openshaw, near Manchester. Pet. April 20. Reg. Harris. O. A. Morgan. Sols. Thompson, Lancaster; Gardner, Manchester. Sur. May 10.
BROWN, WILLIAM, reed maker, Halifax. Pet. April 21. Reg. Rankin. O. A. Dyson and Rankin. Sol. Storey, Halifax. Sur. May 17.
CHAPMAN, JAMES, engine-driver, Bury St. Edmund's. Pet. April 25. Reg. & O. A. Collins. Sol. Salmon, Bury St. Edmund's. Sur. May 15.
COATES, LUCY, milliner, Brighton. Pet. April 25. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. May 15.
COATSWORTH, JOHN, stationer, Hull. Pet. April 25. O. A. Young. Sol. Spurr, Hull. Sur. May 13.
CROOK, EDWIN, innkeeper, Marlborough. Pet. April 25. Reg. & O. A. Mortimer. Sol. Cave, Newbury. Sur. May 15.
DEAN, WILLIAM, butter factor, Castlegate, Huddersfield. Pet. April 13. Reg. & O. A. Jones. Sol. Craven, Huddersfield. Sur. May 15.
DIXON, JAMES, carter, Habergham Eaves. Pet. April 24. Reg. & O. A. Hartley. Sol. Grimshaw, Burnley. Sur. May 8.
DOBIN, JOSEPH, joiner, Bishop Auckland. Pet. April 21. Reg. & O. A. Trotter. Sol. Marshall, jun., Durham. Sur. May 12.
DUCKWORTH, PETER, builder, New Brighton. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
EDWARDS, JOHN, baker, Pwllheli. Pet. April 20. Reg. & O. A. Owen. Sur. May 10.
ELLIS, JOHN, painter, Chester. Pet. April 21. Reg. & O. A. Wason. Sol. Churton, Eastgate buildings. Sur. May 15.
EYRE, FRANCIS KING, victualler, Sheffield. Pet. April 25. Reg. & O. A. Wake and Rodgers. Sol. Fernell, Sheffield. Sur. May 10.
EVANS, WILLIAM, poulterer, Bilston. Pet. April 21. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. May 10.
FARMER, WILLIAM, car proprietor, Solihull. Pet. April 15. Reg. & O. A. Harding. Sol. East, Birmingham. Sur. April 29.
FIFIELD, RICHARD, coachbuilder, Birmingham. Pet. April 22. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. May 22.
GALT, THOMAS GREGORY, draper, Saint Sidwell, Exeter. Pet. April 22. O. A. Carrick. Sol. Floud, Exeter. Sur. May 4.
GREENHOUSE, RICHARD, butcher, Wolverhampton. Pet. April 27. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton. Sur. May 10.
GREGORY, JAMES RICHARD, butcher, Hanslope. Pet. April 24. Reg. & O. A. Parrott. Sol. Jones, Aylesbury. Sur. May 8.
HEAWOOD, JOSEPH, not in any business, Redditch, near Manchester. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
HODGES, HENRY, fishmonger, Leicester. Pet. April 26. Reg. & O. A. Ingram. Sol. Chamberlain, Leicester. Sur. May 12.
HODGSON, WILLIAM HUNT, painter, Newcastle. Pet. April 25. Reg. & O. A. Clayton. Sols. Scaife and Britton, Newcastle. Sur. May 11.
HOLDEN, HENRY, grocer, Elton, Bury. Pet. April 25. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. May 16.
HORNER, JOSEPH HORATIO CHARLES, stationer, Birmingham. Pet. April 19. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. May 22.
KIMBERLEY, JOSEPH, screw manufacturer, Willenhall. Pet. April 21. Reg. & O. A. Brown. Sur. May 10.
KING, FREDERICK, horse dealer, Fremantle. Pet. April 20. Reg. & O. A. Thorndike. Sur. May 12.
KNOWLES, JOHN, coal miner, Parr, near St. Helen's. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
LANGFIELD, EDWARD, general dealer, Marsden, near Huddersfield. Pet. April 18. O. A. Young. Sols. Floyd and Learoyd, Huddersfield; Bond and Barwick, Leeds. Sur. May 8.
LEWIS, JOSEPH, engineer, Cheetham. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
LITTLE, THOMAS, small farmer, Walford. Pet. April 24. Reg. & O. A. Collins. Sol. Williams, Ross. Sur. May 8.
MANATON, OLIVER SLEEMAN, accountant, Bodmin. Pet. April 22. Reg. & O. A. Collins. Sol. Wallis, Bodmin. Sur. May 9.
McCABE, HUGH, cotton dealer, Everton. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
MOORE, JOHN, farmer, Dawley. Pet. April 22. Reg. & O. A. Potts. Sol. Walker, Wellington. Sur. May 20.
MORLEY, WILLIAM WHEELHOUSE, yarn and cloth commission agent, Blackburn. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
MOSELEY, JOSEPH, sen., shingler, Handsworth. Pet. April 24. Reg. & O. A. Guest. Sol. Jackson, West Bromwich. Sur. May 22.
NATTRISS, JOSEPH, grocer, Micall. Pet. April 25. Reg. & O. A. Newstead. Sol. Mason, York. Sur. May 11.
O'BRIEN, ANN MARIA, coaldealer, Wolverhampton. Pet. April 21. Reg. Hill. O. A. Kinnear. Sol. Perry, Birmingham. Sur. May 10.
OSBORNE, THOMAS, coachmaker, Brighton. Pet. April 25. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. May 15.
OWEN, THOMAS, sen., and OWEN, THOMAS, jun., ironmongers, both Llandudno. Pet. April 16. O. A. Turner. Sols. Williams, Llandudno; Evans, Sandys, Horne and Lockett, Liverpool. Sur. May 4.
OWENS, EDWARD, saw mill proprietor, Tranmere. Pet. April 24. O. A. Turner. Sols. Townsend and Jackson, Liverpool. Sur. May 8.
PRITCHARD, JOHN, theatrical manager, St. Helen's. Pet. April 25. O. A. Turner. Sol. Goldrick, Liverpool. Sur. May 8.
READ, THOMAS, chemist, Great Grimsby. Pet. April 25. Reg. & O. A. Daubney. Sol. Wintringham, Grimsby. Sur. May 12.
ROBERTS, RICHARD BAKER, no business, Canton, near Cardiff. Pet. April 21. Reg. & O. A. Langley. Sol. Kumr, Cardiff. Sur. May 16.
ROLLASON, JOHN, metal broker, Salford. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
RUTLAND, JOHN, tin-plate worker, Mossley Brow, Mossley. Pet. April 27. Reg. & O. A. Worthington. Sol. Fox, Ashton-under-Lyne. Sur. May 11.
SAUNDERS, JOHN, baker, Smeeth. Pet. April 25. Reg. & O. A. Daugerfield. Sol. Minter, Folkestone. Sur. May 8.
SHAW, JAMES, plasterer, Huddersfield. Pet. March 21. Reg. & O. A. Jones. Sol. Haigh, Huddersfield. Sur. May 12.
SKINNER, EDMUND, tailor, Birmingham. Pet. April 25. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. May 22.
SUTTON, WILLIAM, publican, Turton, near Bolton. Pet. April 21. Reg. Harris. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. May 15.
TOPHAM, JAMES BASS, out of business, Timperley. Pet. April 17. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. May 12.
WALKER, JOHN WEBSTER, beerhouse-keeper, Rotherham. Reg. & O. A. Hoyle. Sol. Favell, Rotherham. Sur. May 13.
WILCOCK, GEORGE, cloth manufacturer, Windhill, Calverley. Pet. April 26. O. A. Young. Sol. Harle, Leeds. Sur. May 8.
WOOD, RADCLIFFE, broker, Mossley Bottoms, near Ashton-under-Lyne. Pet. April 25. Reg. & O. A. Worthington. Sol. Whitehead, Rochdale. Sur. May 11.

BANKRUPTCIES ANNULLED.

Gazette, April 25.

PRIESTLEY, SAMUEL, farmer, horse dealer and coal merchant, Horton Bank-top, Bradford.
WOOD, JOHN, builder, New Malton.

Gazette, April 28.

ADKINS, THOMAS KILLINGWORTH, miller, Wallingford.
BROWN, CHARLES, Wilkinson-farm, Whitchurch.
WATERWORTH, GEORGE, jun., and WATERWORTH, WILLIAM, Great St. Helen's.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Allen, J. victualler, first, 10s. 1½d. Parkyns, London.—*Brooks*, M. miller, final, 6d. Alleyne, Tonbridge.—*Bryant*, J. draper, first, 7½d. Stansfeld, London.—*Cole*, F. L. wine merchant, third, 2s. 10½d. Parkyns, London.—*Foster*, H. grocer, first, 3s. 1½d. Parkyns, London.—*Fowls*, J. timber merchant, first, 3s. 3d. Turner, Liverpool.—*Jones*, R. printer and bookseller, first, 2s. Turner, Liverpool.—*Kersey*, S. farmer, first, 1½d. Parkyns, London.—*Osborn*, J. builder, first, 2s. 7½d. Stansfeld, London.—*Roberts*, J. beerhouse-keeper and grocer, first, 2s. 8d. Gregory, Chertsey.—*Targett*, C. funeral carriage proprietor, first, 6s. 1½d. Parkyns, London.—*Targett* W. and C. undertakers, first, 5s. 4½d. Parkyns, London.—*United General Bread and Flour Company for Plymouth, Stonehouse and Devonport*, further, 6d. Carrick, Exeter.—*Wells*, E. flour factor, first, 2s. 11½d. Parkyns, London.

INSOLVENTS' ESTATES.

Atkin, C. T. P. 2d. Ingram, Leicester.—*Fowler*, W. 1s. 6d. Ingram, Leicester.—*Green*, H. 10d. Ingram, Leicester.—*Jarvis*, G. 1s. 3d. Ingram, Leicester.—*Machent*, J. 6d. Ingram, Leicester.—*McManus*, T. A. 4s. 6d. Iveson, Hedon.—*Richmond*, J. boot and shoe maker, 1s. 1d. Bowes, Darlington.—*Rowson*, T. W. Humber, pilot, 2s. 1d. Phillips, Hull.—*Wigley*, H. 1s. 2d. Ingram, Leicester.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, April 25.

ALEXANDER, JACOB ALEXANDER, commission agent, Wood-st. Cheapside. April 3. 4s. by two instalments of 2s. on 3rd Oct. and 3rd Jan.
BARTON, JEFFERY, veterinary surgeon, Faversham. April 6. Trusts. F. Hedman, builder, and J. H. Sharp, ironmonger, both Faversham.
BEARD, JOHN, lace and fancy warehouseman, Westbourne grove, Paddington. April 12. 10s. by three equal instalments at 3, 6 and 9 mos.—secured.
BELCHAM, THOMAS, coachbuilder, Heybridge. March 29. 2s. 6d. by 29th April. Trust. E. Saunders, builder, Maldon.
BERKELEY, GEORGE BRACKENBURY, farmer and grazier, Shenley, near Barnet. April 5. To pay debts with interest at 5 per cent. per annum.
BROOKE, HENRY, and BROOKE, JOHN, carpet and rug manufacturers, Leeds. March 30. 5s.
CHAPMAN, WILLIAM HENRY, grocer, Blaxhall. April 12. Trust. G. Wilson, confectioner, Norwich.
CHEETHAM, JOHN ARNETT, draper, Crewe. March 24. Trusts. G. Booth, merchant, Manchester, and J. Lomas, woollen merchant, Leeds.
CORNWELL, CHARLES, beer retailer, White Lion-st. Chelsea. April 3. 2s. in two mos. after registration of deed. Trust. C. Pugh, distiller, Park-st. Southwark.
CRABTREE, WILLIAM, blanket manufacturer, Dewsbury. April 8. Trusts. J. Walker and B. Walker, woolstaplers, Birstal, J. F. Boothman, woolstapler, Dewsbury, and J. E. Clegg, rag merchant, Heckmondwike.
DANIEL, CHARLES, provision dealer, Coleshill. March 25. Trusts. T. Dobbs, cordwainer, and W. Hollis, builder, both Coleshill.
DRAPER, PAUL, and DRAPER, SAMUEL, farmers, Easterton. March 21. Trusts. W. Fowle, gentleman, Market Lavington, and G. T. Bansbury, coal merchant, Devizes.
FAIRBANK, JAMES, and SHAW, JAMES DISBROUGH, timber merchants, Louth. March 25. Trusts. C. Rigg, farmer, Skidby, near Beverley, and W. Walker, coal merchant, Louth.
Fish, CHARLES, builder, Cambridge-wharf, Pimlico. March 22.
FISHER, PETER MOOR, flint glass manufacturer, Leeds. March 25. Trust. G. Hurr, lead manufacturer, Shrewsbury.
FORREST, GEORGE, commission agent, Devonshire-ter. Park-walk, Fulham-rd. March 23. 5s. by two instalments—2s. 6d. on 25th June and 25th Sept.
GAUNT, JOHN, dealer in artificial manure, Wolverhampton. March 27. Trusts. W. F. Fryer, banker, and W. Mortiboy, maltster, both Wolverhampton.
GODDARD, EMILY JANE, milliner, Pavement, Clapham. April 6. 2s. 6d. by two instalments of 1s. 3d. at 6 and 12 mos.
GORING, WILLIAM, joiner, Halifax. March 24. Trust. W. S. Firth, agent, Halifax.
GUTHRIE, JOHN RONAN, manufacturer, Manchester. April 6. 10s. by two equal instalments at 1 and 3 mos. from 31st March. Trust. J. Little, accountant, Manchester.
HARRIS, MICHAEL, tailor and outfitter, Upper East Smithfield, and Dock-st. April 19. 1s. 6d. Trust. A. Abrahams, gentleman, Victoria-ter. Grove rd. Mile-end.
HARRISON, THOMAS, eating-house keeper, Birmingham. Jan. 21. Trusts. J. Dawson, baker, Aston, and T. Moakes, potato salesman, Birmingham.
HARTLEY, JAMES, grocer and shopkeeper, Halifax. April 2. Trusts. W. H. Thompson, corn miller, Halifax, and J. Bamford, wholesale grocer, Halifax.
HAWKER, RICHARD HURLEY, draper, Chard. April 7. Trusts. T. Francis, warehouseman, Bristol, and C. Weaver, bank manager, Chard.
HOBSON, GEORGE ROBERT, grocer and provision dealer, Heywood. April 18. 2s. in 1 mo.
HOLMAN, THOMAS LUNDRIDGE, grocer and cheesemonger, Great Suffolk-st. Borough. April 19. 5s. by two instalments of 2s. 6d. in 1 and 3 mos. Trust. J. E. Hastings, pawnbroker, Union-st. Borough.
HORTON, JOSHUA, contractor, Wordsley. April 11. Trusts. S. Hingley, iron master, Hart's hill, and B. Whitaker, contractor, Brierley-hill.
JORDAN, WILLIAM, hosier, Hampstead-rd. March 27. 2s. in 7 days after registration of deed. Trust. J. Halley, draper, Seymour st.
KEYNES, JAMES, merchant, Dartford. April 20. 5s. in 10 days from registration of deed, and two promissory notes for 1s. at 3 and 6 mos.
LAWTON, HENRY, chemist and druggist, Wakefield. April 6. Trusts. T. Howden, ironfounder, and E. Hauxwell, innkeeper and agent, both Wakefield.
MOURRA, JOHN, draper, Birmingham. April 6. Trust. J. Shannon, merchant, Walsall.
MORRIS, ZALIC MORDECAI, and HOLLAND, CHARLES, picklers, Portland-st. and Villa-st. Walworth. March 29. Trusts. H. A. Isaacs, and J. M. Isaacs, merchants, St. James's-pl. Aldgate.
MURRAY, JOHN ALEXANDER, builder, Manchester. April 7. 10s. by two instalments—5s. on 13th April and 5s. on 13th May.
NADEN, NOAH, regalia maker, Redcross-st. April 10. To pay 10s. by two equal instalments on 5th Aug. and 5th Dec. Trusts. F. Eggers, tailor, Regent-st. and E. S. Stillwell, gold lace maker, Barbican.
NEWHOUSE, ARNOLD BARBER, sen., and NEWHOUSE, ARNOLD BARBER, boot and shoe manufacturers, Norwich. March 27. Trusts. W. Foyson and J. G. J. Bateman, leather factors, Norwich.
NORTHCOTE, GEORGE, cheesemonger, Clifton-rd. Paddington. March 25. 5s. by two equal instalments on 20th April and 20th Oct.—secured.
PASCOE, CHARLES, tailor, Plymouth. March 31. Trusts. J. Smith, salesman, Devonport, and T. Keddrop, cloth manufacturer, Trowbridge.
PEARSON, JOHN, miller, Louth. March 30. Trusts. T. Young, corn merchant, Louth, J. S. Foster, farmer, Ludborough, and R. Norfolk, seed crusher, Louth.
PITCHER, THOMAS, and FULLER, THOMAS, Albert-ter. Whitehorse-st. Stepney, builders. April 5. Inspectors. R. D. Cooper, and A. Tucker, timber merchants, Norway-wharf, Commercial-rd. east.
POWYS, ROBERT HORACE, merchant, Fenchurch st. April 17. 1s. on execution of deed.
PROCTER, WILLIAM, contractor, Prince of Wales rd. Kentish-town. April 7. 2s. 6d.—1s. in 1 mo. and 1s. 6d. in 2 mos.
REAY, ROBERT, linendraper, Carlisle. March 31. Trusts. W. Thorburn, woollen cloth manufacturer, and S. Watts, merchant, both Manchester.
REESON, MOSES, draper, Downham-market. March 25. Trusts. J. Oldfield, warehouseman, and T. Bailey, hat manufacturer, both Boston.
REVIS, COMFIELD THOMAS, upholsterer, Brighton. March 24. Trust. W. W. Green, hardwareman, Brighton.
RIDLER, THOMAS, grocer, Cardiff. April 10. Trusts. J. Hughes, widow, Swansea, and W. Davis, house decorator, Cardiff.
ROBINSON, WILLIAM, agent, Fulham-rd. April 18. 1s. by four equal half-yearly instalments, the first on 18th Oct.
SAMUEL, ABRAHAM, draper, Duke-st. Aldgate. April 3. 6s. by two instalments of 3s. at 3 and 6 mos. Surety, M. Samuel, draper, Mansell-st.
SANDERSON, STEPHEN, and SMITH, THOMAS, contractors and builders, Leeds. April 3. Trusts. E. Maude, and R. Harrison, timber merchants, Leeds.
SAVAGE, EDWIN, boot and shoe maker, Ringwood. March 28. Trusts. L. Waterman, of Bristol, and J. Clark, of Street, boot and shoe manufacturers.
SELLERS, HENRY, cotton manufacturer, Blackburn, and Spring-mill Church. March 30. 12s. by four equal instalments on 1st May, 1st July, 1st Sept. and 1st Dec.—secured. Trust. C. M. Wilson, yarn agent, Manchester.
SHEPPARD, EMANUEL, stuff manufacturer, Morton, near Bingley. March 31. 4s. in 21 days. Trust. A. B. Hooper, law clerk, Bradford.
SLIGHT, EDWARD, raff merchant, Broughton. March 30. Trust. W. Hart, ironfounder, Brigg.
SPEARMAN, FREDERICK CLEOBURY MORTIMER, auctioneer, Glen-cottage, Blackheath-hill, and North-buildings, Finsbury. March 20. 6s. by two equal instalments at 6 weeks and 3 mos. after registration of deed.
STELFOX, GEORGE HARROP, grocer, Kidsgrove. March 31. 7s. 6d. by three equal instalments on 31st March, 1st Aug. and 1st March next—secured. Trust. F. Gillibrand, merchant, Manchester.
STEPHENSON, CHRISTOPHER, joiner, Saltaire. April 11. 5s. in 3 mos. from 13th March. Trusts. J. Baldwin, manufacturer, and T. Stephenson, joiner, both Guiseley.
STRACHAN, JAMES, grocer, Brownlow-st. Drury-la. Holborn. April 5. Trust. C. R. Strachan, coffee-house keeper, Silver-st. Golden-sq.
WALTER, HENRY, tailor, Lumber-ct. St. Martin's-la. April 11. Trust. R. Parker, commercial traveller, Bishopsgate-st. without.
WATLING, WILLIAM, upholsterer, George-st. Euston-sq. March 21. 3s. on 21th March and 2s. on 29th May—secured.
WATSON, ROBERT, grocer, Manchester. April 15. 5s. by three equal instalments at 1, 3 and 6 mos.
WHITEHEAD, MATTHEW, dyer, Leeds. March 15. Trusts. R. Wild and T. Crossley, oil and ware merchants, and W. Walker, dyer, all of Leeds.
WILLIAMS, SHADRACK, coffee-mill manufacturer, Birmingham. April 6. Trust. G. Wells, brassfounder, Birmingham.
WRIGHT, GEORGE, shipowner, South Shields. March 24. 4s. by two equal instalments on 1st May and 1st Nov.

Gazette, April 28.

BANNER, HENRY, pawnbroker, Liverpool, also Prescot. April 22. 12s. 6d. by five equal instalments of 2s. 6d. on 1st May, 1st June, 1st Aug. and 1st Nov. next, and 1st Feb. 1866.
BOSTOCK, WILLIAM HENRY, machinist, Nottingham. April 12. 2s. 6d. on execution of deed.
BRITTON, ROBERT, boot and shoe maker, New North-rd. Islington. April 21. 2s. by two instalments of 1s. in 14 days and 2 mos.
CANAWAY, THOMAS, jeweller, Landport and Portsea. March 22. Trusts. J. Joseph, Birmingham, and H. J. Phillips, Holborn.
CASTLE, WILLIAM LAWRENCE, grocer, Caversham. March 28. Trusts. G. F. White, jun., farmer, Dorney, and W. Shields, jun., innkeeper, Taplow.
CURRY, JOHN WILSON, bookseller, North Shields. March 31. 1s. by 1st April 1865. Trust. J. Smith, grocer, North Shields.
DEAN, JOSEPH, hosier and warehouseman, Newcastle. March 28. 12s. 6d. by four instalments of 1s. 6d., 3s., 4s. and 4s. in 1, 4, 8 and 12 mos.
DIBB, ENOS, shopkeeper, Idle, near Bradford. April 13. Trust. J. Dyson, corn miller, Leeds.
DRESCHER, PIUS, watchmaker, Hull. April 5. 10s.
FALLER, FREDERICK JOHN, confectioner, High-st. Whitechapel. March 30. Trusts. D. Lesser, foreign agent, Spencer-st. Goswell-rd. and H. Bingham, house agent, Ryder's-ct. Leicester sq.
FLAXMAN, JANE, widow, Willow-walk, Bermondsey. April 1. Trust. T. W. Elstob, Wood-st. Cheapside, and J. South, Bread-st. warehousemen.
FOSTER, BENJAMIN, carpenter, Hastings. April 18. Trusts. J. Waller, timber merchant, Hastings, and S. Putland, jun., timber merchant, St. Leonard's-on-Sea.
GJERULDSEN, JOHN, tobacconist and ship store dealer, Liverpool. March 29. 6s.—1s. 6d. on 13th June, 2s. on 13th Sept., 1s. 6d. on 13th Dec. and 1s. on 13th March next. Trust. J. Henderson, ship chandler, Liverpool.
HALSTEAD, THOMAS KELLIT, innkeeper, Leeds. April 5. 4s. forthwith.
HARDWICKE, EDWARD, wool merchant, Bourn. March 31. Trusts. H. Osborn, farmer, T. Harrison, draper, and R. M. Mills, chemist, all of Bourn.
HARGREAVES, HENRY, cottonspinner, Burnley. March 31. Trusts. C. Motherhill, yarnagent, Manchester, and T. Tempill, cottonspinner, Burnley.
HAYES, ROBERT, and HAYES, RICHARD, circus proprietors, Bolton. March 27. Trust. W. Grayston, saddler, and W. Grundy, agent, both Bolton.
HEATH, EDWARD CLEMENT, grocer, Reading. April 14. 12s. in 7 days.
HEWARD, JAMES, tailor, Chesterfield. March 27. 7s. 6d. by three instalments of 2s. 6d. in 3, 6 and 9 mos.—secured.
HOLLINGSWORTH, JOHN, baker, Wright's-rd. Old Ford, Bow. April 3. 2s. on 29th Sept.
HORWITZ, MAX, and HORWITZ, JULIUS, cap peak manufacturers, Artillery-st. and Parliament-ct. Bishopsgate. April 14. 4s. by two equal instalments of 2s., first within 14 days and second in 3 mos.—secured.
HUNTER, WILLIAM JOHN, sailmaker, Devonshire-rd. Greenwich. April 1. Trust. J. A. Beeching, Wells, and J. T. Hunter, Wood-wharf, Greenwich, shipbuilders.
HURLEY, RICHARD, butcher, Bridgwater. April 7. 4s. by two equal instalments, on registration of deed and at 6 mos. Trust. J. Whiting, butcher, Okehampton.
JACKSON, JOSHUA, and SEED, JONAS, cabinet-makers, Middlesbrough. March 28. 10s. in 28 days. Trusts. F. Cunningham, ironmonger, Middlesbrough, J. Richardson, timber merchant, Hartlepool, and W. Glendenning, farmer, North Ormesby.
KAY, WILLIAM WALTER, schoolmaster, Bolton. March 29. Trusts. J. Aspden, tailor, and G. Winterburn, stationer, both Bolton.
KENDALL, GEORGE, Union-st. Lambeth, messenger at Ecclesiastical Commissioners Office, Whitehall-pl. April 20. 2s. 6d. by two equal instalments on 1st July and 1st Oct.
LEAKEY, JOSEPH, plate glass factor, Tottenham rd. Kingsland. April 6. 5s. by instalments of 3s. and 2s. at 1 and 7 mos.
MARCH, GEORGE, draper, Upper st. Islington. April 10. 5s. by three equal instalments, at 2, 4 and 6 mos.—secured. Trusts F. Shaw, Cannon-st. west, and J. D. Allcroft, Wood-st., warehousemen.
MEPHAM, GEORGE, coffeehouse-keeper, Convent-ter. Notting hill. March 30. Trust. H. Secker, coffeeshop-keeper, Devonshire-st. Marylebone.
MIKESELL, JOHN HENRY, leather bag maker, President-st. east, Goswell-rd. April 21. 2s. 6d. by two instalments of 1s., at 1 and 2 mos.
MILLER, JAMES, Aberdare. April 1. 1s. 6d. on execution of deed, and two instalments of 1s. and 1s. 6d. at 2 and 4 mos.—secured.
MILLER, JAMES, refreshment-house keeper, Sylvan-grove, Old Kent-rd. April 22. 1s. on 31st May.
NEILSON, ROBERT, grocer, Bishop Auckland. April 22. 10s. by three equal instalments at 3, 6, and 9 mos.—secured. Trusts. J. W. Robinson, provision merchant, and R. Johnson, commission agent, both Gateshead.
OSGEN, THOMAS, grocer, Hastings. April 24. 8s. 6d. by three instalments.—2s. 6d. at 1 mo., 2s. 6d. at 3 mos., and 3s. 6d. at 7 mos.—secured. Trusts. M. Wallis, grocer, Brighton, and R. P. Lambert, meat salesman, Leadenhall-market.
OXLEY, ROBERT, corn merchant, Bristol. March 30. Trusts C. King, commercial traveller, Bath, and A. Chilcott, corn merchant, Stratton, near Dorchester.
PALLISTER, SARAH, innkeeper, New Malton. March 30. Trusts. E. Rose, wine merchant, and H. Walker and C. Russell, merchants, all of New Malton.
QUAYLE, WILLIAM, merchant, Liverpool. Feb. 17. Trust. H. W. Kiddie, accountant, Liverpool.
PERKINS, JONAH, leather seller, Francis-pl. Kingsland. April 12. 2s. 6d. by two instalments of 1s. 3d. at 3 and 6 mos.
RICHARDS, WILLIAM JOSEPH, builder, Chepstow. April 15. Trusts. G. Waters, coal merchant, and R. Taylor, stationer, both Chepstow.
ROYAL, FREDERICK MERRIL, dairyman, Bath. March 31. Trust. C. J. Dring, veterinary surgeon, Bath.
SHAW, JOHN, jeweller, Nottingham. April 4. Trusts. L. Teale, Birmingham, and W. Loveridge, factor, Birmingham.
SHEARS, CHARLES, shoemaker, Chelbury, Wimborne Minster. April 17. Trusts. J. Brewer, grocer, and W. Morgan, draper, both Wimborne Minster.
SIDDALL, WILLIAM, jun., hosier, Sheffield. March 22. Trust. F. Taylor, merchant, Manchester.
SPRINGTHORPE, AMOS MARSHALL, out of business, Oxford-st. April 18. 2s. in 6 mos.
STEVENS, CHARLES, jun., wood engraver, Wood-la. Highgate. April 22. 2s. by two instalments, of 1s. on 22nd July and 22nd Oct.
WARLOW, JOHN, ironmonger, Pembroke-dock. April 17. 1s. by three equal instalments, at 3, 6 and 9 mos., from 18th April—secured.
WEBSTER, JOHN, grocer, Wolverhampton. April 22. 2s. 6d.
WHITE, HENRY, grocer, Naunton. March 29. Trusts. J. Pearce, Esq., Seaforth, and F. H. Harvey, gentleman, Winchcombe.
WHITE, JAMES WILLIAM, and WHITE, JAMES ALLAN, drapers, Portsea. April 1. Trusts. J. B. Walker, and J. Crocker, warehousemen, both Friday-st. Sols. Heather and Son, Paternoster-row.
WILCOCKSON, CHARLES, provision merchant, Hull. April 11. 2s. 6d.

BIRTHS, MARRIAGES AND DEATHS.

MARRIAGES.

CLARKE—WEATHERILL.—On the 27th ult., at Gisborough, in Cleveland, Yorkshire, Henry Clarke, Esq., to Helen, third daughter of William Weatherill, Esq., solicitor, Gisborough.
HUNTLEY—CLAYTON.—On the 25th ult., at St. John's, Paddington, Spencer Hubert Huntley, Esq., Lieut. R.N., to Emma, eldest daughter of William Clayton Clayton, Esq., of Bradford Abbas, Dorset, and of Lincoln's-inn, barrister-at-law.

DEATH.

YORKE.—On the 27th ult., aged 61, Mr. Henry Yorke, solicitor, Oundle.

To Readers and Correspondents.

All anonymous communications are invariably rejected.
All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, MAY 16.

By Messrs. D. Smith, Son and Oakley, at the White Hart, Salisbury.
Freehold estate of 182 acres in the parish of Codford St. Peter. Advertised May 6.

By Messrs. Wainwrights and Heard, at the Guildhall Coffee-house.
The Copham Hall estate of 1700 acres in Rutland and Lincoln. Advertised this day.

By Messrs. Foster, at Garraway's.
Freehold and leasehold ground-rents producing 703*l.* per annum, at Kentish-town. Advertised May 6.

By Messrs. Lumley, at Garraway's.
The Hempstead estate of 273 acres, near Rochester and Maidstone. Advertised this day.
Freehold ground-rents of 700*l.* in St. Paul's-churchyard. Advertised this day.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Members and Advertisers are requested to make their Cheques or Post-office Orders payable to Mr. Horace Cox, *the order of The Strand office.*

The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the Law Times Reports *will be forwarded by post to any person inclosing* 1*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The report of the Lords Committee takes the course we had ventured to anticipate. It asserts no error of judgment in the Lord Chancellor in permitting the pension to be given to Mr. Edmunds without laying before the Lords the report that would certainly have deprived him of it, but they entirely acquit him of any corrupt or unworthy motive. The Lord Chancellor frankly admits that it was his wish to save Mr. Edmunds from utter ruin. The newspapers have chosen to construe the mild statement by the committee of their dissent from the Lord Chancellor's views of his duty in the matter as a censure calling for his resignation. But a different view of it has been taken by his colleagues; for, as we stated before, they declined to accept the resignation when offered, and he was bound to offer it, for their consideration. Indeed, Lord Derby stated in the Lords that the report of the report had been, through a clerical error, much misrepresented. "This makes it appear," said Lord Derby, "that a minority of the committee had objected to the amendment exonerating the Lord Chancellor of improper motives, which was not the case. The minority thought the Lord Chancellor had been guilty of an error of judgment, but both the minority and majority agreed that he was free from all imputation of unworthy motives."

Like all successful men, the Lord Chancellor has many enemies, who seize such an occasion as this to vent their personal spite, under the pretence of patriotism and public spirit. Many of these are connected with the press, and hence the virulence of the assaults upon him, not by political opponents only, who, with one exception, have been moderate in tone, but by the journals of his own party, who have shown no mercy in their castigations, and howl against him the most fiercely. The Lords have entirely acquitted him of all suspicion of corrupt motive; and kindness to a falling man, even though it may have been a mistaken kindness, is a pardonable error of the heart, certainly not requiring that he should be sacrificed by his colleagues or that he should sacrifice himself.

When the excitement has passed away and the public comes to reflect calmly upon the whole case, the error of judgment will be forgiven, while the kindly motives that prompted it will be respected and remembered.

The *London and Provincial Law Society* held their annual meeting on Saturday last. The report, which appears in another place, is extremely satisfactory. Insurances were effected during the year to 309,010*l.*, yielding no less than 10,635*l.* in annual premiums. The business of the society is progressive, the last year showing an increase over its predecessor of 1443*l.* in premiums. The present income of the society is 56,819*l.*, insuring nearly two millions. Eleven deaths had occurred, the claims paid on which amounted to 9375*l.*, but other claims had not yet arrived at maturity. The assets of the company amount in the whole to 356,802*l.*

The confidence of the public in the companies established and conducted by the lawyers is made more manifest by every successive report that issues, and this is not the least gratifying of them.

A majority of seventy in the fullest House of the session has emphatically declared the resolution of the existing constituencies not willingly to permit the transfer of the Government from those who now control it to those who would dominate by the force of numbers over intelligence and property. In truth, there is no good reason why the upper and middle classes should commit suicide, and of their own accord establish that most fearful of all tyrannies, the despotism of Democracy. Sir George Grey, on behalf of the Ministry, made a strange speech, declaring that they would resist anything that tended to Democracy, but that the proposition before the House would lead to no such consequence; and refusing to pledge the Cabinet to this or any other specific measure of change in the constitution, he promised to be guided by public opinion as expressed at the coming General Election. He did not answer the argument so strongly urged by all the Liberals who spoke against the Bill. The supporters of the Bill declare out of doors that they want it, not for its own sake, but as the means to further changes, with Democracy as the end they seek. Does Sir George Grey charge the promoters of the Bill with deceiving their audiences, or with ignorance of the effects of their own scheme?

The Bill proposed nothing but a downward extension of the suffrage. But expansion of the franchise in all directions is desirable and not impracticable. Experienced solicitors would doubtless inform the politicians how this might be effected, and we should like to give publicity to some of their suggestions.

In the course of a trial at Westminster, on Friday last, a Mr. Cooper, son of the plaintiff's solicitor, was placed in the witness-box, when the following scene is reported to have occurred:

Mr. George Cooper, the son of the plaintiff's solicitor, who carries on business at 103, St. Martin's-lane, Charing-cross, proved that he had prepared the bill of sale for the parties in February last. His charges were 4*l.* 4*s.*, but he agreed to take 2*l.* 10*s.*

Mr. James (to the witness).—Pray, Mr. Cooper (handing him a newspaper), do you know the following advertisement:—

"To all in Debt or Difficulties.—Messrs. Pearsall and Co., attorneys and solicitors, Thornhill-chambers, 103, St. Martin's-lane, Charing-cross (established 1827), obtain immediate protection for debtors and their property in town or country, and entire relief from debts without imprisonment, bankruptcy, or publicity. Charges moderate, payable by instalments. Preliminary advice free and confidential. All legal business transacted, including chancery, bankruptcy, common law and divorce cases, &c."

Yes; that was inserted by our firm. My father is the only member. The names of Pearsall and Co. are fictitious. It is done to attract business, and the real names are not mentioned, as the gentlemen in the legal profession do not like it. The date of 1827 is given, as my father, I think, was admitted about that time.

Correspondents have frequently brought this advertisement under our notice as being that of a sham lawyer, no such name as Pearsall being found in the *Law List*. It appears now that a real attorney is practising under an assumed name. This is an unsuspected novelty. The reason given for it is, however, satisfactory: "The real names are not mentioned, as the gentlemen in the legal profession do not like it." Something, then, is gained by the additional publicity we have given to the advertising solicitors; they are beginning to be ashamed to use their own names, and therefore assume false ones. But a question arises on this. Is Cooper, inviting clients as Pearsall and Co., entitled to recover his costs from them? May not the court interpose its authority and remove from the rolls a name which is not that ostensibly used? Can a solicitor practise under a name other than that by which he appears upon the roll? The Incorporated Law Society should look to this.

For the reasons stated here a fortnight since, Mr. Paull has withdrawn for the present session *The Justices of the Peace Procedure Bill.* Mr. Oke has issued the following circular to the magistrates' clerks who had assisted him in its preparation. We hope it is only deferred, not abandoned.

Dear Sir,—I regret to have to inform you that this Bill has been withdrawn from the consideration of Parliament, as in the face of the threatened opposition of the Government (whose duty it is to introduce such a measure) it was useless, and probably prejudicial also, to attempt to carry the measure to a further stage this session.

This result was most unlooked for, after the many assurances from the magistracy and their clerks that the Bill would be supported by a large number of independent members, and which it failed to obtain at the proper moment.

To justify the course I have taken and the trouble I have given you from time to time in this matter, I ought to state, that if I had not received these reputed assurances, I should not have undertaken the heavy task of preparing the Bill and of conducting the necessary correspondence during a period of nearly two years, or have incurred, as I have done, considerable expenses in relation to it (about 87*l.*) in law stationer's charges, printing, postages, &c.

My labours in this direction, which commenced in the year 1852, must now be brought to a close, for my onerous official duties will preclude my again taking the initiative in this much needed reform, if I were disposed to do so; but, probably, the comprehensive measure I have perfected will be found of some value and assistance, should any one, who has more time and inclination than I have, hereafter venture to continue that which I have begun.—

Yours faithfully,
George C. Oke,
Author of "The Magisterial Synopsis" and "Formulist," &c., &c.

In some sensible remarks made by the *Law Magazine* of the present quarter, the promoters of the Lincoln's-inn Bench-room reporting scheme are reminded that the legal Profession is cautious and not apt to be caught by novelties, however specious and plausible; and that those who seek to obtain its approval of a change in a matter of such importance must not think themselves harshly or discourteously dealt with if they find that their motives are questioned, their designs cavilled at, and their project severely handled. The value and efficiency of the project is judged by the writer, "but not in a churlish or unfriendly spirit." As the project has very few friends, it will be interesting to see what the present critic has to say in its favour, especially as he professes that it is his duty to examine it closely. The scheme is regarded as an attempt to solve the problem of a remedy, which, by putting a restraint upon the present trading system, would be a cure for such of the existing evils as have sprung from trade, and by establishing professional control for the future would at the same time be a protection against those evils which are inherent in monopoly. But a grave doubt is expressed at the outset, whether unity can be obtained by any mode short of an official system, established and supported by the Government, with exclusive citation authorised by Act of Parliament. The Law Times is quoted as having ever since the year 1843 (vol. 2, p. 28) consistently supported unity, and latterly unity by an official system. No doubt we have contended that such a character is essential to any system of reports which are to be distinguished substantially from the various existing series. Else they are all alike commercial ventures.

How, then, is the problem to be otherwise solved by the scheme, and what are the arguments adduced by the *Law Magazine* in favour of the attempted solution? Success, the article conceives, must depend on the consent of the reporters. The publishers of the "regular" reports are supposed to care but little for them, competition having left them but small trade profit. Can, it is asked, the consent of the regular reporters be procured? It is justly answered that it may be

taken for granted that the Judges as a body would not sanction appointments made in disregard of the interests of the present reporters, and that the council must, therefore, in the first instance, deal with the existing reporters. But it is admitted that the last bench-room circular, which we have already brought to the notice of our readers, does not in express terms speak of the interests of the regular reporters being the first to be considered, but it speaks rather vaguely of the establishment of one set of reports upon the basis of a fair regard for existing interests. Whether the consent of any established reporter has been obtained the council gives nobody information. We have already stated our own belief that it has not been obtained. Such consent is not likely to be given when the most which the scheme ever offered to reporters was 200*l.* a-year certain, and 200*l.* a-year dependent on profits, and when now not even the first 200*l.* is made certain. Moreover, a reporter will think twice before consenting to change independence for editorial subjection. The *Magazine*, on the contrary, thinks that if any reporter should be left out, it would only be in consequence of his own unreasonable refusal to come in: but that obstruction by individuals, on the mere ground of private interest, would hardly be recognised by the Judges, and if such a case should occur the reporter ought not to complain if he is left to make himself conspicuous by his absence. This view appears to us to be a little inconsistent with the first conception in the article—that success must depend on the consent of the reporters.

The objections that the proposed change is an interference with the principles of free trade, are treated by the *Magazine* as idle; law reporting being a matter of public concern, and not properly the subject of trade at all, and the evils of the present system being traceable to the desire to secure a trade profit, for which object the public interest is made to suffer. If the question were between the present system and official reporting, we might attach some weight to this argument. But how can it apply to the new scheme, which proposes to pay its reporters and editors out of profits? It is essentially a trading scheme, and the reporters and editors, if not the council, will certainly be a trading partnership.

These are all the arguments, if arguments they can be called, which the *Magazine* furnishes on behalf of the scheme. In addition, it tries with admirable simplicity to guess what the duties of the council will be. If active, the objection, we are told, is, that the council is unpaid; if passive, then it becomes a *caput mortuum*. This is what the council is to do, neither active nor passive. It is, perhaps, to make suggestions to the reporters regarding prolixity and a proper selection of cases; it is to supervise the whole proceedings so as to take care that no inconvenient or unnecessary delay takes place in the publication of decisions; and it is to control the finances and regulate the distribution between the editors and reporters. We are disposed to believe that the council will find these duties tolerably active where fourteen or fifteen courts and four-and-twenty reporters are concerned.

Such is the best apology that the friends of the scheme can offer for it. The cause is partly the inherent weakness of the scheme, but mainly the distrustful reserve of the promoters, who to this hour have not given proof of their own strength by any declaration of the course which they intend to pursue in working out the practical details; that is, assuming they have any fixed intention, or see their way at all in the matter, beyond the preliminary use of names and terms of a certain kind usual in prospectuses, circulars and such speculative trade literature.

Two of the most conspicuous of the Standing Orders of the House of Commons are those numbered 59 and 60. By the first of these an estimate of the expense of the undertaking under each Bill of the second class is to be made and signed by the person making the same. By the second, in the case of a railway Bill, a sum not less than eight per cent. on the amount of the estimate of expense is, previously to the 15th day of January, to be deposited with the Court of Chancery in England, if the work is intended to be done in England. The raising of this deposit is often a stumbling-block in the way of the promoters. It is necessary to make a liberal allowance for the probable expenses of the undertaking, or the estimate will be assailed before the Referees on the ground of inadequacy, and the risk of an unfavourable report from that tribunal cannot be lightly passed over. But how is the money to be procured? Each one of the promoters is possibly unwilling to make advances, and they are frequently compelled to borrow the money at rates of interest varying with the responsibility of the parties. So common has this practice become, that it is said that the assets of many a newly-formed company often consist of the Royal assent which they have obtained for their Bill. But is it legal to provide the deposit by means of loans? The Master of the Rolls, in a case of *Scott* v. *Oakeley*, 10 L. T. Rep. N. S. 322, decided this question in the affirmative. In that case the Union Bank of London advanced 10,400*l.* to the promoters of a company for the purpose of supplying the parliamentary deposit. In order to secure the repayment of this sum, an agreement was entered into between the bank and the future directors of the company, to the effect that, unless the money was previously repaid, the Bill should not be read a third time in the House of Lords. This condition was, however, waived by the bank, which consented to the third reading of the Bill, upon an understanding that the company would take the means provided for in their special Act for obtaining a return of the deposit—that is, that they would execute a bond to the Lords of the Treasury in double the amount. The bond was executed; but, as the company refused to take any steps for obtaining a return of the deposit, a bill in equity was filed by the bank against those directors to whom the money was in the first instance advanced. Upon the case coming on for hearing, it was objected that the Standing Orders of the House required a *bonâ fide* deposit, and that any agreement at variance with their intention could not be enforced. But the Master of the Rolls, in delivering judgment (a judgment which was afterwards affirmed by the Lords Justices), expressed his opinion that there was nothing in the Standing Orders to direct that the money to be deposited should be the actual money of the promoters of the Bill, and that it could not be said that the powers of the Legislature were affected by the agreement, since it did not control the functions of Parliament, but operated only against the persons promoting the Bill. But it is quite another thing to say that the fact that the deposit is supplied by borrowed funds ought not to be considered by Parliament in dealing with those who pray for its aid. If the estimate is such that the deposit is small, it would argue a want of confidence in the scheme, if the promoters were unwilling to provide the money. In one or two cases that have been recently considered by the Referees those gentlemen have deemed it their duty to report to the committee before which the Bill was to come that the deposit had been obtained by loan. This fact ought certainly to have some weight with the Legislature, if accompanied by other circumstances calculated to inspire doubts of the success of the undertaking. But taken by itself the mere fact of a deposit having been 'advanced is (looking at the usages of most commercial bodies) hardly worthy of notice.

The 22nd clause was voted out of the Courts of Justice Building Bill on Monday evening, as the newspapers relate, amid much laughter. The mirth is not surprising, for this hit in legislation by Lord St. Leonards was a very good joke, when he made it appear that the Government professed to contribute 200,000*l.* towards the expenses with one hand, while with the other it was abstracting property from the suitors' fund in the shape of the value of the late Masters' offices in Southampton-buildings. Lord St. Leonards not only declared in the house that this was the effect of the 22nd clause, but in the print previously made of his proposed amendment to omit it, he added the remark, "This is the operation of the clause, although it is so framed as not on the face of it to show the intention." No doubt it was the intended operation; but there was as little ground for this plain imputation of cunning to the framers of the Bill as there was for the amendment itself.

Lord St. Leonards assumes that the Government offered an absolute contribution of 200,000*l.* in aid of the scheme. This is a mistake. The Bill merely provides for a financial arrangement, by which the Fund B. and certain other property of the Court of Chancery, together with money to be raised by common law and other court fees, are to be made available for the new courts, through advances by the Government. The Bill recites that it is expedient that the cost of erecting the courts should be borne, firstly, by money provided by Parliament to the extent of the value of the property surrendered, and of relief to the public by the cessation of rents now charged to the public; secondly, by a contribution of 1,000,000*l.* stock from Fund B.; thirdly, by the taxation of suitors of the courts to be accommodated other than the Court of Chancery; further, that it is expedient that the money required from time to time for carrying into effect the purposes of the Site Act and the Building Act should be defrayed "in the first instance" out of moneys to be provided by Parliament. Then the 3rd clause provides accordingly, that all sums of money so required from time to time, not exceeding in the whole 1,500,000*l.*, shall be provided "in the first instance" by issues to the Paymaster-General by the Comptroller-General of the Exchequer out of moneys to be provided by Parliament. The repayment of the advances to be thus made, other than those to be created as the estimated value of the present courts and offices is, by the 6th clause, to be made by a contribution of 1,300,000*l.* cash, namely, first, the produce of the 1,000,000*l.* stock, secondly, a contribution in the nature of a redemption annuity for a term not exceeding fifty years to be raised by the fees. But out of the moneys to be provided by Parliament, the 7th section provides that the remaining 200,000*l.*, being the estimated value of the present courts and offices to be transferred to the Commissioners of Works, or to become available for public purposes, shall be "considered as a grant towards the erection of the said courts, and shall not be repayable to the consolidated fund."

It is clear, then, that the value of the masters' offices was to go in account against the 200,000*l.* part of the 1,500,000*l.* to be provided by Parliament, and that this 200,000*l.* was to be regarded as a money grant, inasmuch as it was not to be an advance repayable in cash; but it was to be a payment made in respect of the value of the courts and offices to be acquired for public purposes. Something more, however, was required from the Legislature to complete this arrangement. It had been already enacted by the Master in Chancery Abolition Act (15 & 16 Vict. c. 80), s. 51, that when the masters' offices have all ceased, the masters' offices might be sold by the order of the Lord Chancellor, and the proceeds of the sale be paid to the suitors' fund. It now became necessary to discharge the masters' offices from this trust or power. Hence the 22nd clause of the Bill provided that the buildings and site of them should vest in the Commissioners of Works to be held for the purposes of the Public Works Act (15 & 16 Vict. c. 28), "discharged from all subsisting trusts with respect thereto." The 22nd clause was a legislative consequence of the former part of the Bill. Yet this is the clause which Lord St. Leonards has proposed to leave out, and the Lords have actually left out, on a division of 47 to 46. The Bill is now reduced to the state of absurdity, that the courts and offices, including the masters' offices, have been valued at 200,000*l.* to become available for public purposes in consideration of which the Government is to make a grant of 200,000*l.*; but that the masters' offices are still to remain in the disposition of the Lord Chancellor. This is a very sorry exhibition of intellect by the forty-seven peers constituting the majority. Let us hope that they will mend their blunder before the Bill is sent back to the Commons, where no doubt the laughter will be redoubled, to be echoed throughout the country.

The question of the approaches to the Carey-street site is of a more serious character. It will be remembered by our readers, from the notice of Mr. Pennethorne's evidence before the Commons' committee, that he proposed to carry a road and footway sixty feet wide round the buildings, and to divide the buildings by a third road, north and south, with a block of ground on the west for the Probate Court and offices, and four acres on the east for the others. But as regards approaches from the north, north-east and north-west, there was only speculative talk. Mr. Pennethorne was in favour of a continuation of the Foregate, out of Fisher-street, through Lincoln's-inn-fields to Red Lion-street, passing on the east side of the new Law Court Hotel. Still this would accommodate

the north and north-east only. The north-west would depend on Queen-street or Duke-street, and the gorge between the south-west corner of the Fields and Clare-market. It is undoubtedly a weak point in the scheme that the approaches are not included in it, or rather that there is not a concurrent Bill promoted by the Commissioners of Works, and the Metropolitan Board, to improve the adjacent thoroughfares. Until something more be done, Lord REDESDALE's clause added to the Site Bill, on the same evening, will tie the hands of the Treasury and Commissioners of Works, and prevent any action on either of the Bills:

No notice shall be given of the intention to take any property under this Act, nor shall any contract be entered into for the purchase of any property, until after plans for the proposed courts shall have been prepared, and estimates made of the cost thereof and further provisions made for securing such additional lands as may be required for approaches to or necessary convenience of the said courts, with an estimate of the cost attending the purchase of such lands and the formation of such approaches, and shall have been sanctioned by Parliament.

The LORD CHANCELLOR's argument against this clause was weak and shallow in the extreme, that a plan could not be agreed upon until the land had been acquired and cleared, when the shape and state of the land could be seen. Nor do we see that the clause contains "many impossible things;" but the LORD CHANCELLOR's conclusion that it would defeat the measure cannot be disputed. Still, there is at present, as Lord DERBY said, a good deal of "guesswork" in the matter. There seems in fact to be no other express safeguard than the fourth clause of the Building Bill, that the plan of the buildings and the arrangement for the accommodation of the courts and offices, and for proper accesses, shall be determined on by the Treasury with the advice of such persons as the QUEEN shall authorise (meaning a commission). It is to be regretted that this part of the business was so superficially dealt with in the debate on the part of the Government. The question was really, and should have been argued as, one of confidence in the Treasury management, not one of architectural convenience. If the measure fails practically this year for want of plans, or for want of provision for approaches, there will be nobody to blame but the Government. In that case, our suspicion, more than once lately expressed, that the Government is not heartily in earnest, will have been justified.

THE COMING GENERAL ELECTION.

SEVENTH ARTICLE.

THE remarkable speech delivered by Mr. LOWE from the Liberal benches will supply abundant political capital for the use of the solicitors who will have the conduct of the various parties at the coming election. The orator was not long since a member of the present Ministry, and looked upon as rather of "advanced" opinions. He had been a tutor at Oxford, a writer for the *Times*, and then a practitioner at the Bar in Australia. He avows that his experience of Democracy in practice in the Colonies had satisfied him that it would be destructive here, and as Mr. BAINES's Bill would certainly, and in no long time, conduct us to Democracy, he objected to that proposition. The effect of it would be, he said, to swamp intelligence and property by numbers, and all power would be taken from the classes who now possess it and transferred to the class below them. He answered the objection that the working class would not act together, by a reference to trades unions and strikes. He concluded the ablest speech that has been heard in the House of Commons since the time of the Reform Bill with the startling assertion that, if the Liberals accepted Democracy they would do either one of two things: "they would ruin their party if they failed; they would ruin their country if they succeeded."

This speech, giving bold utterance to what the most intelligent of the community, of all parties, feel, but want the courage to say, will be very useful to the Solicitors for the Liberal party, for it will relieve them from a doubt, everywhere presenting itself, as to what is the true direction of the public mind on this question. The Solicitors who manage the elections are practical, and not speculative, politicians. Their business is to obtain the votes of the actual voters, and to do this they must, on behalf of their candidates, avoid any declaration of opinions that may be distasteful to those whose favour they are courting. So long as it was doubtful whether the existing voters were inclined to immolate themselves, the Solicitors, whose business it is to persuade them, could not but hesitate what professions to put forth. Mr. LOWE's speech removes that doubt. Their course is now clear. He gave utterance to the almost unanimous views of the existing constituencies when he declared that, rather than bring about the annihilation of the present constituencies by any measure that merely extended the franchise downwards, he would resist all change. His speech, therefore, will supply an armoury of arguments to be addressed to the present electors, which will carry nine-tenths of them with the speaker.

But the Solicitors who lead the Democratic party can also find some good weapons for themselves in the same storehouse. The weak point in Mr. LOWE's speech was the inevitable deduction from it, that the class below the ten-pounders should not be represented at all. This will be a fair subject for hustings talk, in addition to the familiar arguments by which Democracy has been hitherto advocated. A broad line of demarcation has now been established between Liberalism and Democracy, and the alliance that has so long existed being now dissolved, the Democratic party having set up for itself, will be free to urge its own views without that fear of injuring an ally which has hitherto restrained them and compelled almost a total silence.

The Conservative Solicitors will likewise find their work simplified. Their appeal to the existing electors will very much resemble that of Mr. LOWE; but they will be enabled to make it much more palatable. They have already given practical proof that they do not, like him, advocate finality. They have frankly admitted that the franchise should be extended—but upward as well as downward. They have actually produced a practical proposition to this effect: they are desirous to introduce the working class to a share of the representation, so far as it can be done without swamping the present constituencies by mere numbers. To this end they produced a Bill giving the franchise to lodgers, to possessors of 50*l.* in the savings bank, and some others; but they refuse to exchange constitutional government, in which all classes are represented, for a pure Democracy composed of the delegates of one class only, and that class having the least of property and of intelligence.

Thus the divisions of party, as described in the previous papers on the work of Solicitors at the approaching election, which then were difficult to define, have been by the recent debates made very distinct, to the great relief of all who were required to deal with them professionally, and the general election will consequently present three well-defined parties to the choice of the constituencies.

First. The Liberals, opposed to Democracy and, therefore, opposed to Mr. BAINES's Bill and all extensions of the franchise merely downwards, which would directly lead to it.

Second. The Democratic or Radical party, advocating Democracy, eager to bring it about, and, therefore, suggesting all measures tending to its advancement.

Third. The Conservative party, advocating progress and improvement, willing to expand the franchise, so that it be not merely downwards, and protecting civil and religious liberty against the destruction with which they are menaced from the despotism of Democracy.

These three brief definitions of parties, as moulded by recent events, will supply to the Solicitors who lead them some hints for the line of argument that may be adopted in the conduct of each, far more distinct than that suggested when these papers were commenced last year, and events had not developed for each so definite a policy.

INVESTMENT MARKET.

THE Bank has again raised the rate of discount to 4½. The resolution was quite unexpected, and the motives are not clearly understood. Probably the swarm of new companies that instantly followed the reduction was the moving cause. But the change had no perceptible effect upon the market. Prices have been steadily maintained, and there is generally a better tone. Confidence is slowly returning, checked, however, by failures, which are occasionally announced—great in amount and grave in their consequences, the results of the feverish overtrading of last year.

The following are the fluctuations of the week:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	242	240	...	241½	242	...
3 ℔ Cent. Red. Ann.	88¾	88¾	88⅞	88¾	88⅞	88⅞
3 ℔ Cent. Cons. Ann. ...	90⅛	90⅛	90⅛	90⅛	90⅛	90⅛
New 2½ per Cent. Ann....	...	...	...	...	...	...
Do. do. Jan. 1894	72½	...	...	...	...	...
New 3 ℔ Cent. Ann.	88¾	88¾	88⅞	88¾	88⅞	88⅞
New 2½ ℔ Cent. Ann. ...	...	...	...	...	...	...
5 ℔ Cent. Annuities.......	...	...	...	...	...	...
5 ℔ Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	13½	14 $\frac{1}{16}$	13½	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	90⅛	90⅛	90⅛	89⅞	89⅞	...
Consols for Acc.	...	...	...	...	...	...
Consols 3 ℔ Cent. for Ac.	...	...	...	...	...	...
India 5 ℔ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	215	...	...	215	...	...
India 5 ℔ Cents.	...	...	...	...	...	...
India 4 ℔ Cents. 1888 ...	...	...	...	...	...	...
India 5 ℔ Cents. 1870...	106¼	106¼	106¼	106¼	106¼	...
India Bonds (1000*l.*)......	...	...	...	...	...	...
Do. (under 1000*l.*)......	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	99¼	...	...
India Enfaced Paper, 4 ℔ Cent.	...	...	...	...	...	...
Do. do. 5 ℔ c. Jan. 1872	102	...	101¾	101¾	...	...
Do. do. 5½ ℔ c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*a*	...	...	*b*	*a*	...
Do. 500*l.*	...	*b*	*c*	*b*	*c*	...
Do. 100*l.* & 200*l.* 3 ℔ c.	...	*b*	*c*	*b*	...	...
Do. Small, & 2 ℔ c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.........	...	...	...	...	...	...

a 4 and 3½ per cent. 6s. 3s. prem. | *b* 4 and 3½ per cent. 6s. pm. *c* 4 and 3½ per cent. 3s. pm.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

COURTS OF JUSTICE BILLS.

The Courts of Justice Building Bill and the Courts of Justice Concentration Bill were altered in some respects, on the third reading, at the instigation of Lord St. Leonards and Lord Redesdale, supported by Lord Derby and Lord Chelmsford. A provision was added to the second Bill imposing a parliamentary check upon the expenditure.

COUNTY COURTS EQUITABLE JURISDICTION BILL.

The LORD CHANCELLOR brought up the report of amendments on this Bill, which was considered and agreed to.

HOUSE OF COMMONS.

THE BANKRUPTCY LAWS.

Mr. PAULL asked the Attorney-General whether it was the intention of Her Majesty's Government, at the earliest possible period, to submit to Parliament a measure for the amendment and consolidation of the bankruptcy laws; and if so, whether such measure would provide for the abolition of the power of imprisonment of debtors, to compel the payment of money under any judgment or order of any court, including County Courts and other courts for the recovery of small debts.——The ATTORNEY-GENERAL said that it undoubtedly was the intention of Her Majesty's Government, at the earliest period at which it could possibly be done consistent with the due attention which so important a subject deserved, to submit a measure for the amendment and consolidation of the bankruptcy laws. As he had previously stated, it was not likely that this would be done this session. With regard to whether such a measure would provide for the abolition of the power of imprisonment of debtors, and compel the payment of money under any judgment or order of any court, the hon. member was aware that the committee had recommended generally the total abolition of the power of imprisonment for debt. That subject would therefore be considered by the Government with all the authority which the recommendations of the committee could give it, but it was not in his power to anticipate the final decision of the Government any more on that than on the other of the recommendations of the committee. He had no reason to doubt that there would be a desire to give effect to the recommendations of the committee, provided no difficulties should arise to prevent those recommendations from being carried out.——Mr. HEYGATE would ask the hon. member whether he intended under those circumstances to proceed with his Insolvent Debtors Bill.——Mr. PAULL said that after the answer given by the hon. and learned gentleman he should take immediate steps to discharge the order.

ROYAL COMMISSION.

The Royal assent was given by commission to the following Bills:—Evidence and Practice in Criminal Trials; East India Governors-General's Powers; Bankruptcy and Insolvency (Ireland) Act Amendment; Metropolitan Drainage Extension; Inclosure of Lands; Herring Fisheries (Scotland); Land Drainage Supplemental; Local Government Sup-

plemental, and Local Government Supplemental (No. 2); Rossendale Union Gas; Mistley Thorpe and Walton Railway; Brighton, Hove, and Preston Constant Water Service; Leicester Lunatic Asylum and Improvement; Limerick Embankment and Reclamation; Oswestry Local Board; Helston Road; Ramsbottom Gas; and Bolton Improvement.

SOLICITOR'S JOURNAL.

Correspondence.

A Circular.—We inclose letter which was addressed to a client of ours in Bond-street, and perhaps you can aid the object Mr. Burnand seems to have in view by publishing his circular. It is a pity that the members who voted against the Lord Chancellor's Bill had not this circular before them at the time the Bill was under discussion, for it certainly must have softened their hearts to see to what an ebb of poverty and distress (as the circular evidences) the Profession is reduced. B. B.

London, May 2, 1865.

64, New Bond-street, W., 1865.

As there is not a solicitor either in Old or New Bond-street, I have opened an office here. My offices are now as above, and at 56, Coleman-street, City, and 27, Norfolk-street, Strand.—I am, your obedient servant,

J. T. N. Burnand.
p.p. H. T. S.

HEIRS AT LAW AND NEXT OF KIN.

Berry (John), Chapel-street, Stockwell, Surrey, gentleman, May 25, M. R. Hawks, Willmott and Stokes, 82, High-street, Southwark.

Scott (T. P.), Armathwaite, Cumberland. Heir-at-law to come in by 12th June, at Kindersley's, V.C. Gray and Mounsey, 9, Staple-inn, London, for Mounsey and Co., Carlisle.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Agriculturist Cattle Insurance Company.—A call of 20l. per share to be paid by May 17 into the Bank of England to the credit of the account standing there of the said company. Solicitors, Horn and Murray, 7, St. Martin's-place, Trafalgar-square.

British Ice-making Company (Limited).—Petition for winding-up to be heard before M. R. on the first day of petitions in Trinity Term 1865. Solicitors, Warry, Robins and Burges, 70, Lincoln's-inn-fields, London.

Globe Steam Printing Company (Limited).—Creditors to send in by 20th May, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors, if any, to S. Davis, 30, St. Mark's-road, Kennington, Surrey, the official liquidator. Solicitors, Lepard and Gammon, 9, Cloak-lane, London.

English and Irish Church and University Assurance Society.—A call of 2l. per share to be made by Wood, V.C. at his chambers, on Monday, May 29, at noon. Solicitors, Langford and Marsden, 53, Friday-street, Cheapside, London.

Pontnewydd Works.—Official manager to be appointed by M. R. at his chambers, on Monday, May 22, at half-past eleven o'clock in the forenoon. Solicitors, T. White and Sons, 11, Bedford-row, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day of Proof.

Benjamin (Marian), 98, Lower Thames-street, London, fish merchant, May 30, M. R. A. E. Tower, 90, Lower Thames-street, London.

Bodan (H. T.), Bicton's-heath, St. Chad, Shrewsbury, May 27, M. R.

Burn (John), London-road, Fulham, Middlesex, June 2, M. R. Parker, Rooke and Parkers, 17, Bedford-row, London.

English (Edward), Streatham, Surrey, Esq., May 20, V.C. K. W. Kinsey, 9, Bloomsbury-place, London.

Gates (James), East India Dock-road, Poplar, Middlesex, gentleman, June 10, M. R. Bakers and Nairne, 3, Crosby-square, London.

Green (George), Wedmore, Somerset, gentleman, May 23, M. R. Poole and Gamlen, 3, Gray's-inn-square, London, for J. Bailey, Wedmore, Somerset.

Grylls (Mary Sandys), Helston, Cornwall, widow, June 1, M. R. Bolton and Grylls Hill, 4, Elm-court, Temple, for Grylls Hill and Hill, of Helston, Cornwall.

Hamilton (Wm.) Plaistow, Essex, gentleman, June 3, V.C. W. J. J. Hubbard, 18, Bucklersbury.

Lambert (Francis), jun., Coventry-street, Westminster, Middlesex, goldsmith, May 19, V.C. W. Simpson and Cullingford, 51, Gracechurch-street, London.

Langley (Henry), Penlyan Farm, St. Bride's, Netherwent, Monmouthshire, farmer, May 23, V.C. S. Jones and Starling, 11, Gray's-inn-square, London, for R. J. Cathcart, Newport, Monmouthshire.

Mirehouse (Evelyn), Brownslade, Pembrokeshire, 60, Upper Seymour-street, Portman-square, Middlesex, and 3, Redcliffe-road, West Brompton, Middlesex, Esq., May 20, V.C. W. G. J. Spicer, 38, Cannon-street, London.

Moxham (Egbert), Maze-hill, Greenwich, architect and surveyor, June 12, V.C. S.

Mummery (Robert), Radnor-street, Folkestone, cordwainer, June 12, M. R. Bischoff, Coxe and Bompas, 19, Coleman-street, London, for P. B. Charls, Dover.

Noad (Charles), 88, Borough-road, Southwark, Surrey, wholesale boot and shoe maker, May 23, V.C. K. C. W. Jackson, 2, Field-court, Gray's-inn, London.

Oglebar (Ann), Dorset-cottage, Chiswick, Middlesex, May 27. Bay and Cartwright, 4, Lothbury.

Reece (Bezin), Dover, a lieutenant in Her Majesty's 57th Regiment of Foot, May 26, M. R. Church, Prior and Bigg, 38, Southampton-buildings, London, for T. Cruttwell, Bath.

Robertson (Alexander), Hoebridge-place, Woking, Surrey, gentleman, June 24, V.C. S. Graham and Lyde, Mitre-court-chambers, Temple, London.

Shackels (John), Lister-street, Kingston-upon-Hull, gentleman, May 27, V.C. S. Parker, Rooke and Parkers, 17, Bedford-row, Middlesex.

Stevens (Henry), Wraysbury, Bucks, yeoman, May 26, V.C. S. Poole and Gamlen, Gray's-inn, for Darvill, Son and Last, Windsor.

Thompson (T. W.), Fish-street-hill, London, and Harte-hall, East Grinstead, Sussex, merchant and shipowner, June 10, M. R. F. W. Mount, 17A, Size-lane, London.

Wheal Anna Mine (formerly called Wheal Friendship Mine), St. Hilary, Cornwall, June 2, V.C. S. Oliverson, Lavie and Peacher, 8, Frederick's-place, Old Jewry, London.

Williams (Wm.), Camden-road-villas, Camden-town, and Haymarket, Middlesex, tavern keeper, June 10, V.C. S. R. H. Peacock, 3, South-square, Gray's-inn, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim.

Anderson (John), Mapesbury-house, Willesden, and 7, Northwick-terrace, Maida-hill west, Middlesex, gentleman, June 24. Tamplin and Taylor, 150, Fenchurch-street, London.

Arcedeckne (Walter), 12, Lewes-crescent, Brighton, and 10, Lower Grosvenor-street, Middlesex, Esq., June 4. Cutler and Turner, 29, Bedford-square, London.

Beake (George), Frolesworth, Leicestershire, farmer and grazier, July 10. Watson, Son and Baxter, Lutterworth.

Betts (John), Harper's-hill-house, Frederick-street, Birmingham, gentleman, June 22. D. Dimbleby, 15, Bennett's-hill, Birmingham.

Birch (Francis), 48, Church-street, Minories, London, and 33, Newington-crescent, Newington-butts, Surrey, sack manufacturer, June 25. Thomson and Son, 60, Cornhill, London.

Bridges (James), 3, Frederick's-place, Hertford-road, Hackney, Middlesex, gentleman, June 1. G. M. Stuchbury, 17, Ironmonger-lane, Cheapside.

Blake (Thomas), West Cowes, Isle of Wight, brewer, June 24. E. L. Griffiths, Newport, Isle of Wight.

Browne (G. F. S.) 48, Oxford-terrace, Paddington, Middlesex, Esq., a major in the Madras staff corps, June 9. S. Fisher, Merchant Taylor's-hall, Threadneedle-street, London

Burcham (Wm.), Ewerby Thorpe, Ewerby, Lincolnshire, gentleman, May 26. W. and W. Holdich, Sleaford.

Circuit (Thomas), East Ham, Essex, farmer and market-gardener, June 25. Thomson and Son, 60, Cornhill, London.

Cole (Joseph), 123, Camden-road-villas, Camden-town, Middlesex, auctioneer, June 24. Johnson and Weatheralls, 7, King's Bench-walk, Temple, London.

Crockford (Sarah Frances), 33, Phillimore-gardens, Kensington, Middlesex, widow, July 3. R. and C. H. Hodgson, 10, Salisbury-street, Strand.

Davies (Samuel), 61, St. Martin's-lane, and Bolton-road, Kilburn, Middlesex, gentleman, June 15. Farrer, Ouvry and Farrer, 66, Lincoln's-inn-fields, London.

Dexey (Wm.), formerly of Stoke Damerel, Devon, late of Handsworth, Staffordshire, a bombardier in the Royal Artillery, June 10. A. B. Bone and Son, Barrack-street, Plymouth.

Fraser (D. M.), 4, St. Alban's-place, St. James's, Middlesex, late a Captain in H. M.'s 70th Regiment of Foot, July 9. Freshfields and Newman, 5, Bank-buildings, London.

Gee (W. H.), Liverpool and Beotle, architect, May 29. Lace, Banner, Gill and Lace, 1, Union-court, Castle-street, Liverpool.

Goldsborough (Wm.), Kilnhurst-hall, Rawmarsh, Yorkshire, farmer, June 7. Smith and Burdekin, Sheffield.

Handford (Sarah), 36, Cheyne-walk, Chelsea, Middlesex, widow, June 13. Wrentmore and Son, 43, Lincoln's-inn-fields, London.

Hargitt (Charles), Union-terrace, York, Esq. Aug. 1. W. Walker, 9, Lendal, York.

Hind (John), 19, Upper Seymour-street west, Connaught-square, Middlesex, Esq., July 1. H. Harris, 314, Moorgate-street, London.

Holmes (Thomas), the Elms, Dilhorn, Staffordshire, coal master, June 24. R. Thacker, Cheadle, Staffordshire.

Hughes (Hugh), Liverpool, cabinet-maker, June 5. J. and H. Gregory, 3, York-buildings, Liverpool.

Linton (Ellen), York, spinster. Aug. 1. W. Walker, 9, Lendal, York.

Mivart (C. L.), 29, Langham-street, Portland-place, Middlesex, Esq., June 4. Cutler and Turner, 29, Bedford-square, London.

Price (David), Llwynow, Defynnock, Brecon, farmer, June 5. D. Thomas, High-street, Brecon.

Scarfe (Mary), 113, Gray's-inn-lane, Middlesex, widow. June 22. F. H. Turner, 40, Bedford-row, London.

Thomson (Henry), 4, Grove-villas, Paddington, Middlesex, gentleman, June 5. Robinson and Tomlin, 36, Jermyn-street, St. James's, Westminster.

Travers (Franklin) Badlesmere-house, Eastbourne, Sussex, and Thames-villa, Walton-on-the-Thames, Surrey, Esq., Robinson and Tomlin, 36, Jermyn-street, St. James's, Westminster.

Walker (Martha), 21, Victoria-road, Holloway, Middlesex, widow, June 10. G. S. and H. Brandon, 13, Essex-street, Strand, London.

Walker (Robt.) Mosley-street, Manchester, doctor of medicine, June 24. W. Heron, 24, Kennedy-street, Manchester.

Webb (Mary Ann Webb), Streatham, Surrey, widow. June 2. R. Wiltshire, 9, Cloak-lane, London.

Weedon (Francis), 13, Goldsmith-street, Wood-street, London, lace manufacturer, June 12. Cox and Sons, 14, Size-lane, London.

White (Rev. R. M.), D.D., Slimbridge Rectory, Gloucestershire, June 20. White, Borrett and White, 6, Whitehall-place, Westminster.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Bicknell (Charles), Spring-garden-terrace, Esq. 146l. per annum Consolidated Long Annuities. Claimant, H. E. Bicknell, executor.

Boyle (John), jun., Stonehouse, Devonport, surgeon. 75l. Reduced Three per Cents. Claimant, said J. Boyle, jun.

Burrows (George), Cavendish-square, M.D., and Burrows (Charles), of Lawrence-lane, Cheapside, gentleman. 134l. 18s. 8d. New Three per Cent. Annuities. Claimant, said G. and C. Burrows.

Chandler (Very Rev. G.), Dean of Chichester, and Duff (Gordon), of Harley-street, Esq. Dividends on 3356l. 5s. 6d. Three per Cent. Consols. Claimant, J. Chandler.

Pigott (A. N. C. S.), Weston-super-Mare, Somerset, Esq. Dividends on 50l. 4s. 8d. New Three per Cents. Claimant, said A. N. C. S. Pigott.

Ware (James), Bridge-street, Blackfriars, Esq., Maitland (Ebenezer), Coleman-street, Esq., and Grant (Robert), of Russell-square, Esq. Dividend on 1627. 11s. 9d. Three per Cent. Consols. Claimant, Margaret Percy.

Professional Life.—The melancholy circumstances attending the death of Admiral Fitzroy are only another illustration of the evil tendency of the life which most professional men now lead. Burden after burden is laid upon the overtaxed mind and brain, until both are crushed beneath the weight. Any man who is conspicuously successful in his profession has so many claims upon him now, that he is literally obliged to work harder than a slave at the galleys. There are so many persons who can do things moderately well that the man who can do them supremely well is not allowed time for rest. Everybody bids high for him, and there are few who can refuse opportunities of growing rich in order to give fair play to their brain, which never complains or cries out. The willing horse is spurred until it drops; we crowd ten years into five, and then wonder that our physical energies are not what they used to be. Had poor Admiral Fitzroy given himself time he would have recovered, but he had set himself a certain work and he could not bear to lay it down. He was like many others, who will not understand that it is better to put aside their tasks for a season than be obliged to abandon them altogether. It is the rule that most professional men die now of overwork, and to the number who just stop short of death, and suffer from one form or other of brain disease, certain medicines would startle all of us if they told what they knew. The man who works his servants as he works himself would be called a brute, and Mr. Potter, of Rochdale, would make his name known as one of those who keep up serfdom in this country. Life is short enough at the best, and the customs and institutions of our age seem to be expressly adapted to make it shorter.—*Pall Mall Gazette.*

THE BENCH AND THE BAR.

Mr. Edwin James, ex-Q.C., of London, has appeared at the Winter Garden Theatre, New York, as *Friar Laurence* in "Romeo and Juliet."

Scotch Bench and Bar.—It cannot be denied that even to-day the bar and bench of Scotland are not unworthy of their reputation. The fervid but scholarly eloquence of Patton, the persuasive ingenuity of Gordon, the acute sagacity of Clark, the argumentative precision and luminous rhetoric of the Solicitor-General, add lustre to the bar; and the bench is adorned by men of even higher power and wider range. The intrepid spirit and manly understanding of the Justice-Clerk cuts the knot which a fastidious and critical intellect would fail to untie, and for justice of judgment, for shrewd administrative capacity, for admirable common sense, for patience, prudence, for knowledge of men and affairs, for familiarity with the great principles on which social legislation rests, for grasp, comprehension, fairness and tenderness of intellectual faculty (not unwarmed by imagination and the passion of the orator), the name of Duncan M'Neill, Lord Colonsay will go down to posterity with that of Duncan Forbes of Culloden. Nor are many of the smaller men undistinguished—one at least being profoundly learned and perennially witty. Lord Kinloch's sacred poetry is far above mediocrity, having not a little of the reverence and quaintness of Herbert; and the humorous effusions of another judge are remarkable for point and spirit.—*Fraser's Magazine.*

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

Bailment.—B., having illegally distrained goods for rent, sent them to C., an auctioneer, for sale. On the day of sale, the person whose goods had been so distrained served a notice on the defendant that the distress was illegal and not to sell. The defendant had no time to make an inquiry, and sold, but refused to pay the proceeds to plaintiff, and defended the action on the title of the person whose goods had been illegally distrained. He was held to be entitled to set up the *jus tertii*: (*Biddle* v. *Bond*, 12 L. T. Rep. N. S. 178. Q. B.)

Accounts—Principal and Agent.—B. had employed C. to collect rents, manage his estate and receive dividends. He filed a bill against him for a general account, to which defendant demurred for want of equity, but was overruled. In such a case mutuality of payments and receipts between the parties is unnecessary, nor need fraud or other circumstances be stated in the bill, the ground of the jurisdiction of this court being, that between principal and agent there exists the relationship of trustee and cestui *que trust*, which is the foundation of the jurisdiction in cases of account: (*Makepeace* v. *Rogers*, 12 L. T. Rep. N. S. 221. L.JJ.)

International Law—Blockade—Rights of Neutrals.—The transportation of munitions of war by the subjects of a neutral state to a belligerent, is neither a personal offence against the belligerent captor, nor does it give a ground of complaint against the neutral trader or his Government. He is subject only to the risk of capture by the belligerent for whose enemy the contraband is destined. A Royal proclamation makes no difference in this respect. It can only declare the law, it does not make law, and it has no effect on the legality of the adventure: (*Express* v. *Chavasse*, 12 L. T. Rep. N. S. 249. Ld. Ch.)

Principal and Agent—Set-off.—To an action for goods sold and delivered, defendant pleaded that plaintiff had entrusted the goods to C., who sold them to defendant as his own, and that defendant had no means of knowing that C. was in reality an agent of the plaintiff, or that the goods were really the plaintiff's, and claiming a set-off against C. This was held to be a bad plea, because it was consistent with it that defendant knew that C. was not the principal in the transaction, although he did not know that he was the agent of the plaintiff, or whose agent he was in fact: (*Semenza* v. *Brinsley*, 12 L. T. Rep. N. S. 265. C. P.)

Principal and Agent—Commission.—An agent employed to sell property and buying it himself is not entitled to agent's commission on such purchase: (*Salomons* v. *Pender*, 12 L. T. Rep. N. S. 267. Ex.)

Contract—Condition Precedent.—B. agreed with C. forthwith at his own expense to procure a ship to go to M. and take up and carry a

cable, B. to fit the ship for the service; the ship to be ready on July 15, failing which B. to pay 20*l.* per week as liquidated damages. C. covenanted to pay to B. 1000*l.* seven days after the ship arrived at M., and 4000*l.* at later dates. For the true performance of the covenants by B., he was to give C. a bond, with sureties for 5000*l.*, within ten days after agreement executed, and C. to do the like. But the bonds were not to prejudice other rights of the parties under the agreement. The true construction of the agreement was held, upon appeal, to be that the giving of the bond on either side was a condition precedent to the party suing for a breach, and that the default of one party to give a bond did not excuse the other from giving his; and that it was not inconsistent with the hypothesis of the bond being a condition precedent that part of the contract may have been performed and a breach may have occurred before the ten days: (*Roberts* v. *Brett*, 12 L. T. Rep. N. S. 286. H. of Lords.)

AGENT—ACCOUNTING BY.—An agent employed by his testator to collect rents, and continued in that employment by his trustees after his death, furnished accounts showing only the sums received and the names of the tenants who paid them. The trustees were held to be entitled to require such an account as would identify the particular properties from which the rents arose: (*Finch* v. *Burden*, 12 L. T. Rep. N. S. 302. V.C. W.)

PARTNERSHIP.—B., about to begin the business of an underwriter, agreed with his father, that if he would find him 5000*l.* he would pay an annuity of 500*l.* C. was to conduct the business and control the funds. Subsequently this agreement was embodied in B.'s marriage-settlement, with the further clause that all the funds in C.'s hands before the marriage, and all coming into his hands afterwards on account of the business, should be paid to the father and another in trust for the father, to pay himself the annuity, and afterwards to pay his son an annuity, the residue of the profits to be appropriated in the manner specified in the deed. The son failed, and the father was sued on a policy effected by the son, on the ground that he was a partner, and the Court held that as between the parties and third persons there was evidence of a partnership, and therefore that he was liable: (*Bullen* v. *Sharp*, 12 L. T. Rep. N. S. 310. C. P.)

CLAIM BY HUSBAND AND WIFE.—By an explosion of gas, unskilfully laid in B.'s house, an explosion took place and it was damaged, and his wife, who assisted in carrying on the business, was much injured. He brought two actions, one by himself for the damage to the house, the other with his wife for the injuries to her, claiming damages for the loss of business thereby caused. The Court allowed the two actions to be consolidated under the C. L. P. A. 1852, s. 40: *Henstead* v. *The Phœnix Gas Light and Coke Company*, 12 L. T. Rep. N. S. 313. Ex.)

LAW STUDENTS' JOURNAL.

ANSWERS TO THE EXAMINATION QUESTIONS. (a)

EASTER TERM 1865.

I. PRELIMINARY, 1 TO 5.

II. COMMON AND STATUTE LAW AND PRACTICE OF THE COURTS. (b)

6. *Bill of exchange.*—The acceptor is the party primarily liable. Notice of dishonour should be given to all parties to the bill but the acceptor: (Byles on Bills, ch. 1, 2, 3; Hallilay's Digest, 18, 19, 2nd edit.)

7. It discharges the other parties to the bill, unless made with their consent: (Byles on Bills, ch. 18; Chitty Cont. 484, 7th edit.)

8. *Married woman.*—By and against husband and wife as a general rule: (see Hallilay's Digest, 38, 2nd edit.)

9. *Statute of Frauds.*—1. Promises by executors or administrators to answer damages out of their own estate. 2. Guarantees. 3. Agreements made upon consideration of marriage. 4. Contracts relating to lands, &c. 5. Contracts that are not to be performed within a year. 6. Contracts for the sale of goods, to the value of the price of 10*l.* or upwards, unless there be part payment or part delivery: (29 Car. 2, c. 3, ss. 4, 17; Hallilay's Digest, 6, 13, 4th edit.)

10. *Debts.*—Specialty debts arise from a contract under seal; simple contract debts by writing not

(a) By Richard Hallilay, Solicitor, author of a "Digest of Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(b) The questions are given *ante*, p. 312 and 324.

under seal or mere oral evidence. The former are binding without consideration, and are not barred until twenty years have elapsed; the latter require a valuable consideration and are barred after six years: (Hallilay's Digest, 3, 4th edit.; 2 Steph. Com. c. 5.)

11. *Set-off.*—A set-off is a demand set up by the defendant in an action against the plaintiff's claim, so as to counterbalance that of the plaintiff wholly or partially. The claims set off must be mutual debts, actually due and payable at the commencement of the action. A statute-barred debt cannot be set off, nor an equitable debt, nor claims sounding in damages: (Hallilay's Digest, 35, 4th edit.; Arch. N. P. 122.)

12. *Infant.*—A father is not liable to pay for goods, whether necessaries or not, furnished to his infant son, without some proof of a contract on his part express or implied: (Chit. Cont. 144, 7th edit.; Hallilay's Digest, 4, 4th edit.)

13. *Partners.*—He cannot; unless, indeed, an account has been taken and a balance struck: (Smith's Merc. Law, 34, 5th edit.; Hallilay's Digest, 15, 4th edit.)

14. *Action.*—They are the writ and service, appearance, declaration and notice to plead, plea, joinder of issue. The issue and notice of trial. Notices to inspect and admit and produce, &c. The record is then engrossed and entered, and the cause set down, witnesses are subpœnaed, and briefs prepared and delivered, consultations appointed and attended. The cause is then tried, and the successful party indorses the postea, taxes costs, signs judgment, and, if necessary, issues execution: (Hallilay's Digest, 105, 4th edit.)

15. *Notice of trial.*—Ten days' long and four days' short notice: (Hallilay's Digest, 75, note, 4th edit.)

16. *Pleading, &c.*—Pleading in its specific sense is the defendant's answer of some matter of fact to the plaintiff's declaration. Demurring is denying the sufficiency in law of the adversary's pleading: (Hallilay's Digest, 54, 4th edit.; Pat. & Mac. C. L. Pr. 896.)

17. *Ejectment.*—There are no pleadings in ejectment. The issue is made up by setting out the writ, appearance and notice limiting the defence if any, and concluding with a direction to the sheriff to summon a jury: (Hallilay's Digest, 109, note, 4th edit.; Pat. & Mac. C. L. Pr. 941, &c.)

18. *Writs.*—The former is a writ directed to the sheriff to inquire, with a jury, the amount of damages due from a defendant to the plaintiff, which cannot be ascertained by a master of the court. The latter is also a writ directed to the sheriff, commanding him to try a cause for a liquidated claim involving no difficult points: (Hallilay's Digest, 76, 4th edit.; Pat. & Mac. Pr.)

19. A writ of summons remains in force for six months from its date (inclusive); and if it cannot be served it may be renewed, before its expiration, for another six months, and so on from time to time, by being resealed: (Hallilay's Digest, 46, 4th edit.; Pat. & Mac. Pr.)

20. *New trial.*—Within the first four days of the following term; unless entered in a list of postponed motions by leave of the court: (Hallilay's Digest, 78, 4th edit.; Pat. & Mac. Pr.)

III. CONVEYANCING.

21. *Will.*—The will must be signed by the testator, or by some person in his presence and by his direction. And the signature must be made or acknowledged in the presence of two or more witnesses present at the same time, who must attest and subscribe the will in the presence of the testator: (1 Vict. c. 26, s. 9; Hallilay's Digest, 227, 4th edit.)

22. *Married woman.*—By deed acknowledged in which the husband joins: (see fully Hallilay's Digest, 164, 4th edit.; 1 Steph. Com. 564, 573, 4th edit.) And if settled to her separate use, or if she has a general power of appointment over it, she may convey it without her husband's concurrence: (*Taylor* v. *Meads*, 12 L. T. Rep. N. S. 6.)

23. *Advowson.*—An advowson is a perpetual right to present to an ecclesiastical benefice. It is an incorporeal hereditament, but gives the owner no property or interest in the glebe or tithes. As patron he simply enjoys a right of nomination from time to time, as the living becomes vacant: (Will. Real Pro. 307, 6th edit.)

24. *Uses.*—If there be a seisinee to the use of A., the land will, on A.'s disclaimer, go to the testator's heir-at-law, who will be the proper party to convey. But if there be no seisinee to A.'s use, looking at the weight of authority, A.'s disclaimer will be inoperative, as the Statute of Uses takes everything out of A. the moment the will operates, and transfers it to B., who, of course, can convey: (see Lewin on Trusts, 161, &c., 4th edit.; Sug. Pow. 171-175, 6th edit.)

25. *Jointure.*—The surviving daughter of B. and the son of the deceased daughter are the proper parties to convey the land. The limitation to A. and B. was one in joint tenancy; and the two daughters of B. were coparceners, amongst whom there is no right of survivorship: (Will. Real Pro. 92, 120, 122, 6th edit.)

26. *Charity.*—Yes, by deed, attested by two credible witnesses, made twelve calendar months before the grantor's death, and enrolled in Chancery within six calendar months after execution. The deed must take effect at once, and be without power of revocation: (see fully Hallilay's Digest, 286; Will. Real Pro. 64, 6th edit.)

27.—As to the cases numbered 2, 5, 6 and 7, the bequests will operate; but not as to the devisee and bequests numbered 1, 3 and 4: (Prid. Conv. 300 *et seq.*, 4th edit.)

28. *Fees.*—The former is absolute and entire; the latter has some qualification annexed to it, which determines the estate on the happening thereof: (see further 1 Steph. Com. ch. 3; Hallilay's Digest, 128, 133, 3th edit.)

29. *Tail.*—Tail male to A. and the heirs male of his body to be begotten; tail general to A. and the heirs of his body to be begotten; tail special to A. and the heirs of his body to be begotten on Mary his now wife: (see Hallilay's Digest, 129, 4th edit.; Will. Real Pro. 33, 6th edit.)

30. During the life of B., A. may, by deed enrolled in Chancery within six months after execution, bar the entail and acquire the fee-simple on the land, but not after the death of B., as he is then only tenant in tail after possibility of issue extinct: (see 3 & 4 Will. 4, c. 74, s. 18; Will. Real Pro. 52, 6th edit.)

31. *Advowson.*—Presuming A. dies without issue, C., his half-brother, will be entitled to present, because A., having taken the advowson from his father by descent, is not the root of descent: (3 & 4 Will. 4, c. 106, ss. 1 and 2; Brow. Stats. 166, 167 and notes.)

32. *Legacy.*—The legacy to the son will not lapse, but will be paid to his children. The legacy to the nephew will lapse and fall into the residue if one if none, it will go to the testator's next of kin: (1 Vict. c. 26, s. 33; Hayes & Jarm. Conc. Wills, 73, 105, 6th edit.)

33. *Uses.*—B. takes the legal estate, C. nothing, D. the equitable interest: (Hallilay's Digest, 185, 4th edit.)

34. *Mortgage.*—A.'s heir-at-law takes the dry legal estate on the property, and must reconvey the estate, the administrator joining, to give a receipt for the mortgage money: (Hallilay's Digest, 175, 4th edit.)

35. *Husband.*—During the life of the wife he has a freehold interest in the lands and a right to receive the rents and profits; and after her death he will be entitled to the land for his life as tenant by the curtesy of England: (Hallilay's Digest, 153, 160, 4th edit.: Will. Real Pro, 200, &c., 6th edit.)

IV. Questions 36 to 40 are a repetition of the preliminary ones.

V. EQUITY AND PRACTICE OF THE COURTS.

41. *Maxims.*—The first maxim means that the party seeking the aid of the court must himself do that which is just before equity will give the relief he asks. The second, that if land is directed or devised, &c. to be turned into money, or money into land, it is considered, in equity, as the species of property to which it is so directed, &c. to be converted, and will pass as such: (see Smith's Man. Eq.; Hallilay's Digest.)

42. *Jurisdiction.*—The court cannot bind lands out of its territorial jurisdiction. Thus, it cannot decree a partition of such lands. But it may decree specific performance of an agreement relating to such lands, if the parties thereto are here; for equity acts *in personam*, and not *in rem*: (Smith's Man. 28, 6th edit.; Hallilay's Digest, 325, 4th edit.)

48. There is a resulting trust of such property, or of so much thereof as remains unexhausted, to the person creating the trust, or to his heir or legal representatives, unless there is sufficient evidence or presumption of a contrary intention: (Smith's Man. 141, 6th edit.; Story's Eq. s. 1196a, and note.)

49. So in this case there will be a resulting trust to the use of the grantor or his representatives, real or personal, as the case may require: (Story's Eq. s. 1197.)

50. *Executors.*—Such residue, since the 1 Will. 4, c. 40, is held by the executors as trustees for the next of kin of the testator, unless it appears by the will that the executors are to take beneficially. The court is bound by expressions in the will, but will, in looking through it, do all in its power to exclude the executors: (Hayes & Jarm. Conc. Wills, 186, 187, 6th edit.)

51. *Bequest.*—A. will be bound to pay the debts in full; for as to the specific legacy, he cannot take that without its burden (Story's Eq. s. 1077); and as to the residue, he is not entitled to that until all the debts are paid: (Mat. Exors. 208, 2nd edit.)

43. *Domicil.*—The succession to or devolution of personal property, including leaseholds for years, is governed by the *lex domicilii*. That to realty by *lex loci rei sitæ*: (Hayes & Jar. Conc. Wills, 22, 35, 6th edit.; and 24 & 25 Vict. caps. 114 and 121.)

44. *Trusts.*—Trusts executed are those formally and finally declared by the instrument creating them. Those executory are not so, but require some further instrument to complete them: (see further Hallilay's Digest, 265, 4th edit.; Smith's Man. 115, 6th edit.)

45. Equity will enforce a trust made for valuable

consideration, or voluntary trusts if executed or raised by will: (see Hallilay's Digest, 265, 4th edit.; Smith's Man. 122, 6th edit.)

46. Lapse of time is no bar to the claim of the *cestui que trust* against his trustee, who is guilty of a breach of trust. It was said that this rule only applied in the case of express trust, but it has lately been held that where the trustee is guilty of fraud the rule also applies to constructive trusts: (*Rolfe* v. *Gregory*, 12 L. T. Rep. N. S. 163, L. C.)

47. An implied trust is one founded on an unexpressed but presumable intention. A constructive trust is one raised by equity to meet the demands of justice without reference to the intention of the parties: (Smith's Man. 140, 162, 6th edit.; Hallilay's Digest, 265, 4th edit.)

53. *Purchase.*—The equities being equal, the law will prevail, and judgment be given for the one who has the legal estate. If, however, the parties have only equitable interests, priority of time gives the preference: (Smith's Man. 20, 26, 6th edit.)

54. Here the court will refuse to interfere; unless, indeed, public policy would be benefited: (Smith's Man. 358, 6th edit.; Hallilay's Digest, 263, 4th edit.)

55. *Administration.*—Administration would be granted either to a creditor or the solicitor of the treasury for the Crown: (Coote Pro. 85–87, 2nd edit.) If granted to a creditor he files a bill against other creditors, making the Attorney-General a party. The proceedings are the same as in other suits down to decree, which is interlocutory, directing the usual accounts and inquiries. These are worked out in chambers in the usual way. This done, the chief clerk makes his certificate, which is approved and filed in the usual way. The cause then comes on for further consideration and for default of next of kin the surplus, if any, is handed over to the Crown. If the Crown solicitor administers, a creditor should file a bill against him for administration: (see Smith's Pro. 311, 669, &c., 7th edit.)

EXAMINATION OF ARTICLED CLERKS.

The following circulars have been issued by the Incorporated Law Society:—

Intermediate Examination.

Sir,—I am directed by the Examiners appointed for the intermediate examination of persons under articles of clerkship to attorneys, to inform you that Thursday, the 8th June next, is the day appointed for the examination, and that candidates for examination are to attend on that day, at half-past nine in the forenoon, at the Hall of the Incorporated Law Society, in Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Wednesday, the 17th inst.; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 17th inst. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, selected from the works specified by the examiners; and a paper of questions on Book-keeping.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 17th inst. (*a*)

Fee, each term, on articles and testimonials of service, 5*s.*—*not* to be sent in postage-stamps.

Final Examination.

Sir,—I am directed by the Examiners appointed for the examination of persons applying to be admitted attorneys, to inform you that Tuesday the 6th, and Wednesday, the 7th June next, are the days appointed for the examination, and that candidates for examination are to attend on those days, at half-past nine in the forenoon of each day, at the Hall of the Incorporated Law Society, Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Wednesday, the 24th inst. If your articles were executed after the 1st January 1861, the certificate of your having passed the Intermediate Examination should be left at the same time; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 24th inst.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 24th inst. (*a*)

Where the articles have not expired, but will expire during the term, or in the vacation following such term, the candidate may be examined conditionally; but the articles must be left on or before the 24th inst., and answers up to that time. If part of the term has been served with a barrister, special pleader, or London agent, answers to the questions must be obtained from them, as to the time served with each respectively. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the first day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, classed under the several heads of—1. Preliminary. 2. Common and Statute Law and Practice of the Courts. 3. Conveyancing.

On the second day, further papers will be delivered to each candidate, containing questions to be answered in—4. Preliminary. 5. Equity and Practice of the Courts. 6. Bankruptcy and Practice of the Courts. 7. Criminal Law, and Proceedings before Justices of the Peace.

Each candidate is required to answer all the preliminary questions (Nos. 1 and 4); and also to answer in three of the other heads of inquiry, viz.—Common law, conveyancing and equity. The examiners will continue the practice of proposing questions in bankruptcy and in criminal law and proceedings before justices of the peace, in order that candidates who have given their attention to these subjects may have the advantage of answering such questions, and having the correctness of their answers in those departments taken into consideration in summing up the merit of their general examination.

I am, Sir, your very obedient servant,
Edward Walter Williamson,
5th May 1865. Secretary.

Fee, each term, on articles and testimonials of service, 15*s.*—*not* to be sent in postage stamps.

(*a*) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

EXAMINATIONS AT THE INCORPORATED LAW SOCIETY.

Easter Term.—Final Examination.

At the examination of candidates for admission on the roll of attorneys and solicitors of the Superior Courts, the Examiners recommended the following gentlemen, under the age of twenty-six, as being entitled to honorary distinction:

1.

Arthur Wightman, who served his clerkship to Messrs. W. and R. Wake, of Sheffield; and Messrs. Pattison and Wigg, of London.

2.

Leslie Hunter, who served his clerkship to Messrs. J. and J. H. Linklater and Hackwood, of London.

Francis Roper Larken, who served his clerkship to Mr. Robert Toynbee, of Lincoln; and Messrs. Scott and Co., of London.

3.

Edmund Archibald Stamp, who served his clerkship Mr. to Edmund Stamp, of Honiton; and Messrs. Robinson, Barlow and Bowling, of London.

The council of the Incorporated Law Society have accoringly awarded the following prizes of books:

To Mr. Wightman, the prize of the Honourable Society of Clifford's-inn.

To Mr. Hunter, one of the prizes of the Incorporated Law Society.

To Mr. Larken, one of the prizes of the Incorporated Law Society.

To Mr. Stamp, one of the prizes of the Incorporated Law Society.

The examiners have also certified that the following candidates, under the age of twenty-six, whose names are placed in alphabetical order, passed examinations which entitle them to commendation:

John James Amos, who served his clerkship to Mr. George Amos, of Wye, Kent; and Messrs. Eyre and Lawson, of London.

Thomas Bury, who served his clerkship to Mr. Thomas Bennion Acton, of Wrexham; and Messrs. Brooksbank and Galland, of London.

Watson Robert Jones, who served his clerkship to Mr. Joseph Bridgman, of Chester.

James Biggs Porter, who served his clerkship to Mr. H. F. T. Miller, of Frome; Mr. William Dunn, of Frome; and Messrs. Whitakers and Woolbert, of London.

Hugh Tilsley, who served his clerkship to Mr. Paul Octavius Haythorne Reed, of Bridgwater.

The Council have accordingly awarded them certificates of merit.

(*a*) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

The Examiners have further announced to the following candidates that their answers to the questions at the examination were highly satisfactory, and would have entitled them to prizes or certificates of merit if they had not been above the age of 26:

Charles Leonard Mesnard; Frederick Richard Kilvington; John Paul Poncione, the younger; and William Smale.

The number of candidates examined in this term was 112; of these, 109 were passed, and 3 postponed.

By order of the Council,
E. W. Williamson, Secretary.

Law Society's-hall, Chancery-lane,
London, May 1865.

GENTLEMEN WHO PASSED THE FINAL EXAMINATION.

Easter Term 1865.

Adams, Francis Thomas—Articled to E. Hopkins
Amos, John James—G. Amos; G. L. P. Eyre
Anderson, John Eustace—E. Anderson
Atkinson, John—R. Gibson
Batham, William—W. Bristow
Beavan, Horace Charles—F. Last
Belk, George—J. W. Smith
Bellamy, Miles Coverdale—W. Kimberley; E. R. Pope, J. M. Green
Bendle, Charles—J. Bendle
Best, William—J. Ralfe
Blackburne, Gilbert Ireland Montagu, B. A.—G. W. Sadler; J. B. Bramble
Bleeck, Charles Albert, B. A.—E. Davies; H. Bernard
Boulton, Edward—G. Boulton
Briggs, William—J. Briggs
Bulley, William Engelberts—J. W. Hawkins; E. Binns
Bury, Thomas—T. B. Acton
Butcher, Webster—W. Lund
Cleverton, Frederick William—F. W. P. Cleverton; G. F. Jackson
Cooper, William David Seymour—W. B. Cooper; C. E. Hodgson
Daw, Charles James—W. C. Cleave
Edwards, David, B. A.—W. Lloyd; C. C. Ellis
Eldridge, William—J. Wells
Ellison, John—J. Cater
Fox, John Bohun Chandler—J. Phillips, jun.
Frame, Thomas—N. H. Surman
Fry, Samuel, jun.—C. Kingdon; E. Shearm
Fullagar, Walter Palmer—H. J. Davis
Goulter, Morse—C. Taddy
Gustard, Henry Stafford—M. Curtler
Hamblin, Frederick Harcourt—J. P. Martineau
Hanchett, William John Henry—E. Wayman
Harrias, Alfred Edmund—C. M. Stretton
Hebb, William—T. S. Merrifield
Heslop, William—J. Arnott; T. Chater
Hind, Jesse—G. Deverill
Hothersall, Thomas—W. Wheeler
Hubbard, John—A. Brewin
Hughes, Edward Arthur—T. Hughes; G. Thomas
Hugo, William Henry Temple—J. Searle
Hunter, Leslie—J. H. Linklater
Hustwick, Thomas Henry—T. Hustwick
Imeson, John Forster—J. P. Allison
Jarrold, Charles Frederick—E. Forster
Jones, Joseph John Alley—T. A. Jones
Jones, Watson Robert—J. Bridgman
Joynt, George—T. P. Barbury
Kilvington, Frederick Richard—C. Walter
Kimber, Edmund—H. Kimber
Knight, John—J. H. Kays
Lake, Evan—M. Kingsford
Lang, Hickman—G. L. Lang; C. P. Wood
Lanyon, John Rodolphus—F. H. Cook
Larken, Francis Roper—R. Toynbee
Levirton, Maurice Harris—E. Howard
Lloyd, William Wynn—J. R. Griffith
Lowes, Christopher John—J. C. Pawle
Lupton, Thomas—P. Catterall
McKeever, James—A. B. Were
Manby, William Edward—W. Manby; G. W. Greenwood
Marsh, Henry—W. Sharpe
Martin, James Conolly—W. H. Rennolls
Maunder, William Robert Wreford—E. J. H. W. Clarke
Mesnard, Charles Leonard—G. S. Ransom
Mitchell, William—R. Enfield
Mitton, Welbury James—J. Taylor
Molineux, Charles Hurlock—B. H. Hunt
Neate, Arthur Edmund—H. Ford; E. F. Bigg; C. Mallet
Nussey, Antony Foxcroft, B. A.—J. P. Fearon
Pateman, John Thomas—R. H. G. Wilson
Payne, Robert Sugden—R. A. Payne
Phillipson, Joseph Atkinson—R. R. Dees
Pocock, John Neat—J. Sharp
Pode, John Spurrell—N. Were
Poncione, John Paul, jun.—W. J. Scott
Porter, James Biggs—H. F. T. Miller; W. Dunn
Prescott, Charles Warre, B.A.—H. L. Pemberton
Prior, John—J. Prior; W. C. Cruttwell
Rigby, Frank Dixon—R. W. Lovesy
Robson, Shaftoe—J. Hunter
Roden, William Mason—W. Boycott
Rose, Philip Frederick—P. Rose
Salmon, Edgar Everard—C. Cotes; J. Satchell
Scard, John Cowper—J. Scard
Scott, Thomas—J. Arrowsmith
Sharp, William Thomas—J. Sharp
Shrapnell, Henry—G. Spackman
Sidgwick, Edward, B.A.—J. Taylor; H. Roscoe
Smale, William—T. J. P. Tucker
Stamp, Edmund Archibald—E. Stamp
Steel, Thomas, jun.—W. J. Young
Sugg, Hubert Henri—J. Shaw; M. Jessop
Sydney, Edward Isaac—S. J. Sydney
Taylor, Thomas Crompton Farnworth—R. Taylor, W. Brittan; R. Taylor
Tilsley, Hugh—P. O. H. Reed
Tippett, Edward Peter—P. M. Little
Topham, Francis Willowes—A. Knowles; J. Cutts
Tunstall, Charles William—R. O. A. Hilleary
Ware, Richard—R. A. Parker
Waterworth, John James—T. Waterworth
Wavell, Edmund Minson, jun.—E. M. Wavell

Weedon, George—W. Gardiner
Welby, Charles Oughton—A. Welby
Wightman, Arthur—R. Wake
Willett, Archibald Edward—T. H. Rackham
Wilson, Charles Maurice—T. Senior
Wilson, Edward Henry—G. Smith
Wise, William—H. A. Salmon
Wyham, Philip—F. R. Ward
Woodcock, Thomas, jun.—T. Woodcock

CORRESPONDENCE OF THE PROFESSION.

CANADA.—Can any of your readers inform me of the course to be pursued by an attorney admitted in all the English courts, in order to practise as an attorney and solicitor in Montreal or Toronto, and whether any term of service in the colony of British Canada is required, or whether, on production of his English admission and certificate for the current year, he can at once be admitted to practise? R. T.

RAILWAY POWERS TO RUN STEAMERS.—In your number of the 29th April you alluded to the steamboat powers of railway companies. May I ask you to treat more fully on the subject, so as to bring these monopolies within the control of the Legislature, which should, for the privileges and powers granted, be as much subject to be limited as to their mileage rates, both for goods and passengers, as any part of their undertaking? It is a well-known fact that for short voyages like the Channel passages, the mileage rates are higher than on railways for passengers. For instance, we will take the Folkestone and Boulogne station: Distance, as per South-Eastern authority, 28 miles; passage money, 8s. 6d.; landing luggage at Folkestone, 6d.; the same charge at Boulogne: total, 9s. Multiply 28 by 4=9s. 4d., or nearly 4d. a mile, for first-class passengers. Sometimes to this is added a registration fee of 6d. a package. The second cabin passenger pays 6s. 6d. + 6d. for porterage or office charges—7s., or 3d. a mile. But for these powers being granted to railway companies to own harbours and run such vessels, we might have some competition; but who can contend against legalised monopolies? If you refer to *Herapath's Railway Journal* of the 27th Feb. 1864, you will find a return, half-yearly or yearly, of the South-Eastern steam-packets for

	Gross Receipts.		Expenditure.		Net Receipts.
	£		£		£
1859 ...	23,213	...	15,799	...	8,414
1860 ...	25,522	...	15,132	...	10,390
1861 ...	27,984	...	16,759	...	11,225
1862 ...	27,634	...	13,074	...	9,560
1863 ...	31,906	...	16,855	...	15,049
1864 ...	27,790	...	13,312	...	14,477
	£95,991	...		...	£69,815

surely, sir, 69,815*l.* is a rate of profit on 95,991*l.* calling for legislative interference towards a reduction of the fares and charges by these railway steamboat companies. There is at present a commission sitting, by Her Majesty's authority, to inquire into the fares and charges of railways. Will it be complete unless the inquiries extend to the fares, &c., of railway steamboat companies? INVESTIGATOR.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

COMMISSIONERS.—Will some of your readers oblige me by stating in your journal, whether a master extraordinary in Chancery, notwithstanding his having ceased to practise as an attorney, can administer oaths as a commissioner in Chancery? DUBIO.

BILLS OF SALE.—Will any of your experienced readers say if a bill of sale duly registered is good as against bankruptcy, or whether it can be worded in such a form that the owner may lawfully retain possession, and give an effectual security to a creditor? INQUIRER.

THE LAW LIBRARY.

Digest of House of Lords Cases decided on Appeal from Scotland (1709 to 1864); with Glossary of Scottish Law Terms. By JOHN BOYD KINNEAR, Advocate of Lincoln's-inn, Barrister-at-Law. Edinburgh: Bell and Bradfute.

THE title of this volume is the best description of it. The Digest is framed and arranged as Erans's *Law Digest*, the subjects being placed alphabetically, and the points decided set forth briefly but clearly, and it includes many unpublished cases, which add much to its value. In this manner upwards of 1500 cases have been collected, a number far beyond anything that could have been predicated of a series limited strictly to appeals to the House of Lords. It will be invaluable to the Scotch lawyer, and a useful book for occasional reference even by the practitioner in England.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

EASTER TERM 1865.

Tuesday, May 2.

BACKHOUSE v. HALL.—*Bovill*, Q.C. (*Karslake*, Q.C. and *Hannen* with him) showed cause.—*Lush*, Q.C. (*W. Williams* with him) in support of the rule.
Judgment for the defendant.

JOLIVALD v. THE CONTINENTAL BANK CORPORATION (LIMITED).
To stand over till after the trial of the issues in fact unless a special case stated by consent.

KEMP v. HALLIDAY.—*E. James*, Q.C. and *Cohen* appeared for the respective parties herein. *Cur. adv. vult.*

Wednesday, May 3.

THE SECRETARY OF STATE FOR INDIA (app.) v. ST. MARY LAMBETH (resp.)—*Denman*, Q.C. appeared for the respondents, and the *Solicitor-General* for the appellant.
Judgment for the appellant.

Thursday, May 4.

REG. v. NORMAN BLAKE AND SEVENTEEN OTHERS.—*Hayes*, moved for a *quo warranto* calling on the defendants to show by what authority they exercised the authority of members of the Local Board of Ilkeston, Derbyshire. The question raised was whether the Local Government Act had been properly adopted. *Rule nisi.*

Ex parte ANNE BATTISON.—*Pulling*, Serjt. moved for a rule calling on an attorney to pay 90*l.* and interest.
Rule nisi.

LEES v. NEWTON.—*T. Jones* moved to make a rule absolute for entering a suggestion on the record so as to take the case out of the Statute of Limitations.
Rule absolute.

REG. v. LEWIS.—*H. James*, on behalf of Captain Phelps, moved for a criminal information for a libel.
Rule nisi.

REG. v. THE PORT AND HARBOUR COMMISSIONERS OF SOUTHAMPTON.—*Bullar* moved to increase the amount of costs fixed by the master in the security directed by three ratepayers to be given to the defendants. The ground of the motion was that the protracted litigation had exceeded the costs fixed by the Master. *Rule nisi.*

Ex parte WESTHEAD.—*Joyce* moved to enlarge the rule herein.—*L. Temple*, contra, assented. *Rule enlarged.*

HOLDEN v. THE CARMARTHEN AND CARDIGAN RAILWAY COMPANY.—*Mereweather* applied for a rule calling on the plaintiff to show cause why there should not be a stay of proceedings. *Rule refused.*

CASTRIQUE v. FRAISE.—*Douderswell* moved for an attachment against the defendant for not answering interrogatories. *Rule nisi.*

DUNLOP v. HITCHIN.—*Shepherd* moved to set aside an award. *Rule nisi.*

Re THE TOTTENHAM LOCAL BOARD OF HEALTH.—*Bovill*, Q.C. (*Poland* with him) showed cause and *Macnamara* supported a rule for a *mandamus* to compel the board to allow certain appellants against a private improvement rate to inspect and take copies of certain contracts, specifications, estimates, and other documents relating to the matter of the rates. At the suggestion of the Court it was agreed that the board should produce the contract for inspection, and that the rule should be discharged without costs. *Rule discharged.*

Re AMBLER.—*Hopwood* moved to enlarge a rule to strike an attorney off the rolls until next Michaelmas Term.—*Garth* appeared for the Incorporated Law Society.
Rule enlarged accordingly; the attorney not to practise in the meantime.

MAINPRICE v. WESTLEY.—The argument herein continued.—*O'Malley*, Q.C. was heard in support of the rule.
Part heard.

LEVERSON v. CHAPMAN (P. O.)—*R. Clarke* moved for a rule calling on the plaintiff to answer certain matters in the affidavits, and to produce certain letters which the plaintiff alleged he had received from a client in his capacity of solicitor. *Rule refused.*

Friday, May 5.

SMITH v. HUDSON.—*Gray*, Q.C. argued for the defendant.—*Mellish*, Q.C. replied.—(To be reported).
Judgment for the defendant.

WORTHINGTON v. HULTON.—Special case.—*Mellish*, Q.C. and *Crompton Hutton* for the plaintiff, and *T. Jones* and *G. R. Williams* for the defendant. *Part heard.*

Saturday, May 6.

REG. v. RICHMOND AND ANOTHER.—This was a rule for a *certiorari* to bring up an allowance of the poor-law auditor allowing a certain sum of money in order that the same may be quashed.—*Lush*, Q.C and *Tomlins* showed cause,—*Mellish*, Q.C. contra. *Rule absolute.*

Monday, May 8.

PROTHERO v. THE UNITED MERTHYR COLLIERIES COMPANY (LIMITED).— *Rule discharged.*

DORDROY v. JOHNSON.—*Price*, Q.C. moved in this case, in which a verdict was given for the plaintiff, damages 5*l.*, for a new trial on the ground of misdirection.
Rule nisi.

CONTREARE v. WATKIN.—*Lush*, Q.C. and *O. B. C. Harrison* showed cause against a rule to stay all further proceedings in this action.
Rule by consent to enter a stet processus; the defendant's plea to be withdrawn.

WOOD v. BOOSEY.—*Leeming* moved for a rule to expunge certain entries of copyright. *Rule refused.*

Ex parte AMOS.—*A. Rogers* moved for a rule calling upon certain justices to furnish the applicant with a copy of an information. *Rule refused.*

REG. v. ROBERTS.—*M'Intyre* moved for a rule calling on certain justices to issue a warrant upon a conviction for poaching. *Rule nisi.*

THE WATWARDENS OF HETTESBURY v. LAMBERT.—*Huddleston*, Q.C. moved for a rule to set aside the rule absolute herein. *Rule nisi.*

Re AN ARBITRATION BETWEEN SELBY AND OTHERS.—*Williams* moved to set aside the award herein. *Rule nisi.*

Tuesday, May 9.

REG. v. THE JUSTICES OF THE WEST RIDING OF YORKSHIRE.—*Overend*, Q.C. and *Barker* showed cause against a rule *nisi* for a *mandamus* to the quarter sessions to enter continuances in the appeal by the *Sheffield United Gas Light Company* v. *The Overseers of Sheffield* for the purpose of enabling the respondents to apply for costs.—*Mellish*, Q. C. and *Maule* supported the rule.
Rule discharged.

REG. v. MOSES LEVI.—*Cave*, on behalf of the Clerk of Assize of the Midland Circuit, showed cause against a rule *nisi* obtained by *A. Wills* to tax the costs of the prosecution.
Rule absolute.

BALL v. THE LONDON, CHATHAM AND DOVER RAILWAY COMPANY.—*Parry*, Serjt. moved for a *certiorari* to bring up an inquisition of the Sheriff of Surrey on a compensation case. The assessor had directed the jury to find that the claimant had sustained no damage on the authority of *Ricket* v. *The Metropolitan Railway Company* in the Ex. Ch.
Rule nisi.

REG. v. EAST STONEHOUSE.—*Kingdon* showed cause, and *Coleridge*, Q.C. and *H. James* supported a rule *nisi* to set aside a side-bar rule to tax the costs on a road indictment removed into this court by *certiorari*. *Rule absolute.*

OVERSEERS OF HEATON NORRIS (appts.) v. THE GUARDIANS OF THE POOR OF NORWICH.—*Bulwer*, Q. C. moved for a *certiorari* to quash an order of Sessions respiting an appeal.
Rule refused.

REG v. BACKHOUSE.—*Rew* moved to enlarge the rule herein. *Rule enlarged.*

WORTHINGTON v. HULTON.—This case was resumed today. This was an action of *mandamus* for the purpose of recovering the expenses of certain works done for the Local Board of Works of the district of Moss Side, Manchester. The main point discussed was whether a rate could now be levied, more than six months having elapsed since the work was finished and the amount due ascertained: (the Public Health Act 1848, s. 89.)—*T. Jones* concluded his arguments, and *Mellish* replied.
Cur. adv. vult.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

EASTER TERM 1865.

Wednesday, May 3.

DAY AND OTHERS v. PEACOCK.—This was a special case stated for the opinion of the court; the question being whether certain clergymen were entitled to burial fees. *Lush*, Q. C. and *Kemplay* appeared for the plaintiffs; *Manisty*, Q. C. and *Maule* for the defendants.—(To be reported.)
Judgment for plaintiffs.

DAY v. SIMPSON.—This was an appeal against a conviction under 10 Geo. 2, c. 28, for performing a stage play, without the Chamberlain's licence: the question being whether a performance in which Pepper's ghost was the important part was a stage play or entertainment, within the meaning of the Act.—*Hayes*, Serjt. for the appellant, and *Field*, Q. C. for the respondent.—(To be reported.)
Conviction affirmed.

PHILLIPS v. THURN.—This was a demurrer to a p'ea. The action was brought on a bill of exchange against the defendant the acceptor for honour, to which he pleaded that the name of the drawee was fictitious, of which he had no notice at the time of accepting.—(To be reported.)
Judgment for the plaintiff.

MATHEY v. WISEMAN.—This was a demurrer to a plea; the question being whether a payment made under a judgment good on the face of it, but given by a court having no jurisdiction, was a good answer to a subsequent claim for the same amount. *Cur. adv. vult.*

Thursday, May 4.

Re AN ARBITRATION BETWEEN NEWTON AND HETHERINGTON.—*Crompton Hutton* moved to make the submission and award a rule of court. The proceedings in the reference had been *ex parte*, one party refusing to attend.
Rule nisi.

ROYLE v. FALK.—*M'Intyre* moved to set aside an order of Keating, J., allowing the plaintiff his costs.
Rule refused.

Re CHARLOTTE PURDAY.—*Hance* moved to dispense with the consent of her husband, who had not been heard of for many years. *Application granted.*

THURMAN v. PINDER.—*Edward Smith* moved for an attachment against the sheriff of Nottingham, for not making a return to a *fi. fa.* *Rule absolute in the first instance.*

PRESTWICK v. POLEY.—*Needham* moved to stay proceedings. *Rule nisi.*

HIRSCHFIELD v. SMITH.—(Part heard.)—*Topping* for the plaintiff continued to support the rule. *Cur. adv. vult.*

CROW v. ARMSTRONG.—*Brett*, Q.C. and *C. Russell* showed cause.—*Temple*, Q.C. and *W. Williams* supported the rule.
Rule absolute.

Friday, May 5.

WALKER v. BROGDEN.—This was a demurrer to two pleas. The action was for a libel published of the plaintiff, as vicar of Bradley, in the *Lincoln Gazette*.—*Simon*, Serjt. appeared for the plaintiff, and *Honyman* (*Field*, Q. C. with him) for the defendant.
Judgment for defendant on the second plea, and for plaintiff on the third.

LEE (appt.) v. RILEY (resp.)—This was an appeal from a County Court in Yorkshire. The appellant and respondent were occupiers of adjoining fields, and it appeared that through the neglect of the appellant in not keeping his fences in order, a large grey mare belonging to him got out of his field into the respondent's field, and there kicked a mare of his in such a manner that she had to be killed. The question was, whether the damage was not too remote.—*Maule* appeared for the appellant, and *Horace Smith* for the respondent.
Judgment for respondent.

GREAT WESTERN RAILWAY COMPANY (appts.) v. WILLIS (resp.)—This was an appeal against the decision of the County Court Judge of Staffordshire for wrongful admission of evidence.—*T. Clarke* and *Digby* for the appellant, and *Macnamara* for the respondent.
Judgment for the appellant.

COLES v. TURNER.—This was a demurrer to a plea, setting out a composition-deed made under sect. 192 of the New

Bankruptcy Act.—*Prentice* in support of the demurrer: *Hannay* contra.—The Court held the deed bad upon the authority of *Leigh* v. *Pendlebury*, 15 C. B., N. S., 813.

Judgment for plaintiff.

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Easter Term 1865.

Wednesday, May 3.

Richards (Clerk) v. Harper and others.—Demurrer.—*Mellish*, Q.C. (with *Macnamara*) for plaintiffs.—*Gray*, Q.C. (with *Staveley Hill*) for defendants.

Plea to be amended on usual terms. Costs to be plaintiff's costs in the cause in any event.

Martin v. Gribble.—Demurrer to a plea, setting up a composition-deed under sect. 192 B.A. 1861.—*F. M. White* for plaintiff; *G. Taylor* for defendant.—*Fenard* v. *Mugnier*, 11 L. T. Rep. N. S. 633, C. P.; *Ilderton* v. *Jewell*, Ex. Ch., 9 L. T. Rep. N. S. 815; 32 L. J. 256, C. P.; *Ilderton* v. *Castrique*, 8 L. T. Rep. N. S. 537; 32 L. J. 206, C. P.; *Bingwell* v. *Edwards*, 10 L. T. Rep. N. S. 132, Q. B.; *Ex parte Cockburn*, 9 L. T. Rep. N. S. 403, 404; 10 L. T. Rep. N. S. 252; *Clapham* v. *Atkinson*, 10 L. T. Rep. N. S. 909, Ex. Ch.; *Garrod* v. *Simpson*, 11 L. T. Rep. N. S. 777; *Holmes* v. *Barclay*, 12 L. T. Rep. N. S. Ex. Ch.; 3 H. & C., were cited and commented on. *Judgment for plaintiff.*

Lyle and another v. Theekennick.—Demurrer to plea setting up a composition-deed.—*H. Hullar* appeared for plaintiffs; and no one appearing for defendant, the Court gave *Judgment for plaintiffs.*

Guerin v. Kopera.—This also was a demurrer to a plea upon a composition deed.—*Gough*, for plaintiff, cited *Benham* v. *Broadhurst*, in Ex. Ch., 11 L. T. Rep. N. S. 537. —*F. M. White*, for defendant, distinguished *Ex parte Cockburn*; *Clapham* v. *Atkinson*; *Garrod* v. *Simpson*; and cited also *Wells* v. *Hacon*, Q. B., 10 L. T. Rep. N. S. 411; *Goode* v. *Cheeseman*, 2 B. & Ad. 228; *Normans* v. *Thompson*, 4 Ex. 755.—*Gough*, in reply, cited *Edwards* v. *Poris*, 1 Ex. 601; and *Ex parte Cockburn*, 10 L. T. Rep. N. S. 252.

Judgment for plaintiff.

Chesterfield and Midland Silkstone Colliery Company (Limited) v. Hawkins.—Martin, B. delivered the judgment of the C. B. and himself herein, for the plaintiffs and Bramwell, B. concurred. *Judgment for plaintiffs.*

Fletcher v. Rylands and another.—Special case, involving the question of the defendants' liability to damages for injuries sustained by plaintiff by reason of the flooding of his colliery in consequence of the bursting of a reservoir of water on the defendants' land. A verdict was entered for plaintiff at the Liverpool Summer Assizes for 3000*l.* damages and 40*s.* costs, subject to the award of an arbitrator, a barrister, and by a subsequent order of Channell, B. the arbitrator was empowered to state a special case for the Court of Ex., instead of making an award, and the verdict was to be subject to such case, and that error might be brought upon the judgment in such special case in the same manner as upon a judgment on a special verdict.—*Manisty*, Q. C. (with *J. A. Russell*) for plaintiff.—*Mellish*, Q. C. (and *T. Jones*) for defendant.

Part heard and adjourned.

Thursday, May 4.

Boutillon v. Valentin.—Arguments concluded.

Rule absolute on terms.

Schreiber (Assignee, &c.) v. Horsley. *Cur. adv. vult.*

Corker v. Stringer.—Tried at Worcester, before Pigott, B.: verdict for plaintiff.—*Huddleston*, Q. C. and *Mathews* showed cause against a rule obtained for a new trial, on the ground that the verdict was against the weight of evidence.—*Gray*, Q. C. and *H. James* contra.

Rule and reference on terms agreed upon.

Fletcher v. Rylands and another.—(Part heard yesterday.); Argument continued. *Adjourned till Friday.*

Jones v. Roberts and another.—Tried at Carnarvon before Byles, J.: verdict for plaintiff. A rule *nisi* had been obtained to set aside that verdict and obtain a new trial on the ground that the facts proved at the trial did not entitle the plaintiff to the verdict.—*M. Lloyd* showed cause against the rule.—*M'Intyre*, contra, was called upon to support the rule. *Rule discharged.*

Walker v. Wyndham.—Part heard. *Adjourned.*

Friday, May 5.

Local Board of Health of Wolverhampton v. Steel.—This case was heard on the argument of the rule for a prohibition on the last day of Michaelmas Term, and was then, at the end of the argument, at the suggestion of the Court and by agreement of parties, arranged to be turned into a special case, and the rule was enlarged for that purpose. It now came on for argument as a special case.—*J. J. Powell*, Q. C. and *Griffits* appeared for plaintiffs (the local board) and *Macnamara* for defendant, and, after a very long argument, it was arranged that the rule should be made absolute for a prohibition, and no further steps should be taken in the present case; that a summons in the County Court should be taken out in another of the cases in which the claim was above 5*l.*, and that it should be brought up on *certiorari* to this court, and then be argued on a special case to be stated for the purpose, and, if necessary, be removed to the Ex. Ch. after argument in the Ex. *Rule absolute accordingly.*

Rutley v. Hanne.—*Gates* moved for a rule to enter a verdict for defendant herein, pursuant to leave, or for a new trial, on ground of the verdict being against evidence. *Rule nisi.*

Harrison v. Gibbs.—*Overend*, Q. C. and *Wills* showed cause, and *Manisty*, Q. C. and *Bristowe* supported the rule to set aside plaintiff's verdict herein.—The verdict to be entered for defendant as to part of the goods, and to stand for plaintiff as to the rest. *Judgment accordingly.*

Fletcher v. Rylands and another.—*Manisty*, Q. C. resumed and completed his reply herein. *Cur. adv. vult.*

Thomas v. Jones and Humphries.—Tried at Ruthin before Byles, J.—*M'Intyre*, for defendant Jones, and *Horatio Lloyd* for defendant Humphries, showed cause against, and *Morgan Lloyd* and *Corcos* supported the rule to enter the verdict for plaintiff herein.—By order of Court and agreement of parties, the matter resulted in a *Stet processus.*

Attorney-General v. Gell.—Pollock, C. B. delivered the judgment of the Court in this succession-duty revenue case in favour of the Crown. *Judgment for the Crown.*

Saturday, May 6.

Sutton v. South-Eastern Railway.—*J. Brown*, Q.C. moved for an injunction to restrain the defendants from charging the plaintiff any more in proportion and after the same rate for the carriage of his goods and parcels than they charged all other persons. It appeared, because the plaintiff sent by defendants' railway what is called packed parcels, that is, a number of small parcels directed to different people, but made up into and sent as one parcel only, by the plaintiff to his agent, who received the one parcel, which had passed as one over the defendants' line, and thereupon proceeded to deliver to the various owners the several packages that the one parcel so sent by the plaintiff contained the defendants charged the plaintiff 1*d.* per pound, which is greatly in excess of what they charged to the general public. The defendants' company was established before the year 1845, when the Railway Clauses Consolidation Act passed, still their own Act of Parliament and the law would not allow them to charge the plaintiff so much more than others. *Rule nisi for an injunction.*

Monday, May 8.

Attorney-General v. Lord Lifford.—The *Attorney-General* mentioned this case, there being, he said, some objection on the part of the defendant as to costs, and a question whether the judgment of the court which had been pronounced in June 1864 in favour of the Crown was to be drawn up with costs. The Court had in a subsequent case (*Attorney-General* v. *Countess Blucher de Wahlstadt*) laid down the rule that in all cases where judgment was given for the Crown, costs would follow unless otherwise ordered; and indeed, the Crown had assumed that such was the case. —*Jos. Brown*, Q. C., for defendant, understood that the judgment of the court had been pronounced without mentioning costs; and that the rule subsequently laid down did not apply to a previous judgment.—On referring to the records of the court, however, it turned out that the judgment had been drawn up with costs.

Grindley v. Booth.—*Staveley Hill* showed cause against a rule obtained by defendant to set aside all proceedings under a writ of injunction obtained by plaintiff in this action to restrain the defendant from boiling carrion for his dogs adjoining the plaintiff's house. The action was for a nuisance in respect of such boiling, and the action stands for trial at next summer assizes at Shrewsbury.—*Underhill*, for defendant, contra.

Rule absolute to stay all proceedings with regard to the costs of the injunction until after the trial of the action.

Cook v. Tennant.—Tried at Chester, before Blackburn, J., and a verdict found for plaintiff.—*M'Intyre* (with *F. F. Beamish*) showed cause against, and *Giffard*, Q. C. supported the rule for a new trial, on the ground of the absence of a material witness. *Rule discharged.*

Levi v. Ricciard.—*Horatio Lloyd*, for plaintiff, moved for a rule calling on defendant to produce his books for inspection by plaintiff. *Rule refused.*

NEW TRIAL PAPER.

Collier v. Moss.—*E. James*, Q.C. and *Holker* for plaintiff; *Temple*, Q. C. and *J. A. Russell* for defendant.

To stand over to next term.

Eccles v. Inglis and others.—*Temple*, Q. C. (with *J. A. Russell*) showed cause against the rule obtained by *E. James*, Q. C. to set aside the plaintiff's verdict, and enter it for defendant, on the ground that there was no evidence rendering defendant liable, or for a new trial, as a verdict against evidence. The action, on a contract for goods as per sample, was tried at Manchester before Mellor, J.—*E. James*, Q. C., contra, in support. *Cur. adv. vult.*

Kershaw v. Ogden and others.—This also was an action tried at Manchester before Mellor, J. The declaration was for goods bargained and sold, and goods sold and delivered.—*Brett*, Q.C. having obtained a rule to set aside plaintiff's verdict,—*E. James*, Q. C. and *Holker* now showed cause against it, and *Brett*, Q. C. and *T. Jones* supported their rule: (*Cussack* v. *Robinson*, 1 B. & S.; *Turley* v. *Bates*, 10 L. T. Rep. N. S. 35; 33 L. J. 434, Ex.; *Bill* v. *Bateman*, 9 M. & W. 97. *Rule discharged.*

Tuesday, May 9.

Hirst v. Cave.—*W. R. Cole*, for the defendant, moved to set aside the arbitrator's award herein in consequence of his having directed a privy to be put up at a place where the Board of Health objected to it, and where it in truth could not with propriety be erected. He referred to the 11 & 12 Vict. c. 63, s. 64; and 21 & 22 Vict. c. 98, s. 34. *Rule nisi.*

Adams v. Phillips.—*Lawies* showed cause against a rule obtained to set aside the defendant's verdict and enter it for the plaintiff for 12*l.* 17*s.*, or for a new trial, on the ground that the verdict was against the weight of evidence. The cause was tried before the Under-sheriff of Surrey, and the question was, whether the defendant, who was the assignee of one Knowles, a bankrupt, had accepted a lease which the bankrupt held, and whether therefore the defendant was liable to the rent of the premises mentioned in the lease: (*Goodwin* v. *Noble*, 8 E. & B. 587; the B. A. 1861.) The letters between the parties and the evidence in the cause were referred to.—*Jopp* contra in support of the rule.—The Court was of opinion that upon the evidence the under-sheriff ought to have told the jury there had been an acceptance of the lease by the defendant, and that he was therefore liable for the rent.

Rule absolute to enter the verdict for the plaintiff.

Walker v. Wyndham.—Arguments concluded.

Cur. adv. vult.

Kempson and another (Assignees) v. Bayle and others.— *Part heard.*

LAW SOCIETIES.

LONDON AND PROVINCIAL LAW ASSURANCE SOCIETY.

The nineteenth annual meeting of the shareholders in this society was held at their office in Fleet-street, on Saturday last. H. S. Law, Esq., deputy chairman, presided.

Mr. A. Day (the actuary and secretary) read the notice convening the meeting, and the directors' report, of which the following is a copy:—

"In presenting to the proprietors the nineteenth annual report, the directors renew the congratulations which it has been their good fortune to offer on similar occasions during recent years.

"The amount of the assurances effected in the past year is 309,040*l.*, under 201 policies, the new premiums on which were 10,635*l.* 2*s.* 9*d.* The increase of the new business beyond that of the year 1863 is 65,460*l.* in sums assured, and 1443*l.* 1*s.* 9*d.* in new premiums, and it will be remembered that the year 1863 exhibited a similar rate of progress. This amount of new business cannot fail to be very satisfactory to the proprietors and the assured.

"The total premium income, 56,819*l.* 4*s.* 8*d.*, exceeds that of the year 1863 by upwards of 700*l.*, and the insurances in force on the 31st of December last were 1,854,704*l.* 15*s.* 8*d.*, being very nearly a quarter of a million in excess of the sums assured at the corresponding date in 1863.

"On reference to the balance-sheet it will be noticed that this increase of business has not been obtained by any extraordinary expenditure. The charges of management and expenses for extension of agencies have, in point of fact, been less than those of the preceding year. The charges of management were 2512*l.* 14*s.* 6*d.*, being at a rate rather less than 3½ per cent. on the income from premiums and interest.

"The claims actually paid in the year 1864 amounted to 9375*l.* only, assured by 11 policies; but to this sum must be added further claims for 16,447*l.* which had arrived at maturity, but had not been paid. The claims for the year must therefore be considered as 25,822*l.*, reduced to 19,135*l.* 7*s.* by receipt of sums under re-assurances; this amount is considerably below the tabular estimate.

"The society's assets have been increased through the operations of the last year by 51,616*l.* 13*s.* 3*d.*, or after allowing for the 16,447*l.* outstanding claims above referred to by 35,168*l.* 13*s.* 3*d.*, being at the rate of 50 per cent. on the income.

"The total assets on the 31st of December last were 356,802*l.* 2*s.* 3*d.*, invested on securities yielding an average rate of interest of 4*l.* 13*s.* per cent. per annum. In this estimate the reversions purchased have been taken as producing only 3 per cent., and the society's house has been excluded.

Since the last general meeting, the society has experienced the loss by death of two of its directors, Mr. John Oliver Jones, and Mr. John Hope Shaw, of Leeds. The former for many years took a very active interest in the welfare of the society, and was one of its original directors. The latter was a gentleman of very considerable local influence.

"The directors who retire by rotation are Messrs. Bennett, Bower, Cholmeley, Fane, Gaselee, Locke, and Steward: they are all eligible for re-election.

"The retiring auditors are Mr. James W. Taylor, (auditor for the assured), and Mr. Edwin Ball (auditor for the proprietors), who are also eligible for re-election.

"The directors, in conclusion, desire to remind the proprietors and assured that the next division of profits will be made up to the close of the current year, and while thanking them for their past exertions on behalf of the Society, they appeal for their further support in order that its present success and prosperity may be maintained."

The Chairman said:—Gentlemen, it is with regret that I take the chair on the present occasion, because we have not the presence of our respected chairman who is so well able to address you, and who so lucidly explains our balance-sheet, and, as you know, gives so exhaustive an explanation of the state of our affairs, whatever that may be. Fortunately, however, on the present occasion the balance-sheet submitted requires no eloquence to recommend it to your acceptance. (Hear, hear.) The whole of the business which we have conducted during the present year has been to us most satisfactory. I note that we have received over 10,000*l.* in new premiums—(hear, hear)—being the first year since our establishment we have had the good fortune to receive so large a sum. And I may say that is not the result of any spasmodic effort or any extravagant outlay, but the natural and regular growth of the society. In order that you may understand our progress, I will take the liberty of showing you what has been the course of our business during the last four years, which, I think, will be as good a plan as any of explaining the matter. In 1861 the amount of assurances effected was 152,000*l.*—I will drop the smaller figures—bringing in new premiums 6000*l.*; in 1862 the assurances were 192,000*l.*, bringing in new premiums 7600*l.*; in 1863 they were 243,000*l.*, bringing in new premiums 9100*l.*; in 1864, the year we are now dealing with, they were 309,000*l.*, and the new premiums 10,000*l.*; so that our course has been a regular progressive advance, which I hope you will all think is very satisfactory. (Cheers.) Our total premium income has gone on increasing in like manner. In 1861 our total premium income was 39,000*l.*; in 1862, 44,000*l.*; in 1863, 49,000*l.*; and in 1864, 56,000*l.*, again showing a regular walking on. I have said this is not the result of extravagant outlay, and now I will show you what has been the payment

for management during the same four years. In 1861 it was 2123*l.*; in 1862, 2775*l.*; in 1863, 2782*l.*; and in 1864, 2513*l.*; so that, as I have already intimated, instead of advancing in the expense of management, in the particular year with which we are now dealing, the amount was smaller than in the three preceding years. (Hear, hear.) Now, on the other hand, the claims have increased both as they ought and as they must do, but they are not yet at all up to our tabular mark. There have been ten claims during the year which, as stated in our report, have amounted to 19,100*l.*, which I believe is very considerably below that which the table would have led us to calculate upon. I think about 31,000*l.* would have been the fair expectation upon the amount of business we are doing; so here, too, we are in a satisfactory position. One other point is the rate of interest which we make upon our investments. That rate is 4*l.* 13*s.* per cent., which I think you will say is very fair. (Hear, hear.) It is not very high, but it is as high as can be fairly expected, knowing that it is a very old and true saying that a high rate of interest involves more risk upon your securities. Our object has been not to take anything of a risky description. Now, of course, I do not wish on this occasion to appear vain of what we have done, but I think I may very well say that we have advanced ourselves to such a position that we are taking our place amongst the very first assurance establishments in the metropolis. (Hear, hear.) Our assurances go on regularly; there is nothing whatever by way of effort on our part, and yet we have done 10,600*l.* in new premiums during the past year. There are very few offices standing alone—I do not mean to speak of offices which have branch establishments, some in Dublin, others in Edinburgh, and others in London, and who, therefore, bring the three kingdoms together, and yet call themselves one office—there are, I say, very few offices standing singly as as we do here in Fleet-street, that are doing the amount of business that we are transacting. This is in the highest degree satisfactory to my mind, and I hope will be satisfactory to yours also. (Hear, hear.) I do not know whether there is anything more for me to explain, but I shall be happy to afford you any information in my power. I may, however, just make one further remark, and that is upon the average of our policies in the four years already referred to. In 1861 the average was 1000*l.*; in 1862, 1230*l.*; in 1863, 1250*l.*; and in 1864, 1200*l.* So that, whichever way we turn our affairs round, they come out satisfactorily. (Hear, hear.) I think, therefore, that upon taking a review of the whole of our proceedings, I am entitled to ask for your approval of this report; and, if you will permit me, I will conclude by moving: "That the report just read, together with the balance-sheet therein referred to, be received and approved; and that the same be open for the inspection of the proprietors at the office for one month from this date."

The report was adopted, the retiring directors and auditors were re-elected, and, after a vote of thanks to the chairman, the meeting separated.

MANCHESTER LAW ASSOCIATION.

A deputation from the Manchester Law Association, consisting of Mr. Baker, president, and Mr. Leeds, presented a memorial to Sir George Grey, the Home Secretary, asking him to cause arrangements to be made for the holding of a Winter Civil Assize in Manchester for the Salford division of the county of Lancaster, and for the allowance of sufficient time to enable the Judges patiently to dispose of all the cases set down for trial.

The deputation was accompanied by Lord Stanley, M.P., J. A. Turner, M.P., Thomas Bazley, M.P., T. B. Horsfall, M.P., John Peel, M.P., J. P. Gilbert, M.P., C. M. Shepherd Birley, J.P., the two latter being magistrates for the county of Lancaster, and members of the committee for the erection of the new assize courts in Manchester.

There were also in attendance Messrs. Squarey and Lowndes, a deputation from the Liverpool Law Society, their object being to secure a similar Winter Civil Assize for Liverpool.

The memorial was as follows:

To the Right Honourable Sir George Grey, Bart., G.C.B., M.P., Her Majesty's Secretary of State for the Home Department.

The respectful memorial of the Manchester Law Association:

Sheweth,—That assize courts have been recently erected in Manchester which have elicited unanimous approval for the completeness of their arrangements for the administration of justice, and for their convenience, comfort and beauty.

That the first assizes in Manchester commenced on the 20th July last, and continued to the 4th Aug., a period, exclusive of the commission day and of Sunday, of only eight days. At these assizes 63 causes were set down for trial, of which 12 remained untried in consequence of the shortness of the time allotted by the Judges.

The general expectation of the legal Profession and of the public was, that a winter civil assize would be held in Manchester as a matter of course; but in the month of December it became known that it was not intended to hold a civil winter assize in Manchester, and this association at once memorialised you as Her Majesty's Secretary of State for the Home Department, and the Judges, with the view of obtaining one. The result of the interview which the deputation who had charge of the memorial were honoured with by you was, that if the Judges could arrange to hold the assize you would forthwith issue the requisite commission.

The Lord Chief Justice, however, opposed the application on the ground that arrangements for the ensuing circuits had already been made, and would occupy the judges the full time they could be absent from London; that winter civil assizes were felt by the Judges to be a great incovenience; that the necessity for additional judges had long been experienced, and that until their number was increased it was impossible for them to meet all the claims of the country upon their services.

Under these circumstances you intimated that you did not feel justified in disturbing the arrangements of the judges by directing the issue of a commission for civil business at Manchester.

At Liverpool, where a civil winter assize was held, the cause list contained ninety-seven causes, of which thirty-eight came from the Salford Hundred, thus showing that the denial of the winter sitting in Manchester compelled the suitors, attorneys and witnesses in these thirty-eight causes to incur the inconvenience, expense and loss of time of an attendance in Liverpool, while they possessed close to their doors the most convenient assize courts which have as yet been erected in the kingdom.

The late Spring Assizes in Manchester commenced on the 10th March and continued until the 23rd March, a period, exclusive of the commission-day and of Sundays, of only eleven days. The cause list contained seventy-eight causes, of which the time permitted the trial of only thirty-eight, although sometimes three and, at times, even four courts were sitting at once, and the Judges sat a full day on the Liverpool commission-day.

Your memorialists submit that when parties litigate in Her Majesty's Superior Courts they have, *ex debito justitiæ*, a right to expect that their cases shall be properly and deliberately tried before the judges of those courts, and not before commissioners who must, when on their own circuit, necessarily be taken from that class of counsel who have little assize business, and who therefore do not, in the estimation of suitors, carry the weight which ought to attach to the party occupying the judicial position.

The denial of a winter civil assize to Manchester has caused the greatest dissatisfaction to all classes of the community, and to suitors a most grievous disappointment.

Having regard to the ample provision which has been made for the administration of justice in Manchester, your memorialists respectfully submit that the population, commercial importance and amount of legal business arising within the hundred of Salford, entitle Manchester to a separate winter civil assize, and they regard the refusal of a winter civil assize, and the very insufficient time which has been allotted to the trial of causes at the only two assizes which have been held in Manchester, as amounting virtually to a denial of justice.

Your memorialists therefore pray that you will cause such arrangements to be made as will secure for the future the holding of a winter civil assize at Manchester, for the Salford division of the county of Lancaster; and the allowance of sufficient time to enable the judges patiently to dispose of all the causes set down for trial.

THOMAS BAKER, President.

Sir George Grey admitted the claims set forth in the memorial, and said he would consult the Judges.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Friday, April 21.

By Mr. NEWBON, at Garraway's.—Leasehold, seventeen houses, (one with shop), being Nos 2, 3, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Brooksby-street, Liverpool-road, Islington, producing 679*l.* per annum; term forty-four years unexpired; ground-rent 3*l.* a house—sold for 5215*l.*

By Messrs. GADSDEN and ELLIS, at the Guildhall Coffee-house.—Freehold house with garden and orchard, situate in Hoo-street, Hoo, Kent; let at 15*l.* per annum—sold for 300*l.* Freehold, two houses, being Nos. 31 and 32 Whitcomb-street, Pall Mall east, producing 80*l.* per annum—sold for 1050*l.*

Monday, April 24.

By Mr. WHITTINGHAM, at the Guildhall Coffee-house.—Freehold building land, fronting Cricket-field-road, Lower Clapton; lots 1 to 107 comprised previous sales; lots 110 and 111—sold for 140*l.* each. Lots 112 to 113—sold for 130*l.* each. Lot 115—sold for 125*l.* each. Lots 121 to 124—sold for 125*l.* each. Lot 125—sold for 125*l.* Lot 127—sold for 125*l.*

By Messrs. DEBENHAM, STORR and SONS, at Garraway's.—Leasehold house and shop, being No. 9, Chichester-street, Westbourne-terrace, Paddington; term 91½ years from 1851; ground-rent 10*l.* per annum—sold for 840*l.*

Tuesday, April 25.

By Messrs. BROAD, PRITCHARD and WILTSHIRE, at Garraway's.—Leasehold premises, being No. 23, Old Fish-street, Doctors'-commons, estimated annual value 120*l.*; term 21 years from 1843; ground-rent 60*l.* per annum—sold for 300*l.* Leasehold residence being No. 15, Montpellier-square, Brompton, and a house, No. 8, Alfred-street adjoining, producing 115 per annum; term 99 years from 1825; ground-rent 37*l.* per annum—sold for 700*l.*

By Messrs. TEBB BROTHERS, at Garraway's—Leasehold ale and stout-house, being No. 34, Theobald-street, New Kent-road, and ten houses Nos. 35 to 42, Theobald-street aforesaid, and 26 and 27, Adam-street in the rear, producing 272*l.* 4*s.* per annum; term 14 years unexpired; ground-rent 24*l.* 6*s.* per annum—sold for 865*l.* Leasehold shop and premises, No. 94, Cornwall-road, New-cut, Lambeth, let at 22*l.* per annum; term 31 years unexpired; ground-rent 7*l.* 10*s.* per annum—sold for 180*l.*

Friday, April 28.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house.—Freehold property, situate Nos. 133, and 134 Cheapside, and 64, Gutter-lane, City, producing 725*l.* per annum—sold for 2,100*l.* Freehold property, known as the Thelton-hall Estate, Norfolk, consisting of a mansion, farms, with farmhouses and buildings, land, cottages, &c., comprising 1193 acres—sold for 37,400*l.*

Tuesday, May 2.

By Messrs. FOSTER, at Garraway's.—Freehold estate known as "Walton Grove," with residence, park and lands of 63 acres, situate at Walton, Surrey—sold for 11,500*l.* Freehold residence, known as "Beaulieu," with gardens and grounds of about 10½ acres, situate at Winchmore-hill, Middlesex—sold for 7250*l.*

By Messrs. DEBENHAM, TEWSON and FARMER, at the Guildhall Coffee-house.—Freehold premises, being No. 78, Gracechurch-street, City; estimated value 100*l.* to 120*l.* per annum—sold for 11,000*l.* Leasehold premises situate in St. John's-lane, West Smithfield; term 82 years unexpired; ground-rent 50*l.* per annum—sold for 2400*l.*; Leasehold, four residences, being Nos. 1 to 4, Bedford-terrace, Clapham-road; estimated annual value 275*l.* per annum; term 24 years unexpired; ground-rent 67*l.* per annum—sold for 1070*l.* Leasehold residence, being No. 8, Shaftesbury-terrace, Pembroke-road, Kensington; let at 33*l.* per annum; term, ninety-nine years from 1841; ground-rent, 8*l.* per annum—sold for 58*l.* Leasehold beerhouse, known as the "Masons' Arms," No. 17, Buckingham-place, Euston-road, producing 55*l.* per annum; term, twenty-five years unexpired; ground-rent, 7*l.* per annum—sold for 515*l.*

Friday, May 5.

By Messrs. WALTERS and LOVEJOY, at Garraway's.—Copyhold ground-rents amounting to 396*l.* 17*s.* 8*d.* per annum, arising from property situate at Stepney, Ratcliffe and Limehouse, with reversions—sold for 12,000*l.* Copyhold ground-rents amounting to 24*l.* 7*s.* 4*d.* per annum, arising from property situate as above, with reversions—sold for 4100*l.*

Friday, May 5.

By Mr. ROBINS, at Garraway's.—105 acres of freehold building land part of the Ravenswood estate close to the Wellington College, Berkshire; bought in at 3300*l.*; open to private treaty.

Tuesday, May 9.

By Messrs. DEBENHAM, TEWSON and FARMER, at the Guildhall Coffee-house.—Freehold, 9a. 0r. 1p. of building land, situate at Norwood—sold for 3 50*l.*

Wednesday, May 10.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Freehold and leasehold estate, occupying one of the finest sites in the city of London, and being Nos. 29 and 30, Cornhill—sold for 40,000*l.* Freehold official premises, being No. 3, Great St. Helen's, City, producing 497*l.* per annum—sold for 7100*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, April 28.

ANDREW, JOHN JAMES, and IRVINE, ALEXANDER LODWICK, attorneys and solicitors, White Hart-ct. Lombard st.

MARSDEN, JOHN, and MARSDEN, GEORGE WILLIAM, attorneys, solicitors and conveyancers, Wakefield.

Gazette, May 2.

BUSFEILD, JOHN ATKINSON, and BUSFEILD, WILLIAM, attorneys and solicitors, Bradford.

Bankrupts.

Gazette, May 2.

To surrender at the Bankrupts' Court, Basinghall-street.

ADAMSON, GEORGE JOHNSTONE, builder, Reading. Pet. April 21. Reg. Brougham. O. A. Edwards. Sur. May 24.

ATTWOOD, WILLIAM, basket maker, Wochampton. Pet. April 29. Reg. Hazlitt. O. A. Graham. Sol. Lott, Parliament-st.; Fricke and King, Basingstoke. Sur. May 23.

BALE, GEORGE, carpenter, West Thurrock. Pet. April 22. Reg. Brougham. O. A. Edwards. Sur. May 24.

BORRAS, HENRY, livery-stable keeper, York-row, Kingsland. Pet. April 26. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 15.

BUCK, THOMAS, drysalter, Colebrook-row, Islington. Pet. April 27. Reg. Roche. O. A. Parkyns. Sol. Bremler, Copthall-chambers. Sur. May 15.

CLUTTERBUCK, JAMES ALFRED, coffee-house keeper, Rathbone-pl. Oxford-st. Pet. April 27. Reg. Hazlitt. O. A. Graham. Sol. Clarke, St. Mary's-sq. Paddington. Sur. May 23.

DOWELL, ALEXANDER WOOD, dining-room keeper, St. Swithin's-la. Pet. April 21. Reg. Brougham. O. A. Edwards. Sur. May 24.

EVANS, CHARLES, hatter, Lossfleet. Pet. April 29. Reg. Hazlitt. O. A. Graham. Sols. Loftus, Visard and Co., New-inn, Strand, for Yeoni, Poole. Sur. May 23.

GOEDICKE, REINHOLD, surgeon, Ledbury-rd. Bayswater. Pet. April 26. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-fds. Sur. May 24.

GOODRED, THOMAS, master boot maker, Sutherland-ter. Pimlico. Pet. April 21. Reg. Brougham. O. A. Edwards. Sur. May 24.

GRANT, ALEXANDER, commission agent, Holborn-hill. Pet. April 21. Reg. Brougham. O. A. Edwards. Sur. May 24.

HARTLEY, ERNEST AUGUSTUS, victualler, Ewell. Pet. April 28. Reg. Hazlitt. O. A. Graham. Sol. Dalton, Bucklersbury. Sur. May 16.

HUTCHINSON, JOHN JAMES, bookseller, Charles-st. Manchester-sq. Pet. April 27. Reg. Roche. O. A. Parkyns. Sol. Waldron, Lamb's Conduit-st. Sur. May 12.

JOHNSON, THOMAS JOHN, accountant, James-st. Adelphi. Pet. April 24. Reg. Roche. O. A. Parkyns. Sol. Atkinson, High Holborn. Sur. May 15.

LAWS, ROBERT, clerk in the Board of Trade, Florence-st. Mile end-rd. Pet. April 29. Reg. Brougham. O. A. Edwards. Sol. Cooper, St. Martin's-la. Sur. May 24.

LEGASSICKE, BENJAMIN, butcher, York-st. Westminster. Pet. April 27. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. May 24.

MILLER, JOSEPH, out of business, Wellington-rd. Hammersmith. Pet. April 29. Reg. Brougham. O. A. Edwards. Sol. Weymouth, Clifford's inn. Sur. May 24.

NEAL, FREDERIC, stationer, Folkestone. Pet. April 27. Reg. Roche. O. A. Parkyns. Sols. Bower, Son and Cotton, Chancery-la. for Hart, Folkestone. Sur. May 15.

PRIDDLE, JOHN, builder, Croydon. Pet. April 27. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. May 23.

ROGERS, WILLIAM, fruit merchant, Hastings, and brickmaker, Ore, Hastings. Pet. April 24. Reg. Brougham. O. A. Edwards. Sols. Miller and Miller, Sherborne-la.; Savery and Norris, Hastings. Sur. May 24.

SMITH, RALPH MILWARD, victualler, Pickering-st. Islington. Pet. April 18. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. May 15.

TINCHAM, WILLIAM, bricklayer, Chapel-st. Tottenham-ct.-rd. Pet. April 28. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. May 15.

TOZER, SAMUEL, lath render, Molyneux-st. Edgware rd. and Harcourt-st. Marylebone-rd. Pet. April 29. Reg. Roche. O. A. Parkyns. Sol. Atkinson, High Holborn. Sur. May 15.

WHEELER, HENRY, shirt manufacturer, Fore-st. Pet. April 27. Reg. Brougham. O. A. Edwards. Sols. Allen and Co. Queen-st. Sur. May 24.

WILLIAMS, THOMAS, builder, Brand-st. Greenwich, and Manchester-rd. Cubitt-tn. Pet. April 28. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 15.

WISKWORTH, WILLIAM PERCY, lieut. in the royal marines, Gosport. Pet. April 28. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. May 24.

YOUNGE, HENRY THOMAS, publican, Cobham. Pet. April 22. Reg. Brougham. O. A. Edwards. Sur. May 24.

To surrender in the Country.

ASHWORTH, ROBERT, feller, Wardle, Rochdale. Pet. April 25. Reg. & O. A. Woods. Sol. Holland, Rochdale. Sur. May 17.

BELL, ENOCH, boot dealer, Rhyl. Pet. April 24. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. May 15.

BIGLIN, PETER, innkeeper, Hessle. Pet. April 17. O. A. Young. Sur. May 17.

BISHOP, JAMES, grocer, Coleford. Pet. April 29. Reg. Wilde. O. A. Acraman. Sol. Miller, Bristol. Sur. May 15.

BOVETT, JOHN, Aston. Pet. April 27. Reg. & O. A. Guest. Sol. Sargent, Birmingham. Sur. May 22.

BREWEN, CHARLES EDWARD, tobacconist, Gainsborough. Pet. April 25. Reg. & O. A. Burton. Sol. Bladon, Gainsborough. Sur. May 8.

BROOKS, DAVID, cloth dresser, Morley, Batley. Pet. April 28. Reg. & O. A. Nelson. Sol. Marratt, Dewsbury. Sur. May 12.

BUTLER, HENRY SWAILES, merchant's clerk, Hull. Pet. April 28. Reg. & O. A. Phillips. Sols. Eaton and Holtby, Hull. Sur. May 16.

CANE, WILLIAM, provision dealer, East Retford. Pet. April 24. O. A. Young. Sols. Sedgwick, East Retford; Cumin, Sheffield. Sur. May 16.

CLARKE, SAMUEL, printer, Birmingham. Pet. April 25. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. May 22.

CLOUGH, HENRY, plumber, Church. Pet. April 27. Reg. & O. A. Hulton. Sol. Barlow, Accrington. Sur. May 19.

COOK, JOHN, blacksmith, Naunton Beauchamp. Pet. April 26. Reg. & O. A. Hudson. Sol. Wilson, Worcester. Sur. May 16.

CREIGHTON, AGNES, butcher, Kendal. Pet. April 19. Reg. & O. A. Wilson. Sol. Thomson, Kendal. Sur. May 8.

CUMBERLAND, ROBERT, tobacconist, Nottingham. Pet. April 26. Reg. & O. A. Patchitt. Sol. Ashwell, Nottingham. Sur. May 31.

DAVIS, STUCKEY REYNOLDS, schoolmaster, Salford. Pet. April 29. Reg. Macrae. O. A. Morgan. Sol. Farrington, Manchester. Sur. May 19.

DILLEY, ROBERT, fishmonger, Soham. Pet. April 29. Reg. & O. A. Hustwick. Sol. Bye, Soham. Sur. May 13.
DYCHE, JOHN, teacher of music, Birmingham. Pet. April 24. Reg. & O. A. Guest. Sol. Sargent, Birmingham. Sur. May 22.
GROSS, WILLIAM, chemist and druggist, Bury St. Edmund's. Pet. April 25. Reg. & O. A. Collins. Sol. Salmon, Bury St. Edmund's. Sur. May 15.
HARDING, JOHN RAVENHILL, Bristol. Pet. April 25. Reg. & O. A. Harley and Gibbs. Sur. May 19.
HIGGITT, MELTON BUTLER, farmer, Gedling. Pet. April 23. Sur. May 16.
HILL, CHARLES, cloth manufacturer, Morley, Leeds. Pet. April 28. Reg. & O. A. Nelson. Sol. Harle, Leeds. Sur. May 17.
HOSKING, CLIFTON, travelling draper, Cusgarne, Gwennap. Pet. April 19. Reg. & O. A. Peter. Sur. May 13.
HOUSE, RICHARD, tailor, Maidenhead. Pet. April 28. Reg. & O. A. Darwill. Sol. Smith, Maidenhead. Sur. May 16.
JACKSON, THOMAS, victualler, Danisthorpe, Measham. Pet. April 29. Reg. Hill. O. A. Kinnear. Sol. Bartlett, Wolverhampton. Sur. May 15.
JUPP, JOEL HENRY, commission agent, Ipswich. Pet. April 29. Reg. & O. A. Pretyman. Sol. Pollard, Ipswich. Sur. May 15.
KEARSLEY, ADAM, and KEARSLEY, JAMES, bricklayers, Wigan. Pet. April 29. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. May 15.
LANCASTER, ROBERT, ironmonger, Nelson, Burnley. Pet. April 29. Reg. Macrae. O. A. Morgan. Sols. Backhouse and Whittam, Burnley; Cobbett and Wheeler, Manchester. Sur. May 18.
LOXTON, CHARLES, manager to a wine and spirit merchant, Wednesbury. Pet. April 27. O. A. Clarke. Sol. Sheldon, Wednesbury. Sur. May 16.
MACLAURIN, ROBERT, commission agent, Westgate. Pet. April 27. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. May 16.
MARKS, DAVID, boot and shoe dealer, Birmingham. Pet. May 1. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. May 15.
MARSHALL, EDWARD, tailor, Castleford. Pet. April 29. Reg. & O. A. Coleman. Sol. Jefferson, Pontefract. Sur. May 16.
MONDAY, JOHN, farmer, Milverton. Pet. April 26. O. A. Carrick. Sols. Brice, Bridgwater; Fryer, Exeter. Sur. May 12.
MYERS, THOMAS, and MYERS, BENJAMIN, oil extractors, Booth Town, Halifax. Pet. April 29. Reg. Rankin. O. A. Dyson and Rankin. Sol. Yewdall, Bradford. Sur. May 16.
OWEN, JAMES, carpenter, Bristol. Pet. April 26. Reg. & O. A. Harley and Gibbs. Sur. May 19.
PERRIN, WILLIAM, innkeeper, Nantwich. O. A. Turner. Sol. Best, Liverpool. Sur. May 15.
PROSSER, HENRY, farmer, Penhein, Caerwent. Pet. April 29. Reg. Wilde. O. A. Acraman. Sol. Hutchins, Bristol. Sur. May 12.
ROBERTS, EVAN, butcher, Trydifyn, Mold. Pet. April 27. Reg. & O. A. Edgworth. Sol. Sherratt, Wrexham. Sur. May 18.
ROBERTS, JOHN, cattle dealer, Twthill, Conway. Pet. April 28. O. A. Turner. Sols. Seddle and Jameson, Liverpool. Sur. May 15.
ROOKES, JAMES, farmer, Sandwich. Pet. April 22. Reg. & O. A. Hall. Sol. Mourilyan, jun. Sandwich. Sur. May 12.
ROLES, WILLIAM, glover, Salisbury. Pet. April 26. Reg. & O. A. Wilson. Sol. Whatman, Salisbury. Sur. May 16.
SAMMONS, WILLIAM, commission agent, Redruth. Pet. April 24. O. A. Carrick. Sols. Wallis, Bodmin; Terrell, Exeter. Sur. May 12.
SIMONS, JAMES, ironmonger, Hull. Pet. April 5. O. A. Young. Sols. Messrs. Whitehouse, Wolverhampton; Stackles and Barke, Hull. Sur. May 17.
SMEDLEY, ANDREW, builder, Church Gresley. Pet. April 29. Reg. & O. A. Hubbersty. Sol. Prince, Burton. Sur. May 15.
SMITH, DAVID, cell thimble maker, Bishopwearmouth. Pet. April 25. Reg. & O. A. Marshall. Sol. Eglington, Sunderland. Sur. May 16.
SORRILL, MARY ANN, grocer, Evesham. Pet. April 25. Reg. & O. A. Cheek. Sol. Eades, Evesham. Sur. May 13.
TRAVERS, GEORGE, fruiterer, Southampton. Pet. April 17. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. May 27.
WILLIAMS, THOMAS, baker, Llanerchymedd. Pet. April 27. Reg. & O. A. Dew. Sol. Jones, Menai-bridge. Sur. May 18.
WOOD, JOSEPH WILLIAM, stationer's assistant, Leeds. Pet. April 28. Reg. & O. A. Saugster. Sol. Harle, Leeds. Sur. May 17.

Gazette, May 5.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, HENRY, working jeweller, Lisle-st. Soho. Pet. May 2. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. May 23.
BEARD, RICHARD ISAAC, printer, Bear-alley and Farringdon-st. Pet. May 1. Reg. Roche. O. A. Parkyns. Sol. Poole, Bartholomew-close. Sur. May 15.
CARAPATA, ULYSSES, Esq. Queen's-rd. Stoke Newington. Pet. May 1. Reg. Roche. O. A. Parkyns. Sol. Grout, Scott's-yd. Bush-la. Sur. May 15.
CARPENTER, HENRY, messenger at the House of Lords, Crescent-ter. Millbank. Pet. April 28. Reg. Hazlitt. O. A. Graham. Sol. Walker, Guildhall-chambers. Sur. May 23.
CLIFF, HENRY, warehouseman, Richmond-rd. Hackney. Pet. May 1. Reg. Hazlitt. O. A. Graham. Sol. Beckitt, Moorgate-st. Sur. May 16.
ELSTONE, EDMUND, carman, Frederick-st. Caledonian-rd. Pet. April 29. Reg. Brougham. O. A. Edwards. Sol. Drake, Basinghall-st. Sur. May 24.
FORD, GEORGE, fat melter, Brandon-rd. Islington. Pet. May 2. Reg. Roche. O. A. Parkyns. Sol. Layton, jun. Church-row, Islington. Sur. May 17.
GOULD, EDWARD, grocer, Grange-st. Old Kent-rd. Pet. May 1. Reg. Hazlitt. O. A. Graham. Sol. Langton, Walbrook. Sur. May 25.
GRANT, JOHN HENRY, cab driver, Mary-pl. Hampstead-rd. Pet. April 29. Reg. Roche. O. A. Parkyns. Sol. Abbott, Basinghall-st. Sur. May 13.
HARBEN, JAMES THOMAS, clerk, Carlton-rd. south, Mile-end. Pet. May 3. Reg. Hazlitt. O. A. Graham. Sol. Smith, Linc.-inn-fds. Sur. May 25.
HATTRELL, GEORGE PHILIP, greengrocer, Lever-st. St. Luke's. Pet. April 29. Reg. Hazlitt. O. A. Graham. Sol. Mason, Symonds-inn. Sur. May 25.
HICKS, JOHN, victualler, Whitechapel-rd. Pet. May 1. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. May 24.
HOLMAN, JAMES, linendraper, Salisbury. Pet. May 1. Reg. Brougham. O. A. Edwards. Sol. Shiers, New-inn. Sur. May 24.
KIBGETT, JOHN, leather dresser, Great George-st. Bermondsey. Pet. May 2. Reg. Brougham. O. A. Edwards. Sol. Dillon, Trinity-st. Southwark. Sur. May 27.
LANCE, JOHN HENRY, builder, Maryland-rd. Stratford. Pet. May 3. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-gdn. Sur. May 25.
LOWE, JOHN, lieut. in the militia, Southampton. Pet. May 1. Reg. Roche. O. A. Parkyns. Sol. Westall, Gray's-inn-sq. Sur. May 15.
OTTY, MATTHEW, cabinet-maker, Wynyatt-st. Clerkenwell. Pet. May 3. Reg. Brougham. O. A. Edwards. Sol. Phipps, Coleman-st. Sur. May 27.
PERRY, CHARLES, out of employ, Sydney-ter. North Bow. Pet. April 29. Reg. Brougham. O. A. Edwards. Sol. Webb, Linc.-inn-fds. Sur. May 26.
SHARP, DANIEL, cabinet-maker, East Church-row, Limehouse. Pet. May 2. Reg. Roche. O. A. Parkyns. Sol. Lloyd, Wood-st. Cheapside. Sur. May 15.
SMITH, GEORGE, builder, Chepstow-pl. Bayswater. Pet. April 19. Reg. Hazlitt. O. A. Graham. Sols. Underwood and Co. Holles-st. Cavendish-sq. Sur. May 25.
STICKELLS, THOMAS, tailor, Ashford. Pet. April 28. Reg. Hazlitt. O. A. Graham. Sols. Duncan and Murton, Southampton-st. Bloomsbury. Sur. May 25.
TAYLOR, ROBERT, hairdresser, Trinity-cottages, Greenwich. Pet. May 3. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. May 15.
WARREN, STEPHEN, bootmaker, East India-rd. Limehouse. Pet. May 3. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 15.
WATLING, HENRY WILLIAM, florist's foreman, Calshot-view, Freemantle. Pet. May 2. Reg. Hazlitt. O. A. Graham. Sols. Paterson and Son, Bouverie-st. for Mackey, Southampton. Sur. May 25.
WAUGH, WILLIAM PETRIE, agent, Gloucester-crescent, Camden-tn. Pet. April 29. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. May 25.

To surrender in the Country.

BAKER, WILLIAM, assistant to an oyster dealer, Manchester. Pet. May 3. Reg. Harris. O. A. Morgan. Sol. Gardner, Manchester. Sur. May 16.
BATH, MOSES, draper, Melksham. Pet. April 24. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. May 17.
BENNETT, HENRY, wheelwright, Lower Treluswell, St. Gluvias. Pet. May 1. Reg. & O. A. Bullmore. Sol. Jenkins, Penryn. Sur. May 17.
BENNION, RALPH, labourer, Doddlespool, Balterley. Pet. May 2. Reg. & O. A. Slaney. Sol. Litchfield. Sur. May 30.
BOWKERBANK, WILLIAM, builder, Penrith. Pet. April 22. Reg. Gibson. O. A. Laidman. Sol. Scott, Penrith. Sur. May 19.
CARTWRIGHT, THOMAS, ginger-beer manufacturer, Derby. Pet. April 4. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. May 18.
CLEGG, JOHN, woollen slubber, Rochdale. Pet. May 2. Reg. & O. A. Woods. Sols. Messrs. Standring, Rochdale. Sur. May 19.
CLYNE, JOHN, schoolmaster, Bristol. Pet. May 2. Reg. & O. A. Harley and Gibbs. Sol. Tucker. Sur. May 19.
COLQUHOUN, MURTHWAITE YOUNG, printer, Liverpool. Pet. April 24. O. A. Turner. Sols. Evans, Sandys, Hoose and Lockett, Liverpool. Sur. May 15.
COOPER, GEORGE, china dealer, Pontypool. Pet. May 2. Reg. & O. A. Edwards. Sol. Lloyd, Pontypool. Sur. May 15.
CROXALL, WILLIAM HENRY, assistant engineer in the navy, Torpoint, Antony. Pet. April 19. Reg. & O. A. Pearce. Sol. Vaughan, Devonport. Sur. May 17.
DOBSON, THOMAS, general provision merchant, Middleton. Pet. May 2. Reg. & O. A. Child. Sol. Todd, Hartlepool. Sur. May 20.
FEURING, JOHN HENRY, tailor, Middlesborough. Pet. May 1. Reg. & O. A. Crosby. Sol. Lees, Middlesborough. Sur. May 17.
FIELDEN, ABRAHAM, cottonspinner, Todmorden. Pet. May 1. Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester. Sur. May 17.
FISHER, WILLIAM MOUNTAIN, beerhouse-keeper, Gloucester. Pet. May 1. Reg. & O. A. Hobbes. Sol. Warden, Stratford-upon-Avon. Sur. May 17.
FRAGNUL, MATTHEW FRANCIS, shipbroker, Hull. Pet. May 2. Reg. & O. A. Phillips. Sol. Chester, Hull. Sur. May 17.
GOOCH, WILLIAM, tailor, North Lopham. Pet. April 19. Reg. & O. A. Chenery. Sur. May 17.
HALL, ROBERT, fitter, Derby. Pet. April 27. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. May 19.
HANCOCK, WILLIAM, beerhouse-keeper, Newcastle-under-Lyme. Pet. April 25. Reg. & O. A. Slaney. Sol. Litchfield, Newcastle-under-Lyme. Sur. May 30.
HARNDEN, EDWARD, Canterbury. Pet. April 18. Reg. & O. A. Callaway. Sur. May 17.
HARRISON, HENRY, grocer, Cheltenham. Pet. May 2. Reg. Wilde. O. A. Acraman. Sol. Wilkes, Gloucester. Sur. May 17.
HAYWOOD, WILLIAM, farmer, Blythbury, Maveson Ridware. Pet. April 28. Reg. Tudor. O. A. Kinnear. Sol. Palmer, Rugeley. Sur. May 15.
HEWSON, DANIEL HILEY, bootmaker, Great Grimsby. Pet. May 1. Reg. & O. A. Daubney. Sol. Wintringham, Grimsby. Sur. May 19.
HILL, WILLIAM, master armourer, Devonport. Pet. May 3. Reg. & O. A. Pearce. Sol. Robins, Plymouth. Sur. May 19.
HILTON, WILLIAM, yarn agent, Manchester. Pet. April 25. Reg. Harris. O. A. Morgan. Sols. Johnson and Tilly, Lancaster; Marsland and Addleshaw, Manchester. Sur. May 27.
HUNT, HENRY, commission agent, Derby. Pet. April 6. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. May 18.
HUTTON, THOMAS, commission merchant, Liverpool. Pet. April 29. O. A. Turner. Sol. Morris, Liverpool. Sur. May 15.
IRVIN, JOHN, joiner, Whitehaven. Pet. April 29. Reg. & O. A. Hodgkin. Sol. Pattison, Whitehaven. Sur. May 16.
JENKINS, GEORGE, contractor, Bream Woodside, West Dean. Pet. April 29. Reg. & O. A. George. Sol. Williams, Monmouth. Sur. May 20.
KING, JAMES, china dealer, Bideford. Pet. May 3. Reg. & O. A. Hooker. Sol. Turner, Bideford. Sur. May 30.
LANE, WILLIAM, and STEPHEN, WOOD GIBSON, merchants, Manchester. Pet. May 3. Reg. Macrae. O. A. Morgan. Sol. Elsoft, Manchester. Sur. May 16.
MANN, EDWARD, money scrivener, Manchester. Pet. May 2. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. May 22.
MEESON, JOHN, and MORRIS, JOSIAH, drapers, Wolverhampton. Pet. May 3. Reg. Tudor. O. A. Kinnear. Sols. Messrs. Underhill, Wolverhampton; Bodington, Dudley; Green, Birmingham. Sur. May 12.
MIDDLETON, GEORGE, farm labourer, South Elmsall, near Pontefract. Pet. May 3. Reg. & O. A. Coleman. Sol. Mason, Sheffield. Sur. May 16.
MINCHER, JOSEPH, victualler, Dudley. Pet. May 3. Reg. & O. A. Walker. Sol. Lowe, Dudley. Sur. May 22.
PEMBERTON, LAURA, spinster, Sutton, Chester. Pet. May 1. O. A. Turner. Sols. Evans, Sandys, Hoose and Lockett, Liverpool. Sur. May 15.
PIERCE, JAMES, shopkeeper, Holywell. Pet. April 24. O. A. Williamson. Sol. Davies, Holywell. Sur. May 15.
POTTER, RUSSELL, out of business, Rusholme. Pet. May 2. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. May 25.
PRYCE, JOSIAH, district manager of an insurance association, Saint Paul's-sq. Camden-town. Pet. March 31. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. May 14.
RICH, JOSEPH, merchant, Leighton, near Parkgate, Chester. Pet. May 1. O. A. Turner. Sols. Kaye, Weld and Lawrance, Liverpool. Sur. May 15.
SANDS, JOHN, chair maker, Hull. Pet. April 28. Reg. & O. A. Phillips. Sol. Sparr, Hull. Sur. May 16.
SMITH, BENJAMIN, iron tube manufacturer, Birmingham. Pet. April 22. Reg. & O. A. Guest. Sur. May 22.
SMURTHWAITE, JOHN, wharfinger, Sunderland. Pet. May 1. Reg. Gibson. O. A. Laidman. Sol. Eglinton, Sunderland. Sur. May 19.
STANDEN, JOHN, potato dealer, Guestling. Pet. May 1. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. May 18.
STANWAY, WILLIAM, farmer, Lee Head, Mucclestone. Pet. April 29. Reg. & O. A. Warren. Sols. Warren and Onions, Market Drayton. Sur. May 17.
STOKES, JOHN, lamp maker, Birmingham. Pet. May 3. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. May 22.
TOLL, WILLIAM, jun., district highway surveyor, Aldcombe, Dunster. Pet. April 14. Reg. & O. A. White. Sol. Pousford, Bablon, Washford, Taunton. Sur. May 13.
TOMLINSON, JOHN, innkeeper, Spinkhill, Eckington. Pet. April 23. Reg. & O. A. Wake and Waller. Sol. Busby, Chesterfield. Sur. May 23.
TURNER, JOHN SIFFINS, farmer, Mattishall. Pet. May 2. Reg. & O. A. Cooper. Sol. Emerson, Norwich. Sur. May 22.
WADDINGTON, RICHARD, shoemaker, Wellingborough. Pet. May 2. Reg. & O. A. Barnham. Sol. White, Northampton. Sur. May 17.
WALKER, LEWIS, baker, Whitwell. Pet. April 26. Reg. & O. A. Sheild and Hough. Sol. Law, Stamford. Sur. May 15.
WARRINGTON, GEORGE, printer, Derby. Pet. April 18. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. May 19.
WEST, JOHN WILLIAM, railway clerk, Derby. Pet. April 12. Reg. & O. A. Weller. Sol. Smith, Derby. Sur. May 19.
WHITEHEAD, WILLIAM, grocer, Sheffield. Pet. May 2. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. May 23.
WIDDOWSON, THOMAS HENRY JAMES, butcher, Liverpool. Pet. May 2. Reg. & O. A. Hime. Sol. Jones, Liverpool. Sur. May 16.
WILLIAMS, GRIFFITH, farmer, Bryngwran. Pet. May 1. O. A. Turner. Sols. Evans, Sandys, Hoose and Lockett, Liverpool. Sur. May 18.
WILLIAMSON, THOMAS, grocer, Peterborough. Pet. May 2. Reg. & O. A. Gaches. Sol. Law, Stamford. Sur. May 20.
WILSON, FREDERICK HEATLEY, bootmaker, Liverpool. Pet. May 2. Reg. & O. Hime. Sol. Preston, Liverpool. Sur. May 17.
WINCHURST, MARY, sempstress, Birmingham. Pet. May 1. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. May 22.

BANKRUPTCIES ANNULLED.

Gazette, May 2.

SHUCKFORD, JOSHUA, builder, Trafalgar-pl. Clapham-rise.

Gazette, May 5.

WILSON, JAMES, commission agent, Russia-ct. Russia-row.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Anderson, H. farmer, first, 2s. 4½d. Laidman, Newcastle.—*Amsegarn*, B. J. merchant, first, 1s. 6¼d. Parkyns, London.—*Barker*, A. M. and A. metal dealers, first on new proofs, 2s. 6d. Kinnear, Birmingham.—*Bradman*, E. watch manufacturer, first, 8d. Parkyns, London.—*Barrall*, J. horsehair manufacturer, first, 1s. 7d. Parkyns, London.—*Ellis*, G. H. house decorator, first, 2s. 1½d. Parkyns, London.—*Griffiths*, J. tioner, first, 3s. 4½d. Kinnear, Birmingham.—*Hansen*, F. W. merchant, first, 1s. 3¼d. Laidman, Newcastle.—*Hunter* and *Sugden*, manufacturers of caustic alkali, second, 3½d. (in addition to 1s. 11d. previously declared). Laidman, Newcastle.—*Lawrence*, B. dealer in pictures, first, 5s. 6d. Kinnear, Birmingham.—*Levey* and *Robson*, printers, first, 2s. 6d. Parkyns, London.—*Parslow*, T. butcher, first, 12s. 1½d. Parkyns, London.—*Savory*, R. plumber and glazier, first, 4s. 2d. Kinnear, Birmingham.—*Wall* and *Johnson*, druggists and grocers, first, 5s. 2d.; first sep. of Wall, 17s. 6d. Kinnear, Birmingham.—*Warner*, T. W. ironmonger, first, 5s. 5½d. Parkyns, London.

INSOLVENT'S ESTATE.

Rehrring, W. C. 1s. 9¼d. Booth, jun. Ridley-bridge.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, May 2.

ADAMS, JOHN, dealer in spirits, Southampton. April 12. 12s. by four instalments of 3s. at 1, 4, 8 and 12 mos. Sureties, O. E. Adams, commercial traveller, Bristol, and G. Adams, sheep dealer, Waddesdon, near Aylesbury.
ASHER, EDWIN JAMES, cabinet-maker, Kibworth Beauchamp. April 4. Trusts. J. D. Paul, ironmonger, and B. G. Jackson, timber merchant, both Leicester.
BAILEY, HENRY GEORGE, innkeeper, Coggeshall. April 4. Trust. R. B. Smith, sen., builder, Coggeshall.
BALDRY, WILLIAM, draper, Grasmere. April 12. Trusts. J. Green and J. F. Green, gentlemen, both Grasmere.
BETTERIDGE, WILLIAM, ropemaker, Chertsey. April 5. 5s. on 1st April.
BONHAM, LOUISA, baker, Church-st. Hackney. April 21. 2s. 6d. on 20th May.
BROWN, SAMUEL SHAW, hat manufacturer, Reddish. April 5. Trust. A. Murray, accountant, Manchester.
BUCKLAND, RICHARD, woollendraper, Birmingham. April 1. 13s. 6d. by four equal instalments of 3s. 4½d. at 3, 6, 9 and 12 mos. —secured.
CLEMENTS, THOMAS PACKARD, draper, Judd-st. Brunswick-sq. April 6. 7s. by three equal instalments at 3, 6 and 9 mos.—secured.
CORNISH, JOHN, chemist, Exeter. April 3. Trust. A. T. Popham, merchant, Exeter.
DOIDGE, RICHARD, confectioner, Birmingham. April 3. Trusts. T. F. Griffiths, gentleman, and J. Watson, provision dealer, both Birmingham.
DUCKWORTH, WILLIAM, grocer, Radcliffe. April 20. Trust. T. B. Crook, accountant, Radcliffe.
EVANS, THOMAS RICHARD, draper, Dowlais. April 3. Trust. L. Roberts, warehouseman, Manchester.
FAULKNER, CHARLES, warehouseman, Aston, near Birmingham. April 25. 5s. by two equal instalments on 26th July and 26th Oct. Trust. G. Gopsill, factor's clerk, Birmingham.
FOX, JOSHUA, gentleman, Saint Budock. March 2. Trusts. W. T. Scott, wine and spirit merchant, and T. Webber, flour factor, both Falmouth.
GITTINS, JOHN, flannel merchant, Newtown. April 6. Trusts. T. Jones, flannel manufacturer, Llanidloes, and E. Chapman, manufacturer, Newtown.
GLANFIELD, HERMON, tailor, Crediton. April 4. Trust. W. E. Goodman, woollendraper, Exeter.
GRIFFITH, EBENEZER, tailor, Birmingham. April 6. Trusts. C. Alexander and E. Hill, manufacturers, Barnsley.
GROCOTT, JOSEPH, farmer, Weston. April 11. Trusts. H. Farrington, farmer, Lower Ash, near Talk-o'-th'-hill, and T. Casey, ironmonger, Nantwich.
HALL, WILLIAM DEBOWN, papermaker, Saddleworth, and Manchester. April 6. Trust. O. Greaves, twine manufacturer, Bury, near Leeds.
HAWOOD, SAMUEL, pawnbroker, Lowestoft. April 26. Trust. G. Korswell, jeweller, Portsea.
HELSBY, THOMAS SALLMORE, plumber, Manchester. April 7. Trusts. J. Giddings, lead manufacturer, and T. Gordon, agent, both Manchester.
HILL, JOHN GORSEY; WEGUELIN, HENRY WILLIAM HENRY; and SMITH, EDWARD JAMES, russian merchants, Aldermanbury. April 26. Trust. T. M. Weguelin, Old Broad-st. and G. G. Hill, Winchester-st. merchants.
HOLLIS, JOHN DOVE, builder, New Windsor. April 5. 5s. by two instalments on 3rd May and 3rd Aug.—secured. Trust. E. W. Ley, stonemason, New Windsor.
JONES, DAVID, grocer, St. Asaph. April 26. 5s. by two instalments of 2s. 6d. in 10 days and 3 mos.—secured.
KILSHAW, FREDERIC, shipowner, Liverpool. April 27. 2s. 6d. on date of deed.
KING, HENRY, innkeeper, Bicester. March 31. Trusts. W. Kirtland, wine and spirit merchant, Bicester, and J. French, merchant, Adelaide-st. Westminster.
LASHMAR, JOHN HENRY, bootmaker, Red-hill. April 6. Trust. W. Burt, leather merchant, King Edward-st.
LEE, GEORGE, schoolmaster, Claverton-st. Pimlico. April 17. To pay debts in full by 30l. per annum, with interest at 5 per cent. per annum.
LOCKWOOD, JONATHAN RAMSKILL, commercial traveller, Mirfield. April 12. Trusts. E. W. Chinn, jeweller, Huddersfield, and J. Walker, dyer, Hedingley Laith, near Wakefield.
MAPLESON, HENRY, victualler, Liverpool. April 29. To pay debts in full by weekly instalments of 10l. each.
MCALISTER, WILLIAM, outfitter, Penwith. April 13. Trusts. S. Oppenheim and J. S. C. Simpson, outfitters, both Penzance.
MELLOR, EDWIN, yarn manufacturer, Saddleworth. April 6. Trusts. D. Eastwood, wool merchant, and J. Holdsworth, card maker, both Huddersfield.
NICHOLSON, ALFRED, lace manufacturer, Nottingham. April 1. 7s. 6d. by three instalments of 2s. 6d. at 3, 6 and 9 mos. from 16th Jan.—secured. Trust. A. Nicholson, scale and base dealer, Sheffield.
PAGE, GEORGE, earthenware dealer, Hull. April 5. Trust. T. Gourley, auctioneer, Hull.
PARRY, HENRY ALDRIDGE, gentleman, Mount-st. Grosvenor-sq. April 4. 1s.
PICKEN, EDWARD, grocer, Birmingham. April 26. 6s. by three instalments of 2s. in 7 days, on 7th July and 7th Oct. Trust. I. Heath, brassfounder, Birmingham.
PITMAN, CHARLES, innkeeper, Radstock. April 15. 2s. 6d. by two equal instalments at 4 and 8 mos. Surety, C. Richardson, innkeeper, Dunkerton.
QUINN, WILLIAM, and MCDOWELL, HENRY, cotton merchants, Leeds. April 27. 11s. by three equal instalments of 3s. 8d. at 3, 6 and 9 mos.—secured. Trusts. J. W. Oxley, banker, and W. F. Smith, cloth manufacturer, both Leeds.
RADCLIFFE, JOSEPH, woollen manufacturer, Halifax. April 11. Trusts. J. Armitage, shoddy merchant, Dewsbury, J. Haigh, waste dealer, Halifax, and T. Chappell, agent, Horbury-bridge.
RITCHIE, RICHARD HENRY, banker's clerk, Tenby. April 5. 7s. 6d. by three equal instalments in April and July 1865 and Jan. 1866.
ROBERTS, WILLIAM, ironmonger, Batley. April 5. Trusts. J. Scott, ironfounder, Brighouse, J. Pulman, iron merchant, Halifax, and F. Thompson, stonemason, Batley.
ROWLAND, GEORGE THOMAS, draper, Blackburn. April 11. 5s.—2s. 6d. on 17th June and 2s. 6d. on 17th Aug.—secured. Surety, J. Abbott, builder, Blackburn.
SANDERS, THOMAS, beer retailer, Seymour-pl. Bryanstone-sq. April 25. 1s. 6d. by 31st Oct. Trust. F. Kelly, builder, Great Charlotte-st. Southwark.
SHEARD, HENRY, woollen manufacturer, Batley. April 5. 12s. 6d. by three instalments—5s. in 3 mos., 5s. in 6 mos., and 2s. 6d. in 9 mos.—secured. Trusts. J. Wilson, woollen manufacturer, and J. Talbot, rag merchant, both Batley.
SMITH, GEORGE, milliner, Bridlington. April 8. Trust. J. Kirby, cabinet-maker, Bridlington.
STAPLES, JOSEPH HENRY PROSSER, surgeon, Upper Seymour-st. west. April 20. 7s. 6d.—5s. on execution of deed and 2s. 6d. in 6 mos.
TAYLOR, JAMES, shopkeeper, Wigan. April 25. Trusts. J. Lomax, Manchester, and V. Farrington, Wigan, corn millers.
THOMAS, EVAN, ironmonger, Aberdare. April 20. 12s. by four instalments—3s. 9d. at once, and three equal instalments of 2s. 9d. on 10th Aug., 10th Dec. and 10th April—secured. Trusts. J. Almond, agent for the Coalbrookdale Iron Company, and W. R. Waite, iron merchant, both Bristol.
THOMPSON, JOSEPH, plumber, Dudley. April 2. 2s. 6d. Trust. J. Guest, innkeeper, Sedgley.
UNWIN, JAMES, grocer, Shipley. April 24. Trusts. W. Walker, miller, Baildon-mills, near Shipley, and C. Firth, provision merchant, Bradford.
VERNON, JABEZ, ironmonger, Smethwick. April 26. 2s. 6d. Trust. J. Vernon, jun., tailor, Smethwick.
WEBB, JOHN, boot and shoe warehouseman, Great Swan-alley, Moorgate-st. April 29. 3s. by two instalments of 1s. 6d. on 29th May and 29th June.
WEBB, RICHARD, draper, Birmingham. April 6. 7s. on 29th April. Trust. A. Harrison, accountant, Birmingham.

WEST, DAVID, and WEST, EDWARD, cab proprietors, Park-st. Kensington-cross. March 30. Trusts. S. H. Wells, Gt. St. Helen's, and J. Easton, Lower Kensington-la. corn merchants.

WILLIAMS, GEORGE, and GAUNT, JOHN, oil manufacturers, Wolverhampton. April 7. Trusts. T. W. Rowland, dyemaker, Bristol, and J. C. Major, manufacturing chemist, Wolverhampton.

WILSON, CHARLES EDMUND, manufacturer and warehouseman, Monk well-st. and Jewin-crescent. April 10. 11s. 6d. by instalments—3s. 10d. at 3 mos., 3s. 10d. at 6 mos. and 3s. 10d. at 9 mos.—secured. Trust. A. A. James, public accountant, King-st. Cheapside.

WOOD, JOHN, builder, New Malton. March 24. Trust. J. Thompson, bank manager, New Malton.

WYMAN, ROBERT HILL, grocer, Welwyn. April 3. 4s. on 27th April. Trust. T. Wellingham, grocer, Welwyn.

YOUNG, WILLIAM HODGSON, grocer, Sheffield. March 31. Trust. G. Woodhead, draper, Sheffield.

ERRATUM.

QUAYLE, WILLIAM, merchant, Liverpool. April 17 (and not Feb. 17 as advertised in Gazette, April 28, 1865).

Gazette, May 5.

ABBOTSON, LEWIS, picture dealer, Air-st. Regent-st. Piccadilly. April 13. 1s. on 15th July.

ANDREWS, RICHARD, hosier and glover, Hanway-st. Oxford-st. and High-st. Lower Norwood. April 5. Trusts. T. Bayley, warehouseman, and I. Wilson, wholesale hosier, both Wood-st. Cheapside.

AINSWORTH, WILLIAM, manufacturer, Todmorden. April 7. Trusts. R. Leech, yarn agent, Rochdale, W. Fielden, manufacturer, Todmorden, and S. C. Farrar, yarn agent, Todmorden.

BENHAM, JOHN, boot and shoe maker, Nestlehead. April 27. Trust. T. Cloth, leather cutter, Norwich.

BARLOW, ALEXANDER, and PICKUP, RICHARD, cottonspinners, Shuttleworth, near Bury. April 18. 5s. by two instalments—2s. 6d. on 1st July and 2s. 6d. on 1st Oct.—secured.

BAYLEY, JAMES, jun., engineer, Morley. April 26. 4s. by 30th May.

BAILEY, CHARLES GEORGE, grocer, Devonport. April 12. Trust. E. R. Brown, merchant, Plymouth.

BIGGIN, JOSHUA, cutlery manufacturer, Sheffield. April 21. 4s. on 30th April.

BODDINGTON, CHARLES JOSEPH, and BODDINGTON, JOHN, maltsters, Birmingham. April 29. Trust. E. Carter, accountant, Birmingham.

BOWMAN, EDWARD MILLS, and GARWOOD, JOSEPH WELMAN, coal merchants, Bromley-wharf, Three Mills-la. Bromley. May 1. 7s. 6d. on 1st June.

BRAHAM, SAMUEL, jeweller, Leeds. April 7. Trusts. A. S. Blanchenese, factor, Birmingham, and H. Isaacs, cigar manufacturer, city London.

BRICE, WILLIAM, clothier, Little Gonerby. April 13. Trusts. A. Husband, merchant, Grantham, and A. Hardwick, shoe manufacturer, Northampton.

CAPE, JONATHAN, builder and joiner, Cockermouth. April 19. Trusts. J. Armstrong, timber merchant, and J. Burnett, whitesmith, both Cockermouth.

CARRELL, WILLIAM, builder, Southsea. April 20. 5s. in 3 mos.

CLIBE, DANIEL, Shrewsbury, and Park-st. Westminster. April 11. Inspector, E. Hart, public accountant, Moorgate-st.

COOKE, GEORGE, bricklayer, Sandbach. April 13. Trust. J. H. Roby, accountant, Sandbach.

CROSSLEY, JOHN; CROSSLEY, HENRY; CROSSLEY, WILLIAM; and CROSSLEY, ALFRED, cotton manufacturers, Portsmouth, near Todmorden. April 7. Trusts. J. H. Hacking, commission agent, Manchester, T. Sagar, machinist, Burnley, W. Newell, yarn agent, Todmorden, and E. O. Hinchley, commission agent, Manchester.

DYSON, EDWARD CARMAN, draper, Old Kent-rd. April 6. Trust. F. Shaw, warehouseman, Cannon-st. west.

DYSON, JOHN, commission agent, Saddleworth. April 10. Trusts. J. Schofield, Saddleworth, and J. Rhodes, Saddleworth, woollen manufacturers.

EDWARDS, WILLIAM, stationer, Brunswick-parade, Upper Norwood. April 10. 2s. in 1 mo.

ELLIOTT, RICHARD, builder, Goole. April 5. Trusts. C. Leggott, builder, and G. Stewart, slater, both Goole.

FEARN, GEORGE, beerhouse-keeper, Barnsley. April 6. 7s. 6d. within 6 mos. Surety, E. Fearn, weaver, Barnsley.

FREEMAN, JAMES, draper, Bradford. April 25. 9s. by four equal instalments at 3, 6, 9 and 10 mos. from 10th April—secured. Surety, R. Freeman, builder, Ely.

GILLESPIE, JAMES BETHOM, draper, Middlesbro'. April 7. 18s. 6d.—5s. on execution of deed, 3s. on 4th July, 3s. on 4th Oct. and 7s. 6d. on 4th Jan. next—secured.

GLASFIELD, WILLIAM, tailor and draper, Crediton. April 7. Trusts. W. Heard, yeoman, Upton Hellions, and J. Candy, warehouseman, Bristol.

GRIFFITHS, GRIFFITH, and GRIFFITHS, SAMUEL, drapers, Llangollen. March 13. Trusts. L. Roberts, warehouseman, Manchester, A. Jones, wholesale grocer, Liverpool, and E. S. Jones, flannel manufacturer, Llangollen.

GULLIVER, GEORGE, farmer and grazier, Gelliborough. April 20. 9s.—5s. on 10th May and 4s. on 10th Aug. Trusts. J. Inchley, sen., and J. Inchley, jun., both Walton, and F. Spencer, Wilton, farmers and graziers.

HANCOCK, CHARLES, gentleman, Cuckfield. March 23. Trusts. T. W. Best, brewer, K. Jenner, butcher, and H. Malyan, grocer, all Cuckfield. Sol. Waugh, Cuckfield.

HICKS, JOSEPH, wholesale ironmonger and general factor, Liverpool. April 25. 9s. by three equal instalments on 23rd June, 23rd Oct. and 23rd Feb.

HUTTON, THOMAS, watchmaker, Mildenhall. March 17. 4s. on demand. Trust. W. F. Beale, coal merchant, Birmingham.

ISAACS, JOHN LEWIS, clothier, Bilston. April 10. 5s. 6d. by three instalments—2s. 6d. on execution of deed, 2s. 6d. in 3 mos. and 2s. 6d. in 6 mos.—secured. Trusts. L. Hart, clothier, Birmingham, and J. Salomon, clothier, Birmingham.

JENNINGS, JAMES, maltster, Birmingham. April 22. 6s. 8d.—3s. at 3 mos and 3s. 8d. at 6 mos.

JOHNSON, HENRY, steel and wire roller, Pittsburgh, Pennsylvania, in North America. April 11. Trusts. C. Peace, gentleman, J. Nemnall, steel manufacturer, and E. W. Hodgson, steel manufacturer, all Sheffield.

JOPE, WILLIAM BALTHES, and JOPE, JOHN BARON BALTHES, brewers, Hardingstone. April 13. Inspectors, A. Page, one of managers of the Northamptonshire Union Bank, and H. Higgins, corn merchant, both Northampton.

KELSALL, JOHN, jun., fishmonger, Liverpool. April 10. 2s. on 17th June.

KILN, JOHN, merchant, Sidlesham. April 22. Trusts R. D. Wakeford, yeoman, Barnley, F. West, corn merchant, Aldwarning, and J. Powell, jun., gentleman, Chichester.

MALTBY, JOHN, outfitter, Landport. April 3. 7s. 6d. by three equal instalments at 3, 6 and 9 mos., from 1st April—secured. Trust. J. R. Barnes, gentleman, Portsea.

MOORCROFT, THOMAS, jun., butcher, Burton-on-Trent. April 19. Trusts. R. Archer, Hoonhay, near Tutbury, and S. Smith, Fairfield, near Burton, farmers.

PEARSON, WILLIAM, yeoman, Louth. April 5. Trusts T. Young, corn merchant, and R. Norfolk, seed crusher, both Louth.

RICHARDSON, JOB BROOK, ironfounder, Elland, near Huddersfield. April 24. Trust. J. W. Tempest, accountant, Huddersfield.

ROBERTS, SAMUEL, clerk in Commander-in-Chief's office, Floraville, Hammersmith. May 2. To pay debts in full. Trusts. S. T. Clarke, gentleman, Bury-st. Saint James'.

ROBERSON, JOHN, provision merchant, South Tranmere. April 27. 5s. on 26th May—secured. Trust. A. Brayford, general broker, South Tranmere.

ROBEY, WILLIAM, and BURTON, FRANK, ironmongers, Reading. April 3. Trust. D. McKenzie, factor, Birmingham.

RUTTER, JOSEPH, confectioner, Ipswich. April 22. Trust. F. Waller, grocer, Ipswich.

RIDGWAY, THOMAS, tobacco manufacturer, Manchester. May 2. Trusts. G. Cambell, gentleman, Nengor, near Wrexham, and T. Williams, tobacco manufacturer, Manchester.

SMITH, CALEB MORTIMER, riding master, Brighton. April 3. 2s. 6d. on 1st May. Trust. R. Upperton, jun., Brighton.

SMITH, SYDNEY, glass dealer, Leeds. April 19. 2s. Trust. T. Holden, Liverpool.

SPONG, WILLIAM, innkeeper, Mariock. April 12. Trusts. I. Woolmington, maltster and brewer, Aberborne, S. K. Woodward, draper, Aberborne, and C. Spong, gentleman, Longburton.

STEVENS, FELIX DANIEL, and STEVENS, JAMES, bootmakers. Trowbridge. April 21. 5s. by two equal instalments at 1 and 2 mos—secured. Surety, F. H. Hallett, music seller, Trowbridge.

THORP, HENRY, innkeeper, Wednesbury. April 6. Trust. R. B. Lucy, grocer, Wednesbury, and P. Webb, maltster, Birmingham.

WELSH, JAMES, victualler, Church-st. Southwark. April 29. 1s. on 30th Sept.

YORK, RICHARD, timber dealer, Bristol. April 8. Trusts. C. Nash and H. Taylor, timber merchants, Bristol.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BETHELL.—On the 4th inst., the wife of the Hon. Richard Bethell, of a son.

CORFIELD.—On the 7th inst., at 5, Lansdowne-terrace, Regent's-park, the wife of Henry Christian Corfield, solicitor, of a daughter.

MOORE.—On Friday, the 5th inst., at Lainhford-house, Lainhford, Cheshire, the wife of George Townend Moore, Esq., of Warrington, solicitor, of a daughter.

PORTER.—On the 7th inst., the wife of Richard Porter, Esq., solicitor, Ipswich, of a daughter.

MARRIAGE.

BURTON—HAWORTH.—At the parish church, Blackburn, Rev. T. Burton, M.A., to Alice, only daughter of Henry Haworth, Esq., solicitor, Blackburn.

DEATHS.

BETHELL.—On the 7th inst., Hugh Christopher, son of the Hon Richard Bethell.

MANWARING.—On the 2nd inst., at Doncaster, aged 70, John Manwaring, Esq., Poor Law Inspector.

PEACOCK.—On the 28th March, at Moughyr, Bengal, aged 50, Elizabeth, the beloved wife of the Hon. Sir Barnes Peacock, Chief Justice of the High Court, Calcutta.

WESTON.—On the 9th inst., at his residence, Tanfield-lodge, Croydon, Surrey, aged 63, George Weston, Esq., of Lincoln's-inn, barrister-at-law.

Legal Notices.

LAW.—A Gentleman at the Bar, who has been in the habit of preparing articled Clerks for their examination on the roll of attorneys for several years past, undertakes the PREPARATION of Candidates for their Preliminary, Intermediate and Final Examinations, upon moderate terms. High testimonials can be obtained from the parents and guardians of former pupils, as well as from the young men themselves.—Apply by letter only, signed "LEX," Mr. Kelly's Newsvendor, Gray's-inn-archway, Holborn.

TO SOLICITORS and others.—A Gentleman, desirous of extending a connexion abroad, REQUIRES the ASSISTANCE of a PROFESSIONAL GENTLEMAN, with about 200*l.* to 500*l.*, to be advanced from time to time. One who is conversant with contracts for works and securities for advances, and possesses a knowledge of French and Italian, is desirable. A considerable amount of legal business must arise.—Address, "B.," Clifford's Newspaper and Advertising Office, Temple, E.C.

TO COUNTRY SOLICITORS.—SAVING of AGENCY.—A practical Man of twenty years' experience in Common Law, Chancery, Bankruptcy, the business through Stamp-office, and general town Agency, OFFERS his SERVICES to Solicitors in the provincial towns in England and Wales, to take their business, without participation in agency charges, whereby a great saving in profits on costs can be made, and country gentlemen have their business promptly and attentively conducted at a moderate remuneration. Highly respectable references will be given to members of both professions as to respectability, integrity, &c. Office, situate close to Judges' chambers, masters' and public offices.—Address "H. G.," care of Mr. Bridge, Law Stationer, 35, Carey-street, Lincoln's-inn-fields, London, W.C.

LAW.—A SOLICITOR, intending to remove his office, is desirous to DISPOSE of his FURNITURE and FIXTURES at a valuation, or as may be agreed on. The (two) rooms are in a very convenient situation and the rent is very moderate, and no doubt any respectable tenant would be accepted by the landlord.—Address letters to "A.," care of E. Lett, Esq., Chancery-chambers, Quality-court, Chancery-lane, W.C. (No personal communication will be attended to).

LAW FIRE INSURANCE SOCIETY.

MAY, 1865.

NOTICE IS HEREBY GIVEN, that the ANNUAL GENERAL MEETING of the Shareholders of the LAW FIRE INSURANCE SOCIETY will be holden at the SOCIETY'S OFFICES, CHANCERY-LANE, on TUESDAY, the 23rd day of MAY instant, to elect Eight Directors in the room of the like number of Directors who go out by rotation, and who are re-eligible; and also to elect Three Auditors in the room of the like number of Auditors who go out by rotation, and are re-eligible; and for general purposes.

And that an Extraordinary General Meeting of the Shareholders will likewise be held at the place aforesaid, for the election of a Director in the stead of Edward White, Esq., deceased, and for the election of an Auditor in the room of Bartle John Laurie Frere, Esq., who has resigned: the business of such last-mentioned Meeting to take place immediately after the termination of the business of the Annual General Meeting.

The Chair will be taken at the Annual General Meeting at One o'clock precisely.

By order of the Board of Directors,

EDWARD BLAKE BEAL, Secretary.

The Accounts and Balance Sheet of the Society, with the Auditors' Report thereon, may be inspected by the shareholders at the offices of the Society for fourteen days previously to the Annual Meeting and during one month thereafter.

The Directors going out by rotation are:

Wm. Strickland Cookson, Esq.	George Lake Russell, Esq.
Russell Gurney, Esq., Q.C., Recorder of London.	Edwin Ward Scudding, Esq.
John Benjamin Lee, Esq.	Edward Tompson, Esq.
Richard Nicholson, Esq.	and
	Chas. Reynolds Williams, Esq.

who, being re-eligible, offer themselves for re-election.

The Auditors going out by rotation are:

William Thomas Carlisle, Esq.,
James Ingram, Esq.,
and
George Robins, Esq.

who, being re-eligible, offer themselves for re-election.

The Candidates for the vacancy in the Direction caused by the decease of Edward White, Esq. (to be filled up at the Extraordinary General Meeting), are:

Bartle John Laurie Frere, Esq.
(of the Firm of Frere, Cholmeley and Forster, Lincoln's-inn-fields), and
William Woodgate, Esq.
(of Raymond-buildings, Gray's-inn.)

The Candidates for the vacancy in the Auditorship caused by the resignation of Bartle John Laurie Frere, Esq. (to be filled up at the Extraordinary General Meeting) are

Henry Thomas Young, Esq.
(of the Firm of Walters, Young and Walters, Lincoln's-inn), and
Joseph Muskett Yetts, Esq.
(of Temple-chambers, Fleet-street.)

GRAY'S-INN.—A very desirable SET of CHAMBERS to be LET, on the first floor, in South-square, adapted for business purposes or bachelor's chambers, fitted with water-closet and other conveniences, and kitchen and bedroom on an upper story.—Apply to Mr. HEALY, Auctioneer and Valuer, 45, Bedford-row, W.C.

TO PROFESSIONAL MEN.—Mr. J. B. LANGLEY, M.R.C.S. (late of King's College), continues to give his personal and prompt attention to every kind of negotiation between gentlemen engaged in law, medicine, literature, architecture, science, or other professional avocations. The business is conducted with the most careful regard to the interests of clients, and based upon the principle that no fees are charged unless service be rendered. Professional practices for transfer, partnerships for negotiation, and professional assistants always on the register. Highest references given.—Professional Agency (established 1845), 30, Lincoln's-inn-fields, W.C.

AN ENGLISH LADY, filling up her leisure hours by superintending a small refuge, with the aid only of a cottage matron, where fallen girls are received and cared for as in the home of their childhood, appeals for kind help to her brothers, the gentlemen of England, who, remembering their former sins against womankind—or blessing God for purity of early life—would help her to gather in more of these despised ones and lead them to a new life. The full working-out of the plan may be seen by reference to the small pamphlet called "Loving Ministry to the Fallen and Aged," by Mrs. G. W. Sheppard, 2*d.*, Jarrold and Sons, Paternoster-row; or address Mrs. G. W. SHEPPARD, Promefield-house, Frome. Cheques and Post-office orders to be made payable to Emma Sheppard. April 1865.

OFFICES to LET, within two minutes' walk of the Houses of Parliament and Courts of Law.—4, Manchester-buildings, Cannon-row, Parliament-street, Westminster.

IMPORTANT TO SOLICITORS.

20 per cent. saved.

JAMES TANN and SON,

LAW STATIONERS, LITHOGRAPHERS and PRINTERS,

4, Cook's-court, Lincoln's-inn, W.C. Established 29 years.

Deeds and Writings Engrossed and Copied,

20 per Cent. Discount.

Engrossments, per folio, 3*d.*, Fair Copies, 1½*d.*

Printing and Lithography at moderate charges.

Country business promptly attended to.

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Messrs. DAVIES and HUNT, Patent Solicitors, continue to procure BRITISH and FOREIGN PATENTS, &c., at most moderate charges, and to SOLICITORS at *agency rates*.

Solicitors and intending Patentees should obtain their "HANDBOOK FOR INVENTORS," gratis on application or by letter.

LONDON GAZETTE (published by authority) and LONDON and COUNTRY ADVERTISEMENT OFFICE, No. 119, CHANCERY-LANE, FLEET-STREET.

HENRY GREEN (many years with the late George Reynell) Advertisement Agent, begs to direct the attention of the Legal Profession to the advantages of *his long experience of upwards of twenty years, in the special insertion of all pro formâ notices, &c.*, and hereby solicits their continued support.—N.B. One copy of advertisement only required, and the strictest care and promptitude assured. Parliamentary notices specially considered.

LAW JOURNAL REPORTS and STATUTES with DIGESTS, a Complete Set from 1823 to 1864, both inclusive, well bound in half-calf, price 50 guineas.—Apply to "R. H. M.," County Court Office, Bath.

FOR SALE, the LAW JOURNAL, from 1850 to 1863 inclusive, quite perfect, complete and as good as new, half bound in law calf for 21*l.*—Apply to WM. JOHNSTON, 3, Queen-street, Cheapside.

Investments.

DEBENTURES.

THE CREDIT FONCIER of MAURITIUS (LIMITED).

Subscribed Capital £300,000
Paid up and invested £100,000

This Company is prepared to issue a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from six to over seven per cent. per annum, according to the length of the term.

The business of the Company is confined to the advance (of loans) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the articles of association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Five Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to GEORGE J. JEFFERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, April 6, 1865.

SIX PER CENT. on FREEHOLD SECURITY.—The DIRECTORS of INNS OF COURT HOTEL COMPANY, Limited, are now issuing DEBENTURES of 50*l.* or 100*l.* and upwards, for three, five and seven years, with coupons attached for payment of interest half-yearly.

The Debentures will form a first charge of 80,000*l.* upon the very valuable freehold hotel property of the Company in Holborn and Lincoln's-inn-fields, estimated as worth not less than 120,000*l.*

A Commission to Solicitors.

For further particulars and forms of application, apply to the Secretary, at the Offices, 63, Lincoln's-inn-fields, W.C.

H. T. L. BEWLEY,
Secretary.

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

Authorised Capital, 4,000,000*l.*

Capital Subscribed, 2,000,000*l.*

Capital paid up	£500,000
Reserve fund	200,000
Dividend reserve fund	70,000

DIRECTORS.

The Right Hon. JAMES STUART WORTLEY, Governor.

JAMES LEVICK, Esq., Merchant, King's Arms-yd., } Deputy-Governors.

JAMES NUGENT DANIELL, Esq., Chairman of the Alliance Bank (Limited), } Deputy-Governors.

James Childs, Esq., London.

Alexander Dunbar, Esq., Old Broad-street, London.

Charles Ellis, Esq., Lloyd's.

Adolphe Hakim, Esq. (Messrs. Pinto, Hakim Brothers and Co. London).

The Hon. T. C. Haliburton, M.P., Chairman of the Canada Agency, Association, London.

William Harrison, Esq. (Messrs. Young, Harrison and Bevan), Director of the Thames and Mersey Insurance Company.

Richard Stuart Lane, Esq. (Messrs. Lane, Hankey and Co.), London.

Charles E. Newbon, Esq., London.

Henry Pownall, Esq., J.P., Russell-square, London.

Joseph Mackrill Smith, Esq. (J. Mackrill, Smith and Co.), Old Broad-street, London.

Edward Warner, Esq., M.P., London.

John Westmorland, Esq. (Director of the Royal Insurance Company), London.

Albert Grant, Esq., Managing Director.

Bankers.

The Agra and Masterman's Bank (Limited).

Messrs. Smith, Payne, and Smith.

The National Bank, London, Dublin, and its Branches in Ireland.

The Alliance Bank (Limited), London, Liverpool and Manchester.

Solicitors.

Messrs. Newbon, Evans, and Co., Nicholas-lane, E.C.

Secretary—Alfred Lowe, Esq.

Offices—17 and 18, Cornhill, London.

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

ISSUE of DEBENTURES, with Interest payable quarterly.

The Directors have decided to issue Debenture Bonds of the Company for the amounts and bearing interest as under, viz.:—In sums of 10*l.*, 20*l.*, 50*l.*, 100*l.*, 250*l.*, 500*l.* and 1000*l.*, with coupons attached.

INTEREST.

For 3 years	6 per cent. per annum.
„ 5 years	6½ „ „
„ 7 years	7 „ „

Interest payable quarterly,—viz., on the 30th March, 30th June, 30th September, and 30th December in each year, payable at the company's bankers.

The first payment of interest will be made on the 30th June next.

It will be seen that the Directors, with a view to afford the means of investing smaller amounts in securities of this description than is ordinarily obtainable, have decided to issue Debenture Bonds in sums of 10*l.*, 20*l.* and 50*l.*, on the same terms as those for larger amounts.

Forms of application can be obtained of the Secretary, to whom all communications must be addressed.

By Order of the Court,

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, May 4, 1865.

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

RATES for MONEY on DEPOSIT.

This Company receives Money on Deposit in sums of 10*l.* and upwards on the following terms, until further notice, viz.:—

At 14 days' notice	4½ per cent. per annum.
For fixed periods of	
Not less than 2 months	5½ per cent. per annum.
Beyond 2 and up to 4 months	5½ per cent. per annum.
Beyond 4 and up to 6 months	5¾ per cent. per annum.
Any period beyond 6 months	6 per cent. per annum.

Forms can be obtained of the Secretary, to whom all communications must be addressed.

By Order of the Court,

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, May 4, 1865.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 500,000*l.*

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order. JOHN ANDERSON, Secretary

ISSUE of DEBENTURES at Six per Cent.—The INDIA-RUBBER, GUTTA PERCHA, and TELEGRAPH WORKS COMPANY (LIMITED). Capital, 1,000,000*l.* First issue, 500,000*l.*, in shares of 50*l.*; 15*l.* paid.

DIRECTORS.

Alexander Beattie, Esq., M.D.	John Heugh, Esq.
P. N. Bernard, Esq.	Jonathan Mellor, Esq.
J. G. T. Child, Esq.	Captain Pelly, R.N.
Charles Hancock, Esq.	Stephen Wm. Silver, Esq.
John Harvey, Esq.	Hugh A. Silver, Esq.
George Henderson, Esq.	John W. Willans, Esq.

Bankers.

Messrs. Glyn, Mills, Currie and Co., London.

Manchester and County Bank, Manchester.

Messrs. Mallet, Frères and Cie, Paris.

The Directors are prepared to issue DEBENTURES for three to five years, at six per cent. The interest is payable half-yearly, at Messrs. Glyn and Co.'s, by coupons to bearer.

The security offered consists of freehold land and buildings, plant and materials, besides uncalled capital. Full information on this subject will be given by the Secretary, at the offices of the Company.

By order of the Board,

PONSONBY A. MOORE, Sec.

No. 2, Bishopsgate Within, London, April 1865.

LONDON, CHATHAM, and DOVER RAILWAY COMPANY.—LOANS on DEBENTURES.—The Directors are prepared to receive LOANS on DEBENTURES for three or five years, to replace loans falling due. Offers to be addressed to the undersigned.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W., March 21, 1865.

THE INVESTMENT and FINANCE AGENCY.

Established for the purpose of effecting Purchases and Sales on Commission in every description of Public Securities, and for affording the necessary precautionary information for the safe investment of Capital, &c., &c.

A record is kept of the status and prospects of the various Public Companies and Foreign Stocks; and as this Agency scrupulously declines speculative transactions upon its own account, the Public have, first, the security of being protected by unbiassed information, based upon twenty-seven years' experience in the Stock and Share Markets; and, secondly, the guarantee that any business which this Agency undertakes will be completed with the strictest fidelity.

During the past year 1864, no less than ten new Foreign Loans, constituting an aggregate Capital of 22,271,000*l.*, and 282 new Joint Stock Companies with an authorised Capital, of 155,857,500*l.*, were introduced upon the London Market.

Never were there times which inculcated more forcibly than the present the necessity of experience and caution prior to the investment of Capital, or when reliable services, such as this Agency specially renders, were more requisite.

The FINANCE DEPARTMENT includes the Agency of Public Companies, Loans, Deposits, &c., and advances are negotiated on Public Securities having a Market value.

An important feature of this Agency is, that the same uniform system of strict attention is paid to transactions o small, as well as large amounts—the object being, to increase its facilities for carrying out its operations to the greatest possible advantage by embracing the business of every description of Investors.

Cheques to be drawn to the order of Mr. CHARLES PETERS, Secretary, and crossed "The Agra and Masterman's Bank."

No. 12, Clement's-lane, Lombard-street, London, E.C.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

IMPERIAL FIRE INSURANCE COMPANY, No. 1, OLD BROAD-STREET, E.C., and No. 16, PALL-MALL, S.W.

REDUCTION OF DUTY.

The Government having now decided to make the duty uniform, and to reduce it on every description of property to 1*s.* 6*d.* per cent. per annum, from the 25th June next, this company will give every facility to insurers to secure the earliest advantage of this reduction.

ANDREW BADEN, Superintendent.

ACCIDENTS to LIFE or LIMB, in the Field, the Streets, or at Home, Provided for by a Policy of the RAILWAY PASSENGERS' ASSURANCE COMPANY, 64, Cornhill, London, E.C.

COMPENSATION

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1000*l.* in case of Death, or 6*l.* per Week while laid-up by Injury, secured

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE latest calumny on the LORD CHANCELLOR has been exploded. For some weeks a story has been whispered about, to the effect that Mr. Registrar WILDE, although in good health, had been induced to resign his office on a plea of bad health, and a promise of a pension of 600*l.* a-year; that Mr. WELCH was thereupon appointed, being at the time in bad health, with an express understanding that he should resign as soon as the outlawry had been reversed from Mr. R. BETHELL, the Chancellor's son, who was to succeed him; Mr. WELCH being, in fact, merely a *locum tenens*; and in proof of this plot, it was asserted that Mr. R. BETHELL's appointment had been actually made out, and that he had gone down to Leeds, appeared at the Bankruptcy Court there, and informed the officials that he was appointed Registrar.

It was impossible for the LORD CHANCELLOR to notice mere rumours, or anonymous letters in the newspapers, and he might have continued to labour under suspicion that the unchallenged assertions were true, had not Mr. FERRAND taken upon himself the unpleasing task of openly putting them to the proof by a challenge in the House of Commons. After giving due notice of his questions, he put them to the ATTORNEY-GENERAL so specifically, that no loophole for escape remained, had there been any truth in the rumours. The ATTORNEY-GENERAL, however, was enabled to give them a direct and unequivocal denial. There is not even the shadow of a truth in the story. It is a pure invention of one of the many personal enemies of Lord WESTBURY, who have been engaged for some time past in the gratification of their malice or envy by calumnies whispered about and magnified in the carriage from ear to ear. The case appears to be, that Mr. R. BETHELL had himself created the vacancy by resignation of a London Registrarship, and that Mr. WELCH had been *bonâ fide* appointed to it; that the LORD CHANCELLOR had been pressed to transfer Mr. WELCH to London, and send his son to Leeds, but had refused to do so; and that if Mr. R. BETHELL had been at Leeds, and talked in the manner asserted, it was a mere bit of boasting made without the consent or knowledge of the CHANCELLOR.

What will be the next stone thrown at Lord WESTBURY by his untiring foes? All have hitherto failed to strike.

WE understand that a large sum has been subscribed by members of the Middle Temple for a full-length portrait of his Royal Highness the PRINCE OF WALES, who is one of the masters of their Bench, to be placed in the New Library of the Society. We are likewise informed that the subscription list will be closed on Thursday, the 15th June, the last day of Trinity Term. The maximum subscription is two guineas.

THE LORD CHANCELLOR clearly stated the law as to confessions. The clergyman has no privilege like that of the attorney. He is bound to reveal the communications made to him in confidence.

The law is clear, but it is of very questionable propriety. Every Sunday we are told that it is a duty to confess our sins. Even if the Bible did not so teach us, and apart from all religious considerations, there is a natural tendency in the stricken conscience to find relief from the burden of crimes by confessing them. It may be a superstition, but it is an unquestionable fact, that the majority die more happily when they have whispered their sins to some sympathising ear, and they do certainly prefer for that purpose a minister of religion. The law, therefore, should adapt itself to this human weakness, if such it be, and treat as sacred a confession so made. No harm could possibly come of it, for if it be known to the sinner that that what he says is not confidential, the consequence will be that he will close his lips. Human justice is therefore not advanced by the present state of the law, while it violates the undoubted impulse of the repentant sinner, and, as it is contended, the precepts of GOD's Word.

AN unseemly controversy is raging in the newspapers upon the guilt or innocence of CONSTANCE KENT. Some persons, having more sensibility than sense, regret her confession, because of the medium through which it was conveyed. These very weak-minded enthusiasts forget that the confession is avowedly the act of a guilty conscience, thinking thereby to make the best reparation for a crime. Opinions may reasonably differ whether confession of guilt *is* to any extent whatever a condonation of it, and if there be any duty incumbent upon the sinner to say, "I have broken the law, and I offer myself for the punishment the law imposes upon the offence." But it is impossible to doubt the truth of a confession made under such an impulse, even though the impulse be an error. Say that it was a mistaken sense of her duty that induced her to confess, it was still a desire to conciliate offended Heaven. Yet do the doubters argue that to please Heaven she tells a lie, and accuses herself falsely that she may find favour with an offended GOD.

If she is not guilty, it is an insane delusion. But, unhappily, there is nothing in her conduct indicating insanity. On the contrary, she is cool and collected to an astounding degree. She acts as any person of strong mind would act, who has resolved upon a course of duty, real or supposed, and goes through it regardless of consequences.

If she committed the crime, as she asserts, Mr. KENT must have known that she was the guilty one, and this knowledge will sufficiently explain all that was equivocal in his conduct. If the deed was done with his razor, he could probably make that fact clear; but what father could be expected to furnish evidence for the hanging of one of his children for the murder of another? Nay, what father in such a terrible position would not conceal the proofs of guilt and shield even his guilty child from so terrible a fate? The family, at least, must have believed in the guilt of CONSTANCE, or they would not have sent her to a reformatory. A father conscious of the innocence of a child would have shown to the world his belief in it by keeping her with him, instead of banishing her from his household.

Why has not Inspector FOLEY been called upon to account for the destruction of that piece of evidence which would certainly have detected the criminal—the bloody shift? Was it ever heard that a policeman making search for proofs of a murder, had suppressed and destroyed a garment found upon the premises stained with blood? The LAW TIMES commented upon this astounding fact with great severity at the time of its occurrence, but it passed unrebuked and almost unnoticed by the magistrates. Why is FOLEY not forthcoming now to answer for his unpardonable misconduct?

THE *Union Assessments Bill* is fiercely contested by the interests whom, without doubt, it seriously affects, whatever may be the public benefits anticipated. It is not fair to represent it as a landlords' question, as if the poor-rates came out of the pockets of the owner exclusively, as the *Times* and other newspapers assume in their arguments. The tenants are at least equally interested, and, whether rightly or wrongly, the Opposition are fighting the battle of the farmers. For our own part we are inclined to rate the permanent benefits to be derived from union settlements and a common fund as more than compensating the temporary losses which the change will certainly inflict upon a considerable portion of the tenants of houses as well as of lands. A burden is to be shifted from the shoulders that have hitherto borne it upon the backs of others already heavily weighted, and it is not surprising, nor much to be blamed, that those who are threatened with a double tax should resist the imposition of it, even although they will thereby ease the neighbouring farmer and confer some remote and uncertain advantage on the labourer. Some allowance must be made for the too frequent selfishness that objects to relieve a neighbour from a load by taking part of it on our own back. It is wrong for the tenant farmers to cry out and complain that their rates are to be doubled by a contemplated law; nevertheless, it is natural they should do so.

But whatever the character of the measure that has excited so much wrath, however excellent its aims, and whatever amount of good may be looked for to compensate the underrated evils, one thing is certain, that Parliament and the public ought to be distinctly informed as to the amount of change that it will make in the incidence of local taxation. It must not be forgotten that the existing tenancies alike of house and land are more or less regulated by the calculations of the poor-rate. Suppose parish A. to pay 2*s.* in the pound, and parish B., in the same union, to pay 4*s.* in the pound: all the tenants in A. when contracting with their landlords based their calculations of rent upon the average amount of rates, and on the faith of the basis of the rate being continued unchanged accepted their leases. When this Bill becomes law the position of A. and B. parishes is changed; A. will pay 3*s.* in the pound and B. 3*s.* only. A doubled poor-rate is a serious burden to be placed unexpectedly upon a tenant's back, and it is not borne the more easily because the tenants in parish A. feel that the load is shifted upon them from the backs of their neighbours in parish B. Before Parliament is asked to do this it should have been informed what is the precise amount of changes it is wished to bring about. In the absence of figures showing what would have been the distribution of the burden at the time of the last audit if the proposed law had been then in operation, it is impossible to legislate safely. The information would not be difficult to obtain, and it would settle a world of controversy. As it is, every parish, being ignorant of the results of the contemplated change, fears the worst, and sees with immense alarm that it is threatened with what it supposes to be a species of confiscation. Production of the figures would at once silence one half of the opposition, and if it did not win their support, it would substitute an appeal to fact for appeals to sentiment, and

provide the materials for a sound and sober judgment on a question which is really much more difficult than it appears at the first survey of it. The only specific information has been contributed to the *Times* by a correspondent, but his letter gives only the gross changes that will be effected in the incidence of local taxation; but that most wanted is a report of the changes that would be wrought in the rating of the various parishes.

We present the letter from the *Times*. The figures are startling, and in themselves excuse the agitation that the Bill has caused.

Sir,—Upon the introduction of this Bill into the House of Commons, a question was asked to which I have not observed that any answer has yet been given—"what the amount of the shifting of burdens will be?"

With your permission I will endeavour to furnish some materials for an answer to this question.

It appears from the return to an order of the House of Commons, dated the 11th Feb. 1861, on the motion of the President of the Poor Law Board, that in the year ending March 25, 1856, the gross estimated rental of rateable property in England and Wales amounted in round numbers to 86,000,000*l.*, and the rateable value to nearly 72,000,000*l.*, the expenditure for relief of the poor during the year in question having been equal to an average rate of 1*s.* 8*d.* in the pound upon such rateable value.

An analysis of the above-mentioned return shows the distribution of the burden to have been as follows:—

	£
The gross rental of property rated at amounts not exceeding 10*d.* in the pound was	16,377,713
Ditto exceeding 10*d.*, but not exceeding 1*s.* 8*d.* in the pound	31,160,613
Ditto exceeding 1*s.* 8*d.*, but not exceeding 3*s.* in the pound	29,606,334
Ditto exceeding 3*s.* in the pound...	8,625,290

It further appears that, had the system of union rating been then in force, the incidence of the burden would have been varied nearly as follows:

The gross rental of property rated at amounts not exceeding 10*d.* in the pound would have been...	£3,283,363
Ditto exceeding 10*d.*, but under 1*s.* 8*d.* in the pound	40,506,379
Ditto exceeding 1*s.* 8*d.*, but under 3*s.* in the pound	32,782,104
Ditto exceeding 3*s.* in the pound...	5,571,544

What the effect of the measure would now be is, no doubt, a different question, but it may perhaps be considered that the above figures are not altogether destitute of value.—I am, Sir, your obedient servant, A Worcestershire Solicitor.

The practice of parliamentary committees relating to the deposit of plans, books of reference, sections and cross-sections, is of much interest to those engaged in promoting a Bill, though the standing orders relating to it are few and simple. These plans and sections are in most cases carefully inspected by the opponents of the Bill, and, for some purposes at least, play the part of pleadings in a cause. The engineers, by whom they are prepared, are called upon, when the Bill is before committee, to defend the scheme and to point out its advantages and refute the objections made to it, by reference to the diagrams before them. Now, it has often happened that the engineer, in the course of his examination, is struck with the advantage which might be attained by the introduction of some trifling alteration. But, as it would be obviously unfair to bring the opponents of the Bill before the House in order to point out defects which the promoters were at liberty to deal with *seriatim*, and thus to allow a Bill entirely different from that of which advertisement has been given to pass into law, these alterations have hitherto not been admitted in defence of an undertaking. It is quite true that the House of Lords has two orders relating to alterations of plans after their original deposit. The first of these requires that whenever any alteration is made, or is desired by the parties to be made, in any work of the second classs, after the introduction of the Bill into Parliament, plans and sections of such alterations are to be deposited with the clerks of the peace, &c., one month before the introduction of the Bill into that House; and notices are to be published, and applications made to the owners, lessees and occupiers of the lands through which the alteration is intended to be made, and their consent proved before the Examiner. The second requires, that before any second class Bill is brought from the Lords to the Commons, in which any alteration has been made in its progress through Parliament, a map or plan and section of such work, showing any variation, extension, or enlargement which is intended to be made in consequence of the alteration, shall be deposited in the office of the Clerk of the Parliaments; and that such map or plan and section shall be on the same scale and contain the same particulars as the original map or plan and section of the work. It will be observed that these orders relate to alterations introduced by the Committee of the House of Commons under their powers to add clauses, &c. But there seems to be no provision for the introduction of alterations sought to be introduced in order, if possible, to save the Bill. In the Court of Referees, which has, as is well known, jurisdiction to inquire into the engineering details of a projected undertaking, several attempts have been made by the engineer of the proposed line, bridge, &c., to defend his scheme by showing how some trifling variation in the plans would meet all the objections raised by the different petitioners. But, in a recent case where this question was much discussed, the Referees decided that they must proceed with the Bill as it came before them. The Chairman afterwards observed, that if any alterations within the limits of deviation were proposed, and the petitioners made no objection, the Referees would include them in considering the nature of the engineering details. With this qualification, such alterations are not likely to cause much embarrassment; otherwise great difficulty would be thrown upon those who, at great expense, attack the mode of constructing a new line.

A protest on the third reading of the Courts of Justice Bills has been made by Lord St. Leonards. He has exercised a privilege which in former times, before the debates were preserved in Hansard, or publication of them was permitted, had some significance and value, but which at the present day is little more than writing down an argument after the delivery of it in debate. Some members write down their arguments before the delivery. However, there is this advantage in the privilege: if the world goes wrong after Parliament has passed a protested Bill, the protesting peer may point to the convenient record as a kind of prophecy, and say, "Ah, you see, I told you so." If the world goes right notwithstanding the protest, nobody but himself will think anything more about it. Which way the world is likely to go after the Courts of Justice Bills become law, should they escape the difficulties recently thrown around them, our readers must judge from the eight grounds of protest now taken. Lord St. Leonards is dissentient, in effect:

1. Because it is the duty of the State to provide fit courts for the administration of justice.

2. Because no portion of the Suitors' Fund can be appropriated by Parliament to any other object than the benefit of the suitors in equity without a violation of the rights of property and an indirect repeal of divers Acts of Parliament, to which no reference is made in the Bills. The fund arises from the dividends of suitors' money invested by authority of Parliament, which authority was necessary only because the authority of the particular suitors could not be had. It has never been treated as a public fund, but as one dedicated to the purposes of the suitors as a class. This is admitted by the Building Bill, which provides an indemnity to the suitors out of the Consolidated Fund.

3. Because there is no foundation for the claim of the Government to treat the fund as public property. The statement in the Building Bill is, that the fund stands to the credit of securities arising from surplus interest of moneys placed out for the benefit of suitors, but has arisen from the profit of investments made by Act at the public risk. The public incurred no risk. No individual suitor, it is true, is entitled, but the class. All the applications of the fund for a century and a half prove this, particularly the great settlement of 1859, followed by the Act of 1853. Even if the court be regarded as a banker, the fund belongs to the court as the guardians of it. If trust-money be invested without authority, the profit must be paid to the owners of the capital.

4. Because, although no objection could be made to the erection of new courts for the equity judges out of the Suitors' Fund, yet no such necessity exists beyond a very limited application of that fund. Of the equity courts two only are unfit, but these would long since have been replaced but for this scheme. Lincoln's-inn was prepared to lay out 100,000*l.* in courts, and require only 4000*l.* a-year rent from the suitors' fund; a plan was made and a Bill prepared. The suitors, the bar and solicitors have the benefit of the gardens and open grounds of Lincoln's-inn. If the equity courts were left where they are, the common law courts might be concentrated on the proposed site. Concentration, after all, will not be effected. The Nisi Prius, Bankruptcy, and Central Criminal Courts, the Old Bailey, Land Transfer "Court" and Charity and Inclosure Commissioners will all remain where they are. The appeal courts of the Lords and Privy Council will not be removed, the Lunacy and Divorce Courts will, but ought not to be brought into the concentration. The suitor will be surprised to find how little benefit the concentration will afford him, while through it he may have to regret the absence of his counsel in some of the other courts.

5. Because the Bills, by depriving the suitors of 40,000*l.* or 50,000*l.* revenue, will stop the further relief of equity suitors from fees. The Commissioners of 1862 thought that if the Suitors' Fund was taken the Consolidated Fund should provide 4000*l.* a-year to meet the claims on the Suitors' Fund, but now not only a million is taken from that fund, but another 500,000*l.* to redeem the claims. The indemnity proposed is a poor security. The suitors, instead of having the funds in their own hands, must resort to the Treasury as claimants.

6. Because the funds of the suitors in equity cannot bear the reduction of a million and a half of their stock. The suitors still pay 3 per cent. The accumulation of the interest of the Suitors' Fund was stopped in 1852 and carried to the Fee Fund, and it appeared in 1860 that this arrangement had saved the suitors 551,798*l.* At times the whole income is nearly exhausted in payments. It fluctuates. The payments into court cannot be depended on; for administration summonses, instead of bills, diminished the payments into court by 600,000*l.* in a year, and railway payments into court must soon cease. Under the commission, the Solicitor to the Suitors' Fund thought it impolitic. Vice-Chancellor Stuart hesitated, and Lord Justice Turner, the Master of the Rolls, and Vice-Chancellor Wood objected to make this appropriation of the fund.

7. Because the scheme will displace 4175 persons, of whom 3082 are of the labouring class, for whom no provision is to be made.

8. Because no plan of the courts has been matured, and therefore no estimate.

The last of these eight grounds seems to have been removed by Lord Redesdale's clause providing that no property on the site shall be taken until a plan and estimate are laid before Parliament. The seventh ground resolves itself, as on a former occasion we expressed an opinion, and as Lord Shaftesbury and the House of Lords have resolved by the new Standing Order, into one of due notice to be given on the spot where houses are intended to be taken. There certainly appears no reason why a clause to the effect of this Standing Order should not have been introduced into the Site Bill. But it is doubtless supposed that the Government will not act with inconsiderate haste in clearing away the labourers' dwellings. Of the remaining six grounds of protest, the first is at least an equally good ground why Lincoln's-inn should have nothing to do with the matter. The State, probably, does now consider that it is providing fit courts by this very application under its authority, of what is called the Suitors' Fund. We think that the notion in the second ground, of the suitors' right as a class, is a fiction. There is no such thing as a class of suitors. The idea is borrowed from that of a corporation where there is a succession through some local or other relation of right. But what relation of right is there between a man who files a bill to-day and another who carried his suit through the court fifty years ago? The old suitor intended no benefit for the new, and the new suitor expects none from the old. Besides, there never was a class of equity suitors as entirely distinct from legal suitors. A large part of equity has been administered in aid of legal rights; and now the common law courts can receive an equitable plea. If the individuals from the investment of whose moneys Fund H. arose cannot claim the fund, no persons can claim it. It is a profit fund arisen in the administration of the law by the executive of the nation, and belongs to the executive for any national purpose. Any continuing or corporate character in respect of the administration of justice is

in the State, not in the suitors. The State keeps the shop, the suitors are only the customers. So far, it might as well be said that the profit made by the Mint out of the bronze coinage belongs to the Mint, as that Fund B. belongs to the Court of Chancery, or the suitors of the court. But the fund has been made liable by Act of Parliament for certain indemnities. These indemnities it is quite competent to Parliament, by Act, to transfer to the Consolidated Fund. As to the third ground, the account in question is merely descriptive and gives no right which does not exist independently of such account. Beyond the indemnity afforded by the fund, there is not even any such body recognisable, in respect of a right in it, as the suitors of the Court of Chancery, no suitor coming into the court having any kind of corporate right in a fund arisen from the moneys of former suitors. The wretched attempt, referred to in the fourth ground, made by Lincoln's-inn to crowd equity courts, without any hall, consultation-rooms, refreshment places, or other conveniences, into the space between the chapel and the garden, is unworthy of serious notice. Since Lincoln's-inn has never yet provided that accommodation which simple decency requires for the suitors and others who frequent the courts, any proposal from that quarter must be met with the two words *Timeo Danaos*. The immense benefit to suitors, the bar and solicitors of a stroll in the gardens of Lincoln's-inn while their causes are going or coming on, has certainly been hitherto overlooked. How many suitors, barristers, or solicitors has Lord ST. LEONARDS ever seen smelling those Lincoln's-inn flowers during the court sittings? They are not so fond of walking about between ten and four as he imagines. They have quite enough of it already, in the present scattered state of the courts and offices. As to the number of the courts to be concentrated, the substantial object is to bring the common law and equity courts together. The rest is subsidiary. The fifth ground of protest is that the Consolidated Fund is not contributing what the commissioners thought it ought. But the 40,000*l.* a-year mentioned by Lord ST. LEONARDS was only to be provided temporarily out of the Consolidated Fund. That annual sum was to be made good as to 24,000*l.* a-year out of common law, Probate Court and Admiralty Court fees, and was to cease gradually in eight years as to the remaining 16,000*l.* by the dropping in of compensations at the rate of 2000*l.* a-year. The present arrangement, which was fully explained in the LAW TIMES of Feb. 18th, makes the 40,000*l.* a-year unnecessary. The sixth ground assumes that Fund B. will become needful for the current purposes of Chancery banking finance; but this conclusion is contrary to experience for the last hundred years.

THE harshness towards the subject, of the practice in Crown suits in the Exchequer, and the vexatious powers on the part of the Inland Revenue Commissioners to recover ancestral or remote probate and succession duties, are at length to be modified. "English informations" are to be put much on the footing of Chancery Bills, suits at law on the Revenue side to partake of the character of common law proceedings, and proceedings for legacy and succession duty to be had by writ of summons, with a waiver of all penalties incurred, and subject to appeal.

The ATTORNEY-GENERAL'S Bill, brought in on the 12th, to amend the procedure and practice in Crown suits in the Exchequer, proposes to regulate by the second part (the first being preliminary) proceedings in English information; by the third part, proceedings at law on the Revenue side; by the fourth, certain other classes of proceedings where the Crown is interested; and, by the fifth, the recovery of succession, legacy and probate duties in certain cases.

Part 2.—Informations are to be printed, and in lieu of a subpœna or of a distringas against a corporation to appear, the print with an indorsement is to be served. A defendant may have as many printed copies as he requires, on paying for them. An information is not to contain interrogatories, but an informant may file them. Otherwise a defendant is not to be bound to answer. The defendant may, without leave, put in a plea, answer, or demurrer. Provision is made for swearing and taking pleas, answers and other matters, out of England. The oath of a messenger is not to be necessary. By general rules, an examination of witnesses on written interrogatories may be discontinued, and amendments be made in the mode of taking evidence. The court is to be a court of civil judicature within the Common Law Procedure Act 1854. When a suit abates or becomes defective, an order of course may be obtained to the effect of an order to revive, or of a supplemental decree. Writs to be executed in the counties palatine are to be delivered to the sheriffs, and executed like the writs in other counties. If any direction of this part of the Act by mistake fails to be followed, the court may rectify the proceedings. The Chief Baron, with two others of the Barons, may make general rules. With their concurrence, the Treasury Commissioners may appoint fees to be charged on proceedings in suits.

Part 3.—Sections 34-37, 39-45, 59-95 of the Common Law Procedure Act 1854 are to apply to the Revenue side of the Court of Exchequer. Notice of appeal shall be a stay of execution, on the conditions, that within eight days after the decision, or before execution delivered, bail to pay the sum and costs be given in like manner as bail in error, unless where the appeal is on behalf of the Crown or the duchy or duke of Cornwall. Sect. 36 of the supplemental Customs Consolidation Act 1855, and sect. 14 of the Customs Amendment Act 1857 are to be repealed. Sects. 2 and 3 of the Evidence Act, 14 & 15 Vict., and the Evidence Act 1853 are to apply to the Revenue side; and a proceeding at law there shall not be deemed a criminal proceeding within those sections. The Revenue side, as a court of law, shall be a court of civil judicature within sect. 103 of the Common Law Procedure Act 1854. A writ of subpœna or *scire facias*, instead of a distringas, may issue to a corporation aggregate. Provision is made for service of writs and proceeding against defendants out of the jurisdiction. The like proceedings may be had against persons, not British subjects, out of the jurisdiction. An omission in or on a writ or copy shall not make it void, but it may be set aside as irregular or be amended. If one form of subpœna is by mistake substituted for another, the writ may be amended by a judge.

Part 4.—Provision is made for cases where the Attorney-General waives his right to a trial at bar, for the issue of an immediate extent, without a commission to find a Crown debt due, for filing objections to findings of inquests of office or inquisitions, and inquiring into such objections.

Part 5.—Sects. 2 of the Legacy Duties Act (42 Geo. 3), 47 and 48 of the Succession Duty Act, 12-15 of the Queen's Remembrancer Act (22 & 23 Vict.), and 1 of the Stamp Duties Act (24 & 25), are to be repealed. If a person accountable for duty under the Succession Duty or Legacy Duty Act, required by the Inland Revenue Commissioners to deliver an account, makes default, they may sue out of the Exchequer against him a summons to account and pay, or show cause; likewise, where duty is assessed and not disputed, to pay, or show cause. If a person takes possession of and administers any part of personal estate without obtaining probate or letters of administration within six months after the death, or within two months after the determination of any suit or dispute respecting them, the commissioners may sue out a summons to account and pay probate or administration duty, or show cause; and such proceedings shall be a waiver of all penalties incurred in the premises by the person. In the proceedings by writ of summons the court may refer the matter to the proper officer to report, and on the report order a special case, and direct any issues; and the court may give judgment on the case, and error be brought. In such proceedings, and in appeal to the court under sect. 50 of the Succession Duty Act, from assessments, an appeal shall lie to the Exchequer Chamber, and thence to the Lords. General rules for this part may be made by the Chief Baron and two of the barons. The proceedings by summons are to be proceedings at law on the Revenue side within the meaning of the Queen's Remembrancer Act.

Who killed the cock robin of the session, the bankruptcy question? The expectation expressed by this journal on the 6th, that, after the ATTORNEY-GENERAL'S promise, in answer to Mr. MURRAY, of due consideration being given to the bankruptcy resolutions, Mr. MOFFATT'S motion for calling attention to them would come to little, has proved to be well founded. The House gave a practical proof on Tuesday evening that it has had enough on the subject for the present. Mr. MOFFATT, not being skilled in that oratory which chains the members to their seats, began with the disagreeableness of the subject, which quality he distributed under two heads. Bankruptcy was disagreeable to the creditors, and it was disagreeable to the House (probably because the House has signally failed to meet its legislative engagements). He might have added it would be more disagreeable to a third party, the constituents. It is clear, at least, that the members thought it no good subject for political capital, for while Mr. MOFFATT was deep in its dark age history, the House was counted. There were thirty-nine debaters present, and one more member, the speaker, making a quorum. So Mr. MOFFATT went on with one eye on the door and the other on the chair, fearing that on the loss of a single one of his hearers Atropos might cut his thread at any moment. This was a trying situation for a man not gifted with eloquence. He went on to tell the old statistical tale of the last bankruptcy return, and asked what was the remedy. The Scotch practice.

If this solution imparted any little warmth to the motion, its seconder, Mr. AYRTON, must have lowered the temperature by cautioning the the House, after 300 years failure in bankruptcy legislation, against too confident a reliance on the system newly proposed to be borrowed from across the border. After a procemium, sound but not stimulating, Mr. AYRTON was opening out his discourse with "in the first place," when some member, drowsier than the rest, or more impatient to be out upon town in the evening, or perhaps finding the topic peculiarly disagreeable, gave Atropos a nudge, and click went the fatal scissors.

It ought not to be supposed from this that the House is indifferent to a subject, the magnitude and importance of which the ATTORNEY-GENERAL had declared to be the very grounds for waiting to mature a Bill. The time for the motion was ill chosen, and the occasion suspicious. The House has a dislike to be turned into a kind of Rotten-row, where Committeemen may take their canter and show their horsemanship.

After all, it is said that the bankruptcy question is not dead yet for this Parliament, for that a consolidation will be laid on the table of the House of Lords by the LORD CHANCELLOR towards the end of the session. We should not have thought such a piece of news worth noticing were it not for the character of the authority on which it rests. That such is the intention we have no room to doubt; the fulfilment is another thing.

Since these remarks were written Mr. MOFFATT has given notice that he will try another canter on the 30th. He is to move that the resolutions require the prompt and serious consideration of Her MAJESTY'S Government.

THE irregularity, or at least the latitude, which was made public the year before last in the issue of railway debentures by the West Hartlepool and other companies, and formed the subject of legislative inquiry, has led to the introduction of the Railway Debentures Registry Bill by the EARL of BELMORE. It may be remembered that he was chairman of the Select Committee appointed by the House of Lords to continue the inquiry commenced in the session of 1863, as to what measures were desirable for the purpose of restraining directors of railway companies from exceeding the limits fixed by their Acts, and evading the provisions which required that a certain portion of their authorised capital should be subscribed and paid up before their borrowing powers could come into operation, and what securities could be given to the debenture holders as to the validity of the issue of such bonds. According to the report made by this committee, the intention of Parliament, that no bonds should be issued by railway companies other than within the terms of the borrowing powers given by or in virtue of their special Acts, was commonly defeated by the issue of Lloyd's bonds, being obligations for work done, or materials supplied for the purposes of the undertaking. The holders could recover judgment on these bonds and place themselves in as advantageous a position as the holders of a company's statutory bonds, that is,

bonds issued within the terms of its Act for the purpose of raising money. Lloyd's bonds were issued without consulting the shareholders or the statutory debenture holders, and the gross amount of them which might be outstanding against a company was unlimited. The committee was of opinion that statutory debenture holders should, by public registration, have a right, by the appointment of a receiver of the tolls, to recover in priority to Lloyd's-bondholders, or the holders of other obligations not issued under the authority of Parliament; and that, with a view to secure such priority, other creditors ought to be deprived of their right of execution by seizing the company's stock and stopping its traffic. This will be clearer if the case of *Russell* v. *The East Anglian Railway Company*, (3 Mac. & G. 125) be recalled to our readers' recollection, where Lord Truro decided that statutory debenture holders had no power to obtain a receiver nor any lien on the undertaking, but must act on a judgment, through the sheriff, like any other bondholder suing the company. As the working of Lloyd's bonds was fully treated at the time in this journal (Oct. 15th and 22nd last), there is no need at present to add anything on the subject of those bonds, except to remark generally that, as regards the law, they have been decided to be legal; and, as regards their practical operation, they are never issued until the existing resources of the company are exhausted, so that otherwise it must stand still to the prejudice of all previously interested, whether as bondholders or shareholders; for proof of all which we beg leave to refer to the articles just indicated.

The Lords' Committee, then, recommended a compulsory public registration of railway debentures. It is already provided by the Companies Clauses Act, sect. 45, that a register of bonds shall be kept by the secretary; but this register is only for the perusal of the shareholders or bond creditors, or any person interested in a bond. The public is not mentioned. A register so kept would not enable the public to judge to what extent the company had issued bonds or debentures. Shareholders, it seems, from the evidence before the Lords' Committee, do not in general object to raising money or getting credit by any amount of obligations, so that money or money's worth be obtained. In the West Hartlepool Company, said Mr. Lloyd himself, "the men who stormed the loudest against those who detected and brought to light the fact of the over issue of debentures were the shareholders themselves." Moreover the register under the Companies Clauses Act applies to statutory, not to Lloyd's bonds.

The object of Lord Belmore's Bill purports, by the preamble, to be the restraining of railway directors from issuing any security exceeding the amount of the statutory borrowing powers of any railway company. Every company is to make a return, according to certain prescribed forms, to the Registrar of Joint-Stock Companies, or to such person as the Board of Trade may authorise. These forms are in a schedule to the Bill, and consist of, 1. Returns of borrowing power; 2. Register of issue of bonds or debentures, and of certificates of debenture stock; 3. Register of discharges of debentures and debenture stock. The return is to be made annually on the 1st Jan. A railway company is to deliver to the registrar every debenture immediately after perfecting it; and the registrar, after ascertaining that the company has not exceeded the sum authorised to be borrowed by the Act incorporating it, is to register the debenture and indorse a certificate of registration. The company, on discharge of a debenture, is to send in the debenture, with vouchers, to be registered. "The holders of statutory debentures and debenture stock duly registered shall have a priority to all the other debts of their respective companies." The register is to be open for public inspection at a shilling fee, and for taking copies at sixpence a folio. If a company fails to register, each director is to be liable to a *5l.* penalty for every day of default, to be recoverable by any shareholder or creditor of the company. A false statement, for the purposes of registration, is to be a misdemeanor, punishable with three years' imprisonment.

The restriction, therefore, on the issue of any security beyond the borrowing powers is to operate by means of the priority to be given to the publicly registered statutory debenture holder. But the Bill is open to this ambiguity, that, in the preamble, "security" beyond the borrowing powers might be held to mean security for money borrowed, and so not to mean a Lloyd's bond at all, which, as we have mentioned, is an acknowledgment of money due for works executed or materials supplied. Hence it might be contended that Lloyd's bonds are not within the contemplation of the Bill, but only statutory debentures for loans, according as such debentures be or be not publicly registered according to the provisions of the Bill. The priority given is, no doubt, in such general terms as to extend to priority over a Lloyd's bond; but the priority clause cannot be accepted in its full generality; it must receive a qualified interpretation, otherwise it would extend to give statutory debentures priority over statutory mortgage-debts of a company. Again, might not a Lloyd's bondholder claim to be registered, although the company had borrowed to the full amount, inasmuch as his bond is not made for the purpose of borrowing? The Bill does not seem to be drawn with sufficient precision to accomplish its latent object of suppressing Lloyd's bonds. It confounds those bonds with borrowing bonds, and so incurs the danger of missing them altogether; or, in the alternative, of putting them on a new statutory footing as good as that on which the proper statutory bond is intended to stand.

The relief in the shape of account, which is prayed in equity by a principal against an agent or factor, seems to have been in a measure confounded by practitioners with the relief generally in account, prayed on the ground of the character itself of the account. In both cases there is the same circumstance of an equitable jurisdiction concurrent with the legal jurisdiction; but there is the difference that, in the case of principal and agent, the title to an account in a court of equity is based on the relation between the parties, in the other case it is based on the facility and completeness of procedure in the one jurisdiction as compared with the other. This distinction must have been insufficiently regarded in the recent case of *Makepeace* v. *Rogers*, before the Lords Justices, otherwise it is difficult to understand why a demurrer should have been put in to the plaintiff's bill originally, or why, when Vice-Chancellor Stuart overruled the demurrer (12 L. T. Rep. N. S. 12), a further attempt to support it should have been made by appeal: (Ib. 221.)

The misapprehension seems to be referable to some expressions of Lord Justice Turner, when Vice-Chancellor, in *Phillips* v. *P.*, 9 Hare, 471, or rather to the application of them to other cases different both in circumstances and pleading from the case in which those expressions were used. The statements of the bill, on which the account was prayed, in *Phillips* v. *P.* were, in effect, that the defendant and his partner were in the habit of receiving sums of money from and on account of the plaintiff, which they treated as part of the partnership assets, and were also in the habit of paying out of their partnership funds sums for and on account of the plaintiff; and that, in fact, there was a current account between the parties, which had been balanced, and a certain sum had been agreed to be due to the plaintiff, as would appear by the books of the firm; that the transactions between the parties were very numerous, and amongst the moneys received were moneys arising from railway shares sold by the defendants on the plaintiff's account. Vice-Chancellor Turner allowed a demurrer to the bill. A bill of that nature would only lie where there was a mutual account, which meant not merely where one of two parties had received money and paid it on account of the other, but where each of two parties had received and paid on the other's account. The reason of the distinction was, that the latter case would be difficult to be dealt with at law, the plaintiff having to enter into evidence of his own receipts and payments. It was true that a case of mere receipts and payments might become so complicated as in *The Taff Vale Railway Company* v. *Nixon*, 1 H. L. Cas. 119 (see the peculiar circumstances of this case clearly set forth by the Master of the Rolls, who was counsel in it, in his judgment in *Padwick* v. *Hurst*, 23 L. T. Rep. 240). If the plaintiff wished for the account, that he might know how to frame his action, his remedy was not to file a bill for relief, but for discovery.

It should be observed that in *Phillips* v. *P.* the facts were of a twofold character, one of mere account in respect of receipts and payment, the other of a fiduciary relation in respect of the sale of the railway shares. The account itself was clearly neither mutual nor complex; and therefore not a ground for equitable relief. The fiduciary relation, if it had been raised by the pleading, might possibly have sustained the bill: (*Mackenzie* v. *Johnston*, 4 Mad. 373.) But it was not raised; the sale was stated only as particularising the source whence a part of the money came which was received by the defendants for the plaintiff. There was a similar effect of pleading in *Hemings* v. *Pugh*, 9 L. T. Rep. N. S. 283, where a demurrer was allowed to a bill which alleged that the defendant had received various sums of money as agent for the plaintiff, the particulars of which were unknown to the plaintiff, but the bill did not charge or allege any fiduciary relation between the parties. Vice-Chancellor Stuart, in his judgment there, said that the bill contained a mere averment of the receipt of money by an agent, but that was not enough; no fiduciary character was averred.

Unfortunately, in the case last cited, *Phillips* v. *P.* was spoken of as bearing the meaning that a principal could not obtain equitable relief against his agent for an account, unless the accounts between the parties were mutual. Some such view seems to have prompted the proceedings in the defence to the suit of *Makepeace* v. *Rogers*. According to the plaintiff's bill, he appointed the defendant agent and manager of his estates, and "having great confidence in the defendant, left him almost uncontrolled in the management of the estates." The bill alleged that the defendant's accounts were unsatisfactory, and prayed an account. On the appeal from Vice-Chancellor Stuart's decision, overruling the demurrer which was put in, Lord Justice Knight Bruce held, that it was one of the clearest cases that had ever come under his notice either during his practice at the bar or since he had occupied a place on the bench. The defendant had acted as agent and manager of the plaintiff's estates. The case came within the principle most clearly acted upon and acknowledged in the court; and he was not satisfied that his learned brother, in disposing of *Phillips* v. *P.*, had at all intended to say that a bill for an account could not be filed in this court where there had not been receipts and payments on both sides. Lord Justice Turner himself, referring to his decision in the last-mentioned suit, said that the case made by that bill rested on the account being a current account, and not an account of agency, although there was a single case of agency connected with the sale of the railway shares. He regretted to have expressed himself with such a want of clearness as to have conduced to error, if, indeed, he had done so.

Rightly understood, *Phillips* v. *P.* ought not to have been a source of error. However, it is satisfactory that any misunderstanding on the point of a principal's right to relief in equity against his agent, on the ground of their relative position, properly averred, has now been cleared up. Where, on the other hand, the bill is by the agent against the principal, as in *Padwick* v. *Stanley*, 9 Hare, 627, there being in that case no fiduciary relation, or where relief is otherwise prayed by reason of the state of the account itself, either mutuality, or complexity, or some special ground for equitable relief, must be pleaded. But there is no inflexible rule on the subject in equity. Generally, upon a question of account, where courts of common law and equity have concurrent jurisdiction, if a question arises whether the remedy for an account should be at law or in equity, it will be decided with a view to the convenience of the parties as to the mode of having it decided: (see *Shepard* v. *Brett*, 1 L. T. Rep. N. S. 499.) The value of the report of the present case, before the Lords Justices, is enhanced by the very full list of authorities cited by the appellant's counsel. No doubt they had uphill work, and required a long team, even though they did not reach the top.

THE EDMUNDS INQUIRY.

The following is the substance of the report of the Committee of the House of Lords:

Mr. Edmunds was appointed Clerk of the Patents by Lord Chancellor Brougham in the year 1835 at a salary of 400*l.* a year, out of which the expenses of the office were to be paid. After the passing of the Patent Law Amendment Act Mr. Edmunds, in Oct. 1852, was appointed clerk to the

Commissioners of Patents, consisting of Lord Chancellor ST. LEONARDS, the MASTER of the ROLLS and the law officers of the Crown. He received for his office a salary of 600*l.* a year.

In March 1864 some disputes arose at the Patent-office between Mr. EDMUNDS and Mr. WOODCROFT, the superintendent of specifications, and charges were made by one against the other—principally relating to the management of the office. Mr. EDMUNDS "courted inquiry" into these disputes, and Mr. GREENWOOD and Mr. HINDMARCH, Q.C., were appointed to make the investigation. It was carried on in a loose colloquial form for a while, but presently the examiners arrived at a knowledge of circumstances which, in their judgment, rendered it necessary that the inquiry should be conducted in a formal manner. From this time the inquiry was mainly directed to alleged malversation on the part of Mr. EDMUNDS and a clerk named RUSCOE.

Before the conclusion of the inquiry Mr. EDMUNDS became anxious to resign his two offices connected with the patents. He made known his wish to the LORD CHANCELLOR, who, writing to the MASTER of the ROLLS about the application, expressed his surprise at it, and asked if "anything done by Messrs. GREENWOOD and HINDMARCH may have led to it?" The MASTER of the ROLLS replied to the LORD CHANCELLOR that "he thought that it was the very best thing that could be done to allow Mr. EDMUNDS to resign." Accordingly the LORD CHANCELLOR signed Mr. EDMUNDS' memorial and it was sent in to the Treasury. Meanwhile Mr. GREENWOOD called on the LORD CHANCELLOR, and suggested that nothing should be done about the memorial, as "circumstances of a very painful character" would have to be embodied in the report of Mr. HINDMARCH and himself. Accordingly the LORD CHANCELLOR, after further inquiry, addressed a letter to the Lords of the Treasury requesting that his certificate appended to Mr. EDMUNDS' memorial might be considered as recalled; "that the certificate was given before the LORD CHANCELLOR was informed of certain grave charges against Mr. EDMUNDS of misconduct as a public officer, and which in the judgment of the LORD CHANCELLOR must be strictly examined before any retiring pension can be awarded."

The report of Messrs. GREENWOOD and HINDMARCH was made, and then Mr. EDMUNDS was summoned by the LORD CHANCELLOR "to show cause why he should not be removed from his office of Clerk of the Patents, upon four several charges founded upon the report." Mr. EDMUNDS consulted his solicitor, Mr. LEMAN, who (as he stated before the committee) said "he thought it was a very highly coloured report, and drawn up very strongly against him, but that there were admissions which Mr. EDMUNDS had made, and he certainly advised him to resign." He did so accordingly, "undertaking to satisfy the Treasury at once on all money questions."

The LORD CHANCELLOR consulted the MASTER of the ROLLS whether he approved of Mr. EDMUNDS being permitted to retire upon this condition, and his Honour gave it as his opinion that it might be done, and he stated to the committee that "upon reflection he thought so still." The ATTORNEY-GENERAL concurred. Mr. LEMAN then transmitted to the LORD CHANCELLOR Mr. EDMUNDS's formal surrender of his office.

At this point the Select Committee express their regret that Mr. EDMUNDS was allowed to resign, "and thereby withdraw himself from the impending inquiry before the LORD CHANCELLOR and Vice-Chancellors." They are "of opinion that the inquiry ought to have proceeded, and if the charges which Mr. EDMUNDS had been formally called upon to answer had been proved (as, in the judgment of the committee, the principal part of them must have been), he should at once have been dismissed, leaving it open to future consideration whether ulterior proceedings ought to be taken against him."

Mr. LEMAN, in his evidence, stated that at his first interview with the LORD CHANCELLOR, on the 27th July, he said that he thought there was nothing in the charge relating to the discounts, and that the attention of Mr. EDMUNDS need not be drawn to it. The LORD CHANCELLOR modifies this statement, and the committee remark:

> It is highly improbable that the Lord Chancellor spoke of the charge relating to the application of public money for the purpose of obtaining the profit as a matter not deserving of attention. It might very well be, that as there was a distinct charge against Mr. Edmunds of applying "divers sums of public money to his own use," the Lord Chancellor might have overlooked the fact that the latter part of the first charge related to the misappropriation of public money, and might have regarded it as confined entirely to the "allowances of discounts."

The committee, having disposed of the charges against Mr. EDMUNDS, proceeds to report upon his resignation. At the time when that gentleman proposed to surrender his Patent offices, and when his guilt had been shown by Messrs. GREENWOOD and HINDMARCH's preliminary report, the LORD CHANCELLOR (on the 1st Aug. 1864) requested Lord KINGSDOWN and Lord CRANWORTH to say "whether it was consistent with his duty to the House of Lords to allow Mr. EDMUNDS to remain an officer of the House?" They replied, in effect, that until he had shown cause why he should not be removed from the Patents-office, nothing should be done. Mr. EDMUNDS made an answer to the "preliminary report," and this answer was delivered to the LORD CHANCELLOR. This statement was not sent either to Lord KINGSDOWN or Lord CRANWORTH. Meanwhile the Lord CHANCELLOR had discovered that he had no power to remove Mr. EDMUNDS from the office of reading clerk—that is the duty of the House of Lords.

Mr. W. BROUGHAM, at the request of Mr. LEMAN, who was his confidential solicitor, as well as Mr. EDMUNDS's, interested himself in the case, revising Mr. EDMUNDS's replies, and striking out passages "personally offensive" to the commissioners, and even going the length to write to the LORD CHANCELLOR suggesting that Mr. EDMUNDS should resign, adding, "If you will do what you can to help him to a pension I will advise him to resign." To this the LORD CHANCELLOR replied, "All I can say is that if he (Mr. EDMUNDS) thinks proper to resign, I will do all I can with propriety to obtain for him a pension, appending this note:—"I can with truth certify that Mr. E. has properly discharged all the duties of the office he holds in the House of Lords." Mr. LEMAN, on Mr. EDMUNDS's behalf, says he repudiated this intervention by Mr. W. BROUGHAM, but that the LORD CHANCELLOR distinctly told him that if Mr. EDMUNDS would resign, "he would throw no obstacle in the way of his obtaining a pension." This was on the 8th Nov. Subsequently when the LORD CHANCELLOR discovered that he had no power to discharge Mr. EDMUNDS, and that the pension rested not with the Treasury but with the House of Lords, he consulted the Cabinet, who held with Lord CRANWORTH and Lord KINGSDOWN that the matter ought to be brought before the House of Lords. Of his intention to pursue this course the LORD CHANCELLOR informed Mr. LEMAN on the 21st Dec. last. On the 4th Feb. Mr. LEMAN handed to the CHANCELLOR a memorandum, stating that his client would tender his resignation, and a petition for a pension to the House of Lords on the Tuesday following, and asking that under these circumstances the motion for a Select Committee should be at "least" postponed.

> Mr. Leman states that when the Lord Chancellor read the paper he said, "If the resignation takes place between this and Friday I will throw no obstacle in the way of the pension." Mr. Leman then said to the Lord Chancellor, "My Lord, would your Lordship object to Mr. Edmunds taking his seat in the usual way at the table of the Lords?" He said, "I shall take no notice of it if he does." The Lord Chancellor's recollection of the conversation with Mr. Leman upon this day is, that "he stated most distinctly to Mr. Leman that he thought the resignation was the best thing Mr. Edmunds could do, and that it would relieve him from the duty imposed upon him of being Mr. Edmunds's accuser, and that he would throw no obstacle in the way of his having a pension. That he told him so distinctly, but his Lordship thinks with this addition, that he should not feel that he was under any obligation to pursue Mr. Edmunds before a parliamentary committee." His Lordship further stated to the committee, "that he would not have proceeded at all unless he had been told that his public duty required it. That was the question that he put to Lord Cranworth and Lord Kingsdown. That he would not have proceeded at all if the Cabinet had not told him that it was his duty to do so. But that duty was only to take care that in the face of these charges Mr. Edmunds should not remain an officer of the House of Lords. That whether he was right or whether he was wrong, the rule he laid down to himself was this, that while he remained an officer, it being his duty to bring the charges before the House of Lords he must do so; but when he ceased to be an officer, he thought he had no longer any such duty. That he never held out to Mr. Leman or to any individual in any manner, direct or indirect, that he would do anything beyond being passive and silent until he was called upon."

Mr. LEMAN told the committee he had the greatest difficulty in inducing Mr. EDMUNDS to resign, and that he did not consent to do so till the 13th Feb., when he did so "in consequence of what the LORD CHANCELLOR said in an interview which Mr. LEMAN had with him on that day." The LORD CHANCELLOR's statement which had this effect was, that if Mr. EDMUNDS's resignation was not in Sir JOHN LEVEVRE's hands by four o'clock on the following day, he would move for the committee. The LORD CHANCELLOR received Mr. EDMUNDS's resignation as he was taking his seat on the woolsack, but says he did not observe the application for a pension which accompanied it. He adds, however, if he had seen it, he would have presented the petition, notwithstanding. It will be seen that both Mr. LEMAN and the LORD CHANCELLOR agree as to the words used by the latter, that he "would throw no obstacle in the way of the pension." But Mr. LEMAN states that on each occasion the terms of the LORD CHANCELLOR's assurance were, "if Mr. EDMUNDS would resign, he would throw no obstacle in the way of his pension;" while the LORD CHANCELLOR says, that when it was communicated to him that Mr. EDMUNDS intended to resign, then he did, as Mr. LEMAN says, voluntarily and of his own accord say, "I will throw no obstacle in the way of his having a pension."

The Committee say they cannot coincide with the LORD CHANCELLOR's view of his public duty, that once Mr. EDMUNDS had resigned, he was not bound to bring the matter before the House of Lords to prevent his getting a pension.

> In their opinion it was incumbent on him, who presented the petition of Mr. Edmunds to the House, in some manner to have apprised the Parliament Office Committee of the circumstances under which the resignation of the clerkship had taken place, and with which the Lord Chancellor was officially acquainted, and not to have left them to decide the question of a pension with no clearer light than that which could be derived from vague and uncertain rumours. The committee have, however, no reason to believe that the Lord Chancellor was influenced by any unworthy or unbecoming motives in thus abstaining from giving any information to the committee.
>
> The chairman of committees told the select committee there was "a general knowledge, or a general impression on the part of most of the members of the committee (on the pension) that in consequence of certain pecuniary transactions in which Mr. Edmunds had been concerned in the Patent-office he had resigned his appointment in it."

The committee regret that under these circumstances some delay was not interposed before the question was finally disposed of in favour of a pension, which, had the circumstances been fully known, would probably not have been recommended.

The rest of the report is filled with the particulars ascertained as to the 300*l.* paid to Mr. JAMES BROUGHAM's family out of Mr. EDMUNDS' salary.

The Committee observe:

> So far as the public is concerned, what was the actual agreement as to the application of this 300*l.* a-year is wholly immaterial. Any private arrangement that a portion of the salary of a public officer which is the remuneration for his services shall be applied to the benefit of any other person is a grave offence against public morality, and deserves the severest condemnation. All the witnesses concur in stating that these transactions took place without the slightest knowledge of them on the part of Lord Brougham. The committee, in conclusion, express their gratification that the result of their inquiry should thus have been to remove the possibility of any suspicion attaching to the character of so distinguished a member of your Lordships' House.

JUSTICES OF THE PEACE PROCEDURE BILL. (*a*)

(Continued from page 322.)

Provisions of the Bill.

The Bill is, from the large and miscellaneous character of magisterial jurisdiction, necessarily of considerable length—131 pages, containing 148 clauses with schedules,—and is divided into fourteen parts, viz:—

		Clauses
	Preliminary	1— 5
Part I.	Jurisdiction and authority of justices	6— 17
II.	Clerks to justices, their fees and duties	18— 38
III.	Preferring complaints and charges ...	39— 40
IV.	Process to enforce appearance	43— 45
V.	Witnesses	46
VI.	Adjourning and remanding cases ...	47— 53
VII.	Place of hearing and proceedings thereat	54— 60
VIII.	Summary jurisdiction	61— 85
IX.	Indictable offences	86— 93
X.	Summary jurisdiction over certain indictable offences	94—106
XI.	Special sessions matters...	107—123
XII.	Execution of warrants	124—129
XIII.	Recognisances	130—132
XIV.	Repeal of Acts and miscellaneous provisions	133—148
	Schedules.—1st, Table of justices' clerks' fees. 2nd, Forms for justices and others. 3rd, Enactments repealed.	

The principal points or details, and the proposed new provisions, may be thus summarised:—

1. A repeal of Jervis's Acts, 11 & 12 Vict. cc. 42, 43; 20 & 21 Vict. c. 43; 21 & 22 Vict. c. 73 (in part); procedure clauses in Acts creating summary jurisdiction, and special sessions procedure; procedure clauses in the Metropolitan and City Police Acts; also sections as to justices' clerks' and constables' fees: (part xiv., sect. 133, and part ii., and 3rd schedule.) Some of these are re-enacted in another form.

2. Provisions defining jurisdiction and powers of all descriptions of justices, and when they shall be disqualified from determining cases by reason of interest, relationship to the parties, or being members of corporate bodies, &c.: (part i.)

3. Providing for the appointment of a permanent Chairman of petty and special sessions: (part vii. sect. 55.)

4. Procedure provisions, in most instances similar to those in the Irish Act, 14 & 15 Vict. c. 93, applicable to the whole of the cases within the summary jurisdiction (except, to some extent, revenue and a few other cases which have their own peculiar laws), and giving an uniform mode from the preferring of the complaint to the final appeal against the justices' decision: (part viii. and portions of the other parts.)

5. Allowing a more simple mode of making complaints and issuing summonses, similar to that in the practice of County Courts; limiting the period for recovering local rates (now without limitation) to twelve months from their dates; giving power to summon witnesses wherever resident, and to produce documents; to impose full amount of penalties, &c. upon each offender where several are concerned; to mitigate penalties and terms of imprisonment; to substitute imprisonment in gaol for the stocks; to permit sums, as distinguished from penalties, to be paid by instalments: to allow a deposit of money instead of sureties in certain cases; to punish juveniles under sixteen by whipping; increased punishment on second or subsequent offences; and to impose consecutive terms of imprisonment in those cases which are not provided for by 11 & 12 Vict. c. 43, sect. 25: (part iii., part v., and parts v. and viii., sect. 70.)

6. Allowing proof of service of summonses and orders

(*a*) Brought in by Mr. Paull, Mr. Staniland, and Mr Richard Hodgson, 15th Feb. (Bill 26).

at a distance to be made by affidavit, thereby obviating the necessity for constables being taken from their duties to attend the petty sessions solely to prove such service: (part iv., sect. 45, par. 5.)

7. Providing that justices' warrants may be executed anywhere in England without being indorsed where executed, like those of the metropolitan police magistrates may now be (2 & 3 Vict. c. 71, s. 17), and as enacted in the Scotch Summary Procedure Act, 27 & 28 Vict. c. 53, s. 8, the present practice of getting warrants backed being a great hindrance to their execution: (part xii., 125, par. 3.)

8. Providing an uniform and proportionate scale of imprisonment in default of payment of all penalties, sums and costs: (part viii., sect. 71.)

9. Providing uniform mode for the application of penalties to the superannuation, county or other funds, informers (not being constables), &c., and removing the doubts as to the appropriation of penalties in certain boroughs: (part viii. sect. 81.)

10. Providing a summary mode before justices of estreating recognisance for appearance of parties at petty sessions, &c. (without going to the Quarter Sessions or requiring the aid of the sheriff), as allowed in the metropolitan police courts in certain cases and in Ireland: (part xiii., sect. 131.)

11. Providing a comprehensive series of short forms for the use of justices and others: (part xiv., sect. 140 and 2nd schedule.)

12. Substituting a record or register of decisions in each district of petty sessions for the present long and formal convictions and orders, which in future are not to be filed with the clerk of the peace, as this record, or a certified copy of any entry in it, is proposed to be evidence of a conviction or other decision: (part viii., sect. 69.)

13. Allowing an appeal in the cases now allowed, and in most others from any justices' decision upon the facts or law to the Quarter Sessions (as in the Irish Act, 14 & 15 Vict. c. 93, s. 24, and Metropolitan Police Courts Act, 2 & 3 Vict. c. 71, s. 50, Jervis's Act, 11 & 12 Vict. c. 43, containing no provision on that subject), and in all cases, upon the law only to a Superior Court as now permitted by 20 & 21 Vict. c. 43;—with uniform provisions as to time of appealing, notice, recognisances, &c., in each mode of appeal: (part viii., sects. 76, 77, 78, 79.)

14. An improved procedure on the preliminary examination for indictable offences, now regulated by 11 & 12 Vict. c. 42, and providing for the receiving of evidence for an accused, and further facilities as to bailing him, &c.: (part x.)

15. Extending the present summary jurisdiction over certain indictable offences under the Criminal Justice and Juvenile Offenders Acts (18 & 19 Vict. c. 126, 10 & 11 Vict. c. 82, 13 & 14 Vict. c. 37) to frauds and embezzlements, &c., of a small amount which, now, either go unpunished or are sent for trial where the grand juries complain of such cases being brought before them; also enacting an uniform and more simple procedure in petty sessions than now exists by those Acts: (part x.)

16. Providing an uniform mode of appointing and convening special sessions, in lieu of the present circuitous one through the high and petty constables, and general powers of adjourning and holding special sessions, &c.; but preserving the rights of the present high constables, who are appointed for life or during good behaviour: (part xi.)

17. Providing for the appointment of clerks to justices of counties, and defining the tenure of the office of clerk to justices generally, similar to that applicable to clerks of the peace, with the disqualifications from acting for parties before justices, and prohibiting their conducting prosecutions after committal, unless with the justices' consent or direction: (part ii., sects. 18, 19, 21, 22.)

18. Providing an uniform table of fees to justices' clerks of counties as well as boroughs (which now are very dissimilar) adapted to all duties they are likely to be called upon to perform, and to future legislation, similar to the table recommended in the Commissioners' Report on "Costs of Prosecutions," 1858-9; giving the Home-office power to alter the items from time to time in order to adapt them to special localities, instead of the sessions or borough council, as now; also similar but amended regulations as to the payment of such clerks by salary instead of fees, as now allowed under 14 & 15 Vict. c. 55: (part ii., sect. 26, and 1st schedule; sects. 32, 33, 34.)

19. Giving the Home-office power to make an uniform table of fees and allowances for the service of summonses and execution of warrants by constables, the same now differing in each county and borough: (part xiv., sect. 144.)

20. Providing for the recovery of justices' clerks' and constables' fees before a justice instead of in the County Court: (part ii., sect. 36; parts xiv., sect. 144.)

21. Many of the general provisions of the Bill have, after communication with the solicitors of the Revenue Departments, been extended to revenue cases, which were excepted from many of the provisions of the 11 & 12 Vict. c. 43, and 14 & 15 Vict. c. 93: (part xiv., sect. 143.)

In the margin of the Bill reference is made to the Acts as to the present procedure in England and Ireland containing the analogous provisions, or provisions relating to the subject of the clauses; most of those in the English Acts being proposed to be repealed in the third schedule, clause 133. Where no section is mentioned in the margin of the provision, it is entirely new.

The Bill has prefixed, in addition to the usual "Arrangement of Clauses," a "Comparative Table of repealed Acts and new provisions," showing at a glance where the re-enactments or new provisions for those repealed are to be found in the Bill, or the reasons for their omission.

George C. Oke,
Principal Clerk to the Lord Mayor of London,
Author of "The Magisterial Synopsis" and "Formulist," &c., &c.

Mansion-house, April, 1865.

INVESTMENT MARKET.

Dullness reigns in the Money-market, and there is no upward movement in stocks or shares. All are in suspense, watching for the turn of the tide in America. The restoration of peace there will exercise an enormous influence upon the commerce of the world; but the circumstances are so novel that nobody ventures to predicate what that effect will be. Spanish Passives have endured a fall of nearly 4 per cent., and the unsettled state of things in Spain makes it only surprising that the fall has not been greater. As the result of the present lull in speculation and abundant money, land sales are crowding into the market, and land will command a higher price than it would have obtained at this time last year. There is some controversy among the economists as to the probability of a considerable advance in the value of money during the next six months; but the better opinion is that it will not rise beyond its present price. It is stated that more than 40,000*l.* of the 6 per cent. debentures charged upon the freehold property of the Inns of Court Hotel Company have been already taken up. The sum to be thus subscribed is limited to 80,000*l.*, the value of the security being 120,000*l.* Solicitors are allowed the very handsome commission of 2½ per cent. on all debentures subscribed through them. The debentures are issued for sums of 50*l.* or 100*l.*, with coupons for the interest, and for three, five, or seven years, at the option of the subscriber. The great majority have preferred the seven years' term.

The *Crédit Foncier and Mobilier of England* has been one of the most successful of the financial companies. Its *Crédit Foncier* scheme was taken almost in its entirety from the Law Times, to whom its authorship is wholly due. As our readers are aware, the scheme of land credit was first promulgated in these pages. The promoters of the company have reaped the full advantage due, perhaps, to their ready perception of the merits of the plan, and their promptitude in appropriating it. We understand it is doing a vast amount of business at no small profit to itself.

The following are the fluctuations:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	242	...	240	240	241½	...
3 per Cent. Red. Ann.	88⅜	88⅛	88⅛	88⅛	88⅜	88⅛
3 per Cent. Cons. Ann.	90⅛	90⅛	90⅛	90⅛	90⅛	90⅛
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	72⅜	...	72⅜
New 3 per Cent. Ann.	88⅛	88⅛	88⅛	88⅛	88⅛	88⅛
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	13⅛	...	13⅛
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	89⅞	89⅞	89⅞	89⅝	89⅛	89
Consols for Acc.	...	...	...	...	...	...
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	216	218	...	...	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	99⅛	...	...
India 5 per Cents. 1870	106⅛	106⅛	106⅛	106⅞	106⅞	...
India Bonds (1000*l.*)	...	...	...	...	...	...
Do. (under 1000*l.*)	...	...	...	12*s.* c	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	101⅛	...	...	101	100	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*a*	*c*	*d*	*b*	*c*	...
Do. 500*l.*	*a*	*c*	...	*b*	*b*	...
Do. 100*l.* & 200*l.*						
3 per c.	*b*	*c*	...	*b*	...	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 and 5 per cent. 6*s.* pm.
b 4 and 5 per cent. 2*s.* 6*d.* prem.
c 4 and 5 per cent. 3*s.* pm.
d 4 and 5 per ct. 6*s.* 3*d.* pm.
e prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

THE EDMUNDS CASE.

On the 9th inst. Lord Derby made an explanation which has an important bearing on the Lord Chancellor's position in the Edmunds case. A false impression of the views of the committee is caused by a mistake which has crept into the report. The clerk of the committee had inserted two amendments which were really made upon two succeeding paragraphs in the draft report, but which were represented as consolidated into one, and carried as a joint amendment on the first paragraph of the report. This made it appear that a minority of the committee had objected to the amendment acquitting the Lord Chancellor of improper motives, which was not the case. The minority thought the Lord Chancellor had been guilty of an error of judgment, but both the minority and majority agreed that he was free from all imputation of unworthy motives.——Lord Granville thanked the leader of the Opposition for removing what was undoubtedly an erroneous impression as to the opinion of the committee, though it had arisen from a very natural error.——Lord Redesdale moved that certain passages from the Report of the Select Committee on the resignation by Mr. Edmunds of various offices be read, and further moved resolutions exculpating the select committee of their Lordships' House from any neglect of duty in granting Mr. Edmunds a retiring pension, inasmuch as they would have exceeded their functions if, without special instruction from the House, they had proceeded to inquire into his conduct in any matter unconnected with his duties in their Lordships' House. So far were the select committee from being aware that serious charges were still hanging over the head of Mr. Edmunds when his petition for a pension was presented by a member of the Government, that they did not even think there was any reason for the resignation of his post in the House of Lords. Not only had the committee no official knowledge of what afterwards transpired, but, in fact, the impression on the minds of the members of the committee was that Mr. Edmunds had satisfied all the claims against him with regard to the alleged deficiencies in the Patent-office. They certainly knew nothing of there then being serious claims still existing against Mr. Edmunds. Only the Government could have known of the existence and extent of those claims, and yet the pension of Mr. Edmunds to be allowed a retiring pension was presented by a member of the Government without the slightest intimation to their Lordships' committee that there existed any reason why the pension should not be duly awarded according to custom. He considered that the week which elapsed before the recommendation of the select committee was acted upon by their Lordships gave the members of Her Majesty's Government ample time in which to oppose it had they thought fit. It was idle to say that other members of their Lordships' House ought or even could have opposed it, for they could not shut their eyes to the fact that it was the members of Her Majesty's Government alone who were fully possessed of every fact connected with the case of Mr. Edmunds. He considered that the extracts which had been read to their Lordships condemned the select committee for a fault which most certainly could not with justice be attributed to them, and for this reason he trusted their Lordships would adopt the resolutions of which he had given notice.——Lord Granville said that the onerous duty of preparing the report which had been impugned was one of the most painful that had ever fallen to his lot. Though all the members of the committee were determined to do their duty, they certainly had no wish to go one step beyond in the direction of severity, and he had never had the honour of serving with any committee which had evinced a more conscientious desire to elicit without prejudice every fact which bore upon the case. With regard to the opinion expressed by the committee, all that their report had done was to express regret that the select committee had not taken more time before they asked the House to act on their recommendation. Why, the fact was that Lord Redesdale had himself proposed such a delay to the select committee, and had been overruled. He entirely acquitted Lord Redesdale from any suspicion of a desire to deceive the House; but for a consummate man of business, such as he undoubtedly was, he went a very clumsy way about letting the House know why even the week's delay was taken before the resolution granting the pension was recorded on their minutes. He hoped the House would not by adopting Lord Redesdale's resolutions stultify the carefully prepared report of their committee.——Lord Hardwicke gave an indignant denial to the statements which had been made in public, that the members of their Lordships' House were aware that Mr. Edmunds was a defaulter when they voted his pension. He, for one, could declare that he was totally ignorant of every detail of the transaction when the retiring allowance was granted, and he knew that many other members of their Lordships' House were in the same position. If any one was to blame for not informing their Lordships of the facts, it was the noble President of the Council, and not their chairman of committees.——After a few words from Lord Eversley, who said, that to uphold the rules of the House he should certainly, if the matter went to a division, support the first resolution——Lord Lyveden urged that it was absurd to attempt to lay down the doctrine that their Lordships' committee, in granting pensions, was not called upon to consider propriety of character, but only to fix the amount to which a certain number of years' service entitled the petitioner.——Lord Derby said he could not affirm the proposition of Lord Redesdale that the select committee would have been exceeding their duties if they had made it the first subject of their inquiry, before recommending Mr. Edmunds to a pension, to ascertain whether he was entitled to any pension at all. Such a question was, in his opinion, most decidedly within the competence of the committee. He wanted, however, to know how it was that the Lord Chancellor, who presented the petition asking for a pension, said nothing of the extraordinary circumstances of Mr. Edmunds's case, though both his Lordship and all the members of the Government were well aware of them. He did not say that the resignation of Mr. Edmunds had been extorted from him, but the Lord Chancellor had told Mr. Edmunds that if he did not

have his resignation by a certain date he should bring his conduct before the notice of the House. He did obtain his resignation, and he did not call attention to his conduct, but on the contrary, aided him to a certain extent in getting a pension of 800*l.* a-year. He attributed the painful embarrassment in which their Lordships' House had been placed entirely to the silence of Her Majesty's Government on the real facts of the case, and most especially to the extraordinary course taken by the Lord Chancellor. He recommended that the "the previous question" should be moved.——Lord RUSSELL vindicated the conduct of the Cabinet with respect to what had been done in the case. It never was made a Cabinet question whether, if Mr. Edmunds applied for a pension, the Lord Chancellor was to oppose it. That question had never been brought before the Cabinet in any way. If it had been he was sure that the answer of his colleagues would have been to direct the Lord Chancellor to lay all the facts of the case before the committee appointed to decide on the pension. The report of the select committee granting the pension had never been printed, and he was sure many members of their Lordships' House were quite as much surprised as himself and other members of the Government when they found out what had been done, and that a retiring allowance had been granted to one so little entitled to it as Mr. EDMUNDS, and granted apparently with the unanimous consent of their Lordships.——The MARQUIS of BATH censured the silence of the members of the Government in regard to this case, and defended the committee which had recommended the granting of the pension, and which he maintained had been purposely kept in the dark. The slightest private intimation to any of the members of that committee would have been sufficient to have saved all this most painful embarrassment. It was sought now to make the committee a scapegoat to save the members of the Government.——After a few words from Lord HARROWBY and the DUKE of SOMERSET, Lord REDESDALE expressed himself quite satisfied with the tone of the debate, and acquiesced in the "previous question," which was then carried.——Lord WYNFORD presented a petition from Mr. EDMUNDS, praying for a postponement of Lord Granville's motion for the rescinding of his pension, and praying to be allowed to be heard by counsel at the bar.——Lord GRANVILLE then rose to move to rescind the resolution of the House of the 24th Feb., granting a retiring pension of 800*l.* per annum to Mr. Leonard Edmunds. He rested his case entirely on the report of the commissioners appointed to inquire into the merits of the case, and on the report of the committee of their Lordships' House. He wished to say as little as possible to aggravate the charges against that unfortunate gentleman; still it was necessary, for the sake of public justice and for the sake of the honour of the House, to rescind the vote of the 24th Feb.——Lord REDESDALE said that Mr. Edmunds had been the chief evidence against himself, and he did not think that his prayer to be heard by counsel should be disregarded.——After a few words from Lord DONOUGHMORE and Lord TAUNTON, both of whom admitted reluctantly that the House had but one course to pursue, which was to rescind the vote awarding the pension.——The MARQUIS of BATH entreated the House to pause before coming to a final decision. He did not wish to oppose Lord Granville's motion, but he thought Mr. Edmunds should be heard.——Lord REDESDALE wished for an expression of opinion from some noble and learned Lord as to whether Mr. Edmunds had not a right to be heard.——Lord CRANWORTH gave an emphatic opinion that as Mr. Edmunds had already been heard, he had now no further claim upon their Lordships' attention.——The LORD CHANCELLOR then put the question that the pension to Mr. Edmunds be rescinded, which was agreed to without a division.

THE COUNTY COURTS EQUITABLE JURISDICTION BILL.

On the motion that this Bill be read a third time,——Lord ST. LEONARDS referred to the County Courts Bill of last session, which, he said, among other provisions, proposed to give an equitable jurisdiction to County Courts, but which, after much discussion, the noble and learned lord on the woolsack thought right not to proceed with. If that Bill had not been abandoned, some settlement might have been come to in reference to the provisions in it relating to the credit given to wives and daughters by packmen, and to the frequent commitments and recommitments for the same trifling debt. The original object of the establishment of County Courts was to provide an easy mode of recovering small debts and demands, but since their first establishment bankruptcy business had been added to the labours and duties of the judges. At the present moment, so far as legal power was concerned, they were prohibited from entertaining any question with respect to title, or the construction of settlements and wills. The Bill now before their Lordships proposed to give them equitable jurisdiction up to a certain value, but he ventured to say that in many cases where the amount involved was not considerable questions were raised as important in point of law as could possibly occur in any suits brought before their Lordships' House. The ground on which the noble and learned lord on the woolsack introduced the Bill was that the costs in courts of equity in cases of small amount swallowed up the property in dispute; but it was not so much the strict costs of the suit which occasioned the great expense, but the costs resulting from the discussion of extraneous questions which ought never to have been entered upon. The County Court judges were a learned body of men, but it was no impeachment of their ability to say that they were not competent to discharge the new functions which the Bill would throw upon them. They had never practised in equity, and they would be naturally unable to exercise this equitable jurisdiction with benefit to the suitors. All sorts of powers were given to the judges, and from their decisions an appeal was to be allowed to the Court of Chancery. Thus, the unhappy suitor would be compelled to begin again in the court from which he had been ousted, and for the purposes of appeal would have to incur all the expenses of the old procedure. But his great objection to the Bill was the enormous encouragement it would give to litigation. You ought not to go round the country with perambulating courts of equity, urging people to litigate, promising them facilities for so doing, and inducing them to resort to equity for all sorts of disputes which otherwise in all probability would be amicably settled. People were generally quite ready enough to go to law at present; and this Bill would give them the means of enforcing every fancied right in cases, nine out of ten of which would but for the Bill be settled without resorting to the law at all.——The LORD CHANCELLOR regretted that his noble and learned friend had not given credit to their Lordships for recollecting what he had said upon two former occasions. What they had the pleasure of hearing from him now they had heard at some length both on the second reading and also in the committee of the Bill. He regretted that his noble and learned friend had thought proper to call in question the competence and knowledge of the judges of the County Courts. He could assure his noble and learned friend that he had been quite misinformed upon that point. He could pledge himself to their Lordships that the County Court judges were a body of men who would bring to the administration of justice under the Bill a large amount of knowledge, as well as great industry and care in the execution of their new jurisdiction. That the new jurisdiction was required was pretty generally admitted, and he should be most happy, provided the Bill passed, if this session were to be productive of no other amendment of the law. Under the law as it now stood there was an absolute denial of justice to the poorer classes, because the Legislature had made no adequate provision for their case. He hoped their Lordships would unanimously pass the Bill.——The Bill was then read a third time and passed.

HOUSE OF COMMONS.

THE LORD CHANCELLOR AND THE LEEDS REGISTRARSHIP.

Mr. FERRAND asked the Attorney-General whether it was true that Mr. Henry Sedgwick Wilde, when Registrar of the Court of Bankruptcy at Leeds, was called upon by one of the Bankruptcy officials, by authority, to resign his office, and that he refused to do so; whether Mr. Wilde was then informed that, if he would resign at once and obtain a medical certificate, he should have a pension of 600*l.* a-year, although he was then in a good state of health; whether he did obtain such medical certificate and resign, and was the pension so promised granted or sanctioned by the Lord Chancellor: was Mr. Wilde, on his resignation, succeeded by Mr. Welch, who was then in a precarious state of health; was it arranged that Mr. Welch should hold the office until the reversal of the outlawry of the Hon. Richard Bethell; and was Mr. Richard Bethell's appointment made out after his outlawry was reversed, and did he attend the Bankruptcy Court at Leeds on or about the 24th Feb. last, and state to the officials that he was appointed Registrar.——Mr. MURRAY wished to ask in addition whether any petition was presented by Mr. Wilde to the Lord Chancellor explaining the causes which rendered his retirement necessary, and if so, whether the truth of such explanation was verified by his affidavit.——The ATTORNEY-GENERAL.—I will first answer the series of questions put to me by the hon. member for Devonport, including the question just added by my hon. friend opposite, which relate to the resignation of Mr. Wilde, of the office of Registrar of the Leeds Court of Bankruptcy. The answer which I have to give is this:—Mr. Wilde was not called upon by any Bankruptcy official to resign, but he was called upon to answer certain complaints against him (of irregularities in his office, not, I believe, extending to personal defalcation) obtained in a report to the Lord Chancellor by Mr. Commissioner Ayrton. Mr. Wilde sent answers to these complaints, which answers were not deemed satisfactory. The Chief Registrar was informed that Mr. Wilde's state of health was such that he would be entitled to resign under the 33rd section of the Act of 1861, and when he informed Mr. Wilde that his explanations were not deemed satisfactory, he suggested to him, from friendly motives, that if his state of health was in fact such as he (the Chief Registrar) heard it was, he would probably be permitted to retire in the usual manner. Upon this, Mr. Wilde sent to the Lord Chancellor a petition, which stated:—"That your petitioner has for some time past been afflicted with a failure in his sight, and that the same has now become so serious that he is no longer able satisfactorily to perform the duties of his office, as appears by the certificate of Samuel Key, a Fellow of the Royal College of Surgeons, practising at Leeds, hereunto annexed, and is consequently desirious of retiring." This petition was verified by the affidavit of Mr. Wilde (hear, hear), and Mr. Wilde was under these circumstances permitted to resign, and received a pension of 600*l.* per annum, being the usual rate of pension. [At this point Lord Palmerston entered the House, and was greeted with cheers by the members on both sides.] So much as to the resignation of Mr. Wilde. Then comes the question as to the appointment of Mr. Welch. The question was whether, when Mr. Welch succeeded Mr. Wilde, the first-named gentleman was in a precarious state of health, and was it arranged that Mr. Welch should hold the office until the reversal of the outlawry of the Hon. R. Bethell. The answer to these two questions is this:—Mr. Wilde was succeeded by Mr. Welch. Mr. Welch had been some time before strongly recommended to the Lord Chancellor for an appointment of this kind by the late Attorney-General, Sir W. Atherton, Mr. E. James, Q.C., Attorney-General for the County Palatine, and other members of the Northern Circuit, to which he belonged, but his Lordship never saw him in his life, and never until now heard of his being in a precarious or bad state of health. (Hear, hear.) As to the alleged arrangement for benefiting the Hon. R. Bethell, the answer is that no such arrangement was ever made or proposed, or thought of (hear, hear); nor was there at the time of the appointment any outlawry. Mr. Welch's appointment is dated the 30th July 1864, and the outlawry was not until the 15th Dec. 1864. Then comes the last question—whether, after the reversal of his outlawry, Mr. Richard Bethell attended the Leeds Court of Bankruptcy on or about the 4th of February, and stated to the officials there that he was appointed Registrar. The facts are these: Mr. Richard Bethell was never appointed a Registrar of the Court of Bankruptcy at Leeds. A vacancy had arisen in London by the resignation of Mr. Bethell himself, for reasons which made the Lord Chancellor consider that resignation necessary. The Lord Chancellor was afterwards pressed to transfer Mr. Welch to London, and to appoint Mr. Bethell to Leeds, but he positively refused to do so. (Hear, hear.) If Mr. Bethell attended at the Bankruptcy Court at Leeds, as is alleged, or stated to the officials there that he was appointed a Registrar of the Leeds Court, it was altogether without the knowledge or sanction of the Lord Chancellor. (Cheers.)——On the following day, on the motion of Mr. FERRAND a return was ordered of all official letters, reports, or other papers, relating to the resignation of Mr. Wilde as registrar of the Bankruptcy Court at Leeds.——Mr. FERRAND also gave notice that he intended on Tuesday next to move for a select committee to inquire into all the circumstances connected with the appointment and retirement of Mr. Wilde from the registrarship of the Leeds Bankruptcy Court, the granting of his pension, and the contemplated exchange with Mr. Richard Bethell—(hear).——The ATTORNEY-GENERAL.—With reference to the question put to me yesterday by the hon. member (Mr. Ferrand), I wish to say that I have since received a letter from Mr. Welch, in which he requests me to make a statement which would have given more completeness in one point to the answer I gave. He says, with regard to himself, that he was unconditionally appointed in July last by the Lord Chancellor to the registrarship of bankruptcy at Leeds; that he was not then and has not since been in a precarious state of health. Then, as to the suggestion that Mr. Bethell went down in February last and attended the court, and stated that he had been appointed, Mr. Welch says that Mr. Bethell (who I believe was on a visit to Mr. Welch personally in February last (a laugh) did not then or at other time attend the Leeds Court of Bankruptcy; and that all the officials to whom he has spoken deny that Mr. Bethell was ever there or that they ever said so. They added that they did not even know his personal appearance. A letter had been received from Mr. Bethell which was substantially to the same effect (ironical cheers).

PATENT LAWS.

Mr. COX said that six or seven weeks ago he had asked if the Government intended to bring in a measure to amend the laws of patents; but as it has not yet made its appearance he wished to ask if the Government still had any intention of legislating on the subject.——The ATTORNEY-GENERAL replied it was true a Bill had been in preparation, but further consideration had rather added to than diminished the difficulties of this subject; and he feared it would not now be possible to bring in a Bill this session with any prospect of passing it. (Hear, hear).

LAW BILLS IN PARLIAMENT.

COUNTY COURTS EQUITABLE JURISDICTION BILL.

This Bill of the Lord Chancellor's has come from the select committee considerably altered in the clause defining the extent of the equitable jurisdiction to be given to the County Courts and the Sheriffs' Court of London. That jurisdiction is now proposed to be given in all suits by creditors, legatees, devisees, heirs-at-law, or next of kin, against or for an account of administration of property not exceeding 500*l.* in value; in suits for the execution of trusts, the property not exceeding 500*l.*; in suits for foreclosure or redemption, or enforcing a charge, the property subject thereto not exceeding 500*l.*; in suits for specific performance or for cancelling an agreement for sale or purchase of property not exceeding 500*l.*; in all proceedings under the Trustees Relief Acts or Trustee Acts, the trust property not exceeding 500*l.*; in proceedings relating to the maintenance or advancement of infants, whose property does not exceed 500*l.*; in suits for dissolution or winding-up of partnerships, the partnership assets not exceeding 500*l.* In all these cases the jurisdiction is to extend to the grant of injunctions. A Vice-Chancellor at chambers is to have power to make an order transferring the suit to the Court of Chancery.

SOLICITOR'S JOURNAL.

CHANCERY NOTICE.

During the Vacation, and until further notice, all applications which are necessary to be made at the Judges' Chambers are to be made at the chambers of the Vice-Chancellor Sir. R. T. Kindersley. Any application which it may be found necessary to make during the Whitsun Vacation for special injunction, or writs of *ne exeat regno*, must be made on production of a copy of the bill, certificate of bill filed, and office copy of the affidavit in support, and at his Honour's chambers information will be given of the time and place at which the application may be made.

The Chambers of the Vice-Chancellor Kindersley will be open from 11 to 1 on May 23rd.

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

Trinity Term 1865.

Adcock, Frank, 8, Great Charlotte-st., Blackfriars-road; and the Oval, Hackney—Articled to C. Mossop, Ironmonger-lane; E. E. Fear, Sherborne, Dorset

Archer, Francis, Liverpool—F. D. Lowndes, Liverpool; W. G. Bateson, Liverpool

Atkinson, John Frederick Henry, 17, Great Coram-street; and Liverpool—A. T. Squarey, Liverpool; J. Atkinson, Liverpool

Barrett, Richard Henry, 16, Nelson-square, Blackfriars-road; 32, Northumberland-street, Charing-cross; Putney; and Eton—C. P. Barrett, Eton

Batchelor, Edward James, 67, Charlwood-street, Pimlico—J. H. Torr, 18, New Bridge-street, Blackfriars

Bendle, Charles, 14, Cambridge-terrace, Islington; Carlisle; and on a voyage from Melbourne—J. Bendle, Carlisle

Billinton, Arthur, Leeds; and 21, Hanover-street, Pimlico—H. Nelson, Leeds

Birch, Henry, Lichfield—G. Birch, Lichfield

Bird, Arthur, 38, Edgware-road, Middlesex—J. Bowker, 1, Gray's-inn-square

Blewitt, William, Ilford, Essex—W. R. Preston, 13, Gresham-street

Briant, Apsley Eben, 14, Quadrant-road, Canonbury—M. Pope, Old Broad-street (late of 27, Austin-friars)

Broomhead, Henry, 12, Percy-circus, Pentonville; Sheffield; and 1, Gray's-inn-square—H. Broomhead, sen., Sheffield; W. Unwin, Sheffield; C. E. Broadbent, Sheffield

Brown, Henry Rogers, 24, Noel-street, Islington; and Forest-hill—F. J. Reed, 3, Gresham-street

Buckland, Francis, Hampstead, Middlesex—W. Bartholomew, 3, Gray's-inn-place; E. B. Randall, 3, Gray's-inn-place

Burney, John Hutchinson, 45, Canton-street, Poplar—H. Sturmey, Hibernia-chambers, London-bridge

Butcher, Frederick William, 16, Clifford's-inn, Middlesex, and Chelmsford—G. J. Durrant (late of Chelmsford), now of 23, Guilford-street, Russell-square

Cavie, Wharton Lister Lyon, 32 and 36, Regent-square, Middlesex; and Alford, Lincoln—L. Wilson, Alford

Chalk, Richard, 33, Englefield-road, Kingsland; and Woodspeen, near Newbury—W. H. Cave, Newbury

Chambers, William George, 14, High-street, Clapham; and Portsmouth—C. B. Hellard, Portsmouth

Clark, John Nathaniel, 2, Ladbroke-road, Notting-hill; and 32, Arundel-square, Barnsbury—J. Clark, 9, Cook's-court, Lincoln's-inn

Corbett, Frederick, Sidbury, Worcester—E. Corles, Worcester

Cotton, Edward Bottereaux Knill, New Cross, Kent; 10, King's Arms-yard, Moorgate-street; and 35, Ludgate-hill—F. J. Cotton, 35, Ludgate-hill

Crook, James, Chorley—J. C. Crook, Chorley

Davies, Alban Thomas, 7, Clement's-inn—H. Roscoe, 36, Lincoln's-inn-fields

Davies, John Smalman, The Grange, near Swansea; and 73, Albert-street, Regent's-park—W. H. Brown, Swansea

Davis, Richard, 23, South-street, Kennington-park—W. S. Catchpool, 4 (late 23), Great Tower-street

Dickinson, Joseph, jun., 45, Duncan-terrace, Islington; Newcastle-on-Tyne; and Alston, Cumberland—J. Dickinson, Alston

Dimock, John George, Newark-upon-Trent; and 34, Bernard-street, Russell-square—T. F. A. Burnaby, Newark-upon-Trent

Eades, George Lavender, 11, Calthorpe-street, Gray's-inn-road; and Evesham—G. Eades, Evesham

Eden, John, jun., Liverpool; Queen's-road, Bayswater; and 42, Inverness-road, Bayswater—J. F. Stanistreet, Liverpool

Edwards, David, Brixton; and 1, Lancaster-place, Strand—W. Lloyd, Ruthin, Denbigh; C. C. Ellis, 1, Lancaster-place, Strand

Evans, George, Caerphilly, near Cardiff—D. W. Davies, Cardiff

Foster, Arthur Henry, Birmingham—R. H. Foster, Birmingham

Frudd, Edmund Bewley, Barnsley, York—B. Marshall, Barnsley; W. Shepherd, Barnsley

Gething, John, 18, Wells-street, Gray's-inn-road; Newport, Monmouth; and 9, Calthorpe-street—D. Pain, Newport, Monmouth

Goodwin, William Henry, Oswestry, Salop—J. Jones, Oswestry

Granger, Arthur Charles, Leeds; and 43, Regent-square, Gray's-inn-road—C. Granger, Leeds

Hadley, Thomas Benjamin, 108, Ledbury-road, W., Bayswater; Bromsgrove, Worcester; and 12, Regent's-square, London—R. H. Sanders, Bromsgrove; J. W. Dean, 23, Bloomsbury-square

Hampson, Francis, Stretford, Lancaster—J. Elliott, Manchester

Hartill, James, 10, Frederick-street, Gray's-inn-road; 9, Staple-inn; and Dudley—Coldicott and Canning, Dudley

Harwood, William, 15, Thornhill-square, Barnsbury; and 13, Mornington-road, Regent's-park—H. Harwood, Boston; J. K. Wright, 23, Bedford-row

Hawett, Thomas, jun., 1, Bedford-row; and Wigan—T. F. Taylor, Wigan

Hayward, John Camden, Dartford—W. T. Carlisle, 8, New-square, Lincoln's-inn; G. G. Newman, 5, Bank-buildings

Hinchliff, George, 60, Portsdown-road, Maida-road, Middlesex—Walters, Young and Walters, 9, New-square, Lincoln's-inn

Hincks, Joseph, jun., Willenhall, Stafford—H. Underhill, Wolverhampton; F. Adams, Birmingham

Hodgkinson, George Wagstaffe, 102, Elmore-street, Islington; Newark; and 13, Furnival's-inn—G. Hodgkinson, Newark

Howell, William Mark, Welchpool, Montgomery; and Hackney—E. Jones, Welchpool

Husband, William Palmer, 25, College-place, Camden-town; York; and 16, Charrington-street, St. Pancras—H. Richardson, York; J. Williamson, jun., 10, Great James-street, Bedford-row

Jesson, Thomas, jun., 50, Frederick-street, Gray's-inn-road; and West Bromwich, Stafford—W. Evans, Birmingham

Kearsey, Charles, Cheadle Hulme, near Stockport; and Manchester—F. W. Calvert, York; R. Hankinson, Manchester

Keary, William Plumer, 21, Great James-street, Bedford-row—W. C. Mee, Mansfield

Lancashire, Smith, Bedford, Leigh, Lancashire—H. Taylor, Manchester

Lewis, Rowland, Llandissil, Cardigan; and Merthyr Tydfil, Glamorgan—J. Morgan, Merthyr Tydfil

Lopez, Baldomero, Hyacinth de Bertodano, 36, Great Coram-street, Russell-square; and 23, Bucklersbury—G. F. Hudson, 23, Bucklersbury

Lucas, Frederick William, Upper Tooting—J. Lucas, 1, Trinity-place, Charing-cross

Lynn, Joseph Richard Davidson, Gateshead—J. Fleming, Newcastle-upon-Tyne

Maples, Arthur, Liverpool; and 217, Brompton-road—T. Carson, Liverpool

Margeriton, William, 5, Sydney-street, Brompton, S.W.; Bradford; and 17, Gracechurch-street—J. Wood, Bradford

Marsh, William Edward, Leigh; and 37, Brompton-crescent—R. Marsh, Leigh

Marsland, Benjamin, West-street, Walworth—T. Keene, 77, Lower Thames-street

Mason, Charles Wiles, B.A., 34, Grove-place, Brompton; and 68, Lincoln's-inn-fields—H. W. Birch, 68, Lincoln's-inn-fields

Meredith, Charles, jun., M.A., Broad Heath, Wimbledon-common—C. Meredith, 3, New-square, Lincoln's-inn

Middleton, Leonard, Gledhow Grange, Chapel Allerton, Leeds—W. Middleton, Leeds

Norvall, William Alexander, Peckham—H. G. Hill, 4, Elm-court, Temple; J. H. Triston, 18, Barge-yard-chambers

Nussey, Anthony Foxcroft, Chislehurst, Kent; and 21, Great George-street, Westminster—J. P. Fearon, 21, Great George-street

Oldman, Arthur Richard, Diss, Norfolk; and 7, Cambridge-terrace, Notting-hill—H. Hemill, Diss

Page, Frederick Julian, Notting-hill—F. F. Joyce, 22, Bedford-row

Page, George Henry, Hay, Brecon—A. Cheese, Hay

Palmer, Albert Frank, 1, King's-road, Bedford-row; and 3, Church-passage, Gresham-street—F. T. Dubois, 3, Church-passage; W. Sparling, 1, King's-road, Bedford-row

Pash, Frederick, 88, Old Kent-road, Southwark—J. B. Ingle, 37, King William-street

Pode, John Spurrell, 22, Harrington-street, Hampstead-road; Plymouth; 33, King William-street; and 5, Arthur-street east—N. Were, Plymouth

Pritchard, William, 50, Beaumont-street, Marylebone; and 38, Manchester-street, Manchester-square—H. B. Roberts, Bangor; H. Barber, Bangor

Rex, William, Lincoln—T. F. Brown, Lincoln

Rhodes, James, 12, Oakley-street, St. Pancras; and Brighouse, near Normanton—F. Barber, Brighouse

Rimer, Henry, Southampton—F. R. Withers, Southampton; T. Goater, Southampton

Roberts, Robert Humphreys, Denbigh, North Wales; and 23, Parliament-street, Westminster—T. G. Edwards, Denbigh

Robins, Joseph, Millbrook; and 19, Portland-street, Southampton—A. F. Patterson, 19, Portland-street, Southampton

Rutter, Algernon, Parkfield, Hillingdon-heath, Middlesex—C. Evans, 2, Gray's-inn-square

Salkeld, George, Durham—H. J. Marshall, Durham

Scott, Henry, Dartford—A. Russell, Dartford

Simpson, Charles Henry, 8, Alfred-street, Bedford-square; and Wakefield—S. F. Harrison, Wakefield

Smith, William, 42, Torrington-square, Middlesex—W. Lloyd, Ruthin, Denbigh; E. Williams, Oswestry

Stanbridge, Thomas, jun., Birmingham—J. P. Kaye, Birmingham

Stevenson, Ralph Alexander, Knutsford, Chester—J. A. Stevenson, Stoke-upon-Trent; C. Sedgley, Sedgley Knowsford

Tilsley, Hugh, 74, Camberwell-road, Surrey; and Bridgwater, Somerset—P. O. H. Reed, Bridgwater

Topham, Francis Willowes, 8, Percy-circus, Pentonville; Chesterfield, Derby; and 10, South-square, Gray's-inn—A. Knowles, Chesterfield; J. Cutts, Chesterfield

Tudway, Clement, jun., 14, Swinton-street, Gray's-inn-road; and Cirencester, Gloucester—R. Mullings, Cirencester

Turner, Charles Abraham, Taunton, Somerset—C. W. Escourt, Newport, Isle of Wight; J. A. Turner, Stoke-under-Hamdon

Watson, Edwin, Birmingham—E. Baker, Birmingham

Welby, Charles Oughton, 2, Grenville-street, Brunswick-square; Uttoxeter; and 5, Serle-street, Lincoln's-inn-fields—A. Welby, Uttoxeter

Willis, Frederick, Leighton Buzzard—F. Willis, Leighton Buzzard

Winter, Charles Albert, 40, Keppel-street, Russell-square; Canterbury; and 59, Friday-street—T. N. Wightwick, Canterbury

Wood, George, jun., 18, Calthorpe-street, Gray's-inn-road; and Rochford—G. Wood, Rochford; J. Evans, 12, Southampton-street, Bedford-row

Trinity Term 1865, *pursuant to Judges' Order.*

Bacon, Henry Sketchley, Brighton—H. Verrall, Brighton

Beor, Frederick Jepson, Swansea; and 43, Gower-street, Middlesex—R. W. Beor, Swansea

Butterfield, Charles, Ealing, Middlesex; and 75, Aldermanbury, London—J. T. Treherne, 75, Aldermanbury

Lovegrove, William, 21, Lower Phillimore-place, Kensington—R. G. A. Hilleary, 5, Fenchurch-buildings

Lowes, Christopher John, Greenwich—J. C. Pawle, 7, Stone-inn, Strand

Mitton, Welbury James, 13, Packington-street, Islington; and Bradford, York—J. Taylor, Bradford

Morgan, William, 87, Strand; and Pontypool, Monmouth—R. Greenway, Pontypool

Poncione, John Paul, jun., 7A, Charlotte-street, Fitzroy-square—W. J. Scott, 4, Skinner-street, Snow-hill

Rogers, John Bellas, Barnes, Surrey—G. M. Jull, 40, Jermyn-street, St. James's

Williams, Edward Bliss, 40, Grove-road, St. John's-wood—W. H. Watson, 12, Bouverie-street, Fleet-street

Wormald, William, 36, Arundel-street, Strand; Hurstfield, near Leeds—R. Barr, Leeds

Trinity Vacation 1865, *pursuant to* 23 & 24 Vict. c. 127.

Bone, Foster John, 5, Upper Belgrave-place, Pimlico; and Devonport—A. B. Bone, Devonport

Bramley, Herbert, Sheffield; and 38, Southampton-buildings, Chancery-lane—E. Bramley, Sheffield; J. Fox, Southampton-buildings

Daw, Samuel John, jun., 21, Clarendon-road, Notting-hill; Torquay; and 39, Basinghall-street—C. Kitson, Torquay

Elliott, Joshua Alfred, Manchester; and Chorlton-upon-Medlock—T. Sutton, Manchester

Gooday, William Nott, 33, Claremont-square, Pentonville; and 6, Old Jewry, City—Stevens and Beaumont, 6, Old Jewry; J. Beaumont, 6, Old Jewry, and Great Coggeshall, Essex

Hilleary, Frederick Edward, Stratford, Essex—G. R. Hilleary, 5, Fenchurch-buildings

Holmes, William, 2, Granville-square, Clerkenwell; Barnsley; and 37, King William-street—J. Ward, Barnsley

Jones, Richard Gardiner, 12, Fortess-terrace, Kentish-town—R. M. Jones, 190, Tooley-street

King, Lawrence, 32, Arlington-square, Islington; Kingston-upon-Hull; and 23, Coleman-street, City—R. Wilkinson, Kingston-upon-Hull

Larken, Francis Rooper, 34, Bernard-street, Russell-square; and 11, Lincoln's-inn-fields—R. Toynbee, Lincoln

Rixon, Theodore Robert, 32, Gordon-square, St. Pancras—W. Rixon, 33, Cannon-street, City

Woodall, Samuel, 22, Percy-circus, Pentonville; and 3, Church-passage, Gresham-street—F. H. Haywood, Derby

Wright, Henry Granville, Devonshire-road, Balham-hill; and 15, London-street, Fenchurch-street—J. G. Bonser, 15, London-street

HEIRS AT LAW AND NEXT OF KIN.

Langley (George), East Barnet, Herts. Next of kin to come in by 26th May, at Kindersley's, V.C. Solicitors, Parker, Rooke and Parkers, 17, Bedford-row, Middlesex.

Wilkins (John), Creek-road, Deptford, cloth drawer. Persons claiming to be next of kin to send particulars in writing by 12th June, to Deacon, Son and Rogers, 1, Inn Bakehouse-court, Doctors'-commons, London.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Factage Parisien (Limited).—Creditors to send in by 14th June, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to C. V. Kemp, 7, Gresham-street, London. Solicitors, Freshfields and Newman, 5, Bank-buildings, London.

Havod Lead Mining Company (Limited).—Creditors to send in by 16th June, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to Mr. F. Whitney, 5, Serle-street, Lincoln's-inn, Middlesex. Solicitors, Vallance and Vallance, 20, Essex-street, Strand, and Lombard-house, George-yard, Lombard-street, London.

London, Hamburgh and Continental Exchange Bank (Limited).—Creditors to send in by 11th June, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to Mr. F. Whitney, 5, Serle-street, Lincoln's-inn, Middlesex. Solicitors, Deane, Clubb and Saunders, 14, South-square, Gray's-inn, Middlesex.

Mercantile Credit Association (Limited).—Petition for winding-up to be heard before Wood, V.C. on May 27. Solicitors, Vallance and Vallance, 20, Essex-street, Strand, and Lombard-house, George-yard, Lombard-street, London.

Portsmouth, Portsea, Gosport and South Hants Bakery Company.—Creditors to send in by 3rd June, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to J. Baker, Moorgate-street, London. Solicitors, Tillard, Son, Godson and Holme, 34, Old Jewry, London.

Ryde Quay Company (Limited).—Petition for winding-up to be heard before Wood, V.C., on May 27. Solicitor, J. H. Kaye, 2, New-inn, Strand, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BARLEY (Wm.), Haxelrigg, Northumberland, Esq., June 19, V.C. W. Shum and Crossman, 3, King's-road, London.

BICKERSTAFF (Henry), Wellington-street, Woolwich, gentleman, June 1. M. R. R. Batchelor, 16, Essex-street, Strand, for W. M. Armstrong, Hertford.

BUSBY (Thos.), Wellington Arms, Wellington-street, Milton-next-Gravesend, Kent, licensed victualler, May 31, V.C. S. Tanqueray-Willaume and Hanbury, 34, New Broad-street, London.

COTTER (Jane), Hallgarth-street, Durham, widow, June 20, V.C. S. Harle and Co., 20, Southampton-buildings, Chancery-lane, London, for Thompson and Lisle, Durham.

CUTHBER (G. M.), Clarence-place, Milton-next-Gravesend, gentleman, June 10, V.C. W. Palmer, Palmer and Bull, 24, Bedford-row, London.

CUTTING (Nathaniel), Dairy-house Farm, Wix, Essex, farmer, June 10, M. R. D. Mustard, 7, Furnival's-inn, London.

EASTLAKE (George), Plymouth, solicitor, May 27, M. R. Law, Hussey and Hulbert, Lincoln's-inn.

GILES (Thos.), late of the Haymarket, St. Martin-in-the-fields, Hungerford-market, Strand, and New-street, Dorset-square, Middlesex, fishmonger, June 19, V.C. S. C. V. Field, 40, Ely-place, Holborn.

HODGE (C. W.), The Green, Hampstead, Middlesex, gentleman, May 24, V.C. K. Howard and Co., 66A, Paternoster-row, London.

HORNE (Mary), 33, New Montagu-street, Spitalfields, Middlesex, widow, June 2, M. R. Taylor and Jaquet, 15, South-street, Finsbury-square, London.

JACKSON (Thos.), Easington, Durham, June 14, M. R.

MATTHEWS (James), Nunhouse Farm, Eardisland, Herefordshire, farmer, June 20, V.C. S. T. White and Sons, 11, Bedford-row, Middlesex, for Stephens and Bellamy, of Presteigh.

MEVILLE (A. A.), 67, Gower-street, St. Giles-in-the-Fields, Middlesex, Esq., May 27, M. R. J. Crowdy, 17, Serjeants'-inn, Fleet-street, London.

MOORE (H. H. H.), 23, Devonshire-place, Vassall-road, Surrey, baker, June 16, M. R. De Jersey and Micklem, 12A, Gresham-street west, London.

MUNDY (Maria), Manor-farm, Kennington, Berks, widow, June 16, M. R. Hurford and Taylor, 5, Furnival's-inn, Holborn, London.

PARKES (Thos.), Edgbaston, Birmingham, June 13, M. R. W. M. Bacon, 31, Fenchurch-street, London, for Tyndall, Johnson and Tyndall, Birmingham.

PERPONCHER (J. M. J.), Baroness de Southampton, widow, May 27, M. R. Shum and Crossman, 3, King's-road, London, for Green and Moberly, Southampton.

PERROT (Rev. Chas.), Stockport, June 10, M. R. Young, Maples, Teesdale and Young, 6, Frederick's-place, Old Jewry, London, for Parker, Goldingham and Parker, of Worcester.

TOWNLEY (Lydia), 3, Dean-street, Finsbury-square, Middlesex, widow, May 25, V.C. W. Foster and Anderson, 13, Gray's-inn-square, London.

TRAVIS (George), Shaw-lodge, Crompton, Lancaster, cotton manufacturer, June 9, V.C. K.

WHITEHEAD (Wm.), Cadney-cum-Housham, Lincolnshire, farmer, May 30, V.C. K. C. and H. Bell, 22, Bedford-row, for C. Bird, Brigg, Lincolnshire.

WOOD (George), Falsgrave, near Scarborough, gentleman, June 9, V.C. W. Hollings, Sharp and Ullithorne, Gray's-inn, London, for J. B. Robinson, Beverley.

WYNDHAM (Sir Henry), Cockermouth Castle, Cumberland, and 66, Mount-street, Grosvenor-square, Middlesex, K.C.B., June 14, V.C. S. Bischoff, Cox and Bompas, 19, Coleman-street, London, for E. Waugh, Cockermouth.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ANDERSON (George), Malvern, Worcestershire, chemist and druggist, June 8. R. T. Rea, 34, Foregate-street, Worcester.

BALL (George), Frolesworth, Leicestershire, farmer and grazier, July 10, Watson, Son and Baxter, Lutterworth.

BIRCH (Abel), 2, Thurloe-place, Brompton, Middlesex, Esq., July 30. W. Day, 1, Queen-street, Mayfair, Middlesex.

BIRCH (Rev. G.), Edgbaston, near Birmingham, June 30, Chilton, Burton, Yeates and Hart, 25, Chancery-lane, London.

BRANCH (Thomas), Brookfield-green-lane, West Derby, near Liverpool, auctioneer, June 10. Lace, Banner, Gill and Lace, 1, Union-court, Castle-street, Liverpool.

BURDETT (Robert), Shearsby, Leicestershire, grazier, July 1. Watson, Son and Baxter, Lutterworth.

CANCE (Hugh), Preston, contractor, July 1. R. and W. Ascroft, 4, Cannon-street, Preston.

CARRE (John), 43, Weymouth-street, Portland-place, Middlesex, painter and house decorator, June 12. J. D. Thomson, 9, Lincoln's-inn-fields.

CART (Wm.), 1, Lorraine-place, Hammersmith, Middlesex, gentleman, June 12. Sills and Gordon, 28, Old Broad-street, London.

COOK (J. S.), 3, Robert-street, Hoxton, Middlesex, watch-case-maker, June 30. G. Ashley and Tee, 1A, Frederick's-place, Old Jewry, London.

COOPER (T. C.), 30, Fieldgate-street, Whitechapel, Middlesex, merchant's clerk, June 10. E. Crammond, 17A, Sise-lane, London.

COOK (Roger), Stanley-grove, Sale, Cheshire, and of Manchester, cotton manufacturer, June 10. Potter and Knight, 13, Cooper-street, Manchester.

CREE (Elizabeth), Eton, widow, July 1. Roberts and Simpson, 62, Moorgate-street, London.

CRIS (James), 37, Tredegar-square, Bow, Middlesex, gentleman, July 25. Thompson and Son, 60, Cornhill, London.

EGHORN (Thomas), Long-horsley, Northumberland, husbandman, July 1. W. and R. Woodman, Morpeth, Northumberland.

GOSE (Thos.), St. Neots, Hunts, yeoman, July 1. Greene, Mellor and Son, Huntingdon.

GRAHAM (Latham), Liverpool and Aigburth, Lancashire, gentleman, July 5. Miller, Peel and Co., 4, Harrington-street, Liverpool.

HADDOCK (R. S.), Marston-upon-Dove, Derbyshire, farmer, July 1. H. Tyrrell, 14, Gray's-inn-square, London.

HAMAN (Eliza), London-road, Norbiton, Kingston, Surrey, widow, June 17. F. R. Smith, 70, King William-street, London.

HAY (Rev. Richard), Ruislip, near Uxbridge, Middlesex, July 15. E. and F. Bannister and Fache, 13, John-street, Bedford-row, London.

HENLEY (Sir H. V.), Santos, Brazil, H.B.M.'S Consul there. May 31. O. Ommanney, 14, Great George-street, Westminster.

HOCKLEY (Andrew), Pier Hotel, Erith, Kent, nurseryman and innkeeper, June 24. C. R. Gibson, Dartford.

HOLLEY (Hugh), Ash, near Hatherleigh, Devon, Esq., Aug. 24. Pemberton, Meynell and Pemberton, 20, Whitehall-place, London.

HOLLIS (M. E.), 2, Cornwall-villas, Pinner, Middlesex, spinster, June 20. Tooke, Hallowes and Price, 39, Bedford-row, London.

HOLLIS (R. J.), 25, Park-lane, Middlesex, valet and courier, June 24. Richards and Walker, 29, Lincoln's-inn-fields, London.

HOLMES (Elizth.), Stockbridge-terrace, Pimlico, Middlesex, widow. E. R. Phillips, 10, Staple-inn, Holborn, London.

HOWITT (Deborah), Thornville-house, St. Helen's, Isle of Wight, Southampton, widow, June 17. Currie and Wilkinson, 2, Lincoln's-inn-fields.

HAM (James), 21, Claremont-mews, Claremont-square, Pentonville, Middlesex, cab proprietor, June 30. H. Syme Redpath, 3, Suffolk-lane, London.

SATCHER (E. S.), 13, Commercial-place, Commercial-road east Middlesex, widow, June 26. Lewis and Watson, 27, Pudding-lane, Eastcheap, London.

SIMMONS (John), Portsea, gentleman, June 24. Hellard and Son, 132, High-street, Portsmouth.

SPENCER (Joseph), Eden-place, Kirkby-Stephen, Westmoreland, Esq., July 1. C. Appleyard, 1, New-square, Lincoln's-inn.

THOMAS (Morgan), Woolwich, Inspector-General of Ordnance Hospitals, June 1. J. Simpson, 34, Saville-row, Burlington-gardens, Westminster.

WALKER (Thos.), Church-street, Birmingham, and Birchfield, Handsworth, retired maltster, June 30. H. A. Holden, 3, Cherry-street, Birmingham.

WEAVER (Richard), Waltham-green, Middlesex, ironmonger, May 24. Kempson and Trollope, 31, Abingdon-street, Westminster.

WELSFORD (Mary Adams), 4, Brunswick-terrace, Plymouth, spinster, June 19. G. Eastlake and Co., 15, Frankfort-lane, Plymouth.

WILKINS (John), Creek-road, Deptford, cloth drawer, June 12. Deacon, Son and Rogers, 1, Paul Bake house-court, Doctors'-commons, London.

YETTON (P. J.), Rising Sun, Globe-road, Bethnal-green, Middlesex, licensed victualler, June 17. F. R. Smith, 70, King William-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BAGOT (Rudolph Wm.), Viscount Fielding. 75*l.* Reduced Three per Cents. Claimant, said R. W. Bagot, Viscount Fielding.

BRUCE (Right Hon. G. W. F., Earl), and BRUCE (Lord E. A. C. R.) 103*l.* 10*s.* 9*d.* Three per Cent. Consols. Claimants, the Marquis of Aylesbury (late Earl Bruce), and said Lord E. A. C. R. Bruce.

BUXTON (Sir Edw. North), Upper Grosvenor-street, Bart., and HAY (Sir Adam), Grosvenor-crescent, Bt. 2026*l.* 11*s.* 11*d.* New Three per Cents. Claimant, Sir A. Hay, the survivor.

DAVIES (Rev. James), Braithfield-house, Hants. 484*l.* 13*s.* 6*d.* Reduced Three per Cents. Claimant, said Rev. J. Davies.

HOPKINS (John), Manor-house, Tidmarsh, near Reading, Esq. 100*l.* Reduced Three per Cents. Claimant, said J. Hopkins.

THE LEEDS CORONERSHIP.—Last week the Town Council of Leeds proceeded to the election of a coroner, which office had become vacant by the death of Mr. John Blackburn, solicitor, who had filled it with great efficiency for twenty-nine years. Three of the candidates were of the legal profession; namely, Mr. G. A. Emsley, Mr. A. W. Blackburn, and Mr. J. W. Middleton. Mr. George Wilson, a medical practitioner of thirty years' standing, was the only member of his profession who aspired to the situation. The election fell upon Mr. Emsley, who had a small majority over Mr. Blackburn, who is the son of the late coroner, and had officiated lately for his father.

THE BENCH AND THE BAR.

Lady Giffard, widow of Sir Ambrose Hardinge Giffard, Bart., LL.D., formerly Chief Justice of Ceylon, expired on the 13th inst., at the Cedars, Sunbury, aged 78.

On Wednesday the Lord Chancellor issued notice that he will receive the Judges, Queen's counsel, &c., at his Lordship's residence, No. 1, Upper Hyde-park-gardens, on Thursday, the 25th inst. (the first day of Trinity Term), at twelve o'clock.

DEATH OF SIR THOMAS STAPLES, BART., Q.C.—We regret to announce the death of Sir Thomas Staples, Bart., Q.C., which took place on Sunday evening at seven o'clock, at his residence, Merrion-square east, Dublin, in his 90th year. He was the last member of the Irish Parliament, and opposed the Act of Union, against which he voted. He was a deputy-lieutenant for the county of Tyrone, and a justice of the peace for Londonderry. He is succeeded by his nephew, Nathaniel Alexander Staples, born in 1817. —*Irish Times.*

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

MUNICIPAL CORPORATION.—A conviction in the County Courts for bribery at a municipal election, under sect. 11 of 22 Vict. c. 35, does not create a six years' disability to hold any municipal office: (*Reg.* v. *Wray*, 12 L. T. Rep. N. S. 270. Q. B.)

NIGHT POACHING.—Waste land covered with brambles and furze lying on both sides of a highway, within the fence, is not "open land" within sect. 1 of 9 Geo. 4, c. 49, whereon it is an offence to enter and be for the purpose of taking game with a net: (*Reg.* v. *Harris*, 12 L. T. Rep. N. S. 303. Q. B.)

EXTRADITION.—The crimes described in the Extradition Treaty with America must be such as answer the definitions of those crimes according to the law of England. Therefore, where by the law of the United States a certain dealing with account-books was declared to be forgery, but which would not be such according to English law, the treaty was held not to apply: (*Ex parte Windsor*, 12 L. T. Rep. N. S. 307. Q. B.)

PUBLIC HEALTH ACT—HIGHWAY RATE.—A local board of health for a district consisting of a parish comprising three townships came within the description of the third division of sect. 37 of the Local Government Act 1858, "where no public works of paving, water supply and sewerage are established," and the local board levied a district highway rate for one of the townships. It was held to have no authority to do so, for the highway rate can be levied only over the whole district: (*The Broughton Local Board of Health*, 12 L. T. Rep. N. S. 310. Q. B.)

GAME.—An adjoining occupier may lawfully lay corn, &c., for the purpose of attracting his neighbour's game upon his own land. But that neighbour is not justified in firing off rockets and making other noises on his own land adjoining to his neighbour's land with intent to drive and frighten the game away from the other's land, The point is a nice one. For the reasons for the decision, which at the first glance appears to be a somewhat hard measure of justice, the reader should peruse the report: (*Ibbotson* v. *Peat*, 12 L. T. Rep. N. S. 313. Ex.)

POOR-RATE—PAUPER LUNATIC ASYLUM.—Thirty acres of land were purchased for a county lunatic asylum, and part of it was appropriated to agriculture, the labour being that of the lunatics, and the produce consumed by the establishment. Other lunatics were also received there on payment. The labour thus applied was part of the process of cure. Sect. 35 of 16 & 17 Vict. c. 97 provided that land purchased and used for public lunatic asylums should be assessed only at its value at the time of purchase, and not at its improved value. It was held that the land thus cultivated was to be assessed only at its original value: (*Committee of Cambridgeshire Asylum* v. *The Parish of Fulbourne*, 12 L. T. Rep. N. S. 344. Q. B.)

FORGERY.—A guarantee against loss by negligence or dishonesty of the agent of an assurance company is an undertaking for payment of money, and the agent may be convicted of forging such a document: (*R.* v. *Joyce*, 12 L. T. Rep. N. S. 351. Cr. Cas. R.)

CHURCH-RATE.—B. was assessed in respect of five separate properties. By his personal answers he admitted the occupation of four, but denied he had ever occupied the fifth. The Court allowed the churchwarden suing to amend the libel by striking out the assessment of B. in respect of his last-mentioned property, as it appeared that the churchwarden was led into the mistake by the conduct of B. himself; the costs of the amendment to be paid by him: (*Barnes* v. *Grant*, 12 L. T. Rep. N. S. 351. Dr. Lushington.)

BOROUGH OF SUDBURY.—The Quarter Sessions for this borough will be holden on Wednesday, 24th May 1865. Mr. Serjt. Manning, Q.A.S., recorder. Robert Ransom, clerk of the peace. Statutory notice.

BOROUGH OF LUDLOW.—The Quarter Sessions for this borough will be holden on Tuesday, 23rd May 1865. Henry John Hodgson, Esq., recorder. Humphry Salwey, clerk of the peace.

EXTENUATING CIRCUMSTANCES.—Of the strange and whimsical motives which determine French juries in the discovery of extenuating circumstances (*les circonstances atténuantes*), very curious instances are recorded. . . . . Some years ago, an innkeeper and his wife were tried for having murdered a traveller while lodging in their house, and further, for having made part of the dead body into sausages, with which they duly regaled succeeding customers. These singularly revolting accusations were clearly proved, and the jury returned a verdict of "guilty, but without premeditation, and under extenuating circumstances." . . . . In 1848 a man killed his mother, and then reduced the body to ashes in the fire-place. He was found guilty, but with "extenuating circumstances." A bare verdict of guilty was doubtlessly reserved in case any other man should advise himself to burn his mother before she was absolutely murdered. In 1843 a servant girl committed several robberies on her master and mistress, who, unwilling to prosecute her, contented themselves with giving her notice to leave. The girl profited by her short stay to poison them both. The jury found her guilty; but, considering how much she must have been irritated at the prospect of being discharged, added that it was under "extenuating circumstances." About the same period, a young woman, aged eighteen, who had not been married many months, happening to have had some little disagreement with her husband, was guilty of the horrible cruelty of pouring molten lead into his ear as he lay asleep. He did not die, but his sufferings were intense and prolonged. The girl was tried for the offence; her counsel did not venture to affirm that his client had not committed the deed imputed to her, but suggested that it might have been the unhappy result of a mental aberration to which pregnant women are occasionally liable. The jury found this conceit so excellent that it extenuated the circumstances up to the point of depriving them of the semblance of guilt. They returned a verdict recording the innocence of this interesting criminal . . . . A poor woman named Rosalie, unable to support her illegitimate child, and not having the courage to take it herself to the hospice *ks enfans trouvés*, agreed with a neighbour that he should convey it thither for a certain monetary consideration, to procure which the poor woman gave her last sou, and sold the remnant of her scanty wardrobe. When the day came the man expended the money in drink, and then coolly threw the child on the ground, crushed its head with the heel of his wooden *sabot*, and digging a hole buried it out of his sight. It will hardly be believed that any jury could find extenuating circum-

stances in this ruffianly case; but nevertheless so it was. Guilty, with the invariable addition of *les circonstances attenuantes*. A widow in the department of Vaucluse, in 1845, was proved to have buried alive three illegitimate children in as many years. The same verdict was recorded. Another woman, married to a bricklayer, and who, it is to be presumed, had at least some sentiment of hostility towards her husband, took the opportunity when he was working at the bottom of a well, to kill him by literally stoning him to death with her own hands. The same verdict was returned. At Isere a man set fire to the loft where his father (a paralytic man upwards of eighty years of age) slept, and fairly roasted him to death. It was remembered by witnesses that the accused had threatened his father in these words: "I would like to see thee roasted like a toad on a shovel." And he had to the best of his ability redeemed his promise. The jury, struck with admiration at the scrupulous fidelity with which the prisoner had kept his word, returned a verdict of guilty, but with "extenuating circumstances."—*Cornhill Magazine.*

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Succession Duties.—Waste.—B. succeeded to land in the neighbourhood of a large town, which land was not at that time capable of being let or sold, though soon afterwards it acquired a high value as building land. It was held, on appeal, that the value of the succession was to be calculated as at the devolution of the succession, and not as to the prospective or future condition of the land: (*Attorney-General* v. *Earl of Sefton*, 12 L. T. Rep. N. S. 242. H. of L.)

Sale by Auction—Puffer.—The employment of a puffer at an auction vitiates a sale at law, but not in equity, unless the sale has been announced as to be without reserve. But then the puffer must be employed only to bid up to the reserved price; if he be made use of to screw up the price generally, it will vitiate the sale. So laid down by the M. R. in *Mortimer* v. *Bell*, 12 L. T. Rep. N. S. 260.

Appointment—Executors.—A married woman had a general power of appointment under a settlement, which she exercised by will, and nominated as her executors persons other than the trustees of the settlement. The executors were held to be entitled to administer the funds so appointed: (*Re Philbrick's Trust*, 12 L. T. Rep. N. S. 261. M. R.)

Mortgage.—Where a mortgagee in possession refused a tender of the principal and interest made by the mortgagor, it was held that, if it should appear that less than the amount tendered was then due, the mortgagee must pay all the costs of a suit for redemption: (*Hoskyn* v. *Sincock*, 12 L. T. Rep. N. S. 262. V.C. K.)

Judgment-Debt—27 & 28 Vict. c. 112, s. 4.—The provision of this section, enabling a creditor, to whom land has been delivered in execution, to apply to the Court of Ch. for a sale, does not extend to cases where the judgment has been entered up before the passing of the Act, but only to those since that time: (*Re Isle of Wight Ferry Company*, 12 L. T. Rep. N. S. 263. V.C. W.)

Judgment—1 & 2 Vict. c. 110, s. 13.—An equitable life-interest in the income of the proceeds to arise from the sale of lands, unsold at the date of the judgment, is not such an interest in land as to be affected by a registered judgment under the above statute: (*Thomas* v. *Cross*, 12 L. T. Rep. N. S. 293. V.C. K.)

Husband and Wife—Devise to Wife.—Where freehold property was devised to a married woman, her heirs and assigns, without the intervention of a trustee, with a direction that it should not be under the control or liable to the debts of the husband, she was held to have full power, during coverture, to dispose of it absolutely by will: (*Hall* v. *Waterhouse*, 12 L. T. Rep. N. S. 297. V.C. S.)

Real estate was devised to pay annuities, and, subject thereto, to pay the residue of the rents to C. for life, and until bankruptcy or insolvency, and after his decease, or immediately after his bankruptcy or insolvency, then (subject to the annuities) to his child as he should by deed or will appoint; and, in default, to all the children equally. C. became insolvent, but subsequently, by deed, exercised the power. The appointment was, notwithstanding this, held to be valid: (*Wickham* v. *Wing*, 12 L. T. Rep. N. S. 300. V.C. W.)

Tenant in Common—Waste.—A tenant in common cannot be restrained by injunction on the application of his co-tenants from cutting down and selling timber, when it appears that he is managing the estate according to the rules of good husbandry, and there is no proof of destructive waste: (*Arthur* v. *Lamb*, 12 L. T. Rep. N. S. 338. V.C. K.)

Landlord and Tenant—Covenant to repair.—A landlord, before the expiration of his tenant's lease, entered into a parol agreement with a third person to grant him a lease at the expiration of the existing lease, and to allow him to pull the premises down and build on the site. The third person entered and pulled them down accordingly, but no memorandum of the agreement had been put into writing. The premises were out of repair when given up by the tenant, and he had committed a clear breach of the covenant to deliver up in repair; but their state had not influenced the mind of the person who had agreed to pull them down. After they were down the landlord sued the tenant for breach of his covenant to repair. It was held that the agreement between the plaintiff and the third person not having been reduced into writing was void, and that plaintiff was, therefore, entitled to sue for damages as if no such agreement had been made, and that his right to sue, having once vested, was not affected by any subsequent dealings between himself and third persons: (*Rawlings* v. *Morgan*, 12 L. T. Rep. N. S. 348. C. P.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Parliamentary Practice.—An association of owners of steamships have a *locus standi* against a railway Bill seeking powers to work ships between ports on the same seas: (*The Aberystwith, &c. Railway Bill*, 12 L. T. Rep. N. S. 246.)

The promoters of a railway, directed by the Board of Trade to provide additional works, were not admitted to be heard against another projected undertaking until those works were executed: (*The Monmouth, &c. Railway Bill*, 12 L. T. Rep. N. S. 247.)

A letter to the petitioner containing notice of objections to his *locus standi*, and a similar one to a parliamentary agent, who had lodged a petition on his behalf, was held to be insufficient proof of service of notice of objections: (*The County Antrim and Belfast Borough Railway Bill*, 12 L. T. Rep. N. S. 247.)

Mineral owners and traders in the district after presenting their petition purchased certain lands for a railway they were promoting, and which the railway in question would cross. They presented no new petition. They were held to have no *locus standi*: (*The Ely and Ogmore Valleys Junction Railway Bill*, 12 L. T. Rep. N. S. 248.)

Winding-up — Contributory. — Where the nature and objects of the company as stated in the prospectus are altogether altered or materially extended by the articles of association, a previous shareholder who took shares on the faith of the prospectus is not liable as a contributory: (*Ship's case*, 12 L. T. Rep. N. S. 256. Ld. Ch.)

Parliamentary Practice—Locus Standi.—The petitioners were the promoters of a series of railways from their railways to C. The proposed railway would not touch petitioners' railways, but by joining other lines, together with another proposed railway proposed by an independent company, and over all of which the Bill proposed to give running powers, would form a competing route to C. The petitioners were held to have a *locus standi* on the ground of competition: (*The Llantrissant, &c., Railway Bill*, 12 L. T. Rep. N. S. 282.)

Petitioners, who had constructed a dock under parliamentary sanction, which had been leased to a railway company for a rent regulated by profits, were held to have a *locus standi* against trustees seeking to construct docks in the neighbourhood of theirs: (*The Bute Docks Cardiff Bill*, 12 L. T. Rep. N. S. 284.)

Practice.—It was proposed to form a junction with the N. railway at a point thirty chains past the station, so that the traffic would be shunted back into it. The Referees refused to go into the question of the shunt, as not being a work proposed to be authorised by the Bill, nor did it occur on the proposed line: (*Wolverhampton and North Staffordshire Junction Railway Bill*, 12 L. T. Rep. N. S. 282.)

Where several petitions are presented against a Bill, the petitioners will be heard in the order in which they are deposited in the Private Bill-office: (*The Bute Docks Cardiff Bill* (No. 1), 12 L. T. Rep. N. S. 285.)

The power of the referees to inquire into the comparative superiority of sites other than that chosen by the undertakers of a proposed dock was decided in *The Bute Docks Cardiff Bill* (No. 1), 12 L. T. Rep. N. S. 285.

Preference Shares.—On appeal to the L. C. it has been again decided that a company cannot issue preference shares where the articles of association give no power to do so, and the L. C. appeared to entertain considerable doubt whether it could be legalised even by first altering the articles of association so as to give such power. The point is so important that this judgment should be read with care: (*Hutton* v. *The Scarborough Cliff Hotel Company*, 12 L. T. Rep. N. S. 289. L. C.)

Shareholder—Charge of Fraud.—A shareholder who had subscribed for shares and paid deposit and call upon them, on an action brought against him for unpaid calls filed a bill against the company, alleging that he had been deceived by fraudulent misrepresentations contained in the prospectus of the company. The bill was dismissed, because a charge of fraud directed against an impersonal body, and not against any specified persons, cannot be maintained. A plaintiff alleging fraud is bound to prove his allegations in the strictest manner: (*Kisch* v. *The Central Railway of Venezuela*, 12 L. T. Rep. N. S. 295. V.C. S.)

Parliamentary Practice—Locus Standi.—Freighters were admitted to be heard against a Bill proposing to extend a short distance tram: (*The Monmouthshire Railway and Canal Bill*, 12 L. T. Rep. N. S. 327.)

A Bill agreed to transfer the undertaking of the B. Company to the promoters, and it contained some immunities from rating which were granted by the Act of the B. Company. A shareholder of the B. Company, who was also a ratepayer of the district, was not admitted to be heard against the Bill: (*Ibid.*)

The existing railway of the promoters crossed streets in the town of N. at level crossings. By the proposed Bill additional traffic would be carried over those crossings, increasing, it was said, the danger to the public. The Corporation of N. were held to have no *locus standi* against the Bill: (*Ibid.*)

The improvement commissioners of a town were held to have no *locus standi* under Standing Order 128, as the petition did not show that the town itself was physically affected by the Bill: (*Vale of Crickhowell Railway Bill*, 12 L. T. Rep. N. S. 329.)

A petition was presented against a Bill for giving additional powers to a railway company, among which was one for leasing to two other railway companies. At the hearing of objections to the *locus standi* of the petitioners, the promoters offered no opposition, and said they were willing to strike out of the Bill the clause giving the leasing power. But the petitioners were held, notwithstanding the amendment, to be entitled to a *locus standi* against the leasing power, as the referees could only deal with the Bill as it came before them: (*The Cambrian Railway Bill*, 12 L. T. Rep. N. S. 330.)

Petitioners against a Bill for placing additional rails upon a line of railway on which the petitioners had already under an agreement laid down rails for their own accommodation were held not to have a *locus standi*: (*The Manchester and Milford Railway*, 12 L. T. Rep. N. S. 331.)

Jurisdiction of Referees—Waterworks Bill.—A dock had been constructed without parliamentary powers, and was supplied with water by a feeder from the river Taff. The feeder and a weir were constructed in pursuance of the provisions of an Act of Parliament, but in a manner not authorised by the Act. The present Bill proposed to legalise the feeder and weir in their present state, and to authorise the promoters to supply water from the feeder to ships in the dock. This was held to be a waterworks Bill within Standing Order 90, and that the referees had jurisdiction to inquire into the source of supply and quality of the water: (*The Bute Docks Cardiff Bill*, 12 L. T. Rep. N. S. 328.)

Winding-up—Dealing with Directors.—Where directors have proceeded in certain matters *ultra vires*, but *bonâ fide*, and arranged with a shareholder to give up his shares on terms really *bonâ fide*, and that arrangement has not been complained of within a reasonable time after it has been entered into, none of the share

holders can afterwards complain of it. But when the directors had agreed with a shareholder to forfeit his shares on terms which were confirmed at a general meeting at which only eight shareholders were present, four of them being directors, one the auditor and another the solicitor to the company, and no notice of the intended confirmation was given to the other shareholders, but after the meeting the shareholders were informed of what was done there, it was held that the company was not bound by the resolution confirming the agreement, and that the party was a contributory: (*Lord Belhaven's case*, 12 L. T. Rep. N. S. 324. M. R.)

WINDING-UP — JURISDICTION — INDUSTRIAL SOCIETIES ACT.—Where a company originally registered as unlimited under the Industrial Societies Act 1852, upon the repeal of that Act in 1862, for the purpose of being wound-up, registered itself as a limited company under the Act of 1862, and obtained a winding-up order, the contributories of the company were held not to be liable to contribution, *inter se*, beyond the amount of their fully paid-up shares: (*Re Sheffield, &c., Foresters' Industrial Society*, 12 L. T. Rep. N. S. 335. L. C.)

RAILWAYS AS CARRIER.—Sect. 7 of the Railway and Canal Traffic Act enacts that the company shall not be liable for injury done to any horse while it is being conveyed upon the line beyond the amount of 50*l.*, unless on sending or delivering such horse the person so doing shall "at the time have declared it to be of higher value." It was held, that the knowledge that the horse was of higher value than 50*l.* derived distinct from such a declaration is not sufficient, and that the company were bound to carry the horse on the usual terms, and had no right to claim the insurance: (*Robinson* v. *the South-Western Railway*, 12 L. T. Rep. N. S. 247. C. P.)

RAILWAYS — AUTHORITY OF SERVANTS.—In an action for non-delivery of cattle within a reasonable time the admission to the plaintiff, made a week after the delivery, as to the cause of the delay, by a night inspector who had charge of the train at an intermediate station, is not admissible in evidence against the company. Such a servant has no implied authority to bind the company by such admission: (*Willis* v. *The Great Western Railway Company*, 12 L. T. Rep. N. S. 349. C. P.)

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

TRADE-MARK — INJUNCTION.—An injunction was granted to restrain the use of the trademark of an ox affixed to packages of mustard, and called by the name of the Durham mustard, but no account of profits before suit was ordered, because of delay in the application: (*Harrison* v. *Taylor*, 12 L. T. Rep. N. S. 339. V.C. W.)

PARTNERSHIP—PAYMENTS.—A debt owing by a partnership at the death of one partner in 1848 was more than doubled before the death of the two other partners in 1852. Part of the debt owing at the decease of the first partner having been paid by his representatives, they were held not to be entitled to require that the amount recovered from the estates of the two other partners should be appropriated to the discharge of the balance of the debt owing at the death of the first partner: (*Denison* v. *Arison*, 12 L. T. Rep. N. S. 540. V.C. W.)

BANKRUPTCY LAW AMENDMENT.—On Tuesday the committee of the Manchester Home Trade Association had an interview with Messrs. Thomas Bazley, M.P., W. E. Forster, M.P., Thomas B. Potter, M.P., P. A. Taylor, M.P., and Wilfred Lawson, M.P., at the office of Messrs. Potters and Taylor, Manchester, on the subject of the amendment of the bankruptcy law. Mr. Philip Gellibrand occupied the chair. The report of the committee of the House of Commons which sat last session was discussed, and it was ultimately arranged that the members of Parliament present should constitute a deputation to the Attorney-General to lay before him the views of the association, and to ascertain from him the intention of the Government with regard to the introduction of a bill of amendment and consolidation.

MARITIME LAW.

NOTES OF NEW DECISIONS.

BOTTOMRY.—The 7 Geo. 1, c. 21, s. 2, which prohibits loans of money on bottomry of vessels designed to trade to the East Indies, has, since the other restraints on the East India trade have been removed, been repealed by implication: (*The India*, 12 L. T. Rep. N. S. 316. Adm. Court.)

DEATH BY NEGLIGENCE—MERCHANT SHIPPING ACTS.—The *B.* ship wrongfully ran down the *C.* collier, causing the death of eight sailors on board the collier. Actions were brought against the owners of the ship by the representatives of the deceased. The defendants then moved for an injunction to restrain the action, and to have their liability for the deaths ascertained in equity, on the grounds that, under the Merchant Shipping Acts, either no action was maintainable, or their liability was 8*l.* per ton, and not (as plaintiffs contended) 15*l.* per ton of the vessel and freight of the *B.* The injunction was refused, and it was held that, in equity, the liability of the owners was 15*l.* per ton: (*Glaholm* v. *Barker*, 12 L. T. Rep. N. S. 317. M. R.)

A DIGEST OF SALVAGE AWARDS DURING THE LAST TWENTY YEARS.

(*Continued from p. 303.*)

643. The *East London*, barque, 360 tons. 1860, April 19; value of property, 3000*l.*; award 220*l.*; percentage, 7·33. —Sebastopol to Grimsby. Bones. Dragged her anchor close to the edge of the Barber Sand, 1st Dec. The steamtug *Florence Nightingale* held the barque ahead, with a line hove on board, while the crew got in the anchor, and conducted her to a safe anchorage abreast of the North Star Battery. Ship not in very great danger but in a doubtful position, and within the chance of considerable danger from a sudden change of the wind, at a season of the year when a great number of vessels come into peril, and in a locality where there are a number of sands with which she might get entangled. No risk to salvors in performing the service which occupied about an hour and a half. The Court considers it important to the public welfare that salvage rewards should be sufficient for the maintenance of steamers engaged in the constant employment of assisting ships in distress, because such important services can be rendered more efficaciously by steamers than by other vessels.

644. The *Lyra*, brig. 1860, April 19.—Value of property, 372*l.*; award, a moiety. Laden with deals. On fire off Saltfleet, Lincolnshire coast, 16th Nov., and abandoned. The fishing smacks *Ruth* and *St. Maryaret*, with much difficulty and some risk, boarded her.

645. The *Royal Arch*, barque. 1860, April 26.—Value of property 19,000*l.*; award, 1000*l.*; percentage, 5·26. Africa to Liverpool. Palm oil. 2nd Jan., suffered damage in a storm. The steamship *Vanguard*, from Belfast to Fleetwood, with a general cargo and passengers, proceeded to her aid, and brought her to anchor in Carrickfergus Roads. Service not attended with danger to ship or to the persons performing it. The Court thought the salvors had given sufficient reasons for taking the ship to Belfast instead of to Fleetwood, as there might have been some difficulty in going round the Point of Ayr, and if the lowrope broke she would have been danger of driving on the Isle of Man. Steamers are always encouraged to render salvage service, they, from their power, being enabled to do so more efficiently than other ships, and the complaints of passengers on account of deviation from the voyage may be prejudicial to the owner's interests.

646. The *Nord Polen*, Norwegian ship, 350 tons. 1860, May 3.—Value of property, 2100*l.*; award, 220*l.*; percentage, 10·476. A port in Norway or Sweden to London. Deals. Struck on the south part of the Hasborough Sand, 4th Dec. The fishing lugger *Sovereign* (twelve men) conducted her to a place of comparative safety, whence she was subsequently towed by three steam-tugs to Yarmouth. A service of considerable importance, looking to the dangerous locality the ship was in at a season of the year when storms are most rife and daylight shortest. Tender of 60*l.* to lugger inadequate; 120*l.* awarded with costs. The Court pronounced for the tender of 100*l.* to the steamers as sufficient, as the service, which was not attended with imminent danger, might have been effected by two tugs, but did not condemn the owners in costs, since, in consequence of the statements made by the Winterton boatmen, they were justified in sending three tugs to the vessel's assistance, and the tugs were justified in going out, but not in forcing their services when not wanted. Dr. Lushington always censures the frequent occurrence in such cases of exaggeration on one side, and on the other side of attempts to detract from the merits of the salvors.

647. The *Clara Wilmoth*, barque. 1860, May 10.—Value of property, 1900*l.* Award, 50*l.* In collision twice with the *Diana* in Grimsby Roads, 28th Feb., whereby she received some damage. The steam-tug *Wilberforce* in three hours brought her into Grimsby Docks, in performing which service the tug sustained some damage. A salvage service, but of small amount. Ship not in any immediate danger, not being totally disabled, although in a condition that she could not move without assistance. Damage to tug considered in making award.

648. The *Demetrius*, screw steamer, 418 tons. 1860, May 10.—Value of property, about 17,000*l.*; award, 2000*l.*, including loss sustained by rendering assistance. Alexandria to Liverpool. General cargo. Damaged by a storm in the Bay of Biscay, 30th Jan. On the 31st the screw steamer *Crimean* (1097 tons, valued with her cargo at 130,000*l.*), bound from Liverpool to Lisbon and Trieste, with a general cargo, went to her assistance, and with great difficulty and danger conducted her to Plymouth Sound, in doing which the two ships came into collision, and the *Crimean* received damage. Ship in distress and great danger. Service attended with much difficulty, and lasting forty-eight hours. The fact of the *Crimean* abandoning her voyage at a season when it might be most important for her to complete it, was also kept in view by the court. On the 1st June the Court allotted the salvage award (1500*l.*) as follows: - 800*l.* to the owners, 300*l.* to the master, and 400*l.* to the crew according to their ratings.

649. The *Bonaventure*, barque, 516 tons. 1860, May 15.—Value of property about 8700*l.*; award, 35*l.* Newcastle-on-Tyne to Carthagena. Coals. Driven by stress of weather from her moorings in the Downs, 4th Nov. Endeavoured to proceed to Lowestoft, and when off Oldborough hoisted a signal for a pilot. The yawl *Kate* went to her assistance, and part of the crew having boarded her found her windlass disabled, in addition to the loss of her starboard bower anchor and chain. The yawl went for a steamer, and the barque was subsequently taken in tow and the charge of her given up by the salvors to a duly licensed pilot from Lowestoft, part of them remaining on board to assist in working the ship. A salvage service, though not attended with great difficulty, labour, or skill. In considering the nature of a signal, the court always looks to the state the ship was in, and not to the construction put upon the signal by those who hoisted it. With regard to a discussion as to the number of persons who boarded the ship, Dr. Lushington said: "If you allow persons to come on board your ship and perform services, you must pay them; but if they force their services upon you, that is a totally different thing. You are not, however, to allow persons to assist in the navigation of your ship, and then turn round and say they did so against your will." He thought that the tender of 18*l.* was not a sufficient reward, likely to encourage persons to keep a yawl and go out and perform salvage services on this dangerous coast.

650. The *Alfred*, schooner. 1860, May 15.—Value of property, 1700*l.*; award 130*l.* including sum paid to steamer. Bridgwater to Leith. Timber, bricks, &c. Struck on Hasborough Sand (one of the most dangerous sands on the coast of Norfolk), 27th Dec., but was got off. The yawl *Dart* (fifteen men), conducted her to the *Cockle* lightship, whence she was towed by a steam-tug to Yarmouth Roads, for which the salvors paid. Ship in distress, being water-logged.

651. The *Balthorp*, schooner, 148 tons. 1860, May 15.—Value of property, 933*l.* 12*s.* 6*d.*; award 70*l.* Kirkaldy to Trieste. Coals. Damaged in a storm, 27th Oct. On 10th Nov., when off Flamborough Head, the smack *Joseph Gee*, then engaged in a fishing voyage, proffered her services, which were then declined, but having lain by her all night the crew of the smack were engaged, and on the morning of the 11th Nov. they took the schooner in tow and arrived at Grimsby Roads on the 12th. A service not attended with great difficulty or danger, but the smack was taken out of her usual occupation. The Court held the salvors entitled to their costs generally, but condemned them in the costs of the reply, which was unnecessary and ought not to have been put in.

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LAW STUDENTS' JOURNAL.

ANSWERS TO THE EXAMINATION QUESTIONS. (a)

EASTER TERM 1865.

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.(b)

56. Both traders and non-traders are now subject to the bankrupt laws: (Doria & Mac. Bank.)

57. A sufficient petitioning creditor's debt, an act of bankruptcy committed within twelve months, and in case of a trader, a trading within the Act.

58. Amongst others, departing the realm constitutes an act of bankruptcy.

59. *Trade summons.*—The creditor must first make an affidavit of the truth of his debt and of his belief that the creditor is a trader, and that he has delivered written particulars of his demand requiring immediate payment, and then the court may issue a summons requiring the trader to appear, and admit the demand of the creditor. If the trader does not do so, or does not within seven days after personal service of the summons (or within such further time as the court may allow) pay, secure, or compound for such demand to the satisfaction of the creditor, or enter into a bond in such sum and with two sufficient sureties to pay such sum as shall be recovered in any action that may be afterwards commenced, and costs as the case may be, such trader is deemed to have committed an act of bankruptcy on the eighth day after service or the summons, if a petition for adjudication be filed against such trader within two months from the filing of the affidavit: (12 & 13 Vict. c. 106, ss. 78 to 80; see also ss. 82 to 86; Doria & Mac. Bank. 160-175.)

60 and 61. The debt must be due, but it need not be payable; it must be of sufficient amount and due before the act of bankruptcy committed: (Doria & Mac. Bank.)

62. *Contingent debts.*—They may, if the contingency has not happened, be proved for after the amount has been ascertained by the court. So if the contingency happens before the amount is thus ascertained, the debt may be proved, provided in each case that the creditor had not notice of the act of bankruptcy: (12 & 13 Vict. c. 106, s. 177; see also s. 178; Doria & Mac. Bank. 850.)

63. *Partners.*—The bankruptcy operates as a dissolution of the firm, but does not make the other partner bankrupt. The assignees in bankruptcy are only entitled to the share of the bankrupt partner: (Doria & Mac. Bank.)

64. A fraudulent preference occurs when a person in insolvent circumstances, or in contemplation of bankruptcy pays money or transfers property to a creditor so that he obtains an undue advantage over the other creditors. It is an act of bankruptcy: (Doria & Mac. Bank.)

65. *Leaseholds.*—They may elect either to take (even for a limited period) or reject the leaseholds of the bankrupt: (Doria & Mac. Bank.)

66. *Debts.*—All debts are proveable in bankruptcy in respect of which a creditor has his remedy either at law or in equity, provided they are due at time of the bankruptcy, and were contracted without notice of that event: (Doria & Mac. Bank. 758 *et seq.*)

67. *Surety.*—A surety having paid the debt of his principal may prove under the bankruptcy; or if the creditor has proved, will be entitled to stand in his place and receive dividends: (Doria & Mac. Bank.)

68. They may prove, but only for the purpose of voting in the choice of assignees and being heard against the allowance of the order of discharge: (Doria & Mac. Bank.)

69. *Creditors.*—Assessed taxes up to 5th April following the bankruptcy, friendly societies, salaries of servants or clerks for three months, not exceeding 30*l.*, workmen and labourers' wages up to 40*s.*, &c.: (Doria & Mac. Bk.)

70. *Partners.*—The joint creditors are first paid out of the joint assets and the separate creditors out of the separate assets. But when the joint or separate creditors are satisfied out of their respective assets, if any assets remain they go in satisfaction of debts not fully liquidated, whether joint or several: (Doria & Mac. Bank.)

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. *Crime.*—A crime is the violation of a right when considered in reference to the evil tendency of such violation as regards the community at large. If I detain a man's field from him this is a civil injury and no crime, but if I take his watch it is a crime: (see further Steph. Com. vol. 4.)

72. Felonies and misdemeanors: (Hallilay's Articled Clerk's Handbook, 38, 2nd edit.)

73. They are the 24 & 25 Vict. cc. 96-100: (Saund. & Cox Cr. Acts.)

74. *Arrest.*—A private individual should only arrest a person whom he finds committing a felony, or about to do so; whereas a police officer can not only do this, but also where he has reasonable ground to suspect a felony: (Arch. Cr. Pl. 555.)

75. *Accessories.*—In treasons and misdemeanors, nor in manslaughter, before the fact: (4 Steph. Com.)

76. By the common law no man could be tried as accessory till the principal was convicted: or at least tried at the same time. By statute, however, the accessory may be tried as a principal, although the principal felon is not tried or convicted: (Saund. & Cox Cr. Acts, 1 *et seq.*; 4 Steph. Com.)

77. *Conspiracy.*—It is an agreement between several persons to (1) falsely charge a man with a crime punishable by law; (2) wrongfully to injure a person or class in any other manner; (3) to commit any offence punishable by law; (4) to do an act with intent to prevent justice; (5) to effect a legal purpose with a corrupt intent, or by improper means: (Arch. Cr. Pl. 756.)

78. *Larceny.*—It is the unlawful taking and carrying away of things personal with intent to deprive the owner of them. Larceny was divided into *grand* and *petit*; but the 7 & 8 Geo. 4, c. 29, took away this distinction; so statute law has added many articles to those enumerated by the common law as subjects of larceny: (Saund. & Cox Cr. Acts; *et infra*, No. 83.)

79. That the finder converted them to his own use when there was a reasonable certainty of discovering the owner: (Arch. Cr. Pl. 267.)

80. *Bailee.*—At common law the bailee was not guilty of larceny, unless he broke bulk; now, he is guilty of larceny whether he breaks bulk or not, provided he appropriates the bailment to his own use: (Saund. & Cox Cr. Acts, 28.)

81. It would seem not, as the bailment is not to be returned in specie: (*Reg.* v. *Hassall*, 4 L. T. Rep. N. S. 561; Saund. & Cox Cr. Acts, 28, note.)

82. *Letters.*—I think an indictment might be maintained, for the carrier delayed the letter without cause: (Arch. Cr. Pl. 301, 303.)

83. *Deeds.*—Because at common law they are considered part of the land: (4 Steph. Com.) By the 24 & 25 Vict. c. 96, s. 28, it is made felony: (Saund. & Cox Cr. Acts, 42.)

84. *Witnesses.*—Want of discretion. Want of belief in a God. Husband and wife are also incompetent for or against each other. So are counsel and attorneys of their clients' communications: (Arch. Cr. Pl. 221.)

85.—1. The best evidence the nature of the case will admit best is produced, if possible to be had; if not, the next best is allowed to be given. 2. Hearsay evidence is, as a rule, excluded: (Ibid. ch. 2.)

(a) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(b) The questions are given *ante*, p. 312 and 324.

PRELIMINARY EXAMINATIONS

BEFORE ENTERING INTO ARTICLES OF CLERKSHIP TO ATTORNEYS AND SOLICITORS.

Pursuant to the Judges' Orders, the Preliminary Examination in general knowledge will take place on Wednesday, the 25th, and Thursday, the 26th Oct. 1865, and will comprise—

1. Reading aloud a passage from some English author.
2. Writing from dictation.
3. English Grammar.
4. Writing a short English composition.
5. Arithmetic.—A competent knowledge of the first four rules, simple and compound.
6. Geography of Europe and of the British Isles.
7. History.—Questions on English History.
8. Latin.—Elementary knowledge of Latin.
9. 1. Latin. 2. Greek, Modern or Ancient. 3. French. 4. German. 5. Spanish. 6. Italian.

The special examiners have selected the following books, in which candidates will be examined in the subjects numbered 9 at the examination on the 25th and 26th Oct. 1865:—

In Latin.—Sallust, Catiline; *or*, Virgil, Æneid, book i.

In Greek.—Homer, Iliad, book i.

In Modern Greek.—*Βικκαρίου, περὶ 'Αδικημάτων καὶ Ποινῶν μεταφρασμένον ἀπὸ τὴν 'Ιταλικὴν Γλῶσσαν*, 1—7, both inclusive; *or*, *Βεντότη 'Ιστορία τῆς 'Αμερικῆς, βιβλίον ζ*.

In French.—Molière's L'Avare, acts i., ii., and iii.; *or*, G. Guizot's Alfred le Grand, chap. i., ii., iii., iv., and v.

In German.—Fr. von. Schiller's Dreissig jähriger Kreig, first part; *or*, Wieland's Oberon.

In Spanish.—Cervantes' Don Quixote, capit. i. to xv. both inclusive; *or*, Leandro Fernandez de Moratin, El Sí de las Ninas.

In Italian.—Manzoni's Promessi Sposi, cap. i.—viii. both inclusive; *or*, Torquato Tasso's La Gerusalemme, 4, 5 and 6 cantos.

With reference to the subjects numbered 9, each candidate will be examined in *one language only according to his selection*. Candidates will have the choice of *either* of the above-mentioned works.

The Examinations will be held at the Incorporated Law Society's Hall, Chancery-lane, London, and at *some* of the following towns:—Birmingham, Brighton, Bristol, Cambridge, Cardiff, Carlisle, Carmarthen, Chester, Durham, Exeter, Lancaster, Leeds, Lincoln, Liverpool, Maidstone, Manchester, Newcastle-on-Tyne, Oxford, Plymouth, Salisbury, Shrewsbury, Swansea, Worcester, York.

Candidates are required by the judges' orders to give *one calendar month's* notice to the Incorporated Law Society, before the day appointed for the Examination, of the *language* in which they propose to be examined, the *place* at which they wish to be examined, and their *age* and *place of education*. All notices should be addressed to the Secretary of the Incorporated Law Society, Chancery-lane, W.C.

E. W. WILLIAMSON, Secretary.

Law Society's Hall, Chancery-lane,
London, May 1865.

FORM OF NOTICE.

Preliminary Examiniation.

Notice is hereby given, that A. B., of aged who was educated at intends on the day of next, to present himself for examination at previous to entering into articles of clerkship, and that he proposes to be examined in the language.

Dated the day of 18

CORRESPONDENCE OF THE PROFESSION.

LOCAL BOARD *v.* STEER.—In your report of this case, in the LAW TIMES of Saturday last, you state that the rule for a prohibition was made absolute. This was not the case. The rule was *discharged* by consent.

E. J. HAYES, Town Clerk.

Wolverhampton, 17th May.

OKE'S JUSTICES' PROCEDURE BILL.—I much regret to see that the Justice of the Peace Procedure Bill is not to become law after all Mr. Oke's indefatigable efforts. All who are interested in the administration of the criminal law must feel how desirable it is that great changes should be made in the present complicated (and in many instances antiquated) system, and they cannot, I believe, help sympathising with the efforts made by Mr. Oke to accomplish so desirable a result. Mr. Oke must necessarily have incurred great expense and loss of time in the preparation of the Bill, and I for one sincerely hope that the magistrates, their clerks and the profession generally, will take the present opportunity of showing their appreciation of Mr. Oke's services. In addition to his exertions in connection with this Bill, Mr. Oke has, by the excellent practical works written by him from time to time, done very much towards relieving the toil and economising the time of those engaged in criminal matters, and thereby earned from them a debt of gratitude. I think, if you would open your columns for the purpose, or express your approval of the idea, a subscription list would soon be filled up sufficient, not only to compensate Mr. Oke for his out of pocket expenses, but to present him with some slight token of appreciation of his heavy and varied labours. I can only say it will give me much pleasure to subscribe 1*l.* 1*s.* for such a purpose and to increase my subscription if necessary.

F. W. G.

NOTES AND QUERIES ON POINTS OF PRACTICE.

Queries.

SUCCESSION DUTY ACT.—I find that in the case of an intestacy, the leaseholds for 999 years have been included in the residuary account. The leaseholds were not sold until some time after the passing of the residuary account. The succession duty is a first charge on property liable to its payment. Is the production of the residuary account, with receipt for duty indorsed thereon, sufficient to satisfy a purchaser, or is he bound to call for the production of a proper succession duty receipt? An answer from some of your experienced readers will oblige

Y. N.

COVENANT—PARTNERSHIP.—A. lends to B., a trader, 2000*l.*, and takes as security a mortgage of real estate and an assignment of a policy of assurance on B.'s life. B. covenants to pay the 2000*l.* with interest at 7½ per cent. in the usual way; but there is a proviso that if B.'s gross returns in his trade shall exceed 10,000*l.*, then that B. shall pay A. interest at the rate of 10 per cent. per annum for every 100*l.* that B.'s gross returns shall exceed 10,000*l.* Does this constitute A. a partner with B.? Will some of your experienced readers oblige with their opinion? I submit that it does not, as A. has nothing whatever to do with B.'s profits or losses.

E.

EASEMENT.—A. has a field, which is separated from an adjoining field of B.'s by a hedge and ditch, both belonging to A., the ditch being on B.'s side of the hedge. A. by an arrangement with a third person, who keeps an inn at the bottom of the field, has the ditch filled up and converted into a footpath, for the purpose of making a short cut from a neighbouring road to the inn. Has A. a right to do this? for the footpath is certainly detrimental to B.'s field, and the value of his land would undoubtedly be depreciated on a sale. Would the case be satisfied by A.'s erecting a light fence or railing on the further side of his

footpath? I shall be glad to have some opinion on the subject. H. K.

Answers.

COMMISSIONERS.—In reply to the inquiry of "Dubio," I think a master extraordinary in Chancery, notwithstanding his having ceased to practise as an attorney (and no longer taking out his certificate), can administer oaths as a commissioner in Chancery, in like manner that a perpetual commissioner so ceasing to practise, and no longer taking out his certificate, can take acknowledgments of deeds. A SOLICITOR.

BILLS OF SALE.—By the 125th section of the Bankruptcy Act 1849 goods in the possession, order, or disposition of the bankrupt, by the consent of the true owner, are to be deemed his property. The Bills of Sale Act (17 & 18 Vict. c. 36) does not repeal this section, and therefore the goods assigned by a duly registered bill of sale, if in the possession of the bankrupt at the time of the bankruptcy, will be deemed to be in his order and disposition notwithstanding the registration of the bill of sale: (*Badger v. Shaw*, 9 L. T. Rep. N. S. 323, Q. B.; (see Doria and Macrae on Bankruptcy, vol. 1, p. 388.) H. M. B.

THE LAW LIBRARY.

Epitome of the Statutes relating to the Services in the Church of England, more particularly with reference to the use of Music in Cathedral and Parochial Churches.—The statutes on this subject have been collated in a work (*a*) recently published by Mr. Hamel, Solicitor for the Customs, the third chapter of which contains a popular disquisition on this branch of the law. The statutes cited constitute, with two exceptions, the Acts of Uniformity, viz., 2 & 3 Edw. 6, c. 1; 3 & 4 Edw. 6, c. 10; 5 & 6 Edw. 6, c. 1; 1 Eliz. cc. 2 and 22; and 13 & 14 Car. 2, c. 4.

The Act (3 & 4 Edw. 6, c. 10) prohibits antiphoners, (*b*) missals, processionals, manuals, &c.; and 1 Eliz. c. 22 confers upon Her Majesty full power to make unto cathedral and collegiate churches, and to all ministers in them and their successors for ever, such statutes, ordinances and orders, as well for the good use and government of themselves, being ministers, and for the order of their service and ministry as to Her Majesty might seem expedient; but it gives no such power so to deal with parish churches, or the services, or the ministers, or the ministry thereof, consequently there is nothing in this statute to take parochial churches out of the operation of the general Acts of Uniformity above referred to, though some of those contain exceptions in favour of collegiate churches; for instance, sect. 6 of 2 & 3 Edw. 6, c. 1, which permits the Universities of Cambridge and Oxford to use and exercise their common and open prayer in their chapels, being no parish churches, in Greek, Latin, or Hebrew; and sect. 13 of 12 & 14 Car. 2, c. 4, repeats this as the use of Latin only.

There are various other differences between the permitted services of cathedral and collegiate churches and those of parochial churches, so that it does not follow that what is right or lawful in the former is so in the latter.

The statutes refer to two classes of churches, viz.:

1. Cathedral and collegiate churches and chapels.
2. Parochial and district churches and chapels.

The first Act of Uniformity (2 & 3 Edw. 6, c. 1) refers to and incorporates in it the first Book of Common Prayer including its rubrical directions. The 5 & 6 Edw. 6, c. 1, confirms this with some alterations. These Acts were repealed by Queen Mary, but were again restored by the first Acts of the reign of Elizabeth. By the first Act of Elizabeth the Royal supremacy was restored, and by the second Act (1 Eliz. c. 2) the Acts of Uniformity of Edward VI. were confirmed with some additions, and the Book of Common Prayer, revised and modified in some particulars, was restored and made part of the Act.

Thus stood the statute law for the government of the services of churches generally when the Act (1 Eliz. c. 22) was passed, giving her special authority to regulate the services, ministry, &c., of cathedral and collegiate churches.

The several Acts of Uniformity of Edward VI. and Elizabeth, in prescribing how the Book of Common Prayer shall be used, direct that the matins and even song shall be said or sung by all ministers in all churches; and in the Book of Common Prayer various parts of the service are prefaced by rubrical directions to say or sing them and title of book, as recited in the Act incorporating it, contains the words "together with the Psalms of David pointed as they are to be sung or said in churches."

The Book of Common Prayer, with its Rubric thus incorporated, therefore forms part of the statutes.

In 1662 the last Act of Uniformity (13 & 14 Car. 2, c. 4) was passed. The Book of Common Prayer was again revised and slightly modified (as it stands in the authorised editions of the present day), and was by the same title and description incorporated in the Act, which repeats and confirms the former Acts and makes some new provisions in addition. But a material change is here made in the language of the Act, the words "morning and evening prayers" being carefully substituted for "mattins and even song," and the words "read or solemnly read" being as scrupulously substituted for "say or sing" throughout; but the latter alternative words, with seeming *primâ facie* inconsistency, remain in the Rubric unaltered; and as to the Psalms a further seeming inconsistency presents itself. The title of the Book says, "pointed as they are to be sung or said in churches;" the Rubric in the Morning Prayer says, "Then shall follow the Psalms in the order as they are appointed." For the order of appointment reference must be made to the preface of the Book which gives, "The order how the Psalter is appointed to be read," and this order directs reading throughout; it would therefore seem that the alternative, implied in the title, is here excluded. It is left in doubt whether this alternative is not applicable only to the occasional use of a psalm in lieu of the hymn commonly used in churches.

Some light may be thrown on these seeming inconsistencies by reference to the precise words of the Act itself. Sect. 2 enacts:

> That all and singular ministers in any cathedral, collegiate or parish church or chapel, or other place of public worship within this realm of England, dominion of Wales, and town of Berwick-upon-Tweed, shall be bound *to say and use* the Morning Prayer, Evening Prayer, celebration and administration of both the Sacraments, and all other the Public and Common Prayer, *in such order and form* as is mentioned in the said Book annexed and joined to this present Act, and *intituled*, "The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of England; together with the Psalter or Psalms of David, pointed as they are to be sung or said in Churches; and the Form or Manner of making, ordaining and consecrating of Bishops, Priests and Deacons;" and that the Morning and Evening Prayers therein contained shall upon every Lord's-day, and upon all other days and occasions, and at the times therein appointed, *be openly and solemnly read* by all and every minister or curate, in every church, chapel, or other place of public worship, within this realm of England, and places aforesaid.

The first paragraph, prescribing the uniform use of the Book in churches of every description, cathedral, collegiate, or parochial, employs the words "say and use," the latter paragraph directing how the morning and evening prayers shall be used by ministers and curates of churches, chapels, or other places of worship, dropping the words "cathedral or collegiate," employs the words "openly and solemnly read."

The 24th section confirms the pre-existing Acts of Uniformity of Edw. VI. and Elizabeth, with the pains and penalties thereby imposed for infraction of those laws, and those penalties upon the clergy are very severe: loss of one year's profit of benefice and six months' imprisonment for first offence; loss of benefice and one year's imprisonment for second offence; and privation of all promotions and imprisonment for life for third offence.

Accepting the last Act of Uniformity as the interpreter of its predecessors and adopting the expression "read" or "solemnly read" as prescribing the mode, instead of "say or sing," it would seem, but for the alternative words used in the Rubric of the Book, that any minister of a church would be liable to those penalties if he did not *read* instead of sing morning and evening prayers at the times appointed; nor does the only solution which presents itself of the seeming inconsistencies referred to relieve the ministers of parish churches from that conclusion.

The solution appears to be this: the last Act of Uniformity prescribes the governing rule as to the mode of conducting the services of churches generally, *i. e.*, they shall be solemnly read, but the enabling Acts for the Special Government of Cathedral and Collegiate Churches take them out of the general rule, and thus the alternative words "say or sing" in the Rubric become consistent, inasmuch as they meet the two classes of cases, that is to say, the exceptions as well as the rule. Harmonising the statutes and the Rubrics with each other, the case seems to resolve itself into this: consistently with the law the minister in a cathedral or collegiate church may say or sing, but the minister of a parochial or district church must read, the morning and evening prayers.

This examination has been strictly confined to the statute law on the subject and the ritual of the Book of Common Prayer forming by incorporation part thereof.

(*a*) "Protestantism in Peril," by F. J. Hamel, H.M.C.S. Longmans and Co., London.

(*b*) Antiphoners are music-books, or books of anthems, for part singing, &c.; antiphona meaning the answer made from one choir to another when a psalm or anthem is sung between them.

MR. DOWIE has sent us his little treatise *On the Motions of the Human Feet, and the Philosophy of Shoemaking* (published by Hardwick, Piccadilly). How does that concern the lawyers? Much. We are all shod. Bad shoeing tortures the feet, and when the toes are being tortured it is impossible for the Judge to preserve his temper, or the practitioner to put forth the full power of his mind. But who of us is there who has not at some time endured the pangs of corn, or bunion, or deformed toe, all the results of pressure from ill-made boots? Mr. Dowie clearly describes the cause of all this mischief and the cure for it; and as every reader is directly interested in the subject, a short sketch of his argument may be of some utility.

The great toe is the feature of the human foot that distinguishes man from the brute, as does the thumb the hand. To the great toe we are wholly indebted for our capacity to stand upright, and its spread when the foot is flat upon the ground forms the base on whose firmness our ease and freedom of motion depend. When the feet of an infant, before they are deformed by shoes, are examined, it will be found that the toes expand beyond the foot, and when the feet are brought together, they touch from heel to toe, forming a complete solid base. When the foot is placed on the ground and a step taken, the upper part of it, together with the toes, spreads so that all the toes are separated, and at that moment the breadth of the foot at the toes is considerably greater than at any other part.

This natural action of the structure of the foot is, however, completely impeded by the modern boot and shoe. Instead of being broader at the toes, so as to permit of their free spread, they are actually narrowed. The consequence of this is pressure upon the whole structure, and more or less of dislocation of its parts. The great toe is forcibly turned towards the middle of the foot, and that turn necessarily deforms the joints and produces bunions. Not having room to work side by side, one or more toes are forced to overlap the others, causing life-long pain and trouble. The same arching in of the shoe just where nature requires most space presses on the small toe and breeds corns.

In few words, this is the explanation of all the tortures which most of us are condemned to endure in the feet. The remedy is simple enough. It is only to view the anatomy of the foot, and the uses of the various parts of it, and then to adapt the covering of the foot to the machinery beneath, so that its working may not be impeded.

Mr. Dowie has done this, and constructs his boots to fit the natural foot instead of twisting the foot to fit his boots. The consequence is, that even where there has been much deformity, the foot regains a great deal of its proper play, and is relieved from nine-tenths of its sufferings. The precise contrivance by which this is done we have not space to describe here, but we recommend every reader, to whom his feet are a trouble, to procure this little pamphlet we are noticing, and devote a few minutes to its perusal. It will convince him, as it has convinced us, that Mr. Dowie is right, and that there is a remedy for what is really a very serious annoyance. We took it up, supposing it to be merely a tradesman's advertisement, but we found it to be really an instructive and extremely interesting essay on a subject whose importance is not duly estimated. The loss of labour power through defective use of the feet is of itself enormous. An army will march much further when comfortably shod. All of us would do more work of the wholesomest kind, if we could do it without pains in the feet. A reform in shoemaking would thus add directly to the national wealth. An alteration in the shape of a shoe would remove grievances infinitely greater than could be destroyed by Act of Parliament, and a slight turn given to upper leathers would be a greater boon to the working man than extension of the franchise.

BOOKS RECEIVED.

The Practice of Conveyancing. By Wm. W. BARRY. Butterworths.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by John Thompson and T. W. Saunders, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Easter Term 1865.

Wednesday, May 10.

Re The Abingdon Union.—In this case, in which a rule for a *mandamus* to justices to hear an appeal had been made absolute, *Lush*, Q.C. moved for a rule for the costs. *Rule absolute.*

Hughes v. Greek.—*Borrill*, Q.C. showed cause against a rule for referring back to the arbitrator his certificate.—*A. Russell* contra. *Rule absolute.*

Gem v. Tyrer.—*H. T. Cole* moved for a rule calling on the defendant to show cause why two sums of money should not be paid out of court to the plaintiff. *Rule nisi.*

Cowles v. Potts.—*Baker*, Q.C. and *O'Malley*, Q.C. showed cause.—*Kemp*, Q.C. and *Markby* contra. *Cur. adv. vult.*

Austin v. Bunyard.—*Wills* showed cause herein.—*Lloyd* contra. *Part heard.*

Thursday, May 11.

Ex parte Corporation of Southampton.—Rule *nisi* calling on three ratepayers of Southampton to show cause why the amount of an indemnity for costs fixed by the master should not be increased.—*Mellish*, Q.C. and *Archibald* showed cause, and *Buller* supported the rule. *Rule absolute.*

Reg. v. The Overseers of the Township of Sutton.—*T. Jones* showed cause, and *Pickering*, Q.C. and *Heath* supported the rule calling on Mr. Beasley, an attorney, to pay the costs of a *mandamus*. The case was adjourned from a former day to enable Mr. Beasley to file affidavits. *Rule discharged without costs.*

Ex parte Metcalfe and another (Surveyors of Itonfield, Cumberland). — *Pinder* moved to bring up by *certiorari* an order of justices which had been appealed against, and which the sessions had confirmed, subject to a case for the opinion of this court. *Granted.*

Fisher v. Marsh.—Action for the hire of land for a booth at the Oxford races. The plaintiff was the auctioneer who let the land by auction, and the defendant was the highest bidder and occupied the land with his booth. At the trial before Shee, J. the plaintiff was nonsuited on the ground that he was only the agent of the race committee, who the learned judge ruled ought to have sued. A rule *nisi* was obtained to set aside the nonsuit or for a new trial.—The defendant in person showed cause, and *H. James* supported the rule. *Rule absolute.*

Ex parte The Great Eastern Railway.—*Rushby* moved to make an order of reference made at the quarter sessions a rule of court. It was an appeal by the company against the churchwardens of Horley, and the order of sessions was lodged with the clerk of the peace, who declined to give it up on the ground that it was a record of the Court of Quarter Sessions.—By the Court: If you have any real object to serve we may be disposed to help you, but we shall not interfere otherwise. You had better apply again if there is any necessity for making the order a rule of court.

Parry v. Fox.—Rule *nisi* for a new trial in an action of libel and slander tried before Shee, J. in Middlesex.—*Joyce* showed cause and *Parry*, Serjt. supported the rule. *Rule discharged.*

Friday, May 12.

Gollop v. The Metropolitan Railway Company. — Action by the plaintiff for the loss of his wife, whose death was alleged to have been caused by the negligence of the defendants' servants at the Portland railway station, Euston-road. The jury returned a verdict for the plaintiff, damages 1*l*. Rule *nisi* for a new trial.—*Hawkins*, Q.C. showed cause and *Ribton* supported the rule. *Rule discharged.*

Egan v. Alexander.—Action for a wrongful distress. Verdict for the plaintiff, damages 10*l*., in respect of certain articles distrained which were alleged to be fixtures. A rule *nisi* for a new trial on the ground that the articles were not fixtures exempt from distress.—*Pridmore* showed cause and *D. D. Keane*, Q.C. supported the rule. After the argument had continued for some time the case was adjourned, a settlement having been suggested. *Adjourned.*

Cooper v. Fletcher.—Trespass for a wrongful distress tried at Liverpool before Mellor, J., and verdict for the plaintiffs. The verdict was now sought to be set aside on the ground that the plaintiffs and the defendant being joint executors under a will relating to the premises which had been let by the plaintiffs to their co-executor, there could not be such a letting as would authorise a distress.—*G. R. Williams* showed cause and *Brett*, Q.C. supported the rule. *Rule discharged.*

Saturday, May 13.

O'Hanlon v. The Great Western Railway Company.—*Bowen* appeared herein for the plaintiff; *Grove*, Q.C. *Gifford*, Q.C. and *Olivent* for the defendants. *Rule discharged.*

Evans v. Skeene.—*M. Chambers*, Q.C. and *Barnard* appeared for the plaintiff, and *Keneely* and *J. O. Griffits* for the defendant.

Rule absolute to enter the verdict for the defendant.

Monday, May 15.

Moody v. Corbett and others.—Special case. Action by an owner of land adjoining the Croydon and Epsom branch of the London and Brighton Railway under the special Act authorising the making of the branch line, and the Companies Clauses Consolidation Act, to recover land of his taken by the company, but not used for the purposes of the branch line. The defendants were tenants to the railway company.—*Lush*, Q.C. (*Boyle* and *Murphy* with him) for the plaintiff, and *Bovill*, Q.C. (*Hannen* and *C. Pollock* with him) for the defendants.—The Court laid down the principle as to the restitution of such land among the owners, that it was to be according to the extent of the land of each owner adjoining on the line.

Roper v. Taylor.—This case came before the court on demurrer. It was an action on a covenant in a deed granting a right of sporting over land by which the covenantor undertook to keep down the rabbits on the estate, or make compensation to the tenants. The point was, whether the grantor, being the occupier of part of the land, came under the description of a tenant so as to entitle him to compensation on breach of the covenant.—*Lush*, Q.C. for the plaintiff, and *Borrill*, Q.C. (*McIntyre* with him) for the defendant.—The Court held, that tenants meant third persons, and did not apply to the grantor. *Judgment for defendant.*

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Easter Term 1865.

Saturday, May 6.

Allender v. Jones.—*G. Francis* moved to rescind part of an order of Willes, J. *Rule nisi.*

Blyth v. Goodliffe.—Sir *G. Honyman* moved on behalf of the plaintiff for leave to administer certain interrogatories to the defendant. Leave had been refused at chambers. *Rule nisi.*

Whitaker v. Rogers.—*Temple*, Q.C., for the defendant, stated that he could not distinguish this case from that of *Neil* v. *Whitaker* recently decided in this court, and therefore he would consent to judgment for the plaintiff. *Rule discharged.*

Langley v. Headland.—This was an application by the defendant to be discharged out of custody, the plaintiff having consented to the discharge and signed a paper addressed to his attorney, directing him to take steps to procure the defendant's release. The attorney refused to move in the matter till his costs were paid, and he retained the document. The Court ordered the document to be given up by the attorney, and it was taken to the sheriff, who refused to act upon it, as it was not addressed to him. A rule being then obtained by the defendant calling on the plaintiff to show cause why, on notice to him and his attorney, the defendant should not be discharged, the attorney showed cause, and urged the court not to use its equitable jurisdiction to deprive him of his costs, the plaintiff being a minor and his father refusing to pay them.—The Court stated that where a defendant is in custody the plaintiff has a legal right to release him, even though it be done collusively for the purpose of depriving the plaintiff's attorney of his costs, and therefore, as the plaintiff, by not appearing to show cause, must be taken to consent to the rule, the defendant must be discharged, on the terms however that he brought no action against any one, and without prejudice to any remedy which the attorney might have on the judgment for his costs.—*J. W. Mellor* appeared for the defendant.—*Bridge* for the plaintiff's attorney.—(See Reports of the week.) *Rule absolute.*

Monday, May 8.

Hirschfield v. Smith.—Part heard.—Their Lordships expressed a wish to hear this reargued next term.

Re Mr. Tom Taylor v. Mr. Emden and others.—*C. E. Pollock* applied for a rule to show cause why a certain entry in the books at Stationers'-hall should not be expunged. It appeared that Mr. Tom Taylor was the author of a drama entitled, "Ticket of Leave Man," and according to the usual custom, he granted to Mr. Emden and Mr. Robson (since deceased), during their existing management of a certain theatre, and no longer, the London right of representing this drama. As the manager of another theatre, one Frampton, proposed to play the piece, Mr. Emden asked Mr. Taylor to have it registered at Stationers'-hall, in order to preserve his (Emden's) right for the time being, and to prevent Frampton using the title. Mr. Emden's leasecship has since expired, and Mr. Taylor contends that the copyright of the drama has reverted to him, and does not remain in Mr. Emden, or in Messrs. Brooks and Snell, executors of the late Mr. F. Robson. The motion was made under sect. 14 of 5 & 6 Vict. c. 45, which enacts, that "any person aggrieved by any entry in the book of registry" (of the Stationers' Company) "may apply to a court of law in term, or judge in vacation, who may order such entry to be varied or expunged." *Rule granted.*

Crow v. Armstrong.—This was part heard last Thursday. It was an action tried at Liverpool before Blackburn, J., when a verdict was directed for the plaintiff.—The breach complained of was that the defendant would not take on board, according to the charter-party, a cargo of lawful merchandise; and though he was bound to let his ship carry a deck-load within the meaning of the said charter-party.—The defendant pleaded, secondly, that he did take on board the said deck cargo; and, for a fourth plea, that he did carry a deck-load within the meaning of the said charter-party. A rule for a new trial on the ground of misdirection having been obtained, *Brett*, Q.C. and *Charles Russell* showed cause.—*Temple*, Q.C. (*Watkin Williams* with him) argued in support of it. *Rule absolute.*

Financial Corporation (Limited), *ex parte* Jones.—*Bovill*, Q.C. moved to have the register of this company rectified under sect. 35 of the Companies Act 1862 (25 & 26 Vict. c. 89), which provides a remedy for an improper entry in the register. The company had been started with a capital of 2,000,000*l.* in 30,000 shares of 100*l.* each, and it appeared that the company was desirous of reducing the nominal value of the shares from 100*l.* to 20*l.* each. Jones, who was registered as a holder of seventy-five 100*l.* shares, in consequence of the reduction in the nominal value thereof became the holder of 375 of 20*l.* each. Clause 32 of the articles of association provides that "no call shall exceed 5*l.* per share," and it was now contended on behalf of Jones that if the company might reduce the nominal value of the shares from 100*l.* to 20*l.*, he would have a much greater amount of calls to pay up at any one time than he would have been liable for if the shares had remained at their original amount, and further that under sect. 12 of the Act of 1862, there is no power for a company to reduce the value of the shares, but only "to increase its capital by the issue of new shares of such amount as it thinks expedient, or consolidate and divide its capital into shares of larger amount than its existing shares," and that if such an alteration as was proposed was allowed it would affect the whole constitution of companies. Jones refused to pay the 5*l.* call on his 375 shares of 20*l.* each, and he appeared in the register as having forfeited them in consequence, and he now applied to have his name reinserted and the register so rectified. *Rule nisi to show cause returnable this term.*

Boaler and another v. Mayor and another.—This was an action on a promissory note tried at the London sittings after Hilary Term, when a verdict was taken for the defendants, with leave for plaintiffs to move to enter verdict for them.—*Macaulay*, Q.C. and *Cave*, for the defendants, showed cause why verdict should not be set aside and entered for the plaintiffs on ground that the evidence did not prove defendant's pleas, that the note was not merged in the deed, nor that under the circumstances the defendants were discharged by the suggestion in the deed that time was given to the principal debtor.—*Hutchison*, Q.C. and *Tolfourd Salter* for the plaintiffs. *Rule absolute.*

May v. Evans.—This was an action on an attorney's bill of costs incurred in bringing out a patent. A rule had been obtained to increase the amount found by the jury.—*Lucius Kelly* now showed cause against the rule.—*Pond*, Q.C. and *Prentice* appeared in support, and cited *Evans* v. *Powis*, 1 Ex. 601; *Cochrane* v. *Green*, 30 L. J. 97, C. P. *Cur. adv. vult.*

Tuesday, May 9.

May v. Evans.—(Part heard.) *Rule discharged.*

Hartley v. Mare.—The defendant in this case, after the issue of the writ, executed a deed of inspectorship, valid under sect. 192 of the B. A. 1861, and gave notice of it to the plaintiff. He did not appear in the action, and the plaintiff signed judgment, and issued a writ of *fi. fa.* and seized property of the defendant, which the inspectors, appointed under the deed, claimed. An interpleader summons was taken out, and the inspectors paid the amount into court to avoid a sale. The plaintiff obtained a rule *nisi* for the payment of the money in court to him. Against this *J. Brown*, Q.C. and *Lawes* showed cause.—*Lush*, Q.C. and *R. E. Turner* supported the rule.—The Court held, that under sect. 198, no process was available against the debtor's estate, and they directed the money in court to be repaid to the inspectors. *Rule discharged.*

Prestwick v. Poley.—In this case the action was brought to recover a pianoforte. The managing clerk of the plaintiff's attorney took on himself to settle this action for the pianoforte being given up. The plaintiff repudiated the settlement, and proceeded with the action.—*Serjeant Jones*, for the defendant, obtained a rule to stay proceedings, and *Prentice* should cause.—The Court held, that the attorney's clerk had authority to compromise the action.—(See Reports of the week.)

Rule absolute to stay proceedings.

Bilbee v. The London, Brighton and South Coast Railway.—*Parry*, Serjt. and *Joyce* showed cause.—*Bovill*, Q.C. and *Hannen* supported the rule. *Rule discharged.*

Thursday, May 11.

Lock v. Furze.—Part heard.—*Bovill*, Q.C. and *Gant*, for the defendant, supported the rule. *Rule discharged.*

Whitaker v. Hewitt.—*Mellish*, Q.C. showed cause against a rule for a new trial.—*E. G. Williams* supported the rule. *Rule discharged.*

Blyth v. Goodliffe.—*Murphy* showed cause against a rule for the delivery of certain interrogatories to the defendant.—Sir *G. Honyman* supported the rule. *Rule absolute.*

White v. Lettsom.—*Arpinall*, Q.C. and *R. G. Williams*, for the plaintiff, showed cause against a rule for a new trial on affidavits.—*Joyce* supported the rule. *Rule absolute as to costs.*

Tuesday, May 16.

Cowley (app.) v. Cartwright (resp.)—Case stated by justices under 20 & 21 Vict. c. 43. The app. was the proprietor of a carriage which carried goods and passengers, and he appealed against the decision of the justices at a petty sessions in Cirencester, in dismissing an information which he had obtained against the keeper of the Stratton-gate for charging him return toll. No one appeared for the resp.—The Court thought the decision of the justices correct. *Judgment for the respondent.*

Barker v. M'Andrew.—Demurrer to plea.—*Horace Lloyd* argued for the plaintiff.—*Reed* for the defendant. *Judgment for the defendant.*

Albon and another v. The Midland Railway Company.—This demurrer raised the new important point whether a railway company can be answerable to third persons for injury done to a passenger. The traveller to the plaintiffs had been a passenger on the defendants' line, and in consequence of their negligence had sustained personal injury for which he received compensation. But the plaintiffs alleged that they had suffered pecuniary loss in consequence of their traveller having been unable to attend to their business, and they now sued the company.—*Graham* commenced his argument for the plaintiffs; *Borrill*, Q.C. and *Douglas Brown* appearing for the defendants. After some time the Court (Willes, Byles and Smith, JJ.) intimated that the case was too important to be decided by any but the full court, and that, as the argument could not be finished in the day, it had better stand over till next term. *Case to be set down.*

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Easter Term 1865.

Wednesday, May 10.

Brown v. Dorset Railway Company. *Rule absolute.*

Rowcliffe v. Lane. *Settled.*

Smith v. Fletcher.—*Crompton* moved for a rule to set aside an award herein. *Rule refused.*

Morris v. Swansea Railway Company. *Rule enlarged.*

Mellor v. ——, — *Lush*, Q.C. shown cause against a rule to set aside an order of Shee, J. to examine witnesses at Alexandria.

Rule absolute, substituting Paris for Alexandria.

Moseley v. Lockwood. *Rule enlarged.*

Kempson v. Pelly. — *Field*, Q.C. (with *Wale*) shows cause against the rule, which *Lush*, Q.C. (with *Beasley*) were not called on to support. *Rule discharged.*

Whittaker and another v. Lowe.—This was an action tried at Manchester, before Mellor, J., when a verdict was found for defendant, with leave reserved to plaintiffs to move to enter the verdict for 346*l.* 10*s.*, the amount of their claim; and it raised the question whether, under a deed of composition, the amount of debts due to secured creditors was or not to be deducted from the amount of debts in estimating the requisite majority of three-fourths in

value under the statute.—*R. G. Williams*, for defendant, showed cause against the rule, which *Holker* had obtained pursuant to leave, and contended, on the authority of *Turquand v. Moss*, in the C. P., 10 L. T. Rep. N. S. 374; 33 L. J. 355, C. B.; and 17 C. B., N. S., 15, and *Ex parte Goddes*, 7 L. T. Rep. N. S. 366, that secured debts were not to be deducted.—*Holker*, contra, in support of his rule, argued that they were to be deducted, and relied on the judgment of the L. C. in *Ex parte Smith*, 10 L. T. Rep. N. S. 331.—POLLOCK, C. B.: Mr. Holker's argument is strong, but we are bound by the case in the C. P. We express no opinion, giving plaintiff leave to go to error.—MARTIN, B.: Mr. Holker had better go to error. Here are judgments of the Lords Justices and the C. P. one way, and a contrary judgment of the L. C.—PIGOTT, B.: I only give my judgment because I feel bound by the decision of the C. P.

Rule discharged.

BOSTOCK v. JARDINE AND ANOTHER.—This action was tried at Liverpool, before Mellor, J., when a verdict was directed for the plaintiff, subject to leave to defendants to move to enter it for defendants or a nonsuit, the court to draw inferences. It was an action to recover back 800*l.* paid by plaintiff to defendants under the following circumstances. Defendants were cotton brokers, at Liverpool, whom plaintiff, a "wholesale book manufacturer there, had frequently employed to buy cotton for him. In July 1864 he directed defendants to buy fifty bales for him, "to arrive, &c." An advice note was sent to him by defendants of the purchase of the bales from Hankey and Co., on his account. On the arrival of the cotton in England plaintiff paid defendants 800*l.* on account of the contract, and accepted a bill for the balance. Shortly after the cotton arrived plaintiff learnt from defendants that it was not all of the guaranteed quality, when he directed them to reject it entirely on his behalf, and requested to have his 800*l.* paid back to him. Defendants, however, insisted they were bound under terms of the contract to submit the cotton to a reference under the usual arbitration clause in cotton contracts in Liverpool. It appeared that defendants had not entered into any contract with Hankey and Co. for fifty bales on plaintiff's account; but having commissions from other persons they had lumped them together in one contract with H. and Co. for 300 bales. Upon going into the reference on these 300 bales the arbitrators rejected a certain number of bales entirely as not within the contract, and allowed a reduction of a halfpenny per pound *pro rata* of the rest, and awarded 35 bales out of the 300 to plaintiff. A rule having been obtained by *E. James*, Q. C. in the above terms, *Brett*, Q. C. (with *Herschell*) for plaintiff showed cause against it. He was stopped by the Court, who called on *E. James*, Q.C. and *Baylis* to support their rule; which, after hearing their arguments, the COURT were unanimously of opinion must be discharged. Defendants having made no contract for fifty bales on plaintiff's account there was an entire failure of consideration, and plaintiff was entitled to recover back his 800*l.* *Rule discharged.*

MORGAN v. GATH.—This also was a case of a cotton contract; tried at Liverpool before Mellor, J., when a verdict was found for plaintiff for 2852*l.*, the invoice amount, and leave given to defendant to move to set it aside on the ground that plaintiffs were never ready to deliver 500 pickels of cotton mentioned in the contract, and that there was no evidence of a binding agreement by defendant to take less, and if there was there was no count in the declaration to support such contract; or to reduce the verdict to nominal damages on the ground that there was no fall in the market at the time of the breach, or to 845*l.* 2*s.*, the amount of the lesser quantity. A rule having been obtained accordingly, *E. James*, Q. C. and *Crompton* showed cause against it.—*Brett*, Q. C. and *A. Peel* supported it; and the COURT gave judgment against it. *Rule discharged.*

SITTINGS AND CAUSE LIST FOR TRINITY TERM 1865.

Equity Courts.

Court of Appeal in Chancery.

The LORD CHANCELLOR will sit on May 25, and hear appeal motions and appeals. May 26, petitions and appeals. May 27, appeals in bankruptcy and appeals. May 29 and 30, appeals. May 31, appeals in bankruptcy and appeals. June 1, appeal motions and appeals. June 2, appeals. June 3, appeals in bankruptcy and appeals. June 5 and 6, appeals. June 7, appeals in bankruptcy and appeals. June 8, appeal motions and appeals. June 9, appeals. June 10, appeals in bankruptcy and appeals. June 12 and 13, appeals. June 14, petitions, appeals in bankruptcy and appeals. June 15, appeal motions and appeals.

The LORDS JUSTICES will sit on May 25, and hear appeal motions. May 26, appeal motions, petitions in lunacy, appeal petitions and appeals. May 27, 29, 30 and 31, appeals. June 1, appeal motions and appeals. June 2, petitions in lunacy, appeal petitions and appeals. June 3 and 5, appeals. June 6, appeals from the county palatine of Lancaster and appeals. June 7, appeals. June 8, appeal motions and appeals. June 9, petitions in lunacy, appeal petitions and appeals. June 10, 12, 13 and 14, appeals. June 15, appeal motions and appeals.

Such days as the Lord Chancellor shall be engaged in the House of Lords, and such days as the Lords Justices shall be engaged in the full court, or at the Judicial Committee of the Privy Council, are excepted.

Rolls Court.

The MASTER of the ROLLS will sit on May 26, and take motions and general paper. May 27, petitions, short causes, adjourned summonses and general paper. May 29, 30 and 31, general paper. June 1, motions and general paper. June 2, general paper. June 3, petitions, short causes, adjourned summonses and general paper. June 5, 6 and 7, general paper. June 8, motions and general paper. June 9, general paper. June 10, petitions, short causes, adjourned summonses and general paper. June 12, 13 and 14, general papers. June 15, motions and general paper.

At the Rolls, unopposed petitions must be presented, and copies left with the secretary on or before the Thursday preceding the Saturday on which it is intended they should be heard, and any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

V. C. Kindersley's Court.

The Vice-Chancellor Sir RICHARD TORIN KINDERSLEY will sit on May 25 to take motions, adjourned summonses and general paper. May 26, petitions, adjourned summonses and general paper. May 27, short causes, adjourned summonses and general paper. May 29, 30 and 31, general paper. June 1, motions, adjourned summonses and general paper. June 2, petitions, adjourned summonses and general paper. June 3, short causes, adjourned summonses and general paper. June 5, 6 and 7, general paper. June 8, motions, adjourned summonses and general paper. June 9, petitions, adjourned summonses and general paper. June 10, short causes, adjourned summonses and general paper. June 12, 13 and 14, general paper. June 15, motions, adjourned summonses and general paper.

V. C. Stuart's Court.

The Vice-Chancellor Sir JOHN STUART will sit at on May 25 to take motions. May 26, petitions and causes. May 27 short causes and causes. May 29, 30 and 31, causes. June 1, motions and causes. June 2, petitions and causes. June 3, short causes and causes. June 5, 6 and 7, causes. June 8, motions and causes. June 9, petitions and causes. June 10, short causes and causes. June 12, 13 and 14, causes. June 15, motions and causes.

N. B.—In Vice-Chancellor Stuart's Court no cause, motion for decree or further consideration can, except by order of the Court, be marked to stand over, if it be within twelve of the last cause or matter in the printed paper of the day for hearing.

V. C. Wood's Court.

The Vice-Chancellor Sir WILLIAM PAGE WOOD will sit on May 25 to take motions. May 26, general paper. May 27, petitions, short causes, adjourned summonses and general paper. May 29, 30 and 31, general paper. June 1, motions and general paper. June 2, general paper. June 3, petitions, short causes, adjourned summonses and general paper. June 5, 6 and 7, general paper. June 8, motions and general paper. June 9, general paper. June 10, petitions, short causes, adjourned summonses and general paper. June 12, 13 and 14, general paper. June 15, motions and general paper.

Any causes intended to be heard as short causes before either of the Vice-Chancellors must be so marked at least one clear day before the same can be put in the paper to be so heard.

The courts will sit at Westminster on the first and at Lincoln's-inn and Chancery-lane on each of the other above-mentioned days.

Common Law Courts.

Court of Queen's Bench.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir ALEXANDER EDMUND COCKBURN, Bart., Lord Chief Justice of Her Majesty's Court of Queen's Bench, in and after Trinity Term 1865.

IN TERM.

Middlesex.			
Friday	May 26	Thursday	June 8
Thursday	June 1		

There will not be any sitting during term in London.

AFTER TERM.

Middlesex.		*London.*	
Friday	June 16	Thursday	June 29

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

N.B. The Associate's Offices will be closed on Wednesday, the 24th May, being the Queen's birthday. Causes for trial at the first sitting must be entered not later than Tuesday, the 23rd May.

NEW TRIAL PAPER.

For Judgment.

CAMBRIDGE—Mainprice v. Westley
SUFFOLK—Cowles v. Potts

For Argument.—Easter Term 1864.

CHESTER—Hughes v. The Birkenhead Improvement Commissioners. (To be argued with the demurrer. To stand over till decision on a similar point in Court of Error.) First action
CHESTER—Same v. Same. Second action
CHESTER—Davies v. Same. Second action
DURHAM—The Ecclesiastical Commissioners for England v. Pearl
MONMOUTH—Symonds v. Pickaley and others. (Not to be argued until after the decision of a similar point in the Exchequer Chamber)
LEICESTER—Keightley v. Cumberland. (Stands for arrangement)

Hilary Term 1865.

MIDDLESEX—Austin v. Bunyard. Part heard
MIDDLESEX—Graham v. The East and West India Dock Company
MIDDLESEX—Foley v. Same
MIDDLESEX—Darke v. The Grosvenor and West-end Railway Terminus Hotel Company (Limited)
MIDDLESEX—The North British Rubber Company (Limited) v. The Manchester Rubber Company (Limited)

Tried during Term.

MIDDLESEX—Sichel v. Purdie

Easter Term 1865.

LONDON—Ewin v. Lancaster
LONDON—Hedley v. Barlow
LONDON—De Thierry v. Lord Fermoy
BEDFORD—Asher and Wife v. Whitelock
BRISTOL—Green v. Groves
LANCASTER—Martin v. Smalley and another
LIVERPOOL—Reynolds and another v. Jex
LIVERPOOL—Smith and another v. Whitworth and others
LIVERPOOL—Lunt v. London and North-Western Railway Company
LIVERPOOL—Williams v. Reynolds
HERTFORD—Crowland v. Allom
SURREY—Newton v. Kershaw
SURREY—Richardson v. Locklin
LEEDS—Mayne v. Binns
STAFFORD—Dimmock and another v. The North Staffordshire Railway Company
HEREFORD—Manwaring v. Cheese

Tried during Term.

MIDDLESEX—Edwards v. Parker and others
MIDDLESEX—Dordey v. Johnson and another

SPECIAL PAPER.

For Judgment.

Thierry and another v. Lord Fermoy and another. Demurrer
Worthington and another v. Hulton. Special case
Kemp v. Halliday. Special case

For Argument.

Hughes v. The Birkenhead Improvement Commissioners. Demurrer. (Case in New Trial Paper to be argued with this demurrer. To stand over till decision on a similar point in Court of Error)
Davies v. Same. Demurrer
Bryant v. Foot. Special case. (Stands for amendment)
Cory and others v. The Thames Iron Works and Shipbuilding Company (Limited). Special case
Jolliffe v. The Continental Banking Corporation (Limited). Demurrer. (To stand over till issues in fact tried, unless parties agree to a special case)
Brabant v. Sir T. M. Wilson. In the matter of the Copyhold Acts, &c., Manor of Hampstead
Le Strange v. Rowe. Demurrer
Tydeman v. Carne. Demurrer
Barber v. Whiteley and another. Special case
Boulting v. Saul and another. Demurrer
Barrett and another v. Bullock. Demurrer
Hermilewiez and others v. Jay. Demurrer
Harvey v. The London, Brighton and South Coast Railway Company. Special case
Hill v. Hippisley and others. Special case
Swift v. Wilson. Demurrer
Wyatt v. The Great Western Railway Company. Demurrer
Dalley v. Marson, jun. Demurrer
Attwater v. Bennett. Demurrer
Coyne v. Maxwell. Demurrer
Adamson v. Duncan and another. Special case
Wilson v. The Lancashire and Yorkshire Railway Company. Special case
Samiscovsky v. Stevens. Demurrer

ENLARGED RULES.

First Day.

In the Matter of Thomas Knowles, gentleman (one, &c.) (To come on as a motion)
Dunlop and another v. Kitching
In the Matter of William Blackburst, gentleman (one, &c.)
Reg. v. Assessment Committee of the Durham Poor Law Union
Reg. v. Travers Twiss, Judge of Consistory Court
Reg. v. Recorder of Northampton
Reg. v. David Stone
Reg. v. Alfred Backhouse and others
Reg. v. Justices of West Riding of Yorkshire
Reg. v. Justices of West Riding of Yorkshire

Court of Common Pleas.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir WILLIAM ERLE, Knt., Lord Chief Justice of Her Majesty's Court of Common Pleas, in and after Trinity Term 1865.

IN TERM.

Middlesex.			
Friday	May 26	Thursday	June 8
Thursday	June 1		

There will not be any sitting in London during term.

AFTER TERM.

Middlesex.		*London.*	
Friday	June 16	Wednesday	June 28

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

N.B. The Associate's Offices will be closed on Wednesday, the 24th of May, being the Queen's birthday. Causes for trial at the first sitting in Middlesex must be entered not later than Tuesday, May 23.

Court of Exchequer.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir FREDERICK POLLOCK, Knt., Lord Chief Baron of Her Majesty's Court of Exchequer, in and after Trinity Term 1865.

IN TERM.

Middlesex.			
Friday	May 26	Thursday	June 8
Thursday	June 1		

There will not be any sitting in London during term.

AFTER TERM.

Middlesex.		*London.*	
Friday	June 16	Wednesday	June 28

The Court will sit at ten o'clock every day.

N.B. The Associate's Offices will be closed on Wednesday, the 24th of May, being the Queens' birthday. Causes for trial at the first sitting must be entered not later than Tuesday, the 23rd May.

SITTINGS IN BANCO AND AT NISI PRIUS.

Thursday ...	May 25	Motions and peremptory paper
Friday	26	Errors, peremptory paper and motions
Wednesday	31	Special paper
Thursday ...	June 1	Circuits chosen
Saturday.....	3	Criminal appeals
Monday	5	Special paper
Wednesday	7	Special paper

PEREMPTORY PAPER.

To be called on the first day of the term, after the motions, and to be proceeded with the following day (if necessary), before the motions.

Ford v. Bennett
Sutton v. South-Eastern Railway Company

Clark and another v. Hart
Morley and another v. Lockwood and another
Morris v. The Swansea Vale Railway Company

SPECIAL PAPER.

For Judgment.

Fletcher v. Rylands and another. Special case

For Argument.

Richards v. Harper and another. Demurrer. (Ordered to be reargued)
Clark v. Magnus. Demurrer. (To stand over till issues in fact tried)
Cooke v. Mostyn and others. Demurrer. (To stand over till issues in fact tried.)
Campbell v. Dufour. Demurrer. (To stand over till issues in fact tried)
Goodyear v. Lindsay and others. Demurrer. (To stand over till after pleas amended)
Allsopp and others v. Guest and another. Demurrer. (To stand over till after issues in fact tried)
Priestly v. Fernie and others. Demurrers
Rollings v. Lovell. Demurrer
Scott v. Berry. Demurrer
Pritt and others v. Jones. Special case by rule of court
Pearson (app.) v. The Local Board of Health of the Borough of Kingston-upon-Hull (respts.) Appeal. 20 & 21 Vict. c. 43
Walker v. Wyndham. Demurrer. (Ordered to be argued with rule for new trial)
Standbridge v. Barnsley. Demurrer
Tebb v. Wilson. Special case by order

NEW TRIAL PAPER.

For Argument—Moved Hilary Term 1864.

LIVERPOOL—Brabner v. Macann. (Stands over till special case settled)

Moved Easter Term 1865.

CARLISLE—Walker v. Wyndham. (Stands over)
MANCHESTER—Collier v. Moss
LIVERPOOL—Saunders and another v. Merryweather and others
LIVERPOOL—Hargrove v. The Albion Marine Insurance Company (Limited)
LIVERPOOL—Howes and another v. The Lancashire and Yorkshire Railway Company
LIVERPOOL—Woodward v. Metcalf
LIVERPOOL—Roberts v. Bates

Moved after fourth day of Easter Term 1865.

MIDDLESEX—Julian v. Clarke
MIDDLESEX—Ellwood v. Harris
MIDDLESEX—Rutley v. Hanne

LAW SOCIETIES.

LAW AMENDMENT SOCIETY.

A meeting of this society was held on Wednesday, Feb. 15, 1865. Edwin Chadwick, Esq., C.P., President of the Department, in the chair.

The minutes of the last meeting were read and signed.

A discussion was taken on Mr. Chadwick's paper on "The Economical Principles of a Reform of the Legislation and Administration for the Conveyance of Goods and Passengers by Railways."

Mr. Sidney Smith, Mr. F. H. Holland, Mr. Eborall, Mr. F. Hill, Mr. Seymour Teulon, Mr. De Meschin, Mr. William Galt, Mr. Oakley, and the President took part in the discussion.

The department then adjourned.

APPEAL IN CRIMINAL CASES.

At a subsequent meeting, Mr. G. W. Hastings in the chair, the adjourned discussion on the report of the standing committee of jurisprudence and amendment of the law on "the law of appeal in criminal cases" was resumed.

It will be remembered the committee were of opinion that the chief objects which should be accomplished by any scheme for amending our law of criminal appeal were, that it should afford to those convicted of any criminal offence the means of bringing under judicial consideration any fair grounds for submitting the charge to a second investigation, that the public should be carefully guarded against the possibility of the right being exercised in such a way as to defeat or delay the execution of criminal justice, and that all persons convicted of any criminal offence should be entitled, if they prefer it, to have any second investigation of the facts constituting the charge against them taken before a jury. These objects, the committee believed, would be secured by a system of appeal framed in accordance with a series of resolutions which they had prepared. The resolutions, after declaring that the present system of revising sentences of the courts by means of the Home-office was unsatisfactory, laid down:—1st. That any person convicted of treason, felony, or misdemeanour should be entitled to apply for a new trial; and such application should be made by motion before a court composed of not less than three judges of the superior courts, and that the said courts should sit at intervals of not less than one month throughout the year; but that no such application should be made except upon the certificate of the judge who shall have presided at the trial that the case is one for such an application; 2nd, that if an application for a new trial be granted, the accused should have the option of being tried before the court which shall have granted the new trial or before a jury, as in the case of new trials in civil cases; and 3rd, that if the accused elect to be tried by the court which has granted the new trial, that court should have the power of summoning and examining witnesses on oath, and all the power, jurisdiction, and authority, exercised by the court before which the accused was originally tried.

Mr. Frederic Hill moved the insertion, in the second proposition, of the words "provided that the court consent to such an arrangement."

Mr. Dickinson disapproved of a second trial in criminal cases, believed that such an arrangement would weaken the administration of justice, and moved a negative to the motion for the adoption of the report.

After some further discussion, in which Mr. A. J. Williams, Mr. Wilson, Dr. Pankhurst, Mr. Dunne, Sir Eardley Wilmot, Mr. Allen, and the chairman took part, and during which the remarkable cases of Dr. Smethurst and Pelizzioni were frequently referred to, Mr. F. Hill replied, and having pointed to the Townley, Wright, and other cases, and the consequent public discontent that prevailed, to avoid any question of opposition, confined his motion to the resolutions as altered.

The Chairman then put the resolutions *seriatim*, and they were adopted by a small majority.

The thirteenth meeting of this society was held on Monday, May 1; William Hawes, Esq., in the chair. The minutes of the last meeting were read and signed as correct.

The report of the standing committee of the department on the "Partnership Amendment Bill" was read.

It was moved by Mr. F. Hill, and seconded by Mr. Daniel, Q.C., "That the report now read be adopted." After a long discussion, in which Mr. J. Howell, Mr. J. H. Elliott, Mr. P. H. Holland, Mr. Newmarch, F.R.S., Dr. Pankhurst, Mr. Daniel, and the Chairman took part, the motion was withdrawn.

It was moved by Mr. Howell, and seconded by Mr. Newmarch, "That the report be referred back to the committee for further consideration." The motion was unanimously adopted.

The fourteenth meeting was held on Monday, May 8, at the office, 1, Adam-street, Adelphi, Mr. Daniel, Q.C. in the chair, when a discussion took place on the "registration of titles to land."

Mr. Torrens opened the proceedings by referring to the operation of Lord Westbury's Act, which was now before the House of Lords, by which Ireland would receive the benefit of that system of registration now in operation in Australia. The Bill proposed to apply the system of registration of titles to estates as they passed through the present Landed Estates Court, which would do away with the great difficulty of first placing a title upon the record. To the mechanical portion of the working of the Act, however, he objected on the ground of its complication.

A lengthy debate, in which Mr. Wilson and others took part, followed, at the conclusion of which the meeting separated.

JURIDICAL SOCIETY.

A meeting of this Society took place at its rooms, 4, St. Martin's-place, Trafalgar-square, on Wednesday the 10th inst., W. M. Best, Esq. in the chair. When a paper was read by Mr. C. C. Massey, "On the exclusion from evidence before verdict in criminal prosecutions of the fact of previous conviction." A discussion ensued, in which the Chairman, Sir Patrick McColquhoun, Mr. Worsley, Mr. C. Hopwood and Mr. C. Clark, took part.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

E. EAGLES, ESQ.

The late Ezra Eagles, Esq., of Bedford, many years coroner for Bedfordshire, was the eldest son of the late Ezra Eagles, Esq., of Ampthill, in the county of Bedford, by Sarah, daughter of Richard Metcalf, Esq. He was born at Ampthill in the year 1802, and was educated by the Rev. — Crispin at Great Barford. He was admitted a solicitor 1824, and was appointed, in 1832, coroner for Bedfordshire, which post he held down to his death. He died at his residence in Bedford, on the 11th March, and was buried at the Cemetery, Bedford. He married in 1826, Elizabeth, daughter of W. Halfhead, Esq., by whom he has left issue, a son and daughter.

SIR THOMAS STAPLES, BART., Q.C., LL.D.

At Merrion-square, Dublin, on the 14th inst., Sir Thomas Staples, Bart., in the 90th year of his age. He was the eldest son of the late Right Hon. John Staples, P.C., M.P. for co. Antrim, by Henrietta, daughter of Richard, 3rd Viscount Molesworth, and was born in Dublin in 1775. He was educated at Eton, and subsequently at Trinity College, Dublin, where he obtained several honours in his undergraduate course, and graduated B.A. in 1797. The late baronet was called to the Irish Bar in 1800, created a Queen's Counsel in 1822, and was afterwards appointed Queen's Advocate in the High Court of Admiralty in Ireland. The deceased, who was father of the Irish Bar, was the last member of the Irish House of Commons, in which assembly he sat for the borough of Coleraine, and subsequently for Knocktopher, county Kilkenny. He voted against the Legislative Union. He was a magistrate and deputy-lieutenant for the county of Tyrone, and a magistrate for that of Londonderry. Sir Thomas, who succeeded his cousin in the baronetcy, as 7th bart., in 1832, married in 1813 Katherine, daughter of the Rev. John Hawkins, but by that union he had no issue. His nephew, Nathaniel Alexander Staples, who was born in 1817, succeeds to the baronetcy.

EDWARD BRAMLEY, ESQ.

It is with a sentiment of no ordinary sorrow that we announce the death of one of the most estimable of our townsmen. Edward Bramley, Esq., of the firm of Bramley and Gainsford, solicitors, died on Sunday, at his residence, Oak Hill, at the age of 59, after several months' illness. He was the son of Mr. Richard Bramley, of Bridlington Quay. The deceased was originally intended for the medical profession, and with that view he was placed with a surgeon in York. It appeared, however, that he preferred the law, and he came to Sheffield and was articled to Joseph Haywood, Esq. Being admitted an attorney in 1828, he began practice in St. James'-row. While living there the political excitement of the time called forth his most zealous efforts in the cause of reform. He was an active member, and became one of the secretaries of the Political Union which conducted the agitation for the Reform Bill. He was a regular and effective speaker at many of the meetings that were held, and though far-going in his views and extremely ardent in his feelings, he was always most judicious in council. The services of Mr. Bramley and his colleague in the secretaryship, Mr. Gainsford, were acknowledged by a testimonial. When the Reform Bill was carried, some of the members of the Political Union would still have kept it alive with a view to further action, but Mr. Bramley and others of similar standing discountenanced this effort and it came to naught. Mr. Bramley, however, was not one of those who considered the Reform Bill a final measure, or who faltered in the application of the principles of reform. No man was a more consistent Liberal, and that not from impulse but in obedience to the dictates of his mature judgment. He has been throughout one of the most influential and reliable members of the Liberal party in Sheffield. After practising in his profession alone till 1840, Mr. Bramley became the partner of his former master, Mr. Haywood. Mr. Gainsford was added to the firm in 1844. Mr. Bramley has had a highly prosperous professional career. His firm was associated with Mr. Albert Smith as solicitors to the assignees of Parker, Shore and Co., on the failure of the Old Bank in 1843, when a great weight of business of vital importance to individuals and having largely upon the welfare of the town, was most skillfully and carefully transacted. When the town was incorporated by Royal Charter in 1843, the town council had the good fortune to secure the aid of Mr. Bramley as its first town clerk, and he continued in the office for fifteen years, though under conditions which made the service he rendered to the public by no means advantageous to himself. The efficiency with which our new corporation worked, its economical administration and its avoidance of difficulties were especially due to Mr. Bramley. At times party spirit ran very high, but his impartiality secured for him the confidence of all, as he used his influence to save individuals and the corporation generally from difficulties that must have arisen under a less judicious and disinterested adviser. When Mr. Bramley resigned the office of town clerk in 1859 the town council presented to him a handsomely engrossed, the following resolution:—

That the council receives with deep regret the announcement of Mr. Bramley, the town clerk, especially as it is caused by the impaired state of his health. The council cannot omit the duty of recording on this occasion its high sense of the value of the services which the town clerk has rendered to the corporation and the town during the first fifteen years of the existence of this corporation. The soundness with which he has advised the council on questions of law; the temper, prudence, and forbearance he has manifested on all occasions of difficulty; the tact he has shown in promoting the efficient and economical working of our municipal institutions; the diligence, ability, and discretion he has exercised wherever called upon to act as the organ of the corporation; the courtesy and frankness with which he has uniformly assisted members of the council who have sought his aid; and the success in preserving friendly relations between all the other public bodies of the town and this corporation eminently deserve and have secured the warmest acknowledgment and thanks of this council, which are hereby tendered to him. The council cannot take leave of Mr. Bramley, as town clerk, without expressing a fervent hope that Almighty God may for many years spare his valuable life in such health that he may with comfort and efficiency continue to promote the welfare of his family, his friends, and the public. That a copy of the foregoing resolution, sealed with the corporate common seal, be presented by the mayor, on behalf of this council, to Mr. Bramley.

On the 17th Dec., in the same year, a silver cake basket and salver were presented to Mr. Bramley by a few of his friends. In the great railway campaigns of nearly twenty years ago, Mr. Bramley's firm was associated with Messrs. Smith and Hinde as solicitors of the lines proposed to connect Sheffield with the eastern coast, and in communication with Manchester and Sheffield to open an eastern and western line from sea to sea. We may add, as another proof of the confidence reposed in Mr. Bramley, that last year, when it was necessary to appoint commissioners by the Water Company's Bill to hear and decide upon claims, a meeting of the gentlemen of the legal profession was held, and they strongly recommended that Mr. Bramley should be one of the commissioners. Various considerations, however, led him to decline the honour. Mr. Bramley was brought up a member of the Church of England, but in 1837 he associated himself with the Unitarian body, of which he has since been one of the most consistent and influential members. Several years ago Mr. Bramley's health was much shaken, but he appeared to have recovered, and until the latter part of last year was well and active. In September or October, though there was no change in his appearance, he spoke confidentially to his friends of unpleasant sensations, indicating the progress of internal disease. About Christmas the symptoms became more decided, and there was so great a failure of health and strength that he was unable to visit his office after the 9th Jan. Five or six weeks ago the celebrated Dr. Budd, of London, was called in, but gave no hope of Mr. Bramley's recovery. Mr. Bramley leaves a widow and three children—a son and two daughters; his son, Mr. Herbert Bramley, having been brought up to his father's profession, is on the eve of being admitted as an attorney. In his professional life, Mr. Bramley was highly successful, and enjoyed in an unbounded degree the confidence and esteem of all who knew him. Sound judgment, right feeling, extensive knowledge, and perfect integrity were the features of his character, while his kindly disposition led him to befriend all who needed his aid, and his urbanity rendered intercourse with him always pleasant. In private life Mr. Bramley was greatly beloved. He had a well-cultivated taste for the fine arts, and had made a very valuable collection of pictures. A strong and general desire was expressed last year that Mr. Bramley should allow himself to be elected a member of the town council with a view to his filling the office of mayor, it being felt that the extended powers conferred by the Local Government Act would be rendered far more advantageous if inaugurated under the influence of his guiding mind. Unhappily, the consciousness of failing health led him to shrink from this responsibility, and the result has too truly verified his presentiment. We are sure that we express the universal opinion of our townsmen that the death of Mr. Bramley is one of the greatest losses Sheffield could have sustained, for he not only was eminently able to render public service, but his high sense of duty made him willing to do so, though at the cost of much personal sacrifice. The inroads made by death during the last few months among the most valuable members of Sheffield society have been unusually numerous, and among them the death of Mr. Bramley has created a vacuum which, we fear, is not likely soon to be adequately filled.—*Sheffield Independent.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, May 9.

By Messrs. WILKINSON and HOBBS, at Garraway's.—Freehold premises, situate No. 14, Serle-street, Lincoln's-inn—sold for 2020*l.*

By Messrs. TEBB BROTHERS, at Garraway's.—Leasehold residence, being No. 10, Carlton-road, Kilburn-park, Edgware-road, estimated annual value 105*l.*; term 81 years unexpired; ground-rent 8*l.* per annum—sold for 1140*l.* Leasehold, two houses, being Nos. 39 and 40, Drummond-road, Bermondsey, producing 56*l.* per annum; term 80 years from 1862; ground-rent 5*l.* 5*s.* per annum—sold for 490*l.* Leasehold, two houses, being No. 7 and 8, Westmoreland-place, Southampton-street, Camberwell, producing 50*l.* 8*s.* per annum; term 79 years from 1853; ground-rent 10*l.* per annum—sold for 195*l.*

Thursday, May 11.

By Messrs. C. C. and T. MOORE, at Garraway's.—Freehold house and shop, being No. 46, Phillipp-street, Kingsland-road; let at 26*l.* per annum—sold for 400*l.* Freehold house and shop, being No. 48, Phillipp-street aforesaid; let at 30*l.* per annum—sold for 460*l.* Freehold public-house, known as the "Prince of Wales," being No. 50, Phillipp-street, let at 35*l.* per annum—sold for 1020*l.* Freehold house, being No. 51, Phillipp-street; let at 27*l.* per annum—sold for 380*l.* Freehold, three houses, being Nos. 1, 2 and 3 Albert-place, Phillipp-street; producing 40*l.* 10*s.* per annum—sold for 420*l.* Leasehold house and shop, 313, Queen's-road, Dalston; let at 42*l.* per annum; term 90 years from 1832; ground-rent 6*l.* per annum—sold for 360*l.* Leasehold house, being No. 317, Queen's-road aforesaid; let at 30*l.* per annum; term and ground-rent similar to above—sold for 320*l.* Leasehold houses, being No. 6, Upper Smith-street, Clerkenwell; let at 32*l.* per annum; term 73 years from 1859; ground-rent 4*l.* per annum—sold for 310*l.* Freehold house, with land in the rear, being No. 3, Burchfield-terrace, East India-road—sold for 340*l.* Freehold ground-rent of 17*l.* per annum, with reversion to two houses and shops fronting the Broadway, Stratford, estimated to produce 100*l.* per annum—sold for 715*l.* Freehold plot of land situate in Victoria-road, Chigwell-road, Essex—sold for 45*l.* Leasehold, four residences, being Nos. 6, 7, 8 and 9, Grove-hill, Woodford, Essex, producing 100*l.* per annum; term 70 years unexpired; ground rent 3*l.* 10*s.* each—sold for 370*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, May 5.

CLIFTON, JOHN HENRY, and BECKINGHAM, HARRY HUGHES, attorneys and solicitors, Bristol.

HENDERSON, ALFRED, and GRIFFITH, ROBERT WILLIAM, attorneys, solicitors and conveyancers, Cardiff.

Bankrupts.

Gazette, May 9.

To surrender at the Bankrupts' Court, Basinghall-street.

ARMITAGE, WILLIAM, coachmaker, Arthur-mews, London-st. and Praed-st. Paddington. Pet. May 6. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. May 17.

BRADLEY, HENRY, house agent, Charlotte-st. Fitzroy-sq. Pet. May 5. Reg. Roche. O. A. Parkyns. Sol. Ley, Poultry. Sur. May 12.

BROWNRIGG, HENRY, merchant, Lime-st. and Fitzroy-rd. Regent's-pk. Pet. May 6. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co. Old Jewry-chambers. Sur. May 30.

CHAMPION, JAMES NIEMANN, house decorator, Spring-st. New North-rd. Pet. May 6. Reg. Hazlitt. O. A. Graham. Sol. Biggerdon, Southampton-bdgs. Sur. May 30.

CLAY, JOHN SAMUEL, lithographic artist, Bartholomew-rd. Kentish-n. Pet. May 5. Reg. Brougham. O. A. Edwards. Sol. Chalk, Coleman-st. Sur. May 27.

COLGROVE, DANIEL, tailor, Tottenham-rd. De Beauvoir-n. Pet. May 5. Reg. Roche. O. A. Parkyns. Sol. Lewis, Great Knightrider-st. Sur. May 12.

GILMORE, WILLIAM, surgeon, Aylesbury. Pet. May 1. Reg. Hazlitt. O. A. Graham. Sols. Willoughby and Cox, Clifford's-inn. Sur. May 23.

HALLINAN, DANIEL, greengrocer, Dunstan's-pl. Ratcliffe. Pet. May 3. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. May 12.

HARRIS, RICHARD, tailor, Essex-st. Islington. Pet. May 5. Reg. Hazlitt. O. A. Graham. Sol. Layton, Church-row, Islington. Sur. May 26.

HEAWOOD, HENRY, assistant to a hosier, Arlington-st. Islington. Pet. May 8. Reg. Brougham. O. A. Edwards. Sol. Beard, Basinghall-st. Sur. May 17.

HITCHING, FREDERICK, marble paper-hanging manufacturer, Great Saffron-hill, Holborn, and Red Lion-yd. Clerkenwell. Pet. May 6. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. May 27.

HOBE, RICHARD WESLEY, saddler, Littlehampton. Pet. May 6. Reg. Brougham. O. A. Edwards. Sols. Lepard and Gammon, Cook-la. Sur. May 27.

HUTCHINSON, WILLIAM, watch examiner, Alfred-pl. North Islington. Pet. May 4. Reg. Roche. O. A. Parkyns. Sol. Great, Scott's-yd. Cannon-st. Sur. May 22.

JONES, ROBERT, greengrocer, New-st Marylebone. Pet. May 6. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand. Sur. May 27.

KIRKMAN, CHARLES FELTON, manure manufacturer and contractor, for scavenge, Barnes and Clayland-ter. Clapham-rd. Pet. May 4. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 22.

LACEY, JOSEPH ROBERTS, grocer, Haddenham. Pet. May 6. Reg. Hazlitt. O. A. Graham. Sols. Dean and Eley, New Broad-st Sur. May 23.

MAY, JOHN, builder, Colville-sq. Bayswater. Pet. May 1. Reg. Brougham. O. A. Edwards. Sol. Poole, Bartholomew-close. Sur. May 27.

MILLER, EDWARD, clerk in holy orders, Rugnor. Pet. May 4. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. May 22.

PAINE, HENRY, tailor, Fleming-rd. Walworth, and Catherine-st. Strand. Pet. May 4. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. May 30.

SAUNDERS, BARNARD WILLIAM, brewer, Dorset-st. Clapham-rd. Pet. May 6. Reg. Hazlitt. O. A. Graham. Sol. Spyer, Broad-st.-bdgs. Sur. May 30.

SIMON, CHRISTOPHER FREDERICK WILLIAM, furniture dealer, Wellington pl. Vauxhall. Pet. May 4. Reg. Roche. O. A. Parkyns. Sol. Owen, Portsmouth-st Lincoln's-inn-fields. Sur. May 22.

SKYE, RICHARD MASSEY, journalist, Belgrave-rd. Warwick-sq. Pet. May 5. Reg. Roche. O. A. Parkyns. Sol. Toogue, Basinghall-st. Sur. May 22.

SMITH, WILLIAM, bricklayer, St. John's-grove, Richmond. Pet. May 5. Reg. Hazlitt. O. A. Graham. Sol. Haynes, Serle-st. Lincoln's-inn-fields. Sur. May 30.

STANLEY, JAMES TALBOT, major of militia, Haverfordwest. Pet. May 4. Reg. Brougham. O. A. Edwards. Sols. Willoughby and Cox, Clifford's-inn. Sur. May 27.

STAYHAM, WILLIAM, messenger, Markham-st. Chelsea. Pet. May 4. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. May 27.

STONE, EDWARD, carpenter, Oxford-market, Oxford-st. Pet. May 4. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. May 30.

THOMAS, DANIEL, general commission agent, Jewry-st. Aldgate. Pet. May 4. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. May 30.

WINTER, WILLIAM DAVIS, grocer, Esmond-rd. Victoria-pk. Pet. May 4. Reg. Roche. O. A. Parkyns. Sol. Hicks, Moorgate-st. Sur. May 22.

To surrender in the Country.

AILAN, JOHN, chemist and druggist, Scarborough. Pet. May 6. O. A. Young. Sols. Anderson, York; Bond and Marwick, Leeds. Sur. May 23.

BAKER, CHRISTOPHER THOMAS, potters' painter, Dresden, Trentham. Pet. May 4. Reg. & O. A. Keary. Sol. Hawley, Longton. Sur. May 16.

BEAN, WILLIAM, wine and spirit merchant, Axbridge. Pet. May 5. Reg. Wilde. O. A. Acraman. Sol. Beckingham, Bristol. Sur. May 19.

BROWNING, ALFRED, horse fly proprietor, Powick. Pet. May 4. Reg. & O. A. Crisp. Sol. Rea, Worcester. Sur. May 23.

BURTON, HENRY, retail brewer, Aston Juxta. Pet. May 4. Reg. & O. A. Guest. Sol. Clarke, Birmingham. Sur. May 23.

CHORLEY, RICHARD, coal merchant, Warrington. Pet. May 5. Reg. Harris. O. A. Morgan. Sols. Marsh and Barratt, Warrington; Grundy and Davies, Manchester. Sur May 23.

COMBER, SAMUEL, riding master, Worthing. Pet. May 2. Reg. & O. A. Blaker. Sol. Lanson, Brighton. Sur. May 24.

DAVIES, DAVID, butcher, Aberdare, Llanfyllin. Pet. May 4. Reg. & O. A. Pugh. Sol. Pughe, Llanfyllin. Sur. May 23.

EVANS, OWEN, Penychurllan, Llangynllwyf. Pet. May 6. Reg. & O. A. James. Sol. Jones, Conway. Sur. May 13.

FISHER, JAMES, brewer and commission agent, Walsall. Pet. May 5. Reg. Hill. O. A. Kinnear. Sol. Beaton, Birmingham. Sur. May 22.

GILBY, DAVID, coachbuilder, Buree. Pet. April 26. Reg. & O. A. Andrews. Sol. Mumford, Sudbury. Sur. May 20.

HEAP, ANDREW, stonemason, Wood Top, Habergham Eaves. Pet. May 4. Reg. & O. A. Hartley. Sols. Backhouse and Whitham, Burnley. Sur. May 23.

HIGGINS, JOSEPH, sen. press tool and brass screw maker, Birmingham. Pet. May 3. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. May 12.

HOPE, ANTHONY, draper, York. Pet. May 6. Reg. & O. A. Perkins. Sol. Grayston, jun. York. Sur. May 23.

HOWELLS, DANIEL EDWARDS, mason, Blackmarstone, Hereford. Pet. May 4. Reg. & O. A. Reynolds. Sol. Carroll, Hereford. Sur. May 30.

KELLY, ALEXANDER, cotton dealer, Liverpool. Pet. May 5. O. A. Turner. Sols. Jenkins and Rae, Liverpool. Sur. May 23.

KIRBY, DAVID, cricker, Northampton. Pet. May 6. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. May 27.

LEES, SAMUEL, Esq. Cheetham-upon-Medlock. Pet. April 27. Reg. Macrae. O. A. Morgan. Sols. sale, Worthington, Shipman, Seddon and Sale, Manchester. Sur. May 19.

MARTIN, ROBERT THOMSON, hotel keeper, Liverpool. Pet. May 6. O. A. Turner. Sol. Nordon, Liverpool. Sur. May 23.

PAYNE, CHARLES, confectioner, Llandudno. Pet. May 4. O. A. Turner. Sol. Husband, Liverpool. Sur. May 23.

PINKSTONE, CHARLES ISAAC, watchmaker, Tiverton. Pet. May 5. Reg. & O. A. Daw. Sol. Cockram, Tiverton. Sur. May 19.

PITT, JOSEPH, cooper, Halts, Worcester. Pet. May 3. Reg. & O. A. Crisp. Sol. Wilcox, Worcester. Sur. May 23.

POTTER, THOMAS, joiner, Altrincham-field. Pet. May 5. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham; Smith, Lock. Sur May 19.

SAVAGE, THOMAS, brass and german silver caster, Birmingham. Pet. May 5. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. May 22.

SELBY, WILLIAM, photographic artist, St. Leonard's-on-Sea. Pet. May 5. Reg. & O. A. Young. Sol. Hilton, Hastings. Sur. May 22.

SHARPLES, JOHN, commission agent, Blackburn. Pet. May 4. Reg. Macrae. O. A. Morgan. Sols. Wheeler, Dean and Kendall, Blackburn; Cobbett and Wheeler, Manchester. Sur. May 19.

SIMPSON, JOHN, contractor, Everton and Liverpool. Pet. May 5. O. A. Turner. Sol. Harris, Liverpool. Sur. May 26.

STATHAM, JOSEPH, butcher, Altrewas. Pet. May 5. Reg. & O. A. Birch. Sol. Crabb, Rugeley. Sur. May 19.

TEW, ANN, innkeeper, Admaston, Wellington. Pet. May 5. Reg. & O. A. Newill. Sol. James, Wellington. Sur. May 22.

TIZARD, WILLIAM LITTLE, engineer, Birmingham. Pet. May 6. Reg. Tudor. O. A. Kinnear. Sol. Parry, Birmingham. Sur. May 26.

TURNER, RICHARD, grocer, Newtown, Montgomery. Pet. May 1. O. A. Turner. Sols. Littledale, Ridley and Hardwell, Liverpool. Sur. May 20.

TWIGG, FREDERICK, table knife manufacturer, Sheffield. Pet. May 4. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. May 22.

WALSH, NICHOLAS, grocer, Birmingham. Pet. April 25. Reg. Hill. O. A. Kinnear. Sol. Free, Birmingham. Sur. May 22.

WHATTAM, JOSEPH, gardener, Boston. Pet. May 4. Reg. & O. A. Staniland. Sol. York, Boston. Sur. May 17.

WILLIAMS, ADIE, jun. tailor, Gloucester. Pet. May 6. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. May 22.

ERRATUM.

PEMBERTON, LAURA, spinster, Sutton, Lancaster (and not Chester, as advertised in Gazette, May 5)

Gazette, May 12.

To surrender at the Bankrupts' Court, Basinghall-street.

ARMITAGE, WILLIAM, dry master, Hornsey-rise-mews, Islington. Pet. May 8. Reg. Roche. O. A. Parkyns. Sol. Field, Ely-pl. Holborn. Sur. May 22.

BUTLER, JAMES, mast maker, Portsea. Pet. May 8. Reg. Brougham. O. A. Edwards. Sols. Stening, Portsea; Nichols and Clark, Cook's-ct. Lincoln's-inn. Sur. May 31.

CHESNEY, ALEXANDER HUTCHISON MOIRA, retired lieut.-colonel in H.M. Indian army, Lansdowne-ter. Regent's-pk. Pet. May 9. Reg. Roche. O. A. Parkyns. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. May 24.

CLEMENTS, WILLIAM MATHAM, horse dealer, Blossom-st. Norton-folgate, and Leicester. Pet. May 10. Reg. Brougham. O. A. Edwards. Sol. Dramwell, Basinghall-st. Sur. May 31.

COHAN, SOLOMON, general dealer, Goswell-st. Pet. May 8. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. Sur. May 27.

DAVIS, COLEMAN, and ALVAREZ, AARON, rag dealers, Charles-st. St. George's-in-the-east, and Tilley-st. Spitalfields. Pet. May 10. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. June 1.

DWYER, WILLIAM GEORGE, and BATEMAN, HENRY, boot and shoe makers, Kentish-ter.-rd. Pet. May 10. Reg. Hazlitt. O. A. Graham. Sol. Scott, Guilford-st. Russell-sq. Sur. June 1.

FRENCH, HENRY RICHARD, hay dealer, North Cray, Bromley. Pet. May 8. Reg. Brougham. O. A. Edwards. Sol. Silvester, Great Dover-st. Newington. Sur. May 31.

HAWKINS, RICHARD THOMAS, out of business, Oakley. Pet. May 9. Reg. Hazlitt. O. A. Graham. Sol. Vaux, New-inn, Strand. Sur. May 31.

HODGSON, JAMES BRAITHWAITE, dealer in shares, Woodville-rd. Stoke Newington. Pet. May 6. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. May 24.

HOLMES, ROBERT, auctioneer, Exeter. Pet. May 10. Reg. Roche. O. A. Parkyns. Sols. Wright and Bonner, London-st. Fenchurch-st. agents for Law, Stamford. Sur. May 24.

JONES, FREDERICK DE CASTRO, commission agent, Warwick-st. Pimlico. Pet. May 8. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. May 31.

JONES, ISABELLA JANE, in no business, Prospect-pl. Wandsworth-rd. Pet. May 3. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. May 31.

KEMMISH, WILLIAM, jun. stationer, Camberwell-rd. Walworth. Pet. May 7. Reg. Brougham. O. A. Edwards. Sol. Parkes, Beaufort-bdgs. Strand. Sur. May 27.

KIRCK, MARTIN WILLIAM, ship and insurance broker, Great St. Helen's. Pet. May 8. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. May 17.

LUCAS, ALEXANDER, shipping agent, Richmond-rd. Hackney. Pet. May 8. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. May 22.

MORGAN, LEWIS, carman, St. George's-st.-east. Pet. May 9. Reg. Brougham. O. A. Edwards. Sol. Stoddart, Arbour-st.-east, Stepney. Sur. May 31.

MOWL, GEORGE, carpenter, Bethnal-gn.-rd. Pet. May 10. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. May 24.

ORCHARD, WILLIAM, and HOLMAN, JOHN, builders, Downs-pk.-rd. Hackney. Pet. May 8. Reg. Roche. O. A. Parkyns. Sol. Marsden, Walbrook. Sur. May 23.

PEARCE, GEORGE, baker, St. Ann's-rd. Stepney. Pet. May 9. Reg. Hazlitt. O. A. Graham. Sol. Stoddart, Arbour-st.-east, Stepney. Sur. May 30.

READ, PATRICK, greengrocer, Croydon. Pet. May 9. Reg. Roche. O. A. Parkyns. Sol. Parry, Croydon. Sur. May 24.

RUTLAND, WILLIAM, auctioneer's clerk, Edward-st. St. John's-wood. Pet. May 8. Reg. Hazlitt. O. A. Graham. Sol. Scarth, Air-st. Regent-st. Sur. May 30

SCHOLFIELD, JOHN MATHER, patentee, Borough-rd. Southwark, and Serle-st. Lincoln's-inn. Pet. May 10. Reg. Hazlitt. O. A. Graham. Sol. Cooke, New Broad-st. Sur. June 1.

STABLEY, WILLIAM, out of business, Lyam-rd. Brixton. Pet. May 8. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. May 30.

WALKER, WILLIAM SYMONS, builder, Croydon. Pet. May 9. Reg. Brougham. O. A. Edwards. Sol. Beckitt, Moorgate-st. Sur. May 31.

WILLIAMS, RICHARD LLEWELYN, officer in the army, Duke-st. St. James'. Pet. May 8. Reg. Hazlitt. O. A. Graham. Sol. Jones, New-inn, Strand. Sur. June 1.

WOLLHEIM, EDMUND, merchant, Charles-st. Westbourne-ter. Pet. May 9. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. May 24.

YOUNG, GEORGE, cattle dealer, Ramsted. Pet. May 5. Reg. Brougham. O. A. Edwards. Sol. Hogan, Martin's-la. Cannon-st. Sur. May 31.

To surrender in the Country.

BAILEY, WILLIAM, commission agent, Dewsbury. Pet. May 8. Reg. & O. A. Nelson. Sol. Ibbetson, Dewsbury. Sur. May 26.

BROWN, THOMAS, glass dealer, Manchester. Pet. May 8. Reg. Harris. O. A. Morgan. Sol. Barlow, Manchester. Sur. May 23.

BUTCHER, RICHARD, dentist, Southport. Pet. May 8. O. A. Turner. Sol. Husband, Liverpool. Sur. May 23.

CHALONER, WILLIAM, publican, Holme. Pet. April 12. Reg. & O. A. Hulton. Sol. Garside, Manchester. Sur. May 27.

CHEETHAM, JAMES, boot and shoe maker, Manchester. Pet. May 9. Reg. Macrae. O. A. Morgan. Sol. Richardson, Manchester. Sur. May 23.

CROFT, WILLIAM, plumber, Liverpool. Pet. May 9. Reg. & O. A. Hime. Sol. Blackburn, Liverpool. Sur. May 23.

CROSSLEY, HENRY, cotton manufacturer, Todmorden. Pet. April 29. O. A. Young. Sols. Boote and Rylance, Manchester; Balmer, Leeds. Sur. May 23.

DAVIES, JOHN RICHARD, commission agent, Cardiff. Pet. May 8. Reg. Wilde. O. A. Acraman. Sols. Free and Inskip, Bristol. Sur. May 17.

DAVIS, COLBY ATKINSON, confectioner, Hull. Pet. May 9. Reg. & O. A. Philips. Sol. Stead, Hull. Sur. May 26.

DAVIS, THOMAS, labourer, Appesley. Pet. May 8. Reg. & O. A. Brown. Sol. Brown, Dudley. Sur. May 23.

DE BROUWER, HIPPOLYTE JEAN CHARLES CONSTANT EDOUARD, gentleman, Torquay. Pet. March 29. Reg. & O. A. Reward. Sol. Flood, Exeter. Sur. May 23.

DOLBY, JOHN MARRILLIE, commission agent, Levenshulme, near Manchester. Pet. May 10. Reg. Harris. O. A. Morgan. Sol. Stover, Manchester. Sur. May 23.

DYSON, JOHN, victualler, Liverpool. Pet. May 10. O. A. Turner. Sol. Harris, Liverpool. Sur. May 23.

ENTWISTLE, WILLIAM SMITH and ENTWISTLE, CHARLES HENRY, iron merchants, Sheffield. Pet. May 9. O. A. Young. Sol. Fretson, Sheffield. Sur. May 26.

FLORENCE, JOHN, blacksmith in Portsmouth Dockyard, Portsea. Pet. May 3. Reg. & O. A. Reward. Sol. Cousins, Portsea. Sur. May 23.

GARFIT, ARTHUR and SLEIGHT, JOHN, merchants, Hull. Pet. May 6. O. A. Young. Sols. England, Sansbye and Roberts, Hull. Sur. May 31.

GILL, JOHN, out of business, Heath. Pet. May 10. O. A. Young. Sol. Harle, Leeds. Sur. May 27.

GRIBBLE, ALBERT, attorney, Cullumpton. Pet. May 10. O. A. Carrick. Sol. Terrell, Exeter. Sur. May 22.

GRIFFITHS, GRIFFITH, grocer, Birkenhead. Pet. May 10. Reg. & O. A. Gill. Sol. Sherratt, Wrexham. Sur. May 20.

HENDERSON, ROBERT, beerhouse-keeper, Durham. Pet. May 8. Reg. & O. A. Bramwell. Sol. Marshall, jun., Durham. Sur. May 24.

HOLMES, CHARLES, fruiterer, Great Grimsby. Pet. May 8. Reg. & O. A. Danbery. Sol. Wintringham, Grimsby. Sur. May 26.

HORNER, JOHN, saddler, Londesborough. Pet. May 8. O. A. Powell. Sol. Silburn, Pocklington. Sur. May 26.

HUMPHREY, HENRY, general dealer, Eastbourne. Pet. May 6. Reg. & O. A. Blaker. Sol. Hillman, Lewes. Sur. May 25.

JOLLEY, JOHN, farmer, Norton-in-the-Moors. Pet. May 9. Reg. Hill. O. A. Kinnear. Sols. Walker, Burslem; James and Griffin, Birmingham. Sur. May 29.

JOHNSON, WILLIAM and WHITAKER, JOHN, ironfounders, Pennington, Leigh. Pet. May 10. Reg. Harris. O. A. Morgan. Sols. Taylor and Son, Bolton; Maybew and Son, Wigan; Boote and Rylance, Manchester. Sur. May 30.

KEELING, WILLIAM, auctioneer, Dunkerton. Pet. May 8. Reg. & O. A. Smith. Sol. Wilton, Bath. Sur. May 29.

LEECH, JOHN, victualler, Poulton-by-the-Sands. Pet. May 6. Reg. & O. A. Dunn. Sols. Johnson and Tilly, Lancaster. Sur. May 24.

MIDDLEDITCH, EDWARD, baker, Maldon. Pet. May 9. Reg. & O. A. Codd. Sol. Digby, Maldon. Sur. May 25.

MORGAN, JAMES, hatter, Hereford. Pet. May 5. Reg. & O. A. Reynolds. Sol. Averill, Hereford. Sur. May 30.

MORRIS, SAMUEL, grocer, Llangollen. Pet. May 9. Reg. & O. A. Edgworth. Sol. Sherratt, Wrexham. Sur. May 25.

MORRISH, EMILY, grocer, Taunton. Pet. May 11. O. A. Carrick. Sol. Kossiter, Taunton. Sur. May 23.

MORTLOCK, THOMAS, innkeeper, Clare. Pet. May 6. Reg. & O. A. Jardine. Sol. Mumford, Sudbury. Sur. May 25.

OLDFIELD, THOMAS, stone mason, Bulmer. Pet. May 8. Reg. & O. A. Wilson. Sol. Dale, York. Sur. May 29.

OLDING, JOHN, plumber, Newtown, Southampton. Pet. May 6. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. May 27.

PALMER, GEORGE, LEE, EDWIN, and RALLINGS, WILLIAM, timber merchants, Digliss, Worcester. Pet. May 5. Reg. Hill. O. A. Kinnear. Sols. Corles, Worcester; James and Griffin, Birmingham. Sur. May 29.

PARKER, EDWARD, puddler, Westbromwich. Pet. May 9. Reg. & O. A. Watson. Sol. Jackson, Westbromwich. Sur. May 30.

PIPER, HENRY WILLIAM, grocer, Tunbridge Wells. Pet. May 5. Reg. & O. A. Blaker. Sol. Lambe, Brighton. Sur. May 24.

POOL, JOHN, hatter, Carlisle. Pet. May 8. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. May 29.

POOLE, JOHN, music-hall proprietor, Nottingham. Pet. May 3. Reg. & O. A. Patchitt. Sol. Heath, Nottingham. Sur. May 31.

RICE, BENJAMIN, sen., plumber, Derby. Pet. May 9. Reg. Hill. O. A. Harris. Sol. Boroughs, Derby. Sur. May 23.

ROBSON, GEORGE, grocer, Gateshead Low Fell, Gateshead. Pet. May 8. Reg. Gibson. O. A. Laidman. Sol. Joel, Newcastle. Sur. May 23.

RYDER, JOSEPH, mason, Crook. Pet. May 4. Reg. & O. A. Trotter. Sol. Proud, Bishop Auckland. Sur. May 24.

SAMUELSON, MARTIN and MOSS, WILLIAM HENRY, iron shipbuilders, Hull. Pet. April 12. O. A. Young. Sols. England, Saxelbye, and Roberts, Hull. Sur. May 31.

SARTAIN, THOMAS, cattle dealer, Holt, Bradford-on-Avon. Pet. May 5. Reg. & O. A. Spackman. Sol. Bartrum, Bath. Sur. May 22.

SMITH, HENRY, chemist, Ecclesball. Pet. May 11. Reg. Hill. O. A. Kinnear. Sols. Robinson, Ecclesball; James and Griffin, Birmingham. Sur. May 31.

SMITH, REUBEN, beershop-keeper, Northfleet. Pet. May 9. Reg. & O. A. Southgate. Sol. Outred, Gravesend. Sur. May 25.

SMITH, WILLIAM, draper's assistant, Great Grimsby. Pet. May 10. O. A. Young. Sol. Wintringham, Great Grimsby. Sur. May 31.

SOUTHERDEN, CHARLES, grocer, Hastings. Pet. May 9. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. May 27.

STEWART, ROBERT, manufacturing chemist, Bolton. Pet. May 5. Reg. Harris. O. A. Morgan. Sols. Richardson and Brandwood, Bolton and Manchester. Sur. May 24.

THOMAS, THOMAS, grocer, Saint John's-juxta, Swansea. Pet. May 8. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. May 22.

TIPPER, DANIEL, innkeeper, Darlaston. Pet. May 6. O. A. Clarke. Sols. Duignan, Lewis and Lewis, Walsall. Sur. May 23.

TURNER, EDWARD, maltster, Preston and Ormskirk. Pet. April 29. Reg. Harris. O. A. Morgan. Sols. Charnley, Son, and Finch, Preston; Cooper and Sons, Manchester. Sur. May 26.

WEISSER, DOMINICK, watchmaker, Plymouth. Pet. April 27. O. A. Carrick. Sols. Saunders, Birmingham; Hirtzell, Exeter. Sur. May 31.

WILSON, JOHN, innkeeper, Newcastle. Pet. April 29. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. May 22.

WITHERS, JOHN, mason, Tormoham. Pet. May 8. Reg. & O. A. Paisley. Sol. Whiteway, Newton Abbott. Sur. May 23.

BANKRUPTCIES ANNULLED.

Gazette, May 9.

THOMAL, MARY, grocer and general-shop keeper, Swansea.

Gazette, May 12.

BENNETT, JOHN, mason, Birkenhead.
HAWTHORN, ELWIN, brazier, Smith-st. Ratcliffe.
TAYLOR, THOMAS, blacksmith and coal merchant, Headbourne Worthy.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Armstrong, J., Crook, first, 2s. 1d. Laidman, Newcastle.—*Austen*, C. J. commander R. N., first, 11¼d. Carrick, Exeter.—*Calf*, T. W. tailor, first, 2s. 1½d. Carrick, Exeter.—*Cort*, G. grocer and draper, first on new proofs, 8s. Carrick, Exeter.—*Crosthwaite*, J. merchant, sixth, 10½d. Turner, Liverpool.—*Dewsbery*, C. L. livery-stable keeper, first, 13s. 4d. Edwards, London.—*Gibson*, J. linendraper, first, 8s. 9d. Laidman, Newcastle.—*Roberts*, J. B. tobacconist, first, 2s. 3d. Turner, Liverpool.—*Simons*, G. and M. watch manufacturers, fourth, 1s. 2d. Edwards, London.—*Urwin*, W. R. iron merchant, first, 10s. 6d. Laidman, Newcastle.—*Williams*, T. grocer and flour dealer, first, 1s. Turner, Liverpool.

INSOLVENTS' ESTATES.

Keernden, R. wheelwright, 6½d. Acworth, Rochester.—*Furminger*, W. plumber, 2s. 7½d. Acworth, Rochester.—*Knight*, S. carpenter, second, 9½d. Acworth, Rochester.—*Buck*, W. J. baker, 2s. 1½d. Acworth, Rochester.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, May 9.

BLUETT, CHARLES, wine merchant, Taunton. April 26. Trust. J. S. Atkins, accountant, St. Mary-at-hill. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

BLUNDELL, HENRY, butcher, Southport. April 27. 5s. by three instalments of 1s. 8d. at 3, 6 and 9 mos.

BRADSHAW, THOMAS, baker, Emsworth. April 12. Trust. J. Woodward, provision merchant, Portsea.

BROWN, CHARLES, innkeeper, Blackpool. April 18. Trusts. T. Threlfall, wine and spirit merchant, Preston, and J. Braithwaite, butcher, Blackpool.

BUTLER, THOMAS, shoemercer, Nobis-st. and High-st. Stepney. April 12. Trusts. G. Collier, Manchester, and J. Clayson, Wood-st. warehousemen.

CARR, HORATIO MITCHELL, and FENTON, JOHN, cloth finishers, Leeds. April 11. 3s. on 20th May. Trust. S. E. Hargreave, Esq., Headingley, near Leeds.

CARSAPINE, ARTHUR, commission merchant, Gracechurch-st. April 24. 3s. in 21 days after registration of deed.

CHRISTIE, CHARLES, and LONG, WILLIAM GEORGE, warehousemen, George-st. Tottenham-ct.-rd. April 18. 11s. by three instalments—4s. at 4 mos., 4s. at 8 mos. and 3s. at 12 mos.—secured. Trust. H. W. Banks, public accountant, Coleman-st.

CLARK, JOHN, travelling draper, Liverpool. April 17. 6s. 9d. by three instalments of 2s. 3d. on 20th Oct., 2s. 3d. on 20th April and 2s. 3d. on 20th Oct. 1866—secured.

COHEN, AARON, confectioner, Wentworth-st. Spitalfields. May 3. 1s. on demand.

DEWHURST, JANE, builder, Heywood. April 18. Trusts. J. Kershaw, ironmonger, G. Heworth, joiner, and J. Lord, mason, all of Heywood.

EGAN, THOMAS, cotton merchant, Salford. May 6. 2s. in 1 mo.

FEARNLEY, CHARLES THOMAS, grocer, Reading. April 29. 15s. by instalments—2s. in 3 mos., 4s. at 6 mos., 4s. at 9 mos. and 5s. at 12 mos. Trusts. F. Nicholls, Old Jewry-chambers, and J. J. Saffery, Basinghall-st. public accountants.

FINLAYSON, ALEXANDER, travelling draper, Cardiff. April 12. Trusts. J. H. Bankart, Bradford, and S. C. Rossiter, Bristol, warehousemen.

FUNNELL, JOHN BARNES, grocer, Hastings. April 8. Trusts. M. Wallis, wholesale grocer, Brighton, C. Arnold, wholesale grocer, Maidstone, and W. Merry, provision merchant, London.

HALL, ELIZA, wholesale grocer, Rochdale, and HALL, JOHN WILLIAM, commission agent, Rochdale. April 11. 10s. by four equal instalments at 3, 6, 9 and 12 mos.—secured. Trust. S. J. Bennett, accountant, Manchester.

HAMMOND, HENRY STANLEY, and WALKEY, OLIVER, grocers, Cardiff. April 12. Trusts. W. R. Watkins, bank manager, and J. Hibbert, provision merchant, both Cardiff.

HETHERINGTON, JAMES, grocer, North Shields. April 11. Trusts. H. J. Modlin, provision merchant, Newcastle, and J. Taylor, chemist, North Shields.

HODGE, JOHN, publican, Portobello. April 13. Trust. T. Shidmore, auctioneer, Wolverhampton.

HUNT, EDWARD, innkeeper, Preston. April 17. Trusts. J. Brown brewer, Preston.

HUTCHINSON, MARY, and POWTEFRACT, WILLIAM, timber merchants, Saddleworth. April 20. Trusts. J. B. Smith and R. Holme, timber merchants, both Liverpool.

ISMAY, THOMAS, and SMYTH, SAMUEL RICHARD, ironmongers, Dover. April 13. To pay debts in full—4s. at 3 mos., 2s. at 7 mos., 3s. at 10 mos., 3s. at 13 mos., 2s. 6d. at 17 mos., 2s. 6d. at 22 mos. and 3s. at 25 mos.

KNOWLES, GEORGE, jeweller, Manchester. May 4. To pay debts in full—20*l.* on 1st June and 30*l.* on 1st of each mo. Trust. T. R. Russell, jeweller, Liverpool.

LAWSON, THOMAS, cloth manufacturer, Calverley. April 11. Trusts. J. Foster, woolstapler, Bradford, J. Banks, oil dealer, Pudsey, and S. Webster, mungo dealer, Pudsey.

LYDE, GEORGE FIDDOT, woollen manufacturer, Leeds. April 11. Trusts. J. Walker, cloth manufacturer, Leeds, and J. P. Smithson, manufacturer, Leeds.

MCALERNAN, RICHARD, timber merchant, Newcastle. April 10. 7s. 6d. by four instalments—first and second for 2s. 6d. at 3 and 6 mos., and third and fourth for 1s. 3d. at 9 and 12 mos.—secured. Trusts. H. M. Loren, Quayside, and G. Curry, Newcastle, timber merchants.

MCPHERSON, WILLIAM, draper, Hull. April 20. 10s. by three instalments of 3s. 4d. on 24th June, 24th Sept. and 24th Dec.—secured. Trust. H. Perkins, commission agent, Hull.

MILLS, SAMUEL, victualler, Newport. April 10. Trust. D. Harrby, wine merchant, Newport.

MITCHELSON, MARY, general dealer, South Hetton. April 11. 5s. at 2 and 4 mos.—secured. Trusts. F. C. Coxon, draper, Newcastle, A. Bertram, cheesemonger, Newcastle, G. W. Pearman, grocer, Sunderland, and J. Brough, corn miller, New Seaham.

MOORE, FREDERICK WILLIAM, baker, Middleton-st. Clerkenwell. April 11. Trust. W. J. Hoskins, general agent, New Boswell-ct. Carey-st. Lincoln's-inn.

MOORE, JOSEPH, cattle dealer, Ecclesfield. April 20. Trust. F. Clayton, butcher, Sheffield.

MOSS, TIMOTHY, boot and shoe maker, Preston. April 13. Trust. H. C. Walton, auctioneer, Preston.

POWELL, JAMES, outfitter, Portland-pl. Circus-rd. St. John's-wood. April 4. 2s. 6d. in 21 days after registration of deed.

RANDALL, GEORGE, bootmaker, Frith-st. Soho. April 20. 4s. in 1 mo. from registration of deed.

ROOK, JAMES, druggist, Maidstone. May 1. Trusts. D. Bumsted, salt merchant, Lower Thames-st. and J. Gould, manufacturing chemist, Chicksand-st. Whitechapel.

ROSCOE, PETER, jun., wheelwright, Oldham. April 19. Trusts. J. Garside, farmer, Oldham, and P. Roscoe, sen., gentleman, Mumps.

ROSENBLOOM, JOSEPH, shoe manufacturer, Devonshire-st. Bishopsgate-st. without. May 3. 1s. on 18th May. Trust. P. Lowey, cigar manufacturer, De Beauvoir-ter. Kingsland-rd.

SHAW, HENRY; SHAW, JAMES; and SHAW, WILLIAM HENRY, plasterers, Dewsbury. April 13. Trusts. J. Scholes, joiner, G. Thornton, cornfactor, and P. Thornton, surgeon, all of Dewsbury.

SMITH, JAMES, horsehair manufacturer, Bristol. May 4. 5s. 6d. by two equal instalments on 4th Aug. and 4th Nov. Trust. E. G. Clarke, accountant, Bristol.

SUTTON, ALEXANDER KILHAM, bookseller, Nottingham. April 29. 3s. Trusts. T. Forman, printer, and C. Cullen, druggist, both Nottingham.

TAYLOR, JAMES, shoedealer, Finedon. April 27. Trusts. W. H. Cooper, currier, and W. H. Sanders, both Wellingborough.

TIMPERLAKE, JAMES, draper, Bolton. April 10. Trusts. P. Gillibrand and F. Taylor, merchants, Manchester.

TURNER, GEORGE, boot and shoe maker, High-st. Notting-hill. May 4. 7s. 6d. by two equal instalments on 3rd Aug. and 3rd Jan.

TWIZELL, WILLIAM HENRY BURTON, cookdealer, Bradford. May 2. 10s. on demand or in 7 days.

TYE, JOHN, chandelier and lamp manufacturer, Birmingham. April 12. Trusts. S. I. Scott, metal broker, T. Cardall, iron merchant, and A. Arculus, glass manufacturer, all of Birmingham.

WADDINGTON, HENRY, worstedspinner, Birstal. April 20. Trusts. E. Wadsworth, worstedspinner, Cleckheaton, H. R. Halsted, manufacturer, Bradford, and S. Smith, machine maker, Keighley.

WATERS, SAMUEL, cabinet-maker, Wolverhampton. April 18. Trust. T. Shidmore, auctioneer, Wolverhampton.

WATSON, JOHN PERCIVAL, Lime-st. April 17. 8s. 6d. by 14th April.

WEARN, WILLIAM HENRY, baker and grocer, Landport. April 27. Trusts. J. Wainscot, accountant, Portsea, and J. Souch, miller, Havant.

WEAVER, GEORGE, clothier, Tunstall. April 21. 7s. 6d. by three instalments at 2, 4 and 6 mos.—secured.

WHEATLEY, WILLIAM, pawnbroker, Hull. March 22. 4s.—3s. by two equal instalments on 15th May and 15th Aug., and 1s. on 15th Feb. 1866—secured. Trusts. T. Glissatt, ale merchant, and J. Kemp, builder, both Hull.

ERRATUM.

ROBINSON (and not Roberson as advertised in Gazette, May 5, 1865), JOHN, provision merchant, South Tranmere and Liverpool. April 17 (and not April 27).

Gazette, May 12.

BAPTY, FREDERIC, commission agent, Leeds, also Dublin. May 6. Trust. J. Ardill, clasp manufacturer, Burley, near Leeds.

BAXTER, THOMAS, ironmonger, Whitechapel-rd. April 25. 15s. by three instalments of 5s. each on 28th Aug., 28th Dec. and 28th April, at the office of J. E. Mason, Symond's-inn, Chancery-lane.

BEAMAN, GEORGE, doctor of medicine, Caversham-rd. Kentish-town-rd. April 13. 3s. by equal quarterly instalments—first on 1st Aug. Trust. G. J. Vine, doctor of medicine, Henrietta-st. Covent-garden.

BEGBIE, THOMAS STIRLING, merchant, Mansion-house-pl. April 21. Inspectors, J. Heard, banker, Lombard-st. and P. Denny, shipbuilder, Dumbarton.

BENNETT, HENRY, and BENNETT, CHARLES, builders, Whittlesey. April 12. 10s. by three equal instalments on 6th June, 6th Aug. and 6th Oct. Trusts. H. H. English, timber merchant, Peterborough, and R. Hewetson, slate merchant, King's Lynn.

BENNETT, TRIMER, school proprietor, Penzance. April 25. 5s. on execution of deed. Trust. E. S. Polkinghorne, brewer, Penzance.

BERRY, JOHN, farmer, Walsoken. April 13. Trusts. R. Wherry, draper, Isle of Ely, and J. S. Marsters, merchant, King's Lynn.

BOURNE, JAMES HENRY, grocer, Dudley. April 26. 6s. 9d. by three instalments of 2s. 3d., 2s. 3d. and 2s. 3d. on 26th June, 26th Oct. and 26th Feb.—secured. Trust. W. Masefield, wholesale chandler, Dudley, and J. Beddington, cornfactor, Birmingham.

CLARK, NASSAU, Esq., West Bromwich. May 6. 2s. on 1st June.

CLARKE, WILLIAM JOHN, hatter, Nottingham. April 20. Trusts. J. Palmer, auctioneer, Lowdham, T. Barrows, woollendraper, Epperstone, and I. Jackson, hat manufacturer, Leeds.

CLIFTON, JOHN HENRY, attorney and solicitor, Bristol. April 14. 13s. 4d.—60*l.* every 3 mos., first payment on 31st July. Trusts. W. P. Chilcott, gentleman, and A. A. Taylor, silk merchant, both Bristol.

COWBURN, JOHN, baker, Manchester. April 20. 3s.—1s. 6d. at 6 mos. and 1s. 6d. at 12 mos. Trust. J. W. Williamson, salesman, Manchester.

COUSINS, THOMAS, boot and shoe manufacturer, Norwich. April 27. Trust. C. Winter, leather merchant, Norwich.

COX, EDWARD CORNELIUS, china dealer, Pendlebury, near Manchester. April 27. Trust. J. Latham, china, glass and earthenware dealer, Manchester.

DE COSTER, EDWARD, merchant, Fenchurch-st. April 11. Inspectors, G. Tetley, cotton broker, Commercial Sale-rooms, Mincing-la. and J. G. G. Seaton, East India broker, Great Tower-st.

EDWARDS, FREDERICK JOSEPH, gas manufacturer, Wellington. April 13. Trust. J. Eonson, gas engineer, Wolverhampton.

FISHER, JAMES, travelling draper, Bristol. April 24. Trusts. S. C. Rossiter and J. Player, wholesale woollendrapers, Bristol.

FLETCHER, CLEVELAND; FLETCHER, CHARLES JAMES; and FLETCHER, FREDERICK WILLIAM, tack manufacturers, Birmingham. April 25. 4s. by four equal instalments on June 1, Sept. 1 and Dec. 1, 1865, and March 1, 1866.

FOSTER, RICHARD, beerhouse keeper, Beeston. April 13. Trust. J. Hogg, farmer, Burton Joyce.

GALLOWAY, THOMAS, jun., grocer, Leeds. May 2. 10s. by two equal instalments at 3 and 6 mos. Trust. F. Smith, confectioner, Leeds.

GIBBS, WILLIAM, grocer, Whittlesey, Isle of Ely. April 25. Trusts. W. Yorgatte, wholesale grocer, Peterborough, and W. Weston, gentleman, Whittlesey. Sols. Mason, Start and Mason, Gresham; Smedley, Peterborough.

GILLETT, SOLOMON, furniture broker, Cheltenham. April 12. [illegible] in 1 mo.

HARRSON, JOHN, upholsterer, Leeds. April 17. Trusts. E. Wharre, wholesale upholsterer, and T. Hebden, furniture broker, both Leeds.

HARRISON, JOHN CHARLES, and HARRISON, ARTHUR HENRY, drapers, Kingsland-pl. Kingsland-rd. April 13. Trusts. F. T. Brown, Aldermanbury, and G. Williams, of St. Paul's-churchyard, warehousemen.

HICKSON, FREDERICK, plumber, Sheffield. May 6. 4s. by two instalments of 2s. on 1st Aug. and 1st Nov. Surety, E. Eaton, painter, Sheffield.

HOLT, CHARLES, clothier, Saint Albans. May 1. 6s. 8d. Trust. E. Humphrys, accountant, Ironmonger-la.

HUBBERSTEY, ROBERT, farmer, Radburn, Brindle, and HUBBERSTEY, WILLIAM, fellmonger, Preston and Chorley. April 12. [illegible] on date of deed, and 7s. 6d. on 29th June—secured.

HUBBERSTEY, WILLIAM, fellmonger, Preston and Chorley. April 12. 5s.—1s. 6d. on date of deed, and 3s. 6d. on 29th June—secured.

JONES, LEWIS, bootmaker, Merthyr Tydfil. April 17. Trusts. J. Crouch, leather merchant, Bristol, and J. W. Truscott, [illegible], Glebeland, Merthyr Tydfil.

KISCH, SIMON ABRAHAM, attorney, Adelphi-ter. Strand. April 8. Trust. C. Cowland, auctioneer, Mortimer-st. Cavendish-sq.

LEACH, JOHN, worsted stuff manufacturer, Bingley. April 13. Trusts. G. C. Hick, commission merchant, Undercliffe, and R. Lister, worsted spinner, Laister Dyke, Bradford.

LORRAIN, JOHN, draper, Colchester. April 21. Trust. E. Wakin, Lawrence-la., and A. McGaw, Angel-ct. Friday-st., warehousemen.

MACKERETH, MICHAEL, surgeon, Cheswardine. April 21. 7s. by three equal instalments, at 6, 12, and 18 mos. Trusts. J. Sword, miller, Adbaston, and H. Smith, druggist, Eccleshall.

MASON, GEORGE, ironmonger, Colchester. April 19. Trusts. J. Blomfield, ironmonger, Colchester, and H. Thompson, [illegible], Colchester.

MILLER, HENRY, wine merchant, Bradford. Pet. April 22. [illegible] by two instalments of 2s. 6d. at 3 and 6 mos.—secured. Trust. J. Pownall, merchant, Bradford.

MUIRHEAD, JAMES, draper, Hitchin. May 3. Trusts. E. [illegible], and T. Carruthers, Luton, drapers.

PARKER, WILLIAM, and LENICK, HENRY, grocers, Long Millgate, Manchester. April 22. Trusts. T. Hankinson, grocer, [illegible], and T. A. Walsh, tea dealer, Manchester.

PATIENT, TIMOTHY, yeoman, Fisherton Anger. May 1. Trusts. I. Patient, Fisherton Anger, and W. Seagrove, maltster, [illegible].

PEARSON, WILLIAM, draper, Kingsland-rd. April 13. Trusts. [illegible] Williams, St. Paul's-church-yd., and W. Morley, Gutter-la., warehousemen.

FEELING, JOHN, cook, Cambridge. May 4. Trust. W. E. Jones, butcher, Cambridge. Sols. Whitehead and French, Cambridge.

PURKESS, GEORGE, newspaper proprietor, Albert-st. Camden-town. April 13. 5s. in one month.

RAMSDEN, SILAS, tobacconist, Plymouth. April 22. Trust. E. C. Lloyd, tobacco manufacturer, Exeter.

READ, GEORGE, builder, Giengall-rd. Poplar. April 27. 5s. by three equal instalments, at 4, 8 and 12 mos., 1st on 17th Aug.

RILEY, CHARLES, coachbuilder, Liverpool. April 12. Trusts. J. Williams, gentleman, and W. Kendall, [illegible], both Liverpool.

SANDERS, JOHN THOMAS, draper, Higham Ferrers. April 3. Trusts. G. B. Greatorex, draper, Aldermanbury, and J. [illegible], Higham Ferrers.

SILVESTON, FRANCIS, HARRIS, watch manufacturer, Coventry. May 9. 9s. by three equal instalments, at 3, 6 and 9 mos. from [illegible]—secured. Trust. J. D. Whitley, grocer, Coventry.

SMITH, GEORGE, attorney, Leek. April 20. Trusts. T. [illegible], Ashbourne, and G. Gwynne, draper, Leek.

SOAMES, JOHN, merchant, Liverpool. May 1. Trusts. J. [illegible] and R. Gibson, merchants, and W. T. Dixon, shipowner, all Liverpool.

SRIGLEY, JOHN, jun., and SRIGLEY, WILLIAM, coal proprietors, Whaley Bridge. April 13. Trusts. F. Barton, coal merchant, Wirksworth, and J. Miller, Whaley Bridge.

STORY, JANE, currier, Durham. April 21. Trusts. J. W. [illegible], bank agent, Durham, and W. C. Fraser, leather merchant, Leeds.

THOMAS, JAMES, shoemaker, Stalbridge. April 24. Trusts. [illegible], draper, Sherborne, and J. Hellyar, currier, [illegible] Melcombe, Sherborne.

WESTON, EDWARD, tavern keeper, High Holborn, and [illegible], Kentish-town. April 17. To carry on his business under inspection during 1 year to pay his debts by weekly instalments. Trusts. H. Huggins, brewer, Liquorpond-st. Gray's-inn-lane, H. [illegible], manager of Oxford-st. Branch of London and County Bank, and J. F. Wieland, gentleman, Harefield.

WORRALL, EDWARD, eatinghouse-keeper, Saint John-st. Clerkenwell. May 10. 2s. 6d. in two equal instalments, 10th Aug. and 10th [illegible].

ERRATUM.

JENNINGS, JAMES, Birmingham. Trust. E. Inston, (and not [illegible] as advertised in Gazette May 5, 1865).

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

LEWIS.—On the 13th inst., at 28, Mornington-road, Regent's-park, the wife of Angelo J. Lewis, Esq., M.A., barrister-at-law, of a son.

MARRIAGE.

TANNER—SHARP.—On the 13th inst., at St. Matthew's, Oakley-square, Edwin Somerset, youngest son of R. T. Tanner, Esq., [illegible], Cheltenham, to Elizabeth, youngest daughter of Mr. [illegible] Sharp, of 91, Great Tower-street, and Camden-road-villas.

DEATHS.

OKE.—On the 16th inst., at Hastings, aged 42, after many months extreme suffering, Elizabeth Brown, the dearly beloved wife of George C. Oke, of the Mansion-house, London.

ALDERSON.—On the 23rd Feb., at Dunedin, Otago, New Zealand, after a short illness, Francis John Alderson, third son of the late [illegible] Alderson.

BLACKBURN.—On the 10th inst., at his residence, [illegible], Moor Allerton, aged 59, John Blackburn, Esq., solicitor, and twenty-nine years coroner for the borough of Leeds.

HARRIS.—On the 13th inst., at her residence, No. [illegible], [illegible]-road, Islington, aged 56, Ann Elizabeth Harris, relict of the late Charles Harris, Esq., of Upper Stamford-street, solicitor.

OGDEN.—On the 9th inst., at Hastings, aged 62, John Ogden, Clerk of the Peace for the city of Manchester.

WELLS.—On the 25th Feb., suddenly, at Talbot, Victoria, aged [illegible], John Deane Wells, Esq., solicitor, formerly of Wellington, Salop.

Just published, price 12s. 6d.

LEGAL MAXIMS, with Observations and Cases. In Two Parts. Part I. One Hundred Maxims, with Observations and Cases. Part II. Eight Hundred Maxims, with Translations. By GEORGE FREDERICK WHARTON, Attorney-at-Law.

LAW TIMES Office, 10, Wellington-street, Strand, W.C.

Now ready.

THE SECOND EDITION of the NEW PRACTICE of EVIDENCE. By E. POWELL, Esq., Barrister-at-law. Price 12s. cloth; 13s. 6d. half-bound, [illegible] bound.

LAW TIMES Office, 10, Wellington-street, Strand.

To Readers and Correspondents.

W. H. C.—The Law Institution has no jurisdiction over advertisements by solicitors. It is a matter of taste merely.

ERRATUM.—In the report, published on April 22, of the judgment in the case of Fire Insurance, it was erroneously stated that the judge was Chief Justice of the Supreme Court of Upper Canada. He was judge of the Court of Nova Scotia.

All anonymous communications are invariably rejected.
All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, MAY 22.

By Mr. HEALY, at Garraway's.

Four leasehold houses in King's-road, Chelsea. Advertised this day.

TUESDAY, MAY 23.

By Messrs. LUMLEY, at Garraway's.

Freehold farm of 171 acres in Huntingdonshire. Advertised May 13.

By Messrs. DRIVER and Co., at the Guildhall Coffee-house.

Desirable town residences in Onslow-square, Brompton; Sumner-place, Brompton; and Southwick-crescent, Hyde-park. Advertised May 13.

Freehold farms, comprising 208 acres, near Chelmsford and Maldon. Advertised May 13.

By Messrs. FOX and BOURNFIELD, at Garraway's.

Six leasehold houses at Croydon, six houses in Rotherhithe, and a brick-built house, Upper Holloway; also houses at Ball's-pond and Old Kent-road. Advertised May 20.

Excellent business premises in Fenchurch-street; plot of vacant freehold land near Ludgate-hill; and lease of professional residence Threadneedle-street. Advertised May 20.

Long leasehold property at Kilburn and Deptford. Advertised May 20.

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Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 2s. 10d. *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE LORD CHANCELLOR has challenged Mr. FERRAND to the proof of his assertions as to the alleged Leeds Bankruptcy Court scandals. Mr. FERRAND was answered by the ATTORNEY-GENERAL, but, not satisfied with that answer, he gave notice of a motion for a select committee of inquiry. The LORD CHANCELLOR, with the consciousness of innocence, requested Lord PALMERSTON to assent to the appointment of the committee, as he was desirous to refute the calumny. This case will therefore be sifted as carefully as was the last, and we have no doubt that the issue will be the same. But other charges are threatened when this is disposed of. Surely public opinion will set some limit to this embittered persecution by the LORD CHANCELLOR'S enemies!

A MAJORITY of three in the House of Commons has resolved that the tax on solicitors is unjust and ought to be repealed with all practicable speed. Mr. GLADSTONE brought the full power of his eloquence and all the influence of the Government in resistence to the motion of Mr. DENMAN, but was unable to prevail against unanswerable argument backed by an influence still more powerful than his own. The Solicitors have gained by this division even more than its immediate object—the recognition of a wrong to which they are subjected in the shape of a special tax—they have learned what power they possess if they are pleased to use it with tolerable unanimity. The source of that power is not merely, as Mr. GLADSTONE asserted, the command they have of the representation as managers of the elections (though that is undoubtedly extensive), but it proceeds from the relationship of the solicitor to his clients, as the trusted repository of all their secrets, and the adviser whose judgment as well as knowledge they consult in all matters that affect them, even though not strictly relating to the law. The solicitor, as we have often remarked in these pages, holds nowadays a very different position from that formerly assigned to him. He is now the general adviser as well as the general agent of his clients. For once that he is asked for legal advice he is consulted ten times about the business, or the troubles of life, and he is employed to do confidential work of divers kinds, for which a trusted and sagacious head is requisite. These are the influences that, more even than the command of the representation, give to the solicitors the power of the Legislature which they use to their own advantage only too seldom. Not only have they grievances for which they might, as on this occasion, have commanded redress at any time for the last ten years, but they have permitted measures injurious to themselves, and of no benefit to the public, to become law, when they might at any moment, by united action, have stayed their progress. They have had the giant's strength, but have refused to make use of it; perhaps they were scarcely conscious of its might. They know it now, and it will be their own fault if they do not put it forth more frequently in causes which are their clients' no less than their own.

But there is a rock ahead, and it is precisely that which we had feared and predicted, because we had before us the memory of the past. The LAW TIMES prompted and led the crusade against the certificate duty when the first successful attack was made upon it. The Chancellor of the Exchequer made then precisely the same resistance as Mr. GLADSTONE offered now, and with arguments almost identical. But he was beaten, as was Mr. GLADSTONE, by a majority equally small. Compelled thus to concede something, the irate Minister yielded a fraction of what the solicitors had asked for by a reduction of one-fourth of the annual tax, but he reduced also the stamp on articles of clerkship, which they did not ask for. The manœuvre was clever, and it is doubtful even now whether the Profession did not lose more than it gained by the form in which the fruit of its victory was conceded. In a commentary on the present application we expressed some fear lest the tactics of the former fight should be repeated now, and that fear has been justified by the result. It will be seen by the report of the debate that Mr. GLADSTONE intimated that, whenever the abstract resolution of Mr. DENMAN should take the form of a Bill, he should have good reasons to show why a reduction or abolition of the stamps on clerkship and admission would not be preferable to the repeal of the certificate duty. He hinted some of them, and there is no doubt that, when the question takes a practicable shape, should Mr. GLADSTONE be then in office, we shall have to fight it in quite a new form. His endeavour will be to open the Profession to unlimited competition. It would be indeed provoking if an agitation for the repeal of the certificate duty should result in a repeal of the duty against which there is no complaint, from which indirect benefits certainly flow, and which it would be for the interest of the solicitors themselves to increase threefold, if that were possible. But there is good cause to fear that Mr. GLADSTONE will realise his threat.

THE *United Law Clerks Society* holds its annual dinner on June 2nd, under the presidency of Sir MONTAGUE SMITH. They could not have found a fitter chairman. The new Judge served his articles in a solicitor's office, and himself practised as a solicitor, and, therefore, has special knowledge of the virtues and worth of the class by whom and for whom the society was founded. He can speak from experience of the value of the services they render to their employers, the great trust reposed in them, their faithfulness to that trust, the zeal and ability with which their duties are discharged. The members of the Profession know all this, but they will be pleased to hear it repeated in eloquent language by the lips of an honoured Judge who has been raised to the Bench from their own ranks, and, therefore, a crowded table may be looked for. Knowing the worth of their clerks, we trust that, without exhortation, all the solicitors who cannot attend will express their sense of the services of those clerks, and their approval of this noble effort at self help, by sending a contribution to the fund destined to protect their families against those seasons of sickness and sorrow from which none of us are exempt.

A BARRISTER, who gives us his name, has sent the following answer to the urgent circular of the New Law Reporting speculation:

In answer to the circular of the "Council of Law Reporting" which I have received from you, I must venture to say that I have no great confidence in the scheme, and cannot consistently give it support by subscribing. The meeting at which the scheme was agreed to was very tumultuous, and I have great doubts whether its resolutions represented the opinion of the Profession. I can see no guarantee for the proposed reports being well conducted; but even admitting this point, I can only understand that, in the words of Mr. Daniel, Q. C., a "seventh plague" will be added to the six which already exist. Regretting that I cannot feel justified in sending a more favourable answer to the urgent appeal of the Council,—I am, Sir, &c.

THE 20th of July is understood to be the date at present fixed for the Dissolution of the Parliament, but there will be a great effort to abbreviate the interval. Not merely does every week's delay add immensely to the expenses of the candidates, but there is the 12th Aug. in the near prospect, and a dissolution on the 20th July would hopelessly interfere with that day of emigration to the moors. The Government has refused to introduce any more public Bills, and those in progress are passing rapidly through their stages. There is nothing to prevent a dissolution in the first week of July but the private business, which must be dispatched before the Parliament can be sent to the country. It is upon this that the calculation is based that protracts the session to the 20th. But it is wonderful how rapidly business can be dispatched when all are desirous to end it. Readers must have noticed how a cause-list at an assize, that appears to be interminable, will melt away under the general resolve of every person concerned to contract the work as much as possible, just as where there is a short list the work expands, and the allotted time is occupied as fully as if the list had been a long one. As it is at the assizes so we suspect it will be with the private business of Parliament. It will be abbreviated by common consent, and really to the common advantage, and we would recommend our readers who are managing the elections to be prepared for a dissolution a week, it may be even three weeks, earlier than the date at present calculated upon. No time should be lost in putting their machinery in order, although, if they consult the pockets of their candidates, they will not plunge into the actual conflict until the day of battle is nigh at hand.

Mr. DISRAELI has already issued the manifesto of the Conservatives, and those of the Liberal and Democratic leaders must follow speedily. These documents are of great importance to the solicitors, for upon them they will mould the addresses of their various candidates.

THE *Union Chargeability Bill* has passed the House of Commons, but with an addition of immense importance which the newspapers either purposely or ignorantly have treated with silent unconcern. The House negatived Mr. HENLEY'S motion for the abolition of the law of settlement, although it was for *that*, and not for a union settlement, the agitators in and out of the House have been clamouring for years past. When the pretended object of their desire was offered to them they rejected it. But the amendment that has been introduced without a murmur in its results goes very nearly as far as the abolition of settlement. Irremovability, now to be gained only by a residence of three years, is to be obtained by a residence of one year. This is indeed a mighty stride towards the abolition of the law of settlement. There are few paupers who do not reside at least a year before pauperism in the place where they seek relief. But the burden of this will not be borne by the rural districts, but by the towns. The great mass of pauperism is created in towns; but by the law of settlement the pauper is sent from the town that has benefited by his labour to be maintained by the parish which he quitted in his youth. Irremovability after a year's residence will have the effect of retaining the great majority of the

town-created paupers in the towns where they have laboured. We believe that the relief thus given to the rural districts will much more than counterbalance the new burden that will be cast upon them by the original scheme of the Bill, and that upon the whole the towns will have nothing to boast and the country nothing to regret. Moreover, apart from the inconvenience of shifting any fixed burden on an estimate of which contracts have been made, the principle of the measure is good and its aims are to be commended. We trust that it will not meet with a successful opposition in the Lords.

A COPY of the official letters, reports and papers relating to the resignation of Mr. WILDE, the Leeds registrar, has been laid before the House of Commons and printed.

In the earlier part of April 1864 letters passed between Mr. MILLER, the chief registrar, and Mr. WILDE, respecting a document signed by Mr. WILDE, stating that Mr. Commissioner AYRTON had approved certain accounts of the official assignees, which the Commissioner informed Mr. MILLER that he had never seen. The document was defended by reference to an account of Mr. CARRICK, of Leeds, official assignee, which had been allowed by the Commissioner.

The next subject of their correspondence was some sums owing for loans to Mr. WILDE by officers of the court, but which Mr. WILDE now at once paid.

In May, Mr. MILLER transmitted to Mr. WILDE four reports made by the Commissioner and Mr. HARDING on the returns and accounts of the official assignees and messengers of the Leeds court, and of the examinations on which the reports proceeded, and requested an immediate explanation of the charges involved. They appeared to be, first, that accounts were certified by Mr. WILDE as having been sanctioned by the Commissioner, without the Commissioner's having seen them, and that thereby large sums had been improperly allowed to the official assignees. Secondly, that he had been in the habit of taxing the messenger's bills without calling for the vouchers. Thirdly, that by borrowing money of the officers he had destroyed his independence and efficiency.

Eight days afterwards, on the 24th, the explanation was demanded within a week, otherwise Mr. WILDE would be served with notice to appear and show cause in open court why he should not be dismissed from his office. The explanation was sent by him to the LORD CHANCELLOR on the 30th.

In June copies of the report and examinations as to the taxation of bills of costs were sent by Mr. MILLER to Mr. WILDE.

On the 26th July Mr. MILLER wrote to him: "It grieves me much to inform you, that unless I hear in course of post that you mean to apply to be allowed to retire, I have instructions from the LORD CHANCELLOR to serve you with notice to appear before him publicly in open court, and show cause why you should not be dismissed from your office of registrar. It is said that your state of health is such that you can have no difficulty in obtaining such a medical certificate as would entitle you to retire, under the 33rd section of the Bankruptcy Act 1861; and if this be so I sincerely trust, for your own sake, that you will see the propriety of relieving the Chancellor from the very disagreeable, and indeed painful, duty which is thrust upon him." On the 28th Mr. WILDE wrote that he had requested the certificate to be forwarded to Mr. MILLER, and the next day inclosed his petition. It referred to the 33rd section, alleged failure in his sight, according to the certificate, and prayed permission to retire and a pension of two-thirds of his salary of 1000*l*. The petition was sworn to by Mr. WILDE. The certificate of Mr. SAMUEL KEY, F.R.C.S., practising at Leeds, was, in effect, that the failure in Mr. WILDE's sight was "a serious hindrance to him in the performance of the duties of his office," and that, from his age, improvement could not be looked for. On the 30th July Mr. WILDE wrote, thanking Mr. MILLER for his sympathy in the misfortune which had overtaken the writer,

On the last-mentioned day the LORD CHANCELLOR made the order for the retiring pension. The order recites the petition, and proceeds that, "upon reading the said petition and the affidavit made in support thereof, and the medical certificate therein referred to," and by virtue of the 33rd section, the LORD CHANCELLOR orders payment of the retiring pension.

Into the details of the charges against Mr. WILDE, and of his defence, we have not thought it necessary or desirable to enter. The question of principle on which the Parliamentary paper, the contents of which we have given, is meant to furnish evidence, begins with the letter of the 26th July, where, on account of Mr. WILDE's conduct, the option was forced on him by the LORD CHANCELLOR to retire or appear in open court and show cause why he should not be dismissed. The LORD CHANCELLOR does not appear in the matter again until he makes the order for the pension.

The point, therefore, as regards the LORD CHANCELLOR is, whether, having given the option to retire or show cause, he ought, on the ground of infirmity, duly certified, to have made the order for a retiring pension. This is *res judicata* as to option to retire for alleged malpractice and grant of a retiring pension. Allow the decision of the Select Committee of the Lords in the EDMUNDS case to be a precedent, that so far the course taken by the LORD CHANCELLOR respecting Mr. WILDE would have been an error of judgment, yet there is this distinction in the LORD CHANCELLOR's favour, that Mr. WILDE had, in the service of the Bankruptcy Court since 1851, become incapacitated by infirmity. He was entitled to a retiring pension on an independent ground. Ought a forced retirement on another ground to have been allowed to deprive him of this title? How would the Select Committee of the Lords have decided this question of principle if bodily infirmity on the part of Mr. EDMUNDS had been duly certified to the LORD CHANCELLOR?

SOME of the members of the Law Reporting Council, in an itinerant humour last Monday evening, took their philosopher's stone out of the drawer of the benchers' reading-room at Lincoln's-inn and carried it to the rooms, in the Adelphi, of the National Association for the Promotion of Social Science, where they produced it at a meeting of the Jurisprudence Department. The member who keeps the key of the drawer made a speech there, which the newspapers have since multiplied for the public, and told his hearers that the requisite of a proper system of law reporting was a single series of accurate reports, published with expedition and regularity, at a moderate cost, and accepted by the Profession as the standard of authority. With equal novelty, ingenuity and moral courage it might have been declared in some other department of the Association that the requisite of a proper system of government was the promotion of the greatest happiness of the greatest number; or, more plainly, that a system of watchmaking would be a good one under which watches showed the time accurately and clearly, were cheap, and were well suited to the pocket. But of what use can be such flat truisms, even delivered over the green cloth of a meeting board, with the resource of a tumbler of pump water at hand? If Mr. DANIEL led any one to imagine that there was the slightest difference of opinion about the desirableness of a single series accurate, expeditious, regular, moderate in price and standard in authority, he simply suggested an issue as false as the assumption would be groundless that anything yet put forward by the council has supplied a reasonable guarantee that the benchers'-room series will attain any one of those five requisite qualities. It is precisely because there is no reasonable guarantee that the proposed hand-to-mouth plan of reporting will result in anything but mere commercial rivalry of existing series, and inferiority to them, without any pretence whatever, or, rather, without anything but pretence to be "standard," that the council has been obliged to try another fillip to the Profession since we last had occasion to notice "its tricks and its manners." The Profession is reminded by a fresh circular, "that the time is fast approaching when it will be necessary that the council should be placed in a position to make the necessary arrangements for bringing out the proposed reports. It would greatly facilitate their labours if the Profession would dispense with a personal application, and at once determine whether they will co-operate in carrying out the proposed reform." No doubt. "Please give your orders early," is the ordinary phrase.

The council has also taken to advertising and throwing itself on the legal world with other companies and in the midst of liberal trade announcements that "The Profession may save six shillings in the pound," &c. "Well, but you ought to say nothing about that," mentally apostrophises our reader, "since the LAW TIMES has not the least of the legal circulations by some thousands. The advertisement must be nuts to you." Alas! how little does the reader understand the weakness of human nature, even in the sublimer shape of a councillor. A law-reporting councillor in theory is no doubt a high-minded gentleman, above paltry vindictiveness. He will set an example to editors and reporters of a consciousness of right and a fearlessness of independent criticism. His personal vanity will not fester at ridicule. He will scorn, for instance, if a counsel shall at any time in the future have exposed defects in the immaculate series, or imputed to it any lack of the five qualities, to retaliate by excluding that counsel's argument from, or cutting it down in a report of a case. A councillor will be ashamed to gratify a desire for such petty revenge, if in his nature he cannot help feeling the desire. A reporter or an editor, if he should complain, will not be snubbed or officially kicked. Every one will be treated impartially by this council, without any bias from thwarted interest or wounded pride.

Advertisement? No, reader. The LAW TIMES has unsparingly, and without any sense of obsequiousness, denounced the hollow pretensions of this notable reporting scheme. The LAW TIMES has warned the authors not to mistake self-seeking and love of notoriety for sound and candid efforts to advance the welfare of the Profession, and not to fancy themselves at patriotic heat when they are burning with love of patronage. Above all, the LAW TIMES has derided the speculation and its abettors.

So, the council being after all but men, and very ordinary ones, the LAW TIMES has had no advertisement sent to its office from the benchers' reading-room. What an insight does not this give to all those who have eyes into the capacity and temper of this council to manage affairs and men. Such a selfish indulgence of angry spite amounts to a breach of duty to any subscribers who may have been unhappily drawn in. It is a womanish weakness, proving incapacity for business. *It is ipso facto* a beginning of miscarriage and failure.

THE law which enables a solicitor to refuse to reply to questions, the object of which is to ascertain what has passed between him and his client respecting a suit at law or in equity, is well known. The power conferred by this law is a great one, and though we believe that it is rarely abused, a question may arise whether it is altogether politic to extend its operation beyond the class for whose benefit it was created. It has, however, more than once happened during the present session that parliamentary agents have claimed a like privilege. The duties of a parliamentary agent are in many respects peculiar. In private business Parliament affords assistance in the carrying out of undertakings desired by certain classes of the nation, after satisfying itself that such measures are just and proper. A great part of the machinery employed by the House for the purpose of so satisfying itself of the safety or utility of the schemes proposed consists of the Standing Orders. For a due compliance with the provisions of these Standing Orders the parliamentary agent is responsible. Nor is this all. By the rules laid down by the Speaker in 1837, the agent is personally responsible to the House for the observance of the rules and practice of Parliament and the rules prescribed by the Speaker, and also for the payment of all fees and charges. For wilfully acting in violation of the rules and practice of Parliament, or any rules to be prescribed by the Speaker, or misconducting himself in prosecuting proceedings before Parliament, he is liable to an absolute or temporary prohibition to practise as a parliamentary agent at the pleasure of the Speaker. Again, the agent has before the examiners of petitions for private Bills to discharge the duties of an advocate, and to defend his Bill against the charge of irregularity in the preliminary proceedings. But after all, the position which he occupies is not of the same confidential nature as that of an attorney. The attorney is, it is true, an officer of the court in which he practises, but chiefly in this sense, that the court exercises a control over him for the protection of the client. Now the allegiance which an agent owes to Parliament is of a much

ore comprehensive kind, and is calculated to terfere with the strictly private relations which ight otherwise subsist between himself and the ilway which he represents. There are cases here the committee feels itself bound to inquire arrowly into the prospects of the undertaking, id where the agent from his communications ith the promoters, the solicitors to the Bill, &c. ould be able to disclose much which would nd to the prejudice of the embryo company. me time since a parliamentary agent, who had posited a petition, was called for the purpose proving that his client had received notice of jections to his *locus standi*. He declined to swer questions relating to what had passed etween himself and the petitioner, saying, that e considered that such matters were privileged. The Referees before whom the inquiry was held ppeared to acquiesce in the validity of this bjection. A few days ago questions relating to he mode in which the estimate of a Bill had een procured and as to the subscribers to the ndertaking were objected to, and the Chairman f the Committee upheld the objection. If a rivate Bill be in fact, as it has sometimes been escribed, nothing more than a species of parliamentary suit beginning with the petition, here might be strong grounds for considering hat parliamentary agents were affected by the ame principles as those which regulate the examination of solicitors. But there will be reat difficulty in the way of that investigation pursued by Parliament, the object of which is to discover the mode in which the interests of the ublic are concerned by the Bill, if almost the nly source of information upon subjects of a elicate and important nature are concealed rom them.

THE cases of *Swinfen* v. *Swinfen* and *Swinfen* v. *Lord Chelmsford* greatly disturbed the previously revalent notions of the relationship of attorney nd client, so far at least as they concerned the ower supposed to be vested in the attorney by is retainer to conduct a particular suit. The general *impression* (for there was no definite law) was, that the retainer impliedly gave to the ttorney the entire conduct of the cause to its onclusion, according to his own skill and judgment, subject to the responsibility of exercising the reasonable skill demanded from a person professing to be versed in his vocation. The like authority was supposed to be vested in counsel, only without the legal responsibility which attaches to the attorney, and that the conduct of the cause when tried, that is to say, the management of it in court, was wholly committed to counsel, to the exoneration of the ttorney during such transfer. The memorable ase of Mrs. SWINFEN materially disturbed, hough it did not wholly destroy, this reading of he relationship of counsel and attorney towards ne and another, and towards the client. The esult of that litigation may, perhaps, be thus escribed: that counsel is retained to conduct he case at the trial, and in such conduct of it he has absolute discretion, but that this does not xtend to the settlement of it by other means han that for which he is retained, namely, the trial. This is an intelligible distinction, because the retainer of counsel is undoubtedly a limited one; it is to perform the part of an advocate, to be merely, as it were, the mouthpiece between the suitor and the court. But although in *Swinfen's* case the decision was strictly confined to the authority of counsel, it was commonly understood as extending also to the attorney, and that neither could he settle a cause without the direct authority of his client. It will be seen at a glance that the cases of counsel and attorney materially differ in respect of the nature and extent of the authority given to them by the retainer. While that of counsel is only to play the part of advocate and conduct the cause in court, that of the attorney is to conduct the cause from the commencement to the conclusion, or until he is legally removed from it, the client having a direct remedy against him for negligence or ignorance. With these remarks we direct the attention of the reader to the case of *Prestwick* v. *Poley*, 12 L. T. Rep. N. S. 300, in which the Common Pleas has drawn the distinction described above, and held that an attorney *has* authority to compromise in the absence of express instructions from his client *not* to do so; in fact, that the retainer of the attorney to conduct the suit gives authority to settle as well as to manage it. Here an action was brought to recover the price of a pianoforte, and the attorney before the trial began consented to settle on the terms of returning the pianoforte in question. ERLE, C.J. said:

I am of opinion that this rule should be made absolute to stay the proceedings. This is not a question between the attorney and his client, but between the client and a third party. I do not, however, limit my judgment by that alone. The plaintiff having employed his attorney to recover a debt, and having given him no express instructions not to compromise the action, the court has to say whether, in that employment of him as an attorney to conduct the suit, there was not a general authority given to him to make such a compromise as has been made here. It is admitted that the attorney has authority over all the ordinary proceedings in the action, and that he might compromise the action for a sum of money paid by the defendant; but it is said that he has no power to compromise it, and take goods instead of money, as was done here. To my mind there is no distinction between the two things; for, if the action had proceeded, and the plaintiff had recovered judgment and issued execution, the sheriff might have taken this very pianoforte and sold it for the plaintiff's damages. Goods taken under a compromise may readily be turned into money. The cases cited of *Chown* v. *Parrott* and *Fray* v. *Voules* are express authorities that the attorney has a general power to compromise. The case of *Swinfen* v. *Swinfen* was a remarkable one in all its features. It was brought to recover land, and the compromise entered into was, that the plaintiff should give up the claim to the estate, and accept an annuity for life instead, and it was contended that it was beyond the ordinary scope of a counsel's or attorney's authority to make such a compromise as that. I cannot look on that case as laying down a general doctrine to guide other cases, and the Master of the Rolls was very much of that opinion.

BYLES, J.:

I am of the same opinion. If an attorney entrusted with the general management of a cause had not the power, acting *bonâ fide* and with reasonable skill and care for his client's interest, to effect a compromise, it would be most injurious to the client.

KEATING, J.:

I am of the same opinion. If the rule stated by the Lord Chief Justice were not established great inconvenience and great increase of litigation would be caused. The attorney in the present case compromised the action by taking the very subject-matter of the action, not other goods instead of money. The case falls within the most limited extent of the authority given to the attorney. The case of *Swinfen* v. *Swinfen*, as first decided in this court, has been misunderstood. It came before the court on an application for an attachment for disobedience to a rule of court embodying the terms of the compromise, and although the majority of the court considered that the compromise was binding on Mrs. Swinfen, yet as one member of it was of a different opinion the summary remedy of an attachment was refused, and the applicants were left to their remedy in equity. The decision of this court in that case must not be put forward as an authority against the power of compromising given to a counsel or attorney.

M. SMITH, J.:

I am of the same opinion. The attorney is the general agent of his client to carry out the cause, and it is proper and usual, and very often necessary, to effect a compromise. No compromise could be more fairly within the limits of the suit than that effected here. If judgment had been recovered, the pianoforte or other goods would eventually have been taken by the sheriff, and the costs greatly enhanced. It would be most unfortunate for clients if an attorney had not power to compromise an action. There are periods when an opportunity occurs to make a compromise which would never occur again.

THE COMING GENERAL ELECTION.

EIGHTH ARTICLE.

HINTS TO AGENTS—THE ADDRESS.

A PRUDENT manager will not permit his candidate to frame an address without his own careful revision. The candidate cannot know so well as himself what are the local conditions to which it will be politic to mould that important document. The manager can best anticipate objections, conciliate prejudices, and appeal to the prevalent tendencies of the constituency. It must be remembered that every constituency has its own special character, which must be consulted equally with the general principles of the party with which the Candidate is allied. If he is prudent, therefore, he will be content to write his own address, but to submit it without reserve to the criticism of his manager or committee, giving them full power to make whatever alterations may appear to their better knowledge of the electors to be desirable, and to accept such amendments, even though they may not altogether commend themselves to his own taste.

There is considerable art in the construction of an address. It should be distinct and explicit in the statement of principles, but avoid as much as possible pledges as to particular measures. Principles do not change, but events are continually modifying the propriety of measures, and that which may appear to be desirable at the time of the election may, by after events or more discussion, be found to be very inexpedient, and yet the member feels himself under the compulsion of his own pledge to support that which he disapproves. A striking instance of this change in opinion has been exhibited in the present Parliament. It was elected expressly on the question of the extension of the borough franchise, and yet at the end of five years, after one of the most able debates ever had in the House of Commons, it rejected by a majority of seventy a proposition to do that which it was elected to do; and the leaders in that rejection were the very men who had advocated it before, the reason of this change of opinion being that further discussion had proved that extension of the franchise merely downward would surely and speedily conduct to a Democracy, and they were not willing to bring about such a catastrophe.

This should be a lesson to candidates and their solicitors when framing an address for the coming election. Seeing how many had committed themselves on the last occasion by hasty pledges to particular measures, they should carefully abstain now from more than a reference to principles, or at least express approval of particular measures in terms so general as to leave ample space for changes of opinion as to the details, should they ever be called upon to confirm their opinions by their votes.

An address should be written in plain, homely Saxon, for it is designed to be understood by all classes; not a fine word nor a "hard word" should be permitted to appear in it, and whenever an English word can be found, substitute it for a word of Latin or Greek origin.

See that the sentences are short; short sentences pass more readily into the mind, and write themselves there. Besides, brevity offers less opportunity for hostile criticism, of which there will be abundance during the election.

Be very clear where clearness is desirable. But usually there are topics on which it is expedient to be somewhat obscure, and others where policy requires an uncertain expression of opinion. In such case it is not difficult to involve a sentence in a maze of parentheses from which it will be impossible to extract a definite meaning, or which may be construed any way according to the inclinations of the reader. But it is difficult so to frame a sentence that it shall halt between two opposing principles or parties, pleasing one without offending the other. Should the necessity arise for this—and amid the multitudinous waves of modern opinion it has become more needful than formerly, when there were parties but not opinions—the solicitor will require the exercise of all his ingenuity to mould the address accordingly. If it be possible, the safer course will be to avoid such topics altogether in the address, leaving the candidate to deal with them in his speeches, when he can introduce as many qualifications as he pleases, and trim the balance by a good word for each interest in turn. But when the subject cannot be shelved in the address, touch it lightly, say as little about it as you can, and that little committing the candidate to no decisive policy.

Formerly it was enough for a candidate to say with Mr. PICKWICK, "then I am blue," or to declare that he belonged to "the buff" party, and there was no need to define his principles further. But now there are half-a-dozen parties, and coteries, and interests, each with its own creed, which it calls upon the candidate to accept under penalty of forfeiture of its favour. Thus he is placed between opposite fires and is unable to please one without offending another. The embarrassment thus caused is experienced equally by the managers of all parties, and it grows with every succeeding year. In the absence of any real excitement to weld parties together, each petty clique swells into importance and insists upon its nostrum being swallowed.

The Liberal Candidate is pressed with the ballot and manhood or household suffrage. To accept these would be to insure his rejection by the middle and upper classes: to refuse them is to incur the hostility of the democracy. To avow

support of the Church is to offend the Dissenters: to declare hostility to it is to drive from him the Liberal Churchmen. The Conservative candidate is equally troubled to steer safely. He declares himself a friend of the Church, but he is pressed by each of the three great parties in the Church to declare for itself in particular, though to do so would secure the hostility of the others. The Radicals are but little better situate in this respect, for, if they avow that their purpose is to establish a democracy, they scare from them every man in the middle class who has anything to lose; and if they declare that such is not their purpose, they do not win the support of the working class, who want nothing less.

Hence, whatever the party of which the Solicitor has the management, his embarrassment is almost equal, and the framing of an address will be seen to be a far more difficult and delicate duty than ever it was before.

Since this series of papers was commenced in anticipation of a general election during the last autumn, some changes have occurred that serve to remove a portion of the difficulties then described. Parties are more distinctly defined, and the recent debate and division on the franchise has drawn new lines of demarcation that will remove many difficulties alike from the Candidates and the Solicitors acting for them.

The threefold division of parties is now made perfectly distinct. Then there was an alliance more or less intimate between the Whigs and the Democratic party. The latter have now dissolved that alliance and set up for themselves. The result of this has been to enable each party to avow more definite principles and policy. Each will now go to the country with a programme. The first care of the Managers of the elections will be to adopt the programme of their several parties, modifying it more or less according to local circumstances. For instance, in boroughs where there is no Democratic Party, or only an insignificant one, the Liberal address would not mark the distinction between the two parties, nor appeal so strongly to the present possessors of political power against its transfer from them to their servants.

The cue is usually given by a manifesto from the leader of each party, in the form of an address to his own constituents, in which he declares the policy of his party, and Candidates of that party generally adopt the outline of the policy thus declared. Hence the great interest and importance that are attached to these documents.

But they are to be studied by the Solicitor, not for their style, but for their substance. Although nominally addressed to the electors of a small borough or county, they are really written for the whole country, or rather for the educated and intelligent of the country, with purpose to inform what it is desired that they should convey to the several constituencies in such form as may be best fitted for them.

The only manifesto yet issued by a Leader is that by Mr. Disraeli for the Conservative party. It states with tolerable distinctness what are the principles and policy for which the support of the constituencies is invited. But in its construction it is by no means a model address, and the managers of the party would do well not to be guided by it in preparing the addresses of their own candidates. It is a composition for the educated and refined, but not adapted for a mixed constituency, to half of whom it would be almost unintelligible. This is not a fault in the address itself, for, as we have said, it is not an electioneering handbill, but a party manifesto. But it should be used by Candidates only for the purpose for which it was designed.

Probably, before our next publication, we shall receive the counter manifestoes of Lord Palmerston and Mr. Bright. Mr. Gladstone, as member for Oxford University, is precluded by custom from issuing an address. When the addresses of the chiefs of the three parties are before us, we will endeavour to give to the Solicitors some hints for the construction of addresses based upon them, in the hope thus to assist them in the performance of the difficult duty that devolves upon them as the Managers of the coming Election.

INVESTMENT JOURNAL.

The preparations for the invasion of Mexico by the disbanded armies of the United States, and the undisguised threats of the "Fenians" to make a similar attack upon Canada, have caused considerable anxiety in the commercial world and depressed the Money-market. The dullness was increased by the failure of a great mercantile house in Bombay, because it was known that there had been an extraordinary excess of speculation there, certain to be followed by a crash, and it being feared that the crash has come, nobody knows who is safe. Spanish stock has again declined, and this is the only marked change of the week. The fluctuations are noted day by day in the following table:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	242	240	...	240	242	...
3 per Cent. Red. Ann.	88⅛	88⅛	88⅛	88⅛	88⅛	88⅛
3 per Cent. Cons. Ann.	90⅛	90⅛	90⅛	90⅛	90⅛	90⅛
New 2½ per Cent. Ann.	...	...	...	...	88⅛	...
Do. do. Jan. 1874	...	...	...	...	73⅛	...
New 3 per Cent. Ann.	88⅛	88⅛	88⅛	88⅛	...	88⅛
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	14⅛	...	14⅛	14
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	89½	89½	89½	...	89⅛
Consols for Acc.	...	...	...	...	...	...
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	216	218	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	98⅛	98⅛	...
India 5 per Cents. 1870	106⅛	106⅛	106⅛	106⅛	106⅛	...
India Bonds (1000*l.*)	...	...	...	19s. d	...	...
Do. (under 1000*l.*)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	99⅛	...	...	...	99⅛	...
India Enfaced Paper, 4 per Cent.	...	...	...	88	...	...
Do. do. 5 per c. Jan. 1872	...	101	101	101	100	...
Do. do. 5½ per c. May 1879	...	...	...	108⅛	...	...
Ex. Bills, 1000*l.*	...	b	a	...	...	e
Do. 500*l.*	a	b	e	...	...	...
Do. 100*l.* & 200*l.*	...	...	...	...	...	...
3 per c.	...	b	...	...	e	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 4 and 2½ per cent. 5s. pm.
b 4 and 3½ per cent. 5s. pm.
c 4 and 3½ per cent. 2s. pm.
d prem.
e 6 per ct. 5s. 5pm.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

ATTORNEYS' CERTIFICATE DUTIES.

On the motion for going into Committee of Supply, Mr. Denman rose to move that, in the opinion of this House, it is just and expedient that the annual duty payable upon certificates taken out by attorneys, solicitors and proctors in England and Ireland, and by writers to the signet, solicitors, agents, attorneys and procurators in Scotland, should be abolished. A few weeks ago, the hon. and learned gentleman said, he, in common with most other members, was entirely ignorant of the details of this tax, but, having been waited on by various gentlemen representing that branch of the profession, he had promised to look into the matter; and, having done so he had come to the conclusion that they had a real grievance, and that this was one of the most unjust charges levied on any part of the community. Every solicitor and attorney must necessarily pass through an expensive education. When he took out his articles he had to pay a stamp duty of 80*l.*, and when he was admitted he had to pay a further tax of 25*l.*, making a total tax of 100 guineas—a larger sum than was paid by barristers or any other profession. The attorneys did not complain of this, however, for they thought that when paid it was done with once and for all, and they would not be called on to pay again. But that was not all. Before he could do a single thing, before he could know whether his business would be lucrative or not, he had to go to the Stamp-office in the month of November or December and pay a tax of 9*l.* in the metropolis or 6*l.* in the country, which was a licence for him to carry on his business during the year. The tax dated from the year 1785, when Mr. Pitt had a deficiency of 413,000*l.* to supply. Mr. Pitt did not mention the tax in his Budget speech, but proposed a shop tax and a tax on maid servants, both of which were very unpopular, and in the debate which occurred a Mr. Medley suggested that, instead of these duties, a tax should be imposed on gentlemen of the Bar and the solicitors. Other members supported the suggestion to tax lawyers, and Mr. Pitt said there were several motives of various kinds for the suggestion, among which he named "resentment." However, it was dangerous for private members to suggest new imposts to the Chancellor of the Exchequer; for it having turned out that there was a deficiency of 20,000*l.* on the shop tax, Mr. Pitt said he would resort to a tax against which he was not apprehensive of having any objection raised, viz., a tax "on certain practitioners in the law." Mr. Pitt acted on the hints which had been thrown out by placing a tax of 5*l.* on London attorneys and one of 3*l.* on country attorneys. He proposed at the same time to impose a tax of 2*s.* 6*d.* on each warrant of arrest which those attorneys issued. The latter impost, which the attorneys did not feel, had been abolished, but the other remained unaltered, or had been increased between the date at which it was laid on and the year 1815, and, in addition, a large sum was imposed as a payment on signing articles and entrance to the profession. In 1815 the annual tax was again increased, and became 12*l.* for attorneys practising in London and 8*l.* for those in the country; and so it remained till 1853—when a alteration was made by the present Chancellor of the Exchequer—though several times from the year 1850 the House had shown itself decidedly favourable to propositions made by the present Lord Ebury, then Lord Grosvenor, for the relief of the attorneys. In April 1853, the second reading of the Bill was postponed on the understanding that the Chancellor of the Exchequer would deal with the subject in his Budget. That expectation, however, was not fulfilled, so far as the reduction of the annual certificate charges was concerned, and up to the present time the question had remained in abeyance. The total amount of this tax upon solicitors, attorneys and writers to the signet in Great Britain was 88,969*l.* 10*s.* He trusted that Parliament would not, for the sake of so small a sum, continue to impose an unjust tax, which represented an additional income-tax upon a supposititious income of 400*l.* per annum in London, and of 300*l.* in the country, when in fact the person taxed might not be earning a farthing. He had received by post a document which professed to come from auctioneers and pawnbrokers, giving a long list of what trades and professions were taxed. Few of these instances were analogous to the case now before the House; and even where there was an analogy he should suggest to those who were anxious for relief that their surer course would be to support the repeal of this duty, because the doing of justice to one trade or profession would increase the claims to relief of those which remained subject to exceptional taxation. Another argument against the abolition of this tax was, that the surplus was a very modest one; but no surplus could be considered a modest one which was, in fact, made up of the proceeds of an unjust tax. If the Chancellor of the Exchequer stated upon his responsibility that this tax will not be parted with during the present year, he would not factiously press forward a Bill to impair the surplus; but he was anxious that there should be no chance of its being said next year that the question had been allowed to slumber since 1850, and he desired to obtain an expression of the concurrence of the Parliament with the opinions pronounced by the Parliaments of 1850 and 1853, that this was an unjust and inexpedient tax. If he obtained such an expression of opinion, he hoped that when the bill for the abolition of the duty was introduced early next session, the Chancellor of the Exchequer would bow to the decision of the House and abandon the duty. The tax had been condemned by high authorities, for, among those who voted for Lord R. Grosvenor's Bill were the right hon. gentleman the member for Bucks, the hon. and learned member for Belfast, the present Solicitor-General and Lord Chief Justice Cockburn. The hon. and learned gentleman concluded by moving that in the opinion of this House it is just and expedient that the annual duty payable upon certificate taken out by attorneys, solicitors and proctors in England and Ireland, and by writers to the signet, solicitors, agents, attorneys, and procurators in Scotland should be abolished.——Mr. Vance supported the amendment, observing that the tax pressed with the utmost severity on solicitors in Ireland, to which country it had not been extended until 1808, when the Chancellor of the Exchequer of the day, under the influence of great pressure, owing to the circumstance that he was obliged to borrow money at a ruinous rate of interest, actually levied a tax upon silk stockings and persons wearing watches. It was clear, therefore, that the tax was one which had been had recourse to in a period of great extremity, while it was also the fact that it weighed unequally upon the profession, inasmuch as it fell upon the young solicitor, earning a small amount of money, as well as upon the man who was realising a large income.—The Chancellor of the Exchequer: In rising to state the reasons which induce the Government to offer a stout resistance to the proposal of my hon. and learned friend, I shall not say one single word that can be construed into disrespect towards my hon. friend, or towards that most valuable and useful profession whose interests are in some degree involved in this debate. We know that vulgar insinuations are sometimes heard with regard to that profession, which, while it affords the noblest scope for the highest qualities, affords scope also for those that are lower. But for myself I have always held the opinion that a worthy and honourable solicitor is himself one of the most valuable members of society. Nowhere is the principle of honour to be found in a purer state, and it is no less pure because it is combined with the most enlightened and disinterested prudence. I am sorry that the researches of my hon. friend the member for Chester into the

parliamentary history of this question have stopped short of the point of greatest interest. I am not going to allege that there has been any compact; the solicitors are free to raise this question at any time and in any manner they think fit. But I so far agree with what has fallen from the hon. member for Northamptonshire that I do think the external proprieties would have been more consulted if the application for the removal of this tax had been made at a period somewhat more remote from the great event likely to happen in a few months. After a long Parliamentary agitation of this question the House of Commons in 1853 came to a decision, the result of which forms the last parliamentary declaration on the subject. In favour of the second reading of the Bill for abolishing this duty 102 ayes voted, but the measure was rejected by 186 noes. My hon. friend quoted with great emphasis and unction some words of Chief Justice Cockburn, who, at one period of his life, ill advised and imperfectly informed, thought fit to denounce this duty. But the latest and most important act of Chief Justice Cockburn was in a very different sense; and my hon. friend will be glad to learn that the name of Chief Justice Cockburn appears in that majority of eighty-four which sanctioned the continuance of this tax. My hon. friend has said that if I assure him there is no available surplus which can properly and safely be applied to the purpose which he has in view he will not force on his proposal in the shape of a Bill. Giving credit to my hon. and learned friend for the candour and moderation which distinguished his speech, I must say that I have objected, and always will object, as opposed to the true interests of the country, and as detracting from the character and dignity of this House, to all attempts to pledge the future by abstract resolutions. With regard to the general argument, I am no great admirer of these taxes; but, in considering taxes as they affect a particular class, it is a fact of the greatest importance that they have been paid for several generations. This, in the end, involves no hardship, for the trade or profession adapts itself to the burdens it has to sustain, and the amount of remuneration bears a proportion to these charges. I am sensible that there is something invidious in the nature of this tax, but I deny that a case has been made out to distinguish it from all other annual duties payable by professions. The hon. member for Hull put the case on its true footing. It is quite impossible with justice to draw any broad line of distinction between professions and trades. How can you say that it is right to tax trades and that it is wrong to tax professions? What is the case of some of these trades? What is the sum really at issue? After excluding all licences on the sale of spirits it is not less than 600,000*l.* a-year. Are we in a condition to entertain the question? If my hon. and learned friend thinks it necessary to obtain a declaration of the House on the whole question, well and good; but, if he complains of one injustice, do not let him engraft upon this system of annual duties another injustice, by drawing a distinction between those who are in the same predicament. Why should the auctioneer pay an annual duty of 10*l.* and the attorney be relieved from an annual duty of 9*l.*? Is there anything in the trade of an auctioneer that ought to be discouraged by this House? Why should the trade of a pawnbroker be taxed? We levy from him a sum of 30,000*l.* a-year. Who is he? He is the man who ministers to the first necessities in the matter of money of the lowest class of the population, and every farthing of what is drawn from the pawnbroker is taken from the pockets of the poor. Well, is that tax to remain, and shall we be doing an act of justice if we relieve a powerful profession, every member of which has access, and some very intimate access, to the members of this House, and select themselves in preference to those who have a stronger and more urgent claim? Take the case of a hawker. We lay a tax of 4,000*l.* upon hawkers. The whole of this sum comes from a trade which is pursued in minute details by men, hardly one of whom is worth 100*l.* of capital in the world, and who drive their trade in the villages and among the peasantry of the country. Without closing my eyes to the objections against exceptional legislation of this kind, and which includes all these cases of annual taxation, I think that if the House is prepared to deal with one it ought to deal with all. You may do it. You may modify the proposals of the Government with regard to the tea duty and the income-tax. I am afraid it is rather late; but that is what ought to have been done, and you ought to deal with all these duties which stand substantially in the same position, and not make an invidious selection of the claims of those who are the most powerful and wealthy, and at a moment, too, when their influence is raised to its maximum by causes which it is unnecessary to mention. My hon. friend says the question before us is whether this tax is to be permanently maintained. I have always disclaimed that issue, and I disclaim it now. I say there is nothing in the question of the permanent retention of this tax that is not fairly open to the consideration of the House; but not at the present moment and under existing circumstances. I think my hon. friend failed in that portion of his speech as to the relative position of the annual duties paid by attorneys and the duty upon entrance. Above 100*l.* is paid by a young man intending to become an attorney before he is admitted to practise his profession, and after he is admitted he pays an annual duty of 9*l.* in London and 6*l.* in the country. My hon. friend says it is monstrous to exact 9*l.* a year in London and 6*l.* a year in the country, but that it is perfectly allowable to make him pay 100*l.* before he can practise his profession. The education of an attorney is expensive, and we by our recent legislation have made it more so; and does it strengthen my hon. friend's case to say that the grown-up attorney in practice ought not to pay an annual duty of 9*l.* or 6*l.*, while the young man, almost a boy, before he can earn a farthing by his profession, should be compelled to make this heavy payment in advance? It is said that, although he may be driving a profitable business one year, yet that his business may fall off another year. But so may an auctioneer's, or a pawnbroker's, or a hawker's. If you want to give relief, the true way is to look, first, at the case of these heavy taxes on admission, which are a tax in favour of the rich and against the poor, inasmuch as they require an advance of capital from the youth to the State before he is allowed to carry on his business. That is a question which, if my hon. friend ever proposes to deal with by a Bill, I shall feel it my duty to raise and argue at length. The House, meanwhile, will do well to avoid entangling itself with abstract declarations, which are worthless in the present and embarrassing in the future. We have gone as far as we consider safe and desirable in the reductions we have to propose, and I am confident that the House will not call upon us or expect us this year to propose any further reduction.——The House then divided.—For the amendment 146; Against 143; Majority 3. The announcement of the numbers was received with cheers.

THE CASE OF MR. BUCKLE.

Mr. Vansittart asked the Secretary of State for India, whether his attention had been drawn to the memorial of Mr. Buckle, relating to his arbitrary dismissal from the office of Civil and Sessions Judge of Moorshedabad by Mr. Beadon, the Lieutenant-Governor of Bengal, contrary to the protests of the Judges of the High Court of Judicature, Calcutta; if so, what steps he had taken on the subject.—— Sir C. Wood said he did not think the terms of the question conveyed an accurate notion of the facts of the case. Mr. Buckle had been an opium agent, and according to a custom in the Civil Service in India he was made a judge, and in dealing with causes without a jury he gave satisfaction. He was subsequently removed to a court where he sat with a jury, and the High Court made representations to the effect that he did not satisfactorily conduct trials with juries; in fact, that he was not competent to deal with evidence. Upon that representation Mr. Buckle had been removed from his post and from all judicial employment, but he (Sir C. Wood), believing that the reasons for removing that gentleman from all public employment were insufficient, had requested the Lieutenant-Governor to give him some other employment for which he was qualified.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

ATTORNEY AND CLIENT—LIEN FOR COSTS.—B., a minor, employed C., an attorney, to sue D. for debt, and judgment being recovered, he was arrested under a *ca. sa.* He then made a compromise with B.'s father, and C. and B. signed a paper directing C. to take the necessary steps to secure defendant's discharge. No provision had been made for C.'s costs, and he refused to do anything in the matter. Application was made to the court for a rule to compel him to do so, and the Court directed him to give up the paper to the defendant's attorney. It was taken by the latter to the sheriff, who refused to act upon it, as it was not directed to him. A rule *nisi* was thereupon obtained, calling on B. to show cause why, on notice to him and C., defendant should not be discharged. It was held that C., as plaintiff's attorney on the record, had a right to show cause against the rule; secondly, that an attorney's lien for judgment on his costs does not extend to prevent the judgment-creditor from discharging the debtor without making provision for the attorney's costs, and it was intimated that the court will not interfere in such a case, even though there be collusion between plaintiff and defendant to deprive plaintiff's attorney of his costs: (*Langley* v. *Headland*, 12 L. T. Rep. N. S. 385. C. P.)

COUNTY COURT—CONCURRENT JURISDICTION.—Where defendant has two dwelling-places, one within twenty miles of plaintiff's dwelling-place, and the other beyond twenty miles of it, the Superior Court has concurrent jurisdiction with the County Court, and the plaintiff recovering less than 20*l.* in an action in the Superior Court for breach of contract is entitled to his costs: (*Pilgrim* v. *Knatchbull*, 12 L. T. Rep. N. S. 383. C. P.)

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

CONSTANTINOPLE AND ALEXANDRIA HOTELS COMPANY (LIMITED).—Petition for winding-up to be heard before M. R., on 3rd June. Solicitors, Lawrance, Plews and Boyer, 14, Old Jewry-chambers, London.

ENGLISH AND IRISH CHURCH AND UNIVERSITY ASSURANCE SOCIETY.—A call of 2*l.* per share to be made by Wood, V.C., at his chambers, on Monday, 29th May, at noon. Solicitors, Langford and Marsden, 30, Friday-street, Cheapside, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BOVILL (James) Southampton, Esq., June 10, V.C. K. Birch and Gorton, 5, Furnival's-inn, London.

CRYLLS (Mary Sandys), Helston, Cornwall, widow, June 1. Bolton and Grylls Hill, 4, Elm-court, Temple, for Grylls Hill and Hill, of Helston, Cornwall.

GREEN (John), Great Horkesley, Essex, June 21, V.C. S. Digby and Son, 33, Lincoln's-inn-fields, and Malton, Essex.

HAMMERTON (James), Fir Trees, near Higham, Forest of Pendle, Lancashire, June 20, V.C. S. W. Shaw, 14, Gray's-inn-square, Middlesex, for Handsley and Tattersall, Burnley, Lancashire.

HORTON (Silvanus), Maldon, Essex, gentleman, May 29, M. R. Digby and Son, 35, Lincoln's-inn-fields.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ATTSLEY (John), Newton Barns, Embleton, Northumberland, farmer, July 1. W. and H. Woosman, Morpeth.

BARROW (Richard), Ringwood-hall, Derbyshire, and 6, Raymond-buildings, Gray's-inn, Middlesex, Esq., June 11. Deacon, Son and Rogers, 1, Paul's Bakehouse-court, Doctors'-commons, London.

BISHOP (James), 1, Lilypot-lane, London, and 10, High-vale, Blackheath, Kent, newspaper agent, June 20. W. T. Reeve, 10, Tokenhouse-chambers, Tokenhouse-yard, London.

BOUSTEAD (Wm.), 1, Church-row, Stowage, St. Nicholas, Deptford, Kent, bootmaker, July 4. C. Thompson, 1, Mornington-road, New-cross-road, Deptford.

BOWDEN (S. W.), Kingston-upon-Hull, commission agent, June 20. Frost and Dawson, 10, Scale-lane, Kingston-upon-Hull.

BRAIN (A. H.), Birkenhead, gentleman, July 1. Hancock, Sharp and Hales, 23, Birchin-lane, London.

BRACHER (Mary), Cloverham, Yatton, Somerset, widow, July 31. Fry and Otter, Shannon-court, Bristol.

BURRETON (F. W.), Upper Tooting, Streatham, Surrey, formerly of the Pell-office, Westminster, Esq. Rev. Francis Swanton, Winchester.

BRYANT (Francis), formerly of Tasmania, afterwards of Melbourne, Victoria, and late of Maida-vale west, Middlesex, Esq. A. A. Julius, 19, Buckingham-street, Adelphi, London.

CROCKFORD (Sarah Frances), 33, Phillimore-gardens, Kensington, Middlesex, widow, July 3. R. and C. H. Hodgson, 10, Salisbury-street, Strand, London.

CROFTON (Elizabeth), Stockton-on-Tees, Durham, widow, June 24. B. F. Watson, 1, Lincoln's-inn-fields, London.

DELL (James), Brunswick-place, Lewisham Upper-road, Kent, and 20, Bread-street, London, warehouseman, June 16. Pritchard and Sons, 18, Great Knight Rider-street, Doctors'-commons, London.

DENBY (Eliza), 8, The Grove, Hammersmith, Middlesex, July 3. De Jersey and Micklem, 13A, Gresham-street west, London.

DILLEY (D. D.), 22, Gee-street, Middlesex, tailor, June 15. H. Child, 2, Paul's Bakehouse-court, Doctors'-commons, London.

DYNELEY (Margaret), formerly Margaret Chamberlain, Bramhope-mansion, Yorkshire, widow, July 18. Payne, Eddison and Ford, 70, Albion-street, Leeds.

GOLDSBOROUGH (Wm.), Kilnhurst-hall, Rawmarsh, Yorkshire, farmer, June 7. Smith and Burdekin, Sheffield.

HARRISON (J. N.), Appleby, Westmoreland, gentleman, July 1. J. G. Reynell, 8, Staple-inn, London

JUBB (Richard), Cliff-cum-Lund, Hemingbrough, Yorkshire, gentleman, July 1. C. T. and A. C. Jenkinson, Clement's-lane, Lombard-street, London.

KENT (John), 89, Upper Ebury-street, Pimlico, Middlesex, carman, July 8. H. Child, 2, Paul's Bakehouse-court, Doctor's-commons, London.

LEONARD (W. H.), Bordesley-green, Aston, near Birmingham, gentleman, July 17. E. F. Mason, 67, New-street, Birmingham.

MERRY (Thomas), jun., 139, Fenchurch-street, London, and Rutland-villa, Highbury New-park, Middlesex, East India broker, Aug. 22. Lindsay and Mason, 84, Basinghall-street.

NORTHUMBERLAND (Most Noble Algernon, Duke of), Aug. 14. Bell, Steward and Lloyd, 49, Lincoln's-inn-fields.

PACKHAM (Jane), Ebenezer-cottage, Grosvenor-road, Tunbridge Wells, Kent, spinster. W. Upward, 3, Copthall-court, London.

PANK (Ann), Ann's-place, Pritchard's-road, Bethnal-green, Middlesex, widow, Aug. 20. J. C. Gant, County-chambers, Cornhill, London.

PEARSE (Wm.), South Warnborough-lodge, Southampton, Esq., July 1. A. Peachey, 17, Salisbury-square, London.

SIMPSON (Martha), 17, Newington-place, Surrey, spinster, July 3. De Jersey and Micklem, 13A, Gresham-street west, London.

SYMONDS (Edward), West Horsley, Surrey, farmer, June 14. T. A. Curtis, Guildford.

VICKERS (Judith), 5, Eastbourne-terrace, Paddington, Middlesex, widow, July 1. W. Hale, Hay-hill-house, Bath.

WALKER (Martha), 21, Victoria-road, Holloway, Middlesex, widow. G. S. and H. Brandon, 13, Essex-street, Strand.

WESTON (Francis), 13, Goldsmith-street, London, lace manufacturer, June 12. Cox and Sons, 14, Size-lane.

WHITE (Rev. R. M.), Slimbridge Rectory, Gloucestershire, June 20. White, Borrett and White, 6, Whitehall-place, Westminster.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

LEWIS (John), Lieutenant of the Royal Marine Artillery, and LEWIS (Thomas), Lieutenant of the 3rd Garrison Battalion. Claimant, Richard Lewis, administrator.

PATTISON (Margaret), Albany-street, Regent's-park, widow, and ANDERSON (William), of Lucas-street, Commercial-road, gentleman. 1372*l.* 2*s.* 9*d.* Reduced Three per Cents. Claimant, H. R. Reynolds, administrator.

RACKSTRAW (Sarah Lucy and Lucy Ann), Chatham-place, Hackney. 20*l.* 14*s.* 6*d.* Three per Cent. Consols. Claimant, L. A. Rackstraw, the survivor.

STARLES (Thomasine and Charlotte), Craven-street, Strand, spinsters. 43*l.* 10*s.* New Two-and-a-Half per Cents. Claimants, C. H. Mills, C. P. Craven, and C. C. Ricardo, executors.

Trinity Term.—The arrears of Trinity Term, are: in the Queen's Bench there are in the new trial paper 2 rules for judgment and 30 for argument; in the special paper 2 for judgment and 26 for argument, as well as 20 enlarged rules. In the Common Pleas there are 6 enlarged rules, 11 in the new trial paper and the same number in the remanet paper. There is one postponed motion, *Spalding* v. *The Catholic Bookselling Company*, and 30 demurrers, the last in the list, "error in fact," being *Irwin* v. *Sir George Grey*. In the Exchequer of Errors and Appeals in the Exchequer Chamber there are 2 for judgment and 3 for argument. In the peremptory paper there are 5 rules, and in the special paper 1 for judgment and 14 for argument, and of new trials there are 11 rules for argument. In Chancery the arrears are inconsiderable. As had been announced, the Lord Chancellor received the judges on the first day of term. As Easter term fell on the Saturday before Easter Sunday the courts were not opened until the following Wednesday, when the Judges had no "reception" by the Lord Chancellor. They are not entertained except at Easter and Michaelmas terms, but a "precedent" will now be made. There are, as usual, a number of attorneys to be admitted in the ensuing term—upwards of 100 new names appear in the list. The judges will choose their circuits on Thursday the 1st June.

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

Gaming—Betting-Houses.—The Ex. Ch. has reversed the decision of the C. P., holding that a tree in Hyde-park is not "a place" within the meaning of sect. 1 of the Act for the Suppression of Gaming-houses, 16 & 17 Vict. c. 119: (*Doggett* v. *Catterns*, 12 L. T. Rep. N. S. 355. Ex. Ch.)

Poor-Rate—Appeal—Costs—Jurisdiction.—An appeal against a poor-rate was ordered by the quarter sessions to be respited to enable the parties to state a case for the Q. B., upon the principle of the assessment, and this being ascertained, the appeal was to be referred to an arbitrator, who was to "certify whether the appellants have been assessed at too high a sum, and to what extent." The order was silent as to costs. The case was stated, the Q. B. laid down the principle of assessment, and the arbitrator certified that the assessment was not too high. A subsequent Court of Quarter Sessions was held to have no jurisdiction to make any order as to costs, and the reference being silent on the subject, each party must bear his own: (*R.* v. *Justices of West Riding of Yorkshire*, 12 L. T. Rep. N. S. 380, Q. B.)

Theatres.—Pepper's Ghost has been held to be "an entertainment of the stage," although the audience witnessed only the reflection on a mirror of the actual performers. But there was also a dialogue spoken by the real actors under the stage, and on this account the Court held it to be within the Act for licensing theatres. This dialogue distinguishes the case from the recent decision of the Middlesex magistrates, that where there was dancing only, and no dialogue, the performance was a dance, and not an entertainment of the stage: (*Day* v. *Simpson*, 12 L. T. Rep. N. S. 386. C. P.)

Manslaughter.—A commoner knowingly turning a vicious horse on a common crossed by a public path is guilty of manslaughter if that horse kicks a child passing over the path and kills him: (*R.* v. *Dant*, 12 L. T. Rep. N. S. 396. Cr. Cas. R.)

Church-Rate.—The court will not reject an allegation averring inequality of assessment though defendant's property is one of those alleged to be underrated, and the allegation contains no averment that defendant is aggrieved by the inequality, for it may prove ultimately that he is called upon to pay more than he would if all the properties in the parish were fairly assessed; and it remains still doubtful whether the court would ultimately pronounce against a rate on the ground of inequality unless the defendant succeeded in showing that he was injured by such inequality: (*Edwards* v. *Hatton*, 12 L. T. Rep. N. S. 398. Dr. Lushington.)

HIGHWAYS LAW.

[Note.—A department of the Law Times will be devoted to communications and inquiries upon this subject.]

NOTES OF NEW DECISIONS.

Indictment under sect. 19 of the New Act.—On an indictment directed by justices to be preferred under sect. 19 of 25 & 26 Vict. c. 61, against a parish for non-repair of a highway, the court before which it is tried has no jurisdiction to make an order on the parish for the costs of the prosecution if the defendants are acquitted on the ground of the road not being a highway. In this particular the law is unaltered: (*R.* v. *Inhabitants of Buckland*, 12 L. T. Rep. N. S. Q. B.)

Correspondence.

Mr. Oke.—I entirely concur with "F. W. G." in the views expressed in your columns of the 20th inst., respecting the services of Mr. Oke to the magistracy and their clerks, and I very much regret that he has failed in passing his Bill through Parliament. If you adopt "F. W. G.'s" suggestion it will give me much pleasure to follow his example in subscribing to the fund he proposes to raise to compensate Mr. Oke for the trouble and expense that he has incurred.

May 22. A Country Magistrate.

— I shall be very happy indeed to subscribe towards a testimonial to Mr. Oke, and doubtless many others would do the same. Will you give the matter a start? R. W. Litchfield, Solicitor.

Newcastle, Staffordshire, 21st May.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Parliamentary Practice—Locus Standi.—Where facility clauses in the special Act as affecting railways subsequently amalgamated were not deemed to be retrospective, the petitioners has no *locus standi*: (*The Cambrian, &c., Railway Bill*, 12 L. T. Rep. N. S. 356.)

A *locus standi* is not given to traders of B. on the ground that B. was seven miles nearer to certain coalfields than C., and that clauses had been inserted by agreement empowering the company to charge a uniform rate of toll: (*The Lancaster Union Railways (Amended) Bill*, 12 L. T. Rep. N. S. 357.)

But it was allowed when the petitioners had mutual running powers with the B. Company by an agreement, the spirit and intent of which was that the B. Company should send their traffic to the north by means of the railway of the petitioners, and the Bill designed to amalgamate the railway of B. Company with another rival one: (*The Brecon, &c., Railway Company*, 12 L. T. Rep. N. S. 357.)

Where the company proposed to be amalgamated had an interest in a railway-station of the petitioners, a *locus standi* was refused to them: (*The Great Western Railway Company*, 12 L. T. Rep. N. S. 358.) And so where the amalgamation merely opened the petitioners to competition: (*The Neath and Brecon Railway*, 12 L. T. Rep. N. S. 359.)

Taking Land.—It is incumbent on a company taking land under the powers of their Act to prove clearly the existence of those powers, and any doubt will be given in favour of the landowner. A waterworks company was empowered by their special Act to take such water as they might require for the purposes of the Act. This was held not to extend to empowering the company to do everything that might be essential to take all the water they could find, throughout all the lands indicated, but only that the company might take such streams of water as the works, when constructed, might tap or bring into their tunnel, or whatever water might percolate or flow into it: (*Simpson* v. *The South Staffordshire Waterworks Company*, 12 L. T. Rep. N. S. 360. L. C.)

Winding-up—Practice.—Where a petition was presented for the winding-up of a company and advertisements issued, and three days after another petition for winding-up the same company was presented in another branch of the court, and owing to the Easter vacation it happened that the second petition came on for hearing before the first, the winding-up order was held to have been rightly made on the petition that came on first: (*Re The British, &c., Apparatus Company*, 12 L. T. Rep. N. S. 368. V.C. S.)

Railway.—The company agreed with B. for the purchase of certain lands and covenanted not to raise "any building or erection" of more than a certain height within a certain distance of his property. The agreement contained the words "except the said railway;" but these latter words were not in the conveyance. The railway itself was held to fall within the terms "building or erection," and that if the exception was omitted from the conveyance it was for the company to prove the mistake and procure its rectification: (*Lloyd* v. *The London, Chatham and Dover Railway Company*, 12 L. T. Rep. N. S. 363. L. JJ.)

Railways as Carriers.—At a railway-station there was a level crossing over the line between two platforms, which was the way out for passengers arriving by a line on the other side. A train arrived, but the way out was blocked by another train, and some of the passengers were kept for a quarter of an hour. When this happened passengers were in the habit of crossing at the other end of the platform. B. did so, but it being dark he fell over a hamper that was in the way, and was injured. The company were held to be liable, inasmuch as a quarter of an hour was an unreasonable delay of a passenger on arrival, and he was not bound to wait to cross the line at the regular way out, that being obstructed: (*Nicholson* v. *The Lancashire, &c., Railway Company*, 12 L. T. Rep. N. S. 391. Ex.)

COUNTY COURTS.

COURT OF COMMON COUNCIL.

The Sheriffs' Court.

At a meeting of the Common Council held at Guildhall, the Lord Mayor presiding;

Mr. Woodthorpe, the town clerk, read a letter which had been addressed that morning to the Lord Mayor by Mr. Commissioner Kerr, the Judge of the Sheriffs' Court at Guildhall. The Commissioner stated that the Select Committee of the House of Lords to which the County Courts Equitable Jurisdiction Bill was referred, had inserted a clause in the Bill conferring jurisdiction on the Sheriffs' Court; that he immediately communicated with the Remembrancer on the subject, and as the Bill then stood for committee on the following Monday he (the Commissioner) on his own behalf sought, and obtained, an interview with the Lord Chancellor, at which he stated his objections to the clause. The Lord Chancellor would not yield to his chief objection to accepting the duties and responsibilities the Bill would impose upon him, and the result was that the clause stood part of the Bill. The Bill later passed the Lords, where it originated, and now stood for a second reading in the House of Commons on Thursday, the 25th inst. The clause conferred the same jurisdiction on the Sheriffs' Court as that given to the County Courts, and to that he had no objection in the abstract; but it subjected the judge and officers of the court to rules of practice and scales of costs to be framed by County Court judges. Hitherto those rules of practice of the Sheriffs' Court had been framed by the Recorder, Common Serjeant, and judge of the court, and the regulation as to costs by the judge alone. The clause then provided for the fees taken on proceedings in the court being paid into its general fund; but these fees were not to be fixed, as heretofore, by the Court of Common Council, but partly by the Treasury and the Lord Chancellor, and partly by the Lord Chancellor alone. Finally the clause provided for the remuneration of the judge by giving him, not the fees intended as a fund for his remuneration, but an additional salary equal to that receivable by the County Court judges out of their collective fund. To such a clause he most strongly objected, and he should be obliged, in order to preserve for himself a *locus standi*, to petition against the Bill; but that was a step he should not think of taking without communicating his intention to the Court of Common Council.

The letter gave rise to a very warm discussion, in the course of which Mr. De Jersey censured Mr. Commissioner Kerr and the Remembrancer for having in a matter affecting the rights and privileges of the city put themselves in communication with the Lord Chancellor and with the Lords' Select Committee without having first consulted either with the Common Council or the Lord Mayor.

Mr. Corrie, the Remembrancer, explained that the Bill as originally introduced did not in any way affect the city. He called the attention of the Law and Parliamentary Committee of the corporation to it, and suggested whether or not it might be desirable that an equitable jurisdiction should be conferred on the Sheriffs' Court. That committee declined to interfere in the matter, and a clause was afterwards introduced conferring that jurisdiction on the court. The effect would have been to throw the fees of the court into hotchpot, while the judge would be paid the same salary, and by the instructions of the Corporation Committee he prepared a clause to obviate that result by empowering the Common Council to award an additional salary to the judge in respect of the additional labour which would be imposed on him. That clause was not adopted by the Lords' Committee, and so the matter rested.

On the motion of Mr. De Jersey it was referred to the Law and Parliamentary Committee to investigate the whole circumstances, and report forthwith to the court.

CORRESPONDENCE OF THE PROFESSION.

Imprisonment for Penalties.—I observe that Mr. Oke proposes to provide "a uniform and proportionate scale of imprisonment in default of payment of penalties," &c. This ought to be left within limits to the discretion of the justices in each case. To a rich man a penalty of 5*l.* is much lighter than one of 5*s.* to a poor man; but an imprisonment of seven days would be a severer punishment often to the former than a month would be to the latter. If justices cannot be trusted with such a discretion, they should be removed from their office.

A Justices' Clerk.

Mr. Hamel's Essay on Church Law.—It will be no discredit to our branch of the Profession, if such a mode of interpreting statutes as that set forth in page 353 of the present volume of the Law Times, our organ, should pass without contradiction. With the dispute, if dispute there be, as to the mode of performing divine service, I have nothing to do. I merely express my admiration that the Law Times should have been chosen for such a Hammel-geblök (I fear the word is wholly unjustifiable). But that a law, regulating the service of the Church, should be discovered after a lapse of 200 years in a mere change of expression, is a little too much for a lawyer's throat. It would have been easy for the Legislature to enact, that in cathedral and collegiate churches and chapels the service should be sung, and in parish churches and chapels read without singing, and, if this had been the intention, doubtless it would so have been done; but to suppose that such an intention was carefully hidden under a change of words is wholly absurd. A reference to the statute will soon show how utterly groundless the assertion is, that cathedral and parish churches are under different rules except in some slight particulars. The Act deals with cathedral churches and chapels, collegiate churches and chapels, and parish churches and chapels, and the chapels of colleges, &c. Sect. 2 enacts that all ministers in any cathedral, collegiate, or parish church or chapel (cathedral is used throughout as an adject. 19 provides that every lecturer or preacher in any church, chapel, or place of public worship, shall (active), shall *say and use* the morning prayer, &c. solemnly read the Common Prayers. Sect. 20 excepts from this duty a lecturer in a cathedral or collegiate church, therefore, the words "any church" include a cathedral church; but sect. 22 enacts that when any sermon or lecture is to be preached, the service shall first be *solemnly read* in the church in the presence of the lecturer. From this it follows beyond possibility of doubt that in cathedrals the service is to be read, but does it follow that it is not to be sung? The supposition is contrary to practice and to reason. What is singing but reading to musical intonation? What is the particular force of the word "solemnly." I can only imagine that it is intended to prescribe the "modest and distinct way," and to exclude the theatrical affectation of what is called "impressive reading." At any rate this interpretation involves no self-contradiction in the statute, as Mr. Hamel's would. See the declaration that "henceforth there shall be but one use."

J. D.

The Antiphon is a sentence sung to elaborate music at the conclusion of a psalm, lesson, &c. The Antiphona was a book containing such Antiphons; the answer from one choir to another is a Response. All such books are not prohibited, but only all former ones other than such as were or should be set forth by the Crown. The object evidently is to enforce the use of the Book of Common Prayer. But anthems were allowed both by the Book of Common Prayer and by the Crown.

Mr. Oke's Bill.—I was struck with a letter in the Law Times of the 13th inst. from Mr. Oke, upon the rejection of the Bill called "The Justices of the Peace Procedure Bill;" which he says has left him about 87*l.* out of pocket, in addition to two years' time and trouble. I am apprehensive that if this Bill had passed both I and other clerks to justices would have been losers to a much larger amount, and Mr. Oke himself evidently feels the hardship of the loss following upon time and trouble. The Bill provided, in sect. 23, that the clerk should have an office to be kept open daily from ten to four (Sunday and the like days excepted), and imposed upon him many additional duties, with a new set of forms for nearly every proceeding, rendering those on hand almost all useless. For my own part I have found the Acts appended to "Jervis's Act" sufficient for all purposes, and must be excused when I add that I see no necessity for new ones, where the like are already provided. But it is with respect to the "table of fees" that I consider the clerks to justices have most reason to complain. Under title "Indictable Offences" Mr. Oke gives 15*s.* "for the performance of the several duties in each case in relation to the hearing and commitment, without regard to the number of prisoners included in the same charge." This is to cover everything. Let us see what the average fees are in "indictable offences," as the law stands, taken from the tables in force in this jurisdiction, and the adjoining county of Huntingdon.

Information on oath	2	0
Warrant to apprehend	1	6
Oath that a material witness refuses to attend	1	0
Summons and copy	2	0
Warrant on remand	1	6
Exhibit	1	0
Six depositions of witnesses	12	0
Examination of each prisoner	1	0
Commitment for trial	1	6
Recognisance to prosecute	2	6
Notice thereof	1	0
Recognisance to give evidence	2	6
Five notices thereof	5	0
Certificate of expenses	1	0
	£1	15 6

The above may fairly be taken as a low average of the amount of the clerk's fees in "indictable offences," and that when many witnesses are examined and the depositions of great length, the fees as allowed by the tables increase in proportion, especially when witnesses are cross-examined by counsel or a solicitor. Mr. Oke not only takes off 133 per cent. from the clerk's fees in common cases, but applies the same scale, no matter how many days he may be engaged in a most important investigation, or to what length the proceedings may extend. By sect. 32 the justices may decide that the clerk shall be paid by salary instead of fees; and his salary is to be computed upon an average of five years' receipts preceding the order for such payment, and under the 6th paragraph of the section, the "Home-office" has power "to vary the amount of salary for the time being to any such clerk." This is one of the hardships I complain of. If 15*s.* only are to be allowed in "indictable offences," there must be a very great falling off in the amount of fees received, and, consequently, if the clerk is allowed to retain the fees and not compelled to take a salary, he will, like Mr. Oke himself, be a great loser after "all his time, trouble and expenses." On the other hand, experience of the Home-office or the Treasury (which in effect is the same thing) in dealing with the allowances to witnesses, police, counsel and solicitors, shows the clerks have only too much reason to fear that when the fees no longer reach the amount of salary, the salary will be "varied," while the "time, trouble and expenses" remain the same. I have singled out the item of 15*s.* as most important, being of such frequent occurrence; but the fees are considerably reduced in many other cases, as all may see who will refer to the table. After this escape, I trust my brother clerks will have an eye to the table of fees in any future Bill "for amending the Acts regulating proceedings before justices of the peace."

Peterborough, May 22. Nelson Wilkinson.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Tithe Rentcharge.—Is it necessary to make a demand upon the premises charged or at the house of the occupier before serving a notice of distress, or may such notice be served by a postal registered letter, or otherwise, in the first instance?

K. M.

Affidavit.—Will any reader inform me whether, in Chancery affidavits, figures for dates, sums, &c., are allowed to be inserted in affidavits to be sworn and filed, instead of writing them at full length?

J. M.

Fairs.—Can any of your readers inform me what is the usual course for discontinuing a fair held by prescription? I apprehend that if the owner of the fair gives notice to the public that he intends to discontinue it, there is no obligation on him to hold it, and that apart from his franchise the public have no right to hold the fair, although, if he holds it, custom may give the public rights respecting the manner of his holding it.

X.

Statute of Frauds.—A. writes to B. offering to sell him certain numbers of a monthly periodical, viz., "from the year 1853 to the end of 1863 at half the original cost." B. answers that he will take the numbers that A. offers except the numbers between the years 1859 and 1862. He says nothing as to price. A. writes in reply that he shall be in town in a few days and will call on B. The parties meet; there is a direct conflict of testimony as to what took place at the interview; B. says that A. not consenting to sell the numbers, except those mentioned in his (B.'s) letter, he therefore withdrew his offer altogether. A. says that he did accept B.'s offer in its entirety before B. retracted it. The price of the numbers being above 10*l.*, is there sufficient note or memorandum of the bargain within the 17th section of the Statute of Frauds to sustain an action against B. for goods bargained and sold?

16th May 1865. Justitia.

Answers.

Easement.—A. has a right to fill up his ditch and allow the surface thereof, when so filled up, to be used as a footpath; unless by doing this he interferes with any prescriptive right acquired by B. in such ditch. Has B. acquired any such right, *e. g.*, a right to drain into the ditch? If not, he has no ground of action against A., however much he may be annoyed, and even pecuniarily injured. The grievance is clearly *damnum sine injuriâ*. Nor can B. call upon A. to erect a fence or railing on the opposite side of the path.

D. H.

Driffield, May 23.

Covenant—Partnership.—The interest that A. is to receive on his loan depends on B.'s trade returns. Until lately, A. would therefore have been held to incur the liabilities of a partner. In *Grace* v. *Smith*, 2 Bl. 998, Blackstone, J. remarks: "The true criterion, when money is advanced to a trader, is to consider whether the profit or premium is certain and defined, or casual and indefinite, and depending on the accidents of trade. In the former case it is a loan, in the latter a partnership." But in the recent case of *Wheatcroft* v. *Hickman and another*, 30 L. J. 125, C. P., which overruled previous *dicta* to the contrary, and also reversed the decisions (on the same case) of the Common Pleas and Exchequer Chamber, it was held that the real test of the liability of a person to third parties is this, were the person or persons conducting the business his agents to carry it on? Probably, in the face of this decision, A. would not now be deemed a partner.

D. H.

Bills of Sale.—The question now proposed by your correspondent is one which caused me some difficulty when first studying bankruptcy law. It is one of those difficulties which must necessarily arise when an Act of Parliament is drawn by one who is ignorant or forgetful of prior Acts with which it may possibly come into collision. Any one reading the 1st section of Bills of Sale Act, 17 & 18 Vict. c. 36, would feel assured that if a bill of sale were registered as therein provided, it would be good as against assignees in bankruptcy, although the property comprised in such bill might remain in the possession, or apparent possession, of the grantor. But legal paths are slippery and uncertain, and often the most so when one seems to be treading firmly and with security; so in this case. By the Bankruptcy Act, 12 & 13 Vict. c. 106, it is enacted that goods in the possession, order and disposition of a bankrupt at the time of the bankruptcy, shall be disposed of for the benefit of the creditors under the bankruptcy. These two enactments evidently conflict with each other, and the idea that most people would have held, and would have acted upon, would have been that, notwithstanding the clause of the Bankruptcy Act, a duly registered bill of sale would have defeated the claim of the assignees under the bankruptcy; for when two Acts of Parliament conflict, the later ought to prevail: *Leges posteriores priores contrarias abrogant*. Besides, the object of the above enactment of the Bankruptcy Act was to prevent deceit by a trader, who might appear to the world to be the owner of goods to which another was entitled; but as this chance of deceit is removed by the registration of a bill of sale, and consequent notice to all the world that the apparent owner is no longer the real one, the reason of the bankruptcy enactment has in this case ceased, and therefore the subsequent contradictory enactment of the Bills of Sale Act ought to have prevailed: *Cessante ratione legis, cessat ipsa lex*. A different construction of these Acts has however been adopted, for it has been held in *Stanfield* v. *Cubitt*, in *Badger* v. *Shaw* and in other cases, that if goods remain in the possession of the grantor to the time of his bankruptcy, they may be claimed by his assignees under the above clauses of the Bankruptcy Act, although the bill of sale was properly registered.

D. H.

Driffield, May 15th.

THE LAW LIBRARY.

BOOKS RECEIVED.

The Acts 28 Vict. cap. 3 and cap. 6, concerning Inventions and Designs exhibited at the Dublin International Exhibition 1865, and Industrial Exhibitions generally. By F. W. Campin, Barrister-at-Law. London: Stevens and Co.; W. Hilton, Strand; and E. and F. Spon, Bucklersbury. Dublin: Hodges and Co.

Protestantism in Peril. By F. J. Hamel. London: Longman and Co.

THE COURTS & COURT PAPERS.

EXCHEQUER CHAMBER.

Reported by H. Leigh, Esq., Barrister-at-Law.

BUSINESS OF THE WEEK.

ERRORS FROM THE EXCHEQUER.

Wednesday, May 17.

(Before Cockburn, C.J., Erle, C.J., Willes, Byles, Blackburn, Keating, Mellor and Shee, JJ.)

Williams *v.* Jones.—Judgment was delivered in this case heard at the previous sitting of the court. The judges differing in opinion, gave separate judgments.—Mellor, J. and Blackburn, J. read written judgments reversing the judgment of the court below; and Keating, J. read the written judgment of Erle, C.J., M. Smith, J. and Keating, J. that the Court of Ex. were right and their judgment ought to be affirmed. *Judgment of the Court of Ex. affirmed.*

Sutton *v.* Great Western Railway Company.—Error on bill of exceptions to the ruling of Martin, B. The case involved the vexed "packed parcels" question, and the right of the company to charge the plaintiff, a carrier, a higher rate than they charged to other persons.—*Karslake*, Q. C. (with *Field*, Q.C. and *Raymond*) appeared on behalf of the company, the plaintiffs in error.—*Jos. Brown*, Q.C. (with *Marshall Griffiths*) appeared for the defendant in error, the plaintiff below. *Part heard and adjourned.*

CAUSE LIST FOR TRINITY TERM 1865.

Common Law Courts.

Court of Common Pleas.

Enlarged Rules.

First Day.

Re The Financial Corporation (Limited), *ex parte* Jones
Re Tom Taylor and Emden and others, *ex parte* Taylor
Re William Windsor (one, &c.), *ex parte* Davies
Re An Agreement to Arbitration between Newton and Hetherington, *ex parte* Newman

New Trial Paper.

Michaelmas Term 1863.

Middlesex—Packer and another v. Great Western Railway Company. (To stand over till Beal v. South Devon Railway Company, in the House of Lords, is disposed of)

Cornwall—Gaved v. Martyn

Hilary Term 1865.

London—Hirschfield v. Smith

Easter Term 1865.

Middlesex—Moakes v. Nicolson
Middlesex—Murphy v. Smith
London—Phelps v. London and North-Western Railway Company
London—Lyne v. Fowler and another
London—Hibbert and another v. Broadbridge
London—McCall v. Taylor
Lincoln—Walker v. Brogden
Stafford—Longmore v. Great Western Railway Company
Northampton—Farly and another v. Turney
Norfolk—Moller and others v. Jecks
Kent—Cater v. Wood
Sussex—Bennett v. Nash
Pembroke—Jeffryes v. Evans
Glamorgan—Jegon and another v. Vivian
Northumberland—Hurst v. Great Western Railway Company
Liverpool—Rylands and others v. Kreitmair
Liverpool—Mattinson v. Leach

Postponed Motion.

London—Spalding and others v. The Catholic Bookselling and Publishing Company (Limited)

Demurrer Paper.

Tuesday, May 30.—Special Arguments.

Earl of Shrewsbury and another v. Keightley and others. Case Nisi Prius
Same v. Harbord and others. Case Nisi Prius
Same v. Beazley and others. Case Nisi Prius
Scott, Chamberlain, &c., v. Jackson. Demurrer
The Mayor, &c., of York (apps.), The Churchwardens, &c., of All Saints, North-street, York (resps.) Appeal from justices. (To stand till case in the House of Lords is disposed of)
Johnson and another v. Chapman. Case by order
Trayes v. Worms. Case by order
The Highway Board of Wrexham District (apps.), Hardcastle (resp.) Appeal from justices
Alton and another v. The Midland Railway Company. Demurrer
Everett and another v. The London Assurance Company. Case by order
Horrocks v. The Metropolitan Railway Company. Demurrer
Scotsmans v. Lucas and another. Demurrer
Murchie v. Black. Case Nisi Prius
Stourton v. Smith. Demurrer
Same v. Merritt. Demurrer
Brompton, Chatham, &c., Waterworks Company v. Jennings. Demurrer
Mainwaring v. The Langham Hotel Company (Limited). Demurrer
Lingwood (app.), Gyde (resp.); Gyde (resp.), Lingwood (app.) Special case under Copyhold Act
Shuttleworth v. Le Fleming and others. Demurrer
Ridge v. Glover and another. Demurrer
Bird v. The Great Eastern Railway Company. Special case by order
Kirkham v. London, Chatham, &c. Railway Company. Case Nisi Prius
Johnson and another v. Royal Mail Steam Packet Company. Case Nisi Prius
Colles and others v. Evanson. Demurrer
Dublin Steam Packet Company v. Thompson. Case by order
Hughes v. Palmer and others. Case by order

Thursday, June 1.—Special Arguments.

Butterworth (app.) v. Brownlow and another (resps.) County Court appeal
Arbuthnot and others v. Streckeisen. Case by order
Holford v. Sweet. Demurrer
Irwin v. Sir George Grey, Bart. Error in fact
Church v. Tame. Case by order
Abier (administratrix, &c.) v. The British National Life Assurance Association. Demurrer

Tuesday, June 6.—Special Arguments.

Lay v. Mottram. Demurrer
Guppy and another v. Frith and others. Demurrer
Goodyear and another v. The Mayor, &c. of Weymouth. Special case
The Consolidated Bank (Limited) v. Smith. Demurrer
Ray v. Jones. Demurrer
Hughes v. Weguelin and others. Demurrer

Thursday, June 8.—Special Arguments.

Betts v. Stark. Demurrer
Cutler v. Larchin and another. Case from arbitrator.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Monday, May 8.

By Messrs. Daniel Cronin and Sons, at Garraway's—Freehold estate, known as "Norbiton-park," situate at Norbiton, Surrey, comprising residence, cottages, buildings, &c., and 191a. 3r. 28p.—sold for 19,000*l.* Freehold estate, known as "Tylers Farm," situate at Bushey, Herts, and comprising residence, outbuildings, and 83 acres of grass and arable land—sold for 6420*l.* Freehold, 23a. 1r. 9p. of pasture land, situate at Cheam, Surrey—sold for 8000*l.* Freehold estate, at New Romney, Kent, comprising a residence, outbuildings, and 2 fields of arable land, containing 38a. 2r. 9p.—sold for 4000*l.*

Thursday, May 11.

By Messrs. C. C. and T. Moore, at Garraway's.—Copyhold house, No. 3, Bartholomew-terrace, Essex-street, Cambridge-road, Bethnal-green; let at 19*l.* 10s. 3d. per annum—sold for 210*l.* Leasehold house and shop with shed and yard, being No. 26, Wellington-street, Waterloo-town; also two houses, being Nos. 14 and 15, Nottingham-street, adjoining producing 46*l.* 16s. per annum; term 43½ years unexpired; ground-rent 11*l.* per annum—sold for 33*l.* Leasehold, two houses, being Nos. 40 and 41, Smith-street, Jubilee-street, Mile-end, producing 44*l.* per annum; term 46½ years from Christmas last; ground-rent 8*l.* per annum—sold for 300*l.* Leasehold house, being No. 36, Bromley-street, Commercial-road; let at 27*l.* per annum; term 53½ years unexpired; ground-rent, 3*l.* per annum—sold for 230*l.* Leasehold house, being No. 3, Portland-terrace, Portland-street, Commercial-road; let at 25*l.* per annum; term and ground-rent similar to above—sold for 200*l.*

Friday, May 12.

By Messrs. Rushworth, Jarvis and Abbott, at Garraway's.—Leasehold, eighteen houses, some with shops, situate in Regent-street, Vincent-terrace, Regent-gardens, and Brunswick-place, Westminster; producing 444*l.* per annum; term 10 years unexpired; ground-rent 3*l.* 10s. per annum—sold for 2330*l.*

Monday, May, 15.

By Messrs. F. and A. Mellersh, at Garraway's.—Freehold, twelve houses, shops and business premises, being Nos. 9 to 20, the Pavement, Clapham-common; a freehold beerhouse, known as the "Waterman's Arms," being No. 14, Lombard-street, Chelsea; and a freehold house and business premises, being No. 64, Church-street, Chelsea, producing about 550*l.* per annum—sold for 11,560*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, May 12.

Day, Alexander, and Wood, Charles, attorneys, solicitors and conveyancers, Runcorn, Warrington, and elsewhere.

Gazette, May 16.

Whalley, Henry Stanley, and Collett, Charles Minors, attorneys and solicitors, Blackburn and Oswaldtwistle.

Bankrupts.

Gazette, May 16.

To surrender at the Bankrupts' Court, Basinghall-street.

Cohen, Louis, tailor, Tilley-st. Goodman's-fds. Pet. May 11. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. May 31
Cole, Eli, pastrycook, Clarkson-st. east, Mile-end-rd. and Gowers-walk, Commercial-rd. east. Pet. May 10. Reg. Brougham. O. A. Edwards. Sol. Vant, Leadenhall-st. Sur. May 31.
Crossman, Charles Percy, captain in the army, Queen Anne-st. Cavendish-sq. Pet. May 15. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. June 1.
Diddams, George, boot and shoe manufacturer, Great James-st. Hoxton. Pet. May 12. Reg. Brougham. O. A. Edwards. Sol. Drake, Basinghall-st. Sur. June 7.
Eastman, James Henry, builder, High-st. Battersea. Pet. May 12. Reg. Roche. O. A. Parkyns. Sol. Coady, Lower Thames-st. Sur. May 29.
Evans, William, carpenter, Ship-st. Isle of Dogs. Pet. May 11. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. May 29.
Goodman, Timothy, scrivener, Warminster. Pet. April 29. Reg. Brougham. O. A. Edwards. Sol. Randall, Gray's-inn-sq. Sur. June 7.
Gray, Robert William, victualler, Princes-rd. Lambeth. Pet. May 12. Reg. Roche. O. A. Parkyns. Sol. Biddle, Chancery-ln. Sur. May 29.
Hobbs, George, chairmaker, Fetter-ln. Pet. May 11. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. June 1.
Kopera, Alphonse, tailor, West-st. Golden-sq. Pet. May 11. Reg. Roche. O. A. Parkyns. Sol. Lewis, Great Marlborough-st. Regent-st. Sur. May 29.
Linton, Francis Miles, traveller to a stationer, Cross-st. Islington. Pet. May 10. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 29.
Millar, Bigsby, pickle and fish sauce manufacturer, Heneage-st. New Montague-st. and Pelham-st. Spitalfields. Pet. May 17. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. June 1.
Palmer, William Henry, secretary to a steel, iron and coal company, Camberwell-rd. Camberwell. Pet. May 13. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. May 29.
Richardson, Robert, builder, Euston-rd. Pet. May 11. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co. Old Jewry-chambers. Sur. June 1.
Seligmann, Eduard, importer and dealer in fancy goods, Noble-st. Pet. May 11. Reg. Brougham. O. A. Edwards. Sol. Johnson, Clifford's-inn. Sur. May 31.
Smith, Samuel Bartholomew, builder, Wellington-pl. Camberwell, and Belgrave-dock-wharf, Pimlico. Pet. May 13. Reg. Brougham. O. A. Edwards. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. May 31.
Tinslay, Joseph, bread and biscuit baker, Tabernacle-walk, Finsbury. Pet. May 11. Reg. Roche. O. A. Parkyns. Sol. Angell, Guildhall-yard. Sur. May 29.

To surrender in the Country.

Arnold, Henry John, cheesefactor, Uttoxeter. Pet. May 13. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham; Flint, Uttoxeter. Sur. June 2.
Briggs, Michael Robert, tailor, Stoke-upon-Trent. Pet. May 12. Reg. Hill. O. A. Kinnear. Sol. Smith, Birmingham. Sur. May 31.
Butterley, John, cooper, Newcastle. Pet. May 12. Reg. & O. A. Clayton. Sol. Hoyle, Newcastle. Sur. May 27.
Bywater, William, machine and tool manufacturer, Holbeck, Leeds. Pet. May 12. O. A. Young. Sols. Carlas and Tempest; and Bond and Barwick, Leeds. Sur. May 29.
Cotton, William, and Cotton, Thomas William, ironfounders, Westbromwich. Reg. Tudor. O. A. Kinnear. Sol. Beaton, Birmingham. Sur. May 26.
Davies, Samuel, coaldealer, Everton, Liverpool. Pet. May 12. Reg. & O. A. Hime. Sol. Jones, Liverpool. Sur. May 29.
Devereux, Isabel, clothier, Stockton-on-Tees. Pet. May 13. Reg. Gibson. O. A. Lakeman. Sols. Crosby, Stockton; Watson, Newcastle. Sur. May 31.
Dixon, John, assistant veterinary surgeon, Horsforth, Leeds. Pet. May 12. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. May 26.
Douse, James, broker and general dealer, Ipswich. Pet. May 11. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. May 26.
Dunn, Joseph Cuthbert, grocer, late Newcastle. Pet. May 13. Reg. & O. A. Clayton. Sol. Forster, Newcastle. Sur. May 27.
East, Frederick William, upholsterer, Reading. Pet. May 11. Reg. & O. A. Collins. Sol. Slocombe. Sur. May 27.
Elliston, William Alfred, musicseller, York. Pet. May 11. O. A. Young. Sols. Seymour and Blyth, York; Bond and Barwick, Leeds. Sur. May 26.
Fleming, John, hardware dealer, Liverpool. Pet. May 11. O. A. Turner. Sols. Snowball and Copeman, Liverpool. Sur. June 2.
Gardner, James, and Gardner, Henry, glass painters, Liverpool. Pet. May 12. Reg. & O. A. Hime. Sol. Worship, Liverpool. Sur. May 31.
Gray, Charles Henry, general dealer, Brigholme, Keswick. Pet. May 11. Reg. & O. A. Broatch. Sol. Ansell, Keswick. Sur. May 31.
Green, Miles, tailor and draper, Wolverhampton. Pet. May 15. Reg. Tudor. O. A. Kinnear. Sols. Thurstans, Wolverhampton; Green, Birmingham. Sur. June 2.
Gregory, Morris, draper, Great Grimsby. Pet. May 13. O. A. Young. Sol. Chester, Hull. Sur. May 31.
Grimwade, Charles, baker, Ipswich. Pet. May 10. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. May 26.
Howell, Richard, soda-water manufacturer, Leeds. Pet. May 11. Reg. & O. A. Sangster. Sol. Pickering, Leeds. Sur. May 26.
Jones, Hugh, joiner, Bronyfoelganol, Llanenddwyn. Pet. May 10. Reg. & O. A. Walker. Sol. Williams, Dolgelly. Sur. May 29.
Jones, Joseph, manager at Holber and Company's Plaster Works, Loughborough. Pet. May 10. Sols. Higginbotham and Barclay, Macclesfield. Sur. May 26.
Jones, Joshua, and Jones, Richard Daniel, timber merchants, Chalford and Aldermanbury, London. Pet. May 10. Reg. Wilde. O. A. Acraman. Sols. Heelas, Stroud; Abbott and Leonard, Bristol. Sur. May 31.
Jones, Robert, doctor of medicine, Llanrwst. Pet. May 11. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. May 26.
Jones, William, surgeon, Manchester. Pet. May 11. Reg. Macrae. O. A. Morgan. Sol. Free, Birmingham. Sur. June 2.
Kendall, Samuel, dealer in mining and other shares, Redruth. Pet. May 9. O. A. Carrick. Sol. Stackpoole, Plaisters'-hall, Old Broad-st. Sur. May 25.
Lees, Edward, auctioneer, Strangeways, Manchester. Pet. May 13. Reg. & O. A. Hulton. Sol. Leigh, Manchester. Sur. May 27.
Little, James, hotel keeper, Exeter. Pet. May 12. O. A. Hirtzel. Sol. Floud, Exeter. Sur. May 27.
Lucas, Thomas, ironmonger, Worthing. Pet. May 11. Reg. & O. A. Dennett. Sol. Lamb, Brighton. Sur. May 31.
Neal, George, victualler, Gieeston. Pet. Aug. 8. Reg. & O. A. Wartnaby. Sur. May 26.
Neal, John, fishmonger, Saint Neot's. Reg. & O. A. Day. Sol. Barr, Cambridge. Sur. May 25.
Nicholas, John Martin, bill discounter, Bristol. Pet. May 11. Reg. Wilde. O. A. Acraman. Sols. Cole, Lime-st. London; Henderson, Bristol. Sur. May 31.
Pettingill, Alfred, auctioneer, Great Yarmouth. Pet. May 11. Reg. & O. A. Chamberlin. Sol. Costerton, Great Yarmouth. Sur. May 30.
Pickles, Henry, draper, Leeds. Pet. May 12. O. A. Young. Sol. Simpson, Leeds. Sur. May 29.
Price, Rees, grocer, Aberdare. Pet. May 10. Reg. & O. A. Sol. Linton, Aberdare. Sur. May 30.
Putt, William Henry, master mariner, Brixham. Pet. May 11. O. A. Carrick. Sol. Fryer, Exeter. Sur. May 27.
Rowlands, Frederick, railway clerk, Newcastle-under-Lyme. Pet. May 10. Reg. & O. A. Middleton. Sol. Litchfield, Newcastle-under-Lyme. Sur. June 10.
Sales, Richard Tonge, painter, Hull. Pet. May 11. O. A. Sol. Chester, Hull. Sur. May 31.
Smith, John Paxford, and Thomas, John, wine and spirit and porter merchants, Gloucester. Pet. May 11. Reg. Wilde. O. A. Acraman. Sols. Lovegrove and Co. Gloucester; Abbot and Leonard, Bristol. Sur. May 31.
Spencer, William Henry, agent, Moss-side. Reg. & O. A. Sol. Mann, Manchester. Sur. May 27.
Spink, Robert, grocer, Hook, Goole. Pet. May 12. Reg. & O. A. Wilson. Sol. Harle, Leeds. Sur. May 26.

Gazette, May 19.

Gout, James, merchant, Smyrna. Pet. May 6. O. A. Harvey, Constantinople. Sur. May 29.

To surrender at the Bankrupts' Court, Basinghall-street.

Barber, Judith Louisa, Bradwell. Pet. May 15. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. June 7.
Browning, William Ernst, barrister-at-law, Temple. Pet. May 17. Reg. Roche. O. A. Parkyns. Serle-st. Linc.-inn-fds. Sur. May 29.
Burn, Robert, chemist and druggist, Oakham. Pet. May 11. Reg. Hazlitt. O. A. Graham. Sol. Crook, Fenchurch-st. Sur. June 1.
Camm, James, schoolmaster, New North-rd. Hoxton. Reg. Hazlitt. O. A. Graham. Sol. Bellamy, Sur. June 1.
Cockett, William, auctioneer, Folkestone. Reg. Roche. O. A. Parkyns. Sols. Talbot and Tamar, Sur. May 29.
Collins, Frederick, commission agent, Pet. May 16. Reg. Roche. O. A. Parkyns. hall-st. Sur. May 29.
Davis, Francis, zinc manufacturer, Holloway-rd. Reg. Brougham. O. A. Edwards. Sol. Foord, Bread-st. Sur. June 7.
Davis, James, surgeon dentist, Old Cavendish-st. Brougham. O. A. Edwards. Sols. Hales and Co. June 7.
Dowling, Edward Plankey, farmer, Hitchin, Metropolitan Cattle Market. Pet. May 15. Parkyns. Sol. Richards, Warwick-st. Regent-st.
Farthing, George, tailor, Cheapside. O. A. Parkyns. Sols. Ashley and Tee, Frederick's-pl. Sur. May 29.
Grahe, Gustav, general merchant, Queen-st. Cheapside. 16. Reg. Roche. O. A. Parkyns. Sol. Beard, Basinghall-st. May 29.
Gurney, George, out of business, New North-rd. 16. Reg. Brougham. O. A. Edwards. Sol. Reed, Guildhall-chambers, Basinghall-st. Sur. June 7.
Harris, Henry Ellis, warehouseman, May 17. Reg. Roche. O. A. Parkyns. Sur. May 29.
Harrison, William, oil and colourman, Pet. May 16. Reg. Roche. O. A. Parkyns. borne-st. Edgware-rd. Sur. May 29.
Hart, James, farmer, Finchingfield. Pet. May 16. O. A. Graham. Sol. Pritchard, Coleman-st. Sur. June 1.
Hart, Michael, boot and shoe dealer, May 16. Reg. Brougham. O. A. Edwards. mew-close. Sur. June 7.
Herrick, Henry, assistant bailiff, Pet. May 16. Reg. Roche. O. A. Parkyns. Southwark. Sur. May 29.
Joel, Henry, looking-glass manufacturer, Reg. Hazlitt. O. A. Graham. Sol. Edwards, Sur. June 1.
Johnson, Joshua, coal merchant, Walls-next-the-Sea. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. June 1.
Jones, Robert Walter, corndealer, Vauxhall-bridge-rd. 16. Reg. Brougham. O. A. Edwards. Sol. Braswell, st. Sur. June 7.
Meredith, Henry Charles, commission merchant, Pet. May 17. Reg. Hazlitt. O. A. Graham. Sol. friars. Sur. June 1.
Moore, William, tailor, Nicholas-ln. Pet. May 12. O. A. Graham. Sols. Harrison and Lewis, Old Jewry.
Partridge, Nicholas Drake, salesman to an upholsterer, ham-rd. Kingsland. Pet. May 15. Reg. Brougham. Sol. Reed, Guildhall-chambers, Basinghall-st. Sur. June
Petty, George Thomas, carpenter, Broom-hill, Kent. Reg. Hazlitt. O. A. Graham. Sols. Lewis and Lewis, Holborn. Sur. June 1.
Ridgley, William, jun., butcher, Lower Rosamond-st. Clerkenwell. Pet. May 15. Reg. Roche. O. A. Parkyns. Sol. Jones, Sur. May 29.
Waight, John Chapman, cheesemonger, King's-cross-rd. well. Pet. May 17. Reg. Brougham. O. A. Edwards. man, Great Leonard-st. Finsbury. Sur. June 7.
Walkley, William, Arundel. Pet. April 14. Reg. Brougham. O. A. Edwards. Sur. June 7.

To surrender in the Country.

Allen, James Powell, shipowner, West Hartlepool. Reg. Gibson. O. A. Lakeman. Sols. Stary and
Allsop, George, butcher, Derby. Pet. May 12. Reg. & O. A. Weller. Sol. Briggs, Derby. Sur. May 31.
Asbury, Frederic Thomas, beerhouse-keeper, Holbeach. 16. Reg. & O. A. Capara. Sol. Ayre, Holbeach.
Bailey, Robert King, butcher, Leicester. Pet. May Ingram. Sol. Chamberlain, Leicester. Sur. June 2.
Bell, George, and Bell, James Smith, farmers, Pet. May 13. O. A. Young. Sol. Granger, Leeds.
Belton, Edwin, jun., brickmaker, Hebburn-quay, Pet. May 11. Reg. & O. A. Wawn. Sol. Duncan, and South Shields. Sur. May 31.
Brodie, John, and Brodie, Joseph, drapers, Pet. May 16. Reg. Gibson. O. A. Lakeman. Shipley, Newcastle. Sur. June 2.
Broughton, William, jun., butcher, Sibbertoft. & O. A. Gates. Sol. Rawlins, Market Harborough.
Brown, James, rope manufacturer, Wolverhampton. Reg. & O. A. Brown. Sol. Cresswell, Wolverhampton.
Bullin, John, horse dealer, Hinton. Pet. May 13. Kinnear. Sols. James and Griffin, Birmingham.
Bullock, John, beer retailer, Stowe. Pet. May 13. Spitsbury. Sol. Robinson, Stafford. Sur. June 3.
Culwick, Aaron, butcher, Westbromwich. O. A. Watson. Sol. Jackson, Westbromwich.
Cox, Albert, dairyman, Mark. Pet. May 13. Sol. Reed, Bridgwater. Sur. May 29.
Davies, William, builder, Liverpool. Pet. May 11. Sol. Samuell, Liverpool. Sur. June 2.
Dawson, Samuel Richard, butcher, Southwick, Pet. May 12. Reg. & O. A. Evershed. Sol. st. Southwark. Sur. May 30.
Dighton, Hyla Edward, watchmaker, Bedford. Reg. & O. A. Austin. Sur. May 31.
Edwards, John, baker, Pwllheli. Pet. April 28. Owen. Sol. Jones, Pwllheli. Sur. May 26.
Emerson, John, beerhouse keeper, O. A. Brock. Sol. Deane, Loughborough. Sur. May 29.
Everall, Charles, butter factor, Reg. Hill. O. A. Kinnear. Sols. Garrard, Griffin, Birmingham. Sur. June 7.
Everett, Thomas, huckster, Dudley. Pet. May 11. Walker. Sol. Warmington, Dudley. Sur. June 1.

Fisher, John Price, schoolmaster, Everton, near Liverpool. Pet. May 15. Reg. & O. A. Hime. Sol. Price, Liverpool. Sur. June 1.
Gosden, Elijah, farmer, Pirbright. Pet. May 12. Reg. & O. A. Marshall. Sol. White, Danes-inn, Strand, and Guildford. Sur. May 27.
Grant, William Richard, tailor, Wardington. Pet. May 13. Reg. & O. A. Fortescue. Sol. Kilby, Banbury. Sur. June 8.
Halstead, James, clogger, Heywood. Pet. May 16. Reg. & O. A. Grenfy. Sol. Dawson, Manchester. Sur. June 1.
Hennis, Thomas, provision dealer, Liverpool. Pet. May 17. O. A. Turner. Sol. Barrell, Liverpool.
Holden, James, gilder, Bolton. Pet. May 16. Reg. & O. A. Holden. Sols. Clover and Ramwell, Bolton. Sur. May 31.
Hollier, John, victualler, Sharnford. Pet. May 16. Reg. & O. A. Pilgrim. Sol. Cawdell, jun., Hinckley. Sur. June 3.
Johnstone, John Woodrouffe, clerk in Sheerness-dockyard, Sheerness. Pet. May 15. O. A. Watts. Sol. Goodwin, Maidstone. Sur. May 30.
Jones, Henry Ezekiel, commission agent, Southsea. Pet. May 18. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 6.
King, John David, clerk, Moseley, King's Norton. Pet. May 13. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. June 19.
Lyatt, Thomas, carver, Shrewsbury. Pet. May 15. Reg. & O. A. Pain. Sol. Hughes, Shrewsbury. Sur. June 12.
Mules, James, butcher, South Brent. Pet. April 7. Reg. & O. A. Dyer. Sol. Reed, Bridgwater. Sur. May 30.
Nairn, William, tinner, South Shields. Pet. May 15. Reg. & O. A. Dees. Sol. Harle, Newcastle. Sur. May 31.
Nixon, William, hairdresser, Leicester. Pet. May 16. Reg. Tudor. O. A. Harris. Sol. Arnall, Leicester. Sur. May 30.
Oldfield, Joseph, cloth manufacturer, Batley. Pet. May 16. O. A. Young. Sol. Harle, Leeds. Sur. May 29.
Oliver, William Higgins, victualler, St. Budeaux. Pet. May 16. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. May 31.
Payne, Thomas, and Payne, George, grocers, Hulme, Manchester. Pet. May 17. Reg. & O. A. Hulton. Sol. Elliott, Manchester. Sur. June 2.
Pickard, George, plasterer, Waterloo near Blyth. Pet. May 15. Reg. & O. A. Brumell. Sol. Brewis, Blyth. Sur. June 2.
Rogers, James, painter, Hollow Stone, Nottingham. Pet. May 13. Reg. & O. A. Patchitt. Sol. Ashwell, Nottingham. Sur. May 31.
Shrimpton, Thomas, and Shrimpton, John, needle manufacturers, Redditch. Pet. May 17. Reg. & O. A. Browning. Sol. Horton, Bromsgrove. Sur. May 31.
Tillotson, Samuel, provision dealer, Birmingham. Pet. May 9. Reg. & O. A. Guest. Sol. Perry, Birmingham. Sur. June 19.
Towers, Robert, and Towers, Denis, manufacturers, Blackburne. Pet. May 16. Reg. Harris. O. A. Morgan. Sols. Smith and Boyer, Manchester. Sur. May 31.
Vesty, William, worsted spinner, Bradford. Pet. May 13. O. A. Young. Sol. Hutchinson, Bradford; Bond and Barwick, Leeds. Sur. May 29.
Whitaker, Henry, innkeeper, Bury. Reg. & O. A. Anderton, Bury. Sur. June 1.
Willis, Grace, widow, Colleigh. Pet. May 17. Reg. & O. A. Stamp. Sol. Wilsford, Exeter. Sur. June 2.
Wilson, Hannah, lodging-house keeper, Whitby. Pet. May 15. Reg. & O. A. Buchanan. Sol. Illingworth, Hiedmarch. Sur. June 1.
Wood, James, farmer, Brantwood, Litchfield. Pet. May 13. Reg. Bill. O. A. Kinnear. Sol. Palmer, Rugeley. Sur. May 31.
Woodhams, Charles, greengrocer, Tonbridge Wells. Pet. April 19. Reg. & O. A. Alleyne. Sur. May 29.

BANKRUPTCY ANNULLED.

Gazette, May 16.

Marr, Philip, Stamford.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Ardis, J. and J. haberdashers, second, 9s. Harris, Nottingham.—*Bamber*, T. grocer, first, 4s. 3¼d. Morgan, Manchester.—*Boyd*, M. Cardmaker, first, 5¼d. Parkyns, London.—*Burland*, W. H. organist, first, 1s. 6d. Harris, Nottingham.—*Caddick*, F. jun. ale and porter dealer, first, 5s. Kinnear, Birmingham.—*Coates*, J. union clerk, first, 2s. 6d. Harris, Nottingham.—*Cooper*, J. innkeeper, first, 1¼d. Morgan, Manchester.—*Cragg*, B. sen. and *Cragg*, B. jun. cabinet-makers, 2s. 6d. Harris, Nottingham.—*Crowther*, W. H. stationer, first, 2s. 1¼d. Kinnear, Birmingham.—*Ellis*, K. shipbuilder, new proofs, 7¼d. (on account of first of 2s. 6d.) Turner, Liverpool.—*Huddleston*, T. boot and shoe manufacturer, first, 5s. 2d. Morgan, Manchester.—*Jolliffe*, J. W. Butler, first, 6s 6d. Edwards, London.—*Livesey*, R. chemist, second, 1s. Turner, Liverpool.—*Page*, S. hosier, first, 9d. Harris, Nottingham.—*Patent Bituminised Water, Gas and Drainage Pipe Co. (Limited)*, second, 3¼d.; on new proofs, 1s. 3¼d. Edwards, London.—*Repton*, W. L. druggist, first, 4s. Turner, Liverpool.—*Shaw*, W. and E. S. flint grinders, first, 3¼d. Kinnear, Birmingham.—*Smethurst*, J. N. cotton waste dealer, first, 2s. 2d. Turner, Liverpool.—*Smith*, R. flour dealer, second, 1s. 6d. Turner, Liverpool.—*Southwell*, D. S. confectioner, first, 1¼d. Kinnear, Birmingham.—*Speak*, R. bootmaker, first, 3s. 11¼d. Parkyns, London.—*Thomas*, D. coal master, first, 4¼d. Kinnear, Birmingham.—*Tugwen*, J. E. merchant, second, 1d. Turner, Liverpool.—*Waid and Poy*, drapers, first, 10s. Kinnear, Birmingham.—*Watson*, S. S. lodging-house keeper, first, 3s. 0¼d. Kinnear, Birmingham.—*Whittier*, H. manufacturer, first, 4s. Morgan, Manchester.—*Wise*, W. R. farmer, first, 3s. 1d. Kinnear, Birmingham.—*Wright*, J. Esq., first, 2s. 10d. Kinnear, Birmingham.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, May 16.

Adams, Stephen, fancy stationer, Liverpool. May 9. 4s. by two equal instalments, first on 30th May and second on 20th June.
Ardern, Thomas, and Ardern, John, joiners, Nether Knutsford. April 19. Trusts. J. Ogden, farmer, and W. Steel, painter, both Nether Knutsford.
Avery, James, horse shoe manufacturer, Harborne. April 20. 5s. on execution of deed.
Barratt, Thomas Wynter, tailor and draper, Walsall. April 28. 5s. by two equal instalments—first on registration of deed and second at 3 mos.—secured. Trust. E. W. Genever, accountant and agent, Birmingham.
Bentley, Benjamin Pearson, merchant, Falcon-hall, London, and Birmingham. April 27. 11s. by four instalments on 30th July, Oct., Jan. and April. Trusts. G. Beecroft, warehouseman, Milk-st. Cheapside, T. Loveridge, silk agent, Noble-st. and H. Rogers, iron merchant, Wolverhampton.
Bianchi, Charles, umbrella manufacturer, Newcastle. April 22. Trust. R. Hudson, agent, Newcastle.
Blackwell, John, beer retailer, West Cowes, Isle of Wight. April 28. Trusts. J. Wainscot, accountant, and J. O. Frohwein, outfitter, both Portsea.
Bull, George, farmer, Stoke Goldington. April 22. 7s. at 28 days.
Burt, William, grocer, Beckenham. May 3. Trust. A. Booth, grocer, Hoxton.
Butler, Leonard, bolt and screw manufacturer, Birmingham. April 28. Trusts. W. E. Weale, coal merchant, and W. Farmer, cut nail manufacturer.
Buzzell, Nathan, builder, Brighton. April 17. Trusts. T. Austin, timber merchant, J. E. Elliott, timber merchant, Brighton, and W. Bryant, ironmonger, Hove.
Callard, George Edward, clerk to a silk broker, Beaufoy-ter. Maida-vale. May 10. 2s. by two instalments of 1s. in 1 and 2 mos.
Castle, Edwin, jun., builder, Pritchard's-rd. Hackney. May 13. 5s. by two instalments of 2s. 6d.—first in 14 days and second 14th Aug.
Chaston, Louis Vincent, grocer, Salford. April 17. 7s. 6d. by three instalments—4s. forthwith, 1s. on 24th April and 2s. 6d. on 24th May.
Chapman, Benjamin Edward, grocer, Dover and Sandgate. May 5. 5s. by three equal instalments at 2, 4 and 6 mos.—secured.
Coggle, William, corndealer, Liverpool. May 4. 11s. by three instalments of 4s., 4s. and 3s. on 24th May, 24th Aug. and 24th Oct. Trust. F. L. Jones, flour dealer, Liverpool.
Collins, Adolphus George, wine merchant, High-st. Bromley. May 6. Trust. E. Broeman, wine and spirit merchant, Mark-la. Fenchurch-st.
Cooper, Alfred Langford, traveller, Savage-gardens, Tower-hill. April 17. 10s. by equal instalments of 1s. each at 6, 12, 18, 24, 30, 36, 42, 48, 54 and 60 mos.
Dorn, Adam, baker, Princes-rd. Kennington-cross. May 9. 2s. on 23rd May.
D'Oyly, John Francis, master mariner, Devonshire-st. Islington. May 12. 5s. by 1st June.
Duncan, Henry, merchant, Hull. May 9. 2s. 6d. by two instalments of 1s. 3d. on 9th Aug. and 9th Nov. Surety, J. R. Duncan, merchant, Hull.
Elias, Richard, flannel manufacturer and farmer, Nantyrhebog, near Llanidloes. May 2. 5s. by three equal instalments, forthwith and at 2 and 4 mos. Trust. D. Elias, flannel manufacturer and innkeeper, Llanidloes.
Garrett, Charles, contractor, Banstead. May 12. To pay debts in full by two equal instalments—first in 6 mos. and second in 12 mos.
Gittoes, John, jun., coal merchant, West Bromwich. April 17. Trust. G. Gibbs, farmer, Sandon Stone.
Gleeson, John, Pembroke-dock. April 21. Trust. T. George, spirit merchant, Pembroke.
Hall, Kate, crinoline manufacturer, Leeds. May 4. 12s. 6d. by three instalments—4s. in 7 days, 4s. in 4 mos. and 4s. 6d. in 6 mos.
Haynes, Thomas, tobacconist, Southampton. April 10. 4s. by two instalments of 2s. in 7 days and 3 mos. Trust. C. Lawrence, merchant, Southampton.
Holland, Sarah, pawnbroker, Liverpool. April 19. Trusts. R. Dickinson, draper, Bolton, and P. Marsh, sack merchant, Liverpool.
Holloway, Thomas, innkeeper, Bradford. April 17. Trusts. T. Rumming, farmer, Winkfield, and T. Taylor, wine and spirit merchant, Bradford.
Howitt, Louisa, draper, Grantham. April 18. Trusts. E. Bond and E. Cooper, drapers, Grantham.
Hughes, Charles, grocer, Cardiff. April 21. 5s. 8d. in 28 days after registration of deed.
Innerarity, David Alexander, chemist, Claremont-pl. Hornsey-row. May 12. Trust. J. H. Evans, wholesale druggist, Bartholomew-close. Sols. Harrison and Lewis, Old Jewry.
Johnson, Richard Simpson, grocer, Durham. April 26. Trusts. J. C. Copland, provision merchant, Newcastle, and J. Hill, miller, Durham.
Laycock, Henry John, watchmaker, Rotherham. April 27. Trust. A. Atkinson, clerk, and T. B. Lister, plumber and glazier, both Rotherham.
Lea, William, victualler, St. Helen's. April 27. Trusts. R. Guest, brewer, Bedford, D. Caree and T. Llewellyn, spirit merchants, both Liverpool.
Mounsey, Jaspar Capper, and Dixon, John, ironfounders, Bedlington. April 20. Trusts. T. Bell, ironmaster, Newcastle, W. Whitewell, ironmaster, South Stockton, and E. Richardson, iron merchant, Newcastle.
Murgatroyd, John, and Stephenson, Thomas, plasterers, Bradford. May 12. 5s. by instalments—1s. at 3 mos. and 1s. every 3 mos. until 5s. is paid. Trusts. T. Whittingham, grocer, Fearnelliffe, near Bingley, and T. Brook, piece taker-in, Shipley.
Orram, Charles, banker's porter, Huddersfield. April 18. 5s. at 4 mos.—secured.
Parker, Isaac Alfred, plumber, Tewkesbury. May 2. 1s. on 2nd Aug.
Palmer, Thomas, plumber, Penge. May 12. 2s. 6d. by instalments of 1s. on 15th June and 1s. 6d. on 15th Sept.
Patrick, James, cloth merchant, Leeds. April 21. 10s. by three equal instalments at 4, 7 and 10 mos. from 1st May—secured.
Perry, John, and Perry, Charles Hewes, brewers, Nottingham and Bulwell. April 22. Trusts. J. S. Heradderly, maltster, Sneinton, G. R. Cowen, ironfounder, Nottingham, and T. Haynes, maltster, Ratcliffe-on-Trent.
Raybould, Joseph Arthur, mercer, Alcester. April 17. Trusts. R. W. Windle, auctioneer, Alcester, and F. Woodward, draper, Worcester.
Ryder, William, metal broker and iron merchant, Newcastle. April 17. Trusts. J. M. Barnup, agent, and F. C. Coxon, draper, both Newcastle.
Smart, John Leighton, printer, Chichester-rents, Chancery-lane. May 11. Trusts H. W. Caslon, type founder and printer's joiner, Chiswell-st. Finsbury.
Speakman, Henry, and Quint, Samuel, umbrella manufacturers, Monkwell-st. April 28. Trusts. L. R. Stewart, Aldermanbury-postern, and G. Rawlinson, Bread-st. warehousemen.
Spencer, William Antill, linendraper, Derby. April 15. Trusts. T. Roe, jun., timber merchant, Derby, and A. Morris, accountant, Manchester.
Still, Frederick William, draper and grocer, Marden. April 19. Trusts. F. Taylor, warehouseman, Manchester, and E. Hicks, wholesale grocer, Rye.
Sullivan, Philip Thomas, gentleman, Moore-st. Cadogan-st. Chelsea. April 21. 5s. by three equal instalments at 6, 9 and 12 mos. Trusts. T. Whetstone, frame manufacturer, Charles-st. Hatton-gdn. and G. W. Andrews, tailor, High-st. Hoxton.
Taylor, Thomas, shoemaker, Hemswell. April 20. Trusts. J. B. Morris, carrier, and T. H. Rivett, draper, both Gainsborough.
Thompson, John, grocer, Leadgate. May 2. 5s.—secured.
Thompson, Thomas, grocer, Durham. April 22. Trusts. A. Harbottle, grocer, Newcastle, and J. W. Robinson, provision merchant, Gateshead.
Watson, John, gasfitter, Windmill-st. St. Luke's. April 28. 1s. in 6 mos. from registration of deed.
Whitaker, James, cotton manufacturer, Burnley. April 21. 12s. 6d. in 1 mo. Trusts. H. Forth, commission agent, Manchester, J. Sutcliffe and M. Kippax, cottonspinners, both Hornley.
Wilson, Joseph Michael, cotton manufacturer, Stockport. April 28. 5s. by two instalments—3s. forthwith and 2s. in 2 mos.—secured. Trust. J. Powell, cashier, Manchester.
Winchester, James, builder, Newhaven. April 15. Trust. T. Austin, timber merchant, Brighton.
Woods, Francis, grocer and butcher, Portslade. April 26. Trusts. E. J. Reeves, wholesale grocer, Brighton, and J. Sharp, butcher, Brighton.
Wright, Thomas William, beerhouse keeper, Blackhill. April 15. 6s. by three instalments of 2s. at 1, 4 and 8 mos. Trust. W. T. Wright, Blackhill.

ERRATUM.

Muller (and not Miller as advertised in Gazette, May 12, 1865), Henry.

Gazette, May 19.

Armstrong, Benjamin, ironmonger, Sunderland. April 19. 4s. on deed being registered.
Baldwin, Solomon, and Waters, Thomas, wholesale teadealers, Bishopsgate-churchyard. April 26. Trusts. T. S. Fetty, Esq., Preston, W. Price, Esq., Mincing-la. and C. Walters, Esq., Stratford, near Salisbury.
Bell, John, grocer, Coxhoe. April 26. 6s. by four equal instalments at 3, 6, 9 and 12 mos. from 12th April.
Boe, William, ironmonger, Newcastle. May 1. Trusts. J. MacFayden, merchant, and G. C. Barker, ironmonger, both Newcastle.
Bolt, Philip, tailor, Bolsover-sq. May 5. 5s. in 1 mo.
Bolus, George, edge tool manufacturer and iron plater, Wolverhampton. April 22. Trust. H. J. Shaw, factor, Wolverhampton.
Brookes, David, tailor, Little Bolton. April 24. Trust. P. Lowe, grocer, Little Bolton.
Butcher, Henry Albert, coaldealer, Wellington-ter. Elgin-rd. Notting-hill. April 26. 7s. 6d. on registration of deed.
Clift, George William Harness, coal merchant, Chatham. May 1. 2s. 6d. by two instalments at 6 and 12 mos. Trust. D. French, merchant, Chatham.
Cox, Thomas, clothier, Ebbw-vale. May 15. 6s. 8d. by two instalments—one-half forthwith and the other half at 2 mos.—secured. Trusts. W. Thomas, butcher, Ebbw-vale, and J. Hitchings, cordwainer, Ebbw-vale.
Davenport, Henry, grocer, Birmingham. April 26. Trusts. J. H. Everton, wholesale grocer, and W. Huggins, pork butcher, both Birmingham.
Draffin, Henry, and Draffin, William, packing-case makers, Manchester. April 26. 7s. 6d. by three equal instalments on 29th April, 29th May and 29th Aug.—secured.
Earnshaw, George, druggist, Ashton-under-Lyne. May 1. Trust. R. J. Fletcher, accountant, Ashton-under-Lyne.
Farman, Joseph, house decorator, Clarendon-rd. north, Notting-hill. April 26. 1s. on 1st Nov.
Fielden, William Petrie, cotton manufacturer, Rochdale. April 21. Trusts. T. C. Peers, cotton broker, Liverpool, and A. Murray, public accountant, Manchester.
Gibbs, William, grocer, Whittlesey. April 20. Trusts. W. Vergette, wholesale grocer, Peterborough, and W. Weston, gentleman, Whittlesey.
Goodacre, Henry, draper, Birkenhead. May 2. Trust. S. Watts, merchant, Manchester.
Goodliffe, Alfred Pitt, grocer, Nottingham. April 20. Trusts. J. Russell, bank manager, Nottingham, F. U. Symons, gentleman, Trinity-sq. Tower-hill, and G. Hewitt, hop merchant, Calvert's-bldgs. Borough, Southwark.
Harrott, Howard Augustus, gentleman, Bedford-row. April 28. To pay debts in full by three equal instalments at 6, 12 and 18 mos.
Hawley, John, ropemaker, Walsall. April 20. 12s. by three equal instalments in 21 days, 3 mos. and 6 mos. Trust. S. Mills, lock manufacturer, Walsall.
Herring, John, jun., grocer, Sunderland. April 29. Trusts. J. Herring, sen., merchant tailor, and M. F. Herring, grocer, both Sunderland.
Hill, Thomas, draper, Kingston-on-Thames. April 20. Trust. G. B. Greatorex, Aldermanbury, and G. Hooper, Wood-st. Cheapside, warehousemen.
Hodgkinson, Sarah, widow, Matlock Bath. May 9. 15s.—7s. on 10th May, 2s. 6d. on 19th July, 2s. 6d. on 19th Oct. and 3s. on 19th Jan.
Hollings, Edmund, druggist, Bradford. May 10. 2s. 6d. forthwith. Trust. W. Spivell, bill broker, Leeds.
Holmes, David, ale merchant, Llanidloes. April 25. Trusts. J. F. Fishwick, bank inspector, Liverpool, and C. H. King, brewer, Newcastle-under-Lyme.
Hughes, John, upholsterer, Tranmere. May 12. 6s. 8d.
Hunanian, Gregoir Antoin, merchant, Manchester. May 1. 9s. by three instalments of 3s. on 10th May, 4th July and 4th Sept.—secured.
Jackson, Robert, cloth manufacturer, Leeds. May 3. 9s. in 4 mos.—secured. Trust. H. Williams, gentleman, Leeds.
Jolliffe, William Leigh, grocer, Southsea. May 2. Trust. H. Knight, provision merchant, Southampton.
Jones, George, grocer, Welshpool. April 26. Trusts. S. Davies, tailor and draper, W. Rogers, mercer, and C. Morris, bootmaker, all Welshpool.
Joy, William, plumber, Tonbridge. May 8. 5s. in 3 mos.
Kirkpatrick, Thomas, linendraper, Newington-butts. April 29. 15s. at 4, 8 and 12 mos. from 1st April—secured. Trusts. R. Cornell, Manor-rd. Upper Lewisham-rd. and W. Gibbs, Wantage.
Kynaston, George, railway guard, Leigh-st. Burton-cross. May 8. 5s. on execution of deed.
Lambert, Robert, jun., draper, Tonbridge Wells. May 2. 12s. by three equal instalments 4th July, 4th Oct. and 4th Jan.—secured. Trust. J. T. Stuttard, warehouseman, Wood-st. Cheapside.
Lancaster, Frederick William, draper, Wimbledon. April 21. Trusts. J. G. Howes and G. Williams, warehousemen, both St. Paul's-churchyard.
Lawson, Joseph, cloth manufacturer, Leeds and Pudsey. April 12. 7s. by two instalments of 3s. 6d. at 4 and 8 mos. Trusts. J. Rayner, mungo merchant, Leeds, and H. Coates, oil merchant, Pudsey.
Leigh, James William Frederick, chemist and druggist, Grange-rd. Bermondsey. May 17. 5s. by two equal instalments on 9th Aug and 9th Nov.
Lewis, Henry Thomas, grocer, Alcester. April 19. To pay 20s. by three equal instalments of 6s. 8d. each, on 1st Sept., 1st Jan. and 1st May. Trusts. W. White, gentleman, and W. Grizzell, draper, both Alcester.
Llewellin, Edwin, cheesemonger, Myddleton-st. Clerkenwell. May 6. 5s. in 10 days. Trust. I. Watson, yeast merchant, Lloyd's-row, Clerkenwell.
Lumley, David, jeweller, Nelson-sq. Blackfriars-rd. May 15. 5s. by two equal instalments in 1 week and at 6 mos.—secured.
Monk, George, grocer, Copenhagen-st. Barnsbury-rd. Islington. April 28. 7s. in 7 days.
Pantaknius, Frederick Henry, decorator, Clarendon-rd. Notting-hill, and Oxford-st. May 17. 5s. by four instalments of 1s. 3d. each on 17th July, 17th Oct., 17th Jan. and 17th April.
Paylor, Thomas, cowkeeper, Old Shildon. April 24. Trusts. A. Walker, miner, and G. Paylor, cowkeeper, both Old Shildon.
Perkin, Daniel, draper, Plymouth. May 6. Trust. J. L. Vessy, woollen draper, Bristol.
Pratt, John Thomas, farmer, West Walton. April 21. Trust. R. Wherry, grocer, Wisbeach, and R. Pratt, farmer, Terlington, St. Clement's.
Price, Richard Evans, brush manufacturer, St. Swithin, Worcester. May 3. Trust. W. Evans, glove manufacturer, Worcester.
Probert, Joseph, and Probert, Benjamin, grocers, Newcastle. April 21. 6s. by four instalments—2s. 6d. immediate, 1s. at 3 mos., 1s. at 6 mos., and 1s. 6d. at 9 mos. Trust. W. Sutton, accountant, Newcastle.
Procter, William Malachy, brewer, Metherell Calstock. May 1. Trust. S. Lang, Calstock, J. Dupre, merchant, Plymouth, and H. H. Bustin, beer merchant, Plymouth.
Puntis, Josiah, painter, Southampton. May 1. 2s. 6d. on 1st June. Surety, S. Jewell, merchant, Nursling.
Ratliff, John Cleophas, ribbon manufacturer, Coventry and Stoke. April 25. Trust. E. H. Crutchlow, gentleman, Coventry.
Reacher, Thomas, innkeeper, Worcester. April 24. Trust. W. Holland, ironfounder, Worcester.
Ridings, Edmund, and Ridings, Thomas, merchants, Liverpool and Preston. April 25. Trusts. J. B. Morgan, cotton broker, C. J. Robinson, merchant, and W. Alexander, accountant's clerk, all Liverpool.
Riley, John Henry, engineer, Nottingham. May 9. 5s. by two equal instalments at 2 and 5 mos. Trust. J. W. Haythorn, lace manufacturer, Nottingham.
Shentall, Henry, stove grate fitter, Masbrough, Rotherham. April 21. Trust. H. Wright, auctioneer, Rotherham.
Shenton, William, tobacconist, Belper. April 19. 3s. immediate, and 3s. in 6 mos. Sureties, H. Brown, grocer, Kilburn, and G. Shenton, coal agent, Belper.
Shutt, John, button manufacturer, Birmingham. April 21. Trust. W. G. Postans, varnish manufacturer, Birmingham.
Smith, Joseph, Colne, and Smith, Benjamin, cotton spinners, Ballgrove, near Colne, and Nelson, Marsden. April 19. Trusts. H. Shaw, cottonspinner, G. Townsend, cotton manufacturer, both Colne, and W. Holmes, worsted spinner, Bradford.
Teague, Henry Kington, grocer, Witney. May 2. Trust. W. M. Underhill, grocer, Oxford.
Tennent, Robert Bowman, merchant, Walbrook. May 8. Trust. J. Oliver, merchant, Walbrook.
Turner, Thomas Harrison, milliner, Union-ter. Commercial-rd. April 28. 2s. by two equal payments, in 6 and 12 mos.
Walker, Edward, fruit dealer, Manchester. April 24. 6s. by 13th May.
Waterman, William, draper, Leicester. May 16. 7s. by two equal instalments on 16th July and 16th Sept.
Wildsmith, James Henry Staples, chemical manufacturer, Wolverhampton. May 8. To pay debts in full, with interest, by four equal instalments on 25th July, 25th Oct., 25th Jan. and 25th April next. Trusts. H. Duignan, bank manager, Walsall, and W. F. Fryer, banker, Wolverhampton.
Wilkinson, Joseph, manufacturer, Wolverhampton. April 19. Trust. D. Kendrick, iron merchant, Wolverhampton.
Williams, Benjamin, slater, Mount Vernon, Liverpool. May 5. 2s. 6d. by two equal instalments, in 3 and 9 mos. from 29th April.
Williams, Rosina Mary Hervor, schoolmistress, Shrewsbury. April 4. Trusts. W. Wardle, stationer, and E. Forrest, music seller, both Shrewsbury. Sol. Morris, Shrewsbury.
Woodifield, John Vaux, and Hills, James Edward, ironfounders, Sunderland. April 25. 11s. Trust. J. Hills, ironmonger, Sunderland.
Young, Dixon, druggist, Sunderland. April 24. Trust. W. C. Moon, Sunderland, and J. Clarke, York, both wholesale druggists.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

Collier.—On the 19th inst., at 56, London-road, Croydon, the wife of Charles Frederick Collier, jun., Esq., of the Middle Temple, barrister-at-law, of a daughter.

MARRIAGE.

Kenny—Brotherhood.—On the 16th inst., at Chippenham, William Kenny, Esq., solicitor, Chippenham, to Priscilla, eldest daughter of Rowland Brotherhood, Esq., of the same place.

DEATHS.

Brocklesby.—On the 23rd inst., Ernest George, infant son of Geo. J. Brocklesby, Esq., of 4, Arthur-road, Holloway, and 16, Water-lane, City, solicitor.
Dean.—On the 18th inst., at 22, Bloomsbury-square, James William Dean, Esq., solicitor.
Erskine.—On the 21st inst., at Brighton, Henry Trail Erskine, Esq., of 6, Norfolk-street, Park-lane, and Lincoln's-inn, eldest son of the late Right Hon. Thomas Erskine.
Price.—On the 19th inst., at Stourbridge, aged 18, Cornelius Jesson third son of Rowland Price, Esq., solicitor.

Investments.

THE CREDIT FONCIER AND MOBILIER OF ENGLAND (Limited) ARE INSTRUCTED TO RECEIVE SUBSCRIPTIONS FOR 1,212,000*l.* A. STOCK OF

THE METROPOLITAN EXTENSION

RAILWAYS of the LONDON, CHATHAM and DOVER RAILWAY COMPANY.

In 30,300 Provisional Scrip Certificates to bearer of 40*l.* each,

With interest guaranteed by Sir S. Morton Peto, Bart., Betts and Crampton, at 6 per cent. per annum on price of issue, payable on amount paid up, as from 1st January 1865, and payment of such interest will be continued to 1st July 1867, by half-yearly payments on 1st July and 1st January in each year. The first six months' interest will be paid on 1st July 1865.

Deposit, 1*l.* per Certificate on application, and 4*l.* on allotment.

Price of issue 21*l.* for each Certificate, equal to 52*l.* 10*s.* per 100*l.* Stock.

Liability limited to amount of subscription.

The remaining half of this stock, 1,213,000*l.*, will not be issued for twelve months, and then only as paid-up Stock, and at not less a price than 10*l.* per 100*l.* Stock advance on the present price of issue.

Directors.

The Right Hon. Lord SONDES, Lees Court, Faversham, Kent, *Chairman.*
The Lord HARRIS, K.S.I., South-street, Grosvenor-square, *Deputy Chairman.*
Sir R. W. Carden, Royal Exchange-buildings.
George Cobb, Esq., Bredgar, Sittingbourne.
Edward W. Edwards, Esq., Victoria-street, London.
William Gladstone, Esq., 37, Old Broad-street, London.
Charles J. Hilton, Esq., The Pines, Bickley, Kent.
G. P. Holroyd, Esq., 8, Sussex-square, Hyde-park, W.
James Lake, Esq., Newlands, Sittingbourne.
Sir C. H. J. Rich, Bart., Nottingham-place, London.
Sir Cusack P. Roney, 15, Langham-place, London.
Sir John Maxwell Tylden, Milstead, Sittingbourne.

Solicitors.

Messrs. Freshfields and Newman, 3, Bank-buildings, E.C.

Engineers.

Joseph Cubitt, Esq., C.E., Great George-street.
F. T. Turner, Esq., C.E., Parliament-street.

Secretary.

W. E. Johnson, Esq.

General Manager.

J. S. Forbes, Esq.

PROSPECTUS.

The present object is to offer for public subscription the first half of the A. stock of the Metropolitan Extension Railways of the London, Chatham and Dover Company, amounting to 1,212,000*l.*, which with the 1,213,000*l.* to be issued only as fully paid-up stock, at not less a price than 10*l.* per cent. increase on the present price of issue, or earlier than twelve months hence, completes the amount of 2,425,000*l.*, the total amount of that stock.

Full details of the lines and their present position are given at length in the statement annexed to the prospectus, which, with the maps, show the routes of these lines, and those in connection.

In considering this stock as an investment, the principal points for consideration are, first, the amount of stock to pay dividend upon; secondly, the probable receipts; thirdly, the minimum dividend per cent. to yield a fair return on the price of issue.

The capital of the Metropolitan Extension Railways is constituted as follows, viz:

Debentures	£1,433,000
B Stock, entitled to 6 per cent. preference	825,000
C Stock, entitled to 6 per cent. preference after B.	1,050,000
A Stock (present issue) entitled to re- 1,212,000	
For future issue as maindero profits 1,213,000	2,425,000
fully paid-up stock up to 6 per cent.	
	£5,733,000

The total mileage is about 14 miles.

The traffic on the Metropolitan (Underground) Railway has amounted since 1st Jan. 1863 to an average of 673*l.* per mile per week, which is, moreover, daily increasing, and at present arises from metropolitan passengers, a trifling amount only of through traffic and no goods being as yet carried on this line.

When it is considered that the present traffic on the Metropolitan Extension Railways of the London, Chatham and Dover Company is conducted over only two lines of way, and with an inadequate amount of rolling stock, also that it is still unfinished, and that the portion at work has only recently been opened, it will be observed that the present receipts afford no reliable data upon which to form an estimate of the probable traffic.

To fix the amount at anything like what is felt by competent judges will be the actual result when the enormous traffic that the junctions with the Metropolitan (Underground), the Great Northern, the Midland, the Great Western, the West London Extension, the South-Western and the North-Western will bring on the lines, might be considered an exaggeration by those inexperienced in the wonderful elasticity of metropolitan and suburban traffic.

It is therefore thought better not to estimate the probable traffic higher than the average of the mileage receipts of the Metropolitan (Underground) Railway, as above mentioned, viz. 673*l.* per mile per week. This multiplied by the mileage of the Metropolitan Extension Lines of the London, Chatham and Dover Railway Company, would give a return of 492,944*l.* per annum. From this sum must be deducted 40 per cent. for working charges, which is a liberal estimate. The net results from passengers only may be estimated therefore at 295,766*l.* per annum.

The large goods traffic which these lines will enjoy, alike from the admirable position and number of the stations as from the arrangements made for working the traffic, will certainly augment the receipts by at least 40,000*l.* net per annum; which in that case, after paying interest on debentures and on the B. and C. stocks, would yield a dividend of 3 per cent. on the whole of the 2,425,000*l.* A. stock (including the present issue), which at the price it is now offered at would be equal to 10 per cent. per annum.

The price at which the A. stock is now offered must be considered most advantageous to the investor, if only one-half of this result is attained; when, however, the increased receipts would permit a dividend of 5 per cent., the stock must certainly rise to par, which would practically be a profit of upwards of 47 per cent. above the price of issue.

It is considered that results approaching the above figures will be reached in less than two years; and that a steady increase may be further looked for from that time. Arrangements have therefore been made with Sir S. Morton Peto, Bart., Betts and Crampton, to guarantee interest as from the 1st Jan. 1865, until the 1st July 1867, at the rate of 6 per cent. per annum on the amount paid up, by which latter date it is confidently believed the intrinsic merits of the whole system will have developed themselves.

The belief entertained as to the augmentation in value of this stock, when it is considered that the lines possess metropolitan termini as well as metropolitan and suburban traffic, is borne out by the relative prices of the shares and stock of the Great Northern and of the Metropolitan (Underground) Railway Company, before they had finished their lines and afterwards, viz.:

The Great Northern A. stock was in Oct. 1853, quoted in the Stock Exchange list at 84*l.* per 100*l.* stock; it now is worth 143*l.*, or 71 per cent. increase in value.

The Metropolitan (Underground) Railway was in April 1861, only four years ago, quoted in the Stock Exchange list at equal to 34*l.* per 100*l.* stock; it now is worth 135*l.*, or 81*l.* per cent. increase in value. These facts speak for themselves as to the prospects of the stock now offered for subscription.

The price of subscription is fixed at 21*l.* per Certificate of 40*l.*, equal to 52*l.* 10*s.* per 100*l.* stock, and the periods of payment are as under

£1	per Certificate	on Application.
4	"	Allotment.
4	"	1st Sept. 1865.
4	"	1st Dec. 1865.
4	"	1st March 1866.
4	"	1st June 1866.
£21		

All calls not duly paid will render previous payments liable to forfeiture. When the whole amount of 21*l.* per certificate is paid 40*l.* stock for each certificate will be transferred into the name of the then holder thereof.

The option will be given to all subscribers to pay up in full on allotment (entitling them to interest on the whole amount of the price of issue from 1st Jan. 1865); and discount at the rate of 6 per cent. per annum will be allowed on prepayment of instalments. These two allowances would further reduce the price of issue by about 2*l.* 16*s.* per cent.

In the allotment, those applications the whole balance on which it is intended by applicants to be paid in one instalment on allotment will be first considered.

Application must be made on the forms annexed, and accompanied by payment of 1*l.* per share (without which no application can be considered), to any of the undermentioned bankers:—The London and County Bank; Messrs. Glyn, Mills, Currie and Co.; The Agra and Masterman's Bank (Limited); Messrs. Smith, Payne and Smiths; the National Bank, London, Dublin, and its branches in Ireland; the National Bank of Scotland, Edinburgh, and its branches in Scotland. In the event of no allotment being made, the deposit paid will be returned forthwith without deduction; and if less are allotted than the number of certificates applied for, the sum paid will be applied towards the amount payable on allotment on the number so allotted.

Prospectuses, with maps, plans, &c., may be had of the undermentioned stockbrokers:—Messrs. Laurence, Son and Pearce, 9, Angel-court, E.C.; Messrs. J. and A. Scrimgeour, 10, Old Broad-street; Messrs. Knight, Dale and Co., 1, Royal Exchange-buildings, E. C.; and of the Credit Foncier and Mobilier of England (Limited), (Alfred Lowe, Esq., secretary), at their offices, 17 and 18, Cornhill, London; and at the offices of the London, Chatham and Dover Railway Company (W. E. Johnson, Esq., secretary), Victoria-station, Pimlico, S.W.

FORM OF APPLICATION TO BE PAID UP BY INSTALMENTS.

To be left with Bankers.

To the Directors of the Credit Foncier and Mobilier of England (Limited), 1,212,000*l.* A. Stock of the Metropolitan Extension Railways of the London, Chatham and Dover Railway Company.

Gentlemen,—Having paid to the * Bank, the sum of *l.*, being 1*l.* per scrip certificate on scrip certificates, I request you to allot me scrip certificates of the above stock, in conformity with the prospectus issued by you, and I hereby agree to accept such certificates, or any less number that may be allotted to me, and to pay the further sum of 4*l.* per certificate due on allotment thereof, and the instalments when due.

I am, gentlemen, your obedient servant,

Name in full .....
Usual signature .....
Address in full .....
Date May 1865.

* Insert Bankers' name.

Or this form of Application, to be used by applicants desirous of paying the balance in one instalment on allotment:

To be left with Bankers.

To the Directors of the Credit Foncier and Mobilier of England (Limited).

£1,212,200 A. stock of the Metropolitan Extension Railways of the London, Chatham and Dover Railway Company.

Gentlemen,—Having paid to the * Bank the sum of *l.*, being 1*l.* per scrip certificate on scrip certificates, I request you to allot me scrip certificates of the above stock, in conformity with the prospectus issued by you, and I hereby agree to accept such certificates, or any less number that may be allotted to me, and to pay the further sum of 20*l.* per certificate due on allotment thereof.

I am, gentlemen, your obedient servant,

Name in full .....
Usual signature .....
Address in full .....
Date May 1865.

* Insert Bankers' name.

ISSUE of 1,212,000*l.* A. STOCK of the METROPOLITAN EXTENSION RAILWAYS of the LONDON, CHATHAM and DOVER RAILWAY COMPANY.

The CREDIT FONCIER and MOBILIER of ENGLAND (Limited) HEREBY GIVE NOTICE that the SUBSCRIPTION LISTS for the above Stock will CLOSE THIS DAY, SATURDAY, the 27th inst., at Three o'clock for London applications, and on MONDAY next, the 29th inst., for country applications.

By order of the Court, ALFRED LOWE, Secretary.

London, 27th May, 1865, 17 and 18, Cornhill.

TO CAPITALISTS.—One or Two

Hundred Pounds can safely be made into 250*l.* and 500*l.* in a few months by Buying into a first-class rich Silver Lead Mine, adjoining the richest lead mine in Cornwall; shares in the latter having risen on merits from 10*l.* to 65*l.* each, and making a profit of 35,000*l.* per annum and increasing.—Apply immediately to BELWIS and LYNCH, 3, Crown-court, Old Broad-street, London.

ABERYSTWITH and WELSH COAST

RAILWAY COMPANY DEBENTURE MORTGAGES.—The Directors of this Company are prepared to receive LOANS on DEBENTURES, for three, five, or seven years, bearing interest at 5 per cent. per annum, payable half-yearly.—Application to be made to the Secretary, at the Offices of the Company, No. 7, Bank-buildings, Lothbury, London.

DAVID WILLIAMS, Chairman.
W. ROBERTS, Secretary.

NATIONAL DISCOUNT COMPANY

(LIMITED).

F. W. RUSSELL, Esq., M.P., Chairman.
M. H. CHAYTOR, Esq., Deputy-Chairman.

Subscribed capital	3,000,000*l.*
Paid up	600,000*l.*
Reserve fund	300,000*l.*

MONEY RECEIVED on DEPOSIT, until further notice, at the following rates, viz.—

3 per cent. per annum, repayable at call.
2½ " " " 7 days' notice.
3 " " " 14 "

53, Cornhill, London. R. P. WEBBER, Manager.

LONDON, CHATHAM, and DOVER

RAILWAY COMPANY.—LOANS on DEBENTURES.—The Directors are prepared to receive LOANS on DEBENTURES for three or five years, to replace loans falling due. Offers to be addressed to the undersigned.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W., March 21, 1865.

SIX PER CENT. on FREEHOLD

SECURITY.—The DIRECTORS of INNS OF COURT HOTEL COMPANY, Limited, are now issuing DEBENTURES of 50*l.* or 100*l.* and upwards, for three, five or seven years, with coupons attached for payment of interest half-yearly.

The Debentures will form a first charge of 80,000*l.* upon the very valuable freehold hotel property of the Company; Holborn and Lincoln's-inn-fields, estimated as worth not less than 120,000*l.*

A Commission to Solicitors.

For further particulars and forms of application, apply to the Secretary, at the Offices, 63, Lincoln's-inn-fields, W.C.

H. T. L. BEWLEY, Secretary.

DEBENTURES.

THE CREDIT FONCIER of MAURITIUS (LIMITED).

Subscribed Capital £200,000
Paid up and invested £100,000

This Company is prepared to issue a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES, for terms of years to be agreed upon, at rates of issue altogether with the advantage of repayment at par, which will correspond to interest at the rate of from six to over seven per cent. per annum, according to the length of the term.

The business of the Company is confined to the advancing of loans) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the articles of association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

DEBENTURES at 5, 5½, and 6 per Cent.

CEYLON COMPANY, LIMITED.

Subscribed Capital, 300,000*l.*

Directors.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the offices of the Company, No. 7, East India-avenue, Leadenhall-street, London, E. C.

By Order, JOHN ANDERSON, Secretary.

ISSUE of DEBENTURES, at Six per Cent.

—The INDIA-RUBBER, GUTTA PERCHA, and TELEGRAPH WORKS COMPANY (LIMITED). Capital 1,000,000*l.* First issue, 500,000*l.*, in shares of 50*l.*; 15*l.* paid.

Directors.

Alexander Beattie, Esq., M.D.	John Heugh, Esq.
F. N. Bernard, Esq.	Jonathan Meiklam, Esq.
J. G. T. Child, Esq.	Captain Pelly, R.N.
Charles Hancock, Esq.	Stephen Wm. Silver, Esq.
John Harvey, Esq.	Hugh A. Silver, Esq.
George Henderson, Esq.	John W. Williams, Esq.

Bankers.

Messrs. Glyn, Mills, Currie and Co., London.
Manchester and County Bank, Manchester.
Messrs. Mallet, Frères and Cie, Paris.

The Directors are prepared to issue DEBENTURES for three to five years, at six per cent. The interest is payable half-yearly, at Messrs. Glyn and Co.'s, by coupons to bearer.

The security offered consists of freehold land and buildings, plant and materials, besides uncalled capital. Full information on this subject will be given by the Secretary, at the offices of the Company.

By order of the Board,

PONSONBY A. MOORE, Sec.

No. 2, Bishopsgate Within, London, April 1865.

THE COMPANIES ACT 1862.—The

Books and Forms required under the above Act, also all other kinds of Account Books, with every Stationery requisite for Public Companies, the Counting-house, &c., supplied on the best terms. Printing of every description. Share Certificates, Official Seals, &c., designed and executed.

ASH and FLINT, 49, Fleet-street, E.C., and London-bridge, S.E.

7th Edition, 10th Thousand, price 2*s.* 6*d.*, post free 32 stamps.

HUNT on the SKIN; a GUIDE to the

Treatment and Prevention of Diseases of the Skin and Hair, with Cases. By THOMAS HUNT, F.R.C.S., Surgeon to the Dispensary for Diseases of the Skin, 21a, Charlotte-street, Fitzroy-square.

"Mr. Hunt has transferred these diseases from the incurable class to the curable."—*Lancet.*

London: T. RICHARDS, 37, Great Queen-street, W.C.

Just published,

THE LAW of APPEALS to the

SUPERIOR COURTS of LAW by Appeal Cases, including Appeals from Justices (20 and 21 Vict. c. 43), Appeals from County Courts, Appeals from Revising Barristers, and similar Appeals. By GEORGE TATLOR, Esq., Barrister-at-Law, Editor of "The Consolidation Acts of 1845 and 1847." Price 7*s.* 6*d.* cloth.

HORACE COX, 10, Wellington-street, Strand.

TO SOLICITORS, &c., requiring DEED

BOXES, will find the best made article lower than any other house. List of Prices and sizes may be had gratis, or sent post free.—RICHARD and JOHN SLACK, 56, Strand, opposite Somerset-house. Established 30 years. Orders above 2*l.* sent carriage free.

To Readers and Correspondents.

All anonymous communications are invariably rejected.
All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, JUNE 5.

By Messrs. ELLIS and SON, at Garraway's.

Capital leasehold residence in Crosby-square, City. Advertised this day.

TUESDAY, JUNE 6.

By Messrs. WINSTANLEY and HORWOOD, at Garraway's.

Long leasehold residence at Highbury-park, copyhold house at Holdesdon, Herts, family residence at Lower Clapton, and long leasehold residence in Percy-circus, Pentonville. Advertised May 27.

WEDNESDAY, JUNE 7.

By Messrs. FOX and BOURNFIELD, at Garraway's.

Capital town residence, in Chester-place; villa residences at Camden-town, Highgate-rise and Colney-hatch; and excellent range of stabling in Park-lane. Advertised May 27.

By Mr. JAMES ROBINS, at 465A, Oxford-street.

One hundred and fifty marble chimney-pieces, busts, fonts, stoves, &c. Advertised this day.

THURSDAY, JUNE 8.

By Messrs. DENT and SON, at Garraway's.

Two leasehold residences in Regent's-park, house and business premises at Lower Norwood, ground-rents in Euston-square and Camden-town, villa residences at Stamford-hill, and freehold family residence at Hurstmonceaux, Sussex. Advertised this day.

FRIDAY, JUNE 9.

By Messrs. VENTON, CLARKE and BULL, at Garraway's.

Six long leasehold residences at Bickley, Kent, and the lease of No. 110, Cheapside. Advertised May 27.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 3*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE ATTORNEY-GENERAL'S argument that "rough justice," where the property in question does not exceed a certain amount, may be preferred to the highly-finished article, is the only argument on which the County Courts Equitable Jurisdiction Bill, in its present shape, can be maintained. Practically the argument may be valid; but, unfortunately, it cuts with its double edge both the County Courts and the Court of Chancery. It assumes that the provincial judges will adapt themselves in their new jurisdiction to a low standard, and that the Lincoln's-inn judges have from time immemorial taken a high standard in which utility has been sacrificed to theoretical perfection. No other view of the policy of the Bill seems admissible, since it cannot for a moment be contended that, in point of abstract justice, there ought to be any difference between the administration of a branch of the law where the subject-matter does not exceed 500*l.* in value, whether the adjudication of the cause be in Chancery or in a County Court. That there will, in fact, be all the difference between polish and roughness in equity as hitherto dispensed, and equity under the Bill, is plain from a comparison of the machinery of a County Court with that of the Court of a Vice-Chancellor or Master of the Rolls, with reference to the matters of the proposed new jurisdiction. Suits for the administration of real and personal estate, for the execution of trusts, for foreclosure and redemption, or specific performance, and for dissolution of partnership, are five out of the eight heads of jurisdiction to be conferred on the County Courts. As to the machinery, it is sufficient to say, that these courts have neither chief clerks nor conveyancing counsel. They have treasurers, registrars and high bailiffs. The names of the officers are of little importance. But where, amongst the three belonging to a County Court, separate or united, will be found the knowledge which enables a chief clerk to make certificates or anything of the kind in matters of account, inquiries after real and personal representatives, incumbrances, and the like? To whom is a reference of title to be made, and who is to settle conditions of sale when land is to be realised?

If it be answered that the judge must take on his own shoulders the burden which the officers of his court will be incompetent to bear, we may quote from Sir EARDLEY WILMOT, the Judge of the Marylebone County Court, in his letter to the *Times* of the 27th May. He says that, "In many of the courts the heavy character of the business has been for some time such as severely to task the strength and energy of the officials. With the vast increase of population and commercial wealth, and consequently of litigation during the last few years, a remodelling of some of the courts, and an addition to the number of the others, have appeared necessary, quite apart from the question of equity jurisdiction. But the propositon of the Government to accumulate upon the present machinery labours of a character totally different from those it has hitherto borne, demanding new study, and involving questions of money value exceeding actually by ten times the amount of the existing common law jurisdiction, must appear to every reasonable mind most preposterous and unfair. . . . If the Government and the public expect that equity suits up to 500*l.* will be satisfactorily dealt with and justice administered by piling this heavy additional burden upon the existing County Courts, they are simply hoping for an impossibility and embracing a chimera." Sir EARDLEY describes the measure as really one of Lord BROUGHAM'S, stripped of its best qualities.

The question of the original and true inventor of County Court equity, or of the grievance of County Court judges, we do not propose to consider. But we should like to ask what the real intention of the Government is. Are we to believe that this admission of rough justice is sincere? Is the Bill meant, so far as prudence can foresee and skill contrive, to be a complete measure, or is it meant to be only the first half of a measure; or, putting it another way, the thinner end of the wedge? Some of the County Court judges are crying out, "Load us with this jurisdiction, and you break our backs;" others, probably more sagacious, whisper, "Let us have the jurisdiction, and all the rest will follow." There is certainly an escape provided by the Bill in case of a breakdown. Any party to an equity suit pending in a County Court is to have power to apply in Chancery, at chambers, for a transfer of the proceedings to a Vice-Chancellor's court, and the Vice-Chancellor, on hearing a summons to the other side, may order a transfer on such terms, as to costs or otherwise, as he shall think fit. This, however, will be a rather costly and precarious refuge. Further, as regards the plaintiff, the Bill is permissive. There is nothing in it to prejudice the existing jurisdiction of the Court of Chancery. But the Bill, although not compulsory, except on the defendant, is of course expected to be used in some way or other. The important inquiry, therefore, remains, whether it must not in effect be regarded as the first step towards a reconstruction of the County Courts. The legislative scheme seems to be to offer to the public the benefit of equity at its own doors, leaving the public to find out when it mounts the vehicle that the horses are some of them ill broken and others broken down, the harness weak, and the underworks cart-like. Then the public will be told that if it wishes for a better equipment it must pay for one. So the Government this year gains the credit of supplying the poorer sort with equity jurisdiction at no additional cost to the public, and next year will gain the credit of remedying, at whatever cost, deficiencies which the suitor will experience when he has tried the working qualities of the specious boon.

THE vigil of St. Derby was not a much better time to choose for discussing the bankruptcy resolutions than the evening of the QUEEN'S ball on the Tuesday fortnight previously. It was as unlikely that members intent on hearing about odds, "drags," travelling companions and viaticum, would lend their ears to Mr. MOFFATT, as that they would go to Buckingham Palace, and talk to their partners with their heads full of official assignees, disputed trust-deeds, and 5324 bankrupts paying no dividend. On Tuesday last, however, the inevitable count out was delayed until half-past seven, when the motion for the prompt and serious consideration by the Government of the Select Committee's report had been carried. As to the motion, the Government had practically assented to it by anticipation, in answer to Mr. MURRAY, some weeks ago. The debate, if it can be called one, only drew some abstract remarks from the ATTORNEY-GENERAL, which were also worn out, purposeless and fainthearted. He was satisfied that the House must proceed upon these two grounds: first, they must consolidate the whole law; and, secondly, they must have the support of public opinion, and of the mercantile classes, as to the important alterations which would no doubt be introduced into the new system. It was therefore most important that they should be in possession of the opinion of the mercantile classes, because, if the alterations failed to commend themselves to their approbation, they would hardly be likely to pass through the House.

The Attorney, being thus satisfied, must be naturally possessed of an average degree of contentment, since all the rest of the world is satisfied in like manner. But it was generally supposed that the evidence before the Select Committee had furnished the Government with the views of the mercantile classes on the necessary alterations of the law. At the beginning of the session the LORD CHANCELLOR, who then, in common with the public, had this bulky evidence before him, announced that he was only waiting for the committee's report to bring in his comprehensive measure to abolish the present machinery, "absorbing," as it did, nearly 150,000*l.* in collecting and dividing about 650,000*l.* What further evidence is required of the views of the mercantile classes? No less than thirteen traders were examined by the committee. Among these witnesses were Mr. SAMPSON SAMUEL LLOYD, the banker, of Birmingham, and Chairman of the Association of Chambers of Commerce of the United Kingdom, whose examination fills thirty folio columns; Mr. SAMUEL MORLEY, of the firm of MORLEY'S, Wood-street, Chairman of the City Mercantile Law Amendment Society, who occupies thirty-two columns; Mr. JOSIAH LEWIS, Deputy-Chairman of the Derbyshire Banking Company; Mr. DARNTON LUPTON, President of the Leeds Chamber of Commerce; and Mr. EDWARD GRIFFER, Chairman of the Merchants' and Traders' Association, at Nottingham. In addition, solicitors, representing large and varied mercantile interests in connection with bankruptcy law threw much light on the view taken of it by traders.

If the opinion of the mercantile classes has not been thus already communicated, how is it now to be further ascertained? It is easy to talk in a general way of the importance of being in possession of such opinion. What the House would have liked, if the ATTORNEY-GENERAL meant anything specific, was a statement by him of the means intended to be adopted by the Government to inform themselves further on the subject. Is there to be a commission? Is the Government about to send papers of questions to the chambers of commerce, or other representatives of the opinions of merchants? Is some draftsman intended to be put in communication with them? Unless the Attorney meant something or other of this kind, his remarks were, as we have characterised them, purposeless. If he has any such meaning, why does he not declare it? He says merely that he trusts that before the next Parliament meets, the attention of mercantile men will be carefully directed to the report of the select committee. But this is putting the cart before the horse, or, at least, the horse after the cart. The report of the select committee has actually been framed as the result of the attention of the committee carefully directed to the opinion of mercantile men. What is now wanted is the "prompt and serious consideration of the Government," not of mercantile men, given to the report itself, so that it may bear its fruit in the shape of a Bill framed upon it. The report is the beginning of legislative action. If the mercantile community is to be asked to interpose at the present stage, it may as well be asked to interpose when the

Bill shall be in committee, and at every other stage. Instead of falling down to invoke any more aid from mercantile men, let the Government set its own shoulders to the bankruptcy wheel. It was confidently expected that the Government, if it did not lay a Bill on the table in the present session, would be able to mature one in the recess. Now it seems that the Government can do nothing, but is to drop its hands while merchants are carefully attending to the business of bankruptcy legislation, and that in February next they will all talk the matter over together again. If so, the LORD CHANCELLOR is confessed to be beaten at last. We should be sorry to believe in such an interpretation, by the ATTORNEY-GENERAL, of the LORD CHANCELLOR'S estimate of his own powers and resources.

MANY composition-deeds, under sect. 192 of the Bankruptcy Act, are likely to be upset on the principle of the decision given by the Court of Exchequer in *The Chesterfield and Midland Silkstone Colliery Company (Limited)* v. *Hawkins*, 12 L. T. Rep. N. S. 427, following *Ex parte Cockburn*, L. C., 9 Ib. 464, and 10 Ib. 252. The principle is, that a deed to bind creditors who do not assent must be one which places creditors who do assent, and creditors who do not assent, precisely on an equal footing in point of law. The equality must be by the deed itself, according to the terms of it, without the aid and independently of the statute, although the words of the statute are, that the deed shall be "as valid and effectual and binding on all the creditors of such debtor as if they were parties to and had duly executed the same." The consequence is, that in deeds where the debtor enters into any covenant with the creditors, only one frame as to parties satisfies the requirements of the Act. The old frame of a composition-deed in this respect was, that it was made between the debtor of the first part, the trustees of the second part, and the several persons whose names and seals were subscribed and set to it (being creditors) of the third part. Such a deed, if there are other creditors, is no longer good, in the case where there is such a covenant as we have mentioned, even though the covenant purports to be made with all the creditors. A deed is also invalid in the case of such a covenant although the other creditors are made parties, if they are so made only by their description of "creditors," as a class, without being individually named parties.

In neither of the kinds of deed, framed as we have just mentioned, are all the creditors put on an equal footing in point of law. The rule of law which gives rise to the inequality is, that in a deed between parties no one can take advantage at law of a covenant in it unless he is named a party. As regards covenants made in relation to real estate, the rule has been relaxed by the Real Property Law Amendment Act of 1845 (8 & 9 Vict. c. 106), which provides that under an indenture executed after the 31st Oct. 1845 the benefit of a covenant respecting any tenements or hereditaments may be taken, although the taker thereof be not named a party to the indenture. But in all other cases the old common law rule still holds good, and it is not abrogated by the Bankruptcy Act. The result is that, as the LORD CHANCELLOR observed in *Ex parte Cockburn*, in his judgment on the first hearing, all the creditors must be named individually as parties, either directly or by reference to a schedule, where the debtor enters into any covenant with the creditors, and, of course, the covenant must be made with all the creditors.

This state of the law under the Bankruptcy Act depends upon the authority of the LORD CHANCELLOR'S construction of the 192nd section, for the Barons of the Exchequer considered that *Ex parte Cockburn* governed the case before them. They were unanimous; but Mr. Baron BRAMWELL, by means of a judgment separately delivered, indulged in a sarcastic retort on the CHANCELLOR. He concurred, he said, for the reason that the other judges were of opinion that *Ex parte Cockburn* was in point, and being in point he thought they ought to be bound by it; "because," he continued, "I do not think it becoming in any court to say of the judgment of another court of co-ordinate jurisdiction, that it 'cannot look upon the case as rightly decided, and must wholly refuse to accept it as any authority.'" This, it may be remembered, was the language which the LORD CHANCELLOR applied, in *Suffield* v. *Brown*, 9 L. T. Rep. N. S. 629, to the judgment of the Court of Exchequer in *Pyer* v. *Carter*, respecting easements, where the owner of two houses sold one of them.

If *Ex parte Cockburn* was rightly decided, the terms in the Act, "as valid and effectual and binding" as if all the creditors were "parties to and had duly executed" the deed must be construed in the cognate and restricted sense of valid, effectual and binding to preclude any petition for adjudication against the debtor, not generally valid and effectual so as to modify the relative legal position of assenting and non-assenting creditors under the deed itself. The scope of this part of the Act is undoubtedly to obviate the necessity of proceeding in bankruptcy. The construction may, therefore, be sound. But it is to be regretted that the language was not more carefully confined within the scope of the enactment. It does not seem to have occurred to any member of the Legislature that a section on which a plea was to be raised in bar of an action of debt should be framed with the greatest exactness. It is a reproach to legislation that the expression "as effectual," as if all the creditors were "parties" must be construed to mean ineffectual unless they are actually named parties.

[COMMUNICATED.]

IN our Legal Topics last week we observed that the power of an attorney to settle an action on his client's behalf had come before the court again, and in a manner which limited the application of the well-remembered case of *Swinfen* v. *Swinfen*. We previously had occasion to notice the law on this subject, Jan. 28th, when the Court of Exchequer decided in *Crosland* v. *Whitehead*, that an attachment for contempt would not lie against a defendant refusing to sign an undertaking, according to the terms in which his attorney compromised an action for libel against him. A rule was granted against the defendant in that case in the alternative, to show cause why he should not sign the undertaking, or why there should not be a new trial, which was substantially a rule for a new trial. The case of *Swinfen* v. *Swinfen*, before the MASTER of the ROLLS (30 L. T. Rep. 160), and on appeal (31 L. T. Rep. 157), was referred to then as authority on the distinction between the conduct and the compromise of a case. But in *Chown* v. *Parrott*, 8 L. T. Rep. N. S. 391, which was heard in the Common Pleas on a demurrer to a plea put in by the defendants, the attorneys, that by virtue of their retainer they were at liberty to "conduct" the action in such manner as to them should, in the exercise of due and reasonable skill and care, appear to be most advantageous to the interests of their clients, the Court overruled the demurrer, Chief Justice ERLE holding that the general rule upon which an attorney under his retainer compromised an action was, that he had authority to compromise, if such an arrangement were for the benefit of his client. It should be remarked that the plea treated a compromise as part of the conduct of an action.

In the case referred to, of *Prestwick* v. *Poley*, in the Common Pleas, reported at p. 390 of our number of May 20, where the judgments of the MASTER of the ROLLS and of the LORDS JUSTICES in *Swinfen* v. *Swinfen* were quoted, as well as the decisions in the vain proceedings against Mrs. SWINFEN for attachment at common law (28 L. T. Rep. 231), Chief Justice ERLE took, as we mentioned, a wider view of the attorney's power. The case is deserving of some more special notice. The circumstances were, that the action was brought to recover the price of a pianoforte. The managing clerk of the plaintiff's attorney was conducting the case, and made an arrangement with the defendant and his attorney that the matter should be settled by a return of the pianoforte. The plaintiff, who had given no instructions for a settlement, insisted on proceeding. A summons taken out by the defendant to stay proceedings was referred to the court. The Chief Justice put the question as being, whether the plaintiff, having employed his attorney to recover the debt, and having given him no instructions not to compromise, had not left him a general authority to make such a compromise as had been made there. It was admitted that he could compromise for money; therefore he could compromise for goods, which might readily be turned into money.

The case may be looked at from two points: one, the nature of the compromise; the other, the principle of compromise by an attorney. Regarding the nature of the compromise, the case of *Swinfen* v. *Swinfen* was distinguished by the Chief Justice. The action there was brought to recover land, while the compromise was on the terms that the plaintiff should receive an annuity for her life. The attorney in the present case, Mr. Justice KEATING said, compromised the action by taking the very subject of the action, not other goods instead of money. *Swinfen* v. *S.*, he observed, as first decided in that court, had been misunderstood. It was an application for an attachment for disobedience to a rule of court embodying the compromise, but, one member of the court being opposed to that summary remedy, the applicants were left to their remedy in equity, by a bill for specific performance; it was not an authority against the power of counsel or attorney to compromise. Both the Chief Justice and Mr. Justice MONTAGUE SMITH reasoned, that if judgment had been recovered, the pianoforte might eventually have been taken and sold by the sheriff, and the last-named Judge added to "pianoforte" "or other goods."

On the principle involved, Mr. Justice BYLES was of opinion that if an attorney intrusted with the general management of a cause had not the power, acting *bonâ fide* and with reasonable skill and care for his client's interest, to effect a compromise, it would be most injurious to the client; and Mr. Justice MONTAGUE SMITH considered the attorney to be the general agent of his client to carry out the cause, and that it was proper and usual, and very often necessary, to effect a compromise.

On this important subject the case of *Prestwick* v. *Poley* is not entirely satisfactory. It is not certain whether it was decided on the ground of principle or of the character of the particular compromise. The Chief Justice's judgment turned on "such a compromise as that." Mr. Justice KEATING spoke, although not exclusively, of the compromise as made by "taking the very subject-matter of the action;" and Mr. Justice MONTAGUE SMITH reasoned, although not exclusively, that "the pianoforte or other goods" would have fallen into the sheriff's hands on a judgment. Moreover, if the judgment rested on the nature of the compromise, did it depend on the circumstance that the pianoforte itself was to be given up, or would any other goods which might readily have been turned into money, or any other which would have fallen into the sheriff's hands, have served the purpose? It is difficult to say. In *Swinfen* v. *Swinfen*, the annuity was to be charged on the land sought to be recovered, and therefore partook no less of the interest in the land than the pianoforte did in that of the money. The Court of Common Pleas seems to have drawn an unsubstantial distinction of circumstance, and to have been unwilling to make either an affirmation or a denial of principle. The only general conclusion to be arrived at from the case may be, that the court impliedly refused to recognise the existence of any distinction between the conduct of a case as being within the scope of the attorney's authority, and the compromise of it as not being within the scope, and impliedly negatived the attorney's authority to take by way of compromise whatever thing he might in his discretion judge fit. Between these limits the question would be reduced to one of the nature of the compromise. In the present case it may not be safe to affirm further than that the attorney in an action to recover the price of goods does exercise reasonable skill and care within the authority of his retainer, if he compromises by taking a sum of money, or the very goods, or, it may be inferred, such adequate part of them as may remain in the defendant's power.

THE COMING GENERAL ELECTION.

NINTH ARTICLE.

HINTS FOR AGENTS—THE ADDRESS.

THE recent debates on the Franchise have distinctly divided the political world into three parties: the Liberal party, the Conservative party, and the Democratic or Radical party.

The two former so nearly resemble one another that it is difficult to draw up any declaration of principle that will clearly distinguish them. But between both of these and the third lies a broad gulph now yawns, which no compromise can bridge over, for it is a severance of principle.

But the difficulty at the present election will be only partial. The distinct existence of the

Democratic party, by which it is caused, will be found only in a few of the constituencies. In all the counties and small boroughs having less than 500 electors, the Democratic party is not yet found; or rather its number is so small that it cannot set up for itself, and it must merge into the other parties. The number of boroughs in which the solicitor will require to take this third party into account will not exceed 100.

But it is everywhere the most energetic party, and however few, may suffice to turn the scale between the other parties, and therefore it must be taken into calculation in framing the address and its conciliation studied accordingly. It must be counted in proportion to its power, and the address more or less moulded to its tastes.

Bearing in mind these general remarks on the several parties to whom it appeals, the Solicitor will proceed to construct the address, and it will perhaps be the most convenient plan to submit the points of an address fitted for each of the three parties, to be modified according to the circumstances of the particular borough, and special features added or omissions made as occasion may call for them.

Although no leader has yet put forth a programme, it is not difficult to anticipate the contents of a *Liberal* address.

The party in power naturally relies upon performance, as does the party out of power upon promises. The one appeals to the past, the other to the future. The former tells us what it has done, the latter what it is going to do.

The *points* of a Liberal address will be determined by these considerations. It should avail itself of Lord PALMERSTON's popularity by some slight allusion to him, and then state briefly what the Government has done during the last five years in reduction of taxes, in the preservation of peace under very difficult circumstances, and in several social reforms that have been introduced, and notably the reforms of the law, with a reference to the prosperous state of the country, and its increasing commerce and wealth. As for the future, a Liberal address will promise:

Abolition of Church Rates,
Extension of the Franchise,
Non-Intervention,
Abolition of the Irish Protestant Church Establishment.

The framing of a *Conservative* address will be more difficult, as of necessity it must consist mainly of promises for the future. On one subject only can it appeal to the past, viz., Parliamentary Reform.

The *points* for a Conservative address are:

Attachment to Constitutional Liberty, and to the institution of a Church and a Monarchy.

The maintenance of Civil and Religious Liberty against the despotism of Democracy.

Reference to the Conservative Reform Bill as the only practical measure yet produced.

Willingness to *expand* the franchise among those of all classes who prove themselves fitted to possess it, but resolve to resist all attempts to transfer political power from the existing constituencies to a single class with whom mere numbers must swamp intelligence and property.

Support of the Church as a national institution, and of its buildings as being national property, but willingness to adopt any plan to relieve from contributing to it those who conscientiously object to such a payment. Promise of perfect toleration to all who dissent from her.

Reform of all abuses and the adoption of all improvements, *i. e.* Conservative progress.

In foreign policy, peace, but without the sacrifice of national honour.

The *points* for the address of a Democratic candidate are indicated by the great debate on the franchise and the resolutions of the Reform Association. They are based on the principle asserted by Mr. GLADSTONE, that every man has a right to a vote unless he be proved to be unfitted for it, the onus of such proof being upon the objector. This principle of manhood or universal suffrage, proclaimed by Mr. GLADSTONE, has been adopted *verbatim* by the Democratic party, and, therefore, the Solicitor drawing up an address could not do better than introduce the resolutions of the Manchester gathering, in substance, if not *verbatim*. For this purpose we present them:

1. That this meeting, believing it was an act of gross injustice to the working classes to exclude them any longer from the franchise, recommends the constituencies throughout the country to support no candidates who will not pledge themselves entirely to support a comprehensive measure of Reform, which, while it provides for a large extension of the suffrage, *shall not recognise the principle of finality*.

2. That this meeting, admitting the principle that representation and taxation should be co-extensive, and that every man who is not presumably incapacitated by some consideration of personal unfitness or political danger, is morally entitled to come within the pale of the Constitution, declares that no Reform Bill can be regarded as [even] an instalment of the just rights of the people which does not at least extend the right of voting to every householder or lodger rated, or liable to be rated, for the relief of the poor, and provide for the re-distribution of Parliamentary seats in proportion to population and property, shorter Parliaments, and vote by ballot.

To these add promises of

Triennial Parliaments,
Abolition of Church Rates,
Extinction of the Irish Protestant Church,
Abolition of the Law of Primogeniture,
Free-trade in Land.

This list of *points* may be greatly extended, but the above will form portions of every address, for they are adapted to all; others may be introduced according to the requirements of the locality. The subjects must be varied by all parties alike in addressing each constituency, looking carefully to the inclinations of those to whom the appeal is made. If the borough is large and there are many voters among the working class, the Democratic address can venture upon a frank statement of opinions on *all* the subjects named above. But in a small borough, where the majority are of the middle class, there might be great danger of offending *them* if Democracy is too plainly advocated. It is necessary to consider particularly the relative proportions of Churchmen and Dissenters in the constituency, for there is always danger lest in conciliating the one you offend the other; and still greater is this difficulty where Roman Catholics are concerned.

It will be seen by the reader, from these remarks, why it is so important that the managing Solicitor should draw, or at least settle, the address of his Candidate.

This important document issued, the next business is the canvass, the arrangements for which will be described next week.

INVESTMENT MARKET

THE present feature of the market is the extraordinary abundance of money. No employment can be found for it, and the consequence is a flood of new companies eager to absorb it. But it may be doubted whether the monied world has yet forgotten the panic of the winter, or is prepared to rush into new speculations with certainty of the same result. We do not hear that many succeed in procuring *bonâ fide* subscriptions for their shares. The Bank having lowered interest to 4 per cent., it is now a query whether it will be further reduced. It was prophesied in the City that money would be at a higher price at this time than at any period since the 1st Jan.; but the prophets have been disappointed by the events: money is plentiful and cheap, and likely to be more plentiful, and therefore more cheap.

The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	240½	240½	241	..	...
3 per Cent. Red. Ann.....	89	89	89⅛	89⅛	89⅛	89⅛
3 per Cent. Cons. Ann. ...	91	91	91⅛	91⅛	91⅛	91⅛
New 2½ per Cent. Ann....	...	...	...	...	...	...
Do. do. Jan. 1894	74	...	...	...	...	...
New 3 per Cent. Ann.....	89⅛	89⅛	89⅛	89⅛	89⅛	89⅛
New 3½ per Cent. Ann. ...	...	...	...	...	...	...
5 per Cent. Annuities.....	...	...	...	...	...	...
5 per Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	14½	14½	...	14½
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89⅛	89⅛	89⅛	89⅛	89⅛	90
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888....	...	...	...	...	99½	...
India 5 per Cents. 1870...	106½	...	106⅝	106⅝	106⅝	...
India Bonds (1000*l.*).....	...	...	...	3pm. d	...	...
Do. (under 1000*l.*).....	...	...	...	13s. d	...	...
India Debentures, 1863 ...	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	110	...	...	101	...
Do. do. 5½ per c. May 1879	...	107½	...	...	...	...
Ex. Bills, 1000*l.*	*a*	...	*a*	*b*	*b*	...
Do. 500*l.*	*a*	...	*a*	*c*	...	...
Do. 100*l.* & 200*l.* 3 per c.	*a*	...	*a*	...	*c*	...

a 4 and 3½ per cent. 7s. pm.
b 4 and 3½ per cent. 1s. pm.
c 4 and 3½ per cent. 5s. pm.
d prem.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

BANKRUPTCY.

Mr. MOFFATT rose to again call the attention of the House to the report of the select committee on the Bankruptcy Act of 1861, and the existing state of the laws in regard to debtor and creditor. The hon. member repeated the statements which he had made on this subject a few evenings ago, and concluded by moving "That in the opinion of this House the report of the select committee deserves the prompt and serious consideration of Her Majesty's Government."——Mr. AYRTON, in seconding the motion, said that from the state of the House he thought the present occasion was little less favourable to the discussion of this subject than the former one was, when the House was counted out.——Mr. BASS thought they should thank the hon. member for his constancy in bringing the question before the House. If a Bill were introduced it might be considered during the recess, and information might be obtained which would enable them to deal with the question in an effective manner.——Mr. BEECROFT said the commercial community was very much dissatisfied with the present law and practice in bankruptcy, and a thorough change of the entire system was required.——The ATTORNEY-GENERAL had no difficulty whatever in saying, what he had stated before, that the Government would undoubtedly recognise the duty of taking into their serious and prompt consideration the report of the select committee on the Bankruptcy Act. He was glad to hear that the views of hon. members concurred to some extent with some of the important recommendations of that committee. The committee were agreed in their report that it was not desirable any longer to patch up a system that was not found to answer. They intimated that an effort should be made to revise it thoroughly both in principle and detail, and put it in a careful and well-considered shape, so as to give some reasonable ground for hoping that they should at least understand the system on which they should in future proceed, and that they should carry it into effect with some reasonable expectation of success. The committee recommended that the action of the court should as far as possible be removed from the collection and administration of the assets. They recommended that imprisonment for debt should be entirely abolished, and that the discharge given in bankruptcy to insolvent debtors should not at once operate except on payment of a dividend of a certain amount. They also proposed to remove from the Court of Bankruptcy all cognisance of the criminal or fraudulent acts of bankrupts, and refer them to the ordinary courts of law. The attention of the public out of doors should be directed to those recommendations; and if they were to do anything useful they must proceed on these two grounds—they must endeavour to consolidate the whole law, and the new and important principle which they proposed to introduce for the first time must have the support of the mercantile classes. It was necessary that they should ascertain the opinions and views of the mercantile community on the subject. If the general principles of the report should fail to command their approbation, it would be useless for the Government to attempt to carry a measure embodying those principles through the House. He trusted that before the meeting of the House in another Parliament the attention of the mercantile community would be directed to the report, and that they should be able to elicit a very general expression of their opinion on the subject.——Mr. GOSCHEN was sure that the appeal of the Attorney-General would be answered by the mercantile community, and trusted that the matter would be fully discussed in Chambers of Commerce and in the press before the meeting of the next Parliament.——The ATTORNEY-GENERAL: I do not object to the motion.——The motion was agreed to.

COUNTY COURTS EQUITABLE JURISDICTION BILL.

On the motion for the second reading of this Bill, Mr. CRAUFURD objected to the mode in which the County Court judges had been treated. Their work had constantly been increased, and would receive still further additions by this Bill. It was true that an addition to their salaries was proposed in the present measure, but it took the objectionable form of fees instead of a fixed salary; and as the superannuation allowances for County Court judges were determined on the amounts of their fixed salaries, there appeared to be, as far as he could see, no provision for any increase in their superannuations.——Sir F. KELLY was anxious to take the earliest opportunity of thanking Her Majesty's Government for the introduction of this Bill, which would effect a greater improvement in that branch of the administration of justice which more immediately concerned the labouring and many of the middle classes than any measure which had for a long time been brought before the House. At the same time he entirely agreed with what had been said by his honourable

and learned friend opposite as to the insufficiency of the remuneration of County Court judges. Their claims had been on more than one occasion altogether disregarded in that House and in the House of Lords; although all the highest authorities had desired to do them justice, objections had always been raised, emanating, as it was supposed, from the Finance Minister, or those who regulated the administration of the finances, compromises had been come to, and Bills involving the question of the proper remuneration of these judges had never had fair play in either House of Parliament. There was within Her Majesty's dominions no more important or more useful class of men than the County Court judges, and he hoped that the House would at last be able and be willing to do them justice. He hoped that a sufficient interval would be allowed before the Bill went into committee to enable the House to receive returns upon which might be framed amendments to the system of paying the County Court judges an additional remuneration out of fees, which, as proposed by this Bill, appeared to him to be the worst that the wit of man could have devised. If no other member proposed such amendments, he should himself give notice of them, and he therefore hoped that the House would not be asked to go into committee until after Whitsuntide.——Mr. MALINS said that, although he did not intend to oppose the second reading of the Bill, he could not give it so cordial an approval as his hon. and learned friend the member for Suffolk had done. He entertained considerable fears as to its working, and grave doubts as to the expediency of having a number of small Courts of Chancery all over the country. It was most important that the County Court judges should not be overloaded with work, because if they were the whole system would break down. At present they could only try actions at law up to 50*l.*, and why their jurisdiction in equity should be extended to 500*l.* he could not understand. There were two reasons for the existing limitations—one, that the courts were not of so high a character that they ought to decide questions of great importance, and the other that it was necessary that they should deal only with such cases as could be easily and speedily disposed of. By this Bill it was proposed to give them jurisdiction in all matters of foreclosure and redemption, enforcing liens or charges upon land, and bills for specific performance, without saying anything as to the pleadings to be adopted or the modes of trial to be followed. These classes of cases, especially those for specific performance, were difficult and often lengthy, and he was afraid that if they were to be tried in the County Courts by judges who were often only a single day in one place, they might interfere with the arrangement of accounts and break down the whole system. He hoped that when the House went into committee on the Bill his hon. and learned friend would enter into a careful consideration of the subject. He for one did not think it was desirable that the jurisdiction to be given under the Bill should be so extensive as was proposed. There should be no such jurisdiction, he thought, in those cases in which the property involved amounted to more than 200*l.*——Mr. AYRTON was of opinion that if the Bill were to become law it would be necessary to consider the position of the registrars of County Courts, with the view of securing that they should possess some legal qualification.——The ATTORNEY-GENERAL, in reply to the remarks which had been made by the hon. and learned member for Wallingford in reference to specific performance, said it must be borne in mind that the principle on which County Courts were established at all was that it was better to administer rough justice than none, and to have questions settled as far as possible without having the property involved eaten up. As to the regulations which should be laid down he had no doubt that as many forms as were found to be necessary would be adopted. On the question of payment he might observe that the principle of equality was that on which the Bill proceeded, and that the representations made on the subject should receive the fullest consideration.——The Bill was then read a second time.

LEEDS BANKRUPTCY COURT.

On the motion of Mr. HENNESSY, in the absence of Mr. FERRAND, it was ordered that the select committee on the Leeds Bankruptcy Court consist of five members, to be nominated by the general committee of elections, and that two other members, to be named by the general committee of elections, be appointed to serve on the select committee to examine witnesses, but without the power of voting.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

COSTS—REFERENCE.—After issue joined and before trial the action was referred by consent, the costs of the action to abide the event. The arbitrator found for the plaintiff with 20*s.* damages. The plaintiff was held not to be entitled to costs, the award being a recovery within sect. 11 of 13 & 14 Vict. c. 31: (*Cowell* v. *The Amman Colliery Company*, 12 L. T. Rep. N. S. 418. Q.B.)

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

Trinity Term 1865, *pursuant to Judge's Orders.*

Dewes, Thomas Hayes, 17, Granville-square—Articled to T. Dewes, Coventry
Longden, John Spencer, 41, Torrington-square—T. Plews, Old Jewry-chambers
Maynard, William, 261, Southampton-street, Clerkenwell—W. W. Hayne, 24, Red-Lion-square; F. T. Dubois, 3, Church-passage, Gresham-street
Salmon, Edgar Everard, Redland-park, Bristol, and Clifton,—C. Cotes, Highworth, Wilts; J. Satchell, Queen-street, Cheapside
Shrapnell, Henry, 187, Albany-road, Camberwell, and Barton Orchard, Bradford, Wilts—G. Speckman, Bradford
Sydney, Edward Isaac, Plaistow, Essex; and 33, Jewry-street, Aldgate—S. Sydney, 33, Jewry-street, Aldgate
Watson, Thomas, 62, Rotherfield-street, Islington; and 80, Basinghall-street—R. Thompson, Durham; J. Watson, Durham; W. E. Duncan, 80, Basinghall-street
Woodcock, T., jun., Haslingden, Lancaster; and 16, Richmond-crescent, Islington—T. Woodcock, sen., Haslingden

Trinity Vacation, pursuant to Judge's Orders.

Brown, Frank Clarke, 23, Red Lion-square; and Market Deeping, Lincoln—F. Brown, Market Deeping; G. H. Sawtell, 23, Red Lion-square
Meredith, Charles, jun., M.A., Broad Heath, Wimbledon-common—C. Meredith, 8, New-square, Lincoln's-inn
Williamson, Edward George, 9, Red-lion-square—E. Williamson, 9, Red-lion-square

The Last Day of Trinity Term.

Balch, John Henry Michell, 51 and 1, Lincoln's-inn-fields—J. Balch, Bruton, Somerset
Best, William, Winchester—J. Ralfe, Winchester
Bury, Thomas, 1, New Millman-street; Wrexham; and 14, Gray's-inn-square—T. R. Acton, Wrexham
Graham, John Edward Thorley, Mitre-court-chambers, Fleet-street; and Liverpool—J. J. P. Moody, Scarborough
Hughes, Edward Arthur, 1, New Millman-street—T. Hughes, Wrexham; G. Thomas, Mincing-lane
Knowles, James Hardcastle, Bolton; Brompton; and 7, Gloucester-terrace, Chelsea—J. Knowles, Bolton
Knowles, Robert Andrew, Bolton; Brompton; and 7, Gloucester-terrace, Chelsea—J. Knowles, Bolton
Lloyd, William Wynn, 42, South Audley-street; and Oswestry—J. R. Griffith, Llanrwst, Denbigh
Lupton, John, Preston—P. Catterall, jun., Preston
Murrow, Charles, Liverpool—J. Murrow, Liverpool; R. C. Brown, Liverpool
Richardson, Walter, Chatteris; and Francis-street, Regent's-square—C. Smith, Tokenhouse-yard
Scard, John Cowper, Colney Hatch-park—J. Scard, Great St. Helen's, London
Tate, Edward Booth, Manchester—W. Slater, Manchester
Tolhurst, Alfred, Milton-next-Gravesend—G. M. Arnold, Gravesend
Turner, Octavius Thomas, Nottingham; and Derby—W. Robotham, Derby
Waterworth, John James, Keighley; and 60, Stanhope-street, Hampstead-road—T. Waterworth, Keighley; H. B. Clarke, Serjeants'-inn, Fleet-street

(For other names see page 388, *ante*.)

Re-admission on the Last Day of Trinity Term.

Pyke, Henry Hugh, 27, Leighton-road, Kentish-town.

Applications to Take out or Renew Certificates on the 16th day of June.

Archer, James, 5, Chesterfield-cottages, Peckham; and 3, Oxford-terrace, Peckham
Bath, Edward, 3, Regent-square
Clough, James, Pontefract, Yorkshire
Craven, John, 12, Caversham-road, Kentish-town
Gardner, James, Halton, Lancaster
Hooper, Henry Richard, Newport and Staplers, Isle of Wight
Hunt, William Clove, Chester
Nicholson, Robert, Rock Ferry, Chester
Pennington, Richard, Forest-hill
Sadler, Samuel Campbell Hulton, Old Trafford, Manchester
Swainson, Joseph, 21, Kildare-gardens, Bayswater
Stubbs, Thomas James, 31, North Grove, Islington
Ward, Samuel Broomhead, Tetfont Rectory, Wilts
Williams, Edward, jun., Oswestry, Salop

HEIRS AT LAW AND NEXT OF KIN.

WILKINS (JOHN), Creek-road, Deptford, Kent, cloth drawer, June 12. Deacon, Son and Rogers, 1, Paul Bakehouse-court, Doctors'-commons.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

PETROLEUM TRADING COMPANY (LIMITED).—Creditors to send in by 30th June, their names and addresses, and particulars of their claims, to Messrs. Ashurst, Morris and Co., 6, Old Jewry, London.

MARKSFIELD GUNPOWDER COMPANY (LIMITED).—Creditors to send in by 1st July, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any) to H. H. Canman, 7, Gresham-street, London. Solicitors, Reed and Phelps, 3, Gresham-street, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

ALLEN (Herbert), Southsea, Esq., June 21. V.C. K. T. Martin, 57, Cannon-street, London.
CORNER (Jane), Haligarth-street, Durham, widow, June 20. V.C. S. Harle and Co., 20, Southampton-buildings, Chancery-lane, London, for Thompson and Lisle, Durham.
DAWSON (Wm.), Hemel Hempstead, Herts, Esq., a post captain in the Royal Navy, June 10. V.C. W. S. W. Johnson, 5, Gray's-inn-square, Middlesex.
EADE (Wm.), Ufgeshall, Suffolk, retired farmer, June 10. V.C. W.
GILSON (Thomas), the Haymarket, St. Martin-in-the-fields, Hungerford-market, Strand, and New-street, Dorset-square, Middlesex, fishmonger, June 12, V.C. S. C. V. Field, 40, Ely-place, Holborn, London.
JACKSON (Ann Esther), Dockhead, Bermondsey, spinster, June 2. G. Crafter, 61, Blackfriars-road.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BROOKE (Thos. John Langford), Mereball, Cheshire, Esq., July 10. Tatham, Curling and Wells, 3, Frederick's-place, Old Jewry, London.
BURKE (Georgiana Mary), 13, St. George's-place, Knightsbridge, Middlesex, spinster, June 30. Farrer, Ormy and Farrer, 66, Lincoln's-inn-fields, London.
CARTER (Rebekah), Bumpstead-hall, Hellions, Bumpstead, Essex, widow, July 6. H. W. Jackson, Haverhill, Suffolk.
CATLING (Thos.), 30, Church-street, Stoke Newington, Middlesex, builder, Aug. 1. J. S. Bennett, 37 and 38, Lime-lane, London.
DEAN (James), Salford, and Egerton-place, Lower Broughton, Manchester, calico printer, June 24. W. L. West, 2, Cooper-street, Manchester.
ELTON (Arthur), Brighton, Esq., July 31. Harrison, Son and Harrison, 19, Bedford-row, London.
FITZ ELOY (Hannah Mayer), 42, Upper Gloucester-place, Middlesex, widow, July 1. Robinson, Barlow and Harding, 24, Essex-street, Strand, London.
FRASER (D. M.), 4, St. Alban's-place, St. James's, Middlesex, a captain in H.M.'s 78th Regiment of Foot, July 1. Freshfields and Newman, 5, Bank-buildings, London.
HANMER (Latham), Liverpool and Aigburth, Lancaster, gentleman, July 3. Miller, Peel and Co., 4, Harrington-street, Liverpool.
HEATH (John), London-road, Gloucester, gentleman. T. Hunter, 6, College-court, Gloucester.
HODGSON (Wm.), Otley, Yorkshire, draper, July 25. Payne, Eddison and Ford, 70, Albion-street, Leeds.
HUNTER (Margaret), 5, River-terrace north, City-road, Middlesex, June 18. Tilleard, Son, Godden and Holme, 3, Old Jewry, London.
NICHOLLS (Jemima), 3, Park-cottages, Scott's-park, Hammersmith, Middlesex, widow, June 30. W. A. Smith, 3, Rebligh-street, Pimlico.
PENNY (G. J.), Berkeley-place, Edgware-road, Middlesex, house decorator, July 5. Bartleys and Saxton, 70, Somerset-street, Portman-square, Middlesex.
PIGGOTT (Deborah), Thornville-house, St. Helen's, Isle of Wight, widow, June 17. Currie and Williams, 22, Lincoln's-inn-fields.
ROSE (Richard Nottingham), Tonbridge, Kent, July 31. Alleyne and Walker, Tonbridge.
SIMMONS (John), Portsea, Southampton, gentleman, June 30. Hellard and Son, 132, High-street, Portsmouth.
SPENCER (Joseph), Eden-place, Kirkby Stephen, Westmoreland, Esq., July 1. C. Appleyard, 1, New-square, Lincoln's-inn, London.
SKINNER (Wm. Wilson), Cross Keys public-house, Lamb's-street, Bloomsbury, Middlesex, victualler, July 1. Stevens, Crossman, 3, King's-road, Bedford-row, London.
STRINGER (Elizabeth), Leeds, spinster, July 1. Blanchard and Son, 67, Albion-street, Leeds.
THEWITT (Mary), Kingston-upon-Hull, spinster, July 1. Holden and Sons, Hull.
TURTON (Mary), Plas yn Morfa, Greenfield, Halywell, Flint, spinster, July 30. O. J. Williamson, Chapel Stairs, Lincoln's-inn, London.
WALTERS (Henry), Acle, Norfolk, gentleman, June 8. J. Newman, 3, Suffolk-lane, Cannon-street, London.
WEBB (Robt. Wm.), Yew-tree Farm, Shirley, Warwick, gentleman, Aug. 1. J. Webb, 54, New-street, Birmingham.
WILSON (Eliza), Blackhurst, near Tunbridge-wells, late widow, Aug. 24. J. Fox, 52, Gresham-house, Old Broad-street, London.
WILSON (Ford), Ticehurst, Sussex, Esq., Aug. 24. J. Fox, 52, Gresham-house, Old Broad-street, London.
WILSON (Josiah), Stonard-house, Stamford-hill, Middlesex, Esq., Aug. 24. J. Fox, 52, Gresham-house, Old Broad-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

HARRISON (Rev. W. B.), of Gayton-le-Marsh, Lincolnshire, and HARRISON (Rev. Hy.), of Christchurch, Hants, Sussex. Claimants, said W. B. and H. Harrison.
LEE (Edw.), Sidmouth, Devon, Esq., and BOYD (Archibald), Londonderry, Esq. Dividend on 3771*l.* 12*s.* 6*d.* Three per Cent. Consols. Claimant, Rev. S. C. H. Lee, executor.
MAURICE (Rev. Michael), Ladbroke-villas, Notting-hill, and SWAIN (Thos.), Old Jewry, London, gentlemen. Claimants, Rev. J. F. D. Maurice and W. Powell, executors.
M'COLLUM (Wm.), Liverpool, merchant, MOSLEY (C. L.), Stafford, wine merchant, and SMITH (J.), of Eccleshall, Staffordshire, Esq. 19*l.* 1*s.* Three per Cent. Consols. Claimant, Wm. M'Collum, survivor.

PUBLIC PROSECUTOR.—The Leeds Town Council, on the motion of Mr. Alderman Carter, seconded by Mr. Councillor Idle, have appointed Mr. James Rider, solicitor, one of the public prosecutors of the borough.

SIGNS OF THE ESS.—The Lords' Select Committee on the office of Clerk of the Parliaments, &c., have resolved —"That on account of the great number of Bills now coming rapidly from the other House, and in order to expedite the business towards the close of the session, the Chairman of Committees be authorised to engage the temporary services of some barrister to assist his counsel, Mr. Falk, at a remuneration not exceeding 200 guineas."

THE TEA AND FIRE INSURANCE DUTIES AND THE INCOME TAX.—The Acts have been published for the alterations in these sources of revenue, under the new budget. The duty on tea on and after this day is reduced to 6*d.* per pound. The new income-tax on profits and means, reduce it to 4*d.* in the pound, is for one year from the 6th April last. The same relief as provided last year to persons whose incomes are under 200*l.* a-year is continued under the present Act—a reduction in the calculation. The reduced duty of 1*s.* 6*d.* per 100*l.* on fire insurance will commence on and after the 25th June.

Mr. Commissioner Kerr, in the Sheriffs' Court, heard the case of *Robinson* v. *Holmes*, in which the plaintiff, a sheriff's officer, sought to recover his fee for capturing a debtor, defendant being an attorney who had employed plaintiff to execute a writ. Plaintiff proved that he effected the capture, and a witness who appeared for the defendant stated that the person who was arrested was a bankrupt who had his protection from the Court of Bankruptcy in his pocket at the time of his capture. Plaintiff urged that this clearly did not affect his rights. He was specifically employed by the defendant to perform a certain thing, and he had done it. It was not for a sheriff's officer to ask his prisoner if he were protected from arrest. His Honour pointed out that in this instance it would appear that the debtor was actually protected against arrest. However, the point was a very fair one, and he would give judgment on a future day.

THE BENCH AND THE BAR.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

We understand that Henry W. West, Esq., of the Northern Circuit, the Attorney-General for the Duchy of Lancaster, and Recorder of Scarborough, has been appointed by Sir George Grey Recorder of Manchester, in the room of Mr. R. B. Armstrong, Q.C., resigned. Mr. West belongs to the Inner Temple, and was called to the bar in 1848.

Mr. J. A. Russell, of the Northern Circuit, has been appointed to the Recordership of Bolton, vice Mr. Armstrong, Q.C., who has been appointed to the Recordership of Manchester.

CARDIFF.—Mr. Hardinge Giffard, Q.C., it is announced, will offer himself as a candidate for this borough, in the Conservative interest, at the approaching general election, and it is said that he will receive the support of the Carlton Club. Mr. Giffard is well known in this district from his connection with the South Wales Circuit.

BODMIN.—Mr. C. Lecock Webb, of Lincoln's-inn, has been for the last two or three days prosecuting a personal canvass in the borough, and his friends contend that the result shows an excellent chance of success. Mr. Webb is a Liberal Conservative.

IRELAND.—On the first day of Trinity Term the several law and equity courts were opened with the usual formalities. The Lord Chancellor sat at one o'clock, and disposed of some petitions. In the Court of Queen's Bench, the city and county grand juries having been sworn, Mr. Justice O'Brien addressed them both, and said there was no business to come before them during the present term. The Lord Chief Justice, of whose health there has recently been alarming rumours, was present at the meeting of benchers, and subsequently sat in his own court.

In the Landed Estates Court the Newell Estates, situate in the county of Leitrim, were sold lately in several lots. There was lively competition, especially between the Earl of Leitrim and the Marquis of Waterford. The latter nobleman purchased the whole property for 42,000*l.*

THE LORD CHANCELLOR'S APPOINTMENTS.—The following has been addressed to the *Daily Telegraph*:—One of your contemporaries seems to take a savage delight in attacking the present Lord Chancellor and condemning his conduct in appointing his sons and other relations to lucrative offices. Now, without presuming to offer any opinion upon the question which is to to be submitted to the select committee of the House of Commons touching the Leeds Bankruptcy Court, it seems to me that the outcry which is being raised against the Lord Chancellor is most unjust. The Lord Chancellor has done no more than every other judge has done who has had the opportunity; and if we were to look closely into all the Government offices, the same system of providing for the relations of the heads of the department would be seen to have been followed. Let any one, however, merely look at our law courts. In the Queen's Bench, on the retirement of Lord Denman, his eldest son (the present lord), who was then associate of the court, placed his resignation in the hands of Lord Campbell. Lord Campbell appointed Mr. A. K. Stephenson to keep the place warm for a year or so, until he had recalled his second son, the Hon. H. Campbell, from India; on his return Lord Campbell appointed him associate, and then procured the passing of a short Act of Parliament which made the office of associate in each of the three courts an appointment for life, and not, as hitherto, determinable at the death or resignation of the Chief Justices or Chief Baron. Lord Campbell afterwards became Chancellor, and the Hon. H. Campbell retaining the office of associate of the Queen's Bench, became also secretary to the Lord Chancellor. The present Lord Chief Justice of the Queen's Bench appointed his half-brother, then a barrister of about eighteen months' standing, to the clerkship of assize of the Midland Circuit. In the Common Pleas, Sir John Jervis appointed his son associate of the court; on Mr. Jervis's death, Sir William Erle appointed his nephew to that office. In the Exchequer, the Lord Chief Baron appointed two of his sons masters of the court, and another son associate of the court. In the Court of Probate, on the death of Sir C. Cresswell, Sir James Wilde appointed his brother secretary. I could find numerous instances of the same system having been followed for many years by our judges in appointments of clerkships of assize, &c. I do not find fault with it, provided the fortunate relations are competent to perform the duties attached to the offices to which they are appointed. The patronage is a part of the prize which the judges have fairly earned by their own labour and industry. Should it be proved before the committee of the House of Commons that the Lord Chancellor connived at any plan of removing any officer of the Leeds Bankruptcy Court without reasonable cause, for the benefiting of his son directly or indirectly, no one would hesitate to condemn his conduct; but I protest against the unjustifiable attacks which are made upon him in the journal alluded to, when at present all that can fairly be said against him is that, like all who have preceded him, in dealing out the loaves and fishes he has not forgotten to take care of his own belongings.—I am, Sir, yours, &c.,
Temple, May 26. JOHN DOE.

MAGISTRATE AND PARISH LAWYER.

OKE'S JUSTICES' PROCEDURE BILL.

At the last meeting of the standing committee of the department of Jurisprudence and Amendment of the Law of the "National Association for the Promotion of Social Science," the following resolution was passed in recognition of Mr. Oke's meritorious labours for reforming Magisterial Procedure:

That this committee hear with regret that circumstances have compelled the withdrawal of the Justices of the Peace Procedure Bill, and take this opportunity of expressing the high sense which this committee entertain of the long and disinterested services to the public in connection with this measure by Mr. G. C. Oke.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

RAILWAY PRACTICE—LOCUS STANDI.—A railway company, a rival to whom would be created by the proposed Amalgamation Bill, is not entitled to be heard against it: (*The North British, &c. Companies Bill*, 12 L. T. Rep. N. S. 401.)

A company using a canal for its traffic has a *locus standi* against a Bill for the transfer of it to a railway: (*The Swansea Canal Transfer Bill*, 12 L. T. Rep. N. S. 402.) But a local board of health have no *locus standi* against such a Bill (Ib. 404); and so have conservators of a harbour and owners of docks communicating with the canal so proposed to be transferred: (Ib. p. 404.)

LIABILITY OF PROVISIONAL DIRECTORS.—The secretary of a proposed company inserted B.'s name in the prospectus as a director, on the authority of a third person, and informed B. by post that he had done so; in reply to which B. wrote requesting an alteration in his Christian name, and adding: "You had better insert the advertisement in the C. newspaper, published in this town, immediately, as they will make favourable mention of the company when they see my name." Plaintiff, without B. being named to him, on sight of the prospectus, and an assurance by the secretary and promoter that C. was a man of property, undertook the advertising, taking a guarantee from the promoter, in case he should fail in obtaining payment from the directors. The company failed to be formed, and the promoter became bankrupt. On an action against B. for the advertisements, he was held not to be liable, there being no evidence of an authority given to the secretary to pledge his credit for payment of the advertising: (*Burbidge* v. *Morris*, 12 L. T. Rep. N. S. 426. Ex.)

THE CREDIT FONCIER AND MOBILIER have brought out another important security, viz., the A. Stock of the Metropolitan Extension Railways. The amount to be first placed is one-half of the capital, viz., 1,212,000*l.* in 30,300 provisional certificates of 40*l.* each, with guaranteed interest at the rate of 6 per cent. by Sir Morton Peto, Betts and Crampton, payable from 1st Jan. 1865; the payment of the interest will be continued to the 1st July 1867, by half-yearly payments on the 1st July and the 1st Jan. in each year; the deposit is to be 1*l.* per certificate on application and 4*l.* on allotment, and the price of issue is 21*l.* for each certificate, equal to 52*l.* 10*s.* per 100*l.* stock. The remaining half of the stock is not to be issued for twelve months, and then only as paid-up stock, and it appears at not less than 10*l.* per 100*l.* stock in advance of the present price of issue. It is scarcely possible to doubt but that the traffic will be extensive, and that the revenue will turn out exceedingly large. The route, with its surrounding resources, is capable of extensive development. The line itself is short, and the neighbourhood one well calculated to give as favourable returns as the Metropolitan Underground, which now it is opened exhibits a weekly increase of 750*l.* to 850*l.* Both the stocks of the Metropolitan and the Great Northern stood for a lengthened period at depreciated values, because the traffic capacity of these portions could not be tested, but immediately they were brought into proper working order they soon convinced the shareholders that they possessed very important properties. In order to make the payments as light as possible it has been arranged that they shall run from the end of May to the 1st June 1866, and these will consequently not exercise the least pressure on the Money-market. When the 21*l.* per certificate is paid, 40*l.* stock will be transferred to the holder. An option is extended to all subscribers to pay in full upon the allotment, which will entitle them to interest on the whole amount of the price of issue from the 1st Jan. 1865, while it is settled to allow discount at the rate of 6 per cent. per annum on prepayment of instalments. The subscriptions are flowing in fast; and if the manager of the Crédit Foncier and Mobilier had thought fit to raise the whole 2,500,000*l.* even on better terms, from the situation of the market he could have readily accomplished his object.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

GUARANTEE—CONTINUING LIABILITY.—B. guaranteed advances to be made to a firm carrying on business under the name of C. and D. (neither of such persons being, in fact, at that time in the firm) in the following form: "In consideration that you have, at our instance and request, consented to open an account with the firm of C. and D., shipbuilders at E., we and each of us do hereby guarantee the payment to you of the moneys that at any time may become due, not exceeding 5000*l.*, such payment by us not to be made at a shorter date than twelve months from this date." Afterwards one of the partners died, and the firm was continued in the same name as before, and, becoming indebted to plaintiffs, they sued B. on his guarantee. He was held not to be liable, for a guarantee for the future debt of a firm is not to be construed as a continuing one so as to bind a party to it in the event of an alteration in the firm, unless the intention of the parties shall so appear, either by express stipulation, or by necessary implication from the nature of the firm, or otherwise: (*Backhouse* v. *Hall*, 12 L. T. Rep. N. S. 375. Q. B.)

SALE OF GOODS—ACCEPTANCE—STATUTE OF FRAUDS.—B. sold to C. by verbal contract, on Nov. 3, in market, forty-eight and a half quarters of barley by sample, and, according to the course of dealing, forwarded them to a railway-station on the 7th, with a delivery-note: "To the station-master, Swaffham station. Receive 97 barley, consigned to the order of C., of, &c., from B." On the 9th C. became bankrupt, not having paid or done any further acts in relation to the barley, either of acceptance, or refusal, or comparison of the bulk with the sample. On the 11th B. gave the railway company notice not to part with the barley without his consent. On Dec. 1 the assignees claimed the barley from the company, who refused to deliver it, and on an action brought it was held, first, that there was no acceptance within sect. 17 of the Statute of Frauds, and that the property had not passed out of the vendor; and, secondly, that the barley was not in the reputed ownership of the bankrupt with the consent of the real owner: (*Smith* v. *Hudson*, 12 L. T. Rep. N. S. 377. Q. B.)

LIABILITY FOR NEGLIGENCE.—If a horse, through neglect of the owner to keep his fences in repair, strays into the field of an adjoining occupier, and there kicks one of his horses so as to inflict upon it injury or death, the owner of the straying horse is liable in damages, and it is not too remote a consequence of the owner's negligence, neither is it incumbent on the plaintiff to show that defendant knew his horse to be vicious: (*Lee* v. *Riley*, 12 L. T. Rep. N. S. 388. C. P.)

COUNTY COURTS.

COUNTY COURTS EQUITY JURISDICTION BILL.—The following has been addressed to the *Times*:—Sir,—Having seen in your columns this day the letter of "Intercessor" on the above Bill, the subject-matter of which was considered of so much importance by Her Majesty's Government as to find a place in the Royal Speech at the opening of the present session, I beg to address a few lines to you upon it. I have held the office of County Court judge for a period of eleven years; for nine at Bristol, and for upwards of two in the metropolis. During the whole of this time I have uniformly and most strenuously advocated the introduction of small equities into the local courts, having seen by increasing experience the disadvantages to which the poorer classes are exposed in consequence of their having at hand no cheap and expeditious tribunal for redressing injustice and wrong in cases of small legacies, trusts, mortgages, partnerships and equitable engagements. I confess I have been infinitely surprised and disappointed by the Bill of the Lord Chancellor. In many of the courts the heavy character of the business has been for some time such as severely to task the strength and energies of the officials. With the vast increase of population and commercial wealth, and consequently of litigation, during the last few years, a remodelling of some of the courts, and an addition to the number of the others, have appeared necessary, quite apart from the question of equity jurisdiction. But the proposition of the Government to accumulate upon the present machinery labours of a character totally different from those it has hitherto borne, demanding new study, and involving questions of money value exceeding actually by ten times the amount of the existing common law jurisdiction, must appear to every reasonable mind most preposterous and unfair. I do not advert to the very objectionable mode of remuneration for the additional duties contemplated by the present Bill, as that is powerfully animadverted upon in "Intercessor's" letter. But I think I am expressing the general if not unanimous opinion of the County Court judges when I say that if the Government and the public expect that equity suits up to 500*l.* will be satisfactorily dealt with and justice administered by piling this heavy additional burden upon the existing County Courts, they are simply hoping for an impossibility and embracing a chimera. Let a statesmanlike and comprehensive measure be introduced in a new Parliament, and the opportunity then taken of making many improvements which are manifestly required and obvious to every practical mind in the County Court system; but let not this Bill, which is really a measure of Lord Brougham's, but stripped of its best qualities, receive the sanction of the Legislature. What begins in injustice must end in failure and disappointment.—I am, Sir, your obedient servant,
J. E. EARDLEY WILMOT,
May 25. Judge of the Marylebone County Court.

CORRESPONDENCE OF THE PROFESSION.

THE ROAD MURDER.—Your number of last Saturday's date containing, amongst other articles, one concerning that most unhappy and (if guilty) mysteriously guilty young lady connected with the dreadful transaction which happened on the 29th June 1860, in Wiltshire, is now before me. As one of your earliest subscribers, and, in past times, an occasional correspondent, you will, with your usual justice and candour, allow me to offer a few remarks on the tenour of that article. In the first place, let me express the strongest approval of the use of

the second word at the beginning, "unseemly." If you had said "highly indecent and unjustifiable" it would not have been far from the mark. As regards the result of the coming trial, and most searching and impartial inquiry into all the facts which can throw light upon this domestic tragedy, those on whom the awful responsibility of conducting it lies, whether judge, jury, or advocate, will not, I am sure, think for a moment of any newspaper writer, but only attend to what will then be brought before them. It would indeed be an unhappy incident in this age of progress if the ancient system of "trial by judge and jury" were superseded by the theories of newspaper writers, where facts and living evidence have to be dealt with. If the confession, as it is called, leads in this particular case to arriving at the real truth, by more legitimate and English means, it cannot be very much to be regretted. I do not for a moment understand you to be an advocate for the doctrine of "auricular confession," or "assumed absolution" given by one weak fellow mortal to another," but that you only mean to deal with the legal aspect of the case, and that your real views are not widely different from those which I have taken the liberty of offering. X. X. X.

May 20, 1865.

[*Note.*—We contend that, inasmuch as a very great number of persons in this country conscientiously believe that it is a religious duty to confess their sins, the principle of religious liberty demands that they should be permitted to do so, and this they cannot do if the law compels the revelation of the confession so made. We protect the intercourse of the client with his solicitor, as a privilege of the client. For the same reason, as a privilege of the penitent, not as that of the clergyman, the law should protect the confidence so reposed in the clergyman or minister, and this whatever his church or sect.—Ed. L. T.]

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

Articles of Clerkship.—I entered into articles the 16th Dec. 1860, therefore did not pass the preliminary or intermediate examination. Will it be necessary for me to pass the final at the Michaelmas or Hilary Terms, 1865-6, or shall I be able to pass at any future time without having to produce certificates of having passed the preliminary or intermediate examination? W. E. R.

Answers.

Affidavit.—An affidavit cannot be filed, which states sums, &c., in figures and not in words: (*Crook* v. *Crook*, 1 Jur. N. S. 654.) D. H.

Tithe Rentcharge.—The notice may be sent in a registered letter, by post, to the office or usual place of abode of the person to whom the same is addressed: (see 23 & 24 Vict. c. 93, s. 30.) Pelly.

Exeter, May 27.

— "K. M." will find the mode and manner of service of demand, &c., clearly set forth in sect. 17 of the Fourth Title Amendment Act, 5 & 6 Vict. c. 54, and such notice does not require personal service, but may be given or left in writing at the usual or last known residence of the tenant in possession: (see sect. 81 of 6 & 7 Will. 4, c. 71.)

Brighton, May 30, 1865. C. W.

— The 6 & 7 Will. 4, c. 71, s. 81, provides that in case the rentcharge is in arrear and unpaid for twenty-one days next after any half-yearly day of payment, it shall be lawful for the person entitled to the same, after having given or left ten days' notice in writing at the usual or last known residence of the tenant in possession, to distrain upon the lands liable to the payment, or on any part thereof, for all arrears of the rentcharge, and to dispose of the distress when taken, and otherwise to act and demean himself in relation thereto as any landlord may for arrears of rent reserved on a common lease for years. If the notice were sent in a registered letter it would comply with the above requisition. The Act does not say by whom the notice is to be given or left, and therefore it may as well be done by the postman as by any one else. No prior demand can be necessary, the service of such notice would constitute a demand. Before making a distress for rent no previous demand by the landlord is necessary, unless there be a reservation in the lease requiring a special demand. D. H.

Driffield, May 27.

Statute of Frauds.—The statute requires that there shall be a memorandum or note in writing of the "bargain." There could be no "bargain" till the terms were agreed upon by both parties. The letter of B. was a mere proposition, and as A. only accepted it by parol, the agreement was in law a parol agreement. Before A. could take advantage of B.'s proposal in an action, it would be necessary for him to show that he had acceded to it in *writing*, and as he is unable to do this, there is not, I think, sufficient writing to take the case out of the operation of the statute: (see *Gaunt* v. *Hill*, 1 Stark. 10; *Drant* v. *Brown*, 3 B. & C. 665.) A. W.

Fairs.—A misuser or nonuser of the franchise of holding fairs or markets, in a matter essentially incident thereto, and in which the public good is at stake, will amount to a forfeiture. The statute of Westminster provides that in such case the franchise shall be seised into the king's hands. In 1 Steph. Com. bk. 2, c. 23, it is stated that the exercise of a franchise must be founded on an adequate consideration as between the public and the grantee, which consideration in the case of a fair or market is the duty incumbent on the grantee to provide ground for the purpose, and to regulate the proceedings; and that as on the one hand the grantee has remedies against those who disturb his franchise, so on the other he is himself liable to be criminally indicted, if, by his wilful act, or even by neglect of duty, the subjects of the realm are obstructed in its lawful use: (see *Payne* v. *Partridge*, 1 Show. 231.) D. H.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by John Thompson and T. W. Saunders, Esqrs., Barristers-at-Law

BUSINESS OF THE WEEK.

Trinity Term 1865.

Thursday, May 25.

Cartwright v. Foreman.—Action on a contract to deliver coal. At the trial the verdict passed for the plaintiff subject to leave to the defendant to move to enter the verdict for him.—*D. Seymour*, Q.C. now moved accordingly. *Rule nisi.*

Ell v. The Metropolitan Railway Company.—*W. G. Harrison* moved to quash an inquisition for compensation for loss of trade profits. The same point is involved as in *Ricket* v. *Metropolitan Railway Company*, which is to be taken to the House of Lords. *Rule nisi.*

Baker v. Stevens.—*C. Pollock* moved to set aside the award herein, on the ground that the arbitrator had heard evidence in the absence of one of the parties. *Rule nisi.*

Reg. v. Gascoyne.—*Fooks* moved for a *quo warranto* calling on the defendant to show by what authority he exercised the office of waywarden of the Faversham Highway District. *Rule nisi.*

Eyre v. Morris.—*H. W. Sharp* moved for leave to issue a *subpœna duces tecum* into Ireland. *Granted.*

Friday, May 26.

Sulivan v. Raymond.—*D. Seymour*, Q.C. moved in this case, in which a verdict was returned for the plaintiff, with 25*l.* damages, for a rule to set aside the verdict, and for a new trial, on the ground that the damages were excessive. *Rule nisi.*

Ingram v. Linky.—*Hannen* moved for a rule calling upon the plaintiff to show cause why the sheriff should not withdraw from possession. *Rule nisi.*

Graham v. The East and West India Dock Company. —*Gibbons* showed cause against a rule calling upon the plaintiff to show cause why the verdict for him should not be set aside and a nonsuit entered.—*Bovill*, Q.C. contra. *Rule absolute.*

Saturday, May 27.

Lord Kenedy v. The Panama and New Zealand Royal Mail Company.—*Lush*, Q. C. moved to rescind an order for a commission to examine certain witnesses in New Zealand. *Rule nisi.*

The North British Rubber Company v. The Manchester Rubber Company.—*Grove*, Q. C. and *Aston* showed cause herein against a rule to set aside the nonsuit.—*Bovill*, Q.C., *Hindmarch*, Q.C. and *Macrory* contra. *Rule discharged.*

Dark v. The Grosvenor Hotel Company.—*Lush*, Q.C. and *E. Jenkins* showed cause against the rule for setting aside the verdict herein.—*Bovill*, Q.C. and *R. Clark* contra. *Rule discharged.*

Monday, May 29.

Reg. v. The Copyhold Commissioners.—Sir *F. Kelly* (*Sawyer* with him), on behalf of Mr. Lingwood, the lord of the manor of Cheltenham, moved for a *mandamus* calling on the assistant commissioner to state a case for the opinion of one of the Superior Courts. A case had in fact been stated and is now before the Court of C. P., but the lord of the manor is dissatisfied with the statement and wishes it to be remitted to the commissioner, and to be heard by counsel before the commissioner on the settlement of it.—*Denman*, Q.C., at a later part of the day, brought the matter before the court and said the motion was merely to throw the argument of the case over the long vacation. *Rule nisi to come on on Monday.*

Reg. v. The Committee of Visitors of the Hull Lunatic Asylum.—The *Solicitor-General* (*Hannen* with him) moved for a *mandamus* to compel the committee to submit the plans and estimates of certain additions to the asylum to the commissioners in lunacy. It appeared probable that the alterations had been completed, and the Court therefore refused the rule. *Rule refused.*

Ex parte The Mayor of Rochester.—*Prentice* moved for a rule to quash the appointment of the mayor as an overseer of the parish of St. Margaret on the ground that he was the returning officer of the parliamentary borough of Rochester.—*Wadde*, on the part of the justices, offered no opposition: (2 Will. 4, c. 45, s. 11.) *Rule absolute.*

Reg. v. Roberts.—*McIntyre* moved to make a rule absolute for a *mandamus* to justices to issue their warrant to commit the defendant to gaol, in pursuance of a summary conviction against him of imprisonment for one month, and against which conviction the defendant had got a case stated under 20 & 21 Vict. c. 43, which he afterwards refused to go on with.—*Ignatius Williams* for the justices. *Rule absolute.*

Ex parte Wood.—*Prentice* moved for leave to compute the service of an articled clerk from the date of the execution of the articles, they not having been enrolled or stamped through the default of the person to whom the applicant was articled. *Leave granted.*

Sichell v. Purdie.—Action on a bill of exchange on which the plaintiff recovered the amount claimed at the trial. A rule *nisi* having been obtained to set aside the verdict on the ground that the adhesive stamp thereon had not been cancelled in the prescribed form (17 & 18 Vict. c. 83, s. 5),—*Hawkins*, Q. C. and *Murphy* showed cause, and *J. A. Russell* supported the rule.—The Court said, as they should order a new trial and the defect might be cured by 24 & 25 Vict. c. 91, s. 33, before the trial came on again, the parties had better agree to allow the verdict to stand, and no costs.—Counsel said they would advise that course to be adopted.

Ewin v. Lancaster.—Action on a bill of exchange, on which the plaintiff recovered a verdict at the trial. A rule *nisi* having been obtained to enter the verdict for the defendant on the ground that it was an accommodation acceptance by the defendant, and after knowledge of that fact the plaintiff had given time to the drawer,—*M. Chambers*, Q.C. and *Day* showed cause, and *Robinson*, Serjt. and *R. Turner* supported the rule. *Rule absolute.*

Tuesday, May 30.

Brabant v. Wilson.—*Turner* and *Pollock* appeared for the respective parties herein. *Referred back to the commissioner.*

Le Strange v. Rowe.—*O'Malley*, Q.C. and *D. Brown* appeared in support of the demurrers to the two first pleas in this action.—*D. Keane*, Q.C. and *Marsh* contra. *To stand over till the issues in fact are disposed of.*

Barber v. Whiteley.—*Manisty*, Q.C., *Mack* and *Lopes* appeared for the respective parties herein. *Judgment for the plaintiff.*

Wednesday, May 31.

Cowes v. Potts.—In this case Blackburn, J. delivered the judgment of the court, making absolute a rule to enter a verdict for the defendant. *Rule absolute.*

Mellor v. Lees.—*McIntyre* appeared in support of the conviction herein.—*Pollock* contra. *Conviction affirmed.*

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Trinity Term 1865.

Thursday, May 25.

Ex parte Mary Graham (married Woman).—In this case *Bridge* moved that the applicant might be permitted to dispose of her property without the concurrence of her husband. It appeared that Mrs. Graham was married in 1831, and lived with her husband until 1849, when he left her and went to America, and had only been heard of once since, which was in the same year in which he left. In 1861 Mrs. Graham's father left her two pieces of land in Cumberland, one of which she had agreed to dispose of and the other she wished to sell as soon as she could get a purchaser. The present application was that the order, if granted by the court, should apply to both pieces of land.—The Court held that they could not make a general order as to both pieces of land, but only as to the part for which the applicant had found a purchaser.

Mockford v. Taylor.—In this case *Tapping* moved for a rule calling on the plaintiff to show cause why one of the two counts in his declaration should not be struck out, one count being in detinue and the other in trover. He referred to Day's Common Law Practice, 38; and *Sutherland* v. *Johnson*, 15 C. B. 145. *Rule nisi.*

Dresser v. Norwood.—*J. Brown*, Q. C. informed the court that this case was settled.

Davis v. Windsor. *Settled.*

Friday, May 26.

Re An Arbitration between Newton and Hetherington.—*R. G. Williams* showed cause against a rule to make the submission and a lease a rule of court.—*Hutton* appeared for the plaintiff. The plaintiff had appointed an abitrator, and had given notice to the defendant to appoint another, and on his refusing to do so, the plaintiff's arbitrator had proceeded *ex parte* and made his award.—The Court suggested that it would be better to have a second arbitrator and a fresh award, if the parties could arrange about the costs. *Stands over.*

Fray v. ——.—Miss Fray in person moved to set aside the nonsuit.—The Court said, that more than four years had elapsed since the trial, and that it was impossible to break through the ordinary rule. *Rule refused.*

Monkes v. Nicholson. *Stands over.*

Lyne v. Fowler.—*H. Matthews* (*Coleridge*, Q.C. with him) showed cause against the rule for a new trial, on the ground that the bill of sale had not been properly registered, and that a subsequent agreement between the parties to it respecting the letting of the furniture comprised in it to the grantor, acted as a defeasance which ought to have been registered also.—*Keane* and *Hanbury Jones* supported the rule.—The Court thought that the case had been disposed of by the jury. *Rule discharged.*

Phelps v. The London and North-Western Railway Company.—This was an action by a solicitor residing in Kent, against the defendants, for loss which the plaintiff had sustained on two occasions, in consequence of the detention of his portmanteau. The plaintiff was travelling down to Wales to attend a County Court, and he had in his portmanteau deeds necessary to the conduct of the cause in which he was engaged, and also about [illegible] notes, which he took with him in case he should be ordered to pay money into court or costs. When he arrived at his destination his portmanteau was not to be found, and it did not appear for several days. He was obliged to obtain an adjournment of the case, and when he travelled down to the adjourned hearing his portmanteau with the deeds was again lost, and a further adjournment became necessary. The jury assessed his damages from personal inconvenience at 20*l.*, and the damage resulting from the detention of the goods and notes at 44*l.* 1*s.*, and the plaintiff had a verdict for 64*l.* 1*s.* The defendants obtained a rule nisi to reduce the damages to 20*l.*, pursuant to leave reserved, on the ground that the deeds and notes were not the plaintiff's ordinary luggage within the meaning of their Act of Parliament.—*Huddleston*, Q.C. and *Prideaux* showed cause, and *Kemplay* supported the rule.—The Court thought that the contention of the railway company was correct, and that they were not liable for the detention of anything but ordinary luggage, which the solicitor's deeds and notes were not. *Rule absolute.*

Hibbert v. Broadbridge.—*Bovill*, Q. C. and [illegible] showed cause against a rule to reduce the damages by three sums which the defendant had set off in account with the plaintiffs, brokers.—*Philbrick* supported the rule. *Rule discharged.*

Saturday, May 27.

McCall v. Taylor.—Action on an instrument declared on as a bill of exchange, and also as a promissory note. A verdict was found for the defendant at the trial.—[illegible] *Thompson* showed cause against a rule to enter the verdict for the plaintiff, contending that the instrument was neither a bill of exchange nor a promissory note.—[illegible]

and *H. W. Lord* supported the rule.—The COURT thought that the writing was only an inchoate instrument.

Rule discharged.

WALKER *v.* BROOKES.—Libel tried before Martin, B. at Leeds, imputing to a clergyman something which had taken place in his church before morning service. The pleas alleged that the libel was a fair comment on what had taken place, and pleaded a justification. A verdict was found for the defendant, and a rule *nisi* being obtained for a new trial on the ground of misdirection.—*Digby Seymour*, Q.C. and *Pickl*, Q.C. showed cause.—*Hayes*, Serjt. supported the rule.

Rule discharged.

FARRY *v.* TURNER.—Tried before Cockburn, C.J. at Northampton.—*O'Malley*, Q.C. and *Hensman*, for the plaintiff, showed cause against a rule to enter a verdict for the defendant pursuant to leave reserved.—*Keane*, Q.C. supported the rule.

Rule discharged.

Monday, May 29.

WALSH *v.* WILSON.—This was an action tried before Willes, J., in Middlesex, when a verdict was found for the plaintiff for 314*l.* 14*s.* 6*d.*—*Brett*, Q.C. now moved for a rule to reduce the damages to 14*l.* 14*s.* 6*d.*

Rule refused.

ENGELL *v.* DAY.—This was an action by an executrix against the defendant, a solicitor, to recover interest on the deposit on a sale of land. At the trial before Willes, J., on the 12th May, a verdict was found for the plaintiff for 28*l.* 10*s.*, being the amount of interest at the rate of 5 per cent. on the deposit from the time of the sale to the completion of the purchase.—*J. Brown*, Q.C. now moved to enter the verdict for the defendant, or to reduce the damages. He contended that in the country it was the practice for the solicitor to hold the deposit till the sale was completed, and that he was a mere agent for the vendor, but in the nature of a stakeholder, and that in any event the plaintiff was not entitled to interest at a higher rate than 4 per cent.

Rule nisi.

MOCKFORD *v.* SPENCE.—This case was referred by judge's order at Nisi Prius, and was an action for breach of contract to deliver a large quantity of ammonia by monthly deliveries.—*Lush*, Q.C. (*Kingdon* with him) now applied to the court to appoint a broker to assess the damages in pursuance of the order of reference.

Rule nisi.

REDWAY *v.* MATHEWS.—*J. A. Russell* applied to the court to allow a motion for a rule to set aside an award to stand over till he could obtain affidavits from the country.

Stands over.

JARDINE *v.* TALBOT.—In this case, which was an action on a bill of exchange, a verdict had been found for the plaintiff.—*Hannen* now moved to enter the verdict for the defendant, on the ground that a plea, alleging that the bill, which was a foreign bill, had been reissued without a stamp, was proved.

Rule refused.

MAJOR *v.* ALDER AND ANOTHER.—This was an action to recover the price of certain medicines supplied by the plaintiff to the defendant. At the trial a verdict was found for the plaintiff for 70*l.* 11*s.*—*Pater* now moved for a new trial, on the ground that the verdict was against the weight of evidence.

Rule refused.

MOLLER AND OTHERS *v.* JEUKS.—This was an action for demurrage, tried at the last assizes at Norwich, when a verdict was found for the defendant.—*Keane*, Q.C. having obtained a rule to enter the verdict for the plaintiff for 27*l.*,—*O'Malley* Q.C. and *A. K. Stephenson* now showed cause.—*Keane*, Q.C. and *Mariby* in support. It appeared that by a local Act certain dues were payable on goods brought into the harbour of Lowestoft, such dues to be paid by the captain of the ship or the consignee, and it was the practice of the consignee to pay. The consignee having neglected to pay, the ship was detained for nine days when the captain paid the dues, and now sued for the dues, which were paid into court, and nine days' demurrage.—The COURT held, that the captain, being chargeable with the dues by the Act of Parliament, might as well have paid them on the first day as the ninth, and had therefore suffered no special damage, and discharged the rule.

Rule discharged.

Tuesday, May 30.

SCOTT *v.* JACKSON.—Demurrer to declaration.—*J. Brown*, Q.C. supported the demurrer.—*Archibald*, for the plaintiff, was not called on.

Judgment for the plaintiff.

JOHNSON *v.* CHAPMAN.—Special case arising out of the jettison of a deck cargo of timber.—*Cohen* argued for the plaintiff; Sir *G. Honyman* (*Lodge* with him) for the defendant.

Cur. adv. vult.

ROGERS *v.* HAMILTON.—Demurrer to plea of a composition-deed under sect. 192 of the B. A. 1861.—*Hayes*, Serjt., for the plaintiff, said that the case was concluded by that of *Eyre v. Archer*, 15 C. B., N. S., 688.—*Hopwood*, for the defendant, was unable to distinguish the case.

Judgment for the plaintiff.

HIGHWAY BOARD OF WREXHAM (apps.) *v.* HARDCASTLE (respts).—Case stated by justices respecting the liability of an incoming surveyor to be proceeded against by the board for the balance in his hands.—*Hayes*, Serjt. was for the board, and *Cleasby*, Q.C. (*J. A. Russell* with him) for the respondent.

To be sent back to the magistrates.

ALTON *v.* THE MIDLAND RAILWAY COMPANY.—This case came on at the sittings in banco after last term, in the absence of the Lord Chief Justice, and was, at the suggestion of the court, adjourned in order that it might be argued before the full court. It raised the novel point, whether the employers of a clerk who had been injured on the defendants' railway in consequence of the negligence of the defendants' servants could maintain an action against the defendants for the loss which they had sustained in consequence of the clerk being unable to attend to their business for a considerable time. The defendants demurred to the declaration.—*Keane*, Q.C. (*Graham* with him) appeared for the plaintiff; *Bovill*, Q.C. (*Douglas Brown* with him) for the defendants.

Part heard.

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Thursday, May 25.

(Before POLLOCK, C.B., BRAMWELL and CHANNELL, BB.)

PEREMPTORY PAPER.

FORD *v.* BENNETT.—*Day*, for plaintiff, shows cause against a rule to set aside an award.—*Lush*, Q.C. and *Philbrick* appeared to support the rule on the part of defendant, when it was arranged that the case should stand over till to-morrow in order that the agreement on which the plaintiff relied in the declaration might be produced.

Stands over accordingly.

SUTTON *v.* SOUTH-EASTERN RAILWAY COMPANY.—*J. Brown* Q.C. for plaintiff.—*Field*, Q.C. and *F. M. White* for defendants.

To stand over until the judgment of the Ex. Ch. in Sutton v. The Great Western Railway Company.

CLARK AND ANOTHER *v.* HART.—*H. James* showed cause against, and *Prentice* supported the rule herein.

Cur. adv. vult.

Friday, May 26.

MOZLEY AND ANOTHER *v.* LOCKWOOD AND ANOTHER.—*Quain* showed cause against a rule obtained to set aside judgment and execution herein. It was an action on a bill of exchange, the writ being served in Jan. 1864. Judgment passed by default. Defendant on the 30th of May last executed a composition-deed with his creditors. Negotiations were pending between the plaintiffs, who were bankers at Liverpool, and the defendants, who were timber merchants at Chester, but terms were not come to [MARTIN, B.: We have declined to interfere where a defendant has omitted, when he had an opportunity to plead the deed, but lies by and thinks afterwards to set aside the execution under such circumstances.] The other side now seek to be let in to plead the deed, and as negotiations were and have been pending for a settlement, the plaintiffs, upon payment to them of all their costs, will not now oppose their pleading the deed if the court think it right defendants should do so.—*Day* contra for defendants.

Rule absolute accordingly.

LINTON *v.* THE BLAKENEY JOINT CO-OPERATIVE INDUSTRIAL SOCIETY.—*Macnamara* moved in this case, tried before Martin, B., to set aside the plaintiff's verdict and enter a nonsuit pursuant to leave reserved. The question is whether the defendants are liable to be sued singly or as a corporate body. They were sued in the latter form. They submit that they cannot be sued as a corporate body; they were not incorporated when the goods were supplied, but they were so when sued. The society was not registered until November last, and it was then registered for the purpose only of being wound-up. He referred to 17 & 18 Vict. c. 25, s. 1, and *Reg. v. Mellor*, 15 C. B., N. S., 19.

Rule nisi

PEACY AND ANOTHER *v.* THE NORTH SOMERSETSHIRE RAILWAY COMPANY.—The plaintiffs were engineers, &c., and sued defendants for a claim alleged to be due of 18,000*l.* —*Lopes* moved for a rule requiring the plaintiffs to deliver to the defendants further and better particulars of demand. Pigott, B. had made an order for the same purpose, and certain particulars had been delivered since, but they were wholly insufficient, and, in fact, not a compliance with the order of the learned Baron.

Rule nisi.

RUMCHUND *v.* ANDERSON.—*Francis*, for the plaintiff, moved to set aside the defendant's verdict on the ground of misdirection, and as against the evidence.

Rule refused.

COHEN *v.* PHILLIPS.—*T. E. Holland* moved in this case, tried before Channell, B., at Westminster, to set aside the plaintiff's nonsuit, and by leave to enter a verdict for him. It was an action by the assignee of an agreement for a lease, and against the assignee.—CHANNELL, B. thought there should be a rule.

Rule nisi.

WOODWARD *v.* METCALF.—*Quain* showed cause against a rule obtained to set aside a nonsuit and to enter a verdict for the plaintiff for 90*l.* on the ground that, on the facts of the case and the letters, the defendant was liable.—*T. Jones*, contra, was called upon to support the rule.

Rule discharged.

Saturday, May 27.

DESGRATOULETS *v.* WOLSEY.—An action tried before Martin, B., on 13th inst., to recover commission in negotiating the sale of a tavern, and a verdict for plaintiff for 35*l.* 17*s.*—*Joyce* moved for a new trial on the ground of misdirection. The question turned on the evidence of what was the agreement between the parties, and whether the commission to be paid to plaintiff "on his finding a purchaser" was payable on his introducing a party to defendant, who contracted to purchase the house in question, but failed to complete his contract: (*Horford v. Wilson*, 1 Taunt 12.)—The COURT were of opinion the direction of Martin, B. was right, and refused the rule.

Rule refused.

HARGROVE AND OTHERS *v.* ALBION MARINE INSURANCE COMPANY (LIMITED).—This was an action tried at Liverpool, before Shee, J., when a verdict was found for plaintiffs. A rule having been obtained for a new trial on the ground of the verdict being against evidence,—*James*, Q.C., *Baylis* and *Marriott*, for plaintiff, showed cause against it, and *Mellish*, Q.C., *Brett*, Q.C. and *Quain*, for defendants supported it. The question turned on the seaworthiness of the vessel in question.—At the conclusion of a lengthy argument, the COURT delivered judgment, declining to interfere with the verdict with which the learned judge was not dissatisfied.

Rule discharged.

Monday, May 29.

NANTRE *v.* VANDERMAELEN.—This was an action of ejectment, brought to recover possession of certain leasehold premises in Soho, tried before Channell, B. The verdict was returned for the plts.—*H. Mathers* moved, pursuant to leave reserved, to set aside that verdict, and to enter a nonsuit, or to have a new trial. The question was, whether a certain document was a deed delivered or an escrow only. He referred to *Doe d. Garland v. Knight*, 5 B. & C. 671 and 692; *Xenos v. Wickham*, 31 L. J. 364, C. P.

Rule nisi.

LONGWORTH *v.* KAY AND ANOTHER.—*Crompton* moved to set aside the award of the arbitrator, who was the foreman of the jury, on the ground of certain misconduct disclosed in affidavits.

Rule nisi.

HOPER *v.* KELLOR.—*Keane*, Q.C. moved for a new trial, unless the plaintiff would consent to a reduction of the damages.

Rule nisi.

LYNCH *v.* MARCHMONT.—*Hopwood* moved in this case, tried before Martin, B., to set aside the nonsuit directed by the learned judge, and for a new trial. It appeared that the plaintiff was a plasterer, who had become seriously injured in consequence of a fall from some scaffolding erected for the purpose of building a chancel to a church, in which the defendant officiated as minister. It was contended that he was the plaintiff's master, and that the scaffolding in question was unskilfully and negligently constructed, which the defendant well knew, but of which plaintiff was ignorant; that there was such a personal interference by the defendant with the works as to make him liable upon this occasion to the plaintiff. Defendant was the paymaster, and all the men were employed by him; he had not taken due care in employing proper managers or superintendents. [MARTIN, B.: He had employed one Horrigan as manager or superintendent, and the defendant himself did nothing more than occasionally go out to see how the work was proceeding. What possible evidence was there to fix him personally with the injury sustained by the plaintiff?) He should have employed a contractor, instead of which it indirectly came out in evidence that this scaffolding was erected under the direction of Horrigan, who it was said had been formerly only a bricklayer's labourer. [POLLOCK, C.B.: And who at that time might possibly have been a master builder. It does not follow that because he had once been only a bricklayer's labourer he should never be anything else. MARTIN, B.: One of the jury asked a witness whether part of the scaffolding was a pole, or what is called quarter, and upon being told it was quarter, intimated a strong opinion the scaffolding was insufficient. I saw, if the case had gone to the jury, which way the verdict would have been, and as there was really no evidence whatever to fix the defendant personally with the responsibility, I thought it right to direct a nonsuit.] (*Roberts v. Smith*, 2 H. & M. 213; *Tarrant v. Webb*, 18 C. B. 797; and *Waggett v. Fox*, 11 Ex. 832, were referred to.—The COURT were clearly of opinion there was no evidence whatever that should have been submitted to the jury to fix the defendant with the liability for the plaintiff's accident, occasioned by falling from this scaffolding.

Rule refused.

WILSON *v.* WHITE.—*O. B. C. Harrison* moved to rescind an order of Pigott, B. refusing to allow certain interrogatories. It was an action of ejectment, and the questions were four in number only: First, are you the lessee under the above-named plaintiff of a certain house and premises, No. —, in Hollywell-street, Middlesex? Secondly, when and at what period of the year did your tenancy commence? Thirdly, do you hold the premises under any agreement in writing? Fourthly, have you in your possession, such agreement? (*Pye v. Butterfield*, 31 L. J. 17, Q. B.)

Rule nisi.

MORRIS AND ANOTHER *v.* ASHWIN.—*Merewether* moved in this case, which was taken and tried before Pollock, C. B., as an undefended cause in the absence of the defendant, who was abroad at the time, for a new trial, on the grounds disclosed in the affidavits.

*Rule nisi on paying the amount for which the verdict was given, and 20*l.* for costs into court.*

ROBERTS *v.* BATES.—Tried at Liverpool, before Shee, J., and a verdict was found for the plaintiff. It was an action on a special contract for the sale and delivery of a quantity of cotton. A rule *nisi* had been obtained for a new trial on the ground of misdirection in the learned judge's attributing no effect to the unsigned letter drawn up by the defendant for plaintiff's signature, or why the amount for which the plaintiff obtained his verdict should not be reduced by 3*d.* per pound weight.—*T. Jones* and *Wheeler* showed cause against the rule.—*Potter* and *Crompton* contra.

Rule absolute to reduce the verdict to nominal damages.

WIGHTMAN *v.* DOCKVILLE.—*Rigby* moved for a new trial in this case, pursuant to leave reserved, on the ground that a certain amendment which had been made ought not to have been allowed, alleging a waiver of notice of dishonour.—CHANNELL, B. referred to *Kilby v. Rochussen*, 18 C. B., N. S., 357, as expressly in point against the motion; also *Robey v. Gilbert*, 6 H. & N. 536.

Rule refused.

Tuesday, May 30.

BOWES AND ANOTHER *v.* LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—The plaintiffs, wool brokers at Liverpool, purchased 100 bales of wool, which had been brought from Cronstadt to West Hartlepool, and they instructed their agent at the latter place to send them by railway to Liverpool. Accordingly the wool was delivered to the West Hartlepool Harbour and Railway Company, whose line runs as far as Stockton, where goods destined for Liverpool are passed on to the line of the Lancashire and Yorkshire Company, with whom they have a mutual arrangement for interchange of traffic. When the wool reached Liverpool it was found that seventeen bales were damaged, and the defendants having denied their liability the present action was brought. The trial took place at Liverpool, before Shee, J., when a verdict was entered for the plaintiffs, with leave reserved to defendants to move to set aside the verdict on the ground that there was no evidence of a contract between plaintiffs and defendants. A rule having accordingly been obtained to that effect, *James*, Q.C. and *T. Jones* now showed cause against it. The question was, whether the West Hartlepool Company, to whom the goods were, in the first instance, delivered, or the defendants, in whose yard the goods received the damage complained of, were liable, and that depended on the documents in evidence.—The COURT (Pollock, C.B., Martin, Bramwell and Channell, BB.), without calling upon *Simon*, Serjt. and *J. A. Russell*, on the other side, said they had no doubt that the contract was with the West Hartlepool Company, and not with the defendants. The point was decided fifteen years ago in the House of Lords, and only last term it was again determined by this court in a case against the Great Western Railway Company. The law was, therefore, clear and undoubted, and the action should have been brought against the West Hartlepool Company, who were alone liable.

Rule absolute to enter verdict for defendants.

JULIAN *v.* CLARKE.—This was an action by plaintiff against defendant, an omnibus proprietor, for injuries received by the omnibus running down a cab in which plaintiff was riding in the Bishop's-road, through, it was alleged, the careless recklessness of defendant's servant, the driver of the omnibus. At the trial before Channell, B., on the 29th April last, a verdict was found for plaintiff for 20*l.* damages, and a rule having been obtained to set it aside, as against evidence, *Joyce*, for plaintiff, now showed cause, and *O'Malley*, Q.C., with *Inderwick*, for defendant, were not called on to support their rule.—The rest of the Court being of opinion with Channell, B., who tried the cause, that the verdict was wrong, and that the evidence clearly showed that the driver of the omnibus was to blame.

Rule absolute.

ELLWOOD *v.* HARRIS.—*Philbrick* showed cause against, and *Laxton* supported, a rule to set aside plaintiff's verdict, and for a new trial, on the ground that the verdict was against evidence in this case, which was an action on a guarantee for the balance of a debt due to plaintiff for goods sold and delivered to the principal debtor, and which was tried before Channell, B.

Rule discharged.

RUTLEY v. HANNE.—An action to recover the amount of commission alleged to be due to plaintiff for procuring defendant to be accepted as the tenant of a certain farm. It was tried before Channell, B. on the 3rd instant, and a verdict found for plaintiff for 32l. 10s., the amount claimed; and now *H. James* showed cause for plaintiff against a rule to set aside the verdict, on the ground that there was no evidence of the special contract declared upon, and that plaintiff was not entitled to recover on a *quantum meruit*.—*Gates*, for defendant, supported the rule. *Cur. adv. vult.*

LEGAL NEWS.

ACTS OF PARLIAMENT.—The present session has produced thirty public Acts of Parliament and fifty-one local Acts.

Over the tomb of Francis Saville Kent, the father caused to be erected a headstone on which was inscribed the remarkable Scripture text, "Be sure your sin will find you out."

SOCIAL SCIENCE ASSOCIATION.—The ninth annual meeting of the National Association for the Promotion of Social Science will be held at Sheffield, under the presidency of Lord Brougham, from the 4th to the 11th Oct. next.

THE TRIAL OF DR. PRITCHARD.—We learn that the trial of Dr. Pritchard, on the charge of murdering his wife and mother-in-law by means of poison, will take place at Edinburgh, for certain between the 15th and 20th of June next—that is, if it does not commence on Thursday, the 15th, it will on Monday, the 19th, or Tuesday, the 20th. The Lord Justice Clerk is expected to be the presiding judge. The Lord Advocate will conduct the prosecution. On Saturday, another junior counsel, Mr. Brand, a very promising young advocate, was engaged on the part of the defence. The prisoner will therefore be defended by Mr. Rutherfurd Clark, Mr. Watson, and Mr. Brand. The case will probably last over several days, as the scientific witnesses for the prosecution and defence are numerous.—*Glasgow Morning Journal.*

ABLE-BODIED PAUPERS.—A return made by the Poor Law Board shows that there were in the union workhouses of England on the 1st March 1865, 4426 men and 10,334 women who were not disqualified by any mental or physical infirmity from earning the fair average wages of able-bodied persons in the class to which they belong. Birmingham workhouse has as many as 93 of such able-bodied men in it, Bristol 92, and Clifton 49; Sheffield 171; Manchester 129; Liverpool 233. On the other hand, in all Wales there were only 32 such able-bodied men in the workhouse; in the North Riding of Yorkshire only 9; in Derbyshire only 7; in Cornwall only 11, and nine of them were in one workhouse, that of Truro.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, May 16.

By Messrs. WAINWRIGHT and HEARD, at the Guildhall Coffee-house.—*Freehold estate*, known as "Clipsham-hall," situate in the county of Rutland, and containing about 1705 acres—sold for 68,300l.

By Mr. FRANK LEWIS, at the Guildhall Coffee-house.—Lease (fourteen years from Lady-day 1865) of those manufacturing premises known as the Surrey Iron Works, in Emerson-street, Southwark, together with plant; ground-rent 175l. per annum—sold for 300l. Freehold, three houses, being Nos. 1, 2, and 3, Woodfield-villas, Woodfield-road, Harrow-road, producing 84l. per annum—sold for 1460l. Absolute reversion to 900l. left by will, receivable on the death of a lady aged 57 years—sold for 450l. Absolute reversion to 7863l. 13s. 1d. Three per Cents. receivable on the decease of a lady 39 years—sold for 1220l. Absolute reversion to a freehold house, known as Park-cottage, Upper Sydenham, let at 55l. per annum, receivable on the death of a lady aged 59 years—sold for 440l. Absolute reversion to a freehold ground-rent of 15l. per annum—sold for 150l. Absolute reversion, upon the death of a lady aged 59 years, to four leasehold houses, being at Kirkdale, Upper Sydenham; also to a residence known as "The Retreat," Peak-hill, Upper Sydenham—sold for 1350l. Absolute reversion to the one-tenth share of three freehold houses and shops at Nottingham, thirty-one shares in the Nottingham Gas, Assurance and Cemetery Companies, and household furniture and stock-in-trade of the estimated value of 6321. 13s.—sold for 135l. Reversionary legacy of 300l., payable on the death of a gentleman aged 63 years—sold for 250l.

Thursday, May 18.

By Messrs. CHINNOCK, GALSWORTHY and CHINNOCK, at Garraway's.—Leasehold, three houses and shops, being Nos. 2, 3 and 4, Johnson's-place, Paddington-street, Marylebone; producing about 130l. per annum; term 30 years from 1868; ground-rent 1d. per annum—sold for 700l.

Friday, May 19.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house.—Freehold, and small part copyhold estate, situate in the parishes of Northolt, and Harrow, Middlesex; it consists of a farmhouse and buildings, and several inclosures of meadow and pasture land, containing about fifty acres—sold for 5420l. Freehold building land, situate at West Ham, Essex, containing 7a. 4p.—sold for 2250l.

Monday, May 22.

By Messrs. VENTOM, CLARKE and HULL, at Garraway's.—Leasehold house and premises, being No. 40, Southampton-buildings, Holborn; let at 90l. per annum; term 30½ years unexpired; ground-rent 45l. per annum—sold for 175l.

By Messrs. ELLIS and SON, at Garraway's.—*Freehold premises* being No. 23, Poultry, City, producing 325l. per annum; sold for 10,700l. Freehold residence, known as "the Lawn," with gardens and grounds, coach-house and stables, and six acres of land adjoining—sold for 1360l. Leasehold, six houses, known as Thurlow-place, Paradise-road, Stockwell, producing about 144l. per annum; term 63 years unexpired; ground-rent 21l. per annum—sold for 710l.

Tuesday, May 23.

By Messrs. DEBENHAM, TEWSON and DRIVER, at the Guildhall Coffee-house.—Leasehold premises, being No. 1, Friday-street, City, producing 498l. 13s. 4d. per annum; term 13½ years unexpired; ground rent 220l. per annum—sold for 2100l. Freehold ground-rent of 11l. 10s. per annum, secured upon a house with shop, being No. 7, Bayne's-row, Clerkenwell—sold for 290l. Copyhold residence, with grounds of 1a. 1r. 6p. and stabling fronting the main road, Hammersmith—sold for 2530l.

Wednesday, May 24.

By Messrs. FAREBROTHER, CLARK and Co., at Garraway's.—Freehold, 23 acres of building land, situate at Chipping Barnet, Herts, and Middlesex—sold for 3100l. Freehold, eight houses, one with shop, being Nos. 1 to 8, Victoria-terrace, Mortlake, producing 161l. per annum—sold for 1665l. Leasehold, two houses and shops, being No. 501, New Oxford-street and No. 2, Hart-street, producing 195l. per annum; term 63 years from Lady-day 1865; ground-rent 110l. per annum—sold for 930l. Leasehold premises, being No. 501, New Oxford-street; term 60 years unexpired; ground-rent 110l. per annum—sold for 600l. Leasehold business premises, being Nos. 506, 507 and 509, New Oxford-street, and 1 to 3, Hart-street; let at 600l. per annum; term 60 years unexpired; ground-rent 202l. per annum—sold for 3550l.

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, May 19.

JULIUS, ALFRED ALEXANDER, and CAMERON, DUGALD EDWARD, attorneys and solicitors, Buckingham-st. Adelphi.

Bankrupts.

Gazette, May 23.

To surrender at the Bankrupts' Court, Basinghall-street.

BROWN, JOHN, cheesemonger, Upper Lisson-st. Marylebone. Pet. May 18. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. June 5.

CLARK, JOHN, potato merchant, York-rd. King's-cross. Pet. May 17. Reg. Brougham. O. A. Edwards. Sol. Poole, Bartholomew-close. Sur. June 7.

COLLINS, JAMES SCOTT, merchant, Bellevue-rd. Southampton. Pet. May 18. Reg. Hazlitt. O. A. Graham. Sols. Paterson and Son, Bouverie-st. for Mackay, Southampton. Sur. June 6.

CORSTEN, HENRY, florist and seedsman, Praed-st. Paddington. Pet. May 19. Reg. Roche. O. A. Parkyns. Sol. Parkes, Beaufort-bdgs. Strand. Sur. June 5.

COTLAND, WILLIAM JOSEPH, engineer, Hanover-st. Hanover-sq. and Abingdon-st. Westminster. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. June 6.

COWARD, JOHN, master mariner, Lincoln-st. Bow. Pet. May 17. Reg. Brougham. O. A. Edwards. Sur. June 9.

COWEN, DAVID, shipowner, Middleton-rd. Dalston. Pet. May 16. Reg. Brougham. O. A. Edwards. Sols. Messrs. Gole, Lime-st. Sur. June 7.

CREAGH, CHARLES ANDREW HOWARD DOUGLAS BERESFORD, cornet in 8th dragoons, Hastings. Pet. May 17. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 5.

DROVER, JOHN, Palace-rd. Upper Norwood. Pet. May 20. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. June 5.

FIELD, MARY, dealer in toys and fancy goods, Tunbridge Wells. Pet. May 18. Reg. Hazlitt. O. A. Graham. Sur. June 6.

GILES, CHARLES, farmer, Harding's-bridge-land, Ashford. Pet. May 20. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. June 6.

GRINSTED, JOHN, clerk, King Edward's-rd. Hackney. Pet. May 18. Reg. Roche. O. A. Parkyns. Sol. Moss, Moorgate-st. Sur. June 5.

HAMPTON, JAMES, corn chandler, Latymer-rd. Shepherd's-bush. Pet. May 16. Reg. Hazlitt. O. A. Graham. Sol. George, Jermyn-st. St. James'. Sur. June 6.

JOYCE, CHARLES; WESTMORLAND, FREDERICK GEORGE, and JOYCE, THEOPHILUS LARKING, merchants, Moorgate-st. Pet. May 19. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. June 14.

LEVY, GEORGE, auctioneer, Regent-sq. Gray's-inn-rd. and Old Fish-st. Pet. May 19. Reg. Roche. O. A. Parkyns. Sol. Waldron, Lamb's-Conduit-st. Sur. June 5.

PIKE, EDWARD, draper, Leigh-st. Red Lion-sq. Pet. May 19. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. June 7.

PLATT, JOSEPH HALL, doctor of homœopathic medicine, Moorgate-st. and Upper Clapton. Pet. May 17. Reg. Brougham. O. A. Edwards. Sol. Holmes, Fenchurch-st. Sur. June 7.

SHARP, PETER, commercial accountant, Ash-grove, South Hackney. Pet. May 20. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. June 6.

STEWART, JOHN, engineer, Isle of Dogs, and Russell-st. and Bisterne-pl. Blackwall. Pet. May 18. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews and Co. Old Jewry-chambers. Sur. June 6.

TYLER, RICHARD, merchant's clerk, Oxford-ter. New Peckham. Pet. May 20. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. June 6.

VAUGHAN, JOHN BOULTBEE, gas engineer, Scrub-la. Hammersmith. Pet. May 17. Reg. Brougham. O. A. Edwards. Sols. Treherne and Co. Aldermanbury. Sur. June 7.

WILSON, FRANCIS REED, stock and share broker, Crown-ct. Threadneedle-st. Pet. May 18. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. June 9.

To surrender in the Country.

ALLSOP, FRANCIS THOMAS, boot and shoe maker, Hereford. Pet. May 10. Reg. & O. A. Reynolds. Sol. Garrold, Hereford. Sur. June 7.

ARDRON, CHARLES LINGARD, boot and shoe maker, Mold-green, Kirkheaton. Pet. May 11. Reg. & O. A. Jones. Sol. Craven, Huddersfield. Sur. June 19.

BANBURY, SAMUEL, farm bailiff, Clawton. Pet. May 19. O. A. Carrick. Sol. Hirtzel, Exeter. Sur. June 2.

BARNARD, GEORGE THOMAS, wire worker, Brighton. Pet. May 18. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. June 7.

BEST, HENRY, brewer, Burslem. Pet. May 19. Reg. & O. A. Challinor. Sol. Tomkinson, Burslem. Sur. June 3.

BOYDEN, FREDERICK, ship chandler, Sunderland. Pet. May 19. Reg. Gibson. O. A. Laidman. Sol. Eglinton, Sunderland. Sur. June 2.

CHAMBERS, BENJAMIN, cloth merchant, Leeds. Pet. May 11. O. A. Young. Sols. Butler and Smith, Leeds. Sur. June 13.

CHAMBERS, EBENEZER, shoemaker, Clifton. Pet. May 18. Reg. & O. A. Hooper. Sols. Conquest and Stimson, Bedford. Sur. June 3.

COHEN, PHILIP, Esq. Salford. Pet. May 20. Reg. Macrae. O. A. Morgan. Sol. Hulton, Salford. Sur. June 2.

COX, WILLIAM, brewer, Hulme, Manchester. Pet. May 19. Reg. Macrae. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. June 16.

CROSBY, WILLIAM, butcher, Narrow-marsh, Nottingham. Pet. May 16. Reg. & O. A. Patchitt. Sur. June 14.

DEADY, WILLIAM LLOYD, builder, Rose-hill-cottage, Ormskirk. Pet. May 17. O. A. Turner. Sur. June 5.

EDWARDS, RICHARD, fishmonger, Nottingham. Pet. May 17. Reg. & O. A. Patchitt. Sol. Lees, Nottingham. Sur. May 31.

EVANS, JOHN, builder, Everton and Liverpool. Pet. May 18. O. A. Turner. Sols. Lace, Banner, Gill and Lace, Liverpool. Sur. June 5.

FOSTER, JOSEPH, coal carrier, Darlaston. Pet. May 15. O. A. Clarke. Sur. June 5.

GARLICK, CHARLES, bricklayer, Kersal-moor, Manchester. Pet. May 12. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 2.

GUSH, JAMES, builder, St. Thomas-the-Apostle, Exeter. Pet. May 18. O. A. Carrick. Sol. Clarke, Exeter. Sur. June 2.

HALLIDAY, CHARLES, overlooker, Leeds. Pet. May 17. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. June 9.

HARGREAVES, WILLIAM, cotton manufacturer, Habergham Eaves, Southport. Pet. May 20. Reg. Macrae. O. A. Morgan. Sols. Grundy and Davies, Manchester. Sur. June 16.

HUGHES, GEORGE, brush manufacturer, Bristol. Pet. May 19. Reg. & O. A. Harley and Gibbs. Sur. June 2.

INMAN, JOSEPH, Leeds. Pet. Feb. 23. Reg. & O. A. Jones. Sol. Freeman, Huddersfield. Sur. June 19.

JESSOP, HENRY, shoemaker, Kirkheaton. Pet. May 2. Reg. & O. A. Jones. Sol. Learoyd, Huddersfield. Sur. June 19.

JOHNSON, THOMAS, farmer, Taddington. Pet. May 16. Reg. & O. A. Hobberett. Sol. Keale, Matlock. Sur. June 13.

JONES, DAVID, shipbuilder, Flint. Pet. May 19. O. A. Turner. Sol. Roberts, Chester. Sur. June 9.

LANE, WILLIAM LAPIDGE, wheelwright, Hatfield Woodhouse. Reg. & O. A. Fox. Sol. Woodhead, Doncaster. Sur. June 7.

LEA, WILLIAM, victualler, St. Helen's. Pet. May 11. O. A. Turner. Sur. May 29.

LEWIS, EDWARD PETTIGREW, victualler, Liverpool. Pet. May 17. O. A. Turner. Sur. June 7.

MACKAY, SHERIDAN KNOWLES, barrister-at-law, Liverpool. Pet. May 15. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 2.

MAGEE, JOHN, threadmaker, Papcastle. Pet. May 17. Reg. & O. A. Waugh. Sol. Hayton, Cockermouth. Sur. June 5.

MEDCALF, JAMES MOSLEY, timekeeper, Little Bolton. Pet. May 20. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. June 8.

MORTON, WILLIAM, schoolmaster, Liverpool. Pet. May 18. O. A. Turner. Sol. Best, Liverpool. Sur. June 5.

MYERS, ELLEN, boot and shoe dealer, Hulme, Manchester. Pet. May 18. Reg. & O. A. Hulton. Sol. Andrews, Manchester. Sur. June 2.

NEEDHAM, WILLIAM CHARLES, grocer's assistant, Lindley, Huddersfield. Pet. April 29. Reg. & O. A. Jones. Sol. Mossley, Huddersfield. Sur. June 19.

NIXON, JAMES, house painter, Liverpool. Pet. May 12. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 2.

PEARSON, BENJAMIN, coffee mill manufacturer, Town-wellfold, Wolverhampton. Pet. May 17. Reg. & O. A. Brown. Sol. Thurstans, Wolverhampton. Sur. June 12.

PEARSON, ROBERT WEST, congregational minister, Marybone, Liverpool. Pet. May 13. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 2.

ROSCOE, THOMAS, hall keeper, Little Bolton. Pet. May 12. Reg. & O. A. Holden. Sols. Richardson and Broadwood, Bolton. Sur. June 7.

SMALLWOOD, JOB, miner, Darlaston. Pet. May 15. O. A. Clarke. Sur. June 5.

SMITH, THOMAS, retailer of ale, Short-heath, Willenhall. Pet. May 17. Reg. & O. A. Brown. Sol. Creswell, Wolverhampton. Sur. June 12.

STEVENS, THOMAS EDMUND, and FLEWITT, WILLIAM, brassfounders, Nottingham. Pet. May 18. Reg. Tudor. O. A. Harris. Sols. Fearson and Wadsworth, Nottingham. Sur. June 9.

STUBBS, CHARLES, chemist and druggist, Bolton. Pet. May 22. Reg. & O. A. Holden. Sols. Glover and Maxwell, Bolton. Sur. June 7.

TAYLOR, EMANUEL, coaldealer, Blackburn. Pet. Nov. 24. Reg. & O. A. Bolton. Sur. June 12.

WEST, JOHN, baker, Great Grimsby. Pet. May 17. Reg. & O. A. Daubney. Sol. Veal, Grimsby. Sur. June 2.

WILLIAMS, EVAN, no occupation, Birkenhead and Green Lane. Pet. May 20. Reg. Wilde. O. A. Acraman. Sols. Griffith, and Henderson, Bristol. Sur. June 2.

WOOD, BENJAMIN, stonemason and contractor, Marsh, Huddersfield. Pet. May 1. Reg. & O. A. Jones. Sol. Mossley, Huddersfield. Sur. June 19.

Gazette, May 26.

To surrender at the Bankrupts' Court, Basinghall-street.

AMES, BEN GREGORY, in no employ, East-st. Greenwich. Pet. May 23. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 5.

ANDREWS, JOHN FREDERICK, coalfactor, Fenchurch-st. Pet. May 23. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. June 8.

ANTON, GEORGE NAIRNE, railway agent, Victoria-st. Westminster. Pet. May 14. Reg. Brougham. O. A. Edwards. Sur. June 14.

AUGER, JAMES, coaldealer, Tufton-st. Westminster. Pet. May 23. Reg. Brougham. O. A. Edwards. Sur. June 14.

BARRATT, WILLIAM, shipowner, Liverpool. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sur. June 8.

BLOCK, SIEGWARD, wine merchant's clerk, Elmore-st. Islington. Pet. May 23. Reg. Hazlitt. O. A. Graham. Sol. Rehm, Lamb's Beech-walk, Temple. Sur. June 8.

BUTLER, CHARLES, sen., greengrocer, Horseshoe-alley, Finsbury. Pet. May 18. Reg. Hazlitt. O. A. Graham. Sur. June 8.

CHAPMAN, CHARLES PEARCE LLOYD, merchant, Abchurch-la. Cannon-st. and Victoria-pk.-rd. Hackney. Pet. May 22. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. June 5.

COLLINS, EDWARD JAMES MORTIMER, journalist, Kennington. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Clapp, Carter-la. Doctors'-commons. Sur. June 5.

CONSTABLE, WILLIAM EDWARD, carman, High-st. Poplar. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sol. Story, Southampton-st. Bloomsbury. Sur. June 8.

COOKE, ISAAC, corn merchant, Clench Warton. Pet. May 22. Reg. Brougham. O. A. Edwards. Sur. June 14.

CORNAND, AUGUSTE, horsedealer, Willes-rd. Hammersmith. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Marlborough-st. Sur. June 6.

COX, SAMUEL, baker, Child's-hill, Hampstead. Pet. May 23. Reg. Brougham. O. A. Edwards. Sol. Biggenden, Southampton-bdgs. Sur. June 9.

DRIVER, JOHN TUFF, carpenter, Saint David-st. Southwark. Pet. May 24. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. June 7.

EVERITT, WILLIAM, cattle dealer, Elmstead. Pet. May 23. Reg. Hazlitt. O. A. Graham. Sol. Jones, Colchester. Sur. June 8.

FAULKNER, WILLIAM, farmer, Ludgershall. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 7.

FIELD, ELEANOR SARAH, hairdresser and perfumer, Great Peter-st. Westminster. Pet. May 24. Reg. Roche. O. A. Parkyns. Sols. Fraser and May, Dean-st. Soho. Sur. June 7.

FORBES, THOMAS CHARLES, commission agent, Great Prescot-st. Pet. May 19. Reg. Hazlitt. O. A. Graham. Sur. June 8.

GODDARD, WILLIAM, timber merchant, Middle-hill, Ilford. Pet. May 20. Reg. Hazlitt. O. A. Graham. Sur. June 8.

GOODWIN, WILLIAM SAMUEL, glass engraver, Princes-st. Leicester-sq. Pet. May 18. Reg. Brougham. O. A. Edwards. Sur. June 14.

GOUGH, THOMAS ARMSTRONG, Oxford-ter. Edgware-rd. Pet. May 23. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl. Sur. June 9.

GRIFFITHS, OWEN, dealer in mining shares, Maida-hill Cottages. Pet. May 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 5.

GRIFFITHS, WILLIAM, grocer, Church-st. Woolwich. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sol. Reed, Guildhall-chambers. Sur. June 6.

HARDING, ROBERT STANTON, furniture dealer, New Broad-st. Pet. May 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 5.

HARVEY, JAMES, farmer, Eversley. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sols. Goodwin and Pickett, King's Bench-walk, Temple, for Bailey, Winchester. Sur. June 8.

HASLAM, CHARLES RICHARD, linendraper, Salisbury. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Shears, New-inn, Strand. Sur. June 5.

HOLMES, JAMES, commission agent, Bucklersbury. Pet. May 23. Reg. Hazlitt. O. A. Graham. Sol. Daniels, Chancery-chambers, Chancery-la. Sur. June 6.

HOOMAN, CLEMENT, warehouseman, Lawrence-la. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sols. Sydney and Son, Finsbury-circus. Sur. June 8.

HOOPER, WILLIAM FREDERICK, architect, Verulam-bdgs. Gray's-inn sq. and Dolgelly. Pet. May 19. Reg. Brougham. O. A. Edwards. Sols. Treherne and Co. Aldermanbury. Sur. June 7.

INNES, JAMES, custom-house officer, New-rd. Mile-end. Pet. May 22. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. June 8.

KING, AUGUSTUS FREDERICK, commission agent, Mare-st. Deptford. Pet. May 18. Reg. Brougham. O. A. Edwards. Sur. June 14.

LANE, WILLIAM, stonemason, Vauxhall-bridge rd. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Elliott, Tachbrook-st. Pimlico. Sur. June 7.

LORRAIN, JOHN, draper, Colchester. Pet. May 20. Reg. Hazlitt. O. A. Graham. Sur. June 8.

LOVETT, THOMAS EDWARD, general agent, Stafford-pl. Buckingham-gate. Pet. May 16. Reg. Hazlitt. O. A. Graham. Sur. June 8.

PHILLIPS, THOMAS, wood turner, Mape-st. Bethnal-gn. Pet. May 23. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-gdn. Sur. June 9.

RAYNHAM, WILLIAM, builder, Wellington-rd. Hammersmith. Pet. May 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 5.

ROBERTS, JAMES, hay dealer, Mortimer-st. Cavendish-sq. Pet. May 18. Reg. Hazlitt. O. A. Graham. Sur. June 8.

SHARP, JOSEPH, saddler, King-st. west, Hammersmith. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Earle, Bedford-row. Sur. June 5.

SPENCER, JOHN, willow bonnet manufacturer, Pearson-st. Kingsland-rd. Pet. May 23. Reg. Hazlitt. O. A. Graham. Sol. Philp, Bucklersbury. Sur. June 8.

STEENBERG, HEBER, attorney's clerk, Oxford-ter. Clapham-rd. Pet. May 22. Reg. Brougham. O. A. Edwards. Sol. Godfrey, Raymond-sq. Gray's-in. Sur. June 9.

SUTCLIFFE, ROBERT, victualler, Clare-st. Clare-market. Pet. May 23. Reg. Brougham. O. A. Edwards. Sur. June 9.

THOMAS, WILLIAM HENRY, furniture dealer, Deptford-bridge, Deptford. Pet. May 24. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. June 7.

TRAISH, ALBERT JOHN, beer retailer, Bromley, and Harleyford-rd. Kennington-rd. Pet. May 20. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 7.

TRIGGS, ROBERT WADDINGTON, watchmaker, Blackheath-hill, Greenwich, and Tranquil-vale, Blackheath. Pet. May 22. Reg. Brougham. O. A. Edwards. Sols. Sedgrove and Son, Mark-la. Sur. June 9.

TURNBULL, WALTER, grocer, Upper Cleveland-st. Fitzroy-sq. Pet. May 22. Reg. Brougham. O. A. Edwards. Sol. Cooper, St. Martin's-la. Sur. June 9.

WHEELER, CHARLES, dealer in fancy goods, Old Quebec-st. Oxford-st. Pet. May 17. Reg. Hazlitt. O. A. Graham. Sols. Wild and Barber, Ironmonger-la. Sur. June 8.

WHEELER, WILLIAM, plumber, Lisson-grove north. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. June 5.

WHYBRO, EDWARD, jun., auctioneer, Pratt-st., Camden-town. Pet. May 18. Reg. Hazlitt. O. A. Graham. Sol. Drew, New Basinghall-st. Sur. June 8.

WILKINS, ADOLPHUS ISAAC, baker, Devonshire-ter. Notting-hill. Pet. May 24. Reg. Roche. O. A. Parkyns. Sol. Hallam, New Boswell-ct. Carey-st. Sur. June 7.

WINKLER, DAVID EDWARD, bookbinder, New-st. Bishopsgate-st. Pet. May 24. Reg. Hazlitt. O. A. Graham. Sol. Stackpool, Pinner's-hall. Sur. June 8.
WONNACOTT, THOMAS, builder, Manchester-bldgs. Camberwell. Pet. May 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 3.

To surrender in the Country.

ASHFORD, RICHARD ADAMS, publican, Malton. Pet. May 22. Reg. & O. A. Codd. Sol. Digby, Malton. Sur. June 8.
ASTON, RICHARD; ASTON, WILLIAM; and FRANCIS, JAMES, gunmakers, Birmingham. Pet. May 22. Reg. Tudor. O. A. Kinnear. Sol. Allen, Birmingham. Sur. June 9.
ASTON, WILLIAM, carrier, Barrow-in-Furness. Pet. May 22. Reg. & O. A. Postlethwaite. Sol. Ralph, Ulverston. Sur. June 1.
BAMFORD, SAMUEL, dealer in cattle, Abbey Dore. Pet. May 20. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. June 9.
BARDSLEY, JOSEPH, saddler, Manchester. Pet. May 24. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. June 17.
BEDFORD, THOMAS, attorney, Wordsley. Pet. May 23. Reg. Hill. O. A. Kinnear. Sols. Pearman, Stourbridge; James and Griffin, Birmingham. Sur. June 12.
BILLMAN, THOMAS, fish curer, Manchester. Pet. May 22. Reg. Harris. O. A. Morgan. Sols. Marsland and Addleshaw, Manchester. Sur. June 14.
CARTER, EDWARD THOMAS BRIDGEN, flax dresser, Staplegrove, near Taunton. Pet. May 23. O. A. Carrick. Sols. Trenchard and Harrison, Taunton; Hirtzel, Exeter. Sur. June 9.
CHILD, JOHN, innkeeper, Abergavenny. Pet. May 23. Reg. Wilde. O. A. Acraman. Sols. Farquhar, Abergavenny; Gooldon, Bristol. Sur. June 7.
DARE, LAWRANCE, stonemason, Bridgwater. Pet. May 22. Reg. & O. A. Lovibond. Sol. Smith, Bridgwater. Sur. June 7.
DAVIES, SAMUEL, victualler, Kington. Pet. May 22. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. June 7.
DOBBY, THOMAS, provision dealer, Liverpool. Pet. May 22. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. June 12.
EASTWOOD, JOHN, grocer, Milnrow Rochdale. Pet. April 12. Reg. Harris. O. A. Morgan. Sur. June 12.
EVANS, RICHARD, innkeeper, Usk. Pet. May 20. Reg. & O. A. Roberts. Sol. Secys, Abergavenny. Sur. June 9.
FAIRBERLEY, JOHN, timber merchant, Liverpool. Pet. May 22. O. A. Turner. Sol. Etty, Liverpool. Sur. June 9.
FOXWELL, CHARLES, innkeeper, Wells. Pet. May 24. Reg. Wilde. O. A. Acraman. Sols. Chapman, Weston; Abbott and Leonard. Sur. June 11.
HARTLEY, WILLIAM, farmer, Stockton-on-the-Forest. Pet. May 22. Reg. & O. A. Perkins. Sol. Grayson, jun., York. Sur. June 7.
HERMAN, HENRY, groom's assistant, Newbury. Pet. May 19. Reg. & O. A. Vines. Sol. Cave, Newbury. Sur. June 2.
HOLSTOCK, BENJAMIN, plait dealer, Luton. Pet. May 22. Reg. & O. A. Austin. Sol. Jones, New-inn, Strand. Sur. June 10.
JARRETT, THOMAS, grocer, Marston Sicca. Pet. May 23. Reg. & O. A. Hobbes. Sol. Greves, Stratford-on-Avon. Sur. June 12.
JOHNSON, WILLIAM, farm bailiff, Yaythorpe, Corringham. Pet. May 20. Reg. & O. A. Burton. Sol. Bladon, Gainsborough. Sur. June 12.
JONES, WILLIAM, contractor, Pontlottyn, near Rhymney. Pet. May 24. Reg. & O. A. Russell. Sol. Plews, Merthyr Tydfil. Sur. June 9.
KING, JAMES, publican, Liverpool. Pet. May 17. O. A. Turner. Sur. June 9.
LAPORTE, CHARLES KNELL, general dealer, Liverpool. Pet. May 17. O. A. Turner. Sur. June 7.
LAPSLEY, CLAUD, timber dealer, Bootle, near Liverpool. Pet. May 17. O. A. Turner. Sur. June 7.
LAWSON, SAMUEL, jun., manager to an ironfounder, Leeds. Pet. May 22. O. A. Young. Sol. Spirett, Leeds. Sur. June 12.
LEMMON, WILLIAM, fisherman, Wisbech. Pet. May 22. Reg. & O. A. Metcalfe. Sol. Ollard, Wisbech and Upwell. Sur. June 8.
LONGSTAFF, JOHN, innkeeper, Durham. Pet. May 17. Reg. & O. A. Bramwell. Sol. Stafford, Durham. Sur. June 6.
MANNIX, WILLIAM, jun., oil of vitriol manufacturer, Wolverhampton. Pet. May 23. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. June 9.
MASSINGHAM, HENRY, bootmaker, Bristol, and Fishponds, Gloucester. Pet. May 17. Reg. Wilde. O. A. Acraman. Sol. Press and Inskip, Bristol. Sur. June 9.
McDONALD, THOMAS, ale and porter bottler, Liverpool. Pet. May 23. O. A. Turner. Sols. Yates, Son and Martin, Liverpool. Sur. June 8.
McIVER, MARY, bootmaker, Newcastle. Pet. May 23. Reg. & O. A. Clayton. Sol. Bush, Newcastle. Sur. June 10.
MERCER, EDMUND, and MERCER, JOHN, timber merchants, Liverpool. Pet. May 22. O. A. Turner. Sols. Watson and Son, Liverpool. Sur. June 6.
MILNER, ENOCH, grocer, Leigh. Pet. May 4. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. June 7.
MITCHELL, MARK, bootmaker, Morley, Batley. Pet. May 24. Reg. & O. A. Nelson. Sol. Scott, Leeds. Sur. June 9.
MOLL, RUDOLPH FREDERICK, merchant, Manchester. Pet. May 22. Reg. Macrae. O. A. Morgan. Sols. Gouldon, Swinbourne; Parker, Manchester. Sur. June 16.
NEVILLE, WILLIAM, blacksmith, Great Bentley. Pet. May 22. Reg. & O. A. Barnes. Sol. Jones, Colchester. Sur. June 10.
NEWTON, ROBERT, jun., farmer and grazier, Mowsley. Pet. May 22. Reg. & O. A. Wartnaby. Sol. Rawlins, Market Harborough. Sur. June 17.
PAGE, WILLIAM, draper, Moxley. Pet. May 23. Reg. Hill. O. A. Kinnear. Sol. Ebsworth, Wednesbury. Sur. June 7.
PALFREEMAN, ROBERT, farmer, Hambleton, near Selby. Pet. May 23. O. A. Young. Sols. Bond and Barwick, Leeds. Sur. June 12.
PALMER, WILLIAM, butcher, Newcastle-under-Lyme. Pet. May 15. Reg. & O. A. Blaney. Sol. Lichfield, Newcastle-under-Lyme. Sur. June 10.
PAYNE, PETER CLARK, draper, Coalville. Pet. May 3. Reg. Tudor. O. A. Harris. Sols. James and Griffin, Birmingham. Sur. June 12.
PIKE, ALEXANDER, news agent, Taunton. Pet. May 24. O. A. Carrick. Sol. Hossiter, Taunton. Sur. June 7.
SADLER, GEORGE, photographic artist, Cardiff. Pet. May 24. Reg. Wilde. O. A. Acraman. Sols. Ingledew, Cardiff; Press and Inskip, Bristol. Sur. June 7.
SMITH, VALENTINE, marine store dealer, Leigh. Pet. May 22. Reg. & O. A. Crisp. Sol. Devereux, Worcester. Sur. June 12.
STEDMAN, GEORGE, plumber, Hawkhurst. Pet. May 16. Reg. & O. A. Weller. Sol. Farrar, Cranbrook. Sur. June 20.
STUTT, ALFRED, flock manufacturer, Cottingham. Pet. May 22. O. A. Young. Sols. Shackles and Birks, Hull. Sur. June 14.
SUTTON, JOHN, cloth dresser, Ossett. Pet. May 20. Reg. & O. A. Nelson. Sol. Stringer, Ossett. Sur. June 9.
SWALES, HENRY, grocer, Doncaster. Pet. May 11. O. A. Young. Sols. Bond and Barwick, Leeds. Sur. June 9.
SYMONDS, NATHANIEL WILLIAM, bootmaker, Ipswich. Pet. May 24. Reg. & O. A. Pretyman. Sol. Pollard, Ipswich. Sur. June 8.
TITLEY, WILLIAM, miller, Uttoxeter. Pet. May 22. Reg. & O. A. Fine. Sol. Bagshaw, jun., Uttoxeter. Sur. June 7.
WALLWORK, SAMUEL, clerk to a waste dealer, Bolton. Pet. May 22. Reg. & O. A. Holden. Sols. Glover and Ramwell, Bolton. Sur. June 8.
WEBB, JOHN CROSS, japanner, Manchester. Pet. May 18. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. June 16.
WELHAM, JOSEPH, jun., tailor, Chelmsford. Pet. May 20. Reg. & O. A. Copp. Sur. June 8.
WESTON, ALFRED, innkeeper, Sutton Coldfield. Pet. May 23. Reg. Hill. O. A. Kinnear. Sol. Homer, Birmingham. Sur. June 12.
WILKINS, GEORGE, tailor, Deal. Pet. May 23. Reg. & O. A. Hall. Sol. Drew, Deal. Sur. June 8.
WOODHALL, RANDALL, and WOODHALL, JAMES, woollen manufacturers, Elland-cum-Greetland. Pet. May 17. O. A. Young. Sols. Barber, Brighouse; Carter and Tempest, Leeds. Sur. June 12.
WRIGHT, JOHN BELL, baker, Manchester. Pet. May 23. Reg. Harris. O. A. Morgan. Sol. Needham, Manchester. Sur. June 12.

BANKRUPTCY ANNULLED.

Gazette, May 26.

DUNCAN, RICHARD, wine merchant, Lime-st.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Aubert and Powell, ship and insurance brokers, sep. of Aubert, 20s. Mansfield, London.—*Barrow*, T. maltster, first, 13s. 9d. Carrick, Exeter.—*Blonde*, J. and S. schoolmistresses, first, 9¼d. Carrick, Exeter.—*Booth*, G. brickmaker, first, 2s. 4d. Stansfeld, London.—*Cole*, J. R. hosier and glover, first, 1s. 6d. Harris, Nottingham.—*Cornish*, W. grocer and draper, second, 3d. Turner, Liverpool.—*Cooper*, W. farmer, first, 4s. 11¼d. Carrick, Exeter.—*Dunston*, J. merchant, first, 1s. 4d. Carrick, Exeter.—*Edmonds*, F. W. cooper, second, 1s. Turner, Liverpool.—*Elliott*, J. grocer, first on new proofs, 2s. 9¼d. Carrick, Exeter.—*Fitzpatrick*, T. and B. drapers, third sep. of Fitzpatrick, 1s. Harris, Nottingham.—*Frain*, W. H. grocer, first, 2s. 4d. Stansfeld, London.—*Hitchcock*, T. miller, further, 4d. Carrick, Exeter.—*Needham*, J. lace maker, first, 2s. Harris, Nottingham.—*Parham*, G. E. dealer in timber, first, 6s. Carrick, Exeter.—*Pearn*, J. victualler, first, 2s. 9¼d. Carrick, Exeter.—*Pruiss*, G. wine merchant, first, 8s. 8¼d. Parkyns, London.—*Radley*, W. oil and colourman, first, 13s. 1¼d. Parkyns, London.—*Shelton*, J. J. carpenter, first, 8s. 7¼d. Stansfeld, London.—*Stevenson*, B. builder, first, 3s. 11¼d. Kinnear, Birmingham.—*Walker*, G. R. F. apothecary, second, 1s. 10d. Stansfeld, London.—*Watt*, E. stationer, second, 7¼d. Kinnear, Birmingham.—*Yale*, J. C. D. clerk in holy orders, further, 2¼d. Carrick, Exeter.

INSOLVENT'S ESTATE.

Farminger, W. plumber, 2¼d. (not 2s. 2¼d. as previously advertised). Acworth, Rochester.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, May 23.

ABBOTT, CHARLES, shopman to an oilman, Stratford. May 15. 6s. 8d. on 20th May.
ANGUS, NICHOLAS, flock merchant, Sheffield. May 1. Trusts. J. Wicks, gentleman, Sheffield, and W. Radford, whitesmith, Sheffield.
BEDDOW, SAMUEL, butty miner, Tipton. May 16. 2s. 6d. at 9 mos.—secured. Surety, J. Beddow, land surveyor, Bradley, near Bilston.
BLUETT, CHARLES, wine merchant, Taunton. April 26. Trust. J. R. Atkins, accountant, St. Mary-at-hill.
BOOTHMAN, JAMES, wooldealer, Gisburn Coates, near Gisburn. May 15. 6s. 6d. on date of deed.
BREMNER, GEORGE WILLIAM, merchant, Great St. Helen's. April 24. Inspectors, C. J. Redpath, ironfounder, Limehouse, D. Johnson, shipwright, Millwall, Poplar, and A. Howden, jun., ship broker, Birchin-la.
BURD, ROBERT ROGERS, china dealer, Princes-rd. Notting-hill. May 16. 5s. on 20th May and 5s. on 30th June.
CANN, WILLIAM CLERK, merchant, Harleston. April 28. Trust. J. Nesbitt, accountant, Harleston.
CLARKSON, JOHN, draper, Reading. May 5. Trusts. I. McCutchan, jun., warehouseman, Friday-st., and A. McGaw, wholesale clothier, Angel-ct. Friday-st.
CLAYTON, JOHN, grocer, Shipley, near Bradford. April 27. Trust. T. Milner, grocer, Bradford.
CULVERHOUSE, HENRY, straw hat manufacturer, Luton. April 24. 9s.—7s. on 14th May, 1s. on 24th Oct. and 1s. on 24th April 1866.
CUTTLE, JOSHUA, dyer, Saddleworth. May 18. 6s. by three instalments—1s. 6d. on 24th July, 2s. 6d. on 24th Oct. and 1s. on 24th Jan. —secured.
DANIEL, RICHARD HENRY, watchmaker and general dealer, Hayle. April 22. Trusts. S. Oppenheim, outfitter, and I. Levin, jeweller, both Penzance.
DENTON, MATTERSON, jun., stationer, Winsford. May 12. 5s. by three equal payments on 12th July, 12th Oct. and 12th Jan. Trust. M. Denton, sen., commission agent, Warrington.
DOVER, WILLIAM, outfitter, South Shields. April 26. 5s. by two instalments at 3 and 6 mos.—secured. Surety, J. Robson, ship's chandler, South Shields.
ELSTOB, WILLIAM, tailor, New Bond-st. May 12. Trusts. J. T. Gledhill, New Burlington-st. and W. Smith, warehouseman, St. Martin's-la.
FARMER, JOSEPH, iron merchant, Leamington. April 25. Trusts. W. Robinson, Gospel Oak, and W. D. Jones, Bilston, ironmasters.
GARTON, CHARLES, brewer, Bristol. March 3. To pay debts in full by three yearly instalments on 31st May 1866, 1867 and 1868. Trust. W. Plummer, attorney, Bristol.
HASELL, JAMES, wine merchant, Sudbury. April 24. Trusts. J. R. Barnes and W. Moore, wine and spirit merchants, Great Dover-st. Southwark.
HIRST, WILLIAM, cloth finisher, Milnsbridge, near Huddersfield. May 9. Trusts. E. O. Taylor, ironfounder, and J. Farrar, coal merchant, both Marsden.
HOLMES, RICHARD, waste dealer, Leeds. May 18. Trusts. A. Stephenson, Bradford, and T. Colley, mungo manufacturer, Leeds.
HOWARD, HENRY TROUGHTON, lace manufacturer, Regent-st. and Twickenham. May 4. To pay debts in full in 12 mos.
HOWARD, JAMES HAMMET HILL, chemist, Northleach. April 22. Trusts. H. Margrett, baker, Cheltenham, and C. Marsden, wholesale druggist, Queen-st. Cheapside.
INKER, EDWARD, grocer, Brighton. May 17. 2s. 6d. in 28 days.
JAMES, GEORGE, crinoline manufacturer, Salford. May 17. 4s. by two equal instalments of 2s.—first in 3 mos. and second in 6 mos.
JEFFERY, JOHN, teadealer, Halifax. May 2. Trust. J. Walton, agent, Halifax.
JONES, DAVID, and BROMLEY, WILLIAM, tailors, Wolverhampton. April 29. Trust. C. Smith, accountant, Wolverhampton.
KING, JAMES, brewer, Plymouth. April 24. Inspectors, J. Richards, gentleman, Exeter, J. Tucker, miller, Kingsbridge, W. H. Ostland, gentleman, Plymouth, and W. H. Toulon, hop merchant, Cooper's-row, Tower-hill.
MARTIN, WILLIAM, coach broker, Brunel-pl. Walworth-rd. April 29. 1s. in 6 mos.
MASON, HENRY RICHARD, awl blade maker, Bloxwich. May 15. 6s. on demand after 1st July.
MILES, JOHN; PARKER, HENRY; and MALCOLM, JOSEPH, Birmingham and Sheffield warehousemen, Russia-row, Milk-st. May 9. Trusts. W. Gallimore, electro plate manufacturer, Sheffield, and E. W. P. Taunton, electro plater, Birmingham.
MUSGRAVE, WILLIAM ALACK; MUSGRAVE, BENJAMIN; and MUSGRAVE, ALACK, dyers, Leeds. April 28. Trusts. G. Rayner, mungo merchant, J. T. Carr, drysalter, E. G. Jepson, oil merchant, S. L. Nussey, drysalter, and J. Marshall, merchant, all of Leeds.
NOAKES, HENRY, gardener, Rochester. May 11. 3s. on 11th May.
PARKER, ISAAC, gasfitter, Russell-st. Covent-garden. May 20. Trust. W. Hughes, metal merchant, Drury-la.
PAXTON, ROBERT, grocer, Monkwearmouth. May 10. 4s. 6d. by three instalments—first and second of 1s. 6d. and third 1s. 6d. at 3, 6 and 9 mos. from 10th March—secured. Trust. G. Paxton, ale merchant, Bishopwearmouth.
ROBINSON, HENRY, cattle salesman, Metropolitan Cattle Market, Islington, and Church-st. Hackney. April 21. 2s. Trust. J. Howell, warehouseman, St. Paul's-churchyard.
SAVAGE, THOMAS, smallware dealer, Macclesfield. May 3. 5s. by two equal instalments at 3 and 6 mos.
SIBLEY, ELIZA, widow, Ledbury-rd. April 26. To pay 10l. quarterly—first on 6th July until debts are paid in full.
SMITH, ROWLAND, woollen manufacturer, Wootton-under-Edge. May 6. 12s. by three instalments of 4s. at 4, 8 and 12 mos.—secured.
SMYTH, CHARLES FREDERICK, builder, Barton-rd. Brixton. April 24. 7s. 6d. on 22nd May.
SOUTHCOTT, JOSEPH, tailor, Portsea and Southsea. May 4. Trusts. W. Johns, woollen warehouseman, Carey-la. London, and W. Edmonds, accountant, Portsea.
STEVENSON, THOMAS HENRY NERACHER, tailor, Dudley. May 10. 5s. 9d. by two instalments of 2s. in 1 mo. and 3s. 9d. by 12th Aug. Guarantee, M. Bissell, engineer, Dudley.
THOMAS, JAMES, shoemaker, Stalbridge. April 24. Trusts. J. Dike, draper, Sherborne, and J. Hellyar, currier, Cerne Abbas.
TURTLE, ALFRED, farmer, Wanborough. April 28. Trust. J. Blackford, butcher, New Swindon.
WALLACE, JAMES AMBROSE, grocer, South Shields. April 28. 7s. 6d. by two instalments—5s. at 1 mo. and 2s. 6d. at 9 mos.—secured. Trust. A. Harbottle, wholesale grocer, Newcastle.
WHITE, JOSEPH, Bradford. April 25. 11s. 6d. by three instalments of 5s., 4s. and 2s. 6d. at 3, 6 and 9 mos.—secured.
WILKIN, ATKINSON, Manor-rd. Walworth. May 19. 5s. in 2 mos.
WILKINSON, EDWARD, provision dealer, Jarrow. April 28. Trust. J. Davidson, miller, Newcastle.

ERRATUM.

BOLTE, PHILIP (and not Bolt, Philip, as before advertised in Gazette, May 19, 1865), tailor, Bolsover-sq.

Gazette, May 26.

ARROWSMITH, PETER ROTHWELL, cottonspinner, Bolton. May 19. Trusts. A. Ferguson, banker, Bolton, and W. Quentell, merchant, Liverpool.
BELL, GEORGE, builder and contractor, Bellingham. May 4. Trusts. R. Allan, grocer, and A. Figg, grocer and draper, both Bellingham.
BUNN, BENJAMIN, draper, Birmingham. April 28. Trusts. C. Bunn, widow, Worcester, and T. Bayley, gentleman, Wood-st. London.
BURSTALL, JAMES WILLIAM, and BURSTALL, STEPHEN, merchants, Hull, and Mark-la. and Liverpool. April 27. Inspectors, R. Gill, cotton broker, Liverpool, and T. H. H. Soames, oil and seed broker, Crosby-house, Bishopsgate-st.
COCKING, RICHARD COULSTON, house agent, High-st. Peckham. April 27. 1s. in 1 mo.
COGHLAN, CHARLES, gentleman, Ladbroke-villas, Kensington-park west. April 27. 5s. by two instalments of 2s. 6d. on 1st July 1866, and 1st July 1867. Trust. R. Swan, solicitor, Manchester.
COOKE, JOSEPH, cornfactor, Shrewsbury. May 10. Trust. S. Badger, accountant, Shrewsbury.
COOPER, GEORGE FREDERICK, dealer, Landport. May 15. Trust. J. J. Banks, pork butcher, Southsea.
COPE, JOHN, china dealer, Landport. May 21. Trust. W. Crowther, loan-office keeper, Southsea.
CRIPPS, CHARLES, publican, Dartford and Northfleet. April 26. Trust. R. W. Motion, beer merchant, Devonshire-sq. Bishopsgate.
CROFTS, EDWIN, agent, East-st. Walworth. May 18. 2s. on 24th June.
DUGGAN, DAVID, draper, Sheffield. May 19. Trusts. T. Hunter and J. Kidney, merchants, both Manchester.
FISH, BENJAMIN, cotton manufacturer, Woolfold, near Bury. May 2. Trusts. J. Cooke, jun., yarn agent, Manchester, G. Parker, cottonspinner, Macclesfield, and G. Schofield, commission agent, Bury.
FRANKLIN, HENRY, bootmaker, Elizabeth-ter. Clarendon-rd. Notting-hill. April 24. 5s. on registration of deed.
GEARY, WILLIAM, teadealer, Bristol. May 13. Trust. W. H. Wathen, tea merchant, city London.
GREGSON, JOHN, Padiham, near Blackburn; GREGSON, WILLIAM, of Blackburn; and WALSH, RICHARD, Blackburn, manufacturers. May 2. 5s. by three instalments at 2, 4 and 6 mos. from 19th April—secured.
HALHEAD, HILTON, and HALHEAD, FRANCIS HILTON, timber merchants, Liverpool. May 16. Trusts. J. Farnworth and G. Jones, both merchants, and H. H. Withers, banker, all Liverpool.
HENSHALL, GEORGE, grocer, Congleton. April 29. 2s. on 15th May. Trust. J. Henshall, chemist, Congleton.
HOWARD, WILLIAM LIDDON, and HOWARD, CHARLES LIDDON, timber merchants, Boxmoor. May 8. Trusts. E. Mills, timber merchant, King William-st. and J. H. Hale, cement manufacturer, Earl-st. Blackfriars. Sols. Walters and Gush, Basinghall-st.
JACOB, JOHN WOOLCOCK, builder, Camborne. April 27. Trust. T. Tregaskis, merchant, Truro.
KENSEY, ROWLAND, grocer, Dudley. May 1. 5s.—2s. 6d. on 29th May and 2s. 6d. on 27th July. Trusts. T. Willis, grocer, Dudley, and W. L. Harrison, accountant, Birmingham.
LEONARD, JOHN, miller, Burnham. May 1. Trust. J. C. Vining, corn merchant, Bristol.
LITTLE, WILLIAM, draper, Wednesbury. April 28. Trusts. J. Dinning, Glasgow, and J. Anderson, Manchester, warehousemen.
LUGG, JOHN ROBERT, victualler, Plymouth. May 1. 5s. on 24th June. Trust. S. Gogh, ale merchant, Plymouth.
McCREADIE, JOHN, joiner and packing-case maker, Manchester. May 18. 9s. in 10 days.
MORGAN, EMMA, widow, Plymouth. May 12. Trust. R. Hooper, leather merchant, Plymouth.
NICKLIN, THOMAS, cabinet-maker, Burslem. April 29. Trusts. J. W. Timmis, clockmaker, Burslem, and S. Turner, farmer, Norton-in-the Moors.
NOLAN, GEORGE, merchant, Liverpool. May 12. 3s. 6d. by five instalments of 6d. on June 6, Sept. 6, Dec. 6, 1865, March 6 and Sept. 6, 1866. Trusts. H. H. Withers, manager of the Royal Bank of Liverpool, and J. F. Coventry, broker, Liverpool.
OXLADE, THOMAS, grocer, Staines. April 25. 10s.—5s. on 1st May and 5s. in 6 mos.
PAULL, WILLIAM WARR, builder, Great Dover-st. May 22. 5s. by two equal instalments at 3 and 6 mos.
RAGGATT, WILLIAM, currier, Birmingham. May 6. Trusts. W. Fisher, leather merchant, Maze-pond, Southwark, and D. R. Raggatt, gentleman, Bristol.
RICH, JOSEPH, coffee planter, Chester. April 26. Trusts. W. T. Hill, merchant, Gracechurch-st. and J. Jefferson, gentleman, Leadenhall-st.
RUSSELL, MARK, and RUSSELL, CATHERINE, furniture dealers, Sheerness. April 26. 3s. by three instalments of 1s., 1s. 6d. and 1s. 6d.
SAVAGE, WILLIAM, farmer, Fiskerton. April 29. 3s. at 3 and 6 mos. Trust. R. Stimson, agent, Nottingham.
SMITH, HENRY BARROWS, and TAYLOR, SAMUEL FOLLOWS, hosiers, Nottingham. May 2. 10s. jointly by three instalments of 3s. 4d. on 23rd June, 23rd Sept. and 23rd Dec.; private debts in full on 23rd June and 23rd Sept. Trusts. J. Place, yarn agent, and S. Eden, hosier, both Nottingham.
STONE, ISAAC, wholesale clothier, Manchester. May 12. 5s.—2s. on execution of deed and 3s. in 3 mos.—secured.
TAYLOR, JOHN, cab proprietor, Leeds. May 11. 5s. by two instalments—2s. 6d. on 1st Oct. and 2s. 6d. on 1st April.
TOPPIN, WILLIAM, and TOPPIN, WILLIAM WINGRAVE, drapers, Carlisle. April 29. 12s. jointly, by two equal instalments at 1 and 3 mos. from 15th May, the said William Toppin to pay separate composition of 7s. 6d. by two equal instalments at 1 and 3 mos. from 15th May.
UNDERWOOD, BENJAMIN, confectioner, Cambridge-rd. Mile-end. May 22. 7s. 6d. 27th July.
WHITEHEAD, GEORGE HOLMES, joiner, Leeds. May 13. 8s.—2s. 6d. in 3 mos. and 6 mos. and 3s. in 9 mos.
WISELY, WILLIAM, and PEARSON, JOHN, merchants, Manchester. May 9. Trusts. J. R. Simpson, cottonspinner, Atherton, and S. Hodgkinson, commission agent, Manchester.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BURRELL.—On the 25th ult., at Clarence-square, Gosport, Hants, the wife of William F. Burrell, Esq., solicitor, of a daughter.
RENDALL.—On the 30th ult., at No. 14, Hanover-villas, Notting-hill, the wife of John Rendall, Esq., of the Inner Temple, barrister-at-law, of a daughter.

MARRIAGES.

JENNINGS—CUTHBERT.—On the 24th ult., at Diss, Norfolk, Francis Barnard Jennings, of Ipswich, solicitor, to Catherine Louisa, only child of Henry Cuthbert, Esq., of that place.
MULREADY—STALEY.—On the 25th ult., at West Ham, Essex, Michael Mulready, artist, to Fanny Josimthia, eldest daughter of Alfred Staley, solicitor.
SANDERS—BRIDGMAN.—On the 24th ult., at St. Andrew's Church, Plymouth, Frederic de Veulle, youngest son of W. Sanders, Esq., H.M.'s Commissioner in Bankruptcy, Birmingham, to Louisa Marian, daughter of C. V. Bridgman, Esq. of Tavistock.

DEATHS.

LEWERS.—On the 28th ult., William Carleton, infant son of William Lewers, Esq., barrister-at-law, 7, Warriorsville-road, Upper Hornsey-rise, London, N.
NEVILL.—On the 27th ult., at Tamworth, aged 88 years, Robert Nevill, Esq., solicitor.
STREET.—On the 3rd ult., at St. John's, New Brunswick, the Hon. John Ambrose Street, of Fredericton, New Brunswick, late Attorney-General of that province.
WATSON.—On the 23rd ult., Elizabeth, the beloved wife of Mr. John Watson, of 14, Bloomsbury-square, solicitor.

Investments.

VALUABLE INCOME of 100l. a-year to be SOLD for 1400l., in order to wind-up an account. Neither trouble nor risk.—Apply to "M. Y.," Office 4, Great Dover-street, Borough. Letters to inclose stamp.

LONDON, CHATHAM, and DOVER RAILWAY COMPANY.—LOANS on DEBENTURES.—The Directors are prepared to receive LOANS on DEBENTURES for three or five years, to replace loans falling due. Offers to be addressed to the undersigned.

By order, W. E. JOHNSON, Secretary.

Victoria Station, Pimlico, S.W., May 29, 1865.

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

Authorised Capital, 4,000,000*l.*

Capital Subscribed, 2,000,000*l.*

Capital paid up	£300,000
Reserve fund	200,000
Dividend reserve fund	70,000

Directors.

The Right Hon. JAMES STUART WORTLEY, Governor.
JAMES LEVICK, Esq., Merchant, King's Arms-yd., } Deputy-Governors,
JAMES NUGENT DANIELL, Esq., London. }
James Child's, Esq., London.
Alexander Dunbar, Esq., Old Broad-street, London.
Charles Ellis, Esq., Lloyd's.
Adolphe Hakim, Esq. (Messrs. Pinto, Hakim Brothers and Co., London).
The Hon. T. C. Haliburton, M.P., Chairman of the Canada Agency Association, London.
William Harrison, Esq. (Messrs. Young, Harrison and Bevan), Director of the Thames and Mersey Insurance Company.
Richard Stuart Lane, Esq. (Messrs. Lane, Hankey and Co.), London.
Charles E. Newton, Esq., London.
Henry Pownall, Esq., J.P., Russell-square, London.
Joseph Mackrill Smith, Esq. (Messrs. Mackrill, Smith and Co.), Old Broad-street, London.
Edward Warner, Esq., M.P., London.
John Westmoreland, Esq. (Director of the Royal Insurance Company), London.
Albert Grant, Esq., Managing Director.

Bankers.

The Agra and Masterman's Bank (Limited).
Messrs. Smith, Payne and Smiths.
The National Bank, London, Dublin, and its Branches in Ireland.
The Alliance Bank (Limited), London, Liverpool and Manchester.

Solicitors.

Messrs. Newbon, Evans and Co., Nicholas-lane, E.C.

BUSINESS TRANSACTED.

This Company negotiates Loans for Colonial and Foreign Governments;
Co-operates in the Financial arrangements of British and other railways;
Makes Advances to Corporations, Town Councils and other Public Bodies;
Negotiates Loans for Public Works;
Assists in the introduction of Industrial and Commercial Undertakings;
Makes Advances upon approved Stocks, Shares, Bonds, &c.;
Makes temporary Loans upon eligible Freehold and Leasehold Securities.

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, May 4, 1865.

DEBENTURES ISSUED BY

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

ISSUE of 200,000*l.* DEBENTURES, with Interest payable quarterly.

The Directors have decided to issue Debenture Bonds of the Company for the amounts and bearing interest as under, viz.:—In sums of 10*l.*, 20*l.*, 50*l.*, 100*l.*, 250*l.*, 500*l.* and 1000*l.*, with coupons attached.

INTEREST.

For 3 years ..... 6 per cent. per annum.
" 5 years ..... 6½ " "
" 7 years ..... 7 " "

Interest payable quarterly,—viz., on the 20th March, 20th June, 30th September, and 20th December in each year, at the company's bankers.

The first payment of interest will be made on the 30th June next.

The distinctive feature in the debentures issued by this company is their perfect security; the amount of the capital subscribed, paid-up and uncalled and the general invested assets of the company, as well as the large reserve fund, affording the most ample security to the investor.

These Debentures are issued payable to bearer, and can therefore pass by simple delivery from hand to hand, without indorsement, and are free from any further stamp-duty. They are also issued—to meet the requirements of Trustees and others—transferable by Deed only, to be duly registered in the Company's Books in the names of the Investors or their Assigns.

Forms of application can be obtained of the Secretary, to whom all communications must be addressed.

By Order of the Court,

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, May 4, 1865.

DEPOSITS RECEIVED BY

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

RATES for MONEY on DEPOSIT.

This Company receives Money on Deposit in sums of 10*l.* and upwards at the undermentioned rates, from this day until further notice, viz.:—

At 14 days' notice ..... 3½ per cent. per annum.
At 1 month's notice ..... 4 per cent. per annum.
For fixed periods of
Not less than 3 months and up to 6 months ..... 4½ per cent. per ann.
Beyond 6 months and up to 9 months 4¾ per cent. per ann.
Beyond 9 months and up to 12 months ..... 5¼ per cent. per ann.
Beyond 12 months and up to 24 months ..... 6 per cent. per ann.

Forms of application can be obtained of the Secretary, to whom all communications must be addressed.

By Order of the Court,

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, June 1, 1865.

TO CAPITALISTS.—One or Two

Hundred Pounds can safely be made into 250*l.* and 500*l.* in a few months by Buying into a first-class rich Silver Lead Mine, adjoining the richest lead mine in Cornwall; shares in the latter having risen on merits from 10*l.* to 65*l.* each, and making a profit of 35,000*l.* per annum and increasing.—Apply immediately to BARNES and LYSCH, 3, Crown-court, Old Broad-street, London.

ABERYSTWITH and WELSH COAST RAILWAY COMPANY DEBENTURE MORTGAGES.

—The Directors of this Company are prepared to receive LOANS on DEBENTURES, for three, five, or seven years, bearing interest at 5 per cent. per annum, payable half-yearly. —Application to be made to the Secretary, at the Offices of the Company, No. 7, Bank-buildings, Lothbury, London.

DAVID WILLIAMS, Chairman.
W. ROBERTS, Secretary.

NATIONAL DISCOUNT COMPANY (LIMITED).

F. W. RUSSELL, Esq., M.P., Chairman.
M. H. CHAYTOR, Esq., Deputy-Chairman.

Subscribed capital ..... 3,000,000*l.*
Paid up ..... 600,000*l.*
Reserve fund ..... 320,000*l.*

MONEY RECEIVED on DEPOSIT, until further notice, at the following rates, viz.—

3 per cent. per annum, repayable at call.
3½ " " " 7 days' notice.
5 " " " 14 "

53, Cornhill, London. R. P. WEBBER, Manager.

SIX PER CENT. on FREEHOLD SECURITY.

—The DIRECTORS of INNS OF COURT HOTEL COMPANY, Limited, are now issuing DEBENTURES of 50*l.* or 100*l.* and upwards, for three, five and seven years, with coupons attached for payment of interest half-yearly.

The Debentures will form a first charge of 80,000*l.* upon the very valuable freehold hotel property of the Company in Holborn and Lincoln's-inn-fields, estimated as worth not less than 130,000*l.*

A Commission to Solicitors.

For further particulars and forms of application, apply to the Secretary, at the Offices, 63, Lincoln's-inn-fields, W.C.

H. T. L. BEWLEY, Secretary.

DEBENTURES.—The CREDIT FONCIER of MAURITIUS (Limited).

Subscribed Capital £500,000
Paid up and invested 100,000

This Company is prepared to ISSUE a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from Six to over Seven per Cent. per Annum, according to the length of the term.

The business of the Company is confined to the advance (of loans) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the Articles of Association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's Debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 500,000*l.*

Directors.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary

ISSUE of DEBENTURES at Six per Cent.

—The INDIA-RUBBER, GUTTA PERCHA, and TELEGRAPH WORKS COMPANY (LIMITED). Capital, 1,000,000*l.* First issue, 500,000*l.*, in shares of 50*l.*; 15*l.* paid.

Directors.

Alexander Beattie, Esq., M.D.	John Heugh, Esq.
F. N. Bernard, Esq.	Jonathan Mellor, Esq.
J. G. T. Child, Esq.	Captain Pelly, R.N.
Charles Hancock, Esq.	Stephen Wm. Silver, Esq.
John Harvey, Esq.	Hugh A. Silver, Esq.
George Henderson, Esq.	John W. Willans, Esq.

Bankers.

Messrs. Glyn, Mills, Currie and Co., London.
Manchester and County Bank, Manchester.
Messrs. Mallet, Frères and Cie, Paris.

The Directors are prepared to issue DEBENTURES for three to five years, at six per cent. The interest is payable half-yearly, at Messrs. Glyn and Co.'s, by coupons to bearer.

The security offered consists of freehold land and buildings, plant and materials, besides uncalled capital. Full information on this subject will be given by the Secretary, at the offices of the Company.

By order of the Board,

PONSONBY A. MOORE, Sec.

No. 2, Bishopsgate Within, London, April 1865.

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

CAPITAL, 250,000*l.*

Directors.

Ralph T. Brockman, Esq. Folkestone.
Edward Wm. Cox, Esq., 28, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 34, Devonshire-place.

MEDICAL ADVISERS.

Nicholas McCann, Esq., M.D., 20, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street

CONSULTING ACTUARY.—F. G. P. Neison, Esq., F.R.S.

SECRETARY.—Edward S. Barnes, Esq.

SPECIAL NOTICE.

CLERICAL, MEDICAL and GENERAL LIFE ASSURANCE SOCIETY.

ESTABLISHED 1824.

The Eighth Bonus will be declared in January 1867, and all With-Profit Policies in force on the 30th June 1866 will participate. Assurances effected before June 30th, 1865, will participate on two Premiums, and thus receive a whole year's additional share of Profits over later Policies.

Tables of Rates, and Forms of Proposal, can be obtained from any of the Society's Agents, or of

GEORGE CUTCLIFFE, Actuary and Secretary.

13, St. James's-square, London, S.W.

IMPERIAL FIRE INSURANCE COMPANY, No. 1, OLD BROAD-STREET, E.C., and No. 16, PALL-MALL, S.W.

REDUCTION OF DUTY.

The Government having now decided to make the duty uniform, and to reduce it on every description of property to 1*s.* 6*d.* per cent. per annum, from the 25th June next, the company will give every facility to insurers to secure the earliest advantage of this reduction.

ANDREW RADEN, Superintendent.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

48, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and on Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLARK, Sec.

REDUCTION OF FIRE INSURANCE DUTY

THE ROYAL INSURANCE COMPANY

is now prepared to offer the following important advantages to Insurers:

1st.—The full benefit of the Reduction in Duty will be secured to all persons effecting Insurances with this Company from this date.
2nd.—No charge made for Policy or Stamp, however small the Insurance.
3rd.—Moderate Rates.
4th.—Unquestionable Security.
5th.—A continuance of the same promptitude and liberality in the settlement of Losses which have ever characterised the Company.

The great increase of Insurances which will now be effected gives most favourable opportunities for Gentlemen of undoubted position and influence to obtain Agencies for the Royal. Applications should, however, be made immediately.

PERCY M. DOVE, *Manager.*
JOHN B. JOHNSTON, *Secretary in London.*

Royal Insurance Buildings, Lombard-street, E.C., May 1.

EQUITABLE REVERSIONARY INTEREST SOCIETY. Established 1835. Capital 500,000*l.*

Directors.

Daniel Smith Beckett, Esq.	Charles Richard Ernst Jun., Esq.
Major C. L. Boileau.	Henry Pigeon, Esq.
Lieut.-Col. Chase.	Henry Roberts, Esq.
William Henry Cole, Esq.	George Rooth, Esq.
Thomas Curtis, Esq.	
Francis Bennett Goldney, Esq.	

AUDITORS—Charles Armstrong, Esq. William Ernst Bingley, Esq. Alfred Langdale, Esq.

SOLICITORS—Messrs. Clayton and Son.

BANKERS.—Messrs. Coutts and Co.

ACTUARY—F. Hendriks, Esq.

This Society Purchases and grants Loans upon Reversionary Property, Life Interests, and Life Policies of Assurance.

Forms of Proposal may be obtained at the Office, 16, Lancaster-place, Strand.

JOHN CLAYTON,
FRANCIS S. CLAYTON, } Joint Secretaries.

COMPLETE LIFE ASSURANCE.

MONEY MARKET REVIEW.—'*It must be owned that public faith has, from time to time, been sorely tried and shaken by the frequent instances in which Policies have to be enforced by a court of law. Again, who can say how many cases Policy-holders compromise rather than risk a lawsuit with a powerful Company?*'

THE TIMES.—'*The only mode by which security can be obtained must lie in Assurance Offices holding themselves precluded from raising any future question.*'

THE INDISPUTABLE LIFE ASSURANCE COMPANY OF SCOTLAND

have by Clauses in their Deed of Constitution and Policies precluded themselves from raising any question as to the validity of a policy; so that there never has been, and never can be, any question or dispute as to any of their Policies.

EDINBURGH.—13, QUEEN-STREET.

ALEX. ROBERTSON, *Manager.*

LONDON.—54, CHANCERY-LANE.

JAS. BENNETT, *Resident Secretary.*

LAW UNION FIRE and LIFE INSURANCE COMPANY.

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Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

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Capital £750,000, in addition to the Reserve Fund.
Business consists of the best classes of risks.
Insurants will be allowed the full benefit of the Reduction of Duty.
Claims settled promptly and liberally.

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PREMIUMS MODERATE.

A Bonus every five years. Next Bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 35 to 50 per cent. per annum on the premiums paid, varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

To Readers and Correspondents.

"COLOSUS" will find the questions asked at the Easter Intermediate Examination in the LAW TIMES of 6th May last, pp. 323, 324.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, JUNE 13.

By Messrs. BRADEL, at the Guildhall Coffee-house.

The Bradley estate, comprising 1091 acres, with the advowson to the rectory of Little Bradley, Suffolk. Advertised June 3.

Freehold farm of 317 acres at Brockworth, Gloucestershire. Advertised this day.

By Mr. MOXON, at Garraway's.

Two freehold wharves at Wapping and Rotherhithe. Advertised June 1.

WEDNESDAY, JUNE 14.

By Mr. WOOD, at the White Ball Inn, Tiverton.

Freehold estate of 59 acres in Tiverton. Advertised June 3.

By Messrs. COSS, at the Guildhall Coffee-house.

Freehold houses in Lincoln's-inn-fields. Advertised June 3.

FRIDAY, JUNE 16.

By Messrs. NORTON and THIST, at the Guildhall Coffee-house.

Freehold ground-rent of 1200*l.* per annum, secured upon the London Dock Steam Wharf. Advertised this day.

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Four lines or *thirty words* ..... 2*s.* 6*d.*
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Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 2*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE *County Courts Equity Jurisdiction Bill* is designed to carry out a great improvement which was first proposed by the LAW TIMES soon after the establishment of the County Courts, and has been strenuously advocated in these pages year by year and almost month by month. We contended that the costs of the Court of Chancery operated as a practical denial of justice in any case where the subject-matter of dispute was of less value than 200*l.*, and that there was a large class of cases that could not properly be called litigious, but in which only the powers of the court were required to aid or control the discharge of private duties, for the conduct of which the County Courts were quite as competent as the Court of Chancery, with the benefit of cheapness, speed and convenience to the suitor. But the Bill as it has passed the House of Lords certainly goes considerably beyond the class of cases contemplated in our advocacy of a County Court jurisdiction. Our scheme was twofold—a limited judicial jurisdiction, and an unlimited administrative jurisdiction. We proposed that the litigation to be committed to the County Courts, that is to say, where the court would decide judicially upon law and fact between opposing parties, should not exceed 10*l.* in the value of the subject-matter, unless with the consent of all parties, and that the utmost facility should be provided for the removal of the suit to the Superior Courts if desired by any party, absolutely as of right on giving security for costs, and by leave of the County Court Judge or order of the Superior Court without such security. The administrative jurisdiction we proposed to give without any limitation, subject to the same powers of removal to the Superior Court, and also with powers for the judge by special case to obtain the opinion of the Superior Court on any question of law that might arise incidentally in the course of administration.

The Bill, as it now stands, departs widely from this scheme. It falls short of it in one particular, in others it goes far beyond, and, as we think, dangerously as well as doubtfully far. The administrative jurisdiction is limited, for which there is no sufficient reason, the Registrar's office in the country being quite as competent to wind-up an estate as the Chief Clerk's office in London, with the added facilities of being on the spot. But this is merely the reduction of a boon; the other defect is likely to produce positive mischief. Take the single jurisdiction, of injunction, and reflect for a moment on the troubles that may flow from it. Injunction is a remedy so easily obtained *ex parte*, so ready a weapon for rivalry or revenge, so troublesome to the party made the object of it, that only the cost now attending it prevents it from being resorted to extensively. But if an injunction is to be had at a County Court, at the cost of a few shillings or pounds, it will assuredly come into universal use. Every tradesman having a rival, every scribbler thinking he has a copyright in some report, every landowner who cuts a tree, every man who builds a wall, will be visited with an injunction staying his work, on some claims more or less frivolous, and causing infinite inconvenience. Injunction involves almost every question of law and equity; there is nothing that may not arise under that jurisdiction, and yet is that to be committed to Judges, most of whom have no knowledge of equity law, and have not leisure now to learn it. The same objection applies to others of the contemplated jurisdictions; and, although an attempt is made to protect them against abuse by power to remove to the Superior Court, the cases are in fact so few in which it would be safe to leave the difficult questions at issue to the decision of a County Court Judge, that practically the effect will be not to diminish the cost of that species of litigation, but *to add* the costs of the proceedings in the County Court to the costs of the Superior Court to which they must ultimately be consigned. The suitor will begin his suit in the County Court, hoping that his opponent may not fight; but if there is resistance the County Court will be unable to dispose finally of one case in ten, and in nine cases the proceedings there will be so much waste paper and lost cash.

We trust there is even yet time to *extend* the administrative jurisdiction and *restrict* the litigant jurisdiction proposed to be given by the pending Bill. The more we contemplate the latter, the more are we impressed with its difficulties, and satisfied that these have not been sufficiently considered.

SOME time since the POSTMASTER-GENERAL issued a minute inviting the clerks in the office who had got into difficulties to avail themselves of the facilities for whitewashing provided by the new bankruptcy law, and release themselves from the claims of creditors and the anxieties consequent upon debt, and for this purpose he had rescinded the order that hitherto subjected insolvent officers to the penalty of dismissal. Adopting the same view of the case, the Commissioner discharged the first bankrupt post-office clerk who came before him, without even ordering that a portion of his future salary should be appropriated to the payment of his debts. Great was the joy in the Government offices when this decision was known, and preparation was being made for a general rush upon the Bankruptcy Court by all to whom it was more convenient to escape from their creditors than to pay them, when their joy was changed to sorrow by an appeal to the LORD CHANCELLOR, who reversed the judgment of the Commissioner, and directed that the bankrupt should set apart a portion of his salary for four years for the benefit of his creditors. This decision of the LORD CHANCELLOR is much to be commended; that of the Commissioner was most unjust in itself, and dangerous in its consequences. True, that the bankrupt, like many other weak-minded young men, had been tempted to borrow money for self-indulgence from lenders who speculate in such dealings with officials, and if the Commissioner could have discharged the bankrupt from their debts only, there would have been no just ground for complaint. But he forgot, as the newspapers who praise his judgment forget, that the money-lenders are only a small minority of the creditors; that there are butchers, and bakers, and tailors, and honest tradesmen whose debts fairly incurred are confiscated by the same decision that not unrighteously disappoints the Shylock of his anticipated plunder. In pity for the debtor, the Commissioner and his approvers forget the pity due to the families of the honest tradesmen who are thus robbed of their small means of subsistence and forced into the Bankruptcy Court in their turns. The LORD CHANCELLOR remembered this, and resolved that a debtor shall not go back to a comfortable income while those whom he has robbed of their goods under the form of debt are enduring privations caused by his default. If the Bankruptcy Law were administered with this reflection ever in the mind of the Judge, it would not be the curse to the morals of the community which now it is.

COUNTY voters have been systematically harassed by notices of objection. Unscrupulous partisans have speculated upon non-residence, absence from home, difficulties in proof and reluctance to answer questions as to incumbrances, to prevent the voter from supporting his claim at the revision, and hundreds have thus been swept from the register, of whose title there was no doubt in fact. A useful statute has just received the Royal assent, designed to put an end to this abuse. On or before the 10th June, in each year, the clerk of the peace is to deliver to the overseer of every parish in the county a precept according to a form prescribed; he is also to transmit to the overseers of each parish copies of that part of the register which relates to such parish. To this the overseers are to add the new claimants and publish them on the church doors on or before the 20th June, where they are to remain posted until the 20th July. Notices of objection are to be given on or before Aug. 20th, and on or before Sept. 1 the overseers are to deliver to the clerk of the peace the documents specified in sect. 9 of the Registration Act. The notice of objection is to state the grounds of objection, and it is expressly enacted that "no person objected to shall be required to give evidence before the Revising Barrister in support of his right to be registered, otherwise than as such right shall be called in question on such ground or grounds of objection." The Revising Barrister is to treat each ground of objection as separate, and may give costs not exceeding 5*l.* and not less than 20*s.* on failure to prove any ground of objection. Voters objected to on the ground of change of residence may make a declaration of their present residence and transmit to the clerk of the peace, which shall be admissible as evidence of the present place of abode. No list of voters for a county is to be revised before Sept. 20. The Revising Barrister is to read audibly, in open court, the names expunged and the names inserted. A policeman is to attend the court to keep order, and he is empowered to remove persons interrupting the proceedings. The word "value" in a notice of objection is to include an objection to the amount of rental.

AT the General Meeting of the Inns of Court Hotel Company, held last week, it was reported that the Holborn block would be completed by November, and that the business might safely be commenced at Lady-day. Delays had been caused by extortionate claims for compensation for obstruction of lights by the height of the building; the Norwich Union having demanded no less than 2000*l.* for that which the architect stated would be more than compensated by 500*l.* The company had purchased the house No. 19, Lincoln's-inn-fields, as preferable to paying compensation to the owner and tenants, and it would be available for any future extensions of the hotel accommodation. Instead of a mortgage, they had resolved to raise the necessary loan by debentures charged as a first charge on the freehold, issued in sums of 50*l.* and 100*l.*, at three, five, or seven years, at option, with coupons for interest at 6 per cent. This was therefore a first-rate security, and was being rapidly subscribed, 43,000*l.* having been already taken. Mr. GREGORY, of the firm of GREGORY and ROWCLIFFE, was the trustee for the debenture holders, holding the property in trust for them. In answer to a question by a shareholder, it was stated that a commission of 2½ per cent. was allowed to solicitors on all debentures taken through them. The Board were waiting the subscription of the remainder of the debenture loan to order the furniture, feeling that if they went to the tradesmen with ready money they could procure better articles at a vastly less cost

than if they required shares to be taken in part payment. The report will be found in another page.

Sir Francis Baring reported from the Committee of Elections to the House of Commons last week that, in pursuance of its order, they had nominated the following five members to constitute the select committee on the Leeds Bankruptcy Court: Mr. E. C. Egerton, Mr. T. W. Evans, Mr. E. Howes, Col. the Hon. E. G. Douglas Pennant, and Mr. H. Hussey Vivian, and had also named the Lord Advocate and Mr. W. Bovill to serve on the select committee, to examine witnesses, without the power of voting. On Friday, the 2nd, leave was given to the committee to sit that day for the election of a chairman, and to settle the course of proceeding, with four members only. A notice of the copy laid before the House of the official letters, reports and papers relating to the resignation of Mr. Wilde, the Leeds Registrar, will be found in our impression of May 27. The active prosecution of the inquiry will devolve on Mr. Bovill, Mr. Ferrand himself not being on the select committee.

The information obtained on some points in the working of the Bankruptcy Act from a return ordered on the motion of Mr. Murray is, that in the year April 1864–65, in the London and district courts, there were 194 bankruptcies where creditors resolved to suspend or otherwise change the proceedings from bankruptcy to arrangement, under deed, composition, or otherwise; forty-six of these bankruptcies were annulled. Security was not demanded from creditors' assignees in any case before the courts. In sixty-four bankruptcies managers were appointed to act under the inspection of the creditors' assignees, or of a committee of creditors. Only three instances occurred in which bankrupts' estates sustained any loss by the failure or defalcation of the creditors' assignees; of these one assignee is alleged to have absconded, and another has been adjudicated bankrupt. The penalty of 20 per cent. for retention of money was inflicted on creditors' assignees in two cases. There were 634 orders made by commissioners for the sale of bankrupts' effects before the day appointed for the choice of assignees, of which 267 were by public auction and 219 by private contract.

During the Whitsun vacation the Courts Bills have remained in suspense between the two Houses. When the Building Bill was brought back to the Commons, with the omission of the 23nd clause, which discharged the building formerly used as the Masters' offices from the trusts attaching on it under the Master in Chancery Abolition Act of 1852 in favour of the Suitors' Fund, and devoted it to public purposes, the Commons disagreed to the amendment. At the last sitting but one before the adjournment over the holidays, a committee was appointed to draw up reasons to be assigned to the Lords for the disagreement. The members named were the Attorney-General, the Solicitor-General, Sir George Grey, the Chancellor of the Exchequer, Mr. Cowpen and Mr. Brand. They were ordered to withdraw immediately for the purpose, and the next day they reported the reasons, which were agreed to. We drew up our reasons for disagreement on the 13th of May. Lord Redesdale's clause, adopted by the Lords and added to the Site Bill, is said, in parliamentary language, to have been "agreed to with an amendment" in the Commons. The Lords were unwilling that any steps should be taken to acquire property on the site before plans and estimates were prepared and provision made for approaches to or the necessary convenience of the courts, with an estimate of the costs of the approaches. The Commons would be contented with a certificate to the Treasury by the commissioners to be appointed under the Building Bill, to advise with reference to the plan and arrangements of the buildings, stating that they are satisfied that the lands are sufficient, and that the probable cost of the land and buildings will not exceed the amount of the funds to be provided under the Building Bill. There might be more reason for the Lords' clause if they could propose any site which would not require approaches to be opened. But even if the courts were built near the river, access from the north would be wanted. It is wanted at the present moment to the Equity Courts, the law offices, and the legal neighbourhood, as well as for the purposes of general traffic. If these approaches must be made, it will be better to spread the outlay over a greater number of years by building the courts at once and dealing with the approaches afterwards. Moreover, the funds out of which the expense of the courts and the expense of the approaches are to be paid will be different. The metropolis must pay for the approaches. The application of the one fund in hand need not be postponed until the other fund is provided. It can scarcely be necessary to start with a formal agreement that if we, the lawyers, find a fund to build the courts, you, the ratepayers, shall make the approaches. Let the courts be built, the approaches will be provided for in their turn, without delay or grudging, by the public for whose benefit the courts will be used and the approaches will be made.

A case which puts a liberal construction on the Trustee Relief Act, 10 & 11 Vict. c. 96, is valuable. Payment or transfer of a fund into court under the Act is never likely to be attended with any greater harm than saddling the payer or transferor with costs, but the dread of them is quite enough to check any attempt on the part of the holder of the fund to apply the Act to a case not well covered by precedent. According to the words of the Act, the liberty of payment or transfer into court is given to "all trustees . . . having in their hands any moneys belonging to any trust whatsoever . . . and all trustees or other persons having any annuities or stocks standing in their name in the books of the Governor and Company of the Bank of England, &c. . . upon any trusts whatsoever." In any particular case therefore two questions arise: first, whether, assuming the person to be a trustee within the meaning of the Act, the circumstances of his case are such as to bring him within the relief intended by it; secondly, whether he is a trustee within the meaning of the Act. In the case of an ordinary trustee, the rule adopted by the courts is, that they will not allow a trustee who has accepted a trust to change his mind capriciously, and inflict on the trust-fund costs by paying it into court. There must be some change of circumstances since he became trustee to entitle him to obtain at the expense of the fund the relief afforded by the Act.

The other question, whether the person is a trustee within the meaning of the Act, arose in *Re A Policy of the United Kingdom Life Assurance Company and of another Company*, before the Master of the Rolls, 12 L. T. Rep. N. S. 441. The companies were liable on a policy of assurance effected with the United Kingdom Company. That company had received notice of the assignment of the policy to a person who afterwards mortgaged it. Subsequently to the insurer's death the company received notice from other claimants on the money secured by the policy, in consequence of which the company paid the money into court under the Act. A petition was presented for payment out of court, and it was contended that the costs of the petition should be paid by the company on the above-mentioned ground of their not being trustees within the meaning of the Act. But the Master of the Rolls held that the Act was intended to afford relief in cases of that description. He did not mean to say that circumstances might not arise in which a person who held money on trust had been so connected with the transaction creating the trust that he could not discharge himself by a payment into court. But he thought that the Act was not confined to persons actually appointed trustees. "Any person who becomes by force of circumstances a bare trustee may avail himself of the Act."

The provision made by the Prison Ministers Act (26 & 27 Vict. c. 79) for the religious instruction of persons not members of the Established Church, confined in county and borough prisons in England, has now been in force nearly two years. Where in a prison the number of any prisoners belonging to a church or persuasion differing from the Church of England is so great as, in the opinion of the justices or other persons having the appointment of a chaplain, to require a minister of their own church or persuasion, the justices or other persons may appoint such minister to attend at the prison, and may award him a reasonable recompence as part of the prison expenses. The visiting justices may, but not against the will of such a prisoner, permit a minister of his church or persuasion (if no appointment has been made) to visit him, under restrictions to guard against improper personal communications. Out of the 143 gaols, prisons and houses of correction coming within the Act in England (including Wales), its provisions have been applied in sixteen cases only. In nine of these Roman Catholics have been appointed with salaries varying from 40*l.* to 300*l.* a year, the highest salary being to the minister in Liverpool Borough Gaol, and the others of the nine being Durham County Gaol; Lancaster, Kirkdale Gaol; Manchester City Gaol; Preston House of Correction; Hants County Prison, Winchester; Surrey House of Correction, Wandsworth; House of Correction, North Allerton, North Riding; and House of Correction at Wakefield, West Riding. In Manchester City Gaol, on first appointment the Roman Catholic minister's salary was 80*l.*, but subsequently it was increased to 100*l.* to cover the provision of vestments and all altar appurtenances. Roman Catholic ministers have also been appointed to Warwick County Prison and Worcester County Prison, but without salary. Prisoners are permitted to be visited by a Roman Catholic priest in Berks County Gaol, Reading; Kent County Prisons, Maidstone; Sussex County Prison, Lewes; in Sussex Gaol; and in the House of Correction, Ripon. In these cases the priests have no remuneration provided. No minister of any other denomination than the Roman Catholics has been appointed or permitted to visit in any prison under the Act. The provisions of the Act are applicable also to Scotland as to prisoners not belonging to that church, but the parliamentary return from which the above-mentioned particulars are derived does not extend to that part of the kingdom.

THE COMING GENERAL ELECTION.

TENTH ARTICLE.

Hints for Agents—The Canvass.

Organisation is useful everywhere. In large boroughs and in the counties it is essential to success.

Great constituencies are difficult to move. An individual vote among 300 is valued very highly; among a thousand it is not much estimated; as one of ten thousand it is held in no esteem at all, insomuch that the possessors do not care to exercise the privilege. Hence it is that the proportion of voters brought to the poll diminishes in almost exact ratio with the number of electors on the register. In the metropolitan boroughs, which are now the largest constituencies in England, it is difficult to bring more than half the voters to the poll; they will not trouble themselves to walk across the street to exercise a privilege which it is asserted they have so earnestly desired. The invariable answer to an application is, "What will be the good of my vote among so many?" This practical indifference of the possessors of the franchise, as compared with the alleged anxiety of those to have it who have it not, leads to a reasonable doubt whether Democracy is not more desired by those who hope to be its leaders than by those for whom they profess to plead. However that may be, the fact is certain, that in the metropolitan boroughs the majority of the constituencies will not vote at all, if left to themselves.

Hence it is that organisation is essential to success. As the voters will not go to the poll of their own accord, they must be taken to the poll. They will not walk up, so they must be brought up. They will not cross to the next street for politics or party; they can be moved only by a personal visit from a known neighbour who will ask them to go with him in a cab and vote for his friend Jones to oblige him, the neighbour. This is how elections are to be won in London, and any candidate thus organising would certainly beat any candidate who neglected so to organise. This organisation takes the form of a multitude of committees, with paid servants, and who usually hold their sittings at a public-house. The borough is divided into districts of varying size, according to depth of purse, but the smaller the districts the better, though the more costly. A committee takes the charge of each district, its business being to canvass for votes and to bring the voters to the poll. The expenses of such an organisation are of course enormous, for to the

st of the committees is to be added the cost of ths, of printing, and of postages. The lowest st of a metropolitan borough, properly fought, 5000l.; but it is rarely less than 7000l., and wo or three of them have shown charges of 1000l., and this without either bribery or treat-g! When the metropolitan boroughs are proached with not returning men of intellectual minence, it is forgotten that few such men have 000l. to expend in an election, or, if they had, would thus waste it. The London boroughs re compelled by their very constitution, which practically a household suffrage, to take rich en, who are willing to buy a position they can-not command otherwise.

The very first step in the management of an election is organisation. If the borough is large, it must be divided into districts. Then form central committee and district committees. To the latter give the care of their own localities. Their business will be to keep watch and ward all that is going on within the district; to win votes, and to bring them to the poll. The central committee should receive the reports of the district committees, and direct their action. The chairman of each district committee should be a member of the general committee.

Each district committee should be provided with a room, at which a confidential clerk should constantly present to receive and give information.

The central committee should be provided in like manner; but it should have *two* rooms, one accessible only from the other: the outer one to receive visitors, the inner one to be sacred to the leaders of the committee and their secretary, who should be a solicitor, because of his privilege.

The central committee-room should have an ample supply of stationery, two or three copies of some book on the Law and Practice of Elections, half-a-dozen copies of the Register of Electors, and the following special book:

A general register of voters, arranged in the convenient order of streets, with an alphabetical index of names. This register should be ruled so as to show in columns:

1st. The voter's name.

2nd. His residence.

3rd. How he voted at the last election, if then a voter.

4th. How he promises to vote at the present election.

5th. What are his supposed inclinations.

6th. Miscellaneous observations, among which should be noted the influences most likely to secure him, and how they may be had.

A copy of so much of this register as contains the voters within the districts should be sent to each district committee, and it will be an important duty of that committee to add to the information so collected, and daily to send to the central committee the further intelligence thus collected, which should be at once noted up in the general register.

This book will thus contain the political statistics of the borough, so arranged that any information required relating to any voter may be found in a moment.

The next requirement will be a number of *Canvass Books*. Of this as well as of all the other forms useful for an election, an excellent series was prepared for the LAW TIMES Office by a very experienced Solicitor, now deceased, and have been found so useful in practice that they have come to be very generally employed.

The Canvass Book should be ruled to contain the following particulars:

1. Voter's name.
2. His calling.
3. His present promises.
4. How he voted at the last election.
5. General remarks.

The 3rd column must be divided into as many parts as there are candidates. The most convenient method of marking the votes now promised or given before is by a line *across* the column, instead of a figure. The 4th column will be found of great utility by enabling the canvasser to adapt himself to the previous history of the voters on whom he calls. The remarks in the 5th compartment should be the answers of the voter where he has not given an express promise, as "favourable;" "doubtful;" "call again;" and the like.

Some candidates prefer to carry a Canvass Book for their own use, and there is no objection to it, if desired. A Canvass Book should also be carried by each of the agents attending on the canvass; but it should be permitted to no others.

It is very important not to leave the candidate alone with a voter; nor, indeed, should he appear in public without a friend by his side, lest advantage should be taken by some dishonest person to make out a case of bribery.

Where it is supposed that the elector has already promised his votes, an endeavour should be made to learn from him to whom he has done so. Some delicacy is required in this, but the plea may be the necessity for the candidate to make up his book.

The candidate should be prepared for some unpleasant rebuffs and a great deal of catechising; but he should take all with good humour, answer discreetly, and appear to court rather than shun questioning. A frank manner will go far to conciliate a constituency.

He is expected to call on every voter and ask support, even although known to be associated with the Opposition. It is a customary compliment, and should not be neglected.

In many boroughs a speech is looked for at the close of each day's canvass, in which it is usual to aver that the promises received place the result of the poll beyond doubt. But, as all say the same, no value will be set upon such professions of confidence. As a matter of fact, none but those who have the register and the canvass books before them, and who make their calculations name by name, can form the slightest notion of the true state of the contest. Out of doors, each person judges only by what he sees and hears in his immediate circle, and that is sure to be composed of persons belonging to his own party.

When the business is completed or far advanced, then, and only then, can the Managing Solicitor make any safe calculation of the probable results of the contest. Adding together all the promises his candidate has secured, all the promises known to be given to the opposite party, further setting down all the rest as doubtful, and finally giving three-fourths of the doubtful to the other side, the solicitor will be enabled to inform his candidate what are his chances of success; and he is bound to do this with perfect frankness, showing him at the same time the very figures, and leaving to him the determination whether, under all the circumstances, he will incur the great additional cost of going to the poll.

INVESTMENT JOURNAL.

The fluctuations of the week have been as follow:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	...	24½	...	241	244	...
3 ℔ Cent. Red. Ann.	89¾	89¾	89¾	89¾	89⅞	89¾
3 ℔ Cent. Cons. Ann.	90⅛	89⅞	90⅛	89⅞	90⅛	90⅛
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	73½	73½
New 3 ℔ Cent. Ann.	89¾	89¾	89¾	89¾	89⅞	89¾
New 3½ ℔ Cent. Ann.	...	...	...	...	...	...
5 ℔ Cent. Annuities	...	...	...	...	...	...
5 ℔ Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	...	89⅞	89⅞	90	90⅛	90⅛
Consols 3 ℔ Cent. for Ac.	...	...	...	...	...	...
India 5 ℔ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	...	...
India 5 ℔ Cents.	...	...	...	...	...	...
India 4 ℔ Cents. 1888	...	...	98½	...	99	...
India 5 ℔ Cents. 1870	104½d.	104½	103½d.	104½	104½	...
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	100	...	100	...
India Enfaced Paper, 4 ℔ Cent.	...	...	...	...	89	...
Do. do. 5 ℔ c. Jan. 1872	...	...	101½	101	...	...
Do. do. 5½ ℔ c. May 1879	...	...	103½	103½	...	...
Ex. Bills, 1000l.	a	b	c	...	...	...
Do. 500l.	a	...	...	...	...	...
Do. 100l. & 200l. 3 ℔ c.	a	...	...	...	c	...
Do. Small, & 3 ℔ c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3 per cent. 4s. pm.
b 4 and 3½ per cent. 3s. pm.
c 4 and 3½ per cent. 4s. pm.
d Ex div.
e 3½ per cent. 3s. pm. par.

The opening of the American ports should give an immense impulse to our commerce; for, between the closing of the South by the blockade and the North by the tariff, the stocks of the Union must be well nigh denuded of foreign goods and merchandises. But there is no confidence in the result. It yet remains to be proved whether the emancipated slaves will work, for, if they will not, the fertile South will soon be a wilderness again; and whether the North will be able to bear the enormous taxation which its debt must impose upon it. Hence there has been no improvement in the Money-market, for enterprise stands still watching events, and money is consequently so plentiful that the bank has again lowered its rate of interest, and profitable uses for cash, that are also *safe*, cannot be found. This state of things is contrary to the prophecies of the *Economist* and other public teachers, who predicted that before Midsummer money would be again at as high a price as it was seven months since, and that it would never again recede to its old standard. Yet now we have it plentiful and cheap as formerly.

THE LEGISLATOR.

Imperial Parliament.

ATTORNEYS' AND SOLICITORS' CERTIFICATE DUTY.

DIVISION.

Supply,—Order for committee read; motion made and question proposed, "That Mr. Speaker do now leave the chair:"—Amendment proposed, to leave out from the word "That" to the end of the question, in order to add the words "in the opinion of this House, it is just and expedient that the annual duty payable upon certificates taken out by attorneys, solicitors and proctors in England and Ireland, and by writers to the signet, solicitors, agents, attorneys and procurators in Scotland, should be abolished,"—(Mr. Denman,)—instead thereof:—Question put, "That the words proposed to be left out stand part of the question:" The House divided; Ayes 143, Noes 146.

Ayes.

Acland, T. D.
Adam, W. P.
Adeane, H. J.
Agnew, Sir A.
Athlumney, Lord
Aytoun, R. S.
Bailey, C.
Baring, H. A. H.
Baring, T.
Baring, T. G.
Beaumont, W. B.
Bentinck, G. C.
Blackburn, P.
Bonham-Carter, J.
Booth, Sir R. G.
Bouverie, Rt. Hon. E. P.
Bouverie, Hon. P. P.
Briscoe, J. I.
Bromley, W. D.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, Rt. Hon. H. A.
Buckley, Gen.
Bury, Visct.
Butler, C. S.
Cardwell, Rt. Hon. E.
Castlerosse, Visct.
Childers, H. C. E.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Corry, Rt. Hon. H. L.
Cowper, Rt. Hon. W. F.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Dent, J. D.
Disraeli, Rt. Hon. B.
Duff, M. E.
Duff, R. W. G.
Dundas, Rt. Hon. Sir D.
Dunkellin, Lord
Egerton, E. C.
Elcho, Lord
Enfield, Visct.
Farquhar, Sir M.
Fenwick, H.
Fermoy, Lord
Finch, C. W.
Fitzwilliam, Hon. C. W. W.
Floyer, J.
Foley, H. W.
Foljambe, F. J. S.
Foster, W. O.
Fortescue, Hon. F. D.
Fortescue, Rt. Hon. C.
Galway, Visct.
Gibson, Rt. Hon. T. M.
Gilpin, C.
Gladstone, Rt. Hon. W.
Gower, Hon. F. L.
Gower, G. W. G. L.
Greenwood, J.
Grey, Rt. Hon. Sir G.
Grosvenor, Earl
Grosvenor, Lord R.
Hamilton, Lord C.
Hankey, T.
Hartington, Marquis of
Hervey, Lord A. H. C.
Hayter, Rt. Hon. Sir W. G.
Headlam, Rt. Hon. T. E.
Holland, E.
Horsfall, T. B.
Howard, Hon. C. W. G.
Hunt, G. W.
Jervoise, Sir J. C.
Kinglake, J. A.
Knatchbull-Hugessen, E.
Layard, A. H.
Lawson, W.
Lefevre, G. J. S.
Lee, W.
Leighton, Sir B.
Locke, J.
Lowe, Rt. Hon. R.
Mackinnon, W. A.
Marjoribanks, D. C.
Marsh, M. H.
Merry, J.
Moncreiff, Rt. Hon. J.
Moor, H.
Morrison, W.
Packe, Col.
Paget, C.
Paget, Lord C.
Palmer, Sir R.
Palmerston, Visct.
Peel, Rt. Hon. Sir R.
Peel, Rt. Hon. F.
Percy, Earl
Pollard, U. W.
Portman, Hon. W. H. B.
Potter, E.
Potter, T. B.
Proby, Lord
Pugh, D.
Robartes, T. J. A.
Rothschild, Baron M. de
Russell, A.
Russell, H.
Russell, Sir W.
Salomons, Mr. Alderman
Scourfield, J. H.
Selwyn, C. J.
Seymour, H. D.
Shafto, R. D.
Smith, A.
Smith, M. T.
Stanley, Hon. W. O.
Stansfeld, J.
Steel, J.
Stewart, Sir M. R. S.
Talbot, C. R. M.
Tracy, Hon. C. R. D. H.
Trelawny, Sir J. S.
Villiers, Rt. Hon. C. P.
Vivian, H. H.
Walcott, Admiral
Waldegrave-Leslie, Hon. G.
Heathcote, Hon. G. H.
Henley, Lord
Walter, J.
Watlington, J. W. P.
White, J.
Wickham, H. W.
Williamson, Sir H.
Winnington, Sir T. E.
Wood, Rt. Hon. Sir C.
Wyndham, Hon. H.
Wyvill, M.

Tellers for the Ayes, Mr. Brand and Colonel White.

Noes.

Adair, H. E.
Agar-Ellis, Hon. L. G. F.
Astell, J. H.
Baring, H. B.
Barnes, T.
Bateson, Sir T.
Baxter, W. E.
Beamish, F. B.
Beecroft, G. S.
Benyon, R.
Berkeley, Hon. H. F.
Black, A.

Blake, J. A.	Lefroy, A.
Brady, Dr.	Leslie, C. P.
Bramley-Moore, J.	Lever, J. O.
Bremridge, R.	Lewis, H.
Bridges, Sir B. W.	Longfield, R.
Brooks, R.	McEvoy, E.
Bruce, Lord E.	Mackie, J.
Bruce, Major C.	M'Mahon, P.
Burrell, Sir P.	Maguire, J. F.
Butt, I.	Mainwaring, T.
Caird, J.	Malcolm, J. W.
Cairns, Sir H. M'C.	Martin, J.
Carnegie, Hon. C.	Miller, T. J.
Clay, J.	Miller, W.
Clifton, Sir R. J.	Mills, A.
Cole, Hon. H.	Moore, C.
Cole, Hon. J. L.	Morris, W.
Colthurst, Sir G. C.	Mowbray, Rt. Hon. J. R.
Corbally, M. E.	Murray, W.
Courtenay, Lord	O'Brien, Sir P.
Cox, W.	O'Conor Don, The
Craufurd, E. H. J.	O'Donoghue, The
Dawson, R. P.	Ogilvy, Sir J.
Dickson, Col.	O'Loghlen, Sir C. M.
Du Cane, C.	O'Neil, E.
Duncombe, H. A.	Palmer, R.
Dunlop, A. M.	Parker, Major W.
Edwards, Col.	Phillips, G. L.
Elphinstone, Sir J. D.	Pilkington, J.
Ennis, J.	Powell, F. S.
Fane, Col. J. W.	Powell, J. J.
Farrer, J.	Pritchard, J.
Fenwick, E. M.	Redmond, J. E.
Ferrand, W.	Repton, G. W. J.
Fleming, T. W.	Rogers, J. J.
Forde, Col.	Russell, F. W.
French, Col.	Scholefield, W.
Gallwey, Sir W. P.	Seymour, A.
Gard, R. S.	Smollett, P. B.
Gavin, Major	Somes, J.
George, J.	Stanhope, Lord
Gore, J. R. O.	Staniland, M.
Gore, W. R. O.	Stracey, Sir H.
Greenall, G.	Stronge, Sir J. M.
Gray, Lieut.-Col.	Stuart, Col. C.
Grey de Wilton, Visct.	Sturt, H. G.
Griffith, C. D.	Sullivan, M.
Hadfield, G.	Surtees, H. E.
Hamilton, Ion T.	Taylor, Col.
Handley, J.	Tollemache, Hon. F. J.
Hardy, G.	Torrens, R.
Hardy, J.	Trollope, Right Hon. Sir J.
Hassard, M.	Vandeleur, Col.
Hay, Sir J. C. D.	Verner, Sir W.
Henderson, J.	Verner, E. W.
Hodgkinson, G.	Vyner, R. A.
Humberston, P. S.	Waldron, L.
Ingham, R.	Walker, J. R.
Jolliffe, H. H.	Waterhouse, S.
Jones, D.	Whalley, G. H.
Kendall, N.	Whiteside, Right Hon. J.
Kennedy, T.	Williams, F. M.
King, Hon. P. J. L.	Woodd, B. T.
Kinnaird, Hon. A. F.	Wrightson, W. B.
Laird, J.	Wyld, J.
Lanigan, J.	Wynn, Sir W. W.
Leader, N. P.	Wynne, W. W. E.

Tellers for the Noes, Mr. Denman and Mr. Vance.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

SOLICITOR AND CLIENT—UNDUE INFLUENCE.—B., an unmarried lady of mature years, living in the house of C., her brother-in-law, and subject to his influence, was induced by C. to join him in a series of joint securities consisting of a bond, promissory notes and bills of exchange, to secure to D., a certificated conveyancer, repayment of certain sums advanced by D. to C. alone, and finally was induced by C. to mortgage the whole of her property except 20*l.* for the repayment of the sum due to C. It further appeared that D., who was the professional adviser and friend of C., had on several occasions acted as the professional adviser of B., and was well aware of the influence exercised over her by C. The Court set aside all the securities so given: (*Rhodes* v. *Bate*, 12 L. T. Rep. N. S. 443. V.C.S.)

COSTS—ARBITRATION.—Where a case is referred to arbitration, and the award is such that if it had been tried in the Superior Courts the plaintiff would not have been entitled to costs, and the arbitrator does not award costs, the plaintiff is not entitled to them. An action of contract was referred after issue joined to the master with the consent of the parties, the costs "to abide the event of the award." The master awarded 20*s.* damages. The action was within the jurisdiction of the County Court. The plaintiff was held not to be entitled to costs, as the amount recovered had not exceeded 20*l.*: (*Cowell* v. *The Amman Aberdare Colliery Company*, 12 L. T. Rep. N. S. 451. Q. B.)

EVIDENCE—STAMP.—An instrument requiring a stamp is admissible in evidence if it bears that stamp, although there are facts connected with it which, if inquired into, show that it ought to have borne a different stamp. In an action against the maker of a post-dated cheque which was stamped only with a penny stamp, it was held to be admissible in evidence, although it subjected the parties to a penalty: (*Austin* v. *Bunyard*, 12 L. T. Rep. N. S. 452. Q. B.)

COSTS.—In an action for slander where defendant offered such an apology as was satisfactory to plaintiff before action, the Court will stay proceedings on payment of a sum sufficient for the costs of the plaintiff's attorney: (*Miller* v. *Drury*, 11 L. T. Rep. N. S. 464. Ex.)

COSTS—INJUNCTION—C.L.P.A. 1854 AND 1860.—Action for nuisance by boiling carrion. Immediately after declaration an *ex parte* injunction was granted under the C. L. P. A. 1854 to restrain the nuisance, the order imposing no terms and naming no costs. The writ contained an order on defendant to pay the costs of the application, the order and the writ, which costs were taxed under the C. L. P. A. 1860, s. 32. The trial having been postponed, on plaintiff's countermand, from the spring to the summer assizes, defendant obtained a rule calling on plaintiff to show cause why all further proceedings on the injunction should not be stayed until after trial. But this the Court refused, inasmuch as it would be practically to set the injunction aside and the nuisance might be recommenced. But a rule was made absolute staying all proceedings in respect of the costs until after trial of the action: (*Grindley* v. *Booth*, 12 L. T. Rep. N. S. 469. Ex.)

ADMISSION OF SOLICITORS.

The Master of the Rolls has appointed Thursday, June 15, 1865, at the Rolls Court, Chancery-lane, at four o'clock in the afternoon, for swearing in solicitors.

Every person desirous of being sworn in on the above day must leave his common law admission or his certificate of practice for the current year at the secretary's office, Rolls-yard, Chancery-lane, on or before Wednesday, June 14.

N.B. The papers of those gentlemen who cannot be admitted at common law till the last day of term will be received at the office in Rolls-yard up to twelve o'clock at noon on that day, after which time no papers can be received.

HEIRS AT LAW AND NEXT OF KIN.

ALLPORT (Anne), Hamilton-square, Birkenhead, spinster. Next of kin to come in by June 30, at the office of the Registrar for the Liverpool district of the Court of Chancery of the county palatine of Lancaster, 10, Trafford-chambers, South John-street, Liverpool.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

FIRE ANNIHILATOR COMPANY.—List of contributories to be settled by the M. R., at his chambers, on Monday, 12th June, at 2 o'clock in the afternoon. Solicitors, Clarke, Son and Rawlins, 29, Coleman-street, London.

PORTSMOUTH, PORTSEA, GOSPORT AND SOUTH HANTS BANKING COMPANY.—List of contributories to be settled by Kindersley, V.C., at his chambers, on Tuesday, 20th June, at 2 o'clock in the afternoon. Solicitors, Tilleard and Co., 34, Old Jewry, London.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

AWBURN (Joseph), Rotherham, Yorkshire, wine and spirit merchant, July 3, M. R. Ridsdale and Craddock, 5, Gray's-inn-square, for J. Badger, Rotherham.

BRUCE (Emma Charlotte), 182, Blackfriars-road, Surrey, widow, Nov. 2, M. R. H. J. Turner, 27, Percy-street, Bedford-square, London.

CHARLTON (Hy.), Manchester, calenderer, June 24, V.C. W. Bower, Son and Cotton, 46, Chancery-lane, London.

GREEN (John), Great Horkesley, Essex, June 21. Digby and Son, 33, Lincoln's-inn-fields.

GREEN (Robert), 8, Edwards-street, Portman-square, Middlesex, saddler, June 30. M. R. E. Lewis, 22, Great Marlborough-street, London.

HARGREAVES (James), Fir Trees, Higham, Forest of Pendle, Lancashire, June 20, V.C. S. W. Shaw, 14, Gray's-inn-square, for Handsley and Tattersall, Burnley, Lancashire.

HART (Wm.), Hand and Shears public-house, Cloth-fair, Smithfield, London, licensed victualler, June 24, V.C. K. Stileman and Neate, 16, Southampton-street, Bloomsbury-square, London.

HOPE (Andrew), 17½, St. George's-place east, Commercial-road, Middlesex, manager to a sugar refiner, June 20, M. R. J. Cole, 36, Essex-street, Strand, London.

JEALOUS (Samuel), Luton, Beds, gentleman, July 9, M. R. T. H. Devonshire, 1, Frederick-place, Old Jewry, London.

JOHNSON (Phœbe), 1, Edwin-street, Gravesend, widow, July 4, M. R. A. R. Steele, jun., 44, Bloomsbury-square, London.

JONES (Thomas), Huntingdon, Cheshire, farmer, July 5, M.R. C. and C. R. Cuff, 82, St. Martin's-lane, Middlesex, for J. Broadhurst, Nantwich, Cheshire.

MORGAN (Elizabeth), 7, Berkeley-place, Cheltenham, widow, June 24, V.C. W. Bower, Son and Cotton, 46, Chancery-lane, London.

WHITTAKER (John), Hurst, near Ashton-under-Lyne, Lancashire, cottonspinner, July 1, V.C. W. Reed and Phelps, 8, Gresham-street, London, for Sale and Worthington, Manchester.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

ACKROYD (Sophia), 22, St. John's-wood-road, Middlesex, formerly of Reading, widow, Aug. 1. Bower, Son and Cotton, 46, Chancery-lane, London.

ALDOUS (James), formerly of Berwick-street, St. James, Westminster, pawnbroker, late of Soho-square, Middlesex, gentleman, Sept. 5. C. and J. Allen and Son, 17, Carlisle-street, Soho-square, Middlesex.

AMHERST (Mary Dowager Countess), July 15. Nicholl, Burnett and Newman, 18, Carey-street, Lincoln's-inn, London.

BARTH (John Townsend), Chester, veterinary surgeon, June 30. Finchett, Maddock and Hudson, 4, Abbey-square, Chester.

BARTLETT (J. B.), Teignmouth, Devon, surgeon, Aug. 4. Whidborne and Tozer, Teignmouth, Devon.

BINNS (J. H.), Manningham, Yorkshire, gentleman, Aug. 1. T. A. Watson, 65, Market-street, Bradford, Yorkshire.

BRACHER (Mary), Claverham, Yatton, Somersetshire, widow, July 31. Fry and Otter, Shannon-court, Bristol.

BURNEY (Ven. Charles Parr), Wickham Bishops, Essex, Archdeacon of Colchester, July 21. Park and W. [illegible], 11, Essex-street, Strand, London.

COLLING (Cuthbert), Palmer's-green, Edmonton, Esq., [illegible] W. Pitman, 12, King's-road, Bedford-row, Middlesex.

CRAVEN (The Hon. Marie Clarisse), 3, Kent-terrace, Regent's-park, Middlesex, widow, July 10. Hayes, Twisden, [illegible] and Co., 60, Russell-square.

CROCKFORD (Sarah Frances), 23, Phillimore-gardens, Kensington, Middlesex, widow, July 2. E. and C. H. [illegible], 10, Salisbury-street, Strand, London.

CUTHBERTSON (Francis), 34, Arundel-square, [illegible] Islington, Middlesex, Esq., Aug. 1. T. F. [illegible], Moorgate-street, London.

DAVIES (Rev. S. A.), 60, Camberwell-road, Surrey, [illegible] minister, July 1. Davidson, Carr and [illegible], Basinghall-street, London.

DELL (James), 1, Brunswick-place, Lewisham, [illegible] Kent, and 30, Bread-street, London, [illegible] June 10. Pritchard and Sons, 14, Great Knightrider-street, Doctors'-commons, London.

GORDON (A. H., Major-Gen.), 11, Westbourne-terrace, Paddington, Middlesex, July 10. Hunter and [illegible] James's-street, Piccadilly, London.

HAMMER (Latham), Liverpool and Aigburth, Lancashire, gentleman, July 5. Miller, Peel and Co., [illegible] street, Liverpool.

HIND (John), 10, Upper Seymour-street west, [illegible] square, Middlesex, Esq., July 1. H. Harris, [illegible] street, London.

HOAD (Richd.), 6, Ditchling-terrace, Brighton, [illegible] July 3. Black and Freeman, 58, Ship-street, Brighton.

HOLT (Rev. Richard), Ruislip, near Uxbridge, [illegible] July 13. E. and F. Bannister and Fache, [illegible] Bedford-row, London.

HORNER (Catherine Mary), 294, Strand, Middlesex, [illegible] July 1. J. L. Grover, 4, King's Bench-walk, [illegible] London.

HUGHES (Elizabeth), 4, Green's-row, Chelsea, [illegible] and Wouldringfold, Cowfold, Sussex, [illegible] Parker, Rooke and Parkers, 17, Bedford-row, London.

HUX (James), 20, Down-street, Piccadilly, Middlesex, [illegible] and clock maker. Wild and Barber, 10½, Ironmonger-lane, Cheapside, London.

JOWETT (John), Horncastle, farmer, July [illegible] Harle, Wellington-place, Pilgrim-street, Newcastle-upon-Tyne.

LANE (Edward James), 122, Leadenhall-street, [illegible] Downreserve, Norwood-junction, Surrey, [illegible] Stenning and Watney, 16, London-street, Fenchurch-street, London.

LASCELLES (Hon. Edwin), 3, Eccleston-street, [illegible] square, Middlesex, July 1. Currie and Williams, [illegible] Lincoln's-inn-fields, London.

LATHAM (Wm.), Wigan, bolt manufacturer, July [illegible] Marshall, King-street, Wigan.

MELLING (Hy.), Winstanley, Lancashire, farmer, July [illegible] Marshall, King-street, Wigan.

MERRY (Thos.), the younger, 139, Fenchurch-street, [illegible] and Rutland-villa, Highbury New-park, Middlesex, [illegible] India broker, Aug. 22. Lindsay and Mason, [illegible] street, London.

MORGAN (James Thomas), Barking, Essex, [illegible] fish salesman, July 8. F. Buckle, 25, Eastcheap, London.

MORTON (Francis), Liverpool, and The [illegible] Cheshire, merchant, Aug. 31. Ellis and Field, [illegible] street, Liverpool.

MOSSOP (Ann), Holbeach-marsh, Holbeach, Lincolnshire, widow, June 26. Harvey and Cartwright, Spalding.

MOSSOP (John), Moulton-marsh, Moulton, Lincolnshire, grazier, June 26. Harvey and Cartwright, Spalding.

NOBLE (Rev. S. L.), Frolesworth, Leicestershire, [illegible] Watson, Son and Baxter, Lutterworth.

NOCK (John), Stourbridge, Worcestershire, gentleman, [illegible] Harward and Shepherd, Stourbridge.

NORTHUMBERLAND (The Most Noble Algernon, [illegible]) Aug. 14. Bell, Steward and Lloyd, 49, Lincoln's-inn-fields, London.

RALPH (Emily Hannah), Cato-villa, Addison-road, Kensington, Middlesex, July 3. Robinson and Hine [illegible] Charterhouse-square, London.

ROZEA (Jessintour), 25, Milton-street, Dorset-square, Middlesex, gentleman, July 8. Robinson and Hine [illegible] Charterhouse-square, London.

SAUNDERSON (H. R.), Northbrook-house, [illegible] and 8, Clarges-street, Piccadilly, Middlesex, Esq., [illegible] in H. M.'s Army, July 24. Baker, Baker and [illegible] Lincoln's-inn-fields, London.

SHAW (James), Kendal, Westmoreland, gentleman, July [illegible] G. Thomson, Kendal.

VICKERS (Judith), 3, Eastbourne-terrace, Paddington, Middlesex, widow, July 1. W. Hale, Hay-hill-house, [illegible]

WOODHOUSE (F. L. P. S. J.), the Brookes, near [illegible] Surrey, and of Lloyds, London, Esq., June 30. [illegible] Willaume and Hanbury, 34, New Broad-street, London.

WATSON (Wm.), Barley-mow Tavern, Salisbury-court, Fleet-street, London, licensed victualler, July 3. Wild and Barber, 10½, Ironmonger-lane, Cheapside, London.

YORKE (Hy.), Oundle, Northampton, solicitor, July [illegible] Smith, 4, Warnford-court, Throgmorton-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the parties respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

HUCKIN (George), Cornbury-park, Oxfordshire, yeoman. [illegible] New Three per Cents. Claimant, said G. Huckin.

SHELDON (Ebenezer), Mount-street, Grosvenor-square, surgeon. Dividend on 200*l.* New Three-and-a-Half per Cents. Claimant, Dorothy Sheldon.

DIGEST OF THE LAW OF ENGLAND.—On Saturday an estimate was published of the sum proposed to be voted in the year ending March 31, 1866, to meet the expense of beginning a digest of the whole law of England and forming a commission for that purpose. The amount is 5000*l.* It is expected that the expurgation of the Statute book will be completed during the present session, and the actual existing statute law, having been ascertained, may then be digested and arranged under proper heads.

COUNTY VOTERS' REGISTRATION BILL.—By this Bill, which has passed both Houses of Parliament and now awaits the Royal assent, the following important alterations are, among others, made in the law:—Every notice of objection to a person already on the register must specifically state the ground of objection. The person objected to is required to give such evidence only as is necessary to meet the specific objection. Costs may be given by the revising barrister up to 5*l.* Voters may give evidence of their change of residence by declaration to be transmitted to the clerk of the peace.

The case of Mr. Waters, Lord Shaftesbury's steward, is to be removed for trial to the Central Criminal Court. In the application for the removal made on Tuesday by Mr. Coleridge, Q.C., some statements were made (as part of course) which throw a fresh light on this affair. According to Mr. Coleridge, there were Chancery suits pending

between the noble earl and his steward when criminal proceedings were taken, and Mr. Waters now declares, not only that he has never embezzled a farthing, but that Lord Shaftesbury was indebted to him. It was urged that the noble earl being Lord-Lieutenant of Dorsetshire and having 400 tenants in that county, a fair trial there could not be looked for.

COSTS OF PRIVATE BILLS.—The Act (28 Vict, c. 27) 'for awarding costs in certain cases of private Bills has just been printed. Both Houses of Parliament are empowered on private Bills to award costs in certain cases. When a committee report a "preamble not proved," the opponents are to be entitled to recover costs, and when a committee report unanimously "opposition unfounded," the promoters are to be entitled to costs. The costs are to be taxed, and afterwards to be recovered in one of the courts of law on the certificate given, with costs of the action. On filing a declaration and an affidavit of demand, the plaintiff is to be at liberty to sign judgment and to take out execution. The validity of the certificate for costs is not to be called in question in any court. Persons paying costs may recover a proportion from other persons liable. When a committee report "preamble not proved," the promoters are to pay costs out of deposits. The Act is not to take effect before the 1st Nov. next.

INCOME TAX.—The proposed reduction of the income-tax to so low a point as 4d. has stimulated speculation as to the probability of its final disappearance. It also suggests a review of its past career. Imposed for the first time in 1842, at the rate of 7d. in the pound, it continued for three years. It was followed by another triennial tax beginning in 1845, and by a third in 1848, when an attempt was vainly made by Lord John Russell's Government to raise the tax to 1s. In 1851 it was renewed for only one year, Mr. Hume defeating the Government on the question of its duration; and in 1852, as a dissolution was at hand, it was temporarily prolonged for another year. Then in 1853 came Mr. Gladstone's comprehensive scheme of an income-tax for seven years at a gradually diminishing rate. For two years it was to be 7d., for either two 6d., and for the next three 5d., after which it was to come to an end. It was also part of this proposal that the tax should, but at a lower rate, be extended to incomes of between 100l and 150l, and that Ireland should no longer be exempt from the obligation. During those seven years the impost passed a chequered and fluctuating existence. Its rent roll was doubled for a while; then a temporary addition of 2d. was made to rate per 1l., and finally when it had sunk as low as 5d. it was raised to 9d. In April 1860 the longest lived tax of the series died a natural death, and a new rate at 10d. was granted for a single year. In 1861 it was reduced to 9d. It remained at that figure in 1862, and was lowered to 7d. in 1863. Last year another 1d. was taken from it, and practically this was the lowest point it ever reached for a whole twelve-month; the 5d. rate existed for only half a year, and for the other six months was raised to 7d. Originally imposed for only three years, the income-tax has never lapsed for a day, and has extracted from the pockets of the nation about 170,000,000l. While the rate has been reduced, the productiveness of the impost has rather been increasing. Formerly every penny yielded a million, but it now gives 1,300,000l., and may be expected before very long to represent a million and a half of revenue.

THE ATTORNEYS' TAX.—If it was a foolish idea that the attorneys of the country could be retained for the sitting members at the general election by the bribe of 6l. a head exemption from tax, it is not foolish to say that Mr. Gladstone had it in his power to injure his Government at the elections by casting a slur upon that profession. And this is what he did. He saw no difference between their position and that of hawkers and pawnbrokers:—"Why should the auctioneer pay an annual duty of 10l. and the attorney be relieved from an annual duty of 9l. or 6l.? Is there anything in the trade of an auctioneer that ought to be discouraged by this House? Why should the trade of a pawnbroker be taxed? We levy from him a sum of 30,000l. a-year. Who is he? He is the man who ministers to the first necessities in the matter of money of the lowest class of the population. Well, is that tax to remain, and shall we be doing an act of justice if we relieve a profession every member of which has access, and some very intimate access, to the members of this House, and select them in preference to those who have a stronger and more urgent claim? Take the case of a hawker. We lay a tax of 48,000l. upon hawkers. The whole of this sum comes from a trade which is pursued in minute details by men hardly one of whom is worth 100l. of capital in the world, and who drive their trade in the villages and among the peasantry of the country." If there is a difference in Mr. Gladstone's mind between a professional diploma and a hawker's licence, it is that the latter is the means of conferring greater benefit upon society. Among pawnbrokers there are men as respectable as in any other trade, but the pawnbroker in his eyes assumes something more than the character of a good Samaritan, and the hawker is an object of special admiration for benevolence in minute details. For the profession of attorney a five years' education is required, the examinations are stringent, and the course of special and general studies is large. On the taking out of articles a considerable sum is paid, and a further sum when the candidate is admitted. This long preparation and these pecuniary guarantees are proper and necessary; and when the name is placed upon the roll there is probably no profession over which a more stringent control can be exercised. Under these circumstances, it was a subject particularly worthy of the consideration of Parliament whether the young solicitor, being a small business at first, should be still further taxed in the very same sum which is claimed from men making thousands per annum.—*Dublin Evening Mail*, May 22.

THE BENCH AND THE BAR.

THE BAR IN VICTORIA.

(From the *Melbourne Argus.*)

The state of the Victorian Bar has for long been a nuisance, but is fast becoming a danger. Taking them on the whole, its members are probably the most disreputable set of men claiming a forensic status to be found out of Kansas and Illinois. A few possess respectability, a greater few affect it, and the large majority neither possess it nor affect it. This state of things may be carried too far. We do not hope in our semi-civilised regions to meet with much legal knowledge, but we may hope from our paid legal advisers something approximating to propriety. At any rate they may either be decent, or affect a semblance of decency. Speaking generally, no man worth his salt will ever come out from England or Ireland to join the Bar of Australia. The pay is insufficient, even with the best, to make expatriation a paying policy, and the other disadvantages are enormous. The public, therefore, has of necessity to put up with what it can get, and it certainly has to pay tremendously for its bargains. It is not a pleasant thing for the owner of a quarter of a million to know that if he wants to have a deed properly drawn he must inevitably either send it to England, or have it finished in such a state, so imperfect and complicated with blunders, that any fifth-rate Lincoln's-inn lawyer would at once drive a coach and six through it. Some things our Wigsbys can do. The average Demosthenes of Victoria is as able as most men to take up the cause of a pickpocket, a burglar, a ravisher, or a murderer; but with this his ability begins and ends. Sharp Nisi Prius practice out here requires unlimited frontlessness, but greatly less knowledge than goes to furnish forth an ordinary clerk. At this point, knowledge commences and terminates. As, except this style of work, very little employment is forthcoming, it is no wonder that the representatives of the forum are chiefly filled up out of the ranks of adventurers, who plead the cause of their fellow-citizens as the last refuge against destitution. So long as this class of men do their work according to their very small lights, and keep quiet, they are tolerable and to be endured. Unluckily, they are systematically offensive and noisy. Their tastes vary, but the variety is always among outrages. At present, pugilism appears to be the fancy. It is dying out emphatically in England, so our judges are giving it a chance. A black eye among the dispensers of justice, and presumed representatives of colonial dignity,, is becoming what the Yankees call "an institootion." When Themis has dismounted from the bench, there seems to be nothing so refreshing as a row. The higher judicial pastime appears to be adultery; the lower, the punching of heads. In one respect this may be useful, as Messrs. Morgan, Hall, Gilbert and Co., if Sydney send them across the border, when brought up, cannot but feel an intuitive respect for men who are so demonstratively capable of instructing them in the details of their own profession; but the tastes of our countrymen at home are different, and as this ugly string of scandals goes home mail after mail, the details will read very queerly. A few weeks ago, we were treated to the interesting circumstances under which the Equity judge and the Attorney-General damaged each other's optics. The scandal is now blown over, and apparently goes for nothing with the upper five hundred of Melbourne, though it would be a death-blow to a gentleman in London. Just now, we have a similar case, not quite so bad, but nearly so. Mr. Justice Cope and Mr. Barnard, barristers both, quarrel, or rather their wives, as is so often the case on board ship and in little country towns, do the quarrelling for them. Mrs. A. will not speak to Mrs. B., so Mr. B. immediately beats Mr. A., and so forth. If this *fracas* were the first of the kind, or likely to be the last, or if we could keep it to ourselves, we should not notice it. A scandal, politically speaking, is only half a scandal so long as it can be hushed up. Things, however, cannot be hushed up, as they once could be, in Australia. The *Saturday Review* may write as it pleases about the Australian frog, but the world is looking at us. With the everyday increasing facilities of communication, Europe is approaching Victoria, and Victoria Europe. The first Napoleon had constantly in his mouth a very coarse but very sensible saying—"It does not do to wash one's dirty linen in public." Our colony appears now to differ from the Emperor, but will every year more and more appreciate the fact that shamelessness is a folly verging on a crime.

RECORDERSHIP OF SCARBOROUGH.—Mr. Joseph Middleton, of Leeds, barrister-at-law, has been appointed Recorder of Scarborough, in the place of Mr. West, who has become Recorder of Manchester.

THE CONSTITUTION OF THE JUDICIAL COMMITTEE.—In 1833, the Judicial Committee of Privy Council, a new statutable court in English judicature, was constituted by Act of Parliament (3 & 4 Will. 4, c. 41). The intention of the Legislature was to form a court for hearing appeals from the Admiralty, Vice-Admiralty, West Indian, East Indian, Australian, and some other colonial courts. The statute was drafted with that intention, and the courts which it was intended to subject to this newly constituted appeal court are specified in the Act with careful particularity. In the enacting clauses are specified the High Court of Admiralty in England, the Lords Commissioners in prize cases, the Vice-Admiralty Court, the courts in the plantations of America and other His Majesty's dominions abroad, the courts of Sudder Dewanney Adawlut in the three Presidencies of India, designating each severally by name, and the courts of judicature to the eastward of the Cape of Good Hope. Such is a careful specification, contained in the enacting clauses of the Act, of those courts which in the intention of the Legislature were to be subjected to this new final appeal court, the Judicial Committee of the Privy Council. But in those enacting clauses not one syllable is said of any Ecclesiastical Court, not a hint appears touching any cause of spiritual contention. It is quite clear that there was no intention of including our ecclesiastical courts, otherwise it is perfectly incomprehensible why all mention of them should have been entirely omitted, especially when we consider the careful particularity with which all the others which the Legislature did intend to include are set out. And it was here that that disastrous mishap, that unhappy accident above referred to, occurred, entailing consequences which Churchmen have never since ceased to deplore. The accident happened in this wise. The learned gentleman who drafted the statute was unfortunately addicted to the love of excessive verbiage—a failing of humanity from which legal studies are not generally supposed entirely to emancipate those who pursue them—and so, after having generally described the courts which were to be included in the new legislation, and passing on to make, in another section, provision for then pending appeals, he unhappily allowed himself to run out into some wide and general expressions, no way necessary to his subject, but big with evil. For under his capacious wordiness and too ready pen, the jurisdiction over the ecclesiastical courts, though not mentioned by name, passed without intention to the Judicial Committee of Privy Council, which now retains the power thus accidentally and fortuitously, as one may say, tossed to its lot. We venture to think that this is one of the most disastrous accidents which in public legislation has happened for many a long year.—*Englishman's Magazine.*

The Right Hon. Judge Keogh delivered the sixth of the "Afternoon Lectures" at the Museum of Irish Industry, last week, on "Milton's Prose," the Lord Chancellor presiding. Chief Justice Monahan, Mr. Justice O'Hagan, and the Attorney-General were among the audience, which was numerous and fashionable. The lecturer treated the subject in a masterly manner, referring at length to the services which Milton had rendered to civil and religious liberty. He adverted to the eventful period in which the poet lived, and quoted several extracts to exemplify his vigorous style. The lecture was delivered in an impressive manner, the sentiments expressed eliciting very general approbation from an audience embracing men of all shades of politics, a large proportion being ladies. *Saunders's Newsletter* devotes three columns to a report of the lecture, which was throughout an eloquent and impassioned eulogy on the character and works of the great poet. It will be recollected that Mr. Justice Keogh was formerly member for the borough of Athlone, that he was Solicitor-General under Lord Aberdeen, and afterwards Attorney-General. The following extracts from the lecture will be read with the more interest from the fact that the learned and eloquent Judge is a Catholic, and that other Catholic Judges were among his audience. In the introduction he said:—"Could words of mine prevail to induce you to devote some small portion of your leisure hours, stolen though it be from the pleasant paths of sensational or periodical literature, to those great productions of John Milton, in which the staunchest friend of freedom and of truth that ever lived has made the most successful war against tyranny and falsehood—in which he has proclaimed, in tones not unworthy of the Apostle of the Gentiles, that education really free is the only genuine source of political and individual liberty, the only true safeguard of States and bulwark of their renown—in which he has for ever 'justified the ways of God to man' by asserting the right of all men to exercise unrestrained their intellectual faculties upon all the gifts of God, to determine for themselves what is truth and what is falsehood, to circulate their thoughts from one to another, from land to land, from tribe to tribe, from nation to nation, free as 'the winds that from four quarters blow'—to raise their thoughts and to pour forth their words above the level of vulgar superstition, unrestricted by any illiberal or illiterate licenser—then you will find that he has risen, as mortal man never did before, to the height of greatest argument, and proclaimed, in language which is affecting the fate of millions even at this hour on the banks of the Mississippi and in the remote forests of the far West, that He who has made 'of one blood all nations of men to dwell on all the face of the earth willeth not that man shall any longer hold in bondage as a property the bodies or the souls of men, but that all alike shall have, unobstructed by any ordinance, a free book, a free press, a free conscience.' If any words of mine shall tempt you to approach these considerations, to ponder upon them as they are to be found in the tractates of Milton, in a tranquil, in a large and comprehensive spirit, and when you have done so to make their fit application not only at home but abroad, not only abroad but at home, then we shall not have met in vain in this assembly." The lecturer resumed his seat amid loud and prolonged applause. The chairman announced that the next lecture would be delivered on Wednesday, the 7th June, by Mr. Isaac Butt, M.P., on "The Writings of Bishop Berkeley."

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

TURNPIKE.—A covered caravan or cart on four wheels, drawn sometimes by one horse and sometimes by two horses, but not travelling at a rate exceeding four miles an hour, used chiefly for conveyance of goods, but taking passengers on occasions, and not being licensed under the Stage Carriages Act, but paying duty as a carriage used by a common carrier, is a "stage carriage conveying passengers or goods for hire or reward" within a local Turnpike Act making toll payable by such carriage every time it passes the gate: (*Comley* v. *Carpenter*, 12 L. T. Rep. N. S. 453. C. P.)

BEERHOUSE—JURISDICTION.—Any justices of the county have jurisdiction to hear an offence of Sunday trading during the prohibited hours,

and it is not necessary to allege that the convicting justices were only in and for the petty sessional division: (*R.* v. *Shaw*, 12 L. T. Rep. N. S. 470. Cr. Cas. Res.)

JURISDICTION OF JUSTICES.—If a party appears before justices and allows a charge which they have jurisdiction to hear to be prosecuted with without objecting, he waives the want of an information or summons: (*R.* v. *Shaw*, 12 L. T. Rep. N. S. 470. Cr. Cas. Res.)

INDICTMENT—PERJURY.—On an indictment for perjury, on a case before justices, it is not necessary to prove that an information was laid as the basis of the summons: (*R.* v. *Shaw*, 12 L. T. Rep. N. S. 470. Cr. Cas. Res.)

MANSION-HOUSE JUSTICE-ROOM.

The following Regulations as to taking Affidavits, Declarations, and Acknowledgments of Deeds, at this court, have just been issued.

1. *Hours.*—From 12 till 2, or while the Lord Mayor or an Alderman is in attendance.

2. *Form of Documents.*—Documents must be brought ready prepared or filled up. The following jurat must be written on the left-hand corner of the affidavit or declaration:

> "*Sworn* [or *Declared*] *at the Mansion-house, in the City of London, this* [twenty-seventh] *day of* [April] 1865, *Before me,*
> ——— *Lord Mayor* [or *Alderman*] *and J. P.*"

All exhibits annexed or referred to should have the following written on them, for the magistrate's signature:

> "*This is the* [*paper, writing, or deed, or power of attorney, as it may be called*] *mentioned or referred to in the affidavit* [*or declaration*] *of* ——— *sworn* [*or made*] *before me, this — day of* ——— 1865.
> ——— *Lord Mayor* [*or Alderman*] *and J. P.*"

3. The oath or declaration, as the case may be, will be administered in the affidavit room by the marshal.

4. Declarations must be in the form prescribed by the Declaration Act (5 & 6 Will. 4., c. 62), s. 20 (blank forms of which can be had of the marshal), unless a special form is required by any revenue department, or by a subsequent or other Act.

5. The subject of the affidavit or declaration will be examined, and only that which is authorised by law, or is necessary and proper, will be taken.

6. Affidavits must be such as justices are authorised by some statute to take (*a*); and if under a foreign or colonial law (*b*), in order to give validity to instruments designed to be used there, the Act or a verified extract from it should be produced. (*c*)

7. As a general rule, declarations should be made in all cases where they are required to be used in the United Kingdom, and in our colonies (except *Victoria*) (*d*), and in the cases referred to in paragraph 6 wherein an affidavit is necessary. In all other cases where the document is required for a foreign country or the colony of *Victoria*, an affidavit seems to be the proper document to be made. (*e*)

8. The magistrate will not attest the signature of any party to any deed or instrument brought to be acknowledged or verified, unless, in the case of a deed or instrument made under a foreign or colonial law, it shall be shown that such law requires it to be so attested.

9. No certificate of character, or for a passport, or otherwise, will be signed by the magistrate, unless the person referred to be personally known to him, or to an official of the court.

10. *Acknowledgment or Ratification of Deeds, &c. by married Women and other parties.*—These are taken by the Lord Mayor as the chief magistrate of the City, under various foreign and colonial laws, or in his absence by one of the Aldermen who has passed the chair, as his *locum tenens*, in the form required by those laws respectively, as well as according to the law and practice of *Scotland*. (*f*) It is necessary that the parties, or the solicitor, or other person introducing them, should be identified or known to the magistrate or one of the officials of the court, as those described in the deed or other instrument.

11. *Corporation or Mayoralty Seal.*—Documents to be sent abroad requiring this seal, after being verified before the Lord Mayor, or his *locum tenens*, should be taken to the office of "The Lord Mayor's Court," Church-passage, Guildhall, where the seal will be affixed, for which a fee of 9*s.* 6*d.* is there payable, where one deponent or declarant, and each extra, 2*s.* The seal may be obtained between the hours of 10 and 4; on Saturdays between 10 and 2.

12. *Court fees.*—For affidavit or declaration unstamped, 1*s.* each person; if stamped, 1*s.* 6*d.* each person. Every exhibit, 1*s.* Acknowledgment of deed, 3*s.* 6*d.* each party. No fee is charged on Pawnbrokers' declarations, where the article has been pledged for a sum less than 20*s.*, or for declarations required by friendly societies and charitable institutions, or for Government pensioners or annuitants, or for affidavits in Irish bankruptcies.

13. *Stamp Duty on Affidavits and Declarations.*—Attention is directed to the subjoined "memorandum," which contains a statement of the present law as to stamps on these documents (although no document will be rejected by the magistrate for want of a stamp), as approved by the Commissioners of Inland Revenue, through their solicitor, in May 1861, after communication with this office.

MEMORANDUM AS TO STAMPS ON AFFIDAVITS AND DECLARATIONS.

By the Stamp Act, 23 Vict. c. 15 (schedule "Declaration"), a "declaration in lieu or in the nature of an affidavit, in any case where, if the same were an affidavit, it would be chargeable with duty," is liable to "the same duty as would be charged on such affidavit," viz. 2*s.* 6*d.*, imposed by the 55th Geo. 3, c. 184, (schedule "Affidavit"), on affidavits which are "not made for the immediate purpose of being filed, read, or used in any court," &c. From which duty there are certain qualified exemptions, viz. "affidavits required or authorised by law, to be made before any justice or justices of the peace; or before commissioners, &c.; affidavits which may be required by the Bank of England to prove the death of any proprietor of any share in any of the stocks or funds transferable there, or to identify the person of any such proprietor, or to remove any other impediment to the transfer of any such stocks or funds; also all affidavits relating to the loss, mutilation, or defacement of any bank note or bank post bill." All solemn declarations in the form given in the 5 & 6 Will. 4, c. 62, and in other Acts, therefore, being made in lieu of affidavits, it follows that, unless an Act *authorises or requires* an affidavit to be made before a justice in the particular case to which the declaration refers, or the subject of the declaration relates to the transfer of stock at the Bank of England, or to a lost bank note, &c., (which it is the present practice of the Bank to take instead of an affidavit as formerly), *it will be liable to the duty of* 2*s.* 6*d.*—By order of the Lord Mayor,

GEORGE C. ORE, Principal Clerk.

Justice-room, Mansion-house, May 1865.

UNION CHARGEABILITY.

THE QUEEN'S ANCIENT SERJEANT has addressed the following letter to the *Athenæum*—a strange medium to select for such a communication:

"Phillimore-gardens, May 1, 1865.

"A Bill has been introduced into the House of Commons, 'To provide for the better distribution of the relief of the poor in unions.' This Bill was stated to be founded upon a resolution of a committee of the House of Commons, 'That any measure for extending the area of rating should embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union.'

"In the debate which took place, on the 28th of March, upon the motion for the second reading of this Bill, it appears to have been assumed that the proposition contained in the resolution was, in substance, 'That any measure for making the whole cost for the poor in each union chargeable upon the common fund of the union should contain provisions for extending the area of rating.' In the present article an attempt will be made to show that a great and at the same time a gratuitous injustice would often result from adopting such an inversion of the precise terms of the resolution.

"The *inverted* proposition seems to assume that union *chargeability* requires an absolute equality of union *rating*. The consequence of that assumption has been, that those who were strongly impressed with the important benefits which the labouring classes would evidently derive from a non-discriminating union chargeability without distinctions connected with parochial settlement, have regarded those benefits as cheaply purchased by a shifting of burthen which would follow the establishment, for all purposes, of a uniform union rating. On the other hand, persons keenly alive to the hardship occasionally inseparable from a change in the incidence of taxation, which would be caused by the introduction of an invariable uniform union *rating*, have not unnaturally been led to undervalue the benefits to be derived from the establishment of union *chargeability*.

"Let there be two farms in the parishes A. and B., belonging to the same union, the productive value of each farm, after deducting general union rates and other outgoings common to both, being 100*l.* a-year; but where the average *parochial* rates during the four years which have followed the first establishment of a union rating under the Irremovable Poor Act, have been, upon an average 2*s.* in the pound in A., and 6*s.* in the pound in B. The purchaser of the farm in A. would deduct 10*l.* from the 100*l.*, reducing the clear annual value to 90*l.*, and, at thirty years' purchase, he would give 2700*l.* for the fee-simple, whilst the purchaser of the farm in B. would deduct 30*l.*, and would estimate the value of the fee-simple at 2100*l.* If the two assessments of 2*s.* and 6*s.* were transferred and amalgamated into one union rating of 4*s.* in the pound, the net yearly value of each farm would be 80*l.*, and the fee-simple value of one farm would rise from 2100*l.* to 2400*l.*, whilst that of the other would fall from 2700*l.* to 2400*l.* It would be no answer to say, even if the statement were capable of proof, that the difference in the poor-rates of the two parishes had been occasioned by the defective policy of some former proprietors in A., or by the operation of speculating builders in B.

"I venture to suggest that the whole difficulty might be obviated by enacting that the parishes A. and B. should henceforth pay rates equal to the average of the payments made by them respectively during the last four years,—that is, since the Irremovable Poor Act came into operation. Should the amounts so contributed be insufficient to meet the future expenditure of the union, the excess might be charged upon the entire union fund, and charged to be met by an entire rate; and if any surplus resulted from a diminution of the charges upon the new union fund so constituted, such surplus might be applied in reduction of the entire union rate. In either case the desired result would be obtained, and settlement in one parish rather than in another parish within the same union would become matter of perfect indifference as well to the pauper as to the ratepayers.

"Neither this suggestion, nor the provisions of Mr. Villiers's Bill, as it now stands, would, it is true, meet the constantly-recurring complaints of the inequality of the burthen upon rich and poor parishes. These complaints usually have arisen from confounding the hand by which the rate is paid, with the pocket out of which the amount ultimately comes. If it be worth A.'s while to pay 90*l.* a-year for the occupation of a house and shop in Bethnal-green, it is of little consequence that a rate to the landlord, and 35*l.* to the support of the poor, whilst B., in the parish of St. James's, pays 80*l.* to the landlord and 5*l.* to the overseer. Yet it is held up as an intolerable grievance and a flagrant injustice, that in Bethnal-green A. should be summoned and distrained upon for 35*l.*, whilst in St. James's B. can make his peace with the guardians by the payment of 5*l.* only. If the landlord in effect pays the heavy poor-rate, is aggrieved at it only because the burthen has been imposed after he acquired the property. Nor can the latter reasonably complain, except in cases where the rent has been increased during his occupation, and even that occupation has been under a rent permanently fixed, and where, therefore, he is owner pro tempore. Justice, however, or at least expediency, seems to require that some measure should be adopted, perhaps upon the principle of the above suggestion, with the view of preventing a *further* divergence in the rates of different parishes.

"The statute 43 Eliz. c. 2, provided for the creation of a fund, by an assessment upon real and *personal* estate for the relief of the impotent poor, irrespective of any connection with the parish to which the persons to be relieved were born, or in which they had resided or had worked. The statute imposed the burden of relief upon the real and also upon the *personal* property of the inhabitants. But in the reign of Elizabeth, the value of personal property was small in comparison with that of the realty, and the small personal property being chiefly in the hands of the officials on whom devolved the power of apportioning the burden, namely, the churchwardens and overseers, personal property was omitted from the rate, and thus wholly escaped taxation. The pretext for this omission was the supposed difficulty of ascertaining the value of personal property—a difficulty which Chancellors of the Exchequer have not been deterred from grappling with, in the matter of income-tax. The vast accession to the numbers of the pauper class, resulting from, or which at least have followed, the increase of trade and manufactures and their fluctuations, had not yet begun to be felt.

"Under one of the reactionary statutes enacted shortly after the Restoration (13 & 14 Car. 2, c. 12), indigent persons, though still entitled to present relief in the parish in which they became destitute, were made liable to be removed to the parish in which they were deemed to have acquired a settlement by birth or by their own act. The amount of litigation at quarter sessions and in the Court of Queen's Bench, arising upon this statute was enormous, and the decisions in settlement cases called forth special books of reports. One of these cases has been so ably condensed that it may fairly be said to rival, in brevity, the reports in the year books. An Englishwoman married a foreigner who had not acquired a settlement, and therefore, although entitled to relief in case of destitution, under the statute of Elizabeth, he was not removable under the statute of Charles. As husband and wife could not be legally separated, both were entitled to continuing relief in any parish in which

(*a*) Justices are authorised to take them in these cases, amongst others:—In proof of debts in the English Bankruptcy Courts (24 & 25 Vict. c. 134, s. 205); under the Irish Bankruptcy Act (20 & 21 Vict. c. 60, s. 356); and under the Scotch Sequestration Act (19 & 20 Vict. c. 79, s. 22); of the service of process from County Courts (9 & 10 Vict. c. 95, s. 62; 19 & 20 Vict. c. 108, s. 58); and from the Vice-Warden's Court of the Stannaries of Cornwall and Devon (18 & 19 Vict. c. 32, s. 8.)

(*b*) For *Tobago, Canada, New Brunswick, the Isle of Man, &c.*, an affidavit is required.

(*c*) These are exempted from the Declaration Act by sect. 21.

(*d*) The Act as to *Victoria* is the 22 & 23 Vict. c. 12.

(*e*) See Declaration Act, 5 & 6 Will. 4, c. 62, ss. 13, 15, 18.

(*f*) The ratification of deeds for *Scotland* is exempted from the Declaration Act of 5 & 6 Will. 4, c. 62, by the 5 & 7 Will. 4, c. 82.

they might happen to be found in a state of destitution. The husband died, and a question arose in the Court of King's Bench, then presided over by Sir John Pratt, the ancestor of the Marquess Camden, as to the place of settlement of the widow. The case has been thus reported:

A woman having a settlement
Marries a man with none:
Quære, whether the settlement,
He being dead, is gone.
Quoth Sir John Pratt, the settlement
Suspended doth remain,
Living the husband; but him dead,
It doth revive again.

Chorus of puisne judges.
Living the husband, but him dead,
It doth revive again.

"The power of removal created by the statute of Charles, is confessedly the cause of the most severe evils which press both upon the actually and the proximately pauper population, whether those evils present themselves in the shape of actual removal, or in the more insidious as well as the more pernicious form of destruction of cottages, or otherwise. Intra-union removal will be suppressed by the operation of Mr. Villiers's Bill as completely, whether a change in the incidence of taxation, apparently as unnecessary as it has been felt to be unjust, is retained or abandoned.

"J. MANNING, Q.A.S."

NEW ACT ON POLICE SUPERANNUATION IN COUNTIES AND BOROUGHS.—A new Act has just been issued, having received the Royal assent on Friday, to amend the law relating to the police superannuation funds in counties and boroughs. Under the former Act gratuities were granted, but it is now provided that annual allowances may be granted for a limited period. Head constables are to be included within the provisions of the Act 22 & 23 Vict. c. 32. The watchmen of Brighton, who became constables under the Act of Incorporation, are to be entitled to compensation for the time they served as watchmen under the Act of George IV., and were subsequently made constables.

THE SEAL OF CONFESSION. "The following has been addressed to the *Times*:—It should be remembered, in mere fairness to Mr. Wagner, that he is not acting on private views or caprice in declining to answer certain questions or matters confided to him by Miss Kent. The authority he may plead is one of the Canons of the Church of England agreed to in 1603, and ratified by James I.—Canons. It is needless to say, very free from any Roman bias. Canon 113—'Provided always, that if any man confess his secret and hidden sins to the minister for the unburdening of his conscience and ease of mind therein . . . . we do strictly charge and admonish him (the minister) that he do not at any time reveal and make known to any person whatsoever any crime or offence so committed to his trust and secrecy (except they be such crimes as by the laws of this realm his own life may be called into question for concealing the same) under pain of irregularity.' The exception, I presume, may be a case of high treason.—H."

POOR LAW.—A return has been published of the number of applications which were made under the Act 4 & 5 Will. 4, c. 76, by poor-law unions to the Poor Law Commissioners for the separation or addition of parishes to unions, and also of the applications made under the Act 7 & 8 Vict. c. 100. From this it appears that the number of unions to which parishes were added between the 14th Aug. 1834 and the 9th Aug. 1844 was 110, the parishes so added being 265; the unions from which parishes were separated between Aug. 1834 and Aug. 1844 were 23, and the parishes separated were 46; the unions to which parishes have been added between 9th Aug. 1844 and 27th April 1865 are 193, and the parishes added 410; 43 unions have had parishes separated from them between 9th Aug. 1844 and 27th April 1865, and the number of parishes so separated is 225. It has been found to be impracticable to show the number of applications made to the Poor Law Board for the alterations of unions where the applications were not acceded to; and this return is, therefore, limited to cases which resulted in the issuing of orders for the separation or addition of parishes.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

COLLUSIVE SETTLEMENT.—A small sum of money was settled on an infant purposely to found upon it a suit in which a declaration of illegitimacy might be had. It was held to be fraudulent, as having been prepared and executed for a purpose different from that expressed in the instrument: (*Cooke* v. *Elmsall*, 12 L. T. Rep. N. S. 408. Ld. Ch.)

SOLICITOR AND CLIENT—MORTGAGE.—A solicitor owing money proposed a mortgage and the personal covenant for payment of a client who is known to the creditor to be a trustee for him. There being no reason to suspect fraud on the part of the solicitor, it was held to be no part of the creditor's duty to interpose between the solicitor and the client, and to ascertain from the latter that all the facts are known to him, and that he understands what he is about to do. Nor is it equivalent to notice of fraud that the instrument recites that the antecedent debt of the solicitor is a loan made to the trustee at the date of the mortgage: (*Greenfield* v. *Edwards*, 12 L. T. Rep. N. S. 411. L.JJ.)

JOINT TENANTS—DISTRESS.—One joint tenant may demise his portion to his companion, so as to create a right to distrain for rent in arrear: (*Cowper* v. *Fletcher*, 12 L. T. Rep. N. S. 420. Q.B.)

VENDOR AND PURCHASER—CONDITIONS OF SALE.—By the seventh condition, on the purchaser making any objections or requisitions in respect of title, the vendors were to be at liberty either to answer and comply therewith, or to rescind the contract on repayment of the deposit without interest or expenses, &c.; and by the eighth condition the right to rescind was not to be considered as waived by any negotiation as to an attempt to remove or comply with such objections or requisitions. Within the time prescribed, on Nov. 8, purchaser's solicitor took a preliminary objection affecting the right to sell. On Nov. 28 he wrote repeating the objection and expressing the purchaser's desire to withdraw, and asking if the vendors "would rescind the contract and return the deposit, or insist on specific performance;" to which vendors' solicitor replied on Nov. 30 "insisting that his client had power to sell and would expect the purchaser to complete." On Dec. 21 purchaser's solicitor sent in full requisitions of title, with a letter declining to proceed with the purchase and claiming a return of the deposit with interest and payment of his costs. This was refused, and further correspondence took place until November in the following year, when vendors expressed their readiness to return the deposit alone. The purchaser was held to be entitled to recover interest on the deposit and costs of investigation, and that as soon as the parties disagreed as to validity of an objection to title the vendors were bound to elect, and that the letter of 30th Nov. was an election not to rescind and conclusive on the vendors. Also that the correspondence of the solicitors did not amount to a "negotiation or attempt to obviate or comply with" the objection within the meaning of the eighth condition, so as to have saved the vendors' right of rescission in case they had not elected not to rescind: (*Gardom* v. *Lee*, 12 L. T. Rep. N. S. 430. Ex.)

TRUSTEE RELIEF ACT.—An insurance company, on a policy becoming payable, received notice of several claims to it. They paid the money into court under 10 & 11 Vict. c. 96. They were held to be trustees within the meaning of the Act, and therefore justified in doing so, for it extended to any person who by force of circumstances became a bare trustee: (*Re United Kingdom Life Assurance Company*, 12 L. T. Rep. N. S. 441. M. R.)

EQUITABLE TENANT IN FEE—TIMBER.—An infant was entitled to an equitable fee-simple estate, subject to an executory devise over on his dying under twenty-one and unmarried. The Court ordered some timber to be cut and sold; the infant died under twenty-one and unmarried; the purchase-money of the timber was held to belong to his legal personal representative: (*Dyer* v. *Dyer*, 12 L. T. Rep. N. S. 442. M. R.)

MORTGAGE — PRIOR SECURITIES. — A mortgagee may buy any anterior mortgage at any price he can. Where there was a trust for sale, a mortgagee in possession, who had purchased prior securities, was held to be entitled as against the heir-at-law and personal representatives of the deceased mortgagor: (*Kirkwood* v. *Thompson*, 12 L. T. Rep. N. S. 446. V. C. W.)

LANDLORD AND TENANT—IMPLIED TENANCY AFTER EXPIRATION OF LEASE.—B., tenant for life, with power to lease for twenty-one years, remainder to C. for life, demised to D., a nurseryman, for twenty-one years, with a covenant that lessor should, at the determination of the term, pay for all fruit-trees planted by the tenant at a valuation. At the expiration of the term D., by parol agreement with B., contracted to occupy as tenant from year to year on the same terms as before. At his death E. came into possession and continued the occupation, paying the same rent. He died, and his administrator took possession, continuing the business as nurseryman, but nothing being said as to terms, and paying the same rent as before. C., the remainderman, was ignorant of the terms of the covenant to pay for the fruit-trees at a valuation. On determining the tenancy by a notice to quit, it was held, that the terms of it were a question of fact for the jury, and that in the absence of knowledge of the fact of the covenant was not bound to take and pay for the fruit-trees at a valuation: (*Oakley* v. *Monck*, 12 L. T. Rep. N. S. 465. Ex.)

FAMILY ARRANGEMENT—IMPLIED CONSIDERATION.—Where it was to be inferred from a course of dealing extending over a period of twenty years between two brothers that they were carrying out the intentions expressed by their father by an invalid testamentary document that his two sons should share his property equally, and it appeared that each of the brothers had refrained from insisting on his strict legal rights, even though there was no formal contract to this effect, the Court held it to be such a mutual family arrangement as it would enforce: (*Williams* v. *Williams*, 12 L. T. Rep. N. S. 476. V. C. K.)

LAW STUDENTS' JOURNAL.

QUESTIONS FOR THE FINAL EXAMINATION.

TRINITY TERM 1865.—FIRST DAY.

I. PRELIMINARY.

1. What is now your age?
2. Where, and with whom, did you serve your clerkship?
3. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.
4. Mention some of the principal law books which you have read and studied.
5. Have you attended any, and what, law lectures?

II. COMMON AND STATUTE LAW AND PRACTICE OF THE COURTS.

6. A levy having been made under a *fieri facias*, in what cases, and when, can another writ of execution issue on the same judgment?
7. How does the remedy for costs under a judgment differ from the remedy for costs under a rule?
8. Can a set-off be pleaded to a special count for unliquidated damages? Give the reason for your answer.
9. When an order has been obtained by defendant for particulars, what time is allowed for pleading after delivery of particulars?
10. Distinguish between a "General Lien" and a "Special Lien," and give an instance of each.
11. How is the liability to pay interest on simple contract debts affected by the stat. 3 & 4 Will. 4, c. 42?
12. The plaintiff has claims against the same person on a deed, for a trespass, and for a libel, and also on a cause of action in which he must sue as executor; can any, and which, of these causes of action be joined in the same action?
13. As a general rule, is the vendor or vendee the proper party to sue a carrier for the loss of goods? Give an instance of an exception to this rule.
14. Must a notice to quit be in writing, and should the service of a written notice to quit be on the subtenant or the lessee?
15. After verdict, the declaration is held to be bad on a motion to arrest the judgment—to whom will the costs of the trial be adjudged?
16. In what case does an appeal lie after trial on motions for a new trial, or to enter a verdict or nonsuit, &c., without the leave of the court?
17. State shortly the practice you would adopt, when having obtained a judgment for a plaintiff, you seek to obtain payment of the judgment-debt from other persons who are indebted to the judgment-debtor.
18. What authority must an agent have to bind his principal by deed?
19. A. and B. are partners in trade, A. improperly uses the partnership name by making a promissory note in the name of the firm; B. is compelled to pay the note. Has B. any, and what, remedy against A.?
20. What costs are usually allowed under a rule for costs of the day?

III. CONVEYANCING.

21. Describe the several conditions of sale to which sales by auction of real estate are usually made subject at the present day.
22. State what length of title a vendor of real estate would be bound to give if the contract merely stated that the vendor agreed to sell, and the purchaser agreed to purchase, at a certain sum.
23. State what title-deeds must a vendor of an estate agreed to be sold without special conditions, deliver to the purchaser on completion of the purchase, and what, if any, may he retain the possession of?
24. What are the ordinary covenants for title which a purchaser of an estate in fee can require from the vendor, who is selling property belonging to himself, for his own benefit?
25. If A., seised of land in fee, demises it to B. for life, rendering for the same to A., his heirs and assigns, an annual rent (without further powers or covenants in the demise), what remedies would A. and his heirs have for recovery of the rent?
26. If A. agrees to grant a lease of an estate to B. for a term of years, at an annual rent, without any premium, and without any conditions as to title in the agreement, what, if any, title may the lessee require should be shown by the lessor?
27. Describe what covenants on the lessee's part

are usually inserted in a lease for years of a house in a town at a full yearly rent.

28. State what are the proper and prudent trusts and provisions to be inserted in a marriage-settlement of the lady's property, the husband being in trade at the time of marriage.

29. If money be directed either by deed or will (dated in 1865), to be settled in trustees' names, but without any directions as to the mode or species of investment, on what securities or investments would the trustees be justified in placing the money?

30. If lands be settled upon A. for life, with remainder to B. for life, with remainder to the heirs of the body of A. in tail, with remainder to the heirs of B. in fee, what estates do A. and B. respectively take?

31. If a will devises property to A. for life, with remainder to B. for life, with remainder to B.'s first and other sons successively in tail, and B. dies between the making the will and the death of the testator, what effect would that death have on the devises, and how would the property go?

32. On what words or expressions in a will of real property, and on what other circumstances, will depend the question, whether or no real estate purchased by the testator after the date of the will, will pass under the devises in it?

33. What is the longest period, having reference to the lives of the parties, for which personal property can be settled so as to be inalienable?

34. For what period can property be tied up, and directed to accumulate, without any one having a present beneficial interest in it?

35. In what cases would the receipt of a trustee, whose receipt has not been expressly declared to be a good discharge, be a sufficient discharge to a purchaser or other person paying him money as such trustee, and in what would it not?

SECOND DAY.

IV. PRELIMINARY.

36. What is now your age?

37. Where, and with whom, did you serve your clerkship?

38. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.

39. Mention some of the principal law books which you have read and studied.

40. Have you attended any, and what, law lectures?

V. EQUITY AND PRACTICE OF THE COURTS.

41. State the chief conditions required by a Court of Equity to enable it to decree the specific performance of an agreement.

42. If the only question in a suit is the title to land, can the court dispose of it by any, and what, interlocutory proceeding before answer?

43. State the proceedings that the plaintiff's solicitor must, in such case, take to prosecute his client's case to a final result.

44. A person interested in stock transferable at the Bank of England is desirous of preventing a transfer of such stock—can he do so by any, and what, summary process?

45. In cases of doubtful construction of deeds or instruments referring to matters falling within the jurisdiction of equity, is there any mode of obtaining the opinion of the court judicially by persons interested, without filing a bill?

46. When lunatics, married women, or infants, are concerned, how are their respective interests to be represented, so as to show their concurrence in the necessary application to the court?

47. How are executors, administrators, or trustees, protected and indemnified in respect of matters comprised in a special case, and on the declaration of the court to be made thereon; are the rights of others, not comprised in such declaration, affected thereby?

48. Can a special case be registered, where, and under what title?

49. When may a special injunction be applied for in a suit, and how must it be supported? Can it be made *ex parte*, and when?

50. What is the distinction between applications to the court by motion and petition?

51. Who draws up the orders made thereon? and describe what is to be done by the solicitor, before they are completed, and to be acted on.

52. Describe the proceedings against a defendant, who has committed a breach of injunction.

53. How is a bill in Chancery to be taxed, and how many distinct modes or principles of taxation are acknowledged by the court?

54. When two or more trustees appear in a suit by one solicitor, can they afterwards sever their defence, and have separate bills of costs? State the rule in this respect that now prevails.

55. When is a defendant in a suit entitled to an order as of course, for the plaintiff to give security for costs, and to what amount?

VI. BANKRUPTCY AND PRACTICE OF THE COURTS.

56. State generally the object of the bankruptcy laws, first as regards creditors, second with respect to the bankrupt himself.

57. Point out some of the principal changes which were made in the bankruptcy law by the Bankruptcy Act 1861.

58. Name some of the acts of bankruptcy in respect of which an adjudication of bankruptcy can be obtained adversely against a debtor, distinguishing those which may be committed by a trader from those which may be committed by a non-trader. (Bkt. Law Cons. Act 1849. Bktcy. Act 1861.)

59. State how an act of bankruptcy may be obtained by means of a trader debtor summons. (Bkt. Law Cons. Act 1849.)

60. State how an adjudication in bankruptcy may be obtained upon a judgment debtor summons. (Bankruptcy Act 1861.)

61. State the amount required by the petitioning creditor's debt, distinguishing the single debt of a creditor, or two or more creditors being partners, or of two creditors not being partners, or of three or more creditors not being partners.

62. Is it essential to the validity of a petition for adjudication, that the petitioning creditor's debt should be due, and payable, at the time of the act of bankruptcy?

63. Can a creditor who holds a mortgage, or other security for his debt, be a petitioning creditor?

64. What are the requisites to establish a right in the assignees of a bankrupt to property in his possession, at the time of his bankruptcy, belonging to another party?

65. Has the Court of Bankruptcy any, and what, jurisdiction over voluntary settlements, or assignments made by insolvents, afterwards becoming bankrupt?

66. State the mode in which creditors may exercise their option of suspending proceedings under bankruptcy. (Bankruptcy Act 1861.)

67. As to change from bankruptcy to arrangement; how is this change effected? (Bankruptcy Act 1861.)

68. As to trust deeds for benefit of creditors, composition, and inspectorship deeds; state what deeds are to be valid, and upon what conditions. (Bankruptcy Act 1861.)

69. What are the grounds on which the Court may refuse or suspend an order of discharge?

70. What is the effect of the order of discharge when obtained, and how may the bankrupt avail himself of it, if he should be arrested or sued after the order of discharge has taken effect?

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. Under what statute, and in what cases, may an indictment be amended by order of the court, where a variance shall appear between the statements in such indictment, and the evidence offered in proof thereof?

72. If a party be charged with a felony, or misdemeanor, and it appear by the evidence that the offence was not completed, but that an attempt only was made, what verdict is a jury at liberty to return, and what are the consequences to the party charged?

73. At what time and in what manner, must objection be taken to any indictment for any formal defect appearing on the face of it?

74. On the trial of an indictment for perjury, alleged to have been committed on a trial of an indictment for felony, or misdemeanor, what is sufficient evidence of such previous indictment and trial?

75. If a justice, on complaint made of an offence committed within his jurisdiction, refuse to convict or to hold to bail the person charged, what course is it open to a prosecutor to pursue, and what is the justice bound to do thereon?

76. What penalty is attached to a conviction for unlawfully and wilfully hunting, killing, or wounding, any deer in an unenclosed forest or chase—and to what punishment is a party liable on conviction for a second offence of the same description?

77. In an indictment for embezzlement, what number of distinct acts may be charged, within what period must they have been committed, and if the offence relate to money or any valuable security, what is a sufficient description of the thing embezzled?

78. In what cases, and at what time, is the owner of stolen property entitled to a restitution of the same?

79. In what cases, and as to what description of stolen property, is the owner not entitled to restitution?

80. In advertising a reward for the recovery of stolen property, what statements or inducements is it unlawful to insert in the advertisement, and what penalty is attached to the insertion of them?

81. What amount of penalty or term of imprisonment must be adjudged on a summary conviction to entitle a party aggrieved to appeal? State the course of proceeding on such appeal.

82. Is it in the power of a justice, after a summary conviction, to discharge the offender, in any, and what, case, and upon any, and what, terms?

83. In the case of an abduction of an heiress against her will, can the party convicted acquire any right to the real or personal estate of such heiress, and in case of a subsequent marriage between the parties, how is such property to be dealt with?

84. State the course of proceeding, to compel the appearance before a justice, of persons punishable, on summary convictions.

85. On an indictment for obtaining money under false pretences, if the offence proved amount to larceny, is the party charged entitled to an acquittal—what is it sufficient to allege in such indictment, and to prove on the trial in relation to the offence?

INNS OF COURT EXAMINATIONS.

TRINITY TERM 1865.

General Examinations of Students of the Inns of Court, held at Lincoln's-inn Hall, on the 22nd, 23rd and 24th May 1865.

The Council of Legal Education have awarded:

John Naish, Esq., student of Lincoln's-inn, a studentship of fifty guineas per annum, to continue for a period of three years.

William Thomas Charley, Esq., student of the Inner Temple—an exhibition of twenty-five guineas per annum, to continue for a period of three years.

Matthew Ingle Joyce, Esq., student of Lincoln's-inn; Chaloner William Chute, Esq., student of the Middle Temple; Reginald Montague Astley Branson, Esq., student of the Middle Temple—certificates of honour of the first class.

John Henry De Villiers, Esq., student of the Inner Temple; John Matthias Spread, Esq., student of Lincoln's-inn; Edward Cooper Willis, Esq., student of the Inner Temple; John Finlaison, Esq., student of Lincoln's-inn; Arthur William Trollope Butler, Esq., student of Lincoln's-inn; John Watts Toovan, Esq., student of the Middle Temple; David Lindsay Macaleo, Esq., student of the Middle Temple; Thomas Snow, Esq., student of the Inner Temple; De Grouchy Le Gallais, Esq., student of Lincoln's-inn; James Halket, Esq., student of the Inner Temple; George Clement Bertram, Esq., student of the Inner Temple; Theodore Thomas, Esq., student of the Middle Temple; Henry James Burford Hancock, Esq., student of the Inner Temple; and Hugh Plamstead Pigot, Esq., student of the Inner Temple—certificates that they have satisfactorily passed a public examination.

By order of the Council,

(Signed) WESTBURY, C., Chairman.

Council-chambers, Lincoln's-inn,
1st June 1865.

CORRESPONDENCE OF THE PROFESSION.

COUNTY COURTS EQUITABLE JURISDICTION BILL.—Those who remember the difficulties and objections that were raised to the County Courts having their present common law jurisdiction and the means attempted to be cast upon the proposal previous to the passing of the 9 & 10 Vict. c. 95, principally no doubt by those who thought their craft in danger, will perhaps not be surprised at the article in your last publication on the Bill for giving the County Courts an equitable jurisdiction, though your columns have on various occasions amply testified how vain were the first anticipations of evil. Now, as then, the same cry is raised, and no doubt may be traced to the same source—the craft in danger; and the following extract from your article shows that now, as then, ridicule is to be resorted to—"The legislative scheme seems to be to offer to the public the benefit of equity at its own doors, leaving the public to find out when it mounts the vehicle that the horses are some of them ill-broken and others broken down, the harness weak, and the underwriting cart-like." I confess this sounds to me rather *cart-like*, and I should think very ill-suited to the taste of most of your readers; indeed, I can scarcely fancy that it would have found its way into your columns at any other time than during *the Derby* week. Difficulties no doubt there will be in carrying into effect the proposed measure, but I think the writer of the article must have been at a loss, when one of those difficulties he asks, "Who is to settle conditions of sale when land is to be realised?" I have been in practice thirty-seven years, and during that time have been in the constant habit of preparing conditions for the sale of land; and though in the estimation of the writer of your article my productions would probably be styled "cart-like," I have the satisfaction of knowing that they have invariably answered the purpose for which they were intended; and I do not know why there should be any great risk in future in consequence of such conditions being prepared by

A CLERK AND REGISTRAR OF COURTS OF TWENTY-SEVEN YEARS' STANDING.

7th June 1865.

BANKRUPTCY ACCOUNTANTS.—Mr. Commissioner Goulburn is entitled to the thanks of the Profession and has rendered no mean service to the mercantile community, by his determination to limit as far as possible the practice and influence of those persons who style themselves accountants and do the business of solicitors in the Bankruptcy Court. It will not, however, be sufficient for the court to dismiss petitions formally or nominally attested by an attorney, but really prepared by an accountant. When this deception is found out the court should visit with its severe censure any gentleman (*esq.* &c.) who has been a party to such fraud. I think it

will not be going too far to remove the name of any such attorney or solicitor from the rolls of the court. The evil is a great one, as nearly all the members of our Profession in London know, and the remedy must be sharp, decisive and ominous. One mode of checking, if not destroying, this accountant nuisance would be for the governor of the prison to permit no other than the attorney, or his duly authorised clerks to have access to the solicitors' room in the prison, and to prevent any other than the personal friends of the prisoner access to what may be called the public rooms of the gaol. It is also quite within the limits of his Honour's prerogative to still further check the encroachment of these accountants upon the lawyer's duties or emoluments. The subordinate officers of the court, such as messengers, officers, assignees and others, should be instructed to hold no official connection with and supply no documents or information to any accountant who has not been distinctly appointed by the court under its statutable powers. At present, although the statement may seem nearly incredible, I pledge my word to the fact, as one within my own immediate knowledge, that a lot of low dirty fellows, who divide their time about equally between Whitecross-street Prison, the dingy palace in Basinghall-street, and the adjacent public-houses, do obtain copies of proceedings, get inspection, suck the confidences of these minor officials to an extent which discredits and deranges the course of judicial inquiry and judgment. These obscene persons, I can assure you, have facilities rendered them which the ordinary legal practitioner cannot obtain. The secret of their influence lies in channels I can readily point out, but I have trespassed long enough on your space, and as my object is merely to direct attention upon an evil system, and not the creation of victims, I stop here. A CITY SOLICITOR.

London, 7th June.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

DEVISE.—A testatrix died, having by her will given 800*l.* to trustees upon trust to invest on Government or real security, and to pay the interest, dividends or annual produce unto her sister A. for life, with remainder to such person as A. might by will appoint, and in default thereof to the next of kin of A. The trustees and A. are desirous that the money should be invested in the purchase of land. The Act 23 & 24 Vict. gives trustees power to purchase lands in lieu of lands sold, but I cannot find any section empowering them to lay out trust-moneys in the purchase of land, neither do I think that the words in the will that the trustees may invest on real security are sufficient to justify their becoming the purchasers of land. A. would gladly join in the conveyance for the purpose of giving her assent to the purchase, but the question is whether her concurrence will be of any value, or at any rate sufficient to protect the trustees from liability to her appointees or next of kin in case the property depreciates. My opinion is, that the testatrix has provided a destination for the 800*l.* after her sister's death, and that A. (although she may appoint to whom she pleases) is merely entitled to a life-interest in the 800*l.*, and can have no power to authorise the trustees to do any act which might injure the objects of the testatrix's bounty, viz., the appointees or next of kin of A. I shall feel much obliged if any of your readers will tell me whether the desire to invest in the purchase of land can be effected by any and what means. J. G.

THE LAW LIBRARY.

A Treatise on the Law relating to Bankers and Banking. By JAMES GRANT, M.A. Second edition, by A. A. FISHER, Esq., Barrister-at-Law. London: Butterworths.

BANKS have been hitherto limited in number by reason of their unlimited liability. Great fortunes are made by them, but so also are fortunes wasted in them. Joint-stock banks were not exempt from the mortality that fell like an epidemic on the private banks, and when the crash came the solvent shareholders were compelled to pay, not their own shares only, but the deficiencies of their insolvent partners. The security of the public was certainly perfect, but the risk of the shareholders was enormous, and prudent men shrank from it. The introduction of limited liability into the joint-stock banking system has changed the position of the parties. The shareholder risks nothing beyond his shares: he stakes this limited loss against the chance of unlimited gain: if the bank succeeds, he pockets the profits; if it fails, the loss does not fall upon him, but upon the deluded depositors. The risk is now thrown entirely upon the public, who must bear the loss if loss should come.

It is still a point of controversy among economists, whether the principle of limited liability is safely applicable to banks and insurance offices, who are recipients and custodians of the money of others. But whether it be in itself right or wrong, the fact is that it is adopted in practice, not extensively as yet, but with growing favour, and to this is to be mainly attributed the recent sudden development of the banking system. Time alone can test the merits of the experiment. Some few years must elapse before the wonted causes of bank failures can operate upon the new banks. It is yet to be proved whether depositors will entrust their property to those who are under no legal obligation to restore it, and if the absence of liability in case of loss does or does not encourage recklessness on the part of managers. However this may be, banking has increased enormously, and with it the necessity for a knowledge of the law relating to it on the part of the lawyers. Hence it is that a second edition of Mr. Grant's well-known treatise on this branch of the law has been called for, and very ably supplied by Mr. Fisher. Mr. Grant, indeed, had so well constructed his work, that no substantial alteration in the form of it was required, and the duty of his successor has been limited almost entirely to the introduction of the numerous cases that have been decided since 1856, when Mr. Grant made his first appearance. Limited liability is, of course, an entirely new subject supplied by Mr. Fisher, and the important one of winding-up, although not altogether new, has been so largely developed both by legislation and decision, as to be almost wholly the work of the new editor. Indeed, the forms for incorporating and conducting a banking company are now so different from those described by Mr. Grant, that it was necessary for Mr. Fisher to rewrite the greater portion of this part of the volume.

A slight sketch of its contents will show how comprehensive a treatise it is, and how widely useful to the practitioner beyond the range of its title. It commences with a statement of the duties of bankers and the relations between them and their customers. The law relating to cheques and drafts on bankers, letters of credit and circular notes, bills of exchange made payable at the banking-house; the duties of bankers in respect of the orders of their customers, their obligations in giving accountable or deposit receipts; the relations of banker and correspondent, the deposit with him of securities for safe custody or special purposes and taking securities for advances; the rights and remedies on guarantees, bonds, &c., given to secure advances; and the customer's pass-book and account are successively described. The author then treats of the principles on which a customer's running account of payments may be appropriated, the lien of bankers on property in their hands, and the mode of realising it. Banking partnerships, with their incidents, are examined in a distinct chapter, and another is devoted to the bankruptcy of bankers or their customers. The law of savings banks and that affecting persons holding fiduciary and representative characters is next stated; and then we have a chapter on the criminality of bankers, and their rights and risks as discounters.

The special laws affecting the banks of England, Ireland and Scotland and banks of issue are severally set forth. The law of bank-notes, bank post bills, exchequer-bills, coupons, and home and foreign remittances complete the treatise on banking. We pass on then to the constitution of the various kinds of banks, each of which is very fully described, viz., joint-stock banks, with and without limited liability, chartered banks, Irish and Scotch banks, colonial, Indian and foreign banks, branch banks, their shareholders, directors and managers, with their several rights, powers and liabilities, civil and criminal, and at the end of all, the winding-up of such as become insolvent.

It will be seen from this how much there is in this volume useful not merely to the fortunate solicitors to banks, but to the general practitioner, who is continually called upon to advise his clients on some of the subjects here treated of. The style is singularly lucid, showing that the writer had in his own mind an accurate perception of the principle he enunciates, or of the precise points decided by the cases he cites, and therefore he is enabled to express them so distinctly that they are readily and with equal clearness caught by the reader. This is a great merit in a law book, and but too rare an one. A short specimen must suffice at this busy season, when claims upon our space are so urgent.

PRESENTMENT AND PAYMENT OF CHEQUES.

Cashing Cheques over the Counter.—Where a cheque is cashed over the counter the money ceases to be the money of the banker, and he cannot revoke or recal the payment, although he should immediately discover that the drawer's account is considerably overdrawn.

We proceed to consider a banker's liability as to refusing to pay his customer's cheques.

As to refusal.—If a banker, having presented to him within banking hours a cheque, bearing the genuine signature of a customer whose funds in the bank at the time are sufficient to pay the amount drawn for, refuse to pay, he is liable in substantial damages to the drawer; but it will be a good answer to *an action to recover damages*, if the banker can convince a jury that, although he had, in point of fact, funds of the drawer's in his hands at the time of presentment of the cheque, yet that such funds had not been paid in long enough to have been in his hands for a reasonable time before the presentment. What is a reasonable time before presentment must be ascertained by the jury in each case, by reference to its particular circumstances: *ex. gra.*, the general magnitude and extent of the business at the bank, the pressure of business at the time, or on the previous part of the day in question, &c., &c.

Also it is a defence to such action, that the drawer's assets have been exhausted, by the payment of bills accepted by him, payable at the bankers; and it is not necessary for the bankers to show any special authority or any further order than that contained in such acceptances, to enable them to pay the amounts due upon the bills, without giving a right of action for dishonouring cheques presented subsequently.

The following case may serve to illustrate the principles above laid down. On a certain day A. had standing in his name at his bankers a balance of 69*l.* 16*s.* 6*d.* About one o'clock the same day 40*l.* was paid into his account; a little after three o'clock a cheque drawn by him was presented for payment, the sum being 87*l.* 7*s.* 6*d.* A clerk, after referring to a book, said there were not sufficient assets, but that the cheque might probably go through the Clearing House. The cheque was paid on the following day. At the trial of an action, brought by A., against the bankers, no actual damage was proved to have been sustained by A., and the jury found a verdict for the plaintiff, with nominal damages; the court, however, refused to grant a new trial, as the dishonour of the plaintiff's cheque by the bankers, having in their hands funds sufficient to meet it at the time, was of itself an actionable wrong entitling him to damages.

"I cannot forbear to observe," said Lord Tenterden, C.J., on the motion for a new trial, "that it is a discredit to a person, and therefore injurious in fact, to have a draft refused payment for so small a sum; for it shows that the banker had very little confidence in the customer. It is an act particularly to be injurious to a person in trade. My judgment in this case, however, proceeds on the ground that the action is founded on a contract between the plaintiff and the bankers, that the bankers, whenever they should have money in their hands belonging to the plaintiff, or within a reasonable time after they should have received such money, would pay his cheques, and there having been a breach of such contract, the plaintiff is entitled to recover nominal damages."

Where bankers had taken up bills for a customer on the security of the produce of certain consignments, and by a course of dealing with him had permitted him to draw on his account current with them without reference to their advances on the consignments, they cannot, by charging his account with the advances, in the absence of express notice, treat it as overdrawn, and accordingly dishonour his cheques before the consignments are realised.

What are banking hours.—The courts take judicial notice of what are banking hours in the city of London. What are banking hours in other parts of the metropolis, and in provincial towns, must be proved in each case in which the question becomes material.

Within what time after it is received by the payee, a cheque ought to be presented for payment.—Somewhat different considerations arise in this respect, according to the character of the parties, between whom the question is raised.

1. *As between the payee and the drawer*, the rule is, that the drawer is not discharged, that is, the payee does not lose his remedy against the drawer, by reason of non-presentment within any prescribed time, short of six years after taking the cheque, unless the insolvency of the banker should take place in the interval; that is, unless an actual loss to the drawer, who has done nothing to cause the selection of him, as the one of the two parties, having no concern in bringing about the loss, on whom it is to fall. Between these parties, therefore, it is only in case of the intermediate insolvency of the banker that the cheque can become stale, all other circumstances remaining unaltered. Still the payee of the cheque must bear in mind that he may be put to much trouble and inconvenience by his neglect to present the cheque within a reasonable time (which is generally considered to mean within the banking

hours of the day after it is received), because bankers in general understand it as a rule of business not to pay old cheques without inquiry; also a banker cannot safely pay a cheque, the drawer of which has died between the date of delivering the cheque and its presentment, because his death operates to withdraw the banker's authority to pay: also, although the drawer be still living, his account may have been overdrawn, or he may have ceased to have an account with the banker in the interval; and, in either of the three last cases, the payee might be obliged to resort to an action to recover the value. Again, the drawer might in the interval have become bankrupt or insolvent, in neither of which cases would it be probable that the payee would recover the full value.

On the other hand, although where the payee keeps the cheque beyond a reasonable time without presentment, and the bankers become insolvent in the meantime, the drawer is discharged; yet, if within banking hours of the day after he receives the cheque the payee presents it, and finds that the bankers have become insolvent between his receipt of the cheque and the carrying it for presentment, the drawer is not discharged, and the payee may recover; for here, though both parties are innocent, yet it is just that the payee should be paid his debt, the right to which he has done nothing to forfeit, since he has conformed to the strictest rule that applies to any holder of a cheque by presenting in the course of the day after his receipt of it.

2. *When the person who holds the cheque is not the payee*, but has received the cheque from the payee or from some intermediate holder, and upon the cheque being dishonoured seeks to recover from the person from whom he received it, the rule is strict that he must present it within banking hours, on the day following that on which he received it at the farthest, provided there are the ordinary means of doing so. And the holder of a cheque, whether payee or other holder, does not obtain any more time by sending the cheque to his own bankers and presenting it through them; but in all cases, to be safe, he must present within banking hours of the day next after the day of the delivery of the cheque to him, whether he presents it himself or by a servant, or through his bankers. There is, of course, nothing to prevent the drawer agreeing with the payee to extend the time for presentment, by his assent, either express or implied. On the other hand, the payee, by transmitting a cheque on another bank to his own bankers, has not less time to present it in than he would have had if he had kept it and presented it himself; and although the bankers do not send it to the Clearing House the same day, the drawer is not discharged.

Notwithstanding what has been stated above, from the decided authorities, founded on cases which have already come before the courts, there can be no doubt that the drawer would not be discharged if the payee could show that, although he had exceeded a reasonable time in presenting the cheque, still at no time between the delivery to him of the cheque and the stopping of the bank had the drawer assets in the banker's hands to cover the amount of the cheque; or if he could show that, from the distance from the bankers at which he received the cheque, or the lateness of the hour or other circumstances, he could not have presented the cheque so as to anticipate the stopping of the bank, even though he had actually exceeded the prescribed period of the banking hours of the next day, &c. The payee does not lose his right to recover, as has been already observed, by the stoppage of the bank within the prescribed period, provided his presentment, though subsequent to the stoppage, is within the period. Also, if it could be shown that the bank had stopped, to the drawer's knowledge, at the time of his delivery to the payee of the cheque, probably no actual presentment need be proved, in order to render the drawer liable. So the drawer would be held liable if it could be proved that he had reduced his account with the banker, below the amount of the cheque, before the closing of the bank on the day after his delivery of the cheque, or perhaps at any time before presentment.

With respect to the presentment of cheques on provincial bankers, the following case may be usefully detailed:

A cheque for 4574*l.* was given, on the 20th of April, in payment for an estate, to A., at Lutterworth, drawn on the Lutterworth bank. It was received by the payee after banking hours. A. lived three miles from Lutterworth, and he handed the cheque to B., to be carried to Rugby, and placed to B.'s account with the Rugby bank. Rugby is six miles from Lutterworth. On the arrival of the cheque at Rugby the bank had closed, but the cheque was deposited with one of the partners of that bank for the night, and in the morning of the 21st April it was paid into the bank, and on the same day was transmitted, by post as the most advisable mode, to the Lutterworth bank, with orders to send the amount to London. The Lutterworth bankers received it early on the 22nd, and at half-past one p.m. on that day, they stopped payment, without having cashed the cheque. A Court of Equity held that the deposit of the cheque, with the Rugby bankers, was a reasonable and proper course, on the part of A., and consequently that the presentment to the Lutterworth bank was in time to prevent the cheque from becoming his cheque, and that the debt was still due to him. The Rugby bankers, it was considered, had the whole of the 22nd to present the cheque in. Here, looking to the various circumstances, it might be well considered that the payee did not receive the cheque until the 21st, for he did not receive it, so as to make it available, until that day, and he was entitled to pay it into his bankers, or to send it, with the intention that it should be deposited in the bank of Rugby for the night: as it would not there be exposed to many risks, to which it might have been liable in his own house; and then the bankers at Rugby had the whole of the next day, after their receipt of it, to present it in. Also, it will be observed, that the case falls within the first of the above rules; for supposing that the payee did not present the cheque, within the next day after that on which he received it, still the stoppage of the bank did not occur in the interval between the receipt of the cheque and the presentment, and consequently the drawer remained liable. This decision may, therefore, be rested on this latter principle, independently of the peculiar circumstances of the case. But probably the proper meaning of the strict rule, as to presentment by the bearer, is that the period of—"the day after the receipt of the cheque by the bearer"—only begins to run from the day on which it was first possible for him to have presented the cheque; so that if a person receives a cheque too late for presentment to-day, under no circumstances can he have less than the whole of to-morrow and the next day for presentment; in other words, that "day" means "day available for presentment;" otherwise a person who received a cheque on a Sunday, dated on that day, would only have the whole of Monday to present it in; and a person who received a cheque, after banking hours, on a Saturday, must bear the loss, if the banking house did not open on Monday. It would seem reasonable, however, to consider that he first received the cheque, in each case, on Monday before banking hours commenced, and that he had, therefore, the whole of Monday and Tuesday to present it in; and so if any other acknowledged public holiday intervened.

The following is a case of the same class as the one last detailed:—

On the 5th of April the defendant paid to the plaintiffs, who were bankers, a cheque drawn on the Maidstone bank; it was given to the plaintiffs at the time of the Tunbridge market, and they gave their own bank-notes in exchange; they received it, at Tunbridge, some time before the post set out on the 5th. The plaintiffs kept it all the 5th and 6th, but sent it to Maidstone, by the carrier, on the morning of the 7th; the carrier reached Maidstone at nine o'clock on the 7th, but the Maidstone bank did not open on that day. If the cheque had been sent by the post, of the 6th, it would have reached Maidstone an hour earlier. At the trial, Gibbs, C. J., said: "The plaintiffs cannot recover; they have been guilty of laches: I will not say that it was their duty to have sent off the cheque by the post of the 5th, but the extreme time, up to which they were justified in keeping it, was till the post of the 6th. They do not send it till the 7th. It does not matter when the carrier arrived; they must suffer for their negligence."

The extreme time here mentioned, it will be observed, is limited in accordance with the latter part of the second rule, by which the bearer or holder of the cheque must present in the banking hours of the day after that on which he received it, *if there are the ordinary means of doing so*. In the above case the judge seems to have declined saying expressly, that considering the hurry of a market day, the bank was bound to have sent the cheque by the post of the 5th, (though, on the other hand, he would not lay it down that it was their duty,) so as to have presented on the 6th; but, as they did not take the means of the post of the 6th, of making what may be called an inchoate presentment on the day after they received it, the loss arising from the stoppage of the Maidstone bank, in the interval between the receipt and presentment, fell upon them.

On a Friday, at nine o'clock p.m., B.'s son called at the residence of C.'s salesman, five miles from Blackburn, and paid him a cheque on a Liverpool banker. The salesman was ill at the time, but on the following Monday he handed the cheque to C. at his place of business at Blackburn, and it was sent off the same day by C. to his agents at Liverpool, and on Tuesday morning it was presented for payment at the bankers and refused: it was held, that there was no unreasonable loss of time in the presentment of the cheque.

We shall detail another case of this class.

The plaintiffs were bankers at Aylesbury. At noon, the 13th of June, they discounted for the defendant a cheque that he had received in payment, for cattle, from some salesman, in Smithfield, London. It was drawn, in his favour, on Smith and Co., bankers, London. The post for London left Aylesbury at 6 p.m., but the plaintiffs did not send off the cheque by that day's post, but by a coach which started at 8 a.m. of the 14th. The cheque was inclosed to Praed and Co., bankers, Fleet-street, who received it between three and four o'clock the same day. They presented it at Smith and Co.'s about 11 a.m. on the 15th. The answer was, "No effects—must see the drawers." The action was for money had and received to recover the sum of 98*l.* paid by the plaintiff on the cheque to the defendant, and they had a verdict. Here the defendant, choosing to discount the cheque in the country, was considered to have assented to that being done which was the usual and necessary course to procure payment of the cheque; and it appears to be the invariable usage, in the city of London, for bankers to present cheques, paid in by their customers, on the day following that on which they are received, when drawn on bankers eastward of Temple Bar, being members of the Clearing-house, in which case they are exchanged the same day.

A country banker, receiving from his customer a cheque for presentment drawn upon another country banker not resident in the same town, is not bound to transmit it for presentment by the post of the day on which he receives it, but he has until post-time of the next day for so doing. Therefore, when a cheque upon a bank at Lewes was paid on a Friday morning into a bank at Worthing, by a customer of such last-mentioned bank, to the credit of his account with that bank, presentment of the cheque for payment at the Lewes bank on the following Monday was held to be in time, as the Worthing banker was only bound to send it by Saturday's post to his agent at Lewes.

The following case may properly find a place here, though it is less closely connected with this part of our subject:

On the 17th Nov. A. asked B. to give him change for a cheque for 10*l.* 10*s.*, drawn by C. on W. and Co., bankers, in whose hands C. had funds sufficient to cover the amount. B. gave the change, and kept the cheque till the 21st Nov., when he paid it into *his* bankers. On the 23rd Nov. W. and Co. stopped payment, without having cashed the cheque. On the evening of that day B. told A. that the cheque had been *returned*, not telling him that W. and Co. had stopped, which A. did not know. A. gave B. 5*l.* and an I O U for 5*l.* 10*s.* and took back the cheque. Held, that the suppression of the fact by B. that W. and Co. had stopped payment, amounted to such a fraud on A. as entitled him to recover the 5*l.* as money had and received, and that to entitle him to do so it was not necessary that he should have given or tendered back the cheque to B., Lord Lyndhurst, C. J. saying, the cheque was not returned in the ordinary sense of the word.

The Presentment must in general be made, as stated, within banking hours, but at the banking-house of the bankers on whom the cheque is drawn. But the institution called the Clearing-house, and the practice of using it, which is now very general, if not universal, among the bankers of the metropolis, have introduced a small divergence from the rule. Since 1858, the country bankers too have very generally adopted the Clearing-house, for the presentment and collection of cheques payable in different parts of the country.

THE COURTS & COURT PAPERS.

CHANCERY ORDER.

Whereas, it is proper that the accounts kept by the Accountant-General of this court should be examined and compared in order to settle the same, and whereas it will require considerable time to perfect such examination, and it is necessary that a time should be appointed for closing the books of accounts of the said Accountant-General for the purposes aforesaid. I do order that the books of the said Accountant-General be closed from and after Friday, the 18th day of August next, to Saturday, the 28th day of October next, inclusive, excepting upon the days and for the purposes hereinafter mentioned in order to adjust the accounts of the suitors with the books kept at the Bank, and that, during that time, no draft for any money, except as hereinafter provided, or certificate for any effects under the care and direction of this court, be signed or delivered out by the Accountant-General, or any stocks or annuities accepted or transferred by him relating to the suitors of this court, and that no purchase, sale, or transfer be made by the said Accountant-General unless the order and request, or registrar's certificate be left at his office on or before Saturday, the 5th day of August next, and that no order for payment of any money out of court, which may be then in court, be received in the Accountant-General's office after Tuesday, the 8th day of August next. Provided nevertheless, that the office of the said Accountant-General shall be open on Saturday, the 14th day of Monday, the 16th, and Tuesday, the 17th days of October next, for the delivery out of any regular interest drafts which may have become payable in respect of the October dividends, and of any other regular interest drafts, which have become payable prior to or during the closing of the office as aforesaid. And to the end that the suitors may have notice hereof, and apply to the court as there shall be occasion, to have money paid to them out of the bank, or stocks, or annuities transferred to them before the 18th day of August next.

I do order that this order be entered and set up in the several offices of this court.

WESTBURY, C.

ORDER OF COURT.

General Order of the High Court of Chancery, as to the Mode of Proceeding for the Proof of Debts. Saturday, the 27th day of May 1865.

The Right Honourable Richard Baron Westbury, Lord High Chancellor of Great Britain, with the advice and consent of the Right Honourable Sir John Romilly, Master of the Rolls, the Honourable the Vice-Chancellor Sir Richard Torin Kindersley, the Honourable the Vice-Chancellor Sir John Stuart, and the Honourable the Vice-Chancellor Sir William Page Wood, doth hereby, in pursuance and execution of the powers given by the statutes 13th and 14th Victoria, chapter 35, and 15th and 16th Victoria, chapter 80, and of all other powers and authorities enabling him in that behalf, order and direct in manner following:—

1. Every advertisement for creditors affecting the estate of a deceased person, which shall be issued pursuant to any decree or order, shall direct every creditor, by a time to be thereby limited, to send to the executor or administrator of the deceased, or to such other party as the judge shall direct, or to his solicitor, to be named and described in such advertisement, the name and address of such creditor, and the full particulars of his claim, and a statement of his account, and the nature of the security (if any) held by him; and such advertisement shall be in the form numbered 1 in the second schedule hereto, with such variations as the circumstances of the case may require; and at the time of directing such advertisement a time shall be fixed for adjudicating on the claims.

2. No creditor need make any affidavit nor attend in support of his claim (except to produce his security), unless he is served with a notice requiring him to do so, as hereinafter provided.

3. Every creditor shall produce the security (if any) held by him, before the judge, at such time as shall be specified in the advertisement for that purpose, being the time appointed for adjudicating on the claims; and every creditor shall, if required by notice in writing, to be given by the executor or administrator of the deceased, or by such other party as the judge shall direct, produce all other deeds and documents necessary to substantiate his claim before the judge, at his chambers, at such time as shall be specified in such notice.

4. In case any creditor shall neglect or refuse to comply with the preceding rule numbered 3, he shall not be allowed any costs of proving his claim, unless the judge shall otherwise direct.

5. The executor or administrator of the deceased, or such other party as the judge shall direct, shall examine the claims sent in pursuant to the advertisement, and shall ascertain, so far as he is able, to which of such claims the estate of the deceased is justly liable; and he shall, at least seven clear days prior to the time appointed for adjudication, file an affidavit, to be made by such executor or administrator, or one of the executors or administrators, or such other party, either alone or jointly with his solicitor, or other competent person, or otherwise as the judge shall direct, verifying a list of the claims the particulars of which have been sent in pursuant to the advertisement, and stating to which of such claims, or parts thereof respectively, the estate of the deceased is, in the opinion of the deponent, justly liable, and his belief that such claims, or parts thereof respectively, are justly due and proper to be allowed, and the reasons for such belief.

6. In case the judge shall think fit so to direct, the making of the affidavit referred to in the preceding rule numbered 5 shall be postponed till after the day appointed for adjudication, and shall then be subject to such directions as the judge may give.

7. At the time appointed for adjudicating upon the claims, or at any adjournment thereof, the judge may, in his discretion, allow any of the claims, or any part thereof respectively, without proof by the creditors, and direct such investigation of all or any of the claims not allowed, and require such further particulars, information, or evidence, relating thereto, as he may think fit, and may, if he so think fit, require any creditor to attend and prove his claim, or any part thereof; and the adjudication on such claims as are not then allowed shall be adjourned to a time to be then fixed.

8. Notice shall be given by the executor or administrator, or such other party as the judge shall direct, to every creditor whose claim, or any part thereof, has been allowed without proof by the creditor, of such allowance, and to every such creditor as the judge shall direct, to attend and prove his claim, or such part thereof as is not allowed, by a time to be named in such notice, not being less than seven days after such notice, and to attend at a time to be therein named, being the time to which the adjudication thereon shall have been adjourned; and in case any creditor shall not comply with such notice, his claim, or such part thereof as aforesaid, shall be disallowed.

9. Any creditor who has not before sent in the particulars of his claim pursuant to the advertisement, may do so four clear days previous to any day to which the adjudication is adjourned.

10. After the time fixed by the advertisement, no claim shall be received (except as before provided in case of an adjournment), unless the judge shall think fit to give special leave upon application made by summons, and then upon such terms and conditions as to costs and otherwise as the judge shall direct.

11. The rules numbered 37, 38, 41, 42 and 43, of the 35th Consolidated General Order are hereby abrogated, in so far only as the same relate to creditors.

12. Where any decree or order is made for payments by the Accountant-General to creditors, the party whose duty it is to prosecute such decree or order shall send to each such creditor, or his solicitor (if any), a notice that the cheques may be received from the Accountant-General; and such party shall, when required, produce such decree or order, and any other papers necessary to enable such creditors to receive their cheques and get them passed.

13. Every notice by this order required to be given shall, unless the judge shall otherwise direct, be deemed sufficiently given and served if transmitted by the post, prepaid, to the creditor to be served, according to the address given by such creditor in the claim sent in by him pursuant to the advertisement, or, in case such creditor shall have employed a solicitor, to such solicitor, according to the address given by him.

14. Solicitors shall be entitled to charge and be allowed the fees set forth and referred to in the first schedule to this order, for business done under this order.

15. The forms set forth or referred to in the second schedule to this order, with such variations as the circumstances of each case shall require, shall be adopted for the respective purposes therein mentioned.

16. This order shall come into operation on and after the 15th day of June 1865; and the General Interpretation Clause in the Consolidated General Orders shall be deemed to extend to this order; and the word "creditor" used in this order, and in the forms subjoined hereto, shall include a person claiming any debt or liability affecting the personal estate of a deceased person, under any order made pursuant to the statute 13th and 14th Vict. c. 35.

WESTBURY, C.
JOHN ROMILLY, M.R.
RICHD. T. KINDERSLEY, V.C.
JOHN STUART, V.C.
W. P. WOOD, V.C.

THE FIRST SCHEDULE.

FEES AND CHARGES TO BE ALLOWED TO SOLICITORS.

	Lower Scale.	Higher Scale.
For every notice which may be sent by the post, including the sending	0 2 6	0 2 6
For every other notice, including the service	0 5 0	0 5 0
For attendances on the Accountant-General to bespeak all cheques for sums payable to creditors under any decree or order.....	0 6 8	0 13 4
For all other attendances on the Accountant-General and registrar to produce papers necessary to enable all creditors to receive their cheques under any decree or order, and get them passed.....	0 6 8	0 13 4
And if the number of such cheques exceeds two, for every additional number not exceeding two	0 6 8	0 6 8
Except that the last-mentioned fees shall not in any case (unless the taxing master shall in his discretion think fit, under special circumstances, to allow a larger amount) exceed	3 3 0	5 5 0

For all other business, the same fees and allowances as are authorised by the 2nd rule of the 35th of the Consolidated General Orders, and the regulations as to solicitors' fees subjoined thereto, and by the practice of the court, for business of a similar nature, except the special fees applicable to creditors coming in under the rules of the 35th of the Consolidated General Orders which are abrogated by this order.

THE SECOND SCHEDULE.

FORMS.

No. 1. *Advertisement for Creditors.* [Rule 1.]

Pursuant to a decree [*or*, an order] of the High Court of Chancery, made in [the matter of the estate of A. B. and in] a cause, S. against P., the creditors of A. B., late of , in the county of , who died in or about the month of 18 , are, on or before the day of , 18 , to send, by post, prepaid, to E. F., of , the solicitor of the defendant C. D., the executor [*or*, administrator] of the deceased [*or as may be directed*], their christian and surnames, addresses and descriptions, the full particulars of their claims, a statement of their accounts, and the nature of the securities (if any) held by them; or, in default thereof, they will be peremptorily excluded from the benefit of the said decree [*or*, order]. Every creditor holding any security is to produce the same before the Master of the Rolls [*or*, Vice-Chancellor], at his chambers, situated at, &c., on the day of , 18 , at o'clock in the noon, being the time appointed for adjudicating on the claims.

Dated this day of , 18 .

G. H.,
Chief Clerk.

No. 2. *Notice to Creditor to produce Documents.* [Rule 3.]

(Short Title.)

You are hereby required to produce, in support of the claim sent in by you against the estate of A. B., deceased [*describe any probate, administration, deed or document required*], before the Master of the Rolls [*or*, Vice-Chancellor], at his chambers, situate at, &c., on the day of , 18 , at o'clock in the noon.

Dated this day of , 18 .

G. H., of &c., solicitor for the plaintiff [*or*, defendant, *or as may be*].

To Mr. S. T.

No. 3. *Affidavit of Executor or Administrator as to Claims.* [Rule 5.]

In Chancery.

(Title.)

We, C. D., of &c. the above-named plaintiff [*or*, defendant, *or as may be*], the executor [*or*, administrator] of A. B., late of , in the county of , deceased, and E. F., of &c., solicitor, severally make oath and say as follows:—

I, the said E. F., for myself say as follows:—

1. I have in the paper writing now produced and shown to me, and marked A, set forth a list of all the claims the particulars of which have been sent into me by persons claiming to be creditors of the said A. B., deceased, pursuant to the advertisement issued in that behalf, dated the day of , 18 .

And I, the said C. D., for myself say as follows:—

2. I have examined the particulars of the several claims mentioned in the paper writing now produced and shown to me, and marked A, and I have compared the same with the books, accounts, and documents of the said A. B. [*or as may be, and state any other inquiries or investigations made*], in order to ascertain, so far as I am able, to which of such claims the estate of the said A. B. is justly liable.

3. From such examination (*and state any other reasons*), I am of opinion, and verily believe, that the estate of the said A. B. is justly liable to the amounts set forth in the sixth column of the first part of the said paper writing marked A; and to the best of my knowledge and belief such several amounts are justly due from the estate of the said A. B., and proper to be allowed to the respective claimants named in the said schedule.

4. I am of opinion that the estate of the said A. B. is not justly liable to the claims set forth in the second part of the said paper writing marked A., and that the same ought not to be allowed without proof by the respective claimants [*or*, I am not able to state whether the estate of the said A. B. is justly liable to the claims set forth in the second part of the said paper writing marked A., or whether such claims, or any parts thereof, are proper to be allowed without further evidence].

Sworn, &c.

No. 4. *Exhibit referred to in Affidavit No. 3.*

A.

(Short Title.)

List of claims the particulars of which have been sent in to E. F., the solicitor of the plaintiff [*or*, defendant, *or as may be*], by persons claiming to be creditors of A. B., deceased, pursuant to the advertisement issued in that behalf, dated the day of , 18 .

This paper writing, marked A., was produced, and shown to , and is the same as is referred to in his affidavit, sworn before me this day of , 18 .

W. B., &c.

First Part.—Claims proper to be allowed without further evidence.

Serial No.	Names of Claimants.	Addresses and Descriptions.	Particulars of Claim.	Amount Claimed.	Amount proper to be allowed
				£ s. d.	£ s. d.

Second Part.—Claims which ought to be proved by the Claimants.

Serial No.	Names of Claimants	Addresses and Descriptions.	Particulars of Claim.	Amount Claimed.
				£ s. d.

No. 5. *Notice to Creditor to prove his Claim.* [Rule 8.]

(Short Title.)

You are hereby required to prove the claim sent in by you against the estate of A. B., deceased. You are to file such affidavit as you may be advised in support of your claim, and give notice thereof to me, on or before the day of next; and to attend, by your solicitor, at the Chambers of the Master of the Rolls [*or*, Vice-Chancellor], situate at, &c., on the day of , 18 , at o'clock in the noon, being the time appointed for adjudicating on the claim.

Dated this day of , 18 .

G. H., of &c., solicitor for the plaintiff [*or*, defendant, *or as may be*].

To Mr. S. T.

No. 6. *Notice to Creditor of Allowance of Claim.* [Rule 8.]

(Short Title.)

The claim sent in by you against the estate of A. B., deceased, has been allowed at the sum of £ , with interest thereon at £ per cent., per annum, from the day of , 18 , and £ for costs.

[*If part only allowed, add*, If you claim to have a larger sum allowed, you are hereby required to prove such further claim, and you are to file [*&c., as in Form No. 5*].

Dated this day of , 18 .

G. H., of &c., solicitor for the plaintiff [*or*, defendant *or as may be*].

To Mr. P. R.

No. 7. *Notice that Cheques may be Received.* [Rule 12.]

(Short Title.)

The cheques for the amounts directed to be paid to the

creditors of A. B. deceased, by an order made in this [matter and] cause, dated the day of 18 , may be received at the Accountant-General's Office on and after the day of 18 .

G. R. of &c., solicitor for the plaintiff [or, defendant *or as may be*].

To Mr. W. S.,
&c.

Westbury, C.
John Romilly, M.R.
Richd. T. Kindersley, V.C.
John Stuart, V.C.
W. P. Wood, V.C.

COURT OF QUEEN'S BENCH.

Reported by John Thompson and T. W. Saunders, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Trinity Term 1865.

Thursday, June 1.

Dunlop and another v. Kitchin.—*Quain* showed cause, and *Shepherd* supported, a rule *nisi* to set aside an award, on the grounds that the arbitrator had not decided the matters in dispute, and that the plaintiffs had no notice of the proceedings and were not heard. *Rule discharged.*

Reg. v. Twiss (Judge of the Consistory Court of London).—*Lush*, Q.C. and *Barnard* showed cause, and *Coleridge*, Q.C. and *Searle* supported a rule for a prohibition to stay a suit by the guardians of Shoreditch parish for a faculty to enable them to build an enlargement of the workhouse on a portion of the burial-ground.

Rule enlarged to enable the parties to file further affidavits.

Hedley v. Barlow.—Action for a libel on the plaintiff in the *Journal of Gas-Lighting, &c.*, of which the defendant was the proprietor. At the trial the verdict passed for the plaintiff, with 250*l.* damages. A rule *nisi* having been obtained for a new trial, on the ground that the damages were excessive, *O'Malley*, Q.C. showed cause, and *Bovill*, Q.C. and *H. Lloyd* supported the rule. *Rule discharged.*

De Thierry and another v. Lord Fermoy.—Action by the plaintiffs to recover 20,000*l.* on an alleged agreement for the purchase and transfer of a concession of the privilege of establishing a joint-stock bank in Vienna. At the trial the verdict passed for the plaintiff, subject to the opinion of the court on the facts and documents as to the plaintiff's right to recover.—A rule *nisi* having been obtained to enter a nonsuit or a verdict for the defendants, *Bovill*, Q.C., *Mellish*, Q.C. and *Kingdon* showed cause; and *Lush*, Q.C., *Hawkins*, Q.C. and *Garth* appeared to support the rule. *Part heard.*

Friday, June 2.

Harvey v. The London, Brighton and South Coast Railway Company.—Action to recover damages for personal injuries sustained in consequence of the defendant's neglect to roof the Pimlico Station according to an agreement contained in the Pimlico Station and Railway Act 1848, s. 58, whereby the steam escaped and frightened a horse which the plaintiff was driving. The question was as to the liability of the defendants.—*Lush*, Q.C. (*Archibald* with him) for the plaintiff, and *Hannen* (*Moorsom* with him) for the defendants. *Judgment for the defendants.*

Saturday, June 3.

Reg. v. The Guardians of the Stourbridge Union.—(To be reported.) *Order of sessions quashed.*

Hayter v. The Overseers of Salford.—*McIntyre* appeared for the appellant, and *Coleridge*, Q.C. for the respondent.—(To be reported.) *Rate confirmed.*

The Overseers of Haughley v. The Great Eastern Railway Company. *Referred back to the arbitrator.*

Hassack v. Gray.—The *Solicitor-General* and *Maud* appeared for the respondent, and *Coleridge*, Q.C. and *Turner* for the appellant. *Judgment for the respondent.*

Scott v. Washington.—*M'Mahon* appeared for the respondent.—(To be reported.) *Conviction quashed.*

Monday, June 5.

Reg. v. The Registrar of Friendly Societies.—*E. James*, Q.C. and *C. Russell* showed cause, and *Brett*, Q.C. and *Hopwood* supported a rule *nisi* for a *mandamus* to the registrar to certify certain new rules of the United Temperance Sick and Burial Society of St. Patrick. The place of meeting had been Liverpool, and it was sought to change it to Manchester, and a meeting had been called for that purpose, and a resolution passed to do so, and a new rule drawn up accordingly. The registrar being of opinion that the meeting was not properly constituted, had refused to certify that the new rule was made in conformity to law.—The Court said that the registrar had a right to make the inquiry, and discharged the rule. *Rule discharged.*

Reg. on Prosecution of The Earl of Shaftesbury v. Waters.—*Coleridge*, Q.C. (*T. H. Lewis* with him) moved for a *certiorari* under the 19 & 20 Vict. c. 3, in order that the trial of the defendant, who had been committed by justices of Sherborne, Dorsetshire, for trial, on a charge of embezzlement, might take place at the Central Criminal Court. *Rule nisi.*

Ex parte Johnstone.—*Hance* moved for a rule calling on a judge of the County Court of Sussex, and the steward and trustees of a friendly society, to hear the complaint of the applicant and adjudicate upon it. The question was, whether the applicant had been legally expelled from the society. *Rule refused.*

Ex parte Lingwood (Lord of the Manor of Cheltenham).—*Denman*, Q.C. and *F. M. White* showed cause against a rule *nisi* for a *mandamus* to the commissioners under the Copyhold Enfranchisement Act to hear the counsel of the lord of the manor as to the statement of a case settled between the lord and one of his tenants by the acting commissioners for the opinion of Court of C. P.—Sir *F. Kelly*, *Mellish*, Q.C., *Sawyer* and *H. James* appeared in support of the rule.—The Court, without making the rule absolute, suggested that the commissioners should hear the lord's counsel, which was acceded to by the parties.

De Thierry and another v. Lord Fermoy.—The further hearing of this case was continued, but the argument was not concluded at the rising of the Court. *Part heard.*

Tuesday, June 6.

Wyatt v. Great Western Railway Company.—Demurrer to a declaration against the company for negligence for not providing servants to open and shut the defendants' gates on their line of railway, where the line was upon a level with the Worcester and Oxford turnpike-road, leading from the Cross Hand public-house to Halford-bridge, whereby one of the gates, which the plaintiff was obliged to open himself, being so constructed as to swing back, did so and frightened the plaintiff's horse, and so caused the injuries the plaintiff claimed compensation for.—*Clark* in support of the demurrer; Sir *G. Honyman* contra.—Cockburn, C.J., Mellor and Shee, JJ. thought that the declaration did not disclose a cause of action; Blackburn, J. thought that it did. *Judgment for the defendants.*

Hill v. Hippisley.—Action by the plaintiff to recover for services rendered to the Assessment Committee of the Chilton Union, Somersetshire, in furnishing copies of the assessment books, he being clerk to the commissioners of property and income-tax for the division of Chewton, in that county. The defendant was one of the members of the assessment committee. The committee had offered 25*l.*, which the plaintiff declined.—*Coleridge*, Q.C. (*Douglas Brown* with him) for the plaintiff; *Milward*, Q.C. contra. *Judgment for the defendant.*

Swift v. Wilson.—Demurrer to a plea of a composition deed which contained a release, and did not reserve remedies against sureties.—*Day* for the plaintiff; *D. Brown* for the defendant.—The Court held the deed void. *Judgment for the plaintiff.*

Coyne v. Maxwell.—Demurrer to a plea to a declaration for the infringement of the plaintiff's copyright in a dramatic composition called "The Woman in Red." The plea was, that the plaintiff had not registered the copyright at Stationers' Hall, in accordance with the Copyright Act.—*J. Brown*, Q.C. in support of the demurrer; *Needham* contra. *Part heard.*

This Court will, on Friday the 16th and Saturday the 17th days of June instant, hold sittings, and will proceed in disposing of the cases in the New Trial, Special and Crown Papers, and any other matters then pending; and will also hold a sitting on Tuesday the 4th day of July next, for the purpose of giving judgments only.—By the Court.

COURT OF COMMON PLEAS.

Reported by W. Mayd and Lumley Smith, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Trinity Term 1865.

Wednesday, May 31.

Smith v. Raishly.—*Thompson* moved to remit the award in this case back to the master, on the ground that he had delegated his authority to an architect who had reported to him on the matter.—The Court stated that they would consult the master. *Stands over.*

Mockford v. Taylor.—*Hance* showed cause against a rule obtained by *Tapping* to strike out a count in a declaration which contained counts in trover and detinue for the same goods.—(See Reports of the week.) *Rule absolute.*

Murphy v. Smith.—This was an action under Lord Campbell's Act, brought by the father against the master of a boy who had been killed by an explosion while he was engaged in stirring some combustible materials. A verdict was found for the plaintiff for 20*l.*—*Wharton* having obtained a rule to enter a nonsuit, on the ground that the injury was caused by the negligence of a fellow-servant.—*T. Atkinson*, Serjt. and *Philbrick* now showed cause; *Wharton* in support.—(To be reported.) *Rule absolute.*

Longmore v. The Great Western Railway Company.—This was an action under Lord Campbell's Act, by the widow of a man who had been killed by falling from a bridge over the defendant's railway. The jury found that there was negligence in the construction of the bridge, and gave a verdict for the plaintiff for 500*l.*—*Cooke*, Q.C. having obtained a rule to enter a nonsuit, on the ground that there was no evidence of negligence,—*Huddleston*, Q.C. and *Macnamara* now showed cause.—*Cooke*, Q.C. and *H. James* in support.—The Court held that there was some evidence of negligence, and, as the degree of negligence was a question for the jury, discharged the rule. *Rule discharged.*

Moakes v. Nicolson.—*Keane*, Q.C. and *Barnard* showed cause against a rule to enter a nonsuit obtained by *Hawkins*, Q.C.—*J. A. Russell* and *Thesiger* in support. The question raised was, whether the property in a cargo of coals had passed to the plaintiff.—(To be reported.) *Rule absolute.*

Ex parte Harwood.—*Harington* moved for an order to file a certificate of the acknowledgment of a married woman, more than a year having elapsed since the execution of the deed. The delay was caused by the non-payment of the purchase-money. *Rule absolute.*

Thursday, June 1.

Alton and another v. The Midland Railway Company.—The argument on this demurrer was resumed. The defendants had by negligence injured a passenger, who was clerk and traveller for the plaintiffs. They had paid him compensation for his personal injuries, and the present claim was for loss which the plaintiffs contended that they had suffered in consequence of their having been deprived of the services of their traveller during the time that he was laid up. The company demurred to the declaration on the ground that the only contract which they had made had been with the traveller.—*Keane*, Q.C. (*Graham* with him) argued in support of the declaration.—*Bovill* (*Douglas Brown* with him) in support of the demurrer. *Judgment for the defendants.*

Everett v. The London Assurance Company.—Special case.—*Hannen* was for the plaintiff.—*Maule* for the defendant. *Judgment for the defendant.*

The Brompton, Chatham, Gillingham and Rochester Waterworks Company v. Jennings.—Demurrer to replication.—*Macnamara* was for the plaintiff.—*Paterson* for the defendant. *Judgment for the plaintiff.*

Horrocks v. The Metropolitan Railway Company.—Demurrer.—*Lush*, Q.C. (*Francis* with him) for the plaintiffs.—*Horace Lloyd* (*Hawkins*, Q.C. with him) for the defendants. *Judgment for the defendants.*

Murchie v. Black.—Special case.—*James*, Q.C. (*T. Jones* with him) for the plaintiff. *Part heard.*

Friday, June 2.

Vicars v. Tibbs.—*Moorsom* moved to set aside the award. *Rule nisi.*

Redway v. Matthews.—*G. A. Russell* moved to set aside the award. *Rule nisi.*

Newton v. Hetherington.—*R. G. Williams* moved to make the submission a rule of court.—*Crompton* [illegible] showed cause. *Rule absolute.*

Gaved v. Martin.—*Karslake*, Q.C. and *Pinder* showed cause; *Coleridge*, Q.C. and *Buller* supported the rule. *Rule discharged.*

Martin v. Gaved.—In this cross-action, *Coleridge*, Q.C. showed cause. *Part heard.*

Saturday, June 3.

Murchie v. Black.—This case, which was part heard on Thursday, was concluded. *Judgment for defendant.*

Martin v. Gaved.—This was also a part-heard case. *Rule absolute.*

Monday, June 5.

Jeffries v. Evans.—This was an action for the breach of a quiet enjoyment in a grant of fishing, shooting and coursing. The defendant granted the plaintiff a right to shoot, fish and sport over the defendant's farm, and covenanted for quiet enjoyment. A tenant of the defendant named Reece, to whom the farm had been leased, with a reservation of the right to the game, killed rabbits on the farm, which had become overrun with them, and the plaintiff contended that this was a breach of the covenant in the grant. In the lease of the farm, "timber and other trees" were excepted. The tenant cut down the underwood and destroyed the cover for the game. It was contended by the plaintiff that this was also a breach of his covenant, and interfered with his right to shoot, fish and sport over the lands demised. The action was tried at the last assizes in South Wales, and by direction of the learned judge a verdict was entered for the defendant with leave to move to enter it for the plaintiff. A rule having been obtained accordingly,—*Giffard*, Q.C., *H. Allen* and *Hughes* showed cause; and *Bowen* and *S. Coleridge* appeared in support. *Rule discharged.*

Tuesday, June 6.

The Earl of Shrewsbury v. Keightley.—Special case. The action was one of ejectment brought to test the validity of a lease granted by John Earl of Shrewsbury in 1838 to the defendant, under the powers of the Act passed in 1720 to settle the Shrewsbury estates. The plaintiff the present Earl of Shrewsbury disputed the lease on the ground that the power of leasing given by the Act of 1720 had been taken away by a subsequent Act passed in 1803 to resettle the Shrewsbury estates.—*Manisty*, Q.C. (*Hannen* with him) for the plaintiff.—Sir *Hugh Cairns*, Q.C. (*Mellish*, Q.C. and *Kay* with him) for the defendant. *Judgment for the plaintiff.*

The Earl of Shrewsbury v. Harbord.—This case was by consent held to be determined by the decision of the court in the previous case.

The Earl of Shrewsbury v. Beazley.—This case arose out of the construction of the same Acts.—*Manisty*, Q.C. (*Hannen* with him), for the plaintiff, was part heard. *Part heard.*

COURT OF EXCHEQUER.

Reported by F. Bailey and H. Leigh, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

Trinity Term 1865.

Wednesday, May 31.

Priestly v. Fernie. *Cur. adv. vult.*

Thursday, June 1.

Scott v. Berry.—*T. Jones*, for plaintiff, moved for a rule in this action, tried before Pigott, B., in Middlesex, to set aside defendant's verdict, or to enter judgment *non obstante veredicto*. The action was on a promissory note, and defendant pleaded a composition-deed, with averment of a tender of 3*s.* in the pound, on which issue was taken and verdict found for defendant thereon. He moved on the ground that the deed was bad, and cited *Ex parte Cockburn*, 9 L. T. Rep. N. S. 464; 10 Ib. 252; and *The Chesterfield and Midland Silkstone Colliery Company* v. *Hawkins*, 12 L. T. Rep. N. S. 427, in this court a few days ago. *Rule nisi.*

Cousins v. Phillips. *Stands over to Saturday.*

Friday, June 2.

Thorp v. Platzhoff and others.—Tried before Pigott, B.: verdict for the defendants.—*M. Lloyd* moved to set aside the verdict, and for a new trial, on the ground that the verdict was against the evidence, and also for misdirection. *Rule refused.*

Re An Attorney.—*Prentice* moved for a rule calling upon an attorney to pay over a sum of 21*l.*, under circumstances stated in the affidavits. *Rule nisi.*

Monday, June 5.

Birley v. Taylor.—*T. Jones* moved in this case for leave to enter judgment for the writ of injunction prayed by the writ and asked for in the declaration. *Rule nisi.*

Rollings v. Lovell.—This was a demurrer to a plea, the plea in answer to the plaintiff's claim by the declaration, setting up a composition-deed, dated 5th April 1862, between the defendant of the first part, and his creditors of the other part.—*Philbrick*, for the plaintiff, contended the deed in question was bad, the clause of release in it being only to those who executed it; *Benham* v. *Broadhurst*, 34 L. J. 61, Ex., in error, being expressly in point for the plaintiff. (He was then stopped by the Court.)—*Gibbons*, contra, called upon to support the plea. He referred to *Clapham* v. *Atkinson*, 33 L. J. 61, Q. B.—By the Court: *Benham* v. *Broadhurst* has been decided by a court of error; it is certainly in point here and decides the present question. *Judgment for plaintiff.*

Tebb v. Wilson (Clerk of the Local Board of Health).—This was a special case stated for the opinion of this court. It appeared that an action had been brought upon an award under the Act, but more than six months after the award made.—*Smythies*, for the plaintiff, contended that the question had been already determined. He referred to *Davis* v. *The Mayor of Swansea*, 8 Ex. 808; *Worthington* v. *Sudlow*, 2 B. & S. 508; and 11 & 12 Vict. c. 63.—*Philbrick*, who appeared for defendants, was then called upon by the Court. He argued that the proper time had elapsed, and

referred to *Birland* v. *The Local Board of Health of Kingston-upon-Hull*, 32 L. J. 17, Q. B., and also to 8 E. & B. 900. —By the COURT: The cases referred to by Mr. Smythies appear to us to be conclusive.

Judgment for the plaintiff.

COLLIER v. MOSS. *Cur. adv. vult.*

Saturday, June 3.

CHAPMAN (P. O.) v. COTTRELL.—*H. James* moves for a rule to set aside a writ and all subsequent proceedings thereon, on the ground that defendant was a British subject resident abroad (at Florence). Defendant's brother resided in England, and had an account at the Union Bank of London, of which plaintiff was the registered P. O. Desiring that his brother the defendant should become surety for him to the bank, he wrote to him at Florence by post, inclosing two promissory notes, which defendant signed and sent back by post to his brother in London, who handed them to the bank. The writ was issued and proceedings taken under sect. 18 of C. L. P. A. 1852. The question was, whether the cause of action arose within the jurisdiction, and that depended on whether, where a person out of the jurisdiction makes a promissory note out of the jurisdiction, and sends it to one within who delivers it to the plaintiff, the cause of action arose within the jurisdiction. He cited *Sichell* v. *Borch*, 10 L. T. Rep. N. S. 657; 33 L. J. 179, Ex.; *Roff* v. *Miller*, 19 L. J., N. S., 278, C. P.; *Wilde* v. *Sheridan*, 21 L. J. 260, Q. B.—[MARTIN, B. refers to *Xenos* v. *Wickham*, 35 L. J. 13, C. P.; *Cox* v. *Troy*, 5 B. & Ald. 474.]—The COURT (Martin, Bramwell and Channell, BB.) were of opinion the contract was a contract in London, and therefore the rule must be refused.

Rule refused.

NEW TRIAL PAPER.

LINTON AND ANOTHER v. THE BLAKENEY JOINT CO-OPERATIVE INDUSTRIAL SOCIETY.—*Gates*, for plaintiffs, showed cause against a rule which had been obtained in this action, which was tried before Martin, B, to set aside plaintiff's verdict on the ground that defendants were not liable, and could not be sued in the corporate capacity. He cited *Tootill and another* v. *Douglas and others*, 33 L. J. 66, Q. B.; 8 L. T. Rep. N. S. 426, and distinguished *Dean* v. *Millard*, 32 L. J. 282, C. P.; 15 C. B., N. S., 19. He referred also to 17 & 18 Vic. c. 25; 25 & 26 Vict. c. 87, ss. 1, 2, 3, 6, 17, 18.—*Macnamara*, contra, was not called on.—The COURT were of opinion that the case was decided by the case of *Dean* v. *Millard*, and that the rule must be made absolute.

Rule absolute.

LORD COLCHESTER v. KEWNEY.—On the application of the *Solicitor-General* the COURT fixed to take this revenue case on Monday week, the 12th instant.

COUSINS v. PHILLIPS (Executrix, &c.).—*Bouley*, for defendant, showed cause against, and *R. Clarke* (with him *T. E. Holland*) supported a rule to set aside a nonsuit and enter a verdict for plaintiff in this case.

Rule absolute to enter a verdict for plaintiff for 34l. 3s. 9d.

MARTIN, B announced that the special paper would be taken every day after Monday next (subject to motions and new trials) until it was disposed of.

Tuesday, June 6.

——— v. ———.—*Prentice* moved for a rule for an attachment against an attorney to pay over money.

Rule refused.

PIERCY AND ANOTHER v. THE BRISTOL AND NORTH SOMERSET RAILWAY COMPANY.—This was an application for further and better particulars of plaintiff's claim under an *indebitatus* count. The declaration contained also a count for wrongful dismissal of plaintiffs, who were engineers.—*Littler* showed cause.—*H. Lopes* in support.—At the suggestion of the COURT it was arranged to stand over for a week, with a view to referring the whole matter to some competent person.

Stands over.

NAUTRÉ v. VANDERMAELEN. — Ejectment, tried before Channell, B, in Middlesex, when a verdict was found for plaintiff. A rule having been obtained to set that verdict aside and enter it for defendant, on the ground that upon a certain deed of assignment of the term in the premises in question from plaintiff to defendant, and on the evidence given, the said deed was not in law delivered as an *escrow*, and on the ground that the said deed operated to vest the term in defendants, or for a new trial as against evidence,—*J. O. Griffits*, for plaintiff, showed cause, citing *Hudgeon* v. *Bennett*, 6 E. & B. 956; *Murray* v. *Earl of Stair*, 2 B. & C. 82, when he was stopped by the COURT, who called on *H. Mathews* for defendant Rouche, who cited *Mitterslup* v. *Brooker*, 5 H. & N. 797; 29 L. J. 369, Ex.; Com. Dig. "Fait," A. 3. [MARTIN, B. refers to Sheph. Touchst.] —The COURT (Martin, Bramwell and Channell, BB., were clearly of opinion that the deed in question was delivered as an *escrow*, and gave judgment for plaintiff discharging the rule.

Rule discharged.

MORICE v. ASHWIN.—In this case, tried before Pollock, C.B, in London, *Hawkins*, Q. C. and *Pritchard* showed cause against, and *Merewether* supported, a rule for a new trial.

Rule discharged.

SPECIAL PAPER.

PEITT AND OTHERS v. JONES AND ANOTHER.—*Lush*, Q. C. (with him *Borell*, Q. C. and *Bidder*), for plaintiffs; *Mellish*, Q. C. (with him *Macnamara*) for defendants. At the conclusion of *Lush's* argument for plaintiffs the further hearing of this special case was postponed to Friday next.

WALKER v. WYNDHAM.—*Mellish*, Q. C. mentioned that it had been agreed to enter a nonsuit in this case, and therefore there would be judgment for defendant on the demurrer.

Judgment for defendant as arranged.

PEARSON (app.) v. THE LOCAL BOARD OF HEALTH OF KINGSTON-UPON-HULL (resps.)—Appeal from conviction by a magistrate for alleged violation of the Local Improvement Act, in the matter of buildings and deposiling of plans, &c.—*Mellish*, Q. C. (with *Philbrick*), for the respondents; *F. Thompson* for the appellant.

Part heard and adjourned to Friday.

THE SUMMER CIRCUITS.

The Judges have chosen the following circuits:

NORTH WALES.—The Lord Chief Justice of England.

SOUTH WALES.—Mr. Justice Shee

NORFOLK.—Lord Chief Justice Erie and the Lord Chief Baron.

HOME.—Mr. Justice Crompton and Mr. Baron Pigott.

MIDLAND.—Mr. Justice Willes and Mr. Justice Keating.

NORTHERN.—Mr. Justice Blackburn and Mr. Justice Mellor.

OXFORD.—Mr. Baron Channell and Mr. Justice Byles.

SOUTHERN.—Mr. Baron Bramwell and Mr. Justice Montague Smith.

Mr. Baron Martin remains in town to attend chambers.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

JOHN BLACKBURN, ESQ.

At Allerton Lodge, Moor Allerton, Yorkshire, on the 10th inst., John Blackburn, Esq., solicitor, in the sixtieth year of his age. The late Mr. Blackburn was born at Leeds in 1805, educated at the old Moravian establishment at Fulneck, and was articled to the law at Messrs. Scott and Sangster's, of Leeds, where he was fellow-clerk with Mr. Overend, Q.C. He was admitted a solicitor in 1829, and in 1836 was appointed coroner for the borough of Leeds, which office he held up to the time of his death. In the course of his experience in that capacity it may be easily supposed that in such an extensive borough as Leeds he had from time to time to conduct investigations which required the exercise of great patience and sagacity; and it is well known that some of the preliminary inquiries presided over by him have led to proceedings in the criminal courts which will long be memorable in this country. So much confidence had the magistrates and public of Leeds in his care and ability, that all cases of murder and manslaughter were left entirely to him, and the magistrates never interfered.

As coroner, during the twenty-nine years of his office, he has held, on an average, nearly two hundred inquests a year, and has been complimented by judges at the assizes for the manner in which his depositions in murder and manslaughter cases were taken. About the time of Palmer's case (in March 1856) he held an inquest on a Mrs. Dove (who was poisoned by her husband) which lasted nearly a week, and his charge to the jury on that occasion was spoken of in the highest terms by the *Lancet*, the *Globe*, and other papers, as being equal to any charge from the Bench.

Mr. Blackburn was famous in Leeds for his skill as an advocate, and has been frequently complimented by the bankruptcy commissioners for the strength and ability of his cross-examination. He had a large and most respectable practice, and was a sound lawyer. In private life he was known to make his client's cause his own, and his strict attention to business, and unwearying zeal and untiring anxiety to aid and assist his clients and friends, is said to have brought on his illness.

For several weeks prior to his decease, Mr. Blackburn had been unable to attend to his judicial duties, and during that period his third son, Mr. Arthur W. Blackburn (who was admitted an attorney in Hilary Term 1865) has acted as his deputy with complete satisfaction to the juries and all parties concerned. The late Mr. Blackburn, who was interred at Moor Allerton Church, near Leeds, married in 1836 Maria Theresa, daughter of James Field Stansfield, Esq., and sister of Clarkson Stansfield, Esq., R.A., by whom he has left six children, the eldest of whom, Mr. J. W. Vernon Blackburn, was called to the Bar at Lincoln's-inn in 1857, and obtained a certificate of honour; he now practises on the Midland (late the Northern) Circuit.

HENRY TRAIL ERSKINE, ESQ.

On the 21st inst., at Brighton, after a few weeks' illness, H. T. Erskine, Esq., of 8, Norfolk-street, Park-lane, in the 50th year of his age. The deceased was the eldest son of the late Right Hon. Thomas Erskine, P. C. (who was a Commissioner of the Duchy of Cornwall, formerly chief judge of the Court of Review, and afterwards of the Court of Common Pleas, and who died in 1864), by Henrietta Elizabeth, only daughter of the late Henry Trail, Esq., and grandson of Thomas, first Lord Erskine. He was born in 1815, educated at Balliol College, Oxford, where he graduated B.A. in 1836, and was called to the Bar at Lincoln's-inn in 1840. He married in 1856 Eliza Sarah, only daughter of the late Herbert William Hore, Esq., of Pole Hore, co. Wexford, but had no issue.

GEORGE WESTON, ESQ.

The late George Weston, Esq., of 7, New-square, Lincoln's-inn, and of Tanfield-lodge, Croydon, was the second son of the late James Weston, Esq., who was for many years a member of the well-known firm of Ambrose and James Weston, and Weston and Teesdale, formerly of Fenchurch-street, and who was Solicitor to the London Dock Company. He was born at London in the year 1805, and was educated chiefly at the school of the late Rev. E. Cogan, who was a classical scholar of much eminence, and was afterwards a pupil of George James Turner Esq., now the Lord Justice Turner. He was called, to the bar at Lincoln's-inn, 1829, and practised as a conveyancing counsel to the time of his death. He died, after an extremely short illness, at Tanfield-lodge, on the 8th May 1865, greatly beloved and esteemed by those who knew him best, and was buried at the West London and Westminster Cemetery on the 16th of that month. He married, in 1832, Clara Myrtilla, the youngest daughter of Edward Longdon Mackmurdo, Esq. He has left three sons, one of whom has been called to the bar at Lincoln's-inn.

JOHN OGDEN, ESQ.

On the 9th ult., at Hastings, after a short illness, John Ogden, Esq., barrister-at-law, in the sixty-third year of his age. The deceased was the eldest son of the late Mr. Edmund Ogden, machinist, of Rochdale, by Mary, daughter of Mr. John Holt. He was born at Rochdale in 1802, and received his early education at the academy of Mr. Littlewood in that town; in 1828 he was admitted a solicitor, and continued to practise as such in Manchester until the year 1850, when he was called to the bar at the Middle Temple, and with the Northern Circuit. In 1839 he was appointed Clerk of the Peace for the borough of Manchester, and was the first who held that office on the town being constituted a corporate borough; he continued to hold that appointment when the town became a city, and even down to the period of his demise. The office of clerk to the borough magistrates at the date of the charter of incorporation (23rd Oct. 1838) was filled by Mr. Oswald Milne, at which time Mr. Harper was clerk to the county magistrates, and Messrs. Gorst and Birchall were the deputy-clerks. "For some time," says the *Manchester Courier*, "the validity of the charter of incorporation was disputed, and until the question was finally settled the recorder and the clerk of the peace merely attended the Court of Quarter Sessions, then held in Brown-street, and opened and adjourned the court *pro formâ*. The first sessions at which prisoners were tried were held in Oct. 1842. Between the 1st April 1839, and Oct. 1842, prisoners committed by the borough magistrates were tried at the Salford hundred quarter sessions, at the New Bailey. After the validity of the charter had been established, all the prisoners committed within the borough were tried at the borough sessions. The resignation of the recorder, the unaccountable delay in the appointment of his successor, and the death of the clerk of the peace, have created some difficulty as to the course that should be pursued at the intermediate sessions, which have been fixed for Monday. The mayor, in the absence of the recorder, has power to adjourn the sessions and to continue the recognisances of the witnesses; and it is expected that as there is no one to sign the indictments (which is the duty of the clerk of the peace), this course will be pursued, and special notice given to jurymen, prosecutors and witnesses; or that a special meeting of the city council will be held for the appointment *pro tem.* of a clerk of the peace. The deputy clerk of the peace, Mr. R. S. Smith, holds his appointment only as assistant to the late Mr. Ogden, and of course has no authority to act in his place. The salary attached to the office of clerk of the peace is 450*l.* per annum, a much lower sum than is paid in any other town of similar population and dimensions. The deceased gentleman filled the duties of his post with high integrity and remarkable assiduity, and gave constant and general satisfaction." He was interred at the cemetery, Chorlton-upon-Medlock, near Manchester. Mr. Ogden married, in 1832, Ellen, daughter of Mr. John Lane, of Manchester, by whom he has left issue six children, three sons and three daughters.

RALEIGH TREVELYAN, ESQ.

At Netherwitton, on the 12th ult., Raleigh Trevelyan, Esq., at the advanced age of eighty-four years. He was the second son of the late Walter Trevelyan, Esq., by his first wife, Margaret, elder daughter and co-heir of James Thornton, Esq., of Netherwitton, Northumberland, and was born on the 6th Aug. 1781. He was educated at Eton, and at St. John's College, Cambridge, where he proceeded B.A. in 1804 and M.A. in 1807; he was called to the bar at Lincoln's-inn in 1810, but has not practised for several years. He was the author of several works, including one of "Essays and Poems," "Parliamentary and Legal Questions," and "Prolusiones Græcè et Latinè Scriptæ," a work of a high order of classical scholarship, of which he republished a second edition only so lately as last year, thus showing himself at eighty-three as ardent a worshipper of the Muses as he had been at Eton and at Cambridge. Mr. Trevelyan was grandson of the late Sir George Trevelyan, Bart., of Nettlecombe, Somerset, and his mother is said to have been descended from a family of distinction in Northumberland founded by the celebrated Roger de Thornton, "the richest merchant that ever was dwelling in Newcastle." He married, on the 14th June 1819, Elizabeth, second daughter of Robert Grey, Esq., of Thoreston-hall, Northumberland, and has had issue six children, the eldest of whom, Thornton Raleigh Trevelyan, Esq., died in 1845, having married and left issue a son Thornton Roger, born in 1843, who now succeeds his grandfather in the Netherwitton estates.

MR. ROBERT NEVILL.

The late Robert Nevill, Esq., solicitor, of Tamworth, was born on the 5th Nov. 1776, and died on Saturday, May 27, in the eighty-ninth year of his age. He was the only surviving son of Robert Nevill, who was

also a solicitor and admitted in the year 1759, and practised in Tamworth until the year 1798, when he died and was succeeded by his son. The late Mr. Nevill was admitted a solicitor in Trinity Term 1798, and then commenced practice and continued in the active duties of his profession until within two days of his death. He was the oldest solicitor in the Midland counties, and nearly the oldest on the roll of attorneys and solicitors. He had been professionally engaged for three generations of the family of the late Sir Robert Peel, and was a personal friend of that distinguished statesman, who placed the greatest confidence in his judgment and sincerity. He was eminent and respected in his profession; and, in proof of of the high esteem in which he was held by his fellow-townsmen through his long life, he was high bailiff in Tamworth in the years 1805, 1820 and 1832. He was twice mayor, and the first mayor under the Municipal Corporation Reform Act in 1836. He was also for many years one of the aldermen of the borough.

THEODORE BAC.

Theodore Bac, the well-known advocate, died on Tuesday, after a short illness, in his fifty-sixth year. He was a native of Limoges, where he was born in 1809, and was first forced into notice by his defence of Madame Lafarge, for poisoning her husband, in 1840. The trial excited the most intense interest in France; indeed, almost to the exclusion of every other topic. It greatly divided as well as interested the public; many believed in her innocence, in despite of all proof to the contrary, others as violently condemned her, and two or three duels took place between her partisans and her adversaries. M. Bac defended her throughout with the ardour of an enthusiastic admirer rather than with the calmness of a legal adviser. He profited by the sudden celebrity he acquired on that occasion to become a political leader; but he did not seem to have any fixed notions, and hesitated long before choosing his party. He at last flung himself into the ultra-democratic ranks, and by the influence he held over the working classes of Limoges contributed greatly to the spread of the doctrines professed by Pierre Leroux. For some short time after the proclamation of the Republic he was the leading popular orator of Limoges; but he lost ground when it was found that he was not implicated in the proceedings taken against some of his friends for the disturbances that occurred there. He was, however, named one of the representatives to the Constituent Assembly by the electors of the Haute-Vienne. He voted invariably with the Extreme Left. He would have the country governed only by the Assembly or Convention, without any such institution as the Presidency of the Republic. "Power cannot be divided," he used to say, "it is either in the President or in the Assembly, as it was in the King and the two Chambers, and in the struggle which must ensue between them one of the two must give way. It is either the President or the Assembly who will govern: one will annihilate the other." The Constitution of 1848 was not liberal enough for Theodore Bac. He voted against it, as also against the order of the day declaring that General Cavaignac in putting down the June insurrection had deserved well of his country. The will of the country as manifested by the election of Prince Louis Napoleon to the Presidency did not obtain his approbation, and he persisted in his opposition after the election of the 10th of December. He took part in the attempts at resistance to the *coup d'état* in Paris; and while his friends of the Haute-Vienne were waiting for his summons calling them to arms, his name was put in the list of the representatives, who, "as a measure of public security," were expelled from France. His friend the Prince de la Moskowa interferred, and he was saved from the rigorous measures employed against the others, because, with all his radicalism, the Government did not think he was a very formidable opponent. He did not again take an active part in public strife, and, indeed, was soon forgotten as a politician. He resumed the practice of his profession at the Paris bar; but his reputation as an advocate fell far short of the expectations which his sudden celebrity in the Lafarge trial had inspired.—*Times.*

LAW SOCIETIES.

UNITED LAW CLERKS SOCIETY.

The thirty-third annual festival of this most meritorious and useful society took place at the Freemasons' Tavern, on Friday the 2nd inst., under the auspices of Mr. Justice M. E. Smith, who was the chairman selected for the occasion, and who was supported by the Hon. Geo. Denman, Q.C., M.P., Mr. Kenneth Macaulay, Q.C., Mr. Serjt. Tindal Atkinson, Mr. H. T. Cole, Mr. Smithies, Mr. E. T. Smith, Q. C., F. Smith, Esq., Mr. Bircham, and about 300 friends and members of the society.

The usual loyal and patriotic toasts having been proposed and duly acknowledged,

The Chairman said:—Gentlemen, I now rise to propose to you the toast of the evening, "Prosperity to the United Law Clerks Society." I have, gentlemen, the greatest pleasure in proposing this toast, for after the able and satisfactory report of your affairs, which, in parliamentary phrase, has been laid upon your table, and which, according to parliamentary practice, will not on this occasion, be read, I have every confidence that the wish which I invite you to join in will be completely fulfilled. And looking at the report, and at the progress of your affairs, I have no foreboding whatever that the prayer for the success of this society will not be rendered in vain. Gentlemen, it is indeed a most gratifying report which your managers are able to present to you upon this your thirty-third anniversary. I find on looking at it that, since the formation of the society in 1832, there has been expended in assisting members who have become disabled from illness, and have needed temporary relief, the sum of about 6400*l.*, and that in the last year as many as forty-five members have received your advice and assistance. Gentlemen, I further find that the still larger sum of 10 287*l.* 10*s.* has been paid to the families of members upon the deaths of those members, at a period when, of course, their families most needed it. I need, gentlemen, hardly remind you what an amount of human misery this sum of money has alleviated, and it is satisfactory to know that this amount of money has been received, not as a mere loan, but as the proceeds of a fund which their own foresight assured to their members who have enjoyed it; and to those who unfortunately have been left, it must be some satisfaction, considering that it was the foresight of the husband who provided by his own assistance this fund for them. I am happy also to say that whilst this expenditure has been great and this relief abundant, your funds stand in a position at present of very great prosperity. I find that in April 1864 your capital was 30,073*l.*, and in April last the total was about 33,535*l.*, showing an increase on the year of 3460*l.* That this was no ordinary year I may judge from the report; for assistance was given out with no niggardly hand by those who so ably manage your affairs. But large as this sum is, it will deed some years of sensible additions in order to establish it as a fund equal to the increasing wants of the society. It is the income of the capital upon which must mainly depend the source of those permanent pensions which you are able to give to the aged and decayed members of the society. Happily, at present the income of the society and its competency has been completely equal to the past expense; but as your society grows older the funds will increase, and then greater demands will be made on the income and the fund; and therefore it is of the utmost importance to your interests, whilst the society is now—I will not say young—but whilst it is hardly aged, to increase to the utmost extent the capital which is to be the source of provision for your aged and infirm members. I am sure that the appeal that has been made to you in the report will be responded to, and that those who are able to assist your effort will gladly do so in increasing the fund. I do not know that I need call attention any further to the figures in this report; but I cannot allow it to pass out of my hands without expressing my deep regret, in which all will sympathise, at finding recorded here the death of one of your best friends, the late Mr. Keith Barnes. It was my good fortune to have known that gentleman for a great number of years, and a more liberal and kind-hearted man never lived. (Cheers.) I have no doubt you were fully alive to his merits, and were fully sensible of his value; but whilst we pay this tribute to his memory, I am happy to say that he is succeeded by another friend, and one who is fully equal to the important duties of a trustee of your society: I mean Mr. Burcham, who now sits at our table. (Cheers.) I have no doubt you will find a firm and constant friend in him, and I am very glad to congratulate the society upon his accession to the office of your trustee. I assure you it gives me extreme pleasure to have been honoured by your selection of me as your president here to-day; for I think not only is the end and purpose of this society extremely good, namely, to assist those who, to the best of their ability, are striving to assist themselves; but I think that these meetings are in themselves productive of great good, for they bring together at one convivial meeting all the branches of one common Profession. Gentlemen, our profession is like that of the Army. We are in some sense military, except of course the judges; and we are obliged to have an army, in which the officers are comparatively few, and the soldiers many; whilst in service there must be, of course, subordination in the ranks, and obedience to authority, to preserve the wellbeing of the whole Profession; but, when the work is done, we are all glad and proud to consider ourselves members of one army, to meet at the same common board, and to tender to each other mutual aid and support. Gentlemen, if I may continue the parallel, there is a body of those gentlemen whom I see before me, whom I will call managing clerks, who are very like the non-commissioned officers of the army. I hope many may have good prospects of commissions. But I can only say, they are extremely like their brethren of the Army, for they are remarkably well up in their drill. I can only say, the superior officers would be always much at fault if they did not find the assistance of their knowledge of the practice of the profession. Gentlemen, the funds of the society, as I have told you, are in a flourishing condition; but they will fail unless they have year after year a continued increase. Now, that increase must come in the main from the body of law clerks themselves. It is the thousand rills which swell the small stream into a mighty river; but, gentlemen, at the same time it is a grateful and a graceful act on the part of those who are in the higher walks of the Profession to remember those who have fought in the same battle-field with themselves, and I am quite sure that the appeal which will be made to-night at this great meeting will show, by acts as well as by words, that it is sincere in the prayer which now, through me, they fervently utter for the prosperity of the Society of the United Law Clerks.

The toast having been, as usual, heartily responded to, the succeeding toasts, "The Lord Chancellor, and the other Patrons of the Society;" "The Chairman;" "The Bench, the Bar and the Profession;" "The Honorary Stewards;" and "The Ladies," were proposed and duly honoured.

The donations announced during the evening by Mr. H. G. Rogers, the secretary, amounted to nearly 500*l.*

The report which was laid upon the table stated that the society since its foundation has expended in assisting its members in sickness 6395*l.* 9*s.*, of which 3392 3*s.* has been spent during the past year in affording relief to forty-five members. This relief consists of a weekly allowance of 1*l.* 1*s.* paid to members unable through illness to follow their employment.

Every member whom old age, loss of sight, or permanent affliction of any kind, whether bodily or mental, prevents from earning the means of livelihood, is entitled to receive out of the pensions from the Superannuation Fund a sum, payable weekly, varying according to length of membership from 2*l.* to 3*l.* 8*s.* a-year. The total disbursements on this account have reached 3716*l.* 19*s.*, of which 280*l.* was expended during the past year. At the commencement of the year there were eight members in receipt of these pensions; two were receiving 31*l.* 4*s.*, and the remaining six 56*l.* 8*s.* per annum each.

Besides the allowance to the members in sickness, and pensions to the aged and infirm, ten members having died during the past year, the family of each have or will receive the sum of 50*l.* To three members whose wives have died during the same period, 75*l.* has been paid. The payments for the year have been 485*l.*, and the total expenditure on this account since 1832, 10,287*l.* 10*s.*

It is with great pleasure the committee announce that the society has just received from Francis Broderip, Esq., of Lincoln's-inn, the munificent donation of 100*l.* They have also to report a legacy of 200*l.* from Miss Woodburn, of Kensington-park-gardens, and another legacy of 50*l.* from the late Mr. George Lay, for many years managing clerk to Messrs. Nethersole and Barron, of New-inn.

The income of the principal fund from all sources during the year has amounted to 3884*l.* 5*s.* 6*d.*, and the expenditure to 1404*l.* 19*s.* The difference has been added to the invested capital. This capital, on the 4th April 1864, amounted to 31,075*l.* 13*s.* 6*d.* On the 5th April 1865 it had increased to 33,535*l.*; consisting of investments with Commissioners for Reduction of National Debt, 32,767*l.* 16*s.*; cash invested in Consols, 500*l.*; cash in hand, 267*l.* 4*s.*; total, 33,535*l.*

The society has succeeded in one of its objects, the creating a fund to make provision for its members in sickness, and for their families on their decease. These claims have always been met out of the current income, and as the contributions of the members now exceed 1700*l.* a-year, no difficulty is anticipated in always being able to satisfy them without touching the capital. But one principal object remains to be accomplished, viz., the making a certain provision for the decayed and infirm members by accumulating an ample reserve fund, the interest of which alone shall ultimately be sufficient for the payment of their pensions. Although at present there are only seven infirm members to provide for, they require more than the interest of 7000*l.* Claims will shortly be coming in from the earlier members, and a fourfold increase only would consume more than the income arising from the present investments. The importance of a yearly addition being made to the accumulated fund is therefore apparent.

Since the last anniversary, the society has lost by death many subscribers and warm friends, and, amongst them, Mr. Keith Barnes, one of the trustees. Mr. Barnes had been a subscriber for thirty years, and had always taken great interest in the progress of the society which did not cease with his retirement from the profession. Mr. Francis Thomas Bircham, of the firm of Bircham, Dalrymple, Drake and Co., to whom the society is under great obligations for the services he has rendered, has kindly consented to fill the office vacant by the death of Mr. Barnes.

The casual, or benevolent fund, is a distinct fund, devoted to the assistance of the members, their widows, and orphan children and law clerks, not

members, out of employ (anywhere in England), and their widows, who may be in distressed circumstances, the result of unavoidable misfortune. The assistance afforded consists of small gifts not exceeding 5*l.* The committee have, during the year, received fifty-three applications for relief from deserving applicants, and grants were made to them accordingly. To meet these gifts and loans, a sum of 478*l.* 15*s.* has been required, which, with the expenditure of previous years, makes the total casual aid afforded by the society 10,344*l.* 15*s.* 1*d.*

The state of this fund is as follows: the receipts of the year have been 596*l.* 4*s.* 2*d.*, and the disbursements in gifts, loans and necessary disbursements 487*l.* 17*s.* The difference, including a balance in hand, left the amount of this fund at the last audit 618*l.* 15*s.* 3*d.* The claims upon it are so numerous as to preclude any investment.

The support which the society receives from the Profession calls for the grateful thanks of the members. The society is now expending in actual relief nearly 2000*l.* a-year. Since 1832 it has thus disbursed 50,744*l.* 13*s.* 1*d.*

SOLICITORS' BENEVOLENT SOCIETY.

IRISH BRANCH.

An adjourned general meeting of this association was recently held in the Solicitors' Hall, Four Courts, Mr. J. P. Orpen in the Chair.

The Secretary, Mr. H. B. Burton, read the following report from the directors of the society:—

"That since the last meeting of this society in January, the directors of the Solicitors' Benevolent Association came to the resolution of applying subscriptions for the current year towards relief of the necessitous members of the profession, and such having been made public, the directors are glad to state that considerable support has been given to them, seventy-one new members having been added to their list. The funds at present at the disposal of the directors consist of the dividends on a sum of 1138*l.* 2*s.* 5*d.*, Government New Three per Cent. Stock, and the annual subscriptions of members, which at present amount to 170*l.* In accordance with a resolution of the directors to afford immediate relief, applications were forwarded on behalf of several persons—one of them a solicitor well known in his profession, but now reduced to great want in a pecuniary point of view—and from paralysis rendered unable even to turn himself in his bed. Another, from the widow of a solicitor, who has been left with a family of young children, almost wholly unprovided for. Relief has been afforded in the first case, and the other applications are under the consideration of the board, the directors of which are making strict inquiries as to the truthfulness contained in them. It will be at once seen from this short statement that much good may be effected, and it is hoped that the subscriptions may be increased and additional support given to enable the association to proceed with relief to the necessitous members of our profession, their widows and families."

On the motion of Mr. Crozier, seconded by Mr. Fletcher, the report was unanimously adopted.

Mr. P. M'Evoy Gartlan proposed the first resolution:—"That the Solicitors' Benevolent Association, now in active operation, deserves the support and sustainment of the profession." It was unnecessary for him to say anything to impress upon the meeting the necessity of that association. The profession had long felt its want, and he could only account for the society not being more generally supported by the fact that it was not generally known that such an association was in operation.

Mr. John M'Mahon seconded the motion, which passed.

Mr. Shannon proposed the next resolution, to the effect that they should call on the members of the profession to subscribe to the funds of the society. He believed that they had declined to accept subscriptions from the Bar.

Mr. Gartlan said that was a mistake. There had been no such resolution passed.

Mr. Shannon then proceeded to refer to the Meade Memorial Fund, which, he said, had been changed into the Solicitors' Benevolent Association. They had in that society a common ground upon which they could meet to afford relief to some decayed brother. To the professional man who had fallen on evil days the society afforded means of relief; and he believed they would save many a bitter pang among those who suffer from distress and sickness if they supported that society with that liberality which its importance demanded.

Mr. Gaussen seconded the resolution, which was adopted.

Mr. J. M. Cantwell moved the next resolution:—"That the members of the society be requested to collect the subscription of those who have not yet subscribed to the funds." The claims which the nature and the object of the society had upon their feelings, upon their judgment, and upon their understanding, made it perfectly unnecessary for him either to weary their patience or waste their time by any expansion of topics or idle expatiation in words upon the object and purposes of that very benevolent institution. He should confess, though it might tend to his disadvantage in their estimation, that he was a rather recent convert to the foundation of such an institution, and that conversion was due to their esteemed brother, Mr. Gartlan. He had peculiar notions about the utility of eleemosynary aid and establishments; but when his attention was directed to the subject by Mr. Gartlan he gave it some consideration, which resulted in a hearty and cordial conversion to the object of the institution. There were in connection with the profession of attorney many causes and circumstances that sadly distinguished it from any other calling in society. Every pursuit in life that was directed towards the noble end of maintaining a man's social position had its evils and its trials; but amongst all useful callings of society he knew of none more singularly circumstanced than that of attorney. He knew of no more incessant or exhaustive labour than that which the attorney was obliged to endure, as in the pursuit of his profession he was obliged to labour from morning to night. And yet, no matter how he laboured or showed his capacity, he was often passed by in the giving of public offices, and would never procure one, perhaps, unless he was a relative or friend of the man who had the power of giving it away. It was these circumstances made him a convert to the society, and he would say they were bound to establish within themselves, upon a broad and solid basis, such an institution as this. When it became known, when its efforts appeared, and grew and manifested themselves, the society would commend itself alike to the support of men and the blessing of God.

Mr. Fyffe seconded the resolution, which was adopted.

Messrs. Perrit and Kennedy having been appointed auditors for the ensuing year, a vote of thanks was passed to the chairman on the motion of Mr. Gartlan, seconded by Mr. Keatinge Clay.

The meeting then terminated.

THE SOCIETY FOR PROMOTING THE AMENDMENT OF THE LAW.

PERSONAL ARREST.

This Association has received the following from the President of the Juridical Society of Berlin:

"The Juridical Society, at a meeting held this day, passed a resolution to offer a premium for Essays on the following subjects:

"Is Personal Arrest admissible as a means of Execution in Civil Proceedings?

"And to lay down the following rules for the competition:

"1. It is required that this question of legislation be treated historically and dogmatically from the points of view of jurisprudence and political economy, with a comparative analysis of the laws in force on this subject among the various peoples governed by German and Roman law, more especially Germany, England, France, and the United States of North America.

"2. The essays must be delivered in duplicate before the 1st March 1866, to the Secretary of the Juridical Society (Councillor of Justice Meyen, No. 65, Leipzigers-trasse, Berlin), they must be provided with a motto, and the name of the author added in a sealed paper, bearing the same motto.

"3. Five members of this society, two of whom must belong to the legal faculty of the Berlin University, will be elected as umpires by the written votes of the members present at the meeting in March 1866.

"4. The umpires' award, and the name of the premiated essay will be announced at the meeting held in June or September 1866.

"5. The premium for the best work is fixed at 50 Fredericks d'or (42*l.* 10*s.*) which will be paid over as soon as the name of the author of the premiated work is announced.

"6. The premiated essay becomes the property of the Juridical Society. The author, however, retains the right of publishing it before the 1st Sept. 1867, and for this purpose is entitled to the copyright of the premiated essay.

"The President of the Juridical Society,
"COUNT WALTENSLEBEN.

"Berlin, 11th March 1865."

INNS OF COURT HOTEL COMPANY.

The fourth general half-yearly meeting of the shareholders in the above company was held at the Gray's-inn Coffee-house, High Holborn, on Thursday afternoon, the 1st inst., E. W. Cox, Esq., Chairman.

The report was as follows:

In their last report the directors referred to the difficulties which, during a period of great financial pressure, they had encountered in their negotiations for obtaining a loan on mortgage to supplement the share capital of the company. They have now concluded an arrangement for raising the requisite sum by the issue of debentures for three, five, and seven years, bearing interest at 6 per cent. per annum, and constituting a first charge upon the estate of the company, and they are happy to inform the shareholders that the greater part of these debentures have been taken up in a very short space of time. A trust-deed in the nature of a mortgage has been executed, vesting the property in trustees for the security of the debenture holders.

The directors having, in January last, given to the contractors possession of the Lincoln's-inn-fields portion of the site, have on that, as on the Holborn side, had to meet claims for compensation for encroachment on the light and air of the adjoining houses. The demands made, however, having been so exorbitant as to preclude all likelihood of their being settled by agreement, the directors in every case have offered to refer the matter to arbitration as the fairest means of adjustment. With respect to 19, Lincoln's-inn-fields, as the owner has declined a reference, and as the interference with its lights will be considerable, the directors have treated for its purchase, and the proprietor having consented to let one-half of the purchase-money remain on mortgage, they consider it will be the most economical and advantageous course for the company to become possessed of the freehold, and they recommend the shareholders to sanction such arrangement.

The directors congratulate the shareholders upon the passing, during the present session of Parliament, of the Bill for concentrating all the courts of law in the immediate neighbourhood of Lincoln's-inn-fields. This measure, together with the opening of new approaches from Holborn and the Strand, and the consequent free communication between the two, cannot fail largely to increase the value of the company's property and improve the prospect of business for the hotel.

The following directors, viz., Messrs. E. W. Cox, G. F. Gwyn, H. H. Fox and A. S. Hill, in accordance with the articles of association, have been chosen by lot to retire, but, being eligible, offer themselves for re-election.

The auditors, Messrs. F. Maynard and J. H. Cook, also retiring, offer themselves for re-election.

The annexed report of the architects sufficiently describes the progress of the building.

REPORT OF THE ARCHITECTS.

To the Chairman and Directors of the Inns of Court Hotel Company, Limited.

Gentlemen,—The severe and protracted winter has to some extent retarded the progress of the works in that part of the hotel next Holborn. They were, however, pushed forward by the contractors to the limit the weather would permit, and the roof, which is ready, will now be fixed.

The joiners' work is an advanced state of preparation, and that part of the contract will be completed, should no unforeseen obstacle occur, by the end of November.

The ground next Lincoln's-inn-fields has been cleared, the adjoining houses shoared, and the work of under-pinning is in progress. We have the honour to be, Gentlemen, your obedient servants,

LOCKWOOD and MAWSON, Architects.

10, Lincoln's-inn-fields, May 12, 1865.

The Chairman moved the adoption of the report and statement of accounts, and said he should be willing to answer any questions which any shareholder might have to put.

The resolution having been seconded,

Mr. Rables asked who were the trustees for the property?

The Secretary.—The Chairman is one, Mr. Blandy, and Mr. Gregory, of the great firm of Gregory and Roweliffe, the solicitors to the company.

Mr. Rables.—That is not a very wise plan, to have our solicitor for a trustee.

A Shareholder.—He is the proper person. The Chairman and Mr. Blandy are trustees for the shareholders, and Mr. Gregory for the debenture holders. (Hear, hear.)

The Chairman repeated that Mr. Gregory was quite distinct from the company. There was as much difference between the debenture holders and the shareholders as there was between a mortgagor and a mortgagee. They had to appoint some one to represent the debenture holders in whom they had some confidence. Mr. Gregory was the greatest among the solicitors, and a debenture holder, and from the fact of his being personally known to nearly all his Profession, it was thought advantageous to appoint him. (Hear, hear.)

A Shareholder asked what was the commission for procuring debentures?

The Chairman.—Two and a-half per cent. This is only to the Profession; no solicitors' costs attached.

One or two questions having been put to the chair, bearing upon the progress and completion of the company's works,

The Chairman called upon Mr. Lockwood (one of the architects to the company) to answer them.

Mr. Lockwood said the Holborn Hotel ought to have been completed now according to the terms of the contract; but he pointed out that they had great difficulty in getting possession, and they had had a very long winter; but the work had since been pushed along as rapidly as possible. As far as the hotel went, he thought it would be completed by the end of November. With regard to the other premises, possession was given on the 9th of January, and since then an injunction had been obtained against the contractors, for obstructing light. In his experience as an architect, he was frequently called upon to investigate claims of this nature, and he was consequently pretty competent

to judge of such matters; and his experience told him that the claim made was exorbitant. Considering the great distance of the windows from their building, he thought the claim very unjust. (Hear, hear.)

The Chairman.—And what have the Norwich Union claimed in compensation?

Mr. Lockwood.—2000*l.* ("Oh!")

The Chairman.—We have offered 500*l.*, and they will not take it.

Mr. Lockwood.—Yes; and that would be an excessive compensation. (Hear, hear.)

The Chairman asked Mr. Lockwood how soon after the completion of the hotel they could take possession, and open it?

Mr. Lockwood said he should have no objection to go in at once. All they had to fear was damage to their furniture.

The Chairman said the question was, from which source they would lose the most?—whether by opening the hotel at once, and injuring their furniture; or by delay in the opening?

The Chairman said, with respect to the furniture, they wanted their debentures. If they got the whole of the money on their debentures, and went to the furnishers with ready money, they would have the furniture at an immensely less cost than if they required the parties supplying them to take a portion of the purchase-money in shares or debentures. (Hear, hear.) They would have to pay dearly for any accommodation of that kind. (Hear, hear.) They were waiting to see what money they really had; for if they went with ready money, they all knew that they could command the best articles at the lowest prices. (Applause.) With respect to the delay in the buildings, they have had great legal difficulties. (Hear, hear.) They had injunctions and threats of others. (Hear, hear.) Compensation amounting to 2000*l.* was claimed by the Norwich Union on the one side, and a similar claim was made by No. 19 on the other side. They had found it desirable, on a calculation of actual cost, to buy No. 19 rather than pay the compensation asked for it. There were a great number of tenants in the house, besides the freeholder, and they had deemed it best to buy the house at the price it was offered to them rather than pay 2000*l.* in the way of compensation, and the meeting would be asked presently to sanction the buying of that house for 5000*l.* (Hear.) They estimated that if they did not purchase the house they would have to pay 2000*l.* in compensation; and so that at 5000*l.* they were practically buying for 3000*l.* (Hear, hear.) This 3000*l.* would be taken on mortgage of the property and debentures. Besides, the house realised about 400*l.* per year in rents, and this would not only be sufficient to pay the interest on the mortgage, but leave a considerable surplus, and they would also have the ownership of property adjoining the hotel; so that if, at any future day, they wished to make bedrooms or add to their building, they had this site at their command. With respect to the opening of the building, it would be a matter of grave consideration whether it would be sufficiently dry for them to take possession immediately upon completion. It was a balance of injury to the furniture, and the delay in the opening of the hotel. (Hear, hear.) They were now, as they were all aware, in a much better position than when they last met. They had more than half their loan subscribed on terms reasonable when compared with the previous rates they had paid for money. There was one circumstance he wished them all to know, because they had been very much censured for going to law, it being supposed that whenever a company went to law a kind of suspicion was thrown upon them. Some time since Messrs. Jackson and Shaw, builders, sent in a claim amounting to 5000*l.* as compensation for loss accruing to them by reason of their not building the hotel. The contract on which they founded their claim was a letter written by Mr. Rattenbury, one of the original promoters of the company, on the very morning that the company was registered, being an alleged acceptance of a tender for building the hotel; there being nothing specified, not even the size or number of rooms. Messrs. Jackson and Shaw had thought to frighten them into payment of this absurd claim, encouraged doubtless by the remarks made at the meeting, blaming the directors for defending an action; they thought that, after this, the company would submit to anything. (Hear, hear.) The case came on for trial; all were ready in court, but the plaintiffs put it off. (Hear.) They gave notice of trial again, but when it came to the time when they must either fight or yield, when counsel were instructed, briefs delivered, and the witnesses in court, Messrs. Jackson and Shaw withdrew the action (hear, hear) and were compelled to pay all the costs of the cause. (Hear, hear.) This would show them the necessity of not submitting to any claims because they were a company. (Applause.) He had no doubt whatever that Messrs. Jackson and Shaw would never have taken this course had it not been for the remarks that had been made about the impropriety of a company defending actions. Had it not been for what was then said, they never would have attempted the action they did. But they had paid most dearly for the attempt.

The resolution was then put and carried.

A Shareholder inquired what amount of debentures had been actually subscribed?

The Chairman.—About 43,000*l.* The total sum to be so raised is 80,000*l.* It is a first-rate security, and they hoped the remainder would soon be taken up. Applications were coming in almost daily.

LEGAL NEWS.

THE PEOPLE OF ENGLAND AND WALES.—A return, moved for by Mr. Baines, has just been issued, giving some particulars as to the social and political condition of the people of England and Wales. From 1831 to 1861 the increase in population has been 44.4 per cent., and the increase in population of represented boroughs 65.9 per cent. From 1832 to 1864 the number of registered parliamentary electors in boroughs increased 72.3 per cent., and the total county and borough electors 56.7 per cent. From 1831 to 1864 the imports into the United Kingdom have increased 249.96 per cent., and the exports 350.72 per cent. The consumption of tea has increased 105.36 per cent., of coffee 38.5, raw sugar 119.26, wine 83.48 and malt 32 per cent.

THE ENGLISH INQUISITION.—You are sued in some trifling action. It is a question of some garden seed or hearthrug, the payment for which, for reasons of your own, you dispute. You believe your case to be a good one; and though the defence may prove more costly than a submission to the demand, your sense of self-respect requires resistance, and you make it. Now, I am willing to believe that from your earliest years you have been trained to habits of virtue and order; that, good as a child, you grew better as a youth, and became best as a man; that so circumspect had you been over your conduct through life, it would be next to impossible to find an instance in which your behaviour could have been altered for the better; in a word, that you have shown yourself equally zealous in the pursuit of virtue as strong in resisting every access of temptation. Get up now into the witness box, and see what that eminent counsel will make you. Sit under him for five-and-forty minutes, and tell me if five-and-twenty years will erase the memory of the miseries you endured, the insinuations you could not reply to, the insults you were not permitted to resent? In the first place, you are presented to the world of a crowded court as a species of human target, a mark which Serjeant Buzfuz is to fire at as long as he likes, with his own ammunition, and at his own range. He may be as obtuse, as stupid, as wrong-headed and as blundering as the crier of the court; he may mistake his facts, misstate his brief; but there is one thing he will never forget—that you are there for his own especial torture of you, and that whether he worried you "for plaintiff" or "defendant," out of that box you don't come till he has blackened your character and defamed your reputation and sent you back to your home outraged, injured and insulted.—*Blackwood.*

OATH OF OFFICE.—A Parliamentary return of the oaths required to be taken by any of Her Majesty's subjects contains some that are little known, and rather curious. The following is the oath required to be taken by a very high functionary, the Chancellor of the Exchequer:—"You shall swear that well and truly you shall serve the Queen our Sovereign Lady and her people in the office of Chancellor or Under-Treasurer. And you shall do right to all manner of people, poor and rich, of such things as toucheth your office. And the Queen's treasure truly you shall keep and dispend. And truly you shall counsel the Queen, and her counsel you shall lain and keep. And that you shall neither know nor suffer the Queen's hurt, nor her disinheriting. Nor that the rights of the Crown be distressed by any means as far forth as you may let, and if you may not let it, you make knowledge thereof clearly and expressly to the Queen with your true advice and counsel. And you shall do and purchase the Queen's profit in all that you may reasonably do. As God shall help you."

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, May 30.

By Messrs. DRIVER, at the Guildhall Coffee-house.—Freehold and copyhold estate, situate near Chelmsford and Maldon, Essex, comprising Stow Hall, Great and Little Martins, and Cold Norton Farms, with farms, houses, and buildings, containing 266 acres of arable and grass land, and producing 214*l.* per annum—sold for 4350*l.* Leasehold, two mansions, being Nos. 42 and 15, Onslow-square, Brompton, producing 300*l.* per annum; term 85 years from 1849; ground-rent 17*l.* per annum—sold for 4710*l.* Leasehold, seven residences and premises, being Nos. 1 to 6, and 12, Sumner-place, Onslow-square, Brompton; producing 636*l.* 11s. per annum; term 85 years from 1850; ground-rent 33*l.* per annum—sold for 9330*l.* Leasehold, ten residences and premises, being Nos. 1 to 10, Sumner-terrace, Brompton; producing 925*l.* per annum; term 66 years from 1819; ground-rent 50*l.* per annum—sold for 12,330*l.* Leasehold mansion, being No. 17, Southwark-crescent, Hyde-park; let at 221*l.* per annum; term 96 years from 1840; ground-rent 3*l.* per annum—sold for 4330*l.*

By Messrs. BROAD, PRITCHARD and WILTSHIRE, at Garraway's.—Freehold and leasehold estate, comprising houses, shop and stabling, &c., situate in Gray's-inn-road; let at 192*l.* per annum—sold for 2100*l.* Freehold, four houses, two with shops, situate at Penge, Surrey; producing 150*l.* per annum—sold for 1165*l.*

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—The beneficial interest in the lease of the professional residence, No. 43, Threadneedle-street; term 21 years from 1861, at a rent of 92*l.* per annum—sold for 2000*l.* Leasehold residence, known as "Woodville-house," Forest-hill; term 62 years from 1856; ground-rent 30*l.* per annum—sold for 6350*l.* Leasehold villa, known as Woodville, situate as above, let at 73*l.* per annum; term 63 years from 1855; ground-rent 17*l.* per annum—sold for 1130*l.* Leasehold cottage, being No. 6, Debnam-road, Rotherhithe, and plot of building land; let at 31*l.* per annum; term 99 years from 1861; ground-rent 4*l.* per annum—sold for 420*l.* Leasehold house, being No. 18, Canterbury-road, Balls-pond; let at 18*l.*; term 99 years from 1852; ground-rent 3*l.* 3s. per annum—sold for 265*l.*

Wednesday, May 17.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house.—Freehold house, situate No. 4, Connaught-terrace, Anerley, Surrey—sold for 250*l.* Freehold nursery-ground with cottage and buildings, situate at Much Hadham, Herts—sold for 560*l.* Freehold, two shops and house, situate No. 17, Old Bond-street, Piccadilly, producing 541*l.* 10s. per annum—sold for 17,100*l.* Freehold shop and house, situate No. 33, Old Bond-street, Piccadilly; let at 340*l.* per annum—sold for 85.0*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, May 26.

CHAMBERLIN, CHARLES HENRY, and ARCHER, WILLIAM EDWIN, attorneys and solicitors, Lowestoft.

Gazette, May 30.

PECKHAM, ROBERT, and SALT, EDWARD TAYLEUR, attorneys and solicitors, Great Knightrider-st.

Bankrupts.

Gazette, May 30.

To surrender at the Bankrupts' Court, Basinghall-street.

ADAMS, JOHN, Aldwincle and Wimblington, Isle of Ely. Pet. May 27. Reg. Brougham. O. A. Edwards. Sur. June 14.

ATKINSON, JOHN, cabinet-maker, Turner-st. Whitechapel. Pet. May 24. Reg. Brougham. O. A. Edwards. Sol. Templeman, Elton-st. Dorset-sq. Sur. June 9.

AUSTWICK, JOSEPH, shipping and insurance broker, Water-la. and British-st. Bow. Pet. May 23. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. June 9.

BATTEN, VALENTINE, beerseller, Inkpen, Hungerford. Pet. May 25. Reg. Hazlitt. O. A. Graham. Sols. Lewis, Wood and Co. Raymond-bdgs. Gray's-inn. Sur. June 12.

BENNING, WILLIAM GRANGER, law publisher, Great Queen-st. Lincoln's-inn-fds. Pet. May 27. Reg. Roche. O. A. Parkyns. Sols. Pritchard and Sons, Doctors'-commons. Sur. June 12.

DENNIS, JOHN CHARLES, superintendent of building works, Maryland-ter. Stratford. Pet. May 25. Reg. Roche. O. A. Parkyns. Sol. Cooke, New Broad-st. Sur. June 12.

GALE, GEORGE LANGLEY, farmer, Clanville, Weyhill. Pet. May 22. Reg. Brougham. O. A. Edwards. Sur. June 14.

GARDNER, THOMAS, general dealer, Liverpool Coffee-house, Drummond-st. Euston-sq. Pet. May 26. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. June 12.

GIBSON, WILLIAM GOODALL, leather dresser, Godalming. Pet. May 26. Reg. Brougham. O. A. Edwards. Sur. June 14.

GRACKE, HUGO, wine merchant, Water-la. Great Tower-st. and Church-la. Kingsland. Pet. May 23. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. June 9.

GREEN, JOHN, carcase butcher, Aldgate-high-st. and Newgate-market. Pet. May 26. Reg. Brougham. O. A. Edwards. Sol. Crook, Fenchurch-st. Sur. June 14.

HIGHMAN, THOMAS, innkeeper, Shaftesbury. Pet. May 25. Reg. Roche. O. A. Parkyns. Sol. Jones, New-inn, Strand, agent for Chitty, Shaftesbury. Sur. June 12.

LEETHEM, THOMAS, master in E. N. Norfolk-st. Strand. Pet. May 26. Reg. Hazlitt. O. A. Graham. Sol. Farrar, Great Carter-la. Sur. June 12.

MITCHELL, ISAAC, jun. corn meter and retailer of beer, Lime-st. Bermondsey. Pet. May 26. Reg. Brougham. O. A. Edwards. Sol. Silvester, Great Dover-st. Newington. Sur. June 11.

NEWBERY, HENRY, fruit merchant, Queen's-rd. Dalston. Pet. May 25. Reg. Brougham. O. A. Edwards. Sol. Sydney, Jewry-st. Aldgate. Sur. June 9.

NICHOLS, JOHN; COLVER, OSWALD HALLEY; and KETTLEWELL, JOHN, shipowners and merchants, Seething-la. Pet. May 24. Reg. Brougham. O. A. Edwards. Sols. Ellis and Co. St. Michael's-alley, Cornhill. Sur. June 14.

OSBORN, WILLIAM, photographer, Plumstead, and Northumberland-heath, Erith. Pet. May 26. Reg. Roche. O. A. Parkyns. Sol. Poole, Bartholomew-close. Sur. June 12.

READER, CHARLES THOMAS, warehouseman, Pimlico. Pet. May 26. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-fds. Sur. June 9.

ROBERTS, JAMES, builder, Landport. Pet. May 27. Reg. Hazlitt. O. A. Graham. Sols. Sole, Turner and Hardwick, Aldermanbury. Sur. June 12.

SCOTT, ROBERT, and SCOTT, WILLIAM THOMAS, tailors, Southampton. Pet. May 27. Reg. Brougham. O. A. Edwards. Sols. Hunt, Leadenhall-st.; Lomer, Southampton. Sur. June 14.

SPICER, JAMES FREEMAN GAGE, rag dealer, Loudwater. Pet. May 26. Reg. Brougham. O. A. Edwards. Sols. Cox, St. Swithin's-la.; Clarke, High Wycombe. Sur. June 14.

TAYLOR, CHARLES JACOB, innkeeper, Brading, Isle of Wight. Pet. May 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. June 12.

WAKE, WILLIAM JOHN, commission agent, Surrey-grove, Old Kent-rd. Pet. May 20. Reg. Brougham. O. A. Edwards. Sur. June 14.

WHITROD, ROBERT, boot and shoe maker, Saint Peter's, Thanet. Pet. May 25. Reg. Brougham. O. A. Edwards. Sols. Fiennes, South-sq. Gray's-inn-rd.; Walpole, Northwold. Sur. June 14.

To surrender in the Country.

ALBISON, GEORGE, picture-frame maker, Manchester. Pet. May 26. Reg. & O. A. Kay. Sol. Swan, Manchester. Sur. June 12.

ALLEN, THOMAS, grocer, Leicester. Pet. May 25. Reg. & O. A. Ingram. Sol. Petty, Leicester. Sur. June 13.

BOWSEN, FREDERICK, ship chandler, Sunderland. Pet. May 11. Reg. Gibson. O. A. Laidman. Sol. Eglinton, Sunderland. Sur. June 14.

BRAGINTON, GEORGE, tanner, Great Torrington. Pet. May 27. O. A. Carrick. Sols. Bencraft, Barnstaple; Clarke, Exeter. Sur. June 16.

BURROWS, HENRY, beerseller, Billinge, Wigan. Pet. May 17. Reg. & O. A. Part. Sol. Heald, Wigan. Sur. June 27.

CALDWELL, JAMES, salesman, Pendleton, Manchester. Pet. May 27. Reg. Harris. O. A. Morgan. Sol. Farrington, Manchester. Sur. June 12.

CARRUTHERS, JAMES, draper, Nottingham. Pet. May 25. Reg. & O. A. Patchitt. Sol. Smith, Nottingham. Sur. June 14.

CLIFF, NATHANIEL, miller, Gainsborough. Pet. May 24. Reg. & O. A. Burton. Sol. Bladon, Gainsborough. Sur. June 14.

CUMBERLAND, WILLIAM, tobacconist, Loughborough. Pet. May 26. Reg. & O. A. Bruch. Sol. Deane, Loughborough. Sur. June 14.

DAVIDSON, ANDREW, woollen merchant, Leeds. Pet. May 26. O. A. Young. Sol. Simpson, Leeds. Sur. June 12.

DAVIS, JOHN, auctioneer, Leeds. Pet. May 27. Reg. & O. A. Leeming. Sol. Fallan, Leeds. Sur. June 14.

EYRE, ABRAHAM, cornfactor, Hulme, and Hanging-ditch, Manchester. Pet. May 27. Reg. Harris. O. A. Morgan. Sols. Boote and Sykes, Manchester. Sur. June 13.

FRAYNE, JAMES, out of business, Aston. Pet. May 23. Reg. Tudor. O. A. Kinnear. Sol. Fitter, Birmingham. Sur. June 14.

GOUGH, JOHN SMITH, button maker, Birmingham. Pet. May 25. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. June 12.

HALL, BENJAMIN, baker, Brighton. Pet. May 26. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. June 12.

HAMLIN, GEORGE HENRY, butcher, Reigate. Pet. May 22. Reg. & O. A. Hart. Sol. Silvester, Great Dover-st. Southwark. Sur. June 13.

HOLMES, JOHN PULLEN, farmer, Haxley. Pet. May 11. Reg. & O. A. Burton. Sur. June 12.

HOLMES, WILLIAM, beerhouse-keeper, Nottingham. Pet. May 26. Reg. & O. A. Patchitt. Sol. Smith, Nottingham. Sur. June 14.

HUNT, FREDERICK AUGUSTUS, poulterer, Liverpool and Birkenhead. Pet. May 26. Reg. & O. A. Hime. Sol. Hugo, Liverpool. Sur. June 13.

KILSHAW, JOHN, timber merchant, Bootle, near Liverpool. Pet. May 26. O. A. Turner. Sols. Lowndes and Co. Liverpool. Sur. June 14.

LEE, JOSEPH, miller, Newark-upon-Trent. Pet. May 23. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. Sur. June 6.

MAC DONALD, ALEXANDER, teacher, Everton, near Liverpool. Pet. May 26. Reg. & O. A. Hime. Sol. Hugo, Liverpool. Sur. June 14.

MAJOR, WILLIAM, blacksmith, Bedwell Ash. Pet. May 27. Reg. & O. A. Collins. Sol. Walpole, Beyton. Sur. June 14.

MAKEPEACE, JOHN BROWN, shipowner, High Felling and Winchester. Pet. May 27. Reg. Gibson. O. A. Laidman. Sols. Hoyle and Shipley, Newcastle. Sur. June 17.

MILLICHIP, WILLIAM, miner, Dudley. Pet. May 22. Reg. & O. A. Walker. Sol. Maltby, Dudley. Sur. June 9.

MUNRO, GEORGE AUGUSTUS, timber merchant, Swansea. Pet. May 24. Reg. Wilde. O. A. Acraman. Sols. Bees, Cardiff; Henderson, Bristol. Sur. June 14.

NEALE, WILLIAM, butcher, Hulme. Pet. May 26. Reg. & O. A. Kay. Sol. Law, Manchester. Sur. June 12.

NIXON, THOMAS, and WATKIN, JOHN, paperhangers, Newcastle. Pet. May 16. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. June 13.

OAKDEN, THOMAS, Stretford, encaustic tile dealer, Manchester. Pet. May 26. Reg. Harris. O. A. Morgan. Sols. Chapman and Roberts, Manchester. Sur. June 12.

OAKES, HENRY COLVIN, boot dealer, Brierley-hill. Pet. May 5. Reg. Hill. O. A. Kinnear. Sols. Price, Bristol; Reece and Harris, Birmingham. Sur. June 12.

PECK, JOHN, gentleman, Plymouth. Pet. May 27. Reg. Macrae. O. A. Morgan. Sol. Fox, Manchester. Sur. June 16.
RABY, JOHN, builder, Wakefield. Pet. May 30. Reg. & O. A. Mason. Sols. Jenson and Banks, Wakefield. Sur. June 10.
RAVEN, JOHN, bobbin turner, Ilegill. Pet. May 23. Reg. & O. A. Taylor. Sol. Thomson, Kendal. Sur. June 16.
REDDIHOUGH, JOSEPH, tailor, Windmill, near Shipley, and BINNS, ABRAHAM, overlooker, Lees Mills, near Howarth. Pet. May 25. O. A. Young. Sols. Watson, Bradford; Bond and Barwick, Leeds. Sur. June 12.
RICHARDSON, ROBERT, fishmonger, Manchester. Pet. May 23. Reg. & O. A. Hulton. Sol. Crowther, Manchester. Sur. June 17.
ROBINSON, JAMES, sen., bonedealer, Birmingham. Pet. May 25. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. June 12.
SPENCE, HENRY, wool broker, Liverpool. Pet. May 18. O. A. Turner. Sol. Worship, Liverpool. Sur. June 5.
STEPHENSON, SAMUEL BLACKBURN, beerhouse keeper, Morley. Pet. May 29. Reg. & O. A. Nelson. Sol. Harle, Leeds. Sur. June 9.
THOMAS, THOMAS, victualler, Dudley. Pet. May 23. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. June 14.
WATERS, THOMAS, butcher, Cowley, near Dronfield. Pet. April 15. Reg. & O. A. Waller. Sols. Binney and Son, Sheffield. Sur. June 11.
WATTS, ARTHUR, and RIDGE, STEPHEN, commission agents, Longton, also Faubourg Saint Martin, Paris. Pet. May 27. Reg. Tudor. O. A. Kinnear. Sol. Smith, Birmingham. Sur. June 16.
WHITE, WILLIAM, miller, Batcombe. Pet. May 24. Reg. & O. A. Messiter. Sol. McCarthy, Frome. Sur. June 19.
WHITELEY, JOSHUA, beerhouse keeper, Halifax. Pet. May 30. O. A. Young. Sur. June 12.
WINTER, JOHN, boot and shoe maker, Beeminster. Pet. May 27. O. A. Carrick. Sol. Hirtzel, Exeter. Sur. June 9.
WORMALD, CHARLES, hackle manufacturer, Bradford. Pet. May 24. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. June 9.

Gazette, June 2.

To surrender at the Bankrupts' Court, Basinghall-street.

ABLETT, ISAAC, attorney and solicitor, Newcastle-st. Strand, and Cambridge-ter. Edgware-rd. and Basinghall-st. Pet. May 29. Reg. Brougham. O. A. Edwards. Sol. Hall, New Park-rd. Stockwell. Sur. June 14.
AINSWORTH, SAMUEL, seedsman, Bath-rd. Hounslow. Pet. May 22. Reg. Brougham. O. A. Edwards. Sols. Wild and Barber, Ironmonger-la. Sur. June 21.
ASHFORD, ADRIAN HIXON, surgeon, Blomfield st. Maida-hill. Pet. May 29. Reg. Brougham. O. A. Edwards. Sol. Yonge, Strand. Sur. June 14.
BARBER, EDWARD, foreman to a joiner, Milner-bdgs. Knightsbridge. Pet. May 29. Reg. Hazlitt. O. A. Graham. Sol. Murton, Bargeyard-chambers, Bucklersbury. Sur. June 13.
BRIDGE, JACOB, clerk, Long-acre. Pet. May 30. Reg. Hazlitt. O. A. Graham. Sol. Maddock, Serjeants'-inn, Temple. Sur. June 13.
BROUGHTON, EMILY MATILDA, lodging-house keeper, Hyde-park-gate, Kensington. Pet. May 31. Reg. Roche. O. A. Parkyns. Sol. Dalton, Bucklersbury. Sur. June 19.
BROWN, RICHARD GEORGE, general dealer, King's-rd. Islington. Pet. May 27. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. June 14.
CORNFORTH, JAMES PICKARD, shipowner, London, Liverpool and Bombay. Pet. May 13. Reg. Roche. O. A. Parkyns. Sols. Ashurst, Morris and Co. Old Jewry. Sur. June 19.
FEATHERSTONHAUGH, HENRY, in no trade, Duke-st. St. James's. Pet. May 22. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate st. Sur. June 14.
HOLLINSHEAD, WILLIAM, gas engineers, St. Neots. Pet. May 31. Reg. Brougham. O. A. Edwards. Sols. Palmer and Co. Trafalgar-sq. Sur. June 21.
JEWELL, WILLIAM THOMAS, victualler, Long-acre, Drury-la. Pet. May 29. Reg. Brougham. O. A. Edwards. Sol. Priest, Buckingham-st. Strand. Sur. June 14.
LAINDON, JOHN, plumber, Pulford-st. Pimlico. Pet. May 31. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Basinghall-st. Sur. June 19.
LINFIELD, WILLIAM, grocer, Pulborough, Petworth. Pet. May 29. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. June 14.
MARCHANT, HENRY, farrier, Cromwell-la. Old Brompton. Pet. May 30. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. June 14.
PEARCE, GEORGE EDWARD, commission agent, Bream's-bdgs. Chancery-la. Pet. May 29. Reg. Roche. O. A. Parkyns. Sol. Reynolds, Lincoln's-inn-flds. Sur. June 14.
SNELL, DANIEL JAMES, compositor, Alfred-ter. Peckham. Pet. May 30. Reg. Brougham. O. A. Edwards. Sol. Odey, Trinity-st. Southwark. Sur. June 14.
TOWNER, BENJAMIN, butcher, Southover, Lewes. Pet. May 29. Reg. Roche. O. A. Parkyns. Sols. Wilkinson, Stevens and Wilkinson, Nicholas-la. Lombard-st. agents for Blaker and Son, Lewes. Sur. June 27.
WILTSHIRE, ELEAZER, victualler, Harwell. Pet. May 29. Reg. Hazlitt. O. A. Graham. Sol. Clarke, Coleman-st. Sur. June 13.
WOOD, THOMAS, tar distiller, Ipswich. Pet. May 31. Reg. Brougham. O. A. Edwards. Sol. Richardson, Old Jewry-chambers. Sur. June 14.

To surrender in the Country.

AINSWORTH, CHARLES, yeoman, Much Marcle. Pet. May 20. Reg. & O. A. Cooke. Sol. Wilkes. Sur. June 26.
ANSDELL, HENRY WETTENHALL, merchant, Liverpool. Pet. May 30. O. A. Turner. Sol. Morris, Liverpool. Sur. June 13.
ARDERN, THOMAS, out of business, Middlewich. Pet. May 27. Reg. & O. A. Cheshire. Sol. Shepherd, Crewe. Sur. June 13.
BEYNING, ROBERT, packing-case maker, Liverpool. Pet. May 26. O. A. Turner. Sol. Grimmer, Liverpool. Sur. June 14.
BUTTON, GEORGE, butcher, Christchurch. Pet. May 31. Reg. & O. A. Druitt. Sol. Sharp, Christchurch. Sur. June 12.
CAMPBELL, WILLIAM, cabinet-maker, Bolton. Pet. May 31. Reg. Macrae. O. A. Morgan. Sols. Glover and Hamwell, Bolton. Sur. June 13.
CHERRINGTON, RACHEL, chemist, Donington. Pet. May 30. Reg. Tudor. O. A. Harris. Sol. Maples, Nottingham. Sur. June 12.
CLARKE, EDWARD JOHN, stationer, Canterbury. Pet. May 15. Reg. & O. A. Callaway. Sur. June 21.
CORSER, WILLIAM, grocer, Chorlton-on-Medlock. Pet. May 31. Reg. & O. A. Key. Sol. Elliott, Manchester. Sur. June 12.
DOVER, JAMES, tailor, Milborne Port. Pet. May 31. Reg. & O. A. Messiter. Sol. Ellis, Sherborne. Sur. June 17.
DOWDING, CHARLES, shoemaker, Houghton, near Stockbridge. Pet. May 27. Reg. & O. A. Tyler. Sol. Mackey, Southampton. Sur. June 13.
ELLIS, WILLIAM CHARLES, dissenting minister, Chenies. Pet. June 1. Reg. & O. A. Francis. Sol. Buchanan, Basinghall-st. Sur. June 14.
EMERY, EDWARD, schoolmaster, Stow-on-the-Wold. Pet. May 31. Reg. & O. A. Anderson. Sol. Kilby, Chipping Norton and Banbury. Sur. June 16.
EVANS, ROBERT, grocer, Llanerchymedd. Pet. May 31. O. A. Turner. Sols. Evans, Sandys, Roose, and Lochet, Liverpool. Sur. June 13.
FAWCETT, JOHN, publican, West Ardsley. Pet. May 30. O. A. Young. Sol. Granger, Leeds. Sur. June 19.
FOLLOWS, HENRY, victualler, Stafford. Pet. May 12. Reg. & O. A. Spilsbury. Sur. June 12.
FOSTER, EDWARD, labourer in a brickfield, Merston-row, near Sittingbourne. Pet. May 30. Reg. & O. A. Hills. Sol. Munday, Basinghall-st. Sur. June 14.
GWYNNE, WILLIAM, farmer, Grosmont. Pet. May 15. Reg. & O. A. Reynolds. Sol. Roberts, Usk. Sur. June 21.
HALLEW, ELIJAH, currier, Hull. Pet. May 31. O. A. Young. Sol. Bell, Leeds. Sur. June 14.
HARRIS, LEWIS, cap manufacturer, Leeds. Pet. May 29. O. A. Young. Sol. Pullan, Leeds. Sur. June 19.
HARRIS, THOMAS, builder, Oxford. Pet. May 22. Reg. & O. A. Dudley. Sol. Mallam, Oxford. Sur. June 10.
HARRIS, THOMAS PALMER, warehouseman, Chorlton-on-Medlock. Pet. May 30. Reg. & O. A. Hulton. Sol. Storer, Manchester. Sur. June 17.
HARRISON, JOHN, plumber, Leeds. Pet. May 29. O. A. Young. Sols. Christie, Daniel and Christie, Leeds. Sur. June 19.
HAUGHTON, NATHAN, builder, Stafford. Pet. May 12. Reg. & O. A. Spilsbury. Sur. June 12.
HOWMAN, WILLIAM, collar maker, Field Dalling. Pet. March 13. Reg. & O. A. Watson. Sols. Wilkinson and Sizon, Holt. Sur. June 21.
JONES, JOHN, provision dealer, Shrewsbury. Pet. May 30. Reg. Hall. O. A. Kinnear. Sols. Lockedale, Peel and Sons, Shrewsbury; James and Griffin, Birmingham. Sur. June 19.
KETTNER, SAMUEL, provision merchant, Cardiff. Pet. May 23. Reg. White. O. A. Acreman. Sols. Stephens, Cardiff; Abbott and Leonard, Bristol. Sur. June 16.

LEAHY, PATRICK, carpenter, Bristol. Pet. May 29. Reg. & O. A. Harley and Gibbs. Sur. June 16.
LEECH, LAW, german yeast dealer, Almondbury. Pet. May 25. Reg. & O. A. Jones. Sol. Taylor, Huddersfield. Sur. June 19.
LOVEGROVE, ROBERT JONES, cart owner, Liverpool. Pet. May 27. Reg. & O. A. Hime. Sol. Nordon, Liverpool. Sur. June 16.
MANUEL, JAMES, dealer, Canterbury. Pet. May 16. Reg. & O. A. Callaway. Sur. June 21.
MARSON, JOHN, grocer, Lower Gornal, Sedgley. Pet. May 29. Reg. & O. A. Walker. Sol. Lowe, Dudley. Sur. June 27.
MASSEY, JOSEPH, chemist, Oldham. Pet. May 29. Reg. & O. A. Summerscales. Sol. Mellor, Oldham. Sur. June 15.
PADBURY, JOHN, shoemaker, Upper Oddington. Pet. May 29. Reg. & O. A. Anderson. Sol. Kilby, Chipping Norton and Banbury. Sur. June 16.
PARR, GEORGE, beerseller, Hitch Hillock, Sutton, near St. Helen's. Pet. May 26. Reg. & O. A. Ansdell. Sol. Marsh, St. Helen's. Sur. June 14.
POUNTNEY, THOMAS ELVINS, agent to a soda-water manufactory, Oxford. Pet. May 22. Reg. & O. A. Dudley. Sur. June 10.
PURTON, BENJAMIN, baker, East Peckham. Pet. May 26. Reg. & O. A. Scudamore. Sol. Morgan, Maidstone. Sur. June 10.
ROBERTS, JESSE, farmer, Trelogan, Llanasa. Pet. May 31. O. A. Turner. Sols. Williamson, Holywell; Best, Liverpool. Sur. June 13.
ROBINSON, JOHN, fishmonger, Leeds. Pet. May 30. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. June 14.
ROGERS, WILLIAM STANFORD, superannuated shipwright, Chatham. Pet. May 30. Reg. & O. A. Ackworth. Sol. Hayward, Rochester. Sur. June 13.
ROSTRON, JAMES, and FARNWORTH, MARTIN, waste bleachers, Radcliffe. Pet. May 31. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. June 13.
SAVAGE, WILLIAM, tailor, Forton, near Gosport. Pet. May 29. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 14.
SCHOFAH, THOMAS, bootmaker, Brotherton, near Milford. Pet. May 27. Reg. & O. A. Coleman. Sol. Mander, Wakefield. Sur. June 11.
SMITH, WILLIAM, machinist, Leeds. Pet. May 30. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. June 14.
SPARKES, JOHN, carpenter, Purbrook. Pet. May 29. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 14.
TAYLOR, JOSEPH, and TAYLOR, BENJAMIN, woollen manufacturers, Stainland, in Halifax. Pet. May 24. O. A. Young. Sols. Norris and Foster, Halifax; Bond and Barwick, Leeds. Sur. June 19.
TAYLOR, WILLIAM, grocer, Wigan. Pet. May 17. Reg. Harris. O. A. Morgan. Sur. June 20.
TERRARY, GEORGE, carpenter, Sittingbourne. Pet. May 25. Reg. & O. A. Hills. Sol. Munday, Basinghall-st. Sur. June 14.
TOMKINSON, THOMAS, wood turner, Salford. Pet. May 30. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. June 20.
TOMPSETT, JAMES, medical student, Horsmonden. Pet. May 29. Reg. & O. A. Alleyne. Sols. Graham and Warner, Tonbridge. Sur. June 12.
UDALL, EBENEZER JOSIAH, painter, Southampton. Pet. May 31. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. June 19.
WILSON, JOSEPH, farmer, Old Leake. Pet. May 10. O. A. Harris. Sols. Dean, Boston; Ashwell, Nottingham. Sur. June 17.
WOOD, CHRISTOPHER, platelayer, Finsley. Pet. May 16. Reg. & O. A. Berrup. Sol. Gould, Newnham. Sur. June 14.
WORSEY, EDWARD, commission agent, Liverpool. Pet. May 29. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. June 17.

BANKRUPTCY ANNULLED.

Gazette, June 2.

MAIDLOUT, JOHN, builder, Chepstow-pl. Bayswater.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Baldwin, J. farmer, second, 1s. 4½d.; to new proofs, 14s. 4½d. Edwards, London.—*Best*, E. P. wine merchant, fourth, 4½d. Edwards, London.—*Berwick*, J. J. farmer, first, 10s. 3d. Edwards, London.—*Butler*, T. clerk in holy orders, 5d. Kinnear, Birmingham.—*Dew*, M. farmer and grazier, first to new proofs, 16s. 2d. Edwards, London.—*Gubbins*, C. painter and plumber, first, 7s. 7½d. Edwards, London.—*Heath*, J. farmer, first, 7s. 8d. Edwards, London.—*Hindle*, L. commission agent, first, 10s. Morgan, Manchester.—*Osborne*, J. J. attorney, first, 1s 10½d. Morgan, Manchester.—*Sause*, F. R. clerk in Foreign-office, second, 1s. 6d. Stansfeld, London.—*Wemyss*, W. McK. W. draper, first, 1s. 6½d. Edwards, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, May 30.

ABUD, WILLIAM THOMAS, banker's clerk, Colville-rd. Bayswater. May 8. 3s. 4d. immediately.
ALLAN, RICHARD, sen., builder, Scarborough. May 1. Trust. J. M. Cosby, druggist, Scarborough, and H. G. Lythe, attorney's clerk, York.
APPLEYARD, JOHN, and MANN, GEORGE, worstedspinners, Bradford. May 13. Trusts. J. Peacock, J. Barraclough, sen., R. Moore, and M. Anderson, woolstaplers, all of Bradford.
BARKER, DAVID crinoline skirt manufacturer, Manchester. May 29. 10s. by three instalments of 3s. 4d. at 2, 5 and 8 mos. from 1st April. Trust. J. Powell, book-keeper, Manchester.
BEDROSSIAN, OHANES, merchant, Manchester. May 25. 4s. 3d.—1s. 6d. on 1st March and 2s. 9d. in 3 mos. Trust. J. Halliday, public accountant, Manchester.
BENNETT, BENJAMIN NISBETT, ironmonger, Alma-pl. Twickenham. May 26. 5s in 3 mos.—secured.
BINNS, THOMAS, and BINNS, GEORGE WYNDHAM, fancy woollen manufacturers, Deighton, near Huddersfield. May 27. Trusts. J. G. Berry, bank manager, J. Lowenthal, woolstapler, both Huddersfield, and J. M. Johnson, cottonspinner, Mirfield. Sols. Heap and Owen; and Jacomb, Huddersfield.
BITHERY, THOMAS, linendraper, Woolwich. April 23. 8s. 6d. by three equal instalments at 3, 6 and 9 mos.—secured. Trusts. R. H. Ruddock, surgeon, Plumstead and Woolwich, and D. Blackloe, clothier, Woolwich.
BOTTOMLEY, JOSEPH, cottonspinner, Littleborough. May 2. Trust. A. Murray, public accountant, Manchester.
BRACKENRIDGE, WILLIAM, draper and hatter, Birmingham. April 29. Trusts. P. Aitken, draper, Tamworth, and E. K. Dutton, merchant, Manchester.
BRADFORD, ELLEN, Walton-villas, Brompton. May 23. 1s. 6d. on execution of deed.
BROWN, JEREMIAH SHARP, and BROWN, JAMES LAURIE, wire drawers, Smethwick and Birmingham. May 13. Trusts. T. F. Shaw, sub-manager of the Birmingham Banking Company, and E. Carter, accountant, both Birmingham.
BROWNE, WILLIAM, silk manufacturer, Macclesfield. May 23. 2s. in 1 mo.
BULMER, FREDERICK, clerk in General Post-office, Stanley-st. Pimlico. May 2. To pay 30*l*. per annum by equal quarterly payments on 17th June, 17th Sept., 17th Dec. and 17th March until debts are fully paid.
CAVIT, THOMAS EMMERTON, wholesale gasfitter, Hatton-garden. May 16. 10s. in four instalments—three of 3s. and one of 1s. at 4, 8, 12 and 15 mos.
CHADWICK, FREDERICK, architect, Crooked-la. and New-cross. May 20. To pay debts in full by four instalments of 5s. in 6, 12, 18 and 24 mos.
CHAMBERS, JOHN, travelling draper, Norwich. May 8. Trusts. R. Somerville, draper, and A. J. Pigg, woollendraper, both Norwich.
CLOUGH, FRANCIS, merchant, Oakley-st. May 26. Trust. A. A. James, accountant, King-st. Cheapside.
CONSTANTINE, PICKLES, stuff manufacturer, Bradford. May 22. 6s. 8d. forthwith.
CROSS, ALFRED, bootmaker, Southampton. May 1. 5s. by two equal instalments on 31st May and 31st July—secured. Trust. G. Cross, bootmaker, Southampton.
CROSSLAND, FREDERICK, brassfounder, Bolton. May 1. Trusts. W. Bridge, gentleman, Southport, and D. Winder, rag and waste dealer, Bolton.
DEARDEN, WILLIAM, bookseller, Nottingham. May 3. Trusts. F. Wright, banker, and J. Woodhouse, salesman, both Nottingham.
DRESCHEL, HERMANN, and OLD, CHARLES, manufacturing upholsterers, Dean-st. Soho. April 29. Trusts. P. Brown, warehouseman, Milk-st., J. Lyle, upholsterer, Little Moorfields, and M. Dead, leather merchant, Oxford-st.
DICKINSON, EDWARD, hotel keeper, Liverpool. May 17. 5s. by two equal instalments in 7 days. Trust. W. P. Mills, commission agent, Liverpool.
DURANT, ANGUISH HONOUR AUGUSTUS, gentleman, Vauxhall-bridge-rd. Pimlico. May 29. 19s. 6d. by three instalments—3s. 6d. on 1st March 1866, 3s. on 1st March 1867, and 12s. on 1st March 1868.
EDWARDS, GEORGE, bonnet front manufacturer, Nottingham. May 4. 2s. 6d. on 22nd June. Trust. H. Johnson, silk merchant, Nottingham.
ELLIS, LOUISA TUNSTALL MAZZONI, mourning flower maker, Colebrook-row, Islington. May 19. 3s.—1s. on 1st Jan. 1866, 1st July and 1st Jan. 1867.
FACHIRI, ANDREW, and FACHIRI, NICHOLAS, merchants, Cullum-st. April 24. 3s. 9d. Trust. J. Ball, accountant, Moorgate-st.
FLEMING, JOHN, hardware merchant, Liverpool. May 2. Trusts. H. N. Ashford, and J. McClelland, factors, both Birmingham.
FOWLER, WILLIAM HENRY, grocer, Wotton-under Edge. May 16. 2s. in 14 days—secured. Trust. T. H. Fowler, accountant, Wickwar.
FURBANK, WILLIAM, grocer, Sheffield. May 16. 6s. 8d. at 3 and 6 mos. from 1st May—secured. Trust. A. Furbank, grocer, Rotherham.
GENESE, SAMUEL, printseller, Liverpool. May 17. To pay in full—6s. 8d. at 6, 9 and 12 mos. from 17th May.
GROOM, WILLIAM, grocer, Burnham Westgate. May 1. 5s. on execution of deed.
HADDAN, JOHN COOPE, civil engineer, Beauborough-gardens. May 27. Inspector, J. Temperley, Great George-st. Westminster.
HARRISON, JONATHAN, husbandman, Bewaldeth. May 8. Trusts. J. Harrison, husbandman, Whitfield-house, Cumberland, and E. Bateman, farmer, Cockermouth.
HOLLAND, CORBETT, gentleman, Leamington. May 25. 5s. in 6 mos. Trust. W. P. Hurlston, victualler, Banbury.
KONING, HENRY, seedsman, Baker-st. Pentonville. May 29. 2s. 6d.
LAWRANCE, JOHN, grocer, Manchester. May 13. 6s. by three equal instalments on 4th Aug., 4th Nov. and 4th Feb.—secured.
LAYCOCK, WILLIAM, oil dealer, Liverpool. May 6. Trust. R. S. Hlense, accountant, Liverpool.
LIVESEY, THOMAS, and HAYDOCK, ELIJAH, manufacturers, Oswaldtwistle. May 16. 1s. 9d.—1s. 6d. in 2, 4 and 6 mos.—secured, and 3d. at 8 mos.—unsecured.
NEVILL, EDMUND BERREY, and NEVILL, NEVILL GEORGE, lace manufacturers, Nottingham. May 10. Trusts. G. Bridgett, lace agent, and J. B. Nevill, merchant's clerk, both Nottingham.
PACKER, THOMAS WARD, petroleum oil merchant, Newcastle-wharf, Old Ford, Bow. May 26. 5s. by two instalments of 3s. and 2s. on 23rd June and 24th July.
POINTON, VINCENT, coffin furniture manufacturer, Birmingham. May 13. Trusts. W. Corbett, metal dealer, and W. G. Postans, varnish manufacturer, both Birmingham.
POTTS, WILLIAM MOWBRAY, provision dealer, Consett. May 18. 6s. by three instalments of 2s. at 3, 6 and 9 mos. Trust. R. Murray, grocer, Consett.
POUND, MATTHEW, chemist and druggist, Leather-la. Holborn. May 25. 10s. by two instalments—7s. 6d. in cash and 2s. 6d. in 4 mos. from 1st March—secured. Trusts. C. C. Luckombe, wholesale druggist, Snow-hill, and D. S. Kidd, merchant, Commercial-st. Shoreditch.
RAMSBOTTOM, JANE, and RAMSBOTTOM, AMELIA, Wardle, cottonspinners. May 6. Trust. D. Smith, Manchester.
REDWAY, THOMAS, shipowner and merchant, Exmouth. May 22. Trust. T. Cairncross, banker, Bristol, and H. L. Hirtzell, gentleman, Exeter.
ROBINSON, WILLIAM, shoe manufacturer, Northampton. May 13. 10s. Trusts. G. F. Newton and T. P. Shoulger, leather merchants, both Northampton.
SMART, ALFRED, baker, Bath. May 24. Trust. D. Brown, miller, Bath.
STRANGWAYES, RICHARD, draper, Chiswell-st. St. Luke's. May 2. To pay 20s. by four equal instalments at 3, 6, 9 and 12 mos.—secured. Trusts. C. Candy, Watling-st., R. Slater, Fore-st. merchants, and G. B. Greatorex, warehouseman, Aldermanbury.
TUCKER, HENRY CHARLES, carpenter, Hailsham. May 20. Trusts. J. E. Elliott, timber merchant, Brighton, and J. Thompson, bricklayer, Hailsham. Sol. Stunock, Hailsham.
WALL, GEORGE CHARLES, cheesemonger, Old-rd. Stepney. May 19. 3s. on 1st June at office of J. J. Spiller, South-pl. Finsbury.
WALTON, JAMES, cap manufacturer, Manchester. April 28. 5s. by two equal instalments on 29th June and 29th Aug.—secured. Sureties, S. Hardacre and R. D. Birkhead, smallware dealers, Manchester.
WAUMSLEY, EDWARD ROBERT, ironmonger, Louth. May 1. Trusts. R. S. Robinson, tailor, Louth, and W. M. Bond, farmer, Yarborough.
WELLER, WILLIAM WINTON, gentleman, Ebury-st. Eaton-sq. April 29. To pay 100*l*. per annum by quarterly instalments. Trust. F. G. Pearce, tailor, Conduit-st. Regent-st.
WIDDOP, HENRY, grocer, Halifax. May 27. Trusts. J. Parrish, wholesale grocer, and J. Kershaw, cornmiller, both Halifax.
WILKINSON, EDWIN, cloth manufacturer, Leeds. May 26. 8s. in 4, 8 and 12 mos. from 17th May—secured. Trust. G. Nichols, bookkeeper, Leeds.
WILSON, THOMAS, oil and colourman, High-st. Islington. May 16. 3s. in 14 days.

ERRATUM.

In Gazette May 23, 1865, the names should be Musgrave, William Atack, and Musgrave, Atack, and not Musgrave, William Alack, and Musgrave, Alack.

Gazette, June 2.

AMES, SAMUEL, merchant's clerk, Robinson-rd. Approach-rd. Bethnal-green. June 2. 7s. in 1 mo. Trust. T. Ames, braid manufacturer, Green-st. Bethnal-green.
ARMISTEAD, HENRY, woollen manufacturer, Halifax. May 10. Trusts. W. Shaw, Longwood, near Huddersfield, W. H. Sykes, Almondbury, woollen manufacturers, and T. E. Hinchliffe, yarn agent, Halifax.
BARTON, EDWARD JAMES, farmer, Teeton. May 4. 5s. in 60 days. Trusts. W. Barrett, Finsmere, S. King, Holdenby, and J. Wakelin, Ravensthorpe, farmers.
BATTERBEE, ROBERT, grocer, Heacham. May 12. Trusts. J. Brown, grocer, and J. B. Hix, warehouseman, both King's Lynn.
BEAZLEY, EMANUEL, mining share dealer, Crown-ct. Threadneedle-st. May 27. 1s. on 1st. Dec.
BREWSTER, GEORGE, plumber, Sneinton. May 9. Trust. W. Marriott, accountant, Nottingham.
COLSTON, RICHARD THOMAS, grocer, Aberdare, Aberaman, and Cwmbach. May, 10. Trust. E. P. Wills, tobacco manufacturer, Bristol.
COX, LETALL HENRY WILKS, grocer, Peterborough. May 6. Trusts. W. E. Dandy, grocer, Spalding, and J. Ellis, hotelkeeper, Peterborough.
DIXON, GEORGE, tailor, Birmingham. May 4. To secure a composition of 5s. at 4 and 8 mos. Trust. M. G. Allan, woollen merchant, Birmingham.
DUCK, ROBERT, builder, Darlington. May 17. Trusts. J. R. Ord, merchant, and T. Robson, builder, both Darlington.
EATON, SAMUEL, ironfounder, Ashton-under-Lyne. May 11. 5s. on 11th June. Trust. J. R. Coulthart, Esq., Ashton-under-Lyne.
GABRIELSEN, GABRIEL PINCUS, dealer in foreign merchandise, Liverpool. May 25. Trust. S. Meyer, merchant, Liverpool.
GARRARD, JOHN JERVIS; SMITH, HENRY; and BISSHOPP, EDWARD CECIL, wine and spirit merchants, Garlick-hill. May 20. Trusts. T. Castle, wine merchant, Bristol, and P. C. Nixon, wine agent, Crutched-friars.
GORE, WILLIAM HENRY POSTLETHWAITE, James-ter. Westbourne-ter. May 22. 19s 6d. by three instalments of 2s. 6d. on 1st March 1866, 5s. on 1st March 1867, and 12s. 1st March 1868.
GRIFFITHS, EVAN, yarn agent, Manchester and Oldham. May 2. Trusts. J. Buckley, Royton, near Oldham, and J. R. Platt, Oldham, cottonspinners.
HOLMES, JOHN, cottager, Kirkby. May 4. Trust. J. Lee, farmer, Kirkby.
HOTSON, ALEXANDER, and HOUSTON, WILLIAM, sawyers, Manchester. May 5. 6s. 8d.—3s. 6d. on 5th May, 2s. 6d. on 5th July and 1s. 8d. on 5th Aug.
INGLEY, THOMAS, baker, Wolverhampton. May 17. 5s. by two equal instalments on 31st May and 31st Nov.
JOWETT, BENJAMIN, warehouseman, Falcon-sq. June 1. [illegible]—1s. 6d. on execution of deed and 1s. 6d. in 2 mos.—secured.
KAYE, THOMAS, and BRAITHWAITE, JOHN, brewers, York. May 30. Trusts. J. Henderson, gentleman, Castle Howard, and L. Hart, wine merchant, Trinity-sq. Tower-hill.
KITSON, JOSHUA, oil cloth manufacturer, Manchester and Salford. April 11. 11s.—3s. at 3 mos., 3s. at 6 mos., 3s. at 9 mos. and 2s. at 12 mos.—secured. Inspectors, J. Reid, commission agent, J. Kinnear, linen merchant, and E. Archer, cloth merchant, all Manchester.

Lynham, William, innkeeper, Stockport. May 5. Trust. M. B. Megson, wine merchant, Manchester.

MacClure, John, draper, Heanor. May 25. Trusts. W. MacKinlay, merchant, Glasgow, and F. T. Hewitt, gentleman, Heanor.

Marsden, Thomas Gilman, and Marsden, George Anthony, drapers, Hanley. May 27. 12s. 6d. Trusts. C. Watson and G. Peak, merchants, Manchester.

Mister, Filmer Hume, butcher, Walthamstow. May 8. 1s. on execution of deed.

Moatt, Magnus George, grocer, Kingston-upon-Thames. May 8. Trusts. F. Bellenger, wholesale teadealer, Eastcheap, and J. Smith, tallow chandler, Kingston-upon-Thames.

Peeling, John, cook, Cambridge. May 4. Trust. W. H. Palmer, butcher, Cambridge.

Pickles, William, twine manufacturer, Leeds. May 17. 5s. by two equal instalments on 17th July and 17th Oct. Trusts. M. A. Pickles, widow, R. Robinson, linen merchant, and F. Walker, flaxspinner, all in Leeds.

Priddle, Thomas Linton, builder, Linton-grove, Lower Norwood. May 2. 2s. 6d. by three instalments—1s. in 3 mos., 1s. 29th Sept. and 6d. on 20th March. Trust. W. Levens, baker, Beckenham.

Ransom, George, grocer, Keelby. May 18. Trusts. J. Middleton, grocer, and B. Rollitt, druggist, both Hull.

Robinson, Elisha, and Holden, Henry, cottonspinners, Goodshaw Fold, near Rawtenstall. May 6. Trusts. J. Whittaker, waste dealer, and T. Carr, machine maker, both Burnley.

Roberts, John Jones, draper, Brighton. May 2. Trusts. J. B. Walker, warehouseman, Friday-st., and H. E. Ellington, carpet warehouseman, Watling-st.

Scott, Thomas, builder, South-cottage, Hampstead-rd., and 72, Hampstead-rd. May 29. 5s. in 28 days.

Shaw, Joseph, and Shaw, George Hodson, Halifax. May 19. Trusts. T. Hastings, paper manufacturer, Staniland. W. A. Jubb, shoddy merchant, Batley, and J. Blakeley, manufacturer, Dewsbury.

Shephard, Thomas, beerhouse-keeper, Wimeswould. May 16. Trust. W. Goddard, farmer, Wimeswould.

Slee, Charles Graham, timber merchant, High-st. Whitechapel. May 11. Trust. H. W. Castle, timber merchant, Lawrence Pountney-hill.

Smith, John, blacksmith, Winchcomb. May 22. Trust. D. Harvey, butcher, Winchcomb.

Staples, John, butcher, West Lavington. May 25. A. Woodbridge, bank manager, Devizes.

Thomas, Daniel Jones, printer, Aberdare. May 12. Trust. D. I. Davies, master of British school, Aberdare.

Thurlow, Lancelot, Newington, near Sittingbourne, and Thurlow, Edward John, Sittingbourne, tailors. May 24. To be void if they pay a composition of 10s. by 4 equal instalments, at 3, 6, 9 and 12 mos. Trust. W. Marsell, woollendraper, Blackfriars-rd.

Tipping, John, linendraper, Swansea. May 11. 7s. by two equal instalments on 13th July and 13th Sept. Trust. J. T. Tipping, linendraper, Swansea.

Warener, Edward Turner, minister of the Gospel, Fakenham. May 4. Trusts. J. B. Sunbed, grocer, and H. Plattin, chemist, both Fakenham.

White, Andrew, wine merchant, America-sq. Minories. June 1. 7s. 6d. by three equal instalments, of 2s. 6d. on 2nd June, 17th Aug. and 19th Nov.—secured.

White, Henry, draper, Hull. May 5. Trusts. W. Raynor, draper, Hull, W. H. Watts, Hull, and W. B. Westhead, Manchester, merchants.

Wilkins, Charles, grocer, Shirley. May 5. Trust. C. Matthews, gentleman, Shirley.

Wills, John, grocer, Devonport. May 15. Trusts. M. O'Brien, provision merchant, Plymouth, and R. Hanger, tobacconist, Devonport.

Wilson, Allen, and Aspinall, John, manufacturers, Halifax. May 3. Trusts. J. Dodson, dyer, Elland, J. Armitage, shoddy merchant, Dewsbury, J. L. Stott, cotton warp dealer, Rochdale, and T. Chappell, commercial traveller, Horbury.

Winship, Thomas, grocer, Liverpool. May 23. 5s.—2s. in 3 mos., 2s. at 6 mos., and 1s. at 9 mos.—secured.

Woodward, Henry, farmer, Harleston. May 9. Trust. J. Turner, Old Newton, and H. Edwards, Debenham, farmers.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

Day.—On the 29th ult., at No. 1, Primrose-hill-road, Adelaide-road, N.W., the wife of John C. F. S. Day, Esq., barrister-at-law, of a son.

Hill.—On the 1st inst., at 6, Oxford-square, Hyde-park, the wife of James Eardley Hill, Esq., of the Middle Temple, barrister-at-law, of a son.

Hocombe.—On the 2nd inst., at Osborne-house, Potter's-bar, Herts, the wife of James Bishop Hocombe, Esq., of Bedford-row, London, solicitor, of a son.

MARRIAGES.

Bloxham—Higgs.—On the 30th ult., at Whittington, near Worcester, John Charles Bloxham, of Frederick-street, Edgbaston, solicitor, to Elizabeth, only surviving child of William Higgs, Esq., of Lark-hill, Worcester.

Dodington—Downe.—On the 1st inst., at Frampton, Thomas Marriott Dodington, Esq., barrister-at-law, Horsington-house, Somerset, to Lucy Elizabeth, fourth daughter of the Rev. G. E. Downe, rector of Rushden, Northampton.

Meadows—Crosse.—On the 1st inst., at Pawlett, Somerset, by the Rev. Thomas Arnold Bowne, M.A., assisted by the Rev. J. J. Reynolds, B.A., rector of Shaftesbury, brother-in-law of the bridegroom, and the Rev. S. H. Walker, M.A., Horace Haward Meadows, Esq., of Teddington and Lincoln's-inn-fields, solicitor, to Mary Anne Beeler, eldest daughter of the Rev. J. D. Oland Crosse, M.A., vicar of Pawlett.

Lushington—Smith.—On the 3rd inst., at St. John's Church, Kingston Vale, Surrey, Godfrey Lushington, of Lincoln's-inn, barrister-at-law, son of the Right Hon. Stephen Lushington, Judge of the High Court of Admiralty and Dean of the Arches, to Beatrice Anne Shore, third daughter of Samuel Smith, of Combe Hurst, Surrey, Esq.

Meadows—Crosse.—On the 1st inst., at Pawlett, Somerset, Horace Haward Meadows, Esq., of Teddington and Lincoln's-inn-fields, solicitor, to Mary Ann Beeler, eldest daughter of the Rev. J. D. Oland Crosse, M.A., vicar of Pawlett.

Westropp—Westropp.—On the 3rd inst., at Rugby, the Hon. Mr. Justice Westropp, of the High Court at Bombay, to Eliza, eldest daughter of the late Lieut.-Colonel Lionel Westropp, of H.M.'s 64th Regiment.

DEATH.

Tidswell.—On the 27th ult., at his residence, Southport, in his 49th year, Benjamin Kay Tidswell, Esq., of Manchester, solicitor.

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To Readers and Correspondents.

W. (Canada).—The error has been already corrected.
W.—We are not informed.
S. (Liverpool).—There has been no change in the Scotch law of marriage since the Gretna-green Act.
H. D.'s letter is not quite adapted for us in its tone.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, JUNE 20.

By Messrs. WILKINSON and HORNE, at Garraway's.
Freehold residence at Barnet; and freehold building land at Peckham, Holloway, Colney Hatch and Harrow. Advertised this day.

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By Messrs. FAREBROTHER, CLARK and Co., at Garraway's.
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By Messrs. NORTON, HOGGART and TRIST, at the Guildhall Coffee-house.
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NOTICE.—The publication of the New Edition of COX'S PRACTICE of REGISTRATION and ELECTIONS has been delayed for the purpose of introducing the changes made by the Statute just passed, altering the registration in counties. It will be ready on Saturday next.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

It is now stated, with some confidence, that Parliament will be prorogued and dissolved on the 10th of July. The writs will issue the same evening, and the borough elections will be concluded within a fortnight. Every week that abbreviates the interval will diminish expenses and demoralisation. Now that we are plunged into it, the sooner it is over the better for all concerned.

MR. D. D. KEANE, Q.C., has offered himself as a candidate for Beverley on Liberal principles. Mr. LOCOCK WEBB, of the Chancery Bar, is one of the Conservative candidates for Bodmin. Mr. PAULL offers himself for re-election at St. Ives. Mr. MURRAY, solicitor, stands again for Newcastle-under-Lyne. Sir ARTHUR BULLER retires from Devonport and offers himself for Liskeard. Mr. COLERIDGE, Q. C., will be returned for Exeter without opposition. Mr. BREMRIDGE, solicitor, retires from Barnstaple. Mr. POWELL, Q. C., retires from Gloucester. Mr. DIGBY SEYMOUR, Q. C. and Mr. RUSSELL GURNEY, the Recorder of London, offer themselves for Southampton.

A PARTY of solicitors have formed a society for a species of mutual agency in the business of mortgage. The substance of the scheme is a registry office, where solicitors who have money to lend and those who want money on mortgage may apply on payment of a small fee, and thus mutual introductions be made, leading to considerable facilities in business. The managing committee are very respectable.

THE sudden death of Lord CRANBOURNE, the eldest son of the Lord Lieutenant of Middlesex, is a calamity in which the MARQUIS of SALISBURY will receive the sincerest sympathy of the entire body of the deputy-lieutenancy and magistracy of the metropolitan county. This young nobleman had the terrible misfortune of blindness, an affliction which he bore with resigned cheerfulness, devoting himself to alleviate the position of those whom Providence had subjected to the same calamity. He was greatly loved by his family. Lord ROBERT CECIL is now the heir to the titles and estates.

THE charge of manslaughter upon which Mr. DERENHAM has been committed for shooting a man in his garden, mistaking him for a burglar, will raise some points of law happily not often considered in this country. The question for the jury will be, if it was a case of justifiable homicide; for, as there is no motive of malice, it could by no possibility amount to murder. In the first place, there will be difficulty in proving the precise circumstances, for the defendant will not be admitted to give his own account of it. But the question will turn mainly upon the position of the premises—whether the deceased could have found his way there either ignorantly or in drunken forgetfulness. From the description given of them it would appear to be highly improbable that a man could have made his way there by an accident. If the jury arrive at the conclusion that he was there for an unlawful purpose, then will come the question, what amount of burglarious purpose justifies firing at a man? In strict law nothing less than absolute danger to life or limb is held to be a justification. But juries do not enforce the letter of the law; they make large allowance for human fears as well as passions; and if a man were to shoot a thief in his kitchen at midnight they would never pronounce a verdict of manslaughter. The only difference in this case would be, that the man was outside the house instead of in it, and if there with burglarious intent it will probably be deemed to come within the principle on which juries usually act, and the benefit of the doubt will be given to the defendant.

And even if the jury should not be satisfied that in fact the intent of the deceased was burglary, they will ask themselves whether, from the position of the premises, the defendant might not reasonably have presumed that such was the design, and, if they should so think, they will acquit him on the same ground as they will do so if the burglarious design should be proved to have existed.

HIGHWAY BOARDS and *Magistrates* find themselves in a position of no little perplexity in carrying out the new provision of the Highways Law Amendment Act of last session, which inflicts a penalty of 5*s.* per head for cattle feeding or straying upon the highways; at least so it is in the highway district with which the writer of this is connected; and as the difficulty has doubtless occurred to other boards and other justices, it would be useful to all to be informed how it has been solved.

A. B. is summoned for permitting certain cattle to depasture or to stray upon a certain highway.

Proof is given that on such a day, in such a part of such and such a highway, the cattle in question were found lying about, or straying on it, and that the defendant is their owner.

But to this several answers are sometimes given, and it is to them that we ask the special attention of experienced readers.

First, it may be said, that they were not straying; a boy was in charge of them, and therefore they were not wandering about at will, which is the proper meaning of the word "stray."

Second, it is said that they were not on the highway, because they were on the greensward by the side of it.

Now, it has been determined by several cases that the highway extends from fence to fence, if there be one, and the justices, in the instances to which we specially refer, convicted, holding that it was within the statute if the cattle were loose, feeding, lying, or straying on the greensward by the side of the metalled road of a fenced highway.

But here comes the difficulty. There is an exception in the Act in these words, "Except on such parts of any highway as pass over any common, or waste, or uninclosed ground."

Now it is plain from this that no offence under the section in question can be committed on any highway so running, although it may be punishable in some other form.

The Highways Boards and the Justices are perplexed to determine what is "common, or waste or uninclosed ground."

"Common" may probably be taken to mean strictly what the words mean in law; that is, land over which there is a common of pasture.

But what is "*waste?*" It cannot mean *any* unoccupied ground lying on the roadside, or otherwise the Act would be nugatory. But what width of unused land is to constitute a waste? Does five hundred feet, or one hundred, or fifty, or twenty? or, if twenty, why not ten, or five? Or shall we take the thirty feet statutable width of a highway, and call as waste all beyond it? If we adopt the definition of a highway in the famous case of the Electric Telegraph Company, and say that it embraces all the ground within the fences, what then is "waste?" and would not waste in such case fall within the larger expression "uninclosed ground?"

And then the term "uninclosed ground," is still more uncertain. What area of ground is entitled to be so called? Surely not a mere strip running between the road and the hedges, for this also would nullify the law. But if not, what width of land between the metalled road and the hedge will come within the exception and exempt the owners of cattle from penalties for cattle there straying? The object of the law was twofold: first, to prevent danger to travellers from cattle running loose upon the highways; and second, to prevent the hedges of the owners whose land abuts on the highway from being damaged by cattle that feed there without right. If any land between the metalled way and the fence is to be deemed as uninclosed, the objects of the Legislature are wholly frustrated. It appears to us that uninclosed land in this section is to be used in its largest sense as land without an inclosure, that is to say, *land over which an unfenced highway passes*, and that this alone is excepted from the penalty; and for this there is an obvious reason in the impracticability of preventing cattle from straying over unfenced roads.

We shall be obliged if any of our readers will inform us how these questions have been solved by the justices in other districts.

THE *Union Chargeability Bill* has been accepted by the Lords by a majority that insures its success. The good and the evil of this measure have been alike vastly over-estimated. It will transfer the burden of the poor-rate from a few town parishes to the surrounding country parishes, but this only where town and country are within the same union. And the rates thus transferred to the farmers in the country parishes will, we believe, be more than compensated by the provision that reduces to one year the term of residence that shall render a pauper irremovable. The growing tendency of the population is to migrate to the towns, who have the benefit of their labour, and when they fall sick or grow old send them back to their country parishes to be supported. Hereafter a year's residence will suffice to saddle the town parishes with the maintenance of the pauper and his family, and we are satisfied that the country parishes will gain from the stoppage of this their largest supply of pauperism more than they will lose by their additional contribution to the common fund, caused by the extension of the area of chargeability. True that the burden produced by irremovability is charged on the common fund; but it is to be remembered that this fund is supported rateably by all the parishes in the union, and inasmuch as the town parishes contribute more largely to the rates than the country parishes, so they will bear the larger proportion of the cost of their own pauperism. But the real benefit of the new Bill arises from this, that it prepares the way for the final reform, the total abolition of the law of settlement, perfect union chargeability, and union rating. This is now inevitable. The warmest supporters of the old parochial system of poor relief will prefer the abolition of settlement to the partial preservation of it contemplated by the pending Bill, which preserves all its injustice to the poor without its advantage to the ratepayers. We trust that the very next session of Parliament will witness the sweeping away of the miserable remnant that has been permitted to linger of a system that had something to say for itself as a whole, but is indefensible as a fragment.

THERE was an error in last week's notice of the *New County Registration Act*. It makes no change in the time for giving notice of claim, but only in that for giving notice of objection, which must now be by the 20th Aug.

The following Time Table may be useful:

1. *In Counties.*

June 10. Clerk of peace to deliver precept and registry of voters for their respective parishes to overseers.
" 20. Overseers to publish notice to persons to send in claims and a copy of the register.
July 20. Claimants to send in claims.
" 31. Overseers to prepare list of claimants.
Aug. 1. Overseers to sign and publish list of claimants and copy of register, and keep copies for inspection, or sale, at the prices appointed by the schedule D.
" 20. Objectors to give notice of objection both to persons objected to and to overseers.
Sept. 1. Overseers to deliver copy of register and lists of claimants and objections, signed, to clerk of peace.
" 1. Overseers to publish list of objections, and for fourteen days keep copies for inspection and sale, at price fixed.
" 14. Declarations of change of residence to be sent to the clerk of the peace by persons objected to: (28 Vict. c. 36, s. 10.)

2. *In Cities and Boroughs.*

June 10. Town clerks to issue precepts to overseers
" 20. Overseers to give notice for payment of rates and taxes.
July 20. Rates and taxes due previously to the 6th of April to be paid.
" 22. Collectors of assessed taxes to make out and deliver to overseers a list of defaulters in payment of taxes due previously to 6th of April.
" 31. Overseers to prepare lists of persons entitled to vote. Town clerks to prepare lists of freemen.
Aug. 1. Overseers and town clerks to publish list of voters, and for fourteen days to keep copies for inspection and sale at price named.
" 25. Claimants to send in claims.
" 25. Objections by any persons named in the list to be delivered to overseers and to party objected to.
" 29. Town clerks and overseers to make out lists of persons objected to, and overseers to deliver their lists to town clerks.
Sept. 1. Town clerks and overseers to publish lists of objections, and to keep copies for sale and inspection for fourteen days, at prices named.

THE Leeds Bankruptcy Court Committee has had the return of the 19th May, mentioned by us in connection with this subject last week, referred to it, on the motion of Mr. HOWES, the chairman. On the motion also of the same member, a message was sent to the Lords, requesting the attendance of the LORD CHANCELLOR as a witness before the select committee. Leave was given by the Lords to the LORD CHANCELLOR to attend the committee if his Lordship thought fit; and his Lordship (in his place) consenting, a message was sent to the Commons to acquaint them therewith. Why the committee should be secret as well as select there seems no other reason than that it would be unseemly to examine so high an officer as the LORD CHANCELLOR in public. According to precedent the principal reasons for secrecy in committees have been, that the safety of the country was concerned, or that the ends of justice might not be prejudiced by premature disclosures. Thus in 1788, in 1797, 1807, 1817 and 1828, and under various ministers, such as Mr. PITT, Lord GRENVILLE, Lord LIVERPOOL and the DUKE of WELLINGTON, the House appointed committees of inquiry, which were not only select but secret, into the expenditure of the army, navy and ordnance. Where, as in these cases, the heads of departments are examined, they may have to make statements involving facts which it is not desirable to publish to the world. So far, however, the precedent seems to have been set in time of war, and certainly would not be followed in time of peace at the present day. It is questionable whether any sufficient reason for secrecy in a committee can be furnished except the interests of justice, as they may be affected in connection with the particular inquiry. It must also be borne in mind that where the evidence is not of a nature to demand secrecy, there will not in these days of newspaper competition be very nice scruples in communicating the substance of what transpires within the closed doors. This has happened in the present case, if we may judge by the "extraordinary disclosures" to which the public has been treated during the week.

A select committee, although not secret, is not on that account necessarily public in all its proceedings. Although generally open to all the world, it may come to a resolution to exclude the public from its sittings as occasion requires, and to prevent the publication of any particular part of the evidence before it. In the case of a select committee, however, any member has a right to be present; not so if the committee be secret. Not only is there no right of admission to a secret committee, but the evidence taken before it is kept entirely from the public, and the names of the witnesses need not be disclosed by the committee. It depends upon what comes before a secret committee whether, on the whole, the committee deems it expedient to publish the result of its proceedings, or the grounds on which any decision it may come to is founded. The cases, therefore, must be very rare in which an investigation by a secret committee can be satisfactory to the public. It is difficult even to appreciate correctly the result at which it arrives, and which it does think fit to report. In the EDMUNDS affair an important misapprehension arose upon the opinion of the minority of the committee, and rendered an explanation in the House of Lords by some of the members expedient.

THE total failure to legislate on bankruptcy in the present session, whether by consolidation or by amendment, or even by laying a measure before either House as an invitation of opinion, may seem to throw discredit on an announcement in this journal a few weeks ago, that the LORD CHANCELLOR would fulfil the promise which he made in February, to bring in a Bill when the committee should have reported. The ATTORNEY-GENERAL'S suggestion that the mercantile class had better digest the committee's report, with a view to dealing with the subject in a future session, might also be supposed to show that the iron has been allowed to remain cold in the Government forge. But it is not so. We recently said there was no room left to doubt that it was the intention of the Government to lay a Bill on the table of the Lords before the dissolution. A Bill in fact was prepared, if not by the LORD CHANCELLOR or under his special instructions, at least with official countenance or sanction. The question arose whether this Bill, when drawn, was not too official; in other words, whether it partook sufficiently of the policy advocated by the commercial witnesses before the committee, particularly by Mr. SAMUEL MORLEY, that creditors ought to feel that they are personally interested and not be surrounded by officialism, as in most cases all that is wanted is simple administrative action, like that under the private arrangement clauses. The probability is, that in the official or semi-official Bill which has thus been prepared and printed, more attention has been paid to remedying the evils of dishonest bankruptcy, ambiguous effect of deeds of arrangement, and tricks of arranging debtors, than to casting away official machinery, where the engineers' expenses form an intolerable proportion of the value of the work done. Such we believe to be the explanation of the apparent discrepancy between the statements which have from time to time been made on the question of bankruptcy legislation in the present session, and the ministerial acts or omissions and speeches during the last two or three months in Parliament.

AN anomaly in the execution of the criminal law, that in the case of some small penalties a disproportionate term of imprisonment is authorised for default in payment of the penalty, is now likely to be removed. A Bill has been brought in by Sir GEORGE GREY and Mr. BARING to provide, that where upon summary conviction a penalty (including any sum of money recoverable in a summary manner) is imposed, payment may be enforced by committal for terms not exceeding the following periods, unless the penalty be sooner paid: namely, for a penalty not exceeding 10*s.*, seven days; from 10*s.* to 1*l.*, fourteen days; from 1*l.* to 2*l.*, one month; from 2*l.* to 5*l.*, two months. The Bill applies to all penalties not exceeding 5*l.* recoverable in a summary manner under any Act passed or to be passed. The Bill was read a second time on Monday, and considered in committee and reported on Wednesday.

THE following unique advertisement appears at the foot of a Liverpool play-bill! What next!

TO ALL IN DEBT. CONSULTATION GRATIS.
Immediate protection obtained for the person and property of the above, together with entire relief from all debts and liabilities under a recent Act of Parliament in all cases without imprisonement. Charges moderate, payable by instalments. Apply to Mr. J. Goldrick, Attorney-at-Law, 1, Brunswick-street.

DIVORCE CASES,
And all other legal matters, requiring secrecy, caution and skill, promptly and faithfully conducted by Mr. J. Goldrick, Attorney-at-law, 1, Brunswick-street.—Charges moderate, payable by instalments. Eminent counsel engaged.

A MR. MELLORS, writing to the *Times*, gives the following curious statement of the result of a bankruptcy under the new law which, according to the promises of its real authors, the Mercantile Law Association, was to make bankruptcy cheap, but not easy, and to take it out of the hands of the hated Lawyers!

On the 6th July 1864, the Rev. Thomas [illegible] of Alexton Rectory, near Uppingham, a small parish with sixty-seven inhabitants, being in difficulties, and having been sued by several creditors, made himself bankrupt. To liquidate the claims of his creditors, his solicitor, in a circular dated the 14th July 1864, gave notice that he intended, at the meeting to be held in Birmingham on the 20th July, to propose to give up 100*l.* per annum out of the living of Alexton, which is worth about 200*l.* per annum, in addition to 20 acres of glebe land.

By this means the creditors would have received 2*s.* in the pound each year, the liabilities being about 1000*l.*, and thus in ten years the debts would have been paid in full.

But, for some reason which I am unable to explain, the proposal was not carried out, and the bankruptcy took its course. At the expiration of ten months, Messrs Allen and Son, of this town, stationers, who are creditors, have received from Mr. Kinnear, the official assignee at Birmingham, a printed account, of which the following is a copy:—"To receipts—Debts, 7*l.* 14*s.*; property, 380*l.*; total, 388*l.* 5*s.* By payments.—Special charges, viz., rent, rates, wages, taxes, &c., 20*l.* 11*s.* 2*d.*; solicitors' costs, 253*l.* 16*s.* 10*d.*; auctioneer's charges, 41*l.* 5*s.* 6*d.*; messengers' charges, 23*l.* 13*s.* 7*d.*; fees for chief registrar's account, 15*l.* 18*s.* 10*d.*; sundry charges, 3*l.* 8*s.* 7*d.*; total, 364*l.* 14*s.* 6*d.* Amount divided, being first dividend of 5*d.* per pound (on proofs 362*l.* 11*s.* 9*d.*), 20*l.* 1*s.* 1*d.*; balance in hand 3*l.* 9*s.* 5*d.*" It will thus be seen that to get 20*l.* the creditors cost 344*l.*, or 1720 per cent.

Nottingham, June 8.

THE COMING GENERAL ELECTION.

ELEVENTH ARTICLE.

HINTS TO AGENTS.—MAKING UP THE BOOK.

A FEW more words on that most important of the manager's duties, making up the book at the completion of the canvass, or rather when the candidate meets him to estimate his chances of success, and determine if he shall "go to the poll."

In the performance of this duty there must be no suppression of plain truths, how unpleasing soever, no false colouring of facts, no juggling with figures, no baseless hopes encouraged. The candidate is entitled to receive from his confidential adviser a faithful account of the actual state of affairs, with all the chances for and against him so frankly and fully set forth that he may be enabled to form his own judgment what course now to take. This is the period of an election when he can retire with honour, at a comparatively small cost, if he should come to the conclusion that it would be prudent to proceed no further. Should he not otherwise resolve, he is committed to the contest with all its consequences, and plunges into expenses whose limits it is almost impossible to assign. It is, therefore, due to himself that he should weigh well all the circumstances before he resolves. It is due also to his opponents. The candidates are rivals, not foes. They share none of the personal hostilities that too often inspire the local combatants; they have no motive to fight a hopeless battle, although they will probably be strongly urged to it by partisans reluctant to confess defeat. It is scarcely necessary, perhaps, to remind the managing solicitor that he also is bound, so far as he can, to emancipate himself from local passions, to take an unprejudiced view of the situation, and to advise his principal, according to his own honest judgment, with reference to nothing beyond the interest of the client.

There are undoubtedly occasions when it may be advisable to enter upon a hopeless contest. Present defeat is often a step to future victory. It may be profitable to incur the expenses of a contest, with certainty of defeat now, looking for reward in the chances of success at a future election. In such case the cautions here given are inapplicable. But this course should be adopted only with the full assent of the candidate after knowledge of the present issue.

The account should be made up at a meeting of all the solicitors who have carried canvass books, but not in the presence of the candidates, nor of any other non-professional agent, for very obvious reasons. It may be necessary to ask questions and make statements which should be heard only by privileged ears.

The manager should have before him the general register described in the last article, and his own canvass book. A sheet of paper should be ruled so as to show in tabular form:

1st. The Promised votes for each candidate.

2nd. The Doubtful votes, which again should be subdivided into, 1. Supposed friendly; 2. Supposed hostile; 3. Neutrals; 4. Won't vote.

Every name in the canvass books should then be called over. They who have promised should be so entered in the list. If only one vote has been thus given, the other should be entered in its proper place among the "doubtful." In all cases of doubt, reference should at once be made to the assistants and other friends who, though not present, should be near. If in fact nothing is known of the voter's inclinations, it is the safe course to set him down as probably hostile. When in this careful manner the entire register has been classified and the numbers cast up, there will be all the materials upon which to form as accurate a judgment of the prospects of the contest as it is possible to attain at this stage of it.

The only safe basis of this calculation are the actual promises—the rest must be to a great extent conjectural. In estimating the "doubtfuls," it must be remembered that partisans are always sanguine; their wishes colour their views, the smallest crumb feeds their hopes, and they report as friendly or favourable many who are neither. It is not quite true in elections, as in some other conflicts, that all who are not for you are against you—for there are divers sufficient reasons why some persons refuse to speak out; but as a rule it is not safe to count on more than one-third of the doubtful list. If that addition to the actual promises does not show a clear majority, success is extremely problematical.

The precise state and prospects of the conflict being thus ascertained, the Manager (who should be in all cases a Solicitor) will hold a conference with the candidate, submitting to him the figures, as they have been thus ascertained.

But the calculations based upon these figures are by no means easily or speedily made. If the fight is for a single seat between two candidates, it is only a question as to the votes of the doubtfuls; but if there be three or more candidates for one seat, an estimate must be made of the probable consequences of the retirement of one or more of them without going to poll. If there are two seats and three candidates, or what is called a three-cornered poll, the estimate becomes extremely intricate. The usual condition of such a case is, that one candidate of the weaker party opposes two candidates of the stronger party, and his chances of success depend upon the number of second votes he can win from each of his opponents. In every borough there are a considerable number of voters who from various motives desire to please both parties, and therefore divide their votes; some give one vote for principle and the other for interest; some like to be on the winning side and so hedge accordingly; and a few try to get all they can from both parties. The third man, of course, secures all the waifs and strays, in addition to his own regular forces, and when parties are very nearly balanced his chances of success are great, and his opponents can secure themselves only by dividing their votes, which should be done with all possible speed to prevent this attack upon the second votes of the plumpers. On the other hand, the third man labours under the disadvantage that the main body of his forces must consist of plumpers, always difficult to be retained against an active enemy tempting by the modest request "for one vote only." The votes abstracted from him, divided judiciously among his two rivals, may thus secure his defeat by his own followers.

For this reason it is that, even when there is a serious design to fight only for one seat, a second candidate is sometimes brought forward, purposely to secure the second votes of the plumpers against the tamperings to which they are exposed. But this strategy has, nevertheless, grave disadvantages and dangers, which must be taken into account. In the first place, it compels the coalition of the candidates thus confronted, and prohibits the winning of the second votes of that larger class who wish to vote for both parties. Again, it enables those who are compelled so to vote to secure their own party by giving the second votes to the weakest man. And lastly, it is not a pleasant position for a gentleman to be brought forward merely as a stop-gap, his expenses paid by his colleague who is to take precedence of him. Upon the whole, experience has proved that a third man standing alone has far better chances of success than running two against two, unless the whole party is numerically greater and could secure more than half of the whole constituency if the contest were an even fight between one and one.

These are the questions which the Solicitor and his Candidate must carefully consider with the figures before them, calculating them under all the conditions that might possibly arise should the contest be continued. We repeat that, unless the addition of one-third of "the doubtfuls" to the actual promises would give a majority, the result will be very questionable. If one-half will not do it, it may be looked upon as hopeless, and a prudent man will advise the abandonment of the contest. Great cost, great anxiety, and possibly great disappointment, must be the consequence of a too hasty resolve to fight. If the resolve should be to retire, the resignation should be graceful and immediate. The candidate should not keep his opponents in suspense for an hour after his resolution is taken. He should forthwith write personally to each of them to inform them that he had withdrawn from the contest, and the fact should be announced to the electors with as little delay as possible.

If, however, the resolve is to go to the poll, that should forthwith be published to the electors, and all needful preparation made without delay for conducting the fight to its conclusion with energy and judgment. And now will the Solicitor require all his experience and strategetical resources, in which some hints may aid him.

THE NEW PRACTICE IN CRIMINAL COURTS.

(28 Vict. c. 18.)

To the persevering efforts of Mr. DENMAN, Q.C., the honourable and learned member for Tiverton, we owe the enactment of one of the most praiseworthy statutes of the present day, a statute which has removed a grievance long felt in the administration of our criminal law, and which will effect an improvement in the dispensation of justice of the most solid and satisfactory description.

Some years since the Common Law Commissioners reported that it was desirable that the practice upon the trials of civil actions should be amended by giving to the litigant parties or their counsel a fuller opportunity of presenting their cases to the jury, and hence by the Common Law Procedure Act of 1852 (17 & 18 Vict. c. 125) it was, by sect. 18, enacted that, upon the trial of any cause, the addresses to the jury should be regulated as follows:

The party who begins, or his counsel, shall be allowed, in the event of his opponent not announcing at the close of the case of the party who begins, his intention to adduce evidence, to address the jury a second time at the close of such case, for the purpose of summing up the evidence; and the party on the other side, or his counsel, shall be allowed to open the case and also to sum up the evidence (if any); and the right of reply shall be the same as at present.

This provision in practice has been found to work most excellently, and there can be no doubt whatever that the best ends of justice have been greatly furthered by it; but, as it applied only to civil actions, it had no operation whatever upon trials for crimes. Now, every one at all familiar with the course of procedure in our courts of criminal justice, must often have been struck with a sense of the injustice which was frequently inflicted upon parties charged with crime by the absence of that provision which has been so beneficially applied to the trial of civil actions. It has occurred over and over again, in the practice of every criminal lawyer, that he has abstained from calling witnesses to support a defence, merely from the fear of the effect of a reply. Having no right to comment upon the evidence of his own witnesses, and fearing that such evidence might be open, unexplained, to the after damaging comments of the counsel for the prosecution, who, in the event of such witnesses being called, would have a reply, and that, too, when the original address of the defendant's counsel had lost much of its effect by its remoteness, a prisoner's counsel often, in the exercise of his discretion, abstains from calling those witnesses who are in attendance for his client, who, perhaps, may be enabled to have given most material evidence in his favour. Hence, prisoners, who were in a situation to call witnesses in answer to the charge, often found them withheld, often in the result, to their own injury, often to the great popular discredit of their counsel, and often to the subsequent annoyance and embarrassment of the Home Secretary, to whom resort was had for that justice which, from the above cause, had failed to be obtained upon the trial. Such a case as that of the Rev. Mr. Hatch would never have led to the prolonged and unsatisfactory after litigation if the practice now inaugurated by the above statute had then existed. If the learned counsel who defended the prisoner had had a right to have summed up his own evidence before the reply of the counsel for the prosecution, he would boldly have adduced that evidence which the fear of a reply induced him to keep back, and which in the end led to his client's being pardoned, and punishment being drawn down upon a perjured witness for the prosecution. We look upon it that the new statute will greatly relieve the Home Secretary of a most difficult and unsatisfactory branch of his duties, namely, that of sitting as a sort of appellant judge upon the decisions of our Criminal Courts. Criminal causes will be henceforth more completely tried out, and the occasions will be much less frequent which will warrant an appeal to the Home-office. With this Act of Parliament, the cry for a power of appeal in criminal cases will lose much of its force.

Let us now look at the statute itself. After reciting that it is expedient that the law of evidence and practice on trials for felony and misdemeanor, and other proceedings in courts of criminal justice, should be more nearly assimilated to that on trials at Nisi Prius, it is by the 1st section enacted:

That the provisions of sect. 2 of this Act shall apply to every trial for felony or misdemeanor which shall be commenced on or after the first day of July 1865, and that the provisions of sects. from 3 to 8 inclusive of this Act shall apply to all courts of judicature, as well criminal as all others, and to all persons having by law, or by consent of parties, authority to hear, receive, and examine evidence.

The 2nd section enacts that

If any prisoner or prisoners, defendant or defendants, shall be defended by counsel, but not otherwise, it shall be the duty of the presiding judge, at the close of the case for the prosecution, to ask the counsel for each prisoner or defendant so defended by counsel, whether he or they intend to adduce evidence, and in the event of none of them thereupon announcing his intention to adduce evidence, the counsel for the prosecution shall be allowed to address the jury a second time in support of his case for the purpose of summing up the evidence against such prisoner or prisoners, or defendant or defendants; and upon any trial for felony or misdemeanor, whether the prisoners or defendants, or any of them, shall be defended by counsel or not, each and every such prisoner or defendant, or his or their counsel respectively, shall be allowed, if he or they shall think fit, to open his or their case or cases respectively, and after the conclusion of such opening, or of all such openings, if more than one such prisoner or prisoners, or defendant or defendants, or their counsel, shall be entitled to examine such witnesses as he or they may think fit, and when all the evidence is concluded, to sum up the evidence respectively, and the right of reply, and practice, and course of proceedings, save as herein altered, shall be as at present.

The first idea which suggests itself upon reading these sections is certainly one of regret that so remedial and useful a statute should, by being postponed in its operation until the 1st of

July, not apply to the ensuing Midsummer sessions which take place in the week commenced with the 25th June. If there be any evil to be corrected in the old system that evil ought to be corrected at the earliest practicable moment, and the two or three thousand people who will be tried at the ensuing quarter sessions ought not to be deprived of the benefits which this statute, which received the Royal assent more than six weeks since, was intended to confer.

The second idea which forces itself upon us is, that in order to carry out the statute efficiently and properly that most unwise and mischievous system but too prevalent in many of our county and borough quarter sessions, of the chairman or recorder himself conducting the prosecutions, must be wholly and at once abandoned. It will be observed that, whilst great advantages are conferred on defendants, these are not to be permitted to prejudice the just position of the prosecution, and hence it is that the 2nd section enacts that, in the event of the defendant being defended by counsel, and not announcing at the close of the case for the prosecution (upon being asked by the presiding judge) his intention to adduce evidence, the counsel for the prosecution shall be allowed to address the jury a second time in support of his case for the purpose of summing up the evidence against him. His right, therefore, of a second address to the jury, by way of summing up the evidence, is wholly confined to *counsel;* and if, therefore, there be no counsel for the prosecution there can be no second address to the jury, and thus the case for the prosecution will suffer a prejudice, which it was one of the objects of this enactment to avoid. Then, again, the defendant or his counsel will now have a right, when he adduces evidence, to make another speech in addition to his opening speech by way of summing up such evidence, and hence the importance of a power of replying on the part of the prosecution, which power can be exercised alone by counsel. It may be, that many chairmen and recorders will think that their power of summing up of the whole case to the jury will answer the purpose of these addresses; but it should be thoroughly understood that a summing up of the whole case to the jury by the presiding judge is altogether a different thing from a summing up or a reply by a counsel for the prosecution, and that the presiding judge, who makes use of his duty to sum up the entire case to answer the purpose of a summing up or reply of counsel, not only forgets his position, but prejudices the course of justice to an incalculable extent.

We must reserve further comment upon this statute for another article.

INVESTMENT JOURNAL.

THE market is slightly improving; but speculation will be suspended until the general election, which is now absorbing the country, has been completed. The following are the fluctuations of the week:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	...	...	...	...
3 ₩ Cent. Red. Ann.	89¾	89¾	89¾	89¾	89¾	89¾
3 ₩ Cent. Cons. Ann. ...	90⅛	89⅞	90⅛	90⅛	90⅛	90⅛
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 ₩ Cent. Ann.	89¾	89¾	89¾	89¾	89¾	89¾
New 3½ ₩ Cent. Ann. ...	...	...	...	...	...	...
5 ₩ Cent. Annuities......	...	...	...	...	...	...
5 ₩ Cents. Jan. 1873 ...	...	...	103¾	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	14 5/16	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	20	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	80⅛	90⅛	90⅛	90⅛	90⅛	90⅛
Consols 3 ₩ Cent. for Ac.	...	...	...	...	...	...
India 5 ₩ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	220	shut.	...
India 5 ₩ Cents.	...	...	...	...	...	...
India 4 ₩ Cents. 1888...	...	99¾	...	...	...	...
India 5 ₩ Cents. 1870...	104¼	103¾	104¼	104	104	...
India Bonds (1000*l*.)......	21s. *b*	...	...	...	21s. *b*	...
Do. (under 1000*l*.)......	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	100	100	...	...
India Enfaced Paper, 4 ₩ Cent.	...	...	...	...	...	...
Do. do. 5 ₩ c. Jan. 1872	102	...	...	...	102	...
Do. do. 5½ ₩ c. May 1879	108	...	108¼	108	108	...
Ex. Bills, 1000*l*.	*a*	*c*	*d*	*e*	*f*	*d*
Do. 500*l*.	*a*	...	...	...	*f*	*d*
Do. 100*l*. & 200*l*. 3 ₩ c.	*a*	...	...	...	*f*	...
Do. Small, & 3 ₩ c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.........	...	...	...	...	...	...

a 3 and 3½ per cent. 3s. pm.
b prem.
c 3½ per cent. 3s. pm.
d 3½ per cent. 4s. pm.
e 3 and 3½ per cent. 1s. pm.
f 3 and 3½ per ct. 4s. 1s. pm.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

LIBEL—PLEADING.—Where two letters, alleged to be libellous, were published in a newspaper, a plea of justification, averring that the second letter, which contained a distinct substantive libel, was a fair comment on the facts alleged in the first letter, was held to be a bad plea: (*Walker* v. *Brogden*, 12 L. T. Rep. N. S. 495, C. P.)

DIVORCE COURT PRACTICE.—After an order for application of damages, the Court will not sanction an agreement between the petitioner and the co-respondent, whereby the latter would be relieved from any part of what was due from him. But where, after such an order, the petitioner was put to further expense by appeals and other litigation, the Court waived the original order so as to allow the petitioner to take a larger share of the damages: (*Forster* v. *Forster*, 12 L. T. Rep. N. S. 504.)

Where on petition for divorce by a wife the only facts which the petitioner is at liberty to prove would be ground for a decree of judicial separation only, and the petitioner refused to amend the petition, it was dismissed: (*Rowley* v. *Rowley*, 12 L. T. Rep. N. S. 505.)

MARYLEBONE POLICE COURT.

A Solicitor sent to Prison.

Charles Baldwin Lever, a solicitor, of Bedford-row, and residing at 25, Norfolk-crescent, Paddington, was charged with being drunk, disorderly and assaulting a constable.

Gould, 240 D, stated that about two o'clock that morning he was in Cambridge-terrace, and saw the prisoner down the area of No. 11 with one of the servants. His appearance was very disgraceful, and he was drunk. In a minute or two he came from the area, and was desired to go away. He said he was a solicitor, knew the law, and would not be interfered with by any policeman. He (witness) went to take the prisoner into custody, when he gave him a blow on the chest and ran away. He was overtaken, and he struck witness several times about the head and body with his stick.

The prisoner said that, as a respectable solicitor he had a *few* words to say. He admitted that he was in the area, for he had followed two female servants there. He took hold of the constable, but he never struck him.

The officer reiterated that the prisoner did strike him.

Mr. YARDLEY sentenced him to be imprisoned for seven days.

The prisoner, who seemed astonished at the decision, was then removed.

HEIRS AT LAW AND NEXT OF KIN.

GILCHRIST (James), Kensington, Middlesex, Esq. Next of kin to come in by July 7, at M. R. Solicitors, Fatvoye, Pilcher and Flower, 23, John-street, Bedford-row, London.

BARRS (Charles), Mountsorrell, Leicestershire, gentleman. Next of kin to come in by July 3, at M. R. Solicitor, W. Hunt, 4, Gray's-inn-square, for T. Spooner, Leicester.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

AUDLEY-HALL CO-OPERATIVE COTTON SPINNING AND MANUFACTURING COMPANY (LIMITED).—Creditors to send in by 10th July their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to R. D. Broadbent, of Blackburn, the official liquidator.

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

BARRS (Charles), Mountsorrel, Leicestershire, gentleman, July 3, M. R. W. Hunt, 4, Gray's-inn-square, Middlesex, for T. Spooner, Leicester.

HARRIS (John), Monkton, Wick, Glamorganshire, farmer, July 3, V.C. S. Miller and Miller, 3 and 4, Sherborne-lane, London, for W. J. Goddard, Cowbridge, Glamorganshire.

JACKSON (Alice), Dolfriog, Beddgelert, Merionethshire, widow, July 6. C. Wilkin, 10, Tokenhouse-yard, London.

WATTS (Thos.), Chipping-Sodbury, Gloucestershire, maltster, July 1, V.C. K. Halse, Trustram and Birt, 61, Cheapside, London.

WOODWARD (William), Bouth, Colton, Lancashire, yeoman, July 6, M. R. Allen, Nicol and Allen, 88, Queen-street, Cheapside, London, for C. G. Thomson, Kendal.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

BALL (Ambrose), 1, Northampton-terrace, Lower-road, Islington, greengrocer, July 2. Robinson and Hine Haycock, 40, Charterhouse-square, London.

DYMOKE (Sir Hy.), Scrivelsby, Lincolnshire, the Hon. the Queen's Champion, July 15. Gregory and Rowcliffes, 1, Bedford-row, London.

FLEET (John), Saint Thomas's-hill, near Canterbury, gentleman, Sept. 7. R. Gee, 31, Castle-street, Canterbury.

FOLEY (Maria), 104, Monument-place, Monument-lane, Edgbaston, Warwickshire, spinster, Aug. 13. Ingleby, Wragge and Evans, 4, Bennett's-hill, Birmingham.

HOLLYER (Josiah), Bear Hotel, Cliffe, Lewes, Sussex, victualler, July 18. E. Hillman, Cliffe, Lewes, Sussex.

HORN (H. G.), Clarges-street, Piccadilly, Middlesex, gentleman, July 10. J. Bishop, 2, Tudor-street, Blackfriars, London.

HUNT (ROBT.), 4, Montague-place, Newbury, Berks, formerly of Christ's Hospital, London, cook, July 9. Sole, Turners, and Hardwicke, 68, Aldermanbury, London.

JEVERS (Lady Martha Honora Georgina), 2, Bailbrook-lodge, Batheaston, Somerset, widow, July 14. Slack and Simmons, 1, Manvers-street, Bath.

KIDD (Mathew), Elephant Hotel, Margate, tavern-keeper, July 2. Robinson and Hine Haycock, 40, Charterhouse-square, London.

PARKER (Jannetta Hester), 3, Clarendon-crescent, Leamington, Warwickshire, spinster, July 22. Stuart and Edy, 6, Gray's-inn-square, London.

PENNY (Geo. Jesse), Berkeley-place, Edgware-road, Middlesex, house decorator, July 3. Hartleys and Nation, 8, Somerset-street, Portman-square, London.

PITT (Rev. George), Crickett Malherbie, Somerset, July 3. Gregory and Rowcliffes, 1, Bedford-row, London.

POWNEY (Richard), 37, Holland-villas-road, Kensington, Middlesex, a lieutenant-general in the Royal Artillery, Sept. 23. J. Aitkens, 15, Lincoln's-inn-fields, London.

RADCLIFFE (Augustus), formerly of Liverpool, late of Bedford-villas, Clifton-ville, Brighton, gentleman, July 13. Stone and Fletcher, 6, Cook-street, Liverpool.

SELWYN (Elizabeth), 226, Essex-road, Islington, Middlesex, Aug. 1. Clutton and Ade, 10, Serjeants'-inn, Fleet-street, London.

TOMKIN (Sarah), 4, Westbourne-street, Eaton-square, Middlesex, spinster, Aug. 1. S. W. Johnson, 3, Grey's-inn-square, London.

WALLER (John), Thorndon-lodge, Sydenham-road, Croydon, Surrey, Esq., and 3, Shorter's-court, Throgmorton-street, London, gentleman, July 10. G. B. Lefroy, 5, Essex-street, Adelphi, London.

WEBB (Robt. Wm.), Yew-tree Farm, Shirley, Warwickshire, gentleman, Aug. 1. J. Webb, 36, New-street, Birmingham.

WINDEYER (A. C.), 37, Emma-place, Stonehouse, Devon, paymaster, Aug. 4. Whidborne and Tozer, Teignmouth, Devon.

WOODCOCK (Louisa), 34, Francis-street, St. Mary, Newington, Surrey, widow, July 10. J. Selsby, 2, Fen-court, Fenchurch-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the parties respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

HURLEY (John), Bandon, Cork, Esq. Dividends on 72*l*. 4*s*. 4*d*. Three per Cent. Annuities. Claimant, John Hawes.

MONSELL (Rev. S. B.), MILLS (Henry), builder, and HAYWARD (G. P.), surgeon, all of Egham, Surrey. 100*l*. Three per Cent. Consols. Claimants, said S. B. Monsell, H. Mills and G. P. Hayward.

ULLATHORNE (John), Reading, Berks, gentleman. 50*l*. 1*s*. 2*d*. Reduced Three per Cents. Claimant, said J. Ullathorne.

WATTS (William George), Bermondsey-street, Surrey, 14*l*. 0*s*. 9*d*. Three per Cent. Consols. Claimants, I. S. and W. Soper.

THE HARDSHIPS OF JURYMEN IN THE LORD MAYOR'S COURT.—A batch of twenty-four jurymen were fined 10*s*. each for non-attendance at the proper hour, by reason of which the business of the court was delayed for a considerable time. It may possibly not be known that for each trial in the Lord Mayor's Court of the City of London a juryman is paid the munificent sum of "twopence," and very frequently a case will last three or four hours. Considering the position of the counsel who attend and practise in the Lord Mayor's Court, and having especial reference to the class of cases tried, it appears to be an insult to offer a respectable tradesman twopence for applying his mind to the satisfactory solution of a trade question involving sometimes dry points of mercantile practice.

ALTERATION OF STAMP DUTIES.—The Inland Revenue Bill now before the House of Commons reduces several of the existing stamp duties. Instead of a duty of 2*s*. 6*d*. on conveyances where the consideration money does not exceed 25*l*., the stamp is to be 6*d*. where the amount does not exceed 5*l*., rising gradually to 2*s*. 6*d*. from 20*l*. to 25*l*. A similar reduction is to be made in the stamp on awards, and, instead of 2*s*. 6*d*. being the lowest duty, it will be 3*d*. where the value of the matter in dispute does not exceed 5*l*., rising gradually to the 2*s*. 6*d*. for values between 20*l*. and 50*l*. On appraisements or valuations the stamp is to be 3*d*. for an amount not exceeding 5*l*., 6*d*. from 5*l*. to 10*l*., then advancing 6*d*. for every additional 10*l*. up to 50*l*., 5*s*. from 50*l*. to 100*l*., 10*s*. from 100*l*. to 200*l*., 15*s*. from 200*l*. to 500*l*., and 1*l*. for amounts exceeding 500*l*. Agreements for letting houses or rooms for less than a year at a weekly or monthly rent not exceeding 3*s*. 6*d*. a week are to require only 1*d*. stamp. Changes are made in the duties on certain time policies of sea insurance, and on insurances against accidents or violent death, and a graduated scale is given. The duty on charter-parties is reduced to 6*d*. The certificates of conveyancers, special pleaders and equity draughtsmen are to bear only half duty for the first three years. The duty on transfers of mortgages is to be 6*d*. for every 100*l*. secured by the mortgage. The stamp duty on marriage certificates and certificates of receiving the Holy Sacrament, the stamp duty on the declaration made in order to a marriage without licence before a registrar, and the duty on first appointments to certain Customs' offices, are all repealed.

THE BENCH AND THE BAR.

CALLS TO THE BAR.

INNER TEMPLE, *June* 9.—The under-mentioned gentlemen were this day called to the Bar by the Hon. Society of the Inner Temple:—William Thomas Charley, Esq. (certificate of honour, first class, Michaelmas Term 1864, and holder of the Exhibition awarded in the present Trinity Term), B.A. Oxford; Charles Jeffery, Esq., B.A., Cambridge; Benjamin Guest, Esq.; Richard Masheder, Esq., B.A., Cambridge; Henry Hibbert, Esq., B.A., Cambridge; Robert Samuel Wright, Esq., M.A., Oxford; Donald Grant Macleod, Esq., LL.B., Cambridge; William Pharazyn, Esq., B.A., Cambridge; John Hampson Jones, Esq., Oxford; William Alexander George Goodall, Esq., Oxford; Albert Hutton, Esq.; Walter Patrick Joseph Purcell, Esq., Queen's University, Ireland; Frederick Lee, Esq., B.A., Cambridge; Hugh Flamsteed Pigot, Esq.; Sir Charles Lawrence Young, Bart., B.A., Oxford; Owen Roberts, Esq., M.A., Oxford; John Macpherson, Esq., B.A., Oxford; Andrew Simon Lamb, Esq., Edinburgh, Scotch Advocate; Robert Willis Trouche, Esq.; George Clement Bertram, Esq., B.A., Cambridge; Henry William Verey, Esq., B.A., Cambridge; Charles Herbert Mallock, Esq., B.A., Oxford; and George Cockle, Esq., M.A., Cambridge;

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MIDDLE TEMPLE.—*June* 9.—The under-mentioned gentlemen, called to the degree of the Utter Bar, by the Hon. Society of the Middle Temple, were this day published in the Middle Temple Hall:—Chaloner William Chute, Esq., certificate of honour awarded by the Council of Legal Education, M.A., Fellow of Magdalen College, Oxford; Reginald Montague Auber Branson, Esq., certificate of honour awarded by the Council of Legal Education; Thomas Noon Talfourd, Esq.; John Wilson Gray, Esq. (of the Irish Bar), A.B., Trinity College, Dublin; David Lindsay Macafee, Esq., B.A., Queen's University, Ireland; Frederick Baruch Toogood, Esq., B.A., St. Alban Hall, Oxford; George Edwardes Dering, Esq., B.A., Magdalen College, Oxford; Joseph Vere Woodman, Esq., B.A., London University; Richard Scott Kisbey, Esq.; Horatio Lucas Treacry, Esq.; Cecil Augustus Blake, Esq., B.A., Exeter College, Oxford; James Henry Minns, Esq.; William Jackson, Esq.; Charles Jones Nixon, Esq., M.A., Wadham College, Oxford; George Henry Haydon, Esq.; Jean Emile Floreus, Esq.; Martin William M'Kellar, Esq., B.A., Corpus Christi College, Cambridge; Charles Martin Gibson, Esq.; William Beaumont Badnall, Esq.; George William Marshall, Esq., LL.M., of Peterhouse, Cambridge; Grove Humphrey Chapman, Esq.; Thomas Lionel Jenkins, Esq.; Hugh Davidson, Esq.; Henry Martin Franz Lumley, Esq., of the University of London; Louis Arthur Goodeve, Esq., B.A., Christ Church, Oxford; William Cockerell, Esq.; Maurice Edmond Piston, Esq.; and George John Curran, Esq.

LINCOLN'S-INN, *June* 9.—The under-mentioned gentlemen were this day called to the degree of Barrister-at-Law, by the Hon. Society of Lincoln's-inn, viz.:—James Liddell Purves, Esq., Trinity College, Cambridge; Matthew S. Grosvenor Woods, Esq., M.A., Cambridge; Edward Samuel Farrier Moore, Esq.; Andrew Anderson, Esq., B.A., Cambridge; Kenyon Wood Wilkie, Esq., B.A., Oxford; John Matthias Spread, Esq.; Thomas Smyth Abraham, Esq., B.A., Oxford; Archibald Hyndman Stein, Esq.; George Daw, Esq., B.A., Cambridge; John Power Hicks, Esq., M.A., Oxford; Archibald Edward Dobbs, Esq., B.A., Oxford; Edmund Fuller Griffin, Esq., B.A., late Oxford; John Finlaison, Esq., B.A., Cambridge; William Gerald Seymour V. Fitzgerald, Esq.; John Lodwick Warden, B.A., Oxford; Edward Garnet Man, Esq.; William Henry Mitchell, Esq., Downing College, Cambridge; and Henry Francis Motukisna, Esq., Oriel College, Oxford.

GRAY'S INN, *June* 9.—At a pension of the society holden this day, John Hawtrey Thwaites, Esq., B.A., Trinity College, Dublin; Rowland Wilkinson, Esq.; John Jenkins, Esq., M.A., University of Glasgow; Robert Carr Woods, jun., Esq.; Itudus Thomas Prichard, Esq., and Francisco Evaristo Pereira, Esq., were called to the degree of Barrister-at-Law.

BOW-STREET POLICE COURT.

Threatening Baron Martin.

Matthew Reilly, a stout-built, florid-complexioned man of about forty years of age, described as a labourer, having worked on board ship as what is termed a "lumper," was brought up on Monday in custody of George Manvers, one of the warrant officers of the court, on the charge of "having used certain threats towards Sir Samuel Martin, one of the Barons of the Exchequer, whereby it is apprehended that the said Matthew Reilly will do him some bodily injury."

Sir Samuel Martin deposed: I am one of the Barons of the Exchequer. There was a case tried before me on the 22nd of July 1864, in which a person called Reilly, who I presume was the prisoner, was plaintiff, and a person named Price was the defendant. I have my note here, and I find at the end—

Mr. FLOWERS: I don't think I need go into that.

Baron Martin: As you please. I am prepared to read every word of it from beginning to end. I knew nothing more of the case till last Michaelmas Term, when Mr. Francis made an application on behalf of Reilly, and the Court were of opinion that the action—which was for libel—could not be maintained, as the alleged libel was a privileged communication. The rule was therefore refused. The next I know of the matter was, that the prisoner, whose appearance I had then forgotten, addressed the court when I was sitting, and complained of the result of his trial. I told him that neither I nor the court, nor any other tribunal, had power to interfere; that the matter was legally decided, and was at an end. I told him that Mr. Price had been examined at the trial, and expressed himself by no means hostilely to him (Reilly), and recommended him to go to Mr. Price and endeavour to obtain employment again through his means. The next matter which occurred was my receipt of several letters from the prisoner, which were handed up to me when I was upon the bench. I could receive no letters addressed to me upon the performance of my public duty, and I destroyed them. Some time afterwards, he addressed me in the street, and this he did several times, but I took no particular notice of what he said, nor can I tell you anything that occurred till last Friday week. Upon that morning I was coming over Westminster-bridge, when the man suddenly came before me on the Surrey side of the bridge. He said that he wanted justice from me. I told him to go away about his business. He followed me as far as Stamford-street, where I told him to go which way he pleased, and I would go the other. He said he would not, but would follow me wherever I went. I walked on to the South-Western station in the Waterloo-road, still followed by the prisoner. I went into the booking-office to get a ticket, and when I came out on the platform he came up to me again. I then went to a police-officer, and required him to protect me from being bothered by the man. I walked away, and I suspect the officer turned the man out from the platform. I saw nothing more of him till last Friday. On that morning I came down to the Court of Exchequer, in the way I usually do, through the passage by St. Margaret's Church. He was standing in front of the passage. He addressed me as I was crossing the pavement, and I told him to go away about his business. Baron Bramwell was also walking up from his house to the court, and I had previously been with him. I told Baron Bramwell that there was the man that had followed me. I saw Baron Bramwell go and speak to him, and he afterwards told me what the prisoner had said. On Saturday morning, Baron Channell called at my house, and instead of walking down as usual I came down with him in his carriage. When I came to the door I saw prisoner standing at the same place where I had seen him on Friday morning. I was extremely unwilling to take any proceedings, but I communicated with others, and by their advice these steps were taken. This morning the officer communicated with me, and on looking out of the window I saw the prisoner waiting opposite my house. A woman came to speak to him, and remained some time. When I came out he had left that place. I met a gentleman whom I knew. I stopped a few seconds to speak to him, and whilst I did so the man passed me. I walked on, and as I passed him he said something which I did not collect. I then said to him, "Now, I will give you an opportunity of ending this. Go away, and let this matter end." He said, "No; I will continue to follow you."

Mr. FLOWERS: Do you apprehend danger from him?—Baron Martin: I apprehend that he is out of his mind.

Mr. FLOWERS: But from his threats do you apprehend danger?—Baron Martin: I think his coming to my house, and persisting in following me about, justifies me in saying so.

Mr. FLOWERS (to the prisoner): I have heard you, and have given you every opportunity of asking questions or stating anything in your own favour. You say you have not threatened the learned judge. Well, if you think that the words attributed to you or those which you yourself admit do not convey a threat, I must tell you that I think they do. As far as I can remember, I don't think a case of this kind has ever occurred before, that a man whose trial has come on and been disposed of, being disappointed with the result, has attacked the judge; to the honour of this country be it said. What I am going to do will at least keep you out of danger. I shall order you to be bound over in your own recognisances of 100*l.*, and to find two sureties of 50*l.* each to keep the peace and be of good behaviour towards Baron Martin and all Her Majesty's subjects for a period of twelve months. If you don't find bail you will be detained, and if you are really not in your right mind you will be taken care of.

On the 19th Lord Brougham is to take the chair at the annual meeting of the Department of Jurisprudence and Amendment of the Law, in connection with the National Association for the Promotion of Social Science. The annual dinner of the department is fixed for the 24th, at the Ship Tavern, Greenwich.

Mr. Isaac Butt, Q.C., M.P., delivered the eighth of the afternoon lectures in connection with the Museum of Irish Industry on the 7th inst.—"On the writings of Bishop Berkeley." The Lord Chancellor presided. There was a crowded attendance, among whom were the Hon. Judge Keogh, Judge Keating, the Attorney-General, Dr. Ball, Q.C., Mr. Brereton, Q.C., and a large number of other members of the Bar. The subject was treated with much ability, and the writings, character and life of the "good" bishop, who added so much to the fame of the Dublin University and his country, were presented in the most favourable light; but it was admitted that Berkeley's ideas were not grand or comprehensive.

GRAY'S-INN.—Wednesday, the grand day of Trinity Term, was celebrated by the members of the society in their ancient hall. Among the guests were the treasurers of Lincoln's-inn and the Inner Temple, the Vice-Chancellor Kindersley, the Right Hons. J. Napier and J. Whiteside, Q.C., M.P., J. George, Esq., Q.C., M.P., R. M. Longfield, Esq., Q.C., M.P., Colonel M'Murdo, and Colonel Sargent, C.B. The following masters of the bench (with their preacher, the Rev. Dr. Heaney) were also present—viz., the treasurer (T. Southgate, Esq., Q.C.), the Master of the Rolls, H. Maniaty, Esq., Q.C., A. J. Stephens, Esq., Q.C., LL.D., W. M. Hindmarsh, Esq., Q.C., John Lee, Esq., Q.C., LL.D., F. Greenwood, Esq., S. Turner, Esq., H. Tennant, Esq., W. Wilde, Esq., and J. Barstow, Esq. Previously to the dinner the annual prize, amounting to 25*l.* (an exhibition founded by John Lee, Esq., Q.C., LL.D., a bencher of the inn, "for the best essay 'On the Laws of Justinian, or on the Common or Statute Law of this Country'") was awarded to Mr. Edwyn Jones, a student of the society; and the subject of the essay for the ensuing year was announced to be, "On the History and Advantages or Disadvantages of the Changes in the Law of Civil and Criminal Pleading since 1820."

M. BERRYER.—The Civil Tribunal of the Seine has just given judgment in cross actions brought against each other by Count de Segonzac and M. Berryer to recover damages for injuries done to their respective carriages by a collision in the Rue Grenelle St. Germain on the 28th January last. It appeared that as the Count's brougham and M. Berryer's clarence were passing each other, while going in opposite directions, they ran against each other, and M. Berryer's coachman was thrown from the box to the pavement, and both carriages were more or less injured. Each driver accused the other with being the cause of the accident, and there was no satisfactory evidence which of them was in the right. The Count thinking himself the aggrieved party, brought an action to recover 235*f.* for the damage done to his brougham, to which M. Berryer responded by an action for 91*f.*, the amount of the damage to his clarence. After hearing counsel, the Tribunal rejected both demands for damages, but condemned the Count to pay all the costs.—The anxiously expected speech of M. Berryer on Mexico did not take place on account of the time of the great orator having been entirely absorbed by a private matter. He is said to be in such difficulties that he will be obliged to sell his property at Angerville in the Gatinais, which has been in his possession forty years, and where all his family are buried. It is said to be worth 600,000 francs. He had been in the same case once before under Louis Philippe, but then the assistance given him by the Legitimist leaders enabled him to weather the storm.

THE MIDDLE TEMPLE PORTRAIT OF THE PRINCE OF WALES.—This portrait will form an important addition to the fine collection of State pictures belonging to the Society of the Middle Temple, embracing the Sovereigns from Charles I. to George I. inclusive. The most striking of these is the noble equestrian portrait of Charles I. by Vandyke (one of the three known to be by his hand), which has hung in the Middle Temple hall since 1644, when it was acquired by the society. Charles II.'s portrait is reputed to be the work of Sir Godfrey Kneller. It represents the King in coronation robes, wearing the Garter. It is a grandly studied work, though the flesh tints have deepened. The draperies are unrivalled, so finely are they cast and so brilliantly coloured. The portrait of Queen Anne was painted from life for the society. It appears from their records that on the 27th of November 1702, the benchers directed the treasurer "to put up Her Majesty's picture at the west end of the hall over the bench table, and to have it drawn by Mr. Dahl, unless the treasurer thinks fit to make use of another hand." Dahl was a native of Sweden, and a rival of Kneller. But the treasurer of the day selected a Scottish artist, Thomas Murray, for the work. The portrait of King William III. is also by Murray, who, according to Bryan's "Dictionary of Painters" (vol. 2, page 111), was "one of the most eminent artists of his time, and was employed to paint the portraits of the Royal family and many of the principal nobility. His pictures had the merit of a faithful resemblance, and were freshly and chastely coloured." It is intended to place the portrait of the Prince of Wales in the new library, in commemoration of its having been opened by his Royal Highness. The subscription list is confined to the present members of the Middle Temple, and is to be closed on Thursday, the 15th current, being the last day of Trinity Term.

EDWIN JAMES CHARGED WITH CONSPIRACY.—*New York, May* 31.—The eventful career of Mr. Edwin James, ex-M.P. for Marylebone, has been diversified by another incident. He is now under arrest at New York, on a charge of conspiracy to defraud. The prosecutor is a young Irish lawyer, named James Thomas Wilson; and James is charged, in conjunction with a man named Henry Hayward, with conspiring to defraud him of 1400 dollars. In February of the present year the prosecutor arrived in this country from Queenstown. He brought with him 184*l.* in gold, which at the then rate of exchange was worth nearly 2990 dollars in greenbacks. On the 9th of the following March he selected Mr. Edwin James, then practising as a counsellor at law at 293, Broadway, as the most fitting person to consult upon the disposal of his money. James assured him that if the Yankees knew he had such an amount of money in his possession they would rob him of every copper, and that the only safe course was to leave the amount with him (James) for safe keeping. Wilson readily adopted the suggestion, went to his hotel for his money, and placed it in James's hands. He subsequently found a business he was desirous of purchasing, but on two occasions James persuaded him not to complete the transaction, promising to find him something better. One day, about the 29th of March, he was introduced by James to the second defendant Hayward, whom James represented to be a man of large means and doing heavy business. Hayward himself stated that he had a soap manufactory and a Government paper-mill. The upshot was that Wilson, who seems to have bubbled over with confidence, said he was quite satisfied with Mr. James's word, and, without inquiry, engaged himself to Hayward as salesman, at a salary of 25 dols. a week, and a commission guaranteed to amount to 40 dols. more. In return for these advantages the man of large means and heavy business required an immediate payment of 1400 dols., and Wilson returned to James the deposit note he had taken when he left his money in James's hands and authorised James to pay over the amount mentioned to Hayward. Hayward turned out to be a man who owned neither soap factory nor paper-mill, but who had been associated with James in certain transactions, and to all the prosecutor's applications for salary and employment, Hayward replied by referring him to James, who, he said, had got the greater part of the money. These facts were proved this morning before Judge Conolly, and the prisoners were held for further examination.—*Manchester Guardian.*

THE ORATORY OF M. THIERS.—M. Thiers rarely attains the highest flight of what is called oratory. He either does not care to do so or cannot do so. There is nothing lofty, or emphatic, or passionate, or declamatory in him. His words, his tone, and manner are those used in ordinary converse, and are admirably suited to everyday questions like the present. He has wit at his fingers' ends, and galvanises even arithmetic with it. His comparison of the ordinary and extraordinary Budgets to the overladen ship obliged to transfer a part of her cargo to a smaller vessel alongside, and then lighten herself, to get into port; and

his 'division of the financial comedy into five acts, were worthy of Beaumarchais. M. Thiers may not be eloquent in the ordinary sense of the word; his force is in what the French call *causerie*, but it is a *causerie* of which one can never hear enough, so replete is it with life, so voluble, sparkling, varied by historical allusions, always appropriate, and anecdotes marvellously to the point. His voice, shrill, slightly nasal, and southern in accent, penetrates every corner of the chamber. There is nothing emphatic or theatrical in his gesture. He now and then buttons up his coat and folds his arms, unbuttons and throws it back from his chest, or leans familiarly on his desk, with his chin resting on his hand. He hardly ever refers to a note. No French speaker I have ever heard has more appearance of sincerity and conviction than M. Thiers. The quality of supreme self-confidence which Sidney Smith ascribed to a celebrated English statesman still living, seems especially to apply to M. Thiers. A well-known writer, no friend of his, put this some twenty-five or thirty years ago in a strong manner. "Propose to M. Thiers," said Simon, "the command of an army, and he will not refuse it; and I declare I am not quite sure that he would not win battles. I swear to you that I have heard with my own ears general officers so infatuated with him as to declare they would willingly serve under his orders." And of his power of persuasion: "Another time he will go right up to Soult, and have the hardihood to tell him that he did not evacuate Genoa with his army by the French gate, but by the Italian Gate; and if Soult happened to be wounded at the battle of Salamanca he will maintain, which the Chamber applauds, that it was in his left leg, and not in his right, as Soult himself thought up to that moment, and he will prove it so clearly that the old General, to be sure of the fact, involuntarily puts his finger into the wound."

MAGISTRATE AND PARISH LAWYER.

NOTES OF NEW DECISIONS.

CRIMINAL LAW—COINING.—As the witness was examining a medal resembling a half-sovereign which the prisoner was charged with uttering, he accidentally dropped it, and it could not be found. He had looked at one side of it only, and stated that from what he had then seen he believed it to be a "medal resembling in size, figure and colour a half-sovereign." There was no evidence as to what was impressed on the other side, which he had not seen. The medal was guerled, but the guerling, instead of being square as it is in a half-sovereign, was round. This was held to be some evidence for the jury that the medal resembled a half-sovereign, and the conviction was affirmed: (*R.* v. *Robinson*, 12 L. T. Rep. N. S. 501. C. Cas. R.)

EVIDENCE OF BANKRUPTCY.—The *London Gazette* is conclusive evidence of bankruptcy in an indictment for a misdemeanor under the B. A. if it appear that the bankrupt was within the United Kingdom at the date of adjudication, and that no steps had been taken to annul it: (*R.* v. *Levi*, 12 L. T. Rep. N. S. 502. C. Cas. R.)

INDECENT ASSAULT—CONSENT.—An indecent assault on a girl between the ages of ten and twelve, if she is a consenting party, is not an offence punishable by law: (*R.* v. *Johnson*, 12 L. T. Rep. N. S. 503.)

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

NOTES OF NEW DECISIONS.

INDICTMENT FOR OBSTRUCTING HIGHWAY—COSTS.—The township of B. was included in a highways district under 25 & 26 Vict. c. 61; and C. having caused an obstruction in a street in D., the highways board, at the instance of the churchwardens of D., indicted C., who removed the indictment by *certiorari*. C. was found guilty, and paid the taxed costs. The extra costs, however, amounted to 60*l.*, which the board charged against the township of B. These were held to be such costs as the highways board were justified in incurring to remove an obstruction, and that they were in this case properly charged to the township: (*R.* v. *Heath*, 12 L. T. Rep. N. S. 492. Q. B.)

ROMAN CATHOLIC PRISONERS.—Since the passing of the Prison Ministers Act of 1863, Roman Catholic priests have been appointed to attend at the following prisons:—At Liverpool borough gaol, with a salary of 300*l.* a-year, granted by the magistrates; at Kirkdale gaol, Lancaster, with 100*l.* a-year; at Manchester city gaol, with 100*l.* a-year, which is to cover the provision of vestments and all altar appurtenances; at Preston house of correction, with 100*l.* a-year; at Durham county gaol, with 50*l.* a-year; at Northallerton, North Riding, with 40*l.* a-year; at Wakefield, with 100*l.* a-year; Surrey house of correction, Wandsworth, with 60*l.* a-year; Hants county prison, Winchester, with 40*l.* a-year. At Worcester county prison, at Warwick, at Ripon, at Maidstone, at Reading, and at the county prisons of Sussex, a Roman Catholic priest is permitted to visit such Roman Catholic prisoners as do not refuse his ministrations, but the priest receives no salary from the rates. The same may be the case at other gaols, but in the great majority of English prisons no actual appointment has been made under the Act.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bolton	Friday, July 21	J. A. Russell, Esq.	10 days	J. Gordon.
Bridgwater	Saturday, July 1	E. H. Reed, Esq.	14 days	J. Trevor.
Cambridge	Thursday, June 29	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen	Wednesday, June 28	J. Johnes, Esq.	10 days	J. H. Parker.
Colchester	Tuesday, June 27	H. J. Bushby, Esq.	8 days	J. S. Barnes.
Grantham	Tuesday, June 27	W. H. Roberts, Esq.	10 days	H. Beaumont.
Hereford	Friday, July 7	F. E. Guise, Esq.	10 days	R. Johnson.
Kingston-on-Hull	Thursday, June 29	S. Warren, Esq., Q.C.		R. Chaytor, jun.
Leeds	Monday, July 3	J. B. Maule, Esq.	10 days	J. W. H. Richardson.
Newark	Saturday, July 1	J. F. Stephen, Esq.		T. F. A. Barnaby.
Pontefract	Thursday, June 29	J. L. Hanway, Esq.	14 days	John Foster, Esq.
Rochester	Saturday, July 1	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Sandwich	Thursday, June 29	J. Deedes, Esq.	8 days	Thos. L. Sarrag.
Stamford	Saturday, July 1	The Hon. E. C. Leigh	10 days	J. Torkington.
Shrewsbury	Friday, June 30	C. Harwood, Esq.	14 days	R. Clarke.
Tewkesbury	Friday, June 30	A. W. Daniel, Esq.		W. Winterbotham.
Wigan	Wednesday, July 19	J. Catterall, Esq.		R. Leigh.

LAW STUDENTS' JOURNAL.

Correspondence.

LAW CLASSES.—I beg again to trespass upon your valuable space in order to inform those of your readers who may be articled clerks that the supplementary memorial on the subject of law classes, notice of which you were so good as to insert in your journal some few weeks since in a letter from Mr. J. R. Collins, has been presented to the secretary of the Incorporated Law Society; that there were, with what have since been received, upwards of 100 signatures to the memorial from all parts of the country; and that I have now good reason to believe that some improvement in the present defective means for the legal instruction of articled clerks will shortly be effected. The success attending the supplementary memorial is mainly due to the exertions of Mr. Collins, of Exeter, and Mr. T. W. Windeatt, of Totnes; and I trust that, as the council of the Incorporated Law Society must now be satisfied of the want of law classes, no delay will take place in instituting them, and that we may look for next Michaelmas Term as the commencement of a new era in the legal education of articled clerks, with whom, of course, it rests to say whether the efforts of the Incorporated Law Society shall prove successful.

W. J. FRASER.

78, Dean-street, Soho, W., June 14, 1865.

INTERMEDIATE EXAMINATION.

TRINITY TERM 1865.

QUESTIONS FROM CHITTY ON CONTRACTS.

1. What does the statute of Geo. 4, c. 14, require to make a ratification binding after full age, of a promise or contract made during infancy?

2. If one of two contracting parties be an infant, and pleads infancy, can the plaintiff enter a *nolle prosequi* as to him, and proceed in the action against the other, or what course must he take?

3. State when one partner can bind his copartner by a promise, which promise they have mutually agreed not to make?

4. When money is due on a contract made with an executor, what is the general rule that may be applied to ascertain whether he can sue for it in his representative character?

5. What is a factor, and what is a broker?

6. Can an agreement be established by means of correspondence between two parties, and, if so, what is essential to make such agreement binding?

QUESTIONS FROM WILLIAMS ON REAL PROPERTY.

1. Who is protector of a settlement?

2. Define the terms dower and freebench.

3. What is an estate by the curtesy of England, and in what respects does it differ in the counties of Kent and Sussex?

4. What is jointure?

5. Give an example of a lapsed devise, and mention the two cases in which the Wills Act, 1 Vict. c. 26, gives effect to devises which would have lapsed before the passing of this Act.

6. Mention in what counties deeds and wills must be registered.

7. Write out the forms of attestation to a deed and a will respectively.

BOOK-KEEPING QUESTIONS.

1. On which side of a cash account should the balance always be, and why?

2. What is the difference between gross profit or loss and net profit or loss?

3. What is the difference between the terms debtor and creditor at the head of an account?

4. What is a ledger, and what is its object and use?

5. What is the difference between a bills payable book and a bills receivable book?

ANSWERS TO THE BOOK-KEEPING QUESTIONS.

1. The balance of this account must always be on the debtor side, because it is impossible to pay more than is received: (Hallilay's Articled Clerks' Handbook, 90, 2nd edit.)

2. Gross profit or loss is the whole amount received, or paid, or delivered, by the tradesman during a given period. The net profit or loss is gained by setting off one against the other, and ascertaining on which side the balance is: (Hallilay's Articled Clerks' Handbook, 91, 2nd edit.)

3. In keeping accounts anything received is entered on the debtor side, and anything paid or delivered on the creditor side; or, as the rule is abbreviated, "in debtor, out creditor:" (Hallilay's Articled Clerks' Handbook, 87, 2nd edit.)

4. This book collects together the dispersed accounts in order of date of each person in the day book, cash book, &c., under one entry: (Hallilay's Articled Clerks' Handbook, 90, 2nd edit.)

5. This book contains a record of all bills of exchange receivable by, *i. e.*, payable to, a mercantile house, and also all bills accepted by and therefore payable by the same mercantile house, with the dates, terms of payment, and other particulars: (Hallilay's Articled Clerks' Handbook, 90, 2nd edit.)

GENTLEMEN WHO PASSED THE FINAL EXAMINATION.

TRINITY TERM 1865.

Adams, Frederick Thomas—Articled to Knight and Field
Adcock, Frank—C. Mosson; E. E. Fear
Aldridge, Henry Mooring, jun.—H. M. Aldridge
Archer, Francis, B.A.—F. D. Lowndes; W. G. Bates
Artindale, Thomas Frederick—R. Handsley
Atkinson, John Frederick Henry—A. T. Squarey; J. Atkinson
Attor, Frederic—J. Attor; R. M. Wilson
Balch, John Henry Mitchell—J. Balch
Batchelor, Edward James—J. H. Torr
Bateson, William Thornton—J. Sharp
Battcock, John—H. Godwin
Bell, Walter John—J. Bell
Bennett, George Nevitt—R. N. Bennett
Beor, Frederick Jepson—R. W. Beor
Billinton, Arthur—H. Nelson
Birch, Henry—G. Birch
Bone, Foster John—A. B. Bone
Bramley, Herbert—E. Bramley; J. Prior
Briant, Apsley Eben—M. Pope
Broomhead, Henry—H. Broomhead; W. Davis; C. E. Broadbent
Brown, Frank Clarke—F. Brown; G. H. Sawell
Brown, Henry Rogers—F. J. Reed
Buckland, Francis—W. Bartholomew; E. B. Randall
Burney, John Hutchinson—H. Sturmy
Butcher, Frederic William—G. J. Durrant
Butterfield, Charles—J. T. Treherne
Carr, George—R. Home
Cavie, Wharton Lister Lyon—L. Wilson
Cayley, Arthur—H. S. L. Hussey
Chambers, William George—C. B. Hellard
Clare, Samuel Parks—J. Howard
Cole, John, jun.—C. N. Cole
Cooke, Joseph Henry—P. J. W. Cooke; W. W. Cooke
Corbett, Frederick—R. Corles
Creswell, Joseph Nash—T. Scott
Dalton, John—A. Helder
Davies, John Smalman—W. H. Brown
Davis, Richard—W. S. Catchpole
Daw, Samuel John, jun.—C. Kitson
Dewes, Thomas Hayes—T. Dewes
Dickinson, Joseph, jun.—J. Dickinson
Dimock, John George—T. F. A. Barnaby
Dunlop, John—R. R. Weatherhead
Eades, George Lavender—G. Eades
Eden, John, jun.—J. F. Stanistreet
Elliott, Joshua Alfred—T. Sutton
Ellis, Robert—J. Wright
Filder, Herbert Wall—T. Johnson; E. J. Filder
Foster, Arthur Henry—R. H. Foster
Freeman, John Crick—J. and W. Crick
Garner, William—R. C. Heath
Gething, John—D. Pain
Godwin, Edward Douglas—B. C. Godwin; J. E. Fox
Gooday, William Nott—J. Beaumont
Graham, John Edward Thorley—J. J. P. Moody
Granger, Arthur Charles—C. Granger
Greaves, William—P. Cooper; C. F. Hore
Gregory, Lewis William—J. Gidley
Hadley, Thomas Benjamin—Minshall and Gaskell; J. W. Dean
Hall, Matthew Henry—A. S. Field
Harris, Peter—W. H. Hudson; J. Rayner; J. White
Hartill, James—H. Coldicott
Harwood, William—H. Harwood; J. K. Wright
Hawes, Edward, B.A.—R. Cunliffe
Hawett, Thomas, jun.—T. F. Taylor
Hayward, John Camden—W. T. Carlisle; G. G. Newman
Head, John Merrick—E. Hillman
Hilleary, Frederic Edward, B.A.—G. E. Hilleary
Hinchliff, George—H. T. Young
Hincks, John Charles Hawkesford—R. G. Brown
Hodgkinson, George Wagstaffe—G. Hodgkinson
Holmes, William—J. Ward
Howell, William Mark—E. Jones
Hubbersty, Albert Cantrell—J. F. Kingdon; J. J. Sumpter

Husband, William Palmer—H. Richardson; J. Williamson, jun.
Jones, Richard Gardiner—R. M. Jones
Kearsley, Charles—F. W. Calvert; R. Hankinson
King, Lawrence—R. Wells
Knott, Henry Nicholls—W. W. Heming; A. W. Knott
Lancashire, Smith—H. Taylor
Lister, John Lupton—G. Keen
Llewellin, John George—T. M. Llewellin; J. T. White
Lopez, R. H. de Bertodano—G. F. Hudson
Lucas, Frederick William—J. Lucas
Lumb, Henry Foulks—H. W. Purkis; R. Brice
Lyon, Joseph Richard Davidson—J. Fleming
Maples, Arthur—T. Carson; A. Ellis
March, Octavius—O. March
Margetson, William—J. Wood
Marsh, William Edward—R. Marsh
Marsland, Benjamin—T. Keene
Mason, Charles Wiles, B.A.—H. W. Birch
Mayhew, Arthur—J. Mayhew
Meredith, Charles, jun.—C. Meredith
Middleton, Leonard—W. Middleton
Millington, Richard Wright—W. H. Holdich
Morgan, William—R. Greenway
Morson, James Archer—F. Brown; H. Reddish
Mullens, Charles Joseph—F. Dollman
Nevill, George Fergus—C. Prothero
Norvall, William Alexander—H. G. Hill; J. H. Triston
Oliman, Arthur Richard—H. Hemill
Page, Frederick Julian—F. F. Joyes
Page, George Henry—A. Cheese
Palmer, Albert Frank—F. T. Dubois; W. Sparling
Pim, William Fillingham—J. Watson
Pink, Frederick—J. B. Ingle
Pyard, John Richard—T. Eastham; R. T. Jarvis
Pilcher, James Ernest—W. H. Pilcher
Pitman, James Banks—J. Fortescue
Potts, William—J. B. Gabb; G. Potts
Powder, Alfred, B.A.—R. H. White
Prichard, Robert, jun.—R. Prichard
Puddicombe, George Russell—E. D. Puddicombe
Ramsay, Lawrence—F. P. Hooper; T. C. Baylis
Rat, William, T. F. Brown
Rhodes, James—F. Barber
Richardson, Walter—C. Smith
Rivers, Henry—F. B. Withers; T. Goater
Rixon, Theodore Robert—W. Rixon
Robins, Joseph—A. F. Patterson
Rogers, John Bellas, B.A.—G. M. Jull
Rogers, Joseph—J. J. Winter; W. P. Isaacson
Scott, Henry—A. Russell
Simpson, Charles Henry—S. F. Harrison
Smith, Philip—A. R. Hudson
Smythe, Francis Cooper Dumville—W. Smythe; J. Cross
Sneedinger, Thomas, jun.—J. P. Kaye
Tate, Edward Booth—W. Slater
Taylor, Walter—J. Yarde
Tolhurst, Alfred—G. M. Arnold
Tookey, Clement, jun.—R. Mullings
Turner, Octavius Thomas—W. Robotham
Tweedy, Henry John—J. Roberts
Watson, Edwin—E. Baker
Watson, Thomas—R. Thompson; J. Watson; W. E. Tyrrell
Webster, George Edward—J. Webster
Williams, Edward Bliss—W. H. Watson
Williamson, Edward George—E. Williamson; F. Leo
Wolferstan, Thomas—J. Kelly
Woodall, Samuel—F. M. Haywood
Wormald, William—R. Barr
Wright, Henry Granville—J. G. Banner

NOTES AND QUERIES ON POINTS OF PRACTICE.

Queries.

COMMISSIONERS.—Could any reader inform me through your paper the fees payable to commissioners, in probate and bankruptcy cases in the country?

AN ARTICLED CLERK.

PENALTY.—An auctioneer prepared a written agreement between the lessor and lessee for the occupation of a farm for seven years, not under seal, but stamped with a proper lease stamp. No charge was made for preparing the agreement. Does the auctioneer render himself (not being a professional person) liable to any and what penalty for preparing such a document?

B. R. S.

BILL OF SALE.—A. gave a bill of sale to B., who at the same time gave to A. an undertaking in writing not to register the bill. Four months after this A. died, when his estate was found to be totally insolvent. B. immediately seized upon the effects of A. and sold them. It is assumed that at the time A. gave the bill he was insolvent. The bill was never filed. Can it be set aside by the creditors?

R. F. B.

PUBLIC AUCTION.—If, upon the offer of sale of real property, the conditions having been read, there is the usual condition that the highest bidder shall be the purchaser, and no condition reserving to the vendor a right to bid by himself or agent, and a *bona fide* bidding is made far under the value of the property, and the auctioneer brings down the hammer stating the property was not sold, whether the *bona fide* bidder can in law or equity, bidding under such conditions of sale, claim the property as a purchaser?

B. E.

WILL.—Bequest of personal estate to trustees upon trust to invest and accumulate the yearly income until the accumulations amount in value to 10,000*l.*, and then to lay out and invest the amount of the said *accumulations* in the purchase of land to be settled upon A. and his heirs male, with remainder to B. and his heirs male, with remainder to the right heirs of the testator. A. and B. are adults, and not related to the testator. In point of fact, there is no doubt that the accumulations of income would amount to 10,000*l.* in less than twenty-one years. Is the bequest void as regards the accumulations to be made within twenty-one years from the testator's decease, or is it void in toto as an infringement of the law of perpetuities, irrespective of the Thellusson Act,) seeing that on the face of the will it does not appear that the accumulations will amount to 10,000*l.* within any given time?

E. F.

CLUB LAW.—At A. there is a gymnasium club (unregistered) consisting of several members, who pay an annual subscription. The management of the club, according to the rules, is vested in a president, four vice-presidents, a field captain, a secretary, and a committee of seven persons elected at an annual meeting, but the rules do not state in whom the apparatus of the gymnasium is vested. The eleventh rule is as follows:—"On a written complaint being made by three members with regard to the conduct of any member, the committee shall investigate the charge, and if the same be proved, shall have power to expel the member so in fault." One of the subscribers has lately wilfully and maliciously damaged a portion of the apparatus of the club. The committee are desirous of laying an information against him under 24 & 25 Vict. c. 97, s. 52, but they are uncertain whether that section would apply, as the offender might claim a part ownership in the property damaged. Does the above section apply to this case, and who are the proper parties to lay the information, and in whom should the property be laid?

W.

Answer.

DEVISE.—Assuming that there is nothing further in the will authorising the trustees to purchase land than is stated in the query, I think they have no power to invest the trust-funds in the purchase of lands; and further, that such an investment would be a breach of trust rendering the trustees liable to the *cestuis que trust* for any loss occasioned thereby; the words used, "to invest on Government or real security," only authorising, I submit, an investment on Government securities or on real security by way of mortgage. The 23 & 24 Vict. c. 145 does not apply to the present case. The concurrence of A. would only extend to her life-interest and could not prevent the liability attaching to the trustees; and as the next of kin of A. are not ascertainable until her death they, of course, cannot concur. Again, if a purchase were made and the trustees should at any time thereafter wish to sell, I think they could not make a good title without the concurrence of all the *cestuis que trust*. I submit that land cannot be safely purchased by the trustees during A.'s life, but that it can be legally done after her death in the following manner: Let A. appoint the fund to trustees upon trust to invest in the purchase of land to be conveyed to them to certain specified uses, declaring them in the will; this will be perfectly legal, as the appointment given to A. is a general one, and she can, therefore, appoint the fund in any manner she thinks proper, changing the nature thereof from personality to realty. There should also be a power authorising the trustees to invest the fund until laid out in the purchase of land and disposing of the income arising in the meantime.

New Romney. J. B.

THE LAW LIBRARY.

A Treatise on the Practice of Conveyancing. By WILLIAM WHITTAKER BARRY, Barrister-at-Law. London: Butterworths.

READERS who recal the instruction they gathered from this treatise, when published week by week in the pages of the LAW TIMES, will be pleased to learn that it has been reproduced, with some useful extensions, in a handsome volume, which will be an acceptable addition to the law library. It will be remembered that the papers so contributed by Mr. Barry were remarkable for the precision with which the law was stated, and being addressed to law students, this was a characteristic of primary importance. The author's design was to do for the *practice* of conveyancing what Mr. Joshua Williams has done for its principles—to describe it simply, clearly, and succinctly, recollecting that he was only laying the foundation and not crowning the edifice. The work is now divided into sixteen chapters, which treat successively of abstracts of title, agreements, particulars and conditions of sale, copyholds, covenants, creditors' deeds and arrangements, the preparation of deeds, evidence, leases, mortgages, partnership deeds and arrangements, sales and purchases, settlements, wills, and the Land Registry Acts, the latter being entirely new, those statutes not having been passed when Mr. Barry contributed these articles to the LAW TIMES.

A work, the substance of which is so well known to our readers, needs no recommendation from us, for its merits are patent to all from personal acquaintance with them. The information that the treatise so much admired may now be had in the more convenient form of a book will suffice of itself to secure a large and eager demand for it.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Thursday, June 8.

Ex parte WILDES.—*Borrill*, Q.C. (*Gates* with him) on behalf of Mr. Wildes, who had been removed from the office of clerk of the peace for the county of Kent, for misdemeanor, himself in his office, moved for a *certiorari* to bring up the order of sessions removing him: (1 W. & M., sess. 1, c. 21, s. 6.) *Rule refused.*

HEMMING *v.* PARKER.—*Thrupp* moved to set aside the award herein. *Rule nisi.*

ADAMS AND OTHERS *v.* STEVENS.—*Philbrick* moved for a writ of reviver to revive a judgment more than fifteen years old, and to enter a suggestion of the death of one of the plaintiffs. *Rule nisi.*

LEVERSON *v.* COOKE.—*Bovill*, Q.C. and *Lush*, Q.C. appeared on a rule *nisi* for an order charging the judgment-debt on certain shares in the Bonelli Electric Telegraph Company, alleged to be standing in the defendant's name in the books of the company. *Referred to the master.*

REG. *v.* THE JOINT-STOCK DISCOUNT COMPANY (LIMITED).—*Mellish*, Q.C., moved for a *mandamus* to the company to register a transfer of the interest in certain shares from Fox to Cowan. *Rule nisi.*

HALL *v.* THE METROPOLITAN RAILWAY COMPANY.—*W. H. Harrison* moved for a *mandamus* to the company to take up an award for compensation. *Rule nisi.*

REG. *v.* THE LONDON AND NORTH-WESTERN RAILWAY COMPANY.—*Gadsden*, on the part of the company, assented to the making absolute of a rule *nisi* obtained by *Francis* for a *mandamus* to the company to issue their warrant to the sheriff in a compensation case. *Rule absolute.*

HEPPEL *v.* ARMSTRONG.—*Crompton*, on an affidavit of service, moved to make a rule *nisi* absolute, calling on a party to pay money pursuant to an award. *Rule absolute.*

Ex parte H. LYSTER MOORE.—*Field* moved for a *mandamus* to the magistrate at Bow-street, to compel him to hear a charge of perjury. *Rule nisi.*

REG. *v.* ST. AUSTELL'S, CORNWALL.—*Kingdon* moved for a *certiorari* to remove an indictment for non-repair of a highway into this court. *Rule nisi.*

STEVENS *v.* SCHMIDT.—*W. H. Harrison* moved for an order to take money out of court deposited in lieu of bail. *Rule nisi.*

REG. *v.* HAMPTON AND FIVE OTHER GUARDIANS OF THE POOR OF WEST BROMWICH.—*Gates* moved for a *quo warranto*, calling on six guardians of the poor to show by what authority they claimed to exercise their office. *Rule nisi.*

BRADDICK *v.* GUTCH AND ANOTHER.—*F. Russell* moved for an injunction to restrain the defendants from continuing a nuisance arising from chemical works near Maidstone. *Rule nisi.*

REG. *v.* COMMISSIONERS OF THE MIDDLE LEVEL.—*Quain* moved for a *mandamus* to the commissioners to make a bridge, and to continue the road or towing-path over the Ouse. *Rule nisi.*

DE THIERRY *v.* LORD FERMOY.—The argument herein was concluded, and the COURT took time to consider its judgment. *Cur. adv. vult.*

Tuesday, June 13.

KEMP *v.* HALLIDAY.—In this case, which was argued before Blackburn and Shee, JJ., the judgment of the Court was delivered to-day. It was an action on a marine policy for the total loss of a ship. The defendant, an underwriter, paid money into court as for a partial loss only.—BLACKBURN, J. was of opinion that the loss was a partial one only.—SHEE, J. was of a contrary opinion. The judgment of the Court was entered in conformity to the opinion of the senior judge. *Judgment for the defendant.*

REG. *v.* THE RECORDER OF NORTHAMPTON.—Rule *nisi* for a *certiorari*. The argument was continued from yesterday. —*Sills* was heard in support of the rule, which the COURT made absolute on the ground that there was no appeal. (Blackburn, J. *dissentiente.*) *Rule absolute.*

REG. *v.* THE WORKSOP LOCAL BOARD OF HEALTH.—The further hearing of this case was continued from April 26.—*Mellish*, Q.C. and *Cave* were heard against the validity of the rate. *Cur. adv. vult.*

REG. *v.* GASCOYNE.—Rule *nisi* for a *quo warranto* to show by what authority the defendant exercised the office of waywarden for the Feversham highway district. The point at issue was whether the election had been conducted on the right principle.—*Lush* and *F. Russell* showed cause, and *Poole* and *Beresford* supported the rule. *Rule discharged.*

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Wednesday, June 7.

DUNSKIN *v.* ENGLAND.—*Pritchard* moved for a rule to show cause why the verdict should not be entered for the defendant in pursuance of leave reserved. *Rule refused.*

JEGON AND ANOTHER *v.* VIVIAN.—This was an action of ejectment, to recover certain mines in Glamorganshire, tried before Blackburn, J., at Swansea, on the South Wales Circuit, during the last spring assizes, and resulted in a verdict for the defendant.—*Joshua Williams*, Q.C. (of the Chancery Bar) obtained a rule to enter verdict for the plaintiffs on the ground that there was no power under the will to grant mining leases; that if there was, the powers contained in the leases were excessive, and that the receipt by the receiver in Chancery during the minority and the receipt by Gwynne on majority, did not constitute a tenancy from year to year.—The *Attorney-General*, *Grove*, Q.C., *Giffard*, Q.C. and *G. B. Hughes* showed cause against the rule; and *Joshua Williams*, Q.C., *A. G. Allen*, *J. O. Griffiths* and *C. E. Coleridge* appeared in support of it. The arguments were not concluded when the Court rose. *Part heard.*

Thursday, June 8.

THE EARL OF SHREWSBURY *v.* BRADLEY.—Part heard. —*Manisty*, Q.C. (*Hannen* with him) for the plaintiff was heard in reply. *Judgment for the defendant.*

TRAVES *v.* WORMS.—Special case.—Sir *G. Honyman* (*McLeod* with him) was for the plaintiff.—*Mellish*, Q.C. (*Milward*, Q.C. with him) for the defendant. *Judgment for the plaintiff.*

MAINWARING *v.* THE LANGHAM HOTEL COMPANY (LIMITED). —Demurrer to equitable replication.—*Mellish*, Q.C. (*Crompton* with him) for the plaintiff.—*Field*, Q.C. (*Hume Williams* with him) for the defendant. *Stands over for arrangement.*

SHUTTLEWORTH *v.* LE FLEMING.—Demurrer to plea.—*Mellish*, Q.C. was for the plaintiff.—*J. A. Russell* for the defendant. *Part heard.*

for the defendant, showed cause against a rule to enter the verdict for the plaintiff for 10*l.* 1*s.* 6*d.* pursuant to leave reserved.—*James*, Q. C. and *Herschell* supported the rule.

Rule discharged.

Friday, June 9.

PHILLIPS *v.* IM-THURM.—*Hannen* moved that defendant should show cause why an order of Keating, J. should not be varied.—Order to be sent back to Keating, J. intimating that unless plaintiff could by some arrangement get the costs of demurrer, defendant should only be allowed to add new pleas, and not to plead *de novo*.

LANGLEY *v.* HEADLAND.—*Bridge* moved for a rule to show cause why certain property which had been given as a consideration for releasing defendant from custody should not be given up to plaintiff's attorney as a lien for his costs. *Rule refused.*

JEGON AND ANOTHER *v.* VIVIAN.—Part heard. The arguments in this case were concluded. *Cur. adv. vult.*

HURST *v.* GREAT WESTERN RAILWAY.—*E. Temple* (*Crompton* with him) showed cause against a rule calling on the plaintiff to show cause why the verdict should not be set aside and a nonsuit entered on the ground that there was no evidence of any cause of action, and why a new trial should not be had on the ground that the verdict was against the weight of evidence.—*E. James*, Q.C. and *Thos. Jones* for defendants. *Part heard.*

Saturday, June 10.

HURST *v.* THE GREAT WESTERN RAILWAY COMPANY.—Part heard.—*Temple*, Q.C. (*Crompton* with him) showed cause. —*James*, Q.C. (*Manisty*, Q.C. and *T. Jones* with him) was not called on.

Rule absolute to enter a nonsuit or verdict for the defendant.

CORBETT *v.* REYNOLDS.—*H. T. Cole* showed cause against a rule obtained by the plaintiff in person, to set aside an order made by Willes, J., that proceedings in the action should be stayed till the plaintiff should have given security for costs. The plaintiff had brought a previous action for the same cause of action in 1856, which was tried at Winchester, and the plaintiff was nonsuited.—The plaintiff in person supported the rule. *Rule discharged.*

NORRIS ET UXOR *v.* MOORE.—*Powell*, Q.C. moved to strike out one count of the declaration, on the ground that the counts were improperly joined. One count was for assault by the wife, the other for trespass to the husband's land. *Rule refused.*

RYLANDS *v.* KREITMAIR.—*R. G. Williams* and *Mellish*, Q.C.,

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Wednesday, June 7.

GOODYEAR *v.* LINDSAY AND OTHERS.—This was a demurrer to pleas. The third plea had been amended, and the seventh, eighth and ninth pleas were now added. It was an action on a charter-party.—*F. M. White* appeared for the plaintiff.—*T. Jones*, contra, for defendant.

Leave to amend.

DRAKE *v.* PYWELL. *Cur. adv. vult.*

ORTON *v.* THE CLEVELAND FIREBRICK AND POTTERY COMPANY (LIMITED).—This was a demurrer to a declaration.—(To be reported so soon as the papers can be obtained.)

Judgment for plaintiff.

Thursday, June 8.

BELDING AND ANOTHER (Assignees) *v.* READ.—This was a special case, after verdict for the plaintiff, in an action tried at Norwich at the Spring assizes 1864.—*O'Malley*, Q.C. (with whom was *Philbrick*) argued for plaintiffs; *Keane*, Q.C. (with whom was *A. K. Stephenson*) for defendant.—The questions in this case arose on the construction of a bill of sale and the Bankruptcy Acts, and the application thereto of the case of *Holroyd* v. *Marshall*, 10 H. of L. Cas. in which a judgment of Campbell, L. C. which he had committed to writing, and was about to deliver shortly before his death, was overruled by the present Lord Chancellor, with the concurrence of Lords Wensleydale and Chelmsford. The bill of salé, which was set out in the case, was given by the bankrupt before his bankruptcy to the defendant, in 1857, in consideration of a debt of 300*l.*, and professed to be of all the donor's property then being or thereafter to be on his premises at Reedham, in Norfolk, or elsewhere in the kingdom of Great Britain, with a power to distrain on demand for the principal sum and arrears of interest. It appeared that defendant had made a demand on the wife of the bankrupt in his absence, and the money not being paid had then and there seized all the goods on the premises, including a horse and gig at a livery stable at Yarmouth.—*O'Malley*, Q.C., for the plaintiffs, contended that the deed did not authorise the seizure of the after-acquired property, and that the demand made by the defendant was insufficient on the authority of *Brightly* v. *Norton*, 32 L. J., Q. B., and *Tome* v. *Wilson*, 33 L. J., Ex. Ch.—*Keane*, Q.C., for the defendant, relied on *Holroyd* v. *Marshall*, and on the terms of the bill of sale as to the power to seize the after-acquired property, and contended that no other demand than that made was necessary under the circumstances.—The COURT, without calling on *O'Malley* to reply, were unanimously of opinion that the plaintiffs were entitled to have the verdict entered for them for 62*l.* 5*s.* 8*d.*, the value of the after-acquired property, on the grounds, as put by the Lord Chief Baron, that a "prophetic conveyance" of property not in existence could not avail in law to pass such property without something more than appeared in the present case, and that the demand made was not sufficient within the terms of the bill of sale to entitle the defendant to avail himself of the power it professed to give.

Judgment for the plaintiff for 62l. 5s. 8d.

SCOTT *v.* BERRY.—This was an application to enter judgment *non obstante veredicto*. The plaintiff, a woolstapler at Gomersal, near Leeds, sued the defendant, a maltster at the same place, upon a bill of exchange for 100*l.* The defendant set up a plea, framed upon a composition-deed made under the New Bankruptcy Act. The jury thought the plea substantially true, and found for the defendant, notwithstanding which the plaintiff insisted upon his right to enter judgment as above stated. A rule had been obtained by *T. Jones*, against which *Hayes*, Serjt. and *Kemplay* now showed cause. The question was whether the deed dealt equally with non-assenting and assenting creditors.—The COURT was unanimously of opinion that substantially the plea was an answer to the action, and discharged the rule.—MARTIN, B. in giving his judgment, said that he felt what he was about to say would not be satisfactory to himself or to anybody else, for he had never yet given a judgment upon any one of the numerous cases arising upon composition-deeds framed under the New Bankruptcy Act with which he felt satisfied. He had neither read nor heard a judgment yet upon the subject which was satisfactory to his mind. It probably arose from the difficulty of the subject itself.

Rule discharged.

Friday, June 9.

PRITT AND OTHERS *v.* JONES.—This was a special case as to the construction and effect of the particular terms of a special bond.—*Lush*, Q.C. appeared for the plaintiff (his argument was heard on Tuesday last).—*Mellish*, Q. C. was now heard for the defendant.—The COURT (without hearing *Lush* in reply) were clearly of opinion that there should be *Judgment for plaintiff.*

BOLD *v.* HATTER.—*Garth* moved to make a judge's order directing certain interrogatories to be answered, but which had not been answered, a rule of court in order to found an attachment upon it. *Rule nisi.*

PEARSON *v.* THE LOCAL BOARD OF HEALTH OF KINGSTON-UPON HULL. *Cur. adv. vult.*

STANBRIDGE (Town Clerk) *v.* BARNSBURY.—This was a demurrer to the 7th plea.—*Field*, Q.C. (*Dugdale* with him) in support of the demurrer; *Mellish*, Q.C. (*Garth* with him) contra. *Leave to amend; the costs to be costs in the cause.*

THE SUMMER CIRCUITS.

The following are the present appointments for holding the Summer Circuits:

NORTH WALES AND CHESTER.
(Before the LORD CHIEF JUSTICE OF ENGLAND.)

Newtown, Monday, July 17	Ruthin, Monday, July 31
Dolgelly, Thursday, July 20	Mold, Thursday, Aug. 3
Carnarvon, Monday, July 24	Chester, Monday, Aug. 7
Beaumaris, Thurs., July 27	

NORFOLK.
(Before Lord Chief Justice ERLE and the LORD CHIEF BARON.)

Oakham, Thursday, July 13	Huntingdon, Thurs., July 27
Leicester, ditto	Cambridge, Sat., July 29
Northampton, Mon., July 17	Norwich, Wed., Aug. 2
Aylesbury, Thurs., July 20	Ipswich, Monday, Aug. 7
Bedford, Monday, July 24	

OXFORD.
(Before the Hon. Mr. Baron CHANNELL and the Hon. Mr. Justice BYLES.)

Abingdon, Monday, July 10	Salop, Monday, July 31
Oxford, Wednesday, July 12	Hereford, Thursday, Aug. 3
Worcester, Sat., July 15	Monmouth, Sat., Aug. 5
Stafford, Thursday, July 20	Gloucester, Wed., Aug. 8.

NORTHERN.
(Before Mr. Baron BRAMWELL and the Hon. Mr. Justice MONTAGUE SMITH.

Durham, Tuesday, July 11	Lancaster, Tuesday, July 25
Newcastle, Saturday, July 15	Manchester, Sat., July 29
Carlisle, Thursday July 20	Liverpool, Saturday, Aug. 12
Appleby, Monday, July 24	

HOME.
(Before Mr. Justice CROMPTON and Mr. Baron PIGOTT.

Hertford, Wed., July 12	Maidstone, Monday, July 24
Chelmsford, Monday, July 17	Croydon, Monday, July 31
Lewes, Thursday, July 20	

MIDLAND.
(Before the Hon. Mr. Justice BLACKBURN and the Hon. Mr. Justice MELLOR.)

Warwick, Saturday, July 8	Lincoln, &c., Tues., July 25
Derby, Saturday, July 15	York, Saturday, July 29
Nottingham, Thurs., July 20	Leeds, Friday, Aug. 4

SOUTH WALES AND CHESTER.
(Before the Hon. Mr. Justice SHEE.)

Haverfordwest, Thursday, July 6	Cardiff, Monday, July 17
	Brecon, Friday, July 28
Cardigan, Monday, July 10	Presteigne, Thurs., Aug. 3
Carmarthen, Thurs., July 13	Chester, Monday, Aug. 7

WESTERN.
(Before Mr. Justice WILLES and Mr. Justice KEATING.)

Winchester, Wed., July 12	Bodmin, Wednesday, Aug. 2
Salisbury, Wed., July 19	Wells, Monday, Aug. 7
Dorchester, Sat., July 22	Bristol, Saturday, Aug. 12
Exeter, Wednesday, July 26	

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

CROWN SUITS PROCEDURE BILL.

The following petition has been presented to the House of Commons by this society:

That your petitioners are an association consisting of nearly 800 practising attorneys and solicitors in England and Wales, of whom nearly 600 carry on business in the provinces, and that their objects are to promote the better and more economical administration of the law, and to maintain the rights and increase the usefulness of their profession.

That your petitioners have perused a Bill now before your honourable House, intituled "A Bill to amend the procedure and practice in Crown suits in the Court of Exchequer at Westminster and for other purposes."

That when the Bill now the Act of 27 & 28 Vict. c. 112, and intituled "An Act to amend the law relating to future judgments, statutes and recognisances," was before your honourable House, your petitioners were and still are fully convinced that the benefits thereby proposed to be conferred would be much increased if the charge on land of future debts and obligations to the Crown were abolished so far as *bona fide* purchasers and mortgagees are concerned.

That your petitioners would rejoice to see such a reform effected as in the course of time would, as the old incumbrances died out, place land so far as regards such *bona fide* purchasers and mortgagees in the same position as purely personal estate in respect of debts and obligations to the Crown, as such alteration would diminish your petitioners' professional responsibility in all dealings with land, and would sensibly lessen the percentage of cost in small transactions, to the expense and trouble of which, especially in country cases, the present search for Crown debts is a material addition.

Your petitioners therefore humbly pray that the said "Bill to amend the procedure in Crown suits in the Court of Exchequer at Westminster and for other purposes" may be amended by the addition of a clause or clauses providing that the provisions relating to judgments, statutes and recognisances contained in the Act of 27 & 28 Vict. c. 112 shall extend to and include (so far as *bona fide* purchasers and mortgagees are concerned) all future debts and obligations to the Crown. And your petitioners will ever pray, &c.

STEPHEN WILLIAMS, Deputy Chairman.
PHILIP RICKMAN, Secretary.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Friday, May 26.

By Messrs. NORTON and TRIST, at the Guildhall Coffee-house.—Freehold estate, known as Beechwood-house, situate at Tunbridge Wells, and comprising a residence, with stabling, coach-house, pleasure-grounds, and meadow land, containing about 36 acres—sold for 12,500*l.* Freehold paddock situate in Friar Stile-road, Richmond, containing 2a. 3r. 34p.—sold for 3,000*l.* Freehold and copyhold estate, known as Magdalen Laver-hall farm, comprising farmhouse, buildings, and several inclosures of arable and meadow land, containing 273a. 1r. 29p., situate in the parish of Northweald, Bassett, Essex—sold for 6300*l.* Freehold estate, known as Paris Hall farm, situate as above, and comprising farmhouse, buildings, and several inclosures of arable meadow and pasture land, containing 11a. 2r. 1p.—sold for 6370*l.*—Leasehold, fourteen houses, situate in Tranquil-vale, and Lee-terrace, Lower-road, Deptford; producing 224*l.* per annum; term 99 years from Lady-day 1857; ground-rent 6*l.* per annum—sold for 1045*l.* Freehold ground rents, amounting to 2*l.* per annum, secured on houses in Domingo-street, Old-street, St. Luke's—sold for 1150*l.*

Monday, May 29.

By Messrs. WILKINSON and HORNE, at the Guildhall Coffee-house.—Freehold, two residences, and plot of land, situate at Norwood, Surrey—sold for 1425*l.* Freehold ground-rents amounting to 12*l.* per annum, secured on residences situate in Alexander-road, Upper Holloway—sold for 270*l.* Absolute reversionary interest in 3000*l.* Reduced 3 per Cent. Annuities on the decease of a lady in her 52nd year—sold for 610*l.* Absolute reversionary interest in 30*l.* Reduced 3 per Cent. Annuities, expectant on the decease of a lady aged 73 years—sold for 23*l.*

Tuesday, May 30.

By Messrs. DRIVER, at the Guildhall Coffee-house.—Freehold and copyhold estate, situate near Chelmsford and Maldon, known as comprising Stow Hall, Great and Little Martins, and Cold Norton farm, with farmhouses and buildings, containing 276 acres of arable and grass land, and producing 216*l.* per annum—sold for 6320*l.* Leasehold, two mansions, being Nos. 42 and 73, Onslow-square, Brompton, producing 304*l.* per annum; term 86 years from 1849; ground-rent per annum—sold for 4710*l.* Leasehold, seven residences and stables, being Nos. 1 to 6 and 12, Sumner-place, Onslow-square, Brompton, producing 625*l.* 10*s.* per annum; term 85 years from 1850; ground-rent 35*l.* per annum—sold for 9330*l.* Leasehold, ten residences and premises, being Nos. 1 to 10, Sumner-terrace, Brompton, producing 623*l.* per annum; term 85 years from 1850; ground-rent per annum—sold for 12,330*l.* Leasehold mansion, being No. 17, Southwick-crescent, Hyde-park, let at 275*l.* per annum; term 96 years from 1850; ground-rent 2*l.* per annum—sold for 4370*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, June 2.

DODGE, THOMAS, and WYBER, WALTER WILLIAM, attorneys and solicitors, Liverpool.

Gazette, June 6.

ODY, HENRY MORTON, and ADAMS, GEORGE, attorneys and solicitors, Trinity-st. Borough, and elsewhere.

Bankrupts.

Gazette, June 6.

To surrender at the Bankrupts' Court, Basinghall-street.

ADAMS, WILLIAM, carpenter, Warden-rd. Kentish-tn. Pet. June 1. Reg. Brougham. O. A. Edwards. Sol. Allen, Chancery-la. Sur. June 21.

BISHOP, JAMES JOHN, timber merchant, Kingston. Pet. June 2. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Lincoln's-inn-flds. Sur. June 21.

BLADES, ROBERT SCOTT, tailor and draper, Carroce pl. Pet. May 31. Reg. Roche. O. A. Parkyns. Sol. Graves, Portsmouth pl. Linc.-inn-flds. Sur. June 19.

BOWERS, JACOB, potato salesman, Copenhagen-st. Caledonian-rd. Pet. May 31. Reg. Hazlitt. O. A. Graham. Sol. Wells, Margaret-st. Sur. June 21.

CAKEBREAD, WILLIAM, mason, South Mimms. Pet. June 1. Reg. Hazlitt. O. A. Graham. Sol. Layton, Church-row, Islington. Sur. June 21.

CASWELL, SAMUEL, baker, Churton-st. Pimlico. Pet. May 31. Reg. Hazlitt. O. A. Graham. Sol. Angell, Guildhall-yd. Sur. June 21.

HEALEY, SAMUEL, mill board manufacturer, Wesbury-gr. Bermondsey. Pet. June 1. Reg. Brougham. O. A. Edwards. Sol. Lewis, Raymond-bdgs. Gray's-inn. Sur. June 21.

HEYWOOD, THOMAS, commission agent, Great Russell-st. Bloomsbury. Pet. June 1. Reg. Hazlitt. O. A. Graham. Sol. Atwood, Basinghall-st. Sur. June 21.

HOOPER, WILLIAM HENRY, gasfitter, Portsmouth. Pet. June 1. Reg. Hazlitt. O. A. Graham. Sol. White, Davies-inn, Strand. Sur. June 21.

HYETT, BENJAMIN ANTHONY, machinist, Regent-st. Lambeth. Pet. June 1. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. June 19.

JONES, WILLIAM DRUMMOND, merchant, Billiter-sq. and Kingston, Jamaica, West Indies. Pet. June 1. Reg. Roche. O. A. Parkyns. Sol. Stocken, Leadenhall-st. Sur. June 19.

MAJOR, JOSEPH, farmer, Belsize-rd. Hampstead. Pet. June 1. Reg. Hazlitt. O. A. Graham. Sol. Howell, Cheapside. Sur. June 21.

MOYSE, JULES, merchant, Crutched-friars, and Star-st. Edgeware-rd. Pet. June 2. Reg. Brougham. O. A. Edwards. Sol. Tange, Camden-st. Camden-tn. Sur. June 21.

NICE, WILLIAM, cutler, Stratford. Pet. June 2. Reg. Brougham. O. A. Edwards. Sol. Peverley, Coleman-st. Sur. June 21.

POMPHRETT, WILLIAM, traveller, Broad-st. Ratcliff. Pet. June 1. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. June 21.

SADLER, JAMES, chandler's-shop keeper, Peckham. Pet. June 1. Reg. Roche. O. A. Parkyns. Sol. Marshall, Linc.-inn-flds. Sur. June 19.

SMITH, WILLIAM ANTHONY, builder, Fleet-rd. Haverstock-hill. Pet. June 1. Reg. Brougham. O. A. Edwards. Sols. Miller and Son, Sherborne-ln. Sur. June 21.

STONEHAM, HENRY, miller, Bedhampton. Pet. June 2. Reg. Roche. O. A. Parkyns. Sols. Pownall, Son, Cross and Knott, Staple-inn, Holborn. Sur. June 19.

...ET, WILLIAM JAMES, publican, Broadstairs. Pet. June 2. Reg. ...ougham. O. A. Edwards. Sol. Wetherfield, Moorgate-st. Sur. ...ne 21.
...SON, JAMES HARVEY, tailor and draper, Norwich. Pet. June 1. ...g. Brougham. O. A. Edwards. Sol. Hand, Coleman-st. Sur. ...ne 21.

To surrender in the Country.

...WORTH, CHARLES, yeoman, Much Marcle. Pet. May 30. Reg. & ...A. Cooke. Sol. Wilkes. Sur. June 16.
...MEAD, WILLIAM, builder, Cheltenham. Pet. June 2. Reg. Wilde. ... A. Acraman. Sols. Stroud, Cheltenham; Abbot and Leonard, ...ristol. Sur. June 17.
...TH, THOMAS, leather factor, Manchester. Pet. June 2. Reg. ...arris. O. A. Morgan. Sol. Nuttall, Manchester. Sur. June 20.
...OKE, CHARLES LANGFORD, Stoke's-croft, Bristol. Pet. June 2. ...g. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. June 16.
...RIDGE, BENJAMIN, labourer, Newport Pagnell. Pet. June 2. ...g. & O. A. Parrott. Sol. James, Aylesbury. Sur. June 12.
...AIN, GEORGE THOMAS, saddler, Williton. Pet. June 1. Reg. & ...A. White. Sol. White, Williton. Sur. June 14.
...SHOTT, JOHN, Greenheys, Manchester. Pet. June 2. Reg. & ...A. Halton. Sol. Mann, Manchester. Sur. June 17.
...INSON, JAMES, master mariner, Barrow-in-Furness. Pet. June 1. ...g. & O. A. Postlethwaite. Sol. Ralph, Barrow and Ulverston, ...r. June 10.
...TE, WILLIAM, butcher, Grassmoor, Chesterfield. Pet. May 31. ...g. & O. A. Wake and Waller. Sols. Binney and Son, Sheffield. ...r. June 20.
...ENPORT, THOMAS, beer retailer, Alderman's-green, Foleshill. ...t. May 3. Reg. & O. A. Kirby. Sol. Griffin, Coventry. Sur. ...ne 20.
...Y, WILLIAM THOMAS, labourer, Abergavenny. Pet. June 1. Reg. ...O. A. Batt. Sol. Roberts, Usk. Sur. June 20.
...AN, ALEXANDER MORRISON, civil engineer, Birmingham. Pet. ...ay 26. Reg. & O. A. Guest. Sur. June 13.
...ELL, JOHN, steam engine threshing proprietor, Framsden. Pet. ...ay 31. Reg. & O. A. Pretyman. Sol. Moseley, Framlingham. Sur. ...ne 14.
...ER, JOHN, blacksmith, Longhoughton. Pet. May 31. Reg. & ...A. Wilson. Sol. Busby, Alnwick. Sur. June 21.
...RMAN, WILLIAM, printer, Saint Helen's. Pet. June 1. O. A. ...urner. Sols. Evans, Sandys, Roose and Lockett, Liverpool, agents ...r Ansdell, St. Helen's. Sur. June 14.
...OYER, MARY, lodging-house keeper, Orrell, Wigan. Pet. June 3. ...A. Turner. Sols. Heald, Wigan; Evans, Sandys, Roose and ...ockett, Liverpool. Sur. June 20.
...ERY, ELIJAH, oil extractor, Meanwood, Leeds. Pet. June 1. Reg. ...O. A. Sangster. Sol. Sampson, Leeds. Sur. June 22.
...MES, JOHN, boiler maker, Liverpool. Pet. June 2. O. A. Turner. ...l. Blackhurst, Liverpool. Sur. June 20.
...ES, WILLIAM LLOYD, attorney, Holyhead. Pet. June 2. O. A. ...urner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. ...ne 20.
...SON, JOHN JULIAN, agent for the sale of wines and spirits, ...nchester. Pet. June 1. Reg. Macrae. O. A. Morgan. Sols. ...ole and Rylance, Manchester. Sur. June 22.
...G, SAM JOHN, and ELLIS, WILLIAM, box makers, Nottingham. ...t. June 3. Reg. Hill. O. A. Harris. Sol. Maples, Nottingham. ...r. June 20.
...NALL, JOSEPH, silk and cotton waste dealer, Bradford. Pet. ...ay 31. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. ...ne 19.
...THEWS, WILLIAM THOMAS, beerseller, Dudley. Pet. May 26. ...g. Hill. O. A. Kinnear. Sols. Sherwood, Leamington; Hodgson ...d Son, Birmingham. Sur. June 19.
...LEY, JAMES, stone hewer and labourer, Northowram, Halifax. ...t. June 1. Reg. Rankin. O. A. Dyson and Rankin. Sol. Terry, ...adford. Sur. June 22.
...LE, THOMAS, commission agent, Audenshaw, Ashton-under-...yne. Pet. May 17. Reg. Harris. O. A. Morgan. Sur. June 19.
...LEY, HENRY EVANS, hotel keeper, Bromyard. Pet. June 3. Reg. ...ill. O. A. Kinnear. Sols. Devereux, Worcester; Wright, Bir-...ngham. Sur. June 19.
...LIPS, SYDNEY, book and music seller, Tavistock. Pet. May 24. ...A. Carrick. Sols. Bridgeman and Son, Tavistock; Hirtzel, ...eter. Sur. June 16.
...ES, GEORGE, sailmaker, Liverpool. Pet. June 2. O. A. Turner. ...ls. Anderson and Collins, Liverpool. Sur. June 16.
...AD, CHARLES, ironmonger, Birmingham. Pet. May 22. Reg. & ...A. Guest. Sur. June 19.
...SON, WILLIAM, grocer, Broomhill, Sheffield. Pet. June 2. O. A. ...oung. Sol. Fretson, Sheffield. Sur. June 21.
...LES, THOMAS, innkeeper, Cheadle. Pet. June 2. Reg. & O. A. ...ed. Sol. Litchfield, Newcastle-under-Lyme. Sur. June 2.
...CK, JOHN; BLACK, DANIEL; and BLACK, WILLIAM, woollen manufacturers, Morley, Batley. Pet. June 2. O. A. Young. Sols. ...ales and Tempest, and Booth and Clough, Leeds. Sur. June 19.
...TER, WILLIAM, dairyman, Eastbourne. Pet. May 19. Reg. & ...A. Blaker. Sol. Marshall, Linc.-inn-fds. Sur. June 17.
...MPSON, JOHN WILLIAM, machinist, Cheetham, Manchester. Pet. ...ne 2. Reg. Macrae. O. A. Morgan. Sol. Ritson, Manchester. ...r. June 22.
...TING, THOMAS, pork butcher, Birkenhead. Pet. June 2. Reg. & ...A. Gill. Sol. Ward, Birkenhead. Sur. June 24.
...VIS, SAMUEL, butcher, Weston-super-Mare. Pet. May 12. Reg. ...lde. O. A. Acraman. Sols. Brittan and Son, Bristol. Sur. ...ne 16.
...YERS, WALTER, boot and shoe maker, Trallong. Pet. June 2. ...g. & O. A. Evans. Sol. Powell, Brecon. Sur. June 22.
...SON, MARY, hosier and draper, Liverpool. Pet. May 27. O. A. ...rner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. ...ne 14.
...TAKER, ABRAHAM, rag dealer, Ossett. Pet. June 3. O. A. ...oung. Sols. Stringer, Ossett; Bond and Barwick, Leeds. Sur. ...ne 19.
...LIAMS, JOHN, grocer, Birmingham. Pet. May 26. Reg. & O. A. ...est. Sur. June 19.
...SON, RICHARD, colliery carpenter, Standish-with-Langtree. Reg. ...O. A. Part. Sol. France. Sur. June 29.
...ON, THOMAS, builder, Pickering. Pet. June 3. O. A. Young. ...ls. Parkinson, Pickering; Bond and Barwick, Leeds. Sur. ...ne 19.
...OLEY, MERVYN HARDY, dealer in horses, Liverpool. Pet. June 3. ...A. Turner. Sol. Blackhurst, Liverpool. Sur. June 20.

Gazette, June 9.

To surrender at the Bankrupts' Court, Basinghall-street.

...OTT, ROBERT, wine merchant, Change-alley. Pet. June 2. Reg. ...ougham. O. A. Edwards. Sols. Harris and Lewis, Old Jewry. ...r. June 21.
...ANDER, HENRY, seedsman, Kender-st. New Cross-rd. Pet. June ... Reg. Roche. O. A. Parkyns. Sol. Atkinson, High Holborn. Sur. ...ne 19.
...D, ROBERT BAXTER, out of business, Gray's-inn-rd. Pet. June 2. ...g. Hazlitt. O. A. Graham. Sol. Terry, King-st. Cheapside. Sur. ...ne 21.
...RRY, JOSEPH, cook, Gillingham-st. Pimlico. Pet. June 7. Reg. ...zlitt. O. A. Graham. Sol. Hutchinson, Warwick-st. Pimlico. ...r. June 21.
...ENT, FREDERICK, butcher, Wurtemburg-st. Clapham. Pet. June ... Reg. Brougham. O. A. Edwards. Sol. Dobie, Guildhall-...ambers, Basinghall-st. Sur. June 21.
...NES, CHARLES, builder, Henley-on-Thames. Pet. June 6. Reg. ...che. O. A. Parkyns. Sol. Peck, Gresham-st. Sur. June 19.
...NES, JAMES, and HAINES, JAMES FRANCIS, cork cutters, Jubilee-... Mile-end. Pet. June 6. Reg. Hazlitt. O. A. Graham. Sol. ...ed, Guildhall-chambers. Sur. June 21.
...COCK, RICHARD, timber dealer, Plumstead-common. Pet. June 5. ...g. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. ...r. June 21.
...SON, HENRY, tailor, Southampton. Pet. June 21. Reg. Hazlitt. ...A. Graham. Sols. Paterson and Son, Bouverie-st. for Mackey, ...uthampton. Sur. June 21.
...G, HENRY, railway clerk, Orchard-st. Kingsland-rd. Pet. June 6. ...g. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. ...ne 21.
...KENNAL, GEORGE SIMPSON, out of business, New-rd. Hammer-...ith. Pet. June 6. Reg. Hazlitt. O. A. Graham. Sol. Hill, ...singhall-st. Sur. June 21.
...KER, JOSEPH JAMES, and MAKER, JAMES CHARLES, ironfounders, ...ange-row, Bermondsey. Pet. June 3. Reg. Roberts. O. A. ...rkyns. Sol. Roberts and Vaughan, Bucklersbury. Sur. June 19.
...S, WILLIAM, carpenter, Lonsdale-pl. Notting-hill west. Pet. ...ne 7. Reg. Brougham. O. A. Edwards. Sols. Atkinson, High ...lborn. Sur. June 21.
...TT, JOHN, mealman, Winslow. Pet. June 7. Reg. Hazlitt. ...A. Graham. Sol. Tomkins, Lincoln's-inn-fields. Sur. June 21.

SINGER, JULIUS, tailor, Queen-st. Cheapside. Pet. June 6. Reg. Roche. O. A. Parkyns. Sols. Lewis and Lewis, Ely-pl. Sur. June 19.
SMITH, ANTONY JOHN, tailor, Hereford-rd. Bayswater. Pet. June 7. Reg. Roche. O. A. Parkyns. Sols. Treherne and Wolferstan, Aldermanbury. Sur. June 21.
SNOW, JOHN, pork butcher, Winchester. Pet. June 6. Reg. Brougham. O. A. Edwards. Sols. Goodwin, King's Bench-walk, Temple; Halley, Winchester. Sur. June 21.
SPRINGER, WILLIAM HENRY, carpenter, Kensington-pl. Notting-hill. Pet. June 6. Reg. Roche. O. A. Parkyns. Sol. George, Jermyn-st. St. James. Sur. June 19.
WARNER, CHARLES, ginger-beer manufacturer, Vauxhall-walk, Lambeth. Pet. June 6. Reg. Brougham. O. A. Edwards. Sol. Udy, Trinity-st. Southwark. Sur. June 21.

To surrender in the Country.

BAKER, THOMAS, labourer, Alphington. Pet. May 30. Reg. & O. A. Daw. Sol. Floyd, Exeter. Sur. June 21.
BURGESS, JOSEPH THOMAS, journalist, Swindon and Leamington Priors. Pet. June 7. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. June 21.
CAMERON, THOMAS WILLIAM, victualler, Portsmouth. Pet. May 2. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 27.
CANN, ROCHESTER WALTER, commercial traveller, Monmouth. Pet. June 7. Reg. Wilde. O. A. Acraman. Sols. Williams, Monmouth; Henderson, Bristol. Sur. June 21.
CARMEN, HENRY, out of business, Liverpool. Pet. June 3. Reg. & O. A. Hime. Sol. Browne, Liverpool.
CAWTHORNE, NICHOLAS, and CAWTHORNE, JOSEPH, brick manufacturers, Holly Moor, near Aldborough. Pet. June 6. Reg. & O. A. Watson. Sol. Nixon, Barnard Castle. Sur. June 20.
CHINERY, CHARLES, victualler, Nottingham. Pet. June 6. Reg. Hill. O. A. Harris. Sol. Heath, Nottingham. Sur. June 20.
CRUTE, JAMES, market gardener, Plymouth. Pet. June 7. Reg. & O. A. Pearce. Sol. Robins, Plymouth. Sur. June 26.
EATON, GEORGE, blacksmith, Guestling. Pet. June 6. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. June 22.
EAVES, ARTHUR FREDERICK, clockmaker, Birmingham. Pet. June 7. Reg. Hill. O. A. Kinnear. Sol. East, Birmingham. Sur. June 21.
EDDY, JAMES, nail manufacturer, Penrith. Pet. June 5. Reg. & O. A. Yarty. Sol. James, Penrith. Sur. June 19.
EVANS, WILLIAM GEORGE, stationer, Everton. Pet. June 7. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. June 21.
EVANS, WILLIAM, miller, Aberystwith. Pet. May 30. Reg. & O. A. Jenkins. Sol. Atwood, Aberystwith. Sur. June 30.
FORD, GEORGE, surveyor, Buckland, Portsea. Pet. June 6. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 22.
FORD, THOMAS, waste dealer, Bolton. Pet. June 5. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. June 21.
FREEMAN, HENRY THOMAS, miller, Clee Saint Margaret. Pet. May 31. Reg. & O. A. Williams. Sol. Weyman, Ludlow. Sur. June 21.
GIBSON, WILLIAM, bootmaker, Long Bennington. Pet. June 7. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. Sur. June 22.
GREEN, EDWIN, butcher, Northampton. Pet. June 7. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. June 24.
GREEN, WILLIAM, carpenter, Grafton. Pet. June 3. Reg. & O. A. Plumbe. Sol. Cheesbyre, Cheltenham. Sur. June 17.
HAILS, DIANA, furniture broker, Newcastle. Pet. May 31. O. A. Clayton. Sol. Joel, Newcastle. Sur. June 24.
HANSON, JOHN, shoemaker, Bromsgrove. Pet. June 6. Reg. & O. A. Brett. Sol. Mole, Bromsgrove. Sur. June 23.
HAYWARD, HENRY, tinsmith, Bath. Pet. June 6. Reg. & O. A. Smith. Sol. Wilton, Bath. Sur. June 26.
HEINEMANN, HERMAN, merchant, Liverpool. Pet. June 6. O. A. Turner. Sol. Wilson, Liverpool. Sur. June 22.
HIGH, JAMES JOSEPH BRIGHAM, wheelwright, Ellingham. Pet. June 3. Reg. & O. A. Fiske. Sol. Kent, Beccles. Sur. June 22.
ILIFFE, ANN, jeweller, Ashford-under-Lyne. Pet. June 6. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. June 22.
JACKSON, WILLIAM, commission agent, Sunderland. Pet. May 17. Reg. & O. A. Marshall. Sol. Steel, Sunderland. Sur. June 21.
JONES, WILLIAM, jun., miller, Kibbesford. Pet. June 5. Reg. & O. A. Talbot. Sol. Corbett, Kidderminster. Sur. June 24.
KENNINGTON, SAYERS, hairdresser, Lichurch. Pet. June 2. Reg. & O. A. Weller. Sol. Prince, Burton-on-Trent. Sur. June 22.
LUSCOMBE, ROBERT, butcher, Plymouth. Pet. June 7. Reg. & O. A. Pearce. Sol. Edmonds and Sons, Plymouth. Sur. June 26.
MESSER, JOHN, draper, Liverpool. Pet. June 5. O. A. Turner. Sol. Henry, Liverpool. Sur. June 27.
NEWBOLD, JAMES, coach body maker, Birmingham. Pet. June 6. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. June 19.
PARRY, HENRY, joiner, Holyhead. Pet. June 6. O. A. Turner. Sol. Goldrick, Liverpool. Sur. June 22.
SIMPSON, JOHN, butcher, Oldham. Pet. June 5. Reg. & O. A. Summerscales. Sol. Taylor, Oldham. Sur. June 22.
THOMAS, WEDGWOOD, earthenware manufacturer, Stafford. Pet. June 7. Reg. Hill. O. A. Kinnear. Sols. Challinor, Hanley; Smith, Birmingham. Sur. June 21.
WAITE, GEORGE, bootmaker, Folkestone. Pet. June 6. Reg. & O. A. Brockman. Sol. Minter, Folkestone. Sur. June 21.
WILLIAMS, DAVID, cabinet-maker, Aberystwith. Pet. May 30. Reg. & O. A. Jenkins. Sol. Jenkins. Sur. June 30.
WILLIAMS, EDWIN HENRY, artist, Silsoe, near Ampthill. Pet. June 3. Reg. & O. A. Wright. Sol. Marshall, Hatton-garden. Sur. June 22.
WILSON, ROBERT, machinist, Birmingham. Pet. June 1. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. June 19.

BANKRUPTCIES ANNULLED.

Gazette, June 6.

CHALLENGER, JOSEPH HENRY, pianoforte manufacturer, Upper Cleveland-st. Fitzroy-sq.
HATCH, WILLIAM, dealer in boots, Brighton.
MAIDLOW, JOHN, builder, Chepstow-pl. Kensington.
POUND, MATTHEW, chemist, Leather-la. Holborn.
WOLLHEIM, EDMUND, merchant, Charles-st. Westbourne-ter., and Alexandria, Egypt.

Gazette, June 9.

CARRUTHERS, JAMES, draper, Nottingham.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Attwood, C. J. gentleman, first, 3d. Turner, Liverpool.—*Barns*, J. poulterer, first, 11d. Parkyns, London.—*Brooks*, H. D. poulterer, first, 3s. 4½d. Parkyns, London.—*Goldston*, S. draper, first, 11d. Kinnear, Birmingham.—*Hicks*, C. S. draper, first, 7s. 6d. Parkyns, London.—*Hurlland*, J. miller, first, 3d. Harris, Nottingham.—*Jewed*, T. W. surgeon, second, 3s. 3½d. Parkyns, London.—*Jones*, D. colliery proprietor, second, 1s. 0½d. Acraman, Bristol.—*Kert*, G. J. photographic artist, first, 6s. Turner, Liverpool.—*Lander*, F. stonemason, first, 16s. 4d. Parkyns, London.—*Morrall*, J. J. leather dresser, second, 1s. 3d. Parkyns, London.—*Rees*, R. cabinet-maker, first, 10½d. Acraman, Bristol.—*Rogers*, E. H. tin-plate worker, first, 10d. Harris, Nottingham.—*Sparr*, F. hosiery manufacturer, first, 3s. 6d. Harris, Nottingham.—*Stevens*, S. grocer, first, 2s. 6d. Turner, Liverpool.—*Tomson* and *Tull*, fancy-box manufacturers, third sep. of Tull, 1s. 1d. Parkyns, London.—*Webb*, A. baker, first, 1s. 3d. Acraman, Bristol.—*Yarrow*, J. S. W. wine merchant, second, 1s. 3d. Parkyns, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, June 6.

CHIPCHASE, THOMAS BAMFORD, joiner, Newcastle. May 18. 10s. at 3 and 6 mos.
COTTRILL, JOHN EDWIN, victualler, Wolverhampton. May 24. 5s. by two equal instalments in 14 days and 3 mos.
D'ANDRIA, NICOLO, merchant, Manchester. May 19. 12s. by three instalments of 4s. at 3, 6 and 9 mos. from 19th Dec.—secured. Trust. W. G. Sale, solicitor, Manchester.
FOULIS, JOHN, tailor and draper, Dalton-in-Furness. May 10. Trusts. R. R. Buck, Carlisle, and G. Barker, Huddersfield, cotton manufacturers.
GIBSON, STEPHEN, grocer, Northwich. May 18. 5s. by three instalments of 2s., 1s. 6d. and 1s. 6d. in 1, 4 and 7 mos.
GODWIN, JOHN, leather dealer, Hanley. May 18. Trust. H. Allen, currier, Longton.
GRIEVES, JAMES, commission agent, Poultry. April 28. 2s. by two equal instalments in 2 and 4 mos.
GRIMWOOD, DENNIS, draper, Dudley. May 9. Trust. J. Ellerton, warehouseman, St. Paul's-churchyard.
HANSON, WILLIAM EDWARD, smallware dealer, Halifax. May 9. 9s. by three equal instalments at 3, 6 and 9 mos. Trust. J. Stott, corndealer, Edge-la. near Oldham.
HAWLEY, FREDERIC, jeweller, Regent-st. May 9. Trusts. E. T. Mackerell, Thavies-inn, Holborn, and T. Partridge, Rodney-st. Pentonville, jewellers.
HODGSON, JOSEPH JOHN, commission agent, Newcastle. May 29. Trust. J. Richardson, accountant, Newcastle.
HOWARD, WILLIAM LIDDON, and HOWARD, CHARLES LIDDON, timber merchants, Boxmoor. May 8. Trusts. E. Mills, timber merchant, King William-st., and J. H. Hale, cement manufacturer, Earl-st. Blackfriars.
INGHAM, WILLIAM, commercial traveller and agent, Oldham. May 31. Trusts. J. Dorsan, grocer, Oldham, and J. Schofield, cottonspinner, Oldham.
ISAACS, BENJAMIN, cigar merchant, Bell-st. Edgware-rd. and Lanark-villas, Clifton-rd. Maida-hill. May 6. 1s.
JONES, EDWIN, gentleman, Albany-st. Regent's-park. May 29. 5s. by two equal instalments on 29th Nov. and 29th April.
LENG, WILLIAM DUNCAN, grocer, Birmingham. May 10. Trusts. J. Meadley, grocer and provision dealer, and J. Byers, provision dealer, both Birmingham.
MORRIS, WILLIAM, sheet iron worker, Bilston. May 19. 2s. 6d. in 1 mo. Trust. S. Morris, sheet iron worker, Bilston.
OLIVER, RICHARD, watchcase maker, Galway-st. St. Luke's. May 19. Trusts. J. Brown, banker, and T. Surr, gentleman, both Abchurch-la.
PURL, GEORGE, veterinary surgeon, Bocking. May 8. Trusts. A. Fortway, auctioneer, and C. Clement, grocer, both Braintree.
SENIOR, GEORGE, joiner, Wakefield. May 6. Trusts. J. Ward and S. Brook, timber merchants, both Wakefield.
TAYLOR, JAMES, grocer, Heywood. May 18. Trusts. R. Oliver and T. T. Robinson, millers, both Rochdale.
WALSH, THOMAS, and WALSH, LUKE, provision dealers, Birmingham. May 12. 4s. by two equal instalments—first on registration of deed, and second on 1st Sept. Trust. G. Shelton, commercial clerk, Birmingham.
WATKEN, WILLIAM, contractor, Blaenavon Iron Works, Monmouth. May 6. Trusts. J. Evans, corndealer, I. Morgan, gentleman, and C. Smith, all of Blaenavon.
WATSON, GEORGE, jun., bootmaker, Brent-st. Hendon. May 8. 5s. by three instalments—and 3s. in 28 days, second and third of 1s. in 4 and 8 mos.
WHITETHORN, THOMAS, chemist, Cardiff. May 23. 10s. by three equal instalments on 1st Aug., 1st Nov. and 1st Feb. Trusts. S. Wells, colour manufacturer, and H. Collins, wholesale chemist, both Bristol.
WILKINSON, FRANCIS, letterpress printer, Manchester. May 24. 5s. Trust. R. Peel, accountant, Manchester.
WOOD, GEORGE, draper, Manchester. May 11. Trusts. T. P. Tyas, manufacturer, Manchester, and T. Hope, artificial flower manufacturer, Cheetham.

Gazette, June 9.

ABRAHAM, SIEGFRIED, merchant, Mark-la. May 15. Trust. C. C. Aemar, gentleman, Mark-la.
ALLEN, ISAAC, miller, Breaston. June 3. 5s. on 28th June. Trust. H. Platts, butcher, West Leake.
ANDERSON, THOMAS, draper, Birmingham. May 22. Trusts. J. McCutchan, jun., warehouseman, Friday-st. and J. Anderson, tailor, Middlebie.
BALDWIN, MATTHEW, painter, Sunderland. May 12. 6s. 8d.—3s. 4d. in cash and 3s. 4d. by promissory notes. Surety, J. Doxford, grocer, Sunderland.
BARBER, CHARLES ROBERT, bookseller, Bridgend. May 20. 5s. in 14 days.
BARNES, GEORGE POWELL, drysalter, Manchester. May 24. 7s. 6d. by three equal instalments—the first on demand, the second in 6 mos. and the third in 12 mos.—secured. Trust. H. Hipwell, accountant, Manchester.
BEALE, JOHN SAMUEL, surgeon and accoucheur, Porteus-rd. Paddington. June 3. Trust. J. Norton, clerk to a solicitor, Cambridge-ter. Paddington.
BEARD, JOHN JOSEPH, grocer, Portsdown-hill. May 15. Trust. J. Wainscot, accountant, Portsea.
BEECH, JOSIAH, glass and earthenware dealer, Oldham. May 16. 15s. by three equal instalments on 3rd Oct. and 3rd April next, and 3rd Oct. 1866—secured. Trusts. W. Gibson, Ashton-under-Lyne, and R. Blackhurst, earthenware manufacturers, Tunstall.
BORN, DAVID, foreign glass merchant, Tower Royal, Cannon-st. May 16. Trust. S. Landsberger, merchant, Star-alley, Fenchurch-st.
BOURNE, JOHN, grocer, Barton. June 5. 4s. on execution of deed. Trust. R. How, accountant, Luton.
BRIDGE, WILLIAM, shoemaker, Little Bolton. May 15. Trusts. T. Knowles, Great Bolton, and J. Wilkinson, Chorley, curriers and leather dealers.
BROSTER, JESSE, beerhouse keeper, Leek. May 31, 1861. Trust. U. Hudson, accountant, Leek. Sol. Redfern, Leek.
BRUFORD, FRANCIS, general merchant, Bristol. May 6. 4s.—1s. on 1st June, 2s. on 1st Sept. and 1s. on 1st Jan.—secured. Inspectors, J. E. Germaine, timber merchant, and E. G. Clark, public accountant, both Bristol.
BURROWS, ROBERT, and BURROWS, ROBERT GOODLAD, joiners, Bolton. May 12. Trust. W. Grundy, accountant, Bolton.
CARTER, JOHN, baker, High-st. Camden-town. May 29. Trusts. J. Tomlin, Compton-st. east, and A. Evans, millers, Millwall Mills, Poplar.
CAVE, WILLIAM TULL, clerk to a merchant, Coborn-row, Bow. May 29. 4s. Trust. J. Denton, gentleman, Aether-house, North Bow.
CHARLTON, PETER, tailor, Bolton. May 19. Trusts. J. Blackburn and J. Fox, cloth merchants, Huddersfield.
CHILLCOTT, ANN, spinster, Bath. May 17. 7s. 6d. Trust. E. F. Slack, gentleman, Bath.
CLARKE, THOMAS, cheesemonger, Great Titchfield-st. May 10. 4s. in 7 days.
COLEMAN, THOMAS, wine merchant, Idol-la. Tower-st. May 31. 12s. by two equal instalments at 3 and 6 mos. Trust. J. Oakley, land surveyor, Waterloo-pl. Pall-mall.
DAWBNEY, FREDERICK CHARLES, builder, Weymouth and Melcombe Regis. May 19. 5s. in 1 mo.—secured. Trusts. G. Percy, plumber, S. Brown, builder, and R. Reynolds, plumber, all Weymouth and Melcombe Regis.
DILKES, JAMES, boot and shoe manufacturer, Leicester. May 12. 14s. by three instalments of 5s., 4s. and 5s. on 1st June, 1st Aug. and 1st Oct.—secured. Trusts. J. Brown, manufacturer, and J. Brown, draper, both Leicester.
DOUGHTY, EDWIN, lace manufacturer, Lenton. May 24. Trusts. T. Ball, Esq., Bramcote, and A. Tolley, silk throwster, Nottingham.
DUFFY, ROBERT, station-master, Walton. June 3. Trust. H. Blackmore, railway manager, Farnworth.
ELMIGER, ALOIS, and MINSHULL, CHARLES GEORGE, wine merchants, Liverpool. April 30. Trust. R. S. Blease, accountant, Liverpool.
ESTLIN, EDGAR PERKINS, victualler, Liverpool. May 29. 2s. on executing deed.
EYERS, HENRY, painter, Southsea. June 1. Trust. R. Eyers, pensioner, Southsea.
FIELD, HENRY, Gloucester-ter. Kensington. May 31. 2s. by two equal instalments in 3 and 6 mos.
FOX, GEORGE, plumber, Blofield. June 6. Trust. H. Gorham, auctioneer, Norwich.
GAUTIER, FLEURY CLAUDIUS, tobacconist, Halifax. May 17. Trusts. G. Walsh, plumber and glazier, and C. Cain, watchmaker, both Halifax.
GRANT, ALFRED, engineer, Landport. May 29. Trusts. W. Miles, victualler, Portsmouth, and W. Edmonds, accountant, Portsea.
GREENHOW, THOMAS EMERSON, merchant, Fenchurch-st. May 8. 2s. 6d. on 1st Aug.
GREENWOOD, JAMES, cotton manufacturer, Pheasantford, near Burnley. May 11. To pay 5s. in the pound. Inspectors, W. Bamford and W. Jackson, cotton manufacturers, both Burnley, and P. V. Deane, commission agent, Manchester.
HARDING, CHARLES STEVENS, cabinet-maker, Salisbury. June 3. 4s. 8d. by two equal instalments in a fortnight and 6 mos.
HAWKINS, JOHN, commercial traveller, Bristol. May 18. 5s.
HAWKRIDGE, HENRY, tailor, Bovey Tracey. May 16. 6s. 8d.—5s. on execution of deed and 1s. 8d. in 6 mos.
HEARD, JAMES HENRY, builder, Redland. June 1. Trusts. G. H. Leonard, colliery proprietor, and S. Cashmore, glass merchant, both Bristol.
HILL, GEORGE NOURSE, dealer in jewellery, Offord-rd. Barnsbury. June 7. Trusts. H. T. Thwaites, accountant, Basinghall-st.
HODGES, ALFRED LEWTON, Ramsgate, and KING, ROBERT AURELIUS, Deal, merchants. Trusts. H. Strong, timber merchant, Ramsgate, and W. England, insurance broker, Great Winchester-st.

JESSON, JAMES, coal merchant, Huddersfield. May 14. 10s. forthwith.
LIZARD, GEORGE, cabinet-maker, Penzance. May 27. 1s. on execution of deed. Trust. Eliis, plasterer, Penzance.
JENNINGS, THOMAS, builder, York-rd. Lambeth. May 27. 2s. on 1st July.
JOHNSTON, WILLIAM, Manchester. June 3. 7s. 6d. by three instalments, on 10th June, 3rd Dec. and 3rd March—secured.
KEATES, WILLIAM, tailor, Cirencester. May 27. 6s. 8d. Trust. J. Smith, gentleman, Cirencester.
LAXALAY, EDWIN, painter, Ludgershall. May 23. 2s. 6d. by two instalments of 1s. 3d. on 16th Aug. and 16th Nov.
MACHIN, STEPHEN, rag merchant, Bristol. May 18. Trust. T. Cairncross, banker, Bristol.
MOSEY, SAMUEL, undertaker, George-st. Marylebone. June 7. 1s. in 6 mos.
MANN, CHARLES GEORGE, upholsterer, Bayswater. May 16. Trusts: R. Walters, Newgate-st., and W. Walker, cabinet-maker, Bunhill-row.
MCKENZIE, JAMES, plumber, Manchester. June 1. Trusts. J. G. Winder and J. J. Harrop, lead merchants, Manchester.
MCIVER, JOHN, draper, Wrexham. May 12. Trusts. J. Fraser, draper, Wrexham, and J. Black, merchant, Liverpool.
NIBLETT, JOHN, grocer, Manchester. May 18. Trusts S. Drummond, butter merchant, and J. Warburton, flour merchant, both Manchester.
PAGE, WILLIAM, grocer, Louth. May 17. Trusts C. G. Smith, grocer, and W. Tate, gentleman, both Louth.
PERKINS, REUBEN, stationer, New Windsor. May 27. Trust. H. J. Grove, grocer, New Windsor.
RICHARDSON, JOHN, and MOSES, PRIESTMAN, builders, Leeds. May 10. Trusts, J. Eastwood, brush manufacturer, and W. Stow, joiner, both Leeds.
SMITH, JAMES, and DOUGLAS, WILLIAM, merchants, London and Liverpool. May 15. Inspectors. T. M. Mackay, shipowner, and T. H. Neave, merchant, both Leadenhall-st.
SQUIRES, JOSEPH ELLIOT, solicitor, Finsbury-chambers. June 6. Trusts, R. Hawke, Esq., Liskeard, and W. L. Webb, stockbroker, Finch-la.
SULLIVAN, ANN, milliner, Liverpool. May 13. 6s. 8d. by two equal instalments, on 13th July and 13th Nov.—secured.
SYMONDS, JOSEPH HARGRAVE, gentleman, Edmonton. June 3. 2s. by two instalments of 1s. at 6 and 12 mos.
TRESIDDER, HENRY JAMES, bookseller, Ave Maria-la. May 16. Trusts G. Butler, accountant, King-st. Cheapside, J. Spicer, stationer, New Bridge-st. Blackfriars, and J. E. Adlard, printer, Bartholomew-close.
WADDINGTON, THOMAS, baker, John's-row, Bow. May 12. 6d. on 23rd Dec.
WEST, RICHARD, cigar dealer, Nottingham. June 7. Trust. W. North, accountant, Nottingham.
WHITE, THOMAS, coal merchant, Upper Grafton-st. Fitzroy-sq. May 11. Trusts, W. H. Waller, Marylebone-rd., and G. Baker, Camden-cottages, coal merchants.
WILLIAMSON, LEVI, Manchester, and FIELDSEND, JOSEPH, Manchester. May 17. Trust. J. Bromley, tea dealer, Manchester.

ERRATUM.

In Gazette June 2, George Cunliffe waste dealer, Haslingden, should also have been inserted as Trustee.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BAGGALLAY.—On the 8th inst., at Kenyon-house, Clapham, the wife of Richard Baggallay, Esq., Q.C., of a daughter.
DWYER.—On the 10th inst., at York, the wife of Edward Dwyer, of Burnley, Lancashire, Esq., barrister-at-law, of a son.
FORD.—On the 4th inst., at 10, Maitland-park-villas, Haverstock-hill, the wife of Wharton Ford, solicitor, Lincoln's-inn-fields, of a daughter.
O'BYRNE.—On the 12th inst., at Hayes, Middlesex, the wife of Robert O'Byrne, Esq., barrister-at-law, of a son.
WALTER.—On the 11th inst., at Hampton-wick, the wife of James Walter, of No. 2, Clifford's-inn, Fleet-street, solicitor, of a son.

MARRIAGES.

COX—NICOLS.—On the 12th inst., at the district church of St. Paul's, Mill-hill, by the father of the bride, Irwin Edward B. Cox, Esq., B.A., barrister-at-law, to Catherine Ann, daughter of the Rev. B. Nicols, incumbent of the district.
BEDFORD—MALINS.—On the 8th inst., at Brackley, Henry Bedford, solicitor, Amersham, Bucks, to Mary, only child of W. K. Malins, Esq., Brackley.
CLARK—KITSON.—On the 8th inst., at Leeds, Edwin Charles Clark, Esq., M.A., of Lincoln's-inn, barrister-at-law, and Fellow of Trinity College, Cambridge, to Mary, daughter of James Kitson, Esq., of Elmete-hall, Roundhay, near Leeds.
LAWES—FRASER.—On the 7th inst., at Rushmere, Henry Fricker Lawes, Esq., solicitor, Bristol, to Emma, second daughter of William Fraser, Esq., Rushmere-lodge, near Ipswich.

DEATHS.

BODENHAM.—On the 9th inst., at Staplehurst, Kent, from an accident on the South-Eastern Railway, Annie, wife of Frederick Bodenham, solicitor, Mourfields, Hereford.
NEALE.—On the 11th inst., at his house, No. 12, Friar-street, Reading, aged 63, John Neale, solicitor.
ROTTON.—On the 9th inst., aged 39, William Rotton, Esq., barrister-at-law.

In 1 vol. large 8vo., price 34s., the second edition of

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE vacancy occasioned in the Readership of Constitutional Law and Legal History to the Inns of Court by the death of J. G. PHILLIMORE, Esq., Q.C. has been filled by the appointment of THOMAS COLLETT SANDARS, Esq., of Lincoln's-inn, the learned editor of the Institutes of Justinian, which he has furnished with an English introduction, translation and notes. Mr. SANDARS was called to the Bar in Michaelmas Term 1851.

BOTH the Bills for building the new Palace of Justice have become law. Nothing now remains but to carry out the work with all possible speed. The first step will be the appointment of the commission by which it is to be superintended; the next to prepare a schedule of the requirements of such a building, which is to be done by the commission; and the third to invite competition for the plan from all the architects of Europe. It is a grand occasion for the highest art, and we should have the best the world can supply.

SIR F. KELLY'S Bill for the amendment of the *Law of Evidence* has been prudently withdrawn. The two first clauses, after some awkward amendments made, were negatived without a division, the supporters of the Bill probably voting against their own mutilated *protegée*, and then its author gracefully accepted the virtual defeat, and declined to proceed further with it. Probably, even Sir F. KELLY was not aware of the many practical difficulties that attended the proposed changes, trifling though they were in appearance, nor the grave objections that were to be set off against their undoubted advantages. Often as the subject has been treated in these pages, and by various pens, some of them amongst the foremost of our jurists and law reformers, we must admit that the debate of Friday threw fresh light upon the question, and left us doubtful of the advantages of the changes we had advocated.

The proposed admission into the witness-box of the parties in the Divorce Court is an instance of this difference between theory and practice. The now recognised principle of the law of evidence is, that the facts should be gathered from all sources, leaving to the sagacity of the judge and jury, aided by the acuteness of the rival advocates, to sift the true from the false. The adoption of this principle so far has proved completely successful, and it is a reasonable conclusion that it may be extended with equal advantage to the few cases that yet remain as exceptions to the rule. But, in truth, the circumstances that constitute the exceptions are very special. In the Divorce Court the issue is between husband and wife and another party, on a subject of such extreme delicacy that the truth could not be expected. A denial of the charge, however positive, would not be believed, and therefore nothing would be gained to innocence by the privilege of going into the witness-box, while to refuse to do so would be urged as a sort of tacit confession of guilt and would be so deemed by the jury. Thus it would be if the parties were made merely competent witnesses. But if they were to be at once competent and compellable, the result would be an enormous amount of perjury.

Similar objections were urged against the admission of the parties in an action for breach of promise of marriage, and similar answers were given, with this addition, that some speakers objected that it would induce designing women to bring actions for breach of promise of marriage, if it could be thus proved by themselves alone, so that no man would be safe; while other objectors took the opposite view, and contended that it would be a wrong to the woman seeking to heal her wounded affections with gold to subject her to such a cross-examination as a clever counsel would be sure to apply.

In this dilemma, the happy thought occurred to one of the members that the difficulty might be got over by adopting a suggestion of the LAW TIMES, with which its readers are familiar, that a promise of marriage should be subjected to the same rule as other contracts of far less importance, and required to be in writing; or rather, that no action should lie for the breach of such a contract unless it be in writing. The proposal was well received, and, as we read the result of the division, accepted and added to the clause which, thus altered, was made harmless, if not positively beneficial. But all was lost together by the entire clause being negatived, followed by the withdrawal of the Bill itself.

We cannot say that we regret the defeat of either of the two propositions that were discussed. There are manifest reasons for their being excepted from the general practice of the law of evidence. But there were other remaining provisions of undoubted utility which we regret to see sharing the fate of the questionable ones with which they were associated. These will, we hope, be reproduced in the new Parliament as a distinct measure; and as the proposal for placing the contract of marriage under the Statute of Frauds was so well received, that also should be then revived as a distinct Bill upon its own merits.

THE report presented at the General Annual Meeting of the *Law Life and Property Assurance Society* is another proof of the confidence given by the public to the institutions established by the Profession. All are flourishing because they are conducted with prudence. Indeed, Lawyers as Directors usually err in being too cautious. The Professional office now in question was stated by the Actuary to be conducted at less cost than any insurance office in London.

In addition to Life Assurance, this Society has a specialty. It assures titles; that is to say, it assures against contingencies that may affect title, such as the birth of a distant heir; it guarantees against possible circumstances that are not likely to occur, but which yet make a title unmarketable, such as the reappearance of a person who had gone abroad and not been heard of for many years, and against the nonproduction of proofs which may be very costly to procure. It is a striking proof of the caution with which the directors have conducted this branch of the business also, that upon the many policies they have issued there has not yet been a single claim. It is only surprising that the Solicitors do not more largely avail themselves of a facility for conveyancing business that might often save to themselves a vast amount of labour and anxiety, and to their clients heavy costs and possibly protracted litigation.

WE did not quite correctly entitle the Society which we last week described as having been formed for the purpose of facilitating intercommunication of securities among the solicitors. It will be seen by the prospectus of it in another page, that its proper designation is *The Solicitors' Registration Association*, and its object the registration of mortgage moneys and securities.

THE principle that a person residing in a country where he is a foreigner owes obedience and must submit to the laws and jurisdiction of that country, is not found to be conveniently applicable when the person happens to be an Englishman, or the subject of any other Christian state, residing among a people of the Mahommedan religion, or elsewhere beyond the limits of Gospel civilisation.

Many of the laws of a country not Christian are repugnant to our notions of right and justice, while the procedure on their administration and the modes of their execution are still less tolerable. Hence in such countries the Sovereign of this kingdom has obtained by treaty, capitulation, usage, or other means, power and jurisdiction over British subjects, and over others resident there who come under British protection. This power and jurisdiction, in relation to particular places, have been confirmed rom time to time by Acts of Parliament. But doubts arising how far the exercise of the power and jurisdiction were controlled by and dependent on the laws and customs of this country, the Act, known as the Foreign Jurisdiction Act was passed in 1843 (6 & 7 Vict. c. 94), declaring that it should be lawful for the QUEEN to hold and enjoy any power or jurisdiction which she then had or might thereafter have within any country or place out of the QUEEN'S dominions, in as ample a manner as if she had acquired it by the cession or conquest of territory. Under this Act it may be remembered that in 1863 a new Order in Council was issued for the government of the QUEEN'S subjects in the Sultan's dominions. It has now been found expedient to issue an Order in Council for the like purpose in respect of China and Japan, the QUEEN having the requisite power and jurisdiction in the dominions of the Emperor and of the Tycoon. We do not propose to enter into this order in much detail, but rather to record and mark its issue, more particularly for the convenience of those of our readers whose clients' shipping, partnership, agency, or other relations draw their professional attention to the extreme east.

The Order in Council provides for the hearing and determination of matters in difference not only between British subjects, but between foreigners (including the Emperor's and the Tycoon's subjects) and British subjects; also for the administration and control of the property or persons of the latter, the repression and punishment of crimes and offences committed by them, and the maintenance of order amongst them. The jurisdiction is to be exercised according to the common law, the rules of equity, the statute law, and the procedure and practice in England. A Supreme Court is constituted at Shanghai, consisting of a judge, an assistant-judge, a law secretary, and officers and clerks. The law secretary is to be the registrar, and is to act in the judge's place for despatch of urgent business, and to conduct criminal prosecutions. The consuls-general, consuls and vice-consuls are to hold provincial courts. Every male resident British subject of age, able to speak and read English, and earning in gross 250 dollars a-year, is to be qualified as a juryman. A jury is to

consist of five. Every court may promote reconciliation, and encourage and facilitate the settlement in an amicable way of any suit. Bankruptcy, coroners', admiralty, lunacy, matrimonial and testamentary jurisdiction is given to the court. Where the matter is of the value of 1500 dollars or upwards, a trial by jury may be had on demand of either party, and the court must sit with assessors. The court may cause British subjects to be apprehended and brought to trial for crime. Crimes capital or above misdemeanor are to be tried by jury. Sentences of death are to be reported to the QUEEN'S Minister in China or Japan, as the case may be, and are not to be carried out without his direction; he may commute the punishment. Trade with Japan, except to open ports, is declared unlawful; and the Minister, to avoid disturbance between the QUEEN'S and the Tycoon's subjects, may restrict the entrance or passage of British vessels into Japanese waters. If a British subject insults the religion or worship of China or Japan, he will be liable to imprisonment for two years, with or without hard labour, and with or without a fine not exceeding 500 dollars, or to a fine not exceeding that amount, without imprisonment. The jurisdiction under the Order in Council will extend to 100 miles from the coast. A power of deportation is given of a British subject who endangers the public peace. British subjects must be registered. Appeal, if the matter in question is of the value of 2500 dollars or upwards, will lie, on leave, to the QUEEN in Council, or, in ordinary phrase, the Judicial Committee. The QUEEN'S prerogative of pardon is not to be affected.

"A MAJORITY in number representing three-fourths in value of the creditors" are words in the famous 192nd section of the Bankruptcy Act of 1861 which have perplexed the courts much in the case of joint and several creditors, and more in that of secured and unsecured creditors. On the point whether a creditor holding security is or is not to deduct the value or amount of the security in order to ascertain how the creditor is to be reckoned "in value," has brought about an acknowledged conflict of judicial opinion. The Act of 1849, sect. 224, provided that a creditor should be accounted in value in respect of such amount only as, after allowing the value of mortgaged property, and other such available securities or liens, should appear to be the balance due. The omission of such a proviso in the 192nd section has furnished an argument on either side: on the one, that the proviso was left out because it was unnecessary; on the other, that leaving it out showed a change in the mind of the Legislature. The question of including or excluding creditors holding security came before the Lords Justices in *Ex parte Godden, re Shettle*, 1 De G. J. & S. 260; 7 L. T. Rep. N. S. 608; on appeal from Mr. Commissioner HOLROYD. Ibid. 366. Lord Justice KNIGHT BRUCE asked, did the context, did the general intention, did the purview of the statute, demand or justify a departure from the meaning of "creditors" according to grammar and idiom? He was unable to answer the question in the affirmative. As to inconvenience, the inconvenience of construing "creditors" not to mean secured as well as unsecured creditors would at least be as great as any inconvenience in the plain construction of the word. It was on that occasion that the Lord Justice made the remark, which was one of the causes why bankruptcy appeals were transferred to the Lord Chancellor, "Let me add, that if, as I am informed, the hope of a legislative revision of this Act taking place was expressed lately by one of the Superior Courts at Westminster, I join in that hope, nor will the revision, I trust, be narrow in its range or long delayed." This was said, alas! in Dec. 1862, and now the session of 1865 is closing, *re infecta*. Lord Justice TURNER also thought that in reckoning the proportion of assenting creditors the debts due to secured as well as unsecured creditors must be taken into account, otherwise the imperfectly secured would be left at the mercy of the unsecured creditors.

In May last year, the Common Pleas, in the case of *Turquand* v. *Moss*, 10 L. T. Rep. N. S. 574, followed the decision of the Lords Justices, the CHIEF JUSTICE observing that those two learned judges had given a judgment expressly upon the point, explaining their reasons, and the grounds which led them to that interpretation of the statute. But the LORD CHANCELLOR, in August, declared that all the doubts which had been expressed on this subject were referable to one single source, namely, a *dictum* attributed to a learned judge in a case (meaning *Ex parte Godden*), the reports of which were various, and not in all respects alike. "I do not mean," he said, "to accept that as any authority on the point, and I shall, therefore, decide that the value of the amount of the security is to be deducted, and that the residue represents the value of the debt in the view of the Legislature, as expressed in the Act of 1861." If the debt were thus reduced to nothing, still the creditor would be reckoned in number: (*Ex parte Smith, re Smith*, Ib. 803.)

Again this point has come before the court, in the Exchequer, in *Whittaker* v. *Lowe*, reported in our last number but one, p. 501. The CHIEF BARON admitted the weight of the argument, that if the secured creditors were reckoned, unsecured creditors might be at the mercy of creditors who really had no interest in the distributable assets. But he thought the court must follow the Common Pleas. Mr. Baron PIGOTT gave his judgment solely on that authority. If it were *res integra* his judgment might be otherwise. Mr. Baron MARTIN recommended a resort to the Court of Error. "We have," said he, "judgments of the Court of Common Pleas and of the Lords Justices one way, and a decision of the Lord Chancellor on the same point to the contrary." It should be remarked, however, that the question of deducting the amount of the security, and reckoning the creditor in value for the residue and as a unit in number, was not the point which the Lords Justices decided, but the absolute exclusion of a creditor holding security. This is clear from Lord Justice TURNER'S argument, and from Lord Justice KNIGHT BRUCE'S mode of putting the question: "Does that word (creditors) mean and extend to creditors holding securities, good or bad, sufficient or insufficient, as well as to those wholly without security?"

GEORGE MORRIS MITCHELL has given the Serjeant-at-Arms the slip. No wonder, as he has had plenty of notice to prepare a hiding-place since the AZEEM JAH Petition Committee first reported, on the 28th April, that he had been guilty of fabricating and procuring fabricated signatures. His keeping the House at easy arm's length is consistent with his bearing before the committee. He had not been asked half-a-dozen questions before he turned the examination on the chairman, by questioning him as to his recollection of a conversation between himself and the witness. MITCHELL'S next diversion was on Mr. STRUTT, the solicitor and parliamentary agent, who had employed him in the business: he declared that if he had known of Mr. STRUTT'S antecedents so much as he had learnt the last two or three days, he would have had nothing at all to do with him. He put in a general excuse of having had a sprained hand, and therefore of not having been able to write. "If you want any further information," he told the committee, "my clerk had better be subpœnaed." His usual mode of addressing the chairman was the familiar one of "Sir FITZROY," which the chairman bore good humouredly. MITCHELL denied the charges of having committed "some inaccuracy" as to the signatures to the petitions. He was frequently asked whether he had any statement which he wished to make in answer to the evidence against him. "I do not know what statement I can make. I had nothing to do with the petitions; I simply sent them out, and paid parties for getting signatures to these petitions. . . . My clerk had more to do with them than I had. You had better examine him, Sir FITZROY." To show that he had no time for "running about" to get signatures to petitions, he handed in some papers, informing "Sir FITZROY" that those were the works he was engaged upon. He was asked whether he would call any witnesses. "It is at your pleasure, Sir FITZROY, not at mine: it is at the pleasure of the committee." He expressed the greatest gladness at the prospect of being confronted with Mr. STRUTT, and was anxious to be permitted to show how, on account of corrections made by him in the Votes and Proceedings, he had "given rise to a little animus" upon the part of the gentlemen who compiled them. When Mr. NETHERCLIFT, the expert, testified to the similarity between the signatures and MITCHELL'S handwriting, MITCHELL tried to press the members of the committee into his service as witnesses; he wanted to ask any member to look at the signatures and say if there was any similarity. A question arose whether his solicitor, Mr. WYATT, should give evidence of a conversation with him, and whether accordingly he would release the solicitor from any objection on the ground of privileged communication; he answered that he would leave it entirely in the hands of the committee.

MITCHELL must not suppose that, if he succeeds in eluding the grasp of the House of Commons during the three or four weeks which this Parliament may last, he will therefore go scot free. It has been a standing order of the House since 1707, that when any person ordered to be taken into the custody of the Serjeant-at-Arms shall abscond from justice, the order for commitment shall be renewed at the beginning of the next session of Parliament. Even though a new Parliament be sitting next year, a breach of privilege committed against the present Parliament may be punished. This was held by SELDEN to be clear. Whether a new Parliament can renew an order of commitment by the dissolved Parliament, or must proceed afresh, is not so clear, but we presume the former is within the intention of the Standing Order. If MITCHELL be caught before the dissolution, his troubles would not necessarily end with the session. He would, it is true, be entitled to be then released, as he would on a mere prorogation, but he might be committed again on the next meeting of Parliament, that is, assuming that the new Parliament has the same power in this respect as a prorogued Parliament. The question of a new Parliament's power of commitment in relation to an old Parliament we commend to Mr. HENNESSY'S attention, in case he can make anything of the point in favour of MITCHELL.

AT last, after years of suspense, the New Courts of Justice and Offices have been brought from the unsubstantial region of commissions, motions, bills, speeches and articles, to the tangible ground of an estimate, presented from the Treasury Chambers to Parliament by Her MAJESTY'S command. The estimate is of the sum required to enable the Lords of the Treasury to make the necessary advances during the year ending 31st March 1866, for the purchase of a site, and for other expenses, for the new courts and offices; the amount of such advances to be repaid to the Consolidated Fund out of the surplus interest fund (fund B.) of the Court of Chancery. The sum required, and since voted, for the year ending 31st March next, and to be thus repaid out of the Chancery million, is 700,000*l*. This will be ample for clearing the ground, making the roadways, and getting in the foundations and basement; that is, assuming that the site can be obtained for 500,000*l*., the sum hitherto appropriated for that purpose out of the 1,500,000*l*. Let us hope that, as soon as it can be done without hardship on the two or three thousand "labourers," including "niggers" and other casual artists who abound and crowd together between Bell-yard and Clements-lane, the light may be let in from the Strand, even up to the rear of the houses in New-square. A naturalist, walking round the backs of Old-buildings in Chancery-lane and of New-square, in Carey-street, with their weedy and catacomb-like areas, their shapeless walls and mouldering woodwork, would expect to see issuing through the arches from within some nondescript race with feathered heads, like owls, or membraneous arms, like bats. The new courts will be the beginning of a law building reform north of Temple-bar. The date mentioned in the estimate looks as if the stronghold of the site itself, which has so long withstood the siege of progress, will be speedily carried by a peaceful assault of the lever and pick, in the hands of the brave Irish civilians who scale doomed walls in cities. At length poor Mrs. BROWNING, who lives, or lately lived, on the rents of seventeen houses in Boswell-court, now half tenantless through the oft-repeated threat of parliamentary notices, will be comforted. At length, fetid and fevered lanes and alleys, hiding their decay under the dust which time has gathered on them, will be replaced by a glorious temple with pinnacles glistening—but we must not go too fast. If Lord REDESDALE, like a shrewish spinster jealous of a young bride, says, "You may build your temple, but you won't have much beauty with it to boast of." He had had since the Bill was

efore their Lordships some communication with
ne Incorporated Law Society, and he was con-
inced that the estimates were insufficient. He
ought it right that the public should know
hat it had to expect. However, a "good Baker-
reet elevation would be quite sufficient for
ell-yard and Carey-street, and as to the Strand
ne best thing would be to erect a row of shops."

About the same time as the estimate was
ued, the Building and Site Bills came safe
t of the conflict between the Lords and Com-
ons on the questions, whether matters should
main at a standstill until the approaches were
rovided, and whether the late Masters' offices
Southampton-buildings should be given up to
he public in part consideration for the sums to
e paid out of the Treasury. At the end of last
eek the Commons' amendment, omitting pro-
ision for the approaches, to the Lords' amend-
ent, introducing such provision, was considered
y the Lords and agreed to; the Commons'
easons for disagreeing to the Lords' amend-
ent, withholding the Masters' offices from
he public, were considered, and the question,
hether to insist, was resolved in the negative,
nd a message was sent to the Commons to
equaint them therewith. It was scarcely
ecessary to give any reasons properly so called,
nd in fact the "reasons" amounted to little
ore than showing the Lords clearly the mis-
hief they had done. The omission of clause 22
the Building Bill, discharging the Masters'
ffice from the existing trusts, was, as was
own in this journal of the 13th May, a simple
isturbance of the financial arrangements under
hich that Bill was brought forward. The pro-
eding of the Lords was as little sensible as if
ey had passed a balanced account as balanced,
nd thrown the arithmetic wrong by striking
t an item on one side of it. The reasons
erefore sufficient to convince the Lords of their
ror, were merely—First, that by the seventh
use of the Building Bill 200,000*l.* was to be
id out of moneys to be provided by Parlia-
ent as the estimated value of the "courts and
ices" to be transferred to the Commissioners
Public Works, or to become available for
blic purposes, in which estimate the value of
offices in question was included; so that, if
22nd clause were omitted, no offices at all
uld be transferred by the Bill to the commis-
ners. Secondly, because the substance of the
posed arrangement would be materially in-
fered with, and an additional charge be
own on the public, if the clause were omitted.
irdly, because the effect would be, to leave
e value of the offices applicable for the benefit
the Suitors' Fund, and so to relieve it from
rt of the million expressed by the Bill to be
yable out of that very fund.

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e return of the business in the Land Registry
ice during the last year shows a considerable
crease. It covers the period from the 9th
ay 1864 to the 10th June 1865, and is in con-
uation of the return made in 1864, which was
ced in this journal of March 19th in that
ar. Up to the date of that return the num-
r of registrations of title was 9. The regis-
ions last year were 25, and 9 other titles are
ting only for the parties to complete the
istration. Of the 25, the largest property in
ue is one of 256 acres, worth 77,000*l.* In-
ded in the properties there are two cases of
owsons, one of tithes and seven of houses;
acreage of the remaining cases of the 25 is
ut 2200 acres, and the value of the whole of
properties 297,000*l.* Of the 9 properties
dy for registration one is set down as of 280
es, valued at 200,000*l.* The amount of the
ues of these properties is 246,000*l.* Conse-
ently the total value of the properties regis-
ed in the last year, and now ready for regis-
tion, is 543,000*l.* This is a great advance, for
to May 1864 the total value was only
,000*l.*

The number of the applications up to the date
the last return was 65; the number since that
e has been 226. The increase began sud-
ly in May 1864, and the number has been
intained during the succeeding months, with-
any observable progressive increase: 26
lications have been withdrawn, or not
ecuted with success, since the last return.
re are now 223 cases pending. Of these
e are ready for registration, as before men-
ed, 9. The title has been passed in 96, in
which the advertisements have been made,
the advertisements are ready, in 31 the
survey has been had, and in 41 the survey has
been ordered. In 37 cases the requisitions of
title are outstanding. Abstracts have been de-
livered, and the titles are in course of investi-
gation in 47. There remain 34 applications
in which the abstracts have not yet been de-
livered. A fair crop of registrations, therefore,
is promised for the year 1865-66.

With regard to the several estates which are
the subject of the applications still pending, it
has been found impossible to ascertain their
probable values, as there are no means in the
office for enabling such a return to be made.
The extent of the properties comprised in the
pending applications, as stated by the parties,
amounts to 27,059 acres: but this does not in-
clude 63 cases of houses or other properties
where the acreage is not given in the appli-
cations.

In some of the cases the progress has been
far from rapid. There are cases still pending in
which the applications were lodged in the
autumn of 1862, and 21 pending where the
applications were in 1863. The bulk of the
pending applications date, as above stated, in
May 1864 and the subsequent months, giving
an average of fourteen cases a month up to the
end of last May.

The total amount of fees received in respect
of all business done in the office since the last
return is 578*l.* Up to that time it was only
180*l.*

Some of the increase of the registry business
is doubtless attributable to the operation of the
Augmentation of Benefices Act of 1863, which
provides that, where a purchaser of an advowson
under the Act grants an annuity or gives secu-
rity in part payment, or if the Lord Chan-
cellor directs the purchase of an annuity or
freehold land out of the purchase-money, the
title may, by his order, be referred to the regis-
try-office. Besides, the Lord Chancellor may,
if he thinks fit, apply for registration of the title
to an advowson for the purpose of sale under
the Act, as any other vendor might apply.

THE COMING GENERAL ELECTION.

TWELFTH ARTICLE.

HINTS TO AGENTS.

IT should be stated that, if it be thought
undesirable to appoint committees, because of
the dangers that might arise from the incautious-
ness of any one member of them, very nearly the
same plan should be observed by the profes-
sional agents, on whom the duties will devolve in
such a case. The borough should be divided into
districts, each district should be committed to
the charge of one or more of the professional
agents, each should undertake to ascertain the
precise state of his district, in what manner every
voter has promised, and he should make a daily
return to the General Manager of the results of
each day's exertions. The District Agent will
require to be attended by a sufficient number of
messengers, and a canvass-book containing the
names of all the electors in the district, and it
will be his business to see that, on the day of
election, all friends are brought to the poll.

The next stage of the election is the nomina-
tion.

Great efforts are sometimes made to procure
the show of hands. It is a worthless expense.
Inasmuch as all present may hold up their hands
and each lift, not one hand alone, but both, and
non-electors, and even women and children, take
part in the display, it is known to be an un-
meaning farce, in no way showing the true
strength of parties, and, therefore, influencing
no one vote for or against any candidate. To
bring in persons from the country is expensive,
and the usual cause of rioting and disturbance.
We trust that at the coming election this anti-
quated absurdity will be abandoned by common
consent and the show of hands looked upon as
what it is, an empty form having no significance
whatever.

The Nomination itself needs very little con-
sideration. It is desirable to procure for your
candidate the most influential electors you can
obtain to propose and second him. They need
not be orators, for their part of the business can
scarcely be done too briefly. A nomination is
usually little more than dumb show. The motley
crowd at the hustings is either funny or furious.
It must at all events be noisy. If you are
popular, it will cheer you as much as you please;
if unpopular, it will hoot you—it will do any-
thing but hear you. If your candidate is a
novice in elections, prepare him for this sort of
reception. Tell him not to be angry nor
frightened; to fall in, as it were, with the fun of
the moment. As for his speech, he need not
trouble himself much about that. It will not
influence a single vote. Let it not be long, or it
will not be listened to. Seize the topics of the
day, judiciously mingling local topics with them;
avoid pledges as much as possible, for they are
often inconvenient to redeem, and sedulously
shun personalities. Personal hostility will stimu-
late exertions which political and party differ-
ences can never rouse.

Make no account of the show of hands; it
affords no indication whatever of the result of the
election, and this is so well known that it would
not influence a single voter. If it be against
you, demand a poll, and then let the intervening
hours be devoted, without rest, to making ready
for the real fight that is to determine the victory.

A perfect organisation should be your first
care. Let your machinery be in complete work-
ing order, every contingency anticipated and
provided for before the polling begins.

Your central committee-rooms should be so
arranged that the Manager, with two or three
trusty clerks, should have an apartment sacred to
themselves, but having access by a door to a
larger outer room, in which the committee
should assemble, and other *distinct* rooms should
be devoted to the messengers and persons em-
ployed or volunteering their services.

The Manager should not quit *his* room for a
moment during the polling.

He should have before him the committee
register book before described.

A register of electors ruled in the margin for
the votes returned.

Ruled sheets on which to copy the returns
from the polls, that the numbers polled may be
ascertained at any moment.

A quantity of paper cut into convenient slips
for notes and memoranda.

Each district committee-room should be sup-
plied with half-a-dozen registers of electors. A
list of all the voters in the district, with their
promises, &c., and the manner in which they
should be approached; in fact, a copy of the
committee register.

Paper cut into slips for notes.

A sufficient number of messengers should be
in attendance.

A steady man should be appointed as CHECK
CLERK at each polling *booth*.

At each polling place there should be an
INSPECTOR, who should be a Solicitor.

The business of the INSPECTOR will be to repre-
sent the Candidate there; to see that all is con-
ducted legally and fairly; to thank the voters
that poll for his Candidate; to require the ques-
tions as to identity, and not having before voted,
and, if needful, the oath of identity, to be put to
any person tendering a vote of whom he has
ground for suspicion.

The business of the CHECK CLERK will be to
record the votes as they are polled. For this
purpose he should be supplied with a book ruled
in tabular form and headed thus:

CHECK CLERK'S BOOK.

Polling Place, No. 1. Booth A. Name of
voter. How polled.

This should be ruled with an even number of
lines: say ten in a small, twenty in a large
borough, so that, when filled, it may be seen,
without the trouble of counting, how many names
are upon it. At the foot there should be a state-
ment of the hour of despatch, and the name of
the messenger by whom it is sent, and the signa-
ture of the Check Clerk. A counterfoil should
preserve the name and hour, and if pos-
sible the total number of votes for each candi-
date there contained. The leaves should be
previously numbered consecutively, so that the
loss of any one may be at once discovered.

Trusty messengers should be appointed to each
polling-booth to attend the Check Clerk and carry
his lists to the committee-room.

Such are the preliminary preparations for the
polling, and if these be well ordered there will be
no interruptions of the all-important business of
the day—the bringing up of the voters to the
poll.

There are a few other matters to be looked to
immediately before the polling, which may be
conveniently noted now.

This is the season for tampering with voters
open to conviction if the argument be strong
enough. It is necessary to keep an eye on the
movements of the opposition, either to counter-

act any such endeavours, or, if that be impossible, to collect proofs of corruption that may be used for a petition in case of defeat. If it is ascertained that work of this kind is going on, it is good policy to set a trap for the enemy by sending a trusty man to receive the bribe, which should be brought to you, and carefully preserved in specie for future production. Although the seat is not lost by bribery not brought home to the sitting member or his agent, the parties are subject to a heavy penalty, as well as to indictment for a misdemeanor. But neither of these penal remedies are much resorted to, for usually all parties are equally guilty, and neither dares to lift the first stone. It would be so easy to retaliate.

If there are friends of your candidate who have influence with any voters, you should urge their attendance on the day of polling to assist in bringing up the voters to the poll. A list of these should be made out, and letters addressed to them three or four days before, requesting their presence at the committee-room.

So, also, you should make early arrangements to procure the attendance of all out-voters. Assured friends can be brought down by letter; but if there be any doubtful or hesitating, instruct some friend in the neighbourhood to see them sent forth upon the journey. This duty should be the special care of a confidential clerk. The actual expenses of such a journey may be paid.

It is lawful to employ messengers, but no more than a *reasonable* number, and it will be for the committee to determine what that is. One hundred and eight in a constituency of 1200 has been held to be an *unreasonable* number, and the member was unseated. But, although electors cannot be employed, there is nothing to prohibit the employ of the sons and relatives of electors. In a close contest, a great many assistants are actually required, especially on the day of polling, as they may be wanted to be scattered over the whole borough to bring up the voters.

If the borough has outlying districts, carriages must be provided to bring the voters to the poll, and these should be hired and their routes appointed two or three days before the polling. Besides the carriages having a fixed route, two or three should be stationed close to the committee-room, ready to be dispatched at a moment's notice to any quarter where voters are to be looked for.

THE NEW PRACTICE IN CRIMINAL COURTS.

(28 Vict. c. 18.)

(Continued from page 400.)

In resuming our consideration of Mr. Denman's excellent statute, "An Act for amending the law of evidence and practice on criminal trials" (28 Vict. c. 18), we will at once dispose of the question of whether or not the enactment applies to charges of felony and misdemeanor determinable upon summary conviction? by expressing our opinion that so much of the second section which (as we have already seen) is the one providing for the speeches of the parties upon the trial, does *not* apply to such charges. True it is, that the enactment does not in terms confine the operation of the section to the trial of felonies and misdemeanors *upon indictment*, and that the first section makes the second section applicable to every trial for felony or misdemeanor, which, broadly construed, would, if this were all, bring within its operation trials for felony and misdemeanor before justices at petty sessions; but when it is seen that the second section speaks of the counsel for the prosecution (in the event of the counsel for the prisoner not announcing his intention to adduce evidence) being "allowed to address *the jury* a second time in support of his case," little doubt can be entertained that the provisions of the second section are not applicable to trials for felony and misdemeanor, by way of summary conviction at petty sessions.

The first portion of the second section refers to the right conferred upon the counsel for the prosecution to sum up his evidence in a second speech to the jury. This right, it will be seen, is not of universal application; it is to be exercised only in the event of the prisoner being defended by counsel, and such counsel not (upon being asked by the presiding judge) announcing his intention to adduce evidence; so that, should the prisoner *not* be defended by counsel, the counsel for the prosecution will have no right whatever to this second speech, nor will he have it in the event of the counsel for the prisoner announcing his intention to adduce evidence, but in this latter case he will have a general reply.

The second portion of the section deals with the rights of the prisoner with reference to a second address to the jury, and it gives him or his counsel this right in every case in which he adduces evidence.

In the working of this section we anticipate that at first some little difficulties will arise which have not been anticipated. Thus, suppose two parties are indicted in the same indictment, one for stealing, and the other for receiving, and the counsel of the party charged with the larceny announces his intention to adduce evidence, and the counsel for the party charged with receiving does not, what will be the position of the counsel for the prosecution? Will he have a right to sum up as against the receiver, and (because the principal has adduced evidence) be entitled also to a general reply? If he is to have a general reply, the position of the party charged with receiving will be much prejudiced, and the altered state of the law will be a serious grievance to him; on the other hand, if no general reply is to be allowed, the position of the prosecutor will be in like degree prejudiced. In the one case there will be a reply upon one of the parties, though he has adduced no evidence, and in the other there will be no reply, although one of the parties *has* adduced evidence. It is possible that under these circumstances the rule of practice at present in operation may be adopted, as laid down in our text-books, namely: "If two prisoners are indicted jointly for the same offence, and one calls witnesses, it seems that the counsel for the prosecution is entitled to a general reply; but if the offences are separate, and they might have been separately indicted, he can reply only on the case of the party who had called witnesses."

With reference to the calling of witnesses to character merely, we apprehend that the practice as at present will remain unaltered, and that such evidence will still form an exception to the general rule, and will neither confer the right of a second speech, nor entail the consequences of a reply.

Upon reference to the first section it will be seen that the provisions of sections from three to eight inclusive, are to apply to all courts of judicature as well criminal as all others, and to all persons having by law or by consent of parties authority to hear, receive, and examine evidence. These eight sections therefore will be applicable to proceedings before justices at petty sessions, and it will be well therefore that they should be duly considered by the magistracy. These sections are for the most part similar to sections 22, 23, 24, 25, 26 and 27 of the Common Law Procedure Act 1854" (17 & 18 Vict. c. 125). We do not purpose referring to these sections in detail, nothing of difficulty suggests itself with reference to them, and indeed they have already been too long in operation in civil causes to render any exposition of them in this place at all requisite.

Such, then, is this enactment, which we hail as a great step in the improvement of our criminal law—a step which, though it may have a tendency to lengthen the time occupied in the trial of parties accused, no one who desires to see perfect fairness prevail can hesitate for a moment to admit has been wisely and worthily taken.

BONA NOTABILIA.

Judicial Sayings.

Selected from the Reports by J. M. S. G. Schank, Notary Public.

No. XXXVIII.

Lord Eldon.—He took time to consider the case of *Fenton* v. *Fenton*, 7 Ves. 287; for I see by the mode in which it is reported that he gave his judgment on a subsequent day. His judgment is very elaborate. I think I may safely appeal to the gentlemen whom I now have the honour of addressing whether any judge ever sat in any court whose mind was fuller of principles, however narrow the lines of his decisions might sometimes be, yet who took a more enlarged and discursive view of the whole of the case, than my Lord Eldon? Lord Eldon was not a case lawyer only; he was deeply imbued with the principles of law, both of common law and of equity: any judgment of his, whatever effect it might have as a precedent, perhaps somewhat narrowed by his great anxiety to individualise cases, yet is a very instructive judgment to those who wish to learn. I well remember when that noble and learned lord first sat as a judge at common law, that the impression which he made upon my mind when he summed up a case to the jury was, that, if in some cases he made distinctions too numerous and too refined, which might perhaps perplex a jury not accustomed to legal discriminations, he was a most admirable judge in all cases [illegible] illustrating every point and giving due effect to every argument suggested by the counsel [illegible] the case before him, on the one side and on the other: (*Lord Abinger*, C. B., 5 L. J. Rep. N. S. [illegible] Ex. Eq.)

Joanna Southcote, from her writings, was a very sincere Christian; but she laboured under the delusion that she would be made the medium of a miraculous birth of a child at an advanced period of her life, and that thereby the advancement of the Christian religion on earth would be promoted. But her works, as far as I have looked at them, contain but little upon this subject, and nothing which could shake the faith of any sincere Christian. In truth, though her works are in a great measure incoherent and confused, they are written obviously with a view to extend the influence of Christianity, and I cannot say that a bequest of a testator to publish and propagate works in support of the Christian religion is a charitable bequest, and at the same time say that, if the testator should select for this purpose some three or four authors whose works will produce that effect, such a bequest thereupon ceases to be charitable; neither can I do so if a testator should select one single author whose work he thinks will produce that result. If a testator were to leave a fund for the purpose of propagating at a very reduced price the religious writings of Dr. Paley or Dr. Butler, I should be of opinion that the bequest was charitable in its character. I must hold the same in respect of what the testatrix has called the sacred writings of Joanna Southcote: (*The Master of the Rolls*, 31 L. J. Rep. N. S. 769, Chan.)

INVESTMENT JOURNAL.

The report is still of extreme abundance of money for which no profitable employment can be found. As usual in such circumstances, speculators are busy trying how they can win it from the grasp of the holders, and a multitude of new companies have made their appearance, and a still greater throng is coming. The reduction of the Bank rate of interest is only an indication of the actual state of things. [illegible] with the world at peace, commerce must soon [illegible] and then there will be a legitimate demand for money and its value will rise again as high as, [illegible] perhaps higher. The fluctuations are as follow:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.
Bank of England Stock	244½	...	245	[illegible]	[illegible]
3 ⅌ Cent. Red. Ann.	89½	89½	89½	[illegible]	[illegible]
3 ⅌ Cent. Cons. Ann.	90⅛	90⅛	90⅛	[illegible]	[illegible]
New 2½ per Cent. Ann.	...	...	...	...	[illegible]
Do. do. Jan. 1894	...	...	72	...	[illegible]
New 3 ⅌ Cent. Ann.	89½	89½	89½	89½	[illegible]
New 3½ ⅌ Cent. Ann.	...	...	...	...	—
5 ⅌ Cent. Annuities	...	...	...	...	—
5 ⅌ Cents. Jan. 1873	...	...	...	...	—
Ann. 30 yrs. exp. April 5, 1885	...	...	14⅛	...	—
Do. exp. Jan. 5, 1880	...	...	...	...	—
Red Sea Tele. Ann. 1908	...	...	...	...	—
Bank Stock, for Acc.	...	...	...	...	—
Consols for Acc.	90¼	90⅜	90¼	[illegible]	[illegible]
Consols 3 ⅌ Cent. for Ac.	...	...	...	...	—
India 5 ⅌ Cent. for Acc.	...	...	...	...	—
India Stock	...	...	...	...	—
India Stock, 1874	shut	shut	shut	...	—
India 5 ⅌ Cents.	...	...	...	...	—
India 4 ⅌ Cents. 1888	...	...	...	—	
India 5 ⅌ Cents. 1870	104½	104½	...	104½	[illegible]
India Bonds (1000l.)	...	...	...	...	
Do. (under 1000l.)	...	...	...	...	
India Debentures, 1862	...	...	...	...	—
Do do. 1864	...	...	...	...	—
Do. do. 1866	100½	...	...	...	—
India Enfaced Paper, 4 ⅌ Cent.	...	...	...	...	[illegible]
Do. do. 5 ⅌ c. Jan. 1872	...	...	...	...	
Do. do. 5½ ⅌ c. May 1879	...	...	...	...	
Ex. Bills, 1000l.	*a*	*b*	...	*c*	
Do. 500l.	*a*	...	*d*	*c*	
Do. 100l. & 200l. 3 ⅌ c.	*a*	...	...	*d*	—
Do. Small, & 3 ⅌ c.	...	...	...	...	—
Do. Advertised	...	...	...	...	—
India Certificates	...	...	...	...	

a 3½ per cent. 2s. 5s. pm. | *c* 2½ per cent. [illegible]
b 3½ per cent. 3s. 3s. pm. | *d* 3 and 3½ per [illegible]

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

COURTS OF JUSTICE CONSOLIDATION SITE BILL.

On the order of the day for the consideration of the Commons' amendments to this Bill, the Lord Chancellor said that on its third reading his noble friend (Lord Redesdale) moved an amendment, which their Lordships passed, to the effect that no step should be taken to secure property, and that no contract should be entered into for the erection of the proposed Palace of Justice, until the plans and estimates had been submitted to and sanctioned by Parliament. The Commons had consented to

ion in the provisions of the Bill in that re-
so far as that proceedings should be stayed
a certificate had been received by the Trea-
signed by all the commissioners, which he
ht would meet the views of the noble lord.
roved, therefore, that the Commons' amend-
be agreed to.——Lord REDESDALE said, that
the Commons had consented to was a com-
admission that the matter required serious
tigation, and he had full confidence that the
ission would do its duty in that respect. He
ad since the Bill was before their Lordships
communication with the Incorporated Law
ty, and he was sorry to find, from their views
e subject, that the country would probably
bjected to a very much larger expense than
an which had been named, if it were desired
ve anything which would be worthy of the
of "a Palace of Justice." They told him
the estimates were made for the plainest pos-
building, that it would be impossible to take
itors' money for ornament, and that if the
try wanted that sort of thing the money for it
be sought elsewhere; and that as to the
nches, they had nothing to do with them, as
Metropolitan Board of Works would see to
. He (Lord Redesdale) was convinced that the
nates were insufficient, and he thought it right
the public should know what it had to expect.
e was, however, one thing to be said—a good
e-street elevation would be quite sufficient for
yard and Carey-street; and as to the Strand,
est thing to do there would be to erect a row of
s and put the building behind it, in order to
e somewhat more quietude for the business of
ourts.——Lord DENMAN said that a more ex-
gant, speculative and absurd plan had never
heard of; and as for its architectural preten-
, it was impossible to make it anything better
a bad imitation of the Four Courts at Dublin.
The motion was then agreed to.

COURTS OF JUSTICE BUILDING BILL.

e Commons' amendments on this Bill were
rise agreed to.

THE STATUTE LAW REVISION.

e LORD CHANCELLOR, in laying on the table a
for completing the revision of the statute law
expurgation of the statute-book, said that the
tes of the realm were at present in forty-four
to volumes. The Bills presented by him on
er occasions, which had passed into law, carried
evision and expurgation down to the reign of
s II. inclusive, and the Bill which he had now
nour to present completed the entire work of
ion. He was happy to say that if this Bill passed
a law, the new edition of the whole of the living
tes which would follow would probably be com-
d in ten volumes only of the same average size
e present. This, however, was by no means
nd of the work. The next step would be to
ge the statute law in the form of a digest under
most appropriate heads, forming a complete
ytical arrangement, and then to revise and ex-
ate the unwieldly and still increasing mass of
lecided cases, reducing them to such as consti-
d the body of existing authorities, and which
t in their turn be digested and arranged. Their
lships would be glad to hear that the House of
mons had voted a sum of money for this pur-
, and he trusted that the work would go on suc-
ally, until the whole of the written and un-
ten law was ascertained, seduced into order,
brought within a reasonable compass,——The
was then read a first time.

PETITIONS.

he BISHOP of OXFORD presented petitions from
clergy of various deaneries in the diocese of
rd complaining of the present composition of
final court of appeal in ecclesiastical matters,
ing that it may be amended, and that the spiri-
element be eliminated from it. Also a petition
the clergy of the deanery of Buckingham for
lteration of the law by which they are required
ad the burial service indiscriminately over all
ons. Likewise a petition from the guardians of
Headingham Union in Oxford, against the ap-
tment of Roman Catholic or Protestant dis-
ing chaplains in workhouses.

ROYAL COMMISSION.

he Royal assent was given by commission to the
owing Bills, viz.:—Commissioners of Supply
otland); District Church Tithes Inclosure (No 2.);
ncaster Court of Chancery; Married Women's
perty (Ireland); Pilotage Order Confirmation;
mmon Law Courts (Fees); Local Government
plemental (No 3); Dogs Regulation (Ireland);
rts of Justice Concentration (Site); Courts of
tice Building, Militia Ballot's Suspension Militia
.

DELAY IN THE NEW COURTS OF JUSTICE BILL.

iscount DE REDCLIFFE presented a petition from
Brownley, a lady who possesses seventeen free-
houses in New Boswell-court, within the pro-
d new site of the proposed new courts of justice
ncoln's-inn-fields, complaining of loss in conse-
ce of the delay in going on with the scheme. It
our years since she first received notice that her
property would be required, and she could since find no tenants in consequence. The prayer of the petition was supported by Lord Chelmsford, and the LORD CHANCELLOR said that the case was worthy of consideration, but he could not see well how it could be met.

HOUSE OF COMMONS.

CAPITAL PUNISHMENT.

Mr. HIBBERT asked the Secretary of State when it was probable that the report of the capital punishment commission would be presented to Parliament.——Sir G. GREY said the report was still under consideration, and he was unable to state when it would be presented.

FORFEITURE FOR TREASON AND FELONY BILL.

The ATTORNEY-GENERAL, in reply to a question by Mr. C. FORSTER, said it would not be possible to proceed with the Bill during the present session. Great difficulty had been experienced with regard to the working machinery of the Bill, but he trusted the difficulties would be overcome before the commencement of another session.

STAMP DUTY ON HIGHWAY CONTRACTS.

Mr. TREFUSIS asked the Chancellor of the Exchequer whether contracts for the maintenance and repair of highways were liable to the stamp duty of 1*l.* 15*s.*; and if so whether, considering the heavy additional expense thereby entailed upon highway boards, he would consider the advisability of reducing the amount of duty payable upon such contracts.——The CHANCELLOR of the EXCHEQUER believed there was some doubt as to the actual state of the law, but the practice had been to assume that these contracts were not liable to a stamp duty of 35*s.* There was no great reason why they should be so liable, and if they were liable the liability arose entirely out of technical considerations. In order that they might be put upon a more favourable footing, he intended, on bringing up the report of the Inland Revenue Bill, to move the insertion of a clause providing the stamp duty should not exceed 6*d.*

PATENT LAWS.

Mr. LOWE inquired if the noble lord opposite (Lord Stanley) intended to take any steps with reference to the report of the patent law commission.——Lord STANLEY said the commission, which was appointed three years ago, was confined and restricted with regard to the scope of its inquiry. It was not appointed to inquire into the principles on which the patent law was founded, but simply to inquire into the working of the existing patent law and to suggest any remedy which might be desirable. The report of the commission, which was before the House, suggested various amendments in the details of the law. But having heard a great variety of evidence, and having fully considered the subject in all its bearings, the effect upon his mind had been to raise a very serious doubt as to whether the principle of the patent law was one which it was expedient to maintain. That was also the impression left on the mind of the hon. and learned member for Belfast, and he believed also on the mind of the member for Bradford. There was a preliminary question which he thought it would be desirable for the House to discuss—namely, whether the principle of the patent law should be maintained. If the House decided in favour of the maintenance of that principle, then he thought the recommendations of the commission might be beneficially introduced.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

ARBITRATION—DUTY OF ARBITRATOR.—It is the duty of an arbitrator to decide fully and finally all the questions submitted to him, and an award that disposes of some and leaves others undecided, or in doubt if they were decided, cannot be maintained. Evidence before an arbitrator should be taken upon oath, unless both parties distinctly consent that it shall be otherwise taken: (*Wakefield* v. *The Llanelly Railway, &c., Company*, 12 L. T. Rep. N. S. 509. L. JJ.)

TAXATION OF A SOLICITOR'S BILL.—Two of the directors of a company guaranteed it against "all liability in respect of preliminary expenses, whether for solicitors', or brokers', or agents' charges," &c. The directors employed a solicitor and requested him to send in his bill by a named day. He said his account was a long one and would take some time to make out, and he could not get a proper bill ready by that day; but he sent the amount claimed, which was ordered by a general meeting to be paid. One of the guarantors paid to the company his proportion of the bill, but the other objected to the payment and took out a summons to have the bill taxed. The Court refused an order for taxation:

The first question is, whether the bill can be taxed as against Mr. Massey? I am of opinion that it cannot. I so expressed myself at the time of the argument, and I stopped Mr. Jessel on that point. Mr. Massey was retained by the directors and not by Mr. Waters. The directors were Mr. Massey's clients, and Mr. Waters was not. It was, therefore, quite competent to the directors, who were the clients, to settle with Mr. Massey the amount of the bill. They took from him an account of the entries in his day-book and diary, with the charges there left in blank; they received and listened to his explanations, and having done so they agreed to give him 1300*l.* in full satisfaction of his claim. I am of opinion that clients are bound by a proceeding of that description, and that they cannot require the delivery or taxation of any bill from Mr. Massey after that. The next question is this: can Mr. Waters in that state of circumstances require the bill of Mr. Massey to be taxed as against the directors who have paid it, or require a new bill to be delivered and taxed? There is no question but that he can do so in a proper proceeding for that purpose. I see nothing amounting to acquiescence on his part in the course that has been adopted by the directors; nor do I think he was bound by their acts, although he was a director and had notice of their proceedings. If a bill were filed by him, and the facts were not varied from what they now appear, I am of opinion that he would be entitled to an account of the moneys properly paid on his account or for his use; and that in such a proceeding the directors would have to prove that the sum of 1300*l.* paid by them was properly paid. In other words, in my opinion, a bill from Mr. Massey would have to be submitted to be moderated by the taxing master; and the amount at which the taxing master would fix it would be all that Mr. Waters would be required to pay the directors. But that does not determine the question that was argued before me, viz., whether the effect of the 38th section of the 6 & 7 Vict. c. 73 is that, when a solicitor's bill cannot be taxed as against the solicitors, it can be taxed as against the trustees of the party seeking the taxation, and who have paid it? [The M. R. then read the section as above stated, and continued:] The words of that clause are certainly rather obscure; but they seem to me to point to the case only of the taxation of the bill against the solicitor, and not so to give any jurisdiction under that Act against the trustees as to dispense with a bill in equity. Certainly several orders to that effect have been made by me; but they seem, so far as the question of jurisdiction is concerned, to have been made by the consent of the parties to them. In *Re Fyson*, Lord Langdale said: "Then comes the question, is there a sufficient amount of overcharge made out here? First, it is to be observed that the petitioner has fallen into a mistake which has been of a very frequent occurrence. Mortgagors think that where they call for a taxation of a mortgagee's solicitor's bill, they have a right to alter the relation of solicitor and client, and are not bound to pay more than the mortgagees could establish against them, the mortgagors. There is nothing in the Act of Parliament which warrants that notion; and it is not so. The bill may be taxed at the instance of the mortgagor, who is liable to pay it; but it is the bill between the mortgagee and his solicitor, and the mortgagor desiring to tax it must do so on the condition of paying what is due to the solicitor from his client the mortgagee, which, possibly, is more than the mortgagee, if he had paid it, could have recovered over from the mortgagor. The mortgagor asking taxation against the solicitor has merely the right to tax the bill as between the solicitor and his client the mortgagee." If, therefore, Mr. Waters can only stand in the place of the directors under the statute, which seems to be the effect of Lord Langdale's words, I am of opinion that he cannot tax this bill, because the directors themselves could not have taxed it, as it was impossible to have pointed out any special circumstances which would have entitled them to do so. The observations of Lord Langdale show that, except as against the solicitor, the clause does not apply. Again, in *Re Harrison*, Lord Langdale makes this observation: "This petition is also misconceived in this respect: it proceeds on the notion that a mortgagor, having settled an account with the mortgagee, and paid the bill of of the mortgagee's solicitor, is entitled in this jurisdiction, by petition, to quarrel with the account so settled; and to tax the costs of the solicitor, not as between him and his client, the mortgagee, but as between the mortgagor and mortgagee; and further, that if charges be found in the bill of costs which the mortgagee could not maintain in an account between him and the mortgagor, they are to be disallowed; such a notion is entirely erroneous; so much of this petition as depends on this point falls to the ground." It is true that that case has been very strongly disapproved of by all the judges in the Court of Exchequer in *Re Dearden* (*ubi supra*); but not on this point, which did not arise there. The same principle was enunciated by Lord Justice Turner in the case of *Ex parte Dickson*. I can find no case that lays down the opposite rule, unless indeed it can be gathered from my decisions in *Re Jesson* and in *Re Baker*. But so far as the observation which fell from me in those cases may be construed to establish that a bill can be taxed, under the 38th section, against the trustees, without the solicitor having any interest

in such taxation, I am of opinion that they give a wider extension to the scope of the 38th section than the words of the section seem to warrant, when examined in conjunction with the cases to which I have referred. At the same time it cannot but be evident that the effect of the decision is to reduce the 38th section to a narrow operation; for all the cases concur in this, that the *cestui que trust* can only tax the solicitor's bill as his clients, the trustees, could have done: and if they knowingly, and after having due time to consider the bill, think proper to pay it, unless some of the items in it are fraudulent in the strict criminal sense of the term, the trustees are precluded from taxing the bill, however improper it may be, short of the fact that it may contain such fraudulent items, in which case the *cestui que trust* is necessarily driven to file his bill in equity to obtain relief. I consider, however, that I am bound by the decisions to which I have referred; and I must accordingly dismiss this summons.

(*Re Massey*, 12 L. T. Rep. N. S. 519. M. R.)

COUNSEL.—Counsel have discretion in the conduct and settlement of a cause in court; consent to a nonsuit, though against the protest of the clerk to the attorney, was held to be within his authority: (*Lynch* v. *Cowell*, 12 L. T. Rep. N. S. 548. Crompton, J.)

COURT OF QUEEN'S BENCH.

Thursday, June 8.

Ex parte THE CLERK OF THE PEACE FOR THE COUNTY OF KENT.

This was an application on the part of Mr. Wilder, late clerk of the peace for the county of Kent, with a view to his restoration to the office from which he had been dismissed by the magistrates at quarter sessions. By the statute 1st William and Mary, c. 5, it is enacted that if the clerk of the peace "misdemean himself in the execution of his office, and complaint in writing is made, the justices may remove him from his office." And the magistrates had professed to remove him on the ground that he had "misdemeaned himself in the execution of his office" by wilful disobedience to their orders at a court of quarter sessions. There had been a dispute between him and them as to the allowance of certain fees; as to which there was an application to this court in a previous term. A Mr. Scudamore conducted the case on behalf of the magistrates and sent in a claim for 169*l.* for costs, which was in the usual way audited and ordered to be paid by the treasurer. The order was presented to the clerk of the peace to be entered, and he declined to enter it on the ground that it had not been presented to the court in the usual way in detail but only in general, and that a great part of the costs related to the dispute arising on their disallowance of his fees, and he wrote to that effect to Lord Romney, the chairman of quarter sessions, ending thus: "It is therefore my duty not to enter upon the proceedings of the court the order for payment of this charge, but to report to the next court of quarter sessions on the subject." Upon this Mr. Scudamore wrote to him that the bill had been specially brought under the notice of the court, and signed by three justices, and that the order for payment had been regularly made, and that he was directed by Lord Romney to request that it be regularly entered. The clerk, however, still refused to enter it, and the matter came before another sessions; and the chairman in open court said to him, "I understand you still refuse to enter the order?" To which he answered "Yes," and at the same time he handed in a written paper, setting forth his reasons. In the result he was dismissed, and now made the present application with a view to his restoration.

Bovill, Q.C. (with him Mr. Gates) moved on his behalf for a *certiorari* to bring up the order of dismissal, with a view to its being quashed, on the ground that there was no evidence to enable the magistrates to exercise their admitted jurisdiction to dismiss him upon due proof of his misdemeaning himself in his office. No doubt the magistrates had jurisdiction to dismiss him for such cause, and if he wilfully disobeyed their orders, as a court, in the execution of his duties, it would be misdemeaning himself in the execution of his office, for which they might dismiss him. But then there must be some facts upon which such disobedience must appear to have been wilful and contumacious, and here there was none, for it might be that he was conscientious in his reluctance to enter the order, from a doubt as to its legality and a desire to have the further direction of the court. Moreover, there was no formal order to enter the order, and no consideration of his reasons.

The COURT, however, thought that there were sufficient facts upon which the magistrates might fairly infer that his refusal to enter the order was contumacious. In his letter to the chairman of quarter sessions he himself alluded to the previous dispute, and made it one of the reasons of his refusal. From that it might be fairly inferred that the real reason of his refusal was not any doubt as to his duty, but a feeling of resentment at the former proceeding; and at all events, if the question was as to whether the refusal was wilful or contumacious, that was a question for the magistrates, in the exercise of their jurisdiction under the statute, to decide, and upon which there was no appeal from their decision. It was enough that there was any evidence upon which they could so decide, and it was impossible to say that there was none. There might be more or less of disobedience, but it could hardly be said that he had not disobeyed their order; and the nature of the disobedience it was for them to decide on the evidence. At all events the court could not upset their decision in this summary way on a mere motion for a *certiorari* to quash the order. The office was a freehold, and if there was no jurisdiction to dismiss him there was another and more proper remedy; and if there was any evidence on which to exercise the jurisdiction, the court could not grant the *certiorari*. Assuming that there was any evidence on which the justices might find disobedience, the court would certainly not set aside their decision summarily on a mere motion. There ought to be some proceeding—a *mandamus*—on which there might be a trial before a jury on a disputed matter of fact, or an appeal to a court of error on a question of law, whereas, on a motion for a *certiorari*, or to quash the order, there could be neither the one nor the other—neither a trial by jury nor an appeal to a court of error. It was a very grave question whether a *certiorari* would be the proper remedy in such a case, even if there was any remedy at all by way of appeal from the magistrates. In the present case certainly there was no ground for the application, for there was certainly jurisdiction, and certainly evidence on which the magistrates might decide. They were to decide the matter, and there was no appeal from their decision. As to the order, it was not necessary that it should be formal to create a case of wilful disobedience. In substance, it could not be said that there was not evidence of a wilful disobedience of their order. The application, therefore, must be refused.

Thursday, June 15.

Re PIKE (formerly an Attorney).

This was another application to re-admit Mr. Pike, formerly an attorney, and then a member of the Bar, but disbarred some twenty years ago for professional misconduct, not involving any moral culpability, but only a breach of professional propriety in retaining a connection with the business of an attorney. In Hilary Term last there was a similar application, on which occasion he stated that he had been engaged since his exclusion from the Bar in assisting his father in the business of a "law and general agency," and that since his father's death he had endeavoured to maintain his family by carrying on such business on his own account. On that occasion the Court declined to accede to the application, but the Lord Chief Justice said: "If the applicant can satisfy us, by the evidence of trustworthy persons, that, whatever the business may have been in which he has been engaged, his conduct and character have been unimpeached and unimpeachable, we should be disposed to listen to the application." He had since then filed an affidavit, excusing himself from producing testimonials, either from persons with whom he had been engaged in business or from tradesmen, &c., on the grounds that he had carried on business until recently only as clerk to his father, and that he had lived in great seclusion; but he positively swore that his conduct had never been impeached in any respect since his exclusion, and he verified letters from the Master of the Rolls and the Lord Chief Baron, and also from a Mr. Joliffe, a member of the Bar, and Mr. Cox, of the firm of Cox and Willoughby, solicitors. The letter of the Master of the Rolls stated that, so far as he could recall the matter on which he had been excluded from the Bar, there was nothing in it which should for ever preclude his re-admission as an attorney. The letter of the Lord Chief Baron ran thus: "I think that the length of exclusion from both branches of the profession which you have suffered has probably lasted long enough."

Stammers, upon these materials, now moved again for the applicant's re-admission to practise as an attorney, and with much earnestness and feeling pressed upon the court that his exclusion ought not to be for life.

Garth, who appeared on the part of the Incorporated Law Society, did not oppose the application, but merely read what the Lord Chief Justice had said on the last occasion, and submitted whether the applicant had sufficiently complied with the requisitions which the court then laid down, or sufficiently excused himself for not so doing.

The LORD CHIEF JUSTICE (after a little consultation with his colleagues on the bench) said:—I think we may now accede to the application. We were desirous of being satisfied that the applicant had conducted himself with propriety, and were anxious to give effect to the feeling which we have that the same character and honour which should belong to the one branch of the profession should belong also to the other, and that, in other words, an attorney ought as much to be a man of honour and of character as a member of the Bar. Still, we cannot expect impossibilities, and if, having been excluded for twenty years from both branches of the profession, the applicant is not in a position to produce the testimonials which we desired, that ought not to be alone enough to exclude him for ever from that branch of the profession to which he desires re-admission. We think that, under the circumstances, he has done enough to atone for the professional misconduct or impropriety for which he was excluded from the Bar, and perhaps we could not express ourselves better than in the language of the Lord Chief Baron—that he has been, at all events, excluded long enough from both branches of the profession. We think, therefore, that we may now allow him to be re-admitted to practise as an attorney.

BLACKBURN, J. concurred, observing that the applicant's affidavit, which had been filed some months, fully disclosed the places of his residence during the last twenty years, and it was not contradicted.

SHEE, J. also concurred.

LIVERPOOL BANKRUPTCY COURT.

Re ISAAC ATHERTON (Solicitor).

Disclosures.

The bankrupt came up on Saturday before Mr. Commissioner Perry on his final examination and order of discharge.

Martin appeared for the assignees, and *Pemberton* for the bankrupt.

Martin proceeded under the 221st and [illegible] tions of the Act, and accused the bankrupt of certain misdemeanors. Amongst the facts [illegible] were that the bankrupt, a solicitor, and clerk to the county magistrates at Liverpool, was [illegible] in 1861, and that at the end of the year his incumbrances amounted to 1830*l.* 13*s.* 3*d.* In the following year he incurred debts to the amount of 2458*l.* 16*s.* 10*d.*, and in the year 1863 further debts of 207*l.* 14*s.* 8*d.*, making a total in three years of nearly 4500*l.* In the year 1864 he incurred further debts to the amount of 4427*l.* 13*s.* 10*d.*, of which nearly 8000*l.* was borrowed money. The bankrupt appeared to have dealt extensively in mining shares, but his solicitor (Mr. Pemberton) attributed his embarrassments in a great measure to the conduct of his wife, who, he stated, had repeatedly taken valuable things out of the house and pledged them without her husband's knowledge. He mentioned, as an instance of this propensity, that some time before his marriage the bankrupt presented to his wife (then a Miss Whitby) a valuable diamond ring for which he paid 77*l.* It had been since discovered that one month after the gift was made, and [illegible] months before her marriage, she pledged this ring at her mother's request, for the sum of [illegible]

Martin characterised the whole case as one of the grossest which had ever come into the court, and asked his Honour not only to refuse the [illegible] discharge, but to imprison the bankrupt.

Pemberton pleaded that the imprisonment of the bankrupt would be no benefit to the creditors, and urged his Honour to suspend the discharge and order the bankrupt to devote a portion of his earnings to the liquidation of his debts.

Martin said that they could not trust the bankrupt to do so.

The case was adjourned till Tuesday last, when Mr. Commissioner PERRY, in delivering judgment, said the case had not one redeeming feature. The bankrupt had been hopelessly insolvent at the beginning of 1864, if not long before, and could have had no reasonable expectation of paying the debts contracted in that year. His conduct when under examination would have been disgraceful to any man, and was particularly so to a member of a liberal and honourable profession. Having considered the length of time during which the bankrupt had practised fraud and deception towards his creditors, he (the commissioner) had come to the conclusion that he ought, as he now did, to refuse to grant the bankrupt discharge or protection. It was owing to the construction of the Act of Parliament that the bankrupt was not ordered to be imprisoned, not to any opinion of the commissioner that the bankrupt did not deserve it.

The bankrupt gave notice of appeal.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

ABERAMAN IRON WORKS (LIMITED).—Official liquidator appointed by Wood, V.C., at his chambers, on [illegible] June, at noon. Solicitors, Sole, Turner and [illegible], 68, Aldermanbury, London.

RYDE QUAY COMPANY (LIMITED).—Official liquidator appointed by Wood, V.C., at his chambers, on [illegible] noon. Solicitor, J. H. Kays, 2, New-inn, Strand, [illegible]

CREDITORS UNDER ESTATES IN CHANCERY.

LAST DAY OF PROOF.

DUPLEIX (Hy.), 5, Stanford-villas, Fulham [illegible] Lincoln's-inn-fields, Middlesex, solicitors, July [illegible] J. H. Jones, 8, Hart-street, Bloomsbury-square, Lo[ndon]

FORREST (T. F.), Boldon House, near South Shields, [illegible] Esq., July 16, V.C. S. Bell, Brodrick and Bell, Bow-yard, London, for G. J. Kenmir, Gateshead.

JEALOUS (Samuel), Luton, Beds, gentleman, July 7, [illegible] Devonshire, 1, Frederick-place, Old Jewry, [illegible]

JOLLEY (Thomas), Yatton, Somersetshire, auctioneer, V.C. S. Jones and Blaxland, 7, Crosby-square, Lo[ndon] Abbot and Leonard, Bristol.

JONES (Thomas), Huntington, Cheshire, farmer, July [illegible] C. and C. R. Cuff, 82, St. Martin's-lane, London, Broadhurst, Nantwich, Cheshire.

WHITTAKER (John), Hurst, near Ashton-under-Lyne, Lancashire, cottonspinner, July 1, V.C. W. [illegible] 3, Gresham-street, London, for Sale and Worthington, [Man]chester.

CREDITORS UNDER 22 & 23 VICT. c. 35.

LAST DAY OF CLAIM.

...(James), Soho-square, Westminster, gentleman, ... C and J. Allen and Son, 17, Carlisle-street, Soho, Westminster.

...(Mary Dowager Countess), July 15. Nicholl, Barnett, and Newman, 18, Carey-street, Lincoln's-inn, London.

...(J. T.), Chester, veterinary surgeon, June 30. Finchett, Maddock and Hordern, 4, Abbey-square, Chester.

...(Ann), Hayes-park, Hayes, Middlesex, spinster, Aug 1. J. Wintle, Newnham, Gloucestershire.

...(Mary), Hawfield, Awre, Gloucestershire, spinster, July 1. J. Wintle, Newnham, Gloucestershire.

...(W. H.), 13, Northampton-park, Islington, and 24, ...-place, Hoxton, Middlesex, annato manufacturer, July 31. Treherne and Wollerstan, 75, Aldermanbury, London.

...(J. W.), 47, Pall-mall, Westminster, china and glass ..., Aug. 1. T. B. Chester, 24, The Grove, Hammersmith.

...(Cuthbert), Palmer's-green, Edmonton, Esq., July 3. ... Pitman, 12, King's-road, Bedford-row, London.

...(Francis), 34, Arundel-square, Barnsbury, ..., Esq. Aug. 1. T. F. Chorley, 15A, Moorgate-street, London.

...(Frances), Burnham, Bucks, July 24. G. A. Charsley, Beaconsfield, Bucks.

...(John James), Vardre, Clydach, Glamorganshire, Dissenting minister, Aug. 15. D. Randall, Neath.

...(John), Cox-green, Bray, Berks, carpenter, July 13, ...ridge, 126, Wood-street, Cheapside, London.

...(Wm. James), 53, Hatton-garden, Middlesex, jeweller, Aug. 14. J. A. Temple, 3, Bloomsbury-square, London.

...(Henry), Meeting-house-lane, Sheffield, soda-water manufacturer, July 11. F. Hoole, Meeting-house-lane, Sheffield.

...(Eliz.), 4, Green's-row, Chelsea, Middlesex and ...fold, Sussex, widow, Aug. 1. Parker, Rooke and ..., 17, Bedford-row, London.

...(William), Wigan, bolt manufacturer, July 15. J. S. ..., King-street, Wigan.

...(C. A.), Wednesbury, Staffordshire, wine and spirit merchant, Aug. 1. J. H. Thursfield, High-street, Wednesbury.

...(Stephen), Bedales, Lindfield, Sussex, Esq., Aug. ... Blaker, Currey and Co., Lewes, Sussex.

...(James), 6, Bedford-terrace, Clapham-rise, Surrey, ..., July 24. H. Norris, 23, Chancery-lane, London.

...(Henry), Winstanley, Lancashire, farmer, July 15. ... Marshall, King-street, Wigan.

...(Thomas), the younger, 132, Fenchurch-street, London, and Rutland-villa, Highbury New-park, Middlesex, ... India broker, Aug. 22. Lindsay and Mason, 84, Basinghall-street, London.

...(Sarah), North-end-house, Watford, Herts, widow, ... 15. J. G. Hepburn, 12, Copthall-court, London.

...(The Most Noble Algernon, Duke of), ... 14. Bell, Steward and Lloyd, 49, Lincoln's-inn-fields, London.

...(Amelia Ann), Hurley, Berks, widow, July 13. ..., 126, Wood-street, Cheapside, London.

...(F. S.), Leyland, Lancashire, cottonspinner, ... Charnley, Son and Finch, Fox-street, Preston.

...(Frances), Chester-terrace, Chester-square, ..., widow, Sept. 8. Walters, Young and Walters, Lincoln's-inn, London.

...(Elizabeth), St. Bees, Cumberland, widow, Aug. 14. ... and Davis, Warrington.

...(H. R.), Northbrook-house, Bishop Waltham, ...ampton, and 8, Clarges-street, Piccadilly, Middlesex, ... Colonel in H.M.'s Army, July 24. Baker, Baker ..., 12, Lincoln's-inn-fields.

...(George), 8, Vansittart-terrace, Greenwich, formerly of ..., wine merchant, July 6. Jennings and Thornton, 24, Lime-street, London.

...(W. W.), Cross Keys public-house, Endell-street, ...bury, Middlesex, victualler, July 1. Shum and ..., 3, King's-road, Bedford-row, London.

...(Eliz.), Nottingham, July 16. D. W. Heath, St. ...'s Church-walk, Nottingham.

...(Most Hon. Frances Anne), Marchioness of Londonderry, July 13. A. Clayton, 22, Red Lion-square, London.

...(John), 14, Bedford-road, Stockwell, Surrey, gentleman, formerly of Spital-square, Middlesex, architect and ..., July 17. Horsley and Son, Bank-chambers, ...-yard, London.

...(Sarah), Northumberland-house, Stoke Newington, spinster, July 18. Meyrick, Gedge and Loader, 4, ...-gate, Westminster.

...(Mary), 17, Hanover-crescent, Brighton, spinster, ... R. S. Taylor, 3, Field-court, Gray's-inn.

...(Mary Elizabeth), 18, Ordnance-road, St. John's-wood, Middlesex, spinster, Aug. 1. Coverdale, Lee, Collyer-... and Withers, 4, Bedford-row, Gray's-inn, London.

...CLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

...ferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons ...ively whose names are prefixed to each in three ..., unless other claimants sooner appear.]

...(Margaret), Cadogan-place, spinster. 200l. 4s. 2d. ... Three per Cents. Claimant, said A. M. Cass...

...(Wm.), Lortock-hall, near Preston, banker, and ...(Wm.), of Preston, banker. Dividend on 130l. per ... Long Annuities. Claimants, G. A. Lowndes and ... Clayton.

...(Frances), Heightside-house, New Church, Lancashire, widow. 4225l. 8s. 2d. New Three per Cents. ... G. Hargreaves and J. Whitaker.

...(G.), Castle-street, Holborn, solicitor. 52l. 7s. 1d. ... Three per Cents. Claimant, Rose Vincent, executrix.

...(Edw.), Verulam-buildings, Gray's-inn, Esq. Dividend on 13l. Long Annuities. Claimant, M. A. M. W. ...

NEW COURTS OF JUSTICE AND OFFICES.—A return ... been issued showing that the total estimate ... purchase of land and houses for a site for the new ... of justice and offices is 700,000l. The sum required ... for the year ending March 31, 1866, is 200,000l.

... St. Leonards has just obtained a return of all persons ... for debt, damage, or contempt. It appears ... is a prisoner in Whitecross-street who was ... in April 1843—upwards of "twenty-two years ... Another man was committed in 1847.

GENERAL ELECTION AND THE ECCLESIASTICAL COMMISSIONERS.—The following circular has been addressed to ... agents of the Ecclesiastical Commissioners: ...hall-place, S.W. Dear Sir,—You will be so ... to bear in mind that the tenants of the Ecclesiastical Commissioners are not to be in any way influenced ... regard to the forthcoming elections. The commissioners would be seriously displeased by any interference ... tenants in that respect.—We remain, dear Sir, ...fully, (Signed) SMITH and WATKINS."

... EXAMPLE.—The Duke of Wellington has addressed the following letter to his tenantry at Strathfieldsaye:—"Dear Sir,—I think it right to explain clearly to you my feeling regarding the exercise of your vote. It is a trust imposed upon you for the advantage of the country, and the responsibility for the proper exercise of it rests on yourself alone. It is placed by the country in your hands, not in mine, and I beg you distinctly to understand that no one has any authority for stating that I wish to bias you in favour of any candidate.—I am yours, &c., WELLINGTON."

LONGWORTH v. YELVERTON.—In the action of damages at the instance of Theresa Longworth or Yelverton, against the Hon. Mrs. Yelverton (late Forbes), founded on a letter written by the defender, alleged to contain defamatory expressions, the pursuer attempted to found jurisdiction in the Scotch courts by arrestment of books and papers in the hands of Messrs. M'Lachlan and Stewart, booksellers, Edinburgh, understood to be the property of the late Professor Forbes, and alleged to belong to the defender as residuary legatee. The Lord Ordinary has issued an interlocutor in which he states that he has come to the conclusion that the pursuer has failed to prove her allegations as to the property of the articles arrested. The onus lay on the pursuer to prove that they belonged to the defender; and although in order to found jurisdiction in Scotland the value of the property arrested need not be great, the fact that it is truly the defender's property must be placed beyond reasonable doubt.

BIRMINGHAM TO BE MADE AN ASSIZE TOWN.—At a meeting of the Birmingham town council, on Tuesday, the general purposes committee reported that the mayor, Mr. Hunt (surveyor), and Mr. W. D. Bromley, M.P., had attended at the Home-office, in London, and submitted amended plans for adapting the existing courts in Moor-street, Birmingham, to assize business. Mr. Waddington intimated his approval of the plans, and informed them that any application to the Secretary of State for the granting an assize commission on the basis of these plans, accompanied with an undertaking that they would immediately be carried out, would be laid by him before the Privy Council with a recommendation that it should be granted. The Mayor moved that the required authority and undertaking be given, so that Birmingham might immediately be constituted an assize town. The proposition was carried by a majority of twenty-five to eighteen, so that the assize question which has been in agitation in Birmingham for the last ten years may be considered virtually at an end.

THE BENCH AND THE BAR.

BOW STREET POLICE COURT.

Another Case of Threatening a Judge.

On Monday afternoon, at the Bow-street Police-court, a middle-aged man of military aspect, named Christopher Musgrove, was charged before the chief magistrate, Sir Thomas Henry, with writing threatening letters to the Master of the Rolls.

The prisoner was brought up in custody of the warrant officer, George Manvers.

It was understood that the prisoner was formerly a clerk in the Audit-office.

Mr. George Brett, principal secretary to Sir John Romilly, Master of the Rolls, produced the letters on which the present charge rested, from one of which, dated June 14, an extract was read in these words: "The only alternative open to me, that of personally demanding an explanation and of publicly insulting Sir John Romilly wherever and whenever I may meet him, is an alternative which I trust may be spared me." He, Mr. Brett, had written to the defendant in reply to the letter in which that threat was conveyed. His, Mr. Brett's, answer was to the effect that the Master of the Rolls would be glad to hear any application which he might think proper to make in open court, but could not give him any private interview, and that unless he withdrew his threat to "insult" his Lordship "whenever and wherever he might meet him," the matter would be placed in the hands of the police authorities.

The defendant here mentioned that he had written a reply to Mr. Brett's letter, and he desired that it might be produced in evidence and read. In fact, he should prefer reading it himself.

The letter having been handed to him by Mr. Brett, he proceeded to read it. It consisted of a long and somewhat abusive tirade against Sir John Romilly, alleging that the learned judge had in open court accused him (defendant) of having ruined his eldest son, a youth who would shortly attain his majority, and who had recently received his commission in the army. He demanded that as a gentleman Sir J. Romilly should withdraw, or justify by proof, this imputation on his conduct as a parent. He alluded to an order of the Court of Chancery to reduce the son's allowance to 2s. 6d. per week, and entered into other particulars not material except as showing a disposition to abuse his lordship.

In reference to this document SIR THOMAS HENRY said that the evidence given against him as to the letter containing the threat would only be strengthened by his reading other letters to a similar effect, a course which therefore was not likely to serve his cause.

The defendant said he wished to show the magistrate the grounds of his complaint.

SIR THOMAS HENRY objected to a course which would simply be a precedent for other cases of a like nature, and pointed out that it was impossible for him to allow such rehearing of past cases.

Ultimately, after considerable discussion, and Sir John Romilly having denied that he made the statement imputed to him by the defendant, SIR THOMAS HENRY bound over the prisoner in his own recognisance of 200l. and two sureties of 100l. each to keep the peace for the next twelve months towards Sir John Romilly and all Her Majesty's subjects.

The prisoner having failed to provide bail up to the rising of the court, was removed in the prison van.

A HINT.—The judge of a French court of assizes recently said: "I see here several advocates with trousers of various colours. For to-day it is well, but henceforth the practice must be discontinued."

BANQUETS IN THE INNER TEMPLE.—The Masters of the Bench of the Middle Temple have accepted an invitation to dine with the Masters of the Bench of the Inner Temple, on Wednesday, the 28th inst. The annual dinner to the auditors of the Inner Temple was fixed to take place on Thursday, the 22nd inst., and at both entertainments a distinguished company was expected to be present.

THE HOUSE OF KEYS AND THE EDITOR.—It may be remembered that last year the House of Keys, a branch of the Legislature of the Isle of Man, committed Mr. James Brown, the editor of a local paper, to six months' imprisonment for some disparaging remarks made in his sheet upon the proceedings of that august assembly. Brown took the case to the Queen's Bench, and, after a minute investigation, the judges decided that the imprisonment was illegal, and he was consequently liberated, after undergoing seven weeks' incarceration. He then brought an action against the House of Keys for 2000l., for false imprisonment, and this was tried before the chief judge of the island, Deemster Drinkwater, on Friday and Saturday. The illegality of the committal was admitted, but in mitigation of damages it was shown that the articles in the plaintiff's paper against the defendant exceeded the bounds of all decent comment. The jury gave the plaintiff 518l. 13s. 6d. damages.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

POOR RATE.—National school-houses are held to be assessable, though no profit whatever is derived from them: (*Laughlin v. The Overseers of Saffron-hill*, 12 L. T. Rep. N. S. 542. Q. B.)

POOR REMOVAL.—BREAK OF RESIDENCE.—B. left his parish, where he had a lodging, which he gave up to seek for work elsewhere, intending to return when work was better, and the occupier would have permitted him to have the same lodgings again on his return, and in fact they were not occupied during his absence. It was held to be a break of residence, it being essential to a continued residence that the party should have a continued place of abode to which he would have a right to return at any time: (*Reg. v. Justices of Worcestershire*, 12 L. T. Rep. N. S. 542. Q. B.)

PERJURY.—B. was sued for a debt in the County Court as B. E. M., and having been sworn and examined, and the judge deciding the debt to be due, he was, pending the decision as to payment by instalments, asked by the judge, "what is your name?" to which he replied "E. M." The judge refused to amend and struck out the cause. Afterwards he was indicted for perjury in his answer and convicted: and it was held to be a right conviction, as the question was relevant and material: (*Reg. v. Mullany*, 12 L. T. Rep. N. S. 549. Cr. Cas. Res.)

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

Correspondence.

HIGHWAY LAW.—What is the proper stamp on a contract between a highway board and a tradesman? The common seal of the board must be affixed. Can the use of the common seal—the mere ordinary signature of a corporate body, and in a case where as between individuals the stamp would be 6d.—render the document a deed requiring a 35s. stamp? Is it the law that all contracts in writing sealed with a municipal or other corporate seal are liable to a deed stamp? D. H.

Messrs. Barry Brothers, the defendants in the recent case of the insurance frauds, have forwarded to Sir George Grey a memorial complaining in strong but just terms of their treatment while under trial. For seventeen days, they say, they were lodged in Newgate, placed in solitary cells, fed like convicts unless they purchased food, and subjected to various "cruel indignities," till at last released on bail, and ultimately acquitted. In other words, they being innocent, endured a sentence of seventeen days' imprisonment. The abuse, great in their case, would have been greater still had the offence been one for which bail could not have been accepted. Nothing in our penal system needs reform more than the treatment of unconvicted prisoners, and the excessive delay which intervenes between committal and trial.

THE COLYTON BURIAL CASE.—JUDGMENT OF THE BISHOP OF EXETER.—The case of the Rev. Mamerto Gueritz, against whom proceedings have been taken under the Church Discipline Act for refusing to inter the body of John Pavey, a parishioner of Colyton, of which parish the

Rev. Mr Gueritz is the vicar, came before the Lord Bishop of Exeter on Thursday week, for judgment. John Pavey was baptized as a member of the Church of England, but died in the Unitarian faith, and upon this ground Mr. Gueritz refused to read the burial service at the funeral. His lordship now gave a written judgment to the following effect. He said that Mr Gueritz had admitted the charge, and had consented to judgment being pronounced upon him without further proceedings, provided that such judgment did not exceed that which might be pronounced in due course of law. As Mr. Gueritz had admitted the charge, stating that he had acted on conscientious grounds, and not from any ill-feeling towards the deceased or any of his friends, and as the complainants had disclaimed any desire to press the case vindictively, or that any sentence beyond that which would show Mr. Gueritz that he was not justified in his refusal, and that it was his duty to perform the burial service, his lordship thought the ends of justice would be met by exercising that power which under the statute was given him, at that stage of the proceedings, by pronouncing his judgment that Mr. Gueritz was not legally justified in refusing to bury the deceased, against the plain law of the Church, and that he be admonished not again to offend in like manner; and, further, that he be adjudged to pay the legal costs of the proceedings.

IRISH CRIMINAL STATISTICS.—The forty-third report of the Inspectors-General of Prisons in Ireland contains many facts of interest relative to crime in that country. The commissioners advert to a subject which has, they say, during the course of the assizes just terminated, called forth timely warning on the part of many of the judges, namely, the rapid and extended spread of drunkenness. The schedules, they submit, it is to be borne in mind, comprise only the cases of those who have fulfilled their imprisonment in the gaols and bridewells, and do not include those who, upon their arrest, have preferred the alternative penalty of a pecuniary fine; still there is found in the past year an increase in gaols of 1534, and in bridewells of 1469, yielding a percentage of 14½ and 17 respectively. It is, moreover, to be taken into consideration that these statistics deal only with drunkenness positively and not relatively, and therefore do not touch the long catalogue of offences, such as riot, assaults, and other acts of violence, which are directly traceable to the prevalent indulgence of that demoralising propensity. The total of prisoners committed from assizes and quarter sessions in 1864, 2329 (1649 males and 680 females) was considerably less than in the previous year, when it amounted to 2611, viz. 1947 males and 664 females. This diminution extends to both "felons" and "misdemeanants," while "criminal lunatics," on the other hand, show an increase in the latter year of 2 males and 5 females. The convictions of "drunkards" exhibit a lamentable increase, as contrasted with 1863; the number in the last-mentioned year having been but 7500 (3350 males and 4150 females), while in 1864 they numbered 8597 (4178 males and 4429 females). The returns as to the state of education on committal in 1864 indicate nearly similar results to those produced in the three years preceding. The number of males registered as having been "able to read and write" amounted to 38 per cent. on the committals, a result agreeing exactly with the figures of 1861, 1862 and 1863; while the percentage of females thus educated was, in 1864, 18 per cent. against 16 per cent. in 1863, and 15 per cent. in 1862. In 1864, 35 per cent. of the males, and 50 per cent. of the females were found "wholly illiterate." In 1863 the proportions were 34 per cent. of males, and 51 per cent. of females; and in 1862, 35 and 51 per cent. respectively, who were wholly uninstructed as to letters. The ratio which the number of prisoners of each religious creed bears to the entire number of committals of 1864 differs little from that of the previous year. Members of the Established Church numbered 3312, or 10 per cent.; Presbyterians 1094, or somewhat over 3 per cent.; and Roman Catholics 28,266, or 86 per cent. In 1863 these proportions were respectively 10·05, 2·99 and 86·22 per cent. In 1862 the different religious professions bore the following proportions: members of the Established Church, 10·39 per cent.; Presbyterians, 2·61 per cent.; Roman Catholics, 86·9 per cent.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bath	Friday, June 30	T. W. Saunders, Esq.	14 days	J. Taylor.
Berwick-on-Tweed	Monday, July 3	R. Ingham, Esq., M.P., Q.C.	5 days	R. Home.
Bolton	Friday, July 21	J. A. Russell, Esq.	10 days	J. Gordon
Bridgnorth	Friday, July 7	U. Corbett, Esq.	14 days	W. D. Batte.
Bridgwater	Saturday, July 1	E. H. Reed, Esq.	14 days	J. Trevor.
Bristol	Monday, July 3	Serjt. J. A. Kinglake	Statutory notice	W. O. Hare.
Cambridge	Thursday, June 29	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen	Wednesday, June 28	J. Johnes, Esq.	10 days	J. H. Barker.
Chester	Friday, July 14	E. Beavan, Esq.	14 days	J. Walker.
Colchester	Tuesday, June 27	H. J. Bushby, Esq.	8 days	J. S. Barnes.
Derby	Thursday, July 6	G. Boden, Esq., Q.C.	1 day	J. Dunnicliff.
Doncaster	Friday, July 7	W. Blanshard, Esq.	10 days	E. Nicholson.
Gloucester	Monday, June 26	C. S. Whitmore, Esq. Q.C.	3 days	C. Smallridge.
Grantham	Tuesday, June 27	W. H. Roberts, Esq.	10 days	H. Beaumont.
Hereford	Friday, July 7	F. E. Guise, Esq.	10 days	R. Johnson.
Kingston-on-Hull	Thursday, June 29	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Monday, July 3	J. B. Maule, Esq.	10 days	J. W. H. Richardson
Leicester	Wednesday, June 28	Mr. Serjeant Hayes	8 days	R. Toller.
Newark	Saturday, July 1	J. F. Stephen, Esq.		T. F. A. Burnaby.
Newcast-on-Lyme	Friday, June 30	T. C. S. Kynnersley, Esq.		J. W. Ward.
New Windsor	Thursday, June 29	A. M. Skinner, Esq., Q.C.	4 days	J. Secker.
Northampton	Thursday, July 13	J. H. Brewer, Esq.	10 days	C. Hughes.
Plymouth	Saturday, July 1	C. Saunders, Esq.	14 days	R. E. Moore.
Pontefract	Thursday, June 29	J. L. Hanway, Esq.	14 days	John Foster, Esq.
Rochester	Saturday, July 1	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Sandwich	Thursday, June 29	J. Deedes, Esq.	8 days	Thos. L. Surrage.
Shrewsbury	Friday, June 30	C. Harwood, Esq.	14 days	R. Clarke.
Stamford	Saturday, July 1	The Hon. E. C. Leigh	10 days	J. Torkington.
Tewkesbury	Friday, June 30	A. W. Daniel, Esq.		W. Winterbotham.
Wenlock	Saturday, July 8	U. Corbett, Esq.	14 days	G. Potts.
Wigan	Wednesday, July 19	J. Catterall, Esq.		R. Leigh.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

PARLIAMENTARY PRACTICE—LOCUS STANDI.—A petition by a single firm of traders against an amalgamation Bill, on the ground that it would deprive them of certain facilities for traffic which they now enjoyed, and that the rates to be levied under the proposed Bill were in excess of the present rates, was held not to give to the petitioners a *locus standi*: (*The Caledonian and Scottish Central Railway*, 12 L. T. Rep. N. S. 433.)

LIABILITY OF TRUSTEES.—Trust-money was so placed to a banking account that any of the trustees could draw out separately. One of them drew out money and bought a house as a residence for the *cestui que trust*, but took a conveyance to himself alone. He then deposited the deeds with another bank to secure his private balance, and afterwards became bankrupt. The co-trustees neglected to examine the banker's book for a long time after the purchase, and for this negligence they were held not to be entitled to priority over the security by deposit: (*Allan* v. *Scott*, 12 L. T. Rep. N. S. 449. V.C. W.)

WINDING-UP—CONTRIBUTORY.—B. applied for two shares or any smaller number, and paid the deposit. There was no allotment, or any other formal acceptance of the application by the board. This was held not to constitute B. a shareholder, although he had taken no step to claim either his shares or a return of the deposit: (*Re Adelphi Hotel Company*, 12 L. T. Rep. N. S. 480. L.JJ.)

WINDING-UP—PETITION FOR.—A company *bonâ fide* contested a creditor's claims, but admitted that more than 50*l.* would be due on taking the accounts between them. A petition by the creditor to wind-up the company was dismissed with costs: (*Re Brighton Hotel, &c. Company*, 12 L. T. Rep. N. S. 484. M. R.)

LIABILITIES OF RAILWAYS.—Deeds and money carried by a solicitor travelling on the railway to attend a County Court, the deeds being necessary for the prosecution of the cause, and the money required if an order should be made for payment of money into court, or for payment of costs, do not come within the category of "ordinary luggage," for which the company is responsible: (*Phelps* v. *The London and North-Western Railway Company*, 12 L. T. Rep. N. S. 496. C. P.)

Goods were sent to Pickford and Co. directed to Chester, "viâ London and North-Western, Stafford." Pickford and Co. were agents both of the London and North-Western and of the Great Western, but favoured the former company. The goods were carried by the Great Western to Stafford, and from Stafford to Chester by the North-Western. On their arrival at Chester the goods were found to be much damaged, but there was no evidence to show where the damage occurred. It was held that there was evidence for the jury that there was only one contract with the Great Western to carry the entire distance, and that this company was liable for such damage: (*Webber* v. *The Great Western Railway Company*, 12 L. T. Rep. N. S. 498. Ex.)

WINDING-UP—CONTRIBUTORY.—The directors of a banking company, in Feb. 1864, issued a report to the shareholders untruly representing the profits of the past year, and declaring a large dividend. In June they invited applications for the reserved shares on terms. B. accepted twenty-two of these shares, and paid for them in August. In September a petition was presented for winding-up the company. It was held, on appeal, that the misrepresentations of the report were not so distinctly the proximate cause of the purchase of them as to relieve him from his contract: (*Ex parte Barrett*, 12 L. T. Rep. N. S. 514. L.JJ.)

THE STANNARIES OF CORNWALL.

(Before the VICE-WARDEN.)

Re THE COMPANIES ACT 1862, AND THE WEST WHEAL TREVELYAN MINING COMPANY.

Important Case.

The above-mentioned company was formed for the purpose of working a tin and copper mine in the parish of St. Hilary, Cornwall, on the cost-book principle, and William Henry Davis from time to time purchased shares in the mine, amounting altogether to 398 shares. In Sept. 1864 Mr. Davis sold all his shares through a sharebroker at the Stock Exchange, London, and executed a transfer thereof to the purchaser, and the transfer was accepted and duly registered by Mr. John Watson, the secretary and purser of the mine. At the time of such sale and transfer Mr. Davis had paid all the calls made on him in respect of the shares, and he was not aware of any debt due by the company to which he was liable to contribute. In May last Messrs. Harvey and Co., of Hayle, Cornwall, produced a claim of 306*l.* 2*s.* 10*d.* alleged to be due by the company to them for goods supplied to the mine during the time Mr. Davis was a shareholder, and his name was given to them as a shareholder liable to pay their claim, notwithstanding there were existing shareholders liable to pay the same; and Messrs. Harvey and Co. brought an action against him in the Court of Common Pleas to recover the whole amount of their claim; and notice of trial was given for the next Nisi Prius sittings in London. On the 10th inst. Mr. Davis presented a petition to the Vice-Warden for an order to wind-up the company, and to restrain further proceedings in the action, and on the 12th inst. his Honour made an order *nisi* to restrain the proceedings in the action, and appointing a day for cause to be shown why the order should not be made absolute, and he appointed Tuesday, the 27th inst., for the hearing of the petition.

Karslake (instructed by Messrs. Hamber and Harrison) now applied on behalf of Mr. Davis that the order *nisi* for an injunction to restrain further proceedings in the action might be made absolute; and his Honour after hearing the evidence and an affidavit of service of the order *nisi* on the attorney for the plaintiffs in the action, and referring to several cases bearing on the present case, made the order absolute.

NEW COMPANIES REGISTERED.

James Schofield and Sons, Limited.
General Breech Loading Fire Arms Company, Limited; 100,000*l.*
Enamelled Iron Company, Limited; 100,000*l.*
Cockshoot Conveyance Company, Limited; 25,000*l.*
Standring Omnibus Company, Limited; 25,000*l.*
Wine Agency Company, Limited; 15,000*l.*
London Bridge Land Company, Limited.
Jacobs, Meynell and Co. Limited; 20,000*l.*
Reese River Silver Mining Company, Limited; 100,000*l.*
Anglo-Italian Commercial Public Works Company, Limited; 10,000*l.*
Tattenhall Gas and Coke Company, Limited; 1000*l.*
Llantwit Main Colliery Company, Limited; 30,000*l.*
Hafod-y-llan (Snowdon) Slate Quarry Company, Limited; 100,000*l.*
Samuel Dewhurst and Company, Limited; 150,000*l.*
Carvers and Gilders Asylum Fund Society.
Hackney-Wick Works, Limited; 1500*l.*
Blakely Ordnance Company, Limited; 750,000*l.*
Evans, Covent Garden; 60,000*l.*
Liverpool and Dublin Steam Navigation Company, Limited; 400,000*l.*
Warren's Blacking Company, Limited; 100,000*l.*
Ridges Patent Food Company, Limited; 4000*l.*
United Service Company, Limited; 1,000,000*l.*
Grange Town Iron Company, Limited; 100,000*l.*
Westerham Public Hall Company, Limited; 1500*l.*
Caenewydd Colliery Company, Limited; 2000*l.*
Success Steam Tug Company, Limited; 20,000*l.*
Neath Harbour Pilot Boat Company, Limited; 500*l.*
City Land Association, Limited; 100,000*l.*
General Agency, Limited; 50,000*l.*
Surrey Fire and Life Insurance Company, Limited; 100,000*l.*
Stanstead Abbots Gas Company, Limited; 1200*l.*
Rainon Spinning Company, Limited; 10,000*l.*
Horsham Corn Exchange Company, Limited; 7000*l.*
Gowhatty Tea Company, Limited; 100,000*l.*
Glamorgan Iron and Coal Company, Limited; 100,000*l.*
Great Western and Fowlers United Collieries Company, Limited; 150,000*l.*
Proprietors of the Northern Daily Express, Limited; 10,000*l.*
Chesterton Iron Company, Limited; 15,000*l.*
Tannerie et Gauterie de la Corse, Limited; 50,000*l.*
Yelverton Villas Company, Limited; 15,000*l.*

WESTERN BANK OF SCOTLAND.—The Judges of the First Division of the Court of Session have set aside the verdict in favour of Mr. Addis, who claimed from the

liquidator of the Western Bank repayment of his shares, which he had bought from the bank and which he alleged to be false and fraudulent representations. Their Lordships did so on the same grounds on which they had set aside a verdict obtained in similar circumstances by Colonel Graham Mossknowe, as being contrary to evidence. The question of expenses was reserved.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

BILL OF EXCHANGE.—An acceptor *supra protest* for honour of drawer, cannot set up as a defence to an action on the bill, that at the time of acceptance he was ignorant of the fact that the payee was a fictitious person: (*Phillips* v. *Im-thurm*, 12 L. T. Rep. N. S. 457. C. P.)

PRINCIPAL AND SURETY. — B. and his son joined C., the principal debtor, in a joint and several promissory note for 150*l.*, payable on demand. C., being desirous of borrowing 650*l.* on his wife's estate, her interest being valued at 500*l.* only, and the note being a collateral security for the difference. A fortnight after this transaction, a deed was executed by C., assigning his wife's interest to secure the loan of 650*l.*, and one D. became a party to it as surety, both parties covenanting to repay the whole amount at six months date. The note was held not to be merged in the deed, as the two securities were not co-extensive or given by the same parties. Byles, C. J., a great authority on this subject, said:

I am of the same opinion. With respect to the merger of an inferior instrument in a security of a higher nature, there can be no merger unless they are strictly co-extensive. A specialty given by one maker of a joint and several note does not merge the remedy on the note. I quite concur with the judgment of Wood, V.C. in *Webb* v. *Hewitt*, 3 K. & J. 438: "As to giving time, the authorities, which are almost innumerable, have settled that upon any giving of time to a principal debtor, if there be a reservation of rights against the surety, the surety is not discharged; for when the right is reserved, the principal debtor cannot say it is inconsistent with giving him time that the creditor should be at liberty to proceed against the sureties, and that they should turn round upon the principal debtor notwithstanding the time so given him, for he was a party to the agreement by which that right was reserved to the creditor, and the question whether or not the surety is informed of the arrangement is wholly immaterial."
(*Boaler* v. *Mayor*, 12 L. T. Rep. N. S. 457. C. P.)

A document in this form, "Four months after date, pay to my order the sum of 300*l.* for value received, addressed to defendant, and accepted by him, but not containing any drawer's name, is neither a bill of exchange nor a promissory note, but merely an inchoate instrument: (*McCall* v. *Taylor*, 12 L. T. Rep. N. S. 461. C.P.)

STATUTE OF FRAUDS.—The 4th section, which provides that no action shall be brought on any agreement that is not to be performed within a year, unless such agreement or some memorandum or notice of it be in writing and signed by the party to be charged therewith, does not apply to cases the accomplishment of which, or the performance of the agreement in which, may by possibility be extended beyond that period. The clause is confined to cases where the agreement is not to be performed and cannot be carried into execution within the time. Where B. promised verbally to leave by will to six children of his brother, if they would execute a conveyance of certain estates of which he was a trustee, "at least as much as they would get under their father's will," and he ultimately died, leaving them less than they did get out of the estate of their father, his estate was held to be liable to make good the legacies so promised: (*Ridley* v. *Ridley*, 12 L. T. Rep. N. S. 481. M. R.)

PATENT LAW.—Where a patented article manufactured abroad is brought into England, although intended for exportation, it is an infraction of the patent if the article performs any of its functions in this country, as where it was a patent capsule for covering bottles: (*Betts* v. *Neilson*, 12 L. T. Rep. N. S. 489. Wood V.C.)

CARRIER — MEASURE OF DAMAGES. — When goods have been given to a carrier to convey to a certain place and are not delivered, the party entitled to them will be warranted in procuring other similar goods at the place, and the measure of damage will be the price at which such goods can be obtained in the market. If, however, there be no market for such goods at the place of delivery, the damages must be ascertained by taking into consideration various matters, such as, in addition to the cost price, the expense of transit and reasonable profits: (*O'Hanlan* v. *The Great Western Railway*, 12 L. T. Rep. N. S. 490. Q. B.)

PRINCIPAL AND SURETY. — A subsequent release of the principal debtor does not always release the surety. B. had opened a banking account with C., D. covenanting by deed to pay all money then or at any time thereafter, for the time being, due to C., to the extent of 100*l.*, the said covenant to be a continuing security to that amount; and it was declared that no indulgence or forbearance given or shown to, or security taken from, or composition with, B. should be any discharge of D. or of any liability under the deed, or release him from performing all conditions, and that C. might deal with the principal debtor at discretion, without discharging any such liability or releasing D. from the conditions. Afterwards, and while a balance exceeding 100*l.* was due from B. to C., B. assigned his estate for the benefit of creditors, which deed contained a general release of B. The surety was held not to be discharged by the subsequent release of the principal debtor: (*Union Bank of Manchester* v. *Beech*, 12 L. T. Rep. N. S. 499. Ex.)

PRINCIPAL AND AGENT.—Where the practice was for owners of goods to send them to the yard of B. to be sold at his sales, together with his own goods, and at such sales it was not usual for B. to divulge the names of the particular owners, and C. purchased at such a sale the goods of D., knowing them to belong to D., it was held not to be such a special contract as would take the transaction out of the ordinary rule of principal and agent, and therefore that D. was entitled to prove against the estate of C. for the amount of the purchase-money: (*Ex parte Welsford*, 12 L. T. Rep. N. S. 507. Hill, Com.)

COPYRIGHT.—The name of a periodical was registered at Stationers'-hall in April 1864, with a prospective date of publication, but it was not published in fact until more than a year afterwards. In the meanwhile another periodical was advertised bearing the same name. On an application for an injunction to restrain this latter one, it was held, that the protection of the Copyright Act dated only from the first publication of the periodical: (*The Correspondent Newspaper Company* v. *Saunders*, 12 L. T. Rep. N. S. 540. Wood, V.C.)

SWISS LAW.—The following has been addressed to the *Standard*:—"Sir.—A judgment has recently been pronounced by the Court of Appeal of the republic and canton of Neufchatel, which, as it is in opposition to the generally received notion of the common law of Europe on bills of exchange, is of great importance to your commercial readers. The particulars are as follows:—A London banker, at the time of the stoppage of a certain Swiss house, held two of their drafts upon a foreign firm established here. The latter were unable to meet their acceptances, which were consequently sent back to Switzerland for presentation to the drawer in due form. The bills of course were not taken up. It then appeared that a meeting of the Swiss creditors of the firm by whom the bills were drawn had been held some time previously, and that it had been decided that no claim should be allowed to rank on the estate unless filed by a certain date, which date happened to be before the bills then running had matured. The London creditor appealed to the chief court against this decision, which excluded him from all claim on the estate, and will it be believed that the solemn judgment of the highest court has been given against him? For your satisfaction I inclose a copy of the judgment.—I am, Sir, your obedient servant, BANK MANAGER."

LAW STUDENTS' JOURNAL.

ANSWERS TO THE EXAMINATION QUESTIONS. (*a*)

TRINITY TERM 1865.

I. PRELIMINARY.—1 to 5.

II. COMMON AND STATUTE LAW AND PRACTICE OF THE COURTS. (*b*)

6. *Fi. fa.*—In case the whole amount is not levied, and when the *fi. fa.* has been returned. But if on seizure the sheriff finds the goods already distrained for rent, or *in custodiâ legis*, or assigned under a bill of sale, and he withdraws, another writ of execution may issue before the return of the *fi. fa.*: (Smith's Action, 233, 234, 8th edit.)

7. *Costs.*—In the first case execution by *fi. fa.*, *ca. sa.*, or *elegit*, as the circumstances will admit, can only be issued; in the second either an attachment or execution as on a judgment may be resorted to: However, an action on the judgment may be maintained: (Smith's Action, 37, 231, 8th edit.)

8. *Set-off.*—No; because to entitle the defendant to a set-off the claims must be mutual debts: (Hallilay's Digest, 35, 4th edit.)

9. *Time.*—The same time as he had at the return of the summons: (Hallilay's Digest, 58, 4th edit.; Pat. & Mac. Pr.)

10. A *general* lien is a right to detain a chattel until payment be made, not only for the particular articles, but for any balance that may be due on a general account in the same line of business; thus attorneys have a general lien on all papers in their hands belonging to their clients for their general costs. A *special* lien is given to every person to whom a chattel has been delivered for the purpose of bestowing his labour upon it. In such case he may withhold the chattel until the price of the labour is paid. Thus a tailor is not bound to deliver clothes which he has made until the price for making them be paid: (2 Steph. Com. 81, 4th edit.; Hallilay's Digest, 11, 4th edit.)

11. *Interest.*—This statute enacts that a current rate of interest upon all debts may be allowed by a jury to a creditor from the time when such debts were to be paid, if payable at a certain time by a written instrument; but if not so payable then from the time a written demand of payment is made, and notice given that interest will be claimed from then until payment: (Hallilay's Digest, 16, 4th edit.)

12. *Joinder of actions.*—The claims on the deed for the trespass and the libel may be joined; but he cannot join with these the cause in which he is executor, because it is not in the same right: (Pat. & Mac. Pr. 136, &c.; Hallilay's Digest, 55, 4th edit.)

13. *Parties.*—If the bargain is a binding one, the vendee is the proper party to sue, as he is the owner of the goods. But if he be the agent merely of the vendor, the vendor should sue: (Hallilay's Digest, 40, 4th edit.; Smith's M. L. 490, 5th edit.)

14. *Notice.*—A notice to quit a parol tenancy needs not to be in writing, but it is better that it should, as it facilitates proof. A written notice is, however, necessary to take advantage of the 4 Geo. 2, c. 28. The notice must be given to the lessee: (Hallilay's Digest, 23, 4th edit.)

15. *Arrest of judgment.*—To the plaintiff; and no other costs will, in this case, be allowed to any other party. Each must bear his own: (Marshall on Costs, 174; 15 & 16 Vict. c. 76, s. 145.)

16. *Appeal.*—If the new trial is moved for on the ground that the judge did not rule according to law, the party decided against may appeal without leave, if one of the judges dissent from the decision of the rest. And in all cases to enter a verdict or nonsuit: (17 & 18 Vict., c. 125; Hallilay's Digest, 79, 4th edit.)

17. *Attachment.*—Having ascertained by the oral examination of the judgment-debtor what debts were owing to him, I should then make an affidavit of the judgment-debt, that it was unsatisfied and that the garnishee owed a debt to the judgment-debtor, and was within the jurisdiction, and then go before a judge at chambers for an order attaching the debt in the hands of the garnishee: (see further Hallilay's Digest, 84, 4th edit.)

18. *Agent.*—An authority by deed: (Hallilay's Digest, 14, 4th edit.; Steph. Com. 65, 4th edit.)

19. *Notice.*—Yes, B. may by action recover the money so paid from A., as money paid to his use: (Chit. Cont. 226, 7th edit.)

20. *Costs.*—Such costs as have been incurred in preparing for trial, and which must be incurred again at a future time if the trial should proceed (Pat. & Mac. Pr. 313); such as retainer to counsel, reseating subpœnas, copy and service thereof on witnesses, and if briefs delivered, refreshers to counsel, and the costs of the motion, &c.: (see Scot's Costs.)

III. CONVEYANCING.

21. *Conditions.*—1. That the highest bidder shall be the purchaser, subject to the right of the vendor or his solicitor to bid once, and in case of dispute to be put up at the last undisputed bidding. 2. For payment of deposit, &c. 3. That in case of delay by purchaser he shall pay interest. 4. For delivery of abstract of title at vendor's expense within specified period. 5. For delivery of requisitions on the title by the purchaser within a specified period, and that, subject to such requisitions, the title shall be deemed to be accepted. 6. If purchaser objects to title, vendor to be at liberty to rescind the contract on return of deposit without interest. Error in description not to annul sale, but to be made good by compensation. 8. Conveyance to be prepared by and at purchaser's expense. 9. For empowering vendor to resell in case of default by purchaser, and deposit to be forfeited, and loss on resale to be recovered as liquidated damages. Stipulations will, in certain cases, be necessary; as to payment for timber, fixtures, &c.; also where title-deeds are retained by vendor, &c.: (see 1 Hughes' Pract. Sales, 10 *et seq.*, 2nd edit.; Hallilay's Digest, 190, 4th edit.)

22. *Title.*—A clear sixty years' title: (Hallilay's Digest, 194, 4th edit.; *Cooper* v. *Emery*, 1 Phil. 388.)

23. *Deeds.*—The purchaser of the estate is entitled to all the title-deeds affecting it; unless, indeed, the vendor only sells a smaller portion of his estate, for then he is entitled to retain them on giving the pur-

(*a*) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of proceeding and directions to be attended to at the examination."

(*b*) The questions are given *ante*, p. 335.

chaser copies, and entering into a covenant to produce them: (Sug. Conc. V. & P. 322.)

21. *Covenants.*—The usual qualified covenants that he has good right to convey for, quiet enjoyment, free from incumbrances, and for further assurance: (Hallilay's Digest, 212, 4th edit.)

25. *Rent.*—A right of distress, or of an action of debt: (Arch. L. & T. 105, 111, 152, 155, 2nd edit.)

26. *Lease.*—The lessee (B.) cannot compel his lessor (A.) to show him any title; but, on the other hand, except in the case of a bishop's lease, the lessor cannot enforce specific performance of the agreement against the intended lessee without showing a good title: (Hughes' Conv. 486; Platt, Leases, 618.)

27. Covenants by the lessee to pay rent and taxes (except land-tax); to paint and repair (except in case of fire); to insure; to surrender at the end of the term; not to carry on any trade; and not to assign or underlet. Powers of re-entry by lessor on breach of any of the covenants: (see Hallilay's Digest, 163.)

28. *Settlement.*—The property should be vested in trustees, to pay the income to the wife for life for her sole and separate use without power of anticipation; and after her death upon trust for the husband until he become bankrupt, or attempted or made any charge or assignment thereof, or should die; and after the death of both, or death of wife and bankruptcy, &c. of husband, to the issue of the marriage as husband and wife or survivor should have appointed; and, in default of appointment, in trust for issue, &c.; and, in default of issue, to next of kin of wife: (see Hallilay's Digest, 220, 221, 4th edit.)

29. *Trustees.*—Upon real securities in any part of the United Kingdom, or on the stock of the Bank of England or Ireland, or on East India Stock, Exchequer Bills, Two-and-a-Half per Cents., Three per Cent. Consolidated Annuities, and Reduced Three per Cents: (Hallilay's Digest, 271, 272, 4th edit.)

30. *Fees.*—A. takes an estate tail subject to B.'s life-estate, and B. the remainder in fee, each deriving his estate under the rule in *Shelley's* case: (Hallilay's Digest, 139, 4th edit.; Will. R. P. 232, &c., 6th edit.)

31. *Devise.*—It would seem that B. takes an estate tail, the word "sons" being equivalent to words of limitation (see *Robinson* v. *Robinson*, 1 Burr. 38); but that is not material in this case. If B. leaves any sons living at the testator's decease, they will take the estate subject to A.'s life-estate: (Jar. Wills, ch. 38, vol. 2; Hayes and Jar. Conc. Wills, 72 *et seq.*, 6th edit.)

32. After-acquired property will pass under the will, for the will speaks from the death, unless a contrary intention appears (1 Vict. c. 26, s. 24); as where the devise was of all the estate of which "I am now seised," clearly showing a reference to the date of the will. So if the devise be specific, as of "all my Q. H. estates in E." and there be no residuary devise, other property or additions cannot pass by the will: (Hayes & Jar. Conc. Wills, 58–61, 6th edit.)

33. *Alienation.*—During a life or lives in being and twenty-one years afterwards, with a further period for gestation, if it actually exist: (*Cadell* v. *Palmer*, Tud. L. C. c. 321.)

34. *Accumulations.*—During the life of the grantor, *or* (2) twenty-one years from the death of such grantor, settlor, devisor, or testator, *or* (3) during the minority of any person living or in *ventre a mere* at the death of such grantor, devisor, or testator, *or* (4) during the minority only of any person who under the settlement, or will, would for the time being, if of full age, be entitled to the income so directed to be accumulated: (39 & 40 Geo. 3, c. 98.) But the Act does not extend to any provision for payment of debts, or raising portions for children, or to any direction touching the produce of timber or wood: (Will. Real Pro. 289, 6th edit.; Hallilay's Digest, 236, 4th edit.)

35. *Receipt.*—In all cases where the payment is *bonâ fide* and the trust instrument does not contain any contrary declaration: (Hallilay's Digest, 196, 4th edit.)

(To be continued.)

EXAMINATIONS AT THE INCORPORATED LAW SOCIETY.

Trinity Term 1865.—Final Examination.

At the examination of candidates for admission on the roll of attorneys and solicitors of the Superior Courts, the Examiners recommended the following gentlemen, under the age of twenty-six, as being entitled to honorary distinction:

1.

John Crick Freeman, who served his clerkship to Messrs. John and William Crick, of Maldon; and Mr. Andrew Storey, of London.

2.

William Holmes, who served his clerkship to Mr. John Ward, of Bursledon; and Messrs. Ingle and Gooddy, of London.

3.

Francis Cooper Dumville Smythe, who served his clerkship to Mr. William Smythe, of London; and Messrs. Pownall, Son, Cross and Knott, of London.

4.

William George Chambers, who served his clerkship to Messrs. Hellard, of Portsmouth; and Messrs. Williamson, Hill and Co., of London.

Samuel Parks Clare, who served his clerkship to Messrs. Howard, Dollman and Lowther, of London.

5.

Walter Taylor, who served his clerkship to Mr. John Yarde, of London.

The Council of the Incorporated Law Society have accordingly awarded the following prizes of books:

To Mr. Freeman, the prize of the Honourable Society of Clifford's-inn.

To Mr. Holmes, one of the prizes of the Incorporated Law Society.

To Mr. Smythe, one of the prizes of the Incorporated Law Society.

To Mr. Chambers, one of the prizes of the Incorporated Law Society.

To Mr. Clare, one of the prizes of the Incorporated Law Society.

To Mr. Taylor, one of the prizes of the Incorporated Law Society.

The Examiners have also certified that the following candidates, under the age of twenty-six, whose names are placed in alphabetical order, passed examinations which entitle them to commendation:

Thomas Frederic Artindale, who served his clerkship to Messrs. Handsley and Tattersall, of Burnley.

Herbert Bramley, who served his clerkship to Messrs. Bramley and Gainsford, of Sheffield; and Messrs. Prior and Bigg, of London.

Frederick Corbett, who served his clerkship to Mr. Edward Corles, of Worcester.

Samuel John Daw, the younger, who served his clerkship to Mr. Charles Kitson, of Torquay; and Mr. George Edward Philbrick, of London.

William Edward Marsh, who served his clerkship to Mr. Richard Marsh, of Leigh, Lancashire; and Messrs. N. C. and C. Milne, of London.

Henry John Tweedy, who served his clerkship to Messrs. Smith and Roberts, of Truro; and Messrs. Gregory and Rowcliffes, of London.

The Council have accordingly awarded them certificates of merit.

The Examiners have further announced to the following candidates, that their answers to the questions at the examination were highly satisfactory, and would have entitled them to prizes if they had not been above the age of twenty-six:

1. Francis Buckland.
2. John Edward Thorley Graham.

The number of candidates examined in this Term was 157; of these, 143 were passed, and 14 postponed.

By order of the Council,
E. W. Williamson, Secretary.
Law Society's Hall, Chancery-lane,
London, 16th June 1865.

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Liability of Official Assignees.—A creditor, who proved in May 1861, received in June four dividends which had been previously declared; but they were, by mistake, calculated on a less sum than that for which the proof was made. The fifth dividend, declared in June 1864, was paid him correctly, but it exhausted the estate. In Nov. 1864 he, for the first time, moved the court to order the official assignee to pay him the deficiencies on the first four dividends. But the Court refused to do so: (*Ex parte Australian Steamship Company*, 12 L. T. Rep. N. S. 479. Ld. Ch.)

Deed of Arrangement.—A provision in an inspectorship-deed under sect. 192 of the B. A. 1861, that in case any dividend should be declared before all the creditors should have executed or assented to the deed, or the amount of their debts ascertained, the inspector should retain a sufficient sum for payment of a like dividend to them, is not an unreasonable condition: (*Hermilemiez* v. *Jay*, 12 L. T. Rep. N. S. 194. Q. B.)

The Court of Ex. have held that, on considering whether or not a composition-deed has been assented to by the requisite majority in value of the creditors, the debts of creditors holding security must be taken into account and cannot be deducted: (*Whittaker* v. *Lowe*, 12 L. T. Rep. N. S. 500.)

Conditional Order of Discharge.—Sect. 159.—Where debts had been contracted without reasonable or probable expectation of payment, and there are no assets except contingent interests which might or might not be realised, at the option of third parties, the Court attached to the order of discharge special conditions for payment out of the bankrupt's future earnings or after-acquired property: (*Re Wemyss*, 12 L. T. Rep. N. S. 507. Winslow, R.)

Clerks in Public Offices.—Adopting the views of the Lord Chancellor, the commissioners' courts will not discharge a Government official freed from all his debts, but will make it a condition that he shall set apart some of his future earnings for the benefit of his creditors: (*Re Wetherley*, 12 L. T. Rep. N. S. 507.)

Practice.—Where a bankruptcy is taken out of court under sect. 110, and the bankrupt has made a full disclosure of his estate and effects, he may still have his conduct inquired into under sect. 159, and is not entitled as of course to an unconditional order of discharge, but must be dealt with as any other bankrupt: (*Re M'Kerrow*, 12 L. T. Rep. N. S. 550.)

Bankruptcy.—A return has been issued showing that in the twelve months ending April 11 of the present year there were in the several Bankruptcy Courts of London, Birmingham, Bristol, Exeter, Leeds, Liverpool, Manchester, and Newcastle, 191 bankruptcies in which creditors agreed to arrangement, 46 annulled bankruptcies, 64 in which managers were appointed to act under inspection of creditors, 3 in which bankrupts' estates sustained losses by the failure or defalcation of creditors' assignee, and 631 sales by order of commissioners before the day appointed for the choice of assignees.

CORRESPONDENCE OF THE PROFESSION.

The Law's Delay.—In 1862, two cases on the subject of the rating of the Mersey Docks were appealed to the House of Lords; in 1863 counsel were ready to argue, but the attendance of the judges being desired, those learned personages could not fix a convenient day, and so the appeal went over; in 1864 they were argued, and on the 7th July in that year the judges delivered their opinions; the House took time to consider, but has not yet delivered its judgment, which bids fair to stand over for another year. Such an example of "the law's delay" is calculated to disgust suitors with the supreme tribunal, and it is the less excusable in that the question waiting for decision, namely, the liability to poor-rate of property occupied for quasi-public purposes, is of very extensive application, and many other cases will be governed by the judgment. To call attention to this grievance through your columns may possibly be of service.

A Solicitor.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

Devise.—Will any of your readers kindly give us answer to the following query? The facts are these: A., two years ago, was one of the attesting witnesses to a will, by which B. bequeathed to his niece C., then a minor, 800*l.* to be paid "on her wedding-day." B. soon after died, and A., ignorant of the bequest, became engaged to and married C. By the present law a bequest to the husband or wife of a witness is void. Does that affect the present case? L. W.

Bequest.—A. B. died in 1843. By his will he gave as follows: Unto my beloved wife C. all my real and personal estate, for and during the term of her natural life, of whatever the same may consist of, and at the decease of my said wife, I give her *full power and authority to bequeath the same by her last will and testament to my child or children, share and share alike.*" Testator had two children. The wife died in 1856, having by her will given the *major part* to her son and the residue to her daughter. The son proposes to sell; but a doubt has arisen whether the conveyance from him alone, without the sister joining, would not be unsafe. It is suggested on the one hand, that the will of A. B. gives a life-estate to the wife C., with a directory power to bequeath the property in a particular manner, *i. e.* to the children "share and share alike," and that C., in bequeathing in *unequal* shares, exceeded her power. On the other hand, that the court, observing the possible intention of the testator, would introduce the words "and for want of such bequest," and so make it read, "and at the decease of my said wife, I give her full power and authority to bequeath the same by her last will and testament, *and for want of such bequest*, to my child or children share and share alike." Will some of your subscribers be good enough to give me their views in the matter, and as to who should join in the conveyance. J. A. G. E.

Answers.

Public Auction.—In the 7th edition of Lord St. Leonards' "Handy Book on Property Law," p. 24, we read: "You may, without public notice, appoint a person to bid for you at the sale in order to prevent the estate being sold at an undervalue. . . . . Great controversy of opinion has prevailed in our courts as to the legality of appointing a puffer; but it is now settled that you may employ a person to prevent a sale at an undervalue. . . . If you state in the particulars, or advertisements, that the estate is to be sold *without reserve*, the sale would be void

against a[?] ur[?]laser, if any person were employed as puffer as dactes[?]y bid at the sale. But although the owner himself, or an agent for him, bid at a sale, notwithstanding such condition, and the lot is knocked down to him, the last *bonâ fide* bidder *cannot claim the lot*, whatever remedy he may have for the misstatement." It is clear therefore that in the case stated by "B. E." the last "*bonâ fide* bidder" cannot maintain his claim to the property offered. D. H.

Driffield, June 19.

WILL.—I am of opinion that the direction to accumulate is void *in toto*, because it does not appear that such accumulation must *necessarily* be effected within the period of a life or lives in being and twenty-one years afterwards. The Thellusson Act does not give any effect to limitations that would before have been altogether invalid. Now, independently of such Act, it is clearly settled that no limitation is good (not even in part), unless it *necessarily* takes effect within the time allowed by the rule against perpetuities, *i.e.* within the period above mentioned; nor will any gift be valid if it may *possibly* include objects too remote. Thus a devise to a son (not *in esse*) of a person then living, if he shall enter the University, be brought up a clergyman, or the like, is void, because of the *uncertainty* whether he will attain the necessary qualification within the period allowed by the rule: (*Tollemache* v. *Earl of Coventry*, 8 Bl. N. S. 547; *Proctor* v. *Bishop of Bath and Wells*, 2 H. Bl. 358.) Numerous cases have settled that a trust for accumulation, which was bad before the Act, will still be so, not *pro tanto* merely, but *in toto*, of which see *Boughton* v. *James*, 1 Coll. 26; *Boughton* v. *Boughton*, 1 H. L. C. 406; *Browne* v. *Stoughton*, 14 Sim. 369; and *Scarisbrick* v. *Skelmersdale*, 17 Sim. 187. Had the direction to accumulate gone beyond the limits prescribed by the Thellusson Act, *without exceeding* those allowed by the rule against perpetuities, then the devise would have been good in part, *i.e.* for twenty-one years, and void as to the excess: (*Griffiths* v. *Vere*, 9 Ves. 127.) D. H.

Driffield, 19th June.

BILL OF SALE.—The 17 & 18 Vict. c. 36, enacts that, unless a bill of sale is registered as therein provided, it shall be null and void "*as against* all assignees of the estate and effects of the person whose goods, or any of them, are comprised in such bill of sale, under the laws relating to bankruptcy or insolvency, or under any assignment for the benefit of the creditors of such person; and as against all sheriffs' officers and other persons seizing any property or effects comprised in such bill of sale in the execution of any process of any court of law or equity authorising the seizure of the goods of the person by whom, or of whose goods, such bill of sale shall have been made; and against every person on whose behalf such process shall have been issued." I have frequently heard it contended by members of the Profession that, unless a bill of sale is registered, it is void as against all persons; but I do not think that judicial interpretations of the above clause can be found to support such opinion; and, apart therefrom, I should say that an unregistered bill of sale will be good against all persons except those above enumerated, *i. e.*, against all except assignees in bankruptcy or under an assignment for benefit of creditors, and except execution-creditors. Hence the bill of sale, in the case stated by "R. F. B.," will be good, unless there are other circumstances to invalidate it. The next question therefore is, whether it is void under 13 Eliz. c. 5, as being a fraud upon the creditors. The mere preference by an insolvent of one creditor to the others, and the conveyance to the former of the greater part of his property in satisfaction of, or as security for, a demand, is not fraudulent under the statute of Elizabeth (although it is an act of bankruptcy); but the question of fraud or no fraud is one *that is to be left to the jury, to be determined from all the circumstances of the case*. Should the bill of sale be held a fraudulent conveyance, then B. will be deemed an *executor de son tort*, and must hand over the proceeds of the sale to the lawful representatives of A. D. H.

Driffield, June 19.

THE LAW LIBRARY.

Lush's Practice of the Superior Courts of Law. Third edition. By JOSEPH DIXON. In 2 vols. London: Butterworths.

LUSH'S Practice is what Tidd's Practice was in our days of clerkship, and what Archbold's Practice was in our early professional days—*the* practice in general use, and the received authority on its subject. It was written by Mr. Lush when he was only a junior rising into fortune and fame. His practical knowledge, his carefulness and industry, were even then acknowledged, and his name secured for his work an immediate popularity which experience has confirmed and extended. But the book was, in its turn, productive of considerable advantage to the author; it increased largely the number of his clients. When new editions were called for Mr. Lush was too much occupied with briefs to find time for the preparation of books, and hence the association with his name of that of Mr. Dixon, as editor, and by whom the new edition has been produced.

Mr. Dixon reminds us that twenty-five years have passed since Mr. Lush made his appearance as an author, and vast indeed have been the changes the law has since witnessed. So numerous are they that the editor has found it the most convenient course to ignore, as it were, the second edition, to take the text of the original work, as it came fresh from Mr. Lush's pen, and to mould that to the present practice. He is thus enabled to assure the reader that for every alteration in or addition to the text he is alone responsible.

It would be interesting to learn how much of the entire work has been thus changed—what has been cut out, what altered, and what added; for this would be a measure of what the Law Reformers have accomplished. Thus should we see the sum of the changes that have been effected step by step so that even those whose duty has been to follow them closely as they advanced are unable to measure the amount of work that has been done. The preface will help us to some conception of this. No chapter has been added to the introduction; but in the first book of the Practice we have a new chapter on Trial by a Judge, and alterations in the proceedings to save the Statute of Limitations. In the second book chapters are added on the Absconding Debtors Act, Judges' orders for judgment, discovery, rules of court, questions of fact without pleadings on feigned issues, staying proceedings, consolidation of actions, and compounding penal actions, ascertaining the law of foreign countries, taking evidence and ascertaining the law in matters before foreign tribunals. The chapter on Inspection and Set-off has been divided into two, and greatly enlarged; and that upon Particulars of Set-off now includes Particulars of Objections to Patents and to Copyright. The chapter on Rules of Court is confined to the practice of obtaining and showing cause against rules and the proceedings to enforce them, and that on Staying Proceedings to a variety of matter not elsewhere treated of. To the third part have been added the new subjects of Summary Procedure on Bills of Exchange, and upon Writs of *Mandamus* and Injunction; and the chapter on Arbitration has been very considerably enlarged, as was due to the increased and growing importance of the subject.

The index is very complete and copious. Under Mr. Dixon's care, Lush's Practice will not merely maintain, it will largely extend, its reputation.

The Law of Costs, especially as Administered in Courts of Equity. By JOHN ADAIR, Esq., Barrister-at-Law. Dublin: Ponsonby. London: Sweet.

ALTHOUGH written especially for Irish lawyers, and published in Dublin, this treatise will be very useful to the Profession in England. We have several good books treating of costs at common law; but there is no recent work of mark devoted entirely to costs in equity—the last edition of Beame's having been published so long ago as 1840. The sweeping changes that have been effected in the practice of the courts of equity have made the preceding treatises on costs almost worthless, and have supplied ample materials for a new and more extensive treatise on a subject which affects the fortunes, not of the client only, but of the solicitor also.

The subject is distributed into four parts, which treat, first, of the costs of and incidental to suitors; secondly, of the costs of and incidental to purchases and sales; thirdly, of the costs of trustees and persons in fiduciary positions; and, fourthly, of the costs between client and solicitor by means of lien and otherwise; of costs between client and counsel; of taxation and enforcing payment of costs, &c.

The first part comprises eleven chapters, on security for costs between litigating parties, the costs of interlocutory proceedings and of disposing of the general costs of suit therein; the next chapter describes the law relating to the general costs of suits, particularly of those of mortgagees and other specific incumbrancers, and then successively the costs in creditors' suits, administration suits, partition suits, dower and interpleader, together with those incurred in suits for discovery, to perpetuate testimony, to take evidence *de bene esse* in cases relating to the production of documents, in injunction, and in suits by the Crown.

The second part treats of the costs of sales other than those made under special statutory provisions, the costs of proceedings under statutory provisions respecting the taking or injuring property for public purposes, and under the Settled Estates Act. The third part presents the Law of Costs of Trustees, otherwise than as parties to suits, and costs under the Trustees Acts. And lastly, the fourth part is devoted to the important subjects of Lien for Costs, the General Law of Costs between solicitor and client, and the fees between client and counsel, the taxation of costs and appeal, and the enforcement of payment of costs of ordinary process, of proceedings for costs as damages, of enforcing of contribution to costs of suit.

The work is remarkable for its singular condensation, by which it has been reduced to a comparatively small volume. But for this end there has been the sacrifice of the arts that commend a law book to the reader. Certainly, this is *not* a book to be *read*, but to be used only for reference, having more of the character of a digest than of a treatise. But this is rather a recommendation to the practitioner, who wants to see what the law is, as statute has decreed it, or judges expounded it, and not the views of any commentator, however able. For this the volume before us may be commended to the regards of the practitioner, who will find in it, not only whatever information he requires relating to costs, but all given in plain language, and made readily accessible by a copious index.

The following extract exhibits both the merits and defects of this work:

SOLICITOR'S LIEN FOR COSTS.

1. A solicitor or attorney undertaking business should consider what assurance he will have for his costs when payable, so far as money is not advanced by the client. He should have a proper retainer. He should consider what he may charge; and what will be payable as between party and party, and as between solicitor and client. Also, how far he may be obliged to continue to act for the client, though desirous to discontinue; and how far he can have legal agreement in aid of enforcing payment of his costs. He need not proceed without cash advances, giving reasonable notice for same—*Whitehead* v. *Lord*, 19 L. T. 113; and see *Steele* v. *Scott*, 2 Hog. 141; but that security otherwise than by lien given for costs to be incurred will not be enforced, is firmly established. *Uppington* v. *Bullen*, 2 D. & War. 184; *Shaw* v. *Neale*, 6 H. of L. 581; 4 Jur. N. S., 695. A bill was brought in last session for altering the law, and enabling solicitors and clients to enter into such agreements, which, however, did not become law.

2. Lien is a right of one person to hold property of another, till demands of the former against the latter are satisfied. *Per* Grose, J., *Hammonds* v. *Barclay*, 2 E. 235. Solicitor's lien has been defined as a right to hold deeds, papers, &c., of his client, whereof possession has been obtained in a professional capacity, for satisfaction of professional claims. Cross. 208; 2 Sp. 800; *Pelly* v. *Wathen*, 16 Jur. 48. This is called retaining-lien. Or a right to payment out of the fruit of his professional labour of the costs of producing or procuring that fruit. *Ibsan* v. *Bolland*, 4 M. & Cr. 354; *Steadman* v. *Hockley*, 15 M. & W. 553, which is called charging-lien.

Lien is a common law right; and solicitors' and attorneys' lien on property recovered or preserved by their professional employment has been further established by statutory enactment. 23 & 24 Vict. c. 127, s. 28. Solicitors' lien is of modern origin. Sto. 3, note; 2 D. & War. 427.

Again, those liens first mentioned, which seek satisfaction of a debt, are either particular or general: particular, where the debt is respecting the property retained; general, where the debt results from the general balance of account between the parties. Particular retaining-lien is a common law right; see *per* Pollock, C.B., in *Steadman* v. *Hockley*, 15 L. J. Ex. 332; Chitty Contr. 495; Smith's Compendium, 272, &c. General retaining-lien depends on agreement of the parties, and may be expressed, and then it is regulated by the terms of the contract. It may also be inferred from usage. *Richards* v. *Platel*, Cr. & Ph. 83. Sto. 1; and see note, p. 2, as to lien in Scotland; New South Wales; United States.

Solicitors and attorneys in England and Ireland may have the retaining and the charging-lien. The retaining-lien is particular and general; the charging-lien is only particular. The former is passive; the other may be actively enforced. Sto. 3.

3. Mr. Stokes, in his work on Lien of Attorneys and Solicitors (where he seems to have exhausted the subject up to the date of publication, in 1860), conveniently divides each of the above two classes of lien under the following heads:—1. The subject-matter of the lien; 2. The person enforcing it; 3. Against whom enforced; 4. Its extent; 5. The way of enforcing it; 6. The time for enforcing it; 7. How resisted or displaced.

4. Akin to the ordinary solicitors' and attorneys' lien is that of town agents and parliamentary agents. Certain clerks and other persons have, or claim, an analogous or similar lien. *Ridgway* v. *Lees*, 25 L. J. Ch. 584.

5. In the absence of agreement to the contrary, this lien extends beyond the costs of the business in the conduct of which deeds come to the solicitor's possession, to costs of all professional business, while they there remain. 2 Sp. 800; 2 L. Rec. O. S., 110. *Re Broomhead*, 5 D. & L. 52. With few exceptions, the retaining-lien extends to evidences or muniments of title, papers in a cause, as briefs, office copies, counsels' opinions, Sto. 6; *post* a, on feigned issue, 6 D. & R. 384; books of account, 6 Jur. N. S., 387; ledgers; vouchers for payments, *Ross* v. *Laughton*,

1 V. & B. 349; bills of exchange, *Gibson* v. *May*, 4 D. M. & G. 512; policies of assurance, *Richards* v. *Platel*, Cr. & Ph. 79; letters patent, *Ex parte Solomon*, 1 Gl. & J. 25. In *Frinsell* v. *King*, 15 Sim. 191, the lien was held to extend to copies of a work of Lord n., "Antiquities of Mexico," which were delivered to the publishers for production on trial of an action against his lordship for the paper, which he refused to pay for. The lien was for costs of defending the action.

The town clerk, being solicitor or attorney of a corporation, has a lien on books, papers, &c., coming to him as such professional man. *Per* Patterson, J., in *King* v. *Williams*, 2 Har. & Wol. 277; 6 Nev. & M. 839. So, as to a steward of a manor acting as solicitor or attorney. Ib.; and *Worrall* v. *Johnson*, 2 J. & W. 214.

An attorney has a lien on money coming to his hands recovered by his client. The attorney may stop it *in transitu*, if he can lay hold of it; or may apply to the court to prevent its being paid over. *Welsh* v. *Hole*, 1 Doug. 237, where Lord Mansfield considered that, after cautionary notice by the attorney of plaintiff to defendant not to pay plaintiff till the attorney's bill was satisfied, such payment would be in the defendant's wrong. *Bishop* v. *Huggins*, Barnes, 38. So, as to lien on judgments recovered for client, *Mitchell* v. *Oldfield*, 4 T. R. 123; Sto. 7. On decrees, and money payable thereunder, Pull. 381. Lien may extend to documents come to the solicitor, not in the ordinary course of business. Sto. 7; *Stevenson* v. *Blakelock*, 1 M. & S. 535; see observations in *Gibson* v. *May*, 4 D. M. & G. 518, 519.

Lien on money of client in attorney's hand is only for the amount actually due. *Miller* v. *Atlee*, 3 Ex. 799; see Sto. citing *Hanson* v. *Reece*, 3 Jur. N.S., 1204.

6. There is no lien on a client's person. Plaintiff's attorney directed the sheriff's officer not to let defendant go at large without the attorney's express consent, alleging his lien for costs. On plaintiff's consent alone, defendant was set free; and a rule *nisi*, calling on the sheriff to pay plaintiff's attorney, was discharged with costs. *Marr* v. *Smith*, 4 B. & Ald. 466.

Soon after defendant's arrest in execution, plaintiff went abroad, and was not heard of for eight years. There being reason for believing that she died abroad, and no will or grant of administration appearing on search, the C. Pleas held that the lien of plaintiff's attorney on the judgment did not warrant the retention of defendant for payment of those costs. *Camp* v. *Bote*, 7 D. & L. 289; 8 C. B. 375; *Pyne* v. *Erle*, 8 T. R. 407.

It has been held that there is no lien on a will, *per* Lord Eldon, T. & R. 92; 18 V. 295. See Sto. 9, where the writer submits that sometimes such a lien may exist.

7. This lien does not extend to proceedings in bankruptcy. Lord Eldon said, in *Ex parte Hardy*, 1 Rose, 396, that the question had been so often decided, that costs would always be given against whoever, by refusing to deliver up the proceedings to the assignees, drives them to apply to the court for them. *Ex parte Tilley*, 2 Rose, 83. *Aliter*, as to proceedings under a superseded commission. *Ex parte Shaw*, 1 Gl. & J. 124; see *Ex parte Underwood*, De G. 190.

8. In cases of partnership, a client employing a firm is supposed to stipulate for the services of each member. *Cholmondely* v. *Clinton*, 19 V. 261. Lien of an attorney or of a firm is not prejudiced by admitting a new partner or partners. *Pelly* v. *Walthen*, 7 H. 351; *Turner* v. *Deane*, 18 L. J. Ex. 343; 3 Ex. 836. An attorney employed by a firm, and by one partner on his private account, has no lien on a private deed of that partner in respect of the debt for business done for the firm. *Turner* v. *Deane*, *ante*. Where there was change of partners in a continuing firm, the right of lien was held to continue to the firm for the time being. *Gregory* v. *Creswell*, 14 L. J. Ch., 300. After a firm took a third partner, they got possession of a client's papers: it was held that the original partners had no lien on the papers for costs due by the client before the third partner joined. *Re Forshaw*, 16 Sim. 121; see 1 D. M. & G. 27.

The lien extends to personal representatives. *Redfearn* v. *Sowerby*, 1 Sw. 84; *Magrath* v. *Muskerry*, V. & Scr. 171; 1 Ridg. P. C. 476; *Allen* v. *Jervoise*, 11 Ir. Eq. R. 583. Solicitor's banker has been allowed the benefit of the lien. *Bull* v. *Faulkner*, 2 De G. & S. 772.

9. Besides the original client, this lien is valid against his heirs, personal representatives, vendees, mortgagees, trustees of property settled by client. In *Re Gregson*, 26 B. 87, Evans employed Gregson in preparation of his marriage-settlement. The trustees of the settlement, after the marriage, petitioned for it, or inspection of it. Sir J. Romilly held that the solicitors are not bound to produce it to their client, or to any persons claiming under him, until paid their costs.

The lien has been held to give priority to the solicitor of a personal representative for his general costs of administering the estate, over general creditors of the deceased. *Warburton* v. *Edge*, 9 Sim. 508; see *Turner* v. *Letts*, 7 D. M. & G. 243.

In cases of lunacy. In *Re Davies*, a lunatic, the Lord Chancellor authorized the committees of the lunatic to mortgage his estate to pay debts. Former solicitors of lunatic claimed a lien on his deeds. The Chancellor allowed the mortgagee to pay the committees sufficient to pay the solicitors' claims, without prejudice to the right of taxing the costs, and investigating their accounts. 12 L. J., N. S., Ch. 456.

On bankruptcy, estates vest in assignees, subject to prior liens. Sto. 16; see per Sugden, C., 2 D. & War. 426; see *Ex parte White*. 3 M. D. & De G. 7; *Re May*, Fonbl. B. R. 243.

As to official managers under winding-up acts—*Re G. A. & C.-W. Ry. Co*, 29 L. J. Ch. 383; *Re O. & W.-E. & C.-J. R. Co.*, 1 De G. & S. 728.

10. The solicitor's lien is coextensive with the client's rights; whilst against the client his solicitor may lock the box, he cannot get from the client a deed freed from an incumbrance, to which, in the client's hand, it was subject. *Molesworth* v. *Robins*, 2 J. & La. T. 358; *Blunden* v. *Desart*, 2 D. & War. 418; 2 Sp. 800; *Pelly* v. *Wathen*, 7 H. 351; 16 Jur. 48, *aff.* 1 D. M. & G. 16. An equitable right against the client prevailed against the lien of a solicitor, into whose hands deeds came after that right arose. *Pelly* v. *Wathen*; *Francis* v. *F.*, 5 D. M. & G. 108; *Hutchinson* v. *Joyce*, 2 Jon. 122; Sto. 22.

Lien cannot exist at variance with the terms, conditions, or implied understanding on which the property comes to the party claiming the lien. Addison, 280; *Balch* v. *Symes*, T. & R. 92; Sto. 27.

Lien does not protect from obligation to produce a deed sought to be impeached in a proceeding, the object whereof is to have the deed declared void. *Per* Lord Eldon, in *Balch* v. *Symes*, *ante*.

In the absence of agreement, lien extends beyond the costs of the business in the conduct of which deeds come to the solicitor, to costs of all professional services rendered before or after delivery of the deeds—2 Sp. 800; *Ex parte Stirling*, 16 V. 258; *Re Broomhead*, 5 D. & L. 52; 2 L. Rec., O. S., 110—even though the attorney fail in the object for which he got the deeds.

The lien exists for money advanced in prosecution of legal proceedings. *Marchioness of Lansdowne* v. *Beauman*, 3 L. Rec., O. S., 53.

The right prevails against heir, or personal representative, and to costs of action for general balance due by client. *Gray* v. *Graham*, 26 L. T. 111.

BOOKS RECEIVED.

Daniel's Practice of the High Court of Chancery, with some Observations on the Pleadings in that Court. Fourth Edition. By LEONARD FIELD and EDWARD C. DUNN, Barristers-at-Law, with the assistance of JOHN BIDDLE, of the Master of the Rolls' Chambers. In 2 vols. Vol. I. London: Stevens, Sons and Haynes, Bell-yard.

Odds and Ends, No. 5. Wayside Thoughts of an Asophophilosopher, No. 2. Asses—History—Plagues. By D'ARCY W. THOMPSON. Edinburgh: Edmonston and Douglas.

The Succession Duty Act 1853 (16 & 17 Vict. c. 51), *with the Decisions and Notes.* By ALFRED HANSON, Esq., of the Middle Temple, Barrister-at-Law. London: Stevens and Haynes, Bell-yard.

A Treatise on Arrangement with Creditors under the Bankruptcy Act 1861, *with Precedents; to which are added the sections of the Bankruptcy Act* 1849 *and* 1861, *and the Rules and Orders relating thereto. With a full Index.* By WILLIAM DOWNES GRIFFITH, of the Inner Temple, Esq., Barrister-at-Law. London: H. Sweet, Chancery-lane; Stevens, Sons and Haynes, Bell-yard.

Lush's Practice of the Superior Courts of Law at Westminster, in Actions and Proceedings over which they have a Common Jurisdiction; with Introductory Treatises respecting Parties to Actions, Attorneys and Town Agents, &c. &c., and Appendix. Third Edition. By JOSEPH DIXON, Barrister-at-Law. 2 vols. London: Butterworths. Dublin: Hodges and Smith.

The Declaration of Students of the Natural and Physical Sciences. London: Simpkin, Marshall and Co.

THE COURTS & COURT PAPERS.

COURT OF QUEEN'S BENCH.

Reported by JOHN THOMPSON and T. W. SAUNDERS, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Wednesday, June 7.

THE HOMŒOPATHIC HOSPITAL AND MEDICAL SCHOOL *v.* ST. ANDREW AND ST. GEORGE.—This was a case stated under the 12 & 13 Vict. c. 45, for the opinion of this court as to the liability of the above hospital to be rated to the rate for the relief of the poor.—*Huddleston*, Q. C. and *Bulwer*, Q. C. appeared in support of the rate.—*Mellish*, Q. C. contra. *Cur. adv. vult.*

THE OVERSEERS OF THE POOR OF CHATHAM *v.* THE ROCHESTER PAVING BOARD.—*Mellish*, Q. C. and *Lush*, Q. C. appeared herein.

Friday, June 9.

COYNE *v.* MAXWELL.—*Needham* was heard herein. *The facts are to be turned into a special case.*

ADAMSON *v.* DUNCAN AND ANOTHER.—This was a special case.—*Lush*, Q.C appeared for the plaintiff.—*W. Williams* for the defendants. *Judgment for the plaintiff.*

WILSON *v.* THE LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.—This was a special case upon an action for a breach of covenant.—*Manisty*, Q. C. and *Hellar* for the plaintiff.—*E. James* and *T. Jones* for the defendant. *Judgment for the plaintiff.*

Saturday, June 10.

REG. *v.* THE COMPANY OF PROPRIETORS OF THE BRADFORD NAVIGATION.—This was a special case.—*Mellish*, Q. C., *Field*, Q. C. and *Manis* appeared for the Crown; and *Manisty*, Q. C., *Aspinall*, Q. C. and *Kemplay* for the defendants. *Judgment for the Crown.*

CHATHAM LOCAL BOARD *v.* THE ROCHESTER PAVING COMMISSIONERS.—*Mellish*, Q. C. and *Lush*, Q. C. appeared for the respective parties. *To stand over until next term.*

Monday, June 12.

FRANCIS *v.* GREENSLADE.—*Huddleston*, Q. C. moved in this case, which was tried before, Mellor, J., to set aside the verdict for the defendant, and for a new trial, on the ground that the verdict was against the weight of evidence, and upon an affidavit. *Rule refused.*

TAGGITT *v.* BEFAN.—*Keane*, Q.C. moved in this case, which was tried before Mellor, J., when a verdict was returned for the plaintiff, with 75*l.* damages, to set aside the verdict as against evidence, and for misdirection. *Rule refused.*

DOUBLE *v.* SHARPE.—*Seymour*, Q.C. moved in this case which was tried before Mellor, J., when a verdict was returned for the plaintiff for 283*l.*, for a new trial as against evidence, or to reduce the damages to 63*l.* 10*s.* 6*d.* *Rule nisi.*

JAMES *v.* BURNSIDE.—*Tozer*, Serjt. moved in this case, which was tried before Mellor, J., when a verdict was returned for the defendant, for a new trial, on the ground of misdirection. *Rule refused. Leave to appeal.*

PARRY *v.* THORN.—*Kemp*, in this case, which was tried before Mellor, J., when a verdict was returned for the defendant, with 40*l.* damages, moved to set aside the verdict, and for a new trial, on the ground that the damages were excessive. *Rule refused.*

HAWKINS *v.* CARR.—PARSONS *v.* PARSONS.—*Barnard* moved to set aside an order of a judge to exhibit certain interrogatories herein. *Rule nisi.*

REG. *v.* THE RECORDER OF NORTHAMPTON. *Part heard.*

Wednesday, June 14.

REG. *v.* THE WORKSOP BOARD OF HEALTH.—The Court said, that having heard this case reargued, they adhered to their former decision.

Re THE ELECTING A WAYWARDEN FOR MILTON-NEXT-SITTINGBOURNE.—*Russell* was heard herein; *W. Foote* and *Beresford* contra. *Rule discharged with costs.*

REG. *v.* NORMAN AND OTHERS.—*Field*, Q.C. showed cause against a rule for a *quo warranto* information against certain persons for exercising the office of members of the Local Board of Health of Ilkeston, Derbyshire.—*Hayes*, Serjt., in support of the rule. *Rule discharged.*

HAZLITT *v.* TEMPLEMAN.—*Huddleston*, Q. C., in this case which was tried before Mellor, J., when a verdict was returned for the plaintiff with 20*l.* damages, moved to enter a nonsuit or a verdict for the defendant. *Rule nisi.*

Ex parte SAWARD.—*Keane*, Q.C. moved for a rule calling upon the town clerk of Blackburn to show cause by what authority he exercised that office. *Rule refused.*

Thursday, June 15.

COLEMAN *v.* PAYNE.—*Nasmyth* moved for a rule calling on an attorney of this court to render a full account of all moneys received under the execution issued against the defendant. *Rule nisi, returnable at chambers.*

REG. *v.* THE JOINT-STOCK DISCOUNT COMPANY.—*Raymond* for the company, assented to a rule *nisi* obtained by *Watkin Williams* for a *mandamus* to register a transfer of shares being made absolute. *Rule absolute.*

Re THE BRADFORD WATERWORKS.—*Mellish*, Q. C. and *Kemplay* showed cause, and *Cleasby*, Q. C. and *Manis* supported a rule *nisi* for a *certiorari* to quash a certificate given by justices that the Doe-park Reservoir was complete, &c. The ground of objection was, the justices were interested in the company. *Cur. adv. vult.*

Re FREEMAN, &c.—The Master read his report on the motion by *H. T. Cole* to strike an attorney off the rolls.—*Kingdon* showed cause. *Rule enlarged.*

REG. *v.* THE MIDDLE LEVEL COMMISSIONERS.—*Sir F. Kelly*, Q. C. (*O'Malley*, Q. C. and *Metcalfe* with him) appeared to show cause against a rule *nisi* for a *mandamus* obtained by *Lush*, Q. C. (*Quain* with him). *Rule enlarged.*

GUMM *v.* TYRIE.—Rule *nisi* calling on the defendant to show cause why 1800*l.* worth of Exchequer-bills, lodged in court, should not be paid out to the plaintiff, with the interest thereon.—*Lush*, Q. C. (Sir *G. Honyman* with him) appeared for the defendant, and *Mellish*, Q. C. (*H. T. Cole* with him) for the plaintiff. *Referred back to the arbitrator.*

LORD KENNEDY *v.* THE PANAMA, NEW ZEALAND AND AUSTRALIAN RAILWAY COMPANY.—*T. Jones* showed cause and *Lush*, Q. C. supported a rule *nisi* to set aside an order for the examination of witnesses in Australia. *Rule absolute on terms.*

REG. *v.* WATERS.—*Karslake*, Q.C. and *Cole* showed cause, and *M. Bere* and *F. H. Lewis* supported a rule for a *certiorari* to remove the trial of an indictment for embezzlement, of which Lord Shaftesbury is the prosecutor, from Dorsetshire to the Central Criminal Court. *Rule absolute.*

REG. *v.* LEWIS.—*Hodgson* showed cause and *H. James* supported a rule *nisi* for a criminal information against Silvanus Howell Lewis for a libel. Mutual explanations took place, and it was consented that the rule should be discharged. *Rule discharged.*

Re HENRY HUGH PYKE.—*Stammers* applied that this gentleman might be readmitted as an attorney.—*Garth* appeared for the Incorporated Law Society. *Leave granted.*

Friday, June 16.

GREEN *v.* GROVES.—This was a rule calling upon plaintiff to show cause why the verdict should not be set aside on the grounds, first, that it was against evidence; secondly, that the jury improperly assessed the amount of damages; thirdly, misdirection.—*Karslake*, Q. C. showed cause.—*H. T. Cole* and *Collins* in support of the rule. *Rule absolute for a new trial on payment of costs.*

Saturday, June 17.

WILLIAMS *v.* REYNOLDS.—Rule *nisi* to reduce the damages

in an action for non-delivery of cotton within the time specified by the contract.—*R. G. Williams* showed cause, and *Quain* supported the rule.—(To be reported.)

Rule absolute.

NEWTON v. KEKSHAW.—Action upon a bill of exchange for 1000*l.*, tried at the last Surrey Assizes, before Bramwell, B., and verdict found for the defendant.—*Hawkins*, Q.C. and *Thrupp* showed cause, and *M. Chambers*, Q.C., *Day*, and Sir *G. Honyman* supported the rule for a new trial on the ground that the verdict was against the evidence.

Rule absolute.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Monday, June 12.

SHUTTLEWORTH v. LE FLEMING AND OTHERS.—The arguments in this case were concluded.—*Mellish*, Q.C. appeared in support of the demurrer.—*Manisty*, Q.C. and *J. A. Russell* contra.

Cur. adv. vult.

MATHESON v. LEACH.—This was an action for slander, the words being that a schoolmaster was incompetent and not fit for his situation. At the trial before Smith, J. a verdict was found for the plaintiff for 5*l.*, the learned judge having directed the jury that the words were actionable in themselves. A rule for a new trial having been obtained on the ground of misdirection,—*Temple*, Q.C. and *James*, Q.C. now showed cause; *Mellish*, Q.C. and *Quain* in support.

Rule discharged.

Tuesday, June 13.

Ex parte SOPHIA —— (a married Woman).—*Philbrick* moved to enrol a deed made by applicant without the concurrence of her husband, of whom she had not heard since 1861.

Application granted.

RIDGE v. GLOVER AND ANOTHER.—This was a demurrer to pleas in an action of trespass.—*Gray*, Q.C. and *Macnamara* appeared in support of the demurrer.—*Huddleston*, Q.C., *Powell*, Q.C. and *J. O. Griffits* contra.

Judgment for plaintiff unless pleas amended within a week.

MAY v. EVANS.—This was a rule calling on the plaintiff to show cause why he should not be deprived of his costs, and why the defendant should not have them under sect. 86 of 12 & 13 Vict. c. 106, on the ground that he had probable cause for making the affidavit of the amount of the debt.—*Prentice* showed cause.—*D. Seymour*, Q.C. and *L. Kelly* supported the rule.

Rule refused.

REID v. THE GREAT EASTERN RAILWAY COMPANY.—This was a special case stated for the opinion of the court. By a memorandum of agreement made on the 3rd March 1862, between a Mr. Elwes and the plaintiff, the former agreed to let to the latter a mansion-house and grounds, &c., together with the sole right of fishing and shooting over the whole estate, consisting of 3000 acres, from the 24th March for three years. The tenant to have the option, by giving six months' notice prior to the expiration of the tenancy, of renewing the tenancy for a further period of two years, and also to have the option of extending the tenancy for a second period of two years, making seven years in all, by giving six months' notice. The defendants being about to make a railroad, which would pass through Mr. Elwes' property, gave him the necessary notices, and eventually purchased of him part of the land over which the plaintiff had hired the right of shooting, amounting to about twenty-three acres. It was admitted by the company that the shooting on that part of the land which was not purchased was prejudiced and diminished in value by the construction of the railway, and also that the shooting on the purchased lands was prejudiced and diminished in value. The question was, whether, inasmuch as the exclusive right of shooting must have been granted by deed, the plaintiff had, nevertheless, such an equitable interest in the land said to be injuriously affected as would entitle him to compensation under sect. 68 of the Lands Clauses Consolidation Act.—*Mellish*, Q.C. and *Mayd* having been heard for the plaintiff, and *Bidder* for the defendants, the COURT held that the plaintiff had no such interest.

Judgment for defendants.

Wednesday, June 14.

BICKETT v. THE MIDLAND RAILWAY COMPANY.—*Stephenson*, for the plaintiff, moved for leave to strike out certain pleas which Keating, J. had allowed at chambers, giving the plaintiff, however, leave to demur to them.

Rule refused.

PHILLIPS v. IM-THURN.—*Hannen* and *J. A. Russell* stated that it had been agreed to turn this into a special case.

BETTIES v. ELSWORTHY.—Tried before Keating, J. on the 10th June. The verdict was obtained by the plaintiff for 21*l.* 8*s.* 6*d.*—*Pearce* moved for a new trial on the ground that the verdict was against the weight of evidence.

Rule refused.

VICKARS v. TIBBS.—*Joyce* showed cause against a rule to set aside the certificate of the master on the ground of the plaintiff's having produced before him a document the date of which had been fraudulently altered.—*Macrory* supported the rule.

Rule discharged with costs.

LINGWOOD (app.) v. GYDE (resp.)—GYDE (app.) v. LINGWOOD (resp.)—These were cross appeals from the decision of a copyhold commissioner, upon the enfranchisement of certain lands held by Gyde of Lingwood, who was lord of the manor of Cheltenham.—*Mellish*, Q.C. (*R. Sawyer* and *H. James* with him) appeared for the lord of the manor.—*Denman*, Q.C. for the copyholder.

Part heard.

Re POWELL.—*Lumley Smith* moved, at the rising of the court, for an attachment for non-compliance with a judge's order.

Rule nisi.

Thursday, June 15.

LINGWOOD (app.) v. GYDE (resp.)—GYDE (app.) v. LINGWOOD (resp.)—The hearing of these appeals was resumed, and ultimately the case was sent back to the copyhold commissioner, with an intimation of the opinion of the court upon certain points, to be restated.

KRALICK v. STEIGERWALD.—*C. W. Wood* moved to rescind an order of Keating, J., setting aside a writ of capias issued by the plaintiff, as being issued in contravention of an existing order for the stay of proceedings till security should have been given for costs. He contended that proceeding by capias was not a proceeding in the cause, and that the defendant had waived the order for staying proceedings by subsequently obtaining leave to administer interrogatories to the plaintiff.

Rule refused.

BUTCHER v. COLE.—*Fryer* applied for a rule to stay proceedings, which Keating, J. had declined to stay.

Referred back to chambers.

Monday, June 19.

GOUCHER v. THE MAYOR OF WEYMOUTH.

Stands over till next term.

COLLIS v. EVANS.—Demurrer to a plea.—*Horace Lloyd* in support of the demurrer.—*Coleridge*, Q.C. contra.—(To be reported.)

Judgment for the plaintiff.

THE CONSOLIDATED BANK v. SMITH.

Stands over till next term.

HUGHES v. PALMER AND ANOTHER.—This was a special case raising a question as to the construction of a composition-deed.—*Austin* appeared for the plaintiff; *J. Brown* for the defendants.—(To be reported.)

Judgment for the plaintiff.

BUTTERWORTH v. BROWNLOW AND ANOTHER.—This was a case stated by the County Court judge of Manchester. The defendant contracted with the plaintiff and other persons for the carriage of goods, he employing other carriers. The plaintiff had requested the carrier who was in the habit of delivering goods to him, and was employed by the defendant, not to deliver the goods in the ordinary course, but to give the plaintiff notice of their arrival in Manchester upon which he would send for them. The carrier having neglected to give notice of the arrival of a quantity of cotton, the plaintiff sued the defendant for the damage he had sustained by delay in the delivery. The Judge held that the delay was caused by the plaintiff's own conduct, and found for the defendants.—*Holker* appeared for the plaintiff; *Keneally* for the defendants.

Judgment affirmed.

IRWIN v. SIR GEORGE GREY.—Error in fact on a judgment on a petition of right, assigning as errors that eight out of the twenty-four special jurymen who were struck were not summoned; that the list of jurymen was called over before the court sat, and not afterwards; that ten only answered, and that a *tales* could only be prayed when the jurymen made default in attending, and that they could not be said to have made default if they were not summoned.—The plaintiff appeared in person.—*Hannen* for the defendant.

Part heard.

Tuesday, June 20.

IRWIN v. SIR G. GREY.—This part heard case was resumed, and the *Solicitor-General* heard for the defendant.

Cur. adv. vult.

THE CITY OF DUBLIN STEAM PACKET COMPANY v. THOMPSON.—Special case.—*Powell*, Q.C. (*W. Williams* with him) was heard for the plaintiffs.—The *Solicitor-General* (*Giffard*, Q.C. and *C. Pollock* with him) for the defendant.

Cur. adv. vult.

RAY v. JONES.—Demurrer to plea setting out a composition deed under sect. 192 of the Bankruptcy Act 1861.—*Prentice* supported the demurrer.—*Piggott* (*Wilson* with him) supported the plea.

Judgment for the plaintiff.

COURT OF EXCHEQUER.

Reported by F. BAILEY and H. LEIGH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Saturday, June 10.

Ex parte LORD EGLINTON'S TRUSTEES, *re* STAMP DUTY ON A NOTARIAL INSTRUMENT.—This was a revenue case stated by the commissioners for the opinion of the court, and raised the question whether a certain instrument required a stamp as an "instrument of seisin" under the Scotch law.—The *Attorney-General*, the *Lord Advocate*, the *Solicitor-General* and *B. Kinnear* (of the Scotch and Chancery Bar), appeared for the Crown.—*Anderson*, Q.C. and *Wotherspoon*, contra, for the trustees: (55 Geo. 3, c. 184, schedule "Seisin;" "Instrument of Seisin;" "Notarial Act;" 8 & 9 Vict. c. 35, s. 1; 13 & 14 Vict. c. 97, s. 14; 21 & 22 Vict. c. 76, ss. 1, 2, 12; 24 & 25 Vict. c. 91, ss. 1, 2, 12, 25; Bell's Principles of the Law of Scotland, 4th edit., p. 287, s. 764, were referred to.)

Cur. adv. vult.

HALL v. BENNETT.—*Day* moved for a rule calling on plaintiff to pay money under an award.

Re AN ATTORNEY.—*Brooke* moved for a rule for an attorney to pay over money.

Rule nisi.

MATHEWS v. KING.—*Karslake*, Q.C. and *Kingdon* showed cause against, and *Coleridge*, Q.C. (with *H. T. Cole*), supported, the plaintiff's rule for an injunction to restrain the nuisance complained of in the action, which was tried before Channell, B., at the last Cornwall assizes, when plaintiff got a verdict and 10*l.* damages for loss of a horse alleged to have been poisoned by the arsenic disseminated and deposited over the surface of the ground in the neighbourhood of the copper mine and works, of which defendant was a shareholder. It appeared that since the action and verdict, defendant had sold all his shares, and now had no further interest in the mine.

Rule discharged.

Monday, June 12.

LORD COLCHESTER v. KENNEY.—This was a special case stated for the opinion of the court as to whether an asylum at Wandsworth was liable to land-tax, or whether it was not exempt as an hospital from land-tax under the 38 Geo. 3, c. 5, s. 25, and 38 Geo. 3, c. 60.—The *Solicitor-General* (*Prideaux* with him) for the plaintiff.—*Lush*, Q.C. (*Phillbrick* with him) for the defendant, who was the collector of land-tax at Wandsworth.

The case was ordered to go back for amendment.

LONGWORTH AND ANOTHER v. KAY.—*S. Temple*, Q.C. and *Baylis* showed cause against a rule to set aside an award on the ground of improper conduct on the part of the arbitrator in refusing to hear the counsel or attorneys of either side, but calling the witnesses and examining them himself.—*Crompton* contra (not called upon).

Referred to another arbitrator, to be hereafter agreed upon by the parties.

WILSON v. WHITE.—*Prideaux* showed cause against a rule for leave to administer certain interrogatories. It was an action of ejectment, and the plaintiff proposed to interrogate the defendant as to whether he was lessee, and upon what terms, whether such agreement was in writing, &c., being, as it was contended, an evasion of the 50th section of the C. L. P. A. 1854. It was not stated upon what grounds the information sought was required. —CHANNELL, B.: It seems to me those grounds ought to be stated; they would be required to be stated in a bill of discovery, and why not set them forth here?—POLLOCK, C.B. and BRAMWELL, B.: That seems very reasonable. The matter had better stand over for those grounds to be added; but, as the proposition or rule of practice is new, let it be without costs.

To stand over for the purpose of adding the grounds accordingly.

KIRKBRIDGE v. BURTON.—*T. Jones* moved for a rule for an attachment for the disobedience of an order of Pigott, B. made under the 50th section of the C. L. P. A. 1854. The order was for an inspection and copies of certain documents. An inspection had been granted, but the copies had not been given. He also referred to sect. 51.

Rule nisi.

PEARSON AND ANOTHER v. ALLAWAY.—This was a special case.—*Lush*, Q.C., for the plaintiffs, argued that the plaintiffs were entitled to judgment, the defendant being liable upon the agreement of 31st March 1862; that Stephen Allaway in that agreement mentioned was not made a bankrupt within the contemplation or intention of the parties to the agreement; he was made a bankrupt subsequently to the agreement and upon an act of bankruptcy accruing subsequently, and, therefore, he was not made a bankrupt within the terms of the agreement—*Garth* contra (not called upon).—The COURT were clearly of opinion that upon the facts stated the defendant was entitled to judgment.

Judgment accordingly.

Tuesday, June 13.

BOUILLON v. VALENTIN.—*Simon*, Serjt. moved for a rule in this case, tried before Pigott, B. and a special jury, calling upon the plaintiff's attorney, Mr. Hall, to pay over to the defendant certain moneys which had been abstracted from her, and which had been supposed to be lodged in the London and Westminster Bank. He also asked that the conduct of the plaintiff's attorney should be investigated before the master.—POLLOCK, C.B. suggested that if there was matter of complaint against Mr. Hall, it had better be dealt with by the Incorporated Law Society.

Rule refused accordingly.

SAME v. SAME.—*Karslake*, Q.C., for plaintiff, moved for a new trial, but at the suggestion of the Court it was arranged to stand over till to-morrow, when Pigott, B. would come in.

Stands over accordingly.

MATHEWS v. KING.—*H. T. Cole* moved on part of plaintiff to re-open and re-argue this rule on the ground that a fraud had been practised on the court by the affidavits of defendant.

Rule refused.

STRANGER v. MILLER.—*Needham*, for plaintiff, moved to have this case restored to the special paper. Both parties desired to have the case argued.

To be restored and argued to-morrow.

DAINES v. BLAKE.—*W. R. Cooper* moved for a rule calling on the master to state a case for the opinion of the court, on a point of law, arising on the construction of a lease in this case, which was a dispute between landlord and tenant. At the suggestion of the Court, *Cooper* withdrew his motion, the master to be spoken to by the court upon the point.

Motion withdrawn accordingly.

BUTLEY v. HANNE.—BRAMWELL, B. delivered the judgment of the court herein discharging the rule.

Rule discharged.

Wednesday, June 14.

BOUILLON v. VALENTIN.—Tried before Pigott, B., at Westminster, when the jury returned a verdict for defendant. —*Karslake*, Q.C. now moved for a rule for a new trial on the ground that the verdict was against the evidence.—The COURT said they would look to the evidence and the notes of the learned judge who tried the cause, before deciding whether there should be a rule or not.

Cur. adv. vult.

Thursday, June 15.

BOUILLON v. VALENTIN.—The COURT granted the rule *nisi* for a new trial herein, the defendant to be discharged from custody.

Rule nisi for new trial.

BRISTOL AND EXETER RAILWAY COMPANY v. FRASER—PIERCY AND FRASER v. THE BRISTOL AND EXETER RAILWAY COMPANY.—In these cases, *H. Lopes*, for the railway company, proposed that it should be referred to a Queen's Counsel or a Queen's Serjt.—*Littler*, on the other side, assenting.

Ordered accordingly.

BOGER v. PEAKE.—*H. T. Cole* moved for a rule calling on the Bishop of Worcester to render an account of moneys received under writs of sequestration.

To apply to a judge at chambers.

WILSON v. WHITE.—*Prideaux*, for defendant, shows cause against a rule in this case. It was an action of ejectment, and a summons had been taken out at chambers before Pigott, B. for leave to exhibit interrogatories. No order was made, and plaintiff then came to the court for a rule, and leave was given to him to come again with a fresh affidavit. It was now submitted in the first instance, that such new affidavit could not be used. It was laid down in Chitty's Practice that affidavits must be sworn before the rule is moved for. The present rule was drawn up on certain affidavits which were sworn previously, and plaintiff now sought to make the rule absolute on a subsequent and fresh affidavit. (He referred also to rule 146 of Reg. Gen. H. T. 1853.) The rule is positive, and though a technical one, the court must be bound by it. [CHANNELL, B.: The court gave leave to plaintiff to file a fresh affidavit *nunc pro tunc*, as it were. But we might dispose of the matter at once by discharging this rule and granting a new one.] This was an attempt to pry into defendant's title and to rake out a case against him, and to see if plaintiff had a good cause of action or not. It was necessary for both plaintiff and his attorney to swear to merits, but the attorney had not ventured to do so. His affidavits show we have given him all the information we can give him.—*Harrison* for plaintiff: The interrogatories are not for the purpose of raking out a forfeiture as has been suggested.—By the COURT: The second, third and fourth interrogatories may be allowed. The first is needless.

Rule accordingly.

Re AN ATTORNEY.—*Huddleston*, Q.C. showed cause against, and *Brooke* supported a rule calling on an attorney to pay over money to a client.

Rule discharged.

WEST AND ANOTHER v. AMOS.—*Arundel Rogers* moved for a rule to enter a verdict for plaintiff in this action for 25*l.* It was an action for malicious prosecution, tried before Pigott, B., on Monday last, when that learned judge ruled there was no evidence of the absence of reasonable and probable cause, and the jury found there was malice. It was contended the jury having so found it was misdirec-

tion in the learned judge to direct a verdict for defendant on the point of reasonable and probable cause. He cited *Paxton* v. *Williams*, in error, 2 Q. B. 169; *Hunt* v. *Gibbons*, 30 L. J. 75, Ex. *Rule discharged.*

KHURSHEDJI v. DORABJEE.—Sir *G. Honyman*, for defendant, showed cause against a rule for an attachment for not obeying an order to produce documents.—*T. Jones* contra for plaintiff.

Rule discharged; costs to be costs in the cause.

BURLEY v. TAYLOR.—*E. James*, Q.C. appeared to show cause against, and *Brett*, Q.C. and *T. Jones* appeared to support the rule for an injunction to restrain the nuisance in this case, tried before Shee, J., at the last spring assizes at Liverpool, when a verdict was found for plaintiff for nominal damages.

Rule enlarged by arrangement to Michaelmas Term.

The COURT announced, through Master Pollock, that it would sit to deliver judgments in cases standing for judgment on Friday next, the 23rd June.

EXCHEQUER CHAMBER.

Reported by T. W. SAUNDERS, LUMLEY SMITH and H. LEIGH, Esqrs., Barristers-at-Law.

ERRORS FROM THE QUEEN'S BENCH.

Saturday, June 17.

GANDY v. GUIBERT.—The COURT in this case recommended the parties to agree to a *stet processus*.

LLOYD v. GUIBERT.—*C. Hutton* appeared herein for the plaintiff, and *Hodson* for the respondent. *Cur. adv. vult.*

ERRORS FROM THE COMMON PLEAS.

Monday, June 19.

ANDREWS v. LAWRENCE.—*E. James*, Q.C. (*Baylis* with him) was heard for the appellant.—*Brett*, Q.C. (*Crompton Hutton* with him) for the respondent.

Judgment for the respondent.

THE WORKSALL WATERWORKS COMPANY v. LLOYD.—*Crompton Hutton* (*Lush* with him) was heard for the defendant in support of the bill of exceptions. The other side were not called on. *Judgment for the plaintiffs.*

BULLEN v. SHARP.—*Lush*, Q.C. (Sir *G. Honyman* with him) was for the appellant,—*J. Brown*, Q.C. (*Trevelyan* with him) for the respondents. *Part heard.*

Tuesday, June 20.

BULLEN v. SHARP.—In this case *J. Brown*, Q.C. argued for the plaintiff, and *Lush*, Q.C. for the defendant.

Cur. adv. vult.

ERRORS FROM THE EXCHEQUER.

Wednesday, June 21.

SUTTON v. THE GREAT WESTERN RAILWAY COMPANY.—SAME v. THE SOUTH-EASTERN RAILWAY COMPANY.—CROMPTON, J. announced that the judgment in these cases would be delivered on 10th July next.

SYMONS AND ANOTHER v. GEORGE AND ANOTHER.—Appeal from a judgment of the Exchequer on an interpleader issue, raising the question of the validity of a deed executed under sect. 192 of the B. A. 1861; and secondly, whether, if not a good deed under the Bankruptcy Act, it was a good deed at common law against creditors: (reported below, 10 L. T. Rep. N. S. 424)—*Gray*, Q.C. (with him *Cleare*) argued for the appellants, citing *Ex parte Alexander*, 1 De G. J. & Sm. 311; *Topping* v. *Keysell*, 10 L. T. Rep. N. S. 526; 33 L. J. 225, C. P.; 16 C. B. N. S. 258; and sects. 192, 194, 197, 198, 200 of B. A. 1861.—*H. Matthews* (with him *Huddleston*, Q.C.) was not called on.—CROMPTON, J. delivered the unanimous judgment of the Court, affirming the judgment of the court below. *Judgment affirmed.*

YAR BRIDGE COMPANY v. DORE.—This was an appeal from the Exchequer.—*H. James* (with him *Coleridge*, Q.C.) for the appellant.—*Karslake*, Q.C. (with *H. Bullar*) was not called on for the respondents, the bridge company.

Judgment affirmed.

WOODS v. DE MATTOS. *Part heard.*

BAIL COURT.

Reported by W. GRAHAM, Esq., Barrister-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Monday, June 12.

PEARSON v. NEIL.—This case was tried before the Undersheriff of Yorkshire, at Leeds, when a verdict was found for the plaintiff for 16*l.*—*Pearce* now moved for a new trial on the ground that the verdict was against evidence.

Rule nisi.

PHILLIPS v. DAVEY.—This case was tried before the Secondary, and a verdict was found for the plaintiff for 7*l.*—*Pearce* now moved to set aside a certificate allowing the plaintiff his costs. *Rule nisi.*

BAKER v. STEPHENS.—*Hance* showed cause against a rule to set aside the award in this case.—*C. Pollock* in support. *Referred back to the arbitrator.*

LYNCH v. COWELL.—In this case the counsel for the plaintiff had consented to a nonsuit contrary to the wishes of the plaintiff and the clerk of the attorney who instructed him.—*Huddleston*, Q. C. now moved for a new trial.—(See reports of last week.) *Rule refused.*

REG. v. WILLIAMSON.—The rule in this case was made absolute by consent. *Rule absolute.*

REG. v. BACKHOUSE AND OTHERS.—*Lee* showed cause against a rule for a *quo warranto* calling upon six persons who had been elected members of the Local Board of Health of Darlington to show cause why their election should not be set aside, on the ground that it was void, because the returning officer was not present at the election as required by sect. 27 of the Public Health Act 1848. *Quain*, in support, was not called on.—(See Reports of the week.) *Rule absolute.*

Tuesday, June 13.

HENSHAW v. FALK.—*Haanen* showed cause against a rule calling on Falk to show cause why a submission to arbitration should not be made a rule of court. The arbitration arose out of a contract for the sale of wheat, which referred to the 8th rule of the Association of the Liverpool Corn Trade, by which matters in dispute were to be referred to arbitration. Falk denied that the broker who entered into the contract had authority to do so, and consequently refused to appoint an arbitrator or take part in the arbitration.—*Crompton Hutton* was heard in support.

Rule discharged.

INGHAM v. CHINEY.—In this case the rule was made absolute by consent. *Rule absolute.*

MOODY v. CORBETT. *Referred to the full court.*

REG. v. THE JUSTICES OF THE WEST RIDING OF YORKSHIRE.—*Mellish*, Q.C. and *Quain* showed cause against a rule for a *certiorari* to remove a provisional order constituting several parishes and hamlets a highway district. The rule was obtained on the ground that only one waywarden had been appointed for the township of Easington, which consists of three hamlets each of which maintains its own highways.—*Manisty*, Q. C. and *Prentice*, in support, were not called on.—(See Reports of the week.)

Rule absolute.

REG. v. THE JUSTICES OF OXFORDSHIRE.—*Sayer* showed cause against a rule calling on the guardians of the Abingdon Union to show cause why they should not pay the costs of a *mandamus* and of this application.—*Lush*, Q. C. in support. *Rule absolute.*

Wednesday, June 14.

Re BLACKETT. *Rule absolute by consent.*

Ex parte REDDOR (an Articled Clerk).—*Day* moved for a rule to dispense with two years' service under articles; the absence of the clerk being caused by serious illness.

Rule absolute.

Ex parte QUICKE.—*Gifford*, Q.C. moved for a rule to show cause why a *mandamus* should not issue commanding the London, Chatham and Dover Railway Company to issue their warrant to assess compensation for certain lands for which they had given notice to treat.—(See Reports of the week.) *Rule refused.*

Ex parte GASKIN.—*F. J. Smith* moved for a *quo warranto*, calling on one J. B. Backhurst to show cause why he exercises the office of collector of rates in Chatham. By a local Act, it is required that the collector of rates shall be elected by a majority of the electors present at the election. At the last election twenty-nine were present, and fourteen voted for Gaskin and thirteen for Backhurst, the chairman and a person of the name of Sutton not having voted. The chairman declared Gaskin elected, but on his attention being called to the fact that there must be a majority of those present, he gave his own vote and his casting vote for Backhurst without giving Sutton an opportunity of voting. *Rule nisi.*

Ex parte EVANS. *Rule enlarged.*

REG. v. REYNOLDS.—*J. J. Powell*, Q.C. moved for a *certiorari* to remove an indictment for embezzlement from the Tewkesbury Quarter Sessions into this court, on the ground that a jury could not be obtained at the sessions on account of the number of challenges.—CROMPTON, J. suggested that the case should be sent to the assizes by the recorder.—(See Reports of the week.)

Motion withdrawn.

REG. v. THE METROPOLITAN RAILWAY COMPANY.—Stands over till the case of *Ricketts* v. *The Metropolitan Railway Company* is decided in the House of Lords.

Stands over.

THE ASSESSMENT COMMITTEE OF CHAULTON UNION v. THE OVERSEERS OF CHAULTON.—*Mellish*, Q.C. moved for a rule calling on the overseers of Chaulton to show cause why a *mandamus* should not issue commanding them to deposit the revised valuation list of the township of Chaulton in the place where the rate-books are kept. The only question was, whether this was to be done by the assessment committee or the overseers.—*Bere* showed cause in the first instance.—(See Reports of the week.) *Rule absolute.*

Ex parte RAXSON, *re* HITCHIN BOARD OF HEALTH.—*Lush*, Q.C. moved for a *mandamus* to compel the receiver of rates to pay to the applicant 32*l.* 1*s.* 3*d.*, due to him from the local board of health. *Rule nisi.*

MOODY v. CORBETT. *Settled.*

Re AN ARBITRATION BETWEEN FAIRIE AND JONES.—*Quain* moved to set aside the award, or to set it down for argument as a special case. *Rule nisi.*

INGRAM v. CHINEY.—*H. James* applied, on the part of the sheriff, for a rule granting him his costs. *Rule absolute.*

WERNE v. RONALDSON.—*Haanen* showed cause against a rule obtained by *Bidder*, to strike a case stated by justices out of the Crown paper, on the ground that there had been no sufficient notice of appeal. The statute requires notice to be given within three days after the decision of the justices; the third day was a Sunday, and notice was given on the Monday. *Rule absolute.*

Thursday, June 15.

REG. v. THE MAYOR, &c., OF HAVERFORDWEST.—*Mellish*, Q.C. showed cause against a rule calling on the defendants, to show cause why they should not pay the costs of a *mandamus*.—*Lush*, Q.C. and *A. L. Smith* in support.

Referred to the master.

REG. v. CARNOCHAN. *Rule enlarged.*

HEMMING v. PARKER. *Rule enlarged.*

STEPHENS v. SHEIDT.—No one appeared to show cause. *Rule absolute.*

BRADDICK v. JULSON AND ANOTHER.—No one appeared to show cause. *Rule absolute.*

PEARSON v. NEIL.—This was a rule for a new trial, on the ground that there was no evidence to go to the jury. The action was brought for the cost of repairs to a ship in an English port, and the only evidence to charge the defendant was that he was registered as part owner of the ship, and the repairs were necessary and were ordered by the captain, but it was not proved that the captain was appointed by the defendant. A verdict was found for the plaintiff.—*Prentice* showed cause.—*Huddleston* in support.—(To be reported.) *Rule absolute without costs.*

ADAMS v. STEPHENS.—No one appeared to show cause. *Rule absolute.*

PHILLIPS v. DAVEY.—Tried before the Secondary.—*H. James* showed cause against a rule to set aside a certificate allowing the plaintiff his costs.—*Pearce* in support. *Rule discharged.*

Ex parte ANN TORR.—*Turner* moved for a rule calling on an attorney to repay 50*l.* and interest. The money had been placed in his hands to be invested on mortgage, and he had neglected to invest it. *Rule nisi returnable at chambers.*

Ex parte HOOPER.—*Abel* moved to renew an attorney's certificate. *Rule absolute.*

Ex parte WADE.—An articled clerk's master had become bankrupt and absconded, taking with him the articles.—*T. Clark* now moved to discharge the articles and transfer them to another attorney.—The COURT were of opinion that the assignees could not assign the articles, and suggested an application to the Treasury to remit the stamp duty on fresh articles, stating that in their opinion it was a very proper case for such remission. An order was made for fresh articles for the residue of the term.

Rule accordingly.

LAW SOCIETIES.

LAW, LIFE AND PROPERTY INSURANCE SOCIETY.

This society held its fifteenth annual general meeting on the 9th inst., E. W. Cox, Esq., in the chair.

The following report was read and adopted:

"The period having again arrived for the annual general meeting of this society, the directors beg to submit to the proprietors the following statement of the society's operations during the past year, together with the accounts and balance-sheet, which have been duly audited.

"Since the date of the last report, proposals for assurance have been received amounting to the sum of 147,298*l.* 3*s.* 5*d.*, and policies have been issued assuring the sum of 116,754*l.* 14*s.*

"The new premium income derived from the latter amounts to 3650*l.* 14*s.*, thus again showing a steady increase over the previous years, while the expenditure of the society has remained on its previous economical scale.

"In accordance with the provisions of the deed of settlement, two of your directors retire this year, viz.:—George Frederick Fox, Esq., Henry Pauli, Esq., M.P. These gentlemen being eligible, offer themselves for re-election.

"The auditors for the society for the past year, William Cleland and P. G. Greville, Esqrs., also retire, but offer themselves likewise for re-election.

"The directors confine themselves to calling the attention of the shareholders to the steady progress and sound condition of the society's affairs; and again earnestly impress on them the great advantages that would result from their active and energetic co-operation in extending the business of the society."

The above report having been read at the meeting was unanimously adopted.

George Frederick Fox, Esq., and Henry Pauli, Esq., M.P., were re-elected directors of the society.

William Cleland, Esq., and Peniston Grosvenor Greville, Esq., were re-elected auditors of the society for the ensuing year.

The usual resolutions were then carried without a dissentient. It was stated by Mr. Nelson that this office was conducted at a less cost than any in London. The business has been steadily growing year by year. Not a single claim has been made under any of the policies issued by the society for the assurance of title.

THE JURIDICAL SOCIETY.

A paper was read on the 14th inst., before the society, Mr. D. D. Keane, Q. C., in the chair, by Mr. Cunningham Glen, upon the law relating to the area of chargeability of the destitute poor. The chairman, Mr. Hopwood, Mr. Banke, and Mr. Alsager Hill addressed the society.

THE SOLICITORS' BENEVOLENT ASSOCIATION.

The Fifth Anniversary Festival of this Charitable Institution was celebrated on Friday, the 16th inst., at the Freemasons' Tavern, when the chair was taken by the Right Hon. Chief Justice Erle, who was supported by the Hon. Mr. Justice Montague Smith, the Hon. G. Denman, M.P., Q.C., J. B. Karslake, Esq., Q.C., J. R. Bulwer, Q.C., Mr. Serjt. Tindal Atkinson, W. S. Cookson, Esq., J. Rendall, Esq., J. S. Torr, Esq., C. A. Smith, Esq., — Harrison, Esq., Captain Monckton, and a numerous party of friends of the association.

The usual loyal and patriotic toasts having been duly honoured,

The Hon. GEO. DENMAN proposed "The Lord Chancellor and Her Majesty's Judges," which was responded to by

Mr. Justice MONTAGUE SMITH, who said he believed there never was a time in the history of this country when the Bench were more devoted to their duty, or more earnest in the discharge of it. There had been periods in our history when there were men more deeply versed in the old learning of the law; but judges, like other men, must, in some degree, alter with the times, and whilst he believed there was an amount of knowledge now upon the Bench which had never been exceeded, he believed there was a still more valuable quality there, namely, a strong desire and a strong power to apply the inestimable principles of the common law to the ever-changing conditions of the present time.

J. RENDALL, Esq., proposed "The Bar," which was responded to by

J. B. KARSLAKE, Esq.

The CHAIRMAN then said:—Gentlemen, I have long ceased to ask indulgence on account of embarrassment, but I certainly rise to propose this toast with some embarrassment, lest I should fail of doing

justice to it. It is, "The Solicitors' Benevolent Association, and may prosperity attend it." I am happy to say, for the past, there has been a steady progress of advance that I hope promises a permanent future. In 1859 it began, and in 1865 I see it in gradual progression of members to above 1500, and the invested capital of all those years exceeds 9000*l.* I am to address you upon the present occasion in hopes that the feeling will be continued to-night and handed on. It is a society, as you all well know, for the relief of the members of the Profession who have become incapacitated by calamity; and when I call to your minds—and I may say my own mind knows it better than almost any man in the kingdom—what qualities are required for successful practice in the profession to which you belong; when I consider the talents and the experience, and the knowledge of the world, and of all the relations of life, social and commercial, that go to qualify a man to be a legal adviser in the various emergencies of life; when I look back upon the sound judgment and calm firmness which is required upon many of those occasions; I am deeply sensible of the qualities that go to make up a solicitor, and entitle him to a place of high respect and great practice; and I cannot from my experience but be aware that there is in the offing for the most prosperous that after-reach of calamity that may come to the strongest mind and body, and change him from a hale man to a diseased person; for we find the most perfect mind might be borne down by anxiety and over strain, and the happy promise of a comfortable rest may be all bared to the winds by failing securities and the other calamities of life. I am well aware that this aspect so far is serious almost to sadness: but when I have said that, I say that the sequel, to my mind, though grave, and serious, and earnest, has about it much of comfort and satisfaction, because it is when calamity has come, and when pecuniary need is pressing, it is then that your society comes forward; it is then that you offer relief in the way of money; it is then that, with your knowledge of the Profession—all of you in a manner tied together in some degree as professional brethren—you render help; it is not merely money, but you may offer a word of social sympathy, and you may offer it with advantage. It is then unaccompanied by those considerations by which calamity may be said to be aggravated by the very dispensation of the will of God which governs this world, but accompanied by this, that what you give is taken from the members who in health and prosperity do avail themselves of this opportunity to alleviate the sufferings of their brethren; and to those who are in the enjoyment of prosperity and in health there is no greater satisfaction in life than to know that they can do good by alleviating the misery of those with whom they are connected. It is in that point of view I commend—because that is the purpose of my addressing you, to commend—this society to your favourable support to-night; and it is that what you join in as far as your feeling prompts you—join in so far as your circumstances make it convenient, for I believe it will be an unalloyed good to every man held to have done what in him lay to assist the man who has suffered; to give help to the widows and orphans of those that have been taken away, and to have, if I may so say, taking the words of your founder, "laid a thank-offering at the altar of our God"—that it may be a comfort to him in retrospect, when he looks back on his life, and a comfort to him in the prospect he may have for the future. These considerations are brought to this festal scene, I hope, by those around me; and if it was possible to turn from these considerations, which are fraught with so much of deep interest, it would be to this subject, that it was with those feelings the founder, I may call him my excellent friend, your honourable founder, laid the first stone of this edifice; his successors have carried it on, and one, whom I am happy to see close to me upon the present occasion, has carried on the same business of construction, and it is the same business of construction that I hope heartily you will join in to-night, and extend its future powers of usefulness. (Cheers.)

Mr. HARRISON (the Deputy-Chairman) returned thanks on behalf of the Chairman, Mr. Anderton, whose ill-health prevented his being present at the dinner.

W. S. COOKSON, Esq., in proposing the health of the Chairman, said that he should not do justice to his own feelings, and he was sure that he should disappoint the expectations of his colleagues and the members of the Council of the Incorporated Law Society, if he did not take this opportunity of mentioning the very great assistance and support which they had received from his Lordship on all occasions when they had had to apply to him in matters connected with the well-being of the Profession. He believed there never was a judge upon the Bench who showed a more entire sympathy and earnestness in the promotion of everything that tended to the advancement, improvement, and elevation of that branch of the profession to which the solicitors belonged. (Cheers.) Some few years ago, when he (Mr. Cookson) had the honour of filling the office of President of the Law Society, a scheme was proposed, and received the sanction of Parliament, for having a preliminary examination of young men before they were admitted to articles, so that before they became members of the profession it should be ascertained that they had received a liberal education. On that occasion they had a correspondence with the Lord Chief Justice Erle; and he should not be doing his duty if he did not now mention that circumstance, and take this opportunity of thanking his Lordship for the kindness he had evinced, and the valuable assistance he gave to their exertions to obtain the preliminary examination. (Cheers.)

The CHAIRMAN in responding said:—I return you very hearty thanks for the reception you have given to the toast proposed by Mr. Cookson, and I beg leave to say that I have had very great gratification in the time I have spent in this hall. The way in which my humble services have been spoken of always calls to my mind the inestimable advantages I have had in my passage through our noble profession. I look back to the barrister—the young beginner, with the example and spirit of the men at the bar, and great and noble were the principles and feelings which they set an example of. I have been associated with judges, and I could see to the innermost centres of their hearts, and there was not anything but what was most sound, and to the uttermost degree; and it would be sad indeed if a man did not take by infection the contagion, if he had it not in him of his own nature, from such honourable examples as I have seen. And, gentlemen, in looking back upon that career, it was in the early and difficult times of that career that I learned much from men first-rate in talent, in science, and with a knowledge of the world, and all those qualities that I have adverted to. I have seen the liveliest examples. I have looked them face to face in the hour of difficulty, when great trials were coming on, and I have had impressed upon my mind their examples, that have been a benefit to me, and to all those who were engaged in law. Therefore, Mr. Cookson, though many were the letters you wrote on those occasions, and though in those letters you thought I was not active, I was thoroughly earnest in getting that measure carried; and I was enabled to write to the president of the Law Society that at last a step would take place which I hoped, amongst the things that were co-operating in every direction to bring to the minds of the people the utility of a profession upon which the most important interests depended that concerned the life of man, would materially contribute to that end. I know there are men of the highest qualities and the highest principles among the profession to which you belong, and that is evinced by their attending here to-night, grave and sad though the necessity may be; but I may be permitted to say there are the qualifying influences which I adverted to before; and I am satisfied of the friendly relations that this society gives rise to, that though you are often brought into energetic contest, very close to hostile collision, it is a very great thing if you can change those feelings into co-operating for mutual assistance and brotherly affection; and I hope that whatever the contests may be in which you may be engaged, you will not forget that you are members not merely of the great human family, but members of this great and noble profession; and I believe that this society is a very essential instrument towards bringing your sympathies into the stream of co-operation. If my humble efforts have been able to be available in the smallest degree to promote the objects of your association, there is no more refreshing time in my year 1865, than that which I have passed since I have been in this room.

Mr. Serjt. TINDAL ATKINSON proposed the "Directors, Auditors and Stewards," which was responded to by Mr. TOTT and Mr. ELSLEY.

C. A. SMITH, Esq., proposed "The Visitors," which was acknowledged by Mr. Bulwer, Q.C.; and lastly, the health of Mr. Eiffe, the secretary, was duly responded to.

The donations announced were to the amount of 670*l.*

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

THE RIGHT HON. SIR C. E. GREY, KNT., G.C.H.

THE late Right Hon. Sir Charles Edward Grey, barrister-at-law, was a son of the late Ralph William Grey, Esq., of Backworth, Northumberland, by Mary, daughter of the late Charles Brandling, Esq., of Low Gosforth, Northumberland. He was born in 1785, and was educated at University College, Oxford, where he graduated B.A. in 1806; he afterwards obtained a Fellowship at Oriel College, where he graduated M.A. in 1810. In 1808 he gained the Chancellor's prize essay on the "Hereditary Rank." He was called to the Bar at Lincoln's-inn in 1811, was appointed a Bankruptcy Commissioner in 1817, and a Judge of the Supreme Court at Madras in 1820, upon which occasion he received the honour of knighthood. In 1825 he was appointed Chief Justice of the Supreme Court at Bengal; and in 1835 he was made commissioner for the affairs of Lower Canada, which appointment he held until 1837, when, upon his return to this country, the Grand Cross of the Hanoverian Order was conferred upon him. In 1838 he was returned on petition (unseating Mr. George F. Young) as M.P. for Tynemouth, which borough he continued to represent as a staunch supporter of Viscount Melbourne, until 1841, when he was appointed Governor of Barbadoes, St. Vincent's, Tobago, Trinidad, &c., but in 1846 he was transferred to Jamaica, and continued to hold the governorship of that island until 1856. He died at Tunbridge Wells, on the 1st June 1865, having attained the age of seventy-nine. He married in 1821 Elizabeth, second daughter of the late Sir Samuel Clarke Jervoise, Bart., of Idsworth Park, Hants, but that lady died in 1850.

W. ROTTON, ESQ.

The late William Rotton, Esq., barrister-at-law, of Clifton, near Bristol, was the fourth son of John Rotton, Esq., of the county of Meath, Ireland, by Anna Maria, daughter of John Slacke, Esq. He was born at Bath in the year 1826, and educated at Ilminster Grammar School. He graduated B.A. at Waldham College, Oxford, in 1848, and was called to the Bar at the Inner Temple in 1853. He died in London on the 9th June 1865, and was buried at Nunhead Cemetery.

G. WINGROVE COOKE.

(From the *Times*.)

A sudden and untimely fate has deprived the world of a brilliant writer, an elegant scholar, and a most amiable and accomplished gentleman. Mr. Wingrove Cooke, who achieved for himself a high literary reputation while yet an undergraduate at Oxford, and whose many subsequent productions gave evidence of the versatility of his powers, has been unexpectedly cut off in the prime and vigour of manhood, and in the plenitude of his cultivated intellect. He had apparently been only slightly indisposed for a couple of days, and until Friday last had attended to his usual duties as Commissioner, at the Copyhold and Enclosure Office in St. James's-square. On Saturday morning, as he experienced some unusual, but not very painful symptoms, accompanied by a tendency to faintness and a slight difficulty in breathing, he remained at his house in Cheyne-walk, where he received several intimate friends, conversing with them almost as cheerfully as was his wont. He slept soundly that night, and rose on Sunday at his usual hour, feeling himself, as he said, considerably easier and altogether better. A few moments afterwards, however, his dressing-room bell was violently rung, and the servants on answering it found Mr. Cooke extended upon a couch, struggling for breath and wholly unable to articulate. It was at once obvious that one of the large arteries in the neighbourhood of the heart had given way, and that the sufferer was already beyond the reach of all human aid.

Thus has passed away from among us one who was especially endeared to all who knew him by the genial kindliness of his disposition, no less than by his unblemished integrity and an unswerving determination to discharge fully the varied duties that devolved upon him in the several relations of life.

Mr. Wingrove Cooke died in his 53rd year. Thirty years ago he had given to the world his "Memoirs of Lord Bolingbroke," a work of no inconsiderable merit, and one which, at the time it was published, excited considerable attention as a remarkable production of so young a mind. He was attacked with vehemence by Mr. Croker in the *Quarterly*, and was as warmly vindicated by the *Edinburgh* and other leading organs of the Liberal party. Two years later, Mr. Cooke brought out an impartial and carefully-written history of the two great political factions which have for so many years divided the country. The "History of Party" is a standard work, and, together with "The Life of the First Lord Shaftesbury," published in 1838, established the reputation of their author, as a man of laborious and accurate research, combined with a natural vigour and terseness of expression usually the result of much greater practice than Mr. Cooke could at this time have had. The memoir of Lord Shaftesbury, founded chiefly upon materials left by Kippis, Stringer, and Martyn, was frequently quoted by Guizot, who regarded it as "a mine rich in historical authorities."

In Jan. 1835, Mr. Wingrove Cooke was called to the Bar of the Middle Temple, and shortly after achieved for himself an enviable position in his profession by several able treatises, as well as some well-considered tracts upon different branches of law reform. Of the former perhaps the best known are his compendium of The Law of Defamation, A Treatise on the Law of Rights of Commons and Enclosure; another on the Law of Copyhold Enfranchisement, and an important work on The Law of

Agricultural Tenancies and Leases, all valuable text books, and each comprising in a lucid and condensed form a complete and well-indexed digest of the particular branch of the law of which it professed to treat. Mr. Cooke was for twelve or thirteen years largely employed, under the Tithe Commutation Commission, to decide cases of special difficulty in various parts of the country, and also in adjusting disputes relative to moduses and claims to exemption, during the long period that all tithes throughout the kingdom were undergoing the process of extinction. His labour at this time was very great, as for many consecutive years he frequently held eight or ten important meetings a week, often at distant places. He, however, found then sufficient leisure even then to publish very interesting narratives of his vacation rambles. Of these, his Conquest and Colonization of North Africa is, perhaps, the most instructive and elaborate. In 1856 he gave a vivid description of what he saw in the Crimea under the title of "Inside Sebastopol." In 1857 he accepted an engagement from this journal as its special correspondent in China, where he remained for upwards of a twelvemonth, having during that period penetrated further than any former European into the interior of that strange land. His letters, which originally appeared in these columns, were edited under the title of China and Lower Bengal, and went rapidly through six successive editions.

On two occasions Mr. Cooke offered himself unsuccessfully as a candidate in the Liberal interest for Colchester, and once in 1861 for the borough of Marylebone. In the following year a Commissionership in the Copyhold and Enclosure Office, in the gift of the Home Secretary, was offered to Mr Cooke entirely without solicitation on his part. It is almost superfluous to add that a better selection could scarcely have been made. His colleagues, indeed, will long feel the loss they have sustained in the great experience that Mr. Wingrove Cooke possessed, no less than in the readiness with which his judicial and nicely—balanced mind in the many intricate amd inlvoved questions continually occurring in his department, was at once enabled to grapple with the facts, and at the same time rarely erred in affording a solution to the problem submitted to him. He wrote with facility and fluency, and at the same time with marvellous terseness and accuracy. Like Thackeray, he seldom corrected or re touched; like him, too, he had great readiness in introducing an apposite illustration of the views he was desirous of enforcing, and these illustrations often showed a keen appreciation of humour. His many friends will deeply regret the loss of one who was esteemed and loved in proportion as he was known, and whose useful life, whose many accomplishments, and whose kindly disposition, gave promise of good service to the public and increased favour to himself in the society he adorned.

EDWARD JOHNSTONE, ESQ.

This gentleman died suddenly at his residence, 33, Upper Fitzwilliam-street. The *Evening Freeman*, announcing the melancholy event, remarks:—

The deceased gentleman was called to the Bar in Easter Term, 1842, and travelled the Leinster Circuit. He occupied a very respectable position as lawyer, and was in good practice. He was regarded by his professional brethren and his immediate friends as an upright and honourable man, and whose good social qualities endeared him to them. Being in the enjoyment of a considerable private fortune, and of a respectable income from his professional practice, he aspired to a Parliamentary position, for the attainment of which he had been earnestly working during the past few days. He had been at Dungarvan, canvassing the electors of that borough on Conservative principles, and, as he believed, with a fair chance of success. He arrived in town yesterday and met many of his friends in the hall of the Four Courts, where, up to a late hour in the afternoon, he discussed with them the probabilities of his election. Although apparently in good health he complained of some slight indisposition, which he attributed to the excitement of the past few days. He was found dead in his bed this morning, and so early as 11 o'clock to-day his sudden and unexpected death was the subject of conversation among most of the professional men attending the courts. He leaves a widow in independent circumstances.

LEGAL NEWS.

A BRIEF BILL.—Lord St. Leonards' Bill for the Better Security of Railway Passengers is comprehended in the following clause "From and after the 18th July next it shall not be lawful to lock both the doors of any railway carriage whilst any passenger is within it."

A FENIAN OATH.—A Fenian was arrested in Liverpool on Wednesday on the charge of robbery. On his person the following oath was found:—"I now, in the presence of Almighty God, solemnly swear allegiance to the Irish Republic, now virtually established, to take up arms in its defence at a moment's notice; and that I will, to the best of my power, defend its territory and independence; and will implicitly obey the commands of my superior officer. So help me God."

LITIGATION IN FRANCE.—The *Moniteur* publishes some interesting statistics on the trials in the civil and commercial tribunals of France during the year 1863. In this period there were 2107 petitions for judicial separation, 1856 of which were granted, and 251 rejected; 202 more were cancelled in consequence of the reconciliation of the husband and wife. Three-quarters of the petitions came from women. The number of commercial trials was less by 12 per cent. than during the previous year. The number of persons imprisoned for debt has also considerably diminished; in 1858 it was 2131, and in 1863 but 1682, 1633 of whom were Frenchmen.

THE RIGHTS OF JEWS IN ALGERIA.—The Court of Cassation, Paris, has just given a judgment which decides an important point of law respecting the rights and immunities of the Jews in Algeria. Some time since the Imperial Court of Algiers validated a will made by a native Jew in the form prescribed by the laws and usages peculiar to the Jews of Algeria, which will had been disputed because it was not in conformity with the French law. An appeal against that decision, made to the Court of Cassation, has just been rejected on the ground that the capitulation of Algiers of the 25th July 1830, maintained for the Jews and Arabs the laws and customs which prevailed before the conquest, though at the same time giving them the right, if they chose, to make wills in the form prescribed by the French legislation.

THE ROUPELL FORGERIES.—The Roupell forgeries are to be revived at the approaching Assizes at Chelmsford. The case to be tried was originally brought to recover an estate near Romford, Mr. Roupell, the heir-at-law, being the plaintiff. He sought to recover the property on the ground that a deed of gift, under which the estate had been conveyed to William Roupell during the lifetime of his father, was a forgery. William Roupell, formerly M.P. for Lambeth, will be put in the witness-box, as he was on a previous occasion, to prove the forgery. The property in question amounts to about 300,000*l*., and the point raised is whether the late M.P. is telling the truth or not when he says the signature is a forgery. If the plaintiff should obtain a verdict in his favour, the necessary result will be that the whole of the vast property made away with by Mr. Roupell will revert to his family, and those who have paid their money for it will lose it.—*Pall-mall Gazette.*

A JUDGE'S SON AND HIS SCHOOLMASTER.—"A somewhat remarkable cause," says the *Cork Examiner*, "is likely to occupy one of our common law courts in the course of the present or ensuing term. It appears that among the students at the well-known Catholic College of Oscot was the son of a distinguished member of the Irish judicial bench—Mr. Justice Fitzgerald, of the Common Pleas—and that a short time since the young gentleman had to leave it in consequence of some breach of discipline. Mr. Justice Fitzgerald, in the belief, no doubt, that his son has been unfairly dealt by, has brought an action against the president of the college, and the case now awaits trial. It is to be hoped that some arrangement may be come to which will render the reference to a jury unnecessary; but it is strange that the two instances of the kind which have approached this extremity should have been in the case of the sons of judges. Mr. Baron Alderson took up the cudgels on behalf of his son against the authorities of Harrow School, just as Mr. Justice Fitzgerald has now done against Oscot."

TWIN BROTHERS WITH ROGUEISH TENDENCIES.—The Tribunal of Correctional Police, Paris, on Wednesday week, tried four little boys, Marteau, aged 13; Pericio, aged 12; and Elvey and Jean Vauzelle, twin brothers, aged 11, on numerous charges of stealing from stalls and shops in the neighbourhood of the central markets. The two brothers Vauzelle were so much alike that one might easily be taken for the other, and their moral resemblance seemed to be equally striking, for their mother, who was present in court, deposed as follows:—"My two boys are twins, and unfortunately have the same evil tendencies, and will always play the vagabond when they can. There is a remarkable similarity in all their ways, habits, and actions. When one drinks, the other—even when in another room and out of sight—also wants to drink. If one puts his finger into his mouth or makes any grimace, the other—without seeing him—always does the same. When one runs away, his father says to the other, 'Take me to your brother,' and he does so at once. They seem as if they could not live one without the other." The robbery of several bottles of wine and other articles was clearly proved against the four boys; but, owing to their tender age, the Tribunal decided that they had acted without discernment, and ordered them to be given up to their parents, with a strict charge to take better care of them in future.

ESTIMATES FOR LAW AND JUSTICE.—This class of the Civil Service Estimates has been printed. The amount last year was 2,859,945*l*., and this year the vote proposed is 2,897,315*l*., an increase of 37,370*l*.; but nearly half the increase is made up of sums required to make good deficiencies in last year's vote. There are further charges for courts of justice not voted annually, but paid out of the Consolidated Fund, amounting to 671,078*l*.; but, on the other hand, there are large sums paid into the Exchequer for fees received. It would be tedious to go over the forty-seven votes comprised in this class of the estimates, and it will be more convenient to state them thus: The votes proposed for police and constabulary amount to 1,200,439*l*.; for criminal proceedings the charges amount to 379,716*l*.; for courts of justice, 450,252*l*.; and for prison and convict services 858,108*l*. The estimate for convict prisons at home is for 10,903 prisoners in convict prisons (almost exactly the same number as last year), and for 900 convicts under probationary discipline in county gaols until otherwise disposed of, and 770 criminal lunatics in lunatic asylums, including 500 "patients" at Broadmoor. Provision is made for the expenses of the transportation of 540 male convicts to Australia and 250 to Gibraltar, and for the maintenance of 900 convicts at Gibraltar, of 90 in New South Wales, 780 in Tasmania, and 1450 in Western Australia, being 9 less than last year in New South Wales, 25 less in Tasmania, and 150 more in Western Australia. There is, as before, an item of 5000*l*. for promoting the emigration and settlement of free persons in places which receive convicts.

WILLS.—A very large portion of the business of the court is provided by wills. In the majority of cases where testators make their own wills, or have them prepared by incompetent persons, they unconsciously provide food for the lawyers. To save a few pounds in his lifetime, a testator will often deprive his children and legatees of hundreds after his death. It is an old saying, and a true one, that the village schoolmaster and the parish clerk are the lawyers' best friends. Nearly every one thinks himself competent to draw a will, a document which requires more skill and caution in its preparation than any other that could be named. Even lawyers themselves, who draw their own wills, often make mistakes. Sir Samuel Romilly's will was improperly worded, and that of Chief Baron Thompson the subject of Chancery proceedings. The will of Bradley, the celebrated conveyancer, a man who spent all his life in drawing other people's wills, was set aside by Lord Thurlow for uncertainty; and a late learned Master in Chancery directed the proceeds of his estate to be invested in Consols in his own name! Not long ago, an application had to be made to the Probate Court in consequence of a testator having supposed that the word executrix was the plural of executor—the same individual, by the way, talked of "provoking" all former wills! In another case, a man left some property to his nephew John, when he had two nephews of that name, and a suit in Chancery was instituted for the purpose of ascertaining which of the nephews the testator meant to benefit: and "once upon a time," a country attorney, who had, perhaps, a spite against his relations, left eleven hundred pounds to three gentlemen, his executors, to appropriate eight hundred pounds "as they might think proper," for which arduous task he bequeathed them one hundred pounds each. "Wills," said Lord Coke, "and the construction of them, do more to perplex a man than any other, and to make a certain construction of them exceedeth *jurisprudentiam ariea*."—"*Court of Chancery*," *in Chambers's Journal.*

CONSTITUTIONAL ETIQUETTE.—The following letter has been addressed to the *Times*:—"A circumstance lately occurred involving a question of etiquette between the two Houses of Parliament, which, as a lawyer is sometimes snubbed and sneered at for technicality, I record, not without some *malice*. It would be difficult to exceed it by any of the absurdities of Westminster-hall, and they are not a few. A Money Bill passed the Commons requiring all fees in the Common Law Courts to be paid by using stamps instead of paying money. By one of its clauses the Bill was to commence and take effect on the 1st of October 1865. The Inland Revenue authorities protested that the machinery for substituting stamps could not be got ready by the 1st of October. The officers of the Common Law Courts reported that the 1st of October, being in vacation, would be a very inconvenient time to begin a new system. It was on all hands agreed that the proper time for the Bill to begin was the 1st of January 1866. But, if the House of Lords *altered* the Bill, the House of Commons could, according to established usage and etiquette, do nothing but reject it. Again, unless the House of Lords did something the Bill could never again appear in the Commons, and the day for its commencement would remain the 1st of October 1865. What was to be done? Some peer of courage and genius, in committee, moved this change, which it was said was no *alteration*, 'that the Bill should commence on the day after the last day of September,' and so the Bill was returned from the Lords to the Commons. The Speaker summoned all his acuteness and all his clerks, and called in aid all the almanacks, and found that the 1st of October was the day after the last day of September, and though the Bill had been meddled with, it had not been altered. So they altered the clause, rejecting the day after the last day of September, and not insisting on the 1st of October, but substituting for both the 1st of January 1866; to which amendment the Lords have assented. Here ends my history.—Your obedient servant, A LAYMAN. June. 8."

WILLS AND BEQUESTS.—The will of Mr. William Lotus Lowndes, Q.C., of No. 48, Westbourne-terrace, and of Lincoln's-inn, barrister-at-law, was proved in the London court on the 19th April, by the executors, namely, the testator's sons, the Rev. Richard Lowndes and Mr. Samuel Lowndes. The personal estate is sworn under 7000*l*., and the testator has left the whole of his real and personal property to his wife for her absolute use.——The will and two codicils of the Venerable Charles James Hoare, M.A. (formerly Archdeacon of Surrey), vicar of Godstone, Surrey, and canon of Winchester, was proved in the London court on the 30th ult. The personal estate is sworn under 30,000*l*. The executors are the testator's sons, Mr. Charles Richard Hoare, the Rev. George Tooker Hoare, and Mr. Henry Gerard Hoare. The testator gives to his wife a legacy of 200*l*., together with his furniture, plate, linen, carriages, horses, &c., &c. His books are to be divided between his widow and children. The testator leaves the advowson to the vicarage of Godstone, Surrey, to his son, the Rev. George Tooker Hoare. The residuary estate is to be divided equally between the testator's seven children.——The will of Sir Henry Vere Huntley, Knight, Her Majesty's Consul at Santos, in the empire of Brazil, has been proved in the principal registry. The personal estate is sworn under 450*l*. The testator died at Santos on the 7th May 1864. The will, which bears date 17th April 1864, is in the form of a letter to Mr. George Ommanney, of Great George-street, Westminster, but being duly signed and witnessed, it was admitted to probate on the 8th ult., Mr. Ommanney being the executor. The testator leaves all his property to his wife.——The will and four codicils of Sir Charles Hopkinson, Knight and C.B., of King-street, St. James's (a retired major-general in Her Majesty's Indian army), was proved in London on the 27th ult. The personalty was sworn under 45,000*l*. The executors are Lieut.-Col. Frederick Samuel Sotheby, C.B., and the testator's nephew, Mr. Hans William Sotheby. The testator expresses his wish to be laid in a catacomb in Highgate Cemetery, and directs that his body shall be opened before it is placed in the coffin, and the surgeon performing the operation is to have fifty guineas. To his nephew, Edward Hopkinson (son of his deceased brother Benjamin), the testator leaves a legacy of 250*l*., and to the four daughters of his brother Benjamin he leaves 500*l*. each. To the four children of his late brother, William Hopkinson, the testator leaves 300*l*. each, and to his brother George 400*l*., to be divided equally between himself and his daughters. To Dr. Druitt, of Hertford-street, Mayfair, he leaves 100*l*. East India Stock. To one of his executors, Lieut.-Colonel Sotheby, the testator leaves 500*l*., and appoints the other executor (his nephew, Mr. Hans William Sotheby) residuary legatee. To the Charing-cross Hospital he leaves 100*l*.; to two maid-servants 250*l*. each, free of legacy duty; and to a man-servant 500*l*., also free of duty. Also to his late gamekeeper, William Keith (now in North America), 50*l*. free of duty.——The will with a codicil of the Right Hon. William Thomas Horner, Earl of Ilchester, Lord Ilchester and Stavordale, Baron Strangways, of Woolsford Strangways, in the county of Dorset, and Baron of Redlynch, in the county of Somerset, was proved in the London court on the 30th ult.; the personalty being sworn

under 60,000l. His lordship died at his seat at Melbury, in Dorsetshire, on the 10th Jan. last. The executors of the will are the Right Hon. Edward St. Vincent, Baron Digby, and the testator's nephew, Mr. Henry Frampton. The household furniture, plate, engravings, articles of virtu, &c., in his lordship's country mansions pass as an heirloom with the estates. The testator confirms his marriage settlement, under which provision is made for his widow, Lady Ilchester, to whom his lordship gives a legacy of 2000l., and all his plate called the "Frankfort plate," and he also leaves to her ladyship his jewels, trinkets, watches, and personal ornaments. To three cousins his lordship leaves 1000l. each, to the said Henry Frampton (one of his executors) 500l., to the Hon. Almerus Digby (son of Lord Digby) 500l., to Miss Strangways 500l., to a nephew and niece 250l. each, and several legacies of 100l. each to others of his lordship's family and friends. The testator leaves to the University of Oxford 1000l. to establish an exhibition lectureship or periodical prize for the encouragement of the study of the Polish and other Sclavonic languages. To the Dorset Eye Infirmary 100l., and legacies of the same amount to three other benevolent institutions (two in Dorsetshire and one in London). There are legacies to his lordship's servants, and to his steward and valet an annuity of 50l. each for life. To a former valet 25l. a year for life; to his former housekeeper 30l. a-year; and to Mary Wade, formerly lady's-maid to his lordship's mother, he leaves a like annuity of 30l. There are also smaller annuities to other servants of his lordship. To the clergyman for the time being of several parishes in Dorsetshire and Somersetshire his lordship leaves legacies to be applied for the benefit of the most deserving poor of such parishes.——The will, with two codicils, of the Hon. Edwin Lascelles, formerly of Belgrave-square, but late of No. 3, Upper Eccleston-street, was proved in the London court on the 10th inst. by the testator's brother, the Hon. Arthur Lascelles, the sole executor. The personalty was sworn under 120,000l. The testator leaves the annual income arising from a sum of 10,000l. to his sister, the Right Hon. Harriet, wife of the Earl of Sheffield, the capital passing to the children on the death of the countess. He also makes a like provision for his sister, Lady Louisa, the wife of the Hon. George Henry Cavendish, the capital passing to the children on the death of their mother. The testator leaves a legacy of 10,000l. free of duty, to the Right Hon. Louisa, Dowager Countess of Harewood, the widow of his late brother, the Earl of Harewood. There is also a legacy of 200l., free of duty, to the Warden and Fellows of All Souls' College, Oxford. The testator leaves his leasehold house in Eccleston-street, with the furniture, plate, and effects therein, to his brother and executor, the Hon. Arthur Lascelles, to whom he also leaves one moiety of the residue of his estate for his absolute use; the other moiety the testator leaves to Lady Caroline Georgiana, the widow of his late brother, the Right Hon. William Sebright Lascelles, for her life; and upon her death the capital passes to her children for their absolute use.——The will, with two codicils, of Mr. Richard Paterson, of Leesons, St. Paul's Cray, Kent, was proved in the London court on the 3rd inst. The will, which is very long, bears date Dec. 11, 1861, and the codicils were executed in Sept. 1864 and Feb. 1865. The testator died on the 8th of March last. His personal estate is sworn under 250,000l. The executors and trustees are the testator's sister, Miss Elizabeth Paterson, Sir Frederic Rogers, Bart., Mr. George Bayley (the testator's nephew), Mr. Henry Selfe Selfe (magistrate of Westminster police-court), and Mr. John Charles Rogers, and the testator leaves to each of them a legacy of 200l., free of duty. He also leaves to his sister for life his estate of Leesons and other parts of his property forming "one-third of his estate," and directs that his intention is that his sister shall receive an annuity of 4000l. a-year; and if such "one-third" should not produce that amount, it is to be made up out of the remaining two-thirds of his estate. The household furniture, plate, pictures, works of art, &c., the testator directs to pass as heirlooms with the estate of Leesons. There is liberal provision for his daughters and their children, and also for his sons-in-law, if they should survive his daughters, as well as other relatives and servants.——The will of the Right Hon. Peter Robert, nineteenth Baron Willoughby de Eresby, second Baron Gwydyr, and joint Hereditary Great Chamberlain of England, has been proved in London by the executors, Mr. Peter Robert Burrell (his nephew), Mr. Edgar Drummond, Mr. Reginald A. Warren, Lord Elphinstone, and Mr. Alexander B. Cochrane, M.P. The personalty was sworn under 120,000l. The large estates in England, Scotland and Wales are left in trust for the use of his Lordship's only son, the Hon. Alberic Willoughby (now Lord Willoughby de Eresby), and his issue. In the event of the present Lord Willoughby, who is unmarried, dying without issue, the estates are entailed on his eldest sister, Lady Aveland (to whom the female barony of Willoughby de Eresby would descend), and her issue; and an annuity of 3000l. a-year is bequeathed to the remaining sister, Lady Carrington. The barony of Gwydyr would, in the above case, devolve on Mr. P. R. Burrell, of Stoke-park, Suffolk (nephew of the late lord), with an annuity of 2000l. a-year. A legacy of 1000l. has been left to each of the trustees, who are also nominated executors. There are several minor legacies and annuities, and a bequest of one year's full wages to each of his Lordship's servants.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, May, 30.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—The beneficial interest in the lease of the professional residence, No. 43, Threadneedle-street; term 21 years from 1862, at a rent of 90l. per annum—sold for 2000l. Leasehold residence, known as Woodville-house, Forest-hill; term 63 years from 1856; ground-rent 30l. per annum—sold for 1500l. Leasehold villa, known as Woodville, situate as above; let at 70l. per annum; term 63 years from 1853; ground-rent 11l. per annum—sold for 1120l. Leasehold cottage, being No. 2, Debnam-road, Rotherhithe, and plot of building land; let at 36l. per annum; term 99 years from 1861; ground-rent 4l. per annum—sold for 330l. Leasehold house, being No. 18, Canterbury-road, Balls-pond; let at 38l.; term 99 years from 1852; ground-rent 2l. 5s. per annum—sold for 324l.

Monday, June 5.

By Messrs. ELLIS and SON, at Garraway's.—Leasehold premises, being No. 1, Crosby-square, Bishopsgate-street; term 10 years unexpired, at a rent of 5l. per annum; estimated to produce 300l. per annum—sold for 1310l. Leasehold improved rental of 112l. 10s. per annum (for 10 years), arising from residences, stabling, gardens and land, situate at Dulwich, Surrey—sold for 550l.

Tuesday, June 6.

By Messrs. WINSTANLEY and HORWOOD, at Garraway's.—Leasehold residence, being No. 23, Percy-circus, Holford-square, Pentonville; let at 45l. per annum; term 80½ years from 1851; ground-rent 6l. per annum—sold for 555l. Copyhold residence, messuage and meadow land, situate at Hoddesdon, Herts, producing 62l. per annum—sold for 780l.

By Messrs. BUTCHER, at Garraway's.—Leasehold residence and garden known as Rosendale-cottage and paddock containing 2a. 0r. 20p., situate at Epsom, Surrey; term 21 years from 1859—sold for 110l. Freehold estate, comprising eight cottages with gardens and orchard, situate at Ewell, Surrey, presenting a rental of nearly 90l. per annum—sold for 1400l.

Wednesday, June 7.

By Messrs. E. FOX and BOUSFIELD, at Garraway's.—Leasehold house and premises, being No. 7, St. Albans-road, Highgate-rise, estimated annual value, 70l.; term 99 years from 1852; ground-rent 8l. per annum—sold for 720l. Leasehold two residences, being Nos. 15 and 16, St. Augustine-road, Camden-square, producing 120l. per annum; term 91½ years from 1851; ground-rent 10l. each per annum—sold for 1410l. Leasehold, twenty-one houses situate in Nelson-place, Aston-place, and Aston-buildings, Holloway-road, producing 207l. 12s. per annum; term 40 years unexpired; ground-rent 63l. per annum—sold for 676l. Freehold cottage and garden, near Chepstow, Monmouthshire—sold for 300l. Freehold ground-rents amounting to 12l. 0s. 6d. per annum, secured on Nos. 20, 21 and 22, Hatfield-terrace, Latimer-road, Shepherd's-bush—sold for 240l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, June 9.

HILLMAN, ROBERT, and HILLMAN, ROBERT WILLIAM, solicitors and attorneys, Lyme Regis.

PHILLIPS, CHARLES HENRY, and PHILLIPS, ARTHUR BENTLEY, attorneys, solicitors and conveyancers, Hull.

Bankrupts.

Gazette, June 13.

To surrender at the Bankrupts' Court, Basinghall-street.

ALPE, SAMUEL, carpet salesman, Lothian-rd. Camberwell New-rd. Pet. June 8. Reg. Hazlitt. O. A. Graham. Sol. Swan, Great Knightrider-st. Doctors'-commons. Sur. June 27.

BARRELL, JAMES, clerk to a general merchant, Portene-rd. Paddington. Pet. June 9. Reg. Roche. O. A. Parkyns. Sol. Porter, Coleman-st. Sur. June 26.

BELL, WILLIAM HENRY, auctioneer, Forest-hill. Pet. June 6. Reg. Brougham. O. A. Edwards. Sol. Peckham, Doctors'-commons. Sur. June 28.

CELLIER, ALFRED, professor and teacher of music, Tranquil-vale, Blackheath. Pet. June 10. Reg. Roche. O. A. Parkyns. Sols. Doyle, Verulam-bdgs. Gray's-inn, for Morgan, Maidstone. Sur. June 26.

DROZ, LOUIS GUSTAVUS, watchmaker, Mount-st. Grosvenor-sq. Pet. June 9. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. June 26.

EDGELL, HENRY PARSONS, out of business, Huntingdon-st. Caledonian-rd. Pet. June 8. Reg. Brougham. O. A. Edwards. Sol. Price, Serjeants'-inn. Sur. June 28.

FLAVELL, FREDERICK, victualler, Braunston. Pet. June 8. Reg. Brougham. O. A. Edwards. Sols. Parker, Lee and Haddock, St. Paul's-churchyard, and Roche, Daventry. Sur. June 28.

GAMBLE, JOHN HENRY, commission agent, York-bdgs. Adelphi. Pet. June 8. Reg. Roche. O. A. Parkyns. Sol. Phillips, Old Jewry-chambers. Sur. June 26.

GODLEY, EDWARD RICHARD, Esq., Cranley, Guildford. Pet. June 7. Reg. Roche. O. A. Parkyns. Sol. Goldrick, Strand. Sur. June 26.

GREEN, GEORGE, engineer, St. Andrew's-rd. Limehouse. Pet. June 10. Reg. Roche. O. A. Parkyns. Sol. Chidley, Old Jewry. Sur. June 26.

GREEN, WILLIAM PAGE, coachmaker, Thaxted. Pet. June 8. Reg. Hazlitt. O. A. Graham. Sol. Evans, John-st. Bedford-row. Sur. June 27.

HOPPER, SARAH, schoolmistress, late Westmoreland-pl., Bayswater. Pet. June 7. Reg. Brougham. O. A. Edwards. Sol. Tooge, Camden-st., Camden-tn. Sur. June 28.

JOHNSON, HENRY WILLIAM, clerk, Willoughby-ter. Tottenham. Pet. June 8. Reg. Hazlitt. O. A. Graham. Sol. Chapple, Great Carter-ln. Sur. June 27.

JUSON, JOHN, jun. cabdriver, Bristol-mews, Paddington. Pet. June 9. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. June 26.

MORRO, ROBERT GASCOINE, farmer, Shenley. Pet. June 8. Reg. Hazlitt. O. A. Graham. Sols. Woodbridge and Sons, Clifford's-inn, for George, Barnet. Sur. June 27.

OXE, WILLIAM, Esq. Hythe, Southampton. Pet. Jan. 5. Reg. Hazlitt. O. A. Graham. Sols. Hesse and Parker, King-st. Cheapside. Sur. June 27.

O'MEARA, PETER, sorter in General Post-office. Pet. June 10. Reg. Brougham. O. A. Edwards. Sol. Drew, New Basinghall-st. Sur. June 28.

ROE, JAMES, beerhouse-keeper, President-st. Goswell-rd. Pet. June 8. Reg. Brougham. O. A. Edwards. Sol. Waldron, Lamb's Conduit-st. Sur. June 28.

ROUSE, GEORGE HEATHER, clerk, Willes-rd. Kentish-tn. Pet. June 9. Reg. Roche. O. A. Parkyns. Sol. Johnson, Clifford's-inn. Sur. June 26.

SARTAIN, THOMAS HOPKINS, clothier, Guildford. Pet. June 6. Reg. Brougham. O. A. Edwards. Sol. White, Dane's-inn, Strand. Sur. June 28.

SHAW, STEPHEN, hearth rug and mattress manufacturer, Arthur-st. Old Kent-rd. Pet. June 9. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. June 28.

STIMPSON, HENRY, tailor, Winfarthing and Wacton. Pet. May 24. Reg. Hazlitt. O. A. Graham. Sols. Aldridge, Bromley and Co. South-sq. Gray's-inn. Sur. June 27.

WARD, WILLIAM, builder, Eastbourne. Pet. June 8. Reg. Hazlitt. O. A. Graham. Sol. Parry, Guildhall-chambers, Basinghall-st. Sur. June 27.

WATSON, JOHN, rigger, Pelling-st. Limehouse. Pet. June 7. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry, for Southgate and Son, Gravesend. Sur. June 26.

WATTERS, JOHN BUTLER, homœopathic practitioner, Maidstone. Pet. June 10. Reg. Hazlitt. O. A. Graham. Sols. Few and Cole, High-st. Southwark, and Goodwin, Maidstone. Sur. June 27.

To surrender in the Country.

ABBOTT, GEORGE, shoemaker, Newport Pagnell. Pet. June 10. Reg. & O. A. Parrott. Sol. Stimson, jun. Bedford. Sur. June 26.

ABBOTT, WILLIAM, builder, Bedminster, Bristol. Pet. June 2. Reg. Wilde. O. A. Acraman. Sol. Chenery, Bristol. Sur. June 23.

ALLAN, RICHARD, builder, Scarborough. Pet. May 11. O. A. Young. Sols. England, Saxelbye and Roberts, Hull. Sur. June 24.

BALL, JOHN, provision shopkeeper, Little London, Northmeols. Pet. June 8. Reg. & O. A. Welsby. Sol. Abbott, Liverpool. Sur. June 28.

BARKER, WILLIAM, seaman, Landport. Pet. May 19. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 27.

BATH, HENRY, butcher, Abergavenny. Pet. June 7. Reg. & O. A. Batt. Sol. Sayce, Abergavenny. Sur. June 27.

BILLING, WILLIAM HENRY, ship chandler, Parade, Plymouth. Pet. June 10. O. A. Carrick. Sols. Edmonds and Sons, Plymouth; Floud, Exeter. Sur. June 26.

BONE, JOHN, cooper, Shoreham. Pet. June 30. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. June 30.

BOYCE, WILLIAM, printer, East Dereham. Pet. May 16. Reg. & O. A. Cooper. Sur. June 26.

BULLOCK, EDWIN, fishmonger, Newport. Pet. June 9. Reg. & O. A. Roberts. Sol. Gonders, Newport. Sur. June 27.

CARRUTHERS, JAMES, draper, Nottingham. Pet. June 10. Reg. & O. A. Patchitt. Sol. Smith, Nottingham. Sur. July 26.

CAVELL, HENRY, painter, Upper Walmer. Pet. June 6. Reg. & O. A. Hall. Sol. Moorlyan, jun. Sandwich. Sur. June 24.

COE, THOMAS, photographic artist, Cardiff. Pet. June 8. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. June 24.

CROWTHER, EDWIN, victualler, Mossley. Pet. June 8. Reg. & O. A. Worthington. Sol. Ascroft, Oldham. Sur. July 6.

EDGE, EDWIN, pork butcher, Tipton. Pet. June 8. Reg. & O. A. Walker. Sol. Jackson, Westbromwich. Sur. June 29.

FLOREY, HENRY, shoe and harness maker, Aston. Pet. June 6. Reg. & O. A. Bishop. Sol. Lea, Witney. Sur. June 30.

FOTHERGILL, ROBERT TEMPLE, lamp black manufacturer, Newcastle, and Hebburn-quay, Gateshead. Pet. June 10. O. A. Laidman. Sols. Hodge and Harle, Newcastle. Sur. June 23.

GOATES, THOMAS, bricklayer, Hull. Pet. June 10. O. A. Young. Sols. Shackles and Birks, Hull. Sur. June 26.

GRANT, ROBERT LARCOMBE, builder, Exeter. Pet. June 8. Reg. & O. A. Daw. Sol. Barton, Exeter. Sur. June 23.

HALES, RICHARD, furniture broker, Maidstone. Pet. June 10. Reg. & O. A. Scudamore. Sol. Goodwin, Maidstone. Sur. June 21.

BARTHOLL, THOMAS WILLIAM, attorney, Exeter and St. Thomas-the-Apostle. Pet. June 7. O. A. Carrick. Sol. Fryer, Exeter. Sur. June 21.

HATHAWAY, EDWIN, joiner, West Derby. Pet. June 8. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. June 23.

HOCKSLOW, JOHN WILLIAM, hatter, Burslem. Pet. June 9. Reg. Hill. O. A. Kinnear. Sols. Walker, Burslem; James and Griffin, Birmingham. Sur. June 26.

JARMAN, WILLIAM, draper, Chudleigh. Pet. June 7. O. A. Carrick. Sol. Floud, Exeter. Sur. June 21.

JEFFCOAT, CATHERINE, nurse, New Milverton. Pet. June 8. Reg. & O. A. Tibbitts. Sol. Overell, Leamington Priors. Sur. June 21.

JEFFREY, JOSEPH, cloth manufacturer, Calverley, Bradford. Pet. June 8. Reg. & O. A. Robinson. Sol. Harle, Leeds. Sur. July 11.

JONES, JOHN, lath cleaver, Liverpool. Pet. June 9. O. A. Turner. Sol. Morris, Liverpool. Sur. June 24.

LANGFORD, RICHARD, cabinet-maker, Birmingham. Pet. June 7. Reg. Hill. O. A. Kinnear. Sols. Harrison and Wood, Birmingham. Sur. June 26.

LONGHURST, WILLIAM OVERTON, beerhouse-keeper, Great Yarmouth. Pet. June 5. Reg. & O. A. Chamberlin. Sol. Ferrier, Great Yarmouth. Sur. June 26.

MEARS, JOHN, auctioneer, Stockton-on-Tees. Pet. June 8. Reg. Gibson. O. A. Laidman. Sols. Dobson, Middlesbrough; Watson, Newcastle. Sur. June 23.

MEREDITH, LEWIS LLOYD, private tutor, Brighton. Pet. June 9. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. June 24.

MILES, JAMES, bricklayer, Leicester. Pet. June 8. Reg. & O. A. Ingram. Sol. Petty, Leicester. Sur. June 24.

MOREY, GEORGE, victualler, Emsworth. Pet. June 7. Reg. & O. A. Howard. Sol. White, Portsea. Sur. June 27.

MORGATROYD, JOHN, cloth manufacturer, Windhill Crag, Calverley. Pet. June 9. Reg. & O. A. Robinson. Sol. Siddall, Otley. Sur. July 11.

NETTLETON, THOMAS, grease manufacturer, Greenfield, Saddleworth. Pet. June 7. Reg. & O. A. Summerscales. Sol. Ascroft, Oldham. Sur. July 4.

PARRY, EVAN, farmer, Dolfawr, Llangollen. Pet. June 10. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool, for Richards, Llangollen. Sur. June 24.

PHILLIPS, EVAN, farm labourer, Coitybach, Llanfigan. Pet. June 10. Reg. & O. A. Evans. Sols. Simons and Plews, Merthyr Tydfil. Sur. June 24.

ROBERTS, ROBERT WILLIAM, draper, Aberffraw. Pet. June 9. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. June 23.

RYLEY, JAMES, operative blacksmith, Ardwick. Pet. June 8. Reg. & O. A. Holden. Sol. Gerrard, Bolton. Sur. June 26.

SEALE, EDWARD TAYLOR, clerk in holy orders, Morleigh. Pet. June 7. O. A. Carrick. Sols. Square, Kingsbridge; Floud, Exeter. Sur. June 23.

STEVENS, RICHARD, builder, Truro. Pet. June 10. O. A. Carrick. Sol. Carlyon, Truro; Floud, Exeter. Sur. June 21.

TAYLOR, GEORGE, car proprietor, Birmingham. Pet. June 10. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. June 24.

THOMAS, THOMAS, farmer, Carnanchrosen, Ystradfellte. Pet. June 7. Reg. & O. A. Morgan. Sol. Thomas, Brecon. Sur. June 26.

WEBB, JOSEPH, boot and shoe manufacturer, Birmingham. Pet. June 6. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. June 21.

WILSON, ANDREW, doctor of medicine, Huddersfield. Pet. June 10. O. A. Young. Sols. Floyd and Learoyd, Huddersfield; Bond and Barwick, Leeds. Sur. June 26.

YOUNG, JOHN, maltster, Liverpool. Pet. June 8. O. A. Turner. Sol. Cartwright, Chester. Sur. June 23.

Gazette, June 16.

To surrender at the Bankrupts' Court, Basinghall-street.

ARMIT, WILLIAM, captain in 3rd West York Militia Regiment, Bream's-bdgs. Chancery-ln. Pet. June 14. Reg. Hazlitt. O. A. Graham. Sol. Atkinson, High Holborn. Sur. June 30.

ARMSTON, THOMAS, bricklayer, Thanet-pl. Temple-bar. Pet. June 14. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. June 29.

ASHFIELD, WILLIAM, bricklayer, Red Lion-yd. Great Warner-st., River-st. Myddleton-sq. and Bayn's-row, Coldbath-sq. Pet. June 12. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. June 30.

BOYLE, ROBERT, captain in the Royal Artillery, Woolwich. Pet. June 9. Reg. Hazlitt. O. A. Graham. Sol. Dubois, Church-passage, Gresham-st. Sur. June 27.

BRETT, JAMES WILLIAM, victualler, Coleman-st. Camberwell. Pet. June 14. Reg. Roche. O. A. Parkyns. Sol. Coltman, Langport-pl. Camberwell-rd. Sur. June 29.

BROWN, WILLIAM YOUNG, draper, Ventnor, Isle of Wight. Pet. June 10. Reg. Brougham. O. A. Edwards. Sol. White, Dane's-inn, Strand, and Portsea. Sur. June 29.

BROWNE, GEORGE RICHARD, major in 49th regiment of foot, Bream's-bdgs. Chancery-ln. Pet. June 12. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. June 29.

CROOK, JAMES, carpenter, St. George's-ter. Kilburn. Pet. June 9. Reg. Hazlitt. O. A. Graham. Sol. Godfrey, South-sq. Gray's-inn. Sur. June 27.

EASTWICK, CHARLES, beer retailer, Cheshunt. Pet. June 12. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. June 26.

ECHLIN, CHARLES, commercial traveller, Carlton-sq. New-cross. Pet. June 14. Reg. Brougham. O. A. Edwards. Sols. Jennings and Co. Lime-st. Sur. July 5.

FERGUSON, CHARLES AUGUSTUS, mast and block maker, Blackheath. Pet. June 13. Reg. Hazlitt. O. A. Graham. Sol. King, Queen-st. Cheapside. Sur. June 30.

FISHER, CHARLES, assistant to an upholsterer, Arthur-grove, Kentish-town. Pet. June 12. Reg. Roche. O. A. Parkyns. Sol. Proudfoot, John-st. Bedford-row. Sur. June 26.

GARRETT, ROBERT WILLIAM, baker, Spring-pl. Wandsworth-rd. Pet. June 12. Reg. Hazlitt. O. A. Graham. Sol. Wetherfield, Moorgate-st. Sur. June 27.

GRAINGE, WILLIAM THOMAS, clerk, Park-st. Camberwell. Pet. June 10. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. June 27.

HALLETT, JOSEPH, wine and spirit merchant, Brighton. Pet. June 14. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Hackwood, Walbrook. Sur. June 30.

HARRISON, HENRY, coal merchant, Peterborough. Pet. June 12. Reg. Brougham. O. A. Edwards. Sols. Nethersole and Co. New-inn. Sur. July 5.

HOLLIS, JOSEPH FRANCIS, attorney, Winchester. Pet. June 14. Reg. Brougham. O. A. Edwards. Sols. Lewis and Lewis, Ely-pl. Sur. July 5.

JOHNSON, ROBERT, lighterman, Salisbury-st. Bermondsey. Pet. June 12. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. June 28.

JONES, JAMES, baker, Chapel-st. Tottenham-ct.-rd. Pet. June 12. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-flds. Sur. June 28.

LAUNCKMAN, WILLIAM GEORGE, boot and shoe maker, Colebarbour-st. Hackney-rd. Pet. June 12. Reg. Brougham. O. A. Edwards. Sol. Mason, Symond's-inn, Chancery-ln. Sur. June 28.

LUMLEY, HENRY WILLIAM, general dealer, Portsea. Pet. June 12. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. June 28.

LUPTON, JAMES IRVINE, veterinary surgeon, Richmond. Pet. June 9. Reg. Brougham. O. A. Edwards. Sol. Young, Serjeants'-inn. Sur. June 28.

MOORE, WILLIAM, bootmaker, Upper King-st. Bloomsbury. Pet. June 12. Reg. Roche. O. A. Parkyns. Sol. Earle, Bedford-row, Holborn. Sur. June 26.

NORTH, EDWARD, gardener, Merton. Pet. June 12. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-flds. Sur. June 28.

PAYNE, THOMAS, publican, Norfolk-ter. Old Kent-rd. Pet. June 10. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. June 28.

REES, DAVID, photographer, Cheapside, and Union-st. Southwark. Pet. June 14. Reg. Roche. O. A. Parkyns. Sol. Webster, Tokenhouse-yard. Sur. June 28.

SADLER, THOMAS, victualler, Argyle-rd. Mile-end. Pet. June 8. Reg. Hazlitt. O. A. Graham. Sol. Bromwell, Basinghall-st. Sur. June 30.

SLANEY, GEORGE CALTARNS, clerk, Dorset-ter. Great Dover-st. Pet. June 13. Reg. Brougham. O. A. Edwards. Sols. Treherne and Co. Aldermanbury. Sur. June 29.

TYRIE, JAMES EDWARD, stockjobber, Stock Exchange, and Knight's-hill, Norwood. Pet. June 9. Reg. Brougham. O. A. Edwards. Sol. Dubois, Church-passage, Gresham-st. Sur. June 29.

WARREN, CHARLES, builder, Allen-st. Hornsey New-town. Pet. June 12. Reg. Brougham. O. A. Edwards. Sol. Hedger, Furnival's-inn. Sur. July 6.

WEBBE, WILLIAM, architect's and builder's assistant, Croxted-rd. Dulwich. Pet. June 12. Reg. Brougham. O. A. Edwards. Sol. Pope, Winchester-house, Old Broad-st. Sur. June 28.

WELLS, SAMUEL RICHARD, plumber, Landport. Pet. June 13. Reg. Roche. O. A. Parkyns. Sols. Sole, Turners and Hardwick, Aldermanbury. Sur. June 28.

To surrender in the Country.

APLIN, ROBERT, baker, Ashburton. Pet. June 12. Reg. & O. A. Pittery. Sol. Baker, Newton Bushel. Sur. June 22.

BATTEN, CHARLES, victualler, Liverpool. Pet. June 13. O. A. Turner. Sol. Talbot, Liverpool. Sur. July 4.

BROMFIELD, THOMAS, victualler, Worcester. Pet. June 13. Reg. Hill. O. A. Kinnear. Sur. June 28.

CLARK, JOHN, joiner, Gateshead. Pet. June 12. Reg. & O. A. Ingledew. Sol. Arnott, Newcastle. Sur. July 3.

COOPER, GEORGE, grocer, Dresden. Pet. June 13. Reg. & O. A. Keary. Sol. Tennant, Hanley. Sur. July 1.

COURTI, PAUL, watchmaker, Exeter. Pet. June 15. O. A. Carrick. Sol. Friend, Exeter. Sur. June 28.

COWEN, AMOS, retail brewer, Birmingham. Pet. June 9. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. July 10.

COWLBECK, FREDERICK WILLIAM, master mariner, Hull. Pet. June 6. O. A. Young. Sols. Brignal, Durham; Blackburn and Son, Leeds. Sur. June 28.

DIBBLE, JOHN, tailor, Birmingham. Pet. June 14. Reg. Hill. O. A. Kinnear. Sol. Clarke, Birmingham. Sur. June 28.

DICKINS, GEORGE CALDWELL, Cornhill, Northumberland. Pet. June 12. Reg. Gibson. O. A. Laidman. Sol. Brignal, Durham. Sur. July 7.

EVANS, ANN, and EVANS, CHARLES, iron braziers, Wolverhampton. Pet. June 8. Reg. Tudor. O. A. Kinnear. Sols. Messrs. Underhill, Wolverhampton; Green, Birmingham. Sur. June 22.

FELLOWS, THOMAS, chartermaster, Darlaston. Pet. June 10. O. A. Clarke. Sol. Ebsworth, Wednesbury. Sur. June 24.

FORD, RICHARD, grocer, Blackburn. Pet. Aug. 17. Reg. & O. A. Bolton. Sur. July 3.

GREAVES, HENRY JAMES, caulker, Rochester. Pet. June 14. Reg. & O. A. Ackworth. Sol. Morgan, Maidstone. Sur. June 27.

HANDLEY, THOMAS, beer retailer, Salford. Pet. June 13. Reg. & O. A. Kay. Sol. Fletcher, Manchester. Sur. June 28.

HARRISON, THOMAS, eatinghouse keeper, Birmingham. Pet. June 9. Reg. & O. A. Guest. Sur. July 10.

HEFFORD, GEORGE, grocer, Swinford. Pet. June 12. Reg. & O. A. Gates. Sol. Owston, Leicester. Sur. June 29.

HEMMINGS, GEORGE, labourer, Stevenage. Pet. June 14. Reg. & O. A. Times. Sol. Simpson, Saint Alban's. Sur. July 1.

HUGHES, WILLIAM, grocer, Liverpool. Pet. June 10. Reg. & O. A. Hime. Sol. Jones, Liverpool. Sur. June 27.

LOCKE, HENRY, victualler, East Cowes, Isle of Wight. Pet. June 23. Reg. & O. A. Blake. Sol. Hooper, Newport. Sur. June 23.

MAYMONT, JOHN WILLIAM, timber dealer, Stanley End, King's Stanley. Pet. June 12. Reg. Wilde. O. A. Acraman. Sols. Heelis, Stroud; Bevan, Bristol. Sur. June 28.

MEDLICOTT, THOMAS, printer, Handsworth and Birmingham. Pet. June 13. Reg. Hill. O. A. Kinnear. Sol. Duke, Birmingham. Sur. July 3.

MORTON, WILLIAM, wine merchant, Ripon. Pet. June 14. O. A. Young. Sols. Wise, Ripon; North and Sons, Leeds. Sur. July 3.

PATTISON, WILLIAM, tailor, Holbeck, Leeds. Pet. June 11. Reg. & O. A. Sangster. Sols. Messrs. Elmsley, Leeds. Sur. June 27.

PEACOCK, WILLIAM FRANCIS, commission agent, Chorlton-upon-Medlock. Pet. May 16. Reg. Harris. O. A. Morgan. Sur. July 6.

PHILLIPS, EVAN, farm labourer, Llanfigan. Pet. June 10. Reg. & O. A. Evans. Sol. Plews, Merthyr Tydfil. Sur. June 24.

PHILLIPS, JOHN, carpenter, Ipswich. Pet. June 6. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. June 26.

RICHMOND, SAMUEL, butcher, Ratcliffe-upon-Trent. Pet. June 13. Reg. Tudor. O. A. Harris. Sur. June 27.

ROBERTS, MARGARET, victualler, Llanarmon? [illegible] Glan, Conway. Pet. June 10. Reg. & O. A. Hughes. Sol. Jones, Conway. Sur. June 26.

ROBERTSON, DUNCAN, accountant, Everton. Pet. June 13. O. A. Turner. Sols. Haigh and Deane, Liverpool. Sur. June 28.

ROBINSON, JAMES, commission merchant, Warmley, near Bristol. Pet. June 10. Reg. Wilde. O. A. Acraman. Sur. June 28.

ROWBOTHAM, WILLIAM, painter, Birmingham. Pet. June 8. Reg. & O. A. Guest. Sur. July 10.

SHAW, JAMES, farmer, Prenton, Woodchurch. Pet. June 13. Reg. & O. A. Gill. Sol. Moore. Sur. June 30.

SMITH, JAMES, labourer, Cowbit. Pet. June 10. Reg. Tudor. O. A. Harris. Sur. June 27.

SMITH, JOHN, innkeeper, Penrith. Pet. June 14. Reg. & O. A. Yarty. Sol. Scott, Penrith. Sur. June 28.

SMITH, WILLIAM, victualler, Parr, near St. Helen's. Pet. June 13. O. A. Turner. Sol. Beesley, St. Helen's. Sur. June 24.

STANDRING, SAMUEL, cotton-waste dealer, Oldham. Pet. June 10. Reg. & O. A. Sommerscales. Sol. Ascroft, Oldham. Sur. June 29.

STUBBS, JOHN THOMAS, watchmaker, Manchester, and Rusholme. Pet. June 12. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. July 5.

WARD, JOSEPH, lacemaker, Nottingham. Pet. June 12. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham. Sur. July 26.

WATTSON, FREDERICK, baker, Gravesend. Pet. June 13. Reg. & O. A. Southgate. Sol. Outred, Gravesend. Sur. June 30.

WHITELEY, THOMAS, ironmonger, Halifax. Pet. June 12. Reg. Rankin. O. A. Dyson and Rankin. Sol. Storey, Halifax. Sur. June 30.

WILLS, THOMAS, bootmaker, Maidstone. Pet. June 9. Reg. & O. A. Scudamore. Sol. Goodwin, Maidstone. Sur. June 21.

WILSON, THOMAS, joiner, Leasgill, Heversham. Pet. June 12. Reg. & O. A. Wilson. Sol. Thompson, Kendal. Sur. July 4.

WILY, ISAAC, jeweller, Stockton. Pet. June 14. Sol. Hunton, Stockton. Sur. June 24.

WRIGHT, WILLIAM, baker, Nottingham. Pet. June 12. Reg. & O. A. Patchitt. Sol. Heathcote, Nottingham. Sur. June 26.

YATES, THOMAS, seedsman, Birmingham. Pet. June 9. Reg. & O. A. Guest. Sur. July 10.

BANKRUPTCY ANNULLED.

Gazette, June 13.

FITFIELD, WILLIAM WALKER, mechanic, Haugh.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Broadhead, J. beerhouse-keeper, first, 8s. 3d. Harris, Nottingham.—*Carter*, F. L. and G. S. hat manufacturer, first, 3s. 6¼d. Stansfeld, London.—*Horton*, J. tin plate merchant, second, ¾d. Turner, Liverpool.—*Nicholson*, J. coal dealer, first, 4s. 6d. Turner, Liverpool.—*Rowlings*, H. D. grocer, further, 1¼d. Carrick, Exeter.—*Richardson*, K. grocer and druggist, second, 2s. 6¼d. Turner, Liverpool.—*Rimmell*, E. bookseller, first, 1s. 6d. Turner, Liverpool.—*Ward*, T. farmer, first, 12s. 3d. Kinnear, Birmingham.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, June 13.

BAILEY, EDWIN, and CHUBB, ROBERT HAYTER, wholesale boot and shoe manufacturers, Bristol. May 16. Trust T. N. Ashman, leather merchant, Bristol.

BOLTON, JOHN, smallware manufacturer, Halifax. May 16. Trusts R. Edgar, banker, and E. Hanson, cottonspinner, both Halifax.

CADDICK, ISAAC, nail manufacturer, Coseley. May 23. Trust J. Percival, of Birmingham.

COCKER, THOMAS, manager in a silkmill, Westhoughton. June 2. Trust H. E. Bowerbank, cotton waste merchant, Preston.

CURTIS, THOMAS; HAIGH, JONATHAN; and HAIGH, FREDERICK, cloth finishers, Leeds. May 12. Trusts R. M. Carter, cloth finisher, Leeds, and W. Denison, machine maker, Leeds.

DIBB, JAMES, salt merchant, Hull. May 22. Trusts R. Jameson, timber merchant, and C. Johnson, auctioneer, both Hull.

DOCKRILL, JOSEPH, sub-editor of a weekly journal, Fortess-ter. Kentish-town. June 3. 5s. by two equal instalments on 1st Sept. and 1st Dec.

DUFFETT, GEORGE, grocer and provision merchant, Portsea. May 19. Trusts W. Edmonds, accountant, and J. Woodward, merchant, both Portsea.

ELLABURTON, THOMAS, grocer, Coventry. May 15. Trusts T. Ransford, grocer, Coventry, and G. Hewitt, hop merchant, Calvert's-bldgs. Borough, London.

FRANKLE, JOSEPH, jeweller, Newcastle. June 6. 3s. in 3 mos.

FAITH, REV. EDWARD BLACKSTONE COCKAYNE, clerk, Tormoham. May 12. 5s. Trust R. King, silkmercer, Bath.

GOODE, WILLIAM, cut nail maker, Victoria Cut Nail Works, New Bond-st. and Birmingham. May 17. 5s. on demand. Surety, J. Moore, gentleman, Birmingham.

HODGSON, ABRAHAM WIGHALL, wool and waste dealer, Bradford. May 23. 7s. 6d. on 30th June. Trust J. Hodgson, shopkeeper, Bradford.

HOLDSOME, JAMES, grocer and draper, Hambledon. June 2. Trusts G. Sutton, provision merchant, and W. Edmonds, accountant, both Portsea.

JACKSON, JAMES, cardmaker, Liversedge. May 23. 5s. by two equal instalments on 15th June and 15th Sept. Sureties, W. Roberts, warehouseman, and G. Jackson, cardmaker, both Millbridge.

LANDERS, RICHARD WILLIAM, corndealer, Great Titchfield-st. Marylebone. May 15. Trust E. Lawrence, corn merchant, Bankside, Southwark.

LAWS, JOHN DIXON, common brewer, Morpeth. May 15. Trust A. Potter, maltster, Newcastle.

LOVEGROVE, THOMAS, grocer, Wallingford. May 22. Trusts R. Payne, wholesale grocer, Wallingford, and G. Pearson, wholesale provision merchant, St. John-st. Smithfield.

LUMB, ELY, innkeeper, Liversedge. May 16. 2s. 6d. by two equal instalments on 15th Aug. and 15th Nov. Surety, J. Tasker, butcher, Liversedge.

MASON, WILLIAM, victualler, Vange. May 17. Trust F. Morris, grocer, Billericay.

MAYOR, ROBERT, druggist and drysalter, Preston. May 16. Trusts W. Whatham, spice merchant, Liverpool, and J. K. Bolton, chemist, Preston.

OPPERMANN, CHARLES, watchmaker, Westbourne-rd. Islington. May 26. 3s. by two instalments of 1s. 6d. at 6 and 12 mos.—secured. Trusts G. Briant, Weymouth-st. Portland-place, and C. Muller, Walbrook-buildings.

PALMER, BENJAMIN ARTHUR, hatter, Leicester. May 19. 13s. by three equal instalments on 3rd Aug., 3rd Nov. and 3rd March—secured. Sureties, G. Anderson, draper, and W. Newton, dealer, both Leicester.

PEARSON, WILLIAM, machine manufacturer, Leeds. May 30. 12s. 6d. by three equal instalments at 4, 8 and 12 mos.—secured. Trusts C. J. Kerr, accountant, Tokenhouse-yard, G. Nelson, ironfounder, J. Iredale, mungo manufacturer, and C. Auty, iron merchant, Leeds.

PERRIN, HANNAH, and PERRIN, SAMUEL, grocers, Bredbury. June 12. 10s. by four equal instalments on the 22nd June and Sept. 1865, and 22nd Jan. and Nov. 1866—secured. Trust J. Moss, corn merchant, Manchester.

PHAROAH, RICHARD, butcher, Portsmouth. June 3. 5s. in 1 mo.

RAINFORD, THOMAS, provision dealer, Southport. May 15. 7s. 6d. by three equal instalments at 3, 6 and 9 mos.—secured. Trusts C. Ambrose, farmer, Halsall, and W. Ambrose, carter, Southport.

ROBERTSON, JOHN, ironmonger, Oldham. May 19. Trusts R. Gentle, factor, Birmingham, W. Corbett, stove grate manufacturer, Rotherham, J. R. Howell, steel manufacturer, Sheffield, and J. Heywood, accountant, Oldham.

ROBINSON, ARTHUR EDWARD, builder, New Kent-rd. June 6. 12s.—3s. on 6th Nov. 1865, 3s. on 6th March, 3s. on 6th July and 3s. on 6th Nov. 1866—secured. Trust F. H. Collinson, accountant, King-st. Cheapside.

ROLES, JOHN, saddler, Bridport. May 15. Trust F. H. Francis, gentleman, Bridport, and J. Marsh, saddlers' ironmonger, Bristol.

THEODORIDI, JOHN, merchant, Poultry, and tobacconist, Leicester-sq. May 12. Trust J. Cooper, accountant, Coleman-st.-bldgs.

TURNER, JOHN, carpenter, Lower Boddington. May 17. Trusts T. W. Coleman, and J. Grimbly, grocers, both Banbury.

Gazette, June 16.

ALLEN, ROBERT RICHARD, corn merchant, Harrold. May 22. Trusts H. Sanders, farmer, Odell, C. Fever, farmer, and J. Goff, farmer, both Harrold.

BAIRD, ROBERT, builder, Manchester. May 22. Trust R. Peel, accountant, Manchester.

BATT, HENRY, builder, Stanhope-wharf, Upper James-st. Camden-town. May 18. Trusts W. F. Bell, Cannon-st. and S. Trickett, Mark-la., merchants.

BLACK, GEORGE, greengrocer, Sheffield. June 2. Trust W. Bradshaw, wholesale greengrocer, Sheffield.

BREARLEY, ROBERT, draper, Hay. May 17. Trusts A. Merry and J. L. Veysey, warehousemen, both Bristol.

BROWN, JOHN JAMES, tobacconist, Manchester. May 22. Trust T. W. Gillibrand, accountant, Manchester.

BURRELL, WILLIAM, shoemaker, Salisbury. May 18. Trusts J. Curtis, builder, and J. Rowland, ironfounder, both Salisbury.

BUSH, JOSEPH, boot and shoe manufacturer, Luton. May 17. Trust J. Wright, boot manufacturer, Chesham.

COLE, MARK LANCEY, outfitter, Isle of Wight. May 17. Trusts T. Early and T. Early, jun., outfitters, Houndsditch.

COOPER, WILLIAM, bricklayer, New Alresford. May 20. Trust G. Berry, limeburner, East Meon.

CURTIS, HENRY, builder, Salisbury. May 16. Trusts W. Whitehorn, clothier, and W. Hicks, ironmonger, both Salisbury.

DALE, WILLIAM, blacksmith, Ulceby. May 16. 5s. by four quarterly instalments of [illegible] each. Trust J. H. Dale, blacksmith, Ulceby.

DEHORTER, ADOLPHE, commission agent, Myddelton-sq. Pentonville. June 2. Trust J. H. Tuckfield, watch manufacturer, Myddelton-sq. Pentonville.

EDWARDS, JOHN, draper, Mytod. May 16. Trusts R. Roberts, draper, Oswestry, J. Fox, accountant, Oswestry, and F. Gillibrand, accountant, Manchester.

ELKIN, JACOB LEVI, manager of a public company, Great St. Helen's. June 7. Trust J. Hall, accountant, Moorgate-st.

FOSTER, SAMUEL, Cave-ter. New-rd. Hammersmith, and KING, HENRY, Gibbs-st. Kentish-town, music publishers. April 6. 15s. Trusts J. Hopkinson and G. T. Metzler, music publishers, Great Marlborough-st.

GILET, ALPHONSE, beer retailer, Lucas-st. Commercial-rd. east. May 26. 3d. in 3 mos.

GRAY, EDWARD EVANS, captain in the *Royal Navy*, St. Nicholas. June 6. 4s. 9d. in 1 mo. Trust G. Willis, draper, Shaldon.

HANMER, ARTHUR, timber dealer, Manchester. May 18. Trust W. Massey, jun., timber merchant, Liverpool.

HARTSHORNE, BENJAMIN, draper, Triangle, Hackney. June 1. 15s.—5s. at 3 mos. and 10s. at 6 mos.—secured.

HONOUR, EBENEZER, wholesale tobacconist, Bristol. June 2. Trust T. B. Clements, wholesale tobacconist, Bristol.

HORN, ROBERT, farmer, Holme-next-the-Sea. May 22. Trusts M. Dodman, farmer, Hunstanton, and M. Nelson, gentleman, Lynn.

JOHNSON, GEORGE, builder, Hull. June 6. Trust N. Easten, auctioneer, Hull.

JONES, ROBERT, machinist, Manchester. May 26. Trust R. Owen, plumber, Manchester.

KENNOT, CHARLES MIDDLETON, surgeon, Fleet-st. June 7. 1s. 3d. on 20th Aug.

KENT, THOMAS FRESHWATER, grocer, Dartford. May 24. 4s. Trust H. W. Banks, public accountant, Coleman-st.

LANCASTER, JOHN, joiner, Bolton-le-Moors. June 2. 5s. on 21st June.

MACHELL, SMITH, blanket manufacturer, Earlsheaton, near Dewsbury. May 31. 3s. on 30th June, also 1s. on 30th Aug.

MELLOR, JOSEPH, woollen cloth manufacturer, Thongsbridge, in Netherthong. May 31. 10s. by three instalments of 3s. 4d. each, at 4, 8 and 12 mos. Trust J. M. Woodhead, waste dealer, Holmfirth.

MILNER, ANTHONY, sen., blanket manufacturer, Ossett-st.-side, near Dewsbury. May 30. Trusts A. Wilson, Dewsbury, and J. Fox, Staincliffe, near Dewsbury, shoddy merchants.

MOLYNEUX, HENRY METCALFE, surveyor, Vauxhall-bridge-rd. June 1. 1s. in 3 mos.

PLATT, WILLIAM, masonic jeweller, Beaufort-buildings, Strand. May 17. 20s. by four instalments of 5s. each, on 14th May, 15th Nov., 14th Feb. and 15th May—secured. Trust H. Carson, water gilder, Clerkenwell.

RIDGWAY, WILLIAM, tailor, Old Bond-st. May 18. Trusts W. Collard and W. Holt, warehousemen, both St. Martin's-lane.

ROSENTHAL, HENRY, oil merchant, Coburn-ter. Peckham. May 16. 2s. 6d. after execution of deed.

SANDERS, JOHN, commercial traveller, Coventry. May 16. Trust H. C. Turner, clerk, Rotherham.

SHACKLADY, JOHN, pork butcher, Cornwall-rd. Brixton-rd. May 18. Trusts A. Horncastle, Gray's, and A. J. Lerking, Half Moon-passage, Whitechapel.

SWAINE, JONATHAN, commission agent, Bradford. May 23. Trust T. Foster, woolstapler, Bradford.

TICKELL, JOHN, joiner, Manchester. April 18. 7s. 6d. by three equal instalments, in 3, 6 and 9 mos.—secured. Trusts W. McEwen, furniture broker, Manchester, and W. Willet, shoe manufacturer, Cheetham-hill, near Manchester.

TROAKE, WILLIAM, general-shop keeper, Sidmouth. June 1. Trusts W. Carter and E. Peters, grocers, both Exeter.

WATSON, GEORGE STEWARD, attorney, Wednesbury. June 1. 2s. 6d. Trust W. Shakespeare, attorney, Oldbury.

WILDBLOOD, EDMUND, colour manufacturer, Burslem. May 23. 1s. by two equal instalments, 3 and 6 mos. Trust T. H. Tomkinson, gentleman, Burslem.

WILKINSON, SAMUEL, jeweller, Birmingham. May 31. 3s. within 12 mos.

WOOD, JABEZ HOLMES, bill broker, Cornhill. May 16. Trust T. Gravatt, law stationer, Chichester-rents.

WOOD, THOMAS SOLOMON, carpenter, Catherine-grove, Greenwich. June 12. 2s. in 6 mos.

ERRATUM.

In Gazette 13th Jan., William Beeton should have been Walter Beeton.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

MOIR.—On the 15th inst., at 6, Torriano-avenue, Camden-road, the wife of J. Macrae Moir, Esq., barrister-at-law, of a son.

PAIN.—On the 20th inst., at No. 8, Phillimore-terrace, Kensington, the wife of Thomas Pain, of Lincoln's-inn, barrister-at-law, of a daughter.

ROWDEN.—On the 19th inst., at 5, Well-walk, Hampstead, the wife of Francis Rowden, Esq., barrister-at-law, of a daughter.

FERRIER.—On the 17th inst., at Great Yarmouth, Norfolk, the wife of F. W. Ferrier, Esq., solicitor, of a son.

MARRIAGES.

HALL—JONES.—On the 14th inst., at St. Paul's, Deptford, Mr. J. T. Hall, of the Incorporated Law Society, to Elizabeth, second daughter of Mr. David Jones, of Her Majesty's Customs, Marazion, Cornwall.

HENRIQUES—LUCAS.—On the 14th inst., Alfred G. Henriques, Esq., of the Middle Temple, barrister-at-law, to Alice Rosa, third daughter of Philip Lucas, Esq., of Temple House, Cheetham, near Manchester.

PEED—WILTON.—On the 20th inst., at Sydenham, Mr. Wm. Peed, of Cambridge, solicitor, to Harriett, the only surviving child of Thomas Wilton, Esq., of Whittlesey.

FLORENS—STAGGALL.—On the 14th inst., Jean Emile Florens, Esq., barrister-at-law, of the Middle Temple, and Port St. Louis, Mauritius, to Agnes Josephine, youngest daughter of J. Staggall, Esq., No. 3, Southampton-street, Bloomsbury-square.

DEATHS.

BEANLANDS.—On the 16th inst., Benjamin Beanlands, Esq., of 3, Raymond-buildings, Gray's-inn.

BOWER.—On the 13th inst., at the residence of his sister, Wilmslow, Cheshire, aged 67, George Bower, Esq., of No. 6, Tokenhouse-yard, London, solicitor.

MALONE.—On the 17th inst., at Vauxhall-bridge-road, J. R. Malone, Esq., solicitor, late of Dublin.

THOMPSON.—On the 15th inst., at 33, Crowndale-road, Oakley-square, aged 63, Mr. Edward Thompson, late First Assistant Clerk, Sheriff's Court, London.

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THE NEW CRIMINAL STATUTES and PARTS of STATUTES will be added to the Second Edition of COX and SAUNDERS' CRIMINAL LAW CONSOLIDATION ACTS, which contains all the subsequent Criminal Statutes to this date, and a Digest of the Decisions for the last twelve years.

LAW TIMES Office, 10, Wellington-street, Strand, W.C.

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To Readers and Correspondents.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

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A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 2s. 10d. *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE report of the Committee of Inquiry into the Leeds Bankruptcy affair acquits the LORD CHANCELLOR of all complicity in the discreditable transactions which it ruthlessly reveals to the public gaze. It is Lord WESTBURY'S misfortune to have a scapegrace son, and the only blame the committee throws upon him is having too readily and inconsiderately given heed to that son's recommendations to appointments that should have been bestowed upon merit. The LORD CHANCELLOR could have had no corrupt motive for sanctioning his son's proceedings, had he been aware of the bargain on which they were based, for he is wealthy enough to have supplied to his son more than that bargain brought, had he desired a provision to be made for him. The Profession and the public will, therefore, readily indorse the verdict of acquittal pronounced by the committee; while, also, they will share the opinion that it was very desirable that the investigation should have been made. We heartily trust it will be the last of these painful disclosures.

THE work of electioneering has now fairly begun, and our readers, or the greater portion of them, will be absorbed by it for the next three weeks. No business will be done that can by possibility be postponed. As for reading, it is out of the question. The solicitors will be required as usual to perform the larger portion of the speech-making so greedily desired by the idle public on these occasions. They will have no time for studying points of law, and we will therefore trouble them with few until the contest is over and they return to their offices.

Happily for all concerned, the Saturnalia of the election is to be abbreviated. Every day that it is delayed adds enormously to expense, to demoralisation, and to the bad blood that comes of local conflicts. The Lawyers are too much accustomed to differ to share the personal hostilities that stir the lay mind when siding with Jones against Smith; they can fight zealously one hour and be good friends again the next. And they will so demean themselves in the coming conflict. When it is concluded, let them strive to restore in their several localities the social harmony that will be for a time disturbed by the election, and persuade their friends to agree to differ.

Certainly within our own memory, which now ranges over forty years, there has never been a general election at which there was so little exhibition of party virulence as in that now in progress.

THE addresses of the various candidates for the new Parliament remarkably coincide with the hints given to the Professional Agents in the series of articles on the General Election which will be completed next week. The writer appears to have anticipated almost precisely the professions to be put forth by each of the three great parties. The moderate Liberals point to what the Government has done, and promise a moderate extension of the suffrage, and the removal or abolition of Church-rates. The Conservatives promise an extension of the franchise to education and property, but resolute resistance to any proposal for swamping intelligence and property by mere numbers. All express a willingness to relieve Dissenters from payment of Church-rates, but a resolve not to leave the fabrics of the Church without a provision for their support. The Democratic addresses repeat the formula of Manhood Suffrage, the Ballot, and the abolition of the Established Church. Between the addresses of the Liberals and Conservatives there is so little difference in substance that if those two words were struck out of them it would be impossible for a stranger reading them to say which was the Liberal and which the Conservative address. In some instances the latter has been the most lavish in its promises. This is a very remarkable state of things, and it proves conclusively what, in candidate estimation, at least, is the present leaning of the public mind. For the time, Democracy is manifestly out of favour, and any leaning in that direction is eschewed by those who are courting votes. The same spirit will doubtless prevail at the hustings, and the solicitors would do well to warn their candidates of the rock ahead, if indeed they want any prompting, to avoid the expression of opinions which they do not sincerely hold, or, at least, which they earnestly disown in private conversation.

THE case of *Longworth* v. *The Saturday Review* so vitally affects the liberty of the press in England, and is so fraught with peril to English journalism, that we have deemed it desirable to preserve the judgments among the LAW TIMES Reports. The decision amounts to this: that any person in Scotland supposing himself aggrieved by a commentary in any English journal may arrest all debts due to such journal in Scotland, and the proprietor himself if ever he should cross the border: the alternative of this proceeding being for the newspaper in question to come in and pay the costs, upon which it will be permitted to defend the action, which will be tried in Scotland, before a jury having national sympathies with the plaintiff, and with expenses quadrupled by distance.

The readers of the LAW TIMES may remember, perhaps, that this is not a new grievance. Some years ago it was inflicted upon ourselves. We preferred to pay rather than fight at such a disadvantage. Although the alleged libel would have been laughed out of court in England, we knew too well the kind of justice which an English journal would be likely to obtain from a Scotch jury, and we paid what "the pursuer" demanded.

We brought this case prominently before the conductors of the press, and called upon them to aid us in an endeavour to procure the reform of a law fraught with such danger to English journalism. But, with the strange reluctance to co-operate even for their own advantage which distinguishes the newspapers, they would not stir in it, they would not even publish a protest against it. Now that a more distinguished journal is assailed in like manner, perhaps there may be some endeavour to procure protection.

For who is safe? The judgment is obtained in Scotland without any notice whatever to the defendant that an action has been brought against him. The notice is merely posted in court, judgment is signed, in default of appearance, for the full amount of damages claimed, and the first intimation of the proceeding is a notice from some creditor in Scotland that the debt has been attached. The judgment so obtained without notice can only be set aside on payment of costs and acknowledgment of jurisdiction, and the result of that is a trial of the London newspaper in Scotland for an alleged libel on a Scotchman.

There is no journal that is not in daily hazard of the fate of the *Saturday Review*. But the practical question is, how can the difficulty be met? By legislation, of course. The law of libel must be amended in this respect. But the Scotch will violently resist any curtailment of their jurisdiction. What then can be done? There remains but a single remedy: let all newspapers and periodical publications refuse to give credit in Scotland. Then, as there will be no debts to arrest, the action will practically be a nullity. When they find that the law operates inconveniently, the Scotch themselves will probably be inclined to pray for a change in it.

WHEN the time for making requisitions on a title is limited by the conditions of sale, and the purchaser's legal adviser tries to edge in a requisition after the day fixed, he has in mental reserve an attack on the completeness of the abstract as a last resource, if the condition of time be insisted on. As to the abstract, the usual condition is, that the vendor shall within (say) fourteen days after the day of sale deliver to the purchaser or his solicitor an abstract of title to the property; the condition then proceeds, and the purchaser or his solicitor shall within (say) twenty-eight days after the delivery of the abstract send or deliver in writing to the vendor's solicitor all objections, &c.; and all objections, &c. which the purchaser shall be entitled to make and shall not make within the same twenty-eight days shall be considered as waived. This was the form used by the vendor in *Oakden* v. *Pike*, 12 L. T. Rep. N. S. 527, the last reported case on the operation of such a condition. The first question that arises is, what is a delivery of an abstract, according to the meaning of the parties?

Various definitions have been given in the cases. Thus in *Blackburn* v. *Smith*, Ex., 18 L. J. 189, a "full and sufficient" abstract was to be furnished. The Court thought the meaning to be "a full and fair abstract of all the muniments which the vendor had in his possession, power, or knowledge, and a fair statement of the deduction of his title, though it did not go back for sixty years." A definition given, 2 Car. & K. 501, of a "perfect" abstract is, that the abstract is one which shows that the vendor is able to perform his contract. In the present case the purchaser's counsel contended that it was not only the mere sending of certain sheets of paper purporting to set out so much of every material document as was sufficient to show what that document was, but, in addition to that, if not the actual comparison with the documents referred to, an offer by the vendor to show the documents. But Vice-Chancellor KINDERSLEY said: "I apprehend that the abstract is delivered whenever the sheets of paper, called the abstract, are delivered, containing, with sufficient clearness and fullness, the effect of every instrument constituting the title of the vendor, even before the actual comparison with the deeds themselves." This definition is wider than the first which we quoted, and narrower than the second. It makes no reference, like the first, to the vendor's "possession, power, or knowledge;" nor any, like the second, to the completion of the contract. The Vice-Chancellor added, that he thought it was justly said that the abstract should be complete. No material instrument, or clause in an instrument, must be omitted.

It was also decided in *Oakden* v. *Pike*, that if a requisition be sent in after the specified day the vendor's solicitor may safely receive it, and enter upon the consideration of the answer to it, if he clearly reserves the benefit of the condition of time. In such a case there will be no waiver. If, on the contrary, the vendor's solicitor, without expressly saving the condition, proceeds, as in *Cutts* v. *Thodey*, 13 Sim. 206, to receive objections delivered after the time,

and negotiates on the subject of them, he cannot, when he finds himself unable to bring them to a satisfactory conclusion, turn round and take advantage of the condition of time. It is in such a case considered to have been waived

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INCIDENTALLY to noticing the case of *The Curriers' Company* v. *Corbett*, on the 15th of April, respecting the alteration of ancient lights and other points in the law of easements, we referred to *Jones* v. *Tapling*, 5 L. T. Rep. N. S. 728, as having decided that if the owner of a dominant house, or, in other words, a house in command of an easement, altered his ancient window lights in such a manner, by opening new lights, that the owner of the servient tenement could not block out the new without the old, he was justified in blocking out both together, but that the justification ceased if the dominant owner restored the lights to their former state. This decision was affirmed by the Exchequer Chamber, whose judgment was carried for review to the House of Lords. It was affirmed there, but the law enunciated in the courts below in the case was overruled. We notice the case here again, not only to correct the misleading impression produced by the former notice, but also to give to the Peers' reasons the prominence deserved by them in making clear the principle on which the 3rd section of the Prescription Act (2 & 3 Will. 4, c. 71) ought in future to be applied to such cases, at least by courts of law. The solution of their difficulties there will be much simplified (perhaps too much so) by the window law of the House of Lords.

The great light, on the appeal, was let in by the argument used by the LORD CHANCELLOR, that since the Act an ancient light is matter of statutory right and does not rest on any presumption of a grant. After twenty years' enjoyment the right is declared to be absolute and indefeasible. It is not subjected to any condition or qualification, nor made liable to be affected or prejudiced by any attempt to extend the access or use of the light. The expressions "right to obstruct" and "invasion of privacy by opening windows," used in the decided cases, tend to mislead. If one opens new lights he has done no wrong: by the like right of property the other may build on his own land, but he gains no new right, such as a right to obstruct; yet, in exercising his right, it must be remembered that he possesses no right of building so as to obstruct the ancient light; for that is indefeasible, and remains unprejudiced by the innocent act of opening new lights.

Lord CRANWORTH was also of opinion that the servient owner had no right to erect the building complained of. His and Lord CHELMSFORD's arguments, from the indefeasible character of the statutory right, and the innocence of the act of opening a new light, were similar to the argument of the LORD CHANCELLOR.

Decided thus on the ground of the illegality of the obstruction originally and independently of the restoration of the dominant house to its ancient state of light, *Tapling* v. *Jones* overrules *Renshaw* v. *Bean*, 18 Q. B. 112, noticed by us on the former occasion, and *Hutchinson* v. *Copestake*, 5 L. T. Rep. N. S. 178. The Peers expressed their intention to overrule those cases. This being now the settled law, such a restoration as was made in *Jones* v. *Tapling* does not appear to be requisite before bringing an action for the obstruction of ancient lights, in a case where they have been altered and blended together with new lights. The LORD CHANCELLOR treated the obstruction in such a case as illegal from the beginning, arguing that, if it were then legal, but became afterwards illegal on a restoration by the dominant owner, a person who opened new lights might allow them to remain until his neighbour had, at great expense, erected a dwelling-house, and then might by abandoning and closing the new lights require his neighbour's house to be pulled down. That, however, it appears to us, was only a legal argument; in equity, assuming the obstruction to be legal in the beginning, the dominant owner would be restrained from taking any such advantage of a restoration, after standing by and allowing his neighbour to build a house. The case before the Lords turned simply on the question whether opening the new lights was or was not a wrongful act. "The plain principle," said Lord CRANWORTH, seems to me to be, that no one can interfere with the absolute and indefeasible right of another, unless where such interference is made necessary by the wrongful act of the party possessing the right."

Hence, inasmuch as extending an ancient light by new light is held not to be a wrongful act, there appears to be now no limit to such an extension, where circumstances favourable to the dominant owner prevent the servient owner from being able to build up against the new without at the same time obstructing the ancient. The consequence of the decision on appeal, in *Tapling* v. *Jones* is, that there are two modes of acquiring an indefeasible right to light, one by twenty years' enjoyment making an ancient light, another by connecting a new with an ancient light. Such a practical conclusion is rather startling. Lord CHELMSFORD did not shrink from this view. He stated it as a very possible case that "a person who has an ancient window may acquire a right to any number of additional windows by so contriving their position as to place them completely under the protection of the ancient window, and thus effectually prevent the adjoining owner's interference with them." But, let us ask, if the expressions "right to obstruct" and "invasion of privacy by opening windows" are to be considered as unwarranted by the common law, what shall be said of the expression, "placing a new window under the protection of an ancient window?" Is that warranted by the statute? No doubt the decision of the Lords is conclusive on the question of such a construction and application of the statute in a court of law; but it is not conclusive on the question of the application, if it is on the construction of the Act in a court of equity. Equity jurisdiction, which refuses where there is part performance to apply the Statute of Frauds requiring a written contract, and refuses where notice of an unregistered equity is chargeable on a purchaser of land in a register county, to allow him to take advantage of the Middlesex or Yorkshire Registry Act to gain priority, may well refuse to allow the owner of a dominant tenement to acquire, by what we venture to call in equity a fraud on the Prescription Act, a right against his neighbour which was never contemplated by that Act. Whatever it may be at law, it would be a fallacy in equity to argue that, because opening a window by an owner is an act innocent in itself, the same act is innocent if it be done with the intention of over-reaching a statute to another man's prejudice. We should advise any of our readers whose client may find an extension commenced or intended in his neighbour's ancient lights, in such a manner that the extension cannot be separately blocked out, to consult counsel immediately on an application for an injunction.

THE mode of laying out the seven acres to the greatest advantage for the new courts and offices, so far as it has been devised on the part of the Metropolitan Board of Works, through Mr. PENNETHORNE, the architect of the board, was described in our number of April 1st. He proposed to carry a fifty-two feet road round the site, and another road of the same width across it from Pickett-place northwards, so that there would be one acre on the Clement's-inn side for the Probate Court and offices, and four acres on the Bell-yard side for the rest of the buildings. The space required for each court with its chambers and appurtenances was given, but only by way of estimate, with a view to satisfy the House of Commons of the sufficiency of the proposed area. The Courts of Justice Building Act—for the Bills received the QUEEN's assent on the 22nd—provides for the appointment by the QUEEN of persons to advise and concur with the Treasury Commissioners with reference to the plan and arrangements of the buildings to be erected. The commission to be appointed under this provision is also, under the Courts Site Act, the authority to certify to the Treasury Commissioners, before operations can begin, that the lands to be acquired under that Act, of which a plan has been laid before Parliament, are sufficient for all the purposes of the new courts and the buildings connected therewith, and that the probable cost of the lands and buildings will not exceed the amount of the funds provided under the Courts Building Act for those purposes. As soon as the Acts became law, the LORD CHANCELLOR wrote to the CITY REMEMBRANCER, according to the *Times* report of the Common Council proceedings, in the latter part of the past week, apprising him of the fact, and informing him that instructions were being given for issuing the commission. The various interests concerned in the plan and arrangements of the buildings are to be represented in the commission by ten branches: first, the Chancery Courts, by the Lord Chancellor and one or more of the equity judges, with three of the officers in Chancery, to be selected by the Lord Chancellor; secondly, the Common Law Courts, by the Chief Justices and the Chief Barons, and one of the puisne judges, with one of the officers of each court, to be selected by each chief justice respectively. The third and fourth branches will be the judges of the Probate and Admiralty Courts, and one of the officers of each. By the fifth the law departments of the Crown will be represented, in the Attorney and Solicitor General and the Queen's Advocate; by the sixth, the Bar, in one of the benchers of each of the Inns of Court; by the seventh, the public financial interest, in the Chancellor of the Exchequer; by the eighth, the Crown building interest, in the Chief Commissioner of Her Majesty's Board of Works, and one person to be named by him; by the ninth, our part of the Profession, in the persons of three solicitors, to be elected by the Incorporated Law Society; by the tenth, the City, in the person of a member of the corporation, the LORD CHANCELLOR suggesting that Mr. Alderman LAWRENCE, M.P. for Lambeth, would be a fit person for the purpose. The commission would hold its first meeting before the Judges left town on circuit. After a little kicking in the Common Council on the part of one of the aldermen at the "extraordinary proceeding for the LORD CHANCELLOR to direct to the Common Council," Mr. Alderman LAWRENCE was appointed. It does not appear that the LORD CHANCELLOR's letter stated what was to be the quorum of the commission. There is little difficulty on this point. A quorum of a few would not be suited to determine upon the plan and arrangements intended to please each of the ten several branches of the commission, but such a quorum would be very well able to certify to the Lords of the Treasury that the lands and estimate were sufficient. Probably, when every branch of the commission is made with the accommodation intended, the sufficiency of the lands will be considered a necessary consequence. But how are these gentlemen to certify to the sufficiency of the estimate? Are Chancery judges and common law chiefs particularly expert in building calculations? Is Alderman LAWRENCE in particular is not we believe, known to fame for his skill in this line of business. The duties to be imposed on the commission are evidently incongruous. It is often the case with a compromise. Indeed, sometimes a compromise degenerates into a sham. This may be the true meaning of the Lords' Amendments to the Building Bill having been "agreed to" by the Commons "with an amendment."

THE decision of the select committee on the Leeds Bankruptcy Court, as regards the part of the LORD CHANCELLOR in Mr. WILDE's affair, will have found our readers not unprepared for such a result. The case being distinguished, as we observed in our notice of May 27th, by the existence of a medical certificate in favour of Mr. WILDE's being allowed to retire on a pension, the issue taken by the committee has been principally on the sufficiency of this certificate, or justifying or not justifying the order made by the LORD CHANCELLOR, under the 33rd section of the Bankruptcy Act, for the pension. We asked "how would the select committee have decided this question of principle (granting a pension on a forced retirement) if bodily infirmity on the part of Mr. EDMUNDS had been duly certified to the LORD CHANCELLOR? In effect the committee has answered, that, as a matter of policy it may have been right to allow Mr. WILDE to retire on a pension, but that care ought at least to have been taken to ascertain beyond doubt that there was ground for granting a pension under the provisions of the statute. Was care taken?

On this point, the facts, so far as the LORD CHANCELLOR is concerned, were, that in the beginning of 1864, in the course of a general examination which had been instituted as to the Court of Bankruptcy by the LORD CHANCELLOR, the inquiry took place into the alleged misconduct of some of the officers of the Leeds court. In consequence there arose between Mr. MILLER, the chief registrar, and Mr. WILDE, the correspondence to the effect mentioned in our previous notice. The critical letter, there set

forth, of the 26th July, by the first paragraph, informed Mr. WILDE that Mr. MILLER, unless he heard in course of post that Mr. WILDE meant to "apply to be allowed to retire," had "instructions from the LORD CHANCELLOR" to serve him with notice to appear in court and show cause against his dismissal; and by the second paragraph, not referring to any such instructions, hinted to Mr. WILDE, on the ground of an "it is said," that he might obtain a medical certificate and bring himself within the 33rd, that is, the pension section. For the second paragraph Mr. MILLER states that he had no instructions. He added it as a mere matter of kindness, and further considered that to avoid a public hearing would be acceptable to the LORD CHANCELLOR: the suggestion of retirement (in the sense of retirement with a pension, if a case for one could be made out) was, he says, intended by the LORD CHANCELLOR. The latter distinctly denies that he gave Mr. MILLER any authority to connect the notice to Mr. WILDE with anything about his retiring; but "it is just possible," the LORD CHANCELLOR added, "I may have said to Mr. MILLER in conversation, unless he resigns I have no other alternative than to bring him into court. I must have him in court for the purpose of considering whether he ought or ought not to be dismissed, but I will accept his resignation if he makes it. Mr. MILLER had no instructions from me to do anything but to give him the notice to appear, but it is undoubtedly possible that I may have said to Mr. MILLER that I would accept his resignation, meaning resignation without any pension." Mr. MILLER, nevertheless, adhered in the main to his statement. One thing is certain, that the letter was not shown to the LORD CHANCELLOR before it was sent. Fastidious in the use of language, and wholly unaccustomed to the style of bagmen, he expressed his astonishment at the term "course of post" in a letter.

The terms of the certificate have been already laid before our readers. Failure in Mr. WILDE'S sight was certified to be "a serious hindrance to him in the performance of the duties of his office," and improvement of vision a thing not to be looked for at his age. The surgeon seems to have known the object for which the certificate was required, and to have declined to express it in stronger terms. Mr. MILLER states that he called the attention of the LORD CHANCELLOR to the unsatisfactory nature of the certificate, and that the LORD CHANCELLOR said that, coupling the language of the petition, the affidavit and the certificate together, there was a sufficient case to enable him to make the order. The LORD CHANCELLOR, on the contrary, cannot remember his attention being called to the certificate. He says, "The petitioner's affidavit and certificate were presented to me, and I ought in strictness to have read them all. I certainly could not have read the medical certificate, or I should not have allowed it to have passed upon that certificate." The LORD CHANCELLOR said also, "These papers were certainly all laid before me, and I felt very great embarrassment undoubtedly . . . I felt that the charge against Mr. WILDE was not one upon which I could dismiss him without pronouncing a very severe sentence. I was painfully struck with the great inconsistency of having directed him to be served with a notice to show cause why he should not be dismissed, and then permitting him to resign on a pension. The inconsistency was obvious, but at the same time, unless I determined to dismiss him, I had no alternative but to allow him to remain in that department. I thought him a bad public officer, and I thought it would be a gain to the public if he was permitted to resign, and, therefore, having only these two alternatives, either to permit him to remain or to allow him to resign, I certainly decided on allowing him to resign, and I accordingly signed the order for granting him a pension."

The decision of the committee on this part of the inquiry, as before mentioned, is that, as a matter of policy, it may have been right to allow Mr. WILDE to retire on a pension, but care ought to have been taken to ascertain beyond doubt that there was ground for granting a pension under the provisions of the statute. "This was not done," and the committee think it their duty to express their opinion that the pension was granted "hastily and without due examination. Such haste and want of caution necessarily give rise to suspicion that a vacancy in the office is the object sought, rather than justice to the officer or the public. In this instance, however," the committee considers, "no improper motives are to be imputed to the LORD CHANCELLOR."

Mr. WILDE resigned at the end of June 1864. In 1862 and 1863 the LORD CHANCELLOR states that he had received from Mr. WELCH, of the Northern Circuit, applications for a legal appointment, which in the latter year were seconded by the Hon. RICHARD BETHELL, and in April 1864 he received renewed applications, together with letters of recommendation from the late Sir WILLIAM ATHERTON, and other leading counsel of the Northern Circuit. On Mr. WILDE'S resignation, the LORD CHANCELLOR being informed by Mr. MILLER that the vacancy ought to be filled up without delay, appointed Mr. WELCH from his own recollection of Mr. WELCH'S application and testimonials, without further solicitation from any one. If Mr. WELCH was in bad health at the time of his appointment, the fact is found not to have been known to the LORD CHANCELLOR. The committee is "satisfied that no imputation can fairly be made against the LORD CHANCELLOR with regard to this appointment."

Then if, neither in allowing Mr. WILDE to retire with a pension, nor in appointing Mr. WELCH, the LORD CHANCELLOR was actuated by any improper motive, was he mixed up with any arrangement or understanding that Mr. WELCH was to resign in favour of the Hon. RICHARD BETHELL, and receive another appointment in London? In May 1864, the LORD CHANCELLOR compelled his son, on account of debt, to resign his registrarship in the Bankruptcy Court. Mr. BETHELL went abroad, but returned at the close of the year, hoping to make some arrangement with his creditors and to be reconciled to his father. Intercession was made, and the LORD CHANCELLOR was asked to appoint his son clerk at the table of the House of Lords, which he peremptorily refused to do. Mr. MILLER asked for the son the registrarship in bankruptcy vacated by Mr. SLINGSBY BETHELL, and without any authority prepared an order for the appointment. The LORD CHANCELLOR refused to make the appointment; but on a suggestion of Mr. SKIRROW (an intimate friend of the LORD CHANCELLOR, and a trustee of the son's marriage-settlement), or of the son's wife, that he might be appointed to an office in the country, the LORD CHANCELLOR, in February last, held out some expectation that he would consider the matter if Mr. BETHELL could obtain a release from all his creditors. Later in the same day Mr. BETHELL called on Mr. SKIRROW and introduced Mr. WELCH to him, and the succession of Mr. BETHELL to Mr. WELCH was there agitated. Mr. MILLER, having been informed of the plan, prepared two orders of appointment, one of Mr. WELCH to the London registrarship, the other of Mr. BETHELL to that at Leeds, but without the knowledge of the LORD CHANCELLOR. The LORD CHANCELLOR also states that he did not hear of these orders being prepared until the present inquiry took place. Two days after his conversation with Mr. SKIRROW, the LORD CHANCELLOR, from some information which he had received as to his son's conduct at Paris, determined not to appoint him to any office, and told Mr. SKIRROW so. It appears to the commissioners that the LORD CHANCELLOR had no knowledge of the arrangement between Mr. BETHELL and Mr. WELCH, beyond the suggestion by Mr. SKIRROW or Mrs. BETHELL, for Mr. BETHELL'S appointment to an office in the country, and had no knowledge whatever of what had been done in expectation of its completion, until some time after he had finally refused to make any appointment in favour of his son.

So ends the second attack upon the LORD CHANCELLOR for leniency in the mode of ridding the public of an undesirable servant. Of the EDMUNDS case it is enough to say that, although the LORD CHANCELLOR, as the mover for the pension committee in the Lords, was technically responsible for its omission to make special inquiries, he was not morally to blame more than any other of the peers who had heard the notorious rumours, but sate still while the committee was being appointed in the ordinary way without any special instructions. In the WILDE case the whole may be paraphrased, if the LORD CHANCELLOR be imagined with the order lying before him and the pen in his hand, by some such thought as this passing through his mind: "I'll not have bad public servants, but I don't want to make beggars of them. I'll look at the certificate, as NELSON did at the signal, with a blind eye—it's best."

"The quality of mercy is not strained," but the qualities of jealousy and spite are very much strained. We do not know how much longer or how often it is intended that the LORD CHANCELLOR shall be brought into the arena for the picadors of Parliament and the newspapers; but up to this time he stands with head erect. So far as the spectacle has been hitherto beheld, we may borrow from the Spanish amphitheatre the cry, well illustrated in this year's exhibition by the painter's skill, "Bravo Toro!"

The Committee's decision has been fiercely impugned. But a disquieting presage arises of the democratic future of public writing in this country, when a journal, traditionally "leading," and supposed to have some influence in public affairs, can lower itself, in rivalry with the cheaper daily sheets, to such a level as to say of Mr. LONGFIELD'S speech, "with the substance of his observations we can see no reason to find fault." It was part of the substance of his observations to insinuate that the motive of the inquiry set on foot by the LORD CHANCELLOR into the Leeds court was to create openings for patronage, for, observed Mr. LONGFIELD, from the time of the Act of 1861 the LORD CHANCELLOR "slumbered and slept upon the matter. No very lucrative appointment fell to his gift, all the good places had from time to time been filled by his predecessors. . . . . But in 1864 he awoke from his lethargy, and in very disagreeable mood. He found that everything was going wrong in bankruptcy." This insinuation every one knows to be false, who remembers the numerous appointments to registrarships which fell to the LORD CHANCELLOR between 1861 and 1864, and were filled by him with able men like Mr. TUDOR and Mr. HILL. It was another part of the substance of Mr. LONGFIELD'S speech that the LORD CHANCELLOR "connived at crime," when the fact is, that first he drove Mr. WILDE from his post of a public servant for misconduct; and, secondly, that the misconduct was not criminal. It was a further part of the substance of that speech that the LORD CHANCELLOR "participated in crime." This imputed crime was no less than the sale of an office. "You cannot," were Mr. LONGFIELD'S words, "convict the LORD CHANCELLOR by a confession or a document under hand and seal. . . . The Committee say they are satisfied. . . . . What do the public think? . . . I should like to know what other candidates applied to the LORD CHANCELLOR for the office. . . . Sir, Mr. WELCH was not the only applicant, but he was the only applicant who had lent money to Mr. BETHELL." Yes, it is to the public, with none of the evidence before it, to which Mr. LONGFIELD appeals from the committee, which had given a verdict of acquittal with the evidence in its hands. Such, in all history, has been the kind of justice dealt out, through popular passion, against men exalted in office.

If the members of the House of Commons can warm with their cheers this tribune of the people to a heat of wanton invective and groundless accusation against the highest officer of the State, a peer of the realm—and if, blinded by partisanship, they are eager to see him in the witness-box of a criminal court, tortured and degraded by the presence of his own son, the heir-apparent to his title, standing an accused criminal at the bar—let them learn that there is a higher wisdom even than law, for that, nationally as well as personally, *summum jus, summa injuria*.

If this is the ignoble manner in which it is desperately designed to force the LORD CHANCELLOR to quit the service of the QUEEN, then we, too, appeal to the public. You all remember who it was that made the law equal for the lowly and the high, who it was that enabled the poor man to cast the adulterous serpent from his hearth, who it was that rescued the poor mother and her children from the wretched cruelty and coarse faithlessness of a bad husband and father, who it was that spared the poor widow's and orphan's portion from being devoured with testamentary extortion, who it was that emptied the gaols of languishing debtors, and tried to save the labourer from the fangs of the treacherous tallyman; who it was whose very last work, in the midst of unscrupulous calumny launched against him, and with his own pride wounded by shafts aimed to glance at him from the person of an unworthy son, was to bring home equity to the cottage door. You all remember that when you cried that land title was so clogged and fettered that it was a drag on the well-being of the yeoman, a blight

on the happiness of the artisan, and an oppression on the owner and the farmer, who it was that gave such ease as the malady was capable of, after the skill of others had failed for centuries in the attempt. The same hand drew that Bill that signed this miserable pension order. Finally, and, above all, you know who it is that now is grappling with what none of his predecessors dared to grapple—the mighty task of bringing order out of confusion, certainty out of contradiction, and form out of unwieldiness in the whole mass of the unwritten and written law by which you are governed. You should know that it is this commanding intellect and power of action in Lord WESTBURY which have made him a mark for personal detraction and political ostracism. He is not the first, and he will not be the last. But will you, the people of right-hearted England, "connive" at the criminal ingratitude, and "participate" in the guilty meanness of writing a statesman's and a benefactor's virtues in water? Are you so lost to all generosity and national self-respect as to delight that your great men's "evil manners" only shall live in brass?

INVESTMENT JOURNAL.

THE funds continue depressed, although money is plentiful. A few years ago this would have indicated fear of political trouble, but now it simply shows that other securities are preferred to the funds. The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	249	249	249	249	249
3 per Cent. Red. Ann.	89¼	89¼	88¾	89¼	89	89¼
3 per Cent. Cons. Ann.	90	89¾	89¼	89¾	90¼	89¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	72
New 3 per Cent. Ann.	89¼	89	88¾	89	89¼	89¼
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	103¼
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	14¾	...	14¾	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	90	89¾	89¾	89¾	90	89¾
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	99	...	99	...	...	...
India 5 per Cents. 1870	101	101¼	101¾	101¾	101¾	...
India Bonds (1000l.)	...	...	...	...	17s. d.	...
Do. (under 1000l.)	17s. d.	...	...	22s. d.	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	100¾	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	99¾	...
Do. do. 5 per c. Jan. 1872	...	...	101¼	...	101¾	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000l.	...	...	b	d	e	e
Do. 500l.	...	...	...	c	e	c
Do. 100l. & 200l.	...	...	...	c	e	c
3 per c.	...	...	c	c	f	d
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a prem.
b 3½ per cent. 3s. 2d. pm.
c 3½ per cent. 3s. pm.
d 3½ per ct. 4s. pm. par.
e 3½ per cent. 1s. 4d. pm.
f 3½ per cent. 1s. 4d. pm. par.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF COMMONS.

COUNTY COURTS EQUITABLE JURISDICTION BILL.

On the motion that the House resolve into committee on this Bill,——Mr. AYRTON moved that it be an instruction to the committee to assimilate the Sheriffs' Court of the city of London in all respects to a County Court. He said that the Royal Commission in 1859, and a committee of that House in 1861, reported against the maintenance of this special jurisdiction in the city of London. It was difficult to conceive anything more inconvenient or extravagant than the present state of things. While County Courts were set up in all directions to administer a uniform system of procedure, there existed in the heart of the metropolis a court of different procedure and of an exceptional character, and an actual profit was made by the city of London from fees in the administration of justice in that court. That profit formed an accumulated fund available probably for some magnificent entertainment, or for those entertainments in which the corporation delighted, and which they regarded as forming part of the franchises incumbent on the nation to preserve. He thought that the House ought not to sanction this exceptional jurisdiction in the city of London.——The ATTORNEY-GENERAL could not agree to the proposed instruction. If the Government were to propose to overturn the constitution of the Sheriffs' Court and to displace the corporation of London in reference to it, he feared that they would be making the Bill the occasion for a contest between the Government and the city of London, which would preclude the hope of passing the measure in the present session. He hoped that the hon. gentleman would not press the instruction. ——Mr. AYRTON, not wishing to endanger the passing of the Bill, withdrew his motion.—— The House then went into committee on the Bill. On clause 1, giving jurisdiction in equity to County Courts in certain suits and matters relating to amounts or values not exceeding 500l.——Sir C. O'LOGHLEN said he entertained great doubts whether the jurisdiction proposed to be given to County Court judges was not far too great, and whether it would not tend to clog the working of their courts, thereby injuring rather than benefitting the public interests. Were it not so near the close of the session, he should have felt disposed to move that the maximum of 500l. should be reduced to 200l. ——Mr. CHEETHAM supported the clause as it stood, and, indeed, thought the limit might have been safely fixed at 1000l.——Sir M. FARQUHAR also approved the clause, believing that the County Courts had given general satisfaction, and that the public were anxious to have these equitable suits rapidly and economically decided by them.——The ATTORNEY-GENERAL said that the extent of the jurisdiction proposed to be conferred by the Bill had been carefully considered, and he believed it might safely be intrusted to the judges of these courts. ——Mr. MURRAY hoped that the limit would not be fixed below 500l. If they placed it at a lower amount than that, the utility of the measure would be greatly impaired. —— After a few words from Mr. AUGUSTUS SMITH, Sir C. O'LOGHLEN explained that he did not question the competency of the County Court judges to exercise such a jurisdiction, but feared that the imposition of these new duties upon them would interfere with the small cause business which they now despatched with so much advantage to the public.——The clause was then agreed to, as were also clauses 2 and 3. Clause 4 was expunged. Clauses up to 13 were agreed to. Upon clause 14,——The ATTORNEY-GENERAL proposed an amendment to allow the County Court judges, with the sanction of the Lord Chancellor, to select any other month than that of September for their annual vacation.——Mr. AUGUSTUS SMITH thought the judges should be required to take their holidays during the period of the long vacation.——Mr. MURRAY said if a County Court judge wished to take his holiday at any other time than the long vacation he ought to provide a substitute.——The ATTORNEY-GENERAL thought the clause might safely be left as he proposed. —— The clause, as amended, was then agreed to, as were also the remaining clauses. —— In answer to Mr. MURRAY, —— The ATTORNEY-GENERAL said he would, before the report, consider the propriety of granting a direct appeal to the superior court. He also proposed a clause instead of clause 4, giving to the City Small Debts Court jurisdiction in all matters over which a Metropolitan County Court has jurisdiction, which, with an addition moved by Mr. MURRAY, requiring that the judge and officers of the City Court shall conform to the rules and orders made under the authority of this Act, was agreed to.——Col. WILSON PATTEN moved a clause to follow clause 18, reserving the right of appeal to the Court of Chancery of the County Palatine of Lancaster.——Mr. CHEETHAM, Mr. HAZLEY and Mr. HADFIELD supported the clause.——The ATTORNEY-GENERAL said that the Bill did not interfere with any of the existing rights of the Court of Chancery of the County Palatine of Lancaster. His hon. and gallant friend's proposal would have the effect of depriving one part of the country of a right of appeal enjoyed by parties in other portions of England.——Mr. C. TURNER said that the people of the County Palatine did not desire any power of appeal to the High Court of Chancery in London. In cases of appeal they wished to have an easy and cheap remedy at hand, and that was already furnished them by the local court.—— Mr. AYRTON thought the hon. and learned gentleman would hardly object to the insertion of the clause, accompanied with the condition that both parties concerned in a suit should consent to the appeal being made to the local court.——The ATTORNEY-GENERAL said he should not object to the clause if words requiring the assent of both parties were introduced.——Mr. C. TURNER, on behalf of the people of Manchester, who would naturally wish to have recourse to the local court, opposed the amendment on the ground that it would render the clause valueless, inasmuch as one of the parties would be sure to object.——The clause with the modification suggested by Mr. Ayrton was eventually agreed to, as were also clauses to the effect that the registrar of the Bloomsbury County Court of Middlesex, not being an attorney or solicitor, be entitled to retire from his office with compensation; that the Act 9 & 10 Vict. c. 95, and any Act amending or altering the same, should be construed together, and that the salary of T. Rodgers, Esq., as joint registrar of the County Court of Sheffield, be 700l. a-year.—— The preamble was then agreed to, and the Bill passed through committee.

This Bill was read a third time and passed on Tuesday.

LEEDS BANKRUPTCY COURT.

At the evening sitting on Tuesday, Mr. LOCKHART moved the adjournment, for the purpose of bringing under the notice of the House the report of the Select Committee on the Leeds Bankruptcy Court. The hon. and learned member minutely analysed the report, accompanying his narrative with severe comments upon the conduct of the "keeper of the Queen's conscience," who, he declared, was proved by the evidence not only not to have punished, but to have connived at a fraud. Twice he had been convicted for having connived at crime, and the wonder was that he should still remain Lord Chancellor; that he had not, at the indignant call of his country, "assumed a virtue if he had it not," sent in his resignation, and thus have offered some atonement for his conduct. In conclusion, Mr. Longfield inquired whether the pension bestowed upon Mr. Wilde had been recalled, Mr. Welch dismissed from his office, Mr. Miller also dismissed from his office, and the Lord Chancellor himself kindly asked to retire on a pension in the same manner as he had suggested to others who had not been guilty of greater misconduct.——The ATTORNEY-GENERAL reprobated the manner in which the question had been brought before the House. In order to be enabled to judge and condemn hon. members ought to be in possession of the evidence upon which the report was founded, and that would be in their hands on Thursday or Friday next. With regard to the course proposed to be taken by the Government, the evidence collected by the committee would be laid before the law officers of the Crown, and if they concurred in its sufficiency a criminal prosecution would be instituted. Meanwhile Mr. Welch would be suspended; but as to Mr. Miller, he did not consider that he was implicated in any whatever in a charge of corruption. After several other hon. members had addressed the House the motion for the adjournment was negatived without a division.

SOLICITORS' JOURNAL.

COURT OF COMMON COUNCIL.

CONCENTRATION OF THE COURTS OF LAW.

The Remembrancer (Mr. Corrie) read a letter he had just received from the Lord Chancellor on the subject. The Lord Chancellor stated that the bill for the concentration of the Courts of Justice having become law, instructions are being given for issuing a Royal Commission in the matter. The Government had advised Her Majesty to issue a Commission constituted in the main as follows:—1. The Lord Chancellor and one or more of the Equity Judges with three of the officers in Chancery, to be from time to time selected by his Lordship. 2. The Chief Justices of each of the three Common Law Courts, and one of the puisne Judges, with one of the officers of each court, to be selected by each Chief Justice respectively. 3. The Judge of the Probate Court and one of his officers. 4. The Admiralty Judge and one of his officers. 5. The Attorney-General, Solicitor-General, and Queen's Advocate. 6. One of the Benchers of each of the Inns of Court. 7. The Chancellor of the Exchequer. 8. The Chief Commissioner of Her Majesty's Board of Works, and one person to be named by him. 9. Three solicitors, to be selected by the Incorporated Law Society. 10. A member of the Corporation of London, the Lord Chancellor suggesting that Mr. Alderman Lawrence, M.P. for Lambeth, would be a fit person for the purpose. The Commission would hold its first meeting before the judges leave town on circuit.

Alderman Gibbons, agreeing that Alderman James Lawrence would fitly represent the Corporation on the Commission, thought it an extraordinary proceeding for the Lord Chancellor to dictate to the Common Council whom they should nominate to represent them.

Eventually the Court appointed Mr. Alderman James Lawrence to represent them on the Commission.

THE RECORDER AND COMMON SERJEANT.

The Law, Parliamentary, and City Courts Committee brought up a return, which had been ordered on the motion of Mr. H. Lowman Taylor, from which it appeared that during the eight years the present Recorder had held office he had received as counsel for the several branches of the Corporation the sum of 4540l. odd, or an average of 567l. 10s. a-year, and that the Common-Serjeant had received during his period of office 4754l., or 594l. 7s. 6d. a-year, independently of their respective salaries; the salary of the Recorder being 3000l., and that of the Common-Serjeant 1500l.

The Court adjourned.

HEIRS AT LAW AND NEXT OF KIN.

MANN (William), Halfway-street, Eltham, Kent. Esq. Next of kin to come in by Oct. 28, at Wood's, V.C. Solrs. J. and W. Butler, 191, Tooley-street, London-bridge.

MORGAN (Elizabeth), 7, Berkeley-place, Cheltenham, Gloucestershire, widow. Next of kin to come in by July 4, at Wood's, V.C. Solicitors, Bower, Son and Cotton, 46, Chancery-lane, London.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

ANGLO-CALIFORNIAN GOLD MINING COMPANY.—Official liquidator to be appointed by Kindersley, V.C., at his chambers, on Monday, July 3, at noon.

BRIGHTON BREWERY COMPANY (LIMITED).—Creditors to send in by 17th July, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. Whinney, 3, Serle-street, Lincoln's-inn-fields. Solicitor, R. D. Hughes, 32, Lincoln's-inn-fields, London.

ENGLISH WIDOWS FUND AND GENERAL LIFE ASSURANCE ASSOCIATION.—A call of 1l. 15s. per share to be made by Wood, V.C., at his chambers, on Wednesday, July 5, at two o'clock in the afternoon. Solicitor, J. T. Vining, Moorgate-street-buildings, London.

LONDON AND SCOTTISH BANK (LIMITED).—Creditors to send in by Aug. 1 their names and addresses and the particulars of their claims, and the names and addresses of their solicitors (if any), to W. Turquand, 16, Tokenhouse-yard, London.

PATENT CARRIAGE COMPANY (LIMITED).—Petition for winding-up to be heard before the M. R. on July 1. Solicitors, G. S. and H. Brandon, 15, Essex-street, Strand, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

ALFORD (John Lush), Salisbury, gentleman, July 31. R. M. Wilson, solicitor, Salisbury. Aug. 7, M. R., at noon.

BAKER (T. M. H.), the Ashes, near Billericay, Essex, Esq., July 13. Lake, Kendall and Lake, solicitors, 10, New-square, Lincoln's-inn, London. Aug. 3, M. R., at noon.

BLAND (Thos.), Raby-place, Bath, Esq., Oct. 1. T. W. Gibbs, solicitor, Bath. Nov. 2, M. R., at two o'clock in the afternoon.

BATY (Jonathan), Little Fransham, Norfolk, farmer, July 30. T. Palmer, solicitor, Great Dunham, Norfolk. Nov. 2, M. R., at noon.

BAX (John), Shear, Surrey, retired farmer, July 29. Dubois and Maynard, solicitors, 3, Church-passage, Gresham-street, London. July 31, M. R., at noon.

CARTER (Samuel), Clewer-fields, Windsor, July 15. J. Shiers, solicitor, 5, New-inn, Strand, London. July 29, V.C. W., at noon.

CARTER (Edward), Anchor-terrace, Mawbey-road, Old Kent-road, Surrey, gentleman, July 24. Masterman, Upill, and Button, solicitors, 3, Pancras-lane, Bucklersbury, London. Aug. 7, V.C.S., at noon.

COULTHARD (Wm.), Morecambe, Lancashire, contractor, July 31. J. Sharp, solicitor, Lancaster. Oct. 30 V.C. W., at noon.

CUFF (James), Fishponds, Surbiton-hill, Kingston-upon-Thames, Surrey, July 18. Miller and sons, solicitors, Sussex-chambers, 10, Duke-street, St. James's, London. July 25, M. R., at noon.

CROWTHER (Thos.), Wakefield, woollen merchant, July 25. Bridges, Sawtell, Heywood and Ram, 23, Red Lion-square, London. Nov. 3, V.C. W., at noon.

HART (Roger), Lincoln, currier, July 18. Scott and Co., solicitors, 11, Lincoln's-inn-fields, London. Nov. 3, M.R., at two o'clock in the afternoon.

MADERNOT (J. C.), 24, Hamilton-terrace, St. John's-wood, Middlesex, Esq., Oct 2. Wilde and Co., solicitors, 21, College-hill, London. Nov. 2, M. R., at one o'clock in the afternoon.

MAYS (John), Longton, Staffordshire, farmer and wheelwright, July 31. Berkeley and Calcott, solicitors, 32, Lincoln's-inn-fields. Aug. 2, V.C. K., at noon.

MAYS (William), Halfway-street, Eltham, Kent, Esq., July 17. J. and W. Butler, solicitors, 151, Tooley-street, London-bridge. July 31, V.C.W., at noon.

MAUGHAM (Rich.), Leo-house, Brompton, Middlesex, licensed victualler, July 21. J. B. Clark, solicitor, 36, New Broad-street, London. Aug. 8, V.C. S., at noon.

MOSS (Rebecca Mary), Bangor, Herts, spinster, July 21. J. B. May, solicitor, 61, Russell-square, London. Aug. 7, V.C. S., at noon.

MONTAGUE (David), Leigh, Essex, Esq., July 14. Robinson and Hine Haycock, 40, Charterhouse-square, London, Aug. 8, M. R., at noon.

RANSOM (Isabella), Bridlington, Yorkshire, July 18. T. Haywood, solicitor, Bridlington. Aug. 1, V.C. S., at o'clock in the afternoon.

SMITH (John), 9, Thomas-street, Whitechapel, Middlesex, lozengemaker, July 17. Turner and Son, solicitors, 8, Mount-place, Whitechapel-road, London. July 28, V. C. K., at noon.

STILL (William) formerly of Scott's-park, Hammersmith, late of Palace-garden-villas, Kensington, Middlesex, gentleman, July 17. Pattison and Wigg, solicitors, 50, Lombard-street, London. July 31, M. R., at noon.

TENNANT (James), 3, Cranmer-terrace, Cranmer-road, North Brixton, Surrey, a retired major in the Indian army, July 15. Blakeley and Beswick, solicitors, 28, Nicholas-lane, Lombard-street, London. July 20, M. R., at noon.

[illegible] (Hy.), 125, Aldersgate-street, London, and Ingatestone, Essex, printer and general stationer, July 23. Mason and [illegible], solicitors, 18, Bedford-row. London. Nov. 6, M. R., at one o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

ATTWOOD (Frances), 3, Manor-view, Brixton, Surrey, spinster, Aug. 1. Bell, Brodrick and Bell, solicitors, 9, Bow-churchyard, London.

BLAKE (Edmund), Paston, Norfolk, farmer, July 29. W. J. Scott, solicitor, North Walsham.

BEST (W. B.), Blakebrook-house, Kidderminster, Esq., Aug. 1. Beere and Harris, 104, New-street, Birmingham.

BURY (R. H.), Gibraltar, an ensign in the first battalion of H. M.'s 9th Regiment of Foot, Aug. 10. W. A. Lomer, solicitor, 14, Portland-street, Southampton.

CARR (J. H.), 26, Euston-road, St. Pancras, Middlesex, solicitor's clerk, July 31. A. O. Underwood, 89, Chancery-lane, London.

DOLT (Frances and Ellen), Carlton-road, Maida-vale, Middlesex, July 15. Graham and Lyde, 1 and 2, Mitre-court-chambers, London.

DYER (Stephen), Redruth, Cornwall, Esq., Aug. 12. S. T. G. Jennings, solicitor, Redruth.

DELAVOUR (Amey), Holbeach, Lincolnshire, spinster, July 22. E. Copeman, solicitor, Long Sutton, Lincolnshire.

GRAVILLE (E. F.), Connaught-place west, Hyde-park, Middlesex, spinster, Sept. 29. Boys and Tweedies, solicitors, 6, Fitz-place, London.

LEE (Joseph), the elder, Rose-hill, Dorking, Surrey, gentleman, Sept. 29. F. Broughton, 48, Finsbury-square, London.

PIKE (Alfred), 60, Queen's-road, Bayswater, Middlesex, provision dealer, Aug. 1. A. H. Clapham, 14, Liverpool-street, Bishopsgate, London.

PRATT (Maria), 104, Monument-place, Monument-lane, Edgbaston, Warwickshire, spinster, Aug 15. Ingleby, Wragge and Evans, solicitors, 5, Bennett's-hill, Birmingham.

RALPH (George), 21, Cheyne-walk, Chelsea, Middlesex, Esq., Aug. 21. Birch and Ingram, solicitors, 68, Lincoln's-inn-fields, London.

HALL (Henry), Saffron Walden, Essex, Lieutenant-Colonel of the Madras Army, Aug. 1. G. Gayton, Much Hadham, near Ware, Herts.

HANMER (Latham), Liverpool and Aigburth, Lancashire, gentleman, July 4, Miller, Peel and Co., 4, Harrington-street, Liverpool.

HASLAM (William), Stoney Houghton, Derbyshire, yeoman, July 29. W. Woodcock, solicitor, Mansfield, Notts.

HEATH (John), London-road, Gloucester, gentleman, July 15, C. A. Hunter, solicitor, 16, College-court, Gloucester.

HILL (Harriett), Wimborne Minster, Dorset, widow, July 31. W. Hannen, solicitor, Shaftesbury.

HOOD (Richard), 6, Ditchling-terrace, Brighton, gentleman, July 3. Black and Freeman, solicitors, 58, Ship-street, Brighton.

HOWARD (T. L.), 26, Powis-street, Woolwich, contractor, Aug. 3. W. Farnfield, solicitor, 13, Rectory-place, Woolwich.

HUNTER (Wm.), 85, King-street west, Plymouth, marine store dealer, Sept. 30. Rooker, Lavers, Matthews and Shelly, Plymouth.

KING (John), Norbiton-lodge, Kingston-on-Thames, Surrey, Aug. 31. Wilkinson and Matthews, Kingston-on-Thames.

LYON (Barbara), 6, Bedford-terrace, Clapham-rise, Surrey, widow. G. Walker, 11, Beaufort-buildings, Strand, London.

MEAD (Arbet), Good Easter, Essex, farmer, Aug. 31. W. W. Duffield, Chelmsford.

MORRIS (John), Dolgelley, and Bala, Merionethshire, solicitor, July 8. G. Williams, solicitor, Dolgelley.

PALLING (Charles), 58, Basinghall-street, London, cloth factor, July 29. Drake and Son, 38, Walbrook, London.

PHILLIPS (John), Warfield-house, Hampton, Middlesex, gentleman, Aug. 31. Wilkinson and Matthews, solicitors, Kingston-on-Thames.

PICKING (W. G.), Battersea-rise, Surrey, builder, Aug. 30. F. W. Pamphilon, solicitor, 4, Park-side, Knightsbridge, Middlesex.

PITT (Daniel), Queen's Head Inn-yard, Southwark, Surrey, carrier, Aug. 31. Few and Cole, 71, High-street, Southwark.

POCKLINGTON (Mary), 331, City-road, Middlesex, widow, July 29. Smith and Son, solicitors, 1, Furnival's-inn, Holborn, London.

RICKETTS (Alfred), 1, Lansdown-place west, Bath, Esq., Aug. 31. J. and H. Livett, Albion-chambers, Small-street, Bristol.

RIPPINGHAM (M. J.), Marlow-cottage, Wellington-road, Bromley, Middlesex, gentleman, Aug. 1. Bell, Brodrick and Bell, solicitors, 9, Bow-churchyard, London.

SELWAY (Elizabeth), 226, Essex-road, Islington, Middlesex, Aug. 1. Clutton and Ade, 10, Serjeants'-inn, Fleet-street, London.

STONE (Ann), 9, South-street, Islington, Middlesex, widow, Aug. 1. W. Thistlethwaite, solicitor, 15, Lincoln's-inn-fields, London.

SWAISLAND (Charles), Crayford, Kent, printer, Sept. 1. Bell, Brodrick and Bell, Bow-churchyard, London.

WILLIAMS (Mary Elizabeth), 18, Ordnance-road, St. John's-wood, Middlesex, spinster, Aug. 1. Coverdale, Lee, Collyer-Bristow, and Withers, solicitors, 4, Bedford-row, London.

ELECTORS IN ENGLAND AND WALES.—From an official return it appears that the number of county and borough electors registered is 1,027,017. In 1832 the number was 652,456. The increase was 56·7 per cent. The parliamentary electors in boroughs number 491,229, or 72·3 per cent increase since 1832, when the number was 285,077.

A recent judgment of the Court of Session in Edinburgh exposes the British press to a novel danger. Miss Longworth, wishing once more to raise her claim to be Mrs. Yelverton, has sued the *Saturday Review* for a libel in Edinburgh, and the Lords of Session have decided that, the *Review* being sold in Scotland, the court has jurisdiction. Any Scotchman, therefore, who chooses to fancy himself libelled in an English newspaper may drag editor, printer and witnesses down to Scotland at an immense expense, and then quietly withdraw from the action, suffering no penalties, and paying, comparatively speaking, no costs. We should not be surprised to see this power used as a regular instrument of extortion, the more formidable because the Scotch mode of procedure is to most Englishmen as unintelligible as that of an Indian or Chinese court. Surely the interest of the accused ought to be considered as well as that of the accuser, and the action for libel limited to the place in which the libel is published. Otherwise any journal with a large sale, say in India, might be seized there to answer charges of which its proprietors never heard.—*Pall Mall Gazette.*

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

PUBLIC HEALTH ACT.—By this Act the elections of members of the local board are to be conducted by the chairman, who is to be the returning officer, assisted by other persons appointed by the board, and a penalty is imposed for neglect of duty. The chairman having been absent during an election, it was held to be void, though conducted by the other officers in a regular manner, and it was not suggested that the result would have been different had the chairman been present: (*Reg.* v. *Backhouse*, 12 L. T. Rep. N. S. 579. Crompton, J.)

UNION ASSESSMENT COMMITTEE.—By sect. 17 of the Act of 1862 a valuation list is to be made and deposited by the overseers where the rate-books are deposited, and notice of such deposit is to be given. By sect. 21 the assessment committee, when they have altered the list, are to cause it to be deposited, and notice given of the re-deposit, but it is not stated by whom it is to be so deposited. On a rule for a *mandamus* to compel the overseers to deposit and give notice of the revised list, it was held that they, and not the assessment committee, were the proper persons to do so: (*Assessment Committee of Chaulton Union* v. *The Overseers of Chaulton*, 12 L. T Rep. N. S. 581. Crompton, J.)

CRIMINAL LAW—CERTIORARI.—The court will not remove an indictment for felony found at the quarter sessions, on the ground of local prejudice and difficulty in obtaining a jury, the proper course being for the recorder to send the case to the assizes: (*Reg.* v. *Reynolds*, 12 L. T. Rep. N. S. 580. Crompton, J.)

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

HIGHWAYS DISTRICT — WAYWARDENS. — By sect. 5 of the 25 & 26 Vict. c. 61, justices may make orders for the formation of highways districts. By sect. 3 "parish" is to include any place maintaining its own highways. By sect. 6 the provisional order shall state the number of waywardens to be appointed by each parish, and by sect. 7, if a parish consist of several hamlets, each maintaining its own highways, the justices may, by their provisional order, combine them. In this case the justices in the provisional order named only one waywarden for the parish of B., which contains three hamlets, each maintaining its own highways, and no order was made combining them, it never having been brought under the notice of the justices that there were three hamlets. The provisional order was held to be bad: (*Reg.* v. *Justices of the West Riding of Yorkshire*, 12 L. T. Rep. N. S. 580. Crompton, J.)

Correspondence.

HIGHWAYS—STAMP ON CONTRACT.—Several times has the question of stamps on contracts with companies and corporations come before me in practice, and I venture to reply to "D. H." If a company or corporation *be bound* by its rules or articles to contract *under seal*, then there is no way of evading the duty of 35s.; for the 23 Vict. c. 15 imposing 6d. on agreements expressly limits that duty to "agreements under hand" only, whereas an agreement under seal *is a deed*, and as such liable to 35s.: (see Tilsley's Stamp Laws, 2nd edit. p. 20; and *Robinson* v. *Dryburgh*, 6 T. R. 317.) Is "D. H." however clear that the "common seal of the highway board *must* be affixed?" I have looked into the Highway Act to see whether the "common seal" be a *sine quâ non*; but one of the rules laid down by the courts is clearly in point, viz., that contracts entered into by a trading company in the way of its *legitimate business*, or by any other corporation, *incidental to the objects for which it was formed*, are valid although not under seal; *e. g.* a railway company may be bound by a contract entered into through an agent, if ratified by letters, &c. (*Wilson* v. *West Hartlepool*, 11 L. T. Rep. N. S. 327); and guardians of the poor may make themselves liable by minutes on the books, and by analogy a highway board may do likewise: (*Haigh* v. *The Guardians, &c.*, 31 L. T. Rep. 213.) Mr. Greenwood (Conveyancing, 2nd edition, p. 5) says an agreement with a company *must* be under seal, and consequently bear a 35s. stamp and corresponding progressive duty. Now his first *dictum*, as it will be seen, must be taken with a liberal qualification—there is no real necessity in many cases for such a contract being under seal. J. P.

Exeter, 28th June.

CONSTRUCTION OF THE NEW HIGHWAYS ACT.—In reference to the leading article in your last, I apprehend there can be no difficulty in arriving at the legal meaning of the word "waste" in the Highway Act mentioned. Waste is land having no private owner and not under cultivation, but owned by the Crown or lord of the manor; in ancient charters it is frequently called void ground. It differs from a common (which also is lord's waste) in not being depastured by commoners, but its produce, if any, being the property of the Crown or lord. The sward adjoining the stoned part of a highway is not waste, neither is it the Crown's nor the lord's property (except where a highway has been originally made across an open common or waste), but is the property of the adjoining landowner, and, in fact, a part of his freehold which extends *usque ad medium filum viæ*, and so being the private property of an individual (subject to the public's right of road over it) will not be "waste." There are many open fields still uninclosed which consist not of commonable land, but of lands each part of which has its own owner, who or whose tenant cultivates it. Uninclosed land in the statute means property of that description. I apprehend, as all the profits of the grass land next the stoned way belong to the adjoining landowner (see *Goodtitle* v. *Alker*, 1 Burr. 143; 1 Rolle's Abr. 392), if he or any other person with his assent is depasturing the same by cattle, having an attendant, such cattle cannot be held to be straying, although such grass be legally a part of the highway.

Hull, 19th June 1865. T. THOMPSON.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bedford	Thursday, July 13	A. K. Stephenson, Esq.	3 days	M. Whyley.
Bideford	Friday, July 7	C. J. Murch, Esq.		J. Rooker.
Berwick-on-Tweed	Monday, July 3	R. Ingham, Esq., M.P., Q.C.	5 days	R. Home.
Bolton	Friday, July 21	J. A. Russell, Esq.	10 days	J. Gordon
Bridgnorth	Friday, July 7	T. Corbett, Esq.	14 days	W. D. Batte.
Bridgwater	Saturday, July 1	E. H. Reed, Esq.	14 days	J. Trevor.
Bristol	Monday, July 3	Serjt. J. A. Kinglake	Statutory notice	W. O. Hare.
Chester	Friday, July 14	E. Beavan, Esq.	14 days	J. Walker.
Dartmouth	Thursday, July 6	A. W. Bertham, Esq.	10 days	W. Smith.
Derby	Thursday, July 6	G. Boden, Esq., Q.C.	1 day	J. Dunnicliff.
Doncaster	Friday, July 7	W. Blanshard, Esq.	10 days	E. Nicholson.
Hereford	Friday, July 7	F. E. Guise, Esq.	10 days	R. Johnson.
Leeds	Monday, July 3	J. B. Maule, Esq.	10 days	J. W. H. Richardson
Liverpool	Thursday, July 6	J. B. Aspinall, Esq., Q.C.		P. Wright.
Newark	Saturday, July 1	J. F. Stephen, Esq.		T. F. A. Barnaby.
Newbury	Monday, July 10	G. M. Dowdeswell, Esq.		J. Vines.
Northampton	Thursday, July 13	J. H. Brewer, Esq.	10 days	C. Hughes.
Plymouth	Saturday, July 1	C. Saunders, Esq.	14 days	R. E. Moore.
Rochester	Saturday, July 1	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Stamford	Saturday, July 1	The Hon. E. C. Leigh	10 days	J. Torkington.
Tenterden	Saturday, July 8	F. Russell, Esq.		S. Weller.
Wenlock	Saturday, July 8	T. Corbett, Esq.	14 days	G. Potts.
Wigan	Wednesday, July 19	J. Catterall, Esq.		R. Leigh.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

CONTRACT.—B. verbally agreed to sell to C. 170 tons of coals to be shipped on board C.'s ship and to be paid for in cash against bills of lading. Before the goods were ascertained C. sold to D. B. loaded the coals on board C.'s ship and the captain signed a set of three bills of lading, making the goods deliverable to C. or his order, only one of which was stamped. B. forwarded one of the unstamped bills of lading to C., who indorsed it to D. The coals not being paid for either by C. or D., E., who was B.'s agent, served a notice on the captain that he stopped the goods *in transitu*, and the captain thereupon refused to deliver them to C. or D., but delivered them to E. In an action of trover it was held that the delivery of the goods on board C.'s ship did not pass the property to C. it not being the intention of the parties that it should pass until paid for, and that as D. bought of C. before the goods were ascertained and before C. had received the bills of lading, he stood in no better position than C.: (*Moakes* v. *Nicolson*, 12 L. T. Rep. N. S. 573. C. P.)

STATUTE OF FRAUDS.—An agent of B. by parol agreed to buy four specific stacks of cotton waste out of five that C. had in his warehouse. Samples were asked for and a guarantee that all were of the same quality, which C. refused, but told B. that he might examine the stacks and take samples for himself (which he did), and that it was all made from the same kind of cotton. B. afterwards sent his own packer with bags into which the four stacks of waste were put by him, and the next day B. sent his own horse and cart and took away twenty-one of the sacks, but on their arrival at B.'s premises he refused to take them in, as not being equal to the samples he had taken, and he sent them back. The loaded cart was left by B.'s man outside C.'s mill, and on the next day the contents of the twenty-one bags were put back by C. into his own warehouse to avoid injury from weather. It was held, on the finding of the jury, as it was a contract for the purchase of four specific stacks for better or worse, that the property had passed to B., there being sufficient evidence of acceptance and receipt under the Statute of Frauds: (*Kershaw* v. *Ogden*, 12 L. T. Rep. N. S. 575. Ex.)

LAW STUDENTS' JOURNAL.

Correspondence.

INTERMEDIATE EXAMINATIONS.—Will you permit us through the columns of your journal to call the attention of the council of the Law Society and of the Profession generally to the manner in which the 23 & 24 Vict. c. 127, and the judges' orders made in pursuance of that Act for conducting the intermediate examinations, are carried out. The object of the Act we believe to have been to raise the standard of the Profession by insuring, first, the attainment of a liberal education by all those entering into articles, and, secondly, a wholesome course of study during articles as distinguished from the system of cramming too often resorted to. We venture to submit, that the standard of the present intermediate examinations is not such as to effect the second object. That a clerk after two and a half years service should be able to answer questions, by no means the most difficult, on Williams on Real Property and the first two chapters of Chitty on Contracts is not, we think, a guarantee that he will pass the final examination without cramming. In almost every examination it is usual to give an additional inducement to further exertions in the shape of honours, and we cannot but think that this system by opening a door for emulation among the students of the Profession would have its effect in preventing the intermediate examination degenerating into a mere form. We would venture to submit that an improvement would be effected in the system if the standard of the present examinations were raised, and an opportunity for further distinction given by the establishment of a separate examination (to be held shortly afterwards) for honours in (say) Stephen's Commentaries, or such other book as might be fixed by the examiners, and to which of course only those who had passed the immediately preceding intermediate examination would be admitted. Of course no candidate should be qualified to compete for honours who failed to pass his intermediate examination within two and a half years from the date of his articles. The costs of the further examination could be defrayed by a slight increase on the present moderate fees.

June 28, 1865. TWO ARTICLED CLERKS.

ANSWERS TO THE EXAMINATION QUESTIONS. (*a*)

TRINITY TERM, 1865—SECOND DAY.

IV. PRELIMINARY.

Questions 36 to 40 are a repetition of the preliminary ones.

V. EQUITY AND PRACTICE OF THE COURTS.

41. *Agreement.*—The essentials are that the contract be in writing, made between parties able and willing to contract, for a valuable consideration which must not be illegal or immoral; the terms clear and definite, and a contract for the breach whereof damages would not compensate: (Smith's Man. tit. 2, ch. 8; *Seton* v. *Slade*, 2 Tud. L. C. Eq. 429, 2nd edit. *in notis*.) A parol contract will also be enforced in certain cases: (see Hallilay's Digest, 273, 274, 4th edit.)

42. In such case the suit needs not be brought to a hearing, but the court, on special motion, will direct an inquiry thereon even before answer: (Ayck. Pr. 235, 7th edit.)

43. The order is drawn up, passed and entered in the usual way, and a copy thereof, with the abstract of title and written objections thereto, left at chambers. A summons to proceed is then issued and served, and the title laid before one of the conveyancing counsel to the court, to advise, and upon this the chief clerk makes his certificate, which is approved and filed. If the title is good the plaintiff moves the court that the defendant pay the purchase-money: (Ayck. Pr. 236, 237, 7th edit.)

44. *Distringas.*—Yes, by writ of distringas obtained without suit, on filing an affidavit of the facts. A copy of the writ, and a notice not to permit the transfer, is served on the chief accountant to the bank, the writ being first marked by the bank solicitors: (Ayck. 274; Hallilay's Digest, 372, 4th edit.)

45. *Special case.*—Yes, by submitting the question to the court in the form of a special case: (Ayck. Pr. 515, 7th edit.; Hallilay's Digest 330, 331, 4th edit.)

46. Lunatics so found by inquisition consent by their committee, authorised by the Lord Chancellor, if not so found, by guardian appointed by the court on motion or petition; married women by their husbands, unless their interests are adverse, then in their own right, provided the husband also concurs; infants by their guardian: (13 & 14 Vict. c. 35; Ayck. Pr. 514, 516, 7th edit.)

47. If they do any act in conformity with the declaration contained in the decree made in a special case, they are as effectually protected as if done under an order made in a suit between the same parties instituted by bill. The rights of persons in respect of matters not determined by the declaration are, however, excepted: (Ayck. Pr. 523, 7th edit.)

48. A special case may be registered in the office of the Court of Common Pleas, in like manner as a judgment, under the title of a *lis pendens*: (Ayck. Pr. 519, 7th edit.; Hallilay's Digest, 374, 4th edit.)

49. A special injunction may be applied for as soon as the bill has been filed and served, and notice of motion given. It should be supported by an affidavit of the facts, as stated in the bill. It can be obtained *ex parte*, when the grievance is very pressing, as soon as the bill is filed, and before appearance, on producing an affidavit of verification and the record and writ clerk's certificate: (Ayck. Pr. 264, 7th edit.; Hallilay's Digest, 301, 302, 4th edit.)

50. *Motions.*—They are both modes of making interlocutory applications to the court, but petitions may also originate proceedings. Applications involving a single issue, as for injunctions, should be made to the court by motion; applications involving several issues, each requiring its own portion of proof, should be made by petition, as for payment of money out of court; for here the pedigree, construction of documents, &c., are in question. They are each divided into *special* and *as of course*. Strictly speaking, *all* motions are made by counsel, although some only require his signature, while petitions of course do not require his intervention: (Prac. Ch. Pr. 52; Hallilay's Suit, 86-91.)

51. *Order.*—Orders on special motions or petitions are drawn up by the registrar. The solicitor besPeaking the order, within seven days after it is pronounced, leaves with the registrar counsel's brief and all other necessary documents; he then calls for the draft order and gets an appointment to settle, which is served on the opposite party one clear day prior thereto, the parties attend and the order is settled and an appointment given for passing, and the parties again attend for that purpose. The decree is then entered. Before it can be enforced it must be properly indorsed and served. Motions of course are drawn up at the order of course side, and petitions of course by the Secretary of the Inn: (Consol. Order 1, rules 29-32; Hallilay's Suit, 100 *et seq.*)

52. *Injunction.*—Serve the defendant with notice of the intended motion and then move the court that he may stand committed for his contempt. If the order is granted it is drawn up, passed and entered, after which it is handed to the messenger of the court, who procures the Lord Chancellor's warrant and thereupon the defendant will be committed to prison: (Ayck. Pr. 268, 7th edit.)

53. *Costs.*—The name of the taxing master in motion is first obtained, then a certified copy of the order indorsed with a reference to the master is marked by his clerk, and a copy of the bill of costs are left with the clerk. A warrant on leaving is then taken out and another to TAX, and copies served on the other side. On the day named in the warrant the solicitors attend, and the master taxes the bill. The certificate is then prepared and filed, and an office copy obtained. The modes of taxation are two: between party and party, and between solicitor and client. Also on the higher or lower scale: (Ayck. Pr. 400, 402, 7th edit.)

54. As a general rule trustees are not justified in severing in their defence, and if they do so they will not be allowed more than one set of costs, without some special reason: (*Cowse* v. *Humphry*, 32 L. T. Rep. 529; Ayck. Pr. 585, 7th edit.)

55. If it appears by the plaintiff's bill that he is abroad the order may be obtained on motion or petition of course. The security is in the form of a bond in the penal sum of 100*l.*, given to the clerk of records and writs: (Ayck. Pr. 109, 7th edit; Hallilay's Suit, 93.)

VI. BANKRUPTCY AND PRACTICE OF THE COURT.

56. *Object of laws.*—Their object is, so far as regards creditors, to protect them by compelling the insolvent trader to divide his property rateably amongst them; and as regards the bankrupt to enable an unfortunate man to relieve himself of his debts and liabilities, and allow him to use his future exertions for his own benefit: (Doria & Mac. Bank.)

57. *Act* 1861.—Making non-traders liable to the bankrupt laws; abolishing the insolvency court, giving the official assignee the right to collect debts under 10*l.*; giving County Courts jurisdiction in bankruptcy in certain cases; abolishing class certificates and substituting an order of discharge: (Ib.)

58. *Adverse acts.*—Trader: (1) not paying or compounding any debt upon which a trader-debtor summons has issued; or (2), any judgment-debt (of 50*l.* exclusive of costs), upon which a judgment-debtor summons has issued; (3) having had filed against him a petition in the Insolvent or Bankruptcy Court in any of the colonies or dependencies of the Crown. Non-trader: the acts numbered 1 and 3 also apply to non-traders: (Ib.)

59. *Trade summons.*—The creditor must first make an affidavit of the truth of his debt and of his belief that the creditor is a trader, and that he has delivered written particulars of his demand requiring

(*a*) By Richard Hallilay, Solicitor, author of a "Digest of the Examination Questions and Answers, with the mode of preserving and directions to be attended to at the examination."

(*b*) The questions are given *ante*, p. 286.

immediate payment, and then the court may issue a summons requiring the trader to appear and admit the demand of the creditor. If the trader does not do so, or does not within seven days after personal service of the summons (or within such further time as the court may allow) pay, secure, or compound for such demand to the satisfaction of the creditor, or enter into a bond in such sum and with two sufficient sureties to pay such sum as shall be recovered in any action that may be afterwards commenced, and costs as the case may be, such trader is deemed to have committed an act of bankruptcy on the eighth day after service of the summons, if a petition for adjudication be filed against such trader within two months from the filing of the affidavit: (12 & 13 Vict. c. 106, ss. 78 to 80; see also ss. 82 to 86; Doria & Mac. Bank. 160-175.)

60. *Judgment summons.*—After allowing the proper time to elapse a summons is issued and served; or, if it cannot be served, advertised in the *Gazette*. If the debtor does not thereupon appear or pay the debt and costs, or secure the same to the creditor's satisfaction, the court may adjudge him bankrupt: (24 & 25 Vict. c. 134, ss. 76, 79, 81, 83; Doria & Mac. Bank.)

61. *Debt.*—Single debt or partners 50*l.* or upwards; two, not partners, 70*l.* or upwards; three, 100*l.* or upwards: (Doria & Mac. Bank.)

62. The debt must be due, but it needs not be payable at the time of the act of bankruptcy: (Ibid.)

63. A mortgagee or other person holding security, if of sufficient amount, may be a petitioning creditor: (Ibid.)

64. *Property.*—That the goods and chattels were in the order and disposition of the bankrupt as reputed owner, &c., at the time of the act of bankruptcy with the consent of the true owner: (Ibid.)

65. *Settlement.*—The court may order the property comprised in the settlement to be sold for the benefit of the creditors; not being a settlement made upon the marriage of any of the settlor's children, or for value: (Ibid, 440.)

66. *Suspending bankruptcy.*—The majority in value of the creditors present at any meeting may resolve that no further proceedings shall be taken in the bankruptcy, and the meeting is to be adjourned for fourteen days, and notice given to all the creditors by the assignee. If at the adjourned meeting three-fourths in value of the creditors present so resolve, then the proceedings in bankruptcy are to be suspended and the estate administered as such majority directs: (Act 1861, s. 110.)

67. *Arrangement.*—At the first or other meeting of creditors, called for the purpose by ten days' notice in the *Gazette*, three-fourths in number and value of the creditors present or represented may resolve that the estate be wound-up under a deed of arrangement, &c. The registrar reports this to the court within four days, and the court may make necessary orders and annul the bankruptcy, &c.: (Act 1861, ss. 185 to 187.)

68. *Trust-deeds.*—See fully answers to the Michaelmas Term Questions 1864.

69. *Order of discharge.*—If the bankrupt traded by means of fictitious capital, or contracted debts without reasonable expectation of being able to pay them; or, if a trader, has, with intent to conceal his affairs, omitted to keep proper books; or whether a trader or not, has caused his insolvency by hazardous speculation or extravagant living; or has set up frivolous defences to actions, the court may refuse, suspend, or grant the order of discharge subject to conditions; or may sentence the bankrupt to imprisonment for one year: (24 & 25 Vict. c. 134, s. 159; Doria & Mac. Bank. 677.)

70. It discharges the bankrupt from all claims proveable under the bankruptcy. If the bankrupt is arrested he should appear, plead that the cause of action accrued before bankruptcy, &c.: (Act 1861, s. 161; Doria & Mac. Bank.)

VII. CRIMINAL LAW AND PROCEEDINGS BEFORE MAGISTRATES.

71. *Amendment.*—If the accused cannot be prejudiced the indictment may be amended when there is any variance between the proof and the statement in the indictment of any name, place, or description of any matter or thing: (14 & 15 Vict. c. 100, ss. 1–3.)

72. Of an attempt to commit the offence, and the same punishment will follow as if the indictment had charged him with an attempt to commit the felony or misdemeanor: (sect. 9.)

73. By demurrer or motion to quash the indictment before the jury are sworn: (sect. 25.)

74. A certificate containing the substance of the indictment and trial, signed by the proper officer: (sect. 22.)

75. *Justices.*—In the first case application should be made to the Court of Queen's Bench for a writ of *mandamus* to compel the justice to hear the complaint. So in the second application should be made to the Court of Queen's Bench or a judge thereof for an order that the defendant may be held to bail: (4 Steph. Com.; Saund. Mag. Pr.)

76. *Deer.*—The penalty is a sum not exceeding 20*l.* A second offence is felony punishable with two years' imprisonment with or without hard labour and solitary confinement, and if a male under sixteen, with or without whipping: (24 & 25 Vict. c. 96, s. 12; Saund. & Cox Cr. Acts, 32.)

78. *Embezzlement.*—Any number of acts not exceeding three, committed within six months against the same person. The description may be of money, without specifying any description of coin or security: (24 & 25 Vict. c. 96, s. 71; Saund. & Cox Cr. Acts, 65.)

78. *Restitution.*—In all cases of stealing, taking, extorting, converting, embezzling, knowingly receiving, &c., any chattel, &c., on conviction the prosecutor may obtain restitution: (24 & 25 Vict. c. 96, s. 100; Saund. & Cox. Cr. Acts, 84.)

79. If the thing be a valuable security which has been *bonâ fide* paid by some person liable thereon, or a negotiable instrument *bonâ fide* transferred to some person for value without notice, the court will not award restitution. This section does not apply to the prosecution of fraudulent trustees, bankers, attorneys, &c.: (Ibid.)

80. *Reward.*—Statements that no questions will be asked, or that a reward will be given, &c.; or to return the amount pawnbrokers or others have advanced upon the article, under a penalty of 50*l.*: (s. 102, Saund. & Cox. Cr. Acts, 85.)

81. *Appeal.*—There is no general rule or statute as to the amount or term of imprisonment that gives a right of appeal. The particular statute which gives the right must govern the point. Notice of appeal is given and usually a recognisance entered into: (see Saund. Mag. Pr. 256 *et seq.*)

82. *Discharge.*—Where the imprisonment is for nonpayment of a fine and costs, the justices may order the release on payment: (Saund. Mag. Pr. 81, &c.)

83. *Abduction.*—The party convicted does not acquire any property in the real or personal estate, and in case of subsequent marriage such property is to be settled as the Court of Chancery at the suit of the Attorney-General directs: (24 & 25 Vict. c. 100, s. 53; Saund. & Cox Cr. Acts, 235.)

84. *Appearance.*—The appearance is enforced either by summons or warrant. To obtain a warrant the offence must be deposed to upon oath: (Saund. Mag. Pr. 26, 27.)

85. *Evidence.*—The defendant is not entitled to an acquittal: and it is sufficient to allege in the indictment that the party accused did the act with intent to defraud, and to prove it: (24 & 25 Vict. c. 96, s. 88; Saund. & Cox. Cr. Acts, 77.)

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

THE LEEDS DISTRICT REGISTRARSHIP.

THE report of the committee appointed to inquire into the facts connected with Mr. WILDE'S resignation as Registrar of the Court of Bankruptcy at Leeds, has just been published. As it is of great interest and importance, we give it *in extenso:*

1. The subject before your committee consists of an inquiry, first, into the circumstances connected with the resignation by Mr. Wilde of the office of Registrar in the District Court of Leeds; secondly, the granting him a pension; thirdly, the appointment of Mr. Welch to the office; and, fourthly, the suggestion that Mr. Welch was to resign that office in favour of the Hon. Richard Augustus Bethell, and receive another appointment in London.

2. Your committee must state at the outset that their difficulties have been greatly increased by the extremely unsatisfactory and contradictory nature of much of the evidence which has been brought before them. They believe that reliance may be placed on the correctness of the following statement:—

3. On the first head the facts are these:—In the beginning of the year 1864, in the course of a general examination which had been instituted as to the Court of Bankruptcy by the Lord Chancellor, an inquiry took place into the alleged misconduct of some of the officers of the Leeds District Court—viz., the two registrars, Mr. Payne and Mr. Wilde, two official assignees and two messengers.

4. Charges were brought against Mr. Wilde and Mr. Payne; and after some correspondence, which appears in the return No. 295, of Session 1865, and also in the appendix to this report, the following letter was sent to Mr. Wilde by Mr. Miller, the Chief Registrar of the Court of Bankruptcy:—

Court of Bankruptcy, May 16, 1864.

Dear Sir,—By the same post that carries this you will receive copies of four reports lately made to the Lord Chancellor by Mr. Commissioner Ayrton and Mr. Harding on the subject of the returns and accounts of the official assignees and messengers of the Leeds Court, and of the examinations on which these reports proceeded; and I am directed by the Lord Chancellor to request that you will immediately furnish Mr. Commissioner Ayrton with any explanation you may desire to give of the charges against you involved in these documents, and which appear to be:

1. That accounts which ought to have been submitted to and allowed by your commissioner were certified by you as having been submitted to and sanctioned by him, without his having ever seen such accounts, and that thereby large sums had been improperly allowed to the official assignees.

2. That you have been in the habit of taxing the bills of the messengers without calling for the production of the vouchers for the sums alleged to have been paid by them; and,

3. That you had borrowed money both from the official assignees and messengers of the court, and thereby destroyed your independence and efficiency.

I must trouble you to acknowledge the receipt of this letter, and of the copies of the reports and examinations.

Yours, &c.,

H. S. Wilde, Esq. JOHN F. MILLER.

5. Copies of the reports and examinations referred to in the above letter are contained in the appendix.

6. A similar letter was, on the same day, sent to Mr. Payne.

7. No explanation having been given by Mr. Wilde in answer, the following letter was sent to him:—

Court of Bankruptcy, May 24, 1864.

Dear Sir,—I am directed by the Lord Chancellor to request that you will within one week from this day put Mr. Commissioner Ayrton in possession of the explanation called for by my letter of the 16th inst.; otherwise you will be served with notice to appear and show cause in open court why you should not be dismissed from your office of Registrar. Yours, &c., JOHN F. MILLER.

H. S. Wilde, Esq.

Mr. Wilde, on the 30th of May, sent an explanatory statement of that date to the Lord Chancellor, who, in accordance with his custom, sent it to Mr. Miller. The statement is set forth in the appendix.

8. On the following day Mr. Wilde was examined, together with Mr. Nedell, one of the messengers of the Leeds Court, before Mr. Commissioner Ayrton, and their examinations, with Mr. Ayrton's report, dated June 3, and a letter and model bill thereto attached, were sent to Mr. Miller; a copy of these documents is contained in the appendix.

9. Mr. Miller states that copies of the last-mentioned report and other documents were sent on the 9th June, with the letter of that date set forth in the appendix, to Mr. Wilde and to Mr. Payne; Mr. Wilde denies that the letter and copies were ever received by him or by Mr. Payne; and no acknowledgment of the receipt of this report was either asked for or received by Mr. Miller. About the same time, however, it appears that both Mr. Wilde and Mr. Payne received blank envelopes from the Court of Bankruptcy, about which neither of those gentlemen thought it necessary to make any immediate inquiry. Your committee have directed their attention closely to this matter, because it appeared, on examining the letter-book kept in Mr. Miller's office, that he had with his own hand entered in the book a copy of the letter of the 5th June, which was the only letter so copied by him; and because, from the state of the page in which the letter was copied, and the erasures and alterations of the paging in the index, referring to those and other letters to Mr. Payne and Mr. Wilde, there was grave cause for suspicion that the entry of this letter was a subsequent interpolation. Mr. Miller, however, stated that he copied the letter on the day of its date after his clerks were gone. Copies of the report and other documents were undoubtedly made for the office at the time by the law stationer, and it is certainly possible that in the hurry of business the copies were lost or mislaid, and were not, in fact, sent. Both Mr. Miller and Mr. Stewart, his clerk, were examined on this point, and were unable to explain the erasures and alterations in the index referring to these letters; but the erasures and alterations in the index to the letter-book are not confined to these letters only, and the book generally has not been kept in a creditable manner. The course subsequently adopted by Mr. Wilde, in electing to retire without a public investigation, makes the non-receipt of the letter of less importance as regards himself, although it was in some degree in consequence of no answer having been received from him to the report of the 3rd June that the letter of the 26th of that month was sent.

10. Your committee are decidedly of opinion that the charges mentioned in the letter of the 16th May, supported by the joint report of Messrs. Ayrton and Harding, and the separate report of Mr. Ayrton, however explained or palliated by Mr. Wilde in his statement and examination, fully justified the Lord Chancellor in calling on Mr. Wilde to show cause in open court why he should not be dismissed.

11. The Lord Chancellor states that, although he was unwilling to take that course, it was the only mode by which Mr. Wilde could be compelled to render an account; and he thought it requisite that some public notice should be taken of Mr. Wilde's conduct, because he had been reproved on two former occasions; and that his Lordship's purpose was that he might have a public hearing of the matter.

12. His Lordship accordingly directed Mr. Miller to give Mr. Wilde notice to appear before him.

13. Mr. Miller thereupon sent the following letter:—

Court of Bankruptcy, July (June?) 26, 1864.

Sir,—It grieves me much to inform you that, unless I hear in course of post that you mean to apply to be allowed to retire, I have instructions from the Lord Chancellor to serve you with notice to appear before him

publicly in open court, and show cause why you should not be dismissed from your office of registrar.

It is said that your state of health is such that you can have no difficulty in obtaining such a medical certificate as would entitle you to retire under the 33rd section of the Bankruptcy Act 1861; and, if this be so, I sincerely trust, for your own sake, that you will see the propriety of relieving the Chancellor from the very disagreeable and, indeed, painful duty which is thrust upon him

I am, &c., J. F. MILLER.

H. S. Wilde, Esq.

14. Mr. Miller states that the first part of this letter, including the passage as to the course of post and the application to retire, was strictly in accordance with the directions of the Lord Chancellor; but that for the second part he had no instructions; he added it as a matter of kindness to Mr. Wilde, and he seems to have considered that to avoid a public hearing in court would be not only desirable for Mr. Wilde's sake, but also acceptable to the Lord Chancellor; and that the suggestion of retirement (in the sense of retirement with a pension if a case for a pension could be made out) was intended by the Lord Chancellor.

15. The Lord Chancellor distinctly denies that he gave Mr. Miller any authority to connect the notice to Mr. Wilde with anything about his retiring; but his Lordship adds, "It is just possible I may have said to Mr. Miller in conversation, 'Unless he resigns I have no other alternative than to bring him into court. I must have him in court for the purpose of considering whether he ought or ought not to be dismissed, but I will accept his resignation if he makes it." Mr. Miller had no instruction from me to do anything but to give him notice to appear, but it is undoubtedly possible that that I may have said to Mr. Miller that I would accept his resignation, meaning resignation without any pension."

16. The letter was not shown to the Lord Chancellor before it was sent; and his Lordship, upon his attention being called to the term "course of post," expressed his astonishment to find a letter written in such language.

17. Mr. Miller, on the Lord Chancellor's evidence being subsequently shown to him, adhered in the main to his former statements.

18. Your committee cannot but regret extremely that such a letter as that of the 26th June should have been written by the Chief Registrar, not merely on account of the impropriety of its terms, but because the suggestion of retirement probably induced Mr. Wilde to apply at once for a pension, and thus frustrated the Lord Chancellor's declared intention of having the charges against Mr. Wilde publicly heard in court. Mr. Wilde pressed your committee to enter upon a further investigation of these charges; but, as there appeared to your committee to be no ground whatever for any suspicion that there had been any improper motive for preferring the charges against Mr. Wilde, and as, moreover, the reports and documents (including Mr. Wilde's own explanatory statement) clearly supported those charges, at least to such a degree as to justify the Lord Chancellor in calling on Mr. Wilde to answer them in open court; and, further, as Mr. Wilde had himself chosen to retire on a pension rather than submit to public inquiry into his conduct, your committee refused to prolong an investigation which, whatever its result might have been, must have been far less satisfactory in its nature than that which Mr. Wilde had declined.

19. Upon the second head of inquiry, it appears that Mr. Wilde, on receiving the letter of the 26th June, determined to apply for permission to retire on a pension.

20. Mr. Miller has not explained satisfactorily what was the source from which he derived his information that Mr. Wilde's state of health justified a pension. Mr. Wilde had not, in fact, suffered from anything but some affection of his eyes; he states that he had consulted Mr. Hey, an eminent surgeon in Leeds, during some months previous, and that Mr. Hey had suggested his retiring, but says that he had not felt the inconvenience so great as to induce him to do so. Mr. Hey, on being applied to for a certificate, gave one, in the following words:

Leeds, 28th of July (June?) 1864

I hereby certify that I have been consulted by Mr. Henry S. Wilde, on account of a failure in his sight, which was a serious hindrance to him in the performance of the duties of his office. Mr. Wilde first consulted me in August 1861. At his age I cannot look for any improvement in his vision. SAMUEL HEY, F.R.C.S.

The date July (June?) 29 appears to have been written in a different handwriting from that of the body of the certificate.

21. Mr. Hey seems to have known the object for which the certificate was required, and to have declined to express it in stronger terms.

22. The other necessary documents were a petition, stating the grounds of retiring, and an affidavit by the petitioner, verifying the statements of the petitioner.

23. Mr. Miller, after denying that he had anything to do with the petition, admitted that he had himself prepared it; he stated that he had the facts as to Mr. Wilde's eyesight from his cousin, Mr. Charles Wilde; but Mr. Charles Wilde positively denies having given any such information, or even having seen or communicated with Mr. Miller on the subject.

24. The petition, affidavit and certificate were submitted by Mr. Miller to the Lord Chancellor on the 30th June. Mr. Miller states that he called the attention of the Lord Chancellor to the unsatisfactory nature of the certificate, and that the Lord Chancellor said that, coupling the language of the petition, the affidavit, and the certificate together, there was a sufficient case to enable him to make the order.

25. The order was made the same day.

26. The Lord Chancellor in his evidence states that he cannot remember his attention being called to the certificate. He says, "The petition, affidavit and certificate were presented to me, and I ought, in strictness, to have read them all. I certainly could not have read the medical certificate, or I should not have allowed it to pass upon that certificate." His Lordship says also, "Those papers were certainly all laid before me, and I felt very great embarrassment undoubtedly. . . . . I felt that the charge against Mr. Wilde was not one upon which I could dismiss him without pronouncing a very severe sentence. I was painfully struck with the great inconsistency of having directed him to be served with a notice to show cause why he should not be dismissed, and then permitting him to resign on a pension. The inconsistency was obvious, but at the same time, unless I determined to dismiss him, I had no alternative but to allow him to remain in that department. I thought him a bad public officer, and I thought that it would be a gain to the public if he was permitted to resign; and therefore, having only those two alternatives, either to permit him to remain or to allow him to resign, I certainly decided upon allowing him to resign, and I accordingly signed the order for granting him a pension."

27. As a matter of policy it may have been right to allow Mr. Wilde to retire on a pension; but care ought at least to have been taken to ascertain beyond doubt that there was ground for granting a pension under the provisions of the statute. This was not done; and your committee think it their duty to express their opinion that the pension was granted hastily, and without due examination.

28. Such haste and want of caution necessarily give rise to suspicion that a vacancy in the office is the object sought rather than justice to the officer or the public. In this instance, however, your committee consider that no improper motives are to be imputed to the Lord Chancellor.

29. Your committee now proceed to consider the third portion of their inquiry—namely, the circumstances under which Mr. Welch was appointed to the office of Registrar at Leeds.

30. Mr. Welch, who was a practising barrister of many years' standing on the Northern Circuit, made applications to the Lord Chancellor for a legal appointment in 1862 and 1863. It appears that his name had been mentioned to the Lord Chancellor in 1863 by the Lord Chancellor's eldest son, the Hon. Richard Augustus Bethell, as a friend whom Mr. Bethell wished to be remembered. In 1864, on the 16th of April, he wrote to the Lord Chancellor, pressing his former requests, and about the middle of May in that year sent to the Lord Chancellor several letters of recommendation from the late Sir William Atherton and other leading counsel of the Northern Circuit.

31. There was no vacancy at that time; but on the resignation of Mr. Wilde, on the 30th of June 1864, the Lord Chancellor on the same day appointed Mr. Welch to the registrarship thus vacated. The Lord Chancellor states that he was desirous of appointing a barrister of the Northern Circuit to the post at Leeds, and was informed by Mr. Miller that it ought to be filled up without delay; and that he appointed Mr. Welch from his own recollection of Mr. Welch's application and testimonials without further solicitation from any one.

32. Some slight representation has been made to your committee that Mr. Welch was in bad health at the time of his appointment. The fact, if it were so, was not known to the Lord Chancellor or Mr. Miller. Your committee do not think that the evidence on this point requires further notice.

33. Your committee are satisfied that no imputation can fairly be made against the Lord Chancellor with regard to this appointment.

34. But your committee call attention to some remarkable evidence touching this part of their inquiry.

35. Mr. Bethell had for some years been acquainted with Mr. Welch, and in April 1864 had some negotiation with him as to raising a sum of 6000*l.* While this was pending Mr. Bethell was in immediate want of 500*l.* The Rev. George Rogers Harding, vicar of St. Anne's, Wandsworth, a friend of Mr. Bethell, stated in his evidence before your committee that at the end of April or the beginning of May 1864 he was at Mr. Bethell's office in Quality-court, and took a letter of introduction from Mr. Bethell to Mr. Welch, who was then in chambers at the Temple, that an arrangement had been previously made that Mr. Bethell should use his influence to procure an appointment from his father in favour of Mr. Welch; that Mr. Welch should pay 500*l.* down, and on obtaining an appointment should pay 1000*l.* more; that he (Mr. Harding) mentioned this arrangement to Mr. Welch, who acquiesced in it; that the understanding was clear; the 500*l.* was to be paid to Mr. Bethell on the security of his bill at short date, which was to be destroyed or returned if Mr. Welch obtained an appointment; and that he (Mr. Harding) was to receive one-third of the further 1000*l.* when paid. Mr. Harding further states that he met Mr. Welch accidentally after Mr. Bethell had left the country in consequence of his debts; that Mr. Welch then expressed his fear that he had lost his money; that he saw Mr. Welch again after he had obtained the appointment at Leeds, when Mr. Welch said he would carry out the arrangement honourably.

36. Mr. Harding afterwards applied by letter to Mr. Welch for 333*l.* 6*s.* 8*d.*, being one-third of the 1000*l.*; Mr. Welch took no notice of the letter. Mr. Harding then sent a friend, and afterwards employed his solicitor, Mr. Coyte, to write, but ultimately gave up the claim on being informed by his solicitor that he could not enforce it.

37. On the other hand, Mr. Bethell and Mr. Welch agree in representing that there was no arrangement whatever beyond a loan for 500*l.* secured by a bill for the same amount, and that Mr. Harding was a mere messenger conveying the bill to Mr. Welch, and returning with the cheque.

38. The date of the cheque is the 6th May 1864.

39. The application to Mr. Welch for the loan must have been several days before the 9th May. Mr. Welch borrowed the sum of 500*l.* from his tenant, Mr. Babbitt, under somewhat peculiar circumstances to enable him to lend the sum to Mr. Bethell.

40. Mr. Welch admits that he lent the money with the hope that Mr. Bethell would exercise influence with the Lord Chancellor in obtaining an appointment for him. He further states that he was in the habit of lending money to persons possessing influence in order to obtain their assistance. Mr. Bethell says that he may have told Welch that if he saw there was any reasonable chance of succeeding he would mention his name to the Lord Chancellor; but beyond that made no direct promise.

41. The bill, when it became due, was sent by Mr Welch to his solicitors, who sent it to their banker for collection; the bill was not paid, was noted and then returned to Mr. Welch. Mr. Welch contradicts himself more than once in his evidence on the question whether he destroyed the bill or returned it to Mr. Bethell. Mr. Bethell states that it was returned to him in Dec. 1864, in order that Mr. Welch's name might not be sent to the Lord Chancellor as one of his creditors.

42. On the 10th Sept. 1864, after Mr. Bethell had become hopelessly insolvent, Mr. Welch lent him 300*l.*, in addition to the 500*l.*, without any security. On the 7th Feb. 1865 he lent him 60*l.* more; and about the 20th of the same month lent a further sum of 300*l.*, having obtained leave from his bankers to overdraw his account after a certain day, for which reason he post-dated the cheque by seven days; but in the previous November Mr. Welch had refused to accept a bill for 300*l.*, drawn upon him by Mr. Bethell in Paris, and sent through the Yorkshire Banking Company.

43. Mr. Welch states that interest was reserved on all these loans at 5 per cent. Mr. Bethell denies this; and on the 30th April 1865 wrote to Mr. Welch a letter acknowledging his debt of 1050*l.* the amount of the loans, without any reference to interest. A copy of this letter is in the appendix.

44. Mr. Bethell says that Mr. Harding's statement is a pure invention; he also says, "Mr. Harding sought me out, and threatened that unless I gave him money, or induced Mr. Welch to give him money, he would come down here and ruin us both. Mr. Harding, on the other hand, says that he used no threats to Mr. Bethell, but that Mr. Bethell said, "If you appear and give evidence I will shoot you."

45. Your committee have given the more prominent facts or statements bearing on this matter. For minute details they refer to the evidence of the parties concerned. The statement of Mr. Harding is irreconcilable with that of Mr. Bethell and Mr. Welch. Mr. Harding's statement, if true, discloses a corrupt bargain between the three parties; if false, it is a gross attempt at extortion. One or other of these conclusions would be established by a judicial investigation of the facts of the case; but as each of them involves the liability to a charge of a highly penal character, your committee, not having the opportunity of examining witnesses upon oath, or of bringing the persons inculpated to a formal trial, purposely abstain from expressing any opinion as to which of the two views above mentioned ought to be adopted. They consider it their duty to observe that the indisputable facts are such as to render it essential to the public interest that the case should as soon as possible be made the subject of legal investigation.

46. The fourth and last head of the inquiry is, whether Mr. Welch was to resign his appointment at Leeds in favour of Mr. Bethell, and receive another appointment in London.

47. In the month of May 1864 the Lord Chancellor, on being informed that his son was deeply indebted, compelled him to resign his office of registrar in the Court of Bankruptcy. Mr. Bethell

shortly afterwards went abroad with his family, and remained abroad during the summer and autumn. Towards the close of the year he returned to England, having formed a plan for making some arrangement with his creditors, and hoping to be reconciled to his father. Applications were made to the Lord Chancellor to induce him to relent in favour of his son, and give him some appointment. The Lord Chancellor was asked to appoint him to the office of clerk at the table of the House of Lords, which he peremptorily refused to do. He was asked by Mr. Miller to give his son the appointment of Registrar in Bankruptcy in London vacated by Mr. Slingsby Bethell, and Mr. Miller, in the hope that his request would be granted, but without any authority from the Lord Chancellor, prepared an order appointing Mr. Bethell to that office. The Lord Chancellor refused to make the appointment; but upon a suggestion being made either by Mr. Skirrow (an intimate friend of the Lord Chancellor, and a trustee of Mr. Bethell's marriage settlement) or by Mrs. Bethell herself, that Mr. Bethell might be appointed to an office in the country, the Lord Chancellor appears, on the 22nd Feb. 1865, at an interview with Mr. Skirrow, to have held out some expectation that he would consider the matter if Mr. Bethell could obtain a release from all his creditors; up to that day he peremptorily refused to entertain the subject. Mr. Skirrow's view was in favour of an office at Bristol, as being in the neighbourhood of Mrs. Bethell's relations. Later in the same day Mr. Bethell called on Mr. Skirrow, at Staple's-inn, and probably then understood from him that there was some probability of his receiving an appointment in the country; Mr. Welch was then introduced to Mr. Skirrow, by Mr. Bethell, and some remarks passed which show that Mr. Bethell expected to obtain the office at Leeds, and Mr. Welch hoped to be transferred to London. Mr. Bethell went to Leeds on the following day; saw Mr. Welch at his office on the 24th; and it is clear that it was generally understood in the Bankruptcy Court at Leeds that Mr. Bethell was shortly to be appointed registrar there, and that Mr. Welch was to be transferred elsewhere.

48. In the meanwhile Mr. Miller had been informed of the plan, and in full expectation that it would be carried into effect, prepared two orders of appointment, one of Mr. Welch to the London registrarship, the other of Mr. Bethell to that at Leeds. He says that Mr. Skirrow gave him the information upon which he relied; but this Mr. Skirrow positively denies. Mr. Miller further states that he prepared the order before mentioned appointing Mr. Bethell to the London registrarship, and the two orders last mentioned, without the knowledge of the Lord Chancellor, and that they were the only appointments ever prepared by him without the Lord Chancellor's sanction. The Lord Chancellor also states that he did not hear of those orders being prepared before this inquiry took place.

49. On Sunday, the 26th, the Lord Chancellor, from some information which he had received as to his son's conduct at Paris, determined not to appoint his son to any office; he sent for Mr. Skirrow and declared his decision.

50. On Monday, the 27th, Mr. Miller was about to present the two appointments to the Lord Chancellor for signature. Mr. Skirrow saw him, and advised him not to do so, mentioning what had occurred on the previous day. Mr. Miller did not show the appointments, but mentioned the subject to the Lord Chancellor, who said that he would make no appointment.

51. It appears to your committee that Mr. Skirrow acted simply as a friend of the Lord Chancellor's family. No improper motive has been suggested for the part which Mr. Miller took, although his conduct in preparing the appointments without the sanction or even the knowledge of the Lord Chancellor was highly reprehensible. Mr. Bethell and Mr. Welch were undoubtedly desirous of promoting the arrangement for their own interests; but the Lord Chancellor appears to have had no knowledge of the plan, beyond the suggestion made to him by Mr. Skirrow and Mrs. Bethell, and no knowledge whatever of what had been done in expectation of its completion until some time after he had finally refused to make any appointment in favour of his son.

52. Your committee, in performance of the duty intrusted to them, went fully into all the circumstances which seemed to bear on any portion of the subject-matter; in their report, however, they have confined their observations to those points which they consider the most material. They must be allowed to observe, in conclusion, that while the facts which they believe to be established by the evidence acquit the Lord Chancellor from all charge except that of haste and want of caution in granting a pension to Mr. Wilde; and although some of the questions asked in your hon. House which led to the appointment of this committee were founded on information which was not thoroughly accurate, yet the general impression created by the sudden retirement of Mr. Wilde, and the pecuniary transactions which took place between Mr. Bethell and Mr. Welch, coupled with the representations made by Mr. Bethell on his visit to Leeds, were calculated to excite the gravest suspicions, and your committee are of opinion that the inquiry which they have conducted was for this reason highly desirable for the public interests.

June 22.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

RENTCHARGE.—Are the executors of a tenant for life of lands in his own occupation liable to pay an apportionment of a rentcharge in lieu of tithes, the half-yearly payment falling due about three months after his decease?
24th June 1865. W. F.

LAW EXAMINATIONS.—A person having passed his examinations in England what would be necessary to get admitted as a solicitor in the United States? Would the fact of having passed the intermediate only be of any help? And where is the best opening for young English solicitors. ADOLESCENS.

RELEASE FROM CUSTODY.—I wish to be informed if a prisoner in the custody of a sheriff, in the country, under an attachment for contempt of the order of the Divorce Court, for nonpayment of five monthly instalments, arrears of alimony *pendente lite* and taxed costs, can be released from custody by the Bankruptcy Court, the prisoner having been in gaol sixteen days and filed his petition during that time. S. E. M.
London, June 22.

Answers.

PENALTY.—I am of opinion that the auctioneer is *not* liable to any penalty for preparing the lease, as he made no charge, but merely acted as a kind of amanuensis to the parties to the instrument, and that the parties trusting to his skill in framing the lease must take the consequences of their folly in not engaging the services of a professional gentleman. J. B.
New Romney.

DEVISE.—The marriage will not invalidate the devise: (see LAW TIMES, 18th Oct. 1862, p. 621.) J. P.
Exeter, 28th June

— In Hayes and Jarman's Concise Forms of Wills, 5th edit. p. 34, the following paragraph occurs: "And it would seem to be clear that the *subsequent* marriage of a witness to a person entitled to the benefit of a devise or bequest in the will would *not* render null and void that devise or bequest." No authorities are quoted for this opinion. D. H.
Driffield, June 27.

— The words of the Wills Act seem to answer the question. It is enacted that if any person shall attest the execution of any will to whom or to whose wife any legacy shall be thereby given, such legacy shall, so far as concerns such person attesting, or the wife of such person, be utterly rendered void. In this case nothing was given to the attesting witness or his wife: for C. was not then his wife: "Conditionem testium tunc inspicere dispensus cum signarent, non mortis tempore; si igitur tunc cum signarent tales fuerint ut adhiberi possint, nihil nocet si quid eis contingerit:" (see *Mackenzie* v. *Yeo*, 2 Curt. 125.)
Stockton-on-Tees. PHILIP W. DODD.

— I have no doubt that the bequest to C. is perfectly valid. The same circumstance occurred in *Mackenzie* v. *Yeo*, 2 Curt. 125; 2 Curt. 709. Sir Herbert Jenner Fust held, before 14 & 15 Vict. c. 85, that the husband of a legatee was incompetent to prove the execution of a will, but he added, this circumstance standing alone would not prevent the paper from operating as a valid instrument. In *Brograve* v. *Winder*, 2 Ves. jun. 636, the Lord Chancellor held, that a person who at the hearing was interested, but who had no interest at the time of the attestation, was a good witness. The most recent written upon the subject observes that there is a great difference between proving a fact in a court of justice and the attestation of that fact when it happened, and that the question is, how the will ought to be attested, and not how it ought to be proved: (Dodd's Probate Practice, p. 193.) I. X. L.

— By sect. 15 of 1 Vict. c. 26, it is enacted, "that if any person shall attest the execution of any will *to whom, or to whose wife or husband*, any beneficial devise, &c. (except as therein mentioned) shall be thereby given or made, such devise, &c., shall be utterly null and void." In connection therewith must be read the 24th section, as follows: "That every will shall be construed, *with reference to the real estate and personal comprised in it*, to speak and take effect as if it had been executed *immediately before the death* of the testator, unless a contrary intention shall appear by the will." Now, supposing that the will had been made before 1838, and the law was then the same as enacted by the 15th section of the above Act, the bequest would in that case, I conceive, have been good as a specific bequest to the testator's niece C., if she were not married to the attesting witness at the date of the will. The 24th section, it will be observed, enacts that the will shall speak from the death with reference to the *estate* only, and no mention is made as to the *persons* mentioned in the will. In *Bullock* v. *Bennett*, decided on appeal to the Lords Justices, it was held that the 24th section did *not* apply to the *objects* of the testator's bounty. Again, if the 24th section were to speak from the death, not only with reference to the estate comprised in the will, but also to the *persons* mentioned therein, I think that the probable construction of the court would be, that as C. was not the wife of the attesting witness at the *death* of the testator, her future marriage with him would not render void a gift which was good at (and for some time after) the death of the testator. J. B.
New Romney, 28th June.

BEQUEST.—I think that the power given to C. by her husband's will was a power to appoint in *equal* shares, and therefore her attempt to appoint in unequal shares was not a valid exercise of the power. The property will therefore pass, as in default of appointment. D. H.
Driffield, June 27.

— I understand the question to relate to real estate. If the power was duly executed the son can make a good title to the share appointed to him; and if not, I apprehend that he takes the whole as heir for default of appointment. There is no difference between the non-execution and the defective execution of a power. Where it is clear on the face of a will that the testator has not completely expressed his meaning, and it is also clear what are the words which he has omitted, those words may be supplied in order to effectuate his intention as collected from the context (see *Hope* v. *Potter*, 2 Kay & J. 206); but from "J. A. O. E.'s" statement there is nothing in the will of A. B. to warrant any interpolation. He will find the subject elaborately discussed in Jarman on Wills, chap. 16. PHILIP W. DODD.
Stockton-on-Tees.

— I think that in this case the wife has an estate for life, with a limited power to dispose of the *corpus* by will to the testator's children in *equal shares*; the bequest is expressed in clear terms, and if there be nothing upon the face of the will showing an intention different to the terms of the bequest, the court would *not* supply the words suggested, which would have the effect of placing the testator's children at the *mercy* of the wife. Considering that the objects of the testator's bounty are *his children*, I think that the court would not willingly supply words which would have the effect of depriving them thereof; but would rather, if necessary and the intention of the testator should warrant, supply words giving the wife a power to appoint *among testator's children*, in *such shares as she should think fit*, and in default *in trust* for the children *in equal shares*. This view is strengthened when it is considered that there is an *implied* trust for the testator's children in equal shares, in default of the wife exercising the power; and also that after the death of the testator, the positions in life of the children may require the appointment of a larger share to one than to the other. The foregoing depends, of course, upon the intention of the testator, but if such cannot be gathered, then I think that A. exceeded her power, and that the son cannot make a good title to the larger portion appointed to him without the concurrence of his sister. I take it for granted that there are only two children.
New Romney, June 28.

THE LAW LIBRARY.

The Practice of Registration and of Elections. Ninth edition. By EDWARD W. COX, Barrister-at-Law, Recorder of Falmouth. LAW TIMES Office, 1865.

THIS new edition, being the ninth, has been delayed that it might comprise the Act of the present session that makes so many changes in county registration, together with the various statutes passed and cases decided on the Law of Elections and Registration since the publication of the eighth edition six years ago. The general scheme of the work is unchanged. It commences with an introduction of considerable length devoted to an outline of the law of registration and minute instructions to solicitors and returning officers for the management of an election, giving the various books and forms that have been found useful in practice, and which, as the author states, were supplied to him by a solicitor of large experience in electioneering. Among them is an engraved plan for hustings. This introductory treatise on the Practice of an Election is followed by the Law of Registration, and that by the Law of Elections. For this purpose the Reform Act and the Registration Act are amalgamated as if they had been one statute, their several sections being indicated by difference of type, and where they have been modified by other statutes, the latter have been introduced, and where the courts have construed any part of the statutes, a note at the end of the section states the substance of the decision. The Corrupt Practices Act and the Election Petitions Act follow, noted in like manner, and an index, very copious in its references, completes a volume upon which, for obvious reasons, we proffer no opinion.

THE COURTS & COURT PAPERS.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Friday, June 23.

GUPPY v. FRITH.—This was a demurrer to a breach in a declaration on a charter-party.—Sir *G. Honyman* in support of the demurrer.—*H. Williams* contra.—The Court, after hearing the arguments, suggested that the case had better stand over for judgment till after the trial.

Stands over.

VESTRY OF MARYLEBONE (appts.) v. VIBERT (resps.)—This was a special case raising a question under the Metropolis Local Management Act, as to whether the appellants or the respondent were liable for the cost of constructing certain drains from the respondent's house.—*Keane*, Q.C. and *Poland* for the appellants.—*Macnamara* for the respondent.—(To be reported).

Judgment for the respondent.

METROPOLITAN BOARD OF WORKS (appa.) v. COX (resp.)—This was a special case raising a question as to whether the respondent, who had built some houses, had complied with the Metropolis Local Management Act, which requires a roadway of forty feet wide to be left where any new streets are formed. The road in front of the respondent's houses was forty feet wide, but not the road at the back. The back premises of the houses, however, did not open into the street.—*Mellish*, Q.C. and *Raymond* for the appellants.—*Keane*, Q.C. and *Day* for the respondent.—The COURT held that, as the houses had no means of exit into the street at the back, they could not be said to be in that street. *Judgment for the respondent.*

TAMVACO v. SIMPSON.—This was a special case raising a question as to the construction of a charter-party.—*Mellish*, Q.C. and *R. Marsham* for the plaintiff.—*Manisty*, Q.C. and *Lowers* for the defendant. *Part heard.*

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

S. F. PIGGOTT, ESQ.

The late Simon Fraser Piggott, Esq., barrister-at-law, of Fitzhall, Sussex, was the second but only surviving son of the late Henry Cooke, Esq., merchant, of London, by Sophia, daughter of the late James Lockier, Esq., merchant, of Bristol. He was born in 1794, and received his early education at Winchester School, whence he proceeded to University College, Oxford, where in due course he attained the university honours, having graduated B. A. in 1814, and proceeded M. A. in 1817. In the latter year he was called to the bar at Lincoln's-inn. The deceased, who was a magistrate and deputy-lieutenant for Sussex, assumed, by Royal licence, in 1821, the surname of Piggott, in lieu of his patronymic, on his marriage with Jane, eldest daughter of the late James Piggott, Esq., of Fitzhall. He died at Fitzhall on the 24th June, at the advanced age of seventy-one, leaving, besides other issue, a son James, who was born in 1834, and who now succeeds to the family estate. He was married in 1862 to Fanny Margaret, only child of George Bush, Esq., St. Vincent's Priory, Clifton, near Bristol.

G. BOWER, ESQ.

The late George Bower, Esq., of London, was the eldest son of the late William Bower, Esq., of Wilmslow, in the county of Chester, by Ann, daughter of Joshua Ashworth, Esq. He was born at Wilmslow in the year 1798; and was educated at the Rev. J. Bell's, Heawood-hall, Alderley, Cheshire. Having been admitted a solicitor in 1822, he became a member of a very old city firm of solicitors, the business of which eventually fell to him alone. He was for many years, and until the transfer of its business to the London and Westminster Bank, the solicitor of the banking firm of Jones, Lloyd and Co. He died at Wilmslow, Cheshire, on 15th June, and was buried at Wilmslow. He lived and died a bachelor.

LAW SOCIETIES.

LEGAL AND GENERAL DISCUSSION SOCIETY.

At the society's half-yearly meeting on the 21st, Mr. Rogers presiding, the secretary read his sixth special report as follows:—

"*To the Members of the Legal and General Discussion Society.*

"Gentlemen,—I am happy to inform you, in presenting this my sixth special report, that the position of the society is more satisfactory, and its affairs are in a more flourishing state, than they have been at any since its formation in 1862.

"Although since my last report several members have retired, there has been a much larger accession of new members: hence the roll has increased. The society now numbers between fifty and sixty members.

"The alteration of the rules made at the end of last year, whereby the constitution of the society was varied so as to allow any gentleman engaged in either branch of the profession, and also gentlemen not in the profession, to be eligible for membership, has affected a considerable advantage to the society both in the number and class of members, several barristers and practising solicitors having since been elected. No other than lawyers, however, have as yet joined the society, owing doubtless to the fact, that the subjects for debate are still, in the great majority of instances, of a legal character.

"This report of the Society's proceedings extends from the 4th Jan. to the 21st June, both inclusive, during which period there have been eleven meetings for debate, and two special business meetings. At the former the subjects considered were respectively as follows: Priority of Specialty Creditors—Duties of Advocate, where Client's interest conflicts with Truth—Law of Divorce—Royal Speech on opening of Parliament—Attorneys acting as Advocates in Superior Courts—Statutes relating to Friendly Societies—County Court Equity Jurisdiction—Substitution of Stipendiary Magistrates for Justices of the Peace—Imprisonment or Debt—Extension of Franchise and effect of Election of Louis Napoleon as Emperor of the French.

"The average attendance of the members has been about the same as heretofore, and the rule prohibiting adjournment of debates has worked efficiently.

"In conclusion, I think it may fairly be said, that the society is progressing from all points of view in a very satisfactory manner.—I remain, Gentlemen, yours obediently,

"FRANCIS K. MUNTON, Hon. Sec.

"Freemasons' Tavern, 21st June 1865."

The society passed several resolutions; amongst others, that the meeting on the 5th July (when the question of voting by ballot on election of members of Parliament will be considered) should be the last meeting for debate, prior to the adjournment for the vacation, and that the society's third annual dinner should take place on Wednesday, the 19th July inst. We doubt not there will be a large attendance.

LEGAL NEWS.

THE ROAD MURDER TRIAL.—The time is now approaching for the trial of Constance Kent, now imprisoned in Devizes gaol on the charge of murdering her young half-brother, Francis Saville Kent, in 1860, at Road-house, and the arrangements for the trial are so complete that there can be no doubt it will take place at the next Salisbury Assizes. The commission for Salisbury opens on the 19th July, and we understand that, besides the trial of Constance Kent, there is very little business to be transacted. This will, no doubt, be got through by the evening of the 20th, so that the trial for the Road murder will most probably take place on the 21st, though it is possible it may commence on the 20th. The prisoner will be removed from Devizes gaol to Salisbury on the 19th or 20th. The demeanor of the prisoner from the period of her committal at Trowbridge up to yesterday has been calm and quiet. She does not partake of the prison rations, but is supplied daily at the request of her father with dinner from the Bear Hotel, Devizes. The attentions of Mrs. Davies, the landlady of that hotel, to the personal comfort of Miss Kent, we are informed, have been kind and constant. The counsel retained for the prosecution in this remarkable case are Mr. Karslake, Q.C. and Mr. Lopes, instructed by Messrs. Clarke and Collins, solicitors, Trowbridge; and the counsel retained for the defence are Mr. Coleridge, Q.C., Mr. Edlin and Mr. Ravenhill, instructed by Mr. Rodway, of Trowbridge. All manner of reports are circulated as to the nature of the defence to be offered, but on this point nothing reliable has transpired. It is only to be hoped that the result may be a satisfactory clearing up of this terrible mystery.

WILLS AND BEQUESTS.—The will, with two codicils, of Sir Henry Robarties Wyatt, Kt. (late a colonel in her Majesty's 1st Life Guards), was proved in the London court on the 5th May by Miss Mary Hill, the sole executrix. The testator has resided for some years past at 20, Rue de la Ville l'Evêque, in the city of Paris, and died there on the 18th of March last, having executed his will in July 1861, and added two codicils, the last dated the 15th of March, three days preceding his death. The personal estate is sworn under a nominal amount, as the principal part is a sum of 3398 francs, Four-and-a-Half per cent. French Government Rentes, which, with the residue of his personal estate (except some specific legacies) he bequeaths in three equal parts to his executrix, Miss Hill; his sister, Mrs. Charlotte Carte, the wife of the Rev. Edward Carte, of Gentleshaw, Staffordshire; and his brother, Mr. Augustus Wyatt, of Gentleshaw. The testator also makes various specific bequests to different relatives.—The will of the late David Roberts, R.A., has been proved in the London court by Joseph Arden, of Cavendish-square, and the testator's son-in-law, Mr. Henry Sanford Bicknell, two of the surviving executors. The personality is sworn under 45,000*l.* The will bears date Aug. 29, 1856. The testator leaves to his wife an annuity of 30*l.*, explaining in the will the reasons why the bequest is so small. Mrs. Roberts will also receive, as the testator's widow, 70*l.* a-year from the Royal Academy of Arts. To his sister, Mrs. M'Lauchlan, the testator leaves an annuity of 50*l.*, free of duty. The testator leaves the yearly income of the residue of his real and personal property to his daughter, Christine, the wife of the above-named Mr. Henry Sanford Bicknell, and upon her death the residue is to be divided among her children.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Monday, June 26.

By Mr. MOXON, at the Guildhall Coffee-house.—Freehold estate, known as Townsend Farm, with 45 acres of land and homestead, situate at St. Albans, Herts—sold for 2150*l.* Leasehold, two houses, being Nos. 21 and 24, Crozier-terrace, Homerton; term 97 years unexpired; ground-rent 5*l.* per annum—sold for 760*l.*

By Messrs. BROWN and ROBERTS, at the Bridge-house Hotel.—Leasehold hop warehouses and premises, known as No. 1, King-street, Southwark; let at 735*l.* 7s. 6d. per annum; term 99 years from 1863; ground-rent 171*l.* 10s. per annum—sold for 8300*l.* Freehold house, with garden and fruit plantation about 2a. 11p. situate at Mereworth, Kent—sold for 1200*l.*

Tuesday, June 27.

By Messrs. DRIVER and Co., at the Guildhall Coffee-house.—Freehold property, known as the Nether Hall, comprising mansion-house, and 200 acres with manor, situate near Bury St. Edmunds, Suffolk—sold for 20,000*l.*

By Mr. P. T. TUCKETT, at Garraway's.—Freehold and copyhold estate known as Walters Farm, situated at Ticehurst, Sussex, and comprising farmhouse, and garden, garden, buildings, cottages, hop-oast, and 112a. 3r. 11p. of arable and pasture land—sold for 3425*l.*

By Messrs. E. and H. LUMLEY, at Garraway's.—Freehold residence, known as Villa Amalthea, situate at Hythe, Hampshire—sold for 2100*l.*

By Messrs. WAKLEYES and LOVEJOY, at Garraway's.—Freehold, 12a. 1rp. of building land, situate at Horton Kirby, Kent—sold for 1300*l.*

Wednesday, June 28.

By Messrs. FAREBROTHER, CLARK and Co., at Garraway's.—Freehold estate, known as "Givon's Grove," with residence, farm premises, and 71a. 0r. 3p. of arable, pasture, meadow and wood land, situate in the parishes of Leatherhead and Mickleham, Surrey—sold for 11,000*l.* Freehold estate, known as "North Grove," comprising residence, garden, stabling and cottage, &c., containing 1a. 1r., situate at Mickleham, Surrey—sold for 6400*l.* Freehold premises, being No. 2, Birchin-lane, Cornhill; let on lease at 9?*l.* per annum—sold for [illegible] Freehold premises, being No. 3, Birchin-lane, Cornhill; let on lease at 200*l.* per annum—sold for [illegible] Freehold premises, being No. [illegible], Cheapside; let on lease at 400*l.* per annum—sold for [illegible]

By Messrs. E. FOX and BOUSFIELD, at Garraway's.—Freehold estate of 120 acres of land with homestead, situate in the parish of Mayfield, Sussex—sold for 4200*l.* Leasehold stabling, being No. [illegible], Green-street, Park-lane, with covered ride, coach-house, and dwelling-house; term, 29 years, unexpired; ground rent [illegible] per annum. Also, a stable at the end of the ride; term, [illegible] years, unexpired; ground rent, 21*l.* per annum—sold for 1800*l.* Leasehold house and shop, being No. 1, Tarlington-place, Edgware-road; let at [illegible] per annum; term [illegible] years, from 1849; ground rent, [illegible] per annum—sold for 1200*l.* Leasehold house and shop, being No. 2, Tarlington-place, aforesaid; let at 6?*l.* per annum; term 74 years unexpired; ground rent, [illegible] per annum—sold for [illegible] Leasehold, three houses, with shops, being Nos. 3, 4 and 5, Tarlington-place, Edgware road; producing 204*l.* per annum; term [illegible] years unexpired; ground-rent 6?*l.* per annum—sold for [illegible] Leasehold house, with shop, being No. 8, Tarlington-place, aforesaid; let at [illegible] per annum; term and ground-rent similar to above—sold for [illegible] Leasehold house, with two shops, being Nos. [illegible] and 14, Church-street, Edgware-road; let at [illegible] per annum; term similar to above; ground-rent 14*l.* per annum—sold for 9[illegible] Leasehold improved ground-rent of 6?*l.* per annum (for 9? years from 18[illegible]), arising from houses and shops in Boston-terrace, Junction-road, Holloway—sold for 900*l.*

By Mr. MOXON.—Copyhold residence, known as "The Elms," Edmonton, with pleasure-grounds, &c., containing about [illegible] acres; let at 90*l.* per annum—sold for 2100*l.* Freehold, [illegible] at the top of Bruce-grove, Tottenham, producing [illegible] per annum—sold for 319*l.* Freehold meadow, in Bruce-grove, Tottenham, containing 3a. 2r.—sold for 2000*l.* Freehold meadow, in Bruce-grove, Tottenham, containing 2 roods—sold for 67?*l.*

THE GAZETTES.

Bankrupts.

Gazette, June 20.

To surrender at the Bankrupts' Court, Basinghall-street.

BALLARD, JOHN, boot and shoe maker, Waterloo-rd. Lambeth-[illegible] Pet. June 17. Reg. Brougham. O. A. Edwards. Sol. [illegible], Crosby-house, Old Broad-st. Sur. June 3[illegible]

BOND, JOHN, surgeon, Grafton-st. Fitzroy-sq. Pet. June 17. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. June [illegible]

BRYAN, JOHN, cocoa nut matting manufacturer, Portland-pl. [illegible] hithe, and Adam's-pl. Borough. Pet. June 17. Reg. Roche. O. A. Parkyns. Sol. Hand, Coleman-st. Sur. July 5.

CHAMBERS, CHARLES, and CHAMBERS, HOBART, contractors, High-st. Hampstead. Pet. June 15. Reg. Brougham. O. A. Edwards. Sol. Daniel, Quality-ct. Chancery-ln. Sur. July 5.

CRITCHLY, RICHARD, boarding-house keeper, St. George's-[illegible] Pet. June 14. Reg. Hazlitt. O. A. Graham. Sols. Wood and King, Basinghall-st. Sur. June 30.

ENGLISH, EDWARD, butcher, High-st. Bow. Pet. June 17. Reg. Brougham. O. A. Edwards. Sol. Holmes, Fenchurch-st. Sur. July 5.

FORCADE, HENRY WILLIAM, sen. clerk to a solicitor, Lower Westminster-bridge-rd. Pet. June 14. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. June 30.

GIBSON, GEORGE, plumber, Low Leyton. Pet. June 16. Reg. [illegible] O. A. Graham. Sol. Greenhill, Gracechurch-st. Sur. June [illegible]

GODDEN, WILLIAM, grocer, Plumstead. Pet. June 16. Reg. [illegible] O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. July 5.

JARLOTT, RICHARD, cornchandler, Lee. Pet. June 11. Reg. [illegible] O. A. Graham. Sols. George and Armstrong, [illegible] Sur. July 5.

JOHNSON, DONALD, and SNOOK, EDWARD, shipbuilders, [illegible] Millwall. Pet. June 16. Reg. Roche. O. A. Parkyns. Sol. [illegible] poole, Pinner's-hall, Old Broad-st. Sur. July 5.

LACEY, JAMES, builder, St. John's-st. Clerkenwell, and [illegible] tenham-ct.-rd. Pet. June 13. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 3.

MILLER, ROBERT, dairyman, Montpelier-pl. Brompton. Pet. June [illegible] Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. July 3.

NOKES, WALTER, estate agent, Queen-st. Hammersmith. Pet. June 14. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 3.

PELHAM, SOPHIA, and PELHAM, HARRIET, lessees of the New Royalty Theatre, Osborne-ter. Clapham-rd. and Dean-st. Soho. Pet. June 17. Reg. Roche. O. A. Parkyns. Sol. Watson, Southampton-bdgs. Strand. Sur. July 3.

RUST, CALEB, attorney's clerk, Mare-st. Hackney. Pet. June 17. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. June 30.

RUTHERFORD, JOHN WADDELL, shipwright, Duke Shore-[illegible] house. Pet. June 15. Reg. Roche. O. A. Parkyns. Sol. [illegible] Delamere-ter. Paddington. Sur. July 3.

SCHALLEHN, HENRY, professor of singing, Carlisle-ter. Kensington. Pet. June 14. Reg. Brougham. O. A. Edwards. Sol. [illegible] Strand. Sur. July 5.

SEYTON, CHARLES, comedian, Upper Ebury-st. Pet. June 1[illegible] Reg. Hazlitt. O. A. Graham. Sol. Towne, Great Russell-st. Bloomsbury. Sur. June 30.

SNELL, ROBERT, jun., photographer, Norfolk-st. Islington, and [illegible] st. Kingsland. Pet. June 17. Reg. Hazlitt. O. A. Graham. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. June 30.

STEVENS, GEORGE HENRY, soap manufacturer, Dock-st. Upper East Smithfield, and Wanstead. Pet. June 13. Reg. Brougham. O. A. Edwards. Sol. Stocken, Leadenhall-st. Sur. July 5.

THOMAS, JOHN, builder, Alexandra-ter. Acton. Pet. June 13. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. July 3.

WEDGWOOD, WILLIAM RICHARD, farmer, Greystone, Hoover. Pet. June 16. Reg. Hazlitt. O. A. Graham. Sols. Hughes, Masterman and Co. Bucklersbury. Sur. June 30.

To surrender in the Country.

ANDREWS, BENJAMIN, dairyman, Ashington. Pet. June 11. Reg. & O. A. Watts. Sol. Watts, Yeovil. Sur. June 30.

ARDEN, THOMAS, out of business, Middlewich. Pet. May 17. Reg. & O. A. Cheshire. Sol. Sheppard, Crewe. Sur. July 4.

BACKHOUSE, FREDERICK, sen., plumber, Goole. Pet. June 11. Reg. & O. A. Wilson. Sol. Harle, Leeds. Sur. June 22.

BAILEY, WILLIAM, joiner and builder, Newcastle-under-Lyme. Pet. June 13. O. A. Slaney. Sol. Moxon, Hanley. Sur. July 1.

BAKER, HENRY, bookseller, Swansea. Pet. June 13. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. July 5.

BARRELL, MARIA, victualler, Worcester. Pet. June 5. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. July 3.

BATES, JOSIAH, commission agent, Heaton Norris, Stockport. Pet. June 12. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 30.

BINDON, GEORGE, potato dealer, Aberavon, Neath. Pet. June 1[illegible] Reg. Wilde. O. A. Acraman. Sur. June 30.

BOSTOCK, JOHN, innkeeper, Malpas. Pet. June 14. Reg. & O. A. Jones. Sol. Edleston, Nantwich. Sur. June 29.

BROGDEN, THOMAS, block printer, [illegible] Accrington. Pet. June 1[illegible] Reg. & O. A. Woods. Sol. Harlow, Accrington. Sur. July 1[illegible]

BULBECK, WILLIAM, butcher, Westbourne. Pet. June 14. Reg. & O. A. Sewton. Sol. Hollham, Brighton. Sur. July 14.

COOK, DAVID, dealer in submarine glue, Old Swan, Liverpool. Pet. June 15. Reg. & O. A. Hime. Sur. July 3.

COREY, WILLIAM, cattle dealer, Saint Austell. Pet. June 13. Reg. & O. A. Carlyon. Sol. Wreford, Fowey. Sur. July 1.

DARCY, RICHARD, leather dealer, Deansgate, Manchester. Pet. June 15. Reg. Harris. O. A. Morgan. Sol. Hodgson, Manchester. Sur. July 3.

DIXON, JOHN, joiner, Birkenhead. Pet. June 15. O. A. Turner. Sol. Best, Liverpool. Sur. July 4.

GIBBS, JOHN THOMAS, labourer, Wednesbury. Pet. June 14. O. A. Clarke. Sol. Bayley, Wednesbury. Sur. July 2.
GIFFEN, JAMES, book-keeper, Tranmere. Pet. June 16. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. July 2.
GLADDIN, CHARLES, corn miller, South Retford. Pet. June 13. O. A. Young. Sur. July 7.
GOSLING, WILLIAM, grocer, Three Bridges, Worth. Pet. June 13. Reg. & O. A. Pearless. Sol. Mills, Brighton. Sur. July 20.
GRAY, ALFRED, pollard merchant, Great Wilbraham. Pet. June 17. Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge. Sur. July 5.
HAGUE, SAMUEL, book-keeper, Oldham. Pet. June 15. Reg. & O. A. Summerscales. Sol. Ascroft, Oldham. Sur. July 6.
HANCOX, JOHN, millwright, New Alresford. Pet. June 13. Reg. & O. A. Godwin. Sol. Harward, Winchester. Sur. June 30.
HARDWICK, HENRY, master joiner, Wakefield. Pet. May 20. Reg. & O. A. Mason. Sol. Gill, Wakefield. Sur. July 18.
HARRISON, GUSTAVE, general outfitter, Liverpool. Pet. June 10. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. July 5.
HARRISON, WILLIAM, leather dealer, Warley Clough, Halifax. Pet. June 17. O. A. Dyson and Rankin. Sol. Storey, Halifax. Sur. June 30.
HEATON, JOHN, grocer, Oldham. Pet. June 17. Reg. Harris. O. A. Morgan. Sols. Boote and Sylances, Manchester. Sur. July 3.
HIRST, JOHN, master bricklayer, Wakefield. Pet. May 20. Reg. & O. A. Mason. Sol. Gill, Wakefield. Sur. July 18.
JENKINS, BENJAMIN, dealer in cattle, Pendwir, Llawhaden. Pet. June 17. Reg. & O. A. Owen. Sol. Parry, Pembroke-dock. Sur. July 3.
JOHNSON, THOMAS LUCKMAN; HAWKES, BENJAMIN; BARLOW, GEORGE, and WALLINGTON, GEORGE, bankers, Birmingham. Pet. May 15. Reg. Tudor. O. A. Kinnear. Sol. Duke, Birmingham. Sur. July 7.
JONES, CHARLES RICHARD, physician, Great Torrington. Pet. June 16. O. A. Carrick. Sols. Bencraft, Barnstaple; Clarke, Exeter. Sur. June 30.
KEMP, THOMAS, jun., wool broker, Liverpool. Pet. June 12. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. July 3.
KNIGHT, GEORGE, seller of potatoes and fruit, Blakeney, Newnham. Pet. June 10. Reg. & O. A. Harrup. Sur. June 30.
LAWRENCE, EDWARD WHEELER, auctioneer, Liverpool. Pet. June 14. Reg. & O. A. Hime. Sur. June 30.
LIDDLE, HENRY, commission agent, Manchester. Pet. June 13. Reg. Macrae. O. A. Morgan. Sol. Leigh, Manchester. Sur. July 13.
MAINWARING, RICHARD, carter, Birkenhead. Pet. June 14. Reg. & O. A. Gill. Sol. Brown, Oxton. Sur. July 2.
MARSHALL, JAMES, cotton spinner, Stockport, Manchester and Disley. Pet. June 19. Reg. Macrae. O. A. Morgan. Sols. Atkinson, Saunders and Co. and Cooper and Son, Manchester. Sur. June 30.
MATTHEWS, THOMAS, carter, Stoke-upon-Trent. Pet. June 15. Reg. & O. A. Keary. Sols. Messrs. Tennant, Henley. Sur. July 1.
MILES, ROBERT, carpenter, Milton-next-Gravesend. Pet. June 13. Reg. & O. A. Southgate. Sol. Sharland, Gravesend. Sur. July 1.
NELSON, STEPHEN, tobacconist, Middlesborough. Pet. June 15. O. A. Crosby. Sol. Dobson, Middlesborough. Sur. July 5.
PEARSON, JANE, boarding and day school proprietress, Litherland, Liverpool. Pet. June 12. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 30.
PERCIVAL, GEORGE, butcher, Latchford. Pet. June 14. Reg. & O. A. Nicholson. Sols. Shepherd and Moore, Warrington. Sur. July 12.
PIERCE, ANN, publican, Bootle, Liverpool. Pet. June 16. Reg. & O. A. Hime. Sur. July 5.
PROCTER, JOHN, builder, Liverpool. Pet. June 10. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. June 30.
PYE, JAMES, victualler, Liverpool. Pet. June 16. O. A. Turner. Sur. July 4.
RENDELL, WILLIAM, druggist, Loughborough. Pet. June 17. Reg. & O. A. Brock. Sol. Goode, Loughborough. Sur. July 17.
REES, BENJAMIN DAVID, grocer, Cwmammon, Aberdare. Pet. June 14. Reg. Wilde. O. A. Acraman. Sur. June 30.
REDINGTON, CHARLES, saddler, Oakham. Pet. June 14. Reg. & O. A. Shield and Hough. Sol. Law, Stamford. Sur. July 2.
ROBERTS, JOHN, beerhouse-keeper, Chickenley-heath, Dewsbury. Pet. June 16. Reg. & O. A. Nelson. Sols. Schofield and Oldroyd, Dewsbury. Sur. July 7.
ROGERS JAMES, beerhouse-keeper, Bridgwater. Pet. June 17. Reg. & O. A. Lovibond. Sol. Cook, jun. Bridgwater. Sur. July 5.
ROWBOTHAM, THOMAS, sack, bag and canvas dealer, Liverpool. Pet. June 14. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. July 4.
ROWLEY, JOHN, victualler, Longport, Burslem. Pet. June 16. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. June 30.
RUSS, RICHARD, house painter, Saint Denis, Southampton. Pet. June 15. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. July 3.
SCOTT, HENRY, beerhouse-keeper, Bridgwater. Pet. June 17. Reg. & O. A. Lovibond. Sol. Cook, jun. Bridgwater. Sur. July 5.
SEXTON, WILLIAM, tobacconist, Belper. Pet. June 16. Reg. & O. A. Ingle. Sol. Walker, Belper. Sur. July 4.
SLACK, HENRY, stationer, Oldbury, Worcester. Pet. June 19. Reg. Tudor. O. A. Kinnear. Sol. Wilson, Worcester. Sur. July 7.
STOCKWELL, THOMAS, publican, New Wortley, Leeds. Pet. May 26. Reg. & O. A. Daugster. Sols. Shackleton and Whiteley, Leeds. Sur. July 12.
STRATTON, DAVID, Luton. Pet. June 15. Reg. & O. A. Austin. Sur. July 1.
THOMAS, OWEN, builder, Birkenhead. Pet. June 13. O. A. Turner. Sur. July 3.
TURNER, WILLIAM, farmer, Hartland. Pet. June 12. O. A. Carrick. Sol. Clarke, Exeter. Sur. June 30.
WHITE, WILLIAM, agent, Aldershot. Pet. June 13. Reg. & O. A. Bulbrst. Sol. Eve, Aldershot. Sur. July 3.

Gazette, June 23.

To surrender at the Bankrupts' Court, Basinghall-street.

AITAY DAVID MOIR, house decorator, Keppel-st. Chelsea. Pet. June 16. Reg. Hazlitt. O. A. Graham. Sur. June 8.
ARMSTEAD, THEODORE, shipping merchant, Crown-hill, Norwood. Pet. June 17. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 5.
BENSBO, ABRAHAM, general dealer, Cannon-st.-rd. St. George's east. Pet. June 17. Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Lincoln's-inn-flds. Sur. July 3.
BERMAN, HENRY, jun., butcher, Eynsford. Pet. June 20. Reg. Hazlitt. O. A. Graham. Sols. Peck and Downing, Basinghall-st. Sur. July 8.
BENNETT, JOHN JAMES, draper, Blandford Forum. Pet. June 20. Reg. Brougham. O. A. Edwards. Sol. Globe, Poultry. Sur. July 5.
BETHELL, HON. RICHARD, barrister, Stanmore. Pet. June 18. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. July 6.
BUTLER, WILLIAM, cattle salesman, Acton. Pet. June 19. Reg. Roche. O. A. Parkyns. Sols. Treherne and Wolferstan, Aldermanbury. Sur. July 2.
BURNS, EDWIN, commercial traveller, Stratford. Pet. June 19. Reg. Brougham. O. A. Edwards. Sols. Wood and King, Bucklersbury. Sur. July 5.
DYKES, RICHARD, surgeon, Abbey-rd. St. John's-wood. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. July 8.
FLOOD, CORNELIUS MAC LOGHLIN, betting on races, Dover-st. Piccadilly. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sol. Forbes, Beaufort-buildings, Strand. Sur. July 8.
LEIGHTON, EDWIN THOMAS, corndealer, Sorrow-st. Caledonian-rd. and Newmarket ter. King's-cross. Pet. June 16. Reg. Hazlitt. O. A. Graham. Sur. July 8.
PEARS, EVAN, appraiser, Croydon. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sur. July 8.
SHILD, WILLIAM JAMES, wine merchant, Southampton. Pet. June 21. Reg. Brougham. O. A. Edwards. Sols. Paterson and Sons, Bouverie-st., and Mackey, Southampton. Sur. July 17.
SNELL, THOMAS RICHARD, law stationer, Chiswell-st. Pet. June 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 2.
SHERWOOD, JOHN THOMAS, dairyman, High-st. Kingsland. Pet. June 20. Reg. Roche. O. A. Parkyns. Sol. Wilkinson, Southampton-buildings, Chancery-la. Sur. July 5.
SELL, CHARLES THOMAS, selling on commission, Tooley-st. Pet. June 19. Reg. Brougham. O. A. Edwards. Sols. Sole and Co., Aldermanbury. Sur. July 5.
STOCK, JOSEPH, bricklayer, Hemel Hempstead. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sol. Olive, Portsmouth-st. Lincoln's-inn-fields. Sur. July 9.
WATSON, HENRY JAMES, auctioneer, Aldgate. Pet. June 19. Reg. Brougham. O. A. Edwards. Sol. Bradley, Fenchurch-st. Sur. July 5.

JONES, SAMUEL, upholsterer, Old-st. St. Luke's. Pet. June 15. Reg. Brougham. O. A. Edwards. Sol. Steadman, Coleman-st. Sur. July 5.
JOSELYN, JOHN UNDERWOOD, warehouseman, King's-rd. Chelsea. Pet. June 19. Reg. Brougham. O. A. Edwards. Sol. Clark, Dean's-ct. St. Paul's-churchyard. Sur. July 5.
LIGHTFOOT, JOHN, glass cutter, High-st. Brentford. Pet. June 16. Reg. Hazlitt. O. A. Graham. Sur. July 9.
LUCK, JOHN MACKNESS, dealer in wines, Tottenham-court-rd. Pet. June 16. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 2.
MILLAR, GEORGE, victualler, Desborough-pl. Harrow-rd. Pet. June 10. Reg. Roche. O. A. Parkyns. Sols. Walter and Moojen, Southampton-st. Bloomsbury. Sur. July 5.
PHILLIPSON, JAMES WILLIAM, printer, Goswell-st. St. Luke's. Pet. June 18. Reg. Roche. O. A. Parkyns. Sols. Laund and Kent, Strand. Sur. July 3.
ROBERTSON, WILLIAM, oilman, Carlton-rd. Kilburn. Pet. June 21. Reg. Roche. O. A. Parkyns. Sol. Reed, Guildhall-chambers, Basinghall-st. Sur. July 5.
SHIELS, MATTHEW, railway contractor, Victoria-st. Westminster. Pet. June 16. Reg. Hazlitt. O. A. Graham. Sur. July 8.
SMITH, ALLON, beer retailer, Calvert-rd. Battersea-park. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Hatton-garden. Sur. July 8.
SMITH, SYDNEY, photographic artist, Grafton-st. Fitzroy-sq., and London Crystal palace, Oxford-st. Pet. June 20. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. July 5.
STEVENS, JOHN, builder, Blythe-ter. Hammersmith. Pet. June 21. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. July 3.
WAUTHIER, JULES, inventor of motive power, Sparsnowe-villas, Dalston. Pet. June 19. Reg. Brougham. O. A. Edwards. Sol. Hind, Basinghall-st. Sur. July 5.
WEBB, JAMES CANTRILL, pipe maker, Portland st. Soho. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Gt. Marlborough-st. Sur. July 8.

To surrender in the Country.

AMES, EDWARD, farmer, Waen Rhyddid, near Mold. Pet. June 19. O. A. Turner. Sol. Henry, Liverpool. Sur. July 5.
BRITTAN, FREDERICK, builder, Doynton. Pet. June 20. Reg. Wilde. O. A. Acraman. Sol. Beckingham, Bristol. Sur. July 5.
CHAFFEY, JOHN JAMES, tobacconist, Ventnor, Isle of Wight. Pet. June 20. Reg. & O. A. Blake. Sol. Bousfield, Ventnor. Sur. July 3.
CHAMPITT, SUSANNA, linen draper, Exeter. Pet. June 13. Reg. & O. A. Daw. Sol. Flood, Exeter. Sur. July 6.
CLINTON, THOMAS, hay dealer, Wolverhampton. Pet. June 8. Reg. & O. A. Brown. Sol. Thurstans, Wolverhampton. Sur. July 11.
COCKROFT, ELIJAH, and ROBERTSHAW, TIMOTHY, worsted manufacturers, Bradford. O. A. Young. Sols. Green, Bradford; Carlas and Tempest, Leeds. Sur. July 3.
COLAY, JAMES, tinman, Kidderminster. Pet. June 17. Reg. & O. A. Talbot. Sol. Corbett, Kidderminster. Sur. July 13.
CROOK, CHARLES, stone mason, Egerton. Pet. June 19. Reg. & O. A. Holden. Sols. Glover and Ramwell, Bolton. Sur. July 6.
CRUMMER, JAMES, grocer, Nottingham. Pet. June 13. Reg. Tudor. O. A. Harris. Sol. Heath, Nottingham. Sur. July 11.
EGAN, PETER, man servant, Manchester. Pet. June 20. Reg. & O. A. Kay. Sol. Sutton, Manchester. Sur. July 11.
EDWARDS, AUSTIN, letting lodgings, Wells. Pet. June 22. Reg. & O. A. Lovell. Sol. Reed, Bridgwater. Sur. July 8.
FRENCH, CHRISTOPHER, tailor, Rotherham. Pet. June 19. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. July 12.
GREEN, JOHN CROCOMBE, district superintendent of an assurance company, Wellington. Pet. June 18. Reg. & O. A. Burridge. Sol. Cook, jun., Bridgwater. Sur. July 10.
GREENHAM, WILLIAM, tailor, Hewstridge. Pet. June 19. Reg. & O. A. Mossiter. Sol. Watts, Yeovil. Sur. July 9.
GRIFFITHS, EVAN, contractor, Maesteg, Llangynwyd. Pet. June 20. Reg. & O. A. Lewis. Sol. Tripp, Swansea. Sur. July 9.
GROVES, JOHN, innkeeper, Evesham. Pet. June 16. Reg. & O. A. Cheek. Sol. Eaton, Evesham. Sur. July 4.
HAIGH, HENRY, woolstapler, Halifax. Pet. June 21. O. A. Young. Sols. Adam and Emmet, Halifax; Simpson, Leeds. Sur. July 3.
HALL, MARK, mason, Ford. Pet. June 19. Reg. & O. A. Thompson. Sol. Weatherhead, Berwick-upon-Tweed. Sur. July 13.
HANSON, GEORGE, publican, Rotherham. Pet. June 17. Reg. & O. A. Newman and Hoyle. Sol. Mason, York. Sur. July 12.
HASSON, AARON, equestrian, Halifax. Pet. May 23. Reg. & O. A. Jones. Sol. Mason, York. Sur. July 6.
HILL, ANN, innkeeper, Shaw Crompton. Pet. June 19. Reg. & O. A. Summerscales. Sol. Ascroft, Oldham. Sur. July 6.
HUMPHREYS, EDWARD, railway contractor, Wrexham, and Manchester-buildings, Westminster. Pet. June 9. O. A. Turner. Sol. Cartwright, Chester. Sur. July 5.
ILLINGWORTH, WILLIAM BIRCH, attorney's clerk, Blackburn. Pet. June 20. Reg. Harris. O. A. Morgan. Sols. Smith and Boyer, Manchester. Sur. July 4.
JAMES, ANNA MARIA, clothier, Bath. Pet. June 16. Reg. Wilde. O. A. Acraman. Sols. King and Plummer, Bristol. Sur. July 5.
JEAVONS, JOB, butty miner, Bilston, Wolverhampton. Pet. June 19. Reg. & O. A. Brown. Sol. Lowe, Dudley. Sur. July 11.
JONES, RICE, huntsman, Presteigne. Pet. June 20. Reg. & O. A. Owen. Sol. Cheese, Kington. Sur. July 7.
JONES, THOMAS, timber merchant, Northop. Pet. June 20. O. A. Turner. Sol. Goldrick, Liverpool. Sur. July 5.
LAMBERT, GEORGE FREDERICK, merchant's clerk, Hull. Pet. June 17. Reg. & O. A. Phillips. Sols. Reed and Abbey, Hull. Sur. July 7.
MARSDEN, OLIVER, tailor, Cleckheaton. Pet. June 20. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. July 14.
MEEK, WILLIAM, general provision dealer, Huddersfield. Pet. June 10. Reg. & O. A. Jones. Sol. Mossley, Huddersfield. Sur. July 6.
NELSON, JOHN, cloth manufacturer, Ossett. Pet. June 21. O. A. Young. Sols. Mitchell, Ossett; Bond and Barwick, Leeds. Sur. July 3.
PETERS, THOMAS, basket-maker, Collumpton. Pet. June 16. Reg. & O. A. Daw. Sol. Cockram, Tiverton. Sur. June 30.
REDFERN, HENRY, plumber, Nottingham. Pet. June 20. Reg. Tudor. O. A. Harris. Sol. Hellery, Nottingham. Sur. July 11.
SAWYER, ABRAHAM, wool dealer, Bradford. Pet. May 20. Reg. & O. A. Robinson. Sol. Hill, Bradford. Sur. July 11.
SHELLARD, AMELIA, out of business, Monmouth. Pet. June 13. Reg. & O. A. George. Sol. Williams, Monmouth. Sur. July 6.
SMITH, WILLIAM, agent, Manchester. Pet. June 21. Reg. Harris. O. A. Morgan. Sol. Altoft, Manchester. Sur. July 2.
SULLY, WILLIAM, builder, Weston-super-Mare. Pet. June 17. Reg. Wilde. O. A. Acraman. Sols. Brittan and Blackburne, Bristol. Sur. July 5.
TAYLOR, RICHARD, beer retailer, Manchester. Pet. June 19. Reg. & O. A. Kay. Sol. Ritson, Manchester. Sur. July 11.
TOLLERTON, WILLIAM NICHOLSON, photographic artist, Gainsborough. Pet. June 17. O. A. Young. Sols. Brown and Son, Lincoln. Sur. July 12.
TRENAM, ARTHUR, painter, Mansfield. Pet. June 19. Reg. & O. A. Patchitt. Sol. Cursham, Mansfield. Sur. July 10.
WALKER, JAMES, brewery agent, Ibstock. Pet. June 20. Reg. & O. A. Bramah. Sol. Dewes, Ashby-de-la-Zouch. Sur. July 5.
WALKER, SAMUEL, warehouseman, Wolverhampton. Pet. June 6. Reg. & O. A. Brown. Sol. Turner, Wolverhampton. Sur. July 11.
WILKINSON, WILLIAM WALKER, cordwainer, Hull. Pet. June 20. Reg. & O. A. Phillips. Sol. Summers, Hull. Sur. June 7.

BANKRUPTCIES ANNULLED.

Gazette, June 20.

CLOUGH, HENRY, bookseller and stationer, Bradford.
THORNTON, JOSEPH, woollen manufacturer, Paddock, Huddersfield.

Gazette, June 23.

PARSONS, WILLIAM, builder, Bromley.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Abell, T. H. fancy draper, first, 2s. 1d. Carrick, Exeter.—*Blackburn*, J. and J. cotton spinners, first, 2s. 6d.; sep. of James Blackburn, 3s. Morgan, Manchester.—*Bowden*, W. R. bookseller, second, 2s. 4½d. Stansfeld, London.—*Brassard*, R. draper, first, 1s. 0½d. Morgan, Manchester.—*Ede and Cutler*, jun. gas holder, second, 1s. 1½d.; to new proofs, 3s. 7½d. Edwards, London.—*Gazed*, T. agent, first, 2s. 1½d. Carrick, Exeter.—*Gee*, T. cotton spinner, second, 6d. Morgan, Manchester.—*Heald*, A. cotton manufacturer, second, 2s.; and first and second on new proofs, 3s. 1½d. Morgan, Manchester.—*Holland*, E. saddler, 9s. 2d. Eaden, Cambridge.—*Hollis*, H. and W. machine makers, first sep. of W. Hollis, 20s. Parkyns, London.—*Joyes*, A. hosier and milliner, 2d. Kinnear, Birmingham.—*Leigh*, J. barrister, first, 9½d. Parkyns, London.—*Lloyd*, E. linendraper, first, 3s. Parkyns, London.—*Peters*, G. tobacconist, 2½d. Kinnear, Birmingham.—*Robins and Priest*, auctioneers, first sep. of Robins, 9s. 1½d. Parkyns, London.—*Rostron and Hunter*, merchants, third 7d. (and first, second and third on new proofs). Morgan, Manchester.—*Rubery*, J. umbrella manufacturer, third 6d. Kinnear, Birmingham.—*Tomson and Tuff*, fancy box manufacturers, second, 1s. 7d. Parkyns, London.—*Trego*, W. builder, third 1½d. Edwards, London.—*White*, F. G. brewer, first, 2s. 7½d. Carrick, Exeter.—*Whitehead*, G. printer, seventh, 1s. 3½d.; to new proofs, 11s. 7½d. Edwards, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, June 20.

ALLEN, WILLIAM, watchmaker, Liverpool. May 24. Trust. H. C. Langton, accountant, Liverpool.
BASTABLE, ELISHA, baker and grocer, Southsea and Landport. June 13. Trusts. H. Clark, merchant, Fareham, and W. Edmonds, accountant, Portsea.
BINGHAM, GEORGE CASTLE, boot and shoe manufacturer, Nottingham. June 9. Trust. W. Abrahart, tailor, Derby.
BINNS, THOMAS, and BINNS, GEORGE WYNDHAM, fancy woollen manufacturers, Deighton, near Huddersfield. May 22. Trusts. J. G. Berry, bank manager, J. Lowenthal, woolstapler, both Huddersfield, and J. M. Johnson, cottonspinner, Mirfield.
BRADLEY, EDWARD, grocer, Sheffield. June 13. Trusts. J. Pryor, agent, Worksop, and W. A. Edley, grocer, Sheffield.
BUACK, CHARLES DERBIDGE, commercial traveller, Milton-rd. Wandsworth-rd. June 14. Trusts. F. J. Furnord, wholesale cheesemonger, Long-la. Bermondsey, and F. H. Cook, wholesale drysalter, Kent-st. Southwark.
CASTLE, JOHN SCOTT, printer, High-st. Lambeth, and Long Ditton. May 24. Trusts. W. E. Williams, builder, Stanhope-st. Clare-market, and J. F. Lovering, accountant, King-st. Cheapside.
COWARD, JOHN SENIOR, chemist and druggist, Knottingley. May 26. 7s. on 31st July—secured. Trusts. H. Bean, farmer, Hensall, near Snaith, and T. B. Coward, corndealer, Beal, near Knottingley.
CUPPLEDITCH, GEORGE, tailor, Stockport. May 22. 10s. by three equal instalments at 4, 8 and 12 mos.—secured. Trust. J. Powell, book-keeper, Manchester.
FORSTER, JOHN ARTHUR FOX, clerk, Margaret-villas, Putney. May 20. To pay 150l. per annum by quarterly payments until all debts are paid in full—first on 30th Sept. Trust. F. A. Holworthy, gentleman, Bath.
FREEMAN, EDWARD, linen merchant, Manchester. May 22. Trust. A. Murray, accountant, Manchester.
GNOSALL, JOHN, draper, Stoke and Burslem. May 25. Trusts. J. H. Waters, and T. F. Palmer, Manchester, and J. Cummins, Leicester, merchants.
GOWLAND, GEORGE, chronometer manufacturer, Liverpool. May 24. 10s. by instalments—2s. on execution of deed, 4s. at 6 mos. and 4s. in 12 mos. Trust. W. Wood, watch and chronometer manufacturer, Liverpool.
HALES, EDWARD, gasfitter, Nicholas-la. and Hackney-rd. June 5. To pay 10s. by equal instalments at 3, 6, 9 and 12 mos.—secured. Trusts. B. Perkins, tinware manufacturer, Bell-yard, Cannon-st. and T. Knight, carpenter, Upper Thames-st.
HARDING, JOHN, builder, Biddulph and Crewe. May 22. 10s. by two equal instalments at 1 week and 10 mos.—secured. Trusts. T. Wood, timber merchant, and H. Hopkins, commission agent, both Burslem.
HAYES, CHARLES FREDERICK, practical engineer. June 14. 1s. on demand.
HAYWOOD, JAMES, corndealer, Birmingham. May 26. Trust. E. W. Genever, accountant, Birmingham.
HINCHLIFF, WALKER, joiner, Saddleworth. June 15. 9s.—7s. 6d. on 8th Sept. and 1s. 6d. on 8th Dec.—secured.
HOLDEN, THOMAS, out of business, West Ham. June 14. 2s. 6d. on 1st July.
HOPE, CHARLES, and HOPE, JOSEPH, cornfactors, Wincham. May 19. Trusts. H. Howard, cornfactor, Stockport, and J. Woodcock, banker, Northwich.
HOPKINS, WILLIAM, blacksmith, Ash next Sandwich. May 22. Trusts. A. Harden, draper, and I. Jacobs, grocer, both Ash.
HORTON, THOMAS, cattle dealer, Louth. May 24. Trusts. T. S. Welch, farmer, and T. Salton, grazier, both Louth.
HOWE, JOHN, boot and shoe manufacturer, Bristol. May 23. 10s.
HOWELL, CHARLES PETER BRANDSTROM, timber merchant, Bristol. May 24. 14s. Inspectors, W. H. Harford, banker, and C. Nash, timber merchant, both Bristol, and F. Tagart, merchant, city London.
ISACKE, JAMES JOHN, brushmaker, Gloucester. June 1. 5s. by two equal instalments—first on 30th June and second on 30th Sept.—secured.
JONES, ROBERT PARKER, schoolmaster, Mortlake. June 13. Trust. R. P. O'Hara, merchant, Arthur-st. west.
MARRIOTT, HENRY THOMAS, grocer, Doncaster. May 25. 5s. at 1 mo. Trust. T. Marriott, innkeeper, Wakefield.
MCCONNELL, WILLIAM, wine merchant, Manchester. May 24. Inspectors, F. Radford, agent, J. Kidney, merchant, and J. Noseworthy, agent, all Manchester.
MCLEAN, ARTHUR DELARUE, grocer, Sunderland. June 10. Trusts. G. C. Heslop, grocer, and J. Uuthank, merchant, both Sunderland.
NEWSTEAD, ROSABELLA, grocer, Beverly. June 12. 2s 6d.
PARKER, MICHAEL, ironmonger, Hull. May 19. Trust. J. Bemster, auctioneer, Hull.
PERRIN, SAMUEL HENRY, gentleman, Erith. May 23. Trust. F. A. E. Morris, accountant, Bristol.
POPE, WILLIAM OLDLAND, auctioneer, Bristol. June 10. Trust. J. Henderson, publican, Bristol.
RAMSAY, CHARLES, tailor, Jermyn-st. St. James's. May 19. 15s. Inspectors, H. English, contractor's agent, Stanwell, and J. Morley, accountant, Leadenhall-st.
ROBERTS, JOHN SWAIN, chemist and druggist, Rhyl. May 23. 5s. in 30 days.
RUSSELL, ANDREW, jun., stuff finisher, Bradford. May 23. Trusts R. Mitchell, plumber, J. Garner, machine broker, and A. Russell, minister, all Bradford.
SAXTON, ROBERT, plumber and glazier, Leeds. June 14. Trusts. T. Heaps, lead merchant, and E. Spurr, glass merchant, both Leeds.
SCOTT, THOMAS JAMES, Commercial-pl. Brixton. June 13. 10s.—secured. Trust. G. Hutchinson, warehouseman, Cannon-st. west.
SMITH, GEORGE, bootseller, Haverfordwest. June 7. Trust. R. Begg, boot manufacturer, Bristol.
THOMPSON, ANDREW, draper, Walsall. May 23. 10s. by two equal instalments on 23rd Sept. and 23rd Jan. Surety, J. Cliff, bridlecutter, Walsall.
THOMPSON, WILLIAM MURTHWAITE, surgeon, Auckland-st. Vauxhall-gardens, Lambeth. May 24. 5s. by four equal instalments at 6, 12, 18 and 24 mos.
TREBINNICK, RICHARD, mining share broker, Lombard-st. June 10. 2s. 6d. on 10th Jan.
WADDINGTON, SAMUEL, chemist, Heywood. May 23. 10s. by four equal instalments at 3, 6, 9 and 12 mos. Trust. M. Smith, machine maker, Heywood.
WALKER, JAMES, machine maker, Halifax. June 8. 7s. 6d.—2s. 6d. on 1st July, 2s. 6d. on 1st Nov. 1865, and 2s. 6d. on 1st Nov. 1866. Trust. J. Pollit, ironfounder, Halifax, T. Taley, joiner, Halifax, and R. Brook, contractor, Elland.
WALLING, RICHARD ISAAC, coal merchant, Littlehampton and Aldingbourne. June 2. 5s. in 1 mo. Trust. A. Ockenden, ironmonger, Littlehampton.
WARD, SAMUEL, fishmonger, Wakefield. May 31. Trust. J. Beaumont, farmer, Crofton.
WEBB, FRANK WILLIAM, baker, Dartford. June 1. 2s. 6d. on demand. Trust. H. W. Banks, public accountant, Coleman-st.
WOODS, EDWARD, music-hall proprietor, Nottingham. June 10. Trust. S. E. Hackett, printer, Nottingham.

Gazette, June 23.

ALDOUS, RICHARD, ironmonger, Lewisham. June 5. 5s. in 1 mo.
BALLARD, JOSEPH TAYLOR, draper, Bedford. May 16. 11s. in three equal instalments on 21st July, 21st Oct. and 21st Jan.—secured. Trust. T. Chadwick, warehouseman, Aldermanbury.
BRIERLEY, JOSEPH, smallware dealer and mechanic, Manchester and Salford. May 22. Trust. J. Holt, cotton waste dealer, Manchester.
COX, HENRY, dealer in shares, Manchester. June 17. Trusts. T. Kirk, sharebroker, and E. Challender, wine merchant, both Manchester.

DANIELS, WILLIAM HENRY, tailor and robemaker, Albany-st. Regent's-park, and Cambridge. May 23. 5s.—3s. 6d. in 1 mo. and 1s. 6d. in 12 mos.

DIEFFECKER, LOUIS, wine merchant, Mark-la. and Richmond-cres. Barnsbury. June 12. 5s.—2s. in 1 mo., 1s. in 3 mos. and 2s in 6 mos.

DINGLE, GEORGE BRAY, grocer, Devonport. May 30. Trust. J. Reed, merchant, Plymouth.

DIXON, JEREMIAH, draper, Oldham. May 26. Trust. P. Gillibrand, merchant, Manchester.

DOBIE, ROBERT, traveller, Newcastle-upon-Tyne. May 26. Trusts. B. Edgar, draper, Newcastle, and J. Logan, commercial traveller, Leeds.

DOVER, GEORGE EDWIN, hardwareman, Chelmsford. May 24. Trusts. T. H. Oliver, warehouseman, Watling-st. and G. T. Gaine, wholesale ironmonger, Martin's-la. Cannon-st.

FENWICK, RALPH, firework maker, Regent-st. Lambeth-walk. June 20. 1s. by 20th Nov.

FORCE, HENRY GEORGE, tailor, Exeter. May 23. 9s. by three equal instalments at 3, 6 and 9 mos.

FRENCH, WILLIAM, builder, Melbourne. May 23. 7s. 6d. by two instalments—4s. at 2 mos. and 3s. 6d. in 4 mos.—secured. Sureties, J. G. Wright, corn merchant, Tottenham-la. Hornsey, and W. K. Smoothy, baker, Melbourne.

GREEN, AUSTIN, draper, Bilston. June 15. 2s. by two equal instalments on 30th June and 30th Sept.

HALL, THOMAS PARKINSON, innkeeper, Fleetwood. May 23. Trust. W. Hanby, leatherdealer, Preston.

HIRKS, JOSEPH, woodturner, Birmingham. May 26. Trust. R. Wright, accountant, Birmingham.

HOWARD, AARON, fishmonger, Manchester. June 12. 2s. by two equal instalments at 1 and 2 mos.

JONAS, ALFRED, tobacconist, Holborn-hill. June 5. 2s. 6d. by instalments—1s 6d. in 1 mos. and 1s. in 3 mos. Trust. L. Alexander, cigar manufacturer, Fleet-st.

JONES, JOHN, tailor, Bilston. May 25. Trust. J. Hardy, woollen cloth merchant, Manchester.

JONES, WILLIAM HENRY, st. John's-wd.-ter. St. Marylebone. May 22. 1s.

KENNETT, CHARLES, boot and shoe maker, Waterloo-rd. and Westminster-bridge-rd. June 7. 4s. forthwith.

KEUL, WILLIAM, oilman, Stratford. June 1. 7s. in 1 mo.

KNAPTON, WILLIAM HENRY; KNAPTON, CHARLES; and FLETCHER, ALLEN, ironfounders, York. June 17. Trusts. S. Whitham, ironmaster, Wakefield, G. Brown, ironmaster, Rotherham, and W. Bugden, iron merchant, Leeds.

LAIT, ALFRED, draper, Bungay. May 31. Trusts. W. Greatorex, Aldermanbury, and S. Lowe, Wood-st. Cheapside, warehousemen.

MASLEN, JONAH, grocer, Bath. June 6. 8s by 30th Nov. Trust. G. Butcher, wholesale cheesefactor, Bath, and J. Smith, wholesale grocer, Bristol.

MATHEWS, JAMES, hosier, Caledonian-rd. Islington. May 22. 3s. by two equal instalments at 2 and 4 mos.

PASCOE, RICHARD, shipowner and general dealer, Penzance. June 16. Trusts. G. Desreaux, merchant, and S. Richards, shipwright, both Penzance.

PERRY, THOMAS, berlin wool dealer, York. May 23. Trust. J. Wheeler, merchant, Newgate-st.

RAPER, SAMUEL, and HARDY, WILLIAM, stone merchants, Leeds and Horbwell. May 30. Trust. J. Holroyd, cloth finisher, Leeds, and W. Nichols, ironfounder, Leeds.

REDHEAD, WILLIAM SANDERSON, Egremont. May 27. 2s. 6d. in 1 mo.—secured. Trust. P. Thompson, accountant, Liverpool.

REED, WILLIAM, and SHAPLEY, HENRY, oil merchants, Commercial-st. Shoreditch. June 12. 1s. Trusts. F. De la Feuillade, merchant, Catherine-ct. Trinity-sq., G. Moren, broker, Threadneedle-st. and J. Morley, accountant, Leadenhall-st.

ROBERTS, EDWARD, manufacturer, Northampton. June 3. 1s. in 7 days. Trusts. G. Allen, leatherseller, and H. Harris, shoe manufacturer, both Northampton.

ROBINSON, WILLIAM, merchant's clerk, Sheffield. May 29. Trust. E. Smith, sharebroker, Sheffield.

SUMMERSKILL, WILLIAM, timber merchant, Manchester. May 30. Trusts. T. Chadwick, accountant, and J. Bertram, both Manchester.

SWIFT, MARY, grocer, Ripley. May 26. Trusts. J. Fletcher, miller, Pentrich, and S. Bennett, grocer, Derby.

TEASDALE, JOSEPH, grocer, Hulme. May 30. 10s.—3s. in 3 mos., 3s. 6d. in 6 mos., and 3s 6d. in 9 mos.—secured.

THOMPSON, GEORGE, stone merchant, Headingley, Potternewton, and Harehills, Leeds. May 26. 7s. 6d. by three equal instalments, at 4, 8 and 12 mos.

WADSWORTH, THOMAS, manufacturer, Manchester. June 11. Trust. D. Sinclair, agent, Manchester, and K. Farnworth, merchant, Manchester.

WATKINS, WILLIAM HENRY, wine merchant, Portsea. June 1. 10s. at 3, 6, 9 and 12 mos.—secured.

WHITEHEAD, THOMAS, hatter, Manchester. May 31. 6s. 8d.—3s. 4d. 3rd Dec. and 3rd March. Trust. W. M. Nairne, public accountant, Manchester.

WHITELEY, JAMES, waste dealer, Halifax. May 29. Trusts. G. Bateman, schoolmaster, Halifax, and W. Maude, woollen manufacturer, Halifax.

WILLIAMS, WILLIAM MAURICE; BARTLETT, ROBERT THOMAS, and GADD, JOHN LAWRENCE, chemical bleachers, West Ham. May 24. Trust. B. P. Gandee, drawing master, Walbrook, J. H. Springall, engineer, Stratford, and W. A. Sharpe, silk manufacturer, White Lion-st. Norton Folgate.

WILTSHIRE, EMILY, widow, Millbrook. June 14. 5s. in 10 days. Trust. T. Wiltshire, farmer, Lee, Romsey Extra.

WOOD, WILLIAM, corndealer, Sheffield. May 24. 5s. by 25th May, 5s. by 25th July, and 2s. 6d. 25th Oct. next. Trust. H. Bell, corn factor, Grantham.

ERRATA.

DOCKRELL (and not Dockrill as advertised in Gazette, June 13, 1865), JOSEPH, sub-editor of a weekly journal, Kentish-town.

SENIOR, ANTHONY MILNER (and not Milner, Anthony, sen., as advertised in Gazette, June 16, 1865), blanket manufacturer, Ouest-st-side near Dewsbury.

KENNOT (and not Kemot as advertised in Gazette, June 16, 1865), CHARLES MIDDLETON.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BRAMBLE.—On Wednesday, the 7th ult., at Rhodyate-house, Congresbury, Somerset, the wife of James R. Bramble, Esq., solicitor, of a daughter.

COPPING.—On the 26th ult., at St. John's Lodge, Kentish-town, the wife of Mr. Samuel Copping, solicitor, of 3, Guildhall-street, Doctors'-commons, of a son.

HARDING.—On June 17th, at 2, Sussex-street, Warwick-square, the wife of George M. Harding, barrister-at-law, of a daughter.

MARRIAGES.

HARRIS—SANDERS.—On Monday, the 26th ult., at Edgbaston, the Rev. William Chambers Harris, of Brasenose College, Oxford, to Anne Matilda Louisa, eldest daughter of George Williams Sanders, Esq., of West-house, Edgbaston, Her Majesty's Commissioner of Bankrupts for Birmingham.

TEMPLE—WOODCOCK.—On the 22nd ult., at Croydon Old Church, John Alfred Temple, of 3, Bloomsbury-square, London, and Croydon, solicitor, to Matilda Sarah, eldest daughter of Richard James Woodcock, Esq., of North-end, Croydon.

REECE—HORTON.—On the 28th ult., at the Priory Church, Great Malvern, W. H. Reece, Esq., F.S.A., of Birmingham, and of Plas Tudno, Llandudno, Carnarvonshire, solicitor, to Mary Anne, daughter of J. T. Horton, Esq., of Highfield, Edgbaston.

DEATHS.

ASTON.—On the 29th ult., at 34, Clarendon-road, Kensington-park, aged 42, Hannah Lockett, wife of David Aston, Esq., solicitor.

BAKER.—On the 22nd ult., at Chipping Ongar, Essex, aged 49, William Baker, solicitor.

FENTON.—On the 18th ult., at Teignmouth, aged 31, John Henry William Fenton, Esq., M.A., barrister-at-law, of Kefforth Manor, Yorkshire, and Strand-on-the-Green, Middlesex.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

LORD WESTBURY has taken his hurt, by a parricidal thrust, under the arm of a friendly peacemaker between father and son. "'Tis not so deep as a well, nor so wide as a church door, but 'tis enough, 'twill serve." We have already spoken of the legislative Acts, in connection with which Lord WESTBURY'S name will go down to history, so long as the statute-book, whether unconsolidated or consolidated, shall remain. For those Acts have been great constructive measures, by which two courts of justice have their modern existence, another institution, scarcely less than a land court, has been created, and Equity has spread its branches over the whole country. So long, too, as case law shall abide, his judgments will endure, as a witness of breadth of principle and skill in its application, cogency of reasoning and force of language. A more visible monument to Lord WESTBURY'S successful energy will be the Palace of Justice, when, out of the place where foulness now engenders disease, it shall arise, as did the city of PETER the GREAT out of the swamps of the Neva.

Who is to succeed; not to the genius and power, but to the office? The ATTORNEY-GENERAL, of course, has the right, but there is an opinion current that he would rather wait for some later opportunity. Still in the vigour of life and the plenitude of practice, he is said to prefer the intellectual splendour of the position which he holds in the House and at the bar, to the august shade of the chamber of departed spirits, particularly with the risk of a largely evanescent income shortly after the commencement of the next session. An ex-Chancellor, he may think, bears some resemblance to an ex-Lord Mayor. Where are the robe and chain and semi-regal insignia, the royal and lordly guests, and the civic palace for the alderman who has passed the chair? Where are the mace and purse, the Cabinet Councils and the state precedence for the peer who has passed the woolsack? Well might Sir ROUNDELL PALMER, or any other leader of sound ambition and ample *honoraria*, stand back from the fluctuating billows of such a fate. Besides, it is considered to be customary, on the near approach of a general election, that no man rising in the State should be called upon by his party to risk his political life on the high rope of the Chancellorship. The difficulty is usually escaped by placing the great seal (and mace) in commission. So that the question is rather who will be the Commissioners, than who will be the Chancellor. If inquiry still hang on the latter question, the name chiefly mentioned, subject to the ATTORNEY-GENERAL'S claim, is that of a Vice-Chancellor whose withdrawal from political life, shortly after the debates on the admission of the Jews in general, and Baron ROTHSCHILD in particular, into Parliament, was much regretted. The names of the Chief Justices are also on the tongues of rumour; but one of them is fifteen years older than when he made the famous Pacifico defence of Lord PALMERSTON, and the other, with all his strength of character, learning, and vigour of expression, would not bring with him much political or debating experience. The hereditary Whig party in the Cabinet regard the MASTER of the ROLLS as their legal head, but the place requires a man strong to enforce principles and put down cavils. On the whole a commission is most probable, unless perhaps Lord CRANWORTH be found willing to launch again, until the political wind and weather settle after the elections.

PROMISES were made at the opening of the session, on the 7th Feb., in the QUEEN'S Speech, of four measures, in which the Profession was interested. The Lords and Commons were informed, by commission, that Bills would be laid before them for the concentration of all the courts of law and equity, with their attendant offices, on a convenient site; that the important work for the revision of the statute law, already carried to a considerable extent by recent Acts, would be completed by a Bill that would be laid before them; that a Bill would be submitted for their consideration for the amendment of the laws relating to patents and inventions; also a Bill for conferring on the County Courts an equitable jurisdiction in causes of small amount. Of these promises two have been kept, except that there may be difference of opinion whether 500*l.* be a small amount or not; one has been kept in form, but not in substance; the remaining one has been broken; the last two promises referred to may be dismissed with the remarks that, on the 19th June the LORD CHANCELLOR laid on the table of the House of Lords a Bill for completing the revision of the statute law, but, as the Bill has not yet been printed, we have no means of judging how far it fulfils its purpose or justifies its title; and that, as regards the patent law, Lord STANLEY, the chairman of the commission, stated in the House of Commons, on the same day, that the effect on his mind and the minds of other members of the commission was, to raise a very serious doubt whether is was desirable to maintain the principle of the patent laws at all; which was a preliminary question to be discussed and decided by the House.

The Courts Bills have battled through nearly the whole of the session. Three days after the opening they were introduced by the ATTORNEY-GENERAL. The financial ground of the Building Bill was stoutly contested by Sir HENRY WILLOUGHBY, on the motion for leave to introduce that Bill. He warned the House that it must make up its mind to pay a large proportion of the cost out of the taxes. Mr. SELWYN, one of the benchers of Lincoln's-inn, contended that no case had been made out for a vote of a million and a half. The consolidation of the entire legal Profession under one roof was impossible; the Courts of Equity could take care of themselves, and for the Courts of Law a third part of the contemplated space would suffice; the fund ought not to be taken. Mr. HADFIELD and the legal members supported the motion, which was carried after a long debate, and the Bills were read a first time. In the debate on the second reading of the Building Bill Mr. KINNAIRD raised the question of the "labourers" to be unhoused, but the Bill was committed on the 16th, after a second and full explanation by the ATTORNEY-GENERAL of the financial scheme. On the 29th the Lords began to stir on the subject of the proposed demolition, and a proper return, according to the Standing Orders, was promised by the LORD CHANCELLOR. An attempt was made on the 23rd by Sir HENRY WILLOUGHBY to postpone the committee for a month, that the House might look more closely into the financial arrangement; but the attempt was defeated, and the Bill passed through committee. The Site Bill was at the same time referred to a select committee. While it was in progress there, Mr. KINNAIRD moved an instruction to the committee to have power to provide dwellings for the working classes to be displaced, but an amendment being proposed and negatived, the House was counted out before the main question could be put. The Building Bill was read a third time in the Commons and passed that House on the 2nd March. When the Site Bill came on again for recommittal, the opponents succeeded in adjourning the debate, and on the 30th March, on the question of resuming the debate, Mr. LYGON tried to send the Bill back to the select committee, with an instruction to inquire into the capabilities of the Thames embankment as a site, but failed, and the Bill was considered in committee and reported without amendment. Both Bills went up to the Lords, where they were brought on by the LORD CHANCELLOR for a second reading on the 28th April. Lord ST. LEONARDS strongly opposed the Building Bill on the grounds of the incompleteness and needlessness of the concentration, the displacement of the poor, the unsuitableness of the site and the impropriety of touching the Suitors' Fund. The DUKE of ARGYLL considered the fund to be at the disposal of Parliament. Lord CRANWORTH differed from Lord ST. LEONARDS both as to the site and the funds, but regretted the additional tax to be laid on suitors other than in the Court of Chancery. Lord REDESDALE objected to unhousing the poor, to the probable expense, and to the removal of the Common Law Courts. He was afraid that in an unguarded way Parliament was entering on a speculation which would turn out to be a much less satisfactory and much more expensive one than was at present generally supposed. The Bills went through their second stage. It was on going into committee on the Building Bill that the fight was made. Lord REDESDALE proposed a reference to a select committee, to report as to the probable cost of the new courts and buildings and what new approaches would be required, but he was beaten by thirty-two to twenty-three and the Bill was considered in committee and reported without amendment. Lord ST. LEONARDS entered a protest. The opposition was not yet overcome. On the third reading of the Building Bill, 8th May, forty-seven peers to forty-six were, on Lord ST. LEONARDS' motion, non-content that the twenty-second clause, giving over the late Masters' offices from the Suitors' Fund to the public should stand part of the Bill; and on the third reading, the same day, of the Site Bill forty-seven to forty-four were, on Lord REDESDALE'S motion, content that a clause be inserted, that no steps should be taken to acquire any of the property until after plans, estimates and provision for approaches had been sanctioned by Parliament. So the Bills went back to the Commons, who restored the twenty-second clause to the one Bill, and modified the new clause in the other, in such a manner that the sanction by the commission of the plan and estimate and adequacy of the site should be sufficient. The Commons prepared reasons for the restoration, which were satisfactory to the Lords, and the Bills, after a chequered career of more than four months, received the QUEEN'S assent on the 19th June. At present the Government is engaged in constituting the commission which is to certify to the Lords of the Treasury as to the laying-out of the ground and the arrangement of the courts and offices, and as to the

other matters necessary to satisfy the requirements of the Lords' clause.

The fourth promise in the QUEEN'S Speech was fulfilled by the LORD CHANCELLOR on the 21st Feb. The denials of justice, under the present system, when the estate of a deceased man in humble circumstances required to be administered and disputes arose, or when a dispute took place between tradesmen in partnership in the country, or in the case of small mortgagees, were instanced by the LORD CHANCELLOR as proof of the necessity of the County Courts Equitable Jurisdiction Bill, which was then read a first time. The second reading, March 3rd, was strongly objected to by Lord St. LEONARDS, but he did not think it advisable to divide the House at that stage, but he would do so on a future occasion unless the Bill were materially altered in committee. Lord CRANWORTH approved of the Bill. Lord CHELMSFORD was opposed to paying the proposed increase of the judges' salaries by fees; he was of opinion that all the judges should receive 1600*l.*, and that some of them were well entitled to 1800*l.* a-year. The Bill was referred to a select committee. On the 8th May it passed through a committee of the House, and on the 11th, after a short debate, was read a third time and sent to the Commons. On the second reading there, 26th May, the principal question was as to the payment of the judges by fees. Sir FITZROY KELLY approved of the Bill, but Mr. MALINS had misgivings as to the new jurisdiction. The payment of the judges' additional salaries was at length arranged by a resolution of the House, in committee, on the 20th June, that 300*l.* a-year should be paid to each out of the Consolidated Fund. The Bill itself, after numerous postponements, went through committee, was read a third time on the 27th, and received the QUEEN'S assent on the last day but one of the session.

The principal law Acts of the session in addition to those which were contemplated by the Government, are Mr. DENMAN'S Felony and Misdemeanor Evidence and Practice Act, Mr. MILNER GIBSON'S Partnership Amendment Act, the Crown Suits Act, the Penalties Law Amendment Act, and the Mortgage Debentures Act. The readers of this journal are sufficiently familiar with the characters of these measures, through former notices of them. To these may be added the Inland Revenue Act, in which there are provisions for commencing the scale of duties on conveyances at 6*d.* on 5*l.*, for a penny stamp on agreements for letting weekly or monthly at not more than 3*s.* 6*d.* a week, for altering the stamp duty on mortgage transfers to 6*d.* on 100*l.*, and for making other changes in duties.

A large number of Bills of a legal character have been introduced, but not come to maturity; among which may be mentioned the LORD CHANCELLOR'S Attorney and Solicitors Bill, and Abolition of Arrest for Debt Bill; two Bills to amend the law of evidence; the Juries in Criminal Cases Bill; the Land Debentures Bill; the Inns of Court Bill, to constitute a judicial committee of benchers; the Justices of the Peace Procedure Bill, to consolidate the law on that subject; and the Forfeiture for Treason Bill.

Bankruptcy law reform, although not formally included in the sessional promises, was fully expected in consequence of the LORD CHANCELLOR'S speech, made two days after them, trusting that he should be able to introduce a Bill to remedy the "monstrous state of things" which he then exposed. The select committee's report was awaited, and meanwhile the Abolition of Arrest Bill was introduced by the LORD CHANCELLOR to give debtors under 20*l.* the benefit of bankruptcy, and to delay bankrupts' certificates until payment of 5*s.* in the pound, but was not prosecuted after the committee's resolutions appeared, at the end of March. They recommended the abolition of the commissioners, a new court of judges of the Superior Courts, and administration by paid trustees under the inspection of creditors, also a minimum dividend of 6*s.* 8*d.* The House of Commons voted that the resolutions require the serious attention of the Government, and the ATTORNEY-GENERAL has invited the mercantile class to consider them.

A copy was presented to the House of Commons on Wednesday of the commission appointed on the Courts of Justice, and was ordered to be printed. The constitution of the commission was described in our last number. On this commission will depend success in the plan and arrangement of the buildings or building, according as the site will or will not be intersected by the road proposed by Mr. PENNETHORNE, to run northwards from the Strand. As all the courts proposed to be concentrated will be represented in the commission, each of them will, no doubt, be well taken care of, as regards space and convenience. But we are desirous of impressing on the representatives of the Bar, the suitors and the public attending the courts, which representatives, we suppose, will be the ATTORNEY-GENERAL and the FIRST COMMISSIONER of WORKS, the necessity of ample provision for a central hall, a library, consultation and waiting rooms, and other conveniences which have been hitherto disregarded in connection with the courts of common law and equity. At present Westminster-hall serves the law courts, but those in Lincoln's-inn are wholly unprovided with any of the requisites which we have mentioned. Long habit has almost produced a feeling of acquiescence in such an ill-conditioned state. Hence we fear that the commission may possibly, unless well stirred on the subject, not be sufficiently alive to its importance. With the concentration there ought to come, at the same time, a thorough reform of the whole system, or want of system, of court accommodation. The commission will hold its first sitting before the Judges leave town for the assizes.

It is no easy task now, when all probably think of the elections and nothing but the elections, to endeavour to stir up anything like interest in a subject so dry and uninviting as special pleading. There was a time, and not so long since either, when the law and special pleading were considered as synonymous terms. But, unless we are much mistaken in the view which we take of recent decisions, not only is the influence of pleading gone, but its very existence is threatened. Now, as the progress of a system which has received distinguished praise from those lawyers of whom England is most proud, and upon which depends the whole framework of a common law suit, may reasonably be expected to be of some interest to the Profession, we hope that they will excuse the introduction of a subject somewhat ill-adapted to the season. It is well known that the Common Law Procedure Act made wild work of the technicalities and subtleties of the *doctrina placitandi*. But we would call attention to another enemy more fatal even than that renowned statute. It is the growing disinclination of our Courts of Common Law to decide questions of difficulty when these questions are raised upon the pleadings in a cause. One has only to consult that record of the "business of the week," which we prepare for our readers, to be convinced that we are guilty of no exaggeration. If a question is elaborately raised through the medium of special pleas, replications, and demurrers to both, the Court, after much time has been spent in discussing their merits, adjourn the argument by suggesting that the facts should be stated in the form of a special case, or that the parties should go down to trial in order that the facts may be found. Now this, though a very convenient mode of extricating their Lordships from immediate embarrassments, is open to some objections. One of the most obvious of these is, that it casts contempt upon a branch of learning which, in theory, the Courts still profess to uphold. The labour spent upon the preparation of the pleadings in a cause is often great. Care is lavished in condensing in a comparatively small space those facts which, in the judgment of the pleader, it is material to prove, and which he has gleaned from a mass of instructions more or less intelligible. But the Court think that their decision will be more satisfactory when proof has taken the place of statement, and the whole of the evidence is before them. The Court, no doubt, are right, but their opinion in substance amounts to this: they would rather give judgment upon the judge's note-book at Nisi Prius than upon the record, however much skill may have been employed upon its construction. Two ways of accounting for this neglect of the science of pleading occur to us. One is, that its rules and technical language are found an incumbrance when applied to the details of a commercial dispute, and that the Court invite the interference of the Legislature. The other reason is, that the Bench has of late been recruited by learned gentlemen whose knowledge of chamber practice is but scanty, and who are naturally reluctant to involve themselves in its complications. But whatever may be the cause it is true that something should be done to check a practice fruitful in expense and delay, and which cannot fail to inspire well-grounded dissatisfaction among all classes of litigants.

MORTGAGE has not received this year the extension proposed by the Land Debentures Bill. After a good deal of coyness on the part of the ATTORNEY-GENERAL, the Commons accepted this Bill, which was intended to enable landowners to raise money on registered land by the issue of registered debentures, to be founded on a registered declaration of charge. They refused to sanction a clause which was in the Bill when it went into committee, enabling trustees authorised to invest on real security to invest in the proposed land debentures, and they introduced a provision that the owner of the property to be charged should lodge a sworn declaration of its value at the Office of Land Registry. The Bill went up to the Lords in ample time for the various stages, but the Government was slow to incur the responsibility of taking charge of it there, although it was a graft on the LORD CHANCELLOR'S own Land Transfer tree. Lord CRANWORTH advanced the Bill as far as the stage for committee, but seems to have been unwilling to pledge himself further. This was natural, since Lord CRANWORTH'S plan for an indefeasible title is the Declaration of Title Act. At length the LORD CHANCELLOR made up his mind, and, towards the end of last week moved the Bill into committee, and made many amendments, the principal of which was the restoration of the trustee clause. The Bill was reprinted with the amendments, and there the affair has ended for this session—whether on account of the troubles of the last ten days, or of any dislike on the part of the Government to land debentures, we are unable to say. Such a dislike has, we believe, been expressed.

The other Debentures Bill has become law. It enables certain companies to issue debentures on the security of a corresponding amount of real securities possessed by the company, under the supervision of the registrar of the Land Registry-office, and with the benefit of returns to be made there of the security fund and the registration there of the debentures issued. The application of the measure according to the last print of the Bill in the shape in which it came back to the Commons with the Lords' amendments, was confined to companies limited, under their Act of Parliament or memorandum of association, to one or more of the following objects: First, the making advances of money on land or the other real securities mentioned in the bill; secondly, the borrowing of money on transferable mortgage debentures, or on land or such real securities. But any company already constituted under the Act of 1862 was to have power by special resolution, in accordance with that Act, to alter its memorandum so as to limit its objects and business to those specified in the Bill. In addition, the company must have a paid-up capital of not less than 100,000*l.*, and each share must be of the nominal value of not less than 50*l.*, of which not less than one half must have been paid up. Trustees authorised by their trust to invest in the shares, stock, or debentures of companies may invest in debentures to be issued under the Act. According to the extended common investment forms now generally used by conveyancers, the Mortgage Debentures Act will be available in the case of the greater number of recent and future settlements.

THE COMING GENERAL ELECTION.

THIRTEENTH ARTICLE.

HINTS TO AGENTS.—THE POLLING.

THE poll opens at eight o'clock. Let all your machinery be in working order by half-past seven, every committee-room furnished, every man in his place, lists of the electors who are to be brought to the poll by you carefully prepared, stating in the margin the means by which it is to be done; thus: "Carriage to be sent at twelve." "Mr. Smith will bring him up." "To be seen by Jones." "Comes from London" or as the case may be. With respect to the out-voters, it may here be suggested that their presence in the town is desirable for the evening before the polling, so that they may be beyond the reach of mischance.

The management of the polling will require all your skill. You will, of course, keep a band of your trustiest men ready to vote in any manner that will best promote the interests of your client. These will usually be retained until late in the day, for it is impossible to anticipate what turn the election may take through sudden combinations of parties. It will depend upon the state of the poll whether your friends could serve you best by voting as plumpers, or by splitting their votes. Sometimes it happens that an exchange of votes can be effected, in which state of things every plumper will practically count as two for you. This reserve also serves to secure you against treachery, for it prevents a possible secret understanding between your rivals to throw votes across and thus throw you over.

You, sitting in your room with only your clerks, and perhaps a trusty friend of sound judgment, must keep a cool head throughout the day. It will be your business to watch not merely the state of the poll, but the manner of voting, almost from minute to minute, and comparing the votes given with the recorded promises and estimates of the doubtful, to discover, as you alone can, how the battle is going. You will thus receive the earliest intelligence if any have deceived you, and with your knowledge of them you will easily guess the cause, and lose not a moment in counteracting the strategy of the enemy. You will discover, by comparison of the votes with your estimate of the probable voting of those whom you had noted as doubtful, to what extent the fact affects your calculations. You will gather without much difficulty what game the other party are playing, and play your own accordingly. Particular attention should be given to those whom you had counted as plumpers, whether for yourself or for the enemy, for thus the tactics will be best learned and best defeated. As they are used, so must you use the band of the faithful who wait your summons not far off. Say that you see the other side suddenly dividing their plumpers, you may be sure that there is a sufficient motive for it, and that something is to be gained by it at your expense. You must devise some scheme to stay the mischief. Keep one clerk constantly employed in calculating the numbers of each party who have polled, and the numbers that remain to be polled, and have the latest estimate of these always before you. After eleven o'clock let another clerk make out on slips of paper lists of the unpolled electors on both sides, and turn to these continually to ascertain what friends of yours are still unpolled, and dispatch messengers, carriages, or otherwise, as the case may be, to bring them up. It is for this that a swarm of messengers is required. Persuade your most energetic and influential friends to devote that one day to the work, and dispatch them also on this important errand to the various quarters where they are likely to be most serviceable. But amid all this, do nothing yourself—work with your head only; let not your mind be distracted for a moment from the one care of seeing that all your voters are brought to the poll, that they vote at the right time, and in the manner best fitted to serve your cause.

Half-an-hour at least before the poll opens, see that all are in their places properly provided with the various requirements that have been described.

Your staff will be as follows:

In the central committee-room, the Manager, the committee, a sufficiency of clerks and messengers, and influential friends to assist in taking the voters to the poll.

In the district committee-rooms, the several committees, attended in like manner by as many clerks and messengers as may be required for the work of the district, and also all friends having influence with the voters within the district.

At each polling-booth an inspector, a check clerk and half-a-dozen messengers. At each polling-place a superintendent.

It will be the duty of the Inspector to keep guard upon the interests of his Candidate, especially to see that no non-voters are admitted, and that the questions are properly put.

The business of the Check Clerk will be to keep an accurate account of the polling as it proceeds, for which purpose he should be provided with a book ruled so as to exhibit

The number on the Register.
The name of the voter.
For whom he voted.
Remarks.

As each leaf of this book is filled, the Check Clerk will tear it out and forward it by one of the attendant messengers to the committee-room. To facilitate reference, such leaf should be headed with the number of the booth; and the leaves should be paged, that the loss of any one may be at once detected. The number of the booth and the paging should be carefully written before the day of polling.

The Inspector should be provided with a copy of the register of voters, a paper of instructions forms of the questions of identity, &c., a book on Election Law, and he should be attended by some friends acquainted with the voters, for the purpose of detecting any attempt at personation. His name should be formally notified to the Returning Officer as the agent appointed by the Candidate to detect personation, as required by 6 Vict. c. 18, s. 85.

When the polling has begun, the machinery will work in the following manner:—The Check Clerk will enter in his check-book the name and vote of every elector who polls at his booth. As soon as a ruled page is full, he tears the leaf from the book and gives it to the messenger, who carries it to the committee-room. It is there received by the clerk, who will have before him the central committee polls return-book, which will be ruled thus:

Polling place.
Booth.
No. of return.
Date of return.
State of poll.

Having entered the totals contained on the slip, he will pass the slip to another clerk, who will have before him a register of electors, ruled on one margin for the promises, as far as they had been ascertained, and on the other margin the actual voting. He will then enter in the latter margin the votes recorded, and draw his pen through the name, so that this register will show at a glance who have and who have not polled.

This process will be continued throughout the day.

It will be the special duty of the Manager to watch this marked register very closely, for he will learn from it all the turns of the fight. He will see if the promises recorded for his Candidate are being performed, and if he discovers defects he must devise a remedy. By the throw of the votes he will, if a practised electioneerer, ascertain what is the design of the enemy, so that he may meet it by counter strategy. It is at this crisis of the election that the skill of the tactitian is displayed. A false move now may bring about defeat. If strength is sought to be obtained by exchange of votes, it must be carefully considered with whom to make that exchange, lest inadvertently the weakest foe should be strengthened. So, when votes are obtained for your own party, it will often depend upon the state of the election at the moment whether they should be given to the strongest or to the weakest man. These are only specimens of the many difficult questions that may arise to try the sagacity of the Manager, and upon which he must decide almost without deliberation, and act without delay.

After twelve o'clock lists should be made out of the friends who are still unpolled, and messengers, carriages, or influential persons dispatched to bring them up to the poll. As the day advances these lists should be made out with more frequency, and towards the close the names of the unpolled should be exhibited where they may be seen by any of the friends who may be giving their assistance, and interruption of the clerks be thus avoided. As these are returned as having polled, the names should be struck from the exhibited list by a clerk stationed there for the purpose.

It was in the last article recommended that voters be not employed as messengers. This should be modified. Formerly employment, though it did not avoid the election, nullified upon petition the vote of the person employed. But that provision has been repealed, and consequently the *bonâ fide* employment of voters is permissible, although it is a question for the committee, upon a petition against the return on the ground of bribery, whether such employment is or is not merely colourable, and whether the number of voters so employed is such as is reasonably required for the purpose of the election. In the *City of Oxford* case the employment of 152 electors as messengers in a constituency of 2600 was held to be an unreasonable number and the member was unseated: (30 L. T. Rep. 33.) Hence great caution is required in the employment of voters, both as respects number and rate of payment. It is necessary to avoid anything that may be taken by a committee as colourable, and the difficulty may usually be avoided by the employment of the relatives of voters.

INVESTMENT JOURNAL.

THE supplies of money continue abundant; but there is a marked dullness in the market, with no indication of any very speedy improvement. The following are the variations of the week:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	248	...	248	250	248	248
3 ℔ Cent. Red. Ann.	89¾	89¾	89⅞	89¾	89½	89⅝
3 ℔ Cent. Cons. Ann.	90	90	90¼	90¼	90¼	90⅛
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	71¼	72	...
New 3 ℔ Cent. Ann.	89¾	89½	89⅞	89¾	89¾	89⅝
New 3½ ℔ Cent. Ann.	...	...	...	...	...	...
5 ℔ Cent. Annuities	...	...	...	...	...	...
5 ℔ Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	14¼	...	...	14¼
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	90¼	...	90¼	90¼	90¼	90¼
Consols 3 ℔ Cent. for Ac.	...	...	...	...	...	...
India 5 ℔ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	shut.	...	shut.	215 *f*	214 *f*
India 5 ℔ Cents.	...	...	...	...	...	...
India 4 ℔ Cents. 1888	...	...	...	99¼	...	...
India 5 ℔ Cents. 1870	104¼	104¼	104¼	104¼	104¼	104¼
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	21s. *b*	18s. *b*	21s. *b*	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	100¼	...	...	100¼	...
India Enfaced Paper, 4 ℔ Cent.	...	...	...	...	...	...
Do. do. 5 ℔ c. Jan. 1872	...	...	...	...	...	...
Do. do. 5½ ℔ c. May 1879	...	...	...	109	109¼	...
Ex. Bills, 1000l.	...	*a*	*a*	*c*	...	...
Do. 500l.	...	*a*	*a*	*d*	...	...
Do. 100l. & 200l. 3 ℔ c.	*a*	*a*	*a*	*d*	*e*	...
Do. Small, & 3 ℔ c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	99¼	...	...

a 3½ per cent. par 4s. pm.
b prem.
c 3½ per cent. 4s. 1s. pm.
d 3½ per ct. 3s. pm.
e 3½ per cent. 4s. pm.
f ex. div.

THE LEGISLATOR.

Imperial Parliament.

HOUSE OF LORDS.

RESIGNATION OF THE LORD CHANCELLOR.

On Tuesday evening Earl GRANVILLE said: My Lords, you are aware, not only by rumour, but officially from the proceedings of the other House of Parliament being communicated to your Lordships, that a resolution was last night adopted by the House of Commons in regard to the Lord Chancellor. It would not only be irregular, but it would be unbecoming in me to make any comments on that resolution; but I think it my duty to inform you that the Lord Chancellor has requested Lord Palmerston to tender his resignation to Her Majesty of the post which he now holds, and Lord Palmerston has done so. It may be right that I should state that for some months the Lord Chancellor has pressed on Lord Palmerston the resignation of his office; stating, that while he believed the accusations made against him to be ill-founded, yet he thought it might be injurious to the Government and to the Profession that he should hold so high and distinguished a position while any suspicion rested upon him. Lord Palmerston, with his (Earl Granville's) complete concurrence, urged Lord Westbury, from time to time, to withdraw his resignation. He thought that he should wait until the fullest investigation had taken place. After the expression of the opinion of the House of Commons which took place on the previous evening, the Lord Chancellor had repeated the tender of his resignation, and Lord Palmerston thought it right to advise the Government that the resignation should be accepted. It was, however, for the convenience of the public that the Lord Chancellor should retain the seals until after the prorogation of Parliament.

MR. WINSLOW'S PENSION—PERSONAL EXPLANATION.

Lord CHELMSFORD said: My Lords, I wish to claim indulgence for a few minutes on a matter personal to myself. I regretted to find this morning, in a report of something which occurred elsewhere in reference to a question put on the subject of Mr. Winslow's pension, that my name was introduced, and it is in connection with this that I desire now to offer an explanation. The report is as follows:

MR. WINSLOW'S PENSION.

Major Knox asked the Attorney-General whether it was true that a pension had been granted by the Lord Chancellor to Mr. Winslow, late one of the Masters in Lunacy; and, if so, the amount of such pension, the grounds upon

which it was granted, and whether it was refused by a former Chancellor?

The Attorney-General.—The pension granted by the present Lord Chancellor to Mr. Winslow is one of 1000*l.* a-year, by an order made upon the 3rd Feb. 1863. The grounds upon which it was granted were these:—Mr. Winslow served for nearly thirty years, thirteen of which were in the office of Commissioner of Lunacy, and seventeen more as Master in Lunacy. On the 4th Feb. 1859 he presented a petition to Lord Chancellor Chelmsford stating that he was labouring under serious permanent infirmities. The petition was supported by unexceptional certificates from two physicians and one surgeon. Mr. Winslow was obliged to resign his office owing to the pressure of pecuniary difficulties. Before Lord Chancellor Chelmsford had taken that petition into consideration he left office without making any order. Therefore, according to the information I have received, it is not true, as stated by the hon. gentleman, that any former Lord Chancellor ever refused this pension. Under the circumstances I have stated there was a delay of rather more than two years before the petition was presented to the present Lord Chancellor, and it was then supported by high testimonials, urging the propriety of Mr. Winslow's claims, from Lord Lyndhurst, Lord Brougham, Lord Justice Knight Bruce, Vice-Chancellor Stuart, the Lord Chief Baron, Mr. Montague Smith, Mr. Bovill, Mr. Malins, and Mr. Commissioner Holroyd. Lord Chelmsford also wrote a letter to Mr. Commissioner Holroyd, saying that it would give him great pleasure to see that the Lord Chancellor had taked a favourable view of Mr. Winslow's petition, and that he believed it would be gratifying to the whole profession. With these papers before him the Lord Chancellor, with the concurrence of the law officers of the Crown, and after deliberate consideration, granted a pension, not at the maximum 1200*l.* a-year, but at 1000*l.*, or 200*l.* less.

I need not tell your Lordships that it is with regret I enter into this subject, at what I will call a most painful moment, but it is necessary for the vindication of my conduct that I should do so. It is quite true that Mr. Winslow, formerly one of the Masters in Lunacy, was, as the Attorney-General states, in pecuniary difficulties. He was afraid of coming to his office, and absented himself for a considerable time; and I also heard that he had borrowed a considerable sum of money from the keeper of a lunatic asylum. I thought this highly unbecoming and improper in a person who was a sort of visitor of houses of that description, and I therefore desired my principal secretary to write to him calling his attention to the fact that he had been absent for a considerable time without leave and must return to his duties, and also requesting an explanation of the circumstance to which I have already alluded. A very short time after that letter was sent, Mr. Winslow came to my room—I am happy to state that both then and on a subsequent occasion my secretary was present—and he stated that, having served a considerable time, he was most anxious to resign his office, and hoped I would recommend him for a pension. I told him that, however painful it might be to refuse such a request, it was quite impossible for me to give any such recommendation. Mr. Winslow went away, and came back again in about a week—the exact number of days does not signify—but he then said that he was prepared to resign his office provided I would recommend him to a pension. I told him then distinctly, as I had told him before, "Mr. Winslow, understand this; if you resign, you do as you please, but it must be with the perfect understanding that I cannot, and will not, recommend you to a pension." About a week after that my principal secretary told me that he had received a petition from Mr. Winslow, desiring to resign his office on the ground of ill-health, and sending a certificate to that effect. Without looking at the petition I told my secretary that this was clearly an afterthought, that he had never contemplated resigning on that ground, that therefore I could not look either at the petition or the certificate, and I desired them to be returned. They were returned, and Mr. Winslow resigned his office without further communication and without ever having been recommended for a pension. Some time afterwards, I forget whether in the time of Lord Chancellor Campbell or of the present Chancellor, Mr. Winslow wrote several letters entreating me to certify that he had retired on the ground of ill-health; but I positively refused to do so, saying, that in making any such declaration I should be stating what was untrue, and therefore I could not yield to the application. Among others who communicated with me on the subject was my very old friend Mr. Commissioner Holroyd. Unfortunately the letters which Mr. Winslow wrote to me I no longer possess. About a year and a half ago I thought there could be no further occasion for them, and I threw them into the waste paper basket, and I am not in the habit of keeping copies of my own letters. It is possible, however, that Mr. Commissioner Holroyd may have the letter which I wrote to him about the same time on the same subject. Mr. Winslow subsequently wrote to me a very earnest petition, begging that I would do anything I could to help him to get a pension, upon which I wrote a letter to Mr. Commissioner Holroyd, and to the best of my recollection what I said was that I should be very glad if the Chancellor could see any reason for granting him a pension. I certainly did not say that such a step would be gratifying to the whole profession, because I knew that the profession were very little acquainted with Mr. Winslow, who had been out of their ranks for thirty years. I hope Mr. Holroyd has my letter, for I believe that if it can be produced it will established the accuracy of my statement. I am not now complaining that this pension has been granted, and I was, I confess, very glad to know, considering the utter ruin which might otherwise fall on Mr. Winslow and his family, that the Lord Chancellor had deemed it to be consistent with his duty to grant him a pension. I am not at all disposed to quarrel with that course being pursued, and I am simply now desirous of explaining my own position in the matter. I have been the more anxious to do this, because the office in question is that to which, on the occurrence of the vacancy, I appointed my own son-in-law, a gentleman of the highest character, and a man whom I conscientiously believe to have been perfectly competent to the performance of the duties of the office. I have been blamed for withdrawing that appointment, inasmuch as doing so seemed like admitting—but which I never can admit—that I made a wrong appointment. I do not now want to enter into the painful pressure which was put upon me on that occasion, or to speak of the determination of my son-in-law not to hold an appointment on which there could be the slightest reflection. I have no wish to impute blame in the matter to anybody, while I am desirous that everything connected with the granting of the pension to Mr. Winslow should, so far as I am concerned, be fully understood by the public, so that they might see that I did not only not encourage any expectation that he would receive a pension, but that I in every possible way discouraged the idea.——Earl GRANVILLE: I do not rise to make any comments on the statement of the noble and learned lord. He spoke of a letter which he wrote to Mr. Holroyd. I would simply ask the permission of the House to read the letter, of which I have a copy in my hand. It is as follows:

July 25, 1862.

My dear Holroyd,—It would give me very great pleasure to hear that the Chancellor had taken a favourable view of Mr. Winslow's case, and had recommended him for a pension. I was very much distressed when the position of his affairs compelled him to resign his office, and I was anxious to do everything in my power, consistently with my duty, to prevent the unfortunate necessity. After so many years' faithful service it seems hard that he should lose the retiring pension which many who have served less and not more zealously should now be enjoying. I am sure that the acknowledgment of Mr. Winslow's claim would be gratifying to the whole profession.

PERSONAL STATEMENT BY THE LORD CHANCELLOR.

On Wednesday evening, at five o'clock precisely, the Lord Chancellor entered, and took his seat upon the woolsack, and, it being understood that he was about to make a statement to the House, the places at either end to which members of the House of Commons have access were largely occupied, as well as those seats reserved for them in the gallery overhead. Amid profound silence,

The LORD CHANCELLOR rose and said:—My Lords, I have deemed it my duty, out of the deep respect I owe to your Lordships, to attend here to-day that I may in person announce to you that I tendered the resignation of my office yesterday to Her Majesty, and that it has been by Her Majesty most graciously accepted. My Lords, the step which I took yesterday only, I should have taken several months ago if I had followed the dictates of my own judgment (cheers), and acted on my own views alone. But I felt that I was not at liberty to do so. As a member of the Government I could not take such a step without the permission and sanction of the Government. As far as I was myself personally concerned, possessing, as I had the happiness to do, the friendship of the noble lord at the head of the Government, and of the members of the Cabinet, I laid aside my own feelings, being satisfied that my honour and my sense of duty would be safe if I followed their opinion rather than my own. (Hear, hear.) My Lords, I believe that the holder of the Great Seal ought never to be in the position of an accused person, and such, unfortunately, being the case, for my own part, I felt it due to the great office that I hold that I should retire from it and meet any accusation in the character of a private person. But my noble friend at the head of the Government combated that view, and I think with great justice. He said it would not do to admit this as a principle of political conduct, for the consequence would be that whoever brought up an accusation would at once succeed in driving the Lord Chancellor from office. (Hear, hear.) But when the charges were first raised that were investigated by a committee of your Lordships I did deem it my duty to tender my resignation, and the answer which I then received, and to the prudence of which I gave my assent, was that answer of my noble friend which I have just described to you. When the committee was appointed in the House of Commons I deemed it to be my duty, acting upon the same principle, once more to tender my resignation; but on this occasion, also, I deferred to the objections raised by the noble friend whom I have already mentioned. Again, when notice was given of the late motion in the House of Commons, I begged that that motion might be rendered unnecessary by my resignation being announced. But my noble friend thought it was my duty still to persevere, and, accordingly, my Lords, my resignation, earnestly as I wished it to be accepted, was postponed in the manner I have described to you until yesterday. Let it not be for one moment supposed that I say this in order to set up my own opinion in opposition to the kind feeling which I experienced, and the judicious advice which I received, coming, as they did, from one whom I was bound to respect, and to whose authority I felt called upon to defer. I have made this statement, my Lords, simply in the hope that you will believe and that the public will believe that I have not clung to office—(hear, hear), much less that I have been influenced by any baser or more unworthy motive. (Hear, hear). With regard to the opinion which the House of Commons has pronounced I do not presume to say a word. I am bound to accept the decision. I may, however, express the hope that after an interval of time calmer thoughts will prevail and a more favourable view be taken of my conduct. I am thankful for the opportunity which my tenure of office has afforded me to propose and pass measures which have received your Lordships' approbation and which I believe, nay, I will venture from experience to predict, will be productive of great benefit to the country. (Cheers.) With these measures I hope my name will be associated. (Hear, hear.) I regret deeply that a great measure which I had at heart—I refer to the formation of a digest of the whole law—I have been unable to inaugurate; for it was not until this session that the means were afforded by Parliament for that purpose. That great scheme, my Lords, I bequeath already prepared to the hand of my successor. (Hear, hear.) As to the future, I can only venture to promise that it will be my anxious endeavour, in the character of a private member of your Lordships' House, to promote and assist in the accomplishment of all those reforms and improvements in the administration of justice which I feel yet remain to be carried out. (Cheers.) I may add, in reference to the appellate jurisdiction of your Lordships' House, that I am happy to say it is left in a state which will, I think, be found to be satisfactory. There will not be at the close of the session a single judgment in arrear, save one in which the arguments, after occupying several days, were brought to a conclusion only the day before yesterday. (Hear.) In the Court of Chancery, I am glad to be able to inform your Lordships, I do not think there will remain at the end of this week one appeal unheard or one judgment undelivered. (Cheers.) I mention these things simply to show that it has been my earnest desire from the moment I assumed the seals of office to devote all the energies I possessed and all the industry of which I was capable to the public service. (Cheers.) My Lords, it only remains for me to thank you, which I do most sincerely, for the kindness which I have uniformly received at your hands. It is very possible that by some word inadvertently used—some abruptness of manner—I may have given pain or exposed myself to your unfavourable opinion. If that be so I beg of you to accept the sincere expression of my regret, while I indulge in the hope that the circumstance may be erased from your memories. (Cheers.) I have no more to say, my Lords, except to thank you for the kindness with which you have listened to these observations. (Loud cheers.)

PENALTIES LAW AMENDMENT BILL.

On the order of the day for the third reading of this Bill, Lord DENMAN moved that the Bill should be read that day three months. After some discussion, the House divided—Contents, 22; non-contents, 14: majority, 8. The Bill was read a third time and passed.

HOUSE OF COMMONS.

VOTE OF CENSURE ON THE LORD CHANCELLOR.

Lord PALMERSTON rose and said: Sir, it is quite right that I should inform the House that the Chancellor, in deference to the vote of the House of last night, and to the expressed opinion which that vote implied, has felt it his duty to tender to Her Majesty, through me, the resignation of his office, which I accordingly have done. I think it at the same time due to the Chancellor to state, that as early as the beginning of the session, the beginning of the year I may say, the Chancellor, stung in his feelings by the various attacks which were made upon him from different quarters, often pressed upon me that his resignation should be conveyed to Her Majesty. I, upon public, private, and personal grounds, declined to accept that resignation, or to be the channel of conveying that resignation. I urged upon the Chancellor to remain at his post, for this reason, that if he had resigned in consequence of the various attacks—some of them anonymous—he would thereby have been considered as implying an admission of the various charges made against him, and even more than the charges which were actually made; whereas I represented to him that if he remained at his post there would undoubtedly be a parliamentary inquiry into the matters concerned, and knowing and believing that his motives throughout have been perfectly pure and incorrupt, I was convinced that out of that inquiry would result that which has resulted—an entire acquittal of the Chancellor of every corrupt motive. It will be necessary that he should continue to hold the seals

until Friday morning, in order to go through those operations connected with the prorogation and dissolution of Parliament, and on Friday the Chancellor will resign the seals into the hands of Her Majesty.

SOLICITORS' JOURNAL.

COURT OF COMMON PLEAS.

Friday, June 30.

SPECIAL JURIES.

On its being announced that the cause of *The Alliance Bank v. Abrahams* had been withdrawn, which had stood in the list of cases for trial yesterday and to-day, and that the special jurors summoned in that cause need no longer remain, the Lord Chief Justice again took occasion to remark on the inconveniences of the present system of summoning special jurors in London and Middlesex. It is often a matter of caprice whether a cause shall be tried by a common or special jury, and if the latter is claimed the parties go through the form of selecting twenty-four special jurors for the purpose of attending on the day appointed for trial, and after that from day to day until the trial comes on, when twelve out of the twenty-four, or of those present whose names are first called over, are selected as the jury for the trial. The selection of the twenty-four is again a mere matter of caprice. It often happens under the present system that jurymen are in attendance for an entire week before the case is called on, and even then sometimes without being called on at all, as the case may be settled or withdrawn by the parties. The inconvenience of this to persons in trade is manifest. The system is such that special jurors, rather than lose their valuable time in remaining in court until the case is called on, absent themselves, and the proportion in which an entire special jury is secured is about one in ten, while in the nine cases the trial is by a mixed jury of common and special jurors on the average in about the proportion of eight special jurors to four common jurors. At the assizes the system is different, and a full special jury is secured in all special jury cases. The time of the special jurors is not uselessly thrown away, nor are they kept on attending the courts from day to day for an unreasonable period, nor out of proportion to that degree of obligation which the law imposes on every man qualified to be a special juryman. For the special jury cases to be tried at the assizes about thirty special jurors are summoned for certain days (say two successive days). At the commencement of the sitting twelve are chosen from those present, and the cases as they stand in the list are tried before them in order, in the same way as common jury cases before common jurors. This system is found to work very well, and although at first sight the advantages of the one system and the disadvantages of the other may not strike all persons equally, yet the difference in the working of the two systems is such that the wonder is why a practical grievance of this kind, to which attention is called day after day by the judges, who have no other interest in the matter than promoting the convenience of the suitors, jurymen and others who appear before them, should remain unredressed.

HEIRS AT LAW AND NEXT OF KIN.

ODELL (Islip), the Shrubbery, Upper Clapton, Middlesex. Heir at law or next of kin to come in by Oct. 20, at M.R. Solicitor, J. Murray, 7, Whitehall-place, Westminster.

TIDSEY (James), 3, Cranmer-terrace, Cranmer-road, North Brixton, Surrey, a retired major in the Indian army. Next of kin to come in by July 27, at M.R. Solicitors, Blakeley and Beswick, 26, Nicholas-lane, London.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

BRITISH AND SOUTH AMERICAN STEAM NAVIGATION COMPANY (LIMITED).—Petition for winding-up to be heard before Wood, V.C., July 15. Solicitors, Torr, Janeway, and Tagart, 38, Bedford-row, London, for Grundy and Davies, Manchester.

CONSTANTINOPLE AND ALEXANDRIA HOTELS COMPANY (LIMITED).—Creditors to send in by the 1st Oct. their names and addresses, and particulars of their claims, and the names and addresses of their solicitors (if any), to G. Scott, 2, Pond-court-chambers, Walbrook, London. Solicitors, Leith, Rewden and Stacey, 14, Southampton-street, Bloomsbury, London.

DUNSTABLE HOTEL COMPANY (LIMITED).—Creditors to send in, by July 27, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. Whinney, of Serle-street, Lincoln's-inn, London. Solicitor, W. Pitman, 12, King's-road, Bedford-row, London.

INDIA WEST COAST RAILWAY COMPANY.—A call of 2*l.* 10*s.* per share to be made by Kindersley, V.C., on Thursday, July 13, at noon. Solicitors, Field, Roscoe, Field and Francis, 36, Lincoln's-inn-fields, London.

INTERNATIONAL RACE-COURSE SOCIETY (LIMITED).—Creditors to send in by 8th Aug., their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to C. F. Kemp, 7, Gresham-street, London. Solicitor, M. Abrahams, 17, Gresham-street, London.

KENT AND SURREY GAS COMPANY (LIMITED).—Creditors to send in, by July 18, their names and addresses, and the particulars of their claims, to C. Hammond, at the office of Mr. H. Schultz, 11, Old Jewry-chambers, London. Solicitor, T. Davis, 2, Ironmonger-lane, Cheapside.

MIDLAND BANK (LIMITED).—Creditors to send in, by Aug. 7, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to E. Hart, 37, Moorgate-street, London. Solicitors, Treherne and Wolferstan, 73, Aldermanbury, London.

NORTH-WEST COMPANY (LIMITED).—Creditors to send in, by July 21, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to H. T. Edwards, 9, King's Arms-yard, Moorgate-street, London. Solicitor, J. H. Kays, 2, New-inn, London.

STRATHALBYN MINING AND SMELTING COMPANY (LIMITED).—Creditors to send in by 14th Dec., their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. Whinney, 3, Serle-street, Lincoln's-inn-fields, London. Solicitors, Vallance and Vallance, 20, Essex-street, Strand.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

CROFT (Thos.), Liverpool, soap manufacturer, July 20. Rogerson and Ford, solicitors, 31, Lincoln's-inn-fields, London. Aug. 7, V.C. W., at noon.

DAY (Robert), Wymondham, Leicestershire, doctor of medicine, July 28. J. and S. Harris, solicitors, Leicester. Oct. 30, V.C. W., at one o'clock in the afternoon.

EDE (Caroline Emma), 9, Lonsdale-villas, Westbourne-grove, Bayswater, Middlesex, widow, Oct. 2. Digby and Sharp, solicitors, 2, Circus-place, Finsbury-circus, London. Nov. 2, M. R., at noon.

FOAKES (William Henry), 11, Albert-road, Regent's-park, Middlesex, July 31. Drew and Wilkinson, solicitors, 131, Bermondsey-street, Southwark, Surrey. Nov. 3, M. R., at noon.

GEORGE (James), Wincanton, Somerset, gentleman, Aug. 1. Messrs. Messiter, solicitors, Wincanton. Nov. 1, V.C. S., at one o'clock in the afternoon.

GOULDSBURY (Francis), 48, Marine-parade, Worthing, Esq., Oct. 2. L. Russell, solicitor, 18, Poultry, London. Nov. 2, V.C. W., at noon.

HINCKS (Esther), Coventry, spinster, Aug. 5. H. J. Davis, solicitor, Coventry. Oct. 31, V.C. S., at noon.

McCARDIE (James Hessing), Birmingham, merchant, July 20. J. Turner, solicitor, 9, Carey-street, Lincoln's-inn, London. Aug. 4, V.C. W., at noon.

McPHERSON (Alfred), 79, Upper Whitecross-street, and 9, Ockenden-road, Middlesex, builder, July 24. W. Evans, solicitor, 72, Coleman-street, London. Aug. 7, V.C. S., at noon.

ODELL (Islip), The Shrubbery, Upper Clapton, Middlesex, July 20. J. Murray, solicitor, 7, Whitehall-place, London. Aug. 3, M.R., at noon.

OGLE (Richard), Inner Temple, London, barrister-at-law, Aug. 14. F. C. V. Pike, solicitor, 6, Serle-street, Lincoln's-inn, London. Oct. 30, V.C. S., at noon.

SAWELL (John Hills), Mucking-hall, Essex, farmer, Aug. 1. A. D. Smith, solicitor, 27, Great James-street, Bedford-row, London. Nov. 1, V. C. W., at noon.

STOODLEY (William), Yeovil, Somersetshire, boot and shoe maker, July 20. C. L. O. Bartlett, solicitor, Sherborne, Dorset. Aug. 1, M. R., at noon.

STOOKE (Wm.), West Teignmouth, Devon, gentleman, July 21. Whidborne and Tozer, solicitors, Teignmouth. Aug. 8, M. R., at noon.

THOMPSON (Frederick Philip), 8, Great Queen-street, Westminster, Middlesex, consulting engineer, July 21. Merriman and Brewin, solicitors, 23, Austin-friars, London. Nov. 1, V.C. S., at noon.

TURNER (Wm.), Derby, July 27. Hollings, Sharp and Ullithorne, solicitors, 1, Field-court, Gray's-inn, London. Oct. 31, V.C. W., at noon.

WINTERINGHAM (Rebecca), Bridlington, Yorkshire, July 21. Cunliffe and Beaumont, solicitors, 43, Chancery-lane, London. Aug. 3, M. R., at noon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BLAND (W. H.), 13, Northampton-park, Islington, and 24, Somerset-place, Hoxton, Middlesex, annatto manufacturer. July 31. Treherne and Wolferstan, solicitors, 73, Aldermanbury, London.

CASSELL (J. W.), formerly of High-street, Camden-town, pawnbroker, late of Shirley-villa, Hanwell, Middlesex, July 25. A. Mayhew, solicitor, 26, Carey-street, Lincoln's-inn, London.

CHALMERS (John), 12, Pelham-crescent, Brompton, Middlesex, Esq., Aug. 10. W. Dyson, solicitor, 37, Chancery-lane, London.

DACRE (George), Stratford-green, West Ham, Essex, Esq., Aug. 20. Fairfoot, Webb and D'Aeth, solicitors, 13, Clement's-inn, London.

GERARD (Dame Monica Strickland), Portobello-house, East Sheen, Surrey, widow, Sept. 29. Pemberton, Meynell, and Pemberton, solicitors, 21, Whitehall-place, London.

HOOPER (Thomas), Quenington, Gloucestershire, yeoman, July 29. Mullings and Co., solicitors, Cirencester.

LORD (Wm.), Southdown-cottage, Preston, Dorsetshire, a commander in the Royal Navy, Sept. 1. Andrews and Barrett, solicitors, Weymouth.

LOWDELL (Stephen), Bedales, Lindfield, Sussex, Esq., Aug. 10. Hunt, Currey and Co., solicitors, Lewes, Sussex.

MEYNELL (Hy.), 14, Hill-street, Berkeley-square, Middlesex, a Vice-Admiral in the Royal Navy, Aug. 1. H. H. Hallett, solicitor, 38, Lincoln's-inn-fields, London.

PARKER (Jannetta Heather), 3, Clarendon-crescent, Leamington, Warwickshire, spinster, July 22. Stuart and Italy, solicitors, 6, Gray's-inn-square, London.

PHILLIMORE, (J. G.), Shiplake-house, Oxfordshire, and Lincoln's inn, Middlesex, one of H. M.'s Counsel. July 28. Walters, Young, and Walters, solicitors, 9, Lincoln's-inn, London.

TURK (Charles), Broad-street, Worcester, saddler, Oct. 1. Pidcock and Son, solicitors, 40, Foregate-street, Worcester.

WAKE (Sir Wm.), Courteen-hall, Northamptonshire, and Carlton-hill east, St. John's-wood, Middlesex, Oct. 1. W. H. Rees, solicitor, 8, Copthall-court, London.

WEATHERHEAD (Sarah), Northumberland-house, Stoke Newington, Middlesex, spinster, July 13. Meyrick, Gedge and Loader, solicitors, 4, Storey's-gate, Westminster.

WHALEY (James), 82, Upper Ebury-street, Middlesex, gentleman, July 13. W. Robinson, solicitor, Richmond, Yorkshire.

WINTLE (Ann), Hill Farm, Rodley, Westbury-on-Severn, Gloucestershire, widow, Aug. 1. J. Wintle, solicitor, Newnham, Gloucestershire.

WISEMAN (Most Rev. Nicholas), 8, York-place, Portman-square, Middlesex, Aug. 1. J. V. Harting, solicitor, 24, Lincoln's-inn-fields, London.

THE BENCH AND THE BAR.

DINNER TO THE JUDGES.—On Tuesday, the 27th ult., Her Majesty's Judges were entertained at dinner by the Sheriffs of London (Alderman Dakin and Alderman Besley), at the Trafalgar, Greenwich. The Bench was represented on the occasion by Baron Martin, Mr. Justice Shee, Mr. Justice Mellor, and Mr. Justice Montague Smith; and the Bar by Mr. Malins, Q.C., Mr. Hawkins, Q.C., Mr. Serjeant Tindal Atkinson, Mr. Giffard, Q.C., Mr. Metcalfe, and Mr. Sleigh. There were also present Mr. Roebuck, M.P., Alderman Salomons, M.P., Alderman Rose, M.P., Alderman Finnis, Alderman Allen, Alderman Mechi, Alderman Waterlow, and Alderman Stone, the Under-Sheriffs (Mr. Septimus Davidson and Mr. De Jersey), Mr. Brand, the Corporation Controller, Mr. Paull, Mr. Nelson, City Solicitor, Mr. Grant, Mr. Collingridge, and many others, the company numbering from sixty to eighty in all and the banquet being a very sumptuous one. On the removal of the cloth the usual loyal toasts having been given from the chair, some others of a complimentary kind were proposed, Mr. Baron Martin responding to that of "Her Majesty's Judges," and Mr. Malins and Mr. Hawkins replying to that of "The Bar" in facetious speeches. Mr. Roebuck, M.P., speaking to the toast of the House of Commons, with which his name had been coupled, said he knew that among his learned friends present a great deal of small wit was employed in criticising the House of Commons, especially by men who had not been members of that assembly. He had been wonderfully impressed that evening with the truth of the old fable of the Fox and the Grapes. That assembly, however, ruled the land. Whatever it had done England followed. It might be, and he knew it was, that England had been raised to her proud pre-eminence not simply by the House of Commons, but by her people; but the great virtue of the House of Commons was that it represented her people, and that what the people learnt was put into legislative form in the House of Commons. The power of England sounded over the world, and the House of Commons—aptly representing, as it did, the English people—was deserving of the respect and admiration of mankind. And in these times of electioneering he would say to candidates for seats in that assembly, "Think of what you promise." The English House of Commons as it was had worked out the happiness of England and of the world, and it behoved them to be very careful how they touched that ark of our protection. Let men remember that it had been made by time and by trouble, and do not let them be misled by electioneering fascination into promising what they neither would nor could perform. That which came now before the people of England was the happiness of the people of England. That happiness depended on the constitution of the House of Commons, and nothing should be promised that could not be performed. He could not, while on his legs, forget all that we owed to that House, and all that we expected to owe to it in future, and he earnestly urged upon his friends who desired to sit in that House that they should not compromise the power of England by promising that which they could not perform, or promising that which ought not to be performed. The speech of Mr. Roebuck was repeatedly applauded, and on resuming his seat he was loudly cheered. The company separated about half-past nine o'clock.

The appearance of the Hon. Richard Bethell in the Bankruptcy Court last week occasioned a novel difficulty. In consequence of the number of his relatives and connections who have been introduced into that office by Lord Westbury, some ingenuity was required so to order that Mr. Bethell's case might not fall into consanguineous hands. The certainty that this gentleman, if he survives the Lord Chancellor, will be imposed upon the country as a hereditary legislator, will go far to impair the veneration in which Englishmen hold that anomalous institution, the House of Lords, and will make even their Lordships themselves regret that they rejected so decidedly, in the case of Lord Wensleydale, the proposal to introduce life-peers amongst them. That such a man as the Hon. Richard Bethell is admitted by his own relations to be should ever sit or vote as a peer in that honourable assemblage, is, to say the least and best of it, a *reductio ad absurdum* of hereditary legislation.—*Pall-mall Gazette.*

IRELAND.—The Attorney-General has made the following legal appointments, consequent upon the death of the late lamented Mr. Edward Johnstone: Mr. Charles Coates, Crown prosecutor for the county of Wicklow, has been transferred to the county and city of Waterford; Mr. William Ryan and Mr. William Anderson have been appointed Crown prosecutors for the county of Wicklow; Mr. Henry Devitt has been promoted from the office of supernumerary Crown prosecutor for the county of Wexford to that of permanent Crown prosecutor for that county.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

GAME, PROPERTY IN.—The right of property in game has been determined by the House of Lords on appeal from the decision of the Ex. Ch. in the famous rabbit-stealing case. Some dead rabbits, proved to have been poached upon the land of the Marquis of Exeter, were seized at the railway-station, whither they had been sent to be dispatched to London. The point raised was, whether there existed any property in the dead rabbits. It was admitted that there would have been no property in the rabbits had they been alive. But the Ex. Ch. decided that dead game was the property of the person on whose land it was killed, and, consequently, that to steal them dead was larceny; and that the reason why poaching live game is not larceny is, that live game, is like fruit, a part of the soil, and not the subject of larceny. The H. of L. confirmed the decision: (*Blades v. Higgs*, 12 L. T. Rep. N. S. 615. H. of L.)

MANSLAUGHTER.—A master is not criminally liable for the death of a servant not of tender years, although the death was caused by the insufficiency and badness of the food and lodging provided by him for her, unless the servant was of such weak intellect as to be helpless and unable to take care of herself, or was under such restraint as to be unable to withdraw herself from her master's dominion: (*Reg. v. Smith*, 12 L. T. Rep. N. S. 608. Cr. Cas. Res.)

DYING DECLARATION.—When deceased was very ill (but there was no evidence that she was

then under the belief of approaching death) she made a declaration which two hours afterwards was taken down in writing, the writer putting questions to the deceased as he went on writing. The next day, when deceased knew that she was dying, the declaration was read over to her by another person who put questions to her from the statement, sometimes in a leading form, which she answered. It was held to be a question for the judge whether the dying declaration ought to be received, and that under the circumstances stated it was rightly admitted: (*Reg.* v. *Smith*, 12 L. T. Rep. N. S. 608. Cr. Cas. Res.)

HIGHWAYS LAW.

[Note.—A department of the Law Times will be devoted to communications and inquiries upon this subject.]

Correspondence.

Highway Law.—The following correspondence on the question of building bridges by highway boards and the compulsory character of the 47th section of the Highways Act 1864, may be useful to some of your readers:

Holsworthy Highway Board,
Clerks' office, Holsworthy, 7th June 1865.

Sir,—I am directed by the highway board for this district to write you relative to the power of the board under the Highway Acts to build bridges where required within their district. A resolution has been passed by the board (which resolution, if of any avail, can be confirmed by a vestry of the parish), to erect a culvert at a cost of 20*l.*; and the board are desirous of being informed whether they are empowered to erect this culvert and charge the costs of erection to the parish in which it is erected, as ordinary expenses can be charged, or whether they are compelled, under sect. 47 of the Highway Act 1864, to borrow the 20*l.*, with the approval of justices at quarter sessions, in the way pointed out by the said section. Your opinion is requested by the board on the point.—I have the honour, &c., Edward Sugarm, Clerk.

To the Right Hon. Sir George Grey, Bart., M.P.

Whitehall, 29th June 1865.

Sir,—I am directed by Secretary Sir George Grey to acknowledge the receipt of your letter of the 7th inst. relative to the power of the Holsworthy Highway Board to build bridges where required within their district; and I am to state, in reply to your inquiry, that, assuming the culvert referred to by you to be such a work as the parish might itself execute if it were not within a highway district, and assuming that no money is borrowed for the purpose of constructing the culvert, Sir George Grey is of opinion that the board may make the culvert without acting under the provision of the 47th section of the Act. The board would do well to obtain the assent of the vestry of the parish, though Sir George Grey does not think that assent legally necessary.—I am, Sir, your obedient servant, T. G. Baring.

The Clerk to the Highway Board, Holsworthy.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Tenterden	Saturday, July 8	F. Russell, Esq.		S. Weller.
Wenlock	Saturday, July 8	U. Corbett, Esq.	14 days	G. Potts.
Newbury	Monday, July 10	G. M. Dowdeswell, Esq.		J. Vines.
Bedford	Thursday, July 14	A. K. Stephenson, Esq.	3 days	M. Whyley.
Northampton	Thursday, July 13	J. H. Brewer, Esq.	10 days	C. Hughes.
Chester	Friday, July 14	E. Beavan, Esq.	14 days	J. Walker.
Wigan	Wednesday, July 19	J. Catterall, Esq.		R. Leigh.
Bolton	Friday, July 21	J. A. Russell, Esq.	10 days	J. Gordon

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Administration—Devise.—The Wills Act has made no change in the rule, that every devise of real estate, whether in general terms or not, is specific. Hence residuary real estate is not to be resorted to in priority to specifically devised realty for payment of debts: (*Clark* v. *Clark*, 12 L. T. Rep. N. S. 485. V.C. S.)

Will—Illegitimate Children.—A bequest to "my child" and "my wife Sarah" was held to go to illegitimate children born at the date of the will and their mother, with whom the testator was living as husband, the testator having no legitimate children: (*Dilley* v. *Matthews*, 12 L. T. Rep. N. S. 488. V.C. W.)

Power of Appointment.—B. by will gave his residuary estate to trustees to sell and invest &c., to his widow for life, and after her death one-third of the residue to be paid "to such and so many of the relations and friends of my wife as she should by will direct." She by her will gave the residue of her estate in trust for certain of her relations, making no allusion to the power of appointment given to her by her husband's will. She was held not to have executed the power, and that her next of kin were, therefore, entitled under the implied trust in their favour in default of appointment: (*Re Caplin*, 12 L. T. Rep. N. S. 526. V.C. K.)

Vendor and Purchaser.—Requisitions on title were sent in within the specified time after the delivery of a complete abstract and complied with by the vendor. The purchaser afterwards raised an objection upon the title, and the vendor's solicitor replied, "The question must, of course, be set at rest, and I apprehend the only way this can be done is to file a bill for specific performance, unless you can suggest any better way of settling it. Of course none of the conditions of sale are waived." But the Court held that the objections were waived.

The plaintiffs insist on their right to specific performance of the contract upon two distinct grounds. They say, first, that whether they have or have not deduced a good title, they are entitled to specific performance, on the ground that the conditions of sale contain express provisions that unless the objections were sent in within a certain time they should be of no avail; and, secondly, that, supposing the objection was sent in in good time the title is valid. The condition in question (the fourth) is a very common provision in sales by auction; it is well understood, and I see no reason why it should not be introduced. The purchaser or his solicitor is, within twenty-eight days after the delivery of the abstract, to send in any objections or requisitions he may have to make to the title deduced. If the abstract is not delivered, the purchaser has a right to say that the vendor has not performed the condition. If the purchaser, not having delivered his objections in due time, accepts the abstract, and afterwards thinks of the objections, he is bound to complete, unless the vendor waives the condition. The court would consider that parties ought to be allowed to make their own bargains, though, no doubt, it has formerly interposed in a great many cases where I think it would be little disposed to do so now. The rule, which has never been doubted, is, that where time is of the essence of the contract, and objections are to be sent in within a certain time, if that is not done within the time, the vendor has a right to consider the title accepted, and it does not signify what the objection may be, or whatever may be its nature, whether on the general law or on the construction of an instrument. The question whether this fourth condition has been performed depends upon what is meant by "the delivery of the abstract of title." The defendant's counsel contended that it was not only the mere sending of certain sheets of paper purporting to set out so much of every material document as is sufficient to show what that document is, and in addition to that, if not the actual comparison of the documents referred to, an offer by the vendor to show the documents whenever they may be wished for. I apprehend that the abstract is delivered whenever the sheets of paper, called the abstract, are delivered, containing, with sufficient clearness and fullness, the effect of every instrument constituting the title of the vendor, even before the actual comparison with the deeds themselves. The word "deduce" has been commented upon, and it was said to refer either to the delivering of the abstract or to the production of the deeds. It is clear, however, that when you speak of deducing a title, you mean a drawing forth of the title showing the source from which it is derived; and therefore, both in this case and the cases cited, the word was not appropriately or accurately used. No special construction can be put upon this condition by reason of the word "deduce," as in connection with the context it plainly refers to the time specified. Supposing, then, the delivery of the abstract to be the sending of the document usually called the abstract, as I clearly think it is, it is justly said that it must be complete. But this abstract is said not to be complete, as it did not abstract the will of Ralph Oakden sufficiently to enable the purchaser to judge whether the title was good, and that therefore the vendor has not fulfilled his condition. It appears to me that, so far as it purported to be a complete abstract of the will, it was complete. It is said that it ought to have contained the residuary clause, and the vendor's title depended upon that, it was unquestionably incomplete. It appears to me that it made no difference so far as the plaintiff's title was concerned, whether the residuary clause was set out or not, or whether the residuary gift was to Ralph Oakden the elder, or to a stranger. A complete abstract was delivered on the 18th June, and requisitions were sent in within the specified time, raising no doubt or objection as to the construction of the will. The question then is, did the vendors waive the condition? No doubt, if after the time specified the vendor deals with the questions, or negotiates, and does not avail himself of the condition, then he has waived it. But, upon looking at the letter of the 31st Oct. 1863, so far does that appear from being the case that the concluding passage expressly states that the conditions were not waived. It comes then to this, that after the time prescribed the objection is taken, and not waived by the vendors; and in such a case it is not disputed that the vendors have a right to insist that the title has been accepted. It is therefore unnecessary for me to consider the question as to the construction of the will, or whether it is such a title as can be forced on a purchaser. It may, however, be satisfactory to the purchaser to know that I have a very strong opinion in favour of the goodness of the title. There must be a decree in the usual way.

(*Oakden* v. *Pike*, 12 L. T. Rep. N. S. 527. V.C. K.)

Marriage Contract—On a contract for marriage, the husband proposed to settle his wife's property on her, and drew up a memorandum to that effect which was not signed, and on this a draft settlement was prepared and approved on behalf of all parties. Afterwards he induced the wife to forego the settlement, on a promise to make a will immediately after marriage giving the property to her; he did so, and after his death another subsequent will was produced altering the disposition. The Court declared the original agreement to be binding, notwithstanding the Statute of Frauds, and that the wife was entitled to the property: (*Caton* v. *Caton*, 12 L. T. Rep. N. S. 532. V.C. S.)

Ancient Lights.—B., altering his premises, which abutted on C.'s, enlarged the window, and increased the height of the building. The windows in the first and second floors slightly varied in position from the old ones, and in the upper floors new windows were opened. C., after complaining of B.'s alteration, rebuilt his premises, and, with a view to block up B.'s new top windows, necessarily blocked up B.'s old windows. B. afterwards restored his premises to the state in which they were at first, and sued C. for blocking up his ancient lights. It was held that C. had no right to block up B.'s ancient lights, even though he could not otherwise block up his new lights. The opening of new lights is not a wrongful act, and does not deprive the owner of his right to the old light adjoining: (*Tapling* v. *Jones*, 12 L. T. Rep. N. S. 553. H. of L.)

Bond—Statute of Limitations—Settlement.—In contemplation of marriage, a sum of money was lent to the intended husband on his bond, the condition of which was that he should, if required to do so, repay the money to the trustees, to be held by them upon the trusts of the marriage-settlement, which were for himself for life, with remainders over. Neither principal nor interest was ever paid by the husband to the trustees. The debt was held not to be barred by the statute, notwithstanding the lapse of time: (*Mills* v. *Borthwick*, 12 L. T. Rep. N. S. [illegible] V.C. K.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Practice of Parliament—Locus Standi.—Petitioners working a railway on the opposite side of the river have a *locus standi*: (*The North Kent Railway Bill*, 12 L. T. Rep. N. S. 561.)

Practice—Notice of Objection.—The petition alleged competition with the petitioners' line. The notice of objection denied that the proposed line would so compete. It was contended that the notice was insufficient, and that a *locus* claimed by the petition and not denied by the notice must be taken as admitted. The Referees required the petitioners to go into the merits: (*The North Kent Railway Bill*, 12 L. T. Rep. N. S. 561.)

Lands Clauses Act—Payment in Court.—A company took lands, the title to which was disputed, and paid the purchase-money into court. One of the claimants afterwards abandoned his claim, and a petition was presented by the other for payment to himself. This was held to be so far adverse litigation as to entitle the company to be relieved from payment of petitioner's costs: (*Re English*, 12 L. T. Rep. N. S. 561. L. JJ.)

LIABILITY OF RAILWAYS.—A railway crossed a turnpike-road at a level. The Railway Clauses Act requires that the company shall maintain gates at such crossings, so constructed that they should close by their own weight. The plaintiff travelling along the turnpike having occasion to cross the rails, waited for the company's servants to open the gate, but none coming, he opened the gate himself, and on doing so, it being dark, the gate fell back and injured the horse on which he was riding. In an action against the company for negligence, it was held not to be liable, as the plaintiff had no right to open the gate himself, and the injury was caused by his own act in doing so: (*Wyatt* v. *The Great Western Railway Company*, 12 L. T. Rep. N. S. 568. Q. B.)

WINDING-UP—PRACTICE.—Under circumstances the court will make a winding-up order, although the affidavit in support of the petition was not filed within the four days required by the General Order. And it will also allow the order made to be advertised, although the twelve days limited by the 6th Order may have expired: (*Re The East Cambrian Gold Mining Company*, 12 L. T. Rep. N. S. 587. M. R.)

WINDING-UP—CONTRIBUTORY.—B. agreed to take twenty shares, in return for which he was appointed agent for the company at a fixed salary and on a commission. The shares were to be paid for out of the commission. His name was entered in the register of shareholders, but no certificate of shares was sent, and B. never executed the articles of association nor paid anything on account of the shares. The company becoming dissatisfied with his conduct of the business removed the agency, upon which he applied for more shares in discharge of his claim against the company, which they refused. He was held not to be liable as a contributory: (*Ex parte Thompson*, 12 L. T. Rep. N. S. 590. M. R.)

RAILWAY—RIGHTS OF LANDLORD—PURCHASE OF LAND.—The B. company agreed with C. to take part of the lands through which the line was to pass, and to make such crossings, &c. for convenience as C. or his surveyor should notify within a limited time. It was held that time was of the essence of the contract, and that the award made after the expiration of the time limited was wholly void: (*Earl of Darnley* v. *The London, &c. Dover Railway Company*, 12 L. T. Rep. N. S. 593. L.JJ.)

CONTRIBUTORY.—B. had accepted shares in a company, paid the deposit on them and his name was placed upon the register. He had also consented to act as an honorary director; but he had never executed the deed. Calls were made, upon which he and other shareholders were desirous to leave the company, and in 1855, after some negotiation, the directors consented to accept a sum of money in lieu of the calls due, and this arrangement was sanctioned by the company at a general meeting, but without notice given of the resolution. The shares were then marked as "forfeited," but the name was not removed from the register. Dividends were afterwards declared, but none were paid to him. In 1861 the company was ordered to be wound-up. On appeal, B. was held not to be a contributory, in the absence of any suggestion of fraud or collusion between himself and the directors: (*Lord Belhaven's case*, 12 L. T. Rep. N. S. 595. L.JJ.)

CORRESPONDENCE OF THE PROFESSION.

LEGAL AND GENERAL DISCUSSION SOCIETY.—In the report of this society's proceedings it is announced that its third annual dinner will take place on Wednesday, the 19th inst. Since that day was fixed the committee of the society have found that it will be more convenient that the dinner should take place at the Freemasons' Tavern on Saturday, the 22nd inst. As most of the gentlemen who will attend the dinner read your journal, I shall be obliged by your inserting this letter in your next number.

FRANCIS K. MUNTON, Hon. Secretary.
4, Bloomsbury-square, W.C., 4th July 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

Queries.

TERMS OF CLERKSHIP.—A. B.'s articles are dated 25th 1860. Supposing he has served his full term of five years and passed the Incorporated Law Society's examination, may he be admitted, both as attorney and solicitor, on the last day of Michaelmas Term; or would he have to wait until Hilary Term following? T. B.

POWER OF ATTORNEY.—I have just prepared the draft of a conditional surrender of copyholds, and am desirous of inserting in it a power of attorney to surrender, in order to save the mortgagee's admission, in case the power of sale is exercised. I do not want to put my client to the expense of a separate deed under seal, and the question arises to me, whether a power of attorney in the surrender (being of course an instrument without seal) would be valid? There is no doubt that where the power is to execute a deed the authority must also be by deed; but in this case would not a mere authority in writing only be sufficient? J. R.

WASTE.—Referring to Mr. Thompson's letter of last week, I should be glad if your correspondent would suggest the most practicable remedy by one of the public in a case where the owner of a field adjoining a highway has placed an obstruction on a strip of green sward lying between his fence and the hard road. The strip has never been repaired by the surveyor; it is overhung with trees and is about half of the width of the road, and in the hot months, or in a shower, is made use of by foot passengers. There is ample room without walking on the strip. The lord of the manor consents to the obstruction; the field is of copyhold tenure. No one living can remember that the lord of the manor, or the owner of the adjoining field, ever attempted to interrupt the public in passing along the green sward, but persons who have laid timber or rubbish on it have been cautioned not to do so. I think the public may safely remove the obstruction. X.

Answers.

RELEASE FROM CUSTODY.—With reference to the question of your correspondent, as to the power of the Court of Bankruptcy to discharge a prisoner in custody under an attachment for nonpayment of arrears of alimony, I would refer him to the case of *Re Dickens*, 5 L. T. Rep. 776, in which Mr. Commissioner Evans refused to discharge such a prisoner. It would seem that the court has no power to grant a discharge under the 112th section of the Act of 1849, but that the final discharge under the Act of 1861 operates in favour of the bankrupt. It is difficult, however, to reconcile the decisions in the case of *Dickens* v. *Dickens*, 7 L. T. Rep. N. S. 395, and the case of *Re Rice*, 10 L. T. Rep. N. S. 103: in the former case, the judge of the Divorce Court held that the wife might prove under the bankruptcy, and refused a sequestration; and in the latter, the commissioner in bankruptcy refused to allow such proof. If the information herein contained is of any service to the inquirer in your columns, it is heartily at his service. S. J. H.

THE COURTS & COURT PAPERS.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Saturday, June 24.

TANVACO v. SIMPSON.—Special case. Part heard.—*Manisty*, Q.C. was heard for the defendant.
Judgment for the plaintiff.

CUTTER v. LARCHIN.—Demurrer.—*Dowdeswell* was heard for the plaintiff. *Stands over.*

PEARSON (app.) v. TAZEWELL (resp.)—Appeal from conviction by justices of Bridgwater, of the appellant, a toll-bar keeper, upon an information, charging him with improperly demanding back toll.—*Campbell Foster* appeared for the appellant.—No counsel appeared for the respondent.—WILLES, J. said that it was most inconvenient that no counsel should have been instructed to argue the case on behalf of the respondent, as it threw upon the court the burden of making out the argument for the respondent. The judgment must be postponed for that purpose. *Cur. adv. vult.*

THOMPSON v. HAKEWELL.—Demurrer to declaration.—*F. T. White* was for the defendant.—*Maude* (*Compa* with him) for the plaintiff. *Part heard.*

Monday, June 26.

THOMPSON v. HAKEWELL.—The arguments in this case were concluded, and the Court took time to consider their judgment. *Cur. adv. vult.*

LAY v. MOTRAM.—This was a demurrer to a plea setting out a composition deed, and the question raised was, whether a deed which contained a release but no covenant to pay the composition was binding on non-assenting creditors.—*Philbrick*, for the plt.; *Hayes*, Serjt., for the defendant, was not called on.
Judgment for the defendant.

PEARSON (app.) v. FAZEWELL (resp.).—The COURT gave judgment in this case for the respondent.
Judgment for the respondent.

WARD (P. O.) v. GREENLAND.—This was a demurrer to a plea. The action was against the manager of a joint-stock bank who set out in his plea the deed of settlement, by which the officers of the company were only to be liable for wilful negligence.—*Hannen* argued in support of the demurrer; *Quain* contra.—(To be reported.)
Judgment for the defendant.

Re PETTIWOOD AND THE METROPOLITAN BOARD OF WORKS.—This was a special case, raising a question as to what liabilities are transferred, by the Metropolis Local Management Act, from the Commissioners of Sewers to the Metropolitan Board of Works.—*Watkin Williams* for the claimant.—*Mellish*, Q. C. and *Raymond* for the Board of Works.—(To be reported.) *Judgment for the claimant.*

Tuesday, June 27.

HERING (app.) v. THE METROPOLITAN BOARD OF WORKS (resps.)—Appeal from decision of one of the police magistrates at Bow-street, dismissing an information laid by the appellant against the respondents for erecting a hoarding in Northumberland-street, Strand.—*Hall* was for the appellant.—*Raymond* for the respondents.
Judgment for the respondents.

HENDERSON v. BAMBER.—Special case.—*Hannen* was for the appellant, and *R. G. Williams* (*Cotens* with him) for the respondent. *Judgment for the respondent.*

LAW SOCIETIES.

INCORPORATED LAW SOCIETY OF THE UNITED KINGDOM.

The annual general meeting of the members of this society was held in the hall of the society, Chancery-lane, London, on Wednesday, the 5th inst.; Mr. Edward Savage Bailey, president, in the chair.

The minutes of the last annual and special general meetings having been confirmed, the president stated the vacancies in the council. Mr. William Williams was elected president, and Mr. Alfred Bell, vice-president of the society for the ensuing year.

Mr. Edward Savage Bailey, Mr. Ralph Barnes, Mr. John Coverdale, Mr. William Ford, Mr. Frederick Halsey Janson, Mr. Edward Lawrance, Mr. Frederic Ouvry, Mr. Edward Leigh Pemberton, Mr. William Sharpe and Mr. Henry Thomas Young were re-elected members of the council.

The following gentlemen were also elected members of the council, viz., Mr. Edward Banner, of Liverpool, in lieu of Mr. John Hope Shaw, deceased; Mr. Robert Wilson, in lieu of Mr. Keith Barnes, deceased; Mr. John Moxon Clabon, in lieu of Mr. Edward Archer Wilde, resigned; and Mr. Edward Frederick Burton, in lieu of Mr. Charles Kaye Freshfield, resigned.

Mr. Charles James Palmer, Mr. Nathaniel Tertius Lawrence, and Mr. William James Farrer were elected auditors of the accounts of the society.

The report of the council was approved, and also the report of the auditors.

The thanks of the meeting were presented to the chairman for his able conduct in the chair.

LEGAL NEWS.

BRIBERY AND TREATING AT ELECTIONS.—On Tuesday morning a petition was printed, with the parliamentary votes, alleging bribery, treating, intimidation, and undue influence against Mr. T. Brassey, jun., and his agents in the late Devonport election; and praying that the return may be declared null and void. The petition is signed by fifteen electors of the borough.

In the case of Miss Longworth's action for slander against the *Saturday Review*, the Court of Session, on Saturday, refused the defendants leave to appeal to the House of Lords against their judgment sustaining the jurisdiction of the court. Being an interlocutory and not a final judgment, it was in the discretion of the court to grant or refuse the application.

THE ELECTION OF SHERIFFS.—A court of aldermen was holden on Tuesday, for the purpose of receiving from the sheriffs the result of the poll for the election of sheriffs for the ensuing year; after which the Lord Mayor, accompanied by the members of the court and the officers of the corporation, proceeded to the hustings in the Guildhall, where a common hall had assembled, and Mr. Alderman Gibbons and Mr. James Figgins were declared to have been elected by the liverymen to fill the office of sheriffs of London and Middlesex for the ensuing year.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Friday, June 30.

By Messrs. ELLIS and SON, at Garraway's—Freehold premises, being No. 38, Poultry, and two houses, Nos. 1 and 2 Dove-court, Old Jewry, the whole occupying an area of about 1600 square feet—sold for 11,900*l.*

Tuesday, July 4.

By Mr. LOUNT, at Garraway's.—Leasehold, &c., of the Hope Arms wine and spirit establishment, corner of Duke-street, Manchester-square—sold for 1300*l.*

By Mr. J. WALKER, at Garraway's.—Lease, &c., of the King's Arms wine and spirit establishment in Bowling-street, Westminster—sold for 1150*l.*

Wednesday, July 5.

By Messrs. NORTON and [illegible], at the Guildhall Coffee-house.—Freehold residence, known as [illegible], with stabling coach-house, &c., situate at [illegible], Sussex—sold for [illegible]. Freehold residence, and two pieces of copyhold land situate No. 2[illegible], York-place, London-road, Brighton—sold for [illegible]. The lease of a suite of apartments, situate No. 91, Victoria-street, Westminster, also stabling, coach-houses and rooms, No. 2, Victoria mews, Pimlico; term 21 years from 1858 at a rent of [illegible] per annum—sold for [illegible]. Freehold house and shop, situate No. [illegible], Pentonville-road—sold for [illegible]. Freehold rental of [illegible] per annum arising from houses and shops situate in Pentonville-road—sold for [illegible]. Freehold rental of [illegible] per annum arising from a house and shop situate in Pentonville-road—sold for [illegible]. Freehold house and shop, being No. [illegible], Pentonville-road, let at [illegible]—sold for [illegible]. Freehold ground rent of [illegible] per annum, arising from houses and shops situate in Pentonville-road and Caledonian-road—sold for [illegible]. Freehold, two houses and shops, being Nos. [illegible] to 142, Bishopsgate-street without, let at [illegible] per annum—sold for [illegible]. Freehold house, shop and premises, being No. [illegible], High-st., Whitechapel, let at [illegible] per annum—sold for [illegible]. Freehold, two houses and shops, being Nos. 4 and 9, Blackmoor-street, Clare-market, producing [illegible] per annum—sold for [illegible]. Freehold house and shop, being No. 19, Clare-court, Clare-market—sold for [illegible]. Freehold house and shop, being No. 101, Wardour-street, Oxford-street; let at [illegible] per annum—sold for [illegible].

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, June 27.

RAWSON, JOHN; GEORGE, WILLIAM, and WADE, JOHN HENRY, solicitors, attorneys and conveyancers, Bradford.

Bankrupts.

Gazette, June 27.

To surrender at the Bankrupts' Court, Basinghall-street.

ADLER, JOSEPH, coachbuilder, St. Peter's-sq. Hammersmith. Pet. June 24. Reg. Brougham. O. A. Edwards. Sol. Cooper, St. Martin's-la. Sur. July 20.

BALLARD, HANNAH, in no business, Holly Bush-pl. Bethnal-green-rd. Pet June 16. Reg Brougham. O. A. Edwards. Sur. July 12.

BECKWITH, CHARLES, tobacconist, Henstridge-pl. St. John's-wood, and Great Portland-st. Oxford-st. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Rodwell, Connaught-ter. Edgware-rd. Sur. July 8.

BLERIOT, CHARLES, victualler, Coventry-st. Haymarket. Pet. June 15. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. July 8.

BOURA, JULIEN AMIE, dyer's assistant, Dean-st. Soho. Pet. June 21. Reg. Brougham. O. A. Edwards. Sol. Clarke, St. Mary's-sq. Paddington. Sur. July 12.

BROOKS, FREDERICK, builder, Woodbine-grove, Penge, and Shortlands, Bromley. Pet. June 23. Reg. Roche. O. A. Parkyns. Sol. Tucker, New City-chambers, Bishopsgate. Sur. July 10.

BUTLER, JOHN, dealer in wood and stock, Roughton Malherbe. Pet. June 19. Reg. Brougham. O. A. Edwards. Sur. July 12.

CHASE, RICHARD FREDERICK MARCH, merchant and commission agent, University-st. Gower-st. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. July 8.

CHURCH, WILLIAM GEORGE, builder, Bromley. Pet. June 21. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-fds. Sur. July 12.

COBB, NATHANIEL JOHN, soda water and cork manufacturer, Brighton. Pet. June 23. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Co. Walbrook. Sur. July 15.

CORRY, JOHN HEAFORD, tea merchant, Crutched-friars, Mark-ln. and Great Chart-st. City-rd. Pet. June 24. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 11.

DELL, ROBERT SIMONDS, farmer, Hughenden, Great Kissenden, Warwick-yd. Harrow-rd. and Newcastle-pl. Paddington. Pet. June 21. Reg. Brougham. O. A. Edwards. Sol. Porter, Cambridge-ter. Hyde-pk. Sur. July 12.

DUKE, ROBERT CLIFFORD, inspector of iron, Elms-rd. Dulwich, and Barge-yd. Bucklersbury. Pet. June 21. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 10.

ELCOCK, HENRY NOON, commission agent, Richmond-rd. Bayswater. Pet June 21. Reg. Roche. O. A. Parkyns. Sol. Atkinson, High Holborn. Sur. July 10.

FLOOD, JAMES, house agent and appraiser, St. Mary's-ter. Paddington. Pet. June 24. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 12.

FOXLEY, BEN, baker, Offord-rd. Barnsbury. Pet. June 20. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 12.

GARNUCHOT, JULIEN DE PETIGNY, publisher, Villiers-st. Strand, and Bedford-pl. Russell sq. Pet. June 20. Reg. Brougham. O. A. Edwards. Sur. July 20.

GREEN, WILLIAM, builder, New Richmond-rd. Fulham. Pet. June 22. Reg. Brougham. O. A. Edwards. Sol. Pullen, Chancery-ln. Sur. July 12.

HAMILTON, GEORGE, bootmaker, Strand, Walmer. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sur. July 6.

HARDY, JAMES KELITA, traveller to a pickle manufacturer, Langdale-rd. Peckham. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. July 8.

HARRIS, EDWIN LOCKHART, gasfitter, Sydney-st. Commercial-rd. east. Pet. June 16. Reg. Brougham. O. A. Edwards. Sur. July 12.

HART, JOHN, victualler, Goodman's-yard, Minories. Pet. June 22. Reg. Hazlitt. O. A. Graham. Sol. Chalk, Coleman-st.-bdgs. Sur. July 8.

HENSMAN, THOMAS, merchant's clerk, Brook-st. Upper Clapton. Pet. June 22. Reg. Roche. O. A. Parkyns. Sol. Davis, Great Tower-st. Sur. July 10.

HOPE, FRIEND ALLEN, tailor, Doddington. Pet. May 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 10.

HUDSON, JAMES, grocer, Rochester. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sur. July 8.

HUGHES, JAMES BUTLER, corn merchant, Croydon. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Parkes, Beaufort-bdgs. Strand. Sur. July 8.

JONES, JOHN REECE, draper, Marylebone-ln. Pet. June 24. Reg. Brougham. O. A. Edwards. Sol. Jones, Size-ln. Sur. July 12.

JOYCE, JOSEPH, tea grocer, Seven Sisters-rd. Holloway. Pet. June 20. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. July 8.

LEECH, WILLIAM, victualler, Shad Thames. Pet. June 15. Reg. Brougham. O. A. Edwards. Sur. July 20.

MACMILLAN, ALEXANDER, tailor, King's-rd. Ball's Pond-rd. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Hall, Gray's-inn-sq. Sur. July 15.

MAIDLOW, CHARLES, builder, Fleet-rd. Hampstead. Pet. June 16. Reg. Brougham. O. A. Edwards. Sur. July 12.

MOTION, GEORGE, wine and beer merchant, Walbrook. Pet. May 23. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. July 15.

O'FLYNN, DAVID, carman, Croydon. Pet. June 27. Reg. Roche. O. A. Parkyns. Sol. Parry, Croydon. Sur. July 18.

PEARSE, LIVIAN BENSON, granite merchant, Margate, and Hanley-rd. Hornsey-rd. Pet. June 19. Reg. Brougham. O. A. Edwards. Sur. July 20.

PEARSON, JOHN ADAM, saddler and harness maker, Ewell. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sol. Silvester, Great Dover-st. Newington. Sur. July 8.

PHILP, ROBERT KEMP, author, Colebrook-row, Islington. Pet. June 21. Reg. Brougham. O. A. Edwards. Sols. Forbes and Horwood, Warnford-ct. Throgmorton-st. Sur. July 12.

PUGH, JAMES, discount and commission agent, Elysium-rd. Fulham, and Strand. Pet. June 22. Reg. Brougham. O. A. Edwards. Sol. Towse, Camden-st. Camden-tn. Sur. July 12.

READE, FRANCIS NEVIL, lieut. in 21st fusiliers, Spring-grove, Isleworth. Pet. June 23. Reg. Brougham. O. A. Edwards. Sol. Watson, Cannon-st. Sur. July 12.

RING, JAMES CHARLES, and WAINMAN, JOHN, builders and contractors, James-st Kennington-pk. Pet. June 21. Reg. Roche. O. A. Parkyns. Sol. Langton, Walbrook. Sur. July 19.

S[illegible]ON, JOSEPH, victualler, New Brompton, Chatham. Pet. June 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 10.

SIMON, JOHN EDWARD, commission agent, Crooked-ln. Cannon-st. and Moor-pk.-rd. Fulham. Pet. June 16. Reg. Brougham. O. A. Edwards. Sur. July 12.

SMITH, JOHN WOODLEY, victualler, Glebe-ter. Rotherhithe. Pet. June 23. Reg. Hazlitt. O. A. Graham. Sol. Ody, Trinity-st. Southwark. Sur July 15.

STAUNTON, CATHERINE JOSEPHINE, widow, Chesterfield-st. King's-cross. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Edmunds, St. Bride's-avenue, Fleet-st. Sur. July 15.

THORN, THOMAS, boarding and lodging-house keeper, Arthur-ter. Stoke Newington, and Newgate-st. Pet. June 16. Reg. Brougham. O. A. Edwards. Sur. July 12.

TROUBAT, FELIX, wine importer, Pickering-pl. Bayswater, and Eastcheap. Pet. June 24. Reg. Brougham. O. A. Edwards. Sol. Atkinson, High Holborn. Sur. July 21.

WEBB, HENRY, cabinet-maker, Kingsland-rd. Pet. June 21. Reg. Brougham. O. A. Edwards. Sol. Steedman, Great Leonard-st. Finsbury. Sur. July 12.

WOODRUFFE, JOHN, boot and shoe maker, Ewell. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sol. Silvester, Great Dover-st. Newington. Sur. July 8.

To surrender in the Country.

ATKIN, JOHN, locomotive engine driver, Marsden, Huddersfield. Pet. June 17. Reg. & O. A. Jones. Sol. Learoyd, Huddersfield. Pet. Aug. 3.

BISHOP, WILLIAM, coaldealer, Sheffield. Pet. June 17. O. A. Young. Sur. July 7.

BREACH, CHARLES ROBERT, merchant, Liverpool. Pet. June 22. O. A. Turner. Sols. Forshaw, Goodman and Hawkins, Liverpool. Sur. July 4.

BRINDLE, JOSHUA, waste dealer and broker, Blackburn. Pet. June 14. Reg. & O. A. Bolton. Sol. Radcliffe, Blackburn. Sur. July 10.

BROOKS, WILLIAM, victualler, Oldwinsford. Pet. June 22. Reg. & O. A. Haward. Sol. Corbett, Kidderminster. Sur. July 10.

CONLON, JAMES, emery and glass paper manufacturer, Strangeways, Manchester. Pet. June 24. Reg. & O. A. Hulton. Sol. Smith, Manchester. Sur. July 6.

COOKE, MARY JANE, widow, Parkfield, Birkenhead. Pet. June 22. O. A. Turner. Sol. Best, Liverpool. Sur. July 7.

CROSS, THOMAS, iron manufacturer, Penn, Wolverhampton. Pet. June 23. Reg. Tudor. O. A. Kinnear. Sol. Jackson, Westbromwich. Sur. July 7.

CUNLIFFE, JOHN, and PIGGOTT, FREDERICK, cotton manufacturers, Blackburn. Pet. June 22. Reg. Macrae. O. A. Morgan. Sol. Wood, Manchester. Sur. July 7.

DALLA, ROBERT TOMLINSON, shipbroker, Goole. Pet. June 13. Reg. & O. A. Wilson. Sol. Harle, Leeds. Sur. July 6.

DIXON, SARAH, publican, Accrington. Pet. June 14. Reg. & O. A. Woods. Sols. Backhouse, Blackburn. Sur. July 18.

DOOLEY, PETER, boot and shoe maker, Liverpool. Pet. June 21. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. July 10.

DUNN, JAMES, sen., boot and shoe maker, Norwich. Pet. June 23. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. July 13.

EYRE, GEORGE LOMAS, beltmaker, Crowcroft-view, Levenshulme. Pet. June 14. Reg. & O. A. Hulton. Sur. July 6.

FULFORD, WILLIAM FRED, hairdresser, Nuneaton. Pet. June 19. Reg. & O. A. Dewes. Sol. Craddock, Nuneaton. Sur. July 22.

FURZE, JAMES, butcher, Halwartha, Roseland. Pet. June 22. Reg. & O. A. Rogers. Sol. Marshall, Truro. Sur. July 14.

GALT, JAMES EDGECOMB, refreshment-room keeper, Ardwick. Pet. April 11. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. July 11.

GAUNTLETT, CHARLES, labourer, Portsmouth-dockyard, and naval pensioner, Portsea. Pet. June 21. Reg. & O. A. Howard. Sol. White, Portsea. Sur. July 20.

GOVER, CATHERINE MARY, lime burner, Landport. Pet. June 22. Reg. & O. A. Howard. Sol. White, Portsea. Sur. July 20.

GRAY, WILLIAM GOVER, attorney, Liverpool and Manchester. Pet. June 21. Reg. & O. A. Hime. Sol. Grocott, Liverpool. Sur. July 11.

GUY, JAMES RIMMINGTON, cabinet-maker, Hull. Pet. June 14. Reg. & O. A. Phillips. Sol. Chester, Hull. Sur. July 5.

HALL, WILLIAM EDWARD, ale and porter dealer, Burnt Tree, Tipton. Pet. June 24. Reg. Tudor. O. A. Kinnear. Sol. Ebsworth, Wednesbury. Sur. July 14.

HINDLE, THOMAS, victualler, Everton. Pet. June 22. O. A. Turner. Sol. Grace, Liverpool. Sur. July 6.

HITCHCOCK, THOMAS, tailor, Shiffnal. Pet. June 17. Reg. & O. A. Potts. Sol. Walker, Wellington. Sur. July 13.

JACKS, GEORGE, pit sawyer, Chatham. Pet. June 19. Reg. & O. A. Acworth. Sur. July 7.

JEWITT, JONATHAN, cattle dealer, Prudhoe. Pet. June 14. Reg. Gibson. O. A. Lakiman. Sol. Hoyle, Newcastle. Sur. July 12.

JOHNSON, WILLIAM, victualler, Fulstow. Pet. June 10. Reg. & O. A. Waite. Sur. July 6.

LEAKE, THOMAS, farmer, Maltby. Pet. June 23. O. A. Young. Sols. Marsh and Edwards, Rotherham. Sur. July 7.

MACBETH, MARGARET ELIZABETH, innkeeper, Newport. Pet. June 23. Reg. & O. A. Roberts. Sol. Graham, Newport. Sur. July 12.

MANNING, THOMAS, farmer, Clodock. Pet. June 20. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. July 14.

MARSH, THOMAS, joiner, Middle Rasen. Pet. June 23. Reg. & O. A. Rhodes. Sols. Brown and Son, Lincoln. Sur. July 13.

MELVEY, JOHN, fruiterer, Newcastle. Pet. June 21. Reg. & O. A. Clayton. Sols. Daglish and Stewart, Newcastle. Sur. July 6.

MORGAN, HUGH JONES, grocer, Mardol, Shrewsbury. Pet. June 22. Reg. Hill. O. A. Kinnear. Sols. Davis, Shrewsbury; James and Griffin, Birmingham. Sur. July 10.

OGDAN, CHARLES HENRY, refreshment-house keeper, Chatham. Pet. June 19. Reg. & O. A. Acworth. Sur. July 7.

PRIOR, THOMAS, commission agent, Greenheyes, Manchester. Pet. June 14. Reg. & O. A. Hulton. Sur. July 5.

REED, EDWARD, whitesmith, Scarborough. Pet. June 17. O. A. Young. Sur. July 10.

SHERWOOD, DAVID WALKER, ironmonger, Stockton-on-Tees. Pet. June 24. Reg. Gibson. O. A. Lakiman. Sols. Watson, Newcastle. Sur. July 13.

SMITH, ALFRED, fishmonger, Sheerness. Pet. June 19. Reg. & O. A. Waite. Sur. July 4.

STEVENS, HENRY, Penzance. Pet. June 10. Reg. & O. A. Millett. Sur. July 7.

SUTCLIFFE, EDWIN, cloth manufacturer, Chapel-town, Calverley. Pet. June 23. Reg. & O. A. Robinson. Sol. Carr, Leeds. Sur. July 14.

THOMSON, SAMUEL, engineer, Liverpool. Pet. June 23. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. July 7.

THORNEYCROFT, CHARLES, victualler, Shiffnal. Pet. June 17. Reg. & O. A. Potts. Sol. Walker, Wellington. Sur. July 13.

TOY, JOHN, lead smelter, Bristol. Pet. June 15. Reg. Wilde. O. A. Acraman. Sols. Brittan and Sons, Bristol. Sur. July 7.

WALL, WILLIAM, staymaker, East Retford. Pet. June 22. Reg. & O. A. Newton. Sol. Marshall, jun. East Retford. Sur. July 7.

WATSON, JOHN, and WATSON, JOSEPH, joiners, Batley. Pet. June 22. Reg. & O. A. Nelson. Sol. Ibberson, Dewsbury. Sur. July 7.

WITHERS, GEORGE, dealer in marine stores, Portsea. Pet. June 21. Reg. & O. A. Howard. Sol. White, Portsea. Sur. July 20.

WOOL, JAMES, hay dealer, Long Load, Martock. Pet. June 20. Reg. & O. A. Warren. Sol. Watts, Yeovil. Sur. July 10.

YOUNG, WILLIAM, and PROUD, HENRY, drapers, Sunderland. Pet. June 24. Reg. Gibson. O. A. Laidman. Sol. Eglinton, Sunderland. Sur. July 12.

Gazette, June 30.

To surrender at the Bankrupts' Court, Basinghall-street.

BROWTON, CHARLES, inspector of road traffic, Rickmansworth. Pet. June 27. Reg. Brougham. O. A. Edwards. Sol. Earle, Bedford-row. Sur. July 20.

COOPER, HENRY JAMES, linendraper, Uxbridge. Pet. June 21. Reg. Roche. O. A. Parkyns. Sols. Ashurst, Morris and Co. Old Jewry. Sur. July 17.

CRADDOCK, SARAH, beerseller, Boughton Monchelsea. Pet. June 19. Reg Hazlitt. O. A. Graham. Sur. July 15.

CRADDOCK, THOMAS, beerseller, Dover. Pet. June 19. Reg. Hazlitt. O. A. Graham. Sur. July 15.

DODD, CHARLES, builder, Oxford. Pet. June 22. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 10.

EARLE, FRANK, slate quarry master, High-st. Stratford. Pet. June 24. Reg. Roche. O. A. Parkyns. Sol. Scott, Basinghall-st. Sur. July 10.

EMERY, ALFRED, victualler, Kensington. Pet. June 26. Reg. Hazlitt. O. A. Graham. Sol. Waldron, Lamb's Conduit-st. Sur. July 15.

FIEDLER, JULIUS HENRY, carpet bag manufacturer, Watling-st. and Kew-green. Pet June 27. Reg. Brougham. O. A. Edwards. Sol. Woolf, King-st Cheapside. Sur. July 20.

FINEMOR, CHARLES, dealer in marine stores, Jerusalem-passage, Clerkenwell, and Woolwich. Pet. June 26. Reg Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-fds. Sur. July 20.

FRESCO, ANDRE, dentist, Gilbert-st. Oxford-st. Pet. June 27. Reg. Roche. O. A. Parkyns. Sol. Godfrey, South-sq. Gray's-inn. Sur. July 10.

GALE, RICHARD, baker, Devonshire-rd. Greenwich-rd. Pet. June 26. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. July 10.

GRIFFIN, SANDIFORTH FEATHERSTONE, contractor, Basinghall-st. and Crowan. Pet. June 6. Reg. Hazlitt. O. A. Graham. Sol. Blake, Basinghall-st. Sur. July 15.

HEATH, WILLIAM EDWARD, clerk, Great Windmill-st. Pet. June 21. Reg. Hazlitt. O. A. Graham. Sol. Billing, Chapel-pl. Poultry. Sur. July 15.

HURST, JOHN, carman, Hampstead-rd. and Melton-st. Euston-sq. Pet. June 23. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 17.

JONES, STEPHEN THOMAS, packing case maker, Princes-st. Barbican, and Cupid-ct. St. Luke. Pet June 27. Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Linc.-inn-fds. Sur. July 10.

LINDEN, GEORGE, bookbinder, Back-hill, Hatton-gdn. Pet. June 27. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. July 15.

MARTELLY, MATTHEW, merchant, Gower-st. Bedford-sq. Pet. June 28. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 17.

MATTHEWS, NORMAN, farmer, Framlingham. Pet. June 26. Reg. Hazlitt. O. A. Graham. Sol. Plimsoul, South-sq. Gray's-inn. Sur. July 15.

MUIR, ROBERT, accountant, Brooksby-st. Islington and Cornhill. Pet. June 23. Reg. Roche. O. A. Parkyns. Sol. Farrar, Great Carter-ln. Doctor's-commons. Sur. July 17.

NASH, MARY ANN, coffee-house keeper, West Smithfield and St. John-st.-rd. Pet. June 24. Reg. Hazlitt. O. A. Graham. Sol. Popham, Bedford-st. Hornsey-rd. Sur. July 15.

OSBORN, WILLIAM HENRY, meat salesman, White Hart-st. Newgate-market, and Calford-rd. De Beauvoir-town. Pet. June 23. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. July 15.

PALMER, GEORGE JAMES, commission and shipping agent, Southtown, Great Yarmouth. Pet. June 27. Reg. Roche. O. A. Parkyns. Sols. Cowdell and Grundy, Abchurch-ln. Sur. July 10.

POLLARD, GEORGE, paper and envelope maker, Footscray. Pet. June 26. Reg. Hazlitt. O. A. Graham. Sol. Davis, Ironmonger-ln. Sur. July 15.

PIDDELLE, ELLEN MARIA, ladies' outfitter, Crawford-st. Bryanstone-sq. and Lupus-st. Pimlico. Pet. June 26. Reg. Roche. O. A. Parkyns. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. July 10.

RYLEY, JAMES, engineer R. N. of Her Majesty's ship, Rodney. Pet. June 16. Reg. Roche. O. A. Parkyns. Sols. Harrison and Lewis, Old Jewry. Sur. July 17.

SIMMONS, THOMAS, ironmonger, Whitstable. Pet. June 26. Reg. Brougham. O. A. Edwards. Sol. Nonnolis, Linc.-inn-fds. Sur. July 20.

SPILLAR, THOMAS, house decorator, Ealing. Pet. June 24. Reg. Brougham. O. A. Edwards. Sol. Olive, Portsmouth-st. Linc.-inn-fds. Sur. July 21.

STEVENSON, ROBERT, traveller to a stationer and bookseller, Wellow-st. Pentonville. Pet. June 27. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. July 15.

TOLL, WILLIAM, carpenter, Luton. Pet. June 23. Reg. Roche. O. A. Graham. Sols. Treherne and Co. Aldermanbury. Sur. July 15.

WELLS, WILLIAM FREDERICK, general dealer, Back-st. Parkes and Union-chambers, Old Broad-st. Pet. June 26. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 10.

YOUNG, JAMES, boot and shoe manufacturer, Hampstead-rd. Pet. June 24. Reg. Brougham. O. A. Edwards. Sols. Parkhurst and Salt, Great Knightrider-st. Doctors'-commons. Sur. July 21.

To surrender in the Country.

BENBOW, WILLIAM MOORCROFT, contractor for buildings, Liverpool. Pet. July 18, 1862. Reg. & O. A. Hime. Sol. Day, Liverpool. Sur. July 14.

BISHOP, JOHN, blacksmith, Yetminster. Pet. June 21. Reg. & O. A. Batten. Sol. Ellis, Sherborne. Sur. July 14.

BLACKBURN, GEORGE and JAMES, cloth manufacturers, [illegible] Pet. June 21. O. A. Young. Sols. Bond and Barwick, Leeds. Sur. July 10.

BUCKINGHAM, WILLIAM JOHN, confectioner, Salford. Pet. June [illegible] Reg. Macrae. O. A. Morgan. Sol. Jones, Manchester. Sur. July 12.

BURNEY, MICHAEL SHAW STEWART, staff commander on [illegible] R.N., Saltash. Pet. June 6. Reg. & O. A. Pearce. Sols. Lewis, Curtis and Dawe, Plymouth. Sur. July 12.

BUTLER, GEORGE, farmer, Stapleford. Pet. June 12. Reg. & O. A. Patchitt. Sur. July 26.

CANNON, LEWIS, draper, Idle. Pet. June 27. O. A. Young. Sols. Mossman, jun., Bradford; Carlos and Tempest, Leeds. Sur. July [illegible]

CANTLE, FREDERICK, plumber, Bristol. Pet. June 22. Reg. & O. A. Gibbs. Sol. Benson. Sur. July 21.

CHAMBERS, JAMES, news agent, Gateshead. Pet. June 24. Reg. & O. A. Ingledew. Sols. Daglish and Stewart, Newcastle. Sur. July 14.

CLATWORTHY, RICHARD, wine merchant, Plymouth. Pet. June [illegible] O. A. Carrick. Sols. Miller, Bristol; Terrell, Exeter. Sur. July [illegible]

COOKE, JOHN, farm bailiff, Trench, near Wellington. Pet. June [illegible] Reg. & O. A. Newill. Sol. James, Wellington. Sur. July 14.

COOPER, CHARLES, retired colonel of H. M. Indian Military [illegible] St. Briavel's, near Coleford. Pet. June 24. Reg. Wilde. O. A. Acraman. Sols. Merryman, Austin-friars; Press and [illegible] Bristol. Sur. July 10.

COOPER, GEORGE, tanner, Sheffield. Pet. June 26. O. A. Young. Sols. Chambers and Waterhouse, Sheffield. Sur. July 21.

CROCKER, WILLIAM, beer retailer, Bristol. Pet. June 24. Reg. & O. A. Gibbs. Sol. Wistle. Sur. July 21.

DAYCOCK, THOMAS GEORGE, cork manufacturer, Portsea. Pet. June 27. Reg. & O. A. Howard. Sol. White, Portsea. Sur. July 20.

EVANS, JANE, butcher, Timsbury. Pet. June 21. Reg. & O. A. [illegible] Sol. Williams, Bristol. Sur. July 7.

GALLEY, THOMAS, ironmonger, Bristol. Pet. June 27. Reg. & O. A. Gibbs. Sol. Williams.

GLOVER, WILLIAM, farmer, Stoke-upon-Trent. Pet. June 27. Reg. & O. A. Chalinor. Sol. Walker, Burslem. Sur. July 11.

HANSARD, ROBERT, sen., cordwainer, Thorpe-on-the-hill. Pet. June 27. O. A. Harris. Sol. Brown, Lincoln. Sur. July 11.

HARPER, JAMES, milkman, Oxford. Pet. June 22. Reg. & O. A. Dudley. Sur. July 13.

HOWARTH, JAMES, butcher, Radcliffe. Pet. June 27. Reg. & O. A. Hulton. Sol. Bent, Manchester. Sur. July 13.

HUNTER, JAMES, boatbuilder, Burscough. Pet. June 27. O. A. Turner. Sols. Messrs. Mercroft, Liverpool. Sur. July 18.

JONES, ANDREW, builder, Ulton. Pet. June 17. O. A. Turner. Sols. Francis and Almond, Liverpool. Sur. July 13.

JUDD, WILLIAM, victualler, Crewe. Pet. June 26. Reg. & O. A. Broughton. Sol. Salt, Tunstall and Crewe. Sur. July 18.

KAYE, JOSEPH, woollen manufacturer, Elland. Pet. June [illegible] O. A. Young. Sol. Simpson, Leeds. Sur. July 10.

LATHAM, ROBERT LATHWICK, grocer, West Haddesey, near [illegible] Pet. June 17. Reg. & O. A. Newstead. Sol. Battle, [illegible] July 12.

LEVY, ABRAHAM, draper, Cardiff. Pet. June 27. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. June 13.

LYNON, DAVID, farmer, Maesgwillim, Pembrey. Pet. June 21. Reg. & O. A. Jones. Sol. Bury, Llanelly. Sur. July 10.

PARKER, JOSEPH, beerhouse-keeper, Sheffield. Pet. June [illegible] O. A. Wake and Rodgers. Sol. Fernell, Sheffield. Sur. July [illegible]

PHILLIP, JOHN, tailor, Skipton. Pet. June 13. O. A. Young. Sols. Brown, Skipton; Bond and Barwick, Leeds. Sur. July [illegible]

PIDGEON, HUBERT HENRY, general merchant, Great Torrington. Pet. June 26. O. A. Carrick. Sol. Campion, Exeter. Sur. July [illegible]

PRICE, PHILLIP GILL, brassfounder, Birmingham. Pet. June [illegible] Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. July 13.

RADCLIFFE, RICHARD, woolstapler, Bradford. Pet. June [illegible] O. A. Young. Sols. Wood and Killick, Bradford; Carlos and Tempest, Leeds. Sur. July 19.

RAGONET, WILLIAM HENRI, professor of languages, Liverpool. Pet. June 24. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. July [illegible]

RANE, WILLIAM HENRY, accountant's clerk, Birmingham. Pet. June 27. Reg. & O. A. Guest. Sols. Southall and Nelson, Birmingham. Sur. July 10.

RICHARDSON, CHARLES, watchmaker, Oakham. Pet. June [illegible] Reg. & O. A. Shield and Hough. Sol. Chamberlain, Leicester. Sur. July 5.

SHERWOOD, DAVID WALKER, ironmonger, Stockton-on-Tees. Pet. June 24. Reg. Gibson. O. A. Laidman. Sols. Crosby, [illegible] Messrs. Watson, Newcastle. Sur. July 13.

SMATHERS, WILLIAM, and REDFERN, WILLIAM, [illegible] Chester. Pet. June 27. Reg. & O. A. Watson. Sol. [illegible] Chester. Sur. July 14.

TAYLOR, CHARLES, carpenter, Bath. Pet. June 21. Reg. & O. A. Smith. Sol. Wilton, Bath. Sur. July 12.

THOMAS, RICHARD, sawyer, Bangor. Pet. June 26. Reg. & O. A. Jones. Sol. Williams, Carnarvon. Sur. July 26.

THOMPSON, JEREMIAH, labourer, Croglin. Pet. June 21. Reg. & O. A. Verity. Sol. Wannop, Carlisle. Sur. July 18.

UPFILL, JOHN HUMPHREY, house-agent, Brighton. Pet. June [illegible] Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. July 11.

VICKERS, CHARLES, cattle dealer, Rycroft. Pet. June 17. Reg. O. A. Wake and Rodgers. Sol. Broadbent, Sheffield. Sur. July [illegible]

WALTON, JAMES, market gardener, Oxford. Pet. June 22. Reg. & O. A. Dudley. Sur. July 10.

WALTON, THOMAS, coaldealer, Bacup. Pet. June 21. Reg. & O. A. Hall. Sol. Blackburn, Ramsbottom. Sur. July 13.

WEALLEANS, JOSHUA, fish hawker, Newcastle. Pet. June 27. Reg. & O. A. Clayton. Sol. Forster, Newcastle. Sur. July 13.

WEAVER, GEORGE, farmer, Minchinhampton. Pet. June 21. Reg. & O. A. Anderson. Sol. Witchell, Stroud. Sur. July 12.

WHITEHEAD, WILLIAM, tailor, Rugeley. Pet. June 26. Reg. & O. A. Kinnear. Sol. Palmer, Rugeley. Sur. July 12.

WILLIAMS, WILLIAM, sailmaker, Cardiff. Pet. June 23. Reg. & O. A. Langley. Sol. Sarphens, Cardiff. Sur. July 13.

WILLMETT, JAMES, shipbuilder, Padstow. Pet. June 21. O. A. Carrick. Sols. Daw and Son, Exeter. Sur. July 18.

WILSON, JOHN, cabinet-maker, Kendal. Pet. June 21. Reg. & O. A. Wilson. Sol. Thompson, Kendal. Sur. July 17.

WOODWARD, ELIAS, shoemaker, Garsington. Pet. June 27. Reg. & O. A. Dudley. Sur. July 10.

BANKRUPTCY ANNULLED.

Gazette, June 30.

BROWNRIGG, HENRY.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Atherton, I. attorney, second, 7d. Turner, Liverpool.—[illegible] currier, first, 1s. 2½d. Laidman, Newcastle.—[illegible] chant, third, 1½d. Turner, Liverpool.—[illegible] 1s. 7½d. Stansfeld, London.—*Clee*, J. currier, first, [illegible] Birmingham.—*Corfield*, D. manufacturing chemist, [illegible] field, London.—*Fowle*, J. timber merchant, second, [illegible] Liverpool.—*Glaister*, J. cooper, first, 4s. 10d. Laidman, [illegible] *Graff*, F. J. baker, first, 4s. 3½d. Stansfeld, London.—[illegible] farmer, first on new proofs, 1s. 7d.; and second, [illegible] chester.—*Hodge*, J. R. dealer in berlin wool, first, [illegible] Bristol.—*Holmes*, R. C. formerly captain, first, [illegible] don.—*Hunt*, a timber merchant, first on new proofs, [illegible] Manchester.—*Lomeuth*, A. J. job master, first, [illegible] don.—*Linden*, J. farmer, first, 2s. 3d. Kinnear, Birmingham.—[illegible] F. J. linendraper, first, 2s. 6½d. Carrick, Exeter.—*Mabeck*, G. [illegible] keeper, first, 1½d. Acraman, Bristol.—[illegible]

...ran. Bristol.—Moore, J. soap manufacturer, first, 1s. 3½d. Acraman, Bristol.—Pattison, F. H. commission merchant, first, 1½d. Morgan, Manchester.—Poling and Keres, cotton manufacturers, first, ... first sep. of J. Keres, 11s 6d. Morgan, Manchester.—Pritchard, ... static acid manufacturer, first, 1s 11½d. Acraman, Bristol.—... W. nail manufacturer, first, 1s. 4d. Acraman, Bristol.—... J. dealer in fancy goods, first, 3s. 10d. Morgan, Manchester.—... T. boiler maker, first, 3s. 9d. Morgan, Manchester.—Wilson, ...master, second, 1s. 4d. Turner, Liverpool.

...signment, Composition, Inspectorship and Trust Deeds.

Gazette, June 27.

...TTIE, EDWARD, shoe manufacturer, Northampton. May 30. 2s. ... days.

...BEWE, GEORGE, and BARRETT, CHARLES CHATER, bootmakers, ...-st. Whitechapel. June 10. Trust. R. Fawsitt, leather currier, ...-rd. Bermondsey.

...ER, JABEZ, gentleman, Park-pl. Loughborough-rd. Brixton. June 1. Trusts. G. Larman, gentleman, Walthamstow, and G. Larman, ...mbrella manufacturer, Bishopsgate-st.

...WS, JAMES, baker, Wallsend. June 2. Trusts. W. Brown, ...er, North Shields, and W. Wright, biscuit baker, South Shields.

...ERK, JOHN, and TAYLOR, THOMAS, woollen manufacturers, Halifax. June 13. Trusts. J. Cocker, waste dealer, and J. Halliday, ...manufacturer, both Halifax.

...IES, JAMES, builder, Store-st. Bedford-sq. June 22. 2s. by two ...alments of 1s. on 30th June and 2nd Oct.

...CKE, HENRY, grocer, Sheffield. June 1. Trusts. J. S. Bicks, ...er, and R. Wigfall, miller, both Sheffield.

...E, TIMOTHY, poulterer and fishmonger, Liverpool and West ...by. June 24. Trust. W. Alexander, accountant, Liverpool.

...ARZE, WILLIAM, hotel keeper, Northwich. May 30. 4s. by three ...alments of 1s. 4d. on 18th Aug., 18th Nov. and 18th Feb. Trusts. ...Johnson, brewer, Tunstall, D. Corse, wine merchant, Liverpool, and J. Paul, brewer, Wheelock.

...ARDS, WILLIAM, outfitter, Liverpool. May 30. Trust. W. Nis...et, accountant, Liverpool.

...VKE, EDWARD, Sourdealer, Newcastle. June 13. Trust. J. S. ...ker, agent, Newcastle.

...SSEL, WILLIAM, tobacconist, Newcastle. June 12. Trust. W. ...son, jun., merchant, Newcastle.

...EKILL, JAMES CHARLES, merchant, Winchester-bldgs. Old ...-st. May 27. 3s. by three equal instalments at 4, 8 and ... mos.

...ON, JOHN HENRY, banker's clerk, Preston. May 29. 4s. Trusts. ... R. Williamson, cotton manufacturer, and W. Gilbertson, gentleman, both Preston.

...ERKET, JOHN, furniture dealer, Wardour-st. Soho. June 5. 10s. ... two equal instalments on 26th June and 26th Dec.

...D, RALPH, merchant, Liverpool. June 21. Trust. W. Alexander, ...ountant, Liverpool.

...OSS, JOHN, coachbuilder, Tonbridge. June 1. 3s. in 3 mos.

...E, CHARLES EARNSHAW, woollen cloth manufacturer, Kirkbur...n. May 30. 10s. by two instalments at 2 and 4 mos.

...ANT, THOMAS TWELLS, veterinary surgeon, Scrooby. May 27. ... H. Lambert, bank manager, East Retford, and D. Firman, ...der, Ranskill.

...R, WILLIAM, yeoman and innkeeper, Nether Compton. June 14. ... on 1st July.

...R, CHARLES FETTIPLACE, and CHESSELL, WILLIAM EDWARD, ...chants, Bristol. May 27. Trusts. W. Terrell, hemp merchant, and J. G. Clarke, accountant, both Bristol.

...X, ALEXANDER, general toy merchant, Fore-st. June 2. 1s. on ... June 1866.

...S, RICHARD, shipowner, Bristol. May 29. Trust. E. G. Clarke, ...ountant, Bristol.

...S, JAMES, higgler, Leamington Priors. June 18. Trusts. R. ...evens, ironmonger, and J. Harridence, slater, both Leamington Priors.

...OWLES, JAMES, solicitor, Bolton and Ainsworth. May 27. 4s. 2d. ... execution of deed and 10d. in 6 mos. Trust. C. Wolfenden, ac...countant, Bolton.

...STEAL, HENRY JOHN, Norton St. Philip. May 29. 2s. 6d. on ...th June—secured. Trust. T. Lanfear, grocer, Westbury Leigh.

...ACK, WILLIAM; BESWICK, JOSHUA PICKUP; and EDGE, THOMAS, ...ton manufacturers, Over Darwen. June 1. Trusts. C. M. Wil...son, yarn agent, Manchester, and J. Hargreaves, Over Darwen.

...S, THOMAS, brassfounder, Bristol. June 9. Trust. E. Hibbs, ...smith, Bristol.

...S, JOHN TOOVEY, farmer, Heydon. May 31. Trusts. E. B. ...Gibson, banker, J. S. Robson, grocer, both Saffron Walden, and W. ...Cornell, farmer, Wendens.

...ALD, NORMAN, draper, Birmingham. June 1. Trusts. A. ...Rudie, Dudley, and W. Mackinlay, merchants, Glasgow.

...ALFASS, HENRY, teadealer, Newcastle-under-Lyme. May 22. Trusts. J. Hadley, Standon, and T. L. Umbers, Newcastle-under-Lyme, millers.

...T, ELIJAH, warehouseman, Stamford-st. Blackfriars-rd. June 10. 2s. 6d. on execution of deed.

...LIAM, DONALD, manufacturer, Manchester. June 17. Trust. W. Arnold, merchant, Moss-side, near Manchester.

...N, JAMES, woolstapler, Bradford. June 14. Trusts. W. Gay, ...stapler, and A. Ogden, woollendraper, both Bradford.

...EAL, HENRY, builder, St. Leonard's-on-Sea. June 1. Trusts. J. ...Lowand, builder, St. Leonard's-on-Sea, and L. Durant and H. ...ironmongers, Cross-st. Walworth-rd.

...LIS, EDWIN, stationer, Newcastle. June 2. Trust. C. C. Ross, ...agent, Newcastle.

...S, RICHARD, grocer, Bath. May 26. Trusts. G. Butcher, ...provision merchant, Bath, and B. Thomas, wholesale grocer, ...

...FORD, WILLIAM FREDERICK, general shopkeeper, Howard's-pl. Kensington-pk.-rd. June 21. Trust. H. Sacher, coffee-shop keeper, ...shire-st. Lisson-grove, Marylebone.

...NS, SAMUEL, druggist, Fakenham. May 30. Trusts. J. N. ...Morton, gentleman, and T. Jarrold, stationer, both Norwich.

...S, DANIEL, engineer, Tipton. May 26. 2s. 6d. in 4 mos.—secured. Trust. W. Mainwaring, surgeon, Dudley.

...D, MARY, victualler, Bristol. June 20. 3s. 4d. Trust. J. Coles, ...rewer, Bristol.

...I, HOPE, cork merchant, Haydon-sq. Minories. June 15. Trusts. T. Caverson, gentleman, Bristol, and W. D. Howard, cork mer...chant, Upper Thames-st.

...S, JEREMIAH, and WALKER, JOHN, iron braziers, Wolverhampton. May 30. 6s. 8d. by two equal instalments—3s. 4d. on 30th Aug. and 3s. 4d. on 30th Nov. Trusts. J. Smith and B. Smith, carpet ...ers, Birmingham.

...S, WILLIAM, bookseller, Liverpool. June 22. Trust. G. M. Bid...well, accountant, Liverpool.

...ERS, THOMAS, manufacturer, Coventry. May 10. Trusts. B. ...French, alderman, and J. Lenton, draftsman, both Coventry.

...ER, JOHN, wool merchant, Huddersfield. June 15. 7s. 6d. at 3, 6, 9 and 12 mos.

...LOR, JAMES, painter, Manchester. May 29. 5s. by two equal in...stalments on 1st Aug. and 1st Nov.

...ER, HENRY, wholesale grocer, Manchester. June 14. 10s. by ...three instalments—3s. 4d. at 3, 6 and 9 mos.—secured. Trust. J. ...Pixby, accountant, Manchester.

...LIAMS, JOHN, miller, Cruckton Mill. May 30. Trusts. R. Oakley and H. Sheker, corndealers, both Shrewsbury.

...DAY, JOHN, linendraper, Hull. June 13. 7s. 6d. at 2 and 4 mos.—secured.

...LATT, GEORGE, upholsterer, Derby. May 31. Trusts. T. Tap...ling, warehouseman, Gresham-st. and W. Hunter, upholsterer, ...gate-st.

ERRATA.

...Gazette, June 20, 1865, John Gnorell should have been John ...Gorell.

...Gazette, June 27, 1865 (Williams, Bartlett and Gadd), W. A. Sharpe, one of the trustees, should have been W. A. Tharp.

Gazette, June 30.

...CE, JAMES HENRY, wholesale druggist, Manchester. June 22. 5s. by three equal instalments on 16th Sept., 16th Dec. and 16th March—secured. Trust. W. Alcock, wholesale druggist, Man...chester.

...LEY, WILLIAM, grocer, Openshaw. June 6. 4s. by two equal ...instalments—2s. forthwith and 2s. in 6 mos.—secured. Trust. W. ...Barton, teadealer, Manchester.

...FORD, JAMES, wheelwright, Halifax. May 31. Trusts. J. Pul...lan, iron merchant, and J. Ordish, timber merchant, Halifax.

...ASON, WILLIAM HARNETT, gunmaker, Liverpool. June 12. 4s. ... 1st July. Trusts. G. Holmes, accountant, Liverpool.

BRAZIL, CLARENCE, and BRAZIL, HENRY MARTIN, cotton manufacturers, Chorley. June 12. 10s.—1s. 8d. in 1 mo., 1s. 6d. in 3 mos., 3s. 4d. in 6 mos. and 3s. 4d. in 9 mos., the last to carry interest at 5 per cent. Trust. G. B. Cuff, accountant, Manchester.

BROWNRIGG, HENRY, merchant, Lime-st. June 22. 4s. 6d.—1s. 3d. in 3 mos. and 3s. 3d. in 6 mos.

BURKILL, JOHN, draper, Pocklington. June 6. Trust. W. Abercrombie, stuff merchant, Bradford.

BUTTERWORTH, JAMES, cab proprietor, Oldham. May 31. 2s. on 1st Sept.

BUTTERWORTH, THOMAS, cotton waste dealer, Heywood. May 31. 7s. 6d. by two instalments of 5s. and 2s. 6d.—the first forthwith, the second within 12 calendar mos.

CLARK, SAMUEL, draper, Brighton. June 20. Trusts. A. McGaw, Angel-ct. Friday-st. and R. Morley, Gutter-la. warehousemen.

CORBETT, JOHN, chemist and druggist, Darlaston. June 14. 7s. 6d. by equal instalments on 16th Aug., 16th Nov. and 16th Feb. Sureties, R. Glover, coalmaster, Wednesbury, and W. Corbett, publican, Darlaston.

CORPI, JOHN BAPTISTE; CORPI, JOHN THEODORE; and BRAGGIOTTI, FRANCIS MICHELL, merchants, Austin-friars. Dec. 31. 1s. 6d. Trust. E. Hart, accountant, Moorgate-st.

CRESSWELL, JOSEPH, wine merchant, Shrewsbury. June 16. Trust. C. Gordon, distiller, Goswell-rd.

DANIEL, RICHARD HENRY, watchmaker and general dealer, Hayle. June 1. Trusts. I. Levin, jeweller, and S. Oppenheim, outfitter, both Penzance.

ECCLES, JOHN PATTINSON, and CARTWRIGHT, THOMAS, merchants, Liverpool. June 3. Trust. J. R. Pollitt, broker, Liverpool.

EDWARDS, WILLIAM, ironfounder, Birmingham. June 22. 5s.

FAWCETT, JOHN, jeweller, Sheffield. June 20. Trust. B. Seale, plumber, Sheffield.

FLINN, JOHN, watch manufacturer, Earlsdon, near Coventry. June 24. 6s. by four equal instalments at 3, 6, 9 and 15 mos.—secured. Trust. E. Downing, hosier, Coventry.

GALLAGHER, RICHARD BRINSLEY, librarian, Liverpool. June 19. Trust. J. Wild, leather merchant, Liverpool.

HARGREAVES, DAVID, boltmaker, Bradford. June 1. 2s. 6d.

HUME, HENRY, wholesale milliner, Barnsbury-rd. Islington. June 21. 2s. 6d. by 21st July.

IVES, DANIEL, publican, Albany-rd. Camberwell. June 21. 1s. in 6 mos.

JOHNSON, JOHN, beerhouse keeper, Sheffield. June 19. 1s. on 19th Dec. Trust. J. Addy, iron merchant, Sheffield.

JONES, JOSEPH PROUD, surgeon and apothecary, Birmingham. June 3. 3s. by 1st July. Trust. J. Walker, commission agent, Handsworth.

KEYS, ALFRED, saddler and harness maker, Ipswich. June 26. 5s. in 1 mo.

KNIGHT, WILLIAM, draper, Park-st. Camden-town. June 1. Trust. J. Boldero, warehouseman, Lisson-grove.

LANSDOWN, JOSEPH, coal merchant, Bath. April 27. 10s. on registration of deed. Trust. J. McMurtrie, mining agent, Radstock.

LEWIS, ROBERT, draper, Atherstone. June 2. Trust. D. Woodhead, accountant, Manchester.

MALLAN, JAMES MICHAEL, dentist, Somerset-st. Portman-sq. June 26. Trust. M. Davids, wholesale milliner, Bartlett's-bldgs. Holborn.

MANIERE, EDWARD, attorney, Bedford-row. June 19. 5s. by two equal instalments on 12th Oct. and 12th March. Trusts. J. Attenborough, pawnbroker, Strand, and L. H. Braham, gentleman, Furnival's-inn.

MANIFOLD, JOHN RICHARD, clerk, Hobury-st. Chelsea. June 17. To pay 100l. and 20l. until debts with interest be paid. Trust. J. Fyfe, gentleman, Ramsgate.

METCALFE, HENRY, and WATERSON, JOHN, joiners, Manchester. June 2. Trust. W. Higgins, contractor, and J. J. Harwood, painter, both Manchester.

MOORES, JOSEPH, packing-case maker, Manchester. June 26. 7s. 6d. by three equal instalments—forthwith, in 6 and 9 mos.—secured. Trust. A. Murray, public accountant, Manchester.

MOSLEY, WILLIAM, innkeeper and victualler, Froggatt Edge. June 27. Trusts. W. W. Botterill, book-keeper, and E. Porter, grocer, both Sheffield.

PALMER, JOSEPH, bookseller, Brighton. June 12. Trust. S. Hackstepp, yeoman, Tunbridge Wells.

PARSONS, WILLIAM, baker, Milborne St. Andrew. May 30. Trusts. F. Hart, miller, Tarrant Keyneston, and W. J. Besant, yeoman Milborne.

RODD, CHARLES BOUCHIER, clerk to a money scrivener, Bedford-ter. Lothian-rd. Camberwell-new-rd. June 19. 2s. by two equal instalments on 20th Dec. and 20th June.

SALT, RICHARD HENRY, hairdresser, Burslem. June 7. 6s. by three equal instalments in 3, 6 and 9 mos. Trust. W. Till, metal mounter, Burslem.

SILVESTER, ALFRED, artist, Gainsford-st. Kentish-town-rd. June 22. 3s. in 6 mos. Trust. G. Lee, gentleman, Bucklersbury.

SMITH, MARY ANN, gasfitter, Brighton. June 2. 2s. 6d. Trust. J. Boxall, coachbuilder, Brighton.

SOLBERG, BERNARD EDWARD, and FRINK, HARALD, ship chandlers, Cardiff. June 19. 15s. Trusts. W. Peake, bonded store keeper, Cardiff, and T. Murphy, provision dealer, Cardiff.

STEAD, JOSEPH, ale and porter merchant, Halifax. June 10. 6s. by 10th July. Trusts. J. Holroyd, dyer, Rochdale, and H. Greenwood, farmer, Northowram.

STONARD, LOUIS JOSEPH, merchant's clerk, Woodford. June 22. 2s. 6d. in cash.

TAPSCOTT, JOHN, shoe manufacturer, Bristol. June 7. Trusts. C. Bryant and J. Cogan, leather merchants, Bristol.

WILLIAMS, WILLIAM, cordwainer, Pontypool. May 31. 7s. 6d. by three equal instalments, in 3 and 3 mos. Trust. J. W. Williams, Pontypool, cashier to Greenway and Bytheway, solicitors.

WINCHESTER, CHARLES JOHN, tailor, Hove. June 1. Trusts. H. Tester, managing clerk, Brighton, and R. Foot, woollendraper, King-st. Cheapside.

WRAIGHT, RICHARD, grocer, Eagle-ter. Victoria Dock-rd. June 19. 1s. in 3 mos.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

GRESHAM.—On the 19th May last, at Cardigan-lodge, St. George's, Granada, West Indies, the wife of his Honour Chief Justice Gresham, of a son.

BRAMBLE.—On the 29th ult., at Rhodyate-house, Congresbury, Somerset, the wife of James R. Bramble, Esq., solicitor, of a daughter.

MARRIAGES.

GRENFELL—FYNE.—On the 24th ult., at St. Pancras Church, Edward Frederick Grenfell, to Helen Sophia, third daughter of Henry Fyne, Esq., barrister-at-law, of 5, Endsleigh-street, Tavistock-square.

GWILLIM—SLADE.—On the 29th ult., at Charlton Kings, Cheltenham, William Waring Gwillim, Esq., solicitor, London, to Elizabeth Ann Pearce, only daughter of the late John Slade, Esq., Lloyd's.

SNAGG—OKEY.—On the 29th ult., at Coombe Bissett Church, Salisbury, Sir William Snagg, Chief Justice of Antigua and Montserrat, to Adeline, only child of C. H. Okey, Esq., Knight of the Legion of Honour, Puisne Judge of Antigua.

DEATHS.

BEST.—On the 19th ult., at Llandudno, aged 64, Jas. Best, Esq., barrister-at-law, of the Oxford Circuit, formerly M.P. for Kidderminster.

FOULGER.—On the 29th ult., at his residence, Green-hill, Harrow, aged 69, Charles Foulger, Esq., and of Tanfield-court, Temple.

HAWKINS.—On the 4th inst., at Hereford-road, Bayswater, aged 38, Catherine Sally Boucher, eldest daughter of John Hawkins, of New Boswell-court, Lincoln's-inn, and 2, Rectory-grove, Clapham, Surrey, solicitor.

MOSS.—On the 5th inst., at Zetland-lodge, New-cross, Mary, wife of Mr John Thomas Moss, solicitor, of No. 38, Gracechurch-street, and Zetland-lodge, The Grosvenor, Margate.

Investments.

TO TRUSTEES.—FREEHOLD GROUND-RENTS FOR SALE, 179l. 8s. per annum, and most amply secured upon thirty-four well built superior houses on one estate, at Dalston, producing a rack rental of above 1000l. per annum. To save trouble, lowest price 4450l. —For further particulars apply to Mr. CLARKSON, 38, Great James-street, Bedford-row, W.C.

THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

Authorised Capital, 4,000,000l.

Capital Subscribed, 2,000,000l.

Capital paid up	£500,000
Reserve fund	200,000
Dividend reserve fund	70,000

DIRECTORS.

The Right Hon. JAMES STUART WORTLEY, Governor.
JAMES LEVICK, Esq., Merchant, King's Arms-yd., } Deputy-Governors,
JAMES NUGENT DANIELL, Esq., London. }
James Childs, Esq., London.
Alexander Dunbar, Esq., Old Broad-street, London.
Charles Ellis, Esq., Lloyd's.
Adolphe Hakim, Esq. (Messrs. Pinto, Hakim Brothers and Co., London).
The Hon. T. C. Haliburton, M.P., Chairman of the Canada Agency Association, London.
William Harrison, Esq. (Messrs. Young, Harrison and Bevan), Director of the Thames and Mersey Insurance Company.
Richard Stuart Lane, Esq. (Messrs. Lane, Hankey and Co.), London.
Charles E. Newbon, Esq., London.
Henry Pownall, Esq., J.P., Russell-square, London.
Joseph Mackrill Smith, Esq. (Messrs. Mackrill, Smith and Co.), Old Broad-street, London.
Edward Warner, Esq., M.P., London.
John Westmorland, Esq. (Director of the Royal Insurance Company), London.
Albert Grant, Esq., F.S.A., M.R.I., Managing Director.

Bankers.

The Agra and Masterman's Bank (Limited).
Messrs. Smith, Payne and Smiths.
The National Bank, London, Dublin, and its Branches in Ireland.
The Alliance Bank (Limited), London, Liverpool and Manchester.

Solicitors.

Messrs. Newbon, Evans and Co., Nicholas-lane, E.C.

BUSINESS TRANSACTED.

This Company negotiates Loans for Colonial and Foreign Governments;
Co-operates in the Financial arrangements of British and other railways;
Makes Advances to Corporations, Town Councils and other Public Bodies;
Negotiates Loans for Public Works;
Assists in the introduction of Industrial and Commercial Undertakings;
Makes Advances upon approved Stocks, Shares, Bonds, &c.;
Makes temporary Loans upon eligible Freehold and Leasehold Securities.

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, June 15, 1865.

DEBENTURES ISSUED BY
THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).

ISSUE of 500,000l. DEBENTURES, with Interest payable quarterly.

The Directors have decided to issue Debenture Bonds of the Company for the amounts and bearing interest as under, viz.:—in sums of 10l., 20l., 50l., 100l., 250l., 500l. and 1000l., with coupons attached.

INTEREST.

For 3 years	6 per cent. per annum.
„ 5 years	6½ „ „
„ 7 years	7 „ „

Interest payable quarterly,—viz., on the 30th March, 30th June, 30th September, and 30th December in each year, at the company's bankers.

The distinctive feature in the debentures issued by this company is their perfect security; the amount of the capital subscribed, paid-up and uncalled and the general invested assets of the company, as well as the large reserve fund, affording the most ample security to the investor.

These Debentures are issued payable to bearer, and can therefore pass by simple delivery from hand to hand, without indorsement, and are free from any further stamp-duty. They are also issued—to meet the requirements of Trustees and others—transferable by Deed only, to be duly registered in the Company's Books in the names of the Investors or their Assigns.

Forms of application can be obtained of the Secretary, to whom all communications must be addressed.

By Order of the Court,

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, June 15, 1865.

DEPOSITS RECEIVED BY
THE CRÉDIT FONCIER and MOBILIER of ENGLAND (Limited).
RATES for MONEY on DEPOSIT.

This Company receives Money on Deposit in sums of 10l. and upwards at the undermentioned rates, from this day until further notice, viz.:—

At 14 days' notice	3 per cent. per annum.
At 1 month's notice	3½ per cent. per annum.
For fixed periods of	
Not less than 3 months and up to 6 months	4 per cent. per ann.
Beyond 6 months and up to 9 months	4½ per cent. per ann.
Beyond 9 months and up to 12 months	5 per cent. per ann.
Beyond 12 months and up to 24 months	5½ per cent. per ann.

Forms of application can be obtained of the Secretary, to whom all communications must be addressed.

By Order of the Court,

ALFRED LOWE, Secretary.

London, 17 and 18, Cornhill, June 15, 1865.

DEBENTURES at 5, 5½, and 6 per Cent.
CEYLON COMPANY, LIMITED.

Subscribed Capital, 500,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	Patrick F. Robertson, Esq.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Five Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to GEORGE J. JEVERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, June 27, 1865.

TO CAPITALISTS.—Persons wishing to INVEST not less than 2000*l.* in AUSTRALIAN SQUATTING PROPERTY, either in Victoria or New South Wales, can hear of a Gentleman who has had twenty-four years' experience in the management of all kinds of Stock in Australia, and who will undertake the purchase and management of a Sheep Station for a quarter share.

References and testimonials of the highest character from the most eminent colonial merchants.—For further particulars apply, by letter, to "T. V. P.," Post-office, Hanbury, Burton-on-Trent. Reference is also kindly permitted to the firm of Messrs. John Swire and Sons, Merchants, Cork-street, Liverpool; and to their representatives, Messrs. Lorimer, Marwood and Rome, Commission Merchants, Melbourne and Sydney.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of 2,000,000*l.*, of which 60,000*l.* only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 20th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

SIX PER CENT. SECURED on FREEHOLD PROPERTY in London.—The DIRECTORS of the INNS OF COURT HOTEL COMPANY, Limited, are issuing the remainder of the Company's SIX PER CENT. MORTGAGE DEBENTURES.

These Bonds, secured as a first charge of the entire hotel property of the company (estimated as worth not under 120,000*l.*), are issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and Investors have the option of payment in full or by three instalments.

The company cannot borrow more than 80,000*l.*

H. T. L. BEWLEY, Secretary.

Offices of the Company, 61, Lincoln's-inn-fields, W.C., July 1865.

DEBENTURES.—The CREDIT FONCIER of MAURITIUS (Limited).

Subscribed Capital £500,000
Paid up and invested 160,000

This Company is prepared to ISSUE a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from Six to over Seven per Cent. per Annum, according to the length of the terms.

The business of the Company is confined to the advance (of cash) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the Articles of Association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's Debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

ACCIDENTS to LIFE or LIMB, in the Field, the Streets, or at Home, Provided for by a Policy of the RAILWAY PASSENGERS' ASSURANCE COMPANY, 64, Cornhill, London, E.C.

COMPENSATION *Has been paid for* 10,000 *Claims.*

1000*l.* in case of Death, or 6*l.* per Week while laid-up by Injury, secured By the annual payment of from 3*l.* to 5*l.* 5*s.*

For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,

64, CORNHILL, and 10, REGENT-STREET.

WILLIAM J. VIAN, *Secretary.*

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

69, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq. Q.C., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

LAW FIRE INSURANCE SOCIETY.

Offices: Chancery-lane, London.

Subscribed Capital, 5,000,000*l.*

TRUSTEES.

The Right Honourable Lord Chelmsford.
The Right Honourable Lord Truro.
The Right Honourable the Lord Chief Baron.
The Right Honourable the Lord Justice Sir J. L. Knight Bruce.
The Right Honourable the Lord Justice Sir G. J. Turner.
The Right Honourable John Robert Mowbray, M.P.
William Brougham, Esq.

Insurances expiring at Midsummer should be renewed within fifteen days thereafter, at the Offices of the Society, or with any of its agents throughout the country.

The full and immediate benefit of the reduction of duty to 1*s.* 6*d.* per cent. will be given to the insured.

This Society holds itself responsible, under its Fire Policy, for any damage done by explosion of gas.

EDWARD BLAKE BEAL, Secretary.

THE GENERAL ELECTION.

THE FOLLOWING ELECTION FORMS

FOR USE OF AGENTS AND RETURNING OFFICERS

ARE PUBLISHED BY

HORACE COX,

LAW TIMES OFFICE, 10, WELLINGTON-STREET, STRAND, W.C.

No.	COUNTY.
1.	Canvass Books, in Books to contain from 100 to 800 Names. Larger Books may be had by order.
2.	Committee Register Books in Books to contain from 500 to 1000 names. Larger Books may be had by order.
3.	Return of Day's Canvass, 5*s.* per quire.
4.	Inspector's Poll-Book for entering Names of Voters (450 names), 4*s.* each.
5.	District Committees' Polls Return Book, 5*s.* per quire. (*May also be had in Books.*)
6.	Central Committees' Polls Return Book, 5*s.* per quire. (*May also be had in Books.*)
7.	Check Clerk's Book, 3*s.* per quire, or in Books to contain 250 Names 1*s.* 6*d.*; 400 Names 2*s.*; 500 2*s.* 6*d.*; 600 3*s.*; 750 3*s.* 6*d.*; 800 3*s.* 9*d.*
8.	List of Outvoters, 5*s.* per quire.
11.	Notice to Returning Officer of Appointment of Agent to prevent personation, 3*s.* per quire.
12.	Demand of Bribery Oath, 3*s.* per quire.
13.	Poll-Books to contain 450 names, 4*s.* each. (*Candidates' names printed in without extra charge.*)
15.	Poll Clerk's Oath, 2*d.* each, or 3*s.* per quire.
16.	Instructions to Poll Clerk, 2*d.* each.
17.	Questions at the Poll and Oath of Identity (with Memorandum) for Poll Clerk and Returning Officer, 3*s.* per quire.
18.	Bribery Oath (with like Memorandum), 3*s.* per quire.
19.	Sheriff's Oath, on Parchment, 2*s.* each.
20.	Indenture of Return, on Parchment, 2*s.* each.

No.	CITY OR BOROUGH.
1.	Canvass Books, in Books to contain from 100 to 800 names. Larger Books may be had by order.
2.	Committee Register Books, in Books to contain from 500 to 1000 names. Larger Books may be had by order.
3.	Return of Day's Canvass, 5*s.* per quire.
4.	Inspector's Poll Book for entering Names of Voters (450 Names), 4*s.* each.
5.	District Committees' Polls Return Book, 5*s.* per quire. (*May also be had in Books.*)
6.	Central Committees' Polls Return Book, 5*s.* per quire. (*May also be had in Books.*)
7.	Check Clerk's Book, 3*s.* per quire, or in Books to contain 250 Names 1*s.* 6*d.*; 400 Names 2*s.*; 500 2*s.* 6*d.*; 600 3*s.*; 750 3*s.* 6*d.*; 800 3*s.* 9*d.*
8.	List of Outvoters, 5*s.* per quire.
11.	Notice to Returning Officer of Appointment of Agent to Prevent Personation, 3*s.* per quire.
12.	Demand of Bribery Oath, 3*s.* per quire.
13.	Poll Books to contain 300 Names, 4*s.* each. (*Candidates' names printed in without extra charge.*)
15.	Poll Clerk's Oath, 2*d.* each, or 3*s.* per quire.
16.	Instructions to Poll Clerks, 2*d.* each.
17.	Questions at the Poll and Oath of Identity (with Memorandum) for Poll Clerk and Returning Officer, 3*s.* per quire.
18.	Bribery Oath (with like memorandum), 3*s.* per quire.
19.	Returning Officer's Oath on Parchment, 2*s.* each.
20.	Indenture of Return on Parchment, 2*s.* each.

N.B.—The above Books and Forms are COPYRIGHT.

The name of the *County, City,* or *Borough* will be printed in the Forms without additional charge, and sent by return.

A List forwarded to any person applying.

*** Orders should state as nearly as possible the Number of Electors in the place for which the above Books and Forms are required, that the size of the Books may be proportioned accordingly; and they should be sent at the earliest period, to prevent disappointment in the supply, which will be unavoidable if great quantities be required at the latest moment.

The Ninth Edition, price 12*s.*, of

COX'S LAW AND PRACTICE OF ELECTIONS,

COMPRISING ALL THE

STATUTES, CASES DECIDED, INSTRUCTIONS FOR THE MANAGEMENT OF AN ELECTION IN BOROUGHS AND COUNTIES, FORMS, &c., AND THE LAW OF ELECTION COMMITTEES.

By EDWARD W. COX, Esq.,

Barrister-at-Law, Recorder of Falmouth and Helstone.

LAW TIMES OFFICE, 10, WELLINGTON-STREET, STRAND, W.C.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 20, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to EDWARD S. BARNES, Secretary.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, CHANCERY LANE, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management, but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.

Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.

Business consists of the best classes of risks.

Insurants will be allowed the full benefit of the Reduction of Duty.

Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 50 per cent. per annum on the premiums paid varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

PELICAN LIFE INSURANCE OFFICE.

Established in 1797.

No. 70, LOMBARD-STREET, E.C., and 57, CHARING-CROSS, S.W.

DIRECTORS.

Octavius E. Coope, Esq.
William Cotton, Esq., D.C.L., F.R.S.
Thos. Henry Farquhar, Esq.
James A. Gordon, Esq., M.D., F.R.S.
Edward Hawkins, Jun., Esq.
Kirkman D. Hodgson, Esq., M.P.
Henry Lancelot Holland, Esq.
William Jas. Lancaster, Esq.
Sir John Lubbock, Bart., F.R.S.
Benjamin Shaw, Esq.
Matthew Whiting, Esq.
Marmaduke Wyvill, Jun., Esq., M.P.

ROBERT TUCKER, Secretary and Actuary.

This Company grants Assurances at Moderate Rates of Premium with participation in profits, and at Low Rates without profits.

Also, Loans, in sums of not less than 200*l.*, in connection with Life Assurance upon approved Security.

At the last division of profit the Bonus varied from 28 to 60 per cent. on the premiums paid.

For particulars and forms of proposal apply to the Secretary.

IMPERIAL FIRE INSURANCE COMPANY,

1, Old Broad-street, and 16 and 17, Pall-mall, London.

Established 1803.

Subscribed and Invested Capital and Reserve Fund £1,900,000.

REDUCTION OF DUTY.

Insurances due at Midsummer should be renewed within 15 days therefrom (last day July 8), or the same will become void.

The Government having now decided to make the duty uniform and to reduce it on every description of property to 1*s.* 6*d.* per cent. per annum from 24th of June, all policies will be entitled to a reduction of one-half of the duty hitherto charged.

ANDREW BADEN, Superintendent.

THE LAW OF BENEFIT BUILDING SOCIETIES.

Now ready, Second Edition, in fcp. 8vo. price 3*s.* 6*d.* cloth,

THE LAW RELATING to BENEFIT BUILDING SOCIETIES (6 & 7 Will. 4, c. 32, &c.) with Practical Observations on the Act and all the Cases decided thereon; together with a Form of Rules for a Permanent Benefit Building Society and Forms of Mortgages to the Trustees. By W. TIDD PRATT, Esq., of the Inner Temple, Barrister-at-Law.

London: LONGMANS, GREEN and Co., Paternoster-row.

LEWIS'S EQUITY DRAFTING.

This day is published, post 8vo., 12*s.* cloth,

PRINCIPLES of EQUITY DRAFTING, with an Appendix of Forms. By HUBERT LEWIS, B.A., of the Middle Temple, Esq., Barrister-at-Law. And of "Principles of Conveyancing Explained and Illustrated." This Work, intended to explain the Principles of Equity Drafting, as well as to exemplify the Pleadings of the Court of Chancery, will it is hoped be useful to Lawyers resorting to the New Equity Jurisdiction of the County Courts.

London: BUTTERWORTHS, 7, Fleet-street, Her Majesty's Law Publishers.

Will be published on Saturday 2nd September, 1865.

THE GAS and WATER ECONOMIST and RECORD of PUBLIC IMPROVEMENTS, edited by TOM ABERCROMBIE HEDLEY, Civil and Consulting Engineer.

A fortnightly journal devoted to the immediate interest of Gas and Water Consumers, Corporations, and Local Boards.

All communications to be addressed to the Editor, at the offices,

28, Poultry, London, E.C.

BUSHBY'S ELECTION MANUAL 1865.

This day is published, price 6*s.*, post free.

A MANUAL of the PRACTICE of ELECTIONS in the UNITED KINGDOM: with Appendix of Statutes and Forms. Second Edition. By HENRY JEFFREYS BUSHBY, of the Inner Temple, Barrister-at-Law.

STEVENS and HAYNES, Law Publishers, 11, Bell-yard, Temple-bar.

To Readers and Correspondents.

ERRATUM.—The motion in *Hamilton* v. *Valentin* was not refused, but stands over for consideration of the Law Society.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, JULY 17.

By Mr. H. O. MARIN, at Garraway's.

Four leasehold houses at Holloway; unfinished houses, building land, &c., at Lower Sydenham; two pairs of semi-detached cottage residences at Ealing; and valuable building site at Peckham. Advertised July 8.

TUESDAY, JULY 18.

By Mr. MOXON, at Garraway's.

Five dwelling-houses in Oakley-square, two freehold wharves at Wapping, and four houses at Surbiton. Advertised July 8.

WEDNESDAY, JULY 19.

By Messrs. FOX and BOUSFIELD, at the Guildhall Coffee-house.

Freehold business premises in Fetter-lane; lease of capital premises in Cannon-street; and valuable leasehold house in Lower Seymour-street, Portman-square. Advertised this day.

THURSDAY, JULY 20.

By Messrs. HAMMOND and ELLIOTT, at 18, Chancery-lane,

The law library of the late H. T. Erskine, Esq. Advertised this day.

By Messrs. DEBENHAM, TEWSON and FARMER, at the London Tavern.

Freehold building sites at Watford. Advertised this day.

FRIDAY, JULY 21.

By Messrs. FAREBROTHER, LYE and WHEELER, at Garraway's.

Detached residence, Porchester-terrace, Hyde-park, and freehold estate at Pulham. Advertised July 8.

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Four lines or *Thirty words* ..... 3*s.* 6*d.*

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Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE County Courts Equitable Jurisdiction Bill has now passed into a law, having received the Royal assent by commission on Wednesday last. No one can doubt that the change it will effect will be of the most beneficial kind, and that it will give a remedy to those who were practically without remedy heretofore. A treatise on the subject, embodying the principles and practice of the Court of Chancery on those branches of jurisdiction now conferred upon the County Courts, is in course of preparation by Mr. H. F. GIBBONS, LL.B., of Trinity Hall, Cambridge, who is well known as having during several years past presided in the Sheriffs' Court of the city of London as the deputy-judge. He will be assisted by Mr. W. C. HARVEY, of the Equity Bar, and the work will be ready for publication in the early part of September, before which time the rules to be framed under the Act will have been settled. The treatise is intended to be useful alike to the judge and the practitioner, and the experience of the authors leaves no doubt that this intention will be carried out.

THE LORD CHANCELLOR has appointed Mr. GODFREY LUSHINGTON Principal Secretary, and Mr. WILLIAM CARMALT SCOTT, Gentleman of the Chamber. Mr. SCOTT was Principal Secretary to Lord Chancellor CHELMSFORD. The office of Secretary of Presentations will continue to be filled by Mr. JOHN STUART, and the office of Secretary of Commissions of the Peace by the Hon. H. G. CAMPBELL: the one is son of the Vice-Chancellor STUART; the other of the late Lord CAMPBELL.

LORD WESTBURY, in bowing to the decision of the Commons, has promised, with regard to the future, that it will be his zealous anxiety, in the character of a private member of the House of Lords, to promote and to assist in accomplishing all those reforms and improvements in the administration of justice which he thinks are required by the country. His moral position in this course, so advantageous to the public, will be strengthened if his persevering endeavours to disconnect himself from the son who was the *causa lacrymarum* of his resignation be made clear. We need only extract a few passages from his letters to Mr. MILLER and Mr. SKIRROW, the ill-judging and badly kind friends who frustrated those endeavours, and from whom Lord WESTBURY has had indisputable reason to cry "save me." Had not Mr. SKIRROW taken upon himself to withhold a letter which Lord WESTBURY bade him deliver to Mr. BETHELL as an *ultimatum*, what has happened never would have happened. "I may," said Mr. SKIRROW to the committee, "take this opportunity of saying, that I am very sorry now that I did not deliver that letter."

On Saturday, the 14th May 1864, Lord WESTBURY wrote to Mr. MILLER, mentioning Mr. BETHELL'S "flagrant misconduct," and said, "I feel it my duty instantly to remove him from his office. I beg you to prepare an order without a moment's delay, stating 'it has been proved to my satisfaction that Mr. RICHARD AUGUSTUS BETHELL has neglected the duties of his office, and is unfit to be continued therein,' and that I therefore remove him from the office of one of the registrars of the court as from this day. It would be idle to speak to you of the state of mind I am in; but I am determined that he shall be instantly removed, and that in the manner which justice requires." Mr. MILLER, instead of preparing the order, of which Lord WESTBURY had thus framed the very language, wrote back on the same day entreating his "Lordship to do nothing rashly." Mr. MILLER would see "Mr. B." He believed the information about neglect of duty to be incorrect. "I pray of your Lordship to suffer this matter to rest in my hands for forty-eight hours," &c. Lord WESTBURY replied, "I am much obliged to you for your kind, feeling letter. You knew I could not show my face in court if I did not in this case strict impartial justice. It has nearly broken my heart. I will wait until Monday." On the 16th Mr. MILLER wrote again a long, plausible letter, trying to work on the feelings of Lord WESTBURY as a father, and to deaden his feelings as Lord Chancellor; but all this made no impression, except that he says he succeeded in persuading Lord WESTBURY that the charge of neglect of duty was false. On the 18th Lord WESTBURY answered, "I am much obliged by your kind and feeling letter respecting my son. But it is due to the public that he should resign, and therefore I shall accept and act upon his resignation as from to-morrow. I had no suspicion of his misconduct until the day on which I wrote to you my first letter, last Saturday. It has been to me an overwhelming affliction."

But the crowning mischief of officiousness was on Mr. SKIRROW'S part. In the same week as the correspondence took place with Mr. MILLER, Lord WESTBURY wrote to Mr. SKIRROW, "After a sleepless night I can think of nothing better than the conclusion I mentioned yesterday. It is useless to make any arrangement founded on his retaining his office. It would be discreditable to me his being allowed to remain. He must leave the country immediately. . . I shall not listen to any proposal for his return for some years. . . He and Flo' might go first by themselves to find a place of residence, and I would take care of the children here at Hackwood." After this Mr. BETHELL and his family went abroad. Mr. SKIRROW saw him in Paris in October, devised plans for re-establishing him here, and induced the family to return in December. At Christmas Mr. SKIRROW went down to Lord WESTBURY at Hackwood. "I tried," he says, "to get the LORD CHANCELLOR into conversation about it, but the LORD CHANCELLOR took a very decided view that there was nothing to be done but for his son and family to go abroad, and that was his determination." Mr. SKIRROW returned to town, and Lord WESTBURY wrote to him, "As to RICHARD, it is hopeless; let him understand that I neither can nor will ask for any place for him. . . I will increase his allowance to 1000*l.* per annum if he will go and live in Dresden, or some other proper place, and educate his children there, where they can be well brought up." Mr. SKIRROW went down to Hackwood again in the beginning of January. "The LORD CHANCELLOR," he says, "had been personally kind to me; but whenever I referred to his son, he always assumed an entirely different tone, and as I was leaving on the morning of the 4th of January he put into my hand an envelope addressed to his son, containing a letter, which he told me to read as soon as I had left the house, and I was then to hand it to his son, and I was to look upon that letter as his *ultimatum*, and that he would not see me if ever I spoke to him on the subject again." Mr. SKIRROW did read that letter; he thought it excessively strong in its tone, and he did not think it could do any good, and he kept the letter and he never delivered it, but he conveyed to Mr. BETHELL what was in the letter. The letter was as follows:—"RICHARD, nothing will induce me to give you the place of clerk at the table if it should become vacant; you have been a disgrace, and a source of infinite sorrow and reproach to me during the last ten years. I have given you every opportunity of amendment, but there is no hope of you, nor have I the least confidence in your ever having better principles; I will not see you again. Your best course will be to go to the continent, and try, by attention to your wife and children, to make some amends to them for the grievous injury you have inflicted on them."

Not only was this letter suppressed, but the domestic plot against Lord WESTBURY went on, bringing with it the disreputable negotiations of February, which have since reflected fatally on his official career. It is not extravagant, then, in Lord WESTBURY, beset thus as he has been throughout, to "hope that after an interval of time calmer thoughts will prevail" in the House of Commons, and that "feelings more favourable to himself will be entertained."

ANIMADVERSION is a duty which a journalist exercises often very unwillingly, and never more so than when it is directed against a judge who for nearly five-and-twenty years has administered equity in such a distinguished manner as the Lord Justice KNIGHT BRUCE. But the case of *Parkinson* v. *Hanbury*, reported in our last number, p. 624, was dealt with by him in a manner which calls for remark. The question was whether the taxing master had rightly allowed to the defendants certain fees paid to their counsel on the appeal, Miss PARKINSON in person moving that the master might be directed to review his certificate. The Lord Justice said that it might perhaps be desirable that their Lordships should have the opportunity of seeing the briefs before they decided the question, but, he added, he would "defer to the opinion of his learned brother, and leave the matter entirely to him." Some deference by one judge to a brother judge, after a mutual consideration of their opinions, is proper and indeed necessary for the purpose of unanimity; but one who leaves the matter entirely to the other appears to us to abdicate his function. A Lord Justice, if he so disposes of a matter before him, does not act in accordance with the obligation which he takes upon himself, under the Court of Chancery and Judicial Committee Act (14 & 15 Vict. c. 83), by the words, "I will duly and faithfully and to the best of my skill and power execute the office of Lord Justice."

THE results of the investigation made into the books and accounts of the official assignees and messengers of the London and district Bankruptcy Courts, under the LORD CHANCELLOR'S orders, last year, have been exhibited in a parliamentary return, moved for by Mr. MURRAY. The return shows the particulars in relation to every official assignee and messenger, but we must content ourselves with the totals, omitting shillings and pence. As regards the official assignees, two of them whose accounts commence with the 11th April 1864, Mr. PARKYNS, of Exeter, and Mr. LAIDMAN, of Newcastle, are "reported correct." The amount of the surplus fees shown by the half-yearly returns of the official assignees, made pursuant to sect. 62 of the Act, for the three years ending 11th Oct. 1864, was 38,874*l.* The amount reported to the LORD CHANCELLOR to have been received by the official assignees, but not included in their returns, was 13,877*l.* In pursuance of the reports, 10,182*l.* has been since paid over, leaving 3694*l.* still outstanding. In addition, there was reported to the LORD CHANCELLOR to have been received by the official assignees, but not

included in their returns, 15,692*l.*; but the allowances made to them, according to such reports, for work done prior to the 11th Oct. 1861, amounted to 8122*l.* The amount reported to the LORD CHANCELLOR of the balances in the hands of certain of the official assignees, not included in the quarterly returns of balances held, was 1331*l.* cash, and 3817*l.* stock. Further, certain of them were reported as having made charges to estates without authority of the court, which charges ought to be re-credited to the several estates until dealt with by the court; the amount was 2430*l.*

Among the messengers, one is described as "resigned and cannot be found;" in the cases of four, Messrs. AUSTEN, HUMBER and STUBBS, of London, and Mr. BULLIVANT, of Exeter, fees are stated to have been entered in excess; Mr. INSKIPP, of Bristol, and Mr. DANN, of Exeter, are "reported correct." The amount of the surplus fees, shown by the accounts of the messengers, for the above-mentioned three years is 19,098*l.*; while the amount of the net balances which the messengers should, as reported, have paid over to the Chief Registrar's account beyond the amounts stated in their accounts, was 6262*l.* The amount paid over by the messengers in pursuance of the report has been 5806*l.*; and the amount still outstanding is 415*l.* Besides the net balances which should have been paid over, the amount reported to have been received by the messengers, and not included in their accounts, was 848*l.* The amount charged by the messengers in their accounts for allowances and disbursements, under sect. 32, was 70,667*l.*; while the allowances made to them in the reports for work done and payments actually made amounted to 64,210*l.* only; hence the deficiency of above 6000*l.*

THE success of the County Courts Equitable Jurisdiction Act will depend mainly on the rules and orders to be framed, between the present time and the 1st Oct., for regulating the practice under the Act, and the forms of proceedings. The Act provides that the County Court Judges appointed, or to be appointed, by the Lord Chancellor from time to time to frame rules and orders for regulating the practice of the courts under the 32nd section of the 19 & 20 Vict. c. 108, shall frame the rules and orders for the equitable jurisdiction. But, the County Court Judges so appointed being at present Mr. DASENT, Mr. HEATH, Mr. WORLLEDGE, Mr. KETTLE and Mr. FURNER, all of the common law bar, some apprehension arose, while the Bill was under discussion, whether the best provision had been proposed for adapting the courts to their new functions. Representation to that effect was, we believe, made to the Government, and a suggestion offered that some equity element might be imported into this County Court committee. But no alteration was made by the LORD CHANCELLOR in his Bill. There may possibly have been a doubt in his mind whether an equity practitioner would not be too much biassed by the Chancery system of pleading and procedure to frame rules and orders suitable to the performance of duties by a judge who is obliged to go the circuit of his division, disposing of a large number of plaints in a short time at each place where he holds his court. It could not have been the intention to remedy the apparent difficulty by adding equity County Court judges to the present committee, as the number of it is limited by the Act of the 19 & 20 Vict. to five. The task of framing the rules and orders will doubtless be lightened by the consolidated shape in which the orders of the Court of Chancery now exist. Yet nothing but a prosperous issue of the labours of the committee, unaided by one or more colleagues familiar with Chancery practice, will satisfy the Profession or the public that it was wise in the Legislature to commit this task to five common law gentlemen, even though, according to the Equitable Jurisdiction Act, the rules and orders, when made, are to be submitted to the Lord Chancellor, and to be subject to his disallowance and alteration.

THE growth of the law administered in courts of equity is a subject of so much interest, apart from the consideration of merely professional usefulness, that it is not improbable our readers may remember a very full discussion in this journal in April 1861, on the occasion of the case of *Johnson* v. *Gallagher*, 4 L. T. Rep. N. S. 72, of the liability of a wife's separate estate for the payment of her debts. This branch of law was traced from the early case of *Keage* v. *Delaval*, before Lord Keeper GUILFORD, in 1685, through the noteworthy judgment in *Hulme* v. *Tennant*, (1 Bro. C. C. 15) down to the authorities of the present day. In the last-mentioned case, although it is true that the debt was in the nature of a specialty debt, the wife having given a bond, Lord THURLOW laid down the general principle that "if a court of equity says a *feme covert* may have a separate estate, the court will bind her to the whole extent as to making the estate liable to her own engagements, as, for instance, payment of debts."

Upon the authorities, there was no doubt that when the wife by any writing purported to make her separate estate liable, it would be liable; but the difficulty remained unsolved during nearly two centuries whether the separate estate would be made applicable, without any writing, in payment of her simple contract debts. Even in *Johnson* v. *Gallagher*, which was a case of mere debt for goods sold, the court was divided. Lord Justice KNIGHT BRUCE deciding against the liability of the separate estate, on the ground that it was necessary to prove a specific or an express mortgage or appointment, direction, agreement, or declaration, on the part of the wife, charging or purporting, professing, promising, or contracting to charge her separate property. He did not assume that writing was necessary, but the mere fact that the sellers were aware that the wife had separate estate was insufficient to charge it. Lord Justice TURNER went further. He was of opinion that a married woman's general engagements might affect her separate estate, except as the Statute of Frauds might interfere where the separate estate was real property. But there must be something more than the mere obligation which the law would create in the estate of a single woman; the contract must be on the credit of the real estate. But whether there was sufficient evidence of that fact, must depend in each case on the circumstances. Those in *Johnson* v. *Gallagher* were, that certain upholsterers, aware that the wife was living separate from her husband, supplied her with goods for six years, and were paid by her; in the next year a separation deed was executed creating the separate estate; and later in the same year more goods were supplied on which a balance was left due, payment of which out of the separate estate was the question in the suit. Lord Justice TURNER held that the dealing was on the credit of the separate estate, for that, where under such circumstances a married woman contracts debts, the court, in favour of honesty, was bound to impute to her an intention to deal with her separate estate, unless the contrary were proved. Lord Justice KNIGHT BRUCE, on the other hand, required some expression on the part of the married woman of such an intention.

The recent case of *Symonds* v. *Wilkes*, 12 L. T. Rep. N. S. 598, before the same judges, was also one of goods sold to the wife. She had been supplied, for the purposes of a hotel kept by her, with wines during her widowhood by a merchant, on whom, after her second marriage, she called with her husband, when they requested him to continue the supply and deal with the wife as if she were still a widow, and to make out in her name the invoices of the goods, and to draw bills on her, as she intended to carry on the business on her own account, for her separate use, as she was empowered to do under her marriage-settlement. The supply was continued accordingly. Previously to her second marriage articles had been entered into for the settlement of her property to her separate use for her life. The case differed from *Johnson* v. *Gallagher*, inasmuch as in the dealing there was a reference to the settlement, and she accepted for the wine a bill of exchange, which was the matter in question in the suit. Her separate estate was therefore held liable. The point on which the Lords Justices differed in 1861 on the law of separate use in relation to the liability of separate property to mere simple contract debts still remains undecided. But another important question on that law was now decided.

An attempt was made to defend the separate estate against the bill of exchange by applying to the marriage articles the doctrine of executory trusts, that the rule of law which would operate if the settlement were made strictly according to the trusts indicated in the articles shall be obviated by carrying the trusts into effect by the settlement according to their intention, and not according to their letter. Familiar instances of carrying out articles in such a manner are where a settlement to be made on a parent for his life, with remainder to the heirs of his body, is construed to mean a remainder to the first and other sons in tail, instead of an estate tail to the parent, as would be the construction of such limitations if contained originally in a settlement; or where the settlement is to be of chattels on the parent for life, and the heirs of his body, he will not take absolutely, but his eldest son will take after him as a purchaser; or, where words in articles would, if strictly followed in the settlement, give a joint tenancy, equity gives the more convenient estate of a tenancy in common; and the like in some other cases well known to practitioners. In the case of a separate use, it is undoubtedly the common practice to add a restraint on anticipation, that the wife may not practically become a mere victim to her husband's necessities or importunity, and assign to him in virtue of her power to dispose as a *feme sole*. The MASTER of the ROLLS, on the hearing before him of *Symonds* v. *Wilkes*, thought that, unless a plainly contrary intention was apparent, the court would read the articles as if they contained such a restraint, and that therefore the separate estate was not liable on the bill of exchange. But Lord Justice KNIGHT BRUCE thought that it was competent to the lady and her intended husband before the marriage to contract that the property should be for her separate use, not restrained from anticipation, and that the court would be exceeding its power in the case of adults by inserting in the instrument a clause against anticipation. Lord Justice TURNER, with reference to the observation of the MASTER of the ROLLS, that all settlements ought to contain a provision for the separate use of a married woman, without power of anticipation, agreed in it in all cases where the settlement was made under the direction of the court, as, for instance, in the case of infants. Then the court took care to protect the property; but he could not go the length of saying that these cases were to be carried to the extent that parties who were competent to deal with the property were not capable of entering into an agreement that the property which should be settled for the separate use should be absolved from the restriction on the power of anticipating it.

The principle does not appear to us to be made any clearer by treating the question as one of competence. If the interpretation of marriage articles depended on the competence of the parties, the doctrine of executory trusts would have no existence where the contracting parties were adult. The true question of principle, we should submit, is, whether the court will infer intention in the wife's favour in like manner as the court infers intention in favour of the issue of the marriage. The court, in the instances above mentioned, makes the issue purchasers or moulds the estate of the issue in the manner most advantageous to them, because, a marriage-settlement being in such cases a provision for children, an intention to make an effectual provision for them is inferred. But where, as was the case with the articles in *Symonds* v. *Wilkes*, provision was made only for the husband and wife, there was no reason to infer an intention on either side to make a better provision than each had actually made for himself and herself by the contract. If, in fact, through mistake or otherwise, the provision really intended for the wife by the contract was not made for the wife, then, as Lord Justice TURNER remarked, the proper course would be to file a bill to rectify the settlement, and to alter its terms by inserting a limitation for the inalienable separate use.

"GREAT as are the benefits which the Incumbered Estates Court has conferred upon titles in Ireland, it is a remarkable circumstance that there is no provision for perpetuating and continuing, as to future transactions, the parliamentary title obtained upon a purchase from that court." Such was the remark of the Registration of Title Commissioners of 1857, and they recommended attention to the facilities which existed there for introducing their scheme of stock land title. This recommendation was characterised at the time as an instance of *fiat experimentum in corpore &c.* The experiment was, however, not first tried in the Vice-regal,

fect in the Imperial part of the United Kingdom, and was of a different kind from that intended by the commissioners. They proposed an artificial registered ownership of the fee, and the exclusion of trusts from the register; Lord WESTBURY'S Act established a register which is to be used as a mirror of the title in all its existing estates and interests. Whether the result of the English experiment has been such as to justify an extension of it to another part of the kingdom would appear doubtful on the parliamentary returns made in the present and last two sessions of the business done at the Land Registry-office. The affairs of the office certainly seem to be more prosperous. But, independently of any result, good or bad, of the Land Transfer Act, the Record of Title (Ireland) Bill was much pressed upon the Government by the TORRENS party in Ireland. Mr. TORRENS, who is the Registrar-General of South Australia, personally enlightened the inhabitants of Dublin and Belfast in various meetings assembled in the years 1863 and 1864, on the benefits of the system which he administers in the colony, and stirred them up to move the Lord Lieutenant to intercede with the Imperial Government for some similar record of title in Ireland, which might carry on to the growing title the indefeasibility attaching at present to the new root of title gained in the Land Court. Accordingly the LORD CHANCELLOR introduced the measure, which received the QUEEN'S assent on the 5th.

The Act provides for the establishment of a record of title, to be kept under the control of the Land Court, at a "Record of Title Office." Any one obtaining a conveyance from the Land Court of any land or lease, or interest therein, may have the estate recorded; likewise where a person obtains a declaration of title. A counterpart of the conveyance, or a duplicate of the declaration, is to serve as a land certificate. Any question in making up or continuing the record may be decided by the judge of the Land Court. Subject to the qualifications and incumbrances mentioned in the record, the recorded owner is to be indefeasibly entitled to the recorded estate. No entry is to be called in question by reason of any irregularity or informality therein, or in the previous proceedings. After the recording of land, every settlement (including any instrument creating a partial interest), transfer, mortgage, charge, or lease affecting it is to be recorded. Recorded charges are to rank according to the date of the record. The Irish Registry of Deeds Acts are not to apply to recorded land. Under the judge's fiat the record may be amended or corrected.

A land certificate may be obtained by the owner of a recorded estate, and a certificate of charge by an incumbrancer; also a special land certificate by an owner desirous of mortgaging or selling, which will close the record for fourteen days against new entries. The deposit of the certificate will create a lien in the terms of any agreement accompanying the deposit. Separate certificates may be obtained for separate parcels of land or separate portions of a charge. So, on transfer of part of an estate, a new land certificate may be issued, in which case an apportionment of rent may be made.

Recorded estates or charges may be conveyed or dealt with by statutory deed, by indorsement on the certificate, by deposit of it, or by an ordinary instrument; but no unrecorded estate or dealing is to prevail against the title of a subsequent purchaser for value who is recorded, and no charge is to be created by a deposit of deeds. Transfer or disposition may be made at the office in one of the statutory forms. A person claiming under an ordinary instrument may apply to have it recorded on giving sufficient evidence of the execution; but the officer may decline to receive such instrument unless a judge of the Land Court has directed it to be received. On receipt, the instrument will be deemed to have been recorded, subject to the expiration of the fourteen days in case there has been a special land certificate. At the request of the owner of a recorded estate, and with the consent of all persons interested, the record may be closed, the last recorded owner being deemed to have an indefeasible title. The Land Court is to have the jurisdiction of courts of equity in cases of actual fraud. Provision is made for recording the successor on transmission by act of law.

Under settlements vested estates may be separately recorded, or the Judge may, at his option, direct the record to be made by a note of reference to the settlement. Trustees may be recorded as owners, and any other person as a "consenting party."

Judgments or the like are not to be charges on recorded land, until a memorandum is lodged with the officer, who is to make an official note of them in the record; they are to be re-entered every five years; unless they are entered and re-entered purchasers for value are not to be affected with notice of them. When payment is made of part of a charge, the officer may on production of the receipt make an official note on the record; otherwise, on the occasion of a transfer for value the entire sum is to be considered as due; interest from the last gale day is to be considered as due, unless payment be recorded; a transfer of further interest will be valid only to the extent to which interest is actually due. On a sale by the sheriff the purchaser may be recorded.

Provisions are made for the lodging of caveats, to remain in force for twenty-one days, and for registering leases.

A person who has heretofore obtained a conveyance from the Land Court or the Incumbered Estates Commissioners may apply, and on furnishing evidence of title may, after advertisement, be recorded; so that an interval of two months elapse from the application.

Provisions follow for guarding the officer against injunction, prohibition, or *mandamus*; for indemnifying the officer; for making general rules; for penal acts; for persons under disability; for managing the record; for appeal; for practice in chambers; for a scale of solicitors' and certificated conveyancers' costs, to be framed with regard to skill and trouble and the amount of property, and not with regard to the length of the documents; for a yearly return to the Home Secretary of the business done; for a 10*s.* stamp on all powers of attorney to deal with recorded estates and charges; and for the collection of fees.

The general frame of the Act, then, is similar to that of the English Act, except that the provisions as to the register books, and the particulars for registration, are not so special, as the Irish record of title is to be kept under the control of the Land Court, while the English register was to be conducted by a newly-created officer, the registrar, whose duties, therefore, required to be prescribed in greater detail. For the like reason, indefeasible title in Ireland is to arise upon entry in the record, and not, as under the English Act, after a contract for value in favour of the purchaser. The title must first go through the Land Court, or have gone through that court or the Incumbered Estates Court. Also the printing of instruments and matters to be brought into the office for entry is not made necessary.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (*a*)

(*a*) By W. W. BARRY, Esq., Barrister-at-Law.

CHAPTER X.

THE MORTGAGE SECURITY.

176. *Property mortgaged made redeemable on payment of subscriptions and fines.*—The property mortgaged to the society is made redeemable on payment of the monthly or other periodical subscriptions and fines, from time to time to become due in respect of the shares advanced to the member by anticipation, in the manner already stated.

177. *Trustees not entitled to foreclose where property conveyed on trusts for sale.*—Where property was conveyed by a member of a building society to the trustees, on trust for sale to secure the moneys due to the society, it was held that the trustees were not entitled to a foreclosure, but to a decree for sale. For, although, when property is conveyed upon trusts for sale, it is true that the grantor is entitled to have the property restored to him on payment of the money due, or, in other words, he has a right to redeem, still that fact cannot alter the trusts which are expressed in the deed, and give to the lender a right to foreclose: (*Seweitzer* v. *Mayhew*, 31 Beav. 37.)

178. *Practice of borrower becoming tenant to the trustees at a yearly rent by way of further security.*—It is a usual practice in mortgages made to benefit building societies, to insert an agreement by the member to become tenant at will henceforth to the trustees at a yearly rent, subject to the usual covenants and remedies as in leases, and with the usual proviso authorising the mortgagor to retain possession until default. This provision is deemed to give a further security for the payment of the contributions, and no doubt was entertained as to its efficacy; but in the case cited (*Walker* v. *Giles*, 6 C. B. Rep. 662; s. c. 18 L. J. 323, C. P.; 13 L. T. Rep. 209) it was held that the object and general contents of the mortgage-deed were inconsistent with the intention of creating the relation of landlord and tenant, and that as the member was to retain possession until default, it was quite incompatible that immediately before default he should become tenant at a yearly rent, and so be considered to have contracted to pay the contributions and also the rent, a construction manifestly contrary to the obvious intention of the parties. In a subsequent case (*Doe d. Bastow* v. *Cox*, 11 Q. B. Rep. 122; s. c. 17 L. J. 3, Q. B.), however, the mortgage-deed contained the same clause; but no objection was taken as to its inconsistency. It seems that if the tenancy were made to commence immediately at a peppercorn rent and for a money rent from the time when default should be made in payment of the periodical subscriptions to the society, the security would be taken out of the scope of the decision above referred to, and would operate as a good demise.

179. *Importance of creating a tenancy with a view to ejectment.*—A clause giving a power of distress in the event of the borrower's neglecting to pay his contributions pursuant to the rules and the provisions of the mortgage-deed, and of the validity of which no doubt can be entertained, would answer some of the purposes of a demise. However, practically, it is always important to create a tenancy if possible, so that the borrower or mortgagor in possession may be ejected if necessary, after a proper notice by proceedings in the County Court at a very moderate expense: (9 & 10 Vict. c. 95, s. 122; *Third British Building Society* v. *Barrett*, 14 L. T. Rep. 259.) But if the distress clause only were inserted, and the relationship of landlord and tenant does not exist, the County Court would not have jurisdiction, and possession therefore could not be obtained without proceeding by ejectment in the Superior Courts at a much greater expense and loss of time: (*Jones* v. *Owen*, 18 L. J. 8, Q. B.) The trustees of a building society may bring an action for use and occupation against the tenant of their mortgagor: (*Barnard* v. *Pilsworth*, 6 C. B. Rep. 698, n. a.; s. c. 14 L. T. Rep. 132; *Standen* v. *Christmas*, 10 Q. B. Rep. 135.)

180. *Purchaser liable to fine for nonpayment of instalments of purchase-money.*—Where the mortgaged property of an advanced member of a benefit building society became saleable in case of his default, and the property was sold by the society to the plaintiff, who took the forfeited shares and agreed to pay part of the purchase-money by 20*l.* instalments, it was held that the purchaser was liable under the rules to fines for nonpayment of the instalments of the purchase-money: (*Handley* v. *Farmer*, 29 Beav. 362.)

181. *Mortgages and other deeds and documents exempt from stamp duty.*—All mortgages made to the trustees of benefit building societies, and all deeds and documents incident to the mortgage security, or considered desirable for the purpose of making it more complete, such as deeds of covenant to produce deeds, surrenders of and admissions to copyholds, powers of attorney and the like, are exempt from stamp duty: (10 Geo. 4, c. 56, s. 37; *Walker* v. *Giles*, 6 C. B. Rep. 662; s. c. 18 L. J. 323, C. P.; 13 L. T. Rep. 209; *Barnard* v. *Pilsworth*, *ubi supra*). A demise also in the mortgage-deed would not be liable to stamp duty, because it is only ancillary to the principal deed. But it would seem that a lease by the trustees of a benefit building society as mortgagees to a stranger would require a stamp, though we believe the point has not been expressly decided one way or the other. It would, however, appear that the memorials of mortgages for the purpose of registration, and bills or notes taken by a building society on account of arrears of subscriptions, or to be given by a building society to its bankers for a loan, are exempt from stamp duty.

182. *Also mortgage taken before rules certified.*—Where a benefit building society takes a mortgage from a member before its rules have been certified and deposited, but these formalities are afterwards complied with, then the deed will be exempt from stamp duty: (*Williams* v. *Hayward*, 22 Beav. 220; s. c. 25 L. J. 289, Ch.; 1 Jur. N. S. 1128; 26 L. T. Rep. 134.)

183. *Stamp duty on sale of equity of redemption.*—In the case of the purchase of the equity of redemption of property in mortgage to a benefit

building society, the stamp duty will be the same as on the purchase of an equity of redemption, subject to an ordinary mortgage, except that the amount due to the society at the time of purchase can only be ascertained by computation. This, however, can be readily done, as the mortgage-deeds and rules of every society provide the means of calculating at any period the redemption price of each mortgage. On such purchases it is a convenient practice to recite in the conveyance to the effect that, in order to ascertain the amount of stamp duty, the present value or redemption price of the mortgage had been estimated and ascertained by the secretary of the society at the sum of £ , which sum had been agreed to and adopted by the parties, and that the same added to the sum of £ , the purchase-money of the equity of redemption, was the true consideration for the purchase: (38 L. T. 145, 146.)

184. *Practice in this matter at Somerset-house not uniform.*—The adoption of this rule, however, is not free from difficulty. The authorities at Somerset-house do not seem to have pursued a uniform practice in the matter. Three courses have been adopted: first, the *ad valorem* duty has been charged on the total amount of the purchase-money and of the ascertained sum payable to the society for redemption, as in the common case of a sale of property subject to an ordinary mortgage; secondly, the deed-stamp has been adjudicated in respect of the moneys due to the society, and the *ad valorem* on the amount of the purchase-money; and thirdly, the *ad valorem* duty has been charged on the amount of the purchase-money only, it being considered that mortgages to building societies do not secure any definite or ascertainable amount: (25 L. T. 214; 38 Ib. 138; 39 Ib. 127, 140.) But wherever it should be considered desirable to attempt to stamp the deed on the principle of the second or third of these courses, it should only be done by adjudication at Somerset-house. The latest practice in this matter adopted by the stamp authorities is stated to be as follows:—Whenever the value of the future subscriptions is ascertainable according to the rules of the society, then the *ad valorem* duty attaches upon such value as well as upon the consideration money actually paid for the equity of redemption. But where such value is not so ascertainable, then the *ad valorem* duty attaches upon the consideration money actually paid, with a further duty of 1*l.* 15*s.* in respect of such unascertainable value of future subscriptions: (39 L. T. 329.)

185. *Receipt of trustees to operate as a reconveyance.*—The trustees named in any mortgage made on behalf of a benefit building society, or the survivor or survivors of them, or the trustees for the time being of the society, may indorse upon any mortgage or further charge given by any member of such society to the trustees thereof, for moneys advanced by the society to any member thereof, a receipt for all moneys intended to be secured by the mortgage or further charge, which shall be sufficient to vacate the same, and vest the estate of and in the property comprised in such security in the person or persons for the time being entitled to the equity of redemption, without its being necessary for the trustees to execute any reconveyance of the property mortgaged, such receipt to be specified in a schedule to be annexed to the rules of the society: (6 & 7 Will. 4, c. 32, *s.* 5.)

186. *Need not specify by whom money paid.*—It is not necessary that the receipt should specify the person by whom the money has been paid. The person entitled to the reconveyance is the person who is empowered to call upon the holder of the legal estate, and to demand from him a reconveyance of such estate. The effect of the receipt is to vacate the original mortgage: (*Stamers* v. *Preston*, 9 Ir. Com. Law Rep. 351.)

187. *Legal estate will vest in next mortgagee.*—Some property was mortgaged to a building society and afterwards to A. The mortgagor then borrowed money from B. to pay off the building society, which was done at a particular time and a receipt was indorsed on the mortgage. Fourteen days afterwards the mortgagor executed a new mortgage to B. It was held that the legal estate vested in A. and not in B.: (*Prosser* v. *Rice*, 28 Beav. 68.)

188. *In the case of copyholds satisfaction should be entered on the court-rolls.*—In the case of copyholds the conditional surrender by way of mortgage, strictly speaking, does not require a warrant to vacate the same if the repayments be regularly made pursuant to the rules, because the condition would not be broken, but nevertheless it is the most convenient course to have a satisfaction entered on the court-rolls: (Watk. Cop. 151, 4th edit.)

189. *Trustees can be admitted at any time.*—The trustees can be admitted to the copyholds at any time, and it is a question of discretion and expediency whether they should be admitted at once. If they be, then, of course, the liability of paying the fees and fine would fall on the borrower. If the money advanced be nearly the value of the property it will be advisable that the admission should take place immediately, especially in those cases where the property is subject to an arbitrary fine on admission. But it should not be forgotten that if the trustees are admitted and the borrower pays all his subscriptions pursuant to the rules, he will have to incur the additional expense of a surrender and admission when he is entitled to a reconveyance of the property. For the receipt to be indorsed on the security, as prescribed by the Building Societies Act, will not preclude the necessity for a re-surrender and admission pursuant to the custom of the manor: (1 Scriv. Cop. 99, 3rd edit. and the cases there cited.) This additional expense, therefore, should be avoided if the value of the property be sufficient to make the society perfectly secure.

190. *Limit to expenses of mortgage security.*—It is sometimes provided in the rules that the legal expenses for investigating the title and completing the mortgage security shall not in any case exceed a certain amount, generally five pounds. But the expediency of such a limit is questionable.

INVESTMENT JOURNAL.

Metropolis Sewage.—It is proposed to form a company for the purpose of utilising the sewage of the northern area of the metropolis, the concession of which has been granted to Messrs. Napier and Hope, and is confirmed by Act of Parliament; the capital to be 2,100,000*l.* A list of the directors, &c., will be found in our advertising columns. We are requested to state that the special Act of Parliament, by which the Metropolis Sewage and Essex Reclamation Company is incorporated, limits the liability of the shareholders to the amount of their shares. The application lists of this company will be closed on Tuesday the 18th inst. for London, and Wednesday the 19th for the country.

The following are the fluctuations of the week in the Money-market:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	249	249	248½	248	...	...
3 per Cent. Red. Ann.	89¾	89¾	89¾	89¾	89¾	89¾
3 per Cent. Cons. Ann.	90¼	90	89¾	90	90	89¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	72	...	...
New 3 per Cent. Ann.	89¼	89¼	89¼	89¼	89¼	89¼
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	14½
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tels. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	90¼	90¼	90¼	90¼	90¼	90¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	216	214½	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	...	...
India 5 per Cents. 1870	104½	104½	104½	104½	104½	...
India Bonds (1000*l.*)	...	18c. c	...	...	...	...
Do. (under 1000*l.*)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1868	...	...	100	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1877	107½	...	...	...	...	...
Do. do. 5½ per c. May 1879	110	109½	109½	109½	...	...
Ex. Bills, 1000*l.*	*a*	*b*	*b*	*d*	*b*	*f*
Do. 500*l.*	...	...	...	...	...	*a*
Do. 100*l.* & 200*l.* 3 per c.	...	*a*	...	*a*	...	
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3½ per cent. par.
b 3½ per cent. 4*s.* pm.
c prem.
d 3½ per ct. 4*s.* 3*c.* pm.
e 3½ per cent. 3*s.* pm.
f 3 3½ per cent. 1*s.* pm.
g 3½ per cent. 5*c.* par.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

PROBATE COURT PRACTICE.—B. died intestate with property under 1000*l.* in value, leaving no known relation, except a lunatic sister, but who had not been so found by inquisition, and who had no property. The Court refused to grant administration for the use and benefit of this lunatic to a stranger in blood until an order had been obtained from the Court of Chancery rendering the property of the lunatic available for her benefit and maintenance: (*Re Steele*, 12 L. T. Rep. N. S. 382. Prob. Ct.)

JURISDICTION—LIBEL—PUBLICATION IN ENGLAND.—An alleged libel upon a person domiciled in England having no property or residence in Scotland, but having litigations and other interests in Scotland, which she visited occasionally, was printed in a newspaper published in London, but having an extensive circulation in Scotland. For this she claimed damages in the Scotch court, and arrestments were made of sums due to the defendants by various publishers in Edinburgh, according to the modes of founding jurisdiction in the Scotch courts. To this defendants put in preliminary pleas of want of jurisdiction and *forum non competens*: Held, that the court had jurisdiction in such case, and the plea was dismissed: (*Longworth* v. *Hope and another*, 12 L. T. Rep. N. S. 613. Ct. of Sess. Sc.)

COUNSEL'S FEES.—It is in the taxing master's discretion to allow or disallow the amount of fees paid to counsel, and the court will not review his taxation when his certificate is objected to only in the respect of such allowance: (*Parkinson* v. *Hanbury*, 12 L. T. Rep. N. S. 620. L. JJ.)

EQUITY PRACTICE.—When an injunction is granted, either upon an *ex parte* application, or upon motion by notice, the plaintiff must give an undertaking as to damages: (*Walpole* v. *The Duke of Buccleugh*, 12 L. T. Rep. N. S. (?). V.C. K.)

When a plaintiff had filed affidavits in reply, introducing a new state of facts in the nature of a new assignment, defendants were allowed at the hearing to read affidavits in reply, without having given notice of them, the cause being allowed to stand over in order to give the plaintiff time to answer them: (*Heath* v. *Wallington*, 12 L. T. Rep. N. S. 631. V.C. W.)

DIVORCE COURT PRACTICE.—To the wife's petition for judicial separation, on the ground of cruelty and adultery, an allegation on the husband's part that the wife had artfully withdrawn herself from his bed and refused him conjugal rights, is no answer: (*Rowe* v. *Rowe*, 12 L. T. Rep. N. S. 639.)

Correspondence.

AN ADVERTISEMENT.—The following circular has been transmitted to one of the sufferers by the recent accident on the Great Western Railway:

(COPY.)

IMPORTANT.—Persons injured by railway accidents, negligence or carelessness of drivers of carriages, or in any other manner, should at once apply to James Goddard, attorney-at-law and solicitor, who undertakes and conducts all such cases.

Offices: 1, Brunswick-street, Liverpool, and 342, Strand, London, W.C.

No money required from the person injured, and expenses only charged when compensation recovered.

N.B. Every description of legal business conducted; wills searched for, and office copies obtained. Claims made out, and money and property recovered.

Here is another, stranger still:

24th July 1—

Mr. John Evans begs to remind his clients that the long vacation is approaching, and that any legal proceedings for the recovery of debts (to be of any avail before November next) should be commenced within ten days from this date.

London, 10, John-street, Bedford-row.

COMMON LAW NOTICE.

Judge's Chambers, July 186

The following regulations for transacting business will be strictly observed till further notice.

Acknowledgments of deeds to be taken at half-past ten o'clock.

Summonses adjourned by the judge will be heard at eleven o'clock according to their numbers on the adjournment file; and those not on that file, previous to the numbers of the day being called, will be placed at the bottom of the general file.

Summonses of the day will be attended in the Queen's Bench Hall; they will be called over there and numbered at half-past eleven o'clock and heard consecutively.

The parties on two summonses only will be allowed in the judge's room at the same time.

Counsel will meet in the Queen's Bench judge's room; the names of the causes to be put on the counsel file, and the causes heard according to order.

Affidavits in support of *ex parte* applications for judges' orders (except those to hold to bail) to be left the day before the orders are to be applied for, except under special circumstances; such affidavits to be properly indorsed with the names of the

parties and of the attorneys, and also with the nature of the application, and a reference to the statute under which any application is made, the party applying being prepared to produce the same.

All affidavits read or referred to before the judge must be indorsed and filed.

HEIRS AT LAW AND NEXT OF KIN.

BLAGG (Margaret), St. John's Hospital, Winchester, spinster, Aug. 3, V.C. S. Solicitors, Godwin and Pickett, 3, King's-bench-walk, Temple, London, for W. Bailey, Winchester.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

DOWGATE HOTEL COMPANY (LIMITED).—Creditors to send in by 27th July, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. Whitney, Serle-street, Lincoln's-inn-fields, London. Solicitor, W. Pitman, 12, King's-road, Bedford-row, London.

INTERNATIONAL RACECOURSE SOCIETY (LIMITED).—Creditors to send in by 8th Aug., their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to C. F. Kemp, 7, Gresham-street, London. Solicitor, M. Abrahams, 17, Gresham-street, Bank, London.

KING QUAY COMPANY (LIMITED).—Creditors to send in by 21st July, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to H. T. Edwards, 2, King's-arms-yard, Moorgate-street, London. Solicitor, J. H. Kaye, 2, New-inn, Strand, London.

SOUTH LADY BERTHA COPPER MINING COMPANY.—A call of 2l. per share to be made by Wood, V.C., at his chambers, on Tuesday, 25th July, at noon. Solicitor, J. W. Barrett, 8, Bell-yard, Doctors'-commons, London.

STRATHALBYN MINING AND SMELTING COMPANY (LIMITED).—Creditors to send in by 14th Dec., their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. Whinney, 3, Serle-street, Lincoln's-inn-fields, London. Solicitors, Vallance and Vallance, 30, Essex-street, Strand, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

BEAR (Jonathan), Little Fransham, Norfolk, farmer, Aug. 9. T. Palmer, solicitor, Great Dunham, Norfolk. Nov. 2, M. R., at noon.

CASE (Henry), Milborne St. Andrew, Dorsetshire, draper, tailor and general dealer, Aug. 1. S. G. Case, Milborne St. Andrew. Oct. 31, V.C. S., at noon.

CUTHBERTSON (Alexander), Penrhiewtyn-house, Llantwit-juxta-Neath, Glamorganshire, solicitor, Oct. 2. H. Cuthbertson, Neath. Nov. 3, M. R., at two o'clock in the afternoon.

DUNK (David Black), Exmouth-street, Clerkenwell, Middlesex, and 221, borough of Southwark, Surrey, Aug. 7. S. B. Robertson, solicitor, 15, Bedford-row, London. Nov. 6, M. R., at half-past twelve o'clock in the forenoon.

MALLEPRAE (Ferdinand Napoleon), Tooley-street, and Gloucester-place, Old Kent-road, Surrey, glass manufacturer, July 20. H. H. Beckitt, solicitor, 30, Moorgate-street, London. Aug. 8, V.C. W., at noon.

MEGHAM (Richard), Lee-house, Brompton, Middlesex, licensed victualler, July 24. J. B. Clark, solicitor, 36, New Broad-street, London. Aug. 8, V.C. S., at noon.

MONKHOUSE (Jane), Newton, Cumberland, spinster, Aug. 10. Case and Fairer, solicitors, Penrith, Cumberland. Nov. 4, M. R., at noon.

MOORE (Rebecca Mary), Benges, Herts, spinster, July 21. J. H. May, solicitor, 27, Russell-square, Middlesex. Aug. 7, V.C. S., at noon.

PARKER (Joseph), Carlisle, and Ashes, Castle-Sowerby, Cumberland, land agent and farmer, Aug. 8. E. Hough, solicitor, Carlisle. Nov. 2, M. R., at noon.

PAYET (Wm.), Durham Nursery, Queen-street, and Radnor-street, Chelsea, florist, Aug. 1. Laundy and Kent, solicitors, 147, Strand, Middlesex. Nov. 3, V.C. W., at noon.

YOUNG (Jane), Westridge, Isle of Wight, July 28. Harrison, Beale and Harrison, solicitors, 19, Bedford-row, London. Aug. 4, M. R., at noon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

ALLEN (Ellen Margaret), 3, Montpelier-place, Bristol, Oct. 1. Watkins, Baker and Baylis, solicitors, 11, Sackville-street, London.

ALLEN (Robert), Lansdown-cottage, Wood-green, Middlesex, gentleman, Aug. 15. C. T. Jenkinson and Son, solicitors, 1, Corbet-court, Gracechurch-street, London.

BAKER (Wm.), 108, Grand Junction-terrace, Edgware-road, Middlesex, tobacconist, Aug. 10. F. Kearsey, solicitor, 22, Bucklersbury, London.

BLUNT (Reginald Heber), Gibraltar, an ensign in the first battalion of H. M.'s 9th Regiment of Foot, Aug. 10. W. A. Lomer, solicitor, 18, Portland-street, Southampton.

CARR (John Henry), 20, Euston-road, St. Pancras, Middlesex, solicitor's clerk, July 31. A. O. Underwood, solicitor, 83, Chancery-lane, London.

CRAVEN (John), formerly of Alexandrian-house, Old Kent-road, Surrey, late of 3, Great Garden-street, Whitechapel, Middlesex, and 9, Upper Brunswick-place, Brighton, sugar refiner, Aug. 31. Plews and Irvine, solicitors, 31, Mark-lane, London.

CRAWFORD (James Henry), formerly of Bombay, in the East Indies, late of Brighton, Esq., Dec. 1. H. R. Freshfield, 5, Bank-buildings, London.

DOLEY (Stephen), Redruth, Cornwall, Esq., Aug. 12. S. T. G. Downing, solicitor, Redruth.

DAVEY (Wm.), Gasking-street, Plymouth, retired shipbuilder, Aug. 19. Edmonds and Sons, solicitors, 8, Parade, Plymouth.

GILL (Harrold Wrayford Cornish), Tamar-house, Beerferris, Devon, Esq., Sept. 30. Gurney, Cowland and Kempson, solicitors, Launceston.

GRAHAM (James), New Burns, West Malling, Kent, and 76, Westbourne-terrace, Hyde-park, London, Esq., Nov. 1. C. and H. Bell, solicitors, 36, Bedford-row, London.

HOLMES (Joseph), Portsmouth, gentleman, formerly a coal merchant, Aug. 1. Binstead and Elliott, solicitors, 16, High-street, Portsmouth.

HOWLETT (William Evan), 42, Wellington-street, Old Ford, Bow, Middlesex, and Billingsgate-market, London, fishmonger, Sept. 1. A. E. Tower, solicitor, 10, Lower Thames-street, London.

HUNT (Francis), Ordnance-place, Chatham, Kent, grocer, Aug. 1. Acworth and Son, solicitors, Star-hill, Rochester.

HUNTER (Wm.), 83, King-street west, Plymouth, Sept. 30. Bicker, Lavers, Matthews and Shelly, solicitors, Plymouth.

JOHNSON (Ann), 23, Albert-street, Mornington-crescent, Middlesex, widow, Aug. 15. T. R. Watson, solicitor, 27, Worship-street, Finsbury, London.

LOVELAND (Thomas), Warboys, Huntingdon, gentleman, Aug. 1. Green, Mellor and Son, solicitors, Huntingdon.

MARTIN (William), Rose and Crown inn, and No. 4, Denmark-road, Wimbledon, Surrey, fly proprietor, Aug. 10. Mason, Sturt and Mason, solicitors, 7, Gresham-street, London.

NICHOLLS (Capt. Samuel), 26, Stanhope-street, Regent's-park, Middlesex, Esq., Aug. 10. Combe and Wainwright, solicitors, Staple-inn, London.

PUCKLINGTON (Mary), 331, City-road, Middlesex, widow, July 29. S. Smith and Son, solicitors, 1, Furnival's-inn, Holborn.

SNARSHALL (Caroline), 78, North-street, Brighton, Sept. 1. Black and Freeman, solicitors, 58, Ship-street, Brighton.

TUSON (Richard), 7, John's-terrace, Rhodeswell-road, Stepney, Middlesex, gentleman, Sept. 1. Taylor and Jacques, solicitors, 15, South-street, Finsbury-square, London.

WALDEN (Harriet), 3, Eton-cottages, Grove-road, Fulham, Middlesex, widow, July 29. Kempson and Trollope, solicitors, 31, Abingdon-street, Westminster.

WALMOUTH (Elizabeth), 12, Upper Grosvenor-street, Grosvenor-square, Middlesex, widow, Aug. 12. Park and Nelson, solicitors, 11, Essex-street, Strand, London.

WILLIAMSON (Edward), 8, Red Lion-square, Middlesex, and the Glade, Bentley, Hants, solicitor, Sept. 30. E. C. Williamson, solicitor, 9, Red Lion-square, London.

WOOD (Edmund George), Madras, a major in the Madras Staff Corps, Nov. 1. Richardson and Co., solicitors, 13, Pall-mall, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

LEIGH (John Francis), at Lord Stanhope's, Mansfield-street, 210*l.* New Three per Cents., formerly New Three-and-a-Half per Cents. Claimant, J. J. Gaudin, widow.

OLIVE (Eliza), Ash, Kent, spinster. Dividend on 300*l.* Three-and-a-Quarter per Cent. Annuities. Claimants, J. Whitehead and E. Hoar, executors.

THORP (Rev. Charles), Archdeacon of Durham, SINGLETON (Rev. Thomas), Archdeacon of Northumberland, and BURDER (John), of Parliament-street, gentleman. 110*l.* 15*s.* 9*d.* Three per Cent. Consols. Claimants, Mary Thorp and Rev. C. Thorp, executors.

PRISON MINISTERS ACT.—A Parliamentary return states that in no prison in Scotland has any minister of a Church differing from the Established Church been appointed under the third section of the Prison Ministers Act.

FEES IN THE COMMON LAW COURTS.—The annual return shows that the fees in the offices of the superior courts of common law in the year 1864 amounted to 96,778*l.*; but the payments for salaries, pensions, compensations and expenses absorbed all but 1953*l.*, and of this surplus 1585*l.* was required by the deficiency of fees to meet the salaries and expenses of the Queen's Remembrancer's office, leaving a final surplus of only 368*l.* This, however, is a much more favourable return than that of the preceding year. In the Crown office there is an annual deficiency of above 3000*l.* in the amount of the fees as against the amount of the expenditure; that deficiency is made up by Parliamentary vote.

SUICIDE OF A SOLICITOR AT PENZANCE.—On Thursday week Mr. Millett, of the firm of Millett and Boriase, solicitors, was found dead in the kitchen of an unoccupied house in Regent's-terrace, Penzance. Deceased was registrar of the Penzance County Court, clerk of the peace for the borough, and deputy coroner for the Western Division of the county of Cornwall. He was last seen alive on the previous Tuesday morning, when he appeared in his usual health and spirits, and on that day he attended professionally in a case heard before the magistrate. Not returning to his home at night every search was made, and by following up the information of those who had seen him the previous day he was traced to the house, where he was found suspended by the neck in the kitchen. An inquest was held, when a verdict was returned that the deceased died by hanging himself during a fit of temporary insanity.

A REFORM BILL.—Lord Stanley has told the electors of King's Lynn his idea of a reasonable Reform Bill. He would retain the main franchises untouched, but would admit all workmen with 50*l.* in the savings bank, and all lodgers paying 10 rent a-year, and would sweep away the very small boroughs. The two changes, he calculates, would add 250,000 voters to the constituency: a calculation we believe to be very much under the truth. London alone containing immense numbers of lodgers of every grade, from the men who occupy chambers in the Albany to the operatives who pay 4*s.* 6*d.* a-week for a room. With a twenty-pound suffrage in the counties, Lord Stanley's scheme would be a real concession; but we doubt if the party with which he sits intends to go half so far. Nothing seems clearer from their addresses than their determination to resist any Reform Bill and take their stand with Mr. Lowe, on the principle that the existing franchise produces a very good House of Commons. The extinction of little boroughs will be decidedly resisted, and, indeed, in the present condition of parties, the members for those boroughs alone could throw out any measure not acceptable to both sides of the House.—*Pall Mall Gazette.*

IRELAND.—The Society of Irish Attorneys and Solicitors and the Bar of Ireland are at issue regarding certain rules lately framed by the latter body; and the attorneys, in upholding their side of the question, contend that they are concerned chiefly for the interests of the public. They object to the rule of the bar, that "no senior counsel shall sign a pleading at law or in equity unless a junior counsel also signs." This etiquette, they urge, involves the suitor in unnecessary expense. They object also to the regulation respecting retainers, by which a man may know all the facts, incidents, and circumstances of one side of a case in controversy, and yet, because he has not got two guineas as a retainer, in addition to his fee on the case, may take and hold a brief in opposition to the party whose secrets have been thus confidentially committed to him, and whose proceedings he has advised. They think, further, that a suitor is entitled to demand the services of the counsel whom he retains, and refuse to consider the bar entitled to privileges "which would not be conceded to, or even claimed by, any other class in society." The rule, however, against which the attorneys chiefly inveigh is, that "a case for opinion or for direction of proofs is not, under any circumstances, considered as a retainer." This they call a "startling" rule, which the public should view with "alarm." "If a solicitor were concerned in a cause, and the client, even from caprice, changed him, the court would interdict him from acting for the opposite party; we cannot see, and will not admit, any moral, mental, or physiological difference;" "the mind and memories of the bar are like those of other men." This dispute has gone so far that the Incorporated Society of Attorneys and Solicitors have called a special meeting to discuss the subject, which they say is of "vital interest to the public at large."

THE GENERAL ELECTION.—MODE OF RECEIPT AND DESPATCH OF THE WRITS AT THE GENERAL POST-OFFICE.—Upon every occasion of a general election the reception and despatch of the several writs to the counties, cities and boroughs throughout the United Kingdom is regarded by the Post-office authorities as an event of the greatest importance, requiring no small amount of additional supervision and care, as the misseading of any one of them might lead to most serious consequences. In all, when the House of Commons is quite filled up (which is not the case at present, there being two members short), there are 658 writs received, namely, of English county members, 143; the Universities, 4; cities and boroughs, 324; Welsh county members, 15; cities and boroughs in Wales, 14; Scotch county members, 30; cities and boroughs, 23; Irish county members, 64; university, 2; cities and boroughs in Ireland, 33; total, 658. When the writs are prepared, they are conveyed from the Crown-office at the Treasury by special messengers to the Post-office, and having been duly checked on receipt in the circulation department by the controller, the whole of the addresses are minutely examined, so that no mistake may arise from imperfect or erroneous direction. This ordeal having passed, they are carefully sorted and taken to the several "roads" or routes the mails travel towards the places for which they are severally intended. At this stage of their progress they are singly placed in the receptacles representing the office of the postmaster of the place who has to forward them to their special destination as matters of urgent and special duty. Just before the time arrives for "making up" the mail-bags at the chief office in St. Martin's-le-Grand, the presiding officers on duty witness the act of the consignment of the writs to the several mail-bags, and also see that each bag is properly tied and sealed before it is placed in the mail sack and given into the custody of the guard, who is afterwards responsible for its due and faithful delivery to the local postmaster. The writs for the cities and boroughs in England are directed to the several mayors, and those for the counties to the sheriffs, except in a few particular cases. Those for Ireland and Scotland are sent to the principal officers in the several provinces and municipalities.

EVIDENCE OF ENGINEERS.—In the Court of Queen's Bench the Lord Chief Justice, with a special jury, heard the case of *Symonds* v. *Parnell*. This was an action brought by the plaintiff, the surviving partner of Mr. Richard Roberts, deceased, an eminent consulting practical engineer, to recover the sum of 124*l.* The defendant paid 50*l.* into court as a sufficient sum to meet the plaintiff's demand. Mr. Hawkins, Q.C., and Mr. Horace Lloyd were counsel for the plaintiff. Mr. Holker was counsel for the defendant. It was stated that the action was brought for the benefit of the deceased's family, and the claim was for services rendered by the deceased in 1864, in preparing himself to give evidence and advice as a consulting engineer, on behalf of the defendant, with reference to a suit in Chancery relative to a patent for a sewing machine. The deceased had to study the different specifications and advise and consult for the defendant's benefit, and the charge was at the rate of ten guineas per day and expenses. In the course of this trial, Mr. Hodge, engineer, was called to prove that the charges were fair and moderate. When asked by the learned counsel if he was the gentleman employed to give evidence in such cases, the Lord Chief Justice took exception to the term "employed." He thought it would be much better for all parties if they were only "consulted." Mr. Hodge said that on the trial before the Lord Chancellor it was necessary to break down the vast mass of engineering evidence that had been given against the defendant, which he felt in this case was valueless, and he desired to have the opinion of Mr. Roberts. He regretted to say that consulting engineers of great eminence were ready to give their evidence in court in any way they were required. In this case, engineers, who had never been inside a workshop, and were not practical men, said that a machine could not be made to work from the defendant's specification. He and the deceased called in two young men, made the machine, and produced it the following morning in court in good working order. It was essentially a practical question. Mr Scott Russell was called, and said that in all questions of minute mechanism, Mr. Roberts' opinion was the best in the profession. Many assumed the name of engineer, but they abused and lowered its standing. He thanked his Lordship for his observation with regard to the term "employed" to give evidence, which was in many cases selling opinions and calling it evidence. He (Mr. Scott Russell) drew a distinction between the two. When a man's professional opinion was asked on an important subject, and he had to give great thought and attention to it, he was entitled to his ten guineas a day. He wished it was the practice of engineers not to be paid for the day on which they gave evidence, but only for their professional time and attention out of court given to any subject.

THE BENCH AND THE BAR.

Mr. James Caird will succeed the late Mr. Wingrove Cooke as Commissioner of Inclosures.

On Friday Vice-Chancellor Stuart heard a petition from the Rev. E. Walford, praying for the control of the income of the fortune lately adjudged to his daughter, an infant, by the Court of Chancery, out of the estate of the late Mr. John Gray. The Vice-Chancellor granted the prayer of the petition, and gave the usual order for carrying it into effect.—*Guardian.*

The chronicles of Lincoln's-inn record that many years ago Mr. Charles Neate, now M.P. for Oxford, then a young practising barrister, exasperated at the sarcasms of the late Lord Chancellor, who had led in a case in which Mr. Neate had been junior against him, after ineffectually remonstrating with Mr. Bethell at the contemptuous manner in which he had been treated, struck him, an indiscretion which compelled Mr. Neate to retire from the practice of his profession. The division list of Monday last shows that the member for Oxford, who is by no means a servile observer of the crack of the Treasury whip, voted on that occasion *for* the Lord Chancellor.—*Pall Mall Gazette.*

The Queen has issued a commission nominating the Lord Chancellor, the Chancellor of the Exchequer, various

judges in the Common Law and Equity Courts, the First Commissioner of Works, the Solicitor-General, the Queen's Advocate, Alderman James Clarke Lawrence, and Mr. Edward Savage Bailey, president of the Society of Attorneys, commissioners to report on the sufficiency of the funds to be acquired under the Courts of Justice Concentration (Site) Act 1865; whether the cost of such lands and buildings will not exceed the amount provided by the Courts of Justice Building Act 1865; and to do various other acts connected with the removal of the Law Courts. Mr. Edwin Wilkins Field is appointed secretary to the commission, which will continue in force for five years.

Mr. T. Campbell Foster, barrister, is a bold man. He has gone down to Sheffield to oppose Mr. Roebuck, apparently in the interest of the moderate Liberals, and has already provoked that gentleman to a sharp display of his teeth. He thinks, apparently, that the seat for Sheffield is his property, tells Mr. Foster that "his feeling towards him for interfering in the election is one of supreme contempt," and hints that his object is really to obtain more "jobs at the sessions court," a charge which will probably rouse Mr. Foster to a somewhat spirited reply. For genuine hatred and acidity of speech, commend us to a contest between a moderate and an advanced Liberal. Tory and Radical fight good-humouredly, like Churchman and Dissenter; but a Moderate and a Radical quarrel as bitterly as a Recordite and a Puseyite clergyman in a country town.—*Pall Mall Gazette.*

Mr. George Gardiner Bird, barrister, of Ivy House, Aigburth, was killed on Friday night by falling from a window of the Alexandra Hotel into the street. A party of gentlemen were dining with Mr. Bird on the occasion of his promotion to a captaincy in the 3rd Lancashire Militia. After dinner several of the gentlemen left the hotel, and Mr. Bird and another of the party were alone in the room. Mr Bird fell asleep in an easy-chair, and his friend also slept. About eleven o'clock Mr Bird must have awakened, for he was seen by a person in the street to walk towards the window, having his hands in his pockets. The window, a very low one, was wide open, and immediately upon reaching it Mr. Bird overbalanced himself, and fell headlong upon the pavement below. The spine was fractured, and he died almost immediately. Mr. Bird was a gentleman of large property, and was engaged to be married within the next fortnight.

A notion prevails that only four ex-Lord Chancellors can receive the retiring pension allotted to that office. That idea is naturally current just now; indeed, it is a common supposition that the seals will be offered to Lord Cranworth partly because the Government desire to place Lord Westbury on the pension list without adding to its numbers or its burdens. Like other popular interpretations of the law—as that butchers are not admissible as jurymen, or that a vehicle's approach within a hundred yards of a toll-bar involves payment of the toll—this fancied limitation on the grant of these pensions is wholly without foundation. The finance accounts of last year show that five dowager Chancellors were then in receipt of their jointures. Lord Lyndhurst has died since, but the retirement of Lord Westbury will again raise the list to this number—unless, indeed, Lord Cranworth take the seals again. But if Lord Westbury were the fifteenth dowager Chancellor, he would still be entitled to a pension. In the case of ex-First Lords of the Treasury, Chancellors of the Exchequer, and similar high office-holders, some restriction is prescribed; and this is apparently the origin of the error we are now explaining. The statutes enabling the Crown to charge the Consolidated Fund with the retiring allowances of the Lord Chancellors both of Great Britain and Ireland, contain no expression even pointing in the direction of such a limitation. In Aug. 1852, an Act was passed raising ex-Lord Chancellors' pensions from 4000*l.* to 5000*l.* a-year. Lord Althorp justified this increase to a slightly grumbling House of Commons, on the plea that it was in return for the abolition of sinecures, involving a charge of 24,000*l.* a-year, of which Lord Brougham, then holder of the Great Seal, possessed the patronage; and that those posts, the chaff wax, hanaper, and such like fossil departments of fossil life, "were generally considered as the means of providing for a Lord Chancellor's family."—*Pall Mall Gazette.*

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

POOR RATE—LIABILITY OF PUBLIC PROPERTY TO BE RATED.—An elaborate review by the H. of L. of the law of rating, as it affects the beneficial occupation of the Crown, was reported last week; indeed, it affects the entire principle of rating, and therefore we recommend the reader to peruse attentively the very able judgments; (*Jones* v. *Mersey Dock and Harbour Board*, 12 L. T. Rep. N. S. 643. H. of L.)

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

Correspondence.

TOLL.—The 25th section of the Highway Act 1864 caused much discussion as to the true construction to be placed upon it, which was only set at rest by the opinion of the law officers of the Crown. The meaning of the 37th section of the Act of 1862 appears to be nearly as indistinct. That section enacts that

No toll shall be demanded by virtue of any Act of Parliament on any turnpike-road from the surveyor of a highway board when executing, or proceeding to execute, his duties as such surveyor, and all provisions applicable to the exemptions in the Act of the 3 Geo. 4, c. 126, shall apply to the case of the exemptions conferred by this enactment.

Now, the provisions in that statute relating to exemption from toll are those contained in sects. 26 to 36 inclusive, and of these the following only appear to be applicable to the subject under discussion, viz. that contained in the 32nd section:

That no toll shall be demanded or taken by virtue of this or any other Act or Acts of Parliament, on any turnpike-road . . . . of or from the surveyor of any turnpike-road when engaged in executing, or proceeding to execute, within the limits of his own or any adjoining trust, the powers of this or any other Act or Acts of Parliament for repairing, maintaining, or relating to any turnpike-road;

and that in the 36th enacting that

In all cases the proof of exemption shall be upon the person claiming the same.

Had the case rested here the meaning would have been clear enough; the words, however, "or any adjoining," in the 32nd section, are repealed by 4 Geo. 4, c. 95, s. 25, thereby limiting the exemption, so far as a surveyor of a turnpike trust is concerned, from toll only at gates within his district: hence the question arises, Is the exemption so limited in the case of a surveyor of a highway district? If the Legislature had intended so to limit it, it appears to me that they would have inserted words to that effect in the former part of the section, omitting all reference to the 3 Geo. 4, c. 126, in the latter, and that from their not having done so, and from their having made no reference to the subsequent Act of Geo. 4, that they intended no further restriction on the exemption than is placed upon it by the earlier Act. Will, however, the language used bear the extended construction, and can the 4 Geo. 4, c. 95, s. 25, be excluded from consideration in determining the meaning of 25 & 26 Vict. c. 61, s. 37? I have been referred to an opinion at p. 317 of the 29th vol. of *The Justice of the Peace* (May 20th, 1865), where the writer says:

The exemption given by the 37th section of the 25 & 26 Vict. c. 61, must be read with reference to the earlier statutes, and cannot be taken, we think, to extend beyond the limits of the highway district of which he is appointed the surveyor.

I cannot, however, believe such to have been the intention of the Legislature, and such, I hope to be advised, is not the true construction of the section, and as you have most usefully devoted a portion of your paper to inquiries on highways law, I have taken the liberty of inviting the opinion of some of your experienced readers on the subject.

A MEMBER OF A HIGHWAY BOARD.

July 11th, 1865.

An inhabitant of South Belgravia draws attention to an annoyance experienced by the residents of that neighbourhood which seems to be of a serious character. He says Pimlico is infested with a legion of spies and informers, who, under pretence of getting up evidence for the prosecution of disorderly houses, force their way into the dwellings of respectable householders, and stop and molest women in the street with disgusting questions and remarks. "Owing," the writer continues, "to the disgraceful state of the law relating to disorderly houses, any two malicious persons (perhaps men of straw) have it in their power to go before a magistrate and file an information that a certain person keeps a disorderly house. Upon this a warrant issues against him, his house is stormed by the police, himself carried off to a felon's prison, without knowing who his accusers are; denied permission even to see the information filed against him, and when brought before the magistrate, no matter how innocent he may be, he will inevitably (for the magistrate has no discretion) be committed to take his trial at the sessions. Not a single witness will be called against him before the magistrate, nor will he be allowed the right of cross-examination, nor of making his statement, nor of calling witnesses in exculpation."

CONVICTS IN WESTERN AUSTRALIA.—The annual report of the superintendent of the Freemantle convict establishment in Western Australia states that during the period under review (the year 1864) twenty-two escapes have been actually effected, and three abortive attempts to effect the same purpose have been made. In all the cases of escapes effected, the absconders have been re-captured, generally by the efforts of the colonial police, but in one or two cases by those of private settlers. On Oct. 26, the posting of armed sentries over the two sections of the stringent discipline class was introduced, and has been continued with good effect to the present date. These sentries are employed in aid, and not in substitution, of the convict warders. They have orders to fire on any convict belonging to the party over which they may be posted who may pass beyond the area occupied by the working party, and who, on being summoned to halt and surrender himself, shall neglect to do so, provided the sentry be not near enough to the convict so challenged to arrest his flight by other means. "The introduction of this measure," says the superintendent, "so essentially affecting both the internal discipline and organisation on the public works of this service, was immediately due to a very daring attempt to abscond in a body made by five prisoners of this party, as the party was being marched under charge of two warders from the public works into the prison on the evening of Oct. 12; but the frequent occurrence of violent and menacing conduct and language by prisoners of this party, and the numerous attempts to abscond which had previously been perpetrated by them, rendered the employment of armed sentries, if not absolutely indispensable to their safe custody and discipline, at least a measure of wise precaution and sound economy so long as its operation is strictly confined to the desperadoes of this class; but I would by no means recommend the extension of this application of military force to any other parties of convicts employed on the public works than to the two parties above referred to, as I believe that the severe treatment which the prisoners of the stringent class now undergo, and which is patent to every other man in the prison, will have the effect of keeping offences of absconding and of violent or mutinous conduct in other classes of prisoners within very moderate limits; and I think that the general use of the military in the guarding of convicts on the public works is objectionable, on many grounds, such as its great cost; its interference with the facile and most effective distribution and employment of the men on the public works; its tendency to discourage self-reliance and vigilance in the warders themselves, by enabling them to look to the sentries for the safe custody of the men in their charge, &c., &c.; and, lastly, its direct appeal to brute force and the power of life and death instead of to moral principles in the convicts, and to moral and mental qualifications in the warders who have charge of them, which is ultimately involved in this important measure." The Rev. R. Alderson, chaplain of this establishment, in his report says: "I may be permitted shortly to allude to one or two topics of interest connected with the ticket-of-leave holders and bond class generally. In the first place the establishment of the Post-office savings-bank appears to me to be a most excellent thing; the amount of money already deposited is a most satisfactory proof of the estimation in which such an institution is held. Could a system of cash payments, especially as regards labourers' wages, be made more universal, the advantage would be still greater. I am aware, however, that there are almost unavoidable difficulties to be contended with. As it is, we have reason glad to say, several instances of careful, hard-working men doing exceedingly well, having out after a time, from the United Kingdom, their wives and families, making a respectable home for themselves, and being held in good estimation by the community at large. On the other hand, however, it cannot be denied that there are some who injure themselves, those in a like condition, and indirectly the whole community—the idle and careless ones, and the drunkards. Many of these expect choice of places, also good wages, for just as much or as little work as they think fit to do. Another class is composed of some of the more educated, a small body in the whole, perhaps, who have never been accustomed to manual labour, and do not think it becomes them to try and learn. And yet, again, there are others, I am happy to say, even of this the comparatively speaking educated class, who have set themselves steadily to work, and have taken the first employment offered to them, have won confidence, and seem likely to attain a certain fair independence."

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bolton	Friday, July 21	J. A. Russell, Esq.	10 days	J. Gordon.
Falmouth	Monday, August 7	E. W. Cox, Esq.		W. R. T. Pender.
Helston	Tuesday, August 8	E. W. Cox, Esq.		A. Rogers.
Lichfield	Thursday, July 20	H. W. Cripps, Esq.	8 days	C. Simpson.
Wigan	Wednesday, July 19	J. Catterall, Esq.		R. Leigh.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

LOCKE KING'S ACT.—Where B. by will declared that his personal estate should be liable to the payment of his debts, the real estate comprised in a residuary devise was held not to be liable in aid of the personalty, which was insufficient, to exonerate from a mortgage the real estated comprised in a specific devise. (*Rodhouse* v. *Mold*, 12 L. T. Rep. N. S. 629. V.C. K.)

WILL—STOCK LEGACIES.—B. directed his executors to pay certain legacies of different sums in Three per Cent. Annuities, and at his death possessed stock in Consols, New Three per Cent. Annuities, and Reduced Three per Cent. Annuities. The executors were required to pay the legatees in Consols: (*Re Watson's Trust*, 12 L. T. Rep. N. S. 631. V.C. W.)

SOLDIER'S WILL.—The words, "I request that, in the event of my death while serving in this horrid climate, or any accident happening to me," were held not to be a testamentary paper conditional on the event of death while in that climate. A mere averment that he held such a rank in the regiment, was in such a place, and was in actual military service at the date of writing the paper in question, is not necessarily sufficient to entitle it to be treated as a soldier's testament; but the affidavit should contain a statement of the circumstances full enough to enable the court to judge whether the case falls within the meaning of sect. 11 of the Wills Act: (*Re Thorne*, 12 L. T. Rep. N. S. 619. Probate Court.)

MARITIME LAW.

NOTES OF NEW DECISIONS.

INSURANCE — CAPTURE — PAYMENT AS FOR TOTAL LOSS.—By a valued policy, B. undertook to insure a Prussian ship of C. against such risks as are excluded by the clause, warranted "free from capture, seizure and detention," with a stipulation "to pay a total loss thirty days after receipt of official news of capture or embargo, without waiting for condemnation." An embargo was laid on the ship and all other Prussian ships in Danish ports; and C. gave notice of abandonment to B., which he declined to accept. Before the expiration of the thirty days, the Danish Government announced that all enemy's ships should be permitted to depart, under a promise of reciprocity by the Prussian Government, which, however, did not assent to the decree till after the thirty days had expired; but the embargo was taken off before C. commenced his action. It was held that the right of action accrued at the expiration of the thirty days, entitling the plaintiff to recover as for a total loss, and was not devested by the subsequent removal of the embargo before action brought: (*Fowler* v. *The English and Scottish Marine Insurance Company*, 12 L. T. Rep. N. S. 381. C. P.)

INSURANCE — DUTY OF OWNER OF SHIP.—Subsequently to an application to underwriters to insure a ship on her voyage from a port in Ireland to the port of Nassau, and previously to the terms of insurance being agreed upon, the owner of the ship received information that she had put into an intermediate port to repair, and the owner omitted to advise the underwriters thereof. It was held to be the duty of the owner to communicate to the underwriter all material facts known to him at the time of insurance, and during the progress of the negotiations between him and the underwriters. That the withholding of such facts deprived the underwriters of a fair opportunity of judging of the condition of the ship, and of calculating the risks run by them in insuring; and that the non-disclosure of such facts, even where there was no fraudulent concealment, voided the policy: (*Ussielli* v. *The Commercial Union Insurance Company*, 12 L. T. Rep. N. S. 399. Mellor, J.)

INSURANCE—SHIP—COLLISION.—B.'s ship C. having been run into by ship D., B. arrested ship D. and prosecuted a suit against it in the Admiralty Court for the damages. The ship D. was insured by E. under a policy, the condition of which was that he should pay the damage or loss by contact the ship might do to others, provided it did not exceed the amount insured. It was agreed between B., E. and the owner of ship D., that B. should release her from arrest, E. undertaking to pay "the amount of damage which the said ship C. had received from the said collision," and the costs of the proceedings in the Court of Admiralty. The word "ship" was held to mean "the owners of the ship," and that B. was entitled to recover under this agreement the same compensation he would have received had he prosecuted the suit in the Court of Admiralty, and consequently the damages for the detention and the costs of the suit, in addition to damages for the injury done to the framework of their ship: (*Heard* v. *Holman*, 12 L. T. Rep. N. S. 455. C. P.)

CHARTER-PARTY—COMMENCEMENT OF VOYAGE —PERILS BY SEA.—A ship chartered to sail to some usual loading place, and after taking in cargo there to proceed to a named port of discharge, commences her voyage on starting to proceed to the loading place, and therefore the ordinary exception "the act of God, the Queen's enemies, restraints of princes and rulers, fire and all and every other dangers and accidents of the seas, rivers and navigations, of whatever nature and kind soever, during the said voyage always excepted," applies to the preliminary transit from the place where the ship was when the charter-party was made to the loading place, and this was not affected by the words "guaranteed for cargo in all this month:" (*Barker* v. *M'Andrew*, 12 L. T. Rep. N. S. 459. C. P.)

INSURANCE—CHARTER-PARTY.—B. chartered a ship of C. for a voyage under a charter-party, by which it was stipulated that freight should be paid in advance, less a sum to be paid on delivery of the cargo, and the cost of insurance by the charterers at the ship's expense. B. paid the stipulated portion of the freight in advance, and the ship, in the course of the voyage, was damaged, and incurred expenses, which were general average charges. The meaning of the charter-party was held to be, that C. should return the portion of the freight advanced, whether the ship arrived at her destination or not, and therefore, that it was at B.'s risk, and he was liable to contribute to the general average in respect of the freight advanced as well as in respect of the cargo: (*Trayes* v. *Worms*, 12 L. T. Rep. N. S. 547. C. P.)

SALVAGE SERVICES.—A ship driven from her anchor, was drifting on shore. The master sent up ensigns for assistance. Two whaling boats went to her aid and managed to keep her off the shore by means of warps until more efficient aid arrived, when she was got into deep water and moored in safety. This was held to be a highly meritorious service by the whalers, who were entitled to material salvage award, on the principle laid down by the Privy Council in the case of the *Atlas*, "that where a salvage is finally effected, those who contributed to that result are entitled to a share in the reward, although the part they took, standing by itself, would not, in fact, have produced it:" (*The Rosalind*, 12 L. T. Rep. N. S. 553. Kelly, J.)

SEAMEN'S WAGES.—Where in a seaman's articles it is covenanted to pay wages in dollars, sterling and not currency value is assumed to be intended, and the wages are to be paid at the rate of 4*s.* 2*d.* per dollar. Where it was alleged that there was a specific covenant in the articles duly read over and explained to the crew, that the wages when due should be "payable in United States currency or its equivalent," the Court refused to enforce such a covenant against the seamen, because it was contrary to equity and justice, and an imposition on such a class of men as mariners: (*The Annie Sherwood*, 12 L. T. Rep. N. S. 582. Adm. Ct.)

SALVAGE—SERVICE OF STEAMSHIPS.—Where salvage services are rendered by steamships, the amount of salvage the Court will award is not necessarily affected by the fact of such services occupying only a short time: (*The Northumberland* v. *The Arethusa*, 12 L. T. Rep. N. S. 584. Adm. Ct.)

SALVAGE—DERELICT.—The former practice of the Court to allow one half of the value of derelict property is no longer observed. The present practice is for the court to be guided by the degree of merit of each particular case as it arises: (*The Splendid*, 12 L. T. Rep. N. S. 585. Adm. Ct.)

COLLISION—FOUL BERTH.—A clipper built ship has no right to place herself in such a berth as would make it inevitable that she must take the ground on an ebb tide to the probable risk of other vessels moored in the vicinity. Such a ship not being able to get up to her discharging berth at a wharf owing to the number of ships before her, moored herself on an anchorage ground outside, in a berth where there was not sufficient draught of water for her to lie afloat at low tide, in consequence of which she listed over on a vessel anchored alongside. She was held to be answerable in damages for injuries so sustained, the vessel having been anchored and berthed previously to her taking up her moorings where she did: (*The Indian* v. *The Jessie*, 12 L. T. Rep. N. S. 586. Adm. Ct.)

SHIPPING—REPAIRS.—In an action against the registered owner of a ship, it was proved that the repairs were necessary, that they were ordered by the captain, and that the defendant's name was on the register as sole owner. This was held to be no evidence for the jury: (*Pearson* v. *Nell*, 12 L. T. Rep. N. S. 607. Crompton, J.)

COLLISION—SUBSEQUENT NEGLIGENCE.—The B. gunboat at midnight ran into the C. ship making a hole in her stern six feet above the water line, whereupon the master of the C. stood in for land. About two hours afterwards the coastguard visited the C. on her reaching land and told the master of her position and that the vessel could be got off, giving good reasons for their advice. The master refused repeated offers of the same kind, and the vessel broke up the next morning. It was held, that there were strong grounds for believing that if the master of the C. had accepted the offers of assistance they would have been successful. The B. was responsible only for the damage directly occasioned by the collision, and not for what happened after the refusal of assistance by the master of the C.: (*The Flying Fish*, 12 L. T. Rep. N. S. 619. Priv. Co.)

CONTRACTS — SHIP — DEMURRER. — B. contracted to sell to C. a cargo of rice on board a ship abroad, the goods to be delivered at any port at the buyer's option, to be declared to the sellers on or before the ship's arrival at a port of call in the Channel; the price, if determined in London or Liverpool, to be higher than if delivered at any other port, and any demurrage incurred by the neglect of buyers in giving sailing orders as above to be paid by them. On Oct. 12 the ship arrived at a port of call, and C. was requested to name a port of delivery. C. wrote back to say that he was unable to fulfil the contract, and recommended the seller to act for his own interest in the matter. In reply to further inquiries C. said he could give B. no authority to sell the ship, and finally on Oct. 17 C. executed a trust deed for the benefit of creditors. No port of delivery was named, and the sellers sold the cargo in London. The replies of C. were held not to amount to a renunciation of the contract, and therefore that B. was not entitled to rank as a creditor of a loss occasioned by the sale of the cargo at a less price than that fixed by the contractor. It was held, also, that the ship having remained at demurrage owing to the default of C., B. might rank as a creditor for the amount of the demurrage. (*Ex parte Halliday*, 12 L. T. Rep. N. S. 624. Ld. Ch.)

LAW STUDENTS' JOURNAL.

LAW EXAMINATIONS AND LAW CLASSES.

The Council of the Incorporated Law Society have just issued their annual report, and in it we find some interesting details as to the past year's legal examinations, and the proposed new law classes. At the intermediate legal examinations, 412 candidates entered since Trinity Term 1864, of whom 383 were passed and 29 rejected. At the final examinations during the last four terms the large number of 544 candidates were examined, and of these 493 were passed and 51 postponed. The examiners regret "that the final examinations should in point of merit on the part of the candidates contrast unfavourably with the intermediate examinations," which they state display a "uniform excellence." We think the examiners have to some extent themselves to blame for this unfavourable contrast. The candidate at the final examination knows not whether the questions propounded will be on the practice of the law or upon its principles. Let us take for example the Equity papers at the two last final examinations. At Easter Term the questions propounded were, with one exception, all on the principles of Equity, while at the Trinity Term examination they were with one exception all on points of practice. We hardly think this fair. Candidates have a right to expect that there will be a fair proportion of questions on both principles and practice. If this rule were uniformly adopted it would tend to a better and more wholesome course of reading by the candidate, and be less conducive to what is called cramming; for it cannot be denied that a large proportion of students read only for the examination, and not for the sake of gaining a knowledge of their profession; and it follows that if, after a careful study of a tough work like Smith's Manual of Equity Jurisprudence, the candidate has not a question asked of its contents, or of any other work on the principles of equity, he thinks his labour wasted, and informs his friends who have yet to undergo the ordeal, that it is useless to get up anything but the old questions, and too often the friend follows this advice. Probably the law classes which are to be held in addition to the lectures, and to be under the control of the Incorporated Law Society, may be some guide as to the nature of the examinations which will follow. These classes commence next November, and will be held during that month and the months of December, January, February and March. Each reader will hold two classes during these periods, an elementary and an advanced class; and if the number of attendants exceed fifty, he is to subdivide his classes into two portions. The subjects of discussion at these classes are to have reference to the lectures, and embrace the law of real property, common law and equity. The reader on the law of real property is also to "give some instruction on constitutional law and legal history; and the readers on equity and common law will be requested to invite attention to constitutional law and legal history as opportunity may serve." The fee payable by each articled clerk of any member of the society for attendance at all or any of these classes is 3*l.* per annum, and of any other person 4*l.* per annum. But no one is to be at liberty to attend both the elementary and advanced class on the same subject simultaneously. The hour of attendance for the elementary class is from four to five p.m.; that for the advanced class from five to six p.m. We cordially hope that these classes, which are originated at the desire of the articled clerks themselves, and are similar to those held by the lecturers of the Inns of Court, may be productive of all the good that is desired.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

BANKRUPTCY — EVIDENCE OF — LONDON GAZETTE.—The *London Gazette* is, by sect. 233 of the B. C. A. 1849, conclusive evidence of the bankruptcy on an indictment against a bankrupt for a misdemeanor under the Bankruptcy Act, 24 & 25 Vict. c. 134, s. 221, clause 3, if it appear that the bankrupt was within the United Kingdom at the date of the adjudication, and that no step has been taken to annul the adjudication: (*Reg* v. *Levi*, 12 L. T. Rep. N. S. 502. C. Cas. R.)

B. A. 1861—COMPOSITION-DEED—APPLICATION FOR LEAVE TO ISSUE EXECUTION AGAINST A DEBTOR, NOTWITHSTANDING THE PROTECTION OF THE COURT OF BANKRUPTCY—PRACTICE.—If a composition-deed has not been duly executed and assented to by the statutable majority in number representing three-fourths in value of the creditors, the court will grant leave to issue execution notwithstanding: (*Re Beal*, 12 L. T. Rep. N. S. 550. Bank.)

COMPOSITION-DEED—SURETY.—B., as surety jointly with C., covenanted with the creditors to pay the instalments. The deed contained a proviso that if default should be made in payment of the instalments, or the debtor should be adjudicated bankrupt, or make any assignment of his estate for the benefit of his creditors, or any different arrangement with his creditors, "these presents and the release and every other clause and provision herein contained shall be henceforth at an end and void." After payment of the first instalment, the debtor was adjudicated bankrupt on his own petition. In an action against the sureties to recover the second instalment, the deed was held not to be absolutely void, but only to be voidable at the election of the creditors: (*Hughes* v. *Palmer*, 12 L. T. Rep. N. S. 635. C. P.)

BANKRUPTCY.—A composition-deed, whereby a debtor promises, but does not covenant, to pay on a particular day, and containing a release by the creditors upon payment, is bad, as being unilateral, and therefore not binding on a dissenting creditor. A judgment-creditor is entitled to an order for leave to issue execution against the debtor, under sect. 198, even after the lapse of six months after the day on which the composition is payable, and although he had received notice before the day that the amount of his composition was ready for him at the office of the attorney for the debtor, and he declined to go for it. Such a notice does not amount to a tender of the composition money: (*Re A Trust-deed*, 12 L. T. Rep. N. S. 640. Goulburn, C.)

The court has jurisdiction under the Act of 1849 to order the release of the bankrupt from the detainer of a judgment-creditor, where it was lodged after surrender and protection: (*Ex parte Browne*, 12 L. T. Rep. N. S. 641. Bank.)

Where bankrupts presented their petition in an assumed name, by which they were generally known and in which all their debts were contracted, leave to amend the description by adding their real names was refused as being unnecessary: (*Re Pelham*, 12 L. T. Rep. N. S. 642. Bank.)

BANKRUPTCY.—A parliamentary paper throws some more light on the internal arrangements of the Bankruptcy Court. The amount of balances in the hands of official assignees, but not included in the quarterly returns of such balances, was in the end of last year reported to the Lord Chancellor to be 1331*l.*, exclusive of 3817*l.* Consols. At the same time, 2430*l.* is alleged to have been charged to estates by the official assignees without authority of the court, and to be due to the several estates until dealt with by the court. It was Mr. Whitmore, of Birmingham, who is stated to have omitted any mention of that trifle of 3817*l.* of stock and some 900*l.* in cash; while Mr. Cannan, of London, is said to have charged 1060*l.* to estates without authority. Moreover, 13,877*l.* is reported to have been received by the official assignees, of which there is no trace in their returns. The chief omissions were as follows: London—Mr. Cannan 998*l.*, Mr. Edwards 1372*l.*, Mr. Graham 1663*l.* Mr. Stansfeld 860*l.*; Birmingham—Mr. Harris 1803*l.*; Leeds—Mr. Carrick 1315*l.*; Mr. Young 1204*l.* The deficiencies unaccounted for by Mr. Edwards and Mr. Graham are still outstanding; the rest have been nearly all paid over "in pursuance of reports." A further sum of 15,632*l.* is reported to have been received in respect of surplus fees, without been included in the returns. Some of the messengers seem to have followed in the same steps as the assignees, having been required to pay over 25,400*l.* in respect of surplus fees and sums reported to have been received, but not entered in the accounts. One messenger is thus described, "Resigned, and cannot be found."

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

ARTICLED CLERK.—Will any of your readers kindly inform me whether it is not usual for all articled clerks, who are articled for the whole of their five years to a country solicitor, and without any provision to serve any portion of the term in town, to have their articles assigned to the London agents of the country solicitor for not more than twelve months, or less than six of their articles. If it is so, do the London agents receive a further premium on assignment of the articles? W.

July 10, 1865.

Answer.

RELEASE FROM CUSTODY.—In reply to "S. E. M." I beg to state that in the case of *Ex parte Skinner, re Skinner*, 7 L. T. Rep. N. S. 136, Mr. Commissioner Fonblanque decided that if a bankrupt be in custody under an attachment for nonpayment of money, that is a debt within sect. 112 of the B. L. C. A. 1849, and there being no other circumstances in the case to warrant his detention, he is entitled to his release. In delivering judgment the learned commissioner remarked that "the framers of this section have only endeavoured to do what had been settled law long before; and that it had been long settled that wherever an attachment can be purged by the payment of money, that is a debt, and being a debt, it is proveable under the bankruptcy." In this case the attachment had been issued out of the High Court of Admiralty, and was for contempt of an order for payment of money, whereas in the case put by "S. E. M." the attachment was issued out of the Divorce Court, but for the like purpose. I cannot, however, see that the fact of there being a difference in the court makes any material difference in the application of the law, inasmuch as the principle is precisely the same. I am not aware that the case above referred to has been in any way overruled. In any event, by the 105th section of the B. A. 1861, the bankrupt would be released from custody and discharged from the effects of process for contempt of whatever kind, on having the usual order of discharge granted him. W. O. C.

Newcastle-under-Lyme, 6th July 1865.

THE LAW LIBRARY.

BOOKS RECEIVED.

The Law relating to Benefit Building Societies (6 & 7 *Will.* 4, c. 32), *with Practical Observations on the Act, and all the Cases decided thereon, together with a Form of Rules for a Permanent Benefit Building Society, and Forms of Mortgages to the Trustees.* By W. TIDD PRATT, Esq., of the Inner Temple, Barrister-at-Law. Second Edition. London: Longmans and Co.

The St. Albans Raid; or, Investigations into the Charges against Lieut. Bennett H. Young and Command, for their acts at St. Albans, United States, on the 19th Oct. 1864. Being a complete and authentic report of all the proceedings on the demand of the United States for their extradition under the Ashburton Treaty. Before Judge Coursol, J.S.P. and the Hon. Mr. Justice Smith, J.S.C., with the arguments of counsel and the opinions of the judges revised by themselves. Compiled by L. N. BENJAMIN, B.C.L. Montreal: Printed by John Lovell.

Odds and Ends. No. 6. *Penitentiaries and Reformatories.* Edinburgh: Edmonston and Douglas.

THE COURTS & COURT PAPERS.

COURT OF COMMON PLEAS.

Reported by W. MAYD and LUMLEY SMITH, Esqrs., Barristers-at-Law.

BUSINESS OF THE WEEK.

TRINITY TERM 1865.

Monday, July 10.

The COURT sat this day and delivered judgments in the following cases:

SHUTTLEWORTH v. LE FLEMING. *Judgment for the defendant.*

JOHNSON v. CHAPMAN. *Judgment for defendant.*

THOMPSON v. HAKEWELL. *Judgment for defendant, with leave for plaintiff to amend.*

GATED v. MARTIN. *Judgment for defendant.*

IRWIN v. SIR GEORGE GREY. *Judgment for plaintiff.*

DUBLIN STEAM PACKET COMPANY v. THOMPSON. *Judgment for plaintiffs.*

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

W. BAKER, ESQ.

The late William, Baker, Esq., solicitor, of Chipping Ongar, Essex, was second son of the late Robert Baker, Esq., of Terling, in the county of Essex, by Hannah, daughter of Mr. William Tew, and brother to the late Robert Baker, of Writtle, in Essex, a name well known among the scientific agriculturists of England. He was born at Terling in the year 1796, and was admitted a solicitor in 1816. He held the appointment of clerk to the magistrates of the Ongar division and guardians of the Ongar Union for about forty years. He was also clerk to the commissioners of taxes and superintendent registrar. He died at Chipping Ongar on the 22nd June 1865, and was buried at Chipping Ongar. Mr. Baker married in 1842 Elizabeth Ann, second daughter of the late William Crew, Esq., of Shelley House, Essex, by whom he has left four surviving children, two sons and two daughters.

JOHN BEST, ESQ.

The late John Best, Esq., barrister-at-law, was the son of William Butler Best, Esq., of Blakelow House, Worcestershire (a magistrate for the county of Stafford, Salop and Worcester), by Mary Ann, daughter of John Roberts, Esq., of Kidderminster. He was born at Kidderminster in 1823, and received his early education at Shrewsbury School, whence he proceeded to St. Peter's College, Cambridge, where he graduated B.A. in 1844. He was called to the Bar at the Inner Temple in Nov. 1846 and practised on the Oxford Circuit. In April 1857 he was appointed counsel in the Palace Court, and continued to hold that office until its suppression in 1849. On the death of Richard Godson, Esq., M.P. for Kidderminster, in Aug. 1849, Mr. Best was returned for that borough by a majority of seventeen, and continued its representative in the Conservative interest until the general election in 1852. He was thoroughly opposed to the extension of free trade, except on principles of reciprocity, and also to the endowment of the Roman Catholic clergy. He died at Llandudno, in the county of Carnarvon, on the 18th June. Mr. Best married, in 1848, Mary, daughter of William Trow, Esq., by whom he has left a son and a daughter. He was buried at Churchill, and it is not too much to say that he was much respected both on his circuit, and also in the borough which he represented.

LAW SOCIETIES.

LAW STUDENTS' DEBATING SOCIETY.

REPORT OF THE ANNUAL MEETING.

To the Members of the Law Students' Debating Society.

Gentlemen,—We beg to lay before you our report of the proceedings of the society during the past year, and in doing so we are glad to be able to repeat the congratulations which the committee have been for many years past in a position to offer to you upon the satisfactory state of the society, both as to numbers and as to the manner in which the members support the debates.

The number of members on the roll of the society is now 140. Forty-three gentlemen have been elected members during the past year, of whom, however, two allowed their elections to become void, and thirty-four members have resigned or otherwise ceased to be members, including five who did so at the last annual meeting.

During the session thirty-three meetings have been held, exclusive of the present meeting, and twenty-eight questions have been discussed, eighteen of which were legal and ten jurisprudential—one of the jurisprudential questions occupied two evenings. The remaining four evenings were occupied with discussions upon the administrative business of the society, so that the questions appointed for debate had to be postponed.

The average number of members attending the meetings has been thirty-three, the highest number being forty, and the lowest twenty-five. The number of members speaking upon the debates on the legal and jurisprudential questions has averaged eleven, the number of voters on those questions seventeen, and the time occupied by the debates on those subjects have averaged two hours and six minutes.

The committee are glad to report that the suggestions formerly made that all members who could conveniently do so should remain until the end of the debates has already been acted upon by many members, as their doing so affords considerable encouragement to gentlemen speaking towards the close of the meetings.

Your committee are happy to state that, as usual, some members of the society have obtained honourable distinction at each of the final examinations which have taken place during the year.

Your committee are glad to be able to state that, in their opinion, the system of reporting the debates on the legal and jurisprudential questions has at length been settled on a satisfactory basis, in accordance with the recommendations of the select committee appointed last session to consider the subject; a periodical having been established by the society under the title of the *Law Students' Debating Society Journal and Reporter*, in which the reports are published under the supervision of an editorial committee.

The committee feel that the thanks of the society are due to those gentlemen who have during the

past year efficiently fulfilled the important duties of reporting the society's debates.

The rules of the society having been considerably altered since the last edition, the society on the 6th Dec. last appointed a select committee to revise them, and the code of rules which was settled and recommended by that committee was on the 7th Feb. adopted by the society, and has been printed for the use of the members. The committee did not make many actual alterations of the former rules, but confined themselves to putting them into a more methodical arrangement, and to making them correspond more with the existing practice of the society.

Pursuant to a resolution passed on the 7th Feb., petitions from the society were presented to both Houses of Parliament in support of the Bills introduced by the Government for the concentration of the courts of justice.

The petition to the House of Lords was presented by Lord Cranworth, and that to the House of Commons by Mr. Malins, Q.C.

Your committee have held several meetings for the selection of questions for discussion and other purposes connected with the business of the society, and they have carefully considered fifty-four legal questions, of which they approved seventeen.

The treasurer's account has been audited, and shows a balance in hand of 43*l.* 11*s.* 1*d.*

We remain, Gentlemen, your very obedient servants,

J. BRADFORD, LL.B., Treasurer,
JOSEPH ADDISON,
GEO. KENRICK,
JNO. PEACHEY, jun.,
WALTER WEBB,
THOMAS WIDDOWS,
G. SANGSTER GREEN, Secretary.

Law Institution, 4th July 1865.

LEGAL NEWS.

The Civil Tribunal of Paris was lately occupied with an action brought by M. Chasseriau, a commercial traveller, against Baron Nathaniel de Rothschild, to recover damages, laid at 10,000 francs, as a compensation for injuries received on the 7th May 1864, while attempting to stop the Baron's horses, which had run away with the carriage in the Champs Elysees. It appeared from the plaintiff's statement that, in stopping the horses, he received a kick which resulted in serious consequences some days later. The defendant's counsel pleaded that the fact in question was by no means established, seeing that the plaintiff at the time had told a sergeant de ville that he was not hurt, except a contusion on the wrist. It was for the tribunal to decide whether the action was or was not a speculation. M. Isambert, the Avocat Imperial, said that there could be no doubt as to the fact that the plaintiff was injured by the horse, and that the Baron was consequently responsible. The tribunal, taking that view of the case, condemned the defendant to pay 5000 francs damages, with costs of suit.

The libel trial of Travers against Potts, being an action against *Saunders's News-Letter* for the publication of articles on the celebrated *Wilde* case, was tried in the Dublin Court of Queen's Bench. Counsel for the defendants denounced the conduct of the plaintiff towards Lady Wilde as "infernal, diabolical," the acts of a "demon rather than a woman," adding: "With that overweening desire for publicity which characterised madness, she dragged her whole case into court and voluntarily made herself the object of attack and public criticism for six long days; she panted for notoriety at any cost; she alone was to blame for everything said of her, everything written of her." Mr. Butt, in reply, on the part of the plaintiff, commented on the fact that Sir Wm. Wilde had not ventured to contradict the evidence given by Miss Travers on her oath. He charged that the article in the *Caledonian Mercury* had been written for the purpose of setting up Sir William Wilde, whose reputation had been damaged by the trial. The Lord Chief Justice, in summing up, expounded the law affecting the press. "A public newspaper had a right, by the common law, to give a fair report, for it is considered for the interest of the public that they should be informed of the proceedings in courts of justice. But furthermore, by a late statute, the conductors of newspapers have a further privilege, that of a *fair* comment, not a cloak for malice." "Some people," said his Lordship, "doubt the expediency of that provision, as making the press in some measure the judge, the *custos morum* of the State. However, whether politic or impolitic, unquestionably the law is such as to allow comments of the kind." The jury, after a short absence, returned a verdict for the defendants.

WILLS AND BEQUESTS.—The will of Mr. Thomas Wingate Henderson, of Cavendish-square, and of Roke Manor, near Romsey, in the county of Southampton, was proved in the London court on the 14th ult. The executors and trustees are Mr. John Entwistle, of Russell-square, Mr. Patrick Francis Robertson, of Hastings (formerly M.P. for that borough), Mr. Henry Vigurs East, of Inverness-terrace, Kensington-gardens, and Mr. Henry Masterman, of Buckler's-bury; but they have renounced their right to probate, the grant was made to Mrs. Elizabeth Henderson, the relict, as the residuary legatee. The personal estate is sworn under 70,000*l.* The testator leaves to his wife an annuity of 2000*l.*, with an immediate legacy of 1000*l.*, and her jewels, trinkets, wardrobe and paraphernalia. All furniture, plate, books, &c., in both his mansions, with his carriages and horses and the use during her life or widowhood of his leasehold house in Cavendish-square, are also bequeathed to his wife. The testator also makes the following bequests:—viz., 500*l.* to his godchild, Amelia Heaslop, the daughter of Captain John Colpoys Heaslop, R.N., and 500*l.* to Theodora Heaslop, the sister of Amelia Heaslop; 500*l.* to each of the children (who shall be living at the testator's decease) of Mrs. Mary Cleland, widow of Mr. William Cleland, late of the city of Perth; and to the Scottish Hospital and Caledonian Asylum 1000*l.* each, free of duty. The testator has devised all his freehold estates, with his mansion of Roke Manor, to his wife for life, and upon her death he devises them to his nephew, Lieutenant John William Cleland, of the 2nd Madras Infantry, and his heirs male, directing that he shall immediately upon taking possession of such estates take and use the surname and bear the arms of "Henderson." The testator leaves his leasehold estates to the use of the persons who shall from time to time be entitled to his freehold property, and appoints his wife residuary legatee of the personalty.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Friday, June 23.

By Messrs. RUSHWORTH, JARVIS and ABBOTT, at the London Tavern.—Freehold houses and business premises, situate in Marine-street and Frederick-place, Bermondsey—sold for 8000*l.* Copyhold, four residences, situate in Grove-road, Fulham—sold for 2750*l.* Freehold house, with shop, yard and workshop in the rear, being No. 77, Wardour-street; and a slaughter-house, with rooms over, in Black Lion-court, Berwick-street, St. James'—sold for 8300*l.* Leasehold ground-rents, amounting to 248*l.* 8*s.* per annum, arising from two residences (some with shops) situate in Crawford-street, Wyndham-place; and Seymour-place, St. Marylebone; and Wilton-street, Belgrave-road—sold for 3770*l.*

Friday, June 30.

By Mr. GEORGE ALEXANDER SMITH, at Garraway's.—The manor of Beerahem in the parish of Bushey, Herts; together with the court baron, and customary court, and all quit-rents, fines, rights, &c., belonging thereto—sold for 3550*l.*

Monday, July 3.

By Messrs. NEWTON and STANLEY, at the London Tavern.—Freehold estate, known as Cockfield-hall, comprising 334a. 1r. 16p. of land with farmhouses and buildings, &c., situate in the parish of Cockfield, Surrey—sold for 12,000*l.* Freehold farmhouse, buildings, and 103a. 1r. 17p. of land situate at Brampton and Bedisham, Suffolk—sold for 1900*l.*

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, July 4.

LITTLEDALE, EDWARD; RIDLEY, JOSEPH JAMES, and BARDSWELL, JAMES HAMILTON, attorneys and notaries, Liverpool.

Bankrupts.

Gazette, July 4.

To surrender at the Bankrupts' Court, Basinghall-street.

BAKER, MARY ANN, ladies' outfitter, Royal-parade, Blackheath. Pet. June 28. Reg. Hazlitt. O. A. Graham. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. July 13.

BERGER, JOSEPH ALFRED, publisher, Catherine-st. Strand. Pet. June 23. Reg. Roche. O. A. Parkyns. Sols. Benham and Tindall, Essex-st. Strand. Sur. July 17.

BROWN, WM. EDWIN, victualler, Upper York-st. Bryanstone-sq. Pet. July 1. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. July 17.

CLIFTON, THOMAS INGMAN, grocer, Theobald's-rd. Holborn. Pet. June 30. Reg. Hazlitt. O. A. Graham. Sols. Walter and Maojen, Southampton-st. Bloomsbury. Sur. July 20.

COLTSON, JOHN, commission agent, Lower Norwood. Pet. June 27. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 21.

DELL, JOSEPH, farmer, Great Missenden. Pet. June 29. Reg. Roche. O. A. Parkyns. Sol. Ablett, Basinghall-st. Sur. July 17.

DEANY, GEORGE, wine merchant, Ebenezer-cottages, Kennington-pk. Pet. June 28. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 21.

ELLETT, JAMES, bricklayer, Portland-st. Wandsworth-rd. Pet. June 29. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 17.

GILDERSLEEVES, THOMAS BARNOOT, surgeon, Cambridge-rd. Kilburn. Pet. June 29. Reg. Roche. O. A. Parkyns. Sol. Chapple, Great Carter-la. Doctors'-commons. Sur July 17.

HATCH, REBECCA COMPTON, Union-st. Maidstone. Pet. June 30. Reg. Roche. O. A. Parkyns. Sol. Burn, Doctors'-commons. Sur. July 17.

HATCH, ROBERT KITSON, and HATCH, MARY JANE, booksellers, Stapleharst. Pet. June 29. Reg. Brougham. O. A. Edwards. Sol. Burn, Great Carter-la. Doctors'-commons. Sur. July 21.

HIGHAM, ALBERT DUCKENFIELD, captain on half-pay in royal marines light infantry, Wood-st. Woolwich. Pet. June 30. Reg Roche. O. A. Parkyns. Sol. Turner, Carey-st. Lincs.-inn. Sur. July 17.

LEWIS, WILLIAM ROBERT, staymaker, Kingston. Pet. June 30. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. July 20.

MARKS, NAHAAM, cap and trimming manufacturer, Compton-st. Bell's pond-rd. Islington. Pet. June 28. Reg. Hazlitt. O. A. Graham. Sol. Hill, Basinghall-st. Sur. July 13.

MORRIS, JOHN, builder, Portelowe-rd. south. Pet. June 29. Reg. Hazlitt. O. A. Graham. Sol. Cooper, Portman-st. Portman-sq. Sur. July 20.

NEWMAN, HENRY, oil and colourman, Cow Cross-st. and Walcot-pl. Hackney. Pet. June 29. Reg. Hazlitt. O. A. Graham. Sols. Robinson and Co. Charterhouse-sq. Sur. July 13.

PHILLIPS, GEORGE, baker, Middlesex-st. Aldersgate. Pet. June 30. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Lincs.-inn-fds. Sur. July 20.

PICKERING, GEORGE, hide merchant, Great St. Helen's. Pet. July 1. Reg. Roche. O. A. Parkyns. Sol. Laurence, Fenchurch-st. Sur. July 17.

PREEDY, HENRY WILSON, merchant's clerk, Queen's-crescent, Haverstock-hill. Pet. June 29. Reg. Brougham. O. A. Edwards. Sols. Denton and Hall, Gray's-inn-sq. Sur. July 21.

REES, THOMAS EMBERY, meat salesman, Granville-sq. Islington. Pet. June 30. Reg. Hazlitt. O. A. Graham. Sol. Royle, Great Marlborough-st. Sur. July 17.

ROBERTS, EDWARD HENRY, commission agent, Ampthill-sq. Camden-ta. and Stroud. Pet. June 27. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. July 13.

SHOOBRIDGE, THOMAS, general agent, Heathcote-st. Gray's-inn-rd. Pet. June 27. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 21.

STUART, JOHN KENNEDY, Esq. Brighton. Pet. June 28. Reg. Brougham. O. A. Edwards. Sols. Walker and Twyford, Southampton-st. Bloomsbury. Sur. July 20.

TRODD, CHARLES, baker, Newtown, Southampton. Pet. July 1. Reg. Roche. O. A. Parkyns. Sols. Paterson and Son, Bouverie-st. Fleet-st. for Mackey, Southampton. Sur. July 17.

WAUGH, WILLIAM PETRIE, lieutenant-colonel in the army, Gloucester-crescent, Camden-town. Pet. June 30. Reg. Hazlitt. O. A. Graham. Sol. Chidley, Old Jewry. Sur. July 15.

To surrender in the Country.

ARMSTRONG, THOMAS, sawyer, Carlisle. Pet. June 19. Reg. & O. A. Ralton. Sol. Ostell, Carlisle. Sur. July 18.

BAYLIES, WILLIAM, malleable ironfounder, Birmingham. Pet. June 30. Reg. Tudor. O. A. Kinnear. Sol. East, Birmingham. Sur. July 14.

BOOTHBY, JOHN, ironmonger, Leek. Pet. June 23. Reg. Hill. O. A. Kinnear. Sol. Smith, Birmingham. Sur. July 17.

BRANDT, GUSTAVUS ADOLPHUS, merchant, Newcastle. Pet. June 22. Reg. Gibson. O. A. Leidman. Sol. Joel, Newcastle. Sur. July 17.

COOPER, WILLIAM, straw hat and bonnet manufacturer, Luton. Pet. July 1. Reg. & O. A. Austin. Sol. Simpson, St. Alban's. Sur. July 19.

COTCHIN, ROBERT, baker and confectioner, Luton. Pet. June 30. Reg. & O. A. Austin. Sol. Simpson, St. Alban's. Sur. July 19.

ELLIS, JOHN, out of business, Ossett. Pet. June 28. O. A. Young. Sols. Holt and Sons, Horbury; Simpson, Leeds. Sur. July 17.

EVANS, JOHN, haulier, Cardiff. Pet. July 1. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. July 19.

EVANS, WILLIAM, anchor maker, Pontypridd. Pet. June 28. Reg. & O. A. Spickett. Sol. Thomas, Pontypridd. Sur. July 18.

GREEN, GEORGE FERRER, coal merchant, Danley, Stourport. Pet. June 29. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. July 17.

HAMMOND, JOHN, mason and builder, Knaresborough. Pet. June 24. O. A. Young. Sols. Rhodes, Ripon; Markland and Davy, Leeds. Sur. July 17.

HUGHES, JAMES BILSLAND, victualler, Llanerch. Pet. July 1. O. A. Turner. Sols. Evans, Sandys, Keene and Lockett, Liverpool; J. O. Jones, Conway. Sur. July 14.

HUNT, SAMUEL, cordwainer, Langworth. Pet. June 30. Reg. & O. A. Oppleby. Sols. Brown and Son, Lincoln. Sur. July 14.

JEFFRIES, HENRY, sculptor, Cardiff. Pet. July 1. Reg. & O. A. Langley. Sol. Bird, Cardiff. Sur. July 15.

JOHNSON, JOHN WILLIAM, victualler, Ridgway. Pet. July 1. O. A. Carrick. Sols. Edmonds and Sons, Plymouth; Flood, Exeter. Sur. July 14.

JONES, ISAAC, coaldealer, Llanllwchaiarn. Pet. June 28. Reg. & O. A. Woosnam. Sol. Jones, Welshpool. Sur. July 20.

LAVERICK, GEORGE WALES, agent of the Plymouth Iron Company, Chesterton. Pet. June 23. Reg. Wilde. O. A. Acraman. Sols. Prime and Inskip, Bristol. Sur. July 14.

LAW, JAMES, commission agent, Whitmore Reans. Pet. July 3. Reg. Tudor. O. A. Kinnear. Sol. Fitter, Birmingham. Sur. July 21.

LISTER, WILLIAM, plumber, Leeds. Pet. June 22. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. July 12.

LYONS, NATHAN, jeweller, Birmingham. Pet. July 1. Reg. Hill. O. A. Kinnear. Sol. Dake, Birmingham. Sur. July 17.

MCCUDDEN, WILLIAM, salt provision dealer, Liverpool. Pet. June 29. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. July 18.

MELLOR, WILLIAM, woollen manufacturer, Stainland. Pet. June 30. O. A. Young. Sols. Stocks and Franklin, Halifax; Bond and Barwick, Leeds. Sur. July 17.

MITCHELL, STEPHEN, bookseller, Hanley. Pet. June 29. Reg. & O. A. Challinor. Sols. Tennant, Hanley. Sur. June 15.

MORTON, GEORGE, machinist, King's Lynn. Pet. June 30. Reg. & O. A. Wilson. Sol. Wilkin, King's Lynn. Sur. July 17.

OSBORN, JAMES, bricklayer, Blandeston. Pet. June 23. Reg. & O. A. Chester. Sol. Kent, Beccles. Sur. July 19.

PAUL, WILLIAM EDWARD, builder, Weymouth. Pet. July 3. O. A. Carrick. Sols. Woodward, Frome; Hirtzel, Exeter. Sur. July 17.

POOLE, JOSEPH, draper, Stakenbridge. Pet. June 30. Reg. Tudor. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. July 14.

SCOTT, JOHN, corn broker, Liverpool. Pet. July 1. O. A. Turner. Sol. Kay, Liverpool. Sur. July 14.

STOKOE, DANIEL, butcher, Rook-st. New Market, Caldbeck. Pet. June 23. Reg. & O. A. Wear. Sol. Stamper, Wigton. Sur. July 17.

SUTCLIFFE, WILLIAM, beerseller, Hulme. Pet. June 24. Reg. & O. A. Key. Sol. Gardner, Manchester. Sur. July 24.

TRIGG, JOHN, baker, Mitcheldean. Pet. June 30. Reg. & O. A. Burrup. Sol. Wilkes, Gloucester. Sur. July 15.

TURTON, SINA, housekeeper, Cheetham, Manchester. Pet. June 29. Reg. Macrae. O. A. Morgan. Sol. Best, Manchester. Sur. July 14.

WEAVER, CHARLES, milliner, Smethwick. Pet. June 29. Reg. & O. A. Watson. Sol. Jackson, Westbromwich. Sur. July 15.

WEIGHTMAN, WILLIAM, jun., wheelwright, Newark-upon-Trent. Pet. June 29. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. Sur. July 13.

WILKS, HARRY, clerk in a brewery, Bromley. Pet. June 24. Reg. & O. A. Birch. Sol. Dale, Walsall. Sur. July 14.

WISTER, GEORGE, beerhouse keeper, Spedding's Fold, Barnsley. Pet. June 30. Reg. & O. A. Shepherd. Sol. Williamson, Barnsley. Sur. July 20.

WOODHEAD, JONAS, sock manufacturer, Leeds. Pet. June 17. Reg. & O. A. Sangster. Sol. Harle, Leeds. Sur. July 12.

Gazette, July 7.

To surrender at the Bankrupts' Court, Basinghall-street.

BONE, JOSEPH, straw hat maker, Luton. Pet. July 4. Reg. Roche. O. A. Parkyns. Sols. Linklaters and Hackwood, Walbrook. Sur. July 24.

BONNEY, JAMES, jun., butcher, Maidstone. Pet. July 5. Reg. Brougham. O. A. Edwards. Sols. Doyle, Verulam-buildings, Gray's-inn; Morgan, Maidstone. Sur. July 27.

CAVE, WILMOT CAVE BROWNE, perverter's clerk in H. M. S. Landport. Pet. July 3. Reg. Roche. O. A. Parkyns. Sol. White, Dane's inn, Strand, and Portsea. Sur. July 21.

CLARKE, JOHN PERRY, surgeon, King-st. Goswell-st. Clerkenwell. Pet. July 1. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 21.

DAVEY, GEORGE, late beershop-keeper, Shire-la. Temple-bar. Pet. July 3. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 24.

ERNST, ALBERT HENRY, and ERNST, JULIUS ADOLPH, fancy warehousemen, Falcon-st. Aldersgate-st. Pet. June 30. Reg. Roche. O. A. Parkyns. Sol. Rooks, Coleman-st. Sur. July 17.

EVERETT, CHARLOTTE, victualler, Kingsland. Pet. July 5. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Basinghall-street. Sur. July 24.

FISHER, SAMUEL, commission agent, Marylebone-rd. Pet. July 3. Reg. Brougham. O. A. Edwards. Sol. Reid, Bow-la. Cheapside. Sur. July 21.

GAFFINO, MICHELI, hotel keeper, Church-pl. Piccadilly. Pet. July 3. Reg. Brougham. O. A. Edwards. Sol. Lewis, Great Marlborough-st. Sur. July 11

GEIST, GEORGE, cornfactor, Heaxwell. Pet. July 5. Reg. Roche. O. A. Parkyns. Sol. Marshall, Lincoln's-inn-fds. Sur. July 24.

GUAZZARONI, JOHN HELGRAVE, surgeon, Allen-ter. Kensington. Pet. July 5. Reg. Roche. O. A. Parkyns. Sol. Miller, Copthall-ct. Sur. July 24.

HALL, JOHN, publican, Pump-yd. Ratcliffe. Pet. July 3. Reg. Roche. O. A. Parkyns. Sol. Miller, Venchurch-st. Sur. July 24.

HAND, James, baker, Walmer-rd. Plumstead. Pet. July 4. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. Sur. July 27.

HAYDON, THOMAS WILLIAM, general-shop keeper, Hamilton-rd. Lower Norwood. Pet. July 5. Reg. Roche. O. A. Parkyns. Sol Westall, Gray's-inn-sq. Sur. July 24.

HECKMANN, JOHN HENRY, skin-dresser and brewer, John-st and Samuel-st., Spitalfields, and Lowshton. Pet. July 4. Reg. Roche O. A. Parkyns. Sol. Turner, Mount-pl. Whitechapel-rd. Sur. July 24.

HENLEY, RICHARD, and HENLEY, JOSEPH, hop and seed merchants, Ashford. Pet. July 3. Reg. Brougham. O. A. Edwards. Sols. Lawrence and Co., Old Jewry-chambers. Sur. July 21.

HESSE, PROSPER, gentleman, Lisle-st. Leicester-sq. Pet. June 30. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co., Old Jewry-chambers. Sur July 21.

MCDERMOTT, CHARLES, victualler, Bottoms-ter. Isle of Dogs, Poplar. Pet. June 24. Reg. Brougham. O.A. Edwards. Sols. Lonley and Morley, Cheapside. Sur. July 3.

MELLISH, PETER, box and packing-case maker, Wardour-st. Soho, also Hopkins-st. Golden-sq. Pet. July 4. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. July 20.

MORRIS, ROBERT, clerk, Palace-rd. Lambeth. Pet. July 4. Reg Roche. O.A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 24.

MURRAY, CHARLES, late house and business agent, Gerrard-st. Soho. Pet. July 3. Reg. Brougham. O.A. Edwards. Sol. Hill, Basinghall-st. Sur. July 21.

NICHOLSON, SIR ROBERT, Bart., no occupation, Church-pl. Clapham. Pet. July 7. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 21.

OLDHAM, JOHN, coach and harness currier, Rodney-pl. New Kent-pd. Pet. July 3. Reg. Hazlitt. O. A. Graham. Sols. Wood and Ring, Basinghall-st. Sur. July 20.

READ, ELI, financial and general agent, Weymouth-ter. Hackney-rd. Pet. July 3. Reg. Roche. O. A. Parkins. Sol. Hill, Basinghall-st. Sur. July 24.

SCHAFER, JOHN JACOB, tailor, Grafton-st. Fitzroy-sq. Pet. July 4. Reg. Roche. O. A. Parkyns. Sols. Ingle and Goodby, King William-st. Sur. July 24.

SCOTT, CHARLES WILLIAM, tailor, Penny-fields, Poplar. Pet. July 3. Reg. Brougham. O. A. Edwards. Sol. Westall, Gray's-inn-sq. Sur. July 21.

SMITH, EMILIE ANNE, lodging-house keeper, St. James'-st. Piccadilly. Pet. July 3. Reg. Roche. O. A. Parkyns. Sol. Morton, Bargeyard-chambers, Buckler's-bury. Sur. July 24.

TOLLEMACHE, REV. RALPH WILLIAM LIONEL, clerk, Leigh. Reg. Brougham. O. A. Edwards. Sol. Kingdon, Lawrence-la. Sur. June 30.

TRAGESSER, GEORGE, High-st. Lambeth. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 24.

WAGNER, DAVID, commercial traveller, Richmond-cottages, London Fields, Dalston. Pet. July 5. Reg. Roche. O. A. Parkyns, Sol. Chalk, Coleman-st. Sur. July 24.

WALLACE, JAMES, muslin and linen embroiderer, Cheapside and Brockley-la. Forest-hill. Pet. July 2. Reg. Brougham. O. A. Edwards. Sol. Doble, Guildhall-chambers, Basinghall-street. Sur. July 21.
WILLS, JOHN MILLS, surgeon, Upper East Smithfield. Pet. July 2. Reg. Brougham. O. A. Edwards. Sol. Moss, Martin's-la. Cannon-street. Sur. July 21.

To surrender in the Country.

ARMSTRONG, ANNE, teacher, Waterloo. Pet. July 3. Reg. & O. A. Gill. Sol. Anderson, Birkenhead. Sur. July 20.
BENTLEY, WILLIAM, printer, Dewsbury. Pet. July 3. O. A. Young. Sol. Fernt, Leeds. Sur. July 24.
BURKE, JAMES JOHN, book-keeper, Wavertree. Pet. July 4. O. A. Turner. Sol. Worship, Liverpool. Sur. July 27.
CARTWRIGHT, JOHN, engine broker, Bradley. Pet. June 22. Reg. Tudor. O. A. Kinnear. Sol. Webb, Birmingham. Sur. July 11.
CLEGG, JAMES, slater, Rochdale. Pet. July 3. Reg. Harris. O. A. Morgan. Sols. Messrs. Standring, Rochdale. Sur. July 25.
DOWNHAM, JAMES, grocer, Fenton, Stoke-on-Trent. Pet. July 1. Reg. & O. A. Kenry. Sol. Adderley, Longton. Sur. July 22.
DRAKE, THOMAS, joiner, Birmingham. Pet. July 1. Reg. & O. A. Guest. Sol. Woods, Birmingham. Sur. July 31.
FENWICK, EDWARD, shopman, Newcastle. Pet. July 5. Reg. & O. A. Ingledew. Sol. Joel, Newcastle. Sur. July 19.
FOSTER, JAMES, farmer, Averham. Pet. July 5. Reg. Tudor. O. A. Harris. Sols. Newton, Newark; Reece and Harris, Nottingham. Sur. July 25.
FOSTER, GEORGE, farmer, Upton. Pet. July 6. Reg. Tudor. O. A. Harris. Sols. Ashwell, Nottingham; Ashley, Newark. Sur. July 25.
FREEMAN, THOMAS, baker, West Bromwich. Pet. July 4. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. July 19.
GENNON, JAMES, provision dealer, Liverpool. Pet. July 3. O. A. Turner. Sol. Goldrick, Liverpool. Sur. July 27.
GRIFFITHS, JAMES, draper, Liverpool. Pet. July 4. O. A. Turner. Sols. Evans, Sandys, Rowe and Lockett, Liverpool. Sur. July 17.
HARPER, THOMAS, banker's clerk, Abingdon. Pet. July 3. Reg. & O. A. Sedgefield. Sol. Thompson, Oxford. Sur. July 23.
HAWKESLEY, WILLIAM, auctioneer, Hull. Reg. & O. A. Phillips. Sol. Summers, Hull. Sur. July 20.
HAYNES, HENRY, joiner, Higher Tranmere. Pet. July 4. O. A. Turner. Sol. Best, Liverpool. Sur. July 20.
HOLLAND, THOMAS, traveller, Birmingham. Pet. July 1. Reg. & O. A. Guest. Sol. Assinder, Birmingham. Sur. July 31.
HOWARD, JOHN, commission agent, Hulme. Pet. July 4. Reg. & O. A. Hutton. Sol. Bennet, Manchester. Sur. July 22.
HUNT, JOHN, out of business, River-st. King's-cross. Pet. June 3. Reg. & O. A. Godwin. Sol. Atkinson, Bedford-row. Sur. July 20.
HURST, FRANCIS, general dealer, Kneesall. Pet. July 4. Reg. Hill. O. A. Harris. Sol. Heathcote, Nottingham. Sur. July 19.
JONES, JOHN, lodging-house keeper, Great Malvern. Pet. July 6. Reg. Hill. O. A. Kinnear. Sols. Cooper, Great Malvern; James and Griffin, Birmingham. Sur. July 21.
LATHAM, THOMAS, and HUNT, GEORGE, painters, Bolton. Pet. July 3. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. July 18.
MARTIN, EVAN, baker, Liverpool. Pet. July 3. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. July 18.
McKEIS, JOHN, grocer, Cheadle. Pet. July 5. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. July 19.
PERRY, ROBERT, farmer, Preston. Pet. June 26. Reg. Wilde. O. A. Acraman. Sols. Abbot and Leonard, Bristol. Sur. July 17.
PHILLIPS, LEOPOLD SOLOMON, crinoline manufacturer, Cheetham. Pet. July 5. Reg. & O. A. Hulton. Sol. Law, Manchester. Sur. July 21.
PURDEY, JAMES, ironfounder, Great Yarmouth. Pet. July 1. Reg. & O. A. Chamberlin. Sol. Kennett, Great Yarmouth. Sur. July 17.
READ, EDWARD, stonemason, Kenilworth. Pet. June 29. Reg. & O. A. Tibbits. Sol. Overell, Leamington Priors. Sur. July 22.
ROADRIGHT, THOMAS, victualler, Aylesbury. Pet. June 30. Reg. & O. A. Watson. Sol. Fell, Aylesbury. Sur. July 17.
ROBERTS, FREDERICK, lithographic printer, Manchester. Pet. July 3. Reg. & O. A. Kay. Sol. Tate, Manchester. Sur. July 24.
ROLLINSON, WILLIAM BAGSHAW, flour dealer, Manchester. Pet. July 5. Reg. Macrae. O. A. Morgan. Sol. Fletcher, Manchester. Sur. July 21.
ROGERS, JOHN, periodical and news-vendor, Plymouth. Pet. July 4. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. July 27.
SALSBURY, SAMUEL, mariner, Brixham. Pet. July 3. Reg. & O. A. Bryett. Sol. Carter, Torquay. Sur. July 27.
SEALE, EDWARD TAYLOR, clerk in holy orders, Marleigh. Pet. June 7. O. A. Carrick. Sols. Square, Kingsbridge; Floud, Exeter. Sur. Aug. 14.
SHAW, HENRY, grocer, Bingley. Pet. July 3. Reg. & O. A. Dasfield. Sol. Hodson, Keighley. Sur. July 26.
SHEPHERD, FREDERICK, grocer, Great Grimsby. Pet. June 28. Reg. Stephen. O. A. Young. Sols. Eaton and Bilbey, Hull. Sur. July 26.
SHEPHERD, MATTHEW CLEMINSON, auctioneer and appraiser, Birkenhead. Pet. July 4. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. July 20.
SMITH, JOSEPH, cloth manufacturer, Leeds. Pet. June 24. O. A. Young. Sol. Simpson, Leeds. Sur. July 24.
SYMINGTON, ANDREW, provision dealer, Liverpool. Pet. July 5. O. A. Turner. Sols. Yates, Son and Martin, Liverpool. Sur. July 20.
TAYLOR, THOMAS GRAVELEY, ironmonger, Weston-super-Mare. Pet. July 3. Reg. & O. A. Davies. Sol. Smith, Weston-super-Mare. Sur. July 17.
WAGSTAFFE, ROBERT, mechanic, Hyde. Pet. July 5. Reg. & O. A. Brooke. Sol. Roddick, Manchester. Sur. July 19.
WARNER, WILLIAM, Torpenhow. Pet. July 6. Reg. & O. A. Ware. Sol. Stamper, Wigton. Sur. July 19.
WATSON, WHARTON, out of business, York. Pet. July 1. O. A. Young. Sol. Messrs. Thompson, York; Bond and Barwick, Leeds. Sur. July 21.
WHALLEY, WILLIAM, waste dealer, Blackburn. Pet. June 16. Reg. Macrae. O. A. Morgan. Sur. July 21.
WHITE, PHILIP JAMES, watchmaker, Pembroke-dock. Pet. July 3. Reg. & O. A. Lanning. Sol. Parry, Pembroke-dock. Sur. July 22.
WILKINSON, THOMAS STUBBS, temperance hotel keeper, Harrogate. Pet. July 4. O. A. Young. Sols. North and Sons, Leeds. Sur. July 24.
WILLIAMSON, ALFRED, letterpress printer, Burlington. Pet. July 6. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. July 20.

BANKRUPTCIES ANNULLED.

Gazette, July 4.

HITCHINS, FREDERICK, marble paper manufacturer, Great Saffron-hill, and Red Lion-yd. Great Warner-st. Clerkenwell.
MANIERE, EDWARD, attorney, solicitor and scrivener, Bedford-row.
MILLER, EDWARD, clerk in holy orders, Bognor.
TOLSON, ELIJAH, mungo dealer, Horsforth, Woodside.

Gazette, July 7.

BEFFORD, FRANCIS, general merchant and commission agent, Bristol.
ESTCOURT, ARTHUR HARBOTTLE, barrister-at-law, Newport, Isle of Wight.
RITCHIE, RICHARD HENRY, bank clerk, Saint Mary, Tenby.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Adam, W. underwriter, seventh, 6d. Parkyns, London.—*Bendall*, J. organ builder, first, 1¼d. Kinnear, Birmingham.—*Bird and Hickling*, elastic web manufacturers, first, 6d. Harris, Nottingham.—*Bradshaw*, H. cotton manufacturer, first, 3s. 5¼d. Morgan, Manchester.—*Byrne*, J. C. emigration agent and merchant, third, 3s. 7d. Edwards, London.—*Cooke*, J. of Hornsey-rd., first, 7s. 6d. Parkyns, London.—*Douthett*, A. W. Woolwich, first, 13s 6d. Edwards, London.—*Kent*, J. and Son, brickmakers, first, 2s. 7d. Parkyns, London.—*Krausse*, R. T. doctor of medicine, further, 6d. Carrick, Exeter.—*Hamley*, W. innkeeper, first, 4s 7d. Carrick, Exeter.—*Jacobs*, T. pianoforte maker, first, 1s. 6¾d. Parkyns, London.—*Jones*, H. P. scrivener, 1s 3¾d. Kinnear, Birmingham.—*Jones*, H. P. scrivener, sep. of Harper and Jones, 2s. 1¾d. Kinnear, Birmingham.—*Linney*, J. farmer, first, 1s. 3d. Harris, Nottingham.—*Littlewood*, J. calico printer, first, 1s. 6½d. Morgan, Manchester.—*Marshall*, J. cotton manufacturer, first, 7s. Morgan, Manchester.—*Nixon*, T. boot and shoe maker, 2s. 10¼d. Kinnear, Birmingham.—*Oettricks*, W. importer of trimmings, first, 1s. Parkyns, London.—*Parr*, F. beer retailer, second, 6¾d. Edwards, London.—*Pincy*, E. clerk, second, 1¾d. Kinnear, Birmingham.—*Quick*, J. innkeeper, first, 1s 7d. Edwards, London.—*Reynolds*, J. H. printer, first, 4s. 6¼d. Carrick, Exeter.—*Smith*, G. grocer, second, 4¼d. Kinnear, Birmingham.—*Wellington*, T. A. G. doctor in medicine, 2s. 0¼d. Kinnear, Birmingham.—*Wilcockson*, H. fancy repository proprietor, first, 1s. 7d. Parkyns, London.—*Williams*, S. innkeeper and carpenter, first, 1½d. Carrick, Exeter.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, July 4.

BINNS, GEORGE, worstedspinner, Bingley. July 1. Trust. H. W. Blackburn, accountant, Bradford.
BOOCOCK, TIMOTHY SUTCLIFFE, worstedspinner, Bradford. June 14. Trust. H. W. Blackburn, accountant, Bradford.
BOTTOMLEY, NATHAN, smallware dealer, Huddersfield. June 19. Trusts. W. Crossley, painter, and W. Hick, teazle merchant, both Huddersfield.
BOYLE, GEORGE, Bideford. June 5. 14s by four instalments—first and second of 5s. at 3 and 6 mos. and third and fourth of 2s. at 9 and 12 mos.—secured. Trusts T. Hodge, manufacturer, Barnstaple, H. Mumford, warehouseman, Bread-st. and G. S. Hockey, manufacturer, Bristol.
BRIGGS, WILLIAM, tailor and woollendraper, Leeds. June 7. Trusts. J. Holroyd, cloth finisher, Leeds and J. King, merchant, Manchester.
BROWN, JOHN, gasfitter, Millbrook. June 22. Trust. W. Bunkins, butcher, Freemantle.
BRYON, WILLIAM; HUGHES, ROBERT; MAY, JOSEPH; and WHITE, WILLIAM, provision merchants, St. Mary-at-hill. June 14. Trusts. T. W. Keogh, Fishmongers'-hall-wharf, Upper Thames-st. R. A. Heavy, Philpot-la. provision merchant, and W. McKowan, gentleman, Lombard-st. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.
CHAWNER, JOHN, manufacturer, Leicester. June 14. 13s. 6d.—3s. 4d. in 1 mo., 3s. 4d. in 4 mos. and 3s. 10d. in 7 mos. Trusts. G. Baines, spinner, and W. S. Frisby, gentleman, both Leicester, and J. Whitmore, spinner, Knighton.
EADES, ROBERT, grocer and tea-dealer, Nottingham. June 20. 9s by three equal instalments on 24th July, 24th Sept. and 24th Nov.—secured.
ECKSTEIN, WILLIAM, factor, Birmingham. June 8. Trusts. J. Farmer, cut nail manufacturer, and M. Osborne, fender manufacturer, both Birmingham.
ENGLAND, WILLIAM CHARLES, hay and coal merchant, Aylesbury. May 29. Trust. H. A. C. Case, coal merchant, Wharf, Harrow-rd. Paddington.
GIBSON, ROBERT, and GIBSON, THOMAS, woollen warehousemen, Friday-st. June 12. 8s. 6d. by three equal instalments—3s. at 3 mos., 2s. 6d. at 6 mos. 3s. at 9 mos.—secured.
GREENWOOD, HENRY BICKERTON, wine merchant, Mark-la. June 5. Trust. H. Chatteris, accountant, Lawrence-la.
HARDING, JOHN, grocer, Richmond. June 13. 10s. in 1 mo. Surety, T. Harding, innkeeper, Richmond.
HARVEY, JAMES STEER, grocer, Birmingham. June 6. Trust. E. Morrell, ale merchant, Derby.
HESS, RALPH, merchant, Liverpool. June 21. Trust. W. Alexander, accountant, Liverpool. Sol. Tyrer, Liverpool.
HESSELTINE, THOMAS, linendraper, Huddersfield. June 12. Trust. R. D. Gooch, accountant, Huddersfield.
HOPKINS, REV. JOHN, clerk in holy orders, Llangafelach. June 28. 5s. on 1st July.
IVENS, ELIZA, and IVENS, REGINALD WILLIAM DEVAY, shipbrokers, Colonial-chambers, Crutched-friars. June 13. Trust. T. Cairncross, gentleman, Bristol. Sols. Lawrence, Plews and Boyer, Old Jewry-chambers, and Fussell and Prichard, Bristol.
KILMINSTER, JAMES, coal merchant, Bristol. June 24. 5s. by two equal instalments, on date of deed and in 6 mos.
MARSHALL, JOHN SLATER, boot manufacturer, Billiter-st. June 5. 2s. 6d. in 10 days and 2s. 6d. in 3 mos.
McDONALD, DAVID, draper, Walsall. June 3. Trusts. J. Shannon, merchant, and F. McDonald, draper, both Walsall.
MELLIDGE, JOHN, victualler and car proprietor, Kidderminster and Wolverhampton. June 7. Trust. T. Skidmore, auctioneer, Wolverhampton.
MILNE, FRANCIS, of Bowden, and FLETCHER, JAMES, of Oldham, cottonspinners. June 6. Trusts. A. Ferguson, bank manager, Bolton-le-Moors, T. Lees, cotton merchant, Oldham, and G. Prockter, cotton merchant, Manchester.
MILNE, JOHN, mill manager, Marple. June 6. Trusts. A. Ferguson, bank manager, Bolton-le-Moors, T. Lees, cotton merchant, Oldham, and G. Prockter, cotton merchant, Manchester.
MILNE, SAMUEL, commission agent, Burton Joyce and Nottingham. June 6. Trusts. A. Ferguson, bank manager, Bolton-le-Moors, T. Lees, cotton merchant, Oldham, and G. Prockter, cotton merchant, Manchester.
MURGATROYD, WILLIAM, worstedspinner, Bingley. June 14. Trust. H. W. Blackburn, accountant, Bradford.
PARKER, LUKE, worstedspinner, Bingley. June 14. Trust. H. W. Blackburn, accountant, Bradford.
PHILLIPS, JACOB, bagmaker, Dean-st. Soho. June 8. 1s. on 9th Dec.
POLLOCK, THOMAS, and POLLOCK, JOHN, wool brokers and commission agents, Leeds. June 27. Trust. J. Bell, gentleman, Leeds. Sol. Yewdall, Leeds.
PRICE, CHARLES HENRY, clerk, Holborn-hill, and Accountant-General's office, Chancery-la. July 1. To pay 30l. per annum by instalments until debts are paid in full. Trusts E. Dingley, bill discounter, Foley-st. Fitzroy-sq., and T. Gregory, solicitor, Clement's-inn, Strand.
RAMSDEN, ALFRED ALPHEUS, woolstapler, Dewsbury Bank, near Dewsbury. June 29. 9s. on 22nd Aug.
RESTALL, JAMES, haberdasher, Cheltenham. June 16. Trusts. H. E. Rippon, draper, and S. Malvern, brush manufacturer, both Cheltenham.
RIDER, THOMAS, hat and cap manufacturer, Leeds. June 7. Trusts. T. R. Cornock, teazle merchant, and J. Roach, accountant, both Leeds.
RYALLS, GEORGE, publican, Sheffield. June 13. Trust. J. Mountain, accountant, Sheffield.
SALTHOUSE, JAMES, draper, Ashton-under-Lyne. June 15. Trusts. P. Gillibrand and J. Thorp, merchants, Manchester.
SANDMANN, SIMON, draper, Burdett-rd. Limehouse. June 22. 1s. on 1st Jan.
SELL, EDWARD, hosier and outfitter, Folkestone. June 5. Trusts. W. J. Tomlin, gentleman, Friday-st. and R. B. Austin, outfitter, Dover.
SMEDDLES, GEORGE, leather dealer, Liverpool. June 29. 7s. 6d. by three equal instalments on 29th July, 29th Sept. and 29th Nov.—secured.
SMITH, HOPE, cork merchant, Hayden-sq. Minories. June 13. Trusts. T. Cairncross, gentleman, Bristol, and W. H. Howard, cork merchant, Upper Thames-st. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers, and Fussell and Prichard, Bristol.
SMITH, JOHN CROWTHER, grocer, Hornsey-rd. Holloway. June 13. 3s.
SMITH, THOMAS, joiner, Atherton. June 3. Trust. H. Grindred, auctioneer, Leigh.
STEDALL, EDWARD, mantle warehouseman, Whitechapel-rd. June 24. 10s.—5s. on date of deed and 5s. on 14th Dec.—secured.
YOUNGMAN, JUDITH, widow, Stanton. June 19. Trusts. W. Brook, Ixworth, and W. Harrald, Bury St. Edmunds, butchers.

ERRATA.

In Gazette, June 13, 1865, for Isaac Caddick, of Cosely, read Coseley.
In Gazette, June 30, 1865, the name of one of the debtors, Clarence Brazil should have been Clarence Brasil.
In Gazette, June 30, 1865, Joseph Freud Jones should have been Joseph Frowd Jones.

Gazette, July 7.

BARKER, THOMAS CLEMENT, house agent, Bath. June 22. Trust. W. Blake, upholsterer, Bath.
BOYLE, MARY ANNE, engraver and printer, Grove, Hammersmith. June 6. 8s.
CATHERY, CHARLES, and CARMOUCHE, EUGENE, merchants, Lawrence Pountney-la. and Bush-la. June 30. To pay debts on 30th June 1866.
CLANCY, JAMES JOSEPH, coal shipper, Milton-st. Dorset-sq. June 16. Trust. W. L. Hotchkin, ship and insurance broker, Bishopsgate-st. within.
COLLINS, GEORGE, grocer, Adderbury. June 10. Trust. T. W. Coleman, grocer, Banbury.
COLLINS, GEORGE, jun., grocer, Outwell. June 3. Trusts. W. May, sen., retired farmer, Wisbech, and G. Collins, sen., farmer, Walton.
DIXON, HALAM MOORE, surgeon, Gresford. June 17. Trusts. T. Williams, wine merchant, and J. F. Edisbury, chemist, both Wrexham.
DOWNTON, ABRAHAM, cheesemonger, Pentonville-rd. June 21. 2s. 6d. in 21 days.
EDWARDS, THOMAS THURLOW, butcher, Ickleton. June 12. 1s. 6d. in 1 mo. Trust. R. Wills, gentleman, Saffron Walden.
GOOCH, NATHAN, farmer, Denston. June 9. Trusts G. B. Webb, farmer, Stansfield, and G. Brand, Great Thurlow.
GREEN, EDWARD KERSEY, tailor, Hitcham. June 27. 10s. by two instalments of 5s. in 1 mo. and on 1st Nov. Trust. E. K. S. Green, Ipswich.
GUNNELL, WILLIAM, biscuit manufacturer, Commercial-rd. June 12. 5s. on 12th July. Sureties, E. Hastable, baker, Southsea, F. J. Baker, tobacconist, Landport, and G. Gunnell, commercial traveller, Landport.
HALL, JESSE, gentleman, Enfield-highway. June 30. 1s. 6d. by instalments of 1s. on 17th July and 6d. on 30th Dec. Trust. W. B. Heap, gentleman, Shepherd-mill, near Rochdale.
HALL, THOMAS POINTON, corn merchant, Liverpool. July 1. 2s. 6d. forthwith.
HAYWARD, JOHN, coal merchant, Wellington. June 7. Trusts. W. Thomas, gentleman, Woodlands, near Wellington, E. Miller, manager of Lackey's Banking Company, Wellington, and G. Wilton, merchant, Bridgwater.
HETHERINGTON, JOSEPH, joiner, Ardwick, near Manchester. June 27. 5s. by two instalments of 2s. 6d. on 7th July and 7th Oct. Trusts. J. Pickup, gentleman, and J. Charlton, silk manufacturer, both Manchester.
HILL, FRANCIS, builder, Prospect-pl. Stoke Newington-rd. June 21. Trusts. G. Hyworth, builder, Hertford-rd. Kingsland, and R. Davies, slate merchant, Lea-bridge.
HOLLISTER, WILLIAM DEWDNEY, and SMITH, HARVEY SCOTT, millers, Handsworth. June 6. Trusts C. H. Wagner, merchant, Birmingham, and W. Clinch, banker, Witney.
HOPKINS, JAMES, linendraper, Camberwell-rd. Pet. June 12. Trusts. S. Walkden, Lawrence-la. Cheapside, and G. Williams, St. Paul's churchyard, warehouseman.
IVISON, WILLIAM PARK, builder, Lewisham and Lee. July 1. 7s. by three instalments of 2s. 6d., 2s. 6d. and 2s. at 3, 6, and 9 mos.
JACOBS, MAURICE, jeweller, Birmingham. June 23. Trust. J. Percivall, accountant, Birmingham.
KING, WILLIAM, general shopkeeper, Treodyrhiw, near Merthyr Tydfil. June 26. Trusts. R. B. Rees, grocer, Merthyr Tydfil, and W. M. Baker, warehouseman, Bristol.
KNIGHT, WILLIAM, boatswain, R.N., Kingston. June 17. Trust. W. Major, greengrocer, Landport.
LANGEKIN, THEODORE, commission merchant, Great Tower-st. June 12. 8s. 6d. in 7 days.
LAWTON, WILLIAM, grocer, Sheffield. June 14. Trusts. C. G. Carlton, ivory dealer, J. S. Birks, grocer, and M. Wigfull, miller, all Sheffield.
LOVELL, EDWARD BOURNE, barrister, Denmark-pl. Camberwell. June 29. 100l. from yearly income. Trust. T. Hill, gentleman, Dane's-inn, Strand.
MAYER, NATHAN, jeweller, Manchester. June 11. 5s. by two instalments of 2s. 6d. on 13th July and 13th Oct.—secured.
MORGAN, MARY, spinster, Ellesmere. July 4. Trusts. C. Boutbridge and C. Cooke, grocers, both Ellesmere. Sol. Curtler, Ellesmere.
MUXTON, JOHN, grocer, North Shields. June 14. Trust. W. Atkinson, cheesefactor, Newcastle.
PEARSON, EDMUND, insurance company's agent, Manchester. June 13. 7s. 6d.
PHILLIPS, GEORGE, plumber, Dartford. June 6. 1s. on demand. Trust. H. W. Banks, public accountant, Coleman-st.
PHILLIPS, THOMAS, innkeeper, Manchester. June 12. Trusts. R. Thompson, spirit merchant, Liverpool, and W. Wagstaff, brewer, Droylsden.
PIMM, JOHN, victualler, Oxford. June 6. Trusts. F. Latimer, wine merchant, and F. W. Bolton, butcher, both Oxford.
PINHORN, WILLIAM, bookseller, West Cowes, Isle of Wight. June 27. Trust. A. Dyer, gentleman, Southampton.
PUTTER, ALFRED JOHN, cheesemonger, Portland-ter. South Norwood. June 27. Trusts. A. E. Thornton, upholsterer, South Norwood, L. P. Van der Hoop, merchant, Borough, and C. Foucard, merchant, Three Crown-sq. Borough.
PULLING, ROBERT, iron merchant, Philpot-la. June 12. Trusts J. Fry, Gresham-house, and F. W. Gibson, King William-st. metal brokers.
RUITMAN, DAVID, Sandy's-row, Bishopsgate-st. July 3. 1s. 6d. in 1 week.
REED, JOSEPH SMITH, tailor, Lincoln. June 20. 5s. in 1 mo.—secured. Sureties, J. Gammell, coal merchant, and R. Reed, auctioneer, both Barrow-on-Humber.
RICHARDSON, WILLIAM JOSIAH, farmer, Loughton. June 30. 1s. by two equal instalments on 1st Jan. and 1st July.
SHREWSBURY, DAVID, wine merchant, Royal Exchange-bldgs and Birchin-la. Cornhill. June 28. Trusts. C. Winsdale, gentleman, Park-cottage, Edmonton, S. J. Mallam, butcher, Long-acre, and J. Hagger, Italian warehouseman, Lamb's Conduit-st. Bloomsbury.
SMITHSON, RICHARD JOHN, stationer, New Malton. June 11. Trusts. J. Painting, stationer, Joiners'-hall-bldgs. Upper Thames-st., and J. Henderson, gentleman, Castle Howard.
SYMONS, ROBERT, photographer, Bath. June 16. 4s. on demand. Surety, W. Symons, coachman, Bath.
TAMBLING, WILLIAM, builder, Devonport. June 9. Trusts. W. Lowarn, manager to timber merchants, Plymouth, and W. E. Rowland, merchant, Saltash.
THORN, EDWIN, and THOMAS, WILLIAM, factors, Bristol. June 4. Trusts. T. Stephens, spirit merchant, and H. Leslie, banker's manager, both Bristol.
VINCENT, WILLIAM ROBERT, corn and seed merchant, Stoke Newington. June 29. Trusts. W. P. Terrill, Combe Bissett, W. Jeffery, Romsey, and W. C. Westlake, Southampton, corn merchants.
WESTLAKE, THOMAS NOBLE, brassfounder, Plymouth. June 22. Trusts. W. H. M. Blews, and H. Taylor, brassfounders, Birmingham, and R. Monk, pawnbroker, Plymouth.
WILLIAMSON, FERDINAND HEDWORTH, gentleman, Hemming's-row. June 7. 1s. in 10 days. Trust. T. M. Shadwell, gentleman, Kepple-st.
WOOD, GEORGE, cheesemonger, York. June 19. Trust. W. H. Campbell, glass-cutter, York.
WOOLVIN, THOMAS JAMES, grocer, Dudley. June 17. Trust. I. Maud, provision merchant, Westbromwich, and D. May, porkbutcher, Dudley.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BASSETT.—On the 5th inst., at Sutherland-square, S., the wife of Charles Bassett, solicitor, of a daughter.
CARR.—On the 7th inst., at 10, Alwyne-road, Canonbury, the wife of Alfred Carr, solicitor, of a daughter.
KENT.—On the 11th inst., the wife of Frederick Kent, Esq., of 11, Cannon-street west, City, solicitor and parliamentary agent, of a son.
MACPHERSON.—On the 28th May, at Calcutta, the wife of Arthur George Macpherson, Esq., Judge of the High Court, of a son.
RUSSELL.—On the 10th inst., at Courtland-terrace, Merthyr Tydfil, the wife of John Russell, Esq., solicitor, of a daughter.

MARRIAGES.

PASH—OLIVER.—On the 5th ult., at Arthur-street Chapel, Walworth, Frederick Pash, Esq., of Caterham, Surrey, solicitor, to Emma, youngest daughter of E. J. Oliver, Esq., of Clapham-place, Walworth.
SANDYS—BAIN.—On the 29th ult., at Stirling, Edwin William Sandys, of Fulford, county York, Esq., to Frances Anne Sandys, elder daughter of Edwin Sandys Bain, of Easter Livilands, county Stirling, and of Serjeants-inn, London, serjeant-at-law.

DEATHS.

ARCHIBALD.—On the 5th inst., at 9, Marlborough-hill, St. John's-wood, aged 21, Richard George Archibald, Esq., eldest son of Thomas D. Archibald, Esq., barrister-at-law.
SWARBRECK.—On the 20th ult., in Golden-square, London, aged 63, Samuel Dukinfield Swarbreck, Esq.
BIRD.—On the 7th inst., aged 29, W. Gardiner Bird, Esq., of the Inner Temple, barrister-at-law.
PATTEN.—On the 7th inst., at Leamington-road-villas, Westbourne-park, aged 37, James Coverdale Patten, Esq., of the Middle Temple, barrister-at-law.
ROWSELL.—On the 19th April, at Armidale, N.S. Wales, aged 22, Evan Edward Rowsell, Esq., solicitor.
SHARMAN.—On the 8th inst., at the Home Farm, Little Crosby, Elizabeth Pratt, the wife of Samuel Sharman, Esq., solicitor, Liverpool.

To Readers and Correspondents.

A COUNTRY SOLICITOR.—The work in question is a collection of the statutes themselves, and not a mere digest of them. It is a very useful substitute for the Statutes at Large.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, JULY 24.

By Mr. HEALY, at Garraway's.

Freehold houses Clerkenwell-green, freehold dwelling-houses at Amerley, and small leasehold houses in Southwark. Advertised this day.

WEDNESDAY, JULY 26.

By Mr. MOXON, at Garraway's.

Residence at Blackheath, and freehold estates at Chigwell-row. Advertised this day.

By Mr. DARTWOOD, at Garraway's.

Part of leasehold house in Philpot-lane. Advertised July 15.

By Messrs. EDWIN SMITH and Co., at the London Tavern.

Leasehold estate in Croydon, and desirable investment at Milkmay park. Advertised this day.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 2*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 2*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

WE reserve until the Elections are completed a complete list of the Lawyers elected to the new Parliament. There are too many claims upon our columns just now to permit of needless repetitions.

BESIDES the *County Courts Equitable Jurisdiction Act*, there is but one law of the session to be added to the LAW TIMES Series of Important Statutes. The *Prisons Act* will be published shortly, edited, with notes and index, by Mr. T. W. SAUNDERS, Recorder of Bath.

MANIFOLD are the speculations why Lord CRANWORTH was elevated to the woolsack and why the ATTORNEY-GENERAL was not. The principal reason we believe to be, a reluctance on the part of the Government to charge the country with an additional pension under such peculiar circumstances. This difficulty, which would have been made a cry at the elections, was avoided by the course taken. Nor is it likely that Sir R. PALMER was very desirous as yet to accept an honour which must be his ere long. He has a large family, and his present office is far more lucrative. It will be convenient to him to save for a peerage before he assumes it; he cannot do so afterwards.

AN unusually large number of Lawyers have sought the favour of the constituencies at the recent elections, and many have been successful. The most eminent who have obtained seats for the first time on the Liberal side are Mr. COLERIDGE, Q.C., Mr. Serjeant GAZELEE, Mr. EDWARD JAMES, Q.C., and Mr. THOMAS CHAMBERS. The new men of mark on the Conservative side are Mr. HUDDLESTON, Q.C. and Mr. BADDELEY. Mr. MALINS has lost his seat on the one side and Mr. GEORGE DENMAN on the other. Among those who tried and failed are Mr. HAWKINS, Q.C., Mr. HANNEN, Mr. C. FOSTER, Mr. E. W. COX, Mr. D. D. KEANE, Q.C., Mr. L. WEBB and Mr. CARVER. Upon the whole, the Lawyers will be somewhat stronger in the new House than in the former one. We shall give a complete list as soon as the elections are completed.

ANOTHER of the Insurance Offices of the Profession has proved the confidence of the public in the Lawyers and in the enterprises founded and conducted by them. The advertisement of the *Equity and Law Life Assurance Society* exhibits a very flourishing state of affairs. It is remarkable that no real Law Insurance office has failed; indeed, all of them are in an extremely prosperous condition, and the *Equity and Law* not the least of them.

Its income from premiums has now advanced to the large sum of 67,482*l.*, assuring no less than 2,178,766*l.* Very handsome bonuses have been paid, and it is stated as a fact, on which the society has a right to congratulate its shareholders as well as its clients, that the expenses of management are only 4 per cent. on the income. The report shows a steadily increasing business, obtained without the arts by which new offices too often endeavour to procure it, such as accepting doubtful lives for the sake of present income. In this office the claims have been below the due expectancy, a sure proof that caution has been used by the directors.

A STATUTE, for which there is, we believe, no precedent, was passed during the late session. The municipal borough of Falmouth is very ancient, and it enjoyed the honour of a quarter sessions. But the municipal borough is only a small semicircle in the town, which has grown up around it and without its boundaries. On the shore side, however, the borough extends over the entire harbour. The effect of this is to throw the whole cost of the police of the harbour upon the section of the town within the municipal boundary. The inhabitants without the borough, though sharing all the benefits of the port, refused their assent to an extension of the borough, so that they should share the burden as well as the benefit, and, as the only alternative, the over-taxed burgesses applied to the Government to relieve them from their costly privilege. An Act has accordingly passed for this purpose, and on the 31st Dec. Falmouth strips herself of the honour she has enjoyed for so many years. The Act provides for the officers whose functions will then cease. The Recorder is to have his salary for life, or until appointed to an office of equal value. The other officers are to be compensated at the discretion of the justices. Many towns of late years have eagerly sought a quarter sessions. This is, we believe, the first instance on record of a town voluntarily resigning it. But the circumstances are unprecedented.

THE question as to the right to drain into a public river has been raised, but unfortunately not decided. The corporation of Kingston-upon-Thames have adopted an extensive scheme of drainage into the Thames, which will poison the waters and undo all that has been done by the metropolitan drainage. The Thames Conservancy Board applied to Woon, V. C. for an injunction to restrain them from doing so. But he refused it on the ground that an injunction will not go to restrain an anticipated nuisance. The mischief must be proved to be done, and then the court can prohibit its continuance. This is undoubtedly good law, but it is bad justice, and injurious to all parties. Would it not be desirable, in this age of public improvements, to vest authority in some responsible body, say the Board of Trade, to order the suspension of contemplated works alleged to be injurious to the public, or even, to individuals, until a formal investigation can be made, and then that the court should try the question by a jury before granting an injunction? This important case will be found fully reported last week (*Attorney-General* v. *The Mayor and Corporation of Kingston-upon-Thames*, 12 L. T. Rep. N. S. 665).

FOURTEEN years ago the LAW TIMES proposed that a limited jurisdiction in equity should be extended to the County Courts. The suggestion was received with surprise and ridicule by the practitioners in the Equity Courts, who asserted the machinery of the County Courts to be impracticable and the judges incompetent for the work we desired to put upon them. By the Profession generally, and more especially by the provincial solicitors, the scheme was welcomed with cordial approval, and the law reformers in the Legislature were encouraged to take it up. It was proposed, opposed and abandoned more than once. Nevertheless, in the face of repeated disappointment, we persisted in advocating it on all fit occasions; and now we have the satisfaction to see our pet project realised, and the reform for which we have laboured so long accepted by Parliament without a dissentient vote and placed upon the statute-book.

We doubt if even our readers have realised the extent of that reform. It goes considerably beyond the proposition which, when we first put it forth, was looked upon as revolutionary. The scheme of the LAW TIMES was this: that in litigant business requiring judicial functions the jurisdiction should be limited to 200*l.* in value of the subject-matter; but that where its functions are merely administrative the jurisdiction should be without limit. The Act as passed extends the jurisdiction in the first branch of business to 500*l.*, and limits the second branch to the same sum. But it includes among the subject-matters to be committed to the County Courts some which we had not contemplated, and which we still consider cannot safely be intrusted to them, at least, to the extent permitted by the new statute. These we will state, with reasons for that opinion when we come to review the details of the law that now lies before us.

The County Courts are to "have and exercise all the power and authority of the High Court of Chancery" in the following suits:

1. *In all suits by creditors, legatees (whether specific, pecuniary, or residuary), devisees (whether in trust or otherwise), heirs-at-law or next of kin, in which the personal or real, or personal and real, estate against, or for an account or administration of, which the demand may be made, shall not exceed in amount or value the sum of five hundred pounds.*

This is practically an administrative jurisdiction. In the course of administration questions of law will often arise, and some of them difficult to solve, and which will tax the learning of the judge; but substantially the subject-matter is an account, and there is no sufficient reason why the County Court should not be empowered to compel or settle an account without any limit as to amount. The proper limit, if any, should have been to the nature of the account, as where it involved questions of liability; for such there should have been a limitation at the point at which the cost of a Superior Court would operate as a denial of justice, and where, consequently, imperfect justice would be better than none.

The second jurisdiction is thus defined:

2. *In all suits for the execution of trusts in which the trust estate or fund shall not exceed in amount or value the sum of five hundred pounds.*

The same remarks apply to this jurisdiction. It is, in fact, only administrative. Its business will be to compel the execution of trusts, and to require trustees to account; and there is no reason why any limit should be placed upon its exercise. There is no part of the new jurisdiction that will be more frequently and more usefully exercised than this. Only solicitors know the extent of the trusts that are abused or neglected with impunity, because they are reluctant to waste the entire estate in litigation in a court of equity. The facilities provided by the County Courts, not merely by the lessened costs, but by the inquiry being conducted where the parties reside, will remedy a multitude of existing wrongs and prevent the growth of more. Now that there is a practicable tribunal for calling trustees to account, we hope that the law for the regulation of trusts and trustees will be thoroughly reformed. In former papers the nature of that reform has been discussed, and it has been approved in influential quarters, therefore, we trust even in the coming session to witness this new jurisdiction of the County Courts over trustees made more useful by an improvement in the law that regulates the office of trustee.

The third jurisdiction is as follows:

3. *In all suits for foreclosure and redemption, or for enforcing any charge or lien where the mortgage, charge, or lien shall not exceed in amount the sum of five hundred pounds.*

Here again the same remarks are applicable. Mortgages and charges on estates are matters of account: the functions of the court are administrative and could be as well and as safely employed upon a mortgage for 500*l.* as upon a mortgage for 500*l.*

The remaining jurisdictions must be considered in future papers. But we cannot quit the subject without expressing regret that provision was not made for taking the opinion of the Superior Court by a case stated by the Judge on any point of law that might arise incidentally in the course of the administrative business. The only remedy given by the Act in such case is a power to a Vice-Chancellor to remove the case to the Court of Chancery, and a power of appeal against any decision of a judge. But these are costly and clumsy proceedings. The provision required is to aid the Judge in the discharge of his duties. Why should the entire case be removed because there is a difficulty in deciding upon some point that has arisen during its progress? Why should not a Vice-Chancellor decide that point, if the Judge doubts or the parties dissent from his judgment, on a written statement of the point, and then let the whole case proceed as before? For instance, in an administration suit, there is a doubtful claim. As the law is, there must be either an appeal against the decision of the County Court judge or an application to the Vice-Chancellor to order the removal of the whole case to the Court of Chancery. Our suggestion was and is, that in such case the Judge should state the question in writing, and that a Vice-Chancellor should determine it, as in the nature of an interlocutory judgment, and that the suit should remain undisturbed.

THE principal promoter of the concentration measure, Lord WESTBURY, is not in the Courts Commission. The first two persons named in it are "our right trusty and well-beloved councillors RICHARD Lord WESTBURY, our Chancellor of Great Britain, or our Chancellor of Great Britain for the time being," and ROBERT MONSEY Lord CRANWORTH. It was issued on the 29th June, since which time the secondly-named commissioner has become Chancellor "for the time being." Consequently, while it has happened, either by accident or design, that this commissioner now fulfils the requisite, contemplated by the Commission, of being Lord Chancellor, the other commissioner, who was not only Chancellor but a prime mover in the concentration, dropping out of the Chancellorship, drops at the same time out of the commission. It is not at all an unusual thing to make subsequent additions to a commission. If the party difference has cast so heavy a political cloud over Lord WESTBURY that the Government deems it prudent to leave him under it, the result to the concentration scheme is to be regretted. We hope it may not be so. Lord WESTBURY is something more than an official law reformer.

There is another judge who will be missed, the MASTER of the ROLLS. The three Vice-Chancellors are named, but he is not. His unwillingness to cross over from the venerable precinct of the Rolls to Bell-yard being well known, the probability will be inferred that he has declined the offer of being in the commission. It can scarcely be supposed that no offer was made. The failure to conciliate this judge, whether it rests with him or with the Government, is another subject of regret. Why, too, are the Lords Justices not named? They, at least, can have no romantic attachment to the narrow section of the old Lincoln's-inn Hall where they now sit, sometimes with the court crammed full of perspiring contributories, who elbow their way in and out as they best can by the combination of steep steps and swinging doors, forming what is called an entrance in the western wall, and who put the eastern wall to the baser uses of their common nature. Yet it is difficult to suppose that the Lords Justices have been left out without any communication being made to them on the subject by the Government. Surely the old, ungenial question of precedence between the Master of the Rolls and the Lords Justices cannot have operated to exclude them all from the commission, as it has excluded some of them from the Westminster-hall procession at the opening of term. Pageant is an empty affair; but whatever be the reason of the present exclusion, it is a very unsatisfactory thing, that a body of judges and others appointed to settle the arrangements for the accommodation of the equity and law courts and offices and the other matters to be presently mentioned, should not have the co-operation of any one of the three equity judges next in rank to the Lord Chancellor.

The commission is lengthy for the kind of document. It sets out by appointing the Lord Chancellor, the Chancellor of the Exchequer, the Chief Justices, the Chief Baron, the Admiralty Judge, the Probate Court Judge and Judge Ordinary, the First Commissioner of Works, the three Vice-Chancellors, Mr. Baron MARTIN, Mr. Justice MELLOR, Mr. Justice MONTAGUE SMITH, the Attorney, the Solicitor and the Advocate General, Alderman LAWRENCE and the President of the Incorporated Law Society. The Commission then recites that by the two Acts provision is made for the site, and the buildings of the superior law and equity courts, the Probate and Divorce Courts, the Admiralty Courts, and the offices connected with them, and of such other courts and legal offices as may be prescribed by the Treasury, with proper furniture and conveniences and accesses: that by the Building Act the plan and necessary arrangements for the accommodation of the courts are to be determined by the Treasury, with the advice of persons to be named by the Crown; and that, by the Site Act, no property is to be taken until the major part of such persons shall certify as to the sufficiency of the land and estimate; and certain other provisions of the Acts. Then the purposes of the commission are stated to be to advise and report on such sufficiency, and on the plan and arrangements; also as to the proper persons to be permanently appointed to superintend the buildings and provide for their maintenance, and to vary the internal arrangements (if necessary); also as to which of the courts and offices ought to be accommodated; also as to any variation in or consolidation of any of the offices or other changes in legal arrangements of a similar description; also as to the contribution to be levied, under the Building Act, on the suitors other than those in Chancery, and the apportionment of it, and the amount of fees for the purpose, and the documents on which they are to be paid; and as to any variation in or consolidation of the fees, or as to other financial arrangements; and as to altering the form of testing writs; and as to any other alteration in any other proceeding, practice, or usage of the courts, expedient on their removal. The Lord Chancellor is empowered to appoint three Chancery officers to be commissioners for these purposes; each of the Chief Justices and Chief Baron, one officer of his court, and one puisne if the puisne above named ceases to act; each of the Admiralty Judges, and the Probate Court Judge and Judge Ordinary, one officer of his court; the Chancellor of the Exchequer, two officers of the Treasury; the First Commissioner of Works, one person of his office; each of the four Inns, a bencher; and the Incorporated Law Society, two attorneys or solicitors. The commissioners, at any meeting, where five are to be present, of whom the Lord Chancellor and Chancellor of the Exchequer must be two, may appoint any other persons to be commissioners. Five is also to be the general quorum. Power is given to call upon persons for information, and to require production of books, papers and records. The commission is to continue in force five years. Justices, sheriffs, and other officers, and all the QUEEN'S subjects are commanded to assist. Lastly, EDWIN WILKINS FIELD, Esq., is appointed secretary.

THE trust-deed statistics, as they appear in a return made the last day but one of the session, on Mr. MOFFATT'S motion, and just issued, are a striking testimony of the extent to which the Bankruptcy Court is avoided in winding-up insolvent estates. The return shows the number of trust-deeds registered under the Act in each year since the 11th Oct. 1861, and in the half-year ending the 10th April last; distinguishing the composition-deeds, with the amount of the unsecured debts and the amount of the composition, from the deeds of inspection and assignment, with the amount of the unsecured debts stated in those deeds.

The figures prove that the larger insolvencies are dealt with by inspectorship-deeds; for, while the average amount of the unsecured debts in an insolvency, in the cases of assignment and composition, is rather more than 2000*l.*, the average in the case of inspectorship-deeds is about 34,000*l.* In the numbers of all the classes of deeds there has been a considerable increase in the last half-year, assuming the rate to be uniform through the present year. In the number of composition-deeds there has been a rapid increase from the first. The inspectorship-deeds have been in the three years 46, 15, 38, and in the half-year ending the 10th April last 85. The deeds of assignment were about 2300 for each of the years ending 10th Oct. 1863-64. For the three years and a half the totals are as follows:—Deeds of assignment, number 8044, gross amount of unsecured debts, 17,506,095*l.*; composition-deeds, 3848 and 8,233,892*l.*; deeds of inspectorship, 185 and 6,167,969*l.* The summary is, 12,077 deeds, and 31,907,957*l.* unsecured debts.

The rates of composition paid form an interesting table. Five shillings in the pound, the committee's proposed minimum dividend, is evidently the most favoured amount, unless it be the natural average composition. Next to this, 10*s.* seems to be a pleasing sum. By some curious affinity, 6*s.* 8*d.*, Lord WESTBURY'S proposed minimum, is among the more acceptable compositions. There are, of course, compositions of all amounts from one farthing to a full pound, if that can be called a composition; but the principal numbers in the scale are for the most part at half-crown intervals. Thus in the year ending the 10th Oct. 1862 the total number of composition-deeds was 695, and there were 39 various rates in the pound, of which 21 deeds gave 20*s.* in the pound; 95, 10*s.*; 39, 7*s.* 6*d.*; 29, 6*s.* 8*d.*; 160, 5*s.*; 58, 2*s.* 6*d.* In the year ending 10th Oct. 1863 the number of deeds was 662, with 41 different rates in the pound; in 9 cases the rate was 20*s.* in the pound; in 83, 10*s.*; in 34, 7*s.* 6*d.*; in 33, 6*s.* 8*d.*; in 179, 5*s.*; in 65, 2*s.* 6*d.* In the next year, ending last October, the deeds were 1278, with 54 different rates in the pound; 37 cases gave 20*s.* in the pound; 119, 10*s.*; 51, 7*s.* 6*d.*; 46, 6*s.* 8*d.*; 314, 5*s.*; 152, 2*s.* 6*d.* For the half-year ending 10th April last, the table shows 1210 deeds, and again 54 different rates in the pound; and the numbers and amounts at the favourite stages are: 51, 20*s.*; 125, 10*s.*; 49, 7*s.* 6*d.*; 27, 6*s.* 8*d.*; 230, 5*s.*; 140, 2*s.* 6*d.* There is something peculiar in these rates; for instance, in the year ending Oct. 1863 we have seen that the number of deeds at 6*s.* 8*d.* in the pound was 33, but the number at 7*s.* in the same year was only 8, and the number at 6*s.* 6*d.* only 3. It is plain, therefore, that to some extent the amount of composition is matter of fancy rather than of calculation. To give one more instance of this; in the last half-year the number of compositions at 5*s.* was, as above mentioned, 230, but at 5*s.* 6*d.* only 4, and at 4*s.* 6*d.* no more than 8.

THE GENERAL ELECTION.

FOURTEENTH ARTICLE.

HINTS TO AGENTS—PETITIONING.

THE election being concluded, your candidate will issue an address of thanks, if elected; and if defeated, the duty is not less incumbent upon him to thank those who have been his supporters in the contest. This document should be brief.

But your work is not yet done. If defeated, and you have good cause for suspicion, not merely that the election was won by bribery or treating, but that in the course of it both or either of those practices have been resorted to, it will be your business to procure all the evidence you can obtain for the purpose of supporting a petition against the return.

Formerly, petitioning was so difficult and costly that it was rarely resorted to, the remedy being rightly deemed worse than the mischief. But the recent reforms of the Corrupt Practices Act have immensely facilitated the proof of bribery and treating, and therefore, to the same extent, diminished the expense of a petition. We may anticipate a flood of petitions from the recent elections, where corrupt practices have generally prevailed to an unprecedented extent. And where they have been resorted to, it is difficult to see how any member against whom a petition is presented can preserve his seat.

Formerly, the difficulty of a petition arose from the privilege enjoyed by a witness not to answer questions the answers to which might subject him to a criminal prosecution; and as to give or to take a bribe was an indictable offence, bribery could be practically proved only by the testimony of spies, whose character properly subjected their evidence to great suspicion, or by voluntary confessions, which are rightly received with equal reluctance. To prove a single bribe it was often necessary to produce half-a-dozen witnesses, although both briber and bribee could have proved it immediately. Hence the great cost of a petition formerly. It is very different now.

The statute has removed the disability of the parties to the transaction, who are now made both competent and compellable to prove their own guilt, the condition being attached that, if they answer fully and to the satisfaction of the committee, a certificate is to be given to them which will exempt them from all penal consequences of the offence they have so confessed.

Not to state the truth and the whole truth is to be guilty of perjury.

From this recent change in the law it will be seen by our readers how easy it will be to upset any election that has not been conducted with perfect purity.

The process will be this:

As an experienced electioneerer, knowing all the voters, you cannot fail to know who are the men who have received bribes. You know that they have made a practice of it formerly, that they never vote without a consideration, perhaps they had offered themselves to you, and thus, learning their price, you have a moral certainty that they have not voted against you without this price being paid. If you have conducted the election with proper care and skill, you have also learned from your scouts and from the traitors who are always to be found among a number of men who barter their franchise, who are the persons from whose hands the cash came to theirs.

Knowing all this, your course is perfectly simple, and it is difficult to devise any means for evasion of the consequences. You will not need now to bring up a host of witnesses to prove that B. bribed C. You have but to place B. and C. in the witness-box, and the one must tell you what he gave and the other what he received. By the new law, they can claim no privilege; they are *compellable* to answer. If they deny it, they are guilty of perjury, and punishable with transportation. If they admit the fact, *they* are protected against the consequences, but the member loses his seat.

Thus, half-a-dozen witnesses will suffice to support a petition, and the process of proof is so immediate that these can be disposed of in a single day. The cost of keeping them in London is also limited by the facilities of the railways. A second-class return ticket and two days' lodging in London will be the expense of proof. A single proved case suffices to avoid the election; but say that, for greater security, you produce five cases, ten witnesses at return fare, and two days' expenses, will be the limit of that which was formerly the most costly item in a petition; 100*l.* will amply cover it.

True, that it is still necessary to prove agency for the purpose of unseating a member; but that can scarcely be evaded under the new law. You will learn from B. the briber from whom he received the money with which he bribed C. You will bring up that person, and so trace backwards until you bring it home to some agent—for very slight proof of agency suffices. And even proof of agency is not necessary for the purpose of cutting off the vote, and disfranchising for life both the giver and receiver of the bribe.

There are two strings to the bow of a petition. You can either eject the sitting member, and avoid the election, or you may claim the seat. It is usual to pray for both, but when your evidence is collected, it will be for you to determine whether you will be content with a void election, or go into a scrutiny. To seat your own man in the place from which you have ejected his rival, you must prove a majority of legal votes. As the receipt of a bribe destroys the vote, by whomsoever it might have been given, in such case there is no need to prove agency; you will require only to produce the voter, and from his own lips take the admission of the bribe, and then his name will be struck from the poll. And the giver of the bribe can equally be compelled to inform the committee of all the voters paid by him, and they will be forthwith struck from the poll. In this manner the majority on the other side may be readily swept away, and your man would be declared duly elected.

But for this purpose you must prove as many distinct bribes taken as may be required to give you a majority. Where you go merely for avoiding the election, a single clear case, with proof of agency on the part of the giver, or backward through him to some agent, will be sufficient for your purpose, though it would be wise to come armed with several cases in order to show the system. A number of cases gives added weight to each of them.

Direct and formal agency is not necessary to be proved for the purpose of avoiding an election for bribery or treating. It suffices to establish a connection between the giver of the bribe and head-quarters, such as acting in the committee-room, canvassing, &c. The committee knows that a man who has no means of his own could not make presents to voters from his own purse, and it reasonably concludes that any other purse except that of the candidate or some one acting on his behalf would not be so generously opened. Hence it is that such slight proof of agency is required after an act of bribery has been proved.

Probably very few of the venal voters who have abounded during the recent contests are aware of the extreme danger they have hazarded, and the tremendous penalties they have incurred. The change in the law is so recent, that many even of the managers were not aware of it. It would have been well if the virtuous portion of the constituencies had put them into a popular form, and circulated them among the venal class, who are usually well known in any community. It might have prevented much vice and much future mischief. We will state them in few words.

The giver and receiver of a bribe can be put into the witness-box, and compelled to answer any questions, however they might criminate themselves. The giver must say to whom he gave, and what he gave. The receiver must say what he received, and from whom he received it.

Any person who gives or receives a bribe is disfranchised for life, and his name is to be printed at the foot of every succeeding register of votes for that place in a distinct list, headed, "Disqualified for bribery, treating, or undue influence."

He is liable to a penalty of 100*l.* to any person who will sue for it.

He is also liable to indictment for the misdemeanor, and to be punished with fine and imprisonment.

LIABILITIES OF SHAREHOLDERS.

THE release of a shareholder, or supposed shareholder, from liabilities to the company not having been expressly provided for by the old Joint-Stock Companies Act (7 & 8 Vict. c. 110), the Companies Clauses Act, or the Companies Act of 1862, directors are frequently in doubt when circumstances seem to them to render an arrangement with a view to such a release expedient, whether, be it under a resolution of a meeting or not, they can bind the company. The recent case of *Lord Belhaven* before the Lords Justices (12 L. T. Rep. N. S. 595), on appeal from the MASTER of the ROLLS, shows clearly a certain state of circumstances under which a compromise can be sustained. "But every case of this description," as Lord Justice TURNER observed, "must necessarily depend on its own circumstances." Instead, therefore, of attempting to deduce any general rule, it will be more useful to mention some of the principal cases, briefly noticing their circumstances, so that in any particular case the reader's judgment may be informed, and act with the benefit of a kind of practical experience. He will at once distinguish *Lord Belhaven's* case from the large class where the question has been whether a person be or be not a contributory. It was the essence of the case that the point was left open.

In *Ex parte Morgan*, 1 Mac. & G. 225, soon after the establishment of the Vale of Neath Brewery Company under the Joint-Stock Act of 1848, MORGAN agreed to take and paid up six shares. By the deed of settlement the directors were empowered to keep at the bankers a balance sufficient to answer the current demands and expenses of the company, and out of the surplus of it they might buy up shares offered for sale, and either sell them again or let them sink into the stock. Afterwards an extraordinary meeting was convened under a general notice that the directors wanted to raise a fund, and a resolution was passed at the meeting to enable any shareholder to withdraw on a purchase of his shares by the directors in a particular manner, according to which he was to take the loan note of the company for a sum to be invested by him. Acting on this resolution, the directors purchased MORGAN'S shares on certain terms, such that the transaction did not fall within the provisions of the deed of settlement. Lord COTTENHAM, on appeal, was of opinion that the meeting had no power to do what they did; they could not get out of the powers of the deed. The directors bound themselves not to dispute what they agreed on with MORGAN; that might or might not be binding on individuals, but it did not bind the company. As to acquiescence, Lord COTTENHAM maintained that the partners could not depart from the general contract without the consent of every individual member: unless each individual of the company was present at the meeting, there was not acquiescence. It will presently be seen, from *Dr. Grady's* and *Lord Belhaven's* cases, that there is another mode in which the members, although not present, may be considered to be bound.

In the next year, 1850, Vice-Chancellor KNIGHT BRUCE, in a case where the Marylebone Banking Company's deed of settlement stipulated that, in all cases not provided for by that or any supplemental deed, the directors might act in such manner as to promote the interests and welfare of the company, held that this power did not enable them to cancel the shares of Col. STANHOPE, a retiring director, so as to exempt him from responsibility; but that on a winding-up, ten years after, he was a contributory. It was, the Vice-Chancellor said, a hard case if the transaction was (as the counsel had admitted it to have been) fairly intended. He would have possibly come to the same conclusion if Col. STANHOPE had not been a director; but as he was a director, the Vice-Chancellor arrived at it with less difficulty: (*Stanhope's case*, 3 De G. & Sm. 198.)

Lawes' case, 1 De G. M. & G. 421, also arose in the winding-up of the Vale of Neath Company. Three months after the meeting mentioned in *Morgan's* case a general meeting was held, at which the directors were authorised to allow such further time as they might think reasonable to those shareholders who had not complied with the resolution of the former meeting, and the forfeiture of the shares of those proprietors who should continue to be defaulters was sanctioned. Acting on the resolution of the general meeting, LAWES sold his shares to one of the directors on behalf of the company, and lent a sum equivalent to the purchase-money on the loan-note of the company. It was held that, the resolution of the first meeting, being invalid, was incapable of being ratified by the general meeting, whose powers were limited to acts not contrary to the deed of settlement, and that the resolution of the general meeting, in terms applying only to defaulters, could not be construed to extend to the privilege of retiring from the partnership, which was, in fact, then confessedly in a state of insolvency. The Vice-Chancellor KNIGHT BRUCE had no doubt that in Mr. LAWES' view the transaction was *bonâ fide*, and free from all taint, or fraud, or contrivance, but it was an improper transaction; it was an attempt on his part, shared in by other members of the company who had the command of money, to escape from further liability at the expense of their co-partners, and contrary to the express provisions of the deed under which they were all acting.

Where the deed of settlement of a joint-stock company provided for the transfer of shares, with the approbation of the directors, and on some of the shareholders threatening to take proceedings to set aside a purchase and lease for fraud, the directors agreed with them that they should be allowed to transfer their shares on payment to the company of a sum, out of which a claim of one of the directors against the company should be satisfied, and the payment was made, the claim satisfied and the shares transferred to nominees of the directors for a nominal consideration, Lord CRANWORTH held, that, the directors being in a sense trustees, powers given to them for one purpose could not be used by them for another and different purpose. The question whether a whole body of shareholders should be permitted to go out together involved considerations which would not apply to the retirement of an individual shareholder. The power given to the directors had been wrested for the purpose of effecting the retirement of such a body. On that ground alone he was of opinion that the transfer could not stand: (*Bennett's case*, 5 De G. M. & G. 284.)

Mr. BROTHERHOOD had been a holder of two hundred shares in the company, the Agricultural Cattle Insurance, where the dispute arose regarding Lord BELHAVEN. Calls were made in the early part of 1848, and in October of that year, Mr. BROTHERHOOD and other shareholders being dissatisfied with the affairs of the company, suggested that some arrangement might be come to, whereby they might retire on certain terms. A circular was sent convening a meeting to deter-

mine the question. The terms of retirement were mentioned in it, which were, that a call be made, and the directors empowered to forfeit shares of retiring shareholders on payment, in respect of the call, of certain proportions of it according to the number of their shares. Mr. BROTHERHOOD received the circular and expressed a wish to retire on the terms. The terms in the circular were confirmed by the meeting. By the deed of settlement there was power to the board to sell forfeited shares to any approved person, for payment of calls. Mr. BROTHERHOOD paid the sum due from him according to the terms of retirement. He was not afterwards treated as a shareholder, nor was the transaction afterwards questioned, except by Messrs. SPACKMAN, who, in 1849, tried, without success, to wind-up the company, on the ground of the retiring arrangement. But a winding-up order was obtained in 1861. Lord Justice KNIGHT BRUCE, although it appeared to him that the transaction might have been disputable within a reasonable time, agreed with the MASTER of the ROLLS in considering that it was too late to question it. Lord Justice TURNER assumed that the transaction was invalid, but would also, on the evidence, assume notice to, and assent by, all the other shareholders. He concurred, however, with the other judges as to the lapse of time. "I have always," the Lord Justice said, "considered a fair test of the question whether a person ought to be held to be a contributory or not to be this, whether he would have been compelled to contribute in equity if the number of partners had not prevented that remedy." In such a case as that he would not have been compelled: (*Brotherhood's case*, 7 L. T. Rep. N. S. 142.)

The next case in order of time was *Grady's*, decided by Lord WESTBURY. Dr. GRADY, a shareholder and the medical referee of the British Provident Life Society, brought an action against the society for a sum alleged to be due for services, and compromised it on certain terms, one of which was the transfer of his share to a gentleman, a director. Whether the transferee took personally or as a nominee of the directors was a disputed point. By the deed of settlement the company possessed no power to purchase any shares from the holders. The LORD CHANCELLOR arrived at the conclusion that, so far as Dr. GRADY knew, the purchase was personal; but that there could be no doubt it was a purchase by the company. The company was not disqualified from purchasing shares. If a company had no power to do a particular thing, undoubtedly that power could not be added to the company by the agreement of the shareholders, nor could it be inferred to have been done legally, merely from acquiescence or from subsequent delay in questioning the transaction. But if a company has power to do a thing, and if there be only requisite a given formality, such as the consent of a general meeting, in order to warrant the exercise of that power, then, if the company dealt with an individual at arms' length, and took a transfer of shares, duly completing that transfer, entering the transaction in books, so that the court was warranted and justified in imputing a knowledge of it to every shareholder, the court was fully borne out, not only by the reason of the thing, but by authority, in inferring, as against the company, that the formality had either been antecedently supplied, or had been subsequently added to the transaction. The consent of the shareholders must be presumed, and the transfer be upheld.

The last case preceding *Lord Belhaven's* was *Spackman's* (12 L. T. Rep. N. S. 130), also in the Cattle Insurance Company, and decided by Lord WESTBURY. The Messrs. SPACKMAN, as above mentioned, having dissented from the arrangement under which Mr. BROTHERHOOD retired, and having failed in their winding-up petition, presented on the ground that the call then made was a gross breach of trust and invalid, nevertheless agreed, in 1849, that the nonpayment of this invalid call should be a ground for forfeiting their shares. The directors, when the company was insolvent, agreed for 4000*l.* to release them and six other dissentients, whose united payments on the call would have been 10,000*l.* This object was to be accomplished under colour of the provisions in the deed of settlement for the forfeiture of shares for nonpayment of calls. But, inasmuch as such a mode of forfeiture would not have been in accordance with the provisions of the deed, it was agreed that the directors should accept a release from the seven shareholders. Before the execution of the release and payment of the 4000*l.*, the board passed an ordinary resolution of forfeiture, by reason of the neglect and refusal of the seven shareholders to pay the call, and notice of the resolution was sent to them. The entries made known to the shareholders generally on the subject were such as to lead them to suppose that the transaction was under the BROTHERHOOD arrangement, or that the forfeiture had been regularly made. A considerable part of the 4000*l.* was paid by the directors in fees, allowances and law charges. The real transaction, the LORD CHANCELLOR considered, was not an adverse sentence of forfeiture, but a collusive contract. The actual contract was such as the directors had no power to make. The transaction was an abuse of the power of forfeiture, even if it had been conducted in conformity with the provisions of that power. Could what was invalid and improper become valid by being successfully concealed for eleven years? It could derive no confirmation from lapse of time during such concealment, at law or in equity. If the power had not been strictly followed there was no forfeiture, either at law or in equity; and if the letter of the provisions had been strictly observed, but the exercise of the power was the result of a collusive and unauthorised agreement between the parties, then there was no valid execution in equity. The fact that during eleven years the Messrs. SPACKMAN were not treated as shareholders was the result of the belief of the shareholders that the shares had been duly forfeited.

As to the circumstances of Lord BELHAVEN'S case, it is enough to say that, since the formation of the company, there was a long-standing dispute of ten years, whether he was a shareholder or not. It had arisen thus: when he accepted the vice-presidentship of the company, he was told that he must qualify himself by taking shares, and applied for shares, but, being afterwards told that the qualification was unnecessary, he declined to take the shares or have any concern in the matter. At length, in 1854, the directors resolved to sue him for calls, but in 1855 they accepted 50*l.* by way of compromise, and passed a formal resolution to that effect, and to recommend to a general meeting a cancellation of the shares. The arrangement was confirmed by a general meeting, of which a report was sent to the shareholders, and it appeared in the business transacted at subsequent meetings, but the name remained in the return to the registration office and in the share register book, but in another share register "forfeited" was set against it. The MASTER of the ROLLS considered that the case was governed by *Spackman's* case. But Lord Justice KNIGHT BRUCE thought it possible to decide in Lord BELHAVEN'S favour without contradicting that case. Here was a *bonâ fide* dispute; an arrangement confirmed by a general meeting and a winding-up more than six years afterwards, a fair settlement with no suppression, concealment, or fraud in the arrangement or connected with it. If the directors exceeded their powers, yet possibly the means of knowledge which the resolution afforded to the members of the company generally, circulated as the report containing the resolution was, and the time that had elapsed being considered, it might be right to hold that before and at the time of winding-up the company had become bound by the arrangement. Lord Justice TURNER'S judgment was to the like effect. Moreover, even admitting that according to the cases Lord BELHAVEN became a contributory, they did not affect the present question. The question here was one of compromise; and in a question of compromise the point to be considered is, not what the law applicable to the case really is, but whether there is ground for doubting what the decision upon the case might ultimately be. If the law on the point were clear and known to the parties to be clear, an agreement for compromise, proceeding upon the ground that there was doubt upon the law, could not be maintained. The Lord Justice also referred to the circumstance that if Lord BELHAVEN'S name were retained he would become a contributory in a company which had subsequently entered upon a new kind of business, the insurance of life. But the Lord Justice did not give any final opinion on that point.

INVESTMENT JOURNAL.

INACTION is the characteristic of the season. There is abundance of money and very little employment for it. New joint-stock enterprises are said not to find favour, in spite of the professions of promoters. The public seems to have had enough of them for the present. The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed	Thur.
Bank of England Stock	...	248	246	248	246	—
3 per Cent. Red. Ann.	89¼	89¼	89¼	89¼	89¼	89¼
3 per Cent. Cons. Ann.	90¼	90¼	89¼	89¼	90¼	90
New 2½ per Cent. Ann.	...	...	...	...	...	—
Do. do. Jan. 1894	...	...	...	72¼	72	—
New 3 per Cent. Ann.	89¼	89¼	...	89¼	89¼	89¼
New 3½ per Cent. Ann.	...	...	...	...	...	—
5 per Cent. Annuities	...	...	...	...	...	—
5 per Cents. Jan. 1873	...	...	...	...	...	—
Ann. 30 yrs. exp. April 5, 1885	...	14¼	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	—
Red Sea Tele. Ann. 1908	...	...	...	...	...	—
Bank Stock, for Acc.	...	...	...	...	...	—
Consols for Acc.	90¼	90¼	90	90¼	90¼	90
Consols 5 per Cent. for Ac.	...	...	...	...	...	—
India 5 per Cent. for Acc.	...	...	...	...	...	—
India Stock	...	...	...	...	...	—
India Stock, 1874	...	...	...	...	216	—
India 5 per Cents.	...	...	...	...	...	—
India 4 per Cents. 1888	99¾	...	...	...	...	—
India 5 per Cents. 1870	104¼	104¼	104¼	214¼	104¼	—
India Bonds (1000*l.*)	...	...	...	...	...	—
Do. (under 1000*l.*)	...	...	...	...	22*s. f*	—
India Debentures, 1863	...	...	...	...	...	—
Do do. 1864	...	...	...	...	...	—
Do. do. 1866	104¼	...	...	...	...	—
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	—
Do. do. 5 per c. Jan. 1872	102	...	...	...	...	—
Do. do. 5½ per c. May 1879	...	110¼	...	...	...	—
Ex. Bills, 1000*l.*	*a*	...	*d*	*g*	*c*	*a*
Do. 500*l.*	*b*	*c*	...	*a*	...	—
Do. 100*l.* & 200*l.*	...	...	...	...	...	—
3 per c.	*c*	...	*b*	*c*	...	—
Do. Small, & 3 per c.	...	...	...	...	...	—
Do. Advertised	...	...	...	...	...	—
India Certificates	...	...	...	...	...	—

a 3 and 3½ per cent. 4*s.* pm.
b 3 and 3½ per cent. 1*s.* pm.
c 3 3½ per cent. par.
d 3 & 3½ per ct. 2*s.* pm. par.
e 3 3½ per cent. 4*s.* pm. par.
f prem.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

EVIDENCE—REFRESHING MEMORY.—A document was put into the hands of a witness to refresh his memory. It was not in his writing; but he deposed that at the time of the transactions in question, and while they were fresh in his recollection, he made certain memoranda. That two or three months afterwards those memoranda were copied by another person into the book now produced, that he inspected the copy, when made, and compared it with the original at the time and found it to be correct. The original was lost, but the person who made the copy was living. The copies were held to be admissible for the purpose of refreshing the memory: (*Lord Talbot de Malahide* v. *Cusack*, 12 L. T. Rep. N. S. 678. Q. B., Ireland.)

HEIRS AT LAW AND NEXT OF KIN.

DARKIN (Elizabeth Jeffries), Cirencester, Gloucestershire, widow. Next of kin to come in by Aug. 7, at M. K. solicitors, Holmes and Impey, 12, Bedford-row, London.

GILCHRIST (James), formerly of Kensington, Middlesex, Esq. Next of kin to come in by Nov. 2, at M. K. solicitors, Futvoye, Pilcher and Flower, 23, John-street, Bedford-row, London.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

ENGLISH WIDOWS' FUND AND GENERAL LIFE ASSURANCE ASSOCIATION.—A call of 35*l.* per share to be paid by July 31 to R. P. Harding, 3, Bank-buildings, London. Solicitors, J. T. Vining, 4, Moorgate-street-buildings, London.

LONDON MARINE INSURANCE ASSOCIATION.—Official liquidator to be appointed by Wood, V.C., at his chambers, on July 25, at noon. Solicitors, Mercer and Mercer, 9, Mincing-lane, London.

MADRID BANK (LIMITED).—Creditors to send in, by Aug. 7, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to E. Hart, 57, Moorgate-street, London. Solicitors, Treherne and Wollerman, 75, Aldermanbury, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BENT (Wm. Butler), Blakebrook-house, Kidderminster, Esq., Aug. 1. Reeve and Harris, solicitors, 104, New-street, Birmingham.

BIRD (Stephen), Hornton-villa, Hornton-street, Kensington, Middlesex, Aug. 26. J. Bird, solicitor, 5, New-inn, Strand, London.

CARRUTHERS (James), formerly of 147, Leadenhall-street, London, shipbroker, late of Hope-house, Tottenham, Middlesex, gentleman, Aug. 10. Helder and Kirkman, solicitors, 10, Gray's-inn-square, London.

DICK (Joseph), 14, William-street, Camden-road, Holloway, Middlesex, gentleman, Aug. 28. J. W. Jewitt, solicitor, 6, Coleman-street, London.

FITCH (James), St. Alban's, Herts, gentleman, Aug. 1. W. Evans, solicitor, 72, Coleman-street, London.

HALL (Henry), Saffron Walden, Essex, Lieutenant-Colonel of the Madras Army, Aug. 1. G. Gayton, Much Hadham, near Ware, Herts.

IVES (Jeremiah Robert), Bentworth Hall, Southampton, and Hertford-street, Mayfair, Middlesex, Esq., Aug. 17. Ellis and Ellis, solicitors, 7, Spring-gardens, Westminster.

JONES (Elizabeth), Northwood-street, Birmingham, widow, Aug. 2. E. M. Coleman, solicitor, 23, Cannon-street, Birmingham.

LEWIS (Emma), Lower Clapton, Middlesex, widow, Aug. 21. Morris, Stone, Townsend and Morris, solicitors, Moorgate-street-chambers, Moorgate-street, London.

LITTLE (Rev. Fredk. Scratton), Hamlet-lodge, Southend, Prittlewell, Essex, and 10, Upper Gloucester-street, Dorset-square, Saint Marylebone, Middlesex, Sept. 23. Burgoyne, Milnes and Burgoyne, solicitors, 109, Oxford-street.

Leed (Wm.) South Down-cottage, Preston, Dorsetshire, a commander in the Royal Navy. Sept. 1. Andrews and Barrett, solicitors, Weymouth, Dorset.

Lowdell (Stephen), Bedales, Lindfield, Sussex, Esq., Aug. 10. Hunt, Currey and Co., solicitors, Lewes, Sussex.

Mead (Thomas), Hale-place, Darnley-road, Gravesend, gentleman, Aug. 31. G. E. Sharland, solicitor, Town-hall, Gravesend.

Overend (Wilson), Sheffield, Esq., Sept. 23. W. and B. Wake, solicitors, Sheffield.

Philby (Sarah Ann), Richmond, Surrey, widow. Oct. 12. Hart and Davies, solicitors, 16, Austin-friars, London.

Powney (Richard), 87, Holland-villas-road, Kensington, Middlesex, formerly of Petersham-lodge, Petersham, Surrey, a Lieutenant-General in the Royal Artillery. Sept. 29. J. Aitkens, solicitor, 15, Lincoln's-inn-fields, London.

Price (Henry), African Chief Public-house, Wilsted-street, Somers-town, Middlesex, victualler, Sept. 29. Routh, Rowden and Stacey, 14, Southampton-street, Bloomsbury, London.

Ricketts (Ellen Theresa), 26, Clarendon-square, Leamington Priors, Warwickshire. Aug. 18. J. H. and H. R. Henderson, solicitors, 14, Argyll-street, Oxford-street, London.

Thomson (Jane), 2, Durham-villas, Kensington, Middlesex, widow, Sept. 1. Hughes, Masterman and Hughes, solicitors, 17, Bucklersbury, London.

Walmesley (Richard), Glanmere-house, Ramsgate, Kent. July 31. R. J. Walmesley, Shaily-house, Blackheath, Kent.

White (Mary), 17, Hanover-crescent, Brighton, spinster. Aug. 6. R. S. Taylor, solicitor, 3, Field-court, Gray's-inn.

Williams (Thos.), Wooton, Oswestry, Salop, farmer. Sept. 1. N. Pope, solicitor, Winchester-house, Old Broad-street.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Adams (James), Staines, Middlesex. Oct. 2. C. A. Govatt, solicitor, 5, Mitre-court, Temple, London. Nov. 3, M. R., at one o'clock in the afternoon.

Brooke (Thos. John Langford), Mere-hall, Cheshire, Esq. Sept. 18. Tathams, Curling and Watts, solicitors, 3, Frederick's-place, Old Jewry, London. Nov. 3, V.C. S., at one o'clock in the afternoon.

Caxe (Geo. Thos.), Jackson's-lane, Woolwich-common, Kent, cowkeeper and washing contractor. Aug. 17. Roy and Cartwright, solicitors, 4, Lothbury, London. Nov. 6, V.C. W. at noon.

Clarke (Thomas), Great Yarmouth, Norfolk, merchant. Oct. 2. H. Palmer, solicitor, Great Yarmouth. Nov. 2, M. R., at one o'clock in the afternoon.

Clifford (Wm.), Wolverhampton, shoemaker. Sept. 1. W. Thorne, solicitor, Wolverhampton. Nov. 1, M. R., at half-past twelve o'clock in the forenoon.

Coventry (Louisa Maria), Bargate-house, Fordingbridge, Southampton. Aug. 16. Pemberton, Meynell and Pemberton, solicitors, 20, Whitehall-place, London. Nov. 2, V.C. K., at noon.

Day (Robert), Wymondham, Leicestershire, doctor of medicine. July 28. J. and S. Harris, solicitors, Leicester. Oct. 23, V.C.W., at one o'clock in the afternoon.

Hancock (Thos.), Marlborough-cottage, Green-lanes, Stoke Newington, Middlesex, Esq. Oct. 20. Hume and Bird, solicitors, 10, Great James-street, Bedford-row, Middlesex. Nov. 6, V.C. K. at noon.

Hincks (Esther), Coventry, spinster. Aug. 5. H. J. Davis, solicitor, Coventry. Oct. 31, V.C. S., at noon.

Hodges (Wm. Robt.), 49, Leicester-square, Middlesex. Oct. 10. W. C. Smith, solicitor, 48, Lincoln's-inn-fields. Nov. 2, V.C.S., at one o'clock in the afternoon.

Jevons (David), Tipton, Staffordshire, draper. Sept. 1. C. Stanger, solicitor, West Bromwich. Nov. 2, M. R., at one o'clock in the afternoon.

Johnson (Robt.), Boyton, near Woodbridge, Suffolk, farmer. Aug. 14. J. R. Wood, solicitor, Woodbridge. Oct. 31, V.C.K., at noon.

Lake (James), 75, Queen-street, Cheapside, gentleman. Sept. 1. Bell, Brodrick and Bell, solicitors, Bow churchyard, London. Oct. 13, V.C. S., at noon.

Llewellyn (Hy.), 2, Old Bond-street, Middlesex, Scotch woollen warehouseman. July 31. Singleton and Tattershall, solicitors, 42, Great James-street, Bedford-row, London. Oct. 31, V.C. S., at noon.

M'Pherson (Alfred), 79, Upper Whitecross-street, and 9, Ockenden-road, Middlesex, builder. July 24. W. Evans, solicitor, 72, Coleman-street, London. Aug. 7, V.C. S., at noon.

Ogle (Richard), Inner Temple, London, barrister-at-law. Aug. 14. F. C. V. Pike, solicitor, 6, Serle-street, Lincoln's-inn, London. Oct. 30, V.C. S., at noon.

Richardson (Rev. Wm.), Stainforth, Yorkshire. Aug. 23. Harrison and Son, solicitors, Kendal. Nov. 11, M.R., at noon.

Thompson (Fredk. Philip), 8, Great Queen-street, Westminster, consulting engineer. July 31. Merriman and Brewin, solicitors, 23, Austin-friars, London. Nov. 1, V.C.S., at noon.

Waller (Isaac Kimpton), Ware, Herts, maltster and barge owner. July 28. G. Gisby, solicitor, Ware. Nov. 3, V.C.W., at one o'clock in the afternoon.

Whitter (John Rogers), King-street, St. James, Westminster, Esq., Aug. 8. J. A. and E. Fox, solicitors, 40, Finsbury-circus, Middlesex, Esq. Nov. 7, V.C. W., at noon.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Bishop (James), of the Minories, brandy merchant; Hopkins (John), of Tooley-street, lead merchant; and Jaques (Edw. Francis), of the Minories, gentleman. 119*l.* 13*s.* 2*d.* Three per Cent. Consols. Claimant, James Bishop.

Bird (Wm.), Johnson (Richard), and Cornby (Samuel), jun., all of Guisborough, Yorkshire. Dividends on 180*l.* Four per Cent. Annuities, 1780. Claimants, J. and J. M. Bird, administrators.

Garnett (Alicia), Reading, Berks, widow. 83*l.* 9*s.* 9*d.* Three per Cent. Consols. Claimant, A. N. Montgomery, administrator.

Mr. Bernhard Samuelson, who has just been elected member for Banbury, has issued a placard, in which he says:—"Mr. Bell having most unjustifiably protested against my return on the ground that I am an alien, I deem it right to state that although born in Hamburg, I am legally a natural born subject of the British Crown, and possessed of all the rights and privileges, as well as liable to all the obligations, of a British subject, in virtue of my descent from my paternal grandfather, who was born in the City of London."

County Voters.—By the new Act on County Voters, the 20th Aug. is the last day for giving notices of objection to the overseers, and to the persons objected to, instead of the 25th, as in the former Act. A new precept has been forwarded to all overseers in counties from the clerks of the peace, under the new Act (28 Vict. c. 36), calling on them, on or before the last day of the present month, to make out an alphabetical list of all persons claiming to be registered, and on or before the 1st Aug. the list is to be placed on the doors of all the churches and chapels.

The Roupell Forgeries.—The report recently in circulation, that further legal proceedings would be taken in reference to the transactions in which the convict Roupell was concerned, has been contradicted; and it is now stated that the whole of the disputed claims have been compromised, and arrangements have been come to between the heir-at-law, Mr. Richard Roupell, and the different owners of the property that was purchased under the deeds executed by William Roupell, that will obviate the necessity of any further legal proceedings. It will be recollected that two actions were tried, one of which related to an estate near Kingston, which was compromised by the owner agreeing to pay one-half of the value of the property, which was estimated at 15,000*l.*, to Mr. Richard Roupell; and the other had relation to another estate, worth about 12,000*l.*, in the neighbourhood of Romford. This action was tried at the Chelmsford Assizes in 1863, and, after a long inquiry, the jury were unable to come to a decision, and they were discharged without giving a verdict. The value of the property claimed by the heir-at-law, and to obtain which he brought his actions of ejectment against those persons who had purchased under the alleged forged instruments executed by the late William Roupell, was estimated at over 200,000*l.*, and in the course of the injunctions that ensued it is stated that the proposition of the heir-at-law was that the parties should pay half the estimated value of the different properties, as had been done upon the occasion of the first action, but this proposition was not accepted. The terms finally agreed to are said to be, that the heir-at-law will receive about 50,000*l.*, and fresh deeds will be executed that will have the effect of securing all the parties who have purchased the different estates in the quiet and undisturbed possession of their property. William Roupell, the self-convicted forger, is still in one of the Government prisons under sentence of penal servitude for life, and, as his evidence will now not be again required, he will, no doubt, very shortly be sent to the convict establishment at Bermuda.

Professional Witnesses.—The *Times* says the good old maxim, *Peritis credendum esse in sua arte*, has been well-nigh discredited by modern experience, and the opposite principle is already passing into a proverb. The facility with which a professional opinion can be procured on any side of any question is notorious. In recent poisoning cases the conflicting testimony of skilled witnesses has been a scandal, and the same contradictions are of daily occurrence in other cases of an analogous kind. There are few cases of disputed handwriting in which the inferences drawn by one expert are not flatly denied by another, and the inconsistent opinions of engineers on questions of mechanical possibility drive parliamentary committees to distraction. In the recent case of *Symonds* v. *Forwell*, it was distinctly alleged by Mr. Scott Russell what is well known to the parliamentary bar, that "there are men who are in the habit of selling their opinions and calling it evidence." This is a shameful prostitution of professional knowledge, and goes far beyond the worst abuses of advocacy. A professional witness, speaking on matters within his own sphere, is to some extent in the position of an *amicus curiæ*, and ought at least to feel the responsibility of superior knowledge. He may be unable, indeed, to shake off the bias of prejudice, but it is one thing to be biased, another to be bought; yet while "experts" are allowed the exceptional privilege of testifying to opinions as well as to facts, at the instigation of the litigant, one cannot be surprised if some of them hire themselves out to the best bidder. Perjury about opinions is very easy to commit, and very difficult to detect. What a man thinks is more within his own power than what he has seen and heard; and if there is a potent motive for thinking one thing more than another, those who have not the martyr's spirit will readily yield it. The *Times* suggests that a hint might be taken from the proceedings instituted by the Board of Trade in certain cases of shipwreck, and in the jurisdiction of the Admiralty Court over collisions at sea. The nautical assessors and the Trinity Masters are, to all intents and purposes, scientific witnesses employed by the court instead of by the party.—*Pall Mall Gazette.*

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

Home Circuit.

Hertford, July 13.—Twelve causes were entered for trial, but they were all of small importance, and with the exception of one were disposed of in the course of the day. The calendar contained the names of only twelve prisoners.

Chelmsford, July 18.—The calendar only contains the names of about 16 prisoners in about a dozen cases, none of them very serious, and the cause-list contains the names of only nine cases, of which several were undefended, and none appear to be of any importance.

Northern Circuit.

Durham, July 12.—Mr. Baron Bramwell and Mr. Justice Montague Smith arrived in this city yesterday. The cause-list here is light, there being only nine actions entered, of which two only are for special juries. The calendar of prisoners, however, is a full one, consisting of 32 cases, of which 3 are charges of murder, besides several of burglary, 2 of rape, 2 of forgery, &c.

Newcastle, July 17.—The county calendar contains the names of 13 prisoners; in the town there are very few. None of them are charged with very serious offences. The cause-lists for the county and town contain entries of five causes.

Western Circuit.

Winchester, July 13.—This circuit commenced yesterday. This morning Mr. Justice Keating took his seat in the Crown Court, and Mr. Justice Willes in the Nisi Prius Court. The criminal business is very heavy. There are only fifty-three prisoners for trial, but it will be seen the offences with which they are charged are very serious. The civil business is light, there being only eight cases in the cause-list.

Norfolk Circuit.

Leicester, July 14.—The business of the Norfolk Circuit commenced yesterday at Oakham, where the Lord Chief Baron opened the commission for the county of Rutland. It being, however, a maiden assize, the High Sheriff presented the learned judge with a pair of white gloves, and his Lordship came on to Leicester, where he opened the commission for the county and borough. The Lord Chief Justice of the Common Pleas arrived here late the same evening. There are 8 prisoners for trial in the county calendar and 4 in that for the borough. Of the county prisoners, 2 are to be tried for arson, 1 for burglary, 2 for shooting with intent to murder, and 4 for stealing. In the borough calendar the offences charged are burglary, larceny and perjury. There are 6 causes in the cause-list, 2 being marked for special juries. Of these all but one were settled or disposed of in about half-an-hour after business began.

Midland Circuit.

Derby, July 17.—The Spartan simplicity of the Sheriff's *cortége* was the subject of general remark. The learned judges were conveyed to church in a brougham and pair that had evidently seen some service. No javelin-men were in attendance, nor were even the customary trumpeters present. Such an utter absence of display has rarely, if ever, been witnessed before on this circuit. The cause-list shows an entry of only six causes, of which three are to be tried by special juries. The calendar contains the names of 24 prisoners.

South Wales Circuit.

Cardiff, July 18.—Mr. Justice Shee, the judge appointed to hold the summer assizes at Cardiff, received quite an ovation on his arrival in this town. The sheriff for the present year is Mr. T. W. Booker, of Velindra, and yesterday morning he was escorted into town by some thousands of the members of various country benefit clubs, all dressed in full regalia, and about a hundred of his tenantry on horseback, besides the usual retinue of javelin-men. Besides these the numerous Hibernian Club also held their annual procession, and the result was that the town presented the appearance of holding an unusually popular holiday. Judge Shee was expected to arrive by the two o'clock train, and much disappointment was experienced in the delay of his arrival till nine o'clock in the evening. However, long before that hour some thousands of persons congregated at the Great Western station, and the whole length of the broad St. Mary-street was filled with spectators, all desirous of seeing the noted judge. As may be imagined, he received a hearty welcome. The commission had been previously opened by Serjeant Pullin, and the business commenced this morning. The calendar is not very heavy, but there are two or three serious cases.

THE BAR AND THE ELECTIONS.

Upon the whole, the English Bar will hold its ground in the new Parliament. At no other general election in modern times were so many leading barristers candidates for senatorial honours. The new Parliament, therefore, will have a greater command of legal talent than the last, in which the comparative deficiency of legal attainments was conspicuous. Besides the Attorney and Solicitor General, the practising barristers on the Government side of the House were, Mr. Locke, Q. C., Recorder of Brighton; the Hon. G. Denman, Q. C., Mr. J. Powell, Q. C., Recorder of Wolverhampton; Mr. Digby Seymour, Q. C., Recorder of Newcastle-upon-Tyne; Mr. Craufurd, one of the Mint prosecutors at the Old Bailey; and Mr. G. S. Lefevre, of the Home Circuit. It can scarcely be deemed matter of offence to say that, with the exception of the law officers of the Crown, neither of these gentlemen occupies a first-class position in the Profession. And even this list of ministerial lawyers is seriously lessened by the absence of Mr. Denman, who was beaten on the poll at Tiverton; of Mr. Powell, who has retired from Gloucester; and of Mr. Digby Seymour, who has lost his seat for Southampton. Fortunately there is ample compensation for these losses in the election of Mr. John Duke Coleridge, Q. C., for Exeter, and of Mr. Edward James, Q. C., for Manchester, two recognised leaders of the Common Law Bar, for one of whom at least it is reasonable to expect a distinguished parliamentary career. Mr. Coleridge shares with Mr. J. B. Karslake the leadership of the Western Circuit. He is an elegant if not an eloquent speaker; he has a well-cultivated intellect; and his general reading and attainments will enable him to play something more than a merely professional part in the debates. It may be confidently hoped that his parliamentary efforts will not be restricted to the delivery of verbal criticisms in committee on the sections of a Procedure or Bills of Exchange Act. Mr. James is the judge of the Liverpool Court of Passage, and the actual leader of the great Northern Circuit; and

from his clear and forcible style of addressing juries, favourable predictions may be indulged in as to his capacity for impressing his convictions upon the House. Mr. James is not the first leader of the Northern Circuit who has been returned to Parliament for one of the great commercial constituencies of Lancashire. It may be remembered that the late Sir Cresswell Cresswell was sitting for Liverpool at the period of his elevation to the bench by the Government of Sir Robert Peel in 1843. Still, it cannot be denied that the selection of a barrister in heavy practice to represent a vast commercial community is somewhat anomalous, and is not an experiment likely to be often attempted.

Turning to the Conservative benches, we find that Mr. Huddleston, Q.C., the leader of the Oxford circuit, and one of the glibbest of the light Nisi Prius school, after many efforts to gain a seat, has been returned as the colleague of young Mr. Butler Johnstone for Canterbury. Mr. Huddleston has long been a member of the Carlton Club, and therefore it is to be supposed that his Conservative convictions are very deep. It may be safe, however, to predict that, although the expression of his opinions may not always electrify the House, he will never bore it. Mr. Forsyth, Q.C., likewise of the Common Law Bar, although not a very prominent member of it, takes the place unhappily left vacant at the last moment by Mr. Kenneth Macaulay, Q.C., the popular leader of the Midland Circuit. Mr. Forsyth is favourably known to the reading public for his "Life of Cicero" and other works; but both as a speaker and in respect of professional *status*, he is far below his predecessor. On the other hand, Mr. Richard Malins, Q.C., one of the leaders in Vice-Chancellor Stuart's court, has failed to secure his re-election. Probably there never was in Parliament a barrister with a leading practice who spoke more frequently, or addressed himself to such a variety of subjects, as the late learned member for Wallingford. He was equally ready to fight about the sections of a bankruptcy Bill in committee, to advocate the cause of a discontented Radical Admiral in opposition to a Whig First Lord, or to try a fall with a Chancellor of the Exchequer touching some pet scheme for the conversion of stocks. After breathing the murky atmosphere of the Vice-Chancellor's Court for six or seven hours, Mr. Malins would appear in his place on the second bench to the left of the Speaker, quite eager to pour forth any quantity of advocacy in support of one or other of the hundred and one topics which he made his specialty during his parliamentary career. Still, if Mr. Malins was sometimes a little prolix, and occasionally tried the patience of the House, he was popular. The Conservatives can better spare a leading lawyer than their opponents; for there remain to them Sir F. Kelly, Sir H. Cairns, the Attorney and Solicitor-General of the last Derby administration; Mr. Bovill, Q. C., who has, perhaps, the largest practice of the Common Law Bar; Mr. J. Holt, Q.C., and Mr. Selwyn, Q.C., leading members of the Equity Bar; and, lastly, Mr. Baggallay, Q.C., another leader on the same side of the profession, just returned for Hereford. And here it may be pointed out as noteworthy, that with the exception of the Attorney-General, there is not one equity barrister on the ministerial side of the House, while upon the opposition benches there are at least four. Is it the case that a life-long study of equity and real property law tends to make men respectable and conservative, or has the condition of the equity promotion market been recently so dull that no incentive is held out to the gentlemen of the equity bar to exhibit Whig proclivities?

This account of the legal talent we shall find in the new Parliament would be very incomplete if the names of two new members, functionaries of the Corporation of London, were omitted. Mr. Russell Gurney, Q. C., the Recorder of London, has been returned as Conservative member for Southampton, and Mr. Thomas Chambers, Q. C., the Common Serjeant, as Radical member for Marylebone. This we believe to be the first occasion on which these two offices of the Corporation have been represented simultaneously in Parliament. The Hon. James Stuart Wortley, Q. C., Mr. Russell Gurney's predecessor in the office of Recorder, had a seat at the period of his appointment; and previous to him the Hon. Mr. Law held the office, and was at the same time one of the representatives of the University of Cambridge. It is doubtful, however, whether either of these two gentlemen should be enumerated in a list of the practising barristers who will appear in the new House.

Besides those barristers who have succeeded in getting seats, there are not a few others who tried but failed. Among the list are Mr. Montagu Chambers, the leader of the Home Circuit, and Mr. Henry Hawkins, Q.C., also of the Home Circuit; Mr. D. D. Keane, Q.C., of the Norfolk Circuit; Mr. Phinn, Q.C., of the Western Circuit; Mr. Hindmarch, Q.C., of the Northern Circuit; Mr. Daniel, Q.C., and Mr. Locock Webb; Mr. Serjeant Spinks, Mr. Digby Seymour, Q.C., Mr. G. Denman, Q.C., Mr. T. Campbell Foster, Mr. E. W. Cox, Mr. Fitzjames Stephen, and Mr. Hannen; not to speak of Mr. Hardinge Giffard's flirtations with Cardiff, or of Mr. Hilton's with Finsbury and Reading, and of Mr. Campbell's Sleigh's dalliances with Lambeth. Upon the whole, looking to the result of the late elections, one inclines to the conclusion that legal candidates are not popular with constituencies; and the strong probability is that, as soon as the old principle of promotion to the judicial bench—or, at all events, the principle in vogue in the ten years between 1850 and 1860—is reverted to—namely, of nominating the best lawyers to the vacant judgeships, whether they are in Parliament or not—there will be a great diminution in the number of practising barristers aspiring to seats in the House of Commons. The principle thus referred to placed on the bench such men as Sir C. Crompton, Sir J. Willes, Sir G. Bramwell, Sir H. Hill, Sir C. Blackburn, Sir W. Channell, and Sir B. Byles; and the day of its re-adoption will be a day of rejoicing to the working members of the Profession.—*Daily Telegraph*.

THE PUBLIC RECORDS

The report of Mr. T. Duffus Hardy deputy keeper, of the public records, has just been issued. It states that the fees received last year from persons consulting the public records amounted to 709*l.* 19*s.* 6*d.* On the subject of literary searchers, the report remarks that, since the 1st Jan. 1852, inquirers have been permitted, on obtaining a card of admission from the deputy keeper, to consult the records for literary, historical, antiquarian, genealogical, topographical, and similar purposes, without payment of fees. These searches are frequently of long continuance, and appear to be of the same character as those in the British Museum. The total number of literary inquirers from Jan. 1, 1852 (when they were first admitted without payment of fees) to Dec. 31, 1864, is 1575; their attendances have been 20,873, and the number of documents which they consulted was 141,723 (exclusive of calendars, catalogues, repertories, inventories, indexes, and printed books of reference). Two hundred and fifty applications were made during the year by Government officers for information connected with their several departments.

Some interesting particulars are given respecting the production of fac-similes of the national records by means of photo-zincography. A report of the assistant keeper, Mr. Stevens, on the progress of the work, says:—"The mode adopted for copying them being nearly identical with that employed in the reproduction of the Domesday Book, it will be unnecessary for me to repeat the explanation of it here. The operation however was rendered longer and more difficult by the fact of the originals varying so much in size that a fresh focussing of the cameras was necessary in each case, and consequently fewer negatives could be taken in a day than was the case with Domesday Book, where one focus was sufficient for the whole volume, but the summer proving very favourable, especially at its close, for photography, we had obtained negatives of the entire series, amounting to 590 in number, by the end of October. In order to reduce the work to a convenient size for reading, and at the same time to be enabled to furnish it to the public at a reasonable price, it has been resolved to publish it in parts, the first of which will consist of specimens of each reign from William the Conqueror to Henry VII., inclusive; and the preliminary operations having been gone through, chromo-carbon prints of that portion were prepared and transferred to the zinc plates. Many of the original records are in such good condition as to render the chromo-carbon printing an easy task, but in others the contrary is the case. Wherever the solution of galls had been used a corresponding blotch of ink was the result on the chromo-carbon print, to do away with which, and obtain a fac-simile of the original as it was before having been defaced by this pernicious liquid, was an operation requiring great care and patience, and productive of many disappointments. For instance, the charter granted to the city of London and that to Deorman by William the Conqueror, which were brought down here from the town clerk's office on the 31st May, although in good preservation, repeatedly baffled all endeavours at copying them, owing to the dark colour of the parchment, and the consequent faint contrast between it and the ink, but by employing a particular process which suggested itself to me, the difficulty was at length overcome both in these cases and others of a like kind that successively occurred. The worst case of all however, and the only one that almost made me despair, was the Lincoln copy of Magna Charta, which was delivered into my custody by Mr. Roberts on the 6th July. The writing is as clear and distinct as it was on the day it was written, and the instrument has been subjected to no destructive agents, and has suffered little from the effects of time, but it is crossed and recrossed by creases made by the folds in which it lay probably for centuries, and which will now, I am afraid, disfigure it as long as it lasts. No pains were spared to do away with the effects of these; the original I did not of course attempt to restore, but we tried taking photographs of it in two portions—in four—in slips both lengthwise and across, endeavoured to piece in the broken lines, and employed every means that we could think of, in vain, owing to the expansion and contraction of the paper being too uneven for the nicety required. Failing in this after repeated trials, I determined to get a copy, slightly reduced in size, on a single plate, and print it with all its defects exactly as the original exists at the present date. The result, though not so fair to the eye as an emblazoned picture would have been, has the merit of showing the actual condition of the Great Charter 650 years after it was written; and in order to exhibit what, if any, deterioration, has taken place in its condition during the last fifty years, I have given a copy of the engraved fac-simile made by order of the Record Commissioners in 1819."

Of the chronicles and memorials of Great Britain and Ireland during the middle ages fifty-seven volumes have been published, relating to the three kingdoms, many of them taken from unique manuscripts. The chief design in selecting these works has been to fill up existing blanks in British history. 13,735 have been sold to the end of the year 1864.

LONG VACATION IN THE COUNTY COURTS.—By a provision in a new Act the judges of the County Courts are relieved for the first time from sitting during the month of September. They can now enjoy their long vacation like other judges.

SOLDIER LAWYERS.—A curious instance of the versatility of our American cousins is recorded in the *Times*. The latest news from New York contains the following paragraph:—"Colonel Mosby, the celebrated Confederate cavalry raider, has been pardoned by the President, and has commenced practising law at Culpepper, Virginia."

Mr. Laurence Oliphant has been elected without opposition for the Stirling burghs; Mr. James Anderson, Q.C., his only formidable rival, being too late in entering the field. Mr. Oliphant is a member of the Scottish Bar of eleven years' standing. He deserted it almost immediately, and has left no reputation behind him in Edinburgh except that of a smart, bold, self-reliant, shallow man. His book about Japan is well known; his writings give a higher estimate of his powers than he did when in the flesh in Edinburgh, but his election speeches have been pretty close to the Edinburgh estimate.

LORD LYNDHURST.—Lord Lyndhurst was a near neighbour at Turville, and then held the great seal. When the official assigneeships were founded for the Bankruptcy Courts, Mr. Bird, unaware of their value, applied to his lordship on behalf of his brother at Liverpool, representing his high character and integrity. Though he had voted against Lord Lyndhurst in the last election at Cambridge, on account of the want of respect shown by him to public opinion, and had no doubt then he knew this, yet the request was immediately granted. On another occasion Mr. Bird was struck with his conscientious anxiety, in disposing of church patronage, to appoint a really good man. It is pleasing to read in the public obituaries of this truly remarkable statesman, that, in his later years at least, he devoted the energies of his mind to what Locke calls "the noble study which is every man's duty—the comprehension of all other knowledge directed to its true end;" and, wiser than Heaven's minister, served his God as he had served his King.—*Sketches from the Life of the Rev. Chancellor Bird, M.A., F.L.S.* By the Rev. Claude Smith Bird, M.A.

MAGISTRATE AND PARISH LAWYER.

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

Correspondence.

TOLL.—After reading the sections mentioned by your correspondent, "A Member of a Highway Board," I must say my opinion agrees with his, viz. that the exemption referred to is not limited to the surveyor's own district. The expression "on any turnpike-road" in the 37th section of the Highway Act 1862 appears to me quite strong enough to exclude the limitation, and the more especially, as in the latter part of the same section, where reference is made to provisions contained in another Act, no mention is made of the 4 Geo. 4, c. 95.

Rochford, 15th July 1865. W. G.

THE HIGHWAY ACT 1862.—Another question has arisen on the construction of the recent Highway Acts which I shall be obliged by your allowing me to state for the consideration of your many readers, who, with myself, are interested in the law of highways. By the 10th section of the Highway Act 1862, waywardens are to be elected in every parish, forming part of a highway district, in the same manner, and subject to "the same power of appointment in the justices in the event of no election taking place . . . at, in and subject to which, a person or persons to serve the office of surveyor would have been chosen or appointed if this Act had not passed." By the Highway Act 1835, sect. 11, it is enacted "That in case it shall appear on oath to the justices at a special sessions for the highways, that the inhabitants of any parish have neglected or refused to nominate and elect a surveyor or surveyors, . . . it shall and may be lawful for such justices, and they are hereby authorised and required, by writing under their hands, at their next succeeding special sessions for the highways, to . . . appoint any person whom they may think fit to be a surveyor for such parish till the annual meeting then next ensuing for the

nomination of overseers or for the election of surveyors." By the 45th section of the same Act, provision is made for holding the special sessions for the purposes of the Act, and in the latter part of the same section, for verifying the surveyor's accounts at such special sessions. So far the enactments are very clear, and the mode of procedure in the case of no election of a waywarden in any parish taking place is very plainly pointed out. But, unluckily, the Highway Act 1862 contains a 42nd section, and the 8th article of that section is rather obscure. It is as follows: "The 39th, 40th, 43rd, 44th and 45th sections of the principal Act (1835), relating to the accounts of surveyors, shall not apply to the highway board of any district formed under this Act." Are the words "relating to the accounts of surveyors" merely descriptive of the sections mentioned, or do they limit the extent of the virtual repeal? If the latter, only the last part of the 45th section mentioned above is suspended, and the first part of the same section, requiring the holding of such special sessions, is still in force; and of course it is at such special sessions only that the justices, although acting within a highway district formed under the Act of 1862, can exercise the powers given them by the 11th section of the Act of 1835 and the 10th section of the Act of 1862. But I am inclined to think that the former is the case—that the words above mentioned are merely descriptive. It will be seen that similar descriptive words are used in the 2nd, 3rd, 4th and 7th articles of the same 42nd section, and further, that the whole of the sections of the Act of 1835, mentioned in the said 8th article, relate to the accounts of surveyors, and that only the last of them—the 45th—contains any enactment which relates to any other matter. But if this be so, it may be argued that, as the power of appointing surveyors, contained in the 11th section of the Act of 1835, can only be exercised at a special sessions for the highways, and the enactment authorising the holding of such special sessions has been repealed, therefore, the justices have, in the case of waywardens, no power at all in the matter. Now this is an alternative which cannot have been intended, and argues against the correctness of my interpretation of the 42nd section of the Act of 1862, and yet I cannot read it otherwise. Will some of your readers give us their opinion on the point?

Rochford, 15th July 1865. W. G., JUN.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Falmouth	Tuesday, August 8	E. W. Cox, Esq.		W. R. T. Pender.
Helston	Monday, August 7	E. W. Cox, Esq.		A. Rogers.
Ludlow	Friday, July 28	H. J. Hodgson, Esq.		Humphry Salwey.
Walsall	Friday, July 28	W. J. Neale, Esq.	10 days	S. Wilkinson, jun.

LAW STUDENTS' JOURNAL.

UNIVERSITY OF LONDON.

The following are lists of candidates who passed the respective examinations indicated:

DOCTOR OF LAWS.

William Willis (gold medal), Huddersfield College; Daniel Leggatt, private study.

BACHELOR OF LAWS.

Pass Examination.—First Division: John Stirling Ainsworth, Manchester New and University College; Lindsey Middleton Aspland, M.A., University; Henry Nelson Capel, King's; Frank Crisp, private study; William Easterby, self tuition; James Edward Hannum, New; Thomas Charles Jarvis, University College; Robert Romney Kane, M.A., Queen's, Queen's University; Lewis Adonijah Mendes, Regent's-park and University; Septimus Peché Moore, New; David Robertson, M.A., Aberdeen, University of Aberdeen; Henry Rutter, University; Thomas Pallister Young, University.

Second Division: John Leonard Alcock, University; John Gall, M.A., Aberdeen, University of Aberdeen; Joseph Gill, Royal Belfast; George Gordon, M.A., Aberdeen, University of Aberdeen; John Shortt, B.A., Dublin, Trinity College, Dublin.

EXAMINATION FOR HONOURS.

The Principles of Legislation.—First Class: Lindsey Middleton Aspland, scholarship, University. Second Class: Thomas Charles Jarvis, University; Robert Romney Kane, Queen's University; John Shortt, Trinity, Dublin. Third Class: John Stirling Ainsworth, Manchester New and University.

Conveyancing.—Second Class: Robert Romney Kane, Queen's University.

Law of the Courts of Equity.—First Class: Lindsey Middleton Aspland, University; Lewis Adonijah Mendes, Regent's-park and University. Third Class: Robert Romney Kane, Queen's University.

Law of the Courts of Common Law.—First Class: Lindsey Middleton Aspland, University. Second Class: Thomas Charles Jarvis, University; Robert Romney Kane, Queen's University. Equal.

Roman Law.—Second Class: Thomas Charles Jarvis, University; Robert Romney Kane, Queen's University. Equal.

INNS OF COURT EXAMINATIONS.

The Council of Legal Education have awarded the following exhibitions to the undermentioned students, of the value of 30 guineas each, to endure for two years:—*Constitutional Law and Legal History*—Mr. Samuel Poynter, student of the Middle Temple. *Jurisprudence, Civil and International Law*—Mr. Alfred Claribeux Curlewis, student of Lincoln's-inn. *Equity*—Mr. Charles H. Anderson, student of the Inner Temple. *The Common Law*—Mr. John Ewart, student of the Middle Temple. *The Law of Real Property, &c.*—Mr. John Ewart, student of the Middle Temple.

The Council of Legal Education have also awarded the following exhibitions, of the value of 20 guineas each, to endure for two years, but to merge on the acquisition of a superior exhibition:—*Equity*—Mr. T. De Courcy Atkins, student of the Middle Temple. *The Common Law*—Mr. Edwyn Jones, student of Gray's-inn. *The Law of Real Property, &c.*—Mr. Edward Ford, student of Lincoln's-inn. By order of the Council,

WESTBURY, Chairman.

Council Chamber, Lincoln's-inn, July 11.

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

TAKING OF LAND—REINVESTMENT.—When part of an estate is taken and the purchase-money paid into court, the Court will, on its being shown to be advantageous to the estate generally, permit the money to be invested in the erection of houses on the remaining portion; but no part of the fund will be paid out unless upon a certificate showing that the buildings are entirely finished: (*Re Will of Dummer*, 12 L. T. Rep. N. S. 626. L.JJ.)

WINDING-UP—PRACTICE—PETITION.—Where a company was being wound-up voluntarily, under an order, and four of the contributories petitioned stating facts which amounted to allegations in a bill for an account, and praying special relief against the directors, it was held that the court had no jurisdiction: (*Re The Banking Company of Gibraltar and Malta*, 12 L. T. Rep. N. S. 628. M. R.)

RAILWAY LAW.—B. started by a train which was properly due at C. in time to take the D. train at E. to F., and he was booked through. He was told by an official on the platform that the train was due at C. at four. It did not arrive until an hour afterwards, and he lost the train that would have caught the train to F. In an action for the delay and expenses, it was held that, in the absence of the train bills, which plaintiff did not produce, there was no guarantee that the train would arrive at the named hour, and that what was said by the company's servants did not prove an express contract to convey the plaintiff to E. in time to catch the other train: (*Hurst* v. *The Great Western Railway Company*, 12 L. T. Rep. N. S. 634. C. P.)

RECTIFYING THE REGISTER.—Meetings of the shareholders of a banking company were held for the purpose of voluntarily winding-up and incorporating with another company, which was done. A shareholder, who was absent from the country, had no notice of the resolutions, and was placed on the register of the new company. On his return he repudiated the arrangement, but not paying his calls, the directors declared his shares to be forfeited. The Court, nevertheless, held that, under sect. 35 of the Companies Act 1862, they had power to order his name to be struck off the register; and that sect. 161 gave no power to the directors to execute the deed of amalgamation for him: (*Ex parte Higgs*, 12 L. T. Rep. N. S. 670. V.C. W.)

Where the court had ordered the name of one shareholder to be struck from the register, and the company had given notice to another shareholder who stood in the same position that in consequence of the above decision his name had also been struck off by order of the directors, he was held, nevertheless, to be entitled to apply to the court for an order under sect. 35, and that the company should pay the costs of the application: (*Ex parte Martin*, 12 L. T. Rep. N. S. 671. V.C. W.)

WINDING-UP.—The description "unregistered companies," in the Companies Act 1862, part 8, includes all companies other than those registered under that Act. B. insured his life with the C. Company. In 1857, D., the administrator of B., sued the C. Company on the policy, and a defence on the merits was pleaded. But meanwhile the business of the C. Company was transferred to the E. Company, and F., a director of the E. Company, in consideration of 700*l.*, took an assignment of the debt from D., and then judgment was confessed by the E. Company. F. then assigned the judgment-debt to G., who petitioned for the winding-up of the C. Company, which at that time owed no other debt but two trifling sums of 100*l.* and 40*l.* The C. Company insisted that they should be first allowed to impeach the judgment by filing a bill; and on appeal the H. of L. directed that the winding-up order should stand over until the company filed a bill to impeach the judgment, because there was a reasonable doubt whether a valid debt existed: (*Bowes* v. *The Hope Mutual Assurance Company*, 12 L. T. Rep. N. S. 680. H. of L.)

ESTATES INVESTMENT COMPANY (LIMITED).—A private meeting of dissentient allottees of shares in this company was held at the London Tavern, for the purpose of concerting measures to compel the directors to return the deposit-money forthwith, in consequence of an alleged irregularity in the allotment of shares. The meeting was convened by Mr. Henry Pawle, who stated in his circular that it had come to his knowledge that the directors of the company intended to take immediate proceedings against the allottees to compel payment of the 4*l.* per share due on allotment; and the object of this meeting was to form a committee to enable the dissentient shareholders to take joint action in the matter. Mr. Pawle having been called to the chair, explained the circumstances which had induced him to call his brother allottees together; and he complained that the statement of the prospectus that half of the shares had been subscribed was untrue; mentioned several circumstances connected with the company which he regarded as suspicious, among them being the withdrawal of applications for 1360 shares just prior to the allotment, and when the shares were at 3 premium in the market. It also appeared that the threatened actions had been brought. The meeting determined to defend the actions and to sue the directors for the return of the deposit of 1*l.* a share, and requested Mr. Pawle, Mr. Sebag and Mr. Ross to act for their brother allottees in such manner as counsel should advise.

COUNTY COURTS.

WARWICK COUNTY COURT.

Addresses of Congratulation.

At the last County Court, held before F. Dinsdale, Esq., judge, Mr. Egan, barrister, congratulated his Honour upon his recent marriage, in the following terms:—Will your Honour permit me for one moment, on the part of myself and the learned gentlemen practising in this court, to offer our warmest congratulations on the recent happy event of your marriage. It is an event which is regarded with general and, indeed, with universal satisfaction throughout the whole of this county, as well as elsewhere. It is very seldom that the practitioners in this court have an opportunity of expressing their high regard for your Honour as an upright and erudite judge, as well as an accomplished and courteous gentleman. Therefore we may be excused for taking advantage of the recent happy event in congratulating you, and wishing you many, many years' felicity with your excellent consort—a lady of whom report speaks most favourably.

Mr. Snape (solicitor) said he had much pleasure in briefly seconding the admirable address of Mr. Egan, and regretted that there were not more members of the profession present, for he felt sure that they would all have cordially indorsed Mr. Egan's sentiments.

His HONOUR, in acknowledgment, said he fully appreciated the kind observations addressed to him by Mr. Egan, and which had been seconded in such a kind and friendly manner by Mr. Snape. He did not know of a precedent for similar congratulatory addresses, and therefore he could not be prepared from precedent to avail himself of the mode of reply, or, in fact, whether he ought to make anything more than a formal acknowledgment. But if he merely said he thanked them, it might seem somewhat abrupt, and it would not be in accordance with his feelings. He could hardly flatter himself that he deserved the encomium which the learned counsel (Mr. Egan) had been pleased to address to him, but he should be glad to think he deserved it in some measure. He had now been long associated with this court, and perhaps he might say with the county, for he traversed the greater portion of it, and had done so for nearly nineteen years. An impression must therefore have been made upon many who had nothing to do with this or any of the other courts in the county; if that impression had been a favourable one, he need not say it would not only conduce to his feeling of gratification at the present time, but would aid and encourage him to do his best to merit such a

favourable judgment in time to come. After the long number of years he had sat there, he could hardly hope to pass many more in the honourable office he had filled, but he assured them, he fully appreciated their kindness, and it would be appreciated elsewhere. He had to thank them, and he trusted they would go on pleasantly together.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

PENAL CLAUSES—SECT. 159.—The several punishments mentioned in art. 3 of sect. 159 of the B. A. 1861 are in the alternative, and therefore imprisonment is not a cumulative punishment in addition to the refusal of the order of discharge: (*Re Atherton*, 12 L. T. Rep. N. S. 676. Perry, C.)

CORRESPONDENCE OF THE PROFESSION.

PARKINSON v. HANBURY.—An editorial paragraph in your last number respecting *Parkinson* v. *Hanbury* appears to me to be by no means justified by the facts. The application to the Lords Justices was original, and not by way of appeal; and you will therefore see that, unless the Lords Justices were *both* of opinion that the matter should be remitted to the taxing master, the applicant could derive no benefit from her motion. But the Lord Justice Turner "thought clearly that the motion should be refused," and he did so upon a general principle. If the Lord Justice Knight Bruce had differed from his learned brother, his opinion could have had no effect; but in truth, all that does appear is, that the senior Lord Justice would have desired to see the briefs delivered, which had, of course, been produced on taxation before the master, in whose sole discretion Lord Justice Turner thought the matter rested, and he had allowed the fees. Therefore, the Lord Justice Knight Bruce, even supposing him to have yielded any opinion of his own (of which nothing can be known), was yielding one which could not by any possibility have affected the result to the litigants.

YOUR REPORTER.

4, Old Square, 17th July.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

WIFE'S REVERSIONARY INTEREST.—A. being entitled to a policy of assurance upon her own life, marries without settlement. Is the policy to be regarded as reversionary property which neither the husband alone nor the husband and wife together can effectually dispose of against the wife surviving, except by deed acknowledged under the recent Act? And will it make any difference if the policy was granted to the wife alone *after* the marriage?

J. R.

Answers.

BANKRUPTCY.—As it is only by mutually comparing our knowledge and experience that we can come to correct conclusions on disputed legal points, I hope you will not think me troublesome in again addressing you on the subject among your queries, "Release from Custody." Your correspondent "W. C. C." has mistaken the real point at issue, as it appears to me the point is *not* whether the Court of Bankruptcy can discharge a prisoner in custody under an attachment for nonpayment of money *generally*—of that there is no doubt; but whether under the particular case put by your correspondent "S. E. M." the court has such power, the debt in such case not being provable under the bankruptcy; and from the decision in the case of *Dickens* v. *Dickens*, 7 L. T. Rep. N. S. 335, it would seem that the court has not such power. S. J. H.

POWER OF ATTORNEY.—In reply to the query of "J. B." in your journal of the 8th instant, I think the power *will* be effectual, although not under seal. An instrument operating *solely, or even primarily*, as a power of attorney and an authority *to execute deeds*, should unquestionably be under seal, and bear a 30*s.* stamp (with particular exceptions not affecting the case put), and old conveyancers deemed a deed essential as an authority to surrender copyholds (see Watkins' Copyholds, 2nd edit., vol. I, p. 110); but I submit that any power which does not delegate the execution of a deed may be under hand merely, if it be a *secondary* matter, and *not the primary object* of the document. For instance: a power of attorney may be coupled with a simple agreement on a sixpenny stamp, and be effectually exercised: (*Walker* v. *Bennett*, 15 L. J. 174, C. P.) In case of a dispute as to the validity or otherwise of a power, the dictum of the steward of a manor should not be unhesitatingly taken as law: (see *Rex.* v. *Wilson*, 7 L. T. Rep. N. S. 326.) J. POMEROY.

Exeter.

ARTICLED CLERK.—If there be no provision in the articles for the clerk to serve one year of his term with the London agent of the country solicitor, he cannot, *as of course*, leave the service of the solicitor to whom he may be articled till the expiration of the full term of five years, but must obtain the permission of his master so to do. Sect. 6 of 6 & 7 Vict. c. 73, enacts that any person bound to a solicitor for the term of five years may, "*either by virtue of any stipulations in such contract, or with the permission of such attorney or solicitor*," serve one year of the term to a practising barrister or a certificated special pleader, and, "in addition thereto or instead thereof," serve one year with the London agent of such solicitor. On this point see also *Ex parte Earle*, 1 B. C. C. 180. The London agent seldom or never receives a further premium on the assignment of the articles. J. H. D.

West Bromwich, 17th July 1865.

ARTICLES OF CLERKSHIP.—By sect. 12 of the 23 & 24 Vict. c. 127, it is enacted that whenever the period of clerkship shall expire in any vacation, then any person whose period of clerkship shall so expire shall be at liberty to pass his examination in the term immediately preceding the said vacation, and after the period of clerkship shall have expired, and at any time in or after such vacation, the Master of the Rolls as to the Court of Chancery, and any one of the judges as to the courts of common law at Westminster, on being satisfied, by affidavit or otherwise, that the period of clerkship of such person has expired, may proceed to administer to him the necessary oaths, and do all other acts necessary for the admission and enrolment of such person as an attorney and solicitor. Although A. B.'s term of service expires in term (viz., on the last day of Michaelmas Term), yet there is practically no difference between such expiration and the expiration contemplated by this section. I should think, therefore, that A. B. may be examined in Michaelmas Term, and after the passing of his examination, and after the expiration of the period of his clerkship, he may, on an affidavit that the period of such clerkship has expired being produced, be admitted an attorney and solicitor during the Michaelmas vacation. J. H. D.

West Bromwich, July 17, 1865.

THE LAW LIBRARY.

Evans's Law Digest for the Past Half-year. By DANIEL T. EVANS, Esq., Barrister-at-Law. LAW TIMES Office.

EVERY year there is greater need of an index to the current law. Cases and statutes are so numerous that no memory can carry them, and no industry could note them up. The humblest practitioner cannot carry on his profession for a week without some such assistance as that which Mr. Evans provides in this *Law Digest*, and which has been approved by a trial of nearly twenty years. The plan is unique. It cites the points decided by all the cases reported during the half-year, making reference to the various reports in which each case is to be found. These are classified under their subjects, and then the subjects are arranged alphabetically, so that when the practitioner wants to learn what is the latest decision on the latest statute on any subject, he turns in a moment to that subject in the *Digest* and sees them all at a glance. Thus it is a kind of portable library, saving the trouble and time of searching twenty indexes and the labour of carrying large volumes to the courts. The statutes are included in the *Digest*, which thus becomes a *Digest*, not of cases merely, but of the whole new law of the half-year, and therefore it is issued half-yearly.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

HON. J. A. STREET, Q. C.

The Hon. John Ambrose Street, who died suddenly, at St. John's, New Brunswick, on the 3rd May last, was the son of Samuel Denny Street, Esq. (by his wife, Abigail, daughter of Joseph Freeman, Esq.) formerly an officer in Her Majesty's army, who, having settled in the province of New Brunswick on the cessation of the American War of Independence, was subsequently appointed a member of the Legislative Council. John Ambrose Street was born in 1794; he was admitted to the bar in 1817, and elected a member for Northumberland, in New Brunswick, in 1833, and represented the same county without interruption for the long period of twenty-four years. In 1837 he was appointed Queen's Counsel. He held the office of Attorney-General for the province, for four terms, and until the defeat of the Conservative party in 1854. On account of his political services while in the Government, Mr. Street, on resigning office, received from Her Majesty the Queen's authority, by patent, to retain, in his own right, the prefix of "Honourable" to his name. At the last dissolution of the provincial Parliament, he contested the county of York, but being a strenuous supporter of the confederation scheme for the amalgamation of the North American Provinces, he failed with other candidates of that party in being elected. As a barrister Mr. Street always stood in the front rank of his profession in the provinces. His legal opinions, which were highly esteemed, were given slowly and with great deliberation, and when engaged on a case, and the whole powers of his mind exercised on behalf of his client, his thorough knowledge of the law and his eloquence rendered him a powerful opponent at the bar. The *Illustrated London News* adds the following testimony to his character: "In private as in public life Mr. Street was much esteemed and respected. The House of Assembly, in honour to his memory, and in testimony of the estimation in which he had been held, adjourned, on the announcement of his death, till the following day. His remains having been removed to Fredericton for interment were followed to the grave by his Excellency the Lieutenant-Governor and staff, the officers of the garrison, the members of the Legislative Council and House of Assembly, and numerous friends."

Mr. Street married Jane Isabella, daughter of the late William Hubbard, Esq., formerly an officer in His Majesty's service, and member of the Legislative Council of New Brunswick.

LAW SOCIETIES.

LAW AMENDMENT SOCIETY.

LAW OF PARTNERSHIP BILL.

Report of the Standing Committee of the Department of Jurisprudence and Amendment of the Law on the Bill to amend the Law of Partnership.(a)

The committee appointed to consider this Bill having examined its provisions, make the following report:—

The Bill proposes that:

I. The advance by way of loan to a person engaged, or about to engage, in any trade, upon a contract with such person that the lender shall receive a rate of interest varying with the profits, or shall receive a share of the profits or bear a share of the loss arising from carrying on such trade, shall not of itself constitute the lender a partner with the person carrying on such trade, or render him responsible as such.

II. If such trader be adjudged bankrupt, or do insolvent, the lender shall not be entitled to receive any portion of his principal, or of the profits or interest payable in respect of such loan, until the claims of the trader's other creditors for valuable consideration have been satisfied.

III. No contract for the remuneration of a servant or agent of any person engaged in any trade or undertaking by a share of the profits thereof, shall of itself render such servant or agent responsible as a partner therein.

IV. No person being the widow or child of the deceased partner of a trader, and receiving by way of annuity a portion of the profits made by such trader in his business shall, by reason only of such receipt, be deemed to be a partner of, or to be subject to, any liabilities incurred by such trade.

Before discussing the special points raised by the provisions of the Bill, it is thought appropriate to introduce some considerations with regard to the general state of this branch of the law.

It seems to the committee that the exigencies of commercial and industrial enterprise render expedient, and even necessary, the existence of three distinct classes of partnerships.

1. The class in which the liability of all the partners is unlimited.

2. The class in which the liability of all the partners is limited.

3. The class in which the liability of the ostensible partners or *gerants* is unlimited, the sleeping-partners or *commanditaires* incurring as such no liability.

With the first class of partnerships, as known to and governed by our law, there does not appear to be reason for any dissatisfaction.

The Legislature, in 1855, established upon a broad basis, after much discussion, the second class of partnerships. The propriety of the application of the principle of limited liability to joint-stock companies, so long and strenuously contended for by this society, has been amply vindicated by results while the rapid development of such companies shows them to be eminently adapted to meet the wants of a commercial people.

Though it does not fall within the scope of the reference to the committee to consider at length how far experience has borne out the views of the Legislature as to the policy of the law applicable to these partnerships, yet they cannot refrain from stating that they do not see that there is any propriety or justice in limiting its benefits to companies composed of not less than seven persons. The restriction is the opinion of the committee is neither sound in principle nor useful, and while working benefit to none, it encourages the practice of fraudulent artifices for the purpose of evasion. Indeed, the very presence of the restriction increases the necessity for the proposed amendment of the law.

(a) Read at a meeting of the Jurisprudence Department, Monday, May 22, 1865, and received and ordered to be printed and circulated.—Sir Fitzroy Kelly, Q.C., M.P., in the chair.

The principle on which the third class of partnership is based, is the same as that of the *commandite* partnership of the Continent. That system has long been in existence in other countries. It has firmly established itself in almost every part of Europe, as well as in the United States. The policy of these partnerships has been tested by experience, *Sociétés en Commandite*, in which the *gerants* or ostensible partners are unlimitedly liable, the *commanditaires*, or sleeping-partners, not being liable as such, have worked well in practice. They have given freedom to capital, and have helped to open up new fields of enterprise by the association of experience and skill with wealth and other resources.

It may be useful to notice some of the endeavours to secure for this country the advantages of this system.

In 1854 the House of Commons resolved "that the law of partnership which renders every person who, though not an ostensible partner, shares the profits of a trading concern, liable to the whole of its debts, is unsatisfactory, and should be so far modified as to permit persons to contribute to the capital of such concerns on terms of sharing their profits without incurring liability beyond a limited amount."

In 1855 a Bill was laid before the House of Commons by the Government, directed to the same purposes, so far as regards loans to traders and the remuneration of agents and servants, as those proposed by the recent measure, with the addition of clauses for registration of the loans and parties. The action of this society was earnestly directed against the provisions for registration as being indefensible in principle, and calculated to effect no good or useful object.

Its representations and arguments assisted in causing the withdrawal of the Bill, and in 1856 a further effort was made to amend the law of partnership by the introduction of a Government measure, substantially the same as that now under discussion. An amendment having, however, been carried, rendering registration of loans and parties compulsory, which was deemed fatal to the policy of the Bill, it was withdrawn. The several Bills subsequently committed to the Legislature with the same view of amending the law, it is not necessary to examine in detail.

With regard to the present measure, the committee cordially approve its object, but conceive that such object might be effected in a more simple manner. The Bill assumes that the mere receipt of profits constitutes a partnership, while in truth such receipt is only evidence that one probably exists.

The case of *Cox* v. *Hickman* (8 H. of L. Cas.), decided in 1860, has laid down the proposition that the real principle upon which partnership liability rests, is the existence of the relation of principal and agent. When a person who receives profits is made liable as a partner, it is because the business, the profits of which he shares, was carried on for him as principal by persons acting as his agents. The language of Lord Cranworth in the case cited, is as follows: "it is not strictly correct to say that his right to a share in the profits makes him liable to the debts of the trade. The correct mode of stating the proposition is to say . . . that he stood in the relation of principal towards the persons acting ostensibly as the traders, by whom the liabilities have been incurred, and under whose management the profits have been made."

What the committee are of opinion is necessary is, that the principle upon which the limitation of the liability is based should be clearly and sufficiently defined, and that the principle itself should be made applicable to all the cases properly falling within its range, and not be confined to the specific instances contemplated by the present measure.

These ends, viz., the definition of the principle, and the covering of the whole ground, might, in the opinion of the committee, be better effected by simply providing that "No person carrying on any business or undertaking shall by reason that another person shares in the profits of such business or undertaking have power to contract debts on behalf of such other person, or to subject him to liability."

This provision would stand as substitute for sects. 3 and 4 of the Bill. The proposed clause is in substance the same as one which was before the House of Commons in 1856.

The present Bill contains a clause, sect. 2, which it is not expedient to pass by without notice. The clause provides that in the event of the bankruptcy, or death in insolvent circumstances of the person to whom money is lent, the lender shall be postponed to the creditors for valuable consideration. The committee think that, in theory, this postponement is scarcely in harmony with the principle upon which such partnership should rest; yet, it may be deemed by many a provision calculated to promote the public interests, they do not conceive that any strong objection exists to its admission.

It has been asserted in an important legal journal that the proposed amendment of the law can only be safely admitted upon two conditions, that those who deal with firms so constituted should be protected by the compulsory registration of the loans and parties, and by the enforced addition to the name of the firm of some distinctive title. These conditions would, in the opinion of the committee, be injurious to the operations of private firms, and while affecting to protect, would only in reality mislead the public. To require them as incident to the amendment of the law is to misconceive the real principle upon which such partnerships should be based. All that is demanded is, that the ostensible partner, whom alone the creditor trusts, and with whom alone the contract is made, shall alone be liable for the engagement arising under it.

INCORPORATED LAW SOCIETY.

ANNUAL REPORT OF THE COUNCIL

Intended to be submitted to the General Meeting of the Members on July 5, 1865.

During the past year the council have directed their attention to several matters of interest to the profession. Some of these, viz., the Remuneration of Solicitors, the Repeal of the Attorneys' Certificate Duty and the Concentration of the Courts and Offices of Justice, have been repeatedly referred to in previous annual reports, and demand special attention.

REMUNERATION OF SOLICITORS.

In a former report the council stated the course taken by a special committee of the council, to which several solicitors of great experience were added, with reference to the Bill introduced by the Lord Chancellor last session, for regulating the remuneration of solicitors. It will be recollected that the main points then urged by the committee in their communications to the Lord Chancellor were:

1. That the operation and usefulness of the measure would be neutralised by the proviso at the end of the first clause, to the effect that any contract between an attorney and his client should be reduced into writing, signed by the attorney and client respectively, and attested by witnesses, and that the existing law would suffice to meet fraud or undue influence.

2. With respect to that part of the Bill which proposed to give a solicitor *trustee* his costs and charges, that solicitors' *executors* should also be included, and that they should have costs whether appointed before or after the 1st Jan. 1865, the period fixed upon by the Bill. It was also suggested that it would be better to enact in general terms, that after the 1st Jan. 1865 the rule of equity should be abolished which prevents an attorney or solicitor from making professional charges, and receiving payment for business properly done by him as an attorney or solicitor, in relation to trust estates, or property of which he is trustee or executor, either solely or jointly with any other person or persons.

3. That on the subject of costs generally, Orders in Chancery should be issued, directing the taxing masters to exercise that full discretion in taxing costs, which it was intended should be exercised when those officers were first appointed.

In November last the Lord Chancellor announced to the committee his intention to reintroduce the Bill in the present session, and as he was desirous of perfecting the measure, he was pleased to invite the committee to wait upon him for the purpose of discussing its provisions.

Accordingly the committee had the honour of waiting upon his Lordship, when the proposed Bill, as well as the entire subject of solicitors' remuneration, was fully and freely discussed. The Lord Chancellor admitted the inadequacy of the remuneration of solicitors in many respects, and the impropriety of the mode of assessing it, and expressed his desire that these defects should be remedied; that, as to such matters as could be dealt with by new orders, he would carry them into effect in that mode, and as to such as could only be effected with the aid of Parliament, that he would introduce a separate Bill for the purpose. His Lordship thought that by these means a comprehensive and satisfactory solution of the question might be obtained, and he suggested that the committee should consider the proposed alterations, dividing them into two distinct classes, one to be dealt with by orders in Chancery, and the other by Bill, and that he would then give them his best consideration.

The result of this interview was communicated to the several provincial law societies, together with some suggestions proposed by the committee, in the ultimate settlement of which some valuable assistance was obtained from those societies.

In the suggestions eventually submitted to the Lord Chancellor, the amendments previously noticed were again pressed upon his Lordship's consideration, and it was pointed out that the proposed Bill should authorise solicitors to charge interest upon their disbursements, from the end of the year in which they shall have been paid, and on the amount of all bills of fees as well as disbursements, after the expiration of a reasonable period. The committee then proceeded to deal with that branch of solicitor's business which must continue to be paid for according to a scale to be applied by the taxing masters. The alterations suggested embraced that class of business, the charges in respect of which have become, from various changes in the law and practice, and from a change in the relative value of money, inadequate to remunerate solicitors for the work done and responsibility incurred by them, and it was proposed that a discretionary power should be given to the taxing masters to increase such charges, according to the nature of the business transacted, and the real value of the services rendered by the solicitor.

Shortly before the meeting of Parliament, and while the intended Bill was under consideration, a meeting of the special committee was held at the Law Society's Hall, at which deputations from several of the provincial law societies attended. At this meeting some important resolutions were passed, expressing the views of country solicitors on the subject; and the committee received instructions from the meeting on some points connected with the proposed Bill, the preparation of which had been entrusted to them by the Lord Chancellor. At the same time the suggestions already submitted to his Lordship received the approval of the meeting.

Immediately after the meeting, the committee caused a bill to be prepared embodying such alterations in the existing law as have been referred to, and the draft was placed in the hands of the Lord Chancellor.

The Bill was eventually introduced into the House of Lords, and though it did not contain some important provisions which had been inserted in the draft by the committee, it was felt that its clauses would substantially relieve the profession from the injustice arising from an arbitrary system of remuneration.

The members are aware that the Bill was lost on second reading by a very slender majority; and the council conceive that this result may perhaps be attributed to political and other causes unconnected with the real merits of the Bill, rather than to any serious or insurmountable objection to the measure itself.

The loss of the Bill did not deter the committee in their efforts to obtain the promulgation of the proposed new orders, and they have had a further interview with the Lord Chancellor on the subject of a report made to him by three of the taxing masters on the suggestions of the committee.

As the committee entertained views not entirely in accordance with those of the taxing masters, they submitted some further observations to the Lord Chancellor, together with the draft of the proposed new orders; and it is understood that his Lordship will forward them to the other judges for consideration, before whom the committee are to have an opportunity of being heard, if necessary.

ATTORNEYS' CERTIFICATE DUTY.

It will be within the recollection of most of the members, that in the years 1850, 1851, 1852 and 1853 very strenuous efforts were made by the society, and solicitors generally, to obtain for the profession the repeal of the attorneys' certificate duty; but owing to the state of the public affairs in 1854 and following years, it was not considered politic to renew those efforts.

The principle that the tax imposed on attorneys is unjust and oppressive, had, it is true, been more than once affirmed by Parliament; but, having regard to the small measure of success attained in former years, and the absence of unanimity amongst solicitors as to the *expediency* of the movement, the council have until the present session refrained from taking any leading part in an attempt to obtain the abolition of the tax.

The council have, during the past year, been much pressed by the Incorporated Law Society of Ireland, and the Society of Writers at Dundee, to co-operate with them in again bringing the subject before Parliament; and, at the earnest desire of those societies, the council consented to take the initiative in the matter.

A deputation, consisting of members of the council of this society, and that of the Law Society of Ireland, waited on the Honourable George Denman in April last. Mr. Denman expressed his entire concurrence in the views submitted to him by the deputation with reference to the injustice of the tax, and after full consideration it was determined that the sense of the House of Commons should be taken on the question by means of a resolution, which Mr. Denman kindly consented to move.

Mr. Denman accordingly gave notice of his intention to move at an early opportunity, "That in the opinion of the House it is just and expedient that the annual duty payable upon certificates taken out by attorneys, solicitors and proctors in England and Ireland, and by writers to the signet, solicitors, agents, attorneys and procurators in Scotland should be abolished."

The council immediately communicated with all the provincial law societies and influential solicitors throughout the kingdom, explaining the course proposed to be adopted, and suggesting that they should forthwith place petitions in the hands of their representatives, praying to be relieved from the tax, and urge upon them the views entertained in the profession as to its injustice and exclusive nature.

A statement in support of the abolition of the duty was also prepared by the council, and extensively circulated amongst members of Parliament.

The statement will be found in the appendix to this report.

In answer to these communications, assurances of co-operation were received from all parts of the kingdom, and numerous petitions were forwarded to the council in order that they might be presented to the House of Commons.

On the 19th May last, Mr. Denman moved his resolution in a House of nearly 300 members, and after an animated debate, in which Mr. Vance, Mr. Humberston, Mr. Black, Mr. Clay and Mr. Craufurd also took part in support of the resolution, it was carried on a division; 146 members voting in favour of the abolition of the duty, and 143 against it.

The principle that it is just and proper that the profession should be relieved from this impost, has now been affirmed in the House of Commons *for the seventh time*; and it is hoped that on the meeting of the new Parliament a Bill will be introduced and carried for the repeal of the tax.

(To be continued.)

LEGAL NEWS.

An Odd Scene and an Odd Law.—A curious scene took place two evenings back on the Boulevard Beaumarchais. Monsieur B——, an advocate, walking out accompanied by his dog, an Italian greyhound of great beauty, suddenly missed the animal, and retracing his steps overtook a man of decent appearance with the dog in his arms. The thief had already removed the collar with the owner's name and address, and was endeavouring to stifle the dog's cries. Being a man of great muscular power, M. B—— soon mastered the delinquent, and then offered him the choice either of being consigned to the police or of kneeling down in the street and kissing the dog. The thief, after some little hesitation, chose the latter alternative, and performed the ceremony in the midst of the laughter and jeers of the bystanders. Satisfaction being thus given, M. B—— was willing to allow the offender to depart in peace, but some *sergents de ville* coming up insisted on taking him before the commissary of police of the quarter. M. B—— accompanied the party to the office, and when there explained to the commissary that he had acted in virtue of an old law of the Burgundian Parliament never yet abrogated, containing (title x., cap. 8, art. 9) a disposition thus worded: "If any man has stolen a greyhound (*veltrahum*), or a segusiave (*segutium*), a particular sort of hound used by the Gauls for hunting the boar, or a lurcher (*petrunculum*), we ordain that the guilty party be obliged either to kiss the animal before the whole people or to pay five sols of gold to the master of the dog and two sols as fine." The advocate concluded by interceding for the culprit, on the ground that he had satisfied the conditions of the law, but the commissary, recognising the man as an old offender, sent him to the Prefecture.—*Galignani.*

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Friday, July 7.

By Messrs. Norton and Trist, at the Guildhall Coffee-house.—Freehold house, being No. 18, Bennett-street, Stamford-street, Blackfriars; let at 30*l.* per annum—sold for 500*l.*

Thursday, July 13.

By Messrs. C. C. and T. Moore, at Garraway's.—Freehold, two houses, being Nos. 4 and 5, Grove-street, Mile-end, producing 39*l.* per annum—sold for 410*l.* Freehold, two houses, being Nos. 15 and 16, Turnpike-row, Stratford, let at 34*l.* per annum—sold for 400*l.* Freehold house, being No. 76, Rochester-terrace, Eastfield-street, Limehouse, let at 13*l.* per annum—sold for 130*l.* Leasehold, two houses, being Nos. 10 and 12, New-street, New-road, Mile-end, Old-town, producing 43*l.* per annum; term, forty-two years unexpired; ground-rent, 4*l.* 5*s.* per annum—sold for 402*l.* Leasehold, two houses, being Nos. 40 and 41, Jamaica-street, Commercial-road, producing 39*l.* per annum; term, twenty-eight years unexpired; ground-rent, 8*l.* per annum—sold for 230*l.*

Friday, July 14.

By Messrs. Fuller and Horsey, at the London Tavern.—Freehold plot of ground, with warehouses thereon, occupying an area of about 2300 feet, situate at the corner of Cannon-street and St. Swithin's-lane, City—sold for 30,800*l.* Leasehold mercantile premises, Nos. 78 and 79, Cannon-street, adjoining the above (term, 9 years unexpired; ground-rent, 232*l.* 12*s.* per annum), containing an area of 2300 feet—sold for 500*l.*

By Messrs. Norton and Trist, at the Guildhall Coffee-house.—Freehold estate, known as the "Hall Place Estate," situate in the parishes of Alfold, Cranley and Hascombe, Surrey, comprising mansion, pleasure-grounds, farms, buildings, stabling and 484a. 2r. 24p. of arable, pasture and meadow land—sold for 25,000*l.* Freehold estate, known as "Crowhurst Land Farm," situate in the parish of Lingfield, Surrey, consisting of a farm, homestead, and buildings, cottage, and 63a. 0r. 9p. of arable, pasture, meadow, and hop land—sold for 2200*l.* Freehold and copyhold estate, comprising about 70 acres of arable and pasture land, situate in the parish of Brampton, Huntingdonshire—sold for 4450*l.*

By Mr. P. D. Tuckett, at Garraway's.—Leasehold residence, being No. 16, Conduit-street west, Hyde-park; let at 90*l.* per annum; term 97½ years from 1844; ground-rent 10*l.* per annum—sold for 1300*l.* Leasehold residence, being No. 37, Finchley New-road; let at 105*l.* per annum; term 94½ years from 1843; ground-rent 20*l.* per annum—sold for 1100*l.*

Monday, July 17.

By Messrs. Norton and Trist, at the Guildhall Coffee-house.—Freehold property, known as Lenox Estate, in the parish of St. George, Jamaica.

Tuesday, July 18.

By Mr. W. Moxon, at Garraway's.—Leasehold cottage, being No. 44, Bark-place, Bayswater, estimated annual value 45*l.*; term 79 years from 1844; ground rent 7*l.* per annum—sold for 550*l.* Leasehold, four houses, being No. 23, Hatton-street, and 7 to 9, Hatton-place; producing 76*l.* per annum; term about 40 years from 1818; ground-rent 9*l.* 9*s.* per annum—sold for 500*l.* Freehold premises, being No. 204, High-street, Wapping, known as the Foundry Wharf; let at 100*l.* per annum—sold for 2120*l.* Freehold premises, being No. 40, Rotherhithe-street, Rotherhithe, also a house and premises, being No. 6, Prince's-street; estimated to produce 120*l.* per annum—sold for 1672*l.*

Wednesday, July 19.

By Messrs. Edwin, Fox and Bousfield, at the Guildhall Coffee-house.—Freehold house with shop, being No. 37, Fetter-lane, Fleet-street; let at 84*l.* per annum—sold for 1600*l.*

By Messrs. Ellis and Son, at Garraway's.—Leasehold, two residences, situate in Champion-park, Denmark-hill, Surrey; producing 232*l.* per annum; term 80 years from 1841; ground-rent 62*l.* 10*s.* per annum—sold for 2620*l.* Leasehold premises, situate No. 67, St. Paul's-churchyard; term 40 years from 1839, at a rent of 12*l.* 2*s.* 6*d.* per annum—sold for 500*l.*

By Messrs. Farebrother, Clark and Co., at Garraway's.—Freehold and copyhold estate known as the Dugdale-hill Farm, situate in the parish of South Mimms, Middlesex, comprising a farm-cottage, outbuildings and about 90 acres of meadow land—sold for 6220*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, July 14.

James, John, and Owen, J. C. attorneys and solicitors, Wrexham.

Wells, Robert, and Smith, Joseph Coltman, attorneys, solicitors and conveyancers, Hull.

Bankrupts.

Gazette, July 11.

To surrender at the Bankrupts' Court, Basinghall-street.

Beedle, Edwin, plasterer, Harcourt-st. Marylebone-rd. Pet. July 6. Reg. Roche. O. A. Parkyns. Sol. George, Jermyn-st. St. James. Sur. July 28.

Caxton, Charles Henry, sen., oilman, Felix-ter. Islington. Pet. July 5. Reg. Brougham. O. A. Edwards. Sol. Hicks, Moorgate-st. Sur. July 27.

Clark, Elijah, dairyman, Coulsdon. Pet. July 7. Reg. Roche. O. A. Parkyns. Sol. Hickley, King William-st. Sur. July 26.

Curtis, Frederick, closed upper manufacturer, Holmsley-ter. Hackney, and Aldermanbury. Pet. July 6. Reg. Brougham. O. A. Edwards. Sols. Lumley and Lumley, Moorgate-st. Sur. July 28.

Evans, John, out of business, Pownall-rd. Dalston. Pet. July 4. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. July 27.

Frankley, George, wine and beer retailer, Kentish-tn.-rd. Camden-tn. Pet. July 6. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 26.

Fielder, Henry Julius, wine merchant, Watling-st. and Kew-gn. Pet. July 4. Reg. Brougham. O. A. Edwards. Sol. Woolf, King-st. Cheapside. Sur. July 27.

Firmin, Francis Fenton, clerk, Westmoreland-pl. Camberwell. Pet. July 4. Reg. Brougham. O. A. Edwards. Sol. Charlton, Chatham-pl. Blackfriars. Sur. July 27.

Fordham, Alfred William, cigar merchant, Fenchurch-st. and Barford-ter. Islington. Pet. July 7. Reg. Roche. O. A. Parkyns. Sols. Sydney and Son, Finsbury-circus. Sur. July 26.

Hale, Ralph Henry, commercial clerk, Almorah-rd. Islington. Pet. July 6. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. July 26.

Hayward, James, builder, Croydon. Pet. July 4. Reg. Brougham. O. A. Edwards. Sol. Barnard, York-rd. Lambeth. Sur. July 27.

Jarvis, William, bottled beer and ale merchant, the Crescent, Minories, and Francis-ter. Victoria-pk. Pet. July 6. Reg. Roche. O. A. Parkyns. Sols. Plews and Irvine, Mark-ln. Sur. July 28.

Lloyd, Oliver Wimburn, attorney-at-law, St. Swithin's-ln. and Davies-st. Berkeley-sq. and Knockholt. Pet. July 4. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. July 27.

Lyautey, Anne, widow, Merrick-sq. Borough. Pet. July 6. Reg. Brougham. O. A. Edwards. Sol. Marshall, Linc.-inn-fds. Sur. July 27.

Matthews, James, builder, Jenning's-bdgs. and Doura-pl. Kensington. Pet. July 3. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. July 21.

Padfield, Zebedee Arthur, clerk to a warehouseman, Alexander-ter. New-cross. Pet. July 4. Reg. Brougham. O. A. Edwards. Sol. Howell, Cheapside. Sur. July 27.

Rayworthy, James, woolstapler, Codford Saint Peter's, Heytesbury. Pet. July 7. Reg. Brougham. O. A. Edwards. Sols. Messrs. Hodgson, Salisbury-st. Strand. Sur. July 28.

Tyrie, James Edward, stockjobber, Stock Exchange, and Knight's-hill, Norwood. Pet. July 6. Reg. Brougham. O. A. Edwards. Sols. Dubois and Maynard, Church-passage, Gresham-st. Sur. July 28.

Woodward, William, jun., printer, Portsea. Pet. July 8. Reg. Roche. O. A. Parkyns. Sol. White, Dane's-inn, Strand, and Portsea. Sur. July 26.

To surrender in the Country.

Breen, John, cart owner, Liverpool. Pet. July 5. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. July 25.

Carris, Emily, draper, Tuckingmill, Camborne. Pet. July 1. Reg. & O. A. Peter. Sol. Stephenson, Redruth. Sur. July 22.

Caton, Joseph, beerseller, Burslem. Pet. July 4. Reg. & O. A. Challinor. Sol. Sutton, Burslem. Sur. Aug. 5.

Coleman, Michael Joseph, bricklayer, Hulme, Manchester. Pet. July 4. Reg. Harris. O. A. Morgan. Sols. Hankinson and Kearsley, Manchester. Sur. July 24.

Cowling, John, greengrocer, Gravesend. Pet. July 6. Reg. & O. A. Southgate. Sol. Sharland, Gravesend. Sur. July 22.

Croft, Robert Lascelles, cornfactor, Kirkstall. Pet. June 26. O. A. Young. Sol. Simpson, Leeds. Sur. July 21.

Dunstan, William, waterman, Lincoln. Pet. July 8. Reg. & O. A. Uppleby. Sols. Brown and Son, Lincoln. Sur. July 26.

Fairchild, John, joiner, New Sleaford. Pet. July 8. Reg. & O. A. Moore. Sol. Bissill, Sleaford. Sur. July 28.

Garratiss, George, boot and shoe maker, Newark-upon-Trent. Pet. July 7. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. Sur. July 13.

Galsworthy, Richard, shipwright, Cardiff. Pet. July 6. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. July 22.

Golightly, John, boot and shoe maker, Ferryhill. Pet. July 5. Reg. & O. A. Greenwell. Sol. Marshall, Durham. Sur. July 21.

Gooderham, Samuel, sen., tanner, Elmhill, Norwich. Pet. July 8. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. July 24.

Hampson, Jonah, coach bolt maker, Birmingham. Pet. July 5. O. A. Clarke. Sol. North, Westbromwich. Sur. July 24.

Harris, William, fruiterer's salesman, Birmingham. Pet. July 7. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. July 31.

Heath, Mary, publican, Cardiff. Pet. July 6. Reg. & O. A. Langley. Sol. Kaby, Cardiff. Sur. July 27.

Jeffery, Richard, miner, Todpool, Kenwyn. Pet. July 4. Reg. & O. A. Peter. Sol. Holloway, Redruth. Sur. July 22.

Johnson, Samuel, coachsmith's striker, Hill Top, Westbromwich. Pet. July 5. Reg. & O. A. Watson. Sol. Caddick, Westbromwich. Sur. July 13.

Judd, William, porter to a grocer, Birmingham. Pet. July 8. Reg. & O. A. Guest. Sols. Powell and Son, Birmingham. Sur. July 31.

Lamb, John Spur, confectioner, Darlington. Pet. June 28. Reg. Gibson. O. A. Laidman. Sols. Hoyle and Shipley, Newcastle. Sur. July 21.

Lloyd, Samuel, puddler, Hill Top, Westbromwich. Pet. July 5. Reg. & O. A. Watson. Sol. Caddick, West Bromwich. Sur. July 13.

McKievee, Daniel, Bristol. Pet. July 6. Reg. & O. A. Harley and Gibbs. Sol. Clifton. Sur. July 21.

Nash, Henry, bootmaker, Sheffield. Pet. July 7. Reg. & O. A. Wake and Rodgers. Sol. Binney and Son, Sheffield. Sur. July 27.

Palmer, George Wright, gunner, Portsea. Pet. July 5. Reg. & O. A. Howard. Sol. White, Portsea. Sur. July 25.

Radford, Joseph, pork butcher, Liverpool. Pet. July 8. Reg. & O. A. Hime. Sol. Webster, Liverpool. Sur. July 28.

Slack, Elijah, appraiser, Newton-heath, Manchester. Pet. July 7. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington and Co. Manchester. Sur. July 21.

Spurr, Thomas, boot and shoe dealer, Liverpool. Pet. July 4. O. A. Turner. Sols. Henwood and Bellringer, Manchester. Sur. July 21.

Sutcliffe, John, shoddy manufacturer, Huddersfield. Pet. July 7. O. A. Young. Sol. Yewdall, Leeds. Sur. July 24.

Teasdale, Thomas, commission agent, Carlton, Hope. Pet. June 21. Reg. & O. A. Edgworth. Sur. July 24.

Thornback, George Marcus, pork butcher, Southampton. Pet. July 7. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. July 27.

Tolson, Charles, beerseller, Dewsbury. Pet. July 7. Reg. & O. A. Nelson. Sol. Merrall, Dewsbury. Sur. July 21.

Turner, Richard, innkeeper, Fartown, Huddersfield. Pet. June 24. Reg. & O. A. Jones. Sol. Bottomley, jun. Huddersfield. Sur. Aug. 3.

Ward, Frederick Charles, gardener, Girton. Pet. July 6. Reg. & O. A. Eaden. Sol. Wayman, Cambridge. Sur. July 21.

Waterfield, Joseph, carrier, Harrowden. Pet. July 7. Reg. & O. A. Sheild. Sol. Law, Stamford. Sur. July 21.

Woodhead, George, wire drawer, Clifton. Pet. June 30. O. A. Young. Sols. Chambers and Chambers, Brighouse; Bond and Barwick, Leeds. Sur. July 24.

Yates, John, grocer, Heliera. Pet. July 5. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. July 20.

Gazette, July 14.

To surrender at the Bankrupts' Court, Basinghall-street.

Billups, Robert, foreman to a railway contractor, Evelyn-st. Deptford. Pet. July 10. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. July 28.

Birch, George Alphonse De Lamartine, of the Bengal Police Corps, Bury-st. St. James'. Pet. July 12. Reg. Brougham. O. A. Edwards. Sol. Froom, Linc.-inn-fds. Sur. Aug. 3.

Bollington, James, stationer, High-st. Portland-tn. Pet. July 11. Reg. Roche. O. A. Parkyns. Sol. Atkinson, High Holborn. Sur. July 28.

Cogger, John Robert, painter, Middle-st. Peckham. Pet. July 12. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Basinghall-st. Sur. July 26.

Davies, Sarah, domestic servant, Cumberland-ter. Regent's-pk. Pet. July 10. Reg. Brougham. O. A. Edwards. Sols. Lofty and Co. New-inn. Sur. July 28.

Ellis, Thomas, plumber, Hanover-pl. Peckham. Pet. July 6. Reg. Brougham. O. A. Edwards. Sols. Dubois and Maynard, Church-passage, Gresham-st. Sur. July 25.

Escott, William, blacksmith, Arthur-mews Caledonian-rd. Pet. July 12. Reg. Roche. O. A. Parkyns. Sol. Field, Ely-pl. Holborn. Sur. July 28.

Fairchild, Charles, sen., beerseller, Epping. Pet. July 11. Reg. Brougham. O. A. Edwards. Sol. Braden, Copthall-chambers, Copthall-ct. Sur. July 28.

Fiedler, Henry Julius, wine merchant, Watling-st. and Kew-gn. Pet. July 4. Reg. Brougham. O. A. Edwards. Sol. Woolf, King-st. Cheapside. Sur. July 27.

Flint, Robert, wholesale milliner, Lansdowne-rd. Dalston. Pet. July 11. Reg. Roche. O. A. Parkyns. Sol. Bramwell, Basinghall-st. Sur. July 26.

Gregory, John, commercial clerk, London-pl. Hackney. Pet. July 11. Reg. Brougham. O. A. Edwards. Sol. Reed, Bow-ln. Cheapside. Sur. July 28.

Jochimsen, Johannes Wilhelm Heinrich, and Marten, Charles Henry, corn merchants, Catherine-ct. Seething-ln. Pet. July 10. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. July 28.

Leslie, Thomas, commercial traveller, Malvern-rd. Dalston. Pet. July 10. Reg. Brougham. O. A. Edwards. Sols. Jennings and Co. Lime-st. Sur. July 28.

Luithorst, John, cattle importer, Barnsbury-rd. Islington. Pet. July 12. Reg. Roche. O. A. Parkyns. Sol. Layton, jun. Church-row, Islington. Pet. July 26.

Mundy, John Robert, builder, North-st. St. George's-in-the-East. Pet. July 11. Reg. Roche. O. A. Parkyns. Sol. Shearman, Great Tower-st. Sur. July 26.

Neale, William Michael, doctor of medicine, Warborne Eaton-sq. Pet. July 12. Reg. Roche. O. A. Parkyns. Sols. Lewis and Lewis, Ely-pl. Holborn. Sur. July 26.

Pond, John Willshire, out of business, Camberwell-rd. Camberwell. Pet. July 10. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. July 28.

Ravaison, George Algerton, wholesale stationer, Leadenhall-st. Pet. July 10. Reg. Roche. O. A. Parkyns. Sols. Pool and Nicholson, Chancery-ln. Sur. July 28.

Rose, James, carman, George's-rd. Holloway. Pet. July 8. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. July 27.

Scurrah, Thomas, shopman to a grocer, Creek-st. Battersea. Pet. July 7. Reg. Brougham. O. A. Edwards. Sol. Dry, Trinity-st. Southwark. Sur. July 28.

Snowden, Mary Ann, in no business, Walthamstow. Pet. July 11. Reg. Roche. O. A. Parkyns. Sol. Burns, Watling-st. Sur. July 28.

Star, James William, painter, St. George's-pl. Brixton. Pet. July 6. Reg. Brougham. O. A. Edwards. Sol. Hall, Coleman-st. Sur. July 27.

Thompson, John, grocer, Aldershott. Pet. July 5. Reg. Brougham. O. A. Edwards. Sol. Murrough, Warwick-ct. Gray's-inn, Aldershott. Sur. Aug. 3.

Wells, Benjamin, professor of music, Carlton-ter. Kilburn. Pet. July 12. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. Aug. 3.

Willson, Edward John, draper, Amelia-ter. Battersea. Pet. July 8. Reg. Roche. O. A. Parkyns. Sol. Oldknow, Basinghall-st. Sur. July 28.

Wilshin, Henry, commission agent, St. Benet's-pl. Gracechurch-st. and Brunswick-lodge, Thames Ditton. Pet. July 5. Reg. Roche. O. A. Parkyns. Sol. Earle, Walbrook. Sur. July 26.

Yell, Frederick, saddler, Croydon. Pet. July 12. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. July 28.

To surrender in the Country.

Bateman, William, Italian warehouseman, Liverpool. Pet. July 8. O. A. Turner. Sols. Evans, Sandys, Hosse and Lockett, Liverpool. Sur. July 25.

Booth, John, dealer in farmers' produce, Middleton. Pet. July 8. Reg. & O. A. Summerscales. Sol. Taylor, Oldham. Sur. July 27.

Brown, Emanuel, cloth maker, Yeadon. Pet. July 7. Reg. & O. A. Carr. Sol. Hill, Bradford. Sur. July 27.

Burns, Dennis, labourer, Liverpool. Pet. July 11. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. July 27.

Colebourn, Henry, tailor, Wolverhampton. Pet. July 11. Reg. Tudor. O. A. Kinnear. Sols. Green, Birmingham; Thorne, Wolverhampton. Sur. July 26.

Davison, John, butcher, Liverpool. Pet. July 10. O. A. Turner. Sol. Goodrich, Liverpool. Sur. July 25.

Dawson, Samuel, cabinet-maker, Manchester. Pet. July 12. Reg. Harris. O. A. Morgan. Sol. Lamb, Manchester. Sur. July 26.

Dewhurst, Thomas, ginger-beer maker, Cobridge. Pet. July 8. Reg. & O. A. Latham. Sols. Messrs. Tennant, Hanley. Sur. July 28.

Fairclough, James, bootmaker, Gateshead. Pet. July 12. Reg. Gibson. O. A. Laidman. Sol. Joel, Newcastle. Sur. July 28.

Forster, Sherrington, shipbroker, Hartlepool. Pet. July 8. Reg. & O. A. Child. Sol. Brunton, West Hartlepool. Sur. July 28.

Foster, William, collier, Dinas, near Pontypridd. Pet. July 8. Reg. & O. A. Brackett. Sol. Thomas, Pontypridd. Sur. July 28.

Frain, John, tailor, Selby. Pet. July 11. O. A. Young. Sols. Hancoft, Selby; Carlos and Tempest, Leeds. Sur. July 27.

Fuller, William Harvey, draper, Hatfield Peverel. Pet. July 8. Reg. & O. A. Codd. Sol. Bruty, Chelmsford. Sur. July 28.

Green, George, painter, Miningsby Fen Allotment. Pet. July 8. Reg. & O. A. Clitherow. Sol. Bailes, Boston. Sur. July 28.

Hall, Harriet Elizabeth, grocer, Longhope Lowe, Leigh. Pet. July 10. Reg. & O. A. Burrup. Sol. Gould, Brixham. Sur. July 25.

Harwood, John, railway clerk, Amblecote, Oldswinford. Pet. July 11. Reg. & O. A. Harward. Sol. Maltby, Stourbridge. Sur. July 28.

Howat, Andrew, brassfounder, Farnworth. Pet. July 12. Reg. & O. A. Holden. Sols. Greenhalgh and Hall, Bolton. Sur. July 28.

Illingworth, George, accountant, Tredegar Iron Works. Pet. July 11. Reg. Wilde. O. A. Acraman. Sol. Bevan, Bristol. Sur. July 25.

Jeffery, Aaron, slater, Felton. Pet. July 7. Reg. & O. A. Wilson. Sol. Bushby, Alnwick. Sur. Aug. 7.

Maynard, Alfred, painter, Coombeinteignhead. Pet. July 12. Reg. & O. A. Pidsley. Sol. Michelmore, Newton Abbot. Sur. July 28.

Moran, Thomas, publican, Widnes. Pet. July 8. O. A. Turner. Sols. Marsh and Barrett, Worthington; Bennett, Lowe and Morris, Liverpool. Sur. July 25.

Neill, John, builder, Ardwick. Pet. July 6. Reg. Harris. O. A. Morgan. Sols. Grundy and Davies, Manchester. Sur. July 26.

Poole, William, insurance agent, Winsford. Pet. July 12. O. A. Turner. Sol. Dodge, Liverpool. Sur. July 28.

Pratt, Charles, plumber, Avebury. Pet. July 7. Reg. & O. A. Merriman. Sol. Rawlings, Melksham. Sur. July 25.

Procter, Nicholas, farmer, Plymouth. Pet. July 12. O. A. Carter. Sur. July 25.

Read, John, butcher, Dorchester. Pet. July 10. Reg. & O. A. Symonds. Sol. Elvis, Sherborne. Sur. July 25.

Reilly, Edmund William, victualler, Westbury. Pet. July 8. Reg. Wilde. O. A. Acraman. Sols. Lloyd, Bath; Press and Inskip, Bristol. Sur. July 24.

Rostron, Thomas, bricklayer, Radcliffe Bridge. Pet. July 10. Reg. Macrae. O. A. Morgan. Sur. July 28.

Spooner, William Henry, auctioneer, Liverpool. Pet. July 8. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. July 25.

Stokes, Edward, shoemaker, Woodhurst. Pet. July 11. Reg. & O. A. Margetts. Sol. Vipan, St. Ives. Sur. July 25.

Stone, James, butcher, Canterbury. Pet. June 15. Reg. & O. A. Callaway. Sur. July 26.

Tetley, John, labourer, Repton. Pet. July 10. Reg. & O. A. Hubbersty. Sol. Prince, Burton. Sur. July 28.

Thomas, Daniel, farmer, Gwrnos, near Ystalyfera. Pet. July 11. Reg. & O. A. Morgan. Sol. Tripp, Swansea. Sur. July 25.

Walbank, Alder, and Knight, John, worsted spinners, Leeds. Pet. July 4. O. A. Young. Sols. Rawson, George and Rawson, Bradford; Bond and Barwick, Leeds. Sur. July 24.

WALKER, HENRY, shopkeeper, Wombwell, near Barnsley. Pet. July 11. Reg. & O. A. Shepherd. Sol. Clarke, Leeds. Sur. July 28.
WATTON, THOMAS, builder, Tamworth. Pet. July 11. Reg. Hill. O. A. Kinnear. Sol. Chirm, Birmingham. Sur. July 26.
WILSON, JAMES, linendraper, Cleckheaton. Pet. July 11. Reg. & O. A. Robinson. Sol. Yewdall, Leeds. Sur. Aug. 1.
WRIGLEY, JOHN, boiler fitter, Manchester. Pet. July 11. Reg. Harris. O. A. Morgan. Sols. Higson, Robinson and Higson, Manchester. Sur. July 27.

BANKRUPTCIES ANNULLED.

Gazette, July 11.

DAWSON, SAMUEL HURRION, master mariner, Great Yarmouth.

Gazette, July 14.

SHAW, HENRY, grocer, Bingley.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Best, W. ironmonger and cottonspinner, first sep. 1s. 5d. Morgan, Manchester.—*Chitty*, H. J. linendraper, third, 2¼d. Parkyns, London.—*Cooper*, B. cotton manufacturer, first sep. 5s. Morgan, Manchester.—*Cooper* and *Baldwin*, cotton manufacturers, first, 3s. 5d. Morgan, Manchester.—*Cramer*, J. nurseryman, first, 9s. 9d. Laidman, Newcastle.—*Dawson* and *Satchwell*, provision merchants, second, 1s. 1¼d. Parkyns, London.—*Drury*, T. W. innkeeper, first, 11s. 7d. Morgan, Manchester.—*Jenkin*, J. merchant, 2¼d. Peter, Redruth.—*Maillard*, A. bootmaker, first, 4s. 0¾d. Parkyns, London.—*Pritchard*, W. tobacconist, first, 7d. Harris, Nottingham.—*Smith*, W. B. surgeon, first, 2s. 6¼d. Parkyns, London.—*Thomson*, W. draper, first, 1¼d. Morgan, Manchester.—*Wilson*, A. B. hat manufacturer, first, 5d. Laidman, Newcastle.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, July 11.

BENNETT, SAMUEL, lace dealer, Upper-st. Islington. June 30. 1s. by three equal instalments on 1st Jan. and 2nd July 1866, and 1st Jan 1867.
BERLINER, HENRY, merchant, Noble-st. June 12. Trust. H. Marquis, tobacco merchant, Stratford.
BOOTH, JESSE, boot and shoe manufacturer, Cheadle and Crewe. June 11. Trusts. R. F. Smith, tanner, Cheadle, and W. Beeston, currier, Crewe.
BIRD, THOMAS, tobacconist and stationer, Abingdon. June 14. 5s. on 21st Aug.
BURTON, WILLIAM MOSELEY, agent, Salford. June 27. Trust. J. Gregory, collector, Salford.
CHAPLIN, CHARLES, jun., cabinet-maker, Plymouth. June 19. Trust. W. W. Artiss, accountant, Plymouth.
CLAYTON, JASPER, wheelwright, East Markham. June 10. Trusts. J. Bingham, innkeeper, and G. Padley, ale merchant, both East Retford.
COBB, WILLIAM HENRY, iron merchant, Cow-cross-st. July 8. 2s. in equal moieties at 3 and 6 mos. Trust. A. Norton, commission agent, Bishopsgate-st. without.
COLE, WILLIAM GRAY, cabinet-maker, Plymouth. June 20. Trust. J. Woolland, auctioneer, Plymouth.
DAVIS, THOMAS, tailor and draper, Manchester. June 12. 13s. 6d.—4s. on 13th Aug., 4s. on 13th Nov., 4s. on 13th Feb. and 1s. 6d. on 13th May—secured. Trust. W. Bottomley, attorney's clerk, Ashton-under-Lyne.
DIXON, ROBERT, and GRAY, THOMAS FORSYTH, merchants, Liverpool. July 1. 10s.—3s. at 14 days, 3s. in 3 mos. and 7s. in 6 mos.—secured. Trusts. H. Littledale, broker, Liverpool, and P. Hunter, Esq., Mount Alyn, near Gresford.
DUCKERLEY, JOSEPH, stonemason, Waterhead Mill, near Oldham. July 3. 6s. in 1 mo.
EDWARDS, JAMES MOORE, victualler, Brighton. June 12. Trust. W. R. Stone, wine merchant, Brighton.
FAIRHEAD, JAMES, builder, Sutton. June 22. Trust. J. W. Knights, stationer, Woodbridge.
FULLER, THOMAS, jun., mining share dealer, Abchurch-la. June 19. 2s. 6d. forthwith.
GASDELL, EDWARD, jun., yeast contractor, Paradise-st. Lambeth. June 14. 5d.
GREEN, WILLIAM, iron merchant, Nicholas-la. June 20. Trusts. J. Bancroft, iron master, Kingswinford, R. C. Siddons, iron merchant, Wolverhampton, and H. W. Cresswell, ironmaster, Handsworth.
HARRISON, GEORGE, auctioneer, Barnstaple. June 14. Trusts. J. S. Clarke, painter, and T. Clayton, saddler, both Barnstaple.
HILL, FRANCIS, builder, Prospect-pl. Stoke Newington-rd. June 19. Trusts. G. Bysouth, builder, Hertford-rd. Kingsland, and R. Davies, lime merchant, Lea-bridge. Sols. Tanqueray-Willaume and Hanbury, New Broad-st.
HILL, JOHN CHRISTOPHER, cabinet-maker, Darlington. June 12. Trusts. J. Harrison, nurseryman, and A. K. Williams, iron merchant, both Darlington.
IVENS, ELIZA, and IVENS, REGINALD WILLIAM BEVAN, ship brokers, Colonial-chambers, Crutched-friars. June 13. Trust. T. Cairncross, gentleman, Bristol.
JACKSON, FREDERICK, grocer, Brunel-st. Canning-town. June 12. 3s. 6d. on 13th July.
MANNING, GEORGE, currier, Exeter. June 9. 5s. in 2 mos.—secured.
MATTHEWS, GEORGE, cloth manufacturer, Morley, near Leeds. July 3. Trusts. S. Mitchell, mungo merchant, Ossett, near Leeds, and J. Walker, cloth manufacturer, Morley.
MEACOCK, THOMAS, grocer, Liverpool. June 14. 2s. 6d. by two equal instalments—first on 25th July and second on 12th Oct. Trusts. T. Quinney, provision merchant, and J. Cann, grocer, both Liverpool.
MORRIS, RICHARD WILLIAM, shipowner, Bristol. June 19. Inspector, J. P. Gilbert, banker, Bristol.
NEWTON, JOHN; LONG, JOHN; and JOWETT, ADAM, worsted-spinners, Keighley. June 11. 6s. by two instalments—2s. on 14th July and 4s. on 14th Aug.—secured. Trust. J. Denby, manufacturer, Low Town, near Haworth.
O'RIORDAN, MATTHIAS, skirt manufacturer, Noble-st. City. July 1. 3s. in 14 days.
PICKARD, WILLIAM, grocer, Leeds. June 29. Trust. E. Cryer, flour merchant, and W. Allen, agent, both Leeds.
PIDCOCK, THOMAS JOHN, threshing-machine owner, Crawley. June 22. Trust. W. Seely, auctioneer, Witney.
RICKETTS, JOSEPH, perfumer, Nottingham. June 20. Trust. G. T. Timms, hairdresser, Nottingham.
ROWE, JOHN PEARCE, ship chandler, Anglesey. July 1. 2s. 6d. on execution of deed.
ROWDON, PHILIP CARPENTER, gentleman, Well-st. Jermyn-st. July 6. 2s.
SMITH, DANIEL, butcher, Barton-upon-Humber. June 29. Trust. M. Bell, photographic artist, Driffield.
STEWART, ROBERT, grocer, Sheriff-hill. June 12. Trusts. E. M. Bainbridge, draper, and J. Ward, grocer, both Newcastle.
SOLOMON, JOSEPH, jeweller, Hanley. June 14. Trust. A. Michaels, jeweller, Manchester.
SUMMERS, WILLIAM ARTHUR, draper, Wincanton. June 12. Trusts. J. Barnicot, warehouseman, Friday-st. and G. Fry, gentleman, Wincanton.
SWINHOE, GEORGE MONEY, surgeon, New Swindon. June 10. Trusts. W. R. Wearing, manager of the Branch of the County of Gloucester Bank, Swindon, and T. Palmer, Melksham, general manager of the North Wilts Banking Co.
TAYLOR, JOHN, publican, Birmingham. June 17. Trust. W. H. Palmer, gentleman, Regent-st.
THOMAS, JOSHUA HODGES, tailor, Leamington. June 15. 10s. by instalments of 2s. 6d., at 4, 8, 12 and 16 mos.—secured. Trust. J. Coleman, manager to A. Gagniere and Co., woollen warehousemen, Golden-sq.
WEBSTER, JAMES, contractor, Digby-st. Globe-rd. Bethnal-green. June 27. 12s. 6d. by four equal instalments of 3s. 1½d. in 4, 8, 12 and 16 mos. Trust. T. Bridges, bonnet manufacturer, West-side, Bethnal-green.
WYATT, GEORGE WILLIAM, draper, Newport, Isle of Wight. June 12. Trust. T. S. Davy, warehouseman, Wood-st.

ERRATA.

In Gazette, July 7, 1865 (John Hayward), E. Miller, one of the trustees, is described as manager of Luckey's Banking Co., should be Stuckey's Banking Co.
In Gazette, July 7, Mary Anne Boyle, for 8s. read 2s.

Gazette, July 14.

BARBER, JAMES, retailer of beer, Newland. June 17. Trust. C. Workman, haulier, Woolaston.
BERNARD, JULIAN, Upper George-st. Bryanstone-sq. May 25. 6d. on 18th July.
BLACKHURST, THOMAS, cottonspinner, Preston. June 13. Trust. J. S. Oliver, bank manager, Preston.
BOWER, EDWARD, and BOWER, GEORGE, cloth manufacturers, Kirkburton. June 14. Trusts. W. Hirst, woolstapler, and F. Woodhead, cardmaker, both Huddersfield.
BROWNE, WALTER WILLIAM, contractor, Elmore-st. Islington. June 26. Trusts. J. M. Stroud, brick merchant, Mildway-park, and T. L. Thompson, glass painter, Stoke Newington-green.
CANTEY, GEORGE ARTHUR, tobacconist, Hull. June 21. Trust. R. Wilson, tobacco manufacturer, Hull.
COLLINGWOOD, SAMUEL EDWIN, stockbroker, Brighton and Cornhill. July 4. 1s. in 3 mos. from 3rd July. Trust. M. W. Townsend, Wellington-st. Strand.
COOKE, MARY, and GARNER, JOHN RENSHAW, cornchandlers and ironmongers, Hornsey-rd. Holloway. July 11. 2s. 6d. on 13th Jan. 1866.
DAVIES, ABRAHAM, builder, Aberdare. June 15. Trust. B. Williams, timber merchant, Aberdare.
EDWARDS, WALTER JOHN, grocer and teadealer, Liverpool. July 6. 10s. by three equal instalments on 6th Aug., 6th Oct. and 6th Jan. —secured.
FOSDICK, WILLIAM JOHN, manufacturer, Noble-st. and Upham-cottages, Queen's-rd. Peckham. June 16. Trust. C. E. Wilson, manufacturer, Monkwell-st.
FOTHERINGHAM, ALEXANDER MACDONALD, merchant, Lime-st. July 12. 10s. by four equal instalments on 13th Aug., 13th Jan., 13th April and 13th July 1866.
HILLS, JOHN, hay salesman, Old-wharf, Abingdon-st. Westminster. July 13. 5s. 6d.—3s. on 17th July and 2s. 6d. on 19th Sept. next—secured. Trust. W. Lake, gentleman, Gravesend.
HOWSON, WILLIAM, innkeeper, Sheffield. June 14. Trusts. T. Danby, wine merchant, and W. W. Botterill, brewer's manager, both Sheffield.
JOHNSON, EDWARD, wool and cottonwarp dealer, Calverley. June 24. Trusts. J. Learoyd, Halifax, and J. Waddington, cashier, Manningham.
JONES, JOHN, slate and timber merchant, Wrexham. July 10. 10s. by three equal instalments at 4, 7 and 10 mos.—secured. Trust. R. Jones, farmer, Marchwiel, near Wrexham, and R. Jones, sen., gentleman, Rhos.
KELLETT, CHARLES, cloth manufacturer, Almondbury. June 28. Trusts. J. Moore, G. Mallinson, jun., and G. Rhodes, woolstapler, all of Manchester. Sols. Heap and Owen, Huddersfield.
KIMBERLEY, JOHN, shoemaker, Birmingham. June 17. 2s. on execution of deed.
KIRKHAM, JOHN, timber merchant, Manchester. June 17. 5s. by three equal instalments at 4, 8 and 12 mos.—secured. Trust. J. Chambers, accountant, Manchester.
LAMB, CHARLES NICHOLSON, chemist, Birmingham. June 15. 5s. by two equal instalments on 29th Sept. and 25th Dec. Trust. W. Edmundson, commercial traveller, Birmingham.
LAW, WILLIAM EDWIN, music seller, Halifax. July 5. Trusts. J. Hopkinson, pianoforte manufacturer, Regent-st. and W. H. Graydon, tailor, Halifax.
LOCKWOOD, JOSEPH WALTER, surveyor of shipping, Fairfield. June 26. Trust. H. W. Eddis, accountant, Liverpool.
MANN, THOMAS, carpenter, Tower Hamlets-rd. Forest-gate, Westham. July 10. 2s. 6d. on 1st Sept.
MARSH, HENRY, draper, Castle Donington. June 17. Trusts. T. Bayley, Wood-st. and E. Caldicott, Cheapside, warehousemen.
McKENNA, OWEN FRANCIS, coaldealer, Liverpool. June 16. Trust. E. Dixon, jun., timber merchant, Newton Heath, near Manchester. Sols. Messrs. Whitworth, Manchester.
ORSON, THOMAS VALENTINE, outfitter, Willenhall. June 16. Trust. G. Mason, draper, Wolverhampton.
QUARMBY, JAMES, and MITCHELL, EDWARD, yarnspinners, Crosland Moor Bottom, near Huddersfield. June 21. Trusts. J. Firth, yarnspinner, Huddersfield, and W. Sykes, flock merchant, Huddersfield, E. Taylor, cotton waste merchant, Minsthridge, and R. Roberts, cottonwaste dealer, Huddersfield. Sols. Heap and Owen, Huddersfield.
RICE, WILLIAM, victualler, Bristol. June 17. Trusts. R. Scott, hop merchant and maltster, and S. G. Bees, wine and spirit merchant, both Bristol.
SALT, JOSEPH, builder, Montague-pl. Millwall. June 29. Inspectors, H. Hunt, gentleman, West Ferry-rd. Millwall, H. Hooper, surveyor, Ebenezer-ter. Millwall, and J. T. Derby, plumber, White Horse-st. Ratcliff.
SCORE, GEORGE, commission agent, Clarendon-gdns. Maida-hill. June 22. 2s. by three equal instalments on 31st Jan. and 29th Sept. 1866, and 25th March 1867.
SIMPSON, HENRY, tailor, Barrow. July 3. 2s. 6d. in 3 days.
SMITH, ANTHONY JOHN, tailor, Hereford-rd. Bayswater. June 17. 1821. 10s. Trust. C. Cowland, auctioneer, Mortimer-st. Cavendish-sq.
TILLMAN, GEORGE, clothier, St. George-st. east. June 17. 2s. 6d. at 3 mos. from 2nd June—secured. Trust. W. Maddams, tobacconist, Victoria Dock-rd. Plaistow.
TIMBS, JOHN, gentleman, Pentonville-rd. June 22. 7s. 6d. by three equal instalments on 24th June 1865, 1st Jan. 1866, and 25th March 1867.
WALKER, WILLIAM, clerk in holy orders, Bardney. June 30. Trust. W. W. Deloitte, public accountant, Lothbury.
WEBSTER, JOHN, hosier, Leicester. July 11. 4s. 6d. by two equal instalments on 11th Nov. and 11th March—secured.
WILLAN, JAMES RIDGWAY, surgeon, Haxey. June 29. Trusts. W. Read, grocer, Epworth, and T. A. Goodall, chemist and druggist, Epworth.
WILLIAMS, JOHN, outfitter, Rotherhithe-st. June 21. 6s. by two equal instalments at 2 and 4 mos. from 24th May—secured. Surety, C. W. Newman, tailor, Rotherhithe-st.
WORRALL, JAMES, grocer, Oldswinford. June 26. Trusts. F. Adie, grocer, Bilston, and S. Ingram, corn and provision factor, Wolverhampton.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

HOUSMAN.—On the 19th inst., at Perry Hall, Bromsgrove, the wife of Edward Housman, solicitor, of a son.
LEACH.—On the 19th inst., at No. 30, Eccleston square, the wife of Thomas Leach, Esq., barrister-at-law, of a daughter.
SAUNDERS.—On the 15th inst., at 16, Park-crescent, Stockwell, the wife of Thomas Saunders, Esq., solicitor, of a daughter.
TANDY.—On the 13th inst., at Dudley, the wife of Frederick Tandy, solicitor, of a daughter.

MARRIAGES.

DEVERELL—LOCH.—On the 18th inst., at St. James's Church, Piccadilly, William Henry Deverell, of Lincoln's-inn, barrister-at-law, to Marion, second daughter of George Loch, Esq.
WHEELER—OGLE.—On the 13th inst., at St. George's, Hanover-square, T. W. Wheeler, Esq., B.A., of the Inner Temple, barrister-at-law, only son of Serjeant Wheeler, LL.D., County Court Judge of Liverpool, to Henrietta, youngest daughter of E. L. Ogle, Esq., of Gloucester-street, South Belgravia.

DEATHS.

BURKITT.—On the 11th inst., at Teignmouth, Mr. John Lowe Burkitt, solicitor, of Kenilworth, Warwickshire.
GRATTON.—On the 10th inst., at Chesterfield, aged 63, Mrs. Harriot Gratton, widow of the late Richard Gratton, solicitor, Chesterfield.
HOLMES.—On the 13th inst., at Abbey Mount, Tavistock, aged 66 years, Gervas King Holmes, Esq., formerly of Retford, solicitor, and late J. P. for Devon.

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TO SOLICITORS, &c., requiring DEED BOXES, will find the best made article lower than any other house. List of Prices and sizes may be had gratis, or sent post free.—RICHARD and JOHN SLACK, 336, Strand, opposite Somerset-house. Established 50 years. Orders above 2l. sent carriage free.

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Fiddle Pattern.

Per Dozen.	£	s.	d.		£	s.	d.
Table Forks	1	10	0	to	1	18	0
Dessert ditto	1	0	0	,,	1	10	0
Table Spoons	1	10	0	,,	1	18	0
Dessert ditto	1	0	0	,,	1	10	0
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Ivory Table Knives, full size, Balance Handles.

Per dozen.	£	s.	d.
Table Knives	1	2	0
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BRONZE SCROLL FENDERS, 10s. each.

Black Fenders, 3s. 6d. to 6s.	Improved Coal Boxes, 4s. 6d.
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Bright Steel and Ormolu, 65s.	Copper ditto, 21s. to 35s.
Bedroom Fire-irons, 3s. to 5s. 9d.	Dish Covers, 18s., set of six.
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As the limits of an advertisement will not allow a detailed list, purchasers are requested to send for their Catalogue with 350 Drawings, and prices of every requisite in Electro-Plate, Table Cutlery, Furnishing Ironmongery, &c. May be had gratis, or free by post. Orders above 2l. sent carriage free.

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SURPASSES ALL

SOAPS, CREAMS, OR PASTES

EVER OFFERED TO THE PUBLIC.

It produces, with hot or cold water, an instantaneous unctuous and consistent lather, which softens the beard, and thereby renders the process of shaving more rapid, easy, and cleanly than the old mode of using the dish.

PRICE ONE SHILLING.

To be obtained of all respectable Chemists and Perfumers, or upon

Messrs A. and F. Pears receiving 16 postage-stamps, one Shaving-stick will be sent by return of Post.

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SOAP REFINERS AND PERFUMERS,

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N.B. A PERFECT FIT GUARANTEED.

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J. C. and J. FIELD, Manufacturers of the Prize Medal (1862) PARAFFINE CANDLES, recommend to the notice of the Legal Profession, their TRANSPARENT LIBRARY TAPERS, which give a clear bright sight without grease dropping, and their genuine SEALING WAX, which retains the light and gives a clear impression.—Wholesale at the Works, Upper-marsh, Lambeth, where also may be obtained their celebrated United Service Soap Tablets, delightfully and lastingly perfumed.

PARIS, Havre, Honfleur, Caen and Rouen, every Monday, Tuesday, Thursday and Friday, by SOUTH-WESTERN RAILWAY, via Southampton and fast mail steamships. The last train leaves Waterloo-bridge Station, London, at 8.30 p.m., but passengers can travel by any previous train.

NEW OPERA and FIELD GLASS, and the RECONNOITRER GLASS, price 10s. 10d. (sent free.) This "Tourist's Favourite," through extraordinary division of labour, distinctly shows small windows ten miles off, landscape at thirty miles, Jupiter, moons, &c. The Marquis of Carmarthen: "The Reconnoitrer is very good." Earl of Breadalbane: "I find it all you say; wonderfully powerful for so very small a glass." Rev. "Lord Scarsdale approves of it." Lord Gifford of Ampney: "Most useful." Lord Garvagh: "Remarkably good." Sir Digby Cayley: "It gives me complete satisfaction, and is wonderfully good." Sir. W. H. Feilden: "For its size, I do not consider it can be surpassed. It gives great satisfaction." Captain Sendey, Royal Small Arms Factory, Enfield Lock: "I have found it effective on the 1000 yards range." F. H. Fawkes, of Farnley Hall, Esq.: "I never before met, although I have tried many, a glass combining so much power, for its size, with so much clearness." *The Field*: "We have carefully tried it against all the glasses possessed by the members of the corps, and found it fully equal to any of those present, although they had cost more than four times its price." *Notes and Queries*: "What intending tourist will now start without such an indispensable companion to a pleasure trip?" The celebrated Hythe Glass shows bullet marks at 1200 yards, and men at 3½ miles, 31s. 6d. All the above glasses, respectively bearing the registered Trade-marks, "Salom," "Reconnoitrer," and "Hythe," are only to be had direct from Salom and Co., 98, Princes-street, Edinburgh. No agents of any kind anywhere.

J. GEORGE and COMPANY, MANUFACTURERS of TRUNKS, PORTMANTEAUS, &c., to his Royal Highness the Prince of Wales, SADDLERS and HARNESS MAKERS, and Wholesale Manufacturers of the following Articles, viz:—Travelling Cases of every description, Carpet Bags, Leather Bags, Dressing Bags, Knapsacks, Haversacks, Saddle Bags, Game Bags, Gun Cases, Coat Cases, Hat Cases, Shooting Tackle, Hunting Bottles, Dram Bottles, Leather Drinking Cups, Sandwich Cases, Luncheon Cases, Fishing Rod Cases, Yorkshire Kegs, Hunting Horns, Whips of all kinds, Whip Racks, Sword Cases, Dog Chains, Dog Whips, Dog Collars, Greyhound Slips, Retriever Slips, Horse Clothing, Post Letter Cases, Boot Tree Cases, Brush and Blacking Cases, Hair Brush Cases, Opera Glass Cases, Telescope Cases, Leather Covers for Dressing Cases, Writing Cases, Jewel Cases, Dispatch Boxes, Medicine Chests, Musical Instruments, Globes, &c., &c. Plain and Embossed Leather in Gold, for Bookshelves and Screens, Doors, &c.—59, Long-acre, London, W.C.

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SPANISH FLY is the acting ingredient in ALEX. ROSS'S CANTHARIDES OIL, which speedily produces whiskers and thickens hair. 3s. 6d.; sent free for 54 stamps.—ALEX. ROSS, 248, High Holborn, London. Essay on Hair, 1d.

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WHITE'S MOC-MAIN LEVER TRUSS is allowed by upwards of 200 Medical Gentlemen to be the most effective invention in the curative treatment of HERNIA. The use of a steel spring, so often hurtful in its effects, is here avoided; a soft bandage being worn round the body, while the requisite resisting power is supplied by the MOC-MAIN PAD and PATENT LEVER, fitting with so much ease and closeness that it cannot be detected, and may be worn during sleep. A descriptive circular may be had, and the Truss (which cannot fail to fit) forwarded by post, on the circumference of the body, two inches below the hips, being sent to the manufacturer,

Mr. WHITE, 228, Piccadilly, London.

A Single Truss, 16s., 21s., 26s. 6d., and 31s. 6d. Postage 1s.
Double Truss, 31s. 6d., 42s., and 52s. 6d. Postage, 1s. 8d.
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Post-office Orders to be made payable to JOHN WHITE, Post-office, Piccadilly.

ELASTIC STOCKINGS, KNEE CAPS, &c.—The material of which these are made is recommended by the Faculty as being peculiarly ELASTIC and COMPRESSIBLE, and the best invention for giving efficient and permanent support in all cases of WEAKNESS and SWELLING of the LEGS, VARICOSE VEINS, SPRAINS, &c. It is porous, light in texture, and inexpensive, and is drawn on like an ordinary stocking. Price 4s. 6d., 7s. 6d., 10s. to 16s. each; postage 6d.

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HOLLOWAY'S PILLS.—These Pills are better for strengthening a debilitated constitution than any other medicine in the world. Persons of a nervous habit of body and all who are suffering from weak digestive organs or whose health has become deranged by bilious affections, disordered stomach, or liver complaints, should lose no time in giving these admirable Pills a fair trial. [illegible] asthma, or shortness of breath are also within the range of the sanitive powers of this remarkable medicine. The cures effected by these Pills are not superficial nor temporary, but complete and permanent. They are as mild as they are efficacious, and may be given with confidence to delicate females and young children.

West-end Offices, 31, St. James's-street, Piccadilly. } London.
City Offices, 67, Chancery-lane.

E. & H. LUMLEY'S "FREE PROPERTY REGISTER" (Established in 1853), *Five thousand* copies of which are circulated gratuitously every Month, contains the particulars of nearly all the Landed Estates, Country Residences, Hunting Boxes, Fishing [illegible] Shootings, Farms, Manors, Advowsons, Town [illegible] Investments generally now in the market.

The FREE PROPERTY REGISTER may be obtained gratis, at either of Messrs. Lumley's offices as [illegible] the Bookstalls of the principal Railway Stations [illegible] the kingdom.

OWNERS of ESTATES, and LANDED and HOUSE PROPERTY GENERALLY, are informed that particulars will be in time for insertion in the next number of the "Register," if sent to either the West-end or City Offices previous to the 28th of the current month.

THERE IS NO CHARGE whatever for insertion, [illegible] the usual agency commission is only chargeable when [illegible] ness is actually effected through Messrs. Lumley's instrumentality.

Free Property Register, Land and Estate Offices, 67, Chancery-lane, and 31, St. James's-street, [illegible]

CLAIMS FOR COMPENSATION AGAINST RAILWAY COMPANIES, &c.

BROOKS and SCHALLER, Valuers [illegible] Railway and other Compensation Claims and [illegible] beg to remind those interested in such [illegible] consideration of their claims is always adv[illegible]

Brooks and Schaller have been most [illegible] very many years employed in such matters, [illegible] as to the value of claims, and render such [illegible] be consistent with the interests of cla[illegible] and General Valuers and Surveyors, 25, Ch[illegible] James, opposite the Junior United Service Club, London.

MR. REARDEN'S ST. GEORGE'S and ST. JAMES'S REGISTER of 500 furnished and unfurnished, fashionably-situate town and [illegible] landed estates, hunting, shooting and [illegible] farms, for SALE and TENANCY, is just [illegible] [illegible] Piccadilly, [illegible] house and Half Moon-street, where Property for [illegible] Tenancy is Registered free of charge.

Periodical Sales of Absolute or Contingent Reversions to Funded or other Property, Annuities, Policies of Assurance, Life Interests, Railway, Dock and other Shares, [illegible] Clerical Preferments, Rent Charges, and all other descriptions of present or prospective Property.

MR. FRANK LEWIS begs to [illegible] notice that his SALES for the present [illegible] place at the GUILDHALL COFFEE HOUSE, [illegible] street, City, on the following days, viz.:—

Friday, January 18	Friday, [illegible]
Friday, February 10	Friday, [illegible]
Friday, March 10	Friday, [illegible]
Friday, April 7	Friday, [illegible]
Friday, May 12	Friday, [illegible]
Friday, June 9	Friday, [illegible]

Particulars of properties intended for [illegible] be forwarded at least fourteen days [illegible] above dates, to the Offices of the Auctioneer, [illegible] street, E.C., where information as to value, [illegible] cards of terms, may be had.

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To Readers and Correspondents.

G. F. C.—Thanks for the expression of approval. The substance of them is already contained in the new edition of Cox's Law and Practice of Registration and Elections, lately published.

FRIENDLY SOCIETY EQUITY.—The letter of our correspondent is clever, but it appears to us to be in fact, though not in form, an appeal against the decision of a County Court judge, and for very obvious reasons we are compelled to prevent the LAW TIMES being converted into an appeal court.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

TUESDAY, AUG. 1.

By Mr. J. LITTLEDALE, at the Sale-rooms, Dublin.
Estates comprising 2504 acres in the county of Donegal. Advertised July 15.

By Messrs. DEBENHAM, TEWSON and FARMER, at the London Tavern.
Absolute reversion to 1351*l.* Consols and contingent interest to a like sum. Advertised July 15.

By Mr. P. D. TUCKETT, at Garraway's.
Freehold houses with shop at Hammersmith, and residences at Kensington. Advertised July 22.

By Mr. G. TODD, at Garraway's.
Freehold ground rents at Battersea, leasehold ground-rent in Wandsworth-road, and freehold building land near Battersea-bridge. Advertised this day.

By Mr. SAFFERY, at Garraway's.
Leasehold houses at Canonbury, Upper Holloway and Haggerstone. Advertised this day.

WEDNESDAY, AUG. 2.

By Messrs. FAREBROTHER, CLARK and Co., at Garraway's.
Freehold estate of 1510 acres in Rutlandshire, and the Postlip estate of 600 acres in Gloucestershire. Advertised July 22.

FRIDAY, AUG. 4.

By Messrs. FAREBROTHER, CLARK and Co., at Garraway's.
Freehold estate of 134 acres at Mottingham, Kent. Advertised July 22.

By Mr. SCORELL, at Garraway's.
Leasehold house at Hoxton, two freehold houses at Romford, improved rental of 70*l.* in Leadenhall-street, and copyhold wharf and warehouse at Bow. Advertised this day.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 8*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements is specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements to must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 3*s.* 10*d. in postage stamps.*

"LAW TIMES" EDITIONS of IMPORTANT STATUTES.

SESSION of 1865.

The following are in the Press—

The PRISONS ACT, with Notes and Index. By T. W. SAUNDERS, Esq., Recorder of Bath.

The COUNTY COURTS EQUITY JURISDICTION ACT, with a Treatise on the Law and Practice of Equity as it is to be Administered in the County Courts. By H. F. GIBBONS, Esq., Barrister-at-Law, and W. C. HARVEY, Esq., Barrister-at-Law.

PATERSON'S PRACTICAL STATUTES of the SESSION of 1865, being the Fifteenth of the Series. By WM. PATERSON, Esq., Barrister-at-Law.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

At the suggestion of many magistrates, magistrates' clerks and practitioners in their courts, we propose to publish the STATUTES and PARTS of STATUTES relating to the Law administered by JUSTICES of the PEACE, with notes of the cases decided upon them.

The subjects to be arranged alphabetically for ready reference.

The very words of the law and the construction which the courts have put upon those words, and their application to particular circumstances, appear to be all the information that is required by those who advise, or argue, or adjudge that law.

To facilitate the work, it is proposed to divide it among many writers, each taking his own class of subjects, and affixing his name as an authority.

It will be edited by T. W. SAUNDERS, Recorder of Bath, and EDWARD W. COX, Recorder of Falmouth.

As each subject will be complete in itself, it will be issued in parts as speedily as they can be prepared for the press, and forwarded by post to the subscribers

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"I THINK that this is the most important case that has been before the court for many years, and that we ought to express a very decided opinion upon it." So said Byles, J., in *Alton* v. *The Midland Railway Company*, 12 L. T. Rep. N. S. 703.

The extreme importance of the case may not appear on the first view of it; but when its consequences are considered, this expression by the Bench will not be deemed an exaggeration.

The point in dispute was very simple.

Does an action for damages lie by a master against a third party for the loss of the services of a servant through an injury caused by negligence?

In other words, or as the fact was in this particular case; if a person is injured while travelling on a railway, through negligence of the company, can the employer of that person recover damages from the company for the loss of his services?

The consequences are most formidable should the court answer in the affirmative. If damages could be recovered by a master for the loss of his servant's services, so could they be recovered by every person who might sustain any loss from the same cause. There is no limit to the number of actions to which every railway would be subject. In effect the decision involved the very existence of such companies, for, with such indefinite liabilities, so many seeking to take advantage of them and juries so ready to side against a company, the litigation would be enormous and the damages, real and imaginary, ruinous.

Fortunately the Court ruled unanimously against the claim. The duty grew out of the contract, and the contract was with the servant alone. That, in few words, was the reason. The judgment of BYLES, J. expresses it most pithily:

I agree with all the observations of my Lord and my brother Willes. By the plea and the demurrer it is admitted that there was no contract with the master. There is no doubt that in many cases the plaintiff has his election; but though he may sue in either form, he cannot by change of the form extend the right of action. The law is clear, and it would lead to alarming consequences if it were otherwise, that no man can bring an action for breach of duty except for breach of a duty to himself. There is a case in Wentworth's Pleadings, which was cited in *Winterbottom* v. *Wright*, but it has always been considered bad law: it was a case of an attorney making a will, and an action was brought against the attorney by the legatees; but the attorney had no duty to the legatees, if so, the heirs and executors of the legatees might bring an action, and there would be no end to it. So in the case of an improper anchor, put by Mr. Bovill, the maker would be liable to the seller and the owner of the ship, and even to a passenger who was injured by the anchor breaking. Take the case of a surgeon: a servant employs him, and he is supplied by an instrument maker with an improper instrument; the law, as it is contended for, is, that the master may bring an action against the instrument maker. There is no authority for such an action, and it is plain that as soon as we leave established principles we open the way to unknown and most dangerous liabilities. So stands the case on principle, and the only authority for the action is said to be *Everard* v. *Hopkins*; but in that case there was a contract with the master, therefore the judgment is no authority, and the *dicta* depend on the accuracy of the reporter. *Winterbottom* v. *Wright* and *Levy* v. *Langridge* are distinct authorities the other way. I think that this is the most important case that has been before the courts for many years, and that we ought to express a very decided opinion upon it.

CURIOSITY, or an interest of a higher kind, is excited by the inquiry how the late LORD CHANCELLOR'S pet child will be brought up by the present LORD CHANCELLOR. We mean the "Digest of the Law of England," for that is the title under which the estimate was presented to Parliament, and the vote taken of 5000*l.* in the later part of the last session. It was no longer a question of ascertaining the existing statute law. Expurgation was supposed to be finished. The living was assumed to be separated from the dead. Mr. FREDERICK PEEL, who signed the estimate, supported it by a statement, introduced into the parliamentary paper, that it was expected that the expurgation of the Statute-book would be completed during the session, and that the actual existing statute law, having been ascertained, might then be digested and arranged under proper heads. He said nothing of the case law, but the estimate itself is worded, "An Estimate of the sum proposed to be voted in the year ending 31st March 1865, to meet the expense of beginning a digest of the whole law of England, and forming a commission for that purpose." This, of course, would include a digest of the case law, and seems to point to a consolidated digest of both the unwritten and written law, rather than to separate digests of each. "A digest of the whole law of England" means a digest, one, entire and indivisible.

The sum has been voted for this purpose, but what will be done with it? In the first place, the expectation held out by Mr. FREDERICK PEEL has not been fulfilled. The expurgation of the Statute-book was not completed in the last session. The Bill laid on the table of the House of Lords, which, it was announced, would thus complete the work carried in 1863 as far as the first year of the reign of JAMES II., has not yet been even printed. Whether there were any just ground for the expectation that the Bill, introduced June 19th, by one knowing the intended early dissolution of Parliament, could pass, it is scarcely worth while now to inquire.

Another difficulty in dealing with this 5000*l.* vote is, that no steps have yet been taken for expurgating the case law. A case distinctly overruled by the House of Lords is as much dead in case law as a repealed Act is in statute law. The very repeal of statutes at once makes obsolete many cases decided on them. Considering how closely the statute and case law are interwoven, it would be impracticable to digest an expurgated statute-book with the medley of five centuries of obsolete and overruled decisions. In thus expurgating the case as well as the statute law, for the purpose of a digest of the whole law, the objection does not arise which has been urged by Lord ST. LEONARDS, that the expurgating body would be performing a function of the House of Lords. We are not speaking of sifting out from the reports what is merely bad law, but law which is unquestionably now of no force or validity. If it was requisite, as a preliminary step, to perform such a process on the one hundred octavo volumes of statutes, much more so is it on above a thousand volumes of reports.

Under these circumstances the strong probability, until some further parliamentary steps be taken, is, that Lord CRANWORTH will do nothing in consequence of that specious vote of 5000*l.*, and that no commission will issue for any digest of the whole law of England. Some men are sure-footed, others will risk attempting any kind of ground at any kind of pace.

GREAT was the disappointment of the sensation newspapers and the sensation-loving public at the curt conclusion of the long-looked-for trial of CONSTANCE KENT. To the last there were, perhaps there may be still, many pig-headed persons who believed her to be innocent, in the face of her own persistent assertions of guilt. They seem to forget that falsehood was inconsistent with the profession of a religious duty, and that, if, according to their theory, the confession was extorted by Mr. WAGNER, it could only have been by telling her that duty to GOD demanded that she should make a clean breast of it, and that to accuse herself falsely would be to substitute one sin for another. Her counsel not merely approved her plea of guilty, but Mr. COLERIDGE added to it a declaration, dictated by herself, that her father and the servant had been falsely accused, and were innocent of any connection with the tragedy. Sentence of death was passed, as of course, but it has since been commuted to that of penal servitude for life. The murder in itself was one of the most detestable on record. To kill an innocent child merely to avenge herself upon its mother whose pet it was, was the act of a fiend rather than of a human being. But it was committed some years ago, when she was herself a child, repented of as she grew older, and would never have been revealed but for her own voluntary confession.

These were the circumstances of mitigation that have justified the Home-office in recommending a commutation of the sentence, in accordance with the unanimous desire of the public.

But what reparation can be made to Mr. KENT for the tortures that have been inflicted upon him? His conduct on the occasion that caused so much suspicion is now explained. He must have had instant conviction that CONSTANCE was the guilty one; but fathers will readily understand why a father should strive to conceal the crime of one child guilty of the murder of another. Hence the doings of the following night, and the burning of the bloody shift. He was compelled to bear the terrible load of suspicion pointed at himself, because he could not relieve himself without convicting her. If "a situation" were sought by novelists or dramatists, this really would exceed anything imagination could devise. We can only express, what every reader must feel, the profoundest sympathy with a father tried by such terrible afflictions.

Now that the fact is known and there is no further need for concealment, it would be satisfactory to the public and due to himself, if Mr. KENT would give to the world a short statement of the circumstances, so far as he was concerned.

JANE MARRITT was a widow, living at Great Chesterford, in Essex. A youth of twenty-one, named STEPHEN RUDLAND, was an acquaintance so intimate that she allowed him to take liberties with her, and only said "nay" with a kiss. On the night of the 12th June, the door being locked, STEPHEN entered the widow's room by the window, got into bed with her, and, as she swore, ravished her. His story was, that she had challenged him to come, and this was confirmed by the facts that she gave no alarm, that she made no resistance nor outcry sufficient even to waken her son, aged nine, who was sleeping in the same room, and gave information of it only to a friend, who prevaricated in the witness-box, and even then she made no charge against the prisoner to the authorities. At the close of the case Mr. Justice CROMPTON asked the jury if they were satisfied, or wished to hear the counsel for the prisoner? To the amazement of the whole court the jury said that they did not want to hear him, as they had made up their minds to convict. The Judge remonstrated with them on the injustice of such a one-sided decision in any case, much more in such a case as this where the evidence was so unsatisfactory. So the jury reluctantly set themselves to hear, and having heard, the Judge summed up for an acquittal, clearly putting to them the requirements of the law and the utter absence of proof of the crime charged. Nevertheless the pig-headed twelve, or, from their county, they might more appropriately be called calf-headed, returned a verdict of "guilty," and the prisoner was sentenced to five years' penal servitude—a sentence which we trust, for justice' sake, Sir GEORGE GREY will at once meet with a free pardon.

This astounding case teaches several lessons. In the first place, it proves what we have often asserted, that juries are as liable to err in criminal as they are admitted to err in civil trials, and therefore it confirms the argument that life and liberty are entitled to the same protection as property. Accept this principle, and the details by which its application may be protected against abuse will be easily determined. Even if nothing more be conceded, the judge who tries may be invested with power to direct a new trial if *he* is dissatisfied with the verdict. Here we have the Judge declaring, so far as he could, his opinion that there was no case against the prisoner, the jury convicting against justice and law, and yet there is no regular tribunal for reversing that verdict, and only the irregular interference of the Secretary of State, in the form of pardon of a crime not committed, by which right can be done to a man who has been grievously wronged.

The "unprotected man" has ceased to be a joke, he has become a serious reality. The readiness with which juries receive charges made by women tempts to the making of those charges. The mouth of the victim is sealed, while the accuser can say what she will, and what she says appears to be at once believed merely because it is a woman who says it. The wisdom of the rule which requires that complaint shall be made instantly is now apparent, and it ought to be most rigidly enforced, for this is the only safeguard against false charges. In the case of Col. WEST, against whom a charge of indecent assault was brought by a maid-servant, but who was most properly acquitted, we were surprised to find the Judge reported as stating that the rule of immediate complaint required in rape was not applicable to a charge of indecent assault. Why not? Such an assault is attempted rape; all the circumstances that demand complaint in the one require it in the other. Instead of relaxing the rule, it should be made still more stringent.

The growing frequency of these charges is the subject of universal remark. It is scarcely safe now to be alone with a woman—certainly it is dangerous if she is a stranger. There can be no doubt that this is mainly due to the encouragement that has been, and still is, given to the manufacturing of such charges by that most mischievous Society for the Protection of Women, whose doings have been so often the subject of public censure. It could not, indeed, be otherwise. The officers of such a society must show something done in return for their pay. Let there be a demand for charges by women against men, and the supply will be equal to the demand. The patronage of a marquis, a joint-stock purse, the importance of being represented by counsel and a solicitor, cannot but tempt to the manufacture of accusations easily made and almost impossible to refute. The very repetition in the newspapers that Jane and Caroline and Mary Anne, attended by the solicitor to the Association for the Protection of Women, applied for a warrant against, &c. &c., is certain to set other women thinking if they could not procure the same honour by the same means, and so the mischief spreads, and must continue to grow, until public opinion shall frown down the well-intentioned busybodies who support this mischievous society by their subscriptions, and its agents who, knowing better, profit by the wrong that is done.

THE Courts Commission has already set seriously to work. A first general meeting was held at the House of Lords before the Judges left town, at which sub-committees were appointed to take charge of the different branches of the inquiries mentioned in our last number. The sub-committees of benchers and barristers nominated by them under the authority given by the Commission have since held sittings in Lincoln's-inn, to consider the accesses to the courts, and other matters affecting the convenience and interests of the Bar in the proposed buildings. Probably, other sub-committees have also held sittings.

Of the present state of the site sufficient information has been elicited by commission and committee labours within the last few years, and already been made known to our readers. They have heard, if they have not gained some personal knowledge, of the wire-work of courts and passages, which in some places may be touched on either side with the extended hands, where lodge the 3000 men, women and children of the labouring class, who, together with the traders and professional men living in the better thoroughfares, make up the 4000 inhabitants of this seven-acre town within a town. It seems to have grown into its present state since about the end of the 17th century, when it formed part of the area called Little Lincoln's-inn-fields, or, more anciently, Fickett's field or croft. Two-thirds of this field were purchased in fee, and other parts held under long leases by Sir JOHN BIRKENHEAD, known as the author of the newspaper called *Mercurius Aulicus*, in the time of the civil war. After he died, in 1679, his executors sold all his estate to Mr. HENRY SEARLE, on whose death an Act was passed, in 1690, for the vesting of the estate in certain purchasers. The name of Serle-street would favour the supposition that the block of buildings north of the Strand must have been erected at about this period. At least it is certain that previously the description of the site, of which the Courts site is a portion, as found in a conveyance of the time of JAMES I. was "all that messuage and tenement called the Bell, with all its appurtenances, lying and being in the parish of St. Dunstan, in Fleet-street, London, lately belonging to the priory of St. John of Jerusalem, &c., and a certain field and pasture, called Fickett's field, near adjoining, together with ingress and egress, with horses and carriages, by two gates at the east end of the said field, that is to say, through one gate leading from the lane called Chancery-lane towards the aforesaid field, and through the other gate at the west end of the same way, abutting upon the aforesaid field." Bell-yard was then actually the yard of the Bell. The entrance lane, with a gate at either end of it, leading from "Chauncery-lane" into Fickett's field afterwards became the narrow end of Carey-street. It was called Jackanapes-lane. According to CUNNINGHAM, Fickett's field was a plot of ground of about ten acres, extending from what was the Bell to Portugal-street, and including all that is now known as Carey-street, and the courts behind, Old and New Boswell-courts, Portugal-street, Cook's-court, Serle-street, and part of Lincoln's-inn New-square, down to the Chancery-lane end of Carey-street. The now intended site, therefore, was the part of Fickett's field, which lay south of the line of Jackanapes-lane, carried westwards. The ownership of this field is traced by antiquaries from the time when, previously to the dissolution of the monasteries, it belonged to the priory of St. John of Jerusalem. It was then known as the Templars' field, and was their exercising ground. It is described in the earliest extant grant as "Terram sive Campum prostationibus, Turnamentis, aliisque exercitiis equitum Militumque Regni Nostri Angliæ, præsertim vero Equitum Sancti Johannis Hierosolimitani." The Templars then will get their own again for indulgence in forensic if not in bodily exercises. Perhaps in these days of muscular jurisprudence the commission may make room for a court where the modern athletic sports corresponding with the old knights' tournaments may find place.

THE intention of the Legislature, in giving the appeal branch of the Court of Chancery its present constitution, has lately become a subject of discussion or notice. The question has been raised on the appointment of every Chancellor since 1851, when the Act authorising the appointment of Lords Justices was passed, whether it was contemplated that when the Lord Chancellor sate the Lords Justices should sit with him, or that the Lord Chancellor should hear appeals in one court, and the Lords Justices at the same time exercise the same jurisdiction in another court. A double appeal court is itself a sufficiently unusual thing to leave it no matter of surprise that many should consider, as Lord CHELMSFORD did, and, it is said, Lord CRANWORTH does, that when the presence of the three judges at Lincoln's-inn affords an opportunity they should form a single court. The language of Earl RUSSELL, when he introduced the measure into the House of Commons, would favour that view. He said that the plan which was recommended by a great concurrence of opinion, and that of the highest authorities was, that two new judges, to be styled Judges of the Court of Appeal, should be appointed "for the special purpose of sitting together either at times with the Lord Chancellor, or, in his absence, of sitting together." The Act itself (14 & 15 Vict. c. 83), however, does not limit the mode of sitting to this alternative. It enables the QUEEN to appoint two persons to be judges of the Court of Appeal in Chancery; and the Lord Chancellor, together with such two judges, is to form the Court of Appeal in Chancery. The two judges are to be styled Lords Justices of the Court of Appeal in Chancery. All the present and future jurisdiction of the Chancellor in the Court of Chancery may be exercised by the Court of Appeal. All the jurisdiction of the Court of Appeal may be exercised "either by one only of the judges for the time being appointed under this Act and the Lord Chancellor sitting together as such court of appeal, or by both of the judges so appointed sitting as such court apart from the Lord Chancellor, either in his absence from the said Court of Chancery, or during the same time as he is sitting in such court." The Lord Chancellor sitting alone is to have the like jurisdiction as before. He is to fix the times at which two of the Lords Justices, or either of them, shall sit with him, and at which they shall sit apart from him, and to regulate the business.

By the Act, therefore, the whole matter is expressly and clearly left in the discretion of the Lord Chancellor. This is in accordance with the general object in view, under the circumstances when the appeal court was thus strengthened. The manifold nature of the Lord Chancellor's duties was a subject which for some years had been pressing on public attention. He was not only at the head of the Court

of Chancery, and the presiding judge in the House of Lords when it sate as the great Court of Appeal, but he had various administrative functions belonging to him, which were specially attached to the great seal. He was also a member of the Cabinet, consulted on all political questions, and especially on those relating to the constitution, or to the amendment or the enforcement of the law. In addition, he was the adviser of the Royal Family in cases of doubt and difficulty. While it was felt that the union of these offices in one person, in virtue of the elevation attained by him through pre-eminent ability, was advantageous not only to the offices themselves, but also to the encouragement of that ability in the profession of the law, as well as to the promotion of a connection between the nobility and the professors of the law, the same union was felt to be disadvantageous in the enormous burden which it placed on one man's shoulders. The duties in the Court of Chancery, so long as the Lord Chancellor was the sole judge of appeal, seemed of themselves to impose so much labour on the mind, when they were coupled with the hearing of the appeals in the House of Lords, and the attention to the affairs of state, that no one man could perform the whole in an adequate or satisfactory manner. It was further felt that the change of the Chancery appeal judge with the Ministry, according to the constitutional practice, caused a loss to the country of the judicial knowledge and experience accumulated on the bench of the appeal court.

Various plans had been proposed during the preceding fifteen years for retaining as much as possible of the advantages, while remedying the disadvantages, of the old system. Lord COTTENHAM, in 1836, brought in a Bill to separate the judicial functions of the Lord Chancellor in the Court of Chancery from his judicial functions in the House of Lords, and for that purpose to appoint a permanent judge at the head of the Court of Chancery, and to limit the Lord Chancellor's duty to sitting in the House, presiding over that court and continuing in the exercise of his political functions. But it was objected, that if the Lord Chancellor were entirely freed from his judicial functions in Chancery, he might not preserve the ability which he originally possessed to try and decide causes, and would not have the same weight in the House of Lords. Lord LANGDALE went so far as to advocate a tripartite separation of the Lord Chancellor's offices. He proposed a permanent judge in the Court of Chancery, a Lord President sitting in the House of Lords, who should likewise be a permanent judge, and an officer, to be called the Keeper of the Great Seal or Minister of Justice, who should belong to the administration of the day, and whose care and attention should be directed to the correcting and advising on such changes of law as the Government or individual members might from time to time propose. Such a plan would lose all the advantages of union. Another proposal, made by Lord RUSSELL in the beginning of the session of 1851, was, that other judges, as the Master of the Rolls and a puisne common law judge, should sit in the Court of Chancery, for the purpose either of assisting the Lord Chancellor or of carrying on the judicial business of the court in his absence. But those judges, it was thought, could not be spared, and it was found necessary to increase the judicial establishment by the appointment of the Lords Justices.

In whatever other respects the various plans which we have mentioned differed, they had the common object of relieving the Lord Chancellor in the execution of his Chancery duties, either entirely, by throwing the Chancery appeal work altogether on a new judge, or partially, by assisting the Lord Chancellor in that work. But what relief the Chancellor may require must depend upon the circumstances of each case and time. Consequently the Act has left the matter in his discretion. By the provisions above referred to, he may avail himself in the manner he thinks best of the labour of the Lords Justices, in order that the appeal business may be properly disposed of. No special intention, therefore, can be attributed to the Act, that the Lord Chancellor shall sit with one or both, or neither of the Lords Justices. Any such question is subordinate to the general intention, that so far as his duties in the House of Lords and in the Ministry or otherwise disable the Lord Chancellor from undertaking the sole hearing of any appeal, or from hearing any appeal in Chancery, he may appoint that one or both of the Lords Justices shall sit with him to hear it, or that they shall hear it sitting apart.

REPRESENTATIVE REFORM.

No. I.

THE Lawyers have a special interest in the question of Parliamentary Reform. It affects them directly and indirectly, professionally, even more than personally. None are so competent as they to advise upon it, to take part in its construction and to criticise any scheme that may be produced by others. Of necessity they possess a more intimate acquaintance with the existing machinery and its actual working than any other persons, for they only are compelled in the course of their business to learn the uses of every part of the mechanism; by their hands it is moved, and they are enabled by positive experience to say what are the defects and advantages, and of what improvements it is capable.

It is manifest now that the serious discussion of this great question by the Legislature cannot be deferred even for another year. The elected of all parties to the new House of Commons will go there pledged to entertain the subject in some shape. The democratic party, declare that they will not suffer a Government, which cannot exist without their support, longer to avoid dealing practically with a question which in their estimation surpasses all others in importance. Already notice is given that, if a Reform Bill be not introduced soon after the opening of the new Parliament, the Radicals will revolt. It is probable that the aged PREMIER will decline a task for which he has neither strength nor inclination, and will resign it to the younger hands and more democratic faith of Mr. GLADSTONE. But, under any circumstances, a Reform Bill must be looked for during the next session of Parliament, unless it be staved off for a year or two by the issue of such a commission of inquiry as was suggested by Lord ELCHO.

When the question was last mooted, the Lawyers contributed to it some very valuable assistance, of which considerable use was made in the discussions alike of the Legislature and the press. The LAW TIMES invited its readers to publish in its pages the results of their experience. Facts were stated, arguments were advanced, figures were analysed, and many diverse opinions were broached and subjected to free criticism. The result was, as the reader will remember, that all parties were convinced that the practical question was broader, deeper and more difficult than was supposed by those who imagined that the constitution of a great country could be constructed in the library of a philosopher, and so it was quietly dropped out of the list of things to be done, and remitted to the writing and thinking part of the world for further consideration.

Nor has it been neglected by them. It has been abundantly, earnestly, and upon the whole fairly discussed, with a manifest desire to arrive at a sound and righteous conclusion. But so great is still the difference of opinion, both as to the end to be attained and the means by which it is to be pursued, that the solution is as far off as ever.

Nevertheless, we may be assured that it will not be permitted to remain long unsettled. If the thoughtful and prudent, who desire improvements that will be *safe*, do not come to an agreement among themselves what these shall be, it is certain that the party which has one fixed purpose—the establishment of a democracy—will thrust forward their own nostrum, which has the merit of simplicity, and perhaps carry it amid the conflict of its rivals.

That the Lawyers may again contribute from the stores of their experience to the determination of a question in which such tremendous issues are involved, we propose to devote a small space in these pages to their practical notes and suggestions, and the statement and discussion of plans that may be put forth from any quarter entitled to respect. To clear the way for these, and to bring the whole subject under review, it is designed to commence with a collection, as complete as can be procured, of the various views and schemes that have been broached, from which the Lawyers, who may be willing to assist in the good work, will be enabled not merely to borrow hints, but to ascertain how far their own propositions are novelties, or with what esteem they have been already entertained by others. It is no longer a party question, for all parties admit that something must be done; the only difference is, what that something shall be. But there is the widest divergence both of ends and means, and the gigantic difficulty of attaining one desired object, without involving others that would certainly be dangerous and probably destructive. The issue is far too grave for party to make it a battle-field.

INVESTMENT JOURNAL.

MONEY continues sufficiently plentiful. A little uncertainty has prevailed, consequent on the doubt as to whether the rate of discount would be raised ½ or 1 per cent. The following are the variations:

ENGLISH FUNDS.	Frl.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	249	247	246	247	246	246
3 per Cent. Red. Ann.	89¾	89¾	89¾	89¾	89¾	89¾
3 per Cent. Cons. Ann.	90¼	89¾	...	90	90	89¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	71¼	...
New 3 per Cent. Ann.	89¾	89¾	89¾	89¾	89¾	89¾
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	103¼	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	14¼	14¼	14¼
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	19¼	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	90¼	90	90	90	90	90
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	215	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	99¼	...	...
India 5 per Cents. 1870	104¼	104¼	104¼	104¼	104¼	...
India Bonds (1000*l.*)	...	...	...	...	...	...
Do. (under 1000*l.*)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	100¼	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	89	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	...	...	102¼	...
Do. do. 5½ per c. May 1879	...	...	...	109¼	...	...
Ex. Bills, 1000*l.*	...	*a*	*b*	*c*	*d*	*c*
Do. 500*l.*	...	...	*b*	...	...	...
Do. 100*l.* & 200*l.* 3 per c.	...	...	...	...	*a*	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3 3/5 per cent. par.
b 3 3/5 per cent. 3s. 4d. pm.
c 3 3/5 per cent. 4s. pm.
d 3 3/5 per ct. 4s. pm. par.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

SOLICITORS' BILL OF COSTS—TAXATION—SOLICITORS ACT.—The mere fact that a solicitor is accountable to a client in a money account is not sufficient to subject him to the jurisdiction of the court, and neither that nor the jurisdiction under the Solicitors Act can be raised on a summons in chambers, but must be the subject of a special application to the court. Where B., a solicitor, had acted for a mortgagor, and for first and second mortgagees, and on their being about to sell, a third mortgagee, C., arranged to pay off all that was due on their mortgages and a lump sum for costs, the bill not having been then made out; and it was agreed that the accounts should be adjusted afterwards, and in this bill, when delivered, there were items properly chargeable against the mortgagor only: it was held, on an application to tax by C., that he was not entitled to do so: (*Re Forsyth*, 12 L. T. Rep. N. S. 687. L. JJ.)

CHANCERY NOTICE.

July 1865.

All applications to the Court of Chancery, which are of an urgent nature, are to be made to or at the chambers of the Vice-Chancellor Sir W. P. Wood.

All *ex parte* applications are to be sent to the Vice-Chancellor Wood by book-post or parcel, prepaid, accompanied with the brief of counsel, indorsed with the terms of the order applied for, and an envelope capable of receiving the papers to be returned, with sufficient stamps affixed thereon, and addressed as follows: "To the Registrar in Vacation, Chancery Registrar's Office, Chancery Lane, London, W.C."

On applications for injunctions or writs of *ne exeat regno*, there must be sent, in addition to the above, a copy of the bill, a certificate of the bill filed, and office copies of the affidavits in support of the application.

The papers sent to the Vice-Chancellor with any order his Honour may make thereon, will be returned direct to the registrar.

All applications for leave to give notice of motion only may be made to the chief clerk at chambers.

The Vice-Chancellor's address can be obtained on application at his Honour's chambers, 11, New-square, Lincoln's-inn.

All parcels to the Vice-Chancellor on Saturdays are, whenever practicable, to be sent by the earliest

train, and to be directed, "To be delivered immediately."

The chambers of the Vice-Chancellor Wood will be open on Tuesday, Wednesday, Thursday and Friday in every week, from eleven till one o'clock.

HER MAJESTY'S COURT OF PROBATE.

NOTICE—VACATION 1865.

Taxation of costs.—The registrars of Her Majesty's Court of Probate will not tax any bill of costs after Saturday, 29th July, until Thursday, 2nd Nov. 1865, except under special circumstances to be stated in a written application addressed to them.

Motions and summonses.—On Wednesday, 2nd Aug. 1865, and on every succeeding Wednesday until the 25th Oct. 1865 inclusive, the registrars will sit at the principal registry to hear summonses and motions. The summonses will be taken at twelve o'clock, and the motions at half-past twelve o'clock. All papers for motions are to be left with the clerk of the papers before two o'clock on the preceding Saturday.

Office hours.—On and after the 10th Aug. 1865, until the 24th Oct. inclusive, the offices of the principal registry of the Court of Probate will be opened to the public at eleven o'clock a.m., and closed at three o'clock p.m.

Payment of money out of court.—The registrars have fixed Friday in each week during the vacation for the payment of money out of court.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

FOREIGN GAS-GENERATING APPARATUS COMPANY (LIMITED).—Creditors to send in, by July 29, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to Mr. G. A. Cape, 2, Adelaide-place, London-bridge. Solicitor, D. Woolf, 17, King-street, Cheapside, London.

TRETOIL AND MESSER MINING COMPANY.—A call of 4*l.* per share to be made by Wood, V.C., at his chambers, on Thursday Aug. 3, at three o'clock in the afternoon.

HEIRS AT LAW AND NEXT OF KIN.

BLAKE (Catherine Margaret), formerly resident in St. John's Hospital, Winchester, spinster. Heir-at-law to come in by Aug. 5, at V.C. S. Solicitors, Godwin and Pickett, 3, King's-bench-walk, Temple, London, for W. Bailey, Winchester.

TROTMAN (Ebenezer), formerly of 13, Furnival's-inn, Holborn afterwards of 5, Verulam-buildings, Gray's-inn, Holborn late of 6, Park-cottages, Park-village east, Regent's-park, Middlesex, architect. Next of kin to come in by Nov. 2, at V.C. S. Solicitor, E. Birkitt, Curriers'-hall, 6, London-wall, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

BEARD (Thomas), Raby-place, Bath, Esq. Oct. 1; T. W. Gibbs, solicitor, Bath. Nov. 2; M. R. at noon.

CHAMPION (James), Hursledon, Southampton, gentleman. Oct. 2; Powell and Son, solicitors, Chichester. Nov. 3; M. R., at noon.

CROSS (Wm.), formerly of Liverpool, late of 38, Cannon-street, London, and Champion-hill, Camberwell, Surrey, merchant. Sept. 30; Rixon and Son, solicitors, 38, Cannon-street, London. Nov. 3; V.C. S., at noon.

DENTITH (Samuel), Commercial Hotel, Brown-street, Manchester, hotel-keeper. Oct. 3; Higson, Robinson and Higson, solicitors, 44, Cross-street, Manchester. Nov. 2; M. R., at two o'clock in the afternoon.

DOBIE (David Black), Exmouth-street, Clerkenwell, Middlesex, and 221, Borough of Southwark, Surrey. Aug. 7; S. H. Robertson, solicitor, 15, Bedford-row, Middlesex. Nov. 6; M. R., at half-past twelve in the afternoon.

DODD (Wm. Morris), 16, Swan-street, Bermondsey, Surrey, ropemaker. Sept. 1; A. Nicholson, solicitor, 43, Wellington-street, Strand, Middlesex. Oct. 31; V.C. W., at one o'clock in the afternoon.

ECKFORD (Robert), formerly president of the Medical Board of Bombay, late of Jersey, Esq. Oct. 10; Lambert, Hampton and Burgin, solicitors, 8, John-street, Bedford-row, Middlesex. Nov. 11; V.C. W., at noon.

FELTON (James), Warwick-lane, Upper Clapton, Middlesex. Oct. 1; Digby and Son, solicitors, 35, Lincoln's-inn-fields, Middlesex. Nov. 2; M. R., at noon.

GRILLS (John), Lower Torr, Charleton, Devon. Sept. 30; S. A. Orton, solicitor, Kingsbridge, Devon. Nov. 2; V.C. S., at three o'clock in the afternoon.

JAMES (James), Fareham, Southampton, merchant. Oct. 30, Paddon and Provis, solicitors, Fareham. Nov. 8; M. R., at noon.

JEPHSON (Rev. John Mounteney), Childerditch, Essex. Sept. 10; Clarke, Woodcock and Ryland, solicitors, 14, Lincoln's-inn-fields, London. Nov. 8; M. R., at half-past twelve o'clock in the afternoon.

LLEWELLYN (Henry), 2, Old Bond street, Middlesex, Scotch woollen warehouseman. July 31; Singleton and Tattershall, solicitors, 42, Great James-street, Bedford-row, London. Oct. 31; V.C. S., at noon.

KING (William Wandby), Percy-street, Tottenham-court-road, Middlesex, manufacturing chemist. Oct. 2; H. Child, solicitor, 2, Paul's Bakehouse-court, Doctor's-commons, London. Nov. 3; M.R., at two o'clock in the afternoon.

MAILLEFERT (Ferdinand Napoleon), Tooley-street, and Gloucester-place, Old Kent-road, Surrey, glass manufacturer. July 30; H. H. Beckitt, solicitor, 32, Moor-gate-street, London. Aug. 8; V.C. W., at noon.

PAYNE (William), Durham Nursery, Queen-street, Chelsea and Radnor-street, Chelsea, Middlesex, florist. Aug. 1; Saunby and Kent, solicitors, 147, Strand, Middlesex. Nov. 3; V. C. W., at noon.

ROBERTS (Charlotte), Lindley, Huddersfield. Aug. 5; Heap and Owen, solicitors, Huddersfield. Nov. 1; V. C. S., at noon.

SHARPLES (Thomas), Bolton, Lancashire, joiner and timber merchant. Aug. 21; Glover and Ramwell, solicitors, Bolton. Nov. 4; M. R., at noon.

TROTMAN (Ebenezer), formerly of 13, Furnival's-inn, Holborn, afterwards of 5, Verulam-buildings, Gray's-inn, Holborn, late of 6, Park-cottages, Park-village east, Regent's-park, Middlesex, architect. Sept 30; E. Birkitt, solicitor, Curriers-hall, 6, London-wall, London. Nov. 10; V. C. S., at two o'clock in the afternoon.

WILLIAMS (Thomas), Wooton, Oswestry, Salop, farmer. Sept. 1; M. Pope, solicitor, Winchester-house, Old Broad-street, London. Oct. 31; V.C. W., at noon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BAILY (Thos.), Wyndham-road, Camberwell, Surrey, gentleman, formerly brewer. Sept. 1; J. C. Asprey, solicitor, 6, Furnival's-inn, London.

BLENCOWE (Ann), formerly of Marston Saint Lawrence, Northampton, afterwards of Cheltenham, Gloucestershire, since of 30, Stanley-street, Pimlico, Middlesex, spinster. Sept. 1; Dobinson and Geare, solicitors, 37, Lincoln's-inn-fields, London.

COMBES (Hester Bray), 40, Connaught-terrace, Hyde-park, Middlesex, widow. Sept. 15; Lambert and Co., solicitors, 8, John-street, Bedford-row, London.

DAVID (Wm.), Gasking-street, Plymouth, retired shipbuilder. Aug. 12; Edmonds and Sons, solicitors, 8, Parade, Plymouth.

DAVIES (Mary), Egerton Arms, Brook-street, Chester, widow. Aug. 31; T. V. Royle, solicitor, Newgate-street, Chester.

EVANS (David), 118, Great Surrey-street, Christchurch, Surrey, carpenter. Aug. 21; E. K. Rayson, solicitor, 130, Newington-causeway.

FURNELL (Sarah Merrill), London-road, Reading, widow. Aug. 30; W. Slocombe, solicitor, The Abbot's-walk, Reading.

GARRETT (John), Bentley-heath, Tamworth, Warwickshire, woolstapler. Aug. 12; E. M. Coleman, solicitor, 23, Cannon-street, Birmingham.

GILL (Harold Wayford Cornish), Tamor-house, Beerferris, Devon, Esq. Sept. 30; Gurney, Cowlard and Kempson, solicitors, Launceston.

HUSTER (Wm.), 85, King-street west, Plymouth, Devon. Sept. 30; Booker, Lavers, Matthews and Shelly, solicitors, Plymouth.

LAW (Daniel Robt.), 8, Henry-street, York-square, Commercial-road east, Middlesex, gentleman. Sept. 29; T. Price, solicitor, 24, Abchurch-lane, London.

LEE (Edwin), Jetwells, Lanlegion-by-Camelford, Cornwall, Esq. Sept. 13; S. T. G. Downing, solicitor, Redruth.

LITTLE (Mary Elizabeth), Longsight-crescent, Gorton, Manchester, spinster. Aug. 30; M. B. Wood, solicitor, 19, Princess-street, Manchester.

MARTIN (John), 8, Douro-place, Victoria-road, Kensington, and 2, Plowden-buildings, Temple, Middlesex, barrister-at-law. Sept. 1; O. Richards, solicitor, 16, Warwick-street, Regent-street, London.

MARTIN (Wm.), Rose and Crown Inn, 4, Denmark-road, Wimbledon, Surrey, fly proprietor. Aug. 10; Mason, Sturt and Mason, solicitors, 7, Gresham-street, London.

NEALE (Robert), Queen's Head Tavern, 208, Upper Thames-street, London, licensed victualler. Sept. 1; Clayton and Son, 10, Lancaster-place, Strand, London.

O'CONNELL (Morgan), Hartlepool, Durham, commercial traveller. Sept 20; Forbes and Horwood, solicitors, Warnford-court, London.

OGILVIE (Janet Rebecca), formerly of Dover, Kent, late of Colchester, Essex, widow. Aug. 31; Roberts and Simpson, solicitors, 62, Moorgate-street, London.

OWEN (Thomas), formerly of Wick-hill-cottage, near Bracknell, Berks, late of 2, the Upper Mall, Hammersmith, Middlesex, gentleman. Sept. 1; A. J. Baylis, solicitor, Church-court-chambers, Old Jewry, London.

PELLY (Sir John Hy.), Warnham Court, Sussex. Sept. 20; Fairfoot, Webb and D'Eth, solicitors, 13, Clement's-inn, London.

POLE (Chas. Van Notten), Wyck-hill-house, Wyck Rissington, Gloucestershire, Esq. Sept. 11; Ranken, Ford, Longbourne and Longbourne, solicitors, 4, South-square, Gray's-inn, London.

PUGH (George), formerly of Tolworth, near Kingston, Surrey, late of Tadworth, Banstead, in the same county, Esq. Aug. 14; Lucas and Showler, solicitors, 1, Trinity-place, Charing-cross, London.

RICKETTS (Ellen Therese), 28, Clarendon-square, Leamington Priors, Warwickshire. Aug 18; J. H. and H. B. Henderson, solicitors, 14, Argyll-street, Oxford-street, London.

SANDAR (John), formerly of 3, Little Pulteney-street, Westminster, linendraper, late of 144, St. Paul's-road, Canonbury, Middlesex, gentleman. Aug 21; H. Cowtard, solicitor, 14, Lincoln's-inn-fields, London.

SHUTTERDON (Rev. Thos. Richard), Woodhorn, Northumberland. Aug. 31; W. and B. Woodman, solicitors, Morpeth, Northumberland.

THORPE (John), formerly of Freetown, Sierra Leone, Africa, late of Munster-house, Fulham-road, Brompton, Middlesex, barrister-at-law Sept. 15; Hampton and Burgin, solicitors, 8, John-street, Bedford-row, London.

WATMOUTH (Elizabeth), 18, Upper Grosvenor-street, Grosvenor-square, Middlesex, widow. Aug. 12; Park and Nelson, solicitors, 11, Essex-street, Strand, London.

WILLIAMS (Elizabeth Eleanor), Barrett's-grove, Stoke Newington, Middlesex. Aug. 30; W. Fisher, solicitor, 19, Doughty-street, Mecklenburgh-square, London.

WITTS (Ann), Champion-hill, Surrey, widow. Sept. 2; Burgoynes, Milnes and Burgoyne, solicitors, 103, Oxford-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

MCCORMICK (Lucretia Gordon), St. Croix, West Indies, spinster. Dividends on 1111*l.* 2*s.* 2*d.* Three per Cent. Annuities. Claimant, Francis Stewart, administrator.

LIPTRATT (Rev. Jonathan), of Bobbingworth, LIPTRATT (Rev. Jonathan), jun., of St. John's College, Cambridge, PROWER (Robert), Cranbourn, Dorset, surgeon, and RIGBY (Rev. Henry), Hockley, Essex. 250*l.* Reduced Three per Cents. Claimant, S. Andrews, surviving executor.

SARTORIS (Charles), Taplow-cottage, near Maidenhead, Berks, Esq. Dividend on 2139*l.* 4*s.* 10*d.* Three-and-a-Quarter per Cents. Claimant, Charles Sartoris.

WRIGHTE (Henry), Boughton Blean, Kent, gentleman. 50*l.* New Three per Cents. Claimant, Margaret Wrighte, administratrix.

On Wednesday week a retired solicitor, named Embrick, was found dead at his chambers, 3, Raymond-buildings, Gray's-inn. Death is supposed to have occurred from disease of the heart and intestines. 18,000*l.* in gold and notes was discovered upon the premises. The deceased gentleman had disposed of property in Finsbury about a fortnight since to the amount of 11,000*l.* It is believed that he has left no will. He was somewhat eccentric and secluded in his habits. The deceased was buried at Hampton Court on Saturday last.

THE YELVERTON v. "SATURDAY REVIEW" CASE.—The following issue has been agreed upon for trial in this action for damages:—"It being admitted that the defendants are proprietors and publishers of the *Saturday Review*, and that, in that paper on the 30th July 1864, an article was published by them entitled 'The Yelverton Case,' and expressed in the terms contained in the schedule hereunto annexed—Whether the whole or any part of the said article is of and concerning the pursuer, and falsely and calumniously represents the pursuer as being a disreputable and immodest person, to the loss, injury, and damage of the pursuer. Damages laid at 30,000*l.*

The notorious Mr. Rea, of Belfast, has had a "difficulty" with Mr. M'Kenna, of the *Belfast Observer*. The affray took place in the *Observer* office, in consequence of Mr. Rea having gone there and used most offensive language in reference to the editor of the paper, both in his public and private capacity. Mr. M'Kenna came into the office and ordered Mr. Rea out, immediately following up his order by an attempt to eject him from the premises. Mr. Rea resisted, and severe blows were exchanged, Mr. Rea getting the worst of the encounter. By the interposition of some persons who rushed in and separated the combatants, the affray was ended, and Mr. Rea retired bearing marks of very rough handling.

THE NEW DANGER.—The readiness of the public to believe any story told by a woman provided only it is sufficiently "salted" with improper incidents seems to increase. The other day a young Welshwoman, named Ellen Williams, appeared before the Thames-street magistrate, and told a long story how a woman had engaged her in Wales, and tempted her to London, and introduced her to white sailors and black, and how she had resisted and fled, and found an asylum with the virtuous wife of a cab-driver, and so on in the regular penny romance style. It was believed, and people wrote to the magistrate from all parts of the country with offers of assistance; one "Welsh nobleman" inclosing a considerable sum. It has been discovered that the story was false—the girl having come to London in search of a cousin, a ship's steward, and taken decent lodgings somewhere in St. Pancras. She was quite respectable, but told all those lies to get herself pitied and sent back to Wales. It is curious how ready girls of this kind are to manufacture just the incidents they think will best prevent inquiry—to invent, for example, an indecent assault rather than a robbery; they have, we suppose, an instinct that such stories protect them from severe cross-examination, and cover hesitation and small contradictions.

HIS OWN LAWYER.—Captain Montagu, who left 100*l.* to the proprietors of the *Morning Advertiser*, was one of the numerous class who imagine that the cumbrous phraseology of the lawyers tends to make difficult of comprehension what would otherwise be clear. He, therefore, made his own will, which sets forth that the document had already been prepared by legal hands, but that he had cut it down to one-tenth of its original dimensions, his object being to make his expression of his intentions "as brief, simple and plain as possible, saying no more than seemed absolutely necessary to their being understood." The usual result followed. The executors tried for a year to make out what they had to do, but failed, and last August resorted to the Court of Chancery. A year only has been occupied in solving the intricacies of the will, and the other day Vice-Chancellor Sir Page Wood delivered his judgment, which it is satisfactory to find does not deprive our contemporary, the *Advertiser*, of its 100*l.* Captain Montagu seems to have been a man of letters. He left a series of most elaborate directions as to the publication of his own MSS., including an autobiography from 1812 to 1859, a new version of the Psalms, translations from Anacreon and Juvenal, "my divine poems," epigrams, sonnets, and "Urania, a series of astronomical poems." 150*l.* was devoted by the testator towards the publication of those precious memoranda, and "the authorities of the Bodleian Library may, perhaps, be consulted;" though in a subsequent codicil the testator seems to have thought that the better way would be to advertise for some "competent, conscientious and suitable person" to act as editor. That which was not suitable for publication—though the greater part was stated to be "well worthy of having a last hand put to them"—was in the first instance to be preserved (as some solace under his affliction for the perusal of the residuary legatee. No alteration was to be made in the orthography and punctuation, which had "been very carefully attended to upon the justest principle, altogether my own." The testator trusted that "a fully competent hand or none would be employed" for revision, correction and arrangement, but expressly protested against having "the composition of other hands incongruously mixed with my own." Nothing seems to have escaped his attention; no one was forgotten; even his landladies, his washerwomen, and his waiters at his club receiving small legacies.

THE BENCH AND THE BAR.

BARRISTERS IN PARLIAMENT.

(From the *London Review*.)

The numerous barristers who are striving to enter the next Parliament do not excite our jealousy. They are mostly men with brains, and will bring to the consideration of public questions minds trained in the habit of exact reasoning. At any rate, they are better than raw youths, whose only distinction is inherited wealth or an historic name. There is a great cry at present for young members, and if it is adopted by the constituencies, our "conscript fathers" will be young enough to be the grandchildren of those who elect them. People are apt to forget that ignorance is as common between twenty and thirty as between fifty and sixty. Youth hides a woman's defects, but it intensifies a man's. We confess to preferring a middle-aged Queen's counsel to a lad whose assurance may be equal to Pitt's, but whose intellect is that of a schoolboy. A man who keeps one eye on the Bench and the other on his constituents' interests, is likely to see more than a boy who has to keep eyes and ears wide open to catch up the first rudiments of political knowledge. The stormy arena of party warfare may not be the best preparation for judicial functions; but as long as he is in the arena, the trained lawyer performs his part with tact and propriety. He is, indeed, usually rather too much of a party man. He is transformed by crossing Westminster-hall. On one side he is the sturdy advocate of his client's cause, and thinks nothing of bearding "my lord" and the jury fearlessly. On the other side he obeys the crack of the Treasury or Opposition whip with admirable docility. His is never a doubtful vote. He cannot afford to be a waverer. He does not care to sit apart in sulky isolation as an "independent member." He makes himself generally useful to his party, and he hopes that some day his party will be useful to him. Nor will he be disappointed, for

experience proves that its managers will grow wonderfully alive to his merits, if he can display them by his voice and vote.

Of late years, at all events, our parliamentary lawyers cannot complain of neglect. It has become the rule to recruit the Bench from their ranks. Take, for example, the appointments of Lord Chancellor Westbury. Setting aside Mr. Justice Shee, who was promoted in deference to the unanimous wish of the profession, and who had been out of Parliament since 1857, when he paid with his seat for Kilkenny for his vote against Lord Palmerston on the Chinese war, every recently-appointed judge has been transferred to the Bench directly from the House of Commons. Mr. Justice Mellor obtained a silk gown in 1851, but until he was elected for Nottingham, in 1859, very long odds would have been offered in the profession against his elevation. No sooner, however, had he gained that important seat than the Government became alive to his legal merits. But for that happy accident, he might to this day have "blushed unseen" upon the Midland Circuit. As it was, upon the retirement of Sir Hugh Hill, he was selected to fill the vacancy. He has made an admirable and painstaking judge; and in his case, at least, the vicious principle of parliamentary selection has led to no evil result. Take, again, the case of Mr. Baron Pigott. As a serjeant, he travelled the Oxford Circuit for years, attracting the notice neither of the public, the profession, nor the Lord Chancellor. He had about as much chance of being a judge as Brother Ignatius has of being Archbishop of Canterbury. But he became member for Reading, and instantly emerged from obscurity. Only a few months elapsed, and he replaced Sir James Wilde in the Court of Exchequer. Whether he has been a success there or not we have no means of absolutely ascertaining, but we are informed that he has stated that he finds himself equal to the duties of his new position.

Now, we by no means complain of barristers in parliament being elevated to the judicial bench. What we protest against is that the mere fact that they are in Parliament should be considered their qualification. Such a principle of selection is radically unsound, and only encourages the maimed and halt of the profession to seek for seats in order to cover their legal deficiencies. It gives us bad Masters and bad judges. All that we wish is to see the foremost men chosen, whether they are in Parliament or out of it, and whether they are Whigs or Tories. Lord Westbury in his last appointment seems to us to have gone on the right plan. Mr. Justice Montague Smith had distinguished himself in the House by ten years' pertinacious opposition to Liberal Governments. He may, therefore, be said to have won his promotion not because he was a M.P., but in spite of being an M.P. But he was one of the best lawyers in Wistminster-hall, and consequently one of the fittest for the office of Judge. He will, we doubt not, prove as great an ornament to the Court of Common Pleas as he was to the House of Commons and the Western Circuit. Other men, however, equally eminent, and far more eminent than many recent judges, have been passed over for years. Mr. Mellish and Mr. Lush, for instance—to select two names from many—men whose legal minds of the highest order, are still at the bar, practising before tribunals some of whose members are immeasurably their inferiors. Why are they overlooked, unless it be because they have not mixed in the turmoil of party strife? Surely the intellectual encounters which take place before the Courts *in banco*, or in the Exchequer Chamber, are more likely to develop a judicial brain than the humours of a contested election or the heats of political debate.

ASSIZE INTELLIGENCE.

HOME CIRCUIT.

Lewes, July 21.—There are only 6 causes entered for trial, of which were undefended, and the civil business was got through soon after two o'clock. The calendar contained the names of 29 prisoners, nearly the whole of the cases were of the ordinary description.

MIDLAND CIRCUIT.

Nottingham, July 22.—There are 5 causes only for trial, none of which are to be tried by special juries. There are very few prisoners for trial in the county, but a somewhat greater number in the town, owing to the retrial of 12 persons for a riot at the late election. Application is, however, about to be made that they should not be taken at these assizes, owing to excitement still consequent upon the election.

NORFOLK CIRCUIT.

Aylesbury, July 21.—The calendar contains the names of prisoners, of whom 4 are charged with arson, 2 with burglary, 1 with uttering counterfeit coin, 1 with horsestealing, and the others with minor offences. The civil business is unusually light, there being only 3 causes, all of which, however, are fixed for special juries.

OXFORD CIRCUIT.

Stafford, July 20.—The calendar contains the names of less than 100 prisoners. The cause-list is light.

NORTHERN CIRCUIT.

Carlisle, July 21.—The cause-list contained an entry of 6 causes, and there were only seven or eight prisoners in the calendar, one of whom was charged with murder. Their Lordships took their seats in court at ten o'clock.

WESTERN CIRCUIT.

Important Notice to Attorneys.

Mr. Justice WILLES observed that it was now becoming a practice, when new evidence was obtained after the depositions were taken, not to furnish the judge with a copy of such new evidence. He had found this laxity on another circuit existing to such an extent that he had found it necessary to stop the expenses. He hoped on the rest of this circuit he should find copies furnished to the judge in order that he might be able to inform the grand jury, the prisoner, or the prisoner's counsel, of the effect of such new evidence. If he found any laxity he must adopt the course he had taken on the other circuit.

Mr. Cole, who appeared in this case, said he hoped the public press would take notice of his Lordship's observations, and he was then sure the defect would be remedied.

It is announced that Mr. Kenneth Macaulay, Q.C., who was obliged by serious illness to retire from the representation of Cambridge, is something better, and it is hoped that he may recover.

The *Record* states that there is to be a petition against Mr. Walrond's return for Tiverton. It is said that his majority of three over Mr. George Denman was obtained by his agents polling in his favour three lunatics.

Mr. Charles Trevor, Comptroller of the Legacy Duty Office in the department of the Inland Revenue, has resigned, and is succeeded by Mr. Alfred Hansen, of the equity bar, who has hitherto been counsel to the Inland Revenue. Mr. W. H. Melville, of the equity bar, has been appointed successor to Mr. Hansen.

It is currently reported in legal circles that changes are in contemplation which will place three or four judicial appointments at the disposal of Lord Palmerston. Chief Baron Pollock, it is said, will shortly retire, and Baron Martin, his son-in-law, will follow as soon as his term of service is completed. The two Chief Justices, Sir Alexander Cockburn and Sir William Erle, are also, it is stated, to be raised to the Peerage, in order to strengthen the Courts of Appeal in the House of Lords and in the Judicial Committee of the Privy Council.

A MISTAKE.—In the Divorce Court, in the cause of *Smith v. Smith and Tibbett*, among the letters and papers tendered and received in evidence was a copy of some lines of an amatory character, which were found in Mr. Smith's dressing-case, and being in the handwriting of the co-respondent, counsel hastily concluded that they were also his composition. It turned out, however, much to the amusement of the court and confusion of the learned gentleman, that the lines in question were extracted from the *Musical Bouquet*, and that the author was Thomas Moore, and not Mr. Walter Tibbett.

CONTEMPT OF COURT.—An amusing case, in which a sexton was brought before the Supreme Court of Sydney on a charge of contempt of court, because he obeyed the orders of the churchwardens rather than those of the judge, is reported by the *Herald* as follows: "During the trial of the cause of *Beauchamp v. Waller and another*, in the Banco Court, a funeral knell sounded persistently from the adjacent tower of St. James's Church, to the evident discomposure of the leading counsel for the plaintiff, who complained angrily of 'that dreadful bell' to the Chief Justice. His Honour quite concurred with Sir William Manning as to the serious interruption caused by the sonorous nuisance, and sent off his tipstaff to silence the lugubrious sound. The sacristan, taking his own view of the matter, rather peremptorily declined to leave off; and on the officer reporting that fact to the judge, his Honour at once ordered the contumacious ringer into custody. When the sacristan was brought into court he admitted that he had received the message from the Chief Justice, directing him to cease from tolling, but pleaded that he was acting under orders he had received from the churchwardens of St. James's Church. The learned judge said that the man (James McCabe) had been guilty of contempt of court, and ordered him to be detained in custody until the rising of the court. His Honour also stated that it was his intention to fine the transgressor. At the rising of the court he was again brought forward and spoken to by the Chief Justice on the interruption he had caused, and on his disobedience of an order of the Supreme Court. One of the jurors and one of the churchwardens interceded for the offender, who was thereupon discharged."—*Australasian.*

MAGISTRATE AND PARISH LAWYER.

HIGHWAYS LAW.

[NOTE.—A department of the LAW TIMES will be devoted to communications and inquiries upon this subject.]

Correspondence.

HIGHWAYS—SPECIAL SESSIONS.—I beg to refer your correspondent "W. G. Jun." to sect. 46 of 27 & 28 Vict. c. 101, which is, I think, an answer to the point raised in his letter of the 15th inst., contained in your last issue. W. N. D.

25th July 1865.

THE NEW SALMON FISHERIES BILL.—A meeting of the Central Committee of the Severn Fisheries Corporation was held at Worcester on Monday afternoon, Sir E. A. H. Lechmere in the chair, for the purpose of taking the initiatory steps for carrying into effect the new Salmon Fisheries Act of last session, and for forming a fishery district for the river Severn. The secretary explained the nature of the alterations made in the Bill by the House of Lords, and discussed the question whether the intended district should include the Wye and Usk, or be limited to the area of the Severn. It was considered that the extended area of the Severn, Wye and Usk would be too large to be efficiently supervised by one body, and on the motion of Sir E. Lechmere, seconded by Mr. Chalk, J.P., it was resolved that Mr. Curtler, vice-chairman of the Worcestershire Quarter Sessions, be requested to make the necessary application to the next quarter sessions of the county of Worcester to enable the court through their chairman to apply to the Secretary of State to form a fishery district of the whole of the river Severn and its tributaries, and the portion of its estuary extending to the confluence of the Wye on the western bank, and the confluence of the Avon on the eastern bank. In order to define more distinctly the district assigned for the operations of the proposed board of conservators, the secretary was requested to communicate with the Inspectors of Fisheries. The meeting also passed a resolution expressing satisfaction at the passing of the new Act, and an opinion that in due time it will "afford an efficient means of testing the value of legislation in promoting the improvement of the salmon fisheries. The committee gladly recognise the fact that their functions approach near to a close, and record their sincere satisfaction that the great question which has for so many years occupied their attention has been so far definitively settled."

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

PRINCIPAL AND AGENT—CONTRACT BY BROKER.—B. directed his broker, C., to buy for him fifty bales of cotton "to arrive." C. having instructions from other principals, entered into a single contract in his own name with D. for the purchase of 300 bales on account of all, and sent B. a contract note advising him of the purchase of fifty bales on his account from D., and subsequently B. paid him 800*l.* on account of his purchase. The quality of the cotton being disputed, B. declined to accept his share of the 300 bales, and he was held to be entitled to recover back from C. the 800*l.*, there being an entire failure of consideration: (*Bostock* v. *Jardine*, 12 L. T. Rep. N. S. 577. Ex.)

PRINCIPAL AND AGENT.—Races were held on a common over which the freemen of B. had common rights. C., an auctioneer, advertised that he would let standings for booths, &c., thereon by public auction to the highest bidders, payment to be made immediately after the letting. It appeared that C. was only acting on behalf of the race committee, whose names were given. It was held, first, that D., to whom a standing was knocked down at the sale, could not dispute C.'s title to let the ground, he having bought of C. and been let into possession by him; secondly, that C. was entitled to sue in his own name to recover the price at which D. had bought: (*Fisher* v. *Marsh*, 12 L. T. Rep. N. S. 604. Q. B.)

INJURY BY ACCIDENT—MASTER AND SERVANT.—A boy employed in a lucifer-match factory was killed by the explosion of certain materials which he was engaged in stirring, his father having expressly contracted with the master that he should not be put to such work, which was very dangerous. In an action by the father against the master it was proved that the foreman was absent, and that during his absence a man named Debor acted as manager. Debor had been stirring, and was present while the boy was stirring the mixture that exploded. It was held, that to take the case out of the principle of the cases in which a master is held not to be responsible to his servants for the negligence of a fellow-servant, it should have been shown that Debor was put by the master in his place to represent him as vice-principal, and that the mere statement of a witness that he did act as manager was not sufficient proof of the fact: (*Murphy* v. *Smith*, 12 L. T. Rep. N. S. 605. C. P.)

BILL OF EXCHANGE—GIVING TIME.—The indorsee of bills of exchange agreed with the drawer to give up the bills to be cancelled, on a mortgage of real estate being executed as security for the amount of the bills. The mortgage was executed, and at the time the indorsee knew that the bills were accepted for the accommodation of the drawer without consideration. The acceptor was held to be discharged from liability, and that he could plead the facts by way of equitable defence to an action against him by the indorsee: (*Ewin* v. *Lancaster*, 12 L. T. Rep. N. S. 632. V.C. W.)

IMPLIED POWER OF FACTOR TO SELL.—It is a question of fact for the jury whether advances are made by a factor under an implied agreement that he should have an irrevocable authority to sell. Mere advances made by him, whether at the time of his employment as factor or afterwards, will not alter the revocable character of

his authority to sell, or derogate from the right of the principal to give directions as to the time and manner of sale, unless such advances were accompanied with and made the consideration for a express agreement that the authority shall not be revocable: (*De Comas* v. *Prost*, 12 L. T. Rep. N. S. 682. Pr. Co.)

JURISDICTION—ACTION AGAINST AN ENGLISHMAN LIVING ABROAD.—B., an Englishman living at Florence, made and signed there a joint and several promissory note and sent it thence by post to his brother, the other maker, who also signed it and then handed it to plaintiff's bank, the payees. The cause of action was held to arise in England, so that defendant was rightly served with a writ of summons under sect. 18 of the C. L. P. A. 1852, for there was no contract until the delivery of the note to the bank in London: (*Chapman* v. *Cotterell*, 12 L. T. Rep. N. S. 706. Ex.)

THE LAW OF PARTNERSHIP.—The Act to amend the law of partnership has just been issued. The advance of money by way of loan to a person engaged or about to engage in any trade or undertaking, upon a contract in writing with such person that the lender shall receive a rate of interest varying with the profits, or shall receive a share of the profits arising from carrying on such trade or undertaking, shall not of itself constitute the lender a partner with the person or persons carrying on such trade or undertaking, or render him responsible as such. The remuneration of agents by share is not to constitute a partnership. No person being the widow or child of the deceased partner of a trader, and receiving by way of annuity a portion of the profits made by such trader in his business, shall, by reason only of such receipt, be deemed to be a partner of, or to be subject to any liabilities incurred by, such trader. The receipt of profits in consideration of the sale of a goodwill is not to make the seller a partner. In the event of a trader being adjudged a bankrupt, or taking the benefit of an Act for the relief of insolvent debtors, or entering into an arrangement to pay his creditors less than 20s in the pound, or dying in insolvent circumstances, the lender of any such loan shall not be entitled to recover any portion of his principal or of the profits or interest payable in respect of such loan, nor shall any such vendor of a goodwill be entitled to recover any such profits, until the claims of the other creditors of the trader for valuable consideration in money or money's worth have been satisfied. The word "person" is to mean a firm, joint-stock company, or corporation.

LAW STUDENTS' JOURNAL.

NOTES OF NEW DECISIONS.

ARTICLED CLERK.—Two years during which the articled clerk had been absent on account of illness were allowed to count as service under the articles: (*Ex parte Beddoe*, 12 L. T. Rep. N. S. 211. Crompton, J.)

MICHAELMAS EDUCATIONAL TERM 1865.

PROSPECTUS of the LECTURES to be delivered during the ensuing Educational Term, by the several Readers appointed by the Inns of Court.

CONSTITUTIONAL LAW AND LEGAL HISTORY.

The Reader on Constitutional Law and Legal History proposes to deliver, during the ensuing educational term, Six Public Lectures on the History of English Law under the Stuarts.

With his private class, the Reader proposes to go through the principal statutes, trials, cases and state documents which illustrate the History of the English Constitution and the History of English Law under the Stuarts. He will use Hallam's Constitutional History and Coke's Institutes as his principal text-books.

EQUITY.

The Reader on Equity proposes to deliver, during the ensuing Educational Term, two courses of Public Lectures (there being Six Lectures in each course), on the following Subjects:—

An Elementary Course.

1. On Civil Judicial Procedure in General. On the Origin of the Feudal System, and its Influence over Judicial Procedure.
2. On the Origin of the Superior Courts of Law and Equity.
3. On the History of the Court of Chancery; its Ordinary and Extraordinary Jurisdiction and Present Constitution.
4. On the Custody of the Great Seal.
5. On the General Principles of Equity.

An Advanced Course.

1. On Trusts by Implication and Construction of Law.
2. On the Equitable Doctrine of Conversion.
3. On Relief in Equity against Fraud.

In the Elementary Private Class, the subjects discussed will be—The Remedies in Equity for Breaches of Agreements, and Equitable Relief against Waste. In the Advanced Private Class, the subjects treated will be—The Nature of Pleadings in the Court of Chancery; The Doctrine of Equity with reference to Election, Performance and Satisfaction.

THE LAW OF REAL PROPERTY.

The Reader on the Law of Real Property &c., proposes to deliver, in the ensuing Educational Term, Two Courses of Public Lectures (there being Six Lectures in each Course), on the following Subjects:—

Elementary Course.

1. A Common Contract for the Sale of Land.
2. A Common Conveyance of Land.

Advanced Course.

The Law of Wills.

In his Private Classes, the Reader will, with the Elementary Class, endeavour to go through a Course of Real Property Law, using the work of Mr. Joshua Williams as a text-book; and with the Advanced Class, the Reader will examine and comment upon some of the Leading Cases, to be selected from the volumes of Leading Cases, on Conveyancing and Equity, by Tudor and White and Tudor.

JURISPRUDENCE, CIVIL AND INTERNATIONAL LAW.

The Reader on Jurisprudence, Civil and International Law proposes, in the ensuing Educational Term, to deliver Six Public Lectures upon the following Subjects:—

1. International Law; its Sources and Constituents.
2. The Jurisconsulti of Ancient Rome; their Functions and Emoluments.
3. The Historical Development of the Roman Civil Procedure, and its Influence upon the Amendment of the Substantive Law.
4. The System of Pleading in Roman Civil Actions, and the Modes of Determination of Questions of Law and Fact.

In his Private Class, the Reader will continue the consideration of the Law of Contracts, commencing with the Contracts of Locatio Conductio (Letting and Hiring), and Societas (Partnership), using Sandars's edition of *Justinian's Institutes*, and the *Systema Juris Romani* of Mackeldey as text-books, and contrast it with the English and French law upon the same head. The Reader in his private class will also discuss points of International Law relating to Rights of War as between enemies, using the work of Wheaton as the text-book, and referring to the works of the principal modern Jurists, the decisions of the Admiralty and Prize Courts of England and America, the Debates in Parliament, and State Papers relating to the cases under discussion.

COMMON LAW.

The Reader on Common Law proposes to deliver, during the ensuing Educational Term, Two Courses of Six Public Lectures each, upon the following subjects:—

Elementary Course.

1. Common Law—What it is—Whence it has been derived—Into what Departments it is subdivided.
2. The Characteristics of Contract, Tort and Crime will be exhibited and illustrated by leading Cases.
3. The Rules of Evidence ordinarily applied in Civil and Criminal Proceedings will be stated and explained.

Advanced Course.

1. The Theory of the Law of Contracts—Express or Implied—will be considered.
2. The Three Classes of Contracts—of Record, Special and Simple—will be noticed, and Cases illustrating each respectively will be cited.
3. The Rules of Evidence applicable in Actions *ex-Contractu* will be specified, and the mode of Applying them will be explained.

With his Private Classes, the Reader will consider, *seriatim*, the various subjects above mentioned, and especially demonstrate the manner in which the Rules of Evidence are practically applied—whether for interpreting written instruments or for proving facts relevant to the issues raised on the record.

The following Books will be generally referred to:—Elementary Class: Blackstone's Commentaries (21st edit.); Broom's Commentaries (third edit.); and Taylor on Evidence. Advanced Class: Chitty on Contracts (last edit.); and Roscoe on Evidence at Nisi Prius.

By order of the Council,
(Signed) WESTBURY, C., Chairman.
Council Chamber, Lincoln's-inn,
July 14th, 1865.

The Public Lectures on Constitutional Law and Legal History, at Lincoln's-inn Hall, on Wednesdays, at 2 p.m.; the first lecture on 8th November. The Private Classes on Tuesdays, Thursdays and Saturdays, at 10 a.m.; first class meets on 9th November.

The Public Lectures on Equity, at Lincoln's-inn Hall, on Thursdays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture 9th November. The Private Classes on Mondays, at 3.45 and 4.30; Wednesdays and Fridays, at 3.15 and 4.15 p.m.; first class meets on the 10th November.

The Public Lectures on the Law of Real Property, &c., at Gray's-inn Hall, on Tuesdays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture on 14th November. The Private Classes on Mondays, Wednesdays and Fridays, at 11.45 a.m. and 12.45 p.m.; first class meets on 13th November.

The Public Lectures on Jurisprudence and Civil Law, at the Middle Temple Hall, on Fridays, at 2 p.m. the first lecture on 10th November. The Private Classes on Tuesdays, Thursdays and Saturdays, at 3.45 p.m.; first class meets on the 11th November.

The Public Lectures on the Common Law, at the Inner Temple Hall, on Mondays (Elementary Lecture at 2 p.m.; Advanced Lecture at 3 p.m.); the first lecture on 13th November. The Private Classes on Tuesdays, Thursdays and Saturdays, at 11.45 a.m. and 12.45 p.m.; first class meets on the 14th November.

The Educational Term commences on the 1st November and ends on the 22nd December.

The First Public Lecture of this course will be delivered by the Reader on Constitutional Law and Legal History (Thos. Collett Sandars, Esq.) on Wednesday, the 8th November, at 2 p.m.

The First Meeting of each Private Class will take place on the usual Morning or Evening of meeting after the First Public Lecture on the same subject.

Students who have been unable to attend a Lecture or Class of either of the Readers, and desire dispensation as a qualification for call to the Bar, should make application, with an explanation of the cause of such absence, in writing, to the Reader during the course, or immediately after the delivery of the last Public Lecture of the course; and the Reader's report thereon, together with the application, will be forwarded to the Council of Legal Education, who alone have the power of granting dispensation.

The Council have resolved that in no case shall students be allowed to change from the Elementary to the Advanced courses of Lectures and Classes *vice versâ*, while qualifying for call to the Bar, or for the Examinations on the subjects of Lectures.

INNS OF COURT.—RULES FOR THE GENERAL EXAMINATION.

Michaelmas Term 1865.

THE COUNCIL OF LEGAL EDUCATION have approved of the following Rules for the Public Examination of the Students.

The attention of the students is requested to the following Rules of the Inns of Court:—

"As an inducement to students to prepare themselves for such examination, studentships and exhibitions shall be founded of fifty guineas per annum each, and twenty-five guineas per annum each respectively, to continue for a period of three years, and one such studentship shall be awarded on the most distinguished student at each general examination, and one such exhibition shall be conferred on the student who obtains the next position; and further, the examiners shall select and certify the names of three other students who shall have passed the next best examinations; and the Inns of Court to which such students as aforesaid belong, may, if desired, dispense with any term not exceeding two, that may remain to be kept by such students previously to their being called to the Bar. Provided that the examiners shall not be obliged to confer or grant any studentship, exhibition or certificate, unless they shall be of opinion that the examination of the students has been such as entitles them thereto."

"At every call to the Bar those students who have passed a general examination, and either obtained a studentship, an exhibition, or a certificate of honour at such examination, shall take rank in priority over all other students who shall be called on the same day."

Rules for the Public Examination of Candidates for Honours, or Certificates entitling Students to be called to the Bar.

An examination will be held in next Michaelmas Term, to which a student of any of the Inns of Court, who is desirous of becoming a candidate for a studentship, an exhibition or honours, or obtaining a certificate of fitness for being called to the Bar, will be admissible.

Each student proposing to submit himself for examination will be required to enter his name at the Treasurer's Office of the Inn of Court to which he belongs, on or before Monday, the 2nd day of October next, and he will further be required to state in writing whether his object in offering himself for examination is to compete for a studentship or other honourable distinction; or whether he is merely desirous of obtaining a certificate preliminary to a call to the Bar.

The examination will commence on Monday, the 30th day of October next, and will be continued on the Tuesday and Wednesday following.

It will take place in the Hall of each Inn; and the doors will be closed ten minutes after the time appointed for the commencement of the examination.

The examination by printed questions will be conducted in the following order:—

Monday morning, the 30th October, at half-past nine, on Constitutional Law and Legal History; in the afternoon, at half past one, on Equity.

Tuesday morning, the 31st October, at half-past nine, on Common Law; in the afternoon, at half-past one, on the Law of Real Property, &c.

Wednesday morning, the 1st November, at half-past nine, on Jurisprudence and the Civil Law; in the afternoon, at half-past one, a paper will be given to the students including questions bearing upon all the foregoing subjects of examination.

The oral examination will be conducted in the same order, during the same hours, and on the same subjects, as those already marked out for the examination by printed questions, except that on Wednesday afternoon there will be no oral examination.

The oral examination of each student will be conducted apart from the other students; and the character of that examination will vary according as the student is a candidate for honours, or desires simply to obtain a certificate.

The oral examination and printed questions will be founded on the books below mentioned; regard being had, however, to the particular object with a view to which the student presents himself for examination.

In determining the question whether a student has passed the examination in such a manner as to entitle him to be called to the bar, the examiners will principally have regard to the general knowledge of law and jurisprudence which he has displayed.

A student may present himself at any number of examinations, until he shall have obtained a certificate.

Any student who shall obtain a certificate may present himself a second time for examination as a candidate for the studentship or exhibition, but only at the general examination immediately succeeding that at which he shall have obtained such certificate; provided, that if any student so presenting himself shall not succeed in obtaining the studentship or exhibition, his name shall not appear in the list.

Students who have kept more than eleven terms shall not be admitted to an examination for the studentship or the exhibition.

The Reader on Constitutional Law and Legal History proposes to examine in the following Subjects:—

1. The principal Statutes from the time of King John to that of Queen Anne.

2. The State Trials in the reigns James I., Charles I. and Charles II.

3. The Chapter on the English Constitution in Hallam's Middle Ages (chapter 8, part 3.)

4. Hallam's Constitutional History, from the Accession of James I. to the Revolution of 1688.

The Reader on Equity proposes to examine in the following Books:—

1. Haynes's Outlines of Equity; Smith's Manual of Equity Jurisprudence; Hunter's Elementary View of the Proceedings in a Suit in Equity, Part I.

2. The Cases and Notes contained in the first volume of White and Tudor's Leading Cases. The Act to further Amend the Law of Property, and to Relieve Trustees, 22 & 23 Vict. c. 35. The Act to further Amend the Law of Property, 23 & 24 Vict. c. 38. The Act to give to Trustees, Mortgagees and others, certain powers now commonly inserted in Settlements, Mortgages and Wills, 23 & 24 Vict. c. 145. The Act to regulate the Procedure in the High Court of Chancery and the Court of Chancery of the County Palatine of Lancaster, 25 & 26 Vict. c. 42. The General Orders of the Court of Chancery, of the 1st Feb. 1861, and of the 5th Feb. 1861: (Jur. vol. 7, N.S., part 2, p. 58.) Mitford on Pleadings in the Court of Chancery, Introduction; chap. 1, ss. 1 and 2; chap. 1, s. 3 (the first six pages); chap. 2, s. 1; chap. 2, s. 2, part 1 (the first three pages); chap. 2, s. 2, part 2 (the first two pages); chap. 2, s. 2, part 3; chap. 3.

Candidates for Certificates of having passed a satisfactory examination will be expected to be well acquainted with the books mentioned in the first of the above classes.

Candidates for the Studentship, Exhibition, or Honours will be examined in the books mentioned in the two classes.

The Reader on the Law of Real Property, &c., proposes to examine in the following Books and Subjects:—

1. Joshua Williams on the Law of Real Property, sixth edition.

2. The Law of Copyholds; Josiah Wm. Smith on Real and Personal Property, third edition, pp. 118-127, 209-211, 928-935, and the other references in the Index, under title "Copyholds."

3. Personal Annuities, Stocks and Shares; Joshua Williams on Personal Property, fifth edition, pp. 189-213.

4. *Doe v. Hiscocks*, 5 M. & W. 363, and the Notes to that Case; Tudor's Leading Cases in Conveyancing, pp. 819-836, second edition.

5. Spencer's Case, 5 Coke 16, and the Notes to that Case in 1 Smith's Leading Cases at the Common Law, p. 43; Sugden's Vendors and Purchasers, 14th edit., pp. 576-598.

Candidates for the Studentship, Exhibition, or Honours will be examined in all the foregoing books and subjects; Candidates for a Certificate in those under heads 1, 2 and 3.

The Reader on Jurisprudence, Civil and International Law proposes to examine in the following Books and Subjects:—

1. The First Book of the Institutes of Justinian, with the Notes of Sandars or Ortolan.

2. Mackeldeii—Systema Juris Romani hodie Usitati—(Lcps. 1847)—Pars Generalis, § 116-142; Pars Specialis—Jus Familiare, lib. III.

3. Code Napoléon, § 144-515.

4. Maine's Ancient Law, chap. 5—Primitive Society and Ancient Law.

5. Wheaton's International Law. Part II.—Absolute International Rights of States, pp. 115-356 (edit. 1863.)

Candidates for the Studentship or Honours will be examined in the whole of the above-mentioned books and subjects; but candidates for a Pass Certificate will be examined only in 1, 4 and 5.

The Reader on Common Law proposes to examine in the following Books and Subjects:—

Candidates for a Pass Certificate will be examined in—

1. The Ordinary Steps and Course of Procedure in an Action at Law.

2. The Law of Contracts, so far as set forth in Smith's Lectures on Contracts, I.-V. inclusive.

3. "Torts Generally." Broom's Commentaries (third edition), Book III., chap. I., and "Torts to the Person." Id., chap. 2, to p. 730.

4. The Law of Homicide and Simple Larceny, which may be read from Archib. Cr. Plead. (fifteenth edition).

Candidates for the Studentship, Exhibition, or Honours will be expected to be familiar with 1, 2 and 3 of the above Subjects, and will also be examined in—

5. "The Pleadings in an Action." Broom's Commentaries (third edition), pp. 159-192.

6. The following Cases, with the Notes thereto in Smith's Leading Cases:—*Armory* v. *Delamirie*; *Ashby* v. *White*; *Chandelor* v. *Lopus*; *Collins* v. *Blantern*, and *Pasley* v. *Freeman*.

7. Foster's Discourse of Homicide. Chaps. 1, 2, 3, 5 and 8.

8. "Maxims applicable to the Law of Evidence." Broom's Leg. Max. (fourth edition), chap. 10.

By order of the Council,
WESTBURY, C., Chairman.

Council Chamber, Lincoln's-inn, 14th July 1865.

INTERMEDIATE EXAMINATION.

UNDER 23 & 24 VICT. c. 127, s. 9.

The Elementary Works, in addition to book-keeping (mercantile), selected for the Intermediate Examination of persons under articles of clerkship executed after the 1st Jan. 1861, for the year 1866, are—

Williams on the Principles of the Law of Real Property. 6th edit. 1862.

Chitty on Contracts, chapters 1 and 3, with the exception, in chapter 3, of sect. 1 relating to contracts respecting real property. Any edition published in or after 1850.

The examiners deal with the subject of Mercantile Book-keeping generally, and do not in their questions confine themselves to any particular system. Candidates are not examined in the method of book-keeping by double entry.

Candidates are required by the judges' orders to give to the Incorporated Law Society one calendar month's notice (*a*) before the commencement of the term in which they desire to be examined. Candidates are also required to leave their articles of clerkship and assignments (if any) duly stamped and registered, seven clear days before the commencement of such term, together with answers to the questions as to due service and conduct up to that time.

Dated the day of 18 .

Candidates may be examined either in the term in which one-half of their term of service will expire, or in one of the two terms next before, or one of the two terms next after one-half of the term of service under their articles.

The examinations are held in the hall of the Incorporated Law Society, Chancery-lane, London, in Hilary, Easter, Trinity and Michaelmas Terms.

Law Society's Hall, Chancery-lane,
London. July 1865.

FINAL EXAMINATION.

PRIZE FOR LIVERPOOL LAW STUDENTS.

Timpron Martin, Esq., of Liverpool, solicitor, being desirous of encouraging the study of the law amongst clerks who have already entered, or may hereafter enter into articles of clerkship to attorneys, and solicitors at Liverpool, has for that purpose paid to the Incorporated Law Society a sum of 210*l.* which has been invested by the society in the sum of 237*l.* 12*s.* 6*d.* Consols, the interest of which will, in accordance with the donor's directions, be applied in providing a gold medal, to be awarded by the society in accordance with the following

Regulations.

The prize will be open to those students only who have been originally articled to an attorney or solicitor, or firm of attorneys or solicitors, carrying on business in Liverpool, and have passed not less than two-third parts of the entire period of service under their articles of clerkship in that town.

The prize will be given by the council of the Incorporated Law Society after the final examination in Michaelmas Term next, and so in every subsequent Michaelmas Term, to the candidate who, among the members of the class described in the preceding regulation, shall be reported to the council by the examiners as having passed the best examination in that term, or in the Hilary, Easter, or Trinity Terms of the same year, and as entitled to honorary distinction.

The prize will not be awarded to any candidate who shall be above the age of twenty-five years at the time when he passes his examination.

If in any Michaelmas Term it shall be reported to the council that no candidate belonging to the class above mentioned has in the then current year passed such an examination as shall entitle him to honorary distinction, or if there shall be no candidate from Liverpool, then the council will withhold the medal provided for that year, and it shall be reserved and given to the candidate who, being second in order of merit in any subsequent year, shall appear by the report of the examiners to be entitled to honorary distinction; and so from time to time the medal or medals provided in any year, and not given in that year as a prize, will be reserved until the council shall, on the recommendation of the examiners, adjudge the same to be given in some subsequent year to a candidate or candidates who, being second or third in order of merit, shall nevertheless be considered entitled to honorary distinction, and the medal or medals so reserved will be disposed of accordingly.

(*a*) FORM OF NOTICE.

Notice is hereby given that A. B., of who is now under articles of clerkship to C. D., of [*or*, who has served under articles of clerkship to C. D., and is now serving under an assignment of such articles of clerkship to E. F., *or*, as the case may be,] intends to apply in Term next for intermediate examination.

THE NEW BANKRUPTCY LAW.

One of the results of the inquiry which the late Lord Chancellor directed last November to be made as to the auditing of the accounts of the official assignees in the courts of bankruptcy has been the service of a notice of motion upon Mr. *G. J.* Graham, official assignee in the London Court of Bankruptcy, calling upon him to pay forthwith the sum of 2140*l.*, being the aggregate of a variety of charges which he is said to have made improperly in his dealings with bankrupts' estates. Mr. Graham's is selected as a type of other cases, and therefore the decision in his case will determine what is to be done in them. Mr. Graham's case was to be heard to-day before the Lord Chancellor, but Mr. Bagley, as his counsel, applied for a postponement of it for a fortnight or three weeks. He said he was aware that his application was tantamount, at this period of the sittings, to asking for a postponement until Michaelmas Term. Mr. Graham was the oldest administrative officer in the Court of Bankruptcy, and he had been suddenly called upon, by a notice served so recently as Friday last, to pay forthwith 2140*l.* as money which he had improperly retained out of bankrupts' estates, though, with the exception of some items which he had already offered to pay, he hoped to be able to satisfy his Lordship that he had not retained anything which he was not fully entitled to retain. The items charged against Mr. Graham exceeded 900, and the accounts extended over several years. It was therefore impossible for Mr. Graham to be prepared to-day to meet this charge of the Attorney-General. Mr. Sargood said that he and Mr. Miller had been instructed to appear in this case for the Attorney-General, who was obliged to be in attendance to-day before the Privy Council. This matter was submitted to his Lordship on the relation of the chief registrar in the Court of Bankruptcy. The matter was not new to Mr. Graham. The questions that would have to be discussed involved the principle on which certain calculations should be made in the auditing of official assignees' accounts, and the decision which his Lordship would pronounce would be a guide to the chief registrar in other cases, so that it was a matter of public importance that there should be as little delay as possible in determining this case of Mr. Graham. So long ago as the 7th June Mr. Graham was made aware of the items that were charged against him, and of the intention to submit his case to this court. The Lord Chancellor asked Mr. Bagley whether Mr. Graham would be prepared with his defence by this day week. Mr. Bagley said that would be impossible. The Lord Chancellor then said, "I think, upon the whole, it is but fair to Mr. Graham to let the matter stand over till the first Saturday in Michaelmas Term."—*Pall Mall Gazette*, July 25.

CORRESPONDENCE OF THE PROFESSION.

PROSECUTION EXPENSES.—I have had a prosecution at the assizes at Derby, which have just taken place, and have received 2*l.* 2*s.* as my fee in the matter. The first-class railway fare from my office to the assize town and back is 16*s.* 6*d.*, after payment of which I should have the magnificent sum of 1*l.* 5*s.* 6*d.* for preparing the brief and for two days spent at the assize town, and out of which I should have to pay my tavern expenses. I leave you to

guess what profit I should make out of the matter. Surely it is time such a state of things was put an end to, and by inserting this letter you will lend your valuable assistance in doing so.

One who Likes to be Paid
20th July 1865. for his Work.

Letters of Administration.—A client of mine is taking out letters of administration to the effects of a party who had a fixed place of abode in India, but who died on his passage to England. The principal indeed, almost the only, property of which he died possessed is in India, and I am advised that the proper course is to take out letters of administration here for a nominal sum, and then to send out a power of attorney to some party in India to take out letters of administration there. As I am not acquainted with any legal men there, I shall feel obliged if any of your readers could give me the name of any respectable solicitor or firm of solicitors in Bombay to whom I could send the power.

26th July 1865. X. Y. Z.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Stamp on Settlement of Life Assurance Policy.—The case of *Smeille* v. *The Commissioners of Inland Revenue*, 24 L. J., N. S., 270, Ex., decided that a settlement of a policy of life assurance was *not liable* to an *ad valorem* stamp duty upon the amount assured by such policy. In Mr. Tilsley's work on the Stamp Acts, p. 88, 8th edit., I am surprised to find it stated, in effect, that the commissioners decline to be bound by the above case, and continue to assess the duty as before, where parties apply to them for their opinion. As I am about preparing a settlement of a life assurance policy, I shall be obliged if some of your readers will kindly state the course adopted by them under similar circumstances. The case referred to was decided upwards of ten years ago, so that numerous instances must have occurred since. A. B.

26th July.

Income-tax.—Can any of your numerous readers refer me to any *dictum* or decision applicable to the following case:—A. B. and C. D. agree together to purchase jointly a particular property, the conditions being, as between themselves, that in consideration of C. D. attending to the sale and management of the same, A. B. will find all the purchase-money, but that the net profits (after repayment of purchase-money and all attendant expenses) shall be divisible into two equal moieties between the parties. Assuming the property to be sold and a profit of 1000*l.* made, is C. D. liable for income-tax in respect of 500*l.*? The argument used in support of such an assumption of liability is, that as respects C. D., his share of the 1000*l.* is in the nature of remuneration for services rendered. The argument against is, that the 500*l.* is produced by the sale of property belonging to C. D., and that as there is no liability in respect of money realised by the sale of real estate, income-tax cannot be claimed. It is further alleged that the commissioners have no power to inquire into the condition or way upon or in which C. D. became possessed of his estate, but must assume that he obtained it in the usual way by purchase and payment for it in money, or money's worth, or by bequest. Is there anything beside the Acts of Parliament which is regarded as an authority in matters of this sort to which reference can be had? C. D.

THE LAW LIBRARY.

The Succession Duty Act 1853, with the Decisions and Notes. By Alfred Hanson, Esq., Barrister-at-Law. London: Stevens and Co.

A Practical Treatise on the Succession Duty Act, with the Decisions thereon in England, Scotland and Ireland. By Wm. Brown, Esq., Barrister-at-Law. London: Sweet.

These two volumes on the same subject differ in this respect, that Mr. Hanson gives us merely an annotated edition of the statute, and Mr. Brown prefaces the statute with a treatise. The former is the more compact and in some respects the more convenient shape in which to present a new law for the use of the practitioner, who requires not a book to read, but pages to which to refer when he needs information as cases come before him. Mr. Brown's aim is higher than that of Mr. Hanson. He has patiently studied the language of the law and the interpretations of it by the courts, and considered the various conditions under which it has been applied, and having thus acquired a clear view of it in his own mind, he proceeds to present it to his readers in the shape of a discourse, in which the matter is arranged in logical order, and not merely according to the arrangement of the statute. This memorable Act enjoys the well-deserved reputation of being the best drawn law in the statute-book; and when the difficulties of the subject are considered, it will be deemed a marvellous triumph of legal acumen, combined with the faculty for clear expression, that Mr. Erle should have dealt with so wide a subject in so small a space, that he should have left so few blots for litigation, and that it should never have required amendment after trial made of its applicability to complications of circumstances which no sagacity could have foreseen. The cases decided upon it are numerous, as these volumes show; but considering that the crop has been maturing for many years, that the law was altogether a novelty, and the interests it affected of great pecuniary importance, it is wonderful that more litigation has not grown out of it. Mr. Hanson, indeed, condenses the statute and all the decisions on it in ninety-eight small pages, and although Mr. Brown expands beyond this limit, he does so partly by larger type and partly by the introduction of dissertations of his own. All, or nearly all, of the cases here collected appeared in the Law Times Reports, and the most important of them have been made the subject of elaborate treatise in these pages. There is nothing new in the volumes before us, and therefore we content ourselves with commending both to our readers, who can now choose, according to their wants or tastes, between a book for reading and a book for reference. We should state that both give the tables for calculating the duties, which alone fill more than seventy pages.

LAW SOCIETIES.

EQUITY AND LAW LIFE ASSURANCE SOCIETY.

Bonus Report, 1864.

Report of the Extraordinary General Meeting, held on Friday, 30th June 1865.

The fourth quinquennial period of the society's operations having closed on the 31st December last, the directors have caused a careful valuation to be made by the actuary of the assets and liabilities of the society as at that date; and have now in conformity with the provisions of the deed of settlement, to report the results to the proprietors and the assured.

It will be convenient in the first instance to give a summary of the progress of the society since the last valuation. In the five years in question, there have been issued 805 new policies insuring 1,159,612*l.* the average amount of each policy being 1440*l.* In the previous five years, the number of policies issued was 725, insuring 792,485*l.* and averaging 1093*l.* each. Comparing the two quinquennial periods therefore, there has not only been a large increase in the business of the office; but that business is of a still higher and more profitable character than formerly.

It is worthy of note that during the last five years the practice of effecting insurances against the birth of issue, in connection with loans on contingent reversionary interests, has grown into importance. Up to the present date such insurances have been effected with this society to the extent of 98,320*l.*; and the premiums received in respect of them have amounted to 5869*l.*

On the 31st Dec. 1859 there were in force 1336 policies, insuring 1,403,880*l.*; and adding to these the policies since issued, there are 2141 policies insuring 2,563,499*l.* to be accounted for. Of these, 105, insuring 72,825*l.*, have become claims; 280, insuring 311,908*l.*, have terminated by lapse, surrender, or expiry, leaving 1756 policies in force on 31st Dec. last, insuring 2,178,766*l.*

In estimating the liability of the society under its various insurance contracts, it has been the wish of the directors to strengthen the position of the society by making an ample reserve, rather than to divide the largest sum which circumstances might seem to justify. A very large profit has been derived during the last five years from the claims being much lighter than could have been possibly expected, the losses having reached only 55 per cent. of the anticipated amount; but the directors consider it would be unwise to divide the whole of this profit on the present occasion. The process of valuation employed has therefore been of the most stringent character.

The table of mortality made use of has been that known as the "Experience Table," which would appear to be the most suitable, as having been derived from observations on assured life, furnished by seventeen insurance companies. The reserve obtained by the use of this table is considerably larger than that given by any of the other tables commonly employed. The rate of interest assumed in the calculations is 3 per cent., being the rate commonly adopted for the purpose, as the highest which can with prudence be assumed as likely to prevail permanently during the currency of the policies. The whole of the loading, or addition to the net premium for expenses, contingencies, &c., has been thrown off in estimating the value of the future premiums. In these and other respects, the greatest care has been taken to avoid everything in the nature of anticipation of profits not yet realised.

With these explanations the directors would call attention to the following balance-sheet in which the position of the society on 31st Dec. 1864 is clearly set forth:

BALANCE-SHEET, 31st DEC. 1864

Liabilities.

	£	s.	d.
Value of 1,491,724*l.* assured under 1376 policies with profits	777,364	11	4
Value of 70,054*l.* bonuses thereon	40,925	12	[illegible]
Value of 560,083*l.* assured under 410 policies without profits	271,145	[illegible]	[illegible]
Reserve for short term insurances, extra risks, special cases, &c.	12,719	[illegible]	[illegible]
Claims announced and other liabilities	919	4	[illegible]
Balance, being the excess of assets over liabilities	72,337	[illegible]	[illegible]
	£1,175,9[illegible]	1[illegible]	[illegible]

Assets.

	£	s.	d.	£	s.	d.
Amount of assurance fund as per printed account ...				363,9[illegible]	[illegible]	[illegible]
Value of 47,392*l.* annual premiums on policies with profits	700,525	2	0			
Less reserve for expenses, future bonuses and contingencies	140,020	14	0			
				560,504	[illegible]	[illegible]
Value of 18,036*l.* annual premiums on policies without profits	226,332	18	0			
Less reserve for expenses, &c.	29,744	10	0			
				196,588	[illegible]	[illegible]
Value of reassurances for 255,348*l.*				34,332	11	[illegible]
				£1,175,9[illegible]	[illegible]	[illegible]

The information here given is much fuller than that which it has been the practice of this and kindred societies to publish; but the directors feel the position of the society to be so sound, that the more fully it is exhibited, the greater will be the confidence felt by all parties interested in its success.

The directors recommend that of the above balance of 72,337*l.* a sum of 2400*l.* should be appropriated to reduce the price at which the society's house stands in the books, and that the remaining sum of 69,937*l.* be actually divided. The share of the proprietors will be 6995*l.* 14*s.*, which will allow of the payment of an increased dividend for the ensuing five years at the rate of 8*s.* 6*d.* per share, or 8½ per cent. on the amount originally paid. The amount to be divided among the assured will be 62,961*l.* 6*s.*, and the amount of the policies which will participate on the present occasion, being effected on the participating scale and of more than of one year's standing is 1,339,608*l.* At the last division of profits the sum of 39,500*l.* was divided among policies for the sum of 925,306*l.* If the same relation still subsisted, the sum to be divided among the assured would be 57,186*l.* The sum now to be divided is, therefore, considerably larger in proportion; and this, notwithstanding that a larger proportionate reserve has been made.

In distributing the above sum among the assured care has been taken to adjust equitably the claims of persons insuring at different periods in the society's existence. A somewhat larger bonus will be given to the persons who insured many years ago, than to persons who have insured at the same age more recently; but this difference is proportioned to the larger profit derived in the former case; and *no advantage is given to the older assured at the expense of the more recent.* A larger bonus will be also given to those persons who chose the reversionary bonus at former divisions, than to those who have received the value of the former bonuses in cash, or reduction of premium.

The principle on which the distribution has been made will be better understood when it is stated that the average rate of interest at which the funds of the society (including the unproductive assets) have been improved during the last five years, has been 4*l.* 8*s.* per cent. per annum, after deduction of income-tax. In all the valuations, it has been assumed that 3 per cent. only would be realised; and the profit from this source upon the amount of the funds on 31st Dec. 1859, forms a considerable sum, of which persons who have insured subsequently have contributed no part.

Thos. Bond Sprague, Secretary.

INCORPORATED LAW SOCIETY.

Annual Report of the Council

Intended to be submitted to the General Meeting of the Members on July 5, 1865.

(Continued from page 466.)

Concentration of the Courts and Offices.

At the last annual meeting the council briefly stated the course taken by them to induce the Government to introduce the long-promised measure for the concentration of our superior courts with their several offices.

Shortly after the report of the council was circulated amongst the members of the society, two Bills were introduced into the House of Commons for carrying the scheme into effect; but, as might have been anticipated, the time that intervened between the first appearance of the Bills (1st July 1864) and the close of the session, was wholly insufficient for perfecting a measure of this magnitude and importance, and the Bills were very soon withdrawn.

In November last the council were officially in-

formal, in answer to an urgent application made to the first Commissioner of Works, that it was the intention of the Government to reintroduce the Bills in the early part of the present session; and the council communicated with the societies of the Inner Temple, the Middle Temple and Gray's-inn, and the benchers of those inns individually, earnestly requesting their co-operation in endeavouring to secure the success of the measure.

The council were subsequently gratified to find that these learned bodies cordially supported the Bills, and that the benchers of Lincoln's-inn did not intend to continue their opposition.

Applications were also made to the various Inns of Chancery, and the provincial law societies, and numerous petitions were presented to Parliament praying that Bills might be introduced to give effect to the scheme for the concentration of the courts and offices, on the site recommended by the Royal Commissioners of 1859.

The were Bills reintroduced by the Attorney-General early in February last, and passed through their several stages in the House of Commons; petitions in their favour being presented by this Society, the Inns of Court and Chancery, the Metropolitan and Provincial Law Association, and several of the provincial law societies.

An attempt was, however, made in the House of Commons to have the Site Bill referred back to the Select Committee who had had the Bill under consideration, it being alleged that the proposed site had been insufficiently considered, and that a suggestion that the courts should be erected on a portion of the Thames embankment had been overlooked.

As the only plan before the House was that for erecting the courts and offices on the site known as the Carey-street site, in favour of which there is an almost universal concurrence of opinion, the adoption of this suggestion would inevitably have defeated the Bill. In order to prevent this disaster, the council communicated with several members of Parliament, and their efforts were so far successful that on an adjourned debate in committee on the Bill on the 30th March last, the motion to refer it back to a select committee was negatived without a division.

The Bills having reached the House of Lords, met with further difficulties and objections, based principally on the displacement of the occupiers of the habitations which will have to be pulled down on the proposed site; the supposed superiority of the Thames embankment; want of information with reference to the plans and estimates; and the propriety of appropriating a particular fund for the purposes of the proposed works; and an alteration was made in each of the Bills which would have been fatal to the measure.

The Bills were returned to the House of Commons, and the result of the conference between the two Houses was that the Lords did not insist on their amendments, and the Bills received the Royal assent on the 19th June inst.

The council may, therefore, now fairly congratulate themselves and the profession on the success of their long-continued efforts to obtain a concentration of the law courts and offices; and it is satisfactory to the council to be able to inform the society that in the Royal commission to be appointed for carrying the measure into effect, the interests of the profession will be represented by the nomination (as three members of the commission) of the president, for the time being, of this society, together with Mr. Shaw Young and Mr. Cookson, members of the council.

In concluding their notice of this subject, the council feel it is only just to avail themselves of this opportunity of publicly acknowledging the great assistance they have received, in connection with this measure from Mr. E. W. Field and Mr. Rogers, two of the registrars of the Court of Chancery.

THE JUDGMENTS, &c., LAW AMENDMENT BILL.

This Bill was pending in Parliament when the last annual meeting of the society was held. It was one which the council gave very careful consideration, and the course taken by them with respect to the important changes in the law included in its provisions was fully detailed in their last report.

It is almost needless at this period of time to state that the Bill became an Act on the 29th July last, and provides in effect, that no judgment (including registered decrees, orders of courts of equity, bankruptcy and other orders having the operation of a judgment), statute, or recognisance shall affect any land, of whatever tenure, until such land shall have been delivered in execution in pursuance of such judgment, &c.; and that every such execution shall be registered in the name of the debtor instead of in the name of the creditor; and every creditor to whom land has been delivered in execution shall be entitled to an order of the Court of Chancery, to be obtained in a summary manner, for the sale of the debtors' interest in such land; and any other creditors with a charge on such land shall be served with notice of the order for sale, and the proceeds of such sale shall be distributed among the persons entitled thereto, according to their respective priorities.

It is gratifying to find that, when important amendments in the law are made, due regard is had to the practical experience and matured opinions of a branch of the profession which is always ready to encourage such improvements as are likely to result in a benefit to the public.

COUNTY COURTS EQUITABLE JURISDICTION BILL.

By this Bill it is proposed to give to the County Courts an equitable jurisdiction in the following cases:

1. In all suits by creditors, legatees (whether specific, pecuniary, or residuary), devisees (whether in trust or otherwise), heirs-at-law or next of kin, in which the personal or real or personal and real estate against or for an account or administration of which the demand may be made shall not exceed in amount or value the sum of 500*l.*

2. In all suits for the execution of trusts in which the trust estate or fund shall not exceed in amount or value the sum of 500*l.*

3. In all suits for foreclosure or redemption, or for enforcing any charge or lien, where the property subject to such mortgage, charge, or lien shall not exceed in amount or value the sum of 500*l.*

4. In all suits for specific performance, or for the delivering up or cancelling any agreement for the sale or purchase of any property where the property included in the contract or agreement shall not exceed in amount or value the sum of 500*l.*

5. In all proceedings under the Trustees Relief Acts, or under the Trustee Acts, or under any of such Acts, in which the trust-estate or fund to which the proceeding relates shall not exceed in amount or value the sum of 500*l.*

6. In all proceedings relating to the maintenance or advancement of infants, in which the property of the infant shall not exceed in amount or value the sum of 500*l.*

7. In all suits for the dissolution or winding-up of any partnership in which the whole property, stock, and credits of such partnership shall not exceed in amount or value the sum of 500*l.*

8. In all proceedings for orders in the nature of injunctions, where the same are requisite for granting relief in any matter in which jurisdiction is given by this Act to the County Court, or for stay of proceedings at law to recover any debt proveable under a decree for the administration of an estate made by the court to which the application for the order to stay proceedings is made.

On considering the Bill, it appeared to the council that, although doubts may be entertained whether the County Court is a fitting tribunal for the transaction of business of this character, no objection could be raised on the part of the Profession to its removal from the Superior Court, if it could be as cheaply and effectually transacted elsewhere.

Soon after the introduction of the Bill into the House of Lords, the attention of the council was invited to the subject by Lord St. Leonards, and the correspondence which thereupon took place between his Lordship and the Council is as follows:

Boyle Farm, 4th March 1865.

To the Members of the Incorporated Law Society.

Gentlemen,—Your attention has no doubt been drawn to the Lord Chancellor's Bill for transferring from the Court of Chancery to the County Courts all the equity business, where the property is of small amount. As the court fees upon such business can easily be further reduced, the only ground upon which the transfer can be supported is that relied upon by the Lord Chancellor, the large amount of costs, of which his Lordship quoted several instances. I beg, therefore, to suggest to you whether some scale might not be fixed for costs in such matters as would enable justice in equity to be administered to all alike and render the proposed transfer altogether unnecessary. I cannot doubt that the Bar would join in any reasonable plan for reducing the costs in cases of small value. We are of course all aware that if work is to be done, whether in Courts of Equity or in the County Courts, it must be paid for. If under this Bill, for example, a specific performance were sought of a contract for sale of land, the title would have to be investigated by counsel, just as at present, and counsel and attorneys would require payment for their labours, and the County Courts would have none of the aids which Courts of Equity have in like cases.—I have the honour to be, Gentlemen, your faithful servant, ST. LEONARDS.

Incorporated Law Society,
Chancery-lane, London, W.C.,
20th March 1865.

My Lord,—I have now the honour to inform your Lordship that the suggestions contained in your Lordship's letter of the 4th inst., with reference to the Bill introduced into the House of Lords by the Lord Chancellor for the extending of the equitable jurisdiction of the County Courts, have received the careful consideration of the Council of the Incorporated Law Society.

The council think it desirable that I should remind your Lordship that the costs of Chancery business affecting property under the value of 1000*l.* are already fixed upon a greatly reduced scale, which the solicitors have always considered to be wholly unremunerative. They have, notwithstanding, cheerfully transacted the business of this character which in the regular course of their profession has come to them, but they have done so simply because they did not think it right to refuse their aid to poor suitors. They have no wish, however, that this kind of business should be retained in the Court of Chancery if it can be more cheaply and efficiently transacted elsewhere.

At the same time, the Council believe that if the Legislature should think it desirable to retain in the Court of Chancery the class of business proposed by the Lord Chancellor's Bill to be transferred to the County Courts, solicitors would not object to a still further reduction of their charges for that class of business, provided the charges for transacting other equity business were made sufficiently remunerative, as it is generally and strongly felt by the Profession, that, owing in a great measure to the recent changes in the practice, the fees allowed to solicitors, even for business within the higher scale, are quite inadequate to remunerate them for their professional labour and responsibility, and for the use of the considerable capital necessarily employed in the transaction of Chancery business.—I have the honour to be, my Lord,

Your Lordship's very obedient servant,
E. S. BAILEY, President.

To the Right Hon. the Lord St. Leonards,
&c., &c., &c.

Boyle Farm, 22nd March 1865.

Sir,—I beg to thank the council of the Law Society, of which you are the president, for their attention to my suggestions on the Bill for conferring equitable jurisdiction over small properties in County Courts. You are already in possession of my objections to that Bill. The chief ground in support of the measure is the great expense of the Superior Courts, notwithstanding the reduced scale of costs where the properties are of small amount. The Lord Chancellor laid much stress on this point, and quoted two instances of large costs in suits relating to small properties. At my request he has furnished me with the costs in the cases he referred to. One was an administration suit by an infant by his next friend against the administrator—a friendly suit. The personal property is stated to have been under 400*l.*, nearly half of which was applied to the payment of the debts. There was a small real property producing a net rent under 30*l.* A receiver was appointed. The plaintiff's bill of costs was 158*l.* 2*s.* 6*d.*, reduced by taxation (36*l.* 13*s.* 8*d.*) to 121*l.* 8*s.* 10*d.* The defendant's costs were 20*l.* 15*s.* 6*d.*, reduced by taxation (2*l.* 15*s.* 8*d.*) to 17*l.* 19*s.* 10*d.*

The other case was a bill for sale of a property not worth more than 150*l.* by the equitable mortgagee for 200*l.* against the owners, husband and wife. The plaintiff's costs on the lower scale were 93*l.* 13*s.* 10*d.*, reduced by taxation (22*l.* 1*s.* 4*d.*) to 7*l.* 12*s.* 6*d.* The defendant's costs are not given.

I was led to hope that costs might in such cases be reduced, and I thought it probable that it might be important to the London solicitors to still conduct all the equity business in the Superior Courts, and I know that the Bar would readily concur with the solicitors in any practical arrangement. Your answer shows me that I was mistaken.

I find from your letter that business affecting property under 1000*l.* has always been considered by the solicitors to be wholly unremunerative; and they have no wish that the branch of business should be removed to the Court of Chancery, if it can be more cheaply and as efficiently transacted elsewhere. Now I think it impossible that this branch of business can be as efficiently performed elsewhere—certainly not in the County Courts—but I take it for granted that it can be transacted for less costs, and therefore your statement leaves me without reply against the Bill upon the subject of costs.

You express the willingness of the solicitors to still further reduce the costs in cases of small properties if the scale of costs upon other equity business were increased so as to make them, which you state they are not now, and which I regret to hear, adequate to the labour, responsibility and capital required. I do not think that the Chancellor's Bill would be deemed a fit opportunity to reconsider *all* costs in equity, and consequently I can derive no assistance from the willingness which you express. It is highly probable, therefore, that the Bill will pass.

I have the honour to be, Sir,
Your faithful servant,
ST. LEONARDS.

(To be continued.)

LEGAL NEWS.

LAW COSTS.—Litigation, when taken as a luxury, is costly. A London firm supplied goods to a Liverpool firm to the amount of 4*l.* 6*s.* 6*d.*, and received a post-office order for the amount, *minus* 6*d.* said to be overcharged. At first the London firm disputed the 6*d.*, and being beaten on that point, raised the objection that a post-office order was not a legal tender. On this point the sheriff of Preston has decided against them, and now they promise to take the case to a higher court. The costs, it is said, already amount to 40*l.*

The Home Secretary has recommended her Majesty to commute the sentence of death on Constance Kent to penal servitude for life. This remarkable case may, therefore, be now considered as brought to a close, and we cannot help thinking that the termination is not altogether satisfactory. There can, it is true, be no further doubt that Constance Kent was the murderer of her brother; but, after all the mystery that hung about the case for so many years, after the doubts that have been raised as to the possibility of a girl so young committing the murder, under all the conditions that the case involved, we think it was due to the public that something more than the bare assertion of her guilt should have been elicited.

RELIEF OF THE POOR.—A return issued by the Poor Law Board, relating to more than 99 per cent. of the population of England, gives an account of the expenditure in each union for in-maintenance and outdoor relief of the poor in the half-year ending at Michaelmas last. The expenditure in the whole, 2,103,353*l.* was 7·2 per cent. less than in the corresponding half of the year 1863. The chief decrease was in the north-western division, where it amounted to 31·4 per cent., but the decrease prevailed everywhere, more or less, except in the metropolis. The price of wheat, and of meat, potatoes and tea was generally lower than in 1853; but sugar, butter and cheese were dearer. 31·3 per cent. of the cost of relief was incurred from irremovable paupers.

THE POOR RATE return just issued for the year ending Lady-day 1864, is a very bad one indeed. The cotton famine continued throughout the period, and the levy rose to the immense sum of 8,874,369*l.*, or 9*s.* 4½*d.* per cent. on every head of the population, equal to an addition of 29 per cent. to the imperial taxation. Supposing the rate to have been uniform, and levied from all kinds of property producing above 100*l.*, it would have added 7*d.* more to the income-tax; a fact which may suggest the use of a closer inquiry into the mode and reasons of the expendi-

ture. Rates are now becoming as serious a burden as taxes once were, and there has been no reformer to make them feel light by scientific and artistic padding.

EXTRAORDINARY CONVICTION FOR RAPE.—At the recent Chelmsford assizes, before Mr. Justice Crompton, Stephen Rudland, a young man, twenty-one years of age, the son of a publican, was indicted for burglariously entering the dwelling-house of one Jane Marritt, and feloniously ravishing her. The prosecutrix, who is the widow of a baker, and the mother of five children, stated that on the night of June 12, the prisoner, with whom she had been acquainted for some years, suddenly entered her bedroom, said he was locked out, had come to spend an hour with her, and immediately threw her down and effected his purpose. In the morning she found a pane of glass broken, and discovered that he must have entered the house by forcing the fastenings of the window. In cross-examination she admitted a kind of courtship between the prisoner and herself, but denied that she had ever before been intimate with him in that way, or had consented to his visit on the night in question. The avowal was also extracted from her that he had quietly undressed in the room and lay in the bed with her some time without her having raised an alarm which might have attracted the attention of the neighbours. Other suspicious admissions were elicited from her in the course of the cross-examination, and many discrepancies in her statements were developed. The evidence of the witnesses called tended to throw still greater doubts on the accusations of the widow. The judge observed that he supposed the jury would not think it necessary to hear counsel for the defence, and on their signifying that they were of that opinion, he concluded that they intended at once to acquit the defendant. To the surprise of the whole court, the foreman stated that their intention was quite of an opposite character. The judge then ordered the defence to be proceeded with. On its conclusion, his Lordship summed up at considerable length, showing the entire improbability of either a burglary or rape having been committed. The jury, upon a consultation, returned into court with their original conviction of the guilt of the prisoner, and gave a verdict of "Guilty, with a recommendation to mercy." His Lordship asked why they should recommend the prisoner to mercy, if they thought he had been guilty of a rape, and their reply was, because they were of opinion that the woman should have made more resistance. After some further questioning, his Lordship, with apparent great reluctance, sentenced the prisoner to the lightest sentence applicable in such cases—five years' penal servitude.

WILLS AND BEQUESTS.—The will of Vice-Adm. Fitzroy, of Onslow-square, chief of the meteorological department of the Board of Trade, whose death occurred on the 30th April last, at Lyndhurst, Westow-hill, Norwood, was proved in the London court on the 9th ult., by his widow, Maria Isabella Fitzroy, the sole executrix. The personalty was sworn under 3000*l*. The will, which is very short, bears date May 15, 1854, and the testator has bequeathed the whole of his property to his wife for her absolute use. He has also appointed his wife, together with his brother, Mr. George Fitzroy, of Grafton, Northamptonshire, Mr. John George Smyth, of Heath, Yorkshire, and Sir Walter Charles James, Bart, of Whitehall-place, guardians of any of his children who may be in their minority.——The will and three codicils of Mr. Charles Dashwood, of Beccles, in the county of Suffolk, was proved in the London court on the 29th April, by the executors, the testator's sons, Mr. Robert Dashwood and the Rev. Charles John Dashwood. The personalty was sworn under 20,000*l*. The testator has devised all his real estate in the parish of Beccles to his son Robert, and to his son the Rev Charles John Dashwood he has left a legacy of 1500*l*. His plate and furniture the testator has divided between his two sons, and the residue of the real and personal estate he gives equally to his four surviving children and some grandchildren.——The will, with two codicils, of the late Mr. William George Prescott, the banker, of Clarence, Roehampton, Surrey, and of Threadneedle-street, has been proved, and the personal estate is sworn under 250,000*l*. The executors and trustees are the testator's partners, Mr. Charles Cave and Mr. Joseph Grote; his brother-in-law, Mr. Edward Parker Wolstenholme, barrister-at-law, and his cousin and partner, Mr. Charles Andrew Prescott. The testator leaves his mansion called Clarence-lodge, with all his furniture, plate, linen, books, carriages, and horses to his wife. He also leaves to Mrs. Prescott an immediate legacy of 5000*l*. To his daughter Arabella, the wife of Captain Richard Decie, of the Royal Engineers, the testator leaves a legacy of 5000*l*. He also leaves the following legacies: viz., to each of his four executors 250*l*., free of duty; to his cousin and partner, Mr. Henry Warner Prescott, 200*l*., free of duty; to the said Captain Decie 300*l*., also free of duty. There are also legacies of 200*l*. each, free of duty, to two brothers of the testator; also to two sisters and to a brother-in-law. The testator leaves the annual income resulting from the sum of 35,000*l*. to his widow for life, to whom he gives a power of appointment over such 35,000*l*. in favour of her children, and in case of default of such appointment the testator makes provisions for them. Subject to all the foregoing bequests, the residue of the estate is left to Mrs. Prescott for her absolute use.——The will of his Eminence the Most Rev. Nicholas Wiseman, "Cardinal Priest of the Holy Roman Church," was proved in the London court on the 14th ult. by the Very Rev. William Thompson, of Ealle Laude, in the county of Durham; the Very Rev. Francis Searle, of York-place, Portman-square; and Mr. Henry Ridgard Bagshawe, of Lincoln's-inn, the executors. The personalty was sworn under 3000*l*. The will bears date Oct. 30, 1861, and is attested by Mr. James Vincent Harting, solicitor, of 24, Lincoln's-inn-fields, and Joseph Henry Witchell, servant to the Cardinal. By the will his Eminence has left the whole of his property to his three executors above named, for their absolute use; but by a codicil dated May 14, 1862, and attested by Mr. Harting and William Newman, butler to his Eminence, he leaves to the Very Rev. William Thompson (above-named) and the Very Rev. Henry E. Manning, D.D., all his copyrights in works published by him, and all unpublished manuscripts, correspondence, and papers, whether public or private (not relating to the affairs of his diocese), upon trust, to sell the same, but with power to destroy, or publish, or retain and preserve, all or any part of his papers, correspondence, &c. By the codicil his Eminence also leaves to all his servants living with him at his decease, "not otherwise remembered," one year's wages.——The will of Sir Henry Dymoke, Bart., styled the Hon. the Queen's Champion, late of Scrivelsby Court, Lincolnshire, was proved in Her Majesty's Court of Probate, on the 19th ult.—the executors appointed being Lady Dymoke, the relict, and the Rev. Walter Blunt, M.A., of Wallop, Hants. The personalty was sworn under 25,000*l*. By virtue of certain powers he has charged the manor and estates (except the barony and manor of Scrivelsby and the mansion-house and park) with the payment of an annuity amounting in the whole to 1000*l*. per annum, during the life of his wife and leaves her the furniture, plate, carriages, &c.; and also leaves to her ladyship, for her life, all the rest of his property, and upon her decease bequeaths the same to his daughter, Emma Jane, wife of Francis Houlton Hartwell, Esq., eldest son of Sir Brodrick Hartwell, Bart. He further directs that the family pictures, suits of armour, and coronation cups in his possession shall be annexed to the mansion of Scrivelsby Court, as heirlooms to be enjoyed by his successors.——The will of Capt. J. M. Speke, the distinguished explorer of the Nile, an officer in Her Majesty's Indian Army, Bengal Native Infantry, has been proved in the London court. The personalty was sworn under 5000*l*. The executors appointed are his brothers, the Rev. Benjamin Speke, rector of Dawlish Wake and West Dawlish, Somerset (who alone is acting), and William Speke, who renounced the grant. The testator has bequeathed the whole of his property, of every description, to his brother, the Rev. Benjamin Speke, for his own absolute use.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Monday, July 17.

By Mr. H. O. MARTIN, at Garraway's Coffee-house.—Plot of freehold building land, situate at Peckham, frontage 20 feet, depth 100 feet—sold for 57*l*. Unfinished residence in Acacia-road, Paxton-park, Sydenham; lease 99 years; ground-rent 8*l*.—sold for 240*l*. Three unfinished seven-roomed houses, situate at Sydenham; lease 99 years; ground-rent 12*l*.—sold for 270*l*. No. 21, Sussex-road, Holloway; lease 89 years; letting at 24*l*.; ground-rent 3*l*. 5*s*.—sold for 260*l*. No. 24, ditto; lease 89 years; letting at 26*l*.; ground-rent 3*l*. 5*s*.; sold for 265*l*. No. 26, ditto; lease 89 years; letting at 28*l*.; ground-rent 3*l*. 5*s*.—sold for 265*l*. No. 22, ditto; lease 89 years; letting at 26*l*.; ground-rent 3*l*. 5*s*.—sold for 265*l*.

Thursday, July 20.

By Messrs. DEBENHAM, TEWSON and FARMER, at the London Tavern.—Leasehold, eleven houses in Charlotte-row, and Blue-anchor-lane, Bermondsey; producing 379*l*. per annum; term 41 years from 1839; ground-rent 14*l*. per annum—sold for 1830*l*. Three valuable leases of extensive properties comprising upwards of 240 houses, yards, stabling and premises in Hunter-street, and several adjacent streets near the junction of the Great Dover and Old Kent-roads, Southwark; terms 7 years unexpired; at ground-rents amounting to 130*l*. per annum; and underlet at rents (almost all of them ground-rents) amounting to 1977*l*. 14*s*. 6*d*. per annum—sold for 1840*l*.

Friday, July 21.

By Mr. T. S. SMITH, at Garraway's.—Freehold residence, known as Ivy Cottage, Fairfield-road, Bow; estimated annual value 40*l*.—sold for 585*l*.

Tuesday, July 25.

By Messrs. DRIVER and Co., at the Guildhall Coffee-house.—Freehold, known as Exeter House, comprising a residence, pleasure-grounds, stabling and lands containing in the whole about 14 acres situate at Roehampton, Surrey—sold for 1300*l*. Freehold and leasehold estate, situate in the parishes Rudgwick, Sussex, and Ewhurst, Surrey, known as Harmonger's and Godley's farms, comprising about 186*a*. 3*r*. 37*p*. of arable, pasture, and wood land—sold for 5100*l*.

Wednesday, July 26.

By Messrs. BEADEL, at the London Tavern.—Freehold, thirteen houses, No. 6 to 18, Elliot's-court, Old Bailey, also two houses, Nos. 1 and 2, Gibraltar-court adjoining; let on lease at 130*l*. per annum—sold for 1880*l*. The reversion to a moiety of 7124*l*. 1*s*. 4*d*. Three per Cent. Consols, receivable on the death of a lady aged 72 years—sold for 2000*l*. Freehold ground-rents amounting to 103*l*. 2*s*. per annum, arising from property in High-street, Bromley—sold for 2440*l*. Copyhold, five cottages, known as Nos. 1 to 5, Key's-buildings, Bow-common-lane and plot of building land—sold for 610*l*. Leasehold ground-rents amounting to 34*l*. 10*s* per annum, arising from the houses 1 to 4, Brougham-road and 33 to 39, Milford-road, Holloway, also the ground-rents amounting to 42*l*. 10*s*. per annum from the houses Nos. 10 to 14, Milford-road; term 300 years from 1850—sold for 780*l*.

THE GAZETTES.

Bankrupts.

Gazette, July 18.

To surrender at the Bankrupts' Court, Basinghall-street.

BAKER, WILLIAM BECKLEY, auctioneer, Queen's-ter. and Bishop's-rd. Bayswater. Pet. July 10. Reg. Brougham. O. A. Edwards. Sols. Birch and Gorton, Furnival's-inn. Pet. July 28.

BALLARD, NATHANIEL, out of business, Coxwell-lodge, Faringdon. Pet. July 10. Reg. Roche. O. A. Parkyns. Sols. Doyle, Verulam-bldgs. Gray's-inn, for Smith, Reading. Sur. July 31.

BATTCOCK, CHARLES, mail guard in General Post-office, Percival-st. Goswell-rd. Pet. July 13. Reg. Roche. O. A. Parkyns. Sol. Drew, Basinghall-st. Sur. July 31.

BENNETT, CHARLES WILLIAM, grocer, Eastwick. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. July 31.

BEXLEY, HENRY, carman, William and Mary-yd. Golden-sq. Pet. July 12. Reg. Roche. O. A. Parkyns. Sol. Fereday, Bedford-row. Sur. July 31.

BRANT, JOHN CHARLES, colour and cork manufacturer, Knight's-hill, Lower Norwood. Pet. July 14. Reg. Brougham. O. A. Edwards. Sol. Wells, Moorgate st. Sur. Aug. 1.

BRITTEN, DAVID, draper's assistant, High-st. Highgate. Pet. July 12. Reg. Brougham. O. A. Edwards. Sols. Head and Pattison, Martin's-ln. Cannon-st. Sur. Aug. 3.

BROUGHTON, WILLIAM, job master, Elgin-mews, Maida-vale. Pet. July 15. Reg. Brougham. O. A. Edwards. Sol. Hempson, Connaught-ter. Hyde-pk. Sur. Aug. 4.

CLARK, JOHN, potato merchant, York-rd. King's-cross, and Manchester-st. Gray's-inn-rd. and Crowle. Pet. July 14. Reg. Brougham. O. A. Edwards. Sol. Poole, Bartholomew-close. Sur. Aug. 2.

CLITHEROW, WILLIAM, tobacconist, Gray's-inn-rd. Holborn. Pet. July 13. Reg. Roche. O. A. Parkyns. Sol. Hill, Basinghall-st. Sur. July 31.

CORY, HENRY, shipping agent, Blatch-ter. Hackney, and Dyer's-bldgs. Holborn. Pet. July 13. Reg. Brougham. O. A. Edwards. Sol. Durant, Windsor. Sur. Aug. 3.

CRANE, FREDERICK, oilman, Cecilia-pl. Stepney-gn. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Chidley, Old Jewry. Sur. July 31.

DIGGENS, GEORGE, commission slaughterman, New Cattle-market, Islington, and Charles-st. Caledonian-rd. Pet. July 12. Reg. Brougham. O. A. Edwards. Sol. Lewis, Raymond-bldgs. Gray's-inn. Sur. Aug. 2.

DURRANT, THOMAS CHARLES, jeweller, Westminster-rd. Lambeth. Pet. July 13. Reg. Roche. O. A. Parkyns. Sol. Brook, New-inn. Sur. July 31.

ENCK, JOSIAH, financial agent, Cornhill, and Ladbroke-ter. Notting-hill. Pet. July 11. Reg. Roche. O. A. Parkyns. Sol. Wallinger, Fenchurch-st. Sur. July 31.

FIRLINSON, JOSHUA, clerk in holy orders, Brockley, Bury St. Edmunds. Pet. July 15. Reg. Brougham. O. A. Edwards. Sol. Goldrich, Strand. Sur. Aug. 4.

FULLAGAR, HENRY, fruiterer, Thornhill. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Wright, Chancery-ln. Sur. July 31.

HARDIMAN, JOSEPH, assistant to a stationer, De Beauvoir-rd. Kingsland, and Chapterhouse-ct. St. Paul's-churchyard. Pet. July 14. Reg. Brougham. O. A. Edwards. Sol. Poole, Bartholomew-close. Sur. Aug. 4.

KEMPTON, EDWARD, upholsterer, Dorset-crescent, City-rd. and builder, St. Dunstan's-rd. Peckham Rye. Pet. July 11. Reg. Brougham. O. A. Edwards. Sol. Hill, Basinghall-st. Sur. Aug. 1.

LEE, JOHN PLACE, laundryman, Hall-pl. west, Paddington. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Marshall, Lincoln's-inn-flds. Sur. July 31.

MITCHELL, JOHN, linendraper, Archway-rd. Highgate. Pet. July 11. Reg. Brougham. O. A. Edwards. Sol. Dubbeg, Chapel-pl. Poultry. Sur. Aug. 2.

RADLOFF, HENRY MARTIN, grease manufacturer, Deer. Pet. July 12. Reg. Brougham. O. A. Edwards. Sol. Nicholson, Lime. Sur. Aug. 3.

SAYER, CHARLES FREDERICK, house decorator, Queen's-rd. Dalston. Pet. July 14. Reg. Brougham. O. A. Edwards. Sol. Stedman, Coleman-st. Sur. Aug. 3.

SIRETT, EDWARD, farmer, Steeple Claydon, Winslow. Pet. July 1. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. Aug. 2.

STAPLES, JOSEPH, patent medicine vendor, Catherine-st. Strand. Pet. July 11. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. Aug. 2.

TOTTLE, JOHN, well sinker, White Post-ln. Hackney-wick. Pet. July 12. Reg. Brougham. O. A. Edwards. Sol. Eaden, Gray's-inn-sq. Sur. Aug. 3.

TRAFFORD, ALFRED WILLIAM, baker, Canterbury-ter. Walworth. Pet. July 10. Reg. Brougham. O. A. Edwards. Sol. Odey, Trinity-st. Southwark. Sur. July 28.

TYLER, RICHARD, merchant's clerk, Brimington-rd. New Peckham. Pet. July 14. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. Aug. 11.

To surrender in the Country.

BADDELEY, HENRY, grocer, Rookery, Wolstanton. Pet. July 14. Reg. & O. A. Challinor. Sol. Salt, Tunstall. Sur. Aug. 1.

BELL, THOMAS, farmer, Halltown, Rockliff. Pet. July 12. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. Aug. 2.

BIRCH, JANE ELIZA, fruiterer, Birmingham. Pet. July 12. Reg. & O. A. Guest. Sol. Allen, Birmingham. Sur. July 31.

BLAND, THOMAS, stonemason, Corbridge. Pet. July 12. Reg. & O. A. Stokoe. Sol. Welford, Hexham. Sur. July 31.

BOLWELL, THOMAS, wheelwright, Bath. Pet. July 12. Reg. & O. A. Smith. Sol. Wilton, Bath. Sur. July 29.

BOND, JOHN, covered harness furniture manufacturer, Walsall. Pet. July 12. O. A. Clarke. Sol. Wilkinson, jun. Walsall. Sur. Aug. 1.

BOWKER, PETER, out of business, Eccles. Pet. July 14. Reg. & O. A. Halton. Sol. Ramsey, Stockport. Sur. July 29.

BRAZIER, WILLIAM WELLS, plumber, Birmingham. Pet. July 11. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. July 31.

BRETT, THOMAS, Llandudno. Reg. & O. A. Hughes. Sol. Jones, Conway. Sur. July 31.

CHEREY, WILLIAM, rope, twine and sacking manufacturer, Bristol. Pet. July 6. Reg. & O. A. Harley and Gibbs. Sol. Clifton. Sur. Aug. 4.

CHARES, HENRY, general dealer, Clifford, Tadcaster. Pet. July 1. Reg. & O. A. Hickers. Sol. Harle, Leeds. Sur. July 31.

DAVID, EDWARD, grocer, Roath, Cardiff. Pet. July 13. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. July 31.

DAVIES, DAVID, contractor, Briton Ferry. Pet. July 13. Reg. Wilde. O. A. Acraman. Sol. Clifton, Bristol. Sur. July 29.

DAVIS, ELIAS, watchmaker, North Shields. Pet. July 11. Reg. & O. A. Ingledew. Sol. Salmon, South Shields. Sur. July 29.

DICKINS, GEORGE CALDWELL, major in Turkish contingent, Northumberland. Pet. July 14. Reg. Gibson. O. A. Laidman. Sol. Espinal, Durham. Sur. July 24.

EDWARDS, THOMAS, fellmonger, Llangollen. Pet. July 11. Reg. & O. A. Edgworth. Sol. Sherratt, Llangollen. Sur. Aug. 1.

FOLAN, THOMAS, labourer, Jarrow. Pet. July 13. Reg. Gibson. O. A. Laidman. Sol. Bush, Newcastle. Sur. July 31.

FORKNALL, JEREMIAH, furniture broker, Leicester. Pet. July 1. Reg. Hill. O. A. Harris. Sol. Chamberlain, Leicester. Sur. Aug.

FREDMAN, JOSEPH, jeweller, Norwich. Pet. July 10. Reg. & O. A. Palmer. Sol. Read, Norwich. Sur. July 24.

GANN, JOHN JAMES, sign writer, Halton, Hastings. Pet. July 1. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. July 29.

HACK, WILLIAM, shoe manufacturer, Loughborough. Pet. July 1. Reg. & O. A. Brock. Sol. Giles, Loughborough. Sur. July 31.

HALL, ROBERT, watchmaker, Worksop. Pet. July 13. Reg. & O. A. Newton. Sol. Marshall, jun. East Retford. Sur. Aug. 11.

HEWETT, WILLIAM BAKER, haulier, Bream, Lydney. Pet. July 1. Reg. Wilde. O. A. Acraman. Sols. Brittan and Sons, Bristol. Sur. July 31.

HIBBERT, CHARLES, high bailiff, Smallshaw, Ashton-under-Lyne. Pet. July 14. Reg. Harris. O. A. Morgan. Sols. Brooks, Leshall and Brooks, Manchester. Sur. Aug. 1.

HUTCHINSON, SAMUEL, victualler, Bank-view, Derby-rd. Pet. July 14. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. July 31.

INESON, CHRISTOPHER, grocer, Birstal. Pet. July 14. Reg. & O. A. Nelson. Sol. Ibberson, Dewsbury. Sur. July 29.

JENKINS, PHILIP, watchmaker, Pembroke-dock. Pet. July 1. Reg. & O. A. Lanning. Sol. Parry, Pembroke-dock. Sur. July 31.

LLEWELLIN, JOHN, dealer in toys and fancy goods, Bristol. Pet. July 12. Reg. & O. A. Harley and Gibbs. Sol. Trenery. Sur. Aug. 4.

MAIDMENT, WILLIAM, cabinet-maker, Yeovil. Pet. July 14. Reg. & O. A. Batten. Sol. Watts, Yeovil. Sur. Aug. 2.

MARKS, PHILIP, fruiterer, West Bar, Sheffield. Pet. June 21. Reg. & O. A. Wake and Rodgers. Sol. Mason, York and Sheffield. Sur. Aug. 1.

MERWOOD, ISAAC, butcher, Freshwater, Isle of Wight. Pet. July 1. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. July 29.

MUNSEY, HENRY, plumber, Great Yarmouth. Pet. July 11. Reg. & O. A. Chamberlin. Sol. Cory, Great Yarmouth. Sur. July 31.

ROSHER, ALFRED, tailor, Hadleigh. Pet. July 12. Reg. & O. A. Newman. Sols. Robinson, Safford and Last, Hadleigh. Sur. July 31.

ROSKILLY, CHARLES SMITH, brewer, Falmouth. Pet. July 12. O. A. Carrick. Sur. July 28.

SHARPLES, WILLIAM, and SHARPLES, JOHN, reed makers, Preston. Pet. July 13. Reg. & O. A. Myres. Sol. Edelston, Preston. Sur. Aug. 4.

SIMPSON, ROBERT, farmer, Debenham. Pet. July 12. Reg. & O. A. Clubbe. Sol. Shafto, Framlingham. Sur. Aug. 2.

SMITH, JOHN, butcher, Newton Longville. Pet. July 12. Reg. & O. A. Parrott. Sol. Talley, Beaconsfield. Sur. July 29.

SMITH, JOHN WILLIAM, grocer, Liverpool. Pet. July 14. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. July 28.

TERRY, THOMAS LOMAX, whitesmith, School Brow, Warrington. Pet. July 17. Reg. & O. A. Nicholson. Sols. Shepherd and Son, Warrington. Sur. Aug. 1.

THOMAS, JOHN, butcher, Stithians. Pet. July 8. Reg. & O. A. Paw. Sol. Trevena, Redruth. Sur. July 29.

THOMPSON, CHARLES, boot and shoe maker, Hulme. Pet. July 1. Reg. Macrae. O. A. Morgan. Sol. Gardner, Manchester. Sur. Aug. 2.

TULLIS, WILLIAM, builder, Everton. Pet. June 14. O. A. Turner. Sur. July 28.

VANDENBERG, JOHN, shoemaker, Spalding. Pet. July 4. Reg. Ellis. O. A. Harris. Sol. Maples, Nottingham. Sur. Aug. 1.

WARD, SAMUEL, butcher, Aston Juxta. Pet. July 13. Reg. & O. A. Guest. Sol. Clarke, Birmingham. Sur. July 31.

WARD, WILLIAM, jun., machine owner, Wellow. Pet. July 14. Reg. Stephen. O. A. Young. Sols. Smith and Burdekin, Sheffield. Sur. Aug. 4.

WARD, WILLIAM, sen., farmer, Ompton. Pet. July 14. Reg. Stephen. O. A. Young. Sols. Smith and Burdekin, Sheffield. Sur. Aug. 4.

WATTIS, JOHN, farmer, Powick. Pet. July 10. Reg. Todd. O. A. Kinnear. Sur. July 29.

WILLIAMS, JOHN DICKIN, builder, Chester. Pet. July 13. O. A. Turner. Sols. Roberts, Chester. Sur. July 29.

WILLIAMS, THOMAS, grocer, Penarth. Pet. July 14. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. July 31.

WINN, WILLIAM HESLOP, clothier and outfitter, Huddersfield. Pet. July 8. O. A. Young. Sur. July 31.

WOODHOUSE, ROBERT, basketmaker, Martham. Pet. July 14. Reg. & O. A. Chamberlin. Sol. Ferrier, Great Yarmouth. Sur. July 31.

Gazette, July 21.

To surrender at the Bankrupts' Court, Basinghall-street.

ABZA, ROBERT, out of business, New-rd. Hammersmith. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Waldron, Lamb's Conduit-st. Sur. Aug. 2.

BAYCOMB, JOHN WILLIAM, vellum binder, Watling-st. Pet. July 8. Reg. Roche. O. A. Parkyns. Sols. Wood and Ring, Basinghall-st. Sur. Aug. 7.

BINGHAM, JAMES, builder, Portobello-rd. Bayswater. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-ln. Cannon-st. Sur. Aug. 2.

BODDY, HENRY, general merchant, Harp-ln. Great Tower-st. and Henry-st. Bedford-sq. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-ln. Cannon-st. Sur. Aug. 2.

BOSQUET, PHILIP, out of employ, Harlesden. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Steadman, Coleman-st. Bank. Sur. Aug. 2.

CHURCHILL, SAMUEL, clerk to a brickmaker, Wallis-rd. and Chapman-rd. Hackney-wick. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Neamfield, Linc.-inn-fds. Sur. Aug. 2.

CHILLINE, ADOLPHE EDWARD, photographer, Mortimer-rd. Kingsland, and Oxford-st. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Lewis, Great Marlborough-st. Sur. Aug. 2.

CLARK, WILLIAM, farmer, Longstock. Pet. July 15. Reg. Roche. O. A. Parkyns. Sol. Lott, Parliament-st. agent for King, Basingstoke. Sur. Aug. 7.

FEILLET, WILLIAM GOOD, builder, Lower Norwood. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Dommett, Aldine-chambers, Paternoster-row. Sur. Aug. 2.

GOTTARTON, CHARLES, cab driver, Richmond-mews, Westbourne-pk. Pet. July 15. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Aug. 4.

HAGGETT, WILLIAM, beer retailer, Bromley. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-ln. Cannon-st. Sur. Aug. 2.

HALTER, SIMON, shoe manufacturer, Preston-st. Mile-end-rd. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-ln. Cannon-st. Sur. Aug. 2.

HENWOOD, ARTHUR, out of business, Church-ln. Islington. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Marshall, Linc.-inn-fds. Sur. Aug. 7.

HILL, JOHN WILLIAM, baker, Prospect-pl. Southwark. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Ody, Trinity-st. Southwark. Sur. Aug. 7.

LOBLE, JOHN, out of business, Paradise-row, Stockwell. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Marshall, Linc.-inn-fds. Sur. Aug. 2.

LUCAS, GEORGE, Esq. Ann-st. Plumstead. Pet. July 19. Reg. Roche. O. A. Parkyns. Sols. Dean and Eley, New-Broad-st. Sur. Aug. 7.

MIDGLEY, JOHN SAMUEL, coachbuilder, Bromley. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Davis, Ironmonger-ln. City. Sur. Aug. 2.

MULLEATT, JOSEPH, surgeon, Penton-st. Pentonville. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Beard, Basinghall-st. Sur. Aug. 2.

OAKLEY, JOHN WILLIAM, jun., fender, fire-iron and iron bedstead maker, Camden-st. Bethnal-gn.-rd. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. Aug. 2.

POTTER, THOMAS, out of business, Hendon. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Marshall, Linc.-inn-fds. Sur. Aug. 2.

ROBINS, EDWIN ARNOULD, grocer, Reading. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Kimpson, Moorgate-st. Sur. Aug. 7.

ROBINS, WILLIAM, cab driver, Cambridge-mews, Kilburn. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Orchard, John-st. Bedford-row. Sur. Aug. 2.

ROBOTTOM, WILLIAM HENRY, working jeweller, Mansfield-st. Kingsland-rd. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Chalk, Coleman-st. City. Sur. Aug. 2.

ROMNEY, FAIRFAX, shipping agent, South-grove west, Islington, and Leadenhall-st. Pet. July 14. Reg. Winslow. O. A. Graham. Sol. Coatley, Bow-st. Sur. Aug. 11.

SMITH, CHARLES, grocer, Holloway-rd. Pet. July 13. Reg. Roche. O. A. Parkyns. Sol. Pearce, Gilteper-st. Sur. Aug. 7.

STEINER, JACOB, baker, Sidney-st. Mile-end-gate. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Heathfield, Linc.-inn-fds. Sur. Aug. 2.

TANE, JOHN HENRY, traveller to a tobacco manufacturer, Cottage-row, Walworth. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Aug. 7.

TAYLER, JOHN, importer of fancy goods, Peabody's-bldgs. Commercial-rd. east. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Reed, Guildhall-chambers, Basinghall-st. Sur. Aug. 7.

TOLLER, JAMES, butcher, Upper Whitecross-st. St. Luke's. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. Aug. 7.

THORNE, JOSEPH, sawyer, Regent-st. Deptford. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Linc.-inn-fds. Sur. Aug. 2.

TURNER, ISAAC BRACKENBOROUGH, commission agent, Swan-st. Minories. Pet. July 11. Reg. Winslow. O. A. Graham. Sol. Drake, Basinghall-st. Sur. Aug. 11.

TWEEDY, ROBERT, and HEDCOCK, JOSEPH, oil and colour merchants, Salisbury. Pet. July 17. Reg. Roche. O. A. Parkyns. Sols. Hotbanley and Freeman, Coleman-st., agents for Kelsey, Salisbury. Sur. Aug. 7.

WATSON, JOHN SAMUEL, carman, Salem-pl. Fulham. Pet. July 17. Reg. Roche. O. A. Parkyns. Sols. Woodbridge and Sons, Clifford's-inn. Sur. Aug. 2.

WELLS, ELIZA, corn and flour dealer, James-pl. Clapham. Pet. July 17. Reg. Roche. O. A. Parkyns. Sol. Fisher, Camberwell New-rd. Sur. Aug. 2.

WILLIAMS, JAMES, shoe dealer, Leighton Buzzard. Pet. July 17. Reg. Roche. O. A. Parkyns. Sols. Turners and Hardwick, Aldermanbury. Sur. Aug. 7.

WYATT, FREDERICK WILLIAM, marble mason, Charlotte-ter. Stoke Newington. Pet. July 13. Reg. Roche. O. A. Parkyns. Sol. Brooks, Coleman-st. Sur. July 31.

To surrender in the Country.

BAGULEY, HENRY, modeller, Stoke-upon-Trent. Pet. July 17. Reg. & O. A. Keary. Sol. Litchfield, Newcastle-under-Lyme. Sur. Aug. 3.

BARTWELL, JOSEPH, miller, Hinton Blewett. Pet. July 8. Reg. & O. A. Mogg. Sol. Martrum, Bath. Sur. Aug. 9.

BARRETT, BENJAMIN, book-keeper, Liverpool. Pet. July 17. O. A. Turner. Sol. Gregory, Liverpool. Sur. Aug. 2.

BELL, JOSEPH, labourer, Halltown, Rockliffe. Pet. July 18. Reg. & O. A. Dalton. Sol. Wannop, Carlisle. Sur. Aug. 2.

BIRCH, CALEB, boot-dealer, Ogley Hay. Pet. July 17. Reg. & O. A. Kinn. Sol. Wilson, Lichfield. Sur. Aug. 4.

BIRD, THOMAS, fisherman, Bardsea, near Ulverston. Pet. July 8. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 4.

BLACKWELL, JOHN, baker, Wolverhampton. Pet. July 15. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton. Sur. July 31.

COLE, HENRY DENNETT, brewer, Falmouth. Pet. July 11. O. A. Carrick. Sur. Aug. 1.

COOPER, GERARD, trinity pilot, Milton-next-Gravesend. Pet. July 14. Reg. & O. A. Southgate. Sol. Sharland, Gravesend. Sur. Aug. 7.

DERBYSHIRE, JAMES WILLIAM, gentleman's servant, Himley. Pet. July 17. Reg. & O. A. Brown. Sol. Lowe, Dudley. Sur. Aug. 12.

FAIRCLOUGH, EDWARD, cotton broker, Liverpool. Pet. July 18. O. A. Turner. Sol. Cropper, Liverpool. Sur. Aug. 1.

GALE, EDWIN FRANCIS, grocer, Cheltenham. Pet. July 14. Reg. & O. A. Gale. Sol. Boodle, Cheltenham. Sur. Aug. 1.

GARVEY, THOMAS, tailor, Liverpool. Pet. July 10. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 4.

GEORGE, HUGH, jun., plasterer, Woolfey, near Ramsbottom. Pet. July 14. Reg. & O. A. Grundy. Sol. Law, Manchester. Sur. Aug. 2.

GIBBY, ROBERT, farmer, Thorne-le-Fallows. Pet. July 18. Reg. Stephen. O. A. Young. Sols. Brown and Son, Lincoln. Sur. Aug. 9.

GRAHAM, JOHN, joiner, Middlesborough. Pet. July 17. O. A. Young. Sols. Simpson, Yarm; Carter and Tempest, Leeds. Sur. July 31.

HACKETT, ARTHUR HEWITT, glass dealer, Birmingham. Pet. July 21. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Aug. 4.

HANCOCK, CAROLINE, fruit dealer, Birmingham. Pet. July 18. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. July 31.

HARRISON, GEORGE, mason, Handley, Staveley. Pet. July 19. Reg. & O. A. Wake and Waller. Sols. Binney and Son, Sheffield. Sur. Aug. 4.

HOOD, JOHN VERNON, clerk to an emigration agent, Glasgow. Pet. July 8. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 4.

HOPPS, JOHN LIGHTFOOT, general warehouseman, York. Pet. July 18. O. A. Young. Sols. Richardson and Cobb, York; Bond and Barwick, Leeds. Sur. July 31.

JACKSON, JOHN, shoemaker, Grosmont. Pet. July 18. Reg. & O. A. Reynolds. Sol. Carrold, Hereford. Sur. Aug. 2.

JONES, MARGARET, draper, Llangollen. Pet. July 18. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool. Sur. Aug. 4.

JONES, HUGH SAMUEL, flannel manufacturer, Llangollen. Pet. June 30. O. A. Turner. Sols. Evans, Sandys, Roose and Lockett, Liverpool, for Richards, Llangollen. Sur. Aug. 3.

KERR, WILLIAM HENRY, dealer in china, Leigh. Pet. July 21. Reg. Hill. O. A. Kinnear. Sols. Knott, Worcester; James and Griffin, Birmingham. Sur. July 31.

LANE, WILLIAM THOMAS, victualler, Birmingham. Pet. July 20. Reg. Tudor. O. A. Kinnear. Sol. East, Birmingham. Sur. Sept. 9.

LEONARD, JONATHAN, gentleman, Magor. Pet. July 19. Reg. & O. A. Roberts. Sol. Graham, Newport. Sur. Aug. 2.

MARTIN, WILLIAM, market gardener, Southampton. Pet. July 18. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. Aug. 9.

MATTHEWS, FREDERICK, baker, Willenhall. Pet. July 8. Reg. & O. A. Brown. Sol. Bartlett, Wolverhampton. Sur. July 31.

MCLEAN, ANDREW, oil refiner, Bootle, near Liverpool. Pet. July 12. O. A. Turner. Sols. Richardson and Bilson, Liverpool. Sur. July 29.

MINNITT, THOMAS ARTHUR, hosier, Nottingham. Pet. July 15. Reg. & O. A. Patchitt. Sols. Cowley and Everall, Nottingham. Sur. Aug. 16.

MORGAN, DAVID, commercial traveller, Canton. Pet. July 17. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. July 31.

MURPHY, NEIL, fish salesman, Dudley. Pet. July 12. Reg. & O. A. Walker. Sol. Warmington, Dudley. Sur. Aug. 19.

OLDBURY, CHARLES, gun barrel filer, Birmingham. Pet. July 17. Reg. & O. A. Guest. Sol. Francis, Birmingham. Sur. July 31.

PARKER, BENJAMIN, book-keeper, Pilkington. Pet. July 17. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. Aug. 2.

PHILLIPS, JOSIAH SAMUEL, mine purser, Illogan. Pet. July 1. O. A. Carrick. Sur. Aug. 1.

PHIPPS, ELIZABETH, second hand clothes-dealer, Birmingham. Pet. July 15. Reg. & O. A. Guest. Sur. July 31.

QUELCH, JAMES, out of business, Newbury. Pet. July 12. Reg. & O. A. Vines. Sol. Talbot, Newbury. Sur. July 28.

ROGERS, WILLIAM, farm labourer, Davyhulme. Pet. July 8. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 4.

SCOTT, JOEL, chemist, Market Harborough. Pet. July 17. Reg. Hill. O. A. Kinnear. Sol. Douglass, Market Harborough; James and Griffin, Birmingham. Sur. July 31.

SIMONS, HENRY, fly proprietor, Cheltenham. Pet. July 17. Reg. & O. A. Gale. Sol. Boodle, Cheltenham. Sur. Aug. 1.

SUMNER, WILLIAM, spindle-maker, Ashton, near Preston. Pet. July 8. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 4.

TOOTH, RICHARD, mechanic, Eccles. Pet. July 17. Reg. & O. A. Hulton. Sol. Rout, Manchester. Sur. Aug. 5.

TRIBE, HENRY THOMAS, dealer in coals, Gosport. Pet. July 15. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Aug. 16.

WEBB, FREDERICK HENRY, carpenter, Birmingham. Pet. July 6. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. July 31.

WILSON, THOMAS, butcher, Sidmouth-ter. St. Pancras. Pet. July 8. Reg. & O. A. Moore. Sur. Aug. 5.

WOODWARD, JOHN, salesman on commission, Hulme. Pet. July 14. Reg. & O. A. Hulton. Sol. Elliott, Manchester. Sur. Aug. 5.

BANKRUPTCIES ANNULLED.

Gazette, July 18.

ARMISTEAD, THEODORE, shipping merchant, Crown-hill, Norwood.
CLANCY, JAMES JOSEPH, coal shipper and agent, Mincing-ln.
LENZBERG, LOUIS, cornice pole manufacturer, Oxford-st.
SMITH, ANTHONY JOHN, tailor, Hereford-rd. Bayswater.
WEATHERLY, CHARLES, draper, High-st. Kensington and Kentish-tn.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Adams, W. maltster and farmer, first, 2s. 7¼d. Kinnear, Birmingham.—*Binns*, J. and J. building material dealers, first to new proofs, 1s. 6d.; first sep. of John Binns, 2s. 6d. Edwards, London.—*Brewer*, H. victualler, first, 2s. 1¼d. Kinnear, Birmingham.—*Edwards*, F. R. attorney, first, 3s. Edwards, London.—*Edwards*, H. merchant, second, 1s. Kinnear, Birmingham.—*Gardner*, F. Luton, second, 1½d.; to new proofs, 2s. 1½d. Edwards, London.—*Gordon*, T. travelling draper, first, 7s. 6¼d. Kinnear, Birmingham.—*Gray*, F. lamp manufacturer, second, 1s. 2d. 1-16th. Kinnear, Birmingham.—*Haishan*, J. lead and glass merchant, first, 9¼d. Parkyns, London.—*Hook*, W. R. hardwareman, first, 10d. Carrick, Exeter.—*Horton*, J. contractor, first, 2s. 4¼d. Kinnear, Birmingham.—*Inman*, Rev. H. clerk, second, 2s. 4d. Harris, Nottingham.—*Jolly*, T. victualler, 4¼d. Turner, Liverpool.—*Lapsley* and *Morfee*, timber merchants, second, 2s. 5d.; first sep. of Lapsley, 1s. 5¼d. Turner, Liverpool.—*Matthews*, J. job master, first, 5s. Edwards, London.—*May*, W. ship and insurance broker, second, 3¼d.; to new proofs, 6¼d. Edwards, London.—*Pokeman*, W. miller and farmer, first, 2¼d. Kinnear, Birmingham.—*Payn*, W. T. outfitter, first, 4s. Parkyns, London.—*Revent*, J. and C. C. farmers, first, 5s. 1d. Edwards, London.—*Robson*, J. army tailor, first, 7s. 9¼d. Parkyns, London.—*Rose*, R. musical instrument seller, first, 5s. Edwards, London.—*Snow*, F. tobacconist, first, 1s 1d. Kinnear, Birmingham.—*Titterton*, G. victualler, first, 4s. 4¼d. Edwards, London.—*Turner*, T. A. currier, first, 10d. Kinnear, Birmingham.—*Wall* and *Johnson*, druggists and grocers, first sep. of Johnson, 3s. 7¼d. Kinnear, Birmingham.—*Williams*, J. draper, first, 2s. Edwards, London.—*Wood*, M. innkeeper and farmer, first, 6d.

INSOLVENT'S ESTATE.

Lishman, A., 7¼d. Postlethwaite, Ulverston.—*Tyson*, J., 3s. 5¼d. Postlethwaite, Ulverston.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, July 18.

ALLEN, THOMAS, builder, Lower Howsell. June 17. Trust. W. Rowlands, timber merchant, Worcester.

BELSHAM, ARTHUR, grocer, Birmingham. June 30. Trusts. R. Cadbury and G. Cadbury, wholesale tea merchants, Birmingham.

BERWICK, JAMES, commercial traveller, Barnsbury-st. Islington. July 12. 7s on 22nd Dec.

BORASTON, CHARLES, grocer, Hockley-hill, and Birmingham. June 20. Trusts. R. Barnett, Handsworth, near Birmingham, manager to James Watson, wholesale provision merchants, Birmingham, Z. Leigh, traveller, Edgbaston, near Birmingham, J. Pickering, tallow chandler, Birmingham, and G. Wilkinson, wholesale grocer, Handsworth.

BROWN, ROBERT, farmer, Eabery. July 12. 5s. in 7 days. Trust. J. Brown, Esq., Elm.

BUTLER, WILLIAM, coaldealer, Bampton. July 4. Trust. W. Seely, auctioneer, Witney.

COLLINSON, HENRY, coal agent, Lawrence Pountney-hill, and St. James's-ter. Paddington. June 29. Trust. Vyse, warehouseman, Wood-st.

COUPE, RICHARD CARVER, manufacturing chemist, Clayton-le-woods, and Brindle. June 21. Trust. F. Myers, grocer, Preston.

CROMACK, woollen cloth manufacturer, Almondbury and Kirkburton. June 27. 10s. by three instalments of 4s., 4s. and 2s. at 2, 4 and 6 mos.—secured. Sureties, S. Haigh, merchant, Manchester, and J. Barber, woollen cloth manufacturer, Feild End.

FARMER, JOHN, innholder, Nottingham. June 20. Trusts. J. Brown, sen., and J. B. Severn, wine and spirit merchants, both Nottingham.

FARRAR, ENER, cloth manufacturer, Rodley, near Leeds. June 29. Trust. W. S. Mathers, innkeeper, Rodley.

FRITH, JOHN, clothier, Sheffield. June 19. Trust. D. Hobson, auctioneer, Sheffield.

GREGORY, JAMES, steel merchant, Sheffield. Trusts. H. Unwin and C. Doncaster, steel merchants, both Sheffield.

GRESHAM, ROBERT, farmer, Chicksands. July 8. Trusts. F. Hogge, banker, and C. S. Lindsell, banker, both Biggleswade. Sols. Messrs. Veasey, Baldock.

HEMPSTOCK, WALTER, and BATEMAN, LUKE WALMSLEY, grocers and teadealers, Hull. June 19. Trusts. T. Blake, jun., teadealer, Liverpool, J. S. Westerdale, merchant, Hull, and E. Allison, paper merchant, Hull.

HORNER, GEORGE, Portsea. July 14. Trust. E. Rogers, hairdresser, Portsmouth.

HORTON, WILLIAM, muffin and crumpet baker, Fetter-ln. Fleet-st. June 19. Trust. J. Bates, typefounder's foreman, Wecher-row, Webber-st. Blackfriars-rd.

JACKSON, RICHARD, grocer, Great Driffield. June 20. 7s. 6d. by three equal instalments at 3, 6 and 9 mos.—secured. Trusts. H. Gale, bank manager, and G. K. Wrangham, grocer, both Great Driffield, and M. Whitfield, grocer, Hull.

KITLEY, JOHN, shopkeeper, Laverton. June 17. Trusts. J. W. Gould, Rastock, and W. G. Collins, grocer, Frome.

MCKWAN, CLARA ELLEN, berlin wool dealer, Manchester. July 14. 6s. 6d. by two instalments—3s. 6d. in 7 days and 3s. on 29th Sept.—secured. Trust. W. Hutcher, accountant, Manchester.

MOSSOP, JOHN, provision dealer, Liverpool. July 7. 7s. 6d. by three equal instalments on 10th Aug., 10th Sept. and 10th Oct. Trust. H. Mossop, provision dealer, Liverpool.

MYNN, WILLIAM PARKER DE MORLEY, hop and manure merchant, Town-hall-chambers, Southwark. Trust. F. Ashby, High-st. Southwark.

PICKFORD, WILLIAM, general merchant, Newport. June 19. Trust. T. Cairncross, banker, Bristol.

ROGERS, CHARLES, lath cleaver, Kirkdale. June 19. 10s. by four equal instalments in 1, 4, 6 and 9 mos. Trust. H. Molyneux, timber merchant, Liverpool.

SHAW, JOHN, boot and shoe maker, Bury. June 21. 7s 6d. by three equal instalments on 21st Dec., 21st June and 21st Dec. 1866.

SIMKIN, JOHN THOMAS, and BURKE, WILLIAM LUCAS, printsellers and photographic mounters, High Holborn. July 1. Trusts. G. Houghton, glassdealer, High Holborn, and W. Stewart, glassdealer, Eagle-st. Red Lion-sq.

SYKES, EDWARD, cotton waste and rag dealer, Rochdale. July 11. 6s. 6d.

TAYLOR, WILLIAM, grocer, Dartford. July 12. Trust. W. McKewan, Esq., London and County Bank, Lombard-st. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers.

TOMLINSON, JOHN, builder, Cannock. July 11. 5s. on 29th Sept.—secured. Surety, J. Price, farmer, Cannock.

WALLIS, SAMUEL, lacemaker, Long Eaton. July 7. 2s. Trust. E. Wallis, lacemaker, Long Eaton.

WARDEN, JOHN, out of business, Stratford-upon-Avon. June 17. Trust. F. Winter, draper, Stratford-upon-Avon.

WESTLAKE, RICHARD, tailor, Bristol. June 28. Trust. J. T. Gledhill, woollen warehouseman, Burlington-st.

WILD, CHARLES, dealer in precious stones and pebbles, Hatton-gdn. July 4. 7s. 6d. by three instalments of 2s. 6d. on 30th July, 30th Sept. and 30th Dec.

WILLIAMS, THOMAS, grocer, Ystradyfodwg. July 6. 5s. Trust. J. Sloper, merchant, Cardiff.

Gazette, July 21.

BEARD, ROBERT, wheelwright, Palmer's-rents, Snow's-field, and New Western-st. Bermondsey. July 11. 5s. in 3 mos.

BERRY, JAMES, draper, Castleford. June 22. Trusts. J. H. M. Good, manufacturer, Manchester, and J. H. Bankart, stuff merchant, Bradford.

BOUCHER, RICHARD, fishmonger, New-cut, Lambeth. July 17. 2s. 6d. on 1st Aug.

BOWYER, JOHN SAMUEL, bootmaker, Plymouth. June 29. Trust. J. Baron, dealer in china, Plymouth, and M. Houper, leather merchant, Plymouth.

BRYSON, JAMES, draper, Turner-st. Commercial-rd. Whitechapel. June 28. 11s. by three equal instalments in Sept., Jan. and May next. Trust. I. McCutchan, draper, Friday-st. Cheapside.

BULLOCK, WILLIAM, india rubber dealer, Manchester. July 3. Trust. S. Hamer, india rubber dealer, Manchester.

COBB, WALTER WILLIAMS, commission agent, Pickering-pl. Paddington. July 17. 1s. in 6 mos.

COLAM, MATTHIAS, druggist, Eye. June 22. Trusts. W. Vergette, grocer, and J. Aldgate, draper, both Peterborough.

DAVIES, THOMAS, victualler, Birkenhead. June 29. 5s.

DEANE, JAMES, jun., grocer, Reigate. June 26. 3s. on 2nd Aug., 3s. on 2nd Oct. and 4s. on 2nd Dec. Trusts. W. H. Laurie, booking-office keeper, Gracechurch-st., and J. L. Seyer, fishfactor, Billingsgate-market.

DENNIS, HENRY, blacksmith, Hailsham and Eastbourne. July 11. Trusts. S. Southerden, auctioneer, and E. Browne, clerk to Messrs. Burfield and son, rope manufacturers, all of Hailsham. Sol. Simnock, Hailsham.

DODGE, WILLIAM, and DODGE, MORTEN, jewellers, Manchester. July 13. To pay 20s.—4s. 9d. on 13th Jan. next, 4s. 3d. on 13th July, 4s. 3d. on 13th Jan. 1867, 3s. 9d. on 13th July 1867, and 3s. 9d. on 13th Jan. 1868. Sureties, W. Goddard, publican, Salford, and R. Shelton, tailor, Manchester.

DUCKWORTH, FREDERICK JOHN, commission agent, Brabant-ct. Philpot-ln. June 21. Trusts. C. F. Kemp, accountant, Gresham-st. and W. Ewings, general manager of the London and Westminster Bank, Lothbury.

DUTHIE, WILLIAM, merchant, East India-avenue. July 10. 2s. by two instalments of 1s. each—1s. on 20th July and 1s. on 10th Oct.—guaranteed.

GILLOTT, JOHN, general dealer, Sheffield. June 24. 2s. 6d. in 3 mos.

GREENWAY, JAMES, bauber, Birmingham. June 28. 3s. by two equal instalments—first forthwith, second in 3 mos. Surety, J. Scott, Birmingham.

HEATON, WILLIAM, bookseller, Paternoster-row. July 6. Trusts. R. Spalding, wholesale stationer, Drury-ln. and R. K. Burt, printer, Holborn-hill.

KAIN, JOHN, tailor, Birmingham. June 27. To pay full amount of debts by instalments of 25l. per month. Trust. R. Carpenter, woollen merchant, Bristol.

KNOWLES, ANN, publican, Bristol. June 23. Trust. F. H. Vaughan, beer brewer, Bristol.

KELSON, CHARLES; TRITTON, VINCENT BISCOE; ALDERSON, EDWARD SAKENHAM; CHAPMAN, PETER GODFREY; and HARKEY, HERBERT THOMAS, merchants, Old Broad-st. June 30. Inspectors, J. Hickie, merchant, Leadenhall-st., and S. F. Harding, accountant, Bank-buildings.

LANE, THOMAS, bootmaker, Birmingham. June 21. Trust. J. Robinson, Northampton, and F. Gosling, Norwich, boot manufacturers.

LARKING, JOHN, shoemaker, Meeting-house-ln. Peckham. July 12. 3s. by two equal instalments, on 1st Feb. and 1st Aug.

LOUSER, CONRAD, merchant, Liverpool. July 13. W. Alexander, accountant, Liverpool.

NORFORD, HENRY, dealer in fish, Hadleigh. June 28. 2s. 6d. by 29th July.

OWEN, REV. EDWARD, clerk, Oldham. June 29. Trust. E. Allen, gentleman, Manchester.

PERFECT, JAMES ROBERT, furniture dealer, Wellington-pl. Holloway-rd. July 7. 5s. on 12th July.

PRINCE, JAMES, boot manufacturer, Durham-st. Hackney-rd. June 26. 2s by two equal instalments in 14 days and 2 mos.

RIDLEY, AARON, tallow-chandler, Gateshead. June 22. 5s. in 6 mos.

SMITH, JOHN BROWNE, gentleman, Derby. June 23. Trust. E. Cornell, currier, Derby.

SPINK, TAYLOR, rag dealer, Batley. July 3. 17s.—4s. at 3 mos., and 6s. at 6 mos. Trust. W. Kitson, quarry owner, Soothill, Dewsbury.

SURPLICE, ALFRED, and SURPLICE, WILLIAM, wire drawers, Sheffield. June 21. Trusts. T. Cavill, engineer, and E. W. Hodgson, steel manufacturer, both Sheffield.

SWATRIDGE, THOMAS SYDENHAM, cap manufacturer, Bristol. June 27. 1s. on 2nd Sept.—secured.

TOWNSEND, WILLIAM WOOD, gentleman, Chelsea-villas, Brompton. July 6. Trust. A. J. W. Biddulph, gentleman, St. John's-wood-park.

WAKEMAN, WILLIAM FRANCIS, commercial traveller, Edgbaston. July 19. 1s. by 30th Dec.

WATSON, ISAAC, grocer, Portsea. June 12. Trusts. J. Woodward, Portsea, and J. T. Lines, merchants, Little Tower-st.

WESTMAN, JOSEPH, victualler, Ansley. June 22. Trust. S. Motteram, carpenter, Ansley.

WISE, EMANUEL, jeweller, Hull. June 22. 1s. on execution of deed.

BIRTHS, MARRIAGES AND DEATHS.

BIRTH.

OXLEY.—On the 9th inst., at No. 60, Hungerford-road, Camden-road the wife of Frederick Oxley, solicitor, of a daughter.

MARRIAGE.

WILLIS—WARD.—On the 20th inst., at St. Mark's Church, Wolverhampton, Henry Richard Willis, Esq., of Kidderminster, to Mary Jane, eldest daughter of J. Collins Ward, Esq., solicitor, of the former place.

DEATHS.

ATKINSON.—On the 18th inst, in his 84th year, at 37, Great College-street, Camden-town, George Atkinson, Esq., attorney-at-law, of 41, Bedford-row.

MOXON.—On the 23rd inst., in his 72nd year, at his residence, 10, Clapham-road-place, Henry Moxon, Esq., late of 2, Tanfield-court Temple.

SWARBRECK.—On the 10th inst., at Birch House, Wavertree, near Liverpool, aged 2 years and 7 months, Charles, eldest son of Charles McCarling Swarbreck, of Thirsk.

MCCORD.—On the 28th ult., at Temple-grove, Montreal, C.E., aged 64, the Hon. John Samuel McCord, one of Her Majesty's judges of the Superior Court for Lower Canada.

Investments.

SOUTH DEVON RAILWAY.—The Directors are now issuing DEBENTURE STOCK, bearing interest at 4½ per cent. per annum, from date of payment to 1st March 1867, and thereafter 4 per cent. in perpetuity. Allotments made in any sums not being fractional parts of £1. Applications to be addressed
Plymouth, July 14, 1865. L. J. SEARGEANT, Sec.

ADVOWSON for SALE.—The Living produces an income represented by four figures. The rectory-house is large, has charming park-like grounds and is situate in a pleasant rural district. The prospect of immediate possession is almost equal to a certainty. For further information apply to J. SAUNDERS, Esq., Solicitor, 6, Queen-street, Cheapside, London.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.
Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.
Communications to be addressed to GEORGE J. JEFFERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.
JOHN HARRISON, Secretary.
Dock Office, Liverpool, July 20, 1865.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).
MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.
The security offered embraces a capital of 2,000,000*l.*, of which 600,000*l.* only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.
Dated 20th June 1865.
(By order) JOSEPH TREFFRY, Secretary.

SIX PER CENT. SECURED on FREEHOLD PROPERTY in London.—The DIRECTORS of the INNS OF COURT HOTEL COMPANY, Limited, are issuing the remainder of the Company's SIX PER CENT. MORTGAGE DEBENTURES.
These Bonds, secured as a first charge of the entire hotel property of the company (estimated as worth not under 120,000*l.*), are issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and investors have the option of payment in full or by three instalments.
The company cannot borrow more than 80,000*l.*
A commission paid to Solicitors.
H. T. L. BEWLEY, Secretary.
Offices of the Company, 63, Lincoln's-inn-fields, W.C., July 1865.

DEBENTURES at 5, 5½, and 6 per Cent.
CEYLON COMPANY, LIMITED.
Subscribed Capital, 300,000*l.*

DIRECTORS.
Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.
The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.
They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.
Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E. C.
By Order, JOHN ANDERSON, Secretary.

DEBENTURES.—The CREDIT FONCIER of MAURITIUS (Limited).

Subscribed Capital	£500,000
Paid up and invested	100,000

This Company is prepared to ISSUE a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from Six to over Seven per Cent. per Annum, according to the length of the term.
The business of the Company is confined to the advance (of sums) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.
By the Articles of Association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's Debentures are thus doubly secured.
For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

LAW UNION FIRE and LIFE INSURANCE COMPANY.
Chief Offices—126, CHANCERY LANE, W.C.
Subscribed Capital—ONE MILLION STERLING.
The Fire and Life Departments are under one management, but with separate Funds and Accounts.
Chairman—Sir WILLIAM FOSTER, Bart.
Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.
Capital £750,000, in addition to the Reserve Fund.
Business consists of the best classes of risks.
Insurants will be allowed the full benefit of the Reduction o Duty.
Claims settled promptly and liberally.

LIFE DEPARTMENT.
Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.
A Bonus every five years. Next bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 50 per cent. per annum on the premiums paid varying with the ages of the insured.
Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.
FRANK McGEDY, Secretary.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.
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Edward Wm. Cox, Esq., 36, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 33, Devonshire-place.
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Nicholas McCann, Esq., M.D., 50, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street
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LAW TIMES OFFICE, 10, WELLINGTON-STREET, STRAND, W.C

To Readers and Correspondents.

Articled.—Halliday's Digest of Examination Questions in Common Law, Conveyancing and Equity. Questions for Law Students on the 5th edit. of Stephen's Commentaries.

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The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

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"LAW TIMES" EDITIONS of IMPORTANT STATUTES.

SESSION of 1865.

The following are in the Press—

The PRISONS ACT, with Notes and Index. By T. W. SAUNDERS, Esq., Recorder of Bath.

The COUNTY COURTS EQUITY JURISDICTION ACT, with a Treatise on the Law and Practice of Equity as it is to be Administered in the County Courts. By H. F. GIBBONS, Esq., Barrister-at-Law, and W. C. HARVEY, Esq., Barrister-at-Law.

PATERSON'S PRACTICAL STATUTES of the SESSION of 1865, being the Fifteenth of the Series. By WM. PATERSON, Esq., Barrister-at-Law.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

A correspondent writes thus:

Your plan for a collection of Magistrates' Law Statutes, with the decisions on them, is admirable: but will you allow me to suggest that you do not include in it either the poor-law statutes, or the Criminal Law Consolidation Acts. These are of considerable bulk, and are already published in volumes that must be in the possession of all concerned in magistrates' courts. To introduce these statutes would be to increase materially the size, and consequently cost, and they would be of little use to your subscribers.

A Magistrates' Clerk.

We are obliged to our correspondent for his suggestion, which is well worthy of consideration. Are others of the same opinion? We will thank them to favour us with their views on this, and with any suggestions that may occur to them. Some inquire what will be the probable size of the work. It is impossible to predicate. Statutes *cannot* be abbreviated, of course, but the notes will be as brief as may be consistent with accuracy, and we hope to commence the publication soon after the long vacation.

We come now to the fourth equitable jurisdiction given to the County Courts by the new Act:

> 4. *In all suits of specific performance, or for the delivering up or cancelling, any agreement for the sale or purchase of any property when the purchase-money shall not exceed the sum of five hundred pounds.*

We have ventured to interpolate a comma at the word "cancelling" for the purpose of making the meaning clear, which otherwise might be misconstrued. It is not, as at the first reading it would appear in the statute as printed, a jurisdiction for specific performance generally, but only for specific performance of an agreement for sale and purchase of property. But even thus limited we feel much doubt as to its propriety. The vast majority of the cases that will come under this jurisdiction must involve the most difficult questions in the law of real property. Whatever the real motives of the parties who refuse to perform an agreement for sale and purchase, the ostensible objection is almost always a legal one. It will be impossible for a County Court Judge to deal with such questions satisfactorily. Not only will they require to be argued by profound lawyers, but the Judge cannot be expected to carry in his brain the whole law of real property, in addition to the common law, and the vast range of other learning which his multitudinous jurisdictions impose upon him. There is for this also the remedy of a transference of the suit to the Superior Court; but this will be attended with the cost of two procedures where one would have sufficed; there will be the costs of the County Court, *and* the costs of the Superior Court in addition to them. If in the cases that fall within this jurisdiction, even the majority of them involved questions of fact and not of law, or were merely a process to compel a reluctant contractor to perform his contract, something might be said for it; but when four out of five are questions of law, which the County Courts cannot determine, and which must go after all to the court above, it certainly appears to us that the jurisdiction should have been limited to such a value as would make justice impracticable unless obtained in the County Court. It should not have exceeded 200*l.*, and perhaps 100*l.* would have been sufficient.

> 5. *In all proceedings under the Trustees Relief Acts, or under the Trustee Acts, or under any of such Acts in which the trust estate or fund to which the proceeding relates shall not exceed in amount or value the sum of five hundred pounds.*

None of the new jurisdictions is likely to be more productive than this of benefit to the public. The abuse of their trusts by trustees is far more frequent than would be supposed by those to whom misdeeds and defalcations are not revealed professionally. These wrongs have passed unredressed and unpunished only because the cost of procuring justice exceeded the value of the property in dispute. In like manner there is frequently a desire by a trustee to be relieved from his trust, or of a *cestui que trust* to change his trustee; but the cost forbad. The process will now be facilitated and cheapened. So it is with other excellent provisions of the Trustee Acts, the full benefits of which will now be experienced for the first time.

But to make this jurisdiction as useful in practice as it is in design, further improvements are required in the law of trustees. They must be paid for their services by a commission or otherwise, unless the creator of the trust should declare to the contrary. On the other hand, they must be subjected to all the responsibilities of paid officers. They must be required to keep strict accounts, and to render a yearly account to the Court of Chancery, and to each of the *cestuis que trust*. In fact they must be dealt with as any other persons undertaking a duty for reward. The County Courts would provide a very efficient tribunal for investigating the accounts and conduct of trustees, assisting them in the performance of their duties, enforcing attention to those duties, and punishing neglect of them.

Great complaints are made of the manner in which the law for the suppression of disorderly houses has been recently abused in many parts of the metropolis, and in some of the large towns. In the course of the crusade against establishments of this class, opportunity has been given for the gratification of personal spites and the extortion of hush-money. The occupiers of several houses of unquestionable respectability have been denounced, and prosecutions instituted against persons wholly guiltless. The police are notoriously paid *not* to see, and if any neglect or refuse to pay, information in given and a prosecution is commenced. The charge is *ex parte*. A bill is preferred to the grand jury, who hear one side only, in the absence of the defendant, and probably without his or her knowledge. To be but accused in such a case is ruin. The finding of the bill is in itself a worse punishment than would follow a conviction for larceny. Not long since the Legislature found it necessary to make a law to prevent the injustice resulting from charges preferred for the first time before a grand jury, by enacting that in certain specified misdemeanors no bill of indictment shall go to a grand jury unless the case had previously been investigated by the magistrates, or by direction of the Attorney-General or of a judge of the Superior Courts. This provision effectually puts a stop to vexatious indictments for alleged offences of the kinds named in the statute, and a vast amount of cruel wrong to individuals has been thus prevented. Why should not this excellent law be extended to charges of the class that has occasioned these remarks, by enacting that no indictment shall be preferred for keeping a disorderly house unless the defendant shall have been first committed for trial by a magistrate, as in cases of felony?

And some remedy in the nature of damages should be given to those falsely accused, against their accusers, whether malice be shown or not. The wrong done is so grievous that even well-intentioned busybodies should be bound to make compensation to those whom they ruin by their mistakes.

In the course of a hearing in the Bankruptcy Court, the following gross case of professional irregularity was brought under the notice of the court:

Mr. Bagley, referring to the improper use of Mr. Hill's name already mentioned, said there were many gross irregularities practised in connection with the court. He produced two letters which had been addressed to the bankrupt by a person named Durrant, who had at first offered to conduct the bankrupt's case and then threatened to expose him.

The letters were then read as follows:

Bankruptcy and General Accountancy Offices,
16, Liverpool-street, Bishopsgate, July 8.

Sir Robert,—I shall be happy to conduct your bankruptcy through the courts, if you have not already instructed, upon reasonable terms of remuneration. The counsel acting under my brief is Mr. Ernest Reed. I shall be happy to attend you and show testimonials from those whose business I have successfully terminated. Letters addressed to my office, or care of Custodian, Bankruptcy Court, shall receive my attention.

I am, Sir Robert, your very obedient servant,
Thomas P. Durrant.

P.S.—This letter is confidential, for reasons I will eventually explain. I shall feel obliged by your early reply.

July 14, 1865.

Sir Robert,—My object in writing you some days since (and to which you replied) was not for the purpose of undertaking any of your business, but to know whether you considered I should act for you. Had you stated it was your wish for me to act in your behalf in any way, I should have replied to you declining the honour, but intimating my intention to be passive under the proceedings. Your letter, however, has relieved me of every feeling of responsibility, and I wrote this to withdraw from your mind any impression my letter might have given rise to that I feel the slightest interest in the termination of your bankruptcy, or that I desire to act in any way therein on your behalf. On the contrary, your letters which I have, and through your false representations made to me and of me to your benefactor, Mr. Matkwick, statements made with Lady Nicholson's full knowledge and acquiescence, induce me in fairness and candour to tell you that I shall use for the benefit of those for whom I may be concerned all the materials at my command, and another matter shall show ample cause on the grand inst. why your order for release should be withheld you until your final examination should be concluded. Upon looking at the court register, I see you file *in forma pauperis*. This hardly bears out your letters to me and the information given me by yourself and Lady Nicholson.—I am, Sir Robert, obediently yours, Thomas P. Durrant.

P.S. If you require further information, I will wait upon you when desired.

Mr. Sargood need hardly say that his clients had

not availed themselves of the services of Mr. Durrant. He said it was disgraceful that persons should be subjected to this species of ruffianly intimidation.

Mr. Reed, whose name was mentioned in one of the letters, desired to say that he knew nothing whatever of the matter.

Mr. Bagley and Mr. Sargood said no person could imagine that their learned friend Mr. Reed had authorised his name to be used.

The Deputy-Commissioner said that the only mode of putting a stop to these disgraceful practices was to give full publicity to the complaints which were made respecting them.

Mr. Durrant, who was present, asked if he might be permitted to explain the matter.

The Commissioner.—I think not. The letters speak for themselves.

We fear that publicity alone will not suffice. Persons of this class rather court it; they look upon it as a species of advertisement gratis. But this is an offence of more than common magnitude, and brings the offender fairly within the province of the Incorporated Law Society and the jurisdiction of the Judges, who certainly will not be reluctant to assist in such a case the self-purification of the Profession.

The *Times* remarks that there is a growing aversion on the part of litigants to trust their causes to the incompetence, prejudices, or partialities of a jury. Whenever there is much at stake they will shirk, if it be possible, that boasted palladium of British Justice. Where a choice is given them, as in the County Courts, they embrace with eagerness the opportunity, and prefer the intelligent and impartial judge to the lottery of a jury. The assizes, says the *Times* reporter, are now occupied mainly with the trial of "ridiculous" cases, in which the real combat is for costs, the actions being for the most part the speculative enterprises of a class of attorneys who live by ferreting out discharged servants' breaches of promise of marriage, imaginary grievances by railways and other companies, and such like, and who rely, not without good reason, upon the prejudices of the singularly prejudiced and illiterate class of whom the common jury is usually composed at the assizes. When there is something real at issue, the parties refer it to the court, "with power to draw inferences from the facts," which means, that the court is to be both jury and judge. But this reasonable preference of the suitors might be facilitated by a very slight change in the law. The County Courts have set the example, and the system works well there. Let the trial of civil suits be by the Judge, unless a jury be demanded, but let either party be free to demand a jury. We believe it would be found in practice that a jury would not be demanded in one case in twenty.

One way in which the criminal class may be readily formed appears from a case heard in the Clerkenwell Police-court on Saturday last. Two boys were brought before the magistrate for begging, and the excuse of one of them was, that he was turned out for the purpose by his father, who did not want to be "bothered" with bringing up his child. The father appeared, and when the magistrate spoke of sending the boy to a reformatory, said that he could only pay 1*s.* a week. As he was earning good wages, he was told that if the boy went to a reformatory, he would be called upon to pay 5*s.* So a kind of bargain was struck for throwing off the relation of parent and child. We notice the case because the law appears to us to be capable of being made more stringent, when a father casts his son thus like a waif on the world. As the boy used to return home at night with the fruit of mendicity, the case was not punishable as one of desertion. But it could scarcely be considered unreasonable that a parent who drives his child to evil courses to support himself, or aid in his support, should be punishable. To compel a father by law to the performance of parental duty is no doubt a difficult matter, but it should not be at once concluded that wilful moral neglect of the grossest kind by a parent is entirely beyond the cognisance of the magistrate. There certainly might be a specific and a severe punishment enforceable for sending children out to beg. It is at least lamentable to find that a father can repudiate a child for all moral purposes by a bargain with the State at so many shillings a week.

"Lord Westbury and the Recent Scandals" have met with a fair comment in the number of the *Law Magazine* issued on the 1st. The article lays the want of wise and judicious friends, and the assiduity of abundant friends of another sort, at the bottom of the recent misfortune. No man, it says, ever ascended the woolsack with less sympathy. His bearing to the rest of the Bar had rendered him unpopular, and amongst all the men with whom he daily came in contact it doubts whether he had a single friend. But there was nothing to lead any one to suppose that his exercise of patronage as Lord Chancellor would not be directed by the highest and most honourable motives. His assumption of moral no less than of intellectual superiority seemed rather to imply that he would adopt a severe standard. Various appointments, however, made by him were not conspicuous for discrimination, and rudely shook this notion. In some cases the vacancies were well filled up, in others there were suspicions that all was not right. Hitherto there had only been a great deal of talk about some of the appointments made; but the moment the Edmunds scandal got wind, a more serious aspect of affairs arose. But it was Lord Westbury's "passing the limit which common sense and decency dictate," in the bestowal of offices on his own relatives, that, the article feels assured, brought on him all the obloquy of the Edmunds scandal. With respect to Lord Westbury's conduct in that affair the view presented in the report of the Lords' Select Committee the article considers to be a just and sound view. He ought to have communicated the facts which he knew. Any other man in the position in which he was would certainly have consulted some friend on whose judgment he could rely. "But in this, as in all the other transactions in which his Lordship was involved, one cannot but feel how unfortunate for him it was that he had no wise and judicious friend whose counsels he might have obtained." With the report of the Commons' Committee the article is not so well satisfied. The evidence establishes something more than "haste and want of caution in granting a pension to Mr. Wilde." His Lordship, the article thinks, vindicates his conduct by one of the most sophistical arguments which was ever used, in saying that unless he determined to dismiss Mr. Wilde he had no alternative but to allow him to remain in his office. It was Lord Westbury's duty to go on with the proceedings against Mr. Wilde, and after the latter had shown cause to give a fair judgment as to what ought to be done with him. We admit that, on the face of the Commons' report, there was an appearance of sophistry; but on looking into Lord Westbury's evidence we found that there was no sophistry. For Lord Westbury, when he required Mr. Wilde to show cause, had no idea of letting him retire with a pension; the alternative, therefore, would have been either to dismiss him, which Lord Westbury said he thought a severe sentence, or to allow him to remain, reproved more or less, according to the merits of the case. It was not until afterwards that retirement with a pension was suggested, and then it was that Lord Westbury preferred that course to either of the other alternatives. The Welch dealings and appointment being coincident the article regards as a most unfortunate thing for Lord Westbury, but it was a culpable indiscretion on his part ever to hold out any hope to Mr. Richard Bethell of his obtaining any new appointment. Mr. Skirrow acted officiously and somewhat weakly, but the article has nothing more to say against him. Mr. Miller should not be let off so easily; but it is rather difficult to know what he did or did not do, as the other witnesses contradict him on almost every point, and he contradicts himself on many. If the law can reach Mr. Welch, it would be matter of regret if it be not put in force against him. On Mr. Wilde's part, after the celebrated letter to him from Mr. Miller, it would certainly have required some strength of character to reject the milder course of resignation. But to return to "the great central figure." Mr. Bouverie, in his amendment to Mr. Hunt's motion, took the true view. The resolution passed was unquestionably severe but righteous. The feeling in the Profession was very strong, and there was much dissatisfaction in the public mind. "It was impossible also for Lord Westbury himself not to feel conscious of the equivocal position into which he had been brought by those about him, and not to be aware that the woolsack could be no longer an easy seat for him, whether the blame that attached to himself personally was great or little." Yet the resolution of the House involved a great sacrifice for the sake of justice. "On the woolsack the same wonderful power of analysis and the same marvellous gift of expression were displayed by Lord Westbury as at the Bar. The only fault that can be fairly charged against his judgments is, that they sometimes show more of an antagonistic spirit than is quite suitable to the seat from which they were delivered." Justice is next done to Lord Westbury as a member of Parliament.

Respecting Lord Westbury's merits as a legislator, there may be some difference of opinion, but no one can doubt his boldness and originality, his comprehensiveness of view, and the grand object to which his aims were directed. No equally energetic law reformer has sat on the woolsack since it was occupied by Lord Brougham. Perhaps Lord Westbury was too bold, had too little respect for prescription, and was not sufficiently regardful of circumstances which men of a different quality of mind are better fitted to appreciate. All his measures have not, therefore, been successful; but still he has laid the foundation of much which will be found beneficial and enduring, and if, in the future, it should be deemed necessary to modify and alter some parts of what he has done, we feel assured that in no case will it be considered desirable to reverse his policy.

Lord Westbury has still, the article thinks, a great career of usefulness and honour before him.

An incident in our courts, which has followed the victory of the Northern States of America over the Confederates, brings to mind what happened when the Emperor of Austria had defeated Kossuth and the Hungarians after the European disturbances of 1848. Kossuth escaped through Turkey, and the Hungarian Crown jewels disappeared with him. The Emperor took proceedings in the Court of Chancery to recover them. So now some of the Confederate States' jewels, or, in other words, 1350 bales of cotton, shipped at Texas for the Havannah and thence by the *Aline*, sailing under British colours to Liverpool, have formed the subject of an application to Vice-Chancellor Wood. It was at one time doubted whether the Sovereign of a foreign state could sue in the municipal courts of this country, Lord Thurlow inclining to think that the claim of such a person was a matter of diplomacy between state and state. But it is now well settled that such a Sovereign, if recognised by the Government of this country, may have the benefit of British jurisdiction where there are circumstances to found it which would give any other foreigner a right to that benefit. There certainly is no reason why a Sovereign should be in a worse position in this respect than an individual. Lately, in another case between the Emperor and Kossuth, which must be fresh in our readers' recollection, the Emperor's exclusive right to the creation and issue of bank-notes, a Sovereign prerogative, was protected on the footing of property.

In the present case the motion on behalf of the United States was to restrain the delivery to the consignees, who held the bills of lading of the cotton, and the dealing by them with the cotton or the bills of lading, otherwise than under the direction of the United States Government. The ground was, that, the rebellion being now at an end, and the so-called Confederate Government dissolved, all the joint or public property of the persons constituting such pretended Government had been ceded to the plaintiffs. The defence was that the consignment had been made under an arrangement with the *de facto* Confederate Government before the submission of Kirby Smith. On the general right of the United States Government to the cotton the Vice-Chancellor had no doubt, the cotton being admittedly the result of funds which had been raised by the *de facto* Government of the Southern States by taxation for the purpose of carrying on the war. All the authorities were clear upon this point, namely, that "when a *de facto* Government has been superseded or put an end to, the displacing Government succeeds to all the rights of the *de facto* Government."

But, besides, there was a special point in the case of great importance. The shipment of the cotton formed one of a long series of transactions between the consignees and the Confederate Government, under which the consignees had incurred heavy liabilities (to the extent of 20,000*l.*), and to the realisation of this cotton they looked alone for satisfaction of those

liabilities. The Vice-Chancellor did not feel much doubt that the United States Government, in taking the cotton, must take it subject to all agreements made in respect of it by the *de facto* Government. It was not the case of persons taking property from a wrong-doer or trespasser with knowledge of the trespass. The courts of every country recognised a *de facto* Government, and would not allow the rights and contracts acquired by their own subjects with an existing Government to be disregarded. This was according to a second principle enunciated by the Vice-Chancellor: "The displacing Government succeeds to the property of the displaced Government in the state in which it is found, and subject to all agreements affecting it." Although, therefore, the Confederate States Government, not having been recognised by the QUEEN, could never have sued in her courts on any contract made by that Government, nor, we apprehend (on the principle of mutuality, apart from that of sovereignty), could have been sued in those courts, still equity must be done on such a contract by a third party seeking equity against the other party to the contract.

HITHERTO the cases have been extremely contradictory as to what is a sufficient "building" held in conjunction with land to confer the borough franchise. The words of the statute are "house, shop, warehouse, or other building." Up to the recent decisions, it was commonly taken to be the law that the building must have sides and a roof, so as to *inclose* its contents, but that the material of which it was composed was unimportant. Thus, a shed was insufficient, even though it were a cowshed; but a linhay would suffice, if boarded on all sides, so that it could be entered only through a door. But two recent appeals have somewhat modified this view of a building. In *Powell* v. *Boraston*, 11 L. T. Rep. N. S. 734, the claim was in respect of a wooden shed, supported on four posts, let into the ground, with boarded sides entered by a door; but there was no floor, and it was used for keeping agricultural implements. In *Powell* v. *Firmer*, 11 L. T. Rep. N. S. 736, the building in question was also supported by wooden posts let into the ground, having boarded sides and a thatched roof, and being entered by a door fastened by a padlock. It was used by the occupier, a market gardener, in his business for storing potatoes. The facts of these two cases are almost precisely alike, the only difference between them being, that the boards in the first case were stated to be much dilapidated. In this case, a question was also raised whether a pigstye was such a building as would satisfy the statute.

It is remarkable that the Court rejected the claim in the first case, and allowed it in the second; and, unless the grounds of this difference are clearly understood, the apparent discrepancy will be likely to cause more perplexity than ever in the making of votes, in the arguments by which they are to be opposed or sustained, and in the decisions of the revising barristers.

In the second case, it will be observed, the Court carefully guarded itself against deciding the general question, "What is a building?" by holding that, according to the description of the building in question given by the revising barrister, there was nothing to show that it was not a building having sufficient permanence, and being *ejusdem generis* with a house, shop, or warehouse, to justify the reversal of his decision. The unsatisfactory conclusion from which we take to be, that a wooden shed, if boarded round and roofed, may be held by the revising barrister to be a building, if also occupied in the way of the claimant's trade, and, we presume, occupied for any purpose such as a shop or warehouse is used for, so that a private person keeping his store potatoes or tools in such a shed in his garden might be held by the revising barrister to be thereby qualified, and the court would not reverse the decision.

As to the pigstye, the Court intimated that it was not a building, but there was no decision on this point.

But even with this refined distinction that, as described in the case, there was nothing to show that this potatoe-shed was not a building, the decision certainly appears to us inconsistent with that in the case that preceded it. The Court held the tool-house in *Powell* v. *Boraston* NOT to be a building, although it was on posts, boarded round, entered by a door, and roofed; the only difference between this shed and the other qualifying one being, that this was somewhat dilapidated by the boards on one side having been "broken to pieces." In its careful and considered judgment, delivered by ERLE, C. J., the Court took great pains to define what was necessary to constitute a building, and to reconcile the previous cases.

Upon the question, was it a *building*? the judgment is thus expressed:

As to the first question, whether the so-called building is sufficient to qualify, &c., we are aware of the impossibility of defining clearly what is included in the class described in the statute by the words "other buildings," and of the difficulty of affirming that a thing is not in a class when the boundary of the class is unknown. We are also aware of the immense variety of structures which are sufficient buildings, considering the locality, and the use for which they are adapted in that locality. Still, we are of opinion, that the intention of the Legislature would be defeated, and the words indicating the class of buildings which qualify would be without any effect, if everything which could be called a building was held sufficient. It ought to be in some degree adapted both to be used by man either for residence, or for the industry to which the statute relates, and also to have the degree of durability which is included in the idea of a building. The shed in question fulfils neither of these conditions. The boards were nailed to the posts for the purpose of performing the part of a shed, according to the revising barrister, not for any purpose connected with the interest of the occupier, and were so frail as to have been destroyed in part before the required year had elapsed. The Legislature intended that "building" should give the primary qualification, and that "land" should be a secondary resort, if the building was not worth 10*l.* per annum; but land would become the primary qualification if a shed of no value added to land of the required value was held to qualify. We are aware that the question whether a building qualifies is more a question of fact than law, to be answered by the revising barrister performing the part of a jury in applying the law to the facts before him. We are also aware of the soundness of the principle laid down in *Watson* v. *Cotton*, 5 C. B. 51, that if the revising barrister finds the building in question to be within the statute, the court will make every presumption for the purpose of supporting his finding, and will not reverse it unless the case shows it to be erroneous. We adopt these principles as sound, but still we think that this decision is shown to be erroneous. The case of *Watson* v. *Cotton* has been treated by some text writers as if it had decided that a tarpaulin, supported by poles, as described in the case, was a building within the statute, and they have drawn wide inferences therefrom, and these inferences are carried to the furthest extent in Lutwyche's Reports, 58. The learned reporter, in a note there, speaking of this case, thus expresses himself: "It will not be easy in future to say what is not a building, however slight and unsubstantial the structure may be, provided there be a roof to it;" and he goes on to say, "If a building be capable of holding any articles, it may fairly be considered to be a warehouse;" and he goes on to say, "If a building be capable of holding any articles, it may fairly be considered to be a warehouse;" and he goes on to say, "On these principles there is no reason why a donkey-shed, a fowl-house, or a pigstye, should not qualify." The report of this case, in 5 C. B. 51, does not warrant the inference thus drawn from it. It appears there, that the judges, resolving to support the finding of the barrister unless he states facts showing that he must have been in error, take his description to be incomplete, and assume that the description, if it had been complete, would have shown that the shed was a building in the ordinary sense of the word, and was properly included in the same class as warehouse. In page 52, Maule, J. says: "The barrister gives a description embracing some of the incidents of a building. He describes two sides of the structure; the rest may be of solid masonry. He does not profess to give a full description of it." Wilde, C. J. says: "It is possible to conceive sheds of a very substantial and valuable character; for instance, the sheds in the docks, which, for the most part, consist of columns of iron or stone supporting slated roofs." Then, in his judgment, Wilde, C. J. says, "The barrister having found it to be a building within the Act, I must assume that it has all the requisites to constitute a building, except the incidents he sets out." And Maule, J. says, "It is not denied that the shed in question is a building. When once it is established that the thing is a building, the only question that remains is to be decided by the uses and purposes to which the building is or may be put. If it is or may be applied to the purposes of a building such as is mentioned in the Act, it clearly may be said to be a building within the meaning of the Act. Its being more or less substantial cannot affect the question. Nobody would for a moment doubt that a place constructed at great expense and of great solidity, closed on two sides, and used for the stowage of goods, would be a building within the Act. Assume this to be a building, and in what does that differ from this?" It thus appears to us that the judges do not hold that the shed as described is a building within the Act, but they declare it to be their duty to assume any possible facts not excluded by the case for the purpose of affirming the barrister's finding. The barrister finds it to be a building; that finding is to stand, unless the case excludes the possibility of its being a building, and the judges say that, consistently with the case, the shed may have been on two sides of solid masonry, and may have been of a very substantial and valuable character, and may have been used for the stowage of goods. We may remark that it would have been better if the case had been sent back for restatement as Mr. Gray requested. The argument of that learned counsel on behalf of the appellant seems to have been considered by the court as perfectly sound in law, but it did not prevail, because the facts were assumed to exist which made it irrelevant. Mr. Gray contended that the building must be something substantial, something *ejusdem generis* with those specifically mentioned, and not a mere temporary erection for the more convenient use of the land that could be removable by the tenant, and none of the judges disputed the correctness of this view of the law. In deciding whether a building is within the Act, the revising barrister is bound to give effect to the intention of the Legislature expressed in the statute, and in so doing to be assisted by any rule of construction laid down in any of the cases relating thereto, but his attention should never be turned from the statute which he has to apply; and though general principles of construction laid down by the judges may help to guide his decision, the specific facts of one case form a very fallacious guide in the decision on other specific facts supposed to resemble them; the specific facts of the tarpaulin on poles seem to have led to unsound conclusions. In the present case, we consider that the description of the shed is complete, and according to that description it was not of a substantial character, nor *ejusdem generis* with the buildings specifically mentioned; that is, it was neither adapted to nor intended for any purpose analogous to the purposes for which warehouses are used, and that therefore the decision holding the shed to be a building within the Act must be reversed.

From this we conclude that the decision of the Common Pleas turned rather upon the uses to which the building was applied than to the character of it. An open shed, having three sides only, used by a warehouseman for storing his goods, would be a building; a pig-stye would not be such. Is a substantial tool-house, or a fruit-house, or a summer-house with rooms, in private grounds, a building? If not, why not? If a shed in which a market-gardener stores his potatoes is a building, why not a brick-and-mortar house, in which a private person stores his apples and pears? These are difficulties which the cases now under consideration do not help us to solve, but rather increase the former perplexities.

Another point was also decided, viz., as to occupation as *tenant*. The shed had been erected by an election agent purposely to qualify the tenant, without asking the landlord's consent. The Court held that he did not occupy it as tenant. Surely this is very questionable law.

If a tenant erect a building on the demised premises, if it be fixed to the freehold it is the property of the landlord, and there would be an implied tenancy of the building by virtue of the tenancy of the ground on which it stands. Would not the landlord have a right to distrain on any goods within the building? If so, how can it be said that the building is not occupied as tenant?

The practical conclusion is, that, to manufacture safe votes by putting up buildings on land of sufficient value, care should be taken that the buildings are substantial, and that they are used for the purposes of the business of the tenant. The landlord's consent should also be obtained. It is so easy to make a good vote, that even a doubt should not be suffered to rest upon it.

LAWYERS RETURNED TO THE NEW PARLIAMENT.

Andover	W. H. Humphery, Bar.
Berwick	D. C. Marjoribanks.
Bridgnorth	J. Pritchard.
Bridgwater	A. W. Kinglake.
Bury St. Edmunds	J. A. Hardcastle.
Calne	Right Hon. R. Lowe.
Cambridge	W. Forsyth, Q.C.
"	F. S. Powell.
Cambridge University	Rt. Hon. S. H. Walpole, Q.C.
"	C. J. Selwyn, Q.C.
Canterbury	J. W. Huddleston, Q.C.

Cork	J. P. Murphy.
"	J. F. Maguire.
Coventry	M. Treherne.
Dover	—. Freshfield.
Dudley	Sheridan, H. B.
Dundalk	Sir George Bowyer, Bart.
Durham	Right Hon. J. Mowbray.
Edinburgh	The Lord Advocate.
Elgin Burghs	Grant Duff.
Exeter	J. D. Coleridge, Q.C.
Finsbury	W. Torrens.
Guildford	W. Bovill, Q.C.
Halifax	J. Stansfeld.
Hereford	R. Baggallay, Q.C.
Hertford	Right Hon. J. F. Cowper.
Ipswich	H. E. Adair.
Kilmarnock	Right Hon. E. P. Bouverie.
Lambeth	T. Hughes.
Lancaster	E. M. Fenwick.
Liskeard	Sir A. Buller.
Lymington	W. A. Mackinnon.
Macclesfield	E. C. Egerton.
Maldon	G. M. W. Peacocke.
Mallow	The Solicitor-General for Ireland.
Manchester	Edward James, A.G. Co. Pal.
Marylebone	H. Lewis.
"	The Common Serjeant, Q.C.
Merthyr Tydfil	Right Hon. Henry A. Bruce.
Morpeth	Sir G. Grey.
Newark	G. Hodgkinson
Newcastle-on-Tyne	Right Hon. T. E. Headlam, Q.C.
Northallerton	— Mills.
Norwich	E. Warner.
Oldham	J. T. Hibbert.
"	— Platt.
Oxford	Right Hon. E. Cardwell.
"	C. Neate, J.
Oxford University	Gathorne Hardy.
Peterborough	G. H. Whalley.
Plymouth	The Solicitor-General.
Poole	D. Seymour, Q.C.
Portsmouth	Serjt. Gaselee.
Richmond	The Attorney-General.
Reading	Sir. F. Goldsmid, Q.C.
"	G. S. Lefevre.
Rochester	Serjt. Kinglake.
Salisbury	M. H. Marsh.
Scarborough	J. D. Dent.
Sheffield	J. A. Roebuck, Q.C.
Southampton	The Recorder, Q.C.
Southwark	J. Locke, Q.C.
South Shields	R. Ingham, Q.C.
Stamford	Sir S. Northcote.
Stroud	J. Horsman.
St. Ives	H. Paull.
Sunderland	H. Fenwick.
Tewkesbury	J. A. Yorke.
Tower Hamlets	A. S. Ayrton.
Walsall	C. Forster.
Whitehaven	G. A. F. C. Bentinck.
Wolverhampton	Right Hon. J. Villiers.
York	G. Leeman (Solicitor).

INVESTMENT JOURNAL.

THE following are the fluctuations of the week:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	249	...	248	...	248
3 per Cent. Red. Ann.	89¾	90	89¾	90¼	90¼	89¾
3 per Cent. Cons. Ann.	90	90¼	90¼	90¼	90	89¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent Ann.	89¾	89¾	90	90	89¾	89¾
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	105	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	12¾ c	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	90¼	90¼	90¼	90¼	90¼	89¾
Consols 5 per Cent. for Acc.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	217	220	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	99¼	99¼	...	...
India 5 per Cents. 1870	104¼	104¼	104¼	105	105	...
India Bonds (1000l.)	...	23 c	...	...	...	...
Do. (under 1000l.)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	...	...	100	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	101¼	102	...	...
Do. do. 5½ per c. May 1879	...	110¼	109¾	109¾	...	...
Ex. Bills, 1000l.	a	d	d	...	f	f
Do. 500l.	...	d	...	...	...	f
Do. 100l. & 200l.	...	...	...	...	...	...
3 per c.	b	d	...	a	b	g
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3¾ per cent. par. 3d. pm.
b 3 3/4 per cent. 4s. pm.
c ex. div.
d 3 3/4 per ct. 4s. par.
e prem.
f 3 3/4 per cent. 5s. pm.
g 3 3/4 per cent. 4s. par.

The following are the fluctuations of the last month:

	Amt. per share.	Amount paid	Price on July 1.	Highest price during Month.	Lowest price during Month.	Present Price.
Consols	...	...	90 to ¼	90¼	89¾	90¼ ¼
Exch. Bills.	...	...	par to 4s. pm.	4s. pm.	par	par to 2s. pm.
RAILWAYS: "June"		£				
Brighton	Stock.	100	108¾	108¾	106	107
Caledonian	Stock.	100	133¼	136	131½	132
Gt. Eastern	Stock.	100	48¾	49¾	47¾	48¾
Gt. North.	Stock.	100	131½	132	130	131½
Gt. Western	Stock.	100	69¾	69¾	64¾	65¼
Lon. & N.W.	Stock.	100	123¾	124¼	121½	121¾
Midland	Stock.	100	134½	135¾	130¾	131¼
Lan. & York.	Stock.	100	122	122½	119	119¾
Sheffield	Stock.	100	60¾ ex d	60 ex d	58¾ ex d	58 ex d
South-East.	Stock.	100	85¾	85¾	82¾	83
South-West	Stock.	100	99¾	100¾	99	100
Berwick N.-East.	Stock.	100	112¾	112¾	110	111
York & N.M.	Stock.	100	104¼	104¼	102¾	102¾
Foreign:						
East Indian	Stock.	100	102¾	103¼	102¾	103¼
Lom.-Ven.	£20	All	19¾	19¾	19¼	19¾

The rise in the Bank rate of interest has produced no effect upon the Money-market. Money is still abundant, and good bills are easily discounted at less than the Bank prices. There is not the slightest prospect of money becoming dear again for many months. On the contrary, plethora and consequent very low prices will probably prevail until the spring.

Speculation itself is dead just now. Many new companies have been brought forward, but it is understood that very few of them have found sufficient support to float them.

SOLICITORS' JOURNAL.

GENTLEMEN APPLYING TO BE ADMITTED AS ATTORNEYS.

Michaelmas Term 1865.

Artindale, Thomas Frederic, 2, Radnor-place, Paddington; Barnsley, Lancaster; and 3, Old-square, Lincoln's-inn—articled to R. Handsley, Barnsley

Barratt, James, 22, Liverpool-terrace, Islington; and Lymm, near Warrington—T. Heelis, Manchester

Beavan, Horace Charles, 13, Blandford-square—F. Last, 13, Gray's-inn-square

Beddoe, Arthur, 13, Barnsbury-street, Islington; Westbromwich; and 13, Swithin's-lane—C. H. Bayley, West Bromwich

Bell, Walter John, 8, New-inn, Strand—J. Bell, 8, New-inn, Strand

Benson, Robert, 7, Ampton-place, Gray's-inn-road; and Cockermouth—W. Moordoff, Cockermouth

Berry, John Walton, 65, Charrington-street, Bradford—J. Berry, Bradford; J. G. Hutchinson, Bradford

Binney, Frederick Altona, Lower Broughton, Manchester—E. W. Binney, Manchester

Birch, Henry Peregrine, Sunbury; and 68, Lincoln's-inn-fields—H. W. Birch, 68, Lincoln's-inn-fields

Buckland, Henry Fitzherbert, 1, New-square, Lincoln's-inn; Chelworth, Wilts; and 52, Portsdown-road—W. S. Jones, Malmesbury

Burt, Henry William, 6, St. Mark's-square, Regent's-park; and Aldermanbury—A. Turner, Aldermanbury

Cayley, Arthur, 60, Charrington-street, Oakley-square; and 10, New-square, Lincoln's-inn—H. S. L. Hussey, 10, New-square, Lincoln's-inn

Charles, Daniel, Fenchurch-street; and Eccleshall, Stafford—T. Robinson, Eccleshall

Clare, Samuel Parks, 1, Surrey-square, Walworth—J. Howard, 141, Fenchurch-street

Cole, Herbert Henchman, 14, Lincoln's-inn-fields; and Norwich—R. Kerrison, Norwich; A. Preston, Norwich

Cole, John, 6, Gloucester-crescent, Paddington; and 36, Essex-street, Strand—C. N. Cole, 36, Essex-street, Strand

Cooke, Charles Edward Brunskill, 36, Lincoln's-inn-fields—H. J. Francis, 36, Lincoln's-inn-fields

Cooke, Joseph Henry, 2, Bloomsbury-square—F. J. W. Cooke, Gloucester; W. W. Comins, 84, Great Portland-street

Cooper, Richard John, 7, Furnival's-inn; and Oldbury, Worcester—H. Plunkett, Westbromwich and Oldbury; W. Shakespeare, Oldbury

Dalton, John, Eton, Bucks; and Whitehaven, Cumberland—A. Helder, Whitehaven

Davies, William Goode, Callington, Cornwall; Forest-hill; and Newcastle-upon-Tyne—J. Fenwick, Newcastle-upon-Tyne

Davis, Hammond, Horsham, Sussex—J. D. Sadler, Horsham

Dawson, Osborne Edward, 33, Bedford-square—G. Bryan, 33, Bedford-square

Dewhurst, James Hindle, 7A, Albion-grove, Islington; Blackburn; and 14, Gray's-inn-square—J. H. Kay, Blackburn

Dickson, William Joseph, 19, South-street, Brompton; Preston; and 1, Trinity-place, Charing-cross—J. B. Dickson, Preston; R. F. Showler, 1, Trinity-place, Charing-cross

Duffield, Isaac, Plaistow; and Tipton, Stafford—R. Caddick, West Bromwich

Eastwood, Thomas William, Todmorden; and 26, Albert-street, Regent's-park—A. G. Eastwood, Todmorden

Ellis, Brabazon Wood, 3, Granville-square, Clerkenwell; and Barnsley—D. S. Sutton, Barnsley

Ellis, Robert, 61, Swinton-street, Gray's-inn-road; and Doncaster—J. Wright, Doncaster

Ellis, Thomas Ratcliffe, Wigan; and 4, Frederick-street, Gray's-inn-road—J. S. Marshall, Wigan

Falkner, Evelyn Sherard, Upton, Nottingham; Newark-upon-Trent; and 9, South-crescent, Bedford-square—P. R. Falkner, Newark-upon-Trent

Farwell, Frederick George, Richmond, Surrey; Shrewsbury; and 28, Lincoln's-inn-field—J. J. Peel, Shrewsbury

Fox, George William, Manchester—A. Fox, Manchester

Francillon, Henry James, Cheltenham; and 28, Bernet's-street, Russell-square—C. F. Gale, Cheltenham; F. Wilton, Gloucester

Franklin, Harry James, Halifax, York; and 6, Ely-place, Holborn—J. Franklin, Halifax

Freeman, John Crick, 2, Ellington-street, Islington; Maldon, Essex; and 6, King's-road, Bedford-row—J. and W. Crick, Maldon

Froggatt, Edward, 17, Carlisle-street, Soho-square; and 2, Burton-street—J. Froggatt, 16, Clifford's-inn; C. P. Allen, 17, Carlisle-street, Soho-square

Frudd, Edmund Bewley, Barnsley, York—B. Marshall, Barnsley; W. Shepherd, Barnsley

Fussell, James Flower, jun., Bristol—J. F. Fussell, Bristol

Garner, William, 12, Hawley-road, Kentish-town; Warwick; and 28, Great James-street, Bedford-row

Godwin, Edward Douglas, 10, Wells-street, Gray's-inn-road—B. C. Godwin, Winchester; J. E. Fox, 40, Finsbury-circus

Goody, Owen Sidney, Colchester; and 3, Gordon-terrace, Kensington—H. S. Goody, Colchester

Greaves, William, 52, Lincoln's-inn-fields; and Brighton—F. Cooper, Brighton; C. F. Hore, 52, Lincoln's-inn-fields

Green, Thomas, 4, Furnival's-inn; and Northampton—J. Becke, Northampton

Greenfield, Thomas Challen, Birmingham; and 15, Bloomsbury square—T. S. James, Birmingham; C. A. Emmet, 14, Bloomsbury-square

Gregory, Lewis William, 2, King's Bench-walk; and Exeter—J. Oldley, Exeter

Grover, Walter, 53A, Guildford-street, Russell-square; and Hemel Hempstead—C. E. Grover, Hemel Hempstead

Grueber, Charles George, New-cross; and 5, Billiter-street, City—J. Parsons, Langport, Somerset; T. Grueber, 5, Billiter-street

Gustard, Henry Stafford, 22, Great Coram-street, Worcester; and 11, Bedford-row—M. Cutler, Worcester

Hall, Edward, 12, Brompton-square, Brompton-road; and 68, Lincoln's-inn-fields—J. Ingram, 68, Lincoln's-inn-fields

Hall, Matthew Henry, 12, Cloudesley-square, Islington; and Leamington, Warwick—A. S. Field, Leamington

Hall, Snaton, Sunderland—T. Thompson, Sunderland

Harris, William, Rochdale, Lancaster—T. W. Whitehead, Rochdale

Hawes, Edward, 2, Devonport-street, Hyde-park; and 6, Chancery-lane—R. Cunliffe, 43, Chancery-lane

Hawkin, Frederick Thomas, Sheffield, York—H. E. Watson, Sheffield

Head, John Meyrick, 18, Torrington-square; and Lewes—J. T. Auckland, Lewes and Eastbourne; E. Hillman, Lewes

Heuesman, Henry Peach, Northampton—J. Heuesman, Northampton

Hincks, John Charles Hawkesford, 90, Hemingford-road, Barnsbury; and Willenhall—C. G. Brown, Elston, Stafford

Hodding, Francis, 2, Adelaide-cottages, Peckham; Salisbury; and 29, Coleman-street—M. T. Hodding, Salisbury; C. M. Lee, Salisbury

Hubbersty, Albert Cantrell, Hastings, Derby; 30, Wilton-place, Russell-square; and 14, Tavistock-place, Tavistock-square—J. F. Kingdon, Wirksworth; J. J. Simpson, Derby

Hunter, Leslie, 1, Tredegar-place, Bow-road—J. H. Hunter, 7, Walbrook

Jeanneret, William Henry, 1, Murray's-terrace, Camberwell; and 5, Dane's-inn, Strand—F. H. Jeanneret, Dane's-inn, Strand

Jeffes, Thomas Edward, 11, Alfred-street, Bloomsbury; Weybread, Suffolk—W. M. Hazard, Redenhall with Harleston, Norfolk

Jones, Evan Wynne, 31, Great Percy-street, Pentonville; and Denbigh—P. Morris, Denbigh

Jordan, Barrett Price, Chester; and 21, Buckingham-street, Strand—E. Evans, Chester

Kelly, Henry, 8, Houghton-place, Harrington-square; and 2, New-inn, Strand—F. C. Kelly, 3, New-inn, Strand

Knight, John, Farnham, Surrey; Colney Hatch, Middlesex; Cecil-street, Strand; and 38, Woburn-square—J. H. Kaye, 3, New-inn, Strand

Lake, Evan, Highgate—M. Kingsford, Canterbury

Longden, John Spencer, 41, Torrington-square, Middlesex—T. Plews, 14, Old Jewry-chambers; A. Walker, 14, King's-road, Gray's-inn

Lunn, Robert, the younger, Norton, Worcester; and 11, Calthorpe-street, Gray's-inn-road—H. New, Evesham, Worcester

Marks, Francis Walter, 30, Dorset-square, Regent's-park; and 29, Coleman-street, City—D. S. Morice, 23, Coleman-street; W. Clarke, 22, Coleman-street

Marsh, Henry, 30, Gloucester-terrace, Regent's-park—R. Jackson, 41, Bedford-row; W. Sharpe, 41, Bedford-row

Marshall, Benjamin John, 7, Loraine-road, Holloway; and Finchley—J. H. Marshall, 12, Hatton-garden

Marshall, Robert Williams, Handsworth, Stafford—W. Marshall, Birmingham; A. Wright, Birmingham

Mason, Richard, 45, Barton-crescent; and Louth, Lincoln—T. F. Allison, Louth

Mather, Arthur Stanley, East Sheen, Surrey; Liverpool—P. Simpson, Liverpool

Mayhew, Arthur, 41, Bedford-row; Wigan—J. Mayhew, Wigan

Maysey, John, Gloucester—T. Smith, Gloucester

Mortimore, Thomas Heard, 33, Lincoln's-inn-fields—W. K. Eliot, Cheltenham; G. J. Robinson, 33, Lincoln's-inn-fields

Morton, James Archer, 5, Haverstock-street, City-road; Manchester—F. Brown, Market Deeping; Henry Beddish, Manchester

Munton, Francis Kerridge, 14, Bloomsbury-square—J. S. Emmet, 14, Bloomsbury-square

Needham, Frith, Croydon, Surrey—J. Needham, New-inn, Strand

Neil, James, jun., 43, Hamilton-terrace, St. John's-wood; 36, Lincoln's-inn-fields—E. W. Field, 36, Lincoln's-inn-fields

Nottidge, Albert James, Sydenham, Canterbury; 17, Gracechurch-street—M. Kingsford, Canterbury; W. Figwer, Gracechurch-street

Parr, William Fillingham, 9, Bernard-street, Russell-square; Croswell Butler, Notts; 42, Doughty-street—J. Watson, Nottingham

Parry, Robert, West Derby—J. Bradley, Liverpool; W. G. Gray, Liverpool; J. Blackhurst, Liverpool

Peacock, Edward Gryffydh, Lower Halliford, Middlesex; 10, Great Russell-street, Bloomsbury—E. E. Towne, 10, Great Russell-street

Picard, John Richard, 25, Frederick-street, Gray's-inn-road; Kirkby Lonsdale; 23, Chancery-lane—T. Eastham, Kirkby Lonsdale; R. T. Jarvis, 23, Chancery-lane
Poole, Arthur Charles, 4, Furnival's-inn; 8, Duke-street, Portland-place; Manchester—W. H. Myers, Manchester
Potts, William, 12, High-street, Pimlico; 38, Southampton-buildings, Chancery-lane; Broseley, Salop—R. J. Gabb, Abergavenny, Monmouth; G. Potts, Broseley
Powys, Arthur Vere Archer, 38, Russell-square—B. W. Powys, 38, Russell-square
Price, John Edwards, Montpelier, Bristol—J. G. Trenerry, Bristol
Prior, John, 23, Bernard-street, Russell-square—J. Prior, 23, Southampton-buildings; W. C. Cruttwell, Frome
Raley, George Jackson, Barnsley, Yorkshire—C. Newman, Barnsley
Rhys, Morgan, 10, Union-square, Islington—R. W. Beor, Swansea, Glamorgan
Robertson, James Watson, Durham—H. J. Marshall, Durham
Robson, Shaftoe, Gateshead-on-Tyne—J. Hunter, Gateshead
Rogers, Joseph, 9, Gower-street; and Newmarket, Suffolk—W. P. Isaacson, Newmarket
Roscoe, Roscoe, Ashton-under-Lyne; and Newchurch, Lancaster—J. Hargreaves and W. Knowles, Newchurch
Rose, Philip Frederick, 39, Rutland-gate, Middlesex—P. Rose, Victoria-street, Westminster
Rowley, Edmund Buller, Old Trafford, near Manchester—J. C. Rowley, Manchester
Sargent, John Thomas, Louth, Lincoln—F. Sharpley, Louth
Scott, Frederick Henry, 9, Cornwall-terrace, Regent's-park; and 11, Lincoln's-inn-fields—J. Scott, 11, Lincoln's-inn-fields
Sidgwick, Edward, 30a, Wigmore-street, Cavendish-square; and Bingley, York—J. Taylor, Bradford; H. Roscoe, 36, Lincoln's-inn-fields
Smoothy, Frederick, 39, Garrard-street, Islington; Braintree, Essex; and 29, Lincoln's-inn-fields—F. Smoothy, Braintree; E. H. Rickards, Lincoln's-inn-fields
Smythe, F. Cooper Dumville, 168, Albany-street, Regent's-park; and 2, Staple-inn—W. Smythe, 7, New Boswell-court, Richmond, and Brighton; J. Cross, 9, Staple-inn
Sneyd, Clement Broughton, 125, Albany-street, St. Marylebone; Uttoxeter; and 4, New-square, Lincoln's-inn—F. B. Hand, Uttoxeter
Stephens, Thomas, North Shields; and Newcastle-upon-Tyne—G. W. Hodge, Newcastle-upon-Tyne
Stephenson, Herbert, 16, Trinity-terrace, Brixton; and 17, Walcot-place, Kennington-road—M. Stephenson, Chatham
Stock, Daniel, 22, Trinity-terrace, Brixton; and Colchester—H. S. Goody, Colchester
Sturt, William Henry, Owlsbury, Sussex—J. G. Langham, the younger, Uckfield, Sussex
Tanner, Alexander Robert, 17, Gloucester-street, Regent's-park; and 7, Godliman-street, Doctors'-commons—G. H. Brooks, 7, Godliman-street, Doctors'-commons
Taylor, Joseph, Ashby-de-la-Zouch; and 24, Bernard-street, Russell-square—E. and J. Fisher, Ashby-de-la-Zouch
Tebbs, Charles Harding, Barnes, Surrey; and 4, Trafalgar-square, Charing-cross—T. Nettleship, 4, Trafalgar-square, Charing-cross; R. S. Palmer, 4, Trafalgar-square, Charing-cross
Toller, William Wilkinson, St. Ann's-road, New Wandsworth; and Kettering, Northampton—O. W. Lamb, Kettering; A. Brewin, Austin-friars
Tomkinson, Taylor Hughes, B.A., Bursiem, Stafford—F. W. Tomkinson, Bursiem
Tremellen, John, 7A, Albion-grove, Islington—W. Shaw, 14, Gray's-inn-square
Turner, Montagu, Acton, Middlesex; and 42, Jermyn-street, St. James'—H. S. Turner, Jermyn-street, St. James'
Tyerman, Charles Daniel, 9, Stanley-terrace, Notting-hill—R. Tyerman, 4, East India-avenue
Waite, Charles Michael, Louth, Lincoln—T. P. Waite, Louth
Walker, Frederick, 35, Canonbury-road, Islington; Portsea; and 68, Aldermanbury—T. Cousins, Portsea
Walker, George Hilditch, 13, Swithin's-lane; and 8, Sumner-terrace, Brompton—R. Roscoe, 8, Bedford-row; M. H. Walker, 13, Swithin's-lane
Warmington, George Septimus, 183, Goswell-road, Clerkenwell; Dudley, Worcester; and 6, Old Jewry—E. M. Warmington and J. Stokes, Dudley
Warton, Matthew John, Highbury-hill, Islington; and 12, Furnival's-inn—W. H. Warton, 8, Lawrence Pountney-lane; T. Walker, 12, Furnival's-inn
Watson, Bingham, Phillimore-gardens, Kensington; and 12, Bouverie-street—R. Watson, 12, Bouverie-street
Weaver, Charles, 15, Pratt-street, Camden-town; Derby; and 4, Manchester-buildings, Westminster—W. G. Taylor, Derby
Webster, George Edward, 25, Frederick-street, Gray's-inn-road; Sheffield; and 2, Verulam-buildings, Gray's-inn—J. Webster, Sheffield
Weedon, George, Uxbridge—W. Gardiner, Uxbridge
Wheeler, Arthur Frederick, 49, Maddox-street, Hanover-square; and 28, Lincoln's-inn-fields—S. Cholmeley, 28, Lincoln's-inn-fields
Wheeler, George Brash, 14, Cambridge-terrace, Barnsbury; and 20, Southampton-buildings, Chancery-lane—H. C. Millet, 20, Southampton-buildings; W. L. Harley, 20, Southampton-buildings; J. Tucker, 20, Southampton-buildings
Whitmy, Walter Henry, 60, Great Percy-street, Pentonville; and Northampton—W. Dennis, Northampton
Willett, Archibald Edward, 20, Upper George-street, Bryanston-square; and Norwich—T. H. Backham, Norwich
Williams, Edward Bliss, 40, Grove-road, St. John's-wood—W. H. Watson, 12, Bouverie-street, Fleet-street
Winter, Charles Albert, 40, Keppel-street, Russell-square; and Bridge-hill, near Canterbury—T. N. Wightwick, Canterbury
Wolferstan, Thomas, Plymouth; and 5, Stone-buildings, Lincoln's-inn—J. Kelly, Plymouth
Woodcock, Benjamin Heath, King's-road, Camden-town; and 1, Lancaster-place, Strand—H. Kimber, 1, Lancaster-place, Strand
Woods, Edward William, 2, Holford-square, Pentonville; and Heine, Sussex—W. F. Tribe, Worthing

Pursuant to Judges' Orders.

Batteock, John, Dover-villa, Hammersmith; and Woodspeen East, near Newbury—H. Godwin, Newbury
Bristow, Alfred Isaac, Lewisham and Greenwich, Kent; and 10, Lancaster-place, Strand—W. Bristow, Greenwich; A. R. Bristow, 10, Lancaster-place, Strand
Edgar, Henry Augustus, 14, Lincoln's-inn-fields; and Norwich—J. O. H. Taylor, Norwich
Gibson, William Admiral, 3, Elm-court, Temple; and Dartford, Kent—C. R. Gibson, Dartford
Harris, Stanley William, West-end, Hampstead—J. Harris, Argyle-street, Westminster; A. Carr, 22, Basinghall-street
Heath, Thomas, Derby—T. D. St. George Smith, Derby
Lloyd, Herbert John, Carmarthen; and 19, River-terrace, Myddleton-square—Walter Lloyd, Carmarthen
Smith, Henry Lakin, 67, Albert-street, Regent's-park, Birmingham; and 10, Park-street, Westminster—W. J. Beale, 10, Park-street, Westminster
Young, Thomas Pallister, The Elms, Stamford-hill; and 29, Mark-lane—T. Young, 29, Mark-lane

Michaelmas Vacation 1865.

Buller, Alban Gardner, Newington Butts, Surrey; Banbury; and 52, Lincoln's-inn-fields—T. Paine, Banbury; T. Z. Goldring, Lincoln's-inn-fields
Clarke, Henry Alexander, Upper Tooting; and 18, New-street, Spring-gardens
Steele, Thomas James, Cricklewood; and 44, Bloomsbury-square—A. R. Steele, Bloomsbury-square
Turner, Henry Morten, 2, Upper Chadwell-street; and Southsea—A. Hellard, Portsmouth

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

Mr. Arthur Joslen has been appointed a Commissioner to administer oaths in Chancery, and also a Commissioner for taking affidavits in the common law courts.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Irish West Coast Railway Company.—A call of 2*l.* 10*s.* per share to be paid on Aug. 31, at eleven o'clock in the forenoon, at the office of the official manager, 14, Old Jewry-chambers, London.

Patent Carriage Company (Limited).—Creditors to send in, by Aug. 21, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to J. Cooper, 3, Coleman-street-buildings, London. Solicitors, G. S. and H. Brandon, 15, Essex-street, Strand, London.

Portable Steam-Engine Company (Limited).—Creditors to send in, by Aug. 10, their names and addresses, and the particulars of their claims, to Messrs. Mead and Danbeny, 2, King's-bench-walk, Temple, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Alston (Henry Frederick), Annemount, near Waterford, Kilkenny, captain in H. M.'s 79th Regiment of Highlanders. Oct. 2; Walker and Martineaux, solicitors, 13, King's-road, Gray's-inn, London. Nov. 3; M. R., at one o'clock in the afternoon.

Alston (Vere John), formerly of Odell, Bedfordshire, late of Calais, clerk. Oct. 2; Birch and Ingram, 68, Lincoln's-inn-fields, London. Nov. 7; M. R., at noon.

Anderson (John), New Bromley, Kent, pensioner. Oct. 20; Ingle and Gooddy, solicitors, 35, King William-street, London. Nov. 21; V. C. K., at noon.

Barwell (Frederick Bensley), formerly of St. Lucia, West Indies, late of Southampton, bachelor. Nov. 1; Brace and Leathes, solicitors, 9, Chandos-street, Cavendish-square, London. Nov. 15; M. R., at noon.

Bourne (Rev. Richard), Bamnow-house, Wexford, Ireland, and Halkin-street west, Middlesex. Oct. 3; White, Broughton and White, solicitors, 12, Great Marlborough-street, London. Nov. 6; M. R., at noon.

Brooke (Thomas John Lanxford), Mere-hall, Cheshire, Esq. Sept. 18; Tathams, Curling and Waits, solicitors, 6, Frederick's-place, Old Jewry, London. Nov. 3; V. C. S., at one o'clock in the afternoon.

Cake (George Thomas), Jackson's-lane, Woolwich-common, Kent, cowkeeper and washing contractor. Aug. 17; Roy and Cartwright, solicitors, 4, Lothbury, London. Nov. 6; V. C. W., at noon.

Clifford (Wm.), Wolverhampton, Staffordshire, shoemaker. Sept. 1; W. Thorne, solicitor, Wolverhampton. Nov. 1; M. R., at half-past twelve o'clock in the afternoon.

Colemere (Joseph), Ellesmere, Salop, grocer and cornfactor. Nov. 2; W. Raimondi, solicitor, 18, Houghton-street, New-inn, Middlesex. Nov. 7; V. C. K., at noon.

Collard (Henry), Gore-street, Monkton, Isle of Thanet, Kent. Oct. 16; S. and E. Plummer, solicitors, Canterbury. Nov. 6; V. C. S., at one o'clock in the afternoon.

Corry (Thomas), 2, Craven-villas, Ealing, Middlesex, licensed victualler. Sept. 1; Marson, Dudley and Cronin, solicitors, 1, Anchor-terrace, Bridge-street, Southwark, Surrey. Nov. 10; M. R., at half-past twelve o'clock in the afternoon.

Hancock (Rowland Samuel), Marston-upon-Dove, Derbyshire, farmer. Sept. 12; A. A. Flint, solicitor, Uttoxeter, Staffordshire. Nov. 4; M. R., at half-past twelve o'clock in the afternoon.

Huntley (Richard Freville), Boxwell Court, Gloucestershire. Oct. 28; Vizard and Anstie, solicitors, 35, Lincoln's-inn-fields, London. Nov. 15; V. C. S., at one o'clock in the afternoon.

Lamb (James), 15, Queen-street, Cheapside, London, gentleman. Sept. 1; Bell, Brodrick and Bell, solicitors, Bow-churchyard, London. Oct. 21; V. C. S., at noon.

Mayes (Charles), Hoveton, Norfolk, farmer. Sept. 11; Jay and Pilgrim, solicitors, Norwich. Nov. 2; M. R., at half-past twelve in the afternoon.

Steen (Francis), 111, 112, 113 and 114, Long-lane, Bermondsey, Surrey; and 228, New-cross-road, Deptford, Kent, wire weaver. Oct. 1; Fitch and Fitch, solicitors, 13, Union-street, Southwark, Surrey. Nov. 6; V. C. K., at noon.

Thomas (Ralph), late barrack-master, Dinapore, Bengal, Langshaw-lodge, Putney, Surrey, and Wells, Somerset, and Colchester, Essex. Nov. 1; Hore and Sons, solicitors, 52, Lincoln's-inn-fields, Middlesex. Nov. 13; V. C. S., at noon.

Williams (Sarah), Tredegar, Monmouthshire, widow. Sept. 30; Simons and Flews, solicitors, Merthyr Tydfil, Glamorganshire. Nov. 6; V. C. S., at noon.

Weeks (Jeremiah Matthis), Lower Cottage-green, Bristol, spinster. Oct. 2; W. Tanner, solicitor, Shannon-court, Bristol. Nov. 3; V. C. K., at noon.

Whitter (John Rogers), King-street, St. James', Westminster, Esq. Aug. 31; J. E. and A. Fox, solicitors, 40, Finsbury-circus, Middlesex. Nov. 7; V. C. W., at noon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Bemrose (Samuel), Friar-lane, Leicester, solicitor. Sept. 27; Berridge and Morris, solicitors, 12, Friar-lane, Leicester.

Blakeney (Barbara), 21, Suffolk-square, Cheltenham, spinster. Oct. 1; R. S. Lingwood, solicitor, 2, Promenade-place, Cheltenham

Blakeney (Catherine), formerly of 21, Suffolk-square, Cheltenham, afterwards of 23, Wilton-place, Belgravia, Middlesex, spinster. Oct. 1; R. S. Lingwood, solicitor, 2, Promenade-place, Cheltenham.

Clough (John), Clifton-house, York, Esq. Sept. 20; R. E. and O. Smithson, solicitors, 13, Lendal, York.

Dobyns (Emily Frances), Connaught-place west, Hyde-park, Middlesex, formerly of Ashburton-house, Putney, Surrey, spinster. Sept. 29; Boys and Tweedies, solicitors, 6, Ely-place, London.

Helme (Elijah), Burnley, Lancashire, gentleman. Oct. 1; Handsley and Tattersall, solicitors, Burnley.

Jones (Edward), Weston, near Bath, gentleman. Sept. 29; H. H. Burne, solicitor, 13, Vineyards, Bath

Marsden (Robert Clarke), formerly of Doughty-street, Mecklenburgh-square, Middlesex, and Princes-street, Lothbury; afterwards of Angel-court, Throgmorton-street, London; late of Hanover-terrace, Regent's-park, Middlesex, Esq. Nov. 1; W. Hartley, solicitor, 36, John-street, Bedford-row, London.

Mosely (John Chaffer), 18, Lawrence Pountney-hill, London, grocer. Aug. 30; H. J. Barber, solicitor, 12, Bucklersbury, London.

Newman (John), Wolverhampton, Staffordshire, innkeeper. Sept. 5; F. Gough, solicitor, Wolverhampton.

Nicol (Lewis), East-street, Freetown, Sierra Leone, merchant. Aug. 20; Hampton and Burgin, solicitors, 8, John-street, Bedford-row, London.

O'Connell (Morgan), Hartlepool, Durham, commercial traveller. Sept. 29; Forbes and Horwood, solicitors, 8, Warnford-court, London.

Pearson (Harriet), 19, St. James's-place, St. James's street, Westminster, spinster. Sept. 14; C. A. James, solicitor, 22, Essex-street, Strand, London.

Philby (Sarah Ann), Richmond, Surrey, widow. Oct. 12; Hart and Davies, solicitors, 16, Austin-friars, London.

Quarrington (Chas. Robert), Luton, Chatham, yeoman. Aug. 20; Acworth and Son, solicitors, Star-hill, Rochester.

Tibbetts (Jeremiah), 47, Leighton-road, Kentish-town, Middlesex, gentleman. Sept. 15; J. Trail, solicitor, 4, Hare-court, Temple, London.

Thomson (Jane), 2, Durham-villas, Kensington, Middlesex, widow. Sept. 1; Hughes, Masterman and Hughes, solicitors, 17, Bucklersbury, London.

Wells (George Gale), Gurney-road, Stratford, gentleman. Sept. 1; W. Horsley and Son, solicitors, Bank-chambers, Tokenhouse-yard, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Ramsden (George), of Holme Island, near Milnthorpe, Esq., and Whitlow (Richard Meadowcroft), Manchester, Esq. Dividends on 1442*l.* 2*s.* 10*d.* New Three per Cents. Claimant, Richard Meadowcroft Whitlow, the survivor.

Stephens (Stephens Lyne), Rochampton, Surrey, Esq., deceased, and Lyne (Elizabeth Hart). 205*l.* 13*s.* 1*d.* Three per Cent. Consols. Claimant, Elizabeth Hart Lyne.

Business of the Divorce Court.—On the last day of the sittings all the cases ready for trial, both probate and divorce, had been disposed of, and there was no case standing for judgment. The only cases in the list remaining untried are those which stand over upon the application of the parties, or because the parties were not ready to proceed when their cases were called on. Thus the court rises for the vacation without any arrears.

Juries in Civil Cases.—The law reporter of the *Times* on the Home Circuit tells the public a curious fact. There is, he says, on this and all other circuits a growing dislike among the public to the intervention of juries in civil cases. Disputes of importance are scarcely ever referred to them. They try "ridiculous" little cases in which the real question is one of costs; but in suits involving substantial value the parties agree to refer the issues to the court with "power to draw inferences from the facts," that is, really to do a jury's work. That system seems to involve a singularly satisfactory compromise. In the great majority of important civil cases the point at issue is either one of law and the jury's function is nominal, or is complicated by technical evidence which only a trained intellect can follow, and the jury is very much in the way. Under the new practice the jury can be dispensed with, and the decision on fact as well as law left, as under the Scotch law, to the judge, while suitors still retain their right of calling a jury if they please. Ultimately, the practice will probably be to call one in all applications for damages, such as actions for breach of promise, and against railways, and to leave ordinary suits to the infinitely more impartial and painstaking judge.—*Pall Mall Gazette.*

THE BENCH AND THE BAR.

EXETER ASSIZE.

Stoate v. Holl and others.

Carter and *C. A. Turner* were counsel for the plaintiffs, and *Coleridge*, Q. C. and *Howard* for the defendants.

The plaintiff was a barrister residing on some property that he had lately become possessed of at Alleford, near Minehead, in Somersetshire. The defendants were magistrates of the county of Devon, and the action was brought to recover damages for a false imprisonment. A summons had been taken out against the plaintiff for cruelty to animals in not providing some sheep with sufficient food. The case was heard before the magistrates at Tiverton, who committed Mr. Stoate to the house of correction for six weeks. Mr. Stoate gave notice of appeal, and after being detained three days was liberated on bail. When the appeal came on to be heard the conviction was quashed. In the meantime between the conviction and the appeal the plaintiff brought the present action. It was objected on the part of the defendants that the action would not lie, it having been brought too soon, and

Willes, J., held the objection to be good; whereupon the plaintiff was nonsuited.

ASSIZE INTELLIGENCE.

Home Circuit.

Maidstone, July 25.—There were about 60 prisoners charged on the calendar, and two or three cases were rather serious; but upon the whole, looking both to the character and number, the calendar was not remarkably heavy. There were 3 cases of child murder (as well as one or two of concealment of birth), 2 of manslaughter, 2 of rape, 1 of attempt at rape, 1 of shooting with intent to murder, 2 or 3 of violent robbery, 2 of arson, 2 of bigamy, and 1 or 2 of forgery and false pretences. The rest of the cases were ordinary. The cause-list contained the names of not less than 30 causes, of which 10 or 12 were marked for special juries; but, on the other hand, as many as six were "undefended," and as many more were short or are likely in some way to be settled.

July 26.—The business of the assizes proceeded to-day in both courts, and, with the exception of the Staplehurst case, was of little or no public interest. The civil cases—at all events so far as they were tried—were very trumpery. Indeed, it would almost seem, from the experience of many assizes, that trial by jury is declining, for, beyond all doubt, few cases of great importance (unless they turn upon the credibility of witnesses, upon questions of disputed matters of fact) are tried out, and with those exceptions the only cases which are tried out are, at all events for the most part, of trivial character. This has proved to be the case here as at other assizes. The few cases of great importance are disposed of otherwise than by trial. The parties agree to refer them to the court by special case "with power to the court to draw inferences (or conclusions) of fact;" in other words, with power to perform the functions of the jury. Other cases are referred to arbitration, and so on. In this way several cases were so disposed of yesterday, and more than one were so disposed of to-day, and the more important cases seem likely to be so cleared off. The only cases tried hitherto have been of no interest. Nearly the whole of yesterday was occupied with a trumpery case of malicious prosecution, in which there was a verdict for 40s., and in which the only point was that the jury, who are supposed to award the damages (including costs, which are a portion of the damages), wanted to know what sum would carry costs, in order that they might know how to apportion the damages, and the Judge (Crompton, J.), in accordance with a recent decision of the Common Pleas, but in opposition to the opinion and practice of other judges, who think that the jury ought not to be kept in ignorance of the law they are presumed to know, refused to inform them. The greater part of to-day, in like manner, was occupied with the trial of a ridiculous action arising out of a dispute as to a trumpery little piece of land, the whole value of which, as one of the counsel observed, would not amount to one-tenth of the costs incurred. On the other hand, a really important case as regarded the Whitstable oyster fishery was disposed of by the parties agreeing to refer it to the court by means of a "special case," with power to draw inferences of fact. The cases which are of no importance except as to costs are always tried out, for the obvious reason that they cannot be settled, as there is nothing substantial to be settled, and the sole question is as to who shall pay the costs; and they take so long in trying that there really is not time to try other causes which are of importance. Hence the parties in another special jury case agreed to-day (seeing no chance of their coming on) to let it be tried before Mr. Denman, Q. C., who sat accordingly for the purpose in the afternoon. Nothing else in the Civil court requires mention.

Midland Circuit.

Lincoln, July 26.—The business here, as elsewhere on this circuit, is extremely light this time. The cause-list shows an entry of 13 causes, of which six are to be tried by special juries, but it is expected that 4 of these will be settled out of court; and of the common jury causes 2 are undefended.

York, July 31.—There is but 1 prisoner for trial in the city, on a charge of concealment of birth. The calendar for the two ridings contains the names of 35 prisoners. The only cases of more than usual gravity are, that of Henry Hughes, who is charged with the wilful murder of Francis Coates, at Middlesborough, on the 28th May, and that of Hugh M'Griskin, Michael Patten, and Patrick M'Partting, who are charged with the wilful murder of Francis M'Laughlin, and also with the wilful murder of James Slavin, both also at Middlesborough, and on the 28th May. There are 14 causes only entered for trial, and of these 3 have been already withdrawn, and 2 others are undefended.

Norfolk Circuit.

Bedford, July 25.—The business, which commenced in both courts this morning at eleven o'clock, is extremely light. In the calendar there are the names of 11 prisoners, against whom there are charged the offences of arson, bigamy, wounding, and stealing. There are only 2 cases for trial—1 to be tried by a special jury and 1 by a common jury.

Cambridge, July 31.—In the calendar there are the names of 16 prisoners, against whom are charged the offences of arson, burglary, cutting and wounding, maliciously killing a horse, larceny, and rape. There are seven causes for trial, four of which are marked for special juries.

Northern Circuit.

Appleby, July 25.—The learned Judges of this assize and the bar were yesterday invited, according to the ancient custom, to partake of the princely hospitalities of Lowther Castle, and last night Mr. Baron Bramwell and Mr. Justice Smith, and some 30 members of the bar, Lord Brougham, and a distinguished party of gentlemen, were received at dinner by the Earl of Lonsdale and Colonel Lowther. After dinner, Mr. Justice Smith drove to Appleby, and opened the commission there; Mr. Baron Bramwell going on to-day to Lancaster to open the commission there. At Appleby there was no cause, but a rather unusually heavy criminal assize for that primitive place, there being 7 prisoners charged with various offences.

Lancaster, July 26.—The calendar contains the names of 21 prisoners, but none of the crimes charged are of a very serious nature. The cause-list contains an entry of 14 causes, five of which are marked for special juries.

Manchester, July 29.—The cause-list is likely to be a heavy one. The calendar of prisoners comprises two cases of murder, 1 of larceny, 8 of robbery, 1 of housebreaking, 5 of rape, 1 Mint case, 1 case of wounding, 3 of manslaughter, 1 of assault with intent to rob, 1 of possession of mould for coining, 1 of horsestealing, 1 of abduction, 1 of breaking into a warehouse, and 1 of offence against the Bankruptcy Act. In all there are 42 cases to try, and 64 prisoners.

Western Circuit.

Exeter, July 27.—The business is not heavy; there are only 12 cases entered in the cause-list, and only 24 prisoners for trial. There are 2 charges of murder; of one of these two women are charged with the murder of a child. They were placed on their trial at the last assizes, before Mr. Baron Channell. The trial lasted two days, and on the Saturday night at twelve o'clock, as the jury were not able to agree, Mr. Baron Channell discharged them without giving a verdict, and his Lordship ordered the two prisoners to be detained in custody until the present assizes, when they are to be again put upon their trial. The other charge of murder is that of a man who is accused of having murdered Mr. Phillimore in May last.

Oxford Circuit.

Shrewsbury, July 31.—The calendar contains the names of 21 prisoners, of whom 2 are charged with manslaughter, 2 with burglary, 2 with concealment of birth, 1 with stealing a post letter, 1 with an unnatural offence, 1 with assault, and the rest with small larcenies. The civil business promises to be heavier than usual for this place.

Mr. Justice Crompton has appointed Mr. Le Breton revising barrister for West Surrey.

The Recordership of Galway.—This office—vacated by the resignation of Michael Morris, Esq., Q.C., M.P.—which, although not a lucrative post, is one of great dignity and ancient standing, has been conferred on Richard Persse, Esq., barrister-at-Law, second son of Dudley Persse, Roxborough. The appointment has given much satisfaction to a wide and influential circle in this locality.—*Galway Vindicator.*

MAGISTRATE AND PARISH LAWYER.

Note.—The current law under this Department is noted by T. W. Saunders, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

NOTES OF NEW DECISIONS.

Appeal—Statement of Case—Practice.—Where the last of the three days allowed for the application to the justices to state a case falls on a Sunday, it is to be computed as one of the days, and an application made on the Monday is too late: (*Wynne* v. *Ronaldson*, 12 L. T. Rep. N. S. 711. Crompton, J.)

Borough of Penzance.—The Quarter Sessions for the borough will be holden on Saturday, the 5th Aug. 1865, at eleven o'clock in the forenoon. Henry Thomas Cole, Esq., recorder. Walter Borlase, clerk of the peace. Eight days notice of appeal is required.

The sentence of death upon Constance Kent having been commuted to one of penal servitude for life, orders have been received by the governor of the Wilts County Gaol at Fisherton for her immediate removal to the female convict prison at Brixton, previous to her being sent out to Freemantle, Western Australia. It is said that the information that her life had been spared produced no visible effect upon her when it was communicated.

New Act on Penalties.—The recent Act to amend the law relating to small penalties will take effect this day. Where upon summary conviction any offender may be adjudged to pay a penalty not exceeding 5*l.*, such offender, in case of nonpayment, may, without any warrant of distress, be committed to prison for any term not exceeding the period specified in the following scale, unless the penalty be sooner paid: For a penalty not exceeding 10s. the imprisonment is not to exceed seven days; not exceeding 1*l.* the imprisonment is not to exceed fourteen days; not exceeding 2*l.* the term of imprisonment is not to be beyond one month; and not exceeding 5*l.* two months. The Act is to apply to penalties including costs recoverable in a summary manner in Acts whether passed before or after the present; and all Acts authorising a longer period than two months for a sum not exceeding 5*l.* are repealed. The statute is not to apply to penalties imposed under the Revenue Act. It is only to apply to England.

The County Franchise.—A return has been issued of the number of electors on the register of each county in England, Wales, Ireland, and Scotland. The total number on the register in the United Kingdom for counties is 761,8[illegible]. In England there 490,617, of whom [illegible] are freeholders, 22,177 copyholders, 106,700 occupying tenants, 337 vote as trustees or mortgagees; 1226 are qualified by offices, 10,426 are set down as possessing joint qualifications, and 26,117 other qualifications. Wales has [illegible] voters, 25,962 of whom are freeholders, and [illegible] occupying tenants, the remainder are copyholders, trustees, mortgagees, and with other qualifications. In Scotland, a few thousands more voters are registered than in Wales. There are 49,554 in all. Of these 22,425 are proprietors, and there are 24,3[illegible] tenants, but only 443 freeholders, while there are 2241 life-renters. Ireland registers 172,010 voters throughout her counties, the far greatest proportion being "rated occupiers," of whom there are 160,[illegible]; there are 6732 freeholders, 1106 who hold leases, 947 rent-chargers, and in other categories 270.

Municipal Savings-banks for Working Men.—The town clerk of Bradford (Mr. Rayner), in a letter to the Chancellor of the Exchequer, has propounded a scheme for enabling working men to invest their savings as loans with municipal bodies for effecting public works. The town clerk proposes that an Act should be passed to authorise corporations, local commissioners, boards of health, or other local bodies, to receive small sums from working men as loans for carrying out public works. These bodies now borrow of capitalists or insurance [illegible] money for this purpose, and the town clerk's scheme would enable them to receive, at short intervals, the savings of working men as loans on the security of the rates. For these loans it is suggested that lenders should receive [illegible] per cent. more than the ordinary savings bank gives, and 3¼ per cent. more than the Post-office Savings Bank allows on deposits. Should the advances of any lender amount to 50*l.*, he then can have an ordinary debenture for the sum at 4 per cent. The Chancellor of the Exchequer states that the proposals are of great importance and interest. Her Majesty's Government could not undertake to pronounce upon them in the abstract, but if the local authorities at Bradford or any place in similar circumstances should put them forward they would [illegible] undoubtedly receive most careful consideration.

Abuses of Justice.—Elizabeth Dixon, who was convicted the sessions before last of keeping a disorderly house in the parish of St. George, Hanover-square, was brought up for judgment. The case excited a good deal of interest, it having been submitted after the conviction to the Home Secretary for investigation, as the counsel who appeared for Mrs. Dixon stated that she was a highly respectable woman, and that the case had been made against her by wilful and corrupt perjury. Mr. Ribton, who appeared for the defendant, said that he should be able to call Colonel White, Colonel Churchill and Captain Little, which would be a complete answer to the case. This case afforded an illustration of the unjust manner in which such cases were got up, for had there been an examination before a magistrate, and had they had an opportunity of inquiring into the character of the witnesses, a complete answer would at once have been given to the case for the prosecution. One witness of the name of Wilton was called for the prosecution, but there was a gentleman from the Home-office who was in attendance, who would prove that all she had formerly stated was untrue. Mr. Metcalf said that the witness Wilton had been attacked in every possible manner since she gave her evidence. Mr. Ribton said she was now under a charge of perjury, and he was in possession of documents to prove that all she had formerly stated was entirely false. The Assistant Judge said that it was altogether a very remarkable case, and he should only order her to enter into her own recognisances in the sum of [illegible] to come up for judgment when called upon. James Parker and Elizabeth Parker, Nelly Williams and Henry Edwards, were brought up for judgment charged with a similar offence. The Assistant Judge sentenced James Parker, Ellen Prendergast and Henry Edwards to be imprisoned and kept to hard labour for three months. The other prisoners were discharged.—*Pall Mall Gazette.*

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Husband and Wife—Alimony.—On a divorce *à mensâ et thoro* obtained by the wife, the husband was ordered to pay an annual sum by way of permanent alimony. The wife devised the savings out of such alimony to B., as her residuary legatee. The husband claimed these savings as his property. But he was held not to be entitled to them: (*Moore* v. *Barber*, 12 L. T. Rep. N. S. 664. V.C. S.)

Husband and Wife.—In equity a husband may give chattels to, that is to say, he may constitute himself a trustee of chattels for his wife, and in such cases the real question is one of fact, whether he has done so? No particular form of words is required to be used by the husband for this purpose, nor need they be in writing. But if he wishes to give her an absolute ownership in the property, he must use some words, or do some acts, which are clear, unequivocal and conclusive, and which show beyond a doubt that he means to divest himself

in favour of his wife of all further beneficial interest in the subject-matter of the gift: (*Grant* v. *Grant*, 12 L. T. Rep. N. S. 721. M. R.)

Evidence—Will.—Parol evidence is not admissible to rebut a presumption raised exclusively from the words of a will: (*Burrs* v. *Fowkes*, 12 L. T. Rep. N. S. 727. V. C. W.)

Reversionary Lease—Covenant for quiet Enjoyment.—The rule that if a vendor fails to make a good title the purchaser can recover only the amount of his deposit and the expenses to which he has been put, does not apply to the case of a lease granted by a lessor in excess of his leasing powers, and containing a covenant for quiet enjoyment. If the lease is repudiated by a person claiming under the assumed lessor, and having a good title to do so, the lessee is entitled, on action under that covenant against the personal representative of the deceased lessor, to recover the full value of the lease, and this, although it was a reversionary lease, and was repudiated before the lessee had taken possession: (*Locke* v. *Furze*, 12 L. T. Rep. N. S. 731. C. P.)

Adjoining Owners—Right of Support.—B., owner of some plots of land, sold lot 6 to C. with the condition that he should build upon it according to a certain elevation. Afterwards he sold the adjoining lot (7) to D. In this lot was an old wall adjoining lot 6, which D. raised in height, and consequently increased in weight. Subsequently C. prepared to build according to his agreement, made the necessary excavations and left sufficient earth to support the wall of lot 7 in its natural state, but not sufficient to support it with the additional weight which D. had put on it, and consequently it fell. D. was held to stand in the same position as if his lot No. 7 had remained in the possession of the vendor, and as it was within the provisions of the contract with the vendor that C. should do what he did, and as he was only doing his duty to the vendor in preparing for the building which brought down the wall, he was not liable to an action: (*Murchie* v. *Black*, 12 L. T. Rep. N. S. 735. C. P).

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Shareholder—Rectifying Register.—B. was holder of 102 shares in the Imperial Bank of China, which was afterwards amalgamated with the Bank of Hindustan. The directors of the latter bank placed B.'s name on its register of shareholders for 102 shares, of which they gave him notice and made a call in respect of them. He repudiated the shares and the call, and the directors then erased his name from the register and declared the shares forfeited, but threatened to sue him for the unpaid calls. On application to the court to rectify the register, it was held that his name should never have been placed upon the register of the Bank of Hindustan, and that he was entitled to a declaration of the court to that effect, with costs as against the company: (*Ex parte Lee*, 12 L. T. Rep. N. S. 690. M. R.)

Winding-up—Contributory.—B., who was solicitor to certain private banks in Norwich, purchased shares in a joint-stock bank in that city, but, not wishing to vex his clients by appearing to support a rival bank, he caused these shares to be registered in the names of C. his brother and D. his clerk. It was held that in this there was no *mala fides*, and that C. and D. were trustees of the shares for him, and that their names must be placed on the list of contributories: (*Bugg's case*, 12 L. T. Rep. N. S. 696. V. C. K.)

Lands Clauses Act—Reinvestment.—Where the court has authorised the investment of a fund in court in a particular purchase, but that purchase fails by reason of the court disapproving the title, the company must pay the costs of the abortive purchase as "costs incident to the reinvestment" of the fund within sect. 80 of the Lands Clauses Act: (*Re Wisbeach, &c., Railway Company*, 12 L. T. Rep. N. S. 726. V. C. K.)

Winding-up—Contributory.—A company required persons appointed agents to take a certain number of shares. B. applied for an agency, and an agreement in writing was made by which he was to be paid a salary and commission, and he undertook to take twenty shares. He brought no business, and the company dismissed him from his agency. His name was entered in the register of shareholders, but no shares had been formally allotted to him, nor had any certificates of shares been sent to him, for in fact he had never paid the calls. The Court of Appeal (reversing the decision of the court below) held him to be a contributory in respect of those shares, as he had taken them by an agreement, which the company had rescinded, but without his formal assent, and therefore that it was still a valid and subsisting contract: (*Ex parte Thompson*, 12 L. T. Rep. N. S. 717. L. JJ.)

Winding-up—Costs.—An alleged shareholder obtained an order to strike his name from the register, and that the company should pay the costs. The company being in the meantime ordered to be wound-up, he moved that the liquidator should pay the costs out of the moneys in his hands. But he was held not to be entitled to such an order in preference to the other creditors of the company: (*Re Scottish, &c., Finance Bank*, 12 L. T. Rep. N. S. 728. V. C. W.)

WINDING-UP.

Vice-Chancellor Wood has ordered the class A contributories of the English Widows' Fund and General Life Assurance Association to pay a call of 3*l.* per share by the 28th inst.

Vice-Chancellor Wood has fixed the 29th inst., for the appointment of an official liquidator of the London Marine Insurance Corporation.

The Master of the Rolls has appointed Mr. Edwards, of the firm of Cash and Edwards, official liquidator of the East Cambrian Gold Mining Company (Limited).

The secretary and liquidator of the Imperial Sugar Refining Company (Limited) has convened a meeting for the 8th Aug. to report upon the progress of the winding-up.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

Traders' Books—Evidence.—A merchant is bound by all entries made in his books of sums received by him. But entries in the same books of payments by him are not evidence that such payments were made. V. C. Kindersley observed in his judgment in this case, that "it is very extraordinary that there is no direct authority on the point, and that we must go back for what authorities there are to Barnadiston's Equity Cases Abridged," and he thus proceeds:

It is true that there is a general rule of law that if a document or letter is put in evidence as to one part by one side, the other side has a right to have the whole read as evidence, either for or against him; and the question is, does that rule apply to merchants and trade accounts? Does every entry in these books of account become evidence because the books have been put in to prove particular entries? It appears to me that it does not follow that that is the case. Looking at the question in the abstract point of view, it would work great injustice if such a rule prevailed. In ordinary business among merchants who receive and pay moneys the one for the other (of course I am not supposing the case where the accounts are communicated to each other as with bankers), it appears to me that, according to the principles which must be applicable to them, each merchant is chargeable with what he admits he has received, but he must prove in the regular way the items he says he has paid. Suppose the case of a merchant in Rio Janeiro receiving a consignment of goods from a merchant in London for sale there. He is the only one who knows what he has sold, and the London merchant knows nothing about it. If the Rio merchant enters in his books such a sum for goods sold, it stands to reason that he should be debited in account with that sum which he says he has received. But how does it stand with sums he may say he has paid? Who can alone prove such payments by vouchers except the merchant at Rio? He must prove the payment, and the entry in his books cannot have the effect of throwing the onus of such proof on the London merchant. If there be nothing special in the case, there being no authority on the point, the rule I must hold to be that a merchant is bound by all the entries in his books of receipts by him; but that the entries in the same books of payments by him are not evidence in his favour to prove that he made such payments.

(*Reeve* v. *Whitmore*, 12 L. T. Rep. N. S. 724. V. C. K.)

Patent.—B. was patentee of capsules for covering bottles, but the patent was limited to England. Persons abroad made similar capsules, which were purchased by a firm in Scotland, who used them for covering bottles containing beer. Bottles thus capsuled, intended for exportation, were transhipped in an English port. It was held not to be an infringement of plaintiff's rights to be restrained by interlocutory application, inasmuch as the capsules were necessary to the protection of the beer while lying in an English port, and thus there was a user in England, and a wrongful enjoyment of the very benefits to be derived from the invention: (*Betts* v. *Neilson*, 12 L. T. Rep. N. S. 719. L. JJ.)

Contract.—Although contracts for sale of cotton for forward delivery are the subjects of resale in the Liverpool market, the buyer cannot recover from the seller, on failure to deliver according to the contract, the loss of profit on resale to a third person in the interval between the contract and the last day of delivery: (*Williams* v. *Reynolds*, 12 L. T. Rep. N. S. 729. Q. B.)

Trade-Mark—Principles of Law that regulate Injunctions.—The Leather Cloth Company in their trade-mark represented that the cloth they made was the cloth of another manufacturer (from whom they purchased the business), that it was manufactured by Crockett, and that it was termed cloth, all of which representations were false. Another company having made similar cloth, using a trade-mark which was not identical, and which no sensible person could mistake for their mark, an injunction was prayed against them. But the P. C. decided, 1st. That an injunction could not go to protect a trade-mark which contains fraudulent representations; 2nd. That the right to use a trade-mark may be sold with the business or devolve on representatives, and that the use of the original trade-mark will be protected if it indicate nothing more than that the persons using it are carrying on the original business; 3rd. That it is impossible to define what is a colourable imitation of a trade-mark; but if the resemblance is so slight that no purchaser using ordinary caution would be deceived, there is no infringement; 4th. That if a trade-mark is in substance only an advertisement, its statements will be judged in the same way as labels or circulars, and if they misstate material facts calculated to mislead the public, the court will not protect them: (*Leather Cloth Company* v. *American Cloth Company*, 12 L. T. Rep. N. S. 742. Pr. Co.)

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Trust-Deed.—Twelve months ago a commissioner granted leave to register a deed under sect. 200. A dissenting creditor, with notice of the deed, sued the debtors, and having obtained judgment took them in execution, whereupon their release was forthwith ordered by a judge in chambers. Nine months afterwards the creditor applied to the court to rescind the order, for leave to register the deed, and also for leave to issue execution under sect. 198, upon the ground that the deed was not assented to by the requisite majority. The application was dismissed with costs on account of the lapse of time and also because this court could not act as a court of appeal from the decision of a judge of a superior court: (*Ex parte Banfield*, 12 L. T. Rep. N. S. 738. Bank.)

Composition-Deed.—A covenant between the debtor and creditors that the latter will receive payment of their debts in full by equal monthly instalments, and will not sue the debtor while the instalments are punctually paid, does not amount to a release of the debts, so as to be pleadable in bar to an action for his debt by a creditor: (*Ray Jones*, 12 L. T. Rep. N. S. 737. C. P.)

Misconduct.—There is no discretionary power under the B. A. 1861, to punish for general misconduct in trading: (*Re Snowdon*, 12 L. T. Rep. N. S. 740. Andrews, C.)

Raising money by accommodation bills is not necessarily a carrying on of trade by means of fictitious capital: (Ib.)

CORRESPONDENCE OF THE PROFESSION.

Impostors.—I beg, through the medium of your valuable paper, to call the attention of the Profession to the fact that a number of accountants, agents, lawyer's clerks out of employment, and others are practising as solicitors by means of the

following ingenious contrivance: They take an office, and their names appear upon the door-post, underneath which you will generally (though not always) find the name of some solicitor of no position, who is unprofessional enough to lend himself to the scheme for some trifling consideration. Clients come; and, whether they inquire for the solicitor or for the agent, the latter only is to be seen; and he, under pretence of being the managing clerk of the solicitor, conducts any legal business they may have in the name of the solicitor, and pockets the fees in due course. This practice is carried on to a very large extent in Manchester, where I reside. There is one lawyer's clerk carrying on business in the city in the name of a solicitor who resides and practises in Liverpool, *somethirty miles distant*; another who has offices at a considerable distance from those of the solicitor in whose name he practises, and who even goes so far as to conduct cases in the County Court, Bankruptcy Court, &c., as the clerk of this solicitor, and there are also several agents who are making their living in the same manner. I submit, Sir, that the Profession generally ought strenuously to set their face against this new and alarming invasion, by refusing, in any way, to countenance or do business with such unqualified usurpers.

LEX.

PUBLIC OFFICERS' VOTES.—The 28 Vict. c. 36, s. 6 enacts, that no notice of objection shall be valid unless the ground or grounds of objections be specifically stated therein; and the same section states, that such last-mentioned notice may be according to the form numbered 2 in schedule A. to the Act, or to the like effect. The form thus given requires it to be stated on which *column* of the register the objection is founded, and if on the third column, to state whether the objection goes to the nature of the interest of the claimant in the qualifying property, or to its value. By 22 Geo. 2, c. 41, postmasters and others are disqualified from voting, and by other Acts of Parliament, excise officers, police officers and others are in like manner disqualified, and proof of the tenure of these offices has been held to be within the cognisance of the revising barrister, and subjects the voter to be struck out of the list by him: (*Pownall* v. *Dawson*, 21 L. J., N. S., 12, C. P.) Will any of your readers suggest to me how the form given by the 28 Vict. c. 36 can be adapted to an objection to such parties?

WILLIAM DRAKE.

East Dereham, Aug. 2, 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Can any of your readers inform me where, and at what price, the best initiatory work on shorthand can be obtained?

W. J. P.

July 31.

ARTICLED CLERK.—Is an articled clerk prohibited from acting as "occasional correspondent" for a country newspaper by 23 & 24 Vict. c. 127, s. 10?

AN ARTICLED CLERK.

SHARES—PECUNIARY LIABILITY.—Can any of your readers oblige me with a reply to the following question: whether under any, and if so what, circumstances an allotted number of shares in a joint-stock company limited, acknowledged by the company to be fully paid up (though not so in fact) incurs pecuniary liability in respect of such shares?

London, July 28.

INQUIRER.

MORTGAGE OF THE EQUITY OF REDEMPTION—COVENANT TO DELIVER DEEDS WHEN PRIOR MORTGAGE IS PAID OFF.—Will any of your experienced readers inform me if in any case such a covenant as above mentioned be necessary to secure the deeds being handed over to a second mortgagee, in the event of the mortgagor paying off his first mortgagee and getting up the deeds and the legal estate reinvested in him, without the knowledge of the second mortgagee, or even with such knowledge; or would law or equity, or both, oblige the mortgagor without such a covenant to hand them over to his second mortgagee? Would the general words in the second mortgagee's mortgage-deed, "all deeds," &c., "now in his custody or which he can or may procure without suit," be considered sufficiently binding on him, the mortgagor, that when he had procured the deeds by paying off his first mortgagee, he (the mortgagor) would be bound by his own deed to deliver them forthwith to his second mortgagee without a special covenant as above? I have no work by me which refers to this subject or mentions this as one of the risks, being probably too remote, attendant upon a mortgage of the equity of redemption. (See precedent of this covenant in 6 Jarman's Conveyancing by Sweet, 3rd edit. 63; but I find no dissertation or note thereon.)

C.

LIABILITY FOR NEGLIGENT DRIVING.—A case of the utmost importance to every publican and many shopkeepers in London was tried in the Lambeth County Court, a short time since. C., a publican, brought an action against G., a builder, to recover £6 for injuries done to the plaintiff's lamp through the negligent driving of defendant's servant. The evidence showed that the defendant's man was driving a waggon laden with poles, and in turning a corner of the street in which plaintiff's house is situate, the horses, for want of being properly driven, drew the waggon on to the kerb, and the poles coming in contact with a large lamp, which was fixed over the plaintiff's door and projected over the footway, broke it to pieces. The lamp was fixed at a height of about twelve feet above the footpath, and projected to within eighteen inches of the kerb. Negligence was brought home to the defendant, but the learned judge (John Pitt Taylor, Esq.) took an objection that the plaintiff had no right to have his lamp projecting over a public footway (quoting the maxim, *cujus est solum ejus est usque ad cœlum*), and that as he was a trespasser and had consequently contributed to the accident by his own wrongful act, he could not recover. The point was argued by attorney on behalf of plaintiff and defendant, and after a *cur. adv. vult*, his Honour gave judgment for the defendant. I cannot attempt within the space of an ordinary letter to mention the grounds upon which the decision was arrived at. My object in writing to you is to ask some of your correspondents to favour me with their opinion as to whether the judge's decision is sound law. My own humble opinion is, that it is not. I shall be glad in a subsequent letter to state the grounds on which the judge gave judgment, and those on which I venture to differ from him.

London, Aug. 1, 1865. THE PLAINTIFF'S ATTORNEY.

Answer.

STAMP ON SETTLEMENT OF LIFE ASSURANCE POLICY.—If your correspondent will refer to the 27 Vict. c. 18, he will find that the state of things described by Mr. Tilsley in his work no longer exists. *Ad valorem* duty is payable on the amount of the policy, if the settlement contains any provision or covenant for keeping up the policy. If there is no such provision, then *ad valorem* duty is payable on the value of the policy at the date of the settlement.

E. H. T.

THE LAW LIBRARY.

Principles of Equity Drafting; with an Appendix of Forms. By HUBERT LEWIS, B.A., Barrister-at-Law. London: Butterworths.

NOTHING *seems* more easy than to state the facts of a case clearly and completely; nothing *is* more difficult. The rarest qualification of an advocate is to open a case well, taking up all the threads of the story, however complicated, and weaving them into it in their proper places without an entanglement, leaving upon the mind of the audience a vivid picture of the history that has been unfolded to them. Here, as in other matters, the highest art is to conceal art.

Second only in difficulty to this work of the advocate is that of the equity draftsman, who is also required to state a case, and to narrate it so fully that nothing material shall be omitted, so clearly that the same sentence shall not be read in different senses by different persons, and yet so concisely that the suitor shall not be burdened with needless costs. To teach the student how to accomplish this is the purpose of the treatise before us.

Equity drafting is a science as well as an art. There are settled rules to be obeyed, and the taste can be consulted only in the choice of words, in the construction of sentences, and in setting them in the regulation frame so that they may appear to the best advantage. Formerly equity drafting was servile to set phrases, but now the draftsman employs very nearly what language he pleases. This has its disadvantages as well as its advantages. Technical phrases always carry the same meaning to the legal mind, whereas the language of literature has no indisputable interpretation, and it is not always used in the same sense by different writers, much less understood in the writer's intent by various readers. An accomplished equity draftsman will steer between the mere technical lawyer and the literary man, preserving the legal framework of the one, relieved by the more picturesque narrative of the other.

In framing a bill the draftsman will first carefully consider what is the precise relief sought, or rather what is the decree he desires, for that is the object to which the entire document is to conduct him. Having determined this, he will next marshal the facts so as to show upon the face of them why he has a right to the decree he seeks. His skill as a draftsman is exhibited in so setting forth the facts that they shall bear upon the conclusion with accumulating force. While preserving, so far as may be possible, the order of time in his narrative, he should make use of the lesser streams that run into the main story, so as to strengthen any weak parts or to swell the stream towards the close. A court of equity looks only to the substance of the pleadings and pays no regard to the mere form. Does the bill disclose a wrong? is it within the jurisdiction of the court? what decree will do right in the case? These are the questions which the judge asks himself and which the bill should answer, and that it may do so the draftsman should keep these questions before him and answer them as he proceeds.

The same observations apply to the defence. The answer must take all the material points of the bill and dispose of them *seriatim*, and show that the plaintiff is not entitled to the relief he asks.

The general principles of equity drafting are thus stated by Mr. Lewis:

In reference to the court and its decree:

1. Facts must be stated and not merely conclusions of law, which will not generally identify the case, or separate the issues of law and fact.
2. The statement must not be vague—that is, must not be ambiguous, in the alternative, or inconsistent, or argumentative, but must set forth with substantial certainty the facts necessary to show that some and what decree is proper.
3. Averments must be positive and direct.

In reference to the defendant:

4. Facts must be stated with sufficient particularity for defendant's information, lest he be taken by surprise.

In reference both to the court and defendant:

5. The points and relief must be indicated for the guidance of the court, and lest the defendant be taken by surprise.

Under these heads we shall consider the manner in which a bill should be framed, and then shall add a few words upon—

6. What facts should be stated.
7. Charges and pretences.
8. Answers and pleas.
9. Amended bills.
10. Demurrers.

In the subsequent chapter he enlarges on each of these principles, setting out the cases by which they were decided and their application to special circumstances. As a specimen of the lucid manner in which Mr. Lewis writes, we take a portion of his commentary on the rule that *facts* must be stated, and not merely conclusions of law or equity:

But before more particularly illustrating the exceptions pointed at in the last cases, we may state another branch of the general rule, with its exception, which is—"That all the regulations imposed by statute or common law should be particularly averred; but where the whole force of a thing is not derived from statute but the same thing could be done before, and the statute only imposes additional formalities, such formalities need not be averred."

This is a branch of the general rule, because it is the province of the law to determine whether or not the legal incident of the validity of the thing is to follow from the actual circumstances of the case.

In accordance with this rule, an agreement (which, as a matter of fact, is aptly expressed by the terms which would apply to it as a conclusion of law) required by the Statute of Frauds to be put in writing, and signed by the party to be bound, may be introduced thus: "On or about the day of , by an agreement between the [plaintiff] and [defendant], it was agreed as follows:—'Memorandum of agreement between of and of , made this day of . The said agrees, &c.,'" without stating the agreement to be in writing, or, if stated to be in writing, without adding that it was "signed by the said ," and it will be sufficient, and the writing and signature, or the signature, as the case may be, will be presumed: for that statute only applies to things which could be done without the formalities of writing and signature before the statute, and gives no new power to do them. But of course if it clearly appears from the statements in the bill that the statute had not been complied with, a demurrer, would lie; or even if anything is contained elsewhere in the bill, or in the mode of statement, to indicate that the agreement was not signed, a demurrer might perhaps lie. Thus were the plaintiff alleged in a bill for the specific performance of an agreement, that the agreement in which the defendant's name appeared was "in the handwriting of the defendant," and that the agreement had been part performed, the Vice-Chancellor, in overruling a demurrer for want of allegation of signature, held that the statements in the bill were *not inconsistent* with such signature, and on that ground, and because they were other circumstances that might entitle the plaintiff to some relief, overruled it. But all that can be gathered from that case seems to be, that *if* the statements had been inconsistent with the fact of signature, and *if* there had been no other grounds of relief, the demurrer might have held good. If *both* these defects had existed, there would have been no equity on the face of the bill. But if either the statements had been consistent with a signature, or there had been other grounds of relief, the bill would have been sufficient. In a late case, however, the V. C. Wood allowed a demurrer, on the ground (amongst others) that an assignment of a beneficial

interest under a composition deed ought to have been averred to be in writing, so as to comply with the 5th and 10th sections of the Statute of Frauds; but the position that the compliance with mere statutory regulations imposed upon transactions, valid independently of the statute, need not be averred, does not appear by the report to have been taken; and in another late case, where there was an allegation that the defendant "represented and stated to the plaintiff and expressly promised and contracted with the plaintiff," and it was held to be an allegation of a mere agreement not in writing, and that writing would not be presumed and a demurrer would lie, the position above referred to seems again to have been passed over. But in a later case, where it was averred in the bill that a conveyance, absolute in form, was in fact made without consideration and upon trust, the Master of the Rolls disallowed a demurrer, and said, "It was clear that when the plaintiff stated in in his bill 'I have purchased an estate in the defendant's name and he is a trustee for me, and I can prove it,' the defendant could not demur merely because it was not stated in the bill that the plaintiff could prove it in writing. He must produce evidence in writing of the trust at the hearing, but his Honour was asked to introduce an allegation into the bill that the plaintiff could not prove what he said he could prove."

Again, an indenture may be stated thus: "By an indenture dated , and made between , it was witnessed [*or* it was declared by and between the said] as follows;" and it will be unnecessary to state the execution by any of the parties or any other formality, except where the deed is an execution of a power given by any statute or other instrument which requires special formalities: for an indenture is an instrument well known to the law with all its formalities, and so is what makes it *inter partes*.

Further, it is not necessary to state that a conveyance, agreement, &c. was by deed or indenture, if it would have been valid at common law without a deed or indenture. Thus, a "conveyance with livery of seisin either in fee, tail, or for life, is pleaded without alleging any charter or other writing of feoffment, gift, or demise, whether such instrument in fact accompanied the conveyance or not. For such conveyance might at common law be made by parol only," and the formalities of a deed were imposed by the Statute of Frauds and the 8 & 9 Vict. c. 108. And so it is not necessary to state that a bargain and sale was enrolled as required by statute, because it was valid before the statute without enrolment. It was the practice at common law, however, in the case of a lease under indenture to plead the indenture; and in equity the indenture or deed is, in practice, nearly always averred, and, in fact, if it is not, the *legal effect* must be stated, which it is frequently undesirable, as we shall see, to do. But it is to be observed, that where a deed, livery, or other formality is necessary at common law (as in the case of a grant of incorporeal hereditament which must be by deed), it must be averred, unless the law has provided a technical term to express the substance of the transaction, as in the case of a feoffment it has.

Again, where a promise to pay a simple contract debt is relied on in bar of the Statute of Limitations, it may be stated generally, because it does not, by virtue of that statute, derive its power, but is only thereby limited in its effect and subjected to formalities, a simple parol promise not in writing being sufficient before the statute 9 Geo. 4, c. 14.

The new rules will determine to what extent equity pleading is to be adopted under the new jurisdiction of the County Courts. But it cannot be dispensed with entirely. There must be a statement of the facts under some name, whether it be called a bill or a plaint, and that statement must be in the form of a bill, and cannot well be abbreviated. Practically, the rules that apply to the drafting and reading of bills will apply to the composition of the County Court document that will be substituted for the bill. Mr. Lewis's work is, therefore, likely to have a much larger circle of readers than he could have anticipated when he commenced it, for almost every page will be applicable to County Court practice, should the bill in any shape, or under any title, be retained in the new jurisdiction. Without it, we fear that equity in the County Courts will be a mass of uncertainty; with it, every practitioner must learn the art of equity drafting, and he will find no better teacher than Mr. Lewis.

Legal Forms, Compiled for the Use of Attorneys and Solicitors. By W. C. Hall, Attorney-at-Law. London: Cox.

These forms have been collected together in the hope "that they will be useful to the general practitioner. The common law forms consist of proceedings in actions which have been brought, defended and tried, and of those which have been used in practice. The same observations apply to all the other forms contained in this book; and it is hoped that they will be found very useful in the office of every attorney."

BOOKS RECEIVED.

A Guide to the Law, for General Use. By Edward Reynolds, B.A. Oxon, of the Inner Temple, Barrister-at-Law. London: Stevens and Sons.

The Law Magazine and Law Review, or Quarterly Journal of Jurisprudence, for August 1865. Edited by G. Harry Palmer, Esq., M.A., Barrister-at-Law. London: Butterworths.

English Landed Title, its safest and best Reform; with Observations on the recent Transfer of Land Act. By J. Kennedy, late Administrator-General, British Guiana. London: Longman and Co.

Principles of Equity Drafting, with an Appendix of Forms. By Hubert Lewis, B.A., of the Middle Temple, Esq., Barrister-at-Law; Author of "Principles of Conveyancing Explained and Illustrated." London: Butterworths, Fleet-street.

Trial by Jury the Birthright of the People of England; with Illustrations from Bracton, Glanvil, Fortescue, Littleton, Coke, Selden, &c., &c. London: Robert Hardwicke.

The British Workman, Illustrated, for August. London: S. W. Partridge, Paternoster-row.

The Penal Code of the State of New York. Reported complete by the Commissioners of the Code. Albany: Weed, Parsons and Co.

The Fortnightly Review. Edited by George Henry Lewes. No. 5. London: Chapman and Hall. Leipzig: Brockhaus. Rotterdam: H. A. Kramers; J. G. Robbers:

Constance Kent: the Cause and Consequence of her Confession. With Lord Eldon's Reference to the Twelve Judges on an analogous case tried by him, and their Lordships' Decision on the Admissibility of a Prisoner's Confession in Evidence. London: Fredk. Arnold, Fleet-street.

LEGAL OBITUARY.

Note.—This department of the Law Times is contributed by Edward Walford, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the Law Times Office any dates and materials required for a biographical notice.

E. E. ROWSELL, ESQ.

The late Evan Edward Rowsell, Esq., solicitor, of Armidale, New South Wales, was the eldest son of the Rev. Evan Edward Rowsell, rector of Hambledon, Surrey, by Anna Maria, daughter of the late William Baker, Esq. (some time coroner for Middlesex). He was born at Limehouse, Middlesex, in the year 1839, and was educated at Rugby under Dr. Arnold. He was admitted a solicitor in 1857, at Sydney, New South Wales, in which country he practised many years. He died at Armidale, New South Wales, on the 18th April last, and was buried at Armidale Cemetery. He married, in 1860, Mary Elizabeth, second daughter of Ralph Hindmarsh, Esq., of Sydney, New South Wales, by whom he has left two sons.

LAW SOCIETIES.

INCORPORATED LAW SOCIETY.

Annual Report of the Council

Intended to be submitted to the General Meeting of the Members on July 5, 1865.

(Continued from page 477.)

Mortgage Debentures Bill.

A Bill bearing this title was introduced by Lord Naas and Col. Greville early in the present session of Parliament.

Under the provisions of this Bill, any company having authority to make advances of money, repayable with interest, upon the security of real property, and all estates and interests therein—of legally imposed rates, dues, assessments, and impositions of all descriptions, upon the owners or occupiers of real property—of charges and securities of all descriptions legally made upon or affecting real property, and also, having authority to borrow money on transferable mortgage debentures, or on one or more of the securities above-mentioned, may issue debentures, founded upon securities of property in England or Wales of the same description as that on which advances may be made. Exception, however, is made in the case of mines or mineral property, quarries, brickfields and factories, mills and other buildings for manufacturing purposes, and leasehold estates determinable upon a life or lives, and not renewable or held for a term of which not less than fifty years shall be unexpired, and not subject to any rent beyond a nominal one or a ground rent.

The securities upon which the mortgage debentures are issued are to exceed in value by one-third at least the value of the debentures themselves.

On a careful examination of the Bill, it appeared to the council that, although it professed to afford great facilities to persons desirous of advancing money on debentures secured on mortgages, in a cheap and expeditious manner, the security offered to the debenture-holders was so doubtful, and the machinery by means of which it was proposed to carry the scheme into effect so defective, that such important interests ought not to be loosely dealt with by a measure promoted for establishing little more than a financial speculation.

The council accordingly framed some observation setting forth what seemed to them objectionable in the Bill, and transmitted a print of them to each member of a select committee to whom the consideration of this and other measures of a similar character had been entrusted by the House.

The observations are set forth in the appendix to this report.

Numerous amendments have since been made in the Bill, and the council are glad to find many of their observations and objections recognised; but as they took exception to the principle rather than the details of the measure, they do not think it necessary to refer particularly to the alterations made. They think it right, however, to state that the clause enabling trustees, or the major part of them, to apply to the Court of Chancery for leave to invest their trust-funds on mortgage debentures, has been removed from the Bill.

Common Law Courts Fees Bill.

In July last the council expressed to the Chancellor of the Exchequer their satisfaction at having heard of his intention to introduce a Bill for the collection, by means of stamps, of all fees payable in the Superior Courts of Law at Westminster, and in the offices belonging thereto.

As the close of the session was near at hand, time did not admit of the Bill being passed.

At the beginning of this year the council expressed to the Chancellor of the Exchequer a hope that the Bill would be re-introduced, as the Council considered the measure to be one of great importance to the suitors and the public generally, as well as the profession. A Bill for this purpose has since received the Royal assent.

Law Reporting.

The Bar Committee on law reporting communicated to the Council their report on this very important subject in December last.

Founded on that report, a scheme was proposed which received the approval of a general meeting of the Bar.

It was recommended that a series of law reports should be placed under the general management and control of a council composed of the following persons—the Attorney-General, the Solicitor-General, and the Queen's Advocate; two to be appointed by each of the Societies of Lincoln's Inn, Middle Temple, Inner Temple, and Gray's Inn; one by Serjeant's Inn, and two by the Council of this Society.

It was proposed to divide the reports into—

1. Appellate; comprising the House of Lords and Privy Council Cases.

2. Chancery; including bankruptcy appeals and lunacy.

3. Common Law; including the Probate, Matrimonial, Admiralty, and Ecclesiastical courts.

The council of this society having given the subject full consideration, expressed to the Bar Committee their approval of the objects and general principles of the scheme, and nominated two of their body to act on the proposed council of Law Reporting, along with the Attorney-General, the Solicitor-General, the Queen's Advocate, and two Benchers of Lincoln's Inn, two of the Inner Temple, and two of the Middle Temple.

As it is a part of the scheme that the office and other expences of the council of law reporting, not exceeding 500*l.*, should be guaranteed by the Inns of Court, the council considered it to be only just and proper that the Incorporated Law Society should join in the guarantee in the same proportion as the Inns of Court, who might be represented by two members on the intended council. It is, however, understood that in giving this guarantee, the amount for which this society will become liable is not to exceed 150*l.* per annum, and that its continuance shall be made the subject of consideration at a period not later than two years from the time when it was given.

The council of law reporting afterwards issued an address inviting the profession to become subscribers to the proposed reports, and copies of the address were sent by the council of this society to the members, with the expression of a hope that the reasons given in the address would convince solicitors of the advantages of the proposed plan, and that it would have the support of all branches of the profession.

The views entertained by the council of this society on this subject have been already made known in the form of some observations which were printed in the appendix to their last report.

THE EXAMINATIONS.

Preliminary examination.—The council feel that a proper educational test, such as is afforded by an examination before articles, has led the public to regard the profession of a solicitor in its true light, viz., that it is a liberal and honourable one, and such as the well-educated man would desire to enter. It is manifest, from the experience afforded by these examinations, that the young men who now present themselves belong for the most part to a class of society, and are educated in a manner, which justifies the council in entertaining a sincere conviction that the institution of this examination will, in course of time, effect that improvement in the tone of the profession which has been so long and anxiously sought.

The result of these examinations during the past year may be thus shortly stated:—From July 1864 to May last, 444 candidates passed and 64 were postponed. Examinations have been held in the hall of the society, and at Birmingham, Bristol, Cardiff, Chester, Durham, Exeter, Leeds, Lincoln, Liverpool, Manchester, Newcastle-upon-Tyne, Plymouth, Swansea and York.

Intermediate examination.—The council are glad to find, from representations made by the examiners, that the greater proportion of the candidates at the intermediate examination have acquitted themselves in a manner deserving the greatest credit; and they sincerely hope that its establishment will eventually operate as an incentive to articled clerks to acquire a competent knowledge of their profession.

412 candidates have entered for this examination since Trinity Term 1864, of whom 383 passed and 29 were postponed.

Final examination.—It is to be regretted that the final examination should, in point of merit on the part of the candidates, contrast unfavourably with the intermediate examination. Such is nevertheless the case; but, as the majority of the candidates already finally examined have not been subjected to any intermediate test, it is confidently hoped that the uniform excellence displayed at the last-named examination will in future be extended to that for admission after the full period of service has expired. The result of the final examination is as follows:—From Michaelmas Term 1864 to Trinity Term 1865 inclusive, 544 candidates were examined, of whom 493 passed and 51 were postponed.

The list of those gentlemen who obtained honorary distinction will be found in the appendix to this report.

On the subject of examination the council refer with much pleasure to the solicitude of Mr. Timpron Martin, a solicitor in Liverpool, for the improvement of his own branch of the profession.

This gentleman, being desirous of facilitating the acquisition of legal knowledge amongst articled clerks in his own town, has generously handed to the society the sum of 200 guineas, for the purpose of providing a gold medal for Liverpool students. This sum has, at the request of Mr. Timpron Martin, been invested in the name of the society in the purchase of 237*l.* 12*s.* 6*d.* Consols, the interest of which will be available for the prize. The regulations under which the prize is to be awarded will shortly be made known.

In their last report the council referred to a case pending before a master of the Court of Queen's Bench, upon the application of an articled clerk for examination and admission.

The evidence adduced before the master disclosed acts of serious misconduct on the part of the clerk, in which other persons examined on the inquiry were more or less involved.

The master having reported that in his opinion the applicant ought not to be admitted into the profession, the court refused the application.

(To be continued.)

LEGAL NEWS.

Duty on Dogs.—Last year the duty on dogs, as shown by a Blue-book published by order of the House of Commons, amounted to 210,409*l.* 10*s.* 11*d.*

Fees, &c., of Public Offices.—From a Parliamentary volume just issued it appears that in the year ended the 31st March last, as much as 209,429*l.* 2*s.* 4*d.* was paid into the Exchequer as fees, &c., of public offices.

Duty on Tobacco and Snuff.—In the year ending the 31st March last, as appears from an official document just published, the duty on tobacco and snuff amounted to 6,115,997*l.* 16*s.* 1*d.*

Crime in Ireland.—A Donegal grand juror writes to the *Times* boasting that in this assizes there has not, among 240,000 people, been a single case to try, and the judges are reduced to fishing in order to kill time. It is a very curious fact, though Englishmen are slow to accept it, that Ireland as a whole, in spite of agrarian murders and Belfast riots and Fenian demonstrations, is singularly free from crime. The people, as a rule, do not rob or murder anybody, except landlords and bailiffs; swindling is rare, and chastity exists among the lower orders as a fact instead of an idea, as in England and Scotland. Catholics, of course, attribute all this to the influence of the priests, but the priests are just as strong in countries where crime abounds, and the real explanation seems to be that an Irishman with the instincts of crime in him usually takes to politics or agrarian agitation.

Locomotives on Common Roads.—On the 1st of next month the Act passed in the late session (28 & 29 Vict. c. 83), for further regulating the use of locomotives on turnpike and other roads, will come into force and continue for two years. At least three persons are to be employed to drive or conduct a locomotive, one of whom is to precede such locomotive while in motion on foot, by not less than sixty yards, and warn drivers of the approach, and he is to signal the driver of the locomotive when necessary to stop, and he is to assist horses and carriages drawn by horses passing the same. The whistle is not to be sounded nor steam to escape when the locomotive is on the road. The locomotive is to be stopped when required; it is to have two efficient lights. On default of the regulations a penalty of 10*l.* can be imposed. A locomotive is not to go at more than four miles an hour through a public highway, or at a greater speed than two miles through a city, town, or village. The name and address of the owner to be affixed to the locomotive. The Metropolitan Board of Works, the Lord Mayor and Aldermen of the city of London, and other local authorities, are to make orders when locomotives may pass through cities and other places.

The Breadalbane Succession.—In the important litigation between Campbell of Boreland and Campbell of Glenfalloch, titular Earl of Breadalbane, for the title and estates of the earldom, judgment has been given by Lord Barcaple in favour of the defender. His Lordship finds it is proved that the respondent, John Alexander Gavin Campbell, Earl of Breadalbane and Holland, is nearest and lawful heir of tailzie and provision in special of the deceased John, fifth Earl of Breadalbane in the peerage of Scotland, who was also second Marquess of Breadalbane in the peerage of the United Kingdom, in the lands described in the petitions. He therefore dismisses the petitions for service for Charles William Campbell, and finds him liable in expenses. The question at issue is whether the grandfather and grandmother of the titular earl were lawfully married. After stating the facts in which the competition arises, his Lordship observes that the long-continued and, so far as appears, unbroken reputation of a marriage between James Campbell and the mother of W. J. Lambe Campbell, and of the legitimacy of the latter, gives rise, at the outset of the case, to a strong presumption that there was such a marriage, and that W. J. Lambe Campbell (father of the defender) was the legitimate child of these parties. This presumption in favour of the existence of the marriage and the legitimacy of the respondent's father, rests on established principles of law quite apart from any peculiar doctrines of the law of Scotland in regard to the constitution or proof of marriage or to legitimation. It is a presumption of law, necessary to the existence of society, which must always receive effect where the reputation on which it is founded exists. His Lordship proceeds at great length to deal with the question whether that presumption of law is overcome by the evidence, which question he answers in the negative. A reclaiming note has been lodged against the Lord Ordinary's judgment.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Thursday, July 27.

By Messrs. Chinnock, Galsworthy and Chinnock, at the London Tavern.—Freehold estate, known as Ducks, situate in the valley of Basted, Kent, comprising a residence, meadow, farm-buildings, cottages, and 103a. 1r. 36p. of arable, meadow, pasture and hop land, also a farm of 25 acres of meadow and arable land about a mile distant—sold for 10,400*l.* Reversionary life interest of Corbett Holland, Esq., aged 34, of and in the freehold estate known as Admington Hall, Gloucestershire, comprising about 1750 acres, and producing about 400*l.* per annum—sold for 4300*l.* Leasehold, four houses, being Nos. 33 to 37, Archway-place, Highgate-road, producing 60*l.* per annum; term 79 years from 181[illegible]; at a rent of 5*l.* per annum—sold for 3[illegible]*l.* Freehold ground-rent of 5*l.* per annum, arising out of two houses with shops, situate in the High-street, Merton—sold for 75*l.*

Friday, July 28.

By Messrs. Norton and Trist, at the Guildhall Coffee-house.—Freehold property, known as the Godmastone Estate, situate about five miles from Dorsetshire, and extending over about 1180 acres—sold for 36,000*l.* Leasehold house, being No. 43, Lisson-grove, Marylebone; let at 43*l.* 10*s.* per annum; term 20 years unexpired, at a peppercorn—sold for 300*l.*

Monday, July 31.

By Mr. Frank Lewis, at Garraway's.—Lease of the premises, being No. 33, Nicholas-lane, City; term 7 years unexpired; at a rent of 113*l.* per annum, and the whole of the estimated value of 550*l.* per annum—sold for 2030*l.* Absolute reversion to 1-7th of 1-4th share of 3636*l.* 18*s.* 9*d.*, invested in Consols, payable on the deaths of two ladies, aged 56 and 57 years; also of a mortgage effected on the North-Eastern Railway Company of 1750*l.*, receivable on the death of a lady aged 57 years; also 1400*l.* on mortgage, amply secured on house at Yeovil and Honiton, in the counties of Somerset and Devonshire, receivable on the death of a lady aged 57 years; also the freehold seats in Honiton Church—sold for 150*l.*

Tuesday, Aug. 1.

By Mr. Saffell, at Garraway's.—Leasehold residence, being No. 51, St. Paul's-road, Canonbury; let at 45*l.* per annum; term, eighty-four years from 1853; ground-rent, 7*l.* per annum—sold for 495*l.* Leasehold residence, being No. 53, St. Paul's-road, aforesaid; let at 45*l.* per annum; term, similar to above; ground-rent, 6*l.* per annum—sold for 450*l.*

By Mr. P. D. Tuckett, at Garraway's.—Business premises, being No. 10, King-street west, Hammersmith; let at 57*l.* per annum—sold for 1000*l.* Freehold premises, being No. 12, King-street west, aforesaid; let at 65*l.* per annum—sold for 1310*l.* Leasehold, two residences, being Nos. 1 and 2, Cambridge-terrace, Kensington, producing 115*l.* per annum; term, 94 years from 1856; ground-rent, 5*l.* a-house—sold for 1435*l.*

By Messrs. Farebrother, Clark and Co., at the Guildhall Hotel.—Leasehold house, being No. 9, Little George-street, Hampstead-road; let at 33*l.* per annum; term 45 years unexpired; ground-rent 4*l.* 16*s.* per annum—sold for 215*l.* Leasehold house and shop, being No. 30, Thayer-street, Marylebone; let at 36*l.* per annum; term 24 years unexpired; ground-rent 4*l.* 4*s.* per annum—sold for 400*l.* Leasehold house and shop, being No. 52, Dorset-street, Portman-square; let at 55*l.* per annum; term 22 years unexpired; ground-rent 4*l.* 16*s.* per annum—sold for 450*l.* Leasehold house and shop, being No. 12, David-street, Marylebone; let at 36*l.* per annum; term 23 years unexpired; ground-rent 5*l.* 5*s.* per annum—sold for 300*l.* Leasehold house and shop, being No. 13, David-street aforesaid; let at 63*l.* per annum; term and ground-rent similar to above—sold for 435*l.* Leasehold house and shop, being No. 20, David-street, Marylebone; let at 43*l.* per annum; term 27½ years unexpired; ground-rent 4*l.* per annum—sold for 400*l.* Leasehold house and shop, being No. 91, Star-street, Paddington; let at 60*l.* per annum; term 57½ years unexpired; ground-rent 4*l.* per annum—sold for 415*l.* Leasehold, two residences, being Nos. 2 and 4, Ferndown-road, Paddington, producing 145*l.* per annum; term 77½ years unexpired; ground-rents 8*l.* 7*s.* per annum—sold for 1300*l.* Leasehold, two messuages or dwelling-houses, being Nos. 1 and 2, Wilson-street, Drury-lane, producing 9[illegible]*l.* per annum; term 22 years unexpired; ground-rent, 12*l.* 12*s.* per annum—sold for 7[illegible]*l.* Leasehold premises, being No. 3, Wilson-street aforesaid; let at 10[illegible]*l.* per annum; term similar to above; ground-rent, 12*l.* 12*s.* per annum—sold for 92[illegible]*l.* Leasehold, two messuages, being Nos. 4 and 5, Wilson-street aforesaid, producing 9[illegible]*l.* per annum; term similar to above, ground-rent 12*l.* 12*s.* per annum—sold for 7[illegible]*l.*

THE GAZETTES.

Bankrupts.

Gazette, July 28.

To surrender at the Bankrupts' Court, Basinghall-street.

Baird, Charles Bradford, bootmaker, Chelsea. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.

Batson, Henry, builder, Bedford. Pet. July 21. Reg. Roche. O. A. Parkyns. Sols. Anderson and Stanford, Great James-st. Bedford-row, for Whitley and Piper, Bedford. Sur. Aug. 7.

Bequin, Elie, lithographic printer, Liquorpond-st. Gray's-inn-road. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Mason, Bedford-row. Sur. Aug. 14.

Boxer, Charles, grocer, Mayfield-ter. Dalston. Pet. July 2[illegible]. Reg. Hazlitt. O. A. Graham. Sol. Braddon, Dane's-inn. Sur. Aug. [illegible]

Bosworth, John, gun and pistol maker, Richard-st. Commercial-rd. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Carne, George, share dealer, Abbey-rd. Kilburn. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Clark, Thomas, carpenter, Dover. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.

Coghill, William, cheesemonger, Chapel-st. Edgware-rd. Pet. July 21. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 11.

Collins, Charles Thomas, hotel keeper, Sydenham. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Miller, Fenchurch-st. Sur. Aug. 7.

Copplestone, Jacob, wine merchant, Camden-rd. Upper Holloway. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 14.

Cribb, Thomas, chemist and druggist, Upper Norwood. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. Aug. 7.

Crane, John, baker, East Rodham. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 11.

Goatcher, Philip, publican, Grafton-st. Marylebone. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Harriman, John, out of employ, Cranmer-rd. Brixton-rd. Pet. July 20. Reg. Roche. O. A. Parkyns. Sol. Dobie, Guildhall-chambers. Sur. Aug. 9.

Howard, Henry, merchant, Delamere-villas, Westbourne-ter. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Hustler, Charles Anderson, dealer in articles of vertu, Charles-st. Berkeley-sq. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Hyde, Thomas Cooper, smith and gasfitter, Market-pl. Upper Holloway. Pet. July 1[illegible]. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Jangel, Maria, baker, Chamber-st. Goodman's-fds. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Joff, Herman, merchant, Downham-rd. Islington. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Johnstone, John, not in business, Upper Stamford-st. Blackfriars. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Laurence, George, printer, Robinson's-row, Bethnal-gn. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Marshall, Lincoln's-inn. Sur. Aug. 7.

Leighton, John Henry, beer retailer, Victoria-ter. Kensington. Pet. July 20. Reg. Roche. O. A. Parkyns. Sol. Dobie, Guildhall-chambers. Sur. Aug. 9.

Lelean, John Taylor, shipowner, Edward-st. Bow. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Stocken, Leadenhall-st. Sur. Aug. 7.

Levy, Joseph, dealer in jewellery, Bloomsbury-sq. and Regent. Pet. July 22. Reg. Hazlitt. O. A. Graham. Sol. Sumner, Finsbury-pl. Sur. Aug. 11.

Lewis, Charles Weay, barrister-at-law, Hammersmith. Pet. July 20. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.

Matson, John, stone and marble mason, Kingsland-rd. Kingsland. Pet. July 14. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

McCarthy, Mary, coffeehouse-keeper, Great St. Andrew's-st. Seven-dials. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

McDermot, George, law student, Arundel-st. Strand. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Metcalfe, Robert, plumber, New North-rd. Islington. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Goldrick, Strand. Sur. Aug. [illegible]

Mill, John, dealer in estates and shares, Gray's-inn-rd. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Mook, Sophia, out of business, Bishop-ter. Newington-gn. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 9.

Moore, Thomas, commission agent, Charles-st. Middlesex-hospital. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Newby, Edward, whitesmith, Sun-st. Bishopsgate-st. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Munday, Basinghall-st. Sur. Aug. 9.

Osmond, Alfred Giles, assistant at a beerhouse, Upper Rosoman-st. Clerkenwell. Pet. July 20. Reg. Roche. O. A. Parkyns. Sol. Merriman, Poultry. Sur. Aug. 7.

Page, John, printer and engraver, Mile-end-rd. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. Aug. [illegible]

Parker, Godfrey, bricklayer, Richmansworth. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Lincoln's-inn. Sur. Aug. 7.

Parkins, James, agent and dealer in woollen cloths, Mina-ter. New-cross. Pet. July 18. Reg. Winslow. O. A. Graham. Sur. Aug. 11.

Pound, James, farmer, Merton. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Nicholson, Wellington-st. Strand. Sur. Aug. [illegible]

Redman, Frederick, plumber, Prospect-pl. Forest-gate. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Sur. Aug. 16.

Reeder, Richard, blacksmith, Essex-st. Bethnal-gn. Pet. July 1[illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Reeves, William, dealer in artificial manures, Duncan-gn. Old-st. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.

Silani, Anthony, painter and decorator, Warwick-st. Pimlico. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Sirett, James, fishmonger, Marylebone-la. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. [illegible]

Skinner, David, grocer, Dock-st. North Woolwich. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.

Smith, John, clerk to a cattle salesman, Trinity-sq. Southwark. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Hensley, Bedford-row, Holborn. Sur. Aug. 14.

Spiller, Richard, operative chemist, Crucifix-la. Bermondsey. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Marshall, Lincoln's-inn-fds. Sur. Aug. 7.

Thorpe, Francis, lodging and boarding-house keeper, Bryanston-st. Portman-sq. Pet. July 19. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Tiller, William, grocer, Blenheim-ter. St. John's-wood. Pet. July 1[illegible]. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

Tuthill, Henry, beer retailer, Central-st. St. Luke's. Pet. July [illegible] Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.

WILKIN, ROBERT, butcher, Crown-st. Finsbury. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 9.
WILLIS, ROBERT FREDERICK, fruiterer, Covent-gdn. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Roberts, Clement's-inn, Strand. Sur. Aug. 7.
WILSON, THOMAS, beershop-keeper, Beckenham. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Parry, Croydon. Sur. Aug. 7.
WRAMPE, ERNEST JOHN AUGUSTUS, merchant, Oxford-ter. Islington. Pet. July 18. Reg. Brougham. O. A. Edwards. Sol. Peverley, Cannon-st. Sur. Aug. 4.

To surrender in the Country.

BARROW, ROBERT WILLIAM, carpenter, Bristol. Pet. July 19. Reg. & O. A. Harley and Gibbs. Sol. Hill. Sur. Aug. 10.
BASTOW, ARTHUR, worsted manufacturer, Bradford. Pet. July 22. O. A. Young. Sol. Simpson, Leeds. Sur. Aug. 7.
BLENKIN, PETER SMITH, oil and colour merchant, Manchester. Pet. July 22. Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester. Sur. Aug. 7.
BROOKE, WILLIAM, general merchant, Manchester. Pet. July 14. Reg. Harris. O. A. Morgan. Sols. Hankinson and Kearsley, Manchester. Sur. Aug. 15.
BROWN, WILLIAM, book-keeper, Bootle, Liverpool. Pet. July 21. Reg. & O. A. Hime. Sol. Worship, Liverpool. Sur. Aug. 8.
CHAMBERS, WALTER NICHOLLS, drysalter, Manchester. Pet. July 20. Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester. Sur. Aug. 7.
CHURCHILL, EDWARD, wholesale fruit and fish dealer, Stroud. Pet. July 22. Reg. & O. A. Anderson. Sur. Aug. 9.
COLTHORPE, WILLIAM, poulterer, Thorney-grn. Stowupland. Pet. July 17. Reg. & O. A. Archer. Sol. Jennings, Ipswich. Sur. Aug. 2.
COOKER, MARY, victualler, Bristol. Pet. July 14. Reg. Wilde. O. A. Acraman. Sol. King and Plummer, Bristol. Sur. Aug. 4.
COTTON, BENJAMIN, innkeeper, Monks Coppenhall. Pet. July 20. O. A. Turner. Sol. Best, Liverpool. Sur. Aug. 4.
COWLES, ROBERT, brewers' foreman, Beccles. Pet. July 14. Reg. & O. A. Fisher. Sol. Kent, Beccles. Sur. Aug. 7.
DAVISON, GEORGE, contractor, North Shields. Pet. July 20. Reg. & O. A. Ingledew. Sol. Kidd, North Shields. Sur. Aug. 4.
DOWNES, RICHARD, contractor, Ettingshall New Village, Bilston. Pet. July 21. Reg. Tudor. O. A. Kinnear. Sol. Wright, Birmingham. Sur. Sept. 8.
DENT, WILLIAM THOMAS, baker, Wisbech. Pet. July 20. Reg. & O. A. Metcalfe. Sol. Ollard, Upwell. Sur. Aug. 18.
ERLE, THOMAS, journeyman joiner, Liverpool. Pet. July 17. Reg. & O. A. Hime. Sol. Ward, Liverpool. Sur. Aug. 4.
EWELL, HENRY WILLIAM, victualler, Ash. Pet. July 14. Reg. & O. A. Hall. Sol. Towne, Margate. Sur. Aug. 2.
BAKER, HENRY, innkeeper, Llanidloes. Pet. July 19. Reg. & O. A. Williams. Sol. Jenkins, Llanidloes. Sur. Aug. 12.
HARDY, JOHN, draper, Manchester. Pet. July 22. Reg. & O. A. Hutton. Sol. Farrar, Manchester. Sur. Aug. 3.
HARRISON, SAMUEL, journeyman saddler, Stretford. Pet. July 18. Reg. & O. A. Hulton. Sur. Aug. 3.
H…, WILLIAM FREDERICK, baker, Hull. Pet. July 21. Reg. & O. A. Phillips. Sol. Stead, Hull. Sur. Aug. 5.
HOBSON, GEORGE, grocer, Middleton. Pet. July 18. Reg. Harris. O. A. Morgan. Sur. Aug. 7.
HODSON, RICHARD, butcher, Wainfleet All Saints. Pet. July 6. Reg. & O. A. Walker. Sur. Aug. 1.
HOLMES, EDWARD, dealer in hay, High Wycombe. Pet. July 21. Reg. & O. A. Parker. Sol. Clarke, High Wycombe. Sur. Aug. 4.
HYSLOP, THOMAS, grocer, Buckland. Pet. July 20. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Aug. 10.
JACOB, ALFRED PERRY, auctioneer and dyer, Liverpool. Pet. July 17. O. A. Turner. Sur. Aug. 1.
JOHNSON, JOSEPH, stationer and dealer in prints, Cardiff. Pet. June 22. Reg. Wilde. O. A. Acraman. Sols. Leiverson, Fen-ct. Fenchurch-st.; Press and Inskip, Bristol. Sur. Aug. 4.
…ANE, WILLIAM, carpenter and innkeeper, Staverton. Pet. July 19. Reg. Wilde. O. A. Acraman. Sur. Aug. 7.
…ANG, ROBERT, plumber and dealer in British wines, Leicester. Pet. July 11. Reg. & O. A. Ingram. Sol. Harvey, Leicester. Sur. Aug. 5.
…ETHERINGTON, ROBERT, farmer, Willerby. Pet. July 20. Reg. Stephen. O. A. Young. Sols. Bell and Leake, Hull. Sur. Aug. 9.
MCDONALD, JAMES, toyman, York. Pet. July 17. O. A. Young. Sol. Harle, Leeds. Sur. Aug. 7.
…GLAVE, PATRICK, grocer, Whitehaven. Pet. July 19. Reg. & O. A. Hodgkin. Sol. Halton, Whitehaven. Sur. Aug. 4.
…ARSHALL, THOMAS, bricklayer, Stalybridge. Pet. July 20. Reg. Harris. O. A. Morgan. Sols. Sutton and Elliott, Manchester. Sur. Aug. 2.
…OORE, ROBERT, maltster, Wolverton. Pet. July 22. Reg. Wilde. O. A. Acraman. Sol. Wilton, Bath. Sur. Aug. 7.
…ORRIS, EDWIN, stonemason, Llandudno. Pet. July 18. Reg. & O. A. Hughes. Sol. Williams, Llandudno. Sur. July 31.
…ERS, THOMAS, boot and shoe maker, Cinderford. Pet. July 19. Reg. & O. A. Barrup. Sur. Aug. 8.
…, NEWTON, baker, Budleigh Salterton. Pet. July 21. Reg. & O. A. Maw. Sol. Hooper, Exeter. Sur. Aug. 5.
…STON, WILLIAM CARNALL, dissenting minister, Wigan. Pet. July 12. Reg. Macrae. O. A. Morgan. Sol. France, Wigan. Sur. Aug. 8.
…, JOHN, farmer, Hemyock. Pet. July 19. O. A. Carrick. Sol. … Flood, Exeter. Sur. Aug. 4.
…LAN, JOSEPH, brewer, Harrogate. Pet. July 22. O. A. Young. Sols. J. Richardson, Knaresborough and Harrogate; and North and Sons, Leeds. Sur. Aug. 7.
…ERTS, ROBERT, grocer, Flint. Pet. July 21. O. A. Turner. Sol. Sackhurst, Liverpool. Sur. Aug. 7.
…, ALEXANDER, book-keeper, Gainsborough. Pet. July 13. Reg. & O. A. Burton. Sol. Bladon, Gainsborough. Sur. Aug. 7.
…OFIELD, JAMES, machine maker, Rochdale. Pet. July 21. Reg. Macrae. O. A. Morgan. Sols. Molesworth and March, Rochdale. Sur. Aug. 11.
…, JOHN BLAND, dealer and jobber, Geddington. Pet. July 21. Reg. & O. A. Nettleship. Sol. Rawlins, Market Harborough. Sur. Aug. 12.
…T, JOHN, innkeeper, Gloucester. Pet. July 14. Reg. & O. A. …ll. Sol. Smallridge, Gloucester. Sur. Aug. 9.
…LING, HENRY, boot and shoe maker, Portsea. Pet. July 20. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Aug. 10.
…EEN, WILLIAM, carpenter and joiner, Cheltenham. Pet. July 19. Reg. Wilde. O. A. Acraman. Sur. Aug. 7.
…D, ALEXANDER, victualler, Rugeley. Pet. July 17. Reg. & O. A. …dimer. Sur. Aug. 5.

Gazette, July 28.

To surrender at the Bankrupts' Court, Basinghall-street.

…ES, CHARLES FREDERICK, and GEE, WILLIAM, printers, Middle-… …lub-tair. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. …well, Cheapside. Sur. Aug. 16.
…MAN, GEORGE, builder, Thornton-st. Brixton. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Doble, Guildhall-chamb. Sur. Aug. 16.
…S, CHARLES, tailor, Hyde-pl. Hoxton. Pet. July 23. Reg. Roche. O. A. Parkyns. Sol. Webster, Tokenhouse-yd. Sur. Aug. …
…EWELL, FREDERICK CHARLES BURNHAM, commercial traveller, …-sq. Peckham. Pet. July 24. Reg. Roche. O. A. Parkyns. … Silvester, Great Dover-st. Sur. Aug. 16.
…EWALL, JOHN, beer retailer, Gurnard, Isle of Wight. Pet. July … Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 16.
…EARN, ALFRED BOWER, merchant, Fenchurch-st. and Vassal-… Brixton. Pet. July 24. Reg. Hazlitt. O. A. Graham. Sol. Gray, …ghty-st. Sur. Aug. 11.
…, PHILIP, monumental stone letter cutter, Francis-st. Church-… Battersea. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. …ley, Bow-st. Covent-gdn. Sur. Aug. 16.
…, ABRAHAM, general dealer, Upper Blossom-st. Commercial-st. …ditch. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 16.
…K, WILLIAM, brass sash fastening maker, New-rd. Hammer-… Pet. July 27. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.
…, HENRY, mantle maker, High-st. Homerton, and Gresham-st. … July 23. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.
…E, WILLIAM HOWARD, composer, Adelaide-rd. Haverstock-… Pet. July 25. Reg. Roche. O. A. Parkyns. Sols. Lewis and …, Ely-pl. Holborn. Sur. Aug. 16.
…IN, ALFRED FREDERICK, dealer in leather boots and shoes, …igh-rd. Southwark. Pet. July 24. Reg. Roche. O. A. Parkyns. … Edwards, Bush-la. Cannon-st. Sur. Aug. 16.
…, JOSHUA GEORGE, grocer, Linstead, near Sittingbourne. … July 25. Reg. Roche. O. A. Parkyns. Sols. Voyle, Verulam-… Gray's-inn, agent for De Lasaux, Canterbury. Sur. Aug. 9.

LANE, EDWARD SMALLWOOD, commission agent, New Kent-rd. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 14.
LLEWELLYN, ELIZA ANN, scotch and woollen warehouseman, Old Bond-st. Pet. July 19. Reg. Hazlitt. O. A. Graham. Sols. Reed and Phelps, Gresham-st. City. Sur. Aug. 11.
MAYNARD, EDWARD, commission agent, Chester-st. Kennington-rd. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 14.
MEADE, FELIX, foreman to a confectioner, Stingo-la. Marylebone. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Holmes, Fenchurch-st. Sur. Aug. 14.
MORRIS, EDWARD HENRY, jeweller, Ipswich. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Dalton, Bucklersbury. Sur. Aug. 16.
MUDGE, GEORGE BEVON, journeyman printer, Cumberland-villas, Lothian-rd. Camberwell New-rd. Pet. July 25. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. Aug. 16.
NORRIS, GEORGE, commission agent, Salisbury Coffee-house, Waterloo-rd. Pet. July 21. Reg. Roche. O. A. Parkins. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.
PARKER, CHARLES ABRAHAM, not in business, Bentley, near Doncaster. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Aug. 14.
PERCY, CHARLES PERCY, clerk to a solicitor, Islip-st. Kentish-town. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Craven, Mark-la. Sur. Aug. 14.
PRICE, WILLIAM, attorney's clerk, Wellington-st. Woolwich. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.
PROCTOR, WILLIAM GEORGE, of no occupation, Warwick-st. Pimlico. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Parkes, Beaufort-bldgs. Strand. Sur. Aug. 14.
RIEGER, JOHN, goldbeater, Tabernacle-sq. Shoreditch. Pet. July 21. Reg. Roche. O. A. Parkyns. Sol. Wetherfield, Moorgate-st. Sur. Aug. 14.
ROE, RICHARD, out of business, President-st. east, Goswell-rd. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Waldron, Lamb's Conduit-st. Sur. Aug. 16.
SHEPPARD, WILLIAM, carrier, High-st. Hoxton. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Swan, Great Knight Rider-st. Doctors' commons. Sur. Aug. 14.
SMITH, WHITEHEAD, victualler, Titchmarsh, near Thrapstone. Pet. July 24. Reg. Roche. O. A. Parkyns. Sols. Hascoe and Hincks, King-st. Finsbury. Sur. Aug. 16.
STATHAM, WILLIAM MATTHEW, pianoforte tuner, Sussex-rd. Holloway. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Goatley, Bow-st. Covent-garden. Sur. Aug. 16.
TARBUCK, WILLIAM EDWARD, printer's reader, Islington. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Davies, Moorgate-st. Sur. Aug. 14.
THOMAS, JOHN, mason, Victoria-rd. and Gipsey-hill station, Norwood. Pet. July 27. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 14.
WAKEFORD, GEORGE, miller, Brockhampton. Pet. July 18. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 16.
WELCH, ALEXANDER, dealer in china, King-st. Old Gravel-la. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 16.

To surrender in the Country.

BARLOW, ABRAHAM, farmer, Eccleshall. Pet. July 24. Reg. Hill. O. A. Kinnear. Sols. Hodgson and Son, Birmingham. Sur. Sept. 22.
BATES, GEORGE, woollen manufacturer, Brighouse and Huddersfield. Pet. July 19. O. A. Young. Sol. Rooke, Leeds. Sur. Aug. 14.
BAYLIS, JAMES, saddler, Birdlip, near Cheltenham. Pet. July 21. Reg. & O. A. Gale. Sol. Bootle, Cheltenham. Sur. Aug. 9.
BONE, RICHARD, carpenter, Landport. Pet. July 22. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Aug. 10.
BRADLEY, CHARLES, commission agent, Handsworth. Pet. July 20. Reg. Hill. O. A. Kinnear. Sols. Blake and Snow, College-hill, Cannon-st. and Hodgson and Son, Birmingham. Sur. Aug. 14.
BURGESS, HENRY, carver, Portsea. Pet. July 24. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Aug. 10.
BRADLEY, JONAS, ironfounder, Blackburn. Pet. July 19. Reg. Macrae. O. A. Morgan. Sur. Aug. 15.
CARRICK, WILLIAM, farmer, Castlecarrock. Pet. July 25. Reg. & O. A. Lee. Sol. Wannop, Carlisle. Sur. Aug. 10.
CLELLAND, ROBERT MCKENZIE, baker, Carlisle. Pet. July 26. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. Aug. 14.
CLUGSTON, JOHN, joiner, Manchester. Pet. July 24. Reg. & O. A. Kay. Sols. Sutton and Elliott, Manchester. Sur. Aug. 10.
COWPER, JAMES, timber merchant, Oldham. Pet. July 19. Reg. Macrae. O. A. Morgan. Sur. Aug. 19.
DALTON, WILLIAM, commission agent, Huddersfield. Pet. July 18. Reg. & O. A. Jones. Sol. Freeman, Huddersfield. Sur. Sept. 29.
DEAN, THOMAS, engraver, Salford. Pet. July 26. Reg. & O. A. Hulton. Sol. Knight, Manchester. Sur. Aug. 16.
DOCKERTY, WILLIAM, saddler, Garston, near Liverpool. Pet. July 17. Reg. & O. A. Hime. Sur. Aug. 8.
DODMAN, WILLIAM, auctioneer, Whittlesey. Pet. July 25. Reg. & O. A. Gachen. Sol. Wilders, Whittlesey. Sur. Aug. 17.
DOYLE, JOHN, innkeeper, Carlisle. Pet. July 24. Reg. & O. A. Halton. Sol. McAlpin, Carlisle. Sur. Aug. 14.
DUTTON, JOHN, publican, Llanelly. Pet. July 24. Reg. & O. A. Jones. Sol. Seesd, Llanelly. Sur. Aug. 10.
EAGLESFIELD, JASPER, butcher, Birmingham. Pet. July 25. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Aug. 29.
EMERY, RICHARD, dealer in pigs, Landport. Pet. July 24. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Aug. 10.
FELL, THOMAS, joiner, Huggate. Pet. July 26. Reg. Stephen. O. A. Young. Sol. Hodgson, Driffield. Sur. Aug. 9.
GIBBONS, THOMAS, florist, Bramcote. Pet. July 24. Reg. & O. A. Patchitt. Sol. Heath, Nottingham. Sur. Aug. 16.
HAMPTON, GEORGE, baker, Braishfield, near Romsey. Pet. July 23. Reg. & O. A. Tyles. Sol. Mackey, Southampton. Sur. Aug. 10.
HARRISON, THOMAS, rag merchant, Saint Michael, Norwich. Pet. July 21. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. Aug. 10.
HARTLEY, JOHN, innkeeper, Stanwix. Pet. July 22. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. Aug. 14.
HEMMINGS, JOHN, bootmaker's assistant, Stamford. Pet. July 24. Reg. & O. A. Shield and Hough. Sol. Laxton, Stamford. Sur. Aug. 14.
HODGSON, JOSEPH, door dealer, Liverpool. Pet. July 23. Reg. & O. A. Hime. Sol. Cobb, Liverpool. Sur. Aug. 10.
HOLLIDAY, DAVID, horse dealer, Hull. Pet. June 14. O. A. Young. Sur. Aug. 9.
HORSEPOOL, WILLIAM, beerhouse-keeper, Sneinton. Pet. July 24. Reg. & O. A. Patchitt. Sol. Ashwell, Nottingham. Sur. Aug. 16.
HOWARTH, PETER, coal dealer, Salford. Pet. July 12. Reg. & O. A. Hulton. Sur. Aug. 26.
JONES, OWEN HODGSON, shipbroker, Liverpool. Pet. July 17. O. A. Turner. Sur. Aug. 8.
KIDSON, JAMES, Swindon. Pet. July 22. Reg. Wilde. O. A. Acraman. Sur. Aug. 7.
LONSDALE, JAMES, shoemaker, Accrington. Pet. July 19. Reg. & O. A. Woods. Sur. Aug. 2.
LUNTY, HENRY, and LUNTY, THOMAS, timber merchants, Uley. Pet. July 20. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. Aug. 9.
MARTIN, STAMPER, cotton dealer, Liverpool. Pet. July 7. Reg. & O. A. Hime. Sur. Aug. 7.
MORGAN, JOHN, innkeeper, Southampton. Pet. July 25. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. Aug. 17.
NUTTALL, JAMES, ironfounder, Blackburn. Pet. July 19. Reg. Harris. O. A. Morgan. Sur. Aug. 15.
PALMER, RICHARD, innkeeper, Dalton, near Huddersfield. Pet. July 15. Reg. & O. A. Jones. Sol. Mossley, Huddersfield. Sur. Sept. 29.
PAYNE, RICHARD, farming bailiff, Great Kyre. Pet. July 22. Reg. & O. A. Norris. Sol. Preston, Tenbury. Sur. Aug. 5.
PAYTON, JAMES, tailor, Cheltenham. Pet. July 24. Reg. & O. Gale. Sol. Wheeler, Cheltenham. Sur. Aug. 9.
PEARCE, GEORGE, bookseller, Hull. Pet. July 18. Reg. Stephen. O. A. Young. Sol. Summers, Hull. Sur. Aug. 9.
PELLITT, LAWSON, commission agent, Hull. Pet. July 21. Reg. Stephen. O. A. Young. Sols. Gale and Meddlemiss, Hull. Sur. Aug. 9.
PIERCE, ANN, publican, Liverpool. Pet. July 19. Reg. & O. A. Hime. Sol. Etty, Liverpool. Sur. Aug. 6.
POXTON, FRANCIS, miner, Norton Canes, near Brownhills. Pet. July 24. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. Aug. 4.
RUSHFORTH, JOHN, builder, Huddersfield. Pet. July 24. O. A. Young. Sols. Mossley, Huddersfield; Bond and Barwick, Leeds. Sur. Aug. 7.
SCHOFIELD, WILLIAM, Liverpool. Pet. July 26. O. A. Turner. Sols. Collis and Priest, Liverpool. Sur. Aug. 8.
SHAW, HENRY, bootmaker, Atherstone. Pet. July 25. Reg. Hill. O. A. Kinnear. Sol. Smallbone, Coventry. Sur. Sept. 8.
SHAW, JOHN, auctioneer, Manchester. Pet. July 19. Reg. Harris. O. A. Morgan. Sur. Aug. 15.
SHOBRIDGE, WILLIAM, railway station master, Pantteague. Pet. July 24. Reg. & O. A. Edwards. Sols. Greenway and Bytheway, Pontypool. Sur. Aug. 14.
SOUTHAM, THOMAS WILLIAM, beerseller, Manchester. Pet. July 25. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. Aug. 10.
SPARROW, STEPHEN, cloth merchant, Leeds. Pet. July 21. O. A. Young. Sol. Clarke, Leeds. Sur. Aug. 14.
TUCKER, JOHN, general dealer, Bridlington Quay. Pet. July 26. Reg. Stephen. O. A. Young. Sol. Hodgson, Driffield. Sur. Aug. 19.
TURLEY, ENOCH, plate roller, Masbrough. Pet. July 24. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. Aug. 10.
WELSH, JAMES, clothier, Abergavenny. Pet. July 22. Reg. & O. A. Batt. Sol. Sayce, Abergavenny. Sur. Aug. 15.
WESTWOOD, JOHN, sawyer, Coseley. Pet. July 22. Reg. & O. A. Walker. Sol. Stokes, Dudley. Sur. Aug. 10.
WILLIAMSON, LEWIN, blocker, Luton. Pet. July 22. Reg. & O. A. Austin. Sol. Scargill, Luton. Sur. Aug. 2.
WILSON, RICHARD JOHN, money lender, Bath. Pet. July 26. Reg. Wilde. O. A. Acraman. Sols. Crutwell, Bath; Press and Inskip, Bristol. Sur. Aug. 9.
WOOD, PETER HENRY, beerhouse-keeper, Hulme. Pet. July 19. Reg. & O. A. Kay. Sol. Law, Manchester. Sur. Aug. 10.
WOODHOUSE, HENRY, grocer, Liverpool. Pet. July 22. Reg. & O. A. Hime. Sol. Ward, Liverpool. Sur. Aug. 9.
WOODS, JOHN, publican, Prescott. Pet. July 25. O. A. Turner. Sol. Smith, Liverpool. Sur. Aug. 8.
WORTLEY, WILLIAM, farmer, Repps-with-Bastwick. Pet. July 21. Reg. & O. A. Chamberlin. Sol. Wiltshire, of the firm of Cufaude and Wiltshire, Great Yarmouth. Sur. Aug. 5.

BANKRUPTCY ANNULLED.

Gazette, July 25.

RABY, JOHN, builder, Wakefield.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Barraclough, J. ironfounder, first, 2s.; on new proofs and second, 4½d. Morgan, Manchester.—*Bates*, J. rope manufacturer, first, 2s. 9d. Morgan, Manchester.—*Cohen*, A. furniture dealer, first, 1s. 0½d. Parkyns, London.—*Donald*, A. bleacher, first, 1s. 8¼d. Morgan, Manchester.—*Giles*, J. commercial clerk and engineer, first, 2s. 9½d. Parkyns, London.—*Heap*, H. common brewer, first, 5¼d. Morgan, Manchester.—*Holgate*, K. & J. W. upholsterers, first, 1s. 3d. Morgan, Manchester.—*Holland*, J. joiner and builder, first sep. 2s. 6d. Turner, Liverpool.—*Jones*, J. draper, first, 2s. 6d. Parkyns, London.—*Langley*, V. W. bricklayer, first, 4s. 9d. Parkyns, London.—*Lewis*, J. tailor, 1s. 9d. Shepard, Tredegar.—*Potts*, T. timber merchant, first, 3s. 6d. Laidman, Newcastle.—*Rhodes*, J. shirt manufacturer, first, 8¾d. Morgan, Manchester.—*Targett*, C. and W. undertakers, second, 1s. 11½d.; first sep. of W. T. 9s. 4d.; second sep. of C. T. 2s. 2½d. Parkyns, London.—*Watkins*, P. builder, 1s. 11½d. Shepard, Tredegar.—*Whalley*, J. and E. manufacturers, first, 7s. 9d. Morgan, Manchester.—*Wigglesworth*, T. and J. cotton manufacturers, first, 1s. 5¼d. Morgan, Manchester.—*Young*, W. H. bookseller, first, 7s. 8½d. Parkyns, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, July 25.

ALDERSON, JOHN, tanner, Cleveland. July 7. 10s. by instalments of 3s. 4d. each at 3, 6 and 9 mos.—secured. Trust. J. Sharpe, builder, Cleveland.
ARMSTRONG, HENRY, alum manufacturer, Mulgrave Alum Works, near Whitby. June 22. Trusts. A. Yorke, accountant, and J. B. Nicholson, ironmonger, both Whitby.
BENNET, RICHARD JOHN, cheesemonger, Barnsbury-rd. Islington. July 19. Trust. J. A. Hart, accountant, Moorgate-st.
BROWN, JOSEPH, baker, Nottingham. July 10. Trusts. R. Walker, wheelwright, and T. Stevenson, blacksmith, both Sneinton.
BUCKNALL, ROBERT, builder, Dudbridge Building Works, near Stroud. June 17. Trusts. J. Montgomery, Esq., Brentford, J. R. Randell, stone merchant, Corsham, and D. W. Johns, merchant, Swansea.
BURNET, MARY ANN, and BURNET, HENRY, Broseley. June 28. 10s. forthwith. Surety, J. Burnet, grocer, Broseley.
CLARKE, WILLIAM, brickmaker and builder, Drayton. June 29. Trusts. P. E. Sewell, gentleman, and R. Thorns, ironmonger, both Norwich.
CONDY, JOHN, ironmonger, Devonport. June 24. Trusts. H. Parry, gentleman, Ponder's-end, and C. Davey, ale and porter merchant, Devonport.
COOPER, JOHN, cloth merchant, Leeds. July 7. Trusts. R. Skilbeck, cloth merchant, Huddersfield, J. Walker, cloth merchant, Leeds, and E. Wimpenny, cloth manufacturer, Huddersfield.
DAWSON, ROBERT, corn and provender dealer, Manchester. July 4. 6s. by three instalments—2s. at 3 mos., 2s. at 6 mos. and 2s. at 9 mos.
DOWEL, BENJAMIN WILLET, contractor, Emsworth. June 26. To pay debts in full by 1st Jan.
EGLINGTON, WILLIAM, hatter, Diss. July 3. Trust. W. A. Bayes, hatter, Norwich.
ELGAR, EDWIN HENRY, Sunny Bank-rd. South Norwood. July 19. 10s. by four equal instalments at 6, 12 and 18 mos., and 2 years.
FRIENDSHIP, CHARLES, draper, Bideford. June 26. 14s. by three equal instalments at 3, 6 and 9 mos.—secured.
FRIENDSHIP, HENRY, draper, Torrington. June 26. 14s. by three equal instalments at 3, 6 and 9 mos.—secured.
HALFHEAD, THOMAS, schoolmaster, Bath. July 18. Trust. J. Collins, gentleman, Bath.
HALLIFAX, WILLIAM, cheesemonger, Claremont-pl. Hornsey-rd. July 4. 5s. forthwith.
HAMER, JOHN, bookseller, Leeds. July 13. Trusts. T. O. Hutton, wholesale stationer, London, J. Manser, bank cashier, Leeds, and W. Tanfield, bookbinder, Leeds.
HARRIES, THOMAS, draper, Bristol. July 3. Trust. F. Taylor, merchant, Manchester.
HART, EDMUND, lace manufacturer, Nottingham. June 27. Trusts. T. Wootton, merchant, and S. H. Cropper, agent, both Nottingham.
HEARN, ROBERT DOUGLAS, merchant, Liverpool. July 21. Trust. J. Gibson, book-keeper, Liverpool.
HIBBITTS, JULIA, smallware dealer, Liverpool. July 11. Trusts. T. Collier and J. Knight, merchants, both Manchester.
HITCHING, FREDERICK, marble paper hanging manufacturer, Great Saffron-hill, and Red Lion-yard, Great Warner-st. Clerkenwell. June 26. 5s. by two equal instalments on 26th Dec. and 26th June.
JONES, JOSEPH, boot and shoe dealer, Bethesda. June 26. Trusts. J. Jones, shoe dealer, Denbighshire, and O. Jones, currier, Conway.
LATHAM, ALBERT, farmer and grazier, Appleton. June 24. 5s. on 10th Aug.
LENNARD, SAMUEL, manufacturer of hosiery, Leicester. July 11. 11s. by two equal instalments at 3 and 6 mos.—secured.
LOWENADLER, LARS HENRIC, ship chandler, Cardiff. July 3. 15s. by three equal instalments at 4, 6 and 9 mos. Trusts. A. E. Tellefsen and J. J. Holst, shipbrokers, Cardiff.
MASTERS, WILLIAM HENRY, upholsterer, Yeovil. July 6. 2s. 6d. on 8th Aug.
MAYHEW, JEREMIAH, innkeeper and builder, Kenilworth. June 24. Trusts. H. Handley, maltster, and W. Butler, innkeeper, both Warwick.
NANCE, WILLIAM, shipbroker, Mark-la. July 13. 5s. by four instalments every 6 mos. commencing 15th Jan. next.
OWEN, ROBERT JOHN, wholesale teadealer, Liverpool. July 14. 6s.—2s. 6d. in 14 days, 2s. 6d. in 3 mos. and 1s. in 6 mos.—secured.
RAVENSFORD, CHARLES ARTHUR, gentleman, Woburn-pl. Russell-sq. July 3. Trusts. J. P. Murrough, gentleman, Warwick-ct. Gray's-inn, and T. Wilson, stationer, Cheapside.
REED, HANNAH, innkeeper, Batley. June 24. Trusts. T. C. Ledgard, wine and spirit merchant, Huddersfield, F. Wilson, woollen manufacturer, Batley, and S. Sykes, maltster, West Ardsley.
RICHINGS, THOMAS, attorney, Staines. July 21. 2s. 6d. in 6 m… Trust. W. B. Barrand, gentleman, Judd-st. Euston-rd.
TAYLOR, WILLIAM, grocer, Dartford. July 13. Trust. W. McKewan, Esq., London and County Bank, Lombard-st.
TREHAMAN, EDWIN, builder, Tomlin-ter. Chrisp-st. Poplar. 6s. 6d. on 26th June.

Wain, Charles, lace dresser, Nottingham. July 18. Trust. T. Shaw starch merchant, Nottingham.

Walters, Ebenezer Grosvenor, jeweller, Birmingham. July 4. Trust. G. H. Adam, accountant, Birmingham.

Walton, William, farmer, Caterham. July 12. Inspector, C. Parrott, ironmonger, Croydon.

Wells, George, grocer, Royal-hill, Greenwich. July 4. 7s. 6d. in 7 days.

Wright, John, cabinet-maker, Cheetham and Manchester. July 2. 10s. by four equal instalments at 3, 6, 9 and 12 mos.

Gazette, July 28.

Baker, William, builder Bromley. July 27. 5s. on 25th Aug. Trust. W. Carter, coopersmith, Stratford.

Bell, Robert; Ashburner, Charles Edward; and Miller, Thomas, merchants, Liverpool. Trusts. J. Scott, merchant, A. E. Ramsay, cotton broker, and J. Parsons, merchant, all of Liverpool.

Bishop, Charles Thomas, lace manufacturer, Luton. July 19. 3s. 4d. Trust. H. Walker, sen., lace manufacturer, Luton.

Clarido, Antonio John, and Pugh, Robert Henry, merchants, and factors, Birmingham. June 30. 1s. 6d. by two equal instalments at 3 and 6 mos.

Coates, Thomas, beerseller, Bradford. July 6. Trust. G. Walton, manufacturer, Bradford.

Coles Charles, coachbuilder, Fareham. July 6. Trust. J. Blake, bank manager, and H. Clark, merchant, both Fareham.

Cubitt, John, straw hat manufacturer, Luton. June 29. Trusts. J. Wright, straw plait dealer, Luton, and F. Barford, manufacturer, St. Alban's.

Davy, John, victualler, Birmingham. July 18. 5s. by two equal instalments on 18th July and 18th Oct.

Dickeson, Richard, grocer, Dover. July 13. 12s. 6d. by four equal instalments—1st on 1st Sept. and at 3, 6 and 9 mos.—secured. Trust. H. Homer.

Durman, John, yeoman, Privett. July 7. Trusts. J. Christmas Oxenbourne, and B. Alderrow, West Tisted.

Emery, John, grocer, Finnet. June 19. Trusts. P. Keysell, wholesale cheesemonger, Crown-ct. Philpot-la. and C. Teede, wholesale grocer, College-hill.

Field, Sam, chemist, Hull. June 30. Trust. C. Johnson, auctioneer, Hull.

Firth, Alice, innkeeper, Alnwick. June 26. Trusts. H. Sanderson, grocer, and H. H. Blair, bookseller, both Alnwick.

Foulkes, William, draper, Llanddeiniolen. June 29. Trust. A. Jones, wholesale grocer, Liverpool.

George, James Robert, foreman to a bootmaker, Portland-pl. Circus-rd. St. John's-wood. June 18. 1s. by two equal instalments in 3 and 6 mos.

Gifford, Robert, sanitary inspector, Paddington-green west. July 24. 2s. 6d. on demand.

Girling, Amos Orlando, clothier, Queen's-rd. east, Chelsea. July 12. 5s. by two equal instalments at 3 and 6 mos.—secured. Surety, P. McVicker, paper hanging warehouseman, Grosvenor-row, Pimlico.

Greathead, Joseph, merchant, Coleman-st.-bldgs. July 21. Trust. F. Kolers, merchant, Cushion ct. Old Broad-st.

Hewitt, John Massey, tailor, Manchester. June 24. Trusts. T. W. Meers, book-keeper, Hulme, and J. Mather, accountant, Lower Broughton.

Hunt, Robert, grocer, Stanhoe. June 27. Trusts. W. Belding, grocer, Norwich, and J. Thorley, draper, Lynn.

Lambert, Joseph, draper, Birmingham. June 27. Trusts. G. Williams, and J. E. Pawson, warehousemen, both St. Paul's-churchyard.

Lockwood, Alfred, and Farrimond, Frederick Thomas, timber merchants, Chester. July 11. Trusts. W. Crowe, Birkenhead, and E. Rimmer, Liverpool, timber merchants.

Malpass, Thomas, tailor, Holland-rd north, Notting-hill. July 17. 2s. by two equal instalments on 6th Aug. and 6th Nov.—secured. Trust. J. W. Hearne, woollendraper, Edgware-rd.

Mavrocordato, Charles, merchant, Manchester. July 21. 5s. Trust. N. C. Maximus, merchant, Manchester.

McCulloch, Hamilton Scott, schoolmaster, Burton-st. Burton-cres. July 26. 10s. by four instalments of 2s. 6d. each on 17th Nov. next, 17th May, 17th Nov. 1866, and 17th May 1867.

Murchie, John, joiner, Carlisle. July 1. 6s. by three equal instalments on 1st Nov. 1865, 1st March and 1st July 1866—secured. Trusts. G. Ferguson, draper, and G. Coward, printer, both Carlisle.

Nathan, Nathaniel Levy, butcher, Nile-st Hoxton. July 11. 5s by three instalments of 2s., 1s. 6d. and 1s. 6d. at 3, 6 and 9 mos.

Oxley, John James, victualler, Landport. June 28. Trusts. E. M. Wells, maltster, Portsea, and C. G. German, accountant, Portsmouth.

Parfitt, Edmund, brewer, Frome Selwood. June 29. Trusts. T. Cruttwell, gentleman, and W. Smith, accountant, both Bath.

Pearson, William, spring knife manufacturer, Sheffield. July 6. 3s on 22nd July.

Perrin, William Henry, grocer, Marple. June 24. 17s. 6d.—2s. 6d. on 19th July and three instalments of 5s. 0d. each on 6th Nov. 1865, 6th Jan. and 6th March 1866—secured. Trust. H. E. Warren, attorney's clerk, Hyde.

Pollock, Thomas, and Pollock, John, woolbrokers, Leeds. June 27. Trust. J. Reid, gentleman, Leeds.

Pyle, Edward, eating-house keeper and milliner, Fareham. July 18. Trusts. H. Clark, merchant, and E. Cawte, butcher, both Fareham.

Richardson, John, Armley, near Leeds, Richardson, Thomas, Leeds and Richardson, John jun., Armley, cloth manufacturers. July 15. 3s. 4d. on 31st Aug. Trust. W. Glover, cloth manufacturer, Ossett.

Richings, William Harris, attorney's clerk, Staines. July 21. 2s. 6d. in 3 mos. Trust. W. B. Farrand, gentleman, Judd-st. Euston-rd.

Russell, Joseph, ironmonger, Bolton. July 21. Trusts. J. T. Pimley and H. Stuart, factors, Wolverhampton.

Sagar, Thomas, cotton manufacturer, Blackburn. June 28. Trust. J. Haworth, commission agent, Manchester.

Scourfield, William, draper, Merthyr Tydfil. June 29. Trusts. G. Hooper, Wood-st. Cheapside, and W. H. Westhead, Manchester, warehousemen.

Slater, Thomas, ironmonger, Halifax. July 1. Trust. E. Walshaw, dyer, Halifax.

Stevens, James Edward, ladies' outfitter, Clarence-house, Clapham-rd. July 11. Trust. W. Farren, warehouseman, Cannon-st. west.

Taylor, James, boot and shoe maker, Pentonville-rd. July 6. 10s by 16th July, 2s. 6d. by 24th July and 2s. 6d. by 24th Aug.

Tyler, Samuel, victualler, Bristol. July 6. Trusts. W. Hancock and J. A. Oxley, maltsters, both Bristol.

Wallinger, James Nasmyth Arnold, attorney, Fenchurch-st. and Middlesex-rd. Camden-rd. June 28. Trust. J. Cooper, accountant, Coleman-st.-bldgs. Moorgate-st.

Whiffing, William, provision dealer, Liverpool. July 1. 5s.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

Dixon.—On the 31st ult., at Clifton-villa, Brighton, the wife of Septimus Dixon, solicitor, of a son.

Read.—On the 27th ult., in Acton-street, St. Pancras, the wife of David Read, of No. 11, South-square, Gray's-inn, solicitor, of a son.

MARRIAGES.

Hinde—Sunderland.—On the 24th ult., at St. Mary's, Barnsley, by the Rev. C. F. Cobb, incumbent of St George's, assisted by the Rev. H. Day, incumbent of St. Mary's, Walter Henry Hinde, of Sheffield, solicitor, to Ellen Frances, eldest daughter of the late Rev. Samuel Sunderland, vicar of Penistone, and rural dean.

Jones—Davis.—On the 29th ult., at Ilford, H. R. Mansel Jones, only son of Herbert G. Jones, serjeant-at-law, to Emilie, daughter of the late John Davis, of Cranbrooke-park, Essex, and Wellclose, Gloucestershire.

Lamb—Reynolds.—On the 1st inst., at St. Andrew's, Wells-street, Oxford-street, Arthur Henry Woodham Lamb, of the Inner Temple, to Joanna Frances, third daughter of G. W. M. Reynolds, Esq.

DEATHS.

Dwyer.—On the 29th ult., aged 7 weeks, Thomas Henry, infant son of Edward Dwyer, of Burnley, Lancashire, Esq., barrister-at-law.

Parker.—On the 30th inst., suddenly, at 16, Lancaster-gate, Eliza, the wife of Kenson Stevens Parker, Esq., Q.C.

Toswill.—On the 31st ult., aged 24, Charles Speare Toswill, barrister-at-law, of the Inner Temple.

Williams.—On the 24th ult., aged 72, at Monmouth, William Addams Williams, Esq., solicitor.

Investments.

ADVOWSON for SALE.—The Living produces an income represented by four figures. The rectory-house is large, has charming park-like grounds and is situate in a pleasant rural district. The prospect of immediate possession is almost equal to a certainty. For further information apply to J. Satchell, Esq., Solicitor, 6, Queen-street, Cheapside, London.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to George J. Jefferson, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 25, 1865.

DEBENTURES.—The CREDIT FONCIER of MAURITIUS (Limited).

Subscribed Capital £500,000
Paid up and Invested 100,000

This Company is prepared to ISSUE a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from Six to over Seven per Cent. per Annum, according to the length of the term.

The business of the Company is confined to the advance (of loans) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the Articles of Association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's Debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 700,000*l.*

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000*l.* Subscribed 1,000,000*l.*

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances, for long or short terms, repayable with interest, at fixed dates, or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all estates and interest therein, excluding mineral property, factories and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, &c., imposed by or under the authority of any Act of Parliament public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages, and real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. William Napier, Managing Director, the Land Securities Company (Limited), 32, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital £2,000,000
Subscribed 1,000,000
Paid up 100,000

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act 1865, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing 4 per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of real estate, deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estate charged, as certified by a surveyor or valuer appointed by the Enclosure Commissioners for England and Wales, are thus absolutely appropriated to the repayment of the mortgage debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further guarantee of the Company's uncalled capital of 900,000*l.*, so that representing, in fact, fractions of the Company's aggregate of securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under hand only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities thus appropriated, and of the Mortgage Debentures, will be kept in the Office of Land Registry.

Trustees having a general power to invest upon the security of the shares, stocks, mortgages, bonds, or debentures of companies, incorporated or acting under the authority of an Act of Parliament, are authorised by the 40th section of the Act to invest in the Mortgage Debentures.

The Mortgage Debentures will be issued for such periods and for such amounts as may suit investors.

Apply to the Honourable William Napier, Managing Director, Land Securities Company, 32, Charing-cross, London, S.W.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of [illegible] of which 600,000*l.* only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 20th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable or Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

THE MUTUAL LIFE ASSURANCE SOCIETY.

39, King-street, Cheapside, E.C.

WHOLE WORLD POLICIES.—When an assurer will satisfy the Directors that he or she has no prospect or intention of proceeding beyond the limits of Europe, they will grant a permanent licence giving such assurer freedom to travel or reside in any part of the world for a single extra premium of 10s. per cent. on the sum assured; or they will grant a licence on an annual payment of 2s. 6d. per cent., which will remain in force so long as such annual payment is continued.

CHARLES INGALL, Actuary.

ACCIDENTS to LIFE or LIMB, in the Field, the Streets, or at Home, Provided for by a Policy of the RAILWAY PASSENGERS' ASSURANCE COMPANY, 64, Cornhill, London, E.C.

COMPENSATION

Has been paid for 10,000 *Claims.*

1000*l.* in case of Death, or 6*l.* per Week while laid-up by Injury, secured

By the annual payment of from 3*l.* to 5*l.* 5s.

For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,

64, CORNHILL, and 10, REGENT-STREET.

WILLIAM J. VIAN, Secretary.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY,

68, CHANCERY-LANE, LONDON.

Chairman.—Russell Gurney, Esq., Q.C., M.P., Recorder of London.

Deputy Chairman.—Sir W. J. Alexander, Bart. Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of [illegible]

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, [illegible]

IMPERIAL FIRE INSURANCE COMPANY.

No. 1, Old Broad-street, and Nos. 16 and 17, Pall-mall, London.

Established 1803.

Subscribed and Invested Capital and Reserved Fund £1,700,000. Losses paid, 3,000,000*l.*

FIRE INSURANCES granted on every description of property, at home and abroad, at moderate rates.

Claims liberally and promptly settled.

All policies are now entitled to the recent Reduction in the duty to 1s. 6d. per cent., whether covering buildings, furniture, or stock. ANDREW BADEN, Superintendent.

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DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, AUG. 14.

By Mr. Scorell, on the premises, 9, The Paragon, Blackheath.

Household furniture, books, paintings, &c., and lease of the house. Advertised July 29.

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NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. Horace Cox, *the latter at the Strand Office.*

The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the Law Times Reports *will be forwarded by post to any person inclosing* 3*s.* 10*d. in postage stamps.*

"LAW TIMES" EDITIONS of IMPORTANT STATUTES.

SESSION of 1865.

The following are in the Press—

The PRISONS ACT, with Notes and Index. By T. W. Saunders, Esq., Recorder of Bath.

The COUNTY COURTS EQUITY JURISDICTION ACT, with a Treatise on the Law and Practice of Equity as it is to be Administered in the County Courts. By H. F. Gibbons, Esq., Barrister-at-Law, and W. C. Harvey, Esq., Barrister-at-Law.

PATERSON'S PRACTICAL STATUTES of the SESSION of 1865, being the Fifteenth of the Series. By Wm. Paterson, Esq., Barrister-at-Law.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The report still prevails that Lord Chief Justice Cockburn and Chief Justice Erle are to be raised to the peerage. We hope the rumour will prove to be well founded. Never will honour have been better won, and never will it be more worthily worn. It would be received with approval by the public, with acclamation by the Profession. It is said also that the Chief Baron will retire, and there is some talk of his example being followed by Baron Martin and Mr. Justice Crompton. Should this be so, there will be another great movement at the Bar. The Solicitor-General will probably go to the Exchequer as Chief Baron. But speculation is quite at sea as to the new Judges. Doubtless Mr. Lush, Q. C., would be one of them. Lord Chanworth is understood to be averse to the practice of making judgeships the reward of partisanship. We would prevent it effectually by prohibiting any M. P. from becoming a judge while in possession of a seat in Parliament, or for one year afterwards.

We invite attention to the case of Mr. Elias Isaacs, the oldest Solicitor in England, who has attained the venerable age of ninety, and has fallen into poverty. A subscription is being raised to assist him and a wife and three daughters who are still dependent upon him. Messrs. Pritchard and Collette have undertaken the collection, and the leading firms are setting a liberal example which we trust will be extensively followed.

We give the memorial a place here:

The Memorial of Mr. Elias Isaacs, *late of No.* 33, *Jewry-street, Aldgate, but now of No.* 23, *Regina-road, Hornsey-road, Attorney and Solicitor,*

Sheweth,—That your memorialist was admitted an attorney and solicitor in the year 1797, and is now upwards of ninety years of age.

That owing to severe pecuniary losses and the expense consequent upon the education and bringing up of two families, your memorialist has not had it in his power to make any provision for himself or children in his declining years.

That your memorialist has a wife and three daughters by a second marriage all totally dependent upon him for support, and the only means at his disposal consist of a sum of four pounds per month allowed him by a son by first marriage.

That your memorialist's infirmities of mind and body owing to his advanced age have for the past two or three years rendered him incapable of further exertions for his own and children's support; but it has been suggested that, if through the kindness of the Judges, counsel and members of his own Profession, a small fund could be raised to establish his three daughters in business as milliners (for which occupation they are well adapted), they may through their exertions be enabled to support themselves and thus relieve their father from a duty which circumstances and his very advanced age have rendered him wholly unable to perform.

That, in order to assist the accomplishment of the above object, Messrs. Pritchard and Collette, of No. 57, Lincoln's-inn-field's, W. C., Solicitors (and who have known your memorialist through a long course of honourable practice), have kindly consented to become the recipients of such such pecuniary aid as the different members of the Profession may in their liberality kindly entrust to their care, in order, if possible to carry out the before-named objects.

E. Isaacs.

(Copy.)

	£	s.	d.
Lawrance, Plews and Bowyer	5	5	0
Alfred Jones	5	5	0
J. Morris (Ashurst, and Morris)	5	5	0
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Davidson, Carr and Bannister	5	5	0
Venning, Naylor and Robins	5	5	0
Geo. W. R. Potter	5	5	0

An addition is to be made to the list of Lawyers returned to the new Parliament, viz.:

North Northamptonshire...George Ward Hunt, Esq.

Mr. Henry Danby Seymour, M.P. for Poole, was mistaken for Digby Seymour, Q. C., ex-M.P. for Southampton.

The *sixth* of the new equitable jurisdictions of the County Courts is:

6. *In all proceedings relating to the maintenance and advancement of infants, in which the property of the infant shall not exceed in amount or value the sum of five hundred pounds.*

This jurisdiction is purely administrative. There was no need to limit its amount. The court that is competent to deal with a property of 500*l.* is equally competent to deal with 5000*l.* It is the exercise of the discretion of a sensible man, not altogether at his will, but controlled by certain rules established by a series of decisions. Even in the largest of the new jurisdictions there is not given to the judge a perfectly free will. He must act in accordance with the recognised practice of the Court of Chancery, and therefore both judge and practitioner must learn that practice before they can dispense justice satisfactorily in the County Courts.

7. *In all suits for the dissolution or winding-up of any partnership, in which the whole property, stock and credits of such partnership shall not exceed in amount or value the sum of five hundred pounds.*

There is none of the new jurisdictions calculated to be more largely beneficial than this, and yet there is none that is practically so restricted. In nominal amount the same as the others, it falls in fact far below them. A single contract of the value of 500*l.* can be enforced by the County Court, although it may turn on mere questions of law; one trust-estate of that amount may be administered, or a mortgage foreclosed or redeemed; but a partnership cannot be dealt with if, though made up of small debts and items of property, no one of which singly amounts to 20*l.*, all of them together exceed 500*l.* The jurisdiction is not even to be calculated on the balance of assets after payment of debts; but, if the partnership assets, inclusive of credits, amount to 500*l.*, the jurisdiction is ousted. It must be a very small concern indeed to come within the limit of this provision. Probably nine-tenths of the cases for which this improvement in the law has been so urgently required will be excluded from its benefits by a restriction for which it would be difficult to assign any satisfactory reason. The ruinous result of a suit for dissolution and winding-up of a partnership has long been the subject of complaint among the mercantile class, and they will be grievously disappointed to discover how the hope of a remedy, that was held out to them when this law was introduced, will be dashed by the ill-judged limitation of its benefits to a mere fraction of the cases for which it was sought.

And here may be noted a difficulty that must be of frequent occurrence. The jurisdiction is given where the sum total of the partnership property, including book-debts, does not exceed 500*l.* How is this fact to be ascertained? In all cases the book-debts are an important item in the assets. In all cases the book-debts are of very uncertain value; some are bad and some are doubtful; there is always *upon the books* an accumulation of debts, desperate indeed, but which the trader is reluctant to strike out of his list while a possible chance of recovery remains. How are the book-debts to be estimated for the purpose of jurisdiction? Are good, doubtful and bad to be counted together? If to be separated, who is to determine what are good and what bad? If some of them should be counted as bad and afterwards proved to be good, and so cause the assets to exceed 500*l.* after the court has possession of the suit, is the jurisdiction to be thereby ousted? And if from any such cause the assets should turn out to be 1000*l.* instead of 500*l.*, is the County Court to proceed, or what is to become of the case?

8. *In all proceedings for orders in the nature of injunctions, where the same are requisite for granting relief in any matter in which jurisdiction is given by this Act to the County Courts, or for stay of proceedings at law to recover any debt provable under a decree for the administration of an estate made by the court to which the application for the order to stay proceedings is made.*

It will be observed that the jurisdiction is not given for injunction generally, but only for injunctions required to give relief in a suit otherwise within the jurisdiction, such, for instance, as to restrain a mortgagee from selling; a trustee from doing an act that is a breach of the trust into which the court is inquiring; a partner from collecting the partnership debts, or giving bills in the partnership name, and so forth.

These are the eight jurisdictions which the new Act has vested in the County Courts. Their variety and extent will surprise the practitioner, and ought to alarm the judges who are thus suddenly call upon to deal with a branch of the law wholly novel to most of them, and not to be learned in a month or a year. It will be very interesting to note the extent to which the public avail themselves of the benefits that have been provided for them. Upon the solicitors, and especially upon the country practitioners, this new law will be mainly dependent for success. It is in their power to make or mar it. The solicitors who have avoided the County Courts hitherto must go into them now; and let us entreat them to do so with hearty goodwill and a resolve not merely to throw no obstacles in the way, but to smooth the difficulties that must inevitably attend the first setting to work of new machinery. They can carry business into the County Courts, or keep business from them; for in such cases the client will be led by his solicitor.

At the beginning much forbearance must be exercised on all sides, and unavoidable errors excused alike on the part of the judge, the registrar, and the practitioner. These must consent to take counsel together how best to carry the new law into operation, instead of seeking to take advantage of errors, from which it is certain that none will be free while they are all learning a new and difficult lesson.

To aid them in this process we propose to devote a department of the Law Times to the exposition and application of equity in the County Courts, and to queries, answers, and correspondence for mutual aid and enlightenment. Competent equity lawyers will assist in this work, diffusing a knowledge of so much of equity law as will be required in the County Courts.

The Act comes into operation on the 1st Oct. The practice under it is wholly left to be regulated by rules which are to be framed by the committee of County Court Judges, and until these are issued, all books and treatises on the subject will be worse than worthless.

We shall next proceed to consider the other parts of the Act, as they bear on the jurisdictions that have been described.

A Scotch newspaper has published a narrative of Constance Kent's crime and its origin, which is false almost in every particular. The murder was accomplished thus, as we have it from the

best authority: She had previously secured one of her father's razors. When the household was hushed in sleep she left her room in her night-dress, but wearing a pair of goloshes, and first descended to the dining-room and opened the window. With a tread rendered perfectly inaudible, even to a waking ear, by the covering of the feet, she re-ascended the staircase and stole into the room where the child was lying asleep. Lifting him gently from his cot with the flannel in which he was wrapped, she glided with him in her arms, and still slumbering, down the stairs, intending to throw him into the privy while still senseless and covered with the folds of the blanket. The privy was constructed with a sloping board below, which prevented her sleeping burden from passing without pressure. In applying force for this purpose the child cried. In a fit of desperate resolve to complete the terrible tragedy she had begun, she seized the razor, which was very sharp, and inflicted a deep stab in its breast as it lay on the privy board; then all was still, and she thrust her victim into the pit, wiped the bloody razor on the pieces of newspaper that were found in the privy, returned to the house, closed the window, walked about the room to make the marks of the footsteps that were observed there, and then returning to her own bedroom she burnt the night shirt she had worn, put on a clean one, and to account for the number that should have been in her possession, she abstracted the night shirt from the clothes basket, as appeared by the evidence of the servant and the washerwoman. The motive for the crime was a desire to avenge herself on a hated mother-in-law by killing her pet child, but no ill-treatment, as alleged, gave even a pretence for the aversion. It was the not uncommon prejudice against a step-mother working on a morbid mind. Only a woman could have conceived or contrived such a gratification of it.

The jurors of Surrey have good cause for complaint, that upon them is cast the burden of the civil business of the metropolis. The number of cases entered for trial at Croydon was enormous, far beyond the capacities of the most industrious judges to despatch, very inconvenient to counsel, and we should think far from being agreeable to suitors. Two extra courts were set to work, and, as usual, there was a marvellous inclination to settle *bonâ fide* litigation without incurring the cost and trouble of indefinite delay. But after all this process of elimination, and when the four courts had been sitting diligently, there still remained upwards of one hundred causes for trial, the majority of them being special jury cases, and therefore, it may be presumed, of some importance, and likely to occupy a considerable time. This state of things is bad for the suitors upon whom the costs will fall, but it is worse for the jurymen, grand and petty, who are detained from their home affairs for so many days, possibly even for weeks, about the affairs of other people. Even this might be endured if the business was out of their own county, on the principle of mutual help. But no such consolation is open to the jurymen of Surrey. The vast expense and inconvenience are imposed upon them by strangers—by suitors living in London, who contribute nothing to their rates, and will not repay their sacrifices by similar services given to them. This is very unjust and calls loudly for a remedy. The most practical would be that we have often urged, and which we had hoped would have formed a part of the recent circuit reform, namely, the conversion of the Central Criminal Court district into a Nisi Prius district, a session being held monthly. There would then be no excuse for the scandalous imposition of the burden of the London business upon a neighbouring county; and many other advantages would result from the change, which we have not time now to enumerate. It would compel the addition of two common law judges to the present number, but these are urgently required as it is, and the reform we suggest would not be the less acceptable because bringing the other in its train.

In compromises made between litigants by their solicitors, *Green* v. *Crockett*, before Lord Cranworth, reported in our present volume, p. 749, raises a point which was not mentioned in *Prestwick* v. *Poley*, p. 390. On the latter case some comments were made in this journal of May 27th and June 3rd. Its circumstances were simply, that before trial of an action in the Common Pleas to recover the price of a pianoforte, an arrangement was made between the managing clerk of the plaintiff's attorney, who had charge of the case, and the defendant and his attorney, for settling the matter by the defendant's returning the piano and paying the costs. The plaintiff, having given no instructions for a compromise, insisted on proceeding; but the defendant obtained a rule to stay proceedings, which was made absolute. In the present case, the cause and a cross-cause having been allowed by the Lord Chancellor to stand over with a view to a reference, the London agent of the defendant's solicitor wrote to the agent on the other side, "without prejudice," that it was the defendant's wish to leave to Mr. Malins and Mr. Jessel, the leading counsel for the defendant and plaintiff respectively, to say what course should be adopted for the termination of the suits, and asked that Mr. Jessel might be instructed accordingly. The agent answered that he had instructed Mr. Jessel, and a consultation was held, at which the managing clerk of the defendant's solicitor's London agent stated that this agent had received a written communication from the defendant's solicitor that the defendant had authorised Mr. Malins to arrange; terms were discussed, and minutes were drawn and signed by both counsel. The defendant declined to be bound; upon which the plaintiff petitioned that the compromise might be confirmed, and a decree be made in accordance with the draft minutes. But the Lord Chancellor did not think he had power thus to enforce the compromise; there was no order of the court whereby what counsel might decide upon could be made binding on the parties. He gave no opinion whether the agreement was capable of being enforced by bill for specific performance, but it was not to be treated as an agreement made in the cause, or as one made in court. Proceeding by bill for specific performance, it may be remembered, was adopted in the *Swinfen case*.

These cases before the Common Pleas and the Lord Chancellor, although decided with different results, were similar as to the agreements not being made in court; but there is this distinction, that in *Prestwick* v. *Poley* the arrangement was made by the plaintiff's solicitor in virtue of his implied general authority to compromise; but in *Green* v. *Crockett* the contemplated arbitration might be regarded as a special course interfering with the otherwise implied general authority. There ought afterwards, it would seem, to have been some step taken in court equivalent to making a submission a rule of court. The minutes should at least have been assented to in court. Whether the two cases can be reconciled or not, the present shows the advisableness, at least in equity, of not putting too much faith in agreements between the legal advisers of parties, unless they are made with, or until they have the cognisance of the court.

The Stock Exchange, we are glad to see, is exercising its powers to check such practices as those in the Scottish and Universal Finance Bank (Limited), recently brought before the Profession by *Ship's case*, 12 L. T. Rep. N. S. 256. The prospectus, as Lord Justice Knight Bruce described it, after a good deal of flourish and ornamental recommendation of the scheme which it held forth, stated the objects of the company to be eight, every one of which was the ordinary business of banking, or consistent with the establishment of a bank. But the memorandum of association defined the objects as being the transaction, in Great Britain and foreign parts, of every kind of business; purchases and sales of ships; to take concessions of, or lease or work railways, or other undertakings: to amalgamate with or absorb any other company or business, whether English or foreign; and so on. The case was so bad that Vice-Chancellor Wood said, "How any persons having any character to lose could think themselves possibly authorised to put down a gentleman's name upon the register upon such a prospectus of a company like this, is really a thing which, except from the experience which one has in this court, one would have thought absolutely inconceivable. But that is done." Something of the kind, although, we hope, not in the same degree, appears to have been done by the Russian Iron Works Company (Limited); for the Stock Exchange Committee, according to the City news in the *Standard* of the 8th, have resolved that, in consequence of a "material variation" between the prospectus and the articles of association of that company, a settlement in its shares be refused. The example of being refused a settling day is not likely to be lost on promoters. Whether such a variation arises from a too luxuriant confidence, which, for aught we know, may be the case with the present company, or from a more objectionable motive, the public, which reads the prospectus, but does not read the memorandum of association, is equally over-reached, and equally entitled to protection.

The surprise expressed by Lord Chelmsford in *Jones* v. *The Mersey Dock and Harbour Board* (12 L. T. Rep. N. S. 643) on appeal lately in the House of Lords, will be shared by our readers, that there should arise at the present day, after more than two centuries and a half from the passing of the Act for the Relief of the Poor, a necessity for interpreting any part of that Act. It is the more surprising that such a necessity should exist respecting a main word in the leading section. The 43 Eliz. c. 2, s. 1, provides that the parish overseers shall take order for setting to work the children of parents unable to maintain them, also for setting to work those persons who cannot gain their living, and also for raising by taxation of every inhabitant, parson, vicar, and other, and of every occupier of lands, houses, &c., in the parish, in such competent sums as they shall think fit, a convenient stock of flax, &c., to set the poor on work, and also for the relief of the lame, &c., being poor and not able to work, and for putting out children apprentices, to be gathered out of the parish according to its ability. The word the meaning of which has not been settled during this length of time is "occupier." The question was, whether the Mersey Board was an occupier within the Act.

The circumstances under which the question arose were, that the dock estates on both sides of the Mersey were by an Act of 1857 consolidated in the Board. The Liverpool docks had been originally constructed, in Queen Anne's reign, in land which was in part shore, but in the greater part land and buildings then occupied by persons assessable to poor-rate. The statute from that time described the estate in the docks as a public trust. The moneys received were to be applied in conservancy and private expenditure, and, save as provided by the statute, not to any purpose, unless the same conduced to the benefit of the shipping, or were for discharging debts contracted for that purpose. The dock duties were to be applied to building and maintaining the docks, and paying off debts, after which the rates were to be reduced. No member of the board derived any private advantage from the trusts. The Courts of Common Pleas and the Exchequer Chamber held that the board was not rateable. The appeal was from this decision. There was also an appeal heard with it, in relation to the Birkenhead docks, the *Mersey Board* v. *Cameron*, where the circumstances were substantially the same, except that previously to the consolidation in 1857 the Birkenhead docks, according to a decision of Lord Campbell, were rated. These docks the Common Pleas and Exchequer Chamber held to be rateable. The practical result of a series of conflicting decisions during eighty years, from the time of Lord Kenyon's chief justiceship, was that while the foundation of the law in the cases of both docks was precisely the same, namely the 1st section of the Act of Elizabeth, the docks on the one side of the Mersey were rateable and on the other side were not rateable. Although, as we have seen, there was no exception at all in the Act, exemptions had from time to time been admitted or not admitted by judges on the grounds of the occupation being that of trustees and not beneficial, or being for a public purpose, or that the special Act had declared that the tolls or moneys received should be applied to certain purposes and no other purposes, or that after satisfying certain purposes the tolls or charges should be diminished, or that there was power or there was not power to raise them again. Attempts to keep inconsistent law consistent with itself produced those subtleties, not to say absurdities, of distinction which frequently cast discredit on the case law of this country, and make it often a grievous snare to the suitor. At length, in some cause of sufficient importance, or between some parties of sufficient means, the matter is carried to the House of Lords and the pernicious cobwebs are swept away. The numerous cobweb cases on the subject of the exemption

of bodies occupying in a fiduciary or public character from payment of rates have been so *fully* reckoned, so concisely stated, and so clearly arranged in order of time by Lord CHELMSFORD, that to go through them here would be to repeat the greater part of his judgment. It will be more profitable to note the conclusions of the judges, who were consulted and delivered their opinion, and those of the peers, which were based on that opinion, and will determine the law on the subject for the future.

The only occupier exempt from the Act is the King, because he is not named; and the immediate servants of the Crown, whose occupation is the occupation of the Crown itself, come within the exemption. Thus, where property is occupied for the purpose of the Government of the country, including under that head the police, and the administration of justice, no one is rateable in respect of such occupation. It has been decided by cases mentioned in the Judges' opinion, that this applies not only to property occupied for such purposes by the servants of the great departments of State, as the Post-office, the Horse Guards, or the Admiralty, but also to property occupied by local police, to county buildings occupied for the assizes, and for the Judges' lodgings, or occupied as a County Court, or for a gaol. It is only in this respect that the public purposes of the occupation confer an exemption from the operation of the Act. But this exemption depends entirely on the occupier. The tenants of Crown property paying rent for it are rateable; and where apartments in a Royal palace are gratuitously assigned to a subject, who occupies them by permission of the Sovereign, for his own benefit, the subject so occupying is rateable.

As respects occupiers generally, the Act (regard being had to the Parochial Assessment Act, 6 & 7 Will. 4, c. 96) applies to every occupation which is of property yielding, or capable of yielding, a net annual value—that is to say, a clear rent over and above the probable average annual cost of the repairs, insurance and other expenses, if any, necessary to maintain the property in a state to command such rent. It is in this sense that beneficial occupation is to be understood in relation to rating. It is not necessary that the occupation be actually beneficial to the occupier; it is sufficient if it be capable of yielding a clear rent. By the Act the taxation is to be on every occupier "according to the ability of the parish." The productive occupations of the several occupiers within the parish make up its aggregate ability. If an occupier derives no benefit of any description from his occupation, it forms no part of the general ability of the parish; but if it is productive (although not profitable to the occupier), there is nothing in the Act which requires the overseers to follow the produce in its subsequent application. The receipt of it constitutes the visible ability of the occupier.

In consequence it was decided on the appeal that in respect of the Liverpool as well as the Birkenhead Docks the board was rateable.

The lamentable confusion which previously existed in the cases between public purposes, as they are public in relation to the Crown or to public bodies, and between beneficial occupation, as it is beneficial in relation to the fiduciary character of the occupier, or to the valuable character of the property, reminds us strongly of what Lord Chancellor WESTBURY told the House of Lords about case law in the session of 1863: "A case is decided, say, by a Vice-Chancellor, or by one of the courts of law at Westminster. The decision may be bad, but one of the parties to the litigation may not have the means of appealing against it, and so it is not corrected by a higher court. Then this bad law is recorded in the reports, and passes unnoticed for three or four years. It is then cited as a precedent before another judge. That other judge says, 'I find that Mr. Justice A. B., or Mr. Vice-Chancellor C. D. decided a case from which the case before me cannot be distinguished;' and thus a bad precedent is accepted and confirmed." To remedy the evil Lord WESTBURY proposed an annual revision of the reported cases, with power to determine what was to be regarded as entitled to authority, and what ought not to be quoted thereafter for the purpose of determining the law. If anything could have justified such a proposal it would have been the case law on rateability. But we confess that we do not see our way to the constitution of Lord WESTBURY's gratuitous appeal agency, even though it be plausibly dignified with the name which he would give it of a "Department of Justice."

REPRESENTATIVE REFORM.

No. II.

ALL the schemes yet produced have embraced one or more of the following objects:

1. The extension of the franchise.
2. The redistribution of the representation.
3. The manner of taking the votes of the electors.

Not a year has passed since the Reform Act without witnessing projects of change in its provisions. The ballot was demanded by a powerful party during the progress of that great reform. But the popular cry was for "The Bill, the whole Bill, and nothing but the Bill," and even improvements and extension of its principle, such as the famous CHANDOS clause, giving votes to tenants of 50*l.* per annum, was firmly resisted by the Reformers, although wholly against their principles, because it was looked upon as violating the integrity of the scheme and opening a door for other changes.

The very first session of the Reformed Parliament witnessed demands for vote by ballot, triennial Parliaments and universal suffrage. But the leaders of the Reformers discountenanced all endeavours to change the work they had done. Mr. GROTE continued to make an annual motion for the Ballot, with varying minorities, as Mr. BERKELEY has since done; but this was the only project for further reform that received even a respectful hearing in the Parliament for many years.

Out of doors, the cry for further change was almost monopolised by the Chartists, whose three points were asserted as the only concession that would satisfy "the people." These three points were, Universal Suffrage, Vote by Ballot, and Annual Parliaments. As it was declared by the Chartists that nothing less than these would be accepted, of course all endeavours to procure any lesser changes were abandoned by the more moderate Reformers.

But the Chartist organisation was dissolved soon after the abortive attempt at a revolution on that memorable April day when all London assumed the policeman's bâton for the protection of society, and very soon afterwards the question of Reform was revived by more moderate politicians, and thenceforth there was manifested a growing endeavour to make reform in Parliament the battle-field of parties. When the Conservatives were in office, it was invariably used by the Opposition for the purposes of popular agitation, though always laid aside as soon as the object had been obtained and office recovered. When the Whigs were in power Reform was not invoked by them, but it was never permitted to be forgotten for a single session, for the Radicals remained true to its advocacy, although in hopeless minorities. It was said satirically that they were faithful to it because they had no prospect of success; that they did not desire it, but that it was convenient to win popularity by advocating what they would have dreaded as much as those whose sense of duty compelled them to oppose it.

The first substantial project of Reform proceeded from Lord JOHN RUSSELL, and had the effect of driving Lord PALMERSTON from office, because he disapproved it. It reduced the county franchise to 10*l.*, the borough franchise to 8*l.*, and swept away a number of the small boroughs. It never got out of committee. The next Reform Bill was that of Mr. DISRAELI. It proposed to reduce the county franchise to 10*l.*, it made no reduction of the borough franchise, but introduced lodgers, persons having money in the savings bank, and some other of what were called "fancy franchises," viz., admitting about half-a-million from among those who have intelligence and property.

This measure was defeated by the Radicals because it did not go far enough in the direction of Democracy. Lord DERBY was turned out of office and Lord PALMERSTON succeeded him.

Another Bill was now produced, but it fell considerably short of Lord JOHN RUSSELL's scheme. It proposed to deal with the franchise only, reducing the borough franchise to 8*l.*, and the county franchise to 10*l.* But it met with even greater hostility than Mr. DISRAELI's Bill; for its most powerful assailants were found on the ministerial benches. The debate was indeed almost monopolised by the Liberals, one-half of whom denounced it as certainly conducting to Democracy, and therefore destructive in its results, and the other half protesting that it did not go far enough, and was too small a concession to Democracy to be worth the struggle necessary to carry it. The debate was protracted for nine weeks, and then the Bill was quietly withdrawn.

Since that time the question has been subjected to a singularly fair and calm discussion by the press, and there being men of all parties recognising its vital importance and the terrible consequences of any mistaken action, then have treated of it with an honest desire to arrive at some practical conclusion. Although no definite plan has received anything like general approval, much has been done towards clearing the ground for action. A host of fallacies has been swept away, and notably that most plausible but false assumption that the franchise is a right. All schools of political philosophers, including Mr. MILL and Mr. LOWE, have arrived at the conclusion that it is wholly a question of expediency, that there is no inherent right to the possession of a vote, and that the problem to be solved is, to what classes or persons can it be given with the greatest advantage to the whole community? This is a great point gained, for it narrows the question immensely and throws upon the projectors of changes the proof that such changes will be beneficial; whereas the assertion put forth by Mr. GLADSTONE, that the franchise is a right, throws the onus of proof upon the objector that any man or class of men is unfitted for its exercise—a process so invidious that patriotism itself could scarcely dare to face the odium of it.

The introduction of Mr. BAINES's Bill for reducing the borough franchise to 6*l.* was the signal for the outburst of the convictions that the previous discussions had produced, which startled the whole country, and caused that remarkable toning down of all promises on the subject of the franchise and the ballot which was so manifest in the addresses and speeches of the candidates who did not avowedly belong to the Democratic section of the Liberal party.

Let us next see what are the propositions at present before the country, as they have emanated either from individuals or parties. Their number and variety will show how much thought has been given to the subject.

THE EASEMENT OF LIGHT—SIR HUGH CAIRNS' ACT.

THE legal contest which is growing daily between opposite neighbours in cities and towns, about the enjoyment of window-light on one side of the street and the right to build with modern loftiness of elevation on the other side, has twice lately been brought to the attention of our readers. The case of the *Curriers' Company* v. *Corbett*, V.C. K., 12 L. T. Rep. N.S. 169, noticed on the 15th April, furnished information on the law where there has been an alteration in the aperture of a statutorily indefeasible window, also where there has previously been unity of ownership in the two tenements, as well as on the law of mandatory injunction in maintenance of such a window; to the last-mentioned head we shall now have occasion again to refer. Alteration of the aperture, too, was the subject of *Tapling* v. *Jones*, H. of L., 12 Ib. 555, noticed by us the 1st July, which may be regarded as the leading case on that branch of the law relating to the enjoyment of light. But the question which occupies more general attention, from its vital importance to the improvement of building and to the economy of ground, and from its consequently frequent occurrence, particularly in the last few months—two cases being reported in our last number—is this: Under what circumstances will the Court of Chancery exercise the power newly given to it by Sir Hugh Cairns' Act (21 & 22 Vict. c. 27) of awarding damages, instead of its ancient power of preventive injunction to restrain a servient building from being raised beyond a certain height, or of mandatory injunction, not to suffer the excess in height to remain, that is, in other words, to order the excess to be pulled down? The matter will be best understood by observing, from the principal cases decided since the Act came into operation, how the application of it has from time to time been gradually made. Afterwards such principles as are involved in the cases can be deduced in the most intelligible manner.

The 2nd section of the Act provides that, in all cases in which the Court of Chancery has jurisdiction to entertain an application for an injunc-

tion against, among other things mentioned in the section, the commission or continuance of any wrongful act, the court may, if it shall think fit, award damages to the party injured, either in addition to, or in substitution for, such injunction, and such damages may be assessed in such manner as the court shall direct. For the assessment of the damages, or the trial of any question of fact which arises, the court may, by the 2nd section, have a special or a common jury; or, by the 5th section, the court, if it thinks fit, may itself assess the damages or try the question; or, by the 6th, may have them assessed before a common law judge, or a sheriff. With this Act there should be connected Mr. Rolt's (25 & 26 Vict. c. 42), depriving the Court of Chancery of the power of sending a case for the opinion of a court of law, and strengthening its power for trial of facts.

Before coming to the cases decided under Sir Hugh Cairns' Act, or in which that Act has been expounded, the example furnished by a singular case on light of the principle—the balance of inconvenience—which controls the jurisdiction in injunction, should be noted. In *Jacoub* v. *Knight*, 8 L. T. Rep. N. S. 412, the plaintiff since 1857, and his father before him since 1845, occupied a house, with enjoyment of certain light and air, as tenants from year to year, by parol, under persons who were also lessors to the defendants of the next house, by a lease granted to them in 1862, with the right of making alterations in the house so leased. They accordingly built in their yard, and shortly after began to add a story to the new building, for a "photographic studio," which obstructed the plaintiff's light and air. After the filing of the plaintiff's bill the lessors gave him notice to quit, and his tenancy had then about a year to run. The Master of the Rolls, on the ground that a grant of a house by parol was a grant of it with all the easements which would have been ordinarily included in a lease, granted a mandatory injunction obliging the defendants to pull down the studio (although they would be able to put it up again at the expiration of the plaintiff's tenancy), and added that the only question upon which he thought there could be any difficulty was as to the amount of damage sustained by the plaintiff. On a subsequent day he said he had considered the question of damages, but the decree was made only with costs. This decision was reversed by the Lords Justices (Ib. 621). Lord Justice Knight Bruce, considering the nature and extent of the plaintiff's interest, especially when the balance of inconvenience on the one side and the other was also considered, did not think an injunction necessary, especially as the plaintiff could recover compensation in damages. The nuisance was not of such a nature as to interfere with health and comfort; on the evidence the damage was not serious. But if any such damage had been done as would entitle the plaintiff to recover in an action, the inconvenience of granting an injunction greatly preponderated over the inconvenience of not granting one. Lord Justice Turner also thought that the case was not one which would justify the interference of the court. It was not every slight diminution of light and air that the court ought to be called on to restrain. The bill was dismissed without prejudice to the right to an action at law, but no costs were given. The Lords Justices followed the old law. If there was no substantial interference with the health, comfort, or convenience of the occupants of the dominant tenement, the court used not to entertain the case at all, but left the party to his damages at law. Lord Eldon, in *The Attorney-General* v. *Nichol*, 16 Ves. 341, said that cases might exist upon which the court could not interfere, yet an action on the case might be very well maintained. The foundation of the jurisdiction, interfering by injunction, was, that head of mischief, that sort of material injury to the comfort of the existence of those who dwelt in the neighbouring house, requiring the application of a power to prevent, as well as remedy an evil, for which damages, more or less, would be given in an action at law. The question was, whether the effect of the building was such an obstruction as the party had no right to erect, and could not erect without those mischievous consequences which, upon equitable principles, should be not only compensated by damages, but prevented by injunction. He repeated the observation of Lord Hardwicke, that diminution in the value of the premises was not a ground for injunction, and there was as little doubt that the court would not interpose upon every degree of darkening ancient lights and windows. There were many obvious cases of new buildings darkening those opposite to them, but not in such a degree that an injunction could be maintained, or an action on the case, which, however, might be maintained in many cases which would not support an injunction. This doctrine was approved of by Lord Cottenham in *Squire* v. *Campbell*, 1 M. & Cr. 459, and by Lord Westbury in *Jackson* v. *The Duke of Newcastle*, 10 L. T. Rep. N. S. 635. There the subject was the darkening, by the duke's wall, of a back room in what, as to appearance and extent, was an insignificant house and premises, but was placed in a very valuable situation (Cockspur-street) for the purposes of business, and was then occupied as a grocer's shop. Lord Westbury observed, with regard to the ground of injunction, that it was not in every case in which an action could be maintained for an obstruction of ancient lights, that an injunction would be granted by a court of equity. Something more was required than that amount of injury for which damages might be recovered at law. He understood Lord Eldon to mean, that where the darkening of the ancient windows of a dwelling had materially injured the comfort of those who dwelt in it, the court would interfere by injunction. That rule or standard would have no application to a manufactory or business premises which were not occupied otherwise than for the purposes of some trade or manufacture. But upon a similar principle, where the obstruction of the ancient lights of a manufactory or of business premises rendered the buildings to a material extent less suitable for the business carried on in them, it was a case for an injunction, and not merely for compensation in damages. The foundation of the jurisdiction appeared to be, that injury to property which rendered it in a material degree unsuitable for the purposes to which it was then applied, or which lessened considerably the enjoyment which the owner then had of it: the court considered that an injury of that nature did not admit of being measured and redressed by damages. The observation of Lord Eldon, that "a diminution of the value of the premises was not a ground," was qualified by Lord Westbury, having regard to what Lord Hardwicke had said, to mean, that the shutting out of a view or prospect would not afford a ground for the interference by way of injunction, even though it were attended by a diminution of the value of the premises. Such are the opinions of successive Chancellors on the ground of the Chancery jurisdiction which existed independently of the Act, and must exist in any particular case before injunction can become applicable. So, too, in *Johnson* v. *Wyatt*, 9 L. T. Rep. N. S. 618, Lord Justice Turner thought the question of injunction depended on the degree in which the light and air coming to the plaintiff's house was or would be obstructed by the erection in question. It was scarcely necessary to say that the court would certainly not interfere by way of injunction in a case in which no damages could be recovered at law. Perhaps it might be said that the court would not so interfere in a case in which, although damages might be recoverable at law, the amount to be recovered would be trifling and inconsiderable; but as that was a question on which, as applying to cases of nuisance, there had not been an unanimity of opinion in the court, he left that point untouched. He thought that, at all events, a plaintiff was bound to show that the obstruction to the light and air which he called on the court to prevent was such as would render the house occupied by him, if not of less value, less fit, or at least substantially less comfortable for the purposes of occupation.

On the general policy and intention of Sir Hugh Cairns' Act, it was held by Wood, V. C., that the Act was not intended to operate as a transfer of jurisdiction to the Court of Chancery in every case: (*Wintle* v. *The Bristol Railway Company*, 6 L. T. Rep. N. S. 20; 10 W. R. 210.) In like manner, the Master of the Rolls expressed his opinion in *Howe* v. *Hunt*, 7 L. T. Rep. N. S. 124, that the Act was never intended so to operate as to transfer the jurisdiction in a simple case of damages from a court of law to the Court of Chancery. The change which the Legislature designed to make was explained by Stuart, V. C., a few days after Mr. Rolt's Act was passed, in *Beardmore* v. *Tredwell*, Ib. 207, that the law of the court was, till recently, that where injunctions were applied for in support, and for the protection of a common law right, the court almost invariably, if the common law right had not been established by an action at law, imposed it by a term upon the party who had protection in the matter, that he should bring an action at law. The harassments and expense of litigation in that mode of dealing, which might be suitable enough in some cases, were so extreme in many instances, that the Legislature had found it necessary to interfere. The Legislature had not taken away from the court the power of directing an action at law, or the power of directing a jury to try a question of fact; but the Legislature had said that the court should have power itself to decide questions of law without directing an action, and had said, moreover, that, upon the question of damages, the court should itself have power of assessing them. The same Vice-Chancellor, in *Wedmore* v. *The Corporation of Bristol*, 7 L. T. Rep. N. S. 459, did not consider that the word "jurisdiction" in the 2nd section of Sir Hugh Cairns' Act was to be confined to cases in which the right to an injunction was established: nor that, unless the right to that mode of relief, for which damages might be substituted, was established, the power of the court was not enlarged. But his impression was, that so narrow a construction would defeat the intention of the Legislature; even if the court might think the nature of the act sought to be restrained and the intention of the parties was such that it might be too severe a thing to grant an injunction, and would therefore have refused it on the balance of hardship, although there might seem enough to entitle a plaintiff to damages at law, in such a case the court had now jurisdiction to award damages. The Act did not apply only in those cases in which the court was of opinion that the plaintiff had shown a right to an injunction upon the merits of the case; because if he had shown such an injury as could be properly compensated for in damages, the court had power to award them under the section without granting an injunction. Wood, V.C. also put a liberal interpretation on the new jurisdiction; if a bill was at the time of filing it maintainable, it did not matter that, from anything which had happened afterwards, the relief on which the claim to damages depended could no longer be asked for. It would be hard to say that, change of circumstances depriving plaintiff of the one, without affecting his right, he should therefore lose the other. The object of the statute was to enable the court to do complete justice: (*Cory* v. *The Thames Ironworks Company*, 8 L. T. Rep. Rep. N. S. 237.) Similar to the opinion expressed by Stuart, V. C., in *Wedmore's* case, were the opinions of the Lords Justices in *Eastwood* v. *Levers*, 9 L. T. Rep. N. S. 615. Under the circumstances of that case, it appeared to Lord Justice Knight Bruce that the defendant could not be sued at law on the covenants upon which the bill proceeded, and that it might be the duty of the court to inquire, what, if any, damages the plaintiffs had sustained by the defendant's acts in contravention of the covenants, and to provide for the payment of the amount of them, if any; and Lord Justice Turner thought that, although the plaintiffs were not entitled to the relief by way of injunction sought by their bill, it did not follow that they might not be entitled to damages for such injury (if any) as might have been done to their property by the defendant having built otherwise than in conformity with the covenant. Sir Hugh Cairns' Act, as the Lord Justice read it, empowered courts of equity to give damages in such cases. It was not, as he thought, confined to cases in which the plaintiffs could recover damages at law.

(To be continued.)

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (a)

CHAPTER XI.

Redemption of Securities.

191. *Principle of redemption established.*—The peculiar character of mortgages to benefit building societies has given rise to a good deal of litigation in the Court of Chancery, very disastrous so far to the particular institutions involved, but the result of which has been, that the principles of redemption of these securities have at length been established on a satisfactory

(a) By W. W. Barry, Esq., Barrister-at-Law.

basis, and in conformity with the intentions of the founders of these associations.

192. *Correct view entertained by Wigram, V. C.*—In a case (*Mosley* v. *Baker*, 6 Hare, 87; s. c. 10 L. T. Rep. 461; 17 L. J. 257, Ch.; s. c. 3 De G. & J. 1032; on app., s. c. 1 H. & T. 301; 18 L. J. 457, Ch.) which came before Wigram, V. C., and which was affirmed on appeal, that learned judge seemed correctly to understand the object and nature of benefit building societies, for he held that, upon the terms of the mortgage-deed and the rules of the society, the plaintiff was entitled to redeem only upon payment of all future monthly subscriptions and redemption moneys on his shares until the termination of the society, and that its probable duration was to be ascertained by calculation, and the future payments to be treated as if immediately due.

193. *Erroneous decisions of the Vice-Chancellor of England and of Knight Bruce, V.C.*—On the other hand, the late Vice-Chancellor of England observed that the defendants, the trustees of a building society, in a case before him (*Dobinson* v. *Hawkes*, 16 Sim. 407; s. c. 12 Jur. 1037; 12 L. T. Rep. 238), sought to have the accounts taken on the footing of that fabricated hypothetical scheme of the sale of shares which had been set out on the papers. And in a case (*Seagrave* v. *Pope*, 14 L. J. 524) before Knight Bruce, V. C., his Honour held that a mortgagor was entitled to redeem upon the footing of paying the balance that was justly due from him on account of the principal money, at the end of a month from the notice, with interest at 4 per cent. per annum from that time; and that, for the purpose of ascertaining the amount of the balance, he ought to have credit for the monthly subscriptions, so far as paid by him to that period, but not for the monthly redemption moneys, and ought to be debited with the monthly redemption moneys so far as not paid by him to the same period, but not with any monthly payment in respect of any period subsequent to the end of the month.

194. *Terms of redemption as decided by Lord Truro.*—This decision created a good deal of consternation in the minds of shareholders in benefit building societies, inasmuch as it was inconsistent with the very principles on which they were founded. The matter also was further complicated by the circumstance that the learned judge intimated that the case before him was distinguishable from the decision of Wigram, V. C., to which we have adverted, although it was difficult to discover the distinction in principle between the two cases. Under these circumstances the decision of Knight Bruce, V. C. was appealed from, and the case was heard by the then Lord Chancellor, Lord Truro, who reversed the decision of the court below, and held that the advance made to the plaintiff was not a loan, but an anticipatory payment by way of discount of the shares he would otherwise have been entitled to at the termination of the society, and that the mortgage was to secure his future subscriptions and other moneys until that period, and that he was not entitled to redeem upon the terms of repayment of the advance less the amount of subscriptions paid by him up to the time of the notice to redeem: (*Seagrave* v. *Pope*, 1 De G. M. & G. 783; s. c. 22 L. J. 258, Ch.; 10 Jur. 1099; 19 L. T. Rep. 173.)

195. *The decree for redemption which will be made.*—A decree for redemption will be made directing calculation of the largest possible duration of the society at the date of the notice, having regard to the net assets of the society and to the monthly subscriptions and redemption money still continuing payable, and to the number of shares to be provided for, and charging the mortgagor as a present debt with all subscription and redemption moneys which would become payable by him, assuming the society to endure for the whole of the calculated period and crediting the mortgagor with the redemption moneys already paid in by him and with the amount of bonus payable at the date of the notice to withdrawing members: (*Fleming* v. *Self*, Kay, 518; s. c. 23 L. T. Rep. 65; on app. 3 De G. M. & G. 997; s. c. 24 L. T. Rep. 101; 24 L. J. 27, Ch.; 1 Jur. N. S. 25; *Smith* v. *Pilkington*, 4 Jur. N. S. 38; s. c. 30 L. T. 196, V.C. S.; on app. 1 De G. F. & J. 120; s. c. 29 L. J. 227, L.C. & L.JJ. See also *Archer* v. *Harrison*, 7 De G. M. & G. 494; s. c. 3 Jur. N. S. 134; 29 L. T. Rep. 71.)

196. *A shareholder who redeems may still be liable under his covenant.*—Where a benefit building society was established to continue for a period of thirteen years, but at the end of that time there were not enough funds to pay the unadvanced shareholders the amount of their shares of 120*l.*, it was held that an advanced shareholder was entitled to redeem his mortgage security upon payment of the amount of his monthly subscriptions up to the end of the thirteen years, but that he was still personally liable to pay his monthly subscriptions until the termination of the society, and that the covenant in the mortgage-deed would remain uncancelled and might be sued upon for such purpose. A copy of the deed may be taken and preserved: (*Farmer* v. *Smith*, 4 H. & N. 196; s. c. 28 L. J. 226, Ex.; 32 L. T. Rep. 371; 5 Jur. N. S. 1533, n.; *Sparrow* v. *Farmer*, 26 Beav. 511; s. c. 28 L. J. 537, Ch.; 5 Jur. N. S. 530; 33 L. T. Rep. 216; *Handley* v. *Farmer*, 29 Beav. 362.)

197. *Order will be made in a redemption suit for payment by the mortgagor of any sum due from him.*—Where in a suit for redemption by an advanced member of a benefit building society a sum is found due from him to the society beyond that named by the mortgage, an order will be made in the redemption suit on the mortgagor for him to pay the same: (*Handley* v. *Farmer* (*ubi supra.*)

198. *Borrower on redeeming required to pay gross amount of subscription.*—Generally, therefore, where no rule of a society expressly declares to the contrary, every borrowing member may be required to pay, on redeeming his security, the gross amount of his subscription falling due throughout the entire future duration of the society, as nearly as it can be ascertained, and without any discount or deduction for immediate payment.

199. *To prevent disputes there should be a rule declaring terms of redemption.*—With a view, however, of preventing any question of difficulty in this respect, there should be a rule expressly declaring the terms on which redemption of securities may be effected, and the provision in the rules and the clause in the mortgage-deed should exactly correspond with each other.

200. *Or managers may be authorised by the rules to determine the terms.*—Where the managers have the requisite powers for such purpose by the rules, they may determine on what terms the mortgagor may redeem his security, and may thereupon declare the shares extinguished. In the case cited (*Priestly* v. *Hopwood*, 10 L. J., N. S., 646; s. c. 4 N. R. 239, Q. B.; 12 W. R. 1031) the plaintiff was a member of the Royal Oak Benefit Building Society, and as such he became the owner of seven shares of 120*l.* each, and received the whole amount of his shares in advance, giving at the same time to the society a mortgage of certain leasehold property, and covenanting thereby to pay all subscriptions which should become due under the rules of the society. The plaintiff afterwards transferred the property to the defendant, subject to the mortgage to the benefit building society, he covenanting to pay all subscriptions and other sums in respect of the shares. The society being in difficulties, it was resolved, with a view to the winding-up of the same, that the shareholders should pay the sum of 60*l.* 10*s.* per share; and in pursuance of such resolution the defendant redeemed his property, paying 60*l.* 10*s.* on each share, and receiving a receipt indorsed upon the mortgage-deed in the prescribed statutory form. The trustees then disposed of the society's property by auction, at a loss of about 1000*l.* Accordingly, at a meeting held on the 10th April 1860, it was resolved that all parties who had been released upon the terms of the first resolution should pay a further sum of 12*l.* a share by instalments, and on the 16th Dec. 1861 a further resolution was passed to the same effect, calling on them to pay an additional sum of 10*s.* per share. These sums the plaintiff refused to pay, and he called upon the defendant to pay them, who also refused. Ultimately, the trustees proceeded to arbitration, and obtained an award against the plaintiff for the 12*l.* 10*s.* per share, which award was subsequently confirmed by the magistrates and the plaintiff was compelled to pay. He therefore brought this action against the defendant to recover, under the covenant contained in the deed of assignment, the sum so paid. A verdict was entered for the plaintiff with leave reserved to move to enter a verdict for the defendant. It was held by the Court of Queen's Bench that the effect of the arrangement as to the redemption of the mortgage was to extinguish the shares, and therefore no further sums could be claimed as against the mortgagor, consequently the covenant in the deed of assignment by the defendant was not broken, and the plaintiff therefore could not recover back the sum he had been compelled to pay. It would seem that the proper course for the plaintiff to pursue would have been to have applied for a writ of prohibition against the award being enforced on the ground of want of jurisdiction or illegality. This case serves indeed to show in a striking manner the complicated nature of the transactions in which benefit building societies become involved. There is, perhaps, scarcely a lawyer in Westminster-hall who would not with confidence have advised that an action could be maintained under the above circumstances, and yet it is equally clear, on the facts being examined, that the plaintiff was not entitled to recover.

INVESTMENT JOURNAL.

The Money-market has entered upon its usual stage of autumn dullness. Even the advance in the Bank rate of discount has made no perceptible difference in the business. New enterprises will not attract, and it is difficult to find profitable and safe employment for cash.

The fluctuations are as follows:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	249	246	250	...	248	250
3 ℘ Cent. Red. Ann.....	88¾	88¾	88¾	89¼	89¼	89¼
3 ℘ Cent. Cons. Ann. ...	89¾	90	89¾	89¾	89¾	89¾
New 2¾ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 ℘ Cent Ann.....	89¾	89¾	89¾	89¾	89¾	89¾
New 3¼ ℘ Cent. Ann. ...	...	...	...	...	...	...
5 ℘ Cent. Annuities.....	...	...	...	...	...	...
6 ℘ Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	14¼	14¼
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tels. Ann. 1908	19¼	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¾	89¾	89¾	89¾	89¾	89¾
Consols 5 ℘ Cent. for Ac.	...	...	...	...	...	...
India 5 ℘ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	220	217	...	...
India 5 ℘ Cents.	...	...	...	...	...	...
India 4 ℘ Cents. 1888...	98¾	...	...	...	99¾	...
India 5 ℘ Cents. 1870...	105	104¾	...	104¾	104¾	...
India Bonds (1000*l.*).....	...	...	...	...	...	...
Do. (under 1000*l.*).....	...	...	...	...	...	...
India Debentures, 1859	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 ℘ Cent	...	...	...	...	...	...
Do. do. 5 ℘ c. Jan. 1872	...	...	...	101¾	101	...
Do. do. 5¼ ℘ c. May 1878	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*a*	...	...	...	...	*c*
Do. 500*l.*	...	*b*	...	...	...	*c*
Do. 100*l.* & 200*l.* 3 ℘ c.	...	...	...	...	...	...
Do. Small, & 3 ℘ c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	99¾	...	...	...

a 3 3¼ per cent. 2*s.* pm. *b* 3 3¼ per cent. 4*s.* pm. | *c* 3 3¼ per ct. 2*s.* pm.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Divorce Court Practice.—Indifference, neglect, aversion to the wife's society, cessation of matrimonial intercourse, without personal violence or words of menace, do not constitute legal cruelty, even although the husband is carrying on an adulterous intercourse with a servant under the same roof where he is residing with his wife: (*Cousen* v. *Cousen*, 12 L. T. Rep. N. S. 712.)

Probate Court Practice.—B., born in Ireland, resided at the Cape of Good Hope, first in H. M.'s 45th Regt. Foot and afterwards in the Cape Mounted Rifles, from 1842 to 1862. In 1850 he married C., resident in the colony; in 1852 the colonial court decreed a dissolution of that marriage. In 1856 B. married D., C. being still living. B. died in 1863 intestate, and on a question as to the right to letters of administration, raised between D. and the brother and next of kin of B., it was held that C. was entitled to administration as the widow of B.: (*Argent* v. *Argent*, 12 L. T. Rep. N. S. 768.)

COURT OF BANKRUPTCY.

Re Francis Joseph Hollis.

The bankrupt, who was an attorney at Winchester, came up for examination and discharge.

Reed was for the assignees; and *George Lewis* for the bankrupt.

In this case there were only two debts upon the schedule, the one due to Mr. Lott, a solicitor, and the other to Mr. Bulpett, a gentleman who had been defendant in a Chancery suit brought by the bankrupt in his capacity of a shareholder in the Hebon

Navigation Company. It appearing that the bankrupt's accounts were defective, and that his books had not been delivered up to the official assignee,

The COURT granted an adjournment, and ordered the bankrupt to amend his accounts, to file his books of account and diaries, and to file a cash account for the twelve months preceding the failure.

Order accordingly.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

ANGLO-CALIFORNIAN GOLD MINING COMPANY.—Creditors to come in by 6th Sept., at the chambers of V.C. K.

CLEVELAND IRON COMPANY (LIMITED).—Creditors to send in, by 3rd Oct., their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to Mr. F. Whinney, 5, Serle-street, Lincoln's-inn, Middlesex. Solicitors, Deane, Chubb and Saunders, 14, South-square, Gray's-inn, London

LAND DRAINAGE AND IMPROVEMENT COMPANY OF DENMARK (LIMITED).—Petition for winding-up to be heard before Wood, V C., at the Sessions-house, Woodbridge, Suffolk, on 18th Aug., at half-past twelve o'clock in the afternoon. Solicitors, Davidson, Carr and Bannister, 22, Basinghall-street, London

LEEDS BANKING COMPANY.—A call of 40*l.* per share to be paid by 1st Sept. into the branch bank of the Bank of England, Leeds, to the account of the official liquidator of the Leeds Banking Company. Solicitors, Freshfields and Newman, 5, Bank-buildings, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

ALEXANDER (Mary), formerly of 22, Portland-terrace, Regent's-park, Middlesex, late of 27, Brixton-road, Brixton, Surrey, spinster. Oct. 1; T. Clark, solicitor, 2, Gray's-inn-square, Middlesex. Nov. 8; V.C. S., at three o'clock in the afternoon.

ALEXANDER (John), formerly of 22, Portland-terrace, Regent's-park, Middlesex, late of 27, Brixton-road, Brixton, Surrey, gentleman. Oct. 1; T. Clark, solicitor, 2, Gray's-inn-square, Middlesex. Nov. 8; V.C. S., at three o'clock in the afternoon.

AUSTIN (Bernard), Liskeard, Cornwall, solicitor. Oct. 30; R. W. Childs, solicitor, 23, Coleman-street, London. Dec. 7; V.C. W., at half-past one o'clock in the afternoon.

BACON (Geo. Wm.), formerly of Seharunpore, North-Western Provinces of India, a member of the Bengal Civil Service, afterwards of 2, West Ascent, St. Leonard's-on-Sea, Sussex, late of Venice, Esq. Oct. 2; Jennings and Son, solicitors, 18, Bennett's-hill, Doctors'-commons, London. Nov. 2; V. C. K., at noon.

BEWLEY (James), Calne, Wilts, yeoman. Oct. 2; Whittakers and Woolbert, solicitors, 12, Lincoln's-inn-fields, London. Nov. 8; M. R., at one o'clock in the afternoon.

BROWNLOW (Wm.), Marlborough-road, St. John's-wood, Middlesex, Esq. Oct. 1; Harrison and Lewis, solicitors, 24, Old Jewry, London. Nov. 7; V. C. S., at two o'clock in the afternoon.

CHENNELL (John), Tenterden, Kent, gentleman. Oct. 1; Munn and Mace, solicitors, Tenterden. Oct. 30; M. R., at noon.

CLARK (Wm.), Swaby, Lincolnshire, farmer. Oct. 2; Bourne, Rhodes and Brackenbury, solicitors, Alford, Lincolnshire. Nov. 7; V. C. K., at noon.

CLARK (Thos.), Southampton, grocer. Oct. 10; W. Perkins, solicitor, Albion-place, Southampton. Nov. 7; V.C.W., at one o'clock in the afternoon.

COLEMERE (John), Ellesmere, Salop, miller. Oct. 1; H. Barker, solicitor, Wem, Salop. Nov. 3; V.C. K., at noon.

COULSON (Thomas), Lescudjack-house, Penzance, Cornwall, gentleman. Oct. 3; W. Horlaso, solicitor, Penzance. Nov. 8; M. R., at noon

GRAVES (John Henry), Lucknow and Setapore, in the East Indies, a Lieut. in the Hon. the East India Company's service. Dec. 1; J. H. and H. R. Henderson, solicitors, 14, Argyle-street, Oxford-street, London. Dec. 21; V. C. S., at noon.

GREEN (Elizabeth Georgiana), Normanton-on-the-Heath, Leicestershire, spinster. Sept. 16; Maynard, Son and Co., solicitors, 57, Coleman-street, London. Nov. 9; M. R. at noon.

GRILLS (John), Lower Torr, Charleton, Devon. Sept. 30; S. A. Orton, solicitor, Kingsbridge, Devon. Nov. 2; V.C. S., at three o'clock in the afternoon.

HARRISON (Elizabeth), formerly of Green-street, Grosvenor-square, Middlesex, afterwards of Elm-lodge, Wandsworth, Surrey, and Stamford, Lincolnshire, la e of Tulse-hill, Surrey, spinster. Oct. 1; Terrell, Chamberlain, and Blake, 30, Basinghall-street, London. Nov. 7; V.C. S., at noon.

HARWOOD (Charles), Mount-place, New Charlton, Kent, formerly of King-street, Woolwich, gentleman. Oct. 10; Plews and Irvine, solicitors, 31, Mark-lane, London. Nov. 6; V.C. S., at two o'clock in the afternoon.

HETHERINGTON (Charlotte), 28, Marine-parade, Brighton, spinster. Oct. 10; Law, Hussey and Hulbert, solicitors, 10, New-square, Lincoln's-inn, London. Oct. 31; V. C. W., at two o'clock in the afternoon.

HODGES (Thos. Jeffery), Grove-place, Stratford, Essex, gentleman. Oct. 10; Coode, Kingdon and Cotton, solicitors, 82, Ludgate-hill, London. Nov. 7; V.C. W., at half-past one in the afternoon.

HORLOCK (Wm.), Ash-hills, Shorwell, Isle of Wight, yeoman. Oct. 2; Cunliffe and Beaumont, solicitors, 41, Chancery-lane, London. Nov. 4; V. C. W., at noon.

HYDE (Robert), Ashton-under-Lyne, Lancashire, surgeon and cottonspinner. Oct. 2; Earle, Son, Hoppe, Orford and Earle, solicitors, Manchester. Nov. 8; V. C. W., at noon.

HYDE (Alfred), Dukinfield, Cheshire, cotton-planner. Oct. 2; Earle, Son, Hoppe, Orford and Earle, solicitors, Manchester. Nov. 8; V. C. W., at noon.

LACEY (Edmund John), formerly of Fountain Tavern, 7, Catherine-street, Strand, Middlesex, hotel-keeper, late of 4, Peckham-grove, Camberwell, Surrey, gentleman. Sept. 30; Walter and Meeten, solicitors, 8, Southampton-street, Bloomsbury, London. Nov. 3; V. C. K., at noon.

MATTHEWS (Thomas), Ludlow, Salop, gentleman. Oct. 1; Southern and Lloyd, solicitors, Ludlow. Oct. 31; V.C. S., at noon.

PENMAN (John), Kent-street, Southwark, Surrey. Sept. 15; Elijah Edwards, 5, Grove-street, Walworth, Surrey, wheelwright. Nov. 1; V.C. W., at two o'clock in the afternoon.

ROBINSON (William), 14, Park-terrace, Cambridge, accountant. Oct. 2; Grain and Winter, solicitors, Cambridge. Nov. 2; V.C. S., at noon.

SCHWENK (Mary), 14, Canterbury-villas, Brixton, Surrey, widow. Sept. 1; J. and C. Rogers, solicitors, 22, Manchester-buildings, Westminster. Nov. 7, M. R., at half-past eleven o'clock in the forenoon.

SEWELL (Richard), Upper Clapton, Middlesex, builder and estate agent. Oct. 2. R. F. French, solicitor, 31, Crutched-friars, London. Nov. 1, M. R., at noon.

UNDERWOOD (John James), 10, Royal-crescent, Ramsgate, Esq., a retired colonel in the Madras Corps of Engineers. Oct. 2; Henderson and Leach, solicitors, 10, Lancaster-place, Strand, London.

WEBB (Jonathan), Pelham-lodge, Millbrook, Southampton, gentleman. Oct. 10; W. Perkins, solicitor, Albion-place, Southampton. Nov. 7; V.C. W., at one o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BARTLETT (Charles Norton), Bletchingdon-grounds, Bletchingdon, Oxfordshire. Sept. 22; T. and G. Mallam, solicitors, Oxford.

BLACKWELL (Ann), 14, Cottage-road, Chester-square, Pimlico, Middlesex, widow. Sept. 14; Brundrell, Martin and Randall, solicitors, 10, King's-bench-walk, Temple, London.

CAPEL (Ann Susannah), Cheltenham, widow. Sept. 6; Smith and Shephera, solicitors, 15, Golden-square, London.

CATLEY (Christopher), Bell Tavern, Church-row, Aldgate, London, licensed victualler. Sept. 7; J. Elliott, solicitor, 24, Tachbrook-street, Pimlico, London.

CATLEY (Jean Hay), Bell Tavern, Church-row, Aldgate, London, widow. Sept. 7; J. Elliott, solicitor, 24, Tachbrook-street, Pimlico, London.

COURTS (Hester Bray), 40, Connaught-terrace, Hyde-park, Middlesex, widow. Sept 15; Lambert and Co., solicitors, 8, John-street, Bedford-row, London.

CROFT (Arthur James), Greenham-lodge, Berks and Chichester, Esq. Sept. 1; Hunter, Gwatkin and Hunter, 9, New-square, Lincoln's-inn, London.

EADY (Wm.), Campsbourne, Hornsey, Middlesex, Esq. Oct. 3. H. Gregory, solicitor, Waxchandlers'-hall, Gresham-street west, London.

FARNELL (Chas.), Isleworth, Middlesex, gentleman. Oct. 1; Farnell and Briggs, solicitors, Isleworth.

FARNELL (John), Isleworth, Middlesex, and Henfold, Capel, Surrey, brewer. Sept. 1; Farnell and Briggs, solicitors, Isleworth.

GRAHAM (Thomas), Ayton-hall, Great Ayton, Cleveland, Yorkshire, Esq. Sept. 30; H. Glaister, solicitor, Stokesley.

HUTCHINSON (Charles), Swansea, jeweller. Sept. 29; J. T. Jenkin, solicitor, 230, High-street, Swansea.

LEY (Edwin), Jetwells, Lanlerioshy-Camelford, Cornwall, Esq. Sept 13; S. T. G. Downing, solicitor, Redruth.

LISLE (John), Southampton, town sergeant. Sept. 16; Coxwell and Bassett, solicitors, Southampton.

MARTIN (John), 8, Douro-place, Victoria-road, Kensington, and 2, Plowden-buildings, Temple, Middlesex, barrister-at-law. Sept 1; O. Richards, solicitor, 16, Warwick-street, Regent-street, London.

MIDFORD (Robert), formerly of the Ordnance-office, Pall-mall, Middlesex, late of The Nest, Keswick, Cumberland, 25, South-bank, Regent's-park, Middlesex, Esq. Dec. 1; Watkins, Baker and Baylis, solicitors, 11, Sackville-street, London.

NARES (Rev. Edward Robert), Wittersham, Kent. Sept. 11; Furley, Hallett and Creery, solicitors, Ashford, Kent.

NORRIS (Ann), formerly of Southport, late of Formby, Lancashire, widow. Sept. 15; Drewe and Serjeantson, solicitors, Swift's-court, 11, Castle-street, Liverpool.

PARKINSON (Frank), 39, Hamilton-terrace, St. John's-wood, Middlesex, widow. Sept 29; Wild and Barber, 10½, Ironmonger-lane, Cheapside, London.

PARSONS (Mary), Saint Clement's, Oxford, widow. Sept. 29; T. and G. Mallam, solicitors, 135, High-street, Oxford.

PITCHERS (Major William), formerly of Margate, Rose-cottage, Ham-common, Ivy-cottage, Barnes-common, Surrey, late of 4, St. Leonard's, Mortlake, Surrey, gentleman. Sept. 29; E. Anderson.

SHEA (John), 72, Watling-street, London, wholesale boot and shoe manufacturer. Sept. 7; J. Elliott, solicitor, 24, Tachbrook-street, London.

SNELL (Wm. Westrew), Plymouth, Devon, gentleman. Oct. 3; J. E. Elworthy, Curtis, and Dawe, solicitors, 6, Courtenay-street, Plymouth.

THORPE (John), formerly of Freetown, Sierra Leone, Africa, late of Munster-house, Fulham-road, Brompton, Middlesex, barrister-at-law. Sept. 15; Hampton and Burgin, solicitors, 8, John-street, Bedford-row, London.

WHITAKER (Samuel), Hollin Bank, Underbarrow, Westmoreland, gentleman. Sept. 21; Harrison and Son, solicitors, Kendal.

WITTS (Ann), Champion-hill, Surrey, widow. Sept. 2; Burgoynes, Mills and Burgoynes, solicitors, 160, Oxford-street, London.

YOUNG (Mary), Dorset-terrace, Clapham-road, Surrey, widow. Oct. 4; S. Fisher, solicitor, Merchant Tailors'-hall, Threadneedle-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BATTS (Thos.), Devonshire-street, Queen-square, Holborn, labourer, and MARY BATTS, his wife. 107*l.* 0*s.* 6*d.* New Three per Cents. Claimants, said M. and T. Batts.

BEDINGFELD (Major Charles), Oxburgh, Norfolk, and JERNINGHAM (Edmund Wm.), of Pall Mall, Esq. Dividends on 821*l.* 13*s.* 4*d.*, and dividend on 343*l.* 16*s.* 5*d.* Three per Cent. Consols. Claimant, Major Charles Bedingfeld, the survivor.

EGERTON (Charles Du Pre), Lieut.-Colonel of the Rifle Brigade. Dividend on 3724*l.* 16*s.* 7*d.*, Three per Cent. Consols. Claimant, Dame Rebecca Grey Egerton, widow.

GILL (Sarah Cordelia), Thetford, Norfolk, spinster. Dividend on 1650*l.* Three per Cent. Consols. Claimants, Rev. Fred. G. Gill, Caroline Elizabeth Gill, and John Withers Dowson, executors.

THE COURT OF PROBATE.—From Aug. 10 to Oct. 24 inclusive the office hours at the principal registry, including the department for personal applications to prove wills, &c., at No. 12, Great Knightrider-street, will be from eleven to three o'clock.

THE CHANCERY VACATION.—The Chancery vacation commenced on Wednesday, and will terminate on the 28th Oct. The office of the Accountant-General will close on the 18th inst., and during the vacation will be reopened for a few days for the payment of the October dividends. Vice-Chancellor Wood is the vacation judge of the Court of Chancery.

JUDGES' CHAMBERS.—On Wednesday Mr. Baron Martin heard a number of summonses, under the new regulations made for the dispatch of business in the vacation, at the Judges' Chambers. His Lordship will continue the sittings until the 18th inst., when Mr. Justice Montague Smith will take the summonses of the three courts, sitting two days a week until the end of what is called "the long vacation."

"THE LONG VACATION."—On Thursday the long vacation commenced. It will terminate on the 24th Oct. It is anticipated that several legal changes will take place before Michaelmas Term, in November. According to a provision in a recent Act of Parliament, no judges of the County Courts can suspend the sittings of their courts during the month of September. In the Superior Courts during the recess causes in which pleas are allowed must stand over until next term. In actions under the Bills of Exchange Act leave must be obtained from a judge to appear and plead, otherwise judgment can be signed in a few days. Mr. Justice Montague Smith, being the last appointed judge, will sit at chambers, on his return from circuit, twice in each week during the long vacation.

ATTEMPT TO SHOOT A SOLICITOR.—A serious charge was brought before the Royal Court, at St. Helier, Jersey, on Saturday. The person against whom the charge was brought is Mr. John Hutton Snook, a ship captain, who also carries on the business of pianoforte dealer in Bath-street, St. Helier's, the business being managed by an assistant and Mr. Snook's wife. The complainant, Mr. George Timothy Marett, solicitor, stated that on Friday night week he was in the coffee-room of the Pomme d'Or Hotel, when Mr. Snook, accompanied by Mr. Reynolds, his assistant, entered the room. He was at the time engaged in playing a game at cards. Mr. Snook said to him, "I want to speak to you." He replied, "Wait till I've finished the game," and continued to play, Mr. Snook remaining in the room. As soon as he had finished playing he went towards Mr. Snook, who immediately levelled a pistol at his head. He made a bound towards him, seized the pistol over the hammer, and with the assistance of some of the persons in the room wrenched it from his grasp. In the scuffle that took place Mr. Snook hit the complainant's arm, and as soon as the pistol was taken from him he ran off. Information was given to the police, who proceeded to the house of the defendant, and found him lying drunk on the floor of the kitchen. When told of the charge laid against him, he expressed his regret that he had not accomplished his purpose. The police found upon him a power flask, ten bullets, and a box of caps. The pistol with which he attempted to shoot the complainant was a five-barrelled revolver, and upon examination of the barrels were found to be loaded with ball and caps. It appeared in evidence that five weeks ago the defendant was bound over to keep the peace towards the complainant. When the present charge was heard before the police magistrate, Mr. Gibaut, Advocate, Westaway, who appeared for the defendant, requested the magistrate to suffer the parties to come to an arrangement, the defendant having expressed his regret at what had occurred, and being willing to give bail for his future good conduct towards Mr. Marett, who had no desire to press the charge. The defendant, he said, was more to be pitied than blamed. Owing to certain circumstances which had come to defendant's knowledge, he had got drunk, and while in that state had committed the offence with which he was charged. The magistrate had refused to allow the case to be settled, saying it was too serious to admit of an arrangement, as it had been brought under the notice of the bench, and he committed the defendant for trial before the Royal Court. An application to admit the defendant to bail was refused, and he was removed to gaol. The above particulars having been detailed in evidence before the Royal Court, the defendant was remanded to the Criminal Assizes, and was admitted to bail in the sum of 150*l.* The circumstances alluded to by the defendant's counsel refer to Mrs. Snook.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

NORFOLK CIRCUIT.

Norwich, Aug. 3.—The business commenced at 10 o'clock this morning. It is not very heavy, there being only 5 causes in the county list (3 of them being marked for special juries) and 2 common jury causes in the city list. In the county calendar there are the names of 26 prisoners, against whom there 23 charges.

Ipswich, Aug. 8.—The business is not very heavy. In the cause-list there are 7 causes, 2 of which are marked for special juries. In the calendar there are the names of 21 prisoners, and the principal offences of a larger nature charged against them are seven, of which there are 3 cases, perjury, burglary, and concealment of birth, embezzlement, and four of wounding.

MIDLAND CIRCUIT.

Leeds, Aug. 5.—There are 83 prisoners for trial here, of whom 23 are charged with a riot at Rotherham on the occasion of the late election for the West Riding. Of the heavier offences there are 3 cases of manslaughter, 2 of murder, and 1 of attempt to commit murder. There is also the case of William Richardson, who is charged with embezzling the sum of 4000*l.*, the property of his employers Messrs. Holdsworth, of Halifax. There are 56 causes entered, of which 16 are to be tried by special juries.

SOUTH WALES CIRCUIT.

Monmouth, Aug. 5.—The calendar contains the names of 26 prisoners. The cause-list is not expected to contain any case of importance.

HOME CIRCUIT.

Croydon, Aug. 8.—Three Courts continued sitting to-day to dispose of the civil business remaining—one, under Mr. Justice Crompton, for special jury cases; a second, under Mr. Baron Pigott, for common jury cases; and a third, under the Common Serjeant, also for common jury cases. As a general rule, a far larger proportion of the common jury cases are tried out than of the special jury cases, though the latter are usually the most important. Indeed, of the special jury cases very few are thoroughly tried out and left to the jury on the facts. Yesterday, for instance, scarcely a single special jury case was thus tried out of the many which were disposed of. The truth is, such was the number of causes entered for trial that it was soon found hopeless to try them all, or even to try half of them, and probably not above a third will be really tried. If even two-thirds of them had been tried out, they would have taken more than a month (one case alone took all yesterday and the greater part of to-day); and the far larger proportion of the cases are disposed of otherwise than by trial, and are settled in some way or other. So many of the

cases were thus disposed of yesterday, that this morning it was found that about half of the special jury cases were gone, and that only twenty-six remained for trial, of which eight or nine were on the list for to-day in the First Court, not one of which was tried out. The Second Court was occupied nearly all day by a part heard case; in the Third Court several common jury cases were tried or disposed of, either before the Common Serjeant, Mr. Denman, or Mr. Hawkins, each of whom sat for some time when not engaged on their own cases.

The Hon. C. J. Erskine has been appointed a member of the Executive Council at the Bombay Presidency. Sir Joseph Arnould, Puisne Judge at Bombay, comes home by the present mail steamer on six months' sick leave.

It may be remembered that the Council of the Order of Advocates some time since cited M. E. Ollivier to appear before it, for having accepted paid functions as agent to the Viceroy of Egypt. As the learned gentleman did not present himself on the day appointed, the council on Tuesday last decided that his name should cease to be inserted on the list. This is very disgraceful—but not for M. Emile Ollivier.—*Standard.*

Death of the Recorder of York.—Mr. C. H. Elsley, the Recorder of York, died rather suddenly, at his residence near the above city, at an advanced age. He also held the offices of Recorder of Richmond, Judge of the Court of Record at York, and Clerk of the Peace of the West Riding. He had been in failing health for some time, but we understand that he had a fit shortly before his death. He had for the last few years only occasionally presided at the quarter sessions, his place being generally supplied by Mr. Maule, the Recorder of Leeds. The great bell of the Minster was tolled in consequence of Mr. Elsley's death.—*Leeds Mercury.*

In our list of deaths will be seen the name of Mr. Charles S. Towill, of the Western Circuit. This gentleman laboured hard during the late general election in endeavouring to secure the return of Colonel Capper, the Conservative candidate for Sandwich. The excitement of the canvass and over anxiety as to the result of the contest, brought on an alarming attack of brain fever, under which Mr. Towill rapidly sank. A large circle of friends will long and deeply regret that one of such ability and promise should thus have been cut off in the flower of his age. He was well known at Exeter, Plymouth, and Bodmin; a counsel of no little sagacity and a fluent speaker.

The will of Mr. George Wingrove Cooke, of the Middle Temple, barrister-at-law, and of the Inclosure Commission, was proved in the London Court on the 26th July by his brother, Mr. Thomas Weeden Cooke, the sole executor. The personalty was sworn under 4000*l.* The will is dated the 21st March 1864, and the testator died on the 18th June, at his residence, Cheyne-walk, Chelsea. The deceased gentleman, referring to his housekeeper, Mary Goodgame, expresses his opinion that he ought to make some provision for her, as she has passed her youth in his service, and studied his interests and comfort with assiduity and attention. He therefore leaves her the produce of his Norwich Union Life Insurance, but, if from any cause that should be unproductive at his decease, 500*l.* out of his estate. The testator recommends her to the protection of his executor, and observes that he long since gave her the furniture both in his town and country houses. Mr. Cooke leaves the proceeds of his Law Life Assurance for 500*l.* as follows:—To his sister Eliza Tyache, 100*l.*; to Emily Tyache, 200*l.*; and to his sister Mary, 100*l.* The testator expresses his wish to have left legacies to all his brothers, but as a further division of his property would make it of no use to any one, he leaves the residue to Mr. Thomas Weeden Cooke.

The Local Administration of Justice.—The *Times* points out that the present system of administering justice in comparatively small local divisions has many inconveniences and disadvantages. There is the endless collision between the jurisdiction of county and borough magistrates; there is the case of scraps of one county included within the body of the other; there is the case of a justice not being able to commit a prisoner on his own confession, but being obliged to send him often to a great distance to be committed by another magistrate. Still the system has its advantages. It is often convenient to witnesses, and as between county and county it provides, or rather would provide if it were strictly adhered to, that each county shall bear the burden of its own crime and its own litigation, and that the time of its inhabitants shall not be taken up in doing the business that fairly belongs to others. Metropolitan counties have a very considerable grievance in this respect. The county of Surrey for example, is saddled with a much heavier burden than its own litigation; it has to bear not only its own duties, but those which are thrown upon it by its neighbourhood to the great metropolis. It would seem that the sittings for metropolitan business are not so arranged as to suit the convenience of litigants; they terminate too soon, and the consequence is that the ingenuity of their legal advisers is taxed to find means of trying cases too late for the London sittings, which would otherwise be hung up till after the long vacation. This leads to a great increase of business on the Home Circuit, and is a great hardship to the persons forming the jury panel of the county of Surrey. If we are to retain the principle of local division of the administration of justice, we ought to retain it in its integrity. If we are to give it up, we ought to provide tribunals for the trial of cases the construction of which shall not fall exclusively on particular localities.

MAGISTRATE AND PARISH LAWYER.

Correspondence.

Small Penalties Act 1863.—Can any of your readers inform me whether the word "penalty" in the above statute is intended to include the costs; *e. g.*, if a defendant be fined 5*s.* and 7*s.* costs, to what term of imprisonment is he liable in default of payment—seven days or fourteen days? A. F.

Magistrates' Law Statutes.—I am quite sure that your proposed publication of a code of magistrates' law will be a great boon to the magistrates' clerks throughout the country, and I have no doubt that it will be extensively purchased. I rather incline to the opinion that it would be desirable to include the criminal law as administered by justices, or at all events, that part of it which gives them *summary* jurisdiction, so that the work might be a complete compendium of magistrates' law, with the exception of the Poor Law Statutes, which for many reasons need not be included.

R. Luxton,
Clerk to the Magistrates, Tavistock, Devon.

— I have read the letter from "A Magistrates' Clerk" in your impression of to-day with reference to the publication of the Magistrates' Law Statutes. I agree with him that the Poor Law Statutes are not necessary to be included in the proposed work, but I think the Criminal Law Consolidation Acts should be, if it is the intention to give the whole law relating to justices of the peace. I would venture to suggest that the work should consist of three parts: first, the Criminal Law; second, the law relating to all summary convictions, including such offences under the Poor Law as are punishable by summary conviction; and, thirdly, the law under which justices may make orders to persons to do or to prohibit them from doing certain things. Of course, I mean the statutes which relate to the different subjects. I would venture to suggest that the work might be arranged in an alphabetical form as being more easy for reference. The Criminal Law Consolidation Statutes, as published by yourselves, with the admirable digest of cases at the end, is excellent, but in those statutes are many offences punishable by summary conviction which, I would venture to suggest, should be separated from those which are under the jurisdiction of a higher tribunal. In this view, the first head mentioned above may be omitted, but if so, such parts of those statutes as come under the second head should be repeated in the proposed work. A great need exists at the present time of a good and complete work on Magistrates' Law, the only works in existence being either made up by supplements or so abbreviated as to be of use only to the general reader and not to the Profession. G. E. S.

Upwards of 340 notices of intended applications for music and dancing licences, under the Act 25 Geo. 2, c. 36, at the Michaelmas Quarter Sessions for the county of Middlesex, were lodged this week in the office of the Clerk of the Peace at the Sessions-house, Clerkenwell-green, and with the local parochial and police authorities. The number is quite unprecedented.

Middlesex Sessions.—The August General Sessions for the criminal business were commenced Aug. 7, at Clerkenwell, before Mr. Serjeant Dowling, sitting for the Assistant-Judge; Mr. J. Payne, Deputy-Assistant Judge; Mr. C. White, Dr. Jervis, Mr. Gould, Mr. E. Stutfield, Mr. France, Mr. E. Baker, Mr. Warner, Dr. M'Cann, Mr. Goodhart, Mr. W. P. Bodkin, Mr. Turner, Mr. Antrobus, Mr. Bashford, Mr. Browell, and Mr. F. H. N. Glossop.

Infanticide.—Mr. Justices Willes delivered a charge to the grand jury at Wells, which will create some remark. It was on the crime of child murder, which he said was increasing chiefly, in his opinion, from defects in the law. If we understand language unusually obscure for the learned judge, he wishes the Legislature to punish concealment of birth, instead of concealment of the body of the child, which seems sensible, and to declare that a child half-born shall be considered "a reasonable being in the Queen's peace," which is more doubtful, for reasons better stated in the *Lancet* than in our columns. But he added this remarkable sentence: "He was assured, from what had come to his knowledge to be the opinion of those who had applied their minds to the subject, that an administrative remedy might be more effectual than punishment, because it might remove the inducement to commit offences of this description. An administrative remedy might save the country from an imputation which was becoming darker and darker every year." What can the *administrative* remedy be, which is to suppress the inducements to child murder? Are all children perchance which are a burden to the mother to be admitted into the workhouse separately from the mother, and every union thus made a kind of foundling hospital? Mr. Villiers would scarcely be able to get that law passed, but it is as well to know that a "very powerful mind has been applied to discover a remedy" for the present state of affairs.—*Pall Mall Gazette.*

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Trustees—Privileged Communication.—A case stated and an opinion taken by trustees, before bill filed or proceedings threatened, in order to guide them in the exercise of a power delegated to them by the trust-deed, must be produced. Not so, however, with an opinion taken after litigation had been commenced against them by the *cestui que trust*. Generally, a *cestui que trust* has a right to inspect documents relating to dealings by the trustees with the trust-fund: (*Talbot* v. *Marshfield*, 12 L. T. Rep. N. S. 761. V.C. K.)

Legacy—Married Woman.—A testator directed the conversion into money of his real and personal estate, and that the money should be paid in equal moieties to his two married daughters, and that the share of each should be for her sole, separate and inalienable use, and their receipts alone should be good discharges for the same. It was held that the principal sum ought to be retained, and only the income paid to them in the meantime: (*Re Gaskell's Trusts*, 12 L. T. Rep. N. S. 763. V.C. W.)

Legacy.—A bequest of a vested legacy, directed to be paid at twenty-one or marriage, and subject to be divested by death before those events (the testator not being *in loco parentis*), does not carry interest until the time of payment: (*Re Bullen's Trust*, 12 L. T. Rep. N. S. 763. V.C. W.)

Lands Clauses Act—Charity.—Where the income arising from property taken under this Act had been applied for many hundred years, by the rector and churchwardens of the parish, to the relief of indigent parishioners, but it was uncertain in whom the legal estate in the land was vested, the court made an order under sect. 70, directing payment of the dividends to the rector of the parish for the time being: (*Re The Rector, &c. of St. Benet's*, 12 L. T. Rep. N. S. 762. V.C. K.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Contributory—Set-off.—Two hundred and fifty shares were taken by B. in the name of C., and B. paid, or was allowed in account, a sum of 1*l.* per share paid by him upon allotment. Afterwards, on its becoming known to B. that C. would be liable to calls, B. procured and handed to C.'s solicitor two promissory notes for 500*l.*, one at eighteen the other at twenty-four months' date, in order, as the solicitor deposed, to indemnify C. in respect of his liability to the company. Before the notes became due a winding-up order was made. C. was held not to be entitled to set off the notes against a call made upon him in respect of the 250 shares: (*Re The Moseley-Green Coal and Coke Company*, 12 L. T. Rep. N. S. 756. L. C.

The "limited liability" fever seems to be extending to the West End clubs. The United Arts Club, in Hanover-square, takes the initiative; and some other older establishments, also proprietary clubs, are, it is said, to follow the example.

It is stated that the two managing directors of an eminent discount firm, now undergoing conversion into a company, are each to receive a salary of 5000*l.* per annum, and, after payment of 7 per cent. dividend and the carrying of 20 per cent. to the reserve fund, they are to have one-fifth of the surplus.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

Patent.—A patent for a mechanical contrivance is not valid which merely amounts to an application of a known contrivance in an analogous manner and to an analogous purpose. Thus, channelled iron had been used to fasten beams of timber making railway-bridges and laid horizontally over one another, and for the double purpose of preventing the bolt-heads from turning round, and also for giving strength to the beams. In a subsequent patent, the rails of railways having been connected similarly by iron fishes used laterally, and the fish being not channelled, but having a square hollow in the plane of its metal, and therefore the metal not being of the same thickness throughout like channelled iron, it was held on appeal, by the H. of L., that the subject-matter of the patent had no sufficient novelty to render the patent valid, especially as the patent did not claim any saving of metal, but merely the use of a fish of a particular shape and configuration: (*Harwood* v. *The Great Northern Railway Company*, 12 L. T. Rep. N. S. 771. H. of L.)

Dishonouring a Bill.—On Monday, at the Sheriff's Court, Leeds, Mr. F. J. Ingram, a flax and oil merchant, recovered 100*l.* as damages from the Bank of Leeds (Limited), for their negligence in not having retired a bill of exchange for 324*l.* The bank opened in February last, and a few days afterwards Mr. Ingram transferred his account to it. He instructed the manager to retire a bill for 324*l.*, but owing, it was said, to the confusion and incompleteness of arrangements, the London bankers were not advised that there were assets to meet the bill, and it was

[library stamp]

consequently dishonoured. This had of course injuriously [illegible] Mr. Ingram's credit, and he told the jury that he had lost [illegible] from inability to make his usual oil purchases and lost by being compelled to rescind contracts [illegible] which he anticipated a profit to that extent.

MARITIME LAW.

NOTES OF NEW DECISIONS.

Freighter—Mortgage.—Where the owner of a ship lands goods on a wharf in his own name, the lien he has on them until the freight is paid is outside any statutory enactment, the lien given to the ship by the statute applying merely where the owner of the goods takes them himself out of the ship and lands them on the wharf in his own name, and this because the lien for freight would be gone when the owner of the goods landed them, if the statute did not make provision to preserve it. But it is doubtful if, where the owner and mortgagor of a ship lands goods on a wharf, retaining his lien on them for freight, such lien would pass to the mortgagee, even admitting that the mortgagee had been entitled to the accruing freight on the goods before they left the ship and were landed: (*The Edward Cardwell*, 12 L. T. Rep. N. S. 677. L. C. of Ireland.)

Ship—Flag—Register.—The register, flag and pass of a ship carry with them a presumption that they are true and correct, and the owner is estopped from averring against them: *The Laura*, 12 L. T. Rep. N.S. 635. Pr. Co.)

LAW STUDENTS' JOURNAL.

Correspondence.

Final Examinations.—We would trespass once more on your space to bring before your readers a suggestion which some time since appeared in your paper; namely, the desirability of establishing some mode of *permanently* distinguishing superior merit in the final examinations. In the clerical and medical professions valuable premiums are given for extra exertion, in the shape of degrees whose value is guaranteed by the high standing of the universities and societies (kindred institutions with the Law Society) by which they are conferred. Those degrees are the indexes of merit for preferment in the one case and for practice in the other. But in the legal profession, save the bare love of the service, there is nothing to induce the student to overstep the requisites for a pass. For the distinction technically known as *honours*, slight and ephemeral as it is even with the Profession, is unknown among clients, unless indeed the recipient condescend to become his own trumpeter, and even then it is soon forgotten. There is no criterion from which a client may judge of the ability of his solicitor, at least not until a lengthened practice has established his reputation. Is it because there is not scope in the whole range of legal learning for the exhibition of any higher proficiency than is elicited by our present Final Examinations? Can it be that there is no distinction between the one student whose studies have been prosecuted in the spirit and on the basis of Puffendorf, and Grotius, and Montesquieu, and the other who creeps into the profession with no more knowledge of or reverence for the law than will suffice him to carry on the practice of an *advertising attorney*? Or is there less need for care in the selection of an efficient attorney than in the employment of a skilful surgeon? It is true that the law will punish fraud or negligence on the part of the former, but it is also true that it will punish *mala praxis* on the part of the latter. It is true the death of the patient cannot be repaired in the one case, but in the other it seldom happens that the estate of an attorney will repair the mistake which is the ruin of a family. The cases are so far parallel; but, on the one hand, the law has established a distinction for ability, the usurpation of which it visits with condign punishment, but on the other, the client is left unguided to the choice of an adviser, and in the end has too often to be told that he should have selected an abler practitioner. Again referring to the possibility, pointed out in one of your leaders of a few months back, of the Profession being thrown open to unlimited competition by the abolition of the stamp on articles of clerkship, the necessity of some such step as we advocate will be still more evident. In trade, which is fairly and wisely made the subject of competition, if a tradesman supply a bad article, his customer has a remedy in dealing at a more respectable shop for the future; but who can repair bad law? This subject has, we believe, received the favourable attention of many members of the Profession, and it was probably only through the lukewarmness of the class who would chiefly benefit by an alteration—the articled clerks—that the subject was dropped. To old practitioners, whose connections are established, it would be of but little consequence; but to young men, whether practising or about to be admitted, the value of an unimpeachable testimony of high-class ability would be inestimable.

Two Articled Clerks.

3rd Aug. 1865.

PRELIMINARY EXAMINATIONS

BEFORE ENTERING INTO ARTICLES OF CLERKSHIP TO ATTORNEYS AND SOLICITORS.

Pursuant to the Judges' Orders, the Preliminary Examination in general knowledge will take place on Wednesday, the 14th, and Thursday, the 15th February 1866, and will comprise—

1. Reading aloud a passage from some English author.
2. Writing from dictation.
3. English Grammar.
4. Writing a short English composition.
5. Arithmetic.—A competent knowledge of the first four rules, simple and compound.
6. Geography of Europe and of the British Isles.
7. History.—Questions on English History.
8. Latin.—Elementary knowledge of Latin.
9. 1. Latin. 2. Greek, Modern or Ancient. 3. French. 4. German. 5. Spanish. 6. Italian.

The special examiners have selected the following books, in which candidates will be examined in the subjects numbered 9 at the examination on the 14th and 15th Feb. 1866:—

In Latin.—Cicero, De Officiis, book iii.; *or*, Virgil, Æneid, book vi.

In Greek.—Euripides, Medea.

In Modern Greek.—Βικελαίου, περὶ 'Αδικημάτων καὶ Ποινῶν μεταφρασμένον ἀπὸ τὴν 'Ιταλικὴν Γλῶσσαν, 1—7, both inclusive; *or*, Βενεταῆ 'Ιστορία τῆς 'Αμερικῆς, βιβλίον ζ.

In French.—Guillaume le Conquérant par M. Guizot; *or*, Horace par Corneille.

In German.—Schiller's Abfall der Niederlande, books iii. and iv.; *or*, J. V. v. Goethe's Goetz von Berlichingen.

In Spanish.—Cervantes' Don Quixote, capit. i. to xv. both inclusive; *or*, Leandro Fernandez de Moratin, El Sí de las Ninas.

In Italian.—Manzoni's I Promessi Sposi, cap. i. viii. both inclusive; *or*, Torquato Tasso's La Gerusalemme, 4, 5 and 6 cantos.

With reference to the subjects numbered 9, each candidate will be examined in *one language only according to his selection*. Candidates will have the choice of *either* of the above-mentioned works.

The Examinations will be held at the Incorporated Law Society's Hall, Chancery-lane, London, and at *some* of the following towns:—Birmingham, Brighton, Bristol, Cambridge, Cardiff, Carlisle, Carmarthen, Chester, Durham, Exeter, Lancaster, Leeds, Lincoln, Liverpool, Maidstone, Manchester, Newcastle-on-Tyne, Oxford, Plymouth, Salisbury, Shrewsbury, Swansea, Worcester, York.

Candidates are required by the judges' orders to give *one calendar month's* notice to the Incorporated Law Society, before the day appointed for the Examination, of the *language* in which they propose to be examined, the *place* at which they wish to be examined, and their *age* and *place of education*. All notices should be addressed to the Secretary of the Incorporated Law Society, Chancery-lane, W.C.

E. W. Williamson, Secretary.

Law Society's Hall, Chancery-lane,
London, August 1865.

Form of Notice.

Preliminary Examination.

Notice is hereby given, that A. B., of aged who was educated at intends on the and days of next, to present himself for examination at previous to entering into articles of clerkship, and that he proposes to be examined in the language.

Dated the day of 18

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Meeting—Sects. 109, 110 and 136.—At a sitting duly appointed the bankrupt passed his last examination and obtained his order of discharge. Notice of a meeting of the creditors, to be holden at the same time and place, had been advertised in two local newspapers (but not in the *London Gazette*), in the one paper four, in the other nine, days previously. At this meeting certain creditors, being a majority representing three-fourths in value, not being personally present, but represented by two solicitors acting under powers of attorney, resolved, under sect. 110, that no further proceedings should be taken, and that the meeting should be adjourned for fourteen days. Notice of the meeting and resolution having been sent to all the creditors, at an adjourned meeting held a fortnight afterwards the same creditors, represented by the same two persons, passed another resolution that the proceedings should be suspended and the estate of the bankrupt wound-up by the creditors' assignees out of bankruptcy. The original meeting was held to be one at which "a proposal," under sect. 110, could be lawfully made, and that notice having been given to every creditor, the resolution passed at the adjourned meeting was valid: (*Ex parte Boldero*, 12 L. T. Rep. N. S. 750. L. C.)

Trust-Deed—Sect. 192.—The 3rd regulation of this section is, that the execution of such deed by the debtor shall be attested by an attorney or solicitor. Where one of a firm of debtors was residing abroad, execution by his attorney, acting under a power of attorney, was held to be a good execution under this regulation: (*Ex parte Bell*, 12 L. T. Rep. N. S. 752. L. C.)

Option to Creditors—Sect. 110.—Where the creditors have exercised their option under this section to have the proceedings suspended and the estate wound-up out of court, the bankrupt is not entitled to his order of discharge as of right; and when the order is applied for the creditors are entitled to be heard in opposition. The words "as hereinbefore provided," in sect. 158, relate not to sect. 110, but to sect. 140: (*Ex parte M'Kerrow*, 12 L. T. Rep. N. S. 753. L. C.)

Trust-Deed — Execution — Sect. 198.—Where, two days after judgment signed, the judgment-creditor, having received notice of the registration of a trust-deed by the debtor, withheld his assent, and applied to the court for leave to issue execution on the ground that the deed was fraudulent and void, there being a direct conflict of evidence as to the validity of two of the alleged debts of the assenting creditors, leave was given to issue execution in order that the validity of the deed might be tried at law: (*Ex parte Gordon*, 12 L. T. Rep. N. S. 754. L. C.)

Allowance—Sect. 195 of B. A. 1849.—The provisions of this section relating to the allowance granted to a bankrupt in proportion to the amount of dividend paid to the creditors, are not applicable to the case of a division of property under a deed executed in conformity with sect. 192 of the B. A. 1861: (*Ex parte Turner*, 12 L. T. Rep. N. S. 770. Holroyd, C.)

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

Administration Bonds.—Will any reader inform me if there is any rule or regulation as to the fee to be paid country solicitors for attesting the execution of administration bonds. I am charged 1s. 6d. by the London commissioners, but the county commissioners always insist on it that 6s. 8d. is their proper fee for each bondsman. I cannot understand this, and shall be glad to be enlightened.

Brentwood. P.

Cestuis que Vie.—I should feel obliged if you or any of your correspondents could inform me the title, &c., of any Act of Parliament later than the 6th of Anne, c. 18, which may have been passed in relation to the proof of the existence of *cestuis que vie*, under grants of estates from lords of manors, colleges, &c. I believe such an Act was passed, but I cannot find it in the list of statutes I have to refer to. T. H.

Conveyancing.—D., the owner of certain freehold property, demised by indenture dated March 1843, to C. for three lives, E., F. and G., and the life of the survivor; E. and F. died, leaving G., the surviving life, who some time since went to the United States of America. Being illegitimate, and having no immediate friends or connections in this country, he has not been heard of for a considerable period. If living, his age would not exceed forty-four years. D., the lessor, contends, that it is incumbent upon C. to show that G. is still living, which he is unable to do, and D. has thereupon taken possession. Is he, however, under the circumstances legally justified in adopting this course? Inquirer.

Answers.

Shorthand.—"W. J. E." may purchase Pitman's Phonetic System of Shorthand, at No. 20, Paternoster-row, for 1s., or that of Harding, for 2s. 6d., from the London publishers Messrs. Simpkin and Marshall. These are standard works on the subject. Ansley P. Pitts.

Launceston, Cornwall.

— "W. J. E." will find "The Phonographic Teacher" to be the best and cheapest initiatory work on shorthand. The price is 6d. It can be got from Mr. Isaac Pitman, Phonetic Institute, Bath; or Frederick Pitman, 24, Paternoster-row, London. R. J. C.

Salford.

Stamp on Settlement—Life Policy.—*Ad valorem* duty will be payable on the sum insured, if there be any

certain covenant, contract, or provision made for keeping up" the policy; if otherwise, the duty will be chargeable merely on the value of the insurance at the date of settlement: (27 Vict. c. 18, s. 12) J. P.
Exeter.

Mortgage of the Equity of Redemption—Title-deeds.—The title-deeds to an estate follow the legal interest, and belong to the legal owner of the freehold for the time being: (*Attwood* v. *Heywood*, 32 L. J. 133, Ex.) Without any covenant, therefore, I presume that the mortgagee, on obtaining possession of the deeds by a repayment of the first mortgage, will be compellable to hand them over to second mortgagee. D. H.
Driffield, Aug. 5.

Wife's Reversionary Interest.—In reply to "J. R.," the policy referred to is, I think, to be deemed a "*future*, or reversionary, interest" belonging to the wife, and within the terms of sect. 1, 20 & 21 Vict. c. 57. *Ergo*, an assignment thereof should be acknowledged pursuant to the Act. Strictly speaking, the policy is a "chose in action," but is also reversionary, because the husband cannot (if he would) reduce it into possession; he must wait until the dropping of the life assured. It matters not whether the policy were granted before or after the marriage, but I assume it was issued after the 21st Dec. 1857, or the Act would not apply. A case similar in every respect has just come before me, and I intend to prepare the assignment, and get it acknowledged as above suggested. J. P.
Exeter.

Shares—Pecuniary Liability.—I presume that no action could be maintained by the company against the shareholder for the unpaid price of the shares. The company would be estopped by their own receipt from denying the payment. But it would be a gross fraud on the public to allow a person to appear as a shareholder who had not contributed to the capital of the company, unless he could be compelled to do so; and I should think, therefore, that on the winding-up of the company he would be liable to the extent of the amount unpaid. The 25 & 26 Vict. c. 89, provides, in reference to the winding-up, that: "In the case of a company limited by shares, no contributions shall be required from any member exceeding the amount, if any, *unpaid* on the shares in respect of which he is liable as present or past member." I presume, from this clause, that an *actual payment* will alone relieve from liability. D. H.
Driffield, Aug. 5.

Liability for Negligent Driving.—To question the soundness of a decision given by one so eminent as the author of the Treatise on Evidence will doubtless seem an act of great presumption. Yet I cannot but think, that if the plaintiff's attorney has correctly reported this case, Mr. Taylor's judgment is erroneous. Were it not so, it would follow, that whenever the plaintiff has in any way contributed to an accident, the defendant must be exculpated in respect of his negligence, however gross. But the rule as to contributory negligence appears to be this, that the defendant will be liable for his own neglect, *if he might by care have avoided* the consequences of the plaintiff's wrongful act. In *Davies* v. *Mann*, 10 M. & W. 546, the plaintiff had improperly left an ass fettered on the highway, he was nevertheless held entitled to recover from the defendant who negligently drove against it. Again, in *Dowell* v. *General Steam Navigation Company*, 5 E. & B. 195, Lord Campbell observed, "In some cases there may have been negligence on the part of a plaintiff, remotely connected with the accident, and in those cases the question arises whether *the defendant by the exercise of ordinary care and skill might have avoided the accident*, notwithstanding the negligence of the plaintiff, as in the often-quoted *Davies* case, *Davies* v. *Mann* (see also *Tuff* v. *Warman*, 5 C. B., N. S., 573), where this question is thoroughly considered. I remember reading a case in which the plaintiff had encroached on a public footpath with his shop window; the defendant through carelessness broke the window: it was held that the plaintiff's improper act did not bar his right to recover. I am sorry that I cannot now find the case, but doubtless those I have referred to are sufficient to show that, even if the plaintiff were guilty of a trespass in erecting his lamp over the public footpath, still, if the accident would not have happened had the defendant used proper care, then the defendant is liable. I think also that another question ought to have been raised at the trial; viz., in whom is the possession of the soil of the highway? Have not the public merely a right of way, and does not the actual freehold of the highway *usque ad medium filum viæ* belong to the owner of the adjacent property? If so, the maxim quoted by Mr. Taylor (*cujus est solum, &c.*) will justify the act of the plaintiff, rather than render him a trespasser, unless the erection of the lamp obstructed that right of way to which the public are entitled, which can hardly be the case if the lamp only overhung the *foot* way.
Driffield. D. H.

LAW SOCIETIES.

INCORPORATED LAW SOCIETY.

Annual Report of the Council.

Intended to be submitted to the General Meeting of the Members on July 5, 1865.

(Continued from page 490.)

Law Classes.

At the annual general meeting of the members of the society, held on the 30th June 1863, a resolution was passed, "That it be referred to the council to report upon the expediency of instituting law classes, in addition to the courses of lectures annually delivered to students in the hall of the society."

The council have since received memorials numerously signed by articled clerks both in London and in the country, to which are appended extracts from various legal periodicals, and letters from judges, professors, barristers and solicitors on the subject, in which a general concurrence of opinion is expressed in favour of law classes.

From the first institution of the society the council have felt it to be their duty to employ the means at their disposal for such purposes as (following the words of the charter) might assist "in promoting professional improvement, and facilitating the acquisition of legal knowledge;" and, having given the subject very careful consideration, the council have agreed to report to the members at the general meeting that, in their opinion, it is expedient that law classes should be instituted in addition to the lectures annually delivered.

The council have accordingly prepared the scheme set forth in the appendix to this report, which they recommend to the meeting for adoption.

The experience of a few months will enable the council to judge whether it is desirable that the scheme of these classes should be continued, with or without any modification.

Usages of the Profession.

The questions submitted to the decision of the council with reference to professional usage since the last annual meeting have not been so numerous as in some former years. Those, however, which have received consideration relate to—

Preparation of abstracts;
Custody of deeds;
Costs of petition under the Act 11 Geo. 4 & 1 Will. 4, c. 65;
Expense of a commission to take an acknowledgment in Ireland—of making a surrender under a deputation from the steward of a manor—and of executing such commission and deputation.

It should be observed that it is a rule of the council to consider such questions only as are submitted by solicitors who agree to abide by the decision given.

Matters relating to Attorneys.

Several complaints have been preferred against members of the profession for misconduct since the last annual meeting, to which the council have given careful consideration. In two instances, rules have been made under which the names of the attorneys have been removed from the roll, and in another the rule has been enlarged until Michaelmas Term next.

In some other cases submitted to the council, a similar punishment might have been inflicted, if the attorneys complained of had not made some restitution to the persons aggrieved.

The council have also appeared upon several applications for readmission, and renewal of certificates by attorneys and solicitors, where circumstances rendered it necessary that in the interest of the profession the application should be opposed.

New Rules and Orders.

The following rules and orders have been printed for the use of the members:—

In the *Court of Chancery*.
2nd Aug. 1864. Applications to refer bills to be taxed, and to review taxation.
27th May 1865. As to the mode of proceeding for the proof of debts.

In the Courts of *Common Law*.
Trinity Term 1864. Fees of sheriffs, undersheriffs, &c.

In the *Land Registry Office*.
General orders, directions and forms relating to proceedings on application for first registration of title.

In the *Court of Bankruptcy*.
21th June 1861. Registration of Deeds, &c.

Affairs of the Society.

At a special meeting of the society held on the 2nd Aug. last the council received the requisite authority to enable them to raise a sum of 7000*l.* on security of the society's property, for the purpose of completing the purchase of a space of ground comprising the site of the Middlesex Registry Office, and certain premises adjoining thereto, used as an auction-room.

The purchase of this property was shortly afterwards completed; but having regard to the uncertainty which existed with reference to the appropriation of the property immediately facing the society's buildings in Bell-yard, as part of the site for the concentration of the Superior Courts and their offices, the council have deemed it advisable to defer their consideration as to the best means of dealing with the property so purchased, for the present.

The great object of the council will be to adopt measures for enlarging the society's buildings, and thereby remove the inconvenience experienced by the members in being excluded from the hall during the examinations.

Library.—In addition to several valuable donations from members of the society and others, the library has been increased by 710 volumes.

In the course of a few weeks the council expect to add some important works on Italian law, which have been lately purchased.

The following are the names of the gentlemen from whom donations have been received:—K. Barnes, Esq., Sir R. Barry, W. W. Barry, Esq., G. H. Brooks, Esq., G. Browne, Esq., W. Ford, Esq., E. Foss, Esq., W. S. Jevons, Esq., G. W. Lawrance, Esq., Messrs. Pritchard, Mr. C. W. Reynell, the widow of W. Salt, Esq., B. P. T. Tagore, Esq., and James Weston, Esq.

The number of members of the society is now 2035, viz. 1531 town, and 504 country members.

187 subscribers have attended the lectures during the past season, which comprised a course of twelve on Conveyancing by Mr. Joseph Napier Higgins, twelve on Equity by Mr. Montague Hughes Cookson, and twelve on Common Law by Mr. Hugh Shield.

During the past year the lectures have been more numerously attended by members of the society than heretofore.

In pursuance of the bye-laws, the auditors' report as to the funds of the society has been laid in the secretary's office since the 15th April last for inspection by the members of the society.

In accordance with a provision of the Act 23 & 24 Vict. c. 127, an account of the receipts and payments of the society as registrar of attorneys and solicitors, has been laid before the judges.

The council refer with unfeigned regret to the decease of two of their colleagues, Mr. John Hope Shaw and Mr. Keith Barnes.

The services rendered to the profession by Mr. John Hope Shaw were of great value, and it would have been a source of great gratification had he lived long enough to experience the full effect of his well known advocacy of an improved system of legal education. The council regard with much satisfaction the period during which they were associated with a gentleman who had attained so distinguished a position, and was so universally and deservedly esteemed in his profession.

Mr. Keith Barnes, whose state of health compelled him to resign his seat at the board some time before his death, has left a vacancy which it will be difficult to fill. The deep interest which he took in the affairs of the society, and his great activity in dealing with all matters relating to its interests, cannot be over-estimated; and on numerous occasions, when subjects of special importance to the profession were under consideration, Mr. Keith Barnes sacrificed his time and energies on behalf of solicitors in a manner deserving their highest regard.

The council have also to announce the retirement of Mr. Edward Archer Wilde, and Mr. Charles Kaye Freshfield; the former of whom has been a member of the committee of management of the society and of the council for upwards of thirty-five years.

It is a source of great regret to the council to lose so old and valued a colleague as Mr. Wilde, with whom it was always a pride and pleasure to be associated, and to whom a deep debt of gratitude is owing for the interest he invariably felt in the welfare of the society and of the profession at large.

Mr. Freshfield, finding that his numerous and important engagements did not admit of his devoting sufficient time to the affairs of the society, felt it his duty to tender his resignation. This also is matter of regret, as the council thereby lose one of their most influential members.

(To be continued.)

LEGAL NEWS.

Changes of Name.—A recent announcement in the advertising columns of the *Times* made it known to the public that the Rev. H. B. De B. Stafford intends in future to be known as the Rev. H. B. De B. Berkeley Howard-Stafford. The rev. gentleman is, according to *Crockford's Clerical Directory*, curate of the small parish of Sopley, near Ringwood, Hampshire.——During the last month of July there have been four changes of surname by deed and advertisement announced in the *Times*. Mr. Squirt has become Mr. Morris; Mr. Gamman has converted himself into Mr. Gariman; Mr. Lloyd now calls himself Mr. Morris, and Mr. Slous has become Mr. Selous. We conceive that none of the noble families of England can feel much aggrieved at these innocent arrangements, which we hope are just as satisfactory to the parties concerned as if they had paid several hundred pounds to the Royal College of Arms for permission to do what they had a perfect right to do without the assistance of that learned body.

A Convict.—Baron Pigott at Croydon passed sentence on Thomas Jervis, the prisoner who was convicted on Tuesday week of unlawfully wounding Mr. Moss, a Scripture reader at the Woking prison, where he was confined under a sentence of six years' penal servitude, and who made such an extraordinary statement with regard to the treatment of the convicts in that establishment. The judge said it appeared that, with very short intervals of three and six months, he had passed the life of a convict since the year 1849, and he had been originally sentenced to twenty years' transportation; in 1862 he was again convicted and sentenced to six years' penal servitude, and was undergoing that punishment when he committed the offence of which he had been now convicted. He had, therefore, served a long apprenticeship as a convict, and had been in several convict establishments. He had on the previous day made a statement which was calculated to create a feeling in the public mind that convicts were subjected to ill-treatment, and he appeared to entertain the opinion that convict prisons ought to be merely places of retirement for persons who were tired of their vicious course of life. He and others in his position must understand that this was not so. Convict prisons were intended to be places of punishment, but the prisoner did not seem to think that this was their object. Such an offence as that he had committed could not be passed over without severe punishment, and he thought the jury had taken a very merciful view of his conduct, when they found him guilty only of unlawfully wounding. He was bound to pass a

sentence of five years' penal servitude, but he should direct that the sentence should date from the present time, and the effect would be that he would have to undergo an additional period of punishment of three years at the expiration of his former sentence.

Mr. Thornton's Will.—Probate of the will of the late Mr. Richard Thornton (of which an incorrect version has appeared in several of the papers) passed the seal on the 28th July. The executors and trustees are Messrs. Thomas Thornton and Richard Thornton West (the testator's nephews); Mr. Richard Napoleon Lee, of the Middle Temple, barrister-at-law; Mr. Alfred Pulford, of St. James's-street, army tailor; and the testator's sister, Mrs. Ellen Simpson, widow; but the four former only proved the will. Power is reserved to Mrs. Simpson to prove hereafter. The personal estate was sworn under 2,800,000*l.* The will is dated 24th March 1865. The testator died on the 20th June, at his residence, Cannon-hill, near Merton, Surrey. From the many munificent bequests we extract the following:—To his nephew, Mr. Thomas Thornton, the testator has left all his freehold, copyhold, and leasehold property for his absolute use. To Mrs. Ellen Simpson, 100,000*l.*; to his nephew, Mr. William Thornton West, 400,000*l.*; to his clerks, Mr. John Browne and Mr. Sugden Nevis, 20,000*l.* each; to his servants as follows:—Mike Purday, 200*l.*; to his nurse, Ann Jones, for her faithful services and attention to him in his illness 100*l.*; to each of his other domestic servants at Cannon-hill, who have been in his service two years and upwards (including his coachman), 50*l.*; to the widow of his former gardener, an annuity of one pound a week for life, to the Leather-sellers' Company, 5000*l.*; to Christ's Hospital, the sum of 5000*l.*; and 10,000*l.* to Hetherington's Charity fo the Blind. To St. Luke's Hospital, St. Mark's Hospital for Fistula, St. Thomas's Hospital, Guy's Hospital, Bethlehem Hospital, Magdalen Hospital, Orthopædic Hospital, London Hospital, Hospital for Incurables, Sailors' Hospital on board the *Dreadnought*, Victoria Park Hospital, City of London Truss Society, National Life-boat Institution, Merchant Seamen's Orphan Asylum, London Orphan Asylum, Infant Orphan Asylum, British Orphan Asylum, Female Orphan Asylum, Deaf and Dumb Asylum, Indigent Blind Asylum, Asylum for Idiots, Asylum for Fatherless Children, Ladies' Charity School in Queen's-square, St. Ann's (Royal) Society's Schools, and National Benevolent Institution, 2000*l.* each. There is also a bequest of 10,000*l.* in trust for the support of schools erected by the late Mr. M. Thornton at Burton, Yorkshire, and for educating and apprenticing as many poor children as the fund will allow; 500*l.* for the relief of the poor at Burton, 10,000*l.* in trust for schools at Merton and for educating and apprenticing poor children, and 1000*l.* for the relief of the poor at Merton. All the foregoing legacies and the annuity before mentioned are to be paid free of duty. To Mr. R. N. Lee, one of the executors, the testator leaves the munificent legacy of 400,000*l.*, on condition of his obtaining a licence within twelve months to take and use the surname of "Thornton." To Mrs. Ellen Pulford, the wife of Mr. Alfred Pulford, another executor, a life-interest is devised in the sum of 300,000*l.*, with like provision for Mr. Pulford if he should survive his wife; the capital reverts to their children on their death. To the Misses Margaret and Eliza Lee, of Ventnor, Isle of Wight, there is a life-interest in the sum of 200,000*l.*; to Mrs. Ellen Thornton, the wife of the testator's nephew, Thomas Thornton, the interest of 20,000*l.* for the benefit of herself and children upon the trusts of her marriage settlement. There are also liberal bequests to others of the testator's nephews, nieces, and other persons. The residue of the personalty the testator has bequeathed equally between his two nephews and executors, Thomas Thornton and Richard Thornton West.

The Taxation of Ireland.—The select committee reappointed on the 2nd March last to consider the question of how far the taxation of Ireland is accordant with the treaty of union—the nature of the imposts, and whether they appear just in relation to the resources of the country—have just presented their report to Parliament. The document is a voluminous one, extending over twelve closely-printed pages. The draft presented to the committee by Sir Stafford Northcote was, out of four brought forward, the one adopted, several amendments having been incorporated. The following appear to be its principal points of interest: The committee found that the provisions of the Treaty of Union had been violated by the way in which the accounts were kept and taxation was levied in the years immediately after the passing of the Act of Union; that in 1816 a system of indiscriminate and nearly uniform taxation was introduced in place of the system established at the time of the union, under which, while each country had to make provision, in the first instance, for its own separate expenditure, Great Britain was called upon to contribute fifteen-seventeenths, or about 88¼ per cent., and Ireland two-seventeenths, or about 11¾ per cent., of the sums required for the joint expenditure of the United Kingdom. This expenditure was in 1801-16, 841,948,718*l.*, and of this sum Ireland was required to make provision by taxes or loans for an amount of 99,052,798*l.*; at the same time that she disbursed for her separate expenditure a total, including charges for services prior to the union, of 29,488,342*l.* In point of fact, however, she expended 128,767,804*l.*; and even this sum falls short of the whole amount charged upon her. She did not provide the whole of her expenditure by taxation, but by a system of borrowing, and consequently had to bear a charge of compound interest. Technically, at least, there were departures from the terms of the Treaty of Union. Experience has proved that the resources of Ireland were not sufficient to meet the proportion of contribution fixed by the Treaty of Union, and there cannot be any doubt but that she was in the end a sufferer from the disproportion between the amount raised by loans and that raised by taxation. The committee are of opinion that the recommendation made by the select committee of 1815 on this subject, and in contemplation of these facts, that the debts should be consolidated and the exchequers of the two countries amalgamated, was very justifiable, and that it was proper for the Imperial Parliament to act upon the advice. The value of the whole debt of Great Britain at the time of the union was 420,305,944*l.*, and the value of the Irish debt 21,180,810*l.* At the time the exchequers were amalgamated Great Britain's debt was 846,269,046*l.*, and Ireland's 30,802,904*l.* From 1817 the system of taxation has been to a certain extent indiscriminate, yet Ireland has been so far favoured that she has been more or less exempted from certain taxation which has been laid upon Great Britain. However, of late years considerable additions have been made to Irish taxation, and it has been placed more nearly on an equality with that of Great Britain. In 1852-3 the amount raised thus in the United Kingdom was 56,887,653*l.*, and in 1861-2 the sum rose to 64,158,365*l.*, an addition of burden to the extent of 20 per cent. This increase was made in such a manner as to lay upon Ireland a greater proportionate burden than upon Great Britain. The increase in Great Britain in ten years was 17 per cent.; in Ireland it was 52 per cent. The remission of taxation which had taken place since 1816 has been as 2 to 20·5 of the benefit conferred upon Great Britain. Mr. Senior, who gave evidence before the committee, remarks that the taxation of England is both the heaviest and the lightest in Europe—the heaviest as regards the amount raised, the lightest as regards the ability to bear that amount; but that in the case of Ireland it is heavy both as regards the amount and as regards the ability of the contributor; and he adds that England is the most lightly taxed, and Ireland the most heavily taxed country in Europe, although both are are nominally liable to equal taxation. The committee do not look to an increase of expenditure in Ireland as a desirable measure, believing that upon the whole it would do more harm than good. They consider, among other like recommendation, that extensive proprietors should be allowed advances for land improvement, drainage and labourers' cottages, beyond the sum of 5000*l.*, which is now the fixed limit, in all cases, whatever may be the size of the estate. They also recommend that it should be made optional with the proprietor to borrow the money, under the arrangement at present in force—viz., by repayments at 6½ per cent. for twenty-two years, or by payments of 5 per cent. for such a number of years as will be necessary to repay the sum borrowed, with the same rate of interest as at present.

A Year's Crimes.—The official reports made by the police to the Home-office state that the number of the more serious indictable crimes committed in England (those not summarily disposed of) in the year ending at Michaelmas last was 51,058—a decrease of 2·2 per cent. as compared with the previous year. The decrease was in the burglaries and other crimes against property; the crime of breaking into the house of life was more rife. The police had to report 134 murders, 46 attempts at murder, and 773 instances of shooting or stabbing with evil intent; the first number was 11 above that of the previous year, and the last was 61. 14 murders were reported from the metropolis, and 23 in Lancashire, 9 of them in Liverpool. These are returns of crimes committed "so far as known to the police;" if we accept the verdicts of coroners' juries, there were as many as 246 persons murdered in England in the year 1864, 204 of them infants not more than a year old. Of the 4214 burglaries (and attempts) reported by the police, 471 were in the metropolis, the return for Manchester reaches 702, but General Cartwright remarks in his report on the constabulary that the discrepancies in the returns of the number of indictable offences in the towns imply that in practice a uniform system is not adopted in making up the returns. The persons apprehended for the crimes thus described as known to the police were 28,734, and 60 per cent. of that number, amounting to 33 per cent. on the number of offences reported, were sent for trial. But it must not be supposed that the numbers not committed for trial represent undiscovered crime; the county and borough police returns show that at least a fifth of the persons discharged by the magistrates were released because of the failure of the complaints to appear in support of the charge, and not on the ground of the failure of the police to trace the real offenders. In noticing now some of the commitments for trial we have to deal with returns for the year ending not at Michaelmas, but on the 31st Dec. last. The committals of the year 1864 were 19,506, or 6·3 per cent. less than in 1863—a decrease which perhaps marks the commencement of a reaction after three successive years of increase, which followed three successive years of decrease. The decrease is not entirely confined to offences against property. In 1863 there were 81 committals for murder, in 1864 there were 70; 9 of the accused were found insane, 20 were acquitted, 32 convicted, 19 executed. The annual number of executions in England averaged 605 in the ten years 1822-31, not a fourth of them for murder; 218 in the ten years 1832-41, nearly half of them for murder; 107 in the ten years 1842-51, almost all for murder; 105 in the ten years 1852-61, almost all for murder; under the Acts passed in 1861 treason and murder alone have capital sentence, and the executions have been all for murder—15 in 1862, 22 in 1863, 19 in 1864. The executions for murder averaged 13·2 in the ten years 1822–31; 10·4 in the thirty years 1832–61, 18·7 in the three years 1862–64. The proportion in 1864 was one in 1,093,291 of the estimated population. But there is a great mass of minor crime of which we have not yet spoken, the offences dealt with summarily by magistrates. The number of persons summarily convicted in the year ending at Michaelmas last was 300,741, an increase of six per cent. over 1863. The offences were of great variety of guilt, a large proportion slight offences or mere irregularities, for nearly 188,000 were punished only by a fine. 23,326 persons, however, were convicted of stealing or attempting to steal; 60,881 of drunkenness; 2681 for aggravated assaults on women and children; 7848 for cruelty to animals, 6990 for trespassing in the daytime in pursuit of game; 567 for night poaching; 729 under the Poaching Act of 1862; 270 for selling unsound food; 5931 for begging; 4718 for offences against the Weights and Measures Act. 6648 beershop-keepers were convicted for offences against the Acts relating to beershops, and 3173 licensed victuallers for offences against the Acts relating to their houses. Right or wrong, or a little of both, 534 persons were convicted for offences against the Lord's-day Act. The total number of persons apprehended for indictable offences or proceeded against summarily last year was 448,362; the number in the previous year, 452,273; 27 per cent. were persons of previous bad character. During the last year proceedings were taken against 88 per cent. of the number of known thieves who were at large, against 70 per cent. of the number of prostitutes, and against 64 per cent. of the number of vagrants and tramps. The number of persons actually sent to prison in the year for other causes than for debt (reckoning more than once persons sent more than once), was 120,077; but 9614 of them should hardly be counted, as they appear to have been persons on remand who on further investigation were discharged. The number of the residue may be analysed thus:—84,011 sent to prison on summary convictions, 2923 for want of sureties, 2071 military offenders, 19,623 persons committed to take their trial. Of the persons committed to take their trial 14,726 were convicted. Such is our black list for 1864.

Wills and Bequests.—The will of Gerard R. Wharton, Esq., late of The Albany, Piccadilly, and Lincoln's-inn-fields, clerk of the peace for the county of Durham, was proved in the London court, on the 12th April, by his nephew, Matthew Ford, the sole devisee, legatee and executor. The will, which is very short, is dated July 16, 1856. The personalty was sworn under 16,000*l.*—Special probate of the will and two codicils of the most Hon. Frances Anne Vane, Dowager Marchioness of Londonderry, was granted by her Majesty's Court of Probate to the acting executor and trustee, Mr. William C. Clayton, of Lincoln's-inn; a power being reserved to the other executors and trustees—viz., Earl Vane (the son), Major-General Thomas Wood, of Littleton; and Mr. G. W. Pierrepoint Bentinck, M.P. The will is dated the 8th July 1864, and has no reference to the estates in Ireland. The personalty was sworn under 180,000*l.* Her ladyship was the only daughter and heir of the late Sir Henry Vane Tempest, and married, in 1819 (as second wife), Charles William, third Marquis of Londonderry, K.G., who died in 1854, by whom she had issue three sons and two daughters; one son and daughter died. Her ladyship's valuable jewels are set forth in two schedules accompanying the will—one containing specific bequests of these costly personal ornaments to her daughters and other members of her family, describing distinctly the article and the person to whom it is bequeathed. The other portion of her jewelry, together with all presentations from the sovereigns of Russia, Sweden and Prussia, and the Embassy service of plate, and racing cups (except the Antrim cup) are to go to the possessor of her residence. She also further bequeaths to her daughters, Frances, Duchess of Marlborough, Alexandrina, Countess of Portarlington, and Lady Adelaide Law, each 500*l.* immediately. To Lady Susan Vane, widow of her late son, Lord Adolphus Vane, an annuity of 300*l.*, and to her grandson Francis, on attaining twenty-one, the sum of 10,000*l.* To her son Lord Ernest Vane Tempest, 5000*l.*, and he is appointed residuary legatee. To her daughter Lady Adelaide Law, a further legacy of 1200*l.* The three last-mentioned sums are not to be paid till the expiration of twenty-one years, unless the trustees see it desirable to do so earlier, the interest to be charged on the residuary estate. To her executors 500*l.* each. There are liberal annuities to the servants. All legacies to be paid free of succession and legacy duty. The income arising from the Holderness House and estate to be held in trust for her eldest son and issue, and to accumulate at compound interest for a period of twenty-one years. And the trustees are to retain from the dues and income of the Seaham Harbour, Durham, and the colliery and other estates, the yearly sum of 14,000*l.* to accumulate at compound interest for the like period of twenty-one years and to be held in like manner.——The will with a codicil of Mr James Graham, of New Barnes West Malling, Kent, and of 75, Westbourne-terrace, Hyde-park, was proved in the London court, on the 1st inst., by the executors, Mr. William Forster, of Lincoln's-inn, and Mr. John Tompsett Noakes, of the borough of Southwark. The personalty was sworn under 30,000*l.* The principal bequests are as follows:—To Mr. Forster a legacy of 50*l.*, and to Mr. Noakes nineteen guineas. To the testator's wife, Mrs. Susannah Graham, an immediate legacy of 150*l.*, together with her paraphernalia, jewels, watch, trinkets, and ornaments of the person, also the housekeeping stores (excepting wines), and the selection of the household furniture and effects (except plate and plated articles) to the value of 100*l.* Mrs. Graham also receives an annuity of 150*l.*, and is appointed guardian of the testator's daughter, Melicent Isabel Graham. The testator leaves a legacy of 400*l.* to his half-sister, Eliza Graham, the daughter of his late father, Nicholas Graham, by his second wife, to be paid to her when she attains twenty-one. 20,000*l.* is to be set apart and held by the executors in trust to pay the interest and dividends thereof to the testator's said daughter Melicent Isabel Graham for her separate use, with power for her to appoint the capital in favour of her children (if any) at her decease. There are bequests to the testator's two grandnephews and grandnieces, the four children of his nephew, Thomas Hadley Hutchinson. The testator leaves the residue of his estate to his son, Allen Mardon Graham, for life, with power of appointment of the same in favour of his children at his decease.——The will, with three codicils of Mr Thomas Hancock, of Stoke Newington, was proved in the London court on the 2nd June by his nephew, Mr James Lyne Hancock, and Mr. Thomas Nunn, two of the executors, to whom the testator leaves legacies of 50*l.* each for their trouble. The personalty was sworn under 6000*l.* The testator leaves his residence, with the furniture, plate and effects therein, to his nieces, Mary and Fanny Hancock, the daughters of his brother John. He also leaves liberal legacies of money to them, and to three other daughters of his brother John; there are also legacies to each of the ten children of the testator's brother Charles. To his nephew, John Hancock, a son of his said brother John, there is left a legacy of 400*l.*, and to his nephew Thomas (also a son of his brother John), 300*l.* The testator leaves 50*l.* each to his medical attendants, Mr. Bird and Dr. Cumming, "as a grateful acknowledgment of their professional services to himself and his family." There are legacies to the testator's brothers, also to his numerous nephews and nieces, several of whom are appointed residuary legatees.——The will of Admiral Henry Meynell, of Hill-street, Berkeley-square, was proved in London by his executors, viz., Hugo Francis Meynell-Ingram, Esq. (his nephew), and James H. Hallett, Esq., of Great George-street, Westminster. The personalty was sworn under 180,000*l.* There are many liberal and specific bequests, amongst them the gilt tea-service which belonged to H.R.H. the late Duke of York; this he leaves to his brother, Hugo Charles Meynell-Ingram, Esq., and to his brother's wife a legacy of 400*l.* His horses and guns he leaves to his nephew and executor, Hugo Francis Meynell-Ingram, together with a legacy of 500*l.*, and a like sum to his other executor, Mr. Hallett. To his sister, the wife of Colonel S. Waymouth, 10,000*l.*, also an annuity of 500*l.*, and a life-interest in upwards of 35,000*l.*; this latter sum, at her death, is to be divided between the two children of his said brother, who are to receive an immediate legacy of 2000*l.*, and are appointed residuary legatees. A provision is also made for the colonel, should he be the survivor. There is a legacy of 5000*l.* to his widowed sister, Mrs. Becket. There are other legacies to friends and also to his servants.——The will of William Mann,

Esq. of Eltham, Kent, was proved in London, by Messrs. Henry and Frederick J. Chester, solicitors, Newington-butts, the executors. The personalty was sworn under 60,000*l.* To each of his executors, Henry and Frederick Chester, 3000*l.* and his freeholds in Kent and in Bishopsgate-street; to the four children of the latter 1000*l.* each; to the wife of Mr. Holland, draper, Newington-causeway, 3000*l.*, and the freehold premises, which latter are to pass to her children, leaving also to each of them 1000*l.*; to his tenants, Misses Holman, the freehold residence in their occupation, together with a legacy of 1000*l.* each; to to his tenant Mr. Seldon, fishmonger, Lambeth, the freehold house; to Mr. Shott some freeholds, and to each of his five children, 1000*l.*; to Mr. Evans, surgeon, Brixton, 2000*l.*; to Mr. Paine, clerk to Messrs. Chester, 500*l.*; to his bailiff and gamekeeper, 200*l.*; to his housekeeper, 60*l.*; and to each of his other servants 20*l.* All legacies to be paid free of duty. Legacies to the following charitable institutions: The National Schools, Newington-butts; to the Surrey Dispensary, Deaf and Dumb Asylum, Blind School, and the Society for the Propagation of the Gospel, each 100*l.* To the Female Orphan Asylum, York-road, 200*l.*; and to the churchwardens of Newington, 2000*l.* for the poor of that parish. The residue of his property he leaves to be divided amongst the seven before-named charities.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Tuesday, Aug. 1.

By Messrs. BRADEL, at the Guildhall Hotel.—Freehold and copyhold estate, known as "Grove House," comprising residence, pleasure grounds and paddock, with stabling, coach-house and outbuildings, the whole containing 5a. 2r. 9p., situate at Hornsey—sold for 4700*l.* Freehold, six houses, two with shops, known as "Straits Parade," and five cottages producing 274*l.* 10s. per annum, situate in the parish of Prittlewell, Essex—sold for 1500*l.* Copyhold farm, known as "Warde," situate at Rush-green, in the parish of Great Clacton, Essex, comprising a house, with homestead, and 48a. 1r. 3p. of corn land—sold for 1770*l.*

Monday, Aug. 7.

By Mr. G. HAINES, at the Guildhall Coffee-house.—Freehold residence, being No. 6, High-street, Kensington; let at 70*l.* per annum—sold for 1140*l.*

By Messrs. NORTON and TRIST, at the London Tavern.—Freehold, 4a. 0r. 4p. of arable land, situate at Snape, Aldbourne, Wiltshire—sold for 140*l.*

By Mr. WHITTINGHAM, at the London Tavern.—Freehold building land, situate in Plantagenet-road and Bulwer-road, New Barnet. Here 1 to 415 comprised previous sales; lots 416 and 417 sold for 341 each; lot 421 sold for 405*l.*; lots 462 to 465 sold for 341 each; lots 473 to 476 sold for 341 each. Freehold building land, having frontages to Paley-lane, High-street, Plaistow; lots 1 to 40 comprised previous sales; lot 50 sold for 344*l.*; lots 55 to 60 sold for 314 each; lots 70 to 72 sold for 332 each.

By Messrs. WILKINSON and HORNE, at Garraway's.—Leasehold house and shop, being No. 12, John-street, Woolwich; let at 14*l.* per annum; term 45 years from 1843; ground-rent 2*l.* 10*s.* per annum—sold for 125*l.* Leasehold house, being No. 37, Beresford-street, Woolwich; let at 8*l.* per annum; term 80 years from 1843; ground-rent 2*l.* 6*s.* per annum—sold for 120*l.* Leasehold cottage, being No. 8, Mount Pleasant, Bull-fields, Woolwich; let at 14*l.* per annum; term 75 years from 1835; ground-rent 6*l.* per annum—sold for 82*l.* Leasehold two houses, being Nos. 78 and 78, Parry-place, Spray's-street, Woolwich, producing 36*l.* per annum; term 57 years from 1853; ground-rent 1*l.* per annum—sold for 200*l.* Leasehold house, being No. 3, Charlotte-street, Woolwich; let at 13*l.* per annum; term 61 years from 1849; ground-rent 1*l.* 10*s.* per annum—sold for 160*l.*

Tuesday, Aug. 8.

By Messrs. E. and H. LUMLEY, at Garraway's.—Freehold estate, known as "Oaklands," situate close to the village of Almondsbury, Gloucestershire, comprising a mansion and 33 acres of land—sold for 9300*l.*

By Mr. NEWSON, at Garraway's.—Leasehold, four houses, being Nos. 22, 24, 25 and 26, Brooksby-street, Liverpool-road, Islington, producing 118*l.* per annum; term, 44 years unexpired; ground-rent, 8*l.* per annum—sold for 1165*l.* Leasehold ground-rents, amounting to 11*l.* per annum (for 44 years), secured upon houses in Brooksby-street and Barnsbury-mews, Islington—sold for 175*l.*

By Messrs. DEERNHAM, TEWSON and FARMER, at the London Tavern.—Freehold farm, known as Copper-lane Farm, consisting of 44 acres, situate in the parish of Marden, Kent—sold for 2100*l.* Freehold farm, known as Little Horden Farm, consisting of 80 acres, situate in the parishes of Goudhurst and Cranbrook, Kent—sold for 2090*l.* Freehold residence, known as Matthem Manor-house, Matham road, East Mooseley; also a plot of building land adjoining, let at 7*l.* per annum—sold for 1610*l.* Freehold, four residences, being Nos. 1 to 4, Church-villas, Church-road, East Mooseley, let at 46*l.* per annum each—sold for 1720*l.* The goodwill and effects of the old photographic business carried on at No. 433, Strand—sold for 1150*l.*

Wednesday, Aug. 9.

By Messrs. FAREBROTHER, CLARK and Co., at Garraway's.—Freehold and copyhold estate, known as "Pebble Coombe," comprising residence, lawn grounds, and about 10 acres of land, situate in the parishes of Walton-on-the-Hill and Reigate, Surrey—sold for 6170*l.*

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Freehold, two houses, being Nos. 2 and 3, Kenilworth-road, Kennard-road, Grove-road, Victoria-park, producing 52*l.* per annum—sold for 590*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, July 29.

CLARKSON, EBENEZER THOMAS, and ROGERS, WILLIAM, attorneys and solicitors, Caine.

D'ARCY, WILLIAM FRANCIS, and HOOPER, JOHN, attorneys and solicitors, Newton Abbot.

SAUNDS, JOHN, and SWAINSON, JOSEPH, attorneys and solicitors, Carlisle.

Gazette, Aug. 1.

MERRIMAN, SAMUEL BENJAMIN, and BREWIN, ARTHUR, attorneys and solicitors, Austin-friars.

Bankrupts.

Gazette, Aug. 1.

To surrender at the Bankrupts' Court, Basinghall-street.

BAKER, JAMES WOOD, merchant, Allen-ter, Kensington. Pet. July 29. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. Aug. 17.

BANFIELD, JAMES, builder, Boreham-grove, Thornton-heath. Pet. July 27. Reg. Roche. O. A. Parkyns. Sol. Hogan, Martins-le-Canno-st. Sur. Aug. 17.

CHAMBERS, FREDERIC, builder, Woodchurch. Pet. July 29. Reg. Roche. O. A. Parkyns. Sols. Daggerfield and Fraser, Craven-st. Strand. Sur. Aug. 17.

CLIFTON, JOHN THOMAS, beershop-keeper, Barnes-common, Barnes. Pet. July 28. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 17.

CRONK, GEORGE, baker, Grosvenor-rd. Abbey-rd. St. John's-wood. Pet. July 28. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 17.

DARLING, HENRY, manufacturer of coal oil and doctor of medicine, Frederick-st. and Doughty-st. and Mold. Pet. July 27. Reg. Roche. O. A. Parkyns. Sols. George and Armstrong, Size-la. Sur. July 27.

DAY, WILLIAM HENRY, joiner and fitter, Crystal Palace-rd. Dulwich. Pet. July 28. Reg. Roche. O. A. Parkyns. Sol. Wells, Moorgate-st. Sur. Aug. 17.

DEAN, ROBERT GEORGE, law stationer, Lansdowne-rd. Dalston, and Arundel-st. Strand. Pet. July 25. Reg. Roche. O. A. Parkyns. Sol. Wyatt, Great Carter-la, Doctors'-commons. Sur. Aug. 17.

FAULDS, JOHN, housedraper, Mary's-ter, Bloe Anchor-rd. Bermondsey. Pet July 27. Reg. Roche. O. A. Parkyns. Sol. Silvester, Great Dover-st. Newington. Sur. Aug 17.

HAM, THOMAS, watchmaker and tobacconist, York-town, Frimley. Pet. July 28. Reg. Roche. O. A. Parkyns. Sol. Steadman, Coleman-st. Sur. Aug. 17.

HILL, WILLIAM, journeyman carpenter, Virginia-water, Egham. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 17.

HUGHES, JOHN, lasceman, Park-st. Grosvenor-sq. Pet. July 25. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. Sur. Aug. 14.

INNES, JOHN, custom-house officer, Longfellow-rd. Mile-end-rd. Pet. July 26. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. Aug. 11.

JUNG, PETER, chairmaker, Charlotte-st. Fitzroy-sq. also Newman-passage, Newmen-st. Oxford-st. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Mundy, Essex-st. Strand. Sur. Aug. 17.

LOCK, EDWARD, butcher, New Malden. Pet. July 27. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 17.

PETTIT, ALFRED, confectioner and dairyman, Festival-st. Goswell-rd. and Eagle-st. Red Lion-sq. Holborn. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Aug. 17.

ROGERS, GEORGE, builder and contractor, Queen's-rd. Upper Teddington. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 17.

ROWING, ISAAC, engineer and ironfounder, Norwich. Pet. July 14. Reg. Roche. O. A. Parkyns. Sols. Sole, Turners and Hardwick, Aldermanbury, agents for Miller, Son and Rugg, Norwich. Sur. Aug. 14.

STAPELTON, THOMAS, journeyman millstone builder, Lucas-st. Commercial-rd. east. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Washers, Great Tower-st. Sur. Aug. 17.

STOREY, JOHN, clerk in the metropolitan police, Epsom. Pet. July 24. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug 17.

SWIFT, GEORGE, farmer and parish clerk, Beerlands-farm, Frant. Pet. July 26. Reg. Roche. O. A. Parkyns. Sol. Ody, Trinity-st. Southwark. Sur Aug. 17.

WINGROVE, EDWIN, milkman and cowkeeper, Upper Queen-st. Essex-rd. Islington. Pet. July 29. Reg. Roche. O. A. Parkyns. Sol. Pearce, Gilpin-st. Sur. Aug. 17.

To surrender in the Country.

APLIN, GEORGE WILLIAM, police clerk, Wakefield. Pet. July 27. Reg. & O. A. Mason. Sol. Fernandes and Gill, Wakefield. Sur. Aug. 15.

ARNOLD, GEORGE, baker, Freshwater, Isle of Wight. Pet. July 25. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. Aug. 12.

BOYLAND, JAMES, hairdresser, Acton. Pet. July 27. Reg. & O. A. Clement. Sol. White, Dane's-inn, Strand, and Forbes. Sur. Aug. 16

BROOKS, JOSEPH, paper merchant, Hunslet, near Leeds. Pet. July 24. O. A. Young. Sol. Granger, Leeds. Sur. Aug. 14.

CHARD, FREDERICK, farmer, Kenborow. Pet. July 25. Reg. & O. A. Lovell. Sol. Clifton, Bristol. Sur. Aug. 7.

COOPER, BENJAMIN, grocer, Stockton. Pet. July 25. Reg. & O. A. Crosby. Sol. Thompson, Stockton. Sur. Aug. 8.

DAWSON, WILLIAM, poulterer, Great Wilbraham. Pet. July 27. Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge. Sur. Aug. 17.

DE BOER, EDUARD, commercial clerk, Newcastle. Reg. & O. A. Clayton. Sol. Stewart, Newcastle. Sur. Aug. 12.

ELLIS, WILLIAM, jun., grocer, South Shields. Pet. July 19. Reg. & O. A. Wawn. Sol. Duncan, South Shields. Sur. Aug. 12.

EVANS, THOMAS, publican and labourer, Llandaff. Pet. July 22. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. Aug 14.

GLOVER, EDWIN EDWARD, greengrocer, Birmingham. Pet. July 29. Reg. & O. A. Guest. Sol. Francis, Birmingham. Sur. Aug. 28.

HARDMET, JOSEPH, corn merchant, Hull. Pet. July 25. Reg. & O. A. Phillips. Sol. Chester, Hull. Sur. Aug. 12.

HAWORTH, RICHARD HENRY, grocer and tea-dealer, Lancaster, and Poulton-by-the-Sands. Pet. July 26. Reg. & O. A. Dunn. Sols. Johnson and Tilly, Lancaster. Sur. Aug. 23.

HEYDON, JOHN WILLIAM MADDOCK, printer, Plymouth. Pet. July 31. O. A. Carrick. Sol. Gidley, Plymouth. Sur. Aug. 14.

ILLINGWORTH, BOOTH, waste dealer, Bradford. Pet. July 27. O. A. Young. Sol. Simpson, Leeds. Sur. Aug. 14.

JOHNSON, THOMAS, timber dealer, Manchester. Pet. July 27. Reg. Harris. O. A. Morgan. Sol. Elliott, Manchester. Sur. Aug. 14.

KELLY, CORNELIUS, beerseller, Manchester. Pet. July 27. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. Aug. 21.

KNOX, Andrew, metal broker, Liverpool and Claughton. Pet. July 28. O. A. Turner. Sols. Anderson and Collins, Liverpool. Sur. Aug. 11.

LOTHIAN, CALMER MOSES, merchant and shipbroker, Newcastle. Pet. July 28. Reg. Gibson. O. A. Laidman. Sol. Joel, Newcastle. Sur. Aug. 11.

MCINTOSH, ANDREW BRANDER, poulterer and egg dealer, Bishopswearmouth. Pet. July 22. Reg. & O. A. Marshall. Sol. Bell, Sunderland. Sur. Aug. 15.

MELLINER, MARY ANN, barmaid, Sheerness. Pet. July 19. Reg. & O. A. Watts. Sur. Aug. 12.

MOORE, JOHN, draper and milliner, Ossett. Pet. July 28. Reg. & O. A. Nelson. Sol. Stringer, Ossett. Sur. Aug. 11.

MORGAN, JOHN, butcher, Cardiff. Pet. July 28. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. Aug. 16.

MORTON, HENRY, tailor, Mossley Middleton. Pet. July 21. Reg. Stephen. O. A. Young. Sols. Parker and Son, Sheffield. Sur. Aug. 18.

MOUNSEY, EDWARD, and SAMUEL MOUNSEY, stonemasons, Guiseley. Pet. July 26. Reg. & O. A. Carr. Sol. Hartley, Otley. Sur. Aug. 21.

NAISBITT, CHARLES, jun., grocer, Gilesgate-moor, nr Durham. Reg. & O. A. Greenwell. Sol. Marshall, Durham. Sur. Aug. 12

ORDHAM, JOSEPH, hatter, Dukinfield. Pet. July 27. Reg. & O. A. Worthington. Sol. Drinkwater, Ashton-under-Lyne. Sur. Aug. 17.

TAYLOR, JAMES ADDISON, poulterer, Luton. Pet. July 28. Reg. & O. A. Austin. Sol. Simpson, St. Alban's. Sur. Aug 14.

WALTER, JAMES PIEDER, commercial traveller, Manchester. Pet July 27. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. Aug 14.

WILKINS, JAMES, and WILKINS, WILLIAM FREDERICK, boot and shoe dealers and photographers, Ryde, Isle of Wight. Pet. July 25. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. Aug. 12.

WOODHOUSE, JOSEPH, fellmonger and tallow chandler, Atherstone. Pet. July 25. Reg. Hill. O. A. Kinnear. Sols. Sadler, Atherstone, and James and Griffin, Birmingham. Sur. Aug. 14.

Gazette, Aug. 4.

To surrender at the Bankrupts' Court, Basinghall-street.

BANTING, ROBERT, painter and glazier, Edge-ter, Silver-st. Kensington. Pet. Aug. 1. Reg. Roche. O. A. Parkyns. Sol. Deere, Lincoln's-inn-fds. Sur. Aug. 21.

BARNES, EDWIN JOHN, hairdresser, Eden-pl. Cornwall-pl. Holloway. Pet. Aug. 1. Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Lincoln's-inn-fds. Sur. Aug. 22.

CHESTENS, WILLIAM HARPER, retailer of beer, Waltham-cross. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hattongarden. Sur. Aug. 22.

CRANSWICK, WILLIAM NOAH, surgeon, Winterslow-pl. Vassall-rd. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 21.

CRAUFURD, ROBERT EMILIUS FAZAKERLY, captain and brevet-major of Royal Artillery, Dover. Pet. Aug 2. Reg. Roche. O. A. Parkyns. Sol. Doyle, Verulam-buildings, Gray's-inn, agent to Morgan, Maidstone. Sur. Aug. 22.

DOWNER, JOHN WILLIAM SARJANT, bookseller and stationer, Surrey-pl. Wandsworth-rd. Lambeth. Pet Aug 1. Reg. Roche. O. A. Parkyns. Sols. Messrs. Lewis, Ely-pl. Holborn. Sur. Aug. 22.

FREEMAN, JOSEPH, dairyman, London-st. Tottenham-ct.-rd. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. Aug 22.

FRENARD, GEORGE EDWARD, shipbroker, Great Tower-st. and Lewisham. Pet Aug. 3. Reg Roche. O. A. Parkyns. Sols. Miller and Stubbs, Philpot-la. Sur. Aug. 22.

JORDAN, RICHARD, attorney and solicitor, Southampton and Millbrook. Pet Aug. 1. Reg Roche. O. A. Parkyns. Sols. Paterson and Son, Bouverie-st. Fleet-st. Sur. Aug. 22.

KENDRICK, GEORGE, and BEN DAVIS HODGES, warehousemen, Gresham-st. Pet. Aug. 2. Reg. Roche. O. A. Parkyns. Sols. Treherne and Wolferstan, Aldermanbury. Sur. Aug. 22.

MARIES, JAMES, victualler and iron and metal dealer, Church-st and Preston-st. Mile-end Old-town. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 22.

MASON, GEORGE, boot blacker, Grange-rd. Bermondsey. Pet. Aug. 1. Reg. Roche. O. A. Parkyns. Sol. Harrison, Basinghall-st. Sur. Aug. 22.

MONTAGUE, LOUISA, spinster, Ossabergh-st. Regent's park. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Wright, Chancery-la. Sur. Aug. 22.

MORE, JAMES HANCOCK, hairdresser and perfumer, Cambridge. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Cole, Essex-st. for R. Wayman, Cambridge. Sur. Aug. 22.

NASMYTH, CHARLES JAMES, merchant, Great St. Helens. Pet. July 18. Reg. Roche. O. A. Parkyns. Sols. Fox and Argles, East India-avenue. Sur. Aug. 23.

NORMAN, FREDERICK, milliner, Brook-st Grosvenor-sq. Pet. July 31. Reg. Roche. O. A. Parkyns. Sols. Marden and Walker, Moorgate-st. Sur. Aug. 22.

PARKER, GEORGE, out of business, Wardour-st. Soho. Pet. Aug. 1. Reg. Roche. O. A. Parkyns. Sol. Goatley, Bow-st. Covent-gdn. Sur. Aug. 22.

PARKER, JOSEPH WRIGHT, stationer, Waltham-cross, and builder, Red Lion and Spread Eagle-yard, Whitechapel. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur Aug. 22.

PEARCE, WILLIAM HAYWARD, leather seller, Nelson-st. Bermondsey Pet. Aug. 3. Reg. Roche. O. A. Parkyns. Sol. Harrison, Basinghall-st. Sur Aug. 23.

PROCTOR, JOHN WELLARD, out of business, Woolmore-st. Bow-common, Limehouse. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Silvester, Gt. Dover-st. Sur. Aug. 22.

RANDALL, JOSEPH WILLIAM, no business, Charles-bldgs. Maryland Point, Stratford. Pet. July 31. Reg. Roche. O. A. Parkyns. Sols. Messrs. Lewis, Ely-pl. Holborn. Sur Aug 22.

SPERRING, JOHN JOSEPH, veterinary surgeon, Haymarket. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. Aug. 23.

TRICK, THOMAS, tailor, Upper Church-st. Chelsea. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Strand. Sur. Aug. 22.

TRIFFIT, WILLIAM, plumber and painter, St. George's-pl. Back-rd. St. George's-east, and High-st. Poplar. Pet. July 31. Reg. Roche. O. A. Parkyns. Sols. Keene and Maleland, Lower Thames-st. Sur. Aug. 22.

TOY, WILLIAM, surveyor, Anne's-rd. Brixton, and Pond-st. Wellbrook. Pet. July 29. Reg. Roche. O. A. Parkyns. Sol. Priest, Buckingham-st. Strand. Sur. Aug. 22.

WARD, WILLIAM, upholsterer and house agent, Spencer-pl. Brixton-rd. and Grosvenor-pk. Camberwell. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Solomon, Finsbury-pl. Sur. Aug. 17.

WARREN, GEORGE, and HENRY STONHAM, carpenters and builders, Gay-st. Putney, and Barnes-common. Pet Aug. 2. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 22.

WELLS, HENRY FOX, engineer, Prospect-cottage, and the Tile Kiln-wharf Strand-on-the-Green, Chiswick. Pet. July 31. Reg. Roche. O. A. Parkyns. Sols. Venning, Naylor and Hosking, Tokenhouse-yd. Sur. Aug 22.

WHITE, THOMAS, jun., marble mason, St. John's-ter. Latimer-rd. Notting-hill. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Atherton, Commercial-st. Edgware-rd. Sur. Aug 22.

WILKINS, ELIZABETH, spinster, lace dealer, Mount-st. Grosvenor-sq. Pet. July 31. Reg. Roche. O. A. Parkyns. Sol. Chidley, Old Jewry. Sur. Aug. 17.

To surrender in the Country.

ADAMSON, JOHN, woolstapler, Bradford. Pet July 31. O. A. Young. Sol. Terry and Watson, Bradford; Head and Barwick, Leeds. Sur. Aug. 14.

ASHTON, JAMES, sheriff's officer's clerk, Cardiff. Pet. July 31. Reg. & O. A. Langley. Sol Raby, Cardiff. Sur. Aug 16.

ASHLAY, ISAAC, merchant, Manchester. Pet. July 28. Reg. Harris. O. A. Morgan. Sols. Slater and Bailey, Manchester. Sur. Aug. 23.

BARRATT, JOSEPH, coach proprietor, Hulme. Pet. July 14. Reg. & O. A. Holden. Sur. Aug 26.

BIRCHBY, NATHANIEL, beerseller, Little Bolton. Pet. July 31. Reg. & O. A. Holden. Sol. Hilmell, Bolton. Sur. Aug. 14.

CHESTHAM, RICHARD, farmer, Brereton. Pet. Aug. 1. Reg. & O. A. Latham. Sol. Washington, Congleton. Sur. Aug. 16

CLARK, THOMAS ALEXANDER, draper, Sunderland. Pet. July — Reg. & O. A. Marshall. Sol. Sidney, Sunderland. Sur. Aug 22.

COATES, WILLIAM, cloth manufacturer, Leeds. Pet. Aug. 1. Reg. & O. A. Robinson. Sol. Harle, Leeds. Sur. Aug. 15.

CROSLEY, BENJAMIN WILSON, chemist, Leeds. Pet. July 31. O. A. Young. Sol. Clarke, Leeds. Sur. Aug. 14.

EVANS, BENJAMIN, collier, Aberdare. Pet. July 25. Reg. & O. A. Rees. Sol. Simons, Merthyr Tydfil. Sur. Aug 12.

FAY, EDWARD, boatbuilder, Tynemouth. Pet. July 13. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. Aug. 16.

GOODESE, JOHN HENRY, solicitor, Newport. Pet. Aug. 1. Reg. Wilde. O. A. Acraman. Sols. Prese and Ioskip, Bristol. Sur. Aug. 15.

GREAVES, EDWIN TRACEY, chemist, Cardiff. Pet. July 27. Reg. Wilde. O. A. Acraman. Sol. Treherry, Bristol. Sur. Aug 15.

HOLMES, WILLIAM, tailor, Ambleside. Pet. July 17. Reg. & O. A. Taylor. Sol. Hoclie, Hawkshead. Sur. Aug 17.

HOPKINSON, CLEMENT, out of business, Walsall. Pet. July 31. O. A. Clarke. Sol. Wilcox, Lichfield. Sur. Aug 21.

JAMES, JOHN, dentist, Worcester. Pet. Aug. 1. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Aug. 14.

JONES, JOHN, out of business, Birmingham. Pet. Aug. 2. Reg. & O. A. Guest. Sol. Smallbone, Coventry. Sur. Aug. 28.

LANE, CHARLES, plumber, Hastings. Pet. July 31. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. Aug. 12.

LEVY, SOLOMON, jeweller, Birmingham. Pet. Aug. 2. Reg. Tudor. O. A. Kinnear. Sol. Rooke, Birmingham. Sur. Aug. 18.

LINES, WILLIAM, painter, Luton. Pet. July 29. Reg. & O. A. Austin. Sol. Shepherd, Luton. Sur. Aug. 16.

LISGARD, THOMAS, railway porter, Salford. Pet. Aug. 1. Reg. Holton. Sol. Wheeler, Manchester. Sur. Aug. 28.

LUCAS, CHARLES JAMES, auctioneer, Macclesfield. Pet. Aug. 1. Sols. Higginbotham and Barclay, Macclesfield. Sur Aug. 15.

MCVEY, HUGH, boatmaker, Kirkdale, near Liverpool. Pet. Aug. 1. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. Aug 15.

MITCHELL, JAMES, and FLETCHER, JAMES, dyers, Altrincham, and MACKINNON, JOHN HENRY, dyer, Manchester. Pet. July 14. Reg. Harris. O. A. Morgan. Sols. Sale, Worthington and Co., Manchester. Sur. Aug 14.

MORRIS, JOHN, grocer, Rhymney and Pontlottyn, Glamorgan. Pet. Aug 1. Reg. Wilde. O. A. Acraman. Sol. Harris, Tredegar; Prese and Ioskip, Bristol. Sur. Aug. 15.

MOUNTFORD, JOSEPH, iron shearer, Darlington. Pet. Aug. 1. Reg. & O. A. Sewell. Sol. Dunn, Darlington. Sur. Aug. 18.

NEIL, DANIEL, beerhouse-keeper, Cardiff. Pet. Aug. 2. Reg. & O. A. Langley. Sol Raby, Cardiff. Sur Aug. 19.

OUTRAM, JOSEPH, timber merchant, Burton-upon-Trent, Church Gresley. Pet. Aug. 1. Reg. Tudor. O. A. Kinnear. Sols. Prince, Burton-on-Trent, and Southall and Nelson, Birmingham. Sur. Aug. 18.

PHILP, JAMES EDWIN, painter, Truro. Pet. Aug. 1. O. A. Carrick. Sols. Hodge, Hocken and Marrack, Truro; Daw and Son, Exeter. Sur. Aug. 16.

RENNIE, JOHN, beerhouse-keeper, Kidderminster. Pet. July 29. Reg. & O. A. Talbot. Sol. Corbet, Kidderminster. Sur. Aug 18.

SCARLETT, WILLIAM, attorney's clerk, Newcastle. Pet. Aug. 1. Reg. & O. A. Clayton. Sol. Clavering, Newcastle. Sur. Aug. 19.

SIDTHORP, GEORGE RICHFORD, butcher, Dunstable. Pet. July 29. Reg. & O. A. Austin. Sol. Bailey, Luton. Sur. Aug. 16.

WAGSTAFF, JOB, farmer, Castle Morton. Pet. Aug 2. Reg. Tudor. O. A. Kinnear, Sol. Wilson, Worcester. Sur. Aug 19.

WHITE, JAMES, fishmonger, Fareham. Pet. Aug. 1. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 12.

WILD, JAMES, lookeeper, Weaverham. Pet. Aug. 2. Reg. & O. A. Cheshire. Sol. Thompson, Northwich. Sur. Aug. 17.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Butler, J. bolt and nut manufacturer, 1s. 11½d. Kinnear, Birmingham.—Charles, H. oil and colour dealer, first on new proofs, 10*d.* Morgan, Manchester.—Douglas, C. pawnbroker, first, 12s. 1d. Kinnear, Birmingham.—Hallwood, E. doubler of yarns, first, 1s. 7d. Morgan, Manchester.—Johnson, T. iron merchant, first, 2s. 3d. Kinnear, Birmingham.—Southern, W. joiner, &c. second, 5½d. Turner, Liverpool.—

Whitehead, J. farmer, first, 9s. 6d. Laidman, Newcastle.—*Wilkinson, F. H.* grocer, 4d. first, 7s. Kisner, Birmingham.—*Wise, T.* sen. and *Wise, T.* jun. coachbuilders, first, 6½d. Morgan, Manchester.

INSOLVENT'S ESTATES.

Foster, W. F. watchmaker, 4d. Tonge, Great Driffield.—*Wilson, J.* tailor and draper, 1¼d. Tonge, Great Driffield.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Aug. 1.

ARMITAGE, JOHN, Saddleworth, and HOYLE, CHARLES KARNSHAW, Tottles, near Holmfirth, cottonspinners at Ashton-under-Lyne. July 14. 6s. Trust. T. Taylor, cottonspinner, Ashton-under-Lyne.

ASKEY, WILLIAM, beerhouse-keeper, Sheffield. July 15. 1s. on 15th Jan. Trust W. L. Hinsby, general painter, Sheffield.

BARNARD, BENJAMIN OWEN, farmer, High Easter. July 12. Trust. G. J. Hunt farmer, Little Leighs, near Chelmsford.

BEAZLEY, JOHN, poulterer, Holloway-ter. Holloway. July 27. 2s. on 11th March 1867.

BOUEN, CHARLES, whitening manufacturer, Dunstable. July 25. 2s. in 14 days.

BRYANT, BENJAMIN, bookseller, St. George's-east. July 26. 3s. by three equal instalments at 4, 8 and 12 mos.

CLAYDON, JOHN, brushmaker, York. July 1. Trust. D. Hill, currier, York.

CLAYTON, JAMES FLETCHER, silk manufacturer, Manchester. July 10. To pay debts in full by two instalments, with interest at 5 per cent. per annum—first instalment in 12 mos. and second in 2 years. Trusts. T. Greenhalgh, silk broker, T. Heap, silk broker, and J. Blair, cotton dealer, all Manchester.

COPPARD, GEORGE, and WILLIAMS, THOMAS, warehousemen, Milton-st. Wood-st. June 30. Trust. T. J. Young, Gutter-la. merchant. Sols. Sydney and Son, Finsbury-circus.

COURT, CHARLES, tailor, St. Briavels. July 3. Trusts. G. Hunt, woollen merchant, Oxford-st. and F. J. Richardson, gentleman, Tredegar-sq. Bow.

CRAMPTON, JOHN, cabinet-maker, Batley. July 3. Trusts. W. H. Hartley, timber merchant, Leeds, and J. K. Darby, carpet dealer, Leeds.

CUMING, HENRY, ship store dealer, Liverpool. July 26. 17s. 6d.—5s. at date of deed, 2s. 6d. in 3 mos., 5s. in 6 mos. and 5s. in 9 mos. Trusts. J. G. Brown, merchant, H. Whittle, merchant, and W. Nisbett, accountant, all Liverpool.

ELLISSEN, ADOLF, merchant, Cullum-st. and cottonspinner, Coventry, and ELLISSEN, GUSTAV, merchant, Malda-hill west. June 30. Inspectors, R. S. Tomlin, gentleman, Bank-bldgs., W. Burrows, merchant, Great St. Helen's, and W. Mostes, accountant, King's Arms yard, Moorgate-st.

GIBBS MILSON, oil and tallow dealer, Hulme. July 24. 4s. at 1 mo. Surety, S. Roche, painter, Hulme.

GILLHAM, ELIZA STERLING, widow, Belvedere. July 2. Trust. F. Spurrell, doctor of medicine, Belvedere.

GRIST, JAMES, builder, Midhurst. July 19. Trusts. W. Smart, coal merchant, Houghton-bridge, R. F. Dorman, whitesmith, and J. Etherington, builder, both Midhurst.

HARDY, THOMAS, commission agent, Wolverhampton. July 26. To secure payment of his debts in full by four equal instalments at 3, 6, 9 and 12 mos.

HATTON, WILLIAM HEDGES, printer, Chesterfield. July 4. Trusts. G. E. Gee, gentleman, and H. J. Middleton, accountant, both Chesterfield.

HENNIS, THOMAS, provision dealer, Liverpool. July 4. Trust. T. Gorman, jun., provision merchant, Liverpool.

HOGG, JOHN, architect and surveyor, Halifax. July 2. Trusts. E. Dyson, joiner and builder, Halifax, and G. H. Smithies, butcher, Halifax.

HOLCROFT, JAMES, commercial traveller, Keaton Norris. July 13. 2s 6d. in 1 week.

HOLLINGS, JAMES, ironmonger, Leeds. 5s. by three equal instalments at 4, 8 and 12 mos.—secured. Trusts. J. Holmes, banker, and C. H. Taylor, ironfounder, both Leeds.

HORTON, ANN, milliner, Birmingham. July 11. Trusts. J. Saffield and F. Pouton, warehousemen, Birmingham.

INGS, CHARLES HENRY, chemist, Brighton. July 5. Trust. C. Maw, chemist's chandler, Aldersgate-st.

JONES, JOHN, ironmaster, Shifnal. July 15. Inspectors, J. Robinson, Esq., Berkhampstead, G. J. Smith, public registered officer of the Shropshire Banking Co., and W. Hatton, manager of the Staffordshire Joint-Stock Banking Co., Limited, Wolverhampton.

KETTLE, WILLIAM, builder, Witton. July 14. Trusts. J. Thompson, jun., timber merchant, Castle Northwich, and T. C. Hughes, builder, Witton.

LEACH, WILLIAM, clothier, Church-la. Whitechapel. July 24. 2s. 6d. in 7 days.

LITTERDALE, CHARLES WILLEM, gentleman, Beaufoy-ter. Maida-vale. July 27. Trust. W. Litterdale, merchant, Fenchurch-st.

MACKAY, ARCHIBALD FRAZER, and MACKAY, DANIEL, woodbrokers, Liverpool. 2s. 3d.—1s. on 2nd Aug. and 1s. 3d. on 2nd Nov.—secured.

MACKSEON, JOHN, steam saw mills proprietor, Liverpool. July 28. 15s. by four instalments—5s. on 1st Feb., 5s. on 1st Aug., 5s. on 1st Feb.

NIGHTINGALE, JAMES, silk manufacturer, Macclesfield. July 24. 2s. at 3 mos.

ORTON, HENRY CHARLES, wine merchant, Bingham. July 11. Trust. G. Chubb, auctioneer, Ashby-de-la Zouch.

PAGE, JAMES, boot and shoe manufacturer, Wood-st. Spitalfields. July 25. 1s. by two equal instalments at 3 and 6 mos.

PHILIPS, AMBROSE WALLACE, chemist, South Shields. July 10. Trusts. W. C. Moos, wholesale druggist, and W. Philipps, accountant, both Sunderland.

PRICE, THOMAS, circus proprietor, Glasgow. July 6. To pay debts in full by eight equal half-yearly instalments of 2s. 6d. at 6 mos.—secured.

RAYMORY, RICHARD, builder, Westbury-upon-Trym. July 12. Trusts. H. Robertson, accountant, Bristol, and G. F. Bromhead, ironmonger, Bristol.

READING, HENRY, ale and porter dealer, Harborne. July 14. Trusts. J. C. Minton, agent, Birmingham, and W. Chamberlain, porter dealer, Westbromwich.

RIMINGTON, ALEXANDER, and CARTWRIGHT, HENRY DURANCE, merchants, Leadenhall-st., also Bombay, East Indies. July 6. Trusts. J. Jefferson, gentleman, Oak Hill-park, Hampstead, and R. Spooner, Esq., Westwood park, Forest-hill. Sols. Hughes, Masterman and Hughes, Bucklersbury.

STONE, GAINS AUGUSTINE, undertaker, Cardiff. July 6. 4s. 6d. by two equal instalments—first on execution of deed and second at 4 mos.—secured.

THOMPSON, WILLIAM, coach trimmer, Bath. July 21. Trust. W. Blake, upholsterer, Bath.

VINCENT, JOHN WALTER, auctioneer, Chepstow-villas, Ledbury-rd. Bayswater. July 21. 3s. by three instalments on 1st Aug., 1st Oct. and 1st Nov.—secured. Trust. H. G. Rushbury, accountant, Queen's-ter. Queen's rd.

WALNE, DANIEL, farmer, St. Mary Magdalen. July 4. Trusts. T. Waine, farmer, Tasburgh, and A. Massey, gentleman, Cringleford.

WILDE, PETER, bookseller, Shrewsbury. June 30. Trusts. J. Painting, Joiners-hall-bldgs. Upper Thames-st. and D. S. Davis, Hatton-gdn. wholesale stationers.

WILSON, JOHN ALLEN, schoolmaster, Wolverhampton. July 24. 2s. 6d. on 28th March.

WINTER, GASTAVE; NEALE, JOSEPH; and KLEIN, CHARLES, commission agents, Abline-chambers, Paternoster-row, and Manchester. June 30. 7s. 6d. by instalments—2s. 6d. on 4th Aug., 2s. 6d. on 4th Oct. and 2s. 6d. on 4th Dec.

WRIGHT, GEORGE PARKINSON, photographer, Pall-mall east, and Lansdowne-villas, Fulham. July 28. 7s. in 6 weeks—secured.

Gazette, Aug. 4.

BATTIN, JOHN, grocer and provision dealer, Nottingham. July 12. Trusts. J. R. Hutchinson, grocer, and T. Goodliffe, provision merchant, both Nottingham.

BENTLEY, MARY, cabinet-maker, Bradford. July 21. 4s. on signing deed.

BOLLOM, JAMES, grocer, Manchester. July 6. 9s. in cash, and by three instalments of 7s. on 8th July, 8th Aug. and 8th Sept.—secured. Trust R. J. Kennett, accountant, Manchester.

BORE, WILLIAM, contractor, North Hyde Farm, near Southall. July 24. Trust. H. W. Roberts, wholesale tobacconist, Poultry.

BROWN, WILLIAM CUFF, and BAKER, JOHN, steam turners, Bristol. July 31. 20s.—to pay costs of deed and 5s. in the pound by 11th Sept. Trust. H. Kinsman, accountant, Bristol.

BURSTON, JOHN, and CARSTAIRS, KATE, stationers, Taunton. July 6. To secure payment of debts by instalments of 2l. 10s. per week. Trust. S. Tanner, wholesale stationer, Bristol.

CHASSAR, JAMES, corndealer, White Lion-st. Pentonville. July 2. 3s. on 2nd July.

CLAPPISON, WILLIAM, butcher, Hull. July 8. Trust. S. Vickers, butcher, Hull.

COULSON, HENRY, plumber, Mildmay-st. Ball's Pond-rd. July 14. 5s. in the pound in 1 mo.

DAVIES, DAVID EDWIN, grocer, Ruthin. July 5. 10s. in two equal instalments at 2 and 4 mos.—secured. Surety, R. Jones, innkeeper, Lanfair Dyffryn Clwyd.

EDDINGTON, JOHN FARNCOMBE, marquee manufacturer, Old Kent-rd. and Long-la. Smithfield. July 25. 2s. 6d. by two equal instalments at 3 and 6 mos. Trust. F. E. Staff, ropemaker, Merrick-sq. Southwark.

ELLIS, JOHN, schoolmaster, Frome Selwood. July 18. Trust. R. H. Herrold, auctioneer, Frome Selwood.

EVANS, ARTHUR, leather seller, Wednesbury. July 14. 1s. in 1 mo.

FIELD, HENRY, bookbinder, Nottingham. July 17. Trust. R. G. Seammore, Oxford-ter. Lyndhurst-rd. Camberwell.

GALE, SAMUEL ARTHUR PERKS, coachbuilder, Colchester. July 22. Trust. J. Blomfield, ironmonger, and G. Lee, builder, both Colchester.

GAUNT, WILLIAM, cloth manufacturer, Caverley. July 17. 6s. 8d. by two instalments—5s. on 11th Aug. and 1s. 8d. in 9 mos.

GRODAN, HUGH, and GRODAN, DAVID, joiners, Cheetham, near Manchester. July 7. Trusts. A. Brierley, painter, Cheetham, and L. Rossendale, glass merchant, Manchester.

HAYNE, SAMUEL HOLDITCH THOMAS, manufacturing silversmith, Red Lion-st. Clerkenwell. July 7. 4s 6d. by three equal instalments at 3, 5 and 7 mos.—secured. Trust. J. Brown, baker, Abchurch-la. J. Burchell, jun., gentleman, Broad-sanctuary, Westminster, and J. Parsons, Esq., Birtow-house, near Teignmouth.

HOWARD, EDWARD, farmer, Fenton. July 5. 10s. by instalments on 5th July and 29th Sept. Trusts. T. Smith, farmer, Sutton-upon-Trent, and H. Simmons, yeoman, Fenton, J. W. Danby, and J. Haywood, gentlemen, both Lincoln.

JONES, HENRY COAD, engineer, R.N., Carter's Hardway, Southampton. July 21. Trust. F. Vryson, accountant, Portsmouth.

JONES, WILLIAM, grocer, Wolstanton. July 14. Trust. T. Ridgway, grocer, Hanley.

KEEN, EDWARD DEAR, paper hanging manufacturer, Acacia-rd. St. John's-wood, and Henry-st. Portland-town. July 8. To pay debts in full by instalments—5s. in the pound at 3, 6, 9 and 12 mos.—secured.

LESTER, ROBERT HENRY, grocer, Liscard. Aug. 2. 5s. by two instalments—2s. on 11th Aug. and 3s. on 1st Feb.—secured.

LUNN, JOHN, grocer, Hunslet, Leeds. July 20. Trusts. J. H. Robinson, corn miller, Wortley, Leeds, and R. Ward, provision merchant, Leeds.

PICARD, CAMILLE FRANCOIS, wine merchant, Crutched-friars. Aug. 3. 4s. by three instalments—first of 1s. 6d. in cash, and at 6 mos., and 1s. in 12 mos. Trust. F. Maynard, accountant, Bread-st. Cheapside.

PURDY, WILLIAM, jun., draper, York. July 18. Trust. S. Watts, wholesale draper, Manchester.

ROBINSON, DAVID, paper hanging dealer, Euston-rd. July 27. Trusts. R. Smith, paper hanging manufacturer, Manchester, and E. L. Price, varnish merchant, Coleshill-st. Pimlico. Sols. Harrison and Lewis, Old Jewry.

SKWARCOW, ALEXANDER, and SKWARCOW, JOHN, merchants, Leadenhall-st. July 6. 5s. by three equal instalments at 3, 6 and 9 mos. Trust. W. J. White, gentleman, King-st. Cheapside.

SIXSMITH, SAMUEL, cotton dealer, Manchester. July 5. 10s. by three equal instalments on 5th Sept., 5th Jan. and 5th May. Trust. J. Cooper, gentleman, Manchester.

SPARROW, HENRY, ironmaster, Kingswinford. July 6. Trust. W. H. Beaumont, bank manager, Birmingham, H. O. Firmstone, ironmaster, Kingswinford, and N. N. Solly, ironmaster, Willenhall.

STUBBS, RALPH, bootmaker, Burlington. July 6. 9s. by three equal instalments on 20th July, 20th Oct. and 1st Feb. Surety, D. Dawson, currier, Bridge-st.

WHITBY, JOHN, grocer, Warrington. July 1. Trust. W. Taylor, grocer, Liverpool.

WHITE, WILLIAM, butter merchant, Liverpool. July 29. 1s. on 30th Dec.

WINCHESTER, WILLIAM, hemp dealer, Liverpool. June 16. 2s. 6d.—1s. 6d. in 6 mos., 1s. in 9 mos. by promissory notes. Trust. R. Bucher, ropemaker, Chester.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BUBB.—On the 6th inst., the wife of Wm. Henry Bubb, of Cheltenham, solicitor, of a son.

LOVELL.—On the 8th inst., at 34, Boundary-road, St. John's-wood, the wife of George Lovell, Esq., barrister-at-law, of a son.

SILLS.—On the 5th inst., at 17, York-street, Portman-square, the wife of George Sills, Esq., barrister-at-law, of a son.

MARRIAGES.

GIFFARD—ADAMS.—On the 5th inst., at St. John's Church, Notting-hill, Harry Stanley Giffard, of the Inner Temple, barrister-at-law, to Alice, youngest child of the late James Adams, Esq., of South Hampstead.

LAWFORD—LE BRETON.—On the 2nd inst., at Hampstead, Rowland, youngest son of John Lawford, Esq., to Rose, daughter of Philip Hemery Le Breton, Esq., of Hampstead and the Inner Temple.

LUSH—FREE.—On the 5th inst., at Holy Trinity Church, South Kensington, Robert C. Lush, B.A., eldest son of Robert Lush, Esq., Q.C., to Alice, youngest daughter of the late Lieut.-Col. Free, 10th Bengal Cavalry.

TARLETON—SMITH.—On the 2nd inst., at Feckenham, William Wilson Tarleton, of Key-hill House, Handsworth, Birmingham, second son of R. H. Tarleton, Esq., solicitor, of the same town, and of Leamington Priors, to Ann Butler, second daughter of James Smith, Esq., of Doe Bank House, Astwood, Bromsgrove.

DEATHS.

ELSLEY.—On the 3rd inst., at York, aged 77, very suddenly, Charles Heneage Elsley, Esq., of Patrick Brompton, Yorkshire, and Recorder of the city of York.

HORRIDGE.—On the 6th inst., at 79, Gower-street, Bedford-square, Gwinnett Horridge, Esq., solicitor.

STUBBS.—On the 4th inst., at 21, North-grove, Mildmay-park, Frances Ann, the beloved wife of T. J. Stubbs, Esq., solicitor.

WHIST, a Department of THE FIELD, the COUNTRY GENTLEMAN'S NEWSPAPER, is devoted to Whist, with Illustrations and Games, by CAVENDISH. Also the Country House, Angling, Archery, Cricket, Yachting, and reports of the Sports of Gentleman in all parts of the World. A copy in return for seven stamps, to the FIELD Office, 346, Strand.

THE SCOTCH SALMON FISHINGS.—A Special Commissioner of THE FIELD, the COUNTRY GENTLEMAN'S NEWSPAPER, is now reporting on the state of the Scotch Fisheries. Angling, Hunting, Cricket, Yachting and Boating, Pastimes, the Wild Sports of the World, Natural History, the Country House, the Farm, the Garden, &c. A copy in return for seven stamps sent to the FIELD Office, 346, Strand.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

It may be as well to remind our readers that by an Act of last session, 28 & 29 Vict. c. 96, some changes are made in the stamp duties which it will be very necessary for them to take note of, for they are in frequent use, and the Act is now in operation.

In lieu of the former scale of Stamp Duties on Conveyances the following is now adopted:

	£	s.	d.
Where the purchase or consideration money expressed in or upon the principal or only deed, instrument, or writing of conveyance shall not exceed 5*l.* ...	0	0	6
And where same shall exceed 5*l.* and not exceed 10*l.*	0	1	0
" " 10*l.* and not exceed 15*l.*	0	1	6
" " 15 " 20	0	2	0
" " 20 " 25	0	2	6
" " 25 " 50	0	5	0
" " 50 " 75	0	7	6
" " 75 " 100	0	10	0
" " 100 " 125	0	12	6
" " 125 " 150	0	15	0
" " 150 " 175	0	17	6
" " 175 " 200	1	0	0
" " 200 " 225	1	2	6
" " 225 " 250	1	5	0
" " 250 " 275	1	7	6
" " 275 " 300	1	10	0
And where the purchase or consideration money shall exceed 300*l.* then for every 50*l.*, and also for every fractional part of 50*l.*	0	5	0

The stamp on Appraisements is now:

Where the amount of the appraisement or valuation shall not exceed 5*l.* ...	0	0	3
And where it shall exceed 5*l.* and not exceed 10*l.*	0	0	6
" " 10*l.* and not exceed 20*l.*	0	1	0
" " 20 " 30	0	1	6
" " 30 " 40	0	2	0
" " 40 " 50	0	2	6
" " 50 " 100	0	5	0
" " 100 " 200	0	10	0
" " 200 " 500	0	15	0
" " 500 " ...	1	0	0

And the stamp duties on Awards are:

For and upon every award in England or Ireland, and award or decree arbitral in Scotland, where the amount or value of the matter in dispute shall not exceed 5*l.*	0	0	3
And where it shall exceed 5*l.* and not exceed 10*l.*	0	0	6
" " 10*l.* and not exceed 20*l.*	0	1	0
" " 20 " 30	0	1	6
" " 30 " 40	0	2	0
" " 40 " 50	0	2	6
" " 50 " 100	0	5	0
" " 100 " 200	0	10	0
" " 200 " 500	0	15	0
" " 500 " 750	1	0	0
" " 750 " 1000	1	5	0
And where it shall exceed 1000*l.*, and also in all other cases not above provided for	1	15	0

Baron Channell closed the Oxford Court with a speech commendatory of the working of Mr. Denman's Criminal Procedure Act. It was feared that its effect would be to lengthen trials by the added speech. It has not done so. Counsel judiciously regulate their talk accordingly by abbreviating their opening, and reserve themselves for the summing up or reply. It was so within our own experience of the last circuit, and Baron Channell has made a similar observation. He is thus reported:

The learned Baron, at the conclusion of the above case, said that he was anxious to address a few words to the bar. His Lordship then said that an alteration had been made by the Legislature shortly before the commencement of this circuit in the criminal procedure of the country. The object of that change was to give facility for a more thorough hearing and discussion of criminal cases, but a fear had been entertained lest the addition of extra speeches might lead to the consumption of an inconvenient amount of time over each case. His Lordship now desired to say that in no case on this circuit had the right of the additional speech been unnecessarily exercised, nor when exercised had it ever been abused; and he wished to say that if the Bar generally made so excellent a use of the Act as that portion of it which went the Oxford Circuit had done, no fear need be entertained that its operation would not be beneficent.

At the last moment, even after Calcraft had arrived at Exeter, the child-murderess Winson has been respited. At the trial the counsel for the prisoners took the obvious objection that it was a maxim of our law that no man should be put in peril twice on the same charge. Winson and her accomplice had been tried upon this very indictment at the last assizes, and the jury were discharged without a verdict because they were unable to agree. To try them again would be to put them in peril again. But counsel could cite only *dicta* for this—there was no reported case in which it had been expressly decided. On the other hand, there was the universal practice of all criminal courts, where the Judges have been accustomed unquestioned to adopt this course ever since the time when the practice was to starve a jury into agreement, and if that process could not be completed before the close of the assizes, to cart them at the judge's tail to the border of the county and there shoot them into a ditch. When civilisation, shamed first of the barbarous custom of the cart, and then, but much more slowly, of the illogical process of convincing by starving, the judges adopted the more rational practice of discharging a dissenting jury and trying the prisoner by a new one either at the then session of the court, or at a subsequent session, as convenience dictated. That course was impugned once, but unsuccessfully, the Judges holding that it was right to discharge the jury in the last resort, and try the prisoner again. The argument was that of necessity. What else could be done? There must be some limit to the period of deliberation. If the prisoner is to be discharged instead of the jury, a single juryman, friendly or crotchety, could in all cases secure impunity for the criminal. But that decision goes only to this, that the jury may be discharged when it becomes absolutely necessary to put an end to their difference somehow. The question in Winson's case is, as we take it, whether that necessity had arisen. Manifestly, the principle that no man shall be twice imperilled for one alleged offence is vital to liberty. If the subject may be harassed with repeated trials for murder, he may be so treated for a political offence. The times have been when this was a substantial ground for jealously guarding the liberty of the subject against monarchical or oligarchical tyranny. The time may come, and possibly is not far off, when the individual will require protection against a more terrible tyranny than either—the despotism of Democracy. We see it before our eyes in America, trampling liberty into the dust; we may live to see it doing the like here, and then we shall once more turn to the impartiality and inflexibility of the law as the only shield for the one against the many. It is a very grave question whether the practice of discharging a jury in criminal cases, because they do not agree, is legal under any circumstances, and also under what circumstances it is to be permitted, and the decision cannot be too anxiously watched, for it involves, not merely the fate of the woman Winson, but the safety of all. It will be regretted if such a wretch should escape punishment through a defect in the law, but it would be far more lamentable if a principle of law by which liberty is fenced about should be removed or weakened from a momentary desire to punish a great criminal. It would be better that fifty such as Winson should escape the gallows than that there should be the slightest invasion of the rules that protect the liberty of the subject. In quiet times, judges, and juries, and the press, may be relied upon to prevent any tyrannical exercise of power by any person or party. But times may change; and we know that the press, following instead of leading opinion, changes with them; and then the same impassive observance of the letter of the law, that may save the murderess Winson, may save those who are guilty only of opposition to a majority made up of ignorance and poverty.

This incident will probably promote the abolition of capital punishment. The discussion will also bring under the consideration of the public the defects as well as the worth of our boasted "trial by jury." Something must be done by the Legislature to determine what amount of disagreement shall warrant the discharge of a jury, and this will revive the controversy whether unanimity should be required at all. Whatever the decision of the Judges on Winson's case, it is necessary that some explicit rule should determine how many times a person may be lawfully put in peril for an offence, and what amount of disagreement shall justify the discharge of a jury without a verdict.

The importance of the question thus raised grows as it is contemplated.

A notion is abroad that murder is more rife than formerly, and politicians, philosophers, and sentimentalists are already speculating as to the cause of so alarming a phenomenon—alarming, if true. But it is not true. Like the sages of the Royal Society debating the reason why a fish out of the water weighs more than a fish in the water, our wise people do not take the trouble to ascertain the fact before they speculate upon it; and in this dull season they startle us with complaints of a growing barbarism in the midst of a boasted civilisation. Let us see if all this alarm is justified by the facts. Here are the statistics of murderers for three years:

In 1862	221
" 1863	270
" 1864	246

The average of the five preceding years was 209.

Now, there has been an increase in the course of eight years, but during the last year there was a very considerable decrease as compared with the year that preceded it. But it is plain that murder is too rare a crime to preserve an average equality like offences of more frequency. The apparent increase of this crime is the consequence of the multiplication of newspapers that cater for the public love of "sensation," and to whom a murder is a God-send, supplying not only material for writing, but bringing crowds of customers. There is no help for it, however; so long as the public crave for excitement, the newspapers that live by pleasing the public will cater to the taste of their patrons. It is one of the evils of the press to be set off against its countless benefits. It may be, and probably it is, that the newspaper reports of murders tend to excite evil thoughts in morbid minds, and diminish by familiarity the sense of the sacredness of human life. But this much is certain, that capital punishment fails of its intended effect. A criminal calculates upon the chances of escape, and not upon the amount or nature of the punishment, and, inasmuch as capital punishment immensely increases the chances of escape, by so much does it encourage the crime it was designed to check.

The solicitors of the Russian Iron Works Company (Limited), Messrs. Newbon, Evans and Co., have explained the "material variation" which was stated by the Stock Exchange committee to exist between the company's prospectus and articles of association, and to be the ground for refusing a settling day for the company's shares. The clause objected to in the articles was one empowering the directors to increase the capital of the company to the extent of 500,000*l.* above the nominal capital of 500,000*l.*, such increase of capital to be raised in shares,

with or without any special privileges, as the directors may think fit. The solicitors take on themselves the responsibility of the clause, and justify it both legally and by the precedents of the City Offices Company, the Thames Iron Works Company, Smith, Knight, and Co., the Imperial Bank of China, the China Steam Ship Company, in none of which cases was such a clause objected to, or even made matter of comment by the Stock Exchange committee on application for a settlement. The solicitors say that the objection is now raised for the first time; they do not hesitate to assert that there is nothing whatever in the articles of association of the company which can properly be excepted to, or which (making allowance for the necessary variations according to the nature of the several undertakings) is not to be found in the articles of nearly all the companies constituted under the Act of 1862. Mr. J. H. Lloyd, than who, we believe, there is no better authority on such a point, has been consulted. He is "clearly of opinion that there is no variance;" that the power to increase the capital is one ordinarily given to all "companies" by their articles. This opinion, however, does not seem to go quite to the point of giving the power, as these articles do, to the directors, when, moreover, that power extends to the creation of preference capital.

In addition, a recriminatory charge is made by Messrs. Newbon, Evans, and Co. against the Stock Exchange, that the objection would never have been thought of if it had not been the interest of certain reckless speculators in the company's shares to prevent a settlement by any means in their power. The shares of the company are, it seems, at a high premium, but it is denied that the directors have at any time, either directly or indirectly, been party to any speculative dealings whatever in the shares. The motive for now taking the objection of variance may thus, perhaps, be accounted for; especially as we find it stated in the City news of the *Standard* of the 15th, that some of the operators on the Stock Exchange are endeavouring to avoid their responsibilities, not only by seeking to depreciate undertakings by selling shares which they have not, but by attempting to prevent a settlement, and that not only are the ordinary modes of appeal adopted, but all kinds of intrigues are carried out, either with the view of making themselves straight with the promoters, or in obtaining shares at a lower than the quoted price: if they do not succeed in these manœuvres, then they more strongly than ever oppose a settlement. Still the motive for raising an objection and the merit of an objection are different things. The question yet remains, whether persons binding themselves to take shares in a company, which, according to its prospectus, is to be constituted with a certain capital, ought to be considered as impliedly sanctioning articles which give the directors power to increase the capital, even to as much again, by the issue of new shares "with or without any special privileges," as they may think fit. As regards one of the alleged precedents, the Thames Ironworks Company, the clause in its articles has since been published; it requires the sanction of an extraordinary meeting to the increase of capital, and provides that the new shares are to be on the same footing as the original shares.

THE GENERAL ELECTION.

FIFTEENTH ARTICLE.

The Petition.

All accounts agree that never was corruption more rife than at the recent elections. It is always so when there is no political question at issue. When the voters are indifferent as partisans and have no particular preference for either candidate, their votes will be determined by substantial considerations of profit. In this respect it is now apparent that much evil has resulted from the prohibition of colours, bands, and the outward trappings of an election. When the electors came forth with their colours, they made a public proclamation of their intentions, and shame subdued any subsequent desire to traffic with the vote. When all about them were openly siding with one party or the other, they could not easily avoid doing the like, and, indeed, to shrink from publicity was to declare himself for sale. But now the venal portion of the constituency, not being compelled to declare themselves early, sneak into privacy and await the bidding. It is easy to know upon the canvass who are looking for a bribe: "they will think of it;" "they can't make up their minds yet;" "they will not promise, but are favourable;" "will no doubt support the gentleman at the poll, but can't promise to do so." The meaning of all this is well understood, and you may safely note all such voters as having been bought at last, and submit them to examination under the new provision that requires them to convict themselves.

Treating will suffice to avoid the election, and proof of it may be obtained in like manner from any person concerned, whether as host or guest, who also are now made competent and compellable witnesses. But in this, also, it is necessary to prove agency for the purpose of unseating the member, though not for the purpose of cutting off the vote on a scrutiny. It is a common practice to collect the voters at various houses in the morning, give them refreshment, and bring them in a body to the poll. If the entertainer is an agent of the member, this treating will avoid the election; but if by any other person, it subjects the giver of the treat to a penalty of 10*s.* for each voter so treated. Committees, however, are usually more lenient in charges of treating than in those of positive bribery, and therefore, to be effective, the proof should be clear and the amount of treating extensive. Unless it be both, it would not be prudent to rest a petition on a charge of treating only. But it should be charged in all petitions on the ground of bribery, that advantage might be taken of it should circumstances require.

There is another facile source of bribery, which caused the forfeiture of many seats when the law was far less stringent than it is now. The bringing up of the out-voters is almost certain to entail acts which will unseat the member. After much discussion, the law, which at first treated the payment of any travelling expenses as bribery, has permitted the payment of the actual fare, but nothing more, and this must be done, not by money given to the voter to pay his fare, for *that* is bribery, but by providing a ticket or causing his fare to be paid for him. No money must pass to the voter; even if his fare alone be given to him in cash, it avoids the election. But, as a matter of fact, it is notorious that few out-voters will come to the poll without payment of all their expenses, and many not without payment of more than their expenses. We know instances in which 80*l.* was so demanded. If your opponents have polled any non-residents, you may be almost certain that they received something more than their railway tickets. They can be placed in the witness-box and will be compelled to prove the case against themselves; and though they thus escape the penalties they have incurred, they unseat the member for whom they voted. The proof of agency in such cases is much more easy than in the case of direct bribery, for they are usually brought to the poll by a messenger from the committee.

It is supposed by many that a bribe may be safely given, provided it does not take the direct form of a purchase of the vote, and such attempts to evade the law are consequently so common that diligent inquiry cannot fail to bring some of them to light, if they have been practised. For instance, it is popularly thought that to pay a large price for an article of small value is not bribery. So it is with the practice of lending money on promissory notes or I O U's. These contrivances will be of no avail. The committee is sure to inquire into the *bona fides*, and if it finds them to be merely a device for evading the law, if satisfied that in fact they were the price of a vote, it will unseat the member by whom or for whom the trick was practised. An election committee is composed of gentlemen who try these questions by their common sense and knowledge of the world, and not according to the subtleties of counsel, and therefore, if they have been resorted to, they can scarcely fail to convict those who had resorted to them.

These are the principal forms of bribery, and it is to collect *proofs* of them that you will now direct your attention.

As we have said above, under the provisions of the new Act, both the briber and the bribed are competent and compellable witnesses. You will, therefore, in all cases, serve both with a gaoler's warrant, and place them in the witness-box. But it would be unsafe to rely upon procuring a confession from them, even under the sanction of an oath. It is too probable that they might be tempted to add the crime of perjury to the offence of bribery, and deny their misdeeds, quieting conscience, perhaps, by some of the small quibbles with which men are wont to excuse themselves for falsehood. You should be prepared to prove the case by other witnesses, if it be possible to obtain any evidence of the act, and you should take good care that the inculpated witnesses shall know that you are so prepared; but you should as carefully conceal from them the extent of the proofs in your possession. The advantage of this state of things will be apparent at a glance. If the offenders believe that the fact of the bribery can be proved by themselves alone, they may be tempted to give to it a point-blank denial; but if they know that there is other evidence, they will enter the witness-box with the consciousness that a denial might subject them to the more serious penalty of perjury; while a frank confession would save them from all personal penalties, by virtue of the provision that if the witness shall answer to the satisfaction of the committee, he shall receive from them a certificate relieving him from all penal consequences of his confession.

If, however, your case has to be proved by the evidence of third parties, is a strong one, and you reasonably suspect that the briber and the bribed will not tell the truth, it may be prudent not to call the latter, but first to prove your case by your own witnesses, and if it is as strong as you had anticipated, to challenge the counsel for the sitting member to call the inculpated parties to contradict, if they can, the charge thus preferred. If they are *not* called, the committee will draw the reasonable conclusion. If they are called, they may be subjected to the severest cross-examination, under the conscious dread of a prosecution for perjury.

A single proved case of bribery or treating suffices to avoid an election; but it would be imprudent to rely on one or two. Not only is there the danger of a possible failure of proof, but the committee will look upon accumulated proofs of corrupt practices with strictness, diminishing in proportion to the number of instances. If you have but a solitary case, it may be attributed to error or accident; but if there are many cases, they see in them a system of corruption, and the accumulated evidence gives weight to each case. No petition should be attempted unless at least half-a-dozen clear cases of bribery or treating, or of both, can be produced.

THE LAW OF FREIGHT.

The differences of practice in the Law of Freight, and especially as to general and particular average, established by different statutes, are the cause of very serious inconveniences to the whole mercantile world. The Social Science Association is endeavouring to bring about an international law on this subject, and with that view they have issued the following circular and queries. Answers from any of our readers who have given thought to the subject, or can bring experience to bear upon it, will be much valued.

July 1, 1865.

The success of the Congress for the promotion of an international law of General Average has encouraged the hope that similar advantages may flow from a conference upon the still more important though less intricate question of Freight.

Messrs. Theodore C. Engels and Edouard Van Peborgh, the able representatives of the Belgian Government at the York Conference, have drawn up a *projet de loi* in nine clauses, two copies of which are here annexed.

The council will feel obliged if your body will return to them at your early convenience one of these copies, and state thereon, first, whether each clause agrees with the law of your port, if not, what is the law? Secondly, whether you agree with Messrs Engels and Peborgh as to their views of what the law ought to be, and if not, what you consider ought to be the law.

The Conference will meet at Sheffield during the meeting of this association on the 4th Oct., when it is hoped your body will be represented.

It will be interesting to you to learn that the reason that a Bill for General Average has not yet been brought into Parliament is, that Her Majesty's Government are in communication with the French Government, with a view to simultaneous action.

I am, Sir, yours obediently,

George W. Hastings, General Secretary.

Projet de Loi.

1. To establish as a general rule that freight shall not be due until the voyage be accomplished, *i. e.*, until delivery of the cargo at the port of destination.

2. If in the course of the voyage the ship, in consequence of the perils of the sea, and not through any default on the part of the captain or owner, has become unseaworthy and not in a state to accomplish her voyage, the captain shall be bound to forward the cargo to its destination by other vessel or vessels, and in this case he shall, upon delivery, have a claim for the whole of the freight due under the original charter-party (or bill of lading), although in consequence of the cargo having been forwarded the goods have been transported at a lower freight. But the captain of the original vessel is liable for the forwarding freight. If, on the contrary, the forwarding freight is equal or greater than the original freight, the captain can claim no freight, but the owner of the cargo will be liable for the whole of the forwarding freight. If the captain does not forward the cargo he has not any claim for freight. The system of *pro rata* freight is entirely abolished.

3. If the owner of the cargo, or any part of it, wish to withdraw it before the termination of the voyage, in spite of the offer of the captain to forward it to its destination, such owner, upon taking delivery at an intermediate port or place, shall be liable for freight for the whole voyage, and shall give good and sufficient bail for any general average or salvage expenses which may attach to the same.

4. The entire freight is due upon goods jettisoned or sacrificed for the common benefit, and for those sold to raise the necessary funds for defraying expenses incurred for the common benefit.

5. No freight is due upon goods lost by perils of the sea, nor for those taken by public enemy or by pirates. Nor upon any goods sold or destroyed in consequence of perils of the sea, in any port or place other than the port of destination.

6. If the captain save the goods from shipwreck, or if he recapture them from the enemy or from pirates, and if, being in a state to be transported to their destination, he delivers them, then he shall be entitled to the whole freight; if not, he shall be entitled to none.

7. The total freight is due upon delivery of the cargo at the port of destination, although diminished or deteriorated by perils of the sea, if the consignee takes delivery; and in this case the consignee is bound to take delivery of all consigned to him by the same shipper, and not to choose the sound and reject the damaged. If the consignee will not take delivery, the captain, after due authorisation, may sell such goods to pay his freight; but for any deficiency has no resource against the consignee or shipper, except there be an express stipulation to that effect.

8. The freight paid in advance is always liable to be refunded in all cases involving nonpayment of freight, except where it is stipulated to the contrary.

9. The contribution of the freight to General Average shall be regulated according to the first paragraph of Article X. of the York Rules.

JUDICIAL STATISTICS.

No. I.

We renew the annual analysis of the very valuable blue-book which Mr. Leslie has prepared, exhibiting the statistics of our law courts, civil and criminal. We commence with the civil business.

Crown Office.

The following is the return of this office as compared with the average of the five preceding years.

	1864	Average 1859-63
On writs of mandamus—made absolute	17	20
On quo warranto—Informations filed	1	5
On writs of habeas corpus—Applications for writs	34	39
On writs of certiorari—Writs issued	87	83
Judgments and executions	6	18
On grand jury bills	13	—
On informations *ex officio*	—	2
On orders of sessions—Removed into Queen's Bench	13	27
On special cases from Quarter Sessions (12 & 13 Vict. c. 45)	18	11
On special cases on proceedings before Justices (20 & 21 Vict. c. 43)	48	47

To this is appended the following explanation:

The nature of the offences tried on the Crown side of the Court of Queen's Bench is, as stated by the officers of the court, conspiracies, perjuries, assaults, nuisances, and other misdemeanors, and occasionally, but rarely, felonies. It is further explained that, as the trials take place at Nisi Prius in London and Middlesex, and at the assizes for the other counties, there is not any record kept in the Crown-office of the number of causes or of the number of persons tried, or of the judgments, except in cases in which judgment is entered up in the Queen's Bench, and except where parties are fined. No record is kept in the Crown-office of persons sentenced to be imprisoned, except where the sentences are passed by the court in banc, which very seldom occurs now, as sentences are, by virtue of stat. 11 Geo. 4 & 1 Will. 4, c. 70, almost invariably passed by the judge at Nisi Prius, and not afterwards entered up of record in the Queen's Bench.

The Common Law Courts.

The business of the plea side of the three common law courts is thus stated.

	Q. B.	C. P.	Ex.	Total.	Average Totals for 1859-63.
Writs of summons issued	34,285	32,200	46,673	113,158	100,349
Writs of capias	170	167	183	520	556
Appearances entered	9,319	9,389	11,408	30,116	26,624
Judgments	11,303	9,932	15,309	36,564	35,639
Executions	7,759	7,994	10,721	25,474	25,729
Hand motions and on side bar rules	1,135	1,030	1,211	3,376	3,405
Causes referred to masters	277	271	216	664	531

The first fact to be noticed is an excess of no less than 13,158 writs of summons issued above those of the last year, and above the average of the preceding five years. The next remarkable fact is that the C. P. has almost overtaken the Ex. in the number of writs issued, and that its business is more litigant in its nature than that of the Ex., as shown by the much larger proportion of judgments in the Ex.

The bills of costs taxed in the Ex. were 7692. There is no return of those from the Q. B. and C. P.

INVESTMENT JOURNAL.

The following are the fluctuations of the week:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	249	248	249½	248	250	249½
3 per Cent. Red. Ann.	89⅞	89⅞	89⅞	89¼	89¼	89⅜
3 per Cent. Cons. Ann.	90⅛	89⅞	89¾	89⅜	89¼	89⅜
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.	89¼	89⅞	89¼	89¼	89¼	89⅜
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅝	89¼	89¼	89⅜	89⅜	89⅝
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	222	...	...	...	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	99¼	...	...
India 5 per Cents. 1870	...	104⅛	105	104⅛	105	...
India Bonds (1000*l.*)	...	...	...	...	...	...
Do. (under 1000*l.*)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	100	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	100⅛	101⅛	...	...
Do. do. 5½ per c. May 1879	...	101	100	...	...	...
Ex. Bills, 1000*l.*	*a*	*a*	...	*c*	*a*	*d*
Do. 500*l.*	*b*	...	...	...	*a*	*d*
Do. 100*l.* & 200*l.*	...	...	...	...	*a*	*d*
3½ per c.	...	...	...	...	...	...
Do. Small, 3½ per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	99⅛	...	...	...	...

a 3 3/4 per cent. 2s. dis. | *c* 3 3/4 per ct. 3s. dis.
b 3 3/4 per cent. 2s. pm. | *d* 3 3/4 per cent. 1s. pm.

The Funds have fallen, influenced by the weather, which bodes ill for the harvest, and the cattle disease, which is spreading in all directions. Seldom, indeed, has the prospect been more gloomy. At a time when animal food had reached an extravagant price, comes a pest that sweeps away whole hecatombs of our already deficient herds. The rain threatens the corn and the potatoes. The cholera is advancing steadily to the north of Europe, and will reach us at a time when the most nourishing food will be beyond the reach of the poor. No wonder that there is depression at the centres of trade; that men are reluctant to speculate, and prefer to watch and wait. We have had seasons of calamity before, but we do not remember such a combination of evils.

Money is abundant, for it can find few safe investments. There has been plentiful gambling in shares of the Atlantic Telegraph Company, which rose with every telegram until the sudden cessation of the messages sent them toppling down. Still the depression is not so great as was expected under the circumstances. It is confidently thought that it must succeed next time, and, if it should, the share of 5*l.* would be worth 500*l.*; so the prize is worth the stake.

It would be impossible, as some readers have desired, to notice here the reports of all the companies, or even the announcements of the new ones. Space would not permit. We are therefore compelled to conform to the practice of our contemporaries, and to notice only such companies as advertise their proceedings in our columns; for in such cases reference can be made to the reports there published, and the notice here may be brief.

In accordance with this necessary arrangement, we have to direct attention to the report of the *South Devon Slate and Slab Company*, among the advertisements to-day, from which it will be seen that at the half-yearly meeting, held last week, a dividend of 7½ per cent. upon the half-year was declared, and a report from Mr. Evan Hopkins was read, giving an extraordinary account of the prospects of the company. He is a first-rate authority, and according to him there is no doubt that a mine of wealth only requires to be extracted. The directors invite a subscription of the remaining capital for this purpose. The shares are 5*l.*, payable 1*l.* on allotment, and 1*l.* every three months. But the particulars will be best gathered from the advertisement which contains the report of Mr. Hopkins.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Equity Practice.—Where an administration suit is instituted by a next of kin against a personal representative who, instead of accounting, institutes another suit for the administration of the same estate, omitting to make the next of kin, the plaintiff to the first suit, a party, the conduct of the cause will be given to the plaintiff in the first suit: (*Belchier* v. *Belchier*, 12 L. T. Rep. N. S. 792. V.C. K.)

A bill alleged that C., an executrix, had proved the will and possessed herself of real and personal estates of the testator more than sufficient to answer the plaintiff's claims against the testator's personal estate. To this defendant pleaded that she had not proved the will, "or had ever administered the goods, &c., of the testator as such executrix as in the bill in that behalf mentioned." This averment on the plea was held not to cover the averment in the plea, and therefore that the plea was insufficient: (*Hinde* v. *Skelton*, 12 L. T. Rep. N. S. 795. V. C. W.)

B. died having contracted to sell a freehold estate. His will related only to personalty. The heir-at-law, who was an infant, was consequently trustee for the purchaser. On a bill filed by the executrix to have it declared that the infant heir should convey the estates, it was held that the costs of the infant heir should be retained by the executrix out of the purchase-money when received by her: (*Barker* v. *Venables*, 12 L. T. Rep. N. S. 796. V. C. W.)

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Aberaman Iron Works (Limited).—Creditors to send in by Oct. 18, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to W. Quilter, 3, Moorgate-street, London. Solicitors, Maynard, Son, and Co., 57, Coleman-street, London.

Carney's Hæmatite Iron Ore Company (Limited).—Creditors to send in by Oct. 2, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to P. Whinney, 5, Serle-street, Lincoln's-inn-fields, London.

Pontnewynydd Iron Works Company (Limited).—Creditors to send in, by 1st Oct., their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to F. W. Spooner, 10, America-square, London. Solicitors, Thomas and Hollams, Mincing-lane, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Allen (Thomas), Upton, Cheshire, Esq. Oct. 2; Parrott, Colville, and May, solicitors, Macclesfield. Nov. 9; M. R., at noon.

Brown (Sampson), Coton-in-the-Elms, Derbyshire, labourer. Oct. 2; W. L. Wood, solicitor, Tamworth, Staffordshire. Nov. 10; M. R., at noon.

Buxton (Edward), New Bridge-street, Blackfriars, London, and Elden-house, Upper Kennington-lane, Surrey, gentleman. Oct. 2; Robinson and Hine Haycock, solicitors, 60, Charterhouse-square, Middlesex. Nov. 9; M. R., at one o'clock in the afternoon.

Hamilton (Caroline), 48, Wimpole-street, Saint Marylebone, Middlesex. Oct. 2; Gregory, Rowcliffe, and Rowcliffe, solicitors, 1, Bedford-row, Middlesex. Nov. 2; M. R., at noon.

Heacock (Rowland Samuel), Marston-upon-Dove, Derbyshire, farmer. Sept. 12; A. A. Flint, solicitor, Uttoxeter, Staffordshire. Nov. 4; M. R., at half-past twelve o'clock in the afternoon.

Hodgkinson (Sarah), Basford, Nottinghamshire. Oct. 2; A. Cann, solicitor, Nottingham. Nov. 8; M. R., at noon.

Hunt (John), Congelow, Yalding, Kent, gentleman. Oct. 16; Senior and Attree, solicitors, 2, New-inn, Strand, London. Nov. 13; V.C. S., at three o'clock in the afternoon.

Johnson (John), Millbank-row, Westminster, Middlesex, and Laira-house, near Plymouth, Devon, Esq. Oct. 2; Harrison, Beal, and Harrison, solicitors, 19, Bedford-row, Middlesex. Nov. 7; M. R., at noon.

Langford (Susannah), 12, Milton-terrace, Wandsworth-road, Surrey. Oct. 20; Jones, Mancell, and West, solicitors, 9, Laurence Pountney-hill, London.

Magee (Henry), Silton, Dorsetshire. Oct. 4; D. P. Hindley, solicitor, 16, Old Jewry-chambers, London. Nov. 3; M. R., at noon.

MASON (Josiah), Knowl-hill, Hurley, Berks, farmer. Oct. 2; Ham and Gurney, solicitors, 7, Furnival's-inn, Holborn, Middle-ex. Nov. 3; V.C. K., at noon.

PAGE (John), Bloomsbury-street, Bedford-square, Middlesex, and Covent-garden-market, potato salesman. Oct. 2; J. and C. Rogers, solicitors, 22, Manchester-buildings, Westminster, Middlesex. Nov. 4; V.C. K., at noon.

PARFITT (James), Clutton, Somersetshire, carpenter. Oct. 2; W. R. Mogg, solicitor, Cholwell, Temple Cloud, near Bristol. Nov. 9; V.C. W., at noon.

PARRY (William), Edgbaston, Warwickshire, gentleman. Oct. 1; Harrison and Wood, solicitors, Birmingham. Nov. 13; M. R., at noon.

QUICK (Henry Brannan), Lawn-road, Haverstock-hill, and Ely-place, Holborn, Middlesex, gentleman. Sept. 12; Hare and Whitfield, solicitors, Mitre-court, Temple, London. Nov. 8; M. R., at noon.

RUSK (J. K.), Finchingfield, Essex, farmer. Oct. 2; Veley and Cunnington, solicitors, Braintree, Essex. Nov. 9; M. R., at one o'clock in the afternoon.

STRINGER (Thomas), Wheelock, Cheshire, timber merchant. Oct. 2; Evans and Lawson, 1, John-street, Bedford-row, London. Nov. 8; M. R., at one o'clock in the afternoon.

THOTMAN (Jane), 74, Great Cambridge-street, Hackney, Middlesex, widow. Oct. 7; Terrell, Chamberlain, and Blake, solicitors, 30, Basinghall-street, London. Nov. 2; V.C. K., at noon.

TURNER (John), Chester, gentleman. Oct. 2; W. and H. Brown, solicitors, Chester. Nov. 7; M. R., at two o'clock in the afternoon.

WEBSTER (Peter), Loughborough, Leicestershire. Sept. 20; J. J. Hue, solicitor, 18, Warwick-court, London. Nov. 21; M. R., at one o'clock in the afternoon.

WARDE (Charles Thomas), Clopton-house, Old Stratford, Warwickshire, Esq. Oct. 2; Holbech, Slatter, and Holbech, solicitors, Stratford-on-Avon. Nov. 16; M. R., at noon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

FARRANCE (Thos.), Ladbroke-terrace, Notting-hill, Middlesex, Esq. Oct. 10; Robinson and Hine Haycock, solicitors, 40, Charterhouse-square, Middlesex.

FENTON (Francis Dyl.), Fenton's Hotel, St. James's-street, Middlesex, hotel keeper. Nov. 7; Taylor, Mason, and Taylor, solicitors, 13, Furnival's-inn, London.

HANSON (John), Sidney-street, Commercial-road east, Middlesex, formerly a cowkeeper. Sept. 14; T. Ware, solicitor, 52, Kingsland-road, Middlesex.

HUGHES (Lewis), 47, Great Newton-street, Liverpool. Sept. 21; W. H. Anthony, solicitor, 3, York-buildings, Dale-street, Liverpool.

HUNTER (Mary), 6, Paragon, Streatham-hill, Surrey, widow. Nov. 8; Lindsay and Mason, solicitors, 34, Basinghall-street, London.

JACKSON (Wm.), 23, York-terrace, Everton, Lancashire, gentleman, formerly of Liverpool, tailor and woollendraper. Oct. 10; J. C. Grocott, solicitor, 10, Bassnett-street, Liverpool.

JAMES (Eliza Ann), Wotton-under-Edge, Gloucestershire, widow. Oct. 10; A. Adey, solicitor, Wotton-under-Edge.

PHILBY (Sarah Ann), Richmond, Surrey, widow. Oct. 12; Hart and Davies, solicitors, 16, Austin-friars, London.

RIDD (Mary), Barnstaple, spinster. Sept. 29; C. E. Palmer, solicitor, Barnstaple.

ROTTON (Wm.), 24, York-crescent, Clifton, Bristol, Esq., barrister-at-law. Oct. 10; Robinson and Hine Haycock, solicitors, 40, Charterhouse-square, Middlesex.

VARNEY (William), Tunbridge-wells, Kent, shopkeeper. Oct. 1; G. Arnold, solicitor, Tunbridge-wells.

WELLS (Humphrey), Burley-on-the-Hill, Rutland. Oct. 10; R. Adam, solicitor, Oakham.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

HARDING (James), Milton, Clevedon, Somerset, yeoman. £11 2s. 8d. Three per Cent. Consols. Claimant, Susannah Teghill, Sidney, widow, the administratrix.

ROBINSON (Jonathan), Stratford, Essex, butcher. Dividend on £51 Annuities for terms of years. Claimant, Thomas Wall Crooks, surviving executor.

THE BENCH AND THE BAR.

ASSIZE INTELLIGENCE.

WESTERN CIRCUIT.

Bristol, Aug. 14.—There were only 8 prisoners for trial. The cause-list was rather an old-fashioned one, there being 37 cases, 13 of which are marked for special juries. It is said that there are but 12 Bristol cases in the whole list.

THE COURTS AT BRISTOL.

Nothing can be more inconvenient than the building in which the business of the assizes is carried on. The Bristol people were very anxious to obtain a criminal assize, instead of having, as heretofore, to send their prisoners for trial to Gloucester, and though their wishes were complied with at the early part of this year, yet up to the present time nothing has been done towards providing convenient courts in which to carry on the business. The old Nisi Prius Court, which in the summer is insufferably hot, there scarcely being any ventilation, is now appropriated to the trial of prisoners. Mr. Justice Keating has to sit in a room in an upper floor of the building, which is used at other times for the Bankruptcy Court. There have been several schemes submitted to the corporation for the erection of new courts, but up to the present time nothing has been done towards providing the requisite accommodation for the business of the assizes. It is to be hoped that the authorities will take the matter into their serious consideration, and not only so, but will proceed to action, for the present state of things is a great grievance. No attempt should be made to patch up or alter the old courts.

In the course of the day, one jury having retired, it became necessary to call a fresh one, when only five answered to their names.

Mr. Justice Keating said the inconvenient arrangement of the courts was such that the jury might easily be in the other court, for nobody would suspect that there was a court in such a place as that in which he was sitting.—*Times.*

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

The Lord Chancellor has appointed John Grimshaw, of Burnley, in the county of Lancaster, gentleman, to be a Commissioner to administer oaths in the High Court of Chancery in England.

The Lord Chancellor has appointed Robert Frost Stedman, of Sudbury, in the county of Suffolk, gentleman, to be a Commissioner to administer oaths in the High Court of Chancery in England.

The Right Honourable Sir William Erle Knight, Lord Chief Justice of Her Majesty's Court of Common Pleas at Westminster, has appointed Gabriel Beer Lidstone, of Kingsbridge, in the county of Devon, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, under the Act passed for the abolition of fines and recoveries, and for the substitution of more simple modes of assurance in and for the county of Devon.

Abel Hyde Shaw, of Stalybridge, in the county of Lancaster, has been appointed Commissioner to take acknowledgments of married women.

KNIGHTING OF MR. HOWLEY, Q.C.—The Order of Knighthood was on Tuesday conferred on John Howley, Esq., Q.C., at the Viceregal Lodge, by his Excellency the Lord Lieutenant, in recognition of his long, efficient, and valuable services as chairman of the county Tipperary. This is the first occasion on which his Excellency the Lord Lieutenant has exercised the Viceregal prerogative, and we have no hesitation in expressing our belief that the honour could not have been conferred upon a gentleman more eminently entitled to such a recognition of long and faithful public services. Mr. Serjeant Howley earned the good opinion of all classes by his impartiality and firmness in the discharge of his judicial duties.—*Dublin Express.*

RIOTING.—The "Red Judges," as the criminal class call Her Majesty's judges, seem to have a very different idea of the guilt of an election riot from that entertained by the Manchesterial magistrates. At Oldham, one William Mellor was wandering about the town and looking at an election fight, when he was set upon by six or seven men, including one Edward Hague, and so dreadfully kicked that he died the same evening of hemorrhage of the bowels. Hague was tried for manslaughter, and found guilty, and the judge sentenced him to ten years' penal servitude, a sentence which seems too severe for the individual case, but which will probably do more to suppress brutality at elections than any amount of lecturing about the necessity of order. Unfortunately, it will by next election be forgotten, half-drunk roughs being totally unable to remember the penalties inflicted five or six years before for an offence so unexciting as kicking a man to death.—*Pall Mall Gazette.*

The judges on the Home Circuit now holding assizes at Croydon seem to be regularly borne down by the pressure of work. In order to expedite trial, cases from every part of the metropolitan district, or even beyond it, are transferred to Croydon, the jury list of Surrey is most unfairly oppressed, and the judges have been compelled to form a third Nisi Prius Court, and quarrel with the County Court for a room to sit in. That court, it would seem, usually sits in the grand jury room, and Mr. Justice Crompton was compelled to plead privilege, and talk about the superiority of a Queen's judge to a County Court judge before he could get it. The inferior judge, of course, gave way at last, but it seems quite clear that the business of the Home Circuit must either be rearranged or the number of the judges upon it increased. We are yet far from Bentham's ideal, final courts which should be open all the year round, so that justice should never be delayed for a day, or an innocent man imprisoned for a week without trial.—*Pall Mall Gazette.*

THE BENCH AT MELBOURNE.—Since the Act was passed to appoint a fourth judge, Mr. Milford, the equity judge, has died, thus creating two vacancies. It was intended that one should be filled from the local Bar and one from the English Bar. There has been, however, a division of opinion on this subject, both within and without the Cabinet. Those who favour the importation of a judge from England do so on the ground that superior ability may be obtainable in that way, and that a new comer would be free from all the social relationships, political partisanships, and cliquisms of the colony. On the other hand, it is contended that it is unfair to colonial lawyers to take away the prizes of the profession, that there is a good deal of purely colonial law that a judge here requires to know, and that the English Bar is too much subdivided to give us a lawyer of the general knowledge requisite for a judge who has to sit in all kinds of causes. The love of patronage has settled the question in favour of colonial appointments, and the vacant seats have been given to one of the district court judges and to the Solicitor-General. Mr. Dowall, the late Attorney-General, was opposed to the latter appointment, but as soon as he had resigned his office and left for England the appointment was made, to the indignation of the Bar, who had privately protested against it.

MAGISTRATE AND PARISH LAWYER.

Correspondence.

SMALL PENALTIES ACT 1865.—In reply to "A. F.," if he will refer to the application of the Act (28 & 29 Vict. c. 127, s. 6), he will find: "This Act shall apply to penalties, *including costs*, recoverable in a summary manner in pursuance of any Act of Parliament, whether passed before or after the commencement of this Act," &c. *Ergo*, in the case cited by him as an example, the defendant would, in default of payment, be liable to the *fourteen days'* imprisonment. C. P.

Launceston, Cornwall.

— I think that there can be but little doubt that the word "penalty" is intended to include costs; and therefore, if a defendant be fined 5*s.* and 7*s.* costs, the term of imprisonment to which he would be liable would be fourteen days: (see sect. 6.)

New Romney. J. B.

COMMITTALS.—The judges are in the habit of publicly complaining that cases are sent for trial at the assizes which are triable at the sessions. Mr. Justice Willes made such a complaint in charging the grand jury at Wells on the 7th inst. Surely this is very unreasonable. The most obvious remark which occurs to one is, that it would be unjust and cruel to untried prisoners, charged with small offences, to commit them for trial at a session two months or more later than the assizes, thereby so greatly prolonging their imprisonment before trial; and, further, that the legality of that course is more than doubtful, the judge of assize being bound by the commission to deliver the gaol. If it be replied, however, that to obviate this injustice and the difficulty the county justices ought to hold frequent adjourned sessions, and thus to relieve the judges from the duty of trying small offences, I beg to ask, *why?* Why should counties be put to the expense, and unpaid justices and jurors to the trouble, of these additional sessions, for the relief of the judges who are largely paid? Why should counsel be called upon to attend such sessions, and would they in adequate numbers attend? And if not, would not the result be seriously injurious to the administration of justice? It is an invaluable advantage not only to prosecutors and to prisoners, but to judges also, that a sufficient Bar should be accessible; nice questions of law often arise on trials for offences involving very small amounts in value, and "these little things are great to little men." The poor fellow who is charged with a petty theft or fraud is as much entitled to be tried before a judge of the land, and to have the full benefit of his judicial mind, as the murderer or the highwayman. Again I repeat, why should the paid judges of the land expect to be relieved of part of their duty at the expense of the unpaid, when such relief is also costly to counties, troublesome to justices, jurors, and counsel, and unsatisfactory to parties? A JUSTICES' CLERK.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

PRINCIPAL AND AGENT.—The appointment of a general agent for the sale of goods implies an an authority to sell according to the ordinary course of trade. Therefore, where B., an agent, sold timber for C., his principal, at one of a number of sales, held at the same place and by the same person, on behalf of himself and other vendors, at which it was alleged to be the custom that the purchasers should be liable for the purchase-money to the holder of the sale only, and not to the real vendor, and it was proved that the agent had himself sold goods on his own account in conformity with this alleged usage, C. was held to be entitled to look for his purchase-money beyond the holder of the sales to the real seller of the timber: (*Ex parte Howell*, 12 L. T. Rep. N. S. 785. L. C.)

STATUTE OF LIMITATIONS.—An insertion in the schedule to a deed of inspectorship executed by the debtor of a debt as due from him to B. is not a sufficient acknowledgment to take it out of the statute; nor is the insertion of the debt among others in the account required to be filed on the occasion of the registration of the trust-deed; and, lastly, not even is payment of a dividend on such debt by the inspector under such a deed, of a dividend upon it, such part payment as to take the debt out of the statute. The judgment is worth noting:

The question raised in this case was, whether a certain debt was taken out of the operation of the Statute of Limitations. It has been alleged that the debt was acknowledged because the debtor executed a deed of inspectorship, and in a schedule to that deed was included the debt in question as being a debt due from him to the party named. The question is, whether that was a sufficient acknowledgment to take the debt out of the statute. I was strongly of opinion that it was not. But then there arose the further question whether the result would be affected by this, that there was in this case an affidavit by the debtor, in which he positively swore that this debt was due. But I think that makes no difference, because the affidavit was only to the effect that the debt was due *modo et forma* as therein stated. The debtor swore it was a debt to be administered under that deed of inspectorship. Now the statute says that no acknowledgment or promise shall be sufficient unless it be a promise or

acknowledgment contained in some writing to be signed by the party chargeable; and an acknowledgment that the whole debt is due is a sufficient acknowledgment within the meaning of the statute, if it be an admission that the whole is immediately recoverable. But the acknowledgment is not sufficient if the admission be that the debt can only be paid in part, or in some qualified mode. That was decided in the case before the Court of Q. B.; and if I felt any doubt as to the principle, which I do not, I certainly should not think of interfering, sitting as I do here in Bankruptcy, with a decision of the Court of Q. B. My opinion is that the deed is only the creation of a trust to pay by instalments, and that the affidavit contains an admission of the debt only *modo et formâ*, and hence that there has not been an acknowledgment within the statute. Then it is said that there has been part payment, because the inspectors under that deed have paid a dividend. But there is just the same objection to that argument. Payment of a dividend under the Insolvent Act has been held, in the case decided in the Court of Ex., not to be a sufficient part payment to take the case out of the statute; and the payment of a dividend by an inspector is open to precisely the same objection. Part payment, in order to take the case out of the statute, must be not only payment on account of the debt, but payment accompanied with an admission, express or implied, that the balance of the debt is due and payable on demand. That was clearly not the case with this payment—the residue was not payable on demand; the promise was only that parts of the residue should be paid at certain intervals of time. It seems to me, therefore, that this contention is open to exactly the same objection as that with respect to the acknowledgment; and this appeal must be dismissed with costs.

(*Ex parte Topping*, 12 L. T. Rep. N. S. 787. L. C.)

LAW STUDENTS' JOURNAL.

Correspondence.

Honour Examinations.—It is with much pleasure I see this subject, which I thought had quite died the death of neglect, again brought forward; and this time let us hope that the law students, whose duty it is to support movements of this kind, will not allow it to be so soon forgotten. Enough, I think, has been already said, in the numerous letters which have from time to time appeared in these columns, as to the desirability of some such mode of "permanently distinguishing superior merit," the manner of conducting the honour examinations, the distinguishing mark, and the great benefit to be derived therefrom; it would only be imposing on your time to say more. Now let us proceed to action; and let every gentleman who may at present be in the Profession, or who may be about to enter, lend a helping hand, for if we determine on carrying our point, it is useless to stand looking at one another, no man doing anything himself, but throwing the burden of acting on his fellow. If I may be permitted to suggest a course, I should say, let those gentlemen who are able and willing to take an active part in the movement first come forward, from these let a committee be selected, by whom a memorial should be drawn up, from which the great desirability of some such mode of distinguishing the deep-read men in the Profession would appear. The memorial should be signed, either personally or by proxy, by all the solicitors who approve of the movement, and by all the articled clerks in the kingdom, and presented to the Incorporated Law Society, who could not refuse to take some notice of so substantial a proof of the general wish of the Profession. With regard to gentlemen already admitted, I would suggest that they be eligible to go in for the "honour examination," so that the degree might not be confined to those gentlemen who now are, or hereafter may be, serving under articles. Studiosus.

Aug. 16th. 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

Mortgage.—By deed dated 27th Aug. 1864, H. P. mortgaged an estate to J. M. There was the usual proviso that, if H. P., his heirs, &c., paid the principal and interest on the 27th Aug. 1864, J. M. would reconvey. On the 15th June 1864 the principal and interest was paid off, and J. M. reconveyed the estate to H. P. *unto* H. P. and his heirs, omitting the words "to the use." I should be obliged if any of your numerous readers could refer me to any decided case, or give me their opinion as to whether the word "unto" would be sufficient to give the legal estate, and whether the words "to the use" are absolutely necessary to do so. A. B.

Answers.

Conveyancing—Cestui que Vie.—In reply to "Inquirer" I submit that the lessor was certainly *not* entitled to take possession on the bare hypothesis of the death of C. the survivor. He ought either to have raised the question of C.'s existence by an action of ejectment, which would, assuming the Act of 19 Car. 2, c. 6, to be still in force, have thrown the onus of proof on the *lessee*; or petitioned the Lord Chancellor, under 6 Anne, c. 18, for an order to produce the *cestui que vie*. The latter Act contains no reference to 19 Car. 2, but unless it *per se* operate as a repeal thereof I take it that *both* statutes are *still* in force, and that a lessor can proceed either at law or in equity as may be advisable. I have observed with some surprise that recent writers seem to ignore the statute of Charles 2, although Woodfall cites it side by side with the Act of 6 Anne. J. P.

Exeter.

— Although D. has taken possession of the property, contrary to the enactment of 6 Anne, c. 18, yet I apprehend the tenant *pur autre vie* has no remedy, unless he can show that his *cestui que vie* was living at the time of D.'s taking possession, as it would have been incumbent upon C. to produce this *cestui que vie* in case D. had obtained an order from the Lord Chancellor for that purpose. J. B.

New Romney.

Cestui que Vie.—I believe that sect. 18 of 6 Anne is still unrepealed. J. B.

New Romney.

— I think there has been *no later* Act than that of 6 Anne, c. 18, as to proof of the existence of *cestuis que vie*. The modern authorities refer to that statute as the one affecting the question: (see Ayckbourn's Chan. Pr. edit. of 1865, and Williams's Real Property, 6th edit.) Probably "T. H." alluded to an earlier enactment (19 Car. 2, c. 6) which threw the onus of proof on the lessee, in case of the absence of the *cestuis que vie* for seven years. J. P.

Exeter.

THE LAW LIBRARY.

An Elementary View of the Proceedings in a Suit in Equity. With an Appendix of Forms. By Sylvester Joseph Hunter, B.A., Barrister-at-Law. Third Edition, by Geoge Woodford Lawrance, M.A., Barrister-at-Law. London: Butterworths.

Now that an extensive equity jurisdiction is given to the County Courts, some knowledge of the principles and practice of equity will be necessary for every solicitor, for he will have frequent occasion to advise his clients whether their remedy is in the County Courts or in the Superior Courts; and if the former, it will be his duty to carry the case through, conducting at least the greater portion of it himself. Upon his sagacity the client must rely for the more or less of relief that he obtains from the new tribunal. By a little contrivance many cases may be taken out of its juridiction or brought within it, as interest or inclination may prompt. The form in which the complaint or claim is presented will often determine the judgment, and a prayer correctly framed is necessary to a satisfactory decree, or order, as it will probably be termed in the County Courts.

Hence equity law will be in request alike by the student and practitioner. Both will probably be learners alike, for with few exceptions the solicitors do not trouble themselves about equity law and practice, leaving that to their counsel and London agent, rightly deeming that the common law, conveyancing, magistrates' law, and new joint-stock companies law are all that was really requisite for the demands of an ordinary practise, especially in the provinces. But the Legislature has thought fit to add an equity jurisdiction to the many already heaped upon the County Court, and the Judges, however reluctantly, must master it, and the registrars must have it at their fingers' ends, and the solicitors who practice in the courts must be competent to talk about it without serious blundering, and every solicitor must know so much of it as may enable him to advise his clients whether they should resort to the new tribunal, and to take them safely into it as well as safely out of it.

Until the rules are issued, it is impossible to say what will be the procedure in the County Courts, the Act being wholly silent on this subject. But it may be surmised that although the formidable name of "suit in equity" will be rejected, the procedure will be very similar. Indeed, it can scarcely be otherwise. There must be a claim, or a complaint, and this must state the case with some precision, or how can the jurisdiction be ascertained? The facts are seldom few, and inasmuch as it is not, like an action at law, an issue raised on one point, those facts must be stated fully. In truth, this will be "a bill," and "the answer" must be equally precise. Then there will be a hearing, and that will be equivalent to the proceedings before the chief clerk in chambers, and probably for disputed facts, a jury. Thus we shall have, under some different names perhaps, the various proceedings in a suit in equity, an elementary view of which is contained in the volume before us. It was designed for the student, but it will be welcome to the practitioner who would prepare himself for the new duties that the County Courts Equity Jurisdiction Act will impose upon him.

The first part describes the regular course of a suit up to decree, commencing with the Bill, its nature and form, the service of it, and consequent proceedings; the defence, whether it be by demurrer or plea, answer or disclaimer; the proceedings of the plaintiff after answer, such as exceptions, amendment of the bill, the hearing, the motion for decree and replication; and a chapter is devoted to the evidence.

The second part narrates the course of a suit after decree and incidental proceedings, such as those under the decree and in chambers, further consideration, supplement and revivor, motions, petitions, contempt, suits by and against particular persons, appeal, and costs.

The third part treats of the various proceedings without bill, including special cases, petitions for the opinion of the court, settlements, trustees, and administration; and the essay concludes with a sketch of the summary jurisdiction which the Court of Chancery possesses over its solicitors, and in the matters of charities, the winding-up of companies, and the registration of titles. The forms introduced in an appendix will assist the student in committing the practice to memory, by showing him precisely how it is applied. The perusal of a form will often make that intelligible at a glance which it is difficult to convey by a whole page of description.

The author's manner will be best shown by an extract, and we take part of his first chapter as probably describing very much what the reader will be required to do when the County Courts exercise their equity jurisdiction.

The Bill, its Nature and Form.

The bill is generally, if not invariably, prepared by counsel, who for this purpose is furnished with such papers as are necessary. We now refer the reader to the specimens of bills which will be found in the Appendix No. I., and will then proceed to describe the various parts of which they consist, making such observations as seem necessary for explaining the use of each part.

These parts appear to be four in number: the Title, the Address, the Statement, and the Prayer. Some of these will be found to include subordinate divisions.

The title consists of the name of the Court, "In Chancery," and of the branch of the Court to which the suit is attached (which is selected by the plaintiff at his pleasure), together with the names of the parties to the suit.

We do not intend to state here the rules governing the selection of proper parties to a suit, which in spite of great simplifications introduced by the Jurisdiction Act of 1852, are still sometimes the subject of complicated considerations. In general, we may say that (subject to certain statutory exceptions) all persons interested in the subject-matter of a suit *with respect to its object* are necessary parties to the suit. Sometimes, when there is a class of persons all having the same interest, and the class consists of so large a number of individuals that they could not all be made parties without extreme inconvenience, it is allowed to name one or more of the class to represent the rest: and this may be done whether these persons appear as plaintiffs or defendants. The most common case is where a suit for the administration of the estate of a deceased person is brought by one creditor "on behalf of himself and all the other creditors of" the deceased: in this case the suit is termed a Creditor's Suit.

It is clear that in such a case all the persons on whose behalf the suit is brought have the same interest, it being the object of them all alike to make out the estate of the deceased to be as large as possible: and care must always be taken that no persons are joined as plaintiffs between whom there is any opposition of interest, and especially that no person be included among the plaintiffs who is also named as a defendant. Thus we may suppose a bill brought by a shareholder to wind up the affairs of a joint-stock company, and to make the directors responsible for alleged frauds, and that several of the shareholders have released the directors from all claims on account of the conduct impeached. To this bill all the shareholders would be proper parties, but if they are very numerous they need not all be named, and clearly none could properly be named as plaintiffs except those who had refused to execute the release: the bill would therefore be brought by A. B. on behalf of himself and all other shareholders in the company except such as are named as defendants thereto, and except all others who have executed a certain deed of release hereinafter mentioned, dated, etc., and to this bill the defendants would be the

directors, and one or more of the releasing shareholders. It is not usual to mention that persons are made defendants as representatives of a larger class.

No general rule can be given as to the cases in which such representation will be allowed, the Court considering, on the circumstances of each case, whether substantially the interests of the class are secure: the persons who would have been necessary parties to the suit under the old practice are served with notice of the decree, and may obtain an order of course to appear and take part in the proceedings subsequent to the decree. The enactments on this head will be found in 15 & 16 Vict. c. 86, s. 42, which Act bears the title of, "An Act to amend the practice and course of proceedings in the High Court of Chancery," and is the basis of all the modern improvements on the subject. Hereafter it will be shortly referred to as "The Jurisdiction Act."

It will be shown hereafter in what manner the defendant can raise the objection that the parties to the suit are not properly chosen.

When the suit is commenced by information instead of by bill, the plaintiff is the Attorney-General for the time being: and if the information is brought to enforce a private right, it is usual to name some person at whose "relation" the Attorney-General acts: such relator is responsible for the conduct of the suit and for the costs, in the same manner as an ordinary plaintiff.

We must next consider the address by the plaintiff to the Lord Chancellor, of which the form will be found in the Appendix: on every change in the custody of the Great Seal, notice is given of the title by which the new holder is to be addressed. When a Peer is plaintiff, the word "humbly" is omitted, and in an information, "informing" is substituted for "humbly complaining."

It will be seen that the address contains the residence and description of the plaintiff: if this be omitted, or given falsely, or show that the plaintiff resides out of the jurisdiction of the court, it may be a ground for staying all proceedings in the suit until security shall have been given for the costs. More is said on this subject at the end of our chapter on Costs.

The statement of the plaintiff's case next follows, and consists mainly of a history of the matter with respect to which the assistance of the court is asked: this should contain an allegation of every fact on which the plaintiff relies, so as to give fair warning to the defendants of the case which they are required to meet: for the plaintiff will not be allowed to inquire after by his interrogatories, nor to prove at the hearing anything which does not tend to support an allegation in his bill.

In addition to this history of the matter, which corresponds to the stating part of the bill mentioned in Mitford's 'Pleadings' and other old books, the statement often contains *charges* and *pretences*. Charges consist of allegations which the plaintiff does not know to be true, or at any rate is not able to prove; but which he suspects to be true, and as to which he wishes to have the answer of the defendant. Charges are also used in stating, as a conclusion of law, the relief to which the plaintiff thinks himself entitled. Pretences are used when some defence is anticipated as likely to be set up, and it is wished to negative it at once. Specimens both of charges and pretences will be found in the precedents of the bills referred to: they are never necessary, though often convenient.

The last paragraph of a bill used to be almost always and still is sometimes a charge that the defendant has in his possession or power some books and papers relating to the matter in question: this charge enables the plaintiff to ask whether the fact be not so, and if the answer admit the fact, the plaintiff can at once obtain the production of the documents, which may be of the greatest service to him. The plaintiff is not obliged, however, to insert this charge in the bill, but may interrogate the defendant as to the documents in his possession, even though there be no such charge: (*Perry* v. *Turpin*, 1 Kay, App. 49.) And now the plaintiff very frequently (without interrogating as to documents) obtains an order by summons at the Judges' Chambers that the defendant make an affidavit, stating what documents he has in his possession, and that he produce the same. (See Seton on Decrees, 1040.)

Lastly we come to the prayer. This asks for the relief to which the plaintiff conceives that the case stated in his bill entitles him, and concludes with a prayer for general relief, under which any relief may be given to which a title is made out at the hearing: it is not, however, well to trust to this, but the specific relief sought should be expressly prayed, and this may even be done in the alternative, so that if the Court should not think that the case made out justifies the relief first asked for, yet the plaintiff may have some other to which he is entitled.

As to the nature of the relief prayed for by bills, it is almost infinitely various. The pleader should in each case consider what decree he hopes to obtain at the hearing, and put this into the form of a prayer: the species of relief most usually sought are declarations of right, references for accounts, inquiries, and the like, and the issuing of particular writs, as of injunction, *ne exeat*, etc.; moreover, if the plaintiff thinks that he is entitled to ask it, he should expressly pray that the defendant may pay all the costs of the suit, and it is usual to insert a prayer that all proper steps may be taken for carrying out in detail the objects sought. More will be learned as to the nature of prayers by consulting what will be said on decrees in a future chapter.

The signature of the counsel who drew the bill follows the prayer. Without such signature no bill can be filed: and it is understood that it is to be regarded as a security that, judging from the written instructions laid before the counsel of the case of the defendant as well as of the plaintiff, there appeared to him at the time of framing the bill to be good ground of suit. Mitf. Pl. 48 (*a*). The bill concludes with the names of the defendants and the name and address of the solicitor by whom it is filed: this address must be within three miles of the Record and Writ Clerks' Office in Chancery-lane, or else a place must be named within that distance, called an address for service, at which notices and other proceedings in the suit may be left.

BOOKS RECEIVED.

A Guide to the Examinations for the Degree of B.A. University of Cambridge.

Odds and Ends, No. 7. Notes from Paris, or Why are Frenchmen and Englishmen Different? Edinburgh: Edmonston and Douglas.

The Notanda Digest; with Synoptical Index of the Decisions in Law, Equity, Bankruptcy, Admiralty, Divorce, and Probate Cases. By Trenson Edwards, Esq., of the Inner Temple, Barrister-at-Law. From Dec. 1862 to June 1865. London: T. F. A. Day.

A Treatise on Composition with Creditors under the Private Arrangement Clauses of the Bankruptcy Act 1861, with Forms. By Geo. Sills, M.A., Barrister-at-Law. London: Davis and Son, Carey-street.

LEGAL OBITUARY.

Note.—This department of the Law Times is contributed by Edward Walford, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the Law Times Office any dates and materials required for a biographical notice.

E. B. LOMER, ESQ.

The late Edward Bridger Lomer, Esq., M.A., of the Western Circuit, barrister-at-law, who died at South-parade, Brompton, on Sunday, the 6th instant, was the second son of Edward Lomer, Esq., of Moorlands, Bitterne, near Southampton, one of the most eminent commercial personages in Southampton. He was born at Southampton in 1828, and educated at Rugby, under Dr. Tait (now Bishop of London), and afterwards at Oriel College, Oxford, where he graduated B.A. in 1852 and proceeded M.A. in 1854. At college he was well known for his general learning and taste in English literature, and in his subsequent career he impressed those around him with his logical powers and his great command of language to so great a degree that they regarded him as one of the future ornaments of the Western Circuit and of Westminster-hall. But these expectations were not destined to be realised by experience, as in a few years from the date of his call at the Inner Temple (which was in November 1853) he was obliged to retire from active practice by an hereditary malady, under which he ultimately sank. During his later years he was a contributor to more than one journal of high repute, and in all that he wrote he continued to give the highest evidence of a strong judgment, a playful humour, and a cultivated taste. The learned gentleman, who was never married, was buried at Brompton Cemetery.

MR. JOSEPH PARKES.

Few figures were better known in Pall-mall and about the Houses of Parliament than that of Mr. Joseph Parkes. He belonged to the Liberal side in politics, and in the midst of his party held a position of considerable influence. Few men in a secondary position were more trusted than he, few had a larger circle of friends, few were more completely in the current and full tide of political life. He had in his day been an ardent political soldier; he had entered with all his heart into the battle for Reform; and from that time forward he held in the great Whig army a place, if not of command, yet of trust and of influence. Perhaps no man was better acquainted than he with the secret history of politics during the last thirty or forty years. Latterly he was an important link of connection between the steady going Whigs and the swifter going Radicals. He was on the most intimate terms with every section of the Liberal party. He was not only an earnest politician, he was an excellent lawyer; and he had literary tastes, faculty, and ambition. Any one who, without knowing him, saw him two or three times in the Reform Club, or slouching along Pall-mall, slightly bent with years, would soon discover what manner of man he was. He seemed to know every second person he met, and not only to know him, but to be on confidential terms with him, and to have something particular to say to him. He always seemed to have somebody by the button-hole, and to be engaged in secret conclave. There was a question to be put, or a question to be answered, and who so ready as Mr. Parkes. If anybody on his side of politics wanted information, whether of the past or of the present, Mr. Parkes was the man to apply to. If he could not at once give it he could get it. So people clung about him, and he was a most useful man in his party—useful not only because he was so well informed and had such a wide circle of friends, but also because his judgment was of the soundest, and he was ever active and loyal in offices of friendship. What was particularly pleasant about him was that to the craft of a good politician he united the blunt sincerity of a frank, honest, kindly man. Joseph Parkes was born at Warwick on the 22nd Jan. 1796. He went to school at Worcester, and afterwards to the Glasgow University; but in his general reading Dr. Parr, who took a great interest in him, directed his studies and recommended a course to which he rigidly adhered. His reading in this course was of the widest range, and comprehended many works that lie quite out of the beaten path. He chose his path in life as a solicitor, and having gone through a course of training of the highest kind, started in Birmingham first by himself and afterwards in partnership with Mr. Solomon Bray, the first town-clerk of the corporation of Birmingham. At the time of the Birmingham Political Union, Mr. Parkes was adviser to Mr. Atwood, the leader of that movement. He did not quite approve its tendency, but at a later period in the tumult of the Reform agitation he and some forty or fifty others who had hitherto held aloof joined it, and thenceforward he took a prominent part in its proceedings. He thus became acquainted with Mr. Edward Ellice, a most active member of Lord Grey's Ministry; he became a political agent of the party, and he had a great deal to do with its election business. This necessitated his removal to London in 1832, where he practised as a solicitor and parliamentary agent till about the year 1850, when he was appointed Taxing Master to the Court of Exchequer, an office which he held till his death. These are the leading facts of his life. He died at his house in Wimpole-street, and will be much missed and widely regretted.—*Times.*

LAW SOCIETIES.

INCORPORATED LAW SOCIETY.

ANNUAL REPORT OF THE COUNCIL

Intended to be submitted to the General Meeting of the Members on July 5, 1865.

(Concluded from page 490.)

APPENDIX.

No. 1.

Statement in support of the total Repeal of the annual Certificate Tax.

For many years prior to the year 1853, attorneys, solicitors and proctors were subjected to the following taxation specially imposed on them: namely, first, to a stamp duty of 120*l.* on their articles of clerkship; secondly, to a stamp duty of 25*l.* on their admission into the profession; and thirdly, to a tax on an annual certificate, without which they could not lawfully practise in their profession. 12*l.* was the annual certificate duty on those who practised in London, and 8*l.* on those who practised only in the provinces; and one-half the tax was remitted in favour of those who had not been admitted for three years.

In the whole range of special taxation of a class, there is no other instance of this threefold taxation. One class may be taxed like the attorneys, solicitors and proctors on their articles of clerkship, or indentures of apprenticeship; another class on being admitted to their profession or calling; and another class on annual certificates enabling them to carry on their callings, as auctioneers, pawnbrokers, hawkers, or pedlars; but attorneys, solicitors and proctors alone are subject to all these three kinds of taxation.

In the year 1853 the stamp duty on articles was reduced by one-third; namely, from 120*l.* to 80*l.*; and the annual certificate tax by one-fourth; namely, from 12*l.* to 9*l.* in London, and from 8*l.* to 6*l.* in the provinces.

There are cogent reasons why attorneys should be entirely relieved from the payment of the annual certificate tax.

The annual certificate tax was imposed in the year 1785 to make up an expected deficiency in the shop tax. The shop tax has long been repealed, but the tax in aid of it has been continued to the present day.

In England and Wales, this taxation amounts in the aggregate to upwards of 68,000*l.* per annum.

The annual certificate tax is a grievous and

oppressive infliction on a large class of deserving practitioners, the profits of whose business is of small amount. By many recent changes in the law, and the practice of the courts, the emoluments of attorneys and solicitors have been greatly diminished. A very large proportion of attorneys and solicitors do not derive as much as 200*l.* a-year from their profession; but they are nevertheless compelled to pay this onerous tax, which in London is equal to an income-tax of 6*d.* in the pound on 360*l.* a-year, and in the provinces, to an income-tax on 240*l.* a-year, and to pay the income-tax as well; and they are not exempted from any of the taxation imposed on the general public.

The profession of an attorney is an honourable one; and every person before he is permitted to enter into articles of clerkship is subjected to an educational test of a stringent character, and before admission, to two examinations in the principles and practice of the law.

An exclusive right to practise their profession is conferred on members of the Bar, and on members of the College of Physicians and Surgeons; yet they are not subjected to a special annual taxation like that which is imposed on attorneys.

A Bill for the total repeal of this tax was first introduced in the session of 1850.

The second reading of the Bill was carried on a division, and the principle of the Bill was again affirmed on two other divisions. After the Bill had passed through committee it was lost on a division upon the third reading, taken *at three o'clock in the morning*. 483 members voted on these divisions, and if the fate of the Bill had depended on their votes, taken on a single division, it would have been carried by a majority of 35.

In 1851 the motion for leave to bring in a similar Bill was affirmed by a majority of 30 out of 308 members, but in consequence of the dissolution of Parliament, the Bill was not again brought forward until 1853.

On the 10th March 1853 the motion for leave to bring in the Bill was carried by a majority of 52, out of 386 members.

Before the Bill was brought to a second reading, a resolution for the total repeal of the *Advertisement Duty* was carried.

On that occasion the Chancellor of the Exchequer stated the impossibility of repealing the *certificate tax*, and also the *duty on advertisements*; and on the second reading of the Bill for the Repeal of the Certificate Duty, he reminded the House that if both these duties were repealed, it was plain, from the statement he then made, that the financial operations of the country would have to be carried on, not on a *surplus*, but on a *deficit*.

In consequence of this statement, 61 members who had previously voted *in favour* of the repeal of the certificate tax voted *against it*, being driven to an alternative between the two duties.

The reasons therefore which induced those members to vote against the repeal of the tax on that occasion do not, it is submitted, apply at the present time. In 1853 the country was on the eve of a war, and the Chancellor of the Exchequer had not then, as it is confidently expected he will have at the end of the present financial year, a large surplus revenue available for the reduction of taxation.

There are at present about 10,200 practising attorneys and solicitors in England and Wales, and 60 conveyancers, special pleaders and draftsmen in equity.

There are in Scotland about 1600 writers to the signet or procurators, including parliamentary solicitors, licensed in Scotland, practising in London.

There are in Ireland about 1350 practising attorneys, solicitors and conveyancers.

In the three countries, therefore, there are at present in the aggregate about 13,200 licensed practitioners.

In England there are about 4500 barristers, in Scotland 400, and in Ireland 900, making together about 5800 persons exercising a profession not less lucrative than that of an attorney, who do not *contribute anything annually* to the revenues of the country with reference to their calling.

If therefore it be admitted that barristers are properly exempted from the payment of any annual tax for the privilege of exercising their profession, upon what principle can it be maintained that attorneys, who are not remunerated at by any means so high at a rate for their labours, should be subjected to the burden of an annual payment *amounting to nearly* 90,000*l.*?

No. 2.

Observations of the Incorporated Law Society on the Mortgage Debentures Bill.

This Bill extends to England and Wales, Scotland and Ireland.

Every species of freehold, leasehold, copyhold, and customary freehold lands, including houses, mills, factories, shops, &c., may be mortgaged to a "Mortgage Debenture Company."

The mortgages need not be *first* charges, and there is no limit to the number of prior incumbrances that may exist on property mortgaged to a Mortgage Debenture Company; neither is it stipulated that the legal estate of the mortgaged property shall be vested in such company.

It is presumed that the Bill is designed to benefit two classes:

I. Persons wishing to borrow money on mortgage.

II. Persons wishing to invest money on debentures on mortgages.

It may be assumed, however, that the companies will expect to derive some benefit from the business they are to transact; and it is probable that they will look for a profit to the difference between the interest they pay to holders of their debentures and the interest to be received from the mortgagors.

It will be convenient to consider these matters in their order.

I. Persons desiring to borrow money on mortgage.

The Act gives no particular facilities for borrowing money on mortgage. The title will have to be investigated as in ordinary cases. There will be the usual mortgage-deed, and all the usual expenses.

The "*saleable value*" of the properties to be dealt with by the Bill is to be the criterion of value, and three-fourths of such "*saleable value*," according to the opinion of a surveyor, to be appointed or approved by the Inclosure Commissioners, may be advanced by the companies on mortgage.

The adoption of the *saleable value* as the criterion of sufficiency, to the exclusion of rental, will probably lead to serious consequences. Land near London, and other large towns, may, in the opinion of a surveyor, be worth a large sum per acre, owing to prospective capabilities for building. That opinion may not be well founded: and if the present rental is not adequate to the payment of interest, such securities may, and probably will, often prove defective.

The 9th clause enacts, "that the *saleable value* of the property must exceed the amount of the *advance* made by the company in respect thereof, and of the prior charges thereon (if any) to the extent of one-fourth of such *advance*." Therefore, if an estate is subject to prior charges to the extent of 20,000*l.*, and a further loan of 1000*l.* is applied for, it would only be needful to prove that the estate is, in the opinion of a surveyor, worth 21,250*l.* It is presumed, however, that it is intended, although not expressed in the Bill, that the *saleable value* must exceed that of the entire charges on the property to the extent of *one-fourth*.

There will be the following disadvantages to borrowers:

Expense of compulsory valuation;
Expense of registry;
Publicity of registration.

It may be expected that borrowers, who can offer first-class securities, will avoid the publicity of dealing with these companies; especially as clause 16 authorises any persons to search the register of securities, and to ascertain the extent of their neighbours' loans.

II. Persons wishing to lend money on debentures secured on mortgages.

The great question for consideration is, whether the mortgage securities, on which the debentures are to be based, can be relied on; and this will depend on the security given by the Act.

These are:—

I. An indorsement on the mortgage deed of the fact that it has been registered as a security for the issue of debentures under the Act.

II. The quarterly return to be made by the several companies. Are these a sufficient protection to the debenture-holders?

1. If a person applies to the company for a debenture, how is he to know whether the company has, or has not, exceeded its proper limits?
2. If the mortgage-deed to be registered purports to be duly executed and stamped, the registrar must register it. He cannot inquire as to its genuineness, nor whether the whole, or any part of the mortgage-money remains due.
3. The proviso in the 12th clause appears to give the company power to receive and give valid discharges for registered mortgages, unless a receiver has been appointed. If the company does so receive mortgage-moneys, what becomes of the security of the debentures charged thereon?
4. The company may invest its called-up capital as it pleases, and may estimate the value thereof, for the purposes of the return, according to its own fancy.
5. Can the registrar effectually test the accuracy of the quarterly returns?

The 13th clause provides that a mortgage security may be taken off the register, if the registrar is satisfied that the mortgage debentures of the company do not exceed the statutory limit, exclusive of the security sought to be discharged. It may happen that the company has issued the full complement of debentures, when a mortgagor pays off his mortgage-debt, say 50,000*l.*, but such mortgagor may be unable to get his estate discharged from the register, because the company cannot suddenly regain possession of mortgage debentures for 50,000*l.*

Clause 36 enacts that all transfers of debentures are to be registered within thirty days. If they are not registered within that period, are the transfers void?

But where is the company to get its profits? It can only be by lending at a high and issuing debentures at a low rate of interest. If the company takes only first-class mortgages, and only such should be taken, the rate is usually 4 per cent., and surely debenture-holders will expect that rate. There will, therefore, it is feared, be a strong inducement to lend money on houses, mills, factories, shops, leaseholds, and second-rate investments, for the purpose of obtaining 5 per cent., or even a higher rate of interest, for the purpose of creating a surplus, out of which the office expenses are to be defrayed, and a dividend paid to the shareholders.

The advocates of the Bill will no doubt contend, that the capital of the company will more than suffice to cover the loss upon defective securities; but with the examples of the many banks which have failed and involved thousands in ruin, notwithstanding their excellent regulations (on paper) and large subscribed capital, great reliance ought not to be placed on that guarantee. At any rate, it is not fitting that trustees or the *major part of them* (a new principle in England and Ireland), should be at liberty to apply to the Court of Chancery in England and Ireland, or to the Court of Great Session in Scotland, for leave to invest their trust-funds on mortgage debentures; and by clause 46, in many cases, trustees are empowered to invest their trust-funds on mortgage debentures without the consent of such courts at all.

SOCIETY FOR PROMOTING THE AMENDMENT OF THE LAW.

Annual Report of the Standing Committee of Jurisprudence and Amendment of the Law.

Read at the Annual Meeting of the Department on Monday, June 19, 1865, and ordered to be printed and circulated. The Right Hon. Lord Brougham in the chair.

The Standing Committee of the department congratulate the members on the success of the past session, which commenced with the reception of the illustrious advocate of the French Bar, M. Berryer, and of our colleague and friend, M. Desmarest, and during which seventeen meetings have been held, on a variety of questions affecting the improvement of the law.

In the address with which the present session of the department was opened, the committee dwelt at length on the recommendation made at York by their learned President, Sir James Wilde, that a digest of the case law of England should be formed and promulgated by authority. A paper was subsequently read on this subject by Mr. F. S. Reilly, pointing out the form which such a digest should take, the best mode of framing it, and the uses to which it might be put. The committee are not aware that any decided steps have yet been taken by Government to accomplish this great object, though they see that a sum of 5000*l.* has been recently granted by the House of Commons for the purpose of digesting the law of England, which they trust may be regarded as a sign that the work is about to be commenced. The kindred task of expurgating and revising the statutes is being proceeded with, and thus the materials for the ultimate formation of a code may be gradually brought together. It may be observed that the New York Commissioners, to whose valuable labours this society has often had occasion to refer, have recently issued a Draft Civil Code, under the superintendence of our corresponding member, Mr. David Dudley Field. The completion of such a work in a country which inherited the English common law and system of procedure is an encouragement to those who believe in the possibility of digesting, consolidating and finally codifying our laws.

The suggestions made by Mr. G. H. Palmer for the amendment of the law of appeal in criminal cases were considered at length by the committee, who concurred in the opinion that the present system of revising the decisions of our criminal courts by the interference of the Home-office is unsatisfactory, and that the law ought to afford to every person convicted of an offence the means of bringing under judicial consideration any fair grounds for submitting the charge to a second investigation. The committee were of opinion that this improvement in the law might be best carried out on the following plan

"That any person convicted of treason, felony, or misdemeanor, should be entitled to apply for a new trial, and such application should be made by motion before a court composed of not less than three judges of the Superior Courts, and that the said courts should sit at intervals of not less than one month throughout the year; but that no such application should be made, except upon the certificate of the judge who shall have presided at the trial, that the case is one for such an application.

"That if an application for a new trial be granted, the accused should have the option of being tried before the court which shall have granted the new trial (provided the court will consent to such an arrangement), or before a jury, as in the case of new trials in civil cases.

"That if the accused elect to be tried by the court which has granted the new trial, that court should

have the power of summoning and examining witnesses on oath, and all the power, jurisdiction and authority exercised by the court before which the accused was originally tried."

In their opening address the committee pointed out the defect in our system of criminal procedure which withheld from the counsel for the prisoner the privilege, conceded in civil cases, of summing up the evidence he has produced. Mr. Denman undertook, in the discussion that ensued, to introduce a Bill for the removal of this anomaly, and the committee are glad to say that this useful measure has become law.

They regret that it is not in their power to report a similar success in the attempt to improve the law of evidence, in accordance with the expectations held out at the same meeting. A valuable paper was read on this subject in November last by Dr. Waddilove, and was afterwards reported on by your committee, who recommended:

"First, That persons charged with a criminal offence should on their trial be permitted, if they think fit, to tender their own evidence on oath, in order to clear themselves of the charge against them, subject to their cross-examination.

"Secondly, That husbands and wives should be competent and compellable to give evidence for or against each other in criminal as well as in civil cases.

"Thirdly, That all parties, including husbands and wives, to a suit of whatever nature, should be competent and compellable to give evidence bearing on the issue, for or against each other."

A Bill embodying these suggestions, together with other provisions, was introduced into the House of Commons by Sir Fitzroy Kelly at the commencement of the session; but its further consideration was repeatedly postponed, and when at length a discussion was obtained, a few days since, on its clauses, the leading provisions were negatived by the House, and the Bill itself was consequently withdrawn. The committee must express their great disappointment that several of the amendments proposed by this measure, more especially that for admitting the evidence of the parties in divorce cases—a change recommended by the high authority of Sir James Wilde—have been postponed for another year, and have received so little encouragement from the law officers of the Crown. The arguments against the admission of the parties in all civil cases of whatever nature, are the same as those which were urged at the commencement of the reform of the law of evidence, and as those with which Lord Brougham's measure of 1849 was encountered; arguments the fallacy and error of which have been long since refuted. The exclusion of the parties in divorce and breach of promise cases is in fact a violation of the cardinal maxim of the law of evidence, namely, that the best evidence producable shall be given; inasmuch as this exclusion bars the testimony of those who can give the most direct and explicit account of the transactions which form the subject of inquiry. The committee have selected this subject as one of the special questions to be discussed at the Sheffield meeting, and they trust that the debate on that occasion may pave the way for a further amendment of the law of evidence in the new Parliament.

Another question selected for the Sheffield meeting relates to the law of bankruptcy, on which so much has been done both by the Association and the Law Amendment Society. The report recently presented to the House of Commons by a select committee substantially recommends the adoption in England of the Scotch system of bankrupt law, which may be briefly summed up in the following principles: that the judicial and mercantile business of the bankruptcy shall be kept distinct—that the mercantile part shall be administered by trustees chosen by the creditors—and that the judicial part shall be vested in the ordinary local tribunals. The extreme dissatisfaction with the existing system which seems to pervade the whole commercial class will make some considerable change imperative, and the committee venture to express their hope that before that change is made the whole question may be discussed in a broad and temperate spirit, with a view to the interests of the community, apart from the interests of any class or profession. They think it necessary to add that no system, either of bankrupt law or of any other branch of our national jurisprudence, can work well, however sound the principles on which it may be founded, unless integrity of administration is observed by its officials, and be watchfully enforced by public opinion.

It is a great satisfaction to the committee to be enabled to record the enactment of one of the measures to which they alluded in their opening address, in November last, as being of urgent importance; that, namely, for concentrating on one site the superior courts and offices of law in London. The question had been before the public for more than thirty years, and on three occasions Bills introduced into Parliament for the purpose of effecting the desired object had failed to pass into law, chiefly through the indifference manifested by the great majority of members of the House of Commons.

As Ministers had announced their intention again to introduce Bills on the subject during the present session, the Council of this association resolved to make an effort to prevent any failure for the third time, by drawing public attention to the question, and by pointing out its bearing on the interests of all classes in the nation. The council accordingly issued in January last a statement of the evils arising from the dispersion of the courts and offices, of the benefits that would accrue from their concentration, and of the practical means for effecting that measure.

This pamphlet was sent to every Member of Parliament, to the town council of every parliamentary borough, to chambers of commerce and other public bodies, and was otherwise widely circulated. On the introduction of the Government Bills, of which the one was framed for the acquisition of the Carey-street site for the new courts, and the other provided the necessary funds, the council at once presented, by the hands of the Attorney-General, a petition to the House of Commons in favour of these measures. At a subsequent period, a deputation waited on the Earl of Derby, and also on the Earl of Shaftesbury, to explain the object of the proposed enactments, and to request their Lordships to lend their influence in the Upper House in support of this great practical improvement in the administration of the law. The committee believe that those efforts were largely instrumental in securing the passage of the Bills through both Houses; and they heartily congratulate their fellow-members on the final success of the protracted exertions in which this society has long and strenuously co-operated in behalf of the interests of all suitors for justice in our superior courts.

One of the Bills provides for the issuing of a Royal Commission to superintend the details of the building and the arrangements of the courts. On this body much will depend, and the committee trust that it will be so constituted as to command the confidence of the Profession, and insure as far as possible the success of the scheme. Convenience and utility, with a regard for sanitary conditions, should be the chief and primary objects; proper space should be secured not only for judges, counsel, solicitors, and officers of the courts, but also for suitors, witnesses, and all whose business brings them to the place. A paper by Mr. Serjeant Pulling dwelt on the hardships frequently incurred by jurymen in the discharge of their duties, and for them also adequate provision should be made in the buildings which the commission will have to erect.

A Bill having been introduced by the Lord Chancellor for the purpose of conferring a limited jurisdiction in equity on the County Courts, the committee proceeded to examine the provisions of the measure, and to report to the department thereupon. Several of the suggestions made by them in this report have been embodied in the Bill during its progress through the House of Lords, and the committee hope that their observations in respect to the unsatisfactory mode of payment proposed for the County Court Judges will not be without effect before the Bill passes into law. Under any circumstances, however, this measure is another valuable instalment of the full provision for local justice contemplated by our president in his original advocacy of the establishment of County Courts.

Another Bill, which it is hoped will pass into law, received, after considerable debate, the energetic support of the society; that, namely, for amending the law of partnership. The provision for enabling parties to advance money to a firm under the condition of receiving a part of the profits, without thereby becoming partners in the concern, will give additional freedom to commerce, and is a logical conclusion from the enactment, some years since, of a law of limited liability. As such, this measure was long since advocated by the Law Amendment Society, and it is a matter for congratulation that the Bill is likely to pass, unincumbered by any details of registration, which the committee believe would be delusive as well as pernicious. The council, at the request of the committee, petitioned the House of Lords in favour of the measure, and expressed their opinion that great benefit to the working classes, especially concerning the relations between employer and the employed, might be anticipated from its provisions.

Nothing has as yet been done by Parliament on the subject of the patent law, but it is believed that a measure will be introduced at a future period, embodying the suggestions made by the recent Patent Law Commission. A paper was read on this subject by Mr. Robert Wilson, and a special committee has been appointed by the council of the association to consider the whole question.

A Bill for recording titles to land in Ireland through the machinery of the Landed Estates Court is likely to become law, and the experience that is thus likely to be acquired may be usefully employed in improving the system now at work under Lord Westbury's Act for this country. An interesting discussion on this subject was opened at one of our meetings by Mr. Torrens and Mr. Robert Wilson.

The adoption by the Bar of the scheme of law reporting recommended by a committee of that body, induces us to hope that the evil of a multiplicity of reports of judicial decisions will be at length abated. A paper was lately read by Mr. Daniel, to whom the public and profession are so much indebted upon this subject; and the committee trust that the expectations therein held out may soon be realised.

A paper was read by Mr. Edgar on "The Final Court of Appeal in Ecclesiastical Causes," which was made the object of considerable discussion. The necessity of providing a compulsory examination for students before admission to the Bar was urged by Mr. Wingfield; and the expediency of establishing a system of public prosecution was brought forward by Mr. Robert Stuart, and was much discussed at our last meeting. The committee have also to notice that a valuable measure, the Justices of the Peace Procedure Bill, prepared by our fellow-member, Mr. Oke, was again brought before the House of Commons during the present session, but has been withdrawn, in consequence of the opposition of the Government.

The results of recent improvements in the treatment of criminals, improvements which were largely promoted by the labours of this association, have been watched with anxiety. The committee are happy to say that there is sufficient evidence that these results are in the highest degree satisfactory. The mark system is in operation in all the Government prisons; and superfluities in diet have been reduced, by which it is estimated that a saving of 25,000*l.* for this year will be effected.

The committee are also happy to be able to state that the recommendation of the Reformatory Section at the York meeting in favour of providing refuges for female convicts has been carried out in so far that Government has agreed to pay for the maintenance of female licence-holders in such establishments. Exertions are now on foot to establish an institution in London to be called the "Carlile Memorial Refuge," and it is hoped that it may be opened before the close of the present summer.

In the Reformatory Section the subject of criminal management was discussed, and the enforcement of prison discipline by withholding payment of public moneys from all prisons in which the discipline is not satisfactory, was advocated by Captain Cartwright.

A proposal for introducing greater uniformity and certainty into the sentencing of offenders by a system which would make the punishment uniformly depend, not on the degree of criminality attached to the offence, but on the number of times the criminal has offended, was brought before that section by Mr. T. B. Ll. Baker. The committee considered the subject one of so much importance that they have resolved to bring it forward for discussion as a special question at the Sheffield meeting.

The committee have resolved to recommend to the council that this department be in future divided into three sections, with a separate committee and secretary for each; the sections being for International Law, Municipal Law, and the Repression of Crime.

LEGAL NEWS.

The Road Murder.—The *Bath Chronicle* says:—"We are informed, upon what we believe to be good authority, that Constance Kent while in prison wrote her own history, and addressed it to one of the leading magistrates of the county of Wilts. The MS. is said to have contained the particulars of her previous life, and also an explanation of the mode in which she committed the murder—namely, with an old razor out of one of her father's cases, which she ground to a point, and made still by hammering the rivet, having, before taking the child out of bed, gone and opened the doors and windows."

Mr. Thornton's Will.—Not only the legatees but the public also, in some degree, will be enriched by Mr. Thornton's will. Till 1859 personal property above a million was not liable to duty; and a writer in the last number of *Fraser's Magazine* states that the change in the law was suggested by the enormous property left by Mr. Morrison of Basildon, which amounted to nearly four millions. The duty now payable upon a million is 15,000*l.*, and 1500*l.* on each additional 100,000*l.* Since this enactment, with the exception of Mr. Thornton's, only one will above a million has been proved—that of the late Mr. H. Gurney, which was sworn under 1,100,000*l.* Mr. Morrison, besides the business in Fore-street, since transferred to a company, and vast landed estates, bequeathed to his eldest son a direct legacy of a million, which is said to be the only legacy on record to that amount.

Actions in the Superior Courts.—At the Sheriff's Court, Red Lion-square, three actions were heard before Mr. Under-Sheriff Burchell, which were brought in the Superior Courts for sums under 4*l.* In the first case, *Johnson* v. *Stevens*, in which two learned counsel (Mr Patchett and Mr. Collins) appeared, the sum in dispute was only 3*l.* 8*s.*, for some turnips. For the defendant it was characterised as a "most trumpery affair," and one which ought never to have been brought in a superior court. The County Court was the proper place for such cases. It was alleged that the expenses would be ruinous to the defendant, who was a poor greengrocer, and the costs would be on both sides about "twenty" times the amount in dispute. The jury gave a verdict for the plaintiff, and further proceedings were to be adopted. In the second case the action was for 3*l.* 15*s.*, and a nonsuit was entered; and in the third, against a lady for a similar amount for rents, it was declared that such an action ought never to have been brought; the expense would be considerable. The jury gave a verdict for the sum claimed. Further proceedings were to be taken in the shape of litigation. Mr. Under-Sheriff Burchell told the jury that they had

nothing to do with the courts in which the actions were brought for the amounts sought to be recovered: the law allowed the actions to be brought; and, whether in a superior or county court, the jury had nothing to do with it. The learned under-sheriff declined to grant certificates for costs.

THE MONTMORENCY CASE.—The Imperial Court of France has just given judgment in this affair. Entering on an examination of the principal points, the Court in the first place declared that the Imperial decree of May 24, 1864, excluded the transmission of a name, and only conceded a title transmissible by order of primogeniture, which could not be confounded with the patronymic name which was that of all the descendants; that M. Adalbert de Talleyrand himself did not put forward any claim to bear that name, which besides the decree did not confer on him; that if it was true that the title followed by the qualification of a name often led to a personal application of that name, such application was an abuse; but no conclusion ought to be drawn, from the possible abuse of a right, against the right itself, and justice had not to decide anything beforehand in the way of interdict or prohibition; therefore there was no reason for examining if the formalities prescribed by the law of Germinal Year XI. had been observed, as there had not been any concession of a name, but merely of a title. As to the grant of the title, the judgment declared that it was a right which had always been possessed by the monarchical power; that titles had been frequently disposed of without fiefs, as being a means of perpetuating the lustre of great names and of memorable services rendered to the country; that the decree of May 24th had been promulgated by a fully qualified authority, and that it was regular in form. As to the point of armorial bearings, seeing that they constitute a property to the profit of families; that the various courts decided in that sense every day, and could not disregard that principle when it was a question of noble insignia which called to mind so much glory; that the Imperial decree in question did not affirm that Count de Périgord had demanded or obtained the arms of Montmorency; that in the absence of title there was no room for a decision; the other tribunal had erroneously declared itself incompetent, and, moreover, the affair had not been sufficiently examined on that head. In consequence the court declared itself incompetent, like the other one, to give any decision on the question of the title accorded by Imperial decree; it, therefore, confirmed the judgment of the Court of First Instance on that head, but on the subject of the armorial bearings, it quashed the former judgment, and sent the case to be pleaded afresh on that point before the same tribunal as previously, but with other judges.

BISHOP COLENSO.—Dr. Colenso, Bishop of Natal, has filed in Chancery a bill of complaint against the Chancellor of the Exchequer, Vice-Chancellor Sir W. Page Wood, the Archdeacon of London, Mr. Hubbard, M.P., the Archbishop of Canterbury, and the Archbishop of York, and the Attorney-General, in consequence of his salary, which is paid out of the Colonial Bishoprics Fund, being withheld. He sets forth that in the year 1841 the then Archbishop of Canterbury (Dr. Howley) called a meeting of the clergy and laity at Willis's Rooms, when it was resolved to make more adequate provision for spreading the principles of the Church of England in the colonies and dependencies of the British Crown, the resolutions being signed by all the bishops of the United Church of England and Ireland, who were appointed a committee—Mr. Gladstone, Vice-Chancellor Wood, the Archdeacon of London, and Mr. Hubbard being appointed treasurers. When the bishopric of Natal was founded the council of the Colonial Bishoprics Fund agreed with Her Majesty's Government to appropriate for ever out of the proceeds of the fund to the use of the Bishop of Natal the sum of 662*l.* 10*s.* per annum. This annual income was duly paid to the plaintiff after his consecration by the treasurers down to and including the half-yearly payment due on the 5th April 1864, but has not since been paid, and in the month of July 1864, plaintiff received a communication from the clerk of the treasurers, in which it was stated that they had directed the salary hitherto allowed for the Bishopric of Natal to be reserved and carried to a separate account, adding the following reason for doing so: "The council having received a caution against continuing to pay the salary hitherto allowed for the Bishopric of Natal from the Bishop of Cape Town, on the ground that he had deprived Bishop Colenso of that post, and Bishop Colenso claiming to receive the same, was resolved that under existing circumstances the salary be reserved and carried to a separate account." The plaintiff having stated that he makes the Archbishops defendants as representing the whole of the Episcopal bench, and that he is advised that Her Majesty's Attorney-General is a necessary party in respect of the questions which arise concerning the irrevocable appropriation of a portion of the fund to the endowment for all time of the see of Natal, prays as follows: "1. That it may be declared that out of the said Colonial Bishoprics' Fund a sufficient part has been irrevocably appropriated to the endowment for all time of the Bishop of Natal for the time being, and that the said annual income of 662*l.* 10*s.* ought out of the said fund to be duly and regularly paid to the Bishop of Natal for the time being, and that the same may be ordered and paid accordingly. 2. That the first four defendants may in particular be declared trustees for the plaintiff of the two half-yearly payments reserved and carried to a separate account as aforesaid, and may be decreed to pay the same to the plaintiff with interest from the dates on which they respectively became due as aforesaid. 3. That the defendants other than the Attorney-General may be decreed to pay the costs of this suit. 4. That the plaintiff may have such further or other relief as the nature of the case may require." An appearance has been entered on behalf of the defendants, and the case will be argued after the long vacation.

REGISTRAR-GENERAL'S REPORT.—The report which has just been issued by the Registrar-General on the year 1863 deals with several topics of interest. The population of England (with Wales) in the middle of that year is estimated at 20,554,137; that of Great Britain at 24,654,492. Every hour of the year (upon an average) saw 84 living children born and 54 persons die in England. There was in the year one birth to every 29 persons living and one death to every 43 persons living. In 59 persons living one married in the year. It is sometimes supposed that people marry later in life than they did formerly, and it may be the case in certain classes of society, but among the mass of the population the proportion who marry young increases almost every year. In 1843, in every 100 marriages in England, 4·45 of the men and 13·25 of the women were under 21; in 1863 these proportions had risen to 6·61 and 19·80. The returns of 1863 show early marriages especially numerous in the seats of the straw-plait manufacture, in the West Riding, and in Staffordshire, Leicestershire, and Durham. It is unsatisfactory to observe that the proportion of persons marrying who made their mark instead of signing the register was the same in 1863 as in the previous year. For years there had been a continuous decrease. Only 76 men and 67 women in a hundred wrote their names. London heads the list with 89 men in a hundred and 82 women; the counties adjoining London, and also Sussex, Hants, Gloucester, and Devon, with Yorkshire and the northern counties, show a large proportion of persons signing their names. But in Monmouthshire and Wales the state of education, measured by this standard, is very defective, in Bedfordshire not much better, and in Lancashire and Staffordshire nearly half the women who married signed by making their mark. To every 100,000 persons living there were 126 marriages by licence, and 718 by banns numbers that distinguish the marriages among the higher and middle classes from the marriages among the classes below. The number of marriages in the superintendent-registrar's office increases, and is almost as great as that in all the Dissenters' chapels added together. The marriages among Quakers continue to decline, and those among Jews to increase. The usual influence of season upon births was seen in 1863. If the average number of births in a quarter be represented by 1000, then there were in the first quarter of the year 1039, in the second quarter 1044, in the third, only 946, in the fourth 972. The proportion of the children born who were illegitimate—6·5 of every 100—was rather higher than in the two preceding years. More than 47,000 children were born out of wedlock in England in 1863. The proportion varied much in different parts of the kingdom. In London it was very low, but in all great towns some of these births escape registration. South of the latitude of London the proportion was generally below the average, but not often in other parts. In Bedfordshire 7·1 per cent. of the children were illegitimate, in Hertfordshire and Oxfordshire 7·3, in Suffolk 7·9, in Norfolk 11·3 per cent. In all the north-midland counties—Notts, Derbyshire, &c.—the proportion was high; in Shropshire it was 10·1 per cent. In North Wales it was 8·5, in the North Riding 9·2, in Westmoreland 9·2, and in Cumberland no less than 12 per cent. The Registrar-General considers it surprising that so little attention is paid to the disclosure that year after year a rate of illegitimacy far above the average prevails in certain counties. In relation to mortality the returns for 1863 are noticeable as marking the commencement of a death rate beyond the average, after three years of health. The death rate varied from 1·735 per cent. in Westmoreland to 2·629 in Lancashire—three deaths in one county to two in another. The ratio in London was 2·447, the highest since the cholera year 1854. The death rate of Scotland was almost identical with that of England, showing England, with her metropolis almost as populous as the northern kingdom, and with many other great city populations, as healthy as Scotland, which affords an average space of six acres to a person, while in England the area is less than two acres.

WILLS AND BEQUESTS.—The will of Field Marshal the Duke de Coigny, a peer of France, who died in May last, at Paris, possessed of property in England estimated at 18,000*l.*, was proved in London on the 18th ult., by his relict, the Duchess de Coigny, daughter of Sir Hew Dalrymple Hamilton, Bart., the sole executrix. To her ladyship he has bequeathed the whole of his property, real and personal, so far as the law of France permits him so to do. The will is in the French language, and bears date the 21st of July 1860, and is translated into English.——The will of the Right Hon. John Constantine de Courcy, Baron Kingsale, formerly of Lea Castle, Wolverley, but late of Eaton-square, was proved in London on the 15th ult., by his relict, the Right Hon. Adelaide de Courcy, Baroness Kingsale, only daughter of J. P. Brown Westhead, Esq., late M.P. for the city of York. Lord Kingsale succeeded to the title, on the death of his father, in 1847; married in 1855, and died at the age of 38, having executed his will in 1864, leaving his estates, real and personal, to his wife, the baroness, absolutely, appointing her guardian of the person and estate of his daughter. The deceased nobleman ranked as premier Baron of Ireland. The creation of the English barony by tenure dates from the Conquest; the Irish barony from 1181. The Barons Kingsale have the ancient privilege, by Royal grant from King John, of remaining covered in the presence of the British Sovereign. The present Lord Forester's ancestor had a similar grant from Henry VIII.——The will of Sir David Davies, M.D., K.C.H., of 2, Berkeley-street, Piccadilly, was proved in the London court, on the 22nd ult., by the executors and trustees, Messrs. R. and S. H. Twining, bankers. The personalty was sworn under 20,000*l.* The testator was physician to William IV. and the late Queen Dowager. His will is dated 1857, and he died on the 2nd of May last, at Lucca, Italy, at the age of 72. Sir David has devised his real estates to his son Robert of the Bengal Civil Service, and leaves to his younger son, the Rev. W. H. Davies, M.A., a legacy of 8000*l.* To his niece, Mrs. Jane Morgan, he leaves a life-interest in 2000*l.*, with reversion to his granddaughter, Annie Davies, for her life, and afterwards her issue, and appoints his two sons residuary legatees.——The will of Mr. Jeremiah Robert Ives, of Bentworth-hall, Hants, and of Hertford-street, May-fair, was proved in the London court, on the 4th inst., by the executors, Mr. Richard Hodgson, of Carham-hall, Northumberland, and Mr. Henry Kett Tompson. The personalty was sworn under 140,000*l.* The testator confirms his marriage-settlement, and leaves his leasehold house in Hertford-street to his wife, the Hon. Emma Ives, together with the furniture, wines, trinkets, jewels and effects therein and in Bentworth-hall; also his carriages and horses and a provision of ready money. The lady has also a life-interest in the estate called Bentworth-hall, and in some estates in the county of Suffolk, subject to which the former is devised to the testator's eldest son, Gordon Maynard, and the latter to the second and only younger son of the testator, Cecil Robert St. John. 40,000*l.* is to be set apart, and the income paid to the testator's said son, Gordon Maynard, for life, who has power to appoint the capital in favour of his children at his decease. The testator also leaves to him a legacy of 10,000*l.*, and to his son Cecil R. St. John 30,000*l.* The testator leaves to each of his executors 100*l.*, and there are also legacies to his brother, Mr. Ferdinand Ives, to three nieces and to two brothers-in-law. The residue of the real estate the testator leaves to his eldest son; the residue of the personalty to his wife for life, and at her death it is to be equally divided between the two sons above named.——The will of Mr. Charles Farnell, brewer, of Isleworth, was proved in the London court on the 21st ult., by the executors and trustees, the testator's brother, Mr. William Thomas Farnell and Mr. William Farnell Watson (the testator's nephew). The personalty was sworn under 350,000*l.* The will bears date Sept. 29, 1854. The principal bequests are as follow:—1000*l.* to the minister and churchwardens of Isleworth upon trust to pay the interest at Christmas every year equally between six poor men and eighteen poor women, occupying almshouses in Isleworth, called "Tolson's," "Ingram's," and "Bell's Rooms." 1000*l.* is to be held by the executors in trust to pay the income thereof to Mrs. Ann Vidler, widow, of Hounslow, and upon her death to her daughter Ann, and upon the decease of the latter to divide the capital between Messrs. Thomas and William Vidler. A like sum of 1000*l.* is to be held in trust, and the interest paid to Miss Mary Vidler for life, and upon her decease the capital to be divided equally between Messrs. Thomas and William Vidler, above named, to whom the testator also leaves legacies of 500*l.* each. To Messrs. William Seager, William Newson, William Smith, and John Mackinlay, surgeon, all of Isleworth, 100*l.* each. To each of his household servants the testator leaves 5*l.* for every year they have been in his service; and to his groom, George Spooner, twelve shillings a week for life. The testator leaves some real estate in Isleworth, together with his residence, and the furniture, plate, books, horses, carriages, and dogs to his brother James for life, and then to his nephew, William Farnell Watson, absolutely. During the life interest of Mr. James Farnell in the testator's residence, &c., the executors are to preserve the wine cellar belonging thereto with the wines, spirits, and liquors intact, and, if necessary, to brick up the entrance to the same; upon Mr. James Farnell's decease, the wine cellar and its contents are to be enjoyed by Mr. William Farnell Watson absolutely. The residue of the testator's property is to be divided into five equal parts. To his brothers John, James, and William Thomas, each a fifth part; another fifth part between his sister, Amelia Watson, and her son, William Farnell Watson; and the other fifth part is to be held in trust to pay the testator's brother, Henry, an annuity of 100*l.* for life, leaving the capital at his decease between a nephew and two nieces of the testator. All legacies and annuities are to be paid free of duty.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Thursday, Aug. 10.

By Messrs. C. C. and T. MOORE, at Garraway's.—Freehold residence, being No. 10, Stepney-green, let at 3*l.* per annum—sold for 610*l.* Freehold, two houses and shops, being Nos. 11 and 12, Three Colt-street, Limehouse; producing 5*l.* per annum—sold for [illegible]. Copyhold residence, and about an acre of garden ground, situate at Blackmore, Essex—sold for [illegible]. Leasehold, six houses, being Nos. 1 to 6, Providence-place, Henry-street, Stepney; producing [illegible] per annum; term [illegible] years from 1812; ground-rent [illegible] per annum—sold for [illegible]. Leasehold, two houses, being Nos. 14 and 15, Rose-lane, Ratcliffe, also the railway arch in the rear; producing [illegible] per annum; term 13 years unexpired; ground-rent [illegible] per annum—sold for [illegible]. Leasehold house, being No. [illegible], King-street, Stepney; term [illegible] years unexpired; ground-rent [illegible] per annum—sold for [illegible].

Friday, Aug. 11.

By Messrs. NORTON and [illegible], at the London Tavern.—Freehold estate, comprising farmhouse, buildings, and 344 acres of land situate at Merton, Surrey—sold for [illegible].

By Messrs. RUSHWORTH, JARVIS, and ABBOTT, at the London Tavern.—Freehold mansion, gardens and pleasure grounds of about [illegible] situate in East Sheen-lane, Surrey—sold for [illegible]. Copyhold residence, with garden and stabling situate at River-side, Twickenham, also an increment of land in the rear—sold for [illegible].

By Messrs. BLAKE, at Garraway's.—Freehold residence, known as The Elms, together with three parcels of meadow land, containing [illegible] situate at White Horse-hall, Croydon—sold for [illegible].

Monday, Aug. 14.

By Mr. WHITTINGHAM, at the London Tavern.—Freehold building land, having frontages to the London turnpike-road, and to the New-road, leading from the Shipbourne and Hetham turnpike-road, Tonbridge, Kent—sold at from [illegible] to [illegible] per lot.

THE GAZETTES.

Bankrupts.

Gazette, Aug. 8.

To surrender at the Bankrupts' Court, Basinghall-street.

ASHENHURST, JOHN TALBOT, cabinet-maker, Hunter-st. Brunswick-sq. Pet. Aug. 3. Reg. Roche. O. A. Parkyns. Sol. Munday, [illegible] Strand. Sur. Aug. 24.

BJORKSTEN, M. MATTHIAS, master mariner and shipowner, [illegible], in Finland, and West India-docks. Pet. July 28. Reg. Roche. O. A. Parkyns. Sol. Kearsey, Bucklersbury. Sur. Aug. 21.

BOWDEN, JOHN, clerk in holy orders, College-villas, College-rd. Harrow. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sol. Wells, Moorgate-st. Sur. Aug. 22.

DICKSON, JAMES, goldbeater, Stanhope-st. Clare-market. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sol. Morris, Beaufort-bldgs. Strand. Sur. Aug. 22.

ECCLESTON, HENRY, house painter, Duke-st. Portland-pl. Pet. Aug. 3. Reg. Roche. O. A. Parkyns. Sol. Edwards, Little Bush-la. Cannon-st. Sur. Aug. 21.

GOLDSMITH, EDWARD MAY, out of business, Barnsbury-st. Upper st. Islington. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sols. Marson, Dadley and Cronin, Archer-ter. Bridge-st. Southwark. Sur. Aug. 21.

HIBBERD, HENRY, speculator in land and farmer, Highfields-house, Mayfield. Pet. July 28. Reg. Roche. O. A. Parkyns. Sol. Bose, Turners and Hardwick, Aldermanbury, for — Cripps, Tunbridge Wells. Sur. Aug. 21.

HOLMES, ROBERT CHARLES, adjutant in London Rifle Brigade Volunteers, Chiswick. Pet. Aug. 3. Reg. Roche. O. A. Parkyns. Sols. Messrs. Linklater and Hackwood, Walbrook. Sur. Aug. 22.

KAY, RICHARD, grocer and cheesemonger, Basinghall-st. Finsbury. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sol. Peverley, Coleman-st. Aug. 22.

LAVIS, ELIZABETH, spinster, saleswoman to a milliner, Victoria-rd. Pimlico. Pet. Aug. 2. Reg. Roche. O. A. Parkyns. Sol. Gostley, Bow-st. Covent-gdn. Sur. Aug. 22.

LEAVY, JOHN, greengrocer and coaldealer, Lower Harden-st. Vauxhall-bridge-rd. Pet. Aug. 2. Reg. Roche. O. A. Parkyns. Sol. Gostley, Bow-st. Covent-gdn. Sur. Aug. 21.

NORTH, JOHN, porter in the Leather-market, Leadenhall-market, Nichols-st. Mile-end. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sol. Drew, New Basinghall-st. Sur. Aug. 22.

PRATLEY, RICHARD, upholsterer and cabinet maker, St. Giles's-rd. Oxford. Pet. Aug. 2. Reg. Roche. O. A. Parkyns. Sol. Newman, Suffolk-la. Sur. Aug. 23.

STEPHENSON, FREDERICK, greengrocer, Page-st. Millbank, Westminster. Pet. Aug. 2. Reg. Roche. O. A. Parkyns. Sol. Goatley, Bow-st. Covent-gdn. Sur. Aug. 23.

TILBURY, JOHN, riding master's assistant, Greville-rd. Kilburn. Pet. Aug. 2. Reg. Roche. O. A. Edwards. Sol. Haynes, Duke-st Manchester-sq. Sur. Aug. 22.

TINDALL, MATTHEW, carpenter and dealer in china and glass, Woolwich. Pet. Aug. 5. Reg. Roche. O. A. Parkyns. Sol. Wells, Moorgate-st. Sur. Aug. 24.

WAYDIN, RICHARD, cheesemonger, Western-rd. Brighton. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sols. Nash, Field, and Layton, Cannon-st. Sur. Aug. 23.

WILLIAMS, WILLIAM DAVID, clerk to the proprietors of the Standard and Morning Herald newspapers, Shoe-la. Fleet-st. Pet. Aug. 5. Reg. Roche. O. A. Parkyns. Sol. Aikman, Sheriff's-court, Guildhall. Sur. Aug. 24.

WILSON, HENRY, cabriolet driver, Hunter's-mews, Brunswick-sq. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sol. Wyatt, Harpur-st. Red Lion-sq. Sur. Aug. 23.

To surrender in the Country.

BARLOW, JOSEPH HENRY, bread and flour dealer, Liverpool. Pet. Aug. 1. O. A. Turner. Sols. Hulton and Bellringer, Liverpool. Sur. Aug. 22.

BREARLEY, JAMES, brushmaker, Handsworth. Pet. June 12. Reg. & O. A. Guest. Sur. Aug. 23.

CASS, RICHARD CHARLES, grocer, Scarborough. Pet. July 31. O. A. Young. Sol. Simpson, Leeds. Sur. Aug. 21.

CHAPMAN, THOMAS, journeyman joiner, Crook. Pet. Aug. 5. Reg. Gibson. O. A. Laidman. Sol. Belgrael, Durham. Sur. Aug. 21.

CROCKER, HENRY, innkeeper, Aylesbury. Pet. July 18. Reg. & O. A. Watson. Sol. Clarke, Aylesbury. Sur. Aug. 14.

CUNDALL, JOSEPH, marble and stone mason, Leeds. Pet. July 18. Reg. & O. A. Marshall. Sol. Harle, Leeds. Sur. Aug. 21.

DENNIS, EDWIN, builder, contractor, and draper, South Brent. Pet. July 17. O. A. Carrick. Sol. Floud, Exeter. Sur. Aug. 18.

FOUNTAIN, RICHARD, collector, Sheffield. Pet. Aug. 2. Reg. & O. A. Wake and Rodgers. Sols. Binney and Sons, Sheffield. Sur. Aug. 23.

GLOVER, GEORGE, grocer and provision dealer, Leicester. Pet. Aug. 4. Reg. Hill. O. A. Harris. Sol. Chamberlain, Leicester. Sur. Aug. 22.

GOLTON, HENRY, medical student, Hulme. Pet. July 18. Reg. & O. A. Hulton. Sol. Blair, Manchester. Sur. Aug. 24.

GRAHAM, THOMAS, tailor, Sunderland. Pet. Aug. 4. Reg. & O. A. Marshall. Sol. Robinson, Sunderland. Sur. Aug. 21.

HARMAN, ELI, pork butcher, West Malling. Pet. July 31. Reg. & O. A. Scudamore. Sol. Morgan. Sur. Aug. 17.

HITCH, JAMES, gardener, Shurdington. Pet. Aug. 1. Reg. & O. A. Gale. Sol. Cheesyre, Cheltenham. Sur. Aug. 14.

HUMPHREYS, JOHN MORGAN, grocer and provision dealer, Welchpool. Pet. Aug. 2. O. A. Turner. Sol. Lodge, Liverpool. Sur. Aug. 21.

HUMPHREYS, WILLIAM, and ELLIS, ROBERT, joiners and builders, Liverpool. Pet. Aug. 3. O. A. Turner. Sol. Jones, Liverpool. Sur. Aug. 21.

JOHNSON, JOHN, journeyman stonemason, Leeds. Pet. July 18. Reg. & O. A. Marshall. Sol. Harle, Leeds. Sur. Aug. 24.

JONES, GEORGE, late clerk to a contractor, Bower Ashton. Pet. July 27. Reg. & O. A. Harley and Gibbs. Sol. Clifton. Sur. Aug. 23.

KENT, THOMAS WILLIAM, journeyman cabinet-maker, Leeds. Pet. July 26. Reg. & O. A. Marshall. Sol. Harle, Leeds. Sur. Aug. 24.

LOMAS, ALEXANDER HIGGS, innkeeper, Earl's Barton. Pet. Aug. 2. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. Aug. 19.

MARKINSON, JOHN, merchant, Manchester and Salford. Pet. Aug. 2. Reg. Harris. O. A. Morgan. Sols. Hankinson and Kearsley, Manchester. Sur. Sept. 4.

MARSHALL, THOMAS HEWISON, joiner and cabinet-maker, Bishopwearmouth. Pet. Aug. 4. Reg. & O. A. Marshall. Sol. Robinson, Sunderland. Sur. Aug. 21.

MARTINDALE, RALPH, commission agent, Erdington, and Birmingham. Pet. Aug. 3. Reg. & O. A. Guest. Sols. Southall and Nelson, Birmingham. Sur. Aug. 28.

MITCHELL, THEOPHILUS BARTLETT, shoemaker, Maiden Newton. Pet. Aug. 3. Reg. & O. A. Symonds. Sol. Weston, Dorchester. Sur. Aug. 21.

MORRIS, WILLIAM, tailor and draper, Dudley. Pet. Aug. 2. Reg. Hill. O. A. Kinnear. Sols. Messrs. Warmington, Dudley. Sur. Aug. 8.

PEPPERDINE, HENRY, timber merchant and cowkeeper, Lincoln. Pet. Aug. 1. Reg. Stephen. O. A. Young. Sol. Dale, Lincoln. Sur. Aug. 23.

PHILLIPS, FRANCIS, clogger, Carlisle. Pet. July 24. Reg. & O. A. Halton. Sol. Donald, Carlisle. Sur. Aug. 14.

POOLE, WILLIAM, carpenter and furniture dealer, Northampton. Pet. Aug. 5. Reg. & O. A. Dennis. Sol. Shoosmith, Northampton. Sur. Aug. 24.

RUSHER, JOSEPH, stationer, tea-dealer, and tobacconist, Cardiff. Pet. Aug. 5. Reg. & O. A. Langley. Sol. Griffith, Cardiff. Sur. Aug. 21.

STONIER, HORATIO, engineman, Hanley. Pet. Aug. 4. Reg. & O. A. Challinor. Sol. Sutton, Burslem. Sur. Aug. 26.

TILLSON, JOSEPH, innkeeper, Tamworth. Pet. July 31. Reg. & O. A. Shaw. Sol. Wood. Sur. Aug. 19.

WHITFIELD, WILLIAM, grocer and provision dealer, Ruabon. Pet. Aug. 3. Reg. & O. A. Edgworth. Sol. Croxon, Oswestry. Sur. Aug. 24.

WILKS, JOHN, shoemaker, Skipton. Pet. July 31. Reg. & O. A. Carr. Sol. Robinson, Settle. Sur. Aug. 19.

WILLDER, JAMES, beer retailer, Bury. Pet. Aug. 2. Reg. & O. A. Grundy. Sol. Alderson, Bury. Sur. Aug. 24.

WOOD, HENRY, file manufacturer, Warrington. Pet. Aug. 3. Reg. & O. A. Nicholson. Sol. Moore, Warrington. Sur. Aug. 31.

Gazette, Aug. 11.

To surrender at the Bankrupts' Court, Basinghall-street.

BOREHAM, WILLIAM, saddler and harness maker, London-rd. Bromley. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. Aug. 24.

CARTER, ALFRED JOHN, grocer's assistant, South-st. New North-rd. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sols. Peck and Downing, Basinghall-st. Sur. Aug. 24.

CHAPMAN, NAT ROBERT, out of business, Islington-green. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sol. Holland, Great Knightrider-st. Doctor's-commons. Sur. Aug. 24.

DUTTON, ROBERT JOHN, plumber, Poplar-cottage, Clifton-pl. Upper Holloway. Pet. Aug. 9. Reg. Roche. O. A. Parkyns. Sol. Cattell, Bedford-row. Sur. Aug. 29.

FONTAINE, FERDINAND JEAN, egg merchant, Ramsgate. Pet. Aug. 9. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Aug. 24.

GIRARDOT, EDME GUSTAVE, artist, Gloucester-rd. Regent's-park. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sol. Chidley, Old Jewry. Sur. Aug. 24.

HOBDEN, ROBERT, private and military tutor, Westbury-rd. Harrow-rd. Paddington. Pet. Aug. 8. Reg. Roche. O. A. Parkyns. Sol. Hall, Lincoln's-inn-fis. Sur. Aug. 23.

HOGARTH, RALPH, clerk to a solicitor, Southampton-st. Camberwell. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sol. Rice, Basinghall-st. Sur. Aug. 24.

HORN, THOMAS, hay dealer and farmer, Crowfield. Pet. Aug. 9. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Aug. 29.

JACKSON, WILLIAM, grocer, Fitzroy-st. Cambridge. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sols. Messrs. Cole, Essex-st. Strand, agent for Jarrold, Cambridge. Sur. Aug. 24.

KNOX, JOHN WILLIAM, photographer, Brighton. Pet. Aug. 1. Reg. Roche. O. A. Parkyns. Sol. Haynes, Serle's-st. Lincoln's inn. Sur. Aug. 23.

METHAM, PREN HENRY, smith, Prince's-rd. Bermondsey. Pet. Aug. 8. Reg. Roche. O. A. Parkyns. Sols. Robertson, Martin's-la. Cannon-st. Sur. Aug. 24.

NASH, THOMAS, builder, High Wycombe. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sols. Church, Prior, and Bigg, Southampton-bldgs. Sur. Aug. 24.

PAIN, JOHN CAVE, solicitor, Reading. Pet. Aug. 8. Reg. Roche. O. A. Parkyns. Sol. White, Dane's-inn, Strand, and Guildford. Sur. Aug. 29.

PARK, HENRY, painter, Aldenham-ter. Old St. Pancras-rd. Pet. Aug. 3. Reg. Brougham. O. A. Edwards. Sol. Johnson, Clifford's-inn. Sur. Aug. 23.

SHRIMPTON, WILLIAM, dealer in hay, Twyford. Pet. Aug. 8. Reg. Roche. O. A. Parkyns. Sol. Westall, Gray's-inn-sq. Sur. Aug. 24.

SMITH, WILLIAM HENRY, draper, Bedlesmere. Pet. Aug. 8. Reg. Roche. O. A. Parkyns. Sols. Monckton and Co., Raymond-bldgs. Gray's-inn. Sur. Aug. 24.

BOWMAN, HENRY, leather seller, New Suffolk-st. Commercial-rd. east, and Sidney-st. Commercial-rd. Pet. Aug. 2. Reg. Roche. O. A. Parkyns. Sol. Hicks, Moorgate-st. Sur. Aug. 23.

SPRINGETT, JOSEPH, victualler, Foster's-bldgs. Upper Whitecross-st. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sol. Marshall, Hatton-gdn. Sur. Aug. 24.

WILLIAMS, EDWARD, beerhouse keeper and builder, Nelson-st. Morning-la. Hackney. Pet. Aug. 5. Reg. Roche. O. A. Parkyns. Sol. Hicks, Moorgate-st. Sur. Aug. 24.

WINTER, ALONZO GEORGE, and MARSHALL, JOHN, chenille and trimming manufacturers, Tuileries-st. Hackney-rd. Pet. Aug. 8. Reg. Roche. O. A. Parkyns. Sol. Hicks, Moorgate-st. Sur. Aug. 29.

WRIGHT, EDWIN, plumber, painter, and glazier, Twickenham. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sol. Bigby, Size-la. Bucklersbury. Sur. Aug. 24.

WHYMARK, CHARLES, out of business, Cumming-st. Pentonville. Pet. Aug. 7. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 24.

To surrender in the Country.

ASQUITH, JOHN WILLIAM GOVER, sawyer, Great Grimsby. Pet. Aug. 2. Reg. & O. A. Daubney. Sol. Wintringham, jun., Grimsby. Sur. Aug. 19.

BARLOW, THOMAS, furniture broker, Northgate. Pet. Aug. 8. Reg. & O. A. Robinson. Sol. Terry and Watson, Bradford. Sur. Aug. 29.

BEDFORD, WILLIAM, grocer's assistant, Penistone. Pet. Aug. 7. Reg. & O. A. Shepherd. Sol. Williamson, Barnsley. Sur. Aug. 24.

BEETON, WALTER, plumber, Hottesley. Pet. Aug. 3. Reg. & O. A. Reeve. Sol. Pollard, Ipswich. Sur. Aug. 24.

BEMAN, RICHARD, bootmaker, Bridgnorth. Pet. Aug. 7. Reg. & O. A. Smith. Sol. Batte, Bridgnorth. Sur. Aug. 26.

BIRD, JOSEPH, chartermaster, Westbromwich. Pet. Aug. 8. Reg. Hill. O. A. Kinnear. Sols. Jackson and Haskin, Westbromwich. Sur. Aug. 23.

BRAY, ANDREW GARLAND, mason, Tavistock. Pet. Aug. 7. Reg. & O. A. Bridgman. Sol. Chilcott, Tavistock. Sur. Aug. 19.

BURTON, CHARLES, flint grinder, Moddershall, Stone. Pet. Aug. 3. Reg. & O. A. Middleton. Sol. Litchfield, Newcastle-under-Lyme. Sur. Aug. 21.

CARROLL, JAMES, bookbinder, Liverpool. Pet. Aug. 7. O. A. Turner. Sols. Atkinson and Bartlett, Liverpool. Sur. Aug. 21.

DREW, THOMAS, commercial traveller, Birkenhead. Pet. July 12. Reg. & O. A. Weller. Sol. Leech, Derby. Sur. Aug. 30.

ELLIS, JOSEPH, cloth manufacturer, Ossett. Pet. July 31. O. A. Young. Sols. Mitchell, Ossett; Simpson, Leeds. Sur. Aug. 21.

EVANS, WILLIAM, bootmaker, Cardiff. Pet. Aug. 8. Reg. & O. A. Langley. Sol. Bird, Cardiff. Sur. Aug. 22.

FOSTER, LUCY, schoolmistress, Hessle. Pet. Aug. 2. Reg. & O. A. Phillips. Sol. Jackson, Hull. Sur. Aug. 21.

FRY, CHARLES, jun., cattle dealer, Somerford Magna. Pet. Aug. 8. Reg. Wilde. O. A. Acraman. Sols. Frees and Inskip, Bristol. Sur. Aug. 23.

GIBSON, CORNELIUS, flat builder, Leftwich. Pet. Aug. 8. O. A. Turner. Sols. Messrs. Martin, Liverpool. Sur. Aug. 22.

GORE, WILLIAM, baker, Barnstaple. Pet. Aug. 5. Reg. & O. A. Bencraft. Sol. Bencraft, Barnstaple. Sur. Aug. 21.

GOUGH, CHARLES SELWYN, attorney, Winchcombe. Pet. Aug. 8. Reg. Wilde. O. A. Acraman. Sol. Clifton, Bristol. Sur. Aug. 24.

HARRISON, RICHARD, corn miller, Fleetwood. Pet. Aug. 2. O. A. Turner. Sols. Norris and Son, Liverpool. Sur. Aug. 23.

HAYNES, GEORGE ARNOLD, cabinet-maker, Torquay. Pet. Aug. 8. Reg. & O. A. Pidsley. Sol. Carter, Torquay. Sur. Aug. 26.

HEAP, ANDREW, stonemason, Habergham Eaves. Pet. Aug. 7. Reg. & O. A. Hartley. Sols. Backhouse and Whitham, Burnley. Sur. Sept. 4.

HENNING, JOHN, baker, Christchurch. Pet. Aug. 4. Reg. & O. A. Druitt. Sol. Sharp, Christchurch. Sur. Aug. 21.

HODGES, EDWARD, house carpenter, Newcastle. Pet. Aug. 7. Reg. Gibson. Sols. Hodge and Harle, Newcastle. Sur. Aug. 19.

HORNE, ROBERT, baker, Botesdale. Pet. Aug. 8. Reg. & O. A. Chenery. Sol. Walpole, Beyton. Sur. Aug. 23.

KELLY, JOHN, labourer, Stockport. Pet. Aug. 4. Reg. & O. A. Cope-pock. Sol. Howard, Stockport. Sur. Sept. 1.

LEGGETT, WILLIAM, engineer, Ipswich. Pet. Aug. 9. Reg. & O. A. Pretyman. Sol. Pollard, Ipswich. Sur. Aug. 24.

LUMB, EDWIN, draper, Manchester. Pet. July 31. Reg. Macrae. O. A. Morgan. Sols. Cooper and Sons, Manchester. Sur. Aug. 22.

MARSHALL, THOMAS, butcher, Sheffield. Pet. Aug. 8. Reg. & O. A. Wake and Rogers. Sols. Binney and Son, Sheffield. Sur. Aug. 24.

MURRAY, WILLIAM WILSON, out of business, Durham. Pet. Aug. 8. Reg. & O. A. Greenwell. Sol. Clemmett, jun., Stockton-upon-Tees. Sur. Aug. 24.

PATTINSON, WILLIAM, butcher, Kirbythore. Pet. Aug. 9. Reg. & O. A. Heads. Sol. Shepherd, Appleby. Sur. Aug. 23.

PORTER, GEORGE, builder, Huddersfield. Pet. Aug. 4. Reg. & O. A. Jones. Sol. Dransfield, Huddersfield. Sur. Sept. 25.

PRIDDEY, GEORGE, builder, Worcester. Pet. Aug. 9. Reg. Hill. O. A. Kinnear. Sols. Richards and Gilliam, Birmingham. Sur. Aug. 25.

PROCTOR, SAMUEL, butcher, Chesterton, near Newcastle-under-Lyme. Pet. July 22. Reg. Hill. O. A. Kinnear. Sols. Eaton and Bellby, Hull; James and Griffin, Birmingham. Sur. Aug. 23.

REVELL, WILLIAM, printer, Liverpool. Pet. Aug. 9. O. A. Turner. Sol. Harris, Liverpool. Sur. Aug. 23.

ROBERTS, THOMAS, labourer, Greenfield, near Holywell. Pet. Aug. 5. Reg. & O. A. Williamson. Sol. Harrison, Holywell. Sur. Aug. 22.

SAUNDERS, JOHN, plumber, Brighton. Pet. Aug. 8. Reg. & O. A. Evershed. Sol. Lamb, Brighton. Sur. Aug. 25.

SHAW, JOHN, cottonspinner, Accrington. Pet. Aug. 7. Reg. Macrae. O. A. Morgan. Sols. Sale, Worthington, and Co., Manchester. Sur. Aug. 24.

SHEPPARD, MARGARET BROWN, dealer in Berlin wool, Blackburn. Pet. Aug. 3. Reg. & O. A. Bolton. Sol. Clough, Blackburn. Sur. Aug. 24.

SMITH, THOMAS, and SMITH, JOSEPH, cloth manufacturers, Armley, near Leeds. Pet. Aug. 5. O. A. Young. Sol. Simpson, Leeds. Sur. Aug. 21.

TAYLOR, WILLIAM, mechanic, Blackburn. Pet. Aug. 7. Reg. & O. A. Bolton. Sol. Ainsworth, Blackburn. Sur. Aug. 24.

THOMPSON, THOMAS LANCASTER, newsagent, East Retford. Pet. Aug. 7. Reg. & O. A. Newton. Sol. Marshall, jun., East Retford. Sur. Aug. 23.

TURNER, ROBERT, shopkeeper, Blaise, East Dean. Pet. Aug. 9. Reg. & O. A. Burrup. Sol. Whatley, Mitcheldean. Sur. Aug. 22.

TURNER, WILLIAM, builder, Altrincham. Pet. May 9. Reg. Macrae. O. A. Morgan. Sur. Aug. 21.

WHITE, JOHN GEORGE, jun., merchant's clerk, Liverpool. Pet. Aug. 9. Reg. & O. A. Hime. Sol. Harris, Liverpool. Sur. Aug. 21.

WHITE, WILLIAM, innkeeper, Lewknor. Pet. Aug. 3. Reg. & O. A. Holloway. Sol. Clarke, High Wycombe. Sur. Aug. 24.

BANKRUPTCIES ANNULLED.

Gazette, Aug. 8.

GRACE, FRANCIS, veterinary surgeon, St. Clement's, Oxford.

SHIELD, MATTHEW, railway contractor, Victoria-st. Westminster.

TAYLOR, JOSEPH, and TAYLOR, BENJAMIN, woollen manufacturers, Stainland, in Halifax.

Gazette, Aug. 11.

LANDER, PHILIP, stonemason, Regent-st. Kensal-green.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Bellwell, J. boot and shoe maker, first, 7½d. Carrick, Exeter.—*Barrett*, G. plumber, painter, &c. first, 6s. 3½d. Carrick, Exeter.—*Brownsword*, J. H. silk merchant, first, 1s. Harris, Nottingham.—*Johnston*, G. commission agent, first, 6d. Turner, Liverpool.—*Mossingham*, W. brewer and publican, first, 10d. Harris, Nottingham.—*Reed*, J. builder, first, 3½d. Carrick, Exeter.—*Sheppard*, W. ship owner and accountant, first, 3s. 9d. Carrick, Exeter.

INSOLVENT'S ESTATES.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, between the hours of eleven and two.

Burgess, B. J. clerk in H. M.'s customs, 1s.—*Dale*, H. marshalman, 1s. 9d.; making 1s. 11d.—*Hardley*, W. clerk, Greenwich-hospital, 1s. 11d.; making 4s. 1d.—*Hatch*, Rev. H. clerk and rector of Sutton, 1l.—*Jackson*, J. gentleman, 1s. 5d.; making 2s. 9½d.—*Jessup*, W. Park-st. Dorset-sq. 1s. 11½d.; making 4s. 7½d.—*Jones*, E. porter, 5s. 1d.—*Kelly*, E. clerk H.M.'s customs, 10s. 3d.; making 12s. 11d.—*Parrell*, G. clerk, British Museum, 1s. 2½d.—*Pickup*, E. custom-house producer, 7s. 1d.—*Vandervoord*, E. J. master mariner, 11s. 1d.—*Ness*, E. L. commander R.N. 3s. 11d.; making 12s. 3d.—*Wells*, E. Y. lieutenant R.N. 3s. 9d.; making 4s. 1½d.; *Wale*, L. porter, 3s. 6d.; making 7s. 9d.—*Woodley*, W. officer R.N. 4s. 9½d.; making 7s. 1½d.—*Wright*, W. R. chaplain in Royal Artillery, 1s. 3d.; making 3s. 9d.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Aug. 8.

ANDERSON, MARIA, schoolmistress, Sale. July 18. Trust. W. Marra, public accountant, Manchester.

BUNBURY, DENIS, grocer, Liverpool. July 31. 5s. 9d.

CATT, JOHN, blacksmith, Tenbridge. July 31. 1s. on 7th Dec.

CLARK, JOSEPH, floorcloth manufacturer, Newcastle. July 19. Trusts. H. J. Prockter, jun., glue manufacturer, Gateshead, and A. Watson, fire clay manufacturer, Newcastle.

CLARKE, SAMUEL, surveyor, Ipswich. Aug. 2. 5s. in 1 mo.

COLLYER, JOHN, grocer, Kingston. July 19. 5s. by two equal instalments at 1 and 3 mos.—secured.

DAVIES, CALEB, grocer, Briton Ferry. July 24. 5s. on 8th July.

DEAKE, JOSEPH, ironmonger, Tenbury. Aug. 4. Trust. W. Greenway, factor, Birmingham.

DORSETT, WILLIAM SMITH, zinc manufacturer, Birmingham. July 12. 7s. 6d. on 1st Oct.

FRY, SAMUEL, grocer and provision dealer, Makerfield. July ... Trusts. M. Heenis, provision merchant, Liverpool, and T. ..., tallow chandler, Wigan.

GARDNER, ROBERT HENRY, grocer and provision dealer, Seaton Harbour. July 19. 3s. 4d. by two equal instalments at ... mos. Trusts. J. Morland, cheesefactor, Newcastle, and J. ..., miller, Seaham.

GIRLING, THOMAS BROOK, clothier, Lambeth-walk. July 21. 5s. by two equal instalments at 3 and 6 mos.—secured. Surety, ..., hatter, Lambeth-walk.

GOLDBERG, GUSTAVE, importer of French jewellery, Manchester. July 17. 5s. by one instalment in 12 mos.

HALE, WILLIAM, spring hook maker, Walsall. Aug. 2. Trust. W. L. Jackson, clerk, Wednesbury.

HALL, JOHN ALFRED, Bristol, and FORNACON, FRIEDRICH, Bristol, ship chandlers at Newport. July 11. 13s. 6d. by four equal instalments at 3, 6, 9, and 12 mos., and sep. of J. A. Hall, of 7s. 6d. by three equal instalments at 3, 6, and 9 mos.

HAWKES, FRANCIS, straw hat manufacturer, Luton. July 11. Trusts J. Eustace, straw plait dealer, Luton, and A. J. Viewg, warehouseman, Luton, and Wood-st. London.

HEDGES, JAMES, greengrocer, Oxford. July 21. 5s.—2s. 6d. on 1st July 1866, and 2s. 6d. on 1st July 1867.

HOLLIDAY, FRANCIS, common brewer, Bridlington. July 14. Trusts G. Fox, banker's clerk, and H. C. Babington, grocer, both Bridlington.

HORNE, GEORGE, straw manufacturer, Dunstable. July 19. 1s.

JACKSON, AMOS, builder, Birmingham. July 11. 12s. 6d. by five equal instalments—first in cash and four in 1, 2, and 3 mos. Surety J. Jackson, carpenter, Birmingham.

JESSOP, JOHN BROWN, publican, Swineshead. Aug. 2. Trust. H. Soulby, merchant, Coningsby, and Z. Jessop, draper, Boston.

JONES, JOHN, bootmaker, Hull. July 19. Trusts. W. Eaton, tanner, and J. Fawcett, currier, both Hull.

LANGDON, JAMES HENRY, merchant, Austin-friars. July 3. 3s. by three instalments—1s. 6d. in 7 days, 1s. in 1 mo., and 6d. at 6 mos. Trusts. J. Cornell, wine broker, Mark-la., and ... Soares, merchant, Seething-la.

LORJOITT, THOMAS MOSES, ironmonger, Acton-green. July 11. ... by three equal instalments at 4, 8, and 12 mos.

MASON, HENRY DREWERY, grocer, Hull. July 11. Trusts J. ..., grocer, and J. W. Cullen, ale merchant, both Hull.

MATHER, CHARLES JAMES, and MATHER, CHARLES WILLIAM, jewellers, Bath. July 13. Trust. W. Wigens, accountant, Bath.

MAY, EMILY, lodging-house keeper, Bristol. July 25. ... Aug.—secured. Trust. O. B. May, stationer, Bristol.

MCAVOY, WILLIAM, general dealer, Liverpool. July 18. Trusts J. Thorp, T. F. Palmer, and R. Lee, merchants, all Manchester.

NUCCINI, JOSEPH, watchmaker, Cardiff. July 12. ... Trust. J. Warry, watch manufacturer, Bristol.

PARISH, EDWIN, painter, Birmingham. July 10. Trusts J. ..., glass and lead merchant, and T. E. Rider, retail brewer, both Birmingham.

PIKE, FRANCIS JOHN, brushmaker, Seckford-st. Clerkenwell. July 11. Trust. H. T. Thwaites, accountant, Basinghall-st.

REEL, MICHAEL, hatter, Liverpool, and grocer, Longford, Ireland. July 11. Trusts. T. Walker, hat manufacturer, Denton, and ... Percival, provision merchant, Liverpool.

ROUSE, WILLIAM, china dealer, Newport. July 13. ... on ... Aug. —secured.

RUGLEN, JAMES, printer, Barnsley. July 11. ... on 12th Aug.—secured.

SCOTTHORN, THOMAS KENDALL, carrier, Leicester. July 25. Trusts T. J. Paxton, enameller, and C. D. King, accountant, both Northampton.

SIAMAN, HENRY, tailor, Alconbury Weston. July 13. Trust. W. ..., farmer, Buckworth.

WILLIAMS, WILLIAM, printer, Holywell. July 25. 7s. 6d. by two instalments—5s. on 1st Aug. and 2s. 6d. on 1st Nov.

WINGAD, JOHN, general dealer, Spalding. July 11. Trust. W. Vagad, tailor, Helpringham.

WOOD, GEORGE, dealer in oils, Monkwearmouth. Aug. 1. ... 1 mo. and 2s. at 6 mos. Surety, G. Lancaster, shopkeeper, Sunderland.

Gazette, Aug. 11.

ACTON, JOHN, provision dealer, Moore. July 13. 5s. on 12th Oct.

ARMSTRONG, JOHN, travelling draper, Walsall. July 12. Trusts J. Thompson, and J. Shannon, drapers, Walsall.

ARMSTRONG, WILLIAM, bootmaker, South Shields and Jarrow. July 27. 5s.—2s. at 1 mo., 1s. 6d. at 3 mos. and 1s. 6d. at 6 mos. Trust. J. Vasey, painter, South Shields.

BAXFIELD, WILLIAM WILSON, grocer, Ipswich. July 21. Trusts A. C. Ridley, wholesale druggist, and J. Pearse, accountant, both Ipswich.

BECKLEY, GEORGE, saddler, Oxford-st. July 25. 5s. by two instalments of 2s. 6d. each at 14 days and 2 mos. Inspectors, J. ..., coach plater, Queen-st. Oxford-st., E. Offord, gentleman, ... ham-villa, Bayswater, and D. Carpenter, leather merchant, ... ingham-house, New Kent-rd.

BELASCO, ISAAC, commission agent, Harleyford-rd. Vauxhall. Aug. 4. 1s. on 4th Feb. and 1s. on 4th Aug. next.

BERNARD, REV. JOHN, M. A., schoolmaster, Gateacre. Aug. 1. To pay debts in full by twelve instalments of 1s. 8d. each—first ... Oct. and at intervals of 3 mos. Trust. F. L. ..., outfitter, Liverpool.

BERIT, JOHN ADRIAN, provision merchant, Savage-gardens. Aug. ... 2s. on 10th Aug.

BEST, JOHN STRATFORD, gentleman, Peasenhall. July 21. ... 10 days.

CANHAM, JOHN SAMUEL, tailor and draper, Stoke-upon-Trent. July 13. 5s.—one-half on execution of deed and remainder at 3 mos.—secured.

CROUDACE, WILLIAM, spirit merchant, Sunderland. July 21. 10s.—3s. on registration of deed, 3s. in 6 mos. and 4s. in 9 mos.

GARNETT, WILLIAM, farmer, Henley. July 25. Trusts J. Birch, farmer, Bradfield, and T. S. H. Alexy, auctioneer, William ..., Howard, Inglis, and Keeling, Colchester.

GREGORY, ELISHA, builder, Bristol. July 14. 2s. 6d.

HASTWELL, ROBERT, butcher, New Shildon. July 21. Trust C. Argyle, cowkeeper, New Shildon.

HAWKESWORTH, JOHN, attorney's clerk, Leek. July 11. Trust ... Gallimore, maltster, Ashborne.

HOWLETT, GEORGE, ironmonger, Attleborough. Aug. 2. ... 3 mos.

JONES, JAMES, puddler, New Wortley, near Leeds. July ... Trust. J. Wearing, plate roller, Barley-rd. near Leeds.

KIRK, EDWARD, corndealer, Brick-la. Spitalfields. July ... 3 mos.

LACY, HENRY, bank manager, Petersfield. Aug. 4. Trust W. ...bie, public accountant, Moorgate-st.

LAWRANCE, WILLIAM, dealer in hay, Cheshunt. July 29. ... 5s. on 29th July and 2s. 6d. on 29th Sept.

LINCOLN, JOHN, grocer and provision dealer, South Shields. Aug. 1. Trusts. W. Wigham, draper, and T. Lincoln, agent, both South Shields.

MACINTOSH, WILLIAM, silversmith, Ilfracombe. July 11. Trusts J. Griffiths and W. Lock, jewellers, Birmingham.

MARKS, LEON, watchmaker, Liverpool. Aug. 7. 7s. 6d. by three equal instalments at 4, 8, and 12 mos.—secured.

MOLYNEUX, NATHAN, wheelwright, Scarisbrick. July 17. Trusts. R. C. Evans and J. Evans, grocers, both Ormskirk.

MUNRO, WILLIAM, railway contractor, King William-st. and Fitzroy-sq. July 13. Trust. W. Cooper, gentleman, Hilldrop-cresc. Camden-rd. Islington.

NELSON, BARNET, outfitter, Liverpool. July 12. Trust. G. E. Holt, accountant, Liverpool.

PERCIVAL, CHARLES HENRY, broker, Liverpool. Aug. 10. Trust. A. W. Chalmers, accountant, Liverpool.

RADCLIFFE, JAMES, and RADCLIFFE, MAJOR, manufacturers, Manchester. Aug. 4. 16s.—7s. 6d. on registration of deed and 3s. 6d. on 4th Feb.

RAY, WILLIAM, and RAY, WILLIAM, jun., timber merchants, Landport. May 31. 7s. by four equal instalments at 4, 8, 12 and 16 mos. Trusts. S. L. Price, Gresham-st. and J. Glegg, Moorgate-st. accountants.

REDFEARN, JAMES; REDFEARN, WILLIAM; THURMAN, WILLIAM; and THURMAN, JAMES, blanket manufacturers, Birstal. Trusts. I. Thornton, machine maker, Liversedge, and A. Blone, cardmaker, Birstal.

REES, DAVID, leatherseller, Bath. July 19. Trusts. C. Nicholls, leather merchant, Bristol, and J. Linsley, currier, Bath.

RICE, MARY, and RICE, JAMES EDWARD ROLLES, millers, Southampton. July 31. Trust. G. Coward, gentleman, Freemantle.

RICHARDS, JOHN, draper, Aberaman. July 31. Trust. J. Sanders, lace merchant, Nottingham.

ROBERTS, WILLIAM, bookmaker, Halifax. July 29. 8s. by two equal instalments on 1st Aug. and 1st June—secured. Surety, J. Roberts, farmer, Birst Courtney, near Snaith.

SCOTT, WILLIAM, Manchester. Aug. 2. 3s. 4d. by two equal instalments on Sept. 2 and Jan. 2.

SMART, JOHN LEIGHTON, printer, Chichester-rents, Chancery-la. May 11. Trust. H. W. Caslon, typefounder, Chiswell-st. Finsbury. Sols. Vandercom, Cree, and Law, Bush-la.

TAYLOR, JOHN, manufacturer, Rochdale. July 25. Trusts. J. Scott, yarn agent, Heywood, and J. Ingham, manager of cotton mill, Newchurch, Rossendale.

THOMAS, MORGAN, farmer, Llanfairarybryn. July 20. Trusts. T. Thomas, auctioneer, Devynock, I. Thomas, farmer, Llanfairarybryn.

THURLEY, FRANCIS, cabinet-maker, Roupel-st. Lambeth. July 29. 1s. in 3 mos.

TUCKER, HENRY, gold beater's skin manufacturer, Durham-rd. Holloway. July 27. 5s. on 29th Aug.

WALLINGTON, THOMAS, baker, Gloucester. July 13. 3s. on demand. Trusts. W. Price, corn dealer, and J. Gregory, corn merchant, both Gloucester.

WEBB, FREDERICK BENNETT, straw plait dealer, Luton. July 18. Trusts. W. Willis, Luton, and C. Mees, Luton, straw hat and bonnet manufacturers.

WHITE, THOMAS, travelling draper, Gloucester. July 24. Trusts. J. W. Langdon, woollen warehouseman, Bristol, and J. Briming, warehouseman, Glasgow.

WRIGHT, ROBERT, farmer, Cratfield. July 12. Trusts. C. Read, farmer, Suffolk, and R. Garrard, auctioneer, Brundish.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

ASTON.—On the 10th inst., at 41, Doughty-street, the wife of James J. Aston, Esq., barrister-at-law, of a son.

FRASER.—On the 13th inst., at Sandon-house, Tunbridge, the wife of John Fraser, Esq., H.B.M.'s Legal Secretary and Registrar to the Supreme Consular Courts of China and Japan, of a son.

HAYLLAR.—On the 21st June, at the Civil Lines, Poonah, East Indies, the wife of Thos. C. Hayllar, Esq. barrister-at-law, of a son.

MARRIAGES.

HARTLEY—SALTER.—On Tuesday, the 15th inst., at the parish church of St. Marylebone, Joseph Hartley, L.L.M., barrister-at-law, of the Inner Temple, to Lucy Adams, only child of the late George Lyford Salter.

HOLMES—MACKENZIE.—On the 10th inst., at St. Michael's, Paddington, Charles Arbuthnot Holmes, of the Inner Temple, barrister-at-law, to Marion, eldest daughter of the late Alexander Mackenzie, Esq.

LATHAM—HUTCHINSON.—On the 9th inst., at Amport, Francis Law Latham, barrister-at-law, of the Inner Temple, to Lucy Caroline, younger daughter of the Rev. C. E. Hutchinson, vicar of Amport, and Canon Residentiary of Chichester. No cards.

LAW—CALVERT.—On the 17th inst., at Derby, Francis Henry Law, Esq., of Lincoln's-inn, barrister-at-law, to Mary Anne, eldest daughter of the late Edward Calvert, Esq., of Derby.

PATTERSON—COXE.—On the 11th inst., at St. Stephen's Church, Paddington, Charles Hill Patterson, Esq., to Isabella Madeline, daughter of Bond Coxe, Esq., of the Middle Temple, barrister-at-law.

VAN SANDAU—TINDALE.—On the 9th inst., at Almondbury parish church, Frederick Edgar Van Sandau, Esq., of the firm of Van Sandau, Cumming, and Sons, of 12, King-street, Cheapside, solicitor, and only son of Andrew Van Sandau, Esq., of 6, Mecklenburgh-square, to Catherine Robinson, third daughter of the late John Tindale, Esq., of Rose-villa, Almondbury, near Huddersfield, solicitor.

DEATHS.

SHEA.—On the 9th inst., at Norwood, suddenly, aged 42, Alexander Boschetti Shea, Esq., barrister-at-law, late of St. Leonards-on-Sea, and formerly of Gibraltar.

LOMER.—On the 8th inst., at 12, South-parade, Chelsea, Edward Bridges Lomer, M.A., barrister-at-law.

Investments.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to GEORGE J. JEFFERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

WESTON-SUPER-MARE LOCAL BOARD OF HEALTH.

£10,000 WANTED, ON MORTGAGE OF RATES.

The Local Board of Health for the District of Weston-super-Mare, having obtained the sanction of Her Majesty's principal Secretary of State for the Home Department to borrow the sum of 13,000*l.*, to defray the costs of works of drainage for the said district of Weston-super-Mare, invite TENDERS from persons willing to advance 10,000*l.* on mortgage of the general district rates, which have been already mortgaged, and upon such mortgages there now remains unpaid the principal sum of 10,252*l.* 3s. 11*d.*

The assessable value of the district is upwards of 38,000*l.*

The amount to be borrowed will be required in equal moieties of 5000*l.* the first of which 5000*l.* to be advanced forthwith, and the other advance of the remaining 5000*l.* to be made on or about the 25th day of December next, and to be respectively payable with interest in thirty years by four equal instalments, or by equal annual instalments of the principal, the interest being paid regularly half-yearly, or by thirty annual instalments of principal and interest.

Any further information may be obtained at the office of the Clerk, Town Hall, Weston-super-Mare.

Sealed tenders, stating the terms, to be sent to me, on or before the 29th day of August inst.

By order of the Board,

WILLIAM SMITH, Clerk

Dated, Weston-super-Mare August 11th, 1865.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of 2,000,000*l.*, of which 600,000*l.* only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 20th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

DEBENTURES.—The CREDIT FONCIER of MAURITIUS (Limited).

Subscribed Capital	£500,000
Paid up and invested	100,000

This Company is prepared to ISSUE a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from Six to over Seven per Cent. per Annum, according to the length of the term.

The business of the Company is confined to the advance (of loans) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the Articles of Association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's Debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 700,000*l.*

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000*l.* Subscribed 1,000,000*l.*

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances, for long or short terms, repayable with interest, at fixed dates, or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all estates and interest therein, excluding mineral property, factories and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, &c., imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages, and real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. WILLIAM NAPIER, Managing Director, the Land Securities Company (Limited), 32, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital	£2,000,000
Subscribed	1,000,000
Paid up	100,000

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act 1865, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing 4½ per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of real estate, deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estates charged, as certified by a surveyor or valuer appointed by the Enclosure Commissioners for England and Wales, are thus absolutely appropriated to the repayment of the mortgage debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further guarantee of the Company's uncalled capital of 900,000*l.*, so that representing, in fact, fractions of the Company's aggregate of securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under hand only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities thus appropriated, and of the Mortgage Debentures, will be kept in the Office of Land Registry.

Trustees having a general power to invest upon the security of the shares, stocks, mortgages, bonds, or debentures of companies incorporated or acting under the authority of an Act of Parliament, are authorised by the 45th section of the Act to invest in the Mortgage Debentures.

The Mortgage Debentures will be issued for such periods and for such amounts as may suit investors.

Apply to the Honourable WILLIAM NAPIER, Managing Director, Land Securities Company, 32, Charing-cross, London, S.W.

TO PROMOTERS of PUBLIC COMPANIES.—The Advertiser, having first-class agents in the principal towns of the United Kingdom, are prepared to place SHARES in bonâ fide undertakings upon terms.—Apply, by letter, to "EXCELSIOR," 39, Great James-street Bedford-row, London W.C.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

THE MUTUAL LIFE ASSURANCE SOCIETY.

39, King-street, Cheapside, E.C.

WHOLE WORLD POLICIES.—When an assurer will satisfy the Directors that he or she has no prospect or intention of proceeding beyond the limits of Europe, they will grant a permanent licence giving such assurer freedom to travel or reside in any part of the world for a single extra premium of 10s. per cent. on the sum assured; or they will grant a licence on an annual payment of 2s. 6d. per cent., which will remain in force so long as such annual payment is continued.

CHARLES INGALL, Actuary.

IMPERIAL FIRE INSURANCE COMPANY,

No. 1, Old Broad-street, and Nos. 16 and 17, Pall-mall, London.

Established 1803.

Subscribed and Invested Capital and Reserved Fund, £1,900,000. Losses paid, 3,000,000*l.*

FIRE INSURANCES granted on every description of property, at home and abroad, at moderate rates.

Claims liberally and promptly settled.

All policies are now entitled to the recent Reduction in the duty to 1s. 6d. per cent., whether covering buildings, furniture, or stock.

ANDREW BADEN, Superintendent.

ACCIDENTS to LIFE or LIMB,

in the Field, the Streets, or at Home,

Provided for by a Policy of the

RAILWAY PASSENGERS' ASSURANCE COMPANY,

64, Cornhill, London, E.C.

COMPENSATION

Has been paid for 10,000 *Claims.*

1000*l.* in case of Death, or 6*l.* per Week while laid-up by Injury, secured

By the annual payment of from 3*l.* to 5*l.* 5*s.*

For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,

64, CORNHILL, and 10, REGENT-STREET.

WILLIAM J. VIAN, *Secretary.*

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

68, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., M.P., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLARON, Sec.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, CHANCERY LANE, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.

Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

Business consists of the best classes of risks.

Insurants will be allowed the full benefit of the Reduction of Duty.

Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 30 per cent. per annum on the premiums paid varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

ROYAL INSURANCE COMPANY.

LONDON: Royal Insurance-buildings, Lombard-street.

LIVERPOOL: Royal Insurance-buildings, North John-street.

At the ANNUAL MEETING on the 4th inst. the following were some of the leading results disclosed:

FIRE BRANCH.

The premiums for the year 1864 amounted to	£406,404
Being an advance over 1863 of	£64,738

In the last seven years the premiums have increased by over 130 per cent.

LIFE BRANCH.

The sum assured by New Policies in 1864 was	£1,014,898
Yielding in New Premiums	£32,708

The Actuary's Quinquennial Report to the end of 1864, with an appendix, which can be obtained by the public on application, gives the result of the calculations made to ascertain with precision the amount of the liabilities of the company under its various engagements.

New premiums received first fifteen years, ending 1859	£80,325	3	9
New premiums received in five years, ending 1864	£110,819	12	3
The entire accumulation of Funds on the Life Insurance Branch on 31st Dec. 1864	£571,049	11	1

Being equal to 63 per cent. of the entire premiums received.

This is sufficient, even though the interest of money should only be 3 per cent., to provide a reversionary Bonus of 2*l.* per cent. *per annum to be added to the original amount of every policy entitled to participation.*

LONDON.

The new building in London being completed and occupied, it is believed that the company is now commencing a new epoch in its existence as a London office. Many things combine to show a probably large expansion of our already great business, which will exceed any anticipation which could have reasonably been formed of it some years since.

PERCY M. DOVE, Manager and Actuary.

JOHN B. JOHNSTON, Secretary in London.

Aug. 1865.

London and Provincial Law Assurance SOCIETY,

21, FLEET STREET, LONDON.

JAMES R. HOPE SCOTT, Esq., Q.C., Chairman.

Extract from Directors' Nineteenth Annual Report, 29th April 1865:—

The amount of the Assurances effected in the past year is £303,040, under 291 Policies, the New Premiums on which were £10,635 2s. 9d. The increase of the new business beyond that of the year 1863 is £65,460 in Sums Assured and £1417 1s. 9d. in New Premiums, and it will be remembered that the year 1863 exhibited a similar rate of progress. This amount of new business cannot fail to be very satisfactory to the Proprietors and the Assured.

The total Premium income, £56,819 4s. 8d., exceeds that of the year 1863 by upwards of £7000, and the Assurances in force on the 31st of December last were £1,854,708 13s. 8d., being very nearly a Quarter of a Million in excess of the Sums Assured at the corresponding date in 1863.

On reference to the Balance Sheet it will be noticed that this increase of business has not been obtained by any extraordinary expenditure. The charges of Management and Expenses for extension of Agencies have, in point of fact, been less than those of the preceding year. The charges of Management were £2512 14s. 6d., being at a rate rather less than 5¼ per cent. on the Income from Premiums and Interest.

The Society's Assets have been increased through the operations of the last year by £25,168 13s. 3d., being at the rate of 50 per Cent. on the Income.

The total Assets on the 31st of December last were £256,802 2s. 3d., invested on Securities yielding an average rate of interest of £4 13s. per Cent. per annum.

The Balance Sheet, Reports, and all further information, may be obtained by application to

ARCHIBALD DAY, Actuary and Secretary.

LAW OF REGISTRATION.

The Ninth Edition, price 12s., of

COX'S

LAW AND PRACTICE OF REGISTRATION AND ELECTIONS,

COMPRISING ALL THE

STATUTES, CASES DECIDED, INSTRUCTIONS FOR THE MANAGEMENT OF AN ELECTION IN BOROUGHS AND COUNTIES, FORMS, &c., AND THE LAW OF ELECTION COMMITTEES.

By EDWARD W. COX, Esq.,

Barrister-at-Law, Recorder of Falmouth and Helstone.

LAW TIMES OFFICE, 10, WELLINGTON-STREET, STRAND, W.C.

Just published, 12mo., price 5s.

LEGAL FORMS IN COMMON LAW AND CONVEYANCING,

CONTAINING SEVENTY PRACTICAL FORMS, FOR USE OF ATTORNEYS AND SOLICITORS.

By W. C. HALL, Attorney-at-Law.

Contents:

Action against a surgeon and apothecary
Action against an individual for injuries from a dog
Action of trover and conversion, assault and wages.
Action for false imprisonment.
Action for seduction.
Action for a tradesman's bill.
Action by an infant.
Affidavit of increase.
Affidavit in support of habeas.
Affidavit to proceed on service out of jurisdiction.
Affidavit to file with a judge's order.
Affidavit to file with bill of sale.
Affidavit to obtain order for substituted service.
Affidavit to obtain leave to appear to bill of exchange writ.
Affidavit in support of application for distringas on stock.
Agreement to let chambers for a year.
Agreement to let a house (common form).
Agreement for sale of lease and good-will of trade or business.
Agreement for a lease.
Agreement for a building lease.
Agreement for a lease by a company.
Agreement for sale of leasehold.
Agreement for sale of leasehold (special).
Agreement between a brewer and a publican.
Application for a spirit licence, form of.
Appointment, absolute.
Apprenticeship indenture.
Arrangement with creditors, deed of.
Articles of partnership.
Assignment of patent.
Assignment of leasehold by indorsement.
Assignment of contingent reversion.
Assignment of policy.
Assignment of leaseholds.
Bankruptcy, deed of composition under sect. 192.
Bill of costs, plaintiff's.
Bill of costs, defendant's.
Bill of costs, respondent's (in error).
Bill of costs, in Probate.
Bill of costs, in Divorce Court.
Bill of exchange.
Bill of sale on furniture.
Bill of sale, affidavit to file with same.
Bills of Exchange Act, affidavit for leave to appear.
Bond, common money.
Chambers, agreement for letting.
Composition-deed under Bankruptcy Act, sect. 192.
Conditions of sale by auction.
Conveyance of freehold.
Conveyance of freehold, with covenants for production of deeds.
Costs, plaintiff's.
Costs, defendant's.
Costs, respondent's (in error).
Costs, Probate.
Costs, Divorce.
Costs, affidavit of increase.
County Court, claims in.
Creditors, deed of release by.
Declaration for negligence by a surgeon.
Declaration against an individual for keeping a savage dog.
Declaration for trover and conversion, and for an assault and wages.
Declaration for false imprisonment.
Declaration for seduction.
Declaration for a tradesman's bill.
Declaration by an infant.
Declaration, notice to plead indorsed on.
Deed of release by creditors.
Deed of composition.
Dishonour, notice of.
Distringas on stock, affidavit.
Distringas on stock, notice of.
Equitable deposit.
False imprisonment, action for.
Freehold, conveyance of.
Furniture, bill of sale on.
Further charge on premises already mortgaged.
General issue.
General issue, pleaded by statute.
Habeas, affidavit in support for writ of, to bring up children.
I O U.
Issue, joinder of.
Issue, what it consists of.
Judge's order, affidavit to file with.
Lease, agreement for.
Lease of a town house.
Leaseholds, assignment of.
Leaseholds, agreement for the sale of.
Leaseholds, reassignment.
Leaseholds, mortgage of, by demise.
Leaseholds, transfer of mortgage.
Licence to sell spirits, petition for.
Licence to sell spirits, petition to oppose.
Marriage settlement, and form of memorial for Middlesex registry.
Memorial to be filed at the Middlesex registry of conveyance of freehold.
Memorial of assignment of lease
Memorial of marriage settlement.
Memorial of transfer of mortgage.
Mortgage of leaseholds by demise.
Mortgage, transfer of by indorsement.
Mortgage, reassignment of.
Mortgage, further charge.
Notice of dishonour.
Notice to plead.
Notice of trial.
Notice to produce.
Notice to quit.
Notice (to trustees) of assignment of reversion.
Notice of distringas on stock.
Notice of assignment of policy.
Notice to sheriff that goods seized are not the defendant's property.
Notice to bailiff of County Court.
Notice to tax.
Notice to reply.
Particulars of claim to be filed in the County Court.
Partnership articles.
Patent, assignment of
Petition to Commissioners of Inland Revenue.
Petition to obtain spirit licence.
Petition to oppose spirit licence.
Pleadings in action against a surgeon for negligence.
Pleadings in action for injuries by a savage dog.
Pleadings in action of trover and conversion.
Pleadings in action for false imprisonment.
Pleadings in action for seduction.
Pleadings in action for a tradesman's bill.
Pleadings in action by an infant.
Policy of assurance, assignment of.
Policy of assurance, notice of assignment of.
Postea where verdict for plaintiff.
Proceedings in actions from writ to postea.
Promissory note.
Public auction, conditions of sale at.
Reassignment of mortgage.
Record.
Release, deed of, by creditors.
Replication.
Reply, notice of four days.
Sale, bill of.
Sale, bill of, affidavit to file with.
Settlement, marriage.
Settlement, absolute appointment under.
Spirit licence, petition for.
Spirit licence, petition against.
Surgeon and apothecary, action against.
Transfer, mortgage of.
Transfer, memorial of.
Will of a tradesman.
Will of personal property.
Will, codicil to.

HORACE COX, 10, WELLINGTON-STREET, STRAND, W.C.

"LAW TIMES" EDITIONS of IMPORTANT STATUTES

SESSION of 1865.

The following are in the Press—

The PRISONS ACT, with Notes and Index. By T. W. SAUNDERS, Esq., Recorder of Bath.

The COUNTY COURTS EQUITY JURISDICTION ACT, with a Treatise on the Law and Practice of Equity as it is to be Administered in the County Courts. By H. F. GIBBONS, Esq., Barrister-at-Law, and W. HARVEY, Esq., Barrister-at-Law.

PATERSON'S PRACTICAL STATUTES of the SESSION of 1865, being the Fifteenth of the Series. By WM. PATERSON, Esq., Barrister-at-Law.

Just published, in 8vo., pp 161.

TRIAL by JURY: the Birthright of the People of England.

ROBERT HARDWICKE, 192, Piccadilly.

This day is published, price 2s. 6d., cloth.

A TREATISE on COMPOSITION with CREDITORS, under the private Arrangement Clauses of the Bankruptcy Act 1861, with Forms. By GEORGE SILLS, M.A., Barrister-at-Law.

London: DAVIS and SON, 37, Carey-street, Lincoln's-inn, W.C.

4l. 13s. PER CENT. DEBENTURE STOCK IN PERPETUITY.

THE GREAT EASTERN RAILWAY COMPANY are now issuing this stock. Applications to be made to J. B. OWEN, Secretary.

Bishopsgate Terminus, London, 14th July 1865.

In 1 vol. large 8vo., price 24s.,

THE SECOND EDITION of WRONGS and THEIR REMEDIES; being a Treatise on the Law of Torts. By C. G. ADDISON, Esq., Barrister-at-Law, Author of "The Law of Contracts."

London: STEVENS and SONS, 26, Bell-yard, Lincoln's-inn.

OKE'S GAME AND FISHERY LAWS.—Second edition. Just published, 12mo., 13s. 6d. cloth.

A HANDY BOOK of the GAME and FISHERY LAWS throughout the United Kingdom. By GEORGE C. OKE, Author of "The Magisterial Synopsis," &c. Second edition.

London: BUTTERWORTHS, 7, Fleet-street, Her Majesty's Law Publishers.

This day is published, in 12mo., price 2s. 6d., cloth boards

COUNTY COURTS' EQUITABLE JURISDICTION; or the New Act, 28 & 29 Vict. c. ..., conferring further equitable jurisdiction on the County Courts, with Notes. By JAMES J. ASTON, Esq., Barrister-at-Law.

STEVENS and SONS, No. 26, Bell-yard, Lincoln's-inn.

Corrected to July 1865.

STAMP DUTIES DIGEST.—SIXTH EDITION.—Messrs. VACHER and SONS beg to announce that the New and Enlarged Edition of their DIGEST OF STAMP DUTIES, with classified Summary of JUDICIAL DECISIONS, is just published, including the amended duties of the last Session of Parliament. Price seven shillings.

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Second edition.—Now ready, post 8vo., cloth boards, price 3s. 6d., post free 46 stamps.

JOINT-STOCK COMPANIES: a Practical Treatise on their formation, management, and winding-up, with a list of books required and hints as to the form and mode of keeping same. By R. SPEARMAN C. FARRER.

Opinions of the Press.

"Altogether the compilation is the completest work of the kind yet offered to public notice."

Published at the Office of FARRER, BROTHERS, and Co., Public Accountants, 18, Bucklersbury.

TAYLER'S APPEALS BY APPEAL CASE.

Just published,

THE LAW of APPEALS to the Superior Courts of Law by Appeal Case: including Appeals from Justices (20 & 21 Vict. c. 43), Appeals from County Courts, Appeals from Revising Barristers and similar appeals. By GEORGE TAYLER, Esq., Barrister-at-Law, Editor of "The Consolidation Acts of 1845 and 1847." Price ... cloth.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE *Newcastle and Gateshead Chamber of Commerce* have presented to the Board of Trade a memorial praying for the adoption of Tribunals of Commerce. It will be found in the department devoted to Mercantile Law in another page.

Seeing what very bad law-makers the merchants have proved themselves whenever they have been permitted to manufacture a law or to devise any modification of the existing law, it is impossible not to look with suspicion upon any proposition issuing from the same source. They are always thoroughly impracticable. When a voice has been permitted to them in the construction of any project of law, they have marred it by their amendments. This has been shown by the present bankruptcy law, whose utter failure for all its professed purposes and multiplication of all the mischiefs previously existing, in addition to new ones of its own creating, is due entirely to the committee of bankers, merchants, &c. who were unwisely permitted to take part in its manufacture, and whose suggestions marred the artistic scheme of the LORD CHANCELLOR and the lawyers who assisted him in its construction. So it would be now, if the Government were to be so foolish as to turn an approving ear to the requests of the Chamber of Commerce.

They ask for a court, with merchants as assessors, to sit with and assist the judge. What are to be their functions? Are they to be those of judge or jury? Are they to decide questions of fact or only questions of law? If the former, in what respect are they better than a jury? If the latter, is the law to be dictated by the lawyer who presides or the laymen who assist? Nor is this the entire of the difficulty. What is to be done in case of an appeal? An appeal must lie to a *superior* court. Is the court of appeal to be constituted of lawyers alone, or are they to be again combined with laymen? If of great lawyers, like the House of Lords or Privy Council, the judgment of the mercantile men in the court below will be worthless, for lawyers will be compelled to settle the question without them at last. The assessors are to sit in the appeal court, of whom are they to be composed? How are men to be found more competent than the men who have already decided? Yet, unless they are of higher class, appeal will be worthless, and the tribunal will not be respected.

But objections throng upon the mind as the proposition is contemplated. There is plenty yet to be done in the way of *Law Reform*, and until far more pressing claims are disposed of we trust that the Government will not be tempted to take up this one.

Upon one principle of the scheme—that of substituting arbitration for law—a contemporary well observes:

> The remark of the memorialists about arbitration shows what they really want, though they probably do not distinctly know what they want. They have a dim floating notion that an arbitrator is not a judge but a legislator, who decides not what in point of fact people actually have done, but what it would now be wise for them to do. They seem to view the proposed courts not as courts of justice, but as bodies invested with authority to make a binding compromise between litigants, so that each shall give up something, and thus arrive at a "fair" result. The legal and the commercial notion of justice are distinct, and the real complaint of the man of business against the lawyer proceeds upon a sense of this opposition. Justice in the lawyer's sense is adherence to a rule, whether it makes for A. or for B. Justice in the sense of the man of business is the attainment of a result satisfactory to the feelings of a benevolent bystander who takes an interest in both parties; and what the memorialists and thousands of others really mean when they complain of the legal way of construing mercantile contracts is, that they would like to see a body instituted which would say to two merchants, "Whatever you may have said in fact, this is what you ought as men of business and probity to have said, and you shall be compelled to act as if you had really said it." To give anybody whatever the power of exercising such a function would be to introduce uncertainty into all dealings, and to substitute the accidental sympathies of a particular class in a particular case for the settled law of the land.

ANOTHER name should be added to the list of the Lawyers in the new Parliament:

South Shropshire.....Mr. Jasper More

MR. SPRAGUE, the surgeon who was acquitted at Exeter about three weeks ago on the charge of attempting to poison his family, has been committed on a charge of rape in London. To say the least of it, this is a marvellous combination of mischances to fall to the lot of an innocent man.

Doctors have been gravely discussing in the newspapers whether a rabbit might not poison half-a-dozen persons by having itself eaten aconite. Now, in the first place, the poison must be diffused through the flesh of the rabbit before it could harm a human being feeding on it; for we do not eat the entrails of rabbits as those of woodcocks. Then the limbs of the rabbit must have been pretty equally divided among the family party, and then there must have been sufficient of the poison deposited in the flesh of each limb to make the eater of it ill—certainly a most improbable process. Moreover, some millions of rabbits are devoured in the course of ten years, and yet in all the time no other persons were ever poisoned by any one of them. Further, in the United Kingdom there are not, perhaps, five hundred houses in which the extracted poison of aconite is to be found. What are the chances that one rabbit in a million that was poisonous from eating aconite should have found its way to one of the five hundred houses that alone possessed the poison of aconite?

Surely, when there is in one room the poison of aconite and in another room a pie in which the poison of aconite is found, it is more reasonable to conclude that the poison got into the pie from the adjoining room somehow, though the agent may not be discovered, than to ascribe it to the improbable contingency of the rabbit whose corpse was in the pie having been one rabbit in a million that had eaten aconite enough to poison those who picked its bones. This is not a bad specimen of the manner in which learning often endeavours to confound common sense.

MARRIED life in certain classes of the community, according to Sir JAMES WILDE'S judicial experience, cannot be a very blessed state for women. His description of it is, that a young husband, either not agreeing with his wife or wishing to get rid of her shortly after marriage, endeavours to shake her off. Beginning generally by treating her with neglect and contempt, next he often half starves her, often beats her, often insults her by open adultery, and he ends by deserting her and cohabiting with another woman. He makes marriage a merely temporary arrangement, hoping that his wife will seek to free herself from that title by a suit for dissolution, and they will part from one another for ever at the door of the Divorce Court. This painful and discreditable state of things seems to us to afford some justification of the opposition offered by Mr. GLADSTONE, Mr. WALPOLE and others to the Divorce Act of 1857. Indeed, Sir JAS. WILDE goes so far as to declare that the possibility of freedom begets the desire to be set free, and that the great evil of a marriage dissolved is, that it loosens the bonds of so many others. He even uses the language, "if it be wise to repress divorce, it is wiser still to go a step higher and repress that conduct which makes divorce possible;" and he considers that the powers of the court will be turned to good account, if, while meting out justice to the parties, such order should be taken as to stay and quench the desire for freedom and to repress the evil. How is this to be done? Sir JAMES thinks that those for whom shame has no dread, honourable vows no tie, and violence to the weak no sense of degradation, may still be held in check by an appeal to their love of money. Such powers as the court possesses under the statute he will put in force. The public will be grateful to the Judge Ordinary if, when all the other vows of love and duty, on the faith of which a woman yields herself to her husband, can be cancelled by a dissolution decree, one vow, "with my goods I thee endow," shall, in spite of a husband's faithlessness, still remain not wholly broken.

At the time when the power of divorce was confined to the Legislature, by proceeding in the House of Lords, it was the practice in Bills of that nature, where the wife was the complaining party, to introduce clauses enacting that, if she married again, she and her after-taken husband should have the same rights as if the divorced husband had died; also that the divorced husband should be barred of all claim on the injured wife's estates, goods, chattels and personal ornaments, enjoyed by her in possession in her own right, or which she might afterwards in any way acquire. As regards her own property then, she was restored to the condition of a *feme sole*. The Legislature went further. Even though the wife were not the injured party, the husband was always obliged, as a term of the divorce, to make some provision for the woman who was to be deprived by law of marital protection. The Divorce Act of 1857 does not contain any enactments to regulate, after dissolution, the wife's interest which existed in her own or her husband's property during the marriage. The amendment Act of 1859 (c. 61) does enable the court, after a final decree of nullity or dissolution, to inquire into the existence of ante or post nuptial settlements of the parties, and to make order, with reference to a whole or a portion of the property, settled either for the benefit of the children of the marriage or their parents. On this enactment we made some remarks, in comparison of the Scotch with the English law, on the 22nd April. But, while there is no more general enactment on the subject of the rights of the parties as to property after the dissolution, the power formerly exercised by the Legislature to secure a provision for the wife has, in a limited manner, been conferred on the court. By the 32nd section of the Act of 1857 the court may, if it shall think fit, order that the husband shall, to the satisfaction of the court, secure to the wife such gross sum of money, or such annual sum of money for any term not exceeding her own life, as, having regard to her fortune (if any), to the ability of the husband and the conduct of the parties, it shall deem reasonable, and for that purpose may refer it to a conveyancing counsel of the Court of Chancery to settle a proper deed.

The manner in which the court has exercised the power given by the 32nd section may be seen from some of the reported cases which we shall mention. The court has not been so merciful to erring wives as was the wont of the Legislature. This may possibly be attributable to the provision that the court is to have regard to the conduct of the parties. In an early case, 1859, *Kents v. K. and Montezuma*, 32 L. T. 320, which, it may be remembered, was a great condonation case, heard before the full court, Lord Chancellor CHELMSFORD giving judgment, a decree of dissolution was made on the ground of the wife's adultery. Her counsel

asked for a sum of money to be secured to her under the section, stating that she had no fortune, but that on her marriage a settlement was made by Mr. Keats, by which, in the event of her surviving him, she would be entitled to the interest of 10,000*l.* for her life, with the power of disposing by will of one-fifth of that sum. The court, which then had no power to interfere with settlements, thought it fair that a deed should be prepared securing during Mr. Keats' life an annuity to his wife of 150*l. quamdiu casta vixerit*, on condition of her giving up the power of disposal of the one-fifth. Another case, decided in 1861, also presented the wife as the erring party. She petitioned for judicial separation on the ground of cruelty. The husband answered, denying the cruelty, and charging adultery; and, further, he petitioned for dissolution on that ground, on which a decree was made in his favour. The wife then petitioned under the Act to be secured a gross sum or an annual sum for permanent alimony. But Judge Ordinary CRESSWELL characterised the attempt as very novel. He could not think that the 32nd section intended that after a decree *nisi* of dissolution obtained against the wife, she should be at liberty to file her petition for alimony. Accordingly he dismissed the wife's petition: (*Winstone* v. *W.* 3 L. T. Rep. N. S. 895.) But in *Bent* v. *B.*, 5 L. T. Rep. N. S. 139, where the husband had received the wife's fortune, and damages were recovered against the co-respondent, the Court ordered a provision for the wife. It may be remembered that by the 33rd section the court has power to direct that the whole or any part of the damages shall be settled for the benefit of the children (if any) of the marriage, or as a provision for the maintenance of the wife. The damages, at Mr. Bent's suit, were assessed at 1000*l.* The Judge Ordinary suspended the decree in order that application might be made as to the way in which the damages should be applied, and also as to the husband making some provision for the wife. Application was accordingly made on her behalf under the 32nd section, grounded on affidavits, that at the time of the marriage she was possessed of 1678*l.*, which the husband had received, there being no settlement; and that she had no property or means of subsistence. It was submitted to the court that a settlement should be made of an equal sum, giving her a life-interest and some power of disposition. The husband preferred that interest on the 1000*l.* damages should be settled on her, and afterwards that sum on the children. The Judge Ordinary ordered that 1000*l.* be invested in the names of trustees and be settled in the manner desired by the husband, the interest to be applied for the benefit of the wife so long as she conducted herself properly and remained unmarried, and after her interest ceased, then for the children. The 1000*l.* damages would be paid to the husband in lieu of the 1000*l.* to be settled and the decree be suspended until the settlement was made.

Where the circumstances were such that the misconduct was on the wife's part and the husband had become, if not legally, yet in fact, relieved from the burden of her support, the Court refused her the benefit of the 32nd section. Thus, the wife's adultery having resulted in forcing the husband to retire on half-pay as his means of subsistence, and the co-respondent having, before the suit, bound himself to allow the wife 100*l.* a-year while she lived with her mother, the Court refused to make any order on the husband for the wife's maintenance: (*Ratcliff* v. *R.*, 7 W. R. 726.)

The court will not order money of the husband to be handed over to the wife, although the husband be desirous that she should have it. In *Robotham* v. *R.*, 30 L. T. 326, where the decree for dissolution was made by reason of the husband's bigamy with adultery, a sum of money stood in a savings bank in the joint names of the husband and wife. The husband, who was at New York, appeared to wish the wife to become possessed of the money. The Court made an order on him, intimating that an application might be made to the Judge Ordinary for an attachment. The order was, according to the terms of the section, that the husband should secure the sum to the wife, the court having no power to order him to hand it over to her: (27 L. J. 63).

In all these instances but the last the wife was the party in fault, and, as we have seen, in such case the court will not on her bare petition, there being no inducing circumstances, order any provision to be made for her maintenance. Judge Ordinary CRESSWELL rejected the idea as a novelty. Probably the present Judge Ordinary would take the same view, notwithstanding that in the recent case of *Sidney* v. *S.* (July 25th), where he depicted the wedded state of young couples in certain classes in the above-mentioned sad colours, he cited the analogy of the Legislature, as always expecting the husband to make some provision for the woman from whom he was about to be set free. But in cases before the House of Lords the circumstances of life were different from those in the ordinary class of cases in the Divorce Court, and involved greater checks on adultery. Sir JAMES WILDE expressed it to be the foremost duty of the court, in dispensing the remedy of divorce, to uphold the institution of marriage. The motive to subvert it would no doubt be as strong on the wife's part, if she thought that by her adultery she could gain her liberty with a pension, as it would be on the husband's, if he thought that his would rid him of his wife in person as well as in pecuniary dependence. While *Winstone* v. *W.* has guarded the institution of marriage from the one undermining evil, *Sidney* v. *S.* has effectually protected it from the other. In former cases, where the husband was the offending party, as in *Fisher* v. *F.*, 2 Sw. & Tr. 434, and *Ex parte Holden*, 7 L. T. Rep. N. S. 791, permanent alimony had been decreed to the wife, but not on the liberal scale of a third or a half of the husband's income, as used to be the practice in the Ecclesiastical Court on a divorce *à mensâ et thoro*. It was argued now not to be desirable that the wife should have a pecuniary interest in preferring divorce to judicial separation; but this argument was met by Sir JAMES WILDE with one more forcible, that it was less desirable that the husband should have a pecuniary interest in adding cruelty or desertion to his adultery, and thus evading the payment ordinarily allowed on judicial separation. The husband, in the present case, was proved to possess considerable property in addition to his professional income, and to have treated his wife very brutally. The Judge Ordinary was of opinion that the wife ought to be decreed an annual sum from the respondent of 245*l.*, which, with her own means, would give her an income of not less than 400*l.* a-year. That sum would not place her in the same comfort as before, but it approached as nearly as the judge had been able to calculate the sum she would have received in the Ecclesiastical Court as permanent alimony.

Adverting to the language of the 32nd section, Sir JAMES WILDE regretted that the machinery created by the statute was not entirely suited to the circumstances of those who, with a sufficient income from their labour, had yet no realised property; and he thought it would be for the Legislature to determine whether it would accord or withhold amended powers. The machinery of the Act does not appear to us to be insufficient to reach an income derived from labour, if the term "secure" be liberally construed, as, we submit, it ought to be. Every means of security which a conveyancing counsel could devise would be within the term. Why should the deed not compel the husband to agree to the appointment of a receiver, if that be thought needful in addition to his bond or covenant? The kind of security would seem properly to depend on the nature of the source from which the intended provision is to be derived. The husband is entitled to no indulgence where the suit is against him, and ought to submit to the deed or instrument of security in the shape which the conveyancing counsel, settling and approving it, shall deem most effectual for the purpose of the enactment.

THE EASEMENT OF LIGHT—SIR HUGH CAIRNS' ACT.

(*Continued from page 496.*)

HAVING shown the ground of the jurisdiction in injunction to protect the easement, and noticed cases giving information on the general policy of the Act, we come now to the particular cases on light, where the application of the Act has been the subject of decision.

Johnson v. *Wyatt*, 9 L. T. Rep. N. S. 618, before the Lords Justices on appeal from Vice-Chancellor Wood's court, already quoted on the general policy, was similar in the character of the alleged obstruction to *Jacoub* v. *Knight* (*ubi supra*). A photographic room was raised by the defendant on buildings at the back of his house, next door to the plaintiffs. Lord Justice TURNER, looking to the evidence, thought that the plaintiffs failed to establish a case to call for the interposition of the court by way of injunction: first, there would be light and air coming to the windows in question from other quarters sufficient for all ordinary purposes of domestic comfort and enjoyment; secondly, as to the alleged diminution in value, it was not referred to the alleged diminution of light and air: that the windows might be overlooked, and the value thus diminished, were matters with which the court had nothing to do. Then, as to the question of damages, Sir Hugh Cairns' Act had, he thought, given the court jurisdiction to entertain this question of damages; and, having regard to the spirit and intention of Mr. Roll's Act, he thought that the court ought, under the circumstances of the case before it, to exercise this jurisdiction. The Lord Justice had therefore considered the question of damages, and looked into several cases at law on the subject (which he cited). Upon the authority of these cases his opinion was, that the plaintiffs had not established a sufficient case to entitle them to any damages. The bill had been rightly dismissed. Knight Bruce, L. J. said he should probably have thought it better that, without dismissing the bill, for the present at least, the case should stand over, with liberty to the plaintiff to sue at law; but he must have regard to the present state of the statute law. The Appeal Court, referring to *Johnson* v. *Wyatt*, took the same view of its power to apply the Act, for the purpose of damages, although there was not sufficient ground for an injunction, in a case of nuisance from manure traffic on a railway (*Swayne* v. *The Great Northern Railway Company*, 9 L. T. Rep. N. S. 745); but, looking at the nature of that case, the Court did not think it would be well advised in going into the question of damages, but that the case could be more effectually disposed of in a court of law than a court of equity. The law, Turner, L. J. said, stood thus: according to Sir Hugh Cairns' Act, the court had jurisdiction to give damages in a case where the bill was properly filed in the court; but upon Mr. Rolt's Act it was not compulsory on the court to exercise that jurisdiction. The court had the power therefore, he was under no compulsion. The conclusion from these two cases then is, that so long as a bill is properly filed in the Court of Chancery, the court, although the case be not strong enough for an injunction, will entertain the question of damages, unless it thinks that the case can be more effectually disposed of in a court of law. But this exception would not ordinarily apply to the circumstances of a case of light.

The facts in the case of *Jackson* v. *The Duke of Newcastle*, 10 L. T. Rep. N. S. 635, have already been shortly alluded to. Lord Chancellor Westbury found, he said, a threatened obstruction which would, no doubt, abridge the light then received through the window of the counting-house, but it would still leave, beyond all doubt, an abundance of light for the ordinary operations which were then carried on in that counting-house. First of all, then, it was not a case in which he could say that the abridgment of the light which was then received in that small room, called a counting-house, would, in the language of Lord Eldon, materially impair the comfort of the existence of those who dwelt in the house, and the Lord Chancellor could not say that the abridgment of the light would, to such a material extent, detract from the value of the counting-house, considered as an integral portion of the business premises, as materially to affect the suitableness of those premises for the purposes to which they were then applied. But then it was possible that premises in that situation might thereafter be made applicable to a different business, in which the proposed abridgment of light and air would operate most materially to the prejudice of the owners of the premises, and might interfere with their valuable adaptation. The question then was whether the court could interfere by way of injunction, when that injunction would be founded, not upon the extent of present injury, but upon an injury which, having regard to a possible future destination of the premises, might materially affect their value. The Lord Chancellor did not find that this question had been anywhere decided; but the ground of injunction was an injury for which damages at

aw could be obtained, and those would be only or an amount of present injury. "At the ame time," says the Lord Chancellor, "I am ery sensible of this, that great injury may in ality be done by an interference with property, t present not attended with that amount of njury, but which amount of injury may be consequent upon a very probable future application nd use of the property." The Lord Chancellor, oticing that it would be competent to the plaintiff o improve the light by replacing the old-fashioned asements with single pieces of plate glass, dissolved the injunction which had been granted by he Master of the Rolls, the plaintiffs to be at iberty to apply touching the damage sustained y them, and also to be at liberty to bring any ction at law; if they preferred to bring an action rather than have the damages assessed by the court, the Lord Chancellor would not deprive them of that opportunity; and the defendants were not without leave of the court to move to dismiss the bill for want of prosecution. Counsel, who were allowed time to search, could find no authority for an injunction on the ground of possible future injury (Ib. 802), and the parties arranged that the damages should be assessed by the Lord Chancellor. In this case, then, although the amount of present injury was not thought sufficient for an injunction or for damages at law, and although an action could not have been maintained for possible future injury, Sir Hugh Cairns' Act, we see, was applied in respect of the possible future injury.

Next may be noticed the much-used, and somewhat abused, case of *Isenberg* v. *The East India House Estate Company (Limited)*, 9 L. T. Rep. N. S. 625. The facts were, shortly, that the plaintiff, holding under a long lease at the corner of Lime-street, warned the company not to raise their building higher than the old East India-house, was assured by the company that his light would be improved in every respect, gave another warning, found an extra number of workmen put on, gave a third warning, filed his bill praying an injunction, and subsequently found the building raised fifteen feet higher than before, with a heavy cornice. The Master of the Rolls granted a mandatory injunction, to restrain the company from permitting the building to remain at a greater elevation than the India-house pulled down, to the obstruction or prejudice of the plaintiff's ancient lights or windows. But, on appeal, the Lord Chancellor at the outset observed that, unless he was satisfied by the plaintiff's counsel that his opinion was incorrect, he should certainly not permit the injunction to stand so far as it was mandatory, because, as he now had the power of substituting damages, he should direct an inquiry as to the amount of pecuniary damage sustained by the plaintiff. The judgment was to the effect, that every one of these cases depended on its own circumstances. The common law remedy, by action, was liable to be repeated as long as the cause of damage continued: on that ground, and by reason of the damage in many cases not being estimable in money, the court had exercised jurisdiction. As far as the preventive remedy went, the jurisdiction was exercised without difficulty and rested on the clearest grounds. But the exercise of the mandatory power to compel the defendant to restore things as they were must be attended with the greatest possible caution. It should be confined to cases where the injury done could not be estimated and sufficiently compensated by pecuniary payment. An interruption of the supply of water to a fulling manufactory might so interfere with the trade carried on as to render it difficult to define the sum which would be an adequate compensation. In the present case it was a matter of very doubtful result whether any damage had been sustained, but beyond all question the whole injury might be abundantly compensated in money. "To what end," asked the Lord Chancellor, "should I exercise a jurisdiction which would simply be mischievous to the defendants without being attended with corresponding benefit to the plt., unless indeed I could approve of the plt. taking advantage of the mischief and loss which the defendants would have to sustain in order to exaggerate his claim for pecuniary damage?" It was a case in which the court would properly exercise its power to assess pecuniary damages, and it would direct an inquiry in order that the amount might not be increased by any extraordinary demand that the plaintiff might make, and there would be included a power to direct any work to be done by the defendants for the benefit of the plaintiff (meaning enlargement of his windows) as part of the compensation. The Lord Chancellor expected that the defendants would meet the plaintiff in a liberal manner, intimating beforehand that he considered it a case in which a jury would undoubtedly give liberal damages.

We revert now to the *Carriers Company* v. *Corbett*, V.C. K., 12 L. T. Rep. N. S. 169, also on mandatory injunction. On the 26th Aug. last the plaintiffs' surveyor reported to them on the rapid progress and increased height of the deft.'s new building. A correspondence took place; the front wall was completed on the 12th Sept., and the bill filed on the 13th. The motion for the injunction having been ordered to stand over till the hearing, inasmuch as, on an interlocutory application, an injunction to pull down a building could not be granted, the Vice-Chancellor said, in giving judgment at the hearing, that if the buildings had not been completed there would have been ground for interference by injunction, but as they had been completed the damage had been occasioned, and the question was whether the court would order the pulling down of the buildings. It had been decided that where a man had a smaller tenement, which was interfered with by a much larger one, as, for example, might be the case with some of the large hotels now building, the court would not order the large building to be pulled down, but it considered that it was a question for pecuniary damages. If the Vice-Chancellor thought the injury done was so trivial that damages should not be given, he would not direct the inquiry; but as he thought that there was a material injury and such as the plaintiffs were entitled to be relieved against, he would direct an inquiry as to the damage caused to the plaintiffs' premises. It will be observed that the Vice-Chancellor speaks of *Isenberg's* case as being one between a small and a large tenement.

The doctrine of *Isenberg's case* does not seem to be fully recognised by the Master of the Rolls from his judgment in *Dunball* v. *Walters*, 12 L. T. Rep. N. S. 759. There the back windows of the plaintiff's houses, which were ancient or indefeasible lights, looked out on their very small yards, separated from the defendant's premises by a party-wall. This was being rebuilt by the defendants, to serve for the erection of a warehouse, and had reached its original height, when the plaintiffs objected to it's being raised higher; notwithstanding their repeated objections, it reached a considerable additional height. The bill was then filed, praying that the defendants might be restrained from erecting a building of greater height then the original height of the wall, and also from allowing the wall to remain of any greater than that height. Before the motion for the preventive injunction the defendants had given an undertaking not to increase the height. They did not, in fact, intend to raise the wall any higher, and the object of the motion was to prevent the defendants from urging at the hearing of the cause, as a defence to a mandatory injunction to restore the wall, the hardship and expense which would be entailed on them by the necessity of pulling down the warehouse which they were in the course of constructing, so that the plaintiffs would, perhaps, be left to their compensation. The Master of the Rolls (on the motion), said that, certainly many of the observations made in some of the late cases in Chancery seemed to point in that direction, but he was of opinion that nothing but an Act of Parliament could give any one man the right of taking the property of another without his consent, even although it were then intended to make to the owner of such property an adequate pecuniary compensation. He was also of opinion that the right to obtain light and air over the land of a neighbour, which had by lapse of time become indefeasible, was as much property as the land itself which enjoyed that easement over the land of another. The Master of the Rolls was further of opinion that the erection in question did materially interfere with the access of light and air to the plaintiff's windows. It would appear to him by no means improbable that at the hearing of the cause he should make an injunction in a mandatory form, which would have the effect of causing the demolition of a large part of the building then in course of completion, unless indeed the doctrine of the court to which he had referred should be settled to be that in such cases compensation alone could be afforded. At the present stage of the case he would continue until then the defendants' undertaking.

(To be continued.)

THE REPORT OF THE PATENT LAW COMMISSION.

(Concluded from p. 286.)

The whole question of the expediency of a patent law having been left open by Lord Stanley's late declaration of opinion in the House, we resume our search for facts, legal as well as commercial, bearing on the policy of the law, which have appeared in the evidence.

Mr. John Platt, a very large manufacturer in Oldham, states, as an example of the mode in which the preliminary investigation before the law officers operates, that he has had a patent refused, and has not known the cause of refusal, but that by altering a word the patent has been passed a few days afterwards. In America, where not long ago he had one refused, he sent further information, and the party appeared again before the preliminary tribunal, and after explanation and more explanatory notes, the patent was granted. The system here seems to be to grant to all applicants patents, leaving the parties to fight it out in the country afterwards, as to whether there is novelty or not. It becomes, in consequence, very difficult for a person to carry on business at all. In the case of *Jones* v. *Hucking*, the fourteen years of the patent had expired, and five years, so that it was nineteen years from the date of the patent before the action was commenced. The original patentee was a person of no money, but he persuaded some lawyer to advance money in order to take up the case. Many of the machine makers, rather than contest the case, paid money; one paid 2000*l.* to settle. The system was, to attack the smaller men, and by that means to extract money in different ways, and there have been a number of instances in which such parties have paid. After all, it turned out that the witness had made a number of those machines before the date of the patent. The models which are deposited, in America, on obtaining a patent are not working models, but diagram models, in wood. They are about one-eighth of the size of the original machine. Where the invention is entirely new, they are generally models of the whole machine, but where it is a matter of combination, then it is not so general. As regards the proper subject-matter of a patent, there are what are termed new inventions, as, for instance, making bricks from dry clay, which had never been done before, or the introduction of air into metals, as in the case of Bessemer's patent. Then there is another kind of inventions, such as applications of known things to other purposes; for instance, a steam-engine may have a very good motion attached to it, and that motion shall be applied to another machine. But the difficulty is in a third kind, speaking of mechanical matters, when one comes to a combination, where, for example, there are two motions, each performing in the same machine a distinct motion, and then a patent is taken out for a combination of the two together by simply placing a chain or a lever across them: what they do separately they do combined, and no more. A very great number of patents are taken out for that purpose. Such a case as that of the Jacquard loom differs from these: it is certainly a combination of known mechanical parts, but not one of them did separately what the Jacquard loom does itself. It is otherwise where the two motions themselves are doing separately what they would do conjointly. The cases of such patents are so difficult to comprehend, that a person may be making these machines for years, and yet not know that any combination of that kind has been patented. For the trial of patent cases, the general opinion of parties with whom the witness has come in contact is, that the ordinary advantages supposed to arise from jury trial may be safely surrendered. The granting of licences is objected to by some large manufacturers, who like to keep the monopoly of a patent in their own hands, but as a general rule patentees think it unwise to refuse to grant licences for a proper consideration. On the question whether it would be advisable to have a renewal at the end of the first three years under terms to grant licences, there is no doubt that at the end of that time it is determined whether a patent is valuable or not, although there are many instances in which that is not the case

for example, in the case of Bessemer's patent. That patent has been granted for seven or eight years, and it is only just now (1863) coming into use. In the matter of foreign patents there is one clause in the French law which tells very much against the English people, and that is, that they grant you a patent and compel you to make the machines in France; at the time of the French treaty great complaint was made of that before the council sitting in Paris. In the patent system, there are only two questions as to which manufacturers find any practical disadvantage. The indiscriminate granting of patents now is a very serious question for people carrying on a large business. And then there is the next question as to the court, and a case being brought for trial into court by parties who commence different attacks upon you, perhaps with no other motive but to extract money.

Mr. Grove, Q. C., one of the commissioners, from his experience of the matter, thinks that before the year 1852, when the amended Patent Act was passed, there was a much smaller number of frivolous patents than since. The first instalment paid by a patentee is some test. None but those practically versed in the subject know how difficult it is to disabuse the mind of a supposed inventor of his invention. The witness has frequently shown men the thing which they have supposed themselves to have invented; they go away disappointed on seeing it, but the next day they come and say that there is some distinction in their invention. It is not new to the law of England that there should be an inquiry previously to granting patents. It is the existing law, which is this: a patent is no matter of right, a British subject has no common law right to letters patent for an invention. It results from an exception introduced by the statute of James, which, when monopolies were abolished, or rather when they were declared illegal, reserved a monopoly in letters patent for the first and true inventor of any new mode of manufacture. Therefore the law was and is that the Crown may *ex mero motu* grant letters patent for a new invention, but is not at all bound to do so. The Crown, of course, cannot act in person in the matter, but, so to speak, devolves its functions on its legal advisers, the Attorney and Solicitor-General, and they are to inquire and advise the Crown whether a patent should be granted for such and such an invention. Therefore the present law is that the patentee should make out a *primâ facie* case of promise in his invention. The question then becomes, not is a preliminary inquiry desirable, but, is it desirable it should be a little more stringent than it is? The words of the statute were not intended to apply to mere changes in form or user of minute and insignificant things. They apply to substantial manufactures—any great improvement in the manufacture of copper or iron, the introduction of such a manufacture as aluminium, the power-loom, the Jacquard loom, the steam-engine, and other things of that sort. But the courts have come, step by step, to include a greater number of inventions, as an improvement in a shirt frill, or the particular shape of a brim of a lady's hat, which are subjects of existing patents. It is true that progress in machinery is frequently effected by a continuous process of small improvements; but, on the other hand, there are very frequently jumps in those progresses. If you take the improvements in the loom, we have very notable ones, very distinctly recognisable steps, and we have also very minute ones, which are hardly of any comparative value. The witness occasionally had before him strong cases of the great number of patents of no practical value. They ultimately die, but they many times, in their short life, produce a great deal of inconvenience to the tradesperson. Frequently some person comes to consult the witness upon some little improvement which he has made in the articles which he commonly sells. He says: "I have produced this season a new pattern, and I have had a threat from A. or B. that I am infringing his patent; what am I to do? I must either destroy 20*l.* or 30*l.* worth of articles which I have made, or I must go to the expense probably of 500*l.* or 600*l.* to defend a patent action?" Mr. Fairbairn, a commissioner, remarked that frequently he was consulted by inventors, and told them their inventions were not worth a patent, but most of them went to patent agents and took out patents. Mr. Grove continued, that the present *ex facie* examination of the provisional specification by the law officers has the effect of diminishing the number of the mere fraudulent patents, taken out to catch up other persons' inventions. There are fewer dealers in patents. For the purpose of an effectual preliminary investigation, it might be necessary to publish the provisional specification, but it would often prevent a protracted trial at a future time: there are many cases where directly the defence is opened after a long trial the matter dies. The difficulty attending a preliminary investigation in the shape of a rule on a patentee to show cause to support his patent is, that it is a contest of the purse. A patentee's interest may be to sacrifice a large sum, in support, while no one of the public has a very strong interest to oppose. The patent, although for a very trivial thing, may, taking the vast extent of sale, be a very lucrative affair. There are two sorts of interests in patents: a patent may be an extremely valuable invention; for instance, the manufacture of aluminium is of the utmost importance, but it was of very little trade value for a long time. When aluminium was first made a practical manufacture, it was of no value to any tradesman at all; it would take probably ten or twenty years before such a thing could have any approach to practical value. On the other hand, the most frivolous patent, as a new boot heel, may be of very considerable value, from the number of bootmakers all over the country who would have to order it, every one of whom would pay an extremely trifling licence duty. The mere question of supply and demand would give us the latter inventions, but not the former. Thus, there is no want of the new fashions of the day being promoted, but the designers of them are not at all protected; but important inventions, if unprotected by letters patent, would be kept out by adverse trade interests. It was laid down by Lord Eldon and several older authorities, that every patent is to be construed as a bargain between the public on the one hand and the inventor on the other. The essence of a bargain is volition on both sides; the Crown might reject trivial patents. The thing could be worked. The greatest danger is in overcoming the strong feeling against such a power. From the practice of granting letters patent for everything, the public have a conception that it is a man's right. As an instance of a patent for an invention, new, useful, and yet trivial, a certain cloth was sold such as you see in the bodices of ladies' dresses, with stripes down and a sort of frill between, and a patent was obtained for simply taking this identical cloth, cutting it into halves, and hemming it into two frills. At present there are but three main questions which come before juries, novelty, utility and infringement. Two modes of preliminary inquiry instead are proposed: the one is, obliging the patentee at the expiration of three or seven years to make out a case for the continuation of his patent; the other is a more summary repealing of patents. There is a very great difficulty which occurs in actions of *scire facias*, and that is a question which may seem at first sight to be of little importance, but practically it is of very great importance, namely, having the first and last word. Previously to 1852, the person who wished to repeal a patent, in fact, though it was nominally the Crown had to open the case against the patent, the patentee then answered it, and then the promoter of the *scire facias* had the last word, and, previously to 1852, very few, if any, patents ever escaped the effect of a *scire facias*. If people could find the funds and means to go into court to support an action of *scire facias*, it was generally, if not universally, successful. There were only one or two exceptions. The mode was altered in 1852, the patentee had the right to begin, and very few patents have since been repealed. The patentee has a better chance in *scire facias* than in an action, because he is supposed to be attacked by the Crown, and therefore the sympathies are with him. The common argument is, that, after all, if you do not repeal the patent, it will do no harm; if it is a bad one the patentee will not be able to recover in any action for infringement; and that argument is generally found successful. The proceeding by *scire facias* is seldom adopted; security for costs must be given, and the Attorney-General be satisfied that there is a *primâ facia* case, also, it is worth the patentee's while to lay out a large sum. In the trial of patent cases things have now arrived at a dead lock. The courts cannot try these cases. Speaking of the last fortnight or three weeks (Feb. 1863), if every judge in Westminster who was sitting at Nisi Prius had been employed in trying the patent cases alone, the time would not have sufficed for it, to say nothing of work at judges' chambers, in settling particulars of breaches, notices of objections, &c. Trial by arbitration is longer and more expensive than trial in court. The arbitrator postpones the arbitration to his court business; it is the practical rule that arbitrations are not to interfere with court business. Whenever the arbitrator or any of the counsel has business in court, the arbitration is adjourned for two or three hours, or it may be weeks. Further, if important evidence has been given, next week fresh evidence will be brought forward to meet it. A jury has the advantage of preventing the fixity of character of mind which exists in a single judge. It would be extremely difficult to find a panel of skilled men free from bias in patent cases, also it would be difficult to find permanent assessors.

(To be continued.)

JUDICIAL STATISTICS.

No. II.

The Common Law Courts.

The number of causes entered for trial was 3823. The number in 1863 was 3519, and the average of the preceding five years was 3465, so that there is a steady increase of litigation, and especially during the last year. But rather more than one half of the causes entered for trial are not tried, being withdrawn or struck out; 254 were undefended. In addition to these, 40 causes were entered for trial in the C. P. of Lancaster; 2 in the C. P. of Durham; and 6 issues were sent down from the Probate Court.

The causes entered for trial at Westminster were nearly double in number those entered for trial at Nisi Prius, the proportions being 2501 at the former, and 1322 at the latter.

The nature of the suits tried at Westminster and entered for trial at all the circuits are thus classified:

Nature of the Suits.	At Westminster.	At Nisi Prius.
On promissory notes, bills of exchange, &c.	149	99
On bonds	29	7
For goods sold and delivered	168	141
For work and labour done	132	109
For money paid, advanced, or lent	46	36
For money received	26	25
For compensation for personal injuries, under Lord Campbell's Act	91	73
For compensation for other injuries from negligence	42	26
Replevin or distress	17	5
Trover or detinue	39	62
For breach of contract	135	102
Upon special contracts	54	73
For breach of warranty	8	15
For infringement of patents	7	8
For recovery of land (ejectments)	54	103
Trespass relative to lands, houses, &c.	36	144
Questions on wills	—	6
For breach of promise of marriage	9	27
Seduction	4	14
Libel	21	16
Slander	26	46
Malicious prosecution	3	9
False imprisonment	24	28
Assault	19	23
Interpleader issues	8	15
Nuisance	2	13
Breach of covenant	17	28
For recovery of rent	18	6
On life and fire policies	8	3
Other suits	25	61
	1219	1459

It is curious to note the character of the suits in town and country. Thus, although the causes entered for trial in London are double those tried at the Assizes, the actions for breach of promise of marriage tried at the latter are nearly threefold more than at the former. So it is with seduction, there being 14 cases on the circuits and only 4 in London. Another feature of this return is the immense number of actions under Lord Campbell's Act, amounting to no less than 172. This Act has done justice to many, but also it has been very much abused, for it is the favourite instrument for extortion by unprincipled suitors, and still more unprincipled lawyers, speculating upon the chances of a compromise. If so many cases have actually gone to trial, it may be imagined how many more there were in which the prudence of the defendant has dictated submission.

The Cause Lists on the Circuits present the following results:

Circuit.	Entered for Trial.	Tried.
Home	290	206
Midland	239	173
Norfolk	76	60
Northern	26	25
Oxford	120	83
Western	84	72
Bristol	40	28
North Wales	62	54
South Wales	47	36
County Palatine of Durham	23	17
County Palatine of Lancaster	363	232

The total entered for trial was 1370; the total tried 986, or 71 per cent. of the number entered for trial. These numbers have varied very slightly during the last five years, and show no perceptible diminution of the business.

The Judgments are thus classified:

On judges' orders:	
For default of service	2,135
On affidavit of service	26,755
On demurrers:	
For plaintiff	27
For defendant	10
On postea, writ of trial, and writ of inquiry:	
For plaintiff	1,494
For defendant or nonsuit	354
By default for plaintiff	4,028
On non pros. for defendant	155
On special cases:	
For plaintiff	10
For defendant	8
On judges' orders to stay proceedings:	
Warrants of attorney, certificates of arbitrators, &c.	1,588
Total judgments	36,564

These figures exhibit an increase of 8 per cent. above the number in 1863, and of 6 per cent. above the average of the preceding five years. The increase is seen in all the Courts, amounting, for the Q. B. to 9 per cent., for the C. P. to 11 per cent., and for the Ex. to 5 per cent.

INVESTMENT JOURNAL.

The Funds have been again slightly depressed under the anticipations of "the bad time coming." Such a combination of ills has not threatened us before—the cattle plague, the cholera, bad harvest weather. There is already a meat famine, or something very like it, and all other articles of food are rising in proportion. The clubs and eating-houses have increased their charge for dinners; milk and butter have advanced 20 per cent; bread has risen, and all will certainly rise very much more. This has depressed enterprise, and the Market droops accordingly.

By an advertisement in another column it will be seen that ample and safe investment for trust and other moneys at 5 per cent. is offered by John Brown and Company (Limited). The company's offices are at Sheffield.

The following are the fluctuations:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	249½	...	248	249½	...
3 per Cent. Red. Ann.	89¼	89¼	89⅜	89¼	89⅛	89¼
3 per Cent. Cons. Ann.	89¼	89⅛	89⅜	89⅜	89⅜	89⅜
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	71½	...	...
New 3 per Cent. Ann.	89¼	89⅛	89¼	89⅛	89¼	89⅛
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅛	90	89⅜	89⅜	89⅜	89⅜
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 3 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	218	...	218	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	99⅛	...	99⅛	...	...	...
India 5 per Cents. 1870	105¼	99⅛	105¼	105¼	105¼	...
India Bonds (1000l.)	...	...	...	...	...	...
Do. (under 1000l.)	...	...	...	...	...	...
India Debentures, 1853	...	...	...	...	...	...
Do do. 1854	...	...	...	...	...	...
Do. do. 1860	100	...	...	99⅛	...	...
India Enfaced Paper, 4 per Cent.	88	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	101¼	...	...	100¼	101¼	...
Do. do. 5 per c. May 1872	...	...	...	100¼	...	...
Ex. Bills, 1000l.	...	...	c	c	b	par.
Do. 500l.	a	...	d	...	...	d
Do. 100l. & 200l. 3 per c.	...	b	e	b	b	c
Do. Small, 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 2½ per cent. par.
b 3 per cent. 1s. pm.
c 3½ per ct. 3d. dis.
d 3½ per cent. 2s. dis. par.
e 3½ per cent. 2s. dis.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Taxation of Costs.—B. employed C., a solicitor, to prepare a composition-deed, of which the first trust was one for payment of the costs of its preparation. The debtor was afterwards made bankrupt. The trustees of the deed acted under it, and retained the solicitor, who received moneys, and incurred costs on their account. He sent in his bill of costs to them, including in it the costs of preparing the composition-deed. The trustees declined to pay those costs, and obtained the common order for taxation of the solicitor's bill. The taxing master struck out the items for preparing the deed. But it was held that, although the solicitor could not have recovered at law from the trustees the costs of preparing the deed, he was entitled to deduct such costs from the moneys for which he had to account to them, as the court would not put him to the necessity of filing a bill to enforce the trusts of it: (*Re Sadd*, 12 L. T. Rep. N. S. 817. M. R.)

Equity Practice—Executor—Costs.—To deprive a malfeasant executor of his costs, it is not necessary in all cases to file a bill against him. If he deals with the estate vexatiously or improperly he will not, in an administration suit, be allowed any costs, though he will not be ordered to pay any: (*Gilbert* v. *Lee*, 12 L. T. Rep. N. S. 818. V.C. K.)

A motion for which notice has been given for a seal day, but not moved on that day, may be moved on a subsequent day, unless the order for costs as an abandoned motion is made during the seal for which the first notice was given: (*Wedderburn* v. *Llewellyn*, 12 L. T. Rep. N. S. 824. V.C. W.)

Divorce Court Practice.—On a question of cruelty, the court will not consider the liability of danger which the wife would incur by returning to cohabitation with a husband subject to uncontrollable fits of drunkenness, he having used a certain amount of violence to her while under the influence of drink, and particular acts of violence will be viewed in connection with the cumulative mischief of the married life: (*Power* v. *Power*, 12 L. T. Rep. N. S. 824.)

Where the wife obtains a decree of divorce the court is inclined, so far as the circumstances of the case admit, to order the husband to secure to her a permanent maintenance on the principle, as to amount, of permanent alimony on a decree of judicial separation: (*Sidney* v. *Sidney*, 12 L. T. Rep. N. S. 826.)

MARLBOROUGH-STREET POLICE COURT.

Mr. Charles Lewis, barrister, of Cumberland-street, appeared before Mr. Knox to answer a summons charging him with using threatening language to Mr. Edmund Oldreive, solicitor of Great Portland-street.

Warner Sleigh appeared for the complainant.

Mr. Oldreive said he was creditors' assignee under the bankruptcy of the defendant. On the 3rd Aug. the defendant came into his office half tipsy and stood looking at him. He told the defendant he did not wish to have anything to say to him, upon which the defendant used disgusting language, and said, "You shall hear me." He added, shortly afterwards, "I'll murder you, you ——." The defendant continued to make use of abusive language for some time, and when told that he must leave the office, he tried to push the point of his umbrella into the complainant's eye. He sent for a constable, but as the messenger was long in returning he went downstairs and was followed by the defendant. He told his clerk to open the door, at the same time putting his hand gently on the defendant's shoulder, upon which the defendant seized him by the hair and whiskers. He then procured a constable. The constable said he could not interfere unless he first heard a cry of "Murder," but he advised him to put the defendant out of the house, and said that if any resistance was made he would come to his assistance. When the defendant saw the constable he said he was a barrister, and did not mind paying 40*s*. He considered that he went in fear of his life.

In reply to the defendant complainant said he was formerly a clerk in the defendant's father's office.

The complainant's clerk corroborated the complainant's statement with respect to the defendant not being sober and using very disgusting language.

The defendant strongly denied having made use of the bad language attributed to him. He could call half the Bar to prove that he was incapable of using ungentlemanly language. The complainant was formerly a clerk in the service of his father, and used to borrow money for him. When his father died the complainant brought him a long account, and the result was an action, which was tried at the Court of Exchequer.

Sleigh objected to the defendant entering into matters unconnected with the charge.

The defendant said he had no doubt the complainant thought he had come to the office to assault him, as he had been arrested by the complainant. He denied using the disgusting words mentioned by the complainant. It was a serious matter to him, and he should like some of the people in the shop below to be called to say if they heard the bad language imputed to him.

Mr. Knox said he must deal with the case as it was before him. The defendant could have called witnesses had he thought proper. The complainant had sworn that the defendant came to his office and used bad language and a menace, and he was corroborated by his clerk. The defendant emphatically denied the charge. It was with reluctance he came to the conclusion that the defendant did make use of the language and the threats alleged, and he must therefore call upon him to find one bail in 50*l*. to keep the peace for six months.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

Bethell's Patent Coke Company (Limited).—Petition for winding-up to be heard before V.C. W. on the next petition day. Solicitor, T. Southgate, 7, King's Bench-walk, Temple, London, for E. H. Clarke, Exeter.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Baker (William Joseph), King's Lynn, Norfolk, woollen-draper. Oct 2; D. Ward, solicitor, King's Lynn. Nov. 17; M. R., at noon.

Brownlee (Wm.), Marlborough-road, St. John's-wood, Middlesex, Esq. Oct. 1; Harrison and Lewis, solicitors, 24, Old Jewry, London. Nov. 7; V.C. S., at two o'clock in the afternoon.

Colemere (Joseph), Ellesmere, Salop, grocer and corn-dealer. Nov. 2; W. Raimondi, solicitor, 16, Houghton-street, New-inn, London. Nov. 7; V.C. K., at noon.

Graves (John Henry), Lucknow and Setapore, a lieut. in the Hon. East India Company's service. Dec. 1; J. H. and H. R. Henderson, solicitors, 14, Argyle-street, Oxford-street, London. Dec. 21, at noon.

Harwood (Charles), Mount-place, New Charlton, Kent, formerly of King-street, Woolwich, gentleman. Oct. 10; Plews and Irvine, solicitors, 51, Mark-lane, London. Nov. 6; V. C. S., at two o'clock in the afternoon.

Horlock (Wm.), Ash-hills, Shorwell, Isle of Wight, yeoman. Oct 2; Cunliffe and Beaumont, solicitors, 43, Chancery-lane, London. Nov. 4; V.C. W., at noon.

Huntley (Richard Freville), Boxwell Court, Gloucestershire. Oct. 28; Vizard and Anstie, solicitors, 35, Lincoln's-inn-fields, London. Nov. 15; V.C. S., at one o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Berridge (Samuel), Friar-lane, Leicester, solicitor. Sept. 27; Berridge and Morris, solicitors, Friar-lane, Leicester.

Blackwell (Ann), 14, Cottage-road, Chester-square, Pimlico, Middlesex, widow. Sept. 14; Brundrett, Martin, and Randall, solicitors, 10, King's-bench-walk, Temple, London.

Bramley (Edward), Sheffield, solicitor. Oct. 21; Gainsford and Bramley, solicitors, 6, Paradise-square, Sheffield.

Hadley (Nathaniel), Brighton, Esq. Oct. 2; Hart and Hart, solicitors, Dorking.

Hill (Thomas), 1, Brooksby-street, Islington, Middlesex, gentleman. Sept. 9; W. G. Covernton, solicitor, 3, Gray's-inn-square, London.

Hutchinson (Charles), Swansea, Glamorganshire, jeweller. Sept. 29; J. T. Jenkin, solicitor, 236, High-street, Swansea.

Pelly (Sir John Henry), Warnham Court, Sussex, Bart. Sept. 20; Fairfoot, Webb and D'Aeth, solicitors, 13, Clement's-inn, London.

Robinson (Isaac Norman), Brunswick-street, Carlisle, banker's clerk. Oct. 10; Bendle and Son, solicitors, 1, Hodgson's-court, Carlisle.

Terry (Wilkins George), 5, Melon-cottages, Kensington, Middlesex. Oct. 1; Stileman and Neate, solicitors, 16, Southampton-street, Bloomsbury-square, London.

Whitbottom (Mary), Briton street, Southampton. Oct. 10; W. Hickman, solicitor, Southampton.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Birch (Eliza), Baker-street, Portman-square, London, spinster. 43*l*. 11*s*. 8*d*. New Three per Cents. Claimant, T. Birch, administrator.

Knight (Elizabeth and Hannah), Webber-row, St. George's-fields, Middlesex, spinsters. 856*l*. New Threes per Cents. Claimant, L. V. M. Picheux.

Newbery (Charlotte), Brunswick-house, Great Malvern, spinster. Dividend on 1440*l*. 16*s*. 1*d*. Three per Cent. Consols. Claimant, said Charlotte Newbery.

Robinson (Jonathan), Stratford, Essex, butcher. Dividend on 72*l*. Annuities for terms of years. Claimant, T. W. Crooks, executor.

Woodcock (Henry Cleever), Rearsby-hall, Leicestershire, Esq., and Latham (Wm.), of Melton Mowbray, Leicestershire, attorney-at-law. 231*l*. 13*s*. 3*d*. Three per Cent. Consols. Claimants, H. C. Woodcock and W. Latham.

Attendance at the Judges' Chambers.—Mr. Baron Channell again attended on Saturday at the Judges' Chambers and heard a number of summonses. His Lordship will be succeeded by Mr. Justice Montague Smith, on his return from circuit, and the sittings for the remainder of the Long Vacation will only be held twice in each week.

The Solicitor to the Treasury has cautioned Mr. Duffy, the Dublin publisher, against selling tickets for the religious and charitable lotteries, with whose advertisements the columns of the Roman Catholic journals are filled. As these lotteries are illegal, the sale of their tickets exposes the vendor to heavy penalties; and the practice of thus recruiting the funds of religious speculations is, to say the least of it, unworthy and undignified.

THE BENCH AND THE BAR.

PROMOTIONS AT THE BAR.

The following letter has been written by Mr. Webster:

The Wolverhampton Electors, Lord Chancellor Westbury, and the Wolverhampton Election of 1859.

To William Manby, Esq., Wolverhampton.

My dear Sir,—Your remarks presently stated towards the close of the short conversation between us, about five weeks ago, on our accidentally meeting in Carey-street, Lincoln's-inn, after an interval of about six years, have occurred to me frequently, and as they referred to my appearance at Wolverhampton on the occasion of the present Lord Chancellor, then Sir R. Bethell, and Mr. Villiers addressing the electors in 1859, they were not on a subject exclusively, if at all, private. You will remember that you said just as we were parting, "What a mess your *protégé* is in. I always call the Lord Chancellor your *protégé*. I never was quite satisfied with your coming down to Wolverhampton with Sir R. Bethell as your *protégé*." I said, "Come and dine with me at the Reform Club and I will tell you all about it," and I wish you had done so. Such at least was the effect of our conversation, if not the very words we used; and as you are not quite satisfied, it is not improbable that many others may be in the same state of mind, and therefore notwithstanding the French adage, *qui s'excuse s'accuse*, I have determined to write to you a letter, that may be made public.

I had mentioned my wish to enter Parliament to my late excellent and much respected friend Mr. James Shipton, of Wolverhampton, and he with the kind and valuable assistance of a few other gentlemen, and especially that of yourself, introduced me to the Wolverhampton electors. What occurred must still be remembered by many. In short, although I was not pledged to become, I had so acted, under circumstances by no means unfavourable to me, as to raise the expectation that I should become, a candidate for Wolverhampton in the event of either Mr. Villiers or Mr. Thorniley retiring. It was owing to the position in which I thus stood towards the Wolverhampton electors, that Sir R. Bethell put himself in communication with me as presently mentioned. Sir R. Bethell was no stranger to me professionally. He had been engaged with me as counsel in certain suits in Chancery I had advised, which, whether the difficulty of the questions raised in them, or the amount of property the subject of them, be regarded, are amongst the most remarkable of those decided in that court during the last thirty years. I am glad to say they were brought to a perfectly satisfactory conclusion. Sir R. Bethell had more than once expressed himself towards me, as regards my professional qualifications, in terms far more favourable than I had any right to expect. My pamphlet on the Transfer of Land by the Registration of the Title, which has constituted the unbown materials for Lord Westbury's Act (I wish I had had the working of them myself), caused Sir R. Bethell to ask me to be examined by the Select Committee of the House of Commons on Lord Chancellor Cranworth's Registration of Assurances Bill, and I hope that the evidence I gave against that very pernicious measure was not altogether inoperative in staying its progress. I had, moreover, with able assistance, prepared the report of the Law Amendment Society on the Concentration of the Law Courts, and on the 24th Jan. 1859 read it at a public meeting of that society, Sir R. Bethell being in the chair. That report is the substratum of the recent Act for the Concentration of the Law Courts.

Whilst Lord Truro was Lord Chancellor the exigencies of the Great Seal required his Lordship to introduce a large influx of barristers, not less than about nineteen in number, from the Outer to the Inner Bar, and as some readers may not understand the distinction between the Outer and the Inner Bar, I remark that, although the Crown cannot augment the acquirements, the natural talent, the legal learning, or the moral qualities of a barrister, nevertheless, ever since the case of Mr. North, in the reign of that exemplary sovereign Charles II., the Crown has claimed, yea, and hath exercised over the competitive, learned, and independent profession of the Bar, the right (without any *public* services whereon to ground it) not only of nominating its own counsel, but of giving them pre-audience over barristers of longer standing. For the purpose of distinguishing its counsel when in court, the Crown dresses them in a rich costume, and segregates them within barriers nearer the judge, at least it is so in Westminster-hall. This is the Inner Bar, which is composed, with rare exceptions, of barristers retained by the Crown, and who are thereby disabled from appearing in any forensic capacity against the Crown, except by a special permission in writing, which must be paid for. The exceptions above referred to are barristers who accept from the Crown patents of presidency, which do not require the barrister to forego his forensic independence, but which secure to the patentees the rights of segregation and pre-audience. These patents are, however, not frequently applied for. The public pays for the inner Bar, because the Crown practically, though not theoretically, thereby creates a forensic monopoly; for example, a solicitor is practically, though not theoretically, obliged to take his leading counsel from the Inner Bar, and hence higher fees are extracted from the suitor than would be obtainable were there no such exclusive privileges, and yet it is certain that no return whatever can be made for the additional fee. Until a comparatively recent period, the number of barristers advanced to the rank of Crown counsel was very few, now they may be counted by tens of dozens; but the public must not suppose that the Crown is involved in litigation in proportion to the number of its counsel. That would be a great error. If the Crown were so engaged it would be obliged to employ a corresponding number of solicitors, but there is no corresponding grade obtainable by solicitors, nor is it found necessary to apply to that large, useful, and able body the same principle of government as that which is applied to the Bar. The title of Crown counsel is therefore, as far as any forensic occupation on behalf of the Crown is concerned, a sinecure, a nominal dignity; nevertheless, it is in the majority of cases necessary, at a certain stage of the barrister's career, to get within the segregated circle. Formerly the Crown proposed nuptials at the bar, but of late years the barrister moots the question to the Lord Chancellor and with such success, that the Crown, in the matter of its counsel, has become polygamous in the extreme. Now, not to be called to the Inner Bar, at the right tide of his fortunes, is ruin to the barrister's professional career, for he continues, with rare exceptions, a humble drudge until he dies or leaves the profession; witnessing, year after year, his juniors, with not a tithe of his experience or knowledge, raised over his head, and to whom he must submit his own mature and better judgment. If, in addition to this, he feels that the emoluments of the Inner Bar are in fact fees which would have come to him, and that if he were only allowed to contend with the leaders of the Inner Bar he could excel them, or some of them, it is impossible to imagine a position more humiliating to human nature save that of forcible servitude, or one more galling to a man of learning, spirit, and independence. If a barrister have talent, and is started by the Lord Chancellor in the Inner Bar, his future success is certain; but if he have no leading talent, and yet is one of the segregated, he is pretty sure, at all events his chances are largely increased, of receiving some acceptable legal appointment, for though the Lord Chancellor does not confine his gifts to Queen's counsel, whenever an appointment of a legal nature desirable to any of that body falls to him, the chains by which they are retained are found to be twitching in his hand. My name was in the list of barristers candidates for this, to me necessary, but otherwise unenviable, dignity: and, under the circumstances in which I stood towards Sir Richard Bethell, I applied to him to see Lord Chancellor Truro on my behalf, and in answer I received the following very kind note:

"L. I., July 7.

"My dear Webster,—It is very difficult to advise you. . . My personal advice to you would be, to wait a little longer; but if you think otherwise, I will endeavour to get an opportunity of speaking to the Lord Chancellor; still I strongly advise you to be content with matters as they are at present.—Yours faithfully, "Richard Bethell."

"E. Webster, Esq."

I followed that advice.

It was under the foregoing circumstances that shortly before the general election at Wolverhampton of 1859 Sir R. Bethell sent for me to his chambers in Stone-buildings, Lincoln's-inn. I went, and had an interview with him, when the following conversation occurred:

Sir R. Bethell: "Webster, I hear you have some political interest at Wolverhampton." I then informed him of the position in which I stood at that place. I then went on to say, "That the circumstance of Lord Chancellor Cranworth not having advanced me to the Inner Bar had qualified my views with regard to entering Parliament. It had been in the very greatest degree injurious to me, by preventing me obtaining that professional income which I was sure I should have had if I had been made Queen's Counsel." "You know, Webster," said Sir Richard, "*I would have made* you Queen's Counsel." This was quite true; for Sir Richard had mentioned on a former occasion, or expressed his willingness to mention, my name to Lord Chancellor Cranworth as a candidate for that grade. "I know how kindly you have always spoken about me professionally," said I. "Well, said Sir Richard, will you go with me to Wolverhampton?" I told him I could be of no use to him there. But, said Sir Richard, "I wish you to go with me as *my private friend*. Will you go with me as *my private friend?*" I said, "I can have no objection to do that." I went and sat by him on the platform, ready, if required, to give any explanation to the electors.

The evils of the system of promotion at the Bar, to the Crown, the suitor, and the barrister, had been observed by me for many years, and accordingly, shortly before I retired from professional life, I made them the subject of a lecture at the Juridical Society, which was published by that society, and which I had previously published, together with my reasons for relinquishing the profession, and it is not my fault, therefore, if the public at Wolverhampton and the profession were not acquainted with them. I left because I felt myself in a moral point of view most unjustly treated; but I had made arrangements for giving up my chambers in Lincoln's-inn before Sir Richard Bethell on the 28th June 1861 became Lord Chancellor, and actually left them in the autumn vacation of 1861. I use the word "moral," because where there is no legal right there can be no legal injustice. So independent was I of Sir Richard, that when he in June 1859 made a speech in Lincoln's-inn Hall, to inaugurate the Inns of Court Rifle Corps, giving reasons which appeared to me to be erroneous, I rose and stated what I thought were the true reasons for the country arming itself with volunteers. My speech was published at the time, and I send you a copy; see also the *Times* of the 24th June 1859. The *Times* newspaper, in a leading article, took the view of Sir R. Bethell's speech on that occasion that I had taken, moreover stating that it was not ingenuous: (see *Times*, 25th June 1859.) Now, if, as I have inferred from the conversation between you and myself, there is an idea amongst the electors of Wolverhampton that Sir Richard Bethell purchased my services at the Wolverhampton election of 1859 by some promise or understanding that in the event of his being Lord Chancellor he would promote me at the bar, it is in truth, utterly without the slightest foundation. I write this letter without consulting any human being. I have nothing to gain or even hope for from Lord Chancellor Westbury; I have met him once, and only once, and that at a meeting of the Juridical Society, since I left the bar; but, as his character is now much before the public, I will say this of him, that his manners to me when I was at the bar were always kind, friendly, and courteous, and that, whilst travelling in the Channel Islands last autumn, I heard from an old and well-known member of the legal profession, whom I met quite accidentally, an anecdote of Lord Chancellor Westbury in connection with one of Her Majesty's counsel, which proves him to have a kind, generous, and open-handed nature.

I am, my dear Sir, always truly yours,

North-lodge, Ealing, Edward Webster.
3rd July 1865.

P. S. On comparing my pamphlet on the Transfer of Land with Lord Westbury's Land Transfer Act, and the fact that Mr. Follett, Q. C., a stranger to the subject, was appointed by the Lord Chancellor to the office of registrar under that Act, I was strongly reminded of Virgil's well-known line—

Sic vos non vobis mellificatis apes.

E. W.

THE LEEDS BANKRUPTCY COURT.

With the report of the committee of the House of Commons on the Leeds Bankruptcy Court we are not so well satisfied, in so far as Lord Westbury is concerned, as with the report of the Lords' committeeon the Edmunds affair. We think the evidence establishes something more than "haste and want of caution in granting a pension to Mr. Wilde" against Lord Westbury. It appears to us to make a case of culpable negligence against his Lordship. As to "haste and want of caution," that may apply to his signing the order for the pension without reading the medical certificate, but it certainly does not apply to the state of mind of his Lordship in coming to a conclusion on the matter. "I was," he says, "painfully struck with the great inconsistency of having directed him to be served with a notice to show cause why he should not be dismissed, and then permitting him to resign on a pension."(a) His Lordship then vindicates his conduct by one of the most sophistical arguments which we think was ever used. "The inconsistency was obvious, but, at the same time, unless I determined to dismiss him, I had no alternative but to allow him to remain in that department." Very sharply and pointedly put, this, but entirely throwing aside the view of what it was his duty to do under the circumstances, which we clearly think was to go on with the proceedings against Mr. Wilde, and after the latter had shown cause, to give a fair judgment as to what ought to be done with him. That such was the right course to pursue becomes still more manifest from his Lordship's own admission, that the purpose he had in view in giving Mr. Wilde a notice to appear before him, was "that it might operate very much to the benefit of the public by showing what these proceedings had been, and by preventing such irregularities in future." And at another place he says, "I thought the case was so bad that it was quite right that it should be publicly investigated, and that the reproof, if it ended in reproof, should be given publicly in court."

We cannot but think that if his Lordship had

(a) See Lord Westbury's evidence before the select committee on the Leeds Bankruptcy Court.—*Minutes of Evidence*, p. 184.

been left to himself he would never have acted as he was led to do, and that other parties whose motives were more questionable were urging him on to do the fatal thing which he did. Certain we are that if he had taken the advice of any of the other law lords he would never have so acted.

With respect to the appointment of Mr. Welch, we are not quite satisfied that the whole of the truth on this matter has come out. There is no reason, certainly, for attributing to Lord Westbury any knowledge of the dealings of Mr. Welch with Mr. Richard Bethell. But the fact of these dealings having been clearly established, and the appointment of Mr. Welch having taken place in the manner in which it was done, form a coincidence which we think was most unfortunate for Lord Westbury. We have, however, the explicit statement by his Lordship of the grounds on which he appointed Mr. Welch to the Leeds registrarship—and we can only say that we are very much delighted to learn that the recommendations of the leaders of a man's circuit are considered to be of so much weight in the dispensation of patronage. We trust for the sake of the public, no less than of the bar, that it will always be so.

We have very much the same observation to make on the suggestion that Mr. Welch was to resign his office as registrar of the Leeds Court in favour of Mr. Richard Bethell, and to receive another appointment in London, as we have made on the original appointment of Mr. Welch. We are not satisfied that we have the whole truth here either; and there are some coincidences connected with this branch of the inquiry, also, which are most unfortunate for Lord Westbury. But, as matters have turned out, we are unwilling to enter upon any discussion of this part of the case. Taking, however, what his Lordship himself says, we cannot acquit him of great and culpable indiscretion in ever holding out any hope to Mr. Richard Bethell of his obtaining any new appointment. It was bad enough to have appointed him to any office of importance before; but, after he had been obliged to resign his London registrarship, it was the height of folly to think for one moment of sending him down to the country as registrar of a court of bankruptcy. But we do not believe Lord Westbury would ever have thought of such a thing had he not been worried by a set of people who seem to have acted in this matter with the smallest amount of sense that can well be imagined. The Dresden scheme, which his Lordship himself proposed, was obviously the right and proper thing for Mr. Richard Bethell to adopt, and they were no true friends, either of that individual or of Lord Westbury, who encouraged the former to look for some office in the country. Had it not been for the foolish doings of his son at Leeds, Lord Westbury would most probably have still been in possession of the Great Seal.

We would rather, however, not make any further observations on Mr. Richard Bethell; and of the other inferior *dramatis personæ* we do not feel disposed to say much. Mr. Skirrow acted officiously and somewhat weakly, but we have nothing more to say against him. Mr. Miller we are not inclined to let off so easily. It is rather difficult to know what the chief registrar did or did not do, as every one who reads the evidence must agree in the observation which has been so often made, that the other witnesses contradict Mr. Miller on almost every point, and that he contradicts himself on many. But, at all events, we certainly think that he failed egregiously in his duty towards Lord Westbury, and did all in his power, by his ill-timed and foolish assumption of authority, and his imprudent zeal for Mr. Richard Bethell, to bring his Lordship into disrepute. How such a man came to be appointed to an office which seems to involve a great responsibility we do not know; but we do trust that in future Lord Chancellors will show some discrimination in filling up such offices. There are many men practising at the bar, whose ability and character can be easily ascertained, who would be quite willing to accept appointments of this nature. And it is really too bad that men who scarcely belong to the profession at all, and are not subject to the influences which it brings to bear on its members, should be allowed to creep into offices of this nature by some dark passages which are known only to themselves.

We cannot say, however, that Mr. Welch, although a member of the Northern Circuit for twenty years, does much credit to the profession in its more regular and authorised form. We can have no doubt that such men as the late Sir W. Atherton, Mr. Edward James, Q.C., Mr. Manisty, Q.C., would never recommend any man to the Lord Chancellor in whose character they had not confidence. No blame whatever attaches to them, although it shows that the judgment, even of eminent leaders, is not infallible. But in truth it was scarcely to be supposed that any member of a circuit, who had borne a good reputation, would be guilty of such conduct as Mr. Welch unblushingly avows. The thin veil which he attempts to throw over the transaction can deceive no one, and out of justice to those members of the profession who would rather starve than have recourse to any but honourable means for obtaining any appointment which Lord Chancellors or Prime Ministers have to bestow, we feel bound to express our unmitigated condemnation of the conduct of Mr. Welch. What proceedings ought to be taken against him it is not, of course, for us to say; but we certainly think that it is not a case to be treated with leniency, and, if the law can reach Mr. Welch, we should regret if it is not put in force against him.—*Law Magazine.*

NORTHERN CIRCUIT—LIVERPOOL.

(Before Bramwell, B. and a special Jury.)

Kelly v. Etty.

Mellish, Q.C., and *Hopwood* were the counsel for the plaintiff; and the *Attorney-General of the County* and *Littler* for the defendant.

This was another action tried at these summer assizes by the Rev. Mr. Kelly, in addition to those at Manchester, of St. George's Church, Liverpool, and was against his attorney for negligence in the conduct of his defence before the magistrates upon a charge of assault, when he was convicted and fined 5*s*. The conduct charged as an assault arose out of a quarrel which occurred between the clergyman and his organist. The latter, although receiving his appointment from the corporation, had been "inhibited" by Mr. Kelly from playing, and went, with a friend named Welsh, to the church to take possession of some books of his or his friend's left there. Mr. Kelly opposed these being taken away, and in the dispute took hold of Mr. Welsh by the shoulders and twisted him round. This behaviour was not charged as an assault immediately, but only after some correspondence on the part of Mr. Welsh's attorney with reference to a demand of the book; but when the charge was made before the magistrates it succeeded, and a fine was inflicted, as stated. The defendant was Mr. Kelly's attorney on the occasion, and the negligence complained of consisted in the attorney refusing to put certain questions to Welsh and to read certain letters bearing upon the point of the delay in preferring the charge, and tending to show that it was but an after-thought. These matters appeared to be but within the fair discretion of an advocate—however, at least, to all who take the ordinary view of the relationship between a lawyer and his client; but it has before been said that Mr. Kelly was inclined to constrict a lawyer's functions within very narrow bounds. Indeed, he said even to-day that he had announced that he was determined to make his counsel amenable to some jurisdiction, if he could accomplish it, in answer to a question from the Attorney-General, "Did you not say you would force your counsel to obey your directions, or take proceedings against them?" It is believed, however, that his disastrous alliance with the law during the last week and the buffetings of the past assizes may have tended to engender greater moderation in his views, and that he will be much less unwilling to repose something in the discretion and experience of his counsel should he ever by chance be driven to require their services in future. In the present case his Lordship said that the assault of which the rev. gentleman was convicted appeared to be of a very trivial kind, and that with regard to this action, whatever might be the legal negligence, it was fair to remember that it afforded the only opportunity for the plaintiff to state many things which he might naturally be anxious to make known.

The verdict was for the defendant.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s*. 6*d*. each, for which postage-stamps should be inclosed.]

Shrewsbury.—Mr. Richard Clarke, solicitor, of this town, has been unanimously elected by the town council to the office of clerk of the peace for this borough, vacant by the decease of Mr. George Gordon.

The Lord-Lieutenant has appointed Mr. J. W. Ball, Q.C., the unsuccessful candidate at the last election for the University of Dublin, as Queen's Advocate for Ireland, in the room of the late Sir Thomas Staples.

The Quaker and the Judge.—Upon the jury entering the box at the late Liverpool assizes one morning, one of the number, who gave his name as Josiah Carson, and was a member of the Society of Friends, kept on his hat. Mr. Baron Bramwell, observing it, requested him to uncover. The juryman.—"Conscience compels me to keep it on." The Judge.—"Conscience no more compels you to keep your hat on than it does your shoes. You must have respect for others. I will fine you 10*l*. if you don't take off your hat." The juryman.—"It is a reverence for the Almighty which compels me to keep it on." The Judge.—"Don't be nonsensical. Your reason is discreditable to common sense." The juryman still refusing to uncover, the Judge said,—"I warn you that I will fine you 10*l*. if you do not take off your hat." The juryman.—"I cannot do so." The Judge.—"Then I fine you 10*l*., and leave the box. Any person with such nonsense in his head is not fit to sit upon a jury." The juryman having left the court, the Judge said—"I shall call upon him again to-morrow, and if he still persist in his nonsense I shall fine him again."—*Express.*

MAGISTRATE AND PARISH LAWYER.

Correspondence.

Magistrates' Law Statutes.—I quite concur in the opinion of Mr. Luxton that "a code" or "complete compendium" of magistrates' law would be a great boon to the Profession, including even the attorney and solicitor, who, although he may scorn the functions of advocacy, and feel it a degradation to appear professionally in a police-court, is liable to be called upon at any moment to advise a plundered or defrauded client. To me it is, however, clear that nothing short of this code, or complete compendium, would be of much use, and I strongly urge the embodiment in your contemplated volume of at least a digest of all the statutes, and all the common law, which is fairly embraced by the title you have chosen. A City Solicitor.

THE CASE OF BISHOP COLENSO.

The Cape newspapers which have just been received contain an "opinion" which Bishop Colenso has obtained from Mr. W. M. James, Q.C., Mr. Fitzjames Stephen, and Mr. Westlake, in reference to his position relatively to the Bishop of Capetown, who is the metropolitan, arising out of the late judgment of the Judicial Committee of Privy Council, and which he has forwarded for the consideration of the clergy and laity of Natal. The learned counsel are of opinion that the legal rights of the Bishops of Capetown and Natal to the church lands situate in the settlement of Natal must be determined by the Roman Dutch law which prevails there, and not by the law of England. They think that the authority of the Bishop of Capetown over the Bishop of Natal is confined to the power to call upon the latter to render to the former such acts of obedience as an English bishop is bound to render to the Archbishop of Canterbury, and they consider that, although the effect of the recent judgment in the Privy Council was to negative all metropolitical jurisdiction on the part of the Bishop of Capetown over the Bishop of Natal, it does not absolve the latter from the oath of canonical obedience which he has taken to the former, and that it will be proper, should the occasion arise, for the Bishop of Natal to pay a due deference to all proper directions which may be given to him by the Bishop of Capetown as his metropolitan." In conclusion, they say:—"We think that the Bishop of Natal has the same spiritual authority over clergymen who have received their licences from him, and serve within the limits of his episcopal superintendence, as an English bishop has over an English clergyman in the same position. We consider that the decision in *Long* v. *Bishop of Capetown* has not been affected by the recent judgment, and that the Bishop of Natal would be held to have at least as great a spiritual authority over a clergyman, similarly situated with regard to himself, as that judgment implicitly attributed to the Bishop of Capetown over Mr. Long. At the same time we think that such spiritual authority on the part of the Bishop of Natal would involve a right on the part of the clergy (if they chose to exercise it) to appeal to the Bishop of Capetown, as metropolitan, against any decision which might be pronounced against them by their own bishop. The same observations, we think, apply to the cases of those clergy who, having been licensed by the Bishop of Capetown, perform ecclesiastical functions in buildings expressly dedicated to the general purposes of the Church of England in the settlement of Natal. We think, further, that it would not be consistent with his oath of canonical obedience for the Bishop of Natal to enter into an arrangement with any clergyman in Natal by which the latter should undertake not to submit himself to the superior spiritual authority of the Bishop of Capetown. We are also of opinion that the Bishop of Natal has no authority of any kind over those clergyman who have not received their licences from him and who do not perform ecclesiastical functions in buildings expressly dedicated to the general purposes of the Church of England in the settlement of Natal. We think it right to add that we consider that the questions raised in the case touching the relations between the Bishop of Natal and his clergy must be treated only as questions affecting the right to the use of the churches and Church property in the settlement of Natal; and that it will devolve upon the civil courts there to determine, in connection with the question of the holding and user of such churches and Church property, whether any spiritual sentence pronounced by the Bishop of Natal against his clergy has been pronounced for just cause."

The Case of Constance Kent.—Mr. Dowding, the governor of the Wilts County Gaol, has this week received an official communication from Mr. Chitty, clerk of assize for the Western Circuit, announcing that the sentence of death recently passed on Constance Emilie Kent, for the murder of her half-brother, Francis Saville Kent, at Road-hill house, in June 1860, had been commuted by Her Majesty into one of penal servitude for life. In the course of the day the result was made known to the prisoner, who received the announcement with the same calmness which has characterised her throughout.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Reconveyance — Fraud.—A man indicted for bigamy, which proved not to be such, and of which he was ultimately acquitted, by way of precaution assigned certain real property to C. absolutely for a nominal consideration; but it was proved that there was a verbal understanding that C. was to hold the property for the assignor. On his acquittal C. refused to restore the property, and was mean enough to take advantage of his possession to try to keep it. Fortunately, for the sake of justice, he has been disappointed of his prey. The Court held that, with the evidence before it of the real intent of the parties, C. could not be permitted to set up the Statute of Frauds, and he was ordered to reconvey to the transferor: (*Davies* v. *Otty*, 12 L. T. Rep. N. S. 789. M. R.)

Will — Legatee or Two Bequests.—B. bequeathed to C. shares in a company, and by the same will a sum of 1000*l.*; the will showing no intention on the part of B. to connect the shares and the sum of money. The legatee was held to be entitled to disclaim one of the bequests and take the other: (*Long* v. *Kent*, 12 L. T. Rep. N. S. 794. V.C. K.)

Will—Specific Legacy—Shares.—A bequest of shares, not referred to as being in testator's possession, is not necessarily specific because he has the exact number mentioned in his will. But a bequest of a certain number of Wheal A. shares, and afterwards of "all the remaining Wheal A. shares I may hold at the time of my decease," was held to be specific. Bequests of shares corresponding with the exact number held by the testator, and mixed up with bequests clearly specific, were held to be specific also: (*Hill* v. *Hill*, 12 L. T. Rep. N. S. 797. V.C. W.)

Covenant running with the Land.—A covenant that buildings to be erected on certain land should not be used for certain trades, will not run with the land at law, so as to bind the assigns of the covenantor, who are not named in it. But it will in equity bind any assigns of the covenantor who have notice of it. A yearly tenant, who before taking a house was told that it could not be used as a butcher's shop, was held to have had such information as should have put him upon inquiry as to the restrictions affecting premises, and therefore to be affected with the constructive notice of a restriction against using the premises for the sale of beer: (*Wilson* v. *Hart*, 12 L. T. Rep. N. S. 798. V. C. W.)

Mortgage.—It is a settled principle that, in the absence of special circumstances, there is nothing to prevent a second mortgagee from purchasing the mortgaged property when put up for sale by the first mortgagee under his power of sale; and the facts that the purchasers were mortgagees in possession, and held under an instrument which was in form a trust for sale, were held not to be such special circumstances as would prevent the operation of the principle: (*Kirkwood* v. *Thompson*, 12 L. T. Rep. N. S. 811. L. C. Cranworth.)

In May 1849, B. deposited with a building society the title-deeds of certain leasehold cottages, with a memorandum that they were collateral security for a loan of 200*l.* otherwise secured, and that he engaged to execute a mortgage-deed when called upon to do so. On July 20 he executed such legal mortgage with a power of sale, under which the trustees sold to D. in 1856. But before this mortgage was executed, on 2nd June 1849, B. executed an assignment of the leaseholds to E., subject to the mortgage to the building society. D. claimed the property as legal purchaser for value of the equity of redemption, without notice of the power of sale. But it was held, on appeal, that D. possessed the property subject to any stipulations which the mortgagor and mortgagees might think proper to insert in the subsequent mortgage-deed, and hence that D. was trustee of the property for the society: (*Leigh* v. *Lloyd*, 12 L. T. Rep. N. S. 813. L. C. Cranworth.)

Where a mortgagor filed a bill to redeem a mortgage, and the mortgagee alleged that there was a contract for the sale of the equity of redemption by the plaintiff to him, the validity of which contract the plaintiff denied, the existence of such a contract was held to be no defence, and that the usual redemption decree must be made: (*Howells* v. *Wilson*, 12 L. T. Rep. N. S. 818. M. R.)

Wills.—B. devised real estate to a trustee on trust for sale, and out of the moneys to arise therefrom to pay his funeral and testamentary expenses and debts, to invest the residue, and that, until all his real estate should be sold, the income of the unsold portion to be applied "in the manner in which the annual income of the authorised investment would be payable if such real estate had then been sold, and the net surplus money invested as therein aforesaid." He left no pecuniary legacies. It was held that the proceeds of the sale of the real estate were primarily liable to the payment of the testator's debts, and funeral and testamentary expenses, and must be borne by testator's personal estate: (*Gilbertson* v. *Gilbertson*, 12 L. T. Rep. N. S. 816. M. R.)

Lease — Mistake of the Conveyancer.—A mere mistake of the conveyancer will not entitle to relief in equity. Where there was a demise of the whole territory or precinct of land commonly called Termon, containing in itself by estimation forty poles of land, save and except two poles of Gortaquil, situate, &c., the exception of the said two poles was held to be good: (*Ellis* v. *The Lord Primate*, 12 L. T. Rep. N. S. 820. Ir. L. C.)

Gift of Income partly revoked.—B. devised all his property, real and personal, to trustees, directing them to pay the income to his son and heir C., until C. should attain the age of thirty, and then convey the residue to C. By codicil B. recalled this direction to pay the whole income to C., and directed the trustees to pay to C. thereout the sum of 200*l.* yearly until he attained thirty, and then to dispose of "the said residue" as directed by the will. It was held, on appeal, that the surplus income beyond 300*l.* which accrued during the minority of C. was not undisposed of, but passed to the trustees under the word "residue:" (*Sturgis* v. *Campbell*, 12 L. T. Rep. N. S. 836. H. of L.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Winding-up.—Applications to rectify the register of shareholders after an order for winding-up will be referred to chambers, to be disposed of when the list of contributories comes on to be settled: (*Buckridge's case*, 12 L. T. Rep. N. S. 796. V.C. W.)

Prospectus—Fraud—Misrepresentation.—Where shares are taken on the faith of a prospectus, the contract will not be set aside because the prospectus contained merely exaggerated views of the advantages presented, or casual errors or inaccuracies, the court only requiring that the statements shall be substantially fair and made in good faith. Reasonable allowance is to be made for exaggeration usual in such matters. The facts which the court held to be unjustifiable misrepresentations will be found in this case, and the reader is referred to the judgment, where they are set forth fully: (*Kisch* v. *The Central Railway Company of Venezuela*, 12 L. T. Rep. N. S. 801. L. J.J.)

Liability for Loss of Passenger's Luggage.—B. paid one entire sum for his passage from England to the Mauritius by the ship of the C. company, and signed a ticket purporting that he accepted the conditions printed thereon, one of which was that the company would not be responsible for the luggage of passengers. Some luggage was last seen at Suez, in the company's possession, but was not afterwards to be found. It was held that the liability of the company was to be determined by the *lex loci contractus* and not by the French law; and inasmuch as by English law a common carrier could not restrict his liability by express contract, the company was liable: (*The Peninsula, &c., Steam Packet Company* v. *Shand*, 12 L. T. Rep. N. S. 808. P. C.)

A petition has been presented for the winding-up of the Land Drainage and Improvement Company of Denmark.

Mr. Arthur Cooper has been appointed by the Master of the Rolls, official liquidator of the Chesterfield and Midland Silkstone Colliery Company (Limited).

The report of the London and Lisbon Corkwood Company, presented at the meeting on the 10th inst., shows an available balance of 375*l.* A dividend at the rate of 7½ per cent. per annum is recommended, making a total distribution of 15 per cent. for the year, free of income-tax.

At the half-yearly meeting of the European Bank, held on Monday week, an interim dividend of 5 per cent. per annum was declared.

At the first annual meeting of the Thames Plate Glass Company (Limited), held on the 4th inst., a dividend of 5 per cent. per annum, free of income-tax, was declared for the six months ended 30th June.

At the meeting of the Albion Bank, held on Tuesday week, the gross profits were stated at 6240*l.* A dividend at the rate of 5 per cent. per annum was approved.

The first meeting of the shareholders of the Southwark Insurance Corporation was held on Tuesday week, when a dividend of 5 per cent. was ordered on the paid-up capital.

The directors of the Agra and Masterman's Bank (Limited) have announced an *ad interim* dividend of 10 per cent. per annum, and a bonus of 15*s.* per share, being together equal to 14 per cent. per annum.

At the meeting of the Midland Wagon Company, held on the 9th inst. at Birmingham, a dividend at the rate of 15 per cent. per annum was declared for the past half-year.

The meeting of the London and Glasgow Engineering and Iron Ship Building Company took place on Thursday, Aug. 10. The directors' report was adopted, and a dividend and bonus equal to nearly 10 per cent. per annum were declared, free of income-tax, leaving 1617*l.* to be carried forward.

At an extraordinary meeting of Halcomb and Co., Sack Contractors (Limited), held on Thursday, Aug. 10, it was resolved to expunge from the articles of association a clause giving the directors power to deal in the shares of the undertaking with its own funds.

At a meeting of the Oil Seed Crushing Company, the report recommending a dividend at the rate of 8 per cent. per annum, free of income-tax, was agreed to.

The creditors of the London Marine Insurance Association are required to prove their claims before Vice-Chancellor Sir W. P. Wood on the 15th Sept.

Notice is given of an order of the Vice-Warden of the Stannaries for the winding-up of the Tywarnhaile Mining Company.

The dividend of the Telegraph to India Company declared for the half-year was at the rate of 5 per cent. per annum.

The Anglo-Italian Bank have declared an interim half-yearly dividend at the rate of 5 per cent. per annum, free of income-tax.

At the meeting of the Grosvenor and West-end Railway Terminus Hotel Company, held lately, the net profit for the half-year was stated at 3400*l.*, out of which a dividend at the rate of 5 per cent. per annum was declared, 452*l.* added to the depreciation fund, 100*l.* to the reserve fund, and the balance, 446*l.*, carried forward to the next account.

At the meeting of the English Joint-Stock Bank a dividend at the rate of 6 per cent. per annum, free of income-tax, was declared, and 5000*l.* carried to the reserve fund.

At a meeting of the Berlin Waterworks Company, a dividend was declared of 6*s* per share, free of income-tax.

The dividend on Caledonian Railway stock has been officially announced at the rate of 4½ per cent. per annum, in addition to a bonus of 20*s.* per 100*l.* stock.

The Salisbury and Yeovil Railway Company have recommended a divided on the ordinary shares for the past half-year at the rate of 4*l.* 10*s.* per cent. per annum, carrying forward a balance of 327*l.*

The directors of the North London Railway Company recommend a dividend at the rate of 6 per cent. per annum, leaving a balance of 6230*l.* 1*s.* 8*d.* to be carried forward.

The dividend on the Vale of Neath Railway stock is announced at the rate of 3½ per cent. per annum.

The Anglo-Egyptian Cotton Company, capital 100,000*l.* in 10,000 shares of 10*l.* each, is announced.

The prospectus has been issued of McQueen Brothers' business. The purchase-money is fixed at 44,000*l.*, of which 12,000*l.* are payable in debentures, which bear no interest until 10 per cent. has been paid to the shareholders, 10,000*l.* in fully paid-up shares, and the remainder in deferred instalments.

At the second half-yearly meeting of the South Devon Slate and Slate Company a dividend of 7½ per cent. on the half-year was declared.

Mr. Tidd Pratt has exposed a formidable swindle in the shape of a friendly society called the Garibaldi Mutual Assurance. From Mr. Pratt's statement, as reported, it appears that the managers of this society offer annuities for the sick, and sums at death, declare themselves agents for Government, assert that they have issued 7316 policies, and speak of a reserve fund of 25,000*l.*, the facts being that Government has no agents except its own servants, that the society never had more than 800 members, and that no balance at the bankers was only 5*l.* Most of the trustees deny that they gave authority to use their names, and the auditor had never so much as heard of the Garibaldi Society. In short, the association is a device for getting poor people's money in minute sums and by false representations, and keeping it for the benefit of the real managers, whose names are still unknown. Fortunately, the workmen know the name of Mr. Tidd Pratt, and with his statement there is, we should imagine, an end of the Garibaldi Society.

MERCANTILE LAWYER.

MERCANTILE TRIBUNALS.

The following memorial has been presented to the President of the Board of Trade by the Newcastle and Gateshead Chamber of Commerce. It

"Humbly showeth,—That your memorialists have devoted much attention to the subject of the Merchant Shipping Disputes Bill.

"That the appointment of an Admiralty Court Judge to visit the provinces, to hear and determine with assessors cases of litigation, would not afford that relief which was sought to be obtained by the said Bill.

"That differences are frequently arising out of freight agreements and claims of demurrage, short delivery of and damage done to cargo, as well as with respect to stores and moneys supplied, building, buying, selling, and navigating of vessels, and likewise on many other important questions con-

nected with cargo laden or intended to be laden on board of ships, all which it was intended should be dealt with under the said Bill, in addition to those cases which come within the province of the Admiralty Court, such as losses at sea, salvage services, and the like.

"That such differences can only be satisfactorily decided by a mixed court, composed as provided by the said Bill, of a legal functionary as president, assisted by not less than two assessors, conversant with the usages and customs of mercantile affairs.

"That the office of assessor, like that of justice of the peace, is one which would confer dignity upon the holder, and make it an object of ambition to which the most able and honourable would aspire, and no apprehension need be entertained that the decisions of such courts would be influenced by personal consideration or motives, as the same objection would apply to magistrates, who are appointed from that very class of the community whence it was proposed to select such assessors.

"That the increasing commerce of the country renders the establishment of such courts an imperative necessity, and not the least important advantage to be gained by their constitution is the means they would afford of all cases, which will not admit of delay, being promptly adjudicated upon (as practised in France and elsewhere).

"That the absence in this country of such tribunals always within reach of the commercial community compels persons in most instances of dispute to submit to injustice rather than invoke the slow and expensive authority of the existing legal machinery.

"That the relief sought for under the said Bill ought to apply, according to such Bill, to London as well as to the provinces.

"That the recommendation of the Associated Chambers of Commerce, at the annual meeting, held in London in February last, and the numerous petitions emanating from all the leading seaport towns in England which have been presented in favour of the Merchant Shipping Disputes Bill, evince the importance which the commercial community attach to the measure, and the desire they have to see it become law; and your memorialists may also refer to a petition signed by about 1500 of the leading firms in London, which was presented to Parliament in 1858, and to the evidence taken by a committee of the House of Commons in that year —the former praying for the sanction of Parliament, and the latter approving of the principle upon which such Bill was framed.

"That, to avoid having recourse to our law courts, as at present constituted, all differences are, when possible and not unfrequently by a special condition in the agreement, referred to arbitration by commercial men.

"That the enormous expense and delay at present attending the prosecution or defending of claims in our courts, and of which your memorialists could lay before you numerous forcible proofs, as well as the unsatisfactory decisions which are now so frequently recorded in the large majority of cases, deter the commercial community from seeking that redress in the existing tribunals which they ought to afford.

That courts, based on the principle of the Merchant Shipping Disputes Bill, are known from the practical experience of your memorialists to work admirably in the countries in which they are established. They afford the best and surest means of determining differences according to custom and law, and the opinion entertained of them by Her Majesty's Judges may be inferred from the following extract of a report of a trial in the Court of Queen's Bench, on the 9th June 1865, in the case of *Adamson v. Duncan*, when the Lord Chief Justice spoke as follows: 'Generally speaking,' said his Lordship, 'the ambiguous language of these mercantile documents makes them so doubtful that it perhaps would be better if they were referred to a mercantile tribunal; no doubt they are very intelligible to mercantile men, but to lawyers they are full of ambiguities.'

"That by reason of the state of things herein set forth, the present courts are in most cases unavailable.

"That it is not the occasional visit of an Admiralty Court judge, but a court available every day that is urgently needed.

"That the Merchant Shipping Disputes Bill proposed to utilise the present local legal machinery, and your memorialists feel convinced that the grievances complained of can only be redressed by the conversion into law of the provisions of the said Bill.

"Your memorialists therefore humbly beg that you will be pleased to introduce the said Bill as drawn, or some measure similar in its aim and object, at an early period of the ensuing session of Parliament.

"And your memorialists will ever pray, &c.

"Signed at Newcastle-upon-Tyne the 7th day of August 1865, on behalf of the Newcastle and Gateshead Chamber of Commerce.

"W. R. Hunter, Chairman."

THE NEW BANKRUPTCY LAW.

Note.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the Law Times.

NOTES OF NEW DECISIONS.

Proof.—Where an order of the Court of Ch. had been made against three defendants in an administration suit, ordering payment of certain sums, under which order they were all in contempt, upon the bankruptcy of one of them the co-trustees were allowed to enter a claim for such debt as they might be enabled to establish, the dividends being ordered to be retained in the meantime to await the order of the Court of Ch.: (*Ex parte Bromley*, 13 L. T. Rep. N. S. 785. L. C.)

Allowance to Debtor under a Trust-Deed.—A debtor, who has executed a trust-deed in the form prescribed by schedule D., is not entitled, in case his estate realised 10*s.* in the pound, to an allowance of 5 per cent. by analogy to sect. 195 of the B. L. C. A. 1849: (*Ex parte Gibbins*, 12 L. T. Rep. N. S. 786. L. C.)

Surplus — Allowance.—The surplus of a bankrupt's estate, after payment of 20*s.* in the pound and interest to all the creditors who have proved under the bankruptcy, being the produce of real estate sold after his death, retains the character of real estate, and as such belongs to the heir-at-law, notwithstanding the words of sect. 197 of the B. A. 1849, that it may be paid to his "executors, administrators, or assigns." But the personal representative of the bankrupt is entitled to the allowance payable under sect. 195, where the estate pays 15*s.* in the pound and upwards: (*Ex parte Stiddph*, 12 L. T. Rep. N. S. 800. Holroyd, C.)

Investigation by Creditor.—A creditor who, of his own motion, interferes in the administration of his bankrupt's estate, and institutes an inquiry by summoning and examining witnesses, and fails to bring home any fraud to the assignee in dealing with the estate, will have to bear the costs of the inquiry: (*Ex parte Berry*, 12 L. T. Rep. N. S. 827. Holroyd, C.)

Amendment—Three-Day Statement.—When the bankrupt has inadvertently omitted from his three-day statement four creditors whose debts amount together to 1200*l.*, and has stated the debts due to others as "about" so much, the petition will be dismissed with costs, and the court will not, under General Order 30, grant leave to amend: (*Ex parte Harris*, 12 L. T. Rep. N. S. 827. Holroyd, C.)

Proof.—Where there is no express authority to the wife to pledge her husband's credit, but on the contrary, an express injunction not to contract debts, and the creditor knew at the time that the husband had made his wife an allowance during his absence in his calling as a master mariner, but did not know the amount of that allowance, no implied authority will arise, and therefore the creditor will not be admitted to prove against the husband's estate: (*Ex parte Gale*, 12 L. T. Rep. N. S. 828. Winslow, R.)

Prosecution—Sect. 221.—Where a bankrupt is accused of a misdemeanor within sect. 221, on evidence that will support an indictment, and affording a reasonable probability of a conviction, the court will direct a prosecution: (*Re Nicholson*, 12 L. T. Rep. N. S. 829. Abraham, C.)

CORRESPONDENCE OF THE PROFESSION.

Honour Examinations.—I quite concur in the remarks of "Studiosus" on this subject. A memorial was, I believe, presented to the council of the Incorporated Law Society on the subject, about a year ago, but no result followed. However, I hope that a well-considered movement on the subject, if it be generally and energetically supported, will be successful. If it should be found impracticable to distinguish *past* prizemen, I for one would be happy to be a candidate at any examination for honours. I send you my card, and I shall be happy to support the movement and to contribute towards the expenses of carrying it out. As an instance of the council having acceded to a well-considered and supported petition, I may mention the recently established scheme of law classes, for which great thanks are due to the originator, Mr. W. J. Fraser.

A Prizeman of the Incorporated Law Society.

Debtor and Creditor.—Will you give a few minutes' consideration on the state of the law between debtor and creditor, as to the payment and discharge or release of debts or claims, simple or real, by a solvent well-meaning honest debtor. Is it not tedious, expensive, and very imperfect? We all know the power of the Court of Chancery in matters of account and unascertained claims, also of the Courts of Bankruptcy, Insolvency, and Acts of Parliament for arrangement between creditors and *insolvent* debtors. But of what aid or consolation are such to a debtor who has the claim of not more than one creditor, who has been repeatedly asked the particulars of his claim for the purpose of examination and payment, but who is either so idle or designing as to neglect their delivery? Is not the proceeding in Chancery too expensive, and making the remedy worse than the disease for a claim of a few pounds' value, and would not the proceedings in bankruptcy, insolvency, or creditor's Act be a most painful *dernier resort* for a debtor of honourable and solvent character? A debtor's power at law for demanding particulars arises only when process has been adversely started by the creditor; but why should not a simple process for such purpose alone be granted for any amount to the common law courts, for then, and not in many cases till then, is a debtor in a position to make his tender without prompting the costs of creditor's proceedings for the usual remedies. The present vacation is a most seasonable time for our parliamentary and professional friends giving a remedial proceeding their attention together with the commercial community. Your remarks or references hereon will much oblige

A Constant Reader.

Law Stationers' Charges.—Knowing the laudable zeal with which you are ever ready to expose the evils resulting from the pernicious and ungenerous practice adopted by country attorneys of employing law stationers to transact a considerable portion of their agency business, to the exclusion of their regular professional law agents, I beg to hand you herewith, for publication, two accounts for registering trust-deeds under the provisions of the last Bankruptcy Act. One of these accounts (printed) comes from a well-known firm of law stationers and parchment dealers, the other being simply a note of my London agent's charges for transacting precisely similar business. On a comparison of these accounts, copies whereof are subjoined, it will be seen, to the surprise, no doubt, of some of the country practitioners, that the law stationers require *a higher scale of remuneration* for their services than do the regular professional law agent; whilst the bother and inconvenience arising from the want of knowledge, or it may be the lack of influence, of the former is really intolerable, for I can bear testimony to the fact that the delay caused by their making unnecessary objections and requisitions is vexatious in the extreme. I wish the insertion of these accounts in your paper, to convince country practitioners that, by employing law stationers, instead of their regular professional agents, the very object in view is defeated, and both attorney and client are losers; the one having his time uselessly consumed, and the other to pay extortionate charges; whilst the Profession itself is degraded. In the instances now placed before your readers I sent two deeds at the same time to these stationers to register; consequently the same attendances would do for both, so that they could very well afford to be somewhat moderate on that ground alone; but my agent had only one deed to register, and yet it will be seen his charges are materially less:

Copy of Law Stationer's Printed Account.	£.	d.
Attending to stamp deed	2	6
Attending registrar with deed	2	6
Paid	10	0
Notice for *Gazette*	1	0
Attending with same for registrar's seal ...	2	6
Attending to insert same in *Gazette*	2	6
Attending for *Gazette* ...	2	6
Paid	1	4
Attending registrar with *Gazette* and leaving certificate for signature	2	6
Certificate	1	0
Attending for certificate and deed	2	6
Postage	0	6
Extra attendance	5	0
	£1	18 4

Copy of London Agent's Note of Charges.	£.	d.
Attending to stamp deed of conveyance for benefit of creditors	3	4
Attending to leave deed for registration and afterwards for same	3	4
Paid	10	0
Attending to insert notice in *Gazette* ...	3	4
*Drawing and fair copy certificate of registration	3	9
*Paid for parchment	1	0
Attending to leave same and afterwards attending registrar, examining and writing you therewith	3	4
Letters...	1	6
	£1	9 7

The law stationer had not got the items marked with an asterisk to do, the certificate having been sent to him correctly drawn up; but in the other case, the deed being complicated, the certificate did not meet with the registrar's approval. The charge for advertising in the *Gazette* is, of course, left out; but I would state my conviction that law stationers charge a commission on this item, although a sum sufficient to cover money out of pocket is always sent with the papers.

Wm. Moore.

Calstock, near Plymouth.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

Adultery.—In an action brought in the County Court against a husband for the maintenance of his wife, who has been turned out of doors by him, is he a competent or admissible witness to prove her adultery? Baron.

False Pretences.—B., a dealer in fruit, by permission of an innkeeper, dates his letters from the inn, requesting a farmer to send him some cider; the farmer does so, thinking, as he asserts, that he is dealing with the landlord of the inn; the farmer knows nothing of the parties. Is the sending such letter a false pretence, viz., that B. held himself out as landlord of the inn? Lex.

Answers.

Mortgage.—The legal estate will pass to H. P., although the words "to the use" are omitted. Had there been *no consideration* for the conveyance (since no uses are declared) there would have been a *resulting use* to the grantor, J. M., and this would have been executed by the Statute of Uses. Under the circumstances stated, however, there can be no doubt that both the legal and equitable estates are in H. P. D. H.

Driffield, Aug. 19.

— I cannot refer "A. B." to any recently decided case on this point, but I apprehend it is sufficiently clear without one, that the legal estate will pass without the usual words "to the use." Of course the consideration for the reconveyance is expressed in the deed, and, if so, it will be valid at common law, although possibly it may want some of the advantages attending a conveyance operating by virtue of the Statute of Uses. A consideration expressed negatives the construction in equity of there being a resulting use to the grantor, and if no use is declared, the Statute of Uses does not affect it: (1 Steph. Com. p. 359, 4th edit; 2 Sand. Uses, p. 68, 4th edit.)

Rochford. W. G., jun.

— In the case put by "A. B.," in your last journal, the reconveyance was effectual to give H. P. the legal estate. On a conveyance to the purchaser direct, there is no necessity for the words "to the use of," if the consideration be a valuable one and apparent on the face of the deed. Should "A. B." wish to know more particularly the distinction between a conveyance at common law and one under the Statute of Uses, I refer him to the Law Times of 7th May 1864, where he will find the matter discussed at length by "J. C." and myself. J. P.

Exeter, 23rd Aug.

LEGAL OBITUARY.

Note.—This department of the Law Times is contributed by Edward Walford, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the Law Times Office any dates and materials required for a biographical notice.

C. H. ELSLEY, ESQ.

The late Mr. Charles Henry Elsley, barrister-at-law, of Mill Mount, near York, and Patrick Brompton and Kirby Knowle, in the North Riding of Yorkshire, was the second son of the late Rev. Heneage Elsley, M.A., vicar of Burneston, in the county of York, by Miriam, daughter of the Rev. Wm. Lockey. He was born at Burneston, in the year 1792, and educated at the Rev. Dr. Plumptre's, Long Newton, county Durham, and graduated at St. Peter's College, Cambridge, B.A., in 1813, and M.A., 1816. He was called to the bar at the Middle Temple in 1819, and in 1827 was appointed Recorder of Richmond, and clerk of the peace for the West Riding of Yorkshire. In 1834 he was made Recorder of the city of York. Mr. Elsley also held the appointment of County Court judge in the West Riding, and was recorder for Scarborough for some years. These offices he resigned. He was also a magistrate for the North Riding, and a deputy-lieutenant for the West Riding. Mr. Elsley spent a part of the last year of his life on the continent on account of his health, and was member of the "Institut Historique de France." He died at York very suddenly on the 3rd day of August, and was buried at Patrick Brompton, on the 9th. He married in 1824 Mary Emily, daughter of Colonel Hale, of Acomb, and granddaughter of General Hale, by whom he leaves a son, Charles, born in 1842, who now becomes owner of Patrick Brompton and Kirby Knowle in the North Riding.

THE LATE MR. PARKES.

This gentleman, of whom we gave a short obituary notice last week, was buried in the catacombs at Kensal-green cemetery, on Thursday, the 17th Aug., the funeral, which was of quite a private character, being only attended by two mourning-coaches, containing the immediate relatives and friends of the deceased gentleman. The illness of which Mr. Parkes died was congestion of the lungs, from which he had been suffering for about a fortnight previous to its fatal termination. He has left a widow and a daughter, Miss Bessie R. Parkes, whose name is already favourably known to the public as a writer on social subjects; his only son died previous to his accepting the office of taxing master in Chancery in 1847.

"In the comparative leisure which he enjoyed after accepting the office of taxing-master," says a writer in the *Times*, "he devoted himself to those literary pursuits in which he had always taken delight, and which he at no period of his life completely neglected. In his well-chosen library in Wimpole-street the hours not demanded by the duties of his office or the claims of his party were cheerfully passed in adding to the information which he had already acquired. There he had for the last seven or eight years been engaged in writing a *Life of Sir Philip Francis*, a work for which he had been furnished with ample materials by the Francis family, but which, unhappily, he did not live to complete. In this work he would have sought to exhibit Sir Francis to the world in the light of a precursor of the great Reform movement, while in the famous controversy as to the authorship of the *Letters of Junius* he would be found on the side of Lord Brougham, Lord Campbell, Lord Stanhope, and Lord Macaulay, his conviction being that proofs could be adduced from the papers placed in his hands which would settle the question beyond all dispute in favour of Sir Philip Francis. In private life Mr. Parkes was distinguished for the unusual warmth and kindliness of his disposition. To young men starting in the world and seeking to make their way in his own, or, indeed, in any profession, he was ever ready, not only to speak words of encouragement and advice, but to lend assistance in a more substantial form. It is not to be wondered, then, that, possessing, as he did, so many rare qualities, both of head and heart, his death should be so deeply and so generally regretted."

Although in politics, Mr. Parkes was strongly attached to the Liberal party, he could count amongst his warmest friends and admirers, the late Lord Lyndhurst, the most strenuous opponent of reform.

LEGAL NEWS.

Somebody has taken the pains to make a "religious census" of the new House of Commons, from which he gets the following results:—There are, as representatives of English constituencies, thirteen Independents, twelve Unitarians, five Jews, three Catholics, three Quakers, one Baptist, and one Wesleyan; as representatives of Irish constituencies, thirty-one Catholics, one Quaker, and one Independent; as representatives of Scotch constituencies, three United Presbyterians, two Free Churchmen, one Independent, and one Unitarian—making the total number of Dissenters in the new House of Commons, forty-four, and the number of Catholics, thirty-four; gross total, seventy-eight.

A case of interest to the playgoing public has just been decided before the Civil Tribunal at Paris. Viscount de Borelli, during the performances of the Spanish company at the Variétés Theatre, hired for one night the pit stall No. 21, but on arriving at the theatre found the place already occupied, the seat having been let by mistake, a second time. The Viscount was offered another stall, or even a box in place of that to which he was entitled, but those he refused, and went away without seeing the performance, and subsequently brought an action against the director for damages. The court, while admitting that every effort had been made to repair an involuntary error, nevertheless held that when a spectator is deprived of the place he has previously hired, he is entitled to a compensation, and consequently condemned M. Coignard, the director, to pay 50f. damages and costs.

Crime and Pauperism versus Education.—There are nearly a million paupers normally in England and Wales, costing 6,000,000*l.* sterling per annum, and crime abounds to such an extent that the expenditure for prisoners and police in this country for 1861 was 4,500,000*l.*; and it was estimated at the same time that there were 130,000 criminals at large preying on the community. The cost of these criminals to the community at only 50*l.* per annum each will be 6,500,000*l.* sterling, making the whole cost of crime 11,000,000*l.* per annum. Pauperism and crime therefore burden us to the extent of 17,000,000*l.* per annum, or four times the amount needed to educate every working man's child in the kingdom.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

Note.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

In London.

Wednesday, Aug. 16.

By Messrs. Farebrother, Clark, and Co., at Garraway's.—The manor of Sutton, extending over a great portion of the parish, with its customary courts and various rights, privileges, quit rents, fines and heriots; estimated annual value 43*l.* 2*s.* 10½*d.*—sold for 1630*l.* Freehold, 3a. 2r. 5p. of building land situate in the parish of Sutton, Surrey—sold for 1030*l.* Freehold, 2a. 1r. 22p. of building land, situate as above—sold for 500*l.* Freehold, 14a. 2r. 27p. of building land, situate as above—sold for 3460*l.* Freehold, 2r. 3p. of building land situate as above—sold for 300*l.* Freehold, 3r. 3sp. of building land, situate as above—sold for 410*l.* Freehold, 5a. 1r. 5p. of accommodation land, situate as above—sold for 500*l.* Freehold ground-rent of 14*l.* 9*s.* 4*d.* per annum, arising from a residence and land, situate as above—sold for 370*l.* Freehold ground-rent of 18*l.* 17*s.* 6*d.* per annum, arising from a residence and land, situate as above—sold for 4[illegible]*l.* Freehold ground-rent of 14*l.* 0*s.* per annum, arising from 1a. 3r. 22p. of land, situate as above—sold for 37[illegible]*l.* Freehold 1a. 2r. 3p. of building land, situate as above—sold for 4[illegible]*l.* Freehold ground-rent of 2*l.* 10*s.* per annum, arising from cottages situate as above—sold for 7[illegible]*l.* Freehold, 1a. 2r. of accommodation land, situate as above—sold for 43[illegible]*l.*

Friday, Aug. 18.

By Messrs. Farebrother, Lye, and Wheeler, at Garraway's.—Leasehold, five houses, Nos. 17 to 21, James-street, Commercial-road, Peckham, producing 9[illegible]*l.* per annum; term 43 years from 18[illegible]; ground-rent, 12*l.* per annum—sold for 80[illegible]*l.* Leasehold, two residences, being Nos. 35 and 39, Danvers-street, Paulton-square, Chelsea, producing [illegible]*l.* per annum; term, 99 years from 18[illegible]; ground-rent, 11*l.* per annum—sold for 6[illegible]*l.*

Monday, Aug. 21.

By Mr. Whittingham, at the London Tavern.—Freehold building land, having frontages to South-street and Worple-road, Isleworth, Middlesex. Lot 1 sold for 125*l.*; lots 2 to 4—7[illegible]*l.* each; lots 5 to 7—70*l.* each; lot 8—[illegible]*l.*; lot 9—[illegible]*l.*; lots 10 to 14—[illegible]*l.* each; lot 15—[illegible]*l.*; lots 16 and 17—4[illegible]*l.* each; lots 18 and 19—[illegible]*l.* each; lot 20—[illegible]*l.*; lots 21 and 22—[illegible]*l.* each; lots 23 and 24—4[illegible]*l.* each; lots 25 and 26—47*l.* each; lots 27 and 28—47*l.* each; lots 29 to 31—4[illegible]*l.* each; lots 32 and 33—50*l.* each; lot 34—60*l.*

By Mr. Dean, at Garraway's.—Freehold, two houses, being Nos. 7 and 8, Maryland Point, Stratford—sold for 4[illegible]*l.* Freehold ground-rent of 3*l.* 10*s.* per annum secured on No. 1, Oak-cottages, Leyton-road, Stratford—sold for 70*l.* Leasehold improved ground rent of 6*l.* 10*s.* per annum secured on Nos. 2 to 4, Oak-cottages aforesaid; term, 97 years unexpired—sold for 112*l.*

Wednesday, Aug. 23.

By Messrs. Norton and Trist at the London Tavern.—Freehold property, known as the Swell Bowl Estate, extending over about [illegible] acres, situate near the town of Stow-on-the-Wold, Gloucestershire; also a freehold farmhouse with garden, orchard, cottage, buildings, and 166a. 2r. 17p. of land adjoining—sold for 31,100*l.* Freehold residence, known as The Limes, with pleasure grounds and land, extending over about 13 acres, situate at Muswell-hill—sold for 12,350*l.* Freehold ground-rent of 1[illegible]*l.* per annum, secured on a house in Pleydell-court, Fleet-street—sold for 3[illegible]*l.*

By Messrs. Farebrother, Clark, and Co.—Freehold estate, known as Court Farm, situate at Mottingham, Kent, comprising a farmhouse, buildings, and about 129 acres of arable, pasture, and wood land—sold for 19,350*l.*

THE GAZETTES.

Bankrupts.

Gazette, Aug. 15.

To surrender at the Bankrupts' Court, Basinghall-street.

Ansley, Philip, builder, Whitecross-st. St. Luke's. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sols. Brown and Godwin, Finsbury-pl. Sur. Aug. 30.

Balls, Thomas Fitt, late foreman to an omnibus proprietor and veterinary surgeon, Calder-house, Brixton-hill. Pet. Aug. 5. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 29.

Bartholomew, William James, warehouseman, Calford-rd. Kingsland. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Abbot, Basinghall-st. Sur. Aug. 30.

Becker, Philip, Philpot-la. and Sack, Herman, Bath-st. Newgate-st. importers of foreign provisions. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. Aug. 30.

Burt, James, currier, Maidenhead. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sols. Roberts and Vaughan, Bucklersbury. Sur. Aug. 31.

Carati, Antonio Alexander, merchant and insurance broker, Threadneedle-st. Pet. Aug. 3. Reg. Roche. O. A. Parkyns. Sols. Ashurst and Morris, Old Jewry. Sur. Aug. 29.

Chasty, Frederick James, refreshment-house keeper, Strand. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Price, Serjeants-inn. Sur. Aug. 30.

Ford, John, out of business, Florence-st. High-st. Islington. Pet. Aug. 10. Reg. Roche. O. A. Parkyns. Sol. Head and Pattison, Martin's-la. Cannon-st. Sur. Aug. 29.

Fordham, William Alfred, cigar merchant, Fenchurch-st. and Barford-ter. Liverpool-rd. Islington. Pet. July 7. Reg. Roche. O. A. Parkyns. Sols. Sydney and Son, Finsbury-circus. Sur. Aug. 29.

Francis, George, builder and contractor, Charlotte-st. Caledonian-rd. Islington. Pet. Aug. 11. Reg. Roche. O. A. Parkyns. Sol. Goatley, Bow-st. Covent-gdn. Sur. Aug. 30.

Frost, Samuel, cab driver, Putney-common. Pet. Aug. 9. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 30.

Hall, William, milliner, Regent-st. and Belsever-st. Euston-rd. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Abbot, Basinghall-st. Sur. Aug. 30.

Hart, Christian, private tutor, Alexander-villas, Barbican-hill. Pet. Aug. 11. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 29.

Hemmings, William, cheesemonger, King's Cross-rd. Clerkenwell. Pet. Aug. 11. Reg. Roche. O. A. Parkyns. Sol. Newman, Bucklersbury. Sur. Aug. 29.

Libalzy, Thomas, formerly omnibus conductor, Greenwich. Pet. Aug. 11. Reg. Roche. O. A. Parkyns. Sol. Silvester, Great Dover-st. Sur. Aug. 29.

Morriss, John William, watch and clock maker and jeweller, Spring-st. Paddington. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Munday, Essex-st. Sur. Aug. 30.

Notter, Charles Hamilton, commercial clerk, Camden-cottages, Denmark-rd. Camberwell. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Chidley, Old Jewry. Sur. Aug. 30.

Peckey, William Crisp, surgeon and apothecary, Isleworth. Pet. Aug. 9. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 30.

Perfect, James Robert, furniture dealer, Wellington-pl. Holloway-rd. Pet. Aug. 1. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. Sur. Aug. 30.

Robson, George Rawden, formerly surgeon and apothecary, Great Marlow. Pet. Aug. 10. Reg. Roche. O. A. Parkyns. Sols. Nichols and Clark, Cook's-ct. Lincoln's-inn. Sur. Aug. 29.

Scrivener, William Piggott, traveller to a commission agent, St. Mark's-rd. Notting-hill. Pet. Aug. 11. Reg. Roche. O. A. Parkyns. Sol. Broden, Copthall-chambers, Copthall-ct. Sur. Aug. 29.

Stonard, Samuel, oil and colourman, Straban-pl. Ball's-pond-rd. Pet. Aug. 10. Reg. Roche. O. A. Parkyns. Sol. Head, Coleman-st. Sur. Aug. 29.

Sullivan, Thomas Digby, lieutenant R.N. on half-pay, Plymouth. Pet. Aug. 10. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 30.

Ward, Nathaniel, corn, fruit, and potato dealer, Randall-market, Poplar New-town. Pet. Aug. 11. Reg. Roche. O. A. Parkyns. Sol. Steadman, Hackney-rd. Sur. Aug. 29.

To surrender in the Country.

Ayton, Abraham, out of business, Downton. Pet. Aug. 10. Reg. & O. A. Munkhouse. Sol. Chitty, Shaftesbury. Sur. Aug. 29.

Barrow, Peter, professional gymnast, Levenshulme. Pet. July 31. Reg. & O. A. Kay. Sol. Slack, Manchester. Sur. Sept. 25.

Beecroft, William, carpenter, Folaton. Pet. Aug. 7. Reg. & O. A. Bell. Sol. Andrews, Bourn. Sur. Aug. 25.

Cocker, Henry Houton, mill furnisher, Manchester. Pet. Aug. 1. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 25.

Craven, George, grocer, Gosport. Pet. Aug. 5. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 12.

Digman, John, merchant, Sheffield. Pet. Aug. 11. Reg. & O. A. Wake and Hodgson. Sols. Binney and Son, Sheffield. Sur. Aug. 31.

Ellis, Owen, tailor, Llanrwst. Pet. Aug. 3. Reg. & O. A. Jones. Sol. Jones, Conway. Sur. Aug. 24.

Hall, Henry, painter, Wimborne Minster. Pet. Aug. 8. Reg. & O. A. Rawlins. Sol. Tanner, Wimborne Minster. Sur. Aug. 25.

Hill, John, slater, Bradford. Pet. Aug. 9. O. A. Robinson. Sur. Aug. 29.

Hutchings, Charles, auctioneer and appraiser, Exeter. Pet. Aug. 11. Reg. & O. A. Daw. Sol. Fryer, Exeter. Sur. Aug. 25.

Jefferson, Sarah, lodging-house keeper, Whitby. Pet. Aug. 12. Reg. & O. A. Buchanan. Sol. Dotchon, Whitby. Sur. Aug. 31.

Jones, Richard, innkeeper, Oswestry. Pet. Aug. 1. Reg. & O. A. Creson. Sol. Minshall, Oswestry. Sur. Sept. 16.

Kenderdine, William, brewer, Southsea. Pet. Aug. 3. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 12.

Laycock, Robert, tailor and woollendraper, Newark-upon-Trent. Pet. Aug. 10. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. Sur. Aug. 23.

Leighton, William George, ship chandler, North Shields. Pet. Aug. 7. Reg. Gibson. O. A. Laidman. Sols. Hoyle and Sugden, Newcastle. Sur. Aug. 29.

Mason, John, builder, Liverpool. Pet. Aug. 7. Reg. & O. A. Pass. Sol. Gardner, Manchester. Sur. Aug. 25.

Measor, Allen, beer retailer, Cliftonville. Pet. Aug. 4. Reg. & O. A. Blaker. Sol. Kunnacles, Brighton. Sur. Aug. 25.

METCALFE, WILLIAM, butcher, Alne, near Easingwold. Pet. Aug. 16. O. A. Young. Sols. Dyson, York, and Clarke, Leeds. Sur. Aug. 28.
NUTTALL, JAMES, spinning master, Padfield. Pet. Aug. 16. Reg. & O. A. Hibbert. Sol. Reddish, Glossop. Sur. Aug. 24.
OUTRAM, JOHN, farmer, Pentrich. Pet. Aug. 12. Reg. & O. A. Harris. Sol. Cursham, Ripley and Nottingham. Sur. Aug. 29.
PADFIELD, FREDERICK, haulier, Holcomb. Pet. Aug. 12. Reg. & O. A. Messiter. Sol. Dunn, Frome. Sur. Aug. 13.
PASS, GEORGE, china dealer, Bristol. Pet. Aug. 10. Reg. & O. A. Harley and Gibbs. Sur. Aug. 23.
PEET, JOHN, warehouseman, Nottingham. Pet. Aug. 12. Reg. & O. A. Patchitt. Sol. Smith, Nottingham. Sur. Oct. 11.
PETALL, JAMES, tailor and draper, Birkenhead. Pet. Aug. 11. Reg. & O. A. Gill. Sol. Moore, Birkenhead. Sur. Aug. 16.
QUICK, JOHN, baker and grocer, Plympton Saint Mary. Pet. Aug. 11. Reg. & O. A. Pearce. Sols. Edmonds and Sons, Plymouth. Sur. Aug. 29.
RAMSDEN, GEORGE, ironfounder, Birstal. Pet. Aug. 11. Reg. & O. A. Nelson. Sol. Ibberson, Dewsbury. Sur. Aug. 23.
ROBERTS, DANIEL, grocer and common brewer, Ruthin. Pet. Aug. 2. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. Aug. 29.
ROBERTS, JOHN LLEWELLYN, grocer and provision dealer, Wednesfield-heath, near Wolverhampton. Pet. Aug. 11. Reg. Hill. O. A. Kinnear. Sols. Dallow, Wolverhampton; and Green, Birmingham. Sur. Aug. 25.
ROBINSON, WILLIAM, ale and porter brewer, Manchester. Pet. Aug. 11. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. Aug. 29.
RUSSELL, CHARLES, fourth mate of the screw steamship *Damascus*. Pet. July 25. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster. Sur. Aug. 23.
SKINNER, JOHN, canvasser for a printer, Birkenhead. Pet. Aug. 5. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Aug. 23.
SMITH, ROBERT, slater and plasterer, Little Brighton, near Brighton. Pet. Aug. 9. Reg. & O. A. Gill. Sol. Anderson, Birkenhead. Sur. Aug. 28.
SPENCELEY, ANN, victualler, Beverley. Pet. Aug. 12. Reg. & O. A. Cruse. Sol. Turner, Beverley. Sur. Aug. 28.
STAPPER, HEINRICH, dentist, Manchester. Pet. Aug. 10. Reg. & O. A. Kay. Sol. Heywood, Manchester. Sur. Sept. 26.
STEADMAN, WILLIAM, shipwright, Liverpool. Pet. Aug. 7. Reg. & O. A. Dunn. Sol. Rawlinson, Lancaster. Sur. Aug. 25.
TUBB, CHARLES EDMUND, tailor, Landport. Pet. Aug. 10. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 12.
WAY, JOHN, tailor and outfitter, Brixham. Pet. Aug. 3. Reg. & O. A. Daw. Sol. Floud, Exeter. Sur. Aug. 15.

Gazette, Aug. 18.

To surrender at the Bankrupts' Court, Basinghall-street.

ALDRED, THOMAS, jun., assistant to a fishing tackle, archery, and umbrella manufacturer, Oxford-st. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Wellborne, Duke-st. London-bridge. Sur. Aug. 30.
ALLEN, HENRY, late horsedealer, Bethnal-green. Pet. Aug. 9. Reg. Roche. O. A. Parkyns. Sol. Aldridge, Moorgate-st. Sur. Aug. 31.
BENTINCK, GEORGINA AUGUSTA FREDERICA HENRIETTA CAVENDISH, spinster, Green-st. Grosvenor-sq. Pet. Aug. 31. Reg. Roche. O. A. Parkyns. Sol. Greville, St. Swithin's-la. Sur. Aug. 31.
BLAISE, THEOPHILE, boot and shoe maker, Davies-st. Berkeley-sq. Pet. Aug. 11. Reg. Hazlitt. O. A. Graham. Sol. Padmore, Westminster-bridge-rd. Sur. Aug. 30.
BOBBY, WILLIAM, tailor, Kinnerton-st. Belgrave-sq. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Marshall, Lincoln's-inn-fds. Sur. Aug. 29.
BOND, HENRY, baker, New Park-st. Southwark, and Inkerman-ter. Millwall, Poplar. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Stoddart, Arbour-st. east, Stepney. Sur. Aug. 31.
BYRAM, WILLIAM, stone merchant, Druce's-wharf, Queen's-rd. Chelsea. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Terry, King-st. Cheapside. Sur. Aug. 31.
COUSINS, GEORGE, market gardener, Walton-on-Thames. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. Sept. 5.
COWELL, PETER, out of business, Upper Southwick-st. Cambridge-ter. Edgware-rd. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Templeman, Milton-st. Dorset-sq. Sur. Aug. 31.
CRABTREE, GEORGE COX, builder, Hornsey-rd. Holloway. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Pope, Winchester-house, Old Broad-st. Sur. Aug. 31.
FISHER, WILLIAM, cowkeeper and dairyman, Charles-st. west, and Brook-mews north, Paddington. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 30.
HALL, WILLIAM, builder, brickmaker, and contractor, Willes-rd. Kentish-town. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Burn, Watling-st. Sur. Aug. 31.
HARRINGTON, GEORGE, cowkeeper and dairyman, Queen's-crescent, Haverstock-hill. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Pain, Marylebone-rd. Sur. Aug. 31.
HAYSTEAD, THOMAS, general dealer, Sidney-st. Commercial-rd. east. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Buchanan, Basinghall-st. Sur. Aug. 31.
KANS, MOSES, picture dealer, York-st. Broadway, Westminster. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Cooper, St. Martin's-la. Charing-cross. Sur. Aug. 30.
KENT, ROBERT GEORGE, gas fitter and brass finisher, Old Compton-st. Soho. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Branwell, Basinghall-st. Sur. Aug. 30.
KERR, WILLIAM CROMLEY, greengrocer and fruiterer, Hampstead-rd. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Webb, Lincoln's-inn-fds. Sur. Aug. 30.
KITCHENSIDE, JAMES, carman, Grafton-rd. Kentish-town. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Pain, Marylebone-rd. Sur. Aug. 30.
LANGLEY, HENRY HAYDON, attorney's clerk, Mile End-rd. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Michael, Barge-yard, Bucklersbury. Sur. Aug. 30.
MERRYWEATHER, WILLIAM, foreman of works and contractor, Saint Leonard's-rd. Surbiton. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 30.
MILLER, CHARLES, cattle dealer, Willow-vale, Shepherd's-bush. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sols. Sidney Smith and Son, Furnival's-inn. Sur. Aug. 31.
MOODY, WILLIAM, basket maker and greengrocer, Greenwich. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. Sept. 5.
MOORBY, SIMON, baker, Enfield. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Lincoln's-inn-fds. Sur. Sept. 5.
NICKS, WILLIAM PRICE, out of business, Caledonian-rd. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 5.
NORMAN, JOHN, shoemaker, West Ham. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sols. Wood and Ring, Basinghall-st. Sur. Sept. 5.
ORRISS, THOMAS, stonemason, Pond-pl. Fulham-rd. Chelsea. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Edwards, Bush-la. Cannon-st. Sur. Aug. 31.
PHILPOTT, THOMAS, straw hat and bonnet manufacturer, Luton. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Olive, Portsmouth-st. Lincoln's-inn-fds. Sur. Aug. 31.
TRUEMAN, FRANCIS, commission agent, Saint Paul's-rd. Camden-town. Pet. Aug. 12. Reg. Roche. O. A. Parkyns. Sol. Wyatt, Great Carter-la. Doctors'-commons. Sur. Aug. 30.
VOSPER, FREDERICK, grocer, Bloomfield-st. Kingsland. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Doble, Guildhall-chambers. Sur. Aug. 31.
WALDRON, ALFRED, attorney, Brentwood. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Waldron, Lamb's Conduit-st. Sur. Aug. 31.
WATTS, CHARLES BENJAMIN, carpenter, Durham-ter. Camden-grove north, Peckham. Pet. Aug. 14. Reg. Roche. O. A. Parkyns. Sol. Drake, Basinghall-st. Sur. Aug. 30.
WHEATLEY, CHARLES, bookseller and newspaper agent, Cambridge. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Cole, Essex-st. Strand, for Wayman, Cambridge. Sur. Aug. 31.
WRIGHT, GEORGE LAWRENCE, warehouseman and merchant, Size-la. Bucklersbury, and Northampton. Pet. Aug. 10. Reg. Roche. O. A. Parkyns. Sols. Reed and Phelps, Gresham-st. for Jeffery and Son, Northampton. Sur. Aug. 31.

To surrender in the Country.

ACKERMAN, STEPHEN, innkeeper, Bridport. Pet. Aug. 12. Reg. & O. A. Templer. Sol. Day, Dorset. Sur. Aug. 29.
BAKER, JOSEPH, ribbon manufacturer, Coventry. Pet. Aug. 15. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. Sept. 4.
BECKETT, WILLIAM, butcher, Great Yarmouth. Pet. July 29. Reg. & O. A. Chamberlin. Sol. Wiltshire, Great Yarmouth. Sur. Aug. 33.
BEIERSTEIN, JOSEPH, pawnbroker, Gellygaer. Pet. Aug. 16. Reg. & O. A. Russell. Sol. Simons, Merthyr Tydfil. Sur. Aug. 28.

BLAKE, ELIZA EMMA, teacher of music, Wolverhampton. Pet. Aug. 12. Reg. & O. A. Brown. Sol. Bartlett. Sur. Aug. 30.
BOYLE, JAMES, tobacconist, Leeds and Scarborough. Pet. Aug. 15. O. A. Young. Sol. Granger, Leeds. Sur. Aug. 28.
BUTT, JOHN, baker, Manchester. Pet. Aug. 14. Reg. & O. A. Kay. Sol. Leman, Manchester. Sur. Sept. 26.
CHADWICK, PASCAL JAMES, lessee of Alexandra Theatre, Newport. Pet. Aug. 15. Reg. Wilde. O. A. Acraman. Sol. Harris, Tredegar; Press and Inskip, Bristol. Sur. Aug. 29.
DAVENPORT, JAMES THARM HINDLEY, surgeon's assistant, Coleford. Pet. Aug. 14. Reg. Wilde. O. A. Acraman. Sol. Williams, Monmouth; Henderson, Bristol. Sur. Aug. 29.
DAVIES, JOHN, grocer, Llansamlet. Pet. Aug. 12. Reg. & O. A. Morgan. Sol. Field, Swansea. Sur. Aug. 29.
DAWSON, ALFRED, woollen yarn spinner, Brighouse. Pet. Aug. 9. O. A. Young. Sur. Aug. 29.
DAY, WILLIAM HENRY, machinist, Birmingham. Pet. Aug. 15. Reg. & O. A. Guest. Sol. Beaton, Birmingham. Sur. Aug. 29.
DODSWORTH, FOSTER, millwright, Ormesby. Pet. Aug. 16. O. A. Crosby. Sol. Glaister, Stokesley. Sur. Aug. 28.
EDMONDS, DAVID, grocer, Merthyr Tydfil. Pet. Aug. 16. Reg. & O. A. Russell. Sol. Simons, Merthyr Tydfil. Sur. Aug. 28.
EVANS, WILLIAM, bootmaker, Cardiff. Pet. Aug. 15. Reg. & O. A. Langley. Sol. Bird, Cardiff. Sur. Sept. 4.
FINKELL, JOHN CHARLES, custom-house officer, Cargofleet, near Middlesborough. Pet. Aug. 16. O. A. Crosby. Sol. Harle, Leeds. Sur. Aug. 29.
GASKELL, JAMES HESKETH, stationer, Canton, near Cardiff. Pet. Aug. 14. Reg. & O. A. Langley. Sol. Davis, Cardiff. Sur. Sept. 4.
GIBBS, JOSEPH, bootmaker, Gosport. Pet. Aug. 12. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 12.
GREGORY, GEORGE, victualler, Bristol. Pet. Aug. 16. Reg. Wilde. O. A. Acraman. Sol. Trenerry, Bristol. Sur. Aug. 30.
HACKNEY, JOHN, labourer, Hulme. Pet. Aug. 15. Reg. & O. A. Hulton. Sol. Elliott, Manchester. Sur. Sept. 7.
HAMMON, THOMAS, out of business, Folkestone. Pet. Aug. 15. Reg. & O. A. Brockman. Sol. Minter, Folkestone. Sur. Sept. 4.
HAYWARD, JAMES, ironmonger, Bradford. Pet. Aug. 11. Reg. & O. A. Spackman. Sol. Beaven, Bradford. Sur. Aug. 31.
HAYWARD, JOHN, sergeant of militia, Shrewsbury. Pet. Aug. 16. Reg. & O. A. Peele. Sol. Davies, Shrewsbury. Sur. Sept. 1.
HERWIG, HENRY AUGUST, innkeeper, Folkestone. Pet. Aug. 15. Reg. & O. A. Brockman. Sol. Minter, Folkestone. Sur. Sept. 14.
HEWITT, THOMAS, stone dealer, Bolton-le-Moors. Pet. Aug. 15. Reg. Macrae. O. A. Morgan. Sols. Briggs and Bailey, Bolton; Halton and Co. Salford. Sur. Sept. 1.
HIPKINS, JOHN, chain manufacturer, Sedgley. Pet. Aug. 17. Reg. Hill. O. A. Kinnear. Sols. Caldicott and Canning, Dudley; Hodgson and Son, Birmingham. Sur. Sept. 1.
JONES, ELIAS ELIJAH, watchmaker, Bethesda, near Bangor. Pet. Aug. 16. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. Aug. 29.
JONES, JOHN, carpenter, Willenhall. Pet. July 26. Reg. & O. A. Brown. Sol. Bartlett. Sur. Aug. 30.
LAVENSTEIN, DAVID, tailor, Birmingham. Pet. Aug. 16. Reg. Tudor. O. A. Kinnear. Sol. Duke, Birmingham. Sur. Sept. 1.
LAMBLE, EDWIN, cabinet-maker, Coombe Cellars, Coombeinteignhead. Pet. Aug. 3. Reg. & O. A. Hirtzel. Sol. Floud, Exeter. Sur. Aug. 29.
LINE, EDWIN, bootmaker, Cheltenham. Pet. Aug. 12. Reg. & O. A. Gale. Sol. Marshall, Cheltenham. Sur. Sept. 4.
LOVERIDGE, JOHN, sawyer, Coventry. Pet. Aug. 9. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. Sept. 4.
METCALFE, GEORGE, superannuated officer of excise, Easingwold. Pet. Aug. 7. Reg. & O. A. Harby. Sol. Dyson, York. Sur. Sept. 6.
MITCHELL, JOHN, farmer, Isel. Pet. June 29. Reg. Gibson. O. A. Laidman. Sol. Waugh, Cockermouth. Sur. Aug. 29.
MOLLART, HAMLET, cratemaker, Mexborough. Pet. Aug. 15. Reg. & O. A. Mason. Sol. Woolhead, Doncaster. Sur. Sept. 2.
MORGAN, WILLIAM JENKIN, cattle dealer, Canton, near Cardiff. Pet. Aug. 12. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. Aug. 29.
NEWMAN, THOMAS, miller, Ford-mill, near Chippenham. Pet. Aug. 16. Reg. Wilde. O. A. Acraman. Sols. Finniger and Awdry, Chippenham; Henderson, Bristol. Sur. Aug. 30.
O'CONNOR, JAMES, dealer in hardware goods, Sunderland. Pet. Aug. 14. Reg. Gibson. O. A. Laidman. Sol. Robinson, Sunderland. Sur. Aug. 31.
PODEVIN, ADOLPHUS JOSEPH, linguist, Chorlton-upon-Medlock. Pet. Aug. 17. Reg. Macrae. O. A. Morgan. Sol. Eltoft, Manchester. Sur. Aug. 29.
RADLEY, JAMES, out of business, Liverpool. Pet. Aug. 15. Reg. & O. A. Hime. Sol. Cross, Liverpool. Sur. Aug. 28.
SMITH, MARY ELIZABETH, teacher in a seminary, Long Sutton. Pet. July 8. Reg. & O. A. Caparn. Sol. Percival, Spalding. Sur. Aug. 31.
STEDIFORD, JOHN, miller, East Worlington. Pet. Aug. 15. Reg. & O. A. Crosse. Sol. Shapland, South Molton. Sur. Sept. 18.
STOUT, JONATHAN, carter, Penrith. Pet. Aug. 10. Reg. & O. A. Yarty. Sol. Armison. Sur. Aug. 24.
THOMAS, MARGARET, widow, Knwch. Pet. Aug. 14. Reg. & O. A. Temple. Sol. Chuse, Kington. Sur. Aug. 31.
THURSFIELD, WILLIAM, bolt and screw maker, Wednesbury. Pet. Aug. 15. Reg. & O. A. Clarke. Sol. Glover, Walsall. Sur. Aug. 29.
TOMLINSON, SAMUEL, poulterer, Hulme. Pet. Aug. 16. Reg. & O. A. Hulton. Sol. Andrews, Manchester. Sur. Sept. 2.
TOOTHILL, THOMAS, cloth manufacturer, Calverley. Pet. Aug. 14. O. A. Young. Sols. North and Sons, Leeds. Sur. Aug. 28.

BANKRUPTCIES ANNULLED.

Gazette, Aug. 15.

WALKLEY, WILLIAM, Arundel.

Gazette, Aug. 18.

COBB, JAMES SWANSTON, printer, Great Yarmouth.
SPRINGETT, JOSEPH, architect, Clement's-la. and West Hackney.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Bushby, J. currier, &c., first, 6d. Morgan, Manchester.—*Parr*, M. innkeeper, first, 1s. 11d. Acraman, Bristol.—*Rees*, D. grocer, stationer, &c., first, 2s. 10d. Acraman, Bristol.—*Ridgway*, J. W. corndealer and grocer, first, 4s. 11¼d. Morgan, Manchester.—*Sage*, J. shipbuilder, &c., first, 2s. 1d. Acraman, Bristol.—*Waldron*, H. aerated bread manufacturer, first, 1s. 11d. Acraman, Bristol.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Aug. 15.

ANDREWS, WILLIAM ISAAC, butcher, Sudbury. Aug. 3. Trusts. J. M. Balls, estate agent, Castle Hedingham, and C. Gibbs, farmer, Ridgewell.
BELL, JOHN, plumber and glazier, Blackburn. July 29. Trusts. J. Caldecott, glass merchant, Liverpool, and L. Horner, lead merchant, Skipton.
BROMHEAD, JOSEPH, beerhouse keeper, Radford. July 13. Trust. E. Beresford, victualler, Nottingham.
BROOKES, JOHN, grocer, Nottingham. July 31. Trust. J. Whitby, flourdealer, Nottingham.
BURLEY, JOHN, lock-keeper, Chesterfield. Aug. 10. Trust. F. Murphy, tailor, Chesterfield.
BYNNER, THOMAS, clothier, Llangollen. July 21. Trust. J. Starkey, merchant, Manchester.
COOKSON, RICHARD, ironmonger, Warrington. July 17. Trusts. J. T. Pimley, factor, Wolverhampton, and J. Frost, accountant, Culcheth.
CORSAN, JOHN RICHARD, wholesale teadealer, St. Mary Axe. Aug. 9. 1s. 6d. in 1 mo.
DODGSON, JOSEPH, merchant, Manchester. Aug. 10. 6s. in cash, in lieu of three equal instalments of 4s. 3d. each.
FORSELL, THOMAS, spinner, Leicester. July 19. 11s.—8s. on execution of deed and 3s. at 6 mos.
FRENCH, EDWARD, butcher, Bloxham. July 31. Trust. J. W. Colvill, gentleman, New Wandsworth.
FULLFORD, GEORGE, grocer, Fareham. July 18. Trust. J. Wainscot, accountant, Portsea.
HAMMOND, FREDERICK WILLIAM, coal merchant, Strathedon-villas, New-rd. Hammersmith. July 14. 5s. by two equal instalments on 30th Sept. and in 6 mos.

HILL, ELIZABETH, innkeeper, Epworth. July 29. Trusts. W. Read, sen., wine merchant, and J. Hatfield, auctioneer, both Epworth. Sol. Carnochan, Crowle.
HURD, THOMAS, cigar dealer and refreshment house keeper, Manchester. Aug. 2. 5s.
ISAACS, ELEAZER, jeweller, Leicester. July 14. 2s. 6d.
ISTED, THOMAS, farmer and victualler, Westwell. July 31. Trusts. J. Horton, wheelwright, Charing, and T. Rutherford, grazier, Hothfield.
JACOBS, SIEGMUND, leather seller, York-st. Hackney-rd. Aug. 3. 7s. 6d. on 3rd Sept.
JONES, THOMAS, cattle dealer, Bromsgrove. July 15. Trust. J. Percivall, accountant, Birmingham.
JOWETT, WILLIAM, clothes dealer, Huddersfield. July 19. 7s. by three equal instalments at 1, 2, and 3 mos.—secured. Trust. J. Hadfield, pawnbroker, Huddersfield.
LEES, JOHN, grocer, Manchester. July 14. Trust. G. B. Cuff, public accountant, Manchester.
MURRAY, ROBERT CRON, draper, Birmingham. Aug. 4. 10s. 3d. Trust. R. Carpenter, woollen merchant, Bristol.
NEALE, EDWARD, farmer, Morton. July 13. Trust. J. Taylor, victualler, Nottingham.
OGLE, JOHN, and KELSEY, THOMAS, paint manufacturers, Sunderland. July 25. Trust. T. Hetherington, millwright and engineer, Sunderland.
PALLISER, WILLIAM, grocer, Sheffield. July 20. 7s. in 3 mos.—secured. Trust. M. Wood, spinster, Sheffield.
PRIESTNER, JAMES, coal merchant, Bollington. July 17. Trusts. J. T. Wood and T. B. Hollinworth, coal merchants, both Manchester.
ROBERTS, JOHN THOMAS, surgeon, New Romney. July 29. To pay 10l. on 1st Nov. and after 75l. on 1st May and 1st Nov. in every year until debts be fully paid. Trusts. J. Humphery, coal merchant, and A. R. Parsons, grocer, both New Romney.
ROBERTS, MORRIS, butcher, Rhyl. Aug. 9. 1s. on 23rd Oct.
STRINGER, PETER, hardwareman, Newport. July 26. 10s. in three equal instalments at 1, 4, and 7 mos.—secured. Surety, E. Gibbon, gentleman, Ebbw Vale.
THOMAS, WILLIAM DAVID, grocer, Mountain Ash. July 31. 6s. 8d. —one-third in cash and one-third in 2 and 4 mos. Sureties, T. Price, mason, and D. Luke, greengrocer, both Aberdare.
TUCKER, CHARLES, farmer, South Luffenham. July 15. Trusts. T. Inman, saddler, Uppingham, and W. G. Hart, grocer and teadealer, Uppingham.
WOLF, CHARLES, merchant, Merchant-rd. Bow. Aug. 2. Trust. E. Coleman, gentleman, Royal-cres. Notting-hill. Sols. Lawrance, Plews, and Boyer, Old Jewry-chambers.
YEOMAN, HENRY, horsedealer, Landport. Aug. 10. Trust. J. Ware, butcher, Landport.

Gazette, Aug. 18.

BATEMAN, GEORGE, plumber, Canterbury. July 26. 3s. 4d. on 21st Aug. and 3s. 4d. on 29th Sept. Trust. E. Bateman, valuer, Canterbury.
BEAUCLERK, CHARLES, glassdealer, Southampton. Aug. 13. 6s. 8d. —3s. 4d. in 3 mos. and 3s. 4d. in 6 mos.
BOND, HENRY, builder, Kingswood-pl. Dacre-park, Lee. July 25. Trusts. P. East, brickmaker, Manor-park, Lee, and W. Challis, lead and glass merchant, Church-st. Greenwich. Sol. Kipping, New Broad-st.
BUCHNER, JACOB, cap manufacturer, Leeds. July 31. 6s. 8d. by two equal instalments—first in cash and the other in 3 mos. Trust. A. Crooke, attorney's clerk, Leeds.
COE, CHARLES SKINNER, boot and shoe manufacturer, Bristol. Aug. 4. Trusts. R. Lugg and T. J. Coe, boot and shoe manufacturers, Bristol.
COHEN, CHARLES, stick manufacturer, St. Mary-axe. Aug. 14. 10s. by four equal instalments at 3, 6, 9, and 12 mos.
COLLINGWOOD, JOHN FREDERICK, gentleman, Gloucester-st. Belgrave-rd. Pimlico. Aug. 14. 1s. in 4 mos. from 10th Aug. Trust. J. Beck, Cornhill.
DAVY, THOMAS STOCKING, mantle manufacturer, Wood-st. July 19. Trusts. J. Lawrence, Cheapside, and J. Buchanan, Gutter-la., silk merchants.
DAY, REV. JOHN TOMLINSON, clerk, rector of the rectory of Bletsoe. Aug. 5. Trusts. G. Hurst, W. J. Nash, gentlemen, Bedford, and T. Hipwell, miller, Bletsoe.
DOVER, HENRY JOHN, builder, Gipsy-hill, Norwood. Aug. 10. 2s. 6d. by two equal instalments at 6 and 9 mos.
GRATHWOHL, JOSEPH, merchant, Coleman-st.-bldgs. July 21. Trust. F. Kobers, merchant, Cushion-ct. Old Broad-st. Sol. Abrahams, Gresham-st.
GROCOTT, WILLIAM, builder, Neston. July 24. 4s. on 24th July. Trust. W. Theobalds, accountant, Liverpool.
HAILES, MATTHEW, grocer, Haydon Bridge. July 21. 12s.—1s. on execution of deed and balance by three equal instalments at 3, 6, and 12 mos. Sureties, W. Hailes, flourdealer, Newcastle, and T. Dodd, engineman, Haydon Bridge.
HALL, JAMES DAWKIN, merchant, Llanelly. July 19. 3s. 6d. on 10th Aug.
HAMPSON, GEORGE, wheelwright, Huddersfield. July 24. Trusts. J. Hampson, shopkeeper, and J. Balmforth, dyer, both Huddersfield.
HAZELL, BENJAMIN, cab builder and driver, Flood-st. St. Luke, Chelsea. Aug. 14. Trust. P. Becker, gentleman, Queen's-rd. west, Chelsea.
HEATH, ROBERT, stationer, Southsea. July 8. Trust. G. Rice, victualler, Southsea.
HOPWOOD, JOHN, photographic artist, Wednesbury. July 21. 10s. by two equal instalments on 21st Sept. and 1st Nov. Surety, E. Hopwood, gentleman, Wednesbury.
JENNINGS, GEORGE, boot and shoe maker, Sunninghill and Windsor. Aug. 4. Trust. D. Aldridge, currier, Reading.
JOHNSON, GEORGE JAMES, colour maker, Chatham. Aug. 16. Trust. W. J. Litchfield, schoolmaster, Chatham.
JONES, FOULK, grocer, Llanderniolen. July 18. Trusts. J. A. Miller, Liverpool, and E. H. Owen, Carnarvon, drapers.
JONES, JAMES CHARLES, and HILL, JAMES THOMAS, printers and stationers, Brighton. Aug. 7. Trusts. A. T. Hawkins, accountant, Strand, and G. Williams, wholesale stationer, Moorgate-st. City.
KIDD, JOHN, pawnbroker, Liverpool. June 29. 15s. by twelve monthly instalments—first on 21st July. Trust. A. Picking, pawnbroker, Liverpool.
LEVICK, FREDERICK, and SIMPSON, ROBERT, colliery owners, Charlotte-row, city London, and Blaina Cwm Celyn and Coalbrook Vale Iron Works, Monmouth. Aug. 14. Inspectors, A. Darby, Ebbw-vale, G. T. Clark, Merthyr Tydfil, ironmasters, and T. Gratrex, banker, Newport.
MANNERS, JOHN, and CHESHIRE, WILLIAM, iron and tinplate manufacturers, Rugeley. July 21. 4s. 6d. in three equal instalments at 6, 12, and 18 mos. from 19th May. Trusts. W. Davis, manager of Gadly's Iron Works, Aberdare, J. Bissell, ironmaster, Birchills, near Walsall, and J. Kempson, metal dealer, Birmingham.
MARTIN, EDMUND, corn merchant, Mount-ter. Whitechapel. July 31. 4s. on 31st Aug. Trust. T. B. Muggeridge, corn merchant, Catherine-st. Seething-la.
MILLER, EDWARD, clerk, Bognor. July 21. 5s.
MORRISON, ABRAHAM, draper, Sheffield. July 25. Trusts. J. Hardy, merchant, and J. Walker, clothier, both Manchester.
MUIR, WILLIAM ROBINSON, saddler, Whitley. July 31. Trusts. J. R. Nicholson, ironmonger, and G. S. Welburn, draper, both Whitley.
OWEN, JOSEPH, innkeeper, St. Asaph. July 21. 6s. by four equal instalments at 3, 6, 9, and 12 mos.
POPPEY, BENJAMIN, wheelwright, Nottingham-mews, High-st. Marylebone. July 21. 3s. 4d. in 60 days. Trust. G. Marks, coachbuilder, Orchard-st. Oxford-st.
REEVE, JOHN, wholesale druggist, Birmingham. July 22. Trusts. J. Read, confectioner, Birmingham, and J. Pattison, confectioner, Birmingham.
RICHARDSON, WILLIAM WIGNALL, saddler, Chorley. July 25. 5s. on 29th Sept.
ROWE, JOHN MAURICE, coal and corn dealer, Blackfriars-rd. Aug. 15. 8s. 4d. by three equal instalments at 4, 8, and 12 mos. from 15th Aug.—secured. Surety, W. E. Spencer, manufacturer, Plough-yd. Shoreditch.
RUSTON, TIMOTHY, corn miller, Allerston. July 27. Trust. J. Smith, farmer, Normanby.
SALBY, WILLIAM, builder, Hensingham, near Whitehaven. July 22. 15s. by 12th April 1872. Trusts. S. Braithwaite, grocer, J. Alcock, cooper, and T. Barnes, wholesale grocer, all of Whitehaven.
SLANEY, GEORGE CATTARNS, late clerk to a wine merchant, Dorset-ter. Great Dover-st. July 19. 2s. 6d. in 7 days.
STACEY, LEVY, currier, Bath. July 19. Trust. C. Nicholls, leather merchant, Bristol.
TAYLOR, JOHN JASPER, upholsterer, Pavement, Clapham. Aug. 1. 15s. by four equal instalments at 3, 6, and 12 mos. from 1st Aug.—secured. Trust. W. Antill, cabinet manufacturer, Diana-pl. Euston-rd.

TAYLOR, JOSEPH, and TAYLOR, BENJAMIN, woollen manufacturers, Halifax. July 31. Trusts. J. Armitage, shoddy merchant, Dewsbury; J. L. Stell, cotton warp dealer, Rochdale, and S. Smith, cotton-spinner, Rochdale.

WYLD, CHARLES, builder, Arthur-st. Battersea-pk. Aug. 14. 5s. in 6 mos.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

CAVE.—On the 20th inst., at Berrylands, Surbiton, the wife of Lewis W. Cave, Esq., of the Inner Temple, of a daughter.

PROTHERO.—On the 14th inst., at 12, Pyrland-villas, Richmond, the wife of Francis Prothero, barrister, of a son.

MARRIAGES.

BLYTH—RUTTER.—On the 21st inst., at Roxwell, Essex, Robert Blyth, Esq., solicitor, Chelmsford, to Georgiana, second daughter of James Rutter, Esq., of Roxwell.

DEWSNAP—WILLIS.—On the 12th inst., at the parish church, Barnes, Surrey, Mark Dewsnap, Esq., of Lincoln's-inn, barrister-at-law, to Frances La Touche, fourth daughter of Robert Willis, Esq., M.D., of Barnes.

GLASSFORD—ADAMS.—On the 22nd inst., at St. Luke's, Old Charlton, Donald Glassford, Esq., solicitor, of Dundee, N.B., to Louisa Theodosia, eldest daughter of Thomas Adams, Esq., of Charlton, Kent.

KEMP—PLUMPTRE.—On the 17th inst., at St. Mary's, Kilburn, by the Rev. Edward Hayes Plumptre, M.A., Prebend of St. Paul's, uncle of the bride, Thomas R. Kemp, Esq., B.A., barrister-at-law, of the Middle Temple, to Emily, eldest daughter of Charles John Plumptre, Esq., barrister-at-law, of 13, Belgrave-road, St. John's-wood, London.

WILSON—BARDGETT.—On the 15th inst., at St. John's Church, Hampstead, Arthur Wilson, Esq., of the Inner Temple, barrister-at-law, to Mary, daughter of the late William Bardgett, Esq., of Leyton, Essex.

SLADEN—DANVERS.—On the 17th inst., at Great Stanmore, Middlesex, Henry Mainwaring Sladen, of Lincoln's-inn, Esq., barrister-at-law, to Lydia, youngest daughter of Frederick Dawes Danvers, of Heathbourne, Bushy-heath, Herts, Esq.

DEATHS.

CORLEY.—On the 12th inst., at No. 4, Verulam-buildings, Gray's-inn-square, John Corley, Esq., barrister-at-law.

GRAHAM.—On the 11th inst., at his residence, in St. Mary's, York, aged 63, James Graham, Esq., formerly of the Inner Temple, barrister-at-law.

SHERVINGTON.—On the 13th inst., at Upper Norwood, aged 29, Eliza Amelia, the beloved wife of the Hon. T. M. Shervington, H. M.'s Attorney-General of the Island of Grenada.

Investments.

A FIRST-RATE LAND SECURITY for 7000l. at 4 per cent. is offered.—Apply to Mr. OLLARD, Solicitor, Wisbech.

A FARM, of about 150 acres, one-third at least must be pasture, WANTED, in Kent or Surrey, to Rent or Purchase.—Address to Mr. MARK COLES, Land and Estate Agent, 21, Gresham-street, Bank.

TO CAPITALISTS.—Any Gentleman having Capital at command, and willing to co-operate with the Advertiser, may employ the same from time to time safely and advantageously.—Address Mr. HERBERT EVANS, 41, Great Pulteney-street, Golden-square, W.

4l. 10s. PER CENT. DEBENTURE STOCK IN PERPETUITY.

THE GREAT EASTERN RAILWAY COMPANY are now issuing this stock. Applications to be made to J. B. OWEN, Secretary.

Bishopsgate Terminus, London, 14th July 1865.

LOANS ON DEBENTURES.

JOHN BROWN and COMPANY (LIMITED).

Capital One Million, in 10,000 Shares of 100l. each.

The Directors are prepared to RECEIVE LOANS for periods not exceeding seven years, at 5 per cent. on the Security of their Debentures.

The Security consists of uncalled Capital to the extent of 600,000l., with all the extensive and valuable property belonging to the Company.

It affords a most ample and safe investment for trust and other moneys, all the shares being held by responsible persons. Interest payable half-yearly.

Apply to the Secretary, at the Company's Offices, Atlas Steel Spring and Iron Works, Sheffield.

JOHN HEWITT, Secretary.

DEBENTURES.—The CREDIT FONCIER of MAURITIUS (Limited).

Subscribed Capital £500,000
Paid up and invested 100,000

This Company is prepared to ISSUE a limited amount of its SIX PER CENT. LAND MORTGAGE DEBENTURES for terms of years to be agreed upon, at rates of issue affording, with the advantage of repayment at par, what is equivalent to interest at the rate of from Six to over Seven per Cent. per Annum, according to the length of the term.

The business of the Company is confined to the advance (of loans) on duly registered first mortgages of real property, to an extent in no case exceeding half the carefully appraised value of the property mortgaged; such loans being repayable gradually by annual instalments.

By the Articles of Association no obligations can be incurred in excess of the amount actually invested, and the total amount borrowed can never exceed the subscribed capital. The Company's Debentures are thus doubly secured.

For further information application may be made to the Secretary, No. 17, Change-alley, Cornhill, E.C.

WESTON-SUPER-MARE LOCAL BOARD OF HEALTH.

£10,000 WANTED, ON MORTGAGE OF RATES.

The Local Board of Health for the District of Weston-super-Mare, having obtained the sanction of Her Majesty's principal Secretary of State for the Home Department to borrow the sum of 13,000l., to defray the costs of works of drainage for the said district of Weston-super-Mare, invite TENDERS from persons willing to advance 10,000l. on mortgage of the general district rates, which have been already mortgaged, and upon such mortgages there now remains unpaid the principal sum of 16,252l. 3s. 11d.

The assessable value of the district is upwards of 38,000l.

The amount to be borrowed will be required in equal moieties of 5000l. the first of which 5000l. to be advanced forthwith, and the other advance of the remaining 5000l. to be made on or about the 25th day of December next, and to be respectively payable with interest in thirty years by four equal instalments, or by equal annual instalments of the principal, the interest being paid regularly half-yearly, or by thirty annual instalments of principal and interest.

Any further information may be obtained at the office of the Clerk, Town Hall, Weston-super-Mare.

Sealed tenders, stating the terms, to be sent to me, on or before the 29th day of August inst.

By order of the Board,

WILLIAM SMITH, Clerk.

Dated, Weston-super-Mare August 11th, 1865.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of 2,000,000l., of which 600,000l. only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 20th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to GEORGE J. JEFFERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 700,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
	Stephen P. Kennard, Esq.
Harry George Gordon, Esq.	P. F. Robertson, Esq., M.P.
George Ireland, Esq.	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order. JOHN ANDERSON, Secretary.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000l. Subscribed 1,000,000l.

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances, for long or short terms, repayable with interest, at fixed dates, or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all estates and interest therein, excluding mineral property, factories and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, &c., imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages, and real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. WILLIAM NAPIER, Managing Director, the Land Securities Company (Limited), 32, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital £2,000,000
Subscribed 1,000,000
Paid up 100,000

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act 1865, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing 4½ per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of real estate, deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estates charged, as certified by a surveyor or valuer appointed by the Enclosure Commissioners for England and Wales, are thus absolutely appropriated to the repayment of the mortgage debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further guarantee of the Company's uncalled capital of 900,000l., so that representing, in fact, fractions of the Company's aggregate of securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under hand only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities thus appropriated, and of the Mortgage Debentures, will be kept in the Office of Land Registry.

Trustees having a general power to invest upon the security of the shares, stocks, mortgages, bonds, or debentures of companies incorporated or acting under the authority of an Act of Parliament, are authorised by the 45th section of the Act to invest in the Mortgage Debentures.

The Mortgage Debentures will be issued for such periods and for such amounts as may suit investors.

Apply to the Honourable WILLIAM NAPIER, Managing Director, Land Securities Company, 32, Charing-cross, London, S.W.

IMPERIAL FIRE INSURANCE COMPANY.

No. 1, Old Broad-street, and Nos. 16 and 17, Pall-mall, London.

Established 1803.

Subscribed and Invested Capital and Reserved Fund, £1,900,000. Losses paid, 8,000,000l.

FIRE INSURANCES granted on every description of property, at home and abroad, at moderate rates.

Claims liberally and promptly settled.

All policies are now entitled to the recent Reduction in the duty to 1s. 6d. per cent., whether covering buildings, furniture, or stock. ANDREW BADEN, Superintendent.

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

CAPITAL, 250,000l.

DIRECTORS.

Ralph T. Brockman, Esq. Folkestone.
Edward Wm. Cox, Esq., 36, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. E. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 31, Devonshire-place.

MEDICAL ADVISERS.

Nicholas McCann, Esq., M.D., 30, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street.

CONSULTING ACTUARY.—F. G. P. Neison, Esq., F.S.S.

SECRETARY.—Edward S. Barnes, Esq.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

68, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., M.P., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

MUTUAL ASSURANCE WITHOUT MUTUAL LIABILITY.

POLICIES PAYABLE IN LIFETIME.

BRITISH EQUITABLE ASSURANCE COMPANY,

47 and 48, King William-street, London-bridge, E.C.

CAPITAL, A QUARTER OF A MILLION.

Accumulated Fund, £85,000.

Three Triennial Divisions of Profits at the rate of 1½ per cent. per annum on the sums assured have been declared, and the Fourth Division will take place on December 31st, 1866.

The Profits may be applied to the Reduction of Premiums, or as an addition to the sum assured, *or (by the extinction of the ultimate premiums) to make the policy payable in the lifetime of the assured.*

The Policies in force exceed in number 7800, and in amount £1,512,970.

The Interest realised in 1864 exceeded 6 per cent. on the entire funds of the company.

Industrial Assurances are granted, the payments for which may be made at periods oftener than yearly, five per cent. only being charged extra for such payments.

Active and Influential Travelling and Local Agents wanted.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, CHANCERY LANE, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.

Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.
Business consists of the best classes of risks.
Insurants will be allowed the full benefit of the Reduction of Duty.
Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1868. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 50 per cent. per annum on the premiums paid varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

ROYAL INSURANCE COMPANY.

LONDON: Royal Insurance-buildings, Lombard-street.
LIVERPOOL: Royal Insurance-buildings, North John-street.

At the ANNUAL MEETING on the 4th inst. the following were some of the leading results disclosed:

FIRE BRANCH.

The premiums for the year 1864 amounted to.......... £[illegible]
Being an advance over 1863 of .... £[illegible]

In the last seven years the premiums have increased over 130 per cent.

LIFE BRANCH.

The sum assured by New Policies in 1864 was ...... £1,[illegible]
Yielding in New Premiums .... £[illegible]

The Actuary's Quinquennial Report to the end of 1864, with an appendix, which can be obtained by the public on application, gives the result of the calculations made to ascertain with precision the amount of the liabilities of the company under its various engagements.

New premiums received first fifteen years, ending 1859 .... £90,[illegible] 3 9
New premiums received in five years, ending 1864 .... £110,529 12 2
The entire accumulation of Funds on the Life Insurance Branch on 31st Dec. 1864 .... £571,040 11 1

Being equal to 63 per cent. of the entire premiums received.

This is sufficient, even though the interest of money should only be 3 per cent., to provide a reversionary Bonus of 2l. per cent. *per annum to be added to the original amount of every policy entitled to participation.*

LONDON.

The new building in London being completed and occupied, it is believed that the company is now commencing a new epoch in its existence as a London office. Many things combine to show a probably large expansion of our already great business, which will exceed any anticipation which could have reasonably been formed of it some years since.

PERCY M. DOVE, Manager and Actuary.
JOHN B. JOHNSTON, Secretary in London.

Aug. 1865.

CROCKFORD'S CLERICAL DIRECTORY for 1865, the most perfect Directory yet published, giving every information concerning the Clergy of the United Kingdom that can possibly be required. Price 12s. 6d. bound in cloth.

Office: 10, Wellington-street, Strand.

To Readers and Correspondents.

LEX.—Yes, he can.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 3*s.* 10*d.* *in postage stamps.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE conviction of a solicitor for obtaining money by false pretences from a client, under the circumstances described in the report which appears in another page, reveals the too-frequent practice among a certain class of the Profession, who will not be so numerous henceforth as formerly, now that the barrier of the preliminary examination has been opposed to them.

An attorney without a certificate practises under the name of an attorney having a certificate, receiving for the use of his name a portion of the profits of the business brought by the other. Such appeared to be the relationship between the prisoner WALKER and Mr. GRAYSON. It was admitted by the latter that he gave the former one-third of the profits of all the business he brought. He called WALKER his clerk, but WALKER asserted that a partnership was contemplated. The offence of which WALKER was convicted is that of having obtained 3*l.* from a client whom he had introduced to GRAYSON for the purpose of having a trust-deed prepared, on the assertion that it was required for stamps for this deed, and that GRAYSON would not engross it until he had the money. Having thus obtained it, WALKER applied it to his own use, and GRAYSON swore that he had not authorised WALKER to apply to the prosecutor for it, and that at that time all connection between them had ceased. He was sentenced to four months' imprisonment.

A RETURN has been ordered of the number of persons rated in each parish at and under 4*l.*, 5*l.*, 6*l.*, 7*l.*, 8*l.*, 9*l.*, and 10*l.* respectively. This information must be the first step to *any* franchise Bill. Wanting these figures it is impossible to say what addition would be made to the number of electors by any change that may be proposed. It is not all the material required, but it is the larger part of it. We shall need, further, a return from the several boroughs showing what are the callings of the persons so rated, that it may be seen what power would be given to any class or classes, by a reduction of the rating franchise.

EITHER the framing of a law is very difficult, or the framers of our laws are very careless. The Orders in Council, to which the force of law is given by the Cattle Diseases Prevention Act, are as imperfect as the statutes. For instance, the orders issued last week required that every person having diseased cattle should give notice thereof at the Privy Council Office! This was of course impracticable. The orders issued on Tuesday sought to amend the defect by providing more rationally, that notice of the appearance of the pest shall be given to the clerk to justices of the petty sessional division. But here again is a blunder. It does not say what the clerk is to do with the notice after he has received it. We presume it to have been designed that he should send it to the cattle inspector whom the justices are to appoint, that he may visit the infected spot; but upon this the order is silent, and the justices' clerks must act upon their own interpretation of the direction that the notices are to be given to them; at least, we would advise them so to do. Nor is any provision made for payment of justices' clerks for the labour thus imposed upon them.

THE case of *Reg.* v. *Chatfield*, tried on Friday at the Middlesex Sessions, before Mr. E. W. COX, sitting for the Assistant-Judge, has directed public attention to an extraordinary state of the law, which, now that it is known, must be reformed without delay.

It appears that Mrs. CHATFIELD, carrying on business as a milliner, in Sussex-place, Pimlico, having among her customers many ladies of rank, was in June last suddenly arrested by a policeman in her shop, carried off to the station under a warrant issued by a police magistrate charging her with keeping a bawdy-house, and in custody she remained until bail could be found for her to answer the charge at the sessions. There had been no notice of the intended complaint, no intimation whatever of a charge, which in itself is ruin, having been preferred, no opportunity given for explanation or answer.

Readers will exclaim with amazement,

> Can such things be,
> And overcome us like a summer cloud
> Without our special wonder?

It is even so. Such is the law. All was legally done to Mrs. CHATFIELD, and might be done any day to any one of us.

Thus it comes to pass. By an old statute of Geo. 2, on the information on oath of any two ratepayers of a parish that any person keeps a bawdy-house, the parish authorities may apply to a magistrate, who is thereupon bound, without any previous inquiry into the truth of the charge, to issue a warrant for the apprehension of the party so charged, and upon her appearance to bind her over to answer the charge at the Quarter Sessions, and, in default of bail, to commit her to prison. Not only is the informer exempt from all examination, but even his name is not made known to the defendant, who has thus to meet an anonymous accuser and an unseen accusation. Nor is the defendant permitted to enter upon any defence, but, if bail cannot be found, she is consigned to a prison; and, even if bailed, goes forth free in person but ruined in reputation.

Such *was* the case in question. Mrs. CHATFIELD was a milliner, and such a charge against such a person was instant ruin, of course. The jury pronounced her innocent, yet has she been arrested like a felon, dragged to a police-station, put to the cost and anxiety of a trial, to the shame of appearing at the bar of a criminal court, to the loss of her business and to utter ruin, and all this upon the unproved charge of anonymous accusers, with no opportunity given to her to face them, or answer their accusations. At this moment she does not know, and cannot learn, who are the informers, that she may sue them for damages for the fearful wrongs they have done to her.

That a law so un-English should have remained upon the statute-book is the more amazing, because, a few years ago, an Act was passed specially to prevent a much less formidable abuse of *ex parte* accusation through the medium of grand juries. Previously to that statute it was competent to any person to present a bill to a grand jury charging any other person with a misdemeanor, without previous notice given and in the absence of the defendant, and on that *ex parte* statement a bill was found. This wrought so much injustice to innocent persons, by subjecting them to malicious, fanciful, or false accusation, that after the recurrence of a case almost as flagrant as that of Mrs. CHATFIELD, the Legislature interfered, and it was enacted that, in certain misdemeanors there named, no indictment should be preferred without previous investigation of a magistrate, or the order of a judge of the Superior Courts, or of the Attorney-General.

But the mischief thus effectively remedied was slight compared with that which was left untouched in the case of the statute relating to bawdy-houses. The grand jury at least made *some* investigation into the evidence against the defendant. But the charge under the Act of Geo. 2 is made and acted upon without any inquiry at all.

Of course it needs but to be known to be reformed, and that misdemeanor subjected to the same protective formalities as all others. There must be an inquiry and committal by a magistrate before an indictment can be preferred.

It will be asked, perhaps, how it comes that so great a wrong should have slumbered so long unredressed? Because the despotic power given by the un-English statute has never before been abused. Its exercise was confided to parish officers, who were prudently chary in the exercise of it. But recently there has arisen a practice, fraught with evil, and most formidable to the liberty of the subject, of establishing societies ostensibly for the enforcement of the penalties of the law against offenders of certain classes, philanthropy being the profession and usually the motive, but persecution being the invariable result. Where paid officials handle a joint-stock purse, and receive from it handsome fees for the business done, it needs small knowledge of the world to be assured that business will be found. If prosecutors are handsomely rewarded for bringing fish to the net, persecutors will then be in plenty. If witnesses are wanted, pay them and pet them, and witnesses will appear. The evil example of the "Association for the Protection of Women" was followed in Pimlico by an association to put down houses of a certain class. It did suppress some that were public nuisances. But official zeal was not content with that. There was a joint-stock purse to reward its zeal, and when the public nuisances were exhausted, other prey was sought. A lodger that looked gay sufficed to set spies upon a private house, and spies generally contrive to earn their wages. Then came the secret information, the arrest, the prosecution, the trial, the costs, and the ruin, as they have been exhibited in the case that has called for these remarks. A prosecuting society has usurped the functions of a public officer, and, as all such societies must, from their very constitution, have converted prosecutions into persecutions.

In this instance a great public service has been done, though at the cost of the victim's ruin—it has revealed the existence of a despotic law and secured the immediate reform of it.

THE law of trade-marks, under the Merchandise Marks Act 1862, was considered in this journal 16th Jan. 1864, in relation to the assistance afforded to the interpretation of the Act by the equity cases on the subject, particularly the *Leather Cloth Companies'* case, in which Lord WESTBURY, reversing the decision of WOOD, V.C., unfolded the principle of property in a trade-mark. The cause has since been judged by the House of Lords (12 L. T. Rep. N. S. 742), where the judgments of Lord CRANWORTH and Lord KINGSDOWN put the matter on a ground which was broader than the ground that had been taken by Lord WESTBURY, but was acquiesced in by him. It is proper, therefore, to make a few remarks supplementary to the former article.

The bearing of the equity cases on the Act arises, it will be remembered, from the definition there given of a trade-mark, which speaks of it as a mark "lawfully used" by any person to denote any article of trade. These cases, and in particular the present case, for the determination of what is or is not a lawful using, suggested the division of trade-marks into trade-marks of quality and trade-marks of fact; a trade-mark of quality, although involving a particular name or place, being in reality accepted independently of such name or place as a voucher of quality or character, as, for instance, "James's Powder," or a "Brougham," or a "Mackintosh." In the case of this class of marks, a person claiming protection against piracy is not prejudiced by the circumstance that the article bearing the mark is not manufactured either by the person or at the place indicated by the name in the mark. Trade-marks of fact, on the contrary, are considered to express something which is true respecting the article in question; so that, if the expression be not in accordance with the fact, the plaintiff will not obtain the protection of the court. The decision of the House of Lords does not overthrow this distinction, but it deprives the *Leather Companies' case* of the character of an authority in support of the distinction. Lord WESTBURY, in the court below, decided against the plaintiff company, on the ground that the trade-mark, being what we have called a trade-mark of fact, contained untrue statements. But in the House of Lords the labels used by

the two companies were treated as rival advertisements. For the particulars of the marks we refer to the report itself. Lord CRANWORTH said that in the present case what was called a trade-mark was in truth an announcement of the names of the manufacturers, the style of the firm, and the place of the manufacture in large letters, not only capable of being easily read, but intended to be read by all to whom the goods were exposed for sale. The object of the plaintiffs in the use of their device was to announce—he did not say unfairly or dishonestly announce—to purchasers that they were buying goods manufactured at a certain manufactory. He did not think that a firm using such a device by way of trade-mark could say that a rival manufacturer was guilty of an infringement when he had adopted a device differing in shape and announcing in letters equally large and legible the name of a different firm manufacturing goods at a different place. Lord WESTBURY, in his judgment, was satisfied that he assigned for his decision in the court below a ground narrower than he might have taken; that he ought to have regarded the affix to the plaintiff's goods as something which, according to the anterior usage and application of the word "trade-mark," by no means resembled or came within the description of anything that had hitherto been properly designated by that name. Comparing the plaintiffs' and defendants' marks merely as advertisements, there were a variety of statements contained in the advertisement of the plaintiffs which were not to be found in the advertisement of the defendants. The advertisement was the sole foundation of the plaintiffs' case, and their allegation must be reduced in substance to this, that, having advertised and described their goods in a particular manner, the defendants had borrowed their advertisement and described their goods in substantially the same manner. This Lord WESTBURY upon a detailed comparison of the two advertisements showed not to have been the case as regards either the words or the symbols employed. The ground which he had taken in the court below was sufficient for his decision, but the grounds which had been superadded by Lord CRANWORTH and Lord KINGSDOWN, and which he regretted that he did not more fully consider and adopt as the basis of his former judgment, would warrant the same conclusion and would perhaps have tended still more in favour of the defendants. The case, therefore, as decided by the House of Lords is valuable as an example of the distinction between advertisement and trade-mark labels, and an authority as to what is or is not an infringement of such an advertisement.

THE full confession of CONSTANCE KENT made to Dr. BUCKNILL narrates with minute fidelity the terrible history of her crime. It is without precedent for inadequacy of motive, cool deliberation in the planning, and pitiless resolve and cunning in the act. Personally she had no cause of offence with her stepmother, but she treasured up every word that implied disrespect to her family. She planned the murder for days before she accomplished it, and made formal preparations for doing it effectively. On the fatal night she opened door and windows before she stole upstairs for her sleeping victim. She cut its throat as it lay on her arms, and seeing that the blood did not flow as she had expected, she stabbed it in the side. Retreating to her own room, she washed the bloody stains from her night-shift, secreted the razor, abstracted the night-shirt from the clothes-basket, faced her parents and the police without flinching, was arrested, brought before the magistrates, and released, without betraying any emotion; returned to live in the house where she had done such a deed, and for four years kept the secret that must have been burning like molten lead into her conscience. Did she endure the pangs of remorse? Was she haunted in waking and in sleeping vision by the scene of that fearful night? How did she endure darkness and solitude? One would like to look into that mind and read its emotions from the hour when the thought of murder first stole upon it to the period of accomplishment, and then to the time of confession. Think what must be the callousness that could play with that innocent child, sit with him at meals, hear his pretty voice in the house for four whole days during which she was making preparations for his murder.

This is not insanity, nor anything like insanity. It is a case of mental deformity. The mind of CONSTANCE KENT is defective in one or more of the moral faculties, just as some men are born with a withered arm or leg. It would be an interesting problem for mental physiologists to ascertain precisely the nature of this defect or deformity. Her conduct would give the clue to it, and a minute analysis would do the rest.

LAWYERS IN PARLIAMENT.

IRELAND (OMITTED).

University of Dublin ...	Jas. Whiteside & Anthony Lefroy.
Portarlington	James Anthony Lawson, Attorney-General
Mallow	Edward Sullivan, Solicitor-General.
Sligo	Richard Armstrong, Q.C., Serjt.
Dungarvan.....	Charles Robert Barry, Q.C., Law Adviser, Dublin Castle.
Galway	Michael Morris, Q.C.
Armagh	S. R. Miller, Q.C.
Dundalk	Sir George Bowyer.
Clare	Sir C. M. O'Loghlen, Q.C.
Wexford	John George, Q.C.
Tipperary	John R. Dillon, Esq.
Belfast.....	Sir Hugh Cairns, Q.C.

THE LAW AND PRACTICE OF BENEFIT BUILDING SOCIETIES. (a)

CHAPTER XII.

SETTLEMENT OF DISPUTES.

201. *Matters in dispute must be referred to the justices or to arbitrators.*—Provision must be made by the rules (b) of every benefit building society specifying whether a reference of matters in dispute between the society or any person acting under them, and any individual member or person claiming on account of any member, shall be made to the justices of the peace acting in and for the county in which the society may be formed, or to arbitrators to be appointed in manner presently mentioned: (10 Geo. 4, c. 56, s. 27.)

202. *How the arbitrators are to be elected and course of proceedings.*—If the matter in dispute shall be referred to arbitration, certain arbitrators must be named and elected at the first meeting of the society, or of the directors, held after the rules have been certified. None of the arbitrators must be beneficially interested directly or indirectly in the funds of the society, of whom a certain number, not less than three, must be chosen by ballot in each case of dispute. The number of the arbitrators and the mode of ballot must be determined by the rules of the society, and the names of such arbitrators must be entered in the same book with the rules. In case of the death or refusal or neglect of any or all of the arbitrators to act, the society or directors thereof are empowered and required at their next meeting to name and elect one or more arbitrator or arbitrators to act in the place of the arbitrator or arbitrators so dying, or refusing, or neglecting to act: (Ib.) The arbitrators are bound to hear the evidence on both sides: (*Reg.* v. *Grant*, 14 Q. B. 43; s. c. 13 Jur. 1026; 19 L. J. 59, M. C.) They may, however, in their discretion either hear or refuse to hear counsel for the parties. In the case cited (*Re Macqueen and the Nottingham Caledonian Society*, 9 Com. B. Rep. N. S. 793) the claimant attended by counsel, but the arbitrators, though they expressed themselves willing to hear a speech, refused to allow the counsel to cross-examine the witnesses, whereupon the claimant withdrew, and the award was made in his absence negativing his claim. The claimant then applied to the judge of the Nottingham County Court to set aside the award, but the judge refused to entertain the matter, saying he had no jurisdiction. On motion to the Queen's Bench for a *mandamus* to compel the County Court judge to hear the application, the Court unanimously refused the rule. "As far as the interests of justice are concerned," observed Erle, C. J., "I can foresee that there might be great failure of justice if counsel were allowed to interfere in all cases. The intention of the Legislature is plainly expressed, that disputes of this sort should be terminated speedily and finally, and so far from the interests of justice being advanced by hearing counsel, I am inclined to think that it would be allowing an unfair advantage if counsel were heard for the complainant, and imposing a hardship on the trustees if they were called upon to pay counsel out of the funds of the society, and might make the decision of the arbitrators to depend rather upon the relative merits of the counsel than upon the intrinsic merits of the case." "At the same time," remarked WILLIAMS, J., "there are undoubtedly many cases where an arbitrator, who is anxious to do his duty impartially, would be wrong in refusing a party the privilege of appearing by counsel."

203. *Form and nature of the award.*—Whatever award may be made by the arbitrators, or the major part of them, according to the true purport and meaning of the rules of the society, must be in the form annexed to the Act of 10 Geo. 4, c. 56, and which is as follows: "We, the majority part of the arbitrators, duly appointed by the Society, established at in the county of do hereby award and order that A. B. (*specifying by name the party or the office of the society*) do, on the day of pay to C. D. the sum of (or we do hereby reinstate in, or expel A. B. from the said society (*as the case may be*). Dated this day of one thousand eight hundred and E. F., G. H." The award when made is binding and conclusive on all parties, and is final to all intents and purposes, without appeal, or being subject to the control of the justices of the peace, and shall not be removed or removable into any court of law, or restrained or restrainable by the injunction of any court of equity: (10 Geo. 4, c. 56, s. 27.)

204. *Award may be enforced by two justices of the peace.*—If either of the parties in dispute refuse or neglect to comply with or conform to the decision of the arbitrators, or the major part of them, any one justice of the peace residing within the county within which the society is held is empowered, upon good and sufficient proof being adduced before him of the award having been made, and of the refusal of the party to comply therewith, upon complaint made by or on behalf of the party aggrieved, to summon the person against whom the complaint shall be made to appear at a time and place to be named in the summons. Upon the appearance of the defendant, or, in default thereof, upon due proof upon oath of the service of the summons, any two justices of the peace may proceed to make such order in the matter as to them may seem just. And if the sum of money so awarded, together with a sum for costs not exceeding the sum of ten shillings, as to such justices shall seem meet, shall not be immediately paid, then such justices shall by warrant under their hands and seals cause such sum and costs to be levied by distress, or by distress and sale of the moneys, goods, chattels, securities and effects belonging to the party or to the society, or other legal proceeding, together with all further costs and charges attending such distress and sale or other legal proceeding, returning the overplus (if any) to the party or to the society, or to one of the treasurers or trustees thereof. And in default of such distress being found, or such other legal proceeding being ineffectual, then to be levied by distress and sale of the proper goods of the party or of the officer of the society so neglecting or refusing as above mentioned by other legal proceedings, together with any further costs and charges to be incurred, returning the overplus (if any) to the owner. But whatever sum shall be paid to any such officer so levied on his property or goods in pursuance of the award of arbitrators, or order of any justices, shall be repaid with all damages accruing to him by and out of the moneys belonging to the society, or out of the first moneys which shall be thereafter received by the society: (Ib.)

205. *Course to be pursued where disputes decided by justices of the peace.*—Where by the rules of a benefit building society it is directed that any matter in dispute shall be decided by justices of the peace, any such justice, on complaint being made to him of any refusal or neglect to comply with the rules of the society by any member or officer of the same, may summon the person against whom such complaint shall be made to appear at a time and place to be named in the summons. And upon the appearance of the

(a) By W. W. RAILY, Esq., Barrister-at-Law.

(b) We may here observe that, as it is intended to republish these articles as a book, we should feel much obliged by being furnished with precedents of rules and forms relating to benefit building and freehold land societies, which have stood the practical test of actual experience. No doubt some of the managers of existing institutions would be glad of the opportunity thus afforded them of lightening the labours of those engaged in the formation of new societies.

defendant, or in default thereof upon due proof on oath or affirmation of the service of the summons, any two justices may proceed to hear and determine the complaint according to the rules of the society. And in case the justices shall adjudge any sum of money to be paid by the person against whom the complaint shall be made, and such person shall not pay such sum of money to the person and at the time specified by the justices, they shall proceed to enforce their award in the manner before directed to be used in case of any neglect to comply with the decision of the arbitrators appointed under the authority of the Act in that behalf: (10 Geo. 4, c. 56, s. 28.) The provisions of the 27th section would apply to cases where an award by arbitrators for payment of money has not been complied with, and the money has not been paid at the time specified in the award. In such a case the proceedings before the justices would be merely to enforce payment, and if not immediately paid when the parties appear, the justices may issue a warrant of distress, for there can, in such case, be no reason for another summons before a distress-warrant issues. But if the proceedings are under the 28th section, and the justices have made an order for payment of money analogous to the award of arbitrators under the 27th section, a distress-warrant cannot issue for non-compliance with such an order without a previous summons to the party, who may have various reasons to assign against issuing the distress-warrant. He may not have knowledge of the order, he may be ready to pay the person named in the order if he could find him, he may actually have tendered, or even paid the money, all which reasonable excuses would be unavailable if the party to whom the money is ordered to be paid could *ex parte* and without notice obtain a distress-warrant: (*Hammond* v. *Brodydale*, 13 Q. B. Rep. 869.) The justices have power only to adjudicate upon the subject-matter of complaint brought before them: (*Rex* v. *Soper*, 3 Barn. & Cr. 857.) When arbitrators are appointed, the jurisdiction of the justices only arises in case the arbitrators neglect or refuse to make an award, or where the award is a nullity. If *mala fides*, for instance, on the part of any of the arbitrators is satisfactorily shown, the award may be treated as a nullity. Parties who become members of these societies agree that their disputes shall be settled by arbitration, and it is important that they should be bound by such mode of settling their disputes. When, therefore, an award is made adverse to them they must submit to the decision, even though it be against the weight of evidence, or "a little irregular," or in other respects what is termed a "hard case:" (*Ex parte Lowe*, 3 W. R. 18, Q. B.; *Reg.* v. *Evans*, 3 E. & B. 363; s. c. 18 J. P. 247.)

206. *Order of the justices to be final.*—Every sentence, order and adjudication of any such justices shall be final and conclusive to all intents and purposes, and shall not be subject to appeal, and shall not be removed or removable into any court of law, or restrained or restrainable by the injunction of any court of equity, and in Scotland no suspension, advocation, or reduction shall be competent: (Ib. s. 29.)

207. *On refusal or neglect of arbitrators, dispute may be decided by the justices.*—When the rules of any society provide for a reference to arbitrators of any matter in dispute, and it shall appear to any justice of the peace, on the complaint on oath of a member of any such society, or of any person claiming on account of such member, that application has been made to the society, or the proper officer thereof, for the purpose of having any dispute so settled by arbitration, and that such application has not within forty days been complied with, or that the arbitrators have neglected or refused to make any award, such justice may summon the trustees, treasurer, or other officer of the society, or any one of them, against whom the complaint is made, and any two justices may hear and determine the matter in dispute in the same manner as if the rules of the society had directed that any matter in dispute should be decided by justices of the peace: (4 & 5 Will. 4, c. 40, s. 7.)

208. *The arbitrators or justices may award or order a sum of money to member in default of his reinstatement.*—In case any member of a benefit building society shall have been expelled from such society, and the arbitrators or justices, as the case may be, shall award or order that he shall be reinstated, then in any such case such arbitrators or justices may award or order in default of such reinstatement to the member so expelled, such a sum of money as to such arbitrators or justices may seem just and reasonable, such sum of money, if not paid, to be recoverable from the society, or the treasurer, trustees, or other officer, in the same way as any money awarded by arbitrators is made recoverable: (Ib. s. 8.)

209. *Names of arbitrators should be drawn by the complaining party.*—The names of the three arbitrators should be drawn out of the glass or box by the complaining party or some one on his behalf. When the society is such party the course is smooth enough, but if a member is the aggrieved party and he refuses to draw the names or appoint any one to do so, it would seem that no arbitration can take place. However, but little difficulty is likely to arise from this dilemma, as the party must at length either consent to have his dispute settled by arbitration or go without remedy, as all other remedies are taken away.

(To be continued.)

SKETCHES FROM THE NOTE-BOOKS OF A LAW REPORTER.

SKETCH I.

EDWARD, LORD ELLENBOROUGH.

Who shall describe in a few words the miscellaneous contents of a law reporter's note-book? They are as multifarious and varied as an auctioneer's catalogue. It would be singularly wrong to suppose that they consist of MS. notes alone. Sketches of the physiognomies of the Judges, of some of his reporting friends at the bar, if the reporter has a penchant that way, the coats-of-arms and mottoes of preceding judges, and other trifles, fill up all kinds of odd and vacant corners of a note-book. One friend, now a learned judge at the Antipodes, carried with him a collection of sketches of all the celebrities of the Chancery Bar; another has in his note-books a most complete assortment of all the witty remarks and sayings of a learned Judge, which he entitles "Bruceiana." A singular illustration of this practice of filling a note-book with sketches of physiognomy occurs to my recollection. The late Earl of Ellesmere, when Lord Francis Egerton, and sitting as chairman of the Yarmouth Election Committee of the House of Commons in the year 1847, sketched in a note-book the countenances and any peculiarity of almost every person engaged in the investigation before him. Counsel, solicitors, witnesses, agents, even the door-keepers, were portrayed with admirable fidelity and humorous zest.

Having occasion lately to make a change of chambers, the writer's note-books for the last twenty-five years had to be collected together from all kinds of queer depositories, and he was not a little startled at some of the notes formerly, and perhaps in an idle mood, jotted down. It has occurred to him to select some of the more curious ones, and make them available for his own curiosity, perhaps for the edification as well as the amusement of others. He has thought that the memoranda relating to eminent judges and other legal men with whom it has been his fortune to come into communication may probably prove worthy of a re-perusal; and if, which the writer proposes, he shall be able in many instances to present anecdotes of the struggles of talent, perseverance and ultimate success in the lives of those who have shed a refulgent light upon the Bar of England within the last half-century, as incentives to those amongst his juniors who are pressing forward in the same doubtful race, he considers such a summary might be of considerable use.

From my position as the son of a London Solicitor, I was initiated very early in life into observance of the habits and manners of legal men and of legal matters. I well remember the old courts of law and equity in Westminster-hall, when the phrase *on the other side of the hall*, in allusion to the relative positions of those courts, was not a fiction. The evening sittings at the Rolls—the last *Ridings* of the different circuits—the old buildings abutting on the Temple-gardens consecrated to the mysteries of taxing costs, &c., the military gatherings in those gardens under the impression of the then threatened invasion of England, where literally the present Inns of Court Volunteers have trodden in the footsteps of their fathers—and many other matters now altogether amongst the things of the past, present themselves most vividly to my recollection.

I first lisped my alphabet in a dame school in the Temple, then held in rooms which were subsequently the chambers of a living, learned and jocose parliamentary counsel, and upon the site of which elegant chambers have lately been erected.

At the time when I was first observant of the legal luminaries who have passed away, the most prominent judges were Lord Eldon in the Court of Chancery; Sir William Grant at the Rolls, Lord Ellenborough Chief Justice of the King's Bench; Sir James Mansfield and Sir Soulden Lawrence in the Common Pleas; Barons Graham, Hobart, Thompson and Wood (called at the Bar "the four boxes") in the Exchequer. The four boxes were chatter-box, snuff-box, band-box and tinder-box.

Of many of these great men I have found anecdotes in my old note-books, and where I have in any case actually and personally taken part in matters connected with them, I purpose to reproduce those anecdotes, coupled with such information from public sources as will make my notes and statements cohere. In this form I trust they will afford, not only amusement, but a considerable fund of useful information.

The first of whom I have the most distinct recollection was

LORD ELLENBOROUGH.

It would be superfluous to say that the reputation of his Lordship's name and high character as a lawyer, his decisions and formal judgments, have not yet passed away. The latter at Nisi Prius, reported by Espinasse and by Campbell, and the former in Banco in the current reports of the time, are still repeatedly referred to with approbation and applause.

Edward Law, Lord Ellenborough, and Lord Chief Justice of the Court of King's Bench, was the son of Dr. Edmund Law, Bishop of Carlisle, and born at Salkeld in Cumberland in 1748. He was at the usual age placed at the Charter-house School in London, and proceeded to Cambridge, where in 1771 he obtained a prize medal given by the Chancellor, and in 1773 a more distinguished prize. He subsequently entered himself of Lincoln's-inn, and was called to the Bar in 1776. He very early obtained his silk gown, through the instrumentality it is said of the celebrated Mr. Justice Buller.

In 1785 he was engaged for the defence in the remarkable impeachment and trial of Warren Hastings, who had been Governor-General of India, and one of the greatest men of his own or any other age, having held the government for thirteen years under unexampled difficulties, and during which he had raised the revenues of the East India Company from 3,000,000*l.* to 5,000,000*l.* sterling. He was recalled in 1785, and immediately accused by the House of Commons of having governed arbitrarily and tyrannically; of having extorted immense sums of money and jewels from the native princes, and of accomplishing the ruin of some of them; in short, of having exercised oppression of every description.

The general circumstances of this trial, which commenced in Feb. 1788, are well known. Burke, Fox, Sheridan, and other eminent members of Parliament, conducted the impeachment. To the brilliant and fervid eloquence, the searching sarcasms and the telling irony of these great orators were opposed the logical, but simple and clear, statements of Sir Edward Law, Plumer and Dallas, afterwards elevated to the Bench. The result was in favour of the accused. After eight years of unceasing accusations and litigation—the trial only terminating in April 1795, at a cost of upwards of 80,000*l.* and 148 days of trial—Warren Hastings was honourably acquitted. In 1801 Law was made Attorney-General, and in the following year succeeded, on the death of Lord Kenyon, to the post of Lord Chief Justice of the King's Bench. He was also created Baron, and chose his title of Ellenborough from a small fishing village of that name near to which some of his ancestors had formerly resided. He held this high position fifteen years. In 1817, his health failing, he resigned his office of Chief Justice, and died on the 13th Dec. 1818, in the seventy-first year of his age.

In person Lord Ellenborough was singularly heavy and awkward of movement. The word "ponderous" may be fitly applied both to his appearance and the quality of his mind. He, like many of our readers of the present day, had

been a member of the volunteer corps then raised by Lincoln's-inn. He seemed incapable of walking in a perfectly straight line. The anecdote runs that it was said of him by the drill sergeant of that day, "that Mr. Law was the only person he could never teach to march, and that he would never make a soldier." The same sergeant was also used to say of Mr. Mitford, afterwards Lord Redesdale author of the "Pleadings in Chancery," "that he could never be made to hold up his head;" of Mr. Gibbs, afterwards Sir Vicary Gibbs and Chief Justice of the Common Pleas, "that he could never make him turn out his toes." Sir William Grant, who had been Attorney-General in Lower Canada, and carried arms at the siege of Quebec, was commander of this loyal and legal band. I well remember the marching and counter-marching of this corps in Lincoln's-inn-garden, which was their usual parade-ground, and where, as a lad, I have picked up many a full cartridge for subsequent sport. One circumstance struck me very forcibly: I observed that whenever the word was given for the corps "to stand at ease," the greater part of them invariably "sat down upon the grass."

I can say, what I believe no living member of the Bar can say, that I obtained two verdicts of a jury when Lord Ellenborough presided. Perhaps even the venerable Chief Baron of the Exchequer, Sir F. Pollock, may not have been retained in any case in which he obtained the verdict of a jury presided over, as the Court of King's Bench then was, by Lord Ellenborough. The circumstances were certainly exceptional, and not likely to have occurred very often.

Formerly, at the sittings during the term at Guildhall, in London, only undefended cases were taken, such as actions on bills of exchange, promissory notes, and other similar inquiries, where, in fact, the proof of the handwriting of the parties constituted the whole of the evidence to be produced. In the sittings in one of the Terms two undefended actions were to be tried on the same bill of exchange, one against the acceptor, the other against the first indorser. The plaintiffs were the then large commercial firm of Stock and Co., sugar bakers at Bristol. When the cause was called on, the the counsel retained by my father to state the case, Mr. Comyn, was absent. He immediately hurried out of court to endeavour to hasten his counsel's appearance. The jury had been sworn, when Lord Ellenborough, observing me seated with the papers before me and the bill of exchange accidentally in my hand, asked to look at it. It was accordingly handed up to his Lordship. He said, "Well, young gentleman, where is your witness? Is there one?" "Oh, yes, my Lord. It is Mr. Thompson, who travelled all last night by the mail from Bristol to be here in court to-day"—a circumstance which had awfully impressed itself on my youthful mind as an instance of almost supernatural locomotion. Lord E.: "Did he, indeed! is he here?" "Oh, yes, my Lord." "Let him be sworn." Lord E.: "Mr. Thompson, you saw the defendant write his acceptance to this bill of exchange, perhaps?" "Yes, my Lord, I did." "Gentleman of the jury, this is an action upon a bill of exchange for 250*l.*, stating the particulars of the dates, amount, &c. The defendant's acceptance to it is proved. You will please to find your verdict for the plaintiffs, damages 250*l.*, costs 40*s.*" The jury were again sworn. "Gentlemen of the jury, this is a similar action on the same bill of exchange against the indorser. You will find your verdict for the same amount." To me, "Young gentleman, you may put up the papers."

Almost before the last words were uttered, in rushed Mr. Comyn accompanied by the solicitor. His Lordship hurriedly stated what had occurred, hinting at the juvenile appearance of the plaintiff's advocate. And well he might, for I had not in fact quitted school, but was spending the usual holidays at home.

In strange contrast to this anecdote is one often told of Lord Ellenborough, when counsel in a case before his predecessor, Lord Kenyon. It is well known that no two men were less alike, both in temper, appearance, and every qualification except, perhaps, as lawyers, than those two eminent men. Kenyon was extremely discourteous to the Bar, and is said to have had a special dislike to Mr. Law, and to have shown this dislike of him openly when practising before him. Law was not insensible to these insults, although, from his innate sense of the demeanour which he conceived, and justly, should be adopted by every Advocate towards the presiding judge, he seldom resented, or seemed to observe, them. On one occasion, however, he did so in a most marked manner. He had been engaged in a cause in opposition to Erskine, who had taken a deep interest in the facts of the case, and spoke with great warmth and fervour, not unmixed with several personal observations and allusions regarding his opponent, Mr. Law. In replying to these observations, by a happy quotation of two lines from Virgil, Law showed at once in how small a degree he valued the power of his adversary, but how much more he feared the hostility of the Judge. Turning to Erskine, and in such tones as he alone could assume, he exclaimed, his right hand stretched towards the bench:

Non me tua fervida terrent,
Dicta, ferox! Dii me terrent et Jupiter hostis.

A careful consideration of the principal decisions of Lord Ellenborough will amply repay perusal. They are to be found in the usual Term Reports of the time. They are clothed in a diction of remarkable force and discrimination. The tone of his voice was also remarkably full and sonorous, and when excited, which was not unfrequently the case, he was not sparing of emphatic words, and delivered them with corresponding energy, even in the House of Lords. He was fastidious as to the application of particular words, choosing the proper one with great tact. A singular instance of his tenacity of opinion on this subject is related of him. When in 1812 the Act introduced by Sir S. Romilly in the Commons, which was to repeal an Act of Elizabeth punishing *with death*, soldiers and marines *found begging*, an amendment of a single word was proposed by Lord Ellenborough in the Lords. The Bill as it passed the House of Commons recited that it was *highly* expedient that the Act of Elizabeth should be repealed. The word "highly" offended his Lordship. A note written by Lord Eldon to the author of the Bill and handed down to him in the Court of Ch., was to the following effect:

18th March 1812.

The Bill about soldiers and sailors will pass our House to-day. Lord Ellenborough objected to the word "highly," and said he would attend to move the amendment. The preamble now stands that "it is *expedient* to repeal," without the words *highly expedient*. There seemed to be a notion that this statute was impliedly repealed by some other—what I know not, but I did not think it *tanti* to have discussion upon it. A statute inflicting death may be, and ought to be repealed, if it be *in any degree* expedient without it being *highly* so. We, therefore, so settled the matter with the Chief Justice.

Lord Ellenborough was equally severe in his conception of the then state of the law with respect to the punishment of death for what are now deemed trivial offences. The progress of public opinion since that time has, upon this subject, been almost incredible.

In 1810 Sir S. Romilly had introduced a Bill to abolish capital punishment for the crime of *stealing* privately to the amount of *five shillings* in a shop. It was rejected in the House of Lords by a majority of 31 to 11. Sir S. Romilly in the Diary of his Parliamentary Life thus describes the event:

The Ministers had procured a pretty full attendance of peers, considering the advanced season of the year, to throw it out. Amongst them were no less than seven prelates—the Archbishop of Canterbury; the Bishops of London and Salisbury; Dampier, Bishop of Ely; Luxmore, Bishop of Hereford; Sparke, the new Bishop of Chester; and Porter, an Irish bishop. I rank these prelates among the number who were solicited to vote against the Bill, because I would rather be convinced of their servility towards Government than that, recollecting the mild doctrines of their religion, they could have come down to the House spontaneously to vote that transportation for life is not a sufficiently severe punishment for the offence of pilfering what is of five shillings value, and that nothing but the blood of the offender can afford an adequate atonement for such a transgression. Lord Ellenborough, the Lord Chancellor and Lord Liverpool were the only peers who spoke against the Bill, and Lord Holland, Lord Erskine, Lord Lauderdale, Lord Lansdowne and Lord Suffolk for it. Lord Grey voted for the Bill, but did not speak; Lords Melville and Redesdale were among the silent voters against it. The argument principally relied on by those who spoke against the Bill was, that innovations in criminal law were dangerous, and that the present measure was part of a system to innovate on the whole criminal code. It was said that the House should consider, not only the Bill itself, but the *speculations* in criminal jurisprudence of the *author* of the Bill; that he had been the author of the Act passed two years ago to abolish the punishment of death for the crime of picking pockets; and that the consequence of abolishing that punishment had been a very great increase of the crime, so Lord Ellenborough and the Lord Chancellor took upon themselves to affirm the fact to be from information which they said they had received. But how, it may well be asked, and was indeed asked by Lord Lansdowne in the course of the debate, do they know that the crime has increased? All they can know is that prosecutions are much more frequent than they were before the Act passed, and this, instead of affording any argument against the Bill, proves its efficacy. . . . . Lord Ellenborough said there was no knowing where this was to stop; that he supposed the next thing proposed would be to repeal the law which punishes with death the stealing to the amount of five shillings in a dwelling-house, no person being therein, and there he declared that that Act afforded security to the poor cottager that he should enjoy the fruit of his labour, and he pathetically described the situation of the poor, relying with confidence on the security the law afforded them for the scanty comforts which they were allowed. No person has, however, yet proposed to abolish this law, and it is not very easy to see what there is in common between the two laws except the words "five shillings." However, whether similar or not, the law to which he was not brought under the consideration of the House by the Bill under debate. He spoke of transportation, the severest punishment which the Bill allowed to be inflicted on the offender, as one which had few terrors for those who broke the law, and described it as being considered by them, and, as I understood him, as being justly considered as only "a summer airing by an easy emigration to a milder climate." The part, however, of his speech which appeared to me to be the most objectionable was that in which he said that he doubted whether the judges *had not erred by too much lenity*, and that it was probably that lenity on their part which had encouraged these attempts to alter the law. The inference to be drawn from this is pretty obvious, that in order to discourage such attempts in future, and to deprive these cries of innovation of one of their arguments, namely, that the practice of the law is on this subject at total variance with its theory, it may be right to enforce the law more rigorously. I may by this means (which God forbid) have been the cause of increasing the very evils which I am most anxious to diminish. I have, however, already had reason to suspect that this may be the case.

On the bench the deportment of Lord Ellenborough was dignified and always distinguished by a conciliatory manner to the barristers practising before him. He had the most virtuous indignation of pedantry and assumed gravity or conceit, of which latter he was profoundly intolerant, and never failed to mark his sense of them.

He was unquestionably one of the most able, upright, and learned judges who ever filled the post of Lord Chief Justice of England; his life as a man, a gentleman and a judge, may well be studied as an example, and as a lawyer many of his decisions, in cases which are now analogous to those which the altered circumstances of society, science and civilisation have created, will go down to posterity as landmarks of legal precision and ability.

To those who are desirous of being made acquainted with the features and lineaments of this great judge we may commend the print from the celebrated portrait of him by Sir Thomas Lawrence, as being a most faithful resemblance.

The attitude on the bench, the searching eye, the ponderous form of the head, even the curl of the hand, are pourtrayed with a fidelity equal to any modern photograph.

R.

JUDICIAL STATISTICS.

No. III.

Common Law.

The results of the causes tried at Westminster and Nisi Prius are very interesting. The causes tried were 2589; in these 1565 verdicts were for the plaintiff, and only 275 for the defendant. Thus it appears that the chances are about 6 to 1 in favour of the plaintiff. But this might be anticipated, because the plaintiff, being the moving party in a suit, does not go to law unless at least believing that he has a strong case. The proportions were for some unexplained reason very different last year and on the average of the five preceding years—the ratio of verdicts for plaintiffs being only as 4 to 1. The precise numbers are,

1864—Verdicts for plaintiff	1565
Verdicts for defendant	275
1863—Verdicts for plaintiff	1465
Verdicts for defendant	363
Average of preceding five years:	
Verdicts for plaintiff	1162
Verdicts for defendant.....	343

There is a floating impression that juries are becoming more impracticable, and that disagreement among them was encouraged by the increased facility with which the judge discharges them without a verdict. But the facts do not sustain the suspicion. The increase is very slight. The jury was discharged without a verdict in 35 cases last year, in 30 cases in 1863, and in 31 cases on the average of the preceding five years.

The verdicts by consent subject to a special case were 38; with a reference 175; juror withdrawn 86; nonsuits 80; stet processus, record withdrawn, &c., 335, the average of five years being only 207.

The sums recovered by the verdicts in these cases show an increased and increasing amount in value of the subject-matters of litigation. They stand thus:

Number of each Class of Accounts.	Total.
Above 5000*l.*	10
5000*l.* and above 3000*l.*	8
3000*l.* " 2000*l.*	18
2000*l.* " 1000*l.*	29
1000*l.* " 500*l.*	63
500*l.* " 300*l.*	67
300*l.* " 200*l.*	82
200*l.* " 100*l.*	169
100*l.* " 50*l.*	217
50*l.* " 20*l.*	440
20*l.* and under	204
Total amount recovered	£368,182

The number of executions issued was 25,574, as against 23,752 in 1863, the average of the preceding five years being 25,726. The various forms of execution were as follow:

	Total.
Writs of fieri facias	17,676
" Capias ad satisfaciendum	7,242
" Possession	415
" Elegit	170
" Exegi facias	57
" Capias utlagatum	14
Total executions	25,574

Of the new trials, motions to enter or alter verdict, and such like applications for revision of the proceedings at the trial, the following was the fate: 128 were refused; a rule *nisi* was granted to 220; the rule was made absolute in 110 cases, and discharged in 106. It will be seen from this that in one case in three only is a rule *nisi* for new trial made absolute.

The Registrar thus summarises the results of litigation.

It has been shown that in 1864 the number of writs of summons issued, which represent the suits commenced, was 113,158, and the number of appearances entered 30,116, or 26·6 per cent. of the number of writs issued. It would therefore appear that 73·4 per cent. of the cases commenced were uncontested, the defendants at once settling the claims, except where judgment was obtained in default of the entry of an appearance. It appears remarkable in how slight a degree the proportion borne by the number of appearances entered to the number of writs of summons issued varies from year to year. In 1863 it was 27·0 per cent.; in 1862, 26·6 per cent., the same as in 1864; in 1861 it was 25·4; in 1860, 26·2 per cent.

Again, of the cases in which appearances were entered, 3823 only were entered for trial, the suits being thus reduced by 12·7 per cent. Of the number entered for trial, 2171, or less than 2 per cent. of the suits commenced, were tried; and of these 11·7 per cent. were undefended.

As has been observed in former years, however, the issue of the suits commenced is not fully represented by the causes brought to trial, or by the appearances entered. The judgments obtained are a further test. Of these, as already shown, there were, under the different forms of procedure, 36,564, leaving 76,594, or 67·7 per cent., as the number and proportion of the suits commenced in which no proceedings were taken beyond the issue of the writ of summons. In 1863 this proportion was 66·3 per cent. Of these cases some may have been settled between the parties after the issue of the writ of summons; some may not have been pursued further by the plaintiff; and in either case they are lost from the record; some may have been left pending, the time which may elapse between the proceedings being uncertain.

For the enforcement of the judgments writs were issued, as already shown, in 25,574, or 69·9 per cent. of the cases. In the preceding year the proportion was 70·4 per cent. of the cases. In 1864, 69·1 per cent. of the writs were to levy upon the goods; 28·3 per cent. were against the person; 1·6 per cent. for possession after recovery in ejectment; the remainder under the different forms before shown. In 1863 these proportions were, respectively, 67·9, 27·6, and 1·8 per cent.

The number of remanets in the Q. B. was large, in the Ex. small.

INVESTMENT JOURNAL.

THERE has been a trifling rise in the funds and in all descriptions of sound securities; and if the weather should continue fine, that upward movement is likely to proceed. The immediate causes are a plethora of money seeking investment and a prudent aversion to new companies, the crop of which has of late suffered a severe check.

The harvest is generally reported as good in quantity but defective in quality, and a considerable quantity of foreign wheat from earlier lands where the crops preceded the late rains will be required to make our own corn marketable. The potato disease has appeared extensively in the West of England, and in the midland counties it is very prevalent. This, with the cattle plague, will tend to keep up the present high prices, if not to send them higher still.

The fluctuations are as follow:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	249½	...	249	249½	...	...
3 per Cent. Red. Ann.....	89¾	89¾	89¾	89¾	89¾	90
3 per Cent. Cons. Ann. ...	89¾	89¾	89¾	89¾	89¾	90
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894 ...	...	72½	...	...	...	...
New 3 per Cent Ann.....	89¾	89¾	89¾	89¾	89¾	89¾
New 3½ per Cent. Ann. ...	...	...	...	...	...	...
5 per Cent. Annuities.....	...	...	...	...	...	...
5 per Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1859 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¾	89¾	89¾	89¾	89¾	89¾
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	222	219	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888...	103½	...	99	...	...	...
India 5 per Cents. 1870...	105	105	105½	105½	105½	...
India Bonds (1000*l.*).....	...	...	...	24pm	...	...
Do. (under 1000*l.*).....	...	...	...	...	...	...
India Debentures, 1863 ...	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	...	101½	101½	...	...
Do. do. 5 per c. May 1872	...	...	...	...	100½	...
Ex. Bills, 1000*l.*	...	*b*	*a*	*c*	...	*d*
Do. 500*l.*	*a*	...	...	...	*a*	...
Do. 100*l.* & 200*l.* 3 per c.	*a*	...	...	...	*a*	...
Do. Small, & 3 per c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.....	...	...	...	...	...	...

a 3 3/4 per cent. 3*s.* dis. | *c* 3 3/4 per ct. par.
b 4 3/4 per cent. 3*s.* dis. | *d* 3 3/4 per cent. par.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

WARD OF COURT—LEGACY DUTY ACT.—The payment of money belonging to a female infant into court under the Legacy Duty Act, sect. 32, does not constitute her a ward of court: (*Re Hillary*, 12 L. T. Rep. N. S. 840. V.C. K.)

ARBITRATION AND AWARD.—Specific performance of an award at common law is within the jurisdiction of a court of equity, although, by the 17th section of the C. L. P. A. 1854, jurisdiction is given to the courts of common law: (*Blackett* v. *Bates*, 12 L. T. Rep. N. S. 844. V.C. W.)

SPECIAL JURY—ERROR.—Plaintiff in error assigned as error in fact that, out of twenty-four special jurors struck for the trial of the cause, sixteen only were summoned, and in consequence thereof only ten special jurors appeared at the trial, and, a tales being prayed by defendant, the cause was tried by a jury composed of ten special jurors and two talesmen. He assigned, by way of further error, that the names of the special jurors had not been called over at or after ten o'clock, the hour fixed for the trial. It was held that these were matters not assignable as errors in fact, for they contradicted the record, which stated that, a jury of the county being summoned, came and were sworn to try the issue between the parties, and that the proper mode of bringing the question before the court would have been by a motion to set aside the verdict: (*Irwin* v. *Sir George Grey*, 12 L. T. Rep. N. S. 847. C. P.)

EVIDENCE—PROOF OF CUSTOM—JUDGMENT.—A judge at Nisi Prius will take judicial notice of the custom of foreign attachment, and of the seal affixed to the proceedings in the Lord Mayor's Court.

A judgment in the Superior Courts cannot be proved by a judgment paper from the office of the master, but only by an examined or office copy of the record: (*Jeffs* v. *Day*, 12 L. T. Rep. N. S. 852. Pigott, B.)

Correspondence.

THE PRACTICE OF VENUE.—Mr. Baron Bramwell adopted a course on Saturday last, in a case brought before him at the Liverpool Assizes, which has not been mentioned in any of the newspapers, but which we think ought to be generally known. The case was in the list for the day when the learned baron inquired whether the parties all resided in London, where the cause of action arose; and on being answered in the affirmative, gave directions that the case should be removed from its place in the list, and not tried until all the other business of the assize was concluded. The law undoubtedly is, that a plaintiff may lay the venue in whatever county he thinks proper, subject to the defendant's right to get it changed (by an application to a judge) if he thinks fit, and has a sufficient reason so to do. The plaintiff in the case alluded to laid the venue in what is called the "West Derby division of Lancashire," and the defendant took no steps to get it changed. The case was accordingly placed in the list, and the parties went to Liverpool on Friday, expecting the trial to be proceeded with on Saturday, when the learned baron by his order put them to the extra expense and inconvenience of either returning to London and back to Liverpool, or remaining in Liverpool until the conclusion of the assize. Our object in writing this letter is not to complain of the learned baron, who doubtless having experienced the inconvenience resulting from the law allowing a plaintiff to fix the venue where he pleases, is anxious to mitigate it; and we hope that the example he has made of the parties in the case we have mentioned may have the effect he desires; but, so long as the law remains unaltered, it appears to be a hard measure that suitors, taking advantage of its provisions, should have so severe a penalty inflicted upon them. It seems especially hard upon the defendant, who has merely abstained from what might be an unsuccessful attempt to change the venue; and who would be liable, in case of defeat, to pay the costs, which must necessarily be most materially increased in consequence of the learned baron's decision. Suitors, at any rate should know the risk they run.

NEWDON and STARKEY,
Defendant's Solicitors in the case alluded to.
1, Wardrobe-place, Doctors'-commons, E.C.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner GOULBURN.)

Re J. J. HARDEY.

The defendant, who was a parliamentary agent, of 5, Victoria-street, Westminster, in partnership with Mr. J. A. Walmsley, renewed his application for release from custody, which stood over from Saturday last.

Moojen appeared in support of the application; *Lucas* and *Doria* were counsel for creditors.

His HONOUR now made an order for release from prison, upon the bankrupt finding bail for 300*l.*, and two sureties of 150*l.* each, to attend the sittings under the bankruptcy; forty-eight hours' notice of the bail proposed to be given to the detaining creditors. *Order accordingly.*

(Before Mr. Registrar BROUGHAM.)

Re JOHN CAVE PAIN.

The bankrupt, who was a solicitor, practising at Reading, applied to the court upon his own petition, attributing his difficulties to ill-success in business and pressure by creditors. The preliminary list shows debts to the extent of 863*l.* but no statement of assets has yet been filed.

A first meeting was now held, at which Mr. J. Smart, of Reading, furniture dealer, was appointed creditor's assignee, and the 21st Nov. was fixed for the next sitting.

MIDDLESEX SESSIONS.

Tuesday, Aug. 29.

(Before E. W. Cox, Esq., Deputy Assistant Judge.)

John Fraser Walker, formerly a certificated attorney, was indicted as follows: "That on the 29th June 1865 unlawfully and knowingly he did falsely pretend unto Amelia Paine and George Harding that the said John Fraser Walker then was the clerk of one James Grayson, of No. 13, Great Ormond-street, solicitor (the said James Grayson then being the solicitor of the said Amelia Paine), and that the said James Grayson required the sum of 3*l.* for stamping and engrossing a certain deed then being prepared by the said James Grayson for the said Amelia Paine, and that the said James Grayson would not unless he had the money previously

stamp such deed; by means of which false pretence the said John Fraser Walker did then unlawfully obtain from the said George Harding the sum of 3*l*."

Montagu Williams prosecuted; the prisoner defended himself.

Amelia Paine, of No. 30, Parkfield-street, Islington, wife of Lewis James Paine, said at the beginning of the year the prisoner introduced her to Mr. Grayson, who was to do business for her and to act as her solicitor. In April last she gave Mr. Grayson instructions to prepare a deed for her, and she saw the prisoner at Mr. Grayson's several times. On the 29th June she saw the prisoner in Oxford-street, and Mr. Harding was with her. Walker said they would require some money for stamping and engrossing the deed, as Mr. Grayson would not do it unless he had the money previously. She told him she had not the money then, but that Mr. Harding would supply him with the money on her behalf. He was to meet Mr. Harding on the Thursday following to receive some money. He said if the money was paid the deed would be finished in three or four days. She believed that the prisoner had been sent by Mr. Grayson, and that the money was for Grayson.

George Harding, of No. 16, Edmund-terrace, Notting-hill, said he was to become trustee under the deed of Mrs. Paine. In June last, while Mrs. Paine was with him, he saw the prisoner, and he said, "They will want 3*l*. to stamp and engross Mrs. Paine's deed." He told the prisoner that he could not have the money then, upon which he asked for 10*s*. for parchment, and that sum was paid to him. On the 4th July he saw the prisoner by appointment, and he said in a few days the affair would be completed. He then gave him 2*l*. 10*s*. more, and charged Mrs. Paine with 3*l*.

James Grayson, of No. 13, Great Ormond-street, solicitor, said the prisoner was in his employ as clerk, having entered in November 1864, and left about the 10th June 1865. Early in the year he introduced Mrs. Paine to him (witness), and she retained him to do her business, and to prepare a deed appointing some new trustees. Witness drew the deed, and sent it to Messrs. Drake and Son, the solicitors on the other side, for approval. He did not authorise the prisoner to get the draft deed back from them, nor did he at any time authorise him to apply to Mrs. Paine for 3*l*. for stamps and parchment, and he had not paid that sum to him at any time.

The prisoner cross-examined this witness at considerable length for the purpose of showing that he was not a clerk, but a partner with Mr. Grayson, and divided the profits of the business with him.

The prisoner then called several witnesses, who proved seeing him and Mr. Grayson together, but they failed in establishing any partnership between them.

Montagu Williams replied, and

The Deputy Assistant Judge summed up the case with great impartiality.

The jury returned a verdict of guilty.

The Deputy Assistant Judge said that the prisoner had been found guilty upon very satisfactory evidence, and it had been clearly proved that he never paid the money. The punishment which the court would inflict would be nothing in comparison with that which the prisoner would receive hereafter; for, as a convicted felon, he would be struck off the rolls. The sentence of the court was, that he be imprisoned and kept to hard labour for four months.

APPOINTMENT.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s*. 6*d*. each, for which postage-stamps should be inclosed.]

Mr. George Hume, the chief clerk of the Master of the Rolls, has been appointed taxing master in the room of Mr. Joseph Parkes, deceased.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

South Lady Bertha Copper Mining Company.—A call of 1*l*. per share to be paid by 15th Sept. to R. P. Harding, 3, Bank buildings, London. Solicitor, W. Barrett, 8, Bell-yard, Doctors'-commons, London.

HEIRS AT LAW AND NEXT OF KIN.

Vickerman (Hannah), Park-house, Almondbury, Yorkshire, widow. Heir-at-law and next of kin to come in by 28th Oct., at the chambers of Wood, V.C. Solicitor, A. Gledhill, 9, Fenchurch-street, London, for Laycock and Dyson, of Huddersfield.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Cross (Richard Powell), Charterhouse-square, Middlesex, watchmaker. Oct. 9; E. H. Barlee, solicitor, 32, Old Broad-street, London. Nov. 4; V.C. S., at noon.

Daycock (John), East India-house, London, and No. 33, King-square, Middlesex, gentleman. Oct. 10; Maberly, Beachcroft, and Thompson, solicitors, 17 and 18, King's-road, Bedford-row, London. Nov 10; V.C. K., at noon.

Denman (Catherine), Milnton, Markham Clinton, Nottingham, spinster. Oct. 2; R. Nettleship, solicitor, 37, John-street, Bedford-row, London. Nov. 8; M. R., at one o'clock in the afternoon.

Dykes (Robert Stewart), Torquay, Esq., formerly of Cardross, Perth. Oct. 2; H. and B. J. Ford, solicitors, Exeter. Nov. 8; M. R., at two o'clock in the afternoon.

Harrison (Elizabeth), Tulse-hill, Surrey, spinster. Oct. 1; Terrell, Chamberlain, and Blake, solicitors, 29, Basinghall-street, London. Nov. 7; V.C. S., at noon.

Hodges (Thomas Jeffery), Grove-place, Stratford, Essex, gentleman. Oct. 10; Coode, Kingdon, and Cotton, solicitors, 62, Ludgate-hill, London. Nov. 7; V.C. W., at half-past one in the afternoon.

Hunt (John), Congelow, Yalding, Kent, gentleman. Oct. 16; Senior and Attree, solicitors, 2, New-inn, Strand, London. Nov. 13; V.C. S., at three o'clock in the afternoon.

Robinson (Benjamin), Lane, Huddersfield, dyer. Oct. 10; Brook, Freeman, and Batley, solicitors, Huddersfield. Nov. 9; V.C. W., at noon.

Smith (Martin), Church-street, Durham, schoolmaster. Oct. 13; J. Watson, solicitor, Durham. Nov. 11; V.C. S., at one o'clock in the afternoon.

Stringer (Thomas), Wheelock, Cheshire, timber merchant. Oct. 2; Eyre and Lawson, solicitors, 1, John-street, Bedford-row, London. Nov. 8; M. R., at one o'clock in the afternoon.

Webb (Jonathan), Pelham-lodge, Millbrook, Southampton, gentleman. Oct. 10; W. Perkins, solicitor, Albion-place, Southampton. Nov. 7; V.C. W., at one o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Armstrong (Francis), Preston, attorney-at-law. Oct. 1; R. and W. Ascroft, solicitors, 4, Cannon-street, Preston.

Bailey (Mary), 140, Kentish-town-road, Middlesex, widow. Sept. 29; Denton and Hall, solicitors, 15, Gray's-inn-square, London.

Blake (Francis), 4, Bolton-street, Piccadilly, Middlesex, Esq. Sept. 21; G. Carew, solicitor, 43, Bloomsbury-square, London.

Blencowe (Rev. P. G.), Putley Rectory, Herefordshire. Oct. 7; Masefield and Sons, solicitors, Ledbury.

Browne (E. J.), 4, Danes'-inn, Strand, Middlesex, gentleman. Nov. 19; Taylor, Mason, and Taylor, solicitors, 15, Furnival's-inn, London.

Cocks (George), Reading and Swallowfield, Berks, corn-dealer and farmer. Nov. 1; Soames and Cooke, solicitors, Wokingham.

Cook (Robert), Gainsborough, Lincolnshire, surgeon. Oct. 28; Oldman and Wood, solicitors, Gainsborough.

Courtney (T. P.), West Stratton, Southampton, gentleman. Sept. 30; T. Lamb, solicitor, Andover.

Croft (J. D.), Wetherby, Yorkshire, corn miller. Oct. 9; Coates and Son, solicitors, Wetherby.

Eyre (Elijah), King's Lynn, Norfolk, merchant and brewer. Sept. 30; Coulton and Beloe, solicitors, King's Lynn.

Farrance (Thos.), Ladbroke-terrace, Notting-hill, Middlesex, Esq. Oct. 10; Robinson and Hine Haycock, solicitors, 40, Charterhouse-square, London.

Foster (M. A. N.), Portsmouth, widow. Sept. 23; A. Besant, solicitor, 18, Union-street, Portsea.

Fytche (Mary Anne), Wells-walk, Hampstead, Middlesex, spinster. Oct. 15; Coverdale, Lee, Collyer-Bristow, and Withers, solicitors, 4, Bedford-row, London.

Hallam (George), Gainsborough, Lincolnshire, innkeeper. Oct. 28; Oldman and Wood, solicitors, Gainsborough.

Hamilton (Charles Thomas), 6, Windsor-terrace, Maida-hill, Middlesex, Esq., M.D. Oct. 7; Rhodes, Son, and Duffett, solicitors, 63, Chancery-lane, London.

Hancock (Sarah) Brampton-en-le-Morthen, Treeton, Yorkshire, widow. Nov. 1; B. P. Broomhead, solicitor, Bank-chambers, George-street, Sheffield.

Hipkins (Danl.), the elder, Bloomfield, Tipton, Staffordshire, gentleman. Nov. 1; T. M. and J. Whitehouse, solicitors, Queen-street, Wolverhampton.

Hunter (Mary Welsford), 8, Paragon, Streatham-hill, Surrey, widow. Nov. 8; Lindsay and Mason, solicitors, 84, Basinghall-street, London.

Parkes (H. P.), Dudley and Malvern, Worcestershire, and Tipton, Staffordshire, chain manufacturer. Sept. 30; B. Robinson, solicitor, Dudley.

Peake (J. T.), Clandown, Midsomer Norton, Somersetshire, common brewer. Sept. 29; W. R. Mogg, solicitor, Cholwell, Temple Cloud, Bristol.

Poole (William), 11, George-street, Asylum-road, Old Kent-road, Surrey, gentleman. Oct. 30; J. Mote, solicitor, 33, Bucklersbury, London.

Richmond (Richard), Cheddingfold, near Godalming, Surrey, master mariner. Sept. 30; Lilley and Hearn, solicitors, Trinity-street, Southwark.

Rotton (William), 38, York-crescent, Clifton, Bristol, barrister-at-law. Oct. 10; Robinson and Hine Haycock, solicitors, 40, Charterhouse-square, London.

Southey (H. H.), 1, Harley-street, Middlesex, M. D. Sept. 29; Bennett, Dawson, and Thornhill, solicitors, 2, New-square, Lincoln's-inn, London.

Spencer (W. B.), Barker-street, Hunter's-lane, near Birmingham, gentleman. Sept. 26; W. M. Nicholls, solicitor, 41, Upper Temple-street, Birmingham.

Teasdale (Wm.), King's Arms, Newgate-market, London, victualler. Sept. 30; King and McMillin, solicitors, 32, Bloomsbury-square, London.

Waddington (James), 23, Annette-crescent, Islington, Middlesex, one of the firm of Waddington and Sons, umbrella manufacturers, 1, Coleman-street, London. Sept. 29; Bakers and Nairne, solicitors, 3, Crosby-square, Bishopsgate-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Baillie (N. B. E.), Gloucester-terrace, Hyde-park, Esq.; Briggs (H. R.), Cambridge-terrace, Regent's-park, Esq.; and Garford (Francis), of St. Andrews-place, Regent's-park, Esq. 360*l*. 6*s*. 3*d*. Three per Cent. Consols. Claimants, N. B. E. Baillie, H. R. Briggs, and F. Garford.

Eley (Charles), Beaver's Farm, near Hounslow, Middlesex, farmer. 133*l*. 0*s*. 6*d*. Three per Cent. Consols. Claimant, Charles Eley.

Grove (Susannah), Walker's Farm, Morrell Roothing, near Sawbridgeworth, widow. 63*l*. Three per Cent. Consols. Claimant, said Susannah Grove.

Riley (Susannah), spinster, at Lord Nelson's, Mayfair. 200*l*. New Three per Cents. Claimant, Susannah Riley.

Compensation for Officers of Ecclesiastical Courts.—According to a recently issued official document, the sum of 103,035*l*. 2*s*. 4*d*. was paid as "compensation" to officers of the late Ecclesiastical, Royal Peculiar, and other testamentary courts.

Proclamations of Outlawry.—At the Sheriff's Court, Red Lion-square, the following defendants in actions were proclaimed: J. A. Emerson, Henry Herbert Morris, James Hunt, William Boolt, Benjamin Parker, the Rev. H. C. Webbe, and Edward W. Perry. The next County Court was appointed for the 21st Sept.

The late Mr. Parkes.—By the decease of Mr. Joseph Parkes, one of the taxing masters in the Court of Chancery, and widely known amongst members of the Whig party as a most influential ally, the literary world will lose a work of historical criticism and inquiry which would have ranked with the most important books of the kind issued during the present century. In literature as in politics, Mr. Parkes's great strength lay in his intimate knowledge of the history of parties, and of the various important attempts that have been made towards administrative reform, from the days of "Junius" and the vigorous letters in the *Public Advertiser*, down to the last considerable attempt at a reconstruction of our representative system. It was a complete history of the famous Junius correspondence, with the state of politics at the time, and the undoubted identification of the extraordinary author, that had engaged Mr. Parkes's attention during the last fifteen or twenty years of his life. This important work the deceased gentleman had actually made arrangements for publishing; and, we believe, in anticipation of its appearance, Mr. H. G. Bohn alluded to the work in a late volume of his useful "Bibliographer's Manual." Not a newspaper, not a scrap of political information of the period (printed or manuscript) but Mr. Parkes allowed to remain unexplored. Everything that came in his way was examined. The last time we remember to have seen him—in the spring of the present year—he was wending his way down Piccadilly, highly delighted at a huge folio collection of *Say's Weekly Newspaper*, 1760-73, with a manuscript index (by some former "Junius" student) pasted at the end, which he had fallen in with for a few shillings, and which he was carrying off under his arm with great glee. Some years since Mr. Parkes resided in Savile-row, and it was here that he collected an extraordinary historical and antiquarian library, which contained some things perfectly unique in their way. One noted series was a collection of the private Acts of Parliament from the days of the Stuarts to George III.; another was a curious series of original proclamations from the reign of Henry VIII. to George III. It is believed that this was the most perfect gathering of the kind in England. When Mr. Parkes decided upon changing the character of his library, this, with some other very valuable collections, passed into the possession of the late Mr. Salt, the eminent banker, who presented the bulk of the proclamations to the library of the Society of Antiquaries. At present it is not decided what will be done with the extraordinary series of books and pamphlets illustrating the Junius controversy which Mr. Parkes has left behind him. Efforts will be made to throw the results of the deceased gentleman's literary labours together with a view to publication, if a competent editor can be found. It is well known that Mr. Parkes married in early life a granddaughter of the famous Dr. Priestly, and any books or tracts by or relating to this eminent thinker Mr. Parkes eagerly secured. Had life spared him, he intended issuing a very full biography of the Warrington philosopher. Mr. Parkes leaves an only daughter, Miss Bessie Parkes, one of the writers, we believe, for the *Westminster Review*, and otherwise well known as an accomplished authoress.—*London Review.*

THE BENCH AND THE BAR.

Correspondence.

Mr. Webster's Letter.—In your print of my letter in your last week's journal, the word "presdency" is misprinted for "precedency."

Ealing, 28th Aug. 1865. Edward Webster.

The Press and Mr. Baron Bramwell.—I have been greatly amused with the virtuous indignation which has been assumed by a portion of the press in their comments upon the collision 'twixt a Quaker juryman at Liverpool and Mr. Baron Bramwell, the other day. Fortunately for the administration of justice, Mr. Baron Bramwell is not at all the man to be influenced by nonsensical lectures which a portion of the press is ever so ready to force upon the administration of justice. In this as in every other, instance of the exercise of his judicial functions, this learned Baron may be safely left to the light of his own masculine judgment without incumbrance from the busybodyism of the daily press. One Josiah Carson, a member of the Society of Friends, it appears, desired to sit in the jury-box with his hat on. So far as my experience goes, this was the first time that such a claim was ever made by a Quaker. In their favour the law has already made certain concessions for the relief of the tender consciences of the sect—such, for example, as exempting them from personal military service, enabling them to affirm in lieu of taking oaths in courts of justice—whilst it is utterly silent as to the privilege claimed by friend Carson at Liverpool; consequently every lawyer will be of opinion that Mr. Baron Bramwell was quite right in insisting upon upholding the procedure of our courts, according to the law of England, conscientious scruples of friend Carson non obstantibus. In one of the very wise journals to which I refer an analogy was attempted with the practice of allowing Jews to be sworn upon the Old Testament with their hats on; but this practice, as every lawyer knows, is precisely because it is in accordance with the law as laid down by the celebrated case of *Omichund* v. *Barker*, the text of which is copiously illustrated in Smith's Leading Cases, vol. 2. If conscientious Quakers, therefore, really feel that conformity to the law in the matter of wearing their hats in courts of justice is so very oppressive—conscientious Jews have no such scruples however—there is nothing to prevent their seeking relief from the burden at the hands of the Legislature, ever on the look-out for a grievance to be redressed, in these days of universal toleration. What may or what may not be deemed a burden to the consciences of some people, it is of course impossible for everybody to decide. For my part I should have thought that, had it been the object of the judge in the individual case of friend Carson to persecute him, he could not have so effectually accomplished his purpose as by condemning him to the atmosphere of a court of law, such as we have

risters have been groaning under during the late hot weather, to wear in the jury-box this, the crowning distinction of his outer man. But in that case there would have been nothing to wrangle about, and the press might have starved when a glimpse of excitement of any kind is at so high a premium in the newsmongering community. At this season of the year the press is no exception to the rule which, alas for poor human nature, points a truth in the old nursery rhyme,

For Satan finds some mischief still
For idle hands to do.

If I may be allowed to make a suggestion to this omniscient, this ubiquitous institution, in place of pointing its artillery at English judges, the morality of the press would find better employment in following to some practical conclusions the homilies which for a considerable period it has been reading to the public on the subject of swindles in many of our commercial companies. The reading world have not been slow to remark that, in spite of homilies, which cost nothing, not even the loss of advertisements, in one very notable instance, public company swindling is rife as ever. If the press be anxious to retain the influence it once exercised whilst a monopoly in the hands of a few, it will cease from homilies and prove its sincerity in the cause of commercial morality by pursuing every George Hudson (and there are plenty of directors accused of fraudulent practices within as well as without the walls of Parliament) until he purge himself from those accusations. Such a course as this might indeed justify the sentiment of which we Englishmen of the present day often read in the annals of the past, when patriots were wont to rise to do honour to the liberty of the press—"'Tis as the air we breathe; without it we die"—with a great deal more of such conventicular rot, involved in the question of the purity of the press. In these days, governed as we now are by Pam and constitutional Whiggery, many of us are wondering what our ancestors were all about, until we are reminded that it was after dinner this wonderful, this soul inspiring toast was usually proposed. As the matter now stands, the "liberty of the press" seems to be restricted to the looking after advertisements and to the solid pudding which is then wont to be exchanged between the parties to the contract. To attack the administration of justice in the person of one of Her Majesty's justices serving meanwhile admirably as a blind to prove how patriotic a thing can be our modern "liberty of the press."

Temple, 24th Aug. 1865. JOHN ABEL.

We regret to hear that Mr. Kenneth Macaulay, Q.C. remains in the same helpless and, it is feared, hopeless condition.

VACATION OF THE JUDGES OF COUNTY COURTS.—On Friday, Sept. 1, a provision in a recent Act (28 & 29 Vict. c. 99) took effect, by which it is provided that "no judge of any County Court shall be obliged to hold any court during the month of September in any year, unless he shall be ordered by the Lord Chancellor to do so." The offices are to be opened in such vacation.

CONFESSION.—An "opinion" on the inviolability of confession has been given by Mr. J. D. Coleridge. Mr. Coleridge thinks that by law a clergyman may plead privilege, and refuse to reveal secrets confided to him under the seal of confession, except in cases of high treason. Lord Coke expressly lays down that the privilege of confession must be respected, and if this was the law at the time Lord Coke wrote it must be law now. Moreover, the Church of England tolerates confession in her formularies, and as the formularies are enforced by statute, whatever privilege attached to confession at the time of the Statute of Uniformity attaches to it now. Such is Mr. Coleridge's opinion, though he admits that the point is not clear, and would leave each clergyman to settle the question for himself on the grounds of religion and personal honour. Perhaps it is best to place the question on those grounds. But it would perplex the writers in various newspapers who call so loudly for contempt of court and other indefinite penalties against Mr. Wagner to know that the legal aspect may be against them as much as for them, and that, at all events, till that is settled a difference of opinion is tolerable.

MAGISTRATE AND PARISH LAWYER.

CONFESSION OF CONSTANCE KENT.

THE following letter from Dr. BUCKNILL, of Hillmorton Hall, near Rugby, reports the confession made to him of the manner in which this murder was accomplished.

Sir,—I am requested by Miss Constance Kent to communicate to you the following details of her crime, which she has confessed to Mr. Rodway, her solicitor, and to myself, and which she now desires to be made public.

Constance Kent first gave an account of the circumstances of her crime to Mr. Rodway, and she afterwards acknowledged to me the correctness of that account when I recapitulated it to her. The explanation of her motive she gave to me when, with the permission of the Lord Chancellor, I examined her for the purpose of ascertaining whether there were any grounds for supposing that she was labouring under mental disease. Both Mr. Rodway and I are convinced of the truthfulness and good faith of what she said to us.

Constance Kent says that the manner in which she committed her crime was as follows:—A few days before the murder she obtained possession of a razor from a green case in her father's wardrobe, and secreted it. This was the sole instrument which she used. She also secreted a candle with matches, by placing them in the corner of the closet in the garden, where the murder was committed. On the night of the murder she undressed herself and went to bed, because she expected that her sisters would visit her room. She lay awake watching until she thought that the household were all asleep, and soon after midnight she left her bedroom and went downstairs and opened the drawing-room door and window shutters. She then went up into the nursery, withdrew the blanket from between the sheet and the counterpane, and placed it on the side of the cot. She then took the child from his bed and carried him down stairs through the drawing-room. She had on her night-dress, and in the drawing-room she put on her goloshes. Having the child in one arm, she raised the drawing-room window with the other hand, went round the house and into the closet, lighted the candle and placed it on the seat of the closet, the child being wrapped in the blanket and still sleeping, and while the child was in this position she inflicted the wound in the throat. She says that she thought the blood would never come, and that the child was not killed, so she thrust the razor into its left side, and put the body, with the blanket round it, into the vault. The light burnt out. The piece of flannel which she had with her was torn from an old flannel garment placed in the waste bag, and which she had taken some time before and sewn to use in washing herself. She went back into her bedroom, examined her dress, and found only two spots of blood on it. These she washed out in the basin, and threw the water, which was but little discoloured, into the footpan in which she had washed her feet over night. She took another of her night-dresses and got into bed. In the morning her night-dress had become dry where it had been washed. She folded it up and put it into the drawer. Her three night-dresses were examined by Mr. Foley, and she believes also by Mr. Parsons, the medical attendant of the family. She thought the blood stains had been effectually washed out, but on holding the dress up to the light a day or two afterwards she found the stains were still visible. She secreted the dress, moving it from place to place, and she eventually burnt it in her own bedroom, and put the ashes or tinder into the kitchen grate. It was about five or six days after the child's death that she burnt the night-dress. On the Saturday morning, having cleaned the razor, she took an opportunity of replacing it unobserved in the case in the wardrobe. She abstracted her night-dress from the clothes-basket when the housemaid went to fetch a glass of water. The stained garment found in the boiler-hole had no connection whatever with the deed. As regards the motive of her crime it seems that, although she entertained at one time a great regard for the present Mrs. Kent, yet if any remark was at any time made which in her opinion was disparaging to any member of the first family she treasured it up and determined to revenge it. She had no ill-will against the little boy, except as one of the children of her stepmother. She declared that both her father and her stepmother had always been kind to her personally, and the following is the copy of a letter which she addressed to Mr. Rodway on this point while in prison before her trial:

Devizes, May 1st.

Sir,—It has been stated that my feelings of revenge were excited in consequence of cruel treatment. This is entirely false. I have received the greatest kindness from both the persons accused of subjecting me to it. I have never had any ill-will towards either of them on account of their behaviour to me, which has been very kind.

I shall feel obliged if you will make use of this statement, in order that the public may be undeceived on this point.—I remain, Sir, yours truly,

To Mr. R. Rodway. CONSTANCE E. KENT.

She told me that when the nursemaid was accused she had fully made up her mind to confess if the nurse had been convicted, and that she had also made up her mind to commit suicide if she was herself convicted. She said that she had felt herself under the influence of the devil before she committed the murder, but that she did not believe, and had not believed, that the devil had more to do with her crime than he had with any other wicked action. She had not said her prayers for a year before the murder, and not afterwards, until she came to reside at Brighton. She said that the circumstance which revived religious feelings in her mind was thinking about receiving sacrament when confirmed.

An opinion has been expressed that the peculiarities evinced by Constance Kent between the ages of twelve and seventeen may be attributed to the then transition period of her life. Moreover, the fact of her cutting off her hair, dressing herself in her brother's clothes, and leaving her home with the intention of going abroad, which occurred when she was only thirteen years of age, indicated a peculiarity of disposition and great determination of character, which foreboded that, for good or evil, her future life would be remarkable.

This peculiar disposition, which led her to such singular and violent resolves of action, seemed also to colour and intensify her thoughts and feelings, and magnify into wrongs that were to be revenged any little family incidents or occurrences which provoked her displeasure.

Although it became my duty to advise her counsel that she evinced no symptoms of insanity at the time of my examination, and that so far as it was possible to ascertain the state of her mind at so remote a period, there was no evidence of it at the time of the murder, I am yet of opinion that owing to the peculiarities of her constitution it is probable that under prolonged solitary confinement she would become insane.

The validity of this opinion is of importance now that the sentence of death has been commuted to penal servitude for life; for no one could desire that the punishment of the criminal should be so carried out as to cause danger of a further and greater punishment not contemplated by the law.—I have the honour to remain, your very obedient servant,

JOHN CHARLES BUCKNILL, M.D.

Hillmorton-hall, near Rugby, Aug. 24.

UNEXPECTED VERDICTS.

(From the *Daily Telegraph*.)

Englishmen have such reverence for trial by jury that it requires some moral courage to expose the defects of that almost idolised institution. The non-professional public regard it with an admiration which is too indiscriminate, and I do not doubt that my animadversions upon the most cherished part of our political system will appear in many eyes a species of profanity. I shall not, however, be deterred by these considerations from urging upon your consideration the necessity of a reform of the jury system. Those whose duties require a constant attention to the administration of justice in the Superior Courts of law have, of course, far better opportunities of judging of the actual working of that system than can be derived from a casual intermittent perusal of reports in the public papers. I am confident that I accurately express the feelings of the legal profession in asserting that verdicts, both in criminal and civil causes, are frequently repugnant to common sense, and evince a very low state of intelligence upon the part of the jurors. You have recently commented on one or two of the more flagrant instances of recent miscarriages of justice; but, besides the cases which have thus received special notice, many others of the same kind have occurred within the last month or two. In the *Daily Telegraph* of to-day, under the title "An unexpected verdict," a report is given of a trial at the Middlesex Sessions, which strikingly exemplifies my opinions as to the fallibility of jurymen. A man who is described by the reporter as "an oft-convicted thief" was accused of robbing the prosecutor of his pocket-book. The evidence showed that the prosecutor actually "felt a hand in his inside breast-coat pocket, and, turning round, he seized hold of the prisoner, and his *pocket-book dropped from his hand*." Short of actually witnessing the robbery with their own eyes, it is hard to conjecture what stronger proof the jurymen could have had. They, however, acquitted the prisoner. It is important to observe that he had pleaded guilty upon his preliminary examination before the magistrate, who, however, refused to accept the plea on account of the number of previous convictions. I have cited this case particularly, but it is merely one of a series which could be readily multiplied. About a month ago there was a trial for rape at Chelmsford, in which the jury found the prisoner guilty in opposition to the summing-up of the judge, and accompanied their verdict with a preposterous recommendation to mercy. The judge asked, "Why do you recommend him to mercy if you think he forced her? Is it that you have any doubt?" Such a recommendation in such a case can only be construed as a proof that the jury distrusted their own decision, and were desirous of mitigating its effect. In another case, where a man was accused of drowning a child, the sapient jurors acquitted him of murder, but found him guilty of concealing the body. The latter finding was of course nugatory. The law does not make the mere concealment of a dead body criminal, though the concealment of the *birth* of a child by secretly burying the body is a penal offence.

I do not think that jurymen are open to the charge of knowingly and wilfully giving false verdicts. The errors to which I am endeavouring to draw attention are due either to stupidity or, what is still worse, a feeble affectation of astuteness. The miscarriage of justice which arises from these causes is a matter of the gravest public concern, for it is a literal truth that the ordinary legal protection for life, liberty, and property, depends mainly on juries. In common with many other persons who have extensive means of observation, I am inclined to attribute the low standard of intelligence which is occasionally exhibited in the jury-box to the irregular manner in which the panels are summoned. Theoretically the lists include the bulk of the middle and upper classes; practically, the persons who actually serve belong decidedly to the lower part of the middle class, and

are frequently unfavourable samples of average English intelligence. This, some of the public may say, is an unpalatable statement, and one calculated to give offence; but the subject is much too serious to be sacrified to punctilious regard for the feelings of a class. If the wealthier shopkeepers, merchants, bankers, and gentry, were rigorously compelled to take their legal share in the work of administering justice, the juries would be leavened with an amount of education and intellect which would generally save us from the calamity of "unexpected verdicts." It is notorious, however, that the persons whose attendance upon juries would be most desirable, entertain a great repugnance to discharge this most important duty, and generally manage to shirk it. A banker, for example, finds it worth his while to run the risk of being fined ten pounds for nonsence from the court rather than to leave his business. The mere chance of a pecuniary mulct is found insufficient to secure the attendance of any but the poorer section of the persons summoned. I am afraid, also, that the subordinate agents of the law are not always inaccessible to the persuasive influence of small gratuities offered by persons who seek to avoid being summoned. Many remedies have been suggested for the existing evils arising from the imperfect constitution of juries. Among other things it has been proposed that the remuneration should be made adequate to attract the attendance of a highly-educated class. Without, however, discussing the larger questions which the subject involves, it is sufficient for my present purpose to insist that supposing no other alteration to be adopted, it is desirable that the practice of evading the duties of the jury-box should be stopped by means far more effectual than any now in force. But while on the one hand the law, which requires landowners and ratepayers to discharge the office of jurors, should be steadily and impartially enforced, I think that on the other hand the deterring influences which render the duty odious ought to be mitigated. I am sure the task might be much less disagreeable than it is. Under proper management jurymen would not be kept in waiting so long as they now are. The discharge of their functions need not involve the present miserable waste of time and the numerous annoyances and physical discomforts which render attendance upon courts of justice a terrible purgatory. Until these grievances are redressed, the jury-box will continue to be avoided by the more intelligent portion of the community, and "unexpected verdicts" must remain a chronic calamity.—I am, Sir, yours, &c.,

Aug. 22. LEX.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

VENDOR AND PURCHASER—DEALING WITH EXPECTANT HEIRS.—A mortgage, after reciting that 3000*l.* was due from B. to C., and that B. had agreed to make further advances to the extent of 768*l.*, and that, in consideration thereof, C. had agreed to secure to B. by judgments, and also by that indenture, the payment within six months of the death of C.'s father of the sum of 2000*l.*, in case B.'s father should not outlive three years from the date of the deed, and the sum of 3000*l.* if he should outlive that period, with interest, mortgaged the property therein named. At the time of the mortgage the entire sum due, including the advances made, was 680*l.* C. was entitled to a base fee in the mortgaged estates expectant on the death of his father, but subject to his father's appointment by deed or will. The father was seventy, and a confirmed lunatic. C. was thirty-seven and had five children, of whom two were living. The father died four years afterwards. Three years after his death B. filed a bill for foreclosure, and C. filed a bill to set aside the mortgage, except as a security for the sum actually due. It was held, on appeal, that the transaction must be considered as tantamount to a purchase by B. of a reversionary interest in a sum of 2000*l.*, to be increased in certain events to 3000*l.*, secured on land; and that 680*l.*, being a grossly inadequate consideration for an inappreciable risk, and the terms of the contract showed pressure, the transaction must be set aside. Lord Westbury thus stated the principles that govern the court in dealing with transactions of this nature:

The principles of this court by which the validity of dealings with expectant heirs is tried (however unwise they may be when examined by the light of jurisprudence and social economy) are not at all affected by the legislative abolition of the old laws against usury. The value of an expectancy or reversionary interest may be ascertained now, as well as it could be when the law against usury was in existence. It was insisted before me that Mr. Emmet might have lent the 500*l.* to Mr. Tottenham at 40 to 50 per cent. interest, and that the loan would have been legal and valid. This may be conceded; but it must be added that, if Mr. Emmet took for such a contract with an expectant heir any charge or security affecting his expectancy (in which word I include remainders and reversionary interests), the contract would still have to be tried by the settled rules and principles of this court; and, if the terms of it were found to be such as the court holds to be unconscionable, the transaction would be set aside. It is immaterial that Mr. Tottenham voluntarily proposed to Mr. Emmet to make himself liable for the 200*l.* and 184*l.* The offer was made under the pressure of pecuniary distress, and was a bribe to Mr. Emmet to induce him to lend the sum of 500*l.* Administering the justice of this court, I am bound to say that such offer ought not to have been accepted. I am of opinion, therefore, that the decree of his Honour the Master of the Rolls is in substance correct, and I am bound to dismiss this appeal with costs.

(*Emmet* v. *Tottenham*, 12 L. T. Rep. N. S. 838. L. C.)

WILL—JOINT TENANCY.—B. gave property to his daughter, and after her death "to her children or heirs for ever." The children were held to take as joint tenants: (*Buck* v. *Barwise*, 12 L. T. Rep. N. S. 841. V.C. K.)

RESERVATION OF A RIGHT.—It is settled law that the reservation of a right implies the means of enjoying it. Therefore, where by an ancient grant from the Crown the free miners of the Forest of Dean had rights of digging for coals in what are called "gales" or seams, in this case the "upper gales," with a reservation that the underlying veins might be allotted to other parties, an allottee of an underlying gale was held to be entitled to cut through the upper gale for the purpose of getting at it, but doing as little injury as possible: (*Gould* v. *The Great Western Deep Coal Company*, 12 L. T. Rep. N. S. 842. V.C. W.)

LAW STUDENTS' JOURNAL.

Correspondence.

EXAMINATIONS.—Will any of my fellow-students be courteous enough to inform me what the preliminary subject in the final examination consists of. I see *all* the questions contained therein must be answered. ARTICULUS.

HONOUR EXAMINATIONS.—The letter which appeared in your last number has touched upon a point which has often occurred to me, and which, I believe, has not been noticed in the other letters upon this subject. It refers to past prizemen, upon whom some permanent mark of distinction might reasonably be bestowed without another examination. Labour and study have been in every case the necessary precursors of honorary distinction. Surely, then, past prizemen who have received only an indifferent reward (for the present system of acknowledging merit is undoubtedly insufficient and defective) should be permitted to participate in the benefits of any new regulations, without being compelled to neglect their every-day professional engagements, and to re-prepare themselves for another test which, perhaps, might not be so severe as that which has been already endured. The *Law List* dignifies barristers who have obtained honours by appending to their names appropriate words; this favour might usefully be extended to attorneys and solicitors. If, however, any new rules should require another trial, I too, although for the above reasons rather reluctantly, would become a candidate for honorary distinction more valuable than that which is at present conferred.

A PRIZEMAN.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for bona fides.

Queries.

STAMPS—MORTGAGE OF COPYHOLDS.—A., by indenture, dated 1st Jan. 1, 1865, covenants to surrender copyholds by way of mortgage for securing 1100*l.* and interest. The deed also contains covenants for payment of the principal and interest, and for title, and a power of sale. The surrender is duly passed on the same day. What stamps should the deed and surrender bear respectively?

FESTINA LENTE.

AUCTIONEER.—Will any of your readers oblige me with an opinion upon the following point:—A. and B., auctioneers, advertise a sale by auction of, amongst other things, a certain quantity of timber. In the general description on the first sheet of catalogue the timber in question is mentioned, but no reference is made to it in any of the lots. The advertisement appears in a provincial paper up to the day before the sale, and C. intending to become a purchaser of the timber only, travels about 200 miles for that purpose, when he was informed at the sale it had been sold by private contract. Having however, that some question might subsequently arise as to his being present, he on the second day's sale purchased one small lot. Are the auctioneers liable in damages to C. for his loss of time, &c.? T. T.

PROTECTION ORDER.—In the year 1859, A. B. [illegible] petition in the County Court for protection, and obtained his final order. In the year 1862 the said A. B. having (as it is supposed) come in for some money by the death of a tenant for life under a will purchased some land and premises, and the property was conveyed to him. Would some of your readers be good enough to give me their opinion whether A. B. has a good title thereto, that he can make a valid sale or mortgage; or whether the property is affected by the insolvency, so that the assignees can claim same (vide 5 & 6 Vict. c. 116, ss. 7 and 9; 7 & 8 Vict. c. 96, and other Acts); and whether the assignees can follow the estate if resold or mortgaged. C.

Answers.

MORTMAIN.—In answer to the query of "J. B." in your paper of the 19th inst., I think that the words "unto H. P. and his heirs" are not sufficient to give the legal estate. To give an example of the principle: an estate is given, "To hold unto A. B. and his heirs, to the use of C. D. and his heirs." A. B. takes no permanent estate, but is simply a conduit-pipe for conveying the estate to C. D. The legal estate vests in C. D. by virtue of the words "to the use of." Previous to the Statute of Uses the words "unto" was sufficient to convey the legal estate, and the words "to the use of," the equitable estate; but, upon the passing of that Act, thereby reducing uses into possession, it has rendered it necessary, in order effectually to convey the legal estate, to insert the words "to the use of." Being for valuable consideration, I think, at the same time, J. M. would, in equity, be held a trustee for H. P.: (see Wills Real Prop. 6th edit. p. 144.) J. E. M. Lewes.

ADULTERY.—I know of no rule of evidence that would render the husband an incompetent witness in the case stated by "Baron." The 2nd section of 16 & 17 Vict. c. 9 provides that "Nothing herein shall render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband, in any criminal proceeding, or in any proceeding instituted in consequence of adultery." In any suit not instituted *in consequence* of the wife's adultery, either husband or wife may, I presume, be called to prove or disprove the adultery. The only case I can find that bears on the point is that of *Cooper* v. *Lloyd*, 6 C. B., N. S., 519, where it was held that, in an action against a husband for the price of necessaries supplied to his wife while living alone, the wife is an admissible witness for the defendant to prove that she has committed adultery, and that consequently the defendant is not responsible for her maintenance. When the evidence of the wife is admitted in *proof of her own adultery*, there can scarcely be any probability that the husband's testimony would be rejected. D. E.

Driffield, Aug. 28.

FALSE PRETENCES.—To support an indictment for false pretences, it must be shown that the prisoner has represented as an "existing fact" that which is not a present fact (*R.* v. *Woolley*, 19 L. J. 165, M. C.); and this representation must be with a fraudulent intent. Whether or not in the case stated by "Lex," B. can be held guilty of the offence, it is impossible to say without a fuller knowledge of the circumstances of his conduct. In *R.* v. *Barnard*, 7 Car. & P. 784, it was proved that the prisoner went into the shop of an Oxford tradesman, in academical costume, and ordered goods to be sent to his lodgings. It subsequently turned out that he was not a member of the University, but that he had assumed the college cap and gown for the purposes of deceit, and on being indicted for obtaining goods by false pretences he was found guilty. It was held that his presenting himself in the dress of a collegian was as much a pretence that he was so, as if he had said "I am a member of the University." I can find no other case that is so similar in its circumstances to that stated by "Lex," yet it will be observed that there are striking and important differences between the two. In *R.* v. *Barnard* there could only be one inference from the prisoner's act, viz, that he was a member of the University; but from B's act either of two inferences might be drawn: first, that B. was the landlord of the house, and second, that he was a guest there. If then B. was a guest in the house at the time he gave the order, I think that he cannot be pronounced guilty of false pretences, for it would be very unjust to hold that where more than one inference can be drawn from the act of the prisoner he shall be presumed to have intended that one which alone would make him guilty of the offence. If there be a doubt as to which of the two inferences the prisoner intended to be drawn from the act, he must have the benefit of the doubt; and, instead of holding his act a misrepresentation, it must be held that there was merely a misinterpretation of it by the prosecutor. However, if B. was not a guest at the inn at the time his letter was written, I would, I think, be left to a jury to say from that and any other circumstances of the case, whether there has been a misrepresentation with a fraudulent intent. D. E.

Driffield, Aug. 28.

THE LAW LIBRARY.

The Law of Appeals to the Superior Courts of Law, including Appeals from Justices, Appeals from the County Courts, Appeals from Revising Barristers, and similar Appeals. By GEORGE TAYLER, Esq., Barrister-at-Law, Editor of "The Consolidation Acts of 1845 and 1847," &c. London: LAW TIMES Office.

THIS is, we believe, the only work distinctly treating of the very important subject of appeals. A chapter or two about it may be found in the volumes devoted to the practice of the

various courts, but to obtain the information he seeks the practitioner is compelled to procure a library of books, and to exhume it, he must spend many valuable hours in the search. Mr. Tayler, therefore, has done good service by bringing the whole subject into one compact volume, upon which the hand can be laid in a moment, which can be carried to the courts in the pocket, and where a short reference to a single index will enable the student or the practitioner to find the entire law and practice in a couple of minutes.

Some portion of the treatise is already known to the readers of the LAW TIMES. That which relates to appeals from justices under the recent statute was in the first instance contributed to the LAW TIMES, and was there read with so much interest that Mr. Tayler was induced to accede to the request of the subscribers that it might be republished in the permanent form of a book. But the author was not content merely to reprint it. He has re-written some portions, carefully corrected all, introduced additions suggested by correspondents, posted up the decided cases to the latest moment, and introduced the practice of appeals in the Superior Courts. It is not, therefore, an untried work. It has been tried and approved by the Profession, and appears now with the stamp of approbation from those who have made acquaintance with it before. This is, perhaps, its best commendation; it is certainly of far more worth than any quantity of chamber criticism.

And if the practitioner can use it as a text-book on the law of appeals, we can venture to recommend the law student to read it as a part of his course of law studies. It is neither long nor tedious, and it will give to him much knowledge of great value not easily to be obtained otherwise. Mr. Tayler is an excellent writer of law, his matter being always well arranged and clearly expressed. The fact is, that he understands what he is writing about. The law is in him, and therefore he has no difficulty in putting it forth intelligibly to others. When a legal author is confused in argument and inaccurate in expression, we may be sure that his book is the reflex of his mind, and that he writes muddily because he has but a hazy conception in his brain of what he is writing about. So it is with the citation of cases. Before the author can say that a case is in point, he must thoroughly understand what is the precise point which the case decided. This demands a special aptitude, rare even among the lawyers, the variations of which are the main cause of the marked differences in the composition of law books. It was the possession of this faculty and the cultivation of it by the author that has made Smith's Leading Cases a standard work in the law library and a part of the reading of every student of the law.

Mr. Taylor treats first of Appeals from Justices, describing the summary jurisdiction to which the appeal is applicable, the parties to the appeal, and the court to which it is made. He considers next the matters that are the subjects of appeal, pointing out very clearly the important distinction between questions of law and fact.

The following chapter is devoted to very careful and minute directions for the proceedings to be taken upon an appeal before it reaches the Superior Court, and then the proceedings in the Superior Court; the costs of the appeal, and the proceedings after the judgment of the Superior Court has been obtained. How to compel a justice to state an appeal case is the subject of a separate chapter, and concludes the appeal from justices.

A similar treatise on appeals from the County Courts immediately follows, the differences between that and the appeal from justices being thus stated:

The chief peculiarities which distinguish this mode of appeal from the appeal from justices are the following:—First, the very different subject-matters out of which the appeals arise, the appeals from justices almost always involving questions as to inflicting penal consequences, or compelling the performance of a burdensome duty, by reason of some specific act done or omitted; while in appeals from County Courts the questions are such as usually arise in common law courts in civil actions as to property. Secondly, the appeal from County Courts is very restricted in its application, being confined to what is practically a very small part of the jurisdiction of County Courts. Thirdly, the power of appealing and of stating the case is entirely put into the hands of the parties, the court appealed from having no power like that possessed by justices to refuse to state a case, but only the power to settle the case if the parties cannot agree in stating it. Fourthly, the appellant has a much more convenient time to consider whether he will or will not appeal, namely, ten days instead of three. And fifthly, the court of appeal have what is in such cases a necessary power—that of directing a new trial where they think fit.

The order in which Mr. Tayler deals with this appeal is very similar to the former one, describing the jurisdiction to which it is applicable, the parties and the court, the subject-matter of an appeal, the proceedings both before and after the hearing, the costs, and the effect of the judgment.

The third division of this comprehensive volume treats of appeals from revising barristers, following the same arrangement of the subject as with the other appeals. A final chapter groups a number of similar appeals, such as that upon the amount of stamp duty payable on documents; from decisions under the Metropolitan Building Act; in probate matters in the County Courts; and from decisions under allotment of Hainault Forest.

Last, but not least, giving, indeed, an invaluable aid to the practitioner in either of the courts from which the appeals here treated of are permitted, is a chapter applicable to all of them on questions of law and questions of fact. Mr. Tayler commences this with a confession of the difficulty of stating a precise distinction, but he offers this definition:

The most correct brief description of law and fact seems to be this, that a fact for the purpose of the present inquiry is something which has, or is supposed to have, actually existed or occurred on a past and specified occasion, while the law is the general rule which has been established for defining the consequence of every such existence or occurrence, whether past, present, or future.

And he makes the following suggestions for distinguishing questions of law and fact:

If there is obscurity about the meaning of any words contained in the written law, or in a proposition that is unquestioned law, the explaining or defining more precisely their meaning in other but general words, involves questions of law not of fact. But the deciding whether an individual case is within that meaning, or whether at a particular time the condition of things is that which the law describes are questions of fact. The adoption of this classification will be found to supply the most convenient rule for ordinary use in distinguishing between questions of law and questions of fact, though in strictness it is applicable to little else than the construction of statutes. At the same time, by a little stretching and twisting about of this test, it may be made to include also all other questions of law, if this theory be assumed at starting, that all decisions are only explanations or modifications of a previously expressed law. But a more comprehensive description, for it cannot be properly be called a definition of questions of law and fact, may be obtained by expanding that which has been already given, namely that a fact, for the present purpose, is something which has or is supposed to have actually existed or occurred on a past and specified occasion, while the law is the general rule which has been established providing for the consequence of every such existence or occurrence, whether past, present, or future. Thus a fact is either an actual or supposed occurrence, or an actual or supposed condition of things, that is a combination of actual or supposed occurrences, while the law is purely a result, namely a liability or privilege or new relation combining both, which it is intended shall follow on every occasion when the specified occurrence or specified combination of occurrences takes place. A statement of the law is therefore a statement expressly or impliedly of the facts upon which it comes into operation, and of the consequences which follow upon those facts occurring, involving therefore a description of the existences or occurrences, and of the legal result. And if the question be whether there was or was not an alleged occurrence or existence it is a question of fact, while, when the occurrences are decided on, if the question be whether an alleged result follows, or what result is consequent upon the occurrences, these are questions of law. Hence, as will be seen afterward, the boundaries between law and fact are constantly varying because the question whether there was or was not such an occurrence as is described by some general word or phrase in the law is a question of fact until that general word or phrase is explained or interpreted in other less general words; and the question that arose under that general word or phrase thus becomes divisible into the question of law involved in that interpretation, and the new questions of fact arising on these less general words.

It should perhaps be added that it is very rarely that all the occurrences on which the law comes into operation are expressly stated—some are almost always implied; indeed there are some occurrences which it may be said are always understood, though scarcely ever specified, as, for instance, that the persons and things referred to are within the jurisdiction of the Legislature, and that the persons are of sane mind, and that the occurrences directly affected by the law happened after the law was in existence.

But, throughout what has been said, the word "occurrence" must not be understood as confined to a physical occurrence; it equally includes every mental occurrence or existence, if they may be so described. So that, for this purpose, every intention or emotion of the mind, and the possession of any knowledge or opinion by the mind, is a fact equally with any physical occurrence or existence.

Whether any one of these various occurrences existed or not, and what were their characteristics, are questions of fact, and also if more than one have to be referred to their relation to one another as regards cause and effect, and their relative values in every sense, and their relative positions as to time; and where more than one physical occurrence have to be referred to, their relative appearances, local situations, and movements, are all questions of fact. Whereas, when these are agreed upon or defined, the questions of fact are answered, and the deciding what liabilities or advantages necessarily come into operation in regard to any of them involves questions of law. So that the deciding in general terms a general rule as to the consequences of such occurrences as are under consideration is a decision of law; while the deciding whether any single or combined particular occurrences answers to those general words or terms is a decision of fact.

Thence arises that distinctive feature of our trial by jury above referred to, which it may be remarked in passing seems to be in this respect the method by far best suited for the practical administration of justice. For in that, after all the information has been collected on the subject, the educated legal mind applies itself to separate the questions of law which appear to be involved in the matter from those of fact, and, laying down the rules of the former, asks the unprofessional but practical mind of the jury to decide whether there are or are not facts sufficient to support a given rule or result. From the different constitution of the courts of petty session and other courts where there is no jury, the justices (or judge, as the case may be) are compelled to decide both law and fact for themselves; but wherever the right of appeal by appeal case has been established, it becomes certainly advisable that in all cases in which that right exists the justices (or judge) should state as clearly as possible the legal principles upon which they act in deciding such cases.

He then illustrates his remarks by reference to a variety of cases, from which the following is taken:

As to the questions of reasonable time and due diligence it appears to be disadvantageous to refer to them separately. They are usually treated separately, and it is sometimes said that reasonable time is generally a question of law for the court, and that due diligence is almost always for the jury. But, in truth, each is greatly involved with the other, and they are often convertible terms. A large number of questions which might properly be classed under questions of due diligence turn on the time when done, and these are commonly classed as questions of reasonable time, while, on the other hand, in almost all cases of what are usually called due diligence, the question of time is one element, although there are perhaps other materials also involved in the question which is in issue. The truth appears to be that in reference to the doing of many acts, the period within which they ought to be done has been fixed at a precise period by general convenience or by repetition of precedents, so that the time is adopted as a rule of law. Take for instance the universally-known rule of law that a calendar month's notice is the proper notice between master and domestic servant, and the almost equally well-known rule that six months' notice is the notice for putting an end to a yearly tenancy of land or house. And the more correct view of the matter appears to be that due diligence and reasonable time are questions of fact for the jury (as the terms used seem to import), except where a rule of law has been established, defining the time or mode of doing specific acts. It would be out of place here to attempt to enumerate such rules in detail, as they are of very rare application to the questions out of which the appeals treated of arise. Some of them are rules of general law, such as the two above mentioned, but the larger number are rules belonging specially to mercantile law; while the questions which arise in these appeals are nearly all upon the construction of express statutory provisions.

Indeed, the entire of this chapter will well reward careful perusal and re-perusal, alike by the practitioner as by the student, for there are few questions more perplexing, or which present

themselves so suddenly for solution when reliance must be placed on memory rather than books. For this purpose nothing is more needed than an accurate perception of the principles on which any law or practice is based. These they will learn from the volume before us, the only work in which the subject, interesting and important as it is, has been fully and distinctly treated. The index is extremely copious, and this in itself is no slight recommendation to a book of practice.

BOOKS RECEIVED.

A Pocket Digest of Stamp Duties, and of Judicial Decisions thereon: with Directions on Stamped Instruments, and an Appendix of Stamp Acts, Tables of Duties, &c. By THOMAS B. VACHER. Sixth Edition. London: Vacher and Sons, Parliament-street.

New Parliament. Vacher's Parliamentary Companion for the Session 1865. Westminster: Vacher and Sons, Parliament-street.

General Civil Code for all the German hereditary Provinces of the Austrian Monarchy. Translated by JOSEPH M. CHEVALIER DE WEINWARTER, Doctor in Law, &c., &c. First Part. Vienna, 1865. Sold by Rudolph Lechner.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

N. HIBBERT, ESQ.

The late Nathaniel Hibbert, Esq., of Munden-house, Herts, was the eldest son of the late George Hibbert, Esq., of Munden-house, by Elizabeth Margaret, daughter of the late Philip Fonnereau, Esq., of Christchurch-park, near Ipswich, Suffolk. He was born at Munden-house, in the year 1794, and educated at Winchester, and afterwards, for two years, became a pupil of Professor Playfair at Edinburgh, where he was a contemporary of the present Earl Russell. He then went to Trinity College, Cambridge, where he formed an intimate friendship with Fox Townshend, the gifted son of Lord John Townshend, whose early death was esteemed as great a loss to his country as to his friends.

Mr. Hibbert was called to the bar at Lincoln's-inn in 1819, having studied under Lord Wensleydale, then Mr. Parke. He was appointed counsel to the Bank of England, and in the year 1827 distinguished himself by an argument before the Privy Council, in which he opposed the compulsory manumission of slaves in the colonies of Berbice and Demerara, with remarkable force and acuteness. Shortly after this he published a pamphlet, which attracted great attention at the time from its simple and vigorous English, entitled "Answer to Mr. George Stacey, &c.," in reply to a pamphlet by the latter, in which the usual arguments against slavery had been paraded with more than the usual amount of cant and abuse. The following is a short extract from Mr. Hibbert's "Answer:"

> You abound in scriptural quotations. Pardon me then for reminding you that in the parable of the Good Samaritan there are two precedents, and that you follow neither one nor the other. You abhor the selfishness of the Levite who saw it was a troublesome business and would have nothing to do with it at all, but as yet you have not imitated the generosity of the Samaritan. You seem quite as much aware of the expense of the wine and oil as of their efficacy, and you pity the groans of the wounded man without coming down with the 2*d.* or signing the bond for his further relief. (*a*)

Mr. Nathaniel Hibbert succeeded to his paternal estate in the year 1841, previous to which he had retired from the Bar. He was a magistrate for Herts and the Liberty of St. Albans, and he served as High Sheriff of Herts in the year 1855.

He died at Munden-house, near Watford, on the 18th July 1865, and was buried in the family vault at Aldenham.

He was a thorough scholar without pedantry, a man of spirit and intelligence, and in every sense of the words a Christian gentleman.

He married in 1828 Emily, youngest daughter of the late Rev. Sydney Smith, by whom he had issue an only son, Rogers Parker, who died without issue Oct. 1864, and two daughters, of whom the youngest married the eldest son of Sir Henry Holland, Bart., and died in 1855 leaving issue.

MR. JUSTICE HALIBURTON.

We have to announce, with deep regret, the death of Mr. Thomas Chandler Haliburton, for many years one of the judges of Nova Scotia, for six years the representative of Launceston in the House of Commons, but popularly known as "Sam Slick." He died on Sunday, at his residence, Gordon-house, Isleworth, at the mature age of sixty-eight, having at the late general election retired from the borough which he had represented since 1859, owing to increasing infirmities. Mr. Haliburton was born in Nova Scotia the year before the Irish rebellion, when the United States had hardly attained the years that in England constitute a legal majority; and having studied at various places, he was called to the colonial bar, and practised for some years with considerable success. In 1835 he commenced the literary works on which his fame will rest by the contribution to the columns of a Halifax weekly newspaper of a series of amusing papers, depicting the acute angles and sharp knobs of the Yankee character. So successful were these papers that two years later they were revised, published, and brought under the notice of the general reading public, who gave "Sam Slick, the Clockmaker," an enthusiastic reception. The success of this book naturally induced the publication of a second series in 1837 and a third in 1840. But "Sam Slick" was not exhausted, for "The Attaché," an account of Sam's experiences in London as one of the members of the United States embassy, was equally popular with the preceding volumes, and went through several editions in a few months. These were succeeded at intervals by "Bubbles of Canada," "An Historical and Statistical Account of Nova Scotia," "The Old Judge," "Traits of American Humour," "Yankee Stories," "Nature and Human Nature," &c., all of which, however, it is no disparagement to them to say are less effective than the author's first works. Mr. Haliburton's career in the House of Commons was not so brilliant as some of his friends had hoped. When he spoke his voice was so weak that many good things which amused the members immediately around him were lost to the bulk of the house, and were totally inaudible in the reporter's gallery. His loss will be mourned by the many friends whom he had made in England and America, and hardly less by that general public which he has so often amused.—*Standard.*

(*a*) Mr. Stacey was a Quaker, and advocated immediate and unconditional emancipation. The "Answer" was published under the name of Mr. George Hibberd, agent for Jamaica.

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The annual provincial meeting of the members and friends of this association will be held this year at Liverpool, and will commence on Tuesday, 17th Oct., at eleven o'clock in the forenoon, in the Library, St. George's-hall, Mr. G. W. Hodge, of Newcastle-upon-Tyne, the chairman of the association, presiding.

The members of the association and their friends will afterwards dine with the Liverpool Law Society, Mr. Squarey, the vice-president (in the absence of the president through ill-health), being in the chair.

A further meeting will be held the following day at eleven o'clock, in the Library of St. George's-hall, under the presidency of Mr. Hodge.

The Liverpool Law Society have appointed a committee for the purpose of making the local arrangements, of which Mr. Henry C. Duncan is secretary, and he will be happy to afford every information.

It is of great importance to the interests, not only of the association, but of the Profession generally, that these annual meetings should pass off in a spirited and successful manner; and the metropolitan members trust that their provincial brethren will embrace the opportunity to express their opinion as to the best mode of conducting the affairs of the association; an opinion which will be the more valuable to the London members of the committee, as being expressed at a meeting composed chiefly of provincial members. The committee therefore hope that you will, if possible, attend yourself, and induce as many as you can of your professional friends to be present also.

Permit me to draw your attention to the regulations as to these meetings, which are printed on the other side, and especially to No. 7.

The committee will feel indebted to any member who will contribute a paper, and I send you a list of topics which would probably prove interesting; but the list is intended to be suggestive only, and is not meant to restrict members in their choice of subjects. If you will favour the association with a paper, I shall feel much obliged if you will let me know the title as early as convenient, and, if possible, within the next fourteen days.

Members proposing to be present at the meetings are particularly requested to intimate their intention to the local secretary, Mr. Henry C. Duncan, 10, Water-street, Liverpool, by the 1st Oct.—I am, dear Sir, faithfully yours, PHILIP RICKMAN, Secretary.

P.S.—The local committee will make arrangements for affording strangers the opportunity of visiting the public buildings, docks, and river, and other objects of interest in Liverpool, as to which members are recommended personally to apply to Mr. H. C. Duncan on their arrival in Liverpool.

The preliminary committee meeting for fixing the order in which papers, &c., are to be taken on the two following days, will be held at the law library, in Liverpool, at seven o'clock in the evening of Monday, the 16th Oct., when members of the managing or of the local committee are requested to attend.

The half-yearly meeting of the Solicitors' Benevolent Association to be held at Liverpool on Wednesday, the 18th Oct., at ten o'clock, will lend additional interest to the proceedings.

Regulations for General Meeting.

That a meeting of the association be held in the autumn of every year.

The proceedings to be as follows:

1. That the chairman or deputy chairman of the committee, if present, be chairman of the meeting; otherwise, that a chairman be appointed by the meeting.

2. That the proceedings shall commence with an address from the chairman, and shall comprise a review of the proceedings of the committee during the past year.

3. That the time and place of the next meeting shall be fixed.

4. That this be followed by the reading of papers by members of the society, upon subjects connected with the Profession.

5. That the committee shall decide the order in which papers shall be taken, and that no paper shall occupy more than half an hour in its reading.

6. That after the reading of each paper by its author, if present, and if not, then by the secretary, it shall be discussed by the members present, if they be so minded, before another paper is introduced to the meeting; and that such discussion shall be closed when so directed by the chairman.

7. That every member desiring to communicate a paper to the meeting shall inform the secretary of its title four weeks, and deliver the paper to the secretary one week, prior to the meeting.

8. That the committee shall have power with the consent of the authors, to print and circulate such of the papers, or such extracts, as they see fit.

9. That whenever it may appear to the members at any meeting that any subject demands the especial attention of the Profession, some members or member shall be then and there appointed to collect and arrange such facts and opinions as may be necessary or useful for the elucidation of the subject, and to report thereon to the committee.

Subjects Suggested for Papers—1865.

1. Concentration of the courts and offices of justice.
2. Registration of titles. The Land Transfer Act.
3. Bankruptcy reform.
4. Professional remuneration.
5. County Courts equitable jurisdiction.
6. Fusion of law and equity.
7. The attorneys' certificate duty.
8. Local admiralty jurisdiction.
9. Offices of executor and trustee.
10. Limited partnerships.
11. Law of evidence.
12. Divorce Court.
13. Execution of English judgments in Scotland and Ireland, and *vice versâ*.
14. Crown debts as charges on land.
15. Appeal in criminal cases.
16. Security for costs.

LEGAL NEWS.

The Temple Church, which is undergoing a thorough cleansing, is to be re-opened for Divine service on Sunday, the 1st of October.

WILLS AND BEQUESTS.—The will of Mr. Pantia Ralli of Connaught-place West, was proved in the London court on the 1st inst., by his son, Mr. Peter Pantia Ralli, the sole executor. The personalty was sworn under 400,000*l.* The will is dated the 1st July 1865, and the testator died on the 9th of the same month at Connaught-place. The testator has left to the college of the island of Scio (his native country) 1000*l.*, the interest to be given annually as a prize to the student who has most distinguished himself in each year for learning and good conduct. There is also a legacy of 200*l.* for the benefit of the church of Saint Victor at Scio, and 100*l.* to be divided among the hospitals of Scio. The testator also leaves to the university of Athens a sum of 1000*l.*, the interest of which is to be applied annually in the same manner as the bequest to the college of Scio. To the president and council of the society at Athens called the Philoepedeutic Society the testator leaves 500*l.*, the interest to be given annually as a prize to the girl then receiving her education there who has most distinguished herself for good conduct. 500*l.* is to be divided among such of the charitable institutions in London as the executor shall in his absolute discretion think best. To each of his servants in his London establishment the testator leaves one year's wages, and 100*l.* to be divided among his servants and gardeners employed at his chateau at Bonnevaine, near Marseilles, and 100*l.* to the poor of Bonnevaine. To Harriet Peterton, his housemaid, the testator leaves an annuity of 6*l.* a-year. All legacies are to be paid free of duty. The testator leaves a legacy of 500*l.* to his son-in-law, Mr. C. J. Monk, in token of his affectionate esteem, and makes very liberal provision for Mrs. Monk (the testator's daughter) and her children. There are also some other bequests to the testator's relatives, and Mr. Peter Pantia Ralli, the son and executor, is appointed residuary legatee.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Aug. 18.

Green, Bernard Hartley, and Payne, John Brown, attorneys and solicitors, Manchester and Knutsford. Aug. 2.

Phipps, Arthur Constantine, and Mackay, George Mackenzie, attorneys and solicitors, Shepton Mallet. Aug. 3.

Bankrupts.

Gazette, Aug. 22.

To surrender at the Bankrupts' Court, Basinghall-street.

Baker, William, sen., out of business, Croydon. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sols. Oily and Adams, Trinity-st. Southwark. Sur. Sept. 6.

Bruce, Andrew, and Drake, Thomas Warth, collar manufacturers, Ranelagh Works, Park-st. Camden-town. Pet. Aug. 17. Reg. Roche. O. A. Parkyns. Sols. Langford and Marsden, Friday-st. Sur. Sept. 5.

Clifton, Richard, beershop-keeper and keeper of a refreshment house, Great Windmill-st. Haymarket. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Braddon, Davies-inn, Strand. Sur. Sept. 5.

Crouch, Job, bricklayer, Wimbledon. Pet. Aug. 18. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Sept. 6.

Cruiser, Joseph Christopher, bookseller, New Turnstile, Holborn. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Edwards, Bush-la. Sur. Sept. 5.

Green, Edward, wine merchant, Great Tower-st. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sols. Harrison and Lewis, Old Jewry. Sur. Sept. 5.

Gurney, Henry, late farmer, cattle and sheep dealer, Roxeth, in Harrow. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sols. Fallows and Sons, Regent-st. Sur. Sept. 6.

Hall, William Edgar, out of business, Oakley-st. King's-rd. Chelsea. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Newman, Suffolk-la. Sur. Sept. 5.

Jeeman, William, printer, Lower Calthorpe-st. Gray's-inn-rd. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sol. Capel, Lincoln's-inn-flds. Sur. Sept. 5.

Johnson, William, picture dealer, Westbourne-grove, Bayswater, and St. Mary's-ter. Kensal-green. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Wells, Moorgate-st. Sur. Sept. 6.

Laverack, George Edward, secretary to the Stratford Music Hall Company. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sol. Groom, Scott's-yard, Bush-la. Sur. Sept. 6.

Lynch, Martin Crane, late lieutenant in 2nd West India regiment, Durham-pl. Lambeth-rd. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Dubois and Co., Church-passage, Gresham-st. Sur. Sept. 6.

Marriott, William Adolphus, commission agent, Albion-rd. Hammersmith, and St. Helen's, Jersey. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sols. Sheppard and Co., Moorgate-st. Sur. Sept. 5.

Mathew, James Edward, surgeon, Elvaston-pl. South Kensington. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sol. Holmes, Fenchurch-st. Sur. Sept. 6.

Nash, John, builder's labourer, New Barnet. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sol. Layton, Church-rd. Upper-rd. Islington. Sur. Sept. 5.

Parfitt, Thomas, jun., stonemason, Queen-st. Horsleydown, and Artillery-st. Bermondsey. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 5.

Porter, Henry, beershop-keeper, painter, &c., Windsor. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews and Boyer, Old Jewry-chambers. Sur. Sept. 5.

Preston, Richard Christopher, out of business, York-rd. Lambeth. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. Sept. 5.

Smart, John, journeyman smith and bellhanger, Bartholomew-rd. north, Kentish-town, Saint Pancras. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Parson, Duke-st. Adelphi. Sur. Sept. 6.

Williams, Mary, widow, out of business, Talbot-ter. Bayswater. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 5.

To surrender in the Country.

Addicott, John, journeyman joiner and cabinet-maker, Nottingham. Pet. Aug. 17. Reg. & O. A. Patchitt. Sol. Ashwell, Nottingham. Sur. Oct. 11.

Alker, Samuel, out of business, Hulme. Pet. Aug. 10. Reg. & O. A. Hulton. Sol. Cobbett, Manchester. Sur. Sept. 9.

Amass, Samuel, beerhouse-keeper and cattle dealer, Ipswich. Pet. Aug. 11. Reg. & O. A. Pretyman. Sols. Dalton and Hill, Ipswich. Sur. Aug. 31.

Beirne, Patrick, late tailor and draper, Liverpool. Pet. Aug. 16. O. A. Turner. Sur. Sept. 6.

Bell, John, cutler, Sheffield. Pet. Aug. 17. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. Oct. 5.

Beman, Richard, boot and shoe manufacturer, Bridgnorth. Pet. Aug. 1. Reg. Hill. O. A. Kinnear. Sol. Green, Birmingham. Sur. Sept. 8.

Bickley, Edward, boot and shoe maker, Chester. Pet. Aug. 16. Reg. & O. A. Mason. Sol. Cartwright, Chester. Sur. Sept. 8.

Bold, Ebenezer, victualler, St. Helen's. Pet. July 19. Reg. & O. A. Ansdell. Sol. Beasley, St. Helen's. Sur. Sept. 4.

Bond, Edwin, maltster, Wolverhampton. Pet. Aug. 5. Reg. & O. A. Brown. Sol. Langman. Sur. Aug. 30.

Burrows, Thomas, boot and shoe manufacturer, Nottingham. Pet. Aug. 16. Reg. & O. A. Patchitt. Sol. Parsons, Nottingham. Sur. Oct. 11.

Coates, Richard, victualler, Kidderminster. Pet. Aug. 16. Reg. & O. A. Talbot. Sol. Crowther, Kidderminster. Sur. Sept. 4.

Dalziel, James, draper and tea dealer, Shrewsbury. Pet. Aug. 18. Reg. Tudor. O. A. Kinnear. Sols. Collis and Ure, Birmingham. Sur. Sept. 8.

Edwards, John, journeyman carpenter, Kingswinford. Pet. Aug. 18. Reg. & O. A. Harward. Sol. Collis, Stourbridge. Sur. Sept. 4.

Evans, Meredith, barman, Birmingham. Pet. Aug. 19. Reg. & O. A. Guest. Sol. Clarke, Birmingham. Sur. Sept. 18.

Ford, Francis, innkeeper and farmer, Firby, in Halifax. Pet. Aug. 18. Reg. Rankin. O. A. Dyson and Rankin. Sol. Storey, Halifax. Sur. Sept. 8.

Giles, Thomas, screw forger, Darlaston. Pet. Aug. 17. O. A. Clarke. Sol. Sheldon, Wednesbury. Sur. Sept. 5.

Harsall, John, dealer in fish, fruit, and vegetables, Wolverhampton. Pet. Aug. 18. Reg. & O. A. Brown. Sol. Stratton, Wolverhampton. Sur. Aug. 23.

Hughes, Edward, cart owner, Liverpool. Pet. July 17. Reg. & O. A. Hime. Sur. Sept. 1.

Hunton, George, ale and porter merchant, Stockton. Pet. Aug. 19. Reg. & O. A. Crosby. Sol. Clement, jun., Stockton. Sur. Sept. 1.

Jauffrey, Richard, miner, Todpool, in Kenwyn. Pet. Aug. 18. Reg. & O. A. Rogers. Sol. Holloway, Redruth. Sur. Sept. 4.

Jeffs, James Pendrell, carver and gilder, Gloucester. Pet. Aug. 17. Reg. & O. A. Wilton. Sol. Wilkes, Gloucester. Sur. Sept. 4.

Johnson, William, bricklayer, Towcester. Pet. Aug. 12. Reg. & O. A. Sheppard. Sol. Whitton, Towcester. Sur. Oct. 9.

Jones, Mary, Kenfig-hill, near Bridgend. Pet. Aug. 15. Reg. & O. A. Lewis. Sur. Sept. 4.

Littler, James, saddler and harness maker, Pengeworth, in Evesham. Pet. Aug. 15. Reg. & O. A. Cheek. Sol. Eades, Evesham. Sur. Sept. 4.

Lowther, George, optician and nautical instrument maker, Newcastle. Pet. Aug. 17. Reg. Gibson. O. A. Laidman. Sol. Joel, Newcastle. Sur. Sept. 4.

Mablethorpe, Robert, blacksmith, Boston. Pet. Aug. 8. Reg. & O. A. Stanilland. Sol. Bailes, Boston. Sur. Aug. 30.

Manning, Richard, innkeeper, Dartmouth. Pet. Aug. 18. Reg. & O. A. Bryett. Sol. Edmonds, Totnes. Sur. Sept. 2.

Marshall, Thomas, lime burner and farmer, Great Eversden. Pet. Aug. 18. Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge. Sur. Sept. 2.

Moreland, Hardwick, commission agent, Whitley. Pet. Aug. 16. Reg. & O. A. Golding. Sol. Smith, Reading. Sur. Sept. 2.

Morris, William, grocer, Cardiff. Pet. Aug. 16. Reg. & O. A. Langley. Sol. Simons, Merthyr Tydfil. Sur. Sept. 4.

Nicholson, Joseph, stonemason and quarrymaster, St. Helen's. Pet. Aug. 7. Reg. & O. A. Ansdell. Sol. Beasley, St. Helen's. Sur. Sept. 4.

Orritt, Samuel Simpson, provision dealer, Leeds. Pet. Aug. 9. Reg. & O. A. Marshall. Sol. Harle. Sur. Sept. 5.

Powis, Jane, schoolmistress, Weston-super-Mare. Pet. Aug. 18. Reg. Wilde. O. A. Acraman. Sols. Chapman, Weston-super-Mare; and Abbot and Leonard, Bristol. Sur. Sept. 1.

Richardson, John, journeyman ginger-beer and cordial manufacturer, Bradford. Pet. Aug. 16. O. A. Young. Sol. Harle, Leeds. Sur. Sept. 4.

Snowdon, Thomas, saddler, Alnwick. Pet. Aug. 16. Reg. & O. A. Wilson. Sol. Busby, Alnwick. Sur. Sept. 5.

Sotherton, Thomas, out of business, Bewdley. Pet. Aug. 17. Reg. & O. A. Talbot. Sol. Corbet, Kidderminster. Sur. Sept. 4.

Stubbs, Thomas, cabinet maker and furniture broker, Leeds. Pet. Aug. 18. O. A. Young. Sols. Messrs. Emsley, Leeds. Sur. Sept. 4.

Sutcliffe, John, dyer, sizer, and dresser, Halifax. Pet. Aug. 19. O. A. Young. Sols. Hill, Bradford, and Simpson, Leeds. Sur. Sept. 4.

Turner, Israel, cabinet-maker and furniture broker, Pontefract. Pet. Aug. 18. O. A. Young. Sols. Carlos and Tempest, Leeds. Sur. Sept. 4.

Waighill, Robert Forster, late innkeeper, West Hartlepool. Pet. Aug. 16. Reg. Gibson. O. A. Laidman. Sols. Turnbull and Bell, West Hartlepool; and Forster, Newcastle. Sur. Sept. 4.

Wildgoose, John, Birkenhead. Pet. Aug. 2. Reg. & O. A. Gill. Sur. Aug. 29.

Williams, Hugh Edward, flour dealer, grocer, and general dealer, Llanberris. Pet. Aug. 19. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. Sept. 4.

Gazette, Aug. 25.

Assiter, William, late stonemason, Maidstone. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 8.

Bezant, Joseph, ship and insurance broker, Lower Thames-st. and Old Kent-rd. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. Marsland, Lower Thames-st. Sur. Sept. 8.

Box, Alfred Marten, victualler, Ship Tavern-passage, Leadenhall-market. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. Sept. 6.

Buntyard, Thomas, dealer in fruit, Maidstone. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 6.

Clark, James George, baker, Hereford-st. Abbey-st. Bethnal-green-rd. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-gdn. Sur. Sept. 6.

Davison, Henry, baker, Montpelier-st. Brompton. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Coltman, St. Martin's-ct. St. Martin's-la. Sur. Sept. 8.

De Maria, Guiseppe, jam and preserved fruit manufacturer, Lisle-st. Leicester-sq. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Oslanow, Euston-rd. Sur. Sept. 8.

Dietrich, Paul, court milliner and dressmaker, Dorset-pl. Dorset-sq. Pet. Aug. 15. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews, and Boyer, Old Jewry-chambers. Sur. Sept. 5.

Eyre, John, shoe manufacturer, Wellingborough. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sols. Roscoe and Co., King-st. Finsbury-sq., for Cook, Wellingborough. Sur. Sept. 8.

Filipowski, Herschell, clerk to an insurance office, author, and bookseller, Burton-crescent, Euston-sq. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-gdn. Sur. Sept. 8.

Horman, William, late slater, Lewisham. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 8.

Hotine, William, stonemason, Basingstoke. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Shirer, New-inn, Strand. Sur. Sept. 8.

Isaacs, Simon, furrier and skin dealer, Middlesex-st. Whitechapel. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sols. Brians, Winchester-house, Old Broad-st. Sur. Sept. 6.

Kendall, James Kelson, fancy warehouseman and agent, King Edward-st. Newgate-st. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sols. Lea and Brockesby, Water-la. Sur. Sept. 6.

Kitts, Charles William, East India agent and shipbroker, East India-avenue, Leadenhall-st. and Highbury New-park. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sol. Stocken, Leadenhall-st. Sur. Sept. 5.

Le Piper, Horatio James, victualler, Sandwich. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. Sept. 8.

Low, Richard, out of business, Richmond-ter. York-rd. Wandsworth. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Coleman-st. Sur. Sept. 6.

Mostran, John Henry, victualler, Tottenham-court-rd. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. Sept. 8.

Payne, John, late mess steward in the royal navy, Chatham. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 8.

Peacock, Charles, out of business, Wilcox-rd. South Lambeth. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. Nicholson, Wellington-st. Strand. Sur. Sept. 8.

Roberts, Charles, grocer, Sylvanus-row, Hornsey-rise. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sol. Layton, Church-rd. Upper-st. Islington. Sur. Sept. 6.

Sandeman, James, gutta percha and leather boot and shoe dealer, Southampton. Pet. Aug. 12. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews, and Co., Old Jewry. Sur. Sept. 8.

Skinner, William, bricklayer and builder, Tunbridge Wells. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sols. Turner and Co., Aldermanbury. Sur. Sept. 6.

Smith, John Edward, shirt and collar manufacturer, Wood-st. Cheapside; Stamford-st. Blackfriars; and Wiltshire-villas, Brixton. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Dalton, Bucklersbury. Sur. Sept. 6.

Stretton, Henry, clerk in holy orders and schoolmaster, Cromwell-house, Highgate. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews, and Co., Old Jewry. Sur. Sept. 8.

Symonds, George Augustus, bill broker and commission agent, Poland-st. Oxford-st. and Ealing. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. Shearman, Little Tower-st. Sur. Sept. 8.

Talken, John Axel, shipbroker, Fenchurch-st. and Whitley-villas, Caledonian-rd. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. Shearman, Little Tower-st. Sur. Sept. 8.

Williams, William, waiter, Whitmore-cottages, Whitmore-rd. Islington. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sols. Wood and King, Basinghall-st. Sur. Sept. 6.

Wilson, John Charles, colonial engineer and manufacturer of mills and engines, East India-house, Lime-st. Pet. July 22. Reg. Roche. O. A. Parkyns. Sol. Dalton, Bucklersbury. Sur. Sept. 5.

Zincraft, Charles Thomas, commission agent, Old Kent-rd. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sol. Scott, Basinghall-st. Sur. Sept. 6.

To surrender in the Country.

Bartlett, Charles, beerhouse-keeper and shopkeeper, Wonersh. Pet. Aug. 19. Reg. & O. A. Marshall. Sol. White, Dane's-inn, and Guildford. Sur. Sept. 1?.

Burgess, William, lamp and chandelier manufacturer, Birmingham. Pet. Aug. 14. Reg. Hill. O. A. Kinnear. Sol. Duke, Birmingham. Sur. Sept. 8.

Butts, Isaac, journeyman jeweller, Losells. Pet. Aug. 21. Reg. & O. A. Guest. Sol. Alson, Birmingham. Sur. Sept. 18.

Colclough, John, journeyman potter, Tunstall. Pet. Aug. 24. Reg. & O. A. Challinor. Sol. Seal, Tunstall, and Crewe. Sur. Sept. 8.

Dark, John Spencer, music seller, &c., Haverfordwest. Pet. Aug. 24. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. Sept. 6.

Davies, David, shoemaker and carrier, Mold. Pet. Aug. 19. Reg. & O. A. Eyton. Sol. Cartwright, Chester. Sur. Sept. 8.

Davis, William, journeyman brassfounder, Aston-rd. near Birmingham. Pet. Aug. 23. Reg. & O. A. Guest. Sol. Francis, Birmingham. Sur. Sept. 18.

Deape, John, seller of cordials, Brighton. Pet. Aug. 14. Reg. & O. A. Evershed. Sur. Sept. 4.

Kenyon, Robert, writing clerk, Hanley. Pet. Aug. 19. Reg. & O. A. Challinor. Sol. Tomkinson, Burslem. Sur. Sept. 9.

Key, Edward Adderley, out of business, Chelford. Pet. Aug. 22. Reg. Macrae. O. A. Morgan. Sol. Barlow, Manchester. Sur. Sept. 11.

Laight, James, grocer, Tipton. Pet. Aug. 21. Reg. & O. A. Walker. Sol. Shakespeare, Oldbury. Sur. Sept. 1.

Lees, Edward, commission agent, Ashton-under-Lyne. Pet. Aug. 18. Reg. Macrae. O. A. Morgan. Sur. Sept. 5.

Livesey, John, market gardener, Penwortham. Pet. Aug. 22. Reg. & O. A. Myres. Sols. Charnley, Son, and Finch, Preston. Sur. Sept. 9.

Lovatt, Henry James, grocer's assistant, Salford. Pet. Aug. 21. Reg. & O. A. Hulton. Sol. Makinson, Manchester. Sur. Sept. 9.

Major, Richard, auctioneer, Bridport. Pet. Aug. 14. O. A. Carrick. Sols. Loggin, Bridport; Hirtzel, Exeter. Sur. Sept. 4.

Mason, James, metal broker, Manchester. Pet. July 19. Reg. & O. A. Kay. Sur. Sept. 14.

Mellor, William, and Mellor, George, silk manufacturers, Leek. Pet. Aug. 19. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Sept. 8.

Mosedale, Charles, labourer, Yoxall. Pet. Aug. 22. Reg. & O. A. Birch. Sol. Wilson, Lichfield. Sur. Sept. 1.

Murton, William, plumber, Carlisle. Pet. Aug. 21. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. Sept. 8.

Parker, John, general merchant, Liverpool. Pet. Aug. 18. O. A. Turner. Sur. Sept. 7.

Prenderson, Jonathan Lacey, commission agent, Hull. Pet. June 14. Reg. Stephen. O. A. Young. Sur. Sept. 6.

Reed, John Henry, leather dresser, Exeter, and Aldersgate-st. London. Pet. Aug. 21. O. A. Carrick. Sols. Doe, Great Torrington; Clarke, Exeter. Sur. Sept. 4.

Rees, David, currier, Bath. Pet. Aug. 16. Reg. Wilde. O. A. Acraman. Sur. Sept. 8.

Retallick, Christopher, cattledoctor, St. Austell. Pet. Aug. 24. O. A. Carrick. Sols. Carlyon, St. Austell; Fryer, Exeter. Sur. Sept. 6.

Robinson, Joseph, cowkeeper, Newcastle. Pet. Aug. 19. Reg. & O. A. Clayton. Sol. Hoyle, Newcastle. Sur. Sept. 9.

Sharp, James, lodging-house keeper, Torquay. Pet. Aug. 19. Reg. & O. A. Clayton. Sol. Brewis, Newcastle. Sur. Sept. 9.

Shaw, Alexander Adeas, assistant surgeon, Norton-in-the-Moors. Pet. Aug. 21. Reg. & O. A. Challinor. Sol. Heaton, Burslem. Sur. Sept. 9.

Smith, James, grocer and tea dealer, Stockport. Pet. Aug. 21. Reg. Macrae. O. A. Morgan. Sols. Cobbett and Wheeler, Manchester. Sur. Sept. 7.

Thickett, John, carter, Brimington Moor, near Chesterfield. Pet. Aug. 23. Reg. & O. A. Wake and Waller. Sols. Binney and Son, Sheffield. Sur. Sept. 12.

Tranter, Alfred, builder, St. George's, co. Salop. Pet. Aug. 7. Reg. Hill. O. A. Kinnear. Sols. Hodgson and Son, Birmingham. Sur. Sept. 22.

Watson, Charles, brewer, Birkenhead. Pet. Aug. 15. O. A. Turner. Sur. Sept. 6.

White, William, labourer, East Dean. Pet. Aug. 17. Reg. & O. A. Barrup. Sol. Whatley, Mitcheldean. Sur. Sept. 9.

Winter, Albert, master mariner, Havant. Pet. Aug. 22. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 12.

Witten, Samuel, jeweller and cigar dealer, Salford. Pet. Aug. 15. Reg. & O. A. Kay. Sols. Smith and Boyer, Manchester. Sur. Sept. 20.

BANKRUPTCIES ANNULLED.

Gazette, Aug. 22.

Brooks, Joseph, paper merchant, Hunslet.

Slaney, George Cattarns, clerk to a wine merchant, Dorset-st. Great Dover-st.

Gazette, Aug. 25.

Browne, George Richard, major in 69th regiment of foot, Aldershot.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Aubert and Powell, ship and insurance agents, first, 1s. 7½d. Stansfeld, London.—*Barton, Irlam, and Higginson*, merchants, fourteenth, 1d. Turner, Liverpool.—*Bishop*, E. jun. merchant, second, 6½d. Stansfeld, London.—*Beard*, M. A. cabinet-maker, &c. first, 2s. Acraman, Bristol.—*Burgess*, S. W. poulterer, &c. first, 1s. 1d. Edwards, London.—*Considine*, D. publican, first, 2s. 10d. Laidman, Newcastle.—*Easy*, W. of Brompton, first, 2s. 7½d. Edwards, London.—*Farley*, C. E. wheelwright, first, 1s. 6d. Edwards, London.—*Frost*, S. miller, &c. first, 7s. 3d. Stansfeld, London.—*Gaskell*, J. farmer, first, 1s. 4½d. Stansfeld, London.—*Gordon*, H. of Hampton-ct. first, 12s. 6d. Edwards, London.—*Goss*, W. A. builder, &c. further, 2s. Carrick, Exeter.—*Hole*, R. P. cordwainer, first, 2s. Square, Kingsbridge.—*Humphreys*, H. merchant, first, 7s. 6d. Turner, Liverpool.—*Jeffs*, G. draper, first 3s. 7d. Stansfeld, London.—*Lee*, T. merchant, first, 1s. Edwards, London.—*Long*, E. surgeon, second, 3½d. Acraman, Bristol.—*Masters*, E. wine merchant, second, 3s. 1½d. Edwards, London.—*Nicholson*, T. slate and timber merchant, first sep. 7s. 8d. Acraman, Bristol.—*Payne*, W. wine merchant, &c. second, 1s. 7d. Edwards, London.—*Philipps*, J. W. builder, first, 11¼d. Stansfeld, London.—*Smith*, H. flour dealer, third, 1¼d. Turner, Liverpool.—*Sutton*, W. printer and publisher, first, 1s. 3½d. Edwards, London.—*White*, R. cattle &c. dealer, first, 6s. 7½d. Edwards, London.—*Yeo*, J. rope manufacturer, further, 3s. 7½d. Carrick, Exeter.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Aug. 22.

Arnett, William, machineman, Polebrook. July 27. Trust. W. Musson, shopkeeper, Polebrook.

Ballard, George, cabinet-maker, Wilderness-row, Clerkenwell. July 24. 2s. 6d. in 14 days. Trust. W. Pearce, gas engineer, Clerkenwell-green, Clerkenwell.

Bennett, John Wing, timber merchant, Birmingham. Aug. 1. 9s.—4s. at 4 mos., 3s. at 8 mos., and 2s. at 12 mos.—secured. Trust. E. Milward, corndealer, Birmingham.

Bond, Henry, builder, Lee. July 15. Trusts. P. East, brickmaker, Lee, and W. Challis, lead and glass merchant, Church-st. Greenwich.

Bousfield, John, innkeeper, Newcastle. July 27. Trust. J. Richardson, accountant, Newcastle.

Brame, William, wholesale jeweller, Southampton-bldgs. Aug. 10. 5s.—1s. in 1 mo., 2s. at 3 mos., and 2s. at 6 mos.

Browne, George Richard, major in 69th regiment of foot, Duke-st. St. James's. July 13. 1s. in 21 days.

Butler, James Robert, and Butler, George, wire manufacturers, Elm-st. Gray's-inn-rd. Aug. 9. 5s. by two equal instalments on 6th Nov. and 6th Feb.—secured. Trust. E. Miley, silk mercer, Warwick-st. Golden-sq.

Butler, Thomas, corndealer, Park-cottage, King's-rd. Chelsea. July 31. 5s. by four equal instalments in 14 days, and 3, 6, and 9 mos.—secured. Trust. H. Aste, corn merchant, Old Barge-house-wharf, Blackfriars.

Cheesman, Mary, innkeeper and farmer, Lenham. July 24. Trusts. J. Amos, innkeeper, Charing, and T. Chapman, farmer, Westwell.

Davey, Charles, ale and porter merchant, Devonport. July 26. Trusts. J. Tredwen, Padstow, and J. Kellow, South Down, merchants.

Davis, Matthew, out of business, Woolmer-row, Bow-common. July 25. 5s. in 14 days. Trust. R. Pope, gentleman, New North-rd. Islington.

Dawson, Robert, merchant, Whitehaven. Aug. 14. Trusts. J. P. Duff, merchant, and A. W. Chalmers, accountant, both Liverpool.

Debenham, Charles Frederick, draper, Upper Clapton. Aug. 7. 15s. by three equal instalments at 3, 6, and 9 mos.—secured. Trust. H. G. Morley, warehouseman, Gutter-la.

Doudney, George Ebenezer, and Doudney, Edward Phillips, tallow chandlers, Landport. July 24. 12s. by three instalments—5s. at 3 and 6 mos., and 2s. at 9 mos. Trust. J. W. Ford, accountant, Gresham-st. London.

Edwards, John Edward, corset manufacturer, Portman-pl. Edgware-rd. July 22. 5s. by two equal instalments in 3 and 6 mos. Trust. T. Brooks, silk manufacturer, Spital-sq.

Emery, John, grocer and cheesemonger, Parrock-st. Gravesend. July 24. 9s. by three equal instalments at 2, 5, and 8 mos. from 1st July—secured. Trust. H. W. Banks, public accountant, Coleman-st.

Etheredge, Agnes, out of business, Dalhousie-ter. East-la. Bermondsey. July 24. 7s. 6d.

Guarnerio, Gaspare, watchmaker and jeweller, Scarborough. July 29. 10s. by three equal instalments on 1st Aug., 1st Sept., and 1st Oct. Trust. J. G. Hart, auctioneer and appraiser, Scarborough.

Haines, Thomas, jun., and Maher, James Gregory, woollendrapers, Bristol. July 26. 12s. 6d. by three instalments. Trust. J. F. Price, gentleman, Bristol.

Hardcastle, Thomas, grocer and tobacconist, Heckmondwike. July 22. Trusts. B. Richardson, commission agent, and G. Bywater, butcher, both Birstal.

Hinchliffe, Charles, woollen cloth manufacturer, Kirkburton. Aug. 2. Trusts. W. Hirst, Huddersfield, and C. Hall, Longwood, woolstaplers.

Howard, David, timber merchant, Tyssen-st. Hoxton. Aug. 7. Trust. J. Strickland, veneer cutter and timber merchant, Peartree-st. St. Luke's, Old-st.

Johnson, Francis, carpenter, Standlake. Aug. 2. Trust. W. F. Long, valuer, Witney.

Johnson, William, sailmaker, Dover. July 27. 5s. by two instalments—2s. on 1st Sep. and 3s. on 1st Dec.

Kendall, William, tobacconist, Walsall. Aug. 4. Trust. W. Smith, brewer, Birmingham.

KING, DAVID, grocer, Manchester. Aug. 15. 6s. by three equal instalments at 2, 4, and 6 mos.
LANGDON, GEORGE, bootmaker, Liverpool. July 20. 5s. by two equal instalments on 30th Sept. and 30th Oct. Trust. C. Cross, leather dealer, Liverpool.
MOSS, JOHN, draper, Kensington. Aug 1. 4s. 6d.
NATHAN, JOHN, and NATHAN, LOUIS JOHN, wholesale clothiers, Houndsditch. Aug. 21. Trusts. L. Levy, merchant, Aldgate, and H. A. [illegible], Jewry-chambers.
[illegible], SAMUEL, [illegible], Northampton. July 25. Trusts. J. M. [illegible] and [illegible], grocer, both Northampton.
[illegible], WILLIAM, sen., [illegible]-on-the-Hill, and PICKERING, WILLIAM [illegible], [illegible], farmers and graziers. July 27. Trusts. T. Pickering, Galby, and W. Isip, Melchbourne, farmers, W. G. Hart, grocer, Uppingham, and E. Wortley, farmer, Ridlington.
PROSSER, WALTER MARSH, gentleman, Gerway. Aug. 4. Trusts. H. Gosling, banker and T Prosser, surgeon, both Monmouth. Sole Jones and Starling, [illegible] agents for [illegible].
[illegible], WILLIAM, [illegible], [illegible]. Aug. [illegible] [illegible]—secured. Trust. A. [illegible], [illegible].
SCOTT, MORGAN, victualler, Birkenhead. Aug 15. 3s. on 24th Aug.
SHIELS, ALEXANDER, outfitter, Newerd. St. George's-east. Aug. 12. 7s. on demand.
SPITZER, JOSEPH, and LICHTENSTADT, DAVID, chemical manufacturers, Hatcham-rd. July 31. Trusts. C. Cossens, Arlington-sq., [illegible], Moorgate st., and W. [illegible].
[illegible], [illegible] widow, [illegible], Bayswater. Aug 21. [illegible], land agent's assistant, [illegible].
[illegible] WILLIAM [illegible], Oxford. Aug. 4. [illegible] on 1st Oct.
[illegible], [illegible]; [illegible] ALEXANDER and [illegible]. July [illegible] by three instalments of [illegible].
[illegible], WILLIAM [illegible], Esq., [illegible] near [illegible]. July [illegible]. Trust. [illegible], Esq., Lincoln's-inn-fields.
WILKINS, FREDERICK, gas engineer, Oxford-st. Aug. 3. To pay debts in full in 4 mos.

Errata.

In Gazette, Aug. 15, (William Falkner, of Sheffield), the name of the trustee, Maria Mood, is by mistake spelt Maria Wood.
In Gazette, Aug. 18 (Blair, William Robinson), for Whitley read Whitley.

Gazette, Aug. 25.

ADKIN, HENRY, schoolmaster, Whitchurch. Aug. 1. 5s.
APLIN, JOHN, draper, Wimborne Minster. Aug. 2. 14s. by three equal instalments on 1st Nov., 1st Feb., and 1st May—secured.
ATKINSON, THOMAS, and PUGH, RICHARD, shipwrights, Cardiff. Aug. 8. Trust J. Blood, timber merchant, Cardiff.
ATTWOOD, THOMAS, grocer, Dover. Aug. 2. 4s by two equal instalments at 3 and 5 mos. from 1st July—secured. Trust. W. Banks, public accountant, Coleman-st.
BALL, WILLIAM, coachbuilder, Leicester. July 23. Trusts. R. Blankley, agent, and W. Bird, millwright, both Leicester.
[illegible], THOMAS, grocer, [illegible]. Aug. 17. [illegible].
BLAKE, EDWARD, grocer, Eltham. July 24. 2s. 6d. in 4 mos.
CASE, CHARLES, cab proprietor, New Millman-st. Lamb's Conduit-st. July 11. Trust H. Case, corn merchant, Old Barge-house-wharf, Upper Ground-st. Blackfriars.
CLARKE, JAMES, straw hat manufacturer, Luton. Aug. 14. Trusts. C. Lenton, straw plait dealer, Caflton, and J. Bailey, farmer, Shortgrove Farm, near Kenworth.
[illegible], THOMAS, potter, Bermondsey-wall. July 26. 4s. by 31st Aug.
[illegible], JAMES, [illegible], Higher Tranmere. July [illegible]. [illegible] by equal instalments on [illegible] Oct. [illegible], [illegible] Jan., [illegible] April, and [illegible] June [illegible]. Trust. [illegible], ironmonger, Liverpool.
[illegible], [illegible], [illegible], Berwick-upon-Tweed. July 29. Trusts. R. [illegible], [illegible], and A. Davidson, [illegible], both Berwick.
EARLY, SARAH ANN, widow, Witney. July 19. Trust. W. Neely, auctioneer, Witney.
EDWARDS, ZECHARIAH, ironmonger, Bath. Aug. 9. Trust. J. M. [illegible], gentleman, Bath.
EICHBAUM, GEORGE, wine merchant, Upper Belgrave-pl. Pimlico. July 18. 2s. in 1 week.
[illegible], ALEXANDER, [illegible] manufacturer, [illegible]-st. [illegible]. Aug 14. [illegible] by two equal instalments on 14th Sept. and 14th Oct.
[illegible], JOHN, grocer, Ulverston. July 29. Trusts. H. W. Mackereth, chemist, R. Pearson, accountant, and J. McKay, gentleman, all Ulverston.
GERRARD, JOHN, builder, Westbourne-ter. north, Paddington. Aug. 14. Letter of licence and inspectorship granting him 6 mos. to pay his debts. Inspector, W. H. Glibert, timber merchant, Queen's-rd. Bayswater.
GARDINER, JOEL, common brewer, Bristol. Aug. 21. 1s. 3½d. Trust. J. E. Price, gentleman, Bristol.
HALL, JOHN, builder, Leicester. July 22. Trusts J. Underwood, plumber, and T. Stark, timber merchant, both Leicester.
HAYWARD, [illegible], staymaker, [illegible], Preston. Aug 15. Trust. [illegible], agent for French stays and [illegible], [illegible].
HEMINGWAY, JAMES, HEMINGWAY, JOHN; HEMINGWAY, BENJAMIN, and HEMINGWAY, WILLIAM, blanket manufacturers, Earlsheaton. July 27. Trusts P. Fox, shoddy merchant, Batley, M. Hemingway, widow, Earlsheaton, J. Walker, rag merchant, York, and W. C. Greaves, dyer, Dewsbury.
[illegible], WILLIAM [illegible], and [illegible], WILLIAM, paper manufacturers, Wraysbury. 7s. 6d.—2s. 6d. at 4 mos., 2s. 6d. at 8 mos., and 2s. 6d. at 12 mos.—secured.
MCRAE, GEORGE, florist, Nursery-house, Bow-rd. July 31. 1s. in 14 days.
MITCHELL, HENRY, butcher, Ryde, Isle of Wight. July 27. Trusts. J. Colenutt, sen., builder, and J. Atkey, plumber, both Ryde.
MUMFORD, ROBERT GEORGE, commission agent, Ararat-cottages, Montpellier-rd. Peckham-rye. Aug 23. 2s. 6d. in 21 days.
MURPHY, THOMAS, wholesale confectioner, Manchester. Aug. 1. Trusts S. M. Johnson, manufacturing confectioner, Sheffield, and C. Griffin, Manchester.
NOOT, THOMAS, joiner, Redberth. Aug. 17. Trust. J. Noot, farmer, Redberth st. Pembroke.
OSTERROTH, FREDERICK, and HEGEWALD, THEODORE, merchants, Upper Thames-st. July 14. 7s. by three instalments—2s. 6d. on 17th Sept., 2s. 6d. on 17th Nov., and 2s. on 17th Jan. 1866. Trust. F. Sturmfels, merchant, Great St. Helen's.
PARKER, JOHN, and PARKER, GEORGE, wine and spirit merchants, Louth. Aug. 13. 15s. by two equal instalments on 1st Sept. and 1st Oct.
PERCIVAL, CHARLES HENRY, broker, Liverpool. Aug 19. Trust. A. W. Chalmers, accountant, Liverpool. Sols. Lace, Banner, Littledale [illegible], and [illegible], Liverpool.
[illegible], [illegible], [illegible], Northampton. July 21. Trusts. M. [illegible] and [illegible], grocer, both Northampton. [illegible], Northampton.
[illegible], [illegible], grocer, [illegible]-rd. Victoria-park. July 26. Trust. W. [illegible], [illegible], Poultry.
[illegible], WILLIAM [illegible], Liverpool. July 17. Trusts. J. [illegible] and W. [illegible], [illegible], Manchester.
[illegible], DAVID, paper-hanging dealer, Euston-rd. July 27. Trusts. R. Smith paper hanging manufacturer, Manchester, and E. L. Price, varnish merchant, Coleshill-st. Pimlico.
ROBINSON, JOSEPH, brassfounder, Manchester. Aug. 3. 10s. on execution of deed.
ROSS, DONALD, travelling draper, Birmingham. July 27. Trusts W. Hutton, Glasgow, J. Shannon, Walsall, merchants, J. Linton, Bristol, merchant, and J. S. Eveleigh, Bristol, accountant.
ROWLEY, THOMAS, journeyman composition decorator, Castle-st. east, Oxford-market. Aug. 14. 1s. 6d. in 1 mo.
SHAW, ROBERT, cloth finisher, Golcar. July 27. Trusts. D. Whitwam, grocer, and C. Goodhill, cloth finisher, both Golcar.
SMITH, CLEMENT, pawnbroker, Bath-st. City-rd., and Arlington-st. Islington. July 29. 8s by four equal instalments at 3, 6, 9, and 12 mos.
STILEY, JOSEPH, bookseller and stationer, Nottingham. July 31. Trusts. G. Simons, paper merchant, and J. Rainbow, grocer, both Nottingham.
SUMNER, WILLIAM, furniture dealer, Harrow rd. Middlesex. Aug. 14. Trust. H. R. Kynaston, warehouseman, Gresham-st.
TODD, WILLIAM GRAY, stationer, Luton. Aug. 12. Trust. S. Pewtress, bookseller, Hillmarton rd. Holloway.
WEBSTER, JAMES, tinner, Leeds. Aug. 14. 4s. by three instalments—1s at 3, 1s. 6d. at 6, and 1s. 6d. at 9 mos.—secured. Trust. J. Booth, public accountant, Leeds.

WILLIAMS, THOMAS, grocer, Hundleton, near Pembroke. Aug 8. 7s.
WOOD, JOSEPH, and WALKER, JOHN, cloth manufacturers, Caverley. Aug. 8. 7s. by two instalments—first of 4s. in cash by 2nd Sept., and 3s. in 4 mos. from 5th Aug.—secured.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

[illegible].—On the 26th ult., at 26, [illegible], the wife of W. P. [illegible], Esq., barrister-at-law, of a son.
[illegible].—On the 26th ult., the wife of [illegible], Esq., Q.C., of a daughter.
[illegible].—On the 24th ult., at [illegible] House, [illegible], the wife of John Simmonds, Esq., barrister-at-law, of a daughter.
TIDY.—On the 25th ult., at 34, Ampthill-square, N.W., the wife of H. Edgar Tidy, of Clifford's Inn, solicitor, of a daughter.

MARRIAGES.

MANNING—[illegible].—On the 29th ult., at St. Ann's, [illegible], M. [illegible] Manning, Esq., of [illegible], Inner Temple, [illegible], youngest daughter of [illegible], Esq., of [illegible].
[illegible].—On the 24th ult., at the Parish Church, Tonbridge, Thomas Nuttalen, Esq., of Lincoln's-inn, barrister-at-law, to Charlotte Henrietta, third daughter of the late Rev. Henry Timbrecon, B.A. of Lydiard House, Wilts.
[illegible].—On the 24th ult., at [illegible] Church, St. Marylebone, John [illegible], Esq., [illegible], to Harriet, youngest daughter of Samuel [illegible], of New Cavendish-street, Portland-place.
[illegible].—On the 21st ult., at [illegible] Church, [illegible], William Henry [illegible], Esq., of Lincoln's-inn and the Inner Temple, barrister-at-law, to [illegible], only daughter of [illegible], [illegible] of Parliament, near [illegible], Esq., [illegible] of the [illegible] County Court at [illegible].
[illegible]—[illegible].—On the [illegible] ult., at St. Martin's, Canterbury, George T. [illegible], Esq., of the Inner Temple, [illegible], to Alice, [illegible] daughter of the late Rev. W. J. Chesshyre, of Barton Court, Kent.

DEATHS.

MILFORD.—On the 29th May, at Maitland, New South Wales, while on circuit, aged 67, Samuel Frederick Milford, Senior Puisne Judge of the Supreme Court of New South Wales, and formerly Judge of the Diocesan Ecclesiastical Court, Bristol.
WICKENS.—On the 24th ult., at 170, Camden-road-villas, Elizabeth Emma, the wife of Henry Wickens, Esq., solicitor.

"LAW TIMES" EDITIONS of IMPORTANT STATUTES.

SESSION of 1865.

The following are in the Press—

The COUNTY COURTS EQUITY JURISDICTION ACT, with a Treatise on the Law and Practice of Equity as it is to be Administered in the County Courts. By H. F. GIBBONS, Esq., Barrister-at-Law, and W. C. HARVEY, Esq., Barrister-at-Law.

PATERSON'S PRACTICAL STATUTES of the SESSION of 1865 during the [illegible] of the Session. By WM. PATERSON, Esq., Barrister-at-Law.

Now ready, price [illegible]

THE NEW PRISON ACT, 1865; with an Analysis of the Act and the other Statutes and Sections of Statutes relating to Prisons still in force. By THOMAS W. SAUNDERS, Esq., Barrister-at-Law, Recorder of Bath.

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LAW TIMES Office, 10, Wellington-street, Strand, W.C.

This day is published, in 12mo., price [illegible], cloth lettered,

COUNTY COURTS' EQUITABLE JURISDICTION; or the New Act, 28 & 29 Vict. c. [illegible], conferring further equitable jurisdiction on the County Courts, with Notes. By JAMES J. ASTON, Esq., Barrister-at-Law.

STEVENS and SONS, No. 26, Bell-yard, Lincoln's-inn.

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A TREATISE on COMPOSITION with CREDITORS, under the private Arrangement Clauses of the Bankruptcy Act 1861, with Forms. By GEORGE SILLS, M.A., Barrister-at-Law.

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A HANDY BOOK on CHANCERY LAW and PRACTICE for SUITORS under the New Equity Jurisdiction in the County Courts; with the Act complete and Practical Observations thereon. By G. MANLEY WETHERFIELD, Solicitor of the High Court of Chancery, and Advocate in the Bankruptcy and County Courts.

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Dessert ditto	1	0	0	„	1	10	0
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Kitchen Knives and Forks	0	[illegible]	[illegible]

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To Readers and Correspondents.

ERRATA.—The paragraph headed "The Bench at Melbourne," should have been "The Bench at Sydney." In L. T. Rep. vol. 12, p. 883, col. 2, the reference to the report of the case before the M. H. should have been to 12 L. T. and not 10 L. T.

The Index to the 12th vol. of THE LAW TIMES REPORTS will not be published till the second week in October.

S. M.—The Bill did not pass.

VIX.—We cannot permit correspondents to dispute judicial decisions. THE LAW TIMES must not be made an irresponsible Court of Appeal by practitioners who have had judgment against their own arguments.

J. L. S.—Some letters are lying for him at the office, if he will send us his name and address.

F. J. M.—Thanks for the information. The reporter has been written to about it. But all are now "out of town," and hence probably their imperfect correction of proofs.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

WE return to the County Courts Equity Jurisdiction Act.

For the exercise of the large and important jurisdictions we have described, the 2nd section of the Act gives to the County Court judge "all the powers and authorities, for the purposes of this Act, of a judge of the High Court of Chancery."

And so the treasurer, registrar, and high bailiff are "to discharge any duties which an officer of the Court of Chancery can discharge, either under the order of a judge of such court or the practice thereof."

This is a very loose definition of a jurisdiction. The three officials of one of the County Courts are grouped together, although their functions are so widely different, and they were, or should have been, selected with such different capacities; and to each of them is given—what? Nothing less than all the duties of any officer of the Court of Chancery. We are unable to say how many officers of the Court of Chancery there may be, but they are very numerous, and the duties of the entire multitude are not even divided among the three officers of the County Court, but each of them is to bear the whole burden if called upon so to do. Let us hope that the rules now in course of being framed will be more humane than the statute, and give to each his own duties. The treasurer should be a sort of accountant-general; the registrar a mixture of master, judge's clerk, and taxing officer; and the high bailiff a messenger, and a sort of miscellaneous man.

The 3rd section was evidently designed to protect the suitor against the consequences of placing him at the mercy of an inferior court. It enables him to apply to a Vice-Chancellor by summons in chambers, who shall, if he thinks fit, transfer the suit to the Court of Chancery, on such terms, as to security for costs or otherwise, as he may think fit.

This has been called an appeal; but it is not so in fact. The question for the Vice-Chancellor will not be whether the court below has decided wrongly or acted wrongly, but whether the case is in itself a proper one to be dealt with by the inferior tribunal. Properly speaking, there is no appeal. At any stage of the suit it may be removed. But if either party is dissatisfied with the final judgment, decree, or order, there is then no remedy. The jurisdiction of the Vice-Chancellor can be invoked only in any "suit or matter pending."

And this reminds us that the statute uses the term "*suit*," and therefore we presume the equity proceedings in the County Courts will be termed "suits," to distinguish them from the common law proceedings, which should henceforth bear the familiar title of "action." Thus we should speak of "an *action* in the County Court," or "a *suit* in the County Court," which will save further explanation. We purpose to adopt these terms in treating of the subject in these pages for the future, and we venture to recommend to the Profession to do likewise. Henceforth, then, the title "*action*" or "*suit*" will here designate the common law or the equity jurisdiction of the County Courts without further description.

To enable the County Courts to enforce their judgments, the 8th section enacts that for the due execution of any judgment, decree, or order made under the authority of this Act, or of the rules and orders to be framed, the court shall have power to order, and the registrar to seal and issue, and the high bailiff to execute, "any writ or warrant of possession, writ or warrant of execution, or other process of execution for carrying into effect any judgment, decree, or order of the said court." This is sufficiently ample. And if it be a case requiring a jury, the County Court jury list is to supply it, and the trial by jury is to be conducted in like manner in all respects, in number of jurymen, and unanimity of verdict, as now exist with respect to juries in the County Courts.

Inasmuch as the matters tried in suits under this new jurisdiction will be far more important than the majority of the actions tried in the common law courts, the jury that is deemed sufficient for the former might well suffice for the latter, so that we may hope soon to witness a reform in our jury system in the common law courts, in accordance with the improved though still imperfect system now to be adopted for great equity cases in the County Courts.

Provision is made by the 9th section for the very probable case of discovery after a suit commenced in the County Court that it is out of the jurisdiction, either from excess of value, or of the character of some portion of the claim, or of something connected with it, but which will not endure severance, inasmuch as without adjudication of the whole matter right could not be done. This difficulty is partially proposed to be solved by a provision, if at any time during the progress of any suit or matter it shall be made to appear to the court that "*the subject-matter exceeds the limit in* point of amount" to which the jurisdiction is hereby limited, it shall not affect the validity of any order or decree already made, but it shall be the duty of the court to direct the said suit or matter to be transferred to the Court of Chancery, and thereupon it shall proceed in one of the Vice-Chancellors' courts, as the Lord Chancellor may by *general order* direct, and "the Vice-Chancellor shall have power to regulate the whole of the procedure in the said suit or matter when so transferred." But any party may apply to such Vice-Chancellor in chambers for an order "authorising and directing the suit or matter to be carried on and prosecuted in the County Court, notwithstanding" such excess of jurisdiction, and the Vice-Chancellor may summon the other parties to show cause why such an order should not be made.

It will be observed that this section is expressly limited to cases of excess of value of the subject-matter discovered after the suit is commenced. No provision is made for the suggested difficulty of insufficient jurisdiction being discovered in relation to the nature of the subject-matter, or the remedy necessary for what the Equity Courts justly boast that it is their function to do, namely, to give complete redress. The section might well have been framed to this end also.

THE Manchester Fire Insurance Office, which has been moving heaven and earth, and Alderman LUSK, to put down the Gog and Magog spectacle opposite to its office in Cheapside, has unconsciously taken the very best means of accomplishing the tradesman's object in setting up striking copies of the city giants carved by RICHARD SAUNDERS a century and a half ago. For a time the matter was merely local, and concerned those only who in their ordinary course, or in the chance of their travel, went between the Bank and St. Paul's. Now, three, if not four, police proceedings have advertised the clockmaker and his works throughout the land, and as much further as English newspapers circulate. The latest effect has been that an artisan makes the slight part of his holiday, as he would NELSON and WELLINGTON's tomb in St. Paul's itself. A mason (perhaps one of the clockmaker's friends) on Wednesday had "an out," and was passing along Cheapside with his wife about ten minutes after twelve; he had "heard and read a good deal about the clock, and the way Gog and Magog struck the hours and quarter-hours on the great bell," and he thought he would wait with his wife until a quarter after twelve to see the figures raise their hammers and do the work, much in the same way, we suppose, as when we were boys we have stood near the Temple gateway to see the old sooty bronze savages lift their clubs against the bell of St. DUNSTAN. The precedent was quoted in court on a former occasion, but it is now of doubtful value, as that group has been removed thirty years to a retired villa in the Regent's-park. The officer, who was placed in Cheapside to keep the thoroughfare clear, came up before the mason had been standing on the footway more than half-a-minute, and told him to move on. This the mason did by walking up and down the place rather smartly, but whether with or without his wife does not appear. The officer was displeased with this practical joke on the law of "move on," which has heretofore been a Mede-and-Persian ordinance of Scotland-yard, but since the election has acquired the dignity of a state aphorism. What could the mason expect? Mr. GLADSTONE says to Parliament, "Move on;" but suppose Parliament were to walk up and down rather smartly—a thing which unfortunately it has been too much in the habit of doing—would it not be dissolved and locked out? So the mason was locked up. It was rather smart practice on a workman away for a holiday from the dust of the stone block and the beat of the mallet on a delightful September morning, and walking about London with his wife, when sport among the heather and turnips on all sides out of the City has left its pavements rather freer than usual for those who must seek their amusement in the streets. But we pass that by, as the mason was discharged, and, if so advised, has his remedy. Moreover, we admit that the thoroughfares of the City must be kept clear for traffic, unless, indeed, "traffic" be construed as having a small margin left in it for recreation. But sometimes *summum jus, summa stultitia.* If the insurance company on its side of the way pays an enormous rent for a house with opportunity of great public access, so does the tradesman on the opposite side for a window or frontage for the very purpose of attracting passers by and the public generally by the exhibition of his cunning. Give and take a little, gentlemen. Should the junior clerks of the insurance office persist in looking out of the windows, let the panes be whitened or penitentiary shutters be put up. The best way in other respects to get rid of a nuisance which is one only of street-gazing, may be to leave it unnoticed for a month or two; it will lose the gloss of novelty. Take into custody artisans who have stood a minute or two to look on, and you will have the neighbourhood thronged with others, who, indulging in a little revengeful and ingenious evasion of the law of move on, will

not stop or obstruct in the legal sense, but will somehow time their passage through Cheapside so that they come opposite to Gog and Magog while the hammers are uplifted to tell twelve o'clock or one of the long hours of the day. At present, to say the least, the effect has been a capital advertisement. For one who before knew of the existence of this imitation of St. DUNSTAN'S machinery, thousands have now "heard or read" all about the fascination of the mimic giants luring men to the martyrdom of a police cell. It will be found as difficult a matter to apprehend, as it is impossible in law to indict, the public.

TURNER, L. J. remarked, in his judgment in *Parkinson* v. *Hanbury*, 11 L. T. Rep. N. S. 735, on appeal from KINDERSLEY, V.C., that he would give no opinion as to the validity of a sale by a first mortgagee, having a power of sale, to a second mortgagee; in his opinion, the judgment of the Vice-Chancellor, that redemption as against HANBURY and Co., the second mortgagees, was not precluded by such a sale, did not proceed upon that ground, but upon the ground that the purchase by the second mortgagees was a purchase by trustees of their trust property. In this case before the LORDS JUSTICES the second mortgage was in the form of a conveyance in trust to sell, and out of the proceeds to pay off the first mortgagee and to secure a debt to the second mortgagees. Hence we noticed the case (March 25th) as one raising a distinction between a second mortgagee under a mortgage in proper form and a second mortgagee under a conveyance in trust for sale; for that, while according to *Shaw* v. *Bunny*, 11 L. T. Rep. N. S. 645, a second mortgagee under a proper mortgage could make a valid purchase from the first mortgagee, a second mortgagee under a deed of trust could not so purchase. At the same time we mentioned that the decision of WOOD, V.C., in *Kirkwood* v. *Thompson*, then unreported, appeared to negative the proposed distinction. The hearing before the Vice-Chancellor, as well as that on appeal, has since been reported; the reports will be found respectively at pages 446 and 811 of our volume just completed.

The result is, that the supposed distinction does not exist, and a second mortgagee may in either case purchase from the first. In consequence of a doubt expressed by TURNER, L.J., in *Shaw* v. *Bunny* (but not influential on the decision of that case), whether any second mortgagee at all could take on a sale by a first mortgagee, the Vice-Chancellor, in *Kirkwood* v. *Thompson*, looked minutely into the cases bearing on the subject. He came to the conclusion that the second mortgagee had full and complete power of protecting himself in every possible way when the mortgagor did not choose to redeem, and that a mortgagee was allowed in that position to stand as a person wholly independent of the mortgagor, and not as holding upon any trust whatsoever for him, there being, in fact, between the mortgagor and mortgagee nothing analogous to a trust until the whole mortgage-debt had been paid and satisfied, from which moment only the mortgagee became a trustee for the mortgagor.

Lord Chancellor CRANWORTH treated the question with that plainness and breadth of principle for which, we may presume to say, his judgments are distinguished. It being now no longer disputed that a mortgagee may purchase from the mortgagor, "if that is so," the LORD CHANCELLOR asked, "why should there be any difficulty on this subject?" The sale that was made under the power of sale by a first mortgagee was substantially a sale by the mortgagor, for it was a sale made under an authority given by the mortgagor, paramount to the title of the second mortgagee. But it was suggested that the present was not strictly a mortgage at all: that it was merely a conveyance in trust to sell. It was true that it was so in form; but as between the mortgagor, the person conveying, and the person to whom it was conveyed in trust to sell, it certainly was a mortgage. There might have been different duties as between him and the mortgagor, if he had sold, than would have existed in the case of a simple mortgage, but what took place was something that came in paramount and prior to the exercise of the duties of a trustee.

The judgment of KNIGHT BRUCE, L. J., in *Shaw* v. *Bunny*, had guarded the general rule of the ability of a second mortgagee to purchase under a sale by the first with the caution that there might be special circumstances which would leave the question of redemption liable to be opened. In the present case an attempt was made to set up the second mortgagee's possession as such a special circumstance, but the LORD CHANCELLOR said that being in possession could only make a difference if it created an obligation between the parties which would not have existed if one had not been in possession. No duty arose on being in possession, except to account to the mortgagor; there was no duty which would make the relation between mortgagee and mortgagor different from what would have existed if the mortgagee had not been in possession. There seems, in fact, to be no difference, for the purpose of a purchase by a person in possession, between the cases of a mortgagee and of a lessee. Either has it in his power equally to produce impressions depreciatory of the property, or to hinder the sale; but in the absence of proof that the circumstance of possession has in some way been taken advantage of to prejudice the sale, the person in possession, whether as mortgagee, lessee, or in any other character, does not differ from any other purchaser. The safest course is to put the property up for sale in the ordinary manner by auction, as was done by the first mortgagees in *Kirkwood* v. *Thompson*. They had the property valued, and took steps to secure that it should not be sold at an undervalue. The purchaser made a good bargain, for he had an opportunity of making a re-sale at an advance of 1000*l*. But the property was of a very speculative character. Having regard to the course adopted by the first mortgagees in the sale, the LORD CHANCELLOR did not think that they had sold at an undervalue. But we may add that, of course, the equity of the mortgagor against the second mortgagee who has purchased from the first does not depend entirely on the acts of the latter. Redemption against the second mortgagee would not be decreed on account of misconduct of the first mortgagee in the sale, unless the second were privy to the misconduct, particularly if the sale were made under a power in the usual form, which throws ample protection around a purchaser from a mortgagee against the effect of any irregularity or impropriety in the sale.

THE Liverpool magistrates are practically solving the problem of the licensing system. They have adopted the rational plan of licensing all applicants who produce sufficient proofs of good character, taking away that licence if it be abused. In fact, they license the person and not the premises, and thus, as no artificial value is given to the latter, the objection that the owner is punished, not the occupier, by the refusal to renew the licence—the plea that proves such an obstacle to the proper government of public-houses in all other parts of England—does not prevail in Liverpool. The magistrates inform us that, after a year's trial, they are completely satisfied with the results. Competition has determined the number of public-houses required for any locality far better than the judgment of a bench of justices, whose decision is governed by various motives and many prejudices. In truth, the existing licensing system is extremely unsatisfactory, and to none more than to the magistrates, who are required to perform an invidious duty. We trust that the experience of Liverpool will lead to a speedy change throughout the kingdom. It is indeed practically for the magistrates, if so minded, to accomplish the required reform without the intervention of the Legislature, for it is at their discretion to do as their brother J. P.'s at Liverpool and license all applicants having the necessary qualification and a good character; or they might raise the character of the public-house by resolving to license none of less than a certain rated value, or to license all applicants for houses at and above a certain value. But although the magistrates *may* do this, and so reform the system of their own accord, we fear there is little chance of bringing about an agreement where opinion is so divided, and perhaps a reluctance felt to part with a power that is almost a species of patronage. The Legislature must *compel* the change, and the difficulty is to procure a majority who will have the courage to face the vested interests of the brewer monopoly. A new Parliament might, perhaps, venture what a dying one could not. At all events the attempt should be made, and the Social Science Congress could not do better service than by mooting a question that falls especially within its province. If the Government, or a private member, should attempt a reform, the licence itself should be changed, and instead of a licence to sell spirituous liquors to be consumed upon the premises, which is now the form of the public-house licence, there should be several licences, as thus:

First, the *Hotel Licence* to keep a house for the entertainment of travellers, with permission to sell spirits, wines, and beer to be consumed on the premises.

Secondly, the *Spirit Licence* to sell spirits, wines, and beer to be consumed on the premises, but not to take in lodgers.

Thirdly, the *Shop Licence* to sell spirits, wines, beer, or cider, over the counter, not to be consumed upon the premises.

Fourthly, the *Lodging-house Licence* to keep a lodging-house and to supply the lodgers only with spirituous liquors, ale, &c.

All of these might be put under certain police regulations, not needful to be described here at length.

As property varies in value in different localities, the justices of each division should be required to fix quinquennially a minimum of rated value of premises to the occupier of which each of the above licences would be granted, and to make and publish rules as to the granting and taking away of such licences, such scale of value and rules to be submitted to the Secretary of State for the Home Department for approval before they come into operation. All applicants complying with those regulations to be licensed accordingly.

We believe that this, or something like this, would be a very great improvement of a very faulty system. What say our readers to it?

The following is the reported statement of the Liverpool magistrates:

Yesterday, at the close of the licensing sessions, the Liverpool magistrates entered upon an elaborate defence of the open licence system which has been in operation there for some years past. Mr. Robertson Gladstone explained that the 182 applications did not represent so many new houses, and that out of 125 to which licences were granted 76 had been beerhouses already. Mr. Stitt made a very long statistical statement. He said that in 1864-5, 221 new licences were applied for, 170 of them to houses previously beerhouses; so that there were only 51 new licensed houses. This year, of the 182 applications 113 were for beerhouses, so that only 69 were new. The licences granted last year were 150, only 40 to new houses; and of the 125 granted now only 50 were new. To show that the applications were decreasing under the new system, he said they numbered 246 in 1863, 221 in 1864, and only 182 this year. He denied the truth of the statement made in the House of Commons by Mr. Hardcastle that there was three or four times as much drunkenness in Liverpool as in any other town in the kingdom; and he took Glasgow as an instance in proof. In 1863, in Glasgow, 6658 persons were brought before the magistrates for drunkenness, and in Liverpool 16,800; but in Glasgow, in addition to this 6658, there were 450 persons proceeded against by information for being drunk and disorderly, and 18,779 for being drunk and incapable—that is, 19,000 people taken to gaol for drunkenness, but not included in the Glasgow statistics of crime. In Manchester, also, he found that 2[illegible] persons had been charged with drunkenness, who did not appear before the magistrates. To show that the conversion of beerhouses into public-houses did not increase crime, he stated that although 150 houses were so converted in Liverpool last year, there were only 100 additional cases of drunkenness, and the population had increased during that period between 8000 and 10,000. In 1854, when the restrictive system was in full operation, the cases of drunkenness were 10,678. In the quarter four new licences were granted, and in the next year the number of cases of drunkenness rose to 12,840—2200 in one year. The comparison between the years 1854-5 and 1864-5 showed that the proportion of drunken cases to the population in the former period were one in 31½, and in the latter one in 39. In 1864 there were 827 beerhouses, and they furnished 994 informations; but 1769 public-houses, which furnished only 192 informations. Last year there were 12 cases of permitting drunkenness in public-houses, but 38 in beerhouses. The proportion of new houses to old was one-fifth; but the proportion of offences supplied by new houses to those supplied by the old houses was only one-fourteenth. The increased tariff of fines recently adopted was found very beneficial in checking these offences. In conclusion he gave an instance from Sunderland, where, from 1860 to 1864, though the magistrates reduced the number of licences by 34, the drunken cases increased by 402—75 per cent., owing to the increase of beerhouses consequent upon the restrictive system in public-house licences.

THE EASEMENT OF LIGHT—SIR HUGH CAIRNS' ACT.

(*Continued from page 519.*)

THE next is a recent case of preventive injunction. The plaintiffs in *Stokes* v. *The City Offices Company*, 12 L. T. Rep. N. S. 602, were ironmongers in Clements-lane, Lombard-street, and the defendants, who had bought property on the opposite side of the way, proposed to erect the City Offices on the site and carry them to a height of fifty-nine feet, being twenty-three feet higher than the old buildings which they had pulled down. The plaintiffs had in the former state of things used every means to make the most of their light, and they now complained that one-third of that light would be obstructed. The company maintained that there would still be light enough if the plaintiffs would widen their windows and put fewer goods in the window. Wood, V.C. thought that the plaintiffs presented a substantial case as regarded their business, which there was no doubt would be seriously impeded by the proposed building. If the case had been anterior to some of the later authorities, he should have no doubt or hesitation as to what ought to be done. It was quite true of late that the court had seen the difficulty that arose in dealing with such cases occurring in a large and improving town like the metropolis, or any improving town. But, until the Legislature passed some general Act by which arrangements could be made, he could not feel prepared to say that large improvements ought to be carried on by companies, either for the good of the public or for themselves, or both, at the expense of anybody. The Legislature had made light and air property at the end of twenty years, and it became positive property on the part of those in the enjoyment of the easement. He could not take away this property merely on his own notion of what ought to be done. There was a course which it appeared open to the court to take: while it was extremely inconvenient to have questions of the amount of interference with light and air determined by continual motions, if you could arrive at a conclusion between both the parties which would free the person under the injunction on his part from inconvenience, and also the applicant from inconvenience, by enabling the parties to ascertain what their position was, that could be done, and no doubt it was a beneficial course to take. Therefore he should make an order for a perpetual injunction, restraining the defendants from building so as to obstruct the plaintiff's ancient lights; with liberty to the defendants to apply at chambers with respect to the erection of any buildings on their property in such a manner as to constitute an infringement of the order. This mode of disposing of the case seems to contemplate a departure from the injunction under the sanction of the court, and a consequent assessment of damages. The court thus grants the injunction to control the defendants, and keeps the working of it in its own hands.

Two other recently reported cases, before the Master of the Rolls, were bills to restrain interfering with ancient lights, filed after the buildings complained of had been erected. In the first of them, *Lawrence* v. *Austin*, 12 L. T. Rep. N. S. 737, the injury was the raising of a party-wall for the erection of a factory. In September the building was begun; in November negotiations were commenced with a view of putting a stop to it; but the whole length of the building was completed, except a small part at one end of the wall, before the bill was filed; afterwards this part was completed, on an undertaking that it should be pulled down if the court should so order. The Master of the Rolls said that he took the rule of equity to be this: if the injury complained of was complete, so that the court could not grant the injunction at the time of the filing of the bill, then the court could take no cognisance of the matter. But if there were any ingredient of fraud in the case, or if there remained anything which the court could stop at the time when the bill was filed, then equity could take cognisance of the matter; otherwise the remedy was at law. The Master of the Rolls did not find anything in the observations of the Lords Justices in *Johnson* v. *Wyatt* militating against the principles which he had laid down. In that case there was a ground for injunction at the time of filing the bill. Then, as to Sir Hugh Cairns' Act, the Master of the Rolls was of opinion that it was not intended by that Act so to extend the jurisdiction of the court as to enable it to deal with cases in which it would not have otherwise interfered before the passing of the Act. For instance, where the court would not interfere to stop a way which had been made across a person's field, or a building which obscured ancient lights, or direct it to be pulled down, it should also refuse to direct an inquiry as to damages. The court could only give such a direction where it had already jurisdiction in the matter. The result of the authorities appeared to be, that, where the court saw its way to granting an injunction to some extent, it would not drive the parties into bringing an action for the purpose of damages; but if no right in equity to an injunction was shown, then the court said, "Your right is at law, and you have no case for coming here." The reader will compare the Master of the Rolls' language, that the court will not apply the Act to cases in which it would not have otherwise "interfered," or unless it "sees its way to the granting of an injunction to some extent," with the language of the 2nd section, which is, where the court has "jurisdiction to entertain an application for an injunction;" also with the language of Turner, L. J. in *Johnson* v. *Wyatt*, and *Swayne* v. *The Great Northern Railway Company*. In the latter case the Lord Justice's expression was, "Where the bill was properly filed in that court." As to the small part of the building, the Master of the Rolls thought that, on the ground of diminution of light and air, as well as by virtue of the undertaking, the plaintiffs were entitled to an injunction to have that part removed. He was also of opinion, the court having cognisance of the matter, it could declare the plaintiffs entitled to an inquiry at chambers to ascertain the damage sustained by them in respect of the other portions of the wall.

The other case before the Master of the Rolls, (*Durell* v. *Pritchard*, p. 759) was like *Lawrence* v. *Austin*, except that the plaintiffs did not know that the obstructive building was being erected until the greater part was built, but their tenants knew of it. The Master of the Rolls held that, as their want of knowledge was not the result of any fraudulent concealment of facts from them, the court must treat them exactly as if they had known all that was going on. The result in his opinion was that (as in the last case) the plaintiffs had no right to relief in that court, and they must go to a court of law for damages. Sir Hugh Cairns' Act did not enable a person to take proceedings in that court merely to assess the pecuniary damage which he had sustained by the conduct of another.

The chief conclusions which may be drawn from the cases noticed by us, on the application of Sir Hugh Cairns' Act, are:

1. Where the case is such that, but for the Act, the plaintiff would be entitled to a mandatory injunction, the court will award damages in substitution for such an injunction, unless the injury be such that it is difficult to define the sum of money which would be an adequate compensation.

2. Where there is some injury, but the plaintiff cannot establish his title to an injunction, by reason of the smallness of the injury, the court will, instead of leaving him to his remedy at law, inquire into the question of damages, unless the case would be more effectually disposed of by a court of law.

3. Where the injury to the premises at present is too small to support a case for injunction, yet the possible future injury may be considerable, the plaintiff will have the option of an award of damages assessed with reference to the future injury, or of liberty to bring an action at law.

4. Where there is a substantial obstruction to ancient or indefeasible light, that is where there is a material interference with the comfort or business of the occupant of the tenement claiming the light, the court will not substitute damages for a preventive injunction; but the court will give the defendant liberty to apply with respect to the erection of any building which would constitute an infringement of the injunction.

5. Where, by reason of the obstructive building having been completed before the bill is filed, the plaintiff (in the absence of fraud) cannot have an injunction, the court will not award damages, but leave him to his action at law, but if the court can take cognisance of the matter in respect of part of the building, it will award damages as to the whole.

THE REPORT OF THE PATENT LAW COMMISSION.

(*Continued from page 520.*)

SIR WILLIAM ARMSTRONG has experienced a great many cases of inconvenience produced by the lax system of granting patents at present. Great obstructions also exist in those branches of business with which the witness is conversant from the multiplicity of patents. A patentee who is really not the sole or the first inventor is allowed to take possession of an idea which is present to the minds of very many persons at the same time. The great majority of inventions are the result of mere accident. They are not elicited by a system of monopoly; there is very little necessity to stimulate invention. The mere conception of primary ideas in invention is not a matter involving much labour; the labour is in perfecting an invention, but that is scarcely recognised by the patent laws. Even a poor man who has the ability to make really practical improvements is almost sure to rise in the world without the aid of patents. Nothing can be worse than the present indiscriminate system. The practical grievances are, that an inventor is obliged to take out a patent to prevent another person patenting an improvement on it, and really appropriating the whole invention, because no person will buy the original without the improvement. Again, no one attempts to improve a patented machine, because the patentee would take all the benefit. A great many patents are granted for things that are no improvement at all. The ground is so occupied by patentees, and there is so much uncertainty as to what patents are valid and what invalid, that it is difficult to find a spot to work upon for improvement without risk of interference. It is continually necessary to turn aside from the natural course which one would take as a machinist, in order to avoid somebody's patent which is of no value at all—a dormant patent, which the possessor has not ability to follow up and turn to a useful result. It is simply an obstruction. Another great evil of the patent system is, that an invalid patent answers the purpose of protection almost as well as a valid one. Nobody will face the litigation necessary to get rid of it. The patentee imposes a licence tax. Such cases are very numerous. Further, from the vague nature of the monopoly of a general idea of a machine, or other subject of a patent, nobody attempts improvement, a great number of inventions which have remained inoperative for years, many of which the witness could easily name, would have been brought to perfection very much sooner if it had been open to all the intellects of the community to grapple with the difficulties of them. The difference between copyright and patent is, that in the one the man creates the subject of the monopoly, in the other he discovers the capability of a pre-existing thing; the capability is made the subject of monopoly. If there were a preliminary investigation an immense number of patents would dissolve at the very sight of it. As to patent causes, there are very great complaints of the trouble and and expense, and generally of the litigation to which people are subjected; and there is not much confidence in the competency of a jury to determine such questions. The value of a patent, for the purpose of licences, will vary according to the progress of events. The witness has known patentees very exorbitant in their demands for granting licences, far beyond the merit of their inventions. There are cases of patents lying dormant a long while, until the article becomes of more importance in the judgment of the public, and then licences are taken out. The patentee gets his price after the investigations of other people have given additional value to his patent; he gets possession of a certain idea, that in the form in which he conceives it is of no value, but at a subsequent period other persons following in the same line of discovery, probably without knowledge of the existence of the patent, make improvements, or produce the same thing in an improved form; then he takes possession of that under his patent, and is able to obtain a licence-fee, which he could not otherwise do. The electric telegraph was not an invention; it is one of those things which have gone gone forward by slow and gradual steps. You cannot put your finger on the point at which the invention begins, and it is the same with all great inventions. One of the difficulties arising out of the present complexity of the system is, if you wish to adjust the merits of patentees with a view to a licence duty, as that, for instance, in

the electric telegraph, there are some hundreds of patents, each having some degree of merit, and each, as it were, overlapping the other. But while the public is not protected from the exorbitant demands of patentees, and stands aloof from the patent, the public suffers. It has now become a very general practice for companies to buy up all the patents upon a particular subject, so as to obtain full possession of an important subject and thereby to obtain a monopoly of something which is of immense advantage to the public. The commercial principle of parties getting the largest market for their commodities at the most remunerative prices to them does not apply as a general rule to patentees, because they are monopolists. The claims of patentees are generally excessive. As regards foreign inventions, there is such free intercourse between nations now that everything going on in the world of invention is known in one country as well as in another. Constantly, processes which are carried on abroad are brought into this country by parties who patent them here; but in the majority of cases the patent is taken out in both countries at the same time. Reciprocity may require that patents be granted here to foreigners. It is stated to be the law in America, that they will only grant patents to foreigners on the same terms as foreign countries grant patents to Americans.

It having been determined that the patent law shall not be dealt with until next year, we will here for the present close our notice of the report.

INVESTMENT JOURNAL.

There has been somewhat more of buoyancy in the Money-market, the public having shown a continued reluctance to invest in speculative schemes, preferring the regular stocks which, if they yield but small dividends, are *safe*. Hence a run on all descriptions of sound securities, and an abundance of money for the legitimate purposes of trade. It would appear as if the American war was destined to teach the European world how entire is its ignorance of affairs on the other side of the Atlantic. No matter what the prophecy, or the reputed judgment of the prophet, the result invariably belies the anticipation. It was thought by all "the authorities" that immediately on the ending of the war there would spring up an enormous trade to supply the waste of the strife and the utter exhaustion of one-half of the country. But the war has ended, and the revival of trade is so trifling as to have no perceptible effect either upon the industry or the finance of Europe. So it was said that money would be dear again before Midsummer, and Mr. Goschen, M.P. for the City, wrote an article for the purpose of warning the public that such would be the case. He adduced reasons for his assertion that were deemed almost conclusive. But his prophecy has failed as completely as others. Money is cheap, and is likely to continue so until its very cheapness shall bring about a revival of the Limited Liability mania. The following are the fluctuations of the week:—

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	250	249	...	248
3 ℔ Cent. Red. Ann.	90	88¾ c	88⅞ c	88¾ c	89⅛ c	89¼
3 ℔ Cent. Cons. Ann. ...	89⅞	90⅛	89⅞	90⅛	90⅛	89⅞
New 2½ per Cent. Ann...	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 ℔ Cent. Ann.	90	88¾	88⅞ c	88⅞ c	88⅞ c	88⅞
New 3½ ℔ Cent. Ann. ...	...	...	...	...	...	...
5 ℔ Cent. Annuities	...	...	...	...	...	...
5 ℔ Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	13⅝ c	...	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89⅞	...	90	90	90⅛	90⅛
Consols 3 ℔ Cent. for Ac.	...	...	...	...	...	...
India 5 ℔ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	218	...	...	...
India 5 ℔ Cents.	...	...	...	...	...	...
India 4 ℔ Cents. 1888 ...	...	...	...	...	...	...
India 5 ℔ Cents. 1870 ...	105	105⅛	105⅛	105⅛	105⅛	...
India Bonds (1000l.)	24pm	...	...	...	...	...
Do. (under 1000l.)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	99⅞	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 ℔ Cent.	...	...	...	...	...	...
Do. do. 5 ℔ c. Jan. 1872	101⅞	102	102	...	102⅛	...
Do. do. 5½ ℔ c. May 1879	...	...	110	...	...	...
Ex. Bills, 1000l.	a	d	e	...	f	...
Do. 500l.	...	...	...	...	...	...
Do. 100l. & 200l. 3 ℔ c.	b	...	...	f	g	...
Do. Small, & 3 ℔ c...	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	98⅛	...	...	...	...	...

a 3 3½ per cent. par, 2s. dis.
b 3 3½ per cent. par.
c ex div.
d 3 3½ per ct. par.
e 3 3½ per cent. 1 pm.
f 3 3½ per cent. 2s. dis.
g 3 3½ per cent. 2 pm.

SOLICITORS' JOURNAL.

Correspondence.

Our Invaders.—A lady client of mine lately had occasion to execute a bill of sale. A few days after its registration and consequent publicity in the so-called *Trade Protection Circular*, Mrs. —— received the following epistle:

Thomson's Debt Recovery Offices,
3, Holles-street, Cavendish-square, Aug. 17, 1865.

Madam,—Allow me to invite your attention to the advantages offered by these offices to persons in present or prospective difficulty. Time can be obtained, arrangements effected, and negotiations with creditors completed, or their affairs, where needful, conducted through the Court of Bankruptcy.

All communications are strictly confidential, and from the extent of business done, and the efficiency of the legal department of this establishment, every facility is offered to our clients, whilst economy, security, and despatch are alike ensured.

Upon a statement of your affairs, a sum, to include every expense, will be named by us, thus precluding every further charge. Office hours, ten to four.

I am, Madam, yours obediently,
W. A. Thomson, jun., proprietor.

Mrs. ——.

Mr. Thompson, jun., does not appear in the *Law List*, and possibly the Profession would desire to know who is the legal adviser of the society, for I understand they have one, and his name has been mentioned to me. C. B.

Lincoln's-inn.

APPOINTMENT.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

The Lord High Chancellor has appointed Mr. Owen Davies Hughes, solicitor, Corwen, a commissioner to administer oaths in Chancery in England.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

London Marine Insurance Association.—Creditors to send in by 15th Sept. their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to W. Turquand, 16, Tokenhouse-yard, London. Solicitors, Mercer and Mercer, 9, Mincing-lane, London.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Anstis (Bernard), Liskeard, Cornwall, solicitor. Oct. 30; R. W. Childs, solicitor, 23, Coleman-street, London. Dec. 7; V.C. W., at half-past one o'clock in the afternoon.

Brix (Hans), the elder, Cumberland-place, Hyde park, Middlesex, Esq. Oct. 2; Hayes, Twisden, Parker, and Co., solicitors, 31, Russell-square, London. Nov. 3; M.R., at two o'clock in the afternoon.

Hetherington (Charlotte), 28, Marine-parade, Brighton, spinster. Oct. 10; Law, Hussey, and Hulbert, solicitors, 10, New-square, Lincoln's-inn, Middlesex. Oct. 31; V.C. W., at two o'clock in the afternoon.

King (Wm. Wandry), Percy-street, Tottenham-court-road, London, manufacturing chemist. Oct. 2; H. Child, solicitor, 2, Paul's Bakehouse-court, Doctors'-commons, London. Nov. 3; M.R., at two o'clock in the afternoon.

Skingley (Samuel), Little Coggeshall, Essex, brewer. Oct. 10; Stevens and Beaumont, solicitors, 6, Old Jewry, London. Nov. 1; V.C. S., at three o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Bramley (Edward), Sheffield, solicitor. Oct. 21; Gainsford and Bramley, solicitors, 6, Paradise-square, Sheffield.

Cartwright (Rev. R. B.), South Stoke, Lincolnshire. Dec. 3; Osborne, Ward, and Co., solicitors, 41, Broad-street, Bristol.

Cass (Susan), 25, Henstridge-place, St. John's-wood, Middlesex, widow. Oct. 1; F. Walker, solicitor, 22, Laurence Pountney-lane, Cannon-street, London.

Chance (Phebe), The Mythe, Edgbaston, near Birmingham, widow. Dec. 1; Watkins, Baker, and Baylis, solicitors, 11, Sackville-street, London.

Clarke (Mary Jane), Leamington, Warwickshire, widow. Dec. 1; Deacon and Dent, solicitors, Wolverhampton.

Croot (George), Gamlingay, Cambridgeshire, market gardener. Oct. 14; W. Smith and Son, solicitors, Potton, Bedfordshire.

Dodd (Georgina), formerly of 9, Grosvenor-place, Hyde-park, Middlesex, late of Bonchurch, Isle of Wight, widow. Oct. 30; Burgoynes, Milnes, and Burgoyne, solicitors, 160, Oxford-street, London.

Domvile (Emily Frances), Connaught-place west, Hyde-park, Middlesex, formerly of Ashburton-house, Putney, Surrey, spinster. Sept. 29; Boys and Tweedies, solicitors, 6, Ely-place, London.

Emberick (Wm.), 2, Raymond-buildings, Gray's-inn, Middlesex, Esq. Oct 13; Tathams, Curling, and Walls, solicitors, 3, Frederick-place, Old Jewry, London.

Evans (William), Cefn Maur, Ruabon, Denbighshire, draper and grocer. Nov. 1; C. and W. Richards, solicitors, Llangollen.

Grant (Thos.), Vine-street, and 34, Agnes-street, Lambeth, Surrey, corkcutter. Oct. 1; Cattarns and Jehu, solicitors, 33, Mark-lane, London.

Haynes (Samuel), Egham Hythe, Surrey, grocer. Oct. 5; W. Hammond, 3, Furnival's-inn, London.

Hallum (Edward Strutt), formerly of Ipswich, late of 4, Brunswick-place, Southampton, gentleman. Oct. 7; W. Perkins, solicitor, 1, Albion-place, Southampton.

Hibbard (Benjamin), Hill-street, Dorset-square, Middlesex, milkman. Sept. 30; H. Richards, solicitor, 16, Langham-street, Portland-place, London.

Jerningham (Matilda), formerly of Cheltenham, late of 28, St. Stephen's-road, Bayswater, Middlesex, widow. Sept. 30; Slaughter and Cullington, solicitors, 6, Mansfield-street, Portland-place, London.

King (Catherine), Margate, spinster. Oct. 1; E. Isaacson, solicitor, Margate.

Killick (Richard), Reigate, Surrey, plumber and glazier. Nov. 28; P. Hart, solicitor, Church-street, Reigate.

Mayne (Elizabeth), 32, Somerset-street, Portman-square, Middlesex, widow. Nov. 29; Boys and Tweedies, solicitors, 6, Ely-place, London.

Nicholls (Charles George), Hope-cottage, New Hampton, Middlesex, Esq. Oct. 1; Hellard and Son, solicitors, 12, High-street, Portsmouth.

Pappalardo (Vincent), Portsmouth and Battersea, Esq., ship agent and vice-consul for Spain, Italy, and Brazil. Oct. 1; Binstead and Elliott, solicitors, 14, High-street, Portsmouth.

Poll (Jeremiah), Wymondham, Norfolk, farmer. Oct. 2; Mitchell and Clarke, solicitors, Wymondham.

Rogers (Samuel Baker), Toxteth-park, near Liverpool, assistant overseer and collector of taxes. Sept. 30; [illegible], Peel, and Co., solicitors, 4, Harrington-street, Liverpool.

Rigby (Robt.), Green-bank-terrace, Preston, Lancashire, gentleman. Sept. 20; J. Catterall, solicitor, Preston.

Sewell (Isaac), Wanstead, Essex, Esq. Oct. 2; Sewell, Sewell, and Edwards, solicitors, Gresham-house, Old Broad-street, London.

Shorter (John), formerly of Crispin-street, Spitalfields, Middlesex, china and glass merchant, late of Grange-hill, Chigwell, Essex, gentleman. Oct. 17; Tanqueray, Willaume, and Hanbury, solicitors, 34, New Broad-street, London.

Taylor (Charles), Stockport, farmer. Oct. 6; W. [illegible], solicitor, Stockport.

Williams (Robert Henry), 2, New Cavendish-street, Portland-place, Middlesex, Esq. Oct. 20; Cotterill and Sons, solicitors, 22, Throgmorton-street, London.

Winterbottom (Mary), Briton-street, Southampton. Oct. 2; W. Hickman, solicitor, 7, Albion-place, Southampton.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Hall (Charles Hill), Hornings-heath, Suffolk, Esq., Hall (Melmoth), of Temple-bar, gentleman, Hall (William), of Birmingham, gentlemen, and Hall (Charles Edward), of St. Helier's, Jersey, gentleman. 2[illegible] New Three per Cents. Claimants, M., E., and C. B. Hall.

Isaacson (Wm.), of Depden, Suffolk, farmer, James Terry, of Chatham, Captain Royal Marines. Dividends on 2[illegible]l. 14s. 4d. Three per Cent. Consols. Claimants, Wm. Isaacson and Hy. James.

Persecution of Mr. Hall.—The extraordinary case of perjury lately tried at the Central Criminal Court has been followed by an equally extraordinary charge of forgery arising out of the same series of transactions. Mr. Frederick Thomas Hall, a solicitor of Gray's-inn, has been charged before Mr. Arnold, at Marlborough-street, with forging and using certain writs and other papers, purporting to be copies of process in the court of Exchequer, for the purpose of the cause that was tried in that court, against Madame Valentin. After hearing the statement of counsel, Mr. Arnold said the question was of great importance and novelty, and he would take time to consider and consult before giving his decision.

THE BENCH AND THE BAR.

THE IRISH BENCH.

The visitor going the round of "the Hall" first enters the Court of Chancery. There he beholds the Lord Chancellor, Maziere Brady, in his place, hale and vigorous, strongly built, and looking earnest and determined. He may be observed daily during Term walking home with his umbrella under his arm, evidently caring more about his health than his dignity. Yet it is forty-six years since he was called to the bar. He has filled his present office since 1856, having previously been Chief Baron of the Exchequer from 1840, so that it is twenty-five years since he was elevated to the bench.

Associated with the Chancellor in the Court of Appeal is the Lord Justice Blackburne, who was called to the bar in 1805, and has been consequently sixty years in the profession, of which period [illegible] teen years have been spent on the bench. He was Chief Justice of the Court of Queen's Bench from Jan. 1846 to March 1852, and was appointed Judge of Appeal—a new office—in 1856, having been Lord Chancellor about nine months in 1852. He had also been Master of the Rolls from 1842 to 1846, when he was succeeded by the present Master, the Right Hon. T. B. C. Smith. This gentleman was called to the bar in 1819, forty-six years ago.

We next enter the Court of Queen's Bench. Justices O'Brien, Hayes, and J. D. Fitzgerald are all comparatively young. In their midst sits their chief, one of the most remarkable instances on record of judicial longevity. The Lord Chief Justice of the Queen's Bench is said to be now in his ninetieth year, but he has yet given no signs of his intention to retire. It is affirmed by his [illegible] friends and admirers that his perception is still quick and keen, and his judgment clear. [illegible] admitted to be wonderfully [illegible] are not his friends; but they say [illegible] two for three hours after his [illegible] morning, and that in the afternoon [illegible] powers visibly fail, and [illegible] capable of grasping a subject or [illegible] chain of argument, and this [illegible] frequent and anxious observation by barristers who practise in his court. He was called to the bar in [illegible] and has been incessantly engaged in his profession for the long period of sixty-eight years. [illegible] occupied his present post since [illegible], having previously been a puisne judge.

The next judge in the order of seniority is the Chief Baron Pigot, who was called in 1826, and has been on the bench since 1846. He has been thirty-nine years working at his profession, and [illegible]

said to be the most painstaking of all the judges. The only fault with him is that he takes too much pains with minor matters, and too often wears out the patience of jurors and suitors, entailing upon the latter heavy extra expenses in the shape of "refreshers." Like all our judges, he is strictly upright and impartial, but it seems to be generally felt that his scrupulosity is excessive, almost morbid, and that it is sometimes a heinous inconvenience to the public. Associated with him are Barons Fitzgerald, Hughes, and Deasy, all able and efficient judges.

Chief Justice Monahan is the youngest of the Chiefs. He was called to the bar in 1828, the year before Emancipation, and he has been Chief Justice since 1850. He was Attorney-General during the State trials of 1848, when he distinguished himself by his zeal and ability in conducting the prosecutions of the political prisoners. No one has complained of any failure on his part. It is in his court the vacancy has been left by the retirement of Mr. Justice Ball. The other judges in it are Mr. Justice Keogh and Mr. Justice Christian, both highly esteemed by the public.

All these gentlemen acted prudently, and went on the bench when they had an opportunity. The name of Judge Keogh suggests another name—the most eminent of our equity lawyers—Mr. Brewster, who is still toiling at the bar, though he was Attorney-General under Lord Aberdeen's Government, Mr. Keogh being Solicitor-General. When that administration was broken up, and the Peel section retired from office, Mr. Brewster, who was one of the party, felt that he was bound in honour to retire with them. Mr. Keogh did not see matters exactly in the same light, and so he remained in office under the Whigs, and became a very young judge. It has been generally regretted that the exigencies of party, and the legitimate claims of others, have so long kept Mr. Brewster from receiving the just rewards of his pre-eminent professional merit. He was called to the bar so long ago as 1819, and for years his energies have been taxed to the utmost by the accumulating business that presses upon him.—*Times.*

REVISING BARRISTERS.—Mr. Mellor, a son of Mr. Justice Mellor, and Mr. Cave, have been appointed revising barristers on the Midland Circuit; Mr. Slade, Mr. Pinder, Mr. Edlin, and Mr. Prideaux, have been appointed revising barristers on the Western Circuit.

THE LATE MR. JUSTICE HALIBURTON.—The death of this worthy man and generous humourist was almost sudden at last, though he had been ailing all the summer, at least it came suddenly upon those dearest to him, though foreseen, apparently, by every one else. He had come down stairs and had been wheeled round the lawn, and then gradually grew dull, and did not answer when Mrs. Haliburton and his son spoke to him; after a pause he feebly told them to send for the doctor. They carried him to his room, and in the act of trying to get on his bed he expired. He was greatly esteemed and beloved by all who knew him well, and his loss will be keenly felt.

TRIAL BY JURY.—During a conversation which took place between the judge and the jury in the libel case of the *Rev. James Kelly* v. *The Editor of the Liverpool Mail*, the judge, on finding that the jury could not agree, expressed his unwillingness to lock them up after the inordinate time which had been spent in trying the case. The foreman thanked the judge for his sympathy, and observed, "We will retire and smoke another cigar over it, and we shall probably by that time have agreed." The judge replied, "I am not quite sure that that is allowable; though it is not meat and drink, it certainly is fire." Nevertheless the jury retired and lit their cigars, and so soothing was the effect that before they had finished them they had agreed on a verdict of "one farthing damages."

A SCOTCH JOB.—It is very seldom nowadays that we hear of a downright good job, an unblushing bit of nepotism of the old school. But if the Scotch papers may be believed the Lord Advocate is determined that practices of the kind shall not go out so long as he can help it. He has just made a son of his, who was only called to the Bar in 1863, Advocate-Deputy, over the heads of the whole profession, old and young. As an Advocate-Deputy performs the duties of public prosecutor, the appointment is one of some importance, and demands in its holder superior sagacity and considerable experience. But Mr. H. J. Moncreiff is young and unknown, and has no claim whatever to the promotion. Jobs like this are severely felt by the Scottish Bar, which is crowded more than ever now that it has ceased to be an aristocratic profession, and which suffers from a decrease of business caused by the growing dislike of the Scotch to the tediousness of the operations of the Court of Session. The bulk of the Scotch Bar now look to such places as that in question and the sheriffships for their provision in life, and it is very hard when they are snapped up by young gentlemen of influence who have just left school.—*Pall-Mall Gazette.*

MAGISTRATE AND PARISH LAWYER.

CAPITAL PUNISHMENT IN 1864.

The number of persons sentenced to death last year was thirty-two. In nineteen of the cases the convicts were executed; in the remaining thirteen cases the capital sentence was commuted to penal servitude.

The following are the particulars, as given in the official judicial statistics, of the cases of those who were executed in 1864:—Bucks—William John Stevens, aged twenty-four; murder, apparently through jealousy, of a girl to whom he was attached; he cut her throat, and afterwards his own, but not effectually. Essex—Francis Wane or Toddy, aged forty-four, labourer; murder, by cutting her throat, of a woman with whom he had cohabited, and who left him on account of his ill-treatment of her, and engaged herself to marry another man. Gloucester—Lewis Gough, aged fifty-five, labourer; murder, by striking her with a hammer and afterwards cutting her throat, of a blind woman, with whom he was on intimate terms, and who he thought encouraged another man. Hereford—Thomas Watkins, aged twenty-seven; beat out the brains of his wife with a stick, because she had appeared against him before the guardians of the poor. Liverpool—James Clitheroe, aged thirty-two; a married man; cut the throat of a woman with whom he intrigued. Henry Brown, aged thirty-two; murder (with Thomas Lindon, sentenced to penal servitude for life) of a man with whom they had quarrelled; Brown thrust a pistol into his eye. Central Criminal Court—John Lyons, aged twenty-two; Francisco Blanco, aged twenty-three; Ambrosio or Mauricio Durranna, aged twenty-five; Marcus or Walter Vartos, aged twenty-three; Miguel Lopez, aged twenty-two. These five men were seamen on board the merchant ship *Flowery Land*, and were tried and executed in London, for the murder (assisted by others), when in a state of mutiny, of the captain of the ship. John Devine, aged twenty-one, a poor hanger-on at public-houses and in the streets; he murdered a man, by fracturing his skull with an iron bar, for the sake of robbing him. Frederick Charles Bricknell, aged twenty-three, a waiter at an inn; through jealousy, he stabbed to the heart the barmaid, with whom he was in love. Franz Müller, aged twenty-three, a German, a tailor; he murdered in a railway carriage a fellow passenger, whom he robbed. Notts—Richard Parker, aged twenty-nine, a butcher; when drunk he quarrelled with his parents, and shot them both; his mother died of her wound. Stafford—Charles Brough, aged twenty-four; he murdered an old man, whose house he entered in the evening; plea, that he was labouring under disease and morbid depression of mind. Stafford—Richard Hall, aged thirty; murder, assisted by the woman with whom he was cohabiting, of his illegitimate child, by strangling it. Yorkshire—Joseph Myers, aged forty-three, a sawgrinder; murder of his wife by stabbing her with a pair of scissors, after a trifling quarrel. Yorkshire—James Sargisson, aged twenty, labourer; murder of a man whom he robbed. He alleged that another person was the principal in the murder.

The thirteen cases in which the sentences were commuted were as follow:—Cheshire—Salone Marsh, aged forty, a married woman, who had deserted her husband; murder, by throwing it into a canal, of her infant, born of another father. Liverpool—Thomas Lindon, aged twenty-seven; murder (with Henry Brown) of a man with whom they had quarrelled; Lindon kicked and struck him. Ellis Green, aged forty-six, labourer; murder, when in a drunken passion, of his wife's sister, by beating her with brutal violence. Central Criminal Court—Basilio de los Santos, aged twenty-two, and Marcolino, aged thirty-two, seamen on board the ship *Flowery Land*; murder (with others), when in a state of mutiny, of the captain, &c. Mary Hartley, or Annie Bowen, aged twenty-nine; murder of her child. Somerset—John Allen, aged fifty-two, labourer; murder of his wife by cutting her throat, apparently in consequence of jealousy, and a threat on her part to leave him. Stafford—Cecilia Baker, aged thirty; found guilty with Richard Hall, with whom she was cohabiting, of the murder of his illegitimate child; she caught the child when it ran away from its father, and brought it back to him; she was respited on account of pregnancy, and her sentence was commuted. Warwick—Ann Eastwell, aged twenty-one; murder of her new-born child by cutting its throat. George Hall, aged twenty-two; murder, by shooting her, of his wife, who had left him for a trifling cause; she appeared to have been unfaithful to him. Worcester—John Butler, aged sixty-two, a canal lock-keeper; murder of his housekeeper, whom he had turned out of doors; on her venturing to return, he killed her and threw her into the canal. York—Alice Wilson, aged twenty-five; a married woman who had deserted her husband; she murdered, by drowning it, her infant born of another father. Pembroke—Mary Prout, aged twenty-two; a poor half-witted girl; she murdered her infant by throwing it into a pit.

THE CATTLE DISEASE.

The following letter, relating to the conveyance of diseased cattle, has been addressed to the traffic manager of the London and South-Western Railway by the Clerk of the Council:

"Privy Council-office, Whitehall, Aug. 30.

"Sir,—In my letter to you of the 19th inst. I mentioned that a case was being prepared, to be submitted to the law officers of the Crown, asking this question—'Whether the knowingly bringing of cattle suffering under an infectious disease on a railway, so as to bring them in contact with other cattle, is an offence at common law?'

"The law officers have given as their opinion, 'That a person who knowingly puts cattle suffering from an infectious disease upon a railway, so as to bring them into contact with other cattle, and thus propagate the disease, is guilty of an offence at common law.'

"The Lords of the Council, however, thought it right, in the general clause, No. 8, in their last Order (which has been transmitted to your board) respecting the conveyance of any animal labouring under the disease commonly known as the cattle plague, to declare that it shall not be lawful to send or carry by any railway any such animal.

"The advantage of this clause in the Order is that a summary proceeding may for a breach of its provisions be adopted without necessarily having recourse to the expensive and often tedious process of an indictment. The more severe punishment which the latter course might involve may probably be reserved for those cases where the offence is of an aggravated nature.—I am, Sir, your obedient servant,

"ARTHUR HILLS.

"Mr. Archibald Scott, London and South-Western Railway, Waterloo-station."

THE BEER ACT.

At the Erdington Police Court, recently, before Messrs. T. COLMORE and T. LLOYD, a case was heard which bears materially upon the working of the beer trade. Mr. John Kaye, grocer, of Parklane, Aston, was summoned, charged with keeping his house open for the sale of beer during prohibited hours.

Suckling appeared on behalf of the licensed victuallers of Aston Manor.

Fitter appeared for the defendant.

The information was laid by Police-sergeant Waldron, who stated that at twelve o'clock on Saturday evening, June 17, he saw two quarts of ale purchased at the defendant's house.

Suckling, in opening the case, characterised it as a most important one, in reference to the beer trade. The facts of the case, he said, were these: The defendant, who is a grocer, in order to increase his profits, set up a tap in his shop, and took out a licence as a wholesale dealer in beer. He afterwards took up a second licence, allowing him to become a retail dealer, and he commenced the practice complained of. By virtue of his wholesale licence, he kept his house open long after the beershops in the neighbourhood had closed. These licences were taken out under the 26 & 27 Vict. c. 61, but he argued that that law must be read in conjunction with the 3 & 4 Vict., which arranged for the closing of beerhouses, and in that case the defendant was liable to a fine.

Fitter said the Act of 26 & 27 Vict. was one of those ingenious efforts of the Chancellor of the Exchequer to increase the revenue. The wholesale licence, which cost 3*l.* 6*s.* 1½*d.*, allowed a man to sell 4½ gallons, or one dozen quart bottles of ale. The retail licence, which cost 1*l.* 1*s.*, was adapted to those people whom it suited to keep their shop open for a number of hours beyond the ordinary closing times. But he contended that, as the two licences, when applied for at the same time, were drawn up on one piece of paper, and certified that the holder was allowed to sell 4½ gallons in any manner, the defendant had a perfect right to sell retail at any time, providing it was not drank on the premises.

Mr. COLMORE, in reviewing the case, said he and Mr. Lloyd were perfectly agreed as to the course they were about to pursue. He could not imagine that the Legislature would allow such a state of things to proceed as Mr. Fitter had put to them; it would entirely revolutionise the beer trade. They therefore agreed with Mr. Suckling that the Act (26 & 27 Vict.) under which the defendant's licences had been taken out, should be read in conjunction with the 3 & 4 Vict. They felt inclined to deal leniently with the defendant, and should fine him 1*s.* and costs.

Suckling thanked the magistrates, and stated that his object was not to obtain a heavy fine.

The Magistrates intimated that they should be happy to grant a case for a higher court.

CRIME AND PUNISHMENT.—To those who look through the police reports it must often occur that our system of punishing crimes is becoming puerile. We place ourselves so entirely in the position of the criminal as to imagine that the sentence passed upon him will have precisely the same effect as if it were passed upon ourselves. We forget that an essentially brutal nature cannot be impressed by the same

hopes and fears as those which affect the more refined and intelligent. Hence we have come almost to banish from our laws those punishments which above all others are calculated to control the passions of those degraded men who are in many respects of a lower race than the brutes themselves. To take an instance only a day or two old. A decent servant-girl, quietly going back to the house of her mistress in Spring-gardens, was suddenly seized by the throat by a scoundrel in St. James's-park, who knocked her down, tore her ear asunder, and robbed her of her watch. Nobody was near but a boy, who gave chase to the thief, until first one policeman and then another came up and the man was secured. Now, is it likely that penal servitude and hard labour are the punishment which brutes like this fellow feel most? Of course they do not like imprisonment and enforced work, but they would like less a species of suffering more nearly corresponding to the nature of the offence. The nearer a criminal approaches to a mere animal the more should he be punished as an animal. The scoundrel who half strangled and beat the girl in order to get her watch is not merely a thief. He is a brute as well as a thief, and he ought to be recompensed in his double capacity. Imprisonment and hard work are the fit reward for his thieving, but a few sharp scourgings are the only fit reward for his brutality. We want no recurrence to our old bloody code for the punishment of dishonesty. But we do want a system which shall not confound all offences under one common head, and merely sentence the criminal to more or less of the same treatment, whatever the nature of his offence.—*Pall-Mall Gazette.*

MEDICAL EVIDENCE.—Dr. Symonds, of Clifton, is very eloquent on the anomalies of medical evidence. It is hard on the doctor to have to speak without notice on a point to which, perhaps, he has paid no attention for years, in answer to questions put by persons to whom the subject is new, and in the hearing and for the benefit of those who have no scientific knowledge of the subject at all. Moreover, he must lay aside the language in which his professional ideas most naturally flow, and talk plain English, "losing thereby" (says Dr. Symonds) "both force and accuracy," and provoking junior counsel to ply him with ironical requests that he will for the time disincumber himself of his superfluous learning, and give a plain answer to a plain question. Then, again, there is the risk to his professional reputation from the attacks of some reckless advocate; and lastly, there is the miserably insufficient remuneration for inconvenience and loss of time. The doctor gets no more for his professional evidence than he would for testifying that he saw so-and-so stealing stakes out of a fence. A hospital surgeon, engaged almost daily with a crowd of gratis patients, may be summoned twenty or thirty miles from them and kept away two days to help a jury to decide whether a man in the said hospital died from a blow or from long-standing habits of drunkenness. Doctors are, it is true, exempted from serving on juries, and from filling certain other offices, but so are lawyers; yet they do not, on that ground, lower their fees. Conflicting medical evidence is an evil; it brings down the prestige of the profession. Very unfair, again, is the treatment of doctors in cases of lunacy; a man gives a certificate conscientiously to the best of his belief; why should he be liable to be attacked for doing so any more than for having given a prescription to a patient who dies under his hands? For all these evils Dr. Symonds' remedy is the appointment of State doctors to do it all themselves, or at least to advise and help the ordinary practitioner in all his forensic work. Such doctors would cost something; but the public, as well as the profession, would reap a more than compensating advantage from their appointment.—*Pall-Mall Gazette.*

THE PUNISHMENTS OF SOLDIERS.—Much ignorance prevails as to the punishments inflicted on soldiers, and the mode in which military law is administered. The murder of Major de Vere has revealed in unexpected quarters the existence of an idea that any officer can order any soldier to be flogged at a moment's notice, and that for trivial offences the obsolete tortures of the picket and the wooden saddle are resorted to. It is true that these erroneous impressions would be at once dispelled by a reference to "The Queen's Regulations," but this book does not usually form part of an ordinary gentleman's library, and its contents are not attractive to the general reader. Powers of dealing summarily with small offences are given to officers commanding regiments, but they cannot order one single stripe of corporal punishment. In order to give the commanding officer the power of managing his six or seven hundred men, four weapons are placed in his hands; he can stop a man's pay (who has been absent without leave) for five days; he can imprison him with hard labour for seven; send him to drill for fourteen; and keep him in prison for seven days more. Any soldier can appeal to a court-martial against deprivation of pay, but on all other subjects the lieutenant-colonel's decision is final. Men are seldom imprisoned except for riotous behaviour or insubordinate conduct, but when they are so treated the punishment is marked upon them for some days by the close shearing of their locks, a disgrace by which even the most hardened are affected. In former times the powers of lieutenant-colonels were much more extensive, and there were officers who, according to the phraseology of their biographers, made their regiments hells upon earth; but these heroes are almost quite extinct. Although reference has been made to the Queen's Regulations, the true authority for the imprisonment of soldiers is derived from the Mutiny Act passed annually by Parliament. The section in which the awards for specific offences may be seen is headed "Crimes and Punishments.—1st, Divine Service;" leaving the intelligent reader to draw his own conclusions as to whether this is a crime or a punishment; and in this the minutest directions are given for the guidance of members of courts-martial.—*Pall-Mall Gazette.*

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

RAILWAY LAW.—A railway company, whose line was about to cross a lake, during the negotiations for purchase served a notice on the the adjacent landowner to treat for a piece of land within the limits of deviation on the plans, the company intending again to convey the piece of land to the owner of the lake, as it would be convenient to him as a landing-place for boats, &c. The Court granted a perpetual injunction to restrain the company from taking it: (*Vane* v. *The Cockermouth, &c., Railway Company*, 12 L. T. Rep. N. S. 821 V. C. K.)

WINDING-UP—PETITION—SERVICE. — Where a company had ceased to carry on business, and had no registered offices, the Court ordered service of the petition on the subscribers to the memorandum of association, who had acted as directors, and also upon a few of the principal shareholders: (*Re Inventors' Association*, 12 L. T. Rep. N. S. 840. V. C. K.)

By a peremptory order of the Master of the Rolls, the Strand Music-hall is to be sold by public auction on the 27th Sept.

In the Manchester County Court, last week, an action was brought by a fruit dealer named Moss, in Smithfield Market, Manchester, against the London and North-Western Railway. Mr. Woolley appeared for the company. The plaintiff had a box of pineapples consigned to him from London, and they should have been delivered to him at half-past five o'clock the next morning; but they did not come to hand till after eleven o'clock. He could not find a market for them, and had lost 1*l.* 15*s.*, as the sale of the fruit which he now claimed to recover. It was submitted that there had been no undue delay; and a parcel clerk, named J. W. Parker, proved that it was not customary to send out goods that arrived after six o'clock at night until the next morning; but if this package had been marked as containing perishable goods it would have been sent out with the other market stuff at an early hour.—His Honour gave judgment for the defendants.

RAILWAY LIABILITIES.—One of the oddest ideas prevalent among ordinary Englishmen is that a man may advertise himself out of his legal responsibilities. There is scarcely a railway or steam-packet company in the country which does not advertise that it will not be responsible for this, that, and the other thing on which its liability has been fixed by law. On Wednesday a commercial traveller brought an action in the Bloomsbury County Court against the North-Western for detaining him contrary to the stipulation in their time-tables. It was proved that the delay had been wilful, to allow an excursion train to pass, but the company pleaded that they expressly stipulated that they would not guarantee punctuality. Consequently they were, as they thought, at liberty to advertise one hour of arrival, and then change it for their own convenience to another without any risk of penalties. Mr. Lefroy, however, decided that their advertisement protected them only when the cause of detention was beyond their own control, and the jury gave the plaintiff two-thirds of his demand. It is just the same with parcels. The railways, as common carriers, are liable for all luggage they take charge of, and always plead that they have advertised themselves out of that liability.—*Pall-Mall Gazette.*

SOUTH DEVON SLATE AND SLAB COMPANY (LIMITED).—From the proceedings at the general meeting of this company it appears that Mr. Evan Hopkins has inspected the recently-discovered veins of slate on the company's land, and pronounces them to be of the finest quality, and almost inexhaustible in quantity. He states that it will be a highly-remunerative investment, and recommends the vigorous prosecution of the works, so as to bring the contents to the market as speedily as possible. For this purpose the directors have resolved to issue the remaining reserved shares of 5*l.* each at par, to be paid either by 1*l.* every three months, or in full, at the option of the shareholder. If in full, dividends will be paid on all. Only 750 shares remain to be allotted. A dividend of 7½ per cent. was declared, the chairman stating that he had no doubt, from the assurances given him privately by Mr. Hopkins, that this would be the smallest dividend they would ever receive. Mr. Hopkins says that in the course of their lease of twenty-one years the company ought to extract a million's worth of slate from the beds before them, from which they ought to derive a clear divisible profit of 500,000*l.*, or fifteen times their capital—that is to say, every 5*l.* share should produce to the shareholder 75*l.* For the reports of Mr. Hopkins and the directors application is to be made to the secretary, Mr. H. Cox, 546, Strand

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

MEANING OF THE TERM "APOTHECARY."—By indenture B. covenanted to teach C. the art and mystery of an apothecary. At the time of making the indenture B. kept a shop, making up his own prescriptions and those of other medical men. B. afterwards closed his shop and confined his business to that of a general practitioner, making up his own prescriptions, but not those of other medical men. This was held not to disqualify B. from teaching C. the art and mystery of an apothecary, and that it was not a breach of the covenant: (*Batty* v. *Mosh*, 12 L. T. Rep. N. S. 832, Ir. C. P.)

PATENT LAW.—An original specification was utterly bad and void in law as containing no sufficient and correct description of any useful or valuable invention. By his disclaimer the patentee altered the specification in a material form. He was held in doing so to have transgressed the limits of the authority or license given to a patentee by the statute with respect to disclaimers. How far it might be done, and the principle on which the statute is framed, was thus stated in the judgment of Lord Westbury:

The object of the Act authorising disclaimers was plainly this: that when you have, in your specification, a sufficient and good description of a useful invention, but that description is imperilled or hazarded by something being annexed to it which is capable of being severed, leaving the original description in its integrity good and sufficient without the necessity of addition, then you might, by the operation of a disclaimer, lop off the vicious matter and leave the original invention, as described in the specification, untainted and uninjured by that vicious excess. But it was never intended that you should convert a bad specification in the sense of its containing no description of any useful invention at all into a good specification by adding words that would convert what has been properly called in the court below a barren and unprofitable generality into a specific and definite and practical description. It is quite clear that if that could be done, you have an opportunity of introducing into a bad patent which contained no useful invention whatever some discovery that might be developed by further experiment, and which was altogether unknown at the time of the original specification, and not at all included in the description contained in it. But a further observation occurs upon this, that not only was it never intended by the statute that the patentee should take advantage of it for the purpose of converting a bad description into a good description in the sense, that when the original description was wholly bad and contained no new invention, it should be converted into a description containing a good invention; but the statute never contemplated that a patentee should have the power under the form of a disclaimer of making material additions to the original specification, so as by the aid of the corrected form of words and the additions so made to introduce into the specification an accurate and perfect description of an invention which you seek for in vain in the original specification. But that is exactly what this patentee has done, for after converting his general and unpractical description into a specific and definite description he goes on in the latter part of his specification to introduce this most extraordinary and most important addition. He says if the grooves, flutes, or indentations around the roller are as numerous as the warp threads in the fabric to be operated upon, or nearly so, or if the fabric has already passed through between the roller and the bowl, and the fabric has slight transverse motions given to it when fed into the machine, an indefinite number of watering patterns may be given to the fabric at one operation or passage. And then he goes on to describe the way in which the peculiar watery effect which is called in the trade by the name of moire antique may be produced. It would be impossible, therefore, for any one to say, "I find the original description that which is now brought out and accurately expressed in the amended specification." Unless that could be done the limits given by the statute would, I submit to your Lordships, be clearly transgressed. If that be so, your Lordships, I think, will have no difficulty whatever in concurring with the court below in their conclusion that this is an extravagant use of the power of disclaimer and much beyond the license or authority which consists only the power of rejecting. It may sometimes happen that when something is cut out some few slight additions may be required to render intelligible that which remains, and to that extent there would be authority by the statute to make a slight addition; but certainly there is no authority to alter a barren generality into a specific practical description, or to convert that which upon the description is not applicable to any one object

form into a description applicable to a specific and definite mode of proceeding.
(*Ralston* v. *Smith*, 13 L. T. Rep. N. S. 1, H. of L.)

STATUTE OF FRAUDS—AGREEMENT FOR A LEASE.—B. having agreed by parol to grant a lease to C., the lease as agreed upon was engrossed. B. was afterwards induced not to grant it, and his agent wrote to C. informing him "that B. had gone away without executing the lease," and that the matter must stand over. In another letter the agent wrote declining to carry out "the agreement to grant a lease which your client alleges he has entered into." The answer admitted the parol agreement, and the engrossment of the lease, but pleaded the Statute of Frauds. It was held that neither the expressions used in the letters of the agent, nor the answer in the suit, constituted a memorandum of the contract in writing under the Statute of Frauds: (*Jackson* v. *Oglander*, 13 L. T. Rep. N. S. 16. V.C. W.)

MARITIME LAW.

NOTES OF NEW DECISIONS.

DAMAGE — SAILING REGULATIONS. — Though Her Majesty's vessels are exempt from compliance with the new sailing regulations (issued in pursuance of Merchant Shipping Act Amendment Act 1862), yet, by order of the Board of Admiralty, instructions precisely in accordance with such regulations are issued to persons in charge of Her Majesty's vessels: (*H. M. S. Supply*, 12 L. T. Rep. N. S. 799. Dr. Lushington.)

SHIP—TONNAGE.—It is enacted by sect. 23 of the M. S. A. 1854 that, in estimating the register tonnage of ships requiring propelling power, allowance shall be made for engine-room, and it divides such ships into two classes, prescribing certain allowances for each class, and laying down certain rules for the measurement of the engine-room. Sect. 29 entitles the Commissioners of Customs, with the sanction of the Treasury, from time to time to modify and alter the "tonnage" rules prescribed by the Act. The Commissioners of Customs did, in fact, with the sanction of the Treasury, in 1860 issue new tonnage rules, which abolished this distinction between the two classes of vessels, and laid down new uniform rules for the measurement of the engine-room in all ships. It was held that these rules were made *ultra vires*, and that the commissioners had no power to abolish the distinction between the classes of vessels or the allowances to be made to each class, but only to alter the tonnage rules respecting the mode of measuring the space actually occupied by the engine-room: (*City of Dublin Steam Packet Company* v. *Thompson*, 12 L. T. Rep. N. S. 849. C. P.)

SALE OF SHIP BY MASTER.—The necessity which gives the master an implied authority to sell his vessel abroad must be created by and depend upon the particular circumstances of each case. Where the vessel was at the Cape of Good Hope, and in need of extensive repairs, the master had no credit, and the ship's agent there had a claim of 300*l.* against her and threatened an arrest, and the master was unable to repair her, even temporarily, so as to bring her to England, and the delay of three months necessary to communicate with the owner would have been prejudicial to her, the master was held justifiably to have sold her at the Cape: (*The Victor*, 13 L. T. Rep. N. S. 21. Adm. Ct.)

WAGES.—In a suit for wages between an owner and the master, who is also a part owner, the court can take no cognisance of a claim by the master to an equitable share in the vessel: (*The D. Jex*, 13 L. T. Rep. N. S. 22. Adm. Ct.)

REPAIRS.—Where a ship required repairs abroad, and the captain received a letter of credit from the owners for an amount more than sufficient to cover the necessary repairs, ordered the repairs on the faith of such letter, and subsequently so expended the proceeds of the letter of credit as not to leave sufficient to satisfy the claim for the repairs so executed, the captain was held to be personally responsible for the deficiency, and was committed to prison in default: (*Passmore* v. *The Calcutta Docking Company*, 13 L. T. Rep. N. S. 23. Sir B. Peacock.)

LAW STUDENTS' JOURNAL.

Correspondence.

PRELIMINARY EXAMINATION.—The preliminary questions of the final examinations are not upon any branch of the law, but (like those of the intermediate) bear generally upon the candidate and his service. The following, which were the questions put at the final examination in Hilary Term 1864, will give "Articulus" the best idea of their character:

1. What is now your age?
2. Where and with whom did you serve your clerkship?
3. State what particular branch or branches of the law you have principally applied yourself during your clerkship.
4. Mention some of the principal law books which you have read and studied.
5. Have you attended any, and what, law lectures?

J. T. I.

["W. D. M." writes to the same effect, and adds "The same questions are asked every term."—ED.]

HONOUR EXAMINATIONS.—In case any marks of honorary distinction are conferred (as, doubtless, they ought to be), it would be an exceedingly great hardship upon those gentlemen who, like myself, have already secured legal honours, to be compelled to again enter the lists as competitors. For instance, I could not do so myself on account of the onerous and anxious duties of my practice. It is now over five years since I passed my examination and was admitted as an attorney, and, having a large practice requiring almost constant personal attention and supervision, I could not possibly find time to do as I did for more than three years prior to my examination, viz., read legal works for eight hours of the day and night (to the exclusion of any standard books of literature), and also work at the office for a similar number of hours. I must, therefore, enter my protest, most strongly, against the injustice of any marks of distinction being made prospective without their being restrospective also.

A CLEMENT'S INN PRIZEMAN.

COUNTY COURTS.

LIVERPOOL COUNTY COURT.

Tuesday, Aug. 29.

(Before Mr. Serjeant WHEELER.)

CARAHER *v.* TREACY.

Friendly society—Jurisdiction—Attachment.

The County Courts have jurisdiction to take an account of moneys alleged to be due to a friendly society, to make an order for payment thereof, and to enforce such order by attachment.

Proof, that, after the date limited for payment, such payment had been demanded and refused, as required by the common law courts, is not necessary in the County Court, the jurisdiction in the case of friendly societies being an equitable jurisdiction, and to be therefore governed by the practice of the Court of Chancery.

The facts are sufficiently stated in the following judgment.

Yates for the plaintiff.

Nordon for the defendant.

His HONOUR said:—This is a rule *nisi* calling upon the defendant, John Treacy, to show cause why an attachment should not issue against him for contempt in not having paid the sum of 7477*l.* 14*s.* 6*d.*, pursuant to the order of this court, dated the 10th May last. The rule was resisted by Mr. Nordon, on behalf of the defendant, in a very lengthened argument, the essential points of which may be thus epitomised:—Firstly, he says that the court has not jurisdiction to take an account of the moneys with which the defendant is chargeable, or, as a consequence, to make an order for their payment. Secondly, that if there be jurisdiction in these respects the account has not been duly taken, and that, therefore, no order of payment founded upon it can properly be made. Thirdly, that, if these objections fail, the order is in form invalid by reason of its directing payment to the receiver, who is a stranger to the suit. Fourthly, that, if the order be valid both in fact and in form, this court has no power to enforce it by attachment. Fifthly, that, if there be such power of attachment, the plaintiff is not entitled to ask for its exercise, because the rule *nisi* was granted on defective materials, inasmuch as the court had only evidence before it of the due service of the rule, and that the money had not been paid, whereas there ought, in addition, to have been proof, as in a common law court, that, after the date limited for payment of the money, its payment had been demanded and refused. I shall glance at the several objections in their order. As to the first and second, it may be remarked that the equitable jurisdiction conferred upon County Courts in the case of friendly societies takes its date from the year 1855, and has relation, as it appears to me, to that class of cases which may be said to fall within the description of internal disputes. The authority of those courts does not, in my view, extend to questions distinct from membership or to dealings and transactions external to the society as a friendly society. With regard to the provisions of the Act creating this jurisdiction, Cockburn, C.J. says, "I cannot conceive what language could give more extensive powers." And Byles, J. remarks that "it is impossible to conceive clearer terms giving the County Court all the remedial powers possessed by the Court of Chancery." Of course, these expressions do not define the cases in which the County Court has jurisdiction, but merely explanatory of the extent of its powers where such jurisdiction exists. This cause appears to me to be within my cognisance, because, if not in all that has been asked, certainly in all that has been granted, the court has dealt exclusively with matters between the plaintiff as a member and the society, and having strict and close connection with its internal management. And although it may be said that the plaintiff is seeking a remedy for grievances which, if they exist, are not peculiarly or exclusively his, and for which, therefore, he alone cannot sue, it must be remembered that, in transferring to this court powers which theretofore belonged entirely to the Court of Chancery, the Legislature has not obstructed their exercise by the interposition of technical rules or formal difficulties, but has provided that, instead of its being necessary as in Chancery in such suit it would be that all the members, except those inculpated, should be represented as plaintiffs, redress may be had in this court at the instance of "any party interested in the matter." If, then, I am right in the view that I have jurisdiction, and that its exercise may be asked at the instance of the plaintiff as a party interested, it follows that whatever account the Court of Chancery might have taken, or whatever orders it might have made in the matter, it is competent to this court now to make. No question can, I think, exist as to the power of the Court of Chancery both to do what this court has done, and to do it in the way in which this court has done it—namely, to take the defendant's books, as kept by himself or under his directions, and debiting him with the money therein stated to have been received, and crediting him with all the money which is there set down as having been expended or disposed of, call upon him to account for, in other words discharge himself from, the balance. A grave question might, perhaps, be raised whether, in thus admitting without further evidence than the entries themselves, every payment alleged to have been made and every credit of which the benefit is claimed, this court has not taken too favourable a course for the defendant. But, under the circumstances, it appeared to be expedient, as a means of bringing the case within moderate limits, to adopt the defendant's books as the basis and limit of his accountability, and certainly he has no ground to object to that course of proceeding. Under these circumstances I see no reason to doubt that it is my duty to adopt the account as thus taken and to support the order which results from it, and in this view the defendant's first and second objections are disposed of. As to the third objection it appears to me that the receiver is for the purposes of this suit an officer of the court, and therefore that the order may properly direct payment to be made to him. The fourth objection is, that this court has no power to issue an attachment in the case—in other words, that it is powerless to enforce its orders—a conclusion which would in effect defeat the Act of Parliament creating jurisdiction, and make the proceedings a solemn absurdity. There are in the Act two sections under which power is given to County Courts in these cases, namely, the 41st and 42nd. It is true that the Legislature has not accompanied the conferring of the new jurisdiction with express authority to attach for disobedience of orders made in pursuance of it, but it appears to me that the grant of jurisdiction carries with it, as a necessary and inseparable consequence, the powers incident to its exercise. There is high authority for this view. Mr. Justice Willes, in the case of *Hoey* v. *M'Farlane*, 4 C. B. 734, says, "There are ample means for enforcing the orders of the County Court. A power to enforce its orders," adds his Lordship, quoting Viner's Abridgment, "is incident to every court." And in answer to the contention in the same case that the remedies in the exercise of this equitable jurisdiction are limited to those prescribed by the 42nd section, and which are both inadequate and inapplicable in an infinite variety of cases. Mr. Justice Byles observes that the 42nd section in no way controls the 41st, and that the powers given by the 42nd are cumulative upon those of the 41st, thus vesting in the County Courts a jurisdiction which the Court of Chancery does not possess. I come now to the fifth and last objection, in which I thought at first there was much force, namely, that after the time limited by the order for payment there must, as a necessary preliminary to the right to an attachment, be a demand and a refusal of payment. It may be that if I were in this case exercising the power of a common law court, the demand would be necessary as contended for; but my functions are in fact those of the Court of Chancery, and it appears to me that, in administering its remedies, I must, as far as possible, conform to its practice. In

that court, as I am informed, the affidavit of the personal service of the order of payment and of default in payment as directed is sufficient ground for an attachment; and as such evidence would suffice in Chancery, I must hold that it suffices here. But it must not be forgotten that a rule absolute in the first instance has not been sought by the plaintiff, but a rule *nisi* only, calling upon the defendant to show cause why he should not be attached. The defendant has made no answer by evidence or affidavit; he has limited his resistance to the rule to the argument which the ingenuity of his learned advocate has suggested. This last objection must, in my judgment, share the fate of its predecessors. I may say, before I conclude, that I was reminded in the course of the discussion that the orders of this court in these cases are without appeal, and that the fact has been used as an argument against the right of the court to deal with the questions in issue in this suit. It may be that whilst Parliament thought it right to place within reach of the classes constituting these friendly societies a cheap and easy remedy, and to make that remedy final and without appeal, it was not considered likely, or perhaps even possible, that questions involving very serious amounts would fall under the cognisance of the County Courts. But whatever views may have been entertained upon this subject, the plain terms of the Act of Parliament remain, and must determine what the jurisdiction is; nor am I at liberty to fritter away these terms, or to decline to exercise the powers conferred upon me according to my conscientious view of what their true import is, by the mere amount in question, which, after all, may be only a question of figures and not of principle, and may involve no difficulty either of law or of fact. I must, therefore, make the rule for an attachment absolute. But I shall direct the warrant to remain in the office for some reasonable time, to enable the defendant, if he should be so advised, to apply for a prohibition; and this can be done during vacation to a judge at chambers. Probably, in the event of such application, the vacation judge may think it right, as the matter is both new and important, to put it in train for discussion before the judges in Westminster-hall in the ensuing term.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

TRUST-DEED — DUTY AND LIABILITIES OF TRUSTEE.—A trustee under a trust-deed is bound, on the reasonable application of creditors, to give them full information with respect to his receipts and payments under the deed, and if he neglect or refuses, he is liable to be fixed personally with the costs incurred by the creditors in obtaining such information: (*Ex parte White*, 13 L. T. Rep. N. S. 24. Winslow, R.)

LEAVE TO INSTITUTE SUIT.—Before application made for leave to institute proceedings under the B. L. C. A. 1849, s. 133, the court will refuse to entertain an application by a creditor seeking to impose terms on the assignee as to the mode in which he shall proceed, or the risk he shall incur, and the circumstance that the party against whom the proceedings are to be taken happens to be a creditor will make no difference. It is the duty of the court to see that proceedings be not taken without a reasonable probability of success: (*Ex parte Wabasley*, 13 L. T. Rep. N. S. 24. Winslow, R.)

JUDGMENT ON DISCHARGE.—Damages in an action for breach of promise of marriage, although provable under a bankruptcy, do not constitute such a debt as will bring the defendant within the penal operation of sect. 159 of the B. A. 1861: (*Re Billingham*, 13 L. T. Rep. N. S. 25. Abrahall, C.)

CORRESPONDENCE OF THE PROFESSION.

OLDRIEVE *v.* LEWIS.—With reference to your report of this case in last Saturday's paper, an erroneous impression has arisen from the report of my having been clerk in defendant's father's office. It is due to me to say that I was articled to defendant's father, and that I paid him a large premium, and the defendant himself had at one time been clerk also. E. B. OLDRIEVE.

Sept. 2.

ORATORY AT THE PRESENT DAY.—I have often felt surprise at the neglect that is shown at the present day towards the practical study of rhetoric or public speaking. Our English forefathers were never noted for its culture, and we, their children, appear in no way inclined to deviate from their example. The result is natural. We are a race of talkers. Oratory is rare. Glance at the immense mass of speeches at the recent elections. We find there, with rare exceptions, little art, little system. The would-be M. P. rises amidst confusion, says what he has to say with confusion, and sits down confused. His speech has been a talk about things in general, with occasional allusions to politics, and occasional allusions to Joe Miller. If he can extort a few cheers, by any outrage on taste (be it from shoe-black or tailor) he is satisfied, and he placidly congratulates himself on having made a very fair speech. And so it is frequently at the Bar. The *Edinburgh Review*, April 1858, says: "We do not hesitate to say the general character of forensic oratory at the present day is far below what might be expected from the education, the opportunities, and the intellectual vigour of the age." To obviate this admitted evil, and to supply what really is a deficiency, I would suggest that a rhetoric class be formed, under the auspices of the Inns of Court, and an able and experienced Professor (similar to the readers) be appointed to conduct it. Now there is little difference of opinion as to the best mode of forming the taste and character of the future speaker, viz., by the study of the best models, such as Demosthenes and Cicero among the ancients, and Erskine, Brougham, Gladstone, &c., among the moderns. The proposed professor then could afford incalculable benefit and assistance to students by, first, reading and commenting on two or three speeches of each author; secondly, by comparing the styles, defects, beauties, &c. of speaking at different periods; and, thirdly, by minutely pointing out the characteristics of the best speakers at the present day. Men would thus learn what are the true marks of a good speech, and would be able consequently to guard against the evils which careless and uncriticised speaking at debating societies is likely to engender. As to the utility of such a guide Quintilian observes, that his great work (the Institutes) "will be of very little service *without a skilful tutor*;" and again, "though reading furnishes abundant examples for imitation, yet we receive fuller satisfaction from what I may term the living voice." It may be matter of wonder that such a course of lectures as I have proposed has never been attempted. As regards Cicero, the only approach I am aware of is to be found in the law tripos at Cambridge, one of the subjects of which is a speech or two of the Roman orator, regarded as an oratorical and legal production. The evil at our Universities is that Cicero and Demosthenes are studied almost solely with a view to their language and grandeur, as required by the coming examination; their wonderful structure, art, matter, &c. being made but of very secondary consideration. Let me here be not misunderstood. I would by no means confine attention to the ancients—if this were done, I fear the lecturer, like Burke, would soon be left with empty benches; but, by studying and comparing our moderns with them, to elucidate correct rules, &c. Nothing, I am inclined to think, has more dispirited men than the high standard proposed for the student in oratory. Not even the eloquence of a Horace has induced men to be ever fingering night and day the Greek models; and perhaps here I have similarly erred. But although it is absurd to fancy labour can make every one an orator, there is no reason why every member of the Bar should not be able to express himself with correct taste, and to make a speech when occasion requires without violating the first principles of an art which ought certainly to have received from him some consideration. A Mrs. Malaprop is as disagreeable to ladies as a hesitating unskilful speaker is to an audience. A rhetoric class, such as I have proposed, would, I feel assured, diminish the prevalence of such things as "platform fevers," while to judge and jury its indirect benefit needs no further remark. A subject of such importance to the rising generation of barristers, &c. will, I have no doubt, call forth further remark from your correspondents. F. G. L.

Exeter, Sept. 4, 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N. B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee *for bona fides*.

Queries.

COSTS.—Can a solicitor recover his costs from *a defendant* where he has issued a writ under 20*l.*, and within *twenty* miles from where debt contracted and where solicitor practises, the debt being offered (without the costs) within *four days* after service of writ? W. S. O.

NUISANCE.—I should be obliged if any of your readers could refer me to a case relative to a nuisance arising from the crowing of a cock at night, which was decided within the last few years, and could inform me if that judgment has been overruled. S. E. C.

Eastbourne, 1st Sept. 1865.

FORFEITURE.—May I ask, through the medium of your paper, if a boy, under twelve years of age, attempting rape and such like crimes—I say attempting, as I suppose it is physically impossible to commit them at that age—is guilty of felony? Would the property he might then be entitled to, or what he might afterwards inherit, be affected by such an act? What should a guardian or parent of such a boy, knowing such an attempt, do? Would the private punishment be remitted if his parents or guardians became security for his future good conduct? J. H. P.

SOUTHAMPTON.—Can any of your subscribers inform me what constitutes the *county of Southampton*, and whether it is a synonymous term with the county of Hants? The town of Southampton is a county of itself, but I frequently find places situate at a distance of some miles (such as Andover) described as "in the county of Southampton." I have been often rather perplexed in mentioning Hampshire towns in legal documents to know whether they ought to be described as being in the county of Hants or in the county of Southampton. If some one of your numerous readers will give the required information I shall be greatly obliged. A. B. C.

5th Sept. 1865.

Answers.

STAMP—MORTGAGE OF COPYHOLDS.—The stamp on the deed of covenant, in the case named, will be 1*s.* (see schedule to 13 & 14 Vict. c. 97, tit. "Covenant"). The surrender must be stamped with *ad valorem* duty, 1*l.* 7*s.* 6*d.* D. H.

Driffield, 2nd Sept.

— I think the deed of covenant to surrender the copyholds, although it also contains covenants for payment of the mortgage-money, only requires a 1*l.* 1*s.* stamp, and the surrender must be stamped with the *ad valorem* duty payable in respect of the money lent, the receipt for the money being only expressed in the surrender, and not in the deed of covenant. C. A. F.

Sept. 4.

— We lately had a mortgage of copyholds for 200*l.* and feeling some doubt as to the duty required on the deed of covenant, sent same to our agents, and they wrote us as follows: "We took the opinion of the Solicitor of Stamps as to the stamp duty required upon this deed, and he was clear that if the *ad valorem* duty was paid upon the conditional surrender, this deed required a 1*l.* 1*s.* stamp, as a deed for further securing a sum exceeding 100*l.* . . . is something more than a deed of covenant contemplated by 13 & 14 Vict. c. 97." Our deed recited that a surrender had been passed, and then followed with covenants for payment of principal and interest, and for title, power of sale, power of attorney to surrender, &c. A COUNTY FIRM.

MORTGAGE—"J. H. M." is mistaken as to this question. Allow me to refer him to p. 133 of the work where he quotes, where he will find the following passage. "Since this statute (Uses), it has now become further requisite in a feoffment, *either* that there should be a consideration for the gift, *or* that it should be expressed to be made not simply *unto*, but *unto and to the use* of the feoffee."

Rochford. W. G., Jun.

— "Unto," without "to the use of." With all deference to your correspondent of last Saturday's LAW TIMES, I agree with your former correspondents who think that "unto" alone will pass the fee. The Statute of Uses did not, I submit, destroy the effect of a common law assurance. Hayes says distinctly, that neither before nor since the statute is there any magic in the word "use," and, moreover, that with the exception of the word "heirs," no particular form of words is necessary to pass by a deed, *inter vivos*, the fee. Besides, if needful, 8 & 9 Vict. c. 106, s. 2, would, with the Statute of Uses, raise the use to the grantee upon the grant to himself.

Liverpool, Sept. 4. E. W. I.

— The Statute of Uses has no application whatever to the case put by "A. B." in the LAW TIMES of last week. To call that statute into operation one person must be seised *to the use of another*, and then in every case this use is executed, or converted into the legal estate. In the case referred to there is no use *declared*, nor is there any resulting use to the grantor, hence there is nothing on which the Statute of Uses can operate, and the effect of the conveyance is the same as it would have been prior to the statute; i.e. unfettered both the legal and equitable estates are in H. P. But the grantor wished to give H. P. the legal estate, while the equitable estate *was to pass to another*, then it would have been essential to add the words, "to the use of H. P. &c.;" otherwise on the very instant that the legal estate passed to H. P., it would have passed out of him again to the *cestui que use*, *i.e.*; he would have been a mere conduit pipe to convey the legal estate to *cestui que use*.

Driffield, Sept. 2. D. H.

THE LAW LIBRARY.

A Treatise on the West Indian Incumbered Estates Acts, &c. By REGINALD JOHN CUST, Barrister-at-Law, Secretary to the Commission. Second Edition. London: Amer.

In this new edition Mr. Cust has collected all the law on the limited subject of which it treats, including a very valuable series of reports of judgments of the chief commissioner, Mr. Stonor, which were so highly commended by Lord Kingsdown in the Privy Council. Another useful addition is a complete body of forms prepared by the author in the course of his official duties, and which have stood the test of actual work. The appendix preserves some important official documents, such as the circular dispatch of Sir G. C. Lewis relative to the adoption of the Acts by the various colonies; a memorial addressed to the Treasury by a large number of the most eminent solicitors in London relative to the removal of the court from its present inconvenient locality, and a parliamentary return of the business, from the passing of the Amendment Act of 1862 to the 6th April 1864, from

which we learn that, under the provisions of the statutes, twenty-eight estates have been sold, comprising 35,549 acres, and yielding in purchase-money 34,160*l.*, showing an average value of 1*l.* per acre. Besides these, twenty-eight petitions were pending affecting 15,389 acres. The machinery of a judge, of an office, and of law that fills three hundred rather closely printed pages appears to be immensely disproportioned to the results. We should like to know what has been the entire cost, and the percentage of that cost upon the value of the estates that have been disincumbered. To all interested in West Indian property, this volume must be a boon.

BOOKS RECEIVED.

A Manual on the Winding-up of Companies by the Court of Chancery, under the Act and Rules of 1862, with the Industrial and Provident Societies Act 1862, and Forms of Proceedings, Costs, Statutes, and copious Table of Cases. Also containing an introductory Chapter on the Formation, Incorporation, and Registration of Joint-Stock Companies. By JOS. S. TAYLOR, Solicitor. London: Wm. Amer, Lincoln's-inn-gate.

The Vaccination Acts; with Introduction, Notes, Cases, Instructional Circulars, and Index. By DANBY P. FRY, Esq., of Lincoln's-inn, Barrister-at-Law, and of the Poor Law Board. Second edition. London: Knight and Co., Fleet-street.

LEGAL OBITUARY.

NOTE.—This department of the LAW TIMES is contributed by EDWARD WALFORD, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the LAW TIMES Office any dates and materials required for a biographical notice.

ROBERT ROBERTSON, ESQ.

THE late Robert Robertson, Esq., of Trininallan, Stirlingshire, N. B., was the eldest son of the late William Robert Robertson, Esq., of Eyemouth, Berwickshire, by Margaret, daughter of John Jameson, Esq., and grandson of Robert Robertson, Esq., of Prenderguest and Brownsbank, Berwickshire. He was born at Eyemouth in May 1802, and educated at the University of Edinburgh; he was called to the Scottish Bar in 1823, and held for some years the post of Sheriff Substitute of the county of Stirling; he was a magistrate for Stirlingshire. He died at Airfield-house, co. Dublin, the residence of his son-in-law, James Jameson, Esq., on the 25th day of August, and was buried at Stillorgan, co. Dublin, on the 28th August 1865. He married in 1827 Alicia Catherine, eldest daughter of the Rev. Charles Eustace, of Robertstown, co Kildare, by whom he has left a daughter, Alicia, wife of the above J. Jameson, Esq., and an only son, Robert Eustace, Capt. 60th Rifles, who married in 1863 Lady Katharine, fourth daughter of William, late Earl of Dartmouth.

W. H. ADAMS, ESQ.

The late William Henry Adams, Esq., Chief-Justice at Hong Kong, who died at Plas Llynsyn, near Carno, Montgomeryshire, on the 29th ult., was the second son of the late Thomas Adams, Esq., of Normancross, Hants, by Anna Maria, daughter of William Farr, Esq., of Romsey, Hants, and was born at Normancross in 1809. He was called to the Bar at the Middle Temple in 1843, and practised on the Northern Circuit. He was a magistrate and deputy-lieutenant for Lincolnshire, and a magistrate for Boston, of which town he twice filled the office of mayor, and was for several years chairman of the Board of Guardians of the Boston Union. In 1852 he unsuccessfully contested Boston, but in 1857 he was returned as its representative in Parliament without opposition. In politics Mr. Adams was a Liberal-Conservative, and was greatly in favour of a wide extension of education and a thorough revision of the national expenditure. He continued M.P. for Boston until Jan. 1859, when he was appointed Recorder of Derby. In the same year he was appointed Attorney-General at Hong Kong, and in 1860 he was made Chief Justice of that colony. Mr. Adams married in 1852 Anne, daughter of the late T. Walford, Esq., by whom he has left issue William Henry, a captain in the Montgomeryshire Yeomanry Cavalry.

THE HON. MR. JUSTICE HALIBURTON.

The late Thomas Chandler Haliburton, Esq., better known as Mr. Judge Haliburton, or, in literary circles, by his *nom de plume*, "Sam Slick," was the only son of the late Hon. Mr. Justice Haliburton, by Lucy, daughter of Major Grant, and was born at Windsor, Nova Scotia, in 1796. Having been educated at King's College, Windsor, he was called to the colonial Bar in 1818, and subsequently became a member of the House of Assembly. He was appointed Chief Justice of the Common Pleas (Nova Scotia) in 1829, and judge of the Supreme Court in 1840. He came to England in 1842, and in 1858 he received the honorary degree of D.C.L. from the University of Oxford. In 1859 he was elected M.P. for Launceston, which borough he continued to represent, in the Conservative interest, until the dissolution of the late Parliament in July last, when the state of his health induced him to retire. Although Mr. Haliburton was a constant attendant in the House of Commons, he seldom spoke, probably in consequence of the natural weakness of his voice preventing his being distinctly heard, "We need hardly say," therefore, to quote from the notice of him which has appeared in the *Morning Star*, "that Mr. Haliburton was a failure in the House of Commons. Not one man in ten thousand entering it at his time of life, and with his reputation, could have proved anything but a failure and a disappointment. He had no voice; he had no manner; he displayed as a parliamentary speaker none even of that pungency and vigour of expression which some years before had often amused English public dinners. When he did speak (on some question of colonial grievance) he was a dull, maundering, prosy talker. He would have been voted a bore but that he rarely troubled the House, and that the House, moreover, seldom sees a bore in a man of any sort of true native intellect and any fairly earned reputation. Mr. Haliburton was of the most antiquated and obsolete school of politics. He was a Tory, with whom political belief was as a fixed religious faith. In politics he saw literally no salvation outside the pale of toryism. We are not quite certain that he did not in his heart go in for the doctrine of Divine Right. Even the country Conservatives of the House looked with a sort of wonder on this faithful old Tory, for whom every dim ghost of a departed tradition had all the reality of a living and active presence." His earliest literary achievements were a series of very amusing letters which he contributed in 1835 to a weekly newspaper at Halifax, and designed chiefly to exhibit the most peculiar features of the Yankee character. The letters appeared under the title of "Lubrications of Sam Slick, the Clockmaker." They attracted so much attention that they were collected and published in a duodecimo volume, and had an immense circulation, not only in the United States, but also in England, where they were reprinted. After Mr. Haliburton came to reside on this side the Atlantic, he wrote his observations on the aspects of British society, which were published under the title of "The Attaché, or Sam Slick in England." Most Englishmen were at one time much surprised to find that the author of "Sam Slick" was not a Yankee, but a British subject, whose strongest and clearest political feeling was a hatred for all but British institutions. Posterity will only remember him in connection with his immortal extravaganza of Yankee portraiture. Sam Slick is indeed a wonderful piece of work. No American that ever lived did resemble or could possibly have resembled the individual created by Mr. Haliburton. Yet Sam Slick appears to be as life-like, familiar, and natural a character as if one had been in the daily habit of meeting just such men as he. In this respect he is like Sam Weller. His clear, shrewd sense, his observation and his humour, are true and typical; his extravagance and oddities are in their way typical also; and all are blended together into a personage so vivacious, rattling, and easy-going, that he seems to claim our acquaintance the moment he sees us and to remain among our recognised friends ever after. In addition to the two works mentioned above, Mr. Haliburton was also the author of the following: "An Historical and Statistical Account of Nova Scotia," "Bubbles of Canada," "The Letter Bag of the Great Western," "Rule and Misrule of the English in America," "Nature and Human Nature," "Wise Saws," &c. He also edited several other works, including one on the "Settlement of New England." "It cannot be doubted," says the *Morning Star*, "that Mr. Haliburton's shrewd observation and caustic humour rendered good service to the colonists among whom he was born, and for the most part lived. He did his best by sarcasm and by counsel to stir them up to energy and self-reliance. Yet we do not know how he contrived to reconcile himself to the spirit which of late had grown up among them, and which promises to conduct them finally into that independence which he dreaded and those Federal institutions which he detested."

Judge Haliburton died at his residence, Gordon-house, Isleworth, on Sunday, the 27th ult., at the age of sixty-eight years. He had been twice married: first, in 1816, to Louisa, daughter of Capt. Neville, of the 19th Dragoon Guards; and secondly, in 1856, to Sarah Harriet, daughter of W. Mostyn Owen, Esq.

LEGAL NEWS.

DR. COLENSO'S CASE.—We understand that the Archbishops of Canterbury and York, Vice Chancellor Wood, the Chancellor of the Exchequer, Mr. Hubbard, and Archdeacon Hale, who are the defendants to the Bishop of Natal's suit to recover the arrears of his income, have put in their answer, and that the principal grounds upon which they defend themselves for withholding the bishop's income are that the clergy of the colony refuse to obey him; that the bishops at home have prohibited him from officiating in their dioceses; and that the recent decision of the Judicial Committee of the Privy Council has deprived him of all coercive power over his clergy, and also relieved him from all metropolitical jurisdiction and control; consequently that the objects sought by the subscribers to the fund have not been attained. The case will be argued after the long vacation. It will be gathered from the above statement that the substantial line of defence is one equally applicable to all the colonial bishops who have been appointed by letters patent in colonies possessing legislative institutions of their own.

PAUPERISM.—During the thirty years ending 1864 the burden of pauperism seems to have fallen to its lowest point in 1837, when it stood at 4,044,741*l.* From 1834 to 1837 there was a steady reduction in the expenditure for the relief of the poor. Then the tide turned the other way, and in 1843 the aggregate expenditure in respect to pauperism had risen to 5,208,077*l.* In 1844 the expenditure declined, but in 1845 it again rose to 5,059,705*l.* In 1846 there was a slight reduction, but in 1847 the amount rose to 5,298,787*l.*, and in 1848 to 6,180,764*l.* In the next four years there was a gradual reduction, until in 1852 the total had fallen to 4,897,645*l.* Then there was once more a gradual increase, the aggregate having risen in 1856 to 6,044,241*l.* The expenditure of the last few years has been as follows:—1857, 5,808,726*l.*; 1858, 5,878,542*l.*; 1859, 5,558,689*l.*; 1860, 6,454,964*l.*; 1861, 5,778,943*l.*; 1862, 6,077,525*l.*; 1863, 6,527,036*l.*; and 1864, 6,423,785*l.* The worst year of the whole thirty was thus 1864.

DUTIES.—The *Journal de Saone-et-Loire* suggests that the system of stamps for the transmission of letters, which has been found to work so well, might be applied with equal advantage to the carriage of wine. M. de Champvent, vice-president of the Association of Wine-growers at Macon, is said to be preparing a memorial to the Government proposing a complete change in the mode of collecting the duty on fermented liquors. He proposes to replace the various duties at present levied by a single tax, and to attach to every cask a "vinicole" stamp of twenty-five centimes the hectolitre, signed and dated, and that, being so stamped, the cask may be moved from one place to another throughout France. M. Champvent further proposes that brandy, beer, and cider should each have a special stamp, always attached to a conspicuous place, much as parcels sent by railway are marked. This plan, in the author's opinion, would greatly simplify the formalities at present in use, would facilitate the removal of wine and spirits, and would, moreover, lead to a great reduction in charges.—*Times.*

COST OF CRIME IN THE CITY.—The expense of the several prisons of the City, viz., Newgate, Whitecross-street, and Holloway, form no inconsiderable item in the accounts, amounting in the gross to 18,886*l.* 5s. 11*d.* The salaries of the officials are very liberal; for instance, the governor of Newgate has 400*l.* per annum, the ordinary 300*l.*, and the surgeon 250*l.* The wages of the servants for the year are stated to be 1953*l.* 6s. 6*d.*; the total expense of the gaol of Newgate for the year was 5360*l.* 4s. That of the Debtors' Prison, Whitecross-street, was 4796*l.* 0s. 8*d.* The salary of the keeper is 240*l.* per annum; the chaplain (with allowances) 420*l.*; the surgeon 250*l.*; and the servants' wages 225*l.* The cost of the City Prison at Holloway for the year 1864 amounted to no less a sum than 8300*l.* 14s. including the salary of the governor, 500*l.*; the chaplain, 350*l.*; the surgeon, 250*l.*; and wages to servants, 2773*l.* 17s. 2*d.* Large as these sums may appear they do not represent the cost of the administration of justice in the City, for we find that the expenses in respect thereof at the Central Criminal Court and Sessions House, Old Bailey, for the same period, amounted to 8738*l.* 12s. 1*d.* That sum includes 3000*l.* to the Recorder, 1000*l.* to the Common Serjeant, 1543*l.* expenses in relation to evidence and prosecuting felons, and printing and publishing the proceedings, &c.—*City Press.*

WILLS AND BEQUESTS.—The will of Mr. Andrew Robert Drummond, of Cadland, Hants, and of Bryanston-square, was proved in the London court on the 3rd inst., by his sons, Mr. Edgar Atheling Drummond and Mr. Alfred Manners Drummond, the executors. The personal estate was sworn under 70,000*l.* The deceased gentleman was the head of the well-known banking firm of Messrs. Drummond, of Charing-cross. His will is dated 12th April 1858, and one codicil has been added. The testator leaves to his wife, Lady Elizabeth Frederica Drummond, all her jewels and ornaments of the person, and the selection of carriages and horses, also an immediate legacy of 2000*l.*, and such a sum as, with the provision made for her by her marriage-settlement, will make a clear annuity of 2000*l.* Lady Elizabeth is also to have the occupation of the mansion at Cadland for six months from the testator's decease, when she is to have the use of Bourne Hill-cottage, with the furniture and effects therein for her life. The testator makes a provision of 2000*l.* a-year for his eldest son, Andrew John, charged on the real estates, which are devised (subject to the said annuity) to the testator's second son, Edgar Atheling, who is also appointed residuary legatee of the personalty. The testator leaves to each of his two younger sons annuities of 200*l.* a-year during the life of their mother, and a legacy of 3000*l.* each. To his two daughters—Annabella, wife of Mr. A. D. R. W. Baillie Cochrane, and Frederica Maria Adeliza, Countess of Scarborough (who are provided for by their marriage-settlements)—the testator leaves a legacy of 50*l.* each "in remembrance." There are also some specific bequests to relatives and friends, and legacies to the testator's valet, groom, gamekeeper, and other servants, and an annuity to a former gamekeeper.——The will of Robert Ferguson, M.D., F.L.S., Physician Extraordinary to the Queen, of Curzon-street, Mayfair, and of Winkfield, Berks, was proved in London on the 2nd inst., under 9000*l.* personalty. The executors are his relict, Mrs. Mary Lowther Ferguson, Mr. Norman McLeod of McLeod, and Mr. John Moyer Heathcote, jun., of Connington Castle, Peterborough. The will is dated May 12, 1864, and is attested by Charles Frances Hore, 52, Lincoln's-inn-fields, solicitor, and Robert Elliott, butler to Dr. Ferguson. The testator leaves to his wife an immediate legacy of 1000*l.*, together with all his furniture, jewellery, ornaments of the person, plate, and carriages and horses. Dr. Ferguson directs his real estate to be converted into money, and leaves to his wife a life-interest in all his property, the capital passing to his children at the decease of their mother. Should any of them die under twenty-one years of age, the testator directs the income of such part of the capital as may

remain undisposed of, through the death under age of any of his children, to be paid to his three sisters-in-law, Anna Jane, Louisa, and Josephine Labaudiere, and the capital on the decease of the survivor to pass in equal shares to his two nieces, Catherine and Minnie Cary, for their absolute use.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Friday, Aug. 25.

By Messrs. RUSHWORTH, JARVIS and ABBOTT, at Garraway's.—Leasehold messuages or houses with shops, being Nos. 8, 9, and 10, Great Chapel-street, Westminster; estimated annual value 200*l.*; term 40 years from 1850; ground-rent 2*l.* per annum—sold for 1420*l.*

Monday, Aug. 28.

By Messrs. BEADEL, at the Guildhall Hotel.—Several freehold plots of building land, fronting Old Ford-road, Lefevre-road, and Trafalgar-road, Bow—sold from 80*l.* to 130*l.* per lot.

By Mr. WHITTINGHAM, at the London Tavern.—Freehold building land, having frontages to the Lea Bridge-road, Walthamstow, Essex. lot 43 sold for 128*l.*; lot 44—134*l.*; lots 45 to 47—62*l.* each; lot 48—60*l.*; lots 49 to 56—62*l.* each; lots 57 to 59—60*l.* each; lot 60—90*l.*; lot 61—50*l.*; lots 63 and 64—44*l.* each; lots 65 and 66—50*l.* each; lot 67—74*l.*; lot 68—120*l.*; lot 69—52*l.*; lots 70 to 72—50*l.* each; lot 73—65*l.*; lot 74—173*l.*; lots 75 to 77—100*l.* each.

Thursday, Aug. 31.

By Messrs. BEADEL, at the Guildhall Hotel.—Copyhold hotel, known as the Swan, High-street, Stratford—sold for 5000*l.* Copyhold farm, known as Hunts Hill, in the parish of Orsett, Essex, comprising dwelling-house, buildings, and about 89 acres of arable and pasture land—sold for 1440*l.*

Monday, Sept. 4.

By Mr. WHITTINGHAM, at the Guildhall Coffee-house.—Freehold building land, situate on the New-road leading from Haydon's-lane, Merton, Surrey—sold from 29*l.* to to 47*l.* per plot. Freehold, thirty-six plots of building land, situate in Strafford-road, Acton, Middlesex—sold from 80*l.* to 172*l.* per plot.

Tuesday, Sept. 5.

By Messrs. TEBB BROTHERS, at Garraway's.—Leasehold, two houses, being Nos. 2 and 3, Cedar-cottages, Wandsworth-lane, Putney, producing 45*l.* per annum; term 99 years from 1858; ground-rent, 7*l.* 10*s.* per annum—sold for 150*l.* Leasehold, two houses, being Nos. 13 and 11, Brunswick-road, Highgate-hill, Upper Holloway, producing 12*l.* per annum; term 93 years from 1851; ground-rent 12*l.* per annum—sold for 29*l.*

THE GAZETTES.

Bankrupts.

Gazette, Aug. 29.

To surrender at the Bankrupts' Court, Basinghall-street.

ABBOTT, JAMES, out of business, Upper Lewisham. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

ALDRIDGE, HUGH, builder, Harrow-rd. Paddington. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 12.

BONYTHON, WILLIAM, house agent, Paddington-green. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 12.

BROMHEAD, GEORGE, baker, Nutford-pl. Belgrave-sq. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

CALAZ, JOHN, tailor, Bickley-row, Rotherhithe. Pet. Aug. 24. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Coleman-st. Sur. Sept. 12.

CHAPMAN, THOMAS, second-hand bookseller, Finsbury-market. Pet. Aug. 14. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

CRUFT, THOMAS, late victualler, Woodford. Pet. Aug. 25. Reg. Hazlitt. O. A. Graham. Sols. Wood and King, Basinghall-st. Sur. Sept. 12.

EADES, THOMAS, journeyman floorcloth printer, New-rd. Rotherhithe. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 12.

EDGE, FREDERICK MILNES, author, Hanover-st. South Belgravia. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

FARROW, THOMAS, cordwainer, Poland-st. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

GRIFFITH, JOHN, formerly commercial clerk, Gravesend. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 12.

HARDEY, JAMES JOSIAH, parliamentary agent, Victoria-st. Westminster. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sol. Morjen, Southampton-st. Bloomsbury. Sur. Sept. 8.

HARDINGE, SAMUEL WILDE, tobacco merchant, Cavendish-sq. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

HARRIS, JOSIAH, stock and share broker, Park-rd. Brompton. Pet. Aug. 15. Reg. Hazlitt. O. A. Graham. Sur. Sept. 8.

HAYDON, WILLIAM (and not HOYDON as before advertised), stonemason, Basingstoke. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Shiers, New-inn, Strand. Sur. Sept. 8.

HOLSBART, RICHARD VINKELES, builder's clerk, Ash-grove, Hackney. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sol. De Medina, Primrose-st. Bishopsgate-st. Sur. Sept. 12.

HOWARD, GEORGE, boot and shoe maker, Granville-pl. Hornsey-rd. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

INNES, ROBERT JAMES KINGSTON, general dealer, Doddington-grove, Kennington. Pet. Aug. 18. Reg. Brougham. O. A. Edwards. Sol. Aldridge, Moorgate-st. Sur. Sept. 14.

ISAAC, SAMUEL THOMAS, ship's steward, East India-rd. Poplar. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 12.

JONES, EDWARD, wholesale boot and shoe manufacturer, Little Cambridge-st. Hackney-rd. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

KITTO, CHARLES WILLIAM (and not KITTS as before advertised), East India agent and shipbroker, East India-avenue, Leadenhall-st. and Highbury New-park. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sol. Storken, Leadenhall-st. Sur. Sept. 5.

KNOX, MITCHELBURN, cattle dealer, Chingford. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

MARSHALL, JOHN, baker and corn chandler, Muswell-hill. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

MARTIN, ALFRED JOSEPH, agent for the sale of beer, Ingham-cottage, Gurney-rd. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. Sept. 8.

MCDOUGALL, ARCHIBALD, clerk in Admiralty office, Horton-rd. Hackney. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Hooks, Coleman-st. Sur. Sept. 8.

MEARING, CHARLES, manufacturing chemist, Union-st. Somers-town. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

MORRIS, THOMAS, builder and victualler, Wormwood-st. Bishopsgate. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. Poole, Bartholomew-close. Sur. Sept. 12.

NEUMANN, ARTHUR FERDINAND, Coleshill-st. Eaton-sq. and Fenchurch-st. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

ORFORD, JOSEPH, mason, Grosvenor-st. Brixton. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

PRANGLEY, RICHARD FIGES, auctioneer and estate agent, Southampton, and Millbrook. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sols. Paterson and Son, Bouverie-st., for Mackey, Southampton. Sur. Sept. 12.

PRATT, CHARLES, cordwainer, Henley-on-Thames. Pet. Aug. 24. Reg. Hazlitt. O. A. Graham. Sols. Courtenay and Co., Gracechurch-st. Sur. Sept. 12.

PRESTON, CHARLES, attorney and notary public, Great Tower-st. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sols. Holmes, Milk-st. Sur. Sept. 8.

PRESTON, JOHN RICHARD, occasionally betting on the turf, Brompton-sq. Brompton. Pet. Aug. 24. Reg. Hazlitt. O. A. Graham. Sol. Parkes, Beaufort-bldgs. Strand. Sur. Sept. 12.

RODRIGUES, ANATONE, wine merchant, Mildmay-rd. Stoke Newington. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

SHARP, GEORGE BARHAM, in no trade, Ticehurst. Pet. Aug. 24. Reg. Hazlitt. O. A. Graham. Sols. Sole, Turner, and Co., Aldermanbury. Sur. Sept. 12.

SMITH, THOMAS PRICE, wholesale ironmonger, Upper Norwood and Hatton-gdn. Pet. Aug. 14. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

STEVENS, ANDREW, boot and shoe dealer, Holywell-la. Shoreditch. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

STEVENS, EBENEZER, baker and ironmonger, Park-rd. Barnsbury. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

STOFFEL, JOSEPH, importer of French paperhangings, Queen's-rd. Bayswater. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sol. Smith, Gresham-st. Sur. Sept. 8.

STRUTTON, BENJAMIN, victualler, Charterhouse-la. Pet. Aug. 22. Reg. Hazlitt. O. A. Graham. Sol. King, Queen-st. Sur. Sept. 8.

TILLEY, JOSEPH, victualler, Globe-stairs, Rotherhithe. Pet. Aug. 19. Reg. Hazlitt. O. A. Graham. Sur. Sept. 15.

WARNER, JAMES, corndealer, Hern, near Ringwood. Pet. Aug. 21. Reg. Hazlitt. O. A. Graham. Sur. Sept. 12.

WILSHERE, EMMA, spinster, and WRAY, LUCINDA, widow, boot and shoe manufacturers, Manor-rise, Brixton. Pet. Aug. 25. Reg. Hazlitt. O. A. Graham. Sol. Bickley, King William-st. Sur. Sept. 12.

To surrender in the Country.

BOYLE, WILLIAM, provision dealer, Manchester. Pet. Aug. 15. Reg. & O. A. Coppock. Sur. Sept. 15.

BROOKFIELD, JOHN FRANCIS, general dealer, Manchester. Pet. March 18. Reg. Macrae. O. A. Morgan. Sur. Sept. 21.

CANNON, AGNES, corn miller, Capernwray, near Lancaster. Pet. Aug. 25. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Sept. 8.

CATFORD, JOHN, saddler, Bampton. Pet. Aug. 26. O. A. Carrick. Sols. Densham, Bampton; and Flood, Exeter. Sur. Sept. 8.

CLARKE, WILLIAM, late woolstapler, Bradford. Pet. Aug. 21. O. A. Young. Sols. Terry and Watson, Bradford; and Bond and Barwick, Leeds. Sur. Sept. 11.

CLAYTON, JOHN CHARLES, baker, Syston. Pet. Aug. 18. Reg. & O. A. Ingram. Sol. Hasby, Leicester. Sur. Sept. 20.

COMFORT, JOSEPH, hair merchant, Manchester. Pet. Aug. 15. Reg. & O. A. Kay. Sols. Smith and Boyer, Manchester. Sur. Sept. 26.

CRITCHLEY, GEORGE, general working smith, Cheltenham. Pet. Aug. 24. Reg. & O. A. Gale. Sol. Boodle, Cheltenham. Sur. Sept. 11.

CROOK, WILLIAM, late tobacconist, Liverpool. Pet. Aug. 23. Reg. & O. A. Hime. Sol. Nordon, Liverpool. Sur. Sept. 20.

DAVIES, JOHN, farmer's son, Dihewid. Pet. July 29. Reg. & O. A. Lloyd. Sol. George, Newcastle Emlyn. Sur. Sept. 9.

EDWARDS, SUSANNAH, widow, innkeeper, Newport. Pet. Aug. 24. Reg. Wilde. O. A. Acraman. Sols. Pain, Newport; and Press and Inskip, Bristol. Sur. Sept. 8.

GIBSON, JOHN, grocer, South Shields. Pet. Aug. 26. Reg. & O. A. Wawn. Sol. Salmon, South Shields. Sur. Sept. 6.

GILGAN, JOHN ROBERT, joiner and builder, Liverpool. Pet. Aug. 18. O. A. Turner. Sur Sept. 8.

GROCOTT, JOSEPH, tailor and draper, Stoke-upon-Trent. Pet. Aug. 24. Reg. Hill. O. A. Kinnear. Sol. Tomkinson, Burslem. Sur. Sept. 21.

HAMBLETT, WILLIAM, jun., blacksmith, Lowton. Pet. Aug. 26. Reg. & O. A. Holden. Sol. Ambler, Leigh. Sur. Sept. 14.

HARE, ROBERT, grocer and tile maker, Barton-upon-Humber. Pet. Aug. 22. Reg. & O. A. Brown. Sol. Nowell and Priestley, Barton. Sur. Sept. 9.

HAZELL, WILLIAM, cooper, Bicester. Pet. Aug. 22. Reg. & O. A. Stone. Sur. Sept. 9.

HESSAY, ROBERT, beerhouse keeper, Quorndon. Pet. Aug. 25. Reg. & O. A. Breck. Sol. Glee, Loughborough. Sur. Sept. 12.

JEFFERY, THOMAS, boarding-house keeper, Liverpool. Pet. May 4. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. Sept. 20.

JENKINSON, HENRY JAMES, baker, Stafford. Pet. Aug. 24. Reg. & O. A. Spilsbury. Sol. Bowen, Stafford. Sur. Sept. 14.

JONES, EVAN SYLVANUS, clothier and outfitter, Newport. Pet. Aug. 21. Reg. Wilde. O. A. Acraman. Sols. King and Plummer, Bristol. Sur. Sept. 6.

JONES, WILLIAM, blacksmith, Neath. Pet. Aug. 22. Reg. & O. A. Morgan. Sol. Cuthbertson, Neath. Sur Sept. 6.

KELLEY, JAMES, butcher, Liverpool. Pet. Aug. 23. Reg. & O. A. Hime. Sol. Thornley, Liverpool. Sur. Sept. 21.

KELSALL, JAMES, commission agent, Ashton-under-Lyne. Pet. Aug. 23. Reg. Macrae. O. A. Morgan. Sol. Blain, Manchester. Sur. Sept. 11.

KIGHT, THOMAS, baker, Kempsford. Pet. Aug. 24. Reg. & O. A. Anderson. Sol. Lovett, Cricklade. Sur. Sept. 8.

LIDGEY, WILLIAM, glazier and grocer, Redruth. Pet. Aug. 25. O. A. Carrick. Sols. Downing, Redruth; and Pitts, Exeter. Sur. Sept. 6.

MANLEY, WILLIAM, late contractor and builder, Waterloo. Pet. Aug. 26. O. A. Turner. Sol. Harris, Liverpool. Sur. Sept. 12.

MARTIN, JOHN, joiner, Crosthwaite. Pet. Aug. 22. Reg. & O. A. Broatch. Sol. Ansell, Keswick. Sur. Sept. 4.

MILLER, HENRY, out of business, Ecclesfield. Pet. Aug. 21. Reg. Stephen. O. A. Young. Sols. Smith and Burdekin, Sheffield. Sur. Sept. 15.

MOODY, MARGARET, widow, manager of a public-house, Heaton Norris. Pet. Aug. 22. Reg. & O. A. Coppock. Sol. Brandwood, Manchester. Sur. Sept. 15.

MOSS, ROBERT, provision merchant, Liverpool. Pet. Aug. 17. O. A. Turner. Sol. Brown, Liverpool. Sur. Sept. 8.

MOSS, THOMAS, horse tenter, Pemberton. Pet. Aug. 21. Reg. & O. A. Part. Sol. Darlington. Sur. Oct. 3.

OLIVER, WILLIAM, foreman shipwright, South Shields. Pet. Aug. 22. Reg. & O. A. Wawn. Sol. Salmon, South Shields. Sur. Sept. 5.

PENSON, JOHN, grocer, Liverpool. Pet. Aug. 28. O. A. Turner. Sol. Price, Liverpool. Sur. Sept. 12.

PHIPPS, JOSEPH, marine store dealer, Alcester. Pet. Aug. 19. Reg. & O. A. Jones. Sol. Greves, Stratford-upon-Avon. Sur. Sept. 16.

PRENTICE, WILLIAM, blacksmith, Stallington. Pet. Aug. 14. Reg. & O. A. Winter. Sol. Law, Stamford. Sur. Sept. 11.

ROGERS, RICHARD, miller, Westbourne. Pet. Aug. 22. Reg. & O. A. Bowton. Sol. White, Portsea. Sur. Sept. 14.

ROLLASON, HENRY, sen., gilt jeweller, Birmingham. Pet. Aug. 21. Reg. & O. A. Guest. Sols. Messrs. Powell, Birmingham. Sur. Sept. 18.

ROUTLEDGE, BENJAMIN, and ROUTLEDGE, JAMES, watchmakers and jewellers, Carlisle. Pet. Aug. 25. Reg. Gibson. O. A. Laidman. Sols. Wannop, Carlisle; and Messrs. Watson, Newcastle. Sur. Sept. 13.

SHARPLES, RICHARD, shoemaker, Tyldesley. Pet. Aug. 25. Reg. & O. A. Holden. Sol. Ambler, Leigh. Sur. Sept. 14.

SIMPSON, JOHN, and EASINGWOOD, JOHN, printers, Rugeley. Pet. Aug. 15. Reg. Hill. O. A. Kinnear. Sols. Crabb, Rugeley; and James and Griffin, Birmingham. Sur. Sept. 6.

SMITH, GEORGE, butcher and grocer, Bicester. Pet. Aug. 25. Reg. & O. A. Stone. Sol. Horridge, Bicester. Sur. Sept. 14.

SUMMERSCALES, JOHN, butcher, Failsworth. Pet. Aug. 16. Reg. & O. A. Sammerscales. Sol. Taylor, Oldham. Sur. Sept. 14.

WATCHAM, JOHN, painter, Washbrook. Pet. Aug. 26. Reg. & O. A. Pretyman. Sol. Jennings, Ipswich. Sur. Sept. 9.

WEBSTER, JOSEPH, tailor, Calverley. Pet. Aug. 25. O. A. Robinson. Sol. Carr, Leeds. Sur. Sept. 8.

WHEATLEY, THOMPSON, tailor, East Retford. Pet. Aug. 23. Reg. Stephen. O. A. Young. Sol. Broomhead, Sheffield. Sur. Sept. 15.

WILLIAMS, EDWARD, beerhouse-keeper and joiner, Cwmbwrla, near Swansea. Pet. Aug. 22. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Sept. 18.

WILLIAMS, JOHN, joiner and builder, Liverpool. Pet. Aug. 16. Reg. & O. A. Hime. Sur. Sept. 19.

WINDER, THOMAS, late fringe manufacturer, Edge-hill. Pet. Aug. 25. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. Sept. 22.

WOOLLEY, WRIGHT, carter, Haughton. Pet. Aug. 21. Reg. & O. A. Brooks. Sol. Hibbert, Hyde. Sur. Sept. 13.

Gazette, Sept. 1.

To surrender at the Bankrupts' Court, Basinghall-street.

AUSTEN, WILLIAM THOMAS, cabinet-maker, Wardour-st. Oxford-st. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. Sept. 12.

BEALL, CHARLES, ironmonger, Maidenhead. Pet. Aug. 4. Reg. Roche. O. A. Parkyns. Sols. Lawrance, Plews, and Boyer, Old Jewry-chambers, for Brown and Fletcher, Maidenhead. Sur. Sept. 12.

BROMLEY, JOHN BARRETT, innkeeper, Ipswich. Pet. Aug. 18. Reg. Hazlitt. O. A. Graham. Sols. Aldridge and Co., South-sq. Gray's-inn. Sur. Sept. 12.

BROWN, THOMAS, jun., horse trainer, Houghton, near Stockbridge. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Seaman, Russell-sq. Sur. Sept. 15.

CATTANEO, VINCENT, commission agent, King-st. Covent-gdn. Pet. Aug. 23. Reg. Hazlitt. O. A. Graham. Sol. Lefroy, Robert-st. Adelphi. Sur. Sept. 12.

CHILVERS, WILLIAM, manager to a tailor, Teddington. Pet. Aug. 30. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Lincoln's-inn-fds. Sur. Sept. 12.

CLARKE, WILLIAM, box and packing-case maker, Queen-st. [illegible]ham, and Bread-st.-hill, Upper Thames-st. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Drew, Basinghall-st. Sur. Sept. 12.

COLLINS, CHARLES, zinc worker, Walham-green, Fulham-rd. Pet. Aug. 30. Reg. Hazlitt. O. A. Graham. Sol. Markby, Lincoln's-inn-fds. Sur. Sept. 12.

COX, HENRY, commission agent, West Ham. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Daniell, Carey-st. Lincoln's-inn. Sur. Sept. 12.

CROSS, RICHARD, agent, Yaxley. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Lewis, Ely-pl. Holborn. Sur. Sept. 12.

GARTHWAITE, CHARLES HENRY, hairdresser, Chelsea. Pet. Aug. 24. Reg. Hazlitt. O. A. Graham. Sol. Sartell, Queen-st. Cheapside. Sur. Sept. 12.

GINGER, GEORGE, builder, New Barnet. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Earle, Bedford-row. Sur. Sept. 12.

GROOM, THOMAS, cab proprietor, Morton-ter. Pimlico. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Doble, Guildhall-chambers. Sur. Sept. 12.

JAMESON, GEORGE HENRY, auctioneer's clerk, late Hackney. Pet. Aug. 30. Reg. Hazlitt. O. A. Graham. Sol. Preedy, Coleman-st. Sur. Sept. 12.

JARVIS, ROGER, carpenter, Beaumont-st. Marylebone. Pet. Aug. 31. Reg. Hazlitt. O. A. Graham. Sol. Hodgson, Salisbury-st. Strand. Sur. Sept. 12.

JOBBINS, WILLIAM FREDERICK, late wholesale and export cheesemonger, New Weston-st. Bermondsey, and Love-walk, Denmark-hill. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sols. Ashurst and Co., Old Jewry. Sur. Sept. 12.

MCCREA, OSBORN LEITH, late banker's clerk, St. Mark's-ter. [illegible]-hill. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. [illegible], Portsmouth-st. Lincoln's-inn-fds. Sur. Sept. 12.

MILLER, FRANK EDWIN, mercantile clerk, Charles-st. [illegible]. Pet. Aug. 26. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews, and Co., Old Jewry. Sur. Sept. 12.

NELSON, GEORGE, house decorator and builder, Richmond-rd. Bayswater. Pet. Aug. 24. Reg. Hazlitt. O. A. Graham. Sol. King, Coleman-st. Sur. Sept. 12.

PAWLEY, WILLIAM, farmer, Bromley. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews, and Co., Old Jewry-chambers. Sur. Sept. 12.

PESKETT, WILLIAM, late butcher, Lambeth-rd. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Ablett, Basinghall-st. Sur. Sept. 12.

PURSER, GEORGE, plumber, Leighton Buzzard. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Preston, Basinghall-st. Sur. Sept. 12.

RALPH, JACOB, fishmonger, Greenwich. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. Sept. 12.

ROBINSON, CHRISTMAS BURN, upholsterer, Crawford-st. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Hindley, Old Jewry-chambers. Sur. Sept. 12.

RUSSELL, THOMAS WILLIAM, out of business, Hackney-rd. [illegible]. Pet. Aug. 29. Reg. Hazlitt. O. A. Graham. Sol. Stedman, Coleman-st. Sur. Sept. 12.

SAYER, AUGUSTINE JOHN, plasterer, Wimbledon. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Sept. 12.

TRUELAND, JOHN, commercial traveller, Park-pl. Highbury-vale. Pet. Aug. 26. Reg. Hazlitt. O. A. Graham. Sol. Dover, [illegible] Great Tower-st. Sur. Sept. 12.

VILLIERS, EDMUND, jeweller, Frith-st. Soho. Pet. Aug. 28. Reg. Hazlitt. O. A. Graham. Sol. May, Dean-st. Soho. Sur. Sept. 12.

To surrender in the Country.

ALMOND, JOSEPH, saddler, Hallaton. Pet. Aug. 26. Reg. & O. A. Shield. Sol. Pateman, Uppingham. Sur. Sept. 7.

APPLEBY, THOMAS DAWKINS, cheesefactor, Leeds. Pet. Aug. 2[illegible]. O. A. Young. Sol. Clarke, Leeds. Sur. Sept. 14.

BERKINS, WILLIAM, innkeeper, Bingham. Pet. Aug. 26. Reg. & O. A. Patchitt. Sol. Buttery, Bingham. Sur. Oct. 10.

BRADFORD, JULIUS CÆSAR, baker, Birmingham. Pet. Aug. 28. Reg. Tudor. O. A. Kinnear. Sol. Parry, Birmingham. Sur. Sept. [illegible].

CALL, WILLIAM, and CALL, THOMAS, engineers, Bradford. Pet. Aug. 28. O. A. Young. Sols. Terry and Watson, Bradford; and Bond and Barwick, Leeds. Sur. Sept. 11.

COOPER, JOHN, beerhouse-keeper, Nuneaton. Pet. Aug. 26. Reg. & O. A. Dewes. Sol. Craddock, Nuneaton. Sur. Sept. 11.

COUNSELL, SAMUEL, builder, Blackburn. Pet. Aug. 26. Reg. Harris. O. A. Morgan. Sols. Boote and Rylance, Manchester. Sur. Sept. 18.

CRAMPTON, PHILIP HENRY, late chief constable of [illegible], Weston-super-Mare. Pet. Aug. 30. Reg. Wilde. O. A. Acraman. Sol. Bevan, Bristol. Sur. Sept. 13.

EVANS, JOHN, builder, Rhyl. Pet. Aug. 26. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. Sept. 11.

FERRIS, HENRY WILLIAM, butcher, Tiverton. Pet. Aug. 28. O. A. Carrick. Sol. Flood, Exeter. Sur. Sept. 12.

GARRINGTON, JOHN, stamper, Darlington. Pet. Aug. 28. Reg. Hill. O. A. Kinnear. Sol. Glover, Birmingham. Sur. Sept. 14.

GILL, CHARLES, beerhouse-keeper, Rotherham. Pet. Aug. 28. Reg. & O. A. Newman and Hoyle. Sol. Hirst, Rotherham. Sur. Sept. 14.

HULSE, CHARLES, grocer, Manchester. Pet. Aug. 30. Reg. Harris. O. A. Morgan. Sol. Leigh, Manchester. Sur. Sept. 15.

INGLE, WILLIAM MACHIN, attorney, Belper. Pet. Aug. 28. Reg. Hill. O. A. Harris. Sol. Leech, Derby. Sur. Sept. 28.

JAGO, JAMES, accountant, Liskeard. Pet. Aug. 25. O. A. Carrick. Sols. Caunter, Liskeard, and Flood, Exeter. Sur. Sept. 12.

JONES, POULK, grocer, Brynrefail, Llanddeiniolen. Pet. Aug. 2[illegible]. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. Sept. 11.

MARGOASCHIS, MAUDEL SAMUEL, jeweller, Birmingham. Pet. Aug. 30. Reg. Hill. O. A. Kinnear. Sols. Duke, Birmingham. Sur. Sept. 22.

MORYS, JOSEPH, carrier, Bulkington. Pet. Aug. 24. Reg. & O. A. Dewes. Sol. Smallbone, Coventry. Sur. Sept. 11.

OWEN, MOSES, cart owner, Liverpool. Pet. Aug. 18. O. A. Turner. Sur. Sept. 12.

PONTON, CHARLES, cutter out to a tailor, Birmingham. Pet. Aug. 2[illegible]. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Sept. 15.

QUICK, JOHN, baker, Ridgway, Plympton St. Mary. Pet. Aug. 11. Reg. & O. A. Pearce. Sols. Edmonds and Son, Plymouth. Sur. Sept. 15.

ROBINSON, GEORGE WILKINSON, late victualler, Liverpool. Pet. Aug. 19. O. A. Turner. Sol. Harris, Liverpool. Sur. Sept. 11.

SIMMONS, ELIZA, boarding-house keeper, Bath. Pet. Aug. 25. Reg. & O. A. Smith. Sol. Bartrum, Bath. Sur. Sept. 12.

SMITH, DAVID, innkeeper, New Fletton. Pet. Aug. 18. Reg. & O. A. Gaches. Sol. Deacon, Peterborough. Sur. Sept. 16.

SNOOK, JAMES, chairmaker, Bath. Pet. Aug. 28. Reg. & O. A. Smith. Sol. Bartrum, Bath. Sur. Sept. 12.

STEWARD, WILLIAM, market gardener, Mucking. Pet. Aug. 2[illegible]. Reg. & O. A. Southgate. Sol. Outred, Gravesend. Sur. Sept. 15.

STOCKWIN, EDWARD GEORGE, photographer, Sheffield. Pet. Aug. 29. Reg. & O. A. Wake and Rodgers. Sols. Binney and Son, Sheffield. Sur. Oct. 5.

TAYLOR, ROBERT, stationer, Gribthorne, near Selby. Pet. Aug. 1. Reg. & O. A. Porter. Sol. Dyson, York. Sur. Sept. 14.

TENDALL, WILLIAM, milkman, Hastings. Pet. Aug. 28. Reg. & O. A. Young. Sol. Shorter, Hastings. Sur. Sept. 22.

TOMLINSON, JOHN, provision dealer, Liverpool. Pet. Aug. 18. O. A. Turner. Sur. Sept. 12.

TRANTER, ABRAHAM, builder, Salop. Pet. Aug. 1. Reg. Hill. O. A. Kinnear. Sols. Hodgson and Son, Birmingham; Nevill, Wellington. Sur. Sept. 22.

TRIMMING, GEORGE, Alton. Pet. July 18. Reg. & O. A. Cooper. Sol. White, Guildford. Sur. Sept. 11.

UNDRELL, ELIZABETH, coffee and boarding-house keeper, Brighton. Pet. Oct. 19. Reg. & O. A. Howard. Sol. Godfree, Brighton. Sur. Sept. 12.

VOAK, JOHN, bootmaker, Brighton. Pet. Aug. 26. Reg. & O. A. Evershed. Sol. Penfold, Brighton. Sur. Sept. 12.

WARREN, OBED, dealer in corn, Peterborough. Pet. Aug. 28. Reg. & O. A. Gaches. Sol. Law, Stamford. Sur. Sept. 16.

WILDE, JOAN, hatter, Birkenhead. Pet. Aug. 26. Reg. & O. A. [illegible]. Sol. Moore, Birkenhead. Sur. Sept. 12.

BANKRUPTCIES ANNULLED.

Gazette, Aug. 29.

BASHFORD, GEORGE JAMES ST. JOHN, ship and insurance broker and merchants, East India-chambers, Leadenhall-st.

BARTOW, ARTHUR, worsted manufacturer, Bradford.

SHAROOD, CHARLES JAMES, attorney's clerk, Birchmore-pl. Carlton-st. Hampstead-rd.

Gazette, Sept. 1.

CLARKE, JUSTINIAN BARRELL, wharfinger, Norwich.

JONES, JOHN, provision dealer and merchant, Shrewsbury.

WEBB, RICHARD JAMES, tailor, Piccadilly.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Sinkborn, H. grocer, first, 2s. 8¾d. Edwards, London.—*Elwood*, E. farmer, first, 1s. 1d. Turner, Liverpool.—*Hitchcock*, H. grocer, first, 6d. Edwards, London.—*Jeans*, J. H. draper, first, 1s. 9¾d. Edwards, London.—*Lowden*, T. warehouseman, first, 1l. Edwards, London.—*Norman*, T. victualler, first, 9d. Edwards, London.—*Pugh*, E. merchant's clerk, first, 1s. 6d. Turner, Liverpool.—*Roberts*, W. joiner and builder, first sep. 1s. 9d. Turner, Liverpool.—*Smyth* and *Craig*, booksellers, first, 8s. Turner, Liverpool.—*Spencer*, R. and *Spencer*, R. jun. bookbinders, second, 1s. 3d.; to new proofs, 6s. 3d. Edwards, London.—*Timothy*, F. V. surgeon, &c. first, 5s. 10d. Edwards, London.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Aug. 29.

ARNOLD, WILLIAM, flax merchant, Old Ford-rd. Bow. Aug. 19. Trust. C. E. Collyer, colonial broker, Fenchurch-st.

ALLEN, SAMUEL, cabinet-maker, Macclesfield. Aug. 18. 3s. at 3 mos.

BALDWIN, JAMES, jun., saddler, Rotherfield. Aug. 2. 10s.

BARLING, EDWARD THOMAS, tailor and draper, Sheerness, Isle of Sheppy. July 31. Trusts. J. Walker, woollen warehouseman, Aldermanbury, and J. Cole, stationer, Sheerness.

BERGAN, MARTIN, travelling draper, Walsall. Aug. 2. Trusts. W. Hutton, Glasgow, and J. Shannon, Walsall, merchants.

BRAHAM, HENRY JAMES, soap manufacturer, Osnaburg-st. Regent's-park. Aug. 11. 3s. 6d. by two equal instalments on 14th Jan. and 14th July. Trust. E. Lee, wine merchant, Philpot-la.

BRANDT, GUSTAVUS ADOLPHUS, merchant, Newcastle. Aug. 14. 4s.—2s. 6d. in 2 mos. and 1s. 6d. in 4 mos.—secured.

BRITTLEBANK, WILLIAM, and WRIGLEY, JAMES, printers, Sheffield. Aug. 10. 10s. on 11th Sept.

BROOKE, JOSEPH, paper merchant, Hunslet, near Leeds. Aug. 18. 10s. by three equal payments at 3, 6, and 9 mos.—secured.

CAMPBELL, ARCHIBALD, travelling draper, Walsall. Aug. 2. Trusts. W. Hutton, Glasgow, J. Linton, Bristol, and J. Shannon, Walsall, merchants.

D'ARCY, WILLIAM ARTHUR, civil engineer, Alpha-rd. Regent's-park. Aug. 7. To pay 20s. in 12 mos. from registration of deed.

DEY, CHARLES, travelling draper, Walsall. Aug. 5. Trusts. W. Hutton, merchant, Glasgow, J. Shannon, merchant, Walsall, J. Linton, linen merchant, Bristol, and J. S. Eveleigh, accountant, Bristol.

DONNELLY, JOHN, clothes dealer, Manchester. July 31. Trusts. A. Thornley, merchant, Bristol, and G. Haigh, woollen merchant, Manchester.

FISHER, JOHN DEIGHTON, chemist and druggist, Halifax. Aug. 16. 6s. 8d. on 1st Oct.

FRIEND, HENRY, merchant, Liverpool. Aug. 26. 2s. in 30 days from registration of deed.

FULLER, JOHN, shoe manufacturer, Manchester. July 31. 5s. by two instalments—3s. 6d. on 9th Aug. and 1s. 6d. on 3rd Sept.

HARGREAVES, EDWARD, dentist, Longsight, near Manchester, and Manchester. Aug. 8. 2s. 6d.—1s. in 6 mos., 1s. in 12 mos., and 6d. in 18 mos.

HORTON, JOSEPH; HORTON, SARAH; FARMER, WILLIAM; and FARMER, JOSEPH, cut nail manufacturers, Birmingham. 5s.—2s. at 6 and 9 mos., and 6d. at 12 and 15 mos. Trust. J. Percivall, accountant, Birmingham.

JAMES, EDWARD, cabinet-maker and upholsterer, Preston. Aug. 11. 4s. in 1 mo. Trust. J. Toleman, paperhanging manufacturer, London.

JEFFS, JAMES HARROW, patent collar manufacturer, St. James's-rd. Holloway. Aug. 22. To pay 20s. by three equal instalments of 6s. 8d. at 6, 9, and 12 mos. Trust. J. F. King, gentleman, Belle Vue-villas, Holloway.

LONSDALE, JOHN, cotton manufacturer, Accrington. Aug. 11. 11s. by four instalments—5s. in 28 days, 2s. 6d. on 9th Sept., 2s. 6d. on 6th Oct., and 1s. on 29th Dec.—secured. Trust. T. H. Arrowsmith, yarn agent, Manchester.

MARSDEN, EPHRAIM, and JACKSON, CHARLES EDWIN, coal merchants, Liverpool. July 31. 8s. by two equal instalments on 26th Sept. and 26th Jan.—secured.

OGDEN, ROBERT, and OGDEN, JOHN, flannel manufacturers, Rochdale. July 29. Trusts. J. Wood, jun., banker, J. Hoyle, woolstapler, J. Tonnicliffe, dyer, and J. Heginbottom, woolstapler, all Rochdale.

OLDKNOW, THOMAS, machinist, Nottingham. Aug. 22. 5s. on 4th Sept. Trust. F. Goddard, ironfounder, Nottingham.

PARKIN, WILLIAM, joiner, Manchester. July 31. 7s. 6d. by three equal instalments—2s. 6d. on 29th Aug., 9th Nov., and 9th Feb.—secured. Sureties, J. Parkin, mechanic, and H. Ratcliffe, secretary to the independent order of Odd Fellows, Chorlton-on-Medlock.

PHILPS, WILLIAM ALNATT, corn merchant, Lamb's Conduit-st. Foundling. July 31. 2s.—1s. on 15th Oct. and 15th Jan.

SHEVILL, WILLIAM, blue slater, Leeds. Aug. 2. 5s. on 1st Sept.—secured.

SHIELDS, WILLIAM, travelling draper, Carlisle. July 29. Trust. H. Horsley, merchant, Darlington.

SMITH, SAMUEL HARE, Bishop's Hatfield. Aug. 14. 2s. 6d. on 1st Sept.

THOMPSON, HENRY, gastube manufacturer, Wolverhampton. Aug. 2. Trust. O. L. Underhill, iron merchant, Wolverhampton.

THURMOTT, EDWARD, jeweller, Colchester. Aug. 8. Trusts. H. E. Green, banker, Colchester, W. Loch, wholesale jeweller, Birmingham, and D. Clarke, watchmaker, Goswell-rd. Sols. Harrison and Lewis, Old Jewry, for Turner and Deane, Colchester.

WHITE, THOMAS GEORGE, warehouseman, Wood-st. Aug. 21. 2s. 6d. at 3 mos.

WILSON, FRANCIS EDWARD, bookseller, Leeds. Aug. 3. Trust. S. Taylor, bookseller, Otley.

Gazette, Sept. 1.

ABELL, JAMES, chemist, Ilkeston. Aug. 17. Trusts. J. Abell, innkeeper, and J. Bellors, gentleman, both Ilkeston.

BALDWIN, JOSEPH DYER, draper, Waterloo-rd. Lambeth. Aug. 26. 5s. by three equal instalments at 3, 6, and 9 mos.—secured.

BARLOW, JOHN, grocer and spirit merchant, Fakenham. Aug. 7. Trusts. R. Butcher, and J. Thompson, wholesale grocers, both Norwich.

BARLOW, MARTHA, shopkeeper, Radcliffe. Aug. 2. Trust. J. Lord, cloth finisher, Radcliffe.

BARROW, GEORGE, grocer, Manchester. Aug. 2. Trust. J. Stocks, grocer, Manchester.

BROWN, FREDERICK VINCENT, steel manufacturer, Ecclesfield. Aug. 22. 6s. 8d. on 11th Dec. Surety, C. Brown, steel manufacturer, Sheffield.

CAVIT, EBENEZER, ironmonger, Northampton. Aug. 15. Trust. W. Hickman, printer, Northampton.

CLARK, ROBERT, tobacco manufacturer, Leeds. Aug. 11. Trust. R. Layfield, solicitor's clerk, Leeds.

CLARKE, ISAAC, printer, Ruthin. Aug. 19. 10s. by two equal instalments at 3 and 6 mos. Surety, T. Roberts, maltster and innkeeper, Ruthin.

CLIMPSON, REUBEN, builder, Eastbourne. Aug. 5. Trust. G. Cornery, timber merchant, Brighton.

CUMES, WILLIAM, butcher, Dawlish. Aug. 8. Trust. W. Tapper, auctioneer, Dawlish.

DAY, WILLIAM, carpenter, Burton-Latimer. Aug. 21. Trusts. S. Wright, draper, Finedon, and A. Wood, tailor, Soham.

ETHERIDGE, AGNES, out of business, Dalhousie-ter. Bermondsey. July 26. 2s. 6d.

FRANCIS, JOSEPH, corn and coal merchant, Princess-st. Edgware-rd. Aug. 7. Trust. J. Aste, corn merchant, Old Bargehouse-wharf, Blackfriars.

GREEN, WILLIAM CHARLES, and STAPLEY, FREDERICK SHEDDON, auctioneers, Poultry. Aug. 3. Trust. J. Rawlings, gentleman, Manchester-st. Manchester-sq.

GREGORY, ENOS, contractor, Shipley. Aug. 15. Trusts. W. Allsopp, chemist, Ilkeston, and W. Stirling, coal miner, Shipley.

HANSON, WILLIAM, publican, Leeds. Aug. 22. Trust. J. D. Thorp, maltster, Leeds.

HARGREAVES, WILLIAM, out of business, Southport. 2s. at 6 mos. and 1s. 11d. at 12 mos. Trust. J. Fielding, accountant, Manchester.

HARRIS, JOSEPH CROSHAW, brewer's clerk and traveller, Liverpool. Aug. 4. 2s. 6d. on 1st Sept. Trust. J. Pye, grocer, Old Swan, near Liverpool.

HARRISON, JAMES, baker, Goldsmith-row, Hackney-rd. Aug. 18. 2s. 6d. by quarterly payments of 6d. each.

HARTLEY, HENRY, and BROWN, BENJAMIN, brassfounders, Wigan. Aug. 26. 2s. 6d. Trust. J. Hesketh, Manchester.

HOLLAND, ALEXANDER, woollendraper, Halifax. Aug. 23. 8¾d.—secured. Surety, J. Clay, accountant, Halifax.

LAING, ROBERT HALL, estate agent, Birkenhead. Aug. 26. 5s. by two equal instalments at 6 and 12 mos.—secured.

LOBECK, CARL, and POSTART, GUSTAV, ship chandlers, Swansea. Aug. 3. Trust. H. M. Leslie, bank manager, Bristol.

MAFFIN, WALTER SANDELL, surgical instrument manufacturer, Birmingham. Aug. 11. Trusts. W. Goode, bank manager, and J. Smith, glass manufacturer, both Birmingham.

MEE, HENRY, watchmaker, Chesterfield. Aug. 21. 1s. 6d. on 1st Oct. Trust. J. Middleton, carver, Nottingham.

NEWMAN, CHARLES SHERWOOD, engineer, Surrey-st. Strand. Aug. 16. Trusts. W. Stewart, grocer, and T. G. Goldsmith, banker, both Sherborne.

OTTAWAY, JAMES PHILIP, milliner, Brighton. Aug. 3. Trust. J. Blundell, warehouseman, Little Carter-la. Old Change.

OUSTON, RICHARD, commission agent, Hull. Aug. 5. 6s. by two equal instalments on 7th Nov. and 7th Feb.

POWELL, JAMES, Ramsgate. Aug. 20. 5s. in 14 days. Trust. H. Honey, public accountant, Ironmonger-la.

POYNTER, JAMES HARK, milliner, Westbourne-grove. Aug. 17. 6s. by three equal instalments on 14th Nov., 14th Feb., and 14th May. Trust. G. B. Woolley, warehouseman, Wood-st.

PURDY, WILLIAM, sen., draper, Sheriff Hutton. Aug. 3. Trust. W. Empson, grocer, York.

REED, MATTHEW, and HERRING, DAVID DUNCAN, timber merchants, Sunderland. Aug. 25. 3s. by two promissory notes of 1s. 6d. at 2 mos. Trusts. H. P. W. Ruster, hatter, and J. G. Watson, grocer, both Sunderland.

RILEY, JOHN, manufacturer of wood mouldings, Halifax. Aug. 15. 12s. 6d. by three instalments of 4s. 6d., 4s., and 4s. on 1st Oct. 1865, 1st Jan. and April 1866. Trusts. T. Moorhouse, joiner, Lockwood, near Huddersfield, and S. Cooper, B. Cooper, and T. Cooper, cloth finishers, Halifax.

ROBINSON, JOSEPH, paperhanging dealer, London-rd. Southwark. Aug. 18. Trusts. R. Smith, paperhanging manufacturer, Manchester, and E. L. Price, varnish merchant, Colehill-st. Pimlico. Sols. Harrison and Lewis, Old Jewry.

SAUNDERS, JOHN, victualler, Maldon. Aug. 11. Trust. H. Harvey, plumber, Maldon.

SHAFFER, MICHAEL, slipper manufacturer, Church-st. Spitalfields. Aug. 23. 1s. on demand.

SPAIN, SAMUEL, stationer, Ramsgate. Aug. 2. Trusts. W. F. Kock, wholesale stationer, Walbrook, J. King, wholesale stationer, Little Knight Rider-st., J. C. Goodall, cardmaker, Great College-st. Camden-town.

TAYLOR, BENJAMIN, boot upper manufacturer, Birmingham. Aug. 7. Trust. H. Honey, accountant, Ironmonger-la. Sols. Sole, Turners, and Hardwick, Aldermanbury.

THEAKER, THOMAS, accountant clerk, Halton Castle. Aug. 3. Trusts. W. Whittaker, chemist, and J. Fairhurst, gentleman, both Runcorn.

TURNER, WILLIAM, tinner, Sheffield. Aug. 2. 1s. in 30 days. Trust. R. Ward, grocer, Sheffield.

WALKER, JOHN, coal merchant, King's-cross. Aug. 2. Trust. H. H. Poole, gentleman, Bartholomew-close.

WILLIAMS, JAMES, chair manufacturer, Manchester. Aug. 1. To pay debts in full by instalments. Trusts. E. Butterworth, Manchester, and T. Wood, Burslem, timber merchants.

WOLF, CHARLES, merchant, Merchant-rd. Bow. Aug. 2. Trust. E. Coleman, gentleman, Royal-crescent, Notting-hill.

YORK, THOMAS ROWLAND, farmer, Longnewton, and Stockton-on-Tees. Aug. 2. Trusts. J. Mull, butcher, South Stockton, and J. Dobie, gentleman, Stockton.

ERRATA.

In Gazette Aug. 25, for Ladell, William Hykes, read Ladell, William Wykes.

In Gazette Aug. 25, for Summer, William, read Sumner, William.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

GARRETT.—On the 1st inst., at Coltman-street, Hull, the wife of Richard Eydon Garrett, Esq., solicitor, of a son.

JONES.—On the 1st inst., at 6, Cavendish-place, Brighton, the wife of W. S. Jones, Esq., barrister-at-law, of 4, Leinster-gardens, Hyde-park, of a son.

WILLIAMS.—On the 4th inst., at Blackburn, the wife of Charles William Williams, Esq., solicitor, of a daughter.

MARRIAGES.

CHANNELL—WYNDHAM.—On the 5th inst., at Iwerne Minster, Dorset, Arthur Moseley Channell, Esq., of the Inner Temple, barrister-at-law, only son of the Hon. Sir William Fry Channell, one of the Barons of the Court of Exchequer, to Beatrice Ernestine, daughter of Alexander Wadham Wyndham, Esq., of West Lodge, Blandford, Dorset.

SMITH—WILLIS.—On the 2nd inst., at St. Matthew's, Brixton, Henry J. Smith, of Watling-street, London, solicitor, to Mary Augusta, second daughter of the late William Willis, Esq., of Brixton.

DEATHS.

COOPER.—On the 4th May last, aged 55, Stafford Moore Cooper, of Old Cavendish-street, London, solicitor.

BENNETT.—On the 25th ult., at Chapel-en-le-Frith, Derbyshire, after a long illness, aged 64, Ernestina Mary, the beloved wife of William Bennett, Esq., solicitor and registrar of County Court.

Investments.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of 2,000,000l., of which 6??,000l. only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 29th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

LOANS ON DEBENTURES.

JOHN BROWN and COMPANY (LIMITED).

Capital One Million, in 10,000 Shares of 100l. each.

The Directors are prepared to RECEIVE LOANS for periods not exceeding seven years, at 5 per cent. on the Security of their Debentures.

The Security consists of uncalled Capital to the extent of 600,000l., with all the extensive and valuable property belonging to the Company.

It affords a most ample and safe investment for trust and other moneys, all the shares being held by responsible persons. Interest payable half-yearly.

Apply to the Secretary, at the Company's Offices, Atlas Steel Spring and Iron Works, Sheffield.

JOHN HEWITT, Secretary.

THE ECONOMIC SOCIETY.—LOANS

from £100 to £5000 can be immediately obtained, repayable in one sum or upon the following scale of repayments for every £100 advanced, including interest thereon:—

	Monthly.		Quarterly.
For one year	£9 14 2	...	£26 2 6
For five years	2 0 10	...	6 2 6
For ten years	1 4 2	...	3 12 0
For fifteen years	0 19 6	...	2 18 6

For further particulars apply at the office, 118, Pall-mall, London. F. H. GILBART, Manager.

SIX per CENT. SECURED on FREEHOLD PROPERTY in LONDON.

—The Directors of the INNS of COURT HOTEL COMPANY (Limited) are ISSUING the remainder of the Company's SIX per CENT. MORTGAGE DEBENTURES.

These Bonds, secured as a first charge on the entire Hotel property, estimated as worth not under 120,000l., are issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and investors have the option of paying in full or by three instalments.

The Company cannot borrow more than 80,000l.

H. T. L. BEWLEY, Secretary.

Offices of the Company, 63, Lincoln's-inn-fields, Sept. 1865.

DEBENTURES at 5, 5½, and 6 per Cent.

CEYLON COMPANY, LIMITED.

Subscribed Capital, 700,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary.

COLONIAL SECURITIES COMPANY (LIMITED).

Share Capital 500,000l. First issue, 250,000l., in 25,000 Shares of 10l. each, on which 2l. per share has been called up.

TRUSTEES.

Pascoe C. Glyn, Esq.	Samuel Gurney, Esq., M.P.
George Lyall, Esq., M.P.	

DIRECTORS.

The Right Hon. Viscount Bury.	Henry Kingscote, Esq.
Joseph Fry, Esq.	Hugh Edmondstone Montgomerie, Esq.
William Haslitt, Esq.	Prideaux Selby, Esq.

Bankers—Messrs. Glyn, Mills, Currie, and Co.
Solicitors—Messrs. Freshfields and Newman.

This Company (formed to carry on and extend, under the same management, the business of the Canada Agency Association (Limited), which has been in successful operation for six years) is prepared to receive Money on Deposit, for Investment in First Mortgages upon Real Estate in Canada and other leading Colonies, either to bear 7 per cent. interest guaranteed by the company, or 6 per cent. with the principal also guaranteed.

The Company also issue debentures in amounts of 50l. and upwards, for periods of three, five, seven, and ten years, at 6 per cent. per annum, with coupons attached, payable half-yearly, at the bankers of the company, the money so raised being limited to the uncalled subscribed capital of the company.

Further particulars can be had on application to

A. R. ROCHE, Secretary.

123, Gresham-house, Old Broad-street, London, E.C.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000l. Subscribed 1,000,000l.

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances, for long or short terms, repayable with interest, at fixed dates, or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all estates and interests therein, excluding mineral property, factories and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, &c., imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages, and real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. WILLIAM NAPIER, Managing Director, the Land Securities Company (Limited), 32, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital	£2,000,000
Subscribed	1,000,000
Paid up	100,000

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act 1865, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing 4½ per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of real estate, deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estates charged, as certified by a surveyor or valuer appointed by the Inclosure Commissioners for England and Wales, are thus absolutely appropriated to the repayment of the mortgage debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further guarantee of the Company's uncalled capital of 900,000l., so that representing, in fact, fractions of the Company's aggregate of securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under hand only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities thus appropriated, and of the Mortgage Debentures, will be kept in the Office of Land Registry.

Trustees having a general power to invest upon the securities of the shares, stocks, mortgages, bonds, or debentures of companies incorporated or acting under the authority of an Act of Parliament, are authorised by the 48th section of the Act to invest in the Mortgage Debentures.

The Mortgage Debentures will be issued for such periods and for such amounts as may suit investors.

Apply to the Honourable WILLIAM NAPIER, Managing Director, Land Securities Company, 32, Charing-cross, London, S.W.

FIRST-CLASS RAILWAY DEBENTURES.—For SALE, DEBENTURE BONDS of the BRISTOL PORT RAILWAY and PIER COMPANY, at 5 per cent.—Apply to Messrs. H and H., Solicitors, 29, King's Arms-yard, Moorgate-street, London.

TO CAPITALISTS. — A valuable PATENT to be SOLD. The machine can be seen at work. It is to supersede hand labour in producing an article of universal consumption in one-sixth the time, and much superior to the old method of hand labour.—Address "Z.," W. Axford and Co.'s, Advertising Agents, 8, Craig's-court, Charing-cross.

ADVOWSON, in North Devon, for SALE. Gross income from tithe rentcharge and about 80 acres of glebe, 230*l*. Population 240; incumbent's age 70. The parish is within seven miles of two market-towns and ten from a railway-station, in a beautiful and very healthy district.—Apply to Mr. W. E. Pater, Solicitor, Torrington.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to GEORGE J. JEFFERSON, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

IMPERIAL FIRE INSURANCE COMPANY,

No. 1, Old Broad-street, and Nos. 16 and 17, Pall-mall, London.

Established 1803.

Subscribed and Invested Capital and Reserved Fund, £1,000,000. Losses paid, 3,600,000*l*.

FIRE INSURANCES granted on every description of property, at home and abroad, at moderate rates.

Claims liberally and promptly settled.

All policies are now entitled to the recent Reduction in the duty to 1*s* 6*d* per cent., whether covering buildings, furniture, or stock. ANDREW RADEN, Superintendent.

LAW PROPERTY & LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand, London.

CAPITAL, 250,000*l*.

DIRECTORS.

Ralph T. Brockman, Esq. Folkestone.
Edward Wm. Cox, Esq., 24, Russell-square.
Geo. Fred. Fox, Esq., Bristol.
E. F. P. Kelsey, Esq., The Close, Salisbury.
John Mead, Esq., 2, King's-bench-walk, Temple.
H. Paull, Esq., M.P., 33, Devonshire-place.

MEDICAL ADVISERS.

Nicholas McCann, Esq., M.D., 30, Parliament-street.
Henry Thompson, Esq., M.B., F.R.C.S., 35, Wimpole-street

CONSULTING ACTUARY.—F. G. P. Neison, Esq., F.S.S.

SECRETARY.—Edward S. Barnes, Esq.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY,

69, CHANCERY-LANE, LONDON.

CHAIRMAN.—Russell Gurney, Esq., Q.C., M.P., Recorder of London.

DEPUTY CHAIRMAN.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

MUTUAL ASSURANCE WITHOUT MUTUAL LIABILITY.

POLICIES PAYABLE IN LIFETIME.

BRITISH EQUITABLE ASSURANCE COMPANY,

47 and 48, King William-street, London-bridge, E.C.

CAPITAL, A QUARTER OF A MILLION.

Accumulated Fund, £85,000.

Three Triennial Divisions of Profits at the rate of 1½ per cent. per annum on the sums assured have been declared, and the Fourth Division will take place on December 31st, 1865.

The Profits may be applied to the Reduction of Premiums, or as an addition to the sum assured, *or (by the extinction of the ultimate premiums) to make the policy payable in the lifetime of the assured.*

The Policies in force exceed in number 7800, and in amount £1,312,950.

The Interest realised in 1864 exceeded 6 per cent. on the entire funds of the company.

Industrial Assurances are granted, the payments for which may be made at periods oftener than yearly, five per cent. only being charged extra for such payments.

Active and Influential Travelling and Local Agents wanted.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, CHANCERY LANE, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.

Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.

Business consists of the best classes of risks.

Insurants will be allowed the full benefit of the Reduction of Duty.

Claims settled promptly and liberally.

LIFE DEPARTMENT.

Capital £250,000, in addition to the Reserve Fund.

PREMIUMS MODERATE.

A Bonus every five years. Next bonus in 1869. At the Division of Profits in 1864 the Reversionary Bonus amounted to from 15 to 80 per cent. per annum on the premiums paid varying with the ages of the insured.

Copies of the Directors' Report and the Balance-sheet, and every information, may be obtained at the Chief Office, or of any of the Agents of the Company.

FRANK McGEDY, Secretary.

Legal Notices.

WILLIAM CLARE WORRALL, Deceased.—Pursuant to an Act of Parliament made and passed in the 22nd and 23rd years of the reign of Her present Majesty, cap. 35, intituled "An Act to further Amend the Law of Property and to Relieve Trustees." Notice is hereby given, that all persons having Claims or Demands against the Estate of WILLIAM CLARE WORRALL, late of Rice House, West Derby, in the county of Lancaster, merchant, deceased (who died on the 29th day of July 1864), are hereby required to send in the particulars of their respective claims on or before the 10th day of October 1865, to Mary Ellen Worrall, of Harrington, St. Helens, in the said county (the widow and relict of the said deceased), the administratrix of the personal estate and effects of the said William Clare Worrall, deceased, to whom letters of administration were granted by the Liverpool District Registry of Her Majesty's Court of Probate on the 29th day of July 1864), at the office of me, the undersigned, John Radcliffe, as her solicitor; and immediately after the said 10th day of October 1865, the said Mary Ellen Worrall will proceed to administer the said estate and effects and distribute or appropriate the assets of the said deceased, having regard only to the claims of which the said administratrix shall then have had notice, and that the said administratrix will not be liable for such assets or any part thereof so distributed or appropriated to any person of whose claim the said administratrix shall not have had notice at the date aforesaid.—Dated this 1st day of September 1865.

JOHN RADCLIFFE, 11, Dale-street, Liverpool, Solicitor to the Administratrix.

LAW.—A Gentleman at the Bar, who has been in the habit of preparing articled Clerks for their examination on the roll of attorneys for several years past, undertakes the PREPARATION of Candidates for their Preliminary, Intermediate and Final Examinations, upon moderate terms. High testimonials can be obtained from the parents and guardians of former pupils, as well as from the young men themselves.—Apply by letter only, signed "LEX," Mr. Kelly's, Newswendor, Gray's-inn-archway, Holborn.

TO CLAIMANTS of TITLES and ESTATES, Genealogists, Heralds, Historians, Solicitors, &c.—The Advertiser is prepared to render every INFORMATION touching Manors, Lands, Lineage and Armorial Bearings, in England and Wales, from the Conquest to the present time, at a reasonable rate. A coat of arms found and emblazoned in enamel, 5*s*.—Apply to Mr. GEORGE HENRY, No. 60, Doughty-street, W.C.

THE NATIONAL ASSOCIATION for the PROMOTION of SOCIAL SCIENCE.—The NINTH ANNUAL MEETING will be held in SHEFFIELD, from the 4th to the 11th OCTOBER next.

President—The Right Hon. Lord BROUGHAM.

DEPARTMENTS.

I. Jurisprudence and Amendment of the Law.
II. Education.
III. Health.
IV. Economy and Trade.

President of the Department of Jurisprudence and the Amendment of the Law, Sir ROBERT J. PHILLIMORE, D.C.L., Her Majesty's Advocate-General.

SPECIAL QUESTIONS FOR DISCUSSION IN THE DEPARTMENT.

Section A.—INTERNATIONAL LAW.

Is it desirable to establish a uniform international law of Freight? and if so, on what principles?

Section B.—MUNICIPAL LAW.

1. Upon what Principle should the Bankrupt Law of England be Amended? 2. Upon what Principle should Local Courts be Constituted with reference to Extent of Jurisdiction and System of Procedure? 3. Is it expedient to remove any and what of the remaining Restrictions on the Admissibility of Evidence in Civil and Criminal Cases?

Section C.—REPRESSION OF CRIME.

1. Is it desirable to establish Reformatories for Adult Criminals? 2. Does the present Administration of the Poor Law create any obstacles to the Reform of Criminals and the Repression of Crime? And, if so, how could such obstacles be removed? 3. What means is it desirable to adopt to prevent the passing of Sentences inadequate to the proper Repression of Crime?

Two days of the meeting will be reserved for voluntary papers on subjects within the scope of the departments. Papers must be sent to the General Secretary on or before the 15th of September. Members' subscription one guinea, entitling to admittance to the annual meeting, and to a copy of the "Transactions." Associates' tickets ten shillings, admitting only to the annual meeting. Ladies may become either members or associates on the above terms. Societies and other public bodies may become corporate members on payment of two guineas, which will entitle them to be represented by three delegates and to receive a copy of the "Transactions." Every information concerning the meeting may be had on inquiry at the Office of the Association, 1, Adam-street, Adelphi, W.C., or at the local office, 68, High-street, Sheffield. GEORGE W. HASTINGS, General Secretary.

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"LAW TIMES" EDITIONS of IMPORTANT STATUTES.

SESSION of 1865.

The following are in the Press—

The COUNTY COURTS EQUITY JURISDICTION ACT, with a Treatise on the Law and Practice of Equity as it is to be Administered in the County Courts. By H. P. GIBBONS, Esq., Barrister-at-Law, and W. C. HARVEY, Esq., Barrister-at-Law.

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To Readers and Correspondents.

S. M.—The duty was not repealed.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

Mr. Hanson, of the Chancery Bar, succeeds Mr. Trevor at the Stamp-office.

Mr. Charles P. Phillips has been appointed by the Lord Chief Justice Revising Barrister for the City of London, in the place of Mr. Hanson, who has been appointed to the Stamp-office.

We direct the attention of all interested in magistrates' courts to a correspondence on the "Small Penalties Act" of last session, sent to us by Mr. Oke, which will be found in the department devoted to the Magistrates' and Parish Law.

The Lord Mayor has adopted a rule at the Mansion-house, which the magistrates throughout the country should follow—not only *making* the rule, but strictly observing it. The report is as follows:

In consequence of some alleged malpractices in this court on the part of persons not legally qualified as solicitors, the Lord Mayor has deemed it necessary to lay down a stringent rule for the future, that none but barristers, certificated attorneys, and articled clerks to attorneys shall be allowed to conduct a prosecution or a defence at the justice-room. It was much wanted, for, besides the inconvenience of the practices which has been superseded, it often furnished a pretext to some members of the legal profession, after receiving fees, to entrust to clerks not under articles the discharge of duties which they themselves should have performed. Prisoners, especially, had much reason to complain of this practice.

A case now occurred under the new rule. A person appeared to defend a prisoner, and when asked if he was a solicitor, or an articled clerk to one, replied in the negative, though, he said, he had been in the Profession for about thirty years, but had not this year taken out his certificate.

Mr. Oke, the chief clerk, told him that there had been so many irregularities by unprofessional persons appearing in cases, that the Lord Mayor had been obliged to make a rule excluding them for the future.

The Lord Mayor: And I shall act upon it, too. The other day I declined to hear a person who claimed to represent Mr. Beard, on the ground that he was not a solicitor.

Upon that the applicant withdrew, and the case proceeded without his services.

The building formerly occupied by the Insolvent Debtors' Court has been appropriated to the Commission appointed to "advise and report" on the internal arrangements of the new Palace of Justice. The commission will proceed to business at the close of the vacation, and there is plenty of work before it. The first matter to be determined will be the number of courts, the number of rooms to be appropriated to each court, and the offices to be appropriated to general purposes. We trust that waiting-rooms for witnesses, with separate rooms for ladies, will be provided as at the railway stations. By judicious management, these might be so arranged that one set of witnesses rooms may suffice for two—perhaps for four—courts, and there should be a direct communication between the court and the waiting-room, so that the witness may pass from one to the other without exposure to a draught. The want of this accommodation in almost all our existing courts is a disgrace to the country. When the internal requirements are settled by the commissioners, the building that is to contain them should be offered for architectural competition. While doing a grand work that is to last for ages, let it be worthy of our era in *all* respects—a monument to which our descendants may look with pride.

It is the wholesome practice of the Stock Exchange to subject its members to a self-constituted jurisdiction in the nature of a Court of Honour. By this tribunal, composed of a committee of the most honoured of its members, expulsion is the punishment of nonfulfilment of any bargain made. Expulsion is ruin, and therefore the decrees of this committee are more effective than any law that Parliament could devise. Upon the whole, the power thus assumed has rarely been abused, and until lately it has been submitted to with a good grace by the persons immediately subjected to it, and its exercise has received the approval of the public out of doors.

But lately there has been a revolt against this jurisdiction of the committee, and the propriety of its irresponsible jurisdiction has been questioned, perhaps more without the walls of the Exchange than within them. It has arisen thus. One of the duties undertaken by the committee is, the recognition of new companies on 'Change by placing them on the official list. The main purpose of this supervision is the wholesome one of excluding bubble schemes; and this is sought to be effected by requiring, as a condition of acceptance, that a certain portion of the capital shall be *bonâ fide* subscribed. The tricks by which the public are imposed upon are not permitted to prevail on 'Change, for it is the business of the committee to investigate the applications made by new companies, and to be assured, by what it may deem sufficient evidence, that the facts are as stated. It is in the confidence which investors feel in this inquiry being both searching and impartial that the value of being placed on the list of the Stock Exchange mainly consists, for that acceptation is taken as a guarantee that the company has at least something substantial in it. Hence there is a great desire on the part of the promoters of new companies to place themselves in this advantageous position, as the best certificate of character they could produce, and the surest step to the subscription of their required capital.

And in pursuance of the same principle the committee will not recognise any dealings by members of the Stock Exchange with the shares of any companies not upon the list, so far as to enforce, by fear of the punishment of expulsion, the fulfilment of any time-bargains made in relation to them. The committee look upon such companies as nought, or at least as out of their jurisdiction, and will no more inquire how the members of the Stock Exchange have dealt with them than what have been their dealings with their butchers and bakers, or what bargains they may have made in land or ships.

Two formidable complaints have lately been preferred against this jurisdiction and the exercise of it. It is said that the claims of certain companies to be placed on the official list have been rejected arbitrarily, without any sufficient reason. To this the committee answer, that there was ample reason, for that the companies in question did not make a good case; they had practised certain deceptions, such as framing their articles of association differently from their prospectuses, especially with respect to amount of capital, and with design, as it was alleged, to evade the wholesome requirement of the Exchange that a certain proportion of the capital should be actually subscribed. It was contrived thus. The capital of the company was named in the prospectus at some small sum, say, by way of illustration, 50,000*l.* But the articles of association contained a clause empowering the directors to extend the capital to 500,000*l.* As the named capital was quite insufficient for the proposed business, it was certain that the directors must immediately exercise the power so vested in them; and it was intended that they should do so, the object being achieved by the ingenious contrivance of securing recognition by the Stock Exchange on subscription of the required proportion only of the small *nominal* capital, instead of by that which would be required for the large, *real* capital.

Now this appears to us, as probably it will to the reader, to be a very legitimate and laudable exercise of the powers of the committee, and it would probably have passed without complaint from any but the companies so righteously treated, had not other motives been assigned for the resolve. The committee is accused of refusing to recognise the companies in question because, by such recognition, certain members of the Stock Exchange, who have been dealing largely in the scrip and shares, would be at once brought thereby under the jurisdiction of the committee, and would be compelled to fulfil their obligations at an enormous loss.

If this be indeed the motive, it is most reprehensible. But is it so? We doubt it much. At all events, the question for the public is not the motive, but the act. Have the rejected companies so done, and, if so, has the committee rightly refused the application on that account. Surely, if there has been deception, it is the duty of the committee to detect it; and if detected, it is properly punished by exclusion. But the objectors are not content with fault-finding. They cry out for the total abolition of the jurisdiction of the committee. They would have every new project, however flimsy, placed as of right on the list of the Stock Exchange. They repeat the argument that has so long proceeded from the same sect of economists. "Leave," they say, "the public to take care of itself. Give free scope to knavery; *caveat emptor*; if there are people weak or foolish enough to be taken in, let the rogue prey upon them; why should the law protect them if they don't or won't protect themselves." These are the writers who have brought about the enormous frauds that are the disgrace of our time; to them we owe the Bankruptcy Act, that *Magna Charta* of roguedom. The honest portion of the community will probably prefer that, the law failing to perform its proper functions, the committee of the Stock Exchange may do some service to the public by offering a portion of the protection against knavery, which the law denies. That it will be soundly abused by those whose peculations it prevents is only what might be looked for; but why the newspapers, speaking for the public, should object to this useful process for bursting bubbles it is impossible to conjecture, except that the writers have a sympathy with the disappointed.

We learn from the *Standard* that the rules to be framed under the 16th section of the County Courts Equitable Jurisdiction Act have been received in draft at the City Sheriffs' Court, to which, in common with the County Courts, they have been forwarded from the Treasury for suggestions, with a view to their being made uniformly practicable. It was noticed in this journal of July 15, that the preparation of the rules was in the hands of Mr. Dasent, Mr. Heath, Mr. Worlledge, Mr. Kettle, and Mr. Furner, who constitute the committee of judges appointed by the Lord Chancellor, generally to frame rules and orders for regulating the practice of the courts and the forms of proceeding. It is said that many of the courts have already returned the draft rules, but that these rules are not yet finally disposed of in the Sheriffs' Court, as far as the corporation of the city is concerned. The Sheriffs' Court, it appears, is now, for the first time, brought within the rules to be made by the committee, by reason of the 4th section of the Equitable Jurisdiction Act, which enacts that the Judge and officers of the court held under the provisions of the London (City) Small Debts Extension Act 1852, or City Court, as it is called in the Equitable Jurisdiction Act, shall have the same jurisdiction as the judge and officers of a metropolitan County Court; the like fees are to be taken there as in a County

Court, and they are to be paid into the general fund of the City Court, out of which the common council is to appoint additional salaries to the judge and officers; but such judge and officers of the City Court are to conform to the rules and orders made under the Act. The judge of the Sheriffs' Court had power, in conjunction with the recorder and common serjeant, to frame rules, which, being submitted to one of the chief judges of the Superior Courts, were approved and adopted. It is alleged that the Profession in the city has acknowleged that power to be a great benefit, inasmuch as in cases where the sum recovered is over (*quære* under) 10*l*., one of the existing rules enables a suitor to have his costs taxed under a scale, which has generally proved most efficacious. It being anticipated, says the above-mentioned newspaper, that the Sheriffs' Court may, perhaps, lose the benefit of even those old rules which have worked so well, the Court of Common Council has referred the matter for the consideration of the officers' and clerks' committee, which is now looking into the facts.

The London City Small Debts Extension Act is not among the public Acts, and at this season of the year, when the legal libraries are closed, we have not had the advantage of consulting the local and personal Acts, therefore we present the matter in relation to the constitution of the Sheriffs' Court as we find it reported from that court. But it can scarcely be supposed that the Government, even if, having regard to the Equitable Jurisdiction Act, it had the power, would consent to the preservation of the existing rules of the Sheriffs' Court, on account of their goodness, in the present state of the jurisdiction, when that jurisdiction is about to undergo so large an extension that the successful exercise of it will depend mainly on the rules in course of being framed for its regulation. Uniformity of practice, so far as it can be attained by the courts, in the performance of their new functions, is of the highest importance. For this purpose uniformity of rules is the first requisite. Starting from the same Act and the same rules, we hope that, by means of the reports of various kinds, from those in the daily newspapers upwards, which will be furnished by the Profession, something like a system of County Court equity administration will be established. The distance at which the courts necessarily are from one another will for some time be a hindrance to the accomplishment of this desirable result. Whether, in addition to the committee for making rules and orders, any committee could be formed under an enactment to be passed to that effect, for securing uniformity of decision and administration, may be a question worthy of the LORD CHANCELLOR's consideration. System, if carried too far for the nature of the subject-matter, is undoubtedly expensive and vexatious; but co-ordinate judges who do not act in conformity with one another, in leading principles and main subordinate heads of adjudication, would speedily excite dissatisfaction, presently become distrusted, and be liable ultimately to fall into contempt.

THERE is no greater injustice than the judgments passed by the democratic journals on the sentences passed by judges upon offenders. Utterly ignorant of the facts that determine the measure of punishments, they look only at the offence and at the sentence, and accuse the judge of undue leniency or undue severity, of partiality or incompetency, as the one or the other affords the largest scope for an attack upon a public man who is forbidden by his position from answering the accusation of anonymous assailants. These journalists are either very ignorant, or very reckless, or very malignant. Can they be really ignorant that the sentence on a criminal is regulated, not merely by positive law, but by a multitude of circumstances other than the particular offences of which he has been convicted? If they know this—and it is difficult to believe them ignorant—how reckless or how malignant must be the mind that could take advantage of the tied hands of a functionary discharging a difficult duty, to accuse him of a wrongful exercise of that duty without having all the facts before him upon which the judgment was formed of which he ventures to complain.

A striking instance of this abuse of the liberty of the press has occurred at a recent Middlesex Sessions. One of the papers that sets up for democracy made a fierce attack upon the judge for having sentenced one man to a year's imprisonment and another man to seven years' of penal servitude for the same offence, viz., picking pockets. The fact was, that the latter had been previously convicted several times of the same crime; the judge considered that it was necessary to try greater severity, and the new law makes it peremptory that not less than seven years' of penal servitude shall be given where there has been a previous conviction. The other man had not been previously convicted; at least, there was no proof of any former conviction, and as it is usual to give offenders one chance of reformation, the sentence upon him was only a year's imprisonment. And so it is with all the cases of apparent inconsistency on which writers hard pushed for a subject delight to expatiate. If the facts could be stated, it would be found that there were good reasons, apart from the particular conviction, for the severity or the leniency that was exhibited.

WHAT is to be done with the dog nuisance? Almost daily complaints are made to the police magistrates of the biting of persons in the streets by stray dogs, and the law is so inefficient that neither can redress be obtained for the past nor protection for the future.

A report of the proceedings at the Marylebone Police Court on Saturday will show what is the state of things:

> Two applications were made to Mr. Yardley for summonses against the owners of dogs which had bitten children. They were granted.
>
> In one case a gentleman asked the magistrate if he could not make an order to have the dog destroyed at once, as it was still at large, and dangerous to every one passing the house.
>
> Mr. Yardley replied that, unfortunately, the law gave him no such power. If it did, he would at once order the dog to be destroyed. In what he was about to say he might be giving dangerous advice as the law existed at present; but he would, if he could, destroy a dog that flew at a child in his presence, and that by the readiest means possible. There was nothing more absurd than that the law should give such very limited powers to magistrates in the way of punishing owners of such vicious and spiteful animals. There seemed to be a vast amount of sympathy among people for dogs, more so than for human beings. A maudlin sympathy for dogs seemed to be greatly on the increase. If he were to mention the number of cases that had been brought before him of persons bitten by dogs, it would seem incredible. The Legislature ought to pass a law to put an end to the evil. What with the absurd state of the law and societies, people had every chance and opportunity for sympathising with dogs and keeping them, to the danger and annoyance of their neighbours. It was a scandal that the evil should be allowed to exist, but until some great person died from hydrophobia we should have no alteration in the law.

The police magistrate is right. In country, as in town, dogs have become a serious nuisance. The remedy will be to require that the owners of dogs shall have their names and addresses upon a collar which shall be kept about the neck of any dog not being accompanied by the owner; to empower the police to destroy all dogs found without a collar; to make the owner of a dog responsible in damages, to be recovered summarily before a magistrate, for any mischief his dog may do; and, above all, to insist upon the surveyor of taxes surcharging with double duty every dog not returned by the owner. It is to the neglect of this duty by the tax officials that the growth of the dog nuisance is mainly due. Formerly much vigilance was exercised in this respect; now there is none at all, and the dog-tax has become almost a voluntary tax; those who please to return their dogs to the assessor may do so, but if they do not no notice is taken of them. We should be inclined to go one step further, and to require that all dog-collars should be stamped with some official mark, indicating that the tax has been assessed, the omission to do so being punished by a penalty of not less than forty shillings. Not only would the revenue profit immensely by some such provision as we have here suggested, but the public would be protected against a serious and growing nuisance.

THE loves of the lady and the groom, so unwisely proclaimed to the public, are not to be made the subject of judicial investigation. The prosecution of the boy, commenced without the shadow of a pretence for it, has been prudently abandoned by the friends of Miss CROSER. The evidence, indeed, failed utterly to sustain the charge. It was contended that abduction under the statute extended to any case in which a man eloped with a girl under twenty-one who chanced to have or anticipate a fortune. No such interpretation can by any strain of language be put upon it. To constitute the crime there must be force or fraud. The girl must be induced to quit her home for the arms of her lover by something other than love-making. OTHELLO would not have been a felon by the law of England. Much less was SMITH, who, according to the young lady's confession, was moved by her. She ran away with him, not he with her. No jury would have convicted on such evidence, and it is difficult to see upon what ground the police magistrate remanded the weeping boy. The charge of theft it was, perhaps, which induced the hesitation rather than the charge of abduction. But this, upon investigation, proved to be almost as shadowy as the other. True, that an adulterer has been often convicted of theft, where the guilty wife has carried away with her valuables belonging to her husband, though the justice of this is very problematical. But in the case of poor SMITH, there was no proof that he possessed himself of anything belonging to the father of the young lady.

The strangest part of the business was the extraordinary folly that made public a matter which regard for a young lady's fair fame should have counselled her friends to keep in profoundest secrecy. The mischief had gone too far for prevention or cure, and the only remedy was to hasten the marriage and provide for the ill-matched pair in another part of the globe, where their antecedents would be unknown or uncared for. But, while sincerely sympathising with the grief of a father and a family, we must protest, with some indignation, against an attempt to wield the criminal law for the avenging of a private wrong.

INVESTMENT JOURNAL.

A TONE of increased confidence has been exhibited through the week. The splendid sunshine has removed much of the alarm that had been felt for the harvest, although the continued spread of the cattle plague, the appearance of the potatoe disease and the rot in the turnips, have forbidden all hope of the continuance of the plenty we have enjoyed for the last two years. Beef has not yet reached its maximum price. At this moment it is depressed, for all are afraid to buy; there is no market, in fact, and those who are obliged to sell are compelled to do so at the depressed prices that always attend the absence of competition. The rise will be when the disease has disappeared, and everybody will be going into the market as a purchaser, to replace the losses of the plague. *Then* beeves will go up, and beef will advance also. Just now mutton is dearer than beef, because it is more in demand. The following are the fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thu.
Bank of England Stock	250	...	245½	250	249	—
3 ⅌ Cent. Red. Ann.	88⅞*a*	88¼	88¼	88¼	[illegible]	[illegible]
3 ⅌ Cent. Cons. Ann. ...	90	89¾	89¾	89¾	[illegible]	[illegible]
New 2½ per Cent. Ann. ...	...	...	...	...	—	—
Do. do. Jan. 1894	...	...	...	...	—	[illegible]
New 3 ⅌ Cent. Ann.	88¼	...	84¼	88¼	89	[illegible]
New 3½ ⅌ Cent. Ann. ...	...	...	...	...	—	—
5 ⅌ Cent. Annuities	...	...	...	...	—	—
5 ⅌ Cents. Jan. 1873 ...	...	...	...	...	—	—
Ann. 30 yrs. exp. April 5, 1885	13⅛*a*	...	...	12	—	—
Do. exp. Jan. 5, 1880 ...	...	...	...	...	—	—
Red Sea Tele. Ann. 1908	...	...	...	...	—	—
Bank Stock, for Acc. ...	...	...	...	...	—	—
Consols for Acc.	90	90	90	...	89¾	[illegible]
Consols 3 ⅌ Cent. for Ac.	...	...	...	...	—	—
India 5 ⅌ Cent. for Acc.	...	...	...	...	—	—
India Stock	...	...	...	...	—	—
India Stock, 1874	...	...	...	...	—	—
India 5 ⅌ Cents.	...	...	...	...	—	—
India 4 ⅌ Cents. 1888 ...	...	...	97½	...	...	—
India 5 ⅌ Cents. 1870 ...	105¼	...	...	105¼	105¼	—
India Bonds (1000*l*.)	22pm	...	...	...	—	—
Do. (under 1000*l*.)	...	...	...	21pm	23	—
India Debentures, 1863	...	...	...	...	—	—
Do do. 1864	...	...	...	...	—	—
Do. do. 1866	...	100	...	...	—	—
India Enfaced Paper, 4 ⅌ Cent.	...	...	...	...	—	—
Do. do. 5 ⅌ c. Jan. 1872	102½	...	102	...	101½	—
Do. do. 5½ ⅌ c. May 1879	...	...	...	109	...	—
Ex. Bills, 1000*l*.	*b*	*d*	*e*	*d*	...	*f*
Do. 500*l*.	...	*d*	*f*	*d*	—	*f*
Do. 100*l*. & 200*l*. 3 ⅌ c.	*c*	*d*	*f*	*d*	...	*f*
Do. Small, & 3 ⅌ c. ...	...	...	...	...	...	—
Do. Advertised	...	...	...	...	...	—
India Certificates	...	...	...	...		

a ex div.
b 3 3½ per cent. 2 dis.
c 3 3½ per cent. par, 2 dis.
d 3 3½ per cent. 3s. pm.
e 3 per cent. 3s. pm.
f 3 per cent. 3s. dis.
g 3 3½ per ct. 1s. pm.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

Libel — Privileged Communication. — Plaintiff, an importer of French brandy, brought an action against C. for publishing these words: "Now, as to Mr. S., I warn him that I am willing to leave the matter to arbitration; as to his conduct I did not say half enough, it more resembles that of a freebooter than of an honourable British merchant." Defendant pleaded that he had published a notice saying that he had purchased the brandy of some of those parties who had prize medals, and it was as vile stuff as ever was made; that the plaintiff employed D. to write to him; that defendant stated it was not to plaintiff's brandy he referred, but that of some other person; upon which plaintiff required to get from the defendant a sample of the brandy the defendant meant, and required that defendant, at his own expense, should procure an advertisement to be inserted in the newspaper fifty times, stating that it was not to the plaintiff's brandy he alluded, but that it was of an excellent quality; and further required that defendant should pay him 20*l.*, the plaintiff alleging that he had incurred expenses to that amount; that the defendant wrote both to plaintiff and an agent of his, and both referred him to the attorney, who wrote to him threatening immediate proceedings if the 20*l.* was not paid, and the other terms fulfilled; that defendant believed such demand to be extortionate, and had an interest in endeavouring to induce plaintiff and his attorney to abstain from taking legal proceedings against him, and, acting *bonâ fide*, wrote and published the words in question to the plaintiff's attorney without malice, and did not publish them, except to such attorney. This plea was held to disclose a privileged occasion: (*Sayers* v. *Begg*, 13 L. T. Rep. N. S. 43. Ir. C. P.)

MARLBOROUGH-STREET POLICE COURT.

Mr. Frederick Thomas Hall, solicitor, Gray's-inn-square, appeared before Mr. Knox, on an adjourned summons, charging him with having uttered, disposed of, and put off, knowing the same to be forged, a certain copy of a document used and intended to be used as evidence—namely, a copy of a *capias*, &c.

Sleigh appeared for the prosecution.

Ribton for the defendant.

Ribton, before the proceedings began, requested that a person named Conlane should be called on his summons.

Conlane was called, but did not answer.

Ribton said, if Conlane did not appear he should have to apply for a warrant against him.

Mr. Knox read a summary of the previous proceedings, and handed the *Times* to Sleigh with the report of the last examination in it, and inquired if he would take the report as correct.

Sleigh said the report in some respects was condensed, but it was correct.

Mr. Knox said he was now prepared to hear any additional evidence, if there was any.

Sleigh then submitted that the 27th and 28th sections of the Consolidated Forgeries Act should be read together, the 28th section being the one on which he principally relied. He contended that forgery at common law was the making any instrument *malo animo* for the purpose of fraud and deceit. The question was, whether the documents in the case before the court were not spurious, and whether they were not made for the purpose of fraud and deceit. He would quote the cases of *The Queen* v. *Richmond*, *The Queen* v. *Evans*, *The Queen* v. *Sharman*, and *The Queen* v. *Collingwood*, in support of his argument, and, in conclusion, would submit that the forging and delivering of the writ and *capias* constituted an offence within the meaning of the Act, inasmuch as the documents were fictitious and made *malo animo*.

Ribton said a good deal that had been advanced by Mr. Sleigh was immaterial to the issue. The question was, whether an offence within the 28th section of the Act had been committed. The object of the Act, he contended, was to prevent the service of writs with intent to defraud; but it would not be a forgery unless the document was put in force against the person whose name appeared in the instrument.

Mr. Knox said he had carefully looked into the circumstances of the case, and having had an opportunity of reading Mr. Sleigh's address and Mr. Arnold's (his colleague) remarks, he was bound to say he took substantially the same view of the case as Mr. Arnold, who concurred with him that the charge of forgery could not be substantiated. If the facts stated by Mr. Sleigh in his address were borne out, the defendant might be open to an indictment for making use of false pretences with intent to defraud. The fictitious process was not capable of being served or enforced against Madame Valentin, and, taking a common sense view of the case, he had no doubt that the Legislature intended to prevent persons from using forged processes of law with intent to oppress the subject, and that persons should not forge the signature of a judge and oppress the subject. As there was some doubt about the construction of the Act, Mr. Sleigh wished the case to be sent for trial, and then the doubt could be taken for solution to a higher court; but he could not feel justified in sending one of the Queen's subjects for trial, when he felt that a conviction would not follow, merely to clear up a disputed point of law. He should therefore dismiss the summons.

BANKRUPTCY COURT.

Re Charles Preston.

The bankrupt was an attorney and solicitor, practising at 63, Great Tower-street. His debts amount to between 3000*l.* and 4000*l.*, a large number of the creditors being barristers and professional gentlemen for fees payable in respect of work done for the bankrupt.

Debts to the amount of about 2000*l.* were now proved, and Mr. Foster, of Crown-court, Threadneedle-street, was appointed creditors' assignee; Messrs. Walters and Moojen being the solicitors to the estate.

APPOINTMENT.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Right Hon. Sir William Erle, Knight, Lord Chief Justice of Her Majesty's Court of Common Pleas, has appointed Henry Churchill, of Deddington, in the county of Oxford, gentleman, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, under the Act passed for the Abolition of Fines and Recoveries, and for the substitution of more simple modes of assurance in and for the county of Oxford.

HEIRS AT LAW AND NEXT OF KIN.

Vickerman (Hannah), Park-house, Almondbury, Yorkshire, widow. Heir at law and next of kin to come in by 29th Oct. at Wood's, V. C. Solicitor, A. Gledhill, 9, Fenchurch-street, London, for Laycock and Dyson, of Huddersfield.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Bacon (Geo. Wm.), formerly of Seharunpore, in the North-Western Provinces of India, a member of the Bengal Civil Service, afterwards of 2, West Ascent, St. Leonard's-on-Sea, Sussex, late of Venice, Esq. Oct. 2; Jennings and Son, solicitors, 18, Bennett's-hill, Doctor's-commons, London. Nov. 2; V.C. K., at noon.

Coulson (Thos.), Lescudjack-house, Penzance, gentleman. Oct. 2; W. Borlase, solicitor, Penzance. Nov. 8; M. R., at noon.

Gwynne (Margaret Teresa), late wife of F. X. M. Gwynne, of Crickhowell, Esq. Oct. 2; C. O. Humphreys, solicitor, Gilt-spur-chambers, Newgate-street, London. Nov. 6; V.C. W., at one in the afternoon.

Hobson (George), 11, Westbourne-park, Middlesex, and Cottered, Herts, Esq. Oct. 1; St. P. B. Hook, solicitor, 9, Lincoln's-inn-fields, London. Nov. 8; V.C. S., at two o'clock in the afternoon.

Hunt (John), Congelow Yalding, Kent, gentleman. Oct. 16; Senior and Attree, solicitors, 2, New-inn, Strand, London. Nov. 13; V.C. S., at three o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Barnett (Lazarus Conway), Nottingham, lace manufacturer. Oct. 31; Burton and Browne, solicitors, Nottingham.

Bower (John), Wollaton, Notts, gentleman. Oct. 24; Burton and Browne, solicitors, Nottingham.

Brown (Richd. Thornton) (otherwise Richd. Thomas), Adam's-court, Old Broad-street, London, oil and seed broker. Dec. 24; J. W. Nicholson, solicitor, 48, Lime-street, London.

Butler (Charles), 32, Merrick-square, Trinity-street, and of the Borough-market, Southwark, Surrey, fruit salesman. Oct. 19; G. F. Cooke, solicitor, 30, King-street, Cheapside, London.

Crosse (Henry George Godsaloe), Barwick-house, Rainham, Essex. Nov. 1; Bennett, Dawson, and Thornhill, solicitors, 2, New-square, Lincoln's-inn, London.

Hamilton (C. Thos.), 6, Windsor-terrace, Maida-hill, Middlesex, Esq., M.D. Oct. 7; Rhodes, Son, and Duffett, solicitors, 63, Chancery-lane, London.

Henson (Harriott), East-view, Sheffield, spinster. Nov. 1; Brown and Son, solicitors, 1, St. James's-street, Sheffield.

Higgins (Rice Giles), Star-hill, Rochester, Esq. Oct. 2; Prall and Son, solicitors, Rochester.

Hunter (Mary Welsford), 6, Paragon, Streatham-hill, Surrey, widow. Nov. 8; Linsay and Mason, solicitors, 84, Basinghall-street, London.

Marsden (Robt. Clarke), Hanover-terrance, Regent's-park, Middlesex, and of the Stock Exchange, London. Nov 1; W. Hartley, solicitor, 36, John-street, Bedford-row, London.

Martin (George), Southampton, wine merchant. Oct. 9; Green and Moberly, solicitors, 10, Portland-terrace, Southampton.

Nuttall (James), Stricklank-house, Dilworth, Lancashire, yeoman. Oct. 21; Charnley, Son, and Finch, solicitors, 2 Fox-street, Preston.

Owen (Joseph), 46, Gell-street, Sheffield, commission agent. Nov. 30; J. Turnley, solicitor, 38, Cannon-street, London.

Searle (James), 11, Wellington-road, Stoke Newington, Middlesex, gentleman. Oct. 6; Nash, Field, and Layton, solicitors, 2, Suffolk-lane, Cannon-street, London.

Sebright (Sir T. O. S.), Beechwood, Herts, Baronet. Sept. 29; Tylee, Wickham, and Moberly, solicitors, 14, Essex-street, Strand, London.

Skipper (Henry), 20, Dawson-place, Kensington, Middlesex, 19, Jewry-street, and the Old Corn Exchange, London, Esq. Oct. 10; Vandercom, Cree, and Law, solicitors, 23, Bush-lane, London.

Tripp (Rev. Charles), rector of Silverton, Devon. Nov. 30; C. E. Rowcliffe, solicitor, Stogumber, near Taunton.

Waddington (James), 23, Annette-crescent, Islington, Middlesex, and 1, Coleman-street, London, umbrella manufacturer. Sept. 29; Bakers and Nairne, solicitors, 3, Crossby-square, Bishopsgate, London.

Walkington (Wm. Robt.), Stock Exchange, London. Oct. 31; Garrard and James, solicitors, 15, Suffolk-street, Pall-mall east, London.

Wilson (Wm.), Radford, Nottinghamshire, victualler. Oct. 24; Burton and Browne, solicitors, Nottingham.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Pelham (Most Noble Henry), Duke of Newcastle. 90*l.* Three per Cent. Consols. Claimants, Right Hon. W. E. Gladstone, and the Right Hon. G. W. Baron de Tabley, executors.

White (Helen Georgiana and Sarah), Croydon, Surrey, spinsters. Dividends on 1830*l.* and 450*l.* 7*s.* 3*d.* Three per Cent. Consols. Claimants, said H. G. and S. White.

Whitchurch (Ann), Clifton, Gloucestershire, spinster. Dividends on 872*l.* 8*s.* 7*d.* Reduced Three per Cents. Claimants, S. G. Whitchurch, executor.

Woodall (George), the elder, Great Chapel-street, Soho-square, engraver. 69*l.* 17*s.* 7*d.* Three per Cent Consols. Claimant, G. Woodhall, administrator.

Another Vacancy in Chancery.—In addition to the vacancy among the chief clerks to the Master of the Rolls in the appointment of Mr. Hume as the new taxing-master, there is one clerkship in the same division occasioned by the death of Mr. Fox, the head clerk. The work in the chambers of the Master of the Rolls has been for some time very heavy.

The Forthcoming Revision Courts.—The revision courts will not commence till late this year. The county revision by the new Act cannot commence before the 20th inst., but there is no alteration as to cities and boroughs. Mr. Beales, the Middlesex revising barrister, as already stated, will begin his lists on the 22nd inst. Mr. Terrell, as on former occasions, will revise the lists of Marylebone, Finsbury, and Westminster. By the new Act each court is to be attended by the police, and each revising barrister is to read out in open "court" the names expunged and inserted in the list, and all corrections made therein by him.

Shrievalty Appointments.—Mr. Sheriff-Elect Figgins has appointed Mr. Cyril Mortimer Murray Rawlins, of 29, Coleman-street, to be his Under-Sheriff, and the Rev. James Jackson, vicar of St. Sepulchre, to be his chaplain. Messrs. Wyburn and Co., of 121, Long-acre, are building the state chariot; and Messrs. Hasluck Brothers, 104, Hatton-garden, have manufactured the official chain and badge. The liveries are being made by Mr. Stewart, of 68, Cheapside. Mr. Alderman and Sheriff-Elect Gibbons has appointed Mr. Henry Duffett (Rhodes, Son, and Duffett), of Chancery-lane, to be his under-sheriff, and Messrs. Wyburn and Co., of Long-acre, are constructing the state chariot.—*City Press.*

Serious Charge against a Solicitor.—At the Huntingdon Police Court last week Mr. John Henry King, a solicitor, appeared to his bail to answer the charge that he did, on or about the month of Jan. 1863, at St. Ives, in the county of Huntingdon, fraudulently, and by a certain false pretence, cause and induce one Susanah Harris to execute a mortgage on an estate at Ramsey, with intent that the said mortgage might be afterwards used and dealt with as a valuable security. Mr. Cockerwell, of the Norfolk Circuit, appeared for the plaintiff; and Mr. Naylor, also of the Norfolk Circuit, for the defendant. The case presented against the prisoner was of a serious character. In effect it was, that while acting as attorney for Mrs. Harris he fraudulently got her signature to certain mortgage deeds for his own personal benefit, and on pretence that prosecutrix was signing a will which she had instructed him to prepare. After hearing a great deal of evidence the chairman said the bench had decided upon sending the case for trial, but would accept bail—the prisoner himself in 600*l.*, and two sureties in 200*l.* each. One of the sureties for bail declined to act again, and the prisoner was removed in custody until he could obtain the other.

The Private Inquiry System.—The Government have, it is understood, taken this system in hand with a view to, as far as in their power, suppress it. One—in fact, the chief of those offices—was conducted by Mr. Field, a retired detective inspector of the metropolitan police force. It is understood that, in consequence of some proceedings of those employed in Mr. Field's inquiry offices, certain parties felt themselves aggrieved, and applied to Sir George Grey upon the subject, who communicated with Mr. Field, and it would appear that, as no satisfactory arrangement could be come to respecting his retiring from the office in question, the pension which Mr. Field had been receiving was stopped, on which communications were again opened between Sir George Grey and that person, and we now learn that the pension is now restored to Mr. Field, and that he has altogether ceased to have any connection with inquiry offices. The principal one that remains is conducted by a foreigner, whose name has been many times before the public, and who is known to have for some time belonged to the foreign police, but his office is more of a commercial and political character than domestic.

THE BENCH AND THE BAR.

Mr. F. Calvert, Q. C., was married to Lady Lucy Herbert, on Thursday, Sept. 14. Her Ladyship is the daughter of the second Earl of Powis, and sister of the present peer. She was born in 1819. There were great rejoicings at Welshpool and in Powis-park on the occasion.

The Chief Justiceship of Her Majesty's colony of Hong Kong has become vacant by the death of Mr. W. H. Adams, who at the time of his decease was on a visit to his son in Wales. Mr. Adams was formerly member for Boston, and for some years a writer for the metropolitan press.

SOLDIERS IN CIVIL COURTS.—The following order was issued from the Horse Guards on the 6th Aug. 1860:—"By the regulation of the service a soldier is required to keep his cap on in the presence of a superior; but as the contrary usage prevails in civil life, the General Commanding-in-Chief directs that in civil court, and before a magistrate, a soldier not under arms shall remove his cap.—By command, JAMES YORKE SCARLETT, Adjutant-General."

People have been asking who is Dr. Clarke, the recorder of Rangoon, who heads the anti-infanticide movement, and who "has seen children thrown to the pigs in Ceylon." "A Ceylon Civil Servant" writes to say that Dr. Clarke was early in 1862 promoted from a minor district judgeship in Ceylon to the office of Deputy Judicial Commissioner of Rangoon. He has, therefore, had three and a half years' experience of Bengal and Burmah. As the writer was never in those countries, he does not presume to say that pigs are *not* fed on young children there; but he cannot allow his statement, that "he had seen children thrown to the pigs" in Ceylon, to pass unnoticed. He therefore declares that infanticide, so far as it exists in Ceylon, is conducted in the most quiet and secret manner, and that it is therefore exceedingly unlikely it should ever have come before the eye of a judicial officer.—*Pall-Mall Gazette.*

MR. JUSTICE ANSTEY.—Mr. Chisholm Anstey is undoubtedly the hero of the present mail. "Mr. Chisholm Anstey in the Police-court." "Mr. Chisholm Anstey and the criminal information against Lian." "Mr. Chisholm Anstey made a judge of the High Court of Bombay." Sensation paragraphs of this kind chase each other in rapid succession through the columns of our local contemporaries. The mutations of fortune are many and great. "The whirligig of time," we are told, "brings in its revenges." But that in the course of a week a man should stride from the dock to the bench is, we confess, something even beyond our experience of the startling things written down in the great "chapter of accidents." But so it is. Mr. Chisholm Anstey has been brought up before the Bombay Police-court for defamation of character; and he has been appointed a judge of the High Court during the absence of Sir Joseph Arnould. The *Times of India* devotes nearly seven columns to the report of the case, which ended in the dismissal of the summons. We have not had time to peruse the whole of it, but it appears that Mr. Anstey, as a barrister, in the course of a certain legal investigation, stigmatised the Eastern Financial Association as a fraudulent company, and all connected with it as a nest of swindlers. Upon this Mr. Crawford, the solicitor of the company, instituted criminal proceedings against him for defamation of character. Of the evidence given by Mr. Crawford, the following may be taken as a sample: "When the judge had left the court, Mr. Anstey went into the room which is used as a robing-room; I followed him, and as there were two gentlemen inside I said I would be glad if he would step outside and let me have a word with him. He came out, and I asked him whether, when he used the words 'a nest of swindlers,' he included me. He said he declined to answer for what had taken place in court, and would not be cross-examined by me or any one else. He went back to the robing-room, and I followed to the door and repeated the question. He would give no answer, and I gave him my mind, which I will repeat here if you like, Mr. Cleveland.—Yes, let us have it. Mr. Crawford.—I told him he was a disgraceful and disreputable old fellow, and that he took a scandalous advantage of his gown, and grossly abused his privileges as a barrister; that he deserved to be cut by respectable members of both professions, and that if he had only dared to say one quarter out of court that he had taken advantage of his gown to say within it, he would have had his head knocked off his shoulders many months ago, clever though it was. I left them. This was all that took place then. There may have been one or two words more." And now the man thus declared to be "a disgraceful and disreputable old fellow," whose head ought to be knocked off his shoulders, and who should be cut by respectable members of society, is protected by the judicial ermine, and officially elevated to the position of a *custos morum*, and a dispenser of the laws which he is accused of breaking. All this, we confess, is very strange. But, in spite of his eccentricities of conduct and infirmities of temper, we have a certain kind of respect for Mr. Chisholm Anstey. He is an able, and we believe him to be an honest, man; but we are not quite sure that he is the sort of man that it is desirable to place on the bench. We know that the art of muzzling is no mean part of statesmanship. We have seen many troublesome young members of Parliament silenced by being appointed to small places in the government of the day. We have seen public writers, who have been as troublesome with their pens as these young members with their tongues, provided with snug consulships or colonial offices, and thus either gagged or converted. But the dispensing of public justice is a graver matter; and we have always thought that soundness of discretion, calmness of temperament, and moderation of speech, were essential to the character of a judge. A man of a hot and heady contentiousness, uncontrolled of speech and violent of conduct, who has been all his life in hot water, can scarcely reflect much honour upon the judicial ermine. We are sorry, therefore, that this appointment has been made; and we sincerely hope that the government of Bombay will see no reason to regret it.—*Homeward Mail.*

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

READINGS OF NEW STATUTES
RELATING TO
MAGISTRATE AND PARISH LAW.

No. II.

THE SMALL PENALTIES ACT 1865 (28 & 29 VICT. c. 127.)

THE last statute passed by the late Parliament is probably the one which in future years will have a more extended and constant operation than any other in the statute-book. Consisting substantially of only four clauses (though nominally eight), it will affect the daily administration of our criminal law by justices of the peace, and thus the "*Act to amend the Law relating to Small Penalties*" will acquire an importance far beyond many more pretentious enactments. Short though it is, and simple as is its object, it is a statute, nevertheless, singularly beset by obscurities and difficulties. These we shall endeavour to point out, and in doing so assist in removing.

The first section to which we need advert is section the 3rd, which enacts that

The word "penalty" in this Act shall include any sum of money recoverable in a summary manner.

The 4th section enacts that

Where, upon summary conviction, any offender may be adjudged to pay a penalty not exceeding *5l.*, such offender, in case of nonpayment thereof, may, without any warrant of distress, be committed to prison for any term not exceeding the period specified in the following scale, unless the penalty shall be sooner paid:

For any penalty	The imprisonment not to exceed
Not exceeding 10s.	Seven days.
Exceeding 10s., and not exceeding 1*l.*	Fourteen days.
Exceeding 1*l.*, but not exceeding 2*l.*	One month.
Exceeding 2*l.*, but not exceeding 5*l.*	Two months.

The 5th section enacts that

Nothing in this Act contained shall affect the power of imposing hard labour in addition to imprisonment in cases where hard labour might on nonpayment of the penalty have been so imposed if this Act had not passed.

The 6th section enacts that

This Act shall apply to penalties including costs recoverable in a summary manner in pursuance of any Act of Parliament, whether passed before or after the commencement of this Act, and all provisions of any Act of Parliament authorising, in the case of nonpayment of a penalty not exceeding *5l.*, a longer term of imprisonment than is provided by this Act shall be repealed.

The 7th section merely excludes penalties imposed by Acts of Parliament relating to the Inland Revenue from the operation of the statute.

These, then, are all the material and important sections of the Act; and the first observation which arises is upon the 3rd section, which enacts that the word "penalty" is to include any sum of money recoverable in a summary manner; and the question which forces itself upon our consideration is, whether or not, in calculating the amount of the penalty, the *costs* awarded are to be included? The object of the statute was obviously to give greater certainty, and to bring within narrower limits, the alternative punishment of imprisonment on the nonpayment of a pecuniary penalty. The word "*penalty*," therefore, in the section, although associated with the words "*any sum of money recoverable in a summary manner*," would seem to refer alone to such penalty or sum of money as is to be adjudged against the offender as the consequence of his offence, and not to a sum adjudged for costs, which is not in the nature of a penalty, and for the nonpayment of which the 11 & 12 Vict. c. 43, s. 18, amply provides by directing that they are to be recovered "in the same manner and under the same warrants as any penalty or sum of money adjudged to be paid in, and by such conviction or order is to be recoverable," or where in cases there is no such penalty or sum to be thereby recovered, then such costs are recoverable by distress, and in default, "by imprisonment, with or without hard labour, for any time not exceeding one calendar month, unless such costs shall be sooner paid."

Now, it was certainly not the intention of the Legislature to increase the terms of imprisonment beyond the terms heretofore to be awarded, and yet, if the amount of costs is to be calculated with the penalty, a very serious increase will, in many cases, be imposed. Under the old law the imprisonment for the costs was attended upon and was co-extensive with the imprisonment for the penalty, and when the imprisonment for the latter ceased, the imprisonment for the former ceased also, and the justices in awarding a term of imprisonment as an alternative upon the nonpayment of a penalty, had no right to increase that imprisonment in respect of the costs awarded. True, unless the defendant paid both penalty and costs he would not have been entitled to his release; but the imprisonment was in respect of the penalty alone, and upon the expiration of that imprisonment there was no power to detain for the costs. Take the common case of an assault. We will suppose that under the old law a defendant should have been convicted in a penalty of 5*s.* with costs, amounting, probably, to 1*l.*, and, in default, seven days' imprisonment; here, at the expiration of the seven days, the defendant, without the payment of the costs, would be entitled to his discharge. Then, he would have been sent to gaol in respect of an alternative punishment for the nonpayment of the penalty (although, doubtless, the payment of the costs would also be a condition of his retaining his liberty). But, if the costs are to be calculated in the penalty, then the imprisonment would proceed upon a penalty of 1*l.* 5*s.*, and a limit of one month's imprisonment might be imposed. No doubt, under the old law, justices, in awarding the alternative imprisonment, were much accustomed to look to the sum total of penalty and costs, but the law contemplated the alternative punishment of imprisonment merely as a satisfaction of the penalty, leaving the costs to attend alone upon such penalty, and giving no additional punishment in respect to them.

But it will be said, this section must be read in connection with the 6th section, which states that the "Act shall apply to penalties including costs recoverable in a summary manner," and that this section, therefore, places costs upon the same footing as penalties; but we apprehend that this section does not assist that construction, but points to a very different state of things. Thus, there are some Acts of Parliament (such as the 24 & 25 Vict. c. 100, s. 42), which impose a fine, which, together with costs, shall not exceed a certain amount; and it may be to meet such a case that we find this provision in the 6th section: but there are other cases in which the party is to be punished, not by the infliction of a pecuniary penalty, but by imprisonment in the first instance, but in which, nevertheless, costs can be awarded against him, in which cases under the old law, by sect. 18 of the 11 & 12 Vict. c. 43, the amount may have been recovered by distress and, in default, by imprisonment with or without hard labour for any time not exceeding one calendar; month and it is most probable that it was also to meet such cases that the words before quoted found their way into the section; otherwise, indeed, such a case as costs without a pecuniary penalty would be wholly unprovided for by the Act, and for an amount of costs of even half-a-crown a party might be sent to prison for a month!

That there is grave reason to doubt the cor-

rect meaning of these sections we think is very obvious, and probably some enterprising criminal will shortly bring the question to an issue by bringing an action against committing magistrates for trespass in mixing costs and penalty together, and so giving him a longer imprisonment than the statute warrants.

There is one other consideration connected with the statute of great practical importance. By the 4th section it is enacted that "where, upon summary conviction, any offender may be adjudged to pay a penalty not exceeding 5*l.*, such offender, in case of non-payment thereof, may, without any warrant of distress, be committed to prison for any term not exceeding" the scale before mentioned. This section, in terms, would seem to apply to every case of a summary conviction in a penalty within the prescribed amount, and hence it will in that sense apply to a conviction under the 21 Jas. 1, c. 7, for drunkenness. But it must be remembered that under that statute the alternative punishment is not imprisonment, but *a setting in the stocks*. If, therefore, on non-payment of the fine for drunkenness the justices can, under the 4th section, commit to gaol for seven days, they will be enabled to send to gaol for an offence for which they could not before award that punishment. Whether or not this was intended we cannot say; but, if it was, it is a curious indirect way of legislating. No doubt, as the law formerly stood, there was a slight defect, for, inasmuch as a setting in the stocks was abhorrent to our improved sentiments, and justices had no power to imprison on non-payment of the fine, a convicted drunkard who would or could not pay the fine often got free after a few hours' deprivation of his liberty; and, perhaps, taking everything into consideration, such was a sufficient penalty. However, we think that it is now pretty clear (whether intended or not) that a drunkard who is fined under the statute of James, and does not pay the fine, renders himself liable to be sent to gaol for a period not exceeding seven days!

We expect to hear much more of this statute before many months have elapsed.

Correspondence.

SMALL PENALTIES ACT 1865.—Mr. George C. Oke presents his compliments to the Editor of the LAW TIMES, and begs to inclose for the information of the magisterial readers of that journal a copy of a correspondence with the Home Secretary, and the opinion of the Attorney and Solicitor-General on the various questions which have arisen as to the application of the 28 & 29 Vict. c. 127, to several cases before justices.

Mansion-house, 13th Sept.

(1.)

"Mansion-house, Aug. 4, 1865.

"To the Right Hon. Sir George Grey, Bart., M.P., &c. &c.

"Sir,—As the Bill, now 'The Small Penalties Act 1865' (28 & 29 Vict. c. 127), which came into operation on the 1st instant, was introduced into Parliament from your department, I hasten to draw your attention to a serious doubt which has been raised by several practitioners and magistrates' clerks as to its applicability to cases where a shorter term of imprisonment than two months (the limit fixed by it for a penalty of 5*l.*) is provided by the particular Acts in default of a penalty of 5*l.*, i.e., whether the new Act extends a lesser period limited by earlier statutes, or whether the lesser period remains unaltered. When the Bill left the House of Commons, clause 5 repealed all provisions of any Act 'that are inconsistent' with it. Upon those words no question could, in my opinion, have arisen; but in the House of Lords those words were struck out, and others, upon which the doubt arises, were inserted in sect. 6, on the motion of Lord Stanley of Alderley, viz., 'and all provisions of any Act of Parliament authorising, in the case of non-payment of a penalty not exceeding 5*l.*, a longer term of imprisonment than is provided by this Act, shall be repealed.' A legal periodical has, I observe, advised the magistracy that the Act does not extend shorter period of imprisonment authorised to be imposed by previous Acts. As the question affects a very large number of important statutes, by which period of not exceeding one month's imprisonment is provided in default of payment of a penalty of 5*l.*, a daily operation in the metropolis and country generally, I beg respectfully to suggest that the opinion of the law officers of the Crown should be taken on the subject at the earliest opportunity for the guidance of the magistracy.—I have the honour to be, Sir, your obedient servant,

(Signed) "GEORGE C. OKE,
"Principal Clerk to the Lord Mayor."

(2.)

"Whitehall, 9th Aug. 1865.

"Sir,—I am directed by Secretary Sir George Grey to acknowledge the receipt of your letter of the 4th inst., suggesting that the opinion of the law officers of the Crown should be taken as to the application of the Act 28 & 29 Vict. c. 127, to amend the law relating to small penalties; and I am to request that you will mention some of the Acts to which you refer as imposing a maximum imprisonment of one month in default of payment of a penalty of 5*l.*—I am, Sir, your obedient servant, "H. WADDINGTON.

"Geo. C. Oke, Esq."

(3.)

"Mansion House Justice-room,
"14th Aug. 1865.

"The Right Hon. Sir George Grey, Bart., M.P., &c. &c.

"Sir,—In compliance with the request in Mr. Waddington's letter of the 9th inst., I beg to enumerate most of the Acts referred to in my letter of the 4th, as imposing a maximum imprisonment of one month in default of payment of a penalty of 5*l.*, and which term in some cases applies to penalties of a larger amount, viz.:

Acts as to the Metropolis:

2 & 3 Vict. c. 47, Metropolitan Police, s. 77;
2 & 3 Vict. c. 71, Metropolitan Police Courts, s. 45;
2 & 3 Vict. c. 94, City Police Act, s. 98;
3 Geo. 4, c. cvi., Bread Act, ss. 5, 8, 9, 19;
6 & 7 Vict. c. 86, Hackney Carriages, &c., ss. 28, 39.

General Acts as to—

Ale Houses, 9 Geo. 4, c. 61, s. 25;
Aliens, 6 & 7 Will. 4, c. 11, s. 15;
Beer Houses, 1 Will. 4, c. 64, s. 21;
Bread and Flour, 6 & 7 Will. 4, c. 37, ss. 6, 7, 8, 9, 13, 16, 17;
Corporations, 5 & 6 Will. 4, c. 76, ss. 80, 81, 90, 129;
Constables (County), 2 & 3 Vict. c. 93, ss. 12, 13; 1 & 2 Will. 4, c. 41, s. 16; 22 & 23 Vict. c. 32, s. 4;
Constables (Special), 1 & 2 Will. 4, c. 41, ss. 7, 11, 16;
Gaming Houses, 17 & 18 Vict. c. 38, s. 2. Act as to "Alehouses" also applies to offences under this title: (see 8 & 9 Vict. 109, s. 17);
Gaols, 5 & 6 Will. 4, c. 38, s. 8, unrepealed;
Horse Slaughtering, 7 & 8 Vict. c. 87, ss. 3, 7;
Navigable Rivers, 3 & 4 Vict. c. 50, ss. 7, 15;
Registers, 6 & 7 Will. 4, c. 86, ss. 22, 45;
Turnpike Roads, 3 Geo. 4, c. 126, s. 132.

At the same time I should mention that some of the Acts just named, and several others, impose penalties above 5*l.* even up to 50*l.*; but yet the offenders, in default of payment, cannot be imprisoned for longer terms than from one to two months, the period fixed by the "Small Penalties Act 1865," for a penalty of not exceeding 5*l.* These are:

16 & 17 Vict. c. 119, s. 7, as to Betting Houses;
6 & 7 Will. 4, c. 37, ss. 9, 13, 16, 17, as to bread and flour;
3 Geo. 4, c. cvi, ss. 6, 11, 19, as to bread in the metropolis;
3 & 4 Vict. c. 85, ss. 2, 6, 7, 8, as amended by 27 & 28 Vict. c. 37, s. 9, as to chimney-sweepers;
12 & 13 Vict. c. 92, ss. 4, 18, as to cruelty to animals;
17 & 18 Vict. c. 38, s. 3, as to Gaming Houses;
5 & 6 Will. 4, c. 50, s. 78, as to Highways;
7 & 8 Vict. c. 87, ss. 5, 6, 7, as to Horse Slaughtering;
5 & 6 Vict. c. 99, ss. 5, 12, 18, as to Mines;
3 Will. & M. c. 11, s. 10, as to Poor;
4 & 5 Will. 4, c. 76, s. 92, as to Poor;
55 Geo. 3, c. 137, s. 2, as to Poor;
3 & 4 Vict. c. 97, s. 13, as to Railways;
5 & 6 Will. 4, c. 63, ss. 30, 34, as to Weights and Measures.

In numerous other cases than these specially provided for, the commitment to prison in default of payment of penalties (now since the new Act only where they exceed 5*l.*) is made under Jervis's Act (11 & 12 Vict. c. 43, s. 22), as amended by 21 & 22 Vict. c. 73, s. 5, and the term in such cases is not to exceed three months. Since writing to you four other questions upon the 28 & 29 Vict. c. 127, have been submitted to me by country magistrates and their clerks, viz.:—First, whether the Act, by the words in sect. 3, "any sum of money recoverable in a summary manner," applies to rates, wages, and expenses recoverable in that way, which are technically not adjudged "upon summary conviction," and in which consequently the defendant is not an "offender" as meant by the 4th section? Or is the Act confined to cases where a conviction is made as distinguished from an order or other adjudication? Secondly, whether sect. 4 applies to cases where the penalty is restricted by the Act under which it is adjudged to a sum not exceeding 5*l.*? or to cases where the justices impose a penalty of that amount or less without reference to the maximum penalty in such Act being above or below 5*l.*? Thirdly, whether the word "penalty" includes or excludes the costs incurred in its recovery (see sects. 3 and 6); as, for example, if a person is fined 5*l.* and costs, is the case within the statute? Fourthly, whether sect. 4 allows the justices a discretion as to the issue of a distress warrant for the penalty where a distress is required by law? I would suggest that these additional and not unimportant questions be submitted to the law officers of the Crown with the one mentioned in my letter to you of the 4th inst. —I have the honour to be, Sir, your most obedient servant, (Signed)

"GEORGE C. OKE,
"Author of 'The Magisterial Synopsis,' &c."

(4)

"Whitehall, 12th Sept. 1865.

"Sir,—With reference to your letters of the 4th ult., respecting the interpretation of the Act 28 & 29 Vict. c. 27, entitled 'The Small Penalties Act 1865,' I am directed by Secretary Sir George Grey to transmit to you for your information a copy of the opinion of the law officers of the Crown as to the construction of the above Act.

"I am, Sir, your obedient servant,
"Geo. C. Oke, Esq. "H. WADDINGTON."

(5)

OPINION.

With respect to the questions asked in Mr. Oke's letter of the 4th Aug., we are of opinion that the power of imprisonment given by the Act for any term not exceeding two months on the nonpayment of any penalty between 2*l.* and 5*l.* does extend to cases as to which a shorter term is limited by former Acts. If the last three lines of sect. 6 were omitted we think that this would be clear, and although the express repeal in those lines of all provisions in any Acts "authorising" a longer term might appear to indicate that those imposing a shorter term are left unaltered, we do not think that this inference is sufficient (especially when the precise force of the word "authorising" is considered), to countervail the general operation of the rest of the Act.

With respect to the questions asked in Mr. Oke's letter of the 14th Aug. 1865, we answer:

1. That taking sects. 3 and 4 together, we think the Act applies only to penalties adjudged upon a "conviction," as distinguished from an "order" to pay rates, wages, or the like.

2. That sect. 4 applies to the amount of penalty actually adjudged by the justice of the peace without reference to the maximum penalty imposed by any Act.

3. Though the wording of the Act on this subject is not quite satisfactory, we think that the term "penalty" must be taken to mean the penal sum adjudged together with the costs, *i. e.*, the aggregate of the penal sum and the costs.

4. We think that sect. 4 does allow such discretion.

(Signed) ROUNDELL PALMER.
R. P. COLLIER.

Lincoln's-inn, 4th Sept. 1865.

THE COUNTY COURT JUDGE AND THE WOODBRIDGE BENCH OF MAGISTRATES.

SPALL *v.* WALKER.

The following "Opinion" of Mr. D. D. Keane, Q.C., with reference to the above case, recently reported in the *Ipswich Journal*, has been obtained by Mr. J. R. Wood, the Clerk to the Woodbridge Bench of Magistrates.

CASE.

On the 8th June 1865, an information under the Refreshment Act was heard before the magistrates of the division of Woodbridge, Suffolk, and they convicted the defendant.

He brought an action in the County Court to recover damages against the landlord of the public-house, in consequence of an alleged compromise.

This was heard before the County Court judge on the 17th July, when he took time to consider.

On the 14th Aug. he gave judgment, in which he made use of sundry remarks with reference to the conduct of the magistrates.

This judgment, being written, has appeared in the county papers, and of course the magistrates would be glad to know what, if anything, should be done in the matter.

It would seem that the County Court judge took pains in his judgment, but why he omitted to quote the case of *Reg.* v. *J. J. Wiltshire* (8 L. T. Rep. N. S. 242) does not appear, although certainly bearing upon the question.

Extracts from the newspapers, showing what took place before the magistrates, and at the County Court are herewith left, but some of the statements are not strictly correct.

Counsel is requested to advise the magistrates upon the law of the case, quoting such decisions as he thinks bear upon the point, giving them his opinion as to the correctness of the observations made by the County Court judge, and generally to advise them upon the matter.

J. R. Wood, 70, Lincoln's-inn-fields,
18th Aug. 1865.

The following extracts were left:—

10th June, 1865.—*Ipswich Journal.* Proceedings before magistrates.

22nd July, 1865.—*Ipswich Journal.* Hearing before County Court Judge.

15th Aug. 1865.—Judment of County Court Judge.

OPINION.

I have considered with great care the facts and the judgment in the case of *Spall* v. *Walker*, with a view to advising the magistrates acting at Woodbridge as to the conduct they ought to pursue, not only in similar cases, but in respect of that decision itself.

It seems to me that the judgment is wrong, and that if the case were one which admitted of a full

review, the decision could not be supported. I wish, however, to be considered as offering this opinion with that distrust of its correctness which naturally follows from the great respect I entertain for the learned judge, and from the authority to which his views may have a just title.

I am of opinion that the point stated in the newspaper report submitted to me does not disclose any cause of action. The essential words are "the said defendant represented to the plaintiff that he need not attend the said sessions, having paid the defendant the sum of 14*s.* to settle the said complaint." These words amount only to a statement of the legal effect of the payment and receipt of the 14*s.*; they could not have been said falsely therefore, and there is no allegation that they were said fraudulently.

Again, on the evidence disclosed in the newspaper report, these words were not proved. It was only proved that both plaintiff and defendant were misled by the opinion, honest and sincere no doubt, of a policeman, whom the plaintiff consulted.

Further, the real damage from the cause of action alleged was the loss accruing to the plaintiff by reason of his not having attended on the day on which it was represented to him, if in fact it was represented to him, that he need not attend before the magistrates; what that damage was does not appear to have been proved.

The learned judge, however, looking, as it seems to me, not at the plaint nor at the ground of action, adroitly and cautiously put forward by the advocate for the plaintiff, but on the evidence, elected to treat the action as substantially one for breach by the defendant of an agreement between him and the plaintiff that the information before the magistrates should not be further proceeded with, that agreement, I venture respectfully to say, was corrupt and illegal, and ought not to have been enforced.

The case of *Keir* v. *Leeman*, 6 Q.B., 308, on which the learned judge relies, decided that an agreement to pay the costs of a prosecution for assault on the plaintiff and a riot, and of an action for wrongful levy under *fi. fa.*, which agreement was founded partly on compromise of the prosecution and partly on an undertaking to withdraw the execution under the *fi. fa.*, was altogether invalid, as grounded on an illegal consideration.

In this case, however, there was no *rule* finally laid down by the court, but the ground of the decision was thus stated:—"We shall probably be safe in laying it down that the law will permit a compromise of all offences, though made the subject of a criminal prosecution, for which offences the injured parties might sue and recover damages on an action. It is often the only manner in which he can obtain redress. But if the offence is of a public nature, no agreement can be valid that is founded on the consideration of stifling a prosecution." It is evident that the court hesitated as to the correctness of what the court suggested it might be "safe" to lay down, and the series of decisions cited in the judgment are scarcely, in all humility be it said, consistent with the notion that it was safe so to lay down.

Accordingly, when the case of *Keir* v. *Leeman* got into the Exchequer Chamber on error, the passage in the judgment in the court below, just considered and relied on by the learned judge of the Woodbridge County Court, was not affirmed, though the decision was, and Tindal, C. J., said (9 Q. B. 395), "Indeed it is very remarkable what very little authority there is to be found, rather consisting of dicta than decisions, for the principle that any compromise of misdemeanor, or indeed of any public offence, can be otherwise than illegal; and any promise founded upon such a consideration otherwise than void. If the matter were *res integra* we should have no doubt on this point. We have no doubt that in all offences which involves damages to an injured party, for which he may maintain an action, it is competent for him, notwithstanding they are also of a public nature, to compromise or settle his private damage in any way he may think fit. It is said, indeed, that in the case of an assault he may also undertake not to prosecute on behalf of the public. It may be so, but we are not disposed to extend this further."

Looking at the case of *R.* v. *Hartley*, 14 Q. B. 529, it may be suggested that the passage just cited only applies without qualification when a prosecution is not pending; for there Patteson, J., in giving judgment, says (p. 541), "The rule is correctly stated by Gibb, C. J., in *Baker* v. *Townsend*, 1 B. Moore, 120, 124; s. c. T. Taunt. 422, where a party injured has a remedy by action as well as by indictment, nothing can deter such party from referring the adjustment of the reparation which he is to receive to arbitration, although a criminal prosecution might have been commenced:" it should also be added, "with leave of the court." The reason for this qualification would seem to be that, in proceeding to deal with the offence against the public, the court may, in the sentence, consider the weight of the private reparation: (See *Bedey* v. *Wingfield*, 11 East, 46.)

In the case of *Ex parte Bryant*, reported as *Re Wiltshire*, JJ., 8 L. T. Rep. N. S. 242, the Court of Queen's Bench held that magistrates had jurisdiction to proceed with, hear, and determine an information for a common assault which the parties had compromised, and so informed the magistrates after the issuing of the summons and before the day appointed for the hearing. This case appears to me to show that as to the public offence there cannot be any lawful compromise, even in cases of mere assault.

It seems to me that in the Act 23 Vict. c. 27, the Legislature adopted the wise policy of securing order in refreshment houses by making the guests as well as the keeper of them responsible for their own misconduct. A like policy was adopted in case of railways. I venture respectfully to express the opinion that the maintenance of order in refreshment houses is a matter of public concern, and that the Legislature, while it gave to the keepers of them an inexpensive and quick remedy against obstinate disturbers of order therein, never intended that they should themselves assess and levy the fine to be inflicted for that offence.

The conclusion, therefore, to which I have come is, that if the bargain between Walker and Moss related only to the private damage sustained by Walker, there was no breach of it, nor any complaint of a breach of it, even assuming it to have been legal; and that if the bargain related to the offence committed by Moss against the statute, it was one for stifling evidence and preventing the lawful action of the tribunal, and therefore was corrupt; I, therefore, am of opinion that the magistrates were well advised by their clerk, and that they ought not to be guided on future occasions in which the same principles of law should come into question by the judgment which the learned judge of the County Court has in this instance pronounced.

It certainly appears to me that both the tone of the judgment and the matter of it are calculated to weaken the authority of the magistrates in Petty Sessions, and bring them into disrepute. The former has a vibration of personal triumph over the magistrates and their clerk, not appropriate to the judicial character, and which a grave and dignified delivery no doubt mitigated. The latter in substance pronounces the magistrates to be grossly in the wrong, and visits with damages and costs the complainant, or witness, I care not which, whom they would not allow to abandon his complaint or to abstain from giving evidence, because he did not so abandon or abstain. Such conflict of authority is in itself deplorable. If this were one of a series of like decisions, or of decisions in themselves correct but remarkable for a like objectionable tone, the magistrates might feel it right to consider how far they could continue to act with due regard to themselves without drawing the attention of the Lord Chancellor to what has happened. Considering, however, the great public services of the learned judge, and that this was a single instance of disregard of what was due to them, they may probably feel that they may pass it over without complaint.

DAVID KEANE, Temple.

MIDDLESEX SESSIONS.

Friday, Sept. 8.

(Before Mr. Serjeant DOWLING, Deputy-Assistant Judge.)

Important Question as to Penal Servitude.

During the present session Mr. Serjeant Dowling has felt it to be his duty to pass sentence of penal servitude upon several prisoners convicted of robbery with violence, and in one case he passed a sentence of five years; but, having afterwards heard that the prisoner had been previously convicted, he had him back and said that he must alter the sentence to penal servitude for seven years.

Abram this day said, that the question of whether a judge was bound to pass a sentence of seven years when the previous conviction did not appear upon the record, had been discussed by the learned judges of this court, and they were of opinion that they were not bound to pass a sentence of seven years.

Mr. Serjeant DOWLING, having examined the recent Act of Parliament, said he was of opinion that it was peremptory, and that he must pass a sentence of seven years.

Abram said that was his opinion, but in favour of prisoners he had called attention to the fact that every day prisoners previously convicted had been sentenced to five years, and the question was whether there was power to sentence a prisoner previously convicted to five years only?

Mr. Serjeant DOWLING said he was very much obliged to Mr. Abram, and the matter certainly was an important one, well worthy of the attention of the superior judges.

The matter then dropped.

MAGISTRATES AND POOR-RATES APPEALS.—The question as to whether magistrates, being ratepayers, can legally decide upon appeals against poor-rate assessments was again discussed at Liverpool yesterday. Mr. Littler, for the Mersey Docks and Harbour Board, argued that they could not; but Mr. G. Holme, on behalf of his brother magistrates, decided that they could, as the judges' opinions quoted by Mr. Littler were not law. At the same time Mr. Holme allowed that he and his fellow magistrates were in a very anomalous position, and that the law on the subject required revision.

LAW STUDENTS' JOURNAL.

Correspondence.

HONOUR EXAMINATIONS.—I hope that all those gentleman who may be interested in this movement will join in supporting it. "In the multitude of counsellors there is wisdom," and I hope that many gentlemen will express their opinions on this subject. Perhaps you will kindly receive the names and addresses of those gentlemen who may be willing to support the movement, and thus enable them to communicate with each other. The subject is one that could be well taken up by legal debating societies, many of the members of which may be directly interested in it. Perhaps, if any member of the Law Students', the Articled Clerks', or the Legal and General Debating Societies, or of any provincial debating societies, has read this correspondence, he will bring the subject before his society. I believe that petitions by these societies on the subject would have very great weight with the council of the Incorporated Law Society. At all events, this is a subject which should not be allowed to drop.

A PRIZEMAN OF THE INCORPORATED LAW SOCIETY.

COUNTY COURTS.

SHERIFF'S COURT.

The New Equitable Jurisdiction Bill and the Corporation.

The rules which will govern the application of the New Equitable Jurisdiction Bill have been received at this court (in draft), having been forwarded from the Treasury to this and the various County Courts for suggestions, and in order that they might be as uniformly practicable as possible. Many of the County Courts have already returned the rules, this court recently following the example, though the matter is not yet finally disposed of, so far as the corporation of the City of London is concerned. It would appear by the statute that the Sheriff's Court has lost a privilege hitherto enjoyed since its creation, and it may not be known that it is governed by a special Act of Parliament. The special privilege referred to, however, has been that of being empowered to make its own rules, i. e. the judge of the court has, in conjunction with the Recorder and Common Serjeant, framed certain rules, which being submitted to one of the chief judges of the Superior Courts, have been approved and acted upon. By the legal profession of the City this has been acknowledged as a great benefit, inasmuch as in cases where the sum recovered is over 10*l.*, one of the rules enables a suitor to have his costs taxed under a scale which has generally proved most efficacious. A clause now inserted in the new Bill, however, would appear to have brought this court under the control of the County Courts' jurisdiction. There are five County Court judges appointed by the Treasury to make rules, and they do not include the name of Mr. Commissioner Kerr, the judge of this court. It is anticipated that the Sheriff's Court may, perhaps, lose the benefit of even those rules which have already worked so well, and the Court of Common Council has referred the matter to the consideration of the officers and clerks' committee, which is now looking into the facts.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

SHERIFF'S FEES.—Is a sheriff's officer entitled to 11. 1*s.* the fee for levy, where debt and costs are paid to him before a levy is actually made? J. R.

MORTGAGE.—PRIME INCUMBRANCER.—Supposing an estate to be mortgaged to three *separate* parties, can the first mortgagee safely refuse to accept his principal and interest from the puisne mortgagee who *first* tenders same? Mr. Jarman says the first mortgagee *may* convey the legal estate *to which* of the subsequent incumbrancers he may choose; but would a regular tender destroy this option? An opinion, with reference to authorities, would oblige

13th Sept. 1865. A SUBSCRIBER.

DAMAGES.—Sheep belonging to A. escape out of his field into that of B., in consequence of B.'s fence being out of repair; and out of B.'s field they stray on to a railway, and some are killed. Can A. recover damages from B. or would they be too remote? *Ricketts* v. *East and West India Docks, &c. Railway Company*, 12 C. B. 160, decides that in such a case A. cannot recover from the railway company. If any reader of the LAW TIMES can refer me to a case deciding the point, I shall be obliged. J. L.

Answers.

FALSE PRETENCES.—"D. H." is informed that with reference to the case answered by him in your impression of the 2nd instant, B was in the habit of attending the market days at a town about five miles distant from his place of abode, and of putting up at an inn there, and by permission of the landlady wrote letters from, and received answers addressed to, such inn. The letters in

question were so written. Is this a sufficient false pretence to sustain a conviction? LEX.
5th Sept. 1865.

NUISANCE.—In reply to the query of "S. E. C." I beg to say that I think the case he refers to was decided in a County Court, near London, and was brought by the tenant of a house against a neighbour for keeping those noisy and ungainly fowls, "Cochin Chinas"; the plaintiff proving damage, in consequence of her lodgers leaving her, obtained a verdict. I have no further reference to the case than a pencil memorandum, "on keeping noisy fowls" in my "Kerr's Action at Law," following this sentence, "so if one creates unusual noises to the disturbance of his neighbours, such as a perpetual ringing of bells (*Soltau* v. *De Held*, 21 L. J. 153, Ch.), this is a nuisance." J. BELL.
Leeds, 12th Sept. 1865.

FORFEITURE.—A boy under fourteen years of age cannot be convicted of rape; but he may be convicted for an assault, or aiding and abetting in the commission of a rape: (*R.* v. *Groombridge*, 7 Car. & P. 582.) In both instances the offence is a misdemeanor, and the aggressor would not forfeit his interest in property were he convicted. To advise what a parent or guardian should do would be invidious; but it certainly would not bespeak charity if a parent could so stigmatise his offspring by preferring an indictment. The Secretary of State would not interfere with a sentence unless some cogent reasons were adduced; certainly he would not, if an undertaking were given for the lad's future good conduct. W. C.
11, Waterloo-street, Birmingham.

SOUTHAMPTON COUNTY.—The county of the town of Southampton is usually styled "The town and county of the town of Southampton." The county at large is named in three ways. First, "The county of Southampton; secondly, "The county of Hampshire;" and thirdly, "Hampshire." The first may be most usual, but I submit it is incorrect; if the county be the county of any town or city, it is the county of Winchester, its county town; just as Lancashire, Staffordshire, &c., are called the counties of Lancaster, Stafford, &c., their county towns. The second is, I submit, tautological; and the third correct. It seems to be frequently overlooked that "shire" is synonymous with "county;" hence such expressions as "the county of Buckinghamshire" are often (as I think improperly) made use of. The titles "County of Berks," "County of Herts," "of Hants," &c. &c., seem clearly quite wrong, and nothing more than the substitution of useful abbreviations for the words for which they stand. It may be "The county of Hertford," and it should be merely "Hertfordshire" (without the word county at all), and so on, and in the case before us "Hampshire" simply. Whilst on the subject, I may say that Rutland, Northumberland, Westmoreland, and Cumberland, are not capable of being called Rutlandshire, &c.; the affix "land" sufficing in the ancient language as a territorial reference in those words. So Norfolk, Essex, Surrey, Cornwall, &c., and also Durham (which latter appears to be an anomaly), cannot take shire as an affix. Devonshire, Dorsetshire, Somersetshire, Wiltshire, Berkshire, Shropshire, and Hampshire, there being no such towns as Devon, Dorset, Somerset, Wilts, Berks, Salop, or Hants (and Southampton not being the county town), cannot, I think, properly be called the counties of Devon, Wilts, Salop, Hants, or Southampton, &c. The rule is simple. "The county of" *must* be used before the names of all shires of which "shire" cannot be the termination, and *may* be used before all shires which are called after their county town. "Shire" may be used also after all counties called after their chief town, and *must* be used where the syllable is an inseparable part of the name—the popular name—of the county; it being remembered that *s* final is but an abbreviation of shire. "Shire" and "county" should never be used together. M. O.

THE LAW LIBRARY.

The New Prison Act 1865; *with an Analysis of the Act, and the other Statutes and Sections of Statutes relating to Prisons still in force.* By THOS. WM. SAUNDERS, Recorder of Bath. London: LAW TIMES office.

[Th]e entire of the law for the regulation of [pr]isons is now consolidated by the excellent [st]atutes of last session, and instead of the con[fu]sed mass of legislation, scattered over many [bu]lky volumes, difficult to be found, and when [fo]und still more difficult to interpret, a small [bo]ok, easily carried in the pocket, contains not [on]ly the new statute, but all the other unrepealed [st]atutes that relate to the subject, comprised in [.]0 pages of not very small print; the other [..]y pages of Mr. Saunder's work being occupied [by] a very useful analysis of the Act of last [ses]sion, and that which is most important of all [in] a work of this kind—a copious index—so [cop]ious, indeed, that it fills nearly thirty closely-[pri]nted pages.

The name of the editor carries with it an [ass]urance that the work is well done. Mr. [Sau]nders has obtained a deserved reputation as [a l]egal author, his treatises on *The Prac[tice] of Magistrates' Courts*; on the *Law of [Ba]stardy*; on *The Militia Law*, and some [oth]ers, having passed into the honourable [pos]ition of the text-books on the subjects [the]y treat of. This edition of the Prisons [La]w will not detract from his reputation. [Lik]e his other publications, it is prepared [wit]h strict reference to the wants of those [who] will have occasion to consult it. And they are many. Not the lawyers only will require this volume. No visiting justice can dispense with it, and no magistrate ought to be without it. By the law here set forth the entire government of prisons is substantially vested in the visiting justices, who are to manage them, and see that they are conducted by the paid officials in strict accordance with the provisions of the statute, so that daily reference to the text of the law will be required. How carefully Mr. Saunders has performed his task will be shown by a single incident. He has discovered a difficulty, which, if his suggested remedy be not adopted, might have serious consequences. By sect. 23, the visiting justices are to be appointed "at the first sessions in each year." But the Act does not come into operation until the 1st Feb. 1866, and, therefore, if the section be strictly observed, there can be no visiting justices, and consequently the statute must be in abeyance for a twelvemonth. So carelessly are Acts of Parliament framed, even by the Government officers. It will be remembered that a somewhat similar difficulty occurred with the new Highways Act. Mr. Saunders, after pointing out this blot, has set himself to devise a means of escape from it, and he suggests that at the next January sessions the justices should *adjourn* the sessions to some day after the first of February, and then at such adjournment appoint the visitors by whom the important provisions of this Act are to be carried out.

The same minute care appears to have been exercised in the editing of every part of this new law.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Sept. 1.

LEPARD, SAMUEL, and GAMMON, CHARLES, attorneys, solicitors, and conveyancers, Cloak-la. Aug. 3.

Gazette, Sept. 5.

BRETT, GEORGE, and WOOLLEY, PERCY, attorneys and solicitors, Manchester. Aug. 31.

Bankrupts.

Gazette, Sept. 5.

To surrender at the Bankrupts' Court, Basinghall-street.

ABELLO, JUAN BAUTISTA, merchant, Coleman-st. Pet. Aug. 27. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Lewis, Ely-pl. Sur. Sept. 19.
BARNARD, JOSEPH GEORGE, gentleman, St. Paul's-rd. Highbury. Pet. Sept. 1. Reg. Hazlitt. O. A. Graham. Sols. Pawle and Lovesy, New-inn, Strand. Sur. Sept. 19.
BECKER, JOHAN FREDERICH LOUIS CARL, manufacturing jeweller, Caledonian-rd, Islington. Pet. Aug. 31. Reg. Hazlitt. O. A. Graham. Sol. Abrahams, Gresham-st. Sur. Sept. 19.
COOK, JOSEPH, coachmaker, New Church-st. and Little Grove-st. Lisson-grove. Pet. Aug. 31. Reg. Hazlitt. O. A. Graham. Sol. Orchard, John-st. Bedford-row. Sur. Sept. 19.
ETHERIDGE, WILLIAM, lighterer and waterman, Dalhousie-ter. Kent-la. Bermondsey. Pet. Sept. 1. Reg. Brougham. O. A. Edwards. Sol. Hooke, Coleman-st. Sur. Sept. 19.
FOLEY, JANE WILSON, wardrobe dealer, Little Pulteney-st. Golden-sq. Pet. Sept. 2. Reg. Brougham. O. A. Edwards. Sol. Wright, Paper-bldgs. Temple. Sur. Sept. 19.
FOSTER, WILLIAM, builder, Canterbury-rd, Forest-hill. Pet. Sept. 1. Reg. Brougham. O. A. Edwards. Sols. George and Co., Size-la. Sur. Sept. 19.
HEDGES, ANN, and HEDGES, CHARLES, boot and shoe makers, Aylesbury. Pet. Aug. 31. Reg. Hazlitt. O. A. Graham. Sol. Harrison and Lewis, Old Jewry, for Parrott and Co., Aylesbury. Sur. Sept. 19.
HOPT, ABRAHAM, marine store dealer, Little Church-row, Hampstead. Pet. Aug. 30. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st. Sur. Sept. 15.
LANGE, CHARLES, commission agent, Banner-st. Commercial-rd.-east. Pet. Sept. 2. Reg. Hazlitt. O. A. Graham. Sol. Padmore, Westminster Bridge-rd. Sur. Sept. 19.
LEO, JULIUS, commission agent, Pancras-la. and Seymour-pl. Bryanstone-sq. Pet. Aug 30. Reg. Hazlitt. O. A. Graham. Sol. Rigby, Size-la. Sur. Sept. 15.
MARSHALL, JOHN WILSON, commission and custom-house agent, Water-la. Pet. Aug. 31. Reg. Hazlitt. O. A. Graham. Sols. Gammon and Co., Cloak-la. Sur. Sept. 19.
MASTERS, EDWARD, out of business, Addle-st. Pet. Sept. 1. Reg. Hazlitt. O. A. Graham. Sol. Digby, Lincoln's-inn-fds. Sur. Sept. 19.
PERKINS, GEORGE, dealer in earthenware, Ashford. Pet. Sept. 1. Reg. Brougham. O. A. Edwards. Sols. Duncan and Merton, Southampton-st. Bloomsbury. Sur. Sept. 19.
PICKERING, DAN JOHN, builder, Kennington Park-rd. Pet. Aug 31. Reg. Hazlitt. O. A. Graham. Sol. Pook, Gresham-st. Sur. Sept. 19.
SYMONS, HENRY WALLACE, builder, Bishops Waltham. Reg. Hazlitt. O. A. Graham. Sol. Leefe, Lincoln's-inn-fds. Sur. Sept. 19.
WHITWORTH, JAMES, wine and spirit merchant, Uxbridge. Pet. Aug. 17. Reg. Hazlitt. O. A. Graham. Sols. Field and Layton, Suffolk-la. Sur. Sept. 15.
WILDISH, ELIZABETH, spinster, lace maker, Mount-st. Grosvenor-sq. Pet. Sept. 1. Reg. Roche. O. A. Pennell. Sol. Chidley, Old Jewry. Sur. Sept. 19.
YEATES, DANIEL FRASER, late chemist and druggist, Mabledon-pl. Euston-rd. Pet. Sept. 2. Reg. Brougham. O. A. Edwards. Sol. Walls, Moorgate-st. Sur. Sept. 19.

To surrender in the Country.

ALFORD, EDWARD, ship builder, Kingswear. Pet. Sept. 2. Reg. & O. A. Bryett. Sol. Smith, Dartmouth. Sur. Sept. 18.
ALLAN, WILLIAM, beer retailer and builder, Aston-village, near Birmingham. Pet. Aug. 21. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Oct. 6.
BEESON, JOSEPH, druggist, Birmingham. Pet. Aug. 31. Reg. Hill. O. A. Kinnear. Sol. Wright, Birmingham. Sur. Sept. 20.
BROUGHTON, SAMUEL, currier and leather dealer, Hanley. Pet. Aug. 22. Reg. Tudor. O. A. Kinnear. Sols. Thacker, Cheadle, and James and Griffin, Birmingham. Sur. Sept. 22.
BROWN, JOHN, travelling draper, Newcastle-under-Lyme. Pet. Sept. 2. Reg. Hill. O. A. Kinnear. Sol. Fitter, Birmingham. Sur. Oct. 6.
BURNHAM, JAMES, builder and contractor, Christchurch. Pet. Aug. 31. Reg. & O. A. Doble. Sol. Sharp, Christchurch. Sur. Sept. 19.
CHADWICK, ROBERT, ironfounder, Shawclough, near Rochdale. Pet. Aug. 23. Reg. Macrae. O. A. Morgan. Sols. Slater and Barling, Manchester. Sur. Sept. 25.
CROOK, FRANCIS, joiner and milliner, Liverpool. Pet. Sept. 1. Reg. & O. A. Hime. Sol. Browne, Liverpool. Sur. Sept. 27.
DALZIEL, JAMES, draper, Shrewsbury. Pet. Aug. 30. Reg. Hill. O. A. Kinnear. Sols. Southall and Nelson, Birmingham. Sur. Oct. 6.
DENTON, FREDERICK SAMUEL, journeyman ironmonger, Darlington. Pet. Aug. 30. Reg. & O. A. Bewes. Sol. Dunn, Darlington. Sur. Sept. 18.
DUCKENFIELD, EDWARD, tool maker, Northampton. Pet. Aug. 31. Reg. & O. A. Dennis. Sol. Shield and White, Northampton. Sur. Sept. 16.
EADES, THOMAS, colliery engineer, Tipton. Pet. Aug. 29. Reg. & O. A. Walker. Sol. Sheldon, Wednesbury. Sur. Sept. 19.
EXLEY, RACHEL, widow, out of business, Carlinghow. Pet. Sept. 1. Reg. & O. A. Nelson. Sol. Marriott, Dewsbury. Sur. Sept. 22.
FIELDING, JAMES BURROWS, cotton salesman, Saddleworth. Pet. Aug. 29. Reg. Harris. O. A. Morgan. Sols. Dyson, York; and Cobbett and Wheeler, Manchester. Sur. Sept. 24.
FLINT, WILLIAM RAMSEY, out of business, Marehay, near Ripley. Pet. Aug. 29. Reg. Tudor. O. A. Harris. Sols. Cowley and Everall, Nottingham; and Walker, Belper. Sur. Sept. 26.
FORTH, GEORGE, joiner and cabinet-maker, Ripon. Pet. Aug. 31. O. A. Young. Sols. Messrs. Emsley, Leeds. Sur. Sept. 15.
GIBSON, WILLIAM, potter, Leeds. Pet. Aug. 31. O. A. Young. Sols. Messrs. Middleton, Leeds. Sur. Sept. 18.
GOODALL, JAMES, draper, Redditch. Pet. Aug. 22. Reg. Hill. O. A. Kinnear. Sols. Messrs. Cooper, Manchester; and Messrs. Hodgson, Birmingham. Sur. Sept. 20.
HARMAN, JAMES, formerly master mariner, Newport. Pet. Aug. 31. Reg. Wilde. O. A. Acraman. Sol. Graham, Newport; and Press and Inskip, Bristol. Sur. Sept. 15.
HILL, JAMES, shoemaker, Arley. Pet. Aug. 21. Reg. & O. A. Dewes. Sol. Kilby, Banbury. Sur. Sept. 21.
HODGSON, GEORGE THOMPSON, dealer in artificial manures, Doncaster. Pet. Aug. 28. Reg. Stephen. O. A. Young. Sol. Shirley and Atkinson, Doncaster. Sur. Sept. 15.
JEFFERSON, DURI, jun., merchant, Liverpool. Pet. Aug. 22. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool, for Messrs. Hackwood, Walbrook. Sur. Sept. 14.
JONES, ROBERT, confectioner, Conway. Pet. Aug. 31. Reg. & O. A. Hughes. Sol. Jones, Conway. Sur. Sept. 18.
MCCRAW, EDWARD CHARLES, agent for an insurance company, Bristol. Pet. Sept. 2. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. Sept. 15.
MORGAN, WILLIAM, porter, Bolton. Pet. Sept. 1. Reg. & O. A. Holden. Sols. Glover and Bramwell, Bolton. Sur. Sept. 20.
MOSES, DAVID, fruiterer, Carmarthen. Pet. Sept. 1. Reg. & O. A. Lloyd. Sol. Jeffries, Carmarthen. Sur. Sept. 14.
ORGILL, EDWARD, provision dealer, Tamworth. Pet. Sept. 1. Reg. Tudor. O. A. Kinnear. Sol. Edwards-Wood, Birmingham and Tamworth. Sur. Sept. 22.
PRICHARD, GEORGE, out of business, Upper Easton. Pet. Aug. 31. Reg. Wilde. O. A. Acraman. Sols. Press and Inskip, Bristol. Sur. Sept. 15.
REDMAN, WILLIAM, stonemason, Huncoat, near Accrington. Pet. Aug. 18. Reg. & O. A. Hartley. Sols. Backhouse and Whittam, Burnley. Sur. Sept. 18.
ROSENBERG, AUGUST FERDINAND, commercial clerk, Gateshead. Pet. Aug. 31. Reg. & O. A. Ingledew. Sols. Daglish and Stewart, Newcastle. Sur. Sept. 19.
ROUTLEDGE, BENJAMIN, and ROUTLEDGE, JAMES, watchmakers, Carlisle. Pet. Aug. 25. Reg. Gibson. O. A. Laidman. Sols. Wannop, Carlisle; and Messrs. Watson, Newcastle. Sur. Sept. 19 (and not Sept. 13, as before advertised).
RUDDLE, WILLIAM, lace manufacturer, Carrington. Pet. Sept. 2. Reg. Tudor. O. A. Harris. Sol. Heath, Nottingham. Sur. Sept. 19.
WADSWORTH, ELI, wholesale grocer, Halifax. Pet. Aug. 31. O. A. Young. Sols. Wavill, Philbrick, Foster, and Wavill, Halifax; and Bond and Barwick, Leeds. Sur. Sept. 18.
WALKER, JAMES FURNESS, late Dudley. Pet. July 1. Reg. & O. A. Walker. Sur. Sept. 19.
WARING, RALPH, victualler, Heyrod, near Stalybridge. Pet. Sept. 2. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. Sept. 27.
WHITE, PEART, fruiterer, Sheffield. Pet. Sept. 2. Reg. & O. A. Wake and Rodgers. Sol. Micklethwaite, Sheffield. Sur. Sept. 27.
WILLIAMS, JANE, victualler, Llandfeinlolen. Pet. Aug. 29. Reg. & O. A. Williams. Sol. Jones, Menaibridge, Anglesey. Sur. Sept. 27.
WILLIAMS, THOMAS, plumber, Kingswinford. Pet. Aug. 31. Reg. & O. A. Harward. Sol. Homer, Brierley-hill. Sur. Sept. 19.

Gazette, Sept. 8.

To surrender at the Bankrupts' Court, Basinghall-street.

ARCHER, MARIA, widow, and ARCHER, HENRY TRISTRAM, tailors, Saint James's-st. Piccadilly. Pet. Sept. 1. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co., Old Jewry-chambers. Sur. Sept. 26.
BAKER, JOHN, scrivener, Poultry. Pet. Aug. 29. Reg. Hazlitt. O. A. Graham. Sol. Howell, Cheapside. Sur. Sept. 19.
BENIT, JOHN ADRIAN, provision commission agent, Savage-gardens, and Richmond-rd. Dalston. Pet. Sept. 5. Reg. Brougham. O. A. Edwards. Sol. Hoare, Essex-court, Middle Temple. Sur. Sept. 20.
COOPER, THOMAS, formerly carpenter, Chapel-st. Pentonville. Pet. Sept. 2. Reg. Brougham. O. A. Edwards. Sols. Fildred and Andrew, Great James-st. Bedford-row. Sur. Sept. 19.
DICKSON, JAMES, goldbeater, Holles-st. Clare-market. Pet. Sept. 5. Reg. Brougham. O. A. Edwards. Sol. Morris, Beaufort-bldgs. Strand. Sur. Sept. 20.
DRAGE, ALFRED, grocer, Fenny Stratford. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. Sept. 20.
EVERETT, GEORGE, commission agent, Kossuth-ter. Victoria-park. Pet. Sept. 4. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Sept. 20.
GILES, WILLIAM, basket and hamper maker, Fair-st. Horsleydown. Pet. Sept. 4. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Sept. 20.
GORRINGE, FREDERICK JOHN, and GODFREE, GEORGE RICHARD, builders, Belvedere, and Horley-rd. Lower Kennington-la. Pet. Sept. 5. Reg. Brougham. O. A. Edwards. Sol. Steedman, Coleman-st. Sur. Sept. 20.
GUPPY, JOHN WILLIAM, bootmaker, Princes-court, Whitcombe-st. Leicester-sq. Pet. Sept. 4. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-fds. Sur. Sept. 20.
HUTTER, JOHN JAMES, merchant, Argyle-lodge, Tulse-hill. Pet. Sept. 5. Reg. Brougham. O. A. Edwards. Sols. Messrs. Brandon, Essex-st. Strand. Sur. Sept. 20.
MOORE, ISAAC, tailor, St. John's-rd. Hoxton. Pet. Sept. 4. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Sept. 20.
NORTH, HENRY, sen., coal and potato dealer, Central-st. St. Luke's. Pet. Sept. 5. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. Sept. 19.
PAPINEAU, RUSSELL WILLIAM, gentleman, Bromley. Pet. Sept. 2. Reg. Brougham. O. A. Edwards. Sols. Bell and Co., Bow-churchyard. Sur. Sept. 19.
PROWSE, WILLIAM, stonemason, Park-ter. Kensington. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sol. Jay, High-st. Marylebone. Sur. Sept. 22.
ROBERTS, HENRY, boot and shoe dealer, Bute-st. Luton. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co., Walbrook. Sur. Sept. 20.
ROSENBERG, MEYER, hat and cap manufacturer, Sandy's-row, Bishopsgate. Pet. Sept. 5. Reg. Brougham. O. A. Edwards. Sols. Messrs. Lewis, Ely-pl. Sur. Sept. 20.
STEVENS, PHILIP HORDLE, merchant, Moorgate-st. Pet. Aug. 25. Reg. Hazlitt. O. A. Graham. Sols. Lawrance, Plews, and Co., Old Jewry-chambers. Sur. Sept. 19.
TALLIS, FREDERICK, out of business, Hemingford-rd. Barnsbury. Pet. Sept. 5. Reg. Brougham. O. A. Edwards. Sol. Few, Fleet-st. and Walthamstow. Sur. Sept. 20.

To surrender in the Country.

BURROWS, DAVID, baker, Foleshill. Pet. Aug. 31. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. Sept. 26.
CHEEK, JOHN, late bricklayer, King's Norton. Pet. Sept. 5. Reg. & O. A. Guest. Sol. Sargent, Birmingham. Sur. Sept. 18.
EVANS, ROBERT, miner, Gwydir. Pet. Sept. 5. Reg. & O. A. James. Sol. Jones, Conway. Sur. Sept. 19.
GREGORY, ENOS, haulier and contractor, Shipley. Pet. Sept. 7. Reg. Tudor. O. A. Harris. Sol. Sugg, Ilkeston. Sur. Sept. 19.
HENSHALL, JOSEPH, innkeeper and file cutter, Wigan. Pet. Sept. 6. Reg. Macrae. O. A. Morgan. Sol. Ward, Manchester. Sur. Sept. 20.
HICKIN, EBENEZER HUNTER, victualler, Wolverhampton. Pet. Sept. 4. Reg. & O. A. Brown. Sol. Langman, Wolverhampton. Sur. Oct. 10.
HOLCROFT, CATHERINE, and HOLCROFT, WILLIAM, shopkeepers, Upholland. Pet. Aug. 19. Reg. & O. A. Part. Sol. Heald. Sur. Oct. 5.
HUDSON, JOHN, lacemaker, Kimberley. Pet. Aug. 29. Reg. Tudor. O. A. Harris. Sol. Maples, Nottingham. Sur. Sept. 19.

Hyde, Thomas, carpenter, Audenshaw. Pet. Sept. 5. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. Sept. 26.
Johnson, John, labourer, Norwich. Pet. Sept. 4. Reg. & O. A. Palmer. Sol. Chittock, Norwich. Sur. Sept. 22.
Latham, Charles, brewer, Snaith. Pet. Aug. 28. Reg. & O. A. Wilson. Sol. Bantoft, Selby. Sur. Sept. 16.
Mason, Henry, journeyman baker, Birmingham. Pet. Sept. 6. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Oct. 9.
Mathews, James, late retail brewer, Birmingham. Pet. Sept. 6. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. Sept. 18.
Minty, Ambrose, Batheaston. Pet. Aug. 31. Reg. & O. A. Smith. Sol. Collins, Bath. Sur. Sept. 18.
Morrod, Thomas, picture frame manufacturer, Newcastle. Pet. Sept. 4. Reg. & O. A. Clayton. Sol. Joel, Newcastle. Sur. Sept. 22.
Morse, William, saddler, Newnham. Pet. Sept. 4. Reg. & O. A. Burrup. Sol. Goold, Newnham. Sur. Sept. 20.
Oliver, Stephen, journeyman stonemason, Lillington. Pet. Sept. 6. O. A. Brummell. Sol. Wilkinson, Morpeth. Sur. Sept. 23.
Pearson, James, book-keeper, Over Darwen. Pet. Aug. 16. Reg. & O. A. Bolton. Sols. Wheeler, Dean, and Kendall, Darwen. Sur. Sept. 25.
Robinson, Charles Covney, joiner, Navenby. Pet. Sept. 5. Reg. Tudor. O. A. Harris. Sol. Rex, Lincoln. Sur. Sept. 19.
Shannon, James, baker, Liverpool. Pet. Sept. 1. Reg. & O. A. Bime. Sol. Anderson, Liverpool. Sur. Sept. 26.
Shelton, Hugh, butcher, Syston. Pet. Sept. 2. Reg. & O. A. Ingram. Sol. Petty, Leicester. Sur. Sept. 22.
Sidwell, Aaron, victualler, Castleford. Pet. Sept. 2. Reg. & O. A. Coleman. Sol. Jefferson, Pontefract. Sur. Sept. 22.
Snare, James, wheelwright, Shipwith. Pet. Sept. 4. Reg. & O. A. Newstead. Sol. Bantoft, Selby. Sur. Sept. 23.
Southall, Samuel, millman, Litchurch. Pet. Sept. 6. Reg. & O. A. Weller. Sol. Briggs, Derby. Sur. Sept. 21.
Townend, George, tanner, Kendal. Pet. Sept. 4. Reg. Gibson. O. A. Laidman. Sols. Hoyle and Shipley, Newcastle. Sur. Sept. 19.
Williams, Humphrey, farmer, Trnycaem. Pet. Sept. 8. O. A. Turner. Sol. Dodge, Liverpool. Sur. Sept. 22.

Dividends.

INSOLVENT'S ESTATES.

Jace, J. surgeon, &c., 1s. 6¼d. Barnes, Colchester.—*Scargell*, W. jun. tallow chandler, &c., 7¼d. Wise, March.

Assignment, Composition, Inspectorship and Trust Deeds.

Gazette, Sept. 5.

Barton, Stephen, coach builder, Liverpool. Aug. 9. Trusts. J. Garland, plasterer, Folkestone, and T. Mummery, blacksmith, Folkestone.
Corbett, John, farmer, and Corbett, George, cattle dealers, both Shotteswell. Aug. 9. 5s. on 17th Aug. Trusts. A. Gillett, banker, Banbury, and T. Alsop, jun., farmer, Napton.
Cotton, Sidney, manufacturing chemist, Huddersfield. Aug. 9. Trust. J. Rushworth, joiner, Almondbury.
Crook, Charles, bootmaker, Whiteparish. Aug. 12. 2s. 6d. in 3 mos.
Dow, John Alfred Richard, tobacconist, Mile-end-rd. Aug. 6. 1s. in 3 mos.
Easlick, Joseph Henry, draper, Plymouth. Aug. 15. Trust. J. Dabb, draper, Plymouth.
Fass, Samuel, straw plait dealer, Luton. Aug. 7. 2s. 6d. in 1 mo.
Faulconbridge, Joseph, letter-press printer, Birmingham. Sept. 1. Trust. T. Haydon, coal merchant, Birmingham.
Fletcher, Charles, manufacturer of lambswool hosiery, Leicester. Aug. 22. 12s. by three instalments—3s. on execution of deed, 3s. at 3 mos. and 6s. at 6 mos.—secured.
Gent, John, grocer, Penarth. Aug. 17. Trust. E. Stanley, retired porter, Stroud.
Goodwin, Horatio, oil and colourman, Gray's-inn-rd. Aug. 8. 5s.
Gowar, James Hicks, coach builder, Stratford. Aug. 1. 5s. on 1st Oct.
Levene, Morris, hosier and haberdasher, Middlesex-st. Aldgate. Aug. 29. 1s. 6d. on 19th Feb.
Lean, Herbert, Birmingham. Aug. 21. Trust. A. Harrison, accountant, and T. Woolf, safe manufacturer, both Birmingham.
McInroy, William, and Craik, Henry William, merchants, Liverpool. Trust. A. W. Chalmers, accountant, Liverpool.
Miles, John, coal merchant, Northumberland-wharf, Brentford-end. Aug. 11. 10s. at 3 mos.—secured.
Mitcalfe, Stephen Wright, wine merchant, Palace Gardens-ter. Kensington, and Philpot-la. Aug. 7. Trust. J. Robinson, esq. Lawrence Pountney-hill, and E. A. Bentham, esq. Imperial Bank, London.
Monson, Abraham, Devonport. Aug. 23. 1s. on 10th Sept. Trust. L. Zeffert, outfitter, Devonport.
Norris, James, builder and contractor, Reading. Aug. 5. Trusts. J. Messer, timber merchant, and T. C. Williams, ironmonger, Reading.
Paxton, Alfred, farmer, Potsgrove. Aug. 11. Trust. Paxton, farmer, Potsgrove. Sol. Green, Woburn.
Parrin, Goolden, and Perrin, Richard Goolden, ship owners, both Fenchurch-st. Trusts. R. Driver, merchant, Southampton, and R. Burley, merchant, Jewry-st. Minories.
Preedy, Henry Wilson, merchant's clerk, Queen's-crescent. Aug. 2. 3s. in 10 days. Trust. J. Preedy, hatter, Fleet-st.
Renninger, Charles, importer of foreign goods, Basinghall-st. Aug. 3. 2s. by 2 equal instalments on 3rd Sept. and 3rd Oct.
Shankland, Robert, draper, Liverpool. Aug. 25. 10s. by certain instalments. Trust. J. Thorp, merchant, Manchester.
Smalley, Richard Henry, watchmaker, Blackburn. Aug. 3. Trusts. H. Smalley, commercial traveller, and E. E. Hoyle, tallow chandler, both Blackburn.
Smart, George, merchant, Cardiff. Aug. 7. Trusts. J. Cory, J. Hibbert, J. Lee, and W. Stothert, merchants, Cardiff.
Smith, Henry, boot and shoe manufacturer, Norwich. Aug. 18. Trusts. R. Tillyard and J. G. J. Bateman, leather merchants, both Norwich. Sols. Messrs. Tillett, Norwich.
Tagg, Thomas, miller, Heeley. Aug. 11. Trusts. R. Stacey, commission agent, and W. Barton, modeller and designer, both Sheffield.
Taylor, Benjamin, boot upper manufacturer, Birmingham, and brace manufacturer, Wood-st. London. Aug. 7. Trust. H. Honey, accountant, Ironmonger-la.
Taylor, William, oil and colourman, St. John-st. Clerkenwell. Aug. 5. 3s. 6d.—2s. in 1 mo., and 1s. 6d. in 3 mos.
Townsend, Thomas, corn chandler, Westerham. Aug. 24. 1s. on 21st Sept.
Trevor, Tudor, gentleman, Bloomfield-ter. Pimlico. Aug. 15. 5s. by 3 equal instalments, at 6, 9, and 12 mos.
Watts, John, printer, Shoe-la. Aug. —. 20s. by instalments of 1s. 3d. down, and 1s. 3d. every 3 mos. until the whole be paid.
Wilson, William John, and Wilson, Alfred Maurice, coach spring manufacturers, West Bromwich. Aug. 15. 2s. on 12th Sept.

Gazette, Sept. 8.

Atkinson, Richard, grocer and shoemaker, North Burton. Aug. 25. Trust. F. Robinson, grocer and draper, Great Driffield.
Avery, William, merchant and shipowner, Chelwood. Inspectors, Aug. 12. J. F. Gilbert, registered public officer of the West of England and South Wales District Bank, and A. Pearce, provision merchant, both Bristol.
Barratt, William, and Wilson, James, calico printers, Manchester. Aug. 22. 4s. on demand. Trust. S. Barratt, gentleman, Altrincham.
Bellamy, James, doctor of medicine, Salmon's-la. Limehouse. Aug. 8. Trust. A. Dilkes, shirt manufacturer, Bird-in-Bush-ter. Salmon's-la. Limehouse.
Bolshaw, John, butcher, Salford. Aug. 22. 5s. by two equal instalments, first on date of deed,—second in 1 mo. Trust. W. Butcher, accountant, Manchester.
Cardozo, George Henry, secretary to a Mining Company, New Broad-st., and Sheen-villas, Richmond. Trusts. L. Sandell, accountant, Skinner's-pl. Size-la., and J. Yearsley, doctor of medicine, Savile-row.
Creed, George, builder, Preston-next-Faversham. Aug. 28. Trusts. E. O. Stone, timber merchant, Faversham, and W. Boorman, plumber, Ospringe.
De Vries, Jules, gentleman, Great Tower-st. Sept. 6. 2s. 6d. by quarterly payments of 6d. each.
Dunkley, Alfred, commission agent, Bristol. Sept. 4. 5s. by two equal instalments of 2s. 6d. at five mos. Trusts. B. G. Drury, gentleman, Birmingham, and J. Walton, merchant, Bristol.
Dunn, Penniston, agent, Datchet. Aug. 22. To pay debts in 6 mos.
English, William Wooldar, coal merchant, Shoreham. Aug. 31. 5s. 6d. by two equal instalments at 3 and 6 mos. Trust. T. G. Blofield, gentleman, Walbrook.
Franke, Emil, merchant, Gresham-st. Aug. 15. 2s. 6d. in 1 mo. Trust. K. Hillme, merchant, Lawrence-la.
Goodall, Herbert, draper, Chisk, near Belper. Aug. 14. Trusts. F. Gillibrand, merchant, Manchester, and F. Kolfern, gentleman, Chesterfield.
Greaa, Derric, draper, Leeds. Aug. 16. Trusts. J. Vevers, Leeds, and H. J. Schonfbred, Manchester, merchants.
Hollier, Ormond, grocer, Fareham. Aug. 26. Trust. W. Mathews, brewer, Titchfield, and H. Clark, merchant, Fareham.
Hope, John, jun., chemist, Chester. Aug. 30. 5s. by two equal instalments at 3 and 6 mos. Trust. J. Hope, sen., gentleman, Stamford-bridge.
Humphry, Eli, draper, Beaminster. Sept. 1. Trust. G. Hall, draper, Wellington.
Jay, Joseph Price, upholsterer, Church-st. Hackney. Aug. 14. Trusts. R. Lees, undertaker, Kingsland-rd., C. Lester, gentleman, Maya-villas, Wood-green, and H. R. Kynaston, warehouseman, Gresham-st.
King, John, saddler, Putney. Aug. 11. Trust. J. Attenborough, silversmith, Strand.
Nason, Thomas, jun., fishmonger, Windsor. Sept. 6. 2s. by equal instalments at 6 and 9 mos.
Noble, George, architect's clerk, Russell-pl. Fitzroy-sq. Aug. 24. 15s. by 6 equal instalments on 28th Feb., 28th May, 28th Aug. next 28th Nov. 1866, 28th Feb., and 28th May 1867.
Pewtress, Joseph Wilmshurst, paper manufacturer, Gracechurch-st., and Iping Mills, near Midhurst, and Eashing Mills, and Hartmore-cottage, near Godalming. Aug. 22. 10s. by three equal instalments at 3, 6, and 9 mos.
Portington, Roger, Hornsey-rd. Holloway. Sept. 7. 2s. 6d. in 6 mos.
Rees, Daniel Morgan, watchmaker, Pembroke-dock. Sept. 5. 6d. after registration of deed. Trust. W. Clarke, gentleman, Pembroke-dock.
Revell, Joseph, master plasterer, Dukinfield. Aug. 12. 2s. 6d. on 10th Aug. Trust. T. Clayton, machinist, Manchester.
Ridgway, Thomas Moss, and Foulkes, Thomas Shaw, grocers, Hanley. Aug. 22. Trusts. W. Taylor, gentleman, Liverpool, and S. Edge, grocer, Huralem.
Robertson, George, currier, Birmingham. Aug. 11. 5s.
Simester, John Edwin, victualler, Caledonian-rd. Sept. 7. 1s. in 7 days.
Stevenson, Thomas, coal master, Whitehall, near Walsall, and Windmill End Colliery, near Dudley. Aug. 11. Trusts and Inspectors, R. Wood, mine agent, Lays, near Brierly-hill, G. Stevenson, clothier, Dudley, and J. Crew, charter-master, Netherton, near Dudley.
Stevenson, William, tailor, Manchester. Aug. 18. 4s. by two equal instalments at 3 and 6 mos.
Strudwick, Charles, builder, Ealing. Aug. 11. 10s. by 4th March, and under certain conditions, 9s. Trusts. T. Simpson, gentleman, Ealing, S. Tildesley, brickmaker, Ealing, and H. Brown, wholesale ironmonger, Irongate-wharf, Paddington.
Summersford, Thomas, paper dealer, Oxford. Aug. 25. 3s. on 10th Nov.
Thurmott, Edward, jeweller, Colchester. Aug. 9. Trusts. H. E. Green, banker, Colchester, W. Lock, wholesale jeweller, Birmingham, and D. Clarke, watch dealer, Goswell-rd.
Walker, Cecil, gentleman, Rosedale-villa, Lower Norwood. Sept. 2. Trust. J. L. Cock, music seller, New Bond-st.
Woodhouse, Lionel Leighton, and Kerrich, Henry Walker, general merchants, Abchurch-rd. Aug. 9. Inspectors, J. B. Thomson, broker, J. Scott, merchant, both Liverpool, and E. Hart, public accountant, Moorgate-st.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

Rogers—On the 8th inst., at Cromer, Norfolk, the wife of Benjamin Bealey Rogers, of Lincoln's-inn, Esq., barrister-at-law, of a daughter.

MARRIAGES.

Mayo—Perrin—On the 7th inst., at the parish church, Cranmeley, Somerset, Charles Thomas Mayo, Esq., solicitor, Corsham, Wilts, to Mary Hayward, eldest daughter of Joseph Perrin, Esq., Temple Cloud.

Rogers—Skidmore.—On the 7th inst., at Wakefield, William Rogers, of London, solicitor, to Sarah, youngest daughter of J. A. Skidmore, of Wakefield, Esq.

Hawksford—Jackson.—On the 12th inst., at St. John's Catholic Chapel, Bridgnorth, by the Rev. John Hawksford, brother of the bridegroom, assisted by the Rev. F. O'Neil, and the Rev. Charles W. Canon Tasker, James Edward Hawksford, of Richmond, Surrey, and Lincoln's-inn, London, Solicitor, to Alice Eugenia, only daughter of Augustine Jackson, Esq., of Eardington, near Bridgnorth, Salop. No cards.

South Devon Slate and Slab Company (Limited).—From the proceedings at the general meeting of this company it appears that Mr. Evan Hopkins has inspected the recently-discovered veins of slate on the company's land, and pronounces them to be of the finest quality, and almost inexhaustible in quantity. He states that it will be a highly-remunerative investment, and recommends the vigorous prosecution of the works, so as to bring the contents to the market as speedily as possible. For this purpose the directors have resolved to issue the remaining reserved shares of 5*l.* each at par, to be paid either by 1*l.* every three months, or in full, at the option of the shareholder. If in full, dividends will be paid on all. Only 750 shares remain to be allotted. A dividend of 7½ per cent. was declared, the chairman stating that he had no doubt, from the assurances given him privately by Mr. Hopkins, that this would be the smallest dividend they would ever receive. Mr. Hopkins says that in the course of their lease of twenty-one years the company ought to extract a million's worth of slate from the beds before them, from which they ought to derive a clear divisible profit of 300,000*l.*, or fifteen times their capital—that is to say, every 5*l.* share should produce to the shareholder 75*l.* For the reports of Mr. Hopkins and the directors application is to be made to the secretary, Mr. H. Cox, 346, Strand.—[Advertisement.]

Investments.

FIRST-CLASS RAILWAY DEBENTURES.—For SALE, DEBENTURE BONDS of the BRISTOL PORT, RAILWAY, and PIER COMPANY, at 5 per cent.—Apply to Messrs. H. and H., Solicitors, 20, King's Arms-yard, Moorgate-street, London.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to George J. Jefferson, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

THE ECONOMIC SOCIETY.—LOANS from £100 to £500 can be immediately obtained, repayable in one sum or upon the following scale of repayments for every £100 advanced, including interest [illegible]—

	Monthly		Quarterly
For one year	£8 14 2	...	£2[illegible]
For five years	2 0 10	...	6 [illegible]
For ten years	1 4 2	...	3 12 [illegible]
For fifteen years	0 19 6	...	2 19 [illegible]

For further particulars apply at the office 1[illegible], Pall-mall, London. F. H. GILBART, Manager.

SIX per CENT. SECURED on FREEHOLD PROPERTY in LONDON.—The Directors of the INNS of COURT HOTEL COMPANY (Limited) are ISSUING the remainder of the Company's SIX per CENT. MORTGAGE DEBENTURES.

These Bonds, secured as a first charge on the entire [illegible] property, estimated as worth not under [illegible] issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and investors have the option of paying in full or by three instalments.

The Company cannot borrow more than [illegible].

H. T. L. BEWLEY, Secretary.

Offices of the Company, 63, Lincoln's-inn-fields, [illegible]

LONDON, CHATHAM, and DOVER RAILWAY.

Loans on Debentures to Replace those Falling Due.

Notice is hereby given, that in consequence of the approaching completion of the Company's system of railways the RATES of INTEREST on DEBENTURES are REDUCED to the following terms:—

On Debentures for two or three years, five per cent. per annum. On Debentures for five or seven years, five and a half per cent. per annum.

Interest is paid half-yearly, on the 1st of January and July in each year, on presentation at the Company's [illegible] of the Interest Coupons issued with the Debentures.

Forms of application and particulars may be had on application of the Secretary, at the offices of the Company.

By order of the Board, W. E. JOHNSON, [illegible]

Offices, Victoria Station, London, S.W., July [illegible]

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, [illegible]

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order, JOHN ANDERSON, Secretary.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000*l.* Subscribed 1,000,000*l.*

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances for long or short terms, repayable with interest, at fixed dates or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all [illegible] and interests therein, excluding mineral property, [illegible] and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages or real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. William Napier, Managing Director, the Land Securities Company (Limited), 32, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital .... £[illegible]
Subscribed .... [illegible]
Paid up .... [illegible]

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing [illegible] per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of [illegible] deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estate charged, as certified by a surveyor or valuer appointed by the Inclosure Commissioners for England and Wales, are absolutely appropriated to the repayment of the mortgage Debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further security of the Company's uncalled capital of [illegible], representing, in fact, fractions of the Company's aggregate securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under [illegible] only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities [illegible] and of the Mortgage Debentures, will be kept in the [illegible] Land Registry.

Trustees having a general power to invest upon the [illegible] the shares, stocks, mortgages, bonds, or debentures of [illegible] incorporated or acting under the authority of an Act of Parliament, are authorised by the 40th section of the Act to invest in Mortgage Debentures.

The Mortgage Debentures will be issued for [illegible] and for such amounts as may suit investors.

Apply to the Honourable William Napier, Managing Director, Land Securities Company, 32, Charing-cross, London, S.W.

To Readers and Correspondents.

J. K. R.—No.

A. FOX.—The letter was not forwarded because we have not the address of the author of the letter to which it is an answer.

J. A. G. EVANS.—Mackenzie's is, we believe, a good one.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

WEDNESDAY, SEPT. 27.

By Messrs. FOX and BOURNFIELD, at Garraway's. Valuable freehold residences at Kingston. Advertised Sept. 16.

CHARGES FOR ADVERTISEMENTS.

Four lines or thirty words ..... 2s. 6d.
Every additional ten words ..... 0s. 6d.

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 3s. 10d. *in postage stamps.*

Will be published on Sept. 30.

THE PRACTICE of EQUITY in the COUNTY COURTS, with the New Rules Incorporated, the Forms, &c. By HENRY F. GIBBONS, Esq., Barrister-at-Law.

London: LAW TIMES Office, 10, Wellington-street, W.C.

N. B. Copies will be forwarded by post on the day of publication to orders sent immediately.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

MR. JOHN BECKE, of Northampton, Solicitor, has been appointed to the office of Treasurer of the County Courts, vacant by the death of Mr. THOMAS SHARP.

THE Rules of Practice under the new equity jurisdiction of the County Courts are at length issued. The Act comes into operation on the 1st Oct. Messrs. GIBBONS and HARVEY'S promised volume on *The Practice of Equity in the County Courts*, which has been withheld from the printer to await the settlement of the rules, without which any book on the subject must be worthless, has been placed in the printer's hands, and it is to be published by the 1st Oct. The new rules are incorporated in this work, so that it will be a complete "*Practice*," and not a mere edition of the Act. Mr. GIBBONS'S experience as Deputy-Judge of the Sheriffs' Court of London will give to this treatise a well-deserved authority. The book contains thirteen chapters, devoted to the several headings of jurisdiction, duties of registrar, administration suits, execution of trusts, mortgages, specific performance, Trustee Relief Acts, maintenance of infants, dissolution of partnership, injunctions, appeal, costs, besides the rules, orders, and schedule of forms, and all the various Acts necessary for reference, and will, it is intended, form a manual available alike for the purposes of the judge, the counsel, the officer, the practitioner, and the suitor.

THE *Solicitors' Benevolent Association* holds its annual meeting at Liverpool on Wednesday, Oct. 18. A very satisfactory report is anticipated. We trust that the attendance will be such as to show that the Profession has its heart in this good work of charity.

THE Small Penalties Act is a very short Act, and its design is very simple. It was to limit the amount of imprisonment to be inflicted for nonpayment of small penalties. Seemingly, nothing could be more easy than to express this object in unmistakable language. But the difficulty of expressing anything in words about whose meaning there will be no difference of opinion is remarkably shown in this little law. Almost as many questions have been raised upon it as there are operative words, and more are threatened. The last LAW TIMES contained Mr. OKE'S correspondence with the Home-office on the difficulties that environ the Act, and the perplexity of justices as to what are the powers and restraints really imposed upon them by its provisions. The Home-office has taken the opinion of the law officers of the Crown, and that opinion is anything but confident in its tone, and leaves the magistrates in a state of alarm lest they should, after all, exceed their jurisdiction. Besides the questions and this opinion, Mr. SAUNDERS, the Recorder of Bath, who is now the leading authority on magistrates' law, as was Mr. ARCHBOLD formerly, has treated the question with his usual acuteness, and yet is unable to solve the riddle which the Legislature has presented to the Profession as with purpose "to perplex and dash maturest counsels." Are costs to be taken into account in calculating the scale of imprisonment? Are justices empowered to imprison in default of payment of penalty in cases where they could not do so previously—as the penalty for drunkenness, for instance. Such are specimens only of the doubts and difficulties that have arisen upon the reading of half-a-dozen lines. Verily law-making is vastly more difficult than they imagine who have never tried it.

THE opinion expressed and acted upon by Mr. Serjeant DOWLING, sitting as Deputy Assistant Judge at the last Middlesex Sessions, that a judge, if he passes a sentence of penal servitude at all, is *bound* to pass a sentence of penal servitude for not less than seven years, when the criminal has been previously convicted of felony, although the previous conviction is not noticed in the indictment, is so important, and if acted upon for the future may lead to such serious and embarrassing results, that it is well that its fallacy should at once be pointed out. That the learned Serjeant is utterly wrong in his opinion few will doubt, but as he himself acts upon that opinion, and is therefore likely to pass unlawful sentences of penal servitude, and his example may perhaps lead some of our less learned chairmen of Quarter Sessions to do likewise, it is right that the error should at the earliest moment be exposed and corrected.

It would seem that the learned Serjeant had passed a sentence of penal servitude of five years upon a criminal, but that having afterwards learnt that he had been previously convicted, he had him back, and said that he must alter the sentence to seven years' penal servitude. The report speaks of a conversation between Mr. ARRAN and the Serjeant, in which the former said the question had been discussed whether a judge was *bound* to pass a sentence of seven years' penal servitude when the previous conviction did not appear upon the record, but that the Serjeant (having examined the Act of Parliament) said he was of opinion that it was *peremptory*, and that he must pass a sentence of seven years.

To come to a correct conclusion upon this subject we must consult the words of the Penal Servitude Act 1864, 27 & 28 Vict. c. 47, the 2nd section of which, after providing for the minimum period of penal servitude, enacts:

> And where any person shall, on indictment, be convicted of any crime or offence punishable with penal servitude after having been previously convicted of felony . . . the least sentence of penal servitude that can be awarded in such case shall be a period of seven years.

Now we take it that no judge can take judicial notice of a previous conviction so as to award in respect thereof a sentence which but for such conviction he would have no right to award, nor that he is *bound*, where he has a discretion as to the punishment, to award the higher term, from the fact of his judicially noticing such previous conviction, without regular proof of such conviction being adduced before him. Now such proof is, a certificate containing the substance and effect of the indictment and conviction for the previous felony, purporting to be signed by the clerk of the court or other officer having the custody of the records of the court where the offender was first convicted, with proof of the identity of the person of the offender (see sect. 116 of the 24 & 25 Vict. c. 96). This is the only legal proof of a previous conviction for felony, and without such proof the clause as to the minimum sentence of seven years' penal servitude does not come into operation.

But even this proof cannot be given unless the previous conviction is charged in the indictment. The Penal Servitude Act 1864 was not intended to alter the practice upon indictments, it merely purported to alter the terms of penal servitude. The practice of indictments where it is intended to give additional punishment by reason of an accused having been before convicted of felony is carefully laid down by the above-mentioned 116th section of the 24 & 25 Vict. c. 96, and under that section the fact of the previous conviction is to be set out in the indictment, but it is to be carefully kept from the knowledge of the jury until the accused is convicted of the principal charge, and then he is to be asked "whether he had been previously convicted as alleged in the indictment, and if he answer that he had been so previously convicted, the court may proceed to sentence him accordingly, but if he deny that he has been so previously convicted, or stand mute of malice, or will not answer directly to such question, the jury shall then be charged to inquire concerning such previous conviction," &c. Now, if Mr. Serjeant DOWLING'S opinion is correct, the foregoing provision is no further operative, and it will no longer be necessary to allege a former conviction in the indictment, nor will it be requisite to take the admission or denial of the prisoner of his having been *previously convicted as alleged in the indictment*, and the jury will have nothing to do with finding the fact, when denied, of such previous conviction. If Mr. Serjeant DOWLING is correct, all our superior judges have been strangely at fault, for the practice certainly has been uniform with them, of not acting upon the seven years' branch of the 2nd section of the Penal Servitude Act 1864 where a previous conviction has not been charged. If the learned Serjeant has acted upon his mistaken opinion in many cases, the Home-office ought certainly to interfere to rectify his sentences; at all events, if he is called upon again to act as Deputy Assistant Judge at the Middlesex Sessions, he ought to have his mind thoroughly disabused of such an erroneous notion.

AN ingenious gentleman has proposed, as an improvement of the Law of Bastardy, that the mother shall make oath of her pregnancy when five months gone, and of the father's name and address. Can folly further go? Many diseases similate pregnancy: who is to determine the fact? Many pregnancies end in abortion: is a girl to proclaim by anticipation a shame that may never come to her? She may hav very great doubt which of her lovers is the father: is the man to be the victim of her solution of a problem that would puzzle the doctors?

Why do not these exquisitely innocent advisers go at once to the root of the mischief, and propose the remedy that would be efficient—if only the women could be made to adopt it—namely, to require, under a heavy penalty, that every unmarried woman should register every sexual connexion within seven days, with the name and address of the man? This would at least give some assurance, by the process of calculation, that, if a child comes of it, we have caught the real father. Why not this? It is but one little step beyond the proposition to register pregnancy, and vastly more effective.

In truth, the difficulties and defects of the law of bastardy are inherent. It is easy to say, make the father of the child maintain it; but the question is, "Who *is* the father?" There is no mistake about the mother; but only the mother can tell us who is the father, and often not even she can certainly say. If it is to depend upon the mother's assertion alone, what a formidable power is entrusted to a person not always of good character. Such was the old law of bastardy, and its monstrous abuses compelled the adoption of the present law. As it then was, a bastard was a small fortune to a girl, for each of her lovers was threatened that, unless he paid her to be silent, she would "swear the child to *him*," and nothing but clear proof of an *alibi* could answer her oath. So, by increasing the allowance, we should increase the temptation to enter upon so profitable a business; a family of bastards would be a fortune.

As to the sentimental trash that is uttered by silly people, who know nothing of mankind or womankind beyond their own doors,

and who talk of seduction and such like, it is, as all who have seen anything of real life well know, mere untruth. The seduction is just such as that which the groom was accused of exercising over Miss Crosse—"as much one as the other." There is no virtue to be overcome, because the sense of it does not exist. There may be fear of consequences, but not consciousness of wrong. The girl calls the results of her indulgence "a misfortune," that is, she was so unfortunate as to conceive; she never accuses herself for the act that caused conception. And so it is with her friends. They do not look upon it with shame on its own account, but with annoyance, because of the expense and inconveniences. The fear, where there is any, is not of the loss of *virtue*, but of the loss of *character*.

This is the actual state of society with which legislation has to deal, and it will do only mischief unless it recognises the facts. Nor can it safely ignore human nature, whose strongest impulse is a passion implanted for the wisest purposes, the natural gratification of which is prevented by social arrangements. Hence a continual strife between the promptings of nature and the restraints imposed upon them by society, to which never-ceasing conflict in all ages and countries a large portion of the troubles of the world may be traced directly or indirectly. How to reconcile them has been the problem that has perplexed legislators and moralists at all times. Every form of penal legislation has been tried in turn, and each in turn has failed. We fear that the discovery has yet to be made of a remedy for this social evil. May it not be worth a trial whether there would not be a gain to morals by regulating what we cannot prevent?

Since the discussion in the House of Commons has published to all the world that a man may change his surname without the sanction of the Heralds' College and the payment of immense fees for the privilege, the practice has become very frequent, and few numbers of the *Times* now appear without one or more advertisements announcing that the undersigned purposes, upon and after a day there named, to assume the surname stated, either in addition to or instead of his former name. This is a strictly legal process. It does all that the Heralds' College can lawfully do. The name is thus changed as effectively for a few shillings as for a hundred pounds; and now that the example has been set, we may expect to see it largely followed. There *are* many surnames, something more than disagreeable, that expose the bearer to ridicule and materially impede his success in life. They are drags, if not fetters. *Ceteris paribus*, a Mowbray would beat a Snooks in any matter to be carried by the public voice. It is but justice that Snooks, who is not responsible for his patronymic, should be permitted easily to emancipate himself from his accidental disability. But there is an objection to the unlimited exercise of this power to change a name. The right to rid himself of his own name may be properly free. Not so the power to assume the name of another. This is capable of grave abuse, and therefore the exercise of it should be placed under some reasonable restraint. A name may be assumed by a man for improper purposes, as to impose himself upon the world as belonging to a family of repute, to conceal a discreditable identity, and such like. The present licence may be productive of mischief, and as it is now apparent that there is a growing resolve to exercise the legal power of changing the surname at will, it is time for the Legislature to consider whether it should not be placed under some regulation, with purpose at once to facilitate change and to restrain injurious adoption. The United States show us how this may be done. They have already legislated on the subject with entire success. An office is established with a register. A person desirous to change his name gives notice of his intention, and of the name he proposes to assume. That announcement is advertised, and any person objecting to the dropping of the old, or the adoption of the new, name is invited to state that objection to the registrar. Whatever objections are thus made are investigated by the officer, and permission given or refused accordingly. If given, the adoption of the new name is duly advertised and formally registered, and the expenses are paid by the applicant, with a fee that makes the office self-supporting. The objection, if any, is usually by some family bearing the name proposed to be adopted. The applicant is called upon to explain why he desires to adopt that particular name. Unless he shows a good reason —something more than mere caprice—it is refused, and he is required, if he changes, to take some other name to which there is no objection. A like law in this country would be a great improvement upon the present unlicensed proceeding, which might be productive of no small amount of annoyance to many families. We commend the subject to the energies of some of our new representatives who may be desirous to do something in the House.

Creditors have but a choice of evils. A deed of composition or the Bankruptcy Court is the alternative submitted to them. The former is more or less fraudulent in nine cases out of ten; that is to say, the composition offered is considerably less than the defaulter *could* pay if he would. He makes a clear profit by his failure. Often these deeds are family arrangements. They present a schedule of alleged creditors, whose claims are imaginary, or very nearly so, and these come in to share the spoil and wrest the property from the legitimate creditor. Such a case as the following is by no means an uncommon specimen of a composition-deed. It occurred in the Sheriffs' Court before Mr. Gibbons:

This was a judgment summons, plaintiff being a tradesman of the City, and defendants being agents, formerly of the Poultry.

A clerk from the office of Mr. Chidley attended on behalf of the defendants, and stated that they had executed a deed of composition.

His Honour: Have you the deed with you?

Clerk: No, sir; but I have a copy, and this deed is duly registered.

The copy of the deed was handed up to his Honour, who asked plaintiff if he had called upon Mr. James Rawlings, whose name was on the deed as trustee to the estate.

Plaintiff: I know nothing of James Rawlings.

His Honour (to defendant's representative): Have you tendered the composition due under the deed?

Clerk: Not that I know of, but the case only came into the office a short time ago.

His Honour, after perusing the deed, said: I do not like the look of this deed at all. Here are three Greens and two Rawlingses. You know this does not look like a genuine document. I find that the Greens and Rawlingses figure in this deed for very large sums. Here is one Green down for 5000*l*. Why, this appears to be quite a family arrangement. Here is a Stansby down for 780*l*, and a Rawlings for 400*l*.

The Clerk: Your Honour must remember that this deed has been duly considered in the Court of Bankruptcy.

His Honour: I am quite sure that the Court of Bankruptcy does not go into all these matters.

The Clerk: Will you grant an adjournment?

His Honour: Oh, no; this is not the kind of case in which I should feel at all inclined to grant an adjournment. Here I find a deed which is evidently a family arrangement, and in which claims to the amount of 10,000*l* are inserted by the Greens, Stansbys, and Rawlingses. I shall commit the defendants for ten days, leaving them to their remedy elsewhere.

Yet the alternative for the honest creditor against this species of fraud is the Bankruptcy Court, which mulcts him in costs to an equal, perhaps greater, amount and does not give him either redress or protection. The present bankruptcy law is the charter of roguedom. How to amend it will be the business of the new Parliament. But it has been tinkered so often, always becoming worse with each attempt to mend it, that we despair of a good law. Is there not something altogether wrong in the principles of a law which baffles every endeavour to improve it, and grows worse and worse every time it is reformed?

Lord Stanley presented to the men of science at Birmingham a sketch of the oratory of the House of Commons, which deserves preservation, because it ought to be read by all who desire to learn the art of public speaking; that is to say, by all of our readers, who *ought* to be speakers, or at least by all law students from whom that art will in future years be more requisite to professional success than hitherto it has been. We cannot, however, subscribe to all Lord Stanley's remarks. He undervalues the graces of oratory. It may be they are not so much esteemed in the House of Commons as in public meetings; but even in that assembly for business, a good manner will make good sense more acceptable to the audience, and will to some extent, redeem imperfect matter. In a popular assembly, manner will undoubtedly be matter. Well-sounding nothings will elicit more cheers than ill-worded and rudely spoken sense. So it is with juries generally. Therefore Lord Stanley's defence of unadorned speech must be taken with at least this exception, that it is not applicable out of the House of Commons.

I have sat in that house now for nearly seventeen years, and I can say with perfect truth that the longer I have known it the higher has been my respect for its ability and for its common sense. I have once said before, and you will pardon me if I repeat it now, that I believe, both as regards men and things, the opinion of the House collectively is generally better than that of any individual member out of it. The House, so long as I have known it, has always shown a marvellous tact, almost approaching to an instinct, in discerning who are those who contribute anything to its defects, and who merely get up to waste time and to air their vanity. I have heard speak, with real fluency and eloquence in their way, men of that kind who are described as having great command of language, when probably it would be more true to say that language had great command of them—because they have about as much command over it as a man has over a runaway horse—men of that class whom I have heard described as not knowing what they were going to say when they got up, not knowing what they were saying when they were on their legs, and not knowing what they had said when they sat down. I may have known many men of that sort left to declaim to empty benches, while you would have seven members listening in silent respect to somebody else who certainly had not the gift of oratory, who brought his sentences out head foremost or tail foremost, as the case might be, until you wondered how it was possible for a man to speak such bad grammar. But the secret was that they found out that one man had nothing to tell them except the commonplaces they all knew before, but that the other man, however awkwardly and uncouthly he might do it, really had it in his power to contribute some new idea to the discussion that was going on, and intended to do it. I recollect that when, a dozen years ago, the discussions were going on about the competitive examinations for the public service, somebody said by way of a sneer, "If this competitive examination is such a good thing, why do you confine it to the clerks? Why don't you have it also for Secretaries of State and Chancellors of the Exchequer?" Well, my answer was and is, that that is exactly what we do. No man can obtain a leading position in the House of Commons without passing through a competitive examination of a very rigid and trying kind. It is a trial of physical strength and endurance; it is a trial of patience and of temper; it is a trial of readiness and fluency; it is a trial of thorough and sound knowledge; but last, and chiefly of all it is a trial of common sense and of knowledge of the world. If a man fails notoriously in any one of these particulars, but more especially if he fails in the last, he may do very well elsewhere, but he is not a man who can take a leading part in the House of Commons.

The Fenian Conspiracy in Ireland appears to be a far more serious matter than the newspapers will admit. It is the fashion with them to treat it as the mere folly of a powerless few, to be extinguished by locking up the ostensible leaders. We cannot so regard it. The conspiracy is not new; it has been hatching for five or six years; it was devised, and is directed, by clever leaders in America, acting through emissaries in Ireland, backed by large pecuniary resources, and by the encouragement of sympathising and helping multitudes, who give material as well as moral help to the movement. There is no doubt that a very considerable portion of the lower classes, and many of the middle class, of the Irish have joined the association with the avowed design of fighting for the severance of Ireland by force from the British Crown. The Government should have interfered before. There is no chance of ultimate success for the rebels, under any circumstances, but they are numerous enough to give a great deal of trouble, and possibly to bring about bloodshed. All that has been done by them of late was done three months ago, and was equally well known to the Government. Good policy would have counselled that a plot, whose purpose was not disguised, should be suppressed at its earliest stage, before its victims were many. And so it would have been but for the exigencies of the general election. The raid of the police, so well accomplished now, would have been arrested at the hustings. Hence the delay. For the sake of securing the votes of the Irish constituencies the Government deliberately refrained from the measures of severity necessary to suppress a vast conspiracy against the Crown and the

ountry. It was politic, certainly, but it was not just either to the public peace, which it has endangered, or to the multitudes of infatuated people who by the time thus given to the plotters were drawn into their net.

A CORRESPONDENT writes to a contemporary to express the pleasure with which, on the occasion of his execution of a conveyance, he was presented by his solicitor with a parchment neatly made up in book form, about the size of the LAW TIMES, the contents being clearly written in English text, and the whole as readable and as portable as a book. Who is the solicitor who has had the combined courage and good taste to venture on this reform in deeds? He deserves the commendation of the Profession and the thanks of the public. We trust the example will be followed universally. Every solicitor feels the convenience of the book form for legal documents in the case of bills and pleadings in equity, and every solicitor must be conscious of the inconvenience, both to handle and to read, of the clumsy sheepskins that record the titles to estates. No good reason can be assigned for maintaining this antiquated barbarism. It is as easy and as inexpensive to engross a deed on a parchment book as upon a parchment sheet. But one objection presents itself, and we name it that it may receive all the consideration due to it. If a deed consists of several leaves sewn together, it may incur the risk of having one or more leaves abstracted and others substituted. This will doubtless be *said*, but it is entitled to very little weight. The same objection might be made to all present deeds that occupy more than one skin. Yet this difficulty has never arisen in practice. The danger is too great. There must be an exact imitation of handwriting and of the colour of the ink used. It is impossible, by any contrivance, to guard effectually against fraud and forgery; and these crimes would not be so much facilitated by using the book form for deeds as to counterbalance the immense convenience of the change. We hope, therefore, soon to hear that our readers have adopted the plan, and we recommend the law stationers to turn their thoughts to it, and get up a neat pattern to which all deeds should conform. It is very desirable, for convenience of stowage and carriage, that all deeds should be of uniform shape and size, and the leaves may be contrived to be sewn together in such a manner that it should be impossible to abstract and replace any one without breaking a seal which may be impressed upon the fastening material at the time of execution. Or an adhesive paper might be placed upon it, where the attesting witness may write his name or initials, so that the fastening could not be broken without breaking also the signed paper that covered it. If any protection at all is needed, which we doubt, ingenuity will soon invent an efficient one.

THE *Spectator* desires to deprive us of our holiday. It looks upon the Long Vacation as a grievance that is to be abated when other radical reforms are carried out under the auspices of the advanced Liberals. The Lawyers will not like the prospect, and it is not a proposition adapted to reconcile the Profession to the anticipated reign of Democracy. Our contemporary, however, has reasons for what he advocates, and boldly avows his reasons, and therefore is entitled to be heard and answered. To do him justice, we cite a portion of his argument:

Lord Eldon was horrified at Lord Brougham's sitting as a Judge in the Court of Chancery in a small wig. Nothing but a full-bottomed wig was worthy of the Keeper of the Great Seal. We are afraid that we shall shock our readers—or at least our professional readers—more when we advocate the propriety of trespassing upon the sacred ground of the Long Vacation. While all the legal world is resting, the older members of the profession resolutely seeking retirement where they refuse to be pursued by the "cases for opinion," and the young men honeymooning in Devonshire, sporting in Scotland, or enjoying the exquisite luxury of risking their own lives or the lives of their guides on the slopes of the Jungfrau or the rocks of the Matterhorn, it will seem little short of barbarous for us to suggest, in the interests of the public, some modifications in a system which leaves, for three or four months in the year, the public without the summary protection of the criminal law, and private suitors without the means of establishing their rights. When Charlotte Winsor lingers until November or December in her cell, certain of ultimate release from the capital punishment which she so entirely merits because the people will not hear of her execution after so long a suspense; when Ernest Southey must be kept in prison at the expense of the public until the time for the Kent winter assizes comes round; and when a Bishop is compelled to return to his colonial diocese with his case unheard because of the practical closing of the Court of Chancery, it is well that we should inquire into the policy of the present system. Why should the ordinary channels through which imperial justice flows be closed for a fourth part of every year?

What, then, would we propose to do? Do we advocate the total abolition of the long vacation? Far from it. We value too much the preservation of general culture as a part of the training of the Bar. The public have no right to the perpetual service of an eminent man, whether as statesman or as counsel. Leisure must be allowed for the rest of the body, and, what is still more important, for the refreshment of the mind by means of foreign travel or literary investigation. We cannot afford to allow our Bar to dwindle down to the level of "attorneydom." They must still live to adorn the Senate, and to quicken into life by their oratory the thoughts which slumber in the writings of scholars. But this may be preserved, and yet the public interest be protected. One of the cases of hardship affecting the cause of public morals to which we have referred has even now been dealt with "during vacation" in Ireland. At the King's County assizes just concluded Lawrence King was tried on a charge of the wilful murder of Lieut. Clutterbuck. The body was found at the Tipperary side of the river Brusna. The fatal shot was fired while the prisoner was standing up in a boat on the river at the end nearest to the King's County, while the victim was seated at the other end of the boat next to the Tipperary bank of the river. At the trial the prisoner was convicted, but an objection was taken that the indictment did not state that the crime was committed within 500 yards of the King's County side of the river, and the point of law was reserved. But instead of waiting till after the long vacation, when it was felt that the execution of the murderer would be rendered impracticable, a special Court of Criminal Appeal was summoned at once, to consider the validity of the question at law. Ten judges accordingly assembled a few days ago in solemn conclave, and after a lengthened argument the majority of the court, one judge only dissenting, decided that the objection was untenable. The law will accordingly take its course, and King will be executed forthwith. Yet in England Lord Wensleydale's interposition has involved the postponement for four months of the decision of the question whether the capital sentence on Charlotte Winsor shall be carried out. We should be glad if we could follow the Irish precedent. We should regret to return to the old system of execution the next day but one after the verdict, we do not seek the revival of the indecent haste of what Judge Jeffreys called the gaolers' hanging-day," but every week's delay makes the ultimate execution of the criminal more repugnant to the public conscience, and the lapse of months makes it almost impossible.

There is, however, another point in which the rigid observance of the long vacation is prejudicial to the interests of the public. We would suggest that no prisoner should be allowed to lie in prison awaiting his trial for more than a month, unless a longer time were specially required in order to prepare the evidence in the case. The new winter assize has done much to relieve the gaols throughout the country, but between July and December there is no method of trying a serious criminal unless the offence be committed within the jurisdiction of the Central Criminal Court, or the cause is specially removed there. This court sits every month. There is no reason why every large centre of population should not possess a similar court, where prisoners might be tried for offences committed between the times of the periodical visits of the judges of assize. This proposition might necessitate the increase in the numbers of the judicial bench, but the exigencies of the time already call for the appointment of more common law judges. The new central criminal courts might also usefully deal with many cases which are very unsatisfactorily disposed of by the present justices of the peace.

We are not anxious to shorten the holidays of any of our hard-working lawyers. We simply ask that a greater facility should be given both at law and in equity to the prosecution of public offenders and the enforcement of important private rights. There are many leading counsel at the Bar who would feel compelled to sacrifice vacation work in order to obtain strength and rest, with a view to the approaching winter campaign. On the other hand, there are crowds of young men who would be very glad to work, even though it should be in the vacation only. When the theatres are open in Passion Week, and the courts of justice sit continuously during the seasons of Advent, Lent, and Pentecost, and even, during a busy time on circuit, on Good Friday itself, there is no good reason why their sittings should not be more frequent in the time of harvest.

Of course the *Spectator* looks at the question from the public point of view, as we do from the professional standpoint. It may be that the holiday, which is undoubtedly an immense boon to the lawyers, may be a great mischief to the public. That, indeed, is the *Spectator's* assertion, and, if true, a newspaper working in the public interest exclusively would have a right to require that the advantage of the few should yield to the needs of the many. But it is *not* true. Neither suitors nor criminals require that the tribunals should be for ever at work. As for suitors, they share the lawyers' desire for an autumn holiday, and the sitting of the courts would be quite as inconvenient and distasteful to them as to us. There is no real urgency for trial in one case in a hundred, and that one should, upon the principle recognised by the *Spectator*, yield its convenience to the greater convenience of the many. And it is still more so with the Criminal Courts. In truth, nineteen out of twenty of the persons waiting for trial are guilty; to them it is no hardship to be detained in prison before trial, for that term is always taken into account in awarding their subsequent punishment; and as for the few innocent, it is a hardship to be committed for trial at all; but this is never done without strong circumstances of suspicion. All that can be said is, that they are unfortunate to be thus questionably situated, and that it is scarcely fair to call upon judges, juries, bar, and attorneys to abandon a holiday needful to health for the sake of a very few such unfortunates as they.

SEVERAL of the recent decisions upon the law of carriers have thrown light upon a question of importance and difficulty. The question is simply, how far railway companies can limit their liability in contracts which do not relate to their business as common carriers. In the case of *Peek* v. *The North Staffordshire Railway Company*, 8 L. T. Rep. N. S. 708, the provisions of the Carriers Act and the Railway and Canal Traffic Act were examined with great care and minuteness by the House of Lords, assisted by the common law judges, and in the result it was clearly laid down that a condition by which a railway company declared that they would not be responsible for the loss of or injury to certain goods unless declared or insured according to their value, was neither just nor reasonable. But the 7th section of the Railway and Canal Traffic Act, which allows the owners of goods to withdraw their assent to conditions which are not, in the opinion of the court, either just or reasonable, does not apply to all special contracts between railways and their customers, but only to such as respect the "receiving," "forwarding" and "delivery" of goods. Agreements for the conveyance of passengers, together with their personal luggage, were left untouched by the Legislature, and the liability of those who enter into them must, to a great extent at least, be regulated by the common law. Now railway companies, who have been accused of great anxiety to limit their liability in every respect, may reasonably ask for some forbearance with regard to deficiencies on their part in rate of speed, time of arrival at stations, &c. It will sometimes happen upon holidays, or other extraordinary occasions, that the lines become crowded with carriages, and the "proceed with caution" signal causes the trains to reach the terminus a half-hour or so after their time. Are the company to be liable for this delay? The directors are not disposed to incur the expense of a number of petty suits, in which the solvent party is always the loser, and therefore endeavour, by carefully-drawn notices, contained in their time-tables, to decline any responsibility for delay and its consequences. One of the earliest cases upon the construction of such a notice is *Shaw* v. *The York and North Midland Railway Company*, 13 Q.B. 347. In that case, which was a decision at common law, a railway company issued a ticket containing the memorandum: "This ticket is issued subject to the owner's undertaking *all* risks of conveyance whatsoever, as the company will not be responsible for any injury or damage, howsoever caused, occurring to persons, &c." It appeared that the plaintiff's horse was injured owing to a defect in one of the railway horse-boxes. The Court of Queen's Bench held that the company were protected by the terms of the ticket, but Lord DENMAN adds, "It may be that, notwithstanding the terms of the contract, the plaintiff might have alleged that it was the duty of the

defendants to have furnished proper and sufficient carriages, and that the loss happened from a breach of that duty; but the plaintiff has not so declared, but has alleged a duty which does not arise upon the contract, as it appeared in evidence." In *Austin* v. *The Manchester, Sheffield, and Lincolnshire Railway Company*, 16 Q. B. 600, the ticket exempted the company from responsibility for damage, *however* caused, and its terms were supported by the Court of Common Pleas, Cresswell, J. saying: "Whether it was called negligence merely, or gross negligence, or culpable negligence, or whatever epithet might be applied to it, it was within the exemption." This case was followed by a still stronger one, *Carr* v. *The Lancashire and Yorkshire Railway Company*, 7 Ex. 704. There the ticket contained words similar to those in *Shaw* v. *The York and North Midland Railway Company*. The jury found that the plaintiff's horse was killed by the gross negligence of the defendants. But it was held this time by the Court of Exchequer that the words of the notice, according to their proper meaning, showed that the plaintiff had taken upon himself all risk. So far, therefore, there would seem to be little difficulty in framing a notice which would deprive every one of a remedy against the company for lateness of trains, &c., even where the company had been guilty of gross negligence. But it is necessary to proceed with caution. Shipowners are, as is well known, unaffected by the Acts relating to land carriers. In *Lloyd* v. *The General Iron Company*, 10 L. T. Rep. N. S. 586, the shipper complained of injury to his goods by a collision, owing to the gross carelessness of those in charge of the ship. He had signed a bill of lading containing an exception of accidents or damage of the seas, rivers, and steam navigation *of whatever nature or kind soever*. The Court decided in favour of the plaintiff, Bramwell, B. saying: "It is said that the collision might have been avoided, but was immediately brought about by the negligence of the master or crew, not wilfully, but by their negligence. Now this is certainly not an accident in common parlance. Suppose a man were to go blindfold along the street, and to run against something, could any one say he met with an accident? He would do an act that would be very likely to lead to a mischief. It is different with the person who might suffer by such an act; he might fairly say that he met with an accident, a peril to which every man is liable who goes out in the road and meets negligent people. But I do not think the fair meaning of the word or the reason of the thing extends 'accident' to the case of a mischief accruing to the ship and cargo from the negligence of her crew." With this case may be coupled the more recent one of the *Peninsular and Oriental Steam Company* v. *Shand*, 12 L. T. Rep. N. S. 808, where the words of the company's notice were, "All parties are requested to take notice that the company do not hold themselves liable for detention or delay of passengers arising from accident or from extraordinary or unavoidable circumstances . . and that the company do not hold themselves liable for damage to or loss or detention of passengers' baggage. The Court of Privy Council, in giving judgment in favour of the company, say: "Nothing can be more general than the words of the parties. They do not enter into any distinctions as to how the damage, loss, or detention may have been occasioned, whether by pure accident, or through the negligence, or even misconduct of the appellants. But the facts of this case make it unnecessary to consider whether, reasonably understood, they express an intention to protect the appellants against answering for gross negligence or positive misconduct. Upon this their Lordships express no opinion whatever." To these cases we may add that of *Stewart* v. *The London and North-Western*, 33 L. J. 199, Ex. There the plaintiff's portmanteau was taken from him by one of the company's servants and lost. The small excursion handbills issued with the tickets contained the notice: "Luggage under 60lb. free at passenger's own risk." It was held, that with regard to a passenger's luggage the obligation of the railway company was not that of a common carrier, and that, even assuming that there had been negligence, the right of action was defeated by the notice. These cases support the proposition that the law as to these notices is, that they may be prepared so as utterly to take away from passengers their rights of action, even for gross negligence. We come now to the two last cases upon this subject. The first of these is *Hurst* v. *The Great Western Railway Company*, 12 L. T. Rep. N. S. 631. There the plaintiff was unable to catch a second-class train owing to the lateness of that owned by the defendants. At the trial of the cause the time-table, which, as is usually the case, exonerated the company from liability for delay, was not put in. But this did not help the plaintiff, for the Court of Common Pleas decided that, upon the imperfect evidence of the contract before them (*i.e.* the railway ticket), they could not come to the conclusion that there was any liability upon the company to start their trains at the time expected by the plaintiff. In the later case of *Prevost* v. *The Great Eastern*, 13 L. T. Rep. N. S. 20, the time-table was forthcoming, and contained the words: "These tables show the time at which the trains may be expected to arrive and depart from the several stations. Every exertion will be used to insure punctuality, but the departure or arrival of trains at the time stated will not be guaranteed, nor will the company hold themselves responsible for delay, or any consequences arising therefrom." Crompton, J. left to the jury the question of negligence, saying that there was a *contract* to use due and proper care. The conclusion which we would draw from the cases above cited, although they are perhaps not in every respect consistent, is this. The courts are unwilling to put such a construction upon notices as will exempt public carriers of passengers from the consequences of a negligence little short of wilful misconduct. They will therefore, where the words admit of such an interpretation, confine the exceptions which they set up to losses and injuries arising from accidents, that is, unusual and unforeseen circumstances. And they will infer, in a doubtful case, that it could not have been the intention of a passenger to resign himself altogether to the care of railway officials and abandon all right to redress from the tribunals of his country. Where, however, the words are clear and explicit, they will be allowed full operation. It will not be forgotten that the company, despairing of success if any question remains to be submitted to a jury, may prefer to have their contracts with the public committed to paper in terms so clear and absolute that the issue to be tried will be reduced to a dry question of law. It is not likely that immunity will be sought from the liability to make compensation for bodily injury to passengers. Such a proviso might be productive of serious damage to the company. But neither is it likely that time-tables repudiating any claim for overdue trains or late arrivals will be abandoned. When an important company announces that 50,000*l.* has been appropriated to satisfy the claims arising out of a late accident, we should not be impatient at occasional delay, especially when in all likelihood we have no legal remedy.

JUDICIAL STATISTICS.

No. IV.

THE COMMON LAW COURTS.

The business in chambers is enormous, and it appears to vary little from year to year. But the difference is great of the numbers in the three courts—the Q. B. having the largest quantity. Thus, of summonses there were: in the Q. B., 15,424; in the Ex., 14,580; and in the C. P. only 11,128. The totals of the rest are shown in the following statement:

Summonses	41,123
Common orders	34,029
Special orders	11,373
Certificates, special cases, special verdicts, fiats, &c.	1,948
Affidavits, affirmations, &c.	17,826
Affidavits filed	17,057
Approbations for taking affidavits or special bail	352
Acknowledgments by married women	369
Office copies (number of folios)	12,144
Recognisances	20
Bail	42
Committals	2
Exhibits before judge	3,818
Producing judge's notes	83
Bills of exceptions signed by judge	1
Attendances in any court on subpœna	1
Attendances as a commissioner to take affidavits	37
Reports on private bills	2
Attendances by counsel (each side)	3,810
Appointment of commissioners	290
Admissions	424
Summons and order to try issue before sheriff	118
Allowances, bye-laws	1
Special commissions	[illegible]
Copying judge's notes	[illegible]
Other proceedings	1

The Court of Ex. held sittings on the Revenue side—as it is termed, and the business consisted of 5 special cases, in 3 of which judgment was for the Crown; 4 causes in equity, in 3 of which the Crown succeeded; 76 motions bearing touching legacy and succession duties.

The writs of error in the Ex. Ch. exhibit the following results:

Memorandums of error lodged	[illegible]
Notices of appeal lodged	[illegible]
Set down for argument:	
Errors	[illegible]
Appeals	[illegible]
Remanets from 1863	[illegible]
How disposed of—	
Errors:	
Judgments affirmed	[illegible]
" reversed	[illegible]
Venire de novo	1
Struck out	[illegible]
Standing for judgment	[illegible]
Appeals:	
Judgments affirmed	[illegible]
" reversed	[illegible]
Struck out	[illegible]
Remanets and standing for judgment	15

There was an increase in the receipts of the Suitors' Fund, as well as in the fees levied.

INVESTMENT JOURNAL.

The Brazilian Loan is the event of the week in the Money-market. It has been a great success. Nor has the money thus withdrawn produced the usual effect of depressing other securities. On the contrary, all have maintained their place, and many have advanced. To this the magnificent weather has contributed. The harvest is now concluded, and it is pronounced an average one. The potatoes alone have been seriously damaged, and the disease is worse with them than at any season for the last six years. The Cattle Plague is spreading, and we fear the worst of it is to come. It will probably be suspended during the winter, and reappear in the spring. Such seems to be the course of contagious disorders. So it was with the Cholera. The destruction of stock as yet is estimated at not more than 100,000*l.* The following are the fluctuations:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur.
Bank of England Stock	...	...	—	...	[illegible]	—
3 ₱ Cent. Red. Ann.	[illegible]	[illegible]	[illegible]	88	[illegible]	[illegible]
3 ₱ Cent. Cons. Ann.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
New 2½ per Cent. Ann.	...	...	—	—	—	—
Do. do. Jan. 1894	...	...	—	71[illegible]	—	—
New 3 ₱ Cent. Ann.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
New 3½ ₱ Cent. Ann.	...	—	—	—	—	—
5 ₱ Cent. Annuities	...	...	—	...	—	—
5 ₱ Cents. Jan. 1873	...	...	...	—	—	—
Ann. 30 yrs. exp. April 5, 1885	13[illegible]	...	...	—	—	—
Do. exp. Jan. 5, 1880	...	...	...	—	—	—
Red Sea Tele. Ann. 1908	...	...	...	—	—	—
Bank Stock, for Acc.	...	...	...	—	—	—
Consols for Acc.	90	90	...	[illegible]	[illegible]	—
Consols 5 ₱ Cent. for Ac.	...	...	...	...	—	—
India 5 ₱ Cent. for Acc.	...	...	...	...	—	—
India Stock	...	...	...	—	...	—
India Stock, 1874	...	...	[illegible]	—	[illegible]	—
India 5 ₱ Cents.	...	...	...	—	—	—
India 4 ₱ Cents. 1888	...	...	...	—	[illegible]	—
India 5 ₱ Cents. 1870	...	10[illegible]	[illegible]	[illegible]	[illegible]	—
India Bonds (1000*l.*)	...	...	...	...	—	—
Do. (under 1000*l.*)	...	...	[illegible] pm	...	—	—
India Debentures, 1863	...	—	—	—	—	—
Do. do. 1864	...	...	—	—	—	—
Do. do. 1866	...	...	...	—	—	—
India Enfaced Paper, 4 ₱ Cent.	...	—	—	—	[illegible]	—
Do. do. 5 ₱ c. Jan. 1872	...	[illegible]	—	—	—	—
Do. do. 5½ ₱ c. May 1879	...	...	...	—	—	d
Ex. Bills, 1000*l.*	...	b	a	...	—	e
Do. 500*l.*	a	a	a	b	b	
Do. 100*l.* & 200*l.* 3 ₱ c.	a	a	a	c	b	—
Do. Small, & [illegible]	...	—	—	—	—	—
Do. Advertised	...	—	—	—	—	—
India Certificates	...	...	...	—	—	—

a 3 3¼ per ct. 2s. dis. 2s. pm.
b 3 3¼ per cent. 2s. dis.
c 3 3¼ per cent. 2s. pm.
d 3 3¼ per cent. 1s. dis.
e 3 3¼ per cent. 1s. pm.

The "Hummums," in Covent-garden, so well known as the resort of literary and political celebrities of past generations, is doomed to destruction; the old house, like many others in the metropolis, being demanded as a sacrifice to "metropolitan improvements." The lease, it appears, has expired, and the Duke of Bedford will not renew it, as he thinks it will be better to extend Covent-garden Market, in consequence of the rapid increase of its trade.

SOLICITORS' JOURNAL.

NOTES OF NEW DECISIONS.

DIVORCE COURT PRACTICE.—In consequence of the absence of the reporter, the head-note in *Power* v. *Power*, 12 L. T. Rep. N. S. 824, improperly inserted a word, thus: "On the question of cruelty the court will *not* consider." It should have been "*will* consider." This will alter the note of the case at page 521, *ante*.

BANKRUPTCY COURT.

Wednesday, Sept. 18.

(Before Mr. Commissioner HOLROYD.)

Re RICHARD WILLIAM WEBB.

This was an application for release from custody by the bankrupt, Mr. Richard William Webb, who was a solicitor, having offices at 18, Jewry-street, Minories, and Savage-gardens, Tower-hill.

Deacey appeared in support of the application, and *Grant* opposed for the detaining creditor.

The detaining creditor in this case was Mr. Spenceley, a mercantile clerk, and the complaint made against the bankrupt was that he had improperly detained a sum of money which belonged to Mr. Spenceley. It appeared that the bankrupt had been employed to conduct an action against the Breton Trading Company, for Mr. Spenceley. He compromised the suit for a sum of 50*l.* odd, but he did not pay over to his client any portion of that money. Proceedings being taken by Mr. Spenceley for the recovery of the amount, Mr. Webb set up a claim for costs, but at the trial an award passed by consent for 37*l.*, and two guineas costs, in plaintiff's favour.

Deacey mentioned that Mr. Webb was possessed of considerable assets in the shape of bills of costs, and he asked the court to grant the release.

The learned Commissioner declined to interfere in the bankrupt's behalf until after the meeting for choice of assignees.

The application was therefore refused.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

HORLOCK (William), Ash-hills, Shorwell, Isle of Wight, yeoman. Oct. 2; Cunliffe and Beaumont, solicitors, 41, Chancery-lane, London. Nov. 4; V. C., at noon.

HYDE (Alfred), Dukinfield, Cheshire, cottonspinner. Oct. 2; Earle, Son, Hoppe, Orford, and Earle, solicitors, Manchester. Nov. 8; V.C. W., at noon.

IRON (Robert), Ashton-under-Lyne, Lancashire, surgeon and cottonspinner. Oct. 2; Earle, Son, Hoppe, Orford, and Earle, solicitors, Manchester. Nov. 8; V.C. W., at noon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

CHANCE (Robert Lucas), Summerfield-house, Birmingham, manufacturer of glass, acids, &c. Jan. 1, 1866; Watkins, Baker and Baylis, solicitors, 11, Sackville-street, London.

CLOWES (Thomas), Proxmer-court, Crowle, Worcestershire, Esq. Dec. 30; S. H. C. Maddock, solicitor, 3, Spring-gardens, London.

DAVIES (Sir David), Hanover-street, Hanover-square, Middlesex, M.D. Oct. 30; Wing and Ducane, solicitors, 1, Gray's inn-square, London.

DODD (Georgina), formerly of 9, Grosvenor-place, Hyde-park, Middlesex, late of Bonchurch, Isle of Wight, widow. Oct. 31; Burgoynes, Mines, and Burgoyne, solicitors, 103, Oxford-street, London.

GRIFFITH (Samuel Young), Oxford Hotel proprietor. Oct. 28; Few and Co., solicitors, 2, Henrietta-street, Covent-garden.

HARRISON (Robert), Eastwood, Notts, gentleman. Oct. 31; Barton and Browne, solicitors, Nottingham.

HOLLINGSWORTH (Samuel), Church-street, Edmonton, Middlesex, gentleman. Oct. 30; W. H. Holland, solicitor, 15, Great Knightrider-street, Doctors'-commons, London.

HUGHES (Lewis), 47, Great Newton-street, Liverpool. Sept. 21; W. H. Anthony, solicitor, 3, York-buildings, Dale-street, Liverpool.

PURVER (Anna Maria), Upton, Southampton, widow. Nov. 30; S. H. C. Maddock, solicitor, 3, Spring-gardens, London.

SHORTER (John), formerly of Crispin-street, Spitalfields, Middlesex, china and glass merchant, late of Grange-hill, Chigwell, Essex, gentleman. Oct. 7; Tanqueray-Willaume and Hanbury, solicitors, 34, New Broad-street, London.

WILLIAMS (Robert Henry), 9, New Cavendish-street, Portland-place, Middlesex, Esq. Oct. 20; Cotterill and Sons, solicitors, 32, Throgmorton-street, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

ALDER (Ealand, Mary, and Marian Olive), Alperton-place, Middlesex. 22*l.* 4*s.* New Three per Cents. Claimant, Marian Olive Alder.

DOYLE (Rev. Thos.), St. George's Catholic Church, Southwark, TIERNEY (Rev. Mark Aloysius), of Arundel, Sussex, COLLINGRIDGE (Rev. Peter), of Parker's-row, Bermondsey, and CROOKALL (Rev. John), of St. Edmund's College, Ware, Herts. Dividend on 564*l.* 16*s.* New Two-and-a-Half per Cents. Claimant, said Thos. Doyle.

HOUSTON (Margaret Eliza), Brighton, widow. 20*l.* 15*s.* 11*d.* Three per Cen. Consols. Claimants, Rev. James Wallace and Charles Mills Roche, executors.

NICHOLLS (Elizabeth), Clerkenwell-green, widow. Dividends on the sum of 3*l.* Long Annuities. Claimant, Joseph Horton, the husband.

SHELDON (Ebenezer), Mount-street, surgeon, BARRETT (Rev. Joseph), of Doughty-street, and ALLEN (James), of Old Change, wholesale draper. Dividend on 126*l.* 10*s.* 6*d.* Long Annuities. Claimant, Thos. Allen, executor.

EXPENSES OF THE LATE EDINBURGH ELECTION.—The accounts of the candidates in the late Edinburgh election have been lodged in the Sheriff's-Clerk's office, according to statute. The total of the expenses of Mr. Black and the Lord Advocate is 1633*l.*; of Messrs. M'Laren and Miller, 1654*l.*—*Scotsman.*

MAIDSTONE ELECTION EXPENSES.—The return of expenses connected with the late election for the borough of Maidstone has been published. The outlay made by the successful (Liberal) candidates, Messrs. Lee and Whatman, is set down jointly at 561*l.* 13*s.* 11*d.*; that of Mr. J. Wardlaw at 360*l.* 7*s.* 8*d.*; and of Mr. E. L. Betts at 446*l.* 6*s.* 9*d.* The chief item in each account is for printing, advertising, &c. The agent of the Liberal candidates received 50*l.*; Mr. Wardlaw's agent 50*l.*; and Mr. E. L. Betts's, 105*l.* The travelling expenses are pretty equally divided. The total number of voters on the register is 1770, of whom only 85 were left unpolled.

MALDON ELECTION EXPENSES.—The returning officer of Maldon, Essex, has just made public his official statement of the expenses incurred at the late election for that borough. The outlay made by Mr. C. M. W. Peacocke, M. P., is set down at 608*l.*; that of Mr. R. A. Earle, M. P., at 631*l.*; and that of Mr. T. S. Western, the unsuccessful Liberal candidate, at 695*l.* It should be remarked that some of the expenses on the Conservative side were shared equally between Mr. Peacocke and Mr. Earle, while Mr. Western had to fight the battle single-handed. Mr. Western paid his agent (Mr. G. E. Digby) 100*l.*; but agency cost Mr. Peacocke and Mr. Earle 207*l.* each. On the Liberal side the expenditure made for horse hire and conveyances was 230*l.*; while the Conservatives expended only 151*l.* under the same head. The hotel expenses of Messrs. Peacocke and Earle were 119*l.*; no return is made in this regard on behalf of Mr. Western. Mr. Western (who threatens a petition) paid 83*l.* for "detectives;" the Conservative figures contain no such item. The aggregate expenditure admitted on both sides will be seen to be 1934*l.*; the population of the borough was returned in 1861 at 6261.

GREENWICH ELECTION.—The official return of the expenses incurred by three out the five candidates who contested this borough at the recent general election has been published. Mr. Alderman Salomons's election cost him 2105*l.* 17*s.* 11*d.*, made up of the following items, viz.:—Hustings expenses, 79*l.* 6*s.* 6*d.*; printing, stationery, postage, and advertisements, 567*l.* 6*s.* 3*d.*; committee-rooms, 366*l.* 18*s.* 4*d.*; carriages, 252*l.* 1*s.* 6*d.*; clerks, messengers, canvassers, &c., 690*l.* 5*s.* 4*d.*; and agents' fees, 210*l.* Sir C. T. Bright's election cost him 2481*l.* 0*s.* 5*d.*, made up of the following items, viz.:—Canvassers, &c., 1260*l.* 9*s.* 5*d.*; committee-rooms, 292*l.* 18*s.* 4*d.*; printing, advertising, &c., 397*l.* 12*s.* 2*d.*; cabs, &c., 121*l.* 12*s.* 7*d.*; boards, 66*l.* 6*s.* 6*d.*; miscellaneous expenditure, 102*l.* 19*s.* 11*d.*; returning officer, 81*l.* 11*s.* 6*d.*; sub-agent, 52*l.* 10*s.*; and agent, 105*l.* The candidature of Sir J. H. Maxwell cost him 1211*l.* 6*s.* 2*d.*, composed of the following items:—Printing, advertising, stationery, and postage, 210*l.* 12*s.* 7*d.*; bill-stickers, 18*l.* 10*s.* 6*d.*; committee-rooms and hire of halls for meetings, 162*l.* 0*s.* 11*d.*; canvassers, 175*l.* 16*s.* 2*d.*; clerks, 151*l.* 6*s.*; messengers and expresses, 42*l.* 9*s.* 9*d.*; fees to agent, 210*l.*; returning officer, 72*l.* 9*s.*; carriages, 70*l.* 4*s.* 4*d.*; check clerks, 58*l.* 18*s.* 10*d.*; and sundries, 38*l.* 18*s.* 1*d.* No return of the expenses of the other candidates, Captain Harris and Mr. Baxter Langley, is given.

REMOVAL OF ONE OF THE CITY LAW COURTS.—The learned Secondary Judge of the Secondaries Court in the city of London has received notice to quit from the landlords of his offices. The Secondaries Court, which was formerly in Coleman-street, has been ever since 1830 located in Basinghall-street, and in the back room on the ground floor the learned Secondary has, for thirty-five years, heard cases, at times involving, upon writs of inquiry, very large sums of money. The house belongs to the Mercers' Company, who are now effecting great alterations in the street, and who will shortly pull down four or five houses in order that extensive offices may be erected on the sites. Amongst the number of those who have received notice is the learned Secondary, who will remove to 20 and 21, Basinghall-street, on or before Sept. 29. It may be here mentioned that as a city law court the Secondary's office was always looked upon as a kind of curiosity, the court-room itself having formerly been a wool warehouse.

THE DEAD HAND.—The celebrated Lord Chesterfield's will contains this prelude:—"Satiated with the pompous follies of this life, of which I have had an uncommon share, I would have no posthumous ones displayed at my funeral, and therefore desire to be buried in the next burying-place to the place where I shall die, and limit the whole expense of my funeral to 100*l.*" Shortly after comes the following clause:—"The several devises and bequests hereinbefore and hereinafter given by me to and in favour of my said godson, Philip Stanhope, shall be subject to the condition and restriction hereinafter mentioned—that is to say, that in case my said godson, Philip Stanhope, shall at any time hereafter keep or be concerned in the keeping of any racehorse or racehorses, or pack or packs of hounds, or reside one night at Newmarket, that infamous seminary of iniquity and ill-manners, during the course of the races there, or shall resort to the said races, or shall lose in any one day at any game or bet whatsoever the sum of 500*l.*, then, and in any of the cases aforesaid, it is my express will that he, my said godson, shall forfeit and pay out of my estate the sum of 5000*l.* to and for the use of the Dean and Chapter of Westminster, for every such offence or misdemeanor as is above specified, to be recovered by action for debt in any of His Majesty's courts of record at Westminster." The will entails a similar penalty on the letting of Chesterfield House. The present Lord Chesterfield, who is the son of the man on whom these liabilities were imposed, has certainly let Chesterfield House, and has, we will venture to say, passed some nights at the "infamous seminary of iniquity and ill-manners." His ancestor vested the infliction of the penalty in the reverend hands of the Dean and Chapter to mark by a sort of Parthian dart his sense of the grasping spirit he considered they had evinced in their dealings with him respecting the land on which his house was built, and to show what a rigid exaction of the penalty imposed he anticipated from such sharp practitioners.—*Fraser's Magazine.*

THE BENCH AND THE BAR.

THE EX-CONFEDERATE SECRETARY OF STATE.—It is said that Mr. Benjamin, ex-Confederate Secretary of State, intends to join the English bar. He is an eminent and eloquent lawyer.—*Liverpool Albion.*

MR. J. D. COLERIDGE, at a meeting held at Exeter, on Tuesday, in connection with the Societies for promoting Christian Knowledge and the Propagation of the Gospel in Foreign Parts, said, in the course of an excellent speech: "There is no time in which a compromise of religious principles can be anything but dishonourable. But if ever there was a time, surely it is now, when men, agreed about the facts of the Gospel, should make the most of their agreement, and put aside all matters on which they differ with their fellow-Christians."

Among the new buildings progressing rapidly in Paris, the Court of Cassation is one of the most advanced, and it is expected that it will be ready to receive the judges at the end of the long vacation. The rough work of the front of the building on the Quai de l'Horloge is finished, and sculptors are commencing the decorations. Four allegorical statues, representing Justice, Vigour, Prudence, and Protection, are to be placed beside the pillars on the first floor, above which will be a *bas relief* representing Chastisement, Crime Punished, and Insolence.

MR. CARSON AND JUDGE BRAMWELL.—In reply to a letter from a friend, Mr. Carson has written:—"Respected Friend,—I have just received thy letter, and may inform thee that I did not appear in court uncovered, as stated in the papers, my hat having been removed and taken away by an officer of the court. It was also stated in the public prints that I addressed the judge as my 'my Lord'—also an error, as I could not conscientiously thus address any human being. I much regret that the circumstance has been so incorrectly brought before the public mind; but I am favoured with the feeling of peace from the conviction that I have acted in accordance with my conscience and principles throughout."

SUICIDE OF MR. GORDON ALLEN.—On Sunday afternoon a painful sensation was created in the Inner Temple amongst the benchers, owing to a report being raised that Mr. Gordon Allen, barrister-at-law, had attempted to destroy his life by cutting his throat. The unfortunate gentleman, who, it will be remembered, took a prominent part in the proceedings against Mr. Edwin James, has for some time been noticed to be in a very desponding and unsettled state of mind. He occupied chambers at No. 2, Dr. Johnson's-buildings, in the Temple, and on Sunday afternoon he was found in his office with his throat cut. Medical aid was promptly called in, but such was the languishing state he was in, that his instant removal to the hospital was deemed indispensable, and assistant-inspector Harris and police-constable Henderson removed him to St. Bartholomew's hospital, where he remained without the least hope of recovery.

LANDED PROPERTY OF A FEW LORDS AND COMMONERS.—Few or none—and we include men of learning and rank—are aware that nine English peers of the Upper House, or second estate, have greater landed and house property in London, west and north-west of Temple Bar, than any ninety or more commoners of the Lower House, or the third estate. Here are the names of the nine lucky lords:—1. The Duke of Bedford; 2, the Duke of Portland; 3, the Marquis of Exeter; 4, the Marquis of Salisbury; 5, the Marquis of Northampton; 6, the Marquis of Westminster; 7, the Marquis Camden; 8, Earl Craven; 9, Earl Portman. No other nine peers, or M.P.'s, or London citizens of "credit and renown," can be pitted, we repeat, against these nine peers as owners of London property west of Temple Bar and without the jurisdiction of the Right Hon. the Lord Mayor, and the oaken truncheons of the Peelers of the City police.

MAGISTRATE AND PARISH LAWYER.

NOTE.—The current law under this Department is noted by T. W. SAUNDERS, Esq., Barrister-at-Law, Author of "The Practice of Magistrates' Courts," &c.

READINGS OF NEW STATUTES

RELATING TO

MAGISTRATE AND PARISH LAW.

No. III.

THE PRISON ACT 1865 (28 & 29 Vict. c. 126).

VERY much credit is due to Her Majesty's Government for the earnestness and success with which they dealt with the new Prison Act of the last session. Whether wisely or not, the public have for some years been clamouring for an alteration in our penal system, and at length in deference to the popular voice a new Act has been placed in our statute-book which will no doubt do much to accomplish the purpose intended. The statute of which we have given the title above is of a very comprehensive character, for it not only embodies the provisions of most of the old statutes (which it repeals), but it enacts a vast variety of new and useful regulations. Amongst these is an extensive body of prison regulations most clearly defining the duties of the prison officials, and minutely providing for the discipline, management, and control of prisoners. With a statute so comprehensive it would be unwise here to refer to its details with minuteness. There is one matter, however, of such governing importance that we desire at once to call attention to it.

Even with such a comprehensive statute we could hardly hope for marked results for good, but from the circumstance that the proper and efficient execution of the enactment is confided to the watchfulness of bodies of visiting justices, whose duty it will be not only to visit each gaol for which they are appointed, and see that no irregularities or abuses prevail, but who are armed with powers of interference for the enforcement of order and regularity of a most extensive and correctional description.

These visiting justices are to be appointed periodically by their fellow justices; and here it is that we desire to point out a remarkable and serious oversight in the statute. By the 53rd section it is enacted that

The justices within every prison jurisdiction in sessions assembled shall, at their first sessions in each year, nominate two or more justices with their consent, to be visitors of each prison within their jurisdiction, &c.

These words are simple and plain enough, and according to them the visiting justices are to be nominated at the Epiphany sessions, which always take place early in January. This being the time pointed out for the nomination, it can legally be made at no other time. But here is the difficulty. By the 2nd section it is enacted that the Act

Shall come into operation on the 1st day of February 1866, which day is hereinafter referred to as the commencement of the Act.

Thus the *first* sessions in the year will have passed before the Act comes into operation, and as the justices for that reason will be unable to nominate at those sessions, so, as those are the only sessions named in the statute, they will be unable to nominate visiting justices under the Act during any part of the year 1866, and hence for that period there will be no efficient superintending body over our gaols. It seems to us, however, that there are two ways by which this difficulty may be met, which we throw out not only for the consideration of the justices, but of the Home-office, whose especial province it is to see that this branch of administration is conducted with due efficiency. First, the justices can, at the termination of their ordinary business at the Epiphany sessions, adjourn those sessions to the 1st or some subsequent day in February for the special purpose of nominating the visiting justices, and they can then assemble accordingly and nominate. Thus, as these adjourned sessions will be a continuation of the *first* (Epiphany) sessions in the year, there will be a legal compliance with the 53rd section, and the visiting justices will in fact be nominated *after* the coming into operation of the statute. Secondly, the justices can, at their Epiphany sessions, nominate the visiting justices by anticipation, in the expectation (which doubtless will not be disappointed) that at the earliest moment the new Parliament will legalise their acts and remedy the oversight. We hardly know which course to recommend, but probably before the holding of the Epiphany sessions the Home Secretary will convey some intimation to the justices as to the course which under the circumstances it will be judicious for them to pursue.

The foregoing remarks apply only to the nomination of visiting justices for county gaols. But there are other gaols with respect to which visiting justices are in like manner to be appointed. A vast number of municipal boroughs have grants of courts of quarter sessions, and for the most part each of these has its own borough gaol, which is under the jurisdiction of the borough justices. Now, the same clause of nomination (the 53rd) applies to these borough gaols as to county gaols, and with reference to these a more serious difficulty arises. At the present time, and until the new Act comes into operation on the 1st Feb. next, the enactment regulating the appointment of visiting justices for borough gaols is the 1 Vict. c. 78, the 38th section of which confers upon borough justices all the powers of county justices, and to that end enacts that they are to "hold a quarterly sessions at the usual times of holding quarterly sessions of the peace." In pursuance of this enactment borough justices have held such a sessions at the same time as the borough quarter sessions, and then have nominated their visiting justices. The 38th section of the 1 Vict. c. 78, however, is repealed by the new Prison Act, and therefore after the coming into operation of that statute the borough justices will no longer be at liberty to hold such sessions, and if, therefore, they can nominate visiting justices at all they must nominate them under the 53rd section of the new Act to which we have before adverted. But will that section enable them to do so? We think not. The borough justices will not, after the commencement of the Act, hold any such sessions as are referred to in that section. They will meet daily, weekly, or monthly, according to usage, in petty sessions, but they will hold no such sessions as are indicated in the section; and even if their petty sessions could be so construed as to come within the meaning of the section, there would be the difficulty, already pointed out with reference to county justices, with this further embarrassment, that the power of adjourning such petty sessions to some day in February would be wanting. It seems to us, therefore, that the power of borough justices to nominate visiting justices will be wholly at an end when the new Act comes into operation, and that for borough gaols *no* visiting justices can be appointed.

We believe that nothing short of a legislative enactment will effectually cure these defects; but, inasmuch as Parliament will probably not meet until some time in February, and no amending statute can well become law until the middle of March, there will be six weeks during which there will either be no visiting justices, or no visiting justices whose nominations are not open to objection. The difficulty is a serious one, and as such we commend it to all those whom it may concern.

Correspondence.

MAGISTRATES' COURTS.—I was very much pleased to read in your last week's paper an article relating to the practising of unqualified persons to conduct cases before magistrates, and I sincerely trust that such article will have the effect so justly anticipated and so greatly to be desired. There can be no doubt that none but certificated attorneys, or their articled clerks, ought to conduct any case whatever, either in a court or justice-room. The unfairness of the proceeding, to say the least of it, cannot be too strongly condemned by articled clerks; for what encouragement is it to such to pay stamps and premiums and to plod away over some uninteresting law book "till heart is weary and eyes are dim," one of the primary reasons, in cases to my own knowledge, being to have the honour of advocating before the county bench—what encouragement, I repeat, can it be to those gentlemen so to prosecute their studies when, at the same time, persons who are not and never were under articles are pleading away like properly certificated advisers? To contemplate such a course of procedure certainly makes a legal student feel in any mood but an amiable one. I trust that the publicity given to this subject by you will cause a revision to take place throughout the country.

ARTICULUS.

SMALL PENALTIES ACT.—Noticing in your publication of Saturday last, in the readings of new statutes relating to magistrate and parish law, comments on the Small Penalties Act 1865, with reference to 21 Jac. 1, c. 7, and having seen that convictions continue to be made under that Act, I wish to draw attention to what seems to me to be the state of the law upon the subject of that statute, being of opinion that there is no Act of Parliament now in force for punishing a person for being drunk only; but that there must be, in addition to the fact of being drunk, riotous or indecent behaviour, in a street or public thoroughfare, on the part of the person proceeded against. The Act of 4 Jac. 1, c. 5, entitled "An Act for repressing the odious and loathsome sin of drunkenness" was passed to continue only until the end of the first session of the next Parliament, but it was afterwards made perpetual by 21 Jac. 1, c. 7, which also made certain alterations and additions to the law on the subject. And by cap. 28 of the same year, it was enacted that the several statutes mentioned in the 1st section of that chapter (amongst which is 4 Jac. 1, c. 5), should by virtue of that Act be adjudged, ever since the session of Parliament in the seventh year of His Majesty's reign in England, to have been of such force and effect as the same were the last day of that session, and from thenceforth until the end of the first session of the next Parliament," the Act of 4 Jac. 1, c. 5, having been made perpetual by cap. 7 of the same session. In the year 1828, 4 Jac. 1, c. 5, again came under the notice of the Legislature, and was by sect. 35 of 9 Geo. 4, c. 61, wholly repealed, thus leaving 21 Jac. 1, c. 7, the only statute in force at the time for the repression of drunkenness. In the year 1860, by sect. 40 of 23 Vict. c. 27, persons being drunk in a street or public thoroughfare, and while drunk guilty of riotous or indecent behaviour, were rendered liable to fine or imprisonment on conviction. In 1863, by 26 & 27 Vict. c. 125, the enactments contained in the schedule to that Act were thenceforth repealed, except as in the schedule mentioned. In the schedule to this Act 21 Jac. 1, c. 7, except sects. 4 and 5, is comprised. In the Act there is a proviso to the effect that where any enactment not comprised in the schedule has been confirmed, revived, or *perpetuated* by any enactment thereby repealed, such confirmation, revival, and *perpetuation* should not be affected by such repeal; but, inasmuch as 4 Jac. 1, c. 5, had been previously repealed by 9 Geo. 4, c. 61, s. 35, it is not affected by the proviso. The exception of sect. 4 of 21 Jac. 1, c. 7, from repeal in the schedule to 26 & 27 Vict. c. 125, may be matter of discussion as to what effect the exception from a repealing Act of Parliament of a repealed section of a former Act may have—sect. 4 of 21 Jac. 1, c. 7, having been repealed in 1828 by sect. 35 of 9 Geo. 4, c. 61. From these facts it would certainly appear that 23 Vict. c. 27, s. 40, is the only Act existing for the repression of drunkenness. The manner in which this subject has been dealt with by the Legislature is a good example of the innumerable ramifications they make in order to bring a law to their idea of perfection, and is suggestive that a more systematic mode of procedure might be adopted with advantage.

C. H.

19th Sept. 1865.

"REG. v. COCKERELL."—The following letter has been addressed to the *Times*:—Sir,—In reference to the above case, which was reported in the *Times* of Saturday last, I should be glad if you will kindly allow me space for the purpose of pointing out that the justices, when they committed the defendant for safe custody pending an adjournment of the hearing, were acting under the 11 & 12 Vict. c. 43, s. 16, a copy of which, so far as is necessary, I subjoin. I should have imagined that Mr. Lewis could not have been ignorant of this enactment; yet he replied to a question of Mr. Justice Montague Smith, whether there was any other Act on the subject, i. e., besides the one which had been quoted (11 & 12 Vict. c. 43), that "the only Act was the one he then produced." I need hardly say that the latter Act refers entirely to "indictable offences," nor need I go into the reasons which induced the justices to adopt the course they did for securing the defendant's appearance on Monday next, but I cannot allow the statement to remain uncontradicted that the justices were acting entirely without authority.—I am, Sir, your obedient servant,

H. DARELL BROWN, Clerk to the Justices of the Godstone Division, Surrey.

Westerham, Sept. 18.

And be it enacted that before or during such hearing of any such information or complaint it shall be lawful for any one justice, or for the justices present, in their discretion, to adjourn the hearing of the same to a certain time and place to be then appointed and stated in the presence and hearing of the party or parties, or their respective attorneys or agents then present; and in the meantime the said justice or justices may suffer the defendant to go at large or may commit him to the common gaol or house of correction, or other prison, lock-up-house, or place of security in the county, riding, division, liberty, city, borough, or place for which such justice or justices shall be then acting, or to such other safe custody as the said justice or justices shall think fit, or may discharge such defendant upon his entering into a recognizance with or without surety or sureties, at the discretion of such justice or justices, conditioned for his appearance at the time and place to which such hearing or further hearing shall be adjourned.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bolton	Friday, Oct. 20	J. A. Russell, Esq.	10 days	J. Gordon.
Hereford	Friday, Oct. 20	F. Edward, Esq.	10 days	R. Johnson.
Kingston-on-Hull	Thursday, Oct. 19	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Monday, Oct. 23	J. R. Maule, Esq.	10 days	J. W. H. Richardson.

A commission which is engaged in revising the penal code of the canton of Zurich has pronounced, by nine to two votes, in favour of the abolition of capital punishment. Eight years ago a similar commission voted for the continuance of such sentences, if they were carried out in a semi-public manner in an inclosed place.

CAPITAL PUNISHMENT.—Dr. Lyford, the well-known physician of Winchester, has addressed a letter to the secretary of the Society for the Abolition of Capital Punishment, giving his experiences of public executions during a long official connection with the Hampshire County Gaol. He states that he has attended professionally more than forty criminals who have died upon the scaffold, and that of that number but two had not themselves witnessed the public execution of others. Dr. Lyford argues from this, that the deterrent effect of capital punishment is *nil*. He thinks that death by hanging is much more painful and protracted than it appears to be, often through the carelessness or the unskilfulness of the hangman. The sufferer, being closely bound hand and foot, cannot indeed evince his dying agonies by struggling, but Dr. Lyford has often found his pulse beating strongly and his chest heaving five or six minutes after the drop had fallen. There can be no doubt that the guillotine and the garotte are much more merciful methods of extinguishing life than the noose. And then the horrible crowds which congregate at these public strangling festivals—the foul language, the coarse jokes, the noisy laughter, the riot, the drunkenness, the immoralities of every description! Dr. Lyford is convinced that the hangman will never want regular employment as long as public executions are conducted as disgracefully as they now are in England.—*Pall Mall Gazette.*

ILLEGAL COMMITTAL BY MAGISTRATES.—At the Judge's Chambers on Friday week, before Mr. Justice Montague Smith, Mr. G. Lewis (Lewis and Lewis) made an application in the case of *Reg.* v. *Cockrell*. He asked his Lordship to grant the discharge of the defendant, an assistant overseer of Oxted, Godstone, in Surrey, who had been committed by Messrs. M'Niven and Leake, at the Godstone Petty Sessions on the 5th instant, to Horsemonger-lane gaol. On Tuesday Mr. Lewis applied to Mr. Baron Bramwell, and instead of a summons he granted at once a writ of *habeas corpus*, and Mr. Keene, the governor, now attended with the defendant. There had been some proceedings by the Poor Law Board against Mr. Cockrell, and he was summoned to appear before the bench on Monday, the 4th instant. A certificate from the poor-law auditor, Mr. Merrifield, was produced, that he was indebted in the sum of 378*l.*, and the case was adjourned for three weeks, to the 25th Sept., whereupon he was remanded for three weeks, and sent handcuffed to Horsemonger-lane gaol, a distance of eighteen miles. Mr. Lewis said there was no pretence for sending Mr. Cockrell to prison. The proceedings were before justices at petty sessions, and not before any stipendiary magistrates. There was no power to remand a prisoner for a longer period than eight days, yet these magistrates had thought proper, without, as he believed, any evidence, to send a man handcuffed to the county gaol for three weeks. They (the magistrates) had as much power to send him for three years as they had for three weeks. Mr. Lewis referred his Lordship to the 11 & 12 Vict. c. 42, s. 21, under which a prisoner could not be remanded for a longer period than eight days. Mr. Justice Smith remarked that it was a very odd proceeding, and asked if there was any other Act on the subject. Mr. Lewis said there was no other Act. There was no power to remand for a longer period than eight days. He had never heard of such a case. His Lordship asked whether all the parties had been served with notice of the writ of *habeas corpus*. Mr. Lewis produced an affidavit of serving on the clerk of the magistrates (a Mr. Brown) and on the clerk of the Poor Law Board. His Lordship made an order for the discharge of the defendant, on the ground that he was illegally detained, and he was at once liberated by Mr. Keene, at the chambers.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

PURCHASE OF A REVERSION.—Where there is an agreement for the purchase of a reversion, and the contract is not completed at the time specified for completion, the purchaser must pay interest on the purchase-money from the time when the contract ought to have been completed, because the increased value of the property is an equivalent for the postponement of enjoyment till the prior estate is worn out: (*Williams* v. *Glenton*, 13 L. T. Rep. N. S. 10. M. R.)

CUSTODY OF INFANT CHILD.—Where a mother under the provisions of Talfourd's Act (2 & 3 Vict. c. 54) applied to the court to have access to her daughter, a child about nine years of age, then placed by the father under the care and protection of his sister, the mother living separate from him, and he had been by her charged with adultery, but the case was not established, the Court refused the order: (*Re Winscom*, 13 L. T. Rep. N. S. 14. V.C. W.)

EQUITABLE MORTGAGE—POWER OF ATTORNEY.—B. seised under a lease for lives renewable for ever of certain premises, and being indebted to C. in 448*l.*, to secure repayment executed a power of attorney, whereby he authorised said C. to mortgage the said premises, and which power of attorney he declared to be "irrevocable" until the said C. shall have received the whole of his account against the said B., or payment of any bill, promissory notes, or bills of exchange, for which B. is now or shall become liable to or on behalf of C. The power of attorney was held to be an equitable mortgage of the premises: (*Re Parkinson's Estate*, 13 L. T. Rep. N. S. 26. Ld. Ch. of Ir.)

WILL.—B. gave the residue of his property to C. for life, and after his death, provided he left a child surviving, then to trustees for such persons as C. should by will appoint; but if C. should die without leaving a child surviving or making such appointment, then to D. and others. C. had no child, but left a will giving his interest under B.'s will to E. On appeal the power of appointment conferred on C. was held to be conditional on his leaving a child surviving him, and as he never had such a child, the power never came into existence, and at his death the gift over to E. took effect: (*Earle* v. *Barker*, 13 L. T. Rep. N. S. 29. H. of L.)

DEVISE.—CHARGE OF DEBTS.—POWER OF SALE.—B. devised estates at C. and D. to a trustee, stating that, in case his personal estates should be insufficient for payment of his debts, he charged them on his estates at C. and D., and gave the trustees a power of sale accordingly. The concurrence of the parties beneficially interested was held not to be necessary to the sale of the estate by the trustees: (*Greetham* v. *Colton*, 13 L. T. Rep. N. S. 34. M. R.)

POWER—INSOLVENCY OF DONEE.—B., by will dated in 1849, directed the residue of certain rents and profits to be paid to C. for life, or until he should become bankrupt, or seek relief from any law or laws which were or should be in force concerning insolvency debtors, and then as C. should appoint; in default, to the use of his children absolutely, &c. C. took the benefit of the Insolvency Act in 1857, and afterwards appointed by deed. It was held to be a good appointment: (*Wickham* v. *Wing*, 13 L. T. Rep. N. S. 37. V.C. W.)

MARRIED WOMAN—REVERSIONARY INTEREST—MALINS'S ACT.—An agreement for a marriage settlement agreed that a sum of money, part of the wife's fortune, should be settled to her separate use, but that the property should revert to the husband if he survived. It was held that the wife's reversionary interest was taken under the agreement, and not as a resulting trust, and that she could not dispose of the fund under the powers of the statute, as the agreement constituted a settlement, and came within the exemption contained in the 4th section of 20 & 21 Vict., c. 57, which provides that "the powers of disposition hereby given to a married woman shall not enable her to dispose of any interest in personal estates settled upon her by way of settlement, or agreement for settlement, on the occasion of her marriage:" (*Clark* v. *Green*, 13 L. T. Rep. N. S. 38. V.C. W.)

HUSBAND AND WIFE—SEPARATE ESTATE.—A married woman having a separate estate invested 1000*l.* in Consols in the name of her niece. Afterwards she wrote to the niece stating that she intended her to have the 1000*l.* stock for herself, but that she (the aunt) was to have the interest of it during her life. At the same time she desired the niece to execute a power of attorney enabling her aunt to receive the dividends, also to sell and transfer the stock. The niece did so, and shortly afterwards the aunt died, having received the dividends, but not having otherwise dealt with the fund. The niece was held to be entitled to hold the stock for her own benefit: (*Beecher* v. *Major*, 13 L. T. Rep. N. S. 54. L.C.)

HUSBAND AND WIFE—ACCOUNT.—A husband furnished a house, over which his wife had a general power of appointment, and subject thereto, a life-interest in the rents, for her separate use. The wife, with the husband's consent, managed the property, and received all the profits of letting the house for lodgings. The husband, after the wife's death, was held not to be entitled to an inquiry as to how much of the profits of the lodgings arose from the furniture: (Ib.)

MORTGAGE—EQUITY OF REDEMPTION.—Where an estate is subject to two mortgages, and the first mortgagee purchases the equity of redemption, he does not, while releasing his own charges, thereby let in the second mortgagee to a better position than he held originally: (*Hayden* v. *Kirkpatrick*, 13 L. T. Rep. N. S. 56. M. R.)

LEASE—MINES—SURFACE SUPPORT.—A lessor of land reserved the right to work mines and quarries that should be under the demised premises, with the usual wayleave, &c., covenanting to do as little damage as possible to the soil. He was held to be entitled to an absolute right of way underground in working such mines. It was also held that in such working he had no right to let down the surface soil, the right to support of which was incident to the grant of the surface, and could not be taken away but by express agreement: (*Proud* v. *Bates*, 13 L. T. Rep. N. S. 61. V.C. W.)

JUDGMENT MORTGAGE ACT (13 & 14 VICT. c. 63).—A judgment may be registered as a mortgage against a railway company. The affidavit need not set forth the trade, the description "railway company" being sufficient; and no minuter description of the lands to be affected than the name of "town lands" need be set forth: (*Ex parte Bagnall*, 13 L. T. Rep. N. S. 63. Ir. L. C.)

FARM LEASE—RESERVATION OF RIGHT OF SPORTING.—A farm lease reserved to the lessor the right of "hunting, shooting, fishing, and sporting" over it, and subsequently granted "the exclusive right of shooting and sporting over, and taking the game, rabbits, and wildfowl upon it," with the quiet enjoyment of such right, to B. This grant was held to include all such animals as by ordinary usage were the subjects of sporting; and, therefore, that the lessee, in killing the rabbits, committed a wrongful act. The lessee's occupation was of between 300 and 400 acres; he cut down and grubbed up about forty acres of furze and underwood. It was held that this was not an eviction of B. from his right of shooting over the land, and therefore that there was no breach of the covenant for quiet enjoyment: (*Jeffryes* v. *Evans*, 13 L. T. Rep. N. S. 72. C. P.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

LIABILITIES OF RAILWAYS—TIME-TABLES.—The time-table of a railway company stated that a train would leave L. station at 2.37 p.m., and arrive at M. at 2.54. The plt. entered L. station during the Whitsuntide holidays at 2.20 p.m., and procured a ticket for M., after being told by a ticket porter and a guard that a train which was nearly due would stop there. The train in question did not arrive at L. till three p.m. The plt. entered the carriage, and after considerable delays in consequence of stoppages, arrived at S., a station beyond M., at a quarter to five p.m. The train had not stopped at M. The plt., who had an appointment for half-past three at a place about ten minutes' walk from M., took a cab and arrived there at five, but too late for his appointment. The time-table of the company contained the words following: "These tables show the time at which the trains may be expected to arrive and depart from the several stations; every

exertion will be used to insure punctuality, but the departure or arrival of trains at the time stated will not be guaranteed, nor will the company hold themselves responsible for delay, or any consequences arising therefrom." The jury, in answer to questions from the learned judge, found that there was no negligence or want of care on the part of the company: Held, that no contract or duty had been proved by which the company could be made liable: (*Prevost* v. *The Great Eastern Railway Company*, 13 L. T. Rep. N. S. 20. Crompton, J.)

INDUSTRIAL AND PROVIDENT SOCIETIES ACTS 1852 AND 1862.—A co-operative industrial society, established under these Acts, is not liable to be sued in its corporate capacity for a debt incurred by the society after the passing of the Act of 1862, but before registration of the society under it: (*Linton* v. *The Blakeney, &c., Industrial Society*, 13 L. T. Rep. N. S. 39. EX.)

LIABILITY FOR PASSENGERS' LUGGAGE.—The note on the case of *The Peninsular, &c., Steam Packet Company* v. *Shand*, 12 L. T. Rep. N. S. 808, wrongly stated the results of that decision. It was rightly remarked that the *lex loci* of the contract governed it; but the conclusion that, inasmuch as by the law of England a carrier could not relieve himself from his common law liability by express notice, therefore, the plaintiff was entitled to recover, was erroneous. It should have been, that by English law a carrier can shift his liability by notice, and therefore the plaintiff was *not* entitled to recover.

PREFERENTIAL SHARES.—It has been again decided that preferential shares cannot be issued by a company formed without an express condition to that effect. The directors cannot do it; a general meeting cannot do it. In the present case it was proposed to be done by another device. A meeting was called in regular course to alter the articles of association, so as to permit of preferential shares, and a resolution to that effect was carried. But some dissentient shareholders obtained an injunction to prevent the company from carrying out the design, the Court holding that it was beyond the power of the meeting to pass such a resolution, the proposition being, in fact, for an alteration in the constitution of the company, it being an inherent stipulation on the formation of a joint-stock company, in the absence of any provision to the contrary, that all the shareholders should stand on an equal footing. This series of decisions must affect a vast number of companies who have been largely issuing preferential shares, in entire ignorance of their illegality. Such shares will probably be held to be void. The holders of them and their solicitors should look to this at once: (*Hutton* v. *The Scarborough, &c., Hotel Company*, 13 L. T. Rep. N. S. 57. V.C. K.)

LORD MAYOR'S COURT.

Friday, Sept. 15.

(Before the RECORDER and a Common Jury.)

HOWARTH v. BISLOP.

THE SOUTH-EASTERN RAILWAY COMPANY OF PORTUGAL, GARNISHEES.

This was an attachment case of very great importance to shareholders in railway companies, plaintiff seeking to attach certain dividends alleged to be due to the defendant as a shareholder in the South-Eastern Railway Company of Portugal.

Talfourd Salter appeared for the company; *Philbrick* representing the plaintiff.

It appeared that the defendant was a holder of certain bonds which had been issued, and it was set up on the part of the plaintiff that the company had 210*l.* in hand to the use of the defendant.

Mr. Mackenzie, the secretary to the company, was called, and stated that there was money in the bank to the credit of the defendant.

His LORDSHIP asked if there was any answer as to 210*l.*

Salter said that there was a special arrangement between defendant and the company, under which the defendant was to surrender certain shares and receive bonds. Now, the question was, whether it could be said that so long as the arrangement was not carried out defendant was entitled to the interest on the bonds.

His LORDSHIP was of opinion that if the arrangement were not carried out defendant would still be entitled to the shares.

Salter thought that if the defendant broke his agreement with the company it was clear he had forfeited all claim to the dividends.

His LORDSHIP did not see that defendant forfeited past dividends and interest, whatever might be the case as to those forthcoming. There was no answer as to 210*l.*, and the jury would find a verdict for that amount.

Verdict for the plaintiff for 210*l.*

JUDGES' CHAMBERS.

Tuesday, Sept. 19.

(Before MONTAGUE SMITH, J.)

Important Application under the Joint-Stock Companies Act.

An application was made under the 35th section of the Joint-Stock Companies Act to remove the name of a shareholder from the register, under peculiar circumstances. The applicant had taken shares in a newly-formed company, and on ascertaining that the funds were to be applied to other purposes than those expressed in the prospectus, now wished his name to be removed from the register.

MONTAGUE SMITH, J., doubted very much whether it was intended to give a judge at chambers the power to try such a question.

Gibbons, as counsel for the company, opposed the application, and said if such a case was to prevail, then every shareholder could escape his liability when he discovered something which did not please him. Although all the objects of the company were not expressed in the prospectus, all parties were referred to the articles of association, and were bound to make themselves acquainted with them. No doubt it would have been better to have stated in the prospectus all the purposes of the company.

On the part of the applicant several cases were cited, and the learned judge was pressed to grant the application, as it involved an important principle.

His LORDSHIP declined to make an order, and said the party applying might go to court. His own impression was, that he had not the power to try such a question in a summary manner.

Application refused.

PUBLIC COMPANIES.

The Southampton Dock Company has declared a distribution of 2 per cent. for the half-year.

The British and Californian Banking Company (Limited) have announced an *ad interim* dividend of 4*l.* per share for the half-year.

The British and Foreign Railway Plant Company have declared a dividend at the rate of 10 per cent. for the past six months, being, with an *ad interim* payment already made, and a bonus on the shares of the new issue, equal to 20 per cent. per annum.

The directors of Messrs. Pile, Spence, and Co. (Limited) exhibit a profit of 20,082*l.* for the half-year ending June 30.

At the half yearly meeting of the General Steam Navigation Company, a dividend of 14*s.* per share, being at the rate of 10 per cent. per annum, was declared.

The South Devon Slab and Slate Quarries Company (Limited) have declared a dividend of 7½ per cent. on the half-year.

A prospectus has just been issued of the Birkenhead Amalgamated Brewery Company (Limited). This company has been formed for the purchase of the Argyle and Anchor breweries in Cheshire. The capital is 300,000*l.* in 15,000 shares at 20*l.* each.

The Delhi and London Bank (Limited) have declared an *ad interim* dividend of 10 per cent. per annum, free of income-tax, for the three months ended the 30th June last.

The Bank of Australasia has declared a dividend and bonus at the rate of 11 per cent. per annum free of income tax.

At the meeting of Halcombe and Co., Sack Contractors (Limited), a dividend was declared at the rate of six per cent. for the half-year.

The directors of Moore, McQueen, and Company (Limited), have announced an *ad interim* dividend, at the rate of 10 per cent. per annum, free of income tax, for the three months ended the 30th June last.

The Alliance Bank have made a call of 5*l.* per share on the new shares issued in 1864.

The second call upon the shareholders of the Leeds Banking Company is payable. It is for 40*l.* per share, which, with the former call of 70*l.*, will make 110*l.* per share which the shareholders have had to pay.

Vice-Chancellor Sir W. P. Wood proposes, on the 30th Oct., to appoint an official liquidator of the Beariz Tin Streaming Company (Limited).

The Anglo-Austrian Bank will pay the sum of 3*s.* per share, equal to 5 per cent. per annum, free of income-tax.

The London General Omnibus Company pays a dividend and bonus at the rate of 7½ per cent. per annum.

The Railway Passengers Assurance Company has declared a dividend of 4 per cent. per annum.

The Mauritius Land Credit and Agency Company shows net profits for the nine months at 3502*l.* 16*s.* 11*d.*, and a dividend at the rate of 10 per cent. per annum.

At a recent extraordinary general meeting of the London and Colonial Bank, the resolution passed on the 23rd Aug. for winding-up voluntarily was confirmed.

The Millwall Iron Works, Shipbuilding, and Graving Docks Company (Limited) have declared an *ad interim* dividend of 8 per cent. per annum for the half-year ending 30th June last, payable on and after the 30th inst.

The Merchant Banking Company of London (Limited) have declared an interim dividend of 1*l.* per share upon the old shares, and 1*s.* 6*d.* per share upon the new shares (equal to 8 per cent. per annum).

At the meeting of the Surrey Commercial Dock Company, which took place on Thursday week, a dividend of 3 per cent. was declared for the six months.

At an extraordinary meeting of the London Merchants Company (Limited), the directors unanimously agreed to return the deposits to the subscribers, with 5 per cent. interest.

The London Bank of Mexico and America (Limited) has declared a dividend at the rate of 8 per cent. per annum.

A NOVEL JOINT STOCK COMPANY.—A number of gentlemen who are interested in the elevation of the working classes have commenced a company, called "The Clayton Forge Company," for the manufacture of boiler plates and of bar iron, on the principle of dividing profits with the workmen and the customers. The scheme, shortly described, is as follows:—All profits up to 10 per cent. will belong to the shareholders; all above 10 per cent. after providing for repairs and renewal of plant, is to be divided into three equal portions, the first of which will belong to the shareholders, the second to the workmen, and the third to the customers. The subdivisions amongst the workmen are to be in accordance with the wages earned by each, and the subdivisions amongst the customers according to the purchases made by each. Thus the scheme says to the shareholders, "We hope to pay you something more than 10 per cent. for your investments;" to the workmen it says, "You shall no longer have reason to complain that your employers get an undue share of the profits, for if they earn more than 10 per cent. you shall share it;" and to the customers it says, "Our best exertions shall be at your service, and you shall not pay too much for your iron, for if we earn more than 10 per cent. you shall have a share of the excess as extra discount." We believe that Messrs. Briggs, the colliery proprietors of Normanton, have already tried the division of profits among the workmen with good effect, and there is every reason to believe that the principle will spread not only in that but in other employments. The division amongst customers is a new idea, and is of course intended to secure orders in all states of the trade, and we hope and believe will be found to answer the purpose of the promoters.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

MISLEADING SHOP-FRONT—INJUNCTION.—B., who had been in the service of T. and G., in the Strand, opened a shop in Oxford-street, in which he carried on a similar business. B.'s name was painted above the windows of his shop, and in no other place. Beneath the shop windows the names of T. and G. were engraved in large characters, preceded by the word "from" in very small characters, upon brass plates on each side of the door of the shop. The names of T. and G., preceded by the word "from," were in like manner painted on the awning of the shop. The evidence showed that the general effect was to lead the public to the belief that it was a branch establishment of T. and G. The Court granted a perpetual injunction to restrain B. from using the name of T. and G. in any manner calculated to mislead the public. Kindersley, V. C. said:

The general principles applicable to questions of this kind are not disputed. They are plainly laid down by Lord Kingsdown in advising the House of Lords in the case of *The Leather Cloth Company (Limited)* v. *The American Leather Cloth Company (Limited)*, 12 L. T. Rep. N. S. 716. The fundamental rule is, that a man has no right to put up his goods for sale as the goods of a rival tradesman, and he cannot, therefore, imitate their trade-marks or initials in order that he may induce purchasers to think the goods he is selling are the goods of another person. In that case they were the goods of a rival manufacturer, but the same principles applies. On the other hand, there is no question that if a person has been in the employ of a firm of reputation and sets up for himself, he has a right in any way he thinks fit (provided it is entirely consistent with truthfulness) to communicate to every member of the public that he has had the advantage of being in such service, and may appropriate to himself some of the benefit arising from the character and reputation of his late employers. But it is obvious that it behoves him in so doing to take special care that it is done in such a manner as not to deceive the public, and one of the obvious modes of doing that (though I agree that it is not the only effectual way for the purpose) is not to let the name of the employer appear in his shop-front without his own appearing with it; and it does not signify, for the purpose of the plaintiffs' right to relief, whether the defendant

has been doing it fraudulently or not. The only real question in dispute is, whether the mode in which the names of "Thresher and Glenny" are used is calculated to lead the public to suppose that the business of Thresher and Glenny is carried on by the defendant in his shop as if it were one of the shops of the plaintiffs. Here, which is not often the case, the actual brass plate was produced, and the actual awning, and therefore, to some extent, the court is in a condition to judge for itself. There is evidence on both sides: for the defendant, a number of intelligent persons, who say that they have inspected the shop and see nothing to lead to the supposition that the public would be misled; and, on the other hand, the plaintiffs' witnesses state that, in fact, some persons have been misled, but whether the evidence is satisfactory to show that is so or not, we must remember that when a person goes to a shop, being told beforehand what the question is, he goes with a foregone conclusion. When it is said that the public may be misled, it does not mean every member or one half, but the question is whether the incautious, the unwary, the heedless persons, who do not regard things with that accuracy which others observe, may not be misled. I confess I felt in the same difficulty as those who went to the shop to inspect it, having passed it several times since the case came on, but I have not the smallest doubt on the subject, and I am bound to say, as far I could judge, a considerable number of persons would be misled. [The V. C. referred to the appearance of the shop.] The only place where the defendant's name is, is over the windows, and it is perfectly prominent, and instantly seen, but it is on neither of the brass plates, which alone are capable of being seen when the awning is down, except by persons walking on that side of the way, and looking up under it. It is questionable also, whether the word "from," being not only in very small characters, but horizontal in its position, could be legible by every one from the opposite side of the way, and the name of the defendant does not appear. The defendant brings forward instances of other persons using the name, and *inter alios*, Mr. Hemming; but in that case his name was with the plaintiff's in large characters, and such an user cannot be found fault with. On the plaintiffs' behalf there were four instances of customers who were actually misled, and as the defendant's shop only opened in May, these instances are such evidence that I could not set up my own judgment against them. I do not say there was an intention to mislead, but there is no doubt that what is done is calculated to lead the public into the impression that the shop is the shop of the plaintiffs. The conversation, moreover, between the defendant and Atkins shows that the former had a misgiving on the subject; that is clear, although no doubt the defendant's shopman was instructed particularly never to induce persons to believe that the shop was the shop of Thresher and Glenny, and it is therefore clear that the defendant had in his mind the idea that he had no right to do what he was doing. Under these circumstances, it appears to me that the plaintiffs are entitled to a decree for a perpetual injunction restraining the defendant from exhibiting or using the names of Thresher and Glenny, in the terms of the prayer of the bill, and the defendant must pay to the plaintiffs the costs of the suit, including the costs of the motion.

(*Glenny* v. *Smith*, 13 L. T. Rep. N. S. 11. V.C. K.)

INJUNCTION AGAINST A PROSPECTIVE INJURY. —Jute had been deposited in large quantities on the premises of B., to the great danger of fire, liable to be caused by jute lying in large heaps. The Court granted an injunction on the application of B. to restrain the owners of the jute from bringing any additional damp jute upon his premises, and to oblige them to remove what was there within a given time, he undertaking to proceed forthwith by indictment: (*Hepburn* v. *Lordan*, 13 L. T. Rep. N. S. 59. V.C. W.)

BILL OF SALE.—By a bill of sale B. assigned to C. all his household goods, &c., and personal estate, &c., "now being or hereafter to be upon and about his dwelling house and premises, situate at, &c., or elsewhere, in Great Britain," to secure payment of a debt "on demand being made for the same," and in case of default in such demand made, to enter and distrain on the goods and chattels there found. C. went to the premises, and in the absence of B. made a demand for payment upon his wife, which not being complied with, he seized and sold certain goods, some of which were on the premises, and some on other premises not belonging to B., but all of which had been acquired by B. subsequently to the bill of sale. The bill of sale was held to pass no property to C. in the after-acquired goods, and that he could not, therefore, lawfully seize any but such as existed in specie at the time the bill of sale was executed; that goods not upon B.'s premises at the time of seizure were not seizable under the power; that the demand on the wife was not a compliance with the terms of the power, which required a personal demand; and that none such having been made, the power never became exercisable, and the equitable interest in the after-acquired property intended to be conveyed never vested in C.: (*Belding* v. *Read*, 13 L. T. Rep. N.S. 66. Ex.)

LAW STUDENTS' JOURNAL.

Correspondence.

ARTICLED CLERKS.—Aware that you invite discussion on all subjects that may tend to improve the Profession and encourage its students, I venture to make the following suggestion, which, if it could be carried out, would be alike a stimulus to articled clerks and a reward to the industrious. Five years, you will admit, is a long period to be dependent on your relations when at the commencement of such term you are two or three years past the age at which leave to practise as an attorney is given. My proposition is, that for all who, being articled, say from the 1st Jan. 1865 and afterwards, and who at the time of being so articled were above the age of twenty-three years, there shall be a legal examination held (in addition to the intermediate) at the end of the fourth year of their articles, to be conducted very strictly, the attendance at which shall of course be optional, where, on the attainment of a certain high number of marks, those who have succeeded shall be considered to have completed the five years, and be allowed to practise accordingly; the penalty for not passing being, of course, service the full term, and only one attempt to be allowed. Rewards are given to those who under a certain age pass creditably. Two years taken off the time of those who have been clerks for ten years before articles—why not so great a reward to those who are articled late as to enable them by industry to earn their living at twenty-seven years of age?

AN ARTICLED CLERK.

London, 15th Sept. 1865.

HONOUR EXAMINATIONS.—I am so impressed with the right of articled clerks to have notice of their honours made in the *Law List*, that I would offer a suggestion with the view of securing the right. If the prizeman who wrote last week, or any other gentleman in London, interested in the movement, would convene a meeting of articled clerks in London, and get such meeting to determine upon a form of letter to be addressed to the provincial articled clerks asking their co-operation, such circular to be sent to some gentleman in each large town, asking him to convene a meeting of the articled clerks in such town, with the view of a memorial being drawn up and signed, embracing their views of the subject, I think the promoters of the subject would find that they had adopted a very effective course. I am over age, and so not entitled to honours, and am therefore very disinterested, but I shall have no objection to be the medium of communication to the gentleman in this town.

Leeds, 19th Sept. 1865. J. BELL.

— The many letters which have from time to time appeared in the LAW TIMES on the subjects of examinations for honours and of permanently distinguishing merit by inserting in the *Law List* the names of prizemen and certificate-holders, and those who obtain honourable mention, must be taken as a sufficient guarantee that the change is generally desired by those most interested in the social and intellectual elevation of the Profession. From a belief that the movement will have a beneficial tendency, I have considered it my duty to call a special meeting of the committee of the Articled Clerks' Debating Society, to consider the expediency of taking action on the subject. As soon as the committee have arranged their plans (if any) of proceeding in the matter, I will communicate with you. In the meantime I shall be happy to receive suggestions on the subject, which I will, if received in time, bring before the committee.

WYNNE E. BAXTER.
Hon. Sec. of the Articled Clerks' Debating Society.

Bedford-park, Croydon, S., 19th Sept. 1865.

CORRESPONDENCE OF THE PROFESSION.

RHETORIC.—I read with much pleasure a letter contained in your paper of the 9th inst., headed "Oratory at the Present Day." The establishment of a rhetoric class, as proposed by "F. C. L." would, I am sure, be a great boon, not only to the students of law, but to every individual who might seek by his learning to gain renown from his fellow-men. I have myself been long wishing for some assistance in the study of rhetoric, and shall be ever grateful to "F. C. L." if he succeeds in establishing the classes. If any of your numerous readers can recommend a work containing hints on the study of this subject, I should feel obliged by their naming the title.

A. C. P.

Sept. 20th, 1865.

COUNTY COURT REGISTRARS.—I am induced to address you on behalf of what I shall take the liberty of calling a worthy although not powerful class, namely, provincial County Court Registrars. By the new Act jurisdiction is given to the County Courts in various fresh matters, the effect of which will be that the public who avail themselves of the benefits (and I believe great benefits) of the new Act must employ solicitors who practise in the courts. Now, I affirm that, as a rule, the registrars are solicitors of standing and respectability, and, taking my own case as a fair specimen, I think I can show a hardship. I am registrar of a County Court in an agricultural district, the number of plaints issued is under 1000 a-year; but I believe I am justified (and as my name will not be published I cannot be accused of bragging) in saying that the names of quite an average number of desirable private clients are to be found in my books. Am I to lose these? Am I to hand them over, whenever they require the remedies provided by the new Act, to my rival solicitors? Can I then expect these clients to come to me in other matters? Every one who has had experience knows how clients are lost in that way. But I shall be told (1) I may resign my office. (2) I shall be paid for my services when acting as a *chief* clerk. First, I have no wish to resign—my registrarship, pure and simple, gives me a fair remuneration, and I am accustomed to it. And now for the second part. My acting as registrar and official assignee in the bankruptcy cases pays me about 10*l.* a-year, and it is not the loss of cases within the jurisdiction of the court which I regret, but the public mind gets impressed with the fact that Mr. Registrar is not the proper person to go to in bankruptcy cases, but that Mr. A. B. is, who takes persons through the County Court, and hence the registrar loses the good fat bankruptcy which would otherwise have been entrusted to him as a solicitor. This, I argue, will be the case with the new jurisdiction. The public will soon feel that Mr. Registrar does not act in the various matters now transferred to the County Court, and he will lose his clients and connection, who will never bear in mind the limit beyond which he can act, and he will consequently lose almost all his Chancery, as he has already lost almost all his debt-collecting and common law and his bankruptcy business. Again, Mr. Registrar, who is entirely rusty in all equity chamber practice, will have to work this all up (no slight task), and if we are to judge by bankruptcy, his "remuneration," for this and for sitting down quietly and seeing his clients transferred to others, will be very trifling and entirely unremunerative. It may pay in large districts where the registrarship is the principal source of income, but not in small where it is only an adjunct to an ordinary practice. Doubtless bankruptcy pays in the former, but any registrar of a small court would rather be without it altogether; and I, therefore trust that some different and more liberal and equitable plan will be adopted than two or three fees per case at certain stages or sittings. In the ordinary County Court jurisdiction the registrars of small courts are paid more per 100 cases (the mode of remuneration) than in the large ones; and as we shall have as much trouble, as much to learn, and a loss of clients, I really think we ought to have a fair remuneration, and the smaller the court the higher ought to be the sum per case. I may be asked why I call out before I am hurt. I reply it is better to do so; and as the proposed rules and orders have been submitted to us but not the proposed scale of remuneration, I am induced to address you, and I hope, through you, the authorities who have to frame the scale.

A COUNTY COURT REGISTRAR.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for bona fides.

Queries.

DEGREES.—Can any of your readers inform me whether there is any university in the United Kingdom that will grant the degrees of "B. C. L." and afterwards "D. C. L." for legal knowledge only, without requiring the candidate to first pass an Examination in Arts? If any will enlighten me on this point they will, I assure them, greatly oblige,

DISCIPULUS LEGIS.

A QUERY.—Some few years back there appeared in some of the law journals a correspondence between Lord Cranworth and the Liverpool Chamber of Commerce with reference to the expediency of the abolition of the 17th section of the Statute of Frauds. Will any reader kindly refer me to the paper where such correspondence appears.

SCINTA.

Answers.

FALSE PRETENCES.—I do not think that B could be convicted of false pretences, under the circumstances stated. It appears to have been a frequent habit of his to write

letters from the inn, and to receive answers addressed to him there. This he certainly might do without any fraudulent intention. D. H.

Driffield, Sept. 19.

MORTGAGE—PUISNE INCUMBRANCES.—A first mortgagee must accept payment of the mortgage-debt from the second mortgagee, and convey to him the mortgaged estate. (1 Prideaux's Precedents in Conveyancing, 315, 4th edit.; and *Smith* v. *Green*, 1 Col. 555, therein also referred to.) I think that there was not a third mortgagee in the case above quoted, but that the decision goes to this extent, viz., that a first mortgagee cannot refuse to accept his money, and cannot refuse to convey to the subsequent equitable mortgagee, whether second or third, who first tenders, or rather who should first give notice to pay off and afterwards tender, the legal mortgage money. D.

— In *Brace* v. *Duchess of Marlborough*, 2 P. Wms. 491, where a third mortgagee had advanced his money, without knowledge of the second mortgage, and such third mortgagee afterwards purchased the first mortgage *pendente lite*, pending a suit brought by the second mortgagee to redeem the first, he was allowed to tack his mortgage to the first: (see also *Marsh* v. *Lee*, and the notes thereto in vol. I of White and Tudor's Leading Cases in Equity.) If the filing of a bill by the second mortgagee would not have the effect of preventing a valid sale by the first mortgagee to the third, I cannot think that a *tender* of the mortgage-money would have such an effect. D. H.

Driffield, Sept. 19.

DAMAGES.—It is doubtful whether an action could successfully be maintained against B. I presume that the case of *Ricketts* v. *East and West India Docks Company* (quoted by your correspondent) was decided in favour of the company on account of the remoteness of the injury: if so, it appears to me that the same objection would apply quite as strongly in favour of B. The application of the maxim, *Causa proxima, non remota, spectatur*, is attended with some difficulty, and the cases are apparently conflicting. That which would most strongly support an action against B. is one in which it was held that case would lie against defendant for not repairing his fences, whereby the plaintiff's horses escaped into the defendant's close, and were there killed by the falling of a haystack. The Court was of opinion that the damage was not too remote: (see *Powell* v. *Salisbury*, 2 Y. & J. 391; also *Worstall* v. *Pooley*, 6 H. L. Cas. 910.) I would recommend a reference to some treatise on damages, say Sedgwick's learned book, cape. 3 to 5, or Mayne's treatise. D. H.

Driffield, Sept. 19.

THE LAW LIBRARY.

A Compendium of English and Scotch Law, stating their differences; with a dictionary of Parallel Terms and Phrases. By JAMES PATERSON, Esq., M.A., Barrister-at-Law. Second edition. A. and C. Black.

THE work has proved to be as successful as it deserved. There was novelty in the design, and great learning and care were employed in the execution of it. So long as the Scotch persist in adhering to their own system of law, and refuse to amalgamate with the system that prevails on the other side of the imaginary border, there will be required an interpreter between us to explain, who will make clearly intelligible to both in what respects we agree, in what we differ, and, above all, what are the relationships of the technical terms employed by either, wholly unlike as they are in aspect and in sound. What English lawyer has not read a Scotch law report or judgment, with a despairing sense of the impossibility to fathom the meaning of the harsh terms by which every sentence is wrapped in impenetrable mystery to him. We know not if the English law appears equally crack-jaw and barbarous to the Scotch lawyer. Perhaps it is our familiarity with the aspects and meaning of our own professional phraseology that makes it by comparison appear to be so much more within the range of common understanding; but, whether we are mutually unintelligible, or the puzzle is all on one side, there can be no question as to the value of a book like this, which explains to both, in language intelligible to both, whatever is obscure to either in technicality, as well as what are the substantial differences in the law so perplexingly conveyed. Nor is the mastery of these Scotch law terms so difficult as might be supposed from the first glance at them. It is soon seen how many of these hard words have meanings almost identical with familiar English words. Mr. Paterson has greatly facilitated the acquisition of this information by an extensive dictionary of parallel terms, which fills more than 100 closely-printed pages. The English merchant, as well as the English lawyer, will find this work of the utmost utility, for he needs to know what is the law of the country with which he is dealing, and there exists no other book from which that knowledge could be so fully and easily gathered as from the volume before us. The subject is divided into parts, the first of which treats of the Law of Real Property; the second, of the Law of Personal Property; the third, of Succession to a Deceased Person's Estate; the fourth, of Personal and Domestic Relations; the fifth, of Public Law; the sixth, of Courts, Jurisdiction, and Procedure; and the seventh deals with some miscellaneous points of International Law. But, apart from its immediate utility as a comparison of the two systems of law, it may be read with profit as an excellent summary of the law of either country, and any student desirous to know something of the law of Scotland could not find a better teacher.

Legal Forms, compiled for the Use of Attorneys and Solicitors. By WILLIAM C. HALL, Attorney-at-Law. London: LAW TIMES Office.

EVERY practitioner must have learned by repeated experience that he is far more troubled about common things than about matters that are really difficult. He can draw *currente calamo* a complicated deed requiring considerable knowledge of law, as well as accomplishment in the art of drafting, and he finds himself perplexed about a bill of sale, a notice of dishonour, or an affidavit. Law books too often assume that those who are to consult them have elementary knowledge and possess common forms, and therefore they rarely condescend to introduce them. But even if to be found at all, they are scattered about among a whole library, and much valuable time, and still more valuable patience, are expended in search for them. It was the sense of this difficulty in his own practice that suggested to Mr. Hall the convenience of a collection of such precedents and forms as are in daily request in the solicitor's office. He made one for his own use, and found it so useful that he has been induced to give his legal brethren the benefit of his labours by putting them into print, and here they are, in a compact and very cheap volume, handsomely printed in the bold type so necessary for copying. Seventy of these forms are here collected, including such often-required ones as a bond payable by instalments, an I O U, a bill of exchange, short wills and codicils, petitions to the Board of Inland Revenue, short marriage-settlements and mortgages for small sums, agreements for sale, leases, affidavits of increase, &c., bills of costs, and such like. It should be on every office desk, and its small price permits of its universal use.

The Statute Law affecting Pleasure Yachts, their Owners, Masters, and Crew, under the Merchant Shipping Amendment Act, 1862. By WILLIAM HOLT, Esq., Barrister-at-Law. London: Mitchell.

IT is expressly enacted by the Merchant Shipping Amendment Act of 1862 that the whole of the third part of the Principal Act of 1854 (except certain sections specified) shall apply to pleasure yachts, their owners, masters, and crew.

Yachtsmen are thus required to inform themselves of the contents of two very bulky statutes, and not merely to observe the regulations there prescribed, but to remember what of the sections do and what do not affect them. To say the least of it, this is inconvenient. Mr. Holt, who has devoted himself specially to maritime law, has come to their aid with a little book which contains all those parts of the two formidable laws which yachtsmen are bound to observe, omitting all those portions that do not concern them. To the sections of the Acts he has appended the Rules of the Road and Regulations for preventing Collisions at Sea.

This is what he has done, and its utility to those for whom the compilation is made will be manifest.

But we must also state what he has *not* done which he ought to have done. There is no index, but only a short list of contents. Now an index is the soul of a law book, wanting which it is almost inaccessible. Even so small a volume as this demands a guide, and we would recommend Mr. Holt to supply it to the present edition, if not too late; certainly to the next.

BOOKS RECEIVED.

Bibliothèque Diplomatique. L. GESSNER, Docteur en Droit. *Le Droit des Neutres sur Mer.* Berlin: Stilke et Van Muyden. Paris: Amyot, Rue de la Paix. Londres: Trubner and Co., Paternoster-row.

A Handy Book on Chancery Law and Practice for Suitors under the New Equity Jurisdiction in the County Courts; with the Act complete, and practical Observations thereon. By G. MANLEY WETHERFIELD, Solicitor of the High Court of Chancery, &c. Author of "A Plain Guide in Bankruptcy and Trust Deeds," &c. London: STANFORD and SMITH, Chancery-lane.

The Indian Succession Act, with Introduction, Appendix and General Index. By EDGAR HYDE, M.A., of the Inner Temple, Esq., Barrister-at-Law and Fellow of Christchurch College, Oxford. London: Lepage and Co., Whitefriars-street. Calcutta: Thacker, Spink, and Co. Bombay: Thacker, Vining, and Co.

The Law of Highways, comprising the Highway Acts, 1835, 1862, and 1864, the South Wales Highway Act, and Decisions of the Courts on the subject of highways, bridges, ferries, &c., including the Law of Highways, Local Board of Health districts, highways over railways, and locomotives on highways; with an Appendix of Statutes relating to highways. By W. CUNNINGHAM GLEN, Esq., Barrister-at-Law. Second edition. London: Butterworths, Fleet-street. Dublin: Hodges and Co., Grafton-street.

LEGAL NEWS.

A FENIAN OATH.—A Fenian was arrested in Liverpool on Wednesday on the charge of robbery. On his person the following oath was found: "I now, in the presence of Almighty God, solemnly swear allegiance to the Irish republic, now virtually established, to take up arms in its defence at a moment's notice; and that I will, to the best of my power, defend its territory and independence, and will implicitly obey the commands of my superior officer. So help me God."

HOW NOT TO MAKE A WILL.—The will of Sir Henry Pollard Willoughby, of 63, Brook-street, Hanover-square, and of Baldon-house, in the county of Oxford, has been proved in the London court. The will is dated October, 1861, and is in Sir Henry's own handwriting. No executor is named, and administration with the will annexed was granted to his brother, the present baronet, now Sir John Pollard Willoughby. The personal estate was sworn under 180,000*l*. The deceased baronet leaves directions as to his place of interment, and directs that a monument be erected to his memory at a cost not exceeding 100*l*., adding, "Some instructions are left in a paper writing marked Ax." This document has not, however, been found. Sir Henry was never married, and he has devised his estates to his brother, Sir John Pollard Willoughby, for life, and then to his sons. The testator leaves the rest of his property in trust to form a fund "to purchase lands to go with the inheritance in a manner as described in paper writing marked Bx." This latter document also is wanting, and by a memorandum in Sir Henry's handwriting it would seem that he had intended to prepare it.—*Pall-mall Gazette.*

MAGNETIC INFLUENCE.—An extraordinary and unprecedented case of violation has just been tried at the Assize Court of the Var. A young man of twenty-four named Castellan, presented himself at the house of a respectable farmer named Hughes, and, pretending to be deaf and dumb, obtained supper and a night's lodging. In the morning he persuaded the farmer's daughter, a modest girl of twenty-six, to run away with him, and an indictment alleged that he obtained an irresistible influence over her entirely by means of magnetism. The moment she came to her senses she was filled with remorse, whenever he magnetised her she was a mere instrument in his hands, and submitted to whatever he told her. Three doctors of Toulon gave their opinion in accordance with that of Dr. Tardieu, of Paris, and many other medical men of the highest reputation, that it is possible by means of what is called magnetism to obtain such influence over a young girl as completely to annihilate her will. Castellan boasted of his magnetic power while standing at the bar, and offered to magnetise the presiding judge. He actually tried to magnetise the Procureur-Imperial, and frightened him so much that he angrily ordered the prisoner to lower his eyes. He was found guilty by the jury he was sentenced to twenty years' imprisonment, with hard labour.

A PARIS RENT CASE.—The Imperial Court of Paris has just heard an appeal from a judgment of the Civil Tribunal declaring invalid a notice to quit given under the following circumstances:—In 1857, M. de Baylen, a public functionary, was tenant-at-will of an apartment in a house in the Rue de la Victoire, belonging to M. Quettard. The rent was 1800*f*. a year, but after the prolongation of the Rue Drouot, M. Quettard, thinking that the apartment was worth more, stated his intention to raise the rent to 2000*f*. M. de Baylen consented to pay the 200*f*. additional, but at the same time obtained from his landlord a written declaration, dated 18th April 1857, that he (M. de Baylen) should be entitled to occupy the apartment as long as he pleased without any further increase. After the decease of M. Quettard in 1864 his heirs gave M. de Baylen notice to leave unless he paid a higher rent. M. de Baylen immediately took proceedings before the Civil Tribunal to have this notice declared null and void, and produced the written declaration above-mentioned. The defendant's counsel pleaded that this document was invalid, through not having been made in duplicate as required by Art. 1325 of the Code Napoleon: that it was valid, it could not be regarded as a contract of hiring, since no term for the tenancy was stated: also that M. Quettard only intended to bind himself and not his successors. The tribunal, however, decided that the declaration was a unilateral engagement, which did not require a duplicate, and that M. Quettard had by the said document evidently intended to accept M. de Baylen as a tenant for life at the rent of 2000*f*. It therefore declared the notice to quit null and void. Against this decision the heirs of M. Quettard now appealed, but the court confirmed it with costs.—*Galignani.*

WILLS AND BEQUESTS.—The will, with nine codicils, of the Right Hon. George Augustus Frederick Henry Earl of Bradford, of Weston Hall, Weston-under-Lizard, Staffordshire, was proved in London, on the 31st July by the eldest son, the Right Hon. Orlando George Charles now Earl of Bradford, one of the surviving executors. The personal estate was sworn under 140,000*l*. The will is dated the 5th November 1849, and the last of the nine codicils bears date 3rd April 1860. His lordship leaves to his wife, the Right Hon. Helen, Countess of Bradford, an

immediate legacy of 1000*l.*, with permission to reside in the mansion at Castle Bromwich, a droitska built in 1851 by Messrs. Booker, of Mount-street, Grosvenor-square, and the selection of a carriage and horses. To his son, the present earl, his lordship leaves the family estates and the leasehold mansion in Belgrave-square, and his lordship is also appointed residuary legatee of the personalty. The testator makes provision for his younger surviving children proportionate to the provision made for his eldest son; leaves an annuity of 200*l.* to his daughters' governess, Miss Baker, and 20*l.* a year to each of his faithful men-servants, Cattel and Davidson; these annuities are to be increased to 50*l.* each if from any cause (other than misconduct) they should not continue in the service of the family. To his valet the testator leaves a legacy of 150*l.*, and one year's wages to the domestic servants. All legacies and annuities are to be paid free of duty.——The will of the Right Hon. Sir Charles Edward Grey, G.C.H., was proved in London on the 9th inst. by his son Mr. Edward Grey, one of the executors. The will is dated the 30th Nov. 1864, and the testator died on the 1st of June last, at his residence at Tunbridge Wells. He was called to the bar in 1811 by the Honourable Society of Lincoln's-inn, and knighted in 1820, on his appointment as judge of the Supreme Court of Madras. The Hanoverian Order was conferred on him in 1837. Sir Charles married, in 1821, Elizabeth, second daughter of the Rev. Sir Samuel Clarke Jervoise, Bart., and she died in 1850. By the marriage settlement, the testator had a power of appointment over certain moneys, the principal part of which he has apportioned to his four sons—Jervoise John, Edward, Henry Rowland Ellison, and George, and to one of his daughters, Miss Jane Lucy Grey. To his four sons the testator leaves his books; and to his four daughters, his furniture, plate, linen, &c. The testator leaves his land (about 300 acres) at Blue Mountain, Jamaica, to his eldest son; and disposes of the residue of his property equally between his eight children.——The will of Sir John Hare, late of Hardelot-villa, Clifton, and of Boulogne-sur-Mer, France, has been proved in London by his relict, Lady Hare, the sole executrix. Sir John was formerly a merchant residing at Bristol, and a magistrate for Somerset; was twice married, and died on the 2nd February last at the age of eighty-one, having executed his will in January this year, whereby he bequeaths the whole of his property to his wife for life, and upon her ladyship's decease the same is to be divided equally between his two daughters.——The will of Francis Williams, Esq., of Langhern-hill, Winchenford, Worcester, was proved in the London court on the 9th ult. The personalty was sworn under 400,000*l.* The executors appointed are his nephews, Francis E. Williams (who alone is acting) and Edward J. Williams, together with the Rev. W. E. Wall. The two latter renounced. The will is dated June 23, 1862, and there are five codicils, the last dated Dec. 23, 1863. The will is of considerable length, and there are numerous bequests. The principal portion of his freehold property he has devised by his will to his nephew Francis E. Williams. His Winchenford estates he leaves to Thomas J. Jones on his attaining twenty-one, and who, upon his coming into possession, is to assume and use the surname and bear the arms of Williams. His estate called the Noke, in Avenbury, Hereford, he leaves to Sophia Jones for her life, and after her decease to John Francis Williams. His farm at North Shink, Herts, he leaves to his nephew, Edward J. Williams. There are also pecuniary legacies to these parties, and to other of his nephews and nieces, as well as to other members of his family and acquaintance, and also to his servants. The residue of his property he has left, by a codicil, in certain divisional parts amongst the said Sophia Jones and her five children.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Monday, Aug. 7.

By Messrs. EDWIN SMITH and Co., at the London Tavern.—Leasehold, two residences, being Nos. 36 and 37, Abbey-gardens, Abbey-road, St. John's-wood, producing 95*l.* per annum; term 80 years from 1859; ground-rent 8*l.* per annum each—sold for 1060*l.*

Monday, Sept 11.

By Messrs. KING and SON, at Garraway's.—Freehold dwelling-house outbuildings, and 29a. 1r. 19p. garden ground near Turnham-green, Acton, let at 112*l.* 4s. 2d. per annum—sold for 2300*l.*

Tuesday, Sept. 12.

By Messrs. STALKEY and PHIPPS, at Garraway's.—The one-fifth part or share of freehold and copyhold estate, situate at Thwaite and Mundham, Norfolk; and a similar share of the tithes of the parish of Gayton, near Lynn, the whole producing nearly 120*l.* per annum—sold for 720*l.*

By Mr. G. HAINES, at the Guildhall Coffee-house.—Leasehold residence, 63, Ebury-street, and stable in Ebury-mews, Pimlico, estimated value 120*l.* per annum; term 18 years from Lady-day last; ground-12*l.* per annum—sold for 1260*l.*

Thursday, Sept. 14.

By Messrs. C. C. and T. Moore, at Garraway's.—Leasehold, six houses, Nos. 6, 7, 8, 16, and 17, Jubilee-street, and No. 12, Robert-street, Mile-end—sold for 7*l*. Leasehold dwelling-house, No. 12, Robert-street, let at 12*l.* per annum; term, 35 years; ground-rent, 1*l.* per annum—sold for 165*l.* Leasehold houses, Nos. 14, 15, and 16, Jubilee-street, producing 42*l.* 10s. per annum; term, 35 years; ground-rent, 7*l.* 10s.—sold for 331*l.* Leasehold house, No. 19, Paternoster-street, Arbour-square, Stepney, let at 22*l.* per annum; term, 36 years; ground-rent, 4*l.*—sold for 190*l.* A life-interest in five leasehold houses, Nos 6 to 10, Lisbon-street, Cambridge-road; also a policy for 100*l.*—sold for 125*l.* Freehold house, with garden, yard, and stabling, No. 1, Shalders-terrace, Gillingham, Kent—sold for 200*l.* Leasehold dwelling-house, 12, Grosvenor-street, Stepney, let at 30*l.* per annum; term, 24 years from Christmas last; ground-rent, 7*l.*—sold for 220*l.* Leasehold, No. 13, Grosvenor-street, let at 27*l.*; same term and ground-rent as No. 12—sold for 227*l.* Leasehold house, No. 14, Grosvenor-street; same term, &c. as above—sold for 230*l.* Leasehold house, No. 28, Portland-street, Commercial-road east; let at 27*l.*; term, 61 years; ground-rent, 1*l.* 17s. 6d. per annum—sold for 230*l.* Leasehold houses, Nos. 29, 30, and 31, Portland-street—sold for 240*l.* each. Leasehold, Belgrave cottage, Belgrave-street; let at 24*l.* per annum; term, 43 years; free from ground-rent—sold for 215*l.* Leasehold house, No. 1, Belgrave-street; let at 25*l.*; same term, &c.—sold for 275*l.* Leasehold house, No. 25 Belgrave-street; let at 24*l.* per annum—sold for 275*l.* Dwelling-house, 9, Saint Paul's terrace, South-grove, Mile-end-road; let at 20*l.* per annum; term 83 years; ground-rent 3*l.*—sold for 170*l.* Leasehold house, No. 10, St. Paul's-terrace; let at 18*l.*—sold for 170*l.* Leasehold houses, Nos. 2, 3, and 4, Fairfield-place, Arbour-square Stepney; producing 37*l.* 11s. per annum; term 36 years; ground-ren, per annum—sold for 280*l.*

THE GAZETTES.

Bankrupts.

Gazette, Sept. 12.

To surrender at the Bankrupts' Court, Basinghall-street.

ADAMS, CHARLES, builder, Bromley. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. Sept. 26.
BARLTROP, JOSEPH, boot and shoe maker, Essex-rd. Islington. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sol. Goldrick, Strand. Sur. Sept. 23.
BASSINGTON, JAMES, ironfounder, John-st. Curtain-rd. Shoreditch. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sols. Wood and Ring, Basinghall-st. Sur. Sept. 27.
BLACKER, ANTONIO, milliner's assistant, Hemingford-rd. Islington. Pet. Sept. 7. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Sept. 26.
BRAMPTON, THOMAS SAMUEL, solicitor's clerk, Claverton-st. Pimlico. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Drew, New Basinghall-st. Sur. Sept. 27.
CLARKE, WILLIAM MASTERS, heraldic embosser and chaser, Grafton-st. Soho. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sol. Brook, New-inn, Strand. Sur. Sept. 27.
JACKSON, CHARLES, book-keeper, Maitland-park, Haverstock-hill. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Goldrick, Strand. Sur. Sept. 27.
OLIVER, EDWARD, clerk to a wine merchant, Walham-green, Fulham. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Goatley, Bow-st. Covent-gdn. Sur. Sept. 27.
OSBORNE, JAMES, tailor, James-st. Larkhall-la. Clapham. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Sept. 27.
PECK, JOHN, hosier, Praed-st. Paddington. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. Sur. Sept. 26.
REEKS, EDWIN HENRY, painter, Wimborne Minster. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Peacock, South-sq. Gray's-inn. Sur. Sept. 26.
SAUNDERS, JAMES, farmer, Chilworth, near Guildford. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sols. Wild and Barber, Ironmonger-la. Sur. Sept. 26.
SCHUSTER, JOHN EMANUEL, shirt dresser, Galway-st. St. Luke's. Pet. Sept. 7. Reg. Brougham. O. A. Edwards. Sol. Phipos, Coleman-st. Sur. Sept. 26.
SNOWBALL, GEORGE, watch and clock maker, Spring-st. Paddington. Pet. Sept. 9. Reg. Brougham. O. A. Edwards. Sol. Cooper, St. Martin's-la. Sur. Sept. 27.
SUMNER, JAMES, oil and colourman, Chapel-st. St. George's-east. Pet. Sept. 9. Reg. Brougham. O. A. Edwards. Sol. Hogan, Martin's-la. Cannon-st. Sur. Sept. 27.
WHALE, JOHN EDWARD, fancy fringe maker, Charterhouse-st. West Smithfield, and New-court, Old Bailey. Pet. Sept. 9. Reg. Brougham. O. A. Edwards. Sol. Goatley, Bow-st. Covent-gdn. Sur. Sept. 27.
WILMOTT, JAMES THOMAS, racket and ball maker, Pentonville-rd. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-fds. Sur. Sept. 26.

To surrender in the Country.

ATKINSON, THOMAS, butcher, Lincoln. Pet. Sept. 7. Reg. & O. A. Uppleby. Sol. Chambers, Lincoln. Sur. Sept. 23.
ATKINSON, THOMAS, gardener, Little Sutton. Pet. Sept. 7. Reg. & O. A. Gill. Sol. Ritson, Liverpool. Sur. Sept. 23.
BARRATT, JOSEPH, coach proprietor, Hulme. Pet. July 18. Reg. & O. A. Hulton. Sur. Sept. 22.
BATESON, JOHN, tailor and draper, Sheffield. Pet. Sept. 8. O. A. Young. Sol. Fernell, Sheffield. Sur. Sept. 22.
BROOK, SAMUEL, journeyman mason, Kirkheaton. Pet. Aug. 25. Reg. & O. A. Jones. Sol. Freeman, Huddersfield. Sur. Sept. 24.
COOKE, WILLIAM HENRY, smallware and general dealer, Salford and Manchester. Pet. Sept. 2. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Sept. 19.
DEALY, THOMAS, provision dealer, Liverpool. Pet. Sept. 4. Reg. & O. A. Hime. Sol. Thornley, Liverpool. Sur. Sept. 22.
EVANS, ROBERT, shoemaker, Denbigh. Pet. Sept. 6. Reg. & O. A. Edwards. Sol. Davies, Holywell. Sur. Sept. 20.
GALLIE, JOHN ADOLPHUS, potato and cider merchant, Newport. Pet. Sept. 8. Reg. Wilde. O. A. Acraman. Sols. Blakey, Newport; and Press and Inskip, Bristol. Sur. Sept. 22.
HAKE, GEORGE, grocer, Swineshead. Pet. Sept. 6. Reg. & O. A. Stanfland. Sol. Balles, Boston. Sur. Sept. 27.
HOWARD, GEORGE, corn miller, Kirkburton. Pet. Oct. 5, 1864. Reg. & O. A. Jones. Sol. Sykes, Huddersfield. Sur. Sept. 28.
LARKIN, LEWIS, journeyman papermaker, Maidstone. Pet. Aug. 31. Reg. & O. A. Scudamore. Sol. Goodwin, Maidstone. Sur. Sept. 16.
MARSHALL, JOHN, metal broker, Eccles and Manchester. Pet. Sept. 7. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Sept. 22.
MEDHURST, CHARLES FREDERICK, charcoal bar iron manufacturer, Llanelly. Pet. Sept. 5. Reg. Wilde. O. A. Acraman. Sols. Fussell and Pritchard, Bristol. Sur. Sept. 22.
MOLINEAUX, JAMES, victualler, Wolverhampton. Pet. Sept. 7. Reg. Hill. O. A. Kinnear. Sol. Allen, Birmingham. Sur. Oct. 6.
NOBLE, CHRISTOPHER, waste dealer, Golcar, near Huddersfield. Pet. Aug. 22. Reg. & O. A. Jones. Sol. Taylor, Huddersfield. Sur. Sept. 28.
NUTTER, JOHN, builder, Sevenoaks. Pet. Sept. 6. Reg. & O. A. Holcroft. Sol. Cassell, Sevenoaks. Sur. Sept. 22.
OWEN, FREDERICK JOHN, out of business, Sheffield. Pet. Sept. 5. Reg. Stephen. O. A. Young. Sol. Micklethwaite, Sheffield. Sur. Oct. 12.
PAXTON, SAMUEL, grocer, Birmingham. Pet. Sept. 1. Reg. Hill. O. A. Kinnear. Sols. Southall and Nelson, Birmingham. Sur. Oct. 6.
POOLE, JOSEPH, victualler, Acton Trussell. Pet. Aug. 31. Reg. Hill. O. A. Kinnear. Sols. Hand, Stafford; and James and Griffin, Birmingham. Sur. Sept. 27.
RHODES, JAMES, heckle and gill pin manufacturer, Leeds and Belfast. Pet. Sept. 7. O. A. Young. Sol. Simpson, Leeds. Sur. Sept. 22.
ROBERTS, ROBERT, dealer in slates, New Brighton. Pet. Sept. 11. O. A. Turner. Sol. Price, Liverpool. Sur. Sept. 22.
SAUNDERS, JAMES, carpenter, Brighton. Pet. Sept. 8. Reg. & O. A. Evershed. Sol. Mills, Brighton. Sur. Sept. 27.
SELLERS, ALEXANDER, hosier and haberdasher, Manchester. Pet. Sept. 8. Reg. Harris. O. A. Morgan. Sol. Storer, Manchester. Sur. Sept. 25.
SHAW, EDWARD, plumber and glazier, Huddersfield. Pet. Sept. 8. Reg. & O. A. Jones. Sol. Craven, Huddersfield. Sur. Sept. 28.
SKINNER, GREENHAM, cordwainer, Digby. Pet. Sept. 9. Reg. & O. A. Moore. Sols. Messrs. Brown, Lincoln. Sur. Sept. 23.
STREEK, HENRY, blacksmith, Fareham. Pet. Sept. 2. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Sept. 29.
WALKER, GEORGE, assistant newsagent, Manchester. Pet. Sept. 7. Reg. Macrae. O. A. Morgan. Sol. Andrew, Manchester. Sur. Sept. 28.

Gazette, Sept. 15.

To surrender at the Bankrupts' Court, Basinghall-street.

ALBIVO, ALBIN CASIMIR, commission agent, Gravesend. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Sept. 27.
CLEAVER, THOMAS, grocer, Harrietsham, near Maidstone. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sol. Breden, Copthall-chambers Copthall-court. Sur. Sept. 28.
FIELD, WILLIAM, and HARE, RICHARD FRANCIS, manufacturing chemists, Seward-st. Goswell-st. Pet. Sept. 8. Reg. Roche. O. A. Parkyns. Sol. Chidley, Old Jewry. Sur. Sept. 28.
FRIEDLANDER, JACOB, and BERGER, MAXIMILIAN, clothiers, Addle-st. and Aldermanbury. Pet. Sept. 4. Reg. Brougham. O. A. Edwards. Sol. Solomon, King-st. Cheapside. Sur. Sept. 27.
HATTER, WILLIAM, late carrier, Chiswick. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Sept. 28.
HOBBS, DANIEL, barrister's clerk, Montpellier-rd. Dalston. Pet. Sept. 7. Reg. Brougham. O. A. Edwards. Sol. Gammon, Cloak-la. Sur. Sept. 26.
JACKSON, RICHARD WILLIAM, plumber, Dorset-st. Clapham-rd. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sols. Edwards, Bush-la. Cannon-st. Sur. Sept. 27.
LEACH, JABEZ, post-office clerk, Southampton. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sols. Messrs. Paterson, Bouverie-st. and Mackey, Southampton. Sur. Sept. 27.
MADDISON, HENRY, dealer in jewellery, Liverpool-rd. Islington. Pet. Sept. 7. Reg. Brougham. O. A. Edwards. Sol. Harrison, Basinghall-st. Sur. Sept. 28.
MOWAT, JAMES, commission agent, Albion-rd. Dalston. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Sept. 28.
PEARCE, WILLIAM, greengrocer, Central-st. St. Luke's. Pet. Sept. 7. Reg. Brougham. O. A. Edwards. Sol. Waldron, Lamb's Conduit-st. Sur. Sept. 26.
ROBINSON, GEORGE DANNETT, coachbuilder, Essex-rd. Islington. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Sept. 26.
SHEARMAN, JOHN, dealer in old building materials, Pimlico-walk Hoxton Old Town. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sol. Goldrick, Strand. Sur. Sept. 28.
STONE, BENJAMIN, builder, Westminster-rd. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sols. Messrs. Fitch, Union-st. Southwark. Sur. Sept. 28.
VALLER, JAMES, bootmaker, Sunbury. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sol. Goatley, Bow-st. Covent-gdn. Sur. Sept. 28.
WOODIN, WILLIAM, journeyman stonemason, Mortlake. Pet. Sept. 8. Reg. Brougham. O. A. Edwards. Sol. Hallam, New Boswell-ct. Carey-st. Sur. Sept. 25.

To surrender in the Country.

ADAMSON, THOMAS, sen., bricklayer and plasterer, Crowle. Pet. July 8. Reg. & O. A. Fox. Sur. Oct. 4.
ALLITT, JOHN, carpenter, Wroxton. Pet. Sept. 12. Reg. & O. A. Fortescue. Sol. Kilby, Banbury. Sur. Sept. 26.
ASHDOWN, WILLIAM, fly driver, Milton-next-Gravesend. Pet. Sept. 9. Reg. & O. A. Southgate. Sol. Layton, jun., Church-row, Upper-st. Islington. Sur. Sept. 25.
BALDWIN, JAMES, painter and glazier, Maindee, near Newport. Pet. Aug. 31. Reg. & O. A. Roberts. Sols. Greenway and Bytheway, Pontypool. Sur. Sept. 27.
BARTON, HENRY, miller, Birmingham. Pet. Sept. 12. Reg. Tudor. O. A. Kinnear. Sol. East, Birmingham. Sur. Oct. 6.
BISHTON, DANIEL WILLIAM, horsedealer, Wolverhampton. Pet. Sept. 11. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Oct. 13.
BLAIR, EDWARD JOHN, attorney and solicitor, Uttoxeter. Pet. Sept. 6. Reg. Tudor. O. A. Kinnear. Sol. James and Griffin, Birmingham. Sur. Sept. 27.
BLAND, JOHN, surgeon, Durham. Pet. Sept. 11. Reg. & O. A. Greenwell. Sol. Brignal, Durham. Sur. Sept. 27.
BRIGGS, WILLIAM, and HARTLEY, GEORGE, joiners, Dudley-hill, near Bradford. Pet. Sept. 8. O. A. Young. Sols. Hill, Bradford; and Simpson, Leeds. Sur. Sept. 25.
CALL, VINCENT, ship chandler, Sunderland. Pet. Sept. 2. Reg. Gibson. O. A. Laidman. Sol. Steel, Sunderland. Sur. Sept. 27.
CAULFIELD, FRANCIS, cabinet-maker, Hulme. Pet. Sept. 12. Reg. & O. A. Hulton. Sol. Elsoft, Manchester. Sur. Sept. 30.
CHALLINGWORTH, HENRY, moulder in the iron-works, Llanover Upper. Pet. Sept. 12. Reg. & O. A. Batt. Sol. Sayce, Abergavenny. Sur. Sept. 26.
CHAPMAN, GEORGE, innkeeper, Redcar. Pet. Sept. 11. O. A. Young. Sols. Griffin, Middlesborough; and Bond and Barwick, Leeds. Sur. Sept. 23.
CHAPMAN, JOHN, formerly coaldealer, Wellingborough. Pet. Sept. 12. Reg. & O. A. Burnham. Sol. White, Northampton. Sur. Sept. 29.
CHOYCE, JOSEPH, butcher, Whitehaven. Pet. Sept. 12. Reg. & O. A. Hodgkin. Sol. Mason, Whitehaven. Sur. Sept. 27.
CORNISH, JOSEPH, formerly publican, Stonehouse. Pet. Sept. 11. O. A. Carwick. Sur. Oct. 3.
CRIPPS, RICHARD HOUSE, innkeeper, Monckton Combe. Pet. Sept. 9. Reg. & O. A. Smith. Sol. Collins, Bath. Sur. Sept. 26.
DAVENPORT, EDWARD, and SWINDELLS, JAMES, joiners and builders, Stockport. Pet. Sept. 8. Reg. Macrae. O. A. Morgan. Sols. Howard, Stockport; and Sale and Co. Manchester. Sur. Sept. 27.
HAMILTON, ANDREW, bookbinder and stationer, Liverpool. Pet. Sept. 9. Reg. & O. A. Hime. Sol. Etty, Liverpool. Sur. Oct. 2.
HORSLEY, JOHN, Sneinton. Pet. Sept. 12. Reg. & O. A. Patchitt. Sol. Heath, Nottingham. Sur. Oct. 11.
JONES, REBECCA, manager to a hotel-keeper, West Derby. Pet. Aug. 30. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. Sept. 25.
KERSEY, ROBERT SAMUEL, cabinet-maker, Ipswich. Pet. Sept. 12. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. Sept. 28.
KILNER, FRED, and KILNER, JAMES, jun., woollen merchants, Huddersfield. Pet. Sept. 8. O. A. Young. Sols. Sykes, Huddersfield; and Bond and Barwick, Leeds. Sur. Sept. 21.
LAWFORD, FREDERICK, accountant, Luton. Pet. Sept. 5. Reg. & O. A. Austin. Sol. Bailey, Luton. Sur. Sept. 25.
LLOYD, WILLIAM, sen., late victualler, Aston, near Birmingham. Pet. Sept. 12. Reg. Hill. O. A. Kinnear. Sol. Parry, Birmingham. Sur. Oct. 13.
MACHIN, THOMAS, farmer, Darnall, near Sheffield. Pet. Sept. 13. O. A. Young. Sol. Fernell, Sheffield. Sur. Sept. 29.
MARSH, ISAAC, butcher, Sedgley. Pet. Sept. 11. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Oct. 12.
PEEL, FREDERICK WILLIAM, bootmaker, Belper. Pet. Sept. 11. Reg. & O. A. Ingle. Sol. Walker, Belper. Sur. Sept. 26.
QUICK, JOHN, baker and grocer, Plympton St. Mary. Pet. Aug. 11. Reg. & O. A. Pearce. Sols. Messrs. Edmonds, Plymouth. Sur. Sept. 2°.
ROBERTS, JOHN, beerhouse-keeper, Birkenhead. Pet. Sept. 12. O. A. Turner. Sol. Leadon, Chester. Sur. Sept. 27.
ROBINSON, JOHN, grocer, Repton. Pet. Sept. 11. Reg. & O. A. Hubbersty. Sol. Prince, Burton-on-Trent. Sur. Sept. 29.
ROWE, JOSEPH REED, outfitter, Devonport. Pet. Aug. 11. Reg. & O. A. Pearce. Sols. Messrs. Edmonds, Plymouth. Sur. Sept. 27.
SMITH, THOMAS, late beerhouse keeper, Coventry. Pet. Sept. 11. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. Sept. 26.
STARE, EDWARD, butcher, Whitwick. Pet. Sept. 8. Reg. & O. A. Dewes. Sol. Dewes, Ashby-de-la-Zouch. Sur. Sept. 29.
STEPHENSON, JOHN, grocer, Harrogate. Pet. Sept. 11. O. A. Young. Sols. Richardson, Harrogate; and Messrs. North, Leeds. Sur. Sept. 21.
STOCKTON, JOHN, auctioneer, Newcastle-under-Lyme. Pet. Sept. 11. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Oct. 13.
TAIT, JOHN, grocer, Bolton. Pet. Sept. 12. Reg. Macrae. O. A. Morgan. Sol. Glover and Ramwell, Bolton. Sur. Sept. 26.
THOMAS, DAVID, publican, Cardiff. Pet. Sept. 13. Reg. & O. A. Langley. Sol. Shipton, Cardiff. Sur. Sept. 29.
WATSON, HENRY LUND, publican, Huddersfield. Pet. May 23. Reg. & O. A. Jones. Sur. Sept. 29.
WATSON, WILLIAM, joiner and builder, Belper. Pet. Sept. 11. Reg. & O. A. Ingle. Sol. Walker, Belper. Sur. Sept. 26.
WILLIAMS, JOHN, contractor, Llanwonno. Pet. Sept. 13. Reg. & O. A. Spickett. Sur. Sept. 27.
WOOLLEY, GEORGE, beerhouse keeper, Mountsorrel (North). Pet. Sept. 12. Reg. & O. A. Brock. Sol. Giles, Loughborough. Sur. Sept. 26.
WORTHINGTON, GEORGE, provision dealer, Farnworth. Pet. Sept. 12. Reg. & O. A. Holden. Sols. Glover and Ramwell, Bolton. Sur. Sept. 27.
WRIGHT, THOMAS, wheelwright, Richmond. Pet. Sept. 11. Reg. & O. A. Tomlin. Sols. Wensley and Hunton, Richmond. Sur. Sept. 26.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignees are given, to whom apply for the Dividends.

Bell, C. D. mining agent, first, 1s 6d. Turner, Liverpool.—*Elmore*, W. wine and spirit merchant, second, 1s. Turner, Liverpool.—*McCulloch* and *Devitt*, ship store dealers, &c. first, 20s. Turner, Liverpool.—*Read*, H. provision dealer, first, 6¼d. Turner, Liverpool.

Assignment, Composition, Inspectorship, and Trust Deeds.

Gazette, Sept. 12.

ADAMS, WALTER, sen., gun manufacturer, Upper Priory. Aug. 15. Trust. T. Bland, gun implement dealer, Birmingham.
ADAMSON, EDWARD, draper, Sunderland. Sept. 5. 2s. 6d. on execution of deed, and 2s. 6d. in 3 mos.—secured. Surety, M. Adamson, agent, Sunderland.
ALEXANDER, GEORGE, commission agent, Manchester. Sept. 6. 5s. by three instalments—1s. 6d. on 1st Feb., 1s. 6d. on 1st Aug. 1866, and 2s. on 1st Feb. 1867. Trust. J. Powell, Manchester.
BEER, HENRY CHARLES LEWIS, solicitor, Cambridge ter. Notting-hill. Sept. 9. 3s. in 1 mo.
BURD, ELI, grocer, Portland-ter. Notting-hill. Aug. 14. 2s. 6d. n 1 mo.
BUTCHER, JOHN, draper, Blackpool. Aug. 27. Trust. J. Kerr, accountant, Manchester.
COLLINSON, JOHN, draper, East Riding of York. ep 6.

Cooke, Edwin, engraver. Sept. 1. 10s. on 12th Oct. Surety, G. Cooke, merchant, Manchester.

Cunliffe, Whittaker, greengrocer, Rawtenstall. Aug. 17. Trusts. J. Roberts, joiner, Rawtenstall, and R. Crookshaw, slater, Oatenwood, near Rawtenstall.

Davies, James, Sketty, near Swansea. Aug. 30. 3s. 1d. on 13th Sept.

Edmondson, Christopher, linendraper's assistant, Huddersfield. Aug. 15. Trust. W. Atkinson, jun., linendraper, Huddersfield.

Gardner, James, builder, Maidenhead. Sept. 11. 10s. by two equal instalments at 3 and 6 mos.

Gough, George, butcher, Ventnor, Isle of Wight. Aug. 17. Trust. T. Lidgeard, yeoman, Isle of Wight.

Hancock, William, stationer, Southampton. Aug. 11. 13s. Trusts. G. E. Eyre and W. Spottiswoode, Fleet-st., and G. Routledge, Broadway, Ludgate-hill, booksellers.

Jewett, Mark, commission agent, Richmond. Sept. 8. 1s. 6d. in 14 days.

Jones, Benjamin, land agent, Birkenhead. Aug. 17. Trust. H. Martin, currier, and J. Walker, plumber, both Birkenhead.

Lees, William, joiner, Oldham. Aug. 12. 1s 6d. on execution of deed. Sureties, J. Lees and J. Lees, joiners, Oldham.

Maidel, James, cabinet manufacturer, Charlotte-mews, Fitzroy-sq. Aug. 25. 3s. by equal instalments on 1st Oct. and 1st Nov.

Murgatroyd, James, draper, Halifax. Aug. 15. Trusts. S. Hardaker, and J. O. Cooper, merchants, both Manchester.

Newman, James, butcher, Melksham. Trusts. R. Simpson, ironmonger, and T. Newman, yeoman, both Melksham.

Oliff, William, painter, Chatham. Aug. 9. 2s. 6d.

Reynolds, Jacob, gentleman, Liverpool. Aug. 14. On payment of 5s. Inspectors, W. E. Price, F. W. Bullen, and R. L. Hunter, insurance brokers, Lloyd's, city London.

Robinson, Joseph, paperhanging dealer, London-rd. Southwark. Aug. 18. Trusts. R. Smith, paperhanging manufacturer, Manchester, and E. Price, varnish merchant, Colebill-st. Pimlico.

Sleet, John Warwick, bootmaker, Hull. Aug. 22. 6s. at 3, 6, 9, and 12 mos.—secured. Inspectors, J. Meek, Esq., Middlethorpe-lodge, near York, and J. Fawcett, leather merchant, Hull.

Spencer, James, manure manufacturer, Hull. Sept. 4. 3s. by monthly instalments of five farthings each, first on Sept. 4.

Springbett, Joseph, architect, Clement's-la. Lombard-st. Aug. 14. 2s. and also promissory notes for 1s. 6d. in 10 days.

Spurr, James Frederick, attorney, Scarborough. Aug. 30. Trust. G. Fox, gentleman, Bridlington.

Stacey, Edwin, jeweller, Landport, Portsea. Aug. 16. Trusts. C. Freemantle, baker, Landport, and J. Wainscot, accountant, Portsea.

Stephens, Peter, farmer, Broadheath, Presteign. Aug. 14. Trusts. E. J. Lewis, Esq., Breinton, and H. S. Daggan, chemist, Hereford.

Valter, Eugene, hardware dealer, Birmingham. Aug. 16. Trusts. C. Cartwright and A. Albu, merchants, Birmingham.

Gazette, Sept. 15.

Arkell, John, farmer, Bishop's Cleeve. Aug. 21. 5s.

Armitage, Joseph, beerseller, Thornhill Lees, near Dewsbury. Sept. 6. 2s. on 1st Oct.

Astley, Evan, tailor, Quadrant, Regent-st. Aug. 15. 5s. on 15th Aug and 5s. on 15th Feb.—secured.

Beardmore, Henry, baker, Northampton. Aug. 16. Trusts. J. G. Daniel, Duston, and W. Adkins, Northampton, millers.

Boutall, William, jun., solicitor's clerk, Graham-rd west, Hackney. Aug 21. To pay 100l per annum by four quarterly payments—first on 23rd Nov. with interest. Trust. E. Sanders, gentleman, Barge-yd-chambers, Bucklersbury.

Bradowin, Thomas, draper, Plumstead. Sept. 8. 5s. on 4th Dec. Trust. J. T. Studdard, warehouseman, Wood-st.

Chapman, Edward, grocer, Dullingham. Aug. 19. Trust. H. Pattle, grocer, Bury St. Edmunds.

Cockshott, Thomas, tailor, and Hargrave, Thomas, press setter, both Leeds. Aug. 1. Trust. G. Simpson, accountant, Leeds.

Cocoran, Thomas, coaldealer, Northampton. Sept. 1. Trust. G. Conquest, coal agent, Northampton.

Cozens, Adolphus, carrier, Wolverhampton. Aug. 26. 15s. by three equal instalments at 3, 6, and 9 mos. Trusts. J. Blackburn, bank manager, M. Cosens, carrier, both Walsall.

Crawford, John Boyd, plumber, Stockton. Aug. 18. Trusts. J. Fowler, civil engineer, and G. Y. Blair, engineer, both Stockton.

Finger, Abraham, jeweller, Liverpool. Aug. 22. 10s. by four equal instalments at 3, 6, 9, and 15 mos.—secured.

Fisher, Ishmael, wine merchant, Chatham-pl. Blackfriars. Aug. 23. 5s. in 1 mo.

Griffin, Aquila, cheesefactor, Stoke-upon-Trent. Sept. 1. 6s. 8d. by three instalments—first of 8d. forthwith, 2nd and 3rd of 3s. at 3 and 6 mos.—secured. Trust. T. Quinsey, merchant, Liverpool.

Holmes, Henry, coaldealer, York. Aug. 30. 5s. on 1st Oct.—secured. Trust. P. Hatfield, cornfactor, York.

Humpage, Enoch, gun lock maker, Handsworth. Aug. 28. 5s. in 1 mo. Trust. J. J. Lea, butcher, Birmingham.

Isherwood, William, smallware dealer, Manchester and Ashton-under-Lyne. Aug. 25. Trusts. T. Collier, smallware merchant, Manchester, and R. Lee, worsted manufacturer, Manchester.

Johnson, John, and McGowan, William, drysalters, Liverpool. Sept. 4. Trusts. W. Whatham, drysalter, and C. Clark, spice merchant, both Liverpool. Sols. Messrs. Martin, Liverpool.

Long, Elizabeth Maria, widow, abroad. Aug. 28. Two annuities of 19l and 50l. until debts have been paid. Trusts. N. Hollingworth and F. Green, solicitors, East India avenue.

Lowndes, John, bootmaker, Salford. Aug. 26. Trust. J. Prescott, valuer, Cheetham.

Matthews, Norman, out of business, Framlingham. Aug. 26. Trusts. H. Matthews, farmer, Framlingham, and J. H. Tillett, gentleman, Norwich.

Miles, William, draper, High-st. South Norwood. Sept. 2. 5s. by three equal instalments, at 3, 6, and 9 mos.—secured. Trust. J. Ellerton, warehouseman, Saint Paul's-churchyard.

Munslow, Benjamin, ironfounder, Newton-heath. Sept. 4. 3s. by four equal instalments of 1s. 2d. on 20th Oct., 20th Jan., 20th April, and 20th July.

Murdock, Alexander, dealer in hats, Claypath, Durham. Aug. 21. Trust. S. Joel, Newcastle.

Neill, William Mayne, and Neill, Henry Montgomery, merchants, Lime-st. Sept. 2. Inspectors, R. O. Yeale, Esq., Alliance-bank, Lothbury, and R. A. Breman, Esq., of the London Agency of the Imperial Ottoman-bank, Princes-st.

Norton, Amy, brushmaker, York-st. St. James. Sept. 12. 2s. 6d. on 15th Jan. Trust. S. Upperton, brushmaker, Penryn-st. St. Pancras-rd.

Palmer, Thomas, registry office keeper, Hanley. Aug. 10. Trust. S. Perkins, agent, Burslem.

Poole, Henry, boot-dealer, Sheffield. Aug. 23. 5s. by two equal instalments on 29th Oct. and 28th Dec. Trust. J. Lambert, draper, Leeds.

Rogers, Stephen, grocer, Crook. Aug. 19. Trust. W. Davidson, miller, Darlington.

Ruddle, James, saddler, Shrewsbury. Aug. 30. Trust. J. F. Greatrex, merchant, Walsall.

Williams, John, coaldealer, Liverpool. Aug. 19. Trust. J. Evans, colliery proprietor, Haydock.

Wilman, Elizabeth, ironmonger, Burnley. Aug. 21. 7s. 6d. by three equal instalments at 6, 12, and 18 mos.—secured. Trust. J. Beanlands, yeoman, Ilkley.

Wood, Walter, gentleman, Serle-st. Lincoln's-inn. Sept. 4. Trust. W. Seppings, gentleman, Gt. Coram-st. Russell-sq.

Yardley, John, and Yardley, James, ironfounders, Farnworth. Sept. 6. Trust. J. Tunnah, accountant, Bolton.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTH.

Davies—On the 13th inst., at Claremont-villas, near Swansea, Glamorganshire, the wife of Richard Davies, Esq., solicitor, of a son.

MARRIAGE.

Cooke—Greatorex—On the 12th inst., at Trinity Church, Westbourne-terrace, William Henry Cooke, Esq., Q. C., to Annie, second daughter of J. Greatorex, Esq., of Cleveland-square.

DEATHS.

Price—On the 12th inst., at Stourbridge, aged 42, Emily, the wife of Rowland Price, Esq., solicitor.

Braund—On the 10th inst., at Exeter, aged 10 months, the youngest son of Marwood K. Braund, Esq., of Furnival's-inn.

Investments.

FIRST - CLASS RAILWAY DEBENTURES.—For SALE, DEBENTURE BONDS of the BRISTOL PORT, RAILWAY, and PIER COMPANY, at 5 per cent.—Apply to Messrs. H. and H., Solicitors, 20, King's Arms-yard, Moorgate-street, London.

ADVOWSON.—WANTED.—Income not under 200l. net; an easy distance from London. There must be a good Parsonage House. Immediate possession preferred.—Address, with full particulars, "L. L.," care of Messrs. Morgan, 5, Albermarle-street, London, W.

PARTNERSHIP.—A Gentleman, who is now carrying on a business in London connected with the river and shipping (which was established by himself over 20 years ago), desires relaxation from the more active duties, and is therefore willing to admit into PARTNERSHIP a gentleman of active business habits, possessed of a capital of about 7000l. The profits are about 25 per cent., and the risk less than usual.—Apply, in the first instance by letter to "N. N.," care of D. Keane, Esq., 25, Lincoln's-inn-fields.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to George J. Jefferson, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

THE ECONOMIC SOCIETY.—LOANS from £100 to £5000 can be immediately obtained, repayable in one sum or upon the following scale of repayments for every £100 advanced, including interest thereon:—

	Monthly.		Quarterly.
For one year	£8 14 2	...	£26 2 6
For five years	2 0 10	...	6 2 6
For ten years	1 4 2	...	3 12 6
For fifteen years	0 19 6	...	2 18 6

For further particulars apply at the office, 118, Pall-mall, London. F. H. GILBART, Manager.

SIX per CENT. SECURED on FREEHOLD PROPERTY in LONDON.—The Directors of the INNS of COURT HOTEL COMPANY (Limited) are ISSUING the remainder of the Company's SIX per CENT. MORTGAGE DEBENTURES.

These Bonds, secured as a first charge on the entire Hotel property, estimated as worth not under 120,000l., are issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and investors have the option of paying in full or by three instalments.

The Company cannot borrow more than 80,000l.

H. T. L. BEWLEY, Secretary.

Offices of the Company, 63, Lincoln's-inn-fields, Sept. 1865.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of 2,000,000l., of which 600,000l only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 20th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.

Subscribed Capital, 700,000l.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E. C.

By Order, JOHN ANDERSON, Secretary.

COLONIAL SECURITIES COMPANY (LIMITED).

Share Capital 500,000l. First issue, 250,000l., in 25,000 Shares of 10l. each, on which 2l. per share has been called up.

TRUSTEES.

Pascoe C. Glyn, Esq. | Samuel Gurney, Esq., M.P.
George Lyall, Esq., M.P.

DIRECTORS.

The Right Hon. Viscount Bury.	Henry Kingscote, Esq.
Joseph Fry, Esq.	Hugh Edmondstone Montgomerie, Esq.
William Hazlitt, Esq.	Prideaux Selby, Esq.

Bankers—Messrs. Glyn, Mills, Currie, and Co.

Solicitors—Messrs. Freshfields and Newman.

This Company (formed to carry on and extend, under the same management, the business of the Canada Agency Association (Limited), which has been in successful operation for six years) is prepared to receive Money on Deposit, for Investment in First Mortgages upon Real Estate in Canada and other leading Colonies, either to bear 7 per cent. interest guaranteed by the company, or 6 per cent. with the principal also guaranteed.

The Company also issue debentures in amounts of 50l. and upwards, for periods of three, five, seven, and ten years, at 6 per cent. per annum, with coupons attached, payable half-yearly, at the bankers of the company, the money so raised being limited to the uncalled subscribed capital of the company.

Further particulars can be had on application to

A. R. ROCHE, Secretary.

125, Gresham-house, Old Broad-street, London, E.C.

LOANS ON DEBENTURES.

JOHN BROWN and COMPANY (LIMITED).

Capital One Million, in 10,000 Shares of 100l. each.

The Directors are prepared to RECEIVE LOANS for periods not exceeding seven years, at 5 per cent. on the Security of their Debentures.

The Security consists of uncalled Capital to the extent of 600,000l., with all the extensive and valuable property belonging to the Company.

It affords a most ample and safe investment for trust and other moneys, all the shares being held by responsible persons. Interest payable half-yearly.

Apply to the Secretary, at the Company's Offices, Atlas Steel Spring and Iron Works, Sheffield.

JOHN HEWITT, Secretary.

LONDON, CHATHAM, and DOVER RAILWAY.

Loans on Debentures to Replace those Falling Due.

Notice is hereby given, that in consequence of the approaching completion of the Company's system of railways the RATES of INTEREST on DEBENTURES are REDUCED to the following terms:—

On Debentures for two or three years, five per cent. per annum. On Debentures for five or seven years, four and a half per cent. per annum.

Interest is paid half-yearly, on the 1st of January and the July in each year, on presentation at the Company's bankers of the Interest Coupons issued with the Debentures.

Forms of application and particulars may be had on application of the Secretary, at the offices of the Company.

By order of the Board. W. E. JOHNSON, Sec.

Offices, Victoria Station, London, S.W., July 17, 1865.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000l. Subscribed 1,000,000l.

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances, for long or short terms, repayable with interest, at fixed dates, or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all estates and interests therein, excluding mineral property, factories and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, &c., imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages and real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. William Napier, Managing Director, the Land Securities Company (Limited), 22, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital	£2,000,000
Subscribed	1,000,000
Paid up	[illegible]

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act 1865, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing 5 per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of real estate, deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estates charged, as certified by a surveyor or valuer appointed by the Inclosure Commissioners for England and Wales, are thus absolutely appropriated to the repayment of the mortgage debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further guarantee of the Company's uncalled capital of 900,000l., so that representing, in fact, fractions of the Company's aggregate of securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under hand only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities thus appropriated, and of the Mortgage Debentures, will be kept in the Office of Land Registry.

Trustees having a general power to invest upon the security of the shares, stocks, mortgages, bonds, or debentures of companies incorporated or acting under the authority of an Act of Parliament, are authorised by the 40th section of the Act to invest in the Mortgage Debentures.

The Mortgage Debentures will be issued for such periods and for such amounts as may suit investors.

Apply to the Honourable William Napier, Managing Director, Land Securities Company, 22, Charing-cross, London, S.W.

Just published,

THE FOURTH EDITION of HALLILAY'S DIGEST of the EXAMINATION QUESTIONS in Common Law, Conveyancing, and Equity, from the commencement of the Examinations in 1836 to Michaelmas Term, with ANSWERS; also the mode of proceeding, and directions to be attended to at the Examination. By RICHARD HALLILAY, Esq., Solicitor. Price 14s. cloth.

Law Times Office, 10, Wellington-street.

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Lately published, the Second Edition of

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London: Law Times Office, 10, Wellington-street, Strand.

To Readers and Correspondents.

All anonymous communications are invariably rejected. All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, OCT. 2.

By Mr. W. BURSETT, at the Londesborough Arms, Selby. Freehold estate of 128 acres in the West Riding. Advertised Sept. 23.

WEDNESDAY, OCT. 4.

By Mr. R. PAYNE, at the Peacock Inn, Boston. Valuable freehold estate of 197 acres near Boston. Advertised Sept. 23.

FRIDAY, OCT. 6.

By Messrs. WILKINSON and SON, at Garraway's. Freehold mansion, with pleasure-grounds, &c., at Hove. Advertised Sept. 23.

CHARGES FOR ADVERTISEMENTS.

Four lines or thirty words ..... 3*s.* 6*d.*
Every additional ten words ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. HORACE COX, *the latter at the Strand Office.*

The LAW TIMES *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the LAW TIMES REPORTS *will be forwarded by post to any person inclosing* 3*s.* 10*d. in postage stamps.*

This day will be published,

EQUITY in the COUNTY COURT: being a Treatise on the several branches of Jurisdiction conferred upon the City Court and County Courts, by the County Court Equitable Jurisdiction Act, showing the principles and practice of the Court of Chancery in such matters, with Forms, Statutes, and Scale of Costs. By HENRY FREDERICK GIBBONS, LL.B., Barrister-at-Law, and WILLIAM CHARLES HARVEY, B.A., Barrister-at-Law.

HORACE COX, 10, Wellington-street, Strand.

Now ready,

PATERSON'S PRACTICAL STATUTES of the SESSION of 1865, being the Fifteenth of the Series. By WM. PATERSON, Esq., Barrister-at-Law.

London: LAW TIMES Office, 10, Wellington-street, W.C.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

THE LORD CHANCELLOR has appointed Mr. GEORGE LAKE RUSSELL, of the Chancery Bar, to be the Judge of the Bloomsbury County Court, in the place of Mr. D. D. HEATH, who has resigned.

AN article by a contributor on Magistrates' Law last week commented on a decision reported by the *Standard* as having been made by Mr. Serjt. DOWLING at the Middlesex Sessions, to the effect that a sentence of seven years of penal servitude was obligatory when the prisoner had been previously convicted; in fact, even although such previous conviction had not been charged in the indictment. The writer took great pains to show that this was not the right construction of the statute, and expressed surprise that it should have been so asserted by counsel and determined by the Judge. It now appears that this commentary was founded upon an incorrect report. No such opinion had been expressed by the learned Serjeant as was stated by the reporter of the *Standard*. He held, indeed, just otherwise, and in strict accordance with the argument of our contributor. We have, therefore, to request our readers to mark the report as imperfect, and the commentary upon it as a bit of sound law, interesting and useful in itself, but not applicable to the particular case that gave occasion for it.

THIS number conveys the first instalment of the Rules for the Practice of Equity in the County Courts. They could not be given entire, for they will occupy about thirteen pages. We reserve commentary and exposition until they have been tried and proved for some time. We shall be obliged by notes of any decisions on Equity Law in the County Courts. For a long time to come there must be great doubts and difficulties, both as respects jurisdiction and practice; and as it is desirable that there should be uniformity of decision, the publication of the rulings of the various Judges will best secure it.

THE Social Science Association meet at Sheffield on the 4th. Lord BROUGHAM will preside. Sir R. PHILLIMORE is the president of the department of Jurisprudence. Several interesting papers on Law Reforms are promised, and the subjects for discussion are of more than usual importance. Great preparations are being made at Sheffield to give to the members a cordial reception.

THE Cattle Plague has elicited a new code of law framed for the occasion by the Privy Council, under the authority of a statute made to meet the possible sudden occurrence of such a calamity as now has fallen upon us. The orders affect an enormous amount of property; they confer almost irresponsible powers on officials; they impose immense sacrifices upon individuals for the general good; they are undoubtedly very despotic, though not more so than the occasion demands. They will probably produce much litigation. At all events they will constantly be the subject of discussion in magistrates' courts, and to all intents and purposes they are a part of the law of the land, as much as if they had been embodied in an Act of Parliament. Therefore we have reprinted them in their proper place in the department devoted to *Magistrates' Law*, where they will be ready for reference when the solicitor is required to advise his clients upon the matters to which they relate. The best wish we could offer to any reader is, that he may never have occasion to use them.

THE *Mercantile Law Amendment Society* are meddling again with the law of bankruptcy, unabashed by their ridiculous failure, as shown in the existing law, which owes all its gravest defects to their mischievous interference. They are getting up a petition for undoing their own handiwork, and this petition will, it is said, propose a new batch of so-called reforms, devised by the same heads that failed so signally before, instead of modestly contenting themselves, as they should do, with confessing their incompetency to reform the law, of which they are utterly ignorant, and merely praying that their deformed bantling may be extinguished with all possible speed, leaving the construction of a new law to the lawyers, who alone are competent to the work. What would these merchants say, if the lawyers were to take upon themselves to propose a plan for the conduct of a merchant's office? Would they not ask, "What do you know about it?" No less impertinent is it for merchants to undertake the work of law-making. And so it has proved in practice. The Mercantile Law Committee thought they knew a great deal more about bankruptcy law than the lawyers, and they framed a law of their own, or rather parts of a law, which they imposed upon Lord WESTBURY, too much occupied to do the work himself, and glad to receive assistance from any quarter. Everything proposed by them has proved an entire failure. They marred the whole work by their botching. The Bill, as originally framed, was a tolerably good one; but the committee destroyed it by their imprudent amendments. They were moved by a strong desire to oust the lawyers from bankruptcy business. They made more work for them than before. They thought they had achieved a vast triumph by the introduction of the creditors' assignee; but the assignee acts through his solicitor, and the costs are fivefold those of the official assignee. So it was, and so it will be. Bankruptcy reformers may be assured that by no device can they be rid of the lawyers in the settlement and division of a bankrupt's estate; every attempt to do so leads to greater costs. Seeing then that we are necessary evils, why should not the bankruptcy reformers try a new plan, and utilise what they cannot banish? *Substitute* the solicitor for the creditors' assignee; confide to him the collection and distribution of the estate, and payment by a commission on the proceeds. He would accomplish it more effectually, more speedily, and more cheaply.

MADAME VALENTIN had lived for thirty years with a merchant of Bordeaux, who on his death gave her, as she alleged, certain railway shares of considerable value. His heir, one Madame BOUILLOS, disputed the validity of this deathbed gift, charged Madame VALENTIN with obtaining the shares surreptitiously, prosecuted her before one of the tribunals at Paris, obtained a conviction, and a sentence of six months' imprisonment. The railway stock having been brought to England, the question was again raised here in the form of an action in the Court of Exchequer. The trial lasted five days, and Madame VALENTIN succeeded in practically reversing the decision of the Paris court and establishing the validity of the gift to herself. While these proceedings were pending, Madame VALENTIN came to England for the purpose of selling a portion of the stock, accompanied by a man called LAFOURCADE. After a while she quarrelled with him, and he then allied himself with the other party. He made an affidavit alleging that Madame VALENTIN intended to leave England. She was arrested under the Absconding Debtors Act, and not being able to find bail, was committed to prison, where she lay for five months, until the trial by the Court of Exchequer and the verdict in her favour discharged her. She then prosecuted LAFOURCADE for perjury in the affidavit that had obtained her arrest. He was convicted and sentenced to eighteen months' imprisonment. Upon this the other party took the like proceeding against her, and prosecuted her for perjury for having, in her evidence at the trial, sworn that she had never threatened to leave England, as LAFOURCADE had alleged. She has been convicted, and now we have the extraordinary spectacle of two persons convicted and punished for perjury in a transaction in which it is quite certain that both cannot be guilty. In the one case, the prosecutor being heard, and the prisoner's lips sealed, the story of the former is believed. In the other they have changed places; the prosecutor is now the prisoner, and the prisoner is prosecutor: the story of the latter is heard, but not that of the former, and again there is a conviction, although utterly inconsistent with the former conviction, when the position was reversed. Of course, it is impossible to divine where the truth lay, which is really guilty and which innocent. But it is another illustration of the injustice that often arises from our practice of not admitting the prisoner as a witness. Here, one party only being heard in turn, each in his turn told such a story as sufficed to convict the other. It is a repetition in this respect of HATCH's case. He, too, was convicted when the child was heard and he was not; but the child was convicted in her turn, when he was heard and she was not.

Undoubtedly, there are grave objections to the admission of prisoners as witnesses. In the majority of cases, the privilege would be no boon to them if they were examined, and if they did not tender themselves it would be still more damaging. But the possibility of such a case as that of Madame VALENTIN shows that our law is defective, and requires some amendment. May not the experiment be tried by admitting the defendant as a witness in certain classes of criminal cases that savour more of civil than criminal character? For instance, the right to tender himself as a witness may be given to the deft. in a misdemeanor. Most of those offences have in them something of dispute between the parties, are offences against individuals rather than against the public, and therefore are very liable to be prosecuted for the gratification of private malice or avenging an individual grievance, and consequently the prosecutor's evidence is very liable to be coloured by his feelings. Were damages sought, instead of punishment, the defendant would be heard in self-defence. Is it right or safe to give to a revengeful prosecutor such an enormous advantage as to open his lips while sealing those of his antagonist? It must be remembered that these prosecutions are committed to private hands, and therefore liable to be perverted by private passions. Had we a public prosecutor, there would be less need for some such safeguard as we have suggested.

THE Act of last session, amending the Practice of Registration in Counties, has caused an unexpected difficulty. Formerly the reasonable practice of the revising barristers was not to give costs in case of an objection to a new claimant, even although the objection failed, because it was considered not unjust nor vexatious to require proof of a qualification so difficult to ascertain as that of a county voter. In a borough, occu-

pancy and value are the qualifications, and these can be seen by any person who chooses to use his eyes and ears. But in counties, *ownership* is the qualification, and of that there is no such public test—indeed, the fact is often positively known to the claimant only. When a man not in occupation sends in a claim to vote as owner of a certain piece of land, and is admitted as such without further proof than this mere assertion, an objection can scarcely be said to be either frivolous or vexatious. But Mr. BEALES, the revising barrister for Middlesex, has determined to give costs in such cases where the objection fails. He thinks that it is undesirable, but he supposes himself to be bound by the spirit (certainly not by the letter) of the Act of last session. He is reported to have expressed himself thus:

Smith said, if so, the barrister would be establishing a new practice by giving costs to new claimants.

James thought that, although there was some difficulty as to the construction of the new Act, the barrister's power of giving costs extended to claims.

Mr. BEALES said the 14th section of the new Act declared that "the sum ordered to be paid by way of costs shall not upon any one vote exceed the sum of 5*l.*; and the 46th section of the principal Act shall be read as if the words five pounds had been substituted therein for the words twenty shillings." The principal section did not make a difference between objections to claims and objections to the register, "for every ground of objection which, in the opinion of the revising barrister, shall have been groundlessly or frivolously and vexatiously stated in a notice of objection, he shall, on the application of the person objected to, or any one on his behalf, and upon production of the notice of objection, award costs against the objector to the amount of at least 2*s.* 6*d.*" He had seen a report of what occurred last Friday, in which he was represented to have said that under the old Act costs could not be given in the case of new claims. Now what he really said was, that the practice in Middlesex under the old Act had been not to give costs in new claims, and that he had acted on a practice which he found established by his predecessor. However, he would never give heavy costs in the case of new claims. The question of costs in new claims was very much considered by the recent committee of the House of Commons; some objection was taken to the practice which had been adopted in Middlesex. If, therefore, the Legislature had intended to draw a distinction between costs in objections to the register and costs in objection to the claims, they would have expressed their intention clearly, which at present they had not.

Smith.—But the new Act says that any notice of objection to any person on the list of claimants may be given according to the provisions of the old Act.

Mr. BEALES.—There is nothing to prohibit me from giving costs in cases of new claims.

The manifest effect of giving costs in such cases will be to prevent objections, and thus practically to fill the register with unqualified voters. When nothing more is required than to send in a claim which is to be admitted without proof if not objected to, there can be no doubt that, if objectors are deterred by costs, claimants will appear abundantly having no genuine title, but speculating on the impunity thus provided for them.

A FORTNIGHT ago we ventured to defend the protective jurisdiction over bubble companies, exercised by the committee of the Stock Exchange, against the attacks of the school of politicians who systematically advocate the giving of unlimited licence to roguedom, with which they appear to feel a most suspicious sympathy, always siding with the plunderer against the victim. A correspondent of the *Pall-Mall Gazette* gives the following interesting account of the constitution and aims of this much-abused committee, which ought rather to receive the thanks of the public for its vigilance in protecting them against frauds—a duty which the newspapers perhaps dare not perform, and which no other recognised authority undertakes:

SIR,—A short answer to your inquiry as to the "origin and constitution of the Stock Exchange Committee" may not be without interest to your readers, and may serve to place a body which has lately been the object of much undeserved vituperation in a clearer light. The corporate business of the Stock Exchange is conducted by two committees, a Committee of Managers, and a Committee for General Purposes. The Managers' Committee is concerned solely with the property of the Stock Exchange and the arrangements of the building, &c. They are eight in number, and are elected for life by the shareholders only. They are invariably selected from the best and most respected firms. The Committee for General Purposes consists of thirty members elected annually by ballot by the whole body of members. They are, as far as it is possible, chosen from among the leading firms, and although their extremely onerous duties make it impossible for the most eligible men in many cases to serve, they are generally felt by their constituents to represent very fairly the intelligence and honesty of the Stock Exchange. Their functions are, as regards their constituents, both legislative and judicial. In them resides the power of making or amending the laws by which members of the Stock Exchange are bound in their transactions. To them a final appeal may be made in all cases of dispute between members. The most important functions of this committee in its relation to the outside public is that of fixing days for the settlement of transactions in new loans or joint-stock companies, and of deciding on their admission or nonadmission to quotation in the official list. As the exercise of this function has lately drawn upon the committee a series of violent diatribes, a few words as to the actual facts are needed to set the public right on this point. It is known to all persons interested in Stock Exchange business that all transactions in shares of new companies, previous to the fixing of a settlement, are *contingent on a settlement being fixed by the committee.* To stigmatise a refusal to fix a settlement as an act of repudiation, when all transactions are avowedly made subject to that contingency, is manifestly absurd. Certain fixed requirements are made by the committee before the question of granting a settlement is entertained; all such requirements are in the interest of the public, and have for their object the testing of the *bona fides* of the undertaking. In the recent immense development of joint-stock enterprise, one feature of which is the production of a class of professional "promoters," called financial agents, it has naturally been found more than usually difficult to guard against the introduction of bubble schemes into the official list. Lately a favourite device of promoters has been to make a fictitious allotment of shares, and by buying up in the market a larger number of shares than they allot to the public, to reduce the unfortunate sellers to buy back their shares on extortionate terms. Now, inasmuch as a fictitious allotment (an allotment, that is, to "dummies") is in itself fraudulent, the Stock Exchange Committee has, in some rare cases where this or equally flagrant malpractices have been proved, refused to fix a settlement; an unfortunate result of which is that the numerous applicants for shares, whose object in applying is to realise the premium at which they instantly sell, find themselves left *with* their shares but *without* the premiums. Surely little sympathy need be given to such. The refusal to give a settlement is in nine cases out of ten a severe loss to the Stock Exchange, inasmuch as the dealers forfeit all their profits and the brokers their commission. The opposition to a settlement proceeds almost invariably from outside the Stock Exchange, although sometimes it is joined in by dealers who have been "caught." The allegation that the committee act in the interest of their own body as opposed to that of the public is utterly destitute of truth. In the last case of refusal the principal evidence against the company was from a person unconnected with the Stock Exchange, whereas every dealer in the shares would have realised a profit by the settlement. The action of the committee is in many respects open to objection, and its machinery is perhaps hardly equal to the great increase of business which has lately been thrown on it; but I am satisfied that, both in the opinion of the body of members of the Stock Exchange and of commercial men generally, it is as honestly laborious and as free from corrupt influences as any tribunal in existence.—I am, Sir, your obedient servant,

H.

THE MORAL CODE OF THE BAR.

A MONTHLY contemporary, who sows and reaps and gathers in his harvest in a street well-named for that purpose, has recently unfolded at some length ideas, the germs of which Lord BROUGHAM and Lord Chief Justice COCKBURN gave at the feast, expected with much interest during the last long vacation, and joyously held at the beginning of the legal year now passing away. Lord BROUGHAM likening M. BERRYER to ERSKINE, and praising in both of them the faculty of conducting cases with matchless skill and perfect eloquence, and the indomitable courage which, in the interests of their clients, quailed neither before kings, nor courts, nor judges, added, "In both was observed the first great quality of an advocate, to reckon everything subordinate to the interests of his client." It is easy to conceive that one who in his vigour had drawn down upon himself the hatred of a vindictive King, and checked his own rise in the world by his uncompromising defence of the repudiated Queen, should in his old age cherish the proud recollection of those days in the one sentiment of a counsel's exclusive duty to his client. The Lord Chief Justice, much as he admired the great abilities of their guest, considered it his crowning virtue that he had throughout his career conducted his cases with untarnished honour: "the arms which an advocate wields he ought to use as a warrior, not as an assassin. He ought to uphold the interests of his clients *per fas*, but not *per nefas*." Will no one take up the pen which death has let fall from the hand of LANDOR, and set down some imaginings of a conversation between the venerable Ex-Chancellor and the eloquent Lord Chief Justice, on the duties of an advocate?

Fas and *nefas* in the office of maintaining a client's interest in a court of law have divided men's opinions. "We find," says the writer in *Cornhill*, "the extremest and most opposite views commonly held; many (and those not all of the gentler sex) upholding a theory which would make barristers the knights-errant of the law, the business of whose lives it should be to seek out injured innocence wherever it is to be found; whilst others talk as though the duty of barristers were to be verdict-getters *pure et simples*—getters of verdicts, judgments, decrees, for any and every client, by any and every means in their power, short only of actual crime." The question considered beyond the circle of the Profession is whether a barrister should be under the control of public opinion in the performance of his court duties. It is argued that if the verdict-getting theory be the true one, and an advocate has nothing whatever to do with the right or wrong of the cause, or with the right or wrong of the means by which he is to succeed, but only to welcome the client, and reckon all things subordinate to his interest, it would be a mistake to talk of extending to barristers the influence of public opinion; but that, in fact, the silence which followed Lord BROUGHAM's proposition, and the applause with which the Chief Justice's was greeted—a contrast, however, not borne out by the report which appeared in this journal of Nov. 12—testify that the general feeling of the Bar is in favour of its responsibility to the public. Hence the practical inquiry is, whether there are or are not sufficient guarantees, either from within or from without, that the barrister shall resort to such means only as are fair, to support the cause entrusted to him.

A barrister, it is admitted, must be entrusted with a wide discretion not only as to the causes to be undertaken by him, but as to the means to be used in advocating them when undertaken. Rules of evidence, the writer remarks, cannot prevent his bullying an honest witness out of his five wits; you cannot have rules of argument which shall prevent gratuitous and malignant insinuations against the character of his opponents, or a coarse handling of topics which touch us all most nearly, or the creating, by means of sophistry, an impression which not always the vigilance of those whose duty it is to guard against it can do away with. Is the fear of professional as distinguished from public opinion a sufficient guarantee against such practices? First, it is answered that the vast increase in the number of the Bar has weakened its moral control over its members. Serjt. TALFOURD remarked the change twenty years ago in his essay on Lord ELDON and Lord STOWELL. Again, men of doubtful character, on circuit, being excluded from the bar mess, have no associates whose goodwill they need fear to forfeit. They form a class apart, where the trickster and bully grow to a rank perfection. Thus the men who most need the restraint of professional opinion are least affected by it. After all, professional opinion is only the opinion of a small portion of the community. Besides, the influence of the members of the Bar on one another is that of men who, by force of long companionship, have become but little inclined strongly to censure each other's faults. Such as it is, it has not fair play. The profession of the bar is peculiarly situated in relation to those who distribute its business. These, wrote TALFOURD, are "not scholars, nor readers, nor thinkers, nor admiring audiences, nor sages of the law . . . . and yet on their opinion, without appeal, the fate of the members of the Profession depends." Upon the whole, the writer is of opinion that the influence of the opinion of the Bar is insufficient, and that there is no ground of hope from it for the future. It is time, he says, that the Bar and the public should know each other better.

What then is the *rationale* of the system of advocacy? The judge should have present to

his mind all the considerations that deserve weight on either side. For this purpose the parties might either lay before him a bare statement of the question in dispute, leaving it to him to make all due inquiries, and to decide, unassisted by argument; or they might bring forward the circumstances which they respectively considered favourable to their own view, still leaving the judge to decide without argument; or the parties, or their representatives, may argue the case fully. The last affords the best security that every consideration will have its due weight. But the case must not be argued *impartially*, as thus it would be no man's duty or interest to urge all the arguments on any one side. The whole strength of one side ought to be brought out in sharp relief against the whole strength on the other side. Such being the *rationale*, it is, first, absurd to limit an advocate to causes of the justice of which he is perfectly assured, since he cannot know how the cause will turn out until the opposite side is heard. But it is sophistry to argue that he cannot use any discretion, without usurping an office which does not belong to him. There are occasions on which he not only may, but also ought to refuse his aid. But ought a barrister to withhold his services when the legal right sought to be enforced is, or appears to be, morally unjust? The question, it is contended, must be answered on broad grounds of public policy. In equity, a barrister refusing to aid in enforcing a strict right, and therefore to sign a bill, would virtually take on himself to declare that the law should not have effect; and at common law the result would be similar, as a lay person can seldom hope to prosecute his rights successfully without professional aid. Ought public opinion to require a barrister thus to bar the exercise of a strict legal right, unless he approves of the conduct of the suitor in a moral point of view? The answer given is, that it is the duty of an advocate to dissuade from a course which is apparently too harsh an insisting on legal rights, but that it is not his duty to carry his opposition further. It is rather the client than his representative that a wise public opinion will put upon his trial when advantage is taken of any harsh rule of law.

Suppose the cause to be undertaken, what, it is asked, ought to be the advocate's manner of conducting it? First, he will avoid the disreputable trick of asking a question in an irregular form, which suggests the reply, and, on its being objected to, withdrawing it and asking it in another shape. The degree of good faith with which barristers conform to the rules of evidence is, according to Mr. FITZJAMES STEPHEN, the best test of their honesty. In cross-examination they will distinguish between means which are really of a nature to elicit truth and such as are really of a nature to perplex and stifle it. What an honourable cross-examining counsel does is to use such means as will detect and expose any conscious or unconscious inaccuracy into which the witness may have fallen. SCARLETT would gossip with a witness, till he so diverted the current of his thoughts, that the truth would come forth completely free from bias. However, to suppose that the practice of bullying and browbeating is at all common, except in a very small and disreputable part of the profession, the writer asserts to be a mistake. People form their judgment of barristers from actions for libel, assault, seduction, or breach of promise of marriage, bill cases and horse cases, in which whole days are spent in complicated perjury, and where the suit is *Fool v. Knave*. In the cross-examination of witnesses to their credit a wide discretion is necessarily left in the hands both of the Bar and the Bench. In such a case questions are frequently most material, not only when the matters are relevant, but when they are irrelevant to the question at issue. An accuser may be obliged to admit that he has made similar charges before, and that the persons charged have been acquitted. It would be monstrous to inquire of a woman prosecuted for picking pockets whether she had not had an illegitimate child many years before, yet it might turn out that she owed a grudge on account of the circumstances of that affair. The barrister will consider whether, even if it be in one sense worth while to put the question, it is on the whole worth while to put it, regard being had to its effect on the value of the evidence, the pain it is likely to inflict on the witness, and the magnitude of the stake; and if obliged by his instructions to ask painful questions, he may alleviate the pain which he inflicts by withdrawing the apparent imputation if the answer given is a plain denial, and by apologising.

In arguing the case, what are the advocate's duties? He is not the judge, to array conflicting probabilities and decide between them; but his duty is to urge as forcibly as he can the arguments on one side of the question. But it is not his duty to resort to sophistry or false logic. It is no excuse that he is but the mouthpiece of his client. He is a representative, not a delegate. He gives to his client the benefit of his learning, his talents, and his judgment. But, whenever he asserts aught of his own opinion and belief, he is, of course, bound to assert only that which he conscientiously believes. As a general rule, the less he gives of his own opinions or beliefs the better. One thing he will, in honour, avoid, namely, to influence the jury by considerations foreign to the case. For instance, when the credit of a witness is impeached on the ground of a former conviction, he will not try to get the jury to believe the witness out of compassion. It is no excuse to say that the other side may resort to the like trickery. The simple test is, whether the cause of truth will be advantaged, supposing that both parties resort to the like means.

Granting that by the observance of these principles truth will triumph with greater certainty when two advocates are equal, yet, it will be objected, an advocate is not justified in arguing to the best of his ability on *one* side only, when his opponent is inferior to him. But, practically, the smaller matters get the smaller men, and the greater the men of largest experience and ability. Want of brilliancy is often compensated by less conspicuous qualities. SCARLETT was as great an advocate as BROUGHAM. If there should be a difference, it is the client who is to be blamed for his choice. At the same time it can never be lawful for an advocate to take advantage of the inexperience of an opponent by resorting to means of forwarding his cause which he would never think of if opposed by an equal in ability. In criminal cases, where it is of greater moment not to convict an innocent man than to insure the conviction of a guilty one, the counsel for the Crown is bound to abate somewhat of his exertions in using even sound arguments on the one side; while, on the other hand, the prisoner's counsel is expected to take every advantage which the facts or the law afford, short, however, of throwing suspicion on an innocent person, when he knows his client's guilt.

With the writer's general concluding reflection, that "the moral code of the Bar is a most interesting one," we fully agree. That interest is not impaired by the candid spirit in which he has treated the subject in the paper which we have noticed. Our readers may compare it with the articles which have appeared in this journal, and constitute a treatise on the same subject. But if the object of the writer in *Cornhill* was to controvert Lord BROUGHAM's view, that the advocate should reckon everything subordinate to the interest of his client, the argument was uncalled for. Lord BROUGHAM, like an orator, stated the proposition in its largest form, not counteracting its effect by any negative, nor weakening its force by any qualification. These the intelligence of his hearers would supply. If the duty of an advocate is to be stated in a single aphorism, positiveness and generality become necessities of speech; this being so, how could the duty of an advocate be better laid down than in the words used by Lord BROUGHAM? Ask him, if you think you must put the question, whether the advocate is to be an assassin as well as a warrior, he will answer, "No." Ask him whether the advocate is to support his client's cause *per nefas* as well as *per fas*, he will give the same answer, "No." When Lord BROUGHAM uses the words "everything subordinate," he uses them in the presence of brave and honourable men, who, he knows, will apply them with bravery and honour, not as lurkers and outlaws. It is the quailing, or the "glozing" before kings, before courts, or before judges, above which Lord BROUGHAM would lift the advocate. If you have any doubt, interpret his words by his own great career. His client was his first consideration, yet no assassin stroke, no *nefas*, is ever discoverable there.

JUDICIAL STATISTICS.

No. V.

COMMON LAW.

THE following was the amount of fees received during the year 1864:

	£	s.	d.
Fees received	99,565	7	9
Payments:			
Salaries, pensions and expenses	77,312	0	3
Compensations	21,254	16	3

This was an increase of 6602*l.* of receipts, and 2027*l.* of expenses over 1863. A small surplus of 368*l.* was realised.

THE COUNTY COURTS.

The following abstract shows the business of the year 1864:

Total plaints entered (including 119 in 1864 and 100 cases in 1863, sent from the Superior Courts)		738,481
Causes determined:		
With a jury	838	
Without a jury	401,334	
		402,172
Judgments:		
For plaintiff	236,758	
For plaintiff by consent	147,855	
For plaintiff by default	464	
Nonsuit	8,440	
For defendant	8,655	
		402,172
Judgment-Summonses:		
Issued	76,613	
Heard	42,398	
Warrants of Commitment:		
Issued	23,096	
Debtors imprisoned	6529	
Executions against Goods:		
Issued		124,801
Sales made		3610

Total amount for which Plaints entered £1,760,381.

On Judgments obtained by Plaintiffs on original hearings:

Amount of debts	£980,755
Amount of costs	88,383

Total amount of fees on all proceedings... £244,841

Number of cases in which judgments were obtained:

40*s.* and under	278,034
£5 and above 40*s.*	80,619
10 „ £5	28,840
20 „ 10	11,233
50 „ 20	3,405
By agreement above 50*l.*	11
	402,172

As compared either with 1863, or with the average of the five preceding years, there is a decrease in almost all the above heads. The plaints were less in number by 50,773; the judgment-summonses were fewer by 43,100, and the commitments were 6529 instead of 8588.

The cause of this decrease has been variously suggested, but the better opinion assigns it to the restrictions that have been placed on the power of imprisonment, which have to a considerable extent diminished the efficiency of the County Courts, and prevented prudent creditors from resorting to them.

How expeditiously the business is done in the County Courts will be seen from this, that on the average, 51 causes per day were heard and determined.

There were but 10 appeals, 25 orders to stay proceedings, and 88 cases of *certiorari* to remove proceedings.

The total number of cases is 8 per cent. less than the average of the preceding five years.

Fifty-four per cent of the plaints were actually heard and determined by the judges. Of the judgments given, 95 per cent. were for the plaintiff; 2 per cent. were nonsuits; 2 per cent. were for the defendant. The imprisonments were fewer; but the executions were 6 per cent. more than in 1863.

The sum sought to be recovered is less by 18 per cent. than in 1861. The average sum sought by each plaint was 2*l.* 7*s.* 6*d.*; on the average of five years it was 2*l.* 9*s.* 8*d.*

The costs and fees averaged 14*s.* 1*d.* for each cause determined.

Sixty-nine per cent. of the judgments were for 40*s.* and under.

There were 53 warrants for absconding debtors, in only 7 of which the debt and costs were paid.

But 2 matters were heard and 2 orders made under the Charitable Trusts Act.

590 protection orders to wives were made.

In the ancient local jurisdictions still preserved, there were 28,411 proceedings, seeking to recover 169,414*l.*, actually recovering 132,876*l.*, the costs being 17,939*l.*, and the fees 11,047*l.* The costs and fees together were 21 per cent. on the amount of debt recovered.

SKETCHES FROM THE NOTE-BOOK OF A LAW REPORTER.

SKETCH II.

"ROMILLY."

It would be almost a profanation to affix the words "Sir Samuel" before the name of "Romilly." The object of his whole life was so bound up in the universal good and benefit of mankind as to authorise us in using that name alone. No title could add dignity to his character.

I have chosen him for the second sketch from my fragmentary note-books. In doing so, I have borne in mind the intention I before announced of collecting from them anecdotes of the struggles of talent and perseverance and of ultimate success in the lives of some of those who have shed a refulgent light on the Bar of England within the last half-century, as an incentive to those juniors who are pressing forward in the same doubtful race.

In the notes of the life of such a man, both classes of the Profession have interest—the Solicitor equally with the Advocate.

He was the third surviving child and second son of Mr. Peter Romilly, and was born in the city of London on the 1st March 1757. His father, descended from a highly respectable and influential French Protestant family compelled to quit their country—the south of France—by the revocation of the Edict of Nantes, the Toleration Act of France, had been settled in England for several years before the birth of Romilly. It is singular to reflect how many of the distinguished families of England have had their origin from the same cause. The Fonblanques, the Barings, the Romillys, the Bourliens, and many others might be added to this list.

The circumstances of the early youth and the characters of his parents are feelingly portrayed by himself in a narrative which he penned in 1796, and his own position in life and the progress made in his profession in another narrative which he subsequently composed in 1813. These have both been given to the world in the "Memoirs of his Life, and a Selection from his Correspondence," published by his sons in 1840.

In the first, which appears to have been carefully corrected by him at a later period of life, he details, in the most feeling and interesting manner, his own thoughts and reflections, and the circumstances of his family until he arrived at the age of sixteen. At this period of his life he says: "But it is time to say something of my education, if the little instruction I ever received from masters deserves to be so called. My brother and myself were sent, when we were very young, to a day-school in our neighbourhood, of which the sole recommendation seems to have been, that it had once been kept by a French refugee, and that the sons of many refugees were still scholars at it. All the learning which it afforded we were to receive; but the utmost that our master professed to teach was reading, writing, arithmetic, French, and Latin, and the last was rather inserted in his bill of fare by way of ornament, and to give a dignity and character to the school, than that there was any capacity of teaching it either in our master or any of his ushers."

After describing the character of the master, and stating the intention of his father to place him with an attorney in the City, whose character is very humorously given, and then of procuring him a seat in the counting-house of an eminent mercantile firm there, both of which intentions were, however, abandoned, he describes his new employment in his father's business of a jeweller, and gives most interesting details in regard to his general course of study and the great efforts which he made for self-improvement. This portion of the biography is very delightful reading, conveying, as it does, a most useful lesson of the success which has attended, and will ever attend, a determined and persevering course of study. The result was, that in the space of two years young Romilly had acquired a most excellent and useful self-education.

Shortly after this, a change took place in his father's pecuniary circumstances, from a legacy of considerable amount which had been bequeathed to the family by a relative of his mother. Then a second project was agitated for placing him, as he was eventually, with Mr. Lally, one of the then six clerks of the Court of Chancery, for a period of five years. Romilly describes this gentleman as possessing a strong natural understanding, improved by much reading and much knowledge of the world, a high sense of honour, the purest integrity, a very brilliant fancy, great talents for conversation, an extraordinary flow of spirits, and a most convivial disposition. It must be admitted that Romilly was singularly fortunate in his association with so talented and benevolent an individual. In this employment he had the opportunity of constantly frequenting the Court of Chancery, attending the masters' and other public offices, and thus laying the foundation of a great practical knowledge of the mechanical and subordinate departments of his future profession. In these occupations, however, he says he found no amusement. During their continuance, he became acquainted with the Rev. Mr. Rogét, the officiating clergyman of the French Chapel, where the family attended, and who afterwards married his sister.

Mr. Rogét appears to have been a gentleman of taste, eloquence, and varied acquirements, and subsequently became the means, by his encouragement and advice, of fixing in Romilly the desire of distinguishing himself at the Bar. His disinclination to take that part of the legacy left to the family before alluded to to which he was entitled, out of the hands of his father, in whose business it had been invested, and with which it had been intended he should have purchased a similar place in the Six Clerks' Office to that which Mr. Lally then filled, was an additional inducement to him to look to the Bar for profit and distinction. He consequently entered himself at Gray's-inn at the age of twenty-two, and became the pupil of Mr. Jeffrey Spranger, an eminent equity draftsman. His studies to attain proficiency in this branch of his profession seem to have been intense and persevering.

It may be here noticed that at this time the works of M. M. Thomás had fallen into his hands. He read with attention and much interest his *éloge* of the Chancellor Dugusseau, and he remarks that the career of glory which Thomás represents that illustrious magistrate to have run, had excited, in a very great degree, his ardour and ambition, and opened to his imagination new paths of glory.

This unremitting study had, however, a very prejudicial effect upon his health. He proceeded to Bath, for the benefit of drinking the waters there; but unluckily, a law library having been sold by auction, he purchased many of the books, he renewed his studies, and aggravated his ailments, so that he returned to London in a state of the greatest prostration and despondency. He was, however, gradually attaining convalescence when the riots, provoked by Lord George Gordon in 1780, broke out, and, as one of the volunteer corps of his Inn, he stood sentry at Gray's-inn-gate several nights under arms. This again threw him back; but even then, unable from ill-health and a restless excitement to resume his legal studies, he, as a diversion, began to study the Italian language, and found considerable entertainment in the novelties which the literature of Italy presented to him.

This forcibly recals to my recollection a similar employment of Sir Walter Scott, who, when fatigued and overburdened with the composition, or rather the composition of the conclusion, of one of his Scotch novels, began a new poem, as a means of "refreshing the machine."

Eventually, family circumstances having rendered it advisable that Romilly should accompany the infant child and nurse of his brother-in-law to Geneva, he started, as was not at that time an unusual course, to proceed to Switzerland by easy journeys of *thirty miles* a-day. *Tempora mutantur!* He passed a month at Geneva, his health daily improving; mixed freely in society, and made many valuable acquaintances with men who subsequently became very eminent; amongst others, with Dumont. His acquaintanceship with this eminent man soon ripened into a firm and sincere friendship, which lasted during the remainder of their lives. He returned home by way of Paris, and there also formed friendships with D'Alembert, Diderot, and other men of note, as also with a Madame Delessert, with whom he subsequently maintained a long correspondence, and of whom he gives a very flattering description.

On the subject of this friendship one passage in his second autobiographical sketch must be quoted. It is: "There is nothing indeed by which I have through life more profited, than by the just observations, the good opinion, and the sincere and gentle encouragement of amiable and sensible women."

On his return to England he was called to the bar of Gray's-inn, in Easter Term 1783, choosing, as was then an almost indispensable custom, the Midland Circuit, upon which he entered in the spring of 1784. His accounts of the principal men of the circuit at that time will amply repay perusal. During the sittings of the two Houses of Parliament in this and in the following years, he appears to have been a constant and assiduous attendant, particularly in the the gallery of the House of Commons, of which he afterwards became so distinguished an ornament, and to have transmitted from time to time to his friends at Geneva, Lausanne, and elsewhere, the substance of the principal arguments relied upon by the speakers on both sides of a question, with his own remarks upon the peculiar style, the tone of voice, the talents, and the characters of the principal members of the House. He also presented them with observations on the passing topics of the day, entering very much into detail, and in animated and descriptive language, giving the particulars of the riots of 1780; the part which he took during their continuance; the origin, progress, and termination of the French, Dutch, and American wars; the state of India, and other important subjects.

For nearly ten years he derived little or no pecuniary advantage from his attendance on circuit; but, having heard it accidentally remarked by Mr. Justice Heath—plain John Heath—who strenuously refused to be knighted, "that there was no use in going a circuit without standing sessions," he adopted that course, and joined the men attending the Quarter Sessions at Warwick. Here his business began to increase—indeed, he had not attended many times before he was employed in most of the business there. This naturally increased his engagements in circuit and in London. About the year 1797 he had acquired distinction in the Court of Chancery, to the practice in which he then began to limit his exertions, and the promotion of Sir John Scott, afterwards Lord Eldon, to the bench of the Common Pleas in 1799, opened to him a new career of exertion and profit. In Jan. 1798 he married, and in Michaelmas Term 1800 was advanced to the rank of King's Counsel, and from that period to the day of his death he was the undisputed leader of the Equity Bar of England.

In 1802, during the long vacation, he, with his wife, made a hasty visit to Paris; during which he kept a diary of the remarkable events of this almost awful period, recording with great particularity his visits to the several courts of law. One entry is too remarkable to be omitted, as it shows that it had occurred to his most practical and benevolent mind, that the mode of conducting our own criminal prosecutions, so far as regards the non-examination of the prisoner, was by no means such—nor is it now—as to be conducive to a thorough investigation of the truth. After stating the facts of a case of forgery, tried before the *Tribunal Criminel*, he says: "After every witness was examined, an examination of the prisoner took place by the judges. This would have much shocked most Englishmen, who have very *superstitious notions of the rights and privileges of persons accused of crimes.* It would seem, however, that if the great object of all trials be to discover truth, to punish the guilty, and to afford security to the innocent, *the examination of the accused is the most important and an indispensable part of every trial.* I observed one objection to it, however, which is that the judges often endeavour to show their ability and gain the admiration of the audience by their mode of cross-examining the prisoner. This necessarily makes them, as it were, parties, and gives them an interest to convict."

In 1805 Romilly was appointed Chancellor of Durham, presented by the then Bishop Barrington, under very flattering circumstances. In the following year he was appointed Solicitor-General. From this time it is that may be dated his public and parliamentary life. He thenceforth kept a diary with notes of all important transactions in which he became engaged, of great value to those interested in a knowledge of the secret springs and the progress of the public events of that time.

Shortly after his appointment as Solicitor-General he was elected member for Queenborough, and first took his seat in the House of Commons on the 24th March 1806. On the

same day he was chosen in a committee to manage the trial of Lord Melville. Within a day or two afterwards he assented, at the request of Mr. Wilberforce, to speak and take an active part in the measures then in progress for the abolition of the slave trade. The first time he addressed the House was on the 17th April 1806, on a Bill to declare that a witness could not by law refuse to answer a question on the ground that his answer might subject him to a civil suit.

At the dissolution in 1806 he was again elected for the borough of Queenborough.

In the spring of the following year, on a change of administration, he ceased to be Solicitor-General, and from that time never took office.

In May 1807 he was elected member for the borough of Horsham. In his diary for the month of July following, is an entry which may serve as an index to his general conduct on occasions where his intentions in favour of effecting salutary reforms were opposed, as they continually were, with a probability of being wholly thwarted: "But we found that the Bill [a Chancery practice Bill] so altered would meet with opposition, and would probably be lost; and *I thought it better to do the little good that was allowed me, rather than, by attempting too much, fail of doing anything.*"

In 1808 he was unseated by a committee of the House on a petition against his return for Horsham, but in April was re-elected for Wareham. From this time until the dissolution in 1812, he regularly attended to his parliamentary duties, when in October of that year he was nominated for Bristol, but was not returned, and shortly afterwards was chosen member for Arundel. In July 1818 Parliament was again dissolved, when he was urgently solicited to be a candidate for Liverpool, Chester, London, and also for Westminster, with the requisition for which last-mentioned constituency he complied, and after one of the most exciting elections which has, perhaps, ever occurred in the memory of any one now living, he was on the fifteenth day returned at the head of the poll, the numbers being nearly 6000 in his favour, although he had never used the slightest solicitation to any voter, or even made his appearance on the hustings. It is quite impossible to convey to those who, unlike myself, did not witness it, an adequate description of the popular enthusiasm with which the issue of this prolonged contest was greeted by the assembled multitudes, and in a short speech—his first appearance before the electors—Romilly expressed, in strong and simple language, the feelings with which their confidence had inspired him.

A memorandum, in one of my note-books, reminds me that a most zealous partisan of the Whigs of that day, a solicitor, and who had himself been member for Ipswich, a personal friend of Sir Samuel, was at that time a member of the Committee of Management of Drury-lane Theatre, and wishing that the new member for Westminster should be accompanied with all possible *éclat* on his return from the hustings to his home, had engaged a magnificent band of music, and the whole of the supernumeraries of the theatre to head a monster procession for his chairing; but when they arrived at Burlington-house, the head-quarters of the Whigs, and were forming for that purpose, it was, to their dismay, discovered that the object of their good intentions had, after concluding his address of thanks, quietly left the house, and elbowed his way unobserved through the dense crowds to his chambers in Lincoln's-inn.

Sir Samuel did not, however, long survive his election, or take his seat in the House as member for Westminster, dying prematurely on the morning of the first day of Michaelmas Term, the 2nd Nov. 1818. I well remember that day, happening to be in court. Lord Eldon, the Chancellor, on the news being communicated to him, immediately adjourned his sitting, and the court was closed.

(To be continued.)

INVESTMENT JOURNAL.

THE week has been uneventful. Prices remain as before, but the tendency is upwards. The holidays are now drawing to a close, and business will soon recommence. It is expected that there will then be a considerable advance in the prices of all sound enterprises; so that this is a time *to buy*. The fluctuations are as follows:

ENGLISH FUNDS	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	250	shut	shut	...	...
3 per Cent. Red. Ann.	88	87⅞	89⅛	87⅞	88⅛	87⅞
3 per Cent. Cons. Ann.	89⅛	89⅛	89	89⅛	89⅞	89⅝
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	94⅛	...	...
New 3 per Cent. Ann.	88	87⅞	89⅛	87⅝	87⅛	87⅞
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	13⅛	13⅛	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅛	89⅛	89⅛	89⅛	89⅛	89⅛
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	217	...	218	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	...	...
India 5 per Cents. 1870	105⅛	105⅛	105⅛	105⅛	105⅛	...
India Bonds (1000l.)	...	22pm	...	...	...	...
Do. (under 1000l.)	20pm	22pm	...	25pm	25pm	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	89	...	...
Do. do. 5 per c. Jan. 1872	89	101⅛	...	...	...	...
Do. do. 5 per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000l.	...	*a*	...	*b*	*c*	*d*
Do. 500l.	...	*a*	*a*	*b*	*c*	...
Do. 100l. & 200l. 3 per c.	...	*a*	*a*	*b*	*c*	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3 3/4 per ct. 3s. dis.
b 3 3/4 per ct. 3s. dis. 1s. pm.
c 3 3/4 per cent. par 3d. pm.
d 3 3/4 per cent. 4s. dis.

SOLICITORS' JOURNAL.

Correspondence.

On the 18th Sept. we issued a certain writ, and sent it down to G. B. Stubbs, a solicitor of Walsall, for service. On the 19th Mr. Stubbs wrote to our clients the letter which we inclose, No. 1. In reply thereto, our clients sent Mr. Stubbs 8s. 6d., the fee for serving and letter, requesting him, if he was discontented, to be kind enough to hand the fee and writ to another Walsall solicitor. Mr. Stubbs then writes a letter, of which we send you a copy, No. 2.

No. 1.

Walsall, 19th Sept. 1865.

Messrs. Gainsford and Bramley, Solicitors, Sheffield.

TURNER AND WALKER v. LOWE.

Gentlemen,—I have this morning received from Messrs. Singleton and Tattershall a writ of summons to serve on defendant at the suit of your clients. In cases of this kind I have found it necessary to require prepayment, by the neglect of correspondents (strangers) to pay the fees, after the writ served. I feel sorry to adopt this course with yourselves, but I cannot forego the rule I have laid down for myself. On receipt of 2s. postage stamps, I will attend to your instructions, at the same time being informed the name of the street or place of business where defendant is to be found.—I am, Gentlemen, yours respectfully,

G. B. STUBBS.

No. 2.

Walsall, 21st Sept. 1865.

Messrs. Gainsford and Bramley, Solicitors, Sheffield.

TURNER AND ANOTHER v. LOWE.

Gentlemen,—I cannot be expected to employ a man to find the defendant in a population of 56,000, for 2s. 6d., to effect a service; it would seem to be necessary for one of your clients to come here and identify the defendant, or employ a police officer to find him. I am not an errand-boy, nor obliged for the residue of 8s. 6d., after payment of 5s. and posts, making copy writ, and writing letters, besides attendances on service to make search, and perhaps not serve the right man at last. I am not to be bound by the taxing master on the scale of my charges. I send the writ, with the privilege of selecting your own correspondent; also the stamps, minus those used to you.—I am, not your obliged,

G. B. STUBBS.

We leave the letters to speak for themselves. We may add, it was of importance that the writ should be served at once, and we protest against the delay which this Mr. Stubbs has caused us. Surely it is the duty of a country solicitor to effect service, without requiring his fee to be paid beforehand.

SINGLETON AND TATTERSHALL.

42, Great James-street, Bedford-row,
London, W.C., 22nd Sept. 1865.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2s. 6d. each, for which postage-stamps should be inclosed.]

Mr. Joseph N. M'Kenna, M.P., of Ardoo-house, Ardmore, county Waterford, and of Lancaster-gate, Hyde-park, London, has been appointed to the Commission of the Peace for the county of Waterford, on the recommendation of Lord Stuart de Decies, Lord-Lieutenant of the county of Waterford.

INDIA.—Mr. J. B. Spedding has been appointed assistant to the collector and magistrate of the North Arcot district, Madras Presidency; and Mr. J. Wallace to be assistant to the collector and magistrate of the Tinnevelly district, Ceylon.—Mr. J. W. W. Birch has been appointed district judge of Kurnegalle, *vice* Captain J. B. Graves, deceased; Mr. W. E. T. Sharpe to be district judge of Batticaloa, *vice* Birch, promoted; Mr. F. R. Saunders to be assistant at Kandy to the Government agent, *vice* Sharpe; Mr. G. E. Worthington to be assistant at Trincomalee to the Government agent, *vice* Saunders; Mr. J. Massie to be commissioner of the Court of Requests at Chavagacherry, *vice* Worthington; Mr. J. W. W. Birch to be acting commissioner of the Court of Requests at Colombo; and Mr. R. W. D. Moir to be acting assistant at Ratnapoora, and acting assistant-judge.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

CROSS (Richard Powell), Charter-house-square, London, watchmaker. Oct. 9; E. H. Barlee, solicitor, 52, Old Broad-street, London. Nov. 4; V.C. S., at noon.

LEAVETT (Ambrose), Carshalton, Surrey. Oct. 10; C. Wilson, solicitor, 65, Basinghall-street, London. Oct. 30; V.C. W., at eleven o'clock in the forenoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BALL (Richard), 6, Great Tower-street, London, and 16, Wilton-terrace, New North-road, Middlesex, indigo merchant. Nov. 1; Stibbard and Beck, solicitors, 27, Leadenhall-street, London.

BASSET (Frederick John), 3, Wellington-parade, Lowestoft, Suffolk, Esq. Oct. 31; J. Satchell, solicitor, 6, Queen-street, Cheapside, London.

BLENT (Mary), 28, Adelaide-crescent, Hove, near Brighton, widow. Oct. 31; Birch and Ingram, solicitors, 68, Lincoln's inn-fields, London.

BULLIVANT (Francis), Eastcheap, London, and Stockwell-villas, Surrey, tea merchant. Nov. 1; H and F. Chester, solicitors, 86, Newington-butts, London.

COMBS (Mary Day), formerly of 27, Bedford-gardens, Kensington, Middlesex, late of Matlock, Derbyshire. Dec. 1; Burgoynes, Milnes, and Burgoyne, solicitors, 109, Oxford-street, London.

DAWSON (Christopher Holsworth), Royds-hall, Bradford, Yorkshire, Esq. Nov. 1; Hailstone and Mumford, solicitors, 73, Manchester-road, Bradford.

DUNN (Elizabeth Hannaford), Elm-field-place, Saint Leonard, Devon, widow. Dec. 1; R. T. Read, solicitor, 24, Southernhay, Exeter.

GABRIEL (Samuel Burleigh), 6, Exeter-buildings, Westbury-upon-Trym, Bristol, architect. Oct. 25; J. Gent Wood, solicitor, 19, Clare-street, Bristol.

HARVEY (John Nicholas), Stormsham-terrace, near Portsmouth, gentleman. Nov. 1; Hellard and Son, solicitors, 132, High-street, Portsmouth.

LOW (Richard), Soundwell, Bitton, Gloucestershire, gentleman. Oct. 23; Stanley and Wansbrough, solicitors, Corn-street, Bristol.

MAITLAND (Joseph), formerly of the East India-house, Leadenhall-street, and Apollo-buildings, Walworth, Surrey, late of Sudbury, Suffolk, gentleman. Nov. 1; Lovell and Co., solicitors, 14, South-square, Gray's-inn, London.

MARTIN (George), Southampton, wine-merchant. Oct. 9; Green and Moberley, solicitors, Portland-terrace, Southampton.

MASSEY (Mary Ann), 23, King-square, St. James, Bristol, widow. Oct. 25; J. Gent Wood, solicitor, 19, Clare-street, Bristol.

PALMER (Frederick), 3, Allesmarle-row, Clifton, Bristol, gentleman. Oct. 25; J. Gent Wood, solicitor, 19, Clare-street, Bristol.

STRONGE (Thomas), Cirencester, gentleman. Nov. 1; Mullings and Co., solicitors, Cirencester.

TAYLOR (Charles), Stockport, Cheshire, farmer. Oct. 6; W. Smith, solicitor, Stockport.

THOMPSON (Ralph Keddey), 1, Berkeley-villas, Pittville, Cheltenham, Gloucestershire, Esq. Oct. 30; Wilson and Duncan, solicitors, Chapel-street, Preston.

TRIPP (Rev. Charles), rector of Silverton, Devon. Nov. 30; C. E. Rowcliffe, solicitor, Stogumber.

WALKINGTON (W. Robt.), the Stock Exchange, London. Oct. 31; Garrard and James, solicitors, 15, Suffolk-street, Pall-mall east, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

GILBERT (Mary Ann), of Eastbourne, Sussex, widow, and HOLMES (Mary Ann), of Gandy-hall, Norfolk, spinster. Old Three per Cent. Consols. Claimant, Mary Ann Holmes, the survivor.

SHEPHERD (William and Mary), Wilton-crescent, Belgrave-square. 22l. 3s. 9d. Three per Cent. Consols. Claimant, Mary Shepherd, the survivor.

MR. WINDHAM'S COSTS.—The costs of the proceedings in lunacy against Mr. Windham have at length been ascertained and paid, and it seems that, so far from getting anything by them, their authors have had to pay 13,000*l.*, which has been contributed by Gen. Windham, the Marquis of Bristol, Lord Listowel, and one or two others.—*Correspondent of the Belfast News Letter.*

THE LAW OF COPYRIGHT.—At the judges' chambers last week a novel application was made to Mr. Justice Montague Smith, in the case of *Bradley* v. *Dewey*, for an injunction against the publisher of the *Turf Gazette* on the part of the plaintiff, as publisher of the *Judex Weekly Turf Circular*. The two publications were placed before his Lordship. The complaint was that the *Circular* was a high priced paper published on a Saturday, and that the *Gazette* was a cheap publication issued on the Monday, and gave the key numbers of the horses likely to win the races, which the plaintiff had been at great expense to collect. Mr. Soper, from the office of Mr. Hooper, for the defendant, said all the "tips" were given, and the object was to benefit the public and expose those who pretended to tell the winner of the race. His Lordship asked the meaning of the word "tipster." Mr. Soper said it was one who prophesied, or pretended to tell the winners—who "tipped" the word. Mr. Justice Montague Smith remarked that it was a matter that the Jockey Club might decide. He did not see how he could inter-

fere. He thought the best course would be to leave the plaintiff to his remedy by action. Mr. Soper referred to the Copyright Act (5 & 6 Vict. c. 45), which was passed to protect literary works of lasting benefit to the public. He apprehended that a sporting paper was not a "a literary work of lasting benefit to the public." On his Lordship being pressed to grant an injunction, he said his impression was against granting it. He would, however, consider the matter. His opinion was that the plaintiff should proceed with his action, and not press for an injunction. Mr. John Scott appeared for the plaintiff.

ELECTION EXPENSES.—The return of the expenses connected with the election of Baron Rothschild, Mr. R. W. Crawford, Mr. G. J. Göschen, and Mr. Alderman W. Lawrence, as representatives of the city in Parliament, shows an average expenditure of 1560*l.* 0*s.* 9½*d.*——The official return of the expenses incurred by the candidates at the late election for the borough of Leeds has been published. Those of Mr. G. S. Beecroft, the successful Conservative candidate, amounted to 1739*l.* 15*s.* 6*d.*, and the chief items were as follows: Official expenses, 175*l.* 13*s.* 11*d.*; solicitors for professional services, 341*l.* 9*s.*; poll agents, 107*l.* 2*s.*; ward and district expenses, 244*l.* 17*s.* 3*d.*; printing, stationery, and advertising, 210*l.* 0*s.* 6*d.*; horse, coach hire, and railway passes, 518*l.* 19*s.* 4*d.* Those of Mr. Baines and Lord Amberley, who were the Liberal candidates, and whose election expenses are conjoined, were 1223*l.* 0*s.* 11½*d.* The principal items are given as follows: Advertising, printing, and stationery, 308*l.* 10*s.* 1*d.*; cabs and tolls, 169*l.* 14*s.* 10½*d.*; canvassers, clerks, and messengers, 219*l.* 7*s.* 1*d.*; professional charges, 105*l.*; official expenses of the mayor and returning officer, 317*l.* 3*s.* 9*d.* These differences between the two accounts show considerable diversity in the details, from which it appears that there is no uniform system of making out or classifying the accounts. They also show that the expenses of the two Liberal candidates—one of whom (Mr. Baines) was elected—were upwards of 500*l.* less than that of the Conservative.

THE BENCH AND THE BAR.

Lord Brougham is staying at Brougham-hall, Westmoreland, and is in excellent health. The noble and learned lord attained his 87th year on Tuesday last.

THE HON. GEORGE DENMAN.—The Liberals of Tiverton, which town was represented in Parliament by the Hon. George Denman up to the late dissolution, have subscribed to present their late member with a testimonial in consideration of his services to the borough. The sum collected amounts to 150*l.*, which will be expended on a silver candelabrum, to be presented to the hon. gentleman in November next.

Manchester, having succeeded in obtaining a magnificent and most convenient building for the Assize Courts, which is of Gothic character, seems inclined to try if there is any risk of failure in the use of the so-called "Italian style." Doric columns, thirty feet in height, are to form a "portico," destined to unite two wings of the building, and be inclosed by them, and face a central mass. The edifice is proposed to have two fronts, which resemble each other in all important particulars.—*Athenæum.*

JUDGE COURSOL.—Mr. Torrance, whom the Canadian Government instructed to report on the conduct of Judge Coursol, in the matter of the charge against the St. Albans raiders brought before him, has made his report. While exonerating the judge from the imputation of corrupt or improper motives, Mr. Torrance recommends that he be indicted for malfeasance of office. Judge Coursol insists that he acted as judge, and not as justice of the peace, and was not bound to report to the Government. Mr. Torrance takes a different view.

PRUSSIAN JUDGES.—The Minister of Justice in Prussia has issued a circular cautioning the judges of the land not to frequent taverns, or lunch at places of public resort. In the time of Juvenal the tavern was considered an unfit haunt for an official, and the Roman satirist dwells on the scandal of a minister of the law sharing the same couch with those who habitually offend against the law—sailors, and thieves, and refugees. We hope the Prussian judges were not accustomed to lunch with such dreadful people, but the meaning of the warning is plain.

A BOY BARRISTER.—A singular instance of mental precocity has just been given at Montpellier, M. Emmanuel de Ricard, only sixteen years of age, has been admitted a member of the bar of that town. The first President of the Court, in administering the oath, introduced the young barrister to his future confrères by a flattering address, in which he referred to the brilliant studies that M. de Ricard had gone through. At twelve he had, by a dispensation of age, been received bachelor of letters, and a few months later had obtained the same degree in science. He was then, after a most severe examination, received in the Naval School of Brest; but in place of entering the navy, he accomplished his law studies at the Ecole de Droit of Toulouse with great *éclat*, and had now been duly received as advocate.

SOUTH AUSTRALIA.—Mr. Justice Boothby and Mr. Justice Gwynne, the two puisne judges of the Supreme Court, have decided (the Chief Justice dissenting) that there is no such court legally constituted as the Local Court of Adelaide. The decision is, that the Constitution Act, giving power to the colony to make laws for the peace, order, and good government of the colony, does not convey power to establish courts of justice, and that no Colonial Legislature can erect such courts without express power from the Imperial Parliament. All the local courts of this colony are pronounced to be no courts, and the magistrates no magistrates. The judges perhaps believed, that the English mail would bring news that the doubts so frequently expressed in the Supreme Court as to the competency of our Legislature to establish courts of law had been removed by Imperial legislation; but no such Act has arrived, and these two judges have pulled down the old courts before we possess power to erect new ones. Some barristers have been advising their clients to resist by physical force the officials of the inferior courts. This is something like anarchy. Our position is not improved by the circumstance that scarcely any one in the colony takes the view of these two judges: our Supreme Court consists of three judges, and if the majority were to declare that two and two do not make four, we should be compelled to get an Imperial Act for the rescue of colonial arithmetic. In the present emergency the Government have carried two measures through the Assembly with large majorities; one to indemnify magistrates who sit in local courts, the other to give an appeal from the local courts to the Local Court of Appeal. The two judges consider that that court also has no existence, and, consisting as it does of the Governor and the Executive Council, it is not the tribunal we should prefer for questions of law; but as a temporary expedient it may be used with advantage. Notwithstanding the judges' decision, the local court of Adelaide continues to sit, but some lawyers have refused to plead before it. We are anxiously looking for an Act from the Imperial Parliament declaring our local legislation valid.—*South Australian paper.*

THE SOCIAL SCIENCE CONGRESS.—The programme of arrangements for the approaching (the ninth) annual Congress, in Sheffield, has been issued. The Congress opens, on the 4th proximo, by a general meeting of members and associates in the Alexandra Music-hall, Blonk street. This hall, which was known as the Adelphi Theatre, is being prepared by Mr. Youdan for the general meetings, and although much remains to be done before the alterations are completed, there is no doubt, from the energy with which the work is being pushed forward, that they will be finished by the time named. Lord Brougham will deliver the address. On the following morning Sir R. Phillimore, the Queen's Advocate-General, president of the first department (Jurisprudence), will deliver an address to the members and associates in the Alexandra Music-hall; and after the sections have risen for the day there will be a meeting of working men in the same hall, at which the venerable and illustrious president of the association will take the chair. On Friday morning the Dean of Chichester, president of the Education department, will deliver an address; and in the evening there will be a conversazione at the Cutlers'-hall. Arrangements have been made for excursions to Chatsworth, Haddon-hall, and "the Dukeries" on the Saturday. On Monday, Dr. Lankester, the coroner for Middlesex, who is president of the Health department, will deliver an address in the Mechanics'-hall, and the evening of that day will be devoted to private hospitalities. The Economy and Trade department is as yet without a president. The address will be delivered on the Tuesday morning in the School of Art; in the evening there will be a reception in the Cutlers'-hall, by invitation of the Mayor. The concluding general meeting will be held in the Music-hall on Wednesday. We may add that Sheffield will be well represented in regard to papers by local gentlemen, who have taken up questions affecting the trading interests and the health of the town. The committees have arranged that the banqueting room of the Cutlers'-hall shall be the general reception room where the members and associates may meet, and where information upon all subjects connected with the Congress may be obtained. The various sections will be accommodated in different buildings within a narrow radius. The department for Jurisprudence and the Amendment of the Law will meet daily in the Council-hall, Norfolk-street. The meetings of the Education department will be in the Music-hall, Surrey-street. The Health department will meet in the Mechanics'-hall, Surrey-street. The Economy and trade department and the Agriculture and Art sections will meet in the School of Art; and the Reformatory section in the Church Institute, St. James's-street.—*Sheffield Independent.*

MAGISTRATE AND PARISH LAWYER.

READINGS OF NEW STATUTES RELATING TO MAGISTRATE AND PARISH LAW.

By T. W. SAUNDERS, Esq., Barrister-at-Law.

No. IV.

THE FALMOUTH GAOL DISCONTINUANCE ACT 1865 (28 & 28 VICT. c. 103).

THE legislative enactment which deprives the good people of the ancient town of Falmouth of their quarter sessions and their gaol, is one which deserves something more than a passing observation. In these days, when our towns are so proud of their civilisation, when we find them so clamorous for political and social privileges, when sanitary improvements are their constant subject of discussion, and when the spirit of emulation is so rife amongst them that we find them competing one with another for the expensive honour of entertaining British, Social, Agricultural, Archæological, and other Associations, it is indeed a little odd to see a renowned and tolerably wealthy and prosperous borough taking active and successful steps to deprive itself of an institution which, more than any other, confers upon it a dignity, an honour, and great social importance. A large town, of vast population, may be but an aggregation of houses—a place of no social dignity or influence in the great body politic; whilst a little city of 5000 inhabitants may in all these particulars be a place of considerable consideration. In what consists the difference between Canterbury and Croydon, Oxford and Burnley? They are places equal in population. The difference consists in their institutions. Men and women are but men and women in every place; but places differ from each other by virtue of their institutions. Strip Canterbury of its archiepiscopate, its privilege of returning members to Parliament, its quarter sessions, and its municipal corporation, and it would be dragged down to the social and political level of Croydon. Deprive Oxford of its University, its episcopate, and its other domestic public institutions, and except in the recollections of the past it would be of less weight in the social scale than Burnley. The little city of Lichfield with its 6000 inhabitants would feel itself immeasurably degraded by being thought to be only on a level in municipal importance with such places as Barnsley, Glossop, Stalybridge, and Hanley, though each of the latter places has three times its population—and why? Because Lichfield has important social institutions, while Barnsley, Glossop, Stalybridge, and Hanley have them not. Honours and privileges are to a town what honours and privileges are to individuals. There are aristocracies of towns as there are aristocracies of persons; our thirty English cities are of the first order of this aristocracy, our parliamentary boroughs are the next, and our corporate towns, having their local quarter sessions, follow; and if all these honours are conferred upon one town, it necessarily becomes a place of great social importance. It is something to be an inhabitant of a locality which has been deemed worthy of having these privileges conferred upon it.

Viewed alone in a pecuniary point of view, we cannot but think that the good people of Falmouth have acted without due consideration: but if looked at from other points, their conduct would appear to be rash and ill-advised in the extreme. There are many boroughs in England of less population than Falmouth, such as Buckingham, Dartmouth, Devizes, Ludlow, Richmond, Southmolton, and twenty others, possessed of grants of quarter sessions, all of which may with equal reason seek for a discontinuance of their local criminal court. Many of these, influenced by the example of Falmouth, may probably be tempted to make the experiment, but before they do so, we beg of them to consider well the position in which they will be placed. To understand precisely the gains and losses consequent upon having or losing a grant of quarter sessions, we will first show the gains resulting from having such sessions.

By virtue of such a grant, the town becomes exempt from contributing its quota to the county rate, whilst at the same time, if it has a borough rate (as almost all municipal boroughs have) the cost of the prosecution of offenders at its borough sessions is defrayed ultimately out of the Consolidated Fund. By having such a grant the

town council have the power of appointing their own coroner, inspector of weights and measures, and gas inspector, to say nothing of their power to appoint the clerk of the peace, &c. By such grant the burgesses are exempt from attending as jurors, either grand or petty, at the county quarter sessions, and prosecutors, witnesses, and others concerned in sessions cases arising in the borough are spared the trouble, loss of time and expense of going from home, perhaps to a very considerable distance for several days to attend such county sessions.

The gains consequent upon an *abolition* of a local quarter sessions consist solely in the saving of the salaries of officials and (in cases in which the town has its own gaol and does not contract with the county justices) in the establishment expenses of their local prison. These, however, are not clear gains; for, inasmuch as the town becomes re-assessable to the county rate, it has to bear its proportion of the expenses of the county prison, together with that of the support of the prisoners, whilst it has the additional burden of paying heavy compensation to the recorder and other officials for the loss of their respective offices.

Now, we apprehend that, in a pecuniary point of view alone, a borough can be but a little gainer by the abolition of its local Court of Quarter Sessions, whilst in every other point of view it must be a considerable loser. It is all very well for the burgesses to imagine that, because they have few or no prisoners for trial at their local quarter sessions, such sessions are therefore a burden; but they should remember the many solid advantages they reap from the existence of those sessions, and what they would lose, and to what they would be subjected, if such quarter sessions were to be taken away. To say nothing of the degradation of the borough by the loss of such an institution, and leaving out of consideration the reimposition of the county rate and the compensation to officers, the mere inconvenience to the burgesses of being called away at all times of the year from their homes and employments to a distance of many miles, and for several days, to the county quarter sessions as jurors, prosecutors, witnesses, &c., with no remuneration, or a remuneration of a most inadequate amount, ought to make the inhabitants reflect well upon the wisdom of taking any steps that shall deprive them of their local quarter sessions. As regards the borough of Falmouth, to use the expressive language of the London boys, "*they have been and gone and done it*," and there is no help for them; but as regards other small boroughs, we beg of them, before they take a similar step, to consider well whether or not by taking it they will really promote any desirable object. Upon mature reflection we are satisfied that no wise municipality would desire to get rid of their local criminal court, for that laying aside all considerations connected with the local degradation which the act would entail, the general disadvantages would in no way be compensated by the very small pecuniary savings which might be effected.

Correspondence.

Small Penalties Act.—Your correspondent "C. H." in his letter of the 19th inst., for the reasons there given, states that there is now no statute in force imposing a penalty for simple drunkenness, which opinion I am inclined to doubt, on the ground that the 21 Jac. 1, c. 7, s. 3 (Ruffhead's edition) is still in existence, for the reasons hereinafter mentioned. The only statutes as to drunkenness are, 4 Jac. 1, c. 5, and 21 Jac. 1, c. 7. The former was made perpetual by the latter, but the 21 Jac. 1, c. 28, only continued the former until the end of the first session of the then next Parliament, when of necessity the 4 Jac. 1, c. 5, ceased, rendering unnecessary the repeal of that statute by the 9 Geo. 4, c. 61. The 9 Geo. 4, c. 61, also repeals the 4th section of 21 Jac. 1, c. 7, only, and as the Statute Revision Act, 26 & 27 Vict. c. 125, only repeals the 21 Jac. 1, c. 7, except sects. 3 and 4 (Ruffhead's edition), which 4th section was repealed as aforesaid, still the 3rd section of 21 Jac. 1, c. 7, remains untouched, and therefore the power to impose a penalty for simple drunkenness is in force. An important question, however, in practice arises, namely, the recovery of the penalty when imposed, and the alternative in default of payment. Up to the time of the passing of the Statute Revision Act it was generally considered that the reference in 21 Jac. 1, c. 7, s. 3, as to the mode of recovery or punishment mentioned in 4 Jac. 1, c. 5, was sufficient to continue that mode, although the statute itself was repealed. I am inclined, however, to doubt this, as I cannot see how a repealed statute can be acted upon at all, and if I am right in my conclusions the remedy in default was gone by the operation of 21 Jac. 1, c. 28. This being so, the Small Penalties Act will now, according to my view, come into operation, both as regards the penalty and costs.

A. B. S.

THE CATTLE PLAGUE.

Orders in Council.

At the Council Chamber, Whitehall, the 22nd Sept. 1865:

By the Lords of Her Majesty's Most Honourable Privy Council. Present—Lord President, Duke of Somerset, Earl of Clarendon, Earl de Grey and Ripon, Mr. Secretary Cardwell, Mr. H. A. Bruce.

Whereas by an Act passed in the session of the 11th and 12th years of Her present Majesty's reign, c. 107, entitled "An Act to prevent, until the 1st day of Sept. 1850, and to the end of the then next session of Parliament, the spreading of contagious or infectious disorders among sheep, cattle, and other animals," and which has since been from time to time continued by divers subsequent Acts, and lastly, by an Act passed in the session of the twenty-eighth and twenty-ninth years of the reign of Her present Majesty, c. 119, it is (among other things) enacted that it shall be lawful for the Lords and others of Her Majesty's Privy Council, or any two or more of them, from time to time, to make such orders and regulations as to them may seem necessary for the purpose of prohibiting or regulating the removal to or from such parts or places as they may designate in such order or orders, of sheep, cattle, horses, swine, or other animals, or of meat, skins, hides, horns, hoofs, or other parts of any animals, or of hay, straw, fodder, or other articles likely to propagate infection; and also for the purpose of purifying any yard, stable, outhouse, or other place, or any waggons, carts, carriages, or other vehicles; and also for the purpose of directing how any animals dying in a diseased state, or any animals, parts of animals, or other things seized under the provisions of the said Act, are to be disposed of; and also for the purpose of causing notices to be given of the appearance of any disorder among sheep, cattle, or other animals; and to make any other orders or regulations for the purpose of giving effect to the provisions of the said Act, and again to revoke, alter, or vary any such orders or regulations; and that all provisions for any of the purposes aforesaid in any such order or orders contained shall have the like force and effect as if the same had been inserted in the said Act; and that all persons offending against the said Act shall for each and every offence forfeit and pay any sum not exceeding twenty pounds, or such smaller sum as the said Lords or others of Her Majesty's Privy Council may in any case by such order direct.

And whereas a contagious or infectious disorder now prevails among the cattle of Great Britain, which is generally designated the "cattle plague," and may be recognised by the following symptoms:—

"Great depression of the vital powers, frequent shivering, staggering gait, cold extremities, quick and short breathing, drooping head, reddened eyes, with a discharge from them, and also from the nostrils, of a mucous nature, raw-looking places on the inner side of the lips and roof of the mouth, diarrhœa or dysenteric purging."

And whereas several orders, dated respectively the 24th July, the 11th, 18th, and 26th Aug. 1865, have been made under the authority of the said Acts by the Lords of Her Majesty's Privy Council, with a view to check the spreading of the said disorder.

And it is expedient to consolidate and amend the said orders:—

Now, therefore, the Lords of Her Majesty's Privy Council do hereby, by virtue of, and in exercise of the powers given by the said Act, so continued as aforesaid, order as follows:

1. This order shall extend to all parts of Great Britain.

2. The said orders dated respectively the 24th July, the 11th, 18th, and 26th Aug. 1865, are revoked, with the exception of so much of the said order, of the 24th July 1865, as empowers the clerk of Her Majesty's Privy Council to appoint inspectors within the limits of the metropolitan police district, provided that such revocation shall not affect any appointment made, or any act done, or penalty recoverable, under any order hereby revoked.

3. In this order the word "animal" shall mean any cow, heifer, bull, bullock, ox, calf, sheep, lamb, goat, or swine; and the word "inspector" shall include any inspector appointed under this order, or under any of the said revoked orders.

4. Whenever the local authority, as hereinafter defined, shall be satisfied of the existence of the said disorder in, or have reason to apprehend its approach to, the district over which his or their jurisdiction extends, it shall be lawful for such local authority, if he or they shall think fit, from time to time to appoint one or more veterinary surgeon or surgeons, or other duly qualified person or persons, to be an inspector or inspectors, for the purpose of carrying into effect the rules and regulations made by this order, within the district for which he or they shall have been appointed. And the same authority may, from time to time, revoke such appointment.

5. Subject to the powers herein reserved to the Clerk of Her Majesty's Privy Council, the local authority within the City of London and the liberties thereof, shall be the Lord Mayor; in any municipal borough in England and Wales, the mayor; in any petty sessional division in England or Wales (exclusive so far as relates to the jurisdiction of the inspector of so much of the said division as lies within the limits of a municipal borough for which an inspector has been appointed), the justices acting in and for such petty sessional division. The local authority in any burgh or town in Scotland which is subject to the jurisdiction of a provost or other principal magistrate, shall be the provost or such principal magistrate; and in any other place in Scotland not within the jurisdiction of such provost or other principal magistrate, the justices of the county in sessions assembled.

6. Every inspector shall from time to time report to the local authority by which he is appointed the steps taken by him for carrying into effect the regulations prescribed by this order; and the local authority shall certify, in such manner as may be directed by one of Her Majesty's Principal Secretaries of State, the number of days that such inspector has actually been engaged in the performance of his duty, and the number of miles travelled by him while thus engaged.

7. Every inspector shall furnish the Lords of the Council with such information in regard to the said disorder as their Lordships may from time to time require.

8. Every person having in his possession, or under his custody, any animal labouring under the said disorder shall forthwith give notice thereof to the inspector of the district within which such person resides, or if no inspector shall have been appointed for the district within which such person resides, then to the officers hereinafter named, according to the place of residence of the person obliged to give notice—that is to say, within the metropolitan police district, to the said clerk of the Privy Council; within the city of London and the liberties thereof, to the Lord Mayor; within any other borough, burgh, or town subject to the jurisdiction of a mayor, provost, or other principal magistrate, to such mayor, provost, or other principal magistrate; elsewhere in England, to the clerk of the justices acting in and for the petty sessional division; and elsewhere in Scotland, to the clerk of the peace of the county.

9. Every inspector shall have power to enter upon and inspect any premises or place in which any animal or animals may be found within the district for which he is appointed, and to examine and inspect, whenever and wherever he may deem it necessary, any animal within such district.

10. Every inspector shall have power within his district to seize and slaughter, or cause to be seized and slaughtered, and to be buried, as hereinafter directed, in any convenient place, any animal labouring under the said disorder.

11. Every inspector shall have power within his district to cause to be cleansed and disinfected in any manner which he may think proper any premises in which animals labouring under the said disorder have been, or may be, and to cause to be disinfected, and if necessary destroyed, any fodder, manure, or refuse matter which he may deem likely to propagate the said disorder. And every owner or occupier of such premises shall obey any order given by such inspector for that purpose.

12. Every inspector shall have power within his district to direct that any animal which he suspects to be labouring under the said disorder shall be kept separate from animals free from the said disorder. And every person having in his possession or under his custody such animal shall obey any order given by such inspector for that purpose.

13. Every person having in his possession or under his custody any animal labouring under the said disorder shall, as far as practicable, keep such animal separate from all other animals, and shall not, if the animal be within a district for which an inspector has been appointed, remove the same from his land or premises without the licence of the inspector.

14. No person shall send or bring to any fair or market, or expose for sale, or send or carry by any railway, or by any ship or vessel coastwise, or place upon, or drive along, any highway or the sides thereof, any animal labouring under the said disorder.

15. No person in any district for which an inspector has been appointed shall, without the licence of the inspector, send or bring to or from market, or remove from his land or premises, any animal which has been in the same shed or stable, or has been in the same herd or flock, or has been in contact with any animal labouring under the said disorder.

16. No person shall place or keep any animal labouring under the said disorder in any common or unenclosed land, or, if the animal be in a district for which an inspector has been appointed, in any field or pasture, where in the judgment of the inspector such animal may be likely to propagate the said disorder.

17. All animals having died of the said disorder

or having been slaughtered on account thereof, shall be buried with their skins, and with a sufficient quantity of quick-lime, or other disinfectant, as soon as practicable, and shall be covered with at least five feet of earth, or shall, in districts for which an inspector has been appointed, with the consent of the owner, be otherwise disposed of in manner directed by the inspector.

18. During the continuance of the "cattle plague" within the said city of London, or that part of the metropolitan police district which is under the jurisdiction of the Metropolitan Board of Works, no animal shall be brought or sent to the Metropolitan Cattle Market, or any other market within the said city or the said part of the metropolitan police district, except for the purpose of being there sold for immediate slaughtering; and every such animal, as soon as sold, shall be marked for slaughter in the manner in which cattle are ordinarily marked for slaughter in the Metropolitan Cattle Market.

19. Whenever any local authority, as hereinbefore defined, declares, by notice published in any newspaper circulating within his or their jurisdiction, that it is expedient that animals, as hereinbefore defined, or some specified description thereof, shall be excluded from any specified market or fair within that jurisdiction, for a time to be specified in such notice, it is hereby ordered, that after the publication of such notice it shall not be lawful for any person to bring or send such animals or description thereof into such market or fair; provided always, that this clause of this order shall not, unless renewed by a further order, be in force after the expiration of three calendar months from the date of this order.

20. Every person offending against this order shall, in pursuance of the said Act, for every such offence forfeit any sum not exceeding 20*l.*, which the justices before whom he or she shall be convicted of such offence may think fit to impose.

Arthur Helps.

The following letter has been addressed to the *Times* by Mr. Oke:—

It appears from the report of a case heard at one of the metropolitan police courts against a person for offending against the recent Orders in Council, as well as from two other cases reported in the newspapers from different parts of the country, that an impression prevails that the penalties cannot be enforced, inasmuch as the original Act under the authority of which those orders are made has been allowed to expire without being renewed. A similar question has been put to me this morning by other country magistrates.

In the absence of any published authoritative communication from the Council-office on the objection raised, permit me to state that the original Act of 11 & 12 Vict. c. 107, has never ceased to be in operation; that it was continued by the 27 & 28 Vict. c. 84, till the 1st Aug. 1865; and that by an Act of the last session, viz., the 28 & 29 Vict. c. 119, which received the Royal assent on the 5th July last, it is continued till the "1st Aug. 1866, and end of the then next session."

There surely ought never to have been a doubt raised or an objection taken by any solicitor as to the validity of the Orders in Council on this ground, for the several orders plainly recite that the original Act "has since been from time to time continued by divers subsequent Acts," and the question might have been solved in an instant by referring to the index to the Public General Statutes of this year.

George C. Oke,
Author of "The Magisterial Synopsis, &c.
Mansion-house, Sept. 21.

A Magistrate Convicted.—At the regular sitting of the magistrates at the Maiden's Head Hotel at Uckfield, on Thursday week, Mr. J. G. Boucher, of Cross-in-Hand, was convicted of cruelty to a horse, by driving it that very morning into the town to enable him to preside on the bench with his brother magistrates. The case is a very singular one, and has created considerable interest in the neighbourhood from the fact that during the past few months several persons working on the line of railway in course of construction between Tunbridge Wells and Uckfield have been summoned or taken into custody by the police, and convicted in heavy penalties by Mr. Boucher and other magistrates for a like offence. It seems that while the bench were presiding Mr. Henry Faulkner, ironmonger and farmer of Uckfield, noticed the horse standing in the Maiden's Head Hotel yard, with some raw wounds behind its shoulders and under the belly, one of them being of several days' standing. Having ascertained from the ostler, who was washing the wounds, that Mr. Boucher had just driven the horse into the town with a four-wheel trap Mr. Faulkner, with the characteristics of John Bull, at once called the superintendent of police out of the court and told him to do his duty and take out a summons against the offender. This the superintendent declined to do, upon which Mr. Faulkner proceeded to the bench room to lay a complaint. At the close of the other business the superintendent laid the facts before the bench, and the complaint was entered in the usual way. Mr. Boucher, who had been presiding on the bench up to this point, now vacated his seat and took up his position in the defendants' dock. The magistrates who heard the case were Mr. W. Morgan (in the chair), Mr. T. Brown, Colonel Harcourt, and Captain Noble. After hearing the evidence and inspecting the horse Mr. Boucher was called upon for his defence. His explanation was that he was unaware that the animal had any old wound, that this was the second time only that the horse had been driven in single harness, and that the wounds behind the shoulder had been caused that very morning from the friction of the shafts, the horse being in very high condition. The magistrates consulted for a time, and then, addressing Mr. Boucher, said that after the evidence they had heard and what they had seen they felt bound to convict him, although they thought that the act of cruelty was unintentional on his part, as he was unaware of the condition of the horse till he nearly reached Uckfield. Under those circumstances they had decided to fine him 10s. and costs. Mr. Boucher paid the money.—*East Sussex News.*

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Barnstaple	Tuesday, October 3	C. J. March, Esq.	8 days	J. H. Toller
Berwick-on-Tweed	Friday, October 20	R. Ingham, Esq. M.P., Q.C.	5 days	R. Home
Birmingham	Monday, October 9	M. D. Hill, Esq., Q.C.	10 days	T. R. T. Hodgson
Bolton	Friday, October 20	J. A. Russell, Esq.	10 days	J. Gordon
Bury St. Edmunds	Monday, October 23	Mr. Serjeant Tozer	14 days	J. Sparke
Cambridge	Thursday, October 19	R. M. Newton, Esq.	14 days	W. Cockerell
Carmarthen	Wednesday, October 18	J. Johnes, Esq.	10 days	J. H. Barker
Colchester	Tuesday, October 17	H. J. Bushby, Esq.	8 days	J. S. Barnes
Devonport	Saturday, October 21	C. Saunders, Esq.	10 days	G. H. E. Rundle
Doncaster	Thursday, October 26	W. Blanshard, Esq.	10 days	E. Nicholson
Folkestone	Saturday, September 30	J. J. Lonsdale, Esq.	8 days	R. T. Brockman
Hereford	Friday, October 20	F. Edward, Esq.	10 days	R. Johnson
Kingston-on-Hull	Thursday, October 19	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Monday, October 23	J. R. Maule, Esq.	10 days	J. W. H. Richardson
Leicester	Wednesday, October 18	Mr. Serjeant Hayes	8 days	R. Toller
Liverpool	Monday, October 30	J. B. Aspinall, Esq., Q.C.	10 days	P. Wright
Rochester	Monday, October 23	J. Espinasse, Esq.	8 days	W. W. M. Hayward
Scarborough	Monday, October 9	J. Middleton, Esq.	14 days	J. J. P. Moody
Shrewsbury	Tuesday, October 24	C. Harwood, Esq.	14 days	R. Clarke
Stamford	Saturday, October 14	The Hon. E. C. Leigh	10 days	J. Turkington

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LAW STUDENTS' JOURNAL.

Correspondence.

Examination.—I am desirous of ascertaining the earliest day that I can know what books the candidates for the intermediate examination in Hilary Term 1867 will be examined in, and where I may obtain the same information. If one of your numerous correspondents would do me the favour of a reply through this journal, I should feel much obliged.

A Young Clerk.

Honour Examinations.—Allow us, through the medium of your paper, to thank the writers of letters which have recently appeared in its columns, signed "Studiosus," "A Prizeman of the Incorporated Law Society," "A Prizeman," and "A Clement's-inn Prizeman" for their promptness in taking up this important subject. We quite agree with "Studiosus" and "A Prizeman of the Incorporated Law Society," that the proper course to be taken in bringing the subject before the authorities is by means of numerously signed memorials, and that the various debating societies and the Law Students' Corresponding Society will be valuable auxiliaries in making known the movement and obtaining signatures to the memorial. With reference to gentlemen already admitted with honours, we must acknowledge the weight of the remarks of "A Prizemen" and "A Clement's-inn Prizeman," although we did think that the advantage of the contemplated distinction would even in this case have repaid the extra exertion necessary for its attainment. However, this is a matter of detail which we are sure will be liberally considered by any committee which may be chosen to prepare the memorial, or even, if left to the discretion of the council of the Incorporated Law Society, will be equitably arranged. In order that gentlemen desirous of co-operating in this movement may have the means of efficient intercommunication, we shall be glad to receive the names and addresses of the writers of the letters above referred to and any others interested, at "Post-office, Banbury," and in return to forward them our own.

Banbury, Sept. 20. Two Articled Clerks.

— I have attentively read all the communications in reference to the honour examinations which have recently appeared in the Law Times, and the unanimous opinion of your correspondents seems to be, that the present system of awarding the successful candidate is highly defective. Degrees in medicine can be obtained by the successful students simultaneously with the prosecution of their professional education. With the articled clerk, however, the matter is vastly different. In order to obtain a degree in law he must first matriculate at one of the Universities, and afterwards undergo a series of examinations on works not strictly necessary, in order to be admitted. Under the present state of things, therefore, it is next to impossible for the articled clerk to obtain a degree during his clerkship. I would suggest, therefore, that a *bonâ fide* degree be conferred on successful candidates at the honour examinations. The proposition of "An Articled Clerk," in your last issue, in reference to the admission of candidates who signed articles above the age of twenty-three, after four years' service, is highly proper, and meets with my views entirely, both in point of justice and common sense; but, as it would involve fresh legislation on the subject, I fear neither he nor myself will benefit by it. I think, however, that all clerks under the age of thirty should be eligible to go in for the degree.

T. R.

St. Ives, Cornwall, Sept. 27.

Articled Clerks as Advocates.—I wonder that the decision of the Lord Mayor of London on this matter has not attracted the official or collective attention of such bodies as "The Articled Clerks' Debating Society." That decision is, indeed, worthy of at least an approving remark from the Council of the Law Institution. If the precedent thus set by the Lord Mayor were applied to every magistrates' court in England and Wales, a valuable opportunity for meritorious distinction would be afforded "the legal apprentice;" the function of advocate in the minor criminal courts of large towns would ere long cease to be the monopoly of so few "gentlemen according to Act of Parliament," who (rare exceptions apart) do not shed either mental lustre or reflect moral dignity upon the *Law List*; a system of touting, dividing fees, bribing jailors for introductions, the administration of douceurs to penny-a-liners for flagrant puffs, with other scandals upon metropolitan police jurisprudence, would be checked if not destroyed; and public policy would gain even more than the interest of the legal profession. Is it not extraordinary that while no clerk, although articled, is permitted to open his mouth, or appear for his master, before a stipendiary or unpaid magistrate in any public court beyond the area of the metropolitan police district, at any London police court, illiterate, ill-clad, dirty fellows every day attend, insult witnesses under the pretence of cross-examination, slaughter the Queen's English under a show of intense advocacy, and achieve ephemeral renown in penny papers through announcements that "Mr. Loosetongue, from the office of Mr. Weazel, appeared for the prisoner," and that "Mr. Fungus, prosecuting officer of the Society for the Persecution of Men," conducted the prosecution, and in some other equally equivocal positions. Why should there be one system or practice in London and another beyond that circle of evil charms? It appears to me that the practice ought to be assimilated and improved. It is certainly not desirable that the wide licence of the London courts should be extended over the country, but the Lord Mayor's expedient would, I think, rub off the [illegible] metropolitan practice, and open the door to amendment in the provinces. I could, Mr. Editor, enlarge on this subject, exposing further many abuses and scandals, for which some of those members of our profession who make police business in London their *spécialité* ought to be brought to trial before a Court of Honour in Chancery-lane, and at the same time showing how very important it is that articled clerks should be allowed, as part of their training, to appear in minor courts as advocates; but I fear to encroach on your space. My purpose will, however, have been effectually served if I can induce others to pursue the subject thus briefly and hastily treated of.

An Articled Clerk.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

DISCOVERY — BANKRUPTCY. — A bill prayed discovery of a sole defendant in respect of moneys, &c., received by him as manager and secretary to an association. He pleaded his bankruptcy, but the plea was overruled, on the ground that he was bound to give the discovery sought: (*Pepper* v. *Hensell*, 13 L. T. Rep. N. S. 63. V.C. W.)

MASTER AND SERVANT — NEGLIGENCE. — B. commenced in 1861 to erect a mill by contract, and appointed C. clerk of the works. In Nov. 1862, C., on behalf of B., engaged D. to work as a stonemason by the day. In the course of the work, and while D. was so employed, the plan was altered by C., and by his direction the building was carried two stories higher and some supporting pillars weakened, by reason of which a floor fell and injured D., who was then working on it. In an action by D. against B. for damages thus sustained, it was held that inasmuch as there was no evidence bringing home personal negligence to B. or to any person acting under his orders for which he was responsible, either by his having given specific directions how the work was to be done, or by his having reason to suppose that C. was incompetent to his post, there was no liability on his part: (*Brown* v. (*The Accrington, &c., Company*, 13 L. T. Rep. N. S. 24. Ex.)

BANKRUPTCY LAW.—It is understood that the Mercantile Law Amendment Society have prepared a petition in relation to the Bankruptcy code, which is to be proposed for signature to the mercantile community. The matter was before a select committee of the House of Commons last session, and is certain to receive great attention in the new Parliament. Under these circumstances, although the suggestions of the Mercantile Law Amendment Society are likely on a majority of points to be of practical value, it may be doubted if it would be expedient for the influential firms of London to commit themselves to any definite recommendations which, in the course of inquiry, they may subsequently wish to modify. Nine out of ten of those who sign memorials do so in reliance on the first half-dozen leading names, and even these first names are frequently affixed simply from a belief that some change is requisite, and that the remedies proposed appear on the whole to be reasonable. But on such a subject as the Bankruptcy law the formally expressed opinion of the leading houses of the country will have a weight that should induce every one to refuse to sign unless he feels that his convictions have been thoroughly matured. If it be framed on this principle, a petition on the question will of course be proper and highly useful. Meanwhile it may be well again to remind the public that while statesmen, lawyers, and commercial men are nearly all tormenting their minds as to the possibility of constructing a Bankruptcy law that shall for the first time in history give even temporary satisfaction, the inquiry yet remains unanswered as to the necessity of a Bankruptcy law of any kind. The purport of that law is simply to give power to a certain court, under special conditions, to confiscate the claims of creditors which were lawfully created, and against which the debtor has nothing to urge except that he has no sufficient means at present to discharge them, and would like to have an opportunity of beginning business again entirely free from the inconvenience of their being in existence. In old times, when the statute gave to the creditor the most cruel powers of persecution, a Bankruptcy law was essential to mitigate that evil; but now that a claimant has no power but to endeavour to obtain payment of what is due to him whenever he can show that there is property to meet it, there is in some minds a growing suspicion that the system need no longer be maintained, any more than the right of sanctuary, or any other obsolete contrivance which in its day may have been necessary to soften the barbarities of a defective social condition.—*Times*.

COUNTY COURTS.

COUNTY COURT ORDERS AND FORMS IN EQUITY.

We, JOHN BURY DAVIES, DOUGLAS DENON HEATH, JOHN WORTLEDGE, RUPERT ALFRED KETTLE, and WILLIAM FURNER, being County Court Judges appointed to frame Rules and Orders for regulating the Practice of the Courts, and Forms of Proceedings therein, under the 32nd section of the 19 & 20 Vict. cap. 108, have, under the powers vested in us by the Act 28 & 29 Vict. cap. 99, framed the following Rules, Orders, and Forms, and we do hereby certify the same to the Lord Chancellor accordingly.

ORDER I.—SUITS.

Plaints and Summons.

Rule 1. *Commencement of suit.*—All suits under the 1st, 2nd, 3rd, 4th, or 7th clauses of the 1st section of the Act shall be commenced by filing a plaint in equity in the County Court, to which jurisdiction in the matter is given by the 10th section of the Act.

2. *Names, C. C. Rules, 1857, No. 34.*—Every plaint in equity shall state the name, address, and description of the plaintiff, and of the person intended to be brought before the court as defendant: and where any party sues or is sued in a representative character he shall be so described in the plaint; but this rule shall be subject to the 34th rule of the County Court Rules 1857.

3. *Plaint.*—Every plaint in equity shall contain a concise statement of the grounds upon which the plaintiff seeks to obtain relief; and shall ask for the specific relief to which he conceives himself entitled, and also for general relief.

4. *Plaint filed by attorney.*—Where the plaint is filed by an attorney he shall indorse thereon his name or firm and place of business, and that the plaintiff sues by him as attorney; and where there is more than one plaintiff, and the plaint is not filed by an attorney, the plaintiff who actually files the same shall indorse thereon his name and address.

5. *Form of plaint.*—Plaints in equity may be in forms similar to those set out in the schedule to these orders, with such variations as the nature and circumstances of each particular case may require.

6. *Delivery to registrar and filing of plaints.*—The plaintiff or his attorney shall deliver at the office of the registrar the plaint, with as many copies thereof as there are persons to be brought before the court as defendants, and the registrar shall forthwith indorse on the plaint a memorandum of the day on which the same was received by him, and when such plaint shall be so indorsed it shall be taken for all purposes to have been duly filed on the date so indorsed thereon.

7. *Summons on plaint.*—The registrar shall, on the filing of such plaint, make out a summons to the defendant, or to every defendant where there is more than one, to appear, and submit to the judgment of the court thereon.

8. *Date and return of summons.*—The summons shall be in the form in the schedule, and be dated of the day on which the plaint was filed, and may be returnable at any court to be holden not less than one calendar month nor more than three calendar months from the filing thereof.

9. *Service of summons.*—The summons, with a copy of the plaint annexed thereto, shall be issued by the registrar to the bailiff forthwith, who shall serve the same within seven days, and the service thereof shall be proved, in conformity with the present practice of the County Courts; provided always, that the court may, upon facts duly verified by affidavit, allow substituted service where justice requires it.

10. *Service when defendant is out of jurisdiction of County Courts.*—Where a defendant shall be out of England, the judge, or in his absence the registrar, may, upon an affidavit of the fact, direct the service of the plaint and summons to be effected within such time and in such manner as the judge or registrar may think fit.

ORDER II.—SUITS.

Proceedings after Service.

Rule 1. *Admission.*—Where any defendant desires to admit the truth of the allegations in the plaint, and to submit to the judgment of the court, he may, at any time before the return day of the original summons, in the presence of a registrar of a County Court, or in the presence of one of his clerks, or of an attorney of one of the Superior Courts, sign an admission in the form contained in the schedule to these orders; and the signature of the defendant thereto shall be verified by affidavit, unless signed in the presence of the registrar of the court in which the suit is, or of one of his clerks.

2. *Notice of admission.*—The admission shall be delivered to the registrar, together with a copy thereof for each of the plaintiffs, or, where the plaint is filed by an attorney, with a copy for such attorney only; and the registrar shall forthwith file the same, and transmit a copy by post to each plaintiff, or the attorney, as the case may be, and after the receipt of such copy the plaintiff shall be entitled to the costs then already incurred, and to the further costs of attending the court and obtaining the decree or order to be made upon such admission, but to no other costs.

3. *Statement in the nature of a disclaimer or answer may be filed by defendant.*—The defendant may, within eight days after the service of the summons, by a statement in writing signed by him, disclaim any interest in the subject-matter of the suit, or admit or deny any of the statements in the plaint, or raise any question of law on such statements without admitting the truth thereof; or he may state concisely any new fact or document upon which he intends to rely as a defence at the hearing, or which he thinks advisable to bring to the notice of the court. Provided always, that in exercising his discretion as to costs, the judge shall consider the fact of a defendant having or not having availed himself of the powers given by this rule.

4. *Statement to be filed.*—The statement under the last foregoing rule shall be delivered to the registrar, together with a copy thereof for each of the plaintiffs, or where the plaint is filed by attorney, with a copy for such attorney only; and the registrar shall forthwith file the same, and transmit a copy by post to each plaintiff or the attorney, as the case may be.

5. *Statement filed by attorney.*—Where the statement is filed by an attorney he shall indorse thereon his name or firm and place of business, and that the defendant defends by him; and where it is not filed by an attorney, the defendant who actually files the same shall indorse thereon his name and address.

6. *Dismissal of suit.*—The plaintiff may at any time before setting down the cause for hearing, by notice in writing delivered at the office of the registrar, require the plaint to be dismissed as against all or any of the defendants, with costs, without prejudice to further proceedings or suits, and such notice shall operate as an order to dismiss accordingly; and the registrar shall forthwith file such notice, and forward a copy thereof by post or otherwise to each of the defendants.

ORDER III.—SUITS.

Evidence.

Rule 1. *Evidence to be taken viva voce.*—Except where otherwise provided by these orders, the evidence of witnesses shall be taken *viva voce* on oath according to the present practice on the hearing of plaints.

2. *As to admission of documents; 21 & 22 Vict. c. 27, s. 7.*—Where a party desires to give in evidence any document, he may, not less than five days before the hearing, give notice to any other party in the cause who is competent to make admissions, requiring him to inspect and admit such document; and if such other party shall not within a reasonable time make such admission, any expense of proving the same at the hearing shall be paid by him, whatever be the result of the cause, unless the court shall otherwise order; and no costs of proving any document shall be allowed unless such notice be given, except in cases where, in the opinion of the registrar, the omission to give such notice has been a saving of expense.

3. *Inspection of documents in possession or control of an opposite party. See C. C. rules 53, 76, and 15 & 16 Vict. c. 86, s. 18.*—Where a party desires to inspect any document in the possession or under the control of any other party, he may, five days before the hearing, give notice to such other party that he or his attorney desires to inspect the same at any place to be appointed by such other party; and if such other party shall not appoint a convenient place, or allow the party giving such notice, or his attorney, to inspect such document within three days after receiving such notice, the judge may adjourn the hearing, and make such order as to costs as he shall think fit.

4. *Summons to witness.*—Where a party requires the attendance of any other party, or of any witness, either to give evidence or to produce documents, he shall apply to the registrar to issue a summons requiring such other party or witness to attend the court or the registrar, as the case may be, or to attend and produce documents; and such summonses shall respectively be drawn up by the registrar, and be issued by him to the bailiff, who shall serve the same; and in every summons to produce documents the registrar shall insert a description of the documents required.

5. *Compulsory production of documents by parties to suit; 15 & 16 Vict. c. 86, ss. 18 & 20.*—Where a party served with a summons under the last rule shall not at the hearing produce the documents required, the court may, upon admission or proof of the service of such summons within a reasonable time, and that such documents are in the possession of the party so served, and that they relate to the matter then pending before the court, make an order for their production by him, and the court may deal with them, when so produced, and with all costs occasioned by their non-production, as may appear just: provided that nothing herein shall prevent the court from receiving secondary evidence of any document of which notice to produce has been given.

6. *Documents unobjected to received without formal proof.*—Where any documents are produced to the court from proper custody, they shall be read without further proof, if they appear genuine, and if no objection be taken thereto; and if the admission of any document so produced be objected to, the judge may adjourn the hearing and the party objecting shall pay the costs caused by such objection, in case the same shall afterwards be proved, unless the judge shall otherwise order.

7. *Affidavit.*—Where a party desires to use at the hearing an affidavit by any particular witness, or an affidavit as to particular facts, he may, ten days before the hearing, give a notice, with a copy of such affidavit annexed, to the party against whom such affidavit is to be used; and unless such last-mentioned party shall within five days give notice to the other party that he objects to the use of such affidavit, he shall be taken to have consented to the use thereof.

8. *Examination de bene esse.*—Where it shall be necessary to examine a witness *de bene esse*, application upon affidavit shall be made to the judge to appoint an examiner for that purpose.

9. *Special examiner.*—Upon the application of a party desirous to examine a witness residing out of the jurisdiction of the court, the judge may, if he thinks fit, appoint the registrar of the court within the district of which such witness resides to take the examination of such witness.

10. *How examination conducted.*—Where any witness is examined by a registrar he shall be examined on oath, and the registrar shall transcribe the answers of such witness, and the deposition shall be subscribed by the witness and the registrar who shall have so examined him, and shall then be transmitted by post to the registrar of the court in which the suit or proceeding is pending.

11. *Allowance to witnesses.*—The allowance to be made to witnesses for attendance either before the court or registrar shall in no case exceed the highest rate of the allowances mentioned in the scale in the schedule.

ORDER IV.—SUITS.

Hearing.

1. Rule 1. *How parties to come prepared.*—Upon the day on which the summons is returnable all parties shall come to the court prepared, so far as the nature of the case will admit, with evidence to enable the judge to try the whole matter of the suit upon the merits, and then to determine the same by a final decree or to make such decretal order, or give such directions for adding parties to the suit, for making inquiries, taking accounts, realising assets, or doing any act which the judge may consider necessary to enable him to make a final decree upon a day to which the hearing may be adjourned.

2. *Hearing.*—A suit in equity shall be heard in open court as plaints in the County Courts are now tried.

3. *Affidavits.*—Affidavits and depositions used at the hearing shall be read as the evidence of the person by whom they are used.

4. *Decree or decretal order.*—Upon the hearing the court may dismiss the suit, or grant the relief asked by the plaint, or any part thereof, or may grant any other relief consistent with the case made by the plaint, or make any order giving directions for, or with respect to, the prosecution of the suit, as the circumstances of the case may require, and also make such order as to costs as the court may think fit.

5. *Jury*—28 & 29 *Vict.* c. 99, s. 7.—Where the court shall order any question of fact, or any question as to the amount of damages, to be tried by a jury, the court shall adjourn the hearing, and appoint a day for the trial of such question by a jury; and thereupon the practice shall be in all respects the same as that under the County Court Acts and Rules now in force, in cases where either party has required a jury, including the power to direct a new trial when necessary.

6. *Record for trial.*—Where the court shall order any question of fact, or any question as to the amount of damages, to be tried by a jury, the judge shall reduce the question into writing, and the same shall be called the "Record for Trial."

ORDER V.—SUITS.

Decretal Orders.

Rule 1. *Registrar to draw order.*—Where the court makes any decretal order the registrar shall, as soon thereafter as conveniently may be, draw up, seal, and file such order.

2. *Preparation of a deed.*—Where a decretal order directs any deed to be prepared and executed, it shall state by what party the said deed shall be prepared, and to whom it shall be submitted for approval.

3. *Receiver.*—Where upon the hearing it appears to the court expedient that a receiver be appointed, such appointment shall be made by the decretal order, whether the same be asked as part of the relief in the plaint or not.

4. *Sale of real property.*—Where real property is ordered to be sold, the decretal order shall direct who shall have the conduct of the sale, and by whom the conditions and contracts of sale, and the abstract of title, shall be prepared. And where any conditions or contracts are ordered to be settled by a conveyancing counsel, it shall name the counsel to whom they are to be submitted.

5. *Sale of personal property.*—Where a decretal order directs any personal property to be sold, the same shall be sold, under the superintendence of the high bailiff, by public auction, unless the court shall otherwise order.

6. *Accounts or inquiries.*—Where any decretal order directs any accounts or inquiries to be taken or made, or any acts to be done, by the registrar, high bailiff, receiver, or parties, it shall name a day within which all such acts shall be done, and accounts and inquiries completed, and shall also name a day, not less than fourteen days after that day, on which the registrar shall certify the result of the accounts and inquiries, and what has been done under such decretal order, and on which the cause will be further heard, and if practicable a final decree made.

ORDER VI.—EXECUTION OF DECRETAL ORDERS.

Rule 1. *Deed, how settled.*—Where a deed is ordered to be prepared, and the parties cannot agree upon the form thereof, the judge may, upon the application of either party, settle the same himself, or name a conveyancing counsel by whom the same shall be settled, subject to the approval of the judge.

2. *In taking accounts, &c., registrar to be chief clerk*—15 & 16 *Vict.* c. 80, *ss.* 30, 31.—Where a decretal order directs that any account be taken or inquiry made, such inquiry shall be taken and inquiry made by the registrar, and he shall for that purpose have all the powers and discharge all the duties of a chief clerk of the Master of the Rolls or a Vice-Chancellor in the Court of Chancery; and all parties prosecuting any such accounts or inquiries shall have the same power of summoning witnesses, including as witnesses any parties in the cause, and of examining them on such accounts or inquiries, and of compelling the production of documents, as they had on the original hearing; and all rules as to the summoning, swearing, and examining of witnesses, and the production of documents at the hearing, shall be applicable (as far as may be) to such summoning, swearing, examining, and production on taking any such accounts, or prosecuting any such inquiries.

3. *In taking accounts, account-books to be prima facie evidence of the matters therein contained.*—Where a decretal order directs accounts to be taken, any books of account in which the accounts required to be taken, or any of them, have been kept, shall, unless the judge shall otherwise direct, be taken as *prima facie* evidence of the truth of the matters therein contained, with liberty to the parties interested to take such objections thereto as they may be advised.

4. *Advertisement for creditors, &c.*—Every advertisement for creditors or other persons having any claim upon, or interest in, the distribution of any assets to be administered by the court, which shall be issued pursuant to any decretal order, shall direct every such creditor or other person, by a time to be thereby limited, to send to the registrar his name and address, and the full particulars of his claim or interest and a statement of his account, and the nature of the security (if any) held by him, and at the time of directing such advertisement a time shall be fixed for adjudicating on the claims.

5. *Creditors need not attend without notice.*—No such creditor or other person need make any affidavit, or attend in support of his claim, unless he is served with a notice requiring him to do so, as hereinafter provided.

6. *Securities, deeds, and documents to be produced to registrar.*—Every creditor shall produce or transmit to the registrar any security held by him, at such time as shall be specified in the advertisement for that purpose, being the time appointed for adjudicating on the claims; and every creditor shall, if required, by notice in writing to be given by the registrar, produce or transmit to the registrar all other deeds and documents necessary to substantiate his claim before the registrar at his office at such time as shall be specified in such notice.

7. *Pedigree or proof to be produced to registrar.*—Every person claiming as heir-at-law, devisee, next of kin, or legatee shall, if required, by notice in writing to be given by the registrar, produce or transmit to the registrar any pedigree or proof mentioned in such notice within such time as shall be therein specified.

8. *Costs when not allowed.*—In case any creditor or other person shall neglect or refuse to comply with the two last preceding rules, he shall not be allowed any costs of proving his claim unless the registrar shall otherwise direct.

9. *Proof of debts or claims.*—At the time appointed for adjudication upon the debts or claims, the registrar shall take the evidence of the executor, administrator, or other accounting party upon such debts or claims, and may thereupon, in his discretion, allow any of such debts or claims without further proof, and may direct such investigation of all or any of the debts or claims not allowed, and require such further particulars, information, or evidence relating thereto as he may think fit, and may, if he so think fit, require any creditor or other person to attend and prove his claim, or any part thereof; and the adjudication on such claims as are not then allowed shall be adjourned to a time to be then fixed.

10. *Notice of allowance.*—Notice of allowance shall be given by the registrar to every creditor or other person whose claim, or any part thereof, has been allowed, and notice shall also be given by him to every such creditor or other person as he shall think fit, to attend and prove his claim, or such part thereof as is not allowed, by a time to be named in such notice, not being less than seven days after such notice, and to attend at a time to be therein named, being the time to which the adjudication thereon shall have been adjourned; and in case any such creditor or other person shall not comply with such notice, his claim, or such part thereof as aforesaid, shall be disallowed.

11. *Claims not before made.*—Any such creditor or other person who has not before sent in the particulars of his claim pursuant to the advertisement, may do so two days previous to any day to which the adjudication is adjourned.

12. *Claims too late.*—If any claim be sent in after the time fixed by the advertisement (except as before provided in case of an adjournment), the registrar may, upon special application, entertain the same, upon such terms and conditions as to costs and otherwise as he thinks fit.

13. *Allowances.*—In taking any account directed by any decretal order, all just allowances shall be made without any directions for that purpose in such order.

14. *Application to judge for further directions nunc motu.*—Where the registrar, high bailiff, receiver, or any party has by any decretal order been directed to do any act for doing which it may be found necessary to have further directions or an order of the court, the registrar shall apply to the judge for such direction or order, and upon such application the judge may give such direction or make such order as he may think fit, or may appoint a time to hear all parties upon the application so made by the registrar; and if the judge shall make such appointment for hearing, the same shall operate as a stay of proceedings in the suit until the day so appointed if he shall so direct.

ORDER VII.—SUITS.

Absent Parties.

Rule 1. *Inquiry as to parties.*—Where any matter is referred to the registrar by a decretal order, he shall, as soon as conveniently may be, ascertain if there are any parties who, if the decretal order had been made in a suit pending in the Court of Chancery, ought, under the 42nd section of the 15 & 16 Vict. c. 86, to be served with a notice under rule 8 of such section.

2. *Notice to parties.*—Where it shall be necessary to serve any parties with the notice mentioned in the foregoing rule, the same shall be prepared by the registrar, and issued by him to the bailiff, who shall serve the same, and upon such notice the party served therewith may attend the proceedings under the decretal order.

3. *Application to vary or add to decretal order.*—Any party who shall be served with a notice under the last foregoing rule, may apply to the court at the next sitting, or by leave of the judge at any subsequent sitting, to vary or add to the decretal order.

(To be continued.)

CORRESPONDENCE OF THE PROFESSION.

ENGROSSING DEEDS IN BOOK FORM.—Engrossing deeds on parchment bookwise is not so novel as you consider. I have seen many; I almost invariably adopt it myself in articles of partnership, and occasionally in other deeds. It is no doubt the best mode, being more convenient to read, the outside skin less liable to wear from friction at the corners, and more economical, as the parchment can be written on both sides, and it appears to me that the only objection you suggest can easily be obviated by the parties and witnesses signing at the foot of each skin, as is the present practice in cases of wills and affidavits in bankruptcy. I, for one, should be glad to see the practice more generally adopted. The only objection that occurs to me is that it would prevent an assignment by indorsement, but that could be done by an annexed deed, which is not perceptibly larger than an endorsement. Probably the reason deeds are not so engrossed is that, save articles of partnership, clients seldom read their deeds.

61, Watling-street, Sept. 23. N. H. STEPHENS.

COMPOSITION-DEEDS UNDER THE BANKRUPTCY ACT 1861.—With reference to a report in your last week's LAW TIMES of a deed being rejected by Mr. Gibbons at the Sheriff's Court because it looked like a family arrangement, I could not but smile at the idea of what a quick and prompt mode and saving of time might be adopted by the learned judges at Westminster, who spend so many days and hours in hearing arguments touching the validity of these deeds, if they were merely to request the deed to be handed up and say to each other on the bench, "Well, what do you think it looks like?" and upon its appearance decide at once as to its validity—how much public time would be saved, and what sagacious judges they would be considered. Now, I am ready to admit that these deeds are what you very properly designate them to be, namely, "charters of roguedom." A more appropriate title could not have been selected, and yet there is one mode by which this "roguedom" might be checked if not altogether prevented, and it is this: compel every creditor to make an affidavit of his debt, as he does when he proves his debt in bankruptcy. I urged this upon Lord Westbury two years since. Creditors now are under no responsibility, and they sign for any sum the debtor chooses to ask for to enable him to obtain his three-fourths in value, and the larger the sum they sign for, the larger of course is the amount of dividend they are to receive. Nineteen creditors out of twenty would pause before they committed perjury to oblige even an old and friendly

customer; but whilst the present system remains as it is, as to the manufacturing of these deeds, the whole thing is a great commercial and legal fraud and scandal. E. C.

PRIVILEGE.—On glancing over the columns of your paper this morning, I chanced to see the letter of your correspondent "Articulus." I have always taken a deep interest in the preservation of the privileges of the legal profession, on the grounds that they are purchased at too great a price to permit even the least infringement, and also because there are very few who are competent to discharge the duties for the public good without previous exclusive training for that object. The infraction of these privileges I have always exposed in the most public manner whenever they may have come under my observation, pointing out or suggesting the adoption of preventive measures, and at the same time urged the Profession to guard their outposts with a vigilant and jealous eye so as to be prepared always to check the slightest incursion. The evil alluded to by your correspondents is serious. I trust the subject will create attention corresponding to its importance, and that those attorneys in places where the evil is carried on will have courage and discretion enough to arrest its progress. But, Sir, the reason why I pen this letter is that I may bring under the notice of your readers a circumstance that may create some interest among law students, and ask such of them as are qualified to aid me in answering the queries mentioned at the close of this communication. An articled clerk in this borough, who is comparatively young (under twenty-one) and having nearly two years of his articles to run, has been permitted to examine and cross-examine witnesses in three cases which came before the police court, and to act in every respect as one admitted. Now, no objection was raised to this. I conceive, however, that although the practice is not so censurable as the one before alluded to, yet it is unfair to the attorneys that it should be allowed to exist. The embyro lawyer and immatured advocate who thus so boldly appeared before the borough justices, asserts that he has a right to conduct cases before their worships, and that they have no discretion to exercise in the matter. Will any of your readers, if they can, refer me to any authority that would enable me to form an opinion as to whether there is any existence of such right? I incline to think not. The magistrates may undoubtedly grant it occasionally as a favour under peculiar circumstances. The termination of my articles is further off than my rivals, still, having been engaged in the study of the law for nearly nine years, I reason this way—If an articled clerk can appear in our police courts as a matter of right, I would certainly assert that right, and unhesitatingly try "my 'prentice hand." If, on the other hand, there is not such a right, proper steps should be taken to procure an extension of the privilege to all; because clearly it does not require any syllogistic or abstruse reasoning to show how inequitable it is to confer the privilege upon one articled clerk to the exclusion of others. I am aware that in the Lord Mayor's Court articled clerks are permitted to practise, whether as of right or by favour is what I seek to know. M. W. R.

Sunderland, 23rd Sept. 1865.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

HUSBAND AND WIFE.—An English lady residing in France was entitled to 1000*l.* in Consols, held by trustees for her absolute benefit. The trustees during her minority sold out the consols, and invested the product in the French funds in her name; after which she married an officer in the French army, domiciled in France. Can her husband during her minority effectually by deed release the trustees from all responsibility with reference to the 1000*l.* Consols and the transaction? What, if any, difference would it make if the lady had been entitled to the consols in reversion expectant on her mother's death, and her mother (a widow) prior to the sale and transfer, surrendered her life-interest to her daughter? ALPHA.

MORTGAGE.—Suppose a conveyance to A. B. of freehold property to the common uses to bar dower. A. B. makes a mortgage of such property by appointment and grant, with a proviso in the usual form for redemption and reconveyance to the mortgagor in fee, or as he should direct. What would be the form of habendum in the reconveyance? And after reconveyance, in case A. B. sells or mortgages, would such conveyance or mortgage be by appointment and grant, or by grant only? Is it proper, in fact, to exercise again the power of appointment in the original conveyance? Again, where the mortgage by appointment, as before, of the same property, is to the trustees of a building society, and they indorse the usual receipt on the mortgage-deed when their claims are satisfied; in that case, what would be the form of subsequent conveyance or mortgage by A. B.? Again, in a conveyance or mortgage of the equity of redemption in property where, prior to the mortgage, the property stood limited to the common uses to bar dower, and the mortgage was made by appointment and grant, would that conveyance or mortgage of such equity of redemption be by grant, or would it be proper to exercise the original power? Answers to the above by one of your subscribers will much oblige A LAWYER.

THE LAW LIBRARY.

The Law of Highways, &c. By W. CUNNINGHAM GLEN, Barrister-at-Law. Second Edition, London: Butterworths.

OFTEN have we noticed the astonishing growth in the bulk of law books. A volume of modest dimensions swells in the course of half-a-dozen editions to a mighty tome, or perchance is multiplied into two or three volumes. But never has this phenomenon been so marvellously exhibited as by the publication before us. On its first appearance, only three years ago, it was a pretty little book of about 350 pages of tolerably large type, that might have been carried in a coat pocket. But now behold it magnified into a ponderous tome of nearly eight hundred pages, closely printed, which none but the pocket of a shooting-coat could contain, and which it would weary the arms of any but a rifleman to carry for a mile.

We do not complain of this, provided only that the additions are of useful matter. In this instance, as in most of those formerly noticed, the increase is not due to new laws or new decisions. The Highways Amendment Acts are comprised in forty pages, and the new cases would probably fill some five or six more. The excess is due to Mr. Glen's industry in the collection of materials existing for the most part when his first edition appeared, but which he then put aside because there was an urgent call for the publication of the new Highways Law, and he aimed at nothing beyond information requisite to make this Act intelligible to the newly constituted authorities to whom its administration was intrusted. Having thus supplied the immediate demand with an imperfect work, Mr. Glén set himself to do that which doubtless he would have liked to do at first. He gathered together the entire of the law relating to highways, and when the Amendment Acts were passed, the first edition having become practically obsolete, he availed himself of the new law to bring out a new edition containing all the law which had been unavoidably excluded from the first edition. Hence the growth which at first sight presented so portentous an aspect. The law itself has not expanded much. Mr. Glen has merely brought all the law on an important subject within two covers.

Of course the first place is given to the Highways Districts and Highways Boards, their constitution and powers. Thence he proceeds to treat of highways generally: the liability to repair them; how this is enforced by proceedings before justices or by indictment; the machinery for their repair; how they may be widened, stopped up, or diverted; how the removal of obstructions is to be compelled; and how penalties and forfeitures are to be recovered. An entire chapter is devoted to the relationship of railways to highways; and lastly, there is the new law for the regulation of locomotives on highways.

The subject of county bridges has been re-written and much extended, and there is an additional chapter on ferries.

But Mr. Glen, remembering that many of his readers will be members of highways boards, whose business it is to know something about the mechanics of road-making as well as of the law of the road when made, has introduced a very useful chapter on road-making and repairing, with the opinions of the most skilful road engineers. In the Appendix there is presented a Table of the highways districts already formed in England and Wales, showing their acreage, the number of parishes, the number of miles of road, and the number of waywardens to be elected for each district.

We must not omit to notice the completeness of the Index, and altogether we may confidently venture to confirm the statement in the preface: "I think it may now fairly claim to be recognised as a standard authority on the law of highways; at any rate, I know that it is very extensively referred to by those who are engaged, whether officially or otherwise, in the administration of that branch of the law." It is so, as we from personal knowledge can affirm, and we may add, "that it is received by them as a trustworthy guide in the discharge of their onerous duties."

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Wednesday, Sept. 20.

By Mr. H. O. MARTIN, at Garraway's.—A freehold villa residence, with large garden, known as "Rose-cottage," Wimbledon—sold for 1400*l.* One plot of freehold building land at Wimbledon, 25ft. frontage, and 160ft. in depth—sold for 47*l.* And one other plot adjoining, of same dimensions—sold for 49*l.*

Tuesday, Sept. 26.

By Messrs. DRIVER and CO., at the Guildhall Coffee-house.—Freehold, three houses with yards and premises, situate at Hoddesdon, Herts; producing 33*l.* per annum—sold for 910*l.* Freehold property, known as the British Schools, Hoddesdon, Herts—sold for 250*l.*

Wednesday, Sept. 27.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Freehold residence, known as Anglesea House, situate on the banks of the Thames at Kingston, Surrey; let at 135*l.* 7*s.* 6*d.* per annum—sold for 2100*l.*

THE GAZETTES.

Professional Partnership Dissolved.

Gazette, Sept. 19.

KEIGHLEY, THOMAS DODD, and BULL, FREDERICK, attorneys and solicitors, Basinghall-st. Sept. 15.

Bankrupts.

Gazette, Sept. 19.

To surrender at the Bankrupts' Court, Basinghall-street.

BENBENS, JOSEPH BARNETT, picture dealer, Gravesend. Pet. Sept. 15. Reg. Brougham. O. A. Edwards. Sol. Boydell, Queen-sq. Bloomsbury. Sur. Oct. 2.

CHAPMAN, EDWARD ROBERT, baby linen warehouseman, Motcomb-st. Belgrave-sq. Pet. Sept. 4. Reg. Brougham. O. A. Edwards. Sols. Kimelle and Co. Leadenhall-st. Sur. Oct. 3.

FOX, JOHN HOPE, provision dealer, Queen-st. Oxford-st. and Oxford-st. Pet. Sept. 6. Reg. Brougham. O. A. Edwards. Sols. Thomas and Hollams, Mincing-la. Sur. Oct. 3.

GILL, WILLIAM, hatter, Blackman-st. Newington. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sol. Kiss, Fen-court, Fenchurch-st. Sur. Oct. 2.

HARMAN, ROBERT, photographer, High-st. Deptford. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Moss, Gracechurch-st. Sur. Oct. 2.

HARRISON, ANTHONY MATTHEW, cheesemonger, Lower-marsh, Lambeth. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Shearman, Little Tower-st. Sur. Oct. 2.

HASTINGS, SMITH, wine merchant, Oxford-ter. Clapham-rd. and Fenchurch-st. Pet. Sept. 13. Reg. Brougham. O. A. Edwards. Sol. Holmes, Fenchurch-st. Sur. Oct. 3.

HOLBROOK, HENRY, clerk in an insurance office, South-st. Kennington. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-flds. Sur. Oct. 5.

LAVENDER, RICHARD, goldbeater, Spencer-rd. Stoke Newington, and South Hornsey. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Morris, Beaufort-bldgs. Strand. Sur. Oct. 3.

MARSHALL, GEORGE, clerk in customs, Arundel-st. Strand. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Condy, Strand. Sur. Oct. 3.

NEWMAN, GEORGE MASTON, Avery-row, Grosvenor-sq. Pet. Sept. 12. Reg. Harris. O. A. Graham. Sol. Drake, Basinghall-st. Sur. Oct. 2.

NEWMAN, JOHN, leather dresser, Drummond-rd. Bermondsey. Pet. Sept. 15. Reg. Brougham. O. A. Edwards. Sol. Goldrich, Strand. Sur. Oct. 3.

PEARCEY, JAMES, journeyman locksmith, Waverly-rd. Harrow-rd. Paddington. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 2.

PEEL, EDMUND, peat fuel manufacturer, late Macclesfield and London. Pet. Sept. 9. Reg. Brougham. O. A. Edwards. Sur. Oct. 3.

READER, JAMES, cabdriver, Gravesend. Pet. Sept. 15. Reg. Brougham. O. A. Edwards. Sols. Harrison and Lewis, Old Jewry. Sur. Oct. 4.

ROBINSON, WILLIAM, smith and market gardener, Southampton. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sols. Messrs. Paterson, Bouverie-st.; and Mackay, Southampton. Sur. Oct. 5.

ROGERS, THOMAS, sen., lodging-house keeper, Wells-st. St. James'. Pet. Sept. 15. Reg. Brougham. O. A. Edwards. Sol. Chalk, Coleman-st. Sur. Oct. 5.

RYMILL, WILLIAM, carrier, Enfield. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Oct. 3.

SCOWEN, GEORGE, commercial traveller, De Beauvoir-rd. De Beauvoir-sq. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. Oct. 3.

SUVANDI, GAETANO, cage manufacturer, St. George's-in-the-east. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sol. De Medina, Primrose-st. Bishopsgate-st. Sur. Oct. 5.

TEBBITT, WALTER, financial agent, Gracechurch-st. Pet. Sept. 15. Reg. Brougham. O. A. Edwards. Sol. Hewitt, Nicholas-la. Sur. Oct. 5.

WEBB, RICHARD WILLIAM, attorney, Savage-gardens, Tower-hill, and Archibald-ter. Bow. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sol. Doble, Guildhall-chambers, Basinghall-st. Sur. Oct. 2.

WILLIAMS, JOHN GRIFFITH, assistant clerk in the civil service, Springfield, Wandsworth-rd. Pet. Sept. 13. Reg. Brougham. O. A. Edwards. Sol. Stocken, Leadenhall-st. Sur. Oct. 3.

WINTER, THOMAS CARTER, tailor and hatter, Clapham. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Hewitt, Nicholas-la. Sur. Oct. 2.

To surrender in the Country.

ABADI, SHALTY, merchant, Manchester. Pet. Sept. 12. Reg. Macrae. O. A. Morgan. Sur. Oct. 14.

BARTLETT, THOMAS CURTIS, ship painter, Bridgwater. Pet. Sept. 14. Reg. & O. A. Lovibond. Sol. Cook, jun., Bridgwater. Sur. Oct. 4.

BLIGDON, JOHN, blacksmith, Longbedy. Pet. Sept. 16. Reg. & O. A. Symonds. Sol. Weston, Dorchester. Sur. Oct. 4.

BURSCOUGH, WILLIAM, cotton manufacturer, Church Accrington. Pet. Sept. 13. Reg. Harris. O. A. Morgan. Sur. Oct. 3.

COUPER, SAMUEL, grocer, South Shields. Pet. Sept. 11. Reg. Gibson. O. A. Leishman. Sols. Earle and Co. Southampton. Sur. Oct. 4.

DEBBINGTON, THOMAS, grocer, Stoke-upon-Trent. Pet. Sept. 15. Reg. & O. A. Keary. Sols. Messrs. Tennant. Sur. Sept. 30.

DICKINSON, ROBERT BRABIN, brewer, Little Bolton. Pet. Sept. 14. Reg. & O. A. Holden. Sol. Bissell, Bolton. Sur. Oct. 4.

DOVEY, WILLIAM, carpenter, Whitbourne. Pet. Sept. 12. Reg. & O. A. West. Sol. Rathom, Bromyard. Sur. Sept. 29.

DREW, BERIAH HARVEY, late general merchant, Stockland, near Honiton. Pet. Sept. 18. O. A. Carrick. Sur. Sept. 29.

GREENWOOD, JOHN, and FIELDING, WILLIAM, turkish-bath proprietors, Hull. Pet. Sept. 16. Reg. & O. A. Phillips. Sol. Summers, Hull. Sur. Sept. 30.

HALE, PHILIP, jun., farmer, Hatton. Pet. Sept. 15. O. A. Turner. Sol. Churton, Chester. Sur. Oct. 3.

HAMLIN, JOHN, grocer, Liverpool. Pet. Sept. 11. Reg. & O. A. Hime. Sol. Husband, Liverpool. Sur. Oct. 2.

HATTER, EDWIN, linen and woollen draper, Sherborne. Pet. Sept. 13. O. A. Carrick. Sols. Watts, Yeovil; and Hirtzel, Exeter. Sur. Sept. 29.

JENNINGS, GEORGE, shopkeeper, Little Shelford. Reg. & O. A. Eaden. Sur. Oct. 3.

JONES, ISAAC, labourer, Ystradgunlais. Pet. Sept. 12. Reg. & O. A. Morgan. Sol. Tripp, Swansea. Sur. Sept. 30.

JONES, PETER MELVERN, timber merchant, Liverpool. Pet. Sept. 14. O. A. Turner. Sols. Lowndes and Co., Liverpool. Sur. Oct. 17.

JONES, THOMAS, tailor, Llanelly. Pet. Sept. 12. Reg. & O. A. Shepard. Sol. Harris, Tredegar. Sur. Oct. 6.

MARLEY, WALTER, butcher, Stoodleigh. Pet. Sept. 14. Reg. & O. A. Daw. Sol. Cochran, Tiverton. Sur. Sept. 29.

MCCRAW, EDWARD CHARLES, salt manufacturer, Liverpool. Pet. Sept. 16. O. A. Turner. Sol. Wilson, Liverpool. Sur. Oct. 9.

MELHUISH, JOHN, baker, Broadclist. Pet. Sept. 11. O. A. Carrick. Sol. Flood, Exeter. Sur. Sept. 29.
MOORES, ABRAHAM, cotton salesman, Oldham. Pet. Sept. 15. Reg. & O. A. Summerscales. Sol. Taylor, Oldham. Sur. Oct. 3.
MORETON, EDWIN, commission agent, Birmingham. Pet. Sept. 15. Reg. Tudor. O. A. Kinnear. Sol. Parry, Birmingham. Sur. Oct. 13.
POOLE, JOSEPH, manager at ironworks, Darlington. Pet. Sept. 13. Reg. & O. A. Bowes. Sol. Brignal, Durham. Sur. Sept. 29.
POPE, JOHN LARGTON, engraver, Stoke-upon-Trent. Pet. Sept. 9. Reg. & O. A. Keary. Sols. Messrs. Tennant. Sur. Sept. 30.
WARD, CHARLES, greengrocer, St. Alban's. Pet. April 21. Reg. & O. A. Simpson. Sur. Sept. 21.
WARD, WILLIAM DOUGLAS, grocer, Rampton. Pet. Sept. 11. Reg. Stephen. O. A. Young. Sol. Broomhead, Sheffield. Sur. Sept. 29.
WHITE, JOSEPH HENRY, late mariner and shipowner, Liverpool. Pet. Sept. 12. O. A. Turner. Sur. Sept. 29.

Gazette, Sept. 22.

To surrender at the Bankrupts' Court, Basinghall-street.

ARCHER, JAMES, of no business, Chertsey. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 5.
BEALL, RICHARD, tailor, Bishopsgate-st.-without. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sols. Messrs. Innes, Leadenhall-st. Sur. Oct. 5.
BRYANT, ALEXANDER, wine and cigar merchant, Low Leyton, and Water-la. Great Tower-st. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sol. Branwell, Basinghall-st. Sur. Oct. 10.
CAMDEN, JOHN, out of business, Vincent-st. Stepney. Pet. Sept. 18. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-fds. Sur. Oct. 10.
CHADWICK, FREDERICK, surveyor, New Cross-rd. and Manchester-bldgs. Westminster. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sol. Grout, Scott's-yard, Bush-la. Sur. Oct. 5.
CHARLETON, HENRY, gentleman, Westbourne Park-rd. Bayswater. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sur. Oct. 10.
ENGLANDER, EDWARD, wholesale boot and shoe manufacturer, Hackney-rd. and Glaskin-rd. Hackney. Pet. Sept. 18. Reg. Brougham. O. A. Edwards. Sol. Murray, Great St. Helen's. Sur. Oct. 10.
FAWCETT, WILLIAM, coachbuilder, St. John-st. West Smithfield. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sol. Porter, Coleman-st. Sur. Oct. 5.
FONBLANQUE, JOHN WILLIAM MARTIN, barrister-at-law, Harrington-st. Hampstead-rd. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sol. Harrison, Basinghall-st. Sur. Oct. 5.
FRASER, GEORGE, pianoforte key manufacturer, Seymour-st. Euston-rd. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 10.
GUPPY, JAMES, farmer, Hambrook-farm, near Chichester. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sols. Messrs. Paterson, Bouverie-st.; and Mackay, Southampton. Sur. Oct. 10.
MERRIMAN, THOMAS, hat-band and chest protector maker, Lillypot-la. Noble-st. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sol. Birrenden, Southampton-bldgs. Sur. Oct. 12.
REAVELL, GEORGE; REAVELL, GEORGE, jun.; and REAVELL, FRANK, builders and contractors, New Windsor. Pet. Sept. 15. Reg. Brougham. O. A. Edwards. Sols. Eyre and Lawson, John-st. Bedford-row. Sur. Oct. 5.
SEALE, CHARLES, stonemason, Catherine-ter. Holland-park-rd. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sol. Jay, High-st. Marylebone. Sur. Oct. 10.
STRANGE, WILLIAM JAMES STEVENSON, out of business, Sutherland-pl. Westbourne-grove. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sols. Miller and Smith, Watling-st. Sur. Oct. 5.
TUPLING, JOHN, accountant, Ampton-pl. Gray's-inn-rd. Pet. Sept. 16. Reg. Brougham. O. A. Edwards. Sol. Lawrence, Fenchurch-st. Sur. Oct. 5.
WAGENER, MOSES AARON, commission agent, Park-rd. Old Kent-rd. Pet. Sept. 18. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 10.

To surrender in the Country.

ANDERTON, FRANCIS, leather-seller, Northampton. Pet. Sept. 18. Reg. & O. A. Dennis. Sols. Shield and White, Northampton. Sur. Oct. 7.
BANCROFT, JOSIAH BARROW, printer, Manchester. Pet. Sept. 12. Reg. Harris. O. A. Morgan. Sur. Oct. 3.
BERRY, THOMAS, farmer, Colne. Pet. Sept. 19. Reg. & O. A. Carr. Sol. Hartley, Burnley. Sur. Oct. 3.
BREES, JOHN, servant in husbandry, Moors, Llanbrynmair. Pet. Sept. 18. Reg. & O. A. Howell. Sol. Williams, Dolgelley. Sur. Oct. 6.
BROOK, WILLIAM, yarn-spinner, Longwood, near Huddersfield. Pet. Sept. 16. O. A. Young. Sur. Oct. 9.
BROWN, WILLIAM, plumber, Jarrow. Pet. Sept. 8. Reg. & O. A. Wawn. Sur. Oct. 2.
BURROWS, CHARLES COOPER, estate agent, Liverpool. Pet. Sept. 16. Reg. & O. A. Hime. Sol. Hindle, Liverpool. Sur. Oct. 5.
CARTER, THOMAS, gardener, Walkeringham. Pet. Sept. 14. Reg. & O. A. Burton. Sol. Bladon, Gainsborough. Sur. Oct. 5.
CLARK, ROBERT FRANCIS, wheelwright, Exeter. Pet. Sept. 19. Reg. & O. A. Daw. Sol. Fryer, Exeter. Sur. Oct. 3.
COLLINGWOOD, JAMES ROBERT, coal merchant, Sunderland. Pet. Sept. 14. Reg. Gibson. O. A. Laidman. Sol. Brignal, Durham. Sur. Oct. 13.
DANCE, WILLIAM ANTHONY, stone merchant, Leeds. Pet. Sept. 15. Reg. & O. A. Marshall. Sol. Harle, Leeds. Sur. Oct. 11.
DAVIES, EVAN, late publican, Cardiff. Pet. Sept. 14. Reg. & O. A. Langley. Sur. Oct. 3.
DAWSON, JAMES HENRY, baker, Aston New-town-juxta-Birmingham. Pet. Sept. 19. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. Oct. 9.
DAWSON, JOHN, builder, Nottingham. Pet. Sept. 8. Reg. Tudor. O. A. Harris. Sol. Gibson, jun., and Maples, both Nottingham. Sur. Oct. 10.
ECKSTEIN, GEORGE PAUL, commission agent, Birmingham. Pet. Sept. 19. Reg. & O. A. Guest. Sol. Powell, Birmingham. Sur. Oct. 9.
EDWARDES, FREDERICK AUGUSTUS, farmer, Filmath, Llangain. Pet. Sept. 19. Reg. Wilde. O. A. Acraman. Sols. Lloyd, Carmarthen; and Henderson, Bristol. Sur. Oct. 2.
EVANS, SIMEON, carpenter, Darlaston. Pet. Sept. 18. Reg. Tudor. O. A. Kinnear. Sol. Glover, Walsall. Sur. Oct. 6.
FIRTH, SARAH ANN, gold and silver letter manufacturer, Leeds. Pet. Sept. 15. Reg. & O. A. Marshall. Sol. Bloome and Dawson, Leeds. Sur. Oct. 11.
FORD, FRANCIS, labourer, Fixby, Halifax. Pet. Sept. 20. Reg. Rankin. O. A. Dyson and Rankin. Sol. Storey, Halifax. Sur. Oct. 4.
FRANCIS, JAMES, baker, Liverpool. Pet. Sept. 16. Reg. & O. A. Hime. Sol. Norden, Liverpool. Sur. Oct. 4.
GILLMORE, JAMES EDWARD, out of business, Bath. Pet. Sept. 14. Reg. Wilde. O. A. Acraman. Sols. King and Plummer, Bristol. Sur. Oct. 2.
HALL, WILLIAM HENRY, baker, Stafford. Pet. Sept. 16. Reg. & O. A. Spilsbury. Sol. Brough, Stafford. Sur. Oct. 5.
HENDERSON, JOSEPH, late beerhouse-keeper, Darlington. Pet. Sept. 12. Reg. & O. A. Bowes. Sol. Webster, Darlington. Sur. Oct. 2.
HODGE, JOHN, boarding-house-keeper, Liverpool. Pet. Sept. 12. Reg. & O. A. Hime. Sur. Oct. 4.
HILL, WILLIAM THOMAS, bootmaker, Exeter. Pet. Sept. 19. Reg. & O. A. Daw. Sol. Flood, Exeter. Sur. Oct. 3.
HUGHES, JOHN FOWLER, printer, Liverpool. Pet. Sept. 19. O. A. Turner. Sol. Barrell, Liverpool. Sur. Oct. 9.
HUNSCOTE, DAVID, baker, Hampton, Arden. Pet. Sept. 20. Reg. Hill. O. A. Kinnear. Sol. Harrison, Birmingham. Sur. Oct. 6.
HUTCHINSON, JOHN, tailor, St. Leonard's-on-Sea. Pet. Sept. 19. Reg. & O. A. Young. Sol. Bilton, Hastings. Sur. Oct. 7.
JACKSON, GIDEON WHEELWRIGHT, cabinet-maker, Leeds. Pet. Sept. 14. Reg. & O. A. Marshall. Sol. Pullan, Leeds. Sur. Oct. 11.
JAMESON, JOHN, iron moulder, Kendal. Pet. Sept. 15. Reg. & O. A. Wilson. Sol. Grant, Kendal. Sur. Oct. 2.
KEMPIN, NEAL, a coomason, Edithweston. Pet. Sept. 18. Reg. & O. A. Shield and Hough. Sol. Law, Stamford. Sur. Oct. 5.
LASCELLES, JOHN PICKARD, cottonspinner, Burnley. Pet. Sept. 20. Reg. Harris. O. A. Morgan. Sols. Sutton and Elliott, Manchester. Sur. Oct. 3.
LEWIS, JOHN, police-constable, Colwyn. Pet. Sept. 14. Reg. & O. A. Hughes. Sol. Jones, Conway. Sur. Oct. 2.
MARTIN, JOSEPH, miner, Hart's-hill, near Dudley. Pet. Sept. 18. Reg. & O. A. Walker. Sol. Pearman, Dudley. Sur. Oct. 5.
MASLING, EDWARD, teadealer, Wellow. Pet. Sept. 16. Reg. & O. A. Newton. Sol. Ashley, Newark. Sur. Sept. 30.
MAY, JOHN CHARLES, sign painter, Aylesbury. Pet. Sept. 16. Reg. & O. A. Watson. Sol. James, Aylesbury. Sur. Oct. 2.
MEE, ROBERT, carpenter, Leicester. Pet. Sept. 20. Reg. & O. A. Ingram. Sol. Arnall, Leicester. Sur. Oct. 7.
MELLOR, WILLIAM HENRY, brewer, Liverpool. Pet. Sept. 14. O. A. Turner. Sol. Anderson, Liverpool. Sur. Oct. 2.
MINOR, WILLIAM JOHN BONNELL, joiner, West Gorton, near Manchester. Pet. Sept. 16. Reg. & O. A. Kay. Sol. Farrington, Manchester. Sur. Oct. 9.
MURCHIE, ARCHIBALD, travelling draper, Dudley. Pet. Sept. 18. Reg. & O. A. Walker. Sol. Stokes, Dudley. Sur. Oct. 5.
ORGAN, JAMES, boot manufacturer, Birmingham. Pet. Sept. 18. Reg. & O. A. Guest. Sols. Powel and Son, Birmingham. Sur. Oct. 9.
PARRY, JOHN, attendant at the Rainhill Lunatic Asylum, Eccleston. Pet. Sept. 20. Reg. & O. A. Ansdell. Sol. Swift, Prescot. Sur. Oct. 4.
REED, WILLIAM, blacksmith, Winthorpe. Pet. Sept. 12. Reg. & O. A. Walker. Sol. Bailes, Boston. Sur. Sept. 28.
RICHARDSON, NEV, grocer, Derwent View, Cockermouth. Pet. Sept. 15. Reg. Gibson. O. A. Laidman. Sols. Hodge and Harle, Newcastle. Sur. Oct. 4.
ROBINSON, SAMUEL, twine manufacturer, Manchester. Pet. Sept. 17. Reg. Harris. O. A. Morgan. Sur. Oct. 16.
ROWELL, GEORGE, provision dealer, Sunderland. Pet. Sept. 14. Reg. Gibson. O. A. Laidman. Sol. Haswell, Sunderland. Sur. Oct. 4.
TAYLOR, ALLAN, draper, Halifax. Pet. Aug. 9. Reg. & O. A. Rankin. Sol. Holroyde, Halifax. Sur. Oct. 12.
TURNER, SAMUEL HAYWARD, out of business, New Brighton. Pet. Sept. 20. O. A. Turner. Sol. Kent, Liverpool. Sur. Oct. 3.
WARD, JOHN, bag hosier, Sutton, Ashfield. Pet. Sept. 12. Reg. & O. A. Fetchitt. Sol. Maples, Nottingham. Sur. Oct. 10.
WHITE, EDWARD, thrashing-machine proprietor, Uffculme. Pet. Sept. 1. O. A. Carrick. Sol. Hirtzel, Exeter. Sur. Oct. 3.
WHITTINGHAM, THOMAS HORDLE, painter, Ipswich and Harwich. Pet. Sept. 19. Reg. & O. A. Pretyman. Sol. Moore, Ipswich. Sur. Oct. 4.
WILKINSON, GEORGE, builder, Southport. Pet. Sept. 12. O. A. Turner. Sur. Oct. 3.
WILKINSON, WILLIAM, and PRIESTLEY, SAMUEL, worsted-spinners, Bradford. Pet. Sept. 19. O. A. Young. Sols. Terry and Watson, and Wood and Killick, Bradford; and North and Sons, Leeds. Sur. Oct. 9.
WILLAN, JAMES, cabinet-maker, Burnley. Pet. Sept. 18. Reg. & O. A. Hartley. Sol. Robinson, Colne and Settle. Sur. Oct. 3.

BANKRUPTCY ANNULLED.

Gazette, Sept. 19.

SYMINGTON, ANDREW, grocer and provision dealer, Liverpool.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignee is given, to whom apply for the Dividends.

McCulloch, A. ship store dealer, &c., first sep., 21s. Turner, Liverpool.

Assignment, Composition, Inspectorship, and Trust Deeds.

Gazette, Sept. 19.

BENEDICT, ELIAS, jeweller, Liverpool. Aug. 22. 7s. 6d. by three promissory notes of 2s. 6d. each, at 3, 6, and 9 mos. Trust. E. Roberts, Liverpool.
BURNS, GEORGE, cornfactor, Doughty-st. Mecklenburg-sq. Aug. 31. 3s. 6d. by two instalments—first of 2s. at 6 mos., and 1s. 6d. at 9 mos.
BERRY, BENJAMIN, dyer, Honley, Almondbury. Sept. 5. Trusts. G. Dodson, grocer, Honley, and A. Knight, coal merchant, Huddersfield.
BERRY, THOMAS BULMER, builder, Newcastle. Sept. 4. Trusts. J. Hall, brick manufacturer, and J. W. McLea, timber merchant, both Newcastle.
BROWN, CHARLES, jun., farmer, Broom, Whiston. Aug. 18. Trusts. T. Chambers, bank manager, and W. F. Brindley, surgeon dentist, both Sheffield.
CROSSLAND, JOHN, table cutlery manufacturer, Sheffield. Aug. 24. Trusts. J. Hallam, needle manufacturer, Sheffield, J. Allen, iron agent, Kilnhurst, near Rotherham, and S. Swift, gentleman, Sheffield.
CROWTHER, JOSEPH, pawnbroker, Liverpool. Aug. 31. 6s. 8d. on 6th Oct. Trust. F. Thompson, accountant, Liverpool.
FRANKISH, RICHARD KIRBY, auctioneer, Scarborough. Aug. 18. Trust. H. G. Lythe, attorney's clerk, York.
FOWLER, BENJAMIN, jun., ironfounder, Liverpool. Sept. 15. 10s. in 6 mos. Trust. B. Fowler, sen., gentleman, Southport.
HARBORD, JOSEPH MASSINGHAM, saddler, Norwich. Aug. 26. Trusts. J. Rudd and W. Paston, curriers, Heigham, Norwich.
HART, LEWIS, manager to an eatinghouse-keeper, Waterloo-rd. Sept. 13. 1s. 6d. Trust. A. Hart, victualler, Blackfriars-rd.
HEWETT, JOHN, bailiff, Maiden-rd. Haverstock-hill. Sept. 12. 2s. by two instalments on 29th Oct. and 29th Jan.—secured. Trust. J. W. Hewett, draper, Pratt-st. Camden-town.
HUNTER, THOMAS; STOKOE, MARY; and STOKOE, THOMAS, drapers, Newbottle. Aug. 19. 6s. 8d. by three equal instalments, at 3, 6, and 9 mos.—secured. Trusts. D. Miller, gentleman, Houghton-le-Spring, and J. Dewson, agent, Newcastle.
KIRKMAN, ARTHUR ABRAHAM, auctioneer, Martin's-la. and Blackheath. Sept. 6. Trust. T. Fox, corn merchant, Phoenix-pl. Blackheath.
MILLER, JOHN, and MILLER, ROBERT FENWICK, shipbuilders, Gloucester and Hempstead. Aug. 25. 5s. in 1 wk. Trust. W. C. Tunstall, banker, Gloucester.
MOLLE, HENRI, hairdresser, Weston-super-Mare and Bath. Aug. 14. 1s. in 1 mo.
NICHOLLS, WILLIAM SCHOFIELD, yarn-dealer, Bradford. Aug. 24. 4s. 9d. by instalments—1s. 9d. on 24th Nov., and 1s. on 24th Feb. 1866. Trust. W. Leach, timber merchant, Bradford.
PEACOCK, GEORGE, carpenter, Bristol. Sept. 13. Trust. I. Garland, baker, St. George, Gloucester.
QUICKFALL, SAMUEL THOMAS, provision dealer, Newcastle. Sept. 2. Trusts. W. Atkinson and R. Ord, provision dealers, both Newcastle.
SARDWITH, THOMAS, doctor of medicine, Beverley. Sept. 7. 5s.
SHIMMIN, JOHN, merchant, Liverpool. Sept. 16. 6d. on 4th April—secured. Trust. R. Isaac, fishmonger, Liverpool.
SPENCER, HENRY, manufacturer of steel crinoline, Smethwick. Aug. 21. Trust. J. Boswoch, commission agent, Manchester.
STEPHENS, JUSTUS WILLIAM, baker, Landport, Portsea. Sept. 19. 6s. by two equal instalments—first in 14 days, and second in 6 wks.
TERRILL, WILLIAM FELTHAM, farmer, Combe Hissett. Aug. 21. Trusts. T. Cruttwell, gentleman, Bath, G. J. Timewell, sub-manager, of a bank, Bristol, and H. P. Ewer, auctioneer, Salisbury.
WALKER, CHARLES, and WALKER, PETER, smallware manufacturers, Radcliffe-bridge, and Manchester. Aug. 21. Trusts. J. Ashworth, yarn agent, R. Bunting, commission agent, and J. Collier, merchant, all Manchester.
WILSON, WILLIAM, builder, Bulman-village. Aug. 26. 15s. on 4th Nov. Trust. G. Armstrong, solicitor, Newcastle.

ERRATUM.

In Gazette Sept. 12, 1865 (Stephens, Peter), the names of the trustees are stated as E. J. Lewis and H. S. Daggan, should have been E. J. Lewis and H. S. Duggan.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

THOMAS.—On the 20th inst., at Brecon, the wife of David William Jones Thomas, solicitor, of a daughter.
TUCKER.—On the 22nd inst., at 8, Lansdowne-crescent, Notting-hill, the wife of the Hon. Pendock Tucker, Judge of the High Court, Bombay, of a daughter.

MARRIAGE.

STEEDMAN—ELDERTON.—On the 22nd inst., at St. Giles's Church, Camberwell, Henry Walter Steedman, to Edith, daughter of Charles Merrick Elderton, Esq., of Lincoln's-inn, barrister-at-law, and Brunswick-square, Camberwell.

DEATHS.

BUSWELL.—On the 14th inst., at Market Harborough, aged 39, William Buswell, Esq., solicitor.
SANDOM.—On the 20th inst., at Norwood, aged 32, William Sandom, Esq., solicitor, of Slade's-place, High-street, Deptford.
TENNANT.—On the 20th inst., at 2, Bloomfield-crescent, Westbourne-terrace, aged 70, Henry Tennant, Esq., of Cadoxton Lodge, Neath, Glamorganshire, Bencher of Gray's-inn.
MEREDITH.—On the 30th June last, at Melbourne, Australia, aged 36, Mr. John Meredith Williams, late of Denbigh, solicitor.

Investments.

ADVOWSON.—WANTED.—Income not under 500l. net: an easy distance from London. There must be a good Parsonage House. Immediate possession preferred.—Address, with full particulars, "L. L." care of Messrs. Morgan, 5, Albemarle-street, London, W.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.
Interest Warrants for the whole term payable half-yearly at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.
Communications to be addressed to GEORGE J. JEFFREY, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.
JOHN HARRISON, Secretary.
Dock Office, Liverpool, July 20, 1865.

THE ECONOMIC SOCIETY.—LOANS from £100 to £5000 can be immediately obtained, repayable in one sum or upon the following scale of repayments for every £100 advanced, including interest thereon:—

	Monthly		Quarterly
For one year	£8 14 2	—	£26 [illegible]
For five years	2 0 10	—	6 [illegible]
For ten years	1 4 2	—	3 [illegible]
For fifteen years	0 19 4	—	2 [illegible]

For further particulars apply at the office, 118, Pall-mall, London. F. H. GILBERT, Manager.

SIX per CENT. SECURED on FREEHOLD PROPERTY in LONDON.—The Directors of the INNS of COURT HOTEL COMPANY (Limited) are ISSUING the remainder of the Company's SIX per CENT. MORTGAGE DEBENTURES.
These Bonds, secured as a first charge on the entire freehold property, estimated as worth not under [illegible], are issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and investors have the option of paying in full or by three instalments.
The Company cannot borrow more than [illegible].
H. T. L. BEWLEY, Secretary.
Offices of the Company, 63, Lincoln's-inn-fields, Sept. [illegible]

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).
MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.
The security offered embraces a capital of [illegible], of which [illegible] only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.
Dated 29th June 1865.
(By order) JOSEPH TREFFRY, Secretary.

DEBENTURES at 5, 5½, and 6 per Cent. CEYLON COMPANY, LIMITED.
Subscribed Capital, 700,000l.
DIRECTORS.
Lawford Acland, Esq., Chairman.
Major-General Henry Pelham Burn. | Duncan James Kay, Esq.
Harry George Gordon, Esq. | Stephen P. Kennard, Esq.
George Ireland, Esq. | P. F. Robertson, Esq., M.P.
Robert Smith, Esq.
Manager—C. J. Braine, Esq.
The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.
They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.
Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.
By Order. JOHN ANDERSON, Secretary.

COLONIAL SECURITIES COMPANY (LIMITED).
Share Capital 500,000l. First issue, 250,000l., in 25,000 shares of 10l. each, on which 2l. per share has been called up.
TRUSTEES.
Pascoe C. Glyn, Esq. | Samuel Gurney, Esq., M.P.
George Lyall, Esq., M.P.
DIRECTORS.
The Right Hon. Viscount Bury. | Henry Kingscote, Esq.
Joseph Fry, Esq. | Hugh Edmonstone Montgomerie, Esq.
William Hazlitt, Esq. | Prideaux Selby, Esq.
Bankers—Messrs. Glyn, Mills, Currie, and Co.
Solicitors—Messrs. Freshfields and Newman.
This Company (formed to carry on and extend, under the same management, the business of the Canada Agency Association (Limited), which has been in successful operation for six years) is prepared to receive Money on Deposit for Investment in First Mortgages upon Real Estate in Canada and other leading Colonies, either to bear 5 per cent. interest guaranteed by the company, or 6 per cent. with the principal also guaranteed.
The Company also issue debentures in amounts of 50l. and upwards, for periods of three, five, seven, and ten years, at 6 per cent. per annum, with coupons attached, payable half-yearly, at the bankers of the company, the money so raised being limited to the uncalled subscribed capital of the company.
Further particulars can be had on application to
A. R. ROCHE, Secretary.
80, Lombard-street, London, E.C.

LOANS ON DEBENTURES.

JOHN BROWN and COMPANY (LIMITED).
Capital One Million, in 10,000 Shares of 100l. each.
The Directors are prepared to RECEIVE LOANS for periods not exceeding seven years, at 5 per cent. on the Security of their Debentures.
The Security consists of uncalled Capital to the extent of 600,000l., with all the extensive and valuable property belonging to the Company.
It affords a most ample and safe investment for trust and other moneys, all the shares being held by responsible persons. Interest payable half-yearly.
Apply to the Secretary, at the Company's Offices, Atlas Steel Spring and Iron Works, Sheffield.
JOHN HEWITT, Secretary.

To Readers and Correspondents.

All anonymous communications are invariably rejected.
All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

WEDNESDAY, OCT. 11.

By Messrs. Fox and Bousfield, at Garraway's.
Leasehold town residence, No. 11, Chester-place. Advertised Sept. 30.
Freehold building land at Bexley-heath, Kent. Advertised this day.

THURSDAY, OCT. 12.

By Messrs. C. C. and T. Moore, at Garraway's.
Freehold and leasehold property at Poplar, Old Ford, East India-road, and Mile-end. Advertised this day.

By Messrs. Furzer and Price, at Garraway's.
Valuable-ground-rent, Portman-square, cottage residence in Islington, and a life policy for 100*l.* Advertised this day.

FRIDAY, OCT. 13.

By Mr. F. Lewis, at the London Tavern.
Valuable policies of assurance, reversions, shares, &c. Advertised this day.

By Messrs. Driver, at the Guildhall Coffee-house.
Kew-bridge, producing 3000*l.* a-year. Advertised Sept. 30.

By Mr. W. Hall, at the Lion Hotel, Shrewsbury.
The Aston-hall estate of 453 acres, in Shropshire. Advertised Sept. 30.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.
Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. Horace Cox, *the latter at the Strand Office.*

The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

A Portfolio to contain the current numbers of the Law Times Reports *will be forwarded by post to any person inclosing* 3*s.* 10*d.* *in postage stamps.*

Now ready, price 10*s.* 6*d.*

EQUITY in the COUNTY COURT: being a Treatise on the several branches of Jurisdiction conferred upon the City Court and County Courts, by the County Court Equitable Jurisdiction Act, showing the principles and practice of the Court of Chancery in such matters, with Forms, Statutes, and Scale of Costs. By HENRY FREDERICK GIBBONS, LL.B., Barrister-at-Law, and WILLIAM CHARLES HARVEY, B.A., Barrister-at-Law.

Horace Cox, 10, Wellington-street, Strand.

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

The Lord Chancellor has appointed Josiah William Smith, Esq., Q.C., to be Judge of the County Court in Circuit 27, in the place of Uvedale Corbett, Esq., who has resigned.

On Monday last the County Courts entered upon their great Equity Jurisdiction. Having been, if not precisely its parent, certainly its foster-nurse—for it was proposed and advocated by the Law Times for years before it found a supporter elsewhere in the press—we shall watch and record its progress with especial interest. We do not anticipate that there will be the same rush of business under the new jurisdiction that followed the establishment of the County Courts for the recovery of debts, or the opening of the Divorce Court, or the facilities provided for rascaldom by the new Bankruptcy Law. From the nature of the business it will, we suspect, be of slow growth. There are no large arrears to be brought up; the solicitors will require to learn not only a new practice, but almost a new branch of the law. The cases that come within the equity jurisdiction do not obviously present themselves as belonging to it; each one as it arises will demand much careful consideration before the solicitor can determine, first, if it be within the jurisdiction at all, and then, whether it is a case in itself fitted for the County Court or requiring to be dealt with by a Superior Court. The Lord Chancellor is, we see, preferring equity counsel to be Judges of the County Courts, and it is one of the consequences of the new law that it will probably transfer this valuable patronage from the Common Law Bar to the Equity Bar, for it will be said, with some truth, that an equity lawyer can more easily learn common law than a common lawyer can learn equity law, and moreover that whereas the legal knowledge required for the common law cases is comparatively small, that required to dispense equity law will in most cases be considerable. A study of the new rules does not remove the difficulties that suggested themselves on a review of the statute, and much discussion and many decisions will be demanded before either the law or the practice may be looked upon as settled. It is during the progress of settlement that the Judges and practitioners may do so much to help one another by making known the doubts and difficulties as they arise, and the manner in which they dispose of them. For this purpose the pages of the Law Times may render them valuable assistance, and we shall be pleased to publish any notes of their judgments which the Judges will forward to us, or any notes of cases in which they are concerned, which the practitioners will oblige us by sending.

Mr. Gibbons's excellent treatise on the *New Practice of Equity in the County Courts* is now published. Circumstances will probably cause it to be received in the courts as the text-book on the subject, and therefore we have seen with satisfaction how well he and his colleague have done their work, and what a great assistance they have given to the profession by their treatment of the new law. It is not a new edition of the statute and rules, but a regular treatise. Doubtless experience will show many defects that future editions will supply; but it is a good beginning, and that is all we can say of it, or that is possible to be said of any book upon the subject, in the infancy of it.

We are informed, on undoubted authority, that there will be a large and influential attendance of the Profession, both from London and the provinces, at the meeting of the Metropolitan and Provincial Law Association to be held at Liverpool. In addition to the list of subjects which we published some time since, other papers are confidently expected from able pens, such as

"The Chairman's Address," by Mr. G. W. Hodge, of Newcastle-on-Tyne.

"On Law Reforms in connection with the concentration of the Courts and Offices of Justice," by Mr. F. D. Lowndes, of Liverpool.

"On Professional Remuneration," by Mr. J. Turner, of London.

"Some remarks on the Fusion of Law and Equity," by Mr. H. J. Francis, of London.

"On Local Admiralty Jurisdiction," by Mr. W. Daggett, of Newcastle-on-Tyne.

"On the Laws affecting Dogs," by Mr. Charles Augustus Smith, of Greenwich.

Deputations are already promised from the Law Societies of Birmingham, Kent, Leeds, Manchester, Worcester, and Yorkshire, and more are expected. The following London members of the association have already announced their intention to be present:—W. S. Cookson, E. W. Field, F. H. Janson, J. Kendall, T. Kennedy, J. S. Tobb, J. Turner, S. Williams.

Where are all the rich men? is the first exclamation of many readers of the income tax returns. Only 91 persons are returned as having incomes of 50,000*l.* and upwards; but 731 as blest with incomes between 10,000*l.* and 50,000*l.*; more astounding still, but 1140 have incomes between 5000*l.* and 10,000*l.*; 6862 between 1000*l.* and 5000*l.*; 944 between 900*l.* and 1000*l.*; between 500*l.* and 600*l.*, 7097; between 400*l.* and 500*l.*, but 9313; above 300*l.* and under 400*l.*, 18,278. Why, it will be said with truth, a few streets in the West-end of London would show more houses, in which no person could live with a less income than 5000*l.*, than are shown by the returns of the income-tax for the entire of Great Britain. But the mystery will be explained by a few facts that do not occur to the indignant commentators, public and private, upon this apparent wholesale evasion of the obnoxious tax.

Few incomes proceed from a single source, and every separate source of income is separately assessed to the income-tax. The Duke of Sutherland owns an entire county, yet he appears in the income-tax papers as charged on a very small income. Why? Because every farm is separately assessed, and in the name of the tenant, the tax being paid by the tenant, and by him deducted in payment of his rent. So it is with many other sources of income. A revenue from the funds appears in one place, a revenue from shares in half-a-dozen other places, an income from the trade or profession in another, and so forth. Therefore the income-tax returns which have supplied such welcome aliment for the vacation writers in the penny papers, really supply no test whatever of individual incomes. The only fact that can be gathered from them is, that no single trade or calling is returned as yielding more than the incomes there stated; for if a man has three or four businesses, each one is separately assessed. Certainly it is at once surprising and suspicious that only 6862 businesses in the whole country yield a profit of from 1000*l.* to 5000*l.* per annum. Doubtless the valuation made by the owners for the income-tax fall far short of that which they would state to a purchaser; but the explanation we have given above explains the greater part of the supposed mystery.

In the United States they have adopted the sagacious plan of publishing the income-tax returns, so that all are subjected to public scrutiny. It is said that this has had the good effect, not merely of preventing inadequate returns, but of inducing many to contribute in excess to the funds of the State, that they might have the reputation of wealth they do not possess. If they are willing to pay so handsomely for this dubious honour, there is no reason why they should not be indulged.

We did not err in looking upon the Fenian conspiracy as a very much more serious matter than it pleased the newspapers to view it. At first they affected to treat it with contempt, as a mere "cabbage-garden" plot, only not a jest, because some of its victims appeared to be in earnest. It proves to be a very sorry jest indeed. The organisation is greater in extent than any, except the Government, had suspected, and the purposes of the conspirators are vastly worse than was imagined by the most timid alarmist. Now it appears that something more than a political revolution was designed. The scheme comprised, not merely a republic, but a general massacre of the upper classes and the equal division of property among the republicans. In fact, Democracy, in its purity and simplicity, was the Fenian programme. So long as this is little more than a theory, as it is among the demagogues of England, there is no cause for fear, and the disciples of Radicalism may be permitted to *talk* down intelligence and property, if they can. But the Irish proposed a more summary process for enthroning Democracy—they collected arms and practised drilling, and designed to cut the throats of their opponents, as a more certain and speedy means of obtaining their object than petitioning for manhood suffrage.

Thus far we have advanced in unravelling this formidable plot. It yet remains to be revealed what number of Irishmen had been induced to join it. The Americans, by whom it was concocted, boast that 200,000 Fenians have been actually enrolled in Ireland. If this be so, there will be trouble yet in store for us. Massacres will be practicable still, though every leader should be transported.

Upon this point it is most important that accurate information should be obtained, for upon that depends the future safety of the loyal.

Much interest has lately been excited by the terms of two letters written by Mr. Seward to Mr. Adams, the American Minister at this court. A large part of one of these letters is taken up by the remarks of the Secretary upon the judgment of Vice-Chancellor Wood in the case of *The United States Government* v. *Prioleau*, reported 13 L.T. Rep. N.S. 92. As it is not unlikely that this case will lead to further correspondence between the representatives of our country and America, we propose shortly to examine the principles upon which it was decided, and how far the attitude adopted by the United States can be justified.

A bill was filed in the name of the United States of America for the purpose of restraining Prioleau and others, who traded at Liverpool under the firm of Fraser, Trenholm, and Co., from exercising rights of ownership over a quantity of cotton forwarded from Texas to Liverpool, except as agents for the plaintiffs. The bill gave a narrative of the circumstances attend

ing the revolt of the Southern States, and stated how the government of these States had been carried on under certain persons who had usurped the authority of the United States. This, one would think, is a sufficiently clear acknowledgment of the existence of a *de facto* Government in the Southern States, although it might be composed of men who came under the denomination of insurgents and rebels. But the plaintiffs' Government goes on to allege that these usurpers possessed themselves of money, goods, and treasure, which were part of the public property of the State, and employed them in aid of the rebellion. That by these means they purchased the cotton in question, and shipped it on board an English vessel called the *Aline*, bound for Liverpool, in order that it might be consigned to the defendants, and sold on account of the Confederate Government. That the rebellion was at an end, and the public property of the rebels vested in the Government of the United States. That the *Aline* was lying in the Mersey Docks, and the defendants, in spite of notice, had refused to deliver up the cotton, claiming to be entitled to it under an arrangement with the Confederate Government, and also to have a charge upon it in respect of liabilities which they had incurred in a long series of agency transactions with the Southern States. The case was argued before the Vice-Chancellor upon motion for an injunction, and the ATTORNEY-GENERAL, who appeared for the American Government, certainly insisted that the Confederates were wrong-doers and rebels, and had no power to enter into any contract or engagement which could be binding on the legal Government of America. But the Vice-Chancellor decided that the Confederates constituted a *de facto* Government. This Government had been displaced by that of the United States, which thereupon acquired a title to the particular cargo of cotton, as being public property acquired by means of public funds. This title, however, in the opinion of the Vice-Chancellor was subject to an incumbrance. Those who dealt with a *de facto* Government such as that of the Southern States, were not in the situation of persons taking property from a wrong-doer or trespasser with knowledge of the trespass, and a full knowledge of the rights of the lawful owner. If this were not the case, there could be no dealings of any description, in any part of the world, with any such *de facto* Government. The result was, that the cotton came into the hands of the American Government bound by the engagements of those who had first dealt with it. An order was therefore made appointing the defendant PRIOLEAU receiver upon giving security for the value of that part of the cotton on which no lien was claimed. The decision of the Vice-Chancellor was of course merely upon the question of granting an injunction, but what he said leaves little doubt as to what will be the terms of his judgment at the hearing of the cause. This judgment does not appear to find favour with the American authorities, and the letter of Mr. SEWARD to which allusion has been made, is as follows. After acknowledging the receipt of the decree, he goes on:

The Vice-Chancellor is understood to have affirmed the title of the United States to the property in question. It is with his judgment, and not with the reasons he assigns for such judgment, that the United States are concerned. In this view of the subject, it might seem proper for this Government to leave the subject unnoticed. The frankness, however, which ought to be practised in the proceedings of states requires an explanation of the views which this Government has taken of the question which the Vice-Chancellor has discussed in his reasons before mentioned. The United States do not admit that the combination of disloyal citizens which has raised the standard of insurrection is now, or at any time has been, a government *de facto*, or in any sense a political power capable of taking, giving, holding, or maintaining corporate rights in any form whether municipal or international. It is true that a different view of the character of the insurgents has seemed to find favour with some portions of the British nation, and even with the British Government. It must be remembered, however, that as often as that antagonistical opinion has been advanced by Her Britannic Majesty's Government, in its intercourse with the United States, it has been firmly, though, as we trust, courteously denied. The United States controvert and deny the declaration of the Vice-Chancellor, that they are "successors" of the rebellion, and on the contrary they maintain that they are now, and during all the time of the rebellion have been, just what they were before the rebellion began—a sovereign state absolutely entitled to the regulation and control of all property and persons *within* the United States, subject only to the limitations of their own constitution. It need hardly be said that the United States will hold themselves under no obligation whatever to accept or to conform their proceedings to the conditions which the Court of Chancery, or any other municipal court of Great Britain, may have the presumption to dictate or prescribe in the present or any other legislation. *They claim and insist upon the restoration of the cotton now in question; and, while they are content to receive it through the decree of the municipal tribunals of Great Britain, they insist upon the absolute right to the same through the action of Her Britannic Majesty's Government.* Her Majesty's Government have not in any way made themselves responsible for the position assumed by the Vice-Chancellor, and, therefore, it would seem not only unnecessary, but even improper, to bring the subject to the attention of Earl Russell. If, however, you discover that Her Majesty's Ministers are labouring under any misapprehension of the views of this Government which should need correction, you will supply such correction in a friendly and courteous manner.

It might, perhaps, be thought, looking at the whole of this letter, that all that Mr. SEWARD means is to protest against the general doctrines enunciated by the Vice-Chancellor, but that he has no intention of denying the authority of his Honour's decision in the particular case. But we fear that this construction is not the true one, strange as it may seem; the terms of the letter of the American Secretary imply that his Government will call upon England, independently and in defiance of the courts of law, to seize upon this cotton, and hand it over to the American Government; or, giving us the option of the defendant in an action of detinue, that we should pay them its value. But, unless we are much mistaken, such a demand is in defiance of the clearest principles of international law. Redress can only be sought by one Government from another for acts of state, and not for the wrongs of individuals, except where they are acting under the authority of the Government. When the title to property is brought into question, recourse must be had to the civil tribunals, as the constitution of this country, at any rate, does not permit even the supreme authorities, unassisted by legal process, to deprive any one of his property. A few cases will show the absurdity of what is proposed. The American Government disclaims any right derived from the subversion of the Confederate authorities. Their present claim might, therefore, have been preferred during the war. So that, if any ship employed in the Confederate service had run the blockade and reached this country, we might have been called upon to deliver it up to the Federal Government, and so become their active allies in maintaining the blockade. The present EMPEROR of the FRENCH, as is well known, caused the property of the family of ORLEANS to be confiscated. What would have been said had he called upon this country to complete the confiscation by seizing what belonged to that unfortunate family in this country? Again, the claim to hold this cotton as a security is founded on an implied agreement that the proceeds to be derived from its sale are to go in payment of advances made by PRIOLEAU and Co. If rights derived from an agreement which has been so far executed, are thus to be set at naught, we see no reason why all British subjects who have been paid for goods supplied to the Confederates should not be called upon to refund the money to the lawful authorities. The impatience of conditions imposed by the Court of Chancery, which is so strongly manifested by Mr. SEWARD, is not unreasonable if it were proposed to enforce these conditions within the territory of the States. But Mr. SEWARD forgets that the cotton is in England, and within the jurisdiction of the Court of Chancery. The right of suing in that court in the name of a foreign country has but recently been conceded. But what is to become of the shelter to foreign exiles and refugees, which it has been the boast of this country to afford, if they are to be deprived, through the action of an arbitrary and irresponsible tribunal, of every article of property to which the Government which they have striven to overturn can make out a claim? There are, of course, other objections to this unheard-of demand. The suit in Chancery appears clearly to have been instituted by the authority of the American Government, and there is, therefore, a kind of submission by that Government to the Vice-Chancellor as arbitrator. It has been suggested in some of the newspapers, that a concurrent remedy may be available, and that an application may be made to the British Government for redress at the same time that proceedings are taken in the courts. But the difficulty still remains. What remedy can be afforded by the British Government? Is it to put the Courts of Chancery at defiance, and be guilty of a contempt? We sincerely trust that the Government will reject the demands with which we are menaced with vigour, and in this rejection they will be supported, we have no doubt, by all states interested in the maintenance of international law. We regard this question as entirely distinct from those which have arisen from the presence in this country of munitions of war. And, in conclusion, we can only express a wish that Mr. SEWARD will consult the jurists of his country before he proceeds to put in force that which he has hitherto only threatened.

IN an article on "*The Politics of the Bar*," our very able contemporary, the *Spectator*, comments upon the scarcity of Liberals among the members of the Bar, and especially at the Equity Bar—a dearth which it looks upon as likely to be seriously inconvenient to the administrative capacities of the party in power. But we will present its lamentation in its own words.

It would seem as though the cloisters of Lincoln's-inn were as free from Liberalism as the so-called cells at Littlemore. It is an undoubted fact that with two or three exceptions none of the barristers who practise within the bar in the Court of Chancery have declared themselves supporters of the Liberal party. Some alarm was therefore naturally felt when the fall of Lord Westbury seemed to involve the elevation to the woolsack of the present Attorney-General. It was admitted on all hands that although Sir Robert Collier would in that event become nominally the Attorney-General, he would require much assistance in the discharge of the principal duties devolving on the law officers of the Crown, and it was felt that the necessary help could not be given by any member of the Bar holding a seat in the House of Commons. It is true that looking outside the walls of Parliament the office of Solicitor-General might have been conferred upon the present Vice-Chancellor of the Court of Chancery in the county palatine of Lancaster (Mr. William Millbourne James, Q.C.) whose cultivated mind, sound judgment, and earnest Liberalism would have eminently justified the choice, but here a difficulty again arose in consequence of this gentleman not being in Parliament. The acceptance by Lord Cranworth of the Chancellorship has postponed for the present the practical inconvenience of the situation, but his great age, while it brings with it the valuable experience of a life unusually full of change and honour, warns us that we must not rely on retaining him long in the office which he so eminently adorns. A man who thirty years ago held the office of Solicitor-General, and who since that time has presided as a judge for eighteen years in the various capacities of Baron of the Exchequer, Vice-Chancellor, Lord Justice, and Lord Chancellor, has almost fulfilled his duties to his country. In the person of Mr. Coleridge the new House of Commons will have an elegant speaker on the Government benches, but an untried Liberal and hardly what Mr. Bright would call a robes politician. He is also a member of the Common Law Bar. We must, therefore, expect another change soon, and the question naturally arises, What has become of Whig policy at the bar? Is the race of Liberal lawyers come to an end? It will be suggested that, inasmuch as the Liberal party have been in office, with the exception of about seven years, ever since the Reform agitation, the supply of leading Liberal barristers has naturally not proved equal to the demand. There is much truth in this suggestion. Since 1830 twenty-four distinguished lawyers have held the offices of Attorney and Solicitor-General, and out of this number only six have been drawn from the ranks of the Tory party. Besides this an unusual number of judicial appointments have been filled up. The drain upon the Liberal party practising at the bar has therefore been great. We think, however, that it would be a mistake to attribute the present dearth of Liberal lawyers entirely to this circumstance. Other causes have contributed to this result. The Bar is essentially a conservative body. Its traditions, its rules of etiquette, and the training of its members, are to a great extent opposed to originality of thought. The habit of weighing both sides of every question naturally produces a certain insensibility to the pursuit of abstract truth. That under-current of sympathy with what interests and affects the masses of the people generally, which constitutes the true criterion of the real Liberal, is wanting to a great extent among the members of the Bar. Besides the political history of the last twenty years has tended to foster the natural conservatism of which we speak.

The movement which Sir Robt. Peel inaugurated

and which justified in some measure Mr. Disraeli's language when he spoke of the life of his great Parliamentary opponent as "a great appropriation clause," appealed with great force to the lawyers. In fact, for the last twenty years Liberal Conservatism has been the political creed of the Bar.

The fact is indisputable that the overwhelming mass of the intellect of the Bar, as well as of its members, is, as the *Spectator* affirms, Liberal-Conservative; that is to say, it earnestly desires good government, energetically advocates improvement, but is strenuously opposed to the transfer of political power from the classes who now hold it to the lower classes, where the mere brute force of numbers must of necessity swamp intelligence and property. The Bar, with few exceptions, and these mainly of men not moved by conviction, but by a calculated purpose to use politics for personal ambition, is decidedly anti-Democratic. The *Spectator* ascribes this to a training "to a great extent opposed to originality of thought," and to "a habit of weighing both sides of every question." This is certainly a most astounding assertion for a philosophical journal. The habit of looking at both sides of every question before we form a judgment upon it, which is the characteristic of the legal mind, would be deemed by ordinary thinkers the best security for truthful conclusions. And so doubtless the *Spectator* would have contended, had those conclusions been in accordance with its own views. But it is a remarkable instance of the subjection of the reason to the feelings, even in logical minds, that a philosopher, which our contemporary is, in spite of his occasional human weaknesses, should make it a grave objection to a class, that they habitually look at both sides of every question, and should contend that, therefore, the political judgment of such a class is of no value when differing from that of the philosopher himself, and for the still more astonishing reason that this "weighing of both sides" "naturally produces a certain insensibility to the pursuit of abstract truth." The meaning of this can only be, that the *Spectator* claims for its own inner consciousness of abstract truth—that is, for its own prejudices and passions—a dogmatic authority beyond that of a judgment formed after weighing both sides. When such is the despotism of highly educated Radicalism, what must it be in minds whose passions and prejudices are curbed by no reasoning power at all! No wonder that the Bar, as a body, are Liberal-Conservatives, and hostile to the democratic despotism of which the argument we have cited is the latest exponent by its highest intellect.

JUDICIAL STATISTICS.

No. VI.

BANKRUPTCY.

THE total number of adjudications were as follows:

Number of Adjudications of Bankruptcy.	London District Court.	Country District Courts.	County Courts.	Total.
On petition of a creditor	185	354	56	595
On petition of the debtor	1609	1001	2650	5260
By registrars at the prisons	289	178	437	904
On petitions *in formâ pauperis*	220	3	233	456
On judgment debtor summons	8	1	—	9
Total	2311	1537	3376	7224

It is gratifying to learn that this is a decrease of no less than 14 per cent. as compared with the numbers in 1863, and of 25 per cent. as compared with 1862. But the latter was the first year after the new Act which admitted to the privileges of bankruptcy all persons indiscriminately, and therefore there was an immense arrear of rogues, wanting to be whitewashed, whom the Insolvency Court would not pass, but who were cordially welcomed into the Bankruptcy Court, and instantly relieved from their obligations to be honest.

This is proved by the proportions of the bankruptcies above and under 300*l*., the latter being nearly double the former, viz. 4252 where the debts were under 300*l*., and 2972 where they exceeded that sum. The petitions *in formâ pauperis* were 456. In these cases, not merely was the debtor relieved from his debts, but the cost of the process was paid by the public.

But what was the produce of all this machinery for confiscating the property and rights of creditors? The amount collected by the creditors' assignees was 350,302*l*.; by the official assignees 327,233*l*., or 93*l*. per bankruptcy.

A dividend was paid in 1586 cases, but no dividend at all was paid in 5324 cases; that is to say, 70 per cent. of all the bankrupts paid *nothing* to their creditors! The following table shows what *was* paid:

Number of cases under 2*s*. 6*d*.	...	...	848 ...	53·5
" " 2*s*. 6*d*. and under 5*s*.	...	...	381 ...	24·0
" " 5*s*.	"	7*s*. 6*d*.	192 ...	12·1
" " 7*s*. 6*d*.	"	10*s*. ...	53 ...	3·3
" " 10*s*.	"	15*s*. ...	50 ...	3·2
" " 15*s*.	"	20*s*. ...	25 ...	1·5
" " 20*s*....	...	... ...	37 ...	2·3

The discharges granted were 5332; those suspended, 316; those refused, 80.

3604 trust-deeds under sect. 192 were registered, the stamp duties on them being 9505*l*., and the gross value of the estates affected nearly four millions. Of these, 2208 were deeds of assignment; 1348 deeds of composition; and 48 deeds of inspectorship.

The total amount of bills of costs taxed was 87,064*l*., divided thus:

	£	*s*.	*d*.
Solicitors' bills	65,350	4	10
Messengers' bills	9,552	0	1
Assignees and others for travelling expenses, &c. ...	252	7	6
Auctioneers' bills	7,607	16	0
Accountants' bills	4,301	12	10

Nine per cent. of the gross amount was struck off on taxation.

The total assets realised having been 677,536*l*., it appears that the costs swallowed up nearly one-eighth. Hence the deficient dividends.

There were 58 appeals. In 18, the judgments were affirmed; in 14 they were reversed. The rest were abandoned, arranged, or pending.

In the trust-deeds there were 10 appeals; in 8 of them the judgments were affirmed.

The messengers' fees amounted to the large sum of 34,496*l*. But out of this they had to make payments of 26,121*l*., leaving a surplus of only 8374*l*.

The fees received by the registrars of the County Courts for bankruptcy business were 12,177*l*., their payments 1498*l*., leaving for their remuneration 10,679*l*. The net remuneration of the high bailiffs was 5607*l*.

The revenue of the Court of Bankruptcy was 176,815*l*.; the expenditure, 140,894*l*.

INVESTMENT JOURNAL.

THE Bank has again hastily raised its rate of discount to 5 per cent. Money was in demand for foreign loans, and some costly enterprises that had been suspended were about to be revived. This amply justified the prompt application of the remedy. It is said that no further advance is contemplated; but we doubt this, and should not be surprised to see it at 7 per cent. before Christmas, for the American trade is reviving and the cotton supply is returning.

The effect will be seen in the following table of fluctuations:

ENGLISH FUNDS.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	...	...	...	...
3 ₩ Cent. Red. Ann.......	87¾	89¼	86¾	87	87½	86¾
3 ₩ Cent. Cons. Ann. ...	89¼	89¼	88¾	89½	89¼	89¼
New 2½ per Cent. Ann....	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	71½	...	...	...
New 3 ₩ Cent. Ann.......	87¾	88¼	87	87	87½	87
New 3½ ₩ Cent. Ann. ...	...	...	...	...	...	...
5 ₩ Cent. Annuities.......	...	...	...	...	...	...
5 ₩ Cents. Jan. 1873 ...	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	13½	...	...	...	13¾	...
Do. exp. Jan. 5, 1880 ...	...	...	...	...	...	...
Red Sea Tele. Ann. 1903	...	...	...	...	...	...
Bank Stock, for Acc. ...	...	...	...	...	...	...
Consols for Acc.	89¼	89¼	89	89½	...	89
Consols 3 ₩ Cent. for Ac.	...	...	...	...	...	...
India 5 ₩ Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	219	...	219	218½	216½	...
India 5 ₩ Cents.	...	...	...	...	...	...
India 4 ₩ Cents. 1888 ...	...	...	...	...	...	...
India 5 ₩ Cents. 1870 ...	105	105¼	105¼	104¾	104½	...
India Bonds (1000*l*.).......	...	...	...	21pm	21pm	...
Do. (under 1000*l*.)......	20pm	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	99½	99½	...	...	...	...
India Enfaced Paper, 4 ₩ Cent.	89	...	...	...	...	...
Do. do. 5 ₩ c. Jan. 1872	101¼	...	102	101¼	101¼	...
Do. do. 5½ ₩ c. May 1879	108¼	...	...	108¼	108¼	...
Ex. Bills, 1000*l*.	*a*	*b*	*d*	*e*	*f*	...
Do. 500*l*.	*a*	...	...	*e*	...	...
Do. 100*l*. & 200*l*. 3 ₩ c.	*a*	*c*	*b*	*e*	...	...
Do. Small, & 3 ₩ c....	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates.........	...	...	...	...	...	...

a 3 3/4 per ct. 5*s*. 1*s*. dis. *b* 3 3/4 per ct. 5*s*. dis. *c* 3 3/4 per cent. 1*s*. dis. *d* 3 3/4 per cent. 5*s*. dis. *e* 3 3/4 per cent. 5*s*. 1*s*. dis. *f* 3 3/4 per cent. 5*s*. 2*s*. dis.

The following are the fluctuations of the last month:

	Amnt. per Share.	Amount Paid.	Price on Sept. 1.	Highest price during Month.	Lowest price during Month.	Present Price.
Consols ...	...	...	89¼ to ¾	90¼	89¼	89¼ ¼
Exch. Bills.	...	...	par to 5*s*. dis.	2*s*. pm.	5*s*. dis.	5*s*. to 2*s*. dis.
RAILWAYS:		£				
Brighton ...	Stock.	100	104¼	106	103½	105¾
Caledonian	Stock.	100	134	136	129	128¾
Gt. Eastern	Stock.	100	47¼	49¾	47¼	47¾
Gt. North. .	Stock.	100	130¾	134	130½	133
Gt. Western	Stock.	100	66½ ex d	66¾ ex d	64¼ ex d	64¾ ex d
Lon.& N.W.	Stock.	100	124½	125¾	123	123¼
Midland ...	Stock.	100	128½	129¼	125¼	125¾
Lan.& York.	Stock.	100	119¾	122	119½	120½
Sheffield ...	Stock.	100	57¾	59¼	57	57¾
South-East.	Stock.	100	81	82½	79½	79¾
South-West	Stock.	100	97¼	97¾	96½	96½
Berwick N.-East	Stock.	100	111	111¼	110¾	111
York & N.M.	Stock.	100	103½	104½	103	104
Foreign:						
East Indian	Stock.	100	103¾	105	103½	104¾
Lom.-Ven.	£20	All	19	19½	18	18½

SOLICITORS' JOURNAL.

Correspondence.

THE COUNTY COURTS AND THE LAW AS IT IS—CERTIFICATE FOR PLAINT.—It is taken for granted (though how true I cannot say) that the detriment of the attorneys, by legal charges, is the advantage of the public. One is done for the *purpose* of the other, and the attorneys must submit. But on the principle of right, as the legal Profession is a part of the common body of the people, something ought to be done for the attorneys and solicitors, now that their profits are taken away, and especially for those of long standing *who came into the Profession with very different prospects from those which now appear.* The plodding young attorney may always find some description of work, but not so with the different class. Therefore, let justice at least be done, in some form or other, to those old in the Profession, and against whom there has been no slur through a long course of active service to the public. For instance, let no plaint above a certain amount, or of a certain description issue without the certificate of a commissioner that it is fit to be tried, and the same with defences, and let a small fee—say 5*s*., or 2*s*. 6*d*., or other sum to be fixed—be charged for it. This would, in fact, also serve the public at large, by, in many cases, saving useless litigations and expenses, and prevent the valuable time of the courts from being unnecessarily occupied, by which also the public would gain benefit. It is the heavy legal "bill of costs" that has frightened the public, but no reasonable man would object to such a course as I have named for the advantage and benefit of all. If this is to be done, it should be done without delay.

UNITY.

Oct. 20.

AGENCY FEES.—The substance of the letter of Messrs. Singleton and Tattershall, in last week's number of the LAW TIMES, is, I think, calculated to excite the interest of country solicitors generally, and, as a member of this class, I am desirous of enlightening your "town" readers with my experience of what is the probability of payment for chance agency business, such as that which has exposed Mr. Stubbs to the strictures of your correspondents. It is pretty well understood here, and doubtless elsewhere, that many London solicitors are in the habit of selecting from the *Law List* the names of young practitioners (who are not likely to act in the way Mr. Stubbs has done) for the bestowal of their crumbs of agency business; when the business, be it service of process or otherwise, is performed, no further notice of either the victim or his costs is taken by the town solicitor, and as the amount involved is usually trifling, no steps are taken to recover. I could adduce several cases of this kind which have occurred to myself. For instance, some eighteen months ago, a firm in this town which confines itself almost entirely to conveyancing, and is in the habit of sending me agency business of the kind above mentioned, received for service from a "gentleman" (the position of whose office, in the neighbourhood of King William-street, seemed to indicate respectability) three bills in Chancery; these were brought to me, as usual, and I effected service with some difficulty, but have never been favoured with any acknowledgment of my letter reporting, or of my subsequent debit notes for my charges. This is only one of several similar cases. A little reflection will doubtless dispel your correspondent's notion that "it is the duty of a country solicitor to effect service" without requiring his fees to be paid before hand, and convince them that the rule which Mr. Stubbs has laid down for himself may be a very wholesome one.

A COUNTRY SUBSCRIBER.

Liverpool, Oct. 4, 1865.

— I have read Messrs. Singleton and Tattershall's letter of Saturday last, complaining that a certain country attorney found it necessary to require pre-

payment for serving writs, "in consequence of the neglect of correspondents to pay the fees after service;" and Messrs. Singleton and Tattershall remark, "Surely it is the duty of a country solicitor to effect service without requiring his fee to be paid beforehand." I do not know Messrs. Singleton and Tattershall, but I do know that there is a very great laxity with many of the London solicitors in paying country attorneys for serving writs, and often where a very great deal of trouble has been taken and time lost for the comparatively small fee allowed by the taxing master. There are honourable exceptions, but I find that the London solicitors generally unfortunately "forget" to pay for serving writs, and I have now claims against several which I cannot get paid, and the trouble of writing numerous letters and subsequently taking proceedings is as much as each account is worth. I hope your correspondent's letter will be the means of drawing attention to the subject of payment by London solicitors of their country correspondents' charges; and while it may not be the duty of the country solicitor to ask for prepayment, it is the "duty" of the London solicitors to pay their country correspondents' proper charges, which very often includes money paid for mileage.

AN OLD SUBSCRIBER.

Chester, 3rd Oct. 1865.

ELECTION EXPENSES.

COLCHESTER.—The expenses incurred by Mr. T. J. Miller, M.P., and Mr. P. O. Papillon have been returned at 807*l.* Mr. Miller was returned in the Conservative interest; Mr. Papillon, his late colleague, lost, however, the seat which he had held since 1859. Professional agencies cost Messrs. Miller and Papillon 272*l.*; the next largest item in their accounts is 150*l.* for conveyance, railway fares, and travelling expenses.

DORSETSHIRE. — The following abstracts of the expenses incurred during the late election for Dorsetshire have just been published. In the election of three knights of the shire the costs were:—The Hon. W. H. B. Portman, M.P., 161*l.*; Mr. H. G. Sturt, M.P., 137*l.* 14*s.* 11*d.*; Mr. J. Floyer, M.P., 122*l.* 3*s.* 5*d.* For the borough of Dorchester the amounts were as follows:—Mr. C. N. Sturt, M.P. 569*l.* 18*s.*; Mr. R. B. Sheridan, M.P., 509*l.* 4*s.* 8*d.*; Sir Henry Drummond Wolff, 451*l.* 5*s.* 3½*d.* Weymouth—Messrs. H. G. Gridley, M.P., and H. Edward, 910*l.* 8*s.* 11*d.*; Lord Grey de Wilton and Mr. Brooks, M.P., 1106*l.* 15*s.* 10*d.* Wareham—Mr. J. H. Calcraft, M. P., 289*l.* 2*s.* 9½*d.*; Mr. J. S. Drax, 139*l.* 4*s.* 9*d.* Poole — Mr. C. Waring, M. P., 529*l.* 17*s.* 6*d.*; Mr. Henry D. Seymour, M. P., 368*l.* 13*s.* 11*d.*; Mr. S. Lewin, 390*l.* 3*s.* 1*d.* Lyme Regis—Mr. J. W. Treeby, M.P., 371*l.* 2*s.* 4*d.*; Mr. J. C. Hawkeshaw, 523*l.* 7*s.* 9*d.*

DOVER.—The expenses incurred by Major Dickson, M.P., and Mr. Charles Hayo Freshfield, M.P., were 1760*l.* 14*s.* 1*d.*, including hire of fittings for committee-rooms, 101*l.*; agents and clerks, 279*l.*; hire of carriages, horses, &c., 185*l.*; printing, stationery, &c., 325*l.*; advertising, 143*l.*; messengers, 102*l.*; solicitors, 294*l.*; returning officer for hustings, &c., 172*l.* The expenses incurred by Viscount Bury and Mr. Thomas Eustace Smith were 1717*l.* 18*s.* 7*d.*, including hire of committee-rooms and fittings, 331*l.*; printing and advertising, 315*l.*; stationery, 19*l.*; hire of flys, horses, and riders, 187*l.*; agents and clerks, 193*l.*; solicitors, 210*l.*; messengers, 181*l.*; and returning officer for hustings, &c., 167*l.*

GREAT YARMOUTH.—The expenses of Sir E. H. K. Lacon, M.P., and Mr. J. Goodson, M.P., the successful Conservative candidates, amounted to 891*l.*, while the expenditure of the unsuccessful Liberal candidates, Messrs. Brogden and P. Vanderbyl, has been returned at 644*l.* Mr. J. Marshman, who was also for a short time a candidate for the representation of the borough, expended 102*l.*

HEREFORD.—The expenses of the Hon. G. Clive amounted to 294*l.* 17*s.* 7*d.*, which included 64*l.* 2*s.* to the returning officer, and 51*l.* 6*s.* 2*d.* for printing and advertising. Col. Clifford, the unsuccessful Liberal candidate for the city, expended 292*l.* 18*s.* 4*d.*, the items being nearly the same as in the case of the Hon. G. Clive.

LAMBETH.—The official returns of the expenses incurred by the successful candidates for the borough of Lambeth in the late general election, Mr. Thomas Hughes, M.P., and Mr. F. Doulton, M.P., furnish some curious facts. The expenses of Mr. Hughes amount to 1108*l.* 0*s.* 5*d.*; of which 155*l.* 8*s.* 1*d.* is set down for cabs, couriers, inspectors, and check-clerks on the day of polling; 138*l.* 15*s.* 6*d.* for the returning officer, and 217*l.* 16*s.* for agency clerks and messengers, &c. Printing and stationery cost 251*l.*; bill-sticking, 78*l.*; postage and letter delivering, 77*l.*, and advertising, 53*l.* The remaining portion of the expenses include rent of committee-rooms, &c., 113*l.*, and cab hire prior to polling day, 18*l.* Mr. Doulton's expenses altogether amount to 1585*l.* 7*s.* 6*d.*, which is nearly 500*l.* more than that incurred by Mr. Hughes. The largest item is made up for clerks, canvassers, and messengers, who are set down for 535*l.* Printing, stationery, &c., cost 240*l.*; rent of rooms for committee, and public meetings, 239*l.*; cab hire, 209*l.*; returning officer, 138*l.*; postage of polling cards to voters, 110*l.*; bill-posting and boardmen, 49*l.*; check-clerks and inspectors, 34*l.*; advertisements, 13*l.*, which with other small sums make up the above total.

MARYLEBONE.—Mr. Chambers spent 2105*l.* 19*s.* 6*d.*, of which the two largest items are set down—printing and posting, 514*l.* 5*s.* 3*d.*, and returning officer, 250*l.*; secretaries to committees, clerks, &c., cost 231*l.*; and cab and omnibus hire, 219*l.* Lord Fermoy spent 1604*l.* 16*s.* 2*d.*, of which printing and stationery are set down for 345*l.*, and expenses of sub and district committees, &c., 357*l.*

NORWICH.—The expenditure incurred by Mr. E. Warner, M.P., and Sir W. Russell, M.P., in connection with the late Norwich election, has been returned at 2872*l.* A sum of 420*l.* was paid for agency; 473*l.* for printing, stationery, and advertisements; 225*l.* for cabs, gigs, horse hire, &c.; 123*l.* for a moiety of the sheriff's expenses; 141*l.* for sundry tradesmen's bills and petty disbursements; 78*l.* for the conveyance of outvoters, &c. The great outlay was, however, incurred in connection with the central committee-room and eight ward committee-rooms. The expenses of Mr. R. E. C. Waters and Mr. A. Goldsmid, the unsuccessful Conservative candidates, were 1997*l.*, of which 105*l.* was paid for agency, 313*l.* for printing, stationery, and advertisements; 140*l.* for cabs, gigs, and horse hire; 79*l.* for committee-rooms; 30*l.* for the conveyance of outvoters; 123*l.* for a moiety of the sheriff's expenses, &c. The balance, as in the case of Mr. Warner and Sir W. Russell, was chiefly expended in connection with the central committee-room and eight ward committee-rooms.

PONTEFRACT.—Mr. H. C. Childers, 532*l.* 11*s.* 7*d.*; Mr. Waterhouse, 564*l.* 5*s.* 2½*d.*; Mr. M'Arthur, 518*l.* 6*s.* 0½*d.* The latter, who was a Liberal, was the defeated candidate. Mr. Childers is a Liberal, and Mr. Waterhouse is a Conservative.

SALISBURY. — Mr. Marsh (Liberal) expended 376*l.* 7*s.* 7*d.* in his re-election, of which 225*l.* 6*s.* was for professional charges, and 28*l.* 7*s.* 9*d.* for printing and advertising. Mr. E. W. T. Hamilton (Liberal) gained his seat for 609*l.* 17*s.* 10*d.*, his agent's charges being 347*l.* 2*s.*; printing and advertising, 65*l.* 13*s.* 4*d.*; conveyances, 29*l.* 0*s.* 6*d.*; returning officer, 31*l.* 11*s.* 5*d.*; agent for election expenses, 10*l.* 10*s.*; committee-rooms, 66*l.* 8*s.* 2*d.*; and sundries, 59*l.* 12*s.* 4*d.* Mr. John Chapman (Conservative), the unsuccessful candidate, expended 543*l.* 18*s.*, the amount being made up as follows: Solicitors' charges, 147*l.* 16*s.*; returning officer, 10*l.* 11*s.* 5*d.*; secretaries, clerks, and messengers, 39*l.* 2*s.*; agent, clerks, and messengers employed in polling booths, 18*l.* 18*s.*; messengers delivering notices, 27*l.* 11*s.* 6*d.*; committee-rooms, 45*l.* 3*s.* 6*d.*; furniture, 8*l.* 4*s.* 6*d.*; refreshments for clerks, &c., 48*l.* 13*s.*; advertising, printing, &c., 137*l.* 5*s.* 1*d.*; fly hire, 54*l.* 11*s.*; and railway charges for conveyance of voters, 6*l.* 2*s.*

SOUTH WILTS.—Mr. Thomas Fraser Grove's expenses in the contest for South Wilts, in which he defeated Lieutenant-Colonel Bathurst, the late Conservative member, amounted to 517*l.* 10*s.* 4*d.*, of which 387*l.* 15*s.* 2*d.* was for agents' bills, charges, and payments; 43*l.* 5*s.* 3*d.* for advertising, printing, and stationery; 22*l.* 16*s.* 11*d.* for inspectors, clerks, and messengers; and 25*l.* 16*s.* 7*d.* for conveyance and railway fares.

ST. IVES.—Mr. Paull was re-elected at a cost of 464*l.* 14*s.* 1*d.*, while his opponent, Mr. E. Vivian, expended 378*l.* 17*s.* 6*d.*

SUNDERLAND.—Mr. Fenwick paid 1420*l.* 11*s.* 8*d.*; Mr. Hartley, 1871*l.* 9*s.*; Mr. Candlish, 1802*l.* 9*s.* 5*d.* Mr. Fenwick's law and other agents received 614*l.* 17*s.* 6*d.*; Mr. Hartley's, 832*l.* 13*s.* 6*d.*; Mr. Candlish's, 597*l.* 8*s.*

TYNEMOUTH.—Mr. Trevelyan's expenses amounted to 1038*l.* 2*s.* 11*d.*; Mr. Hodgson's to 1564*l.* 15*s.* 9*d.* Mr. Trevelyan paid 475*l.* 12*s.* for professional services; 76*l.* 19*s.* 6*d.* for clerks; newspapers, 75*l.* 6*s.* 4*d.*; printers and stationers, 63*l.* 0*s.* 9*d.*; cabs, railways, &c., 109*l.*; returning officer's charges, including indenture of return, 86*l.* 16*s.* 1*d.*; committee-room and room for meetings, 33*l.* 2*s.*; personal expenses, 45*l.* 14*s.* 5*d.* Mr. Hodgson's expenses for committee-room were 107*l.* 3*s.* 6*d.*; printing, stationery, and advertising, 209*l.* 19*s.*; conveyance and cab hire, 82*l.* 10*s.* 11*d.*; expenses of professional agents on canvass, 10*l.*; travelling expenses of voters, 72*l.* 19*s.*; personal expenses of Mr. Hodgson and relatives representing him on the canvass, 213*l.* 3*s.* 10*d.*; professional agents, retainers, and fees, 619*l.* 19*s.*; committee-room clerks, 60*l.*; returning officer's charges, 76*l.* 6*s.*

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

JOINT-STOCK COMPANIES ASSOCIATION (LIMITED).—Creditors to send in by Nov 2, their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to G. Scott, 2, Bond-court, Walbrook, London. Solicitor, J. Tucker, 28, St. Swithin's-lane, London.

PALLEY ANTHRACITE COAL AND IRON COMPANY (LIMITED).—Creditors to send in by 25th Oct. their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to G. Scott, 2, Bond-court, Walbrook, London. Solicitor, J. Tucker, 28, St. Swithin's-lane, London.

UNIVERSAL MERCANTILE ASSOCIATION (LIMITED).—Creditors to send in by 16th Oct. their names and addresses, and the particulars of their claims, and the names and addresses of their solicitors (if any), to G. Scott, 2, Bond-court, Walbrook, London. Solicitor, A. T. Cox, 28, St. Swithin's-lane, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BAKER (Eliz.), Stoughton-place, Stoke, near Guildford, Surrey, widow. Nov. 25; H. Marshall, solicitor, Godalming, Surrey.

ELLIS (Samuel), 18, Duncan-terrace, Islington, Middlesex, Esq. Dec. 8; C. J. Whitshaw, solicitor, 3, South-square, Gray's-inn, London.

CHANCE (Robt. Lucas), Summerfield-house, Birmingham, and Himley, Staffordshire, manufacturer of fire-brick, &c. Jan. 1, 1866; Watkins, Baker, and Bayliss, solicitors, 11, Sackville-street, London.

CLOWES (Thos.), Froxmer-court, Crowle, Worcestershire, Esq. Dec. 30; S. H. C. Maddock, solicitor, 3, Spring-gardens, London.

DAVIES (Sir David), 2, Berkeley-street, Berkeley-square, Middlesex, M.D. Oct. 30; Wing and Dunne, solicitors, 1, Gray's-inn-square.

GWILLIM (Elizabeth Ravenhill), the Grange, Woolhope, Herefordshire, widow. Nov. 1; Mullow and Barter, solicitors, Ledbury.

JACKSON (Elizabeth), 16, Hayes-place, Lisson-grove, Middlesex, widow. Nov. 7; M. B. Miller, solicitor, 13, Clifford's-inn, London.

JEFFERY (William), Foubert's-place, Regent-street, and 6, King-street, Golden-square, Middlesex, butcher and farmer. Dec. 6; W. Phillips, solicitor, 4, Size-lane, London.

LAMBERT (Robert), Sutton's-gate, Hornchurch, Essex, gentleman. Dec. 2; G. and E. Hilleary, solicitors, 5, Fenchurch-buildings, London.

MANBY (Mary Ann), 23, King-square, Bristol, widow. Oct. 25; J. G. Wood, solicitor, 19, Clare-street, Bristol.

NAPIER (Duncan Campbell), Adderley, Salop, gentleman. Nov. 11; J. W. and W. Hower, solicitors, 17, Gracechurch-street, London.

PRICE (George William), the Elms, Stoke Newington-common, Stoke Newington, Middlesex, and 67, Mark-lane, London, wine merchant. Dec. 2; G. and E. Hilleary, solicitors, 5, Fenchurch-buildings, London.

PURVER (Anna Maria), Upton, Southampton, widow. Nov 2, S. H. C. Maddock, solicitor, 3, Spring-gardens, London.

ROWLINSON (Sarah), Broad-street, Birmingham, spinster. Nov. 1; James and Griffin, solicitors, 36, Bennett's-hill, Birmingham.

RUSSELL (Cecilia), Gothic-house, Waterside, Wandsworth, Surrey, spinster. Dec. 23; R. W. Powys, solicitor, 3, Russell-square, Middlesex.

SHELDRAKE (Lucy), 59, Queen's-road, Bayswater, Middlesex, widow. Dec. 24; Walter and Mosley, solicitors, 4, Southampton-street, Bloomsbury, London.

STEVENS (Alethea), Carisbrook-villas, Forest-hill, Kent, widow. Nov. 7; Tanqueray-Willaume and Hanbury, solicitors, 34, New Broad-street, London.

WOMERSLEY (Robert), the Green, Stratford, Essex, and Osborn-place, Whitechapel, Middlesex, manufacturing chemist, Dec. 2; G. and E. Hilleary, solicitors, 5, Fenchurch-buildings, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

BASIL (Right Hon. Rudolph William), Viscount Fielding. 427*l.* 12*s.* 10*d.* Three per Cent. Consols. Claimant, Right Hon. the Earl of Denbigh.

HERVEY (Charles), Lane-end, Staffordshire, baker, and WARD (Thomas), of Newcastle-upon-Lyne, Staffordshire, gentleman. Dividends on 162*l.* 2*s.* 9*d.*, 18*l.* 5*s.*, and 142*l.* 13*s.* 8*d.* Three per Cent. Cons. 1*s.* Claimant, Thomas Ward.

KING (Sarah), Arlington-street, Camden-town, widow. Dividend on 380*l.* 2*s.*, and dividend on 800*l.* Three per Cent. Consols. Claimant, Bushell King, surviving executor.

MAGISTRATE AND PARISH LAWYER.

READINGS OF NEW STATUTES

RELATING TO

MAGISTRATE AND PARISH LAW.

By T. W. SAUNDERS, Esq., Barrister-at-Law.

No. V.

THE UNION CHARGEABILITY ACT 1865 (28 & 29 VICT. c. 79).

THE importance of this statute in a social and political point of view will be at once recognised when it is stated that its principal objects are to throw the burden of pauper relief entirely upon unions, instead of upon parishes, and to make a one year's residence, instead of that of three years, confer the *status* of irremovability. That it is a wise, and will be a most useful, measure few will question, though it will doubtless in many cases affect the value of real property to a great and serious extent. Burdened as each parish is at present with the support of its own poor, the land comprised within its area has acquired a market value in accordance with the assessments to which it is subjected. In taking a farm, the tenant looks to his outgoings, and amongst these to the poor-rates; and, according as these are heavy or light, so is his rental to some extent regulated. A farm burdened with a poor-rate to the extent of 5*s.* in the pound, would realise a far less rental than a farm equal in other respects, but burdened with a poor-rate of only 1*s.* in the pound; and where a tenant would give 75*l.* rental for the former, he would give 95*l.* for the latter, and the selling price of the farm would be in the same proportion, the market value of the latter being at least 400*l.* greater than that of the former. It often occurs that in the same union there are parishes in which the difference is as great as that we have mentioned; but under the new law they will all be equally assessed, and in

many cases we shall find the rating of some parishes brought down many shillings in the pound, whilst that of others will be proportionately increased. That this will seriously affect rentals and the selling value of properties is perfectly obvious, many estates being improved in value by some thousands of pounds, whilst others will in like proportion be deteriorated. With this, however, we have nothing to do; it was for the Legislature, and although it seems not to have been discussed, we cannot suppose that it escaped consideration.

The statute comes into operation on the 25th March next, and from that day there will be no separate chargeability of parishes for the expenses of their own poor, but the entire cost of their support, their burial, vaccination, &c. is to be defrayed out of the common fund.

In conformity with this altered condition of liability, the guardians of the unions and not the overseers of parishes are to be the parties to obtaining orders of removal, and to defending and prosecuting appeals. To carry out these new provisions ample machinery is provided.

From and after the foregoing date the period of one year is to be substituted for that of three years as specified in sect. 1 of the 24 & 25 Vict. c. 55, so that a one year's years residence instead of that of three years will confer the *status* of irremovability. This provision will go far to annihilate appeals touching parish settlements.

The Act contains directions enabling unions and incorporations under local Acts to avail themselves of the provisions of the new statute.

The statute is carefully framed and concisely worded, and no doubt will work easily and conveniently. All who are interested in its provisions will need to possess a copy of the Act itself, and hence, as there are no remarks of a special character to which we have occasion to draw attention, we do not feel justified in making further observations upon it.

Correspondence.

SMALL PENALTIES ACT.—"A. B. S." in his communication of last week, says he is inclined to doubt my opinion, that there is now no statute in force imposing a penalty for simple drunkenness, on the ground that 21 Jac. 1, c. 7, s. 3 (Ruffhead's edition), is still in existence; and from this fact he draws the conclusion that the 3rd section of 21 Jac. 1, c. 7, remains untouched, meaning, I suppose, the 3rd section of the Act as found in the Statutes at Large, which conclusion does not at all follow from the premises, and if assented to would lead us into error, as "A. B. S." omits to give the full effect of the repealing statute. The repeal is effected by 26 & 27 Vict. c. 125, in the following words: "21 Jac. 1, c. 7, An Act for repressing of Drunkenness; in part, except sections *four* and *five*," with a note appended to say that those sections are in Ruffhead's edition of the statutes (in contradistinction, I presume, to the Statutes at Large) represented by sections *three* and *four*, consequently if section three of the Act in Ruffhead's edition is identical with section *four* of the Act as found in the Statutes at Large, it cannot also be identical with section three of the Act in the Statutes at Large, which "A. B. S." seems to take for granted it is. The Act, as it appears in the Statutes at Large, is divided into five sections, and if sections three and four in Ruffhead's edition are the same with sections four and five of the Act in the Statutes at Large, as the note to the schedule of 26 & 27 Vict. c. 125, informs us that they are, it would follow that section *two* of the Act in Ruffhead's edition is the corresponding section to section *three* of the Act in the Statutes at Large, and therefore the point "A. B. S." has to show is, that section *two* and not section three of Ruffhead's edition of the Act is in force. And as I cannot see that this can be done, I venture to retain my opinion that there is now no Act for the punishment of drunkenness when unaccompanied by riotous or indecent behaviour. C. H.

Oct. 4, 1865.

THE COUNTY COURT JUDGE AND THE WOODBRIDGE BENCH OF MAGISTRATES.

WOODBRIDGE COUNTY COURT.

Monday, Aug. 14.

(Before J. WORLLEDGE, Esq., Judge.)

WALKER v. MOSS.

The Butley Oyster Case.

The following is the case in reference to which the clerk to the Woodbridge Bench of Magistrates obtained the opinion of Mr. D. D. Keane, given in this journal on the 16th ult.:

His HONOUR said:—This was an action brought by the plaintiff against the defendant, the landlord of the Butley Oyster, to recover the sum of 4*l.* as damages for the breach of an engagement to compromise and settle an information laid against the plaintiff at the instance of the defendant, and in the name of one Spall, a policeman, for an offence under the statute 23 Vict. c. 27, s. 41. The case was tried before me at the last court, when the facts appeared to have been as follows: Walker, the plaintiff, who is a labourer, was on one Thursday night in last May at the Butley Oyster, which is a public-house, kept by the defendant, and being, as he said, "full of of beer," was rather disorderly, and a glass was somehow broken, and the plaintiff thereupon requested the plaintiff to leave the house, which the latter refused to do, but there was no evidence to show what more had happened, or what the extent of the plaintiff's misbehaviour in the Oyster. The defendant, however, went before the magistrates at the petty sessions at Woodbridge and made a complaint to them against Walker for his conduct on the night in question, and thereupon an information was laid against Walker in the name of Spall, a policeman, pursuant to sect. 30 of the above Act, for having been disorderly in the defendant's house, the Oyster, and refusing to quit the house when requested so to do by the defendant, the occupier: but it appeared that Spall knew nothing of the case himself, and that his name was used in the information as a mere matter of form, and I cannot for a moment doubt that Moss, the defendant, was the real prosecutor in the case. Upon such information a summons, dated May 25, 1865, and signed by Mr. Walford, one of the justices acting for the Woodbridge Petty Sessional Division, was issued, and served upon the plaintiff by a policeman named Garrod. The day after the summons was served the plaintiff went to the defendant, and I shall now state what passed between the plaintiff and defendant on that occasion in the plaintiff's own language, as he gave his evidence in a very clear and, to my mind, truthful manner. The plaintiff's account, then, of the interview was as follows:—I saw Moss. I said, "Morning to you;" he said the same to me. I said, "If I did wrong I beg your pardon, and now come to try to do right; I don't wish you to pull me up to the hall." He said he did not wish. I said, "Now, I will pay you what you charge rather than go." Moss then said, "If the policeman gives leave, we will make it up." The plaintiff then left and went to Garrod, the policeman who served the summons, and he advised the plaintiff to make it up. The plaintiff then returned to the defendant the same afternoon, and his account of what passed is this—I said, "Master, I have been to the policeman, and he says we can make it up;" and Moss said, "That is the best thing we can do." I then said to Moss, "How much do you charge?" He said, "The summons cost 9*s.*, and you know I can't go to Woodbridge without paying a shilling or two." I said, "I don't want to know anything about the expenses; tell me what I have got to pay you." He said, "I don't think 15*s.* is too much." I put two half-sovereigns on to the table and said, "Take it out of that." He brought 6*s.*, saying he would throw a shilling off, and he also gave me half a pint of porter; and then the matter ended, and both parties thought, as they well might, that there was an end of the case; but, "*Dis aliter visum*," the gods resolved otherwise. There was no evidence given on the part of the defendant to contradict or qualify the evidence of the plaintiff above set forth. I, upon that evidence, find as a fact that there was an absolute agreement, and not a conditional one, as contended by Mr. Pollard, the defendant's advocate, between the plaintiff and the defendant that the case should be settled and the charge against the plaintiff no further proceeded with, the consideration being the 14*s.* paid by the plaintiff to the defendant. The legality of such agreement I will consider presently. The case having been so compromised between the parties, the plaintiff of course did not attend before the justices on the return day of the summons, but I recollect the defendant went and told the magistrates' clerk that the case was settled, but that functionary, for some reason beyond my comprehension, refused to allow of the settlement, and the case was adjourned to the next sitting for the plaintiff's appearance, but it does not appear that any notice was given to the plaintiff of such adjournment; and, further, it seems the magistrates' clerk threatened the defendant with the penalties of the 38th section of the Act, of which more anon, if he did not appear and give evidence against the plaintiff. The next Thursday the plaintiff, being casually in Woodbridge, met with Garrod, the policeman, and was told by him, to his (the plaintiff's) utter astonishment, that he had to appear before the petty sessions to answer the charge which he innocently thought was settled and done with. And ultimately, in spite of the remonstrances of the defendant and Mr. Goodwyn addressed to the magistrates' clerk, and although Mr. Churchyard appeared for the plaintiff, and brought to the notice of the magistrates that the case was settled, they thought fit to convict the plaintiff, and fined him 2*s.* 6*d.* for the offence, with 1*l.* 11*s.* 6*d.* costs, and the plaintiff was allowed six days to pay the 1*l.* 14*s.* in; but not having done so, a distress-warrant was issued to levy that sum, under which the plaintiff had to pay 2*l.* 3*s.* I come now to consider whether the agreement for the settlement of the case was legal. The law as to the power of compromising criminal charges was very fully discussed, and all the authorities bearing upon the subject were quoted and reviewed in the case of *Keir* v *Leeman*, 6 Q. B. 308, and the court, after full consideration, delivered a most elaborate judgment, and the rule finally laid down in that case is this: "That the law will permit a compromise of all offences (not felonies), though made the subject of a criminal prosecution, for which offences the injured party might sue and recover damages in an action. But if the offence is of a public nature, no agreement can be valid that is founded on the consideration of stifling a prosecution for it." The test, therefore, whether a prosecution for an offence can be compromised, is twofold. First, is the offence one for which the party injured (in this case Moss) could have sued and recovered damages in an action? Secondly, is the offence of a public nature? First, then, the offence in this case was that the plaintiff was disorderly in the Oyster and refused to quit it when requested, and in the course of the disorder it seems a glass was broken. Now, in the case of *Hoxell* v. *Jackson*, 6 Car. & P. Rep. 723, Parke, B., now Lord Wensleydale, held "that if a person conducts himself in a disorderly manner in a public-house, and the landlord requests him to depart, and he refuses to do so, the landlord is justified in laying hands on him to put him out." It follows from this that such disorderly person has no right at common law to remain in the public-house after the landlord's request to depart; in other words, becomes a trespasser if he remains after such request, and as such liable to an action at the suit of the landlord for all damages the latter might sustain thereby. Secondly, as to the quality of the offence. An offender under the 41st section of the Act is described as "any person who shall be drunk, riotous, quarrelsome, or disorderly in any shop, &c., and shall refuse or neglect to quit such shop, &c., when requested so to do by the manager or occupier, &c." Therefore, to come within the Act, a person must not only be drunk, riotous, quarrelsome, or disorderly, but must also refuse or neglect to quit on request, and the only offence which appears to me to savour of publicity is that of being riotous and refusing to leave on request, just as in *Keir* v. *Leeman* it was held that a common assault is an offence not of a public nature, whilst an assault coupled with a riot is. And I can hardly conceive a case less concerning the public than that the plaintiff, William Walker, a day labourer, being rather too full of beer, was slightly disorderly in, and refused to quit an obscure public-house in a remote village like the Oyster at Butley, for that the disorderly conduct was very trivial may be inferred, I think, from the smallness of the fine—only 2*s.* 6*d.*—which the justices imposed; and what possible harm could have resulted to the public from the settlement of such a case I cannot conceive; what other loss might have accrued I will not stop to inquire. I am of opinion, therefore, that the offence in the present case satisfied both the above tests, and that the agreement for settlement was valid and binding in law. But, then it was further urged by Mr. Pollard that, the information being laid in the name of Small, the defendant could not settle the case; but, first, there was no evidence to show that Spall dissented from the settlement, and, secondly, inasmuch as it appears to me that the case could be lawfully compromised, the agreement must be understood to mean that the defendant would procure the case to be settled and not further proceeded with, and that he clearly has failed in doing. It was further said that he breach of the agreement was excused because the magistrates, by their clerk's advice, insisted upon the case being proceeded with, and that the 38th section of the Act, imposing a fine of 10*l.* for non-appearance or refusing to give evidence supported such argument. But that section contains these words: "And who shall not make such reasonable excuse for such neglect or refusal as shall be admitted and allowed by such justices," showing that there may be a good excuse, under that section, for non-appearance; and had Moss followed Mr. Goodwin's advice and gone home, the agreement to settle being good in law, would, in my humble judgment, have been a reasonable and valid excuse for his non-appearance. I am, therefore, of opinion that there was a good and valid agreement between the plaintiff and defendant; that there has been a breach of it, and that such breach was not excused; and the judgment of the court must be for the plaintiff; and as to damages, it appears that the plaintiff has had to pay 2*l.* 3*s.*, under the conviction, and adding a guinea for Mr. Churchyard's appearance for the plaintiff before the justices, and 10*s.* for the annoyance of being convicted, there results 3*l.* 14*s.*; and then deducting the 14*s.* paid to the defendant by plaintiff by the compromise, and which has been returned to the plaintiff, there remains 3*l.*, and for that sum and costs judgment must be entered for the plaintiff. I have gone thus fully into the case, as my decision undoubtedly conflicts with the view the magistrates took of the matter; but being satisfied of the legality of the compromise according to the rule in *Keir* v. *Leeman*, I feel bound to act upon the law as

laid down by the Court of Queen's Bench, rather than upon the opinion of the magistrates' clerk.

Monday, Sept. 18.

His HONOUR said:—There is a matter which has occurred since I was here last, to which I must allude. A week after the last court here I went to London, and I was there employed for nine or ten days with my colleagues of the County Courts Committee in preparing the rules and orders for the new equity jurisdiction of these courts; and after that I went for a short time to the borders of Wales for a short holiday, and I had not the slightest idea of the storm that had been raised in my absence from home; but, however, I received, among other letters that were forwarded to me by my servants, a copy of a certain opinion cut out of a newspaper, and at the foot of that opinion were written the words "Victory, victory," and signed with Mr. Wood's name. I am told it is not Mr. Wood's signature; but for his own sake he had better find out who it was that sent that to me. Here is the document and there is the signature—whose it is I know not and care not. With respect to the opinion itself I shall say nothing more than this, that inasmuch as my learned friend Mr. Keane—for call him my learned friend I suppose I must, after having been on the same circuit with him for many years, and never having had the slightest disagreement with him of any sort or kind—all I can say of that opinion is this—seeing that he is neither judge of one of Her Majesty's superior courts of common law at Westminster nor Lord Chancellor, I neither can nor will receive his opinion at law nor will I submit to his censures; and seeing the magnitude that the controversy had assumed, it struck me whilst I was away that it might be desirable to ascertain the practice of the metropolitan police courts with respect to compromises. Mr. Oke, the chief clerk at the Mansion house, is well known to the public as a great authority on magisterial law, and I had the pleasure in former years of knowing him well, for he was managing clerk to Messrs. Isaacson, of Newmarket, who were excellent clients of mine when I was on the circuit, and I wrote to him. I did not refer to anything that had occurred here, but I put this question plainly to him: Whether, if in any cases within the summary jurisdiction of the magistrates, after information laid and after summons served, the parties compromised the matter, the magistrates or their clerks ever interfered to prevent the compromise being carried out? and I will now read Mr. Oke's letter, which I received on Saturday morning:

Mansion-house, Justice-room,
London, E.C., Sept. 15th, 1865.

Dear Sir,—I duly received your note from Ross (in Herefordshire), the familiar handwriting of which reminded me of old times: and if my opinion can at any time be of service to you in magisterial practice I shall be very glad to give it.

The point you name has often occurred since I have been here; but under such circumstances as you mention I never thought it my duty, as clerk to the magistrates, beforehand and before the case comes before the justices, to interfere and insist that the informant should proceed against his will; but I have known of cases of assaults on females (and those only) where the magistrates, under my advice, have set aside a compromise and convicted defendants against the will of the informant, which they can do, you will observe, by the 24 & 25 Vict. c. 100, s. 43, see *Reg. v. Justices of Wiltshire*, 8 LAW TIMES N. S. 242 (1863), which, observed his Honour, I have never disputed. Some of the metropolitan police magistrates, I believe, do not (that is to say, do not even interfere in these cases), and among them, Mr. Burcham, of the Southwark Police Court, whom you knew on the Norfolk Circuit.—Believe me, dear Sir, yours very faithfully,

J. Worlledge, Esq. GEORGE C. OKE.

Therefore I think, from Mr. Oke's great experience, and from his knowledge and practice since he has been chief clerk at the Mansion-house, it is clear that in no cases, except those of assaults on females, do the metropolitan justices ever prevent a compromise. Well now, as that is so, and the metropolitan police courts are presided over by men brought up to the bar, and appointed and paid by Government—there are men among them whom I know myself as men of great learning and experience; and as at the Mansion-house you have magistrates of great ability and experience, I really thought (and that was all I said) that the magistrates might have allowed the compromise, and I think so still; I say it without the slightest intention of giving offence to them, or to anybody; but after what has happened, I thought it due to myself to say what I have.

LORD MAYOR'S COURT.

REGULATIONS.

1. *Hours.*—The hours of business are from ten till four; the public sitting of the court usually commences at twelve o'clock.

2. *Order of hearing charges.*—Charges and cases will be taken, as far as practicable, in the following order:—First, remanded prisoners in custody; secondly, night charges; thirdly, persons summoned; subject to any case being specially appointed for a particular hour.

3. *Advocates.*—No person will be permitted to act as an advocate, attorney, or solicitor for any party in any case, unless such person is a barrister-at-law, a certificated attorney or solicitor, or the known articled clerk of an attorney or solicitor retained for a party.

4. *Seeing prisoners.*—No person will be permitted to communicate with a prisoner in the cells except with the permission of the Lord Mayor or the chief clerk.

5. *Applications of process.*—Applications for summonses or warrants against persons accused are not to be made in open court, but to the Lord Mayor or the chief clerk, either before the public sitting of the court or at the termination of such sitting. Summonses for witnesses will be issued at any time.

6. *Police constables.*—Constables having cases of fraud, forgery, and any other than the ordinary night charges, are to inform the chief or assistant-clerk, before the commencement of the public sitting, of the nature of their cases, and of the evidence proposed to be adduced.

7. Constables having charges which are disposed of in petty sessions, or sent for trial, are required to see that the witnesses examined remain in the "affidavit-room" after giving their evidence, and that none leave until they have signed their depositions, and, in cases sent for trial, be bound over to appear on the trial of the prisoner and receive their recognisance notice. Neglect of constables failing to comply with the Regulations Nos. 6 and 7, will be reported to the Commissioner of Police.

8. *Applications for relief.*—All applications for relief from the poor-box, or for legal advice, are to be made in person to the Lord Mayor's chief clerk, after the rising of the court.

By order of the Lord Mayor,
GEORGE C. OKE, Chief Clerk.

Justice-room, Mansion-house, Aug. 1865.

Special regulations are issued as to the taking of affidavits, declarations, and acknowledgments of deeds, and are hung up in the "affidavit-room."

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace
Berwick-on-Tweed	Friday, October 20	R. Ingham, Esq. M.P., Q.C.	5 days	R. Hare.
Birmingham	Monday, October 9	M. D. Hill, Esq., Q.C.	10 days	T. R. T. Hodgs.
Bolton	Friday, October 20	J. A. Russell, Esq.	10 days	J. Gordon.
Bridgnorth	Friday, October 20	U. Corbett, Esq.	14 days	W. D. Barr.
Bridgwater	Tuesday, October 17	E. H. Reed, Esq.	14 days	J. Trevis.
Bristol	Tuesday, October 24	Serjt. J. A. Kinglake	Statutory notice	W. C. Hare.
Bury St. Edmunds	Monday, October 23	Mr. Serjeant Tozer	14 days	J. Sparke.
Cambridge	Thursday, October 19	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen	Wednesday, October 18	J. Johnes, Esq.	10 days	J. H. Parker.
Colchester	Tuesday, October 17	H. J. Bushby, Esq.	8 days	J. S. Barnes.
Dartmouth	Tuesday, October 10	A. W. Beetham, Esq.	10 days	W. Smith.
Derby	Tuesday, October 17	G. Boden, Esq., Q.C.	1 day	J. Dennis.
Devonport	Saturday, October 21	C. Saunders, Esq.	10 days	G. H. F. Rooke.
Doncaster	Tuesday, October 31	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Tuesday, October 23	E. W. Cox, Esq.		W. R. T. Peter.
Hastings	Friday, October 27	R. H. Hurst, Esq.	14 days	G. Meadows.
Helston	Wednesday, October 24	E. W. Cox, Esq.		A. Rogers.
Hereford	Friday, October 20	F. Edward, Esq.	10 days	R. Johnson.
Kingston-on-Hull	Thursday, October 19	S. Warren, Esq., Q.C.		R. Champney.
Leeds	Monday, October 23	J. R. Maule, Esq.	10 days	J. W. H. Rayner.
Leicester	Wednesday, October 18	Mr. Serjeant Hayes	8 days	R. Tolle.
Lincoln	Saturday, October 14	The Hon. G. C. Vernon		T. G. Dale.
Liverpool	Monday, October 30	J. B. Aspinall, Esq., Q.C.	10 days	P. Wright.
Newark	Saturday, October 21	J. F. Stephen, Esq.		T. F. A. Brunt.
Newcast.-on-Lyme	Friday, October 20	T. C. S. Kynnersley, Esq.		J. W. Ward.
Northampton	Friday, October 27	J. H. Brower, Esq.	10 days	C. Harbin.
Oswestry	Friday, October 13	J. R. Kenyon, Esq.	Same day	W. L. Bal.
Rochester	Monday, October 23	J. Espinasse, Esq.	8 days	W. W. N. Esprett.
Scarborough	Monday, October 9	J. Middleton, Esq.	14 days	J. J. P. Hardy.
Shrewsbury	Tuesday, October 24	C. Harwood, Esq.	14 days	R. Clarke.
Stamford	Saturday, October 14	The Hon. E. C. Leigh	10 days	J. Torkington.
Wenlock	Saturday, October 21	U. Corbett, Esq.	14 days	G. Potts.
Worcester	Thursday, October 19	F. T. Streeten, Esq.	14 days	R. T. Eve.

LAW STUDENTS' JOURNAL.

Correspondence.

INTERMEDIATE EXAMINATION.—A "Young Clerk" is informed that it is provided by the Rules and Regulations of the Judges (31st January 1863), that the names of the books selected for intermediate examination in each year are to be furnished by the examiners to the registrar of attorneys in the July of the previous year; he will not therefore be able to ascertain the books in which he will be examined until the July prior to his going up; he can learn their names at any time subsequently on application at the Law Society. J. W. (Woolwich).

[We have received replies to the like effect from "Puer" and "An Articled Clerk."—ED.]

— I should feel greatly obliged to any reader of the LAW TIMES if he would inform me, through its columns, whether, in the examiners' selection of books to be read for this examination, the words, "for the year 1866" are intended to include the whole of the four Terms of the year 1866, or merely from July 1865 to July 1866.

ARTICULUS.

LEGAL HONOURS.—I cannot but feel great dissatisfaction at the attempted revival of this subject, which I had hoped would have been altogether abandoned after the recent refusal of the Law Institution to comply with the prayer of the memorial submitted to them. Your correspondents (and I regret to see so many "honour men" among the number) argue, that the merit they evinced at their examination has not been adequately rewarded, at least, so far as they consider conducive to the interests of the Profession. I should be one of the last to detract from well-earned merit in any young man; but let us examine the matter a little more closely than your correspondents have done. It cannot be disputed that the final examination is essentially and strictly an elementary one. Answers to the questions can be found in few books, and questions are constantly repeated. The chairmen at the different examinations one and all constantly remind the candidates that the questions to be submitted to them are not difficult, and that they are meant to ascertain rather the fitness of the candidate to begin the race of professional life than whether they have reached the goal. I need only refer your correspondents to the remarks on this point made by Master Templar on the occasion of the Michaelmas Examination 1861. He says: "It is not to be expected without inverting the natural order of things that a youth of twenty or twenty-one should have exhausted those stores of learning, which Coke spoke of as requiring not less than the *incubrationes multæ annorum*; and remember that those twenty years would begin at that period of life on which most of you are now but entering. In this view the papers before you have been prepared," &c. The prizes or certificates must not therefore be looked upon as a reward of legal *ability* (and there is a great difference between legal knowledge and legal ability properly so called, although the terms are frequently used as synonymous). So much for a recognition or recognition of studious and industrious habits, which if properly trained on the part of a candidate has led him to the highest eminence in the state. If such merit is displayed at an examination the candidate will receive a prize or certificate, and with that he should rest content. *How* the recognition of honour men in the *Law List*, or any other so-called permanent distinction, would raise the status of the Profession your correspondents have not explained, and therefore I refrain from going into this matter beyond remarking, that if a mark in the *Law List* would really have such a desirable effect, *a fortiori* a legal degree would and under the revised regulations issued by the London University a legal degree can be obtained by all those who prove themselves worthy of it. I have often regretted that we have a recognised college of our own empowered to confer degrees in laws; I think that the institution of such a college open to every member of our Profession would tend much more to raise the *status* of our Profession than any permanent recognition of merit by a few articled clerks at their final examination. Mr. Turner some time back proposed a scheme for the establishment of such a college which, considering the peculiar government of our Profession, was substantially a good one. Mr. Turner's scheme was discussed before some of the leading men in our branch of the Profession, some of whom travelled a considerable distance to hear his views upon the subject. The scheme was favourably received, but was adjourned *sine die* upon the question of ways and means; Mr. Turner, objecting to bear the expense of printing and circulating the details

his scheme among the members of the Profession, and the Law Society objecting to bear the expense on the ground that they would thus be establishing a very bad precedent. A full report of this interesting meeting appeared in the Law Times shortly after 2nd Feb. 1861. Why should not your correspondents see Mr. Turner with a view to a revival of his scheme in preference to again troubling the Law Institution with a memorial? The expense of printing and circulating the scheme could be raised by subscription, and your correspondents would find that a Law College would ultimately be the means of securing to *all* honour men the coveted distinction of a mention in the *Law List*.

Oct. 4, 1865. A Solicitor.

COUNTY COURTS.

COUNTY COURT ORDERS AND FORMS IN EQUITY.

(*Continued from p. 582.*)

Order VIII.—Suits.

Registrar's Certificate.

Rule 1. *Registrar's Certificate.*—Where a registrar has been ordered to certify to the court upon any matter he shall present to the court a certificate in writing signed by him.

2. *Registrar's certificate to lie in office.*—The registrar shall prepare his certificate seven days before the day appointed for presenting the same, and shall give notice to all parties to the suit that the same lies in his office for the inspection of any parties interested therein or affected thereby; and he shall deliver a copy thereof to any person requiring the same, upon payment of the costs of such copy.

3. *Variation of registrar's certificate.*—Where any party interested in, or affected by, the registrar's certificate desires to have the same varied, he shall apply by himself, his counsel or attorney, at the court on the day appointed for presenting the same, and the judge shall thereupon hear and determine such application, and shall confirm or vary the certificate, and make such further order thereupon as he may think fit.

4. *Confirmation of certificate.*—If no application shall be made to vary the certificate, it shall be taken as confirmed, unless the judge shall otherwise order.

Order IX.—Suits.

Final Decree.

Rule 1. *Final decree.*—When the court has determined all the questions raised between the parties the registrar shall, as soon thereafter as conveniently may be, draw up a final decree in accordance with the judgment of the court, and seal and file the same.

Order X.—Suits.

Revivor and Supplement.

Rule 1. *Order under 15 & 16 Vict. c. 86, s. 52.*—Upon any suit becoming abated by death, marriage, or otherwise, or defective in consequence of any change or transmission of interest or liability, the judge shall, on application of any person having a right so to apply, make an order reviving the said suit, or such supplementary decree or order as may have become necessary in consequence of any such matters as aforesaid.

2. *Order to be served.*—An order under the foregoing rule shall be drawn up by the registrar and sealed with the seal of the court, and issued to the bailiff, who shall serve the same upon such person or persons as the court shall direct.

3. *Person served to be bound thereby and may appeal—15 & 16 Vict. c. 86, s. 52.*—After service of such order, the suit shall, as between the party by whom the order has been obtained and the party on whom it has been served, be in the same plight and condition as it was in before it had become abated or defective as aforesaid; provided that the person so served may move the court at the next sitting, or by leave of the judge at any subsequent sitting, to discharge such order, and such motion shall be made upon affidavit of the facts relied upon to support the same.

Order XI.—Proceedings under the 5th, 6th, and 8th Clauses of the 1st Section.

Rule 1. *Petition.*—All proceedings under the 5th and 6th clauses of the 1st section of the Act shall be by petition, and such petition need not show title except so far as is provided by the rules in this order.

2. *Petitions by trustees.*—Where a trustee petitions under the said 5th clause for an order in any matter relating to the trust, he shall file his petition at the office of the registrar, and leave thereat as many copies thereof as there are persons beneficially interested in the due execution of the trust, and he shall state in such petition his own name, address, and description, and also the names, addresses, and descriptions of the persons beneficially interested, so far as he is able, and the nature of the trust, and how created, the property or money to which the same relates, and the substance of the order which he seeks to obtain.

3. *Petitions by guardian or trustee of infant or next friend.*—Where any guardian or trustee of any infant petitions for an order relating to the maintenance or advancement of such infant, he shall file his petition at the office of the registrar, and where any person, as next friend of an infant, petitions on behalf of such infant for an order upon or against the guardian or trustee of such infant, he shall file his petition at the office of the registrar, and leave thereat as many copies thereof as there are guardians or trustees. And in such petition shall be stated the names, addresses, and descriptions of the petitioner, and of all the persons to whom such order is intended to relate, and shall also state the nature of the guardianship or trust, and how created, of the property to which the trust relates, and the substance of the order which the petitioner seeks to obtain.

4. *Application for injunction.*—Where any person intends to apply under the 8th clause of the first section of the Act, for an order in the nature of an injunction (except as is provided in Order XII. for urgent cases) he shall deliver at the office of the registrar a notice of his intention to apply for the same, together with as many copies thereof as there are persons upon or against whom such order is intended to be obtained, and he shall state in such notice his own name, address, and description, and, so far as he can, the names, addresses, and descriptions of all such persons, and also the substance of the order which the petitioner seeks to obtain.

5. *Time of filing petitions and giving notices.*—Under this order petitions shall be filed and notices shall be delivered at the office of the registrar seven days before the sitting of the court at which the petition is to be heard or application made.

6. *Registrar to issue notices.*—The registrar, upon receiving any such petition or notice and the copies thereof, shall issue the copies under the seal of the court to the bailiff for service upon the respective persons to whom they are addressed, together with a notice, signed by himself and under the seal of the court, informing them of the day and hour on which the petition or application will be heard, and that if they do not attend, either in person or by their attorneys, such order will be made and proceedings taken as the judge may think just and expedient.

7. *Service of petitions and notices.*—The bailiff of the court shall, four days at least before the hearing, serve all copies of such petitions and notices.

8. *Facts may be supported by affidavit.*—Upon the hearing of any petition or application under this order, unless the judge shall otherwise direct, the facts relied upon in support of or in opposition to such petition or application shall be proved by affidavit.

9. *Registrar to draw up order.*—Where the judge makes an order upon such petition or application, the registrar shall, as soon thereafter as conveniently may be, draw up, seal, and file such order.

10. *Orders as to suits to extend to proceedings.*—The preceding orders relating to suits shall, in all cases where they are applicable, be construed as extending to proceedings under this order.

Order XII.—Suits and Proceedings.

Ex parte Applications.

Rule 1. *Peremptory motions.*—Wherever in any suit or proceeding it shall become necessary to secure the possession of any property, or to obtain security from any person for any moneys in his possession, or to enforce the deposit or the payment into court thereof pending litigation, or the immediate sale of any goods or chattels, and the deposit or payment into court of the purchase-money thereof, or to obtain an order in the nature of an injunction, any party may apply *ex parte* to the judge, either in or out of court, upon affidavits setting forth the facts rendering such order immediately necessary, and upon such application the judge may either make an order absolute in the first instance, or make an order to be absolute at any time to be ordered by him unless cause be shown to the contrary, or may make such other order or give such directions in the matter as the judge may think fit, and may order immediate execution.

2. *Orders how drawn.*—The draft of all orders under the foregoing rule shall be prepared beforehand by the registrar of the court in which such suit or proceeding is pending, and shall be presented by the party when he makes such application to the judge to settle and sign.

3. *Orders how drawn and executed.*—The draft so signed shall be transmitted by the applicant to the registrar of the court in which the suit or proceeding is pending, who shall draw up the order in conformity therewith, and seal and file the same, and issue a copy thereof under the seal of the court to the bailiff for service, and execution shall be issued thereon, as by the order is directed.

Order XIII.—Suits and Proceedings.

Amendments.

Rule 1. *Amendments—15 & 16 Vict. c. 86, ss. 49 and 53.*—The judge may, at or during the hearing, and before a final decree or order be made in any suit or proceeding under the Act, exercise all powers of amendment mentioned in the 57th section of the statute 19 & 20 Vict. c. 108, so far as the same may be applicable to suits and proceedings in equity, and also all the powers and authorities of a judge of the High Court of Chancery; and the County Court Rules 1857, which are numbered respectively 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100, shall apply, so far as they are applicable, to all suits and proceedings under this Act.

Order XIV.—Suits and Proceedings.

Affidavits.

Rule 1. *Affidavits to be expressed in the first person.*—All affidavits shall be expressed in the first person of the deponent.

2. *Sources of knowledge to be stated.*—All affidavits shall state the deponent's age, occupation, quality, and place of residence, and also what facts or circumstances deposed to are within deponent's own knowledge, and his means of knowledge, and what facts or circumstances deposed to are known to, or believed by him by reason of information derived from other sources than his own knowledge, and what such sources are.

3. *Costs of affidavits when disallowed.*—The costs of affidavits not in conformity with the last two preceding rules shall be disallowed on taxation, unless the court shall otherwise direct.

4. *Filing of affidavits.*—Before any affidavit is used it shall be filed in the office of the registrar.

5. *Erasure, blotting, interlineation, &c., in affidavits.*—No affidavit in which there is any knife erasure, or which is blotted so as to obliterate any word, or which is illegibly written, or so altered as to cause it to be illegible, nor any affidavit in which there is an interlineation, unless the person before whom the same is sworn shall have duly authenticated such interlineation with his initials in such manner as to show that such interlineation was made before it was sworn, shall be filed or used in any suit or proceeding.

Order XV.—Suits and Proceedings.

Rehearing.

Rule 1. *Rehearing to be allowed on special grounds only.*—No decree or order once made shall be reheard unless in any case in which the judge, on special grounds, shall think such rehearing necessary, and then only on such terms as the judge may think just.

Order XVI.—Suits and Proceedings.

Enforcement of Decrees and Orders.

Rule 1. *Service of decree or order*—On the application of the party entitled to the benefit of the decree or order, the registrar shall issue to the bailiff a copy of such decree or order under the seal of the court with a notice to the party to be bound indorsed thereon, and the bailiff shall forthwith serve the same upon the party to whom such notice is addressed.

2. *When execution may issue.*—No process shall issue to enforce any decree or order, unless by leave of the judge, until three days after a copy thereof under the seal of the court shall have been served upon the party to be bound thereby.

3. *Warrant of fi. fa.*—Where any decree or order is made for the payment of money into court or by one party to another, the registrar shall, after the expiration of the time, if any, appointed by the decree or order for the payment thereof, and after the expiration of the time limited by this order, upon application by the person having the conduct of the suit, or by the payee, issue to the bailiff of the court a writ of *fieri facias* as a warrant of execution, as provided by section 94 of 9 & 10 Vict. c. 95.

4. *Warrant of possession or assistance.*—Where by a decree or order made in any suit or proceeding for the delivery up to any person of lands or tenements, goods or chattels, either as owner thereof, or to be sold, or to be held in possession until an order is made as to the disposition thereof, the registrar shall, upon the application of the person entitled to such possession, issue to the bailiff either a warrant of possession, or warrant of assistance, as the case may require.

Order XVII.—Funds in Court.

Rule 1. *Registrar to obey in the receipt and payment of moneys under this Act the Treasury instructions.*—All moneys ordered to be paid into court shall be received by the registrar, and the duties of the registrar and the treasurer with respect to such moneys shall be in all respects the same as if the moneys received under the Act had been received under the authority of the County Court Acts now in force, and all instructions issued or to be issued by the Lords Commissioners of Her Majesty's Treasury shall apply to moneys received under the Act unless therein otherwise directed.

2. *Payment into court.*—Where money is directed to be paid into court, the party directed shall attend and pay the same into the office of the registrar, and obtain a receipt for the amount; and in case of stock, shares, or other securities, a transfer shall be made into the names of the registrar and treasurer of the court, less the broker's account and charges, and the certificate of transfer, together with such accounts, shall be filed in the office of the registrar, who, with the treasurer, shall hold such moneys, stocks, shares, or securities in trust to attend the order of the court.

3. *Investment of moneys under order of court.*—Where any party to a suit or proceeding is desirous of having any fund in court in which he is interested, or any part thereof, invested, the court may at any time order the investment thereof; and such funds may be invested in the purchase of Three per Cent. Consolidated Annuities, in the names of the treasurer and registrar of the court for the time being, with or without the name of the person (if any) found or declared by the court to be immediately entitled to the interest of the fund, and the court may further order that the person (if any) so entitled shall from time to time receive the dividends thereof.

4. *Interest on investments.*—Where the investment is in the names of the treasurer and registrar alone, the registrar shall from time to time receive the dividends of all the funds so standing in their names, and shall reinvest the dividend in the same names, except where and so far as the court shall otherwise direct, and shall apportion the amount so re-invested in his books to the right accounts.

5. *Where sum less than 30l. it may be invested in Post-office savings banks.*—Where the sum to be invested in any case in the same interest does not exceed 30*l.* in one year, the same may, if the judge think fit, be deposited in the Post-office savings bank in the name of the registrar for the time being, in trust for the parties interested therein, and in such case the person (if any) entitled to the interest on such sum shall be allowed to receive the annual addition made to the same by way of interest, on such certificate or authority from the registrar as the Postmaster-General may from time to time require.

6. *Service of order under sect. 5 of the Act.*—Where any order has been made upon any person to pay to the Accountant-General in Chancery any sum of money under sect. 5 of the Act, such order shall be drawn up by the registrar and issued to the bailiff of the court; by whom the same shall be served personally upon the person ordered to make the payment.

7. *Where default made in payment to Accountant-General of the Court of Chancery.*—Where default shall be made in the production of the certificate of the Accountant-General, the registrar shall give notice in writing to the judge of the fact of such default, and the judge may thereupon direct a warrant of execution to issue in accordance with sect. 5 of the Act.

8. *Married women.*—Where any married woman is interested in any principal money, stocks, shares, or securities exceeding in value 200*l.*, or 10*l.* in annual payments, she shall be examined by the judge apart from her husband to ascertain whether the same shall be paid to him or made the subject-matter of a settlement, but if she be under age the court shall order a proper settlement to be made.

ORDER XVIII.—TRANSFER OF PROCEEDINGS TO COURT OF CHANCERY.

Transfer to Court of Chancery where subject-matter exceeds the amount to which jurisdiction is given by Act.—If during the progress of any inquiry under order of the court it shall be made to appear that the subject-matter of the suit or proceeding exceeds the amount to which the jurisdiction of the court is limited, the registrar may proceed with the particular account or inquiry which is then before him, unless he thinks it inexpedient so to do, but he shall at the next sitting of the court present a certificate of the state of the suit and proceedings, and if the judge shall be of opinion that such excess exists, he shall make an order for the transfer of the suit or matter to the Court of Chancery; and the registrar shall make and file with the record a copy of such certificate and order, and shall transmit the original, together with the order of the judge thereupon, under the seal of the court, by post or otherwise, to the office of the Clerk of Records and Writs in Chancery, or to such other office or officer as the Lord Chancellor may by General Order direct, and shall also send notice, by post or otherwise, of the fact, to all parties and persons entitled to be served with a copy of the decree.

(To be continued.)

COUNTY COURTS EQUITABLE JURISDICTION.

A scale of costs and charges to be paid to counsel and attorneys in the County Courts, under the provisions of the statute 28 & 29 Vict. c. 99:—

	Lowr Scale not exceeding 100*l.*		Highr Scale above 100*l.*	
	£	s. d.	£	s. d.
Instructions to sue or defend	0	10 0	0	15 0
Examining, and taking minutes of evidence of each witness, afterwards allowed by the judge	0	3 0	0	5 0
Application for substituted service or service out of England	0	4 0	0	6 0
Service sum allowed by judge				
Drawing plaint, or petition, or statement by defendant, or preparing instructions for counsel to draw the same, and attendance therewith	0	13 4	1	0 0
Fee to counsel and clerk therewith	1	3 6	2	4 6
Attendance, and filing plaint, petition, admission, or statement	0	3 4	0	6 8
Every copy of plaint, petition, admission, or statement	0	2 0	0	3 0
Preparing, and service of notice to inspect, admit, or produce and fair copy	0	4 0	0	6 0
Attending inspecting documents	0	5 0	0	7 0
Mileage one way from the attorney's place of business to place of inspection, for each mile	0	0 6	0	0 6
Preparing admission by defendant	0	3 0	0	5 0
All necessary affidavits not exceeding five folios, including filing, each	0	5 0	0	7 0
If above five folios are allowed upon taxation, then for every additional folio	0	1 0	0	1 0
Attending court, and conducting cause where no counsel employed	1	10 0	2	2 0
Instructions for, and drawing and copy briefs, in causes or matters in which counsel is employed, including attendance on counsel therewith	2	0 0	3	0 0
Fee to counsel and clerk, not exceeding	2	4 6	3	5 6
Attending court on hearing with counsel	0	10 0	0	15 0
Attending court to support or oppose any application or motion without counsel	0	15 0	1	0 0
Attending in the last-mentioned cases with counsel	0	10 0	0	15 0
Fee to counsel and clerk not exceeding	1	3 6	2	4 6
Every attendance on the registrar which he may think upon taxation was necessary	0	5 0	0	7 0
When the attendance is longer than one hour, then for every additional hour or part of an hour	0	4 0	0	6 0
The like costs for attendance before an examiner				
Witnesses' expenses in conformity with rule				

OCCASIONAL COSTS.

Where in the course of a cause or matter a party suing or sued in a fiduciary or representative character necessarily incurs costs not allowed upon taxation between party and party, the registrar shall apply to the judge to allow such sums as he may think fit out of any funds in court applicable to that purpose.				
For attorney's journey to attend hearing, mileage one way from attorney's place of business to court, for each mile	0	0 6	0	0 6
Where in opinion of registrar he could not return same night	1	1 0	1	11 6
Drawing accounts and other documents not included in the foregoing costs, but allowed upon taxation of costs to be necessary, per folio	0	0 8	0	0 8
For perusing and adapting old abstracts of title, per three sheets	0	3 4	0	3 4
Drawing abstracts of additional deeds and documents, per three sheets	0	6 8	0	6 8
For preparing conditions and contracts of sale, and fair copy, per folio	0	0 8	0	0 8
Where condition and contract are not submitted to counsel, in addition to the above there shall be allowed for perusing abstracts, every three sheets	0	3 4	0	3 4
Where conditions and contracts are to be settled by counsel, instructions to counsel to accompany abstract, and attendance therewith, or letter	0	6 8	0	13 4
Fee to counsel				
Fair copies of abstracts of title or of accounts, documents, opinion of counsel, and of papers received from counsel, per folio	0	0 4	0	0 4
Attending sale	1	1 0	2	2 0
Where by any proceeding taken by the opposite party it becomes necessary to advise or receive instruction from a client in the progress of a suit or matter, for each attendance	0	6 8	0	13 4
Attending taxing costs	0	5 0	0	7 0
Letters and messages	0	5 0	0	10 0

COSTS OF THE DAY ON ADJOURNMENT.

Attending court where no counsel employed	0	15 0	1	0 0
Attending with counsel	0	10 0	0	15 0
Refresher fee to counsel and clerk not exceeding	1	3 6	2	4 6
Witnesses' expenses same as on trial				

COSTS ON APPEAL.

Preparing notice of appeal, including copies and service	0	7 0	0	10 6
Preparing case, including copies	0	10 0	0	15 0
Attending judge to sign	0	5 0	0	7 6
Attending judge in case of difference to settle	0	10 0	0	15 0
Application to stay proceedings	0	7 0	0	10 6
Transmitting case and copies, including notice to successful party	0	5 0	0	7 6
Application to judge for leave to proceed on judgment	0	5 0	0	7 6
Depositing decree or order of Court of Appeal	0	3 0	0	4 0

N.B.—The registrar is to tax the bills of costs upon the lower scale when the subject-matter of the suit or proceeding does not exceed 100*l.*, and upon the higher when it exceeds 100*l.*

We, John Bury Dasent, John Worlledge, Rupert Alfred Kettle, and William Furner, being County Court judges appointed to frame rules and orders for regulating the practice of the courts, and forms of proceedings therein, under the 32nd section of the 19 & 20 Vict. c. 108, have, under the powers vested in us by the Act 28 & 29 Vict. c. 99, framed the above scale of costs and charges to be paid to counsel and attorneys in suits and proceedings in equity; and we do hereby certify the same to the Lord Chancellor accordingly.

J. B. DASENT,
J. WORLLEDGE,
RUPERT A. KETTLE,
WILLIAM FURNER.

I approve of this scale, to come into operation in all County Courts on the 1st day of October 1865.

CRANWORTH, C.

CORRESPONDENCE OF THE PROFESSION.

RHETORIC.—Your correspondent "A.C.P." wishes to know if any one can recommend him a work on this subject. I beg to say that there is a first-rate book on "The Elements of Rhetoric," by the late Archbishop of Dublin, Richard Whately, D.D. It is published by John W. Parker and Son, West Strand, London. J. H. D.

West Bromwich, 3rd Oct. 1865.

ENGROSSMENT OF DEEDS.—We are, and have been from the commencement, subscribers to your valuable periodical. We noticed in your last number an article as to deeds engrossed bookwise, and quite agree with your observations thereon, but beg to say that it is not a novel practice to prepare and engross deeds in that shape. We have done so for many years, and believe we were the first to introduce the practice. Our law writer, Mr. Hunter, of 9, Cursitor-street, Chancery-lane, has always kept on hand a stock of skins of parchment suitable for our use, and we know that several highly respectable firms have followed our example. We see no difficulty as to the seals, and to show how easily that supposed difficulty may be overcome, we send you inclosed an indenture skin and follower, fastened together as we have for years fastened our deeds. H. D. R.

8, John-street, Bedford-row.
28th Sept.

[*Note.*—The specimen sent is extremely neat, and the sheets, if we may so term them, are fastened together effectively by silk thread. It is a vast improvement upon the inconvenient skin, and we recommend its universal adoption by the Profession. —Ed. L. T.]

— It appears to me that the objection to the proposed plan, namely, that of interpolation of forged skins, is not so formidable as would at first sight appear. What is easier than to put a forged skin into a deed in its present form? As now made up a deed consists of more than one skin, the really important part of the execution, namely, that of signing and attestation, are on the first skin only, the other skins being all inclosed in the fold at the bottom of the first skin. These skins are only held together by silk secured by a seal, which is generally nothing more than the impression of the commonest office seal made. In the hands of a dishonest man who might wish to insert into a deed a forged skin, there would not be the slightest difficulty in breaking this seal, inserting the required skin, and then securing the deed again by silk and sealing-wax. Any office seal would do, and the signatures of all the parties, the really difficult part of a forgery, would give rise to no difficulty, as they are already written on the fold of the first skin. The real safeguard against such practices is the difficulty of getting the writing of the forged skin and date of stamp to correspond exactly, and the necessity for all the drafts of the deed being either destroyed or altered in the same manner. This safeguard would

be as great if the proposed form is adopted as it is now. W. O. W.

Magistrates' Courts—Articled Clerks.—In answer to your correspondent "M. W. R," I would refer him to 6 & 7 Vict. c. 73, s. 2, which expressly prohibits any person, not duly enrolled and qualified, from acting as attorney or solicitor before "*any* justice or justices;" and by sect. 26 of 23 & 24 Vict. c. 127, it is further provided that any person, acting as an attorney or solicitor contrary to the above section of the 6 & 7 Vict. c. 73, "shall" (in addition to any other penalty, &c.) "forfeit and pay for every such offence the sum of fifty pounds." It appears clear from these enactments that an articled clerk has no right whatever to conduct cases before justices, and although justices may sometimes allow it, yet it seems most injudicious for any person under articles to do so, as, even if he does not vitiate his articles, he renders himself liable to a heavy penalty.

East Grinstead, Oct. 3, 1865. R. W. A.

— I am glad to see, from a letter written by "An Articled Clerk," which appeared in your impression of last week, that the decision of the Lord Mayor of London is being appreciated by at least a few such clerks. Would that they could form themselves into a body and bring the matter before the notice of some authority, with a view to the same or a like decision being made applicable to the country as well as the town. At present the articled clerks in the country have so many disadvantages to which their London brethren are not subject, that in all fairness I think that clerks in the country who have become conversant with the rules of evidence, and are wishful to appear on behalf of a client before a bench of magistrates, in their principal's absence, ought to be allowed to do so without demur, or without their feeling (in case the bench allow them to appear) that a great favour is conferred. I hope that the subject will be followed up with energy.

Another Articled Clerk.

— The whole body of articled clerks is indebted to the Lord Mayor of London for the rule which he has lately made, and which he has shown his determination to enforce, with respect to persons conducting cases before him. As your last week's correspondent on this subject observes, "If the precedent thus set by the Lord Mayor were applied to every magistrate's court in England and Wales, a valuable opportunity for meritorious distinction would be afforded the legal apprentice." Again, "How very important it is that articled clerks should be allowed, as part of their training, to appear in minor courts as advocates:" and this kind of training is every day becoming more necessary, seeing that attorneys and solicitors will in future, far more than in past years, have to depend upon their advocacy in the magistrates' and County Courts as a means of professional advancement. Besides, why should not the embryo lawyer have the opportunity of as much actual practice in *his* profession as the embryo doctor has in his? The latter is not restricted from practising in any branch? Why should the former be restricted at all? Surely it should be the aim of all articled clerks in the country to obtain a rule similar to that of the Lord Mayor in the magistrates' courts in their neighbourhood. I would suggest as a means towards this end, that the articled clerks in every town present a petition to those courts, setting forth the rule of the Lord Mayor, and asking for a similar one. If this suggestion were adopted, it would depend very much upon the articled clerks themselves whether or not they obtain a privilege which it is so very desirable they should possess. I hope that the matter will not be allowed to rest here, but that other suggestions will be made, for "in the multitude of counsellors there is wisdom." J. H. D.

West Bromwich, 3rd Oct.

— The letters of "Articulus" and "M. W. R." have surprised me not a little. In this locality (West Riding of Yorkshire), neither an articled clerk nor any other kind of clerk, unless admitted, ever presumes to claim the privilege of advocating cases in these courts. After carefully examining the books on the subject I am unable to find anything to authorise an articled clerk to act in the capacity of an attorney before magistrates. Doing so would, I think, render him liable to conviction under 6 & 7 Vict. c. 73, s. 2, and 23 & 24 Vict. c. 127, s. 26. It is much to be regretted that any deviation from the general rule should have been permitted in the London courts. The example will become contagious if not speedily dealt with, and I hope that the correspondence which has already been inserted in the Law Times will arouse the Profession in the metropolis to assert their rights and drive from those courts all except those who are legally qualified. Articled clerks may plead to be allowed, "as part of their training," to appear as advocates; but even their claim involves consequences too serious to admit of compliance. It frequently happens that points of law, and especially questions as to the admissibility of evidence, arise, which would puzzle older heads than are theirs generally. I have frequently seen gentlemen who have been admitted completely nonplussed on such occasions. That young men like to display their abilities is well known; but clients must be cared for too, and the privileges of the Profession and dignity of courts upheld as well. S.

Oct. 2.

— I observe, from some correspondence in the Law Times, that in the Lord Mayor's Court articled clerks are permitted to appear on behalf of their principals as advocates. I have often wondered why it is that articled clerks are not permitted to appear for their principals in the inferior courts throughout the country. I view the position of the articled clerk as one entitled to the fostering care of the whole legal profession. He spends say the usual five years in his principal's office, and so far as I know he is not allowed in any court to make any practical use of his talents as a speaker, or to apply those principles of law he is expected to have acquired in that time. At the end of his articles he desires to push his way in the world, starts practice on his own account, and as a ready means of making himself known and to exhibit his talents he practices as an advocate in the local courts, where he flounders on in a sea of troubles, when, as is too often the case, he withdraws, chagrined and disappointed. I am not for an indiscriminate permission for articled clerks to appear as advocates, but would limit it to those clerks who have passed their intermediate examination. The clerk to pass that examination is expected to have mastered the leading principles of law, and is of an age when he ought to have an opportunity of making a practical application of them. Every solicitor knows that one case in practice does more to instruct the student than the reading of any number of reports. By adopting my suggestion the student has the advantage of his principal's counsel and advice as to style of speaking and arrangements of the points of the cases, which he has not when he commences for himself; and, besides, I question very much whether his pride would tolerate anything of the sort from any one else. P.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for bona fides.

Queries.

Book-keeping.—Can any of your readers inform me whether the book-keeping of the intermediate examination is single or double entry? Also, I should like to see a list of books which some student has read up for such second examination, or the usual text-books given in the same. C. S.

Dec. 3rd.

Tenancy.—Could any of your numerous readers inform me whether a written agreement is absolutely necessary to create a tenancy which may be determined on any quarter-day by either party giving to the other a quarter's notice; or, in other words, can a quarterly tenancy be made by word of mouth? What stamp duty would be payable upon a written agreement for that purpose, presuming a verbal agreement not sufficient? The yearly rent of the premises being about 20*l.*, would not a tenant under an agreement of this sort be considered a quarterly tenant, and therefore the subject-matter of the agreement would not be of the value of 20*l.*? I should like to know under what Act the stamp duty is payable. Inquirens.

Colchester, Oct. 1865.

Will.—A testator dying last year, by will devised an estate to the effect following:—"I give and devise my estate called Whiteacre unto A. B. and C. D., and the survivor of them and the heirs and assigns of such survivor, in trust for E. F. and her assigns for and during the term of her natural life, and after her decease in trust for all and every the child and children (if more than one) of the said E. F., equally to be divided among them, share and share alike as tenants in common, and not as joint tenants, and to and for their respective heirs and assigns; and in default of such issue in trust for her brothers G. H. and J. K., their respective heirs and assigns for ever as tenants in common, and not as joint tenants." The said E. F. is living and unmarried. Query, in whom is the legal estate now vested? And who are the proper parties to let and manage the estate and receive the rents? X.

Statute of Frauds—Acceptance.—A. sold a cow to B for 18*l.*, but B. did not pay any part thereof, nor was there any written memorandum of the contract. For the convenience of B., A. consented that the cow might remain on his premises for a few days. Soon after, B. resold the cow to C., and in this instance also there was no delivery, payment, or memorandum in writing. Whilst the cow was still on A.'s premises it was killed by lightning. Can A. enforce the payment by B. of the purchase-money? Is not the subsequent dealing with the cow as his own (which B. admits) sufficient evidence of an acceptance within the meaning of the 17th section of the Statute of Frauds? In *Bates* v. *Jerons*, 7 Car. & P. 288, which was an action of debt for a fire-engine, upon the question of acceptance, it appeared that the defendant had brought a person to the plaintiff's yard to see the engine, and, being asked what he meant to do with it, he mentioned two or three parties who were likely to want it; it was held that, if the jury were satisfied that the defendant *treated and dealt with it as his own*, the plaintiff was entitled to recover. See also *Blenkinsop* v. *Clayton*, 7 Taunt. 597. A. has been advised by me that he has sufficient ground of action, but from some one else he has received the contrary advice. The opinion of correspondents is requested. D. H.

Driffield, Sept. 28.

Answers.

Mortgage.—From the nature of the conveyance to A. B., I presume that he was married before 1834. The *Addendum* in the reconveyance by the mortgagee should, therefore, be to uses to bar dower; for if made simply to the use of A. B. dower would attach, as A. B. would not be in of his former, but of a new estate. Any subsequent sale or mortgage by A. B. should, as before, be made by appointment and grant, the power of appointment being given to him by the reconveyance. Where the mortgage is made to the trustees of a building society, and on payment of the mortgage money a receipt thereof is indorsed on the mortgage-deed, I should think that the mortgagor will take the estate subject to all the former limitations, and, therefore, any future transfer of the property would be by appointment and grant. The 5th section of 6 & 7 Will. 4, c. 32, enacts that the indorsement of such receipt shall be sufficient to vacate the mortgage, and vest the estate of and in the property comprised in such security in the person entitled to the equity of redemption, and I presume that on the mortgagor's re-acquiring such legal estate he will hold subject to the prior limitation to uses, &c. Dower does not attach to the equitable estates of those married before 1834. A conveyance or mortgage of the equity of redemption will, therefore, be made by the grant of the mortgagor simply. It could not be made under an exercise of the original power, that having been exhausted by the mortgage. I cannot refer to any authorities for my replies to the various interesting questions put by your correspondent. I should much like to see further opinions thereon. D. H.

Driffield, Oct. 2.

THE LAW LIBRARY.

BOOKS RECEIVED.

A Compendium of Mercantile Law. By J. W. Smith, late of the Inner Temple, Esq., Barrister-at-Law. Seventh Edition. By Geo. Morley Dowdeswell, of the Inner Temple, Esq., Barrister-at-Law. London: Stevens and Sons, Bell-yard; W. Maxwell, Bell-yard.

The Merchant's Friend and Lawyer's Assistant. By Dr. K. P. ter Reehorst, Interpreter at the Common Law Courts, Author of "The Mariners' Friend," &c., &c. Second Edition. Revised and enlarged. Published for the author by F. Pitman, Paternoster-row.

On Ancient Lights and the Evidence of Surveyors thereon, with Tables for the Measurement of Obstructions. By Robt. Kerr, Architect, &c., &c. Author of "The Gentleman's House," &c. London: John Murray, Albemarle-street.

People's Edition. *The New Partnership Amendment Act, with Notes on each Clause, including a general exposition of the Laws relating to Common Partnerships, and Companies, under the Acts for Joint-Stock Companies, Railways, Banking, Mining, and Letters Patent, and showing the liabilities of all Partners and Shareholders.* By S. C. Hobby, M.A., of Gray's-inn, Barrister-at-Law. London: Darton and Hodge, Holborn.

THE COURTS & COURT PAPERS.

SITTINGS FOR MICHAELMAS TERM 1865.

Common Law Courts.

Court of Queen's Bench.

Sittings at Nisi Prius in Middlesex and London, before the Right Hon. Sir Alexander Edmund Cockburn, Bart., Lord Chief Justice of her Majesty's Court of Queen's Bench, in and after Michaelmas Term 1865.

IN TERM.

Middlesex.			
Friday	Nov. 3	Friday	Nov. 17
Friday	Nov. 10		

AFTER TERM.

Middlesex.		*London.*	
Monday	Nov. 27	Saturday	Dec. 9

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Court of Common Pleas.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir William Erle, Knight, Lord Chief Justice of Her Majesty's Court of Common Pleas at Westminster, in and after Michaelmas Term 1865.

IN TERM.

Middlesex.			
Friday	Nov. 3	Friday	Nov. 17
Friday	Nov. 10		

The Court will not sit in London during Term.

AFTER TERM.

Middlesex.		*London.*	
Monday	Nov. 27	Friday	Dec. 8

The Court will sit during and after Term at ten o'clock.

Court of Exchequer.

Sittings at Nisi Prius in Middlesex and London, before the Right Hon. Sir Frederick Pollock, Knt., Lord Chief Baron of Her Majesty's Court of Exchequer, in and after Michaelmas Term 1865.

IN TERM.

Middlesex.			
Friday	Nov. 3	Friday	Nov. 17
Friday	Nov. 10		

The Court will not sit in London during Term.

AFTER TERM.

Middlesex.		*London.*	
Monday	Nov. 27	Friday	Dec. 8

The Court will sit during and after Term at ten o'clock.

The Court will sit in Middlesex, at Nisi Prius, in Term, by adjournment from day to day, until the causes entered for the respective Middlesex sittings are disposed of.

JOURNAL OF AUCTIONS ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Thursday, Sept. 28.

By Messrs. DEBENHAM, TEWSON, and FARMER, at the Guildhall Coffee-house.—*Freehold* building site, occupying an area of 40,500 square feet, situate in Finsbury—sold for 11,000*l.* *Freehold* building site, situate at the corner of Sclater and Swan-streets, Shoreditch, occupying an area of 1939 square feet—sold for 2100*l.* Lease (14 years unexpired) of the premises, being No. 11, North-buildings, Eldon-street, Finsbury—sold for 450*l.* Lease (18 years unexpired) of the premises, being No. 3, Bury-street, St. Mary Axe—sold for 480*l.*

By Mr. JOHN M. DEAN, at Garraway's.—Freehold piece of land, situate at Harrow-bridge, Stratford—sold for 410*l.* Freehold piece of land with the building thereon, situate in Sidney-street, Mile-end—sold for 150*l.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Sept. 22.

FORBES, DAVID ERSKINE, and NORWOOD, THOMAS, attorneys and solicitors, Warnford-court, Throgmorton-st. Sept. 29.

Gazette, Sept. 26.

GARLAND, GEORGE, and BECK, CHARLES GEORGE HADEN, attorneys, solicitors, and conveyancers, Worcester. July 6.

Bankrupts.

Gazette, Sept. 26.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, HERBERT, non-trader, Southsea. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. Oct. 14.

BECKINGHAM, HARRIS, horsedealer, Wilmington, near Dartford. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sur. Oct. 12.

BELDAM, THOMAS, farmer, Blunisham. Pet. Sept. 23. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. Oct. 12.

BELLINGHAM, HENRY JOHN, cabinet-maker, Hague-st. Bethnal Green-rd. Pet. Sept. 21. Reg. Brougham. O. A. Edwards. Sol. Lewis, Hackney-rd. Sur. Oct. 12.

BONYFELD, EDWARD CARL GUSTAVE, carver and gilder, Hutton-grove, Finchley-common, and Rathbone-pl. Oxford-st. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sol. Goldrick, Strand. Sur. Oct. 10.

BRODIEY, JOHN, bailiff, Beckenham. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sols. Shillbeck and Co. Bedford-row. Sur. Oct. 12.

CARRERE-D, CHARLES, merchant, Gutter-la. Cheapside. Pet. Sept. 11. Reg. Brougham. O. A. Edwards. Sols. Wood, Bucklersbury; and Cater, Bradford. Sur. Oct. 12.

CHRISTFIELD, PHILIP, baker, Sheerness. Pet. Sept. 18. Reg. Brougham. O. A. Edwards. Sur. Oct. 12.

DRAPER, EDMUND, cowkeeper, the Mall, Kensington. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sol. Lawrance and Co. Old Jewry-chambers. Sur. Oct. 10.

HALES, EDWARD, gasfitter, Nicholas-la. King William-st. and Hackney-rd. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sols. Bickeley and Berwick, Nicholas-la. Sur. Oct. 12.

HARRISSON, RICHARD, booth-keeper, formerly Croydon-common. Pet. Sept. 21. Reg. Brougham. O. A. Edwards. Sol. Olive, Portsmouth-st. Lincoln's-inn-flds. Sur. Oct. 12.

HUGHES, REV. ANNESLEY PAUL, clerk in holy orders, Teynham. Pet. Sept. 21. Reg. Brougham. O. A. Edwards. Sols. Dynes and Harvey, Lincoln's-inn-flds. Sur. Oct. 12.

NORRIS, THOMAS ROBERT, gold and silver wire drawer, Cheshunt. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sol. Marshall, Lincoln's-inn-flds. Sur. Oct. 10.

ORME, HENRY, formerly tailor, Judd-st. Euston-rd. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sol. Bassett, Carey-st. Lincoln's-inn. Sur. Oct. 10.

PARASKEVAIDES, PHILOPŒMEN ANTHONY, and LEONTARITI, JOHN, merchants, Leadenhall-st. Pet. Sept. 16. Reg. Roche. O. A. Parkyns. Sols. Hussey and Parker, King-st. Cheapside. Sur. Oct. 10.

PARKINSON, CATHERINE, spinster, Pentonville-rd. Clerkenwell. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sol. Mirfin, Staple-inn. Sur. Oct. 12.

PLAYER, EDWIN, legal and financial agent, Union-grove, Clapham, and Clifford's-inn. Fleet-st. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sol. Nixon, Clifford's-inn. Sur. Oct. 10.

POSTLETHWAITE, JAMES, dealer in shares, Leamington-rd.-villas, Bayswater. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. Oct. 10.

REES, LOUIS EMIL RUETZ, merchant, Mincing-la. and Notting-hill. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sols. Thomas and Hollams, Mincing-la. Sur. Oct. 10.

STYER, HENRY, merchant, Winchester-bldgs. and Sydney. Pet. Sept. 12. Reg. Brougham. O. A. Edwards. Sols. Tanqueray and Co. New Broad-st. Sur. Oct. 17.

WEEKS, THOMAS, grocer, Walton-st. Chelsea. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sol. Drew, New Basinghall-st. Sur. Oct. 12.

WICKS, SAMUEL, omnibus conductor, Compton-st. Hall-park, Paddington. Pet. Sept. 21. Reg. Brougham. O. A. Edwards. Sol. Gentley, Bow-st. Covent-gdn. Sur. Oct. 12.

WOOD, THOMAS, journalist, Charlton. Pet. Sept. 14. Reg. Brougham. O. A. Edwards. Sur. Oct. 12.

To surrender in the Country.

ATKINSON, THOMAS, labourer, Penrith. Pet. Sept. 20. Reg. & O. A. Varty. Sol. Scott, Penrith. Sur. Oct. 6.

BAGGOT, THOMAS, labourer, Margate. Pet. Sept. 22. Reg. & O. A. Isaacson. Sol. Boys. Sur. Oct. 9.

BARRY, JOHN, cattle salesman, Chatham. Pet. Sept. 23. Reg. & O. A. Acworth. Sol. Hayward, Rochester. Sur. Oct. 10.

BEDSON, WILLIAM JOHN, cattle dealer, Milwich. Pet. Sept. 22. Reg. Hill. O. A. Kinnear. Sols. Cooper and Chawner, Uttoxeter; and James and Griffin, Birmingham. Sur. Oct. 12.

CARRUTHERS, WILLIAM, draper, Wilderspool-causeway and Warrington. Pet. Sept. 21. Reg. & O. A. Nicholson. Sols. Shepherd and Moore, Warrington. Sur. Oct. 12.

CARTLEDGE, CHARLES, auctioneer, Tynemouth, and Middlesborough. Pet. Sept. 21. Reg. & O. A. Crosby. Sol. Griffin, Middlesborough. Sur. Oct. 11.

CHECKLEY, SARAH, spinster, Bedford. Pet. Sept. 20. Reg. & O. A. Henrich. Sols. Conquest and Stimson, Bedford. Sur. Oct. 17.

COFFIN, JAMES, lodginghouse-keeper, Union-rd. Clapham-rise. Pet. Sept. 19. Reg. & O. A. Snowden. Sol. Towne, Margate. Sur. Oct. 7.

DAVIES, JOHN, pig dealer, Penybryn, Llanfyllin. Pet. Sept. 21. Reg. & O. A. Pugh. Sol. Pughe, Llanfyllin. Sur. Oct. 12.

GARDNER, JAMES, out of business, Aston, near Birmingham. Pet. Sept. 22. Reg. Tudor. O. A. Kinnear. Sols. Hodgson and Son, Birmingham. Sur. Oct. 12.

GUEST, RICHARD, provision dealer, Salford. Pet. Sept. 21. Reg. & O. A. Kay. Sols. Sutton and Elliott, Manchester. Sur. Oct. 9.

GUNSON, EDMUND ATKINS, cabinet-maker, Burton-upon-Trent. Pet. Sept. 21. Reg. Hill. O. A. Kinnear. Sols. Goodger, Burton-upon-Trent; and James and Griffin, Birmingham. Sur. Oct. 12.

HARDMAN, JAMES, warehouseman, Bolton. Pet. Sept. 21. Reg. & O. A. Holden. Sols. Richardson and Brandwood, Bolton. Sur. Oct. 11.

HARTLEY, THOMAS, labourer, Holymoorside, near Brampton. Pet. Sept. 14. Reg. & O. A. Wake and Waller. Sols. Binney and Son, Sheffield. Sur. Oct. 19.

HILLIARD, EDWIN, fruiterer, Sheerness. Pet. Sept. 22. Reg. & O. A. Watts. Sur. Sept. 30.

HOPKINSON, HENRY, and CROW, DANIEL, hucksters, Newark-upon-Trent. Pet. Sept. 20. Reg. & O. A. Newton. Sol. Ashley, Newark. Sur. Oct. 6.

JERVIS, GEORGE, potter, Penkhull. Pet. Sept. 21. Reg. & O. A. Keary. Sol. Moxon, Hanley. Sur. Oct. 14.

JOHN, DANIEL, beerhouse-keeper, Morriston, Llangafelach. Pet. Sept. 18. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Oct. 11.

LEWIS, THOMAS, innkeeper, Wiston, near Narberth. Pet. Sept. 21. Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. Oct. 6.

MARTINDALE, JOSEPH, Sunderland. Pet. Sept. 21. Reg. Gibson. O. A. Laidman. Sols. Hodge and Harle, Newcastle. Sur. Oct. 11.

MCNEISH, DANIEL, shipwright, Liverpool. Pet. Sept. 15. O. A. Turner. Sur. Oct. 6.

NORMAN, EDWARD, jeweller, Sherborne. Pet. Sept. 21. Reg. & O. A. Hatten. Sol. Ellis, Sherborne. Sur. Oct. 6.

O'GRADY, MICHAEL, innkeeper, Rugeley. Pet. Sept. 21. Reg. & O. A. Gardner. Sol. Wilson, Lichfield. Sur. Oct. 12.

PURDEN, THOMAS, sen., saddler, Lichfield. Sept. 23. Reg. Tudor. O. A. Kinnear. Sols. Reece and Harris, Birmingham. Sur. Oct. 12.

RAWCLIFFE, ALEXANDER, grocer, Fleetwood. Pet. Sept. 22. Reg. & O. A. Pattison. Sol. Plant, Preston. Sur. Oct. 9.

ROBERTS, MATTHEW, auctioneer, Stanningley. Pet. Sept. 16. O. A. Young. Sur. Oct. 9.

ROME, MATTHEW, publican, Monton-green, near Worsley. Pet. Sept. 22. Reg. Harris. O. A. Morgan. Sols. Atkinson, Saunders, and Co., Manchester. Sur. Oct. 9.

SCHOFIELD, WILLIAM, mason, Saddleworth. Pet. Sept. 18. Reg. & O. A. Sommerscales. Sol. Lowe, Oldham. Sur. Oct. 17.

SHERBORNE, HENRY CHARLES, commercial traveller, Basingstoke. Pet. Sept. 20. Reg. & O. A. Lamb. Sol. Chandler, Basingstoke. Sur. Oct. 7.

SMITHSON, JOSHUA, jun., cotton warp merchant, Leeds and Wakefield. Pet. Sept. 20. O. A. Young. Sol. Pullan, Leeds. Sur. Oct. 9.

SPARKS, JOHN, shipsmith, Widnes and Widnes-dock, near Warrington. Pet. Sept. 22. O. A. Turner. Sol. Kitty, Liverpool. Sur. Oct. 10.

THOMAS, GEORGE, sailmaker, Canton, near Cardiff. Pet. Sept. 21. Reg. Wilde. O. A. Acraman. Sols. Stephens, Cardiff; and Abbott and Leonard, Bristol. Sur. Oct. 6.

TURNBULL, THOMAS, publican, North Shields. Pet. Sept. 12. Reg. Gibson. O. A. Laidman. Sol. Hoyle, Newcastle. Sur. Oct. 11.

WATT, WILLIAM, farmer, Battle. Pet. Sept. 21. Reg. & O. A. Young. Sol. Bilton, Hastings. Sur. Oct. 7.

WINNEY, JOHN, beershop-keeper, Bishop's Castle. Pet. Sept. 19. Reg. Tudor. O. A. Kinnear. Sur. Oct. 12.

Gazette, Sept. 29.

To surrender at the Bankrupts' Court, Basinghall-street.

ANGEL, GEDALIAH, dealer in glass, Commercial-st. Spitalfields. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

BACON, JAMES, commission agent, Clarence-pl. Clapton-sq. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

BALE, JOHN, cheesemonger, St. John's-st.-rd. Pet. Sept. 23. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

BARRETT, WILLIAM, auctioneer, High Holborn, and King-st. Hammersmith. Pet. Sept. 19. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

BRADFORD, GEORGE, late beer retailer, Robert-st. Brixton. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

BURTON, JOHN HENRY, in no trade, late Thomas-st. Islington. Pet. Sept. 28. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

CHESTER, WILLIAM, hatter and clothier, High-st. Peckham. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sols. Nicholls and Clark, Cook's-court, Lincoln's-inn. Sur. Oct. 17.

COCKERELL, JAMES CHARLES, in no trade, Willoughby-house, Hammersmith. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

COOPER, WILLIAM WEATHERLY, grocer, Lewisham. Pet. Sept. 25. Reg. Brougham. O. A. Edwards. Sol. Jenkins, Nicholas-la. Sur. Oct. 19.

COX, FREDERICK, cemetery mason, East-rd. Hoxton. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

DAY, THOMAS, dealer in wines, Alpha-sq. Camberwell, and Gracechurch-st. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

DUMONT, PHILIBERT, agent for French houses, Coronation-pl. Stoke Newington-rd. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

GARDINER, WILLIAM HEMMINS, builder, Richmond-pl. Wandsworth-rd. Pet. Sept. 23. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Oct. 17.

GAZLEY, JOSEPH, tailor, Stendon, near Sheffield. Pet. Sept. 28. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Oct. 17.

GEDDES, DONALD, hotel keeper, Southampton. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. Oct. 12.

GOUDIE, ROBERT, late carver, Chapel-st. Bedford-row. Pet. Sept. 20. Reg. Hazlitt. O. A. Graham. Sur. Oct. 12.

HARMAN, WILLIAM, clerk in customs, Hall-pl. Mable-hill. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 17.

HIATT, JOSEPH, no trade, Long Ditton. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

HOLMES, SAMUEL, lamp dealer, Strand. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

HUDSON, JOHN GEOFFREY BROWNE, clerk in the Rock Insurance office, Bosworth-lodge, Willesden-green. Pet. Sept. 21. Reg. Brougham. O. A. Edwards. Sols. Messrs. Paterson, Bouverie-st. Sur. Oct. 10.

JOHNSON, EDWARD, victualler, New North-st. Red Lion-sq. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

JOHNSON, WILLIAM, late builder, High-st. Marylebone. Pet. Sept. 20. Reg. Hazlitt. O. A. Graham. Sur. Oct. 12.

JONES, CHARLES JOHN, iron merchant, Walbrook and East Barnet. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sols. Gorve, South Molton-st.; and Lawrance and Co. Old Jewry-chambers. Sur. Oct. 19.

JONES, EBENEZER, builder, Catherine-st. Stepney, and Great Western-wharf, Paddington. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

MARDON, LAWRENCE, tailor, Mincing-la. and London-st. Fitzroy-sq. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

MCNAMARA, MARTIN HARRY, bootmaker, New Union-st. Little Moorfields. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

METCALFE, JOHN ALLAN, wine merchant, Vernon-pl. Bloomsbury-sq. and Nicholas-la. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

NICHOLSON, SIR ROBERT, BART., no trade, Church-pl. Clapham. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

PAGE, WILLIAM BRIDGEWATER, seed merchant, Millbrook and Southampton. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sol. Messrs. Paterson, Bouverie-st.; and Mackay, Southampton. Sur. Oct. 17.

REEVES, JOHN FREDERICK, papermaker, Bangor-mills, near Newbury. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

RIOTTE, HENRY, commission agent, Haverstock-hill, Hampstead. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

ROBINETT, WILLIAM THOMAS, printer, Kent-st. Southwark, and Horsemonger-la. Newington. Pet. Sept. 27. Reg. Brougham. O. A. Edwards. Sol. Ody, Trinity-st. Southwark. Sur. Oct. 17.

ROBINSON, CHARLES FOSTER, commission agent, Winchester-st. Pimlico. Pet. Sept. 25. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Sur. Oct. 17.

ROTHSCHILD, HENRY, general dealer, Duke-st. Aldgate. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

ROUCH, JOSEPH, wine merchant, Greek-st. Soho. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

SHARON, JAMES, general dealer, Brick-la. Whitechapel. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

SMITH, JOHN, carpenter, Montpelier-ter. Notting-hill. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

STANWAY, JOHN, no trade, late Harting. Pet. Sept. 18. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

TAUNTON, JAMES, marine store dealer, Thrawl-st. Brick-la. Whitechapel. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

THORNBACK, GEORGE MARCUM, late pork butcher, Southampton. Pet. Sept. 23. Reg. Brougham. O. A. Edwards. Sols. Messrs. Paterson, Bouverie-st.; and Mackay, Southampton. Sur. Oct. 12.

VAN BAERLE, WILLIAM HISLOP, retired civil servant, St. John's-hill, New Wandsworth. Pet. Sept. 23. Reg. Brougham. O. A. Edwards. Sols. Messrs. Hughes, Chapel-st. Bedford-row. Sur. Oct. 17.

VON HAFEN, WILLIAM, merchant, America-sq. and Cecil-st. Strand. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

WAKE, CHARLES, builder, Harrow. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. Oct. 19.

WEEKES, CHARLES HENRY, solicitor, Caledonian-rd. Islington. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 12.

WINDSOR, CHARLES, late Hotel de Provence, Leicester-sq. Pet. Sept. 20. Reg. Brougham. O. A. Edwards. Sur. Oct. 12.

To surrender in the Country.

BEACH, JOHN, baker, Newcastle-under-Lyme. Pet. Sept. 23. Reg. & O. A. Fillet. Sols. Messrs. Tennant, Hanley. Sur. Oct. 14.

BENNETT, WILLIAM, baker, Liverpool. Pet. Sept. 26. O. A. Turner. Sol. Henry, Liverpool. Sur. Oct. 17.

BOUGHTON, RICHARD, pearl button manufacturer, Birmingham. Pet. Sept. 21. Reg. & O. A. Guest. Sur. Oct. 9.

BRANSTON, GEORGE GREEN, miller, King's Cliffe. Pet. Sept. [illegible] Reg. & O. A. Wilson. Sol. Richardson, Oundle. Sur. Oct. [illegible]

BURCHATT, EDWARD, commercial traveller, Aston-juxta-Birmingham. Pet. Sept. 26. Reg. Hill. O. A. Kinnear. Sols. Sutton and [illegible], Birmingham. Sur. Oct. 27.

CARR, GEORGE CORNELIUS, maltster, Lincoln. Pet. Sept. 21. O. A. Young. Sol. Chambers, Lincoln. Sur. Oct. 18.

CATTELL, GEORGE DAVEY, cosmetic manufacturer, Midsomer Norton. Pet. Sept. 22. Reg. Wilde. O. A. Acraman. Sur. Oct. 13.

CHAMBERLAIN, THOMAS, blacksmith, Empingham. Pet. Sept. [illegible] Reg. & O. A. Shield and Hough. Sol. Law, Stamford. Sur. Oct. 16.

CHAPLAIN, WILLIAM, painter, Aston-manor, near Birmingham. Pet. Sept. 21. Reg. & O. A. Guest. Sur. Oct. 9.

COCKS, JAMES, cordwainer, Leeds. Pet. Sept. 26. Reg. & O. A. Marshall. Sol. Harle, Leeds. Sur. Oct. 11.

CRAVEN, THOMAS, machinist, Leicester. Pet. Sept. 23. Reg. & O. A. Ingram. Sol. Harvey, Leicester. Sur. Oct. 21.

CROMPTON, THOMAS, waste dealer, Manchester. Pet. Sept. 22. Reg. & O. A. Kay. Sol. Tate, Manchester. Sur. Oct. 11.

DOWELL, FRANCIS, bread and biscuit manufacturer, Carlisle. Pet. Sept. 25. Reg. Gibson. O. A. Laidman. Sols. Ostal, Carlisle; and Hoyle and Shipley, Newcastle. Sur. Oct. 11.

EVANS, DAVID LEWIS, victualler, Monmouth. Pet. Sept. [illegible] Reg. Wilde. O. A. Acraman. Sols. Williams, Monmouth; and Henderson, Bristol. Sur. Oct. 10.

EVANS, HENRY, tailor, Pontypridd. Pet. Sept. 27. Reg. & O. A. Spickett. Sol. Davies, Cardiff. Sur. Oct. 9.

GWYNN, THOMAS, boiler maker, Cambridge. Pet. Sept. [illegible] Reg. & O. A. Eaden. Sols. Whitehead and French, Cambridge. Sur. Oct. 17.

HARDING, CHARLES, victualler, Hull. Pet. Sept. 30. Reg. & O. A. Phillips. Sur. Oct. 7.

HELLAWELL, JAMES, flaxspinner, Huddersfield. Pet. Sept. [illegible] O. A. Young. Sols. Barker and Sons, Huddersfield; and Bond and Barwick, Leeds. Sur. Oct. 9.

HOLT, CHARLES FRANCIS, painter, Salford. Pet. Sept. [illegible] Reg. & O. A. Hulton. Sol. Gardiner, Manchester. Sur. Oct. 11.

JENNINGS, JOHN, stonecutter, Weston-upon-Trent. Pet. Sept. [illegible] Reg. & O. A. Spilsbury. Sol. Brough, Stafford. Sur. Oct. [illegible]

JONES, MARGARET, Llangollen. Pet. Sept. 26. Reg. & O. A. Evans. Sol. Jones, Conway. Sur. Oct. 9.

JONES, WILLIAM, grocer, Swansea. Pet. Sept. 27. Reg. Wilde. O. A. Acraman. Sols. Morris, Swansea; and Beckingham, Bristol. Sur. Oct. 10.

JUDD, ALFRED, attorney's clerk, Foxton. Pet. Sept. 23. Reg. & O. A. Wartnaby. Sol. Rawlins, Market Harborough. Sur. Oct. [illegible]

LANGSDALE, JOSEPH, milk-seller, Old Lenton. Pet. Sept. [illegible] Reg. & O. A. Patchitt. Sol. Smith, Nottingham. Sur. Oct. 11.

MEECKS, JOHN EBENEZER, late corn-merchant, Bristol. Pet. Sept. 26. Reg. Wilde. O. A. Acraman. Sol. Pigeon, Bristol. Sur. Oct. 10.

MORGAN, WILLIAM LLEWELLYN, grocer, Newport. Pet. Sept. [illegible] Reg. Wilde. O. A. Acraman. Sol. Henderson, Bristol. Sur. Oct. [illegible]

MUSSLOW, WILLIAM, cooper, Cowley, Sedgley. Pet. Sept. 21. Reg. & O. A. Walker. Sol. Lowe, Dudley. Sur. Oct. 21.

NICHOLSON, ROBERT CHRISTOPHER, labourer, Keadby. Pet. Sept. [illegible] Reg. & O. A. Hurton. Sol. Hladon, Gainsborough. Sur. Oct. [illegible]

PROFFITT, WILLIAM, victualler, Middlewich. Pet. Sept. 27. Reg. & O. A. Cheshire. Sol. Dunstan, Northwich. Sur. Oct. 11.

REDSHAW, GEORGE, hosier, Wigan. Pet. Sept. 26. Reg. Ezra. O. A. Morgan. Sol. France, Wigan. Sur. Oct. 16.

SCHOLES, WILLIAM, confectioner, Bury. Pet. Sept. 22. Reg. & O. A. Grundy. Sol. Anderton, Bury. Sur. Oct. 12.

SHERWOOD, ALBERT, journeyman electro-plater, Aston-manor, Birmingham. Pet. Sept. 9. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Oct. 9.

SIMON, WILLIAM, victualler, Liverpool. Sept. 12. Reg. & O. A. Patchitt. Sol. Brewster, Nottingham. Sur. Oct. 11.

SMITH, SYDNEY, glass dealer, Leeds. Sept. 22. Reg. & O. A. Marshall. Sol. Harle, Leeds. Sur. Oct. 11.

SYMONDS, HENRY, contractor, Swansea. Sept. 18. Reg. & O. A. Morris. Sol. Morris, Swansea. Sur. Oct. 11.

WAKERLEY, JOHN, cabinet-maker and joiner, Birmingham. Pet. Sept. 21. Reg. & O. A. Guest. Sur. Oct. 9.

WALKER, JOHN, boot and shoe maker and dealer, Whitefield, near Burton-upon-Irwell. Pet. Aug. 16. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. Oct. 14.

WARD, WILLIAM THOMAS, silk dyer, Coventry. Pet. Sept. 27. Reg. Tudor. O. A. Kinnear. Sols. Davis, Coventry; Hodgson and Son, Birmingham. Sur. Oct. 27.

WARDALL, WILLIAM, journeyman tailor, Aston-juxta-Birmingham. Pet. Sept. 8. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Oct. 9.

WHITCHELLO, ELIZABETH, tobacconist, Reading. Pet. Sept. 21. Reg. & O. A. Collins. Sol. Slocombe, Reading. Sur. Oct. 14.

WILLIAMS, JOHN, castrator, Llanwonno. Pet. Sept. 11. Reg. & O. A. Spickett. Sol. Davis, Cardiff. Sur. Oct. 9.

WRIGHT, GEORGE, packing-case maker, Birmingham. Pet. Sept. [illegible] Reg. & O. A. Guest. Sur. Oct. 9.

BANKRUPTCIES ANNULLED.

Gazette, Sept. 26.

ETHERIDGE, WILLIAM, lighterman, Dalhousie-ter. Bermondsey.

Gazette, Sept. 29.

BOWDEN, JAMES, jun., merchant's clerk, Hull.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignee is given, to whom apply for the Dividends.

Bainbridge, A. victualler, first, 3s. Turner, Liverpool—*Bain*, J. ship store dealer, first sep., 10s. 6d. Turner, Liverpool—*Dunlop*, W. timber merchant, first, 3d. Turner, Liverpool—*Green*, J. builder, second 2¼d. Turner, Liverpool—*Mellor*, D. McE. merchant, first and final sep., 20s. Edwards, London—*Rogers*, E. [illegible], sep., 2s. 6d. Turner, Liverpool—*Rogers and Jones*, plumbers, second, 1s. 5d. Turner, Liverpool—*Stones*, S. miller, first, 1s. 1d. Turner, Liverpool—*Thomson*, G. bookseller, first, 2s. Turner, Liverpool—*Watson*, J. W. scrivener, first, 5s. Kinnear, Birmingham—*Wilson*, T. grocer, second, 6¾d. Turner, Liverpool—*Wills*, J. merchant, first sep., 3s. 6d. Turner, Liverpool—*Wills*, W. M. merchant, first sep., 5s. Turner, Liverpool—*Young*, W. underwriter, 2½d. [illegible] London.

INSOLVENT'S ESTATES.

Ridley, T. L. 1s. 3½d. Crosby, Stockton.

Assignment, Composition, Inspectorship, and Trust Deeds.

Gazette, Sept. 22.

BALDING, THOMAS, saddler, Lewisham. Aug. 23. To pay 5s. [illegible] 20l., also in 6 wks. 5s., and in 10 mos. 2s. 6d. Trust. J. Dibley, solicitor's clerk, King William-st.

BEAMONT, CHARLES JOHN, working jeweller, Hull. Aug. 26. [illegible] 3 mos.

BLADES, WILLIAM, butcher, Hull. Sept. 9. 10s. on execution of deed.

BROWN, WILLIAM, wool dealer, Elland-cum-Greetland. Aug. 31. 5s. in 1 mo.—secured. Trusts. J. Sanderson, waste dealer, and W. Carter, innkeeper, both West vale.

BURKITT, JOHN BAYLIS, Liverpool. Aug. 30. 11s. by three instalments of 3s., 3s., and 5s. at 3, 6, and 9 mos.—secured. Trust. F. E. Leaf, warehouseman, Old-change.

CARTER, BENJAMIN, agent, Barnsley. Sept. 13. 1s. in 2 mos. Trust. S. Carter, merchant, Barnsley.

CHIVERS, SAMUEL, jun., grocer, Bath. Sept. 1. Trust. J. Parish, commission merchant, Exeter.

CUSANS, FREDERICK, artist, Leeds. Aug. 23. [illegible] Trust. F. Fernes, attorney, Leeds.

DANIEL, EDWARD OSMOND, commission agent, Swansea. Aug. [illegible] 2s. 6d., by two equal instalments at 3 and 9 mos.—secured. Trust. [illegible] Mills, merchant's clerk, Swansea.

DANIEL, HENRY MADDOCKS, attorney, Lansdowne-crescent, Kensington-park, and Guildhall-chambers, Basinghall-st. Sept. 12. 5s. by five equal instalments on 1st Jan., 1st April, 1st July, 1st Oct. and 31st Dec. 1866.

DIXON, GEORGE HENZELL, merchant, Newcastle. Aug. 24. Trust. H. P. A. Man, merchant, Newcastle.

FAUNTLEROY, ROBERT, Bunhill-row, Old-st., and Leadenhall-st. Sept. 14. Trusts. H. P. Gramm, merchant, Manchester, and F. Tendron, accountant, Fenchurch-st. London.

FIRMIN, GEORGE, and FIRMIN, CORNELIUS, flax manufacturers, Henley. Aug 24. 2s. 6d. in 7 days.

FRANKLIN, SIEGFRIED, watchmaker, Staveley and Mosbrough. Aug. 22. 2s. 6d. in 4 mos. Surety, M. Schindler, watchmaker, Sheffield.

GOWLAND, THOMAS, professor of dancing, Bartholomew-rd. Kentish-town. Sept. 8. 4s. by four equal instalments, at 3, 6, 9, and 12 mos.

GREGORY, WILLIAM TAYLOR, yarn agent, Manchester. Sept. 12. 10s. by two instalments—5s. on 12th Sept., and 5s. on 24th Oct.—secured.

GROOM, JAMES, musicseller, March. Aug. 31. Trust. S. W. Stevenson, common brewer, March.

HANKEY, REGINALD, and HANKEY, MONTAGUE, merchants, Liverpool. Aug. 28. Inspectors, J. Hickie, merchant, Leadenhall-st., and J. B Gibbons, accountant, Bank-buildings.

HARPER, GEORGE, draper, Cradley-heath, Rowley Regis. Sept. 14. Trust. D. Stockton, builder, Oldbury.

HAXELL, WILLIAM, builder, Ipswich. Aug. 21. 5s. in 7 days.

HEWITT, CHARLES CULLWICK, wine merchant, Dudley. Aug. 30. Trusts. C. H. Ludlow, wine merchant, Bristol, and J. H. Smith, maltster, Dudley.

HUGHES, DAVID, shopkeeper, Moss Broughton, Wrexham. Aug. 25. Trusts. J. Beirne, brewer, Wrexham, and E. Jones, cheese factor, Rhosyllen.

JONES, WILLIAM BUCKLEY, shipbuilder, Liverpool. Sept. 9. 10s. by three instalments—5s. in 14 days, 2s. 6d. in 6 mos., and 2s. 6d. in 12 mos.—secured.

KERR, JOHN, and MATHER, WILLIAM, joiners, Liverpool. Sept. 11. 4s. by two instalments of 2s. each. Trust. W. H. Williams, bookkeeper, Liverpool.

KILSHAW, JOHN, timber merchant, Bootle, near Liverpool. Aug. 15. Trust. J. R. Jeffreys, sub-manager to the Royal Bank at Liverpool.

KNIGHT, DANIEL, shoe manufacturer, Nottingham. Sept. 18. Trust. M. T. Hopkinson, farmer, Woodthorpe.

LECHE, WILLIAM, chemist, Farnworth. Aug. 24. Trusts. J. Kitchen, tradesman, Worcester, and G. Lawson, jun., merchant, Preston.

MORGAN, JOHN, grocer, Merthyr Tydfil. Aug. 25. Trust. J. Price, butter-merchant, Merthyr Tydfil.

MOWER, HENRY, glass-dealer, Marylebone-la. Sept. 15. 10s. by four equal instalments, at 3, 6, 9, and 12 mos.—secured. Surety, A. Codner, wholesale milliner, Bulstrode-st.

PARKS, WILLIAM JAMES, gilder, Portsea. Sept. 16. Trusts. J. Wainscot, accountant, Portsea, and E. T. Palmer, victualler, Portsea.

PEPPERELL, THOMAS, shopkeeper, Tavistock. Aug. 25. 4s. by two equal instalments on 27th Nov. and 27th Feb. Trusts. T. Brooks, miller, Tavistock, and W. Criper, grocer, Tavistock.

RICHARDS, PHILIP, general merchant, Bristol. Aug. 26. Trusts. S. A. Hayman, dentist, Bristol, and H. G. Gardner, wholesale grocer, Bristol.

SEWELL, JAMES, butcher, Uppingham. Sept. 6. Trust. J. Langley, auctioneer, Uppingham.

SLACK, HENRY WALTERS, and PASHLEY, GEORGE, manufacturers of german silver, Sheffield. Aug. 24. Trusts. W. Ryland, electroplater, and J. Maxfield, piercer, both Sheffield.

SMITH, SARAH ANN, late shopkeeper, Manchester. Aug. 29. 2s. 6d. in 1 mo.

SMITHIES, HENRY, and SMITHIES, JOHN, engineers, Blackburn. Aug. 21. Trusts. T. Walmsley, Bolton-le-Moors, and W. Welling, Ince, iron merchants.

SPENCER, FREDERICK, corn chandler, Mile-end-rd. Sept. 7. 5s. by 19th Sept. 1865.

TAYLOR, JOHN, cabinet-maker, Hull. Aug. 25. Trust. J. Souster, auctioneer, Hull.

THACKRAY, GEORGE, printer, Worcester. Aug. 26. Trust. F. W. Whittaker, banker's clerk, Worcester.

THOMPSON, THOMAS, grocer, Birtley. Sept. 6. Trusts. E. Oliver, grocer, and J. S. Hoy, agent, both Newcastle.

TONG, DAVID, shopkeeper, Earlsheaton, Dewsbury. Aug. 30. 2s. 6d. in 6 mos. Trust. N. T. Tolson, gentleman, Earlsheaton.

TURNER, JAMES FRANKLIN, grocer, Maidenhead. Sept. 1. 5s. by two equal instalments on 29th Sept. and 27th Nov. Surety, E. Turner, Fareham.

WARREN, HENRY GEORGE, gentleman, Cornhill. Aug. 23. 1s. 6d. by two equal instalments on 25th Nov. and 25th Feb.

WESTBROOK, FREDERICK, grocer, Blackman-st. Southwark. Aug. 24. Trusts. J. Carr, stockbroker, Warnford-court, Throgmorton-st., and J. Hardcastle, wholesale grocer, Eastcheap.

WHITTAKER, SUSANNAH, ironfounder, Walsall. Sept. 13. 2s. in 14 days. Trust. J. Ellis, coal merchant, Walsall.

WILSON, PETER, victualler, Chatham. Sept. 1. Trust. R. Sowter, victualler, Brompton, Gillingham, and J. P. Nye, builder, Chatham.

WOOLNER, THOMAS, Blue Pits, near Rochdale, and PENDLEBURY, RICHARD, gingham manufacturer, Ratcliffe, also Blue Pits. Sept. 9. Trusts. J. Wood, banker, Rochdale, J. Berry, yarn agent, Manchester, and C. M. Wilson, commission agent, Manchester.

YOUNG, ROBERT, draper, Bolton. Sept. 7. Trusts. J. Mather, and J. Armitage, drapers, both Bolton.

Gazette, Sept. 26.

ADAMS, FRANCIS, plumber, Forest-hill. Aug. 28. 5s. by two equal instalments, on 16th Oct. and 16th Feb.—secured.

ATKIN, JOSEPH HURD, shoemaker, Sheffield. Sept. 13. To pay debts by three instalments at 4, 8, and 12 mos.

BLOXSOME, JOSEPH, draper, Woodbridge. Aug. 30. 4s. in 7 days.

BRANT, GEORGE, grocer, Bath. Aug. 31. Trusts. T. Cox, Bath, and W. Smith, Bath, public accountant.

BROWN, CHARLES WILLIAMS, clerk in Deptford-dockyard, Deptford. Sept. 13. To pay debts in full. Trust. Rev. R. Turner, clerk, Deptford.

CHAPMAN, JOHN, and CHAPMAN, THOMAS, innkeepers, Northampton. Sept. 7. Trusts. W. G. Phillips and T. Phillips, common brewers, Northampton.

CHARLTON, LEONARD FOSTER, grocer, Beverley. Aug. 21. Trusts. T. Forge, gentleman, Beverley, and M. Whitfield, wholesale grocer, Hull.

CLEMMANS, HENRY, builder's clerk, Lee. Aug. 22. Trust. W. Smith, tailor, Lee.

D'ARCY, WILLIAM FRANCIS, gentleman, Newton Bushell. Aug. 26. Trusts. J. Wale, gentleman, Kingkerswell, and C. Wescomb, gentleman, Exeter.

DALEY, ROBERT COLETT, grocer, Bromyard. Sept. 19. Trust. W. Jesseland, wholesale grocer, Worcester.

DAVIDSON, ISAAC, jeweller, St. Paul's-rd. Camden-town. Sept. 12. 5s. by two equal instalments in 21 days and at 4 mos.

EDMUNDS, WILLIAM, tailor, Peckham Rye. Sept. 18. 10s. by four equal instalments, on 30th Sept. 1865, 30th Jan., 30th May, and 30th Sept. 1866.

FOWLER, JOHN, harness-maker, Basford-rd. Hyson-green. Sept. 19. Trust. J. Woodward, coal merchant, Bulwell.

FROST, JOHN THOMAS, milliner, Birmingham. Sept. 1. 5s.—2s. 6d. in 4 mos., and 2s. 6d. in 8 mos.—secured. Trust. T. Stokes, accountant, Birmingham.

GATE, ISAAC TRIMBLE, innkeeper, Wigton. Aug. 19. Trusts. J. Gate, spirit merchant, Wigton, and H. Lamb, common brewer, manager of a Joint-Stock Brewery Company, Dalston.

HEWITSON, THOMAS, sacking-maker, Birmingham. Aug. 31. 10s. by three equal instalments, at 3, 6, and 9 mos.

HUCKETT, THOMAS HOOPER, traveller, Alma-ter. Kennington. Sept. 13. 2s. 6d. on 1st Jan.

JACKSON, STEPHEN, lodginghouse-keeper, Blackpool. Trust. R. Kendardine, commission agent, Manchester.

JENKINS, DAVID, draper, Halifax. Aug. 31. Trusts. S. Waite, and F. Taylor, merchants, Manchester.

JOLLIFFE, JAMES, baker, Ventnor, Isle of Wight. Sept. 8. Trust. I. Lowe, farmer, Godshill.

KERR, ALEXANDER, general dealer, Wrexham. Aug. 28. Trusts. W. Mellor and W. Cumming, cloth merchants, Huddersfield.

LOWNDS, JOHN, bootmaker, Salford. Aug. 24. Trust. J. Prescott, valuer, Cheetham.

MARRETT, CHARLES EDWARD, grocer, Mildenhall, and Lakenheath. Aug. 29. Trusts. I. Rosebery, shoemaker, Isle of Ely, and R. Butcher, wholesale grocer, Norwich.

MARTIN, DAVID, builder, Eton. Sept. 12. 5s. in 14 days.

MUSE, MICHAEL, timber merchant, Newcastle. Sept. 1. Trusts. J. P. Rennoldson, and J. Herring, timber merchants, Newcastle.

NORMAN, HARRY ADOLPHUS, innkeeper, Portsea. Aug. 28. Trusts. G. Gregory, plumber, and W. Edmonds, accountant, both Portsea.

OWENS, RICHARD, draper, Holloway-rd. Aug. 28. Trust. J. Barnicot, warehouseman, Friday-st.

PARKES, THOMAS, and PARKES, ENOCH, spade makers, Oldbury. Sept. 1. To pay debts in full by instalments—2s. in 10 days, and nine further instalments of 2s. each at 6 mos., with interest at 5l. per cent.

PETHERICK, WILLIAM, general shop keeper, Ynisceidwin, in Ystradgunlais. Sept. 5. Trusts. J. Shute, general grocer, and H. Thomas, soap manufacturer, both Bristol.

REYNOLDS, JEREMIAH, coal merchant, Aylesbury. Sept. 16. 10s. by equal instalments of 5s. at 2 and 3 mos.—secured. Sureties, J. Hartop and J. Oliver, Foleshill, and T. Marshall, Rugby, coal proprietors.

SPARROW, HENRY, ironmaster, Kingswinford. July 6. Trusts. W. H. Beaumont, H. O. Firmstone, and N. N. Solly. Sols. Corser and Walker, Stourbridge, and Hayes, Wolverhampton.

TELFORD, WILLIAM NEWTON, optician, Chester. Aug. 29. Trust. J. Wakefield, accountant, Chester.

WARD, FRANCIS, general dealer, Hertford. Aug. 29. 1s. 6d. on 25th Dec.

WILLIAMS, WILLIAM ROBERTS, draper, Ruthin. Sept. 5. Trusts. J. Chadwick and C. Bromley, merchants, Manchester.

WILLOUGHBY, WILLIAM WATTS, oil and colour man, High-st. Wapping. 5s. on 1st Sept.

YEOELL, WILLIAM, grocer, Kingston, Portsea. Sept. 20. Trust. W. Yeoman, horse dealer, Landport.

Gazette, Sept. 29.

BANKS, GEORGE LINNÆUS, journalist, Cloudesley-sq. Islington. Sept. 27. Trust. W. E. Tilley, electro-plater, Kirby-st. Hatton-garden.

BATCHELOR, GEORGE, grocer, Llandaff, near Cardiff. Sept. 26. Trust. T. Pritchard, grocer, Cardiff.

BOND, HENRY, contractor, Great George-street, Westminster. Aug. 31. 1s. 6d. in 1 mo. Trust. J. Cooper, accountant, Coleman-st.-buildings.

BONNER, AMBROSE, jun., mercer, St. John-st., and Aylesbury-st. Clerkenwell. Sept. 7. 7s. 6d.—2s. 6d. in 3 mos., 2s. 6d. in 6 mos., and 2s. 6d. in 9 mos.—secured. Trust. A. Bonner, sen., draper Whitstable.

BRAGG, GEORGE, wine merchant, Birmingham. Sept. 1. 5s. by two, instalments of 2s. 6d. at 3 and 6 mos.—secured.

BREWER, EDGAR, provision merchant, Newport and Cwmbran, Abertillery and Pengam Shops. July 31. 6s 6d. by three instalments—2s. on 6th Nov. next, 2s. on 6th March and 2s. 6d. on 6th July 1866—secured. Trust. H. Newcombe, corn merchant, Newport.

EVANS, RICHARD, confectioner, Manchester. Sept. 4. Trusts. F. P. Parry, wholesale grocer, Liverpool, J. Webb, coppersmith, Manchester, C. H. Stanley, fruit merchant, Liverpool.

GRIFFIN, WILLIAM EBENEZER, saddler, Lower Clapton. Sept. 23. Trust. J. Eldrid, saddler's ironmonger, Fore-st.

GILLMORE, WILLIAM, draper, Frome. Aug. 30. Trusts. L. Perman, gentleman, Frome, J. T. Stollard, Wood-st., and J. Howell, Saint Paul's-churchyard, warehousemen.

GREENHALGH, JAMES, ropemaker, Bury. Aug. 31. To pay debts in full by four equal instalments of 5s.—first in 7 days, and at 3, 6, and 9 mos. Trust. H. Openshaw, cashier, Bury.

HEWITT, WILLIAM PETLEY, butcher, Attleborough. Aug. 30. Trust. J. Bacon, auctioneer, Attleborough.

HIGGINBOTTOM, JOHN, dealer in paper hangings, Manchester. Sept. 5. Trust. R. Smith, manufacturer of paper hangings, Manchester.

JOHNSON, JOHN, and MCGOWAN, WILLIAM, drysalters, Liverpool. Sept. 4. Trusts. W. Wheatham, drysalter, and C. Clark, spice merchant, both Liverpool.

KNOWLES, JOHN, flock dealer, Dewsbury Moor. Aug. 30. 4s. Trusts. R. Clarkson, blanket manufacturer, Dewsbury Moor, and J. Booth, druggist, Heckmondwike.

LIFE, WILLIAM ELY, newsagent, Manchester. Aug. 31. Trusts. J. B. Mercer, book-keeper, Hulme.

LUPTON, JOHN FALSHAW, painter, Leeds. Sept. 1. 2s. in 7 days. Trust. A. Crookes, attorney's clerk, Leeds.

MATTHEWS, JOHN, stonemason, Wroxhall, near Warwick. Sept. 26. 4s.

MINCHIN, THOMAS FLETCHER, grocer, Moreton-in-Marsh. Sept. 22. Trusts. J. W. Keale, bank manager, Moreton-in-Marsh, and J. Collet, grocer, Stratford-on-Avon.

PECK, JOHN HENRY, coal proprietor, Wigan. Sept. 15. Trusts. W. Lea, cotton spinner, Wigan, and W. Baker, ironfounder, Wigan.

PRINCE, WILLIAM, plumber, Scarborough. Aug. 10. Trusts. W. Nichols, glass manufacturer, Leeds, and W. Stansfield, general dealer, Scarborough.

RENTON, SAMUEL THOMAS, coachbuilder, Salisbury-st. Walworth. Sept. 12. 5s. by two equal instalments on 1st Oct. and 1st Jan.

ROSE, GEORGE, and ROSE, JAMES, fancy dealers, Manchester. Aug. 30. 12s. 6d. at 6, 9, and 12 mos.—secured. Trust. S. Davis, writing clerk, Longsight, near Manchester.

SAUNDERS, WILLIAM, builder, Lowestoft. Aug. 30. Trust. J. L. Hodgson, accountant, Norwich.

SEDGWICK, THOMAS, and WOOD, ALFRED, tailors, Chatham. Sept. 1. 12s. 6d. in four equal instalments, at 3, 6, 9, and 12 mos.—secured.

SOARS, EDWIN THOMAS, printer, Nottingham. Sept. 5. Trust. W. Soars, lace manufacturer, Beeston.

SUNDERLAND, JOHN EDWIN, merchant, Bradford, and common brewer, Keighley. Sept. 12. Trusts. A. Brown, bank manager, and W. G. Graham, woolstapler, Keighley.

TAYLOR, GEORGE HENRY, cotton waste dealer, Stainland, Halifax. Aug. 30. Trusts. S. Quarmby, cotton waste dealer, Stainland, Halifax, and B. Norcliffe, woolstapler, Greetland, Halifax.

TAYLOR, JOHN BOOTH, ironmonger, Lymm. Sept. 6. Trusts. H. Pearson, draper, Lymm, G. Marsden, merchant, Sheffield, and J. Lear, merchant's clerk, Birmingham.

TOWERS, JOSEPH, plumber, Leeds. Aug. 10. Trust. E. Spurr, glass merchant, Leeds.

TOWL, WILLIAM, miller, Plymouth. Aug. 31. Trusts. J. Tucker, Kingsbridge, H. E. Hurrell, Plymouth, merchant, and F. Stanbury, gentleman, Plymouth.

TREE, BENJAMIN, stationer, Hastings. Sept. 6. Trusts. J. Tree, tobacconist, Hastings, and J. Newman, merchants, Watling-st.

WILLIS, GEORGE GOODWIN, wholesale stationer, Beaufort-villas, Brixton. Sept. 13. 2s. 6d. by three instalments—1s. 24th Dec., 1s. 24th March, and 6d. 24th June next—secured. Trust. G. Willis, gentleman, Park-ter. Brixton-rd.

WOOD, RICHARD, beer retailer, Birmingham. Aug. 30. Trust. E. Gullage, Birmingham.

BIRTHS, MARRIAGES AND DEATHS.

BIRTHS.

BOWKER.—On the 30th ult., at 66, Lansdowne-road, Kensington-park, the wife of Thomas Bowker, Esq., solicitor, 1, Gray's-inn-square, of a son.

LOPES.—On the 30th ult., at St. Steven's, Plympton, Devon, the wife of Henry C. Lopes, Esq., barrister-at-law, of a son.

MORRISON.—On the 1st inst., at Birkhead-lodge, Wray-park, Reigate, the wife of C. Carter, Morrison, solicitor, of a son.

WHITAKER.—On the 1st inst., at 33, Gloucester-street, Belgrave-road, S.W., the wife of Marmaduke W. Whitaker, Esq., of the Inner Temple, barrister-at-law, of a daughter.

WHITEHEAD.—On the 27th ult., at 31, Inverness-terrace, Kensington-gardens, the wife of John Whitehead, Esq., of Lincoln's-inn, barrister, of a son.

WOOD.—On the 26th ult., the wife of Charles Wood, Esq., of Lincoln's-inn, and 24, Falkner-square, Liverpool, barrister-at-law, of a daughter.

MARRIAGES.

LARA—GATEHOUSE.—On the 3rd inst., at St. Mark's, Tollington-park, Benjamin Walters Lara, Esq., of Gray's-inn, and 6, Pump-court, Temple, to Marianne Elizabeth, second daughter of Charles Gatehouse, Esq., Holloway.

LEACH—CANN.—On the 4th inst., at Virginstowe, Devon, by the Rev. Franks Parker, rector of Luffincott, Devon, John Leach, Esq., of Martock, Somerset, to Mary Letitia, only daughter of the Rev. Ponsford Cann, rector of Virginstowe and incumbent of Broadwoodwidger, Devon.

NEWTON—MACKRELL.—On the 3rd inst., at All Saints' Church, Wandsworth, Thomas Henry Goodwin Newton, of the Middle Temple and Barrells-park, Warwickshire, Esq., barrister-at-law, to Matilda, second daughter of William Thomas Mackrell, Esq., of The Limes, Wandsworth.

ROBINS—MARRIOTT.—On the 3rd inst., at St. Mark's, Albert-road, Regent's-park, Edmund Robins, Esq., of 40, Clifton-road east, St. John's wood, eldest son of the late Edmund Robins, Esq., of Albert-road, Regent's-park, to Marian, second daughter of Frederick Marriott, Esq., of Gloucester-road, Regent's-park. No cards.

WEEKS—PARKER.—On the 28th ult., at the Parish Church, Whittlesford, Cambridgeshire, Mr. Thomas Henry Weeks, of Shaftesbury-terrace, Kensington, and Falcon-square, City, solicitor, to Sarah Anne, daughter of Mr. Thomas Parker, of Rye Croft-house, Whittlesford. No cards.

WILLIAMS—LOMAX.—On the 28th ult., at Clifton Church, Roland Vaughan Williams, barrister-at-law, of Lincoln's-inn, to Laura Susanna Lomax, of Tanhurst, Surrey, youngest daughter of the late Edmund Lomax, Esq., of Netley, in the same county.

Legal Notices.

HELSTON BOROUGH SESSIONS.—NOTICE IS HEREBY GIVEN, that the GENERAL QUARTER SESSIONS of the Peace for the Borough of HELSTON, in the county of Cornwall, will be holden before EDWARD WILLIAM COX, Esq., Recorder of the said Borough, on WEDNESDAY, the 25th day of OCTOBER 1865, at Twelve at noon, at the Town-hall of and in the Borough aforesaid, at which time and place all jurors, constables, police-officers, persons bound by recognisances, and others, having business at the said sessions, are required to attend.

ARUNDEL ROGERS, Clerk of the Peace.

Dated 7th day of October 1865.

BOROUGH of FALMOUTH.—NOTICE IS HEREBY GIVEN, that the next SEPARATE COURT of QUARTER SESSIONS of the Peace, in and for the Borough of FALMOUTH, will be holden at the Guildhall there, before EDWARD WILLIAM COX, Esq., Recorder of the said Borough, or his sufficient deputy, on TUESDAY, the 23rd day of OCTOBER 1865, at Ten o'clock in the forenoon.

W. R. T. PENDER, Clerk of the Peace.

Dated 7th day of October 1865.

LAW EXAMINATIONS.—READING CLASSES for not exceeding seven in a class. Conducted by a Solicitor ten years in practice.—Apply "A.B.C.," Helm's Library, 10, Brownlow-street, Holborn, W.C.

LAW EXAMINATIONS.—MICHAELMAS and HILARY INTERMEDIATE and FINAL.—A Solicitor is preparing CLASSES for these Examinations. Reads every day. Number limited. Terms moderate.—Apply to "EXAM," Mr. J. Butler, Law Stationer, 15, Cursitor-street, Chancery-lane.

LAW.—A Gentleman at the Bar, who has been in the habit of preparing articled Clerks for their examination on the roll of attorneys for several years past, undertakes the PREPARATION of Candidates for their Preliminary, Intermediate and Final Examinations, upon moderate terms. High testimonials can be obtained from the parents and guardians of former pupils, as well as from the young men themselves.—Apply by letter only, signed "LEX," Mr. Kelly's, Newsvendor, Gray's-inn-archway, Holborn.

MINERALOGY.—KING'S COLLEGE, LONDON.

PROFESSOR TENNANT, F.G.S., will deliver a COURSE of LECTURES on MINERALOGY, with a view to facilitate the study of Geology and the application of mineral substances in the Arts. The lectures will commence on FRIDAY, OCTOBER 6, at Nine a.m., and will be continued on each succeeding Wednesday and Friday at the same hour, until Christmas. Fee, 2l. 2s.

Another Course of Lectures on Mineralogy and Geology will be given on Wednesday evenings, from Eight to Nine. These begin October 11, and will be continued until Easter 1866. Fee, 1l. 11s. 6d.

R. W. JELF, D.D., Principal.

TO CLAIMANTS of TITLES and ESTATES, Genealogists, Heralds, Historians, Solicitors, &c.—The Advertiser is prepared to render every INFORMATION touching Manors, Lands, Lineage and Armorial Bearings, in England and Wales, from the Conquest to the present time, at a reasonable rate. A coat of arms found and emblazoned in enamel, 5s.—Apply to Mr. GEORGE HENRY, No. 60, Doughty-street, W.C.

SOLICITORS and PARLIAMENTARY AGENTS promoting Private Bills in the ensuing Session of Parliament supplied with the New Standing Orders, Draft Books of Reference, and all requisite Forms. Books of Reference, Parliamentary Notices, Estimates, &c., Copied, Printed, or Lithographed with the greatest expedition and accuracy.—METCHIM and SON, Parliamentary and General Printers and Lithographers by Steam Power, 20, Parliament-street, and 50 and 51, King-street, S.W., and 32, Clement's-lane, E.C.

UNIVERSITY-HALL, 14, Brownswood-park, Stoke Newington, N.—Principal, the Rev. WILLIAM KIRKUS, LL.B., assisted by experienced Masters in Natural Philosophy, Chemistry, and Modern or Eastern Languages. Gentlemen receive a thorough education in all branches, and the most careful special attention is paid to the preparation of candidates for University and Civil Service Examinations, and the preliminary Arts Examinations for Law and Medical Students.—For all particulars, apply to the Rev. W. KIRKUS, 14, Brownswood-park, Stoke Newington, London, N.—A limited number of boarders can be received.

LONDON GAZETTE (published by authority) and LONDON and COUNTRY ADVERTISEMENT OFFICE, No. 119, CHANCERY-LANE, FLEET-STREET.

HENRY GREEN (many years with the late George Reynell) Advertisement Agent, begs to direct the attention of the Legal Profession to the advantages of *his long experience of upwards of twenty years, in the special insertion of all pro formâ notices, &c.*, and hereby solicits their continued support.—N.B. One copy of advertisement only required, and the strictest care and promptitude assured. Parliamentary notices specially considered.

THE NEW STAMP DUTIES.

MESSRS. VACHER and SONS beg to announce that the New and Enlarged Edition of the DIGEST of STAMP DUTIES is just published, including the amended Duties of the last session of Parliament. Sixth edition, seven shillings.

London: 29, Parliament-street, September 1865.

THE COMPANIES ACT 1862.—Every requisite under the above Act supplied on the shortest notice. The Books and Forms kept in stock for immediate use. Articles of Association speedily printed in the proper form for registration and distribution. Share Certificates engraved and printed. Official Seals designed and executed. No charge for sketches. The convenient situation of our City establishment enables us to give Agency business at the Registration Office immediate attention.

ASH and FLINT, Stationers, Printers, Engravers, &c., 49, Fleet-street, E.C. (corner of Serjeants'-inn); and at London-bridge, S.E.

Sales by Auction.

In Chancery: *Eaton v. France*.—City of London.—Valuable Leasehold Manufacturing Premises (with possession) and Three convenient Dwelling-houses.

MESSRS. NORTON and TRIST have received instructions to offer for SALE, at the LONDON TAVERN, Bishopsgate-street, on WEDNESDAY, 18th OCTOBER, at One o'clock precisely, pursuant to an order of the High Court of Chancery made in the above cause, and with the approbation of the Vice-Chancellor Sir John Stuart, a valuable LEASEHOLD PROPERTY (for many years in the occupation of Messrs. Eaton and Son), comprising three dwelling-houses, eligibly situate Nos. 13 and 15, Jewin-crescent, and No. 49, Jewin-street, Aldersgate-street, with extensive light and well-arranged manufacturing premises in the rear, the whole occupying an important area of about 5000 superficial feet. No. 13, Jewin-crescent, and No. 49, Jewin-street, are let at low rents amounting together to 105*l.* per annum. The remainder of the property is in hand. Held on lease from the Goldsmiths' Company for a term whereof 20 years are unexpired, at a ground-rent of 35*l.* per annum.

May be viewed by permission of the tenants, and particulars had of

Messrs. SWEETING and LYDALL, Solicitors, 12, Southampton-buildings, Chancery-lane;

F. A. H. FRANCE, Esq., Solicitor, 8, Falcon-street; on the premises; at the London Tavern; and of Messrs. NORTON and TRIST, 62, Old Broad-street, Royal Exchange.

Bexley-heath, Kent.—Eligible Freehold Building Land.

MESSRS. EDWIN FOX and BOUSFIELD are directed to SELL by AUCTION, at GARRAWAY'S COFFEE-HOUSE, Change-alley, Cornhill, on WEDNESDAY, OCTOBER 11, at Twelve for One o'clock, in Four Lots, FOUR valuable PLOTS of FREEHOLD LAND, desirably situate in Church-road, New Bexley, Kent, very available for building purposes, having an important frontage by a considerable extent of depth, and suitable for the erection of genteel semi-detached villas, which are much in demand in this locality.

May be viewed, and particulars had of

WM. CARPENTER, Esq., Solicitor, 10, Coleman-street, Bank;

at Garraway's; and of Messrs. EDWIN FOX and BOUSFIELD, 24, Gresham-street, Bank, E.C. (corner of Coleman-street).

City of London.—The noble Premises, in Leadenhall-street, so well known as being occupied by Messrs. Mechi and Bazin, with possession, admirably adapted for a bank, insurance office, or other public company.

MESSRS. EDWIN FOX and BOUSFIELD are directed to SELL by AUCTION, at GARRAWAY'S, Change-alley, Cornhill, on WEDNESDAY, OCTOBER 25 (unless an acceptable offer shall in the meantime be made), the valuable LEASE from the Corporation, at a low rent, of the commanding BUSINESS PREMISES, No. 4, Leadenhall-street, close to its junction with Gracechurch-street, Bishopsgate-street, and Cornhill, a position which derives great value from its extreme centrality, the importance of the thoroughfare, and the close proximity of the money and colonial markets, and all other places of mercantile resort. The premises are very substantial, and present a handsome elevation, having plate sheets of plate-glass throughout, are remarkably light, extending through into Leadenhall-market, the back front to which is equally commanding; on the ground-floor is a noble shop or public office, and on the first and second floors are magnificent show rooms. There are two other stories over, and capital light basement. They are held direct from the Corporation of London for a term of 21 years from Midsummer 1853, at the merely nominal rent of 200*l.* per annum, and are moderately estimated to be worth 1050*l.* per annum. Possession will be given on completion of the purchase.

May be viewed, and particulars had of

Messrs. PAINE and LAYTON, Solicitors, 47, Gresham-house, Old Broad-street; of

THOMAS TAYLOE, Esq., Solicitor, 4, Scott's-yard, Bush-lane, Cannon-street;

at Garraway's; and at Messrs. EDWIN FOX and BOUSFIELD'S, 24, Gresham-street, Bank, E.C. (corner of Coleman-street.)

On the Banks of the Thames, at Teddington.—An exceedingly beautiful and very valuable Freehold Residential Estate, seventeen acres in extent, with most important building capabilities, having an uninterrupted frontage of 700 feet to the river, and of 1560 feet to the high road.

MESSRS EDWIN FOX and BOUSFIELD are favoured with instructions to SELL by AUCTION, at GARRAWAY'S, Change-alley, Cornhill, on WEDNESDAY, OCTOBER 25, at Twelve, in One Lot (unless an acceptable offer shall in the meantime be made), the GROVE ESTATE, Teddington, Middlesex, a very important and valuable property; comprising a noble Mansion, with beautiful grounds, seventeen acres in extent, sloping down to the river Thames. The residence is of the most substantial character, is handsome and imposing in elevation, approached by a carriage-drive under a finely grown avenue, and is arranged with every regard to the domestic requirements of a family of position. The reception-rooms are elegant and well proportioned, and command views over the river; the bed-chambers are numerous, airy, and cheerful. The grounds are singularly attractive and beautiful; they possess the charm of seclusion and maturity which age alone can give, the luxuriance of the magnificent timber trees, shrubberies, and plantations evincing the growth and fostering care of nearly a century. The walks throughout the gardens are very extensive, shady, and well gravelled; there are north and south lawns, parterres, rosaries, summer-houses, fishponds, with fountains, conservatories, hothouses, &c.; the kitchen gardens are in fine heart, inclosed by brick-walls, and well stocked with thriving fruit trees. The detached offices are very complete. As a residential estate it is difficult to find another so complete in such a position; it enjoys, however, a further element of even greater value, the building capabilities being of the highest character—a double frontage to the main road of 1560 feet, a river frontage of 700 feet, and facilities for creating new roadways affording many hundred feet additional frontages (leaving the mansion still intact) render the property an investment most secure, and remunerative in its development.

Particulars and plans are preparing and may shortly be had of the Auctioneers; and of

H. PHILIPPS, Esq., Solicitor, 2, Robert-street, Adelphi;

in the meantime information may be obtained and arrangements made for inspection on application to Messrs. EDWIN FOX and BOUSFIELD, 24, Gresham-street, Bank, E.C., corner of Coleman-street.

MESSRS. DEBENHAM, TEWSON and FARMER'S OCTOBER LIST of ESTATES and HOUSES, including landed estates, town and country residences, hunting and shooting quarters, farms, ground-rents, rentcharges, house property and investments generally, may be obtained, free of charge, at their offices, 80, Cheapside, E.C., or by post for one stamp. Particulars for insertion in the November List must be received by the 28th October at latest.

Teddington.—Rijon Villa, with the advantage of a river frontage, near two railway-stations, and within a short distance of Hampton-court, Bushey-park, and Richmond-park.

MESSRS. DEBENHAM, TEWSON, and FARMER will SELL, at the GUILDHALL COFFEE-HOUSE, on THURSDAY, OCTOBER 26, at One punctually, a detached BIJOU VILLA, known as Chestnut-cottage, Strawberry-vale, occupying a first-rate position on the main road, adjoining the beautiful grounds attached to Strawberry-hill, and having a well-shaded lawn, with a pleasant river frontage, and a convenient landing-place, affording facilities for boating and fishing. The house is thoroughly well fitted, has four good bedrooms, bathroom, dining and drawing rooms, and convenient domestic offices. The property is copyhold, subject only to a nominal quit-rent, and to a fixed fine of 2*s.* on death or alienation, and is therefore nearly equal to freehold.

Particulars of

Messrs. WILLOUGHBY, COX, and SON, Solicitors, No. 13, Clifford's-inn;

and of the Auctioneers, 80, Cheapside.

Periodical Sales of Absolute or Contingent Reversions to Funded or other Property, Annuities, Policies of Assurance, Life Interests, Railway, Dock and other Shares, Bonds, Clerical Preferments, Rent Charges, and all other descriptions of present or prospective Property.

MR. FRANK LEWIS begs to give notice that his SALES for the present year will take place at the GUILDHALL COFFEE HOUSE, Gresham-street, City, on the following days, viz.:—

Friday, January 13	Friday, July 14
Friday, February 10	Friday, August 11
Friday, March 10	Friday, September 8
Friday, April 7	Friday, October 13
Friday, May 12	Friday, November 10
Friday, June 9	Friday, December 8.

Particulars of properties intended for sale are requested to be forwarded at least fourteen days prior to either of the above dates, to the Offices of the Auctioneer, 56, Coleman-street, E.C., where information as to value, &c., and printed cards of terms, may be had.

Periodical Sale of Reversions, Shares, Policies, Annuities, Bonds, &c.

MR. FRANK LEWIS will SELL by AUCTION, at the LONDON TAVERN, on FRIDAY, OCTOBER 13, at Twelve for One, a Valuable Old POLICY of ASSURANCE for 500*l.*, effected with the Economic Life Assurance Society, on the life of a gentleman now aged 62; a Policy of Assurance for 500*l.*, in the same office, on the life of a lady now aged 61; a Policy of Assurance for 200*l.*, in the same office, on the life of a gentleman now aged 53; a Policy of Assurance for 200*l.*, in the same office, on the life of a gentleman now aged 39; a Policy of Assurance for 1200*l.*, in the Clerical, Medical, and General Life Assurance Society, on the life of a gentleman now in his seventy-third year; a Policy of Assurance for the sum of 500*l.* in the same office, on the life of a gentleman aged 62; and a Policy of Assurance for 500*l.* in the same office, on the life of a gentleman now aged 44.

Particulars may be had of

Messrs. EDGCOMBE and COLE, Solicitors, Portsea; of

Messrs. TILLEARD and CO., Solicitors, 34, Old Jewry; and of Mr. FRANK LEWIS, Auctioneer, Valuer, &c., 56, Coleman-street, E.C.

Periodical Sales of Reversions, Shares, Policies, Annuities, Bonds, &c.

MR. FRANK LEWIS will SELL by AUCTION, on FRIDAY, OCTOBER 13, at the LONDON TAVERN, Bishopsgate-street, in Three Lots, the valuable ABSOLUTE REVERSION, expectant on the death of the survivor of three lives, aged respectively 54, 58, and 70 years, in the RESIDUARY ESTATE of the late Miss Arabella Johnson Dalby, deceased, consisting of 6200*l.* invested in the names of her trustees, on mortgage of freehold and other securities of ample value; 832*l.* 12*s.* 2*d.* Consols, and 237*l.* 4*s.* 10*d.* invested in the names of the same trustees; an annuity of 20*l.*, payable under the will of the above lady, during the life of a gentleman in his 64th year; and a Policy of Assurance effected in the City of London Assurance Society, for the sum of 700*l.*, payable on the decease of a gentleman now in his 53rd year, and in the event of his dying in the lifetime of his wife, now in her 53rd year.

Further particulars may be had of

JOHN CHARLES COLE, Esq., Solicitor, 26, Essex-street, Strand;

and of Mr. FRANK LEWIS, No. 56, Coleman-street, E.C.

Periodical Sales of Reversions, Shares, Bonds, Policies, Annuities, &c.

MR. FRANK LEWIS will SELL by Auction, at the LONDON TAVERN, on FRIDAY, OCTOBER 13, at Twelve for One o'clock, in Four Lots, TWENTY-EIGHT 10*l.* SHARES in the Farnborough and Aldershott Freehold Land and Ground Rent Company (Limited), 5*l.* each paid.

Particulars may be had of Mr. FRANK LEWIS, Auctioneer, &c., 56, Coleman-street, E.C.

West-end, Hampstead.—Delightful Leasehold Villa and Grounds, with right to purchase the copyhold.

MESSRS. ALFRED W. WOOD and CO. are directed to SELL by AUCTION, at GARRAWAY'S, on TUESDAY, OCTOBER 31, at One for Two (unless previously disposed of by private contract), a charming RESIDENCE, situate at West-end, Hampstead, with pleasure-grounds, carriage-drive, stable-yard, with excellent stabling and greenhouse. The house contains nine bedrooms, bathroom, four reception-rooms, billiard-room, bowling-alley, and good servants' offices. The whole in perfect condition, and handsomely decorated. Photographic views of the house may be seen at the Auctioneer's Offices, 65, New Bond-street, who will forward printed particulars and cards to view on application, and who are authorised to treat for the purchase by private contract.—N.B. A Freehold Kitchen Garden, opposite to the house, may be taken by the purchaser at a price to be named at the place of sale.

TO be SOLD by AUCTION (pursuant to a decree of the High Court of Chancery), by Messrs. DRIVER and Co., at the GUILDHALL COFFEE-HOUSE, Gresham-street, in the city of London, on FRIDAY, the 13th OCTOBER 1865, at One o'clock precisely, in One Lot, a FREEHOLD ESTATE, consisting of the Bridge over the river Thames from Strand-on-the-Green, near Brentford, Middlesex, to Kew, Surrey, called KEW-BRIDGE, now producing from tolls and other profits a gross income of 2000*l.* a-year.

Particulars and conditions, with a plan, may be obtained of

Mr. W. H. WITHALL, Solicitor, No. 7, Parliament-street, London; of

Mr. H. H. MASON, of No. 18, Bedford-row, London;

at Robinson's Estate Office, Richmond, Surrey, where the daily returns of tolls for the last seven years may be inspected; and of Messrs. DRIVER and Co., Surveyors, Land Agents, and Auctioneers, No. 4, Whitehall, London, S.W.

Poplar.—Genuine Free Public-house, together with the good will and possession.

MESSRS. C. C. and T. MOORE will SELL by AUCTION, at GARRAWAY'S, on THURSDAY, OCTOBER 12, at Twelve (by order of the Administrators of Mr. James Flower, deceased), a SUBSTANTIALLY BUILT CORNER PUBLIC-HOUSE, with large yard, stable, chaise-house, with loft and workshop over, skittle-ground, and built shed adapted for converting into a dwelling-room known as the Prince of Wales, Upper North-street, Poplar, near the Bridge, Bow-common-lane: also the goodwill, trade and possession. The returns are now estimated at 14*l.* per month, but may readily be largely increased. Terms about eighty-two years unexpired at the low rent of 35*l.* per annum.

Particulars of

T. W. RATCLIFF, Esq., Solicitor, District Board Offices, White Horse-street, E.; of

C. J. ORTON, Esq., Solicitor, 33, Old Jewry;

at Garraway's; and at the Auctioneers' Offices, 146, Mile-end-road, E.

Poplar.—Freehold and Leasehold Estates, producing 35*l.* per annum, also a Plot of Building Ground, free from ground-rent.

MESSRS. C. C. and T. MOORE will SELL by AUCTION, at GARRAWAY'S, on THURSDAY, OCTOBER 12, at Twelve, by order of the Administrators of Mr. James Flower, deceased, in Fourteen Lots, THREE FREEHOLD SIX-roomed HOUSES, with gardens, &c., Nos. 23, 24, and 25, Evans-street, Upper North-street, East India-road, let at 64*l.* per annum; also Thirteen substantially-built Houses, two with corner shops and stonemason's yard, Nos. 2 to 14, Alfred-street, Upper North-street, let at leasehold rents amounting to 233*l.* per annum; a Plot of Building Ground with 134 feet frontage, adjoining; and Four building-houses, Nos. 1 and 2, Hill-place-street; and 1 and 2, Langton-street, adjacent, let at 72*l.* per annum, term 81 years unexpired, free from ground-rent.

Particulars of

T. W. RATCLIFF, Esq., Solicitor, District Board Offices, White Horse-street, E.; of

C. J. ORTON, Esq., Solicitor, 33, Old Jewry, E.C.; of

Messrs. LOXLEY and MORLEY, Solicitors, 56, Cheapside, E.C.;

at the Prince of Wales, near the property; at Garraway's; and at the Auctioneers' Offices, 146, Mile-end-road, E.

Old Ford.—Four Freehold Cottages, Range of Brick-built Stabling and Plot of Building Ground.

MESSRS. C. C. and T. MOORE have received instructions from the Metropolitan Board of Works to SELL by AUCTION, at GARRAWAY'S, on THURSDAY, OCTOBER 12, in One Lot, FOUR brick-built COTTAGES and GARDEN GROUND, situate in Emma-place, fronting Wick-lane, Old Ford, Bow; also a range of brick-built Stabling, a timber-built stable and yard adjoining, in occupation of workmen of Board; and a Plot of Building Ground, with 120 feet frontage to Wick-lane adjacent.

Particulars at the Solicitor's Department, Metropolitan Board of Works, Spring-gardens, S.W.; at the White Hart, near the property; at Garraway's; and at the Auctioneers' Offices, 146, Mile-end-road, E.

East India-road.—Valuable well-secured Freehold Ground-rents, amounting to 85*l.* 13*s.* 6*d.* per annum. Eligible for safe investments.

MESSRS. C. C. and T. MOORE will SELL by AUCTION, at GARRAWAY'S, on THURSDAY, OCTOBER 12, at Twelve, in Eight Lots, TWO GROUND-RENTS, amounting to 12*l.* 10*s.* per annum, secured upon two residences, 207 and 209, north side of East India-road, near Poplar Church; Two Ground-rents of 6*l.* 12*s.* 6*d.*, and one of 7*l.* 13*s.* per annum, secured upon three houses and shops adjoining; a Ground-rent of 17*l.*, arising out of three dwelling-houses in Bow-lane; a Ground-rent of 12*l.*, secured upon the John Bull public-house, Bath-street; and two Ground-rents of 12*l.* each, arising out of thirteen dwelling-houses adjoining; all leased for about eighty-two years unexpired, and producing considerable rack rentals.

Particulars of

Messrs. J. and T. N. SHEFFIELD, Solicitors, 3, Canonmille-street, E.C.;

at Garraway's; and at the Auctioneer's Offices, 146, Mile-end-road, E.

Upper North-street, Poplar.—Eligible Leasehold Estate, producing 104*l.* per annum, for investment.

MESSRS. C. C. and T. MOORE will SELL by AUCTION, at GARRAWAY'S, on THURSDAY, OCTOBER 12, at Twelve o'clock, in One Lot, FIVE SIX-ROOMED HOUSES, with Gardens, Nos. 22 to 26, Sabbarton-street, Upper North-street; let at 19*l.*; term about eighty-two years; ground-rent only 16*l.*

Particulars of

A. A. WALTER, Esq., Solicitor, Church-row, Limehouse;

at Garraway's; and at the Auctioneer's Offices, 146, Mile-end-road, E.

Mile-end Old Town.—Long Leasehold Estate for Investment.

MESSRS. C. C. and T. MOORE will SELL by AUCTION, at GARRAWAY'S, on THURSDAY, OCTOBER 12, at Twelve, in One Lot, THREE well-built DWELLING-HOUSES, on a corner, Nos. 9, 11, and 13, Burdett-road. Let at 72*l.*; term, 97 years; ground-rent, 1*l.* 10*s.*; tenants pay the taxes of two of them.

Particulars of

J. J. ELLIOTT, Esq., Solicitor, 2, Great Knightrider-street, E.C.;

at Garraway's, and at the Auctioneers' Offices, 146, Mile-end-road, E.

Portman-square, Islington, and Commercial-road-east.—A valuable Ground-rent; a convenient Leasehold Family Residence, with garden, conch-house, and stable; a small Leasehold House; and a Policy of Assurance.

MESSRS. FURBER and PRICE are instructed to SELL, by PUBLIC AUCTION, at GARRAWAY'S COFFEE-HOUSE, Change-alley, Cornhill, on THURSDAY, OCTOBER 12, at Twelve for One o'clock; a valuable GROUND-RENT, of 40*l.* per annum, amply secured on Nos. 14 and 15, York-place, Portman-square, held for about twenty-three years, at a peppercorn; a substantially-built Cottage Residence, situate and being No. 3, Albion-cottages, Liverpool-road, Islington (contains seven convenient rooms, with scullery, garden, two-stall stable, and coach-house), held for about seventy years, at a low ground-rent, at present in hand, but estimated to produce 35*l.* per annum; a small House, situate at No. 71, Spencer-street, let at 12*l.* per annum, held for about twenty-five years; and a Life Policy for 100*l.* in the National Fire and Life Insurance Company.

The properties may be viewed at any time prior to the sale, and particulars, with conditions of sale, had, fourteen days prior to the sale, at the premises; of

E. FULLER, Esq., Solicitor, 29, Hatton-garden; of

Messrs. DEANE, CHURM, and SAUNDERS, Solicitors, 14, South-square, Gray's-inn;

at Garraway's; and at the Auction and Estate Offices, 2, Warwick-court, Gray's-inn.

To Readers and Correspondents.

Lex.—Yes. There is no doubt about it.

The letter from Sunderland is somewhat too personal for admission. Conflicts on the principles and practice of the law as it is or as it should be, not contests between individuals, are the proper province of the Law Times.

A great number of answers have been received to various queries. We can only give one or two of each; the others are to the same effect.

All anonymous communications are invariably rejected.

All communications must be authenticated with the name and address of the writer, not necessarily for publication, but as a guarantee for good faith.

DIARY OF SALES BY AUCTION DURING THE NEXT WEEK.

Advertised in the Law Times.

MONDAY, OCT. 16.

By Mr. Sawell, at Garraway's.

Freehold and leasehold property at Sudbury, Lewisham, Walworth, Horsleydown, Sydenham, Regent's-park, and Marylebone. Advertised this day.

TUESDAY, OCT. 17.

By Mr. F. L. Shaar, on the Premises.

The furniture, &c. of the Old Kent Tavern, Brownlow-street, Holborn. Advertised this day.

WEDNESDAY, OCT. 18.

By Messrs. Norton and Trist, at the London Tavern.

Valuable leasehold manufacturing premises in the City. Advertised Oct. 7.

THURSDAY, OCT. 19.

By Messrs. Prickett, at Garraway's.

Building land at Hornsey and Stroud-green, family residence at Muswell-hill, leasehold estate at Bayswater, and copyhold residence at Highgate. Advertised this day.

CHARGES FOR ADVERTISEMENTS.

Four lines or *thirty words* ..... 3*s.* 6*d.*
Every additional *ten words* ..... 0*s.* 6*d.*

Advertisements specially ordered for the first page are charged one-fourth more than the above scale.

Advertisements must reach the office *not later* than five o'clock on *Thursday* afternoon.

NOTICE.

Subscribers and Advertisers are requested to make their Cheques and Post-office Orders payable to Mr. Horace Cox, *the latter at the Strand Office.*

The Law Times *goes to press on Thursday evening, that it may be received in the remotest parts of the country on Saturday morning. Communications and Advertisements must be transmitted accordingly. None can appear that do not reach the office by Thursday morning's post.*

THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

Mr. Hindmarch, Q.C., has been appointed Recorder of York.

The Crown has given a free pardon to Madame Valentin. Right has been done here; but what say the indiscriminating admirers of trial by jury, and the opponents of an appeal in criminal cases? She has been *pardoned* of a crime of which she is *not guilty*. An appeal court would not *pardon*, but *acquit*.

The meeting of *The Social Science Association* at Sheffield has seen Lord Brougham, with all the mental energy of youth in a frame that eighty-six years have but begun to shake, reviewing the triumphs of the past, and pointing to the promises of the future. To this marvellous old man, alone of all the statesmen upon record, has been given the proud privilege of witnessing the full fruition of all the reforms which, in his early years, he had publicly declared to be demanded, and of the greater portion of which he has been himself the author. They who remember the famous oration on the Reform of the Law, or who turn to it and peruse it now, which they will do with undiminished pleasure, will see how almost every abuse there so eloquently denounced has been swept away, and almost every improvement there proposed adopted and now approving itself in practice. But though much has been done, all is not done. If no grave abuses remain to be reformed, there are yet great onward advances to be made in simplifying the law and adapting it more perfectly to the changed and ever changing wants of a rapidly advancing civilisation. Indeed, as one part after another of the magnificent edifice is repaired, new defects are revealed, and new amendments are suggested. Progress must still, for many a year to come, be the watchword of the Law Reformer, and the victories already achieved should only inspirit us to strive for yet greater triumphs in the future.

It is the peculiar advantage of the Social Science Association that it promotes the progress of this improvement. The *Times* asks *how?* It denies that there is any such thing as Social Science, and it inquires what its active members do to advance social progress? Our business is with the department that is devoted to Law Reform; let the others answer for themselves; but, for the Law, we answer the *Times*, that the questions propounded for discussion and the papers read, even if they do not produce immediate fruit in the shape of new laws, are of excellent service by directing public attention to subjects that otherwise would not be noticed. Even if nothing more came of it than the reports in the columns of the *Times*, and the unfavourable criticisms with which it honours the Association, great service is done by the attention thus attracted throughout the empire to topics which in any other shape it would be difficult to import even into leading articles. The Bankruptcy Law directly affects the fortunes of half of the whole community. Is nothing gained by eliciting the opinions of mercantile men and lawyers as to the best manner of dealing with it? Every newspaper last week conveyed to its readers the astounding figures produced by Mr. Moffatt; in a few hours these were read probably by millions of men who would not otherwise have learned what a monster of mischief was among them; these figures could not fail to arrest attention, to prompt reflection, to stimulate discussion, to implant a desire that some remedy should be applied, and to set men thinking what that remedy should be. The debate that followed, in which men, who had given consideration to the subject, freely and fully stated their various plans for the desired reform, supported them with reasons and were themselves subjected to criticism, will also do good service by giving a practical turn to the public treatment of the topic, and by substituting specific propositions for declamatory sentimentalisms alike in leading articles and in private talk. And so it will be with the other subjects mooted by the Association, and in this manner it efficiently promotes the progress of the Science of Society.

Mr. Moffatt's paper on the *Bankruptcy Law* amply justifies all that we have ventured to say of it, and will satisfy the most questioning that we did not give to it too harsh a title when we termed it "The Rogues' Charter." It will be seen by the report, which appears in another page, that the evil is mainly the growth of the existing law, and that it is multiplying with frightful rapidity. Mr. Hawes sought to explain the result by the addition of Insolvency to Bankruptcy. But the numbers in the bankrupt lists far exceed those of the combined lists previously to the Act of 1861, and, what is still more conclusive, they are multiplying yearly. Three years ago the indebtedness of the insolvents, trust and composition deeds included, amounted to about five millions per annum; in the present year, at the rate of the first six months, they will exhibit an indebtedness to the enormous amount of thirty-two millions per annum, being nearly sevenfold more than they were four years ago. Mr. Hawes said that this proved only that the public were pleased, and used the facilities provided by the new law; but he was reminded by Mr. Cox that the approval was not that of the public, but of the debtors who throng to avail themselves of so easy a method of whitewashing—a process pleasanter and more profitable than payment. Despairing to improve the law after so many failures, it is now proposed to abolish the law—to leave debtors and creditors to settle their affairs by such help as the common law will give them, without making any special law for them. The proposition is plausible and has something to recommend it. But it must not be forgotten, that where this has been done the power of the creditor over the debtor has been vastly greater than any he now has or is likely to possess. In all civilised countries it has been found necessary to do something for the protection of the debtor who is insolvent through misfortune. The suggestion of the Commons' Committee throws him entirely on the mercy of the creditors; and it would be in the power of a single enemy wishing to annoy, or of a creditor putting on the screw in hope to obtain better terms for himself, to keep him in a state of punishment for six years. Happily there is a path midway between the opposing evils. Set the Law of Bankruptcy on its right basis and we should have few complaints. Reverse the present process. Throw the proof of title to the protection of the Bankruptcy Law upon the debtor who seeks it. Require him to show that he has failed through unavoidable misfortune, and not from any crime, or fault, or folly. If he fails to do this, refuse to him the protection he asks. If it appears that he has been in the wrong, let the Court inflict a punishment proportioned to that wrong. Adopting this as the principle of a bankruptcy law, there will not be the slightest difficulty in devising an efficient machinery for the administration of it.

We are informed that the Right Honourable W. F. Cowper, Chief Commissioner of Works, will accompany the members of the *Metropolitan and Provincial Law Association*, who on Thursday the 19th inst. will proceed from the Liverpool meeting to Manchester to inspect the new law courts there. It is understood that Mr. Waterhouse, the architect of the courts, and a deputation of the Manchester Law Association, will receive them and act as cicerones.

Besides the papers mentioned last week, there will be one, "As to Probate Duty payable in respect of Leaseholds in Mortgage," by Mr. H. Reynolds, of Birmingham; and also most probably one "On the Law of Judgments as Charges on Land," by Mr. C. F. Taqart, of London, each in continuation of a former paper by the same author.

"A Barrister," to whom the following letter was addressed, has, with becoming indignation, forwarded it to us for publication. The best commentary upon it will be that which every member of the Profession will instantly supply on perusal of it:

[Confidential.]

York Chambers, Adelphi,
Sept. 12, 1865.

Sir,—As we shall have upwards of 100 cases coming before the Equity and Common Law Courts in the ensuing Terms, we shall be glad to know under what conditions you would undertake some portions of our business. As you will perceive we shall be at considerable outlay until the claims are recovered, you may feel inclined to co-operate. Having many important cases which from press of business we are unable fully to search into, it may further the views of rising barristers to join with us, as there seems every probability that this company will occupy an important position in the conduct of weighty suits. The company will, through their solicitors, only uphold just and rightful cases.

I am, Sir, yours obediently,
For the managers,
R. H. Roberts.

P. S.—Your reply will be considered in strict confidence.

General Property Recovery and Restitution Company.
York Chambers, Adelphi, 1865.

This company enables those who are possessed of interests in real or personal property of any nature in lands, stocks, funds, bills, bonds, or any securities, to establish their claims thereto in the most speedy manner.

Also to vindicate the claims of alleged lunatics and of the rightful owners of property which have been, through fraud, mistake, poverty, infancy, neglect, extortion, or pressure, lost or abandoned.

This company will undertake the recovery of dividends, claims, interests, and rights, of whatever nature, whether arising under deeds, wills, marriage, family, or voluntary settlements, bankruptcies, arrangement or composition deeds, or otherwise, also to institute any requisite proceedings against dilatory or fraudulent solicitors or trustees, agents and factors. The remuneration demanded by the company will be after the rate of 25*l.* per cent on the clear amount ultimately recovered.

The company reserve to themselves the full power of relinquishing proceedings when advised by their counsel that the further prosecution of such would be fruitless and expensive.

Applicants must send full particulars in writing, addressed to the secretary, which will be strictly private and confidential.

All professions and classes will derive satisfaction from observing the general decrease of the expense during the quarter ending last Midsummer in the maintenance of the poor. Pauperism not only touches the individual pocket, but it is the test of the country's prosperity. The sediment, as it is more or less, shows the degree in which the cup is wholesome. There

are at present 14,880 parishes, inclusive of the Scilly Islands, in England and Wales, maintaining or liable to maintain their own poor; returns of pauperism are received weekly in respect of all but those which, 205 in number, being incorporated under Gilbert's Act, or still under the provisions of the 43 Eliz., make no return of the number of paupers which they relieve. Many places, not heretofore liable to maintain their own poor, are become parishes under the operation of the Extra-Parochial Places Act; but to what extent this will ultimately increase the number of parishes cannot be stated. Taking the month of June in the three years 1863-65, we find that, in the metropolis, probably from the effect of recent legislation regarding the houseless poor, in this year the number of paupers has slightly increased. In 1863 it was 88,811; in 1864, 88,527, showing a remarkable evenness between those two years; but in 1865 it was 90,722, which gives an increase over the two preceding years of rather more than 2 per cent. As the spring advances, and of course firing becomes unnecessary, produce increases, and outdoor work becomes practicable, the number gradually decreases. In the fourth week in March this year the number in the metropolis was 105,988; in the like week of April, 98,163; of May, 93,160; and of June, 90,722. These numbers all exceed the numbers in 1863 by about 2 per cent., and those in 1864 in a rate diminishing from 4 to 2 per cent. In this grateful month, troops of men, women, and children, issuing from their fastnesses in the cellars of Tothill, Bethnall-green, and Bermondsey, march along the roads of Kent and Surrey, over Maram's-court-hill and the Hog's Back, like the singing pilgrims in the valleys of Swiss Einsiedeln or Austrian Semmering, to take peaceful possession of the hop-crowned slopes of the Medway, and pleasant places of Farnham and Alton. It is a happiness to think that now, in London, the number must be much less of those who take their loaf from the unloving, unpitying hand of the relieving officer instead of by the blessed sweat of their own brow.

The decrease in pauperism appears from the numbers in the comparative statement made in the Parliamentary return for England and Wales. In 1865 the number has ranged, in gradual decrease, from 959,903 in the fourth week in March, to 853,078 in the corresponding week of June; in 1864, the numbers were 981,764 and 874,724; in 1863, 1,063,169 and 970,801; showing a diminution, as compared with 1864, ranging from 9 to 12 per cent., and, as compared with 1863, ranging from between 1 and 2 to between 2 and 3 per cent. If we turn to the part of the kingdom which has been most affected by recent political events in its labour market, we find that in the principal manufacturing divisions of England and Wales, namely, the North Midland, North Western, and York divisions, the numbers of the paupers relieved on the last day of the last week of June in 1863, 1864, and this year, were 320,061, 237,186, 217,276. The decrease as to the present, compared with last year, is more than 8 per cent., and, compared with 1863, more than 32 per cent. It should be mentioned that the returns of the number of paupers relieved on the last day of the week do not include lunatic paupers in asylums and licensed houses, nor the number of vagrants relieved. These classes form only a small portion of the entire pauperism of the country. According to the latest returns the number contained in the two classes was about 2¼ per cent. of the total pauperism. With these exceptions, weekly returns, given in detail for June by the Parliamentary paper, are made of the number of paupers relieved throughout the kingdom, under eleven divisions, in which the union counties are classified.

Out of a total expense of 22,025*l.* incurred in 1864, for printed papers presented to Parliament by the Queen's command, and for printing for the public departments, the judicial statistics 1863 (England and Wales), parts 1 and 2, of which 1125 copies were printed, cost 317*l.* This is the largest item for printing under the authority of the Home-office, with the exception of the Report on Births, Deaths and Marriages (England), 25th report, and the Public Health, 6th report, which cost respectively 324*l.* and 808*l.* The Chancery Funds Commission report, printed under the authority of the Treasury, stands at 322*l.* for 1625 copies; the Patent Law Commission Report, printed under the same authority, at 294*l.* for 1750 copies. The cost of the Judicial Statistics has increased in the last year, although the number of copies presented has remained the same. It was, in 1863, 292*l.* only; whereas, for the like number of copies printed in 1862, the amount was 409*l.*, and for the preceding year 423*l.* There has therefore, on the whole, been a considerable diminution of expense here. Since 1860 the number of copies has increased from 1000; we may therefore conclude that these valuable papers are becoming more duly appreciated. Within the years above mentioned, we find printed, under the authority of the Home-office, Chancery Evidence Commission, report of, 1750 copies, 70*l.*; Superior Courts of Law and Equity, &c. (Consolidation of), Report of Commissioners, with a plan, 1000 copies, 83*l.* The papers most largely issued are those relating to the Poor-law, the Post-office, Navigation and Education (revised code). No less than 8500 copies of the Post-office Report in 1860 were printed, and of the revised code in 1862 there was the very large number of 12,750 copies. The report of the commissioners respecting the laws of Jersey appears for 8756 copies, which proves that the interest taken in the subject of law in that comparatively small island must be unusually great. Indeed, the attachment of the inhabitants to their Norman-French system, threatened by this report, is well known. The smallest number of copies of a report was in the case of the report of railways in India, printed under the authority of the India-office in 1860, the number being only 125. When the large amount of capital invested in these undertakings, which cannot be less than 35 millions, is considered, the specific effect of a 5 per cent. dividend guaranteed by the Secretary of State in Council is evident. The share and stockholders, or the public, seem hardly to be aware that when these lines shall return more than 5 per cent. profit, half the surplus will be appropriated as dividend. An expectation said to be entertained by those who are in a position to understand the matter, that such a result may take place at no distant period, would seem calculated to draw a good deal of attention to Mr. Danvers' yearly statistics of Indian railways. We observe, in fact, on looking to the last four years, that the number of printed copies has been largely increased, it having reached sixteen and seventeen hundred; but in 1864 it was only half that amount. Law in the same year was expected to be far more interesting in relation to that part of the British possessions, for there were printed 1750 copies of the first report of the commissioners on the substantive law of India.

It is difficult sometimes to draw the line between religious toleration and civil licence. The right of a man to exercise his own religion is not questioned at the present day. But when opinions on matters of faith manifest themselves, in the course of ordinary business, in such a manner as to raise a conflict between what the individual believes or a particular sect conceives to be right under certain circumstances, and what general custom or the law of the realm has established, which side ought to give way? The true answer may be, that no abstract rule can be laid down, but that the question is one of degree and expediency. If a Quaker, for instance, is not allowed to keep on his hat in a court of justice, yet a Parsee or a Mahomedan would probably not be required to stand uncovered. While a Christian woman in the witness-box would be compelled to allow a judge and a jury to see her countenance, it can scarcely be imagined that such an intolerable insult as the removal of the yeshmek, or veil, would be insisted on from a female witness of Egypt or the East. Sometimes the Legislature has stepped in and afforded relief, as in the case of judicial and other oaths, to those whose religious belief does not allow them to go beyond a solemn declaration. In some other cases custom or law remains imperative. Others, again, have been left to the feeling and discretion of the judge or official person in authority on the occasion.

Whether the privilege, or alleged privilege, of religious confessions in English courts of justice—a subject lately considered by Mr. Badeley, of the Temple, in a Letter to a Friend—be a matter of feeling and discretion, or of legal right, or on the contrary, of neither one nor the other, has recently exercised the learning and argument not only of that writer but of others, lawyers as well as journalists. The general public, we think, has treated the question as one of policy rather than of strict law, much as Lord Chief Justice Best and Mr. Baron Alderson did, according to Mr. Badeley's quotation of their opinions. The Lord Chief Justice, who he considered it decided by the authority of *Gilham's case*, 1 Moo. Cr. Cas. 187, that professional privilege did not extend to clergymen, said that he would never compel a clergyman to disclose confessions made to him by a prisoner, but if the clergyman chose to disclose them, he should receive them in evidence: (3 C. & P. 519.) Mr. Baron Alderson is reported to have expressed an opinion (6 Cox Cr. Cas. 219), that communications made by a prisoner to a clergyman ought not to be disclosed. Mr. Badeley takes the high ground of law in support of this privilege. A decision on the point was recently expected in relation to the Rev. Mr. Wagner as a witness, but, we need scarcely say, the expectation was disappointed by the plea of guilty put in by the prisoner. So great indeed was the disappointment, that a legal contemporary, suffering under it, broached a theory of going into evidence to ascertain the grounds of such a plea. In the absence of a decision on the privilege, it will be interesting to note shortly what an able advocate has been able to put forward in favour of the clergyman's legal right.

Mr. Badeley first plants his foot on the canon law, thinking that no laboured argument is needed to prove that when the State was in strict alliance with the Church, and the Church and the State were both Catholic, the rule of the Church on any religious rite, which was deemed of universal and absolute obligation, was binding also on the State, as a body composed of Catholics. He shows that by the canon law, from the collection called the Decretum of Gratian in 1151, to the time of the canonists John de Burgh and Lyndwood, at the end of the 14th and the beginning of the 15th centuries, the priest was by the decrees of various councils and synods forbidden to tell (*revelare*), or disclose (*detegere*), or reveal (*revelare*) a confession, under penalty of disgrace and deprivation. John de Burgh, in his manual composed for the use of the clergy, under the title of "*Pupilla Oculi*," carried the terms of the prohibition furthest; for he laid down that a priest, when brought forward as a witness, was not bound to say anything about what he knew only through confession. If a judge should press him upon any matter which he had only heard in confession, he might answer that he knew nothing about it, or that he knew nothing which ought to be disclosed. But, admitting that such was the canon law, we must not forget that Mr. Badeley starts with the very large postulate, that because it was the law of the Church when the country was then Catholic, therefore it was the law of the State. This is a fundamental position which we should strongly hesitate to allow, when we bear in mind that a constant battle was going on in the early period of English history between the power of the State and the power of the Church. The *Letter* also cites from among the laws of King Henry I. an injunction to the same effect as the injunctions in the canons; but so early a law is admitted to have no force at the present day as a statute. Also there was an Act passed in the 9 Edw. 2, called *Articuli Cleri*, for affording protection to robbers and approvers in going to confession, but it did not confer any privilege of the seal of confession.

Thus the matter stood in Catholic times. Reviewing the legislation and the proceedings during the period of the Reformation, Mr. Badeley considers it beyond all question, that no change was made in the sacred and inviolable character of this religious rite. Moreover, the Prayer-book of 1662 exhorted to confession. To the objection that by the Reformation the sacramental character of confession was done away, and that, therefore, its inviolability was affected, three answers are given by him: first, that the sacramental character of penance has not been denied by the English Church, but only a lower place assigned to it than to baptism and the eucharist, as was the case with regard to confirmation, matrimony, and orders; secondly, that as the canon and common law generally apply to these latter ordinances, why should they not to confession? thirdly, that, independently of its sacramental character, the privilege rests on grounds of the highest importance, the avoidance of scandal, and the necessity of secrecy to the

maintenance of the rite. With the Church Catechism in our minds, we do not participate in this view of the sacraments. Candour ought to admit that beyond two, what were sacraments before the Reformation have ceased to be sacraments now. This is material, for if it be argued, as Mr. Badeley at first argued, that when the State was Roman Catholic, the union been Church and State would bring with it a recognition by the State of the canonical or Romish law of confession, it may fairly be contended that, when the State ceased to be Roman Catholic, and confession lost its Romish character, the recognition would also cease. But, at least as regards Roman Catholics in this country, Mr. Badeley contends that, now that their religion is sanctioned and protected by law, their ancient right to the seal of confession has revived. This argument would seem to put the Roman Catholic on the same footing as he held when his church was the established church in England, and therefore rather overshoots the mark. Let us pass to the more tangible law in the *Letter*.

Mr. Serjeant Peake, in his Compendium, says that a confession to a clergyman, or a priest, for the purpose of easing the culprit's conscience, is not within the protection of the law. So Mr. Starkie, in his treatise, lays down that, except lawyers, all professional persons, whether physicians, surgeons, or divines, are bound to disclose the secrets reposed in them in the practice of their professions, when called on to do so for the purposes of justice. In Mr. Phillips's treatise, also, it is said that a confession to a clergyman is not privileged. Mr. Roscoe, in his Digest, is to the like effect; also Mr. Pitt Taylor in his work on Evidence. The minister, says the last, is merely excused from presenting the offender to the civil magistrate, and enjoined not to reveal the matter confessed under pain of irregularity: in all other respects he is left to the full operation of the rules of the common law. Mr. Best, it is true, considers that the question presents some difficulty. For the purpose of impugning the position thus taken by Peake, Starkie, Phillips, Roscoe, and Taylor, the authorities on which it rests are elaborately canvassed in the *Letter*. We can only recommend this part of it to the notice of any counsel who may, in a future Wagner case, be instructed on behalf of the seal of confession. We neither have space to follow Mr. Badeley here, nor do we think that, in the face of such a concurrence of opinion, not to mention the declared opinions of the late Lord Chancellor and Lord Chelmsford, in the debate last session in the House of Lords, any judge is likely to extend professional privilege to other communications than those which it is necessary to leave free for the very purpose of the administration of justice, namely, communications made by a client to his legal advisers, or otherwise made with the object of maintaining his rights in litigation. This is a broad and reasonable principle. Once break in upon it, and exemption from giving evidence, which is one of the highest obligations of individuals towards the community, is in danger of becoming a mere question of religious toleration.

REPRESENTATIVE REFORM.

No. III.

We look in vain for assistance from public opinion, or from any large sections of public opinion. The Radicals alone are united in a definite demand with a definite object. They know what they want, they know how it is to be got, and they move together towards that which they rightly believe to be the key of the position. They demand Manhood Suffrage—democracy pure and simple; they cannot be outbid on such "a platform," and its simplicity leaves nothing for dissension on details. But the moment we pass out of this party, we come into a perfect chaos of opinion. Every man has his own pet scheme, more or less ingenious and impracticable, more or less complicated or fanciful. Through all of them runs one pervading design—to give to the working classes the show without the reality of power. The framers of these paper constitutions are fully alive to the difficulty that faces them. They *know* that, if the franchise is largely extended downwards, the working classes must, by virtue of their numbers, swamp all the other classes at the polls. They know that absolute power has ever been abused, and that the supremacy of any one class is the degradation of all the other classes. Therefore they resort to all kinds of contrivances to take away with one hand the boon they give with the other. Every scheme yet submitted to the public has attempted to set a limit to the admission of a lower class in overwhelming numbers, by the introduction of examination tests, or by some intricate device, like that suggested by Mr. Hare, for neutralising the power so given. This is not honest. It is an attempt to keep the advantages of popularity, and to shirk payment of the price of it. Wanting the courage at once plainly to avow their secession from Liberalism, these double dealers profess themselves allies for the sake of the advantages of popularity, while plotting how they may defeat the designs of their colleagues.

But we have nothing to do with motives here. Our business in these papers is to examine the various projects of reform that have been put forward, with purpose to ascertain their intrinsic merits, apart from the open or concealed intentions of their promoters. The politician has, of course, a right to look at the purpose with which any scheme of legislation is produced, because it may be fairly presumed that the author believes that it will advance his designs; and if those designs are disapproved, the politician has a right to reject that which is supposed to promote them. But the lawyer looks upon them with an eye to their intrinsic worth. If they appear to him good, he accepts them, whatever the object with which they were framed; if bad, he rejects them, however excellent the intentions that produced them.

Universal Suffrage was formerly the popular idol. It was construed to mean, that every man of full age, untainted with crime, should be admitted to vote, without any other qualification.

At the first glance, nothing can appear more grandly simple. It professed perfect equality. The suffrage, said its advocates, is an inherent right. But when questioned closely upon details, and they were asked to explain the reasons for their limits, they could assign none. They excluded all women, even those self-supporting single women, whom the parochial franchise admits as voters: thus at one stroke ousting one-half of the population from the enjoyment of what they declared to be a right inherent in every human being. Then they would permit no man to vote under the age of twenty-one, though they could not say why a man of twenty was not equally competent, nor could they deny that many boys of seventeen were more fitted to exercise the franchise than many men of fifty. So they were for affixing as a qualification that the elector should be untainted with crime. They did not define what crime should disfranchise, whether a conviction by a magistrate for malicious injury to property, or an assault. They forgot, also, that the unconvicted criminals are as ten to one of the convicted. It was, therefore a palpable absurdity to call that suffrage *universal* which directly excluded at least three-fourths of the entire community. But the advantage of exhibiting the fallacy consisted in this, that it cut from beneath the feet of the Demagogues their most potent argument, that the suffrage is a *right*. When themselves were compelled to introduce such important qualifications, and to exclude so many more than they admitted, the pretence of *right* was seen to be a sham. And if qualification was admissible at all, it was clearly only a question of *degree*, and that would be determined only by reference to expediency. It is manifest how the controversy is abbreviated by this preliminary admission.

The democratic leaders felt the absurdity of their position, and they very adroitly dropped the paradoxical title of Universal Suffrage, and lately have adopted the more logical one of *Manhood Suffrage*.

Now manhood suffrage means precisely the same suffrage as they designed by universal suffrage, only that a less inappropriate name is given to it. Manhood suffrage is explained by the National Reform League to mean that every man of full age and unconvicted of crime shall be entitled to vote.

This is a definite proposition, which, however, they continue to urge not at all with the argument of expediency, but still with the fallacious assertion of "*a right*." The franchise is, they say, the right of every self-supporting man. The plain answer is, that a natural right cannot be arbitrarily limited to the age of twenty-one. There is no natural period of manhood. Some reach it at fifteen, and some not until eighteen, but all, long before twenty-one. Does the right exist at twenty years and eleven months, or does it come into existence on the twenty-first birthday, and whence, and how? So with women. Why are they to be excepted from a natural *right*? Say that a married woman is not independent, and that her husband's vote is hers, what becomes of all the single women of full age, and what of all the widows? Why are *they* to be disinherited?

This answer to the argument of *right* on which manhood suffrage is advocated by Mr. Gladstone, Mr. Bright, and the National Reform League, is conclusive. But if not a right, it must rest its claims entirely upon expediency. Will it profit the community? Are the restrictions it imposes desirable, and are they sufficient? It becomes entirely a question of the extent of restriction. If the Legislature may set up the barriers desired by the advocates of manhood suffrage, it may justly set up any other barrier it may deem to be desirable. It is as open to me to contend that a man who does not pay rates shall not vote, as for you to say that a man aged twenty years and eleven months shall not vote; or I may claim for a man rated at 10,000*l.* per annum that he shall have ten more votes than his labourer, who is rated only at 5*l.* per annum, with at least as much fairness as you can urge that a widow rated at 100*l.* a-year and carrying on a business shall be inadmissible to the franchise.

It is in view of this fallacy in the argument of the advocates of manhood suffrage, that so many of the intelligent have set themselves to devise some scheme by which a suffrage can be constructed that shall be at once popular and safe. How immense the difficulty will be seen when we come to describe the various propositions that have been published.

SKETCHES FROM THE NOTE-BOOKS OF A LAW REPORTER.

SKETCH II.

"ROMILLY."

(*Continued from page 577.*)

Having thus shortly recapitulated the leading facts of the life of Sir Samuel, a few words as to his merits as an advocate, a jurist, and a legislator.

The benevolent motives which governed his conduct in these several characters appear in an unmistakeable manner from his own autobiography, as far as it went, and the entries in his parliamentary diary.

As an Advocate:—I may remark *en passant* that Romilly never seems to have cordially liked the profession he had chosen. His correspondence with many persons after his entry at Gray's-inn, extending from the year 1783 to 1800, amply testifies to this curious fact, attaining, as he subsequently did, almost the highest rank in that profession. His mind was evidently pressed upon by topics of more general application to the benefit of the human race: the Abolition of the Slave Trade—the Political Condition of Europe—the Works of Howard upon Prison Discipline—the Disqualifications of the Roman Catholics—the Earlier Proceedings of the Great French Revolution—the Insurrection of the Negroes at St. Domingo—the Better Education of the Lower Classes in England, at that time a subject of conversation almost forbidden—now the rage;—in short, any philanthropic subjects, rather than the course of his law studies, are the familiar topics of his letters; and it is somewhat singular that neither in his correspondence, his diary, nor his published writings, are there any allusions to legal publications or the reports or decisions of the courts, which, however, he must have read and carefully studied. In a letter to a lady in Dec. 1791, he thus expresses himself: "The most important transaction that has taken place in my life for a long time, and one which for a powerful reason I ought to communicate to you, is that I have changed my chambers, and that your future letters are not to be addressed to Gray's-inn but to Lincoln's-inn, No. 2, New-square. I have changed much for the better as a situation for business, but much for the worse as far as my own pleasure is concerned. Instead of having a very pleasant garden under my windows, I have nothing but houses before me, and I cannot look any way without seeing barristers and attorneys. *This is another sacrifice which I have made to a pro-*

fession which nothing but inevitable necessity forces me to submit to, which I every day feel more and more that I am unfit for, the more I meet with success in it."

By great industry and labour, however, Sir Samuel Romilly attained such perfection in the practice of forensic eloquence as rendered him one of the most elegant, the most refined, and, at the same time, the most nervous and forcible speaker at the equity bar in the past, and—with all due deference be it spoken, and with a full consideration of the maxim that an old man is necessarily *laudator temporis acti*—in the present age. It has been truly remarked of him that in transacting the most ordinary forensic business there was a peculiar grace about his manner, a gentlemanly ease, an unpresuming suavity, that won the hearts of all his hearers. One faculty of an advocate he possessed above all competition—he never deviated from the point under discussion. Although called upon, as he repeatedly was, to speak upon the spur of the occasion, and necessarily unprepared, he never wasted time by unnecessary or frivolous remarks, or dwelt long upon matters of minor importance, but kept the question in hand as the landmark of his address. Having myself heard him, both in his court and in the House of Commons, nothing struck me at the time with more surprise than the great difference between the character of his address at the Bar and that before the House. Somewhat apathetic in manner, with downcast looks, a tinge of melancholy on his countenance, resting his hands upon his upright brief, he poured forth the full and ready stream of language applicable to the case before the court; but in the House, taking up the subject under discussion upon the broadest grounds of public policy, with an earnest and animated tone of voice, he stood erect and was by no means wanting in that energy of manner and action, so useful and becoming in a mixed popular assembly.

As a specimen of his forensic abilities I need only refer to one of the many of his reported speeches, that on behalf of the plaintiff in the well-known cause of *Huguenin* v. *Baseley*, in 14 Ves., in which the Latin quotation was so apt and descriptive of the circumstances of the case. I may add that he was a great master of sarcasm, and did not fail to use it on a fitting occasion, but that, as a general rule, he considered it an unfair weapon, and only to be sparingly used.

As a Jurist:—This character is so intimately blended with his exertions as a legislator, that the two may be disposed of by observations which apply equally to both. His first essay was published in 1788, being "Remarks on the Prison of the Bicêtre in Paris." The circumstances attending this publication were somewhat curious. Having made the acquaintance of Mirabeau in Paris, on his return from Switzerland, he had visited the prison of the Bicêtre, and was much shocked and disgusted with what he there saw, both in the hospital and the prison. On mentioning to Mirabeau, on the following day, the impressions they had made on his mind, he was requested to put down the result of his observations in writing. He soon afterwards did so. Mirabeau translated them into French; and, as was not unusual with him, published them as his own in the form of a pamphlet, under the title of "Lettre d'un Voyageur Anglais sur la Prison de Bicêtre." The work was suppressed by the police at Paris, and Romilly afterwards published his original sketch as a translation of the French pamphlet, and it appeared in a work of the time called "The Repository." The next was his essay or tract "On the Constitutional Power and Duties of Juries in cases of Libel." This was published by the Constituent Society, and obtained for him his first introduction to and patronage of the then Lord Lansdowne. Another, is his answer to "Madan's Thoughts on Executive Justice," which combated the doctrine put forth in that work, that certainty, and the rigid enforcement of the penal code as it then existed, should be the guide for all judges and others in similar positions. He also published a tract or pamphlet on the "Criminal Laws" in 1810, of which a second edition was called for in the following year. There is also one written by him in 1816, on "The Codification of the Law." It is to be found in the 67th number of the *Edinburgh Review*, and well deserves the attention of every one, more particularly those engaged at the present time on this subject.

There were found amongst his papers after his death, various essays and papers upon legal, political, and social subjects, as yet unpublished. Some of these were "To abolish certain injurious legal fictions, such as that *lis pendens* is notice to all the world," "To establish a General Registry of Deeds," "That some greater form or solemnity than is now necessary ought to be required in wills of personal estates," "On the Promulgation of Laws," "On a written Code of Laws," "On Unauthorised Reports of Judicial Proceedings," "On Divorces among the Poor," "On a Public Prosecutor," "On the regard to be had to sex, age, and condition of life in inflicting Punishment," "On Transportation," "On Confession and Denial after Conviction," "On Judicial Superstition," "To promote and improve Public Education in all Orders of Society," "To reform the Universities and to establish in them New Professorships," and last, though not least, "The Abuses in the Ecclesiastical Courts, and the Reformation of Ecclesiastical Jurisdiction generally."

A few words as to his character as a Legislator:—The subjects upon which he spoke and the measures which he introduced into Parliament were so numerous and varied, and his success so infinitely beneath what he had a right to expect from the uprightness of his motives, that I must confine myself to a few. On the threshold of his entry into the House of Commons he was, as I have before mentioned, appointed one of the managers on the trial of Lord Melville, and to him was assigned the duty of summing up the evidence given in support of the impeachment. This he did, and it was acknowledged on all hands to have been a spirited and masterly performance. It occupied nearly four hours in the delivery. The subjects of the abolition of the slave trade; the severity of military and naval punishments; the discontinuance of lotteries; the liberty of the press; the diminution of the expense and the shortening the duration of proceedings in Chancery; the amendment of the bankrupt laws; the reform of the courts of justice in Scotland; the making real estates assets for the payment of debts; a general registration of deeds; the education of the poor; the diminution of taxes on law proceedings; the sale of the seats in Parliament; cruelty to animals; the building of penitentiary houses; the mischiefs of transportation; the delays in the proceedings in the House of Lords; the altering the punishment of high treason; and taking away corruption of blood in cases of treason and felony—are only a few of the many subjects upon which his learning, his zeal, and his patriotism were exerted. And above and before all must be noticed his untiring and unceasing efforts to bring about the amelioration of the bloody character of our criminal code as it then existed. It strikes the mind with horror to reflect, that when Sir Samuel Romilly first commenced his praiseworthy exertions for the reformation of the criminal code, he found on the statute-book nearly 200 offences equally punishable with death. His exertions in this respect ought never to be forgotten; and it is to be remembered that almost every suggestion of his upon this subject has been happily carried out by subsequent legislative enactments. He himself was well aware of the impossibility of accomplishing *all he wished*. He said: "What I have it in contemplation to do, *compared with what should be done*, is very little indeed."

It is hardly necessary to refer to his exertions in favour of the reformation of the abuses of charities, and those in favour of Parliamentary reform. They were the origin of the many useful enactments which have since taken place in these respects, although in the former very much remains to be done.

Probably there never was an instance of such perfect disinterestedness and contempt for undue patronage as his conduct on the discussion of the Duke of York's case, when the whole body of the court party, and almost all the influential lawyers, were opposed to inquiry and punishment. The following is from his diary, under date 13th March 1809:

"There is nothing so injudicious as to talk in the House of Commons of a man's own disinterestedness; it is the topic which the House, with great reason, hears dwelt on with the most impatience; I thought, however, I might on this occasion (the conduct of the Duke of York) observe that my vote did not concur with my interest, and I concluded my speech with these words: 'It has been observed by a learned gentleman (Burton, who was seventy years of age, and afflicted with blindness) in this debate at the close of his speech that *he* has nothing to hope for or to fear on this side the grave. I cannot say the same thing. Not labouring under the same defect as he does, and not arrived at the same period of life, I may reasonably be allowed for myself, and for those who are most dear to me, to indulge in hopes of prosperity which is yet to come. Reflecting, too, on the vicissitudes of human life, I may entertain apprehensions of adversity and of persecution which perhaps await me. I have, however, the heartfelt satisfaction to reflect that it is not possible for me to hope to derive, in any way, the most remote advantage from the vote on this occasion which I shall give, and the part which I have thought it my duty to act.'"

Immediately after the delivery of this speech he received addresses and votes of thanks from innumerable influential places, from the Livery and Common Council of London, the inhabitants of Westminster and Southwark, the freeholders of Middlesex, the inhabitants of Norwich, Nottingham, Sheffield, Worcester, Reading, Liverpool, and from public meetings in many of the counties.

As a summary of this brief sketch of the life and character of Sir Samuel Romilly, I may say that he never had an enemy. He was revered by the Bar. No man for one moment ever entertained the shadow of a doubt as to the complete purity of his motives. He was anxiously and patiently listened to by an admiring senate, consisting, as it then did, of giants in intellectual power. He was never unconcerned in any measure which affected the happiness of individuals, the welfare of his country, and the general interests of mankind. He was always a zealous and consistent advocate of peace. He was opposed to the corn laws even in those days, and to all restrictions on commerce. He proved to demonstration how much more effectually certainty than the rigour of punishment operates in the suppression of crime. He possessed a firm and innate love of liberty, and from this as a fixed and predominant principle all his exertions flowed. Consistency was the main feature of all his actions in public and in private life; and when a counsel for the Crown, he never ceased to be the advocate of the people. It is consolatory to reflect that his exertions were not employed in vain; that the fruits of many of those blossoms which were so profusely shown in his lifetime have since ripened to maturity; and that there is scarcely one of the great improvements which now pervade our social and political systems, which had not in its inception presented itself to his capacious mind, and at his instance been made the subject of public discussion. I conclude in the words of a congenial spirit—the good and philanthropic Wilberforce: "He was a man in whom public and private excellence were so united, and so effectually balanced, that it is difficult to say which had the predominance. Those who knew him only as a Member of Parliament will probably hold that his *public* principles had the predominance; while those who have enjoyed his friendship will feel satisfied that the general benevolence of his views and projects was even exceeded by the endearing qualities of his *domestic life*."

It only remains to add that the most characteristic portrait of this great man was one drawn by Wageman, and published during the progress of Queen Caroline's trial.

B.

(To be continued.)

INVESTMENT JOURNAL

Another rise in the rate of discount has barely sufficed to stay the flood that was flowing out of the Bank to meet demands, the sources of which appear to be quite unknown to the monetary world, though we suspect the mercantile world could tell us something about them. The American trade is the moving cause. We hear that no day passes without the despatch of two or three steamers from Liverpool laden with goods for the American market. To these we must add the cotton speculations, and the problem is solved.

But the effect on the market is depressing; there is a fall with a tendency to further falls, the opinion being that the present 7 per cent will be 9 per cent. before Christmas.

The following are the fluctuations:

English Funds	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	...	...	347	...
3 per Cent. Red. Ann.	86¼	86¼	86¼	86¼	86¼	87¼
3 per Cent. Cons. Ann.	88¼	88¼	88¼	88¼	88¼	89
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	70	...	...	...
New 3 per Cent. Ann.	86¼	86¼	86¼	86¼	87	...
New 3½ per Cent. Ann.	...	...	...	...	...	...
3 per Cents. Annuities	...	...	...	...	...	...
3 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	...	...	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	88¼	88¼	88¼	89¼	89¼	89¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 3 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	216¼	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	96¼	96¼	...
India 5 per Cents. 1870	104¼	104¼	105	104¼	105	...
India Bonds (1000l.)	...	19pm	...	...	23pm	...
Do. (under 1000l.)	...	24pm	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1865	...	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	87	...
Do. do. 5 per c. Jan. 1872	...	...	101	100¾	...	...
Do do. 5 per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000l.	*a*	...	*c*	*e*	*g*	*j*
Do. 500l.	*a*	*b*	...	...	*h*	...
Do. 100l. & 200l.	...	...	...	...	...	...
3 per c.	...	...	*d*	*f*	*i*	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3 3/4 per ct. 8s. 3d. dis.
b 3 3/4 per ct. 9s. 4s. dis.
c 3 3/4 per cent. 4s. dis.
d 3 3/4 per cent. 8s. dis.
e 3 3/4 per cent. 5s. dis.
f 3 3/4 per cent. 3s. dis.
g 3 per ct., March, 5s. dis.; June, 11s. dis
h 3 per cent., June, 6s. dis.
i 3 per ct., March, 4s. dis.; June, 6s. dis
j 3 per cent. 2s. dis.

SOLICITORS' JOURNAL.

CREDITORS UNDER ESTATES IN CHANCERY.

Last Day, when and to whom Particulars of Claim are to be sent, the Date of Adjudication, and before whom Proofs to be made.

Attis (Bernard), Liskeard, Cornwall, solicitor. Oct. 30: E. W. Childs, solicitor, 25, Coleman-street, London. Dec. 7; V.C. W., at one o'clock in the afternoon.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Alexander (Benjamin), 43, Bedford-square, Middlesex, Esq. Nov. 20: R. and C. H. Hodgson, solicitors, 10, Salisbury-street, Strand.

Cousin (Mary Dav), formerly of No. 27, Bedford-gardens, Kensington, Middlesex, late of Matlock, Derbyshire, widow. Dec. 1: Burgoyne, Milnes, and Burgoyne, solicitors, 103, Oxford-street, London.

Coffins (Mary Ann), Hill-street, Upper Clapton, Middlesex, widow. Nov. 13: Thomson and Edwards, solicitors, 7, Doughty-street, Mecklenburgh-square.

Earle (John), Newland, Cogge, Oxon, blanket manufacturer. Oct. 31: Bullen and Ravenor, solicitors, Witney, Oxon.

Ford (John), Knightcott, Banwell, Somerset, gentleman. Nov. 18: William Woolfryes, solicitor, Banwell.

Grimmill (John), formerly of Belfast, afterwards of Singapore, in the East Indies, late of 128, Westbourne-terrace, Hyde-park, Middlesex, Esq. Jan. 1: F. W. Remnant, solicitor 32, Lincoln's-inn-fields, Middlesex.

Hawood (Sarah), Manor-house, Swaffham, Norfolk. Nov. 1: E. Pitcher, solicitor, King's Lynn.

Jones (Luke H.), ensign in H.M.'s 89th regt. of Infantry. Nov. 25: E. H. Adcock, solicitor, 7, St. Andrew-street, Cambridge.

Knight (John), Narborough, Leicestershire, gentleman. Oct. 28: J. and S. Harris, solicitors, 65, High-street, Leicester.

Lyddiard (Henry), Horsham, farmer. Nov. 15: Medwin and Clarkson, solicitors, Horsham.

Markham (Edw.), Welbeck-street, Cavendish-square, Middlesex, Esq. Nov. 20: Birch and Ingram, solicitors, 68, Lincoln's-inn-fields, Middlesex.

Naylor (Samuel), 4, Great Newport-street and Hog-lane, Hammersmith, Middlesex, gentleman. Dec 31: Frere, Cholmeley, and Co., 24, Lincoln's-inn-fields, Middlesex.

Moss (Edw.), Montague-terrace, Bow-road, Middlesex, cattle dealer. Nov. 30: Surr and Gribble, solicitors, 12, Abchurch-lane, London.

Paterson (Richd.), Lessons, St. Paul's Cray, Kent, Esq. Nov. 30: Gregory, Rowcliffe, and Rowcliffe, solicitors, 1, Bedford-row, London.

Pullin (Samuel), 18, Duncan-terrace, Islington, Middlesex, Esq. Dec. 3: C. J. Wishaw, solicitor, 3, South-square, Gray's-inn, Middlesex.

Reading (George), Ripley, Surrey, gentleman. Nov. 30: H. Marshall, solicitor, Godalming, Surrey.

Roberts (Robert), 3, Crichton-street, Cardiff, printer. Nov. 13: Grover and Davis, solicitors, Crockherbtown, Cardiff.

Salt (Eliz.), Acton, Middlesex, widow. Nov. 18: Treherne and Wolferstan, solicitors, 75, Aldermanbury, London.

Tallemach (Richard), Serle-street, Lincoln's-inn, Middlesex, and Park-cottage, Holinhood, Ham, Surrey, gentleman. Nov. 16: W. M. Webster, solicitor, 18, New Boswell-court, London.

Turton (George), Leeton, Nottingham, joiner. Dec. 14: Cowley and Everall, solicitors, St. Peter's Church-walk, Nottingham.

Walkington (Wm. Robt.), Stock Exchange, London, Esq. Oct. 31: Garrard and James, solicitors, 15, Suffolk-street, Pall-mall east, Westminster.

West (Mary Anne West), Lynmouth-lodge, Reigate, Surrey, spinster. Nov. 18: S. Heath, solicitor, 10, Basinghall-street, London.

Wilson (Maria Ann), Kinver, Worcestershire, widow. Nov. 18: Murray, Son, and Hutchins, solicitors, 11, Birchin-lane, London.

Wealey (James), Ince, within Mackerfield, Lancashire, coal proprietor. Nov. 1: Leigh and Sons, solicitors, Wigan.

Whitfield (John), Shenfield, Essex, Esq. Dec. 1: G. T. Woodroffe, solicitor, 1, New-square, Lincoln's-inn, London.

Whitfield (Williamson), Shenfield, Essex, Esq. Dec. 1: E. B. Postans, solicitor, Brentwood.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Bull (Sophia), widow, and Bull (Amy and Eliza), spinsters, all of Wellington-terrace, Deal. 80l. Three per Cent. Consols. Claimant, Amy Bull, survivor.

Dingwall (Joseph), Sunningdale, Egham, Surrey, Esq. Dividends on 1010l. 18s. 8d. Reduced Three per Cents. Claimant, said Joseph Dingwall.

Newbery (Louisa Elizabeth), Brunswick-house, Great Malvern, spinster. Dividend on 1449l. 16s. 1d. Three per Cent. Consols. Claimant, said L. E. Newbery.

Stone (Edward Greeley and Edward Henry), Chambers-court, Worcestershire, Esqrs. 175l. 12s. 8d. Three per Cent. Consols. Claimants, said E. G. and E. H. Stone.

"Proper Paper" in the Court of Chancery.—On Monday, at the Vice-Chancellor Wood's Chambers, an application was made for further time to file an answer. An answer had been made on proper size paper, but not on the proper quality. The paper offered would only last ten years, and the best quality would last 100 years. Leave was granted.

The "Privileges" of Citizens.—Mr. Justice Willes has decided the application which was made before him at the Judges' Chambers in the case of *Deere* v. *Lowe*. The application was to give costs to the plaintiff in an action on a bill of exchange in one of the Superior Courts for a sum under 20*l.*, and the point raised on the part of the defendant was, whether, as he carried on business in the city of London, he was not "privileged" from being sued by creditors living within twenty miles of London, except in the City Small Debt Court, for sums under 50*l.* Mr. Justice Willes made an order that no execution was to issue until after the third day of next term. It is expected that the question will be discussed before a full court at Westminster.

THE BENCH AND THE BAR.

COURT OF BANKRUPTCY.

Thursday, Oct. 5.

(Before Mr. Commissioner Goulburn.)

Re The Hon. Richard Bethell.

The bankrupt, the Hon. Richard Bethell, a son of Lord Westbury, and who was described as late of 45, St. George's-road, Pimlico, and afterwards of Stanmore, Middlesex, barrister-at-law, applied to pass his examination and for an order of discharge.

Bagley and *Sargood* were counsel for the bankrupt in support of the application; *Chidley* appeared for the assignees; *Lawrance* and *Bencick* for creditors.

From the accounts filed by the bankrupt it would appear that he owes a sum of 22,011*l.* to unsecured creditors, 300*l.* to creditors holding security, and that he is liable to the extent of 1860*l.* upon bills discounted. The assets are comprised in two items only—property surrendered to assignees, 63*l.*; and property in the hands of creditors, 300*l.* Of the unsecured debts a sum 20,923*l.* is due to creditors upon cash transactions, and 1087*l.* to tailors, wine merchants, saddlers, and other tradesmen; and the item of property surrendered includes 28*l.* credit balance of the bankrupt's account at the London and South-Western Bank (Limited), and 35*l.* the estimated value of two horses formerly in his possession. The adjudication was obtained upon the petition of Mr. R. Attenborough, silversmith a creditor, and at the first meeting several creditors proved their debts, and a creditors' assignee was appointed. The bankrupt's expenditure is returned at 2500*l.* per annum.

Upon the case being called,

Chidley, for the assignees, said that he was not instructed to offer any opposition to the bankrupt's application to pass his examination and for an order of discharge.

Mr. Commissioner Goulburn.—Is any creditor present to object to the bankrupt's application?

No response being made.

Mr. Commissioner Goulburn, without calling upon the bankrupt's counsel, passed the examination and granted the desired order of discharge.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The Queen has been pleased to appoint Bernard Gustavus Norton, Esq., to be puisne judge, and William Frederick Haynes Smith, Esq., to be solicitor-general, for the colony of British Guiana; Alfred John Duncombe, Esq., to be assistant-justice of the General Court of the Bahama Islands; and Henry Wakeford, Esq., to be auditor for the island of Vancouver.

The Queen has been pleased to appoint Archibald Davidson, Esq., advocate, to be sheriff of the shire or sheriffdom of Edinburgh, in the room of John Thomson Gordon, Esq., deceased.

On Tuesday week Henry Tennant, Esq., of 2, Blomfield-crescent, Upper Westbourne-place, was found on his couch quite dead. He was seventy years of age, and a bencher of Gray's-inn.

We regret to hear that Mr. Justice Crompton is ill; his condition occasions grave anxiety to his friends.

A Royal Commission has been appointed to investigate the cattle plague, at the head of which is Earl Spencer. Among the other members are Lord Cranbourne, Mr. Robert Lowe, Dr. Bence Jones, Dr. Quain, and Mr. Spooner, the veterinary surgeon. Mr. Montague Bernard will act as secretary to the commission.

We understand that Mr. John McLaren, Advocate, son of Mr. Duncan McLaren, M.P. for the city of Edinburgh is a candidate for the chair of Scots Law in the University of Edinburgh, vacant by the resignation of George Moir, Esq., sheriff of Stirling.

Mr. Kinloch Forbes, Judge of the High Court Bombay, died on the 31st ult.

A curious dispute lately arose between the High Court of Calcutta and the Indian Stationery Office. It is a rule of the latter department that no Government official shall receive more than two dozen quills and four dozen steel nibs in the course of a year. The judges of the High Court, however, insisted that they could not get through their work with less than fifty quills apiece each month. The matter was, we understand, referred to the Governor-General, who decided in favour of the judges.

Jersey Jurats.—The story of a small debate which came off in the Jersey Parliament in the month of August is calculated to throw a considerable amount of light on the jurats in their judicial capacity. The Waterworks Bill was before the States, and a clause for prohibiting the bailiff, jurats, and Crown officers from taking shares in the company came under discussion. Litigation would of course arise between the company and the public, and therefore the clause was absolutely necessary. Five members of the States voted for it and twenty-seven against it, while many members abstained from voting at all. One would imagine that this was a fact sufficiently damning, but it was a mere bagatelle compared with the statements made in the course of the debate. The deputy for Grouville, who seems to be a person of considerable vigour, said some very hard things of the twelve jurats, declaring that five of them were connected with the banks, four more were unfitted through ill-health and otherwise for the bench, one was approaching the same hopeless condition, and the remaining two had become "fixtures." He affirmed that when the Huissier told the recalcitrant jurats "it's your turn to sit," the reply usually was, "I won't go;" and he recalled a famous case in which one jurat paid up a sum of money in open court to his brother judge, to enable the latter to adjudicate on a case in which both the gentlemen were interested. Of the dozen jurats—who ought certainly to be thirteen in number, on the principle that in Jersey it takes thirteen pence to make a shilling—the most remarkable person is a M. de Quetteville. In his judicial capacity it is said that he delights above all things in neglecting to attend the court at all, or in stepping in with an air of the utmost composure about two hours behind time. The bailiff occasionally grows impatient, and sends for his learned brother. Messengers fly in all directions, and return with the intelligence that M. de Quetteville has gone to England on business, or is engaged in unloading a cargo of fish and will come as soon as that little matter is settled. This charming picture of the Royal Court would, however, be incomplete if we did not add a quotation from the Jersey press. The following paragraph, written perhaps after a study of Macaulay on Barère, is too refreshing to be neglected. The writer, after calmly averring that the jurats who sit as judges on the bench ought to stand as criminals at the bar, proceeds in the following strain: "There are men—and it is a matter of public notoriety—still retaining the office of jurat, aye, and even at times occupying the bench, or who would occupy it if they dared, who have been guilty of the most flagrant dishonesty, who habitually indulge in the foulest immoralities reprobated by the law of God and man, and who, instead of repenting in sackcloth and ashes, boast of their misdeeds, and are received into society, or, when they are not, provide themselves with costly dinners at the public expense."—*Saturday Review.*

MAGISTRATE AND PARISH LAWYER.

Correspondence.

The County Court Judge and the Woodbridge Bench of Magistrates.—On the 28th ult. we sent you his Honour's judgment, and his observations on Mr. Keane's opinion, for insertion in your valuable paper. We now inclose you a letter on the same subject, cut out of the *Suffolk Mercury*, which we shall be glad to see in your next edition, if you can find room. Dalton & Hill.

Spall v. Walker.

To the Editor of the *Suffolk Chronicle*.

Sir,—I read with some care and attention your leader a short time since upon this case, and I have had it upon my mind to come forward as one of the professional men

of this county, in defence of that worthy, painstaking, and able judge, Mr. Wortledge.

All men are liable to error in judgment, and even if it had been so in this case, and upon which the magistrates had an undoubted right to be advised, I submit, having been so advised, it would have been a more graceful act on the part of their clerk to have submitted the opinion of counsel for the consideration of the judge instead of, as it were, exulting over him in "victory" before the public; but the most indecent part of the case is, even if such had been invited, that Mr. Keane should have taken upon himself, I am glad to say the very unusual course, of passing censure upon the judge, a brother counsel (and in no measured terms either), in addition to the opinion he was quite justified in giving, and to say the least, it was a great piece of arrogance on his part, and would have been wisely omitted.

I will add, and I believe I express the opinion of the public generally, that nothing the magistrates or their clerk can do can blunt the great legal ability and integrity of so long tried a judge, nor take from him that great esteem and respect in which he has ever been held by all classes of society, and were one now alive to whose memory so pleasing and kind a tribute has been lately paid by this charitable and kindhearted judge, and deservedly too, I know he would only too gladly have re-echoed every word I have uttered.—I am, Sir, yours faithfully,

Amicus Curiæ.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bath	Friday, October 27	T. W. Saunders, Esq.	14 days	J. Taylor.
Berwick-on-Tweed	Friday, October 20	R. Ingham, Esq. M.P., Q.C.	5 days	R. Home.
Bolton	Friday, October 20	J. A. Russell, Esq.	10 days	J. Gordon.
Bridgnorth	Friday, October 20	U. Corbett, Esq.	14 days	W. D. Batte.
Bridgwater	Tuesday, October 17	E. H. Reed, Esq.	14 days	J. Trevor.
Bristol	Tuesday, October 24	Serjt. J. A. Kinglake	Statutory notice	W. O. Hare.
Bury St. Edmunds	Monday, October 23	Mr. Serjeant Tozer	11 days	J. Sparke.
Cambridge	Thursday, October 19	R. M. Newton, Esq.	14 days	W. Cockerell.
Carmarthen	Wednesday, October 18	J. Johnes, Esq.	10 days	J. H. Barker.
Colchester	Tuesday, October 17	H. J. Bushby, Esq.	8 days	J. S. Barnes.
Derby	Tuesday, October 17	G. Boden, Esq., Q.C.	1 day	J. Dunnicliff.
Devonport	Saturday, October 21	C. Saunders, Esq.	10 days	G. H. E. Rundle.
Doncaster	Tuesday, October 31	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Tuesday, October 24	E. W. Cox, Esq.		W. R. T. Pender.
Faversham	Monday, October 16	G. Francis, Esq.	Statutory notice	J. Phillips.
Hastings	Friday, October 27	R. H. Hurst, Esq.	14 days	G. Meadows.
Helston	Wednesday, October 25	E. W. Cox, Esq.		A. Rogers.
Hereford	Friday, October 20	F. Edward, Esq.	10 days	R. Johnson.
Kingston-on-Hull	Thursday, October 19	S. Warren, Esq., Q.C.		R. Champney, jun.
Leeds	Monday, October 23	J. B. Maule, Esq.	10 days	J. W. H. Richardson.
Leicester	Wednesday, October 18	Mr. Serjeant Hayes	8 days	R. Toller.
Lincoln	Saturday, October 14	The Hon. G. C. Vernon		T. G. Dale.
Liverpool	Monday, October 30	J. R. Aspinall, Esq., Q.C.	10 days	P. Wright.
Newark	Saturday, October 21	J. F. Stephen, Esq.		T. F. A. Burnaby.
Newcast.-un-Lyme	Friday, October 20	T. C. S. Kynnersley, Esq.		J. W. Ward.
Northampton	Friday, October 27	J. H. Brewer, Esq.	10 days	C. Hughes.
Rochester	Monday, October 23	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Rye	Thursday, October 26	R. H. Hurst, Esq. M.P.	14 days	G. S. Butler.
Shrewsbury	Tuesday, October 24	C. Harwood, Esq.	14 days	R. Clarke.
Stamford	Saturday, October 14	The Hon. E. C. Leigh	10 days	J. Torkington.
Walsall	Friday, October 20	W. J. Neale, Esq.	10 days	S. Wilkinson, jun.
Wenlock	Saturday, October 21	U. Corbett, Esq.	14 days	G. Potts.
Worcester	Thursday, October 19	F. T. Streeten, Esq.	14 days	R. T. Rea.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Obstruction of Light.—The Lord Chancellor has affirmed the decision of Wood, V. C., that where a building on the opposite side of a road only twenty feet wide is being raised so high as materially to affect the light of the opposite premises, it is a case for an injunction and not for compensation. The Lord Chancellor expressed his regret that such should be the law, as it interfered seriously with the progress of improvement; but he said that it was a difficulty to be dealt with by the Legislature, and not to be solved by the courts: (*Stokes* v. *The City Offices Company*, 13 L. T. Rep. N. S. 81.)

Vendor and Purchaser—Deficiency in Quantity of the Estate.—B. contracted to pay 66,000*l.* for an estate, of which the rental was correctly stated in the particulars of sale, but the estate itself was described as containing 21,750 acres, whereas it contained in fact only 11,814 acres. It was held to be a mistake on the part of the purchaser, for which he was not entitled to be compensated by an abatement in the purchase-money. Having filed a bill for specific performance, he must elect whether he would have the bill dismissed with costs, or take the estate as agreed upon: (*Earl of Durham* v. *Legard*, 13 L. T. Rep. N. S. 82. M. R.)

Will—Construction.—B. by will directed that C. should on her decease have liberty to purchase "all her property, brewery, &c." at one-fourth less than the ascertained value, with a proviso that, from that time D. should receive no profits from the "business, and have nothing more to do with the property in any way or form whatever." B. had carried on a brewery before her death Part of her personal estate consisted of public-houses. It was held that C. was entitled to purchase only the brewery plant, &c., and not the public-houses: (*Waite* v. *Morland*, 13 L. T. Rep. N. S. 91. V.C. W.)

Succession Duty.—A fund was appointed to B. for life, and on his death to such persons as C. should appoint. C. appointed by will to D. for life, with remainder to such persons as B. should appoint. C. died and B. died in the lifetime of D., having appointed to strangers. Then D. died. B.'s appointees, although liable to legacy duty, were held to be successors within sect. 14 of the Act, and that, therefore, they were liable only to one duty at the highest rate, and not to double duty: (*Re Chapman's Trust*, 13 L. T. Rep. N. S. 144. V.C. W.)

LAW STUDENTS' JOURNAL.

Correspondence.

Honours.—Referring to the letter of a "Solicitor" in your last number, one or two points therein are worthy of discussion. Before doing so, however, I must venture to submit that the tone of his letter is rather too patronising, and the subject so thoroughly discussed by so many articled clerks too summarily disposed of in such letter, to be particularly well digested by the junior faculty. Your correspondent should have had some respect for the opinions already put forth in the Law Times, though such views might not have entirely coincided with his own. So many different points, all tending to one centre, having been brought on the *tapis*, one more or less will make no material difference. A *bonâ fide* degree seems universally sought after, as the whole and sole thing to be desired, and the suggestion of a "Solicitor" relative to a college scheme, is, I think, worth attending to, as the most likely way of solving the present difficulty. Now, what power does the Incorporated Law Society possess? Could not the council resolve itself into a college *pro tem.* and which when sitting could grant the necessary degrees? If this could be done without fresh legislation, the desideratum would be obtained. But, presuming this could be done, we must return to our starting-point, and memorialise the Institution. Before taking any further measures, however, I should like to see Mr. Turner's scheme, and perhaps some reader will kindly give me the exact date of the Law Times when the particulars of such scheme appeared.

Articulus.

Oct. 10.

Articled Clerks as Advocates.—The articled clerks of all England and Wales will, I am sure, feel greatly obliged to you for allowing a full and free discussion of the policy of the Lord Mayor's regulation on this matter. Will you permit me to remind your readers and correspondents that the question at issue is *not*, so far as relates to the metropolitan police-courts, whether articled clerks should or should not be allowed to appear on behalf of their principals, but whether or not this licence should also always hereafter be, as it is now, shared with these young gentlemen, and at least embryo lawyers, throughout the metropolitan police district, by such persons as Mr. Loosetongue, Mr. Threadbare, Mr. Dirtynest, and Mr. Foulmouth (persons odorously, if not odiously, familiar to the London magistracy and to the penny-a-lining puffers by sweeter names), who profess to be either clerks unarticled, or "prosecuting officers" (whatever that title may signify), or secretaries, or other thing of ornament or utility doubly attached to a few needy and pretentious low and lofty attorneys, and to "institutions" which flourish on the contributions of the senselessly benevolent lieges of Her Majesty? That is the question raised by the Lord Ma[illegible] the other metropolitan magistrates, or [illegible] makes rules and orders binding on the[illegible] also be allowed to hope that your co[illegible] "S." will not write me down as a young [illegible] or chiefly "anxious to display my ab[illegible]" [illegible] awfully daring when I inform him that [illegible] nor Mr. R. W. A. has so terrified me by [illegible] to the 6 & 7 and the 23 & 24 Vict. as to [illegible] vent my appearance in person, wh[illegible] master may send me to the Mansion-[illegible] the Southwark Police-court. I do not [illegible] shall have to pay for "every cas[illegible]" against "R. W. A." and "S." the sum of [illegible] under the ban of those "other penalties" [illegible] to; and least of all do I fear that my articles [illegible] vitiated by such obedience to the instruct[illegible] gentleman it is my duty and privilege to [illegible] I were to act "as an attorney," or in any wa[illegible] myself out as a principal, I should for[illegible] my articles; and let me distinctly [illegible] should deserve the 50*l.* and other penalties [illegible] *in terrorem* by my antagonists in this contro[illegible] ask for the curtailment of the privilege [illegible] joyed by London attorneys who employ—[illegible] shall I call them? or unprofessional partners [illegible] say?—such fellows as the men I [illegible] names attached to them in this letter. I [illegible] mere clerks, or creatures who can, at least, [illegible] to that title, should not be permitted to [illegible] priety in several every-day modes, as they [illegible] under the sanction, I am told, of Her [illegible] Secretary for the Home Department. So far [illegible] I have, I trust, the concurrence of "S.," who [illegible] evenly believes in admission fee and certificate [illegible] infallible securities for legal skill and [illegible] I ask for the territorial extension of an [illegible] clerk's training ground, but only within [illegible] which the Lord Mayor, or that unquestionably [illegible] man, Mr. Oke, has drawn. I do this [illegible] of Mr. S. on selfish grounds, but for his [illegible] will also set up my claims on that tall [illegible] he has built out of his experience or [illegible] "Clients must be careful," ejaculates my [illegible] agree with him. "The privileges of the [illegible] must be upheld." I think exactly as "S." [illegible] dignity of the courts must be upheld." [illegible] in my judgment, Mr. S.; and I say [illegible] fully, although you are hard upon us "young [illegible]" my good friend. Longbeard. Let us [illegible] Mr. S.'s arguments backwards. The dignity of [illegible] Lord Mayor's Court requires that [illegible] Threadbare, and others of the same [illegible] kept outside the Mansion-house, and he has [illegible] them from his august presence, but he does not [illegible] ject to see gentlemen, although comparatively young, who have gone through their [illegible] articles, given pecuniary bail in a [illegible] good behaviour, and show [illegible] masters who are also responsible for their [illegible] behaviour. Lord Mayors are [illegible] about dignity, and the current [illegible] a new guarantee for the [illegible] The privileges of the Profession [illegible] impaired or diminished by allowing [illegible] (who are limited by statute as we all [illegible] little of what is commonly [illegible] indeed the humble work, of [illegible] (or rather I would say the fair [illegible] fession, are now invaded by [illegible] creatures, who tout in publ[illegible] with nominal principles, and [illegible] tration of justice to the [illegible] S. But as to the interests of [illegible] must be cared for. To the [illegible] interpretation of that phrase I [illegible] Except we can show that [illegible] identical, or indeed secondary to [illegible] we can never hope to succeed or [illegible] class, or individually. I [illegible] interests first, and I say that the [illegible] mass of society lies (so far as it is [illegible] all) in the free admission of [illegible] young, who are under discipline and [illegible] restraints, who are at least embryo lawyers, [illegible] graduated blackguardly to the [illegible] in one act of the [illegible] Wales.

An Arti[illegible]

— Whether we, as articled clerks, have a [illegible] to practise in the magistrates' courts [illegible] tainly we have a greater claim to be [illegible] persons who have never served under [illegible] who, in all probability, have never had [illegible] education. I can find no authority that [illegible] under articles has a right to conduct a [illegible] gistrate's court, but it is a courtesy I have [illegible] found denied even to an ordinary clerk, but [illegible] an articled one. It would, undoubtedly, be a [illegible] inducement for us to read and get up [illegible] if we knew that we had the sole privilege [illegible] counsel and admitted attorneys, of [illegible] conduct them; but now there is [illegible] for sometimes you are bound to [illegible] who cannot speak even English [illegible] knows very little of general law. I would [illegible] make a restriction as to articled clerks [illegible] and that is, that they would not [illegible] passed their intermediate examination [illegible]

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ct as an inducement to them to get through quickly, nd at the same time would prevent their practising oo soon. If the Law Institute would give attention o the matter it would confer a great benefit on us.

Bristol, 4th Oct. 1865. W. E. P.

COUNTY COURTS.

COUNTY COURT ORDERS AND FORMS IN EQUITY.

(Concluded from p. 592.)

ORDER XIX.—APPEAL.

Rule 1. *Appeal to be by case.*—13 & 14 *Vict. c.* 61, *s.* 14, 15, & 16, *and ss.* 18 & 19 *of the Act.*—Where ny party desires to appeal under sect. 18 of the Act gainst the determination or direction of a judge of County Court, such appeal shall be had in accord-nce with the provisions of sect. 15 of 13 & 14 Vict. . 61, upon a case to be stated for the opinion of the Vice-Chancellor appointed in that behalf by the Lord Chancellor.

2. *Notice of appeal.*—The notice of appeal shall e in writing and shall be signed by the appellant, is counsel or attorney, and such notice shall be ent, together with the statement of the grounds, by ost or otherwise, to the registrar as well as to the uccessful party.

3. *Proceedings not to be stayed unless Vice-Chancellor r judge otherwise order.*—The pendency of an appeal hall not operate as a stay of proceedings, but the Vice-Chancellor to whom such appeal is made, or he judge from whose decree or order the appeal is nade, may stay the proceedings pending the appeal, n such terms as to giving security or otherwise as such Vice-Chancellor or judge may seem fit.

4. *Case to be signed by judge.*—The appellant shall repare the case for appeal, and all cases on appeal hall, unless the judge shall otherwise order, be pre-ented to him for signature at the court, held next fter the parties shall have agreed upon the same; nd if the judge approves thereof it shall be signed by im, and sealed with the seal of the court; but here the judge does not approve of the case sub-itted to him, both parties shall be summoned to ttend him where and when the judge shall appoint, nd at the place and time so appointed both parties hall be heard as to the form of the case, and the udge shall finally settle and sign the same, and it hall then be sealed by the registrar.

5. *When parties do not agree on case, judge to settle ame.*—Where the parties do not agree upon the orm of the case to be stated, the appellant shall udge with the registrar the draft case prepared by im, and the registrar shall give notice to the parties hat the same has been so lodged, and will, on a day o be named in the notice, be presented to the judge or his signature, and on such day the parties may ppear before the judge, who shall determine the orm of the case, and finally settle and sign the ame, and it shall then be sealed by the registrar.

6. *Copy of case deposited with registrar.*—When the ase shall be so signed and sealed a copy thereof hall be deposited with the registrar, and another ent by post or otherwise by the appellant to the uccessful party within three clear days next after he time of signing and sealing the same, and if the ppellant do not comply with this rule the successful arty may proceed upon the decree or order unless he judge shall otherwise direct.

7. *Case to be transmitted.*—The appellant shall, ithin three clear days next after the case has been igned and sealed, transmit the same with a copy hereof under the seal of the court, by post or other-ise, to the office of the clerks of records and writs n Chancery, or to such other office or officer in the ourt as the Lord Chancellor may by general order irect, and shall give notice, by post or otherwise, to he successful party that he has done so, in default hereof the successful party may proceed on the decree r order, and shall, on the application to the court, be ntitled to such costs as he shall have incurred in onsequence of the appellant's proceedings; provided hat, instead of proceeding on such decree or order, he respondent, if he think fit, may, within twenty-ight days from the signing and sealing of the case, ransmit it in the manner prescribed, and give the ke notice to the appellant of such transmission.

8. *If appeal not prosecuted successful party to pro-ceed.*—If, after the case has been transmitted, the ppellant do not prosecute his appeal, the Court of ppeal may dismiss the same for want of prosecution, nd thereupon the decree or order appealed from may e prosecuted and enforced as if there had been no uch appeal, and the respondent in the appeal shall e entitled to all costs he may have incurred by eason of the appeal, to be recovered as costs in the ourt below.

9. *Entering judgment on appeal.*—When the Court f Appeal shall have made a decree or order either arty may deposit the same, or an office copy thereof, rith the registrar of the County Court, and upon eing so deposited, such decree or order shall be filed nd may be enforced as if it had been made by the County Court.

10. *Appeal to Lancashire Court of Chancery.*—All he rules in this order shall apply to appeals under ect. 19 of the Act to the Court of Chancery of the county palatine of Lancaster, and the Vice-Chancellor thereof, except that the case when signed and sealed shall be transmitted to the registrar of that court.

ORDER XX.—DUTIES OF REGISTRAR.

Rule 1. *Registrar to keep books, and enter proceedings therein.*—The registrar shall keep a book, to be called "The Suits and Proceedings in Equity Book," and shall enter and number in such book each suit or proceeding consecutively in the order in which they are entered, and shall also enter therein a note of all documents filed and steps taken in such suit or proceeding.

2. *Documents to be distinguished by the number of the plaint and letters.*—Upon the filing of any document it shall be distinguished by the number of the plaint or petition in respect of which it is filed being indorsed thereon, and it shall be further distinguished from other documents filed in the suit or proceeding by placing after the number a distinctive letter of the alphabet.

3. *Duty of registrar when he rejects affidavits, or where documents are imperfect.*—Where a registrar rejects an affidavit under Order XIV. he shall give notice, by post or otherwise, to the party offering the same for filing, of and the reasons for such rejection: and where any other document is so imperfect upon the face thereof, or by reason of having blanks therein, that it cannot be easily read or understood, the registrar may refuse to file, and may return the same by post, or otherwise, to the party offering the same, to be rewritten, or the blanks filled up.

4. *Summons, &c. to be sealed.*—Before any summons, notice, or other document, or any copy thereof, shall be issued by the registrar, the same shall be sealed with the seal of the court.

5. *Registrar to appoint time and place for inquiries and taking accounts.*—Where the registrar is required by any decretal order to make inquiries or to take accounts, he shall appoint some day, being not less than twenty-one days from the date of such order, to sit in his office or at the court to hear and determine all matters relating to such inquiry and accounts, and he shall forthwith prepare and insert advertisements in conformity with such order, stating the time, place, and purpose of such sitting, and shall insert the same fourteen days previous to such sitting.

6. *Hearing before registrar.*—Upon the day so appointed the registrar shall sit at the time and place appointed, and shall hear all parties interested, their counsel or attorneys.

7. *Further time for certificate.*—Where a registrar is not prepared to certify to the court on the day mentioned in the order he shall apply to the judge for an extension of time, and state the reason for making the application, and he shall give notice, by post or otherwise, to the parties of the enlargement of the time and of the day on which he is to certify.

8. *Registrar to retain money to abide result of appeal.*—Whenever a notice for appeal is given, the registrar shall detain the proceeds of any execution which may then be in or may come into his hands pending such appeal, to abide the event of such appeal, unless the judge shall otherwise order.

ORDER XXI.—DUTIES OF HIGH BAILIFF.

Rule 1. *As to sale of personal property.*—Where any personal property is directed to be sold by auction, the high bailiff shall superintend the sale; and where the property is to be sold by private contract, he shall carry out the directions of the court in respect of such sale.

2. *Services and executions.*—The high bailiff shall serve all documents issued to him by the registrar for service, and execute all warrants.

3. *Possession.*—Where a warrant shall direct the high bailiff to take possession of, without selling or delivering to a party, any goods or chattels, he shall make or cause to be made an inventory or appraisement of the goods or chattels which he may take into his possession, and may, upon receiving as a deposit the amount of such appraisement or sufficient security, to be approved by the registrar, for the safe custody, and for the delivery up of possession upon request, of such goods and chattels, relinquish the possession thereof on condition that the same shall be re-delivered to him or held to abide the order of the court.

4. *Payment over of money.*—All moneys coming into the hands of the high bailiff shall be paid over by him to the registrar to the credit of the suit or proceeding in which the same was so received by him within twenty-four hours after he shall have recived the same.

ORDER XXII.—DUTIES OF RECEIVER.

Rule 1. *Receiver to give security.*—Every receiver appointed by the court, other than the high bailiff, shall give such security by bond to the registrar for the faithful discharge of his duties, and the payment over of money, as the court shall direct.

2. *His accounts to be audited by registrar and when.*—The receiver shall submit to the registrar, and the registrar shall audit, the accounts of the receiver, which need not be in any particular form, as soon as conveniently may be after the receipt or realisation of the assets, and immediately after such audit shall pay over to the registrar the balance found thereby to be in his hands.

3. *To produce vouchers and if required verify on oath.*—The registrar may require any receiver to produce any receipt, accounts, and vouchers necessary for verifying the accounts, and may disallow any item not proved to his satisfaction, and may, if he shall think fit, require any receiver to verify such accounts and vouchers upon oath.

4. *To produce account for audit upon notice.*—The receiver shall, at any time before the complete realisation of the assets, produce his accounts to be audited in manner provided by this order, upon receiving seven days notice in writing from the registrar so to do, and such notice may be sent by post or otherwise to the address of the receiver.

5. *Audit once a year.*—Where the duties of the receiver are continuous, no longer period than one year shall in any case be allowed to intervene between each audit.

6. *Parties need not attend audit.*—In no case shall it be necessary for any party to attend at the audit of the receiver's account, but where a party is dissatisfied with the receiver's account he may apply to the court or registrar for a revision of the registrar's allowances.

7. *Court may order income to be paid direct to parties.*—The court may order the receiver to pay over, at such time or from time to time as it shall see fit, to the party entitled to the beneficial interest therein, or to the guardian of any infant, any yearly or other accruing rents or interest instead of paying the same into court, and to take credit for such payments in his accounts when audited.

ORDER XXIII.—PRACTICE.

Rule 1. *Proceedings may be wholly or partly printed.*—All plaints, petitions, statements, and documents whatsoever in any suit or matter under the Act which are required to be filed shall be on foolscap paper, and may be wholly or partly printed or written, and dates and sums occurring therein may be expressed in figures.

2. *Documents to be sealed.*—All judicial or official documents in any suit or proceeding, and all copies thereof respectively issued by the court, shall be stamped by the registrar with the seal of the court.

3. *Service.*—Every document, the mode of serving which is not specially defined by these orders, may be served, and the service thereof may be proved, in conformity with the practice that has heretofore prevailed in the County Courts as to the service of summonses, excepting so far as the same relates to the time of service.

4. *Change of attorney.*—Where any party to a suit or proceeding changes his attorney he shall give notice in writing of such change to the registrar, stating the name or firm or place of business of the new attorney, and the registrar shall file the notice.

5. *Setting down for hearing.*—No suit or motion for a decree or decretal order shall be heard until the same shall be set down for hearing.

6. *Days for equity sittings.*—The times of the sitting of a County Court in matters of equity shall be those appointed for the transaction of the general business of the court, unless the judge shall otherwise order and shall appoint a special day or days for a sitting of the court in matters of equity.

7. *Where Christian name unknown.*—Where any party to any suit or proceeding is unacquainted with the Christian name of any person whose name he desires to insert in any plaint, proceeding, or document, he may describe such person by his surname, or by his surname and the initial of his Christian name, or by such name as he is generally known by.

8. *Copy of documents for use of judge.*—Where any proceedings or documents are filed an extra copy, in addition to the copies to be delivered under these orders, shall be left with the registrar for the use of the judge.

9. *Copies of proceedings to be forwarded to judge.*—The registrar shall transmit by post, prepaid, to the judge, five days before the sitting of the court, all copies of proceedings and documents left for his use under these orders.

10. *Registrar to prepare all copies.*—Copies of all proceedings or documents shall be prepared by the the registrar for any person requiring the same, upon payment of the costs of such copies when the order for the same is given.

11. *Acts may be done by counsel or attorney.*—Where by these orders any act is to be, or may be, done by any party to a suit or proceeding, such act may be done either in person or by his attorney.

12. *Service on attorney sufficient, except where personal service required.*—Where a party acts by attorney, service of any proceeding or document upon such attorney, or delivery of the same at his office, or sending the same to him by post, shall be good service upon the party for whom such attorney acts, as upon the day when the same is so served or delivered, or upon which in the ordinary course of post it would be delivered, except in cases where by these orders personal service upon a party is required.

13. *Service may by leave of the registrar be effected by the attorney.*—Any proceeding or document may by leave of the registrar, be served by the attorney

of the party requiring to effect such service; but the costs of such service, and proof thereof, shall not be allowed except by order of the judge.

14. *Substituted service.*—Where by reason of the absence of any party, or from any other sufficient cause, the service of any summons, notice, proceeding, or document cannot be made, or ought in the opinion of the judge to be dispensed with, the judge may wholly dispense with such service, or may, at his discretion, order any substituted service or notice by advertisement or otherwise in lieu of such service.

15. *Judge to order in what newspapers advertisements to be inserted and costs thereof to be prepaid.*—The judge shall order in what newspaper any advertisements which may from time be ordered in any suit or proceeding shall be inserted; and where there is no fund in court, the expense of such advertisements shall be paid to the registrar by the party requiring the same before they are inserted.

16. *Advertisements in London Gazette.*—All advertisements to be inserted in the *London Gazette* shall be transmitted to the registrar of County Court judgments in London, who shall cause them to be classified and inserted in lists under the direction of the Commissioners of Her Majesty's Treasury.

17. *Conduct of suit.*—The judge may order what party shall have the conduct of any suit or proceeding, or any part thereof, and may rescind or alter such order, or make new orders in that behalf, from time to time as he shall think fit.

18. *Court may enlarge or abridge periods mentioned in these orders.*—The judge may, if he think fit, enlarge or abridge any of the times fixed by these orders for taking any step, or filing any document, or giving any notice, in any suit or proceeding.

19. *Undertaking by next friend to pay costs.*—Before the name of any person shall be used in any suit or proceeding as next friend of any infant, married woman, or other party, such person shall sign an undertaking, in the form given in the schedule, to be responsible for any costs to which the plaintiff or applicant may become liable in the course of the suit or proceeding, and such undertaking shall be annexed by the registrar to the plaint or petition.

20. *Transfer of suits or proceedings from one court to another in certain cases.*—Where suits or proceedings shall be commenced in different courts by parties in the same interest such suits or proceedings shall be transferred to the court in which the first plaint or petition was filed, and shall there be proceeded with in the same way in all respects as if they had been commenced in that court.

21. *Taxing officer.*—The registrar shall be the taxing officer of the court.

22. *Interest on debts.*—Creditors are to be entitled to interest in respect of debts as to such of them as carry interest after the rate they respectively carry, and as to all others after the rate of 4*l.* per cent. per annum, from the date of the decretal order, and to costs of successfully proving such debts according to the scale of costs in that behalf.

23. *Interest on legacies.*—Interest is to be computed on legacies after the rate of 4*l.* per cent. per annum, from the end of one year from the date of the testator's death unless otherwise ordered or a different rate is directed by the will.

24. *Decrees to be registered—Sect.* 15.—A note of every decretal order or final decree made in any suit or of an order made on a petition shall be transmitted to the registrar of County Court judgments in London, who shall register the same under the direction of the Commissioners of Her Majesty's Treasury.

25. *Forms.*—All proceedings and documents may be in forms similar to the forms in the schedule to these orders where the same are applicable; and in cases where no forms are provided, parties shall frame the proceedings or documents, using as guides those contained in the schedule.

26. *General practice rule.*—The rules and forms and practice heretofore in force in the County Courts shall, subject to these orders, be adopted with reference to suits and proceedings in equity, so far as they shall be respectively applicable.

ORDER XXIV.—INTERPRETATION.

Rule 1. *Interpretation.*—In these orders the following words shall have the several meanings hereby assigned to them, over and above their several ordinary meanings, unless there be something in the subject or context repugnant to such construction: (viz.)

(1.) The words "the Act" shall mean 28 & 29 Vict. c. 99:

(2.) Words importing the masculine gender shall include females:

(3.) Words importing the singular number shall include the plural, and *vice versâ*:

(4.) The word "party" shall mean a party to a suit or proceeding; and "person" shall mean any person, whether a party to the suit or not; and the words "person" or "party" shall include a body politic or corporate:

(5.) The word "affidavit" shall include statutable affirmations, and attestations upon honour, and the word "sworn" shall include affirmed according to the statute and attested upon honour:

(6.) Where any number of days is mentioned, it shall mean "clear days":

(7.) The word "court" shall mean the County Court having jurisdiction in the suit or proceeding, and the words "judge" and "registrar" shall respectively mean the judge and registrar of that court:

(8.) The words "high bailiff" shall include any assistant bailiff lawfully appointed by the high bailiff, and the word "bailiff" shall include high bailiff.

J. B. DASENT,
D. D. HEATH,
J. WORLLEDGE,
RUPERT A. KETTLE,
WILLIAM FURNER.

I approve of these Orders and Forms to come into force in all County Courts on the 1st day of October 1865.

CRANWORTH, C.

Our space will not permit us to give the List of Forms this month.

CORRESPONDENCE OF THE PROFESSION.

ELECTION EXPENSES.—Your journal of the 7th inst. is now (as has been the case weekly since 1847, when it was first established) before me. I observe you have taken the trouble to note down the different amounts of election expenses in Dorsetshire (county and borough elections), but I hope that note is generally more correct than I know the sums named to be concerning this borough. You say, "For Wareham, Mr. J. H. Calcraft, M.P., 289*l.* 2*s.* 9½*d.*, Mr. J. S. Drax, 139*l.* 4*s.* 9*d.*" It should have been (as advertised on behalf of the returning officer in the *Dorset County Chronicle*) "for John Hales Montagu Calcraft, Esquire, M. P. (whom we elected instead of John Samuel Wanley Taubridge Erle Drax Esquire"), 289*l.* 2*s.* 9½*d.*, as you put it, and for the gentleman who was *not* re-elected "439*l.* 4*s.* 9*d.*" The mistake is quite unimportant, and of no interest to your readers; but the LAW TIMES no doubt will be glad to be set right in the most trifling error of fact.

FREELAND FILLITER,
Agent for payment of Election Expenses of the present Member.

AGENCY FEES.—I can, indeed, indorse all that "A Country Subscriber" and "An Old Subscriber" say on this subject. I have fifteen or twenty "little bills" standing in my books against London solicitors for service of process for which I should be happy to take 5*s.* in the pound. So systematic is the "forgetfulness" of London solicitors, that I and many others adopt the expedient of forwarding affidavit of service to our law stationer, with a polite intimation that on calling there and paying our charges the papers will be handed over. Now that Messrs. Singleton and Tattershall have taken up the cudgels, I hope they will try and hit the right nail on the head: the *style* of Mr. Stubbs' letter is a matter of taste, but, as regards the subject-matter of it, I venture to say he has the sympathies of the entire (country) profession.

A YOUNG SUBSCRIBER.

Lincolnshire, 9th Oct. 1865.

P.S. If Messrs. Singleton and Tattershall feel doubtful on the subject, or jealous of the honour of the London Profession, let them ask for the names of their forgetful brethren to be supplied to you for publication in your columns.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bonâ fides*.

Queries.

EVIDENCE.—I lately read the report of a case where it was decided that in no matter except in uttering base coin could evidence be given of cumulative acts committed by the accused party. Can any of your readers kindly refer me to that case? INQUIRER.

MORTGAGE.—Is a mortgagee *compelled*, without the usual notice, to take in his principal on its being tendered him with a full half-year's interest in advance? If any modern case on the subject, I shall be glad if any of your correspondents will favour me with a reference to it. A. B.

Oct. 9, 1865.

DOMICIL.—Perhaps some of your numerous readers might kindly give me their opinion on the following point: A., an American, but having acquired a domicil in this country, died a short time ago, leaving to English trustees shares in an American railway. To enable the trustees to receive those shares they have been obliged to have them passed through the proper court in America, *and to pay American legacy duty on them.* Will they have also to pay English legacy duty on them at Somerset-house? It would appear they are not liable to probate duty. INQUIRER.

Oct. 10, 1865.

EQUITABLE JURISDICTION OF THE COUNTY COURTS.—I request the opinion of some of your readers on the following point: One of three trustees under a will, the trust-fund of which amount in the whole to about 1000*l.*, has (as what his co-trustees consider an unsafe investment of 300*l.*, part of the funds. The investment was made without the consent of the co-trustees, and they are desirous of compelling a restoration of the trust-fund to its proper condition. Is the case within the jurisdiction of the County Courts, and which clause of the 1st section of the new Act does it come under? Has the jurisdiction of the court ever been limited to matters of sums of a particular value or amount? J. R. S.

Halifax, Oct. 10, 1865.

POSTAGE-STAMPS.—Would one of your readers inform me which is the statute that requires that persons using postage-stamps shall take a licence to authorise them so doing. There appears to be no reference to the matter in any Act passed since 1840, and my search only extends to 1824, March (5 Geo. 4). The stat. 3 & 4 Vict. c. 96, s. 9, recites that, under the laws in force, it is provided that a licence shall be granted to any person to deal in certain retail stamps in *Ireland*, where a distributor resides, and proceeds to remove that specific local restriction, and from this I infer that the general enactment concerning England was anterior to that year (1840). *Lex loci.*

11th Oct. 1865.

Answers.

BOOK-KEEPING.—Single entry only is required for an intermediate examination. The text-books to be read can be ascertained some months previous to the examination by application to the secretary of the Incorporated Law Society. H. K. S.

Bideford.

WILL.—The legal estate is vested in E. F., who may of course let the estate and receive the rents. If the trust had been "*to the use* of A. B and C. D, in trust for E. F." then the legal estate would be in the trustees, although no duty had been imposed on them: (*vide* Jarman on Wills, 2nd vol.) J. T.

Exeter.

— I apprehend that the legal estate is in the trustees, but that "E. F.," the *cestui que trust*, is the proper person to let and manage the estate and receive the rents. (Lewin on Trusts, 3rd.) P. W. B.

Stockton.

HUSBAND AND WIFE.—See Story Conflict of Laws (8th ed., section 185: "Where there is no express contract, the law of the matrimonial domicil will govern as to the rights of the parties to their present property in that place, *and as to all personal property everywhere.*" In this case the matrimonial domicil is French, and the rights and powers of the wife must therefore be determined in accordance with the French law. S. C.

— In the case put by "Alpha," I submit that the trustees were not justified in transferring the property to the infant legatee: (Wms. Executors, 3rd edit., 1181). Supposing her to die under age leaving issue, a release by the husband would *not* avail the trustees; indeed, the great virtue which has been supposed to attach to releases in general is a pure myth, and, however strongly drawn, such documents can never protect a trustee from the consequences of his fraud, negligence, or mistake. Even if there were no authority in point, this may clearly be inferred from the fact that all dealings between a trustee and *cestui que trust* are within the exclusive province of a court of equity. The above remarks will apply with equal force to the case of a reversionary interest. J. P.

Exeter, Oct. 2.

TENANCY.—Writing is not necessary to constitute a real tenancy for any term less than three years. A quarterly tenancy may, therefore, be created by word of mouth, and be determined in any manner agreed upon between the parties. All that is required is reliable evidence of the terms, and this is the real advantage of writing. If the agreement is reduced into writing it will require a 1*s.* stamp. "Inquirens" is referred to a table of stamp duties for the amount of duty payable. J. P.

— A parol agreement for any period not exceeding three years may be enforced: (sect. 2 Statute of Frauds). By the 23 Vict. c. 15, the distinction between an agreement and a lease has ceased to exist; and there is no exemption from duty, though the rent be under 5*l.* The tenancy may be created for a quarter only at the rent of 5*l.*, and then the *ad valorem* duty would be 6*d.*: (17 & 18 Vict. c. 83, s. 24.) J. P.

— A written agreement is not necessary to create a quarterly tenancy, if the rent reserved amount to two-third parts of the full improved value: (Statute of Frauds, s. 2.) If the parties think proper to record the terms of their bargain, the memorandum must be impressed with a 1*s.* stamp: (see 13 & 14 Vict. c. 97; 17 & 18 Vict. c. 83, s. 23; and 23 Vict. c. 15.) P. W. B.

Stockton.

MORTGAGE.—With a slight qualification, I concur in the very lucid answer contained in your last number. "D. H." says a mortgage of the equity of redemption should be by grant simply (as distinguished from an appointment). Now, premising that almost any instrument is sufficient to operate as a mortgage of an equitable estate, I must say, that if a regular deed be framed it may as well be technically correct; and I deferentially submit that the same should not be by a grant *simpliciter*, but by appointment and grant. My opinion is based on the following propositions:—First, a second mortgage takes effect in equity, rather than at law; secondly, an appointment by way of mortgage, although operating at law as a full execution of the power, is in equity only a partial execution thereof; *ergo*, thirdly, the second mortgage should be by appointment and grant. I refer "D. H." to Sugden on Powers, 4th edit. 283. J. P.

Exeter.

STATUTE OF FRAUDS—ACCEPTANCE.—I think your Driffield correspondent "D. H.," in last week's paper, will find that the case of *Tarley* v. *Bates*, 10 L. T. Rep. N. S. 50, bears materially upon the points raised by him. A. W. E.

Worcester, 10th Oct. 1865.

— As the facts are stated, I am of opinion that an action

is sustainable against B. for the value of the horse. It is presumed that it was at the express wish of B. that the horse remained in the possession of the vendor. The true criterion is, has the vendor's position been changed by any act of the vendee into a bailee for him? I would refer "D. H." to the case of *Marvin* v. *Wallace*, 25 L. T. Rep. 362, Q. B., where a complete verbal bargain had been made for the sale of a horse by the plaintiff to the defendant: the plaintiff, before there had been an actual delivery of the horse, asked the defendant to lend him the horse for a short time, as he had two or three journeys to make. The defendant assented, and the horse remained for a fortnight with the plaintiff, and was used in those journeys and afterwards sent to the defendant, who refused to receive him. In an action for the price of the horse the jury found that after the bargain was complete the defendant, as owner, gave the plaintiff permission to keep the horse for a short time, and on a rule to show cause why this decision should not be set aside, it was held that there was a sufficient acceptance to satisfy the Statute of Frauds. Crompton, J., in delivering his judgment in this case, stated that it is analogous to cases in which goods sold are in a warehouse or on a wharf, and the purchaser goes to the wharfinger and says, "You hold them for me." That is a sufficient acceptance within the Statute of Frauds, though there is no visible change of possession. A. Z.

Derby, Oct. 10th, 1865.

— To take such a case as that stated by "D. H." out of the operation of the statute, it is not only essential to show an *acceptance* by the vendee, but it must be shown also that there has been a *delivery* of the goods by the vendor, with an intention of vesting the right of possession in the vendee. Upon the facts stated, I do not think there has been such a delivery in this case. The sale by B to C. would, no doubt, be evidence to go to the jury of an acceptance, but in order to make it such an acceptance as to satisfy the statute, it must appear that there was a *delivery*. To constitute a delivery within the statute, the possession must have been parted with by the owner so as to deprive him of his right of lien. Here, A. never in any way parted with possession of the cow, and there is nothing from which a *constructive* delivery may be inferred; neither is there anything whatever to show the abandonment by A. of his lien. I think, therefore, that there was no sufficient *delivery* to satisfy the statute, and that A. cannot successfully maintain an action against B. (*See Bill* v. *Bament*, 9 M. & W. 36; *Morton* v. *Tibbett*, 15 Q. B. 428.) C. A. N.

— *Tempest* v. *Fitzgerald*, 3 B. & Ald. 680, seems to be in point. The defendant, in August, agreed to buy a horse, which he was to fetch away when he went to the Doncaster races, about the 22nd Sept. It was a ready-money transaction. On the 20th Sept he saw the horse, caused it to be taken out of the stable, and he and his servant galloped and leaped it. At the defendant's request, and to oblige him, the plaintiff agreed to keep the horse for another week. On the 27th the defendant returned with the intention to take the horse away; but it having died on the previous day, he refused to pay for it. At the trial the judge told the jury that if the acts done by the defendant were acts of ownership they must find for the plaintiff, which they did; but a new trial was granted. Lord Tenterden said, "that the defendant had no right of property in the horse till the price was paid; he could not, therefore, exercise any right of ownership. If he had ridden away with the horse on the 20th Sept., the plaintiff might have maintained trover." The other judges concurred. The distinction between this case and *Blenkinsop* v. *Clayton*, in 7 Taunt., is, that there the contract was not for ready money. P. W. D.

Stockton.

THE LAW LIBRARY.

A Pocket Digest of Stamp Duties, with the Judicial Decisions thereon, &c. By THOMAS B. VACHER. Sixth Edition. London: Vacher.

A very complete book, corrected by the legislation of last session. The duties are arranged alphabetically, and short notes state the most important decisions of the courts upon the various stamps. This is not all. Full instructions are given for the use of stamps, the calculation of progressive duty, how to deal with instruments improperly stamped, as to re-executed instruments, penalties and disabilities, the denoting and adjudication stamp, and the allowance of spoiled stamps. An Appendix contains a table of the Stamp Acts from 1815; tables of the *ad valorem* duties formerly payable; and of the present *ad valorem* duties; and rules for calculating legacy and succession duties. The size fits it for the pocket, or to lie upon the desk ready for reference. Moreover, it is very neatly printed. No office can be well furnished without it.

BOOKS RECEIVED.

Chitty's Collection of Statutes, with Notes thereon. Third edition. Containing all the Statutes of Practical Utility in the Civil and Criminal Administration of Justice to the Present Time. By W. N. WELSBY and EDWARD BRAVAN, Esqrs., Barristers-at-Law. 4 vols. London: Henry Sweet, Chancery-lane, and Stevens and Sons, Bell yard.

Odds and Ends. No. 8. Essays by an Old Man. No. 1.—In Memoriam—Vanitas Vanitatum — Friends. Edinburgh: Edmonston and Douglas.

The Principles and Practice of Medical Jurisprudence. By ALFRED SWAINE TAYLOR, M.D., F.R.S., &c., &c. London: Jno. Churchill and Sons, New Burlington-street.

Valuations of the Life Liabilities of the Royal Insurance Company for the Quinquennial Period ending Dec. 31, 1864; also results of an investigation into the Mortality experienced between the years 1845 and 1864, both inclusive, shown by various Tables and Diagrams. By PERCY M. DOVE, F.S.S., &c., &c. London: Truscott, Son, and Simmons.

LEGAL OBITUARY.

RALPH LEIGH, ESQ.

We regret to have to announce in our obituary column the death of Ralph Leigh, Esq., who for nearly thirty years has filled the important office of clerk of the peace for this borough. The deceased gentleman had been ailing for some time, and within the past few days his illness was considered very serious, so that the melancholy event, could not be said to be wholly unexpected, though this will not tend much to lessen the grief which will be felt by a large circle of relatives and friends, who entertained for the deceased a respect which could scarcely be too highly estimated. Mr. Leigh was appointed clerk of the peace for the borough of Wigan in Jan. 1836, on the passing of the Municipal Corporation Act, and it is beyond all question that he fulfilled the duties of his office in a manner which could not possibly have been more satisfactory. He was also one of the clerks to the county magistrates, and the bench ever had reason to be well pleased with the mode in which his portion of the business was transacted. In his profession as a solicitor, no man in Wigan ever stood higher, and both here and in the conduct of his private affairs he was remarkable for a rare integrity which of itself was sufficient continually to widen the circle of his friends, and to increase the friendship of those who had already learnt to know and to respect him. In politics Mr. Leigh was a staunch Liberal, but he never took a very prominent part in the contests which have agitated the borough, and it was not possible that his straightforward political conduct could lessen that esteem which was always felt for him by his opponents. Mr. Leigh was sixty-three years of age.—*Wigan Observer.*

LAW SOCIETIES.

ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE.

DEPARTMENT OF JURISPRUDENCE AND AMENDMENT OF THE LAW.

Sheffield, Oct. 5, 1865.

Sir ROBERT PHILLIMORE was the president of this department. He opened the proceedings this morning with the following

GENERAL ADDRESS.

The title of the department over which I have the honour on this occasion to preside, seems to have been chosen with care. The province of jurisprudence alone has been a subject of much dispute among institutional writers. Writers of eminence have confined it to the consideration how the existing law of a particular state may be brought into most effectual operation; but, without entering into the inquiry whether this opinion be even etymologically correct, at all events, the title, "Jurisprudence and Amendment of Law," presents to the jurist a subject of deeper thought and wider grasp, extending his office beyond the investigation of the historical fact of mere instituted law to the further inquiry as to the relation which such law bears to the whole system of which it is a part, to the consideration not only of what is but what ought to be law, to the examination of the *legum leges*, leading him to contemplate the law not as an isolated subject of a special science, but as one appertaining to the domain of philosophy. Philosophy, worthy of the name, requires for its operation the facts which jurisprudence supplies. Jurisprudence requires the aid of philosophy to marshal and generalise the materials so supplied. For law must be in a state of continual progress and development, adapting itself to the varying and manifold necessities of civilised man. No line of demarcation ought to be drawn between the theoretical and practical jurist. Theory, without a treasury of facts, is an idle pastime. Practice, without a knowledge of principles, is a blind mechanism. It is because law must be in a state of progress that it continually presents two aspects to the jurist, accordingly as he considers it as a history of facts or as a system of principles. In the latter point of view the relation of each part to the whole is to be considered, and it is then seen that law is not a mere aggregate of legal propositions, but an orderly distribution of them, in proper subordination to a central principle. Among the prominent advantages of meetings like the present are—first, the opportunity which they afford for free discussion, undisturbed by any political elements, attended, at the same time, by a recollection of the severe scrutiny to which the opinions expressed during its sittings are certain to be exposed—not only at the time, by those who take part in their discussion, but hereafter, and generally by competent persons, whose attention to the subject is more attracted than it otherwise would be by the publicity of these proceedings. Secondly, the international character of the meeting having for its immediate object to obtain, by comparison of the laws of foreign countries, and by the experience of foreign jurists, information upon the deficiencies of English law, and on the possibility of applying remedies to them; having for its more distant object, perhaps, the hastening of that day, foretold by the great orator and statesman of antiquity, when a general observance of the same principles of law upon the chief subjects affecting the wants and interests of humanity shall help to bind together the nations of the earth in the bonds of unbroken peace. And here I cannot help adverting with great satisfaction to one feature in the American Civil War, now happily closed. The belligerent rights of the United States came into frequent conflict, or, I would rather say, frequent contact with the neutral rights of other States, especially those of Great Britain. But a code of international law existed which England had enforced when belligerent, and to which she cheerfully and at once submitted when neutral. The United States Prize Court has applied—I speak generally—with good faith and much judicial ability the principles of the *jus inter gentes* to the particular cases which were brought before it, and the peace of the world has been preserved, which, had no such law been recognised, would have been probably exchanged for a long and bloody war. The excellent papers of Sir James Wilde and Mr. Reilly are, in truth, both due to this association, and most valuable contributions they are, not only to our juridical literature, but to the real progress of legal reform. They deal with the very important questions of a digest and a code. The more these subjects are examined the better. Through discussion, written and oral, true principles upon this as upon other departments of science will fight their way through the many difficulties which obstruct their progress. I venture, therefore, at the risk of being censured for travelling again over ground already so ably trodden, to take advantage of this occasion to express the reasons which have had weight with my mind upon these subjects. I suppose that the number who think that the present system of jurisprudence and legislation in England incapable of great improvement is very limited. There cannot surely be many educated persons who think that it is an *à priori* desirable state of things that the law of a country, teeming with wealth and population, should be scattered over thousands of volumes of reports and more thousands of statutes, or that a fiction of the continual existence of an unwritten law applicable to all our wants ought to conceal the fact that no such law ever did exist. Mr. Mayne indeed points out in his admirable work on ancient law the good service such fiction has done in its time; in fact, that by recourse to it English judges were enabled to avoid administering injustice. The same remark applies to the separate system of equity, both have practically been the means, however circuitous, of giving reality and life to the moral conceptions of the people. It cannot surely be reasonably contended that a proposition of law which can be clearly stated in a judgment of court or a statute cannot be as clearly stated in a clause of a code. Great accuracy and precision of language are requisite certainly, but equally for both; both will be equally subject to criticism and investigation in whatever cases require their application. The objection, therefore, that a code would deprive us of the advantage we derive from the application of principles supposed to be *in gremio judicis* ready for all circumstances, is really good for nothing. We know that this is not the fact; we know that the judge, in the absence of a direct precedent recorded in a judgment, or stated in some work of received authority, has recourse to reasoning from the analogy of decided cases, and not to any repository of jurisprudence; and that if the reasoning from analogy fail the judge cannot supply the want, which he acknowledges and deplores, but must have recourse to the Legislature. In such cases, therefore, until the remedial statutes be enacted justice cannot be done. In a very recent case—worthy of attention upon many grounds, the question being whether the prosecutor might call witnesses to rebut the evidence of good character given by the prisoner—a point, most strange to say, never before decided, one of the judges is reported to have expressed himself to the following effect: "The doubt on my mind is this: the law of England is the law of practice and precedent; what has been the practice for years constitutes the law, and when precedent or practice is found to be wrong the Legislature sets it right." I venture to think that a code is the goal to the ultimate attainment of which our exertions should be directed. A digest, indeed, must necessarily precede, but it cannot be a substitute for a code. A digest is the collection of materials out of which the house is to be built; but it is from their subservience to this end that they are really valuable. A digest of English law alone is truly an arduous task, but the contributions to it are already many and rich, though they are widely scattered

and leave much unprepared. A digest of cases, both at common law and equity, under proper heads—and such we have—lightens the labour of the jurist who prepares the digest of principles; his labour is still further aided by the publication of leading cases, round which are grouped what ought to be legitimate children of the parent principles enunciated in the first case; still further by treatises of acknowledged merit upon particular branches of the law, such as "Abbot on Shipping," or the treatises of Lord St. Leonards, which always exhaust their subject. The separate jurisdictions of law and equity in this kingdom are often said to present an insuperable obstacle to a code. But if this separation be proved by discussion and reasoning to be evil on this as well as on other accounts; if that enlightened public opinion which is naturally and invariably in advance of existing law demands the fusion of the two systems, who can doubt that this fusion is only a question of time—that it is as certain as the triumph of any other sound principle relating to social progress in this free country. Meanwhile a proper digest at the present time would show how the principles and practice of common law are checked, or modified, or aided by the Court of Equity, and the road would be paved to amalgamation. Then, as to the digest of the statute law. Every Act which on a particular subject repeals all existing enactments, and embodies in itself whatever has been found useful in them, supplying whatever defects judicial decisions or the course of events have exposed in them, and adding whatever social necessities seem now to require, or whatever is good in foreign jurisprudence upon the same subject—such a statute as the Merchant Shipping Act, for instance—is a little code in itself on the particular subject. The same course, Mr. Greaves points out in his introduction to the Criminal Law and Consolidation Act, might be pursued with regard to the law of landlord and tenant, and the remark applies to many other subjects. But might not the digest of which I have such exalted notions still further extend its usefulness, and perform its functions as the precursor of a code? Might not the propositions of law taken from these sources be accompanied by a statement of the propositions contained in the Roman "*corpus juris civilis*," upon the same subject? Why is this rich mine to be left unworked? There is no doubt that the Roman law was introduced into England at a very early period. The Ecclesiastical Court kept alive the spark (to use an Homeric expression) of that noble jurisprudence. The Ecclesiastical Chancellors of the Court of Equity founded their system upon it, and many maxims from it, supposed to be of English origin, were strictly taken from it by judges of the common law. But various causes, too long now to dwell upon, prevented the introduction of that carefully matured and most refined system (which Liebnitz pronounced to have approached mathematical perfection in the accuracy of its rules for the conduct of men in the affairs of civil life) into the general jurisprudence of England. But, in the absence of these causes, it took early and deep root in the continental states. On the European continent law anticipated the usual stages by which it naturally arrives at maturity. If you analyse the process by which a system of law is built up in any country, you will find that the mere conception of right and wrong, "between whose endless jar (Shakespeare so well says) justice resides," is first implanted in the individual, is further extended by the authority of the head of the family. It appears next in the usage of the tribe, and then the circle widens till it becomes the rule which governs the conduct of the whole community. It is in this last stage that law becomes the subject of philosophical treatment. But the Roman law was placed at once by the side of the rude cradle of the law of the barbarous races of the continent, and the infant grew up by the side of the adult man. This was not in every respect an advantage. The science of jurisprudence was so much in advance of other sciences that it was for some time isolated from the general intellectual life of the community. It seems to have generated a distinct school of theoretical and political lawyers whose opinions were perhaps somewhat crudely blended in the existing codes. For the codes of Austria and Prussia were not affected as the code of France was by political exigencies. In France two principal circumstances gave rise to the code—the havoc caused by the revolution in all jural relations springing out of feudal law, and the political necessity of abolishing the peculiar customs of the separate provinces, in order to strengthen the system of centralisation. To us in England the careful and discriminating study of the Roman law presents at the present time almost every conceivable advantage. It affords us upon many subjects—especially the law obligations—an unrivalled system of law in which philosophy and practical sense, and what we call law and equity, were, from the very peculiar circumstances of its growth, wonderfully combined and reconciled, a system which has stood the test of eight centuries, and which lies at the root of the jurisprudence of the civilised world. Those who are afraid that the native strength of our indigenous justice may be violated by the foreign element, are no more to be reasoned with than those were who thought that the study of Michael Angelo and Raphael would destroy the native excellence of our indigenous painters,—and such persons there have been. What attractions such a work would possess. How different an aspect would it give to English jurisprudence. What a noble domain of judicial science acquired in spite of their disadvantages by the labours of our forefather, now hidden in reports and entangled in cases, would be then revealed. How many intellects of the highest order, trained by classical education for the greatest effects, would be attracted to the Bar which now turn away in disgust from the barbarous, uncouth, disorderly heap which is now presented to the view of the bewildered student. Such a digest, acceptable to every educated man, would render certain at no distant date the legislative enactment of the principles which it contained. This would be embodied in a code which would do honour to our country. But I do not mean to represent a code as a final adjustment of the law. As years roll by and experience increases and new circumstances arise, alterations will be required. Indeed, after any considerable lapse of time the body of the law of any State ought to be examined, and, as it were, interrogated whether it fulfils its duty with respect to the needs of existing society. The weeds will spring up in the fairest herbage, but ignorance alone conceives them to be necessary for its growth; the earth accumulates over the noblest monuments of architecture, but the blindest antiquary knows that it does not contribute to their ornament or use. The error which springs up round all human institutions must be from time to time cleared away, and the inheritance preserved and improved. Nor can it be contended that any code will render commentaries unnecessary. Such a result is impossible while human thought is conveyed through so imperfect an instrument as human language. But it is asked—who is to prepare this digest? And who is to pay the industry and talent which must be employed upon its construction? Though neither of these questions could be answered satisfactorily, the argument as to the advantages incident to a digest as preparatory to a code would remain the same. I should not despair of the success of private energy, but I do not abandon the hope that Parliament, which votes 600,000*l.* or 800,000*l.* for the education of the people, will see the expediency of voting a few thousands to the object of inducing competent persons—and such are to be found on the bench and at the bar—to a matter so intimately connected with the interests of the people as the improvement of the common law. Parliament will do this, if public opinion demands it, and by such meetings as the present the public attention is attracted to the subject. Nevertheless, much as I desire to see a well-constructed code of English law take the place of our present chaos, I deprecate with all my energy the premature compilation of one. The observations of the wise and learned Savigny, a worthy successor of Donellus, are well worthy of attention, though I am afraid they are about to lose some of their force in my translation. He is speaking of the Ulpian Code. "The principle which lay at the bottom of all these codes was the same—a principle which had for some time produced a great number of separate laws or enactments in many States. It was a desire to escape from the difficulties which had arisen, partly through the conflict of Roman and German institutes of law, partly through the imperfect theory and the frequently vacillating practice of the last centuries. This end could, in truth, only be attained when a purging of these defects of jurisprudence by an acute critical investigation had first taken place. But, inasmuch as this was wanting, and as therefore the compilation of these codes was undertaken under the influence of the then imperfect state of judicial science, which it was intended to remedy, the improvement was necessarily external, accidental, and partial, while the internal and real defects became stereotyped, and thereby the future purification of them by the native vigour of science was, if not entirely prevented, at least rendered a task of much greater difficulty." These words seem written for the admonition of those who are anxious for the codification of our law. It is one of the evils incident to a sudden awakening of long dormant energies directed to the improvement of any department of social life, that legislative measures are proposed which have the double vice of carrying the office of the legislator beyond the limits within which human law can successfully operate, and of treating men as if their nature could be altered by human positive law. Perhaps the unsurpassed sagacity of Adam Smith is in no passage more conspicuous than that in which he strives to impress upon the Legislature, and especially the Reformer, the necessity of remembering that human creatures cannot be dealt with like the pieces upon a chessboard, which are subject only to the movements impressed upon them from without, whereas, in the game of life, every separate piece has a principle of movement of its own, independently of that which any external power can impose upon it. The game is only played well, if it be allowable to carry further the illustration, when the two principles are brought into harmonious action. There is another mischief incident to the same period of agitation—though the agitation itself is to be hailed as full of benefit to mankind, and immeasurably superior to the period of torpid acquiescence in admitted evil because of the danger of change—the mischief of hasty empirical legislation, the rash cutting of a knot which the mind has not patience or skill to untie. I regret to say that the most striking apposite examples which at present occur to me are derived from the legislation relative to the Church and the institution of marriage during the present century. With respect to the Church—the stores of ecclesiastical jurisprudence neglected, unknown, or despised by indolence, ignorance, or presumption; the keen sense of a present evil, the eager determination to get rid of it at any cost; the mistaking the symptom for the malady—conspired to produce the hasty statute which, like the medicine topically applied by a quack, increased in other parts the disease which it skimmed over in one. The hasty statute leads to another to explain, another to alter, probably another to repeal. "We had no notion that this would be the effect of the statute. We did not know that its interpretation, according to legal maxims, would bring it into contact with the other principle which it is of vital consequence to maintain." These are remarks which I have more than once had occasion to hear when the mischief was done. The over-restlessness, combined with ignorance of popular legislation, produced pretty much the same result as meddling, benevolent, ignorant despotism. But, in truth, this particular instance, by legislation for the Church, only illustrates the blot of our Statute-book. What is the main cause of its incoherent mass and tangled perplexity? The absence of system which springs from neglect of the true principles of jurisprudence and legislation. With respect to legislation on the institution of marriage, there was grave subject for complaint in the state of the law which governed the obligations of the marriage contract previously to the year 1858. The relief which passed under the name of divorce *a mensâ et thoro* was slow and expensive. The dissolution of the marriage bond, divorce, properly so called, was theoretically unknown to the law of England, but could be obtained in certain cases by those who were rich enough to procure a private Act of Parliament. A reform was certainly needed; but was there ever a subject which ought to have been more entirely removed from the area of political parties, which ought to have been preceded by a more cautious consideration of the principle and the details upon which the reform ought to proceed? The question lay at the very root of society. Independently of religious opinion, the dissolubility or indissolubility of the marriage bond was the question which, of all others, most deeply affected the morality and welfare of the people. I will not on this occasion dwell upon the experience which the working of the Divine statutes has furnished; but I wish to observe that "*vestigia nulla retrorsum*" is not always the language of an enlightened reformer of the law. To undo a mischief which has been unadvisedly done under the name of a reform is as much an improvement of the law as the removal of an original grievance. If our experience confirms that of France, which tried for several years and then abandoned the same experiment; if it tends to show that the opinion of philosophers, statesmen, and divines, fortifying by their divergence on other subjects their agreement on this—that the interests of society require the indissolubility of the marriage bond, that indissolubility should become law. Meanwhile, if the improvement of our law does not keep pace with the wishes of sanguine reformers, it is at least satisfactory to observe that it is not at once in a state of complacent and applauded stagnation, as the stream flows, however sluggishly, in the direction which the wishes and wants of society point out. The work of purging and consolidating the statutes—a work with which the late Lord Chancellor's name will always be honourably connected—continues its useful course. Questions of further legal reform have been discussed; some have been enacted by the Legislature during the last session: probably no year will be suffered to pass away unmarked by some contribution to the good object of repairing and improving, by pulling down as well as by building up portions of that great edifice of the law, on the proper structure and condition of which our welfare so greatly depends. The illustration which I have borrowed naturally suggests that a measure of reform more intimately connected than perhaps appears to superficial observers both with the better administration of existing law and indirectly with the future progress of jurisprudence may be now considered as secured to the country—I mean the construction of proper courts of justice, and the abolition of those which are now a source not only of grave inconvenience but positive ill-health to the judge and the advocate, as well as an expense and a delay to the suitor, independently of the consideration of their shabbiness and discreditable unsuitableness to the grandeur of the kingdom. It is a great satisfaction to me to reflect that the report of the commission of which I had the honour to be a member has at last borne fruit and that the Legislature has decreed that money derived

from certain funds derived from accumulated fees, for which there was no legitimate claimant but the State, shall be expended upon the erection of one Palace of Justice, whereby all courts of justice will be brought under one roof, upon a convenient site, and on a scale adequate to the great purpose for which they are built. Let us hope that the new Palace of Justice will inaugurate an improved law. In the inconvenient, unhealthy, and mean courts the English judges have done their duty; from the awkward fiction and the feudal theory justice has been wrested by the keen intellect, the manly sense, and the free heart of the English judge. But the English judges will do their duty at least as well in a court of proper dimensions and due proportions, and English justice will be administered at least as well when it is derived from the perspicuous language of a written law, founded upon acknowledged principles of universal right, applied by sound philosophy and tried experience to the affairs of man. I observe that one of the questions chosen for discussion at this meeting is the expediency of removing the remaining restrictions on the admissibility of evidence in civil and criminal proceedings. The history of the law on evidence in all civilised countries, but especially in this, is very interesting and instructive. None, perhaps, better illustrates the merits and defects of the English system of administering justice. In looking back upon the different epochs of this curious history, we cannot fail, on the one hand, to observe the practical good sense, the consequent dread of collateral issues, the love of fair play which struck out, not originally by statute, but by clear judicial exposition, the general limits within which evidence should be restrained; on the other hand we must observe the subsequent technical manipulation of those principles, their gradual settling down into an arbitrary system in which the end was often sacrificed to the means. It is instructive to look back from our present vantage ground upon the obstinacy with which the attempts to widen these limits were long resisted, the deafness to the argument that the restrictions, in their anxiety to prevent temptations to perjury and the misleading of juries, in truth shut out the best evidence of the fact under discussion, the struggles of enlightened judges to convert questions of competence into questions of credibility in order to prevent the gross failure of justice, the increasing uncertainty of this branch of the law, the powerful protest, in spite of its many defects of temper, style, and language, of Bentham; the timid nibbling which preceded Lord Denman's great statute of 1843, which contained in its honest and vigorous preamble the memorable recital—"Whereas, the inquiry after truth in courts of justice is often obstructed by incapacities created by the present law, and it is desirable that full information as to the fact in issue, both in civil and criminal cases, should be laid before the persons who are appointed to decide upon them, and that such persons shall exercise their judgment on the credit of the witnesses adduced, and on the truth of their testimony." The conclusion, indeed, fell far short of the enlightened and philosophical premises; probably, however, the Legislature was not ripe then for further progress. We trace the onward course, and in subsequent legislation—partly by direct statutes upon the subject, and partly by clauses in particular statutes—we see the peculiarly English mode and manner by which reason and philosophy have gradually triumphed over the inveterate prejudices of so-called practical man. The triumph is, I think, not yet complete. While any objection to the competency of a witness remains, evidence will be shut out from the court which not only the judge and the advocate connected with the case, but every sensible man, knows would, or at least might, throw light upon the fact in controversy—or, in other words, would lead to the discovery of the truth. The principal argument for continuing the exclusion of the prisoner's evidence is, that it would be contrary to the spirit of our law and constitution to compel the accused person to bear testimony against himself, and that if he refused to answer the question put to him he would practically bear this testimony. I am not struck by the force of this argument; the object is to discover the truth, not to shield the criminal. Then, the rule operates severely against the innocent man. It has happened that the accused person found guilty in the criminal court has been a witness upon the subject as to which he was found guilty in a civil court; and that upon hearing his evidence, and seeing his demeanour, the jury have arrived at a conviction of his innocence of the offence for which he has been condemned. Nor is this phenomenon confined to proceedings in the civil court; it has happened that the defendant has become, as in a late case, the prosecutor in a criminal case of the person who prosecuted him; and then the situations being reversed, the late prosecutor's mouth being closed and the late defendant's opened, the late prosecutor has been found guilty of perjury in the evidence by which the late defendant was convicted, and is suffering punishment. The preamble of the Act for amending the law of evidence and practice on criminal trials recites that "it is expedient that the laws of evidence and practice on trials for felony and misdemeanor and other proceedings in courts of criminal judicature should be more nearly assimilated to that on trial at Nisi Prius." This is a considerable improvement on the previous state of the law. It is again instructive to look back and trace the steps which led to it. At common law no counsel was allowed to a prisoner put upon his trial for treason or felony, and Lord Coke discovered and approved the reason, "because," said he, "the evidence to convict a prisoner should be so manifest that it cannot be contradicted." The injustice of the rule became apparent, and was, as usual, evaded, not altered. The judge at first allowed counsel to instruct the prisoner how to interrogate the adverse witness. The statute 7 Will. 3, c. 3, provided that a prisoner might be defended by two counsel, but no further progress was made till the reign of the next William. The statute of the 6 & 7 Will. 4. c. 114, allowed all persons on trial for felony, and all accused persons in cases of summary convictions, to make answer by their counsel or attorney. And now this last statute of last session assimilates the law of practice as to the speeches of counsel in criminal trials to that which prevails in civil courts. The exclusion of the evidence of the husband and wife as to the fact of adultery is most unsatisfactory upon every ground. For in the Divorce Court the question of the admissibility of the evidence of the husband or wife in the matter of adultery depends (such has been the careless structure of the statutes) upon the form of the suit—being admissible in one kind of suit and inadmissible in another, the fact of the adultery being at issue in both. The law of evidence as to persons charged before magistrates in cases of summary conviction appears still more indefensible; but I will not anticipate the observations which will be addressed to the Congress on this point. Upon the interesting question of private international jurisprudence, relating to the expediency of establishing a uniform international law of freight, we are certain of hearing from the gentleman to whose hands the subject has been confided an excellent paper; also, on the questions of municipal law relating to bankruptcy, and the bearing of the administration of the poor law upon the reform of criminals, we have also reason to expect much valuable information. The treatment of convicted criminals appears to me one of the most arduous and perplexing subjects which it has ever been the duty of a Legislature to consider. The records of the jurisprudence and policy of the most civilised nations of antiquity furnish no materials for our guidance in this matter, and no Christian State can be said to have arrived at a satisfactory conclusion respecting it. Certainly our own experiments have been hitherto unsuccessful; though it is only just to add that, latterly at least, our failure has in great measure arisen from the absence of physical resources which some other nations possess, and which, till lately, whatever use we made of them, we had ourselves. The area within which the reformation of our criminals is to be worked out is no longer a large and ample territory; the scene is no longer removed from the associates and objects connected with their guilt. It is within the walls of a narrow space in this densely-populated land in which the crime was committed, and in which land the criminal, when his sentence has expired, is to earn his future livelihood, that the theory of the amendment of the criminal by prison discipline has been necessarily put to the test. Nobody denies that for the greater number of offences, limited imprisonment, with or without hard labour, is the necessary punishment. The convict must go into prison, but he must also come out, and the condition in which he comes out affects the interests of society quite as much as the power of putting him in. If he is practically taught or internally convinced that he has ever forfeited the position of an honest man—that the world's hand will ever be against him, whatever be his repentance and amendment—in most cases his exit will be as much to be dreaded by society as that of a wild beast, retaining all the ferocious passions of his original nature, but endowed with intellect, and informed by experience how to gratify them with least personal danger. The discipline of the prison should be such as to inspire not only horror for the punishment but sorrow for the crime, not only regret for the past, but hope for the future. In these last words lies the problem to be solved. But even as to sentences of imprisonment for life, ought there to be written over any gaol, "Abandon all hope, all ye that enter here;" or ought not the hope of bettering their condition—perhaps of ultimately regaining their liberty—to be seen, even by those who have merited this terrible sentence, through the long vista of continual toil and penitential discipline? The question of capital punishment is also on the paper for discussion. There are those who think that society has no right to inflict this punishment; there are others who admit the abstract right, but deny the expediency of inflicting it, and upon various grounds, but chiefly, I observe, because the scandalous scene of a public execution attracts the base and demoralises the good. Surely, however, this publicity is not a necessary incident to the maintenance of capital punishment. The horror which it ought to excite for the crime would run no risk of being converted into compassion for the criminal if the execution took place under proper guarantees and precautions within the prison walls. The arguments against this much-required reform have never seemed to be sufficient; at all events, it deserves to be well considered. There are other topics of much interest proposed for the consideration of this Congress, on which the passing hour admonishes me not to dwell. Let me, in conclusion, observe that it has not been permitted to many, as it has been to our illustrious president, to witness the reaping of the harvest sprung from the grain which his own hand scattered over what once appeared very unpromising ground. But let no man who contributes an honest endeavour to the melioration of the law be disheartened by the present rejection of his proposal. "*Nitor in adversum*" must be the motto of all reformers. The seed which he sows may lie long in the earth before it ripens. It may be that, like Romilly, Mackintosh, and Grenville, he will never behold the fruit of his labour. The outward man perishes, but the thought which he has uttered for the benefit of his fellow-citizens survives; the lamp which he has kindled is not extinguished, but passed on to other hands for the future welfare of mankind; and perhaps there are not many reflections more soothing to the close of life than the recollection that you have used the talent which God has given you in the endeavour, however humbly, to improve upon earth the administration of that justice which is only perfect in Heaven.

At the conclusion of the address, the several sections proceeded to consider the subjects appointed for them.

Section A. debated the propriety of establishing an international law of freight. Several deputies from the Continent were present, and took part in the discussion. Opinion was unanimously in favour of an international law of average, but there was considerable difference as to what that law ought to be.

Law of Bankruptcy.

Section B. was presided over by Lord Brougham and was fully attended throughout the day, the subject for consideration being *the Amendment of the Law of Bankruptcy*. It was opened by Mr. Moffatt, M.P., with a very interesting and exhaustive paper, from which we take some of the most important passages. The paper opened with an historical review of legislation in connection with this question, the importance of which the hon. member said it was impossible to over-estimate, remembering that while the income of the country was 100,000,000*l.*, its annual loss by insolvency was 50,000,000*l.* or upwards. The false principle contained in the assumption that it was the duty of the law to provide the honest bankrupt with a discharge had been the fruitful source of the expense, uncertainty, and dissatisfaction attendant on bankruptcy proceedings. As matters stood, owing to the unwillingness of creditors to go into court, assets were practically confiscated. A return recently obtained from the Registry of Deeds-office, in Chancery-lane, showed that out of upwards of 300 cases of composition twelve were for less than 1*s.* in the pound, forty-nine at 1*s.*, seventy-one between 1*s.* and 2*s.*, 112 between 2*s.* and 3*s.*, fifty-three between 3*s.* and 4*s.*, and five exceeding 4*s.* The following return with regard to composition showed the rapidity of growth of dishonesty in these arrangements, the general prosperity of the country having been similar at the two periods.

	Year ending June 6, 1863.			Year ending June 6, 1864.		
Rate in £.	No. of Composition Deeds.		Amount of Debt.	No. of Composition Deeds.		Amount of Debt.
Under 5*s.*	151	...	£284,967	423	...	£360,806
At 5*s.*	150	...	177,014	283	...	419,827
Under 10*s.*	135	...	221,428	216	...	572,606
At 10*s.*	92	...	143,561	119	...	325,953
Under 15*s.*	29	...	83,671	44	...	246,562
At 15*s.*	9	...	30,330	12	...	59,375
From 15*s.* to 20*s.*	39	...	77,048	70	...	191,043
	635		£1,038,019	1176		£2,384,677

The results, however, in the case of compositions might be counted honest and desirable compared with the frauds perpetrated under deeds of arrangement and assignment. No preliminary proof of debt was now required. The statement of affairs by a firm might include claims to any amount, and such a declaration of the small value of the assets as would render a settlement beneficial to no one but the insolvents themselves. A meeting of creditors was convened, creditors grumbled, the meeting was adjourned for weeks, and then it was resolved either to accept a composition or to wind-up under assignment and inspection. Creditors, however large their stake, were usually occupied with their own mercantile affairs, and were individually unable or unwilling to insist on further investigation, when only the rateable value of the increased dividends accrued to them. The deed of inspection having been executed by a majority in number representing three-fourths in alleged value, all the creditors were bound thereby. Hence it might constantly happen that nearly one-fourth of the creditors dissentient really represented three-fourths of the creditors *bonâ fide*. The latter were not only defrauded of any right as dissentients, but of any right as regarded the insolvent or his after-acquired property, and had only to look to trustees who might have

been appointed through the arrangement of the insolvent for such portion of the realised assets as they might be rateably entitled to. A Parliamentary return showed that in the year ending the 11th Oct. 1864 there were 7224 bankruptcies, and of the total amount collected (677,000*l.*) the official costs came to 140,000*l.*, leaving only 530,000*l.* available for division. 6600 out of these 7224 were bankrupts on their own petition, and of these 5324 paid no dividend at all; in the other 848 cases the dividend being less than 2*s.* 6*d.* in the pound. Yet such was the marvellous laxity of the law, or wondrous honesty of the bankrupts, that only 80 of the entire number were refused their discharge. A Parliamentary return, issued only the other day at his own instance, was even more startling, for it showed that, while in the year ending Oct. 1863 bankruptcies had occurred under deeds of assignment for 1,015,000*l.*, under composition-deeds for 373,000*l.*, and under deeds for inspectorship for 198,000*l.*, in the year ending Oct. 1864 there had been bankruptcies under deeds of assignment for 5,725,000*l.*, under composition-deeds for 2,497,000*l.*, and under deeds of inspectorship for 600,000*l.*; and in the six months ending April 10, 1865, the bankruptcies under the deed of assignments were at the rate of 13,450,000*l.*, for the year, those under composition-deeds at the rate of 8,872,000*l.*, and those under deeds of inspectorship at the rate of 10,612,000*l.* for the year—making in the whole year, assuming that the rate continued, a total of 32,950,000*l.* The results, however, of the Bill of 1861, deplorable as they appeared to be, were not fairly chargeable upon its author. The appointment of a chief judge in bankruptcy with powers equal to those of a judge in equity would effectually have checked most, if not all, of the abuses that had been developed, and consequently many of the present disadvantages were to be attributed to the action upon the Bill of the House of Lords. With such facts before them, and finding that the English witnesses scarcely suggested any practical remedy, the committee had directed their inquiry very largely to the Scotch system, which collected and distributed insolvent estates with rapidity, equity, and economy, and had recommended the adoption of that system to a large extent in England, whereby abolishing in great part the English law of bankruptcy. The new system would give facility to determine insolvency at the instance of one or more of the creditors, and it would also give prompt security to the creditors. A paid trustee or curator would be chosen by them, and the estate would vest in him, with full power to collect and distribute, and to admit or reject claims, subject to an appeal to the judge, or revision by one or more appointed creditors. He would convene the creditors at fixed stated periods and keep the accounts. Creditors would vote and rank in respect of the balance due to them after deducting the value of all securities, including bills of exchange and other obligations. The assets when collected would be lodged in a bank, and accounts would be rendered in full to the Accountant-General in Bankruptcy, who would certify to their accuracy before the trustee was paid. This system had the great advantage of putting the collection and management of the assets into the hands of a person immediately responsible to the creditors, paid by them, and punishable by them for fault or misconduct. It involved little or no State machinery, no expenses such as the creditors willingly and by agreement incurred. So far as the great question of realisation and distribution of assets was concerned, this system imported from Scotland would present a marked improvement upon anything which England had heretofore experienced. Mr. Moffatt detailed the other recommendations of the committee—that a bankrupt should be discharged on paying 6*s.* 8*d.* in the pound, or in six years from the date of adjudication; that imprisonment for debt should be abolished; that criminal acts should be punished in the criminal courts; that a power of appeal should exist; that the present courts should be abolished, and the law consolidated, and said the question of the recovery of small debts had been left untouched in this inquiry as involving entirely different considerations. Some thought it would be better if there were no bankrupt law at all. But admitting that the State undertook anomalous duties in collecting and distributing insolvent estates, the custom had become so interwoven with our commerce that it might be more advisable to simplify and amend than to destroy the system. In endeavouring to account for the continued failures which had taken place in endeavouring to amend the bankrupt system, Mr. Moffatt said it must be remembered that they had been legislating between debtor and creditor, one of whom had violated a contract while the other suffered thereby. Law was bound to maintain the inviolability of contracts, but this principle was practically reversed in every instance in which a creditor was compelled to give other than a voluntary acquittal to the debtor for the unsatisfied portion of his debt. This point lay nearest to the root of the matter, and if public opinion could be brought to the conclusion indicated by Lord Westbury, the process of further legislation on the point would be comparatively simple. Lord Lyndhurst in 1844, and a commission in 1840, reported against the proposal to retain the liability for unsatisfied debts upon after-acquired property. But in support of the principle it was argued that liability would only attach to actual property acquired, and would stand behind all debts and engagements entered into subsequently to the bankruptcy; the bankrupt, moreover, gaining in the estimation of society as a man who was making restitution. In the present day cases of repayment from after-acquired property were very rare, while under the old insolvent law, where they could be rendered compulsory, they were much more frequent. In France and other countries after-acquired property was liable, and it was urged that to the English bankrupt law the world was indebted for the public repudiation of the sacred duty of restitution. Such liability, moreover, would check fraudulent impositions and arrangements, the frequency of which had drawn from one judge the remark that our laws made it seem a tradesman's duty to his family to fail once in his life. The proposition adduced twenty years ago that a borrower of 1000*l.* ought not to be absolved from liability by an intermediate liability to pay the loan, with others of equal truth, had lost none of their force by age. It might safely be assumed that no one became insolvent, even to the extent of 2*s.* in the pound, without knowing it. The abolition or coercion upon the creditor to give a discharge without payment in full would induce early disclosure by the insolvent; and when the dividends were large, as they invariably would be if insolvency were declared as soon as discovered, creditors would much prefer an immediate settlement even to the modified delays or costs of the Scotch system.

Mr. Hadfield, M.P. thanked the hon. member for his interesting paper. He was aware of the defects of the existing law, but he felt the greatest difficulty in providing a remedy. The plan proposed for the adoption of the Scotch law had much to recommend it, and he should give it very careful consideration when it came before him in Parliament. But he thought that a chief judge was required who should frame a law adapted to the requirements of commerce, as they were presented day by day.

Mr. W. Hawes, President of the Council of the Society of Arts, thought that the difficulty had arisen from the failure to carry out the principles of the Act of 1849. That contained penal clauses in the shape of powers given to the commissioners to grant or withhold certificates, according to the conduct of the bankrupt. The commissioners had wanted the courage strictly to enforce these clauses. If they attempted to do so there was usually an appeal, and then the Lords Justices reversed the decisions of the commissioners, so that fraud went unpunished, and the result was the astounding figures that had just been read to them. He was very decidedly opposed to the general scheme of the plan that had been submitted. He considered that limiting the discharge to a payment of 6*s.* 8*d.* in the pound would be a grievous wrong to the unfortunate debtor, and for six years would deprive him of all chance of doing anything to restore himself to the world. He hoped such a Bill would not be accepted by the Legislature.

Mr. Edward W. Cox (Recorder of Falmouth), said he also objected to the plan proposed by Mr. Moffatt that it would operate too harshly against misfortune and not severely enough against fraud and misconduct. The objects of all Bankruptcy Laws in all countries had been, first, to relieve traders who had become insolvent through mischances unavoidable in trade, and secondly, to punish debtors who had been guilty of fraud or other misconduct in contracting their debts. The proposal of Mr. Moffatt swept away both of these principles on which all Bankruptcy Law was, or should be, based, and left misfortune to the mercy of creditors and gave impunity to fraud. It suggested that the punishment of wrongs by debtors should be left to the criminal law. But that law could touch only positive frauds, and these with difficulty, not merely from the too frequent sympathy of jurymen having a fellow-feeling, but also from the excessive difficulty of defining fraud so as to distinguish it from breach of trust. Seeing these difficulties, he ventured to suggest a reform of another kind. Where laws were continually tinkered and not amended, but rather made worse by every attempt to amend, we may be pretty sure that we are wrong at the foundation that we are proceeding on some erroneous principle. May it not be so here? He ventured to assert that we *are*. He believed this error to lie at the foundation of our Bankruptcy Law: we had assumed the bankrupt to be unfortunate and thrown upon the creditor the burden of proving him guilty. This was an error. Insolvency—that is to say, taking our neighbour's goods without paying for them—was *prima facie* a wrong which ought to throw upon the bankrupt asking the benefit of the protection of the law the proof that he was entitled to that protection by being the victim of misfortune, and not as a consequence of any fraud, or fault, or folly of his own. (Hear, hear.) So as there are wrongs committed by bankrupts that do not amount to crimes, but yet are grave social injuries which ought to have some punishment, a good Bankruptcy Law would vest in a judge the power to inflict penalties of some kind proportionate to the amount of such wrong. If these two principles were recognised, he was satisfied there would be no difficulty in framing a law of bankruptcy which should avoid all the frightful evils revealed by the startling statistics read by Mr. Moffatt, without going the extreme length of abolishing the good and the bad together, in despair of any improvement of the existing law. (Hear, hear.)

Mr. Hastings reminded the meeting that this subject had been discussed at Birmingham in 1857; he had then strongly advocated the adoption of the Scotch system. The consideration then given to it by the association had no doubt contributed to the result they now witnessed of the recommendation of this system by a committee of the House of Commons. He entirely approved the suggestions of Mr. Moffatt.

Mr. Grimley, of Liverpool, Mr. Wilson, and other gentlemen addressed the meeting, most of them objecting strongly to the propositions of Mr. Moffatt's paper.

Reformatories and Prisons.

Mr. Forsyth, M.P. was in the Chair.

In the Reformatory Section, presided over by Mr. Forsyth, M.P., the Rev. W. L. Clay read a paper, in which he described the recent amendments introduced into the English convict prisons, especially the mark system, which is now in full operation in the public works prisons. He advocated some further improvements at Pentonville and Millbank, and the adoption of "intermediate" prisons, giving a full description of that established already at Broadmoor. He then drew attention to the recent Gaol Act, and urged the advantages of a "mark" system in gaols, such as that recently set on foot at Winchester.

Mr. T. B. D. Baker followed with a paper on the "Deficiency of the Reformatory Element in Common Gaols," and urged that prisoners during the later portion should be transferred to reformatories, on the same general plan as those in use for juvenile criminals. He offered the use of his own reformatory at Hardwicke for the purpose of a first experiment.

Mr. Saunders, Recorder of Bath, argued that crime was generally the result of ignorance and necessity, and that the proper remedies were industrial education and a better provision for employing discharged prisoners.

Mr. Seymour Teulon contended that before the prisoner was transferred from the gaol to the reformatory he should have proved his willingness to work, and his capacity for maintaining himself in whole or in part.

Mr. A. O. Charles pointed out that reformatories where the inmates were not under compulsory detention had failed.

Miss Carpenter advocated an "intermediate" stage for ordinary prisoners as well as for convicts, and urged that Mr. Baker's offer should be accepted.

Mr. Sheppard (late Governor of Wakefield Gaol), said that it was only with long sentences that reformatories could be used, as the criminal should first undergo a long period of sharp punishment under a mark system. He showed that the separate system was not productive of insanity; and strongly maintained that sentences for repeated offences should increase in severity according to a fixed scale.

The Rev. Thomas Hutton (late Chaplain of Northampton Gaol) contributed a valuable paper, with the title, "Some Observations on Criminals, with Notes on the Causes of Crime."

Friday, Oct. 6.

Evidence in Criminal Cases—Prisoners as Witnesses.

The subject of discussion to-day was, "Is it expedient to remove any, and what of the remaining Restrictions on the Admissibility of Evidence in Civil and Criminal Cases?"

Dr. Waddilove read the first paper. At the present time the following kinds of evidence were inadmissible: firstly, that of parties, whether plaintiff or defendant, in any action for breach of promise of marriage; secondly, the parties in any suit instituted in consequence of adultery; thirdly, persons charged with indictable offences, who could not give evidence for or against themselves; fourthly, the evidence of husbands and wives of persons who were defendants in any criminal proceedings; fifthly, the wives of supposed paramours, who were made co-respondents in suits for dissolution of marriage or for damages by reason of adultery; sixthly, in cases of high treason and misprison of treason (other than such as consists in injuring or attempting to injure the Queen's person), those persons who are not included in the list delivered by the defendant pursuant to statute; and lastly, all persons insensible to the obligation of an oath. Dr. Waddilove then went on to argue that all these restrictions, except the two last, should be removed; parties in actions for breach of promise of marriage should be competent to give evidence either for or against each other; parties to suits in consequence of adultery might be competent

and compellable to give evidence for or against each other; the persons charged with criminal offences might tender their own evidence, subject to cross-examination, in order to clear themselves of the charge; and lastly, that husbands and wives should be competent and compellable to give evidence for or against each other in criminal as well as civil trials. These views were argued out by Dr. Waddilove with much legal acumen.

Mr. G. J. Holyoake (of London) read his paper on "Excluded Evidence."

Mr. E. W. Cox (Recorder of Falmouth) said that with respect to the admission of prisoners and their wives as witnesses on their own behalf, he differed entirely from his learned friend. The argument for it had been this: the object of a civil tribunal is to do justice between two parties standing in the same precise relationship to one another; for this purpose the business of the court was to ascertain the very truth and to balance conflicting rights and claims. This end has been found to be best promoted by hearing all the parties concerned; and it was said, "if this be so in civil courts, why not also in criminal courts?" The answer was, because their business is of another kind. On the trial of a person charged with crime the question for the decision of the jury is not a balance of right or wrong between two litigants—it is not even if the prisoner be guilty or innocent in fact, but only whether he has been proved to be guilty. It is for the prosecution having made a charge to prove it—it is not for the prisoner either to answer or to prove his innocence; he is entitled to say nothing, to do nothing, and whatever their suspicions—nay, whatever their belief of the fact, the jury are bound by the law of England to acquit him unless the prosecution proves the charge by positive evidence. The reasons, then, differing, it becomes a question of expediency. He admitted there were a few cases of injustice—one, perhaps, in a hundred—where right would be better done by hearing the prisoner as a witness, and he instanced the cases of Mr. Hatch and Madame Valentin. But he contended it would do wrong in a multitude of cases, and even to the innocent. If the prisoner did not tender himself as a witness to explain suspicious facts, inevitably it would be urged by counsel against him, or it would sway the minds of the jury, and then he would be convicted, not by evidence, but by the absence of it, not by proof produced by the prosecution, but by the absence of proof produced by himself—an entire revolution in our existing law. If tendered, he must be subjected to cross-examination, and a dexterous prosecuting counsel would so confound him by this, that he would be made to appear guilty though innocent in fact. He referred to the cases of summary convictions by magistrates, in which the parties are inadmissible, but where it would conduce to justice if they could be heard, and feeling that there were some cases in criminal courts where justice would be promoted by it, he would suggest a middle course, that would secure the good without the evil, and that was to vest in the judge a discretion to permit the prisoner to be a witness, on application made, if he should consider that it would conduce to the ends of justice. He had sufficient confidence in the judges to be satisfied that this discretion would be prudently exercised. (Hear, hear.)

Mr. T. W. Saunders (Recorder of Bath) said that he also objected to the proposal of Dr. Waddilove, and he did so from experience as a counsel and as a judge. He could not discover the advantages. As it appeared to him, the only difference between the present practice and that proposed was, that whereas now the prisoner could make his statement without oath, he then might make it with oath. But he confidently asked, what weight could a jury give to a prisoner's oath under such circumstances? Would they value the statement more than now? It would be no boon, then, to the prisoner. But it would be a positive disadvantage to him. A clever cross-examination and a reply would probably convict even an innocent man. If the prisoner did not tender himself, the inference would be inevitable that he did not answer because he could not. (Hear, hear.)

Mr. Robert Wilson said that, on the one side we had a certain advantage to the innocent which, he believed, would result from being heard upon oath to explain suspicious circumstances; and on the other, the undoubted violation of this great principle of English criminal law, that no man shall be required to convict himself, but that every man shall be presumed to be innocent until proved to be guilty. But in the social state we must resign something of individual liberty for the common good, and believing that the public would be benefited by the protection thus given to innocence, he was content to lose the advantage of the principle he had named.

Mr. Palmer said that his experience in criminal courts had led him to the same conclusion as that of the two learned recorders who had preceded him, and he believed that the opinion of all who practised in criminal courts coincided with theirs. He could not abandon the English principle of presumption of innocence unless guilt be proved for the sake of a doubtful benefit to a few. He was satisfied that in court it would be no advantage, even to the innocent, and that a much better safeguard than his own evidence was found in the proviso that the prosecution *must* prove him to be guilty. He agreed as to the damaging effect of cross-examination upon a person in the position of a prisoner, and, disguise it as we would, it would really be the introduction of the French system of moral torture by which the endeavour was to make a man convict himself.

The Chairman approved the proposal of Dr. Waddilove.

Monday, Oct. 9.

Local Courts.

The special question to which the sitting was devoted was, "Upon what principle should Local Courts be constituted with reference to extent of jurisdiction and system of procedure?

Mr. H. A. Williams read an opening paper. —He sketched the history and main features of existing local courts, and then unfolded the leading principles on which he considered local courts should be established. They should administer justice in a cheap, ready, and simple, but efficient manner in all ordinary cases, and leave to the higher courts that litigation alone which involved questions of large moment. Every system of local judicature should be as much as possible uniform in its jurisdiction. Nothing could be more unsatisfactory than the existing common law jurisdiction of the County Courts, which was in some cases practically exclusive of, and in others concurrent with, that of the Superior Courts. It was founded upon a number of arbitrary rules, which gave rise to numberless and needless difficulties. When a man had a claim to the amount of 50*l.*, he could go to the local court; but if the amount were 60*l.*, however clearly due, he must send to London and issue a process through an attorney, the expense of which was not usually covered by the amount of the debt. Questions involving title to land, also removed an action from the jurisdiction of the County Courts, unless the parties could be induced to consent. And so in cases of malicious prosecution, libel, seduction, or breach of promise of marriage. It might be that the majority of these causes of action involved interests so large as to make them fit subjects for the decision of a Superior Court; but the determination of that point would be best left to the parties proceeding. It was true that by consent the County Court had power to try any action which might be tried in a Superior Court, but this could only be done by the consent of both parties; and a plaintiff who had a *bona fide* case was at the mercy of his opponent, and had often to abandon part of his claim, that he might not go beyond the local court. If a defendant had any objection to his case being tried in a County Court, for any amount that might be sought from him, he should be provided with the privilege of application to a judge of a Supreme Court to get the case removed.

Mr. H. J. Leppoc, a director of the Manchester Chamber of Commerce, read some remarks on "The Establishment of Tribunals of Commerce or Courts of Arbitration." He contended that commercial tribunals should be based, and were so more or less in all countries where they were established, upon three principles:—1. Judges should be experienced in commercial matters. 2. Prompt, simple, and inexpensive procedure. 3. Rapid execution of the judgments. Now, in all these respects the proceedings in this country were greatly deficient. 1. Decisions were generally given by persons absolutely unqualified for the duty. 2. The expenses which attended legal proceedings, as at present conducted, were enormous, and the procedure complicated in the highest degree. 3. A long period must necessarily elapse between the commencement and termination of an action. It might well excite the astonishment of all men who had paid any attention to this subject, either Englishmen or foreigners, that the greatest trading nation in the world should be content to endure grievances such as had been stated. In order to give effect to the principle of tribunals of commerce in this country, not only was the sanction of the Legislature required, but, what would be still more difficult to obtain, important alterations would have to be made in the existing laws.

Mr. James Hall, a member of the committee of the Newcastle-upon-Tyne and Gateshead Chamber of Commerce, read a paper on Mercantile Courts. Towards the close of the last session a Bill was introduced by the Hon. G. Denman, intituled the "Merchant Shipping Disputes Bill," having for its object the hearing and determining of all differences arising out of freight agreements, demurrage, losses and accidents at sea, salvage, and all other matters connected with the navigating, buying, or selling of ships, and cargoes laden or intended to be laden therein. It was intended to establish by such Bill, in all important seaport towns, local courts to be every day available, a consideration of the greatest importance in shipping matters, and the absence of which courts compels persons in most instances of dispute to submit to injustice, rather than invoke the slow and expensive aid of the existing legal machinery. The proposed courts were to be applied to England only, and to be presided over by a legal functionary in the person of a County Court judge, a commissioner of bankruptcy, or a stipendiary magistrate assisted by not less than two assessors. The number of assessors attached to the court was to be determined according to the importance of the town, and to be nominated by the town council, of which not more than one-third of their own body were to be elected, and the appointment to be confirmed by the Government. The qualification for the office of assessor to be a merchant, shipowner, or manufacturer. The term of office to be three years, and to be honorary. Appeal to lie in all cases above 50*l.* to the Court of Admiralty, or other courts of Westminster. The Government having promised that during the recess they would give the subject their fullest consideration, the Bill was withdrawn. The importance attached to this Bill by the shipping community was shown by the numerous petitions, emanating from the leading seaport towns in England, which have been presented to Parliament in its favour, and the opinion entertained of mercantile courts by Her Majesty's judges might be inferred from the following remark made during a trial in the Court of Queen's Bench, on the 9th June last, when the Lord Chief Justice said that "generally speaking, the ambiguous language of these mercantile documents make them so doubtful that it perhaps would be better if they were referred to a mercantile tribunal. No doubt they are very intelligible to mercantile men, but to lawyers they are full of ambiguities." He trusted that the efforts made to promote the measure referred to would be crowned with success.

Mr. A. Notley (Rotherham) read a paper on Bankrupt Law Amendment.

Mr. Robert Wilson observed, that what was wanted was a system of County Courts to decide in all cases promptly, and, if possible, justly. It might be objected that, instead of enlarging the jurisdiction of County Courts, expedition might be attained by increasing the number of the superior judges; but the higher courts would never work so cheaply as their humbler competitors in the country. He noticed that the litigation of distant residents was provided for by a very clumsy contrivance, a person residing more than twenty miles from another whom he wishes to make a defendant being allowed to bring his action in the Superior Courts; and, except in certain local actions, the law allowed him to choose the county most convenient to himself, the defendant being allowed, under certain circumstances, to change the venue to another county. If this system, however, were found to work well for the Superior Courts, why could not the same thing be done in the County Courts? Why could not a plaintiff be allowed to go to the County Court nearest to his place of business or abode, and bring his action there? If such a system were established, the writ would issue in the court most convenient to the plaintiff, and be served on the defendant through the bailiff of the court nearest his residence; and the County Court summons would serve the purpose just as well as the writ out of the Superior Court. The only difference would be that, if the defendant wished the venue changed, instead of applying to a judge at chambers, he would make the application to the County Court nearest to him. In all cases, however, he would allow an appeal to a Superior Court. He proposed that every County Court should have a jurisdiction over the whole county, a proposition, he believed, which was made by his Lordship (Lord Brougham) a long time ago. Again, why should a suitor in the County Court be stopped at the sum of 50*l.*?

Dr. Pankhurst described the working of the various local courts of Lancashire, which had considerable power, and were found to be very satisfactory to suitors.

Mr. Hastings pointed out that there were two distinct subjects before the section—one as to the establishment of general local courts, and the other as to the administration of notice in mercantile cases. With respect to the latter question, he thought it was better to act against existing tribunals in commercial matters than to create new jurisdictions. He agreed, however, that local courts ought to be entrusted with an enlarged jurisdiction.

Mr. Goulty questioned the utility of entrusting County Court judges with an enlarged jurisdiction when the optional jurisdiction with which juries might invest them was seldom used.

Mr. Hastings replied, however, that such jurisdictions were resorted to to a great extent, and cited the case of Judge Pollock, who had a great deal of that sort of business pressed upon him. With respect to most County Court judges, the fact was that they had not sufficient time to attend to work of that kind.

Mr. Williams having closed the discussion,

Miss Sheddon followed with a paper "On the necessity for the inviolate preservation of Trial by Jury on all great questions of fact." The practical point of the paper was to show that trial by jury was to some extent weakened in its vitality, and the privilege of resorting to it taken away by recent Acts of Parliament, which allowed questions of inheritance, legitimacy, nationality, and others, to be decided by a single judge without a jury. The paper was received with applause.

Mr. Hastings said that, had Mr. Forsyth been

present, he would undoubtedly have expressed his approval of the principle contended for by Miss Shedden. It was thought by many authorities, and by the Judge of the Divorce Court himself, that the right of appeal to a jury should be possessed by persons affected in the cases named. If Sir R. Palmer, who had promised to bring in a Bill on the subject, should fail to do so, the association intended to get a private member to introduce it next session.

Lord BROUGHAM remarked that the opinion of Mr. Forsyth was a strong testimony in favour of Miss Shedden's projected amendment of the law. It was known that Mr. Forsyth was by no means generally and absolutely in favour of jury trials. He had made many objections to it in his able work called "Hortensius;" but he agreed that cases of legitimacy, among others, should be subjected to it. His own (Lord Brougham's) opinion was strongly in favour of the right of persons in cases of legitimacy to appeal to a jury, and that opinion had been expressed, not only there, but in the House of Lords, when a Bill was introduced on the subject, he believed by the late Lord Chancellor, who held the same doctrine in high estimation himself.

THE GAZETTES.

Bankrupts.

Gazette, Oct. 3.

To surrender at the Bankrupts' Court, Basinghall-street.

ABERCROMBIE, ROBERT, surgeon, Arundel-st. Strand. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. Marton, Bargeyard-chambers, Bucklersbury. Sur. Oct. 23.

AMERS, JOHN ROBERT, goldbeater, Grosvenor-rd. St. John's-wood, and Hanover-pl. Oxford-st. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. Marshall, Hatton-garden. Sur. Oct. 21.

ANDRE, PETER FOX, journalist, Prince of Wales-rd. Kentish-town. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sol. Goatley, Bow-st. Covent-garden. Sur. Oct. 17.

ARNOLD, CHARLES RICHARD EDWIN, flour factor, Widegate-st. Bishopsgate. Pet. Sept. 28. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. Oct. 23.

ASHBY, WILLIAM EDWIN, beershop-keeper, Kent-st. Borough. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

BARRY, JAMES, watchmaker, Upper Kennington-la. Vauxhall. Pet. Sept. 30. Reg. Brougham. O. A. Edwards. Sol. Munday, Basinghall-st. Sur. Oct. 23.

BLAGROVE, JOHN EDWARD, provider of quadrille bands, Langham-st. Portland-pl. Pet. Sept. 28. Reg. Brougham. O. A. Edwards. Sol. Brabant, Furnival's-inn. Sur. Oct. 17.

BLAKE, WILLIAM, non-trader, Brighton. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. Oct. 23.

BLEDKARN, JOHN, commercial traveller, Grosvenor-park, Camberwell. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. France, Falcon-st. Sur. Oct. 23.

BROWN, JOHN, late beershop-keeper, Tweed-st. Battersea-park. Pet. Sept. 30. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand. Sur. Oct. 23.

BUTCHER, CHRISTIAN, builder, Brook-rd. Junction-rd. Upper Holloway. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sols. Peck and Downing, Basinghall-st. Sur. Oct. 17.

EYRE, CHARLES ALEXANDER, publisher of a newspaper, Blackman-st. Borough. Pet. Sept. 27. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Oct. 23.

GOLD, GEORGE, law stationer, Dalston-pl. Dalston-la. and Pancras-la. Pet. Sept. 23. Reg. Brougham. O. A. Edwards. Sol. Scott, Basinghall-st. Sur. Oct. 23.

HALE, FRANCIS, farmer, Hampstead Norris. Pet. Sept. 27. Reg. Brougham. O. A. Edwards. Sol. Empson, Moorgate-st. Sur. Oct. 21.

HALL, GEORGE, attorney's clerk, Wootton-st. Cornwall-rd. Lambeth. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand. Sur. Oct. 17.

HOARE, WILLIAM, zinc worker, Howland-st. Tottenham-ct.-rd. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 23.

KING, BENJAMIN, brick and tile maker, Charlwood. Pet. Sept. 30. Reg. Brougham. O. A. Edwards. Sol. Munday, Essex-st. Strand. Sur. Oct. 23.

LANE, EDWARD, provision merchant, Three Nuns-yd. Aldgate. Pet. Sept. 27. Reg. Brougham. O. A. Edwards. Sol. Crammond, Georgest. Mansion-house. Sur. Oct. 17.

LEWIS, CHARLES VALLANCEY, attorney, Regent-st. St. Pancras, and Raymond-bldgs. Gray's-inn. Pet. Sept. 27. Reg. Brougham. O. A. Edwards. Sols. Lawrance and Co. Old Jewry-chambers. Sur. Oct. 17.

PARFITT, HENRY, surgeon, Pall-mall. Pet. Sept. 30. Reg. Brougham. O. A. Edwards. Sols. Pattison and Co. Lombard-st. Sur. Oct. 26.

PEYTON, JAMES, corndealer, Portland-pl. Wandsworth. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sur. Oct. 13.

REYNOLDS, GEORGE WILLIAM, fruiterer, William-st. Lisson-grove. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. Munday, Basinghall-st. Sur. Oct. 23.

SAUNDERS, FRANK CHARLES, manufacturing ironmonger, Southampton. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sols. Linklaters and Co. Walbrook. Sur. Oct. 17.

SHERLOCK, GEORGE, broker, Upper Grange-rd. Bermondsey. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sur. Oct. 13.

WILSON, WILLIAM, teacher of music, Hornsey-st. Islington. Pet. Sept. 27. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Oct. 23.

To surrender in the Country.

ADAMS, RICHARD, shoe manufacturer, Stourbridge. Pet. Sept. 29. Reg. & O. A. Howard. Sol. Price, Stourbridge. Sur. Oct. 16.

ATTWOOD, GEORGE, tailor, Basingstoke. Pet. Sept. 30. Reg. & O. A. Lamb. Sol. Chandler, Basingstoke. Sur. Oct. 14.

BABBAGE, EDWIN JOHN, bookseller, Saint Sidwell and Exeter. Pet. Sept. 29. Reg. & O. A. Daw. Sol. Fryer, Exeter. Sur. Oct. 16.

BATHAM, JAMES, attorney, Kidderminster. Pet. Sept. 29. Reg. Tudor. O. A. Kinnear. Sols. Collis and Ure, Birmingham. Sur. Oct. 13.

BOWDEN, THOMAS, innkeeper, St. Thomas-the-Apostle. Pet. Sept. 28. Reg. & O. A. Daw. Sol. Fryer, Exeter. Sur. Oct. 16.

BOYCE, SAMUEL, farmer, Peopleton. Pet. Sept. 28. Reg. Hill. O. A. Kinnear. Sol. Corbett, Kidderminster. Sur. Oct. 27.

BROWNJOHN, JAMES, painter, Portsea. Pet. Sept. 28. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Oct. 23.

CURRIE, WALTER WILLIAM, timekeeper, Freshwater. Pet. Sept. 27. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. Oct. 14.

DONNELLY, JOHN, provision dealer, Darlington. Pet. Sept. 27. Reg. & O. A. Bowra. Sol. Stevenson, Darlington. Sur. Oct. 14.

FORSTER, EDWARD, cooper, Newcastle. Pet. Sept. 26. Reg. & O. A. Clayton. Sol. Forster, Newcastle. Sur. Oct. 14.

GIMSON, EDMUND ATKINS, cabinet-maker, Burton-upon-Trent. Pet. Sept. 21. Reg. Hill. O. A. Kinnear. Sols. Goodger, Burton-on-Trent; and James and Griffin, Birmingham. Sur. Oct. 12.

GOODCHILD, WILLIAM, victualler, Deal. Pet. Sept. 25. Reg. & O. A. Hall. Sol. Everest, Deal. Sur. Oct. 18.

HARRIS, JEREMIAH, out of business, St. Peter-the-Great. Pet. Sept. 28. Reg. & O. A. Crisp. Sol. Wilson, Worcester. Sur. Oct. 16.

HAYHOE, HENRY PARKER, painter, Bury St. Edmunds. Pet. Sept. 29. Reg. & O. A. Collins. Sol. Salmon, Bury St. Edmunds. Sur. Oct. 16.

HITCHEN, THOMAS, builder, Liverpool. Pet. Sept. 16. O. A. Turner. Sols. Thornley and Archer, Liverpool. Sur. Oct. 16.

HORN, JAMES, draper, Crook. Pet. Sept. 26. Reg. & O. A. Trotter. Sol. Thornton, Bishop Auckland. Sur. Oct. 16.

HUDSON, JOHN, stuff merchant, Bradford. Pet. Sept. 22. O. A. Young. Sols. Terry and Watson, Bradford; and Bond and Barwick, Leeds. Sur. Oct. 16.

ISAACSON, ROBERT, hawker, Boston. Pet. Sept. 28. Reg. & O. A. Stanfield. Sol. York, Boston. Sur. Oct. 11.

JACKSON, WILLIAM EDWARD, clerk, Wednesbury. Pet. Sept. 27. O. A. Clarke. Sol. Walker, Wolverhampton. Sur. Oct. 12.

JOSEPHS, WILLIAM LEWIS, victualler, Aldershot. Pet. Sept. 29. Reg. & O. A. Holmes. Sol. Beety, Farnham. Sur. Oct. 19.

KEARTON, DAVID, cotton manufacturer, Livesey. Pet. Sept. 27. Reg. Harris. O. A. Morgan. Sols. Atkinson, Saunders, and Co., Manchester. Sur. Oct. 16.

MANTLE, THOMAS, coaldealer, Sheerness. Pet. Sept. 27. Reg. & O. A. Watson. Sur. Oct. 11.

MUNDY, EDWARD, ironmonger, Coventry. Pet. Sept. 16. Reg. Hill. O. A. Kinnear. Sols. Pain, Banbury; and Wright, Birmingham. Sur. Oct. 12.

ORDISH, THOMAS, innkeeper, Fazeley. Pet. Sept. 30. Reg. Hill. O. A. Kinnear. Sol. Edwards-Wood, Birmingham. Sur. Oct. 26.

PINKNEY, WILLIAM, railway porter, Leeds. Pet. Sept. 29. Reg. & O. A. Rider. Sol. Mason, York. Sur. Oct. 18.

RATHBONE, JAMES, heckle pin hardener and temperer, Leeds. Pet. Sept. 28. O. A. Young. Sol. Granger, Leeds. Sur. Oct. 16.

SCORE, JAMES, beershop-keeper, West Cowes. Pet. Sept. 28. Reg. & O. A. Blake. Sol. Joyce, Newport. Sur. Oct. 14.

SCOTT, HUGH, poultry and bacon dealer, Liverpool. Pet. July 17. Reg. & O. A. Hime.

SLACK, GEORGE, out of business, Sheffield. Pet. Sept. 5. O. A. Young. Sol. Unwin, Sheffield. Sur. Oct. 13.

SMITH, JOHN, innkeeper, Burnley. Pet. Sept. 30. Reg. Harris. O. A. Morgan. Sols. Backhouse and Whittam, Burnley; and Cobbett and Wheeler, Manchester. Sur. Oct. 23.

SWINDELLS, JOHN, out of business, Hulme. Pet. Sept. 25. Reg. & O. A. Key. Sol. Law, Manchester. Sur. Oct. 24.

TERRY, PERCIVAL, and TAYLOR, DANIEL, builders, Batley. Pet. Sept. 28. Reg. & O. A. Nelson. Sur. Oct. 14.

WILDSMITH, JAMES HENRY STAPLES, chemical and artificial manure manufacturer, Church-bridge, near Cannock. Pet. Sept. 28. Reg. Tudor. O. A. Kinnear. Sols. Langman, Wolverhampton; and James and Griffin, Birmingham. Sur. Oct. 16.

WOODS, JAMES, farmer, Gatcombe. Pet. Sept. 29. Reg. & O. A. Blake. Sol. Hooper, Newport. Sur. Oct. 14.

Gazette, Oct. 6.

To surrender at the Bankrupts' Court, Basinghall-street.

BAINBRIGGE, WILLIAM HENRY, gentleman, Wolvesley-palace, Winchester. Pet. Oct. 4. Reg. Brougham. O. A. Edwards. Sols. Chappell and Co. Golden-sq. Sur. Oct. 26.

BENNETT, SAMUEL FREDERICK, linendraper, Sheerness. Pet. Oct. 22. Reg. Hazlitt. O. A. Graham. Sols. Preston and Dorman, Basinghall-st. Sur. Oct. 18.

BOWEN, THOMAS LEE, pewterer, Great Brook-st. Borough. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Wood and Bing, Basinghall-st. Sur. Oct. 18.

BRYANT, WILLIAM, draper, Wellington. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Hackwood, Walbrook. Sur. Oct. 18.

CARME, EUGENE, lava tablet agent, Gerrard-st. Soho. Pet. Sept. 22. Reg. Brougham. O. A. Edwards. Sol. Bramwell, Basinghall-st. Sur. Oct. 23.

COLES, JOHN, licensed carman, John-st. Minories, and North-st. Bethnal-green. Pet. Sept. 30. Reg. Brougham. O. A. Edwards. Sol. Mirfin, Staple-inn, Holborn. Sur. Oct. 26.

CRONIER, JOHN, bootmaker, St. Mary's-rd. Hoxton. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. Oct. 18.

FRY, FANNY, spinster, lodging-house keeper, Gt. Ormond-st. Pet. Sept. 24. Reg. Brougham. O. A. Edwards. Sol. King, Queen-st. Sur. Oct. 23.

FYNMORE, THOMAS EDWARD, commission agent, Upper Sydenham. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Appleby and Co. Southampton-st. Bloomsbury. Sur. Oct. 18.

GRIMMER, JOHN SMITH, journeyman miller, Carlton Colville. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sol. Tower, Lower Thames-st. Sur. Oct. 18.

HART, WILLIAM, jun., out of business, Tooley-st. Southwark. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st. Sur. Oct. 18.

ISAACS, LOUIS, and ISAACS, BARNARD, merchants, Houndsditch, and Melbourne, Australia. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Lewis, Ely-pl. Sur. Oct. 16.

JAFFERSON, ALEXANDER, clerk in War-office, Epsom. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sol. Hodgson, Salisbury-st. Strand. Sur. Oct. 18.

JARMAN, DANIEL, cowkeeper, Great Sutton-st. St. John-st. Clerkenwell. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. Buchanan, Basinghall-st. Sur. Oct. 23.

KINGDON, THOMAS, agent, Tavistock-st. Bedford-sq. Pet. Sept. 21. Reg. Brougham. O. A. Edwards. Sols. Hillyer and Fenwick, Fenchurch-st. Sur. Oct. 23.

MARDON, LAWRENCE, leadealer, late Mincing-la. and London-st. Fitzroy-sq. Pet. Sept. 30. Reg. Brougham. O. A. Edwards. Sur. Oct. 19.

MARSHALL, JOHN FIGHTLING, attorney, Langham-st. St. Marylebone. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sols. Ashurst and Co. Old Jewry. Sur. Oct. 26.

PEBBLES, JAMES, builder, Bromley. Pet. Sept. 26. Reg. Brougham. O. A. Edwards. Sols. Willoughby and Cox, Clifford's-inn. Sur. Oct. 26.

THIELE, WILLIAM, house decorator, Edwards-st. Portman-sq. Pet. Aug. 16. Reg. Hazlitt. O. A. Graham. Sol. Longstaffe, Berners-st. St. Marylebone. Sur. Oct. 17.

THOMAS, EDWARD, builder, formerly Ebury-st. Pimlico. Pet. Oct. 4. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Oct. 18.

WEBB, CHARLES BENNETT, out of business, Luton. Pet. Oct. 4. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Co. Walbrook. Sur. Oct. 18.

WHEATLEY, JOHN, and WHEATLEY, GEORGE, pea merchants, Walton-on-Thames. Pet. Oct. 3. Reg. Hazlitt. O. A. Graham. Sol. Bell, Abchurch-lane. Sur. Oct. 16.

WICKENS, GEORGE, out of business, Rye-la. Peckham. Pet. Oct. 1. Reg. Hazlitt. O. A. Graham. Sol. Porter, Coleman-st. Sur. Oct. 18.

WOOLLEY, GEORGE ROBERT, accountant, Dartford. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Miller and Stubbs, Philpot-la. Sur. Oct. 18.

YATES, GEORGE WILLIAM, picture dealer, Richmond. Pet. Sept. 29. Reg. Brougham. O. A. Edwards. Sol. Chidley, Old Jewry. Sur. Oct. 23.

To surrender in the Country.

ATKINSON, GEORGE, farmer, Bearcroft. Pet. Oct. 2. Reg. & O. A. Marshall. Sols. Messrs. Emsley, Leeds. Sur. Oct. 19.

BAGSHAW, CHARLES, Coventry. Pet. Sept. 28. Reg. & O. A. Kirby. Sol. Smallbone, Coventry. Sur. Oct. 24.

BARKER, FREDERICK ANTHONY, journeyman printer, Lincoln. Pet. Oct. 4. Reg. & O. A. Uppleby. Sol. Rex, Lincoln. Sur. Oct. 18.

BENNETT, EDMUND, tobacconist, Chatham. Pet. Oct. 3. Reg. & O. A. Acworth. Sol. Hayward, Rochester. Sur. Oct. 17.

BROOKS, HENRY, clog iron maker, Bolton. Pet. Oct. 2. Reg. & O. A. Holden. Sols. Glover and Haswell, Bolton. Sur. Oct. 18.

CAPLE, WILLIAM HENRY, carpenter, Heatspill. Pet. Sept. 28. Reg. & O. A. Lovibond. Sol. Cook, jun. Bridgwater. Sur. Oct. 14.

CASTLE, JOHN, baker, Chipping Wycombe. Pet. Oct. 2. Reg. & O. A. Parker. Sol. Spicer, Great Marlow. Sur. Oct. 17.

CASTLE, THOMAS, formerly victualler, Solihull. Pet. June 12. Reg. & O. A. Harding. Sol. Clarke, Birmingham. Sur. Oct. 10.

CATLIN, DANIEL, grocer, Cheltenham. Pet. Sept. 23. Reg. & O. A. Gale. Sol. Chesshyre, Cheltenham. Sur. Oct. 23.

CAYFORD, JAMES, innkeeper, Dover. Pet. Sept. 30. Reg. & O. A. Greenhow. Sol. Minter, Dover. Sur. Oct. 17.

CORP, GEORGE, auctioneer, St. John. Pet. Oct. 2. Reg. Wilde. O. A. Acraman. Sol. Wintle, Bristol. Sur. Oct. 17.

CRAUNAGE, JOSEPH, commission agent, Oldswinford, near Stourbridge. Pet. Oct. 2. Reg. Tudor. O. A. Kinnear. Sols. Messrs. Saunders, Kidderminster; and James and Griffin, Birmingham. Sur. Oct. 26.

CRUMP, WILLIAM, beerhouse-keeper, Newport. Pet. Sept. 27. Reg. & O. A. Roberts. Sol. Morgan, Newport. Sur. Oct. 24.

DAVIES, ROBERT JOHN, painter, Rhyl. Pet. Sept. 21. Reg. & O. A. Sisson. Sol. Williams, Rhyl. Sur. Oct. 31.

EVANS, WILLIAM, joiner, Llandudno. Pet. Oct. 2. Reg. & O. A. Hughes. Sol. Jones, Conway. Sur. Oct. 18.

FISHER, JOHN, labourer, Orton. Pet. Sept. 19. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. Oct. 19.

GOFFIN, ROBERT, schoolmaster, Exton. Pet. Sept. 27. Reg. & O. A. Sheild and Hough. Sol. Law, Stamford. Sur. Oct. 14.

GURLEY, WILLIAM, jun., farmer, Aston-juxta-Birmingham. Pet. Oct. 4. Reg. & O. A. Guest. Sol. Duke, Birmingham. Sur. Oct. 30.

HADAWAY, AUGUSTUS WILLIAM, baker, Chatham. Pet. Oct. 2. Reg. & O. A. Acworth. Sol. Hayward, Rochester. Sur. Oct. 18.

HAND, WILLIAM EVANS, tailor, Newark-upon-Trent. Pet. Oct. 2. Reg. & O. A. Newton. Sol. Ashley, Newark-upon-Trent. Sur. Oct. 18.

HARTSHORN, JOSEPH, late packer, Greenhayes. Pet. July 11. Reg. & O. A. Hulton. Sur. Oct. 21.

HAYWARD, JAMES SAMUEL, iron merchant, Liverpool. Pet. Sept. 23. O. A. Turner. Sur. Oct. 17.

JEFFERSON, THOMAS, late greengrocer, Accrington. Pet. Sept. 23. Reg. Harris. O. A. Morgan. Sur. Oct. 17.

JOHNSON, EDMUND, lace manufacturer, Basford. Pet. Oct. 2. Reg. Tudor. O. A. Harris. Sol. Heath, Nottingham. Sur. Oct. 24.

LANCASTER, JOHN, innkeeper, Caldbeck. Pet. Oct. 2. Reg. & O. A. Wore. Sol. Stamper, Wigton. Sur. Oct. 18.

LUNT, SAMUEL, publican, Wheelock. Pet. Oct. 2. Reg. & O. A. Latham. Sol. Sheppard, Crewe. Sur. Oct. 17.

MARLOW, BERNARD, provision dealer, Liverpool. Pet. Sept. 13. O. A. Turner. Sur. Oct. 11.

MILLERSHIP, JOSEPH, chartermaster, Westbromwich. Pet. Sept. 28. Reg. & O. A. Watson. Sol. Shakespeare, Oldbury. Sur. Oct. 13.

MORRIS, MARTIN, draper, Walsall. Pet. Sept. 23. Reg. Hill. O. A. Kinnear. Sols. Duignan, Lewis, and Lewis, Walsall. Sur. Oct. 17.

PETERS, FREDERICK, brewer's traveller, Cardiff. Pet. Oct. 2. Reg. & O. A. Langley. Sol. Ingledew, Cardiff. Sur. Oct. 24.

POYNER, JOHN, wheelwright, Tipton. Pet. Sept. 21. Reg. & O. A. Walker. Sol. Lowe, Dudley. Sur. Oct. 21.

RATCLIFFE, JOHN, builder, Stafford. Pet. Oct. 3. Reg. Hill. O. A. Kinnear. Sols. Brough, Stafford; and Hodgson and Son, Birmingham. Sur. Oct. 27.

ROBOTHAM, WILLIAM, joiner, Burslem. Pet. Oct. 4. Reg. & O. A. Challinor. Sol. Sutton, Burslem. Sur. Oct. 28.

SANDERSON, ISAAC, marine store dealer, Hollingworth. Pet. Oct. 2. Reg. & O. A. Hibbert. Sol. Reddish, Glossop. Sur. Oct. 18.

SCOREY, ARTHUR, jun., baker, Minstead, New Forest. Pet. Sept. 28. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. Oct. 1.

SHEPHERD, THOMAS, farmer, Barrow-upon-Soar. Pet. Oct. 2. Reg. & O. A. Brock. Sol. Giles, Loughborough. Sur. Oct. 18.

SPIKE, EDWARD PEARCE, chemist, Cheltenham. Pet. Oct. 2. Reg. & O. A. Gale. Sol. Boodle, Cheltenham. Sur. Oct. 20.

TAYLOR, HELEN, cart owner, Liverpool. Pet. Oct. 4. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool. Sur. Oct. 17.

BANKRUPTCIES ANNULLED.

Gazette, Oct. 3.

BEMAN, RICHARD, boot and shoe maker, Bridgnorth. Aug. 1.

DAVIS, FRANCIS, zinc manufacturer, Holloway-rd. May 11.

GALT, JAMES EDGECOMBE, keeper of a refreshment-room. April 2.

Gazette, Oct. 6.

MATTHEWS, NORMAN, out of business, Framlingham. June 26.

SMITH, JOHN BENNETT, teacher of music, Stockwell. July 13, 1863.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignee is given, to whom apply for the Dividends.

Blagburn, J. J. and R. grease merchants, &c., first, 10s. Latham, Newcastle.—*Dove*, E. hosiery dealer, first, 1s. 4d. Morgan, Manchester.—*Evans, Stafford, and Stansfield*, cotton manufacturers, first, [illegible] Morgan, Manchester.—*Grimsley*, J. yarn agent, first, 9d. Morgan, Manchester.—*Lawrence and Mortimore*, leather and hide factors, third, 3d. Edwards, London.—*Mortimore*, W. leather and hide factor, third, 2s. Edwards, London.—*Walker*, G. yarn dealer, &c., first, [illegible] Morgan, Manchester.

Assignment, Composition, Inspectorship, and Trust Deeds.

Gazette, Oct. 3.

AINSWORTH, JOHN PEACHEY, cheesemonger, Cranley-ter. Fulham-rd. Sept. 26. 5s. by two equal instalments at 1 and 2 mos.—secured.

ARMITAGE, JOSHUA, yarn agent, Blackburn. Sept. 11. 2s. 6d.

ATTY, WILLIAM THOMAS, grocer, Nottingham, and Basford. Sept. 18. 4s. in 14 days. Trust. E. Castleton, [illegible], Nottingham.

BIOLETTI, JAMES ALBERT, hairdresser, Liverpool. Sept. 26. To pay 20s. by six instalments of 3s. 4d. each, at 3, 6, 9, 12, 15, and 18 mos. Trusts. J. Calderbank, oil merchant, E. Gregory, [illegible], and G. Peel, ironmonger, all of Liverpool.

BROADLEY, JAMES, butcher, Smallbridge, near Rochdale. Sept. 7. 2s. on 1st Nov. next.

CLARK, WILLIAM, linendraper, Ramsgate. Sept. 7. Trusts. E. G. Barron, King-st. Cheapside, and F. D. Kain, Milk-st. Cheapside, warehousemen.

CULLEN, CHRISTOPHER, corndealer, Holland-pl. Clapham-rd. Sept. 19. 5s. by two instalments—3s. on 26th Sept. and 2s. on 27th Nov.

EDDINGTON, CHARLES, grocer, Chatham. Sept. 7. Trust. C. Athol, wholesale grocer, Maidstone.

FORD, RICHARD ADAMS, and PAIGE, WILLIAM ADAMS, shirt manufacturers, Poultry and Wood-st. Sept. 26. 7s. 6d. by three instalments of 2s. 6d. at 4, 8, and 12 mos.—secured. Trust. E. Foster, warehouseman, Castle-st. Lawrence-la.

FULLER, REV. HARRY, clerk, rector of Thornhaugh-cum-Wansford. Sept. 5. To pay debts in full with interest. Trusts. W. Upton, draper, Stamford, L. Cherry, draper, Bedford, T. Barnard, J. Barnard, and T. T. Wing, bankers, Bedford, and H. H. Jones, deputy paymaster-general, Whitehall.

GOLSELL, THOMAS, tallow chandler, Southampton. Sept. 4. Trust. W. Edmonds, accountant, Portsea.

GRAHAM, JOHN, farmer, Batemanfold, Underbarrow. Sept. 2. Trusts. W. Proctor and H. Wilson, farmers, Crosthwaite.

HEATH, WILLIAM, draper, Tunstall. Sept. 6. 5s. by two equal instalments, on 4th Dec. and 2nd March—secured. Trusts. J. G. Cope, and J. Thorp, merchants, both Manchester.

HORE, JOHN, and HORE, GEORGE CURTIS, general merchants, Swansea. Sept. 12. 5s. 6d. on 15th Nov. next.

JONES, HENRY JOHN, and HOLDEN, ENOCH TRAFFORD, builders, Southport and Blackpool. Sept. 4. Trusts. O. Hesketh, draper, Churchtown, R. Mather, ironmonger, Southport, J. A. Schofield, timber merchant, Oldham, J. Ward, manager of Hyde Timber Company, Fleetwood, and G. Anderton, glass manufacturer, Manchester.

MCKENZIE, JOHN GORDON, travelling draper, Birmingham. Sept. 1. Trusts. W. Hatton, merchant, Glasgow, J. M. Wilks, manufacturer, Manchester, J. McDonald, draper, Birmingham, and J. Lines, merchant, Bristol.

PEARSON, GEORGE, manager in a cotton-mill, Halliwell. Sept. 2. 2s. in 1 mo. Trust. H. Lomax, attorney's clerk, Bolton.

ROBINSON, THOMAS, painter, Scarborough. Sept. 6. Trusts. T. Newton, lead merchant, and R. J. Tonge, paperhanging dealer, both Hull.

RUSSELL, THOMAS, stonemason, Old Sleaford. Sept. 4. Trusts. J. Baxter, butcher, New Sleaford, and W. Read, dyer, Old Sleaford.

SHIERS, JACOB, dealer in jewellery, Liverpool. Sept. 12. 6s. by four equal instalments at 3, 6, 9, and 12 mos.

SILMAN, LUCY PERSON, grocer, Stow-on-the-Wold. Sept. 1. Trusts. J. Cox, banker, Stow-on-the-Wold, and J. Cotton, [illegible].

SPETCH, ROBERT, milliner, York. Sept. 6. 10s. by three equal instalments, at 4, 8, and 12 mos.—secured. Trust. T. W. Gilibrand, accountant, Manchester.

STEVENS, JOSEPH, greengrocer, Brick-la. Bethnal-green. Sept. 21. 2s. on 2nd Nov.

TURNER, GEORGE, bricklayer, Starrington. Sept. 28. Trust. E. Brigden, ironmonger, Storrington.

TURNER, JOHN, baker, Chester. Sept. 12. Trust. W. Smith, confectioner, Chester.

WHEELER, FREDERICK LEACH, draper, Salisbury. Sept. 25. 5s. [illegible] in 3 mos., and 4s. in 6 mos. Surety, W. Wheeler, [illegible], Romsey.

Gazette, Oct. 6.

BAKER, WILLIAM, tanner, Grange-rd. Bermondsey. Sept. 5. 5s. by three equal instalments at 1, 3, and 6 mos.

BEARD, NEVILLE, hatter, Dover. Sept. 14. 3s.—2s. 6d. on 11th Oct. and 1s. 6d. on 1st Nov.

BELL, MARY ANN, South Shields. Sept. 6. Trust. E. Hudson, [illegible], South Shields.

BENTLEY, JOSEPH, and WHITTLES, THOMAS, silk manufacturers, Leek. Sept. 6. 15s. by three equal instalments, at 2, 4, and 6 mos.—secured. Trusts. W. Bullock, silk manufacturer, Macclesfield, T. Wardle, jun., silk dyer, Leek-brook, near Leek, and J. Gibson, silk manufacturer, Leek.

Chart, John, jun., shopkeeper, Billingshurst. Sept. 22. Trusts. J. Chart, sen., schoolmaster, Newdegate, and W. Lintott, jun., merchant, Horsham. Sol. Medwin and Clarkson, Horsham.

Clark, Fingal, Lewisham. Sept. 30. 5s. immediately.

Clarke, Edward, innkeeper, Manchester. Sept. 14. 5s. by three equal instalments—first 15th Sept., second 15th Dec., and third 15th March—secured. Inspectors, D. Bleackley, brewer, Manchester, and J. Wheater, brewer, Salford.

Cowley, John Philip, timber dealer, Liverpool. Sept. 12. Trusts. H. H. Withers, banker, and W. H. Anthony, timber merchant, both Liverpool. Sols. Harvey, Jevons, and Ryley, Liverpool.

Croome, James Hebbes, tutor, Brighton. Sept. 22. Trusts. J. Corney, grocer, and W. Stenning, butcher, both Brighton.

Davy, Grace, schoolmistress, Leeds. Sept. 18. Trust. G. Richardson, silk mercer, Leeds.

Durrina, Edward, coal merchant, Hove. Sept. 5. 2s. 6d. in 1 mo. from 19th Aug. Trusts. J. Sharp, shipowner, and G. Mechen, shipbroker, both Southwark, Sussex.

Elliott, Henry, commercial agent, Myrtle-cottages, Dalston. Oct. 4. Trust. F. Briggs, merchant, London-wall.

Evans, David, bootmaker, Wolverhampton. Sept. 19. Trust. B. Smith, public accountant, Wolverhampton.

Fielding, Peter, late size manufacturer, Hyde. Aug. 16. 1s. by two equal instalments, on 18th Aug. and 19th Oct. 1865.

Gardner, Frederick, merchant, Walbrook-buildings. Sept. 8. 7s. by three equal instalments, 1st in 7 days, and 6 and 12 mos.—secured.

Geves, John, cabinet-maker, Holbeck. Sept. 9. 2s. 6d. on 21st Nov. 1865, 2s. 6d. on 21st Feb. and 2s. on 21st May 1866.

Gordon, John Down, pianoforte manufacturer, Eldon-st. Finsbury. Sept. 27. 2s. by two equal instalments—1st in 7 days, second in 1 mo. Trust. C. Brystes, wine merchant, Cooper's-row.

Guy, James, jun., tailor, York. Sept. 11. Trusts. G. Duffitt, ironmonger, York, and T. Glover, carver, York.

Healey, Benjamin, gentleman, Canterbury-villas, Maida-vale. Sept. 6. 7s. 6d. in 14 days.

Holloway, Thomas, ironmonger, New Shoreham. Sept. 5. Trusts. E. Goodchild, proprietor of pleasure gardens, New Shoreham.

Howie, James, commission agent, Manchester. Sept. 7. Trust. J. Kerr, public accountant, Manchester.

Hurrell, Robert, jun., merchant, Lower Thames-st., also Charlton-villas, Camberwell. Sept. 27. 1s. on 31st Dec.

Marshall, George, clerk in Her Majesty' customs, Arundel-st. Strand. Oct. 3. To pay debts in full by quarterly instalments of 1s.—first on 1st Jan.

Mehew, Thomas, jun., saddler, Nuneaton. Sept. 8. Trusts. T. Mehew, sen., saddler, Little Weldon, and W. G. Farmer, currier, Hinckley.

Middlewood, Thomas, joiner, Hull. Sept. 18. 2s. 6d.

O'Dwyer, William, timber merchant, Liverpool. Oct. 2. 3s. by two equal instalments on 10th Nov. next, and 10th May 1866.

Oppermann, Charles, watchmaker, Gibson-sq. Islington. Sept. 30. Trust. C. Muller, merchant, Walbrook-buildings.

Overman, Thomas William, farmer, Rotherfield. Sept. 14. Trusts. W. Delves, land agent, Hargate Lodge, near Tonbridge Wells, and J. Hodges, corn merchant, Tonbridge Wells.

Prince, George, butcher, Brighton. Sept. 7. 2s. in 1 mo.

Robertson, John, ironmonger, Strangeways, Manchester. Sept. 16. 5s. by two equal instalments, in 3 and 6 mos.

Rose, William Frederic, no occupation, Belgrave-st. Euston-rd. Sept. 7. 3d. in 3 mos.

Sizer, William, stonemason, Huddersfield. Sept. 13. 5s. by three instalments of 2s. 6d., 1s. 6d., and 1s., at 3, 6, and 12 mos. secured. Trusts. J. N. Siner, veterinary surgeon, and W. Wadsworth, plasterer, both Huddersfield.

Smith, Hugh Wallis, wine merchant, Pall Mall east. Sept. 6. 1s. 6d. in 3 mos.

Spiegelhalder, Anselm, jeweller, Exeter. Sept. 8. Trusts. L. Platnauer, watchmaker, Birmingham, and A. Cridland, draper, Exeter.

Tattersall, William Rolland, draper, Dewsbury. Sept. 9. Trust. J. Atkinson, stay merchant, Swinegate, Leeds.

Taylor, James, farmer, Heathorne, near Clitheroe, and Tranmere. Sept. 12. 7s. 6d.—5s. in 6 mos., and 2s. 6d. in 12 mos.—secured.

Wigg, James, wholesale fruiterer, East-st. Spitalfields. Oct. 3. 3s. in 7 days.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

Gibbs.—On the 7th inst., at Dowsrew, near Barnstaple, the wife of Napoleon Gibbs, of Lincoln's-inn, Esq., barrister-at-law, of a daughter.

Kingdon.—On the 5th inst., at 29, Marlborough-hill, the wife of Paul A. Kingdon, Esq., barrister-at-law, of a daughter.

Kenyon.—On the 5th inst., at 6, Lower Berkeley-street, Portman-square, the wife of J. R. Kenyon, Esq., Q.C., of a son.

Lyne.—On the 8th inst., at Stoatfield, Paignton, the wife of De Castro Lyne, Esq., barrister-at-law, of a son.

Smith.—On the 10th inst., at Riverbank, Putney, S.W., the wife of Archibald Smith, Esq., of Lincoln's-inn, barrister-at-law, of a daughter.

Young.—On the 4th inst., at No. 1, Clarendon-terrace, Kensington, the wife of Francis Young, Esq., barrister-at-law, of a son.

DEATHS.

Gidley.—On the 8th inst., at Exeter, aged 79, John Gidley, Esq., for the last thirty years town clerk and clerk of the peace of that city, some time Recorder of Bradninch.

Rolls.—On the 7th inst., at Banbury, Oxfordshire, aged 58, Richard Henry Rolls, solicitor and borough clerk of the Peace.

Marsden.—On the 14th ult., at St. Ann's-lodge, Rye-common, Peckham-rye, Surrey, aged 32, Ellen Eliza, the wife of Edward A. Marsden, Esq., solicitor.

Investments.

DEBENTURES AT FIVE AND SIX PER CENT. PER ANNUM.

NATIONAL STEAM NAVIGATION COMPANY (LIMITED).

MONEY will be RECEIVED on DEBENTURES at 5 per cent. per annum for one year, or at 6 per cent. per annum for periods of two or three years.

The security offered embraces a capital of 2,000,000*l*., of which 600,000*l*. only has been called up. Other details may be known on application to the Secretary, at the Company's offices, No. 14, The Albany, Old-hall-street, Liverpool.

Dated 20th June 1865.

(By order) JOSEPH TREFFRY, Secretary.

THE ECONOMIC SOCIETY.—LOANS from £100 to £3000 can be immediately obtained, repayable in one sum or upon the following scale of repayments for every £100 advanced, including interest thereon:—

	Monthly.		Quarterly.
For one year	£8 14 2	...	£26 2 6
For five years	2 0 10	...	6 2 6
For ten years	1 4 2	...	3 12 6
For fifteen years	0 19 6	...	2 18 6

For further particulars apply at the office, 118, Pall-mall, London. F. H. GILBART, Manager.

MERSEY DOCK ESTATE.—LOANS of MONEY.—The Mersey Docks and Harbour Board hereby Give Notice, that they are willing to receive Loans of Money, on the Security of their Bonds, at the rate of Four Pounds Ten Shillings per Centum per Annum Interest, for periods of Three, Five, or Seven Years.

Interest Warrants for the whole term payable half-yearly, at the Bankers of the Board in Liverpool, or in London, will be issued with each Bond.

Communications to be addressed to George J. Jefferson, Esq., Treasurer, Dock Office, Liverpool. By Order of the Board.

JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

LOANS ON DEBENTURES.

JOHN BROWN and COMPANY (LIMITED).

Capital One Million, in 10,000 Shares of 100*l*. each.

The Directors are prepared to RECEIVE LOANS for periods not exceeding seven years, at 5 per cent. on the Security of their Debentures.

The Security consists of uncalled Capital to the extent of 600,000*l*., with all the extensive and valuable property belonging to the Company.

It affords a most ample and safe investment for trust and other moneys, all the shares being held by responsible persons. Interest payable half-yearly.

Apply to the Secretary, at the Company's Offices, Atlas Steel Spring and Iron Works, Sheffield.

JOHN HEWITT, Secretary.

DEBENTURES at 5, 5½, and 6 per Cent.

CEYLON COMPANY, LIMITED.

Subscribed Capital, 700,000*l*.

DIRECTORS.

Lawford Acland, Esq., Chairman.

Major-General Henry Pelham Burn.	Duncan James Kay, Esq.
Harry George Gordon, Esq.	Stephen P. Kennard, Esq.
George Ireland, Esq.	P. F. Robertson, Esq., M.P.
	Robert Smith, Esq.

Manager—C. J. Braine, Esq.

The Directors are prepared to ISSUE DEBENTURES for one, three and five years, at 5, 5½ and 6 per cent. respectively.

They are also prepared to invest Money on Mortgage in Ceylon and Mauritius, either with or without the guarantee of the Company, as may be arranged.

Applications for particulars to be made at the office of the Company, No. 7, East India-avenue, Leadenhall-street, London, E.C.

By Order. JOHN ANDERSON, Secretary.

COLONIAL SECURITIES COMPANY (LIMITED).

Share Capital 500,000*l*. First issue, 250,000*l*., in 25,000 Shares of 10*l*. each, on which 2*l*. per share has been called up.

TRUSTEES.

Pascoe C. Glyn, Esq.	Samuel Gurney, Esq., M.P.

George Lyall, Esq., M.P.

DIRECTORS.

The Right Hon. Viscount Bury.	Henry Kingscote, Esq.
Joseph Fry, Esq.	Hugh Edmondstone Montgomerie, Esq.
William Hazlitt, Esq.	Prideaux Selby, Esq.

Bankers—Messrs. Glyn, Mills, Currie, and Co.

Solicitors—Messrs. Freshfields and Newman.

This Company (formed to carry on and extend, under the same management, the business of the Canada Agency Association (Limited), which has been in successful operation for six years) is prepared to receive Money on Deposit, for Investment in First Mortgages upon Real Estate in Canada and other leading Colonies, either to bear 7 per cent. interest guaranteed by the company, or 6 per cent. with the principal also guaranteed.

The Company also issue debentures in amounts of 50*l*. and upwards, for periods of three, five, seven, and ten years, at 6 per cent. per annum, with coupons attached, payable half-yearly, at the bankers of the company, the money so raised being limited to the uncalled subscribed capital of the company.

Further particulars can be had on application to

A. R. ROCHE, Secretary.

80, Lombard-street, London, E.C.

THE LAND SECURITIES COMPANY (Limited).

Capital, 2,000,000*l*. Subscribed 1,000,000*l*.

The Right Hon. the Lord NAAS, M.P., President.

In accordance with the provisions of the Mortgage Debenture Act 1865, the company will make advances, for long or short terms, repayable with interest, at fixed dates, or by instalments, upon the security—

1. Of landed estate, first-class house property, and real property of all descriptions and tenures, and of all estates and interests therein, excluding mineral property, factories and leaseholds with less than fifty years to run.

2. Of rates, dues, assessments and impositions upon the owners or occupiers of lands, messuages, real property, &c., imposed by or under the authority of any Act of Parliament, public or private, Royal Charter, Commissions of Sewers, Drainage, or other sufficient legal authority.

3. Of charges upon or affecting land, and messuages, and real property made, given, or issued under the authority of any Act of Parliament, public or private.

For further information and forms of application apply to the Hon. William Napier, Managing Director, the Land Securities Company (Limited), 22, Charing-cross, London, S.W.

THE LAND SECURITIES COMPANY (LIMITED).

Capital	£2,000,000
Subscribed	1,000,000
Paid up	100,000

President—The Right Hon. The Lord NAAS, M.P.

To Trustees, Solicitors, Brokers, and the Public.

Under the Powers of the Mortgage Debenture Act 1865, the Company are prepared to RECEIVE APPLICATIONS for an ISSUE of their MORTGAGE DEBENTURES, bearing 4½ per cent. interest, secured upon an equal aggregate of mortgages and rentcharges upon real estates, and of rates and assessments upon the owners and occupiers of real estate, deposited in terms of the Act, with the Registrar of the Government-office of Land Registry, 34, Lincoln's-Inn-fields, W.C.

These mortgages and securities, which under the Act can never exceed in amount two-thirds of the value of the estates charged, as certified by a surveyor or valuer approved by the Inclosure Commissioners for England and Wales, are thus absolutely appropriated to the repayment of the mortgage debentures, *which are indorsed by the Registrar as conclusive evidence that the requirements of the Act have been complied with.*

The Mortgage Debentures have also the further guarantee of the Company's uncalled capital of 900,000*l*., so that representing, in fact, fractions of the Company's aggregate of securities and charges on real estate, the Mortgage Debentures, which are transferable by indorsement under hand only, offer an equally safe and yet more convenient and negotiable investment than an ordinary mortgage.

Registers of the Mortgages and Securities thus appropriated, and of the Mortgage Debentures, will be kept in the Office of Land Registry.

Trustees having a general power to invest upon the security of the shares, stocks, mortgages, bonds, or debentures of companies incorporated or acting under the authority of an Act of Parliament, are authorised by the 40th section of the Act to invest in the Mortgage Debentures.

The Mortgage Debentures will be issued for such periods and for such amounts as may suit investors.

Apply to the Honourable William Napier, Managing Director, Land Securities Company, 22, Charing-cross, London, S.W.

TO INVESTORS on MORTGAGE.—8 per cent. offered.—Any gentleman willing to lend the full value on some Long Leaseholds about London (first-class and well let), may address "M.," 5, Springfield-road, St. John's-wood. Several sums accepted. The security will be proved thoroughly safe, and the interest punctually paid by cheques in advance.

TO be SOLD, THREE REVERSIONS.—One-seventh of 2700*l*. odd stock, and one-seventh of 1000*l*. sterling, and one-seventh to 5000*l*. and upwards, Stock and Leasehold Property; also

MONEY REQUIRED.—Four sums of 350*l*., six sums of 250*l*., both in one or more sums; 400*l*. on Houses at Kentish-town.—Apply to Mr. W. Holt, Solicitor, 7, John-street, King's-road, Gray's-inn.

SIX per CENT. SECURED on FREEHOLD PROPERTY in LONDON.—The Directors of the INNS of COURT HOTEL COMPANY (Limited) are ISSUING the remainder of the Company's SIX per CENT. MORTGAGE DEBENTURES.

These Bonds, secured as a first charge on the entire Hotel property, estimated as worth not under 120,000*l*., are issued for three, five, or seven years, with coupons attached for payment of interest half-yearly, and investors have the option of paying in full or by three instalments.

The Company cannot borrow more than 40,000*l*.

H. T. L. BEWLEY, Secretary.

Offices of the Company, 63, Lincoln's-inn-fields, Oct. 1865.

MORTGAGES.—Messrs. GREEN and SON'S MORTGAGE LIST forms a special department for the registration of amounts for investment on mortgage, and also of securities on which money is required. It affords great facilities to borrowers generally for immediately obtaining the sums they seek, and also to solicitors, trustees, and capitalists for prompt investment. The amounts on the list (in some cases very large) are for advance on mortgage (or deposits of deeds) of freehold and copyhold land, house properties, reversions, bonds, debentures, preference shares, and all marketable securities.—Green and Son, Auctioneers and Estate Agents, St. Michael's-house, St. Michael's-alley, Cornhill.

TITLE ASSURANCE.—Doubtful and Defective Titles Assured and rendered Marketable and Mortgageable by the LAW PROPERTY and LIFE ASSURANCE SOCIETY, 30, Essex-street, Strand.

For information, forms and specimens of the various kinds of defective Titles already assured in this office, apply to

EDWARD S. BARNES, Secretary.

ANNUITIES AND REVERSIONS.

LAW REVERSIONARY INTEREST SOCIETY.

68, CHANCERY-LANE, LONDON.

Chairman.—Russell Gurney, Esq., Q.C., M.P., Recorder of London.

Deputy Chairman.—Sir W. J. Alexander, Bart., Q.C.

Reversions and Life Interests purchased. Immediate and Deferred Annuities granted in exchange for Reversionary and Contingent Interests.

Annuities, Immediate, Deferred, and Contingent, and also Endowments, granted on favourable terms.

Loans may also be obtained on the security of Reversions.

Prospectuses and Forms of Proposal, and all further information may be had at the office.

C. B. CLABON, Sec.

ACCIDENTS to LIFE or LIMB,

in the Field, the Streets, or at Home,

Provided for by a Policy of the

RAILWAY PASSENGERS' ASSURANCE COMPANY,

64, Cornhill, London, E.C.

COMPENSATION

Has been paid for 10,000 *Claims.*

1000*l*. in case of Death, or 6*l*. per Week while laid-up by Injury, secured

By the annual payment of from 3*l*. to 5*l*. 5*s*.

For Particulars apply to the Clerks of the Railway Stations, to the Local Agents, or at the Offices,

64, CORNHILL, and 10, REGENT-STREET.

WILLIAM J. VIAN, *Secretary.*

PELICAN LIFE INSURANCE OFFICE.

Established in 1797.

No. 70, LOMBARD-STREET, E.C., and 57, CHARING-CROSS, S.W.

DIRECTORS.

Octavius E. Coope, Esq.	Henry Lancelot Holland, Esq.
William Cotton, Esq., D.C.L., F.R.S.	William Jas. Lancaster, Esq.
Thos. Henry Farquhar, Esq.	Sir John Lubbock, Bart., F.R.S.
James A. Gordon, Esq., M.D., F.R.S.	Benjamin Shaw, Esq.
Edward Hawkins, Jun., Esq.	Matthew Whiting, Esq.
Kirkman D. Hodgson, Esq., M.P.	Marmaduke Wyvill, Jun., Esq.

ROBERT TUCKER, Secretary and Actuary.

Notice.—The next Distribution of Profit will be made at the end of 1868. All policies now effected on the "return system" will participate.

The last Bonus varied from 28 to 60 per cent. on the premiums paid.

Loans, in connection with Life Assurance, upon approved security, in sums of not less than 500*l*.

For Prospectuses and Forms of Proposal apply to the Secretary, or to any of the Company's Agents.

LAW UNION FIRE and LIFE INSURANCE COMPANY.

Chief Offices—126, Chancery Lane, W.C.

Subscribed Capital—ONE MILLION STERLING.

The Fire and Life Departments are under one management, but with separate Funds and Accounts.

Chairman—Sir WILLIAM FOSTER, Bart.

Deputy-Chairman—Mr. Serjeant MANNING, Q.A.S.

FIRE DEPARTMENT.

Capital £750,000, in addition to the Reserve Fund.

Business consists of the best classes of risks.

Insurants will be allowed the full benefit of the Reduction of Duty.

Claims settled promptly and liberally.

LIFE DEPARTMENT.

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Such was the good fortune of Lord Palmerston, whose death, sudden but not premature, is mourned by a nation and will be lamented by Europe. He could have desired for himself no more happy close of a prosperous life; but his loss will be deplored by the people whose love and respect he had won, and most of all by the members of the Legislature, of which he has been so long the willing leader.

LEGAL TOPICS OF THE WEEK.

The *Economist* anticipates the speedy abolition of the Game Laws, and rejoices accordingly. As an organ of commerce, our contemporary is a devoted advocate of the rights of personal property and of the interests of the tradesman; but it becomes almost socialist when it treats of land and landowners. The most ardent opponents of game laws, for the most part, are content to make game a property and not a privilege, and to treat a man's hares and pheasants as his fowls and sheep. But the *Economist* is not satisfied with this. It would legalise the destruction of game by any person anywhere, and with great reluctance and as a temporary concession to a prejudice, would merely give damages in an action of trespass in the County Court, against him who steals the animals which his neighbour possesses as a part of the produce of his land, as much certainly as his turnips or turkeys.

It is curious to trace backward to its origin this hostility to game laws entertained by some writers, who are not inspired merely by a calculated desire to please by pandering to popular prejudices, but who are moved by a genuine impulse of their own feelings. It is to be noted that they are, for the most part, neither owners nor tenants of land, and therefore game no more concerns them than the rotation of crops, or the quantity of manure, or any other of the matters that concern landlords and tenants, and upon which they never trouble themselves to think or write. What is game to them more than wheat? Wherefore should they take any care about the production and killing of pheasants and hares more than of sheep and poultry? It is entirely a question between the landlord and the tenant, which they are as competent to settle between themselves as the rotation of crops, and which is as exclusively their own affair. Why this interference of unasked advice by a stranger in the one case and not in the other?

Traced to its source, it will be found to proceed from an unconfessed, but not the less real, hostility to property in land—in fact, to the presence of communism. A lurking Fenianism is the true basis of all the hostility to the Game Laws. The writer hates aristocracy; land is the source of aristocracy; game is one of the pleasures enjoyed by landlords, from which the landless writer is excluded; he cannot venture yet openly to attack property in land, but he can venture to attack a privilege which it confers, and he indulges his spite against landlordism by doing his best to take away its privileges, and the game laws supply the fairest opportunity for this indulgence, for he can express his personal spite under a show of patriotism. It is the principle of Fenianism in an uncongenial soil. The spirit is there, but the power is wanting. It does all it can do; but happily it cannot do all that it desires.

As between landlord and tenant game is simply a matter of bargain, which concerns no other person than themselves. But it is a question whether some alterations may not be made advantageously in a law that appears to give special protection to certain kinds of the property produced by land beyond other products. The *Times* says that it would suffice to make game property, and place it under the same protective laws as other poultry, so that to take it would be theft. The difficulty lies in the identification, and in its wandering habits. There are also objections of another kind to making the shooting of a partridge or a blackbird larceny. We venture to suggest a solution of the problem that would avoid all objections. Abolish the special Game Laws; make game the property of the person on whose land it is for the time being, and extend the Malicious Injuries to Property Act to trespass upon any land for the purpose of taking or killing any animal thereon not being the subject of larceny. In short, treat the injury done by the taking of game as an injury by destroying fences, cutting down coppices, or other wilful damage to land or its products, punishable with a fine and with imprisonment in default of payment.

This would remove all reasonable objections and give all reasonable protection against trespassers. As to the revenue, the loss might be compensated by imposing a tax of 10*s.* for a licence to carry a gun. This would protect the lives of Her Majesty's subjects, and thus do good service in another way.

A novel application of the fees levied in the courts of borough magistrates has been discovered at Newcastle. Usually they are "the pay" of the clerk to the justices. But in Newcastle they are a considerable revenue, and so the justices pay their clerk by a salary, and the surplus forms a handsome fund, for which many excellent uses might be found. But, according to the Newcastle papers, this fund, or a portion of it, is there employed in a strange fashion. It seems that about 100*l.* per annum is expended in providing a dinner for the worshipful bench. This should not be. In itself, perhaps, there is no great harm in it; but it gives occasion for scandal, and supplies material for the democratic papers, whose business it is to abuse all who hold a social rank above their writers and readers. Such a fund as the fees supply might be turned to good account for the furtherance of justice. Cases continually occur in which magistrates would gladly aid the suitors if they possessed the means. A wrong has been done inflicting severe damage on a complainant's property or person; the defendant is penniless and is sent to prison; but that is no compensation to the poor complainant who is half ruined. Here such a fund would come to his relief. So it might relieve the cases of real distress that so frequently present themselves, or worthily reward zeal and courage in the detection or apprehension of offenders. It would be a great improvement in the law if the penalties imposed at magistrates' courts were to form a fund for purposes such as those we have indicated. One of the local journals thus comments on the Newcastle arrangement:

The debate on Mr. Harle's motion about the police court brought to light a nice little business, of which the mass of the public were entirely ignorant. The facts are as follows:—Persons brought up and fined or punished in our police court pay certain fees or "expenses." These fees are levied in accordance with a table prepared from Act of Parliament, and sanctioned by the Home Secretary. In some courts these moneys go to the magistrates' clerk, and this constitutes his sole salary. In Newcastle and some other boroughs the magistrates take the fees and pay their clerk a fixed sum. Mr. Bulman gets 400*l.* per annum, but the fees got from litigants amount to a good deal more than this, and the surplus is kept by the Newcastle magistrates. The sum they have now in hand is said to be about 3000*l.* Mr. Hamond says that they give a portion away in charity, and about 100*l.* is spent every year in providing the members of the Bench with a dinner. I don't grumble much at their annual repast, it is all our "great unpaid" get in the shape of reward for their services, but I do object to their dispensing funds that are not theirs in private charity and in withholding from the public all information as to how much money they have, where it is invested, or how it is expended. The mode of paying the clerk by fixed salary is decidedly better than by paying him by fees. By the latter plan he might have had an interest in procuring convictions with a view to increasing his salary. No one complains of this arrangement, but they do complain that the balance of the money taken every year by the magistrates after the clerk is paid is not publicly and properly accounted for. This is the case in North Shields, Sunderland, and other places. The clerks there are paid fixed sums, and any money left after that is done goes to assist in paying for the police. This should be the case in Newcastle. I am surprised at the magistrates wishing to hush the matter up. Instead of keeping it from the public, they should court publicity. No one doubts that the money has been fairly spent, but the ratepayers want to see a balance-sheet, and to have the money handed over to the borough treasurer. I believe that the magistrates lost some 600*l.* or 700*l.*, if not more, by their late clerk. They also lost something by the District Bank, where they kept their account, at the time that unfortunate concern stopped payment. Like other creditors, they got 19*s.* 6*d.* in the pound, but no interest. The greatest portion of the money is now lent on railway debentures, and the balance is in the hands of the clerk. These, I believe, are the facts of the case; but it would be more satisfactory to the public if the magistrates were to make a statement of the matter themselves and hand the cash over to the treasurer at once.

When a private business is transferred to a limited liability company, it may be assumed that the vendors are making a capital bargain—selling their concern for a great deal more than its real value, and securing to themselves, without risk or anxiety, places that yield nearly as much as they had previously obtained from the business, with all its cares and hazards. The marvel is, where the victims are found. Before shares are subscribed, do not the shareholders ask themselves if it is probable that the vendors would part with a really profitable business, yielding a large income, unless at an exorbitant price, and that, so paid for, the concern would cease to be profitable? Are they ignorant that a company cannot conduct a business so cheaply or so well as an individual? If their common sense will not answer these questions, perhaps an illustration will make them cautious. We take it from the *Times:*

A committee, consisting of Messrs. Edwards, Bevan, and Cheeswright, formed, with the concurrence of the directors, to investigate the affairs of "Smith, Knight, and Co. (Limited)"—a company started some time back, with a nominal capital of 4,000,000*l.*, to take over the contract business of that firm—have

issued a report, to be submitted at a meeting on the 26th inst. This document is of an extraordinarily discouraging character, and will operate as the most efficient warning that could be conveyed to investors in undertakings which involve the purchase of the goodwill and plant of such establishments. It states that the purchase-money agreed to be paid was 230,000*l.* (130,000*l.* in cash and bills, and 100,000*l.* in 20,000 shares with 5*l.* paid), and that it does not appear either that any balance-sheet of the firm was ever submitted, or that any valuation was obtained or inventory taken of the plant and effects until months afterward. In the opinion of the committee, the goodwill of the contracts handed over was worthless, and these contracts, taken as a whole, were not only unremunerative, but burdensome. It is at the same time intimated that there have been improper additional payments to Messrs. Smith and Knight to the amount of 22,747*l.*, and that further sums amounting to 72,000*l.* have been privately disbursed; also that two calls on the shares held by Messrs. Smith and Knight are in arrear. The committee regard the general character of the business with "the greatest alarm," and add that, to raise money to meet pressing demands, the most improvident engagements have been made by the issue of promissory notes and debentures — a practice, perhaps, at the root of the large dividends which some of the companies who direct themselves to that class of transactions are enabled periodically to declare. A repetition of such borrowings, the committee believe, "must infallibly lead to utter ruin, and in the end to every solvent shareholder being called upon for the full term of his liability of 50*l.* per share." As a set-off, however, against this, there is the fact that important contracts undertaken by the company since its formation have been sublet at a profit, to yield, if they can be depended upon, about 177,500*l.* over the next three or four years as the works progress. It is finally remarked that,

> The committee are persuaded that even with this assistance nothing can save the company unless the shareholders resolutely intervene at this moment. The committee are of the decided opinion that no new business should be undertaken; that a voluntary liquidation should forthwith take place, and that the creditors of the company should be negotiated with to postpone their claims; that the expenses of the administration of the company should be cut down, and that three shareholders and two directors should be appointed liquidators. The committee further advise that all relations of the company with Mr. Smith and Mr. Knight should cease; that their 20,000 shares should be at once forfeited, and that they should be proceeded against for the amount of the two calls, as well as the sums improperly received by them. It being provided by the articles that Mr. Knight should hold the office of managing director, with its benefits, for seven years, unless removed by a special resolution, such special resolution would be necessary to be passed. The committee are convinced that it is only in this way that it will be possible for the holders of the remaining 20,000 shares to recover ultimately a portion of the money they have invested, after satisfying the claims of the creditors. In conclusion the committee earnestly recommend that the shareholders pay up the present call, that they may be entitled to attend and vote at the ensuing meeting.

The entire report seems to have been drawn up with care and conciseness that diminish the hope of its statements being materially softened by subsequent explanations, especially as it manifests no personally hostile feeling toward the directors, against whom the charge is that of neglect, and not of general participation in the proceedings of the manager.

At the late meeting of the Association for the Promotion of Social Science, a paper was read by a director of the Manchester Chamber of Commerce, on "The Establishment of Tribunals of Commerce, or Courts of Arbitration." The discussion which followed upon the reading of this paper appears to have been somewhat languid, and scarcely adapted to the importance of the subject, and the interest with which it is regarded in the seaport towns of England. But the introduction of commercial tribunals would work so mighty a change in the law and practice of this country, that we think that a little space may be not unworthily occupied in considering—First, what is a commercial case? Secondly, what are the inconveniences attending the trial of a commercial case in this country? Thirdly, how may those inconveniences be avoided? It may well occur to the reader that these are questions more easily to be answered than that to which we have given the first place. In France, where there are courts which have a peculiar jurisdiction over commercial causes, the question was raised, a few weeks ago, and vigorously argued, whether neglect on the part of a bank to honour the bill of exchange of a customer was or was not a commercial grievance. It was decided that it was. And we think that, generally speaking, few objections will be raised to the limitation of subjects contained in that useful work, Smith's Mercantile Law, which treats of merchant shipping, bills of exchange, and the law of partnership, agency, insurance, &c. Having now made some approach towards the discovery of what is a commercial case, let us see what are the difficulties which surround commercial litigation. The complaints urged at the meeting of the Association, which are the same as those made by the witnesses before the late committee on commercial tribunals, refer chiefly to the ignorance of the judges (both judge and jury, we presume), and the delay and expense, without which a judgment and execution cannot be obtained. As to the first objection, it seems to us (in part at least) an objection to the whole scheme of trial by jury. The special jurors summoned at Guildhall are supposed to belong to the same class as that of the suitors, and to be intimate with transactions similar to those which make up the tale of plaintiff and defendant. We say that they are *supposed* to belong to this class. If it be true that they often treat the summons of the sheriff with scorn and always do their best to avoid it, so that questions of leading importance are left to the decision of a common jury of small tradesmen, we can only say that they are themselves in some measure to blame for the incompetence of their judges. It is not our purpose at present to discuss the merits or demerits of trial by jury, but we will content ourselves with saying that merchants are not the only class who are able to produce arguments against that institution. As for the common law judges, and those who preside over the Chancery Courts (for a reference to the equity reports will show that merchants and merchandise very frequently get into Chancery), we dare say that few of them know little of commercial usages. Some of these practices, however, are easily understood, others are adopted by a very small number of persons; others, again, require only to be known to be decided against, because of their utter unreasonableness. And if judges require customs to be proved, they are, at any rate, familiar with the principles of law. But we must acknowledge that there is something in the objection, that causes are slowly and expensively tried. Two hundred causes are set down for trial in one court, the sittings lasting for a fortnight. The trial of one case is commenced, an action concerning the quality of a number of casks of oil. Scientific witnesses are examined at great length; doctors and chemists hold up sample bottles of the oil and deliver lectures upon them, barely interrupted by stray questions from the examining counsel; judge and jury look on in much the same manner as if they were seated in the Polytechnic, or some other temple of science, only with a little less curiosity, and in an atmosphere somewhat less pure. Five days go by: then there is some private talking among the counsel, and a juror is withdrawn, leaving the case to be decided by arbitration. But during these five days the parties in a much greater number of equally important cases have also agreed to refer their cases without the previous formality of getting a large portion of their evidence entered in the judge's note-book. So the list is gradually cleared, and it is found that more way is made when trials are slow than when they are swift. All this is very bad, but we are at a loss to see how it can furnish an argument for removing merchants and their affairs from the jurisdiction of the Superior Courts. We may fairly assume that, as the papers in nearly every case come before counsel, the points of law are carefully noted, so that they may be eventually decided by the court *in banc*. And we are not aware of any serious complaints having arisen as to the slowness of those courts. An attempt to digest the decisions upon points of purely commercial law would be a herculean task. This seems to point to the conclusion that questions of law may be promptly and satisfactorily tried under the existing system, no matter how commerce may increase; but the present system of trying questions of fact is capable of improvement. But this is not enough for those who would establish tribunals of commerce. What they propose to do is, to consign the whole conduct of a cause to lay arbitrators, and to constitute them judges both of law and of fact. Now, we cannot believe in the lasting advantages of such a proposal. Lay arbitration has had a full and fair trial in the city; and though upon many occasions it is both expeditious and efficient, it has blemishes which it is impossible to conceal. The arbitrators are ignorant of law, they are ignorant of each other's decisions; so that one of these judges in Mincing-lane may decide differently from another who holds his court in Moorgate-street. They are not expert in taking evidence, and act in open defiance of the familiar rule, that the judge must grant no private interviews to either litigant for the purposes of explanation. We cannot believe that disputes among traders will come to be decided amongst themselves unaided by the doctrines which it has taken nearly a century to fashion, and which are the pride of the jurists both of England and America. It may be true that it is difficult for a judge to construe a mercantile agreement. But it is often as hard to make out a farming lease. It will hardly be possible to draw the line accurately. After all, there is no argument against the incompetence of our courts in commercial transactions which might not to some extent be applied to every case which is tried there. Is the expensive machinery of our Superior Courts to be reserved for assessing damages in breaches of covenant or actions for wrongful distresses? The idea is absurd. What appears to us a reasonable solution of the enigma is this. A difficulty has arisen from the necessity of trying a vast number of issues of fact. These issues of fact must be tried at a rate considerably faster than that at which they are tried at present. Could not the Legislature introduce some method like that for obtaining the reports of official experts in the civil law, or even the more familiar mode introduced by the Lands Clauses Act, for assisting the overworked staff at Guildhall, leaving questions of law to be dealt with as at present? A Tribunal of Commerce, with a bench of acute and experienced citizens such as those who fill the office of Lord Mayor, is no doubt a fine-sounding idea, and it may please some who have discussed these questions to recommend, on the principle *similia similibus*, that shipping cases should be tried by those conversant with shipping, &c. But both these propositions have been, in times gone by, put into execution. The Court of Policies, where the doctrines of marine insurance were first expounded in this country, was a tribunal formed in the likeness of that which is now suggested. And the Court of Policies, as might be expected, was found a complete failure. We sincerely hope that the manifest defects of the local courts promoted by the meeting at Sheffield will not divert the attention of those in power from the existing evils, and what we humbly submit is the only mode of removing them—the extension of the appliances of our Nisi Prius Courts for the purpose of more speedily determining all questions of fact.

THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS (AUDIT).

What market tolls are to the grazier, and port dues to the merchant, court fees are to the legal practitioner. They all have an equally strong interest in keeping down the expense of reaching the scene of commercial or professional action. As regards the Profession, any lowering of court fees, which otherwise might have been possible, will be checked for some years by reason of the provision necessary to be made for the fund to build the law courts and offices. In the common law courts there will be, as our readers are aware, an addition to the fees for that purpose. Under these circumstances, it is of increased importance that all court fees should reach their lawful destination, and, to this end, be sure of a safe channel. Mr. Arbuthnot, auditor to the Civil List, has informed the Committee of Public Accounts, which was called into existence last session to relieve the uneasiness consequent on the Edmunds affair, that the examination at the Treasury of the account sent there of the fees received in the common law courts hardly amounts to a strict audit, as the documents on which the fees are paid are retained in the courts. The Treasury, in fact, accepts the account tendered as a true account. There has been adopted in the courts what is considered a very careful system, but it has proved unsatisfactory. Some years ago the officers of these courts were put upon a salary, instead of being paid by fees, and they were required to account for the fees, but the Treasury has no control over the receipts of revenue in the shape of fees. To remedy this insecure state of things, the Common Law Courts (Fees) Act, c. 45, was passed last session, providing that the fees shall be collected by stamp.

In the Court of Probate the fees do not pass through the hands of the officers, but are collected by the more efficient means of stamps, which are issued to the stationers in the ordinary way. The paper is brought, with the stamp adhering to it, into the registry, and directly it is brought in the clerk in the principal registry puts his initials in the corner of the stamp; when the work is done for which the defaced stamp is to pay, the name of the cause or of the deceased is written largely on the stamp, which is thus entirely cancelled. If it is merely a defaced stamp it is kept as such; supposing that too many stamps are put on a paper originally, the extra stamps are retained which have been only defaced. The clerks keep them in a box with an account whose they are. All papers when brought in have stamps, as if the business would be carried through; but perhaps the death of an executor, or something else, prevents its going on, and the stamp becomes useless. If it has been marked with the initials, it is returned as a spoiled stamp. Stamps on papers in the country are not defaced when the parties bring them in. All the items for which stamps can be demanded in a particular transaction are printed, and the stamp is put opposite that which it represents; the figure is carried out into the margin, and then the amount is added up, and the stamps obliterated in the country, and sent up by post to the London Registry; there they are examined to see that there is a stamp for every single item which has become chargeable in every case throughout the forty district registries. The risk attending the system is, that, there being something approaching half-a-million of cancelled stamps under the care of the Probate Court, a considerable temptation is opened to take off stamps cancelled with a common name as King, Jones, Brown, Smith, or the like, and, when the clerk is required to cancel a stamp, to substitute the cancelled stamp, and possess himself of the uncancelled one, thus defrauding the Government of so many pounds. The cancelled stamps are kept under lock and key, but still they are in a room where the bonds are kept, and to which persons are obliged to have access on business constantly. The only way Dr. Bayford, the senior registrar of the Court of Probate, whose evidence we are noticing, considers in which that danger could be got over would be by burning the stamps periodically; and then you would be obliged, before you burnt them, in every department of the office, to have a set of auditing clerks, who should go over them and see that everything was correct. In that case you might burn the stamps, having entered the whole matter in a book, to be retained as an account of the business. The revenue of the Probate Court thus raised in stamps is about 50,000*l.* a-year, and is increasing. For defacing the stamps the Inland Revenue office does not consider a defacing stamp so effectual as writing, and has ordered the latter. To add the date, as 11/1/65 (11th Jan. 1865), by way of check, would entail immense additional labour on account of the largeness of the number of stamps. No one would examine the date; the amount is all that is looked at; besides, dates would be wrongly written. There is no check that a stamp will be sent up to represent the money made for a search at a district registry; reliance must be placed on the district registrar for that, on his own integrity. Dr. Bayford is not satisfied with the cancelling system as it exists, and has sent a memorial to the Treasury on the above-mentioned effect of his evidence. Stamps are a more expensive way of keeping accounts than by money. Were stamps to be destroyed, and books kept, an additional outlay of 550*l.* a-year would be required in the Probate Court. If parties purchased their own stamps, and these were treated in the Probate Court as receipt-stamps, the officer writing his receipt on them and returning them to the parties, the danger of the stamps being used again would be done away with completely. A return is made to the Treasury of the amount of stamps received, so that it is necessary to keep accounts to a certain extent. A paper money account is, in fact, kept, instead of a specific account. The accounts are kept of the totals in classes; for administering oaths is one class; for making searches is another, and so on. The return is made yearly; the whole receipts last year in the principal and district registries have been about 6000*l.* in advance of the preceding year. The total charge was about 51,000*l.* last year but the apparent totals are affected by an arrangement with the Inland Revenue office, a copy being furnished to them of every will, and an extract of every administration which passes to that office. They used to pay 7000*l.* or 8000*l.* a-year for this, but for the last two years the payment has been dispensed with, by order of the Treasury. The fees in the Divorce Court are collected in the same way (by stamps) as in the Probate Court. They amount to 6000*l.* or 7000*l.* a-year. Dr. Bayford produced a photograph of a stamp, which he was afraid would deceive everybody.

According to the evidence of Mr. Charles Macaulay, Secretary to the Audit Board, the plan adopted in the Admiralty Court respecting stamps furnishes an efficient check. The registrar of the court purchases no stamps at all himself, but when the public or the proctors require a document from the registry which ought to be stamped, they are informed what the stamp is which should be put upon the document, and the proctor then purchases the stamp himself; it is brought to the registry, attached to the document, and obliterated by a machine in the office of the registrar, and then the document is issued. So that all risk of irregularities in the court is avoided. The Solicitor to the Treasury, Mr. Greenwood, had occasion to look into the system in the Admiralty Court when Mr. Swabey was a defaulter there to the amount of 60,000*l.* It was in consequence of this that the payment of fees by stamps was introduced into that court. The great bulk of the 60,000*l.* was received by Mr. Swabey from Lord Arden, his predecessor. Large sums are paid into the Admiralty Court; for example, there might have been a collision, and one vessel might have been libelled for having caused the collision. Before such a vessel could be released to go upon its voyage they make a large deposit, and sometimes it happens that things may have remained there without the case being prosecuted, and the moneys have remained in the registrar's hands year after year. In that way there was a vast sum accumulated. Then there was an occasion upon which some Americans had got a decree from the court that they were to receive 6000*l.* upon the following Monday. Then it was found that there was no money in court, and that Mr. Swabey had disappeared. The Treasury paid about 17,000*l.* of the defalcations. Mr. Greenwood also mentioned two other cases where a discovery of the dishonesty of clerks had led to the introduction of greater safeguards. During Palmer's trial, when the Solicitor to the Treasury was away and engaged, Madge, the chief clerk, got a cheque for 800*l.*, and went down to Liverpool the same day, and off to America. He was caught at a great expense, and the money got back, and a new system of accounts was introduced into the office. It was directed, among other things, that no money should be received in the office at all by anybody, but that there should be a receivable order (if anybody wanted to pay money) to the Paymaster-General. Still there are many exceptions: cheques sent from the country and post-office orders are received in the office, but the rule is to send them straight to the Paymaster-General. The other case was in the registrar's office of the Court of Chancery. In 1861 a clerk of the name of Brooks received money from solicitors for stamps, and applied obliterated stamps removed from old documents not taken out of the office. He was soon detected, and did not pocket above 30*l.* or 40*l.* The Lord Chancellor had the matter investigated by the Treasury Solicitor. The recurrence of such a fraud is now obviated by two precautions. One is that they insist upon the date being put, whenever there is an obliteration. The second precaution is, that the registrars, or the great majority of them, now, as well as the clerks, themselves obliterate the stamp.

Very secure arrangements are made for protecting intestates' estates from any defalcation. All money received is carried direct to the account of the Paymaster-General, and the solicitor has a separate fund for current disbursements, which is fed from time to time from the general fund, so that no one has the opportunity of handling money. The security that the money is properly paid in is, that the Solicitor of the Treasury is appointed nominee of the Crown to administer on behalf of the Crown, and he has to account to the Queen's Proctor for the amount realised. The moneys collected under that administration were formerly paid to the Queen's Proctor, who held them until the issue of the Queen's warrants for their distribution. This officer accounted for them to the Treasury quarterly, but he necessarily retained large balances at his bankers. The whole system was investigated a few years ago, and new arrangements were established by the Treasury, under which, in every case in which it is possible, the money due upon any estate is ordered to be paid direct into the Paymaster-General's account, without passing through the Solicitor's hands, and the sums which he is necessarily obliged to receive are carried at once over to the account of the Paymaster-General, and there is a monthly report and check. In making all applications for money, it is requested that the payment be made by cheque drawn in favour of the Paymaster-General or order. When the cheque is received, it is transmitted with a receivable order to the Paymaster-General, and carried by him to the credit of the Crown's nominee account, the nominee being the administrator on the part of the Crown. The Solicitor to the Treasury has two accounts; one is his law charges account and the other the Crown's nominee account. The latter is audited by a gentleman specially appointed for the purpose. He sees all the warrants and all the authorities under which the payments are made. An account is kept under each separate estate. The Paymaster-General sends the Treasury a monthly account of all sums paid in, which is checked with the books. Some estates are as large as 160,000*l.*, many under 100*l.* In one case the next of kin appeared after thirty-five years. The money had been distributed except the Crown's share, which is a reserve varying from a tenth to a fourth. For payments out, the auditor of the Crown's nominee account certifies to the Treasury, on whose order an amount is carried to the Crown's nominee current account, upon which the Solicitor draws. Those payments are again audited by the same gentleman. For the purpose of distribution, the Crown's nominee makes his account up, and with it transmits all the applications for a share of the estate; these are submitted to the Queen's Advocate, and under his advice a warrant is prepared for distribution. As regards the receipt of the estates of deceased subjects abroad, there generally is a report made by a consul to the Treasury, saying that such and such a person is dead in his consulate, and has left no will and no friends about him, and that his estate has been realised, and that the proceeds are remitted to the Lords. The remittance is passed on by them to the Bank of England, to the credit of the Paymaster-General, and then they refer the papers to the Solicitor, to find out, as a matter of law, who is the person who can give a valid receipt for the money.

The law charges account of the Treasury Solicitor is provided for in the estimates. The Paymaster-General credits the account with the vote, and it is drawn upon. What is procured in the shape of costs is paid to the Paymaster-General to the law charges account. It is usually received in cheques, which are paid over immediately. They are carried to the credit of the law charges account, so that the vote next year may be less. The balances are not surrendered every year. The sums that are recovered are principally costs in Chancery suits and Crown suits. Payments have been made by the Crown during the progress of the suit, and then when the suit is ended they come back in the shape of an order for the Crown's costs to be paid. An account is kept of the payments made and the costs received in each suit. The accounts are paid year by year; it is the repayment of sums that have been expended in former years; the repayment includes not only the expenses incurred, but the costs allowed for professional services. Every year the sum administered is larger by the balance than the vote of the year. The balance, or part of it, runs on. In the finance accounts for the year ending March 1864, 21,000*l.* out of 24,000*l.* was surrendered. The 24,000*l.* would not be an accumulated balance, but for the year. The vote varies very much in consequence of prosecutions. Sometimes it is as much as 30,000*l.*, at other times only 14,000*l.* In last year's account, in consequence of the American affairs, a very large sum has been paid for prosecutions. These accounts go to the Audit-office.

These are the principal matters elicited by the committee of any special interest to the Pro-

fession. It is plain that an endeavour is made in the cases which we have noticed to prevent money coming into or remaining in the hands of official persons, other than the Paymaster-General, or similar chief officers, so far as that can be prevented. But the facility for using cancelled stamps requires immediate attention, and payments by cheque and money-order still demand some further security. There seems to be no reason why all such documents should not, by law, be drawn in favour of the Paymaster-General, or other chief officer, so that the money could not be receivable by any intermediate hand. In every case also balances ought to be surrendered yearly. No doubt the final report of the committee will deal with all these questions in detail. Up to the present time provision for security against defalcation has been piecemeal, on the occasion of one and other embezzlement. Even the present inquiry had a similar origin. We may now hope for an organised reform on some principles which shall regulate the receipt and payment of money in every court and department.

JUDICIAL STATISTICS.

No. VII.

Court of Chancery.

The business of the Court of Chancery increased during last year by no less than 18 per cent. It will be curious to see what will be the effect of the new equity jurisdiction of the County Courts in checking this increase. The return is as follows:

Nature of Proceedings.	For Hearing.	Set down.	Heard.	Otherwise disposed of.	Remarks.
Pleas	—	7	5	—	2
Demurrers	17	69	60	10	16
Exceptions to pleadings	4	20	20	2	2
Motions for decree	236	1140	938	144	294
Causes	71	347	289	36	93
Special cases	1	25	16	2	8
Causes, claims, and causes and matters for further directions and further consideration	98	557	555	24	76
Rehearings and appeals	33	99	94	12	26
Appeal motions	11	82	76	7	10
Appeal petitions	1	16	13	—	4
Total	472	2362	2066	237	531
Total 1863	398	2042	1820	148	472
Average of totals, 1859-63	422	2131	1952	161	439

A similar increase is shown in the business of the Registrar's offices, which was as follows:

	1864.
Orders made on the hearing of petitions under the Winding-up Acts	35
Orders made on the hearing of petitions of right	1
Orders made on the hearing of other petitions	2731
Orders made on the hearing of special motions	1138
Orders on summons, drawn up by the registrars	6686
Orders on motions or petitions of course	595
Certificates for sale or transfer or delivery of stock or other securities	3122
Amount of fees levied by stamps	£13,630

To discharge these heavy duties the Lord Chancellor sat 60 days; the Lords Justices, 148 days; the M. R., 154 days; the three Vice-Chancellors respectively, 167, 166, and 169 days. The total number exceeds those of the preceding year by 32.

Law reforms, the most eagerly sought and from which the greatest results are prophesied, very often prove to be failures; that is to say, suitors do not avail themselves of the privileges offered to them. Thus it has been with the introduction of trial by jury into the Equity Courts. Only three cases have been so tried! Opinions differ as to the cause of this: we suspect it to be the result of that aversion to a jury for the trial of civil causes which reason teaches and experience confirms, and which is so remarkably shown in the County Courts. No less than 367 cases were referred to the conveyancing counsel, exceeding the number in 1863 by 51.

The proceedings in chambers are thus stated:

	1864.	
Summonses to originate proceedings:		
For the administration of estates	409	
Under the Charitable Trusts Acts	12	
For appointment of guardians and maintenance of infants	120	
For other purposes	124	
		665
Other summonses		18,626
Orders made:		
Of the class drawn up by the registrars		7,061
Of the class drawn up in chambers		6,256
Orders brought into chambers for prosecution		1,998
Number of advertisements issued		1,012
Debts claimed and adjudicated upon:		
Number of debts		4,487
Amount of debts proved		£1,056,103
Accounts passed (other than receivers' accounts):		
Number of accounts		1,075
Receipts therein		£5,421,873
Disbursements and allowances therein		4,998,892
Receivers' accounts passed:		
Number of accounts		515
Receipts therein		£1,169,727
Disbursements and allowances therein		£936,602
Sales of estates under orders of court:		
Number of sales		494
Amount realised		£1,947,223
Purchases of estates under orders of court:		
Number of purchases		82
Number of contributories:		
Included in list of contributories		2,800
Excluded from lists of contributories		114
Orders for winding-up companies:		
Amount of calls made		£614,153
Total amount of fees levied by stamps		£3,752
Number of titles and other matters directed to be investigated by the conveyancing counsel		416
Number of certificates filed		2,240
Number of appointments (by summonses, adjournment, or otherwise) disposed of		43,842
Number of orders under which accounts and inquiries were pending at date of return		2,764
Number of orders for winding-up companies then pending		113

These also are considerably in excess of the previous year.

Winding-up Business.

The number of winding-up cases pending was 104. In 15 of the cases pending in 1863 the proceedings had been closed. We give the totals as contrasted with those of 1863:

	1864.	1863.
Contributories included in the list of contributories	2,807	2,869
Contributories excluded in the list of contributories	114	159
Debts claimed and adjudicated upon	1,166	1,857
Orders made	577	367

	£	s.	d.	£	s.	d.
The amount of calls made	614,153	7	8	473,079	18	11
Dividends ordered to be paid to creditors	440,820	5	1	313,183	4	11
Amount ordered to be refunded to contributories	63,996	9	2	31,967	11	6
Realised by sales	129,445	16	4	95,294	5	5
The receipts for the year were:						
On calls or by way of compromise	115,744	13	9	158,868	0	8
Assets realised	367,015	15	0	262,920	3	11
The disbursements, including salaries or allowances, clerks' travelling expenses, &c., law expenses, auctioneers' and accountants' charges, and sundries, were	40,292	17	7	44,225	5	7
Dividends paid to creditors	393,276	3	4	253,049	13	7
Amount refunded to contributories	53,894	10	7	28,977	15	0
Other payments	20,578	4	10	21,530	12	11
A balance remained available for future distribution amounting to	156,099	1	1	181,382	13	4

The number of witnesses examined was 419; the fees received 234*l.*

The return of the Clerks of Records and Writs is as follows:

Suits instituted:	1864.	1863.	Average 1856-63.
Bills or informations filed	2280	2344	2198
Claims filed under general order of 1850	—	—	21
Special cases filed under Act 14 Vict. c. 35	20	18	26
Administration summonses filed	337	430	416
Other originating summonses filed	269	285	307
	2966	3077	2968

INVESTMENT JOURNAL.

The sudden death of Lord Palmerston, the American correspondence, the still unexplained advance in the rate of discount, the advent of the cholera, and the spreading of the cattle plague, have combined to depress the market for securities, and more than counteract the effect that should have followed the great revival of trade. But these causes of depression are temporary, while the improvement promises to be permanent. The following are the fluctuations:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	...	...	...	248	...	245
3 per Cent. Red. Ann.	87¼	87¼	87¼	87¼	87	87¼
3 per Cent. Cons. Ann.	89	89	88¾	89	89¼	88¾
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	...	...	...
New 3 per Cent. Ann.	87	87¼	87¼	87¼	87¼	87¼
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1853	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	11¼	...	...	...	11¼	...
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89¾	89¼	89½	89¾	89	89¼
Consols 3 per Cent. for Ac.	...	...	...	...	...	...
India 3 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	217	219	218	217	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	98	...	...	...
India 5 per Cents. 1870	105	105	104¾	105	105	...
India Bonds (1000*l.*)	22s.	...	...	...	...	...
Do. (under 1000*l.*)	17s.	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do. do. 1864	...	...	...	...	...	...
Do. do. 1865	104¼	...	...	...	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	...	100¼	...	...	...	...
Do. do. 5 per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	*f*	*c*	*a*	*g*	...	...
Do. 500*l.*	...	*e*	*b*	*h*	*i*	...
Do. 100*l.* & 200*l.* 3 per c.	*c*	*d*	...	*h*	*i*	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3 3/4 per cent., June, 10s. to 8s. dis.
b 3 3/4 per cent., March, 2s. dis.
c 3 3/4 per cent., June, 12s. dis.
d 3 3/4 per cent., March, 8s. dis.; June, 17s. dis.
e 3 3/4 per cent., March, 8s. dis.
f 3 3/4 per cent., June, 18s. dis.
g 3 3/4 per cent., March, 6s. dis.; June, 8s. dis.
h 3 3/4 per cent., March, 3s. dis.
i 3 3/4 per cent. 3s. dis.

SOLICITORS' JOURNAL.

Correspondence.

Another Advertisement.—I beg to inclose an advertisement cut out of the *Western Morning News*. Mr. King must certainly possess very great and wonderful qualifications to entitle him to the patronage of all landowners, &c., in Devon and Cornwall. A Reader.

Capitalists desirous of investing money in the purchase of certain freehold estates in Cornwall and Devon, or lending money on mortgage of the same, and landowners having in either of these counties any estate for sale, or requiring a loan thereon, should apply to Mr. W. D. King, Solicitor, Camelford.

A Novel Advertisement.—I beg to inclose you a playbill of a third-rate theatre in this town, and to draw your attention to the two advertisements at the foot of it, emanating from an attorney practising in this town. It is true the attorney in question advertises daily in the *Liverpool Mercury* and other local papers, but when he resorts to the present medium, I think it necessary it should be brought before the notice of the editor of the Law Times. A Lawyer.

Liverpool.

To All in Debt—Consultation Gratis.—Immediate protection obtained for the person and property of the above, together with entire relief from all debts and liabilities under a recent Act of Parliament, in all cases without imprisonment. Charges moderate; payable by instalments.—Apply to Mr. J. Goodrick, Attorney-at-law, 1, Brunswick-street.

Divorce Cases, and all other legal matters requiring

secrecy, confidence, and skill, promptly and faithfully conducted by Mr. J. Goldrick, Attorney-at-law, 1, Brunswick-street. Charges moderate, payable by instalments. Eminent counsel engaged.

ELECTION EXPENSES.

Bury St. Edmunds.—Mr. J. A. Hardcastle, M.P., seems to have secured his return for Bury St. Edmund's on easy terms; his whole expenditure is set down at only 199*l.* The expenses attending the return of Mr. E. Greene, M.P., for the same borough, were 212*l.* Lord A. Hervey, the unsuccessful Liberal-Conservative candidate, spent 168*l.*

Cambridgeshire.—The outlay incurred by Mr. R. Young in securing his return was 1175*l.* Of this amount 239*l.* was paid to local agents, 392*l.* for tradesmen's bills, 257*l.* for election agents and clerks, 88*l.* for committee-rooms. Had Mr. H. J. Adeane, the late Liberal member for the county, gone to the poll, the expenses of Mr. Young would have been very greatly increased.

Falmouth.—Mr. Baring expended 277*l.* 3*s.* 9*d.*, and his colleague, Mr. Gurney, 222*l.* 6*s.* Major-General North, who was only before the constituency two or three days, and retired before the day of nomination, had to pay 201*l.* 14*s.* 3*d.*

Gateshead.—The Hon. W. Hutt, M.P., who was returned without opposition, spent 146*l.* 1*s.* 8*d.* This comprehends 19*l.* 14*s.* 6*d.* expenses of the returning officer; 95*l.* 5*s.* 2*d.* for printing and advertisements; and 17*l.* 5*s.* for committee-rooms, clerks, &c.

Guildford.—The expenses of Mr. Guildford Onslow (Liberal), who was not opposed, amounted to 157*l.* 8*s.*, the largest item being 35*l.* 5*s.* for town clerk's fees and hustings expenses. The expenses of Mr. Bovill (Conservative), opposed, amount to 644*l.* 6*s.* 3*d.*, including posting bills and delivering circulars, 100*l.* 16*s.* 6*d.*; committee-room staff, 30*l.* 17*s.* 6*d.*

Haverfordwest.—Mr. J. H. Scourfield (Conservative), the successful candidate, paid 898*l.* 8*s.* 10*d.* for his seat, and the expenses incurred on behalf of Capt. Edwardes (Liberal), the unsuccessful candidate, amounted to 593*l.* 2*s.* 10*d.* 599*l.* 15*s.* 3*d.* was paid by Mr. Scourfield to agents, clerks, messengers, &c. Capt. Edwardes's expenses under the same head were 419*l.* 13*s.*

Herefordshire.—Sir Joseph Russell Bailey and Mr. J. King King's (Conservatives) expenses for the county reached 778*l.* 10*s.* 10*d.*, and out of this agents were paid 458*l.* 16*s.* 4*d.*, under-sheriff 61*l.*, and the cost of printing and advertising was 101*l.* 17*s.* 8*d.* The expenses of Mr. M. Biddulph, the Liberal member for the county, were 397*l.* 7*s.* 3*d.*, which included 198*l.* 14*s.* 11*d.* for agents, 93*l.* 12*s.* 4*d.* for printing and advertising, and 30*l.* 10*s.* under-sheriff's fee.

Huddersfield.—The total expenses on the part of the successful candidate, Lieutenant-Colonel T. E. Crosland, were 1040*l.* 6*s.* 9*d.*, and those on the part of the unsuccessful candidate, Mr. E. A. Leatham, were 1222*l.* 16*s.* 9*d.* Both candidates are Liberals, and Mr. Leatham is the ex-member. Mr. Crosland charges 7*l.* 12*s.* 6*d.* for "personal expenses of candidates," and on his behalf "watchers" have been employed. On the part of Mr. Leatham expenses appear to have been incurred for both "night watchmen and police." The "abstract" on the part of Mr. Crosland is as follows:—To agent for election expenses, 10*l.*; cabs and carriages, and superintendence of the same, 224*l.* 15*s.* 6*d.*; messengers, watchers, doorkeepers, &c., 154*l.* 16*s.*; clerks and assistants, 63*l.* 18*s.* 6*d.*; committee-rooms, and refreshments for check-clerks, &c., 47*l.* 10*s.* 8*d.*; personal expenses of candidate, 7*l.* 12*s.* 6*d.*; printers, stationers, and newspapers, 119*l.* 14*s.* 6*d.*; law expenses, 257*l.* 4*s.* 4*d.*; railway companies for conveyance of voters, 25*l.* 7*s.* 9*d.*; postage-stamps, envelopes, books, joiners' work, and other incidental expenses, 34*l.* 9*s.*; returning officer, for proportion of hustings, booths, deputies, poll-clerks, &c., and including indenture of return and counterpart, 95*l.* 18*s.*; total, 1040*l.* 6*s.* 9*d.* That on the part of Mr. Leatham is as follows:—Expenses incurred previous to the election, 70*l.* 15*s.* 8*d.*; law expenses, 258*l.* 0*s.* 10*d.*; cabs and carriages, 178*l.* 5*s.* 3*d.*; printers, stationers, and newspapers, 216*l.* 10*s.* 3*d.*; committee-rooms and refreshments for clerks, booths, cabmen, &c., 106*l.* 7*s.* 5*d.*; railway companies for conveyance of voters, 20*l.* 14*s.*; night watchmen and police, 198*l.* 7*s.* 6*d.*; messengers, doorkeepers, &c., 35*l.* 4*s.* 6*d.*; clerks, check-clerks, and assistants, 33*l.* 13*s.* 6*d.*; miscellaneous, as per list, 19*l.* 9*s.* 10*d.*; returning officer for proportion of hustings, booths, deputies, poll-clerks, &c., 85*l.* 8*s.*; total, 1222*l.* 16*s.* 9*d.*

King's Lynn.—The amount expended by Sir T. F. Buxton, M.P., was 335*l.* A petition is talked of, as one item in the accounts is 54*l.* "for the conveyance of voters, loss of time, and subsistence." A sum of 53*l.* was paid to Mr. J. J. Coulton for agency.

Launceston.—Mr. A. H. Campbell, who was unopposed, expended 122*l.* 16*s.*

Manchester.—The following is the abstract published on behalf of Mr. Bazley, M. P., and Mr. Jacob Bright (advanced Liberals), who were represented by the same committee, so that the total sum may be considered as apportioned half to each candidate:—Returning officer's account for hustings, &c., 421*l.* 10*s.* 3*d.*; wages of clerks, canvassers, &c., 745*l.* 17*s.* 9½*d.*; committee-rooms and refreshments, 250*l.* 14*s.* 6*d.*; cab fares, 398*l.* 17*s.* 6*d.*; postages stamps, 370*l.* 14*s.*; printing and stationery, 781*l.* 11*s.* 7*d.*; advertising, 374*l.* 8*s.* 3*d.*; election agent, 105*l.*; office fittings, 30*l.* 6*s.*; sundries, 21*l.* 15*s.* 6½*d.*—total, 3501*l.* 15*s.* 5*d.* Mr. Bazley was returned at the head of the poll; Mr. Bright, however, was beaten by more than 1000 votes by Mr. Edward James, Q.C. (Liberal). The latter, who is thus returned as the colleague of Mr. Bazley, only made his appearance as a candidate on the Saturday evening or Monday morning preceding the nomination, which was on Wednesday. For this short and vigorous campaign the following account was run up:—Use of rooms, hotel charges, &c., 895*l.* 17*s.* 4*d.* (and this apparently includes 210*l.* for hustings); candidates' representatives, 142*l.* 8*s.* 6*d.*; clerks, messengers, &c., 295*l.* 10*s.* 4*d.*; cabs, 251*l.* 14*s.* 6*d.*; stationery, printing, and advertising, 664*l.* 5*s.* 3*d.*; miscellaneous, 96*l.* 10*s.*—total, 2314*l.* 14*s.* 11*d.* The remaining candidate, Mr. Abel Heywood (advanced Liberal), was fourth on the poll. He had been engaged in a longer canvass that any of the other candidates, and the following is the comparatively modest bill on his account:—Returning officer, for hustings, &c., 210*l.* 15*s.* 3*d.*; hire of rooms for public and committee meetings, 54*l.* 9*s.* 3*d.*; clerks, messengers, and miscellaneous expenses, 218*l.* 1*s.* 7*d.*; hire of vehicles, &c., 89*l.* 16*s.*; printing, stationery, and postage, 105*l.* 5*s.* 8½*d.*; advertising, 102*l.* 14*s.* 6*d.*—total, 781*l.* 2*s.* 3½*d.*

North Northumberland.—The expenses of Lord H. Percy and Sir M. White Ridley in their unopposed return have been published. Lord H. Percy's expenses amounted in all to 240*l.* 3*s.* 7*d.*; Sir M. W. Ridley's to 25*l.* 11*s.* 3*d.*

North Warwickshire.—Messrs. Newdegate and Davenport Bromley paid 6196*l.* 7*s.* 6*d.*; of this amount there was 2823*l.* 9*s.* 4*d.* for "professional agents and clerks," and 1237*l.* for "railway fares, cabs, and horse hire." Mr. Muntz's expenses amounted to 3882*l.* 6*s.* 9*d.*, of which 764*l.* 14*s.* 6*d.* was for "agents," and for "committee-rooms and expenses of canvassing," 1362*l.* 4*s.* 4*d.*

Plymouth.—Mr. Stuart Lane, the defeated Conservative candidate, expended 1354*l.* 3*s.* 9*d.*, the chief items being—printing, stationery, and posting bills, 254*l.*; solicitors, 187*l.* 16*s.*; carriages, 171*l.* 16*s.*; writers, 146*l.* 18*s.*; rooms, 120*l.* 12*s.*

Wallingford.—The election expenses of Sir Wentworth Dilke, M.P., and Mr. Richard Malins, Q.C., at Wallingford, have just been published. The expenses incurred on behalf of the former amounted to 382*l.* 0*s.* 10*d.*, in addition to which Sir W. Dilke renders his personal expenses at 113*l.* 18*s.* Mr. Malins's expenses did not amount to more than 214*l.* 12*s.* 5*d.* The election agents' fees form the larger item in each account. The head of conveyances and drivers cost Mr. Malins 20*l.* 6*s.*, but the same item in Sir W. Dilke's accounts amounts to treble that sum, being 69*l.* 11*s.* 8*d.* Printing, &c., cost Mr. Malins 20*l.* 8*s.* 4*d.*, and Sir Wentworth Dilke 55*l.* 3*s.* 6*d.*

West Suffolk.—Major Windsor Parker, M.P., and Lord Augustus Hervey, M.P., were returned unopposed; the major expended 143*l.* and Lord Augustus 147*l.* In each case the item of "agency" was the heaviest.

APPOINTMENTS.

[N.B.—Announcements of appointments, being in the nature of advertisements, are charged 2*s.* 6*d.* each, for which postage-stamps should be inclosed.]

The town council of the borough of Banbury, Oxfordshire, have appointed Mr. Daniel Parker Pellatt, of that place, solicitor, Borough Clerk of the Peace in the stead of his late partner, Mr. Richard Henry Rolls, deceased.

Mr. T. J. Bremridge has been unanimously appointed to the office of Clerk of the Peace of the city and county of Exeter, vacant by the death of Mr. Gidley.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

Ainley (Thos.), formerly of Leamington, late of 1, Regent-street, Leader-street, Brompton, Middlesex, gentleman. Nov. 21; Gold and Son, solicitors, 1, Serjeants'-inn, Chancery-lane, London.

Ainsley (John), Newcastle-upon-Tyne, grocer. Dec. 30; Hodge and Harle, solicitors, Wellington-place, Pilgrim-street, Newcastle-upon-Tyne.

Arnold (Esther), Green-lanes, Aston-nigh-Birmingham, widow. Dec. 1; Beale, Marigold, and Beale, solicitors, 30, Waterloo-street, Birmingham.

Barnes (Herbert Sedgwick), 182, King's-road, Chelsea, surgeon. Dec. 31; C. Mossop, solicitor, 1, Ironmonger-lane, London.

Boswell (Wm.), North Shields, gentleman. Oct. 30; H. B. and C. Wright, solicitors, Sunderland.

Burgess (Charles), Cadogan Hotel, Sloane-street, Chelsea, Middlesex, licensed victualler. Nov. 30; C. and J. Allen, solicitors, 17, Carlisle-street, Soho-square, Middlesex.

Clarke (Jane), George Hotel, Aldermanbury, London, widow. Nov. 15; Wratislaw and Fuller, solicitors, Rugby, Warwickshire.

Colley (Elizabeth), Chatham, widow. Nov. 14; Acworth and Sons, solicitors, Starr-hill, Rochester.

Colbourne (Robert), Great Marlow, Bucks, surgeon. Nov. 30; T. and G. Mallam, solicitors, Oxford.

Elsom (Thomas), Golden-valley, Alfreton, Derbyshire, grocer. Dec. 23; Burton and Browne, solicitors, Nottingham.

Fitch (Joseph), Penmore, Hasland, Chesterfield, Derbyshire, gentleman. Nov. 21; W. Drabble, solicitor, Chesterfield.

Fryer (Rev. Robert Wynne), Northop, Flintshire. Oct. 31; Roberts, Kelly, and Keene, solicitors, Mold.

Foster (Barnard), 6, Mitman street, Commercial-road east, Middlesex, stevedore. Jan. 12, 1865; J. Wills, solicitor, 8, Great Carter-lane, Doctors'-commons, London.

Fitzpatrick (Francis), 27, Upper Lisson-street, Paddington, surgeon. Dec. 1; Lovell and Co., solicitors, 14, Southsquare, Gray's-inn, London.

Hadow (Rev. W. T.), Hanseley, Warwickshire. Dec. 20; G. Annesley, solicitor, 64, Lincoln's-inn-fields, London.

Hyman (Elizabeth Harriet), Woodstock-cottage, Lee, Kent, spinster. Nov. 20; T. J. Jerwood, solicitor, 17, Ely-place, Holborn, London.

Jeffery (Wm.), Foubert's-place, Regent-street and 42, King-street, Golden-square, Middlesex, and Chelsham, Surrey, butcher and farmer. Dec. 6; W. Phillips, solicitor, 4, Size-lane, London.

Kitchen (John), Pilgrim-street, Newcastle-upon-Tyne, flour and provision dealer. Dec. 15; Hodge and Harle, solicitors, Wellington-place, Pilgrim-street, Newcastle-upon-Tyne.

Marriott (John Thomas), High-road, Tottenham, Middlesex, jeweller. Nov. 30; Treherne and Wolferstan, solicitors, 75, Aldermanbury, London.

Ormsby (Charles), late commander of the ship *Walmer Castle*. Nov. 11; Park and W. B. Nelson, solicitors, 11, Essex-street, Strand, London.

Ormerod (Richard), 88, Long-acre, Middlesex, saddler. Oct. 31; J. H. Kaye, solicitor, 2, New-inn, Strand, Middlesex.

Parnell (Charles Octavius), 28, Sussex-place, Regent's-park, Middlesex, architect. Dec. 5; G. C. Morrison, solicitor, Redcar.

Roberts (Ann), 13, Sidney-cottages, Clapham-road, Surrey, widow. Nov. 25; H. J. Turner, solicitor, 27, Percy-street, Bedford-square, London.

Smith (Isaac Atkins), formerly of Rowe, Warwickshire, farmer and grazier, afterwards of Wolvey, in the same county, late of Coventry, gentleman. Dec. 1; Dewes and Norton, solicitors, Nuneaton.

South (Martha), 4, Bedford-row, Barnsbury-street, Islington, Middlesex, spinster. Nov. 20; H. Lloyd, 8, Hector, 1, Wood-street, Cheapside, London.

Stubbs (Mary), Nottingham, spinster. Dec. 23; Burton and Browne, solicitors, Nottingham.

Taylor (Edwin), 7, Albert-road, Bancroft-road, Mile-end, Middlesex, biscuit baker. Nov. 13; F. Kearsey, solicitor, 32, Bucklersbury, London.

Thomson (Robert), 107, Drummond-street, Euston-square, Middlesex, working jeweller. Dec. 14; J. Webb, solicitor, 158, Euston-road, Middlesex.

Watkins (Westrop), 23, Albany, Piccadilly, Middlesex, a general in H.M.'s Indian Army. Nov. 18; Parke and Pollock, solicitors, 63, Lincoln's-inn-fields, London.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

Moseley (Richard), Piccadilly, Esq. 40*l.* 13*s.* 4*d.* Three per Cent. Consols. Claimants, Rev. T. Moseley and T. Parker, executors.

Stanton (Robt.), of the Ordnance-office, Hull, Esq. 20*l.* Three per Cent. Consols. Claimant, W. Dryden, executor.

The Yelverton Marriage Case.—An appeal has been lodged in the House of Lords, on behalf of the Hon. Mrs. Yelverton, against the recent judgment of the majority of the Court of Session.

Death of R. H. Rolls, Esq.—One of the most universally-respected of the townsmen of Banbury has gone the way of all the earth. Occupying no mean place among the members of an honoured and honourable profession, Richard Henry Rolls, Esq. clerk of the peace for this ancient borough, has been called from among us ere the lamp of his life had yet waxed dim. Naturally of a cheerful disposition and pleasant temperament, many of his witty and jocund sayings will be long treasured up by those whose good fortune it was to be ranked among his friends. By his lamented death, many have lost the services of a sage and prudent counsellor - a firm and unfailing friend. Peace be to his memory! He has left behind him an unsullied name.—*Banbury Advertiser.*

The Metropolitan and Provincial Law Association.—The annual congress of this body opened at St. George's Hall, Liverpool, on Wednesday, Mr. Hodge, of Newcastle-on-Tyne, in the chair. The chairman's opening address dwelt upon the history of law reform, and alluded particularly to the scheme for concentrating the law courts in London. A paper was read by Mr. Lowndes, of Liverpool, on the latter subject, and a resolution was passed requesting the managing committee of the association to keep the matter under their consideration with the view to present to the Law Commissioners the opinions of the country solicitors as to any variations in the legal arrangements which might be deemed necessary in consequence of the change.

A Solicitor Killed on a Railway.—On Wednesday forenoon a fatal accident occurred at Golcar station, near Huddersfield, on the London and North-Western Railway. Mr. Robert Ramsden Taylor, solicitor, of Knowl Bank, Golcar, and Queen-street, Huddersfield, was at Golcar station intending to leave by the train for Huddersfield, and for that purpose it was requisite to cross the line. A luggage train was going through the station at the time, and as soon as it passed Mr. Taylor stepped off the platform to cross to the other side, but unfortunately he did not notice the approach of the up express train until he had got in the middle of the "four foot." He then tried to turn back, but was too late; the engine knocked him down, and he was driven forward a distance of twenty-one yards. The whole train passed over him, and when he was picked up he was quite dead. The deceased was thirty-five years of age, and leaves a widow and two children.

Improvements in Lincoln's-inn-fields.—The Inns of Court Hotel.—On Saturday the scaffold-

ing was cleared away displaying to public view the magnificent Holborn front of the new Inns of Court Hotel, and during the past few weeks several buildings in the rear have been rased, and another handsome frontage in Lincoln's-inn-fields is rapidly rising. The principal portion of this structure, which will shortly be completed, is erected upon the site of the ancient hostelrie known as the George and Blue Boar. The style is early English, decorated and designed by Messrs. Lockwood and Mawson, of Bradford. The whole frontage in Holborn is 140 feet in length, and the height to the crown of the handsome roof (after the style of the Tuileries) is 150 feet. The materials of the front are Bath stone facings, ornamented with polished columns in Peterhead granite, and the whole decorated with richly executed carvings in foliage, flowers, &c., and the details are being carried out by Messrs. Hill and Keddell, of the Whitechapel-road, builders. There are five elegantly ornamented windows and five stories. The basement comprises spacious wine and general cellarage, glass rooms, extensive kitchen, to be fitted with all modern improvements, together with servants' and other rooms. On the ground floor are large dining, committee-rooms, &c., as also an interior court, seventy feet by forty feet, and above are no less than 200 bedrooms, with bath and retiring rooms, as also special lifts for raising visitors, luggage, &c. The building throughout will be upon fire proof principles and the entire cost about 70,000*l.*

A Reform Project.—Mr. Thos. Hare, at the Social Science Congress, vindicated his doctrine of personal representation, and sketched out a plan by which he thought it might immediately be put in practice. He did not admit that because practically we are now well governed we ought not to reform our representative institutions; that notion was (he said) but another form of the old fallacy, that "if a good despot could be ensured, a despotism was the best form of government," and it had been answered and refuted by Mr. Mill, who showed that it was a radical and most pernicious misconception of what good government was, and that until it could be got rid of, it would fatally vitiate all our speculations on the subject. The point to consider was, under what conditions of the franchise the higher qualities of the mind would be most fully and perfectly called into exercise. The present system of voting tended rather to degrade than to elevate the elector, mainly because of the limited choice afforded to him of candidates. Instead of being confined to a choice out of two others, the elector should be limited only by the amount of talent and public spirit of the age in which he lived. As an immediate practical arrangement, Mr. Hare proposed—1. That any voter might be at liberty to withdraw his name from the local register, and add it to a general register. 2. That in the office of the general register a computation be made of the total number of voters in the kingdom on the annual registration, which, together with the quotient thereof, divided by 658, shall be certified yearly to the Speaker of the House of Commons. 3. That it be thereupon declared that at the next general election the voters on the general register shall be entitled to elect as many members as the number of such votes divided by such quotient; and the number of members so to be chosen shall be taken from the boroughs and districts having the smaller number of registered electors for each member, beginning with the smallest and proceeding to the next smallest in number, and so on; but no place shall be so disfranchised which shall retain as many registered voters as such quotient.—*Pall Mall Gazette.*

THE BENCH AND THE BAR.

We understand that Mr. Dickens, a son of the celebrated novelist, has been appointed to succeed Mr. E. O. Wilkinson as associate to his Honour Mr. Justice Barry.—*Melbourne Argus.*

Testimonial to Mr. Montagu Chambers.—Mr. Montagu Chambers was on Tuesday presented with a testimonial by the Liberal electors of the borough of Bedford, for his exertions during the recent election. The testimonial is a magnificent silver candelabrum, and is valued at 100 guineas.

Peers at Elections.—It is very hard to kill a popular fallacy. At a meeting of the electors of Woodstock last Wednesday some strong resolutions were passed against the "unconstitutional" influence of the Duke of Marlborough, most of them based on a belief thus plainly expressed by Mr. Banbury:—"It was well known that by the law of the land a peer of the realm was prohibited from interfering, either directly or indirectly, in the election of a member of the House of Commons." This is a blunder, as the electors have been told fifty times. Intimidation by anybody is illegal, but a peer has by law the same rights as a commoner. All that stands in his way is a resolution of the Lower House declaring that it will not admit a member returned by a peer's interference. That resolution has never been accepted by the Upper House, and, though a valid reason for rejecting a member, is no more a law than a similar resolution of the Reform Club would be.—*Pall Mall Gazette.*

MAGISTRATE AND PARISH LAWYER.

Correspondence.

Small Penalties Act.—"C. H." will find from the schedule of the Statute Law Revision Act 1863, that the Statutes at Large which he refers to are not recognised, and that the only statutes included are "The Commission Edition, intituled 'The Statutes of the Realm,' published by command of His Majesty King George the Third," and the edition of Ruffhead, by Serjt. Runnington, of 1786. The statute of 21 Jac. 1, c. 7, in the Commissions Edition has six sections, and in Ruffhead five sections, sect. 4. of the former being sect. 3 of the latter. In some instances copies of the Statutes at Large correspond with Ruffhead, which may be the case with those referred to by "C. H.," and if so, the opinion he has given is accounted for. A careful examination by "C. H." of the proper editions will convince him that the 21 Jac. 1, c. 7, s. 3 (Ruffhead), still exists, and that I am correct.

A. B. S.

MANSION-HOUSE.

On Monday the Lord Mayor had his attention called by Mr. Oke, the chief clerk, to a communication which had been addressed to him by a gentleman in a Government department, who has for some years past conducted prosecutions instituted by his department at this court. The writer referred to a regulation recently made by the Lord Mayor to be in future observed in the Justice-room, to the effect that no person would be permitted to act there as an advocate, attorney, or solicitor, for any party in any case unless such person was a barrister-at-law, a certificated attorney, or solicitor, or the known articled clerk of an attorney or solicitor retained for a party. He desired to know if such a rule would exclude him from prosecuting as before on the part of the Government, he, perhaps, not coming strictly within any of those definitions.

Mr. Oke reminded the Lord Mayor that the regulation was not intended to apply to any person who was by statute enabled to act as an attorney without having been actually admitted an attorney, such as the solicitors to public departments and others privileged by the 6 & 7 Vict. c. 73, and the 23 & 24 Vict. c. 127. Nor was it meant to apply to any gentleman, not an articled clerk, representing a Government department, or to the solicitors of those departments, although not admitted as attorneys. For years past the gentlemen representing the solicitors of the Treasury, the Post-office, the Mint, and the Customs had attended occasionally at this court to conduct prosecutions instituted by their department, and the rule, of course, would not affect them.

The Lord Mayor said, of course, it would not, nor was it ever intended to do so. All persons privileged by law, and persons representing great departments, would appear as before, the rule never being meant to prohibit them.

At the West Riding Michaelmas Quarter Sessions, held on Monday at Leeds, it was resolved that for the future the salary of the clerk of the peace of the riding shall be 1500*l.* a-year. Hitherto the office has been paid by fees.

Oxford County Gaol.—At the Michaelmas quarter sessions, held on Monday last, and at which an unusually large number of magistrates attended, the deputy-governor of the County Gaol, Mr. Calverly, was unanimously elected governor, in the room of Major Ogilvie, resigned. At the same time Mr. Morris, who has officiated as clerk at the gaol for the last sixteen years, was unanimously elected deputy-governor.

New Governor of Lewes Gaol.—Mr. Saunders, after twenty-seven years' service as the governor of Lewes gaol and house of correction, having retired from office with a pension, the visiting justices advertised for a successor. The result was forty-two applications. From these the visiting justices selected six, namely, Col. Fookes, Capt. Helby, Capt. Mow, Major Davidson, Capt. Hale, and Capt. Dadson. On Monday Capt. Helby was elected; Col. Fookes having the next largest number of votes.

Law of Pews.—In the Carlisle Consistory Court the Worshipful Chancellor Burton made some remarks worth noting, bearing upon the law of pews. Application having been made to the court for power to make extensive alterations in the parish church of Kirkby Lonsdale, the cost of which (1500*l.*) will be defrayed by Lord Kenlis, the Chancellor, in granting the faculty, said the churchwardens must be careful, in re-arranging the pews, not to give to any house a seat beyond its requirements; and the parties to whom the seats were appropriated must understand that they were appropriated to the house, and were to exist only so long as the requirements of the house remain as they were at the time the appropriation was made. If the requirements of the house became lessened, the churchwardens would be entitled to make any change beneficial to the parish; and the parishioners were to understand that if they did not [illegible] Sunday fully occupy their seats, and [illegible] coming in could not find any room elsewhere, the churchwardens were entitled to put them into any seats they might find empty, whether appropriated or unappropriated. No pew could be [illegible] or sold; and if it came to his knowledge that any seat was bought or sold he would immediately exercise his authority and put those parties out of the seat they had purchased, because it was not by appointment of the churchwardens.

The Poor Law and Crime.—Mr. Frederic [illegible] read a paper on this subject at the Sheffield Social Science Congress, in which, after a careful examination of the subject, the following conclusions were arrived at:—That the present administration of the Poor Law does create serious obstacles to the reform of criminals and the repression of crime. That the great principle of the English poor law, which directs that, with a provision for exacting work, every inhabitant of the country who is in want shall receive food and shelter, is perfectly sound and ought to be fully worked out; that under the present administration of this law the principle is often violated, and much unnecessary misery is thereby caused to the poorer classes and much uncertainty to the more wealthy, many of whom are unduly taxed to make up for special provision deficiencies which under a good administration of the poor law could not be called for. That the inhabitants of a country which, like our own, ungrudgingly pays more than 6,000,000*l.* a-year in support of the poor, and which would be willing, if necessary, to pay still more, ought not, and under a good administration of the poor law and police would not, be harassed by beggars, have their feelings outraged by authentic accounts of deaths from cold and hunger, or their lives and property endangered by the temptations to crime which exposure to great misery causes, but that under present circumstances all these evils exist, and that in such a degree as [illegible] at least, as relates to mendicancy—that beggars seem to abound as much in England as in several countries where there is a far less comprehensive poor law. That a liberated prisoner, unable to procure work from ordinary employers, or relief from private charity, and to whom also the workhouse is closed, has no alternative but starvation or a return to crime. That it is notorious that at present, owing to the difficulty in getting admission to workhouses, especially at night, persons are often subjected, particularly in winter, to the severest distress, and that, under pressure of this distress, offences are from time to time committed with the express purpose of entering prison. That every person, willing to work to the extent of his power and ready to obey the rules of a well-ordered workhouse ought to be instantly admitted thereto, or into a receiving-house in connexion therewith, at any time of the day or night, and that it ought not to be in the power of any person whatsoever to refuse him such admission; that in case of insufficient accommodation, it ought to be imperative on the parochial authorities instantly to hire additional rooms, in the same way as it would be obligatory on the police, or on those entrusted with the control of prisons, to provide special temporary accommodation in case the number of prisoners exceeded the space requisite for their detention; that as a means of ensuring the practical observance of this rule, the police ought to have power, in case of its neglect in any instance, to give shelter to the applicant, with a right on their part to sue the parochial authorities for repayment of costs, and that in addition those authorities should, on conviction, be subject to a penalty. That considering especially that, as a general rule, a large portion of the inmates of a workhouse are children, or aged and infirm, it is highly desirable that boards of guardians should not be confined to members of the male sex, and that much of the bad management of workhouses now so common is probably attributable to the want of female co-operation. That the system under which guardians of the poor are elected ought to be modified, so that the number of votes in each case may have a closer relation than at present to the amount of each person's contribution to the rates. That it is desirable that the area of rating for the poor should be gradually enlarged, so as to diminish the motive to drive paupers from parish to parish, and to lessen the danger of the working man of losing his settlement, and at the same time to increase the desire to adopt comprehensive measures for the reduction, and, if possible, the extinction of pauperism, and to put it out of the power of any part of the wealthy class, in command of the means of locomotion, so to locate themselves as to escape their fair share of parochial burdens; and that it is desirable that the principle about to be applied with such success in the case of juvenile offenders should be extended to paupers. And whereas, to make good the want of well-conducted prisons, reformatories under voluntary management have come into existence, to which offenders may be admitted instead of their being sent to a corrupting gaol, so also it is expedient that in any district where there is no well-regulated workhouse magistrates should be empowered to send a pauper

to any good asylum anywhere established by private exertions, and, like reformatories, duly licensed by a Government officer, and to compel the parish where proper workhouse relief ought to have been afforded to pay the cost of the pauper's maintenance.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Bath	Friday, October 27	T. W. Saunders, Esq.	14 days	J. Taylor.
Bedford	Thursday, October 26	A. K. Stephenson, Esq.	3 days	M. Whyley.
Brighton	Wednesday, October 25	J. Locke, Esq., Q.C., M.P.	2 days	E. Everabed.
Bristol	Tuesday, October 24	Serjt. J. A. Kinglake	Statutory notice	W. O. Hare.
Bury St. Edmunds	Monday, October 23	Mr. Serjeant Tozer	14 days	J. Sparke.
Devonport	Saturday, October 21	C. Saunders, Esq.	10 days	G. H. E. Rundle.
Doncaster	Tuesday, October 31	W. Blanshard, Esq.	10 days	E. Nicholson.
Falmouth	Tuesday, October 24	E. W. Cox, Esq.		W. R. T. Pender.
Hastings	Friday, October 27	R. H. Hurst, Esq.	14 days	G. Meadows.
Helston	Wednesday, October 25	E. W. Cox, Esq.		A. Rogers.
Leeds	Monday, October 23	J. R. Maule, Esq.	10 days	J. W. H. Richardson.
Liverpool	Monday, October 30	J. B. Aspinall, Esq., Q.C.	10 days	P. Wright.
Newark	Saturday, October 21	J. F. Stephen, Esq.		T. F. A. Burnaby.
Newbury	Thursday, November 2	G. M. Dowdeswell, Esq.		J. Vines.
Newcast.-on-Tyne	Friday, October 20	T. C. S. Kynnersley, Esq.		J. W. Ward.
Northampton	Friday, October 27	J. H. Brewer, Esq.	10 days	C. Hughes.
Rochester	Monday, October 23	J. Espinasse, Esq.	8 days	W. W. M. Hayward.
Rye	Thursday, October 26	R. H. Hurst, Esq. M.P.	14 days	G. S. Butler.
Shrewsbury	Tuesday, October 24	C. Harwood, Esq.	14 days	R. Clarke.
Wenlock	Saturday, October 21	U. Corbett, Esq.	14 days	G. Potts.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Landlord and Tenant — Covenant — Waiver of Condition.—B. held a lease for nineteen years, renewable perpetually on twelve months' notice previously to the expiration of each term. The landlord refusing to renew from 1842 to 1861, B. filed a bill to compel him. He pleaded in defence a forfeiture for breach of covenant. During the progress of the suit the parties entered upon negotiations, and a draft for a renewed lease was drawn, the landlord proposing alterations, and threatening, if they were not accepted, he would insist on his original defence of forfeiture. Pending these negotiations, the delay not being caused by B., the time arrived for giving notice of renewal of another term, from 1861 to 1880, which B. did not give. It was held that, while the *lis pendens* as to the existence of the former lease existed, B. was excused from making demand for a further renewal, and had not lost his right, it being inequitable in the landlord to insist on compliance with a covenant of which he denied the existence: (*Hunter* v. *The Earl of Hopetoun*, 13 L. T. Rep. N. S. 130. H. of L.)

Reversionary Interest—Sale by a Son to his Father.—In 1847 B. assigned to his father, since deceased, a vested reversionary interest in 1000*l.* stock, to which he would become entitled on the death of his mother, then aged sixty-seven. B. was at the time in prison for debt, and the manner in which the purchase-money (500*l.*) was made up and paid was recited in the assignment. No receipt for the consideration money was indorsed. The father afterwards assigned his interest to a *bonâ fide* purchaser. On a bill to set aside the sale on the grounds of pressure, untruth in the recitals, and nonpayment and inadequacy of the consideration, it was held that, as between the purchaser and the plaintiff, having regard to the lapse of time, the consideration must be taken to have been duly paid, and that on the other grounds the sale was not invalidated: (*Willoughby* v. *Bridcoake*, 13 L. T. Rep. N. S. 141. L.JJ.)

Lease—Stamp.—A lease, executed in 1849, to be admissible in evidence must be stamped with the duty imposed by stat. 5 & 6 Vict. c. 83, and it is not sufficient that, when produced, it bears a stamp that will cover the duty now in force: (*Moore* v. *Long*, 13 L. T. Rep. N. S. 149. Q. B. Ir.)

Judgment-Debt — Priority.— A judgment, dated in 1826, was registered on the 3rd May 1854. On June 6 the legal personal representatives of the party entitled to the debt, in respect of which the judgment had been entered up, revived the judgment. The judgment-debtor having come into considerable real estate mortgaged it on the 1st Oct. 1853 for an advance of 5000*l.*, and on the 6th June 1854 charged all the property by three memoranda of that date with certain sums in favour of three relatives. On the 19th June 1858 a suit was commenced by the parties entitled to the debt to redeem and foreclose, and for a sale. On a bill filed by the judgment-creditor against the mortgagee and previous incumbrancers, he was held to be entitled to be paid the full amount of his judgment-debt in priority of the three incumbrancers: (*Doswell* v. *Reece*, 13 L. T. Rep. N. S. 150. V. C. W.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Railway Company—Authority to borrow Money—Liabilities of Shareholders.—The private Act gave to the B. Railway Company no power to borrow money; but a subsequent statute gave it power to borrow money from time to time for maintaining and working the railroad, to pledge the lands, tolls, and revenues for due payment thereof, and to make bonds or debentures for securing the repayment of any sums so borrowed in certain terms. It was held,

First, that the securities on which the company was empowered to borrow were not restricted to bonds or debentures:

Secondly, that a statute having passed to legalise a loan of money already illegally made by this company to another company, it became as lawful to apply the funds of the company for the other company as to the maintaining of its own railway: (*Commercial Bank of Canada* v. *The Great Western Railway of Canada*, 13 L. T. Rep. N. S. 105. Priv. Co.)

Nuisance by a Mine.—After a verdict for the plaintiff in an action against a shareholder in a copper-mine for a nuisance and injury to crops and cattle by the noxious vapours arising from arsenic works connected with it, the court will not grant an injunction to restrain defendant from continuing such nuisance, where the defendant has *bonâ fide* disposed of his share in the mine, and has no further interest in or control over the works in question: (*Mathews* v. *King*, 13 L. T. Rep. N. S. 120. Ex.)

Liability of Railways.—A railway crossed a highway at a level; there were gates for horses and carriages, which were kept locked and opened by a servant of the company when required. There was a swing gate for foot passengers, but there was no servant nor notice to warn foot passengers when trains were expected. There was a curve in the line at the crossing, and, not far off, a bridge, so that approaching trains could not be seen at any great distance. More than 100 trains passed the spot daily. B. crossing the line on foot was injured by a train which he had not heard nor seen approaching. It was held, that under the circumstances there was some evidence of negligence by the defendants: (*Bilbee* v. *The London, &c., Railway*, 13 L. T. Rep. N. S. 146. C. P.)

PUBLIC COMPANIES.

The directors of the Bank of Australasia have notified that a dividend at the rate of 6 per cent. per annum, and a bonus at the rate of 8 per cent. per annum, free of income-tax, being together equal to 2*l.* 16*s.* a share for the half-year, will be payable on the old capital of the bank on the 17th Oct. The directors invite proposals for the issue in London of 10,000 new shares with 4*l.* paid, at 2 premium.

The Oxford and Canterbury Music-hall Company has declared a dividend of 10 per cent. and a bonus of 2*s.* per share.

The London Bank of Mexico and South America has declared a dividend of 10*s.* per share, being at the rate of 9 per cent. per annum.

The Freemasons' Tavern Company (Limited) have declared a dividend for the half-year ended 31st July last, at the rate of 8 per cent. per annum.

An extraordinary meeting of the Locomotive Cotton Press Company took place on Tuesday last, when it was unanimously decided that the undertaking should be voluntarily wound-up.

A third dividend of 2*s.* 6*d.* in the pound is announced as payable in Norwich next week to the creditors of the East of England Bank, by the liquidators, Messrs. Gibbons and Tillett.

The directors of the Bank of British Columbia have issued their report in anticipation of the meeting to be held on the 3rd Oct. The undivided profits are stated at 20,878*l.* 13*s.* 8*d.*, out of which a dividend of 10 per cent per annum is proposed.

The Thames Iron Works Shipbuilding, Engineering, and Dry Dock Company have determined upon the payment of an ad interim dividend at the rate of 10 per cent. per annum.

The South African Land and Financial Company (Limited) have agreed that the deposits should be returned to the shareholders, but without interest.

The Mutual Tontine (Westminster Chambers Association) report was unanimously adopted; the chairman stated that the lettings were such as to enable the board to calculate in future upon the payment of a dividend which should, at the very least, equal the amount of interest hitherto paid on capital, namely, 4 per cent. per annum.

The Mauritius Land Credit and Agency Company (Limited) have declared a dividend of 10 per cent.

The report of the committee of investigation into the affairs of the London Mercantile Discount Company is very unfavourable, and at the meeting held this week it was agreed that the undertaking should be placed in liquidation. The arrangements made for the purchase of the business of Messrs. Womersley and Burt, and the introduction of the British Reversionary and Investment Company into the Discount Company, exhibit the reckless proceedings adopted with the view of aiding the pecuniary interests of promoters. A few similar reports will produce the desired effect upon the public, and make them pause before they rush into every adventure that is announced.

Limited Liability Companies.—The extent to which well-known and established firms in the manufacturing districts are availing themselves of the power of the Limited Liability Act 1862, for the purpose of extending their capital and operations in trade, is so great that it may well attract attention. Within a few years the works of Dr. Fairbairn, C.E., Manchester; Mr. Ashbury, of Gorton; Mr. Brown, of Sheffield; Messrs. Crosskell, of Beverley; Messrs. Pickersley, Sims, and Co., of Leigh; and a host of other well-known establishments, have been converted into limited liability companies; and now the conversion of Messrs. John Elce and Co.'s establishment at the Phœnix Ironworks, Manchester, is announced. Messrs. Elce and Co. have been established for more than thirty years as makers of machinery for cottonspinning and the spinning of silk, flax, and latterly of jute, but they are best known as makers of machinery for that branch of the cotton trade which is called "throstle-spinning." The capital is 150,000*l.*, and Messrs. Elce will retain shares in the company to the extent of 20,000*l.* each. Some of the concerns enumerated above were, no doubt, getting too gigantic to leave much hope that the original partners could transfer any considerable portion of their responsibility to single capitalists, and hence the value of the new Act in such cases.

MERCANTILE LAWYER.

NOTES OF NEW DECISIONS.

Patent Law.—A patentee had granted a licence for improved beaters to thrashing-machines, to make and sell the same for five years, and during that time to apply the invention to other machines, at a royalty of 1*l.* for every machine manufactured by the licencee, and the like sum for every machine made to which the invention was to be applied, either wholly or in part, the defendant covenanting to affix a plate indicating this royalty to every new and altered machine. The true construction of this was held to be, that payment was to be on all beaters made according to the specification, and applied originally, or by way of renewal, and not merely on every thrashing-machine sold: (*Goucher* v. *Clayton*, 13 L. T. Rep. N. S. 115. V.C. W.)

Copyright.—In an action for infringement of copyright in a book, the court will permit interrogatories to be put to the plaintiff as to the sale of the book for a certain period before and after the date of the alleged infringement, for the purpose of ascertaining the amount of damage and so enabling the defendant to make a payment into court to meet them: (*Wright* v. *Goodlake*, 13 L. T. Rep. N. S. 120. Ex.)

Patent Law.—If, having a general purpose in view, a person takes the general principles of mechanics, and applies them to a manufacture to which it has not been applied before, this is sufficient ground to warrant an application for a patent, assuming such manufacture to be new

desirable, and of public utility. A licencee under the patent of another is not thereby estopped from contesting the novelty of such patent: (*Dangerfield* v. *Jones*, 13 L. T. Rep. N. S. 142. Wood, V. C.)

Injury by Accident—Negligence.—In an action for injury by negligence, plaintiff, a Custom-house officer, proved that while passing in discharge of his duty from one warehouse to another in the docks, some bags of sugar, which were being lowered by a crane, fell upon him. There was no evidence to show how the accident happened. It was held, by a majority of the judges, upon appeal, that there was reasonable evidence for the jury of a want of care on the part of the defendant. Where the thing by which the accident is caused is shown to be under the management of the defendant or his servants, and the accident is such as in the ordinary course of things does not happen if those who have the management of the machinery use proper care, there is reasonable evidence, in the absence of explanation by the defendant, that the accident did in fact occur from want of care: (*Scott* v. *The London and St. Katherine's Dock Company*, 13 L. T. Rep. N. S. 148. Ex. Ch.)

Action against MM. Rothschild, of Paris.—An action was brought before the Civil Tribunal of the Seine the day before yesterday by MM. Levy and Finger, oil and colour merchants, of Paris, against MM. de Rothschild, bankers, under the following circumstances:—The plaintiffs have extensive dealings with Messrs. Mander Brothers, varnish manufacturers at Wolverhampton, being the sole agents for the sale of their varnishes in France, and consequently have frequently large sums to remit to England. In June last the plaintiffs sent to Messrs. Manders a bill of exchange 1189*l.* 7*s.* (29,734*f.*), made payable on the 4th Aug. at the banking house of MM. Rothschild, of London. On the 1st Aug. the plaintiffs paid the above sum, with 327*f.* commission, into the hands of MM. de Rothschild, of Paris, to be transmitted to their house in London; but when the bill was presented on the 4th, and again on the 6th Aug., the Messrs. de Rothschild of London refused the payment on the ground that they had not been advised. The bill was consequently protested. The plaintiffs, on being apprised of that fact, communicated with the MM. de Rothschilds of Paris, who replied in a letter, frankly acknowledging that by an oversight they had omitted to advise their London correspondents that the money had been paid into their hands; they also addressed a letter to the same effect to Messrs. Mander Brothers, and expressed the hope that those explanations would prevent any prejudice to the commercial reputation of MM. Levy and Finger. The latter, however, did not think this sufficient reparation, and demanded that an advertisement explaining the cause of their bill being protested should be inserted in three English and two French journals. MM. de Rothschild, thinking the explanations already given were all that could be reasonably required, declined to accede to that demand. The present action was in consequence brought to enforce it. The counsel for the defendants, however, pleaded that, as the case was purely a commercial one, it ought to be tried by the Tribunal of Commerce, and that the Civil Tribunal was incompetent. After hearing the Avocat-Impérial, who took the same view of the law as the defendants' counsel, the Tribunal gave a judgment declaring itself incompetent, and leaving the plaintiffs to their remedy in the proper court.—*Galignani.*

MARITIME LAW.

NOTES OF NEW DECISIONS.

Charter-party.—It was guaranteed by a charter-party that the vessel should carry 3000 tons dead weight of cargo on a draught of twenty-six feet of water. This was held to mean fresh as well as salt water. It also stipulated that 11,250*l.*, lump sum, would be paid for freight on both the outward and homeward voyages, part payment to be by bills, the rest on true and final delivery of cargo at the port of discharge. A jettison having been made of part of the cargo, not owing to want of skill in the pilot, and part of the goods which were damaged being sold at an intermediate port, it was held:

1. That there ought to be no deduction from the lump freight, because part of the goods were not delivered.

2. The master having demanded a larger sum than he was entitled to, so as to announce that tender of a smaller sum would be useless, this was a waiver of tender.

3. That address commission might be deducted from the freight.

4. That no claim of damages could be sustained for non-assortment, because the master, as bailee of the goods, was not bound to incur a pecuniary liability for the advantage of the goods.

5. That the proportion of freight forfeited for breach of guarantee as to capacity and draught of vessel might be deducted from the freight: (*The Norway*, 13 L. T. Rep. N. S. 50. Priv. Co.)

Salvage. — Where a vessel, having been captured by a privateer and plundered, was suffered to go adrift without a crew, and drifting near the shore, was surrounded by the libellants in small boats and plundered of everything they could carry away, till she grounded on a bar and remained there for some days, the libellants then taking possession of her, and after she came off the bar, and had grounded in the inlet, her owners came, and with the libellants' assistance got her off, it was held that the libellants could not maintain an action of salvage; but, as the owner had offered to pay them for what they had done, the Court allowed them to recover in the action a *quantum meruit* for work and labour, but without costs: (*James and others* v. *The Schooner Sarah Boice*, 13 L. T. Rep. N. S. 65. U. S. Adm. Ct.)

LAW STUDENTS' JOURNAL.

Correspondence.

Intermediate Examination.—I beg to inform "Articulus," who in the Law Times of the 7th Oct. asked, "whether, in the examiner's selection of books to be read for the intermediate examination, the words 'for the year 1866' were intended to include the whole of the four terms for the year 1866, or merely from July 1865 to July 1866?" that they include the four terms of 1866 only.

W. D. M.

EXAMINATION OF ARTICLED CLERKS.

The following circulars have been issued by the Incorporated Law Society:—

Intermediate Examination.

Sir,—I am directed by the Examiners appointed for the intermediate examination of persons under articles of clerkship to attorneys, to inform you that Thursday, the 16th November next, is the day appointed for the examination, and that candidates for examination are to attend on that day, at half-past nine in the forenoon, at the Hall of the Incorporated Law Society, in Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Wednesday, the 25th inst.; and in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 25th inst. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, selected from the works specified by the examiners; and a paper of questions on Book-keeping.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 25th inst. (*a*)

Fee, each term, on articles and testimonials of service, 5*s.*—not to be sent in postage-stamps.

Final Examination.

Sir,—I am directed by the Examiners appointed for the examination of persons applying to be admitted attorneys, to inform you that Tuesday the 14th, and Wednesday, the 15th November next, are the days appointed for the examination, and that candidates for examination are to attend on those days, at half-past nine in the forenoon of each day, at the Hall of the Incorporated Law Society, Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

I have to remind you that your articles of clerkship and assignment, if any, with answers to the questions as to due service, according to the regulations approved by the judges, must be left with me on or before Wednesday, the 1st November. If the articles were executed after the 1st January last a certificate of your having passed the Intermediate Examination should be left at the same time; in case your articles and testimonials of service have been deposited here, they should be re-entered, the fee paid, and the answers completed on or before the 1st Nov.

If you apply to be examined under the 4th section of the Attorneys Act 1860, you may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with your articles, &c., on or before the 1st Nov. (*a*)

Where the articles have not expired, but will expire during the term, or in the vacation following such term, the candidate may be examined conditionally; but the articles must be left on or before the 1st Nov., and answers up to the time. If part of the term has been served with a barrister, special pleader, or London agent, answers to the questions must be obtained from them as to the time served with each respectively. No candidate will be examined who shall not have complied with these conditions, or whose testimonials as to service or conduct shall not be satisfactory to the examiners.

On the first day of examination, papers will be delivered to each candidate, containing questions to be answered in writing, classed under the following heads of—1. Preliminary. 2. Common and Statute Law and Practice of the Courts. 3. Conveyancing.

On the second day, further papers will be delivered to each candidate, containing questions to be answered in—4. Preliminary. 5. Equity and Practice of the Courts. 6. Bankruptcy and Practice of the Courts. 7. Criminal Law, and Proceedings before Justices of the Peace.

Each candidate is required to answer *all* the preliminary questions (Nos. 1 and 4); and also to answer in *three* of the other heads of inquiry, viz.—Common law, conveyancing and equity. The examiners will continue the practice of proposing questions in bankruptcy and in criminal law and proceedings before justices of the peace, in order that candidates who have given their attention to these subjects may have the advantage of answering such questions, and having the correctness of their answers in these departments taken into consideration in summing up the merit of their general examination.

Fee, each term, on articles and testimonials of service, 15*s.*—not to be sent in postage stamps.

I am, Sir, your very obedient servant,
Edward Walter Williams,
13th Oct. 1865. Secretary.

(a) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

COUNTY COURTS.

BELPER COUNTY COURT.

Thursday, Oct. 12.

(Before W. Elmsley, Esq., Q.C., Judge.)

Cupit v. Parker.

This was an application in equity under the 10th rule, *ex parte*, for an injunction against Hugh Parker the defendant, on behalf of John Cupit. The two parties had carried on partnership as boot and shoe manufacturers, at Ilkeston in the county of Derby, and Basford and Hucknall Torkard in the county of Nottingham. On the 25th Sept. Parker clandestinely removed all the partnership stock and effects from the two shops at Basford and Hucknall, and had not since been heard of. The plaint now showed these facts, and an affidavit by the plaintiff verified the contents of the plaint and prayed a dissolution of the partnership.

Sugg, of Ilkeston, for the plaintiff, asked the court for an injunction to restrain the defendant from accepting or negotiating bills of exchange in the name of the partnership, and from interfering or dealing with the portion of the partnership effects remaining at Ilkeston, which the defendant had not been able to seize in consequence of their being in the possession of the plaintiff. He asked for the injunction to be in force until the hearing of the bill filed.

His Honour asked when the plaintiff first heard of the defendant having removed the effects.

Sugg.—The 25th Sept.

His Honour asked if the Act was retrospective, and on referring to it intimated that he should not grant the injunction.

Sugg said the grievance here was continuous and existed at the present time, and the injunction asked for was as to acts that might be committed hereafter.

His Honour.—I shall not grant the injunction.

Sugg asked to know his Honour's reasons for not doing so.

His Honour.—I am not bound to state them.

Sugg said he asked for the sake of guidance in practice in future cases.

His Honour then said he did not grant the injunction.

(a) Candidates who have already proved to the satisfaction of the examiners the ten years' antecedent service are not required to leave replies to the further questions again.

tion on the ground that the Act was not retrospective, and he had no jurisdiction in consequence of the defendant having committed the acts he had on the 25th Sept., the Equity Act only coming into operation on the 1st Oct.

THE NEW BANKRUPTCY LAW.

NOTE.—Practitioners will oblige by forwarding new points decided by the County Courts, opinions of counsel, doubts and difficulties that may arise in their practice, and queries for this department of the LAW TIMES.

NOTES OF NEW DECISIONS.

INSPECTORS—SECTS. 137 AND 192.—This section, empowering assignees to sell the bankrupt's book-debts, goodwill, &c., does not apply to inspectors under a trust-deed registered under sect. 192. The terms of sect. 197 do not place inspectors in the same position as assignees are placed in by the 137th section: (*Re Carlisle Canal Company*, 13 L. T. Rep. N. S. 70. Winslow, Reg.)

JUDGMENT-DEBTOR SUMMONS.—Where a judgment-debtor summons was issued against an arranging debtor who had executed and registered a deed of assignment under the Act of 1861, the deed was successfully disputed, and the debtor adjudicated a bankrupt: (*Ex parte Hodgson*, 13 L. T. Rep. N. S. 71 Abrahall, Com.)

TRUST-DEED—RESTRAINT ON NON-ASSENTING CREDITORS.—Where on the 10th a debtor assigned all his estate and effects to a third party, and on the 16th joined with the assignee under that deed in an assignment of the same property and effects to a trustee for the benefit of creditors, and such second deed contained a clause of forfeiture for creditors who, if in the United Kingdom, should fail to verify their debts for two calendar months after requisition to do so by the trustees under the deed, the Court held such a deed not to be within the meaning of clause 7 of sect. 192 of the B. A. 1861, and accordingly granted leave to a judgment-creditor under sect. 198 to issue execution, notwithstanding the registration of such second deed: (*Ex parte Somerville*, 13 L. T. Rep. N. S. 99. Goulburn, Com.)

TRADER—ATTORNEY'S LIEN.—Where a trader petitions under the arrangement clauses, and the usual protection is granted, and order made for the assignee to have the estate, such trader cannot, even by special agreement, lodge with the attorney, or transfer to him, any portion of his assets as a security for his costs, so as to create a lien in favour of the attorney. An attorney cannot establish a special title to a lien upon the assets of a trader of which he has possession by special agreement as security for his costs, such assets being bound by an order of the court procured by that attorney, as it would be against the rights and equities of the several creditors bound by the vesting order: (*Re North*, 13 L. T. Rep. N. S. 109. Lynch, J.)

ALLOWANCE TO BANKRUPT.—Sect. 195 of the B. L. C. A. 1849 is virtually repealed by sect. 174 of the B. A. 1861. Therefore, if the creditors present at the first dividend meeting do not determine whether any and what allowance shall be made to the bankrupt out of his estate, pursuant to sect. 174 of the B. A. 1861, the court has no power to order the statutory allowance given by the B. L. C. A. 1849, sect. 195, to be paid to the bankrupt: (*Ex parte Lovell*, 13 L. T. Rep. N. S. 118. Hill, Com.)

CORRESPONDENCE OF THE PROFESSION.

AGENCY FEES.—LAW TIMES, pp. 577, 587, 604: "Surely it is the duty of a country solicitor to effect service, without requiring his fee to be paid beforehand." What ground or reason can there be for such a statement? Is there any case applicable thereto? W. P. A.

— The plan adopted by "A Young Subscriber," of "sending affidavit of service to his law stationer, with a polite intimation that on calling there and paying the charges the papers will be handed over," of course will not apply, *ex. gr.*, where no affidavit is required and generally, where there are not papers to be returned. I have found a County Court summons so effective in several cases, that I am now about to try it again in some six or eight cases of twelve months standing, where a second application has not had any effect. I take out the summons directly after a County Court is held, so that my case is taken first at the next court, and I am consequently detained a very short time. The judge allows me liberally as a witness. I prefer this plan to selling my "little bills" at 5*s.* in the pound, as "A Young Subscriber" suggests. VIGILANS.

WINDING-UP.—I have recently become aware of a fact connected with the winding-up of joint-stock companies which appears to me worthy of being noticed in your journal as giving rise to the inquiry: What becomes of the funds of companies in course of winding-up between the date of receipt by the official liquidator and the distribution amongst the parties interested? The 43rd rule of Nov. 1862 provides that money "not immediately required for the purposes of the winding-up" may be invested in Bank Annuities upon a request to the Bank of England, signed by the official liquidator and the chief clerk, and that such annuities shall not afterwards be dealt with, except upon a direction similarly signed, or under an order by the judge. This restriction is embodied in the form of request for investment which is numbered 44 in the forms issued with the rules, but upon my recently lodging at the Bank such a request on behalf of an official liquidator, I was informed by letter that the Bank could not act upon it with the conditions attached to it: that stock purchased in the name of an individual became his absolute property, and the Bank could not control its destination. Thinking that, as the rules had been in force nearly three years, they must have been frequently acted upon, and that the letter had been written in mistake by some one acting temporarily as a substitute for the chief cashier, I called at the Bank on the subject, and learned to my astonishment that mine was the first instance of such a request from any official liquidator having been received there, and that the letter had been written with the approval of Messrs. Freshfield, to whom I was then introduced, and who, although maintaining that sect. 170 of the Companies Act 1862, giving power to the court to make rules "concerning the mode of proceeding to be had for winding-up a company," did not authorise the making of the rule in question, yet ultimately assented to the proposed investment in Consols being made. Are we to suppose that all the moneys received by every official liquidator since Nov. 1862 have been "immediately required for the purposes of the winding-up;" or is the difficulty to be solved by assuming that all moneys, not so "immediately required," have been invested in Exchequer-bills, which investment, as well as that in Bank Annuities, is authorised by rule 43? QUERY.

LAW COLLEGE.—Mr. Turner's scheme appeared in the LAW TIMES of the 13th Feb. 1864. I stated in my letter of last week on legal honours that, considering the peculiar government of our profession, this scheme was, in my opinion, the best that we could have for a law college. Mr. Turner does not appear to have thoroughly matured the details of his scheme: and the serious difficulties that stood in the way of adopting it as it then stood, pointed out by Mr. John Young, is perhaps the reason why we are not at the present time more advanced in the subject. It may be within the recollection of many that a law university, comprising the two branches of barrister and attorney, was mentioned during the above discussion, and it was said by Mr. Hope Shaw that it was in contemplation to bring into Parliament a measure to establish such an university. If that is the case, would not this be preferable to a law college? A law college would widen the distinction between solicitor and barrister, which is believed by our leading solicitors to be a very unadvisable proceeding. But such a radical change as the establishment of a Law University would effect in our form of government suggests an important question, viz., whether there is sufficient necessity for such change? Our Profession is regulated by the judges, in whom, by Act of Parliament, vests the sole control over us. A portion of this power they delegate to the Law Institution, viz., the examination of articled clerks as to their fitness to be admitted on the roll of attorneys. The Law Institution has no other powers. As soon as they have pronounced an articled clerk fit and capable to practise as an attorney, their jurisdiction over him ceases, except he chooses to join their body, and then they will exercise a supervision over his professional conduct, so far as expulsion from the society goes for misconduct. Over an attorney, not a member of the institution, they have not the slightest control, neither have the judges except in the case of positive fraud. If a member of the Law Institution is expelled to-day for improperly advertising, his obnoxious advertisement will appear again to-morrow, and as often subsequently as it suits his interests. "Show me his company and I will tell you the man" is a well-known aphorism. A solicitor who would advertise for business is a man who would feel no degradation in being expelled from the Law Institution, neither would the clients who patronise him, and his friends would consider him an ill-used man; so that in reality the moral influence exercised by the Law Institution over that man is nothing, and inasmuch as the Law Institution has no control over any other than its members, it follows that there is no adequate check anywhere, either upon professional misconduct, or upon conduct which, not being within the cognizance of a court of justice, ought therefore to be within the cognisance of some tribunal, or the interests of the public are not protected. When an attorney is expelled from the Law Institution, say for advertising, and the advertisements subsequently appear in the papers, the public must think, either that the man has done no wrong, or that he is not sufficiently under control. No one will, I apprehend, deny that our Profession requires, for the best interests of society, that the utmost vigilance should be exercised over its members. And can we conceal from ourselves that there is virtually no control at all over us as a body? And considering the vast importance of the duties we have so often to discharge, does not a different organisation than now exists seem to be imperatively required, in order that our *status* may be raised and the interests of the public adequately protected? No one will deny that the Law Institution most ably performs the duties devolving upon them; but their jurisdiction is not over every attorney, and therefore it is essentially defective. The required controlling influence over the Profession seems to be a matter peculiarly within the province of a Law University. Why should we not, therefore, endeavour to establish one? The incentives to a more advanced study of the law that a university would open to all those desirous of "legal honours," would afford one of the guarantees to the public of able and honourable attorneys. In conclusion, let me advise your correspondents on the legal honour question, to lend their aid in establishing a Law University. I venture to submit (although I may lay myself open to the imputation of being too patronising to junior faculty) that my scheme has this advantage over theirs, that mine has the support of some of the leading men in our Profession, while theirs has not. A SOLICITOR.

P.S.—If your correspondent "Articulus" can refer me to the date of the number of the LAW TIMES coinciding with the subject-matter of the memorial referred to in my last letter, I shall be much surprised.

STATUS OF SOLICITORS.—The attorneys of the English courts now congratulate themselves upon the fruits of their exertions during late years; they feel satisfied that they have well fenced in their own rights, and opposed effective barriers to the admission into their ranks of all but the meritorious, and do they not relentlessly hunt from their number the member whose professional honour sinks in the least beneath the line of legal immunity? As a body, they say they have the respect of all classes of their fellow-subjects. But, with all this, they fail to win to themselves that social *status* which the real nature of their avocation undoubtedly ought to insure. They lay claim to be in the profession of the law, and to constitute its "inferior" branch; and yet, by men of culture, who generally deny attorneys a place in the learned professions at all, they cannot be considered even an outermost twig. "Attorney-dom," with a large class, is a current expression for the lowest term of Brummagem intellect, a boasteous compound of cunning, vulgarity, and the self-confidence of ignorance. Nor have they, in the mass, the sympathy of their brethren of the superior branch of the legal profession; these lions in the tangled brakes of English jurisprudence regard them principally in their jackall capacity, and perhaps dispense with that feeling of gratitude which the replete brute entertains towards his provider. Those awful entities, the "eminent" solicitors, escape coming under this derogatory estimation; but, in most cases, not by virtue of their individual qualities of legal learning or higher culture, but simply on account of the great extent and multiplicity of their transactions, which are discharged by their staffs of competent clerks, and the potency of their large capital. Now this state of matters with regard to the social position of attorneys is not owing to the scantiness of their worldly means; for although the larger section of solicitors do not make large incomes, yet there are but few of those respectably qualified who do not manage to earn incomes equal at least to the stipends of like men in the other professions. Nor is there any truth in the assertion that the character of the business of this profession is inherently degrading; for, in many respects, it is nobler, and in none inferior, to the character of that which ordinarily falls to be discharged by the Bar. But, in short, the main cause, from which are deducible all the subsidiary ones, is this: the mediocrity, or rather under-mediocrity, of the educational tests, whether general or special, which the Profession applies, and this may be said to be a necessary result of the hitherto adopted system of preliminary professional training. Take a typical case in illustration of its working. A lad aged sixteen, undergoes an examination of a truly school-boy standard in general knowledge. And he becomes articled, and then goes on sinking capital for five years, for what? That he may learn the law stationery business, the mechanical routine of simple drafting, and the practice of errand running, and in the intervals of these pursuits, with no guidance worth a farthing, but amidst contradictory

sorts of advice, he is to acquire the knowledge of the principles of English law! He undergoes an "intermediate" legal examination, whose object furnishes a topic of speculation; and finally, another on the whole field of English jurisprudence in two days! And which would be a crushing contemplation, were it not sufficiently patent to all competent to judge, that a good memory and the possession of the papers of, say a couple of years preceding, can prevail over it. Here at last, after an expenditure of nearly a thousand pounds, our young "gent" can be admitted to practise; and really ought one to feel surprised that the "inferior" branch comes to be denied the epithet "learned?" Thus it ensures its members the privilege of being bracketed with auctioneers, estate agents, and such small deer. The office system will work well enough, if only the examinations are raised. It does so in Scotland, in the case of the Edinburgh W.S.'s. In their training, a liberal education being a preliminary *sine qua non*, to the knowledge of mechanical law acquired by office routine is added academical instruction of the highest order in legal principles and searching examinations; and what further result can be desired, for we have a body of practitioners on an equal social *status* with the Bar, whose members are the first to admit the fact and act accordingly. The tests must be raised at Westminster, too; it is vain to expect that the presence in its ranks of a few higher exceptions to its ordinary standard can raise the public estimation of the attorney profession. When one considers how far the eight or ten hundred pounds, at present for the most part simply thrown away, could go to secure for the young attorney a liberal education, general and special; how judicious and thoroughly practical schemes for this have been often broached by men whose privilege it is to have a wider mental vision than the bulk of their professional brothers, but in vain, what greater justification can be adduced for the opinion which at bottom all Englishmen, who can form one worth a rush, entertain regarding the profession of an attorney? And there is further justification to like minds in the evidence afforded by the recent letters in your journal from gentlemen who have taken "honours" at their final examination, who seek to revive an old discussion, and to contribute towards raising the social *status* of their profession, by having letters symbolical of their success to follow their names in the *Law List*, and where else they best know; something, as they pathetically say, after the manner of a University degree. But at present this will go a very short way towards the wished-for end, even though the letters (when fixed upon) be sewed to the backs of their coats. The sensible and well-toned letter of "A Solicitor" should tend to convince them of this. Let them at least wait till a *bond fide* honour examination is instituted. When this obtains, over and above a rational system of previous training efficiently tested, the social *status* of the profession of attorneys will rise and be permanent, even without alphabetical props.

12th Oct. 1865. STUD. JUR.

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Queries.

COSTS.—Where a solicitor is concerned for both the vendor and the purchaser, and accordingly prepares the abstract, is it the practice to charge the purchaser for its perusal, and also for drawing requisitions on the title?

A. C.

TRUSTEE.—Perhaps some of your numerous readers will kindly give me their opinions upon the following point: A., by his will, appointed B., C., and D. (the testator's wife) executors and trustees of his will; and by a codicil thereto declared that if D. intermarried with anyone she was to cease to be a trustee, and in that case the said B. and C. were *alone* to act in the trusts thereof. All the executors proved the will. B. and C. are now dead. D. subsequently intermarried with X., and consequently ceased to be a trustee according to the terms of the will. X. died, when D. again intermarried with Z., and is now living. Was D., upon the decease of her second husband, restored to the character of a trustee; or did she, upon intermarrying with X., her second husband, become incompetent from ever again acting in the trusts of the will of A.?

J. E.

Wolverhampton, Oct. 16, 1865.

CONDITIONS OF SALE—COSTS OF COVENANT FOR PRODUCTION OF DEEDS.—A client of mine was the purchaser of one of several lots of land at an auction, there being the common condition of sale that the purchaser of the most valuable lot should have the title-deeds on entering into covenants for production, &c. with the other purchasers, with the following stipulation: "All covenants for the production of deeds to be at the expense of the purchaser requiring the same." My client is entitled to such a covenant, but the solicitor for the purchaser, having custody of the deeds, declines to hand the same over unless his costs of approval, &c. are paid. I contend that my client is only liable to bear his own costs. I should be glad of the opinion of your readers as to the usual practice in such cases, for it is not the first time the question has arisen, although I have always previously successfully resisted similar claims.

W.

CHARITY.—A rector desires to give his own land (not glebe) whereon he has erected a building in a remote part of his parish, upon trusts to permit the building to be used for a school and for Divine worship and for meetings for church purposes, according to the discretion of the rector for the time being. A conveyance is drawn to the use of trustees individually, naming them, upon those trusts, and it is to be enrolled. 1. Is the deed to *individual trustees* correct? It is insisted that the land may be conveyed upon those trusts to a corporation (the patrons of the living being that corporation), the rural dean as such and the rector. 2. Can that be legally done? Would such a conveyance be bad in law? If the land and building be for church purposes only, it is conceived it must be conveyed under the Church Building Acts to church commissioners; if for educational purposes, under statute to the clergyman and churchwardens. 3. Is that so? In this case it is for the different purposes above, and it is apprehended that the conveyance must be to individual trustees willing to accept the trusts. 4. Is that so? Answers to these queries will be esteemed by

Bristol, 15th Oct. 1865. A SUBSCRIBER.

Answers.

DOMICIL.—If the deceased, whether a British subject or a foreigner, die domiciled in England, all his personal estate, wherever situate, is subject to the payment of legacy duty. Hence, although the American railway shares are not liable to probate duty here, they are liable to legacy duty.

D. H.

POSTAGE STAMPS.—I beg to refer "Long Robe" to the 3 & 4 Will. 4, c. 97, s. 1, the Act, I believe, under which the Commissioners of Stamps have power to license persons (other than stamp distributors) to deal in stamps.

Hemel Hempstead, 17th Oct. 1865. W. STOCKEN.

MORTGAGE—NOTICE.—In Hughes' Practice of Mortgages, vol. 2, p. 328, this passage occurs: "It is said that an offer of a mortgagor to pay six months' interest in advance will be equivalent to notice; but an opinion is entertained by many that this would be usurious, and the matter seems at any rate sufficiently doubtful to justify any mortgagee in refusing the six months' interest in lieu of notice." This was written before the repeal of the laws against usury, and I should say that now a mortgagee would be undoubtedly compelled to reconvey without notice if six months' interest in advance were tendered to him. All the claims that a mortgagee has to this notice are satisfied by such payment of interest.

D. H.

THE LAW LIBRARY.

A Compendium of Mercantile Law. By JOHN WILLIAM SMITH. Seventh Edition. By GEORGE MORLEY DOWDESWELL, Barrister-at-Law. London: Stevens and Son.

THE first edition of this great work appeared in 1834. The author's name recommended it to the instant favour of the Profession, and it was at once adopted as the text-book for the law student and pleasant and profitable reading for the lawyer refreshing his memory. Mr. Smith had a special faculty for writing law so as to make it intelligible to the most unlearned. He was great in the work of extracting principles from a crowd of cases, and in tracing their application as they were amplified or contracted to meet new combinations of facts. In his hands, as in those of Blackstone, law assumed almost an inviting aspect. It was easier and more agreeable reading than a magazine article. The student was insensibly conducted to a knowledge of his profession by a path that was strewn with flowers, or, if there were thorns in the way, they were skilfully concealed from view. The truth is, that Mr. Smith had a very clear head of his own, and he expressed himself clearly accordingly. He says that this compendium of Mercantile Law was suggested by Mr. Burton's Compendium of the Law of Real Property. It appeared to him that mercantile law was capable of even greater compression than real property law, inasmuch as the reasons on which the former is based can be explained more shortly than those which support the latter." The former, he adds, is partly historical, and therefore it is necessary to recount some of the history that belongs to it; but the latter is deduced from principles of utility the force of which the mind perceives as soon as they are pointed out to it. And he illustrates this by reference to the statute of *Quia Emptores* in the one case, and in the other by the principle then accepted as indisputably right, but now abandoned as a mere old-world prejudice, "that if A. hold himself out as B.'s partner, he will be liable as such, because he might else enable B. to defraud persons who had trusted him upon the faith of the apparent partnership and joint responsibility." As this work is issued without a note of reference to the new law of last session, we presume that it was printed before that statute had passed. Admitting that it was a subject for compression, Mr. Smith apprised his readers of the extreme difficulty of the task of compression, because the author must keep in view a triple object—he must aspire at once to clearness, brevity, and accuracy. Difficult as this task was, Mr. Smith completely accomplished it. It is impossible that either of these three requisites could have been more perfectly attained. The work was welcomed as it deserved, and speedily passed through several editions. But as it grew in age it also grew in size. The brevity that was its boasted virtue at first was gradually departed from, and each succeeding issue multiplied its pages, until now we have before us a huge tome of more than a thousand pages, nearly four times the bulk of the volume which Mr. Smith modestly recommended on the score of its triple claim of clearness, *brevity*, and accuracy. The clearness and accuracy it has retained, but certainly not the brevity; and, indeed, its title of a "Compendium" does not strictly belong to it. What its seven editions, finally improved by Mr. Dowdeswell, have done has been to make it a regular treatise on mercantile law; a book for the practitioner as well as the student, a volume for the office even more than for the study. Of course no complaint can be made of this. It is the natural development of a successful law book. There is no other good treatise on mercantile law generally, though almost every branch of it has found a separate expositor. This volume supplies a real want in the law library, and it is due to the present editor to say that it has been well supplied by his diligence and knowledge.

The plan of the work is as it was. After a lucid introduction, sketching the rise and progress of mercantile law, the Compendium is divided into four books, the first of which treats of mercantile *persons*; the second of mercantile *property*; the third of mercantile *contracts*; and the fourth of mercantile *remedies*. Mercantile persons are classified as single traders, partnerships, joint-stock companies, corporations, and principal and agent. Mercantile property embraces a consideration of the incidents belonging to that property generally, and the specialities of it, as shipping, goodwill, and negotiable instruments. The contracts are divided into bills of exchange and promissory notes, carriers, affreightment, maritime, fire and life assurance, bottomry and respondentia, hiring and service, contracts with seamen, apprenticeship, guarantee, sales and debts. The remedies are, stoppage in *transitu*, lien, and bankruptcy. The usual appendix of statutes completes the volume.

As a specimen of all of the three characteristics aimed at by Mr. Smith, we take from the chapter on Principal and Agent the section on

THE RIGHTS OF THIRD PERSONS AGAINST PRINCIPAL.

Next in order are the considerations respecting the mutual rights of the Principal and Third Persons.

As far as the agent's authority extends, he has a right to bind his principal to third persons. Now his authority may, as we have seen, be either expressly given, or inferred from the acts of his supposed principal. When it is expressly given, there can be no doubt as to its extent, except from the uncertainty of words employed in delegating it. When, however, it is to be inferred from the conduct of the principal, that conduct furnishes the only evidence of its extent as well as of its existence, and, in solving all questions on this subject, the general rule is, *that the extent of the agent's authority is (as between his principal and third parties) to be measured by the extent of his usual employment*; for he who accredits another by employing him must abide by the effects of that credit, and will be bound by contracts made with innocent third persons in the seeming course of that employment, and on the faith of that credit, whether the employer intended to authorise them or not; since, where one of two innocent persons must suffer by the fraud of a third, he who enabled that third person to commit the fraud should be the sufferer. On this principle it is, as we have seen in the first chapter, that one partner can bind another to contracts within the scope of the partnership business; the same principle is well illustrated by Lord Chief Justice Holt, who says, "If a man send his servant with ready money to buy goods, and the servant buy upon credit, the master is not chargeable. But if the servant *usually* buy for the master upon tick, and the servant buy some things without the master's order, yet, if the master were trusted by the trader, he is liable." The same principle is applied to cases respecting notes or bills, which, if drawn, indorsed, or accepted by a clerk who has been previously allowed to do so, bind the master, though the money never come to his use; it is applied to sales and guarantee, in a word, to every species of mercantile transaction, and whether the agent have or have not been dismissed from his employer's service, provided that the third party had no reason to be aware of the

termination of his employment; which has occasioned a learned writer to suggest the propriety of giving notice in the *Gazette*, and by circulars, whenever a mercantile agent's employment is determined, is the practice on the dissolution of a partnership. Or can the principal relieve himself by agreeing with his agent that the latter shall take the liability on his own shoulders, for strangers not cognisant of such agreement are not bound by it.

The nature of the authority to be inferred, and the sufficiency of the principal's acts to raise the inference, must of course depend on the special circumstances of each case, and involve questions fit for the consideration of a jury. There is one instance in which the recognition of a single purchase made by his servant upon credit was held to bind the principal to a succeeding one. However, as the employment is the measure of the authority to be inferred, if there were no previous employment, there can, of course, be no inference of authority; such a case, the party who trusts a servant does at his peril, since the master will only be liable for what comes to his use; and not even for that, if he have his servant money to pay for it; and, as the employment is the measure of the authority, an employment in one line of business affords no inference of authority to act in another, and the authority must be inferred by facts which have occurred during the course of such employment, not from mere argument as to the utility or propriety of the agent's possessing it.

Thus, though a clerk or apprentice may have an implied authority to receive money for his master in the course of business, yet that will give him no authority to receive it in collateral transactions or out of the ordinary course of business. And thus also, though a master when abroad, or even at home, in case of necessity, has an implied authority to borrow money for the purposes of the ship, and may therefore bind his owner by contracting a loan for those purposes, yet, if he borrow money on his own account, and afterwards apply it to the purposes of the ship, that is no exercise of his authority, and his master is not bound to repay that money.

It follows from the above observations, that an agent may be tied down by very strict directions, as between himself and principal, whom he may, notwithstanding have power to bind by contracts, unauthorised by and even in defiance of them. Cases of this sort occur, when a *general agent*, as he is called, exceeds his instructions. *A general agent* is a person whom a man puts in his place to transact all his business of a particular kind: thus, a man usually retains a *factor* to buy and sell all goods, and a *broker* to negotiate all contracts of a certain description, an *attorney* to transact all his legal bussiness, a *master* to perform all things relating to the usual employment of his ship, and so in other instances. The authority of such an agent to perform all things usual in the line of business in which he is employed, cannot be limited by any private order or direction not known to the party dealing with him. But the rule is directly the reverse concerning a *particular agent*, i. e., an agent employed specially in one single transaction; for it is the duty of the party dealing with such a one, to ascertain the extent of his authority; and if he do not he must abide the consequences.

We have seen that a subsequent assent by the principal to his agent's conduct, exonerates the latter from the consequences of a departure from his orders. In like manner, it will render the principal liable for contracts made in violation of such orders, or even without any previous retainer or employment, for *omnis ratihabitio retrotrahitur et mandato æquiparatur*. Such an assent may be inferred from the conduct of the principal, who cannot confirm a transaction in part and repudiate it as to the rest, but must either adopt all or none.

The general rule, however, is, that the authority, of whatever description, *must be strictly observed*; otherwise the principal, if his agent be a particular one, will not be bound; and, if he be a general agent, will not be bound, save under the circumstances above described, and not under any circumstances whatever, if the third party, at the time of his contracting, was, or ought to have been, aware of the limited extent of the agent's authority, which is construed by the courts with a great deal of strictness; thus, if given to two, it cannot be executed by one, though the other should die or refuse; and if given to three jointly and severally, it cannot be executed by two, though it may either by all three or by one only. However, the courts are now disposed to relax from the technical precision of ancient times in construing these and the like words, and will search the whole instrument for the maker's intention; but, where that is once ascertained, they will confine the agent to it with the utmost strictness.

At the same time, the courts are so far liberal in construing authorities given to agents, that they will hold them to include permission to use all necessary, or even usual means, of carrying the main intention of the principal into effect in the best manner; thus, an agent employed to get a bill discounted may, perhaps, unless expressly restricted, indorse it in the name of his employer; a broker, employed to effect a policy of insurance, may adjust the loss, and do all that is requisite towards such adjustment; an agent to receive rents and let has power to determine the tenancy; an agent employed to issue process may receive the debt and costs; and warranty given by an agent to sell *primâ facie* binds the principal. A master who sends his servant to buy goods, and gives him no money to pay, doubtless authorises him to pledge his credit. But though the agent has an implied authority to use those means, of which the principal could not but have foreseen the necessity, and, therefore, could not but have intended to authorise; yet, if an unusual contingency arise, it does not follow that the agent will have power, however useful it might be, to do that which would enable him to meet the contingency in the best manner: thus, it was decided in *Hawtayne* v. *Bourne*, that there is no implied authority in an agent conducting the general business of a mine to borrow money in case of necessity. "No such power," said Parke, B., "exists, except in the cases of the master of a ship, and of the acceptor of a bill for the honour of the drawer. The latter derives its existence from the law of merchants, and, in the former case, the law, which generally provides for *ordinary* events, and not for cases which are of rare occurrence, considers how likely and frequent are accidents at sea, when it may be necessary, in order to have the vessel repaired, or to raise the means of continuing the voyage, to pledge the credit of her owners: and therefore it is that the law invests the master with power to raise money, and, by an instrument of hypothecation, to pledge the ship itself, if necessary. If that case be analogous to this, it follows, that the agent had power, not only to borrow money, but, in the event of security being required, to mortgage the mine itself. The authority of the master of a ship rests on the peculiar character of his office, and affords no analogy to the case of an agent. I am, therefore of opinion, that the agent of this mine had not the authority contended for."

Such being the general rules concerning an agent's power, let us now consider, a little more particularly, what course he must pursue, in order to bind his principal by two or three of the most usual species of engagements.

In executing a deed, he may either sign the name of his principal, or state it to be done by himself as agent for his principal, or by his principal through him the agent. But if he sign his own name without mentioning his principal, the latter will not be bound.

In like manner an agent employed to draw, indorse, or accept negotiable instruments, must take care not to do so in his own name, for, if he do, he will himself be liable to the holder.

As to his power to bind the principal by a disposition of his goods, the common law rule was, as may be collected from the foregoing observations, that to acquire a good title to the employer's property by purchasing it from his agent, such purchase must have been in market overt and without knowledge of the seller's representative capacity, *or* from an agent acting according to his instructions, *or* from one acting in the usual course of his employment, and whom the buyer did not know to be transgressing his instructions. The reason of this is clear; for unless the transaction took place *bonâ fide* in a market overt (in which case a peculiar rule of law steps in for its protection), an agent selling without *express* authority must, that his act might be supported, have sold under an *implied* one. But we have seen that an *implied* authority always empowers the person authorised to act in the *usual course* of his employment; consequently, if he sold in an *unusual* mode, he could have no *implied* authority to support his act; and as he had no *express* one, his sale of course fell to the ground. For instance, the *usual* employment of a factor being to *sell*, it was repeatedly decided that he could not *pledge* the goods entrusted to him.

Such was the rule of the common law; but, being considered prejudical to credit by the greater number of mercantile men, it was altered by statute 4 Geo. 4, c. 83, and afterwards by the amended Act of 6 Geo. 4, c. 94, usually called the Factors Act, and from which, taken in conjunction with the statute 5 & 6 Vict. c. 39, the law on this subject must now be collected.

Catalogue of Books in the London Library. Third edition. By Rob. Harrison, Librarian. 1865.

Though this is not at first sight a lawyer's book, yet such of our readers as have not heard of the London Library will be glad to know that it is a lending library, established in 1840 by the greatest of our literary men, and now consisting of about 80,000 volumes, containing most of the solid learning of the world. Among these volumes are to be found all the historical and constitutional works which well-read English lawyers find it now essential to know something of. Cabinet ministers, bishops, judges, lawyers, doctors, and divines, in all parts of the country, find ample materials in this collection to gratify their tastes for reading and study, and, besides standard legal and professional works, light literature finds its appropriate, though not a disproportionate, place. Such a library, which is too little known, is invaluable to lawyers, and this well arranged and handsome catalogue will render its contents easily accessible.

LEGAL OBITUARY.

Note.—This department of the Law Times is contributed by Edward Walford, M.A. and late Scholar of Balliol College, Oxford, and Fellow of the Genealogical and Historical Society of Great Britain; and as it is desired to make it as perfect a record as possible, the families and friends of deceased members of the Profession will oblige by forwarding to the Law Times Office any dates and materials required for a biographical notice.

JAMES HAMERTON, ESQ.

The late James Hamerton, Esq., barrister-at-law, of Hellifield Peel, Yorkshire, was the eldest son of the late James Hamerton, Esq., of Hellifield, by Ann Hancock. He was born at Hellifield in the year 1779, and educated at Uppingham school; he graduated B.A., at Trinity College, Cambridge, in 1802, proceeded M.A. in 1805, and was called to the bar at Gray's-inn in the same year, and went the Northern Circuit and the West Riding Sessions. Although Mr. Hamerton never held any appointment connected with his profession, he was in politics a Whig of the old school, advocated reform in every department of the state, and was a strong supporter of the late Lord Carlisle in all his elections for the West Riding of Yorkshire, of which division of the county he held the post of magistrate and deputy-lieutenant. He died at Hellifield Peel, on the 6th Oct., and was buried at the parish church of Long Preston in the county of York. The late Mr. Hamerton married in 1806, Maria, daughter of Staines Chamberlayne, Esq., of Ryes, Essex, by whom he has left two sons and two daughters.

MR. GIDLEY.

(From the *Exeter and Plymouth Gazette* of Oct. 9.)

Exeter lost yesterday one of her most valued citizens. It is our painful duty to announce that, at seven o'clock on Sunday morning—just at the hour it had long been his custom to attend the early service in the Cathedral—John Gidley, Esq., breathed his last, at his residence, Bedford-circus. Every inhabitant of Exeter, will hear with regret of the removal of the esteemed town clerk from amongst us by the hand of death. His geniality, his kindness of disposition, his varied acquirements, his cheerful humour, had secured for him the respect, aye the affection, of an extensive circle of friends; and his uprightness, his ability, his integrity, his warm-hearted benevolence had won for him the goodwill of the citizens generally. He had passed somewhat beyond the age mentioned by the Psalmist as the span of human existence—"threescore years and ten"—but until within the last three years time seemed to have dealt gently with him. In January 1863 his wife, to whom he was deeply attached, died, and since then his friends have observed a gradual breaking up of his health. About twelve months since he underwent the delicate and dangerous operation of lithotomy—most successfully performed by his medical attendant, Mr. Kempe—and on his recovery was welcomed to his place at the town council board with an earnestness and a cordiality that showed how sincerely he was respected by those who knew and could appreciate his sterling worth. With the assiduity that marked his whole career, he has applied himself to his duties in spite of failing strength, and until within the last week he has laboured on, working even in his sick-room, so that he might leave the numerous business and professional affairs with which he was concerned as free from embarrassment as possible. From the ailment which has caused his death—disease of the liver—he suffered poignantly during the last week of his life, but bore his anguish with manly fortitude, and looked for his approaching dissolution with calmness and resignation. Faith had built for him

A bridge across the gulf of death.

He could look back upon a life well spent. He lived and died a true Christian gentleman. The father of the deceased was a solicitor at Honiton, of which place our late town clerk was a native. His family were formerly residents of Gidleigh, in this county. With his father he served his articles, and about fifty years ago left Honiton and settled in Exeter, entering the office of Mr. Gatley, the then town clerk, for whom he afterwards acted as deputy. In Jan. 1836, Mr. Gidley was elected to the town clerkship, under the new Municipal Act. The deceased also filled several other public offices. He acted as magistrates' clerk for some time prior to the appointment of Mr. Barton; and at the time of his death was Clerk of the Peace for the city, Clerk to the Land and Assessed Tax Commissioners, and Registrar of the Provost Court. The Recordership of Bradninch he resigned only this year. It may truly be said of him, that he faithfully fulfilled his duty in every relation of life, and nobly and honourably acquitted himself during a long and arduous career.

Of Mr. Gidley's public character we may speak

with freedom. Elected to the responsible office of town clerk while still a young man, he continued to discharge its duties with consummate skill and unvarying punctuality, till God withdrew him from his labours. Not that this was at times either an easy or agreeable task. In a city where political feeling runs high, and during seasons when that feeling was occasionally expressed with considerable rancour, there were often conflicting interests to reconcile, animosities to allay, prejudices to remove, tempers to soften, and great legal difficulties to overcome. But bringing to the discharge of the office great gentleness of character, an unvarying suavity of manner, a temper that was rarely ruffled, a quick and ready wit, a wonderful power of reply, and, above all, a spirit so conciliatory that it quickly shed its influence over the most troubled elements, Mr. Gidley commanded and deserved success. Skilfully did he pilot the council through difficulties which would have baffled a less practised hand, and every year, as it passed by, added to a reputation which will only be forgotten when integrity, honour, and an unflinching discharge of duty cease to command the respect of men. But, perhaps, the most remarkable point in connection with his services to the town council was the rapidity with which he was able to bring his vast legal knowledge to bear upon any subject under discussion. No matter how short the notice, or how sudden and peremptory the question, the town clerk was always ready; and the facility with which he could blend a joke or smart saying with more serious matter often gave a happy turn to an angry argument. But besides his public duties in Exeter, Mr. Gidley was also Recorder of the ancient borough of Bradninch; and in this capacity it is hard to say whether his legal knowledge or his tact and wisdom shone the most conspicuous. Certain it is that the geniality of his disposition, and his pungent and ready wit, endeared him to all within the district. Bradninch Sessions will hardly seem natural without seeing the well-known face upon the Bench, and the annual gathering on St. Thomas Day will have have lost more than half its charms by the absence of one who contributed so largely to the enjoyment of that festive day. We will be bold to say, that for many of these meetings to come Mr. Gidley's name will be remembered with solemn respect.

As a legal practitioner, Mr. Gidley's reputation deservedly stood high in the city and neighbourhood. Gifted with a powerful and retentive memory, and possessing a rare facility for at once mastering the merits of a case, he was able to bring to his professional duties a store of scholarship, remarkable in one who was not a University man, and literary acquirements which are rarely surpassed by those who have twice his time and leisure. The facility with which he was able to refer to authorities was at times almost startling; and some of the most distinguished of the legal profession have paid an honourable tribute to his ability and research. Looking upon Law as a thing to be avoided, except at the last necessity, he never failed to caution his clients against needless litigation. Often and often, when an angry suitor has come to him with instructions to commence an action, has Mr. Gidley sent him home with words of sober advice to think the matter over, and to listen to reason rather than to law. In this way, no doubt, he lost clients; but he earned a reputation which will long outlive the loss. Though few men ever toiled harder at the desk than Mr. Gidley, it was done rather for the love of work than for greediness of gain. And this may be said to be one of the leading features in his character. Those who best know his practice will testify to the disregard of self exhibited in the moderation of his charges, and his reluctance to draw out a bill. He was accustomed, jokingly, to say that, when he decided upon following the Law as a profession, his father had cautioned him to be careful in his charges. His clients can tell how faithfully he followed his father's advice. If Mr. Gidley had been a money-loving man, his extensive and varied practice would have enabled him to amass a fortune which would have placed him among the richest men of Exeter.

We have said something of the worthy town clerk's scholarly tastes; and most people who have been brought into contact with him will remember many a happy illustration and quotation from some good old classical source. As a student of Shakespeare he had few equals, and the keenness with which he would do battle for a favourite reading often excited the mirth of his friends. Alas! that those spirit-stirring contests of wit and humour are no more! With the literature of the day—that is to say, with the *best* literature—Mr. Gidley kept pace. He was a judicious buyer of books, and not only a buyer, but a most diligent reader also. While St. Augustine, or one of the other grand old fathers of the Church, occupied his graver moments, he could always find time to make himself master of any book of modern thought that was worth mastering. And it was this that gave such an indescribable charm to his conversation, and made him so welcome a guest in every house. But perhaps a greater charm even than his conversational powers was the total absence of affectation which characterised everything he said and did. He was essentially a *real* man, and he talked well, not to gain applause, but because talking well was natural to him. If a book of his smart sayings, good stories, jokes, and epigrams were compiled, it would contrast not unfavourably with some of the happiest efforts of Sydney Smith. There was, indeed, a striking resemblance between the two men; but with this strong and marked difference, that while Sydney Smith, in the exuberance of most wonderful natural spirits, levelled the shafts of his wit indifferently at things sacred and secular, Mr. Gidley was never known to offend in this way. No man ever heard him point a joke at the expense of religion. And for the best of all reasons, because he was a devout and God-fearing man. Regular in his daily attendance at the early service at the cathedral, even up to the latest days of his life, and never omitting any opportunity for receiving Holy Communion, he was one of the last men on earth to sacrifice holy things to the levity of a passing jest.

By one class of men especially, will Mr. Gidley's death be felt. The clergy have lost a staunch friend and a sound counsellor. Deeply versed in Ecclesiastical Law, and everything which pertains to the discipline of the Church, he has left no one in this neighbourhood to supply his place. Many a clergyman, to whom Mr. Gidley was personally unknown, will miss the advice which was so cheerfully and yet gratuitously given. A close and valued friend of the Bishop, no less than of the clergy of more humble name, he descends to his grave with their sad and solemn respect. Loyal to the church in troublous times, and an almost unsparing contributor towards everything which could help her usefulness, he has gone to his reward. May he rest in peace!

LAW SOCIETIES.

ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE.

Department of Jurisprudence and Amendment of the Law.

(*Continued from page 605.*)

Punishments.

Mr. T. B. L. Baker, of Gloucester, contributed an instructive paper on "Sentences to be passed on Criminals," the special subject for discussion being, "What means is it desirable to adopt to prevent the passing of sentences inadequate to the proper repression of crime." Mr. Baker, at the outset of his address, said that the present system of passing sentences on criminals was one which would hardly stand the test of reason, still less that of practice. Our profession, our theory, our real intention is Christian and philosophical, but our practice is neither the one nor the other. The most striking evil in our present system was its uncertainty. All allow that, if deterrence is our object, certainty of punishment is of far more avail than severity. Yet those who talk most of the value of certainty seem to forget or ignore the most palpable truism—viz. that if we are to prevent crime, we must prevent it before it is committed, and not after. At present there is no recognised system for passing sentences on criminals. Every judge, every magistrate sentences according to his own idea of justice, without any recognised rule. If future crimes are to be deterred, a criminal ought to know before he commits a crime what will be its punishment. If the sentence were made to depend, not on the article stolen, but on whether it was a first, second, or third conviction—giving for a first ten days, for a second twelve months, and for a third seven years—every man would know beforehand what would be his punishment, and no man would have an opportunity afforded him of becoming a skilful thief. It is, in fact, this system of long detention on second or subsequent convictions which has lowered juvenile crime from 14,000 to 8000 per annum, and a similar system would lower adult crime. Even now, not one in fifty attains either eminence or skill as a thief before he has been three or four times convicted; although at present he can find gangs of skilful thieves to instruct and shelter him; but under the system which I propose, even a thrice-convicted thief on his return to liberty would have been for seven years out of practice. If he again commence crime it must be as a bungler, and without the aid of a gang; and he would probably be soon caught and made safe for life. It is said that the ten days' sentences on first convictions will be too short to deter beginners; but those who have had opportunities of watching prisoners through their confinement know well that a man feels his first ten days far more acutely than the later portion of his sentence. Like a wild bird in a cage he suffers severely at first, but after a time he becomes used to it and will never again think of it with the same aversion. Our principle is to make our gaols as deterrent as possible—our practice is to keep men shut up in them till they lose their dislike of them, and on coming out tell their friends that the gaol is unpleasant at first, but not nearly so bad when they are used to it. Some say any system except one of retaliation would be morally unjust. I do not know where we are told that retaliation is justice; but I maintain that if you tell a man clearly what will be the punishment of a crime before he commits it, there can be no injustice in inflicting it. But there is a great injustice in the present system, when, by giving a man hope that he will escape with a light sentence, it induces him to commit a crime, and then gives him a heavy one. It is commonly said that the experience we have had with boys in reformatories is of no avail in dealing with men, because "boys can be reformed and men can't." A very moderate study of statistics—a very moderate acquaintance with criminals, would show that adults not only can be reformed, but that they do reform themselves in great numbers under our most careless and unpractical system. In 1856 reformatories generally came into action in England, and the practice was adopted of sending to them, and therefore to a long detention, nearly every boy who was a second time convicted. In that year 13,981 boys and girls were committed to prison; but in the four following years the numbers were—12,501, 10,329, 8913, 8029. Now this decrease could not have depended on the reformation of the boys, because those committed in 1856 had hardly left the reformatories in 1859, when the number had sunk to 8913, or less than two-thirds. The decrease had depended solely on the certainty of a long sentence on a second conviction, irrespective of the magnitude of the particular offence. In a list from the books of Westminster prison in 1860, of 456 boys then in London under sixteen years of age who had been four times or oftener committed to prison, 165 had been eight times or oftener convicted. I believe that now not ten boys in London under sixteen have been four times convicted, and juvenile crime has diminished from 4113 to 1511. Can it be said that this is "a curious coincidence," and not a direct result? Let me give you the case occurring under my own eye in Cheltenham. The number of boys committed under the Juvenile Offenders Act in that town had risen pretty steadily from forty-five in 1852 to sixty-three in 1856. In 1857 the number convicted was fourteen; in 1858 there were twenty-five; in 1859 there were fourteen; in 1860 thirteen. In 1861 some magistrates thought it better to return to the retributive system; five or six boys on second or third convictions were sent to short imprisonments, the certainty of a long term on second conviction was removed, and the number rose to twenty-four. In 1862, eighteen boys, who had been repeatedly convicted, were sent to prison, instead of, as heretofore, to the reformatory; three of them in particular were sent from four to seven times, and of course became perfectly hardened, laughed at the punishment, and encouraged others to laugh at it also, and the total convictions amounted to forty-nine. In the above account allowance must be made for the fact that in 1862 the total convictions of all ages in Cheltenham increased from an average of 75 to 129, and decreased again in the following years; but this is not sufficient to account for the extraordinary proportionate increase of boys, so exactly tallying with the alteration in the system of punishment. In conclusion, Mr Baker submitted six principles based on his own experience, which he considered necessary to be adopted in order to repress crime in the country.

Mr. T. S. Murray Browne contributed a paper on the "Sentences passed upon Criminals." In introducing the subject the writer said, that of the whole range of subjects connected with the treatment of criminals, the question of sentence is the most important one now remaining to be considered and to be worked out. Notwithstanding the many alterations which had been made in prison discipline, and the establishment of reformatories and refuges, the system of sentences—if a system it can be called—remains almost in the same state in which it was ten or 200 years ago. He thoroughly agreed with the system of sentences suggested by Mr. Baker in a former paper. He believed that system to be of the greatest value. To himself it appeared that sufficient distinction was not made between cases of ordinary theft and crimes not relating to property—such as assaults of different kinds, manslaughter, and misdemeanor. He was wholly unable to conceive how any system of prison discipline can be brought to exercise a reformatory influence on such men as Roupell or Townley. It was quite true that the smart of punishment may induce the man to control his passions in the future; but this is deterrence, and not reformation. If this be so, it is surely absurd to apply precisely the same treatment in the one case as in the other.

Mr. Shepherd commenced the discussion by asking Mr. Baker if he did not propose any alteration in the present law. Did he think that he would be able to get the judges, the magistrates, county and borough magistrates, to act simultaneously, or what confidence had he that the whole of the magistracy would act in harmony?

Mr. Baker replied that he had full and entire confidence in the magistrates throughout the whole country, and if this or any other system was brought to their consideration, they would, generally speaking, gladly take up any system that would lessen crime. It would, no doubt, be a very great difficulty to get the attention of magistrates and judges

to the subject. It must be done, in the first instance, by the publication of the discussions which took place at such meetings as the present.

Mr. Saunders, the Recorder of Bath, said he did not think that the plan suggested by Mr. Baker would be attended with such beneficial results as he had anticipated. Many of the points which were advocated by Mr. Baker were already practised. There was no new suggestion on the part of Mr. Baker, as the law was at present precisely what he proposed to make it. The law was that if a man committed a theft he was liable, even in the first instance, to a severe sentence, and on a conviction he could be sentenced to five years' penal servitude. But such punishment was only awarded for great offences. Usually, small terms of imprisonment were awarded for first offences. But judges invariably, and also magistrates at quarter sessions, warn the party if he commits a second offence he will probably be sentenced to seven years' penal servitude. There was the power to award such punishment, and in many instances it was awarded. He thought the passing of the last Act of Parliament was a mistake, in imposing upon the judges the necessity of passing a sentence of penal servitude on a second conviction. One of the evils of a fixed punishment was, that if they had severe sentences they would never be carried out. It was the certainty of the measure of punishment that was far more efficacious than the severity. The great deterrent of crime was the certainty of conviction and of punishment. He did not think there was one man in a thousand who, when he committed a theft, thought that he was going to be detected. Our statistics went to prove that of 100 offences committed and communicated to the police, only 58 per cent. were detected. That was in offences against the person, in which case an eye-witness was always able to be produced. With regard to larceny, they had only 40 per cent. The crimes communicated to the police did not form one-third of the actual amount of the thefts committed. Not 7 per cent. of the actual amount of crime committed was actually punished. He did not think the amount of punishment was at all operative to prevent crime. It was the fear of being detected Mr. Baker's scheme was now in operation as far as it could be carried out. Mr. Saunders at some length showed that it was a fallacy to suppose that long sentences were a means of deterring crime. Out of fifty murderers sentenced to death only eleven were actually hanged. In conclusion he said, whatever system might be adopted, a large amount of discretion must always be vested in the judges and committing justices.

Mr. Hastings said Mr. Baker deserved their thanks for his able paper, and he should be glad to have any other papers that might deal with the subject. He did not agree with Mr. Saunders that in any sentences which were passed on criminals they must concur with the sentiment of the public. He did not care so much for sentences to be in accordance with public sentiment, or what had now become to be conventionally termed public morality. Much would have to be done before the public mind was educated and ready to adopt Mr. Baker's view. He did not think the public mind was yet ripe for such a scheme as was proposed by Mr. Baker. The real object of penal legislation was to prevent crime. It had been very philosophically and forcibly put by a late very famous judge in this country, Mr. Justice Buller, when he was sentencing a man to be hung for stealing a horse. The man said to the judge, "It seems to me to be a very hard thing that I should be hung for stealing a horse." The judge replied, "You are not hanged for stealing a horse, but so that horses may not be stolen." That seemed to be the very gist of the whole penal system. A severe sentence and a certainty of conviction was the very best means of preventing crime. Mr. Saunders, in his address, had made allusion to another class of criminals, who exist in this country, and from whom we have much to fear—he meant the habitual offenders—the class of men who lived on the community, who supported themselves, not by honest industry, but by preying on the industry of others. In his opinion, when it was once established to the satisfaction of a court of justice, that a man has for several years devoted himself to habitually preying on the industry of society, the best and proper thing to be done was to incapacitate that man from committing further crimes. The present Criminal Justice Act was a very unsatisfactory measure. It was unjust to the criminal himself, unjust to society, and absolutely degrading to all principles of justice. (Hear, hear.)

Mr. Saunders wished to say, by way of explanation, that he was not opposed to increased punishment for a repetition of crimes. That was the law at the present time, and a discretionary power was vested in those who had to carry it out.

Capt. Cartwright said he was very much in favour of cumulative punishment, as being the best means of deterring men from committing crimes. He would give them an example which showed that even amongst Sheffield men themselves this principle was maintained. Passing through one of the great iron works of the town he observed a notice over the door stating that, if a certain offence was committed, a fine of one shilling would be inflicted for the first offence, five shillings for the second offence, and for the third the offender would be discharged. That was a recognition of the system of cumulative punishment, and he wished to see it more generally adopted.

Mr. E. W. Cox, Recorder of Falmouth, approved generally the principle of punishment propounded by Mr. Baker. Nothing could exceed the chaos of the existing practice. Judges appeared to be guided in their sentences by no rule whatever. At the same assizes or sessions the sentences in one court were often twice as severe as in the other, the punishment of a criminal depending upon the accident of his being sent to one side of a wall instead of the other, and depending apparently upon the comparative tenderness of heart of the judges, or their individual notions as to the best mode of dealing with crime. (Hear, hear.) He thought an approach to a scale might be made, although he considered that any stringent rules would be impracticable. Every case must rest, more or less, on its own merits, and the judge must be guided, not only by the nature of the crime, but also by the past character of the criminal, whose antecedents ought to be known before the right measure of punishment can be determined. From his own experience he should say that judges and magistrates would be equally pleased could any rules for their guidance be framed. They all felt the inconvenience of the present absence of all rule. When consulting upon the sentence where several magistrates are present, the wide difference of view as to what it should be was astounding; one proposed perhaps three months' imprisonment, and another five years of penal servitude. If Mr. Baker, or the association, would frame a short scale of punishments with short reasons for them, and send them to all the magistrates as suggestions for guidance, he believed it would have a good effect, and that most of them would make use of it. (Hear, hear.) He could not too strongly express his sense of the mischief that had resulted from the provision of the recent statute that compelled five years of penal servitude as the minimum, and left no intermediate sentence between that and two years' imprisonment. It worked thus: Two years was too long a time for mere imprisonment without the peculiar discipline of penal servitude. There were many cases for which one year's imprisonment was not sufficient, and five years' penal servitude a great deal too much. The judge properly inclined to the merciful side in this alternative, and gave a less sentence than the case deserved, because the only other sentence permitted to him was too great, and so the object of the Legislature had been defeated by its own endeavour to bind judges by prescribing punishments. (Hear, hear.) The law could not give the judge too great a latitude of sentence, but the judge should exercise the discretion vested in him, not by caprice, but according to some rule, and the scale suggested by Mr. Baker seemed very nearly to meet the requirement. (Hear, hear.) This was a point upon which he had experienced a good deal of difficulty in practice, and on which he should be obliged if any person experienced in prisons would enlighten him. What is the shortest term for which imprisonment is likely to be useful? Opinions differed as to this. Some were for long terms. Others, and himself among them, thought a short and sharp term the best. Was a week, ten days, a fortnight, or a month, the best by way of warning?

Mr. Shepherd, manager of Wakefield prison, said that he could answer the important question put to him by the learned recorder. His experience was in favour of a short term at first. A week or ten days was sufficient to make a prisoner dread a prison. That was the period which he felt most severely. After that he became reconciled. He approved of Mr. Baker's scheme for sureties. If a man had friends they would bail him. If not, he would remain in prison, where he was safer than out of it.

Mr. Saunders.—But the prison chaplain last week said a short sentence was useless.

Mr. Shepherd said he spoke after forty years' experience. He would add to Mr. Baker's suggestion that when a man had completed any term of imprisonment, he should find sureties for a certain time. The value of sureties was very great indeed. If he could not find sureties, he would allow him to remain in prison for another period. If no friends would come forward and be bail for him, he must remain in prison, where he might do some good and could not do any harm.

The Rev. Mr. Clay, Miss Carpenter, and Mr. Thos. Garrett also addressed the section, after which Mr. Baker replied, and the discussion closed.

LEGAL NEWS.

A Heavy Insurance Claim.—By the death of the Earl of Strathmore the insurance companies have to meet a claim amounting to nearly 200,000*l*. The Scotch offices are those principally concerned, though several policies were effected with English companies.—*Insurance Record.*

The *Gazette* announces a reform in the Juvenile Penitentiary of La Roquette, effected by desire of the Empress no doubt in consequence of her recent visit to that establishment. The young offenders, instead of remaining mewed up in prison, leading an idle life, are to be sent to different places, where they can be occupied in useful works suited to their capacities and their tastes.

The Meeting of the New Parliament.—It is generally understood that the new Parliament will not meet till the third week in January, when the first business will be the election of a Speaker, who having been presented to the House of Lords on the following day, a week will be allowed for the swearing in of members. The regular business of the session will not, therefore, commence before the usual hour. No opposition is expected to the re-election of the late Speaker. *Observer.*

Law and Literature.—A curious question has lately been raised in Paris which will shortly be submitted to a judicial tribunal. The point at issue is whether a publisher who has already begun the publication of a book, is justified in stopping it on the ground that the work is political, and may expose him to prosecution. In the present case the book is a history of Robespierre, by M. Hamel. One volume of it has already appeared, and the publishers refuse to issue the second, being deterred by the late sentences in the case of M. Tridon's "Hebertistes" and some other recent works of a similar kind. M. Hamel, on the other hand, declares that his work is historical, not political, and is determined to bring the affair before a court of law.

Wills and Bequests.—The will of the Hon. Emma Maria Foster, formerly of George-street, Hanover-square, and late of Avenue-road, St. John's-wood, was proved in the London Court, on the 22nd ult., by her son-in-law Henry Francis Shaw Lefevre, Esq., the sole executor. The testatrix was the daughter of the twelfth Baron St. John, and married, in 1806, the late Rev. John Foster, of Sarrat, Herts, and died on the 23rd July last, at the age of eighty-three. Her will bears date so far back as 1842, in which she therein appointed as trustees the Right Hon. Sir George Grey, and the Right Hon. Charles Shaw Lefevre, and has bequeathed to her son-in-law the whole of her property, including the sum of 5000*l.* over which she had the power of disposition under the will of her late daughter, Emma Elizabeth, the wife of her said executor and son-in-law, H. F. Shaw Lefevre, subject to the payment of an annuity of 70*l.* to an old and faithful servant.——The will of Sir Henry Pollard Willoughby, Bart., M.P., of Baldon House, Oxford; Berwick Lodge, Gloucestershire; and Lower Brook-street, Hanover-square, has been administered to in the London court, and the personalty sworn under 140,000*l.* The will is dated 1861, and there being no executor appointed, the grant was made to his brother, now Sir John Pollard Willoughby, Bart., formerly M. P. for Leominster, and a member of the India Council, to whom he has devised his estates for life, and then to his said brother's male issue, and leaves the personalty in like manner with the inheritance of the freehold. The testator succeeded to the title and estates on the death of his brother, Sir Christopher, in 1815, and died unmarried at the age of sixty-nine. He had sat in the House of Commons since 1831—first for Yarmouth, then for Newcastle-under-Lyne, and represented Evesham from 1847 to the present year. ——The will of John Craven, Esq. formerly of Alexandrian House, Surrey, and late of 9, Upper Brunswick-place, Brighton, was proved in London, under 12,000*l.* by the acting executor, Henry Craven, the son; Thomas Martin, of Great Garden-street, the other executor, having renounced. The trustees are William Sentance (the testator's son-in-law), and David Brown, of the Merchant Seamen's Office. The will is dated Feb. 24, 1858, and the testator died on the 19th May last. He directs his trustees to see that his business of sugar refiner is carried on until the 1st Feb. 1872; and should the said Thomas Martin not continue in the management, that it shall be in the power of the trustees to place his sons therein, who will be at liberty to purchase the stock, &c., at the expiration of that period. He leaves to his wife an annuity of 150*l.*, and 450*l.* a-year for the support of his children, except his daughter Ann, the wife of his executor, Mr. Sentance. The ultimate residue of his property is to be divided equally amongst all his children. ——The will of the Right Rev. John Graham, D.D., Bishop of Chester, has been proved in the Chester registry by his relict, Mrs Charlotte Graham, and Mr. Henry James Oakes, of Nowton, near Bury St. Edmunds, the executors. The personalty was sworn under 35,000*l.* His lordship's will is dated March 16, 1852. He leaves to his wife an immediate legacy of 500*l.*, together with his wines and liquors, and carriages and horses, and the use for life of the silver plate presented to him by the Master and Fellows of Christ's College, Cambridge, on his resignation of the mastership of the college. This plate is bequeathed to the testator's son John, absolutely, on the death of Mrs. Graham. The residue of his estate, including the household furniture and plate, the testator leaves to his wife, for life, and upon her death to his children absolutely, in such proportions as Mrs. Graham may appoint.——Probate of the will of the Right Hon. Anne, Countess Dowager of Shaftesbury, of Rochdale House, Richmond, Surrey, was granted by her Majesty's court, on the 25th ult., to her sons, the Right Hon. Anthony Ashley Cooper, Earl of Shaftesbury, K.G., and the Hon. Anthony William Ashley-Cooper, power being reserved to Henry John Harvey, Esq., of Spring-terrace, Richmond, also an executor, to prove hereafter to whom a legacy of 100*l.* is bequeathed. The countess was formerly Lady Anne Spencer, daughter of the fourth Duke of Marlborough, and married, in 1786, Cropley, the late Earl of Shaftesbury, who died in 1851, and has had a large family, six sons and three daughters. Her ladyship died on the 7th August last, having executed her will on the 1st March 1856, to which two codicils are added, dated 1857 and 1863, whereby, after making provision by way of annuity for two of her servants, leaving also to one of them her wearing apparel, these bequests to be free of legacy duty, she bequeaths the residue of her property to her son, the present Earl.——The will of William Wild, Esq., of Denmark-hill, and Martin's-lane, Cannon-street, City, was proved in London, under 200,000*l.* personalty. The executors are William John Wild and the Rev. Robert Louis Wild, the testator's sons, and Henry Butler, of Fenchurch-street, wine merchant. The testator died the 23rd Feb. last, having executed his will in 1863. He leaves to his wife an immediate legacy of 10,000*l.*, and his residence, Denmark-hill, with the furniture, plate, books, and the wines, spirits, and other stores there, absolutely, and the interest of 25,000*l.*, together with the rents of his estates, for her life; subject to which he devises his freehold

estate in Martin's-lane to his son William John, and his estates in Ash, Stansted and Kemsing, all in Kent, to his son Frederick, leaving also to his son Frederick the sum of 30,000*l.* To his son Charles, 20,000*l.* To his son and executor the Rev. Robert L. Wild a like sum of 20,000*l.* and the advowson of the rectory at Hurstmonceaux, in Sussex. To his daughter Emily Boutcher, 15,000*l.*; his daughter Rosa, wife of Algernon Sidney Bicknell, 20,000*l.* There are legacies to his sister, nephews, nieces, a brother-in-law, and to each of his executors and trustees. The residue, real and personal, he leaves to his son William John Wild. The testator expresses it as his wish that his son William should continue to carry on the business of wine merchant.——The will of Lionel Jeremiah Olive, Esq., of Rodney-place, Clifton, Bristol, was proved in the London Court, on the 12th ult., by the executors—namely, Elizabeth Charlotte Olive, the relict; Richard Llewellin, Esq. (his cousin), of Westbury-upon-Trym, Gloucester; and George Still Law, Esq., of Lincoln's-inn; the latter are also trustees of the estate and guardians of the children; and to each of them a legacy of 200*l.* is bequeathed. The personalty was sworn under 120,000*l.* The will is dated March 13, 1852, and the testator died on the 17th June last. He confirms the settlement on marriage, by which is secured the sum of 10,000*l.* for wife and children, and bequeaths to his wife his freehold residence, together with the furniture, plate, books, pictures, &c.; also an immediate legacy of 2000*l.* and an annuity of 1200*l.* a year. There is a legacy of 3000*l.* to his nephew William Olive Bird, 15th Hussars; also, bequests to a few other persons, which are to be paid free of legacy duty. The residue of his property he leaves to be divided equally amongst all his children.——The will of Mr. Thomas Naghten, of 23, Rood-lane, City, has been proved in the London court. The deceased gentleman was of the firm of Messrs. Bosanquet and Naghten, merchants, and he died on the 30th June last at Margate. The personal estate was sworn under 45,000*l.* The will bears date so long back as the 30th June 1846, and the executors appointed are Mr. Charles M'Garel, then of Wimpole-street, and Mr. Augustus Henry Bosanquet, but they have renounced probate, and administration, with the will annexed, was granted to the testator's brother, Mr. Arthur Robert Naghten, of Crofton House, Hants, he being the universal devisee and legatee.——The will of General Amedee Theodore Daveslee de Pontes, late of Eyford House, Gloucestershire, was proved in Her Majesty's Court, on the 16th ult., by the executors and trustees—Euphemia, wife of Major-General W. Sullivan, C.B., of Ryde; David Macloughlin, M.D., of Bruton-street, Berkeley-square; and Thomas F. Robins, of Tokenhouse-yard, London. The will is dated Feb. 21, 1865, and is drawn up in the English form, and witnessed by the general's coachman and butler. He has directed his property to be sold, and the proceeds handed over to Mdme. Emblyn d'Arcy Irvine, widow, of St. Anne's House, Ryde, where he was residing, trusting that she will carry out his wishes, with regard to which she is acquainted; but such were only given verbally to Mdme. Irvine, of which she has made a statement, and deposited the same with the will. The deceased general was a retired officer in the French Army, domiciled in the empire of France, but died at the Isle of Wight on the 30th March last.——The will of Thomas Hancock, Esq., of Marlborough-cottage, Newington, Surrey, has been proved in London under 60,000*l.* personalty.——The will of John Moss, Esq., late of Great Coram-street, Brunswick-square, formerly of Magdalen-row, Great Prescot-street, Whitechapel, merchant, was proved in London under 35,000*l.* personalty. The executors and trustees are Samuel Magnus, of Fen-Church-street; Barnet Solomon Cohen, of Magdalen-row; and Michael Samuel, of Charterhouse-square. The will is dated May 20 1857, and there are three codicils. The testator commences his will with the following charitable bequests: To the Hand-in-Hand Asylum, the Jews' Orphan Asylum, and Indigent Blind Jews, 500*l.* each; Aged and Needy Jews, 200*l.*; Infant School, Houndsditch; Free School, Bell-lane; Girls' School, Greek-street; Widows' Home, Duke-street; Jews' Philanthropic Society, Jews' Free Hospital, Mile-end; Lady's Lying-in Society (founded by Baroness N. M. de Rothschild); Lady's Loan and Benevolent Visiting Society; Merchivas Nefash Society, and Sabbath Society, 100*l.* each; Board of Guardians for Relief of the Jewish Poor, 50*l.*; the Great Synagogue, Duke-street; the Hamburg Synagogue, Fenchurch-street; and New Synagogue, Great St. Helen's, 50*l.* each. To the London Hospital and Metropolitan Free Hospital, 100*l.* each. All to be paid free of duty. The testator bequeaths to the widow of his late friend, Solomon Cohen, an annuity of 440*l.*; and to Judith Cohen an annuity of 100*l.* There are a few minor legacies to executors and others. The residue of his property he divides into five equal parts, leaving the same to the five undernamed children of the said Solomon Cohen and Mary his wife—viz., Rose, Henry, Fanny, Barnet, and Annie—each an equal fifth share.—*Illustrated London News.*

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Oct. 6.

JENNINGS, WILLIAM, and THORNBURN, WILLIAM, attorneys and solicitors, Lime-st. Oct. 2.

Bankrupts.

Gazette, Oct. 10.

To surrender at the Bankrupts' Court, Basinghall-street.

BLADES, JOSEPH, superannuated government clerk, Vassall-villas, Holland-rd. Brixton. Pet. Oct. 5. Reg. Hazlitt. O. A. Graham. Sol. Preist, Buckingham-st. Strand. Sur. Oct. 24.

BUTLER, DANIEL ROBERT, hairdresser and perfumer, High-st. Putney. Pet. Oct. 6. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. Oct. 24.

CLARK, WILLIAM HENRY, assistant to a grocer, Woolwich. Pet. Oct. 5. Reg. Hazlitt. O. A. Graham. Sol. Rooks, Coleman-st. Sur. Oct. 24.

CLARKE, WILLIAM PEARMAIN, merchant, Thetford. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Eyre and Co. John-st. Bedford-row. Sur. Oct. 24.

GULL, JOSEPH WINNEY, shipbroker, Old Broad-st. and Dulwich. Pet. Oct. 5. Reg. Hazlitt. O. A. Graham. Sol. Dubey, Austin-friars. Sur. Oct. 24.

IRVING, JOSEPH, clerk in holy orders, Kilburn. Pet. Oct. 4. Reg. Hazlitt. O. A. Graham. Sol. Scaife, Marylebone-rd. Sur. Oct. 24.

JAMES, HENRY, warehouseman, Ellenborough rd. Holloway. Pet. Oct. 7. Reg. Hazlitt. O. A. Graham. Sols. Peck and Co. Basinghall-st. Sur. Oct. 24.

JEVES, JOHN, finance and commission agent, Leadenhall-st. and Trafalgar-rd. Old Kent-rd. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sol. Thistlewaite, Lincoln's-inn-fds. Sur. Oct. 24.

MARRIOTT, WILLIAM EDWARD NEEVE, tailor, Swaffham. Pet. Oct. 6. Reg. Hazlitt. O. A. Graham. Sol. Plimsaul, South-sq. Gray's-inn. Sur. Oct. 26.

MEHEW, JAMES, farmer, Cowfield. Pet. Oct. 2. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Co. Walbrook. Sur. Oct. 24.

MILLER, ALFRED JOHN, tailor, Bermondsey-st. Bermondsey. Pet. Oct. 4. Reg. Hazlitt. O. A. Graham. Sol. Rooks, Coleman-st. Sur. Oct. 24.

MOODY, WILLIAM, grocer, Romsey and Broughton. Pet. Oct. 7. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Paterson, Bouverie-st. for Mackay, Southampton. Sur. Oct. 24.

PEATE, GEORGE, late journeyman harness maker, King-st. Long-acre. Pet. Oct. 7. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Oct. 26.

PICKERING, EDWARD HENRY UMFREVILLE, clerk in the Post-office, Manor-st. Clapham. Pet. Oct. 7. Reg. Hazlitt. O. A. Graham. Sol. Holmes, Fenchurch-st. Sur. Oct. 24.

SHOTTER, WILLIAM HENRY, clerk, Deptford. Pet. Oct. 5. Reg. Hazlitt. O. A. Graham. Sol. Burr, Paternoster-row. Sur. Oct. 24.

SHUTE, CHARLES HENRY, stay and corset maker, Rye-la. Peckham. Pet. Oct. 6. Reg. Hazlitt. O. A. Graham. Sol. Munday, Basinghall-st. Sur. Oct. 24.

TURNER, MICHAEL, bootmaker, Charles-st. Liverpool-rd. and Barnsbury-rd. Islington. Pet. Oct. 6. Reg. Hazlitt. O. A. Graham. Sol. Munday, Essex-st. Strand. Sur. Oct. 24.

WALKER, GEORGE FRANCIS, late victualler, Plumstead. Pet. Oct. 5. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. Oct. 24.

WEITZEL, PHILIPP, baker, East-st. Manchester-sq. Pet. Oct. 6. Reg. Hazlitt. O. A. Graham. Sol. Lewis, Wilmington-sq. Sur. Oct. 24.

To surrender in the Country.

ABLITT, CHARLES JOHN, fish merchant, Beccles. Pet. Oct. 5. Reg. & O. A. Fiske. Sol. Kent, Beccles. Sur. Oct. 21.

BAILEY, GEORGE, woollen manufacturer, Batley Carr. Pet. Oct. 6. O. A. Young. Sols. Scholefield, Batley; and Bond and Barwick, Leeds. Sur. Oct. 23.

BARTON, JAMES, labourer, Warrington. Pet. Sept. 28. Reg. & O. A. Nicholson. Sols. Shepherd and Moore, Warrington. Sur. Nov. 2.

BEATTIE, JAMES, beerhouse-keeper, Cummersdale. Pet. Oct. 5. Reg. & O. A. Halton. Sol. Wannop, Carlisle. Sur. Oct. 24.

BEDDOE, JOHN, publican, Merthyr Tydfil. Pet. Sept. 21. Reg. & O. A. Russell. Sol. Pickering, Merthyr Tydfil. Sur. Oct. 21.

BLACKBURN, WILLIAM, gardener, Halifax. Pet. Oct. 6. Reg. Rankin. O. A. Dyson and Rankin. Sol. Jubb, Halifax. Sur. Oct. 26.

COULTHART, JOHN, out of business, Liverpool. Pet. Sept. 30. Reg. & O. A. Dunn. Sol Gardner, Manchester. Sur. Oct. 27.

DASCOMBE, WALTER, confectioner, Cardiff. Pet. Oct. 5. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. Oct. 24.

DAY, HENRY, tailor and draper, Blaenavon. Pet. Oct. 7. Reg. & O. A. Batt. Sol. Lloyd, Pontypool. Sur. Oct. 24.

DOWN, CHARLES, fish salesman, Ardwick. Pet. Oct. 6. Reg. & O. A. Hulton. Sol. Crowther, Manchester. Sur. Oct. 21.

FOX, GEORGE, late builder, Manchester. Pet. Oct. 2. Reg. & O. A. Kay. Sols. Partington and Allen, Manchester. Sur. Oct. 24.

HALL, WILLIAM, coal porter, Lincoln. Pet. Oct. 6. Reg. & O. A. Uppleby. Sols. Messrs. Brown, Lincoln. Sur. Oct. 23.

HANSAN, THOMAS, victualler, Liverpool. Pet. Sept. 13. Reg. & O. A. Hime. Sol. Thornley, Liverpool. Sur. Oct. 26.

HAWKINS, HENRY, grocer, Austrey. Pet. Oct. 2. Reg. & O. A. Shaw. Sol. Wood, Tamworth and Birmingham. Sur. Oct. 17.

JONES, RICHARD, baker and grocer's assistant, Rhyl. Pet. Oct. 2. Reg. & O. A. Simon. Sol. Williams, Rhyl. Sur. Oct. 21.

LAMBERT, WILLIAM, butcher, Cheltenham. Pet. Oct. 5. Reg. Wilde. O. A. Acraman. Sols. Abbott and Leonard, Bristol. Sur. Oct. 19.

LEEK, CHARLES, bricklayer, Hulme. Pet. Oct. 5. Reg. & O. A. Hulton. Sol. Gardner, Manchester. Sur. Oct. 21.

LEWIS, WILLIAM, tailor, Cardiff. Pet. Oct. 5. Reg. & O. A. Langley. Sol. Davis, Cardiff. Sur. Oct. 24.

LUCK, RICHARD, grocer, Woolton. Pet. Oct. 7. Reg. & O. A. Ellerich. Sols. Conquest and Stimson, Bedford. Sur. Oct. 23.

MILLER, JOHN, grocer, Hanley. Pet. Oct. 7. Reg. & O. A. Challinor. Sol. Sutton, Burslem. Sur. Oct. 24.

PEARCE, FREDERICK HENRY, boot and shoe warehouseman, Cardiff. Pet. Oct. 5. Reg. Wilde. O. A. Acraman. Sol. Lawrence, Bristol. Sur. Oct. 19.

SHEDYACK, MICHAEL MOSES, book-keeper, Liverpool. Pet. Sept. 30. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Oct. 27.

SPENCER, GEORGE HOLME, hackle pin maker, Hathersage. Pet. Oct. 6. O. A. Young. Sols. Frost, Manchester; and Payne, Addison, and Ford, Leeds. Sur. Oct. 27.

STIRKS, STEPHEN, formerly book-keeper, Widnes. Pet. Oct. 5. O. A. Turner. Sols. Evans, Sandys, Roose, and Lockett, Liverpool, agents for Haddock, St. Helen's. Sur. Oct. 20.

THOMPSON, JOHN, innkeeper, York. Pet. Oct. 6. Reg. & O. A. Perkins. Sol. Young, York. Sur. Oct. 23.

TITTON, THOMAS, factory operative, Bence, near Littleborough. Pet. Sept. 30. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Oct. 27.

TOPPING, WILLIAM, labourer, Wigan. Pet. Sept. 30. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Oct. 27.

WARNER, CHARLES, beerseller, Northampton. Pet. Oct. 3. Reg. & O. A. Dennis. Sol. Becke, Northampton. Sur. Oct. 31.

WATSON, CHARLES, grocer's assistant, Liverpool. Pet. Sept. 30. Reg. & O. A. Dunn. Sol. Gardner, Manchester. Sur. Oct. 27.

WHALLEY, WILLIAM, joiner, Blackburn. Pet. Oct. 7. Reg. Harris. O. A. Morgan. Sols. Messrs. Backhouse, Blackburn; and Cobbett and Wheeler, Manchester. Sur. Oct. 23.

WRIGHT, GEORGE, stonemason, Birstal. Pet. Oct. 6. Reg. & O. A. Nelson. Sol. Ibberson, Dewsbury. Sur. Oct. 20.

WYATT, JAMES, farmer, Gloucester. Pet. Oct. 7. Reg. Wilde. O. A. Acraman. Sol. Peterson, Bristol. Sur. Oct. 31.

YOUNG, HYLTON, victualler, Robertsbridge. Pet. Oct. 6. Reg. & O. A. Young. Sol. Dillon, Hastings. Sur. Oct. 21.

Gazette, Oct. 13.

To surrender at the Bankrupts' Court, Basinghall-street.

ABRAHAMS, MAURICE, furniture dealer, Strand. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Levy, Bow-st. Covent-garden. Sur. Oct. 26.

BARR, MARTHA, widow, baker, Woolwich. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sols. Hughes and Co., Liverpool-st. and Woolwich. Sur. Oct. 31.

BLAY, CHARLES, gold chain maker, Owen's-row, Clerkenwell. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Morris, Beaufort-bldgs. Strand. Sur. Oct. 31.

BLUMENTHAL, SOLOMON ALEXANDER, hair manufacturer, Great Prescott-st. Goodman's-fields, and Gray-st. Philpott-st. Commercial-rd. east. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Angell, Sur. Oct. 26.

BRISTOW, JOHN, cooper's clerk, Hampstead-rd. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Sorrell, Great Dartford-st. Sur. Oct. 31.

BROOKER, EDWARD ISAAC, carpenter, Strewan-pl. King's-rd. Chelsea. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Michael, Barge-yard, Bucklersbury. Sur. Oct. 26.

BRYANT, ALFRED, commission agent, New Church-rd. Camberwell. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Beard, Basinghall-st. Sur. Oct. 26.

BURNS, CHARLES, stationer, Old-st. St. Lukes. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 26.

BURTON, GEORGE, cheesemonger's assistant, Church-st. Islington. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Coleman-st. Sur. Oct. 31.

CASTLE, HENRY, cab proprietor, Edward-sq. Kensington. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Tower, Great Russell-st. Bloomsbury. Sur. Oct. 26.

DAVIS, SARAH, out of business, Edward-st. Charrington-pk. Mile-end. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Oct. 26.

DOGGETT, JOHN, commission agent, Quebec-st. Marylebone-rd. St. Pancras. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Oct. 21.

DRAYTON, HENRY JAMES, vocalist, Great Ormond-st. Bloomsbury. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sols. Messrs. Lewis, Ely-pl. Holborn. Sur. Oct. 26.

FILDEW, HENRY, coachbuilder, Brooks-st. Euston-rd. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st. Sur. Oct. 26.

FORBERY, EDWARD GODFREY, out of business, Great Bland-st. Dover-rd. Southwark. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Hall, Coleman-st. Sur. Oct. 31.

HARRS, SAMUEL WILLIAM, carpenter, Theobald-st. New Kent-rd. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Goldrick, [illegible] Sur. Oct. 31.

KITCHENER, JOHN, Jun., tailor, Colebrook-row, Islington-green. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Bryant, Winchester-house, Old Broad-st. Sur. Oct. 31.

KRAUSE, CHARLES, merchant, Booth-st. Spitalfields. Pet. Oct. 6. Reg. Hazlitt. O. A. Graham. Sol. Abrahams, Graham-st. Sur. Oct. 26.

NORMAN, ANTONIO RICHARD THOMAS, vocalist, Brook-st. [illegible]grave-sq. Bermondsey. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Levy, Bow-st. Covent-garden. Sur. Oct. 26.

SAPOLIN, CHARLES EDOUARD, professor of languages, [illegible]. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Goldrick, [illegible] Sur. Oct. 31.

TAYLOR, WILLIAM, cab driver, Williams-mews, Mary-st. Hampstead-rd. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Oct. 31.

TEVERDALE, JAMES, out of business, Homer-rd. Hackney. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sols. Keighley and Co. Ironmonger-la. Sur. Oct. 31.

TURREN, FREDERICK, general merchant, Newgate-st. Pet. Oct. 9. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Oct. 26.

WEEDHAM, JOHN, and WATTS, JOSEPH, confectioners, Shepherd's-la. Homerton. Pet. Oct. 7. Reg. Hazlitt. O. A. Graham. Sol. King, Queen-st. Sur. Oct. 26.

WEST, WILLIAM, saddler, Ash. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Cannon-st. Sur. Oct. 31.

WITHERS, EDWARD, jobmaster, John's-mews, Little James-st. Bedford-row. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sol. Lee, Bedford-row. Sur. Oct. 31.

WOOD, THOMAS VINCENT, dairyman, Liverpool. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Ablett, Basinghall-st. Sur. Oct. 31.

To surrender in the Country.

BEASLEY, JOSEPH, steel manufacturer, Bickenhill. Pet. Oct. 9. Reg. Tudor. O. A. Kinnear. Sols. Messrs. Brown, Birmingham. Sur. Oct. 26.

BENNETT, CHARLES, spring-knife manufacturer, Sheffield. Pet. Oct. 9. Reg. & O. A. Wake and Rodgers. Sol. Broadbent, Sheffield. Sur. Oct. 25.

BINNY, ANDREW, merchant, Fazakerley. Pet. Oct. 12. O. A. Turner. Sols. Anderson and Collins, Liverpool. Sur. Oct. 26.

BOND, JOHN, covered harness furniture manufacturer, Walsall. Pet. Oct. 11. O. A. Clarke. Sol. Wilkinson, jun., Walsall. Sur. Oct. 25.

BRYSON, JOHN JACKSON, cabinet-maker, Manchester. Pet. Oct. 10. Reg. & O. A. Kay. Sols. Smith and Boyer, Manchester. Sur. Oct. 24.

BULLEYMENT, RICHARD, butcher, Winterton. Pet. Oct. 10. Reg. & O. A. Brown. Sol. Mason, Barton. Sur. Oct. 23.

BUXTON, JOSEPH, joiner, Hanley. Pet. Oct. 11. Reg. & O. A. Challinor. Sol. Tennant, Hanley. Sur. Oct. 23.

CALOW, THOMAS, engineer, Sheffield. Pet. Oct. 11. Reg. Rodgers. O. A. Young. Sol. Broadbent, Sheffield. Sur. Oct. 27.

CARTER, RICHARD, farmer, Cundall-lodge, near Boroughbridge. Pet. Oct. 10. Reg. & O. A. Heslop. Sol. Nixon, Barnard Castle. Sur. Oct. 26.

CHALLIS, WILLIAM, butcher, Felstead. Pet. Oct. 4. Reg. & O. A. Wade. Sols. Cardinall and Wright, Halstead. Sur. Oct. 26.

COOPER, DAVID, brickmaker, Gorton-brook. Pet. Oct. 5. Reg. & O. A. Kay. Sol. Law, Manchester. Sur. Oct. 24.

COUSINS, CHARLES, clerk to a solicitor, Southsea. Pet. Oct. 2. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Oct. 23.

ELLIOTT, JOHN, beerhouse-keeper, Cardiff. Pet. Oct. 10. Reg. & O. A. Langley. Sol. Stephens, Cardiff. Sur. Oct. 25.

EYRE, GEORGE, butcher, Derby. Pet. May 9. Reg. & O. A. Weiss. Sol. Smith, Derby. Sur. Oct. 24.

FELL, WILLIAM, bobbin turner, Staveley. Pet. Oct. 5. Reg. & O. A. Taylor. Sol. Thompson, Kendal. Sur. Nov. 1.

FLANAGAN, JAMES, boot and shoe maker, Liverpool. Pet. Sept. 23. Reg. & O. A. Hime. Sol. Anderson, Liverpool. Sur. Oct. 26.

FLETCHER, PAUL, wool and hair merchant, Dewsbury. Pet. Oct. 10. O. A. Young. Sols. Chadwick, Dewsbury; and Bond and Barwick, Leeds. Sur. Oct. 23.

FRAMPTON, CHARLES, beerseller, Dallington. Pet. Oct. 3. Reg. & O. A. Dennis. Sols. Sheild and White, Northampton. Sur. Oct. 25.

GILKERSON, THOMAS, victualler, Liverpool. Pet. Sept. 11. Reg. & O. A. Hime. Sol. Nordon, Liverpool. Sur. Oct. 26.

GOODMAN, JOSEPH, agricultural labourer, Cranfield. Pet. Oct. 12. Reg. & O. A. Wright. Sol. Stimson, Bedford. Sur. Oct. 25.

GOSS, WILLIAM, labourer, Crediton. Pet. Oct. 10. Reg. & O. A. Sparkes. Sol. Floud, Exeter. Sur. Oct. 25.

HARTMAN, JACOB, boot and shoe dealer, Birkenhead. Pet. Oct. 4. O. A. Turner. Sols. Halton and Bellringer, Liverpool. Sur. Oct. 26.

HICK, GEORGE CHARLES, commission agent, Bradford. Pet. Oct. 5. O. A. Young. Sols. Rawson, George, and Wade, Bradford; and Bond and Barwick, Leeds. Sur. Oct. 23.

HINDS, MICHAEL, Bristol. Pet. Oct. 9. Reg. & O. A. Harley and Gibbs. Sur. Nov. 2.

JONES, EDWARD, farmer, Trevor Ucha, Llangollen. Pet. Oct. 12. Reg. & O. A. Edgworth. Sol. Sherratt, Wrexham. Sur. Oct. 26.

JONES, THOMAS, farmer, Ettingshall. Pet. Oct. 4. Reg. & O. A. Walker. Sol. Stratton, Wolverhampton. Sur. Oct. 25.

LANGAN, JAMES, poulterer, Liverpool. Pet. Oct. 11. Reg. & O. A. Hime. Sol. Etty, Liverpool. Sur. Oct. 26.

LOGAN, JAMES, shipwright, Landport, and boatbuilder, Portsea. Pet. Oct. 4. Reg. & O. A. Howard. Sol. White, Portsea. Sur. Oct. 23.

MARTIN, JOHN, victualler, Bradley, near Bilston. Pet. Oct. 5. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Oct. 27.

MCMILLAN, SAMUEL, tailor, Bolton. Pet. Oct. 6. Reg. Harris. O. A. Morgan. Sols. Hurford and Taylor, Holborn, London; and Green, Northwich. Sur. Oct. 23.

MOORE, CHARLES, leading man of fitters in Sheerness-dockyard, Sheerness. Pet. Oct. 11. Reg. & O. A. Watts. Sol. Hayward, Rochester. Sur. Oct. 25.

MOORE, HENRY, joiner, Stafford. Pet. Oct. 7. Reg. & O. A. Spilsbury. Sol. Brough, Stafford. Sur. Oct. 30.

MOORE, JOHN JOSEPH, tin-plate worker, Farnworth. Pet. Oct. 12. Reg. & O. A. Holden. Sol. Edge, Bolton. Sur. Oct. 23.

MOSS, EDMUND, machine broker, Manchester. Pet. Oct. 1. Reg. Harris. O. A. Morgan. Sols. Marsland and Addleshaw, Manchester. Sur. Oct. 27.

NEWEY, GEORGE, victualler, Harborne. Pet. Oct. 9. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Oct. 30.

NIBLETT, HENRY AUGUSTUS, photographic artist, Eastbourne. Pet. Oct. 9. Reg. & O. A. Blaker. Sol. Hilton, St. Leonards-on-Sea. Sur. Oct. 25.

OAKES, GEORGE, warehouseman, South Ossett, Dewsbury. Pet. Oct. 9. Reg. & O. A. Nelson. Sol. Taylor, Huddersfield. Sur. Oct. 27.

PIERCE, MOSES, beerseller, Acrefair, Ruabon. Pet. Oct. 10. Reg. & O. A. Edgworth. Sol. Sherratt, Wrexham. Sur. Oct. 27.

ROWDEN, WILLIAM, master mariner, Whitstable. Pet. Sept. 30. Reg. & O. A. Callaway. Sol. Towne, Margate. Sur. Oct. 26.

SHEPPARD, JOHN HENRY, tailor's foreman, Birmingham. Pet. Oct. 6. Reg. & O. A. Guest. Sol. Parry, Birmingham. Sur. Oct. 26.

SINGLETON, ABRAHAM, painter, Manchester. Pet. Oct. 10. Reg. & O. A. Kay. Sol. Henwood, Manchester. Sur. Oct. 26.

SLADIN, HENRY LEES, millwright, Ashton-under-Lyne. Pet. Oct. 12. Reg. & O. A. Worthington. Sol. Toy, Ashton-under-Lyne. Sur. Oct. 26.

STRINGER, JOHN, millwright, Droylsden. Pet. Oct. 11. Reg. Harris. O. A. Morgan. Sol. Fox, Manchester. Sur. Oct. 26.

STURGESS, JAMES, clogger, Openshaw. Pet. Oct. 5. Reg. & O. A. Kay. Sol. Gardner, Manchester. Sur. Oct. 24.

TAPSON, JOHN, victualler, Liverpool. Pet. Sept. 13. O. A. Turner. Sur. Oct. 23.

WARD, EDWARD ROBERTSON, comedian, Greenheys in Manchester. Pet. Oct. 10. Reg. Harris. O. A. Morgan. Sols. Sale, Worthington, Shipman, Seddon, and Sale, Manchester. Sur. Oct. 23.

WARREN, WILLIAM, beerseller, Rookery, near Ridgeway, Wolstanton. Pet. Oct. 10. Reg. & O. A. Challinor. Sol. Salt, Tunstall and Crewe. Sur. Oct. 26.

WETHERELL, JOSEPH, schoolmaster, Middlesborough. Pet. Oct. 9. O. A. Young. Sols. Brewster and Scubbs, Middlesborough; and Carlos and Tempest, Leeds. Sur. Oct. 23.

WILLIAMS, ALFRED, labourer, Handford, Trentham. Pet. Oct. 2. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley. Sur. Oct. 26.

WILLIAMS, THOMAS, farm labourer, Feock. Pet. Oct. 9. Reg. & O. A. Chilcott. Sol. Marshall, Truro. Sur. Oct. 23.

WILSON, FREDERICK WILLIAM, attorney, Sheffield. Pet. Oct. 11. O. A. Young. Sols. Rodgers and Thomas, Sheffield. Sur. Oct. 27.

WHOATH, JOHN CHARLES, smith, Truro. Pet. Oct. 11. Reg. & O. A. Chilcott. Sol. Marshall, Truro. Sur. Oct. 23.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignee is given, to whom apply for the Dividends.

Hornby, J. watchmaker, second, 8¼d. Turner, Liverpool.—*Thompson, G. S.* seedsman, &c. second, 1s. 10d. Turner, Liverpool.—*White, J. G.* shipbroker, first, 1s. 2d. Turner, Liverpool.

Assignment, Composition, Inspectorship, and Trust Deeds.

Gazette, Oct. 10.

ALBAN, ALEXANDER SAINT, wool merchant, Dewsbury. Oct 2. Trust. J. F. Wilkinson, architect, Leeds.

ALTSCHUL, JAMES, merchant, Cullum-st. Sept. 15. 4s.—2s. in 3 mos. and 2s. in 4 mos.

BECKETT, JONATHAN, and HULME, ALBERT HENRY, ironmongers, Liverpool. Trusts. G. M. Bidwell, accountant, Liverpool.

BIRCH, WILLIAM, butcher, Monks Coppenhall. Sept. 11. Trusts. J. Meakin, engine driver, Monks Coppenhall, and T. Capper, rope manufacturer, Wilton.

BRETTELL, FRANCIS, and BRETTELL, MORRIS, booksellers, Rotherham. Sept. 13. 6s. by three equal instalments, on 1st Nov., 1st March, and 1st July next.

CALLAWAY, GEORGE, commission agent, Selwood-ter. Fulham-rd. Oct. 5. 3s.—1s. 6d. at execution of deed, and 1s. 6d. in 4 mos.

CLIFFORD, ISRAEL, and GRIFFITHS, THOMAS HENRY, drapers, Hanley. Sept. 18. 10s. by three equal instalments, at 4, 8, and 12 mos.

DEXTER, WILLIAM, provision merchant, Plymouth. Sept. 16. Trusts. T. Symons, currier, Stonehouse, and M. O'Brien, provision merchant, Plymouth.

DREW, BENJAMIN, saddler, Stalbridge. Sept. 20. Trusts. J. M. Shattock, saddler's ironmonger, Bristol, and J. Hellyar, currier, Corne.

ELLIOTT, JOHN CATCHESIDE, clockmaker, Leeds. Oct. 3. 2s.—1s. on 1st Nov. and 1s. in 6 mos.

ELSTON, JOHN ARTHUR, manager to an estate agent, Hercules-lodge, Lambeth. Oct. 2. 2s.

FOURACRES, SAMUEL, tailor, Cranbourne-st. Leicester-sq. Oct. 2. 2s. 6d. by three equal instalments, at 3, 6, and 9 mos.

GAISFORD, HENRY, builder, Trevor-ter. Knightsbridge. Sept. 5. 2s. on 15th Sept. Trust. W. T. Buckland, accountant, Clapham-rise.

GALLON, HENRY, wholesale ironmonger, Leeds. Sept. 25. 10s. by four equal instalments. Inspectors, J. Bates, factor, Birmingham, J. Wilkinson, nail manufacturer, Leeds, and H. W. Blackburn, accountant, Bradford.

GARDINER, SAMUEL HENRY, monumental mason, New Kent-rd. Oct. 5. 1s. 6d. on 1st Dec.

GILL, SARAH ANN, lodging-house keeper, Scarborough. Oct. 4. Trusts. J. Tonks, cabinet-maker, and W. W. Wright, furniture broker, both Scarborough.

GREEN, WILLIAM, ironfounder, Ecclesfield. Oct. 6. 4s.—2s. 6d. on 5th Dec., 1s. 6d. on 5th March, and 1s. on 5th June next. Trusts. E. Green, farmer, Nether Hoyland, near Barnsley, and C. Esam, district manager of Alliance Assurance Company, Sheffield.

HALSE, WILLIAM, table manufacturer, Pimner. Sept. 12. Trust. J. Brinsmead, pianoforte manufacturer, Wigmore-st. Cavendish-sq.

HARRISON, RICHARD, corn miller, Fleetwood. Sept. 12. 2s. by instalments.—1s. on 7th Oct. and 1s. on 7th Dec. next. Trusts. H. Roger and W. Cusack, corn merchants, both Liverpool.

JAMES, WILLIAM, sen., and JAMES, WILLIAM, jun., upholsterers, Haverfordwest. Sept. 8. Trusts. T. Rees, accountant, J. Thomas, accountant, and J. Lewis, bank manager, all of Haverfordwest.

JOHNSON, WILLIAM, pub-ican, Sheffield. Sept. 14. Trusts. J. B. Howell, merchant, and K. Parker, common brewer, both Sheffield.

JOHNSON, WILLIAM, draper, Southend. Oct. 3. 12s. 6d. at 1, 2, 4, 6, and 9 mos. Trusts. M. A. Johnson, widow, and E. Johnson, spinster, both Lincoln-villa, South Hackney, and T. W. Newman, warehouseman, St. Paul's-churchyd.

JONES, HENRY PARRY, draper, Manchester. Sept. 22. Trust. T. F. Palmer, merchant, Manchester.

JURY, HENRY, innkeeper, Maidstone. Sept. 9. Trust. G. Spencer, wine merchant, Maidstone.

KENYON, JOHN, grocer, Oldham. Sept. 12. Trust S. Fielding, jun., corndealer, Middleton.

LIDDIARD, WILLIAM, tobacconist, Portsea. Oct. 4. 4s. in 14 days.

MASON, CHARLES, plumber, Oldham. Sept. 25. 7s. by three instalments of 3s., 2s. 6d., and 2s. 6d., on 25th Dec., 25th March, and 25th June 1866.

MASSEY, REGINALD, cotton manufacturer, Old Accrington. Sept 12. Trusts. A. Haworth, commission agent, Manchester, G. Little, commission agent, Blackburn, and W. Simpson, cottonspinner, Preston.

MAYNE, THOMAS, cordwainer, Northam. Sept. 14. Trust. S. East, jun., leather merchant, Exeter.

MOLYNEUX, HENRY METCALFE, surveyor, Vauxhall-bridge-rd. Oct. 2. 6d. in 20 days.

MURRAY, JAMES, draper, New-st. Commercial-rd. east. Sept. 26. Trusts. W. Affleck, Friday-st. Cheapside, and W. Morley, Gutter-la. Cheapside, warehousemen.

NEWHALL, JOSEPH, coal merchant, Stourbridge. Oct. 3. 7s. 6d. by three equal instalments in 42 days, and 6 and 9 mos.

OATES, WILLIAM, commission agent, Leeds. Sept. 18. Trust. T. Wetherley, auctioneer, Leeds.

REAVELL, GEORGE; REAVELL, GEORGE, jun.; and REAVELL, FRANK, builders, New Windsor. Sept. 8. 10s. by three equal instalments at 3, 6, and 9 mos.—secured. Trusts. R. Little, brick merchant, C. Hand, carman, and S. Dalton, timber merchant, all New Windsor.

ROBINSON, WILLIAM, cottonwaste dealer, Oldham. Oct. 2. Trust. J. Broadbent, cottonwaste dealer, Oldham.

SANDERS, JAMES, lace manufacturer, Nottingham. Sept. 11. Trusts. E. Massey and E. M. Cullen, lace manufacturers, and F. Wright, banker, all of Nottingham.

SINCLAIR, OSBORNE JOHN, salt merchant, Wharf, City-rd.-basin. Sept. 15. Trusts. T. Weston, salt merchant, Lower Thames-st., and C. Dary, accountant, King-st. Cheapside.

SMITH, HUGH, grocer, Cardiff. Oct. 3. Trusts. S. P. Kernick, druggist, and C. Sankey, grocer, both Cardiff.

SQUIER, JOHN DEAL, bazaar proprietor, Dover. Sept. 27. 5s. in 6 wks.—secured. Trust. C. K. Worsfold, accountant, Dover.

STATHAM, THOMAS BRADSHAW, and MCILRAITH, THOMAS, woollen dyers, Lingards, Slaithwaite, near Huddersfield. Sept. 13. Trusts. J. Mellor, farmer, Lingards, T. P. Wilkinson, commission agent, Bradley, near Huddersfield, and F. B. Crossley, manufacturing chemist, Rastrick.

TAROAL, GAETANO, general dealer, Sunderland. Oct. 6. 5s. by two equal instalments, at 3 and 6 mos.—secured.

THOMPSON, SAMUEL, draper, Walsall. Oct. 4. 7s. 6d. by four equal instalments on 6th Feb. 6th June next, 6th Oct., and 6th Feb. 1867.

TOPPING, WILLIAM, sen., greengrocer, Carlton-st. Kentish-town, and Railway-arches, Kentish-town. Oct. 5. 2s. 6d. by two equal payments on 5th Jan. and 5th April 1866.

USHER, THOMAS, and YOUNG, WILLIAM, tailors, Sheerness. Sept. 14. 15s.—5s. at 4 and 8 mos., 2s. 6d. at 12 mos., and 2s. 6d. at 15 mos.

WALTON, JOHN HARKAS, cordwainer, Seaham Harbour. Sept. 30. 7s. 6d. in equal thirds, at 2, 4, and 6 mos. Trust. W. Atkinson, grocer, Seaham Harbour.

WEBB, JAMES WILLIAM, leatherseller, Aldershot. Sept. 8. 5s. in 1 mo., and 2s. 6d. in 4 mos. Trust. J. S. Webb, leather salesman, Canonbury st. Islington.

WIDDOP, WILLIAM, fruit dealer, Huddersfield. Sept. 29. Trusts. G. Eastwood, wholesale fruit dealer, Huddersfield, and G. Green, woollen manufacturer, Batlye Mills, near Wakefield.

WIGHTMAN, JOHN, boot machinist, Pearson-st. Kingsland-rd. Oct. 9. Trust. J. Meggs, leatherseller, Kingsland-rd.

Gazette, Oct. 13.

ALLIN, WILLIAM, baker, Lichfield. Sept. 28. 2s. in 14 days.

AMES, THOMAS HARDING, gentleman, Wyndham-house, Cricklewood. Sept. 18. Trust. R. C. Macrae, merchant, Bargeyard-chambers.

BAMBERGER, JOHN SIMMONS, teacher of languages, Sunderland. Oct. 7. 5s. on execution of deed.

BARBER, WILLIAM WRIGHT, livery-stable keeper, Whitehorse-yd. Fetter-la. Sept. 1. 2s. on execution of deed.

DAY, ROBERT, mechanical chimney sweeper, Newton-st. Holborn. Sept. 19. 5s. on 18th Dec.

DRANSFIELD, FRANK, blanket manufacturer, Dewsbury. Sept. 27. 6s. by three instalments—2s. 6d. on 19th Oct., 2s. 6d. on 19th Nov. and 1s. on 20th March—secured. Trusts. J. Dransfield, gigger, M. Senior, cloth raiser, and J. Richardson, cloth weaver, all Earlsheaton.

EDGE, HENRY, accountant, Blackburn. Sept. 12. 5s. by two equal instalments, on 15th Nov. and 15th Jan. Trust. L. Park, gentleman, Bury.

EVANS, REUBEN, out of business, Guns-la. West Bromwich. Oct. 7. 5s. in 14 days. Trust. W. Evans, ironmonger, West Bromwich.

FRAMPTON, WILLIAM JOHN, silver chaser, Great College-st. Camden-town. Oct. 6. 5s. by two equal instalments at 6 and 12 mos.

GLOVER, ANNIE, oil merchant, Hanley. Sept. 23. 7s. 6d. by three equal instalments at 4, 8, and 12 mos.—secured. Trust. J. Johnson, common brewer, Tunstall.

GRANT, WILLIAM, merchant, Lime-st. Oct. 7. Trusts. T. M. Mackay, shipowner, and T. D. Neave, merchant, both Leadenhall-st.

GROOMBRIDGE, ALEXANDER, dealer in unredeemed pledges, Bermondsey-st. Bermondsey. Oct. 7. 1s. in 3 mos.

HARRIS, BARNARD, wholesale boot manufacturer, Commercial-st. Spitalfields. Oct. 3. 1s. in 3 mos.

HARRISON, GUSTAVE, general gasfitter, Liverpool. Oct. 6. 5s. Trust. S. Watts, merchant, Manchester.

HICKS, RICHARD GEORGE MONTAGUE BIRCH, gentleman, Southwark-house, Hyde-park. Sept. 26. 2s. 6d.—1s. in 12 mos., and 1s. 6d. in 24 mos. Trust. H. A. Dubois, accountant, Basinghall-st.

HUGHES, HENRY, milliner, Nottingham pl. Hoxton. Oct. 2. 5s. in 3 mos.

HUTCHINSON, HENRY LEONARD, builder, West-pl. Islington-green. Sept. 11. 2s. 6d. in 28 days.

IRVING, CHARLES FORSYTH, clerk, Hanover-st. Peckham. Sept. 28. To pay 6l. 5s. every 3 mos. until debts are paid in full. Trust. R. W. Stacpole, Pinner's-hall, Old Broad-st.

JACKSON, RICHARD, bootmaker, Liverpool. Sept. 19. 15s. by three equal instalments, on 20th Jan., 29th May, and 20th Sept. 1866. Trusts. W. Baird, paperhanger, and T. Lawton, auctioneer, both Liverpool.

JONES, ELIAS, ship chandler, Newport. Sept. 14. For payment of 796l. 14s. for equal distribution. Trusts. F. W. James, ropemaker, Strood, and T. Harding, drysalter, Bristol.

JONES, WILLIAM, estate agent, Liverpool. Sept. 14. For payment of all debts by four equal instalments, at 6, 12, 18, and 24 mos., with interest at 5l. per cent. per annum. Trust. J. Home, gentleman, Liverpool.

JONES, WILLIAM, and JONES, WILLIAM, jun., wine merchants, Water-la. Oct. 4. 3s. Trusts. S. Vickers, gentleman, Victoria-st. Westminster.

KELSEY, WILLIAM GOLDING, and CHESSMAN, WILLIAM, grocers, St. Mary Cray. Sept. 12. 10s. by three equal instalments, at 2, 4, and 6 mos. Trust. J. Bath, public accountant, King William-st.

LORIMER, ALEXANDER, draper, Newton Abbot. Sept. 12. Trusts. J. Libby, draper, Strood, and R. Linden, draper, Plymouth.

MARDALL, PARKER, grocer, Penrith. Sept. 14. Trusts. D. H. Thomas, bank agent, and J. Pattinson, grocer, both Penrith.

MARK, WILLIAM, butcher, Sketty, near Swansea. Oct. 5. 5s. on 31st Oct.

MATTHEWS, HENRY, joiner, Sheffield. Sept. 25. Trusts. B. Langley, timber merchant, and G. Knowles, accountant, both Sheffield.

MAUDE, CHARLES HENRY, merchant, Eastcheap. Sept. 14. Trusts. Sir E. Pearson, and R. S. Tomlin, Bank-buildings, Lothbury, secretary to the bank of Hindustan, China, and Japan.

MCLEAN, RODERICK, Southampton. Sept. 14. Trusts. W. Affleck, Friday-st., and J. R. Kay, Old Change, wholesale warehouseman.

MOORE, GEORGE FREDERICK, oilman, King-st. Hammersmith. Trust. W. Izard, auctioneer, Poultry.

MOORE, THOMAS FISHER, jun., iron merchant, Manchester. Trusts. J. T. Smith, Barrow-in-Furness, R. Beckley, Warrington, iron manufacturers, and A. Robertson, banker's clerk, Manchester.

MORGANS, WILLIAM, waterman, Parryvill, Llanstadwell. Sept. 12. Trust. D. Evans, joiner, Parryvill.

MORRIS, VINCENT, riding master, Silver-st. and Warwick-rd. Kensington. Sept. 30. 2s. 6d. on 31st Oct.

MOUACKY, JOSEPH, timber merchant, Salford. March 14. Trust. J. Ferguson, carrier, Salford. Sols. Boote and Rylance, Manchester.

NEWBOLD, SAMUEL, book-keeper, Liverpool. Sept. 26. 1s. on 31st Dec.

NEWTON, FREDERICK CURTIS, farmer, Whittlesey. Sept. 16. Trusts. W. Champion, ironmonger, Ramsey, and C. Robinson, of St. Ives.

PARKES, WILLIAM JOHN, fishmonger, Richmond-rd. Bayswater. Oct. 9. 1s. on 1st Jan. Trust. J. Parker, gentleman, Margate.

PELLETT, EDWIN, cabinet-maker, Salisbury. Sept. 27. Trusts. W. Hicks, ironmonger, Salisbury, and R. C. Harding, brickmaker, Fisherton Anger.

PROMOLI, FREDERICK WILLIAM, jeweller, Liverpool. Sept. 15. Trusts. A. Pyke, jeweller, Hatton-garden, and J. Vaisey, importer of foreign goods, Lamb's Conduit-st.

PUTNEY, GEORGE, timber dealer, Satchwell-st. Bethnal-green-rd. Oct. 2. 1s. on 2nd Jan.

ROBERTS, WILLIAM, ironmonger, Aberavon. Sept. 21. Trust. J. S. Eveleigh, accountant, Bristol.

SHAW, MARY, and SHAW, JOSEPH GARRETT, tailors, Sheffield. Sept. 27. Trust. R. Carpenter, merchant, Bristol.

SIMPSON, ANDREW, draper, Birmingham. Sept. 21. Trusts. A. Mackie, merchant, Dudley, and A. McMeeking, draper, Birmingham.

SIMPSON, WILLIAM BARBER, master mariner, Walton, near Liverpool. Oct. 6. 6s. 8d. in 30 days.

SMITH, CHARLES WILLIAM, farmer, Feltham. Sept. 29. Trust. W. Bayley, jun., farmer, Burnham.

TEITELBAUM, ADOLPH, confectioner, Great Portland-st. Oxford-st. Oct. 17. 7s. in 7 days. Trust. M. H. C. Godin, perfumer, Regent-st.

THOMPSON, HENRY, draper, Belper. Sept. 14. Trusts. J. Martin, superintendent of factory, Belper, and J. M. Wilke, merchant, Manchester.

TODD, CHARLES MATTHEW, merchant. July 21. Trusts. A. J. Noblet, manager of Imperial Ottoman Bank at Salonica, and D. S. Ogilvy, merchant, Gallipoli and Constantinople.

TURNER, MARY ELIZABETH, corndealer, Preston. Sept. 26. Trusts. R. Carr, corn merchant, and M. Brown, brewer, both Preston.

VICKERS, EDWARD, carrier, Wednesfield. Sept. 21. Trust. J. Jones, coal merchant, Wolverhampton.

VINNICOMBE, JOHN NEWTNER, music seller, Exeter. Sept 28. Trust. C. Cadby, pianoforte manufacturer, Liquorpond-st. Gray's-inn-rd. and G. T. Metzler, music publisher, Great Marlborough st.

WEBB, RICHARD KEMBALL, cheesemonger, Regent-st. Westminster. Oct. 6. Trust. F. Crossdell, cheesemonger, Whitecross-st. Borough.

WILLIAMS, RICHARD, shopkeeper, Bethesda. Oct. 10. 5s. by two equal instalments on 1st Jan. and 1st April—secured.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTH.

PRICHARD.—On the 16th inst., at 2, Albion-street, Hyde-park, the wife of Iltudus Thomas Prichard, Esq., barrister-at-law, of a son.

MARRIAGES.

SKIPWORTH—ARMFIELD.—On Thursday, the 12th inst., at the Parish Church, Leeds, Philip George Skipworth, of Field Head, Wakefield, elder son of the Rev. Thomas Skipworth, rector of Belton and Pickworth, Lincolnshire, to Fanny Margaret, elder daughter of the Rev. George Armfield, incumbent of Armley.

SMITH—SHAW.—On the 17th inst., at the Parish Church, Harborne, Mr. T. Silvester Smith, of Birmingham, solicitor, to Amina Ann, youngest daughter of William Shaw, Esq., of Clent House, Harborne.

WOTHERSPOON—DEWAR.—On the 10th inst., at St. John's Church, Notting-hill, C. Grey Wotherspoon, of the Middle Temple, Esq., barrister-at-law, to Jane, youngest surviving daughter of the late David Dewar, Esq., of Canonbury, and Wood-street, Cheapside.

DEATHS.

HILL.—On the 17th inst., at 6, Oxford-square, Hyde-park, Alice Booth, wife of James Eardley Hill, Esq., of the Middle Temple, barrister-at-law.

WHITMARSH.—On the 13th inst., at Rye, Sussex, aged 54, Henry Whitmarsh, Esq., solicitor.

Investments.

THE ECONOMIC SOCIETY.—LOANS from £100 to £5000 can be immediately obtained, repayable in one sum or upon the following scale of repayments for every £100 advanced, including interest thereon:—

	Monthly.	Quarterly.
For one year	£8 14 2	£26 2 6
For five years	2 0 10	6 2 6
For ten years	1 4 2	3 12 6
For fifteen years	0 19 6	2 18 6

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JOHN HARRISON, Secretary.

Dock Office, Liverpool, July 20, 1865.

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By Order, JOHN ANDERSON, Secretary.

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THE Law and the Lawyers.

LEGAL TOPICS OF THE WEEK.

HE resignation of Mr. Justice CROMPTON has en formally announced. His illness has been ry serious, but his many friends will rejoice to ar that he is now recovering from it, and, lieved from the labours of the Bench, we may pe that he will enjoy life and health for many ars to come. Speculation is busy, as usual, in inting out his successor, and it will probably the first important gift of the Lord Chancellor the new or reconstructed Ministry. Many mes are mentioned, but they are mere guesses. hould Lord CRANWORTH continue on the wool-ck, he will probably maintain his prerogative choice, not merely unfettered, but without rmitting a hint even from the Premier to indi-ate a desired man. He is a mild partisan, and refers lawyers to politicians for the Bench, and e is more likely to look for one at the Bar than the House of Commons. Should he so use s patronage on the present occasion, his choice ill probably fall on Mr. LUSH, and none would ive more satisfaction to the Profession and to e public.

If, however, under the special circumstances f the moment, he should place his patronage at e disposal of the Government, there can be ttle doubt that it will be offered to Sir R. P. OLLIER, the Solicitor-General. But the ques-on is, if he will accept it. If he is wise, he will o so. No man can say what changes the next wo years may witness, and the proverb reminds s of the danger of speculating upon dead men's hoes.

HE Rules and Forms for the Equity Jurisdiction f the County Courts use the term "attorney," nd not that of "solicitor." Wherefore so? here is undoubtedly a prevalent confusion etween them, and they are continually employed mproperly both within and without the Pro-ession—a confusion which has caused the well-nown jest that professes to define the difference. But the distinction is *real*. "Solicitor" is the ame belonging to him as the officer of the Court f Chancery, and "attorney" is his title in the Common Law Courts. Surely, in matters belonging to the equitable jurisdiction of the County Courts, his proper title of solicitor should have been preserved. There will now be this curious anomaly. So long as a suit is proceeding in the County Court, he will be "an attorney;" but if, as will often happen, it be transferred to the Court of Chancery, though no other change is to be made in the procedure, he will be transmuted into "a solicitor."

WE repeat the request that our readers will report to us proceedings under the new equity jurisdiction of the County Courts. As we expected, there is much perplexity in resolving what is and what is not within the jurisdiction, and hesitation how to proceed. Every practitioner desires to know what kinds of cases his brother practitioners are taking into the County Courts, how he takes them there, and what is done with them when they are there. That is the information wanted, and which we trust will be given for mutual assistance in the working of a very novel, a very difficult, but a very valuable new law. The first case that has occurred was reported last week, and, as will be seen, the Judge was perplexed, and ultimately decided against the jurisdiction.

EARL RUSSELL is charged with the formation of a new Ministry, and there can be no doubt that he will succeed in a task of much delicacy and difficulty. The Liberal party is composed of two great sections. The Radicals are far more widely divergent in principle from the Whigs than are the Whigs from the Conservatives. Power cannot be kept by the Whigs for a week without the aid of the Radicals as led by Mr. GLADSTONE and Mr. BRIGHT, and they have declared through the latter that the truce hitherto preserved will end with the life of Lord PALMERSTON. Now they will set up for themselves, and impose the conditions of alliance. Adopting their eloquent Leader's definition of the principle on which the suffrage should be based, they claim it to be the right of all against whom disability from crime or incompetence cannot be proved, and they insist on a Reform Bill framed upon this principle. The Whigs would secede in a body if any such Reform Bill were proposed, and the problem to be solved by the new Premier is how to reconcile these widely differing parties. It can be done by no other man than Earl RUSSELL, who will secure the Whigs, while Mr. GLADSTONE leading in the Commons will secure the Radicals, at least, until measures are demanded, and then the trouble will begin. But it is probable that the Democratic party may be induced to defer their claims for one session at least, and if so it should be, things will proceed in the first session of the new Parliament very much as in the old one.

The question, however, that mainly concerns us is, if there is to be any, and what, change in the law officers. The ATTORNEY-GENERAL cannot well be spared by the Government, and probably he is himself not desirous to ascend the woolsack as yet, seeing that he has a large family, is making a good income, and can effect savings impracticable in the costlier office of Lord Chancellor. Mr. COLERIDGE, the new M.P. for Exeter, is, we believe, personally the friend and politically the ally of Mr. GLADSTONE, who will, doubtless, help him to office as soon as possible. Should the SOLICITOR-GENERAL accept the next vacant judgeship, Mr. COLERIDGE would probably succeed him. It must be remembered that the law officers of the Crown will have to face in the new Parliament such powerful adversaries as Sir HUGH CAIRNS, Mr. BOVILL, Mr. BADDELEY, and Mr. FORSYTH, with the rivalry on their own benches of Mr. COLERIDGE, Mr. EDWARD JAMES, and Mr. DENMAN, and therefore they will need to be strong in capacity and eloquence.

How difficult must be the task of forming a compact Government under present circumstances is apparent from the opposing views of the Government journals. The *Times* does not like either of the candidates, but prefers Lord GRANVILLE. The *Telegraph* is all for Earl RUSSELL. The *Post* inclines to Lord CLARENDON, and the *Star* desires the CHANCELLOR of the EXCHEQUER. The *Times*, strangely enough, opened by an avowed preference for Mr. GLADSTONE. But in three days it changed its tone, and on Saturday thus characterised the claims of its favourite of Wednesday:

> The second candidate to whom everybody's mind has pointed is Mr. Gladstone. He has sat more than thirty years in the House of Commons, where he is unrivalled and unapproached in eloquence. He is now the Leader of the House of Commons, and, as the late Sir George Lewis well said, "Tell me who leads the House of Commons, and I will tell you who is destined to be Premier." He has won great popularity by the masterly manner in which he has completed the commercial reform which was left to him in a half-finished state. He has great popularity and support in the manufacturing districts, which his measures have signally benefited, and has a large party in the Church of England which views him with sympathy and admiration. The drawbacks to these brilliant qualities are only too well known. With all his splendid talents, Mr. Gladstone has failed to conciliate to himself the goodwill and attachment of that very House of Commons in which he is the principal figure, and of which, in any case, he must be the leader. He is deficient in tact and temper, and has an unhappy faculty of getting up debates where there need not be any discussion, and arguing rather for the satisfaction of his own mind than for his audience. He has got himself into trouble by a very eloquent, but a very ill-considered, declaration on the subject of Parliamentary reform which he delivered last year, and which has been explained indeed, but not excused. The Radical party still profess to look to him as their future chief. If he verifies their confidence, he will become the chief of a small minority instead of the representative of the great majority of the House; if he puts the question of reform aside he will incur their most bitter animosity. He has done enough to inspire distrust in the more Conservative portion of his party without having enlisted any corresponding support in any other quarter. No one doubts his honesty or ability, but there is a strong distrust in his judgment and moderation. He is believed to be one with whom others find it difficult to act, and more likely to diminish and divide than to unite and cement his followers. It seems hardly possible that a Liberal Government can be formed without him; he is too great for the second place in it, and yet seems scarcely to be possessed of the qualities that entitle him to the first.

Nor is it much less severe on Earl RUSSELL:

> The first candidate in age and experience is undoubtedly Lord Russell, to whom, we believe, Her Majesty has intrusted the task of reconstructing the Cabinet. He has himself held the office of Prime Minister for six years, and has served the Crown in a number of important and difficult offices. He is one of the last of those who took part in passing the first Reform Bill, for death has been very busy among these for the last few years; he was at one time the acknowledged head of the Whig party, and has an European reputation second to no other British statesman. With so many recommendations, it may be thought that we need look no further than Lord Russell, and that his task would be comparatively easy. These great recommendations are, however, cancelled by still greater defects. Lord Russell is a member of the House of Lords, and it is a source of weakness to any Government to separate the office of Prime Minister from the Leadership of the House of Commons. The two positions mutually strengthen each other. The Minister is more powerful from his influence over the House, and the Leader has more authority from his position as Minister. To separate the two is a waste of power. Lord Russell is, besides, considerably past seventy years of age, and though we have been recently governed with vigour and success by a Minister of upwards of eighty, it may not, perhaps, be wise to give to this preference for antiquity the strength of two successive precedents. The accession of Lord Russell to power will weaken the Government by detaching from it a considerable number of Irish supporters. The Ecclesiastical Titles Bill has not yet been forgotten, and the same cause which has expelled from Parliament almost every Irish Liberal member who supported that measure would deprive the Government of a considerable part of the support which it now expects from Ireland. But there is more to be said. A new generation has arisen since Lord Russell was prime minister, his name has lost much of its influence, and the associations connected with it are becoming obsolete. The reputation gained by one Reform Bill has been somewhat impaired by three futile attempts to pass another. Nobody knows what Lord Russell's present position with regard to reform is. Besides, it cannot be denied that the unfortunate events of the year 1855 would prevent Lord Russell from rallying round him the full support which a leader of the Liberal party ought to count on. The declaration by which he broke up the Government of Lord Aberdeen, and the unfortunate circumstances connected with his mission to Vienna, which occasioned his resignation of the seals of the Colonial-office, have not been forgotten, and may probably be found to tell unfavourably in the reconstruction of the ministry under his auspices.

These vacillations of the leading journal are important, for upon the choice of the Premier

will depend those legal appointments that immediately concern the Profession.

The *Spectator* looks for wonderful results from the extension of equity jurisdiction to the County Courts. Foremost, it places the fusion of equity and law—a favourite dream of speculative law reformers; then the jurisdiction is to be gradually extended, until it is unlimited in amount and subject-matter. This will necessitate more judges and more courts, and, in fact, substitute a system of provincial courts of equal rank with the courts at Westminster, for the present centralised tribunals working by means of peripatetic Judges and Bars. We are inclined to think that, in this part of its anticipations, our contemporary is right. Having gone so far, we must go yet further in discentralising the administration of justice. The demands now made upon the County Court judges are greater than any man can execute properly. With such important questions to adjudicate, we must have judges of the highest class, of course with proportionate incomes. But the speculation is so interesting to our readers that we take that part of the article that most concerns them.

The equitable jurisdiction just conferred on County Courts has not attracted so much of public attention as so considerable a law reform deserves. Viewed by itself, it is the most substantial triumph yet achieved by the advocates of "cheap law;" but, taken in connection with the results which it may be presumed will flow from it, it is the most important legal measure of our time. The changes in 1845, when the County Courts were first established, and in 1852, when the new procedures in Chancery and Common Law were introduced, were very beneficial, but they did not in any way affect the character of our jurisprudence. If the new scheme succeed it will be followed by a thorough change in our judicial system. All reformers are disposed to justify the changes which they advocate, upon the ground that theirs is a work of restoration rather than of innovation. There was a time in our history when the clerical Chancellors, despising the jargon and rejecting the technicality of the common law courts, administered cheap and speedy justice in the English tongue to rich and poor alike, and we may perhaps, without being charged with being too sanguine, look forward to the time when our local Courts of Chancery will deserve the eloquent eulogium passed by Lord Ellesmere upon the High Court in his time: "It is the oracle of Equity, the storehouse of the favour of Justice and of the liberality royal, and of the right pretorial, which openeth the way to right, giveth power and commission to the judges, hath jurisdiction to correct the rigour of the law by the judgment and discretion of equity and grace. It is the refuge of the poor and afflicted. It is the altar and sanctuary for such as against the might of rich men and the countenance of great men cannot maintain the goodness of their cause and truth of their title; the entry and door whereof ought *patere omni postulanti omnibus horis, nulli tamen hiare.*" Local courts of equity are not new in this country. The Court of Great Sessions in Wales had an equity as well as a common-law side, and its abolition was not caused by any objections to the principles which governed its decisions, but rather because of the dissatisfaction felt at the manner in which it was practically worked. The Vice-Warden of the Court of Stannaries in Cornwall and Devon has an important equitable jurisdiction. But the most flourishing existing local court of equity is the Court of Chancery of the County Palatine of Lancaster, the jurisdiction of which is unlimited in point of amount. In this court a great amount of the chancery business of Liverpool, Preston, and Manchester is transacted. The Vice-Chancellor holds his court on the spot several times a-year, and in addition to this sits every week in London during the legal year to hear interlocutory and other applications. The registrars, who are all barristers, are kept constantly employed. The business in this court would no doubt be greatly increased if the procedure were simplified and the expense lessened. Its present flourishing state is, however, a sure indication that "country" will not come to "town" for its chancery, if it can get the same advantage in a local court. The new County Court equitable jurisdiction is, however, limited in point of amount. On its common-law side the limit is 50*l.*, by consent of both parties. On the equity side the jurisdiction is never to be extended to cases in which the subject-matter of the case exceeds 500*l.* It is clear that within this limit there will arise a large amount of litigation. An executor wishing to relieve himself of the responsibility of administering a small estate, a mortgagee desirous of realising his security, a tenant anxious to obtain a promised lease from his landlord, or a partner compelled to dissolve and wind up the partnership affairs, may all obtain the relief they require almost at their own doors. Presenting such advantages, the local Courts of Equity cannot fail to become popular institutions. Every attorney will have a good word to say for them, and will perhaps thus become reconciled to the losses laid to the charge of the last law reform—the Land Transfer Act. It may indeed be objected to the new scheme that the necessary complication of even a County Court chancery suit will bring an undue profit to the attorneys, and a law reform which enriches the lawyers will be looked upon with suspicion by the public. But this price may well be paid for the change, if it should ultimately be productive of the results which we anticipate.

From what we have said, it will be seen that it is a matter of the first importance that the County Court judges should be chosen from the ablest men at the Bar who are desirous to obtain the appointments. We believe the present staff of judges consists, on the whole, of men of ability and patience. There are some notable exceptions, of whom it may be said that their errors do more credit to their hearts than to their heads. Quite recently the judges at Westminster-hall were obliged to remind a County Court judge, who had been chosen from the Equity Bar, that a defendant was entitled to justify a "forcible entry" upon property. The judge had considered that no one ought under any circumstances to take the law into his own hands. But this and other well-known instances of incapacity are rare exceptions. The establishment of the new jurisdiction (which will probably drive many of the present judges into a retirement from their duties) renders it still more essential that our local pretors should be jurists as well as active men of business. The recent appointments made by the present Lord Chancellor have not been received with entire satisfaction by the Profession. It may be natural that a Chancellor who is seventy-five years of age, and has sat as a judge for nearly thirty years, should consider a junior of forty years' standing the most fit person to be appointed a County Court judge, and the great ability, long professional experience, and admirable personal qualities of Mr. G. L. Russell will reconcile the Profession to an appointment which would otherwise have been criticised. But we do most emphatically protest against these valuable judicial appointments being conferred upon barristers, even though they may be Queen's Counsel, who have retired from business, or whose business has retired from them. There are plenty of able and energetic men practising at the Bar who would most gladly accept these offices. If we are to organise a new judicial system, by all means let us avail ourselves of the best help that can be obtained for the work.

During the hearing of the charge against one of the Fenian prisoners at Dublin, his solicitor complained that he had been refused admittance to the court by the policeman on guard at the door. The excuse made by the officer was, that he did not know Mr. O'Callaghan to be a solicitor. It was answered that the complainant had so informed him, and his reply was, that on exciting occasions it was the frequent practice for persons to endeavour to gain admittance to the courts by falsely representing themselves as solicitors or reporters, and then, if the places are found to be occupied by strangers, the police are reprimanded for having admitted them. In this dilemma, what were they to do, having no means for personal knowledge of the true profession of the applicants?

Neither the grievance of the Profession, nor the plea of the police to the complaint, is peculiar to Ireland. Both are very familiar to us in England. While gentlemen are imprudent enough to lie, and policemen are placed between the double fire of reprimand if, in their unavoidable ignorance, they admit the wrong man or reject the right one, the Profession must be subjected to the inconvenience of having the places set apart for them in the court occupied by persons who, having no right there, have procured access by fraud. The Bar do not suffer from this, because they wear a costume by which they are at once recognised. Does not their exemption from the annoyance suggest the remedy for that to which the solicitors are subjected? The solicitors, too, have a distinctive dress, which belongs to them as officers of the court of which they form a part. Why should they not wear it in all courts? Many already do so in the County Courts, and all who practise there ought to do so. If they would revert to the old practice, and wear the gown in all courts, when attending them professionally, thus adopting the practice of the Bar, they would derive from it the same advantages? Their places would always be preserved for them, and they would find much greater facilities for the transaction of their business. We first suggested to them the resumption of their proper costume in the County Courts. It has been extensively adopted by themselves, and everywhere approved by the Judges. We desire to see the same fashion extended to the Superior Courts.

SKETCHES FROM THE NOTE-BOOKS OF A LAW REPORTER.

SKETCH III.

JOHN SCOTT—LORD ELDON.

So much has been said and written of the character, legal accomplishments, and political achievements of Lord Chancellor Eldon, that I open my note-books with some degree of trepidation and diffidence for the purpose of culling anecdotes of so eminent and distinguished a lawyer. But having been for several years in a confidential position with the friend and solicitor of Lord Eldon, in the later years of his life, during which time I had many opportunities of access to him, and of obtaining a knowledge of his opinions and demeanour upon several important occasions, I have considered that such diffidence should give way in my attempt to complete the series of sketches I have already announced.

In the prosecution of this plan I shall shortly recapitulate the principal facts of his progress as a barrister, and the final close of his career as Lord Chancellor and a Peer of the realm. I take the earlier part of these from sources which, although open to all, have not, I believe, before been so compendiously given. It is true many men of inferior calibre have attained these high positions, but scarcely one, except perhaps Lord Hardwicke—the son of a peasant—has attained them under such trying and momentous circumstances, and not one, I believe, retained them for so lengthened a period.

John Scott, the son of Mr. William Scott, of Newcastle-upon-Tyne, had, at the commencement of his public life, about as much reasonable expectation of becoming Lord Protector, or King, of these realms as he had of becoming Lord Chancellor of Great Britain. But by dint of the greatest possible industry, perseverance, and frugality, combined with a degree of shrewdness, knowledge of mankind, quickness of apprehension, and, on important occasions, promptitude of decision, which he was not thought to possess, he did attain that high and distinguished office together with great wealth.

His father was a descendant of the family of the Scotts, of Balweary, in the county of Fife, and was, at the time of his marriage with a Miss Atkinson, a coal-fitter, or coal-broker, at Newcastle-upon-Tyne. They seem to have been a long-lived couple, the father at the time of his death being seventy-nine years of age, the mother at her death ninety-one. John Scott, the subject of my sketch, was one of thirteen children of this marriage, being the eighth of that number. He was born on the 4th June 1751, and received the rudiments of his education—as did also his brother William, afterwards Sir William Scott, the celebrated and accomplished judge of the Admiralty Court—at the Ilye or Grammar School at Newcastle, under the guidance of a master nicknamed Dominie Warden. The dominie, however, was shortly afterwards displaced and was succeeded by a very learned and excellent man, the Rev. Mr. Moises (of whom we shall hear hereafter) of the University of Oxford.

In Dec. 1824 Lord Eldon, at the request and for the amusement of his grandson, the late Earl, commenced a series of autobiographical anecdotes of his life, not written in any particular order, but put down from recollection, and referring to subjects to which his attention might from time to time be called by his grandson.

From these it would appear that nothing occurred in his school days to indicate the particular bent of his disposition or character beyond the usual average of schoolboys, but he seems to have been continually getting into boyish scrapes. The following quotation from these anecdotes may be interesting: "I believe," he says, "no boy was ever so much thrashed as I was. When we went to school we (his brothers William, Henry, and himself) had to go by the Stockbridge school. In going to school we seldom had any time to spare, so Bill and Harry used to run as hard as they could, and poor Jacky's (his own) legs not being so long or so strong, he was left behind. Now you must know there was eternal war waged between the head school lads and all the boys of the other schools; so the Stockbridgers seized the opportunity of poor Jacky being alone to give

him a good drubbing. Then, on our way home, Bill and Harry always thrashed them in return; and that was my revenge, but then it was a revenge that did not cure my sore bones. . . . I was once the seventeenth boy who was flogged (by Mr. Moises, the master), and richly did we merit it. There was an elderly lady who lived in Westgate-street, whom we surrounded in the street, and would not allow her to go either backward or forward. She complained to Mr. Moises, and he flogged us all. When he came to me he exclaimed, 'What! Jack Scott, were you there too?' I was obliged to say, 'Yes, Sir.' 'I will not stop,' replied he; 'you shall have it.' But I think I came off best, for his arm was rather tired with the sixteen who went before me."

He described many other floggings, and if the circumstances for which the punishments were given were—as no doubt they were—perfectly true in the main, he certainly deserved them.

In May 1766 he was matriculated at University College, Oxford. He was not then fifteen years of age, and his brother William, who had preceded him there, and under whose tuition he was placed, used afterwards to say, "I was quite ashamed of his appearance; he looked such a mere boy."

In July 1767 he was elected to a fellowship of his college on the resignation of a Mr. Rotherham. He had, of course, but just completed his sixteenth year.

In Hilary Term 1770 he took his bachelor's degree, and in the following year carried off the Chambers' Prize for a Latin composition in verse, the subject being "The Advantages and Disadvantages of Foreign Travel." He was still under twenty years of age.

A good example of the quiet joking in after life in which Lord Eldon indulged may be found from an extract of a letter which he at this time wrote to a college friend. The subject is a description of the town of Newcastle: "Say Muse, where shall I begin! At the bridge. This is an elegant structure of thirteen arches. The battlements are beautified with towers, houses, &c., and, what is a very extraordinary circumstance, it is built over a river. From hence you proceed to the Sand-hill. Here you have presented to your view the Exchange, and Nelly's, Katy's, and Harrison's Coffee-houses, from the windows of which you may view the operations of shaving, turnip and carrot selling, and the fish market, if you turn your eyes that way. The quay is reckoned one of the best in England, the water making the prospect very agreeable, and there is no deficiency of wood, in the shape of planks, tar barrels, and trees of that kind. At the east end of this, passing through a magnificent arch, you come to a street called Sandgate, which, whether you consider the elegance of the buildings, or the number of the inhabitants, or that strict regard to decency which they pay, is equalled by none in the kingdom. From the before-mentioned quay, we may say, are many lanes, most of which terminate in the Butcher Bank, so called because it is a kind of hill where are sold daily beef, mutton, and veal."

Perhaps *the* most important step which a man can take in life, and which unlike most others depends so much upon his own personal act and consideration, is his marriage. Education, his future course in life, his health, and other similar circumstances, are traced out for him by others, but, in England at least, his marriage rests almost always with himself. If runaway marriages, as they are termed, sometimes turn out unhappily, it is as certain that many are the commencement of a long course of connubial happiness. That of Lord Eldon was most assuredly one of the latter. Early in the year 1772 he first saw Miss Elizabeth Surtees, the daughter of a banker at Newcastle, at Sedgefield Church, in the neighbourhood; but their subsequent meetings and the resolve which he made of declaring his passion for her are somewhat of a mystery.

It is sufficient to say that she was persuaded to elope with him from her father's house in the night of the 18th Nov. 1772, by the accommodating assistance of a ladder; they proceeded together to the Scottish border, where they were married by a Scotch clergyman, at a place called Blackshiels, he having written and left for his father an explanatory letter, acquainting his family with their intention.

This step Mr. Scott considered absolutely necessary, as probably one of the other suitors, favoured by her family, would have possessed himself of her hand. He had just completed his twenty-first and the lady her eighteenth year, neither with the slightest means of future subsistence, and only relying on *his* industry and talent to maintain them. As may be well supposed, the marriage was highly disapproved by both families. The young couple very shortly afterwards returned to Newcastle, their funds exhausted and no home to go to. At this time the lady was described as being very attractive in form and figure; her form slender, and her steps light, retaining in after years much of her youthful symmetry, never showing the least inclination for personal display. At the Queen's Head they remained some days, where he received a letter of forgiveness from his father, inviting them to his house. The fathers of both had been on very intimate terms, but the lady's father for some time continued inexorable. He, however, relented; the elder Mr. Scott offering that, for every 100*l.* Mr. Surtees would put down for his daughter, he, Mr. Scott, would contribute a like sum for his son.

On the 7th Jan. 1773 the reconciliation was completed, and formed an important epoch in the life of Lord Eldon. On that day two deeds of gift were executed by the parents, stipulating for the payment of the interest at 5 per cent. on two sums of 1000*l.* each, and subsequently two other deeds were executed of the same amount in their favour.

The mention of this fact reminds me of having seen these same deeds of gift under somewhat peculiar circumstances. When Chancellor, Lord Eldon having contracted to sell some landed property, it was necessary for the verification of the abstract of his title to obtain certain deeds from his bankers Messrs. Childs, where they had been deposited. Two boxes were sent up to his solicitor, which were supposed to contain all the necessary deeds relating to the estate. This, however, did not prove to be the case, as, on opening one to ascertain its contents, only two legal instruments were found therein, where they must have reposed side by side for very many years: the one, the deed of gift by Lady Scott's father for the 100*l.* per annum before mentioned; and the other, the letters patent creating him Chief Justice of the Court of Common Pleas, dated in July 1779.

The ceremony of a second marriage was performed, at the desire of their parents, at St. Nicholas's Church, Newcastle, on the 19th Jan. following; and on the completion of the ceremony the juvenile pair stepped into their chaise, which carried them to the classic shades of Oxford. Arrived there, he himself subsequently tells us that he intended to apply for the first vacant college living, "but that he should apply himself to the law as a *last* resource if the Church failed him." On the 28th Jan. 1773 he entered himself as a student at the Middle Temple, but retained his fellowship at Oxford for a year. This was called the year of grace, with an option of accepting any vacant living which might fall in, thus having, as he said himself, "two strings to his bow." He returned to Oxford, and the most remarkable incident of his residence there seems to have been a meeting which casually took place with the great Dr. Johnson. He thus described it: "Walking in the garden with Mr. Robert Chambers (subsequently Sir Robert Chambers, a judge in India), Chambers was gathering snails and throwing them over the wall into his next neighbour's garden. For this Dr. Johnson reproached him roughly, as being unmannerly and unneighbourly. Upon this Chambers said his neighbour was a Dissenter. 'Oh! if that is so,' said Dr. Johnson, 'if that is so, Chambers, toss away, toss away as hard as you can.'"

During their residence in Oxford, on the 8th March, a son was born to them, who did not live to inherit his father's titles and honours.

Shortly afterwards they returned to London, and took up their abode in a lodging in Cursitor-street. It is asserted in a work authorised by the family, that subsequently, in a conversation with Mr. Pensam, his Registrar of Bankrupts, pointing to this his house, Lord Eldon said, "There was my first perch. Many a time I have run down from thence to Fleet-market to get six pennyworth of sprats for supper." The reader is at liberty to believe as much or as little of the latter part of this conversation as he thinks fit.

He now seriously applied himself to the labours of his profession, attending, without the usual fee, the chambers of Mr. Douane, the conveyancer, assiduously reading and copying precedents. He was never in the chambers of any special pleader, or equity draftsman. His legal education was obtained, as he afterwards said, "by copying everything he could lay his hands on."

He was called to the Bar of the Middle Temple on the 9th Feb. 1776. In a conversation with his niece Mrs. Forster, in after life, he thus describes his entry upon his profession: "When I was called to the Bar, Bessy and I thought all our troubles were over—business was to pour in, and we were to be rich almost immediately . . . . . The fees for the first twelve months were to be divided between us, those for the first eleven months were to be mine, and the twelfth hers. In the twelfth month I got half a guinea—eighteen pence went for fees, and Bessy got 9*s.* In the other eleven months I got not one shilling."

As an old reporter, I feel an interest in stating, that the first reported case in which the name of Mr. Scott appears is *Green* v. *Howard*, 1 Bro. C. C. 31. He had selected the Northern Circuit as his future field of operations, which he attended assiduously, but after about four years of unsuccessful labours as a barrister, he determined to quit his town life and practise as a provincial counsel in Newcastle, his native place. But this resolution was displaced by two circumstances which now occurred, and which had the most momentous bearing upon his future professional life. One was the case of *Akroyd* v. *Smithson*, in which he was instructed to appear as the junior counsel with a consenting brief: and the other, the circumstances attending his appearance before a committee of the House of Commons on an election petition.

Although the history of *Akroyd* v. *Smithson*, 1 Bro. C. C. 505, has been given in many publications, more particularly in Mr. H. Twiss's Life of Lord Eldon, from the recital of it by Lord Eldon himself only three weeks before his death, a short statement of the facts may not be uninteresting.

It was an administration suit. Amongst other circumstances of the case, the real estate of the testator was directed by the will to be sold, his debts and certain legacies to be paid, and shares of the residue given to two of the legatees. These predeceased the testator, and their legacies had consequently lapsed. A brief was given to Mr. Scott, with a guinea fee to appear and consent on the part of the heir-at-law to the decree which was anticipated. On considering the question, he came to the conclusion that, by the law as it then stood, the heir at-law was entitled to these two shares as part of the realty undisposed of. He suggested this to the party instructing him, but his opinion was disregarded, and a decree was pronounced at the Rolls before Sir Thomas Sewell, who considered that the *surviving legatees* took the whole residue. With other parts of the decree some of the parties were dissatisfied, and an appeal to the Lord Chancellor Thurlow was lodged. Mr. Scott had a second brief with a guinea fee to appear and consent for the heir-at-law as before. The rest had better be told in the words of Lord Eldon as given by Mr. Twiss: "I told my client, if he meant by 'consent' to give up the claim of the heir to the lapsed shares, he must take his brief elsewhere, for I would not hold it without arguing the point. He said something about young men being obstinate, but I must do as I thought right." In the meantime the town agent had written to his principal in Newcastle stating these circumstances. The reply of this gentleman was, "Do not send good money after bad; let Mr. Scott have a guinea to give consent; and if he will argue, why let him do so, but give him no more." He did accordingly argue the point at great length: the argument—which every rising barrister should carefully read—is given at page 505 of the first volume of Brown. Lord Thurlow took three days for consideration, and then delivered his judgment in accordance with Mr. Scott's address, although at first very much disposed to pronounce a contrary decree.

As to the Clitheroe election petiton, no general point of law had to be discussed. It was a common case to unseat a member on the usual grounds. The parties who instructed Mr. Scott to appear waited upon him very early in the morning of the day for which the first sitting of the committee was appointed to meet at ten o'clock. He urged upon them the impossibility of his being prepared by that hour to make himself master of the case, but agreed, if that would suit their purpose, to state the facts of the case only. This they assented to, and the sitting commenced: the result was, that the

committee continued to sit for fifteen days. The fees for these attendances, in addition to fifty guineas on the brief, were ten guineas each day, and five guineas for a consultation each evening. Thus, in a fortnight, was sown the acorn from which sprung a most magnificent oak.

After these important events he was strongly advised not to quit London, and relying upon this advice, more particularly as it was the opinion of Mr. Mansfield (afterwards Sir James Mansfield, C. J. of the Common Pleas), that he should remain, he did so. In reference to these circumstances in after life, and his previous poverty, he said, "There is nothing does a young lawyer so much good as to be half-starved. It has a fine effect." It may be stated that, although the ultimate decision in *Akroyd* v. *Smithson* was in direct opposition to the first impression of the Lord Chancellor Thurlow, as before mentioned, that great man ever afterwards treated Mr. Scott with the greatest distinction and respect, which eventually ripened into a lasting friendship.

B.

(To be continued.)

INVESTMENT JOURNAL.

THE Credit Foncier and Mobilier of England (Limited) have issued 100,000 new 20*l.* shares. It is understood that no more than 5*l.* per share will be called up.

The Credit Foncier is now so well known, and its success so established (no less a dividend than 40 per cent. having been declared last year), that there is no doubt but that the new shares will be immediately taken up.

The funds have exhibited a decided improvement, and all good investments have advanced. There has been no change in the rate of discount, and if any be made it will be in advance, for the demand for money is enormous, caused mainly by the rapid revival of the American trade. In spite of this a swarm of new companies is announced. The fluctuations are as follows:

English Funds.	Fri.	Sat.	Mon.	Tues.	Wed.	Thur
Bank of England Stock	248½	...	250	248	248	248
3 per Cent. Red. Ann.	87⅞	87⅞	87⅝	87⅝	87⅝	87⅞
3 per Cent. Cons. Ann.	89⅛	89⅛	89⅛	89⅛	88⅞	89
New 2½ per Cent. Ann.	...	...	...	...	...	...
Do. do. Jan. 1894	...	...	...	70½	...	...
New 3 per Cent. Ann.	87⅛	87⅛	87⅛	87⅛	87⅛	87⅛
New 3½ per Cent. Ann.	...	...	...	...	...	...
5 per Cent. Annuities	...	...	...	...	...	...
5 per Cents. Jan. 1873	...	...	...	...	...	...
Ann. 30 yrs. exp. April 5, 1885	...	...	...	13⅛	...	13⅛
Do. exp. Jan. 5, 1880	...	...	...	...	...	...
Red Sea Tele. Ann. 1908	...	...	...	...	...	...
Bank Stock, for Acc.	...	...	...	...	...	...
Consols for Acc.	89⅞	89⅛	89⅛	89⅛	89⅛	89⅛
Consols 5 per Cent. for Ac.	...	...	...	...	...	...
India 5 per Cent. for Acc.	...	...	...	...	...	...
India Stock	...	...	...	...	...	...
India Stock, 1874	...	...	...	...	...	...
India 5 per Cents.	...	...	...	...	...	...
India 4 per Cents. 1888	...	...	...	...	...	...
India 5 per Cents. 1870	105	...	105	104⅞	104⅞	...
India Bonds (1000*l.*)	...	...	...	...	...	...
Do. (under 1000*l.*)	...	...	...	...	...	...
India Debentures, 1863	...	...	...	...	...	...
Do do. 1864	...	...	...	...	...	...
Do. do. 1866	...	...	...	98⅛	...	...
India Enfaced Paper, 4 per Cent.	...	...	...	...	...	...
Do. do. 5 per c. Jan. 1872	100⅛	...	...	101	...	...
Do. do. 5½ per c. May 1879	...	...	...	...	...	...
Ex. Bills, 1000*l.*	...	*c*	*c*	...	*c*	*h*
Do. 500*l.*	*a*	...	*c*	...	*f*	...
Do. 100*l.* & 200*l.* 3 per c.	*b*	...	*d*	...	*g*	...
Do. Small, & 3 per c.	...	...	...	...	...	...
Do. Advertised	...	...	...	...	...	...
India Certificates	...	...	...	...	...	...

a 3 3⅛ per cent., March, 3*s.* dis.; June, 6*s.* dis.
b 3 3⅛ per cent., March, 6*s.* dis.
c 3 3⅛ per cent., June, 4*s.* dis.
d 3 3⅛ per cent., March, 5*s.* 2*d.* dis.; June, 4*s.* dis.
e 3 3⅛ per cent., March, 5*s.* dis.; June, 4*s.* 7*d.* dis.
f 3 3⅛ per cent., March, 3*s.* dis.;
g 3 3⅛ per cent., March, 3*s.* dis.; June, 3*s.* dis.
h 3 per cent., 2*s.* dis.

SOLICITORS' JOURNAL.

Correspondence.

THE NEW REPORTS.—It having been stated that *all* the existing authorised reporters have joined the new scheme of law reporting, I beg to say that it is not the fact, and that Hurlstone and Coltman's Reports in the Exchequer will be published as heretofore. I can also confidently state that Best and Smith's Reports in the Court of Queen's Bench will also be published as heretofore. For my part, I have no confidence in the management of the council, or the success of the scheme, for one of their earliest steps has been to depart from the scheme as recommended by the committee in one of its most important particulars, namely, that contained in Rule 21, and which the committee have declared "essential for carrying out the scheme." As the matter must be the subject of investigation, I make no comment upon it.

G. T. HURLSTONE.

5, Crown-office-row, Temple, 26th Oct. 1865.

APPOINTMENTS UNDER THE JOINT-STOCK WINDING-UP ACTS.

PATENTED DOMESTIC INVENTIONS TRADING COMPANY (LIMITED).—Petition for winding-up to be heard before M. R. on the next day of petitions. Solicitor, T. H. Oldman, 6, Gray's-inn-square, London.

TYNE IRON SHIPBUILDING COMPANY (LIMITED).—Petition for winding-up to be heard before Wood, V.C., on the first petition day in Michaelmas Term next. Solicitors, Pangford and Marsden, 59, Friday-street, Cheapside, London.

CREDITORS UNDER 22 & 23 VICT. c. 35.

Last Day of Claim and to whom Particulars to be sent.

BARRITT (Susanna), Dalston-lane, Middlesex, spinster. Dec. 20; S. Fisher, solicitor, Merchant Taylors'-hall, Threadneedle-street, London.

BERGEN (Michael George), late of the felt works, Old Ford-road, Bow, Middlesex. Dec. 21; W. Phillips, solicitor, 4, Size-lane, London.

BUCKABY (Mary), Grey Friars, Leicester, widow. Dec. 21; J. E. Dalton, solicitor, Leicester.

CARTER (Jane), Ipswich, widow. Nov. 30; S. Westhorp, solicitor, Ipswich.

CORDUKES (Jonathan), Glen Ebor, Down, Esq., formerly of Belfast, provision merchant. Jan. 10, 1866; J. Morton, solicitor, 110, High-street, Belfast.

COZENS (Mary Ann), Hill-street, Upper Clapton, Middlesex, widow. Nov. 13; Thompson and Edwards, solicitor, 7, Doughty-street, Mecklenburgh-square, London.

CRADOCK (Sheldon), Leicester, Esq. Dec. 21; J. E. Dalton, solicitor, Leicester.

CRANCH (Richd.), 11, Church-street, Westminster, Esq. Nov 13; Mackeson and Goldring, solicitors, 59, Lincoln's-inn-fields, London.

DAWSON (Louisa Jane Finch), formerly of Launde Abbey, Leicestershire, late of Barrow-hill, Staffordshire, widow. Dec. 21; J. E. Dalton, solicitor, Leicester.

DICKINSON (Joseph), 192, Bedford-street south, Liverpool, M.D. Nov. 11; Brockbank and Helder, solicitors, Whitehaven.

FARNSWORTH (Louisa) (otherwise Lucas), 21, Ecclestow-street, Pimlico, Middlesex, spinster. Dec. 1; Paterson and Son, solicitors, 7, Bouverie-street, Fleet-street, London.

FORSHALL (Rev. Josiah), Woburn-place, Middlesex. Nov. 27; H. G. Smith, solicitor, 4, Warnford-court, Throgmorton-street, London.

FORT (Mary), Woolley-hall, near Maidenhead, Berks, widow. Dec. 23; Upton, Johnson, and Upton, solicitors, 20, Austinfriars, London.

GEMMILL (John), formerly of Belfast, afterwards of Singapore, in the East Indies, late of 128, Westbourne-terrace, Hyde-park, Middlesex, Esq. Jan. 1, 1866; F. W. Remnant, solicitor, 52, Lincoln's-inn-fields, London.

HEWSON (Fanny), North Cave, Yorkshire, widow. Dec. 5; Burland and Son, solicitors, South Cave, Brough, Yorkshire.

IRD (Charles Laurence), Spreacombe, near Barnstaple, Devon, Esq. Nov. 30; W. Flower, solicitor, 28, Bedford-row, London.

LECKIE (R. L.), formerly of Bromley, late of 37, Lupus-street, Pimlico, Esq. Dec. 1; Vandercom, Cree, and Law, solicitors, 23, Hush-lane, London.

NAYLOR (Samuel), 4, Great Newport-street, and Hog-lane, Hammersmith, Middlesex, gentleman. Dec. 31; Freere, Cholmeley and Co., solicitors, 23, Lincoln's-inn-fields, London.

PATERSON (Richd.), Lessons, St. Paul's Cray, Kent, Esq. Nov. 30; Gregory and Rowcliffes, solicitors, 1, Bedford-row, London.

PICKFORD (Thos.), 10, Rue de Duras, Paris, H. B. M.'s Consul at Paris. Oct. 31, Maugham and Dixon, solicitors, 10, Bedford-row, London.

RUDGE (S. N.), formerly of Braybrooke, Northampton, late of 6, Harley-street, Middlesex, Esq. Dec. 23; Upton, Johnson, and Upton, solicitors, 23, Austinfriars, London.

SALT (Elizabeth), Acton, Middlesex, widow. Nov. 18; Treherne and Wolferstan, solicitors, 75, Aldermanbury.

SCOTT (A. B.), 18A, Cleveland-gardens, Hyde-park, Middlesex, Esq. Jan. 1; Horn and Murray, solicitors, 7, St. Martin's-place, Trafalgar-square, London.

SPEARMAN (Alexander Young), 38, Upper Seymour-street, Portman-square, Middlesex, Esq. Dec. 22; Hart and Davies, solicitors, 16, Austinfriars, London.

TINDALL (Thos.), Great Driffield, York, brewer and spirit merchant. Dec. 11; Hodgson and Jennings, solicitors, Great Driffield.

WEST (Mary Ann West), formerly of 1, The Paragon, Blackheath, Kent, late of Lynmouth-lodge, Reigate, Surrey, spinster. Nov. 18; S. Heath, solicitor, 10, Basinghall-street, London.

WOODHOUSE (Joseph), Clumber-street, Nottingham, pawnbroker. Dec. 17; W. A. Richards, solicitor, Week-day-cross, Nottingham.

UNCLAIMED STOCK AND DIVIDENDS IN THE BANK OF ENGLAND.

[Transferred to the Commissioners for the Reduction of the National Debt, and which will be paid to the persons respectively whose names are prefixed to each in three months, unless other claimants sooner appear.]

FITZPATRICK (Francis), Lisson-grove, Lisson-grove, surgeon, 1714*l.* 18*s.* 4*d.* New Three per Cents. Claimants, C. R. Snowdon and T. Ferguson, executors.

HILL (Thomas), High-park, Staffordshire, Esq., and ROBINS (Joseph), Stourbridge, Worcestershire, Esq. Dividends on 734*l.* 9*s.* 9*d.* New Three-and-a-Half per Cent Annuities. Claimant, T. Hill, executor.

VIVIAN (John), Pencalenick, near Truro, Esq., and DANIELL (Thomas), of Boulogne-sur-Mer, Esq. Dividend on 8181*l.* 13*s.* 7*d.* Three per Cent. Consols. Claimant, said T. Daniell.

THE END OF THE LONG VACATION.—On Tuesday last the "long vacation" at common law terminated, and in Chancery it ends to-day. Some legal changes are anticipated.

PROCLAMATIONS OF OUTLAWRY.—At the Sheriffs' Court, Red Lion-square, on Wednesday, Mr. Kemp made proclamations of outlawry of the following defendants in actions: Henry Herbert Morris, William Booth, Benjamin Parker, the Rev. H. C. Webbe, and Edward W. Perry. The next County Court was appointed for the 16th Nov.

MICHAELMAS TERM.—On the termination of the Long Vacation on Tuesday the arrears of business in the common law courts were exhibited. In the Queen's Bench there are 17 cases in the new trial list; 1 rule in the Special Paper for judgment, and 38 for argument, while of enlarged rules there are 14. In the Common Pleas there are 15 rules in the Special Paper, 1 enlarged rule, 3 rules for new trials, 4 matters for the judgment of the Court, and 2 postponed motions. The appeals from the revising barristers must be lodged within the first four days of term. In the Exchequer there are 3 errors and appeals, 2 rules in the Special Paper for judgment, and 7 for argument. In the new trial list 1 rule for judgment and 2 for argument. The Chancery vacation will terminate on Saturday, and on the 2nd proximo the Lord Chancellor will receive the learned judges and others, and afterwards proceed to Westminster. The Lords Justices will not sit till the second day of term.

WIDENING OF CAREY-STREET.—The Profession will be glad to hear that the Council of the Law Society have entered into a contract for the purchase of a piece of ground, comprising the house No. 100, Chancery-lane. The acquisition of this property will give to the society the entire frontage in Carey-street from Chancery-lane to Bell-yard in being the intention of the local authorities to widen Carey-street by throwing into it the piece of vacant ground which lies between the south side of the present street, and the north side of a straight line to be drawn from the north-east angle of the house No. 100 Chancery-lane, to be now purchased, to the north-east angle of the house No. 1 in Carey-street, standing on the western side of Bell-yard. In order, however, to widen the street in this straight line, it will be necessary that the society should convey to the local authorities so much of the property belonging to the society as lies to the north side of that line. The property to be so conveyed by the society, and thrown into Carey-street, will consist of a strip—the widest part of which is about three feet—running from the east side of Bell-yard, adjoining the building used as an auction room, and diminishing in width until it vanishes to a point on the north side of the intended new line of Carey-street. A meeting of the society was appointed for yesterday to authorise this purchase.

THE BENCH AND THE BAR.

RESIGNATION OF MR. JUSTICE CROMPTON.—On Friday, at the Judges' Chambers, Mr. Justice Byles stated to counsel engaged in a summons that Mr. Justice Crompton had resigned, or was about to resign, on account of his very serious illness. He believed he had actually resigned.

CHIEF JUSTICE ERLE.—Mr. Justice Byles mentioned on Friday, at the Judges' Chambers, that Chief Justice Erle had met with an accident by a fall from his horse. His Lordship was better, and it was expected that he would take his seat at the commencement of the ensuing term.

REPRESENTATION OF TIVERTON.—The Hon. G. Denman will in all probability be returned unopposed for the seat in this borough, rendered vacant by the death of Lord Palmerston. Up to Saturday no Conservative candidate had been announced.

Mr. Samuel Lucas, M.A., barrister-at-law, of [illegible] College, Oxford, has announced his intention of becoming a candidate for the Professorship of English Language and Literature at [illegible] College, London, which has become vacant by the promotion of Mr. David Masson to the Professorship of Rhetoric and English Literature in the University of Edinburgh.

MR. SERJEANT PARRY.—The following has appeared in the *Star*:—Will you allow me through your columns to contradict a paragraph appearing in the *Christian World* of the 20th inst., in which it is stated that I am seriously ill and unable to attend to my professional duties? It is true that I was prevented by illness from joining the summer circuit, but I am thankful to say that I am now and have been for some time perfectly restored to health.—Respectfully yours, J. HUMPHREYS PARRY.—Temple, Oct. 21.

MAGISTRATE AND PARISH LAWYER.

BOROUGH QUARTER SESSIONS.

Borough.	When holden.	Recorder.	What notice of appeal to be given.	Clerk of the Peace.
Doncaster	Tuesday, October 31	W. Blanshard, Esq.	10 days	E. Nicholson.
Liverpool	Monday, October 30	J. B. Aspinall, Esq., Q.C.	10 days	P. Wright.
Newbury	Thursday, November 2	G. M. Dowdeswell, Esq.		J. Vines.
New Windsor	Wednesday, November 8	A. M. Skinner, Esq., Q. C.	4 days	J. Secker.
Wigan	Wednesday, November 8	J. Catterall, Esq.		John Mayhew.

REAL PROPERTY LAWYER AND CONVEYANCER.

NOTES OF NEW DECISIONS.

Ejectment — Evidence. — A defendant in ejectment who does not set up a title under the Statute of Limitations at the trial, cannot rely upon the statute upon argument of a motion for a new trial. A policy of insurance against fire, effected by one of the parties in an ejectment, is not admissible evidence to show an act of ownership over the premises in dispute: *Latouche v. Pennick*, 13 L. T. Rep. N. S. 151. C. P. Ir.)

Election.—Election is a question of intention, and is generally to be inferred only from a series of unequivocal acts. If a party, who is bound to elect between two estates under a will, continues, without being required to elect, in possession of both, such possession, inasmuch as it affords no proof of preference, cannot be held to be an election to take one and reject the other: (*Spread v. Morgan*, 13 L. T. Rep. N. S. 164. H. of L.)

Obstructing Ancient Lights—Injunction. —B., entitled to the reversion in fee of two houses, was formerly entitled also to the reversion of a house opposite to them, which he sold to C., the owner of the adjoining house, from which it was separated only by a courtyard of the width of twelve feet. C. began to pull down all his houses and to erect new ones, which would greatly exceed the height of those destroyed. A bill to restrain him was dismissed on the ground that it is not every impediment to the access of light or air which will warrant an injunction or entitle to damages, but that there must be some material and substantial injury; and Turner, L.J. doubted whether the court has jurisdiction to order the destruction of houses when the bill is not filed until the buildings have been carried to their full height: (*The Curriers Company v. Corbett*, 13 L. T. Rep. N. S. 154. L.JJ.)

Will — Description of Property. — B. having lands, C., D., E., and F. in County Kerry, devised thus: "Being possessed of certain lands in county Kerry, which said lands are C., D., and E., all situate in the said county, I require the aforesaid lands to be sold and equally divided between X. and Y.," and the residue was given to Y. The lands at F. had been included with others in the original lease in 1790, and judgment-debts had been registered against all four. The lands at F. were held not to pass by this devise, but went with the residue to Y.: *West v. Lawday*, 13 L. T. Rep. N. S. 171. H. of L.)

Liabilities of Trustees.—If an executor or trustee join in a trading partnership or company, such as investing the trust-funds in bank shares, he is personally liable for all the consequences of his engagement, and if he acted within the scope of his authority he is left to seek his indemnity from the trust-estate or the *cestui que trust*. If he wishes to restrict any such contract, so as to exclude personal liability, he must make an express stipulation with the parties, in which case the extent of his liability will be solely a question of construction of the instrument and of the nature of the contract: (*Lumsden v. Buchanan*, 13 L. T. Rep. N. S. 174. H. of L.)

JOINT-STOCK COMPANIES' LAW JOURNAL.

NOTES OF NEW DECISIONS.

Borrowing Powers of Directors.—The principle of equity, that what is agreed to be done is considered as actually done, applies to the case of a company only through its directors. Therefore, where directors had authority to create a charge on the assets of their company, and, with a clear intention of creating such a charge entered into an agreement to that effect, but the bonds given were in some respects defective, and did not adequately carry the intention into effect, it was held to be a good charge in the estate: (*Re The Strand Musick Hall Company*, 13 L. T. Rep. N. S. 177. L.JJ.)

Compensation Case. — A compensation case, *Anderson v. The Metropolitan and St. John's Wood Railway Company*, was decided in the Sheriff's Court, Red Lion-square, on Wednesday. The amount claimed was 2500*l.*, for two cottages in Park-road, St. John's-wood, and the company offered 1900*l.* The verdict of the majority of the jury was taken by consent, and 1775*l.* was awarded.

LAW STUDENTS' JOURNAL.

Correspondence.

Final Examination—Works Wanted.—B. A., who intends offering himself for the final examination in next Trinity Term, would feel obliged to the editor, or any of his numerous contributors who have just gone through the ordeal, advising him the best works to read on the different subjects.

Law Classes.—Would any of your readers be kind enough to inform me, through the medium of the Law Times, whether there are any law classes held, or law lectures given, in Liverpool, as they would be a great help to the articled clerks here if instituted. J. L. X.

Intermediate Examination.—Allow me to correct a slight error made by "J. W." in his answer to a "Young Clerk's" inquiries relative to the time of ascertaining the books selected for the intermediate examinations. "J. W." says, "he (the young clerk) will not, therefore, be able to ascertain the books in which he will be examined until the July 'prior' to his going up." If this be the case, a candidate for the examination in November would only have about four months for preparation. I beg to state that the books may be ascertained in the July of the "previous year," consequently a candidate about to be examined in November next might have ascertained the books in July 1864, whereas, according to "J. W.'s" statement, he could not have known till July 1865: (see Wharton's Articled Clerk's Manual, page 447.)

An Articled Clerk.

Articled Clerks as Advocates.—I have been much pleased at reading the letters in your journal on the subject of articled clerks being allowed to appear as advocates before the Lord Mayor, as they show an earnest desire to preserve the *status* of the Profession. There is one circumstance, however, which seems to have escaped the observation of all your correspondents, which is this: that, so far as attorneys are mentioned in Mr. Oke's rule, the privilege is strictly confined to "certificated attorneys." This seems to me somewhat hard, as surely a man who has served his articles and passed his examination (perhaps with honours) ought to be as well acquainted with his profession as a youth who, perhaps, can only count his time of service in a solicitor's office by months. It is a well-known fact that most of the leading legal firms in London employ admitted men as managing clerks; and as the majority of these gentlemen are not certificated, I think Mr. Oke has acted somewhat unadvisedly in excluding them from his list of advocates permitted to appear before my Lord Mayor.

An Uncertificated Attorney.

Oct. 21, 1865.

COUNTY COURTS.

SHERIFFS' COURT.

Friday, Oct. 20.

(Before Mr. Commissioner Kerr.)

A serious matter to all persons carrying on business in the City.

Since the new Equitable Jurisdiction (County Courts) Act has come into operation there is considerable difficulty as to whether the jurisdiction of this court has not been interfered with in a most serious manner. Under the old Act, tradesmen in the city had the privilege of suing persons having employment within its limits, and this was of considerable importance where clerks were sued, as in the event of any defence it was easier for them to attend this court than it would have been for them to have lost time in any of the suburban metropolitan County Courts. It would appear that a grave question has arisen as to whether the new Act does not bring this court under the provisions of the County Court Act, and the law officers of the corporation are at present considering this knotty point.

This morning his Honour informed a great many of the suitors that there was much doubt as to their right to sue a person who was only employed in the city. Formerly this right was very properly exercised in accordance with provisions of the special Act of Parliament governing this court; but, since Oct. 1, the date of the operation of the new Act, the plaintiffs must be answerable for enforcing the orders of the court in such cases. In all suits of this kind his Honour has informed the parties that they must be careful how they enforced the orders, as they might be liable in actions for damages, should this court have lost jurisdiction.

KIDDERMINSTER COUNTY COURT.

(Before R. Kettle, Esq., Judge.)

Re John Martin Peter.

The first case which has occurred since the new County Courts Equity Act came into operation, was brought before his Honour at the last monthly sitting of this court.

Miller Corbet appeared for the petitioner, John Martin Peter.

His Honour asked if the case was set down for hearing; because, by the provisions of the statute, a matter set down for hearing carried to Her Majesty's Treasury a certain fee, and it could not be dispensed with. He must therefore first see that the case was set down for hearing.

This preliminary having been complied with,

Corbet said, in the matter of John Martin Peter, set down for hearing, he had the honour to appear, and he thought it was the first case that had arisen under the new Equity Act. Being the first case which had occurred, he felt naturally diffident as to the mode of procedure, and in the first place he would ask his Honour for permission to make an amendment to the petition. It was drawn in accordance with the form of one presented to a Superior Court, but he now discovered there must be a desire to sell before a person could apply to sell. It was a fact that the petitioner wished to sell, but could not complete the purchase. He would ask his Honour's permission to amend the petition in conformity with the law as laid down upon appeal in the case of *Re Hewitt*, 27 L. J. 302, Ch.

His Honour allowed the desired amendment to be made, and

Corbet then stated that the petition was for an outstanding legal estate. He had filed an affidavit of the facts of the case, and he proposed to put in the deeds, and to ask his Honour to hear a witness upon facts necessary to support the petition, but not included in the affidavit.

His Honour said it would be necessary to give *viva voce* testimony upon certain points.

Richard Powell, of Love-lane, was then called as a witness. He put in title-deeds, a will, marriage, burial, and baptismal certificates, and also proved that there was a contract to sell part of the property in question, and an intention to sell the remainder.

The necessary parts of the documents were read by the registrar of the court, and the affidavit was also read.

Corbetts case being completed,

His Honour delivered the following decision:—This case affords a good illustration of the essential difference between the forms of procedure in the Superior Courts of Equity and in County Courts acting under the jurisdiction given by the recent statute. It is purely an equity case, but it has been heard, and has been finally disposed of, according to the practice of the Common Law Courts, as nearly as the nature of the remedy sought will admit. Although the case is itself simple, and one in which, in the course of ordinary duty, I should decide without giving any formal judgment; still, as the procedure in equity is new to the officers of my court and to the Profession, I think it right to give some explanatory reasons for approving of the course taken at the hearing, and for the form in which the matter will be finally disposed of to-day. It is an application upon the petition of one John Martin Peter, made under the ninth clause of the 1st section of the Act, upon a matter to which the Trustee Act 1850 relates. The petitioner has become the owner, in the manner set out in the petition, of the beneficial interest of the mortgagee, under a mortgage of some small plots of land, dated the 20th April 1824. The mortgage is in fee, and although the petitioner has the substance of the security, the legal estate is in the heir-at-law of one Mary Ellis, the mortgagee of 1811. The petitioner desires to deal with his property in the most advantageous manner, and therefore he asks the court to clothe his beneficial ownership with the legal right—a technical matter relating to a branch of jurisprudence of great utility in ancient times, and still involving one of the fundamental principles upon which the law of real property is based; but exactly one of those cases in which technical difficulties should be removed by the most expeditious and least expensive process. By the Trustee Act 1850, proceedings in such cases were much simplified, and now by giving jurisdiction under that Act to local courts the petitioner is enabled to come to a court in his own district, and obtain at once, and at comparatively small cost, the remedy he requires. I have amended the petition in matter of substance at the hearing, taken evidence *viva voce*, and I am now about finally to dispose of the case without any reference for inquiry or further proceedings. I will now therefore state shortly the authority under which I adopt these summary forms of common law practice. The County Court Equity Act is correctly described by it title. It does not alter the constitution of the County Courts; but it engrafts upon them a new jurisdiction, it is strictly an Act to confer on County Courts a limited jurisdiction in equity. This distinction is important in considering the system of procedure. The County Court is, and is so described in the preamble to the first Act (9 & 10 Vict. c. 95), a court of ancient jurisdiction, having cognisance of all plaints in personal actions; and by the 4th section of that Act its jurisdiction is preserved. The 9 & 10 Vict. c. 95, and succeeding Acts, remodel the procedure of the ancient Common Law Court, and then the Equity Jurisdiction Act provides, by sect. 21, that "This Act, and

the Act passed in the session of Parliament holden in the ninth and tenth years of the reign of Her Majesty, chapter twenty-five, and any Act amending or altering the same, shall be read and construed as one Act, as if the several provisions contained in the said Acts referred to not inconsistent with the provisions of this (the Equity) Act were repeated and re-enacted in this Act." Provision is made by sect. 16 for framing rules and orders for regulating the practice of the County Court under that Act. During the reign of her present Majesty several Acts have been passed to give relief to suitors in equity, and to provide more convenient and less expensive means of obtaining in certain cases and for certain purposes the interposition of a court of equity; and in some of these Acts there are sections which give practice rules the authority of statute law. One of these is the Trustee Act 1850, under which this application is made. The effect of these statutes, taken together, is, that the procedure of the County Court, in matters of equity, must be under the re-enacted County Courts Acts, but must not be inconsistent with the full and complete exercise of the jurisdiction given by the 28 & 29 Vict. c. 99, one part of which is on matters under the Trustee Act. Upon this theory the order and rules are framed, and in this case I have to put the jurisdiction in operation for granting an order under sect. 19 of the Trustee Act 1850, which provides that "When any person to whom any lands have been conveyed, by way of mortgage, shall have died without entering into possession, or into receipt of the rents thereof, and the money due in respect of such mortgage shall have been paid to a person entitled to receive the same, or such person shall consent to an order for the reconveyance of such lands, then it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons, in such manner and for such estate as the said court shall direct—that is to say, when an heir or devisee of such mortgage shall be out of the jurisdiction of the Court of Chancery or cannot be found." It gives other instances of the application of the provisions of the section, and amongst them that "when such mortgagee shall have died intestate as to such lands, and without an heir, or shall have died, and it shall not be known who is his heir or devisee;" and concludes, "and the order of the said Court of Chancery made in any of the foregoing cases shall have the same effect as if the heir or devisee, or the surviving devisee, as the case may be, have duly executed a conveyance or assignment of the lands in the same manner and for the same estate." A construction has been put upon this section by the Lords Justices in *Re Boden's Mortgage Trust*, which relieves me of the difficulty the word "reconveyance" in this section would otherwise have created. The proceedings have been taken by petition filed under Order XI. of the new orders and rules. The petition was found to be defective. Under the authority of the County Courts Acts and of Order XIII. thereon, I amended it. At this hearing I have taken the evidence necessary to support the application for a petition, partly by affidavit, under rule 8 of Order XI., and have taken the other part of the evidence *viva voce*, under rule 10 of the same order, which make Orders IV. applicable to these proceedings, as well as to suits. I find upon this evidence as a fact, that the allegations in the petition are true, and under rule 1 of Order IV., made applicable as before stated to a hearing upon petition, I now determine the matter finally, by directing the registrar to prepare for my signature an order vesting the legal estate in fee in the lands mentioned in the mortgage of the 20th April 1824, in the petition, and as by sect. 44 of the Trustee Act 1850 it is enacted that the order shall be evidence of the facts, I shall direct that the order be drawn up, finding as facts all the material matters necessary to support the order, and which have been proved before me to-day. And as by sect. 13 of the Trustee Extension Act 1862, this order will require a stamp as in conveyance, I shall order a stamp which will cover the purchase-money to the amount of 300*l.*, the principal of the mortgage-money, the legal estate to which is vested by the order to be used. This order will then be filed of record, and will operate upon the title as fully and effectually for all purposes as though there had been an actual conveyance from the unknown heir of Mary Ellis, the mortgagee.

Bankers and their Customers.—A decision was pronounced at Brighton by Mr. W. Furner, judge of the Sussex County Courts last week, as to the payment by bankers to a wife, after notice to pay only to the husband. Henry Kennard sued the London and County Banking Company for the recovery of 40*l.* portion of a larger sum deposited by Mrs. Kennard without the knowledge of her husband. Kennard and his wife had kept a lodging-house in Hove, Brighton, and in May last they employed an auctioneer to sell their furniture, and the sale realised 330*l.* With a portion of this money the wife decamped; and the husband having subsequently ascertained that she had paid 115*l.* into the London and County Bank in her maiden name, called at the bank, where he was informed that she had drawn out 75*l.* of the money, and he then gave notice in writing to Mr. Cockburn, the manager of the bank, not to pay her the remaining 40*l.*, nor to pay it to any cheque but his own. The 40*l.* was, nevertheless, subsequently paid to the wife. Thus far the facts appeared to be admitted. The plaintiff, Kennard, however, alleged further that when he served the notice on Mr. Cockburn, the latter promised to act upon it, and not to pay the money to the wife. This allegation was denied by the defendant. The judge found a verdict for the defendant, as the transaction was between a banker and his customer, and the banker was compelled to pay to the depositor. As he was not aware that any case of the kind had been determined by the courts above, he should, he said, like to see an appeal lodged against his judgment, and he would render every facility for the appeal being made.

Expenditure at Elections.—A case was decided last week, in the County Court at Boston, Lincolnshire, wherein the defendant, Mr. Alfred Reynolds, a gentleman resident in Boston, was sued by Adam Burrill, landlord of the Corn Exchange Hotel, for 87*l.* 7*s.*, as the price of certain refreshments supplied to voters during the late election, it was alleged, by Mr. Reynolds's order. The plaintiff stated in evidence that a man named Gillies came to him on the evening of the 12th July and requested him to provide a breakfast for the supporters of Mr. Parry, then a candidate for the representation of the borough, and since elected. The landlord agreed to do so, and was referred by Gillies to Mr. Reynolds, whom he saw, and who, it was stated, guaranteed payment. The breakfast, which was to be for "from 50 to 300," was served at eight o'clock the next morning, and, with much punctuality, the first batch of free and independent guests came up in an omnibus, upon which was exhibited a placard, enjoining to "vote for Parry." "They were breakfasting up to two o'clock in the afternoon," said the landlord, "and some of them came two or three times." This is what was provided for them: two quarters of lamb, two large hams, three stone of beef, 60lbs. of sausages, three dozens of wine, eighty gallons of ale, sixty gallons of porter, upwards of 40lbs. of cheese, and twelve boxes of cigars. In fact, the the house was "open" up to four o'clock. Afterwards Mr. Reynolds, it was asserted, refused to acknowledge the claim or to speak of it. Application was made to Mr. Parry, but he denied ever having given order for the expenditure or for providing any refreshments at all during his election. The jury, having heard the evidence, gave plaintiff a verdict for 40*l.*, and recorded their opinion that defendant had given a promise; but they considered that there was no evidence to prove that the refreshments were supplied to voters because they had polled, or because they were going the poll.

CORRESPONDENCE OF THE PROFESSION.

Allowance to Witnesses.—Allow me to call the attention of your readers to the present unsatisfactory system of allowance to plaintiffs as witnesses, which obtains in the Metropolitan County Courts. In some courts the plaintiff, if successful, is allowed the usual fee as a witness, according to his station in life; whilst in others (especially in the Lambeth, Westminster, and Whitechapel Courts) a plaintiff, though obtaining a verdict, is invariably told "There is no allowance for loss of time!" On one occasion I issued a summons against the defaulting client for 7*l.* 10*s.*, and handed my papers to a brother attorney, who appeared on my behalf. I obtained a verdict for the amount claimed, when, judge of my astonishment, his Honour refused to allow my own fee as a witness, and the attorney's fee to my friend, on the ground that, being myself an attorney, I need not have engaged professional assistance! At the Brompton court (under Sir J. Eardley Willmot) an attorney, plaintiff in person, is invariably allowed his costs as a witness. Is it not time that the system should be reduced to uniformity?

Advocate.

Agency Fees.—We are sorry to hear such an account of our professional brethren in London, and our letter is not now written for the purpose of justifying the practice of "forgetfulness," which is alike ungentlemanly and dishonest, but in the endeavour to get some system adopted that will relieve those solicitors, who pay the agency fees by return of post, from an intolerable delay. Before, however, the right nail can be knocked on the head, as suggested by "A Young Subscriber," it must be ascertained whether all country solicitors decline (like Mr. Stubbs) to be bound by the taxing master on the scale of their charges, if so, what remedy can be suggested? If, however, the scale, as allowed by the masters, will be accepted as binding, we would suggest that with every writ sent to an agent for service the fee of 8*s.* 6*d.* above 20*l.*, and 7*s.* under 20*l.*, should be forwarded, and that the country solicitors should agree to send the affidavits of service to some solicitor in the vicinity of the judgment offices, who would not part with the same until the charges according to scale were paid, and who would remit the amount to the country solicitor, after deducting a small fee for his trouble. Of course it will be suggested, "Why not send them to our agents?" It often happens that the solicitor issuing the writ lives at the West-end, and the agent of the country attorney in the City. In these cases much delay would take place, but where the agent live near Chancery-lane, by all means send them to their office. Most of your correspondents seem to indorse Mr. Stubb's conduct, but if it be considered gentlemanly and professional, after receiving the fee allowed by the court, to return the writ and the stamps "*minus* those used to you," and sign one's "I am not your Obliged," we can only say our ideas of gentlemanly and professional conduct have hitherto been limited. Singleton and Tattershall

NOTES AND QUERIES ON POINTS OF PRACTICE.

N.B.—None are inserted unless the name and address of the writers are sent with it, not necessarily for publication, but as a guarantee for *bona fides*.

Query.

Satisfied Terms.—A. B., owner of the fee, in the year 1750 created a term of 1000 years for the purpose of raising a sum of money. A. B. in 1778 sold the fee to C. D., and the said term was assigned to a trustee for him and to attend the inheritance. In the year 1810 C. D. assigned the said premises to G. H. for the term of 1000 years, and the said term of 1000 years was assigned to his trustee; G. H. is now selling to E. F. It is presumed that the term of 1000 years has long since been satisfied. Can any of your readers inform me if the Satisfied Terms Act applies in this case; or is it necessary for E. F. to take an assignment of the said term? Does the Satisfied Terms Act apply to leaseholds?

H. W.

Liverpool, 11th Oct. 1865.

Answer.

Charity.—A conveyance to individuals unincorporated must be made to them in their individual names. If the grantees be the rural dean and rector, who, it appears, form a corporation, it should appear plainly upon the face of the deed that they take in their individual, and not in their corporate capacity. Corporations take the hereditaments when granted in perpetuity, to hold to them and their successors instead of heirs, and until recently a conveyance of land, however small the quantity, could not have been made to a corporation, whether ecclesiastical or lay, without a licence of mortmain. By the 4 & 5 Vict. c. 38, s. 2, the grant of a site not exceeding one acre of land, for a school for the education of poor persons or for the residence of the schoolmaster or schoolmistress, or otherwise for the purposes of education of such poor persons in religious and useful information, is valid without a licence from the Crown. And, by the 7th section of the same Act, it is enacted, "that all grants of land or buildings, or any interest therein, for the purposes of the education of poor persons, whether taking effect under this Act or any other authority at law, may be made to any corporation sole or aggregate, or to several corporations sole, or to any trustees whatsoever, to be held by such corporation, or corporations or trustees, for the purposes aforesaid." And by the 3rd section of the 7 & 8 Vict. c. 37, the death of the donor within twelve months after the execution of the conveyance will not avoid the grant. If the land be given for any other than the purposes mentioned in the above Act, the proper course to pursue would be to convey the land to the dean and rector in their individual names, and a clause providing for the renewal of the trustees should be inserted in the deed. The deed should be enrolled, and the gift made to take effect immediately, and be without power of revocation or other clause for the benefit of the donor, or those claiming under him.

Stanwix. Student.

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EQUITY IN THE COUNTY COURTS.

Equity in the County Courts, being a Treatise on the Equitable Jurisdiction conferred upon the County Courts by stat. 28 & 29 Vict. c. 99, showing the Principles on which such Jurisdiction is exercised, and the Practice by which it is governed. By Henry Frederick Gibbons, Barrister-at-Law, and Wm. Charles Harvey, Barrister-at-Law. London: Horace Cox.

A new and very extensive jurisdiction has been suddenly conferred upon courts, the great majority of whose judges, as well as of their practitioners, are in almost entire ignorance of the law they are required to administer. Nor is this in any manner discreditable to them. Equity and common law have been as completely severed in the organisation of the Profession as if they had been wholly different callings. The Equity Bar is so distinct from the Common Law Bar that only on rare occasions was a member of the one seen with a brief at the other. When consulted on any question involving a point in that branch of the law to which the adviser does not belong, he does not hesitate to say, "I know nothing of this or that point, you must consult an equity lawyer, or a common lawyer," as the case may be. Nor is this the whole difficulty of the County Courts under their new duties. There is not only a new law to be learned, but a new practice to be constructed. The statute did

not attempt to prescribe the practice; it prudently left that to be framed by rules, which have the advantage of being readily moulded to the requirements which only experience can discover. The utmost sagacity of the committee of County Court judges could not anticipate the needs of an unknown jurisdiction, and the utmost they could effect was the outline of a practice, which can only be wrought into shape by degrees. Doubtless much will be found wanting in the rules and regulations when they come to be applied to the vast variety of cases that fall within the new jurisdiction. This will be sufficiently perplexing to judge and practitioner. But the alternative is still more alarming. Where the statute is silent, or the rules are inapplicable, resort is to be had to the existing practice of the equity courts. Consequently there is to be learned, not only the new practice in the County Courts, but the old practice in the equity courts, and this by men whose days of pupilage have long passed, and who are required to renew, in the maturity of life, and amid its absorbing occupations, the studies of their youth, and the acquisition of a branch of the law larger than that which it has taken them years to learn.

In this state of things Messrs. Gibbons and Harvey—the former experienced in the present practice of the City Court, where he has presided as deputy for Mr. Commissioner Kerr, and the latter a skilful equity lawyer—have combined their knowledge in the production of a book designed to assist the judges, officers, and practitioners in the County Courts through the difficulties we have described. They have published a volume that gives all the information on the subject of the new jurisdiction that could be provided while it is as yet untried. Of course it is not a complete practice—that would be impossible for the present; but it is the foundation of a "Practice," the bud of a book that will grow into a text-book as the equity business of the County Courts increases, and decisions and new rules, suggested by experience, expand the outline into a perfect practice.

The first chapter treats of the jurisdiction generally; the second of the duties of the registrar and high bailiff; the third of the parties. Then follow, in succession, treatises on the various subject-matters of the new jurisdiction, a separate chapter being devoted to each. These comprise administration suits, execution of trusts, foreclosure and redemption of mortgages, suits for specific performance, Trustee and Trustee Relief Acts, advancement and maintenance of infants, dissolution and winding-up of partnerships, and injunction. Other two chapters are devoted to appeal and costs.

The value of this work in this first stage of the subject depends mainly upon the manner in which the authors have dealt with those portions of it that treat of the jurisdictions; and this is satisfactory. Not merely is there a sketch of the various cases that come within the jurisdiction of the County Courts, but the practice of the Court of Chancery in dealing with them is minutely described, and precedents are introduced of the petitions, bills, orders, decrees, and other forms used by the court in the administration of so much of its jurisdiction as is now extended to the County Courts, and which will be equally useful there. A large number of these precedents has been thus collected, and add very much to the value of the instruction as to the law and practice, which they serve to illustrate to the reader as much as they will be found to assist the practitioner.

The manner of the work will be best shown by extract, and we take a passage from the chapter on that which will probably be one of the most frequently employed of the new jurisdictions.

Foreclosure and Redemption of Mortgages.

The third branch of equitable jurisdiction conferred upon the County Courts by the Act is in suits for foreclosure or redemption, or for enforcing any charge or lien where the mortgage charge or lien does not exceed in amount the sum of 500*l.*; and with the exception, which is little more than nominal, of a plaint being substituted for a bill, the proceedings in the County Court under this branch of their jurisdiction will be almost identical with similar proceedings in the Court of Chancery.

The aid of the Court of Chancery is very frequently necessary for the purpose of foreclosing or redeeming any real or personal property which may be subject to a mortgage.

Foreclosure is the remedy of the creditor or mortgagee, whilst redemption is the right of the debtor or mortgagor, the former being the reciprocal of the latter; although every decree for foreclosure must state a time within which the mortgagor or those claiming under him may redeem the property, and it is this mutuality existing between the two remedies that often determines whether the transaction is a mortgage or a purchase.

A conveyance or an assignment of an estate or other property as a security for money advanced is considered a mortgage, and the nonperformance by the mortgagor of the condition upon which the money has been advanced, renders the estate of the mortgagee absolute in law; but the rights of the mortgagor are not obliterated, as he is allowed to redeem the property under the rules laid down by the Courts of Chancery.

If it can be shown by proper evidence that an instrument, purporting to be an absolute conveyance, was originally intended as a security for money, it will be regarded in equity as a mortgage; nor will the omission of the covenant for payment of the debt, or the proviso for redemption, or any agreement between the parties that the property shall not be redeemable at all, or not after a fixed time, prevent the instrument from being considered in any other light: (*Bell* v. *Carter*, 17 Beav. 11.)

Conditional sales, such as contain a proviso for repurchase, differ from mortgages, in that the condition for repurchase is construed strictly against the grantor, who must show compliance with its terms in order to obtain relief: (*Ford* v. *Earl of Chesterfield*, 19 Beav. 428.) The circumstances attending the transaction will be looked at in determining whether the contract is to be considered as a mortgage or as an absolute or conditional sale: (*Langton* v. *Horton*, 5 Beav. 9.)

The mortgagor, wishing to redeem his property, must show a good title, and support it by satisfactory evidence, and the first mortgagee will be prevented from dealing with the property until the rigths of the different parties are determined: (*Rhodes* v. *Buckland*, 16 Beav.) The prior mortgagee must be brought before the court, and the bill must contain an offer to redeem him, otherwise it will be open to objection; should the mortgagor fail to redeem, a right to foreclose will then enure to the mortgagee.

A mortgagor cannot compel the mortgagee to produce his mortgage-deed, or any of the deeds in his possession, until he is paid his principal and interest, even if the application be made only to obtain information with a view to paying off the mortgage.

On the other hand, the mortgagee and those claiming under him cannot dispute the title of the mortgagor.

No attempts made to fetter the equity of redemption are good, either by original agreement in the deed itself, or by a separate one, where there is a design to wrest the estate fraudulently out of the hands of the mortgagor.

The time within which a mortgaged property must be redeemed when an adverse possession has been taken by the mortgagee, and the relative rights both of mortgagor and mortgagee, are governed by the 3 & 4 Will. 4, c 27: (*see* Appendix.) But the acknowledgment required by the above statute must be made in writing by the party chargeable to the mortgagor himself, or to those claiming under him: (*Stansfield* v. *Hobson*, 3 De G. M. & G. 620.)

All persons mentioned in the proviso for redemption, and all others having an interest in, or lien upon, the estate, are in a position to redeem. The mode of reconveyance depends upon the terms of the proviso for redemption, which are either to the mortgagor or his assigns, or to the uses to which the estate was limited prior to the mortgage. Where the equity of redemption is reserved differently from the former ownership of the estate, difficulties may arise in determining the proper mode of reconveyance. Thus, in a mortgage by the husband and wife of the wife's land, the equity of redemption was by the deed erroneously reserved to the husband and his heirs, and he kept down the interest (*Ruscombe* v. *Hare*, 2 Bli. N. R. 192); the purpose of the deed being to create a mortgage, there is always a presumption against any intention to alter the previous right of the parties, and the equity of redemption will remain subject to them. Where property subject to a mortgage is settled, the tenant for life is entitled to redeem, and to have the legal estate conveyed to himself; but he must hold the equity of redemption subject to the trust of the settlement: (*Wicks* v. *Scrivens*, 1 Johns. & Hem. 215.) In any further discussion of the principles upon which the courts act when such discrepancies as above mentioned exist, reference may be made to Fisher on Mortgages, and to the leading case of *Innes* v. *Jackson*, 16 Ves. 356.

A surety having the right to avail himself of all the creditor's securities is entitled to redeem the estate charged to secure the debt; this rule, however, does not apply where the suretyship is for some other debt.

Where the equity of redemption of chattel leaseholds is made to the husband and wife, it will belong to the wife by survivorship as against the husband's creditors, except where they were merely subject to the terms of a voluntary settlement.

A wife, whose estate has been mortgaged for her husband's benefit, stands in the position of a surety, is treated as a distinct person, and has the right to be exonerated out of the husband's estate as against his other creditors: (*Hudson* v. *Carmichael*, Kay, 613.)

A joint tenant or tenant in common of an equity of redemption cannot redeem his moiety alone, but must redeem the whole subject to account with his co-tenants. The tenant in tail and tenant for life may redeem, but the reversioner cannot do so against the wish of the tenant for life.

With respect to the rights of guardians and committees, and those arising in case of forfeiture and escheat, which it is apprehended would rarely arise under the limited jurisdiction conferred by the Act, see Fisher on Mortgages; *Sporle* v. *Whayman*, 20 Beav. 607; *Davis* v. *Earl of Dysart*, 20 Beav.

Redemption may also be had by legatees whose legacies are charged on the mortgaged estate, by judgment and other creditors, and generally by the assignees of the mortgagor, whether they claim as subsequent mortgagees or by absolute assignment, and whether the conveyance be voluntary or otherwise; but to enable a puisne mortgagee to redeem a prior mortgage adversely, he must bring the mortgagor before the court, that he may complete his remedy by foreclosure.

A decree for sale in a creditor's suit gives the creditor such an interest in the estate as to enable him, by a supplemental suit against a person not a party to the creditor's suit, to obtain a decree for redemption.

The rights of members of benefit building societies differ from those of ordinary mortgagors, and depend upon the rules of the society in respect to the form of decree they ought to obtain in coming to redeem: (see the case of *Fleming* v. *Self*, Kay, 518, and on appeal, 3 De G. M. & G. 997.)

When the money secured by the mortgage has not been paid on the appointed day or in accordance with any agreement made between the mortgagor and the mortgagee, the latter may give notice requiring its payment, and in default to take the proper steps to foreclose or sell the estate (see, as to selling when there is no power of sale in this deed, 15 & 16 Vict. c. 86, s. 48; *see* Appendix); and if the debt be paid by bills subsequently dishonoured, he will still retain a lien upon the property for his debt, although he may in the meantime and previous to such dishonour, have reconveyed the property.

A mortgagee may pursue his legal and equitable remedies at the same time; he may foreclose, take possession of, or bring ejectment for the estate and sue the mortgagor on his covenant: (*Cockell* v. *Bruce*, 16 Beav. 158.)

Under the 15 & 16 Vict. c. 86, s. 48 (*see* Appendix), the court has the power of ordering a sale of the mortgaged property, instead of a foreclosure, in such cases and upon such terms as it may think fit.

The discretion given to the court by the above section must be exercised for the benefit of all parties; and it has been decided, that when the mortgagor dissents, the mortgagee must make out a special case in order to induce the court to order a sale under the Act: (*Roberts* v. *Price*, 1 W. R. 303.) In *Wickham* v. *Nicholson*, 19 Beav. 38, a sale was ordered, although the third mortgagee refused to consent; but in *Messer* v. *Boyle*, 21 Beav. 559, a sale was refused and a decree for foreclosure and redemption made, at the request of a judgment-creditor.

By the 23 & 24 Vict. c. 145, s. 11 (*see* Appendix), certain powers are conferred upon mortgagees as incident to their respective mortgages, so as to avoid the insertion of them in the deeds themselves—viz., a power to sell, a power to insure, and a power to appoint or obtain the appointment of a receiver. This Act, however, does not apply in mortgages of chattels personal, as policies of assurance, or of hereditaments not the subject of tenure, as a personal annuity descending to the heir: (*Ex parte Wynch*, 5 De G. M. & G. 218.)

From the very practical chapter on "Costs," we take the portion treating of

Costs in Suits relating to Mortgages.

The rule of equity as between mortgagor and mortgagee is, that the latter is entitled to add all his costs properly incurred to his security, and that the mortgagor or subsequent incumbrancers can redeem only on payment of principal, interest, and costs.

In a decree for foreclosure, in case of an equitable mortgage, the practice is to direct a conveyance by the mortgagor without saying at whose expense (*Ball* v. *Harris*, 8 Sim. 498), though the mortgagee pays the costs: (*Wilson* v. *Cluer*, 4 Beav. 214.)

The plaintiff in a suit for redemption generally pays the cost of it (*Detillin* v. *Gale*, 7 Ves. 586), and it is so far a matter of principle that an appeal will lie where a mortgagee is refused his costs: (*Norton* v. *Cooper*, 5 De G. M. & G. 728, in which case Lord Justice Knight Bruce said: "The general rule is, that a mortgagee is so entitled to his costs as that he cannot be deprived of them unless his conduct has been vexatious.") And in *Loftus* v. *Swift*, 2

Sch. & Lef. 636, Lord Redesdale said: "A mortgagee is always considered as entitled to costs, unless there be something of positive misconduct. Merely extending his claim beyond what the court finally decides that he is entitled to, is no ground for refusing him his costs."

In default of redemption the bill is dismissed with costs. In a suit by a puisne incumbrancer for redemption and foreclosure, the costs of the plaintiff are paid first out of the fund, and the costs of all the other incumbrancers are added to their securities, and paid in regular succession: (*Wright* v. *Kirby*, 23 Beav. 463.)

Where a mortgagee resisted the right to redeem, and relied on the transaction as an absolute purchase, he was allowed no costs to the hearing (*Seton* v. *Greenacy*, 19 Ves. 413), and, in *Baker* v. *Wind*, 1 Ves. sen. 160, had to pay costs.

Where a mortgagee had lost the mortgage-deed, he had to pay the costs of a foreclosure suit, in *Stokoe* v. *Robinson*, 19 Ves. 385.

So of a redemption suit: (*Lord Middleton* v. *Elliot*, 15 Sim. 531.) However, Knight Bruce, V.C., in *Woodman* v. *Higgins*, 14 Jur. 84d, said that "a mortgagee who took the same care of the deeds forming his security as of his own, ought not to be hardly dealt with."

If there be anything due to the mortgagee when the mortgagor comes to redeem, the mortgagee is entitled to the costs of the suit, though he is in possession and the account is directed with annual rests (*Barlow* v. *Gains*, 23 Beav. 244); but if the mortgagor alleges and proves that the mortgagee is fully paid off at the filing of the bill, the mortgagee, inasmuch as he ought not to have put the mortgagor to file a bill at all, will have to pay the costs of the suit.

Where overpayment is alleged, the usual course is to reserve the costs until the result of the accounts is certified: (Seton, 377.)

If the principal, interest, and costs be tendered at any time during the suit for foreclosure, the court will not give the plaintiff the costs of the subsequent prosecution of the suit if he brings it to a hearing. Thus, in *Gregg* v. *Slater*, 22 Beav. 314, where pending a foreclosure suit the mortgagee was fully paid, and afterwards made further claims and brought the cause to a hearing, it appearing that the further claims were unfounded, the court ordered him to pay all the subsequent costs.

The mortgagor in a redemption suit must pay the costs of all persons claiming an interest in the equity of redemption under the mortgagee. In *Wetherell* v. *Collins*, 3 Madd. 255, Sir J. Leach, V.C. said: "It seems, at first sight, a great hardship that the mortgagor is to pay the costs of persons claiming under the mortgagee and made necessary parties by his act; but it is the constant course of the court, and it is to be supported upon this principle—that at law, after a mortgagee is forfeited, the estate is the absolute property of the mortgagee, and he may deal with it as his own; and that if the mortgagor comes for the redemption which the equity of this court gives him, it must be upon the terms of indemnifying the mortgagee from all costs arising out of his legal acts."

This reasoning applies as well to a foreclosure suit, and therefore, where the mortgagee had put the mortgage into settlement, and the *cestui que trust* filed a bill and made the trustee a defendant, the plaintiff was held entitled to add the trustee's costs to his own: (*Barble* v. *Wilkin*, 8 Sim. 238.)

If a mortgagee assign *pendente lite*, and his assignees are brought before the court, they must bear the extra costs thereby occasioned: (*Coles* v. *Forrest*, 10 Beav. 552.)

In settling accounts between mortgagor and mortgagee the court will give the latter all that his contract, or the legal and equitable consequences of it, entitle him to receive, and all the costs properly incurred in ascertaining or defending such rights, whether at law or in equity: (Lord Cottenham, in *Dryden* v. *Frost*, 3 My. & Cr. 675.) "He ought to be indemnified," says Lord Eldon, in *Detillin* v. *Gale*, 7 Ves. 583, "to the extent that he acts reasonably as mortgagee."

In *Elliom* v. *Wright*, 3 Russ. 458, the mortgagee was allowed, in account with the mortgagor, the costs of an action which he had brought against a person who had joined the mortgagor as surety in a bond for the mortgage money, the fruit of the action being lost by the insolvency of the surety.

The costs of reconveyance must be borne by the mortgagor, even in a suit where the mortgagee has to pay the costs of the suit generally: (*Lord Middleton* v. *Elliot*, 15 Sim. 531.)

And again as to

COSTS UNDER THE TRUSTEE RELIEF ACTS.

As a general rule, a trustee paying money into court under these Acts will be allowed his costs, and also his costs of appearing on a petition to have it paid out again (*Re Erskine's Trusts*, 1 K. & J. 302), but not if he vexatiously pay money into court: (*Re Heming's Trusts*, 3 K. & J. 40.)

If the trustee deducts his costs of paying the money into court from the fund before doing so, the court has no jurisdiction to make any order as to these costs: (*Re Blogg's Trusts*, 1 Mac. & G. 488.)

A trustee who insists upon the petition being served upon unnecessary parties will be disallowed his costs: (*Re Metcalfe*, 3 N. R. 657.)

Where a trustee having *bonâ fide* doubts as to the persons entitled to the money in his hands, pays it into court, the court will allow him his costs: (*Re Wylley's Trusts*, 28 Beav. 458.)

The fact that trustees have, under a misapprehension, paid a fund to an account wrongly entitled, is no ground for depriving them of their costs: (*Re Jenkin's Trusts*, 3 N. R. 408.)

The costs allowed to a trustee will not include the costs of copies of affidavits of persons claiming beneficial interests: (*Re Lazarus*, 2 K. & J. 555.)

By the practice of the Court of Chancery all persons mentioned in the trustee's affidavit must be served, and it is apprehended that this rule will apply to all persons mentioned in the trustee's petition. If, however, the parties served claimed no interest, they ought not to appear; and if they do, will not be allowed their costs: (*Re Smith*, 3 Jur. N. S. 659; *Day* v. *Croft*, 19 Beav. 518.)

The costs of paying money into court, as a general rule, ought to be deducted out of the general trust estate, if there be one: (*Re Cuthorne*, 12 Beav. 56.) But if there be no general residue, or if the fund paid in has been completely "severed" therefrom and appropriated, they must come out of the fund itself: (*Re Lorimer*, 12 Beav. 521.) Such costs, if not deducted, will be ordered to be paid out of the *corpus* of the fund.

When money in the hands of a third person is claimed by two claimants, and is, therefore, paid into court by the holder, under the Act, the unsuccessful claimant will have to pay the costs of the application for payment out of court: (*Re Armston*, 10 Jur. N. S. 715, in which case the court, on appeal, said: "Under the Trustee Relief Act the moneys are paid into court in trust, to attend the orders of the court, which means, subject to the general jurisdiction of the court. The case is the same as if it was on a bill of interpleader by the mortgagees as stakeholders, the costs of which would have to be paid by the unsuccessful claimant.")

The Trustee Acts differ materially from the Trustee Relief Acts in the matter of costs, and the court has no jurisdiction to make a respondent trustee pay the costs of an application under the Acts of 1850 and 1852, rendered necessary by his misconduct: (*Re Primrose*, 23 Beav. 590.) But, on the other hand, it may dismiss a petition with costs (sect. 42), and the court may order any of the parties to any suit concerning any lands or contingent right, as to which an order has been made under the Act, to pay any costs occasioned by the order under the Act, when the same shall appear to have been improperly obtained (sect. 44).

Where a petition is rendered necessary by the fact of the mortgagee's representative being an infant (*Ex parte Ommaney*, 10 Sim. 298), or not to be found (*King* v. *Smith*, 6 Hare, 473), the costs are payable by the mortgagor.

Where land is contracted to be sold, and the state of the title is such that an application to the court becomes necessary, the costs of the application must be borne by the vendor: (*Bradley* v. *Munton*, 16 Beav. 294.) The fact that the sale is under the direction of the court (*Ayles* v. *Cox*, 17 Beav. 584), or that a railway company are the purchasers (*Re South Wales Railway Company*, 14 Beav. 418), makes no difference.

With respect to costs of applications on behalf of infants for maintenance, it is apprehended that, inasmuch as the infant cannot be made liable for costs, they must, in all cases, be borne by the next friend, and be defrayed by him out of the infant's estate: (*Dunn* v. *Dunn*, 3 Drew. 17.) He, it is apprehended, is, as regards the infant, a mere trustee, and whatever he does for the benefit of the infant is claimable by him out of the infant's property, somewhat in the same manner as are the costs of any other trustee out of the trust estate. It seems that he has, however, no lien for his costs on an estate recovered in the suit instituted by him: (*Bouser* v. *Bradshaw*, 9 W. R. 229; 7 Jur. N. S. 231, where the court ordered moneys paid into court to the account of the infant to be applied *pro tanto* in payment of the costs of the next friend.)

It seems that sect. 28 stat. 23 & 24 Vict. c. 127, does not apply to the costs of a next friend.

If a suit appear to be improperly instituted on behalf of an infant, it will be dismissed with costs against the next friend: (*Guy* v. *Guy*, 2 Beav. 460.)

The court considers it *prima facie* for an infant's benefit to be made a ward of court, and his property administered and secured: (*Clayton* v. *Clarke*, 9 W. R. 718.)

If, after coming of age, the infant adopts the suit, he becomes liable to the costs of it from the commencement.

In Chancery, where the next friend of an infant dies, the proper course seems to be to refer to chambers to approve of a new next friend: (*Glover* v. *Webber*, 12 Sim. 351.)

The next friend of a married woman must be a person of substance, and the court will, on the defendant's application, and evidence of the next friend's poverty, order the next friend to be changed, or security for costs to be given (*Drinan* v. *Mannix*, 3 Dr. & W. 154); not so an infant's (*Dawson* v. *Davenport*, 1 S. & S. 101).

Security for costs will not be required from a plaintiff on account of his poverty merely: thus, in *Burke* v. *Lidsell*, 1 Jo. & Lat. 703, the court ordered the plaintiff, a pauper, to give security for costs. So a relator in a charity information may be required to give security for costs on the ground of his poverty: (*Attorney-General* v. *Skinners' Company*, 1 C. P. C. 1–5.)

Following the invariable practice of our standard law books, doubtless every successive edition of this volume will exhibit a continued expansion of bulk as well as of utility.

THE COURTS & COURT PAPERS

SITTINGS AND CAUSE-LIST FOR MICHAELMAS TERM 1865.

Equity Courts.

Court of Appeal in Chancery.

The LORD CHANCELLOR will sit at Westminster on Nov. 2, and hear appeal motions and appeals. At Lincoln's-inn, Nov. 3, petitions and appeals. Nov. 4, appeals in bankruptcy and appeals. Nov. 6 and 7, appeals. Nov. 8, appeals in bankruptcy and appeals. Nov. 9, appeal motions and appeals. Nov. 10, appeals. Nov. 11, appeals in bankruptcy and appeals. Nov. 13 and 14, appeals. Nov. 15, appeals in bankruptcy and appeals. Nov. 16, appeal motions and appeals. Nov. 17, appeals. Nov. 18, appeals in bankruptcy and appeals. Nov. 20 and 21, appeals. Nov. 22, appeals in bankruptcy and appeals. Nov. 23, appeals. Nov. 24, petitions and appeals. Nov. 25, appeal motions and appeals.

The LORDS JUSTICES will sit at Westminster on Nov. 2, and hear appeal motions. At Lincoln's-inn, Nov. 3, appeal motions, petitions in lunacy, appeal petitions and appeals. Nov. 4, 6, 7, and 8, appeals. Nov. 9, appeal motions and appeals. Nov. 10, petitions in lunacy, appeal petitions, and appeals. Nov. 11 and 13, appeals. Nov. 14, appeals from the county palatine of Lancaster and appeals. Nov. 15, appeals. Nov. 16, appeal motions and appeals. Nov. 17, petitions in lunacy, appeal petitions and appeals. Nov. 18, 20, 21, 22, and 23, appeals. Nov. 24, petitions in lunacy, appeal petitions, and appeals. Nov. 25, appeal motions and appeals.

Such days as the Lords Justices shall be engaged in the full court, or at the Judicial Committee of the Privy Council, are excepted.

Rolls Court.

The MASTER of the ROLLS will sit at Westminster on Nov. 2, and hear motions. At Lincoln's-inn, Nov. 3, general paper. Nov. 4, petitions, short causes, adjourned summonses, and general paper. Nov. 6, 7, and 8, general paper. Nov. 9, motions and general paper. Nov. 10, general paper. Nov. 11, petitions, short causes, adjourned summonses, and general paper. Nov. 13, 14, and 15, general paper. Nov. 16, motions and general paper. Nov. 17, general paper. Nov. 18, petitions, short causes, adjourned summonses, and general paper. Nov. 20, 21, 22, and 23, general paper. Nov. 24, petitions, short causes, adjourned summonses, and general paper. Nov. 25, motions, adjourned summonses, and general paper.

Unopposed petitions must be presented, and copies left with the secretary on or before the Thursday preceding the Saturday on which it is intended they should be heard, and any cause intended to be heard as short cause must be so marked at least one clear day before the same can be put in the paper to be so heard.

V. C. Kindersley's Court.

The Vice-Chancellor Sir RICHARD TORIN KINDERSLEY will sit at Westminster on Nov. 2 to take motions. At Lincoln's-inn on Nov. 3 to take petitions, adjourned summonses, and general paper. Nov. 4, short causes, adjourned summonses, and general paper. Nov. 6, 7, and 8, general paper. Nov. 9, motions, adjourned summonses, and general paper. Nov. 10, petitions, adjourned summonses, and general paper. Nov. 11, short causes, adjourned summonses, and general paper. Nov. 13, 14, and 15, general paper. Nov. 16, Motions, adjourned summonses, and general paper. Nov. 17, petitions, adjourned summonses, and general paper. Nov. 18, short causes, adjourned summonses, and general paper. Nov. 20, 21, 22, and 23, general paper. Nov. 24, short causes, petitions, adjourned summonses, and general paper. Nov. 25, motions, adjourned summonses, and general paper.

V. C. Stuart's Court.

The Vice-Chancellor Sir JOHN STUART will sit at Westminster on Nov. 2 to take motions. At Lincoln's-inn on Nov. 3 to take petitions and causes. Nov. 4, short causes and causes. Nov. 6, 7, and 8, causes. Nov. 9, motions and causes. Nov. 10, petitions and causes. Nov. 11, short causes and causes. Nov. 13, 14, and 15, causes. Nov. 16, motions and causes. Nov. 17, petitions and causes. Nov. 18, short causes and causes. Nov. 20, 21, 22, 23, causes. Nov. 24, petitions and causes. Nov. 25, motions, short causes, and causes.

N. B.—No cause, motion for decree or further consideration shall, except by order of the court, be marked to stand over, if it be within twelve of the last cause or matter in the printed paper of the day for hearing.

V. C. Wood's Court.

The Vice-Chancellor Sir WILLIAM PAGE WOOD will sit at Westminster on Nov. 2 to take motions. At Lincoln's-inn on Nov. 3 to take general paper. Nov. 4, petitions, short causes, adjourned summonses, and general paper. Nov. 6, 7, and 8, general paper. Nov. 9, motions and general paper. Nov. 10, general paper. Nov. 11, petitions, short causes, adjourned summonses, and general paper. Nov. 13, 14, and 15, general paper. Nov. 16, motions and general paper. Nov. 17, general paper. Nov. 18, petitions, short causes, adjourned summonses,

nd general paper. Nov. 20, 21, 22, 23, and 24, general aper Nov. 25, motions and general paper.

Any causes intended to be heard as short causes before either of the Vice-Chancellors must be so marked at least one clear day before the same can be put in the paper to be so heard.

Common Law Courts.

Court of Queen's Bench.

NEW TRIAL PAPER.

Easter Term 1864.

CHESTER—Hughes v. The Birkenhead Improvement Commissioners. (To be argued with the demurrer. To stand over till decision on a similar point in Court of Error)
CHESTER—Davies v. Same

Michaelmas Term 1864.

DURHAM—The Ecclesiastical Commissioners of England v. Pearl

Easter Term 1865.

BEDFORD—Asher and Ux. v. Whitelock
LANCASTER—Martin v. Smalley and another. (Stands for arrangement)
HERTFORD—Crowland v. Allom
LEEDS—Mayne v. Binns
STAFFORD—Dimmock and another v. The North Staffordshire Railway Company
HEREFORD—Manwaring v. Cheese

Tried during Term.

MIDDLESEX—Edwards v. Parker and others
MIDDLESEX—Dordoy v. Johnson and another

Trinity Term 1865.

DERBY—Cartwright and others v. Forman
MIDDLESEX—Watts and others v. Lewis
MIDDLESEX—Sullivan v. Hayward

Tried during Term.

MIDDLESEX—Double v. Sharp
MIDDLESEX—Hazlitt v. Templeman

SPECIAL PAPER.

For Judgment.

Worthington and another v. Hulton. Special case

For Argument.

Hughes v. The Birkenhead Improvement Commissioners. Demurrer. (Case in New Trial Paper to be argued with this demurrer. Stands over till decision on a similar point in Court of Error)
Davies v. Same. Demurrer
Bryant v. Foot. Special case
Cory and others v. The Thames Iron Works and Ship Building Company (Limited). Special case
Jollvald v. The Continental Bank Corporation (Limited). Demurrer. (To stand over till issues in fact tried, unless parties agree to a special case)
Brabant v. Sir T. M. Wilson. In the matter of the Copyhold Acts, &c., Manor of Hampstead. Appeal from Copyhold Commissioners
Le Strange v. Rowe. Demurrer. (Part heard. To stand over till issues in fact tried)
Tydeman v. Carne. Demurrer. (Stands over)
Peakman v. Marsh. Demurrer
Simpson v. Haller. Demurrer
Fothergill v. The London, Chatham, and Dover Railway Company. Demurrer
Russell v. Trickett. Demurrer
Hetherington v. Hicks. Demurrer. (Stands over till issues in fact are tried)
Haselgrove v. House. Demurrer
Churchward v. The Queen. Demurrer
Bowley v. Rugg. Demurrer
Barclat v. Mills. Demurrer
Holroyd v. Colston and others. Demurrer
Hart and others v. Steevens. Demurrer
Bond and others v. Westow. Demurrer
Le Contewe v. The London and South-Western Railway Company. Special case
The Ecclesiastical Commissioners for England v. Pearl. Demurrer
Hall v. The Master Wardens, &c. of the Merchant Venturers of the City of Bristol. Appeal from County Court of Gloucestershire holden at Bristol
Keyes and another v. Edwards and another. Demurrer
The European Central Railway Company (Limited) v. Westall. Demurrer
The English and Irish Bank (Limited) v. Watson. Demurrer.
Wood and others v. Dunn. Demurrer.
Donaldson v. Pulley. Demurrer
Brand and Wife v. The Hammersmith and City Railway Company. Special case
Piper v. The Queen. Special case
Booth v. Parker. Special case
Cheshireman v. The London, Chatham, and Dover Railway Company. Demurrer
Foster v. Dodd. Special case
Taylor v. Shafto. Special case and demurrer
Donald v. Suckling. Demurrer
Greenwood v. Scragg. Special case

ENLARGED RULES.

First Day.

In the matter of Frederick William Freeman, gentleman (one, &c.)
In the matter of William Ambler, gentleman (one, &c.)
Hemming v. Parker
Hawkins and another v. Carr
Parsons and another v. Carr
Reg. v. Travers Twiss (Judge of Consistory Court)
Reg. v. Nathaniel Elgar Homer
Reg. v. George Ell
Reg. v. London, Chatham, and Dover Railway Company
Reg. v. Middle Level Commissioners
Reg. v. Assessment Committee of Durham Poor Law Union.
Reg. v. Hampton and others.
Reg. v. Members, &c. of Hearts of Oak Benefit Society
Reg. v. Magistrates of Bow Street Police Court

Court of Common Pleas.

ENLARGED RULES.

First Day.

Re Tom Taylor and W. S. Emden, and C. Brookes, and W. Snell, *ex parte* Taylor

NEW TRIAL PAPER.

Michaelmas Term 1865.

MIDDLESEX—Packer and another v. Great Western Railway Company. (To stand over till Beal v. South Devon Railway Company in the House of Lords is disposed of.)

Trinity Term 1865.

MIDDLESEX—Williams v. Golding
MIDDLESEX—Edgell v. Day.

Cur. adv. vult.

Herschfeld v. Smith
Johnson and another v. Chapman
Jegon and another v. Vivian
Guppy and another v. Frith and others.

POSTPONED MOTIONS.

LONDON—Mallett v. Bateman
LONDON—Spalding and others v. The Catholic Bookselling and Publishing Company (Limited). (To fourth day of Michaelmas Term to move if necessary.)

DEMURRER PAPER.

Wednesday, Nov. 8.—Special Arguments.

The Mayor of York (appa.) The Churchwardens, &c., of All Saints, North-street, York (respa.) Appeal from justices. (To stand over till case in the House of Lords is disposed of)
Malnwaring v. The Langham Hotel Company (Limited) Demurrer
Lingwood (appa.), Gyde (resp.) Case under Copyhold Act. (Case remitted for amendment)
Gyde (app.) v. Lingwood (resp.) Case under Copyhold Act
Johnson v. Royal Mail Steam Packet Company. Case Nisi Prius
Arbuthnot and another v. Streckelsen. Case by order
Church v. Tame. Case by order
Goodyear and another v. The Mayor, &c., of Weymouth. Case by arbitrator
The Consolidated Bank (Limited) v. Smith. Demurrer
Cutler v. Larchin and another. Case by arbitrator
Kidston and others v. The Empire Marine Insurance Company. Demurrer. (By consent, to stand over till issue in fact tried, unless a special case is agreed to, and then to be argued herewith)
Winter v. Dumerque. Case Nisi Prius
Ranking and another v. Potts and another. Special case
Wigan (app) Strange (resp.) Appeal from magistrate
Goodwyn v. Shufflebotham. County Court appeal

Friday, Nov. 10.—Special Arguments.

Beckett v. The Midland Railway Company. Demurrer
Bolton v. Lancashire and Yorkshire Railway Company. Case Nisi Prius

Wednesday, Nov. 15.—Special Arguments.
Friday, Nov. 17.—Special Arguments.

Court of Exchequer.

ERRORS AND APPEALS.

For Judgment.

Woods and another v. De Mattos. Error

For Argument.

Morgan v. Gath. Appeal
Whittaker and another v. Lowe. Appeal

SITTINGS IN BANCO AND AT NISI PRIUS.

Thursday... Nov.	2	Motions
Friday.....	3	Errors and motions.—Middlesex first sitting
Wednesday	8	Special paper
Thursday	9	Lord Mayor sworn
Friday.....	10	Middlesex second sitting
Saturday.....	11	Criminal appeals
Monday	13	Special paper.—(Sheriffs nominated)
Wednesday	15	Special paper
Friday.....	17	Middlesex third sitting
Monday	20	Special paper

SPECIAL PAPER.

For Judgment.

Drake v. Pywell. Demurrer
Collier v. Moss. Demurrer

For Argument.

Richards v. Harper and another. Demurrer. (Ordered to be re-argued
Clark v. Magnus. Demurrer. (To stand over till issues in fact tried)
Cooke v. Mostyn and others. Demurrer. (To stand over till issues in fact tried)
Campbell v. Dufaur. Demurrer. (To stand over till issues in fact tried)
Allsopp and others v. Guest and another. Demurrer. (To stand over till issues in fact tried)
Goodyear v. Lindsay and others. Demurrer
Lord Colchester v. Kewney. Special case

NEW TRIAL PAPER.

For Judgment.—Moved Easter Term 1865.

MANCHESTER—Collier v. Moss

For Argument.—Moved Hilary Term 1864.

LIVERPOOL—Brabner v. Macann. (To stand over till special case settled)

Moved after fourth day of Trinity Term 1865.

MIDDLESEX—Bouillon and another v. Valentine

LEGAL OBITUARY.

MR. ROWSE.

(From the Western Daily Mercury, Oct. 19.)

In our obituary of yesterday we recorded the death of Samuel Rowse, Esq., of the firm of Rowse, Cleverton, and Jackson, solicitors, of Plymouth. The decease of this gentleman took place at his residence, in Princes-square, on the evening of Tuesday last. It was, we believe, not at all unexpected; having been preceded by a long and, towards its close, a very painful illness, endured with much fortitude and pious resignation. The sufferer himself was fully prepared for the end, and had, for some time past, been cheerfully occupying himself in so ordering and arranging such matters of business as were yet under his own personal direction, that, upon his decease, they might be taken up and carried on by his partners from the point where he had left them.

Mr. Rowse was one of the oldest solicitors in this neighbourhood, having been in practice in Plymouth since 1821. He was well known as a careful and painstaking lawyer, and especially in the knowledge of Real Property Law, and its appliance to the system of conveyancing, he enjoyed a reputation, the foundation of which was laid in the chambers of Mr. Preston, of whom, with the late Mr. G. T. Shortland, of Plymouth, the deceased gentleman was in early life a pupil. On this subject he had much and curious learning of a character into which students do not usually enter in the more modern course of study.

The deceased, in fact, was one of a class of lawyers who, under the different condition of things which now exist, are rapidly decreasing; and, to a thorough knowledge of his profession, he added, in common with most of the members of that class, the knack of inspiring that personal confidence and regard in which the professional adviser comes to be looked upon as the esteemed and sincere family friend. To this result, in his case, the gentleness of his temper and the invariable quietness and courtesy of his manner very materially contributed. Nor alone in the extensive round of considerable business connection was this influence felt; by the members of his own profession generally, as by all with whom he was brought into contact, Mr. Rowse was sincerely respected. A steadfast and earnest worker always, and interesting himself much and deeply in questions of a social and moral nature, he yet never interfered to any extent in the conduct of municipal and local matters. The opinion he held was that such matters are best left to the conduct of those who have a special aptitude for them; and, after an experience of nine years in the town council, he relinquished his share of public life in that direction. His spare time was devoted to works of charity and of benevolence, and to the affairs of the religious body with which he was connected, and in the confidence of whose members he held the first place. In politics he was always a consistent Liberal, and from the first, though having many ties with the Anglican communion (among other circumstances the present Bishop of Natal being his nephew), a zealous Nonconformist; but from having in early life been connected with the Wesleyan body, in his later years he became attached to the Independents. Of his religious views he was an earnest and thoroughly hearty supporter, and his liberality to his church, like his more general charities, was great in proportion to the unobtrusiveness with which it was attended. He gave freely to the support of the faith which he professed, because that profession with him was a matter of deep and intense personal conviction. Our deceased townsman was essentially a Christian; and looking back upon that quiet, unobtrusive life of useful labour, it must be a melancholy satisfaction to his friends to remember that there is nothing in it they could wish away—nothing which, however much it may seem to add to the pang of the present parting, will not add sweetness and preciousness also to the memory of the departed.

LAW SOCIETIES.

METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

MEETING IN LIVERPOOL.

The members of the Metropolitan and Provincial Law Association this year held their annual meeting in Liverpool. The association opened their sittings in the library of St. George's Hall, on Wednesday morning, the 11th inst., Mr. George W. Hodge, of Newcastle-upon-Tyne, the chairman of the association, presided, and the other gentlemen present were Mr. Philip Rickman, secretary, Mr. S. Williams and Mr. H. S. Washrough, deputy-chairman, Mr. A. T. Squarey, vice-president of the Liverpool Law Society, Messrs. Lace, Hull, Wright, Banner, Woodburne, W. Radcliffe, Bartlett, Gill, Avison, Payne, Aspinall, Martin, Lowndes, Bell, Yates, Thornely, Rogerson, Tyndall, N. Norris, G. Norris, Duncan, Eden, Bardswell, and Dodge.

The following gentlemen had been appointed deputations from different law societies in the kingdom: Leeds Law Society, Messrs. E. Eddison, John Bulmer, and Henry Appleton; Birmingham Law Society, Messrs. J. W. Wharney, J. Rawlins, and G. J. Johnson; Kent Law Society, Messrs. J. Case, H. Sankey, and C. A. Smith; York Law Society, Messrs. H. Breary, G. H. Seymour, T. Hodgson, and R. Perkins; Manchester Law Society, Messrs. Marriott and Broadbent, vice-presidents, Cooper, chairman of committee and union law secretary; Worcester Law Society, Mr. Beale; Newcastle-upon-Tyne Law Society, Messrs. G. W. Hodge and W. Daggett; London Law Society, Messrs. Stephen Williams, T. Kennedy, J. S. Torr, J. Kendall, E. W. Field, J. Turner, W. S. Cookson, and F. H. Janson; and Dorking Law Society, Mr. A. Harp.

The CHAIRMAN then proceeded to deliver the following address:—Gentlemen, it gives me great pleasure to preside as chairman of this association on the occasion of its provincial annual meeting being held for the second time in this great centre of commercial enterprise; and it is in the highest

degree satisfactory to be able to state my conviction that during the period which has elapsed since 1856, when the former meeting in Liverpool took place, the association has steadily advanced in influence and importance, and has more than maintained the active usefulness of its operations. In accordance with the rules by which those meetings are governed, I will now relate to you, as briefly as possible, the chief matters which have engaged the attention of the committee since the annual meeting held in London on the 26th day of April last. The session just expired, the last period of the existence of a moribund Parliament, could scarcely in the nature of things be expected to be productive of very much in the way of legal reform; still it has not been without some important results. The chief Parliamentary matters which, on commencing my duties as chairman, were under the consideration of the committee, were, the Bills for the concentration of the courts and offices of justice; three Bills for the amendment of the law of evidence, brought in respectively by Sir Fitzroy Kelly, the Hon. George Denman (now, by an unlucky chance, no longer a member of the Legislature), and Mr. Scully; one for making costs payable in certain cases to or by the opponents of private Bills; Mr. Paull's two Bills for consolidating and amending the Acts regulating proceedings before justices of the peace out of quarter sessions, and for facilitating the discharge of insolvent debtors committed to prison under the County Court Acts for nonpayment of debts not exceeding 20*l.*; two competing measures for the issue of land debentures and Bills for the amendment of the law of libel; to provide for the payment by means of stamps of fees in the courts of common law; and that very important limited liability measure brought in by the Government, the Bill to amend the law of partnership; and the late Lord Chancellor's three Bills: first, for conferring on the County Courts a limited jurisdiction in equity; second, for amending the law relating to attorneys and solicitors by (*inter alia*) the legalisation of contracts as to costs between them and their clients; and the third, for providing for the abolition of arrest upon final process, and the non-granting of discharges in bankruptcy except when either the estate should pay 5*s.* in the pound, or three-fourths of the creditors should consent. In addition to this mass of pending legislation which received every consideration at the hands of the committee, we also had before us the subject of the abolition of the certificate duty for which Mr. Denman had given notice of motion. The committee, in accordance with the policy the association has always followed with reference to that impost, determined to give the motion every support in their power, and we accordingly petitioned in favour of its object, and wrote letters to all the provincial law societies requesting their aid, and inclosing forms of petition for their adoption. In this way we obtained the views of the Brighton, Gloucester, Kent, Leicester, Manchester, Wolverhampton, Worcester and Worcestershire, and other law societies, and petitions from several of them. The matter, however, was not taken up so warmly or so unanimously in the provinces as the committee had expected, and although, after a postponement which threw it over the Budget, Mr. Denman succeeded in obtaining a majority for his motion in spite of the opposition of the Chancellor of the Exchequer, still the success met with was not thought sufficient to warrant the continuance of the effort to abolish the tax during the recent session of Parliament. Should Mr. Denman succeed in obtaining a seat in the House of Commons in time, or should some other member of Parliament of equal ability and influence bring the subject forward next session, the committee's warm support will not be wanting for the furtherance of the object in view. The Bills for the concentration of the Courts and Offices of Justice, after weathering various storms, were well nigh shipwrecked by amendments introduced at the eleventh hour by the House of Lords. These amendments comprised the very dangerous element of an alteration of the Bill for providing the money. Now, it is well known that the House of Commons never permits a money Bill to pass with an alteration made in it by the House of Lords. In this conjuncture the committee appointed in May last nine of their most active members, with power to add to their number, to be a sub-committee to watch and assist the progress of these Bills; and, if they should be passed, to represent the association (either in conjunction with any committee which might be appointed for a similar purpose by the Incorporated Law Society, or otherwise) in considering any plans for the interior arrangements of, and approaches to, the proposed new Courts of Justice and Offices, and to report thereon to the managing committee. The sub-committee accordingly, individually and collectively, brought to bear every influence and means at their disposal, as did also the council of the Incorporated Law Society, and others, and the difficulty as to the amendments was finally got over by the Commons agreeing to the Lords' amendments, except that of the money Bill, on which their Lordships forebore to insist, and the Bills received the Royal assent. A Royal commission, of which most of the judges, many officers of State and law officers, and Messrs. W. S. Cookson, W. Williams, and John Young are members, and Mr. E.W. Field is secretary, has been appointed for carrying the measure into effect. The sub-committee appointed by the managing committee is now in active communication with the Royal Commission, also with the provincial law societies, and with Mr. Waterhouse, the able architect of the magnificent new courts at Manchester, respecting the best mode of arranging the interior of the courts and offices, and the approaches thereto, in order that every possible benefit and convenience may be afforded to the profession and the public by the long-looked-for Palace of Justice. With this view the sub-committee propose taking the accommodation which would have been afforded by the adoption of Mr. Abraham's plans as a starting point, and suggesting the alterations which they may think advisable. The Incorporated Law Society has also appointed a committee for the same purpose on which I have been placed, owing to the position I have the honour to occupy as chairman of this association. The course adopted by your committee, with reference to most of the remainder of the above-named Bills, has been already laid before the members in the last annual report. It will be needless, therefore, for me to do more than mention that of such Bills many have been withdrawn, the following only having passed into law, viz.: Mr. Denman's Felony and Misdemeanor Evidence and Practice Bill, the Private Bill Costs Bill, Lord Naas' Mortgage Debenture Bill, the Common Law Courts (Fees) Bill, the Partnership Law Amendment Bill, and the County Courts Equitable Jurisdiction Bill. On the Attorney-General's Crown Suits Bill being brought into Parliament, the committee prepared a petition for its amendment by the addition of clauses, providing that the provisions relating to judgments, statutes, and recognisances contained in the 27 & 28 Vict. c. 112 (Mr. Hadfield's Act) should extend to include (so far as *bona fide* purchasers and mortgagees are concerned) all future debts and obligations to the Crown. This petition the committee placed in the hands of Mr. Hadfield, by whom it was presented to the House of Commons. After considerable discussion in the House on Mr. Hadfield's motion, the Bill passed; but instead of the clauses proposed by the committee, others were introduced, providing that future Crown debts should not affect land as against purchasers and mortgagees till a writ of execution should have been issued and registered; thus retaining the present necessity for a search for Crown debts at the Common Pleas Office, the abolition of which search was the main object of the amendment proposed by your committee. With regard to the proposals for conferring on the County Courts a further jurisdiction in Admiralty, respecting which it is mentioned in the last annual report that the committee were waiting for the report of a sub-committee, appointed by the Liverpool Law Society, the committee have since received a letter from the Liverpool Law Society, stating that the sub-committee had not come to any resolution in favour of enlarging the present Admiralty jurisdiction of the County Courts, as their sub-committee thought it desirable to have a local Admiralty Court at Liverpool. The committee have also taken measures to obtain a reform in the Middlesex Registry Office, the necessity for which, and the course adopted to endeavour to obtain such reform, will be most apparent to you from the following copy of a letter to the Lord Chancellor (Cranworth), Chief Justices, and Chief Baron:

Metropolitan and Provincial Law Association,
24, Chancery-lane, W.C.
4th August 1865.

To The Lord Chancellor,
The Chief Justice of the Queen's Bench,
The Chief Justices of the Common Pleas, and
The Chief Baron of the Exchequer.

My Lords,—I have been requested by my colleagues, on the committee of management of this association, most respectfully to draw the attention of your Lordships to the following circumstances respecting the management of the office for registry of deeds, in Middlesex, in the hope that you will be pleased to give the matter your kind consideration, and to direct such reforms to be made as you may deem convenient and necessary.

Your Lordships are aware that the Act 7 Anne, c. 20, latter part of section 2, gives your Lordships, or any three of you, full power to make such rules and orders for the better management and government of the Middlesex Registry Office, as you shall find convenient and necessary.

By sect. 2 of the same Act, the registrar is to be allowed for registry of every memorial the sum of one shilling and no more, unless the memorial exceeds two hundred words, and then after the rate and proportion of sixpence a hundred for all the words over and above the first two hundred, and the like fees for any certificate or copy given out of the said office and no more, and for any search in the said office one shilling and no more.

A return, ordered by the House of Commons to be printed on the 16th July 1862 (a copy of which is inclosed), states (*inter alia*) as follows:—

"The fees received for the registry of deeds are 7*s.* for memorials of 500 words, and 6*d.* for every 100 words in excess of that number.

"The fees provided by the Act of 7 Anne, c. 20, were altered, as the present registrars are informed, in 1766, in pursuance of an arrangement between the then registrars and the public, and have since that period been always received in accordance with the amended scale.

"They are not aware of any special authority for the alteration.

"The application of such fees is first in paying all expenses incident to the office, leaving the balance to be divided into four shares, three whereof being the emoluments of the three registrars in equal proportions, and the fourth share is paid into the Treasury, in pursuance of the Act, 22 & 23 Vict., c. 21, which repealed that of 7 Anne, c. 20, in so far as it provided for the Queen's Remembrancer being one of the registrars of deeds for the county of Middlesex.

"By the same return it also appears that for a great number of years past the balance thus divisible in fourths has largely and increasingly exceeded the whole expenses of the office, until in 1861 (the last year included in the return) the amount of fees received was 7972*l.* 0*s.* 7*d.*, while the expenses of the office were only 2172*l.* 0*s.* 7*d.*, and the balance divisible was 5800*l.*"

The return also states that, "the building in which the memorials and records are kept is not fireproof."

I beg also to draw your Lordships' attention to the inadequate accommodation and index afforded to the public in the office for the statutory fee of 1*s.* per search.

To be personally convinced of the great want of accommodation for searchers, it is only necessary to pay the registry office a visit between the hours of 11 and 2, when the press of business is greatest; but, as will be seen by the inclosed copy of our correspondence with the registrars, they themselves state that they have been aware "for some years past" of the need of improvement in this respect, and propose to effect it satisfactorily in "about a year."

The great labour of searching the index, accessible for the statutory fee of 1*s.*, has become so manifest that for some years past a lexicographical index has been compiled, but for each search in this index a fee of 2*s.* 6*d.*, instead of 1*s.*, is required. This increased fee, I would humbly suggest to your Lordships, is one that should not be charged, especially in face of the very large surplus annually derived from the other and mainly unauthorised fees taken in the office, and of the fact that in several other public offices (that of the Probate Court and the Common Pleas Registry of Judgments Office, for instance) the use of a lexicographical index is now afforded without any additional charge to searchers.

Your Lordships' kind attention to this subject will confer a great boon upon the public and upon the legal profession, upwards of 600 of whom are members of this association.

I have the honour to be, my Lords,
Your Lordships' most obedient, humble servant,
STEPHEN WILLIAMS, Chairman.

A letter has since been received from the Lord Chancellor acknowledging the receipt of the above, and informing us that the subject shall receive his Lordship's early attention. Since the last annual report the following have been among the points of practice submitted for the opinion of the committee, and the answers given follow the queries:—

Where property is in mortgage, who has the right to prepare and engross a lease and counterpart, and how should the costs be apportioned, as it is clear the lessee is liable for the ordinary costs of lease and counterpart only?

If the mortgagor is in possession his solicitor is entitled to prepare and engross a lease and counterpart. If the fact of the mortgage was disclosed to the lessee in the contract, the lessee must pay all expenses; but if that fact was not so disclosed, the mortgagor must procure the mortgagee's concurrence at the mortgagor's expense.

A meeting of creditors is convened, at which the debtor's solicitor attended, and A., a solicitor who acted for the largest creditor, and represented half the amount of creditors; the meeting was adjourned for the purpose of receiving a report from two of the creditors who were appointed a committee to investigate the books, and say what was in their opinion the proper mode of liquidation. Those creditors were clients of A. At the adjourned meeting the committee reported that an assignment was the proper course to adopt, which the meeting confirmed, and the committee were named trustees, thereupon the debtor's solicitor produced a statutory form of assignment to which A., who again attended, objected, and alleged that as some of the creditors held security there should be proper clauses introduced, and a formal deed which would bind non-assenting creditors prepared.

1. Under the circumstances, whose duty is it to prepare the assignment?

2. Whose duty is it to procure the signature of the creditors?

3. Is it professional for the debtor's solicitor to obtain without the interference of A. the signature of A.'s clients?

4. Whose duty is it to see to the registration of the deed?

5. What are the relative duties of the debtor's solicitor and the trustee's solicitor?

ANSWERS.

1. The debtor's solicitor should prepare the assignment.

2. And procure the signatures of the creditors: but as A. represents a committee he should peruse the deed. The debtor's solicitor in fact cannot expect to get any signatures unless the committee have approved the deed.

3. We should think Yes, but this must depend much on circumstances. It is not unprofessional to go direct to the creditors with a composition-deed, and it would be impracticable to go to all through separate solicitors.

4. The debtor's solicitor should see to the registration of the deed.

5. Seems answered by the above.

Having dismissed this dry catalogue of the transactions of the association during the past year, let us for a few moments consider the prospects of the profession. It cannot be denied that, hitherto, as a class, we have not occupied the position to which we are entitled; and, that whilst all the honours and rewards of the legal profession are conferred upon members of the bar, solicitors have been considered as absolutely disqualified; the cause of this exclusion, is not to be found in the fact that the duties which we discharge to our clients and to society at large are less important than those which barristers are called upon to perform. On looking for a reason for such a state of things, I cannot help feeling that it may in a great measure have arisen from the fact that till within a very recent period

the educational standard of the gentlemen of the bar was undoubtedly higher than that of solicitors. It is pleasing, however, to reflect that for the last few years the solicitors, of their own motion, have rendered it altogether impossible that any one hereafter shall say that, as a body, they are uneducated. If I desired to adduce a practical illustration of the usefulness of this association I would point to the discussion which took place in this room in 1856 on the subject of legal education (which was commenced by my friend Mr. Field, to whom the profession is much indebted on this as well as on other grounds); I would point to the unanimous opinion of the members then present as to the want of a higher standard of professional education; and to the energetic measures taken by the association consequent thereupon, which I do not hesitate to say, very materially strengthened the hands of the Council of the Incorporated Law Society, and assisted in bringing about the preliminary and intermediate examinations, the result of which cannot fail before long greatly to improve and elevate our professional *status*; and let us hope that we may shortly be acknowledged as qualified for those public offices from which we have been so long excluded. I believe I may venture to say that the executive of this association will, on every favourable opportunity, assert the claims of solicitors to the appointment to those public offices for which their education and practical knowledge of the law would seem so well to fit them. Having glanced at the *status* of the profession, I may be pardoned for making a passing allusion to the material interests of solicitors. There can be no doubt that we all enter the profession with the view of earning an honourable livelihood. It is a remarkable fact that with the enormous increase of the population of Great Britain during the last few years, the number of solicitors has not increased, whilst all other professions have enormously increased. The only satisfactory reasons which can be adduced for such a state of things are, that there is no honour or distinction to be awarded to solicitors; and that, whilst the scale of remuneration has not been equal to that awarded to the members of other professions, the mode of obtaining that remuneration (by the length of documents and the multiplication of proceedings) has been very far from satisfactory either to the practitioner or the public. I need not tell you that this association has not been unmindful of the interests of the profession on this important subject; the last yearly report alludes to this matter, and pays a fitting compliment to the exertions of the Liverpool Law Society in aid, or rather in advance of, the general movement; and but for the retirement of Lord Westbury from the woolsack, I believe some very material improvements would ere now have been made in the scale of remuneration for Chancery business. It cannot but be satisfactory to know that the general feeling of the judges appears to be in favour of a higher rate of remuneration for skilled professional services. And I trust that this association, acting in strict accord with the Incorporated Law Society, and having the valuable co-operation and assistance of the Liverpool and other influential Provincial Law Societies, may ere long be able to report that the whole system of professional remuneration has been placed on a more rational and satisfactory footing. In conclusion, allow me to say a word or two as to the objects of this association. "The objects of the association are to unite and organise the influence of practising attorneys and solicitors throughout England and Wales; to promote the better administration of the law, and to protect the rights and increase the usefulness of the profession." On all occasions when necessity arises for taking active measures for protecting the rights and increasing the usefulness of the profession, this association does not hesitate to take the initiative and to originate such measures as may be deemed desirable, and for the general good, not of the practitioner merely, but of the public at large. We profess not only to watch over those amendments in the law which may be supposed chiefly to affect the members of the legal profession, but we seek also to aid the Legislature by affording at all times such information on measures for promoting the better administration of the law as our practical experience enables us, in a greater degree than almost any other class of individuals, to afford. And it is matter for congratulation that the opinions and views of this association on important matters of legal reform are now frequently sought for, and always respectfully considered by the Government, and by the highest dignitaries of the law. So long, therefore, as this association continues faithfully and zealously to perform the important duties which called it into existence, I consider it entitled to the support of every right-minded member of the profession. We must remember that, although individually many men in our ranks may be possessed of much influence, yet in these days the objects for which we are associated together cannot be effected by individuals. Union and co-operation will alone enable us to make our views and opinions known, and obtain for the Profession that respect and consideration to which it is so justly entitled.

The CHAIRMAN, before sitting down, invited a discussion upon the above address.

Mr. W. S. COOKSON (London) thought they would all agree that the address was an exceedingly able and valuable one, and that they were indebted to the chairman for the attention he had devoted to the preparation of it. There was one point, however, in the address with respect to which the chairman had not been rightly informed; that was upon the subject of the Bills for the concentration of the courts and offices of justice. The clause proposed by Lord Redesdale was inserted in the Bill by a majority of one or two. It was felt by all those interested in the subject that it was impossible that the clause could be accepted. The clause was modified an amendment was moved by the Attorney-General and passed by the House of Commons, and consented to by the House of Lords. It was considered that the clause proposed by Lord Redesdale could not possibly be accepted by those who were interested in the promotion of the measure.

The CHAIRMAN said he was much obliged to Mr. Cookson for the correction.

Mr. Lowndes, of Liverpool, was then called upon to read his paper on the subject of Law Reform in connection with the concentration of the Courts and Offices of Justice. [Want of space has prevented us giving Mr. Lowndes' paper. We hope to do so in full next week.—ED. L. T.]

The CHAIRMAN, before calling upon the secretary to read Mr. H. J. Francis' paper on "The Fusion of the Law and Equity," said at this stage of the business it would be well if they fixed the place for the next meeting.

Mr. CASE, of Maidstone, hon. secretary of the Kent Law Society, rose and tendered the association a very warm invitation to visit next year the city of Canterbury.

Mr. C. A. SMITH, a member of the Kent Law Society, said the members of that body would be very happy and proud to give the association a welcome to Canterbury.

It was then agreed that the next meeting of the association should be held at Canterbury.

Mr. RICKMAN read a paper, written by Mr. Francis, of London, entitled "Some Remarks on the Fusion of Law and Equity."

The next paper was by Mr. W. Daggett, of Newcastle-upon-Tyne, and was entitled "Local Admiralty Jurisdiction."

The Chairman then called upon any gentleman to make such comments as occurred to him upon the papers which had been read.

Mr. TORR, of London, said, with reference to Mr. Lowndes' paper, it seemed to him one of the most important and comprehensive, and at the same time practical papers he had ever heard read at any of the meetings of the association. He proposed "That this meeting should direct the particular attention of the managing committee to the principal object alluded to in Mr. Lowndes' paper, and that they should be requested to take it into consideration, and to represent to the Royal Commission the importance of the object which Mr. Lowndes principally urges." The association had a sub-committee for the purpose of ascertaining what the wants of the Profession and the public were likely to be with reference to new courts, and therefore there was machinery in existence to give practical effect to the suggestions contained in Mr. Lowndes' paper.

Mr. STEELE WILLIAMS (London) seconded the motion.

Mr. TURNER, of London, thought there could be no difference of opinion that, in considering the construction of courts of justice, Government should take into consideration not only the existing wants of the land, but also its future wants. But with respect to the many suggestions in Mr. Lowndes' paper upon that subject, there might be a considerable difference of opinion. At some time or other there would, no doubt, be an increase of common law judges and equity judges, but whether the time had arrived for that he thought it was premature on that occasion to discuss. Before increasing the expenditure which would necessarily devolve upon the country if the number of judges were increased, it would be well for them to adopt every precaution for saving expenses under the present system. He thought that forms could be introduced into the courts of law and equity which would not only facilitate the transaction of judicial business but render it more effective even without increasing the number of judges. With respect to equity, there was in this district the Duchy Court of Lancaster, the registrar of which court did the duty of taxing master, of registrar, and also of chief clerk. It reminded him that the judge of that court had but a very small portion of his time occupied in trying the causes proper to the duchy, and there could be no reason in the world why his time should not be altogether occupied by hearing causes from the Court of Chancery. It would appear as if Queen Victoria was very jealous of the Duchy of Lancaster, and as if the Duchy of Lancaster was very jealous of Queen Victoria, and therefore kept themselves at arm's length from each other. There could be no reason why the registrar of the Duchy of Lancaster should not hear causes from the Court of Chancery. By adopting that course they would save time. He contended that it was very absurd that four judges should be compelled to hear motions which could be decided by one judge. But all these subjects would require consideration of a very different kind to what they could give now to the paper read by Mr. Lowndes.

Mr. SMITH, of Greenwich, said he would be rather disappointed if a paper which contained so much important matter as that read by Mr. Lowndes were passed by with almost a silent vote. Looking at the matter in a general point of view, he thought it was very desirable that they should have a general system of law courts, in which all the different details and the different branches of the law of equity might be dealt with before those courts, instead of having separate courts for each particular branch, and that all judges should be judges of each court without any difference and distinction. Certainly at the present moment it was not mature to consider all these matters in detail, but he did think, now these papers were before the association, that it was right to give an opinion upon the subject in its comprehensive bearings. When new courts of justice were constructed they should be made sufficiently large for the wants of the district in which they were situated. He suggested that some system of finance might be adopted in connection with them. For instance, there might be some general fund to which all fees should be made payable, and from which all officers connected with the building should be paid.

Mr. COOKSON said the paper read by Mr. Lowndes had been thoughtfully written upon. He should differ from the author.

Mr. COOKSON drew attention to the fact that a commission had been appointed, which had gone very fully into the question, and had satisfied themselves that the space which was allotted was amply sufficient for all the courts and for all the offices of the courts. They had also power to provide for future exigencies. He knew it was the intention of those by whom the commission was appointed to make it as comprehensive as possible, and to give the commissioners as much power, with respect to the arrangements mentioned by Mr. Lowndes, as possible. It was quite clear for the commissioners to recommend that all taxing officers of all the courts should be assembled in the same room with the view to having gradually one set of officers with taxing officers for all courts. The scheme alluded to by Lord Brougham of doubling the number of Vice-Chancellors without increasing the number of courts was recommended by a committee of that body, who made a report upon that subject in 1851. One of things they strongly recommended was the suggestion of Mr. Lowndes, that in each court there should be two judges who might sit on alternate days, or as might be otherwise found convenient, so that the business of the court might be going on from day to day, whilst one judge would always be at liberty to work out his own decrees. That was the idea they had, and which he thought they were justified in entertaining. He understood Mr. Lowndes to make an objection to the practice of counsel attending at the chambers of common law judges. There were many gentlemen present who knew a great deal more about common law chambers than he did, but he had always understood that it was found to be very convenient to dispose, with the assistance of counsel, of many questions connected with the pleadings and other matters; in fact it was properly chamber business and not court business, and it would be very inconvenient to send all these matters into court to be disposed of. He also understood Mr. Lowndes to refer to the tribunal of merchants.

Mr. LOWNDES.—No.

Mr. COOKSON begged Mr. Lowndes' pardon. It was a subject referred to last week at Sheffield, and it seemed to be a matter of difficulty. Where there was a question between two merchants, which must naturally be dealt with by merchants, there could be no doubt that it was very convenient to have a tribunal on the spot to dispose of it. He thought that it was only by means of papers such as those furnished to them that day that they could get that information which was so important for the consideration of the commission now appointed for the consolidation of courts of law. He reminded the association that a very great assistance could be rendered to that commission by the members of that profession if they would only consider that the duty devolved upon them of looking into the matter, each for themselves, and offering such suggestions as occurred to them.

Mr. ROSE said he should like to have had a week to consider Mr. Lowndes' paper before attempting to discuss it. Mr. Lowndes wanted to diminish the business of the chambers in Chancery, and to increase the work of the judges. In the main, what was really wanted was a vast increase of judicature in this country to transact and meet the commercial, manufacturing, and other business which had increased in an extraordinary ratio within the last century, and more especially so within the last twenty-five years. If they looked back to the history

of this country, when twelve judges were required, and remembered that they only now had fifteen common law judges, it must be manifest that the judicature of this country must be lamentably deficient for the business it had to transact. He thought that Mr. Lowndes had been rather hard upon the chief clerks. The practice they had in Chancery was so admirable that the difficulty in his mind was, why it was not transferred to common law. The system of appeal in Chancery was very rapid, and if it were as expeditious in common law it would be beneficial. Mr. Rose then went on to complain of the time that was wasted at the assizes in trying causes. He would venture to say that the system of justice, as exhibited at the last Croydon Assizes, was the worst mockery that could take place. Mr. Lowndes had not suggested that there should be an increase of judges.

Mr. Lowndes.—I suggested that there should be three circuits instead of two.

Mr. Rose continuing, said, that at the last Summer Assizes at Croydon there were 186 causes entered for trial, eighty-six of which were for special juries, and he had heard barristers say that in its details, from the judge down to the attorney's clerk, it was one of the grossest maladministrations of justice ever seen in any country. It was quite impossible for two judges to try those causes. Many of the 186 cases were smashed up at last, and got rid of as soon as they could be. The barristers did the same, and so got rid of their causes anyhow, instead of having them tried before the jury. He would suggest whether, as there was going to be a large Palace of Justice erected in the city of London, the plan could not be adopted of trying criminal cases every month; and might not an effort be made to work the same at common law. He was not sure that the assize system ought to be abolished. He was of opinion that causes should be retained where the juries were not known to the suitors. He thought it did merchants a world of good to be put on juries for a week, because they then found there was in the world a mass of matters of which they knew nothing before, and to which they were able then to apply themselves. He complained of the length of time criminals were kept in prison before they were tried, and said that if there was a tribunal constantly sitting, it would be a very great improvement. Speaking of divorce cases, he said they were the most immoral that could be tried in any court of justice, and whether it would be for the benefit of the country that these filthy cases should be brought down to the assizes to be tried after the criminal business, was a matter for grave consideration. They wanted more judges in equity and common law to dispose of the business, but he thought if they were to put the duties of the Admiralty Court on the judge of the Court of Probate and Divorce, he would break down with his labours. With respect to County Court judges, they would certainly get a dose of it. The judges of these courts began with a salary of 1200*l*. The County Court was a curious institution; it was the means of bringing law home to the poor man's door, and it certainly did that, because the poor man was generally the defendant. When they had the system of equity, he was not sure that that would be a good thing. They should try from the bottom upwards, and if it worked well they could apply it to everything; whilst, if it worked ill, those who brought it about would say that it was owing to the rules and orders of the judges. He had no objection in the world to put the Admiralty jurisdiction upon the County Courts. It certainly was now a blot; it was badly worked; it was a bad tribunal, defective in every respect, most costly, and most slow. As the calling of a sailor took him abroad quickly, the decision in these causes must be given quickly, so that these causes could be tried better on the spot than if sent to London. Mr. Lowndes said the Courts of Bankruptcy were working very carefully and efficiently, but that was the first time he had ever heard such a statement.

Mr. G. Taylor, of St. Helens, did not know why the association had not been invited to visit the Nisi Prius Court in Lancaster this year. It was superior both in appearance, comfort, and sound to any other in the kingdom.

Mr. Briery, of York, could, not allow the reflection that had been cast by Mr. Rose, on the Profession with respect to the appointment of that profession as taxing masters. He quite agreed it would not be advisable to make such appointments: but still he did not think that any attorney, if put in that position, would be influenced by any personal motives or professional feeling in taxing costs. With regard to Admiralty jurisdiction he should like to know if the magistrates had not power to adjudicate upon the question of seamen's wages.

The Chairman—And salvage up to 200*l*.

Mr. Briery said it appeared to him that they could not have a better arrangement than that.

After some further discussion of a desultory character,

The Chairman rose and said, that he concurred in the importance of the subjects brought forward for discussion. It might perhaps have been well that the subjects embraced in the very admirable paper of Mr. Lowndes had been a little more subdivided; and looking at the peculiar position in which the Profession found itself that day, congregated for the first time in a large body on the eve of a great improvement in the courts of justice, it might have been well if he had confined and subdivided his observations so as to have admitted of a separate discussion on that particular branch of the subject. He could not dismiss the subject, however, without saying that it was a very grave reflection on the other branches of the subject. They must all agree that the ultimate court of appeal was in a most unsatisfactory position; and very soon he thought the requirements of justice would necessitate some important alterations in that respect. With reference to Chancery reform he would follow the observations of Mr. Rose, and say that the Chancery practice, in comparison with what it was ten years ago, had made very rapid improvement indeed. He could not help feeling that there was much in what Mr. Lowndes stated as to the absolute necessity of increasing the number of Vice-Chancellors. With reference to the consolidation of courts of common law, that was a matter which recommended itself to the common sense of every man—that they should immediately, or as soon as possible, get rid of the absurd distinction between the Courts of Queen's Bench, of Common Pleas, and of Exchequer. With reference to the reform in the Admiralty Court, there was no doubt that what Mr. Lowndes had stated was true, for in many cases the cost of an Admiralty suit was a denial of justice. He thought that immediate steps should be taken for getting a telegraphic communication with the courts of justice, and also that speaking tubes should be connected in the witnesses' rooms. It had been suggested to him by Mr. Cookson that, instead of pledging that meeting to the adoption of the views contained in Mr. Lowndes' paper with reference to the many subjects he had treated of as affecting the necessity of increased accommodation in the courts, it might be better to pass a general motion in reference to the necessity of increased accommodation; and a paper had just been put into his hand, which he would take that opportunity of reading to the meeting. It was as follows:—"That the managing committee of this association be requested to take into consideration the objects of Mr. Lowndes' paper, so far as the same have regard to the accommodation to be provided on the concentration of the offices and courts of justice, and to the variations in legal arrangement which it is advisable should be made on that occasion; and to take such measures thereon as they may think advisable, they keeping themselves in communication with the different provincial law societies, so as to be better able to represent to the Royal Commission the views of the country solicitors on this important subject."

This was moved by Mr. Torr, and seconded by Mr. Williams.

The resolution was then put and carried unanimously.

Mr. J. Turner, of London, read a paper on Professional Remuneration.

Mr. Toms said at the last meeting of the association it was understood that an attempt should be made to apply the *ad valorem* principle to their professional remuneration, but the difficulty was to devise a system which would work well.

Mr. Taylor did not see how any satisfactory result could be arrived at.

Mr. Eddison observed that in Leeds the principle of charging a lump sum was being tried.

Mr. Webster thought the *ad valorem* principle might be applied to cases in which titles were investigated.

Mr. Rose did not see that they had much to complain of, as he considered theirs was the very best profession, the very best paid, the most enjoyable, and the easiest to practise of any.

After some few further observations, Mr. Charles Augustine Smith read a paper entitled, "A Few Remarks on the Laws relating to Dogs."

The association then adjourned.

The Dinner

Was held at the Washington Hotel, Lime-street, in the evening, and was attended by about 150 gentlemen. It was given by the members of the Liverpool Law Society, was in every respect of a first-class character, and was served in elegant style. Mr. A. T. Squarey, the vice-president, in the absence through ill-health of the town-clerk, the president, took the chair, and on his right were his worship the Mayor (Mr. Edward Lawrence), Mr. T. B. Horsfall, M.P., Mr. John Laird, M.P., Mr. Serjt. Wheeler, judge of the Liverpool County Court, Major Greig, Mr. J. Yate Lee, and Mr. Williams; and on his left Mr. Hodge, chairman of the Metropolitan and Provincial Law Association, Mr. S. R. Graves, M.P., Mr. Commissioner Perry, Mr. T. S. Raffles, Mr. Philip H. Rathbone, president of the Chamber of Commerce, Mr. Edward Field, Mr. S. Cookson, Mr. Peter Wright, clerk of the peace, Mr. Marriott, Mr. Ambrose Lace, Mr. Frederick Hull; and Mr. Thomas Aivison officiated as vice-chairman.

SOLICITORS' BENEVOLENT ASSOCIATION

Annual Meeting in Liverpool.

The fifteenth general meeting of the members and friends of this society was held in the Library of St. George's Hall, Liverpool, on Wednesday, the 18th inst. Mr. Edward Banner, of Liverpool, in the chair. The following gentlemen were present:—Messrs. Hodge, Field, Payne, Janson, Torr, Squarey, Cookson, Duncan, S. Williams, Eden, Smith, Barrow, Marriott, Plant, Cooper, Steeble, Rose, Avison, Wasbrough, Breary, Kennedy, Daggett, Stallard, Allen, Eiffe (secretary), Thorley, Eddison, Graves, Taylor, and Rickman, &c.

The following report was read by Mr. Thomas Eiffe, the secretary:—

"Your directors have much pleasure in presenting this their fifteenth report, to a general meeting assembled at Liverpool, the birthplace of the association: and as it is the first general meeting of the association which has been held there since its formation, it will not, perhaps, be deemed inappropriate to take this opportunity of briefly adverting to the circumstances connected with the society's origin, and successful progress.

"At a meeting of the Metropolitan and Provincial Law Association which took place at Liverpool in 1856, Mr. Anderton (the chairman of your board) took occasion, in pursuance of a notice he had given, to draw attention to the fact that the body of solicitors, as compared with other professions and callings, had very inadequately provided by charitable institutions for the less fortunate members of that profession and for their widows and families, and he concluded by moving a resolution to the effect, "That it is highly desirable a benefit institution should be formed, having for its object the relief of decayed attorneys, solicitors, and proctors, and their widows and orphans." Mr. Banner, of Liverpool, warmly seconded that resolution, which was unanimously adopted by the meeting, and a committee, consisting of Mr. Anderton, Mr. Banner, and the late Mr. John Hope Shaw, of Leeds, was appointed to prepare the necessary rules for the projected institution. The following year at Manchester the subject was again brought under discussion, and the rules prepared by the committee underwent consideration and revision: and finally, in 1858 this institution was inaugurated in London under its present title of the "Solicitors' Benevolent Association," and directors and trustees appointed for its future management. Since then meetings have been held in several of the leading towns throughout England:—at Bristol, in 1858, London in 1859, Newcastle-upon-Tyne in 1860, Worcester in 1861, Birmingham in 1862, Leicester in 1863, and Leeds in 1864, in all of which the society has had the good fortune to secure kind and valued supporters, and it will doubtless be a source of gratification to the Profession at Liverpool, who have so liberally aided in promoting the association, to see at this its eighth October meeting, now held in their own town, the hopeful and promising aspect of the society which was first brought into existence under the fostering encouragement of their favour.

"With regard to the society's progress during the past half-year, your directors are happy to state that fifty additional members have been enrolled since the general meeting in April last, of whom nineteen were life, and thirty-one annual. The total number of members throughout England and Wales is now 1584, of whom 562 are life, and 1022 annual subscribers. Seventeen life members contribute also annually to the society.

"An audited abstract of the accounts is appended, showing the total receipts for the half-year to have been 1216*l*. 18*s*. 6*d*. Your directors gratefully acknowledge on behalf of the association, a donation of 50*l*. from John Atkinson, Esq., of Liverpool; a legacy of 50*l*. under the will of the late Mrs. Lavinia Llewellin, a solicitor's widow; a further donation of 10*l*. from the Gloucestershire Law Society; and one of five guineas from the Society of Clifford's-inn, London.

"The public dinner which took place in June last, under the presidency of the Lord Chief Justice Erle, proved most successful. His Lordship was kindly supported by Mr. Justice Montague Smith and several distinguished members of the Bar, and the result was a collection amounting to 704*l*., including a contribution of forty guineas from his Lordship and liberal donations from the visitors present.

"Applications for assistance from a member and a member's widow were received during the half-year, in answer to which grants were made of 25*l*. in the one case and 15*l*. in the other; and 35*l*. was distributed in relieving families of deceased solicitors who were not members of the association.

"A sum of 850*l*. was added to the invested capital in the purchase of India Five per Cents., the entire invested capital of the association being now 10,390*l*. 18*s*. 2*d*.; of which 5319*l*. 11*s*. 10*d*. are India Five per Cents., and 5071*l*. 6*s*. 4*d*. Consols. The annual dividends produced by the above, amounting to about 411*l*., are applicable to purposes of relief under the conditions at present regulating the society's operations. A balance of 168*l*. 18*s*. 3*d*. remains to the society's credit with the Union Bank of London, besides 15*l*. in the secretary's hands.

"In conformity with the rules your directors are

auditors retire from office at this general meeting, but will be happy to continue their efforts for the promotion of the society, should you think proper again to confide its interests to their care. You will be called upon at this meeting to elect a new trustee in the room of the late Mr. John Hope Shaw, of Leeds. Mr. Francis Hoole, of Sheffield, a member of your present board of directors, has been proposed for the vacant office, and has intimated his willingness to accept the honour.

"Your directors cannot conclude their report without again most strongly commending the claims of this Institution to the liberality of those members of the Profession from whom it has as yet received no aid, and they would venture to suggest that there can be no more desirable means of promoting that cordial union and sympathy which should exist between brethren of the same profession, than the common support of an institution, founded as this is, for the relief of the afflicted and sorrowing amongst their professional kindred."

"(Signed on behalf of the board),
"JAMES ANDERTON, Chairman.
"9, Clifford's-inn, London,
18th Oct. 1865."

The CHAIRMAN expressed his regret that Mr. James Anderton, the president, was prevented by ill-health and accumulated years from being present. He was the father of that association, and had done what he could to bring up his child in the way it should go, and his absence would be a matter of sincere regret to all. Three gentlemen were appointed in Liverpool nine years ago to construct the rules of this society, and two of those were Mr. Anderton and Mr. Hope Shaw. The latter death had removed, and it would be the duty of the members now to elect a trustee in his place. It was in that very room nine years ago that the establishment of this society was first mooted, and he (the chairman) could now congratulate the whole of the Profession upon the very firm basis upon which the association had been established. He would go further, and say that the existence of such an association would tend to show those who gave their confidence to the lawyers that the asperities and labours of their profession had not succeeded in chilling the sympathies within them, but that they of this branch of the legal profession were ready to raise a shield to protect the widow and the orphan who were left destitute amongst them. Last year a case occurred in Liverpool where a member of the profession died who was not a member of the association. He had made no provision for his wife and family, but the society came forward and lent its valuable aid to the widow and family. The chairman then moved that the report and the statement of accounts be received and adopted, and that the same be printed and circulated among the proceedings.

Mr. EDDISON, in seconding the motion, referred to the way in which the money was invested, and expressed the opinion that it would be very desirable to have a larger investment in the Five per Cent. India Bonds instead of the present investment in the funds, which only yielded 3 per cent.

Mr. ROSE pointed out the disproportion between the receipts and disbursements. The income last year war 1403l., and of this 850l. was invested in India Bonds, 114l. expended in the printing of 10,000 reports, and only 75l. granted for the purposes of relief.

Mr. AVISON concurred with Mr. Eddison as to the investment of the money.

The resolution was agreed to.

Mr. PAYNE was very much pleased with the report and statement of accounts, and was particularly pleased to see that 10,000 reports had been issued, as it showed that the committee were making every exertion to make this invaluable society known. The present report also was one which he thought ought to be circulated to every solicitor in the kingdom. With regard to the amount disbursed by the society, he reminded the meeting that, as a young body, the association was necessarily at great expense, and said he had no doubt that if the applicants for relief had been more numerous, they would have received it as they deserved. Mr. Payne then moved, "That this meeting is gratified with the progress of the society, and commends its object to every attorney, solicitor, and proctor in England and Wales."

Mr. RICKMAN seconded the motion, which was then adopted.

On the motion of Mr. HODGE, seconded by Mr. BREARRY, a vote of thanks was tendered to the directors and auditors.

Mr. COOKSON, who returned thanks, observed that the institution was a most important one, and one which should receive the support of every member of the Profession. He looked upon the society not simply as a benevolent society, but as a mutual benefit society.

On the motion of Mr. C. ASPINALL, seconded by Mr. MARRIOTT, the present directors and auditors were re-elected; and on the motion of Mr. KENNEDY, seconded by Mr. TURNER, Mr. Francis Hoole, of Sheffield, was elected a trustee of the association in the room of the late Mr. Hope Shaw.

Mr. TORR having mentioned the case of an English attorney who died in Australia, but whose widow was now in London, and a deserving claimant upon the bounty of the association, a long discussion arose as to whether the rules extended to such a class—the attorney not having been a member of the society, and not having been in practice in England immediately before his death. As the rule in question was considered of doubtful interpretation, the directors were instructed to consider the propriety of revising it.

Mr. TORR announced a donation of ten guineas from the Town-clerk of Bradford.

Mr. JANSON then proposed, and Mr. ROSE seconded, a vote of thanks to the chairman, the seconder remarking that though he retracted nothing of what he had said before, he considered that the administration of the society was admirable, and especially the way in which the receipts had been got in. As a proof that the society had been well managed, he mentioned the fact that a gentleman who was formerly at the board of directors had given a donation of 100l.

The vote having been carried,

The CHAIRMAN acknowledged it by saying that he took pride and gratification to himself, as one of the promoters of the society, at seeing the position it had attained, and he also took pride for the Liverpool Law Society, which had originated the association in that room.

A vote of thanks was then given to Mr. Eiffe, the secretary, and the proceedings concluded.

JOURNAL OF AUCTIONS, ESTATES AND INVESTMENTS.

REPORTS OF SALES.

NOTE.—The Reports of the Estate Exchange are officially supplied in the following list. Auctioneers whose names are registered there will oblige by similar reports of their own sales.

IN LONDON.

Wednesday, Oct. 11.

By Messrs. EDWIN FOX and BOUSFIELD, at Garraway's.—Leasehold, two residences, being Nos. 31 and 33, Ranelagh-road, Pimlico; producing 96l. per annum; term 74 years from 1859; ground-rent 13l. per annum—sold for 920l. Leasehold house, being No. 15, Huntley-street, Tottenham-court-road; let at 45l. per annum; term 99 years from 1786; ground-rent 6l. 9s. per annum—sold for 420l. Leasehold, three houses, being Nos. 1 to 3, Hope place, York-road, Battersea; producing 54l. 12s. per annum; term 99 years from 1839; ground-rent 4l. 15s. per annum—sold for 375l. Lease of Alexandrian-house, Old Kent-road, with grounds, stabling, coach-house, &c., also two houses, being Nos. 1 and 2, Alexandrian cottages; producing 134l. 4s. per annum; term 40½ years unexpired, at a rent of 94l. per annum—sold for 265l.

By Messrs. FAREBROTHER, CLARK, and Co., at Garraway's.—Freehold and copyhold estates, comprising Northbrook-house, with stabling, grounds, cottages, and about thirteen acres of land, situate near the town of Bishop's Waltham, Hampshire—sold for 4725l. Freehold and part leasehold property, known as Price's Patent Candle Company, Night Light Works, and a house situate in Archer-street, Vauxhall—sold for 4000l.

Thursday, Oct. 12.

By Messrs. C. C. and T. MOORE, at Garraway's.—Lease, &c., of "The Prince of Wales" public-house, in Upper North-street, Poplar—sold for 1970l. Freehold, four cottages, a range of stabling, yard, and garden ground, estimated to produce 84l. 10s. per acre, situate at Old Ford—sold for 900l. Leasehold, 17 houses, 2 with shops, a stonemason's yard, and plot of building ground, situate at Poplar, and producing 211l. per annum; term, 63 years, unexpired at a peppercorn—sold for 2945l. Freehold, 3 houses, being Nos. 22, 24, and 25, Evans-street, Poplar, producing 84l. per annum—sold for 945l. Freehold ground-rent of 12l. per annum, arising from two houses in Bow-lane, East India-road—sold 370l.

Friday, Oct. 13.

By Mr. FRANK LEWIS, at the London Tavern.—Lease and goodwill of the lodging-house, being No. 1, Cecil-street, Strand; term 21 years from 1859, at a rent of 65l. per annum—sold for 110l. Underlease of the business premises, being No. 232, Euston-road; term 12½ years unexpired, at a rent of 95l. per annum—sold for 415l.

By Messrs. DENT and SON, at Garraway's.—Leasehold, three houses, being Nos. 9 and 10, St. Leonard-street, and 11, Berwick-street, Pimlico; let at, and of the estimated annual value of, 81l. 14s.—sold for 906l.

Wednesday, Oct. 18.

By Messrs. NORTON and TRIST, at the London Tavern.—Freehold estate known as "Hitcham Park," situate in the parish of Hitcham, Bucks, containing about 200 acres—sold for 27,200l. Freehold plot of arable land, containing 3a. 2r. 23p., situate as above—sold for 340l. Leasehold, three residences, being Nos. 15, 16, and 42, Jewin-street, Aldersgate-street, and manufacturing premises in the rear; estimated annual value 282l. per annum; term 10 years unexpired, at 38l. per annum—sold for 2300l. Freehold house and shop in Ringer's-buildings, Commercial-street, Spitalfields; let at 60l. per annum—sold for 1150l.

Thursday, Oct. 19.

By Messrs. PRICKETT and SON, at Garraway's.—Freehold plot of building land fronting Mount View-road, Hornsey—sold for 474l. Leasehold house, together with a builder's-yard in the rear, being No. 20, Queen's-road, Bayswater; also a house in the rear known as "Chester-cottage;" term, 23 years unexpired, at 24l. per annum—sold for 1160l. Copyhold residence, with stabling and grounds, situate at Highgate—sold for 1850l. Freehold plot of building land, situate at Stroud-green, Hornsey—sold for 70l.

THE GAZETTES.

Professional Partnerships Dissolved.

Gazette, Oct. 13.

BIRCHAM, FRANCIS THOMAS; DALRYMPLE, ROBERT FARRE; DRAKE, WILLIAM RICHARD; WARD, REGINALD; and BIRCHAM, SAMUEL, attorneys, solicitors, and parliamentary agents, Parliament-st. Westminster, as regards WARD. Sept. 30.

GRUNDY, THOMAS, and DAVIES, THOMAS CHARLES, attorneys and solicitors, Manchester. Sept. 30.

Gazette, Oct. 17.

TUCKER, WILLIAM OWEN JOHN, and WILLIAMS-MACKRETH, HENRY, solicitors and attorneys, Lothbury. Sept. 22.

Bankrupts.

Gazette, Oct. 17.

To surrender at the Bankrupts' Court, Basinghall-street.

BLATCH, JAMES WILLIAM, tobacconist, Cavendish-st. Carlton-rd. Kentish-town. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Allen, Chancery-la. Sur. Oct. 31.

BRYANT, BENJAMIN, painter, Penge. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sol. Goldrick, Strand. Sur. Oct. 31.

CORBY, CHARLES, farmer, Sharnbrook. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sols. Roscoe and Co. King-st. Finsbury-sq. for Cook, Wellingborough. Sur. Oct. 31.

ELSOM, JOSEPH, builder, Leyton. Pet. Oct. 13. Reg. Hazlitt. O. A. Graham. Sol. Godden, Fenchurch-st. Sur. Oct. 31.

GSCHWINDT, GEORGE, journeyman to a pork butcher, Acorn-st. Camberwell. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sol. Davis, Harp-la. Gt. Tower-st. Sur. Oct. 31.

HOLLINGSWORTH, JOHN, late baker, Stratford. Pet. Oct. 13. Reg. Hazlitt. O. A. Graham. Sol. Steadman, Coleman-st. Sur. Nov. 2.

HUNT, WILLIAM, greengrocer, Waltham-cross. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Lincoln's-inn-fds. Sur. Oct. 31.

JOHNSTONE, JOHN LEES, travelling draper, Oxford. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sols. Doyle, Verulam-buildings, Gray's-inn, for Looker, Oxford. Sur. Oct. 31.

LONG, EDWARD MORTON, agent for the sale of wines, Cambridge-st. Hyde-park. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sol. Edwards, Bush-la. Sur. Oct. 31.

NOBLE, FRANCIS ROBERT, wine merchant, York-rd. Lambeth. Pet. Oct. 13. Reg. Hazlitt. O. A. Graham. Sol. Messrs. Gole, Lime-st. Sur. Oct. 31.

PACKER, JOHN, plumber, Old-town, Clapham. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sol. Peverley, Coleman-st. Sur. Oct. 31.

RILEY, WILLIAM TOMKINSON, late Spencer-villa, Putney. Pet. Oct. 10. Reg. Hazlitt. O. A. Graham. Sur. Nov. 2.

TURNBULL, ROBERT, shipbuilder, Landport. Pet. Oct. 13. Reg. Hazlitt. O. A. Graham. Sols. Linklaters and Co. Walbrook. Sur. Oct. 31.

UNCLES, WILLIAM SMITH, greengrocer, Lambeth-walk, Lambeth, and Vere-st. Clare-market. Pet. Oct. 12. Reg. Hazlitt. O. A. Graham. Sol. Marrough, Warwick-ct. Gray's-inn. Sur. Oct. 31.

URQUHART, WILLIAM GILCHRIST SALMOND, out of business, Beaumont-sq. Mile-end. Pet. Oct. 13. Reg. Hazlitt. O. A. Graham. Sol. Heathfield, Lincoln's-inn-fds. Sur. Nov. 2.

To surrender in the Country.

ADDISON, DANIEL, newsagent, Tamworth. Pet. Oct. 12. Reg. & O. A. Shaw. Sol. Argyle, Tamworth. Sur. Oct. 24.

ANDREWS, WILLIAM, farmer and haulier, Kington Magna. Pet. Oct. 14. Reg. & O. A. Mesalter. Sol. Ellis, Sherborne. Sur. Nov. 1.

BELL, JOSEPH, boot and shoe maker, Newcastle. Reg. & O. A. Clayton. Sol. Stewart, Newcastle. Sur. Oct. 28.

BENNETT, JOHN, accountant clerk, Harborne. Pet. Oct. 12. Reg. & O. A. Watson. Sol. Shakespeare, Oldbury. Sur. Oct. 24.

BOWYER, BARRY, dealer, Little Thurlow. Pet. Oct. 7. Reg. & O. A. Jardine. Sols. Cardinall and Wright, Halstead. Sur. Oct. 28.

BROOKE, BENJAMIN, late yarnspinner, Cliff-end, near Huddersfield. Pet. Oct. 10. O. A. Young. Sur. Oct. 30.

BURT, WILLIAM, agricultural labourer, Sturminster Marshall. Pet. Oct. 11. Reg. & O. A. Rawlins. Sol. Tanner, Wimborne Minster. Sur. Oct. 27.

COOK, JAMES, engineer's assistant fitter, Sheerness. Pet. Oct. 16. Reg. & O. A. Weiss. Sol. Drew, Basinghall-st. Sur. Oct. 28.

DARKIN, EDWIN ALFRED, cabinet-maker, Southampton. Pet. Oct. 13. Reg. & O. A. Thorndike. Sol. Mackey, Southampton. Sur. Nov. 11.

DAVIES, EDWARD HARRISON, out of business, Hopetone, near Claverley. Pet. Oct. 13. Reg. Tudor. O. A. Kinnear. Sols. Bartlett, Wolverhampton; Green, Birmingham. Sur. Oct. 27.

DAVIES, THOMAS, out of business, Cardiff. Pet. Oct. 13. Reg. & O. A. Langley. Sol. Raby, Cardiff. Sur. Oct. 24.

ENSOR, DANIEL, collier, Summercotes, near Alfreton. Pet. Oct. 6. Reg. & O. A. Hubbersty. Sol. Stone, Wirksworth. Sur. Nov. 10.

FINCH, WILLIAM SAMUEL, grocer, Bury St. Edmunds. Pet. Oct. 12. Reg. & O. A. Collins. Sol. Walpole, Beyton. Sur. Oct. 26.

FRANCIS, CHARLES, late watch manufacturer, Moseley. Pet. Oct. 12. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Oct. 27.

GOODLASS, ROBERT, innkeeper, Hutton Cranswick, near Beverley. Pet. Oct. 5. Reg. Stephen. O. A. Young. Sols. Robinson, Beverley; Payne, Eddison, and Ford, Leeds. Sur. Nov. 1.

GUNSTON, WALTER PHILLIPS, outfitter, Liverpool. Pet. Oct. 13. O. A. Turner. Sols. Whitley and Maddock, Liverpool. Sur. Oct. 30.

HARRISON, THOMAS, clogger, Carlisle. Pet. Oct. 14. Reg. & O. A. Halton. Sol. McAlpin, Carlisle. Sur. Nov. 1.

HESLEY, EDWARD, marine store dealer, Birmingham. Pet. Oct. 12. Reg. & O. A. Guest. Sur. Oct. 30.

HORE, JOHN, and HORE, GEORGE COBIN, dealers in sanitary pipes, Swansea. Pet. Oct. 4. Reg. Wilde. O. A. Acraman. Sols. Graham, Newport; Press and Inskip, Bristol. Sur. Oct. 27.

HUGHES, RICHARD, land surveyor, Bradford. Pet. Oct. 12. Reg. Harris. O. A. Morgan. Sol. Mann, Manchester. Sur. Oct. 30.

HUTCHINSON, GEORGE THOMAS, grocer, Durham. Pet. Oct. 12. Reg. & O. A. Greenwell. Sol. Hoyle, Newcastle. Sur. Oct. 31.

LOWE, JOHN, late thimble maker, Birmingham. Pet. Oct. 12. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Oct. 30.

MILLBOURNE, VALENTINE, grocer, High Wycombe. Pet. Oct. 12. Reg. & O. A. Parker. Sol. Clarke, High Wycombe. Sur. Oct. 28.

MORRISON, ISRAEL, general dealer, Hull. Pet. Oct. 6. Reg. Stephen. O. A. Young. Sols. Smith, Birmingham; Bond and Barwick, Leeds. Sur. Nov. 1.

PETTIT, JAMES WILLIAM, pipemaker, Colchester. Pet. Oct. 11. Reg. & O. A. Barnes. Sol. Jones, Colchester. Sur. Oct. 24.

PLUMMER, ROBERT, foreman at St. George's Iron Works, Bray. Pet. Oct. 10. Reg. & O. A. Darvill. Sol. Phillips, Windsor. Sur. Oct. 26.

PRIMOLI, FREDERICK WILLIAM, jeweller, Liverpool. Pet. Oct. 6. O. A. Turner. Sols. Snowball and Copeman, Liverpool. Sur. Oct. 30.

ROSSITER, EMMANUEL, carpenter, Weston-super-Mare. Pet. Oct. 6. Reg. & O. A. Davies. Sol. Thick, Chipping Sodbury. Sur. Oct. 30.

SMITH, PETER, commission merchant, Manchester. Pet. Oct. 12. Reg. & O. A. Kay. Sol. Addleshaw, Manchester. Sur. Nov. 6.

STOFFORD, THOMAS, confectioner, Ashton-under-Lyne. Pet. Oct. 12. Reg. & O. A. Worthington. Sol. Gartside, Ashton-under-Lyne. Sur. Nov. 9.

TOWN, JOHN, flydriver, Worthing. Pet. Oct. 11. Reg. & O. A. Dennett. Sol. Lamb, Brighton. Sur. Oct. 30.

TURNBULL, MATTHEW, publican, Ryton. Pet. Oct. 11. Reg. & O. A. Ingledew. Sol. Hoyle, Newcastle. Sur. Oct. 24.

WHITAKER, JAMES, grocer, Preston. Pet. Oct. 11. Reg. Macrae. O. A. Morgan. Sol. Plant, Preston. Sur. Oct. 27.

WHITE, THOMAS, late shoemaker, Great Horton, near Bradford. Pet. Oct. 10. Reg. & O. A. Robinson. Sur. Nov. 7.

WHITE, WILLIAM MURR, builder, Lincoln. Pet. Oct. 6. Reg. Stephen. O. A. Young. Sol. Rex, Lincoln. Sur. Nov. 1.

WHOLLESWORTH, NATHAN, boot and shoe seller, Doncaster. Pet. Oct. 12. Reg. & O. A. Mason. Sol. Woodhead, Doncaster. Sur. Oct. 18.

WILKIE, WILLIAM, late lace designer, Radford. Pet. Oct. 13. Reg. & O. A. Patchitt. Sol. Lees, Nottingham. Sur. Nov. 29.

WILLIAMS, DAVID, draper, Llanfachreth. Pet. Aug. 16. O. A. Turner. Sol. Best, Liverpool. Sur. Oct. 28.

YELLAND, SAMUEL, shoemaker, Kenton. Pet. Oct. 14. Reg. & O. A. Daw. Sol. Willesford, Exeter. Sur. Oct. 24.

TROWARD, WILLIAM HUGHES, merchant's clerk, Liverpool. Pet. Oct. 12. O. A. Turner. Sol. Harris, Liverpool. Sur. Oct. 30.

Gazette, Oct. 20.

To surrender at the Bankrupts' Court, Basinghall-street.

ALLEN, THOMAS, horsedealer, Harrow-rd. Paddington. Pet. Oct. 18. Reg. Hazlitt. O. A. Graham. Sol. Bramwell, Basinghall-st. Sur. Nov. 2.

ATTREAVE, HENRY, tailor, Leathersellers'-bldgs. London-wall and Queen's-rd. Dalston. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sols. Treherne and Co. Aldermanbury. Sur. Nov. 2.

BLADES, FRANK JOSEPH, clerk in H. M. stationery office, Belvidere-cottage, Wimbledon. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sol. Priest, Buckingham-st. Strand. Sur. Nov. 2.

BLADES, THOMAS CHARLES, draughtsman, Claremont-cottages, Camberwell. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sol. Allen, Chancery-la. Sur. Nov. 2.

GOODYEAR, WILLIAM, stone merchant, Railway-bridge-wharf, Battersea. Pet. Oct. 11. Reg. Hazlitt. O. A. Graham. Sol. Mozon, Lincoln's-inn-fields. Sur. Nov. 1.

GREENLAND, GEORGE RICHARD, grocer, Salisbury-ter. Walworth. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sols. Ingle and Co. King William-st. Sur. Nov. 2.

HORSON, JOHN NIGHTINGALE, late out of business, Alma-pl. Stratford. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Nov. 2.

JORDAN, PHILIP, builder, Bishop's-rd. also Osborne-rd. Croydon. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Bickley, King William-st. Sur. Nov. 2.

MARGRIE, JOHN, grocer, South-end, Kensington. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Reed, Guildhall-chambers. Sur. Nov. 7.

MAY, JOSEPH, late clerk to a seedsman and florist, Waterloo-rd. Pet. Oct. 11. Reg. Brougham. O. A. Edwards. Sol. Goatley, Bow-st. Covent-garden. Sur. Nov. 2.

MORGAN, THOMAS, in no business, Liverpool-st. Bishopsgate-st. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Buchanan, Basinghall-st. Sur. Nov. 2.

MOYSES, THOMAS, out of business, Commercial-rd. east. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Marshall, Lincoln's-inn-fields. Sur. Nov. 2.

O'BRIEN, EDWARD, civil engineer, Regent's-park-rd. Primrose-hill. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sol. Goldrick, Strand. Sur. Nov. 2.

PAGE, ENOS, boot and shoe maker, Gray's-inn-rd. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sol. Goldrick, Strand. Sur. Nov. 2.

PORTLOCK, WILLIAM ARNOLD, out of business, Holland-ter. Brixton. Pet. Oct. 16. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Nov. 2.

STROUDLEY, WILLIAM, farmer, Bangburst. Pet. Oct. 13. Reg. Hazlitt. O. A. Graham. Sol. Doyle, Verulam-bldgs. Gray's-inn, for Locker, Oxford. Sur. Nov. 2.

TRAYTE, WILLIAM, carpenter, King's College-rd. St. John's-wood. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Allen, Chancery-la. Sur. Nov. 2.

WALKER, ARTHUR, commercial traveller, Arlington-st. Regent's-pk. Pet. Oct. 14. Reg. Hazlitt. O. A. Graham. Sol. Goatley, Bow-st. Covent-garden. Sur. Nov. 2.

WALLER, JOSEPH, beerseller, Alpha-st. Old Kent-rd. Pet. Oct. 17. Reg. Hazlitt. O. A. Graham. Sol. Coleman-st. Sur. Nov. 2.

WILLSON, JAMES, shoedealer, Leighton Buzzard. Pet. Oct. 13. Reg. Roche. O. A. Parkyns. Sols. Sole, Turners, and Hardwick, Aldermanbury. Sur. Oct. 31.

To surrender in the Country.

ALLEN, GEORGE, and ALLEN, ELI, dyers, Pilkington. Pet. Oct. 16. Reg. Harris. O. A. Morgan. Sol. Crossland, Bury. Sur. Oct. 31.

ARMSTRONG, BENJAMIN, boot and shoe maker, Tettenhall-rd. Pet. Oct. 16. Reg. & O. A. Brown. Sol. Cresswell, Wolverhampton. Sur. Nov. 2.

BEEVERS, THOMAS, jun., corndealer, Barnsley. Sol. Williamson, Barnsley. Sur. Nov. 2.

BEST, NORRIS WILLIAM, surgeon, Wednesbury. Pet. Oct. 14. Reg. Tudor. O. A. Kinnear. Sols. Smith, Birmingham; Slater, Darlaston. Sur. Nov. 2.

BIRKS, WILLIAM, writing clerk, Longton. Pet. Oct. 16. Reg. & O. A. Keary. Sols. Messrs. Tennant, Hanley. Sur. Nov. 4.

BLIGDON, JOHN, blacksmith, Loughedy. Pet. Sept. 16. Reg. & O. A. Symonds. Sol. Weston, Dorchester. Sur. Oct. 30.

BREEZE, JOHN, farmer, St. Harmon, Radnor. Pet. July 27. Reg. Wilde. O. A. Acraman. Sols. Jenkins, Llanidloes; Britton and Sons, Bristol. Sur. Nov. 1.

BROWN, ALFRED, tanner, Newcastle-under-Lyme. Pet. Oct. 14. Reg. Hill. O. A. Kinnear. Sols. Harding, Newcastle-under-Lyme; Hodgson and Sons, Birmingham. Sur. Nov. 13.

BROWN, GEORGE, victualler, Woldingham. Pet. Oct. 14. Reg. & O. A. Bates. Sol. Hutchinson, Stanhope. Sur. Nov. 2.

BUSLEY, EDWIN, late huckster, Birmingham. Pet. Oct. 17. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Nov. 1.

CALDWELL, JOSEPH, greengrocer, Warrington. Pet. Oct. 17. Reg. & O. A. Nicholson. Sols. Shepherd and Moore, Warrington. Sur. Nov. 2.

CLARK, LEVI, grocer and draper, Wolstanton. Pet. Oct. 17. Reg. Tudor. O. A. Kinnear. Sols. Sutton, Burslem; Smith, Birmingham. Sur. Nov. 2.

CORDINGLEY, JOHN, dyer, Leeds. Pet. Oct. 10. O. A. Young. Sur. Oct. 30.

CRAWLEY, RICHARD, late butcher, Toddington. Pet. Oct. 16. Reg. & O. A. Austin. Sol. Annersley, St. Alban's. Sur. Nov. 2.

FALLOWS, BENNET, farmer, Alton. Pet. Oct. 19. Reg. Hill. O. A. Kinnear. Sols. James and Griffin, Birmingham. Sur. Nov. 6.

GIBSON, THOMAS CUMMINGS, shipbuilder, Liverpool. Pet. Oct. 12. O. A. Turner. Sols. Stone and Hartley, Liverpool. Sur. Oct. 31.

GODDARD, FREDERICK, pianoforte maker, Gloucester. Pet. Oct. 17. Reg. & O. A. Wilton. Sol. Cook, Gloucester. Sur. Nov. 1.

GREEN, STEPHEN, butcher, Manchester. Pet. Oct. 13. Reg. & O. A. Kay. Sol. Andrew, Manchester. Sur. Nov. 6.

GUEST, GEORGE, greengrocer, Birmingham. Pet. Sept. 21. Reg. & O. A. Guest. Sur. Oct. 30.

HALL, JOSEPH, cutler, Stafford. Pet. Oct. 9. Reg. & O. A. Spilsbury. Sur. Nov. 6.

HARRISON, THOMAS, beer retailer, Cardiff. Pet. Oct. 17. Reg. & O. A. Langley. Sol. Shipton, Cardiff. Sur. Nov. 2.

HART, JAMES, victualler, Liverpool. Pet. Oct. 12. Reg. & O. A. Hime. Sol. Shoroley, Liverpool. Sur. Oct. 30.

HEWITT, PETER, baker, Leamington Priors. Pet. Oct. 11. Reg. & O. A. Tibbits. Sol. Overell, Leamington Priors. Sur. Oct. 28.

HORROCKS, JAMES, victualler, Liverpool. Pet. Aug. 16. Reg. & O. A. Hime. Sur. Oct. 31.

HOWELLS, JOHN CADWALLADER, tailor. Pet. Oct. 10. Reg. & O. A. Morris. Sol. Tripp, Swansea. Sur. Nov. 8.

HUTCHINSON, ROBERT, toy and general dealer, Middlesbrough. Pet. Oct. 16. Reg. & O. A. Crosby. Sol. Griffin, Middlesbrough. Sur. Nov. 1.

ISAACS, JAMES, victualler, Swansea. Pet. Oct. 16. Reg. Wilde. O. A. Acraman. Sols. Field, Swansea; Press and Inskip, Bristol. Sur. Oct. 31.

KNIGHT, GEORGE ADAMS, late confectioner, Rugby. Pet. Oct. 14. Reg. & O. A. Hubbard. Sol. Smallbone, Coventry. Sur. Oct. 31.

LEE, JOHN GEORGE, surveyor, Crumpsall. Pet. Oct. 17. Reg. & O. A. Kay. Sols. Higson, Robinson, and Higson, Manchester. Sur. Nov. 6.

MAHONEY, MATTHEW, poulterer, Liverpool. Pet. Oct. 16. Reg. & O. A. Hime. Sol. Gray, Liverpool. Sur. Oct. 31.

MCHALE, JOHN, provision dealer, Liverpool. Pet. Oct. 16. O. A. Turner. Sol. Best, Liverpool. Sur. Nov. 6.

MIDDLETON, WILLIAM HENRY, fishmonger, Torquay. Pet. Oct. 17. Reg. & O. A. Pidsley. Sol. Michelmore, Newton Abbot. Sur. Oct. 31.

MILBURN, HENRY, wooldealer, Springthorpe. Pet. Oct. 16. O. A. Young. Sol. Plaskett, Gainsborough. Sur. Nov. 1.

MILNER, JOHN, contractor, Bristol-rd. near Gloucester. Pet. Oct. 17. Reg. Wilde. O. A. Acraman. Sols. Smith, Gloucester; Press and Inskip, Bristol. Sur. Oct. 31.

MOSSOP, THOMAS, stonemason, Eccleshall. Pet. Oct. 16. Reg. & O. A. Middleton. Sol. Greatrex, Stafford. Sur. Nov. 1.

MURPHY, JAMES, late auctioneer, Liverpool. Pet. Oct. 13. Reg. & O. A. Hime. Sol. Henry, Liverpool. Sur. Nov. 1.

OSBY, EDWARD, late grocer, Withern-with-Stain. Pet. Sept. 12. O. A. Young. Sur. Nov. 1.

PEACOCK, WILLIAM, late mason, Leeds. Pet. Oct. 10. O. A. Young. Sur. Oct. 30.

POWELL, ROBERT, butcher, Norwich. Pet. Oct. 18. Reg. & O. A. Palmer. Sol. Sadd, Norwich. Sur. Nov. 3.

RATCLIFF, WILLIAM, grocer, Bradley. Pet. Oct. 13. Reg. & O. A. Brown. Sol. Turner, Wolverhampton. Sur. Nov. 2.

SAMSON, ALEXANDER SAMUEL, surgeon, Melcombe Regis. Pet. Oct. 16. O. A. Carrick. Sols. Howard, Weymouth; Terrell, Exeter. Sur. Oct. 30.

SAVAGE, JAMES, sailmaker, Cardiff. Pet. Oct. 17. Reg. Wilde. O. A. Acraman. Sols. Ingledew, Cardiff; Press and Inskip, Bristol. Sur. Oct. 31.

SCOLLICK, THOMAS, tailor and woollendraper, Darlington. Pet. Oct. 17. Reg. Gibson. O. A. Laidman. Sols. Hoyle and Shipley, Newcastle. Sur. Oct. 31.

SPENCE, THOMAS, outfitter, Liverpool. Pet. Oct. 10. O. A. Turner. Sols. Richardson and Bisson, Liverpool. Sur. Nov. 1.

THOMPSON, JOHN, potato merchant, Chester. Pet. Oct. 13. Reg. & O. A. Wason. Sol. Churton, Chester. Sur. Oct. 31.

TOMLINSON, WILLIAM, farm labourer, Bingley. Pet. Oct. 17. Reg. & O. A. Hasfeld. Sol. Hodgson, Keighley. Sur. Nov. 1.

VINE, JAMES, travelling draper, Redruth. Pet. Oct. 16. O. A. Carrick. Sols. Paul, Linton, and Holloway, Redruth; Campion, Exeter. Sur. Oct. 30.

WARREN, THOMAS, cattle dealer, Handley. Pet. Oct. 17. Reg. & O. A. Johns. Sol. Chitty, Shaftesbury. Sur. Nov. 11.

WESTON, JOHN, journeyman caster, Birmingham. Pet. Oct. 13. Reg. & O. A. Guest. Sol. East, Birmingham. Sur. Nov. 23.

WILKINSON, THOMAS, out of business, Bridgwater. Pet. Oct. 14. Reg. & O. A. Lovibond. Sols. Reed and Cook, Bridgwater. Sur. Nov. 1.

WOODCOCK, THOMAS, tailor and draper, Loughborough. Pet. Oct. 18. Reg. Tudor. O. A. Harris. Sols. Collis and Ure, Birmingham. Sur. Nov. 7.

WYATT, THOMAS, farmer, St. George, Gloucester. Pet. Oct. 16. Reg. Wilde. O. A. Acraman. Sol. Wintle, Bristol. Sur. Oct. 30.

BANKRUPTCIES ANNULLED.

Gazette, Oct. 20.

GREENE, ALEXANDER MONTGOMERY, oil and colourman, Norfolk-st. Lower-rd. Islington, and Elmore-st. Lower-rd. Dec. 20, 1864.

SPRINGETT, JOSEPH, victualler and greengrocer, Upper Whitecross-st. City. Aug. 8, 1865.

Dividends.

BANKRUPTS' ESTATES.

The Official Assignee is given, to whom apply for the Dividends.

Lace and Addison, of Liverpool, fifteenth, 1*l.* 1½*d.* Turner, Liverpool.—*Royston, W. L.* druggist, second, 6*d.* Turner, Liverpool.

INSOLVENT'S ESTATES.

Truscott, J. B. clerk, third, 4*s.* 8*d.* Acworth, Rochester.—*Turner, W. H.*, 11*s.* 3*d.* Reynolds, Hereford.

Assignment, Composition, Inspectorship, and Trust Deeds.

Gazette, Oct. 17.

BLAKE, WILLIAM, bootmaker, Manchester. Oct. 5. Trust. W. Birks, leather merchant, Manchester.

BROTHERTON, THEOPHILUS, and COLLIER, JAMES, worsted yarn dealers, Manchester. Sept. 20. Trusts. A. Clay, worsted spinner, Halifax, and S. Smith, worsted spinner, Bradford.

BURTON, THOMAS, sen., farmer, Langley. Sept. 13. Trusts. T. Edwards, land agent, Keswick, and F. E. Sewell, gentleman, Norwich.

CARTER, ELISHA, and SMITH, SQUIRE, painters, Liverpool. Sept. 28. Trust. E. G. Freeman, lead merchant, Battersea.

CHEATHAM, JOHN, carpenter, Birmingham. Oct. 10. Trust. W. Beech, book-keeper, King's Norton.

CLARK, JOHN BRADY, commercial traveller, Portland-ter. Dalston-la. Sept. 21. 5*s.* by two equal instalments, first on execution of deed, second at 2 mos.

CLARKSON, EDWARD, wholesale confectioner, Leeds. Sept. 19. Trust. G. Appleton, cabinet-maker, Leeds.

GOODE, GEORGE, silk dyer, Manchester. Sept. 16. Trusts. E. Athis, drysalter, Manchester, G. Southern, manufacturing chemist, Manchester, and E. Eaton, drysalter, Macclesfield.

HARDISTY, ROBERT, tailor, West Hartlepool. Sept. 20. Trust. J. Lomas, stuff merchant, Leeds.

HARDY, JAMES ROWING, grocer, Norwich. Sept. 16. Trusts. A. Flacham, tea merchant, London, W. Wilde, auctioneer, Norwich, and S. L. Hill, gentleman, Norwich.

HARRISON, WILLIAM, and HARRISON, ARNOLD RICHARD, merchants, Liverpool. Oct. 6. Trust. W. Alexander, Liverpool.

HOFFMAN, ANTOINE AUGUSTUS, schoolmaster, Brighton. Sept. 15. Trusts. H. Fatching, tailor, and A. Geddes, butcher, both Brighton.

ISSITT, JOHN EDWARD, upholsterer, Leicester. Sept. 21. Trusts. J. Godwin, Chelsea, and W. H. Arnett, Manchester, paper stainers.

JORDAN, NOAH GEORGE, butcher, Liverpool. Sept. 18. 15*s.*—7*s.* 6*d.* on execution of deed, and 2*s.* 6*d.* in 6 mos.

KRAUSMAAK, VINCENT, dealer in photographic materials, Liverpool. Sept. 20. Trust. A. Leblanc, passe partout manufacturer, High Holborn.

LOWES, THOMAS, provision dealer, Carlisle. Oct. 4. 5*s.*

MAULE, GEORGE, High Jarrow. Sept. 20. Trust. G. C. Barker, ironmonger, Newcastle.

MOORE, JOHN JOSEPH, tin plate worker, Farnworth, near Bolton. Oct. 6. 2*s.* 6*d.*—1*s.* on 3rd April, 1*s.* on 3rd Oct. 1866, and 6*d.* on 1st April 1867.

MUSGRAVE, MARK, butcher, Bishop Auckland. Sept. 23. Trust. S. S. Lingford, grocer, Bishop Auckland.

OETZEN, WILLIAM THOMAS, and OETZEN, BENJAMIN, hat manufacturers, Charlotte-st. Blackfriars-rd. Sept. 23. Trusts. R. Wilson, Walbrook, J. Spiers, Spital-sq., and J. C. Saidt, Upper Stamford-st.

PARKER, FRANCIS FALLMER, Burton-st. Burton-crescent, and Essex-st. Strand. Oct. 14. 3*s.*—1*s.* on 14th April, and 2*s.* on 14th Oct. 1866. Trust. J. R. Macarthur, monetary agent, Brunswick-sq. St. Pancras.

PENGELLY, THOMAS WILLIAM, and PENGELLY, JOHN RUSSELL, cornfactors, Madron. Oct. 4. Trusts. J. H. James, coachbuilder, Penzance, and C. Ellis, jun., farmer, St. Levan.

PERRY, JOHN, dealer in hams, Felix-ter. Islington. Oct. 6. 2*s.* 6*d.* at 6 mos.

PHILLIPS, JAMES, professor of science, Weston-super-Mare. Sept. 19. Trusts. T. Rich, chemist, and R. W. Gibbs, draper, both Weston-super-Mare.

PHILLIPS, JAMES, grocer, Abersychan, near Pontypool. Sept. 20. Trusts. S. Watts, and J. Parry, warehousemen, both Manchester, and J. Shute, wholesale grocer, Bristol.

PITCHER, JAMES, bootmaker, Cheltenham. Sept. 21. 5*s.* on 1st March 1866.

RAWCLIFFE, WILLIAM, smallware dealer, Preston. Sept. 22. Trusts. R. Lee, worsted spinner, Manchester, and S. Samuel, agent to R. Litchford and Co., Liverpool.

RUBENSTEIN, SOLOMON, merchant, Clements-ct. Wood-st. Oct. 2. 5*s.*—2*s.* on 16th Oct., and 3*s.* on 16th April next.

SAUNDERS, FRANK CHARLES, ironmonger, Southampton. Sept. 21. Trusts. T. Pilditch, Frome, and J. P. S. Holton, Southampton, merchants.

SEDGWICK, EDWARD, funeral furnisher, Manchester. Oct. 2. 7*s.* 6*d.* on demand. Trust. J. K. Phippin, gentleman, Salford.

WALKLEY, JAMES, carpenter, Bridge-rd. Battersea. Sept. 22. 2*s.* 6*d.* in 14 days.

WHITE, EDWIN, hatter, Sheffield. Sept. 21. Trusts. E. Sanderson, collector, Sheffield, and C. Stopford, hat manufacturer, Bristol.

WILLETT, WILLIAM GREGORY, veterinary surgeon, Whitton. Sept. 24. Trusts. T. Capper, rope manufacturer, Witton, and J. Barnes, innkeeper, Northwich.

Gazette, Oct. 20.

ALLEN, FREDERICK, commission agent, Wellington-ter. Paddington-green. Oct. 17. Trust. R. Rogers, carpenter, Wellington-ter. Paddington-green.

BAPSHAW, JAMES, druggist, Batley. Sept. 25. Trust. D. Thompson, grocer, Dewsbury.

BATES, JOHN, commission agent, Aston, near Birmingham. Sept. 22. 2*s.* 6*d.* in 3 mos.

BRASSINGTON, CHARLES, engineer, Wellington. Oct. 5. Trust. T. Webb, ironmonger, Wellington.

BROADHEAD, DAVID, woollen cloth manufacturer, Stubbing, Austonley. Oct. 12. Trusts. C. Hall, woolstapler, Huddersfield, and E. Dews, mungo merchant, Ossett, near Wakefield.

BROMWICH, EDWARD, draper, Coventry. Oct. 5. Trusts. W. Parren, warehouseman, city London, and W. B. Airey, carrier, Coventry.

BROUGHTON, JOHN, stationer, Manchester. Oct. 12. 10*s.* in 10 days. Trust. G. F. Downing, Manchester.

BULMER, RICHARD, gardener, South Shields. Oct. 16. Trusts. G. Bird, shipowner, and T. Corner, butcher, both South Shields.

CARNE, JAMES, baker, Morice-town, Stoke Damerel. Sept. 22. 3*s.* in 3 mos.

COHEN, FREDMAN, clothier, Maidstone. Sept. 19. 4*s.* by two instalments at 3 and 6 mos. Trust. J. Day, upholsterer, Maidstone.

COVENEY, DANIEL, lady's outfitter, Connaught-ter. Edgware-rd. Sept. 27. Trusts. W. Osborn, Bow-churchyard, and J. T. Stuttard, Wood-st. Cheapside, warehouseman.

DALE, WILLIAM, confectioner, Nottingham. Sept. 21. Trusts. J. S. Revill, coal merchant, and J. Southern, warehouseman, both Nottingham.

DAVIES, JANE, draper, Ruthin. Sept. 27. Trusts. S. Watts and F. Gillibrand, merchants, Manchester.

DAVIES, THOMAS, grocer, Abersychan, Trevethin. Sept. 26. Trust. W. Evans, wholesale grocer, Newport.

DUDMAN, WILLIAM, fishmonger, Alexander-st. Paddington. Oct. 19. 1*s.* on 5th Jan.

HARDY, JOHN, cordwainer, Hornsey-rd. Holloway. Oct. 16. 2*s.* 6*d.* in 6 mos.

HICKLING, WILLIAM, innkeeper, Nottingham. Oct. 14. 3*s.* by two instalments of 1*s.* 6*d.* at 2 and 4 mos. Trust. T. Langham, bookkeeper, Nottingham.

HUDSON, WILLIAM, clothier, Carlisle. Oct. 12. Trust. J. Baxter, widow, Longtown.

KIDD, ROBERT, and WOODHOUSE, JOHN, canvas manufacturers, Farnworth, near Widnes. Oct. 14. Trusts. I. Stephens, gentleman, Bristol, and W. Eddis, accountant, Liverpool.

LEWIS, WILLIAM, grocer, Coseley. Sept. 27. 5*s.* in 14 days. Trust. T. S. Hatton, miller, Wednesbury.

MCKENZIE, FARQUHAR, draper, Birmingham. Sept. 22. Trusts. A. Aitkin, Glasgow, J. Weir, Huddersfield, and I. McCutchan, jun., Friday-st.

MOORE, FREDERICK, grocer, Worksop. Sept. 22. Trusts. J. W. Allen, grocer, Mansfield, and J. Mapson, miller, Worksop.

MOSLEY, CHARLES, brush manufacturer, Manchester. Sept. 22. Trusts T. Rushworth, brush maker, Manchester, T. Peyton, brush maker, Salford, and J. A. Harding, public accountant, Manchester.

MOULE, WILLIAM THOMAS, clerk to an underwriter, Lee. Oct. 19. 10*s.* on 1st Nov.

PALIN, JOHN, butcher, Liverpool. Oct. 17. 18*s.* by three instalments—1*s.* on signing deed, 2*s.* 6*d.* in 12 mos., and 2*s.* 6*d.* in 18 mos.—secured.

PRIOR, RICHARD, carpet warehouseman, Tunbridge Wells. Sept. 8. Trusts. M. S. Risch, Gresham-st., and E. G. Barrow, Lawrence-la. warehouseman.

REUTER, PETER WILLIAM, and REUTER, FERDINAND, bankers, London-st. Fenchurch-st. Sept. 20. 1*s.* in 1 mo. Trust. W. Lord, gentleman, Charles-st. St. James's.

ROBERTS, HENRY, boot manufacturer, Luton. Oct. 7. 1*s.* by two equal instalments at 2 and 4 mos.—secured. Trust. J. [illegible], [illegible]ture dealer, Luton.

ROBERTS, WILLIAM, ironmonger, Aberavon. Sept. 12. Trust. J. Eveleigh, accountant, Bristol. Sol. Henderson, Strand.

SEAR, JOHN, and IBBETT, DAVID, grocers, New Market [illegible]. Oct. 17. 5*s.*—2*s.* 6*d.* on execution of deed, and 2*s.* 6*d.* in 1 mo.—secured. Trust. C. Teede, wholesale grocer, College-hill, City.

SMART, WILLIAM, grocer, Chippenham. Sept. 26. Trusts. T. [illegible] and F. Baldwin, provision dealers, Bath.

SMITH, JOHN THOMAS, bleacher, Old Kent-rd. Oct. 11. 7*s.* per £ every quarter until 20*s.* are paid, to be divided every 6 mos. Trust. T. Pook, coal merchant, Old Kent-rd.

SORRAN, GEORGE, cap manufacturer, Hackney-rd. Oct. 12. [illegible] mos.

SPENCE, THOMAS, hosier, Liverpool. Oct. 4. Trusts. W. Aitken and A. Begg, both Glasgow, merchants.

SUTTON, JONATHAN, builder, Avenue-rd. Clapton. Sept. 21. Trust. J. M. Strood, brickmaker, Islington.

WADE, THOMAS, commission agent, Leeds. Oct. 12. 2*s.* 6*d.* [illegible] Dec.

WILLIS, EDMUND, plumber, Bristol. Oct. 17. 6*s.* 8*d.* by two instalments, one-half forthwith, the other at 3 mos.—secured. Trust. J. Mart, plumber, Newport.

WILSON, RICHARD, innkeeper, Stocks, Easington. Sept. 23. Trust. W. Redmayne, wine merchant, Clitheroe.

BIRTHS, MARRIAGES, AND DEATHS.

MARRIAGES.

BLELLOCH—RANSOM.—On the 19th inst., at [illegible], Blelloch, Esq., solicitor, of London, to Martha, youngest daughter of the late J. D. Ransom, Esq., of Triplow, Cambridge.

GREENWOOD—HARRISON.—On the 19th inst., at Carleton-in-Craven, Richard Greenwood, Esq., solicitor, Gargrave, to Elizabeth, [illegible] daughter of the late William Slingsby, Esq., of Carleton.

DEATHS.

BUCHANAN.—On the 17th inst., at No. 3, Stratheden-terrace, [illegible] road, Hammersmith, aged 33, Robert Hamilton Buchanan, Esq., solicitor.

GOODMAN.—On the 24th inst., at his residence, 23, Camden-[illegible], London, N., aged 61, Richard Alfred Goodman, Esq., solicitor, of No. 2, King's Bench-walk, Temple, and for upwards of thirty years clerk of indictments on the Oxford Circuit.

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STATUTES OF THE UNITED KINGDOM.

28 & 29 VICTORIA, A.D. 1865.

28 Vict. cap. 1.

An Act to amend certain Clerical Errors in the Civil Bill Courts Procedure Amendment Act (Ireland), 1864.—[*3rd March* 1865.]

28 Vict. cap. 2.

An Act to extend the Powers now vested in Justices of the Peace to grant Licences to deal in Game to the Divisional Magistrates within the Police District of the Dublin Metropolis.—[*27th March* 1865.]

INDUSTRIAL EXHIBITIONS ACT, 1865.

28 Vict. cap. 3.

Cap. 3. *An Act for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.*—[*27th March* 1865.]

Whereas exhibitions of objects of art and industry manufactured or contributed wholly or in part by members of the industrious classes of Her Majesty's subjects have lately been held, and may be from time to time hereafter held, in divers parts of the United Kingdom; and it is expedient to encourage such exhibitions by granting to persons desirous of exhibiting at the same new inventions or new designs such protection as is herein-after mentioned: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title.*—This act may be cited as "The Industrial Exhibitions Act, 1865."

2. *Power to Board of Trade to certify that certain industrial exhibitions are entitled to the benefit of this act.*—It shall be lawful for the Lords of the committee of Her Majesty's Privy Council for trade and foreign plantations, upon the application of any persons desirous of holding any such exhibition as aforesaid in any part of the United Kingdom, to certify, if they shall think fit, that the exhibition so proposed to be held is in their judgment calculated to promote British art and industry, and to prove beneficial to the industrious classes of Her Majesty's subjects, either generally or in or near the place where such exhibition is proposed to be held; and every such certificate shall mention the place at which and the time during which such exhibition is proposed to be held; and the time mentioned in any such certificate may afterwards, if the Lords of the said committee shall so think fit, be enlarged and extended by a further certificate, but so that the whole time allowed and certified for the holding of the same exhibition shall in no case exceed the total period of six months; and every such exhibition so certified, if and so long as the same shall be held at the place and within the time mentioned in any such certificate, shall be deemed to be an industrial exhibition entitled to the benefit of this act.

3. *Exhibition of new inventions not to prejudice patent rights.*—The exhibition of any new invention at any industrial exhibition entitled to the benefit of this act shall not, nor shall the publication during the period of the holding of such exhibition of any description of such invention, nor shall the user of such invention for the purposes of such exhibition, and within the place where the same may be held, or elsewhere by any person using the same during the period of such exhibition, without the privity and consent of the true and first inventor thereof, prejudice the right of any person to register provisionally such invention, or invalidate any letters patent which may be granted for such invention.

Cap. 3. 4. *Exhibition of designs not to prejudice right to registration.*—The exhibition at any industrial exhibition entitled to the benefit of this act of any new design capable of being registered provisionally under "The Designs Act, 1850," or of any article to which such design is applied, shall not, nor shall the publication during the period of the holding of such exhibition of any description of such design, prejudice the right of any person to register, provisionally or otherwise, such design, or invalidate any provisional or other registration which may be granted for such design.

28 Vict. cap. 4.

An Act to apply the sum of One hundred and seventy-five thousand six hundred and fifty Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of March One thousand eight hundred and sixty-five.—[*27th March* 1865.]

28 Vict. cap. 5.

An Act for the Incorporation of the Territories of British Kaffraria with the Colony of the Cape of Good Hope.—[*27th March* 1865.]

28 Vict. cap. 6.

An Act for the Protection of Inventions and Designs exhibited at the Dublin International Exhibition for the Year One thousand eight hundred and sixty-five.—[*27th March* 1865.]

28 Vict. cap. 7.

An Act to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burgh of Perth.—[*7th April* 1865.]

ELECTION PETITIONS ACT AMENDMENT ACT.

28 Vict. cap. 8.

Cap. 8. *An Act to amend "The Election Petitions Act, 1848," in certain Particulars.*—[*7th April* 1865.]

11 & 12 *Vict. c.* 98.—Whereas it is expedient to amend "The Election Petitions Act, 1848" (herein-after called the principal act), in certain particulars hereafter mentioned: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Committee to adjourn to day after the meeting of the House when House not sitting, and committee has occasion to report.*—If any select committee appointed under the principal act have occasion to apply to or report to the House, and the House be adjourned for more than twenty-four hours, such committee shall adjourn to the day immediately following that on which the House shall be appointed to meet for the despatch of business, unless that day shall happen to be a Sunday, Christmas Day, or Good Friday, and in that case the committee shall adjourn to the next following day.

2. *In case the House shall not sit committee further to adjourn.*—In case the House from any cause shall happen not to sit for the despatch of business on the day appointed for that purpose, the committee shall again, and so from time to time, adjourn till after the House shall sit for the despatch of business; but no adjournment shall be made for any longer period than to the

day next after the day the House shall actually sit for the despatch of business, unless such day shall happen to be a Sunday, Christmas Day, or Good Friday, and in that case the adjournment shall be to the next following day.

3. *In certain cases the House may direct a committee to adjourn for a reasonable period.*—In case it shall become necessary to adjourn the consideration of any application or report made by any committee to the House, the House may, if it shall so think fit, direct the committee to adjourn their sitting again, and from time to time, and for such reasonable time as shall be sufficient to enable the House to decide on such application and report, and such committee shall adjourn accordingly.

4. *If committee dissolved by any error, &c., a new committee shall be struck, unless the House shall otherwise order.*—If at any time after the appointment of a committee under the principal act it shall appear to the House that, from any error, irregularity of proceeding, oversight, or other cause, such committee has become dissolved, or unable to continue its sittings for any cause not provided for by the principal act, another committee shall be appointed to decide on the petition referred to such committee, unless the House shall otherwise order, within three sitting days, as herein-after provided; and for the purpose of appointing such other committee the general committee and the members of the chairmen's panel shall meet as soon as conveniently can be after the expiration of three sitting days from the time the occasion for such new committee shall be reported to or brought under the notice of the House by any member, at a day and hour to be appointed by the general committee; and notice of such meeting shall be published with the votes, and all the proceedings of such former committee shall be of no effect.

5. *House may order a dissolved committee to be revived, and to re-assemble and act.*—In all cases where a committee shall have become dissolved by any error, irregularity of proceeding, oversight, or other cause, not involving the death or permanent illness of any of its members, the House may, if it shall so think fit, within three sitting days after such event shall have been reported to or brought under the notice of the House by any member, order such committee to stand revived, and to meet, and continue its sittings; and in such case no new committee shall be appointed, unless for any subsequent cause; and the proceedings of such new committee shall have the same force and effect and be as valid as if no such dissolution thereof had taken place.

6. *As to sittings of revived committee.*—A committee ordered to stand revived shall meet at the time mentioned in such order, and shall in its subsequent sittings and adjournments be regulated by all the provisions of the principal act and of this act.

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28 VICT. CAP. 9.

An Act to allow Affirmations or Declarations to be made instead of Oaths in all Civil and Criminal Proceedings in Scotland.—[*7th April* 1865.]

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28 VICT. CAP. 10.

An Act to apply the Sum of Fifteen Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-five.—[*7th April* 1865.]

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28 VICT. CAP. 11.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.—[*7th April* 1865.]

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28 VICT. CAP. 12.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.—[*7th April* 1865.]

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28 VICT. CAP. 13.

An Act to confirm certain Provisional Orders under "The Drainage and Improvement of Lands Act (Ireland), 1863," and the Act amending the same.—[*7th April* 1865.]

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28 VICT. CAP. 14.

An Act to make better Provision for the Naval Defence of the Colonies.—[*7th April* 1865.]

Cap. 8.

28 VICT. CAP. 15.

An Act to extend the Term for granting fresh Letters Patent for the High Courts in India, and to make further Provision respecting the Territorial Jurisdiction of the said Courts.—[7th April 186

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28 VICT. CAP. 16.

An Act to make further Provision for the Management of the Unredeemed Public Debt in Ireland, and for the Relief of the Interest payable on certain Sums advanced by the Bank of Ireland for the Public Service.—[*7th April* 1865.]

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28 VICT. CAP. 17.

An Act to enlarge the Powers of the Governor-General of India in Council at Meetings for making Laws and Regulations, and to amend the Law respecting the Territorial Limits of the several Presidencies and Lieutenant Governorships in India.—[9th May 186

FELONY AND MISDEMEANOR, EVIDENCE AND PRACTICE ACT.

28 VICT. CAP. 18.

Cap. 18. *An Act for amending the Law of Evidence and Practice on Criminal Trials.*—[*9th May* 1865.]

Whereas it is expedient that the law of evidence and practice on trials for felony and misdemeanor, and other proceedings in courts of criminal judicature should be more nearly assimilated to that on trials at Nisi Prius: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows; that is to say,

Sect. 1. *Provisions of sect. 2 of this act to apply to trials commenced on or after July* 1, 1865.—That the provisions of section two of this act shall apply to every trial for felony or misdemeanor which shall be commenced on or after the first day of July one thousand eight hundred and sixty-five, and that the provisions of sections from three to eight, inclusive, of this act shall apply to all courts of judicature, as well criminal as all others, and to all persons having, by law or by consent of parties, authority to hear, receive, and examine evidence.

2. *Summing up of evidence in cases of felony and misdemeanor.*—If any prisoner or prisoners, defendant or defendants, shall be defended by counsel, but not otherwise, it shall be the duty of the presiding judge, at the close of the case for the prosecution, to ask the counsel for each prisoner or defendant so defended by counsel whether he or they intend to adduce evidence, and in the event of none of them thereupon announcing his intention to adduce evidence, the counsel for the prosecution shall be allowed to address the jury a second time in support of his case, for the purpose of summing up the evidence against such prisoner or prisoners, or defendant or defendants; and upon every trial for felony or misdemeanor, whether the prisoners or defendants, or any of them, shall be defended by counsel or not, each and every such prisoner or defendant, or his or their counsel respectively, shall be allowed, if he or they shall think fit, to open his or their case or cases respectively; and after the conclusion of such opening, or of all such openings, if more than one, such prisoner or prisoners, or defendant or defendants, or their counsel, shall be entitled to examine such witnesses as he or they may think fit, and when all the evidence is concluded to sum up the evidence respectively; and the right of reply, and practice and course of proceedings, save as hereby altered, shall be as at present.

3. *How far witness may be discredited by the party producing.*—A party producing a witness shall not be allowed to impeach his credit by general evidence of bad character, but he may, in case the witness shall, in the opinion of the judge, prove adverse, contradict him by other evidence, or by leave of the judge prove that he has made at other times a statement inconsistent with his present testimony; but before such last-mentioned proof can be given the circumstances of the supposed statement, sufficient to designate the particular occasion, must be mentioned to the witness, and he must be asked whether or not he has made such statement.

4. *As to proof of contradictory statements of adverse witness.*—If a witness upon cross-examination as to a former statement made by him relative to the subject matter of the indictment or proceeding, and inconsistent with his present testimony, does not distinctly admit that he has made such statement, proof may be given that he did in fact make it; but before such proof can be

given the circumstances of the supposed statement, sufficient to designate the particular occasion, must be mentioned to the witness, and he must be asked whether or not he has made such statement.

5. *Cross-examinations as to previous statements in writing.*—A witness may be cross-examined as to previous statements made by him in writing or reduced into writing relative to the subject matter of the indictment or proceeding, without such writing being shown to him; but if it is intended to contradict such witness by the writing, his attention must, before such contradictory proof can be given, be called to those parts of the writing which are to be used for the purpose of so contradicting him: provided always, that it shall be competent for the judge, at any time during the trial, to require the production of the writing for his inspection, and he may thereupon make such use of it for the purposes of the trial as he may think fit.

6. *Proof of previous conviction of witness may be given.*—A witness may be questioned as to whether he has been convicted of any felony or misdemeanor, and upon being so questioned, if he either denies or does not admit the fact, or refuses to answer, it shall be lawful for the cross-examining party to prove such conviction; and a certificate containing the substance and effect only (omitting the formal part) of the indictment and conviction for such offence, purporting to be signed by the clerk of the court or other officer having the custody of the records of the court where the offender was convicted, or by the deputy of such clerk or officer (for which certificate a fee of five shillings and no more shall be demanded or taken), shall, upon proof of the identity of the person, be sufficient evidence of the said conviction, without proof of the signature or official character of the person appearing to have signed the same.

7. *As to proof by attesting witnesses.*—It shall not be necessary to prove by the attesting witness any instrument to the validity of which attestation is not requisite, and such instrument may be proved as if there had been no attesting witness thereto.

8. *As to comparison of disputed writing.*—Comparison of a disputed writing with any writing proved to the satisfaction of the judge to be genuine shall be permitted to be made by witnesses; and such writings, and the evidence of witnesses respecting the same, may be submitted to the court and jury as evidence of the genuineness or otherwise of the writing in dispute.

9. "*Counsel.*"—The word "counsel" in this act shall be construed to apply to attorneys in all cases where attorneys are allowed by law or by the practice of any court to appear as advocates.

10. *Not to apply to Scotland.*—This act shall not apply to Scotland.

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28 Vict. cap. 19.

An Act to extend the Period for borrowing the Sum authorised to be raised under the Metropolitan Main Drainage Extension Act, 1863.—[9th *May* 1865.]

INCLOSURE ACT.

28 Vict. cap. 20.

An Act to authorise the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.—[9th *May* 1865.]

Whereas the inclosure commissioners for England and Wales have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their provisional orders for and concerning the proposed inclosures mentioned in the schedule to this act, and have in their twentieth annual general report certified their opinion that such inclosures would be expedient; but the same cannot be proceeded with without the previous authority of Parliament: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Inclosures in schedule may be proceeded with.*—That the said several proposed inclosures mentioned in the schedule to this act be proceeded with.

2. *Short title.*—In citing this act in other acts of Parliament and in legal instruments it shall be sufficient to use either the expression "The Annual Inclosure Act, 1865," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

Cap. 18. Cap. 20.

Schedule to which this act refers.

Inclosure.	County.	Date of Provisional Order.
Macrbach Hill	Hereford	23rd May 1864.
Elmley Lovett	Worcester...	14th April 1864.
Helmsley Common ...	York	6th October 1864.
Asby Winderworth ...	Westmoreland ...	23rd June 1864.
Donhead St. Mary	Wilts	29th September 1864.
Gamblesby Fell	Cumberland	23rd June 1864.
Elmbridge	Worcester...	14th July 1864.
Reepham Moor	Lincoln	22nd September 1864.
Epsom Common Fields	Surrey	17th November 1864.
Broad Heath Common) or Hanley Heath ...)	Worcester...	29th September 1864.
Trumfleet	York	30th December 1864.
Llawrbanio	Carmarthen	16th December 1864.
Abernant	Carmarthen	16th December 1864.
Fulmer Common	Buckingham	3rd January 1865.

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28 Vict. cap. 21.

An Act to amend the Irish Bankrupt and Insolvent Act, 1857.—[9th *May* 1865.]

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28 Vict. cap. 22.

An Act to amend the Acts relating to the Scottish Herring Fisheries.—[9th *May* 1865.]

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28 Vict. cap. 23.

An Act to confirm a Provisional Order under "The Land Drainage Act, 1861."—[9th *May* 1865.]

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28 Vict. cap. 24.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Bridlington, Brighouse, Burnley, Henley, Shipley, Wallingford, Llangollen, Ormskirk, Swansea, Tormoham, and Lockwood.—[9th *May* 1865.]

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28 Vict. cap. 25.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Derby, Ramsgate, Oswestry, Bury, Heap, Cockermouth, Matlock, Bath, and Bromsgrove.—[9th *May* 1865.]

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28 Vict. cap. 26.

Cap. 27. *An Act to provide for Superannuation Allowances to Officers of Unions in Ireland.*—[20th *May* 1865.]

PRIVATE BILL COSTS ACT.

28 Vict. cap. 27.

An Act for awarding Costs in certain Cases of Private Bills.—[26th *May* 1865.]

Whereas it is expedient to empower committees of both Houses of Parliament on private bills to award costs in certain cases: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *When committee report "preamble not proved," opponents to be entitled to recover costs.*—When the committee on a private bill shall decide that the preamble is not proved, or shall insert in such bill any provision for the protection of any petitioner, or strike out or alter any provision of such bill for the protection of such petitioner, and further unanimously report, with respect to any or all of the petitioners against the bill, that such petitioner or petitioners has or have been unreasonably or vexatiously subjected to expense in defending his or their rights proposed to be interfered with by the bill, such petitioner or petitioners shall be entitled to recover from the promoters of such bill his or their costs in relation thereto, or such portion thereof as the committee may think fit, such costs to be taxed by the taxing officer of the House as herein-after mentioned, or the committee may award such a sum for costs as they shall think fit, with the consent of the parties affected.

2. *When Committee report unanimously "opposition unfounded," promoters to be entitled to recover costs.—Proviso.*—When the committee on a private bill shall decide that the preamble is proved, and further unanimously report that the promoters of the bill have been vexatiously subjected to expense in the promotion of the said bill by the opposition of any petitioner or petitioners against the same, then the promoters shall be

entitled to recover from the petitioners, or such of them as the committee shall think fit, such portion of their costs of the promotion of the bill as the committee may think fit, such costs to be taxed by the taxing officer of the House as herein-after mentioned, or such a sum for costs as the committee shall name with the consent of the parties affected; and in their report to the House the committee shall state what portion of the costs, or what sum for costs, they shall so think fit to award, together with the names of the parties liable to pay the same and the names of the parties entitled to receive the same: provided always, that no landowner who *bonâ fide* at his own sole risk and charge opposes a bill which proposes to take any portion of the said petitioner's property for the purposes of the bill shall be liable to any costs in respect of his opposition to such bill.

3. *Costs to be taxed.*—On application made to the taxing officer of the House by such promoters or petitioners, or by their solicitors or Parliamentary agents, not later than six calendar months after the report of such committee, and in cases where no sum shall have been named by the committee, with the consent of the parties affected, not until one month after a bill of such costs shall have been delivered to the party chargeable therewith, which bill shall be sealed with the seal or subscribed with the proper hand of the parties claiming such costs, or of their solicitor or Parliamentary agent, the taxing officer shall examine and tax such costs, and shall deliver to the parties affected, or either or any of them, on application, a certificate signed by himself expressing the amount of such costs, or in cases where a sum for costs shall have been named by the committee, with the consent as aforesaid, such sum as shall have been so named, with the name of the party liable to pay the same, and the name of the party entitled to receive the same, and such certificate shall be conclusive evidence as well of the amount of the demand as of the title of the party therein named to recover the same from the party therein stated to be liable to the payment thereof; and the party claiming under the same shall, upon payment thereof, give a receipt at the foot of such certificate, which shall be a sufficient discharge for the same.

4. *Powers of taxing officer.*—All powers given to the taxing officer by the acts ten and eleven Victoria, chapter sixty-nine, and twelve and thirteen Victoria, chapter seventy-eight, with reference to the examination of parties and witnesses on oath, and with reference to the production of documents, and with reference to the fees payable in respect of any taxation, shall be vested in the taxing officer for the purposes of this act.

5. *Recovery of costs when taxed.*—The party entitled to such taxed costs, or such sum named by the committee, with such consent as aforesaid, or his executors or administrators, may demand the whole amount thereof, so certified as above, from any one or more of the persons liable to the payment thereof, and in case of non-payment thereof on demand may recover the same by action of debt in any of Her Majesty's courts of record at Westminster or Dublin, or by action in the Court of Session in Scotland. In such action it shall be sufficient, in England or Ireland, for the plaintiff to declare that the defendant is indebted to him in the sum mentioned in the said certificate; and the said plaintiff shall, upon filing the said declaration, together with the said certificate and an affidavit of such demand as aforesaid, be at liberty to sign judgment as for want of plea by *nil dicit*, and take out execution for the said sum so mentioned in the said certificate, together with the costs of the said action, according to due course of law: provided always, that the validity of such certificate shall not be called in question in any court.

6. *Form of action in Scotland.*—In such action it shall be sufficient, in Scotland, for the pursuer to allege that the defender is indebted to him in the sum mentioned in the said certificate under the like proviso in regard to the validity of the certificate.

7. *Persons paying costs may recover a proportion from other persons liable thereto.*—In every case it shall be lawful for any person from whom the amount of such costs or sum named by the committee with consent as aforesaid has been so recovered to recover from the other persons, or any of them, who are liable to the payment of such costs or sum named by the committee with consent as aforesaid a proportionate share thereof, according to the number of persons so liable, and according to the extent of the liability of each person.

8. *When committee report "preamble not proved," promoters to pay costs out of deposits.*—In any case in which the committee shall have reported that the preamble is not proved, and where, in accordance with the standing orders of either House of Parliament and of an act of the ninth year of Her present Majesty, chapter twenty, a deposit of money or stock is made with respect to the application to Parliament for an act, the money or stock so deposited shall be a security for the payment by the promoters of the bill for the act of all costs or sums in respect of costs, if any, payable by them under this act; and every party entitled to receive any costs or sum so payable shall accordingly have a lien available in equity for the same on the money or stock so deposited, and the lien shall attach thereon at the time when the bill is first referred to a committee of either House of Parliament: provided that where several parties have the lien for an amount exceeding in the aggregate the net value of the money or stock, their respective claims shall proportionately abate.

9. *Definition of promoters.*—When a bill is not promoted by a company already formed, all persons whose names shall appear in such bill as promoting the same, and in the event of the bill passing the company thereby incorporated, shall be deemed to be promoters of such bill for all the purposes of this act.

10. *Meaning of private bill.*—For the purposes of this act the expression private bill shall extend to and include any bill for a local and personal act.

11. *Commencement of act.*—That this act shall not take effect before the first day of November one thousand eight hundred and sixty-five.

Cap. 27.

Cap. 27.

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28 Vict. cap. 28.

An Act to authorise certain Payments out of the Land Revenues of the Crown to provide Compensation for certain Claims in the Isle of Man.—[26th *May* 1865.]

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28 Vict. cap. 29.

An Act for raising the Sum of One million Pounds by Exchequer Bonds for the Service of the Year One thousand eight hundred and sixty-five.—[26th *May* 1865.]

CUSTOMS AND INLAND REVENUE ACT.

28 Vict. cap. 30.

Cap. 30.

An Act to grant certain Duties of Customs and Inland Revenue.—[26th *May* 1865.]

Most Gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto your Majesty the several rates and duties hereinafter mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Grant of duties specified in schedules annexed.*—There shall be charged, collected, and paid, for the use of Her Majesty, her heirs and successors, the several rates and duties of customs and inland revenue respectively specified and contained in the several schedules marked respectively (A.), (B.), and (C.) to this act annexed; and the said rates and duties shall respectively take effect at or from the respective times, and shall continue to be charged, collected, and paid for and during the periods respectively specified or mentioned in that behalf in the said schedules respectively, and where no period is specified or limited for the duration thereof the same shall continue to be charged, collected, and paid respectively until Parliament shall otherwise order; and the said several schedules shall be deemed to be part of this act.

2. *Provisions of former acts to apply to this act.*—All the powers, provisions, clauses, regulations, allowances, and exemptions, forfeitures, pains, and penalties, contained in or imposed by any act or acts, or any schedule thereto, relating to any duties of the same kind or description as the several rates or duties granted by this act respectively, and in force at the time of the passing of this act, and not hereby expressly repealed, or, as regards the income tax, in force on the fifth day of April, one thousand eight hundred and sixty-five (except as herein-after provided), shall respectively be in full force and effect with respect to the said rates and duties by this act granted respectively, so far as the same are or shall be applicable, in all cases not hereby ex-

ssly provided for, and shall be observed, applied, allowed, forced, and put in execution for and in the raising, levying, lecting, and securing of the said last-mentioned rates and duties spectively, and otherwise in relation thereto, so far as the same all not be superseded by and shall be consistent with the ex-ess provisions of this act, as fully and effectually, to all intents d purposes, as if the same had been herein repeated and ecially enacted, *mutatis mutandis*, with reference to the rates d duties by this act granted respectively: provided always, at for the purposes of this act the year one thousand eight ndred and sixty-two, mentioned in the forty-third section of e act passed in the twenty-fifth year of Her Majesty's reign. apter twenty-two, shall be read as and deemed to mean the ar one thousand eight hundred and sixty-five.

3. *The sums assessed to the Income Tax under Schedules (A.) and B.) for the year 1864 to be taken as the annual value for assess-nt under this act.*—The sum charged as the annual value or nount of any property, profits, or gains in the several and spective assessments of income tax made in pursuance of the t passed in the twenty-seventh year of Her Majesty's reign, apter eighteen, under schedules (A.) and (B.) respectively of e act passed in the sixteenth and seventeenth years of Her lajesty's reign, chapter thirty-four, for the year ended on the fth day of April one thousand eight hundred and sixty-five, nall (except as to railways and otherwise as provided by the cts relating to income tax) be taken as the annual value or mount of such property, profits, or gains respectively for the ear commencing on the sixth day of April one thousand eight ndred and sixty-five, and the duties of income tax granted by his act, and chargeable under the said schedules respectively, hall be computed, assessed, and charged according to such nnual value or amount; and the commissioners executing the ncome tax acts shall, for each place within their several and espective districts, cause duplicates of the assessments of the aid duties so computed, assessed, and charged under the said chedules (A.) and (B.) for the said last-mentioned year to be made out and delivered together with warrants for collecting the same; and in England the said commissioners shall appoint uch persons, being inhabitants of the place to which the dupli-cate shall relate, as they the said commissioners shall think fit, o be collectors of the duties thereby charged, in like manner as f such persons had been presented to them by assessors under the acts now in force: provided always, that the said assessments shall be subject to be increased in like manner as the assess-ments made for the year ended on the fifth day of April one thousand eight hundred and sixty-five, and subject also to be abated or discharged at the end of the year commencing on the sixth day of April one thousand eight hundred and sixty-five for any clause allowed by the said acts; provided that whenever it shall appear that any property, profits, or gains chargeable under the said schedules (A.) and (B.) respectively have not been charged by the assessments made for the year ended on the fifth day of April one thousand eight hundred and sixty-five, such property, profits and gains shall be assessed to the duties of income tax granted by this act under the provisions of the said several acts applicable thereto.

4. *Assessors not to be appointed for duties under Schedules (A.) and (B.)*—No assessors shall be appointed for the duties payable under the said schedules (A.) and (B.), but the inspectors or surveyors of taxes shall act as assessors in respect of such duties whenever it shall be necessary; and in lieu of the poundage granted by the one hundred and eighty-third section of the act of the fifth and sixth years of Her Majesty, chapter thirty-five, to be divided between the assessors and collectors in regard to the duties which shall be collected under the said schedules (A.) and (B.), there shall be paid a poundage of three halfpence to the collectors of the said duties.

5. *Power to increase number of commissioners for general purposes in certain cases*—Whereas by section four of the act passed in the fifth and sixth years of Her Majesty, chapter thirty-five, provision is made for choosing and appointing persons to be commissioners for the execution of the income tax acts in Great Britain, and the number of persons so to be appointed is limited to seven persons appointed commissioners for the general purposes of the said acts, and seven to supply vacancies amongst such commissioners, in each district or division, and it is necessary to increase the number of such commissioners and persons respec-tively in certain cases: be it enacted, that whenever it shall appear to the Board of Inland Revenue that the number of per-

sons so appointed or to be appointed for any district, division, or place in Great Britain is insufficient for the proper discharge of the business arising under this act, the Board shall authorise the increase of the number of persons to be chosen commissioners for general purposes for such district, division, or place to any number not exceeding fourteen, and of persons to supply vacancies amongst such commissioners to any number not exceeding fourteen, and such persons shall respectively be appointed and chosen according to the regulations contained in the said enactment.

6. *No reduction to be made unless profits of the year are proved less than the average of last three years.*—And whereas by section one hundred and thirty-three of the said act of the fifth and sixth years of Her Majesty's reign provision is made for giving relief, by reduction of the assessment, or repayment of duty, in certain cases where the profits of the year of assessment fall short of the sum on which the assessment has been made: be it enacted, that no such reduction or repayment shall be made in any such case unless the profits of the said year of assessment are proved to be less than the profits for one year on the average of the last three years, including the said year of assessment; nor shall any such relief extend to any greater amount than the difference between the sum on which the assessment has been made and such average profits for one year as aforesaid.

SCHEDULES.

Schedule (A.)

Containing the Duty of Customs granted by this Act.

In lieu of the duties of customs now charged on tea, the following duties of customs shall, on and after the first day of June one thousand eight hundred and sixty-five until the first day of August one thousand eight hundred and sixty-six, be charged thereon, on the importation thereof into Great Britain and Ireland; that is to say,

	£	s.	d.
Tea ... ... the lb.	0	0	6

Schedule (B.)

Containing the Stamp Duties granted by this Act on Fire Insurance.

In lieu of the duties now payable in respect of insurances against loss or damage by fire only, there shall be charged, collected, and paid the following duties; that is to say,

For and upon every policy of assurance or insurance, or other instrument, by whatever name the same shall be called, whereby any insurance shall, on or after the twenty-fifth day of June one thousand eight hundred and sixty-five, be made of or upon any building, goods, wares, merchandise, or other property, from loss or damage by fire only, the duty of one penny:

And for and upon any note or memorandum given as a receipt on the deposit of any sum of money preparatory to the making out or issuing of any such policy as aforesaid, the duty of one penny:

And for and in respect of every such insurance as aforesaid which shall be made, or continued or renewed, on or after the said twenty-fifth day of June one thousand eight hundred and sixty-five a duty of one shilling and sixpence for every one hundred pounds insured for a year, and at and after that rate for any fractional part of one hundred pounds insured, and for any fractional part of a year, as well as for any number of years for which the insurance shall be made, or continued or renewed; but no fraction of a penny shall be charged; and when any such insurance as aforesaid shall be made or renewed at any time between the twenty-seventh day of April one thousand eight hundred and sixty-five and the said twenty-fifth day of June for any period of time extending beyond the said last-mentioned day, there shall be charged and paid for and in respect of the time intervening between the making or renewing of the said insurance and the said twenty-fifth day of June the yearly percentage duty at and after the rate chargeable on the said twenty-seventh day of April, and for and in respect of any subsequent period, including the said twenty-fifth day of June, the rate of duty chargeable according to this act; and no return or allowance of duty, except at and after the last-mentioned rate, shall be made, in respect of time unexpired or otherwise, on any such insurance as aforesaid, which shall have been made or renewed before the said twenty-seventh day of April one thousand eight hundred and sixty-five.

Schedule (C.)

Containing the Rates and Duties of Income Tax granted by this Act.

For one year commencing on the sixth day of April one thousand eight hundred and sixty-five, for and in respect of all property, profits, and gains mentioned or described as chargeable in the act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty

duties on profits arising from property, professions, trades, and offices, the following rates and duties shall be charged; that is to say,

For every twenty shillings of the annual value or amount of all such property, profits, and gains (except those chargeable under schedule (B.) of the said act), the rate or duty of fourpence:

And for and in respect of the occupation of lands, tenements, hereditaments, and heritages chargeable under schedule (B.) of the said act, for every twenty shillings of the annual value thereof—

In England the rate or duty of twopence:

And in Scotland and Ireland respectively the rate or duty of one penny halfpenny:

Subject to the provisions contained in section three of the act twenty-sixth Victoria, chapter twenty-two, for the exemption of persons whose whole income from every source is under one hundred pounds a year, and relief of those whose income is under two hundred pounds a year.

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28 Vict. cap. 31.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the new Public Offices in Downing Street and the Approaches thereto.—[2nd June 1865.]

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28 Vict. cap. 32.

An Act to enable the Secretary of State in Council of India to acquire additional Lands for improving the Site of the India Office and the Approaches thereto.—[2nd June 1865.]

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28 Vict. cap. 33.

Cap. 33. *An Act to repeal the Act of Parliament of Ireland, of the Sixth Year of Anne, Chapter Eleven, for explaining and amending the several Acts against Tories, Robbers, and Rapparees.*—[2nd June 1865.]

METROPOLITAN HOUSELESS POOR ACT.

28 Vict. cap. 34.

An Act to make the Metropolitan Houseless Poor Act perpetual.—[2nd June 1865.]

27 & 28 *Vict.* c. 116.—Whereas it is expedient that the provisions of "The Metropolitan Houseless Poor Act, 1864," should be made perpetual: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Provisions of recited act extended to relief after Lady Day 1865.—Sect. 6 repealed.*—That the provisions of the said act shall be extended to the expenditure for relief of destitute wayfarers, wanderers, and foundlings, or other destitute persons, in the several unions and parishes referred to in the said act, relieved and to be relieved from and after Lady Day one thousand eight hundred and sixty-five; and the sixth section of the said act is hereby repealed.

2. *Poor Law Board to have wards inspected, and may revoke and renew certificate.*—The Poor Law Board shall from time to time cause the wards and other places of reception provided according to the said act to be inspected not less than once in every four months between the hours of six o'clock in the evening and eight in the morning in the months between October and March inclusive, and between the hours of eight o'clock in the evening and eight in the morning in the months between April and September inclusive; and the results of such inspections shall be reported to the Poor Law Board, who may at any time revoke and renew the certificates granted or to be granted under the first section of that act.

3. *Allowance may be made for providing wards.*—The said Board may allow for the costs and expenses referred to in the fourth section of that act, when they shall see fit to do so, a sum or several sums in gross instead of a sum in respect of each pauper as therein provided.

4. *Power to police to provide for temporary relief.*—Any constable of the metropolitan police or of the police of the city of London may personally conduct any destitute wayfarer, wanderer, or foundling, or other destitute person, not having committed or being charged with any offence punishable by law, within the knowledge of such constable, to any wards or other places of reception approved of by the Poor Law Board under the said act or this act; and every such wayfarer, wanderer, or foundling shall, if there be room in such wards or other places of reception, be temporarily relieved therein.

5. *Hours during which wards shall be open for admission.*—The wards or places of reception provided under the said act shall be open for the admission of destitute wayfarers, wanderers, and foundlings, or other destitute persons, who shall apply to be admitted during the hours between six o'clock in the evening and eight in the morning in the months between October and March inclusive, and during the hours between eight o'clock in the evening and eight o'clock in the morning in the months between April and September inclusive, and the guardians shall be entitled to be reimbursed for all relief administered in conformity with the provisions of that act during those hours respectively.

6. *Short title.*—This act may be cited for all purposes as "The Metropolitan Houseless Poor Act, 1865."

POLICE SUPERANNUATION ACT.

28 Vict. cap. 35.

Cap. 35. *An Act to amend the Law relating to the Police Superannuation Funds in Counties and Boroughs.*—[2nd June 1865.]

Whereas it is expedient to amend the law relating to police superannuation funds in counties and boroughs: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title.*—This act may be cited for all purposes as "The Police Superannuation Act, 1865."

2. *Short titles of certain Police Acts.*—Throughout this act the acts herein-after mentioned shall be distinguished by the following short titles; that is to say,

3 & 4 *Vict.* c. 88.—The act of the session of the third and fourth years of the reign of Her present Majesty, chapter eighty-eight, intituled "An Act to amend the Act for the Establishment of County and District Constables," by the short title of "The Police Act, 1840:"

19 & 20 *Vict.* c. 69.—The act of the session of the nineteenth and twentieth years of the reign of Her present Majesty, chapter sixty-nine, intituled "An Act to render more effectual the Police in Counties and Boroughs in England and Wales," by the short title of "The Police Act, 1856:"

22 & 23 *Vict.* c. 32.—The act of the session of the twenty-second and twenty-third years of the reign of Her present Majesty, chapter thirty-two, intituled "An Act to amend the Law concerning the Police in Counties and Boroughs in England and Wales," by the short title of "The Police Act, 1859."

3. *Amendment of sect.* 11 *of* 3 & 4 *Vict.* c. 88, *sect.* 16 *of* 19 & 20 *Vict.* c. 69, *and sects.* 9 & 10 *of* 22 & 23 *Vict.* c. 32.—Whereas by "The Police Act, 1840," and "The Police Act, 1856," the justices of the county in general or quarter sessions assembled, and by "The Police Act, 1859," the watch committee of a borough with the approbation of the council, are authorised subject to the conditions and in the events in the said acts respectively mentioned, to grant out of the police superannuation funds to constables of the police forces of counties and boroughs who have served fifteen years superannuation or retiring allowances, and to constables who may not have served fifteen years sums in gross as gratuities: and whereas it is expedient that in some cases annual allowances for a limited time should be granted in lieu of allowances for life or gratuities: be it enacted, that where the said acts authorise a grant to be made to a constable of a superannuation or retiring allowance or a gratuity, the authority having power to grant such allowance or gratuity may, in lieu thereof, grant an annual allowance for a limited time, to be fixed by such authority, and to be determined on the death of the annuitant before the expiration of the time fixed: provided that where an allowance for a limited time is granted to a constable who has served for fifteen years or more, it shall be granted on the same scale as if it were a permanent superannuation or retiring allowance, and if at the expiration of the limited time the annuitant is incapable from infirmity of mind or body of discharging the duties of a constable, or has attained the age of sixty years, the allowance granted to him for a limited time only

shall be continued during the remainder of his life: provided also, that where a person to whom an annual allowance for a limited time has been granted under this section is reappointed to the office of constable, the time during which he was in receipt of such allowance shall, for the purpose of any subsequent superannuation allowance, be reckoned as service in the force.

4. *Head constable included in provisions of 22 & 23 Vict. c. 32.*—Whereas doubts are entertained whether the provisions of "The Police Act, 1859," relating to a superannuation fund for constables belonging to a police force in boroughs, apply to a chief or head constable of the police force in such boroughs, by reason, amongst other things, that the said act requires in certain cases the certificate or recommendation of the chief or head constable before an allowance can be made or a gratuity given out of the said fund to a constable or his widow: and whereas it is expedient to remove the said doubts: be it enacted, that the chief or head constable of the police force established in any borough in which the superannuation fund is subject to the regulations of "The Police Act, 1859," shall, from and after the date of the passing of this act be deemed to be a constable of the said police force for all purposes relating to and within the meaning of this act and all other acts regulating such superannuation fund; provided, first, that in the case of the said chief or head constable, or his widow, a resolution of the watch committee to the effect of the certificate or recommendation required to be given by the chief or head constable under "The Police Act, 1859," shall be deemed to be equivalent to such certificate or recommendation; secondly, that the period of service during which any chief or head constable, either as such or as an inferior member of the force, may have been subjected to deductions from his pay towards such borough police superannuation fund as aforesaid shall, in determining what allowance or gratuity is to be made to him, be reckoned and allowed to such chief or head constable; thirdly, that one-half only of the period of service (if any) during which such chief or head constable, either as such or as an inferior member of the force, has been subjected to no such deduction as aforesaid from his pay towards such superannuation fund as aforesaid shall be reckoned and allowed to such chief or head constable in determining what allowance or gratuity is to be made to him; fourthly, that where such chief or head constable has been promoted from another police force, whether county or borough, to the borough force out of the fund of which he claims superannuation, in such a case, if he has served not less than seven years either as chief, head, or other constable in such other force, his service in such other force to the extent of one-half thereof shall be deemed, for the purposes of superannuation, to be service in the latter force, and be reckoned accordingly, subject to the conditions on which service in the latter force may be reckoned under this section; and subject also to the qualification that if at the time when he was promoted from the other force he was under the rank of chief or head constable, no part of his service in such other force shall be reckoned unless his promotion took place on the recommendation of the chief or head constable of the force from which he was promoted.

5. *Nothing to prevent dismissals without retiring allowances.—Proviso.*—Nothing in this act contained shall be construed to entitle absolutely any chief or head constable or other constable, or his widow, to any superannuation or retiring allowance or gratuity, or to prevent any such constable being dismissed without such allowance or gratuity: provided also, that nothing in this act contained shall diminish or prejudice the allowances or rights of any chief or head constable or other constable given or reserved by the fifteenth section of "The Police Act, 1859."

6. *Parts of Lincolnshire to be one county for purposes of service in police, so long as county continues under one chief constable.*—Whereas the county of Lincoln is divided into three divisions, called respectively the parts of Lindsey, the parts of Kestoven, and the parts of Holland, and each of the said divisions has a separate commission of the peace: and whereas by the twenty-second section of the said "Police Act, 1859," it is enacted, that after the passing of that act the superannuation fund of the said county shall be one common account so long as the police force for the said county of Lincoln shall be under the direction of one chief constable for the three divisions, but if the said force shall thereafter be separated under different chief constables, in that case it shall be lawful to divide the said superannuation fund in proportion to the number of men for each division of the said county of Lincoln at that time serving in the said force, the said

superannuation fund to be under the management of the joint committee for the three divisions, and invested by them from time to time: and whereas notwithstanding the said enactment the said three divisions are considered as separate counties, so far as respects the service of the police therein, and any constable of the Lincolnshire police force, if removed from one of the said divisions to the other, is not, for the purpose of superannuation, entitled to reckon the time during which he has served as constable in the division from which he is removed: and whereas it is expedient to amend the law so far as relates to the service of constables of the said force: be it enacted, that so long as the police force of the county of Lincoln continues under the superintendence of the same chief constable, the said three divisions of the said county shall, for the purpose of the superannuation of the members of that force, be taken to be one county, and any police constable who may be or has been promoted or removed from one of the said divisions to another shall, for the purposes of superannuation, be entitled to reckon as service the whole time he has served in any of the said divisions; and this section shall take effect in all respects as if it had been passed at the same time at which the said "Police Act, 1859," was passed.

7. *Appointment of joint committee.*—Whereas no provisions are contained in the said "Police Act, 1859," as to the mode of appointing the joint committee mentioned in the said twenty-second section: be it enacted, that the said joint committee shall consist of twenty-eight magistrates, to be appointed from time to time by the courts of quarter sessions of the peace of the said three divisions respectively, when and so often as the said courts of quarter sessions think fit, in the proportions following; that is to say, fourteen magistrates for the parts of Lindsey, eight magistrates for the parts of Kestoven, and six magistrates for the parts of Holland; and three members of such joint committee shall constitute a quorum, and be competent to act; and it shall be lawful for the said joint committee from time to time to make, and afterwards to alter, such regulations for their proceedings and for the investment, management, and administration of the said joint fund, and for the granting and payment of pensions and gratuities thereout, as to them may seem just and reasonable; which regulations, as also any alteration thereof, when approved by the respective quarter sessions of the peace of the said three parts or divisions, shall be binding and conclusive upon all parties.

If the court of quarter sessions for any one or more of the said divisions at any time neglect or refuse to appoint magistrates to act upon the said joint committee, the magistrates appointed by the court or courts of quarter sessions of the other or others of the said divisions shall be fully competent to act as such committee.

8. *Consequences of police force in county of Lincoln ceasing to be under one chief constable.*—If at any time hereafter the police force for the county of Lincoln ceases to be under the direction of one chief constable for the three divisions of that county, the common superannuation fund shall be divided amongst the three divisions of the county in proportion to the number of police serving in each division, but notwithstanding such apportionment any pension that may have been granted out of the said fund shall continue to be paid to the persons to whom the same may have been granted, and shall be apportioned and charged upon the superannuation fund of such of the said divisions as the said joint committee may by writing signed by the chairman of the said committee direct, provided that such appointment is confirmed by the justices of the peace of the said three divisions respectively in quarter sessions assembled.

Any such apportionment as aforesaid, when confirmed and approved in manner aforesaid, shall be filed amongst the records of the quarter sessions of the said three divisions respectively.

9. *As to superannuation of constables formerly watchmen of Brighton under 6 Geo. 4, c. clxxix.*—Whereas the watchmen acting under an act of Parliament passed in the sixth year of the reign of His late Majesty King George the Fourth, intituled "An Act for the better regulating, paving, improving, and managing the town of Brighthelmston in the County of Sussex, and the Poor thereof," contributed from their weekly wages to form a fund in the nature of a police superannuation fund: and whereas at the time of the incorporation by charter of the said town, under the title of the borough of Brighton, the watchmen then in office were appointed constables of the police force of the said borough: and whereas by the twenty-third section of "The Police Act 1859," the said superannuation fund was transferred to the

treasurer of the borough to be held as part of the police superannuation fund of the said borough, but no provision was made in the case of such of the said watchmen as had become constables for reckoning their services as watchmen in determining the amount of superannuation allowance to be granted to them as constables: be it enacted, that where a constable of the said borough of Brighton has also been a watchman acting under the said act of the sixth year of King George the Fourth, the period of service as a watchman, during which he was subject to deductions from his pay towards the said superannuation fund so transferred as aforesaid to the treasurer of the said borough, shall, in determining what superannuation allowance may be granted to him, be added to the period of service during which he may have served as a constable in the said police force.

COUNTY VOTERS REGISTRATION ACT.

28 Vict. cap. 36.

An Act to amend the Law relating to the Registration of County Voters, and to the Powers and Duties of Revising Barristers in certain Cases.—[*2nd June* 1865.]

6 & 7 *Vict. c.* 18.—Whereas it is expedient to amend an act passed in the session of Parliament holden in the sixth and seventh years of the reign of Her Majesty, intituled "An Act to amend the Law for the Registration of Persons entitled to vote, and to define certain Rights of Voting, and to regulate certain Proceedings in the Election of Members to serve in Parliament for England and Wales," so far as relates to the registration of county voters, and to the powers and duties of revising barristers: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short Title.*—This act may be cited as "The County Voters Registration Act, 1865," and shall be construed with and as part of the said recited act, herein-after termed "The Principal Act."

2. *Clerk of peace to deliver precept to overseers of poor on or before 10th June in every year.*—The clerk of the peace shall, on or before the tenth day of June in every year, make and cause to be delivered to the overseers of the poor of every parish and township within his county his precept according to the form No. 1 in schedule (A.) to this act, instead of the precept numbered 1 in schedule (A.) to the Principal Act, together with the forms of notices, list and copies of register in the Principal Act mentioned.

3. *Overseers to publish register.*—The clerk of the peace of every county shall, together with the precept, transmit to the overseers of every parish or township within such county a sufficient number of copies of the part or parts of the register relating to such parish or township; and the overseers of the poor of every parish and township shall, on or before the twentieth day of June in every year, and at the same time with the publication of the notice mentioned in the fourth section of the Principal Act, publish a copy of the register then in force relating to their parish or township, and shall remove the same after a period including two Sundays at least, and not later than the twentieth day of July.

4. *Twentieth August last day for giving notices of objection.*—The twentieth day of August shall be the last day for giving notices of objection to the overseers and to the person objected to; and the seventh section of the Principal Act shall be read as if the word "twentieth" had been substituted therein for the word "twenty-fifth."

5. *First September last day for delivery of papers to clerk of peace.*—The first day of September shall be the last day for the delivery, by the overseers, to the clerk of the peace, of the papers mentioned in the ninth section of the Principal Act; and such section shall be read as if the words "first day of September" had been substituted therein for the words "twenty-ninth day of August."

6. *Grounds of objection to be specified in notice.*—Any notice of objection to any person on the list of claimants for any parish or township may be given according to the provisions of the seventh section of the Principal Act, but with that exception no notice of objection given under the provisions of the said seventh section, other than a notice to the overseers, shall be valid, unless the ground or grounds of objection be specifically stated therein; and this provision shall be deemed to be sufficiently satisfied by naming the column or columns of the list on which the objector grounds his objection: provided always, that if the objection be grounded on the third column, then it shall be necessary to state in the notice whether the objection relates to the nature of the voter's interest in the qualifying property, or to the value of the qualifying property, or to both; and each of such last-mentioned grounds of objection shall be deemed a separate ground of objection, as well as any objection grounded on any one of the other columns; and such last-mentioned notice may be according to the form numbered 2 in schedule (A.) to this act, or to the like effect, in substitution for the form numbered 5 in schedule (A.) to the Principal Act.

7. *Person objected to only required to give evidence in support of his right to vote, &c.*—No person objected to under the provisions of this act shall be required to give evidence before the revising barrister in support of his right to be registered, otherwise than as such right shall be called in question in such ground or grounds of objection.

8. *Each ground of objection to be treated by revising barrister as a separate objection.*—Every separate ground of objection shall be treated by the revising barrister as a separate objection; and for every ground of objection which, in the opinion of the revising barrister, shall have been groundlessly or frivolously and vexatiously stated in a notice of objection, he shall, on the application of the person objected to, or any one on his behalf, and upon production of the notice of objection, award costs against the objector to the amount at least of two shillings and sixpence, and this though the name of the person objected to be expunged upon some other ground of objection stated in the same notice of objection.

9. *Sect.* 100 *of Principal Act to apply to objections.*—The provisions of the hundredth section of the Principal Act shall apply to notices of objection given under the provisions of this act.

10. *Persons changing their place of abode, and persons objected to, may make declarations.*—Any person whose name appears on the list of voters then in force, and whose then place of abode is not correctly stated in the said list, or who shall have received a notice of objection grounded on the second column of the list and who shall have possessed on the last day of July the same qualification in respect of which his name has been inserted on the list, may, if he think fit, make and subscribe a declaration before any justice of the peace, or any commissioner or other person authorised to administer oaths in any of Her Majesty's superior courts at Westminster in the form contained in schedule (B.) to this act, or to the like effect; and all such declarations shall be duly dated, and shall, on or before the fourteenth day of September, be transmitted to the clerk of the peace; and it shall be the duty of the clerk of the peace to indorse on every such declaration the name of the polling district, and of the parish or township in which the qualification to which the declaration relates is situate, and the name of the person making the declaration, and also the date on which he has received the same, and to affix his initials to such last-mentioned indorsement, and to deliver all such declarations to the revising barrister at his first court, arranged under the heads of the several polling districts according to the alphabetical order of the parishes and townships; and every revising barrister shall, for the purpose of correcting the statement in the list of the place of abode of such person, receive any such declaration as evidence, to be used in court at the proper time, if transmitted to the clerk of the peace on or before such last-mentioned day, of which the indorsement in that behalf by the clerk of the peace shall be *primâ facie* proof, and if purporting to be subscribed before a justice of the peace, or commissioner, or other person authorised as aforesaid, without proof of the signature of the person subscribing the same, or of the justice, commissioner, or person before whom the same purports to have been subscribed, unless he shall have good reason to doubt the genuineness of any signature thereto; and all such declarations may be perused by any person at the office of the clerk of the peace, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, before the twentieth day of September; and the clerk of the peace shall deliver copies of any such declaration to all persons applying for the same, on payment of the price of fourpence per folio of seventy-two words.

11. *Penalty for falsely signing such declaration.*—Any person falsely or fraudulently signing any such declaration in the name

f any other person, whether such person shall be living or dead, and every person transmitting as genuine any false or falsified declaration, knowing the same to be false or falsified, and any person knowingly and wilfully making any false statement of fact in such declaration, shall be guilty of a misdemeanor, and punishable by fine or imprisonment for a term not exceeding one year, and the revising barrister shall have power to impound any such declaration.

12. *As to time for revision of county lists.*—No court shall be holden by a revising barrister for the revision of the lists of any county before the twentieth day of September in any year.

13. *Orders for costs.*—Every order for costs by a revising barrister, whether revising the lists of a county, city, or borough, in the case of any objection, shall be made before his proceeding to hear any objection stated in any other notice of objection, and such order may be delivered either to the person to whom the costs shall therein be ordered to be paid, or to some other person on his behalf: provided always, that this section shall not be taken to repeal the last proviso contained in the forty-sixth of the Principal Act.

14. *Such costs in no case to exceed 5l.*—The sum ordered to be paid by way of costs shall not upon any one vote exceed the sum of five pounds, and the forty-sixth section of the Principal Act shall be read as if the words "five pounds" had been substituted therein for the words "twenty shillings."

15. *Revising barrister to read out names expunged and inserted.*—It shall be the duty of every revising barrister, whether revising the lists of a county, city, or borough, before signing any page of any list, as required by the forty-first section of the Principal Act, to read out audibly in open court the names expunged and inserted by him therein, and all corrections and insertions made by him.

16. *Power to remove persons from court who interrupt proceedings.*—It shall be lawful for any revising barrister, whether revising the lists of a county, city, or borough, to order any person to be removed from his court who shall interrupt the business of the court, or refuse to obey his lawful orders in respect of the same; and it shall be the duty of the chief constable, commissioner, or chief officer of police of the county, city, borough, or place in which the court is held, to take care that an officer of police do attend that court during its sitting, for the purpose of keeping order therein, and to carry into effect any order of the revising barrister as aforesaid.

17. *Interpretation of terms.*—For the purposes of this act the word "value" shall in the case of an objection to any person claiming to be retained or inserted in the list as an occupying tenant mean "amount of rental."

SCHEDULES to which this Act refers.

SCHEDULE (A.)

No 1.

Precept of the Clerk of the Peace to the Overseers.

County of } To the overseers of the poor of the parish of
to wit. } [*or* of the Township of].

In pursuance of the provisions of the acts of Parliament in that behalf, I require your attention to the following

INSTRUCTIONS.

On or before the twentieth day of June you are to publish one of the copies of the register for your parish [*or* township] herewith sent, together with a notice, signed by you, according to the form marked No. 2, among the printed forms herewith sent.

The manner in which you are required to publish that register and notice is as follows; (that is to say,) you are to fix one of the printed copies (each copy being first signed by you) on or near the outside of the outer door or of the outer wall near the door of every church and public chapel in your parish or township, including chapels which do not belong to the Established Church, or if there should be no such church or chapel, then in some public or conspicuous situation in your parish [*or* township], and it must remain there during a period including two Sundays at least, and not later than the twentieth day of July.

On or before the last day of July you are to make out an alphabetical list of all persons who, on or before the twentieth day of July, shall have delivered or sent to you their claims as voters for the county [riding, &c.] in which your parish [*or* township] lies, in respect of any property situate wholly or in part within your parish [*or* township]; and in making out such list you are to write or cause to be written, in the proper column of the printed form of list (herewith sent) numbered 3, the Christian name and surname of every such person, with the place of his abode, the nature of his qualification, and the local or other description of the property, and the name of the occupier,

accordingly as the same shall be stated in the claim. If you have reasonable cause to believe that any person so claiming, or any person whose name shall appear in the copy of the register for your parish [*or* township] herewith sent, is not entitled to have his name on the new register about to be made, you are to add the word "objected" before his name in the margin of the copy of the register or list in which his name appears; and you are also to add the word "dead" before the name of any person whom you shall have reasonable cause to believe to be dead. Having done this, you are to sign the list of claimants, and also one of the copies of the register herewith sent, and to cause a sufficient number of copies of such lists to be written or printed, and then, on or before the first day of August, you are to publish the said register and lists, with your marginal additions, on every church and chapel in your parish [*or* township] in the same manner as before mentioned with regard to the notice.

You are to keep a copy of the list of claimants and of the said register sent to you, with your marginal additions thereon, signed by you, and to allow them to be perused by every person desirous of perusing them, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days after you have published them, without payment or demand of any fee; and you are also to deliver copies of the list of claimants and of the said register, signed by you, to every person applying for the same, on payment of a price for such copy after the rate contained in the table marked schedule (D.) No. 1, herewith sent.

You are to make out a list, according to the form numbered 6 (herewith sent), containing the name of every person against whom a notice of objection shall have been given to you or any one of you, on or before the twentieth day of August; and you are to publish copies of such lists on or before the first day of September on every church and chapel in your parish or township, in the same manner as before mentioned with regard to the notice; and you are to keep a copy of such list of persons objected to, to be perused by any person, without payment or fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days of September, both inclusive; and you are to deliver a copy of such list to any person requiring the same, on payment of a price for such copy after the rate contained in the table marked schedule (D.) No. 1, herewith sent.

And if you shall find any such notice, list, register, or other document published by you as aforesaid to be destroyed, mutilated, defaced, or removed, you are forthwith to place another to the same effect in its place.

On or before the first day of September you are to deliver to the clerk of the peace of the county [riding, &c.] wherein your parish [*or* township] is situate, the list of claimants, the copy of the part of the register (herewith sent), and also a copy of the list of persons objected to, signed by you.

You are to attend the court to be holden by the barrister appointed to revise the lists relating to your parish [*or* township], of the time and place of holding which notice will be sent to you; and you are there to deliver to the barrister holding such court the original notices of claim and original notices of objection given to you as aforesaid.

Herein if you fail you will be liable to the penalties in that case provided. Given under my hand, this day of
Clerk of the peace for the county of

No. 2.

NOTICE OF OBJECTION to be given to parties already on register objected to by any person other than overseers and to the occupying tenant of the qualifying property, where notice is required to be given to the occupying tenant.

To Mr. of [*here insert the name and place of abode of the person objected to as described in the list, and in the case of notice to the tenant of the qualifying property insert his name and place of abode as described in the list*].

Take notice that I object to your name [*in the notice to the tenant instead of the words "your name," insert the name of the person objected to*] being retained in the [*here insert the name of the parish*] list of voters for the county of [*or* for the riding, &c.]

And I ground my objection,
on the 1st column of the register,
or on the 2nd column,
or on the 3rd column,
and the objection relates
to the nature of your interest [*in the notice to the tenant instead of the words "your interest" insert "the interest of" here insert the name of the person objected to,*] in the qualifying property;
or to the value of the qualifying property;
or on the 4th column.

Dated this day of one thousand eight hundred and

Signed *A.B.* of [*place of abode*],
on the register of voters of the parish of

SCHEDULE (B.)

Form of declaration by voter as to his place of abode.

I *A.B.* of [*place of abode*], on the list of voters for the parish [*or* township] of in the county [*or* riding *or* division of the county] of , do solemnly and sincerely declare,

that I possessed on the last day of July now last past the same qualification in respect of which my name has been inserted in such list, and that my true place of abode is now

(Signed) *A.B.*

Place of abode.

Made and subscribed before me the day of year in the { *C.D.* [*Signature of Justice, &c.*] [*Statement of his quality, as Justice, &c.*] }

28 Vict. cap. 37.

An Act to make better Provision respecting the Transaction of County Business and the Administration of Justice at Quarter Sessions in the County of Sussex; and to confirm certain Proceedings of the Justices of the said County.—[2nd June 1865.]

28 Vict. cap. 38.

An Act to authorise the Alteration of the Time for holding Statutory Meetings of Commissioners of Supply in Scotland.—[19th June 1865.]

28 Vict. cap. 39.

An Act to authorise the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.—[19th June 1865.]

LANCASTER COURT OF CHANCERY ACT.

28 Vict. cap. 40. Cap. 40.

An Act to extend to the Court of Chancery of the County Palatine of Lancaster certain of the Provisions of an Act passed in the Session holden in the twenty-third and twenty-fourth years of Her present Majesty, intituled "An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills."—[19th June 1865.]

23 & 24 *Vict.* c. 145.—Whereas it is doubtful whether the provisions contained in the twenty-seventh section of the act passed in the session holden in the twenty-third and twenty-fourth years of Her present Majesty, intituled "An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills," apply to trustees appointed by the Court of Chancery of the county palatine of Lancaster: be it declared and enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1.—*Meaning of "Court of Chancery" in sect. 7 of recited act.*—That the words "The Court of Chancery" in the twenty-seventh section of the last-mentioned act shall be deemed to extend to and include the Court of Chancery of the county palatine of Lancaster.

28 Vict. cap. 41.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Bradford, and Gloucester.—[19th June 1865.]

DISTRICT CHURCH TITHES ACT.

28 Vict. cap. 42. Cap. 42.

An Act for facilitating the Annexation of Tithes to District Churches.—[19th June 1865.]

1 & 2 *Will.* 4, c. 45.—Whereas by the act of the session of the first and second years of His Majesty King William the Fourth, chapter forty-five, section twenty-one, it is amongst other things provided that it shall be lawful for any rector or vicar for the time being of any rectory or vicarage, by a deed duly executed by him, to annex to any chapel of ease or parochial chapel to any district church or chapel, or any chapel having a district assigned thereto, whether already built or hereafter to be built (such a chapel of ease or other chapel or church, with the district or place to which the same belongs, being situate within the limits or within the original limits of the said rectory or vicarage), any part or parts of the tithes or other annual revenues belonging to such rectory or vicarage: provided that every such annexation be made with such consents as are therein mentioned: and whereas it is expedient to extend the powers of annexing tithes to district churches: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title of act.*—This act may be cited for all purposes as "The District Church Tithes Act, 1865."

2. *Definition of terms.*—For the purposes of this act "district church" shall include any chapel of ease or parochial chapel or any district church or chapel or any church or chapel having a district assigned thereto, whether already built or hereafter to be built, and the church of any parish formed or to be formed under the new Parishes Acts, 1843, 1844, and 1856, or any of such acts: and "district" shall include any such parish as last aforesaid, or any ancient or consolidated chapelry, or any parish or district formed under any of the church building acts, or any other general or local act; and "tithes" shall include "commutation rentcharges, and all moduses, compositions, prescriptive and other payments or redemption money in lieu of tithes," or any part or parts thereof respectively, and any land for which such tithes or other payments in lieu thereof may have been commuted.

3. *Power to rectors or vicars to sell tithes to district church.*—The rector or vicar for the time being of any rectory or vicarage may agree with the incumbent of any district church, either wholly or in part, situate within the limits or original limits of the said rectory or vicarage, to annex to such district church the tithes or part of the tithes belonging to such rectory or vicarage, and arising in respect of property situate within the district belonging to such district church, in consideration of a sufficient compensation being made to the said rector or vicar and his successors for the loss of the said tithes out of the endowments of the said district church, or by some other means.

4. *Assents required to agreement.*—No agreement shall be valid on the part of a rector or vicar under this act unless it be assented to, firstly, by the archbishop or bishop of the diocese within which his rectory or vicarage is situate, or if it be situate within a peculiar jurisdiction belonging to an archbishop or bishop by such last-mentioned archbishop or bishop, and, secondly, by the patron of the rectory or vicarage; and no agreement shall be valid on the part of the incumbent of a district church except with the consent of the patron of such church, and with the approval of the Ecclesiastical Commissioners for England where the compensation to be made to the rector or vicar is payable out of funds in the hands of the said commissioners, and of the governors of the bounty of Queen Anne for the augmentation of the maintenance of poor clergy where the compensation to be made is payable out of funds in the hands or subject to the control of the said governors.

5. *Form of agreement.*—Any agreement under this act between a rector and vicar on the one part and an incumbent of a district church on the other shall be in writing under their respective hands.

6. *Assents how testified.*—Any assents required by this act may be testified by the assenting party executing the agreement between the rector or vicar and the incumbent of the district church, and the provisions of the above-mentioned act, and of the act of the session of the seventeenth and eighteenth years of Her Majesty, chapter eighty-four, as to patrons of benefices shall apply to the assent of patrons under this act.

7. *Persons and bodies corporate empowered to give lands or goods for the purposes of this act.*—The provisions of the twenty-second section of the act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter thirty-seven, enabling persons and bodies corporate to give lands or goods for the purposes of that act, shall extend to authorise them to give in manner therein mentioned lands or goods for the purposes of purchasing any tithes, or to give any tithes with a view to the annexation of such tithes to a district church.

8. *Agreement to be carried into effect by order in council.*—Any agreement made in pursuance of this act shall be carried into effect by the Ecclesiastical Commissioners for England, and any order made by Her Majesty in Council ratifying such agreement and transferring on the one side the tithes proposed to be transferred to the incumbent of the district church, and on the other securing to the rector or vicar the compensation agreed upon shall be valid to vest in the said incumbent and his successors such tithes, and to secure to the said rector or vicar such com-

pensation; and when the approval of the governors of the bounty of Queen Anne is required such approval may be certified by any instrument under their corporate seal, and when the approval of the said Ecclesiastical Commissioners is required it shall be implied by such order in council as aforesaid being passed.

9. *Where tithes belong to incumbent of district church, Ecclesiastical Commissioners may declare church to be either a rectory or vicarage.*—Where tithes of any kind or amount belong to or shall to the satisfaction of the Ecclesiastical Commissioners be transferred to the incumbent of the church of any parish, chapelry, or district, provided such tithes arise within such parish, chapelry, or district, or where any annuity shall be granted by the Ecclesiastical Commissioners to any incumbent in consideration of tithes arising within the limits of his district, and now or at any time in the possession of the said Ecclesiastical Commissioners, it shall be lawful for the said Ecclesiastical Commissioners, by instrument under their common seal, to declare that such church shall be and be deemed to be either a rectory or vicarage as they may under the circumstances of each case think proper, and such instrument shall be published in the *London Gazette*, and take effect from the time of publication.

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28 VICT. CAP. 43.

An Act to provide for the Security of Property of Married Women separated from their Husbands in Ireland.—[19*th June* 1865.]

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28 VICT. CAP. 44.

An Act for confirming a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the River Tyne.—[19*th June* 1865.]

COMMON LAW COURTS (FEES) ACT.

28 VICT. CAP. 45.

An Act to provide for the Collection by means of Stamps of Fees payable in the Superior Courts of Law at Westminster, and in the Offices belonging thereto.—[19*th June* 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *From and after December* 31, 1865, *all fees payable in superior courts to be collected by stamps.*—From and after the thirty-first day of December one thousand eight hundred and sixty-five, or from and after such earlier time as the Commissioners of Her Majesty's Treasury, with the concurrence of the Lord Chief Justices of the Courts of Queen's Bench and Common Pleas and of the Lord Chief Baron of the Court of Exchequer, by notice published in the *London Gazette*, appoint, the following fees shall be collected by stamps—namely, all fees for the time being payable in the several courts and offices, or to the several officers, or in respect of the several matters, specified in the first schedule to this act, whether under the several enactments therein specified, or otherwise, and all fees whatever for the time being payable under any of those enactments.

2. *Stamps to be impressed or adhesive.*—All or any stamps to be used under this act shall be impressed or adhesive, as the Commissioners of Her Majesty's Treasury from time to time direct.

3. *General rules to be made by Treasury.*—The Commissioners of Her Majesty's Treasury, with the concurrence of the Lord Chief Justices and Lord Chief Baron, may from time to time make such rules as seem fit for regulating the use of stamps under this act, and particularly for prescribing the application thereof to documents from time to time in use or required to be used for the purposes of such stamps, and for insuring the proper cancellation of adhesive stamps and keeping accounts of such stamps.

4. *Documents not properly stamped to be invalid.*—Any document which ought to bear a stamp under this act shall not be of any validity unless and until it is properly stamped; but if any such document is through mistake or inadvertence received, filed, or used without being properly stamped, a judge of one of the said courts may, if he thinks fit, order that the same be stamped as in such order may be directed, and on such document being stamped accordingly the same and every proceeding relative thereto shall be as valid as if such document had been properly stamped in the first instance.

5. *Nothing to interfere with powers of Treasury, &c. for alteration of fees, &c.*—Nothing in this act shall interfere with the exercise by any of the judges of the said courts, or by the Commissioners of Her Majesty's Treasury, or by any other authority, of any power of altering or otherwise regulating the amount of any fees comprised in this act, or of any salaries or other charges for the time being by law payable thereout or charged thereon, or of directing that any fees comprised in this act shall cease to be applicable to any charges or payments charged thereon or payable thereout, and shall be from time to time paid into the receipt of the exchequer, and be carried to and form part of the Consolidated Fund of the United Kingdom.

6. *Payment of salaries, &c. out of money received for stamps.*—The Commissioners of Inland Revenue shall keep a separate account of all money received in respect of stamps under this act; and, subject to the deduction out of the money so received of any expenses incurred by the Commissioners of Inland Revenue in the execution of this act, and to the payment or discharge thereout, in such manner as the Commissioners of Her Majesty's Treasury from time to time direct, of salaries or other charges for the time being by law charged on or payable out of any fees comprised in this act, the money so received shall, under the direction of the Commissioners of Her Majesty's Treasury, be carried to and shall form part of the said Consolidated Fund.

7. *Accounts to be laid before Parliament.*—The account so kept by the Commissioners of Inland Revenue for every year ending the thirty-first day of March, together with an account for every such year, prepared under the direction of the Commissioners of Her Majesty's Treasury, showing the salaries and other charges now or formerly charged on or payable out of any fees comprised in this act, and for the time being in pursuance of any act paid out of the said Consolidated Fund, or out of money provided by Parliament, and also showing all other charges in respect of the said courts and their several offices for the time being paid out of the said Consolidated Fund or out of money provided by Parliament, by way of salary, compensation, or otherwise, shall be laid before both houses of Parliament within one month after the termination of such year of account, if Parliament is then sitting, or if not, then within one month after the next meeting of Parliament; and the second of such yearly accounts and every subsequent account shall show the items for two consecutive years, and the increase or decrease of any of those items in the second of those years as compared with the first.

8. *Repeal of enactments in second schedule.*—From and after the time appointed for the commencement of the collection of fees by means of stamps under this act, the acts described in the second schedule to this act shall be repealed to the extent in that schedule specified.

9. *Short title.*—This act may be cited as "The Common Law Courts Fees (Act), 1865."

THE FIRST SCHEDULE.

13 & 14 Vict. c. 73, s. 10 (7 Will. 4 & 1 Vict. c. 30 18 & 19 Vict. c. 126, s. 29).	The superior courts, and their several offices, judges chambers, and clerks of assize acting as associates on circuits.
6 & 7 Vict. c. 20, s. 15. (23 & 24 Vict. c. 54)	Crown office, Queen's Bench.
17 & 18 Vict. c. 36, ss. 3, 4, 5	Registration of bills of sale, Queen's Bench.
3 & 4 Will. 4, c. 74, s. 89. 3 & 6 Will. 4, c. 82, s. 6 13 & 14 Vict. c. 76 (17 & 18 Vict. c. 75 20 & 21 Vict. c. 57—as to England 23 & 26 Vict. c. 67, s. 36 23 & 26 Vict. c. 90)	Registration of certificates, &c. of acknowledgments of deeds of married women, &c., Common Pleas.
1 & 2 Vict. c. 110, s. 19 2 & 3 Vict. c. 11, ss. 2, 4, 7, 8, 9 13 & 14 Vict. c. 76 18 & 19 Vict. c. 15—as to Common Pleas 23 & 24 Vict. c. 115, s. 2 (3 & 4 Vict. c. 82 13 & 14 Vict. c. 35, s. 17 16 & 17 Vict. c. 107, ss. 135-7—as to England 23 & 23 Vict. c. 35, s. 22 23 & 24 Vict. c. 38, s. 4 24 & 25 Vict. c. 134, s. 213 25 & 26 Vict. c. 89, s. 114) 27 & 28 Vict. c. 112, s. 3	Registration of judgments, crown debts, &c., Common Pleas.
5 & 6 Vict. c. 85, s. 4 (22 & 23 Vict. c. 21, ss. 1-4)	Queen's Remembrancer's office.

THE SECOND SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
5 & 6 Vict. c. 86. ...	An Act for abolishing certain Offices on the Revenue Side of the Court of Exchequer in England, and for regulating the Office of Her Majesty's Remembrancer in that Court.	Section Five.
6 & 7 Vict. c. 20. ...	An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office.	Section Twelve.
12 & 14 Vict. c. 73 ...	An Act to regulate the Receipt and Amount of Fees receivable by certain Officers in the Court of Common Pleas.	Section One.
13 & 16 Vict. c. 73 ...	An Act to make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges Clerks by Salaries, and to abolish certain Offices in those Courts.	Sections Fourteen and Twenty-nine.

28 VICT. CAP. 46.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom.—[19th June 1865.]

28 VICT. CAP. 47.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorise the Employment of the Non-commissioned Officers.—[19th June 1865.]

COURTS OF JUSTICE BUILDING ACT.

28 VICT. CAP. 48.

Cap. 48.

An Act to supply Means towards defraying the Expenses of providing Courts of Justice and the various Offices belonging thereto; and for other purposes.—[19th June 1865.]

28 *Vict.* c. 49.—Whereas a bill has been or is about to be introduced into Parliament in the present session by the short title of "The Courts of Justice Concentration (Site) Act, 1865," and the purposes intended to be carried into effect by such bill are the acquisition of a site capable of affording accommodation to the Superior Courts of Law and Equity, the Probate and Divorce Courts, the High Court of Admiralty, and the various offices belonging to the same, and to such other courts for the administration of justice, and offices connected therewith, as may be required:

And whereas it is expedient to make provision for the cost of acquiring such site, and of the erection thereon of suitable buildings, with all proper furniture and conveniences, for such courts and offices; and also to make provision for such other changes incident to and consequential on the removal of the existing courts and offices from the sites now occupied by them as are herein-after mentioned:

And whereas it is expedient that the cost of erecting the said courts of justice should be borne, as follows:

1st. By money to be provided by Parliament to the extent of the value of property surrendered, and of relief to the public by the cessation of rents now charged to the public:

2dly. By a contribution of one million stock, part of a sum of one million two hundred and ninety-one thousand six hundred and twenty-nine pounds ten shillings and fivepence three pounds per cent. stock, now standing in the books of the Bank of England to the credit of an account intituled "Account of Securities purchased with Surplus Interest arising from Securities carried to Account of Moneys placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," which has arisen from the profit of investments, made under the authority of Parliament at the risk of the public, of unemployed cash balances paid into the High Court of Chancery on account of individual suitors, and which is herein-after referred to as the Surplus Interest Fund:

3dly. By the taxation of suitors of the courts other than the Court of Chancery to be accommodated in the new building:

And whereas it is expedient that the moneys required from time to time for carrying into effect the purposes of the new Site Act and this act should be defrayed in the first instance out of moneys to be provided by Parliament:

And whereas the capital of the aforesaid Surplus Interest Fund is ultimately liable to make good any deficiency which may occur in the general cash balance remaining in the Court of Chancery from time to time for payment of the sums due to the suitors of the said court, and the same is, with other funds in Chancery, also charged with the payment of certain compensations in the nature of life annuities and other temporary charges, and it is expedient that provision should be made for such liabilities and charges in the manner herein-after appearing:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Sect. 1. *Short title.*—This Act may be cited for all purposes as "The Courts of Justice Building Act, 1865."

2. *Definition of terms.*—"The Treasury" shall mean the Commissioners of Her Majesty's Treasury for the time being, or any two or more of them:

"Suitors" shall mean and include not only suitors in courts, but also all persons proving wills or conducting business in any of the courts or offices to be accommodated in the said new buildings other than and except suitors in the Court of Chancery:

"Compensation Allowances" shall mean and include not only the compensation allowances charged on or payable partly or wholly out of the "Surplus Interest Fund" or the interest or dividends thereof or other funds in Chancery and existing at the time of the passing of this act, but also the salaries payable to the abolished masters in Chancery and their clerks, and to the master of the reports.

Provision of Funds for Works.

3. *Advances to be made by the paymaster-general.*—All sums of money required from time to time for carrying into effect the purposes of "The Courts of Justice Concentration (Site) Act, 1865," and for the purpose of erecting upon the site to be acquired under the same act all such suitable buildings for the accommodation of the Superior Courts of law and equity, the Probate and Divorce Courts, and the Court of Admiralty, and the various offices connected therewith, and of such other courts for the administration of justice, and offices connected therewith, or offices used for any other purpose of legal administration, as may from time to time be prescribed by the treasury, with all proper furniture and conveniences, and accesses thereto, not exceeding in the whole one million five hundred thousand pounds cash, shall be provided in the first instance by issues to be made to the paymaster-general by the comptroller-general of the exchequer out of moneys to be provided by Parliament, and the paymaster-general shall keep a separate account thereof.

4. *Plan of building and arrangements for care and maintenance of the building.*—The plan upon which the said buildings shall be erected, and the necessary arrangements for the proper and convenient accommodation of all the courts and offices to be provided for therein, and for proper accesses thereto, shall be determined upon by the treasury, with the advice and concurrence of such persons as Her Majesty shall think fit to authorise in that behalf; and after the completion of the said buildings Her Majesty may, by order in council, from time to time nominate and appoint such persons as she shall think fit, with such powers to superintend and regulate the said buildings, and to provide for the proper care and maintenance thereof, and also (if it shall be found necessary) to vary from time to time the internal arrangements of the said buildings, and the purposes to or for which any part thereof may be used or appropriated, as to Her Majesty

all seem proper and expedient: provided always, that no orders regulations requiring any expenditure of public money shall made by such persons without the consent of the treasury.

Repayment of Advances.

5. *Repayments to the account of the paymaster-general to be rried to and be made part of the Consolidated Fund.*—All sums of oney which shall be paid into the Bank of England to the count of the paymaster-general, in repayment of advances ade by virtue of this act, shall from time to time, at such riods as the treasury shall direct, be transferred to the account pt by the said Bank of England with Her Majesty's exchequer, d when so transferred shall be carried to and form part of the nsolidated Fund of the United Kingdom of Great Britain and eland.

6. *Mode of repayment of advances to Consolidated Fund.*—For the rpose of securing the repayment of the advances to be made, nder the provisions of this act, other than those to be granted the estimated value of the present courts and offices, as herein-fter provided, there shall be contributed a sum not exceeding ne million three hundred thousand pounds cash, as follows:

First, one million pounds three pounds per cent. stock, out of the three pounds per cent. consolidated annuities, and out of the three pounds per cent. reduced annuities, now standing in the books of the Bank of England to the credit of an account, intituled "Account of Securities purchased with Surplus Interest arising from Securities carried to Account of Moneys placed out for the Benefit and better Security of the Suitors of the High Court of Chancery, which Account is herein called 'The Surplus Interest Fund;'"

And secondly, a contribution in the nature of a redemption annuity, payable for a term not exceeding fifty years, to be raised by fees to be imposed as herein-after directed on suitors and on processes in the courts and offices to be accommodated in the said new buildings other than the Court of Chancery, equivalent to the residue of the said advances, with interest thereon.

7. *Two hundred thousand pounds to be contributed out of money to e provided by Parliament as the value of courts and offices trans-erred, and of relief from rent to the public.*—Out of the moneys to e provided by Parliament as aforesaid for carrying into effect he purposes of "The Courts of Justice Concentration (Site) Act, 1865," the sum of two hundred thousand pounds cash, being the estimated value of the present courts and offices, to be transferred to the Commissioners of Public Works and Buildings, or to become available for other public purposes, and of the relief from rental which is at present defrayed out of public moneys for buildings in the occupation of legal departments to be hereafter accommodated in the new courts, shall be considered as a grant towards the erection of the said courts, and shall not be repayable to the Consolidated Fund; and if any other property now used for courts and offices, and not included in the said estimate of two hundred thousand pounds, should in like manner be transferred or become available for other public purposes, credit shall be given for the value of such property by a reduction of the annuity to be paid by the contribution to be levied on suitors as herein-after provided, or otherwise as the Commissioners of the Treasury and the Lord Chancellor shall jointly determine.

8. *1,000,000l. stock to be contributed by the Surplus Interest Fund.*—There shall from time to time be sold, under the order of the Lord Chancellor (such order to be made on the certificate of the treasury), such portions of the said Surplus Interest Fund, to the extent of but not exceeding in the whole one million of the stock composing the same, as the said Lord Chancellor shall from time to time direct; and the moneys arising from every such sale shall be received by one of the cashiers of the Bank of England, and be paid by him to the aforesaid account of the paymaster-general at the Bank of England, and shall be transferred to the account of Her Majesty's exchequer as aforesaid.

9. *Contribution of suitors other than of Chancery to be ascertained and discharged by a redemption annuity.*—The residue of the advances, with interest, is to be repaid, and is to be deemed to be discharged, by a contribution, to be levied on the suitors (other than those of the Court of Chancery) using the said buildings, in the nature of a redemption annuity calculated at four pounds per centum per annum on the amount of such residue, and payable for a term not exceeding fifty years, such term to commence from the period when any part of such buildings shall be used for the transaction of the business of such suitors, the commencement of such period to be announced in the *London Gazette* by the direction of the treasury.

10. *Mode of ascertaining amount chargeable on the suitors.*—The amount of such residue so chargeable on the said suitors is to be ascertained by adding to the principal money payable by them interest from the time of the respective advances up to the commencement of the said term, at the rate of three pounds five shillings per centum per annum, such being the rate at which the said redemption annuity of four pounds per centum has been calculated.

11. *Apportionment amongst suitors other than those of the Court of Chancery of their contribution.*—The suitors (other than those of the Court of Chancery) are to contribute in proportion, as far as may be, to the extent of the use made by them of the buildings erected in pursuance of the said Building Act.

The proportion in which the suitors are to contribute shall, subject to the provisions of this act, be determined by the treasury.

12. *Mode of levying contribution.*—The contribution of the suitors under this act shall be levied by means of a separate fee, herein-after called the rent of courts fee, to be collected by stamps, to be impressed on or affixed to such documents in use in each court or office to be accommodated in the said new buildings, and to be of such amounts as may be from time to time determined by the treasury, with the consent of the Lord Chancellor, together with the chief judge of each of the superior courts of common law, or any one of such chief judges and of such other persons or person as Her Majesty by order in council may please to direct; and all the provisions of any act of Parliament relating to the payment or collection of the fees levied in any court in which the rent of courts fee is collected, and relating to the stamps for collecting such fees, shall apply to the rent of courts fee payable under this act.

The net produce of such rent of courts fee is to be paid by the Commissioners of Inland Revenue to the credit of the aforesaid account of the paymaster-general.

13. *Annual adjustment of suitors redemption annuity.*—The said paymaster-general is to keep and annually make up an account of the moneys due and paid in respect of the said redemption annuity and of the net produce received by him in respect of such rents of courts fee, and of all other payments (if any) made on account of such redemption annuity; and the said fees imposed in respect of such rent of courts fee may be from time to time revised and varied so that the produce thereof may satisfy the amount payable from time to time in respect of the said redemption annuity; but if in any year there shall have been an excess in the said receipts beyond the amount due for such annuity, such excess is to be invested and accumulated, and applied at such periods as the Lord Chancellor and the treasury shall from time to time determine in satisfying, discharging, and redeeming so much of the said annuity as it shall at the rates aforesaid, and having regard to the length of term unexpired, be sufficient to discharge and redeem.

This account shall be annually laid before Parliament.

14. *Cessation of rent of courts fee.*—As soon as such redemption annuity shall have been satisfied as aforesaid the rent of courts fee shall cease to be levied.

15. *Power of treasury to make regulations.*—Subject to the provisions of this act, the treasury may from time to time make regulations with respect to the mode of making and replacing the advances required to be made for the purposes of this act, and with respect to all other matters necessary to carry this act into effect; and any regulations made by the treasury in pursuance of the power given by this act shall be as valid as if they were inserted in this act.

Power to redeem Chancery Compensations out of Capital, and Indemnity of the Chancery Cash Balance.

16. *Chancery compensations may be redeemed or paid out of the capital of court funds.*—The Lord Chancellor may negotiate with any of the persons entitled to compensation allowances for the purchase or redemption of the same at a price not exceeding the price contained in the tables referred to in the act of Parliament of the tenth year of the reign of King George the Fourth, chapter twenty-four, section fourteen, either for a gross amount of cash or stock, or for a government annuity; and for the purpose of effecting such purchase or redemption, or of providing for any part of such compensation allowances remaining

unredeemed which the income of the funds charged therewith may be insufficient to satisfy, the Lord Chancellor may order the sale, transfer, or payment of any part of the residue of the said Surplus Interest Fund, or of any of the other funds charged with such compensation allowances, or the purchase therewith from the Commissioners for the Reduction of the National Debt of terminable annuities either for lives or for terms of years.

17. *Indemnity against loss by appropriation of Surplus Interest Fund.*—If the general cash balance of the suitors remaining in the Court of Chancery shall be at any time insufficient to satisfy the demands of the suitors thereon, such deficiency shall, to the extent to which the moneys arising by the sale of the aforesaid one million of the said Surplus Interest Fund would have been available, be made good out of the Consolidated Fund; and if the residue of the Surplus Interest Fund and the other funds charged with compensation allowances are insufficient to meet such charges, in that case such last-mentioned deficiency also shall be made good out of the Consolidated Fund.

Saving of Jurisdiction on Removal of Courts.

18. *Saving of jurisdiction of courts.*—Notwithstanding their removal to the site provided by "The Courts of Justice Concentration (Site) Act, 1865," the superior courts of law and equity may exercise the same jurisdiction and enjoy the same rights and privileges as they have hitherto exercised and enjoyed, and all statutes, charters, and other instruments wherein Westminster is described or referred to as being the locality of the said courts shall be construed as if the site provided by "The Courts of Justice Concentration (Site) Act, 1865," had been described or referred to in the said statutes, charters, and other instruments as the locality of the said courts, instead of Westminster.

19. *Forms of writs to be altered by order in council.*—Her Majesty may by order in council make any alteration that may be thought expedient for the purpose of adapting the forms of testing writs and other instruments, and the forms themselves of writs or other instruments in use in the said courts, to the change of locality made by "The Courts of Justice Concentration (Site) Act, 1865."

20. *Power to try London causes in the new courts.*—Her Majesty may by order in council from time to time, at the request of the lord mayor, aldermen, and commons of the city of London in common council assembled, direct that all or any issues or inquiries in cases at Nisi Prius which would otherwise be tried and executed within the county of the city of London shall for ever thereafter, or for a time to be specified in such order, be tried and executed at the courts authorised to be erected by this act: and in the event of such order being made the said courts shall, for the purpose of giving jurisdiction to the sheriffs of London in relation to such trials and inquiries, and for the summoning of jurors, and for all other purposes of or incidental to any such trials or inquiries, be deemed to be situate in the county of the city of London.

21. *Power to try Middlesex causes in the new courts.*—Her Majesty may by order in council from time to time direct that all or any issues or inquiries in cases at Nisi Prius which would otherwise be tried and executed within the county of Middlesex shall for ever thereafter, or for a time to be specified in such order, be tried and executed at the courts authorised to be erected by this act: and in the event of such order being made the said courts shall, for the purpose of giving jurisdiction to the sheriff of Middlesex in relation to such trials and inquiries, and for the summoning of jurors, and for all other purposes of or incidental to any such trials or inquiries, be deemed to be situate in the county of Middlesex.

Transfer of Property now used for Offices.

22. *Discontinuance of existing courts and offices.*—Whereas the legal business hitherto carried on in the buildings situate in or near Southampton Buildings, known as the "Masters Offices," and erected in pursuance of the act of the session of the thirty-second year of King George the Third, chapter forty-two, is intended to be transacted in the courts, offices, and premises authorised to be erected under this act; and it is expedient that such masters offices should be appropriated in manner hereinafter mentioned for public purposes: be it enacted, that all the buildings erected as aforesaid, with the sites thereof, and all the lands and hereditaments, if any, purchased or acquired in pursuance of the said act of the thirty-second year of King George the Third, with all their actual and reputed appurtenances, shall on the passing of this act vest in the Commissioners of His Majesty's Works and Public Buildings for the time being, subject to the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter twenty-eight, to be [illegible] the purposes of the last-mentioned act, discharged from all subsisting trusts declared with respect thereto: provided that the said commissioners shall not take possession of any part or parts of the said buildings that may be occupied for legal purposes until the Lord Chancellor certifies that the [illegible] or parts is or are no longer required by the persons occupying the same.

23. *Society of Lincoln's Inn may repurchase six clerks and masters offices.*—And whereas by virtue of two statutes (local and personal) passed in the fifteenth year of the reign of King George the Third, chapters twenty-two and [illegible] part of the garden of the Honourable Society of Lincoln's Inn was sold by the said society for the purpose of building thereon the six clerks and registrars offices, and the same are now used as the offices of the accountant-general and registrars in Chancery, and of the clerks of records and writs, and of the clerk of enrolments in Chancery, and the same now vest under the said two acts, and under the statute passed in the sixth year of the reign of Victoria, chapter one hundred and three, section twenty-nine, vested in the accountant-general of the Court of Chancery and his successors, but subject to a provision that the building shall be used for the purposes of the aforesaid offices, and for no other purpose:

And whereas under an act (local and personal), passed in the fifty-sixth year of the reign of King George the Third, chapter eighty-four, a court for the sittings of the Vice-Chancellor of England was erected in Lincoln's Inn, and vested in the said society for the public purposes by the said act directed, and for no other purposes.

And whereas the said society have since the year one thousand eight hundred and forty expended out of their own funds divers sums in the erection and fitting up of courts for the use of the judges of the said Court of Chancery, and chambers for the benefit of the said court:

Trusts declared by 56 Geo. 3, c. 84, [illegible]—Lord Chancellor to adjust accounts.—On payment of balance Land [illegible] to make vesting order.—And whereas, after the said new buildings shall have been erected and commenced to be used, the said several offices and courts will no longer be applicable to the purposes for which the same were erected, or fitted up, and it is necessary that provision should be made by Parliament suspending the same; and as the said Honourable Society of Lincoln's Inn will cease to have the benefit of the residence of the said courts being carried on within the precincts of their said Inn, it is just and expedient that the said society should be repaid the amount of their aforesaid outlays: be it enacted, that it shall be lawful for the said society to repurchase and be repossessed of the said land sold by them for the said six clerks and registrars offices in Chancery, upon their repaying the purchase moneys received by them for the said land; and further, that the said society shall be entitled, if they so elect, to become possessed of the erections and buildings thereon, upon paying for the same at a valuation as old building materials; and further, that the trusts declared by the said statute, fifty-six George the Third, chapter eighty-four, shall be discharged, and the said court erected under the said statute for the Vice-Chancellor of England shall become to all intents and purposes the exclusive property of the said society, without their making any payment for the same or the materials thereof; and further, that the said society shall be repaid the said principal sums they have from time to time since the year one thousand eight hundred and forty expended out of their funds for the use of the said Court of Chancery; and that it shall be lawful for the said Lord Chancellor to adjust and settle an account with the said society upon the basis of this enactment, and to order that the balance of such account shall be paid into or out of the Suitors Fee Fund of the Court of Chancery, as the case may be; and upon payment of the said balance to or by the said society, as the case may be, the Lord Chancellor shall make an order that the said land and buildings do vest in the trustees for the time being of the real estates of the said society, and the same shall thereupon be vested accordingly, discharged from all trusts, restrictions, and regulations declared, imposed, or enjoined by the said two statutes, fifteenth George the Third, chapter twenty-two

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and fifty-six, and sixth Victoria, chapter one hundred and three, or any or either of them; but this enactment is not to come into force or to take any effect until after the Lord Chancellor shall certify under his hand to the treasury that the business hitherto conducted in the said buildings and courts, or any part thereof, has been transferred to the buildings authorised to be erected under "The Courts of Justice Concentration (Site) Act, 1865," and such certificate shall have been filed in the Report Office of the Court of Chancery; and the option of repurchasing the said sites, and purchasing the said erections and buildings respectively, may be exercised by the said society at any time within two years after notice to the treasurer of the said society of the filing of such certificate.

COURTS OF JUSTICE CONCENTRATION (SITE) ACT.

28 VICT. CAP. 49.

Cap. 49.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a Site for the Erection and Concentration of Courts of Justice, and of the various Offices belonging to the same.—[19th June 1865.]

Whereas a commission was issued in the year one thousand eight hundred and fifty-eight, under the sign manual of Her Majesty, for the purpose of inquiring into the expediency of bringing together into one place or neighbourhood all the superior courts of law and equity, the Probate and Divorce Courts, and the Court of Admiralty, and the various offices belonging to the same, and into the means which existed or might be supplied for providing a site or sites, and for erecting suitable buildings for carrying out the above objects: and whereas the said commission have reported to Her Majesty, that the concentration of such courts is expedient, and have recommended as a site for the said courts and offices certain houses, buildings, and lands situate in the parish of Saint Clement Danes and the liberty of the Rolls in the county of Middlesex, and the parish of Saint Dunstan in the West in the city of London, but such houses, buildings, and lands cannot be acquired without the authority of Parliament: and whereas duplicate plans, describing the situation of the said houses, buildings, and lands, herein-after referred to as the prescribed lands, with a book of reference thereto, containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers thereof, have been deposited with the clerk of the peace for the county of Middlesex at his office at the Sessions House, Clerkenwell, and with the clerk of the peace for the city of London at his office at the Sessions House in the Old Bailey, and it is expedient that powers should be given to the Commissioners of Her Majesty's Works and Public Buildings to purchase such lands, and to provide accommodation for the said courts and offices or some of them: Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Sect. 1. *Short Title.*—This act may be cited for all purposes as "The Courts of Justice Concentration (Site) Act, 1865."

Incorporation of Commissioners.

2. *Incorporation of Commissioners of Works for purposes of act.*—The Commissioners of Her Majesty's Works and Public Buildings for the time being, herein-after referred to as "the Commissioners," shall be incorporated for the purposes of this act by the name and style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that name shall have perpetual succession and a common seal, to be by them from time to time altered as they think fit, with power to hold lands for the purposes and subject to the provisions of this act.

Acquisition of Site.

3. *Description of purposes of act.*—The purposes of this act are the acquisition of a convenient site for the accommodation of the superior courts of law and equity or some of them, the Probate and Divorce Courts, and the Courts of Admiralty, and the various offices connected with them, and of such other courts for the administration of justice, and offices connected therewith, or used for any other purpose of legal administration, as may from

time to time be prescribed by the Commissioners of Her Majesty's Treasury, and the providing of convenient means of access to the said courts and offices.

4. *Power to commissioners to purchase lands.*—The commissioners may, out of any moneys placed at their disposal for that object, purchase, take, and use for the purposes of this act all or any of the prescribed lands.

5. *Lands to continue subject to land tax and rates.*—All lands purchased by the commissioners in pursuance of this act, which were at the time of such purchase subject to land tax, to poor or other rates, shall continue liable thereto, but they shall not be assessed to any tax or rate on a higher rateable valuable than that on which they were assessed on the first day of January one thousand eight hundred and sixty-five.

6. *Power to commissioners to enter on lands.*—The commissioners, their surveyors, officers, and workmen, may at all reasonable times in the daytime, upon giving twenty-four hours previous notice in writing, enter into and upon any of the prescribed lands for the purpose of surveying or valuing the same.

7. *8 & 9 Vict. c. 18 and 23 & 24 Vict. c. 106 incorporated.*—"The Lands Clauses Consolidation Act, 1845," and the act amending the same passed in the session of the twenty-third and twenty-fourth years of Her present Majesty, chapter one hundred and six, shall be incorporated with this act, with the exceptions and additions and subject to the provisions herein-after contained; that is to say,

(1.) There shall not be incorporated with this act the sections and provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned, that is to say, section sixteen, whereby it is provided that the capital is to be subscribed before the compulsory powers are to be put in force; section seventeen, whereby it is provided that the certificate of the justices shall be evidence that the capital has been subscribed; or the provisions relating to affording access to the special act:

(2.) In the construction of this act and the said incorporated acts this act shall be deemed to be "The Special Act," and the commissioners shall be deemed to be "the promoters of the undertaking:"

(3.) The bond required by section 85 of the Lands Clauses Consolidation Act shall be under the common seal of the commissioners, and shall be sufficient without the addition of the sureties in the said section mentioned:

(4.) The term "sheriff" used in the provisions of "The Lands Clauses Consolidation Act, 1845," relating to the reference to a jury, shall, as regards any part of the prescribed lands within the city and liberty of Westminster, be deemed to apply to the high bailiff of the city and liberty of Westminster or his deputy.

8. *Questions of disputed compensation in London to be heard in the Lord Mayor's Court.*—In every case in which any question of disputed compensation may be required to be determined by the verdict of a jury, in the city of London or the liberties thereof, the jury shall be required to appear before the court of the lord mayor and aldermen of the city of London, to be holden in the outer chamber of the Guildhall of the said city according to the custom of the said city, at a time to be appointed by the said court; and all the directions and provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the settlement of questions of disputed compensation by juries appearing before the sheriff, coroner, or other person, shall extend and be applied with respect to the settlement of any such question of disputed compensation under this act by juries appearing before the said court of mayor and aldermen as aforesaid; and the said court shall give judgment for the purchase money or compensation assessed by such jury; and a verdict and judgment shall be signed by the registrar of the said court of mayor and aldermen, and entered among the records of the said court, and the said registrar shall settle the costs of every such inquiry.

9. *Extinction of rights of way and other easements.*—Upon the purchase by the commissioners of the prescribed lands or any part thereof, all rights of way, rights of laying down or of continuing any pipes, sewers, or drains, on, through, or under such lands or part thereof, and all other rights or easements in or relating to such land or part thereof, shall be extinguished, and all the soil of such ways, and the property in the pipes, sewers, or drains, shall vest in the commissioners, subject to this provision that all persons and bodies of persons, corporate or unincorporate, may recover from the commissioners such compensation, if any,

as they may be entitled to under the provisions of "The Lands Clauses Consolidation Act, 1845," for any rights or property of which they may be deprived in pursuance of this section, the amount of such compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845."

10. *Commissioners to pay to incumbents annual sums for loss of fees, &c.*—The commissioners shall pay an annual sum to each of the persons herein-after mentioned; that is to say,

The rector of Saint Clement Danes in the city of Westminster:

The perpetual curate of Saint Thomas, liberty of the Rolls, in the county of Middlesex;

The rector of the parish of Saint Dunstan in the West in the city of London,

by way of compensation for the loss of all such Easter dues, oblations, surplus fees, or other customary payments that may be taken away in consequence of carrying into effect the purposes of this act. Such payments shall be made half-yearly on the first day of January and the first day of July in each year. The amount payable to each such person shall be calculated on an average of the amount received by him in respect of the said customary payments on an average of the three years immediately preceding the passing of this act, and in the event of difference shall be definitively settled by an arbitrator appointed by Her Majesty's attorney-general for the time being.

The first of the above-mentioned half-yearly payments shall be made on the first day of July one thousand eight hundred and sixty-seven.

11. *Compensation for tithes or rentcharges to be paid by commissioners.*—Nothing in this act contained shall prejudice the right of any rector or other ecclesiastical person to any tithe, or rentcharge in lieu thereof, charged upon or payable out of any lands purchased by the commissioners in pursuance of this act; and the said commissioners shall from time to time pay the said tithe or rentcharge, when the same shall become due, out of any moneys that may be in their hands applicable thereto.

12. *As to claims for compensation by yearly tenants.*—All claims for compensation made upon the commissioners under the provisions of this act or any act incorporated herewith shall, if the person claiming to be entitled to compensation has no greater interest than as tenant for a year or from year to year in the lands in respect of which the compensation is claimed, be determined in manner provided by the one hundred and twenty-first section of "The Lands Clauses Consolidation Act, 1845."

13. *Limits for compulsory purchases.*—The limit for the compulsory purchase of lands under this act shall be five years.

14. *Power to purchase lands for accesses to courts and offices by agreement.*—The commissioners may, for the purpose of improving the approaches, or of providing convenient roads, bridges over, or tunnels under streets, or other modes of access to the proposed courts of justice and the offices connected therewith, acquire by purchase or otherwise any lands or interest in lands or easements, and for the purposes of such acquisition the said Lands Clauses Consolidation Act shall be deemed to apply, with the exception of so much thereof as relates to the purchase of lands otherwise than by agreement.

15. *Powers to commissioners to execute works.*—The commissioners may pull down and remove any buildings on the prescribed lands, and may construct thereon such buildings and works, and do all such other things, as may in their opinion be necessary or expedient in order to carry into effect the purposes of this act or any of them.

16. *For protection of sewers of Metropolitan Board of Works.*—Where any works to be done under or by virtue of this act shall or may pass over, under, or by the side of or so as to interfere with any main sewer under the jurisdiction or control of the Metropolitan Board of Works, the commissioners shall not commence such work until they shall have given to the said Metropolitan Board fourteen days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such board, with a plan and section showing the course and inclination thereof, and other necessary particulars relating thereto, and until such board shall have signified their approval of the same, unless such board do not signify their approval, disapproval, or other directions within fourteen days after service of the said plans, sections, and particulars as aforesaid; and the commissioners shall comply with and conform to all orders, directions, and regulations of the said Metropolitan Board in the execution of the said works, and shall provide, by new, altered, or substituted works in such manner as such board may deem necessary, for the proper protection of and for preventing injury or impediment to the main sewers hereinbefore referred to, by or by reason of the said intended works or any part thereof, and shall save harmless the said Metropolitan Board against any expense to be occasioned thereby, and all such last-mentioned works shall be done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said Metropolitan Board, at the expense in all respects of the commissioners; and all expenses which the said Metropolitan Board may be put to by reason of the works of the commissioners, whether in the execution of works, the preparation or examination of plans or designs, superintendence, or otherwise, shall be paid to such board by the commissioners; and when any new, altered, or substituted works as aforesaid, or any works connected therewith, shall be completed, by or at the expense of the commissioners, under the provisions of this act, the same shall thereafter be in full and complete under the direction, jurisdiction, and control of the said Metropolitan Board as any sewers or works now are or hereafter may be; and nothing in this act shall extend to prejudice, diminish, alter, or take away any of the rights, powers or authorities of the said Metropolitan Board, but all such rights, powers, and authorities shall be as valid and effectual as if this act had not been passed; provided that no renewal or alteration, other than a change of site of existing works, shall be deemed new works under this act; and if the commissioners shall complain of any withholding of consent on the part of the said board, or of any orders and directions and regulations, or of any charges sought to be imposed by such board upon the commissioners in the execution of any such works, it shall be lawful for Her Majesty's principal Secretary of State for the Home Department for the time being to determine every such difference, and by order under his hand to authorise the works, and the manner of executing the same, as he shall think fit; and after the date of the application by the commissioners to the said Secretary of State no penalty shall be incurred by any default of the commissioners in respect of or in relation to such works, or the matters in difference between the parties.

17. *Saving rights of the Commissioners of Sewers.*—Nothing in this act contained shall prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested in the Commissioners of Sewers of the city of London, with respect to Bell Yard, Fleet Street, in the city of London.

18. *Exemption from Building Act.*—All buildings erected on the prescribed lands shall be exempt from the operation of the first part of "The Metropolitan Buildings Act, 1855."

19. *No notice to be given to purchase property until a certificate has been received by the treasury from persons appointed under 28 Vict. c. 48, to advise, &c. as to plan.*—No notice shall be given of the intention to take any property under this act, nor shall any contract be entered into for the purchase of any property, until a certificate in writing shall have been received by the Commissioners of Her Majesty's Treasury, signed by the major part in number of the persons appointed by Her Majesty under "The Courts of Justice Building Act, 1865," to advise and concur with the Commissioners of Her Majesty's Treasury with reference to the plan and arrangements of the buildings to be erected upon the lands hereby authorised to be taken, stating that they are satisfied that the lands to be acquired under this act, of which a plan has been laid before Parliament, are sufficient for all the purposes of the intended new courts and buildings connected therewith, and that the probable cost of the said lands and buildings will not exceed the amount of the funds provided under "The Courts of Justice Building Act, 1865," for those purposes.

Miscellaneous.

20. *No purchases to be without the authority of the treasury.*—No purchase shall be made by the commissioners for the purposes of the act without the consent in writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any vendor or any purchaser from the said commissioners to ascertain that such assent has been given, nor shall the commissioners be bound to produce to any such vendor or purchaser any evidence of such assent; and any such assent may be given either generally, or for any particular purchase or purchases, as to the said Commissioners of the Treasury may seem meet.

21. *Authentication of notices.*—Every notice, summons, writ, or

other document required to be given, issued, or signed by or on behalf of the commissioners may be given, issued or signed by the solicitor or secretary for the time being of the commissioners, and need not be under the common seal of the commissioners, and may be in writing or in print, or partly in writing and partly in print.

22. *Orders concerning money paid into court may be made at chambers.*—All orders which under this act the Court of Chancery is empowered to make on motion or petition, in relation to any money paid into the Bank of England with the privity of the accountant-general of the Court of Chancery under this act, or the securities in or upon which the same may be invested, or the dividends or interest on such money and securities, may be made by any judge of the said court upon application to him, while sitting at chambers, upon summons, in like manner as in other cases in which proceedings may be so had, subject nevertheless to any general orders which may hereafter be made concerning the practice, proceedings, or business of the said court, on any such applications.

23. *Penalty for obstructing commissioners in exercise of power.*—If any person wilfully obstruct any person acting under the authority of the commissioners in the lawful exercise of the powers vested in them under this act, he shall forfeit a sum not exceeding five pounds for every such offence, to be recovered in a summary manner.

24. *Deeds not liable to stamp duty.*—No deed, bond, or other instrument made by, to, or with the commissioners for any of the purposes of this act shall be subject to any stamp duty imposed by any act now in force, nor to any stamp duty to be imposed by any future act, unless such instruments are specially charged therewith in such future act.

25. *Deeds to be enrolled in Court of Exchequer.*—Every conveyance, assignment, or other deed or instrument whereby any land by this act authorised to be purchased is conveyed or assigned to the commissioners for the purposes of this act, shall be enrolled amongst the records of Her Majesty's Court of Exchequer, and entered in the books of the said commissioners; and every such conveyance, assignment, or other deed or instrument, when so enrolled, shall, without any other enrolment or acknowledgment thereof, and without any registry thereof, be good and available in law, any act of Parliament, law, practice, or usage to the contrary in anywise notwithstanding.

26. *Plans to be deposited in the Office of Works, &c., and be open for inspection.*—A copy of the plans of the prescribed lands shall be deposited at the office of the commissioners, and shall remain at the said office, to the end that all persons may at all seasonable times, on payment of a fee of one shilling, have liberty to inspect the same.

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28 VICT. CAP. 50.

An Act for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in Ireland.—[19th June 1865.]

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28 & 29 VICT. CAP. 51.

An Act to enable the Admiralty to contract for certain Works in connexion with the Extension of Her Majesty's Dockyards.—[29th June 1865.]

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28 & 29 VICT. CAP. 52.

An Act to amend "The Drainage and Improvement of Lands Acts (Ireland)," and to afford further Facilities for the purposes thereof.—[29th June 1865.]

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28 & 29 VICT. CAP. 53.

An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Act amending the same.—[29th June 1865.]

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28 & 29 VICT. CAP. 54.

An Act to alter the Days between which Pheasants may not be killed in Ireland.—[29th June 1865.]

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28 & 29 VICT. CAP. 55.

An Act to empower the University of Oxford to make Statutes as to the Vinerian Foundation in that University.—[29th June 1865.]

Cap. 49.

28 & 29 VICT. CAP. 56.

An Act to provide for the better Prevention of Trespass in Scotland.—[29th June 1865.]

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28 & 29 VICT. CAP. 57.

An Act to amend certain Provisions in "The Ecclesiastical Leasing Act, 1858."—[29th June 1865.]

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28 & 29 VICT. CAP. 58.

An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Carrickfergus, Hastings, Maldon, Northam, and Shanklin.—[29th June 1865.]

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28 & 29 VICT. CAP. 59.

An Act for confirming, with Amendments, a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the Port of Sunderland.—[29th June 1865.]

SHEEP AND CATTLE ACT.

28 & 29 VICT. CAP. 60.

Ca . 60. *An Act to render Owners of Dogs in England and Wales liable for Injuries to Cattle and Sheep.*—[29th June 1865.]

Whereas it is expedient to amend the law as to the liability of the owners of dogs for injuries done to cattle and sheep by such dogs: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Owner of dog to be liable in damages for any injury committed by his dog.—Recovery of damages.*—The owner of every dog shall be liable in damages for injury done to any cattle or sheep by his dog; and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner. Such damages shall be recoverable in any court of competent jurisdiction by the owner of such cattle or sheep killed or injured. Where the amount of the damages claimed shall not exceed five pounds, the same shall be recoverable in a summary way before any justice or justices sitting in petty sessions under the provisions of the act eleven and twelve Victoria, chapter forty-three.

2. *Who shall be deemed the owner of the dog.*—The occupier of any house or premises where any dog was kept or permitted to live or remain at the time of such injury shall be deemed to be the owner of such dog, and shall be liable as such, unless the said occupier can prove that he was not the owner of such dog at the time the injury complained of was committed, and that such dog was kept or permitted to live or remain in the said house or premises without his sanction or knowledge: provided always, that where there are more occupiers than one in any house or premises let in separate apartments, or lodgings, or otherwise, the occupier of that particular part of the premises in which such dog shall have been kept or permitted to live or remain at the time of such injury shall be deemed to be the owner of such dog.

3. *Extent of act.*—This act shall extend to England and Wales only.

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28 & 29 VICT. CAP. 61.

An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal.—[29th June 1865.]

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28 & 29 VICT. CAP. 62.

An Act to provide for the Exemption of Churches and Chapels in Scotland from Poor Rates.—[29th June 1865.]

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28 & 29 VICT. CAP. 63.

An Act to remove Doubts as to the Validity of Colonial Laws.—[29th June 1865.]

COLONIAL MARRIAGES VALIDITY ACT.

28 & 29 Vict. cap. 64.

Cap. 64.

An Act to remove Doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions abroad.—[*29th June* 1865.]

Whereas laws have from time to time been made by the legislatures of divers of Her Majesty's possessions abroad for the purpose of establishing the validity of certain marriages previously contracted therein, but doubts are entertained whether such laws are in all respects effectual for the aforesaid purpose beyond the limits of such possessions: be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Colonial laws establishing validity of marriages to have effect throughout Her Majesty's dominions.—Not to give effect to marriages unless parties are competent to contract marriage.*—Every law made or to be made by the legislature of any such possession as aforesaid for the purpose of establishing the validity of any marriage or marriages contracted in such possession shall have and be deemed to have had from the date of the making of such law the same force and effect for the purpose aforesaid within all parts of Her Majesty's dominions as such law may have had or may hereafter have within the possession for which the same was made: provided that nothing in this law contained shall give any effect or validity to any marriage unless at the time of such marriage both of the parties thereto were, according to the law of England, competent to contract the same.

2. *Definition of "legislature."*—In this act the word "legislature" shall include any authority competent to make laws for any of Her Majesty's possessions abroad, except the Parliament of the United Kingdom and Her Majesty in Council.

THE DEFENCE ACT (1860) EXPLANATION ACT.

28 & 29 Vict. cap. 65.

Cap. 65.

An Act to explain "The Defence Act, 1860."—[*29th June* 1865.]

23 & 24 *Vict.* c. 112.—Whereas it is expedient to explain "The Defence Act, 1860:" be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Interpretation of words "barns, hovels," &c. in sect.* 34 *of recited act.*—The words "barns, hovels, and other like structures of wood" in the thirty-fourth section of the said act shall be construed to mean only such barns and hovels as are constructed altogether of wood, and are used for the shelter of cattle or sheep, or for the storage of agricultural produce, or for some other like agricultural purpose.

2. *Act and recited act to be construed together.*—This act may be read and construed as part of the said recited act.

MALT DUTY ACT.

28 & 29 Vict. cap. 66.

Cap. 66.

An Act to allow the charging of the Excise Duty on Malt according to the Weight of the Grain used.—[*29th June* 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Commencement of act.*—This act shall (except where otherwise expressly enacted) commence and take effect on the first day of September one thousand eight hundred and sixty-five.

2. *Maltster entitled to have the duty upon malt made by him charged according to the weight of the grain used.*—Any maltster who shall desire to have the duty payable upon malt made by him charged according to the weight of the corn or grain used in the making of such malt under the provisions of this act shall give notice in writing of such his desire to the officer of excise under whose survey he shall be, and upon his complying with the provisions of this act in other respects he shall be entitled to have the duty charged accordingly in respect of any corn or grain which he shall wet or steep at any time and from time to time after the expiration of four clear days from the giving of such notice: provided always, that if the maltster who shall have given such notice shall not begin to make, or shall discontinue making malt to be charged with duty under the provisions of this act, for the space of one calendar month, the notice given by him shall be of no further avail, and he shall not be entitled to the privilege of having the duty on malt made by him charged under the provisions of this act until after he shall have given a fresh notice in the manner herein-before required.

3. *Cover to be affixed to cistern.*—Every maltster who shall have given such notice as aforesaid shall, before he shall place any corn or grain in any cistern for the purpose of being made into malt to be charged with duty under the provisions of this act, provide and affix to such cistern a proper and secure cover, with proper fastenings, to the satisfaction of the supervisor of excise, or any other officer of excise of superior rank to a supervisor; and such cover shall, when there shall be any corn or grain in such cistern, be kept locked and secured by the officers of excise during such period of time as the Commissioners of Inland Revenue shall by their regulation or order direct in that behalf; and no maltster shall, after such cover shall have been locked and secured as aforesaid, open, remove, or damage such cover, or obtain access to the corn or grain in such cistern.

4. *Notice to be given of the steeping of grain.*—The maltster shall give forty-eight hours notice in writing to the officer of excise under whose survey he shall be of the day and hour when he intends to steep corn or grain to be made into malt under the provisions of this act; and in such notice the maltster shall specify the day and the particular hour when he intends to place the corn or grain in the cistern (which hour shall not be later than twelve o'clock at noon of the day preceding the day on which it is intended to steep such corn or grain); and if any notice shall be given contrary hereto, or if the whole of the corn or grain shall not be steeped within three hours, or placed in the cistern within one hour, after the respective times mentioned in any notice in that behalf, such notice shall be null and void.

5. *Declaration to be given of the weight of grain to be steeped.*—The maltster, or his chief workman or servant, shall, immediately after the corn or grain shall have been placed in the cistern for the purpose of being made into malt under the provisions of this act, fill up and sign a declaration in writing, stating the true weight per bushel of the corn or grain so intended to be made into malt as aforesaid; and such declaration shall be delivered by the said maltster, or his chief workman or servant, to the officer of excise on his first visit after the corn or grain shall have been placed in the cistern as aforesaid; and no other or different corn or grain shall be substituted for the corn or grain, or any part thereof, which shall have been placed in any cistern for the purpose of being made into malt under the provisions of this act after the same shall have been taken account of by any officer of excise.

6. *Mode of ascertaining weight of grain.*—After any corn or grain shall have been placed in the cistern the weight thereof shall be ascertained by any officer of excise, who shall take a sample or samples of such corn or grain before any water shall be added thereto; and the weight of a bushel of the corn or grain so taken as a sample or samples as aforesaid, after the same shall have been screened and cleaned (if the officer shall think fit to require such screening and cleaning), shall be deemed to be the weight per bushel of the whole of the corn or grain in the cistern: provided that if in the weight of the sample bushel there shall be a fraction of a pound amounting to one half or upwards, such fraction shall be reckoned as an entire pound, but no account shall be taken of any fraction less than half a pound.

7. *Mode of calculating duty on malt when charged according to weight.*—For the purpose of calculating and charging the duty upon malt made under the provisions of this act, a measured bushel of dry corn or grain of the weight of fifty-three pounds avoirdupois shall, for the purposes of this act, be deemed to be the standard weight on which the amount of duty payable upon a bushel of malt shall be chargeable; and in order to ascertain the number of bushels of malt to be charged on any steeping of corn or grain to be made into malt, the quantity shall first be

ulated by gauge according to the existing laws and regulations in that behalf, and such quantity shall then be multiplied the number of pounds which the sample bushel taken from h corn or grain in the manner directed by this act shall be nd to weigh, and the product be divided by fifty-three, and quotient of such division shall be the quantity upon which duty shall be charged: provided that if no sample bushel of corn or grain shall have been taken as herein-before directed, n the quantity of malt, when calculated by gauge as aforesaid, ll be multiplied by the weight of a bushel of the corn or grain declared by the maltster, his workman or servant, and the product be divided as aforesaid.

8. *Maltster to provide scales and weights and bushel measure.*—e maltster shall provide and keep proper and correct scales d weights, and a correct bushel measure, to the satisfaction of supervisor of excise of the district in which the malthouse situated, for the purpose of weighing and measuring corn and ain to be made into malt under the provisions of this act; and ch scales and weights and measure shall at all times be kept the malthouse, and such maltster and his servants shall allow y officer of excise to use the same, and shall also, upon request, nder to any such officer who shall be desirous of weighing or easuring such corn or grain, or any part thereof, such assistance the said officer shall require.

9. *Officer may weigh any grain in the malthouse of a maltster aking malt under the provisions of this act.*—It shall be lawful for ny supervisor of excise, or any other officer of excise of superior ank to a supervisor, to measure and weigh any corn or grain in he malthouse of any maltster who shall make malt under the provisions of this act, and for that purpose to use the weights and cales and bushel measure belonging to such maltster; and the maltster and his workmen or servants shall, when requested by ny such supervisor or other officer as aforesaid, render to them respectively such assistance as they may require in measuring and weighing such corn or grain.

10. *Penalty where the weight of grain shall exceed declared weight.*—If after any corn or grain shall have been placed in the cistern for the purpose of being made into malt under the provisions of this act, and before the wetting thereof the weight of a bushel of such corn or grain (screened and cleaned as aforesaid, if the officer shall require it) shall be found by any officer of excise to be in excess of the weight declared by the maltster or his chief workman or servant by such declaration as aforesaid in a greater proportion than two pounds avoirdupois per bushel, the maltster shall forfeit the sum of one hundred pounds.

11. *Grain making into malt may be sprinkled at the expiration of ninety hours after being emptied from cistern.*—That it shall be lawful for any maltster to water or sprinkle any corn or grain making into malt at the expiration of ninety hours after the same shall have been taken out of the cistern, provided such corn or grain shall have been kept covered with water in the cistern for the full space of fifty hours from the time of such corn or grain being first wetted or steeped, and the maltster shall have given to the officer of excise twenty-four hours previous notice in writing of his intention to water or sprinkle such corn or grain as aforesaid, anything in any former act contained to the contrary notwithstanding.

12. *Penalty for offences against this act.*—If any act, matter, or thing by this act required or directed to be done or performed by any maltster or his workman or servant shall be omitted or neglected or refused to be done or performed by them respectively, or if any act, matter, or thing prohibited by this act shall be done or permitted by any maltster or his workman or servant, the maltster shall in every such case forfeit the sum of one hundred pounds over and above any other penalty or penalties to which he may be subject under any other act now in force.

13. *Condition No. 3 in sect. 28 of 23 & 24 Vict. c. 113 repealed, and other provisions made.* — The condition numbered "three" in the twenty-eighth section of the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and thirteen, is hereby repealed; and no malt shall be exported on drawback which, after having been screened and cleaned as directed in the said section, shall be of less weight than thirty-six pounds or of greater weight than forty-four pounds avoirdupois per bushel; and the amount of drawback allowed by law upon the exportation of malt shall be calculated in the following manner; (that is to say,) when the malt is of the weight of thirty-six pounds and under forty pounds voirdupois per bushel, the amount of drawback allowable by law

upon a bushel of malt shall be allowed and paid in respect of every forty pounds avoirdupois of the malt exported; and when the malt shall weigh forty pounds avoirdupois or upwards per bushel, the drawback shall be allowed and paid according to the quantity ascertained by measure as heretofore; subject, however, in either case, to the deduction of seven and a half per centum upon the quantity ascertained, as directed by the thirtieth section of the above-mentioned act.

14. *12 Geo. 1, c. 4, sects. 48 to 59, and 3 Geo. 4, c. 18, sects. 12 to 16, and 18 & 19, relating to the exportation of malt on drawback, repealed.*—The several portions of acts herein-after mentioned relating to the making of malt for exportation, and the exportation of malt, shall be and the same are hereby repealed, save and except as to any malt made for exportation before the commencement of this act; (that is to say,) sections forty-eight to fifty-nine, both inclusive, of the act passed in the twelfth year of the reign of King George the First, chapter four, and sections twelve to sixteen, both inclusive, and sections eighteen and nineteen, of an act passed in the third year of the reign of King George the Fourth, chapter eighteen.

15. *Not to repeal provisions of other malt acts.*—Nothing in this act shall be deemed to repeal, alter, or affect any of the provisions contained in any act now in force relating to the manufacture of malt, or the duties imposed thereon, save and except so far as such provisions shall be especially repealed or altered by or be repugnant to the provisions of this act.

16. *Continuance of act.*—This act shall continue and be in force for four years from the passing thereof, and until the end of the then next session of Parliament, and shall then expire except as to any act done or offence committed, or any penalty or forfeiture previously incurred.

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28 & 29 VICT. CAP. 67.

An Act to amend the Acts relating to the Harbour of Kingstown.—[29*th June* 1865.]

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28 & 29 VICT. CAP. 68.

An Act to enable the Ecclesiastical Commissioners for England to grant Superannuation Allowances to Persons employed in their Service.—[29*th June* 1865.]

PARSONAGES ACT.

28 & 29 VICT. CAP. 69.

An Act further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other Purposes.—[29*th June* 1865.]

17 *Geo.* 3, *c.* 53; 21 *Geo.* 3, *c.* 66; 7 *Geo.* 4, *c.* 66; 1 & 2 *Vict. c.* 23.—Whereas under the provisions of the several acts passed in the sessions held in the seventeenth year of the reign of His late Majesty King George the Third, chapter fifty-three, in the twenty-first year of the same reign, chapter sixty-six, in the seventh year of the reign of His late Majesty King George the Fourth, chapter sixty-six, and in the first and second years of the reign of Her present Majesty, chapter twenty-three, the incumbent of a benefice is authorised and empowered, with the consents in the said acts specified, to borrow and take up at interest a sum of money exceeding one year's but not exceeding three years' net income of his benefice, for the purpose of building, repairing, or purchasing a house and other necessary buildings, or a proper site for such house and other necessary buildings, to be used as the parsonage or glebe house and offices for his benefice, and as a security for the money so to be borrowed to mortgage the glebe, tithes, rentcharges, rents, and other profits and emoluments of his benefice for the term of thirty-five years, the principal so borrowed being repayable by thirty annual instalments, with interest to accrue due thereon: and whereas it is expedient to extend the provisions of the said acts and to provide for the other purposes herein-after expressed: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Extension of provisions of recited acts relating to repairing, rebuilding, or acquiring houses of residence, &c.*—The incum-

bent of any benefice may, according to the provisions of and with the consents required by the said acts, and by any act or acts amending or referring to the same, borrow and take up at interest on mortgage as provided by the same acts, or any of them, for the purposes of the same acts or any of them, or for the purposes of the act passed in the session held in the fifty-fifth year of the reign of His said Majesty King George the Third, chapter one hundred and forty-seven, or for the purpose of purchasing any lands or hereditaments not exceeding twelve acres, contiguous to or desirable to be used or occupied with the parsonage house or glebe belonging to such benefice, or for the purpose of building any offices, stables, or outbuildings, or fences necessary for the occupation or protection of such parsonage, or for the purpose of restoring, rebuilding, or repairing the fabric of the chancel of the church of such benefice (in any case where such incumbent is or shall be liable to repair or sustain the fabric of such chancel), or for the purpose of building, improving, enlarging, or purchasing any farm house or farm buildings, or labourers dwelling houses, with the appurtenances belonging to or desirable to be acquired for any farm or lands appertaining to such benefice, any sum or sums of money not being less than one hundred pounds, and not exceeding three years net income of such benefice; and out of the sum to be borrowed it shall be lawful to pay the charges and expenses of the architect or surveyor who shall be employed in or about any of the purposes aforesaid, and also the costs and expenses of and incidental to the preparation of the mortgage deed or deeds, and of and incidental to any purchase by the said acts or this act authorised to be made.

2. *Governors of Queen Anne's bounty may sell lands, &c. given to them for their general purposes.*—It shall be lawful for the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, absolutely to sell and dispose of, either altogether or in parcels, and either by public sale or by private contract, for such sum or sums of money as to the said governors shall seem fair and reasonable, all houses, lands, tithes, tithe rentcharges, and hereditaments of what nature or kind soever which may have been or shall hereafter be given, devised, or conveyed to or acquired by the said governors for the purpose generally of augmenting the maintenance of the poor clergy; and the moneys to arise from every such sale shall be paid to the said governors, and the receipts of their treasurer for the time being shall be sufficient discharges for the said moneys, and shall effectually release and exonerate the person or persons paying the same from all responsibility in respect of the application thereof; and the said moneys when so received shall be applied and disposed of by the said governors for the benefit and augmentation of benefices in such and the same manner according to the rules and regulations of the said governors as the general funds and profits of the said governors are applicable and disposable.

3. *Powers of recited acts extended to this act.*—All the powers, authorities, provisions, forms, and matters in the herein-before mentioned acts contained shall, except as herein otherwise is provided, extend and be applicable, *mutatis mutandis*, to all the purposes of this act and of the said herein-before mentioned acts, as if the same had been respectively repeated and set forth herein.

4. *Corporations and persons under disability or incapacity authorised to convey houses and lands for parsonages.*—It shall be lawful for the principal officer of any public department holding any messuages, buildings, lands, tenements, or hereditaments for or on behalf of Her Majesty, or otherwise for the public use, or the use of such department, and for every body politic, corporate, or collegiate, and corporation aggregate or sole, and for all trustees, guardians, commissioners, or other persons having the control, care, or management of any hospital, school, charitable foundation, or other public institution, and for all other persons by "The Lands Clauses Consolidation Act, 1845," empowered to sell and convey or release lands by any assurance under the hand and seal or under the common seal, as the case may be, of such principal officer, body, or corporation, or under the hands and seals or hand and seal of such trustees, guardians, commissioners, or other persons or person, to grant and convey or release, either by way of voluntary gift or of sale, to the said governors, in fee simple or otherwise, any messuages, buildings, lands, tenements, or hereditaments to be used as and for parsonages or residences for incumbents of benefices, or the outbuildings, yards, gardens, or appurtenances thereto, or as and for sites or for enlarging sites for such parsonages or residences or the outbuildings, yards, gardens, or appurtenances thereto, and all such assurances may be made according to the form contained in the twentieth section of the act passed in the first year of Her Majesty's reign, chapter twenty, or as near thereto as the circumstances of the case will admit, or in any other form which the said governors may approve; but no such assurance or assurances from the same body or persons otherwise than upon a sale for the fair value shall comprise (including the site of any buildings) more than one acre, and upon every such assurance by way of sale the purchase money may be paid to the seller or sellers, or as he or they shall appoint, and the receipt of them or him or their or his appointees shall be a sufficient discharge for the same, except that in the case of a sale for more than twenty pounds by a tenant for life or other person having only a partial estate, the purchase money shall be paid to and applied by two trustees in manner provided by the seventy-first section of "The Lands Clauses Consolidation Act, 1845."

5. *Five of the governors may form a quorum.*—To facilitate the despatch of the business of the said governors, any five of the said governors, three of whom at least shall be archbishops or bishops, shall make a quorum for the future, and be sufficient at any court for the despatch, by majority of votes, of all business of the said governors.

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28 & 29 Vict. cap. 70.

***An Act to alter the Distribution of the Constabulary Force in Ireland, and to make better Provision for the Police Force in the Borough of Belfast.*—[29th June 1865.]**

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28 & 29 Vict. cap. 71.

***An Act to amend the Acts for the Establishment of a National Gallery in Dublin.*—[29th June 1865.]**

NAVY AND MARINES (WILLS) ACT.

28 & 29 Vict. cap. 72.

***An Act to make better Provision respecting Wills of Seamen and Marines of the Royal Navy and Marines.*—[29th June 1865.]**

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title.*—This act may be cited as "The Navy and Marines (Wills) Act, 1865."

2. *Interpretation of Terms.*—In this act—

The term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral:

The term "Seaman or Marine" means a petty officer or seaman, non-commissioned officer of marines or marine, or other person forming part in any capacity of the complement of any of Her Majesty's vessels, or otherwise belonging to Her Majesty's naval or marine force, exclusive of commissioned, warrant, and subordinate officers, and assistant engineers, and of kroomen.

3. *Will made before entry ineffectual as to wages, &c.*—A will made after the commencement of this act by any person at any time previously to his entering into service as a seaman or marine shall not be valid to pass any wages, prize money, bounty money, grant, or other allowance in the nature thereof, or other money payable by the Admiralty, or any effects or money in charge of the Admiralty.

4. *Will invalid if combined with power of attorney.*—A will made after the commencement of this act by any person while serving as a seaman or marine shall not be valid for any purpose if it is written or contained on or in the same paper, parchment, or instrument with a power of attorney.

5. *Regulations for wills of seamen, &c. as to wages, &c.*—A will made after the commencement of this act by any person while serving as a seaman or marine, or when he has ceased so to serve, shall not be valid to pass any wages, prize money, bounty money, grant, or other allowance in the nature thereof, or other money payable by the Admiralty, or any effects or

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navy in charge of the Admiralty, unless it is made in conformity with the following provisions:

(1.) Every such will shall be in writing and be executed with the formalities required by the law of England in the case of persons not being soldiers in actual military service or mariners or seamen at sea:

(2.) Where the will is made on board one of Her Majesty's ships, one of the two requisite attesting witnesses shall be a commissioned officer, chaplain, or warrant or subordinate officer belonging to Her Majesty's naval or marine or military force:

(3.) Where the will is made elsewhere than on board one of Her Majesty's ships, one of the two requisite attesting witnesses shall be such a commissioned officer, or chaplain, or warrant or subordinate officer as aforesaid, or the governor, agent, physician, surgeon, assistant surgeon, or chaplain of a naval hospital at home or abroad, or a justice of the peace, or the incumbent, curate, or minister of a church or place of worship in the parish where the will is executed, or a British consular officer, or an officer of customs, or a notary public:

A will made in conformity with the foregoing provisions shall, as regards such wages, money, or effects, be deemed to be well made for the purpose of being admitted to probate in England; and the person taking out representation to the testator under such will shall exclusively be deemed the testator's representative with respect to such wages, money, or effects.

6. *As to wills made by prisoners of war.*—Notwithstanding anything in this or any other act, a will made after the commencement of this act by a seaman or marine while he is a prisoner of war shall (as far as regards the form thereof) be valid for all purposes if it is made in conformity with the following provisions:

(1.) If it is in writing and is signed by him, and his signature thereto is made or acknowledged by him in the presence of and is in his presence attested by one witness, being either a commissioned officer or chaplain belonging to Her Majesty's naval or marine or military force, or a warrant or subordinate officer of Her Majesty's navy, or the agent of a naval hospital, or a notary public:

(2.) If the will is made according to the forms required by the law of the place where it is made:

(3.) If the will is in writing and executed with the formalities required by the law of England in the case of persons not being soldiers in actual military service or mariners or seamen at sea.

7. *Payment under will not in conformity with act.*—Notwithstanding anything in this act, in case of a will made after the commencement of this act by any person while serving as a marine or seaman, and being either in actual military service or as mariner or seaman at sea, the Admiralty may pay or deliver any wages, prize money, bounty money, grant, or other allowance of the nature thereof, or other money payable by the Admiralty or any effects or money in charge of the Admiralty, to any person claiming to be entitled thereto under such will, though not made in conformity with the provisions of this act, if, having regard to the special circumstances of the death of the testator the Admiralty are of opinion that compliance with the requirements of this act may be properly dispensed with.

8. *Commencement of act.*—This act shall commence on such day, not later than the first day of January one thousand eight hundred and sixty-six, as Her Majesty in council thinks fit to direct; nevertheless Her Majesty in council may, if it seems fit, with reference to any places out of the United Kingdom, direct that this act do not commence there, respectively, until a time after that day, and with respect to every such place the time so appointed shall be deemed the time of commencement of this act.

9. *Publication of orders in council.*—Every order in council under this act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within thirty days after the making thereof, if Parliament is then sitting, and if not, then within thirty days after the next meeting of Parliament.

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28 & 29 VICT. CAP. 73.

An Act for regulating the Payment of Naval and Marine Pay and Pensions.—[29th June 1865.]

28 & 29 VICT. CAP. 74.

An Act to enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or temporary Railway across certain public Roads in the County of Devon.—[29th June 1865.]

SEWAGE UTILISATION ACT.

28 & 29 VICT. CAP. 75.

Cap. 75. *An Act for facilitating the more useful Application of Sewage in Great Britain and Ireland.*—[29th June 1865.]

Whereas it is expedient to remove difficulties under which local boards and other bodies having the care of sewers labour in disposing of the sewage of their districts so as not to be a nuisance, and to give facility to such authorities to make arrangements for the application of such sewage to land for agricultural purposes: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Sect. 1. *Short title.*—This act, for all purposes, may be cited as "The Sewage Utilisation Act, 1865."

2. *Application of act.*—This act shall not extend to any part of the metropolis as defined by the act of the session eighteenth and nineteenth years of the present reign, chapter one hundred and twenty, for better local management of the metropolis, and shall not, with the exception of clause fifteen, extend to any parish as defined in the schedule to this act in a part of which parish "The Public Health Act, 1848," and "The Local Government Act, 1858," or one of such acts, is in force at the time of the passing of this act.

3. *Definition of sewer authority.*—The expression "sewer authority" shall, in the several places in the schedule annexed hereto in that behalf mentioned, mean the persons or bodies of persons referred to in the first column of the schedule annexed hereto; and the term "district," in relation to a sewer authority, shall, as respects each authority, mean the place in that behalf referred to in the second column of the said schedule.

"Local Board" shall mean a local board authorised in pursuance of "The Public Health Act, 1848," and "The Local Government Act, 1858," or one of such acts.

4. *Powers of sewer authorities.*—Sewer authorities shall have power to construct such sewers as they may think necessary for keeping their district properly cleansed and drained, and shall, as respects all sewers constructed by them or under their control, whether the same were made before or after the passing of this act, have all the powers that local boards have, in respect of sewers vested in or constructed by them, under the forty-fifth and forty-sixth sections of "The Public Health Act, 1848," the thirtieth section of "The Local Government Act, 1858," and the fourth section of "The Local Government Act, 1858, Amendment Act, 1861," subject to the provisions of the fifth and sixth sections of the last-mentioned act, and to the saving clauses in "The Local Government Act, 1858," mentioned, from sixty-eight to seventy-four, both inclusive; and in Scotland, in addition to such of the aforesaid powers as are applicable to Scotland, all the powers contained in section seven (public sewers) of part four of "The General Police and Improvement (Scotland) Act, 1862."

5. *Power of entry.*—The sewer authority shall have the powers of entry conferred by the one hundred and forty-third section of "The Public Health Act, 1848," for the purposes of making or keeping in repair any works made or to be made by them, as well as other purposes specified in the said section.

6. *Payment of expenses.*—A sewer authority shall pay all expenses incurred by them in carrying this act into effect out of the fund or rate in the schedule in that behalf mentioned, and shall have all such powers of borrowing money on the security of such fund or rate as local boards have of borrowing money under "The Local Government Act, 1858," and the acts amending that act, on the security of the funds or rates in the said acts in that behalf mentioned, subject to the conditions and sanction under which such powers are exercised by local boards under the said acts.

7. *Power to take lands.*—A sewer authority shall, for the purposes of this act, have the powers of taking lands conferred on local boards by the seventy-fifth section of "The Local Government Act, 1858," and any act amending the same.

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8. *Compensation.*—Full compensation shall be made, out of any fund or rate applicable to the purposes of this act, to all persons sustaining any damage by reason of the exercise of any of the powers of this act; and in case of dispute as to amount, the same shall be settled by arbitration, as provided in "The Public Health Act, 1848," or any act amending the same, or if the compensation claimed do not exceed the sum of twenty pounds, the same may be ascertained by and recovered before justices in a summary manner, in manner provided by the acts mentioned in this section.

9. *Power of sewer authorities to combine.*—Two or more sewer authorities, including under that expression for the purposes of this section local boards, may combine together for the purpose of executing and maintaining any works that may be for the benefit of their respective districts, and all moneys they may agree to contribute for the execution and maintenance of such common works shall, in case of each authority, be deemed to be expenses incurred by them in the execution of works within their district, and shall be raised accordingly.

10. *Sewer authority may take proceedings to prevent pollution of streams.*—A sewer authority, with the sanction of Her Majesty's attorney-general in England, and of the attorney-general for Ireland in Ireland, and of the lord advocate in Scotland, may, either in its own name or in the name of any other person, with the consent of such person, take such proceedings by indictment, bill in chancery, action, or otherwise, as it may deem advisable, for the purpose of protecting any watercourse within its jurisdiction from pollutions arising from sewage either within or without its district; and the costs of and incidental to any such proceedings, including any costs that may be awarded to the defendant, shall be deemed to be expenses properly incurred by the sewer authority in carrying into effect the purposes of this act.

11. *Sewers not allowed to drain into any stream, &c.*—Nothing contained in this act, or in the acts referred to therein, shall authorise any sewer authority to make a sewer so as to drain direct into any stream or watercourse.

12. *Power to Public Works Loan Commissioners to lend money to sewer authorities.*—The Public Works Loan Commissioners, as defined by "The Public Works Loan Act, 1853," may advance to any sewer authority, upon the security of any rate applicable to the purposes of this act, without any further security, such sums of money as may be recommended by one of Her Majesty's principal Secretaries of State, to be applied by such authority in carrying into effect the purposes of this act.

13. *Powers of act cumulative.*—All powers given by this act shall be deemed to be in addition to and not in derogation of any other powers conferred on any sewer authority by act of Parliament, law, or custom; and the sewer authority may exercise such other powers in the same manner as if this act had not passed.

14. *Sewer authority may enter into contract for supply of sewage.*—The sewer authority of any place may from time to time, for the purpose of utilising its sewage, agree with any person or body of persons, corporate or unincorporate, as to the supply of such sewage, and works to be made for the purpose of that supply, and the parties to execute the same and to bear the costs thereof, and the sums of money, if any, to be paid for that supply; provided that no contract shall be made for the supply of sewage for a period exceeding twenty-five years.

15. *Application of 27 & 28 Vict. c. 114 to works, &c. for supply of sewage.*—The making of works of distribution and service for the supply of sewage to lands for agricultural purposes shall be deemed an "improvement of land" authorised by "The Land Improvement Act, 1864," and the provisions of that act shall apply accordingly.

16. *Board of Works in Ireland to have power of Secretary of State in sewage matters.*—The Commissioners of Public Works in Ireland shall, in respect to any sewage authority or sewage matter in Ireland, have and exercise all the powers conferred by this act, or any act incorporated herewith, on one of Her Majesty's principal Secretaries of State; and all applications by this act, or any act incorporated herewith, authorised or directed to be made to one of Her Majesty's principal Secretaries of State in respect to sewage matters, or the powers conferred by this act on sewage authorities, shall in Ireland be made to the Commissioners of Public Works; and all orders made on such applications by said commissioners shall have the same force and effect as orders made by one of Her Majesty's principal Secretaries of State on similar applications in England and Scotland.

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SCHEDULE.

England and Wales.

Description of Local Authority.	Description of Places.	Rate or Fund out of which Expenses to be paid.
The mayor, aldermen, and burgesses acting by the council.	In boroughs, with the exception of the boroughs of Oxford and Cambridge, not within the jurisdiction of a local board.	The borough fund or borough rate.
The commissioners, trustees, or other persons intrusted by any local act of Parliament with powers of improving, cleansing, lighting, or paving the town.	The boroughs of Oxford and Cambridge, and any town or place not included within the above descriptions, and under the jurisdiction of commissioners, trustees or other persons intrusted by any local act with powers of improving, cleansing, lighting, or paving any town.	Any rate leviable by the commissioners, trustees, or other persons.
The vestry, select vestry, or other body of persons acting by virtue of any act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.	In parishes not within the jurisdiction of any sewer authority herein-before mentioned, and in which a rate is levied for the maintenance of the poor.	The poor rate.

Scotland.

Description of Local Authority.	Description of Places.	Rate of Fund out of which Expenses to be paid.
The town council ...	Places within the jurisdiction of any town council and not subject to the separate jurisdiction of police commissioners or trustees.	The revenue of the burgh, or any rate applicable to sewers leviable by the town council.
The police commissioners or trustees.	In places where police commissioners or trustees exercise the functions of police commissioners or trustees under any general or local act.	Any rate leviable by the commissioners or trustees, or any fund belonging to them.
The parochial board	Any town or village not included in the above descriptions.	The poor rate.

Ireland.

The right hon. the lord mayor, aldermen, and burgesses.	The city of Dublin.	The district sewer rate.
The mayor, aldermen, and burgesses.	Towns corporate or boroughs (with the exception of Dublin).	Any rate leviable by the town council or any fund belonging to them applicable in the whole or in part to the making or repairing of sewers within their jurisdiction.
The town commissioners or other governing body.	Towns having town commissioners under 9 Geo. 4 c. 82, or 17 and 18 Vict. c. 103, or any acts amending the same, or having commissioners or other governing body under any local act.	Any rate leviable by these bodies, or any fund belonging to them applicable in the whole or in part to the making or repairing of sewers within their jurisdiction.
The board of guardians or any committee thereof appointed by the board.	Any town or village in any union not included in the above descriptions.	The poor rate, but the expenses to be charged only on the electoral division in which the town or village is situated.

28 & 29 Vict. cap. 76.

An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Girvan, Mevagissey, and Stornoway.—[29th June 1865.]

PUBLIC HOUSE CLOSING ACT (1864) AMENDMENT ACT.

28 & 29 Vict. cap. 77.

Cap. 77.

An Act to amend the Act of the Twenty-seventh and Twenty-eighth Victoria, Chapter Sixty-four, commonly called "The Public House Closing Act, 1864."—[29th June 1865.]

Whereas it is expedient to amend "The Public House Closing Act, 1864:" be it therefore enacted by the Queen's most excl-

lent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Cap. 77.

Sect. 1. *Short title.*—This act may be cited for all purposes as "The Public House Closing Act, 1865."

2. *Power to justices to grant licences to licensed victuallers and refreshment house keepers suspending operation of recited act.*—It shall be lawful for the licensing justices at the time of granting or renewing any licence, upon the production of such evidence as they shall deem sufficient to show that it is necessary or desirable, for the accommodation of any considerable number of persons attending any public market, or following any lawful trade or calling, if, in the discretion of such justices, they shall think fit, to grant to any licensed victualler or keeper of a refreshment house whose place of business is in the immediate neighbourhood of such market, or of the place where the persons follow such lawful trade or calling, a licence exempting him from the provisions of the herein-before mentioned act between the hours of two and four o'clock in the morning, or any part of such hours, during such days, times, or hours as shall be specified in such licence; and no licensed victualler or keeper of a refreshment house to whom such licence has been granted under this act shall be subject to any penalty for a contravention of the herein-before mentioned act during the days or times to which such licence extends, but he shall not be exempted by such licence from any penalty to which he may be subject under any other act of Parliament; provided that a printed notice stating the days and special hours during which and the class of persons for whom the house is open under such licence shall be affixed in a conspicuous position outside the house.

3. *Power to withdraw such licence.*—It shall be lawful for such justices, from time to time, as and when it may seem fit to them, either to withdraw such licence altogether, or to alter, vary, or amend the same in such manner as such justices may deem necessary or expedient.

4. *Act to be in force in certain districts, &c.*—The said act, as herein amended, shall be in force in such districts under the operation of "The Public Health Act, 1848," or "The Local Government Act, 1858," as adopt the same; and local boards of health established under or by virtue of the said "Public Health Act, 1848," and local boards established under or by virtue of the said "Local Government Act, 1858," may adopt the said "Public House Closing Act, 1864," in the same manner; and the same shall come into operation at the same time as is provided for the adoption and coming into operation of that act by corporate boroughs, or boards of improvement commissioners; provided that this section shall not apply to any district which is a corporate borough, or within the jurisdiction of a board of improvement commissioners.

5. *Justices of the peace to grant licences.*—So much of the eighth clause of the said recited act as defines the local authority to be a commissioner, superintendent, or other chief officer of police shall be repealed, and instead thereof the local authority shall be, in any district, city, or town where petty sessions are held, except in the metropolitan police district, two justices of the peace sitting in petty sessions, and in any other district, city, or town, two justices of the peace acting in the district, city, or town.

6. *Act to be construed with recited act.*—This act shall be deemed, construed, and taken as part of the said herein-before mentioned act.

MORTGAGE DEBENTURES ACT.

28 & 29 VICT. CAP. 78.

Cap. 78.

An Act to enable certain Companies to issue Mortgage Debentures founded on Securities upon or affecting Land, and to make Provision for the Registration of such Mortgage Debentures and Securities.—[*29th June* 1865.]

Whereas it is expedient that provision should be made whereby such companies as are herein-after defined may be enabled to issue mortgage debentures founded upon the security of certain descriptions of property as herein-after defined, and for the registration in the office of Land Registry of such mortgage debentures and securities: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Cap. 78.

Sect. 1. *Short title.*—This act may be cited for all purposes as "The Mortgage Debenture Act, 1865."

2. *Extent of act.*—This act shall extend and apply to, and the powers hereby conferred may be exercised by, all such companies incorporated and carrying on business under "The Companies Act, 1862," or any act of Parliament, as now or hereafter may be entitled to advance money on the security of land; and in the construction of this act the expression "the company" means any company to which this act applies, and which shall for the time being be availing itself of the provisions of this act.

3. *No company to avail themselves of act unless it shall comply with provisions herein named.*—No company shall be entitled to avail itself of this act, unless it shall comply with the following provisions:

First. The company must, under its act of Parliament or memorandum of association, be limited to one or more of the following objects:

1. The making of advances of money upon any of the following securities:

(*a.*) Lands, messuages, hereditaments, and real property, and all estates and interests therein:

(*b.*) Rates, dues, assessments, and impositions upon the owners or occupiers of lands or real property imposed by or under the authority of any act of Parliament, public or private, Royal Charter, Commission of Sewers or Drainage, or other sufficient legal authority:

(*c.*) Charges and securities upon or affecting lands, messuages, hereditaments, and real property executed, made, given, or issued under the authority of any act of Parliament, public or private:

2. The borrowing of money on transferable mortgage debentures, or on one or more of the securities above mentioned:

Provided that any company already constituted under "The Companies Act, 1862," for the purpose of making advances on real securities, and whose memorandum of association includes but is not limited to the objects herein-before specified, may, by special resolution in accordance with the provisions of that act, alter its memorandum for the purpose of limiting and so as to limit its objects and business to those so specified; and such company shall thereupon be and become a company constituting and carrying on business under such altered memorandum, and on its being shown to the satisfaction of the registrar herein-after mentioned that such alteration has been made, and that all obligations, if any, entered into by the company in respect of the business which prior to such special resolution it was empowered to transact, other than the business to which it will be limited after the passing of such special resolution, have been discharged, and that the articles of association of the company are in accordance with the altered memorandum, such company shall be deemed to be a company within this act and entitled to the benefits thereof:

Second. The company must have a paid-up capital of not less than one hundred thousand pounds;

Third. Each share must be of the nominal value of not less that fifty pounds, of which not less than one-tenth nor more than one-half must have been paid up.

4. *Power to company to borrow money on mortgage debentures.*—Subject to the provisions and restrictions of this act, the company may from time to time borrow money upon mortgage debentures to be issued by it under the authority of this act:

5. *Nature of securities on which debentures may be founded.*—The securities upon and in respect of which such mortgage debentures may be founded and issued shall be securities affecting property in England or Wales of the following descriptions:

(*a.*) Lands, messuages, hereditaments, or real property, or some estate or interests therein:

(*b.*) Rates, dues, assessments, or impositions upon the owners or occupiers of lands, messuages, hereditaments, or real property, imposed by or under the authority of any act of Parliament, public or private, Royal Charter, Commission of Sewers or Drainage, or other sufficient legal authority:

(*c.*) Charges upon or affecting lands, messuages, hereditaments, or real property executed, made, given, or issued under the authority of any act of Parliament, public or private:

But, from the securities described in paragraph (*a.*) shall be

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excepted securities upon mines or mineral property, quarries, brickfields, and factories, mills, and other buildings or works for manufacturing purposes, and also securities upon leasehold estates, determinable upon a life or lives, and not renewable or held for a term, of which, at the date of the security, less than fifty years shall be unexpired, or which are subject to any rent beyond a nominal rent or a ground rent.

In construing this the word "securities" shall be deemed to mean such securities as above defined and restricted, and no others.

6. *Securities on which companies wish to issue debentures to be produced to registrar of titles, &c. for registry.*—When and from time to time as the company may desire to use any securities in their possession for the purpose of founding and issuing mortgage debentures thereon, they shall produce the deeds or instruments creating such securities, duly executed and stamped, to the office of Land Registry established by the twenty-fifth and twenty-sixth Victoria, chapter fifty-three, in order to the same being duly registered in such office of Land Registry, in accordance with the provisions of this act.

7. *Register of securities to be established in office of Land Registry*—For the purposes of such registration there shall be established in such office of Land Registry, in respect of every company issuing mortgage debentures under this act, a register, with the name of the company attached, which shall be called a register of securities under "The Mortgage Debentures Act, 1865."

8. *Registrar of titles, &c. to conduct business of register.*—The business of the registration shall be conducted in such office in accordance with such rules and regulations as the registrar, with the sanction of the Lord Chancellor, from time to time shall prescribe.

9. *Upon deposit with registrar of securities held by company, and the deeds relating thereto, and certificate of company, and declaration of surveyor, registrar may register deed creating security.*—Upon production to and deposit with the registrar of the deeds or instruments purporting to be duly executed and stamped as aforesaid, together with a certificate under the common seal of the company and the hands of one or more directors and of the secretary or accountant of the company, in the form or to the effect of form (A.) in the schedule hereto, and in the cases herein-after mentioned of the certificate of a surveyor as herein-after provided, the registrar shall enter in the proper register of securities the date of every such deed or other instrument, its nature, whether mortgage, grant of annuity, rentcharge, or other security, the amount of the principal money or the amount and duration of the annuity thereby secured, and the tenure, extent, and situation of the property upon which the security is taken: provided always, that the registrar shall not register any deed or instrument relating to or affecting any property not situate in England or Wales.

10. *Form of declaration of surveyor.*—The registrar shall not register any deeds or instruments for the purposes of this act until there shall have been produced for his inspection, and left to be registered, a voluntary declaration made by a surveyor or valuer, approved by the Inclosure Commissioners for England and Wales, in the form (B.) in the said schedule hereto, or to the like effect; but when such deeds or instruments relate exclusively to any of the securities described in section 5 (*b.* and *c.*), the report of the surveyor or valuer shall state only the value at the time of his report of the securities to be valued. There shall also be delivered with the before-mentioned deeds or instruments a schedule, under the hand of the secretary or one of the directors of the company, of the deeds and documents which were delivered to the company at the time when the security was executed to them, which deeds or documents shall be deposited with the registrar, to be retained by him until withdrawn as herein-after provided.

11. *Power to company to issue debentures not exceeding amount of registered securities, &c.*—Upon the securities so from time to time registered, the company may found and issue its mortgage debentures, but so that the aggregate principal sum secured by all the mortgage debentures shall never exceed at any one time the then total amount (to be ascertained in the manner herein-after provided) of the registered securities of the company, and also shall never exceed ten times the amount for the time being uncalled of its subscribed share capital.

12. *Before company shall register any mortgage debentures, it shall file a return containing particulars herein named.*—Before any company entitled to issue mortgage debentures under the provisions of this act shall register any such mortgage debentures under the provisions of this act, such company shall file in the office of the Land Registry a return containing the following and such other particulars as the registrar may from time to time require, which return shall be under the hand of one at least of the directors of the company and the secretary:

(*a.*) The amount of the nominal capital of the company, and the number and amount of shares into which the same is divided:

(*b.*) The amount per share and the aggregate amount paid up on the shares:

(*c.*) The assets or property of the company at the date of the return, and how invested:

(*d.*) The names, addresses, and occupations of the directors and auditors of the company:

(*e.*) The registered office of the company.

13. *Company may issue new debentures in lieu of those paid off.*—If and whenever any of such mortgage debentures shall be paid off by the company, the company may issue new mortgage debentures in lieu thereof, and so from time to time, provided that the aggregate principal sum secured by all the mortgage debentures then issued and outstanding shall not exceed either of the before-mentioned limits.

14. *Registered securities charged with payment of debentures, and not applicable for any other purpose until discharged from registration.*—All the registered securities for the time being of the company shall be charged with the payment of the principal moneys and interest from time to time payable upon or in respect of all the mortgage debentures of the company for the time being issued and outstanding; and no registered security, until discharged therefrom as herein-after provided, shall be applicable to or available for any other purpose than the satisfaction of such principal moneys and interest, or be transferred, disposed of, or otherwise dealt with by the company, unless and until the same shall have been discharged from registration in the manner herein-after provided: provided, nevertheless, that such registration shall not prevent the company from receiving, applying, and giving a valid discharge for any interest which may from time to time be receivable upon or in respect of any such security, unless where a receiver shall have been actually appointed under the provisions of this act.

15. *Rights of holders of mortgage debentures.*—The persons from time to time entitled to the company's mortgage debentures shall, proportionally, according to the amount of the moneys secured thereby, be entitled one with another to the benefit of the registered securities of the company upon which such mortgage debentures are founded, without any preference one above another by reason of priority of the date of any such mortgage debenture or otherwise.

16. *Proceedings on redemption of securities.*—Whenever any person who has executed a security which has been registered under the provisions of this act is entitled to redeem such security, and has given notice to the company of his intention so to do, the company shall thereupon, and before the day appointed for the redemption, make application to the registrar for the purpose of having such security freed and discharged from the charge of the mortgage debentures issued by the company, and upon a security of at least equal value, as certified by a declaration of the surveyor or valuer before mentioned, being produced to him for registration and being registered accordingly, or its being shown to his satisfaction that at least an equivalent of mortgage debentures issued under the provisions of this act has been cancelled, he shall allow the same to be so freed and discharged, and shall cause an entry to be made in the register of securities of the said security being discharged, and shall re-deliver to the company the several deeds or instruments to which such security relates, and which were delivered to the registrar for registration, under the provisions herein-before contained, and such entry shall be conclusive evidence of such discharge.

17. *Owner of registered security upon default of company may obtain the discharge thereof from company's debentures.*—If the company shall not have procured such discharge on or before the day appointed for redemption, the mortgagor or other person entitled to redeem such security may apply to the High Court of Chancery by summons, calling upon the company to show cause why such security is not so discharged, and upon hearing such summons the judge shall appoint a day by which the discharge shall be obtained, and in default thereof shall order that the amount of principal and interest money due upon such secu-

rity shall, by a day to be named in the order, be paid into the bank to the credit of the accountant-general of the Court of Chancery to the account of the company's mortgage debentures, and shall make such order as to the costs of and incidental to the application as the court may deem just.

Upon production to and deposit with the land registrar of such order, together with the accountant-general's certificate of such payment into court as aforesaid, the registrar shall make an entry in the proper register of securities of the discharge of such security from the company's mortgage debentures, and shall deliver to the person named in such order the several deeds and instruments to which such security relates, and which were delivered to the registrar under the provisions herein contained.

Upon the company proving to the satisfaction of the court, by the production of a certificate of the registrar, either that a security at least equal in value to the amount so paid into court as aforesaid has been registered as aforesaid, or that an equivalent amount of the company's mortgage debentures has been cancelled, the court shall direct the payment out of court to the company of the amount so paid in, together with any dividends that may have accrued due thereon in the meantime.

18. *Registrar to determine fees.*—There shall from time to time be paid by the company or others, in respect of business transacted under this act by the registrar, such fees as the registrar, with the sanction of the Lord Chancellor, from time to time prescribes; and there shall also be paid by the company to the registrar, the assistant registrar, and the other officers and servants of the office respectively, such remuneration for their respective services in the execution of this act as the Lord Chancellor from time to time sanctions.

19. *Collection of fees.*—The following rules shall be observed with respect to the collection of fees:

(*a.*) All fees so payable shall be received by stamps denoting the amount of fees payable, and not in money:

(*b.*) When a fee is payable in respect of a document, a stamp denoting the amount of the fee shall be affixed to the document and properly cancelled:

(*c.*) The Commissioners of Inland Revenue shall provide everything that is necessary for the collection of the moneys by this act directed to be paid by stamps.

20. *Inspection of register.*—Subject to such regulations and on payment of such fees as the registrar, with the sanction of the Lord Chancellor from time to time prescribes, any person may inspect and make copies of and extracts from the register.

21. *Company to make quarterly returns to registrar.*—When and so long as the company issues any mortgage debentures under this act, and from time to time so long as any mortgage debenture so issued remains outstanding, the company shall, within ten days after every quarter day as herein-after defined, make out and deliver to the registrar the quarterly return by this act prescribed; and every quarterly return shall be verified by the statutory declaration of two directors, and the manager, secretary, or accountant of the company.

22. *Quarter days for purposes of act.*—The thirty-first day of March, the thirtieth day of June, the thirtieth day of September, and the thirty-first day of December in every year shall be the quarter days for the purposes of this act.

23. *Quarterly returns made to registrar to be as in form (C.) in schedule, and to contain particulars herein named.*—Every quarterly return to be made by the company to the registrar shall be in the form set forth in form (C.) in the schedule to this act, or as near thereto as circumstances may admit, and shall contain, with reference to the then last quarterly day, the following particulars:

(*a.*) An account of all the securities of the company at that time registered, showing the aggregate of all principal sums remaining secured thereby and unpaid, and showing also the aggregate amount or the aggregate estimated value of all annuities and other periodical payments secured thereby:

(*b.*) An account showing the aggregate amount and the estimated value of the company's other investments, and also the total number and aggregate nominal amount of the shares of the company's capital held by persons registered in the company's books as the holders thereof, and the aggregate amount paid up in respect of those registered shares, and the aggregate amount remaining to be paid thereon.

(*c.*) The numbers and dates of the several mortgage debentures issued by the company and remaining in force, and the several principal sums secured by those mortgage debentures respectively, and the aggregate amount thereof, and the rates of interest payable on those principal sums respectively, and the time or times for the repayment of those principal sums respectively.

24. *Estimate for quarterly returns of amount or value of annuities.*—The amount or value of the annuities and other periodical payments to be comprised in the quarterly returns shall be ascertained or estimated by an actuary approved by the registrar.

25. *Total amount of registered securities.*—The aggregate of all principal sums remaining secured by the registered securities, together with the aggregate amount or value of the said annuities as so ascertained or estimated, shall, for the purposes of this act, be deemed to be the total amount for the time being of the registered securities of the company.

26. *Form of mortgage debenture.*—Every mortgage debenture from time to time issued by the company shall be a deed under the common seal of the company, duly stamped as a mortgage for the amount secured, and bearing the signatures of at least two of the directors, and the counter-signature of the manager, secretary, or accountant of the company, and shall be in accordance with the form (D.) in the schedule to this act, or as near thereto as circumstances admit.

27. *Company to keep "register of securities."*—The company shall keep a register, to be called the "register of securities," in which shall be entered the date of every deed or other instrument registered at the Land Registry for the purposes of this act, its nature, whether mortgage, grant of annuity, rentcharge, or other security, the amount of the principal money, or the amount and duration of the annuity thereby secured, the tenure, extent, and situation of the property upon which the security is taken, and if there are any charges which take priority of the company's security, then the amount of such prior charges.

28. *Terms on which mortgage debentures may be issued.*—The mortgage debentures shall be for the payment of principal sums at a fixed time, to be named therein, not less than six months nor exceeding ten years from the date, with interest thereon in the meantime, at such rate as may be agreed, payable half-yearly or otherwise; and no mortgage debenture shall be issued for a less principal sum than fifty pounds.

29. *Mortgage debentures to be numbered.*—The mortgage debentures shall be numbered consecutively, beginning with number one, and every mortgage debenture shall be distinguished by its appropriate number; and notwithstanding the cancellation, loss, or destruction of a mortgage debenture, no other mortgage debenture shall bear the number of that so cancelled, lost, or destroyed.

30. *Indorsement to be made upon mortgage debenture.*—There shall be indorsed upon every mortgage debenture issued under the provisions of this act:

(*a.*) The amount of the nominal capital of the company issuing the same:

(*b.*) The number and amount of the shares into which such capital is divided:

(*c.*) The number of shares issued and the amount paid up in money upon each share so issued:

(*d.*) The amount of the registered securities of the company as declared by the last quarterly return:

(*e.*) The registered office of the company:

Provided that any inaccuracies or omissions in such indorsements shall not affect or invalidate the debenture.

31. *List of mortgage debentures to be kept by company.*—A book containing a list of mortgage debentures shall be kept by the company's secretary, and on the issue of any mortgage debenture an entry of the number and date thereof, and of the principal money secured thereby, and the name, description, and residence of the person to whom it is issued shall be entered in such book.

32. *Register of mortgage debentures.*—There shall also be established and kept in the office of Land Registry, by or under the direction of the registrar, in respect of every company issuing mortgage debentures under this act, a register of the mortgage debentures of the company.

33. *Registration of mortgage debentures.*—When any mortgage debenture of the company is duly executed and stamped, the company shall produce it to the registrar, in order to its being registered, and thereupon the registrar shall enter in the register of mortgage debentures the number and the date of the

mortgage debenture, the amount of the principal money thereby secured, and the time or times for repayment of the principal money thereby secured, and shall make on the mortgage debenture an indorsement stating the day on which the mortgage debenture was produced to him for registration, and of the page of the book in which the entry thereof is made; and without such an indorsement no mortgage debenture shall be a charge under this act upon the registered securities of the company.

34. *Indorsement of registrar.*—The indorsement of the registrar on any mortgage debenture as herein-before mentioned shall be conclusive evidence that it is a mortgage debenture duly registered under the provisions of this act.

35. *No notice of trust receivable by company, &c.*—No notice of any trust in respect of any mortgage debenture shall be receivable by the company or the registrar.

36. *Entry in register of discharge of mortgage debenture.*—When a mortgage debenture is produced by the company to the registrar, with a receipt for the moneys secured thereby indorsed thereon, signed and stamped, he shall make in the register of mortgage debentures an entry of the discharge thereof.

37. *Transfer of mortgage debenture.*—Every mortgage debenture may be transferred by indorsement in the form (E.) in the schedule to this act, or to the like effect.

38. *Entry of transfers by deed of mortgage debentures to be made by company.*—Within thirty days after the date of every such transfer, if executed within the United Kingdom, or otherwise within thirty days after the arrival thereof in the United Kingdom, it shall be produced to the company's secretary, and thereupon the secretary shall make an entry thereof in a transfer book; and after the entry the transfer shall entitle the transferee to the full benefit of the original mortgage debenture, so far as it is then in force; and no person having made the transfer shall have power to make void, release, or discharge the mortgage debenture so transferred, or any money thereby secured; and for the entry the company may demand not exceeding two shillings and sixpence; and, until the entry, the company shall not be in any manner responsible to, or bound to take notice of, the transferee in respect of the mortgage debenture.

39. *Stamp acts applied to stamps under act.*—The several acts from time to time in force relating to stamps under the care or management of the Commissioners of Inland Revenue shall apply to the stamps to be provided in pursuance of this act, and to documents on which the stamps are impressed, and to collecting and securing the sums of money denoted by stamps, and to preventing, detecting, and punishing all frauds, forgeries, and other offences relating thereto, as fully as if the provisions were in this act repeated and specially enacted with reference to those stamps and sums of money respectively.

40. *Further powers of investment to trustees.*—In all cases in which, by the instrument creating the trust, trustees have a general power to invest trust moneys in or upon the security of shares, stock, mortgages, bonds, or debentures of companies incorporated by or acting under the authority of an act of Parliament, they may invest such trust moneys on the security of mortgage debentures duly issued under and in accordance with the provisions of this act.

41. *Power to appoint receiver.*—Any person for the time being entitled to any mortgage debenture of the company shall be empowered from time to time to enforce the payment of any arrears of interest or principal (as the case may be) due on such mortgage debenture by procuring the appointment of a receiver in the manner and subject to the conditions herein-after mentioned.

42. *Terms on which power may be exercised.*—If within seven days after the interest accruing upon any mortgage debenture has become payable, and after demand thereof in writing made upon the company by the person entitled thereunto, such interest be not paid, or if within three weeks after the principal money secured by any mortgage debenture has become payable, and after demand thereof in writing made as aforesaid, such principal money be not paid, the person at the time entitled to the receipt of such interest or principal respectively may apply for the appointment of a receiver, as herein-after provided.

43. *Saving rights of mortgagees to sue.*—No such application shall in any way prejudice or affect the right of any person entitled to any such mortgage debenture to sue for any such interest or principal money, as the case may be, in any court of law or equity.

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44. *Application for receiver.*—Every application for a receiver in the cases aforesaid may be made to the High Court of Chancery by petition or by summons at chambers, and on any such application the Court of Chancery may appoint a receiver to act on behalf of the applicant and the other persons entitled to the company's mortgage debentures.

45. *Removal of receiver.*—The court may also remove the receiver, and appoint another in his stead, and so from time to time, and may make such orders and give such directions as to the powers and duties of the receiver, and otherwise as to the disposal of the moneys received by him, as may be thought fit.

46. *Powers and duties of receiver.*—Subject to any such orders and directions, the receiver shall be entitled to receive or recover the whole or a competent part of the principal moneys, instalments, annuities, interest, and other moneys from time to time payable to the company upon or in respect of their registered securities, and also any moneys standing to the account of the company's mortgage debentures under the provision of section seventeen, until the principal and interest due on all the debentures issued by the company, together with all costs, including the reasonable and proper charges of such receiver, shall have been fully paid; and upon such appointment being made, and notice thereof to the several persons liable upon such registered securities, all such moneys from time to time payable upon or in respect of such registered securities shall be paid to and received or recovered by such receiver; and the receiver shall apply the same, as from time to time received or recovered by him, first to the payment of all such costs, and afterwards to the discharge and payment of all interest, or principal and interest, as the case may be, due upon such mortgage debentures; and after such costs, and such interest, or principal and interest, shall have been fully paid, the power of such receiver shall cease.

47. *Court may stay order for receiver upon terms.*—The court may order, as to any of the above-mentioned powers and duties, that the receiver shall not exercise the same without the sanction or further direction of the court; and the court may, at any time after an order for the appointment of a receiver has been made, make an order staying the same, either altogether or for a limited time, on such terms and subject to such conditions as it may deem fit.

48. *Company not to issue mortgage debentures on ceasing to be entitled to avail itself of act.*—In case any company shall cease to be entitled to issue mortgage debentures under this act, such company shall nevertheless have the powers and be subject to the provisions of this act with respect to all mortgage debentures then issued and outstanding; but no mortgage debentures shall be issued or renewed by such company upon any ground or pretence whatever after it shall have ceased to be so entitled.

49. *Penalties in such event.*—In case any company which shall not at the time being be entitled to avail itself of the provisions of this act shall issue mortgage debentures under, or purporting to be under, the provisions of this act, or in case any company entitled to avail itself of the provisions of this act shall at any time issue mortgage debentures for an aggregate principal sum exceeding the limit to which at the time being they are entitled to issue, any person who shall knowingly or wilfully be concerned in such issue shall in every such case forfeit the sum of five hundred pounds.

50. *How penalties may be recovered.*—Every penalty herein-before provided may be sued for and recovered by any person whosoever who will sue for the same by action in any of the superior courts of law in England or Ireland or Scotland, according as the offence has been committed in either of those parts of the United Kingdom, together with full costs of suit.

51. *Registrar, &c. not personally liable for executing act.*—No person, being the registrar, assistant registrar, or other officer or servant of the office of Land Registry, shall be liable to any action, suit, or other proceeding, or any claim or demand, by reason of anything done *bonâ fide* by him in the execution of this act.

52. *Not exempt from Joint Stock Companies Acts.*—This act shall not exempt the company from the provisions of any act relating to joint stock companies, and applicable to the company.

53. *Interpretation of terms.*—In the construction of this act all words meaning or applying to individuals only shall apply, *mutatis mutandis*, to corporations also.

The SCHEDULE referred to in the foregoing act.

FORM (A.)

FORM OF RETURN TO BE MADE BY THE COMPANY ON APPLICATION TO REGISTER TO REGISTER SECURITIES.

Date of Company's Mortgage or other Security, and distinguishing Number of Letter.	Nature of Security, whether Mortgage, Grant of Annuity, Rent-charge, or other Security.	The Amount of Principal Money secured, or, if Rentcharge or Annuity, the Amount and Duration thereof, and the Annual or other Periodical Payment to be made on account thereof.	Tenure, whether Freehold, Copyhold, or Leasehold	If the Company's Charge is upon any of the Securities comprised in Section 3 (c), set out the Extent and situation of the Property on which the Mortgage or other Security is charged; if Land, state the Acreage, Parish, and County; if Houses, state the Town, Street, and No., if any, in addition to Parish and County.	Nature of the Mortgagors' or Grantors' Interest therein.	The Nature and Amount of the Prior Charges thereon (if any). If more than One Charge set out each Charge separately.	If the Company's Charge is upon any of the Securities comprised in Section 3 (b and c), set out the Nature thereof, the Total Amount of the Principal Money originally advanced by the Company, and the Amount unpaid at the Date hereof, and the Authority, statutable or other, under which the same is issued.

We hereby certify that the above Return is correct.

A.B.
C.D.

FORM (B.)

FORM OF SURVEYOR'S OR VALUER'S DECLARATION.

[*Here insert a copy of the return to be made by the company on application to register securities, distinguishing each security by a separate letter or number.*]

I of do solemnly and sincerely declare, that the information above contained with respect to the security numbered or lettered is, to the best of my information and belief, correct, and that the value of the property above described (and, *if the borrower's interest is of a limited nature*, the value of the borrower's estate and interest or the property above described,) exceeds the amount of £ , the advance made by the company in respect thereof (*if there are prior charges*, and of the prior charges thereon,) to the extent of one-third at least of such value.

[*A separate declaration may be made in respect of each security, and where the mortgage or charge is secured exclusively upon any of the securities comprised in sect.* 3 (b *and* c), *omit from the word* "declare" *to the end, and insert* "to the best of my information and belief the security above described, and numbered , is now of the value of £ ."]

FORM (C.)

FORM OF QUARTERLY RETURN.

Mortgage Debenture Act, 1865.

The first quarterly return of the Company, with reference to the 30th day of December, 1865.

The registered securities of the company. £

1. Aggregate securities under clause 5—*a* 150,000
2. Aggregate securities under clause 5—*b* 20,000
3. Aggregate securities under clause 5—*c* 10,000

£180,000

4. Other investments (to be specifically enumerated) 16,500
5. 40,000 shares of £50 each held by registered holders £2,000,000
   Paid up thereon 200,000

Remaining unpaid thereon... ... ... £1,800,000

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LIABILITIES.

Mortgage Debenture issued and in force.

No.	Date.	Yearly Rate per Cent of Interest.	Time for Repayment of Principal.	Principal Sum secured.
				£
1	August 1, 1865	Four	August 1, 1869	10,000
2	August 1, 1865	Four	August 1, 1880	5,000
3	August 10, 1865	Three and three-quarters	August 10, 1871	20,000
		and so on.		
			Total ... £	

We hereby certify that the above Return is correct.

A.B.
C.D.

FORM (D.)

FORM OF MORTGAGE DEBENTURE.

The Company.

Mortgage debenture, No.

By virtue of "The Mortgage Debenture Act, 1865," we, the company, in consideration of £ paid to us by *A.B.* of , do hereby charge all the registered securities of the company with the payment to the said *A.B.*, his executors, administrators, and assigns, of the sum of £ , and interest thereon at the rate of , which sum of £ is to be paid and payable to the said *A.B.*, his executors, administrators, and assigns, at the [*place*], on the day of , with interest on the same at the rate of per cent. per annum, payable half-yearly, at said place, on every and day of and we hereby undertake to pay said sum of £ and interest at the rate aforesaid, as above mentioned.

Given under our common seal, this day of

A.B., Director.
C.D., Director.

Countersigned, *G.F.*, Secretary.

Registered

FORM (E.)

FORM OF TRANSFER OF MORTGAGE DEBENTURE.

I *A.B.* of in consideration of £ [*state true consideration*] hereby transfer to *C.D.* of his executors, administrators, and assigns, the within mortgage debenture.

(Signed) *A.B.*

UNION CHARGEABILITY ACT.

28 & 29 VICT. CAP. 79.

Cap. 79. *An Act to provide for the better Distribution of the Charge for the Relief of the Poor in Unions.*—[*29th June* 1865.]

Whereas it is expedient to make provision for the better distribution of the charge for the relief of the poor in unions than is by law now established: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *So much of sect.* 26 *of* 4 *&* 5 *Will.* 4, *c.* 76, *as requires parishes in unions to defray expenses of their own poor repealed; and expenses thenceforth incurred to be charged to the common fund.*—From and after the twenty-fifth day of March one thousand eight hundred and sixty-six, so much of the twenty-sixth section of the fourth and fifth William the Fourth, chapter seventy-six, as requires that each of the parishes in a union formed under the authority of that act shall be separately chargeable with and liable to defray the expense of its own poor, whether relieved in or out of the workhouse of such union, shall be repealed; and all the cost of the relief to the poor, and the expenses of the burial of the dead body of any poor person under the direction of the guardians, or any of their officers duly authorised, in such union thenceforth incurred, and all charges thenceforth incurred by the guardians of such union in respect of vaccination and registration fees and expenses, shall be charged upon the common fund thereof.

2. *Guardians in unions may obtain orders of removal in respect of paupers settled elsewhere.*—When any pauper relieved in any such union shall be settled in any parish situated in another union or subject to a board of guardians, and shall not be exempt from

removal by reason of any provision of the law, the guardians of the union to which such pauper shall be chargeable may obtain an order of removal addressed to the guardians of the union or parish, or the overseers of the parish, as the case may require, in which such pauper shall be settled, and the guardians of such last-mentioned union or parish shall receive such pauper in like manner and subject to the like incidents and consequences as in the case of orders of removals heretofore obtained by overseers, with such modifications as may be necessary to meet the circumstances of the chargeability to the union instead of the parish.

3. *Guardians may defend and may appeal against orders of removal.*—The guardians obtaining such order may defend the same, and the guardians upon whom it shall be made may appeal against the same, in like manner and with the like incidents and consequences as in the case of orders obtained or appealed against by overseers. Provided that every appeal now pending may be continued and determined as though this act had not been passed.

4. *Signature and service of notices and other documents.*—Every notice, statement, demand, or other document required to be given by any such guardians in respect of any order of removal shall be deemed to be sufficiently authenticated if signed by their clerk in their name, and shall be deemed to be duly served upon the guardians to whom it shall be addressed if it be delivered to their clerk personally, or be left at his office, or be sent through the post addressed to him at such office.

5. *Guardians empowered to call for books and papers from the overseers.*—For better enabling the guardians to obtain such orders of removal, or to appeal against the same, they may order the overseers of the poor, or any officer or other person having the custody of any books, papers, documents, or writings of or belonging to any parish in their union, to produce the same, upon reasonable notice to the board of guardians, or to their clerk or other person appointed by them, and shall allow copies or extracts to be taken therefrom for the use of such guardians, without fee or reward.

6. *Guardians may remove without orders where there is consent.*—Where the guardians of any union or parish shall be satisfied that any pauper is settled within and removable to their union or parish, and shall consent under their common seal to receive such pauper without an order of removal, the guardians seeking to remove such pauper may do so without any such order.

7. *Penalty on paupers removing after order of removal.*—Any pauper removed under an order of removal obtained by the guardians of any such union returning to and becoming chargeable to such last-mentioned union again within the period of twelve months from such removal, without the consent of the guardians thereof, shall be deemed to be an idle and disorderly person within the meaning of the statute fifth George the Fourth, chapter eighty-three, and be liable to be convicted and punished as such.

8. *One year to be substituted for three years in sect. 1 of 24 & 25 Vict. c. 55.*—From and after the twenty-fifth day of March one thousand eight hundred and sixty-six, the period of one year shall be substituted for that of three years specified in the first section of statute twenty-fourth and twenty-fifth of Victoria, chapter fifty-five.

9. *Cost of prosecutions to be charged to the common fund.*—The costs and expenses lawfully incurred in and about the prosecution of any person for which the guardians of the union may be liable, or which they undertake to pay, under the fifty-ninth section of the seventh and eighth Victoria, chapter one hundred and one, shall in all cases be charged to the common fund.

10. *Provision for deaths in the workhouse.*—For the purposes of the burial of any poor person dying in the workhouse of any union, such workhouse shall be considered as situated in the parish in the union where such poor person resided last, previously to his removal to the workhouse.

11. *Poor Law Board to make all requisite orders.*—The Poor Law Board shall, as soon as convenient, make all such orders as may be requisite to render the provisions of this act applicable to the proceedings and accounts of the guardians of unions and of overseers of parishes comprised therein.

12. *Computation of the charges on the common fund.*—The guardians shall distribute the charges upon the common fund during and at the close of every half-year in the proportions according to which the orders for the contributions to the common fund were made upon the several parishes comprised in such unions at the commencement of such half-year, notwithstanding

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the change which may be made in the valuation list of any parish during such period.

13. *Saving of settlements in other respects.*—Except as herein provided, no alteration shall be made in respect of the settlement of poor persons in parishes.

14. *Unions, &c. under local acts enabled to avail themselves of this act.*—If in any union or incorporation for the relief of the poor where the cost thereof is not borne by a common fund, or where the common fund is not calculated upon an equal basis throughout the union or incorporation, the body having under the constitution of such union or incorporation the management of such relief shall be desirous of adopting the provisions of this act, such body may, on a resolution to that effect of a majority at two successive meetings, by writing under the hand of the presiding chairman of the second of such meetings, apply to the Poor Law Board to be included in this act; and, upon the consent of that board being given under its seal to such application, and subject to such terms and conditions as that board may deem requisite, such union or incorporation shall be so included from such time as the said board shall declare; and such consent so signified shall be evidence that such application was in all respects duly made according to the provisions above mentioned.

15. *Calls for money in advance to be made on the overseers of the several parishes.*—When this act has been adopted by any such union or incorporation as aforesaid, and such adoption has been legally brought into operation in such union or incorporation, the body having the management of the relief of the poor therein shall from time to time make calls in advance for money for the relief of such poor upon the overseers of the several parishes therein respectively, on the basis of an equal pound rate on the annual value of the property in each parish rateable to the relief of the poor according to the law in force for the time being, and shall have the same powers of enforcing such calls as they now possess under the provisions of such local act for enforcing calls or rates for the relief of the poor; and such overseers shall have the same powers for making, levying, and enforcing rates to meet and pay such calls as they now possess, either under the provisions of such local act or the general law relating to the making, levying, and enforcing rates for the relief of the poor.

16. *Interpretation of terms.*—The words herein used shall be interpreted in the manner prescribed by the statute of the fourth and fifth years of William the Fourth, chapter seventy-six, and the subsequent acts amending or explaining the same, and the provisions in such acts which apply to poor persons rendered chargeable upon the common fund by reason of their having become irremovable through the operation of the statutes in that behalf shall apply to all the poor in the union hereby rendered chargeable upon the common fund.

17. *Short title.*—This act may be cited as "The Union Chargeability Act, 1865."

LUNATIC ASYLUM ACT (1853), &c. AMENDMENT ACT.

28 & 29 Vict. cap. 80.

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An Act to explain and amend "The Lunatic Asylum Act, 1853," and "The Lunacy Act Amendment Act, 1862," with reference to Counties of Towns which have Courts of Quarter Sessions, but no Recorder.—[29th June 1865.]

Whereas by "The Lunatic Asylum Act, 1853," county is defined to include a county of a city or county of a town, and borough is defined to mean every borough, town, and city corporate having a quarter sessions, recorder, and a clerk of the peace: and whereas by "The Lunacy Acts Amendment Act, 1862," it is provided that the word "county" shall not, except in the case of the city of London, mean a county of a city or county of a town: and whereas certain counties of cities and counties of towns have quarter sessions and clerks of the peace, but no recorders, wherefore the same do not come within the provisions of "The Lunatic Asylum Act, 1853," and the acts construed as one therewith; and whereas it is expedient to remedy such defect: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Definition of word "county" in Lunatic Asylum Acts.*—That the word "county" in "The Lunatic Asylum Act, 1853,"

and the several acts construed as one therewith, shall be construed to include every county of a city or county of a town having quarter sessions and a clerk of the peace, and no recorder.

2. *Powers of justices of such counties.*—The justices of every county of a city or county of a town having quarter sessions and a clerk of the peace, and no recorder, shall have all the powers and authorities conferred on or given to the justices of every borough not having any asylum by section seven of "The Lunatic Asylum Act, 1853," notwithstanding such county of a city or town may have an asylum of its own: provided always, that it shall not be obligatory on any such county of a city or town to keep up and maintain any such asylum from and after or during such time as it shall avail itself of the provisions of the said section.

3. *This and recited acts to be construed together.*—This act shall be construed as one with "The Lunatic Asylum Act, 1853," and several acts construed as one therewith, and may be cited for all purposes as "The Lunacy Act Amendment Act, 1865."

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28 & 29 VICT. CAP. 81.

An Act to render valid Marriages heretofore solemnised in the Chapel of Ease called Saint James the Greater Chapel, Eastbury, in the Parish of Lamborne, in the County of Berks.—[*5th July* 1865.]

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28 & 29 VICT. CAP. 82.

An Act to amend "The Endowment and Augmentation of Small Benefices (Ireland) Act, 1860."—[*5th July* 1865.]

LOCOMOTIVES ON ROADS ACT.

28 & 29 VICT. CAP. 83.

An Act for further regulating the Use of Locomotives on Turnpike and other Roads for Agricultural and other Purposes.—[*5th July* 1865.] Cap. 83.

24 & 25 Vict. c. 70.—Whereas by "The Locomotives Act, 1861," certain provision was made for regulating the use of locomotives on turnpike and other roads, and it is expedient that further and fuller provision should be made for that object: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Commencement of act.*—This act shall not come into operation till the first day of September one thousand eight hundred and sixty-five, which day is herein-after referred to as the commencement of the act, and shall cease and determine on the first of September one thousand eight hundred and sixty seven.

2. *Certain sections of 24 & 25 Vict. c. 70 repealed.*—After the commencement of this act, and so long as the same shall continue in force, the fifth, ninth, eleventh, and fifteenth sections of the said recited act, and all orders made in pursuance of the said fifth section, are hereby repealed.

3. *Rules for the manner of working locomotives on turnpike roads and highways as herein stated.*—Every locomotive propelled by steam or any other than animal power on any turnpike road or public highway shall be worked according to the following rules and regulations, viz.:

Firstly, at least three persons shall be employed to drive or conduct such locomotive, and if more than two waggons or carriages be attached thereto, an additional person shall be employed, who shall take charge of such waggons or carriages:

Secondly, one of such persons, while any such locomotive is in motion, shall precede such locomotive on foot by not less than sixty yards, and shall carry a red flag constantly displayed, and shall warn the riders and drivers of horses of the approach of such locomotives, and shall signal the driver thereof when it shall be necessary to stop, and shall assist horses, and carriages drawn by horses, passing the same:

Thirdly, the drivers of such locomotives shall give as much space as possible for the passing of other traffic:

Fourthly, the whistle of such locomotive shall not be sounded for any purpose whatever; nor shall the cylinder taps be opened within sight of any person riding, driving, leading, or in charge of a horse upon the road; nor shall the steam be allowed to attain a pressure such as to exceed the limit fixed by the safety valve, so that no steam shall blow off when the locomotive is upon the road:

Fifthly, every such locomotive shall be instantly stopped, on the person preceding the same, or any other person with a horse, or carriage drawn by a horse, putting up his hand as a signal to require such locomotive to be stopped:

Sixthly, any person in charge of any such locomotive shall provide two efficient lights to be affixed conspicuously, one at each side on the front of the same, between the hours of one hour after sunset and one hour before sunrise:

Penalty on non-compliance with rules.—In the event of a non-compliance with any of the provisions of this section, the owner of the locomotive shall, on summary conviction thereof before two justices, be liable to a penalty not exceeding ten pounds; but it shall be lawful for such owner, on proving that he has incurred such penalty by reason of the negligence or wilful default of any person in charge of or in attendance on such locomotive, to recover summarily from such person the whole or any part of the penalty he may have incurred as owner.

4. *Limit of speed of locomotives on turnpike roads and highways.*—Subject and without prejudice to the regulations herein-after authorised to be made by local authorities, it shall not be lawful to drive any such locomotive along any turnpike road or public highway at a greater speed than four miles an hour, or through any city, town, or village at a greater speed than two miles an hour; and any person acting contrary thereto shall for every such offence, on summary conviction thereof, forfeit any sum not exceeding ten pounds.

5. *Size and weight of locomotives which may be used.*—Subject to the provisions of this act, any locomotive which shall not exceed nine feet in width or fourteen tons in weight may be used on any turnpike road or public highway, provided that the wheels of such locomotive be constructed according to the requirements of the said recited act; and no locomotive exceeding nine feet in width or fourteen tons in weight shall be used on any such road, except subject to the provisions contained in the third section of the said act as to the use of locomotives exceeding seven feet in width and twelve tons in weight.

6. *Restrictions as to the use of steam engines within twenty-five yards of roads not to apply to locomotives used for ploughing purposes.*—Any provision in any act contained prohibiting, under penalty, the erection and use of any steam engine, gin, or other like machine, or any machinery attached thereto, within the distance of twenty-five yards from any part of any turnpike road, highway, carriageway, or cartway, unless such steam engine, gin, or other like engine or machinery be within some house or other building, or behind some wall, fence, or screen sufficient to conceal or screen the same from such turnpike road, highway, carriageway, or cartway, shall not extend to prohibit the use of any locomotive steam engine for the purpose of ploughing within such distance of any such turnpike road, highway, carriageway, or cartway, provided a person shall be stationed in the road, and employed to signal the driver when it shall be necessary to stop, and to assist horses, and carriages drawn by horses, passing the same, and provided the driver of the engine do stop in proper time.

7. *Name and residence of owner to be affixed to locomotives.*—The name and residence of the owner of every locomotive shall be affixed thereto in a conspicuous manner. If it is not so affixed the owner shall, on summary conviction, be liable to a penalty not exceeding two pounds.

8. *Power to local authorities to make orders as to hours, &c. locomotives may pass through cities, &c.—Penalty on acting contrary to such orders.*—The following local authorities, that is to say—

1. In the city of London and liberties thereof, the court of the lord mayor and aldermen;
2. In the metropolis, as defined by the act of the session of the eighteenth and nineteenth years of Her present Majesty, chapter one hundred and twenty (except the city of London), the Metropolitan Board of Works;
3. In any borough in England the population of which shall have exceeded five thousand at the last census, the council of the borough;
4. In any borough or town in England the population of which shall have exceeded five thousand at the last census, not

within the jurisdiction of a council, but within the jurisdiction of any trustees or improvement commissioners appointed under any public or private act of Parliament, the trustees or commissioners;

5. In any borough or town in Scotland the population of which shall have exceeded ten thousand at the last census, within the jurisdiction of a town council, the town council; and in any such town in Scotland not within the jurisdiction of a town council, but subject to the jurisdiction of commissioners, or of trustees exercising under any public or private act of Parliament the functions of police commissioners, the police commissioners, or, where there are no police commissioners, then the trustees—

may make orders as to the hours during which (and as to the speed, not in any case to exceed two miles an hour, at which) locomotives are to pass through the city or place subject to their respective jurisdictions; and any person in charge of a locomotive acting contrary to such regulations shall, on summary conviction, be liable to a penalty not exceeding ten pounds:

Every order made in pursuance of this section shall be reduced into writing, and shall have affixed thereto the common seal of the local authority, where they have a common seal, and shall be signed by the members of the local authority, or any two of them, where they have not a common seal:

A copy of such order shall be affixed to some public place within the jurisdiction of the local authority, and advertised in some newspaper circulating within the jurisdiction of the local authority, and the production of a newspaper containing such advertisement shall be evidence of the copy having been advertised in pursuance of this act.

9. *In Ireland the county surveyor to be deemed the conservator of the roads in his county, and proceedings for damage to be taken in his name.*—For the purposes of this act, the county surveyor of each county in Ireland shall be deemed to be the conservator of all the roads in the county of which he is surveyor, made or repaired by grand jury presentment; and it shall not be lawful to use any locomotive, other than those specially authorised by this act, on any such road in any county in Ireland, without the consent in writing of the county surveyor thereof, approved of by one or more justices sitting at petty sessions; and all compensation for damage done by any locomotive to any bridge, gullet, or arch, or any of the walls, buttresses, or supports thereof, on any such road in any county in Ireland, shall be recoverable in the name of the county surveyor thereof, for and on behalf of the county, from the party liable to pay the same, such compensation, if not exceeding ten pounds, to be recovered in a summary way by summons at petty sessions, and if over ten pounds to be recovered by process in the Civil Bill Court.

10. *How penalties to be recovered and applied in Ireland.*—Every penalty imposed by the provisions of this act shall, in Ireland, be recoverable before a justice or justices of the peace in petty sessions, subject and according to the provisions of "The Petty Sessions (Ireland) Act, 1851," and any act amending the same, and shall be applied according to the provisions of "The Fines (Ireland) Act, 1851," and any act amending the same.

11. *Sect. 41 of 25 & 26 Vict. c. 93 not to be affected.*—Nothing in this act contained shall repeal, alter, or in any way affect the provisions of the forty-first section of "The Thames Embankment Act, 1862."

12. *Saving as to actions at law.*—Nothing in this act contained shall authorise any person to use a locomotive which may be so constructed or used as to be a public nuisance at common law, and nothing herein contained shall affect the right of any person to recover damages in respect of any injury he may have sustained in consequence of the use of a locomotive.

13. *Short title.*—This act may be cited as "The Locomotives Act, 1865;" and "The Locomotives Act, 1861," and this act shall be construed together as one act.

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28 & 29 Vict. cap. 84.

An Act to amend "The Prisons (Scotland) Administration Act, 1860," and to explain the Fifty-second and Seventy-seventh Sections of the said Act.—[5th July 1865.]

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28 & 29 Vict. cap. 85.

An Act to amend the Laws relating to Procurators in Scotland. [5th July 1865.]

Cap. 83.

Cap. 86.

PARTNERSHIP AMENDMENT ACT.

28 & 29 Vict. cap. 86.

An Act to amend the Law of Partnership.—[5th July 1865.]

Whereas it is expedient to amend the law relating to partnership: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *The advance of money on contract to receive a share of profits not to constitute the lender a partner.*—The advance of money by way of loan to a person engaged or about to engage in any trade or undertaking upon a contract in writing with such person that the lender shall receive a rate of interest varying with the profits, or shall receive a share of the profits arising from carrying on such trade or undertaking, shall not, of itself, constitute the lender a partner with the person or the persons carrying on such trade or undertaking, or render him responsible as such.

2. *The remuneration of agents, &c. by share of profits not to make them partners.*—No contract for the remuneration of a servant or agent of any person engaged in any trade or undertaking by a share of the profits of such trade or undertaking shall, of itself, render such servant or agent responsible as a partner therein, nor give him the rights of a partner.

3. *Certain annuitants not to be deemed partners.*—No person being the widow or child of the deceased partner of a trader, and receiving by way of annuity a portion of the profits made by such trader in his business, shall, by reason only of such receipt, be deemed to be a partner of or to be subject to any liabilities incurred by such trader.

4. *Receipt of profits in consideration of sale of goodwill not to make the seller a partner.*—No person receiving by way of annuity or otherwise a portion of the profits of any business, in consideration of the sale by him of the goodwill of such business, shall, by reason only of such receipt, be deemed to be a partner of or be subject to the liabilities of the person carrying on such business.

5. *In case of bankruptcy, &c. lender not to rank with other creditors.*—In the event of any such trader as aforesaid being adjudged a bankrupt, or taking the benefit of any act for the relief of insolvent debtors, or entering into an arrangement to pay his creditors less than twenty shillings in the pound, or dying in insolvent circumstances, the lender of any such loan as aforesaid shall not be entitled to recover any portion of his principal, or of the profits or interest payable in respect of such loan, nor shall any such vendor of a goodwill as aforesaid be entitled to recover any such profits as aforesaid until the claims of the other creditors of the said trade for valuable consideration in money or money's worth have been satisfied.

6. *Interpretation of "person."*—In the construction of this act the word "person" shall include a partnership firm, a joint stock company, and a corporation.

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28 & 29 Vict. cap. 87.

An Act to enable Her Majesty's Postmaster-General to acquire a Site for the Extension of the General Post Office in St. Martin's-le-Grand in the City of London.—[5th July 1865.]

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28 & 29 Vict. cap. 88.

An Act for the recording of Titles to Land in Ireland.—[5th July 1865.]

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28 & 29 Vict. cap. 89.

An Act to provide for the better Government of Greenwich Hospital, and the more beneficial Application of the Revenues thereof.—[5th July 1865.]

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28 & 29 Vict. cap. 90.

An Act for the Establishment of a Fire Brigade within the Metropolis —[5th July 1865.]

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28 & 29 Vict. cap. 91.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.—[5th July 1865.]

28 & 29 VICT. CAP. 92.

An Act to shorten the time for the Election of Members to serve in Parliament for the Ayr Districts of Burghs.—[5th July 1865.]

28 & 29 VICT. CAP. 93.

An Act to consolidate the offices of Comptroller-General of the Exchequer and Chairman of the Commissioners for auditing the Public Accounts; and for other Purposes.—[5th July 1865.]

CARRIERS ACT AMENDMENT ACT.

28 & 29 VICT. CAP. 94.

Cap. 94.

An Act to amend the Carriers Act.—[5th July 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *The term "lace" in 11 Geo. 4 & 1 Will. 4, c. 68, not to include machine-made lace.*—In the Carriers Act (that is to say, the act of the session held in the eleventh year of the reign of King George the Fourth and the first year of the reign of King William the Fourth, chapter sixty-eight, "for the more effectual Protection of Mail Contractors, Stage Coach Proprietors, and other Common Carriers for Hire, against the Loss of or Injury to Parcels or Packages delivered to them for Conveyance or Custody, the Value and Contents of which shall not be declared to them by the Owners thereof,") the term "lace" shall, with respect to any parcel or package delivered after the commencement of this act, be construed as not including machine-made lace.

2. *Commencement of act.*—This act shall commence from and immediately after the thirtieth day of September one thousand eight hundred and sixty-five.

3. *Short title.*—This act may be cited as "The Carriers Act Amendment Act, 1865."

28 & 29 VICT. CAP. 95.

An Act to amend the Law relating to the Duties on Sugar, and the Drawbacks on those Duties.—[5th July 1865.]

INLAND REVENUE ACT.

28 & 29 VICT. CAP. 96.

Cap. 96.

An Act to amend the Laws relating to the Inland Revenue.—[5th July 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Scale of stamp duties on conveyances in lieu of scale in 13 & 14 Vict. c. 97.*—For and in lieu of the scale of stamp duties chargeable under the title "Conveyance" in the schedule of the act passed in the thirteenth and fourteenth years of Her Majesty's reign, chapter ninety-seven, the following scale of stamp duties shall be chargeable; that is to say,

					£	s.	d.
Where the purchase or consideration money expressed in or upon the principal or only deed, instrument, or writing of conveyance shall not exceed £5					0	0	6
And where the same shall exceed £5 and not exceed £10					0	1	0
"	"	10	"	15	0	1	6
"	"	15	"	20	0	2	0
"	"	20	"	25	0	2	6
"	"	25	"	50	0	5	0
"	"	50	"	75	0	7	6
"	"	75	"	100	0	10	0
"	"	100	"	125	0	12	6
"	"	125	"	150	0	15	0
"	"	150	"	175	0	17	6
"	"	175	"	200	1	0	0
"	"	200	"	225	1	2	6
"	"	225	"	250	1	5	0
"	"	250	"	275	1	7	6
"	"	275	"	300	1	10	0
And where the purchase or consideration money shall exceed £300, then for every £50, and also for any fractional part of £50					0	5	0

2. *Scale of stamp duties on appraisements, in lieu of scale in 55 Geo. 3, c. 184.*—And for and in lieu of the scale of stamp duties chargeable under the title "Appraisement" in the schedule to the act passed in the fifty-fifth year of the reign of King George the Third, chapter one hundred and eighty-four, the following scale of stamp duties shall be chargeable; that is to say,

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					£	s.	d.
Where the amount of the appraisement or valuation shall not exceed £5					0	0	3
And where it shall exceed £5 and not exceed £10 ...					0	0	6
"	"	10	"	20 ...	0	1	0
"	"	20	"	30 ...	0	1	6
"	"	30	"	40 ...	0	2	0
"	"	40	"	50 ...	0	2	6
"	"	50	"	100 ...	0	5	0
"	"	100	"	200 ...	0	10	0
"	"	200	"	500 ...	0	15	0
"	"	500			1	0	0

3. *Scale of stamp duties on awards, in lieu of duties in 23 & 24 Vict. c. 111.*—And for and in lieu of the scale of stamp duties chargeable under the title "Award" in the schedule to the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and eleven, the following scale of stamp duties shall be chargeable; that is to say,

					£	s.	d.
For and upon every award in England or Ireland, and award or decree arbitral in Scotland, where the amount or value of the matter in dispute shall not exceed £5					0	0	3
And where it shall exceed £5 and not exceed £10 ...					0	0	6
"	"	10	"	20 ...	0	1	0
"	"	20	"	30 ...	0	1	6
"	"	30	"	40 ...	0	2	0
"	"	40	"	50 ...	0	2	6
"	"	50	"	100 ...	0	5	0
"	"	100	"	200 ...	0	10	0
"	"	200	"	500 ...	0	15	0
"	"	500	"	750 ...	1	0	0
"	"	750	"	1000 ...	1	5	0
And where it shall exceed £1000, and also in all other cases not above provided for					1	15	0

4. *Stamp duty reduced on certain licences granted by ecclesiastical authority.*—And in lieu of the stamp duty of two pounds now chargeable by law for or upon any licence to be granted by any archbishop, bishop, chancellor, or other ordinary, or by any ecclesiastical court, in England or Ireland, or by any presbytery or other ecclesiastical power in Scotland, for any of the following purposes, that is to say—

1. To hold the office of lecturer, reader, chaplain, church clerk, chapel clerk, parish clerk, or sexton;
2. For licensing a building for the performance of divine service within an ecclesiastical district formed under the provisions of the New Parishes Act;
3. For licensing any chapel for the solemnisation of marriages therein pursuant to the provisions of the act sixth and seventh William the Fourth, chapter eighty-five;
4. For licensing or authorising any matter which regards a consecrated building or ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom;

There shall be charged and paid for or upon any such licence as aforesaid the stamp duty of ten shillings: provided always, that nothing herein contained shall extend to charge with duty any licence expressly exempted from stamp duty by any act of Parliament now in force.

5. *Agreements for letting small tenements chargeable with one penny stamp duty.*—Any agreement or memorandum for the letting of a dwelling house or tenement, or part of a dwelling house or tenement, for any period less than a year, at a rent payable weekly or monthly, and not exceeding the rate of three shillings and sixpence per week, shall be chargeable with the stamp duty of one penny only in lieu of any other stamp duty now chargeable on any such agreement or memorandum.

6. *Duty on certificates taken out by conveyancers and special pleaders within the first three years of their practice reduced.*—And whereas by an act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter sixty-three, certain stamp duties specified in the schedule to the same act annexed are imposed upon a certificate to be taken out yearly by every person, being a member of one of the four Inns of Court in England, and by every person in Ireland who, in the character of conveyancer, special pleader, draftsman in equity, or otherwise, shall, for or in expectation of any fee, gain, or reward, draw or prepare any conveyance of or deed or instrument relating to any estate or property, real or personal, or any other deed or contract whatsoever, or any pleadings or proceedings in any court of law or equity: be it enacted, that any such certificate to be taken out by any such person as aforesaid within the period of three years after he shall first begin to practise in manner aforesaid shall be charged with only one half of the said duties respectively.

7. *Stamp duty on charterparties reduced—If stamp not cancelled, charterparties invalid—Terms on which certain charterparties may be stamped after being signed.*—In lieu of the stamp duty o

five shillings now chargeable by law on any charterparty, or any document chargeable with stamp duty as a charterparty, there shall be charged and paid thereon the stamp duty of sixpence, which may be denoted either by an impressed stamp upon the charterparty or document or by an adhesive stamp affixed thereon; provided, that if an adhesive stamp be used, the person who shall last sign the charterparty or document, or whose signature shall complete the same as a binding contract, shall at the time of his so signing the same cancel the said stamp by writing thereon his name or the name of his firm, together with the true date of his so writing the same: and in default of so cancelling the adhesive stamp in manner aforesaid, such charterparty or document shall not be good, valid, or available for any purpose whatever: provided always, that if any charterparty or other such document as aforesaid which shall be brought to the Commissioners of Inland Revenue to be stamped within the respective times herein-after mentioned after the same shall bear date and shall have been first signed, the commissioners shall stamp the same with an impressed stamp on the following terms; (that is to say,) if within seven days, on payment of the duty and four shillings and sixpence; and if after that time, and within one calendar month after such date and first signing, then on payment of the duty and the sum of ten pounds; but after the expiration of the last-mentioned period it shall not be lawful to stamp such charterparty or other document as aforesaid on any pretence whatever: provided always, that if any charterparty, whether printed or written, shall be first signed by any party thereto out of the United Kingdom, such charterparty being unstamped, it shall be lawful for any party thereto within ten days after it shall have been received in this kingdom, and before the same shall have been signed by any person here, to affix thereto an adhesive stamp denoting the duty chargeable thereon, and to cancel such stamp by writing across the same his name and the date when he shall so affix such stamp, and thereupon such charterparty shall be deemed to be duly stamped.

8. *Reduction of duty on certain time policies of sea insurance—Insurances on a voyage and also for time, how chargeable.*—And whereas by an act passed in the seventh year of Her Majesty's reign, chapter twenty-one, certain stamp duties contained in the schedule to the same act were imposed on polices of sea insurance in relation to ships or vessels for or upon any voyage, and also for any certain term or period of time: be it enacted, that there shall be charged and paid, in lieu of the duties chargeable under the said last-mentioned act, for and in respect of any such insurance made for a certain term or period of time upon or in relation to any ship or vessel, the following reduced rates of duty for every one hundred pounds, and also for any fractional part of one hundred pounds whereof the same shall consist; that is to say,

	DUTY. £	s.	d.
Where any insurance shall be made upon or in relation to any ship or vessel lying or being in any dock, harbour, or river, for any certain term or period of time not exceeding one calendar month	0	0	6
And where any such insurance as aforesaid shall be made for any term or period of time exceeding one month, and not exceeding three months, and also where any insurance shall be made upon or in relation to any ship or vessel lying or being elsewhere than as aforesaid for any term or period of time not exceeding three months	0	1	0
And where any insurance shall be made upon or in relation to any ship or vessel, whereseever the same may be, for any term or period of time exceeding three months and not exceeding six months	0	2	0
Exceeding six months	0	4	0

And any sea insurance made for or upon a voyage and also for any certain term or period of time, or to extend to or cover any certain term or period of time beyond twenty-four hours after the ship shall have arrived at her destination and been there moored at anchor, is hereby declared to be an insurance for a certain term or period of time as well as an insurance made upon a voyage, and the policy to be chargeable with duty accordingly.

9. *Limitation of time for making application for allowance of stamp duty on policies of re-assurance repealed.*—And whereas by an act passed in the last session of Parliament, chapter fifty-six, section one, the time for making application to the Commissioners of Inland Revenue for the allowance for the stamp duty impressed on a policy of re-assurance is limited to a period of three calendar months next after the termination of the risk: be it enacted, that so much of the said section as limits the time for making such application as aforesaid shall be and the same is hereby repealed.

10. 55 *Geo.* 3, c. 184, "*policies*"—28 & 29 *Vict.* c. 111—*Stamp duties granted on certain policies of assurance in lieu of former duties thereon.*—And whereas by the said act passed in the fifty-fifth year of the reign of King George the Third certain stamp duties contained in the schedule to the same act were imposed, under the head or title of "Policy," on various descriptions of insurance commonly known by the several names of life insurance, fire insurance, and sea insurance respectively, specifically described and charged with duty as in the said schedule is mentioned; and lastly, certain duties were imposed upon any policy of assurance whereby any other lawful insurance whatsoever than as aforesaid should be made upon any property or interest whatever from loss or damage of any kind: and whereas by the said act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and eleven, certain other stamp duties, described under the head or title of "Policy" in the schedule to the last-mentioned act, were also granted and imposed: be it enacted, that in lieu of the duties so granted and imposed by the said two last-recited acts respectively as last aforesaid, so far as they relate to any insurance on which duties are imposed by this act, there shall be charged and paid for and upon any policy of assurance whereby any lawful insurance not chargeable with stamp duty as life insurance, fire insurance, or sea insurance, shall be made upon any property or interest whatever from loss or damage of any kind, or whereby any sum of money shall be assured or agreed to be paid only upon the death of any person from accident or violence, or otherwise than from a natural cause, or as compensation for a personal injury, or whereby any sum of money shall be assured or agreed to be paid as or for loss or damage or compensation for or indemnity against loss or damage arising from or consequent upon the happening of any accident, the following duties; that is to say,

	£	s.	d.
If the premium or consideration for such insurance shall not exceed 2s. 6d.	0	0	1
And if the same shall exceed 2s. 6d. and shall not exceed 5s.	0	0	3
And if the same shall exceed 5s., then for every 5s. and also for any fractional part of 5s. of such premium or consideration	0	0	3

And where any such assurance as aforesaid shall be made on such terms or conditions that the rates of duty aforesaid cannot be applied to the same or the policy charged therewith, then, in lieu of the foregoing rates of duty, there shall be charged and paid upon such policy in respect of the amount of the sum insured the same rate of stamp duty as is now chargeable by law on a policy of life assurance.

11. *Accidental death policy not to be chargeable as life insurance—Not to repeal or alter the duties payable by the Railway Passengers Assurance Company.*—Provided always, that no policy of assurance for payment of any sum of money upon the death of any person only from accident or violence, or otherwise than from a natural cause, shall be deemed to be a policy of life assurance chargeable otherwise than under this act; and provided also, that nothing herein contained shall extend to repeal or alter the duty chargeable under an act passed in the twelfth and thirteenth years of Her Majesty's reign, intituled "An Act to confer certain Powers on the Railway Passengers Assurance Company" on the sums received by the said company in respect of the insurance tickets issued by them, or to impose any other duty upon or in respect of such tickets."

12. *Sect.* 8 *of* 23 & 24 *Vict. c.* 111, *and sect.* 29 *of* 24 & 25 *Vict. c.* 91, *repealed.*—Section eight of the said act of the twenty-third and twenty-fourth years of Her Majesty's reign, and section twenty-nine of an act passed in the twenty-fourth and twenty-fifth years of Her Majesty's reign, chapter ninety-one, shall be and the same are hereby repealed, save and except as to any arrear of duty or any penalty incurred before the passing of this act.

13. *Provisions for preventing frauds in relation to the stamp duties imposed by this act on policies of insurance.*—And for preventing frauds in respect of the stamp duties by this act imposed on policies of insurance, the provisions and penalties contained in section six of the act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter fifty-nine, shall be observed, applied, and put in force in relation to policies of insurance of any description (other than sea insurance) whereon duties are imposed by this act; and further, if any person shall make, sign, or deliver out any policy not duly stamped for denoting the duty

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by this act charged thereon he shall forfeit the sum of twenty pounds; and where any insurance shall be made by or for any society or company, the person who shall be a managing director or the secretary or other principal officer thereof at the time of committing any offence or unlawful act, neglect, or default for which any penalty is by this or any other act imposed shall be held to be a person committing such offence, or doing or suffering such unlawful act, neglect, or default, and shall, as well as the said society or company, be subject and liable to any and every such penalty as aforesaid.

14. *Meaning of the terms "assurance" and "policy."*—The term "assurance" used in this act shall mean and include insurance, and the term "policy" shall mean and include any agreement or other instrument, by whatever name the same shall be called, whereby any such assurance as aforesaid shall be made or agreed to be made.

15. *Policies and instruments of insurance made abroad on behalf of insurers in the United Kingdom, when chargeable with stamp duty.—Policies executed abroad to be stamped within two months after being received in the United Kingdom.*—The stamp duties chargeable under this or any other act for the time being in force upon or in respect of any policy of insurance of any description shall extend to and be deemed to be payable upon and in respect of any policy or other instrument of insurance which shall be made or signed out of the United Kingdom by or on behalf of any person carrying on the business of insurance within the United Kingdom, or by which, according to any stipulation, agreement, or understanding, expressed or implied, any loss or damage or any sum of money shall be payable or recoverable in the United Kingdom upon the happening of any contingency whatever; and no such policy or other instrument of insurance shall be valid or available in the United Kingdom for any purpose whatever, unless the same shall be duly stamped for denoting the duties chargeable thereon as aforesaid: provided always, that if such policy or instrument shall be brought to the Commissioners of Inland Revenue for the purpose of being stamped as aforesaid within two calendar months next after the same shall have been received in the United Kingdom, and upon proof of that fact to the satisfaction of the said commissioners, they shall cause such policy or instrument to be duly stamped on payment of the duties chargeable thereon; but after the expiration of the said period it shall not be lawful for the commissioners to permit the said policy or instrument to be stamped on any pretence whatever.

16. *Receipts given for sums deposited on allotments of shares, or for calls on scrip or shares, not to be exempted from stamp duty.*—And whereas by the laws in force receipts given for money deposited in any bank, or in the hands of any banker, to be accounted for, are exempted from stamp duty, except receipts or acknowledgments for sums paid or deposited for or upon letters of allotment of shares, or in respect of calls upon scrip or shares, of or in any joint stock or other company, or proposed or intended company: be it enacted, that such exception shall be deemed to apply wheresoever any such company may be, and shall also extend to receipts and acknowledgments for sums paid or deposited for or in respect of allotments of shares, and calls upon scrip or shares, of or in any loan or proposed or intended loan raised or proposed to be raised by or on behalf of any foreign or colonial government, state, corporation, or company; all which said receipts and acknowledgments, so excepted as aforesaid, by whomsoever given, shall be chargeable with the duty imposed on receipts.

17. *Stamp duties on transfers of mortgages.*—And whereas by the said act passed in the thirteenth and fourteenth years of Her Majesty's reign, chapter ninety-seven, certain stamp duties specified in the schedule to the same act were granted and imposed upon any transfer or assignment, disposition or assignation, of any mortgage or wadset, or of any such other security as in the said schedule is described, or of the benefit thereof, or of the money or stock thereby secured: be it enacted, that in lieu of the said last-mentioned duties there shall be charged and paid for and upon every such transfer or assignment, disposition or assignation, as aforesaid, the following stamp duties; that is to say,

For every 100*l.* or any fractional part of 100*l.* of the amount or value of the principal money or stock already secured by such mortgage, wadset, or other such security as aforesaid, thereby transferred or assigned or disponed, the duty of sixpence:

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And if any further sum of money or stock shall be added to the principal money or stock already secured as aforesaid there shall be charged and paid also the same duty as on a mortgage or wadset for the amount or value of such further money or stock.

18. *Hawkers licences may be renewed before expiration, and new licence to stand in place of licence surrendered.*—Any hawker, pedlar, or petty chapman may apply for a renewed licence under the provisions of the statute in that behalf at any time before the expiration of his current licence; and on production and surrender of his current licence, and payment of the duty chargeable on a new licence, it shall be lawful for the officer to grant to him a renewed licence, and such officer shall insert therein the days of the commencement and termination of the period for which the same shall be granted, and the day of granting the same, and shall indorse thereon a memorandum of the date and place of surrender of the current licence; and such renewed licence, so indorsed, shall stand in the place of and be of the same force and effect as the surrendered licence during the unexpired term thereof, as well as for the whole of the term for which the renewed licence shall have been granted.

19. *First appointments of certain officers of customs not chargeable with stamp duty.*—No stamp duty shall be chargeable upon the first grant or appointment of any person to the office or employment of outdoor officer, boatman, waterman, or watchman in the service of the customs, or upon any commission or deputation granted to him in pursuance of such appointment.

20. *No declaration in order to a marriage with licence.*—No declaration required to be made pursuant to any act relating to marriages in order to a marriage without licence shall be chargeable with any stamp duty.

21. *Stamp duties on certificates of marriage and of having received the holy sacrament repealed.*—And whereas under the title "certificate" in the schedule to the act passed in the fifty-fifth year of the reign of King George the Third, chapter one hundred and eighty-four, a stamp duty of five shillings is imposed on a certificate of marriage, and the like duty on a certificate of any person's having received the holy sacrament: be it enacted, that the said respective stamp duties last mentioned shall be and the same are hereby repealed.

22. *Appeals against adjudications on stamp duties may be heard in Scotland and Ireland.*—And whereas by the statutes in that behalf Her Majesty's Court of Exchequer at Westminster is required to hear appeals against adjudications of the Commissioners of Inland Revenue relating to the stamp duty on deeds as in the said statutes is mentioned: be it enacted, that in cases where deeds shall be presented for the opinion of the said commissioners at their offices in Edinburgh and Dublin respectively, appeals against their adjudications may be heard and determined by Her Majesty's Court of Exchequer in Scotland and Ireland respectively, in the same manner and subject in all respects to the like provisions as in the said statutes are respectively enacted with regard to appeals to Her Majesty's Court of Exchequer at Westminster.

23. *British spirits in warehouse may be transferred on production of delivery order.*—Any British spirits deposited in a general warehouse in the name of a distiller or dealer in spirits, may be transferred in the book kept by the officer of excise in charge of such warehouse into the name of a purchaser, upon his producing to the officer an order in writing from such distiller or dealer, countersigned by the proprietor of the warehouse or his known servant, for the delivery of the spirits to such purchaser; and all spirits so transferred shall be discharged from all claim in respect of any duties, penalties, or forfeitures to which the distiller or dealer from whom such transfer has been made may be liable, but no spirits shall be delivered out of warehouse for home consumption until payment shall be made of the full duties of excise chargeable thereon.

24. *Sect. 122 of 23 & 24 Vict. c. 114 repealed.*—Section one hundred and twenty-two of the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and fourteen, is hereby repealed.

25. *Amending the law respecting appeals under excise acts on complaints before commissioners and justices.*—In the case of any complaint brought before the Commissioners of Inland Revenue or justices of the peace respectively by virtue of the provisions contained in the twenty-seventh section of the act passed in the fourth and fifth years of the reign of King William the Fourth, chapter fifty-one, in respect of any matter or thing which may be the subject of complaint under the said section, if the complainant,

or the solicitor, collector, or supervisor to whom notice of such complaint is by law required to be given in such case, shall feel aggrieved by the judgment and determination of the said commissioners or justices respectively, it shall be lawful for either party aggrieved thereby to appeal from such judgment and determination in like manner, and upon giving such notices, and upon such terms, conditions, and regulations (so far as the same shall be applicable) as are prescribed in cases of appeals by the several acts passed respectively in the seventh and eighth years of King George the Fourth, chapter fifty-three, the fourth and fifth years of King William the Fourth, chapter fifty-one, and the fourth year of Her present Majesty, chapter twenty; provided that no such appeal shall be allowed when the sum in dispute shall not exceed fifty pounds.

26. *Persons convicted of the illegal manufacture of goods liable to excise duty may be afterwards sued for collateral penalties under sect.* 33 *of* 7 *&* 8 *Geo.* 4, c. 53.—And whereas by an act passed in the seventh and eighth years of the reign of King George the Fourth, chapter fifty-three, section thirty-three, any person discovered as therein mentioned aiding or assisting or concerned in the private manufacturing of goods or commodities, subject to any duty of excise is liable to the penalty of thirty pounds, over and above other penalties mentioned or referred to in the same section of the said act: and whereas doubts are entertained whether a person who has been convicted in the said penalty of thirty pounds can afterwards be lawfully prosecuted for and convicted in any such other penalties as aforesaid: be it declared and enacted, that it shall be lawful to proceed against any person for the recovery of all or any of such last-mentioned penalties, notwithstanding he may have been previously convicted in the said penalty of thirty pounds.

27. *Liquids containing purified methylic alcohol to be deemed low wines for distilling purposes, and persons distilling the same to be deemed distillers.*—And whereas it is discovered that potable spirits may be obtained from methylic alcohol by distilling the same after certain processes of purification, by which it is freed from the unpalatable flavours which pertain to it in its crude state, and it is expedient to subject such spirits to the duty of excise chargeable on spirits: be it enacted, that any liquid containing or having mixed therewith methylic alcohol which shall have been purified or prepared for distillation by means of filtration, or any other process which may free it or be intended to free it wholly or partially from any flavour or odour which might otherwise pertain to it, shall be deemed to be low wines for the purpose of distillation within the meaning of the laws of excise relating to the distilling of spirits; and every person making, preparing, or having in his possession any such low wines, and having also a still, shall be deemed to be a distiller liable to the several duties, penalties, and forfeitures imposed by law on distillers of spirits.

28. *Preparation of methylic alcohol for distilling spirits to be carried on only in a licensed distillery.*—Methylic alcohol which shall have undergone any such process of filtration or purification as aforesaid shall be deemed to have been so prepared for the purpose of distilling spirits therefrom, and no person other than a person duly licensed as a distiller of spirits shall so prepare or purify any methylic alcohol, nor shall any such process as aforesaid be commenced or carried on elsewhere than on premises duly licensed as a distillery, and of which, together with the stills, vessels, and utensils to be used therein, due entry shall have been made with the officers of excise, under pain of such penalties and forfeitures and liability to seizure for any breach of this enactment as would or might be incurred by any act done in contravention of the third section of the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and fourteen.

29. *Rules and regulations under which the distilling of spirits from such low wines is to be carried on—Spirits to be chargeable with excise duty.*—The distilling of spirits from any such low wines as aforesaid shall be carried on under and subject to the like rules, regulations, and conditions as are prescribed by the laws in force in relation to the distilling of spirits, and the spirits produced by such distillation shall be deemed to be British spirits chargeable with the duties of excise, and shall be subject to all the laws, provisions, and regulations relating to British spirits: provided always that where it shall be made to appear to the Commissioners of Inland Revenue that any of such rules, regulations, or conditions are inapplicable to the making, preparing, or distilling of such low wines as aforesaid, or impose too great a

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30. *Stamp duty of 6d. only on certain contracts under highway acts.*—No contract to be made or entered into pursuant to the highway acts for or relating to the making, maintaining, or repairing of highways shall be chargeable with any higher stamp duty than sixpence.

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28 & 29 Vict. cap. 97.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.—[*5th July* 1865.]

COMPOUND SPIRITS WAREHOUSING ACT.

28 & 29 Vict. cap. 98.

Cap. 98. *An Act to allow British Compounded Spirits to be warehoused upon Drawback.*—[*5th July* 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Compounded spirits may be deposited in customs or excise warehouses.*—A licensed rectifier or compounder of spirits may under such regulations as the Commissioners of Customs and Inland Revenue respectively may from time to time make, warehouse for exportation, or for ships stores, or for home consumption, in any customs or excise warehouse approved for that purpose by the Commissioners of Customs or Commissioners of Inland Revenue, British compounds as defined by section one hundred and forty-eight of the act passed in the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and fourteen, and compounded by him from spirits on which the duties of excise have been charged and paid, and the strength of such spirits as denoted by Sykes's hydrometer shall be deemed to be the true strength thereof at the time of warehousing the same, and such spirits, when so warehoused, may, upon security being given by bond to the satisfaction of the Commissioners of Customs and Inland Revenue respectively, and under such regulations as the said commissioners respectively may from time to time make in that behalf, be removed to and deposited in any other warehouse of customs or excise approved as aforesaid: provided always, that all compounded spirits exported on drawback under this act shall on their re-importation into the United Kingdom be deemed to be foreign spirits and chargeable with duties of importation accordingly.

2. *Spirits of wine may be deposited in customs warehouse for exportation or ships stores.*—A rectifier of spirits may, under such regulations as the Commissioners of Customs and Inland Revenue respectively may from time to time make, warehouse for exportation or for ships stores in any customs warehouse approved for that purpose by the Commissioners of Customs at a warehousing port, spirits of wine which shall have been rectified by him from spirits on which the duties of excise have been charged and paid, and such spirits of wine may, under such regulations as the Commissioners of Customs shall appoint, be removed to any other approved customs warehouse at any other warehousing port for either of the purposes aforesaid.

3. *Strength of compounded spirits to be deposited in warehouse, and regulations as to casks, certificates, &c.*—Compounded spirits to be warehoused as aforesaid shall be of a strength not more than eleven per centum over proof, and spirits of wine shall be of a strength not less than forty-three per centum over proof, as denoted by Sykes's hydrometer, and shall be contained respectively in casks of not less than nine gallons content, every cask to be marked on each end thereof in letters and figures, legibly cut, branded, or painted with oil colour thereon, with the name of the rectifier or compounder, or the name of the firm, or with the mark of such rectifier, compounder, or firm, the progressive number of such cask according to the number of casks warehoused, and the year when the same was warehoused, and the full content thereof in gallons, and in quarters of a gallon when the content thereof shall be less than eighty gallons, and with the true number of gallons, and the denomination and strength of the spirits con-

ained therein, and every such cask being full, or on ullage of no gallon or two gallons, and not otherwise, at the time of onding the same from the premises of such rectifier or com-ounder to the warehouse; and all such spirits when removed rom the said premises for the purpose of being warehoused shall e accompanied with a lawful certificate, otherwise the same hall be forfeited, and the rectifier or compounder removing the ame shall forfeit the sum of two hundred pounds, over and above ll other penalties.

4. *Entry to be made of spirits deposited in warehouse, and officer to give receipt for the same, and transmit certificate to collector of excise, who is to pay drawback of duty on the spirits.*—Before any spirits shall be received into any customs or excise warehouse, under the provisions of this act, the rectifier or compounder intending to deposit the same shall deliver to the proper officer of customs or excise at such warehouse a warehousing entry or a note in writing, specifying the particulars of the spirits as set forth in the certificate accompanying the same, and the name of the rectifier or compounder, and of the place where the rectifying or compounding premises are situated from which the spirits were sent; and after the spirits have been duly examined and warehoused by such officer, he shall deliver to the rectifier or compounder a receipt, specifying the marks, number, and content in gallons of the several casks received into such warehouse, the strength (as denoted by Sykes's hydrometer) of the spirits contained in the said casks respectively, the description of the spirits, and the total number of gallons at proof received with such certificate; and such officer shall forthwith despatch to the collector of excise of the collection in which the rectifying or compounding premises are situated a certificate, setting forth the name of the rectifier or compounder, and the place where the rectifying or compounding premises are situated, together with the other particulars required to be inserted in such receipt as aforesaid; and the collector to whom such certificate is sent shall, on receiving three days notice in writing of the time when payment is required, and upon production to him of the receipt before mentioned, pay to the rectifier or compounder named in the certificate, or to any person authorised on his behalf, a drawback of the duties of excise on such spirits at the rate of duty charged and paid thereon, computed at the strength indicated by Sykes's hydrometer.

5. *Spirits warehoused under this act may be delivered for home consumption in the same manner as plain British spirits.*—Compounded spirits warehoused by a rectifier or compounder under the provisions of this act may be delivered for home consumption under the same rules and regulations and upon payment of the same duties of excise as are now by law applicable to and payable upon plain British spirits on delivery from customs or excise warehouses for home consumption, computed at the strength indicated by Sykes's hydrometer; and the duties upon compounded spirits delivered from any warehouse of customs shall be collected by the officers of customs, and accounted for and paid over in the same manner as is now by law directed in the case of duties on any other British spirits delivered out of customs warehouses for home consumption.

6. *Rates payable on delivery of spirits from warehouse for home consumption.*—The rates and charges directed by the first section of the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and ten, to be paid for every one hundred pounds of customs duty payable on goods (not being tobacco) delivered for home consumption from any warehouse in which the same have been deposited for the security of the duties of customs, shall be charged and paid for and in respect of every one hundred pounds of the excise duty which shall be payable upon the delivery for home consumption of spirits warehoused in any customs or excise warehouse under the provisions of this act; provided that in the case of a delivery from an excise warehouse the same rates and charges shall be payable as would be payable if the delivery had been from a customs warehouse situated at the same place; and such rates and sums of money shall be deemed to be duties of customs or excise, according as the same shall become payable on spirits delivered from a customs or excise warehouse respectively.

7. *Rectifier may add sweetening or colouring matter to spirits in customs warehouse for exportation.*—A rectifier or compounder warehousing spirits in a customs warehouse as aforesaid may, on giving one day's notice to the officer in charge of such warehouse, add to such spirits any sweetening or colouring matter, or any other ingredient that he may think proper, subject nevertheless to such regulations and restrictions as the Commissioners of Customs may make from time to time: provided always, that such spirits, after any matter or ingredient has been added as aforesaid, shall not be removed to any other warehouse, or be delivered out otherwise than for exportation or ships stores, directly from the warehouse, on board the vessel in which the same are to be exported or used as stores.

8. *Spirits of wine not to be delivered for home consumption, nor any spirits unless upon repayment of allowances.*—No spirits of wine upon which a drawback of the duties of excise has been paid upon the deposit of the same in a customs warehouse shall be delivered for home consumption; and no rectified or compounded spirits which at the time of the commencement of this act shall be in any customs warehouse shall be delivered for home consumption, unless the rectifier or compounder or proprietor of such last-mentioned spirits shall, in addition to the duties payable upon compounded spirits taken out of warehouse for home consumption under the provisions of this act, repay to the Commissioners of Customs or Inland Revenue respectively the allowance of threepence per gallon paid on the deposit of such spirits under the statute in that behalf.

9. *Spirits deposited in customs warehouse under this act may be used for fortifying wines, &c.*—Any spirits which shall have been deposited in a customs warehouse under the provisions of this act may be used in such warehouse for fortifying wines, or for any other purpose to which foreign or colonial spirits may be applied under the laws or regulations of the customs.

10. *Compounded spirits may be vatted or bottled in warehouse.*—Compounded spirits deposited in an excise warehouse under the provisions of this act may be vatted or racked under and subject to the same conditions, regulations, and penalties, as are contained in or authorised by sections one hundred and nineteen and one hundred and twenty of the before-mentioned act of the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and fourteen, and in sections five and six of the act passed in the twenty-seventh year of the same reign, chapter twelve, in relation to the spirits mentioned in such sections respectively; and any compounded spirits deposited as aforesaid may be bottled, packed, and removed for exportation or for use as ships stores, under and subject to the same conditions and regulations as are contained in or authorised by the said last-mentioned act.

11. *Provisions of acts relating to warehousing of British spirits to apply to compounded spirits warehoused under this act.*—The provisions, penalties, and forfeitures contained in and imposed by any act in force at the time of the commencement of this act, relating to the removal, warehousing, custody, and transfer in any excise warehouse of British spirits, and to the proprietor or tenant of any such warehouse for the deposit of British spirits, and to the proprietor of any British spirits deposited therein, (except so far as the same shall be repealed or altered by or be repugnant to the provisions of this act,) shall extend and be applied to the removal, warehousing, custody, and transfer in any excise warehouse of compounded spirits and spirits of wine, and to the proprietor or tenant of any such warehouse in which the same respectively shall be deposited, and to the rectifier or compounder warehousing such spirits, who shall be deemed to be the proprietor thereof; and any bond entered into by the proprietor or tenant of any such warehouse as aforesaid for the deposit of British spirits, and in force at the time of the commencement of this act, shall extend to and shall be available for any breach of the condition thereof committed in relation to any compounded spirits deposited in the warehouse in respect of which such bond shall have been given.

12. *Allowance of 3d. per gallon on British compounds not to be paid until exportation or use in customs warehouse.*—The allowance of threepence per gallon granted by section four of the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and twenty-nine, to any licensed rectifier, in respect of rectified spirits of the nature of British compounds not exceeding eleven degrees over proof as ascertained by Sykes's hydrometer, shall be payable to any licensed rectifier or compounder in respect of any compounded spirits deposited under the provisions of this act in any warehouse of customs or excise, and exported to foreign parts, or used in a customs warehouse for fortifying wines or for any other purpose to which foreign or colonial spirits may be applied under the laws or regulations of the customs; but such allowance shall not be paid until a certificate from the proper officer of customs shall

be produced to the officer of excise appointed to pay the said allowance, that such spirits have been actually exported or used as aforesaid.

13. *Warehouses to be for public accommodation and of approved dimensions.*—After the passing of this act, no warehouse for the deposit of plain or compounded British spirits shall be approved by the Commissioners of Customs or Inland Revenue, except for the general accommodation of any traders or others having occasion to deposit spirits therein, nor unless the said Commissioners of Customs or Inland Revenue shall be of opinion that the dimensions of such warehouse shall be sufficient for the wants of the town where it is situated.

14. *Sections 141 to 145 inclusive of 23 & 24 Vict. c. 114 repealed.*—Sections one hundred and forty-one, one hundred and forty-two, one hundred and forty-three, one hundred and forty-four, and one hundred and forty-five of the act passed in the twenty-third and twenty-fourth years of Her Majesty's reign, chapter one hundred and fourteen, shall be and the same are hereby repealed, except as to anything done or which ought to be done, or as to any offence committed or any penalty or forfeiture incurred, before the commencement of this act.

COUNTY COURTS EQUITABLE JURISDICTION ACT.

28 & 29 Vict. cap. 99.

Cap. 99.

An Act to confer on the County Courts a limited Jurisdiction in Equity.—[5th July 1865.]

Whereas it is desirable to confer on the County Courts jurisdiction in equity: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Jurisdiction in equity to be exercised in County Courts in certain suits and matters.*—The County Courts held by virtue of an act passed in the session of Parliament holden in the ninth and tenth years of the reign of Her Majesty, chapter ninety-five, shall have and exercise all the power and authority of the High Court of Chancery in the suits or matters herein-after mentioned; that is to say,

1. In all suits by creditors, legatees (whether specific, pecuniary, or residuary), devisees (whether in trust or otherwise), heirs at law, or next of kin, in which the personal or real or personal and real estate against or for an account or administration of which the demand may be made shall not exceed in amount or value the sum of five hundred pounds:
2. In all suits for the execution of trusts in which the trust estate or fund shall not exceed in amount or value the sum of five hundred pounds:
3. In all suits for foreclosure or redemption, or for enforcing any charge or lien, where the mortgage, charge, or lien shall not exceed in amount the sum of five hundred pounds:
4. In all suits for specific performance, or for the delivering up or cancelling any agreement for the sale or purchase of any property, where the purchase money shall not exceed the sum of five hundred pounds:
5. In all proceedings under the Trustees Relief Acts, or under the Trustee Acts, or under any of such acts, in which the trust estate or fund to which the proceeding relates shall not exceed in amount or value the sum of five hundred pounds:
6. In all proceedings relating to the maintenance or advancement of infants in which the property of the infant shall not exceed in amount or value the sum of five hundred pounds:
7. In all suits for the dissolution or winding-up of any partnership in which the whole property, stock, and credits of such partnership shall not exceed in amount or value the sum of five hundred pounds:
8. In all proceedings for orders in the nature of injunctions, where the same are requisite for granting relief in any matter in which jurisdiction is given by this act to the County Court, or for stay of proceedings at law to recover any debt provable under a decree for the administration of an estate made by the court to which the application for the order to stay proceedings is made.

2. *In matters under this act, judge and officers of the County Courts to have the powers and authorities of a judge and officers of the Court of Chancery.*—In all such suits or matters the judge of a County Court shall, in addition to the powers and authorities now possessed by him, have all the powers and authorities, for the purposes of this act, of a judge of the High Court of Chancery; and the treasurer, registrar, and high bailiff shall, in all matters in which the County Court has jurisdiction under this act, discharge any duties which an officer of the Court of Chancery can discharge, either under the order of a judge of such court or the practice thereof, and all officers of the County Courts shall in discharging such duties conform to any rules or orders to be framed as herein-after provided.

3. *Power to a Vice-Chancellor to order transfer of suits from County Court to Court of Chancery.*—Any one of the Vice-Chancellors, on the application at chambers of any party to any suit or matter pending under this act, shall have power, then and there, or, if he shall think fit, after hearing a summons served upon the other party or parties, to transfer the same to the Court of Chancery, upon such terms, if any, as to security for costs or otherwise as he may think fit.

4. *City Small Debts Court to have same jurisdiction in all matters as a Metropolitan County Court.*—The judge and officers of the court held under the provisions of "The London (City) Small Debts Extension Act, 1852," herein-after called the "City Court," shall respectively have and exercise the like jurisdiction, powers, and authorities in all respects, except the power of appointing officers, as are for the time being possessed and exercised by the judge and officers respectively of a Metropolitan County Court; and the chief clerk and the chief bailiff of the City Court shall henceforth be respectively styled the registrar and high bailiff thereof, the word "registrar" being interpreted to include the assistant clerks, and the words "high bailiff" the bailiffs of the City Court; and the fees which may be from time to time taken in a County Court in any proceeding in which jurisdiction is hereby given to the judge and officers of the City Court shall be taken in the City Court, and shall be paid into the general fund thereof, and the judge and officers of the City Court shall, out of the said general fund, be respectively paid additional salaries of such amount as the mayor, aldermen, and commons of the city of London, in common council assembled, from time to time shall think fit to direct; and such judge and officers of the City Court shall conform to the rules and orders made under the authority of this act.

5. *Power to judge of a County Court to order any legacy, &c. to which an infant or person beyond the seas may be entitled, to be paid into the Bank of England, in accordance with provisions of sect. 32 of 36 Geo. 3, c. 52.*—Any legacy or sum of money to which any person who is an infant or absent beyond seas may be found or declared entitled by any County Court in any suit or matter under this act may be ordered by the court to be paid to the accountant-general of the Court of Chancery, in accordance with the provisions of section thirty-two of an act passed in the session of Parliament held in the thirty-sixth year of the reign of His Majesty King George the Third, chapter fifty-two; and the person ordered to pay the same shall, within such time as the court shall direct, produce to the registrar of the court the certificate of the accountant-general of the payment of such money; and if default be made in such payment the judge may direct a warrant of execution to issue to the high bailiff of the court, who by such warrant shall be empowered to levy or cause to be levied by distress and sale of the goods and chattels of such person a sum of money equal in amount to the sum which he was ordered to pay to the said accountant-general and to the costs incurred by reason of such default, and the sum so levied shall be paid to and be receivable by the said accountant-general under the direction of the court; and all amounts so paid or transferred into the Court of Chancery, with any dividends thereon, shall be paid or transferred to the person or persons entitled thereto, or otherwise applied for his or their benefit, on application by summons to one of the Vice-Chancellors while sitting at chambers.

6. *Act not to impair jurisdiction of Stannaries Court.*—Nothing in this act contained shall be construed to impair the jurisdiction of the Stannaries Court, or to give authority to any County Court judge to entertain jurisdiction in any case to which the equitable jurisdiction of the said court at present extends.

7. *Provisions of County Court Acts as to juries, suitors, and witnesses extended to suitors and witnesses under this act.*—Whenever it is required that a jury should be summoned for the trial of any

matter arising out of the jurisdiction given to the County Court by this act, it shall be summoned from the list of jurors in the possession of the registrar of the County Court in which the suit or matter has been brought; and all the enactments relating to the summoning, impannelling, and swearing of a jury in a County Court, and to the number of the jury and the unanimity of their verdict, shall apply to every jury summoned under this act; and the duties and obligations of and upon all jurors, suitors, and witnesses, and their liability to penalty and punishment, shall, in any proceeding under this act, be the same as those created, authorised, and imposed by the several statutes now in force relating to County Courts.

8. *Power to enforce judgments of County Courts in equity.*—For the due execution of any judgment, decree, or order made under the authority of this act, or of the rules and orders to be framed as herein-after provided, the court shall have power to order and the registrar upon such order shall have authority to seal and issue, and the high bailiff to execute, any writ or warrant of possession, writ or warrant of execution, or other process of execution for carrying into effect any judgment, decree, or order of the said court; and such writs, warrants, and processes shall be in the form and executed at the time and in the manner to be set forth in the rules and orders to be framed as herein-after provided.

9. *Where amount of subject matter of suit exceeds limit of the jurisdiction of County Court, suit may be remitted to Court of Chancery, &c.*—If during the progress of any suit or matter it shall be made to appear to the court that the subject matter exceeds the limit in point of amount to which the jurisdiction of the County Courts is hereby limited, it shall not affect the validity of any order or decree already made, but it shall be the duty of the court to direct the said suit or matter to be transferred to the Court of Chancery, and thereupon the said suit or matter shall proceed in such one of the Vice-Chancellor's Courts as the Lord Chancellor may by general order direct; and such Vice-Chancellor shall have power to regulate the whole of the procedure in the said suit or matter when so transferred: provided always, that it shall be lawful for any party to apply to such Vice-Chancellor at chambers for an order authorising and directing the suit or matter to be carried on and prosecuted in the County Court, notwithstanding such excess in the amount of the limit to which jurisdiction in the matter is hereby given to the County Courts; and the Vice-Chancellor, if he shall deem it right to summon the other parties or any of them to appear before him for that purpose, after hearing such parties, or on default of the appearances of all or any of them, shall have full power to make such order.

10. *In what courts proceedings shall be taken.*—With respect to the court in which proceedings in equity shall be taken—

1. Proceedings under this act which relate to the recovery or sale of any mortgage, charge, or lien on lands, tenements, or hereditaments shall be taken in that County Court within the district of which the lands, tenements, or hereditaments, or any part thereof, are situate:
2. Proceedings under the Trustee Acts, 1850 and 1852, shall be taken in the County Court within the district of which the persons making the application, or any of them, reside or resides:
3. Proceedings for the administration of the assets of a deceased person shall be taken in the County Court within the district of which the deceased person had his last place of abode in England, or in which the executors or administrators, or any one of them, shall have their or his place of abode:
4. Proceedings in partnership cases shall be taken in the County Court within the district of which the partnership business was or is carried on:
5. Proceedings for the specific performance or the delivery up or cancelling of agreements shall be taken in the County Court within the district of which the defendants, or any one of them, reside or resides, or carry on or carries on business:
6. Proceedings in any suit or other matter under this act, which are not otherwise provided for, shall be taken or instituted in the County Court within the district of which the defendants, or any or either of them, shall reside or carry on business.

11. *As to transfer of suit from one County Court to another.*—If during the progress of a suit or matter it shall be made to appear to the court that the same could be more conveniently prosecuted in some other County Court, it shall be competent for the court to transfer the same to such other County Court, and thereupon the suit or matter shall proceed in such other County Court.

12. *Remuneration of registrars and high bailiffs in matters of equity.*—The registrars and high bailiffs of the County Courts shall be remunerated for the duties to be performed by them under the jurisdiction in equity given to the courts by this act, by receiving for their own use such fees as may be from time to time authorised to be taken by any orders to be made by the Commissioners of the Treasury, with the consent of the Lord Chancellor; and the Commissioners of the Treasury are hereby authorised and empowered, with such consent as aforesaid, from time to time make such orders.

13. *Certain fees to be taken, and to be paid over to the Consolidated Fund, and the salaries of the judges to be increased by 300l. a year.*—In addition to the fees to be authorised to be taken by order of the Commissioners of Her Majesty's Treasury as aforesaid, there shall be paid by the suitors the several fees which are specified and set forth in the schedule to this act, or such further or other fees as the said commissioners, with the consent of the Lord Chancellor, shall from time to time by order direct, which fees shall be received by the registrar of the court, and accounted for and paid over by him to the treasurer of the court, who shall, at such times as the said commissioners shall direct, pay such fees into the Bank of England to the credit of the paymaster-general, to be by him paid over to the credit of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and the salaries paid out of such fund to the judges of the County Courts shall be increased by three hundred pounds a year: provided always, that the salary of the successor to any judge who under this act shall receive a larger salary in the whole than one thousand five hundred pounds, shall not exceed one thousand five hundred pounds: provided also, that if any judge heretofore appointed shall resign his office by reason of any permanent infirmity before he shall have received or become entitled to receive the increased amount of salary payable to him under this act for the full period of five years, any annuity which the Lord Chancellor may recommend to be paid to him upon such retirement shall be calculated with reference to the average amount of salary received or receivable by him for the five years next preceding the date of such retirement, and not with reference to the yearly salary which he shall be entitled to as a judge of County Court at the time of presenting his petition for the grant of an annuity.

14. *Judge not obliged to hold courts in the month of September.*—No judge of any County Court shall be obliged to hold any courts during the month of September in any year, unless he shall be ordered by the Lord Chancellor so to do; and if any judge shall be desirous of holding courts in the said month of September, and of being relieved from the obligation to do so at some other period of the year, it shall be lawful for such judge, with the sanction of the Lord Chancellor, to close the courts upon his circuit for any period or periods of time of which the Lord Chancellor shall approve, not exceeding in the whole four weeks in any one year: provided always, that every County Court shall always be open for the receipt and payment out of money due under any order of the court, pursuant to the rules and orders in force for the time being, or for any proceeding in bankruptcy before the registrar.

15. *As to registry of judgments in London.*—Such of the judgments and decrees as may be directed by any rule or order shall be registered with the registrar of County Court judgments in London in such manner as may be therein directed.

16. *Power to frame rules and orders under 19 & 20 Vict. c. 108.*—The County Court judges appointed or to be appointed by the Lord Chancellor from time to time to frame rules and orders for regulating the practice of the courts, and forms of proceeding therein, under the thirty-second section of an act passed in the nineteenth and twentieth years of the reign of Her present Majesty, chapter one hundred and eight, shall frame the rules and orders for regulating the practice of the County Courts under this act, and forms of proceedings therein, and from time to time amend such rules, orders, and forms; and such rules, orders, and forms, or amended rules, orders, and forms, certified under the hands of such judges, or of any three or more of them, shall be submitted to the Lord Chancellor, who may allow or disallow or alter the same, and so from time to time; and the rules, orders, and forms, or amended rules, orders, and forms, so

allowed or altered shall, from a day to be named by the Lord Chancellor, be in force in every County Court.

17. *Scale of costs to be framed by the judges.*—The County Court judges mentioned in the last section shall be empowered to frame a scale of costs and charges to be paid to counsel and attorneys with respect to all proceedings which are herein authorised to be taken, and from time to time to amend such scale; and such scale or amended scale, certified under the hands of such judges, or any three or more of them, shall be submitted to the Lord Chancellor, who from time to time may allow or disallow or alter the same; and the scale or amended scale so allowed or altered shall, from a day to be named by the Lord Chancellor, be in force in every County Court.

18. *Parties aggrieved may appeal.*—If any party in a suit or matter under this act shall be dissatisfied with the determination or direction of a judge of a County Court on any matter of law or equity, or on the admission or rejection of any evidence, such party may appeal from the same to the Vice-Chancellor authorised as aforesaid, provided that such party shall, within thirty days after such determination or direction, give notice of such appeal to the other party or his attorney, and also deposit with the registrar of the County Court the sum of ten pounds as security for the costs of the appeal; and the said court of appeal may make such final or other decree or order as it shall think fit, and may also make such order with respect to the costs of the said appeal as such court may think proper; and such orders shall be final: provided that nothing herein contained shall authorise any party to appeal against any decision of a County Court, given upon any question as to the value of any real or personal property, for the purpose of determining the question of the jurisdiction of the court under this act, nor to appeal against the decision of a County Court on the ground that the proceedings might or should have been taken in any other County Court.

19. *Appeal to be made either to the High Court of Chancery or a Vice-Chancellor.*—In any case which may be the subject of an appeal under this act in causes arising within the county palatine of Lancaster, the appeal may be made either to the High Court of Chancery or a Vice-Chancellor thereof, or to the Court of Chancery of the county palatine of Lancaster or the Vice-Chancellor thereof; and that in case of an appeal to the Court of Chancery for the said county palatine or the Vice-Chancellor thereof, the order on such appeal shall have the same effect as if it had been made by a Vice-Chancellor of the High Court of Chancery; but no appeal shall be made to the Court of Chancery of the said county palatine or the Vice-Chancellor thereof unless the consent thereto in writing of the respondent or respondents on such appeal, or of his or their solicitor or solicitors, shall be first obtained.

20. *Registrar of the Bloomsbury County Court of Middlesex, not being an attorney or solicitor, to be entitled to retire from his office with compensation.*—The present registrar of the Bloomsbury County Court of Middlesex, not being an attorney or solicitor, but holding his office by virtue of section twelve of the act passed in the session of Parliament holden in the ninth and tenth years of Her present Majesty, chapter ninety-five, shall be entitled, on the passing of this act, to claim and receive compensation for the loss of such office in the same manner as is provided by section thirty-eight of the said act; and the amount of compensation to be awarded shall be paid out of moneys that may be voted by Parliament for that purpose.

21. *This act and 9 & 10 Vict. c. 95, and any act amending or altering the same, to be construed together.*—This act and the act passed in the session of Parliament holden in the ninth and tenth years of the reign of Her present Majesty, chapter ninety-five, and any act amending or altering the same, shall be read and construed as one act, as if the several provisions contained in the said acts referred to, not inconsistent with the provisions of this act, were repeated and re-enacted in this act.

22. *Salary of T. Rodgers, Esq., as joint registrar of the County Court of Yorkshire, holden at Sheffield, to be 700l. a year.*—The salary of Thomas Rodgers, Esquire, who, in respect of his abolished office of deputy steward of the court baron of the manor of Ecclesall, in the county of York, became, under the provisions of section eleven of the act passed in the ninth and tenth years of the reign of Her present Majesty, chapter ninety-five, joint registrar of the County Court of Yorkshire, holden at Sheffield, shall, in consideration of the great increase of labour and responsibility of the said last-mentioned office, be from the

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passing of this act seven hundred pounds a year, notwithstanding the restriction contained in section eighty-two of the act passed in the nineteenth and twentieth years of the reign of Her present Majesty, chapter one hundred and eight; and upon the death, removal, or resignation of either of the persons now in possession of the office of registrar of the said County Court, no other person shall be appointed to such office of registrar, jointly or otherwise, until both the persons holding such office on the first day of June, in the year one thousand eight hundred and sixty-five, shall have died, been removed, or have resigned.

23. *Commencement of act.*—The provisions of this act shall come into operation on the first day of October one thousand eight hundred and sixty-five, except the provisions relating to framing a scale of costs and making rules and orders practice and forms of proceeding, and except the provision which relieves the judges from the obligation of holding courts during the month of September without the order of the Lord Chancellor, which provisions shall come into operation on the passing of this act.

SCHEDULE.

	£	s.	d.
On the commencement of every suit or matter	0	10	0
On setting down any matter for hearing	1	0	0
On application for final decree or decretal order	1	0	0

28 & 29 Vict. cap. 100.

An Act to transfer from the Admiralty to the Board of Trade Powers and Duties relative to certain Harbours.—[5th July 1865.]

28 & 29 Vict. cap. 101.

An Act for authorising Transferable Debentures to be charged upon Land in Ireland.—[5th July 1865.]

28 & 29 Vict. cap. 102.

An Act to amend an Act of the Twentieth and Twenty-first years of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in Scotland, and an Act of the Twenty-first year of Her Majesty to amend the said Act.—[5th July 1865.]

28 & 29 Vict. cap. 103.

An Act to provide for the Discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of Falmouth.—[5th July 1865.]

CROWN SUITS, &c. ACT.

28 & 29 Vict. cap. 104.

Cap. 104.

An Act to amend the Procedure and Practice in Crown Suits in the Court of Exchequer at Westminster; and for other Purposes.—[5th July 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Preliminary.

Sect. 1. *Short title.*—This act may be cited as "The Crown Suits, &c. Act, 1865."

2. *Division of act into parts.*—This act shall be deemed to be divided into five parts, as follows:

Part I., preliminary:

Part II., relating to proceedings by English information in the Court of Exchequer:

Part III., relating to proceedings at law on the revenue side of the Court of Exchequer:

Part IV., relating to certain other classes of proceedings where the Crown is interested:

Part V., relating to recovery of succession, legacy, and probate duty in certain cases.

3. *Extent of act.*—This act shall extend to England only.

4. *Commencement of act.*—This act shall commence from and immediately after the first day of November one thousand eight hundred and sixty-five; general rules under this act may nevertheless be made before that time, but not so as to commence before it.

5. *Construction as to attorney-general, &c.*—With respect to the construction of this act, the following provisions shall have effect.

(1.) The provisions of this act relative to Her Majesty's attorney-general shall be construed as applying also to Her Majesty's solicitor-general, when a vacancy in the office of attorney-general or other occasion so requires:

(2.) The provisions of this act relative to the Crown, or to Her Majesty in right of the Crown, shall be construed as applying also to the duchy of Lancaster, or to Her Majesty in right of that duchy, when the case so requires:

(3.) The terms "party" and "parties" where used in this act include, and the same terms where used in any enactment extended and applied by this act shall, for the purposes of this act, include Her Majesty's attorney-general and the attorney-general of the Prince of Wales and Duke of Cornwall, as the case may require:

(4.) The term "a judge" where used in this act means any judge of one of Her Majesty's superior courts of law at Westminster transacting business out of court.

PART. II.

Proceedings by English Information in the Court of Exchequer.

6. *Interpretation of terms in Part II.*—In this part of this act—

The term "the Court of Exchequer" or "the court" means Her Majesty's Court of Exchequer at Westminster exercising jurisdiction or authority in suits relating to the revenues of the Crown and of the duchies of Lancaster and Cornwall instituted and conducted according to the forms of equitable procedure:

The term "information" means an information, styled an English information, exhibited in the Court of Exchequer in the name of Her Majesty's attorney-general or of the attorney-general of the Prince of Wales and Duke of Cornwall, as the informant, and includes an information and bill:

The term "suit" or "cause" means a suit or cause commenced by information:

and, except as expressly provided otherwise, nothing in this part of this act shall be deemed to apply to any proceedings other than proceedings in suits commenced by information.

7. *Printing of information.*—An information shall be printed, and shall be received and filed in print, and not otherwise.

8. *Abolition of subpœna and distringas, and substitution of service of printed information.*—The writ of subpœna to appear to and answer an information, and the writ of distringas against a corporation to appear to an information, are hereby abolished; and in lieu of the service of such writs respectively there shall be served a printed information having an indorsement thereon in the form given in the first schedule to this act, with such variations as circumstances require.

9. *Mode and effect of service of printed information.*—Except in case of a corporation aggregate, such service shall be effected as service of a writ of subpœna is now effected (save that the original information shall not be produced), and shall have the same effect in all respects as service of a writ of subpœna now has; and in case of a corporation aggregate such service shall be effected by delivery of a printed information, having an indorsement thereon as aforesaid, to the mayor or other head officer, or to the town clerk, clerk, treasurer, or secretary of the corporation.

10. *Printed information served to be first marked by officer.*—The information served shall be first so marked by the proper officer of the court as to indicate the filing of the information and the date of the filing.

11. *Sale to defendant of printed copies.*—A defendant shall be entitled to have as many printed copies of the information as he requires, on paying for them at such rate as general rules under this part of this act direct.

12. *Amendments to be subject to same rules.*—On amendment of an information the foregoing provisions shall extend and apply, *mutatis mutandis*, to the information as amended; but an information may be amended in writing in such cases as general rules direct.

13. *Form, &c. of interrogatories.*—An information shall not contain interrogatories, but the informant within such time as general rules direct may file interrogatories for the examination of defendants from whom he requires an answer, and deliver to each such defendant, or his solicitor, a copy of the interrogatories, or of such of them as are applicable to the particular defendant.

14. *Defendant not bound to answer unless interrogated.*—A defendant shall not be bound to put in an answer unless interrogatories have been filed, and unless a copy has been delivered as aforesaid.

15. *Time for defendant to put in plea, answer, or demurrer, &c.*—A defendant, whether required to answer or not, may, without leave of the court or a judge, put in a plea, answer, or demurrer within such time as general rules direct, but after that time a defendant not required to answer shall not be at liberty to put in a plea, answer, or demurrer, except by leave of the court or a judge; nevertheless the power of the court or a judge to grant further time for pleading, answering, or demurring, on the application of a defendant, whether required to answer or not, shall remain unaffected.

16. *Contents of answer.*—An answer may contain not only the defendant's answers to the interrogatories, if any, but also such statements material to the case as he thinks fit to set forth therein.

17. *Abolition of commissions to take answers, &c.*—Commissions to take pleas, answers, disclaimers, and examinations are, with respect to pleas, answers, disclaimers, and examinations taken within the jurisdiction of the court, hereby abolished; and any such plea, answer, disclaimer, or examination may be filed without any formalities other than such as are required in relation to an affidavit.

18. *Swearing of answers, &c. in Scotland, &c.*—Pleas, answers, disclaimers, examinations, affidavits, declarations, affirmations, and protestations of honour in causes depending in the court may be sworn and taken in Scotland, Ireland, the Isle of Man, or the Channel Islands, or in any colony, island, plantation, or place under the dominion of Her Majesty in foreign parts, before any court or judge, or before any notary public, or before any person authorised to administer oaths there, or in any foreign parts out of Her Majesty's dominions before any of Her Majesty's consuls or vice-consuls there; and every such instrument may be used and shall be admitted in evidence, saving just exceptions; and judicial and official notice shall be taken of the seal or signature of any such court, judge, notary public, person, consul, or vice-consul affixed, appended, or subscribed to any such document.

19. *False swearing, &c. perjury.*—Any person wilfully and corruptly swearing, declaring, affirming, or protesting falsely in any plea, answer, disclaimer, examination, affidavit, declaration, affirmation, or protestation of honour so taken out of England shall be deemed guilty of perjury in every case where, having so sworn, declared, affirmed, or protested before competent authority in England, he would be deemed guilty of perjury, and may be dealt with, indicted, tried, and (if convicted) sentenced, and his offence may be laid and charged to have been committed in any county or place in England in which he is in custody as if the offence had been actually there committed.

20. *Oath of messenger abolished.*—Pleas, answers, disclaimers, and examinations, whether taken by commission out of the jurisdiction of the court or otherwise, may be filed without the oath of a messenger, and any alteration made therein before the taking thereof shall be authenticated as in the case of an affidavit.

21. *Alteration of mode of taking evidence.*—By general rules the examination of witnesses on written interrogatories may be discontinued, and such amendments as from time to time seem fit may be made in the mode of taking evidence and the practice relative thereto; and for the purpose of such evidence any officer or person from time to time directed by general rules or by an order of the court or a judge to take such evidence may administer oaths and take declarations.

22. *Application of sect.* 103, 17 & 18 *Vict. c.* 125.—The court shall be deemed to be a court of civil judicature within the meaning of section one hundred and three of "The Common Law Procedure Act, 1854."

23. *Proceeding in case of abatement of suit, &c.*—Where a suit becomes abated by death or otherwise, or becomes defective by reason of some change or transmission of interest or liability, an order to the effect of an order to revive, or of a supplemental decree, may be obtained as of course on an allegation of the abatement of the suit, or of the same having become defective, and of the change or transmission of interest or liability; and the parties who would in the same case be defendants to an information of revivor or supplemental information shall, when served with such order, be parties to the suit, and be bound to appear within such time and in such manner as general rules direct, subject to the following provisions:

(1.) It shall be open to any party so served (within such time after service as general rules direct) to apply to the court or a judge to discharge the order on any ground that would have been open to him on an information of revivor or supplemental information:

(2.) If any party so served is under any disability other than coverture, the order shall be of no effect as against such party until a guardian *ad litem* has been appointed for such party, and such time has elapsed thereafter as general rules direct.

24. *Statement of new facts on record.*—Facts or circumstances occurring after the institution of a suit may be introduced by way of amendment into the original information if the cause is otherwise in such a state as to allow of the information being amended, and if not, may be stated on the record in such manner, and subject to such regulations with respect to the proof thereof, and to the affording defendants leave and opportunity to answer and meet the same, as general rules direct.

25. *Writs in counties palatine to be directed to sheriffs.*—Writs issuing out of the court to be executed in the counties palatine shall be directed and delivered to the sheriffs of those counties, and shall be executed and returned by them to the court in all respects as writs are executed and returned by sheriffs of other counties.

26. *Power to court to rectify errors in procedure.*—If in any suit any direction of this part of this act or of general rules under it by mistake of parties fails to be followed, the court or a judge may (if it seems fit), on payment of such costs as the court or a judge directs, make such order, giving effect to and rectifying the proceedings, as appears justified by the merits of the case.

27. *Saving for distringas to restrain transfer of stock, &c.*—Notwithstanding anything in this part of this act or in any other act, a writ of distringas (in such form as general rules under this part of this act from time to time direct) to restrain the transfer of stock transferable at the Bank of England, or the payment of the dividends thereon, shall continue to be issuable from the office of the Queen's remembrancer on behalf of Her Majesty's attorney-general, or of the attorney-general of the Prince of Wales and Duke of Cornwall.

28. *Power to court to make general rules.*—The Lord Chief Baron and two or more barons of the court shall from time to time make such general rules as seem fit for carrying this part of this act into execution, and for regulating the sittings of the court, and the procedure and practice in suits by information, and in other proceedings in the court.

29. *Provision as to pending suits.*—Nothing in this part of this act, or in any general rules made under it, shall apply to any suit commenced by information filed before the commencement of this act; nevertheless in any such suit the court or a judge may, if it seems fit, on hearing the parties, from time to time direct that the procedure and practice prescribed in this part of this act, or in any general rules made under it, be followed in the court in any respect.

30. *Fees, remuneration, &c. to be appointed by treasury with concurrence of barons*—28 & 29 *Vict. c.* 45.—The Commissioners of Her Majesty's Treasury, with the concurrence of the Lord Chief Baron and two or more barons of the court, may from time to time, if they think fit, appoint fees to be charged on proceedings in suits in the court, which fees shall be collected by stamps, and such provisions of "The Common Law Courts (Fees) Act, 1865," as relate to the collection by stamps of the fees therein referred to, shall extend and apply to the fees to be taken under this section; and there shall be paid to any officer of the court or other person employed in taking examinations of witnesses, or discharging other duties connected with proceedings in suits in the court, such remuneration, if any, as the Commissioners of Her Majesty's Treasury, with the concurrence aforesaid, from time to time direct.

Part III.

Proceedings at Law on the Revenue Side of the Court of Exchequer.

31. *Appeal &c. in proceedings at law on revenue side of Exchequer.*—The provisions of sections thirty-four to thirty-seven, and thirty-nine to forty-five (all inclusive), and of sections fifty-nine and ninety-five of "The Common Law Procedure Act, 1854," shall extend and apply to the revenue side of Her Majesty's Court of Exchequer at Westminster as a court of law (to which court the term "the court" when hereafter used in this part of this act refers), in the same manner as those provisions apply to the plea side of that court.

32. *Effect of appeal as to stay of execution.*—In any suit or proceeding at law on the revenue side of the court notice of appeal shall be a stay of execution on the following condition, but not otherwise—namely, that within eight days after the decision complained of, or before execution delivered to the sheriff, bail to pay the sum recovered and costs, or to pay costs when adjudged, be given to the same amount and be approved of in like manner as bail in error is required to be given and approved of under the rules of the court for the time being in force, except where the court or a judge otherwise orders; but such bail shall not be necessary where the appellant is Her Majesty, or Her Majesty's attorney-general on behalf of Her Majesty in right of the Crown or in right of the duchy of Cornwall, or the attorney-general of the Prince of Wales and Duke of Cornwall, or where the appellants are the Commissioners of Inland Revenue.

33. *Repeal of sect.* 36 *of* 18 & 19 *Vict. c.* 26, *and sect.* 14 *of* 20 & 21 *Vict. c.* 62.—Section thirty-six of "The Supplemental Customs Consolidation Act, 1855," and section fourteen of "The Customs Amendment Act, 1857," shall, from and after the commencement of this act, be repealed.

34. *Evidence of defendants, &c.*—Sections two and three of the act of the session of the fourteenth and fifteenth years of Her Majesty's reign (chapter ninety-nine), "to amend the Law of Evidence," and "The Evidence Amendment Act, 1853," shall extend and apply to proceedings at law on the revenue side of the court; and any proceeding at law on the revenue side of the court shall not, for the purposes of this act, be deemed a criminal proceeding within the meaning of the said sections and act as extended and applied by the present section.

35. *Application of sect.* 103 *of* 17 & 18 *Vict. c.* 125.—The revenue side of the court, as a court of law, shall be deemed to be a court of civil judicature within the meaning of section one hundred and three of "The Common Law Procedure Act, 1854."

36. *Abolition of writ of distringas.*—In a suit at law on the revenue side of the court a writ of distringas against a corporation aggregate to compel an appearance shall not be necessary; but in such a suit a writ of subpœna or scire facias (as the case may require) may issue against a corporation aggregate to compel an appearance; and service of such writ may be effected by delivery thereof, or of a copy thereof, to the mayor, or other head officer, town clerk, clerk, treasurer, or secretary of the corporation; and the like proceedings to judgment may be taken on a writ of subpœna or scire facias so issued as, according to the practice for the time being of the Court of Exchequer, may be taken on a like writ issued against an individual defendant.

37. *Suits against British subjects resident out of jurisdiction of Exchequer.*—In a suit at law on the revenue side of the court against a British subject resident out of the jurisdiction of the court in any place except Scotland or Ireland, the informant may sue out against that person a writ of subpœna bearing an indorsement stating that the writ is for service out of the jurisdiction of the court; and the time for appearance by the defendant to such writ shall be regulated by the distance from England of the place where he is resident; and the court or a judge, on being satisfied by affidavit that the writ was personally served on the defendant, or that reasonable efforts were made to effect personal service thereof on him, and that it came to his knowledge, and either that he wilfully neglects to appear to the writ, or that he is living out of the jurisdiction of the court in order to defeat the claim to which the information relates, may order from time to time that the informant be at liberty to proceed in the suit in such manner and subject to such conditions as to the court or a judge seem fit, the time allowed for the defendant to appear being reasonable, and regard being had to the other circumstances of the case; but it shall be a condition precedent to the informant's obtaining judgment that he give proof of the merits of the claim to the satisfaction of the court or a judge, or of the officer of the court to whom the court think fit to refer the matter.

38. *Suits against foreigners resident out of jurisdiction of Exchequer.*—In a suit at law on the revenue side of the court against a person, not a British subject, resident out of the jurisdiction of the court in any place except Scotland or Ireland, the like proceedings may be taken as against a British subject resident out of the jurisdiction, save that in lieu of the form of writ used in that case the informant shall issue a writ of subpœna, commanding the defendant to appear within the time therein

prescribed after service on him of notice of the writ, and shall in manner aforesaid serve a notice of the writ on the defendant; and such service shall have the same effect as service of the writ of subpœna in a suit against a British subject resident out of the jurisdiction of the court; and thereupon, by leave of the court or a judge, on their or his being satisfied by affidavit, the like proceedings may be had and taken as aforesaid.

39. *Forms of writs in schedule.*—The forms of writs of subpœna and of notice given in the second schedule to this act applicable in the respective cases aforesaid shall be used in those cases, with such variations as circumstances require, but general rules relating to the process and practice at law of the revenue side of the court may from time to time prescribe any such altered, additional, or substituted forms of writs of subpœna and notice for use in the respective cases aforesaid as seem fit, and the same shall be used accordingly.

40. *Omission to insert or indorse matters in or on writ not to nullify it.*—If in any such case the informant omits to insert in or indorse on any writ or copy thereof any of the matters for the time being required to be inserted therein or indorsed thereon, such writ or copy shall not on that account be void, but it may be set aside as irregular, or it may be amended on such terms as to the court or a judge seem fit, either on an application to the court or a judge for such amendment, or on an application to set aside the writ.

41. *Amendment in case of substitution by mistake, &c. of one writ for another.*—If in any such case one form of writ of subpœna is by mistake or inadvertence substituted for another, such mistake or inadvertence shall not be an objection to the writ or any other proceeding in the suit, but on an *ex parte* application to a judge, either before or after an application to set aside such writ or any proceeding thereon, and whether the writ or notice thereof has been served or not, the writ may be amended by a judge without costs.

42. *Writs for service in and out of jurisdiction.*—A writ of subpœna for service out of the jurisdiction may be issued and marked as a concurrent writ with one for service within the jurisdiction, and a writ of subpœna for service within the jurisdiction may be issued and marked as a concurrent writ with one for service out of the jurisdiction.

43. *Affidavit may be sworn before a consul, &c.*—An affidavit for the purpose of enabling the court or a judge to make an order for liberty to proceed against a defendant resident out of the jurisdiction of the court may be sworn at any foreign port or place before any of Her Majesty's consuls or vice-consuls there; and every affidavit so sworn may be used and shall be admitted in evidence, saving just exceptions; and judicial and official notice shall be taken of the seal or signature of the consul or vice-consul affixed or subscribed to any such affidavit.

44. *False swearing, perjury.*—If any person wilfully and corruptly makes a false affidavit before such consul or vice-consul he shall be deemed guilty of perjury, as if the false affidavit had been made in England before competent authority, and may be dealt with, indicted, tried, and (if convicted) sentenced, and his offence may be laid, and charged to have been committed, in any county or place in England in which he is in custody, as if the offence had been actually there committed.

45. *Provision as to pending suits.*—No repeal or other provision in this part of this act shall affect or apply to any suit or proceeding instituted or taken before the commencement of this act.

Part IV.

Certain other Classes of Proceedings where the Crown is interested.

46. *Provision for change of venue and for view.*—Where a cause in which Her Majesty's attorney-general on behalf of the Crown is entitled to demand as of right a trial at bar is at any time depending in any of Her Majesty's superior courts of law at Westminster, whether instituted before or instituted after the commencement of this act, and the attorney-general states to the court that he waives his right to a trial at bar, the following provisions shall have effect:

(1.) The court, on the application of the attorney-general shall change the venue to any county in which the attorney-general elects to have the cause tried:

(2.) The court may (if requisite) order that the sheriff of the county into which the venue is removed do cause a view to be had by jurors of that county (notwithstanding that the view must be taken and had by such sheriff and jurors out of their own county):

Cap. 104.

(3.) For the purposes aforesaid the court may make such orders as seem necessary or proper; and all such orders shall be binding on all sheriffs and other officers, and on all jurors and other persons concerned, and shall be sufficient warrant for the doing of everything thereby authorised or directed to be done:

(4.) The powers of the judges of the superior courts of law and of the judges of the Court of Exchequer as a court of revenue at law respectively to make general rules for the regulation of procedure and practice, and of costs, charges, and expenses, shall extend to the making of such general rules as from time to time seem fit for the better execution of this section:

(5.) Subject to any such rules, the provisions of "The Common Law Procedure Act, 1852," and of any rules made under it, and all other law and practice for the time being in force relative to change of venue and to views, shall extend to the cases of change of venue and view to which this section relates.

47. *Extents and writs of diem clausit extremum.*—A commission to find a debt due to the Crown shall not be necessary for authorising the issue of an immediate extent or of a writ of diem clausit extremum; and an immediate extent may be issued on an affidavit of debt and danger, and a writ of diem clausit extremum may be issued on an affidavit of debt and death (similar, *mutatis mutandis*, to the affidavit of debt and danger, or of debt and death, on which, after inquisition returned, an immediate extent of a writ of diem clausit extremum has been used to be issued), and on the fiat of the Chancellor of the Exchequer, or of a baron of Her Majesty's Court of Exchequer at Westminster, or of a judge of Her Majesty's Court of Queen's Bench or Common Pleas at Westminster.

48. *Future Crown debts, &c. not to affect land till writ of execution issued and registered.*—Any judgment, decree, or order obtained after the commencement of this act by or on behalf of the Crown, or any recognisance entered into after the commencement of this act on the proper account of the Crown, or any inquisition finding after the commencement of this act a debt due to the Crown, or any obligation or specialty made after the commencement of this act to the Crown, or any acceptance of office accepted after the commencement of this act from or under the Crown, shall not affect any land (of whatever tenure) as to a *bonâ fide* purchaser for valuable consideration or a mortgagee (whether such purchaser or mortgagee have or have not notice of the judgment, decree, order, recognisance, inquisition, obligation, specialty, or acceptance of office), unless a writ of extent or of diem clausit extremum, or other writ or process of execution, in pursuance of or in relation to such judgment, decree, order, recognisance, inquisition, obligation, specialty, or acceptance of office, has been issued and registered before the execution of the conveyance or mortgage to such purchaser or mortgagee, and the payment by him of the purchase or mortgage money.

49. *Mode of registration, and discontinuance of other modes of registration.*—The registration of such writ or process shall be effected as follows—namely, a minute of the name of the person against whom the writ or process is issued, and of the date of the issuing thereof, and of the amount for which it is issued, shall be left with the senior master of the Court of Common Pleas at Westminster, who shall forthwith enter the same particulars in a book by the name in alphabetical order of the person against whom the writ or process is issued; and no other registration of such writ or process, or of the judgment, decree, order, recognisance, inquisition, obligation, specialty, or acceptance of office, in pursuance of or in relation to which it is issued, shall be necessary for any purpose. There shall be paid for every such entry a fee of two shillings and sixpence; and all persons shall be at liberty to search the said book, with the other books in the office, on payment of a fee of one shilling.

50. *Provisions of 25 Geo. 3 c. 35, as to sale, &c. to apply in all cases.*—The act of the twenty-fifth year of the reign of King George the Third (chapter thirty-five), "for the more Easy and Effectual Sale of Lands, Tenements, and Hereditaments of Crown Debtors or of their Sureties," shall extend to authorise the sale, subject and according to the provisions of that act, of any land taken in execution by virtue of any writ or process of execution issued after the commencement of this act, by any court of law or equity, for enforcing the payment of any sum of money to or in favour of the Crown.

51. *Saving the prerogative of the Crown.*—Nothing in this part

of this act shall take away or abridge any prerogative or right of the Crown, in respect of priority or otherwise, over or against the creditors of any debtor or accountant to the Crown, and, save as in this part of this act expressly provided, every prerogative or right of the Crown as against the land of any debtor or accountant to the Crown, or over or against the creditors of any such debtor or accountant, shall remain in all respects as if this part of this act had not been enacted.

52. *Inquiry on objection to inquisition finding Crown's title.*—With respect to inquests of office or inquisitions after the commencement of this act finding the title of Her Majesty in right of the Crown or in right of the duchy of Cornwall, or the title of the Prince of Wales and Duke of Cornwall, to any real property, the following provisions shall have effect:

(1.) If in any such case a copy of the inquisition is served on any person, and such person thinks himself aggrieved by any description of boundary or other finding therein, he may within six months after such service, or within such enlarged time as Her Majesty's Court of Exchequer at Westminster or a judge may think fit to allow, file in the office of the Court of Exchequer in which the inquisition is filed a statement in writing of his objection to the inquisition:

(2.) On any such objection being filed, the Court of Exchequer or a baron thereof, on the application of the proper officer on behalf of Her Majesty in right of the Crown or in right of the duchy of Cornwall, or on behalf of the Prince of Wales and Duke of Cornwall (as the case may require), may appoint a fit person to inquire into the matter of the objection; and the person so appointed shall hold an inquiry on or near the land in question, or at some other convenient place (notice of the time and place for the holding of the inquiry being given to the person objecting); and for the purposes of such inquiry the person so appointed shall have power to summon witnesses and administer oaths:

(3.) The person so appointed shall make a return in writing to the Court of Exchequer of the result of the inquiry, which return shall be filed in the office in which the inquisition is filed; and if in any respect the return and the inquisition differ in effect, the inquisition shall be deemed to be altered so as to conform with the return:

(4.) Where a copy of an inquisition is served as aforesaid, an affidavit of service shall be filed in the office in which the inquisition is filed, and an office copy of such affidavit shall be evidence of the service:

(5.) Nothing in this section shall take away or abridge the right of any person to traverse an inquisition.

PART V.

Recovery of Succession, Legacy, and Probate Duty in certain cases.

53. *Enactments in third schedule repealed.*—The enactments described in the third schedule to this act, as far as they relate to England, shall from and after the commencement of this act be repealed, but not so as to affect any proceeding pending at the commencement of this act, or any appeal or other step capable of being brought or taken therein or in relation thereto, or any right, title, obligation, liability, forfeiture, or penalty acquired, accrued, or incurred before the commencement of this act; and every such proceeding, appeal, step, right, title, obligation, liability, forfeiture, and penalty may be continued, brought, taken, maintained, and enforced as if this act had not been passed.

54. *Construction of Part V.*—In this part of this act—

The term "the Succession Duty Act" means "The Succession Duty Act, 1853:"

The term "the Legacy Duty Acts" means the acts for charging duties on legacies and shares of the personal estates of deceased persons, so far as those acts relate to England:

The term "the Court of Exchequer" means Her Majesty's Court of Exchequer at Westminster.

This part of this act as far as it relates to duty under "The Succession Duty Act" and Legacy Duty Acts shall be read with "The Succession Duty Act" as one act.

55. *Summary proceedings for account and payment of succession or legacy duty.*—If any person accountable for or chargeable with duty under "The Succession Duty Act" or the Legacy Duty Acts, required by the Commissioners of Inland Revenue to deliver an account under those acts or any of them, makes default in doing so, the commissioners may sue out of the Court of Exchequer a writ of summons commanding him to deliver an account and to pay the duty and the costs of the proceedings, or to show cause to the contrary; and on cause being shewn such order shall be made as seems just.

56. *Summary proceedings for payment of succession or legacy duty assessed.*—Where, in pursuance of "The Succession Duty Act" or the Legacy Duty Acts, the Commissioners of Inland Revenue make an assessment of duty, and the duty is not paid, and there is no notice of appeal against the assessment under section fifty of "The Succession Duty Act," or of disputing the liability to assessment, the commissioners may sue out of the Court of Exchequer a writ of summons commanding the person liable for the duty, or the owner of any property expressly charged therewith, to pay the duty payable by him and the costs of the proceedings, or to show cause to the contrary; and on cause being shown such order shall be made as seems just.

57. *Summary proceedings for payment of probate duty.*—If any person takes possession of and in any manner administers any part of the personal estate of any person deceased without obtaining probate of his will or letters of administration of his estate within six months after his decease, or within two months after the termination of any suit or dispute respecting the will or the right to letters of administration, if there is any such suit or dispute that is not ended within four months after the death, the Commissioners of Inland Revenue may sue out of the Court of Exchequer a writ of summons commanding the person so taking possession and administering as aforesaid to deliver to the commissioners an account of the estate of the deceased and of its value, and to pay such duty as would have been payable if probate or administration had been obtained and the costs of the proceedings, or to show cause to the contrary, and on cause being shown such order shall be made as seems just; and any such proceedings shall be a waiver of all penalties incurred in the premises by such person as aforesaid.

58. *Court may before judgment order report and special case.*—In proceedings by writ of summons as aforesaid the court may, if they think fit, refer the matter to the proper officer to report thereon, and may, if they think fit, order the facts contained in his report to be stated in the form of a special case for the opinion of the court, and give directions as to the mode of settling the case, and the matters to be contained therein, and for the production of any documents, and may, if they think fit, direct any issue or issues of fact to be tried by a jury; and the court may proceed to give judgment on the special case, and for any amount of duty which the court are of opinion is due to the Crown, and for costs; and on such judgment, error may be brought and judgment given as on a special case stated by consent.

59. *Appeal in summary proceedings and on appeal from assessment.*—In proceedings by writ of summons as aforesaid, and also in cases of appeal to the Court of Exchequer from the assessment of the Commissioners of Inland Revenue under section fifty of "The Succession Duty Act," an appeal shall lie from the decision of the court or a judge on a case stated by the parties, or, if they differ, settled by the Court of Exchequer or a judge, or any officer of the Court of Exchequer, to whom the same is referred by the court or a judge; and the court of appeal shall give such judgment as ought to have been given by the Court of Exchequer or judge, and may award costs.

60. *Courts of appeal.*—The appeal in all such cases as aforesaid shall be made to the Court of Error in the Exchequer Chamber, and the decision of that court shall be subject to appeal to the House of Lords.

61. *Notice of appeal and bail.*—No such appeal shall be allowed unless notice thereof is given in writing to the opposite party or attorney, and to the proper officer of the Court of Exchequer, within four days after the decision complained of, or such further time as may be allowed by the court or a judge; and bail shall be given and approved of as provided with respect to suits at law on the revenue side of the Court of Exchequer.

62. *Power to court to make general rules.*—The Lord Chief Baron and two or more barons of the Court of Exchequer shall from time to time make such general rules as seem fit for carrying this part of this act into execution, and for regulating the procedure and practice in proceedings by writ of summons as aforesaid.

63. *Forms of writs in schedule.*—The forms of writs of summons

given in the fourth schedule to this act, applicable in the respective cases aforesaid, shall be used in those cases, with such variations as circumstances require; but general rules under this part of this act may from time to time prescribe such altered, additional, or substituted forms of writs of summons for use in the respective cases aforesaid or any of them as seem fit, and the same shall be used accordingly.

64. *Application of procedure and practice of revenue side of court—22 & 23 Vict. c. 21.*—Subject to the provisions of this part of this act, and to general rules made thereunder, proceedings by writs of summons as aforesaid shall be deemed proceedings at law on the revenue side of the Court of Exchequer within the meaning of sections ten, eleven, and sixteen to twenty-two (both inclusive) of the act of the session of the twenty-second and twenty-third years of the reign of Her Majesty (chapter twenty-one), "to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer."

SCHEDULES.

The First Schedule.

Form of Indorsement on English Information under Part II.

To the within-named *C.D.*

Victoria R.

We command you [and every of you, *where there are more defendants than one,*] that within days after service hereof on you, exclusive of the day of such service, you cause an appearance to be entered for you in our Court of Exchequer at Westminster to the within-contained information, and that you observe what our said court directs.

Witness at Westminster this day of 18

Note.—If you fail to comply with the foregoing directions an appearance may be entered for you, and you will be liable to be arrested and imprisoned [*or, in case of a corporation,* to be distrained by all your lands and chattels], and to have a decree made against you in your absence.

Appearances are to be entered at the Queen's Remembrancer's Office, Chancery Lane, London.

The Second Schedule.

Forms of Writs of Subpœna and Notice under Part III.

(A.)

Writ where Defendant, being a British Subject, is resident out of Jurisdiction of Court of Exchequer.

Victoria, &c.

To *C.D.* of in the county of

We command and strictly enjoin you, that within [*here insert a sufficient number of days within which the defendant might appear with reference to the distance he may be at from England*] days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in our Court of Exchequer at Westminster, to answer us concerning certain articles then and there on our behalf to be objected against you; and take notice, that in default of your so doing we shall proceed thereon to judgment and execution.

Witness, &c.

[*Memorandum to be subscribed on Writ.*]

This writ is to be served within [*six*] calendar months from the date thereof, or, if renewed, from the date of such renewal, including the day of such date, and not afterwards.

[*Indorsement to be made on Writ before Service thereof.*]

At the suit of Her Majesty's Attorney-General [*or as the case may be*].

By information.

This writ is for service out of the jurisdiction of the Court of Exchequer, and is issued by *E.F.*, the solicitor of [*as the case may be*],

[*if for penalties,*]

for the forfeiture by you of pounds for penalties under the statutes relating to the revenue of customs [*or* excise, stamps, taxes, *&c., as the case may be*];

[*or, if for duties or a debt,*]

for the recovery of pounds for duties due from you under the statutes relating [*&c., as before,—or state shortly the nature of the debt*].

Take notice, that in default of your entering an appearance in the Court of Exchequer, according to the exigency of this writ, an information may be filed and judgment signed thereon, and execution issued on such judgment, together with costs, at the expiration of fourteen days from the day of signing such judgment.

(B.)

Writ where Defendant, not being a British Subject, is resident out of Jurisdiction of Court of Exchequer.

Victoria, &c.

To *C.D.* late of in the county of

We command and strictly enjoin you, that within [*here insert a sufficient number of days within which the defendant might appear with reference to the distance he may be at from England*] days after notice of this writ is served on you, inclusive of the day of such service, you do cause an appearance to be entered for you in our Court of Exchequer at Westminster, to answer us concerning certain articles then and there on our behalf to be objected against you; and take notice, that in default of your so doing we shall proceed therein to judgment and execution.

Witness, &c.

[*Memorandum to be subscribed on Writ.*]

Notice of this writ is to be served within [*six*] calendar months from the date thereof, including the day of such date, and not afterwards.

[*Indorsements as on Writ (A).*]

(C.)

Notice of last foregoing Writ.

To *C.D.* [*late of Brighton in the county of Sussex*], residing at [*Paris in France*].

Take notice, that in the name of the Attorney-General of Her Majesty Queen Victoria of the United Kingdom of Great Britain and Ireland [*or, as the case may be*], *E.F.*, the solicitor of [*as the case may be*], has commenced proceedings at law against you *C.D.* in Her Majesty's Court of Exchequer at Westminster by writ of that court dated the day of A.D. 18

[*if for penalties,*]

for the forfeiture by you of pounds for penalties under the statutes relating to the revenue of customs [*or* excise, stamps, taxes, *&c., as the case may be*];

[*or, if for duties or a debt,*]

for the recovery of pounds for duties due from you under the statutes relating [*&c., as before, or state shortly the nature of the debt*].

Take notice, that you are required within days after the receipt of this notice, inclusive of the day of such receipt, to defend yourself against the said proceedings by entering an appearance in the said Court of Exchequer, and that in default of your so doing an information may be filed, and the said *E.F.* may, by leave of that court or of a judge of one of Her Majesty's superior courts of law at Westminster, proceed thereon to judgment and execution.

(Signed) *E.F.*

Solicitor of

The Third Schedule.

Enactments repealed as to England by Part V.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
42 Geo. 3, c. 99... ...	An Act for allowing the stamping certain Deeds until the 31st Day of December 1802; for amending an Act passed in the Thirty-sixth Year of the Reign of His present Majesty, relating to Duties on Legacies and Shares of Personal Estates; for exempting certain Legacies from the Payment of Duty; for reducing the Allowances on present Payment of Stamp Duties; and for reducing certain Stamp Duties on Policies for Sea Insurances.	Section two.
16 & 17 Vict. c. 51 ...	The Succession Duty Act, 1853.	Sections forty-seven and forty-eight.
22 & 23 Vict. c. 21 ...	An Act to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer.	Sections twelve, thirteen, fourteen, and fifteen.
24 & 25 Vict. c. 92 ...	An Act to amend the Law for the Collection of the Stamp Duties on Probates, Administrations, Inventories, Legacies, and Successions.	Section one.

The Fourth Schedule.

Forms of Writs of Summons under Part V.

(A.)

For Account and Payment by Executor.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, being accountable part within the true intent and meaning of "The Succession Duty Act, 1853," and the Legacy Duty Acts, have been required by our Commissioners of Inland

Revenue to render an account, pursuant to the said acts, and have made default therein.

Now we command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do deliver to the said Commissioners of Inland Revenue an account, upon oath, of all the legacies and of all the property of the said deceased, paid or to be paid or administered by you as such execut as aforesaid, and that you do within the same time pay the duty chargeable upon the said legacies and property of the said deceased, and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

(B.)

For Account and Payment by Administrator.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, being accountable within the true intent and meaning of "The Succession Duty Act, 1853," and the Legacy Duty Acts, have been required by our Commissioners of Inland Revenue to render an account, pursuant to the said acts, and have made default therein.

Now we command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do deliver to the said Commissioners of Inland Revenue an account, upon oath, of all the personal estate and effects of the said deceased, paid or to be paid or administered by you as such administrat as aforesaid, and that you do within the same time pay the duty chargeable upon the said personal estate and effects of the said deceased, and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

(C.)

For Account and Payment by Trustee, Legatee, &c.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, being accountable part within the true intent and meaning of "The Succession Duty Act, 1853," and the Legacy Duty Acts, have been required by our Commissioners of Inland Revenue to render an account, pursuant to the said acts, and have made default therein.

Now we command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do deliver to the said Commissioners of Inland Revenue an account, upon oath, of and that you do within the same time, pay the duty chargeable and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

(D.)

For Account and Payment by Successor, Trustee, &c.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, being accountable part within the true intent and meaning of "The Succession Duty Act, 1853," have been required by our Commissioners of Inland Revenue to render an account, pursuant to the said act, and have made default therein.

Now we command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do deliver to the said Commissioners of Inland Revenue an account, upon oath, of all the property to which, or to the income whereof, became beneficially entitled as successor on the death of deceased, by reason of the disposition thereof made by and that you do, within the same time, pay the duty chargeable on the said succession and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

(E.)

For Accounts and Payment by Executor, being also Successor.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, being accountable part within the true intent and meaning of "The Succession Duty Act, 1853," and the Legacy Duty Acts, have been required by our Commissioners of Inland Revenue to render an account, pursuant to the said acts, and have made default therein.

Now we command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do deliver to the said Commissioners of Inland Revenue an account, upon oath, of all the legacies and of all the property of the said deceased, paid or to be paid or administered by you as such executor as aforesaid, and also an account of all the property to which, or to the income whereof, you have become beneficially entitled as such successor as aforesaid upon the death of the said deceased and that you do within the same time pay the duty chargeable under the Legacy Duty Acts upon the said legacies and property of the said deceased and also the duty chargeable under the said Succession Duty Act upon the said property as succession as aforesaid, and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

(F.)

For Payment of Succession Duty when assessed.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, being accountable part within the true intent and meaning of "The Succession Duty Act, 1853," have, as required by the said act, delivered to our Commissioners of Inland Revenue an account of the property for the duty whereon you are accountable, and that the said commissioners have, in pursuance of the said act, assessed the duty on such account, but that you have made default in payment of the same, or some part thereof.

Now we, having been likewise given to understand in manner aforesaid that there has been no appeal from the said assessment, and no notice of disputing the liability to the same, command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do pay to the said Commissioners of Inland Revenue, or their proper officer, the said duty so assessed, or such part thereof as shall at the time of such service be by law due and payable, and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

(G.)

For Account and Payment of Probate Duty.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to greeting:

Whereas we have been given to understand, in our court before our barons of the Exchequer at Westminster, that you, having taken possession of and administered some part or parts of the personal estate and effects of deceased, have not obtained probate of the will (or letters of administration of the estate and effects) of the said deceased within the time required by law.

Now we command you that (all excuses ceasing) within fourteen days from the service of this writ, or a copy thereof, you do deliver to our Commissioners of Inland Revenue an account, upon oath, of the estate and effects of the said deceased, and of the true value thereof, and that you do within the same time pay to the said Commissioners of Inland Revenue such duty as would have been duly payable on such probate (or letters of administration) as aforesaid if the same had been duly obtained by you, and the costs of these proceedings; or that you the said do within the same time appear before the barons of our said Exchequer at Westminster, and show cause why you make default in the premises, and this you are in nowise to omit upon pain of process of contempt issuing against your person for your neglect therein.

Witness at Westminster, the day of in the year of our Lord one thousand eight hundred and sixty-

28 & 29 VICT. CAP. 105.

An Act to continue the Poor Law Board for a limited Period.—[5th *July* 1865.]

28 & 29 VICT. CAP. 106.

An Act to authorize Loans in aid of the Construction of Docks in British Possessions.—[5th *July* 1865.]

28 & 29 VICT. CAP. 107.

An Act to continue certain Turnpike Acts in Great Britain.—[5th *July*, 1865.]

28 & 29 VICT. CAP. 108.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Nottingham, Rusholme, Plymouth, Redcar, Cardiff, Kingston-upon-Hull, Guildford, Ramsgate, Ryde, Workington, and Oxford; and for other Purposes relative to certain Districts under the said Act.—[5th *July* 1865.]

28 & 29 VICT. CAP. 109.

An Act for transferring the Ulster Canal to the Commissioners of Public Works in Ireland.—[5th *July* 1865.]

28 & 29 VICT. CAP. 110.

An Act to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the Hastings District.—[5th *July* 1865.]

NAVY AND MARINES (PROPERTY OF DECEASED) ACT.

28 & 29 VICT. CAP. 111.

An Act to regulate the Disposal of Money and Effects under the Control of the Admiralty, belonging to deceased Officers, Seamen, and Marines of the Royal Navy and Marines, and other Persons.—[5th *July* 1865.]

Cap. 111.

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title.*—This act may be cited as "The Navy and Marines (Property of Deceased) Act, 1865."

2. *Interpretation of terms.*—In this act—

The term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral:

The term "officer" means a commissioned, warrant, or subordinate officer, or assistant engineer, in Her Majesty's naval or marine force:

The term "seaman or marine" means a petty officer or seaman, non-commissioned officer of marines or marine, or other person forming part, in any capacity, of the complement of any of Her Majesty's vessels, or otherwise belonging to Her Majesty's naval or marine force (not being an officer within the meaning o this act), or a petty officer or man of the Royal Naval Reserve or Naval Coast Volunteers:

The term "representation" includes probate and letters of administration, with or without will annexed:

The term "representative" means any person taking out representation:

The term "person" includes a corporation.

3. *Residue belonging to deceased officers, seamen, or marines.*—On the death of any person being or having been an officer, seaman, or marine, the amount (if any) to the credit of the deceased in the books of the Admiralty, in respect of sale of effects, arrears of pay, wages, prize money, bounty money, grants, or other allowances in the nature thereof, or other money payable by the Admiralty (which amount is hereafter in this act, with reference to every such case, called the residue), shall be disposed of according to the provisions of this act.

4. *Residue belonging to deceased persons in civil service of navy.*—On the death of any person being or having been employed in any of Her Majesty's dockyards or other naval establishment, or in any of the civil departments of the navy, or entitled to an allowance from the Compassionate Fund, or of any widow entitled to a pension on the establishment of the navy, the amount (if any) due by the Admiralty (which amount is hereafter in this act, with reference to every such case, called the residue), shall be disposed of according to the provisions of this act.

5. *Residue exceeding 100l. to be paid to representative.*—Where the residue exceeds one hundred pounds the Admiralty shall dispose thereof by paying it to the representative of the deceased.

6. *Residue not exceeding 100l. to be paid to representative, if any.*—Where the residue does not exceed one hundred pounds it shall not be necessary for any purpose that representation to the deceased be taken out; but in any case the Admiralty may, if they think fit, require representation to be taken out, and, if on that requisition or otherwise, representation is taken out, then the Admiralty shall dispose of the residue by paying it to the representative.

7. *Power to require certificate, &c. before representation.*—In the case, nevertheless, of a seaman or marine, the Admiralty shall not be bound to pay the residue (whatever be its amount) to the representative of the deceased, if representation has been taken out either by a creditor as such, or by any person without such certificate respecting the title to representation having been first obtained from the Admiralty, or such other regulations or conditions having been duly observed or performed, as is or are prescribed by order in council; and in any such case the Admiralty shall dispose of the residue in pursuance of this act as if representation had not been taken out.

8. *Residue not exceeding 100l., and no representation, power to pay it to widow, &c.*—Where the residue does not exceed one hundred pounds, and representation is not taken out, then, subject to the other provisions of this act, the Admiralty shall, as soon as may be, dispose of the residue as follows:

(1.) They shall, if they think fit, pay the residue to any person showing herself or himself to their satisfaction to be entitled to take out representation to the deceased (otherwise than as a creditor)—to the end that the residue may be applied by the person to whom it is so paid in a due course of administration; and the same shall be so applied accordingly (for which application the Admiralty may require such security as they think fit):

(2.) Or else the Admiralty shall, if they think fit, pay to the person (if any) beneficially interested in the residue their respective shares thereof:

(3.) And in cases where the foregoing provisions of the present section do not apply, and the amount of the residue appears to the Admiralty insufficient to cover the expense of representation, the Admiralty shall dispose of the residue in manner prescribed by order in council.

9. *Admiralty not bound to pay to nominee of representative.*—In the case of a seaman or marine, the Admiralty shall not pay the residue or any part thereof to any nominee of the representative of the deceased or of a person entitled to take out representation to the deceased, whether such nominee be appointed by power of attorney or otherwise, unless in special circumstances it appears to the Admiralty safe and proper to make such payment to any such nominee.

10. *Admiralty not to dispose of residue for three months, &c.*—Notwithstanding anything in this act, the Admiralty shall not in any case dispose of the residue or any part thereof otherwise than by paying the same to the representative of the deceased, until after the expiration of three months from the receipt by the Admiralty of notice of the death, unless in special circumstances it appears to the Admiralty safe and proper to dispose of the residue or any part thereof at an earlier time.

11. *Provision for payment of debts out of residue.*—In the case of a seaman or marine, where representation is not taken out, the Admiralty shall before disposing of the residue or any part thereof satisfy out of the residue (as far as the same will extend) any debt of the deceased of which they have notice, subject to the following conditions:

First.—That the debt accrued due within three years before the death:

Second.—That payment of it is claimed within two years after the death:

Third.—That the claimant proves the debt to the satisfaction of the Admiralty:

Fourth.—That six months have elapsed from the receipt by the Admiralty of notice of the death, and no person has shown herself or himself to the satisfaction of the Admiralty to be entitled to take out representation to the deceased.

In any such case, any person claiming to be a creditor of the

deceased shall not be entitled to obtain payment of his debt out of any money being under this act in the hands of the Admiralty by any means or proceeding whatever except by means of a claim lodged with the Admiralty and proceedings thereon under and according to this act.

12. *Saving for existing claims.*—Nothing in this act shall prejudicially affect the claim of any creditor in respect of a debt incurred before the commencement of this act.

13. *Provision as to unsold effects, &c.*—The provisions of this act relative to the residue, in the case of a deceased officer, seaman, or marine, shall extend and apply, *mutatis mutandis*, to unsold effects and money (if any) in charge of the Admiralty.

14. *Disposal of medals and decorations.*—Medals and decorations belonging to an officer, seaman, or marine dying on service shall not be considered as comprised in the personal estate of the deceased with reference to the claims of creditors, or for any of the purposes of administration under this act or otherwise; and, notwithstanding anything in this or any other act, the same shall be held and disposed of according to regulations prescribed by order in council.

15. *Exemptions from duty.*—Where the residue does not exceed one hundred pounds and is administered and disposed of under this act without representation being taken out, it shall not be liable to the payment of any duty; and if in any case the Admiralty under this act require security by bond for the application of a residue in due course of administration, the bond shall be exempt from stamp duty where an ordinary administration bond relative to the same residue would be so exempt; but this provision shall not affect any exemption from duty existing independently hereof.

16. *Validity of payments, sales, &c. under this act.*—Every payment or application of money, and every sale or other disposition of property, made by the Admiralty in pursuance of this act, or of any order in council for carrying this act into effect, shall be good and valid as against all persons whomsoever; and the Admiralty shall be by virtue of this act absolutely discharged from all liability in respect of the money or other property so paid, applied, or disposed of.

17. *Her Majesty may make orders in council.*—Her Majesty in council may from time to time make such orders in council as seem meet for the better execution of any of the purposes of this act.

18. *Orders in council to be published in the "London Gazette."*—Every order in council under this act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within thirty days after the making thereof if Parliament is then sitting, and if not then within thirty days after the next meeting of Parliament.

19. *Commencement of act.*—This act shall commence on such day, not later than the first day of January, one thousand eight hundred and sixty-six, as Her Majesty in council thinks fit to direct.

Any order in council for the better execution of any of the purposes of this act may nevertheless be made before that day, but not so as to commence before it.

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28 & 29 Vict. cap. 112.

An Act to repeal Enactments relating to Powers of the Commissioners of the Admiralty, and to various Matters under the Control of the Admiralty.—[5th July 1865.]

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28 & 29 Vict. cap. 113.

An Act to authorise the Payment of Retiring Pensions to Colonial Governors.—[5th July 1865.]

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28 & 29 Vict. cap. 114.

An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Eastbourne, Clevedon, Herne Bay, Llandrillo, and Pensarn.—[5th July 1865.]

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28 & 29 Vict. cap. 115.

An Act to amend "The Naval Discipline Act, 1864."—[5th July 1865.]

Cap. 111.

FOREIGN JURISDICTION ACT AMENDMENT ACT.

28 & 29 Vict. cap. 116.

Cap. 116. *An Act to explain the Foreign Jurisdiction Act.*—[5th July 1865.]

Be it declared and enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Meaning of "British colony" in 6 & 7 Vict. c. 94.*—In the Foreign Jurisdiction Act (that is to say, the act of the session of the sixth and seventh years of Her Majesty's reign, chapter ninety-four, "to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual,") the term "British colony" includes and shall be construed to include any of Her Majesty's possessions out of the United Kingdom.

2. *Short title.*—This act may be cited as "The Foreign Jurisdiction Act Amendment Act, 1865."

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28 & 29 Vict. cap. 117.

An Act to regulate the Appointment of a Vicar or Incumbent to the Vicarage of the Parish Church of Rochdale in the County of Lancaster and in the Diocese of Manchester.—[5th July 1865.]

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28 & 29 Vict. cap. 118.

An Act to continue and amend "The Peace Preservation (Ireland) Act, 1856."—[5th July 1865.]

EXPIRING LAWS CONTINUANCE ACT.

28 & 29 Vict. cap. 119.

Cap. 119. *An Act for continuing various expiring Acts.*—[5th July 1865.]

Whereas the several acts mentioned in the first column of the schedule hereto are wholly, or as to certain provisions thereof, limited to expire at the times specified in respect of such acts in the fourth column of the said schedule: and whereas it is expedient to continue such acts, in so far as they are temporary in their duration, for the times mentioned in respect of such acts respectively in the fifth column of the said schedule: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title.*—This act may be cited for all purposes as "The Expiring Laws Continuance Act, 1865."

2. *Continuance of acts in schedule.*—The acts mentioned in column one of the said schedule, and the acts, if any, amending the same, shall, in so far as such acts or any provisions thereof are temporary in their duration, be continued until the times respectively specified in respect of such acts in the fifth column of the said schedule.

SCHEDULE.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of expiration of temporary provisions.	5. Continued until
3 & 4 Vict. c. 89. Poor Rates. Stock in Trade Exemption.	... ...	Whole act	1st October 1865, and end of then next session. (26 & 27 Vict. c. 95.)	1st October 1866, and end of then next session.
4 & 5 Vict. c. 59. Application of Highway Rates in Turnpike Roads.	... ...	Whole act	1st October 1865, and end of then next session. (23 & 24 Vict. c. 67.)	1st October 1870, and end of then next session.
10 Vict. c. 32. Landed Property Improvement (Ireland).	13 & 14 Vict. c. 31.	As to powers of commissioners.	1st January 1865, and end of then next session. (26 & 27 Vict. c. 95.)	1st January 1866, and end of then next session.
10 & 11 Vict. c. 90. Poor Laws (Ireland).	14 & 15 Vict. c. 68.	As to appointment of commissioners, &c.	23d July 1865, and end of then next session. (27 & 28 Vict. c. 84.)	23d July 1866, and end of then next session.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of expiration of temporary provisions.	5. Continued until
0 & 11 Vict. c. 98. Ecclesiastical Jurisdiction.	... ...	As to provisions continued by 21 & 22 Vict. c. 50.	1st August 1865, and end of then next session. (27 & 28 Vict. c. 84.)	1st August 1867, and end of then next session.
1 & 12 Vict. c. 32. County Cess (Ireland.)	20 & 21 Vict. c. 7.	Whole act	1st August 1865, and end of then next session. (27 & 28 Vict. c. 84.)	1st August 1866, and end of then next session.
11 & 12 Vict. c. 107. Sheep and Cattle diseased.	16 & 17 Vict. c. 62.	Whole act	1st August 1865, and end of then next session. (27 & 28 Vict. c. 84.)	1st August 1866, and end of then next session.
14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124.	Whole act	1st January 1865, and end of then next session. (27 & 28 Vict. c. 84.)	1st January 1866, and end of then next session.
17 & 18 Vict. c. 117. Incumbered Estates (W. Indies).	21 & 22 Vict. c. 96. 25 & 26 Vict. c. 45. 27 & 28 Vict. c. 108.	As to appointment of commissioners.	2d August 1865 (27 & 28 Vict. c. 84.)	2d August 1867, and end of then next session.
24 & 25 Vict. c. 109. Salmon Fishery (England) Act.	... ...	As to appointment of inspectors, s. 31.	1st October 1865 (27 & 28 Vict. c. 84.)	1st October 1866, and end of then next session.
25 & 26 Vict. c. 97. Salmon Fisheries (Scotland) Act.	26 & 27 Vict. c. 50. 27 & 28 Vict. c. 118.	As to powers of commissioners, &c.	1st January 1866	1st January 1867.
26 & 27 Vict. c. 114. Salmon Fisheries (Ireland).	... ...	As to duration of office of the special commissioners for Irish fisheries, & all powers, rights, and privileges pertaining thereto	28th July 1865, and end of then next session.	28th July 1866, and end of then next session.
27 & 28 Vict. c. 92. Public Schools.	... ...	Whole act	1st August 1865	1st August 1866.

28 & 29 VICT. CAP. 120.

An Act to amend the Acts relating to the Preservation and Improvement of Harwich Harbour.—[*5th July* 1865.]

28 & 29 VICT. CAP. 121.

An Act to amend "The Salmon Fishery Act, 1861."—[*5th July* 1865.]

CLERICAL SUBSCRIPTION ACT.

28 & 29 VICT. CAP. 122.

An Act to amend the Law as to the Subscriptions and Declarations to to be made and Oaths to be taken by the Clergy of the Established Church of England and Ireland.—[*5th July* 1865.] Cap. 122.

Whereas it is expedient that the subscriptions, declarations, and oaths required to be made and taken by the clergy of the United Church of England and Ireland should be altered and simplified: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Sect. 1. *Declaration of assent.*—The following declaration is herein-after referred to as "the declaration of assent."

'I *A.B.* do solemnly make the following declaration:

'I assent to the Thirty-nine Articles of Religion, and to the Book of Common Prayer, and of the Ordering of Bishops, Priests, and Deacons. I believe the doctrine of the United Church of England and Ireland, as therein set forth, to be agreeable to the word of God; and in public prayer and administration of the sacraments I will use the form in the said book prescribed, and none other, except so far as shall be ordered by lawful authority.'

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2. *The declaration against simony.*—The following declaration is herein-after referred to as "the declaration against simony:"

'I *A.B.* solemnly declare, that I have not made, by myself or by any other person on my behalf, any payment, contract, or promise of any kind whatsoever which to the best of my knowledge or belief is simoniacal, touching or concerning the obtaining the preferment of nor will I at any time hereafter perform or satisfy, in whole or in part, any such kind of payment, contract, or promise made by any other without my knowledge or consent.'

3. *Stipendiary curate's declaration.*—The following declaration is herein-after referred to as "the stipendiary curate's declaration:"

'I *A.B.*, incumbent of in the county of *bonâ fide* undertake to pay to *C.D.* of in the county of the annual sum of pounds as a stipend for his services as curate, and I *C.D. bonâ fide* intend to receive the whole of the said stipend.

'And each of us the said *A.B.* and *C.D.* declare that no abatement is to be made out of the said stipend in respect of rent or consideration for the use of the glebe house; and that I *A.B.* undertake to pay the same, and I *C.D.* intend to receive the same, without any deduction or abatement whatsoever.'

4. *Subscription and oaths on ordination.*—Every person about to be ordained priest or deacon shall, before ordination, in the presence of the archbishop or bishop by whom he is about to be ordained, at such time as he may appoint, make and subscribe the declaration of assent, and take and subscribe the oath of allegiance and supremacy according to the form set forth in the act of the session of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter forty-eight.

5. *Subscription and oaths on institution to benefice or licence to a perpetual curacy, &c.*—Every person about to be instituted or collated to any benefice, or to be licensed to any perpetual curacy, lectureship, or preachership, shall before institution or collation is made or licence granted, make and subscribe the declaration of assent, and the declaration against simony, and take the said oath of allegiance and supremacy, in the presence of the archbishop or bishop by whom he is to be instituted, collated, or licensed, or the commissary of such archbishop or bishop.

6. *Declaration on taking stipendiary curacy.*—Every person about to be licensed to a stipendiary curacy shall, before obtaining such licence, present to the archbishop or bishop by whom the licence is to be granted, the stipendiary curate's declaration, signed by himself and by the incumbent of the benefice to which he is about to be licensed.

7. *Declaration after institution or collation.*—Every person instituted or collated to any benefice with cure of souls, or licensed to a perpetual curacy, shall, on the first Lord's day on which he officiates in the church of such benefice or perpetual curacy, or on such other Lord's day as the ordinary may appoint and allow, publicly and openly, in the presence of the congregation there assembled, read the Thirty-nine Articles of Religion, and immediately after reading the same make the said declaration of assent, adding, after the words "Articles of Religion," in the said declaration, the words "which I have now read before you."

If any person instituted, collated, or licensed as aforesaid wilfully fails to comply with the provisions of this section, he shall absolutely forfeit his benefice or perpetual curacy, but no title to present by lapse shall accrue by any such forfeiture until the ordinary has given six months notice thereof to the patron.

8. *Declaration after licence to stipendiary curacy.*—Every person licensed to a stipendiary curacy shall, in the presence of the archbishop or bishop by whom he was licensed, or of the commissary of such archbishop or bishop (unless, having been ordained on the same day, he has already made and subscribed the same), make and subscribe the declaration of assent, and on the first Lord's day on which he officiates in the church or in one of the churches in which he is licensed to serve publicly and openly make the declaration of assent in the presence of the congregation there assembled, and at the time of Divine service.

If any person licensed to a stipendiary curacy wilfully fails to comply with the provisions of this section his licence shall be void.

9. *No other declaration or oaths than those required by act to be enforced.*—Subject as herein-after mentioned, no person shall, on or as a consequence of ordination, or on or as a consequence of being licensed to any stipendiary curacy, or on or as a conse-

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quence of being presented, instituted, collated, elected, or licensed to any benefice, perpetual curacy, lectureship, or preachership, be required to make any subscription or declaration, or take any oath other than such subscriptions, declarations, and oath as are required by this act.

10. *Declaration of assent to be substituted in case of other ecclesiastical appointments.*—On all occasions other than those herein-before provided for, on which any declaration or subscription with respect to the Thirty-nine Articles or the Book of Common Prayer or the Liturgy is required to be made by any person in holy orders appointed to any ecclesiastical dignity, benefice, or office, the making and subscribing the declaration of assent shall be substituted for the making any such declaration or subscription as aforesaid; and on all ocasions other than those herein-before provided, on which any oath against simony is required to be taken, the making and subscribing the declaration against simony shall be substituted for the taking of such oath.

11. *Oath not to be administered during ordination or consecration service.*—No oath shall be administered during the service for the ordering of deacons, or during the service for the ordering of priests, or during the service for the consecration of archbishops and bishops.

12. *Nothing to affect oath of canonical obedience to bishops, &c.*—Nothing in this act contained shall extend to or affect the oath of canonical obedience to the bishop, or the oath of due obedience to the archbishop taken by bishops on consecration.

13. *Extent of act.*—That this act do extend to the islands of Guernsey, Jersey, Alderney, and Sark, and to the Isle of Man.

14. *Short title.*—This act may be cited for all purposes as "The Clerical Subscription Act, 1865."

15. *As to repeal of acts in schedule.*—The enactments described in the schedule hereto, and all enactments amending, confirming or continuing the same, and all other enactments inconsistent with this act, are hereby repealed.

SCHEDULE.

Title of Act.	Description of repealed Enactments.
28 Hen. 8, c. 13 (Irish).	The whole of sections nine and ten.
1 Eliz. c. 1. An Act to restore to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign Powers repugnant to the same.	Sections* nineteen, twenty, twenty-one, twenty-two, and twenty-three, so far as they relate to any oath to be taken by a person who is ordained or licensed to a stipendiary curacy, or presented, instituted, collated, elected, or licensed to any benefice, perpetual curacy, lectureship, or preachership.
2 Eliz. c. 1 (Irish). An Act restoring to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign Power repugnant to the same.	Sections seven, eight, and nine, so far as they relate to any oath to be taken by a person who is ordained or licensed to a stipendiary curacy, or presented, instituted, collated, elected, or licensed to any benefice, perpetual curacy, lectureship, or preachership.
13 Eliz. c. 12. An Act for the Ministers of the Church to be of sound Religion.	The whole of section three, except the words following: "No person shall hereafter be admitted to any benefice with cure, except he then be of the age of three-and-twenty years at the least, and a deacon." And so much of section five as provides that no one shall be admitted to the order of deacon or ministry unless he shall first subscribe to the said articles.
13 & 14 Chas. 2, c. 4. An Act for the Uniformity of Public Prayers and Administration of Sacraments and other Rites and Ceremonies, and for establishing the Form of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons in the Church of England.	The whole of sections six, eight, and eleven, and section nineteen, except the words following: "No person shall be or be received as a lecturer, or permitted, suffered, or allowed to preach as a lecturer, or to preach or read any sermon or lecture in any church, chapel, or other place of public worship within this realm of England, or the dominion of Wales and town of Berwick-upon-Tweed, unless he be first approved and thereunto licensed by the archbishop of the province or bishop of the diocese, or (in case the see be void) by the guardian of the spiritualities under his seal."
17 & 18 Chas. 2, c. 6 (Irish).	The whole of sections three, five, and six, and section eighteen, except the words following: "That no person shall be or be received as a lecturer, or permitted, suffered, or allowed to preach as a lecturer, or to preach or read any sermon or lecture in any church, chapel, or other place of public worship within this realm of Ireland, unless he be first approved and thereunto licensed by the archbishop of the province or bishop of the diocese, or (in case the see be void) by the guardian of the spiritualities under his seal."

* The numbers of the sections correspond with the numbers in the ordinary editions of the statutes.

Cap. 122.

Title of Act.	Description of repealed Enactments.
1 Will. & Mary, c. 8. An Act for the abrogating the Oaths of Supremacy and Allegiance and appointing other Oaths.	The whole act so far as relates to any oath to be taken by any person who is ordained or is licensed to a stipendiary curacy, or presented, instituted, collated, elected, or licensed to any benefice, perpetual curacy, lectureship, or preachership.
3 Will. & Mary, c. 2. An Act for the abrogating the Oath of Supremacy in Ireland and appointing other Oaths.	So much of section four as relates to persons admitted to any ecclesiastical office or employment.
1 Geo. 1, st. 2, c. 13. An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales and his open and secret Abettors.	Sections two and seven, so far as they relate to any oath to be taken by any person who is ordained or is licensed to a stipendiary curacy, or presented, instituted, collated, elected, or licensed to any benefice, perpetual curacy, lectureship, or preachership.
23 Geo. 2, c. 28.	The whole act.
1 & 2 Vict. c. 106.	Part of section eighty-one, beginning with the words "and in every case in which application shall be made" to the end of the section.

28 & 29 Vict. cap. 123.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year ending Thirty-first March, One thousand eight hundred and sixty-six, and to appropriate the Supplies granted in this Session of Parliament.—[*6th July* 1865.]

ADMIRALTY POWERS, &c. ACT.

28 & 29 Vict. cap. 124.

Cap. 124.

An Act for consolidating certain Enactments relating to the Admiralty.—[*6th July* 1865.]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Provisions of* 27 & 28 Vict. c. 57 *to apply to this act.*—The provisions of "The Admiralty Lands and Works Act, 1864," respecting the user of lands, and respecting powers of management and leasing, and other rights and powers relative to lands, and respecting recovery of possession and sale of lands, and respecting actions and suits by and against the Admiralty relative to lands, shall apply in relation to all lands for the time being vested in or purchased by the Commissioners of the Admiralty.

2. *Style of Commissioners of Admiralty in suits—As to costs.*—Except as otherwise expressly provided, the Commissioners of the Admiralty for the time being may be styled, in any action, suit, or other proceeding at law or in equity, "The Commissioners for executing the office of Lord High Admiral of the United Kingdom," without more; and any action, suit, or proceeding shall not be affected by any change among the Commissioners of the Admiralty; and in any action, suit, or proceeding the Commissioners of the Admiralty shall be liable and entitled to pay or receive costs according to the ordinary law and practice relative to costs.

3. *Prerogatives of the Crown in suits preserved, &c.*—Nothing in this act, or in "The Admiralty Lands and Works Act, 1864," shall take away or abridge in any action or suit the legal rights, privileges, and prerogatives of Her Majesty, her heirs and successors, but in all actions and suits instituted by or against the Commissioners of the Admiralty, and in all proceedings and matters connected therewith, the Commissioners of the Admiralty may exercise and enjoy all such rights, privileges, and prerogatives as are for the time being exercised and enjoyed in any action or suit in any court of law or equity by Her Majesty, her heirs or successors, as if the Crown were actually a party to such action or suit.

4. *Saving for proceeding by information, &c.*—Notwithstanding anything in this act, or in "The Admiralty Lands and Works Act, 1864," it shall be lawful for Her Majesty, her heirs and successors, to proceed by information in the Court of Exchequer, or by any other Crown process, legal or equitable, in any case in which it would have been competent for Her Majesty, her heirs or successors, so to proceed if no provisions respecting procedure

had been inserted in this act, or in "The Admiralty Lands and Works Act, 1864."

Cap. 124.

5. *Superintendents of dockyards to be justices for certain purposes.*—The superintendents of Her Majesty's dockyards shall be in all places justices of the peace in respect of all offences specified in this act, and of all matters relating to Her Majesty's naval service, and the stores, provisions, and accounts thereof.

6. *Punishment for uttering false petitions, certificate, &c.*—If any person, in order to sustain any claim to any pay, wages, allotment, prize money, bounty money, grant, or other allowance in the nature thereof, half pay, pension, or allowance from the Compassionate Fund of the navy, or other money payable by the Admiralty, or to any effects or money in charge of the Admiralty, —or in order to procure any person to be admitted a pensioner as the widow of an officer of the navy,—does any of the following things—namely, offers or utters to any person in the service of the Crown or of the Admiralty any false affidavit, knowing the same to be false, or makes or subscribes or offers or utters as aforesaid any false written petition, application, statement, answer, certificate, or voucher, or other false writing, knowing the same to be false,—every such person shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the court, to be kept in penal servitude for any term not exceeding five years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement, or on summary conviction before a justice, sheriff, or magistrate shall be liable to be imprisoned for any term not exceeding six months with or without hard labour.

7. *Parts of 24 & 25 Vict. c. 98 incorporated.*—The following sections of the act of the session of the twenty-fourth and twenty-fifth years of Her Majesty's reign (chapter ninety-eight), "to consolidate and amend the Statute Law of England and Ireland relating to indictable Offences by Forgery," shall be incorporatdo with this act, and shall be read as if they were here re-enacted—namely, sections forty to forty-two and fifty to fifty-three (all inclusive); and for this purpose the expression "this act" used in the said incorporated sections shall be construed to include the present act, and expressions therein used relating to forgery or forged writings shall be construed to apply to any act being a misdemeanor under the last foregoing provision of this act, and to writings made, subscribed, offered, or uttered in contravention of that provision.

8. *Punishment for personation of seamen, &c.*—If any person in order to receive any pay, wages, allotment, prize money, bounty money, grant, or other allowance in the nature thereof, half pay, pension, or allowance from the Compassionate Fund of the navy, payable or supposed to be payable by the Admiralty, or any other money so payable or supposed to be payable, or any effects or money in charge or supposed to be in charge of the Admiralty, falsely and deceitfully personates any person entitled or supposed to be entitled to receive the same, every such person shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the court, to be kept in penal servitude for any term not exceeding five years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement, or on summary conviction before a justice, sheriff, or magistrate shall be liable to be imprisoned for any term not exceeding six months, with or without hard labour.

9. *Saving for punishment under other acts, &c.*—Nothing in this act shall prevent any person from being proceeded against and punished under any other act or at common law in respect of an offence (if any) punishable as well under this act as under any other act or at common law.

Cap. 124.

10. *Commencement of act.*—This act shall commence on such day, not later than the first day of January one thousand eight hundred and sixty-six, as Her Majesty in council thinks fit to direct.

11. *As to publication of orders in council.*—Every order in council under this act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within thirty days after the making thereof, if Parliament is then sitting, and if not then within thirty days after the next meeting of Parliament.

12. *Short title.*—This act may be cited as "The Admiralty Powers, &c. Act, 1865."

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28 & 29 Vict. cap. 125.

An Act for the Regulation of Dockyard Ports.—[6th *July* 1865.]

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28 & 29 Vict. cap. 126.

An Act to consolidate and amend the Law relating to Prisons.—[6th *July* 1865.]

PENALTIES LAW AMENDMENT ACT.

28 & 29 Vict. cap. 127.

Cap. 127.

An Act to amend the Law relating to small Penalties.—[6th *July* 1865.]

Whereas it is expedient to amend the law relating to small penalties: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sect. 1. *Short title.*—This act may be cited for all purposes as "The Small Penalties Act, 1865."

2. *Commencement of act.*—This act shall come into operation on the first day of August one thousand eight hundred and sixty-five.

3. *Definition of "penalty."*—The word "penalty" in this act shall include any sum of money recoverable in a summary manner.

4. *Recovery of small penalties.*—Where upon summary conviction any offender may be adjudged to pay a penalty not exceeding five pounds, such offender, in case of nonpayment thereof, may, without any warrant of distress, be committed to prison for any term not exceeding the period specified in the following scale, unless the penalty shall be sooner paid:

For any penalty—	The imprisonment not to exceed—
Not exceeding ten shillings	Seven days.
Exceeding ten shillings and not exceeding one pound	Fourteen days.

For any penalty—	The imprisonment not to exceed—
Exceeding one pound but not exceeding two pounds	One month.
Exceeding two pounds but not exceeding five pounds...	Two months.

5. *Saving as to hard labour.*—Nothing in this act contained shall affect the power of imposing hard labour in addition to imprisonment in cases where hard labour might, on nonpayment of the penalty, have been so imposed if this act had not passed.

6. *Application of act.*—This act shall apply to penalties, including costs, recoverable in a summary manner in pursuance of any act of Parliament, whether passed before or after the commencement of this act; and all provisions of any act of Parliament authorising, in the case of nonpayment of a penalty not exceeding five pounds, a longer term of imprisonment than is provided by this act, shall be repealed.

7. *Not to apply to penalties under Revenue Acts.*—This act shall not apply to any penalty imposed by any act of Parliament relating to the Inland Revenue.

8. *Extent of act.*—This act shall extend to England only.

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I. ..... Ireland.
E. & I. signifies that the Act relates to England and Ireland.
G. B. ..... Great Britain.
G. B. & I. ..... Great Britain and Ireland.
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Local Government; to confirm certain Provisional Orders under "The Local Government Act 1858" (21 & 22 Vict. c. 98), relating to the Districts of Bridlington, Brighouse, Barnley, Henley, Shipley, Wallingford, Llangollen, Ormskirk, Swansea, Tormoham, and Lockwood, c. 24, E. 3
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Officers. *See* Army. Militia. Naval Discipline.
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Q.

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